	356
PETITION FOR ZOI	NING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMOR	RE COUNTY:
described in the description and plat attached here	erty situate in Baltimore County and which is to and made a part hereof, hereby petition for a ellite dish (accessory structure) in the
front yard in lieu of the required rear	yard.
of the Zoning Regulations of Ballimore County, to following reasons: (indicate hardship or practical	difficulty)
1) THE DISH WAS INSTALLED BY A REPUTABLE	
WHO SHOULD BE FAMILIAR WITH SECTION 4	
2) THE GROUND WAS SURVEYED BY BEFORE MEN RECEPTION.	
3) THE DISH WAS INSTALLED AT A COST OF \$ BURIED COAXIAL CABLE, AND A CONCRETE	FOUNDATION 1005
Property is to be posted and advertised as	prescribed by Zoning Regulations.
I, or we agree to pay expenses of above Vari petition, and further agree to and are to be bound Baltimore County adopted pursuant to the Zoning	d by the zoning regulations and restrictions of 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):
	HENRY EDWARD HUBBE
(Type or Print Name)	(Type or Print Name)
	Henry & Mubbe
Signature	Signature (
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
	5534 PATTERSON RD. 592-7404
(Type or Print Name)	Address Phone No.
`	BALDWIN, MD. 21013
Signature	City and State
Address	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
	Name
City and State	
Attorney's Telephone No.:	Address Phone No.
	e Baltimana County this 22nd day
	f Baltimore County, this22nd day
required by the Zoning Law of Baltimore Count out Baltimore County, that property be posted, a Confediasioner of Baltimore County in Room	the subject matter of this petition be advertised, as ty, in two newspapers of general circulation throughand that the public hearing be had before the Zoning 106, County Office Building in Towson, Baltimore
Construction the day of .	May 19_86, at 10:00 o'clock
* * * * * * * * * * * * * * * * * * *	
	Chill Sabber
ĕ ♥ ♥	Zoning Columissioner of Baltimore County.
3 33	
	over)

BEFORE THE IN RE: PETITION FOR VARIANCE NE/S of Patterson Road, DEPUTY ZONING COMMISSIONER 975' SE of the SE/S of Sweetair Road OF BALITIMORY OUNTY (5534 Patterson Road) 11th Election District Case No. 86-476-A Henry Edward Hubbe,

> Petitioner

The Petitioner herein requests a variance to permit an accessory structure (satellite dish) in the front yard in lieu of the required rear

Testimony by the Petitioner indicated that the satellite dish was installed in February 1985 by a "reputable dealer", without benefit of permit. Cable is not available in the area. The first location provided no reception and, therefore, the dish was moved 65 feet to the current location. A letter from the installer stated that the dish was installed "at the only site possible to receive reception." The Petitioner is willing to landscape around the dish.

Testimony by the adjacent neighbor indicated that the dish is clearly visible from his residence, including his enclosed front porch, as well as from his parking area, drive and lawn. He would not protest a variance if the dish were behind his own dwelling and so screened as to be unseen from Patterson Road. In addition, the process for approval of additional structures M accordance with recorded covenants has not been followed. Another neighbor stified that the dish is not harmonious with the general area.

After due consideration of the testimony and evidence presented, it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would not result in practical difficulty and unreasonable Appliship upon the Petitioner, and the granting of the variance requested

would adversely affect the health, safety, and general welfare of the

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this _____day of June, 1986, that the herein Petition for Variance to permit an accessory structure (satellite dish) in the front yard in lieu of the required rear yard is hereby DENIED, from and after the date of this Order.

community, and, therefore, the variance should not be granted.

Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING OFFICE OF PLANNING & ZONII TOWSON, MARYLAND 21204

> ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

June 10, 1986

Mr. Henry Edward Hubbe 5534 Patterson Road Baldwin, Maryland 21013

> Re: Petition for Variance NE/S of Patterson Road, 975' SE of the SE/S of Sweetair Road (5534 Patterson Road) 11th Election District

Dear Mr. Hubbe:

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

> Very truly yours, Deputy Zoning Commissioner

JMW:bjs Attachments

cc: People's Counsel

PETITION FOR ZONING VARIANCE 11th Election District

Northeast Side of Patterson Road, 975 feet Southeast of the Southeast Side of Sweetair Road (5534 Patterson Road)

DATE AND TIME: Tuesday, May 27, 1986, at 10:00 a.m.

