

87-21-A
PETITION FOR ZONING VARIANCE

Item # 422

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 1B02.3.B (205.4) To permit an addition to an existing dwelling with a rear yard setback of 17' in lieu of the required 30'.

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

See Attachment

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: (Type or Print Name) Signature Address City and State
Legal Owner(s): Clarence H. Armiger, Jr. (Type or Print Name) Signature David W. Armiger (Type or Print Name) Signature
Attorney for Petitioner: 2 Redgate Court, Baltimore, Maryland
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Spotts, Stevens and McCoy, Inc., 698 Fairmount Ave. Suite 105 494-0500

ORDER RECEIVED FOR FILING
DATE July 17, 1986
BY [Signature]
APPEARING AS COUNSEL

87-21-A
Clarence H. Armiger, Jr., et al
SE/cor of Redgate Circle and Redgate Ct., (2 Redgate Ct.)

00 00 ITEM 422
PRACTICAL DIFFICULTIES AND HARDSHIPS

- 1. HARDSHIP - Due to recent heart bypass (5), additional living space is required for son and daughter-in-law to provide my care as needed.
- 2. PRACTICAL DIFFICULTIES - Since daughter-in-law is a registered nurse and can provide services needed for my health, it would cause difficulties to have outside services come into my household.
- 3. HARDSHIP - If zoning variance is not granted were additional living space could have been provided, it would cause an undo financial burden to bring in medical attention. I would not have immediate access to an automobile to get medical attention if needed and eliminate daily monitoring of diet and medication as required.

IN RE: PETITION FOR ZONING VARIANCE SE/corner of Redgate Circle and Redgate Court (2 Redgate Court) 1st Election District
Clarence H. Armiger, Jr. et al, Petitioners
BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 87-21-A

The Petitioners herein request a variance to permit a rear yard setback of 17' in lieu of the required 30' to construct an addition to an existing dwelling.

Testimony by and on behalf of the Petitioners indicated that a 23' x 30' two-story addition is necessary to provide living space and an independent lifestyle for the older Mr. Armiger. The addition would provide a two-car garage on the ground floor and a living room, bedroom, and bath on the second floor. The younger Mr. Armiger and his family will reside in the existing residential space, and provide meals and medical assistance, if necessary, for his father.

An adjacent neighbor expressed his opinion that the existing house is of sufficient size for both the four members of the younger family and the father and that the father should live with the other family members in the existing habitable space.

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

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 17th day of July 1986, that the herein request for a variance to

ORDER RECEIVED FOR FILING
DATE July 17, 1986
BY [Signature]

ORDER RECEIVED FOR FILING
DATE July 17, 1986
BY [Signature]

permit a rear yard setback of 17', in accordance with the plan submitted and filed herein, prepared by Spotts Stevens and McCoy, Inc., dated April 1986 and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1) No kitchen shall be installed in the addition. The habitable areas of the addition shall always be considered an integral part of a single-family dwelling and shall not be rented or utilized as separate living quarters.
- 2) The addition shall be no larger than 23' x 30', but may be reduced in size.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

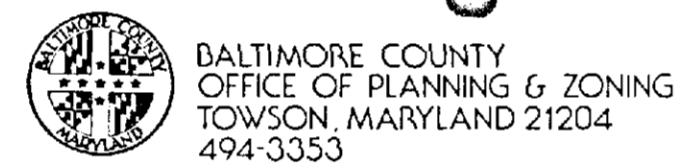
00 00 422
PROPERTY DESCRIPTION
2 REDGATE COURT
BALTIMORE COUNTY, MARYLAND

Beginning on the Southwest side of Redgate Circle (50' wide) at the intersection of the division line between lot number 8 and lot number 9, block M as shown on the Subdivision Plan entitled "Section 8 Westview Park" recorded among the land records of Baltimore County in Plat Book R.R.G. 30, folio 48; thence binding on the Southwest side of said Redgate Circle

- 1. South 47 deg. 00 min. 14 sec. East a distance of 67.17 feet to a point of curve; thence
- 2. 39.27 feet by an arc curving to the right with a radius of 25.00 feet and being subtended by a chord bearing of South 02 deg. 00 min. 14 sec. East a distance of 35.355 feet to a point of tangency on the Northwest side of Redgate Court (50' wide); thence binding on the Northwest side of Redgate Court
- 3. South 42 deg. 59 min. 46 sec. West a distance of 85.00 feet; thence leaving the Southwest side of said Redgate Court and binding on the division line between lot numbers 9 and lot number 10, Block M "Section 8 Westview Park"
- 4. North 47 deg. 00 min. 14 sec. West a distance of 92.17 feet to the intersection of the lot numbers 4, 8 and 9 thence binding on the division of lot number 8 and 9
- 5. North 42 deg. 59 min. 46 sec. East a distance of 110.00 feet to the place of beginning.

Containing 0.2297 acres, more or less. The improvements thereon being known as 2 Redgate Court.

Being all of lot number 9, Block M as shown on the Subdivision Plan entitled "Section 8 Westview Park" recorded among the land records in Baltimore County in Plat Book R.R.G. 30, folio 48.



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 17, 1986

Mr. Clarence H. Armiger, Jr. et al
2 Redgate Court
Baltimore, Maryland 21228

RE: Petition for Zoning Variance SE/corner of Redgate Circle and Redgate Court (2 Redgate Court) 1st Election District Case No. 87-21-A

Dear Mr. Armiger:

I have this date passed my Order in the above referenced Petition for Zoning Variance in accordance with the attached.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,
[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjs
Attachments

cc: Mr. William P. Roberts, Jr.
4 Redgate Court
Baltimore, Maryland 21228

People's Counsel

87-21-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 17th day of July, 1986.

[Signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner: Clarence H. Armiger, Jr. et al
Received by: [Signature]
Chairman, Zoning Plans
Advisory Committee

00 00
PETITION FOR ZONING VARIANCE

1st Election District
Case No. 87-21-A

LOCATION: Southeast Corner of Redgate Circle and Redgate Court (2 Redgate Court)

DATE AND TIME: Tuesday, July 15, 1986, at 10:00 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 Variance to permit a rear yard setback of 17 feet in lieu of the required 30 feet

Being the property of Clarence H. Armiger, Jr., et al, 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 VARIANCE : BEFORE THE ZONING COMMISSIONER
 SE/corner of Redgate Circle & Redgate Ct. : OF BALTIMORE COUNTY
 (2 Redgate Ct.) :
 1st Election District :
 CLARENCE H. ARMIGER, JR., : Case No. 87-21-A
 et al., Petitioners

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
 494-2189

I HEREBY CERTIFY that on this 20th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to Clarence H. Armiger, Jr., David W. Armiger, and Clarence H. Armiger, III, 2 Redgate Court, Baltimore, MD 21228, Petitioners; and Spotts, Stevens and McCoy, Inc., 698 Fairmount Ave., Suite 105, Towson, MD 21204, who requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

Office of PATUXENT Publishing Corp.
 10750 Lennie Parkway
 Columbia, MD 21044

June 26 19 86

THIS IS TO CERTIFY, that the annexed advertisement of
 PETITION FOR ZONING VARIANCE

was inserted in the following:
 Catonsville Times
 Arbutus Times
 weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 28 day of June 19 86, that is to say, the same was inserted in the issues of

June 26, 1986

PATUXENT PUBLISHING CORP.
 By *[Signature]*

IN THE CIRCUIT COURT
 FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS

Defendant

CERTIFICATE OF PUBLICATION OF

Mr. Clarence H. Armiger, Jr. June 13, 1986
 Mr. David W. Armiger
 Mr. Clarence H. Armiger, III
 2 Redgate Court
 Baltimore, Maryland 21228

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
 SE/cor. of Redgate Circle and Redgate Ct.
 (2 Redgate Ct.)
 1st Election District
 Clarence H. Armiger, Jr., et al - Petitioners
 Case No. 87-21-A

TIME: 10:00 a.m.
 DATE: Tuesday, July 15, 1986
 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
 Zoning Commissioner
 of Baltimore County

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

No. 020078

DATE: 6/12/86 ACCOUNT: 41-615

AMOUNT \$ 36.00

RECEIVED FROM: Variance Room #102

FOR: Variance Room #102

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 26 19 86
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 26 19 86

THE JEFFERSONIAN,

Susan Shuler Obeult
 Publisher

Cost of Advertising

22.00

PETITION FOR ZONING VARIANCE
 1st Election District
 Case No. 87-21-A
 LOCATION: Southeast Corner of Redgate Circle and Redgate Court (2 Redgate Ct.)
 DATE AND TIME: Tuesday, July 15, 1986, at 10:00 a.m.
 PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the Petition for Zoning Variance to permit use of property of 17 feet in width of the required 30 feet.
 Being the property of Clarence H. Armiger, Jr., et al., as shown on plat plus filed with the Zoning Office.
 In the event that the Petitioner(s) is granted a zoning permit, the same shall be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain appeals for a stay of the issuance of such permit during this period for good cause shown. Such requests shall be received in writing by the date of the hearing or made at the hearing.
 By Order of:
 ARNOLD JADLON,
 Zoning Commissioner
 of Baltimore County
 6/13/86

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: *1st* Date of Posting: *6-23-86*
 Posted for: *Variance*
 Petitioner: *Clarence H. Armiger, Jr., et al.*
 Location of property: *SE corner of Redgate Circle and Redgate Court (2 Redgate Ct.)*
 Location of Sign: *Cl. front of 2 Redgate Court*
 Remarks:
 Posted by: *A.J. Jardon* Date of return: *June 27, 1986*
 Number of Signs: *7*

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JADLON
 ZONING COMMISSIONER
 July 9, 1986

JEAN M. H. ZING
 DEPUTY ZONING COMMISSIONER

Mr. Clarence H. Armiger, Jr.
 Mr. David W. Armiger
 Mr. Clarence H. Armiger, III
 2 Redgate Court
 Baltimore, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
 SE/cor. of Redgate Circle and Redgate Ct.
 (2 Redgate Ct.)
 1st Election District
 Clarence H. Armiger, Jr., et al - Petitioners
 Case No. 87-21-A

Dear Messrs. Armiger:

This is to advise you that \$56.25 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 Room 113, County Office Building, Towson, Maryland

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

No. 021794

DATE: 7/15/86 ACCOUNT: 4-01-514-000
 AMOUNT \$ 56.25
 RECEIVED FROM: Clarence H. Armiger, Jr., 2 Redgate Ct., Baltimore, Md. 21228
 FOR: Advertising & Posting re Case No. 87-21-A
 B 028*****062514 7152F

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

July 9, 1986

TED ZALESKI, JR.
 DIRECTOR

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

Dear Mr. Jardon:

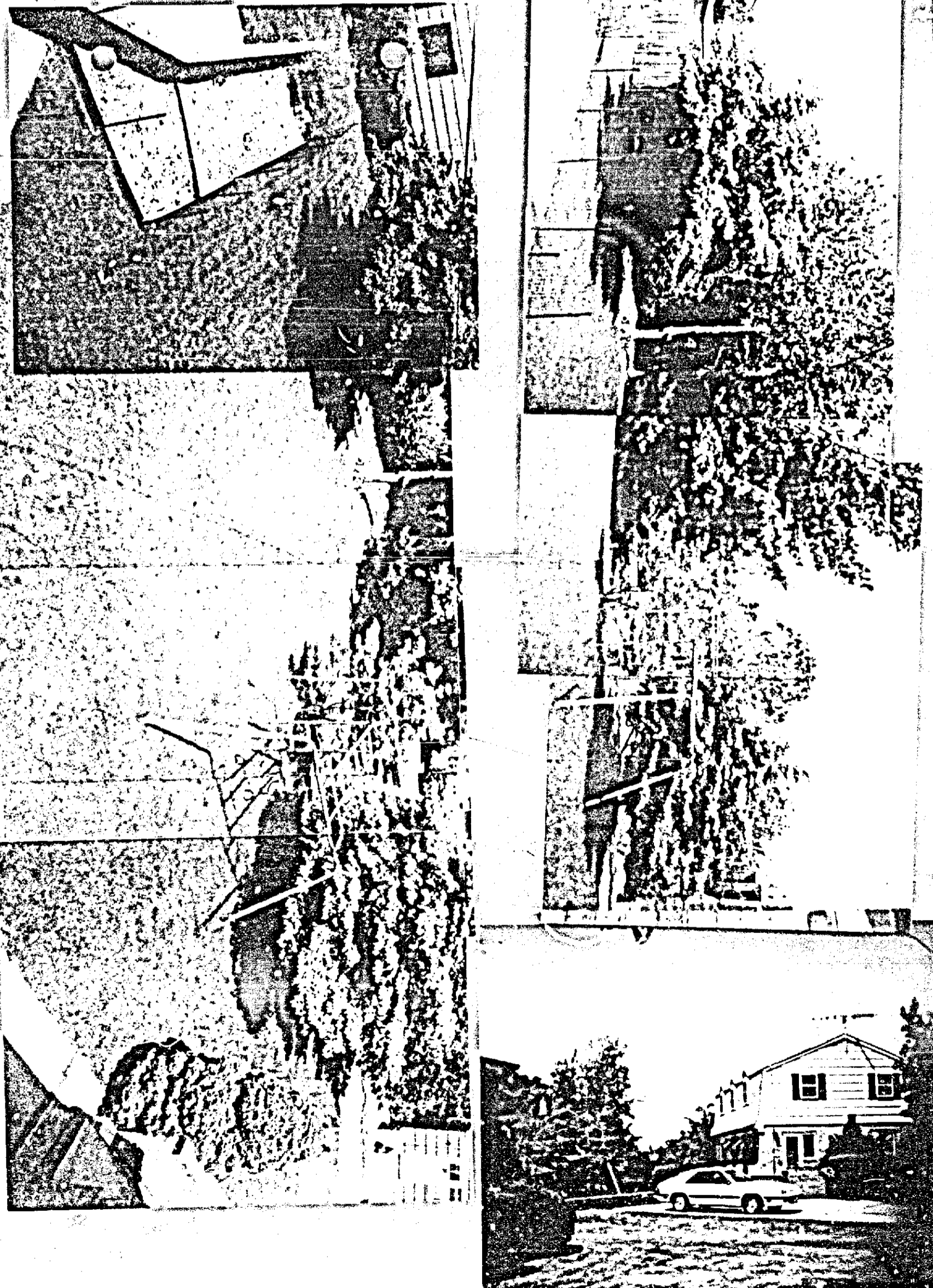
Comments on item #122 Zoning Advisory Committee Meeting are as follows:
 Property Owner: Clarence H. Armiger, Jr., et al
 Location: SE corner Redgate Circle and Redgate Court
 District: 1st.

