

87-225-A	NE/S of Fairway, 55' W of the c/l of the alley	
# 128	<u>(2497 Fairway)</u>	12th Elec. Dist.
10/27/86	Variance - filing fee \$35.00 - John E. Bender	
10/27/86	Hearing set for 12/8/86, at 9:45 a.m.	
12/11/86	Advertising and Posting - \$69.75	
12/12/86	Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit a rear yard setback of 32' in lieu of the required 50' 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/would not result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the variance requested ~~will~~/will not adversely affect the health, safety, and general welfare of the community, the variance should ~~/should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of December, 1986, that the Petition for Zoning Variance to permit a rear yard setback of 32 feet in lieu of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner 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. John E. Bender

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 1B02.3.C.1 to permit a rear yard setback of 32 feet in lieu of the required 50 feet.

MAP	SE 3E
	4A
E. D.	12
DATE	5/15/87
200	☒
1000	☒
100	☒

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

I have applied for a permit to put an enclosed porch on the rear of my house w/3 track storm windows & complete sides & front. However, I only have 44' from the back property line to the front. I would like to put a porch deck & roof extending 13' from the back line. The required setback is 37 1/2 ft, and I only have 31 ft. I would like to apply for a variance of 6 1/2 ft if possible. I am 66 yrs old, an outside man and like to sit out on the porch to listen to ballgames and eat without insects constantly getting in my food. I also think this will improve my property and also that of my neighbors.

Ever so grateful for any help you can give me.

John E. Bender

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

S-11,730
E26,880

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)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City and State

Signature

Attorney for Petitioner:

(Type or Print Name)

2497 FAIRWAY 282-0397
Address Phone No.

Signature

City and State

DUNDALK MD. 21222

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 27th day

of October, 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 8th day of December, 1986, at 9:45 o'clock

A.M.

Zoning Commissioner of Baltimore County.

(over)

John E. Bender
NE/S of Fairway, 55' W of the c/l of
the alley (2497 Fairway)

87-225-A

ORDER RECEIVED FOR FILING
Date December 14, 1986
By Susan P. Loring, clerk

ZONING DESCRIPTION

Beginning on the northeast side of Fairway 40 feet wide at a distance of 55 feet west of the centerline of the alley. Being lot 55, block 8 in the subdivision of Dundalk. Book No. 13, Folio No. 5. Also known as 2497 Fairway in the 12th election district.

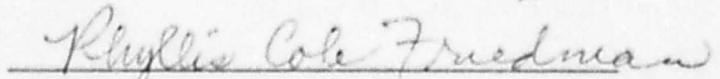
RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Fairway, 55' W of C/L of
Alley (2497 Fairway), 12th : OF BALTIMORE COUNTY
District

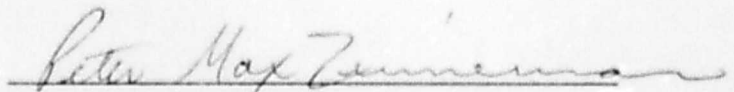
JOHN E. BENDER, Petitioner : Case No. 87-225-A
:

: : : : : :

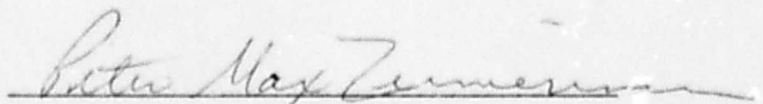
ENTRY OF APPEARANCE

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
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 12th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. John E. Bender, 2497 Fairway, Dundalk, MD 21222, Petitioner.


Peter Max Zimmerman

Mr. John E. Bender
2497 Fairway
Dundalk, Maryland 21222

October 31, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S of Fairway, 55' W of the c/l of the
alley (2497 Fairway)
12th Election District
John E. Bender - Petitioner
Case No. 87-225-A

TIME: 9:45 a.m.

DATE: Monday, December 8, 1986

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


Zoning Commissioner
of Baltimore County

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

No. 025993

DATE 9/24/86 ACCOUNT R201-415-000

AMOUNT \$ 35.00

RECEIVED FROM John E. Bender

FOR VARIANCE ITEM #128

B 8014*****3500:a 3248F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

**PETITION FOR
ZONING VARIANCE**
12th Election District
Case No. 87-225-A

LOCATION: Northeast Side of
Fairway, 55 feet West of the Cen-
terline of the alley (2497 Fairway)
DATE AND TIME: Monday, Decem-
ber 8, 1986, at 9:45 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

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

Petition for Zoning Variance to
permit a rear yard setback of 32 feet
in lieu of the required 50 feet.

