

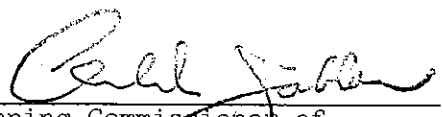
87-106-A #8	Lot 19 - N/S of Ethel Ave., 395' E of Rolling Rd. <u>Lot 1 - S/S of Ethel Ave., 402' E of Rolling Rd.</u>	1st Elec. Dist.
7/28/86	Variance - filing fee \$100.00 - Edward R. Krug, Sr., et al	
7/28/86	Hearing set for 9/15/86, at 10:00 a.m.	
9/15/86	Advertising and Posting - \$77.45	
9/16/86	Ordered by the Zoning Commissioner that the Petition for Zoning Variances to permit tract boundary setbacks of 8' in lieu of the required 35' for proposed Lots 1 and 19, Ivy Spring Terrace, is GRANTED with conditions.	

1987-0106-A

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(s) and the granting of the variance(s) requested ~~will~~/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of September, 1986, that the Petition for Zoning Variances to permit tract boundary setbacks of 8 feet in lieu of the required 35 feet for proposed Lots 1 and 19, Ivy Spring Terrace, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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


Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. Edward R. Krug, Sr.

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 1 B O 1.2.C.6 (V.B.5.a) C.M.D.P. to permit tract boundary setbacks of 8 ft. in lieu of the required 35 ft. for lots #1 and #19 Ivy Spring Terrace (proposed)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
The 2 lots that are the subject of this variance request are part of a proposed subdivision that is being developed in a manner consistent with the existing neighborhood. To conform to the required tract boundary setback would cause the 2 lots in question to be out of character with the remaining lots in the subdivision and also cause a reduction in the lot yield for the project which is critical to the economics of the project.

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:
LEWIS CURLETTE
(Type or Print Name)
Signature: *Lewis Curlette*
419 NEEPIER RD.
Address
BALTO., MD. 21228
City and State
Attorney for Petitioner:
N/A
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney's Telephone No.: _____

Legal Owner(s):
EDWARD R. KRUG SR.
(Type or Print Name)
Signature: *Edward R. Krug Sr.*
MARY BEZOLD
(Type or Print Name)
Signature: *Mary Bezold*
Refer to attached sheet for owner information
Address: _____
City and State: _____
Name, address and phone number of representative to be contacted: _____
JOSEPH L. LARSON
Name
105 W. CHESAPEAKE AVE. 823-3535
Address
TOWSON, MD. 21204
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28th 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of September, 1986, at 10:00 o'clock.

Carl J. Jahn
Zoning Commissioner of Baltimore County.
(over)

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN P.L.S.
JOSEPH L. LARSON
LOUIS J. PARSONS P.E.
ALBERT R. RYAN

DESCRIPTION FOR A VARIANCE TO ZONING, ETHEL AVE., LOT # 1 (PROPOSED) IVY SPRING TERRACE, 1ST DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the South side of Ethel Avenue as proposed to be widened to a width of 50 feet at the two following courses and distances measured along the South side of Ethel Avenue from the East side of Rolling Road South 89 Degrees 05 Minutes East 402 feet more or less and South 0 Degrees 55 Minutes West 10.00 feet running thence and binding on the South side of Ethel Avenue as proposed to be widened South 89 Degrees 05 Minutes East 60.00 feet thence leaving the South side of Ethel Avenue and running South 0 Degrees 55 Minutes West 130.15 feet North 89 Degrees 05 Minutes West 60.00 feet and North 0 Degrees 55 Minutes East 130.15 feet to the place of beginning. Containing 7809 square feet of land, more or less.

7/1/86



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN P.L.S.
JOSEPH L. LARSON
LOUIS J. PARSONS P.E.
ALBERT R. RYAN

DESCRIPTION FOR A VARIANCE TO ZONING, ETHEL AVE., LOT # 19 (PROPOSED) IVY SPRING TERRACE, 1ST DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the North side of Ethel Avenue as proposed to be widened to a width of 50 feet at the two following courses and distances measured along the North side of Ethel Avenue from the East side of Rolling Road South 89 Degrees 05 Minutes East 395 feet more or less and North 0 Degrees 55 Minutes East 10.00 feet running thence and binding on the North side of Ethel Avenue as proposed to be widened South 89 Degrees 05 Minutes East 60.00 feet thence leaving the North side of Ethel Avenue and running North 0 Degrees 55 Minutes East 140.00 feet North 89 Degrees 05 Minutes West 60.00 feet and South 0 Degrees 55 Minutes West 140.00 feet to the place of beginning. Containing 8,400 square feet of land, more or less.