APPLICABLE RULES AND CODES:

1. 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.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
4. 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.
5. 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 of party wall. See Table 101, Section 1107, Section 1109.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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 101 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a required Change of Use/occupancy permit, an attention 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 the _____ to _____ or to Mixed Uses. See Section 312 of the Building Code.
9. 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 elevation above sea level for the lot and the finished floor levels including basement.

Comments: It is assumed the brick wall is existing.

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 variances of Planning and Zoning are not intended to be constructed as the full extent of any permit. If variances of Planning and Zoning are not intended to be constructed as the full extent of any permit. If variances of Planning and Zoning are not intended to be constructed as the full extent of any permit.
[Signature]
 C. E. Burman, III
 Building Plans Review



June 30, 1986
 To: Mr. Clarence H. Armiger Jr
 2 Redgate Court
 Baltimore, Md. 21228

I have no objections for the the building Mr. Armiger plans to build on his property. If he need documents right at the property line I give my approval.

From: Arnold A. Collins Jr
 6605 Redgate Circle
 Baltimore, Md. 21228

P.S. replicate letter
 - this letter was sent to the Zoning
 & Baltimore County Planning and Zoning
 the day party may 1986

THE JEFFERSONIAN'S
 EXHIBIT 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

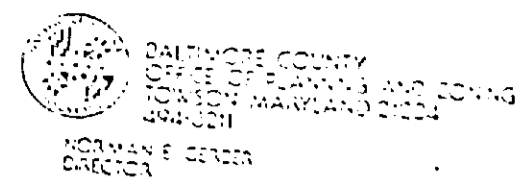
Arnold Jablon
 TO Zoning Commissioner
 Date July 8, 1986
 Norman E. Gerber, AICP
 FROM Director, Office of Planning & Zoning
 SUBJECT Petitions for Zoning Variances:
 No. 87-13-A
 No. 87-14-A
 No. 87-18-A
 No. 87-13-A
 No. 87-20-A
 No. 87-21-A
 No. 87-22-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
 Norman E. Gerber, AICP

NEG:JGH:bjjs

CPS:ana



Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21284

July 1, 1986

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment.
- A County Survey Group meeting is required.
- A County Survey Group meeting was held and the minutes will be forwarded to the Bureau of Public Works.
- This site is part of a larger tract. The plan must show the entire tract as a subdivision. The plan must show the entire tract.
- A record plat will be required and must be recorded prior to issuance of a building permit.
- The access is not satisfactory.
- The circulation on this site is not satisfactory.
- The drainage arrangement is not satisfactory.
- The proposed development is not in accordance with the provisions of section 22-93 of the Development Regulations.
- Construction in or alteration of the structure is prohibited under the provisions of section 22-93 of the Development Regulations.
- The amended Development Plan was approved by the Planning Board on [unclear].
- The proposed use is not in accordance with the Baltimore County Zoning Ordinance Manual, Title 17A-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The sufficient service is [unclear].
- The property is located in a historic area. Construction of a high level structure is prohibited. The historic area is [unclear].
- The proposed use is not in accordance with the Baltimore County Zoning Ordinance Manual, Title 17A-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The sufficient service is [unclear].

cc: James Howell

Europa A. Sykes
 Dir., Current Planning and Development

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 8, 1986

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21284

ooo

Chairman

MEMBERS

- Bureau of Engineering
- Department of Traffic Engineering
- State Roads Commissioner
- Bureau of Fire Prevention
- Health Department
- Project Planning
- Building Department
- Board of Education
- Zoning Administration
- Industrial Development

Mr. Clarence H. Armiger, Jr.
 2 Redgate Court
 Baltimore, Maryland 21228

RE: Item No. 422 - Case No. 87-21-A
 Petitioner: Clarence H. Armiger, Jr.
 et al
 Petition for Zoning Variance

Dear Mr. Armiger:

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.

Very truly yours,

James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Spotts, Stevens and McCoy, Inc.
 698 Fairmount Avenue, Suite 105
 Towson, Maryland 21204



BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204 2566
 494 4500

June 3, 1986

PAUL H. REINCKE
 CHIEF

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

Attention: Nick Commodari, Chairman
 Zoning Plans Advisory Committee

RE: Property Owner: Clarence H. Armiger, Jr., et al
 Location: SE corner Redgate Circle & Redgate Ct.
 Item No.: 422 Zoning Agenda: Meeting of May 27, 1986