Being the property of John E. Ben-
der, 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 ap-
peal period. The Zoning Commis-
sioner 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

11/164 Nov. 20.

TOWSON, MD., November 20, 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 20, 1986

THE JEFFERSONIAN,

Susan Sanders O'Brien

Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE

12th Election District

Case No. 87-225-A

LOCATION: Northeast Side of Fairway, 55 feet West of the Centerline of the alley (2497 Fairway)

DATE AND TIME: Monday, December 8, 1986, at 9:45 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 a rear yard setback of 32 feet in lieu of the required 50 feet

Being the property of John E. Bender, 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



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 5, 1986

Mr. John E. Bender
2497 Fairway
Dundalk, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
NE/S of Fairway, 55' W of the c/l of the alley
(2497 Fairway)
12th Election District
John E. Bender - Petitioner
Case No. 87-255-A

Dear Mr. Bender:

This is to advise you that \$69.75 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.

Please make the check payable to Baltimore County, Maryland, and remit to the Office of Finance - Revenue Division, Towson, Maryland

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

No. 025752

DATE 12-11-86 ACCOUNT B-01-615-000

AMOUNT \$ 69.75

RECEIVED FROM: John E. Bender

FOR: Advertising & Posting 87-255-A

B 8050*****897518 0018F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO Zoning Commissioner

Date November 24, 1986

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

SUBJECT Zoning Petition Nos. 87-224-A, **87-225-A**, 87-230-A, 87-231-A,
87-235-A, 87-236-A, 87-237-A, 87-241-A,
87-243-A and 87-245-SpH

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

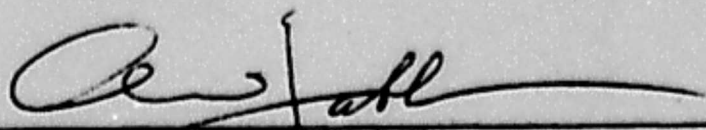
Norman E. Gerber per JGH
Norman E. Gerber, AICP
Director

NEG:JGH:slb

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
27th day of October, 1986.



ARNOLD JABLON
Zoning Commissioner

Petitioner John E. Bender
Petitioner's
Attorney _____

Received by: James E. Dyer

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-225-A

District 12th

Date of Posting 11/14/86

Posted for: Variance

Petitioner: John E. Bender

Location of property: NE/S Fairway, 55' W/ alley

2497 Fairway

Location of Signs: Facing Fairway, approx. 12' Fr. roadway,

on property of Petitioner

Remarks: _____

Posted by M. Stealy

Signature

Date of return: 11/21/86

Number of Signs: 1

Sent 11/28/86

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 25, 1986

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

ooo

Mr. John E. Bender
2497 Fairway
Dundalk, Maryland 21222

RE: Item No. 128 - Case No. 87-225-A
Petitioner: John E. Bender
Petition for Zoning Variance

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

Dear Mr. Bender:

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 /kcb

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

B. Front Porches

Front awnings and porches may be continuous across property lines and of combustible construction if:

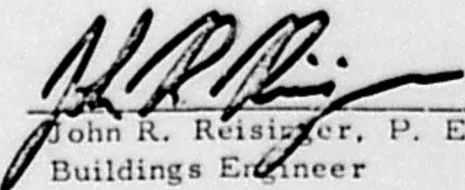
1. They are properly fire stopped with non-combustible materials at each interior property line.
2. They have no combustible or untreated supporting members within 36" of the interior property line.
3. They are limited to one story in height.
4. The adjoining owners agree in writing.
5. The porch is open front and sides.

Drywall and sheet metal are examples of non-combustible materials which are acceptable for fire stopping.

C. All Porches

If any porch is to be closed, it shall be considered a habitable part of the dwelling's interior and shall be subjected to all of the applicable requirements that pertain to one and two family dwellings in the Baltimore County Building Code.

This does not in any way waive any requirements, such as setbacks of other County or State Departments, which may also be applicable.


John R. Reisinger, P. E.
Buildings Engineer

JRR:es

CERTIFICATE OF PUBLICATION

PETITION FOR ZONING VARIANCE

12th Election District

Case No. 87-225-A

LOCATION: Northeast Side of Fairway, 55 feet West of the Centerline of the alley (2497 Fairway)

DATE AND TIME: Monday, December 8, 1986, at 9:45 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 a rear yard setback of 32 feet in lieu of the required 50 feet

Being the property of John E. Bender, 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 OF

Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

November 20,

1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hearings - P.O. #82516 - Req. #L96990 - 75 lines @ \$30.00.

was inserted in ***The Dundalk Eagle*** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~SIX~~ ~~SIXTY~~ ~~SIX~~ weeks before the 21st day of November 1986 ; that is to say, the same was inserted in the issues of Nov. 20, 1986

Kimbel Publication, Inc.

per Publisher.

