87-178-A # <b>84</b>	SW/S of Mineral Ave., 660' SE of the c/l of Francis Ave. (5737 Mineral Ave.)  13th Elec. Dist.
9/12/86	Variance - filing fee \$35.00 - Leo J. Garvey, et ux
9/12/86	Hearing set for $11/3/86$ , at 9:30 a.m.
11/3/86	Advertising and Posting - \$60.75
11/5/86	Ordered by the Zoning Commissioner that the Petition for Zoning Variances to permit an accessory structure (pool) to be located in the front yard in lieu of the required rear yard and a rear yrd setback of 15' in lieu of the required 30' for an existing dwelling 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/wouldxnok result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested wilk/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should xanouldxnok be granted.

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. & Mrs. Leo J. Garvey

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 400-1 to permit an accessory structure - (pool) to be located. Description For Variance -in-the front yard in lieu of the required rear yard and Section 1802.3.C.1 Beginning at a point on the southwest side of Mineral Avenue (45' wide) to permit a rear yard setback of 15 feet for an EXISTING dwelling in lieu of the required 30 feet. at a distance of 660 feet southeast of the centerline of Francis Avenue and of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) being lot No. 2 as shown on the plat of Karl Bollman Property; which is recorded in the Land Records of Baltimore County in Plot Book 41 Folio 40 1. House is 15 feet from rear property line and pool cannot be placed Known ss 5737 Mineral Avenue in the 13th Election District. CONTAINING D.S65 Ac. t 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 522,560 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 adirm. under the penalties of perjury, that I/we are the legal owner(s) of the property Les J. GARVEY (Type or Print Name) Rose Garvey City and State Attorney for Petitioner: 5737 MINERAL AUE. 242-6173 BALTIMORE MD. 21227 City and State ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_12th \_\_\_\_ day of \_\_\_\_September\_\_\_\_\_, 19\_86\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-countsiscence of Baltimore County in Room 106, County Office Building in Towson, Baltimore 3rd Nover November PETITION FOR ZONING VARIANCES 13th Election District Case No. 87-178-A Southwest Side of Mineral Avenue, 660 feet Southeast of the Centerline of Francis Avenue (5737 Mineral Avenue) DATE AND TIME: Monday, November 3, 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 Variances to permit an accessory structure (pool) in the front yard in lieu of the required rear yard and a rear yard setback of 15 feet for an existing dwelling in lieu of the required 30 feet 87-178-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY District 13 th: Date of Posting september 22, 1986 Being the property of Leo J. Garvey, et ux , as shown on plat plan filed with the Zoning Office. Petitioner: Les J. Garrey, et up

Location of property: SW/S of Mineral are, 660'SE of the all of

Location of Signs: SW/S of Mineral are: at entrance to audict. 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 Remarks: ZONING COMMISSIONER OF BALTIMORE COUNTY Date of return: October 3, 1986

RE: PETITION FOR VARIANCE BFFORE THE ZONING COMMISSIONER SW/S of Mineral AVe., 660' SE of C/L of Francis Ave. (5737 OF BALTIMORE COUNTY Mineral Ave.), 13th District LEO J. GARVEY, et ux, Petitioners Case No. 87-178-A ::::::: ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the abovecaptioned 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 29th day of September, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Leo J. Garvey, 5737 Mineral Ave., Baltimore, MD 21227, Petitioners.

10750 Little Patuxent Pkwy October 20 19 THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCES 81379 was inserted in the following partial an accessory structure (parties the first yard in the first first ☐Catonsville Times ₹\*Arbutus Times required mair yard and a rear yan extent of 16 feet for an amount weekly newspapers published in Baltimore County, Maryland once a week for \_\_\_\_\_successive weeks before Being the property of Lao J. Garvey, at us, as show, on the plat fled with the Zoning Office. In the event that this Puttonia; the 18 day of October 19 86, that is to say, the same was inserted in the issues of any request for a stay of the in-manus of soid permit furing the period for good cause shown. Such request rount be received in writing Ocotber 16, 1986 by the date of the hearing and above or made at the hearing. BY ONDER OF \$02-A/Oct. 16. PATUXENT PUBLISHING CORP

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER named to Baltimore County, Maryland, and remit

Mr. Leo J. Garvey September 19, 1986 Mrs. Rose Garvey 5737 Mineral Avenue Baltimore, Maryland 21227 NOTICE OF HEARING RE: PETITION FOR ZONING VARIANCES SW/S of Mineral Ave., 660' SE of the c/l of Francis Ave. (5737 Mineral Ave.) 13th Election District Leo J. Garvey, et ux - Petitioners Case No. 87-178-A TIME: \_\_\_ 9:30 a.m. Monday, November 3, 1986 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland No. 025895 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 01-615 GARVEY RECEIVED LEO J. FOR ZONING VARIANCE PETITION B BOILDONN 3536EETSALF NO. 84 VALIDATION OF SIGNATURE OF CASHIER

g, Towson, Maryland

8 8010\*\*\*\*\*\*6075:a =032F

AMOUNT \$ 50,75

VALIDATION OR SIGNATURE OF CARHIER

For Mosting 5 Advertising fee 97-178-A

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

October 28, 1986

Mr. Leo J. Garvey

Mrs. Rose Garvey

5737 Mineral Avenue

Baltimore, Maryland 21227

Dear Mr. and Mrs. Garveys

RE: PETITION FOR ZONING VARIANCES

13th Election District

Case No. 87-178-A

SW/S of Mineral Ave., 660° SE of the c/1 of Francis Ave. (5737 Mineral Ave.)