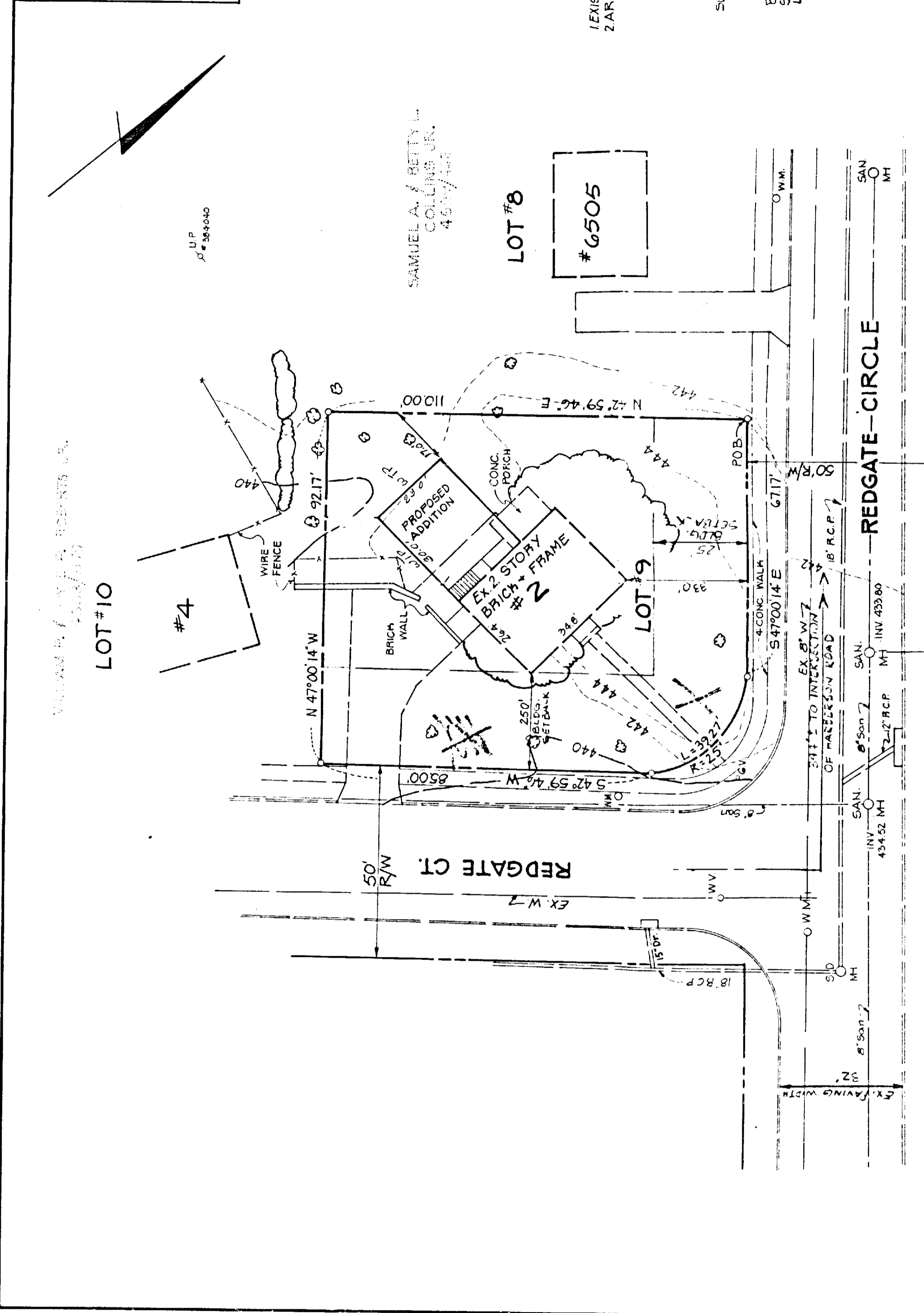
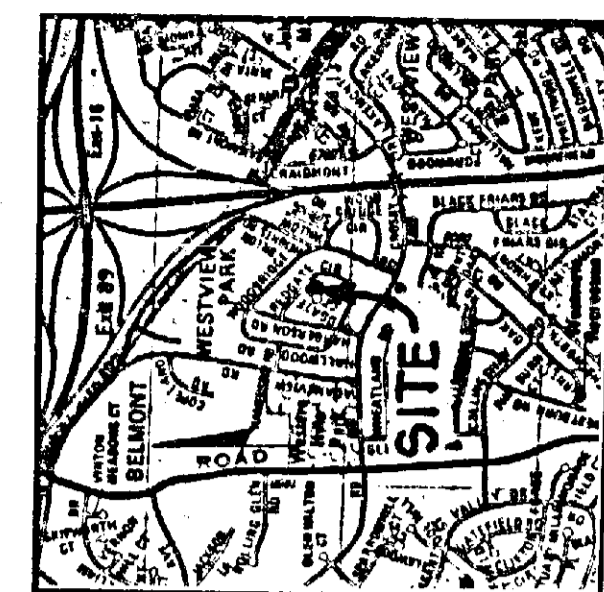
Gentlemen:

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

- 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 Department of Public Works.
- 2. A second means of vehicle access is required for the site.
- 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- 6. Site plans are approved, as drawn.
- 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
 Planning Group Fire Prevention Bureau
 Special Inspection Division

/mb



OFFICE COPY

PETITIONER'S
 EXHIBIT

SPOTTS STEVENS and MCCOY, INC.
 Engineers, Surveyors, Planners
 698 FAIRMOUNT AVE., SUITE 105 TOWSON, MD 21204
 1301-184-0000



DATE	APR 1986
APPROVALS	
SCALE	1" = 20'
DRAWING NUMBER	10000-C-399

PLAT FOR ZONING
 VARIANCE
 2 REDGATE COURT
 1ST ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 DATE: APRIL 1986

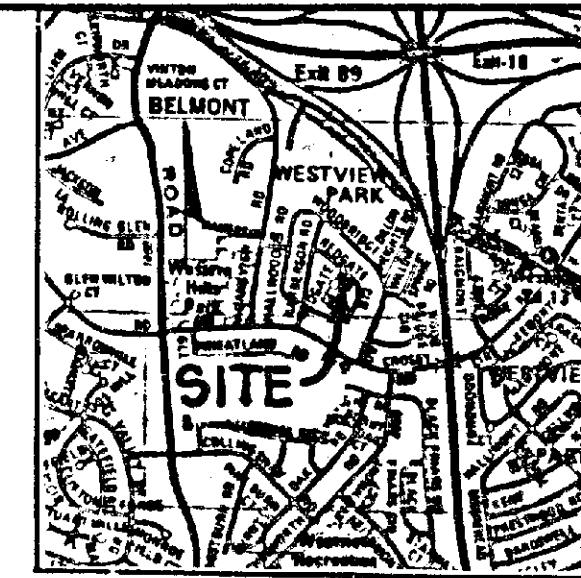
DATE	BY	REVISIONS

WILLIAM P. / JOYCE P. ROBERTS JR.
4583/570

LOT #10

#4

U.P.
#38+040



LOCATION MAP
SCALE 1" = 2000'