By L. E. Delke



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

November 3, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 128 Zoning Advisory Committee Meeting are as follows:

Property Owner: John E. Bender
Location: NE/S Fairway 55 feet W of c/l Alley
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. See copy of Porch Memo for setbacks from property lines and construction.
- 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 P. Burnham
BY: C. E. Burnham, Chief
Building Plans Review



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 6, 1986

Re: Zoning Advisory Meeting of OCTOBER 7, 1986
Item # 128
Property Owner: JOHN E. BENDER
Location: NE/S FAIRWAY 55' W. OF ♀
ALLEY.

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.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forward 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

October 21, 1986

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

RE: Property Owner: John E. Bender
Location: NE/S Fairway 55 ft. W of the centerline alley
Item No.: 128 Zoning Agenda: Meeting of Oct. 7, 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: Capt Joseph Kelly 10-21-86
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

October 24, 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 127, 128, 129, 130, 131, and 135.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Michael S. Flanigan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1

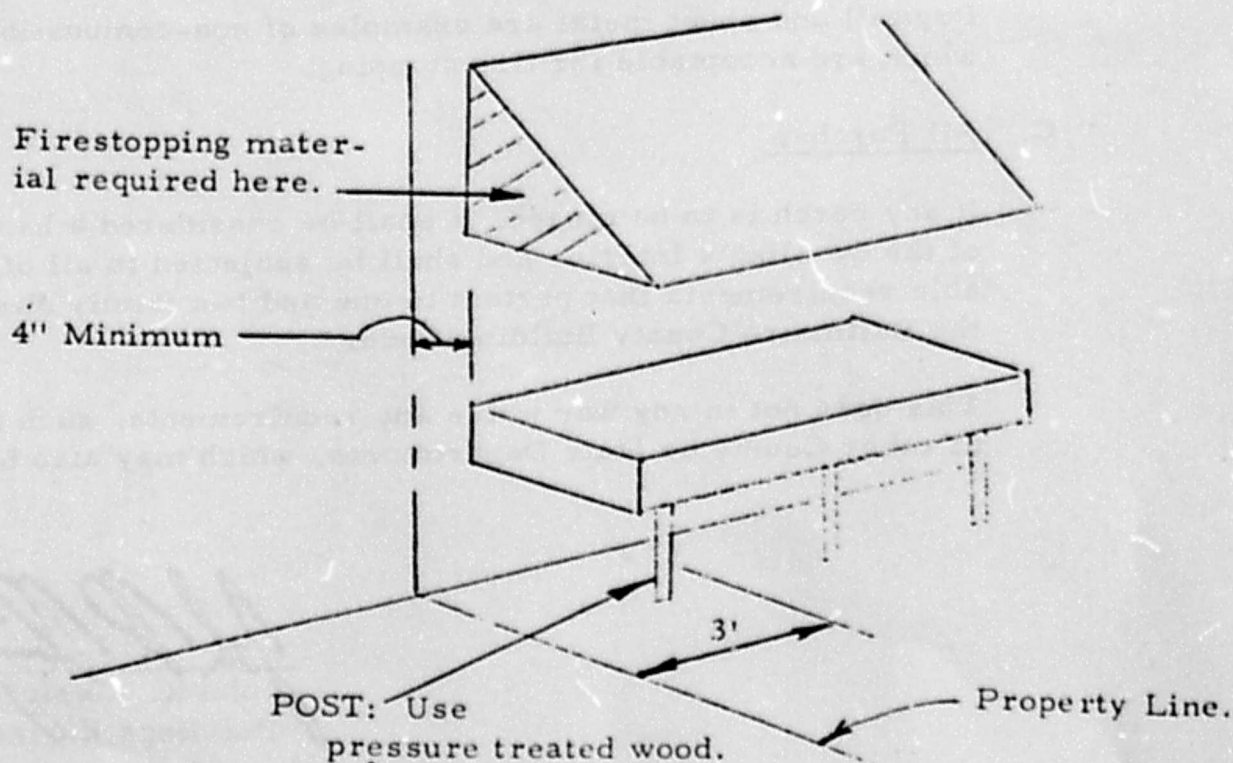
Effective 4-22-85

SUBJECT:

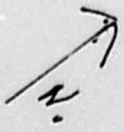
A. Rear Porches

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.



