

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 to permit a side yard setback of 5 feet in lieu of the required minimum of 10 feet.

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

To protect the outside wall from heavy rains which causes moisture to get through to the inside wall causing dampness and deterioration.

The porch was built to the minimum width required. Therefore it can be used only to enter the home or to carry in home furniture.

To remove or reconstruct this porch would be very costly because of loss of material and hired labor costs.

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):	N 25,100
(Type or Print Name)	Abram Bloshsteyn	W 52,170
Signature	<i>Abram Bloshsteyn</i>	
Address	Peeya Bloshsteyn	
City and State	<i>Peeya Bloshsteyn</i>	
Attorney for Petitioner:	Signature	
(Type or Print Name)	<i>Alexander Bloshsteyn</i>	
Address	9009 Orchard View Ave	
City and State	Randallstown Maryland 764-9508	
Address	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 15th day

of October 19, 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 301, County Office Building in Towson, Baltimore County, on the 3rd day of December, 1986, at 9:30 o'clock A.M.

Carl Jablon
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
Date 10/15/86
By *Carl Jablon*

87-219-A
#121
Abram Bloshsteyn, et al. 87-219-A
End of Orchard View Ave, 276' W of Carroll Ave, (9009 Orchard View Ave.)
2nd Election District

MAP No. 71
Z
E.D. 206
DATE 1/14/87
200
1000
DP

ORDER RECEIVED FOR FILING
Date 10/15/86
By *Carl Jablon*

IN RE: PETITION FOR ZONING VARIANCE
End of Orchard View Avenue,
276' W of Carroll Avenue
(9009 Orchard View Avenue)
2nd Election District

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

Abram Bloshsteyn, et al
Case No. 87-219-A

Petitioners

The Petitioners herein request a zoning variance to permit a side yard setback of 5 feet in lieu of the required minimum of 10 feet.

Testimony by the Petitioners, whose English ability is limited, indicated that they removed an old open porch, approximately 5' x 8', which was in poor condition when they purchased the property in 1984. Without benefit of a building permit, they constructed a new 7'4" x 10'2" enclosed porch, the purpose of which, partly, was to protect a wall from rain and wetness. The porch is of the minimum width for usefulness. Between the porch and the property line are a tree and grass. There will be no drainage problems and no danger from the construction. All corrections suggested by the building inspector have been made. Footers have been placed under the corners. They will get an electrical permit prior to the continuation of any electrical work.

The adjacent neighbor protested that construction of the porch had proceeded without a permit even after he had inquired of the Petitioners as to whether or not they had obtained one. The present porch was built without footers and with electrical wires hanging outside. In his opinion, the structure is unsafe and should be torn down. His home is approximately 30 feet from the porch.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance re-

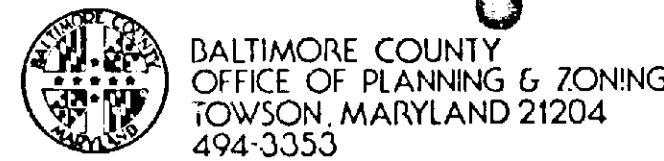
ORDER RECEIVED FOR FILING
Date 10/15/86
By *Carl Jablon*

quested 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 12th day of December 1986, that the herein request for a zoning variance to permit a side yard setback of 5 feet, in accordance with the plan submitted, be and is hereby GRANTED, subject to the following restrictions:

- 1) A copy of the contract with a licensed electrician shall be submitted to this Office for the file, along with a copy of the electrical permit, prior to any electrical work being done.
- 2) The enclosed porch shall be sided with materials matching those on the house as to color and design, the foundation shall be stuccoed, all exterior work on the porch, and all interior and exterior electrical work shall be completed prior to June 1, 1987.
- 3) Copies of both the "finalized" building and electrical permits shall be submitted to this Office for the file prior to September 1, 1987.

