

152
87-273-A
#152

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER, 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 111.1.1.1 to permit a 22 ft. setback to the centerline of the street in lieu of the required 75 ft.

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

1) Garage is located closer to Carroll Manor Road than is currently allowed by Baltimore County Zoning Regulation. No such regulation existed when garage was originally built.

2) We wish to renovate said garage and connect it to the house by way of an addition to existing house for the purpose of additional space.

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

If 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: _____
City and State: _____

Legal Owner(s):
James Edward Howell
(Type or Print Name)
Signature: _____
Deborah K. Howell
(Type or Print Name)
Signature: _____
City and State: _____

Address: 5001 Carroll Manor Road, 592-5087
Baldwin, Maryland 21013 N76310 E31630
City and State: _____

Name, address and phone number of legal owner, contract purchaser, or representative to be contacted:
James Edward Howell
Name: _____
Address: 5001 Carroll Manor Rd., Baldwin, Md.
Phone No. 592-5087

Attest: _____
City and State: _____
Attest: _____
City and State: _____

By _____
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date: 12/30/86
By: [Signature]

IN RE: PETITION FOR ZONING VARIANCE
SE/S of Carroll Manor Rd., 425'
SW of the c/l of Sweet Air Rd.
11th Election District
James Edward Howell, et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-273-A

The Petitioners herein request a zoning variance to permit a 22-foot setback to the centerline of the street in lieu of the required 75 feet.

Testimony by one of the Petitioners indicated that in the spring of 1986 they purchased the property, which had a rundown garage that was built in approximately 1910. The Petitioners obtained a permit to remodel, not realizing that converting the garage to habitable space would negate the permit. The internal conversion to a family room, bedroom and study has been completed. In order to legitimize the new living space, the Petitioner will connect the house and former garage with a breezeway. The road is 7 to 8 feet lower than the yard and there is a retainer wall between the former garage and the road. There were no Protestants.

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 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 30th day of December 1986, that the herein request for a 22-foot setback to the centerline of the street, in accordance with the plan submitted, and is hereby GRANTED, subject, however, to the following restrictions:

ORDER RECEIVED FOR FILING
Date: 12/30/86
By: [Signature]

1) The breezeway may be as wide as 15 feet.

2) The habitable space in the former garage may be utilized from the day of this order as long as the Petitioners act in good faith to complete the breezeway no later than September 1, 1987.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date: 12/30/86
By: [Signature]

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

ARNOLD JARLOW
ZONING COMMISSIONER

DECEMBER 30, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. & Mrs. James Edward Howell
5001 Carroll Manor Road
Baldwin, Maryland 21013

RE: Petition for Zoning Variance
SE/S of Carroll Manor Road,
425' SW of the c/l of
Sweet Air Road
11th Election District
Case No. 87-273-A

Dear Mr. & Mrs. Howell:

Enclosed please find a copy of the decision rendered in the above-referenced case. Please be advised that your Petition for Zoning Variance has been granted, subject to the restrictions noted in the attached Order.

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

Very truly yours,
[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjs
Enclosures
cc: People's Counsel

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 21, 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 December 11, 1986.

THE JEFFERSONIAN
Susan Shuler Shurt
Publisher

Cost of Advertising
24.75

RE: PETITION FOR VARIANCE
SE/S of Carroll Manor Rd., 425'
SW of the C/L of Sweet Air Rd.
11th District
JAMES EDWARD HOWELL, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-273-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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 4th day of December, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. James Edward Howell, 5001 Carroll Manor Rd., Baldwin, MD 21013, Petitioners.

[Signature]
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE
11th Election District
Case No. 87-273-A

LOCATION: Southeast Side of Carroll Manor Road, 425 feet Southwest of the Centerline of Sweet Air Road

DATE AND TIME: Tuesday, December 30, 1986, at 10:30 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 22 foot setback to the centerline of the street in lieu of the required 75 feet

Being the property of James Edward Howell, 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 JARLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ZONING DESCRIPTION

Beginning on the South East Side of Carroll Manor Road, 425 ft. SW of the Centerline of Sweet Air Road, Thence S55°-47' 39"W 309.80' to an iron pipe N20°-35' 55"W 12.10' to a point in or near the center of the road S48°-22' 59"W 129.50' to a point in or near center of the road S32°-07' 48"E 21.50' to an iron pipe N57°-53'-12"E 142.50' to a pipe S47°-18' 39"E 133.29' to an iron pipe S53°-48' 12"E 173.70' to an iron pipe S65°-51' 48"E 118.90' to an iron pipe S77°-05' 48"E 124.00' to an iron pipe N58°-14' 12"E 45.02' to an iron pipe N32°-52' 28"W 517.63' to the beginning hereof containing 2.53 acres of land more or less.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: December 8, 1986

