

87-133-A

40

N/S of Patapsco Ave., 240.75' E of Willow Spring Rd.
(114 Patapsco Ave.)

12th Elec. Dist.

8/12/86

Variance - filing fee \$35.00 - Orville N. Christensen, et ux

8/12/86

Hearing set for 10/7/86, at 9:30 a.m.

10/7/86

Advertising and Posting - \$71.75

10/15/86

Ordered by the Deputy Zoning Commissioner that the request for a zoning variance to permit a rear yard setback of 19', in accordance with the plan submitted, is GRANTED.

IN RE: PETITION FOR ZONING VARIANCE
 N/S of Patapsco Avenue,
 240.75' E of Willow Spring Rd.
 (114 Patapsco Avenue)
 12th Election District

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY

Orville N. Christensen, et ux
 Petitioners

Case No. 87-133-A

The Petitioners herein request a zoning variance to permit a rear yard setback of 19 feet in lieu of the required 37.5 feet for an open projection (deck).

Testimony by one of the Petitioners indicates that they have occupied the dwelling, built in approximately 1920, since 1957. In 1974 a garage in the rear yard was razed. The rear porch now needs to be replaced. The existing rear yard setback for the dwelling is 35 feet, less than that required by current Baltimore County Zoning Regulations (BCZR). The neighborhood is beginning to be revitalized; in the opinion of the Petitioner, the proposed deck will be an asset not only to the Petitioner's family home but also to the neighborhood.

There were no Protestants.

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

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of October 1986, that the herein request for a zoning variance to permit a rear yard setback of 19 feet, in accordance with the plan submitted, is hereby GRANTED from and after the date of this Order.

Jean M. H. Jung
 Deputy Zoning Commissioner
 of Baltimore County

RECEIVED FOR FILING
 By *Phyllis Cole Friedman*

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 1B02.3.C.1, 301.1, to permit a rear yard setback of 19 feet in lieu of the required 37.5 feet for an open projection (deck).

The house was built in approximately 1920 with a 35 foot rear setback. Owner wishes to construct a deck and cannot meet the current requirement.

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: _____
 (Type or Print Name)

Address: _____
 City and State: _____

Legal Owner(s): _____
 (Type or Print Name)

Signature: _____
 (Type or Print Name)

Address: _____
 City and State: _____

Attorney for Petitioner: _____
 (Type or Print Name)

Signature: _____
 (Type or Print Name)

