

87-305-A

188

12/10/86

12/10/86

1/12/87

1/21/87

SW/S Liberty Rd., 245' NW of Courtleigh Dr.

2nd Elec. Dist.

Variance - filing fee \$100.00 - Melody S. Irvin

Hearing set for 1/21/87, at 9:30 a.m.

Advertising and Posting - \$59.75

Ordered by the Zoning Commissioner that the Petition for Zoning Variances to permit a side yard setback of 7.5' in lieu of the required 30' and a rear yard setback of 5' in lieu of the required 30' for an existing storage shed is GRANTED with a restriction.

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(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of January, 1987, that the Petition for Zoning Variances to permit a side yard setback of 7.5 feet in lieu of the required 30 feet and a rear yard setback of 5 feet in lieu of the required 30 feet for an existing storage shed be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. A revised sealed site plan, showing the appropriate parking computations, shall be submitted to the Zoning Commissioner for approval.



Zoning Commissioner of
Baltimore County

AJ/srl

cc: Robert W. Cannon, Esquire

People's Counsel

PETITION FOR ZONING VARIANCE

87-305-A
188

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 238.2 to permit setbacks of 7.5 and 5.0 feet for an existing storage shed in lieu of the required 30 ft. each.

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

SINCE THE BALTIMORE COUNTY ZONING DEPARTMENT IS WITHOLDING THE BUILDING PERMIT FOR THE NEIGHBORING PROPERTY'S BUILDING PROJECT UNTIL WE AGREE TO PROCESS FOR A VARIANCE,

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:

N/A
(Type or Print Name)

N/A
Signature
N/A

Address

N/A
City and State

Legal Owner(s):

MELODY S. IRVIN
(Type or Print Name)

Melody S. Irvin
Signature

(Type or Print Name)

Signature

Attorney for Petitioner:

XXXX Robert W. Cannon
(Type or Print Name)

XXXX Robert W. Cannon
Signature

XXXX 100 S. Charles Street
Address

XXXX Baltimore, MD 21201
City and State

Attorney's Telephone No.: 332-8816

28 Woodmere Drive

Address Phone No.

Summit, N.J. 07901

City and State

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

Donald H. Ready

Name
306 W. Pennsylvania Avenue

Towson, MD 21204 301-821-1935

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day

of December, 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 21st day of January, 1987, at 9:30 o'clock

A. M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

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 22B.2 to permit setbacks of 2.5 and 5.0 feet for an existing storage shed in lieu of the required 30 ft. setback.

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

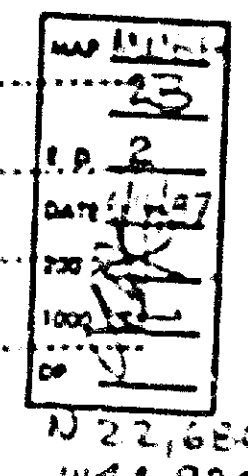
SINCE THE BALTIMORE COUNTY ZONING DEPARTMENT IS WITHHOLDING THE BASIC PERMIT FOR THE NEIGHBORING PROPERTY'S CREDIT PROJECT UNTIL WE AGREE TO PROCEED FOR A VARIANCE.

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 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: N/A; Legal Owner(s): MELODY S. IRVIN; Attorney for Petitioner: Robert W. Cannon; Address: 100 S. Charles Street, Baltimore, MD 21201



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: Arnold Jablon, Zoning Commissioner; From: Norman E. Gerden, AICP, Director; Subject: Legal Petition, No. 87-305-A, 87-306-A and 87-307-A

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

Signature of Norman E. Gerden, Director

NEG:JGH/ld

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES

December 2, 1986

TO: TED ZALEWSKI, A, DIRECTOR; FROM: Arnold Jablon, Zoning Commissioner; SUBJECT: Item # 188 Zoning Advisory Committee Meeting on 11/18/86

- 1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill # 100... 2. A building and other development permit shall be provided before the start of any construction... 3. All the proposed structures shall be located in a Flood Plain... 4. This plan does not show any handicapped parking spaces... 5. These observations comment reflect only on the information provided by the applicant...

Signature of Ted Zaleski, Director

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES

November 24, 1986

TO: Arnold Jablon, Zoning Commissioner; FROM: Ted Zaleski, Director; SUBJECT: Property Owner: Melody S. Irvin; Location: SW/S Liberty Road, 245' NW Courtleigh Drive

- 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road... 2. A second means of vehicle access is required for the site... 3. The vehicle deal and condition shown at... 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code... 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association... 6. Site plans are approved, as drawn... 7. The Fire Prevention Bureau has no comment on this item.

Signature of Ted Zaleski, Director

ORDER RECEIVED FOR FILING

Vertical stamp: Melody S. Irvin, 87-305-A, SW/S Liberty Rd., 245' NW of Courtleigh Dr., 2nd Elec. Dist.