7/1/86



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
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Owner Information

This petition is being filed to include both Lots # 1 & 19 together even though they are under separate ownership. This Petition is including both Lots since they are under contract to the same purchaser and part of a total proposed subdivision.

Lot # 17	Lot # 19
Edward R. Krug, Sr.	Mary Bezold
522 Morris Ave.	323 Beaumont Ave.
Lutherville, Md. 21093	Catonsville, Md. 21228

PETITION FOR ZONING VARIANCE

1st Election District
Case No. 87-106-A

LOCATION: Lot 19 - North Side of Ethel Avenue, 395 feet East of Rolling Road, Lot 1 - South Side of Ethel Avenue, 402 feet East of Rolling Road
DATE AND TIME: Monday, September 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 tract boundary setbacks of 8 feet in lieu of the required 35 feet for Lots 1 and 19 of the proposed Ivy Spring Terrace

Being the property of Edward R. Krug, Sr., 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
Lot 19 - N/S of Ethel Ave.
395' E of Rolling Rd.
Lot 1 - S/S of Ethel Ave.
402' E of Rolling Rd.
1st District
EDWARD R. KRUG, SR.,
et al., Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-106-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 12th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Edward R. Krug, Sr., 322 Morris Ave., Lutherville, MD 21093; Mary Bezold, 323 Beaumont Ave., Catonsville, MD 21228, Petitioners; Lewis Curlette, 419 Neepier Rd., Baltimore, MD 21228, Contract Purchaser; and Joseph L. Larson, 105 W. Chesapeake Ave., Towson, MD 21204, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 10, 1986

Mr. Edward R. Krug, Sr.
522 Morris Avenue
Lutherville, Maryland 21093

Ms. Mary Bezold
323 Beaumont Avenue
Catonsville, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
Lot 1 - S/S Ethel Ave., 402' E of Rolling Rd.
Lot 19 - N/S of Ethel Ave., 395' E of Rolling Rd.
1st Election District
Edward R. Krug, Sr., et al - Petitioners
Case No. 87-106-A

Dear Mr. Krug and Ms. Bezold:

This is to advise you that \$77.45 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 in effect.

Please send payment to: No. 025517 e County, Maryland, and remit to: ing, Towson, Maryland

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

DATE: 9/10/86
AMOUNT: \$77.45
PAID TO: Mr. Edward R. Krug, Sr., 522 Neepier Rd., Catonsville, Md. 21228
RECEIVED FROM: [Signature]
FOR: [Signature]
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

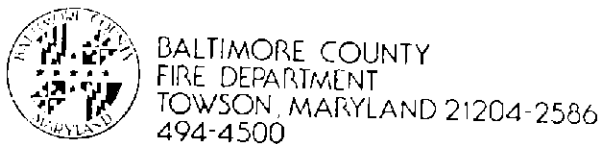
District: 1st
Posted for: Variance
Petitioner: Edward R. Krug, Sr.
Location of property: Lot 19 - N/S of Ethel Ave., 395' E of Rolling Rd.
Location of Sign: Lot 1 - S/S of Ethel Ave., 402' E of Rolling Rd.
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 2

Date of Posting: August 15, 86
Date of return: August 18, 86

- (X) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____.
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____.
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- () Others Petitioner should be advised that wetland
soil types exist on-site. Development in these
soil types may be severely restricted. For more
information, contact Judy Platt, of Water Quality
Management, at 494-3768.

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



PAUL H. REINCKE
CHIEF

July 17, 1986

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

RE: Property Owner: Edward R. Krug, et al
Location: N/S Ethel Ave., 395 ft. & 402 ft. E of E/S Rollins Rd.
Item No.: 8 Zoning Agenda: Meeting of July 15, 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.

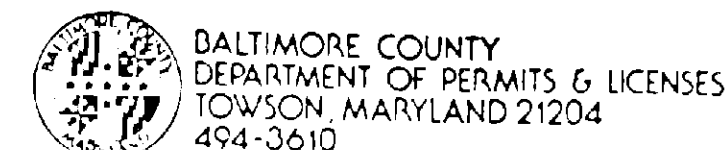
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

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

- () 7. The Fire Prevention Bureau has no comments at this time.

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

/mb



July 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 # 8 Zoning Advisory Committee Meeting are as follows:

Property Owner: Edward R. Krug, et al
Location: N/S Ethel Avenue, 395 feet and 402 feet E of E/S Rollins Road
Districts: 1st.

APPLICABLE CODES ARE CITED:

- (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.S.S.I. #117-1 - 1985) and other applicable Codes and Standards.

- (B) A building and other miscellaneous permits shall be required before the start of any construction.
A separate razing permit shall be required.