Case No. 86-476-A

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 Variance to permit a satellite dish (accessory structure) in the front yard in lieu of the required rear yard

Being the property of Henry Edward Hubbe plan filed with the Zoning Office. , as shown on plat

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

BEGINNING ON THE NE/S OF PATTERSON RD. 975' SE OF THE SE/S OF SWEETAIR RD.. BEING LOT # 20 ON THE PLAT OF LONG GREEN MANOR BOOK # 34 FOLIO # 25 IN THE 11th ELECTION DISTRICT CONTAINING 10.41 ACR-S ± . ALSO KNOWN AS 5534 PATTERSON RD.

RE: PETITION FOR VARIANCE NE/S of Patterson Rd., 975' SE of SE/S of Sweetair Rd. (5534 Patterson Rd.) llth District

Case No. 86-476-A

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

HENRY EDWARD HUBBE, Petitioner

:::::::

ENTRY OF APPEARANCE

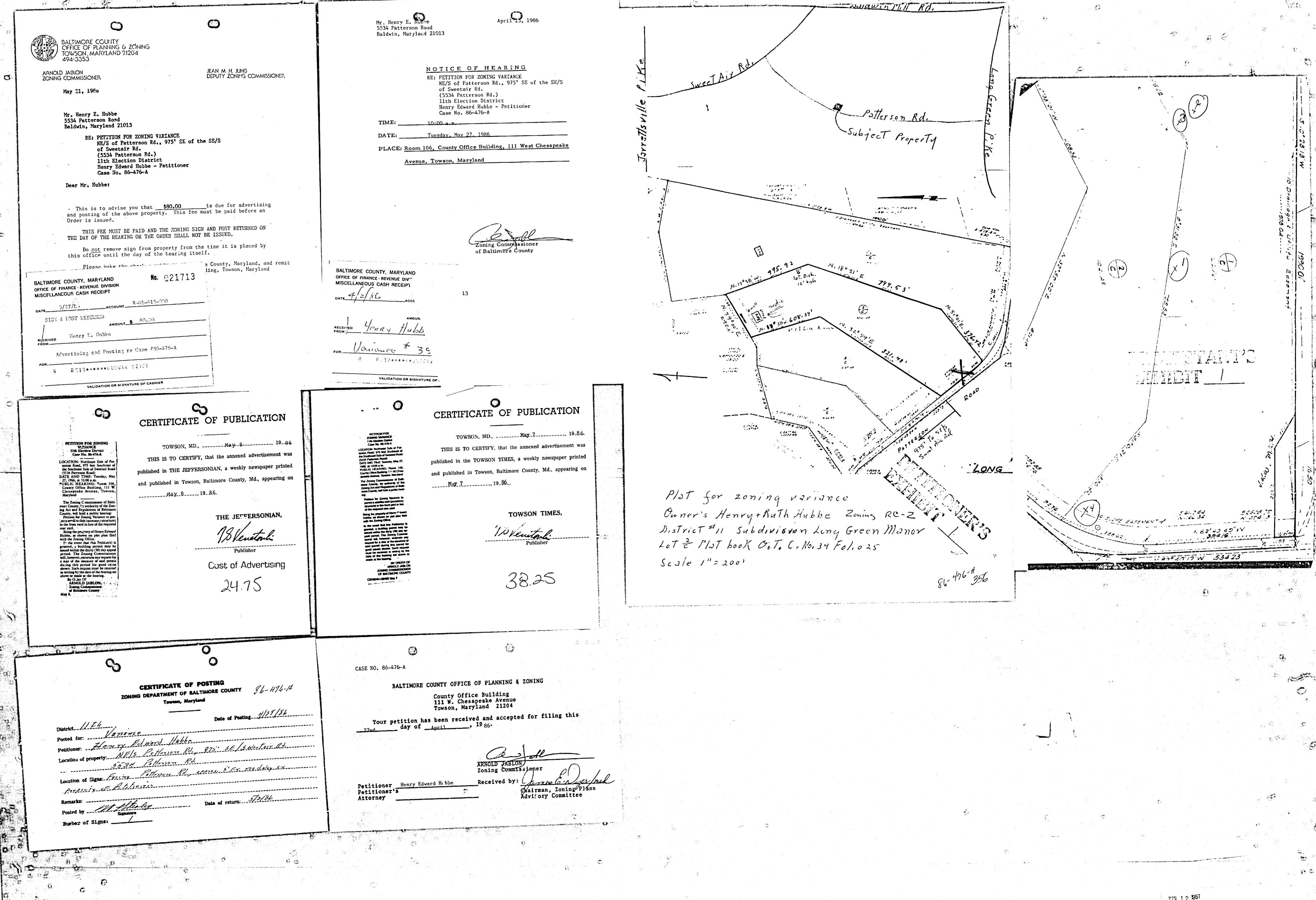
Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final