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

SUBJECT: Zoning Petitions No. 87-265-A, 87-270-A, 87-271-A, 87-272-A and 87-273-A

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

James E. Gerber, AICP
Director

NEG:JGH:sib

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 18, 1986

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

000

Chairman
MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. James Edward Howell
5001 Carroll Manor Road
Baldwin, Maryland 21013

RE: Item No. 152 - Case No. 87-273-A
Petitioner: James Edward Howell, et ux
Petition for Zoning Variance

Dear Mr. Howell:

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
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

DECEMBER 2, 1986

Re: Zoning Advisory Meeting of OCTOBER 28, 1986
Item #152
Property Owner: JAMES EDWARD HOWELL, et al
Location: SE/S CARROLL MANOR RD. 425' SW OF SWEET AIR RD.

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.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (X) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- (X) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on [unclear].
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) 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 [unclear].
- (X) 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.
- (X) Additional comments:

cc: James Howell

David Fields, Acting Chief
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3350

STEPHEN E. COLLINS
DIRECTOR

November 26, 1985

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 150, 151, 152, 153, 154, and 155.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

This petition has been received and accepted for filing this day of November 1986.

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

Petitioner: James Edward Howell, et ux
Petitioner: James Edward Howell, et ux
Attorney

Mr. James Edward Howell
Mrs. Deborah K. Howell
5001 Carroll Manor Road
Baldwin, Maryland 21013

November 28, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SE/S of Carroll Manor Rd., 425' SW of the
c/l of Sweet Air Rd.
11th Election District
James Edward Howell, et ux - Petitioners
Case No. 87-273-A

TIME: 10:30 a.m.

DATE: Tuesday, December 30, 1986

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



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

November 10, 1986

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

Dear Mr. Jablon:

Comments on Item # 152 Zoning Advisory Committee Meeting are as follows:

Property Owner: James Edward Howell, et ux
Location: SE/S Carroll Manor Road, 425 ft. SW of c/l of Sweet Air Road
District: 11th.

APPLICABLE ITEMS ARE CIRCLED:

- (C) 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.M.S.L. #117-1 - 1980) and other applicable Codes and Standards.
- (C) 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.
- (C) 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.
- (C) All Use Groups except B-1 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or other exterior wall within 3'-0" of an interior lot line. See Table 101, Section 107, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- (C) The structure does not appear to comply with Table 576 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.
- (C) The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- (C) When filing for a required Change of Use/Occupancy Permit, an alternative 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 Engineering 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.
- (C) The proposed project appears to be located in a Flood Plain, Flood/Overflow. Please see the attached copy of Section 316.0 of the Building Code as adopted by Bill #17-85. Site plan shall show the correct elevations above sea level for the lot and the finished floor level, including basement.
- (C) Comments:
- (C) 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 the Office of Planning and Zoning at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

L/27/86



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

PAUL H. RENCKE
CHIEF

November 18, 1986

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

RE: Property Owner: James Edward Howell, et ux

Location: SE/S Carroll Manor Rd., 425 ft. SW of the centerline

Item No.: 152 Zoning Agenda, Meeting of Oct. 28, 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.

- (X) 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.

- (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: *John E. O'Hair* Noted and Approved: *John E. O'Hair*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 10, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper, printed and published in Towson, Baltimore County, Md., appearing on December 10, 1986.

TOWSON TIMES,

Lusan Steudel O'Brien
Publisher

34.00

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

No. 026056

DATE: 10/15/86 ACCOUNT: 01-415-000

AMOUNT: \$ 35.00

RECEIVED FROM: James Edward Howell

FOR: Variance #152

B 013*****014 2104

VALIDATION OR SIGNATURE OF CASHIER



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 19, 1986

Mr. James Edward Howell
Mrs. Deborah K. Howell
5001 Carroll Manor Road
Baldwin, Maryland 21013

RE: PETITION FOR ZONING VARIANCE
SE/S of Carroll Manor Rd., 425' SW of the c/l of
Sweet Air Rd.
11th Election District
James Edward Howell, et ux - Petitioners
Case No. 87-273-A

Dear Mr. and Mrs. Howell:

This is to advise you that \$73.75 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.

County, Maryland, and remit
ing, Towson, Maryland

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

No. 025769

DATE 12-30-86 ACCOUNT R-01-615-000

AMOUNT \$ 73.75

RECEIVED
FROM:

James & John Howell

FOR:

Advertising Posting 87-273-A

B 0023***73751a 2308F

VALIDATION OR SIGNATURE OF CASHIER