This is to advise you that \_\_\_\_\_\_\_is due for advertising and posting of the above property. This fee must be paid before an

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 <u>not</u> remove sign from property from the time it is placed by this office until the day of the hearing itself.

Leo J. Garvey, et ux - Petitioners

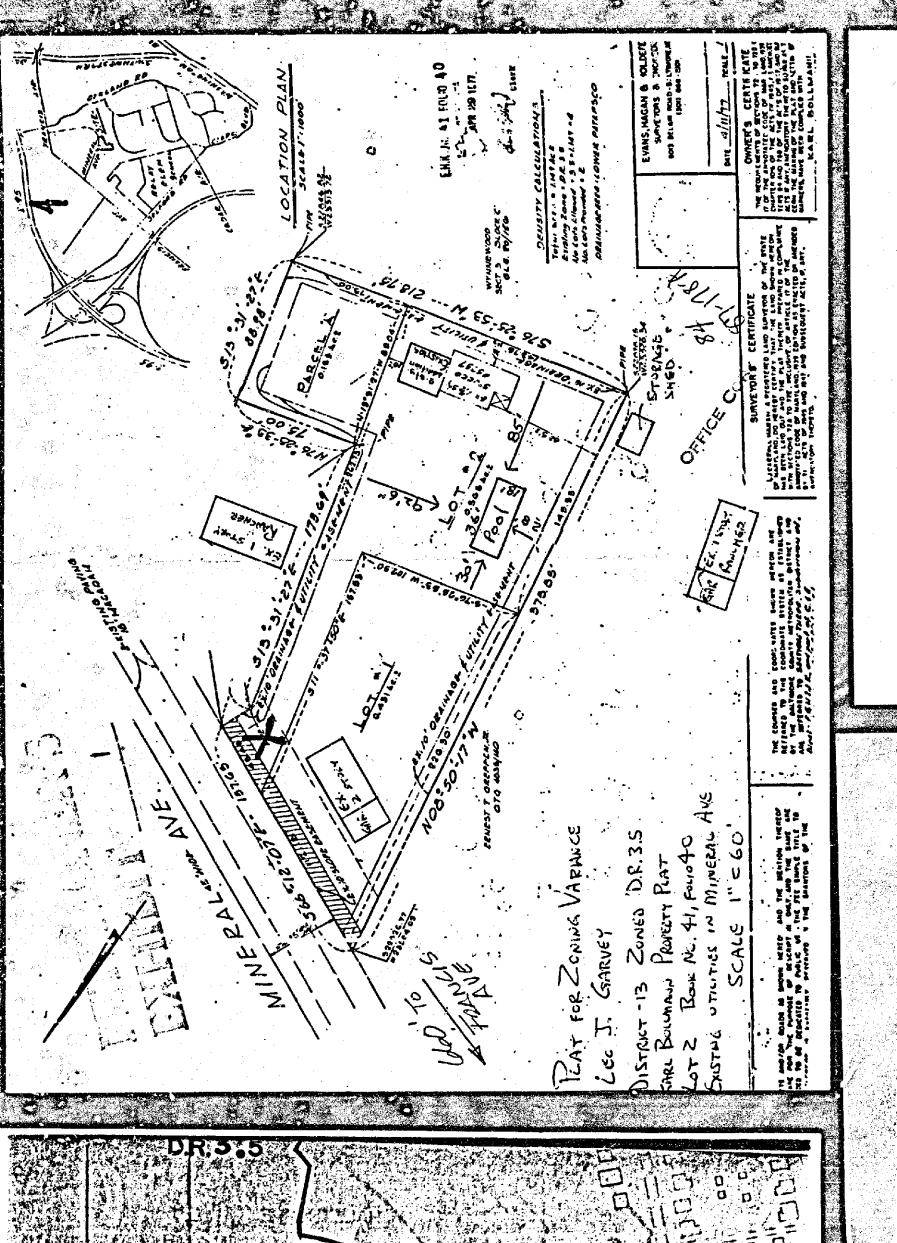
ARNOLD JABLON ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

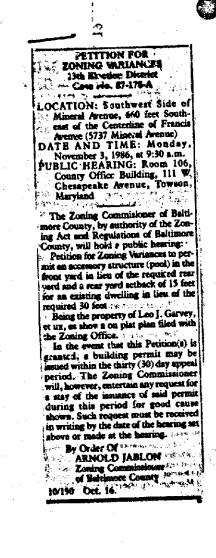
MISCELLANEOUS CASH RECEIPT

RECEIVED Leo J. Garvey

OFFICE OF FINANCE - REVENUE DIVISION



RELAY ELEM SCH.