> Phyllis Cole Friedman People's Counsel for Baltimore County

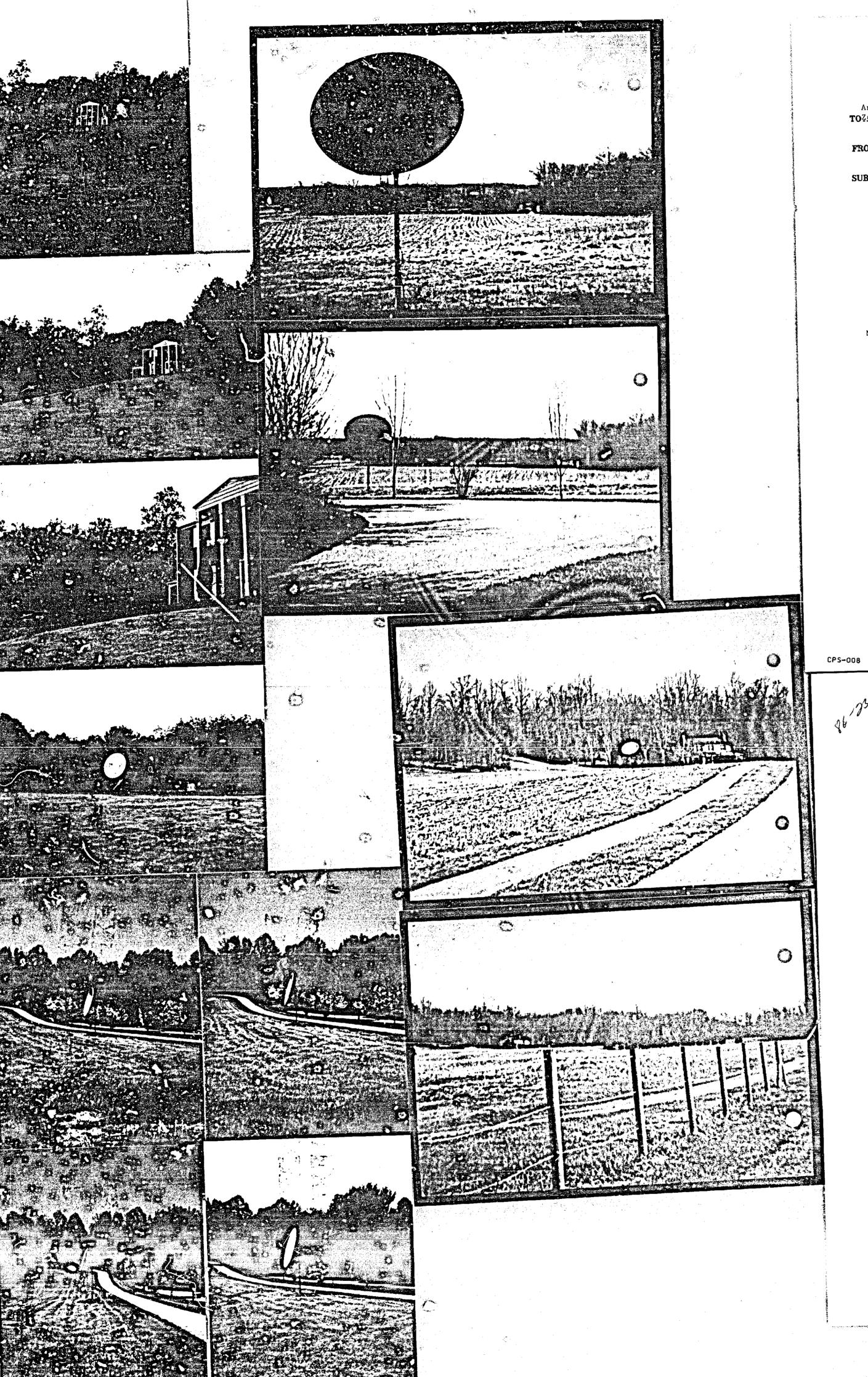
1, (c) Max Cuman Peter Max Zimmerman Deputy People's Counsel Room 223, Court House