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



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 12, 1986

Mr. Abram Bloshsteyn
9009 Orchard View Avenue
Randallstown, Maryland 21133

RE: Petition for Zoning Variance
End of Orchard View Avenue
276' W of Carroll Avenue
2nd Election District
Case No. 87-219-A

Dear Mr. Bloshsteyn:

Enclosed please find a copy of the decision rendered on the above-referenced Petition. Your request for a zoning variance has been granted, subject to the restrictions noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

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

JMHJ:bjs

Attachments

cc: Mr. Leslie Anton David
9007 Orchard View Avenue
Randallstown, Maryland 21133

People's Counsel

DAFT-McCUNE-WALKER
200 East Pennsylvania Avenue
Towson, Maryland 21204
Telephone: 301-266-3333
Land Planning Consultants
Landscape Architects
Engineers & Surveyors

Description

3.67 Acre Parcel, Part Of The Land Of The McDonogh School, Northwest Side Of Woods Road, North Of McDonogh Road, Second Election District, Baltimore County, Maryland.

This description is for a Special Hearing.

Beginning for the same in the center line of Woods Road and at the point located the two following courses from the intersection of the center line of Woods Road and the center line of McDonogh Road: (1) North 09 degrees 49 minutes 50 seconds West 390.92 feet, and (2) North 13 degrees 53 minutes 00 seconds East 817.92 feet, the intersection of said center lines being distant 1,690 feet, more or less, as measured easterly along said center line of McDonogh Road from a sharp bend in said center line and from the southeast end of Lyons Mill Road, running from the aforementioned point of beginning, binding on the center line of said Woods Road, (1) North 15 degrees 32 minutes 00 seconds East 300.00 feet, thence three courses: (2) North 74 degrees 28 minutes 00 seconds West 400.00 feet, (3) South 15 degrees 32 minutes 00 seconds West 300.00 feet, and (4) South 74 degrees 28 minutes 00 seconds East 400.00 feet to the place of beginning.

Containing 3.67 acres of land, more or less.

Our File No. 82013-F (ID: L82013F)

September 10, 1986

ZONING DESCRIPTION

At the end of Orchard View Avenue at the distance of 276 feet west of Carroll Avenue. Being Lot 4, Book E.H.K., JR. 45, Folio 88. Also known as 9009 Orchard View Avenue in the 2nd Election District.

PETITION FOR ZONING VARIANCE
2nd Election District
Case No. 87-219-A

LOCATION: End of Orchard View Avenue, 276 feet West of Carroll Avenue (9009 Orchard View Ave.)

DATE AND TIME: Wednesday, December 3, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 301, 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 side yard setback of 5 feet in lieu of the required minimum of 10 feet

Being the property of Abram Bloshsteyn, 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

OFFICE COPY

CERTIFICATE OF PUBLICATION

PETITION FOR ZONING VARIANCE
2nd Election District
Case No. 87-219-A

LOCATION: End of Orchard View Avenue, 276' West of Carroll Avenue (9009 Orchard View Ave.)
DATE AND TIME: Wednesday, December 3, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required minimum of 10 feet

Being the property of Abram Bloshsteyn, 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
11/03/86 Nov. 13

TOWSON, MD., November 13, 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 November 13, 1986.

THE JEFFERSONIAN,

Susan Shvedes O'Brien

Publisher

Cost of Advertising

24.75

ORDER RECEIVED FOR FILING
Date 10/15/86
By *Carl Jablon*

87-219-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
15th day of October, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Abram Bloshsteyn, et al Received by: James E. Dyer
Petitioner's Attorney _____ Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 25, 1986

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

- 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. Abram Bloshsteyn
9009 Orchard View Avenue
Randallstown, Maryland

RE: Item No. 121 - Case No. 87-219-A
Petitioner: Abram Bloshsteyn, et al
Petition for Zoning Variance

Dear Mr. Bloshsteyn:

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 TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

October 23, 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 102, 116, 117, 118, 120, 121, 123, and 126.

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

MSF:lt

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

October 11, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 121 Zoning Advisory Committee Meeting are as follows:

Property Owner: Abram Bloshsteyn, et al
Location: End of Orchard View Road, 276 feet west of Carroll Avenue
District: 2nd.