Address: _____
 City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____

City and State: _____ Name: _____

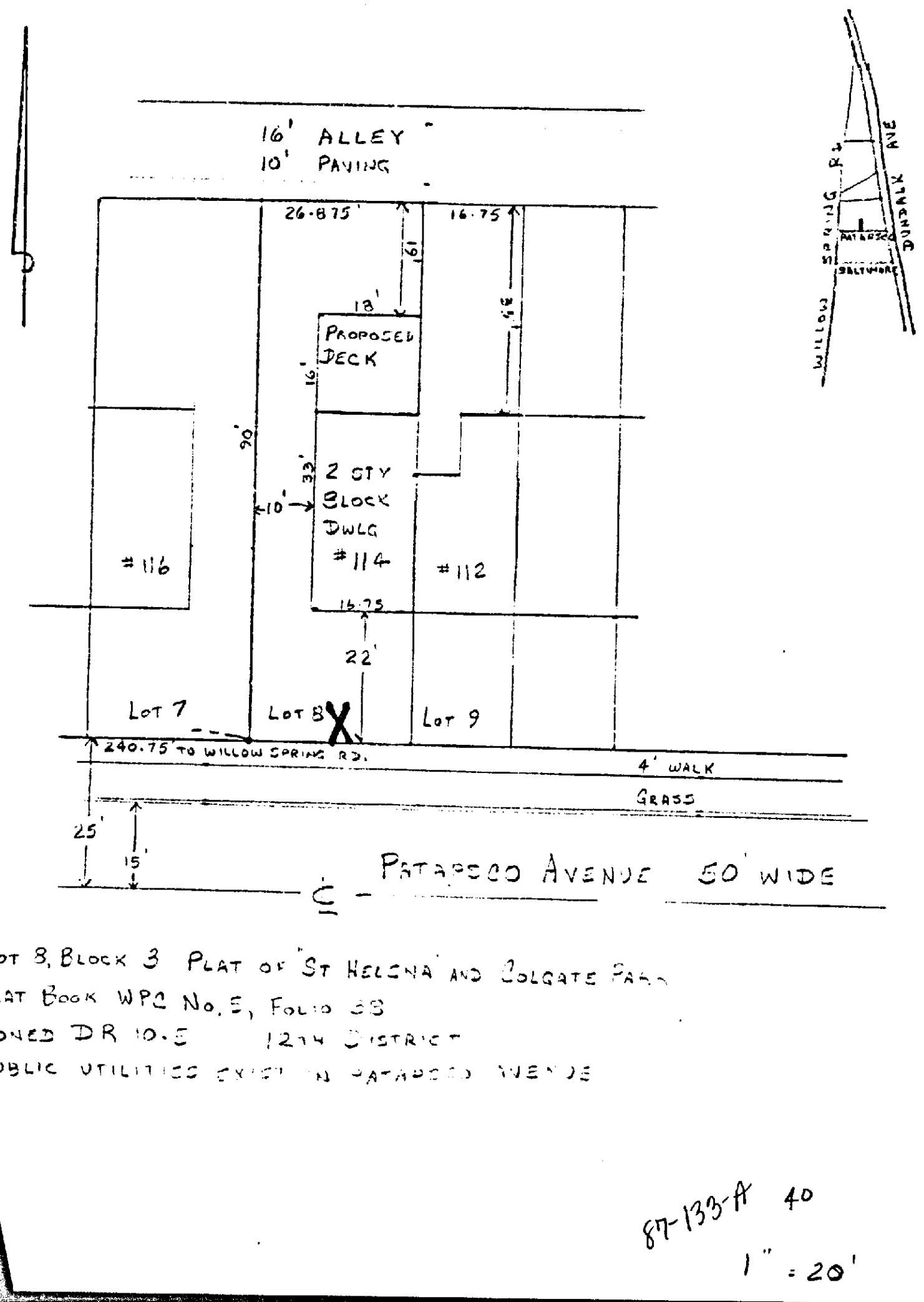
Attorney's Telephone No.: _____ Address: _____ Phone No.: _____

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 7th day of October, 1986, at 9:30 o'clock

Carl J. Jones
 Zoning Commissioner of Baltimore County

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 87-133-A
 MAP SHEET
 14A
 E.D. 12
 DATE 4-21-87
 513865
 25,440



Lot 8, Block 3 PLAT OF 'ST HELENA' AND 'COLGATE PARK'
 PLAT BOOK W.P.C. No. 5, Folio 38
 ZONED DR 10-E 12TH DISTRICT
 PUBLIC UTILITIES EXIST ON PATAPSCO AVENUE

DESCRIPTION FOR VARIANCE
 ORVILLE & ELIZABETH CHRISTENSEN
 114 PATAPSCO AVENUE
 12TH ELECTION DISTRICT

Beginning at a point on the North side of Patapsco Avenue (50 feet wide) at distance of 240.75 feet east of Willow Spring Road and being Lot No. 8, Block 3, as shown on the plat of "St. Helena" and "Colgate Park", which is recorded in the Land Records of Baltimore County in Plat Book W.P.C. No. 5, Folio 38.

Being a lot with even rectangular dimensions of 26.875' x 90'.