Towson, Maryland 21204 494-2188 I HEREBY CERTIFY that on this 2nd day of May, 1986, a copy of

the foregoing Entry of Appearance was mailed to Mr. Henry Edward Hubbe, 5534 Patterson Rd., Baldwin, MD 21013, Petitioner.



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ALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TOZoning Commissioner

Norman E. Gerber, AICP, Director

FROM Office of Planning and Zoning

SUBJECT Zoning Petition No. 86-476-A

In view of the paucity of information, this office cannot comment.

Norman E. Gerber, JICP

NEG:JGH:slm

70 102 My 21 My 21

Baltimore County Zoning Commission 111 West Chesapeake Ave. Towson, MD 21204

> Re: Case No. 86-476-A 10 a.m., May 27, 1986 Rm. 106

Dear Gentelmen:

With reference to the above I wish to advise that as the developer of Long Green Manor and the declarant of the enclosed restrictions applicable thereto, approval for the erection and maintenance of the disc antenna that is the subject of this hearing, was never submitted by Henry Edward Hubbe for our approval. This is clearly in violation of Paragraph 2 of the covenants and restrictions of Long Green Manor, a copy of which is enclosed.

It is doubtful that we would have approved the location chosen by Mr. Hubbe. However, it is my feeling that there are alternative locations that would have been acceptable to us.

Sincerly,

Edward H. Miller

EM/bfs
Enc.
cc: John Wenderoth
Robert E. Carney, Jr.

OHNSON BROTHERS

Television - Stereo - Air-Conditioning and Video-Tape Equipment SALES & SERVICE P.O. BOX 387 FINKSBURG, MD 21048

526-7380 May 19, 1986

RE: Henry Hubbe 4434 Patterson Rd. Paldwin, MD 21013

Depr Circ:

I hereby certify that after testing the satellite dish at several locations at the above property, the satellite dish was installed at the only site possible to receive reception. Other sites are blocked by distant tall trees and reception is not possible. We had previously installed the satellite at a different location site. Reception was very poor, therefore the dish had to be moved 65 ft. to this present location.

R.N. Briggeman
Johnson Brothers

in my presence, this 20 day of May 1956, a Notary Public in and for the Country

Service Explose July 1, 1986

Baldwin, Maryland 21013

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BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 6, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Henry Edward Hubbe
5534 Patterson Road

Chairman

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering

State Roads Commission
Bureau of
Fire Prevention
Realth Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

RE: Item No. 356, Case No. 86-476-A
Henry Edward Hubbe - Petitioner
Petition for Zoning Variance

Dear Mr. Hubbe:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

Enclosures

, ••**•**

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JUN : 2 1987

Mr. Armold Jablan Zoning Commissioner County Office Building Towson, Maryland 21204

)Additional comments:

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586

PAUL H. REINCKE

Mr. Arnold Jablon

Zoning Commissioner

Towson, Maryland 21204

Location:

Item No.:

Gentlemen:

Office of Planning and Zoning

Baltimore County Office Building

Attention: Nick Commodari, Chairman

RE: Property Owner: Henry Hubbe

Zoning Plans Advisory Committee

Department of Public Works.

to occupancy.