- (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/are 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 B-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. B-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 B-1, Section 1107, Section 1106.2 and Table 1102. 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 C-5 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 C-1 and C-5 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 Use _____. See Section 312 of the Building Code.

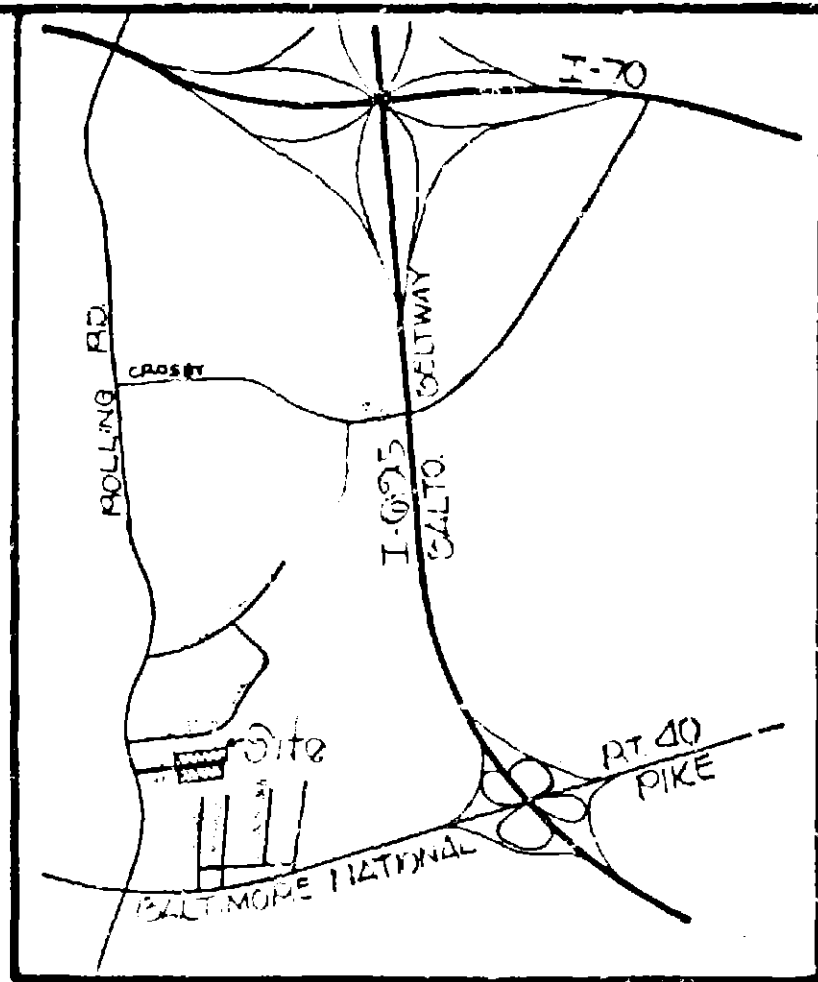
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.1 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments:

- 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. To receive the applicant may obtain additional information by visiting Room 122 of the County Office Building at 11, Chesapeake Avenue, Towson, Maryland 21204.

By: John F. O'Neill
Building Plans Review

7/22/86



VICINITY MAP
Scale: 1"=2000'

GENERAL NOTES

- LOT #19
AREA OF TRACT = 8,400 #
EXISTING ZONING = DR 5.5
EXISTING USE = VACANT
PROPOSED USE = RESIDENTIAL
- LOT #1
AREA OF TRACT = 7809 #
EXISTING ZONING = DR 5.5
EXISTING USE = RESIDENTIAL
PROPOSED USE = RESIDENTIAL