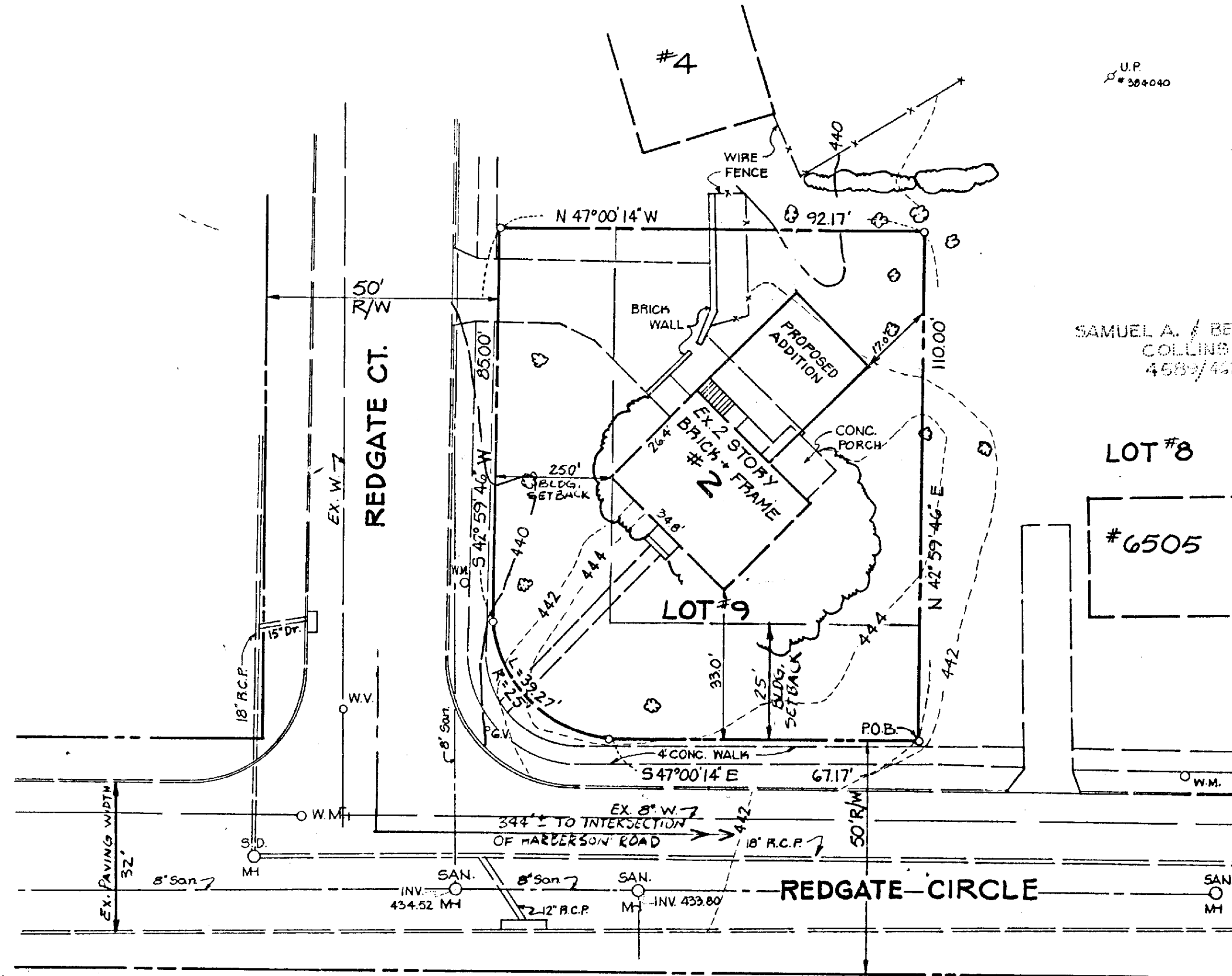
SAMUEL A. / BETTY L.
COLLINS JR.
4583/462

LOT #8

#6505

EXISTING ZONING DR 5-5
2 AREA = 0.2297 Ac. ±

SUBDIVISION PLAT OF
WESTVIEW
PARK
BOOK 30 FOLIO 48
SECTION 8 BLOCK M
LOT 9



REDGATE CIRCLE

H22

NOTED:JK	BY	DATE
SURVEYED		
PLOTTED		
PLOTTING CHKD.		

PLAT FOR ZONING
VARIANCE
2 REDGATE COURT
1ST ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND
DATE: APRIL 1986



SPOTTS STEVENS and McCOY, INC.
Engineers Surveyors Planners
698 FAIRMOUNT AVE., SUITE 105 TOWSON, MD. 21204
(301) 494-0500

G.M.N.			APR. 1986
MADE	CHECK	APPROVALS	DATE
1" = 20'		10000-C-399	
SCALE		DRAWING NUMBER	REV.



87-21-A
PETITION FOR ZONING VARIANCE

Item # 422

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 1B02.3.B (205.4) To permit an addition to an existing dwelling with a rear yard setback of 17' in lieu of the required 30'.

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

See Attachment

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: (Type or Print Name) Signature Address City and State
Legal Owner(s): Clarence H. Armiger, Jr. (Type or Print Name) Signature David W. Armiger (Type or Print Name) Signature
Attorney for Petitioner: 2 Redgate Court, Baltimore, Maryland
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Spotts, Stevens and McCoy, Inc., 698 Fairmount Ave. Suite 105 494-0500

ORDER RECEIVED FOR FILING
DATE July 17, 1986
BY [Signature]
APPEARING AS COUNSEL

87-21-A
Clarence H. Armiger, Jr., et al
SE/cor of Redgate Circle and Redgate Ct., (2 Redgate Ct.)

00 ITEM 422

PRACTICAL DIFFICULTIES AND HARDSHIPS

- 1. HARDSHIP - Due to recent heart bypass (5), additional living space is required for son and daughter-in-law to provide my care as needed.
- 2. PRACTICAL DIFFICULTIES - Since daughter-in-law is a registered nurse and can provide services needed for my health, it would cause difficulties to have outside services come into my household.
- 3. HARDSHIP - If zoning variance is not granted were additional living space could have been provided, it would cause an undo financial burden to bring in medical attention. I would not have immediate access to an automobile to get medical attention if needed and eliminate daily monitoring of diet and medication as required.

IN RE: PETITION FOR ZONING VARIANCE SE/corner of Redgate Circle and Redgate Court (2 Redgate Court) 1st Election District
Clarence H. Armiger, Jr. et al, Petitioners
BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 87-21-A

The Petitioners herein request a variance to permit a rear yard setback of 17' in lieu of the required 30' to construct an addition to an existing dwelling.