Planning Group

() 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no commen

Special Inspection Fivision

() 3. The vehicle dead end condition shown at _____

Sweet Air Road

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required

() 1. Fire hydrants for the referenced property are required and shall be

located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the

to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the

() 5. The buildings and structures existing or proposed on the site shall

Fire Prevention Code prior to occupancy or beginning of operation.

comply with all applicable requirements of the National Fire Protection

Association Standard No. 101 "Life Safety Code", 1976 edition prior

NF/S Patterson Road, 975 feet SW of the SE/S of

May 12, 1986

Re: Zoning Advisory Meeting of April 15, 1986 Property Owner: HENRY HUBBE LOCALION: NE/S PATTERSON, RD. 975

Dear Mr. Jablon: SU OF THE SE/S OF SWEET AIR. RO The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

(X)There are no site planning factors requiring comment. County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Eureau of Public Services. ()This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract. ()A record plat will be required and must be recorded prior o issuance of a building pennit.)The access is not satisfactory.)The circulation on this site is not satisfactory. The parking arrangement is not satisfactory. Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these spils is prohibited. ()Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-93 of the Development ()Development of this site may constitute a potential conflict with the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board)Landscaping: Must comply with daltimore County Landscape Manual.)The property is located in a deficient service area as defined by Bill 173-79. No building parmit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service ()The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Chier, Current Planning and Development

Zoning Aganda: Meeting of April 15, 1986

Are Prevention Bureau

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES / TOWSON, MARYLAND 21204

May 1, 1986

TED ZALESKI, JR. DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning

Comments on Item # 356 Zoning Advisory Committee Meeting are as follows: NE/S Patterson Road, 975 feet SW of the SE/S of Sweet Air Road Locations Districts

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 S 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. Residential: Two mets 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-h 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 minimum of a nour rare 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 parmissable 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 H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three mete of acceptable construction plans indicating how the existing atructure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or

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.

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 Mucho & Sumbo W. Chesapeake Avenue, Towson, Maryland 21204. : C. E. Burnham, Chief Building Plans Review

ATIMORE COUNTY, MARTLAND

INTER-OFFICE CORPESPONDENCE

Date_April_3, 1986 TO. James E. Dyer

This Subject Petition is an active violation, Case No. C-86-909. When scheduled for a hearing, please notify: Mr. John Wenderoth 5600 Patterson Road

FROM James H. Thompson SUBJECT__Item No. 356__ Henry E. & Ruth Hubbe - Petitioner

Baldwin, Maryland 21013

JHT/ljs

THIS DECLARATION, Made this by LONG GREEN MANOR, INC., a body corporate of the State of

Maryland, Declarant. WHEREAS, the Declarant is the owner of Lots No. 1, 2, 3,

and 4 in Block C as shown on Plat No. 1 - Long Green Manor which Plat is recorded among the Land Records of Baltimore County in Plat Book O.T.G. No. folio , and

WHEREAS, the Declarant desires to subject all the lots on said Plat to the uniform Covenants, Restrictions, Conditions, ... and Reservations as hereinafter set forth;

NOW THEREFORE, THIS DECLARATION WITNESSETH, that the said Declarant, its successors and assigns, hereby declares that all of the aforesaid lots shown on the Plat entitled Plat No.1 -Long Green Manor recorded aforesaid shall be subject to the following Covenants, Restrictions, Conditions and Reservations:

1.) The lots shown on said Plat and any houses, buildings or structures now or hereafter erected thereon shall be occupied and used for residential and/or agricultural purposes only, but. no retail sales of agricultural products shall be permitted or conducted thereon. Livestock with the exception of pigs, may be kept on any lot provided that they are housed in a suitable stable or barn and attached paddock.

2.) No building or other structure shall be commenced, elected or maintained; thereon, nor shall any addition to or , change or alteration thereof be made until the plans and specifications showing the nature, kind, shape, height, materials, location (including schback) of such *structure shall have been submitted to and approved in writing by the Declarant have been submitted to and approved and a copy thereof, as finally herein, its successors or assigns and a copy thereof. approved, lodged permanently with the Declarant herein, its successors or assigns. The Diclarant herein, its successors and assigns, shall have the right to refuse to approve any such plans or specifications, which are not suitable or desirable, in its or their opinion, for aesthetic or other reasons; and in so passing upon such plans and/or specifications, it or they shall have the right to take into consideration the suitability of the proposed building or other stucture, and of the materials of which it is to be built, to the site upon which it is proposed to erect the same, the harmony thereof with the surroundings and the effect of the building or other structure as planned on the outlook from the adjacent or neighboring properties.

