


87-77-A	N/S of Eastdale Rd., 263.53' W of Rolling Mill Rd.	15th Elec. Dist.
#15	<u>(8026 Eastdale Rd.)</u>	
7/21/86	Variance - filing fee \$35.00 - Nancy L. Caperna (Thompson)	
7/21/86	Hearing set for 9/8/86, at 10:15 a.m.	
9/8/86	Advertising and Posting - \$65.00	
9/10/86	Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit a rear yard setback of 12' in lieu of the required 25' is GRANTED with conditions.	

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the variance requested will/will not adversely affect the health, safety, and general welfare of the community, the variance should /~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of September, 1986, that the Petition for Zoning Variance to permit a rear yard setback of 12 feet in lieu of the required 25 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mrs. Nancy L. Thompson Caperna

People's Counsel

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 11.02.01 (a) of the Zoning Ordinance of Baltimore County.

Variance from Section 11.02.01 (a) of the Zoning Ordinance of Baltimore County: Area of 12 feet in lieu of the required 25 feet

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 11.02.01 (a) of the Zoning Ordinance of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

I, Mrs. Caperna, need the setback and can take care of any matter which may arise as a result of this setback. I need this setback for a bedroom for my 3 grandchildren who also take with me.

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 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) Signature (Type or Print Name) Signature

Attorney for Petitioner: (Type or Print Name) Address City and State Name Address City and State Name Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of July, 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 8th day of September, 1986, at 10:15 o'clock.

Call Jahn Zoning Commissioner of Baltimore County.

COPIES RECEIVED FOR FILING DATE BY

Nancy L. Caperna (Thompson) 87-77-A N/S of Eastdale Rd., 263.53' W of Rolling Mill Rd. (8026 Eastdale Rd.) 15th Elec. Dist.

MAP 1E 43 E.D. 15 DATE 10-27-86

Beginning at a point on the north side of Eastdale Road (50 feet wide), at a distance of 263.53 feet west of the right of way of Rolling Mill Road and being known as lot 40, Block 7 as shown on "1st Three-Eastwood Heights", which is recorded among The Land Records of Baltimore County in 1st book Gib 21, folio 21.

Known as 8026 Eastdale Road in the 15th Election District

RE: PETITION FOR VARIANCE: N/S of Eastdale Rd., 263.53' W of Rolling Mill Rd. (8026 Eastdale Rd.), 15th District. Mrs. Nancy L. (Thompson) Caperna, Petitioner. Case No. 87-77-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 Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 8th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Mrs. Nancy L. (Thompson) Caperna, 8026 Eastdale Rd., Baltimore, MD 21224, Petitioner.

Peter Max Zimmerman Peter Max Zimmerman

NOTICE OF HEARING RE: PETITION FOR ZONING VARIANCE N/S of Eastdale Rd., 263.53' W of Rolling Mill Rd. (8026 Eastdale Rd.) 15th Election District Nancy L. Caperna (Thompson) - Petitioner Case No. 87-77-A

TIME: 10:15 a.m. DATE: Monday, September 8, 1986 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 025501

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO: Zoning Commissioner Date August 21, 1986 Norman E. Gerber, AICP, Director FROM: Office of Planning and Zoning SUBJECT: Zoning Petitions No. 87-74-A, 87-75-A, 87-76-A, 87-77-A, 87-81-A, 87-82-A, 87-83-A, 87-84-A, 87-87-A, 87-88-A, 87-106-A, 87-107-A, 87-108-A, 87-111-A, 87-112-A, 87-113-A and 87-114-A

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

Norman E. Gerber, AICP Director

NEG:JGH:slm

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

ARNOLD JABLON ZONING COMMISSIONER September 3, 1986 JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

Mrs. Nancy L. Caperna (Thompson) 8026 Eastdale Road Baltimore, Maryland 21224

RE: PETITION FOR ZONING VARIANCE N/S of Eastdale Rd., 263.53' W of Rolling Mill Rd. (8026 Eastdale Rd.) 15th Election District Nancy L. Caperna (Thompson) - Petitioner Case No. 87-77-A

Dear Mrs. Caperna:

This is to advise you that \$65.00 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, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 025501 DATE ACCOUNT AMOUNT RECEIVED FROM FOR VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE 15th Election District Case No. 87-77-A

LOCATION: North Side of Eastdale Road, 263.53 feet West of Rolling Mill Road (8026 Eastdale Road)

DATE AND TIME: Monday, September 8, 1986, at 10:15 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 12 feet in lieu of the required 25 feet