Testimony by and on behalf of the Petitioners indicated that a 23' x 30' two-story addition is necessary to provide living space and an independent lifestyle for the older Mr. Armiger. The addition would provide a two-car garage on the ground floor and a living room, bedroom, and bath on the second floor. The younger Mr. Armiger and his family will reside in the existing residential space, and provide meals and medical assistance, if necessary, for his father.

An adjacent neighbor expressed his opinion that the existing house is of sufficient size for both the four members of the younger family and the father and that the father should live with the other family members in the existing habitable space.

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

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 17th day of July 1986, that the herein request for a variance to

ORDER RECEIVED FOR FILING
DATE July 17, 1986
BY [Signature]

ORDER RECEIVED FOR FILING
DATE July 17, 1986
BY [Signature]

permit a rear yard setback of 17', in accordance with the plan submitted and filed herein, prepared by Spotts Stevens and McCoy, Inc., dated April 1986 and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1) No kitchen shall be installed in the addition. The habitable areas of the addition shall always be considered an integral part of a single-family dwelling and shall not be rented or utilized as separate living quarters.
- 2) The addition shall be no larger than 23' x 30', but may be reduced in size.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

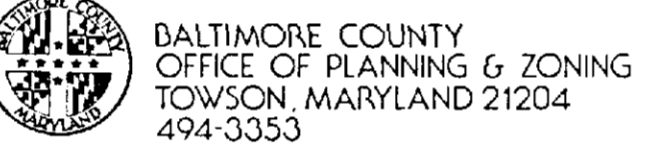
PROPERTY DESCRIPTION
2 REDGATE COURT
BALTIMORE COUNTY, MARYLAND

Beginning on the Southwest side of Redgate Circle (50' wide) at the intersection of the division line between lot number 8 and lot number 9, block M as shown on the Subdivision Plan entitled "Section 8 Westview Park" recorded among the land records of Baltimore County in Plat Book R.R.G. 30, folio 48; thence binding on the Southwest side of said Redgate Circle

- 1. South 47 deg. 00 min. 14 sec. East a distance of 67.17 feet to a point of curve; thence
- 2. 39.27 feet by an arc curving to the right with a radius of 25.00 feet and being subtended by a chord bearing of South 02 deg. 00 min. 14 sec. East a distance of 35.355 feet to a point of tangency on the Northwest side of Redgate Court (50' wide); thence binding on the Northwest side of Redgate Court
- 3. South 42 deg. 59 min. 46 sec. West a distance of 85.00 feet; thence leaving the Southwest side of said Redgate Court and binding on the division line between lot numbers 9 and lot number 10, Block M "Section 8 Westview Park"
- 4. North 47 deg. 00 min. 14 sec. West a distance of 92.17 feet to the intersection of the lot numbers 4, 8 and 9 thence binding on the division of lot number 8 and 9
- 5. North 42 deg. 59 min. 46 sec. East a distance of 110.00 feet to the place of beginning.

Containing 0.2297 acres, more or less. The improvements thereon being known as 2 Redgate Court.

Being all of lot number 9, Block M as shown on the Subdivision Plan entitled "Section 8 Westview Park" recorded among the land records in Baltimore County in Plat Book R.R.G. 30, folio 48.



ARNOLD JABLON ZONING COMMISSIONER
JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

July 17, 1986

Mr. Clarence H. Armiger, Jr. et al
2 Redgate Court
Baltimore, Maryland 21228

RE: Petition for Zoning Variance SE/corner of Redgate Circle and Redgate Court (2 Redgate Court) 1st Election District Case No. 87-21-A

Dear Mr. Armiger:

I have this date passed my Order in the above referenced Petition for Zoning Variance in accordance with the attached.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,
[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjs

Attachments

cc: Mr. William P. Roberts, Jr.
4 Redgate Court
Baltimore, Maryland 21228

People's Counsel

87-21-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 17th day of July, 1986.

[Signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner: Clarence H. Armiger, Jr. et al
Received by: [Signature]
Chairman, Zoning Plans Advisory Committee



BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SE/corner of Redgate Circle & Redgate Ct. : OF BALTIMORE COUNTY
 (2 Redgate Ct.) :
 1st Election District :
 CLARENCE H. ARMIGER, JR., : Case No. 87-21-A
 et al., Petitioners

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
 494-2189

I HEREBY CERTIFY that on this 20th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to Clarence H. Armiger, Jr., David W. Armiger, and Clarence H. Armiger, III, 2 Redgate Court, Baltimore, MD 21228, Petitioners; and Spotts, Stevens and McCoy, Inc., 698 Fairmount Ave., Suite 105, Towson, MD 21204, who requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

Office of PATUXENT Publishing Corp.
 10750 Leno Park Drive
 Columbia, MD 21044

June 26 19 86

THIS IS TO CERTIFY, that the annexed advertisement of
 PETITION FOR ZONING VARIANCE

was inserted in the following:
 Catonsville Times
 Arbutus Times
 weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 28 day of June 19 86, that is to say, the same was inserted in the issues of

June 26, 1986

PATUXENT PUBLISHING CORP.
 By *[Signature]*

IN THE CIRCUIT COURT
 FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS

Defendant

CERTIFICATE OF PUBLICATION OF

Mr. Clarence H. Armiger, Jr. June 13, 1986
 Mr. David W. Armiger
 Mr. Clarence H. Armiger, III
 2 Redgate Court
 Baltimore, Maryland 21228

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
 SE/cor. of Redgate Circle and Redgate Ct.
 (2 Redgate Ct.)
 1st Election District
 Clarence H. Armiger, Jr., et al - Petitioners
 Case No. 87-21-A

TIME: 10:00 a.m.
 DATE: Tuesday, July 15, 1986
 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
 Zoning Commissioner
 of Baltimore County

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

No. 020078

DATE: 6/12/86 ACCOUNT: 41-615

AMOUNT \$ 36.00

RECEIVED FROM: Variance Room #102

FOR: Variance Room #102

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 26 19 86
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 26 19 86

THE JEFFERSONIAN,

Susan Shuler Obeult
 Publisher

Cost of Advertising

22.00

PETITION FOR ZONING VARIANCE
 1st Election District
 Case No. 87-21-A
 LOCATION: Southeast Corner of Redgate Circle and Redgate Court (2 Redgate Ct.)
 DATE AND TIME: Tuesday, July 15, 1986, at 10:00 a.m.
 PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the Petition for Zoning Variance to permit use of 17 feet in height of the required 30 feet.
 Being the property of Clarence H. Armiger, Jr., et al, as shown on plot plan filed with the Zoning Office.
 In the event that the Petitioner(s) is granted a zoning permit, the same shall be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain appeals for a stay of the issuance of said permit during this period for good cause shown. Such requests shall be received in writing by the date of the hearing or made at the hearing.
 By Order of:
 ARNOLD JADLON,
 Zoning Commissioner
 of Baltimore County
 6/13/86

