

87-130-A
39

8/12/86

8/12/86

10/6/86

10/7/86

S/S of Tennessee Ave., 565' ~~E~~ of the c/l of Brian St.

13th Elec. Dist.

Variance - filing fee \$35.00 - Stewart P. Jung, Sr., et ux

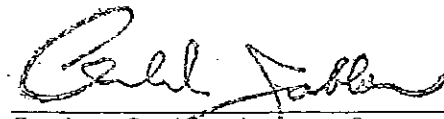
Hearing set for 10/6/86, at 10:45 a.m.

Advertising and Posting - \$60.70

Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit side yard setbacks of 6' in lieu of the required 10' is GRANTED.

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 result in practical difficulty and unreasonable hardship upon the Petitioner, and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of October, 1986, that the Petition for Zoning Variances to permit side yard setbacks of 6 feet in lieu of the required 10 feet be and is hereby GRANTED from and after the date of this Order.



Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. Stewart P. Jung, Sr.

People's Counsel

35 87-130-A #39 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 Variance from Section 1. B02.3C.1 (DR) To permit sideyard setbacks of 6 feet instead of the required 10 feet and 5000 sq. feet instead of the 6000 sq. feet for area requirements in a residential area.

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

Compliance with the zoning regulations of Baltimore County cannot be met due to size of lot in old subdivision and would create a financial hardship for petitioners. Health, safety and general welfare of the community will not be adversely affected if this variance is granted.

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

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

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

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Stewart P. Jung, Sr.
Signature Stewart P. Jung, Sr.
Address Helene M. Jung
City and State (Type or Print Name)
Signature Helene M. Jung
Attorney for Petitioner: 2613 Matthews Dr. 668-0809
(Type or Print Name) Address Phone No.
Signature Baltimore, Maryland, 21234
City and State
Address Name, address and phone number of legal owner, tract purchaser or representative to be contacted
City and State Stewart P. Jung, Sr. 1000
Name DP
Attorney's Telephone No.: 2613 Matthews Dr. 668-0809
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of August, 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 6th day of October, 1986, at 10:45 o'clock a.m.

By *Carl J. Jolson*
Zoning Commissioner of Baltimore County.
(over)

ORDER RECEIVED FOR FILING
Date *October 6, 1986*
By *John P. Jolson*

87-130-A

87-130-A
#39
Stewart P. Jung, Sr., 87-130-A
c/o of Helene M. Jung, Sr. 6 of the
c/o of Helene M. Jung, Sr. 6 of the
c/o of Helene M. Jung, Sr. 6 of the

Description of property in petition for zoning variance from regulations as requested by Stewart P. Jung, Sr. and wife, Helene M. Jung.

Beginning on the South side of Tennessee Ave. 50 feet wide at a distance of 565 feet east of the centerline of Brian St. Being Lots 28 & 29, Block M, in the subdivision of Rosemont, Book No. 7, Folio 100, located in the Thirteenth Election District of Baltimore County. Said lots are vacant and unimproved by any dwelling.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Tennessee Ave., 565' W of C/L of Brian St., 13th Dist. : OF BALTIMORE COUNTY
STEWART P. JUNG, SR., et ux, : Case No. 87-130-A
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
494-2188

I HEREBY CERTIFY that on this 22nd day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Stewart P. Jung, 2613 Matthews Drive, Baltimore, MD 21234, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

City of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

September 2019 86

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR
ZONING 94947

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 20 day of September, 1986, that is to say, the same was inserted in the issues of

September 18, 1986

PATUXENT PUBLISHING CORP.
By *Patuxent*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

PETITION FOR ZONING VARIANCE

13th Election District

Case No. 87-130-A

LOCATION: South Side of Tennessee Avenue, 565 feet East of the Centerline of Brian Street

DATE AND TIME: Monday, October 6, 1986, at 10:45 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 side yard setbacks of 6 feet in lieu of the required 10 feet

Being the property of Stewart P. Jung, Sr., et ux, as shown on plat plan filed with the Zoning Office.

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

BY ORDER OF
ARNOLD JADLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



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

ARNOLD JADLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 30, 1986

Mr. Stewart P. Jung, Sr.
Mrs. Helene M. Jung
2613 Matthews Drive
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE
S/S of Tennessee Ave., 565' E of the c/l of Brian St.
13th Election District
Stewart P. Jung, Sr., et ux - Petitioners
Case No. 87-130-A

Dear Mr. and Mrs. Jung:

This is to advise you that \$60.70 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.