Being the property of Mrs. Nancy L. Caperna (Thompson), 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

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland 87-77-A

District 15th Date of Posting 7/29/86 Posted for Variance Petitioner Nancy L. Caperna (Thompson) Location of property 8026 Eastdale Rd. Location of Signs 8026 Eastdale Rd. Property of Petitioner Remarks: Posted by [Signature] Date of return 8/1/86 Number of Signs: 1

CERTIFICATE OF PUBLICATION

PETITION FOR ZONING VARIANCE
15th Election District
Case No. 87-77-A

LOCATION: North Side of Eastdale Road, 263.53 feet West of Rolling Mill Road (8026 Eastdale Road)

DATE AND TIME: Monday, September 8, 1986, at 10:15 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 12 feet in lieu of the required 25 feet.

Being the property of Mrs. Nancy L. Caperna (Thompson), 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

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

August 21,

19 86

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hrgs. Case # 87-77-A - P.O. #79048 - Reg. #L92765 - 70 lines @ \$28.00,

was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~successive~~ weeks before the 22nd day of August 1986; that is to say, the same was inserted in the issues of Aug. 21, 1986

Kimbel Publication, Inc.

per Publisher.

By K. C. Deller

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 1, 1986

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

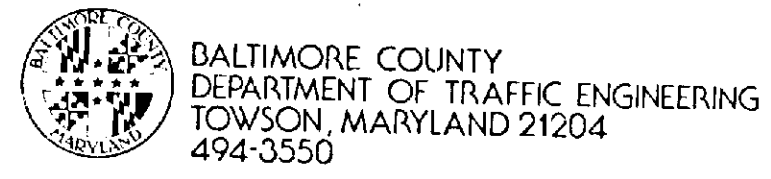
- Chairman: Nancy L. Caperna
Members: Bureau of Engineering, Department of Traffic Engineering, State Roads Commission, Bureau of Fire Prevention, Health Department, Project Planning, Building Department, Board of Education, Zoning Administration, Industrial Development

Mrs. Nancy L. Caperna
8026 Eastdale Road
Baltimore, Maryland 21224
RE: Item No. 15 - Case No. 87-77-A
Petitioner: Nancy L. Caperna (Thompson)
Petition for Zoning Variance

Dear Mrs. Caperna:
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.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures



STEPHEN E. COLLINS
DIRECTOR

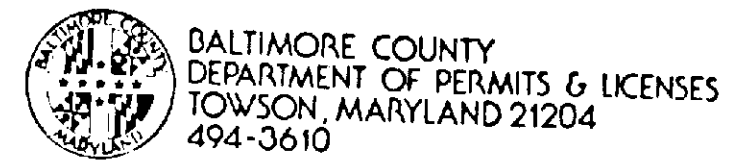
July 22, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:
The Department of Traffic Engineering has no comments for items number 14, 15, 17, 18, 19, and 20.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate II

MSP:lt



TED ZALESKI, JR.
DIRECTOR

July 31, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
Dear Mr. Jablon:
Comments on Item # 15 Zoning Advisory Committee Meeting are as follows:
Property Owners: Nancy L. Caperna
Locations: N/S Eastdale Road, 263.53 feet W Rolling Mill Road
Districts: 15th.

- APPLICABLE TYPES ARE:
A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85.
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.
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.
E. All the Group except Sub-Group Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 10' to an interior lot line.
F. The structure does not appear to comply with Table 505 for permissible height/area.
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.
I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine.
J. Comments:
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.

PETITION FOR ZONING VARIANCE

LOCATION: North Side of Eastdale Road, 263.53 feet West of Rolling Mill Road
DATE AND TIME: Monday, September 8, 1986, at 10:15 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 on a Petition for Zoning Variance to alter a new lot width of 12 feet on lots of the required 25 feet.
By Order of: ARNOLD JABLON, Zoning Commissioner of Baltimore County

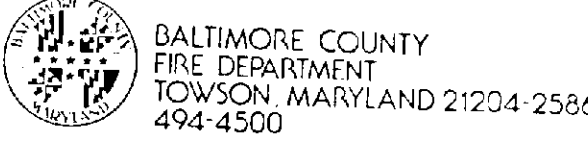
CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1986
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 August 21, 1986.

THE JEFFERSONIAN,
Susan Seidel Ockert, Publisher
Cost of Advertising: 22.00

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 21st day of July, 1986.