PETITION FOR ZONING VARIANCE
 12th Election District
 Case No. 87-133-A

LOCATION: North Side of Patapsco Avenue, 240.75 feet East of Willow Spring Road (114 Patapsco Avenue)

DATE AND TIME: Tuesday, October 7, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

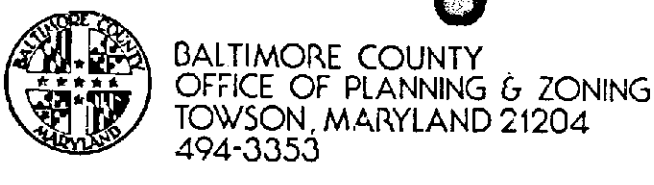
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a rear yard setback of 19 feet in lieu of the required 37.5 feet for an open projection (deck)

Being the property of Orville N. Christensen, 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



ARNOLD JADLON
 ZONING COMMISSIONER

JEAN M. H. JUNG
 DEPUTY ZONING COMMISSIONER

October 15, 1986

Mr. & Mrs. Orville N. Christensen
 114 Patapsco Avenue
 Baltimore, Maryland 21222

RE: Petition for Zoning Variance
 N/S of Patapsco Avenue,
 240.75' E of Willow Spring Rd.
 12th Election District
 Case No. 87-133-A

Dear Mr. & Mrs. Christensen:

Enclosed please find a copy of the decision rendered in the above referenced case. Please be advised that your request for a zoning variance has been granted in accordance with the attached Order.

If you have any further questions on the subject matter, please do not hesitate to contact this office.

Very truly yours,
Jean M. H. Jung
 JEAN M. H. JUNG
 Deputy Zoning Commissioner

JMHJ:bjjs
 Enclosures
 cc: Peoples Counsel

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 N/S of Patapsco Ave., 240.75' : OF BALTIMORE COUNTY
 E of Willow Spring Rd. (114 :
 Patapsco Ave.), 12th District :
 ORVILLE N. CHRISTENSEN, et ux, : Case No. 87-133-A
 Petitioners :
 : : : : :

ENTRY OF APPEARANCE

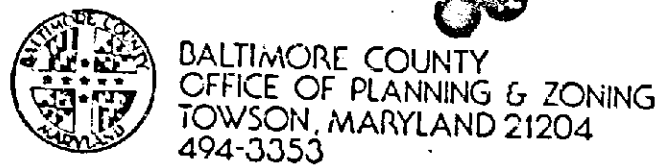
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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. Orville N. Christensen, 114 Patapsco Ave., Baltimore, MD 21222.

Peter Max Zimmerman
 Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 30, 1986

Mr. Orville N. Christensen
Mrs. Elizabeth Christensen
114 Patapsco Avenue
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
N/S of Patapsco Ave., 240.75' E of Willow
Spring Rd. (114 Patapsco Ave.)
12th Election District
Orville N. Christensen, et ux - Petitioners
Case No. 87-133-A

Dear Mr. and Mrs. Christensen:

This is to advise you that \$71.75 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

No. 025553

DATE 10/7/86 ACCOUNT 01-615-009

SIGN & POST RETURNED ON 10/7/86 AMOUNT \$ 71.75

RECEIVED FROM Mrs. Elizabeth N. Christensen, 114 Patapsco Ave., Balto., Md. 21222

FOR ADVERTISING & POSTING COSTS RE CASE #87-133-A

FOR B 8107*****7171a 0074f

VALIDATION OR SIGNATURE OF CASHIER

Mr. Orville N. Christensen
Mrs. Elizabeth Christensen
114 Patapsco Avenue
Baltimore, Maryland 21222

August 15, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S of Patapsco Ave., 240.75' E of Willow
Spring Rd. (114 Patapsco Ave.)
12th Election District
Orville N. Christensen, et ux - Petitioners
Case No. 87-133-A

TIME: 9:30 a.m.