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

DATE 10/6/86 ACCOUNT R-01-615-000

UNABLE TO FIND SIGN & POST TO RETURN TO AMOUNT \$ 60.70

ZONING OFFICE Mr. Stewart P. Jung, Sr., 2613 Matthews Dr., Balto., Md. 21234

RECEIVED FROM ADVERTISING & POSTING COSTS RE CASE #87-130-A

FOR: B 8742*****CDJCL 2068F

VALIDATION OR SIGNATURE OF CASHIER

Mr. Stewart P. Jung, Sr.
Mrs. Helene M. Jung
2613 Matthews Drive
Baltimore, Maryland 21234

August 15, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
S/S of Tennessee Ave., 565' E of the c/l of Brian St.
13th Election District
Stewart P. Jung, Sr., et ux - Petitioners
Case No. 87-130-A

TIME: 10:45 a.m.

DATE: Monday, October 6, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 18, 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 September 18, 1986.

THE JEFFERSONIAN,

Susan Studer O'Beir
Publisher

Cost of Advertising

24.75

PETITION FOR
ZONING VARIANCE
13th Election District
Case No. 87-130-A

LOCATION: South Side of Tennessee Avenue, 565 feet East of the Centerline of Brian Street

DATE AND TIME: Monday, October 6, 1986, at 10:45 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 side yard setbacks of 6 feet in lieu of the required 10 feet

Being the property of Stewart P. Jung, Sr., et ux, as shown on plat plan filed with the Zoning Office.

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By Order of
ARNOLD JADLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

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

DATE 10/24/86 ACCOUNT 01-612

RECEIVED FROM STEWART P. JUNG, SR.

FOR: Filing Fee for Variance 1111 No 34

B 8742*****CDJCL 2068F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-130-A

District 13th Date of Posting 9-11-86
Posted for: 9/11/86
Petitioner: Stewart P. Jung, Sr. et ux
Location of property: S/S of Tennessee Ave. E. of C/L of Brian St.
Location of Signs: South side of Tennessee Avenue opposite 4th
Remarks: See map in REFERENCE TO LOT 87-130-A, 340' TO THE REAR
Posted by: J. J. [Signature] Date of return: 9/12/86
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

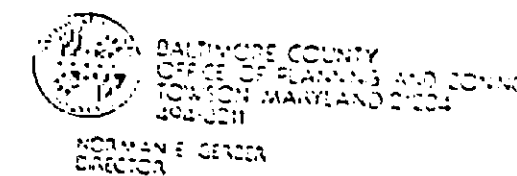
Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-116-A, 87-127-A, 87-128-A, 87-130-A, 87-133-A, 87-134-A, 87-135-A, 87-136-A, and 87-137-A

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

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm

CPS-008



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

August 22, 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 Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by 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.
- ☒ 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 parking arrangement is not satisfactory.
- ☒ The parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☒ 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 Baltimore County Landscape Manual, Bill 128-79. No building permit may be issued until a Retention 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 128-79, and its conditions change are evaluated annually by the County Council.
- ☒ Additional comments:

CC: James Howell

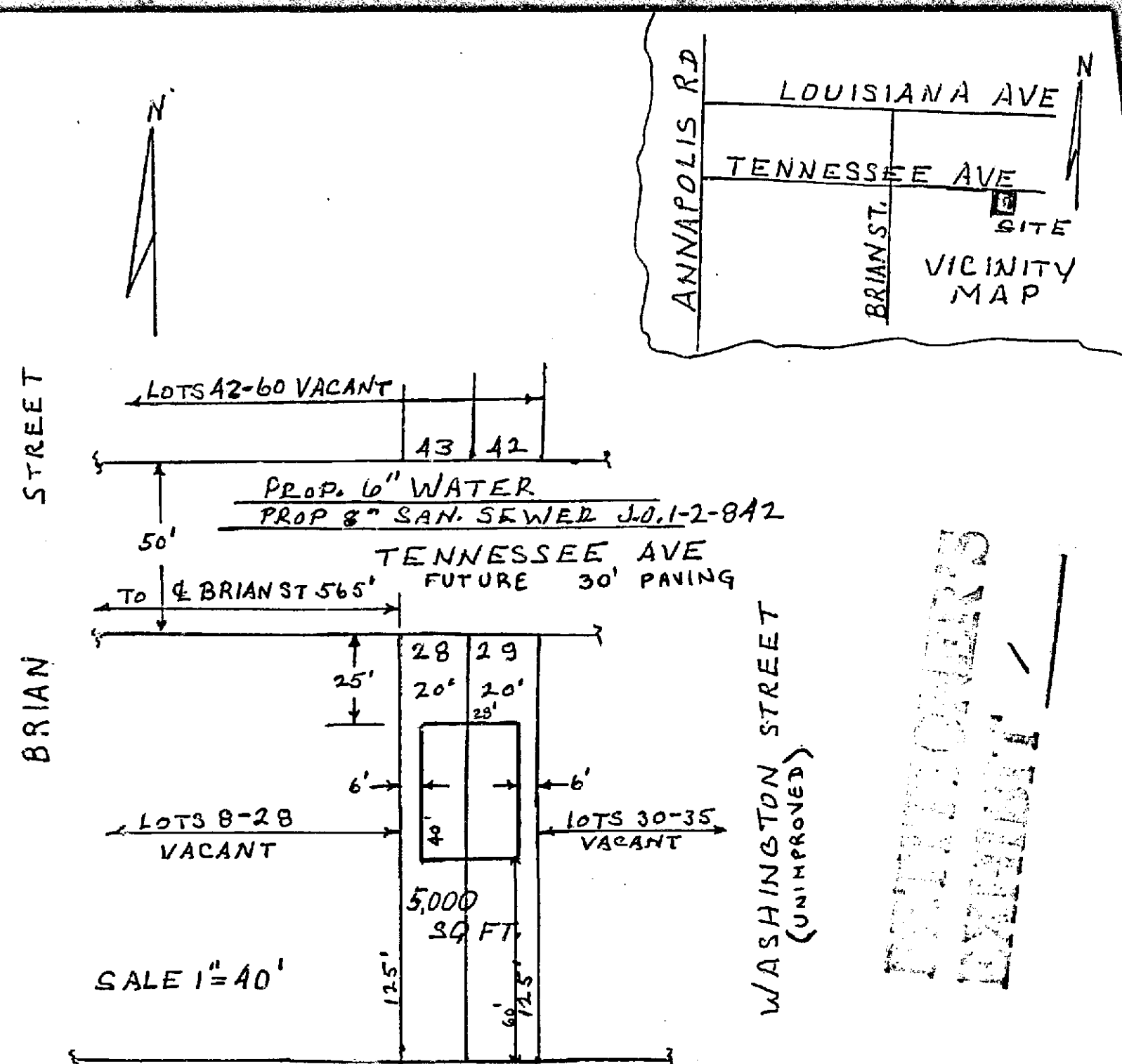
Eugene A. Dyer
Chair, Current Planning and Development

Zoning Item # 31 Zoning Advisory Committee Meeting of 8/5/86
Page 2

- ☐ 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 Hydrogeological Study and an Environmental Effects Report must be submitted.
- ☒ Others Public water and sewer lines must be extended to proposed house.

Jan J. [Signature]
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



PLAT FOR ZONING VARIANCE
OWNER- STEWART P. & HELENE M. JUNG SR.
DISTRICT 13 ZONED D.R.5.5
SUBDIVISION ROSEMONT
LOT 28 & 29 BLK M BOOK 7 FOLIO 100
PROPOSED WATER & SEWER- TENNESSEE AVE
1" = 40' 87-130A

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 17, 1986

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

Chairman

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

Mr. Stewart P. Jung, Sr.
2613 Matthews Drive
Baltimore, Maryland 21234

RE: Item No. 39 - Case No. 87-130-A
Petitioner: Stewart P. Jung, Sr., et ux
Petition for Zoning Variance

Dear Mr. Jung:

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:kbb

Enclosures

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 31, Zoning Advisory Committee Meeting of 8/5/86

Property Owner: Stewart P. Jung, et ux

Location: S/S Tennessee Ave 565' W. of Brian St. District 13th

Water Supply _____ Sewage Disposal _____

COMMENTS ARE AS FOLLOWS:

- ☐ Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ☐ Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ☐ A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ☐ A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ☐ Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ☐ Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ☐ Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ☐ If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

10/6 87-130A



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

August 14, 1986

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

RE: Property Owner: Stewart P. Jung, et ux

Location: S/S Tennessee Avenue 565' W. C/L Brian Street

Item No.: 39

Zoning Agenda: Meeting of 8/5/86

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: John F. [Signature]
Planning Group
Special Inspection Division

Noted and Approved: John F. [Signature]
Fire Prevention Bureau

/mb

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 August, 1986.

Arnold Jablon
Zoning Commissioner

Petitioner: Stewart P. Jung, Sr., et ux Received by: James E. Dyer
Petitioner's Attorney: _____ Chairman, Zoning Plans Advisory Committee



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

August 14, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 39 Zoning Advisory Committee Meeting are as follows:

Property Owner: Stewart P. Jung, et ux
Location: S/S Tennessee Avenue, 565' W c/l Brian Street
District: 13th.

APPLICABLE ITEMS ARE CIRCLED:

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

Charles E. Burnham
BY: C. E. Burnham, Chief
Building Plans Review

L/22/85