DISTILLERY
BLDG



6' FENCE

SUBJECT
PROPERTY
2497

RAIL ROAD TRACKS

A L L

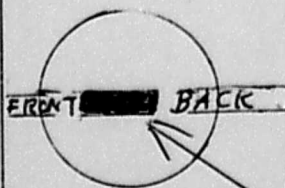
E Y

C/OHIO

ALLEY

ALLEY

ALLEY



YORKWAY QT.

KEY WAY

PARKS

WAY

KEY

KEY WAY

PARK

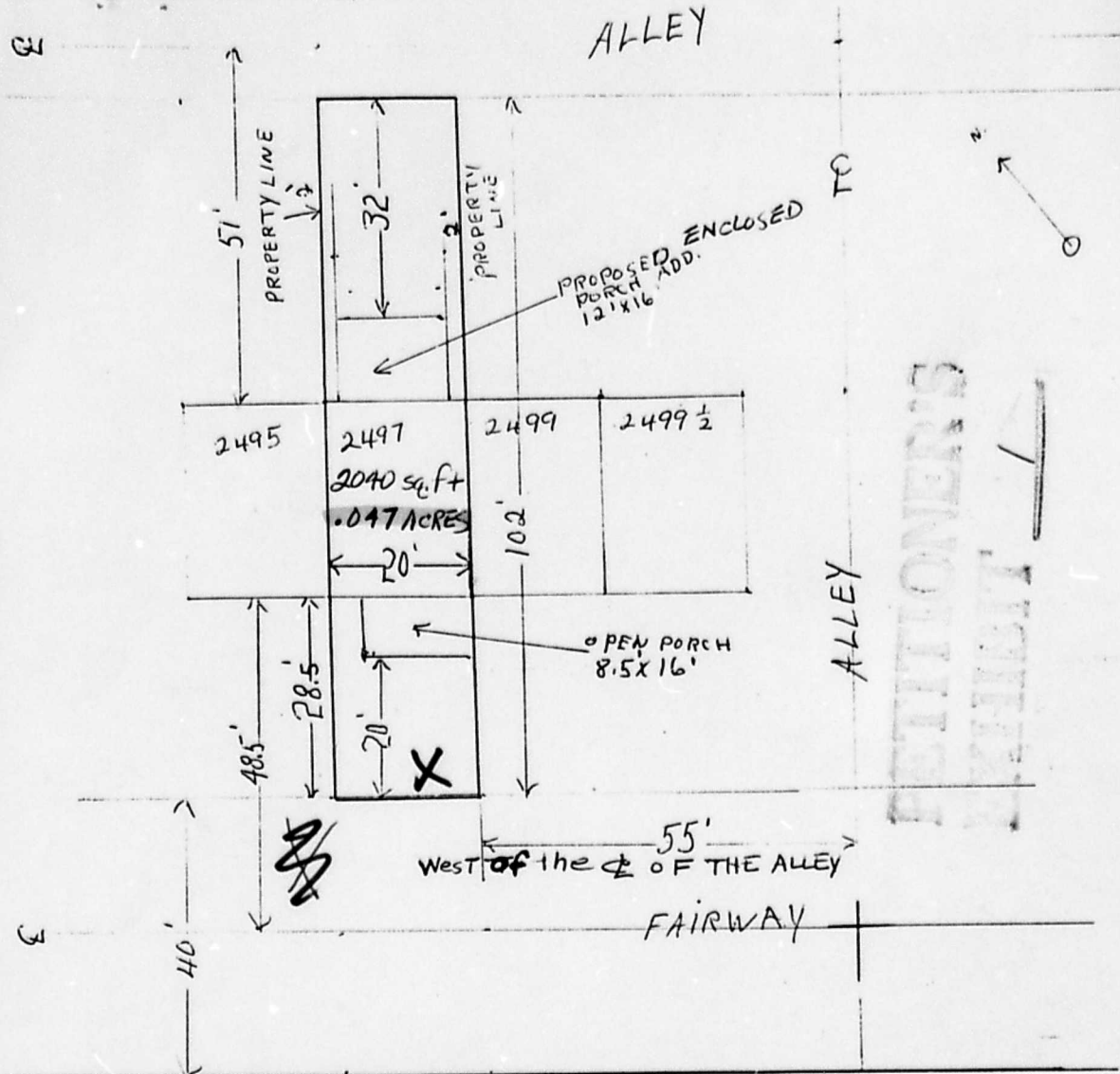
PORTSHIP

YORK WAY

VICINITY MAP

J. BENDER

2497



PLAT FOR ZONING VARIANCE
 OWNER JOHN + GRACE BENDER
 DISTRICT 12 ZONED DR. 10.5
 SUBDIVISION DUNDALK
 LOT 55 BLOCK 8 BOOK NO. 13 FOLIO 5
 EXISTING UTILITIES IN FAIRWAY
 WATER, ELECT, GAS, SEWAGE