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: *1st* Date of Posting: *6-23-86*
 Posted for: *Variance*
 Petitioner: *Clarence H. Armiger, Jr., et al*
 Location of property: *SE corner of Redgate Circle and Redgate Court (2 Redgate Ct.)*
 Location of Sign: *Cl. front of 2 Redgate Court*
 Remarks:
 Posted by: *A.J. Panta* Date of return: *June 27, 1986*
 Number of Signs: *7*

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JADLON
 ZONING COMMISSIONER
 July 9, 1986

JEAN M. H. ZING
 DEPUTY ZONING COMMISSIONER

Mr. Clarence H. Armiger, Jr.
 Mr. David W. Armiger
 Mr. Clarence H. Armiger, III
 2 Redgate Court
 Baltimore, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
 SE/cor. of Redgate Circle and Redgate Ct.
 (2 Redgate Ct.)
 1st Election District
 Clarence H. Armiger, Jr., et al - Petitioners
 Case No. 87-21-A

Dear Messrs. Armiger:

This is to advise you that \$56.25 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 Room 113, County Office Building, Towson, Maryland

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

No. 021794

DATE: 7/15/86 ACCOUNT: 4-01-514-000
 AMOUNT \$ 56.25
 RECEIVED FROM: Clarence H. Armiger, Jr., 2 Redgate Ct., Baltimore, Md. 21228
 FOR: Advertising & Posting re Case No. 87-21-A

VALIDATION OR SIGNATURE OF CASHIER

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

July 9, 1986

TED ZALESKI, JR.
 DIRECTOR

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

Dear Mr. Jadlon:

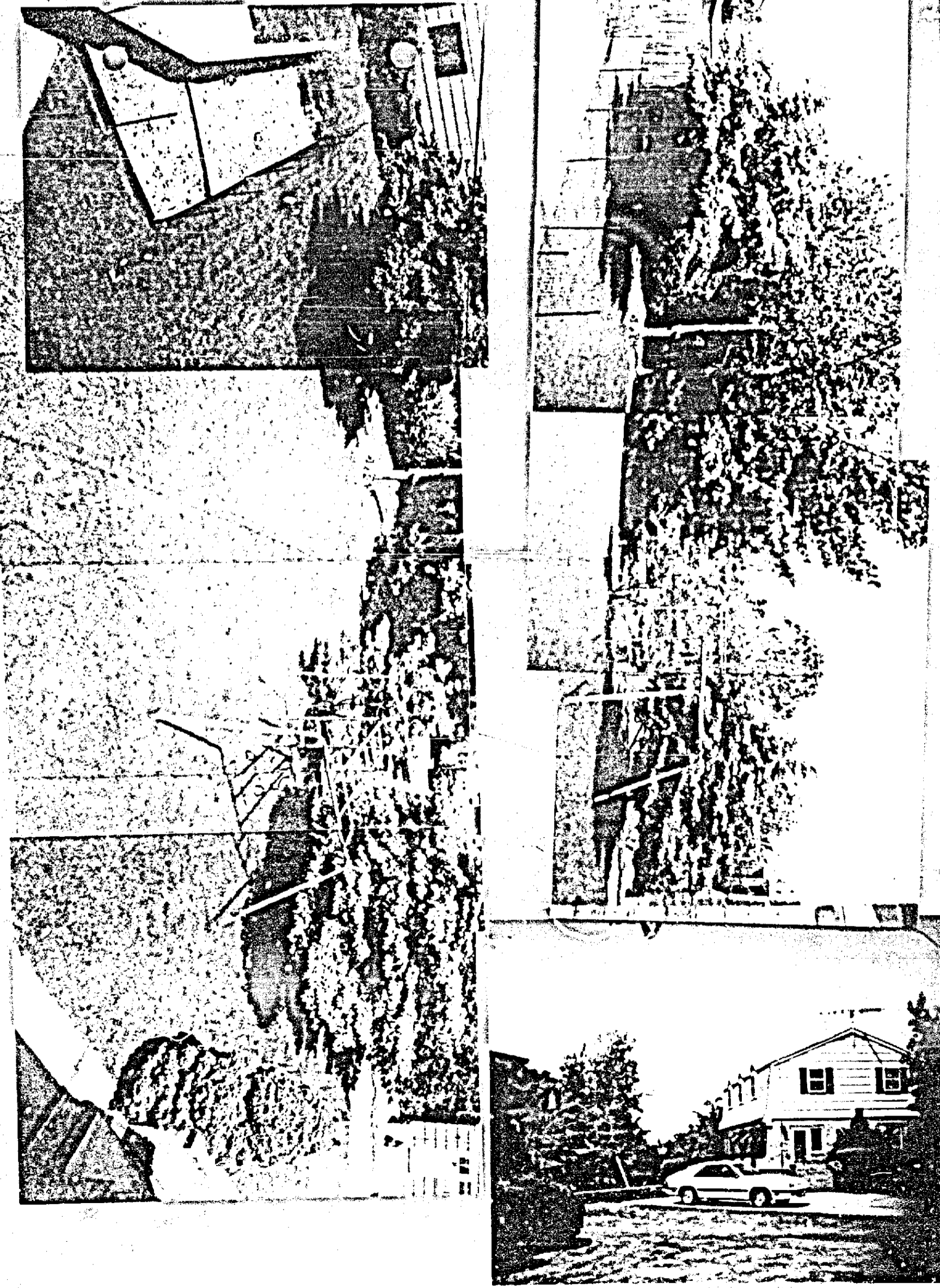
Comments on item #122 Zoning Advisory Committee Meeting are as follows:
 Property Owner: Clarence H. Armiger, Jr., et al
 Location: SE corner Redgate Circle and Redgate Court
 District: 1st.

APPLICABLE STANDARDS AND CODES:

1. 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.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
4. 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.
5. 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 of party wall. See Table 101, Section 1107, Section 1109.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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 101 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a required Change of Use/occupancy permit, an attention 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 the _____ to Use _____ or Mixed Uses.
9. 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 elevation above sea level for the lot and the finished floor levels including basement.
10. Comments: It is assumed the brick wall is existing.
11. 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 variances the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 West Chesapeake Avenue, Towson, Maryland 21204.

