

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit side yard setbacks of 6 inches and a rear setback of 2 ft. all in lieu of the required 2.5 ft. and 400.2 to permit a setback of 12 ft. to the centerline of an alley in lieu of the required 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (Indicate hardship or practical difficulty)

To build 2 foot back from alley property line. Reason it would take up to much of property in rear of house if built in accordance of Code which requires 5 feet from the line.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Paul J. Pope
Signature	(Type or Print Name)
Address	Paul J. Pope
City and State	Signature
Attorney for Petitioner:	Frances B. Pope
(Type or Print Name)	(Type or Print Name)
Address	Signature
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Attorney's Telephone No.:	Name
	Address
	Phone No.

MAP 12-24
42
E.D. 15
DATE 2-12-87
200
1000
DP

ORDER RECEIVED FOR FILING
DATE May 15 1986
713 N
A-2711-98

IN RE: PETITION FOR VARIANCE SE/S of Capitol Court, 298' SE of Marlyn Avenue (303 Capitol Court) - 15th Election District
Paul J. Pope, et ux,
Petitioners

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 86-469-A

The Petitioners herein request variances to permit side yard setbacks of 6 inches and a rear yard setback of 2 feet, all in lieu of the required 2 1/2 feet, and a setback to the centerline of an alley of 12 feet in lieu of the required 15 feet.

Testimony by the Petitioners indicated that the revised plan, Petitioner's Exhibit 1, reflected a request for 10 feet from the centerline and the Petition was so advertised on the sign posted on the property. The newspaper advertisements, however, requested 12 feet from the centerline.

The Petitioners propose to construct a 17' x 24' garage for storage of a small car and truck. On the alley will be a 14-foot wide garage door and on the yard side will be a 36-inch wide door. The garage will extend to 6 inches from both side property lines. There were no protestants.

In the opinion of the Deputy Zoning Commissioner, the plan proposed on Petitioner's Exhibit 1 would provide insufficient room for fire fighters and fire-fighting equipment should there be a fire in the dwelling on the subject property.

After due consideration of the testimony and evidence presented, and it appears that strict compliance with the Baltimore County Zoning Regulations (BCZ) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the granting of a portion of the variances requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variances should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of May, 1986, that the herein Petition for Variance to permit a single side yard setback of 6 inches and a rear yard setback of 2 feet, all in lieu of the required 2 1/2 feet, and a setback of 10 feet to the centerline in lieu of the required 15 feet is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- The garage shall be set back 2 1/2 feet along one side yard property line.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

ORDER RECEIVED FOR FILING
DATE May 15 1986
Peter Max Zimmerman
REGISTERED SURVEYOR



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 15, 1986

Mr. and Mrs. Paul J. Pope
303 Capitol Court
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE SE/S of Capitol Court, 298' SE of Marlyn Avenue (303 Capitol Court) - 15th Election District Paul J. Pope, et ux, Petitioners Case No. 86-469-A

Dear Mr. and Mrs. Pope:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

ORDER RECEIVED FOR FILING
DATE May 15 1986

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of April, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of May, 1986, at 9:30 o'clock.

Carl J. ...
Zoning Commissioner of Baltimore County

Zoning Description

Zoning description beginning on SE/S Capitol Court, 298' SE + 7.50' NW of the centerline of Marlyn Avenue, Being Lot #16, in subdivision of Hill Homes, Block #23 Folio #116. Also known as 303 Capitol Court in the 15th District containing 2124 Sq. Feet.

PETITION FOR ZONING VARIANCES
15th Election District
Case No. 86-469-A

LOCATION: Southeast Side of Capitol Court, 298 feet Southeast of Marlyn Avenue (303 Capitol Court)

DATE AND TIME: Tuesday, May 13, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit side yard setbacks of 6 inches and a rear yard setback of 2 feet all in lieu of the required 2.5 feet and a setback to the centerline of an alley of 12 feet in lieu of the required 15 feet

Being the property of Paul J. Pope, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES SE/S Capitol Ct., 298' SE of Marlyn Ave. (303 Capitol Ct.), 15th Dist.
PAUL J. POPE, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 86-469-A

ENTRY OF APPEARANCE

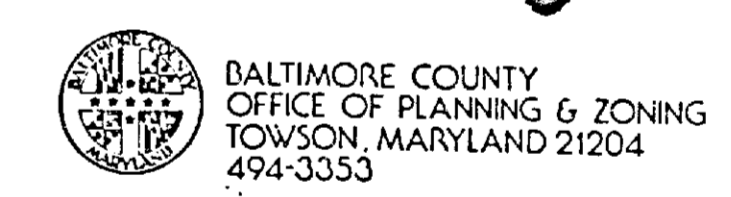
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of April, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Paul J. Pope, 303 Capitol Ct., Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER
May 6, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Paul J. Pope
Mrs. Frances B. Pope
303 Capitol Court
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCES SE/S Capitol Ct., 298' SE of Marlyn Ave. (303 Capitol Ct.) 15th Election District Paul J. Pope, et ux - Petitioners Case No. 86-469-A

Dear Mr. and Mrs. Pope:

This is to advise you that \$53.80 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Baltimore County, Maryland, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 021623

DATE 5/13/86 ACCOUNT 7-01-115-000

SIGN & POST RETURNED TO ZONING OFFICE AMOUNT \$ 53.80

RECEIVED FROM Paul J. Pope

FOR Advertising and posting re Case 86-469-A

VALIDATION OR SIGNATURE OF CASIER

6/4/87



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

April 30, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 346 Zoning Advisory Committee Meeting are as follows:

Property Owner: Paul J. Pope, et ux
Locations: SE/S Capital Court, 298' SE and 750' NW of the c/l of Marlyn Ave.
Districts: 15th.

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____, _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____ See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: Comply with Section 1427.3.4 for roof. No part of the roof, gutter, etc. shall infringe on the adjoining property. No water shall be diverted on to adjoining property from the roof.
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burman
By: C. E. Burman, Chief
Building Plans Review

4/22/86

5/13
86-449