SCALE: 1" = 20'

#128
 87-225-A

OFFICE COPY

2497
 FAIRWAY
 John Bender

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 1802.3.C.1. to permit a rear yard setback of 32 feet in lieu of the required 50 feet.

MAP	4A
DATE	12/15/86
200	
1000	

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

I have applied for a permit to put an enclosed porch on the rear of my house w/3 track storm windows & complete sides & front. However, I only have 44' from the back property line to the front. I would like to put a porch deck & roof extending 13' from the back line. The required setback is 32 feet, and I only have 31 feet. I would like to apply for a variance of 6 feet if possible. I am a boy, and I only have 31 feet to sit out on the porch to listen to ballgames and eat without insects constantly getting in my food. I also think this will improve my property and also that of my neighbors.

Ever so grateful for any help you can give me.

John E. Bender

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)	(Type or Print Name)
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	Address
(Type or Print Name)	Phone No.
Signature	City and State
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 27th day of October, 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 8th day of December, 1986, at 9:45 o'clock A.M.

John E. Bender
Zoning Commissioner of Baltimore County.

(over)

ZONING DESCRIPTION

Beginning on the northeast side of Fairway 40 feet wide at a distance of 55 feet west of the centerline of the alley. Being lot 55, block 8 in the subdivision of Dundalk, Book No. 13, Folio No. 5. Also known as 2497 Fairway in the 12th election district.

RE: PETITION FOR VARIANCE
NE/S of Fairway, 55' W of C/L of Alley (2497 Fairway), 12th District
OF BALTIMORE COUNTY
JOHN E. BENDER, Petitioner
Case No. 87-225-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
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 12th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. John E. Bender, 2497 Fairway, Dundalk, MD 21222, Petitioner.

Peter Max Zimmerman

Mr. John E. Bender
2497 Fairway
Dundalk, Maryland 21222

October 31, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S of Fairway, 55' W of the c/l of the alley (2497 Fairway)
12th Election District
John E. Bender - Petitioner
Case No. 87-225-A

TIME: 9:45 a.m.
DATE: Monday, December 8, 1986
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

John E. Bender
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 025993

DATE 12/15/86 ACCOUNT R-01-615-CCO
AMOUNT \$ 35.00
RECEIVED FROM John E. Bender
FOR VARIANCE FEE 4/28
B 0014*****250014 02487
VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE

12th Election District

Case No. 87-225-A

LOCATION: Northeast Side of Fairway, 55 feet West of the Centerline of the alley (2497 Fairway)

DATE AND TIME: Monday, December 8, 1986, at 9:45 a.m.

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

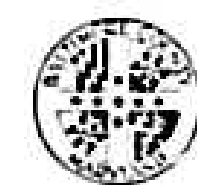
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a rear yard setback of 32 feet in lieu of the required 50 feet

Being the property of John E. Bender, 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



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JONG
DEPUTY ZONING COMMISSIONER

December 5, 1986

Mr. John E. Bender
2497 Fairway
Dundalk, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
NE/S of Fairway, 55' W of the c/l of the alley
(2497 Fairway)
12th Election District
John E. Bender - Petitioner
Case No. 87-225-A

Dear Mr. Bender:

This is to advise you that \$69.75 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.

Please note the sheet attached to Baltimore County, Maryland, and remit to: ing, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 025752
DATE 12-11-86 ACCOUNT R-01-615-CCO
AMOUNT \$ 69.75
RECEIVED FROM John E. Bender
FOR Advertising Posting 87-225-A
B 0004*****007513 02487
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: November 24, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition Nos. 87-224-A, 87-225-A, 87-230-A, 87-231-A, 87-233-A, 87-236-A, 87-237-A, 87-241-A, 87-243-A and 87-245-Sph

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

Norman E. Gerber, AICP
Director

NEG:JGH:sib

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 20, 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 20, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE
12th Election District
Case No. 87-225-A
LOCATION: Northeast Side of Fairway, 55 feet West of the Centerline of the alley (2497 Fairway)
DATE AND TIME: Monday, December 8, 1986, at 9:45 a.m.
PUBLISHED IN: THE JEFFERSONIAN, 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 32 feet in lieu of the required 50 feet
Being the property of John E. Bender, 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
11/20/86 Nov. 20