87-21-A
 7/15/86

[Signature]
 C. E. Burman, III
 Building Plans Reviewer



June 30, 1986
 To: Mr. Clarence H. Armiger Jr
 2 Redgate Court
 Baltimore, Md. 21228
 I have no objections for the the building Mr. Armiger plans to build on his property. If he need documents right at the property line I give my approval.
 From: Arnold A. Collins Jr
 6605 Redgate Circle
 Baltimore, Md. 21228
 P.S. replicate letter
 -this letter was sent to the Zoning
 & Baltimore County Planning and Zoning
 the day party may 1986

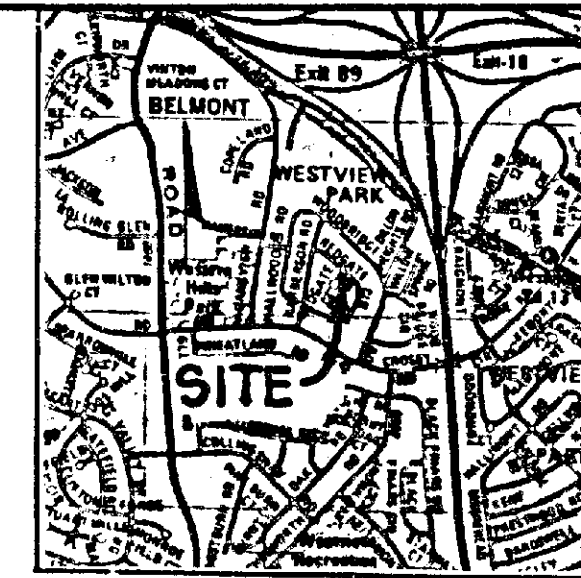
THE JEFFERSONIAN'S
 EXHIBIT 2

WILLIAM P. / JOYCE P. ROBERTS JR.
4583/570

LOT #10

#4

U.P.
#304040



LOCATION MAP
SCALE 1" = 2000'

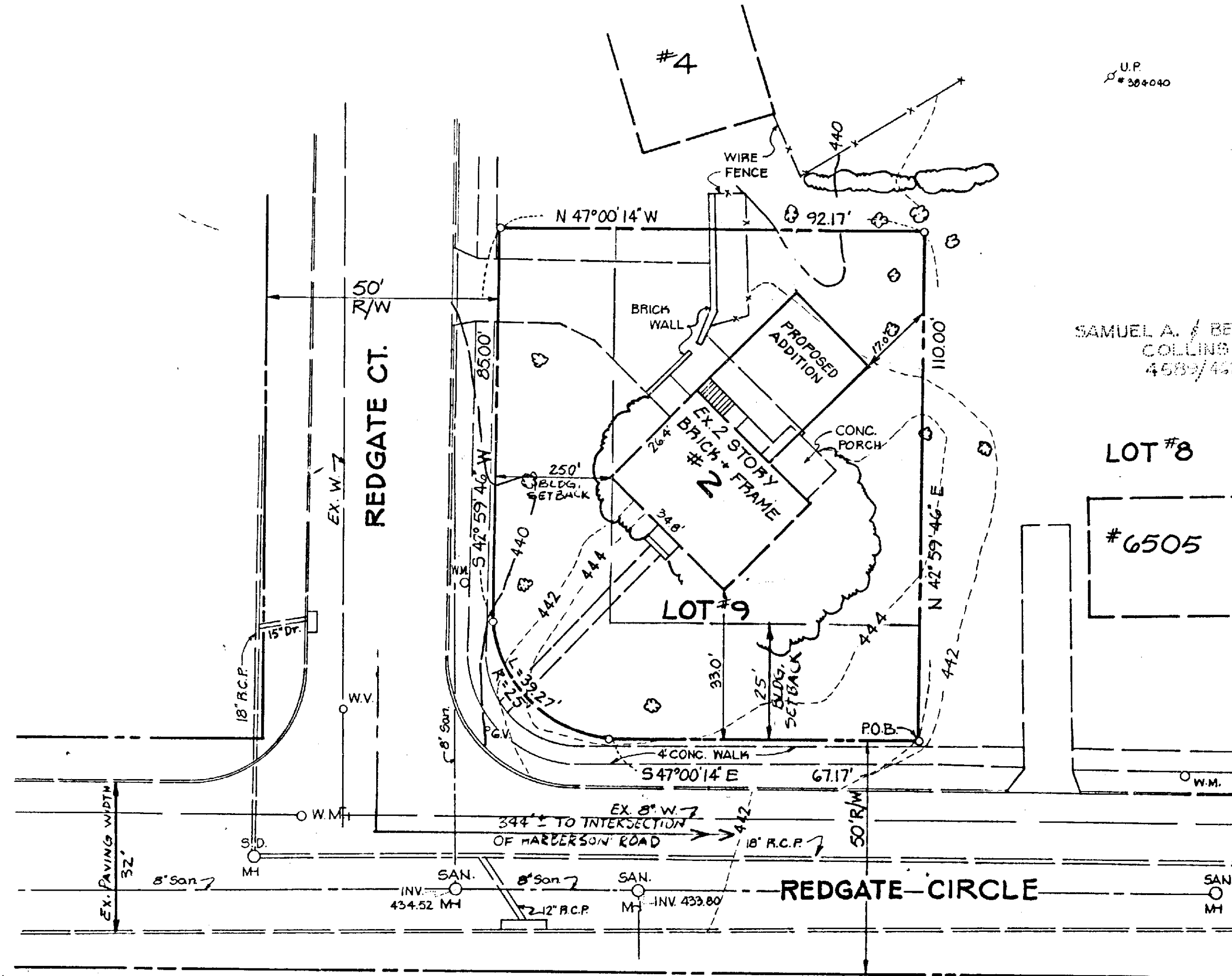
SAMUEL A. / BETTY L.
COLLINS JR.
4583/462

LOT #8

#6505

EXISTING ZONING DR 5-5
2 AREA = 0.2297 Ac. ±

SUBDIVISION PLAT OF
WESTVIEW
PARK
BOOK 30 FOLIO 48
SECTION 8 BLOCK M
LOT 9



REDGATE CIRCLE

H22



NOTED:JK	BY	DATE
SURVEYED		
PLOTTED		
PLOTTING CHKD.		

PLAT FOR ZONING
VARIANCE
2 REDGATE COURT
1ST ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND
DATE: APRIL 1986



SPOTTS STEVENS and McCOY, INC.
Engineers Surveyors Planners
698 FAIRMOUNT AVE., SUITE 105 TOWSON, MD. 21204
(301) 494-0500

G.M.N.			APR. 1986
MADE	CHECK	APPROVALS	DATE
1" = 20'		10000-C-399	
SCALE		DRAWING NUMBER	REV.