ARNOLD JABLON, Zoning Commissioner
Petitioner: Nancy L. Caperna
Petitioner's Attorney: James E. Dyer
Received by: James E. Dyer, Chairman, Zoning Plans Advisory Committee



PAUL H. REINCKE
CHIEF

July 30, 1986

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

RE: Property Owner: Nancy L. Caperna
Location: N/S Eastdale Road, 263.53 feet W. Rolling Mill Road
Item No.: 15
Zoning Agenda: Meeting of 7/22/86

- 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 comments, at this time.

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

/mb

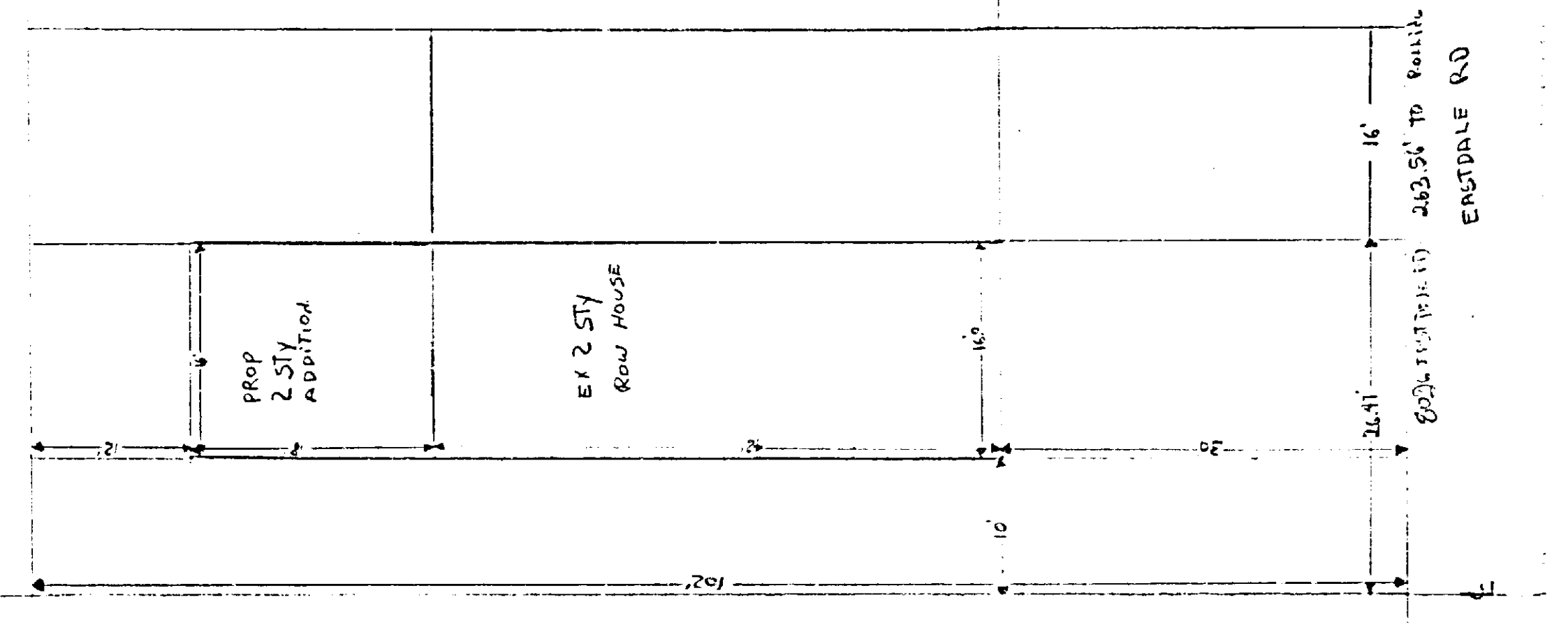
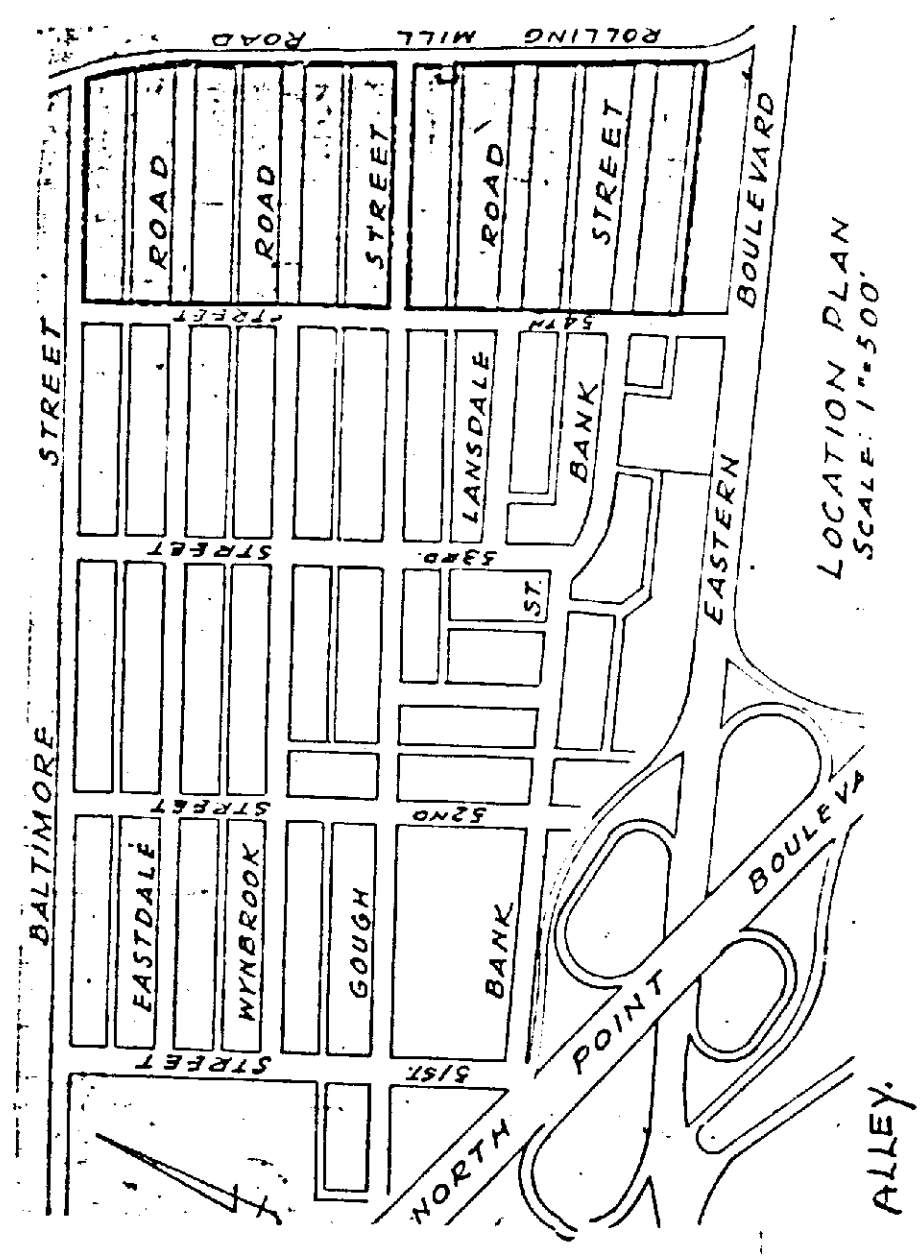
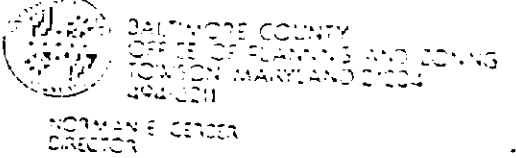


EXHIBIT 1

Lot 40 District 15-District
Plan Three ERF 10-85
CLB No 21 FAL 21
PUBLIC WORKS, SANITARY DIST.



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

AUGUST 19, 1986
RE: Zoning Advisory Meeting of JULY 22, 1986
Item # 15
Petitioner: NANCY L. CAPERNA
Location: N/S EASTDALE RD. 263.53' W. OF ROLLING MILL RD.

- Dear Mr. Jablon:
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The signs concern below are:
X There are no site planning factors requiring comment.
A County Review Group meeting is required.
A County Review Group meeting was held and the minutes will be forwarded to the Bureau of Public Services.
This site is part of a larger tract. Therefore it is defined as a subdivision. The plan must show the entire tract, 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 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 soils is prohibited.
Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Zoning and Planning Regulations.
Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
The proposed Development Plan was approved by the Planning Board.
Nancy Dyer, next County with Baltimore County Landscape Manual.
The property is located in a deficient service area as defined by Bill 170-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 170-79, and as conditions change the intersection may become more limited. The Traffic Services Unit has reviewed the petition by the County Council.
Additional comments:

Reviewed by: James Howell
Chairman, Current Planning and Development