DATE: Tuesday, October 7, 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. 020034

DATE 1/24/86 ACCOUNT 01-615

AMOUNT \$ 35.00

RECEIVED FROM ELIZABETH CHRISTENSEN

FOR FILING FEE FOR VARIANCE ITEM 40

B 8107*****3500a 0246f

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: August 27, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

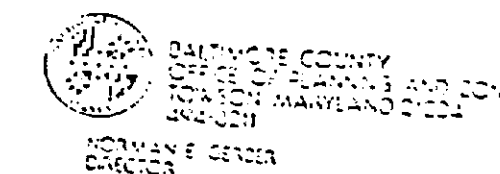
SUBJECT: Zoning Petitions No. 87-116-A, 87-127-A, 87-128-A, 87-130-A, 87-133-A, 87-134-A, 87-135-A, 87-136-A, and 87-137-A

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

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:sjm

CPS-008



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21286

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:

- 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 arrangements are not satisfactory.
- If any property contains soils which are defined as wetlands, and development in 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 Major Plan.
- The amended Development Plan was approved by the Planning Board.
- Landscaping: This County with Baltimore County Landscape Manual, 1111 125-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service
- The property is located in a traffic area controlled by a "D" level traffic capacity as defined by 1111 125-79, and as conditions change the re-evaluation annually by the County Council.

cc: James Howell

Eunna A. Hester
Chief, Current Planning and Development

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-133-A

District 12th Date of Posting 8/12/86

Posted for: Variance

Petitioner: Orville N. Christensen, et ux

Location of property: N/S Patapsco Ave., 240.75' E Willow Spring Rd, 114 Patapsco Ave.

Location of signs: Located on Patapsco Ave., approx. 1/2 mi. from Willow Spring Rd. on property of Petitioner.

Remarks:

Posted by: *[Signature]* Date of return: 8/12/86

Number of Signs: 1

PETITION FOR ZONING VARIANCE

12th Election District
Case No. 87-133-A

LOCATION: North Side of Patapsco Avenue, 240.75 feet East of Willow Spring Road (114 Patapsco Avenue)

DATE AND TIME: Tuesday, October 7, 1986, at 9:30 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.

Petition for Zoning Variance to permit a rear yard setback of 19 feet in lieu of the required 37.5 feet for an open project (deck).

Being the property of Orville N. Christensen, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petitioner 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 PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 September 18, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Pet. for var. - P.O. # 80239 - Reg. #L94953 - 80 lines @ \$32.00. was inserted in *The Dundalk Eagle* a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~XXXXXXXXXX~~ weeks before the 19th day of September 1986; that is to say, the same was inserted in the issues of Sept. 18, 1986

Kimbel Publication, Inc.
per Publisher.

By *[Signature]*

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 17, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21286

Chairman

Mr. Orville Christensen
114 Patapsco Avenue
Baltimore, Maryland 21222

RE: Item No. 40 - Case No. 87-133-A
Petitioner: Orville N. Christensen, et ux
Petition For Zoning Variance

Dear Mr. Christensen:

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,

[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

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,

[Signature]
Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE
12th Election District
Case No. 87-133-A
LOCATION: North Side of Patapsco Avenue, 240.75 feet East of Willow Spring Road (114 Patapsco Avenue)
DATE AND TIME: Tuesday, October 7, 1986, at 9:30 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. Petition for Zoning Variance to permit a rear yard setback of 19 feet in lieu of the required 37.5 feet for an open project (deck). Being the property of Orville N. Christensen, et ux, as shown on plat plan filed with the Zoning Office. In the event that this Petitioner 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

87-133-A

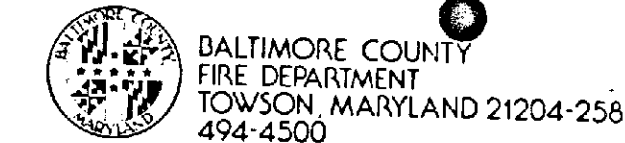
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 12th day of August, 1986.

[Signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner Orville N. Christensen, et ux Received by: James E. Dyer
Petitioner's Attorney: Chairman, Zoning Plans Advisory Committee



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: Orville Christensen, et ux

Location: N/S Patapsco Avenue 240.75' E. Willow Grove Road

Item No.: 40 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.
- (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 of this type.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group
Special Inspection Division

/mb



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 # 40 Zoning Advisory Committee Meeting are as follows:

Property Owner: Orville Christensen, et ux
Location: N/S Patapsco Ave., 240.75' E Willow Grove Road
District: 12th.

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-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 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: See Code Memo #1 - Rear porches/front porches. Also, porches shall support a 60# live load.

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

4/22/85

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1

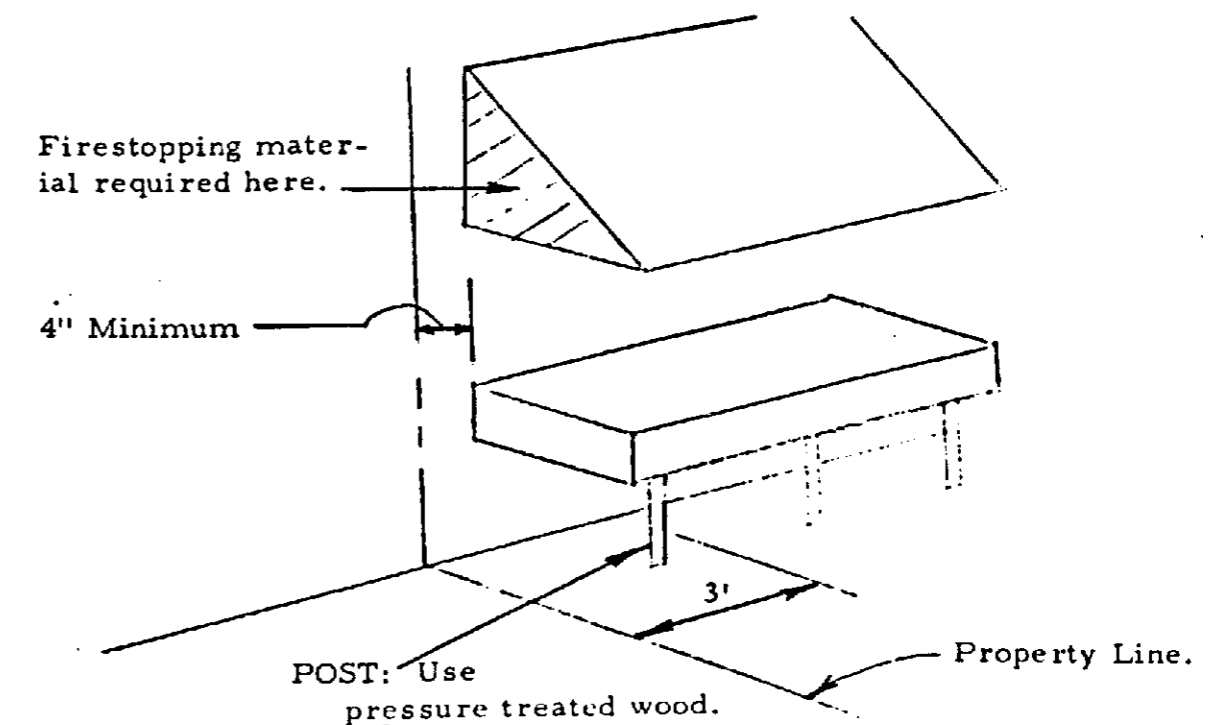
Effective 4-22-85

SUBJECT:

A. Rear Porches

Rear open porches may be constructed of combustible materials up to 3 feet from a property line without any additional fire protection requirements.

Rear open porches may be constructed of combustible materials up to 4" from a property line if facing surfaces shown (see diagram) are protected by a layer of drywall, fire retardant treated plywood, or other approved firestopping material and any exposed supporting members within 3 feet are non-combustible, or pressure treated wood.



OVER