## CERTIFICATE OF PUBLICATION

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 October 16 19 86

> THE JEFFERSONIAN, Susan Senders Obrest

Cost of Advertising

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

day of

September 86

ARNOLD ABLON
Zoning Commissioner

Petitioner J. Garvey, et ux

Received by: Chairman, Zoning Plans



INTER-OFFICE CORRESPONDENCE

Arnold Jablon

Date\_October 14, 1986 TO Zoning Commissioner

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

SUBJECT Zoning Petitions No. 87-168-A, 87-169-A, 87-170-A, 87-171-SpHA, 87-172-A, 87-173-A, 87-174-A and #87-178-A\*

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

NEG:JGH:slb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 13, 1986

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

Chairman

MEMBERS

Department of

Eureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial

Zoning Administration

Bureau of

Mr. Leo J. Garvey 5737 Mineral Avenue

Baltimore, Maryland 21227

RE: Item No. 84 - Case No. 87-178-A Petitioner: Leo J. Garvey, et ux Petition for Zoning Variance

Dear Mr. Garvey:

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,

lames E. Syler /KKB JAMES E. DYER Zoning Plans Advisory Committee

SEPTEMBER 25, 1986

Re: Zoning Advisory Meeting of SEPTEMBER2,1986
Item #84
Property Owner: LEO J. GAIRVEY, etal

Location: SW/S MINERAL AVE. 660

SE OF & OF FRANCIS ANE.

The Division of Current Planning and Development has reviewed the subject

A County Review Group Meeting is required.

)A County Review Group meeting was haid and the minutes will be forward by the Bureau of Public Services.

)A record plat will be required and must be recorded prior

)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.

)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 22-98 of the Development

Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

)Landscaping: Must comply with Baltimore County Landscape Manual.
)The property is located in a deficient service area as defined by Bill 178-79. 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 intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

)The amended Development Plan was approved by the Planning Board

petition and offers the following comments. The items checked below are

to issuance of a building permit.

The access is not satisfactory.

(X) There are no site planning factors requiring comment.

The circulation on this site is not satisfactory.

JED:kkb

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
10W50N, MARYLAND 21204
494-3211

NORMAN E. GERBER DIRECTOR

Mr. Arnold Jablon

Dear Mr. Jablon:

Zoning Commissioner County Office Building Towson, Maryland 21204

Enclosures

BALTIMORE COUNTY
FIRE DEPARTMENT
10WSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE CHIEF

September 2, 1986

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

RE: Property Owner: Leo Garvey, et ux

Location: SW/S Mineral Avenue, 660' SE of centerline of Francis Avenue

Zoning Agenda: Meeting of 9/2/86 Item No.: 84

Centlemen:

Pursuant to your request, the referenced property has been surveyed by this Eureau 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

' ) 6. Site plans are approved, as drawn.

to occupancy.

x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Catt Joseff Kelly 9-3-86 Approved: Fire Prevention Bureau



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 2:204
494-3610

September 9, 1986

TED ZALESKI, JR.

Property Owner: Leo J. Garvey, et ux

SW/S Mineral Avenue, 660 feet SE of c/l of Francis Avenue

A.) All structures shall conform to the Bultimore County Building Code as adopted by Council Bill #17-85, the Haryland Code for the Handicapped and Aged (A.S.S.I. #117-1 - 1980) and other applicable Codes and Standards.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of gregistered in Maryland Architect or Engineer is/is not required on plane and technical data.

D. Commercial: Three sets of construction drawings scaled and signed by a registered in Maryland Architect or Engineer shall be required to file with a parasit application. Reproduced scale are not acceptable.

B. All Use Groups except R-4 Single Family Detached Deallings require a minimum of 1 hour fire rating for exterior wells closer than 6'-0 to un interior lot line. N-4 Use Groups require a case hour well if closer than 3'-0 to an interior let line. Any well built on an interior lot line shall require a fire or party well. See Table 501, Section 1607, Section 1605.2 and Table 1602. So openings are paralited in an exterior well within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for parmissable kight/area. Reply to the requested variance by this office commot be considered until the necessary data partaining to height/area and construction type is provided. See Table 501 and 505 and have your Architect/Engineer contact this department

I. The proposed project appears to be located in a Flood Pinin, Tidel/Niverine. Flease see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-55. Site plans shall show the correct elevations above see level for the lot and the finish floor levels including basement.

of Planning and Soming and are not intended to be construed as the full extent of any parait. If feeired

David Fields, Acting Chief Current Planning and Development

cc: James Hoswell

)Additional comments:



STEPHEN E. COLLINS DIRECTOR

October 3, 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 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 81, 82, 83, \$84\$ and 85.

Very truly yours,

Michael S. Flanigan

Traffic Engineer Associate II

MSF:1t

87-178-A 10-21-86