3.) No structure of a temporary character, such as but not limited to, a trailer, tent, shack, garage, barn or other building, shall be placed or used thereon as a residence, or for storage or as an auxiliary building, either temporarily or permanently, except that a temporary structure or structures such as a trailer or shack may be placed and maintained thereon, provided such temporary structure or structures are used and operated solely in connection with and for the purpose of construction of permanent improvements on said land, which such temporary structure or structures shall be removed from the land within thirty (30) days after completion of the construction of such permanent improvements.

4.) Said lots shall not be subdivided.

5.) No noxious or offensive activity shall be permitted or maintained thereon nor shall anything be done or placed thereon which may be or become a nuisance or annoyance to any owner or. owners of said land.

6.) The provisions herein contained shall run with and bind the land and shall inure to the benefit of and be enforceable by the Declarant herein or the owner of any part of said land included in said tract, their respective legal representatives, heirs, successors and assigns, and failure by the Declarant herein or any such owner or owners to enforce any restriction, condition, covenant or agreement herein contained shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior or subsequently thereto.

7.) All the restrictions, conditions, covenants, charges and agreements herein contained shall be in perpetuity, provided, however, that at any time after fifteen (15) years from the date of the recording hereof, the restrictions, conditions, covenants, and agreements herein set forth may be cancelled, annulled or abrogated in whole or in part, by the recording in the Land Records of Baltimore County an appropriate instrument or instruments in writing executed by the then owners (not including Mortgagees) of the majority of the lots included on said Plat which instrument or instruments shall specifically set forth the provisions that are thereby cancelled, annulled or abrogated.

8.) Any or all of the rights and powers (including discretionary powers and rights and powers of consent and approval) herein reserved by or conferred upon the Declarant herein may be assigned or transferred by the Declarant herein at its election and in its sola discretion to any one or more corporations or associations or committees of individuals agreeing to accept same. Any such assignment or transfer shall be made by an appropriate instrument in writing duly executed by the Declarant herein and in which assignees or transferees shall join for the purpose of evidencing consent to the acceptance of such rights and powers, and recorded among the Land Records of Baltimore County; and upon such recordation thereof such assignee or transferee shall thereupon and thereafter have the same rights to exercise and perform all the rights and powers so assigned or transferred by such instrument in lieu of the Declarant herein.

9.) Invalidation of any of these covenants, agreements, restrictions or conditions by judgment of Court Order shall in no wise affect any of the other provisions which shall remain in full force and effect.

10.) The restrictions, conditions, covenants and agreements etc. hereinabove set forth shall apply only to and bind the tract of land included on the Plat antitled "Plat No. 1 - Long Green Manor" and notwithstanding anything to the contrary herein contained, shall not apply to nor bind, nor be construed nor implied والمرابع والمقول والمناوس والمتاه والم

to apply to or bind any remaining land of the Declarant herein.

11.) The owner or owners of Lots as shown on said Plat shall assume the responsibility for and shall bear the costs of extending electric service to their lots from Patterson Road.

12.) The Declarant reserves the right to relocate lot lines on lots then owned by the Declarant provided that the new lots shall not contain less than five acres per lot.

AS WITNESS the Corporate Soal of the said Declarant and the signature of its President duly attested.

WITNESS:

LONG GREEN MANOR, INC.

STATE OF MARYLAND, COUNTY OF PALTIMORE, to wit: I HEREBY CERTIFY, that in this day of before me, the subscriber, a Notary Public of the State of Maryland in and for the County of Baltimore, personally appeared , the President of LONG GREEN

MANOR, INC. known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and who acknowledged that he executed the same as the act of said body corporate, for the purposes therein contained.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my Notarial Seal.

NOTARY PUBLIC

OFFICE COPY