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

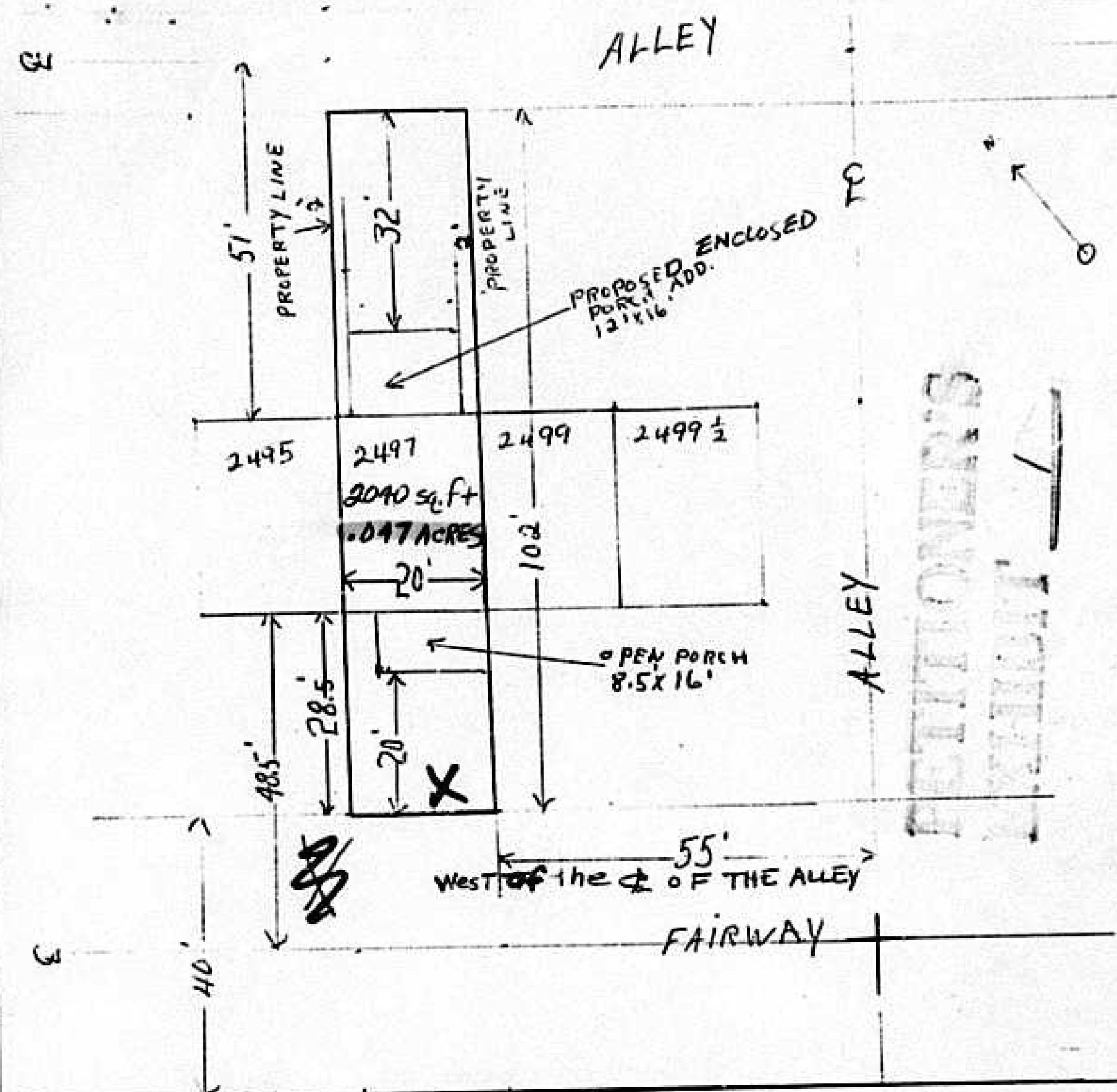
Your petition has been received and accepted for filing this
27th day of October, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner: John E. Bender
Petitioner's Attorney: _____
Received by: James E. Dyer