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 - 1986) and other applicable Codes and Standards.
- 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 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.
- A All Use Groups except B-4 Single Family Detached Dwelling 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 6'-0" to an interior lot line. Any wall built on an exterior lot line shall require a fire or party wall. See Table 501, Section 507, Section 506.2 and Table 507. No comments are permitted in the exterior wall within 1'-0" of an interior lot line. Porch enclosure exceeds 3'-0" not a code problem.
- 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.
- C The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- E 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 516.0 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 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Dyer
Mark E. Dyer
Building Plans Rev. 86

LJZ/TK

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: November 7, 1986

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

SUBJECT: Zoning Petitions No. 87-197-A, 87-198-A, 87-200-A, 87-202-A,
87-203-A, 87-204-A, 87-214-A, 87-215-A,
87-219-A, 87-220-A, 87-222-A and 87-223-A

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

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:sib

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

NORMAN E. GERBER
DIRECTOR

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

NOVEMBER 5, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 30, 1986
Item # 121
Property Owner: ABRAM BLOSHSTEYN, ETC.
Location: END OF ORCHARD VIEW RD.
276' WEST OF CARROLL AVE.

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.
- 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 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 on _____.
- 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 is _____.
- 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.
- Additional comments:

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell

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

PAUL H. REINCKE
CHIEF

September 29, 1986

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

RE: Property Owner: Abram Bloshsteyn, et al

Location: end of Orchard View Road, 276' west of Carroll Avenue

Item No.: 121 Zoning Agenda: Meeting of 9/30/86

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 of _____ 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.

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

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer Date: September 29, 1986

FROM: James Thompson

Item No. 121
SUBJECT: Bloshsteyn - Petitioner

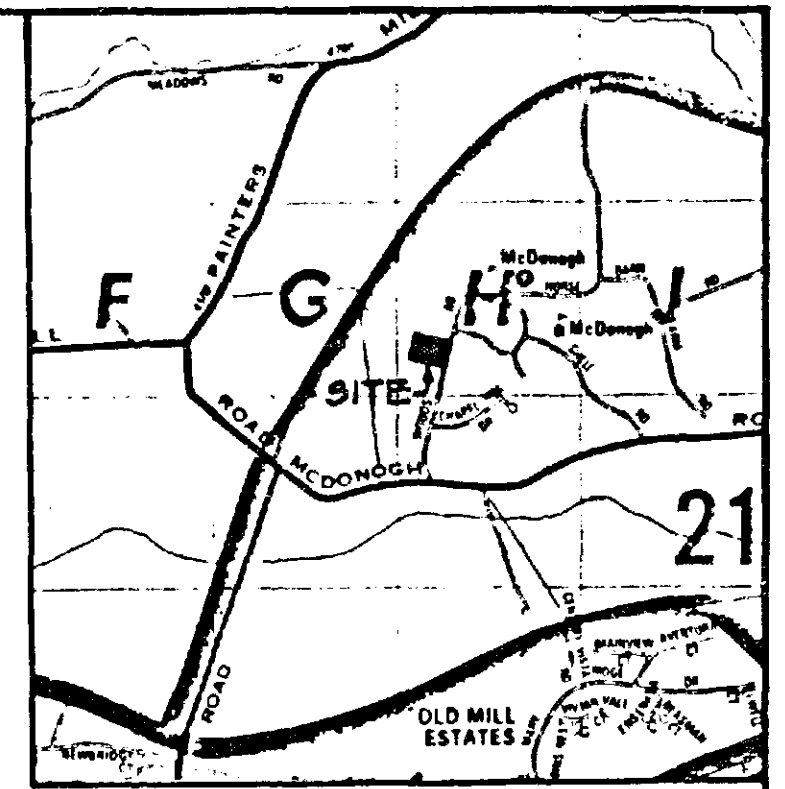
Please note that the above petition is an active violation case, 87-87-CV.

When this matter is scheduled please notify:

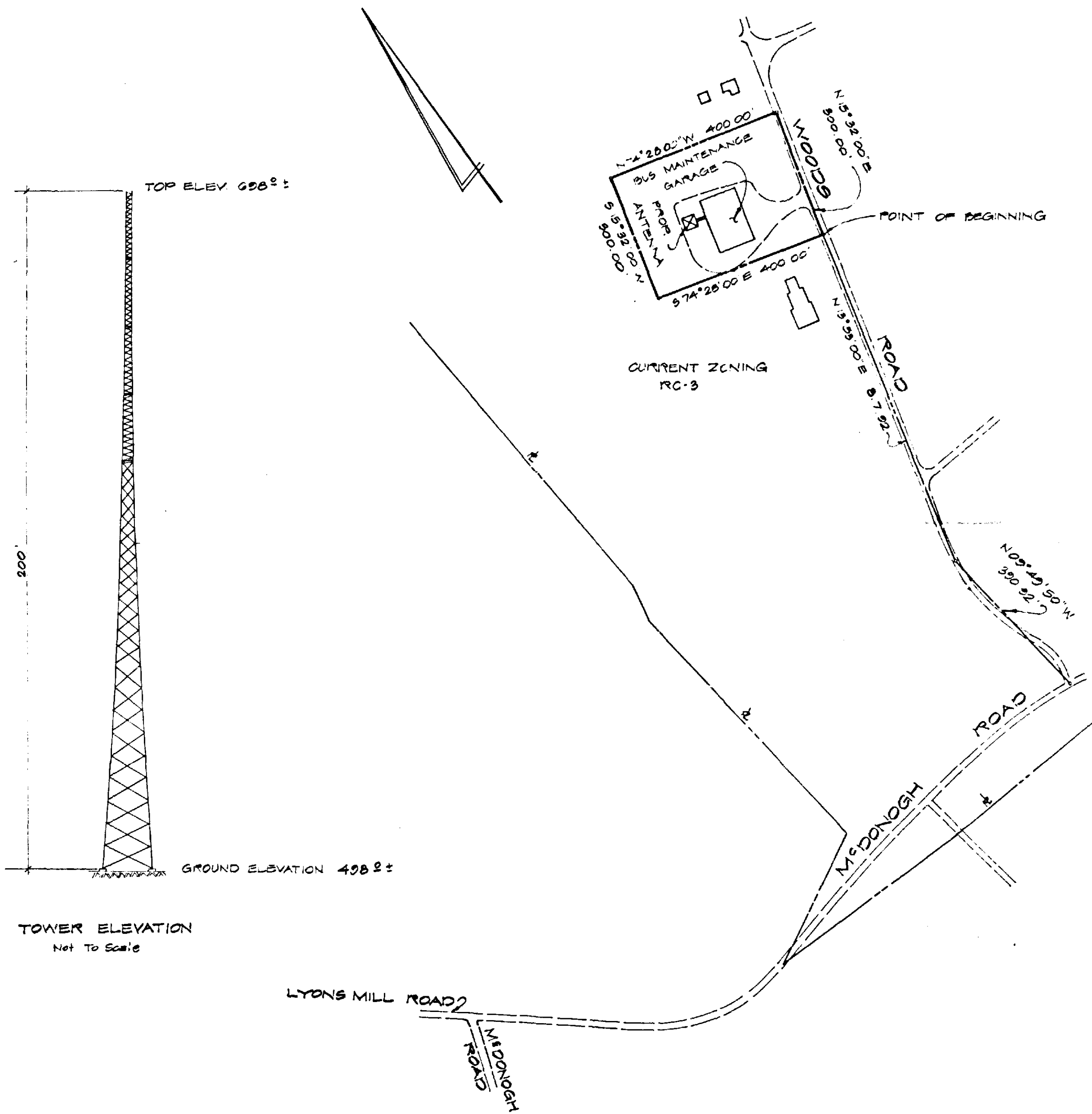
Ms. Leslie David
9007 Orchard Drive
Randallstown, Maryland 21133

JT/ls

CP5-008



LOCATION PLAN
SCALE 1"=2000'



- NOTES**
1. SITE NOW IS ZONED DR-1 BY 1984 COMPREHENSIVE ZONING MAP
 2. SITE WAS THE SUBJECT OF GRANTED PETITION 85-108X, SPECIAL EXCEPTION FOR A WIRELESS TRANSMITTING AND RECEIVING STRUCTURE

MS-918-18

**McDONOGH SCHOOL
RADIO ANTENNA**
PLAT TO ACCOMPANY REQUEST FOR #112
SPECIAL HEARING

SCALE 1"=200' BALTO. CO., MD AUGUST 8, 1984
REV. SEPT. 10, 1986

DAFT M'CUNE WALKER INC
200 E. PENNS. AVE.
TOWSON, MD 21204
296-3333