PETITIONER'S
EXHIBIT

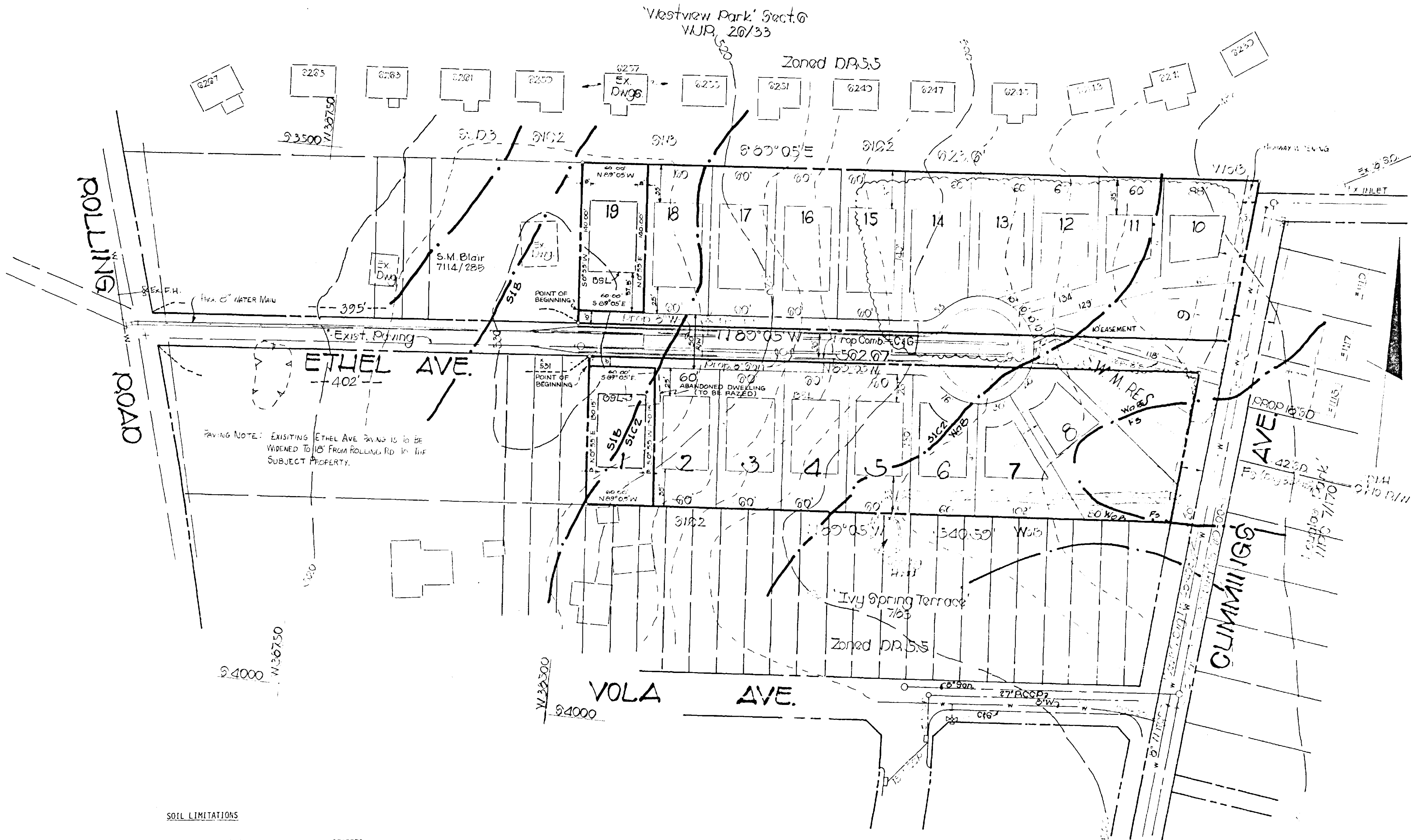
REVISIONS	
NO	DATE

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE: 823-3535

APPLICANT/DEVELOPER
Lewis B. Gurlotta
410 N. Spring Road
Baltimore, Maryland 21228
747-3500

PLAT TO ACCOMPANY
ZONING VARIANCE
LOTS 1 & 19
IVY SPRING TERRACE
1st Election District Baltimore Co., MD

SCALE: 1"=50'
DATE: 7/1/86
DES BY:
DRN BY: M.G.C.
SHT. 1 OF 1



SOIL LIMITATIONS

SOIL SERIES	SYMBOL	WITH EASEMENT	WITHOUT EASEMENT	STREETS AND PARKING
Fallington	Fs	Severe: high water table; poor natural drainage	Severe: high water table; poor natural drainage	Severe: high water table; poor natural drainage
Sassafras	STB	Slight	Slight	Moderate: Slope
Sassafras	STC2	Slight	Slight	Severe: Slope
Woodstown	WoB	Moderate: Moderately high water table	Slight	Moderate: Moderately high water table

LANDSCAPING CALCULATIONS

Number of dwelling units proposed
Gross number of trees required
Credit for existing tree cover
Net number of trees required
Number of major deciduous trees (50% of net)
Number of evergreen trees required (30% of net)

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NORTH SIDE
Edward R. Krug, Sr. & Wf
Deed Ref. 6661/800
Property Numbers
01-11-770904
01-11-770905
01-11-770906
01-11-770907

SOUTH SIDE
Mary Bezold
Deed Ref. 1736/501
Property Numbers
01-02-200700
01-02-200701
01-02-200702
01-02-200703

NOTE: THIS ENTIRE SECTION IS IN A RESIDENTIAL TRANSITION AREA

Public Services
CRG Number: 86106
Planning No.

#8
87-106-7