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 87-225-A
Towson, Maryland

District: 12th Date of Posting: 11/4/86
Posted for: Variance
Petitioner: John E. Bender
Location of property: NE/S Fairway, 55' W. of c/l Alley
2497 Fairway
Location of Signs: Fairway, corner 12th & Fairway
Remarks: _____
Posted by: [Signature] Date of return: 11/11/86
Number of Signs: 1



PLAT FOR ZONING VARIANCE
OWNER JOHN + GRACE BENDER
DISTRICT 12 ZONED DR. 10.5
SUBDIVISION DUNDALK
LOT 55 BLOCK 8 BOOK NO. 13 FOLIO 5
EXISTING UTILITIES IN FAIRWAY
WATER, ELECT, GAS, SEWAGE

SCALE: 1"=20'

#128
87-225-A

OFFICE COPY

2497
FAIRWAY
John Bender

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 25, 1986

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

Mr. John E. Bender
2497 Fairway
Dundalk, Maryland 21222

RE: Item No. 128 - Case No. 87-225-A
Petitioner: John E. Bender
Petition for Zoning Variance

Dear Mr. Bender:

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



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

November 3, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 128 Zoning Advisory Committee Meeting are as follows:

Property Owner: John E. Bender
Location: NE/S Fairway 55 feet W of c/l Alley
District: 12th.

APPLICABLE ITEMS ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 417-85, the Maryland Code for the Handicapped and Aged (A.D.A. 11-211-2) - 1980 and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. 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.
4. 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.
5. 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 101, Section 101.1, Section 106.2 and Table 102.1. No openings are permitted in exterior wall within 3'-0" of an interior lot line. See copy of Porch Memo for setbacks from property lines and construction.
6. 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 101 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a revised 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's are usually required. The change of Use Groups are from Use _____ to Use _____ or to _____ See Section 317 of the Building Code.
9. 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 417-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
10. Comments:
11. 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.

11/22/86

[Signature]
Mr. C. E. Burman, Chief
Building Plans Review

CODE MEMORANDUM #1 (Cont'd.)

B. Front Porches

Front awnings and porches may be continuous across property lines and of combustible construction if:

1. They are properly fire stopped with non-combustible materials at each interior property line.
2. They have no combustible or untreated supporting members within 36" of the interior property line.
3. They are limited to one story in height.
4. The adjoining owners agree in writing.
5. The porch is open front and sides.

Drywall and sheet metal are examples of non-combustible materials which are acceptable for fire stopping.

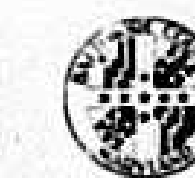
C. All Porches

If any porch is to be closed, it shall be considered a habitable part of the dwelling's interior and shall be subjected to all of the applicable requirements that pertain to one and two family dwellings in the Baltimore County Building Code.

This does not in any way waive any requirements, such as setbacks of other County or State Departments, which may also be applicable.

JRR:es

[Signature]
John R. Reister, P. E.
Buildings Engineer



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 6, 1986

Re: Zoning Advisory Meeting of October 7, 1986
Item # 128
Property Owner: JOHN E. BENDER
Location: NE/S FAIRWAY 55' W. OF c/l ALLEY.

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 this 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 22-96 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 "X" 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: _____

cc: James Hoswell

David Fields, Acting Chief
Current Planning and Development

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

November 20, 1986

THIS IS TO CERTIFY that the annexed advertisement of Arnold Jablon in the matter of Zoning Hearings - P.O. 82516 - Reg. #L96999 - 75 lines @ \$30.00.

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~xxxxxx~~ week before the 21st day of November 1986; that is to say, the same was inserted in the issues of Nov. 20, 1986

Kimbel Publication, Inc.
per Publisher.

By: [Signature]

PERMITS FOR ZONING VARIANCE
12th District Board
Case No. 87-225-A
LOCATION: Northeast Side of Fairway 55 feet West of the Centerline of the c/l of the Alley
DATE AND TIME: Monday, November 6, 1986, at 8:00 a.m.
PUBLIC HEARING: Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Notice for Zoning Variance is issued to any and each of 22 owners of record of the subject property.
Being the property of John E. Bender, as shown on plat filed with the Zoning Office.
In the event that the Petitioner is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, continue any request for a stay of the issuance of said permit during this thirty (30) day appeal period. Such request must be returned in writing by the date of the hearing or shown at said date of the hearing.
AN ORDER OF THE ZONING COMMISSION OF BALTIMORE COUNTY

DISTILLERY BLDG

RAILROAD TRUCKS

YORK WAY

YORK WAY

YORK WAY

YORK WAY

YORK WAY

YORK WAY

YORK WAY

YORK WAY

YORK WAY

YORK WAY

2497
J. BENDER



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

PAUL H. REINCKE
CHIEF

October 21, 1986

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

RE: Property Owner: John E. Bender
Location: NE/S Fairway 55 ft. W of the centerline alley
Item No.: 128 Zoning Agenda: Meeting of Oct. 7, 1986

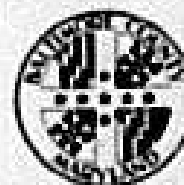
Gentlemen:

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: *[Signature]* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

October 24, 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 127, (128), 129, 130, 131, and 135.

Very truly yours,

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1

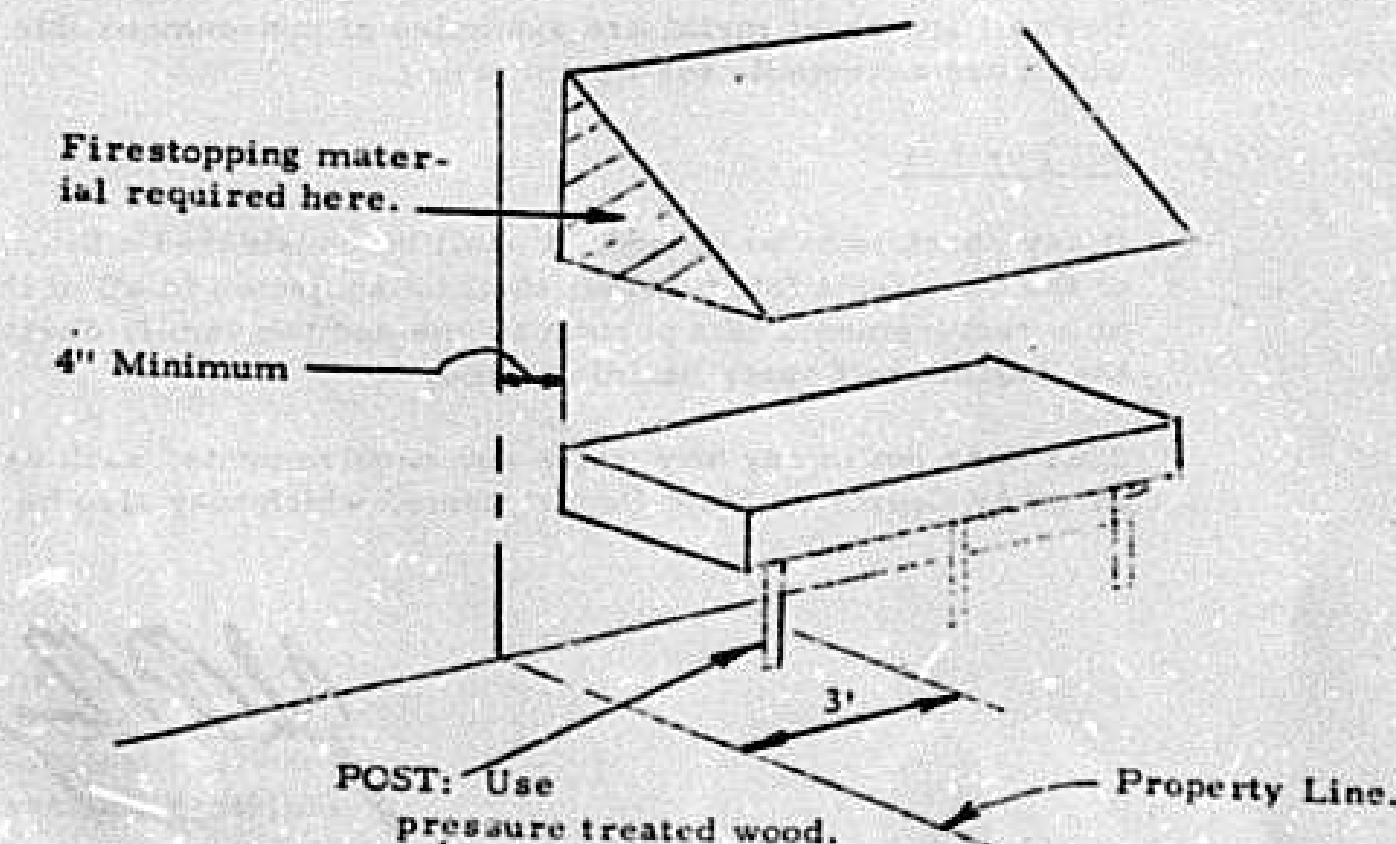
Effective 4-22-85

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