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 9, 1987

Robert W. Cannon, Esquire, 100 S. Charles Street, Baltimore, Maryland 21201; Item No. 188 - Case No. 87-305-A; Petitioners: Melody S. Irvin; Petition for Zoning Variance

Dear Mr. Cannon: 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...

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.

Very truly yours, James E. Dyer, Chairman, Zoning Plans Advisory Committee

JED:kbb; Enclosures; cc: Donald H. Reay, 306 W. Pennsylvania Avenue, Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

JANUARY 14, 1987

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

Re: Zoning Advisory Meeting of November 18, 1986; Item # 188; Property Owner: MELODY S. IRVIN; Location: SW/S LIBERTY RD. 245' NW COURTLEIGH DRIVE.

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 22-5B 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 17J-79. No building permit will 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 17B-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

Maryland Department of Transportation

ZONING OFFICE

November 20, 1986

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

Attn: James Dyer

RE: Baltimore County Item #188; Property Owner: Melody S. Irvin; Location: SW/S Liberty Rd (Maryland Route 26) 245' NW Courtleigh Dr. Existing Zoning: B.R. Proposed Zoning: Var. to permit setbacks of 7.5 and 5' for an existing storage shed in lieu of the required 30' each. Area: .525 acres. District: 2nd

Dear Mr. Jablon: On review of the submittal of 11/3/86 for variance of storage shed setbacks, the State Highway Administration has no comment.

However, the State Highway Administration recommends the in-common access between Popeye's Restaurant and the adjacent Auto Care site be made a part of any zoning variance for Popeye's.

Very truly yours, Charles Lee, Chief, Bureau of Engr. Access Permits, by: George Wittman

cc: J. Ogilvie, G. Jones

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

392 TO BE DETERMINED
5 PLANS REV. 02-19-102-215 BY

8503 LIBERTY RD.
LIBERTY ASSOC. PARTNERSHIP
306 V. PENNA. AVE. TOWSON, MD. 21204

DATE SUBMITTED: 12/19/86
EXPIRES: 2/12/87

A. TYPE OF IMPROVEMENT
 NEW BUILDING CONSTRUCTION
 ADDITION
 ALTERATION
 REPAIR
 WRECKING ENTER NO. UNITS DEDUCTED
 REMOVAL
 OTHER

B. OWNERSHIP
 PRIVATELY OWNED
 PUBLICLY OWNED

C. TYPE OF USE, 13 1986
 RESIDENTIAL
 COMMERCIAL
 INDUSTRIAL
 OFFICE
 SCHOOL
 CHURCH
 OTHER

D. TYPE OF CONSTRUCTION
 CONCRETE
 BRICK
 OTHER

E. RESIDENTIAL ONLY
 SINGLE FAMILY UNITS
 MULTI-FAMILY UNITS

F. DIMENSIONS - PL. NEW FIXTURES
 2.193 ACRES FT
 77,190 FT
 410,070 FT
 487,260 FT (11) CAP/FOL/121A FT

Robert W. Cannon, Esquire
100 South Charles Street
Baltimore, Maryland 21201

December 19, 1986

NOTICE OF HEARING
RE: PETITION FOR ZONING VARIANCE
SW/S Liberty Rd., 245' NW of Courtleigh Dr.
2nd Election District
Melody S. Irvin - Petitioner
Case No. 87-305-A

TIME: 9:30 a.m.
DATE: Wednesday, January 21, 1987
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner of Baltimore County

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

No. 025672

DATE: 11/7/86 ACCOUNT: 01-615-000

AMOUNT: \$ 100.00

RECEIVED FROM: Donald H. Ready

FOR: Variance # 188

VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON
ZONING COMMISSIONER

EAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 13, 1987

Robert W. Cannon, Esquire
100 South Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
SW/S Liberty Rd., 245' NW of Courtleigh Dr.
2nd Election District
Melody S. Irvin - Petitioner
Case No. 87-305-A

Dear Mr. Cannon:

This is to advise you that \$59.75 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 Zoning Commission, Room 106, County Office Building, Towson, Maryland.

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

No. 29900

DATE: 1/21/87 ACCOUNT: R-01-615-700

SIGN & POST RETURNED AMOUNT: \$ 59.75
Weinberg and Green, 100 South Charles St., Baltimore, MD. 21201

ADVERTISING & POSTING COSTS RE CASE #87-305-A

FOR: B 0015*****59751a 5216F

VALIDATION OR SIGNATURE OF CASHIER

Melody and Milton Irvin
28 Woodmere Drive
Summit, New Jersey 07901

October 24, 1986

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
111 West Chesapeake Avenue
Towson, MD 21204

Re: 8503 Liberty Road
Baltimore County, MD
Item # 188

Dear Mr. Jablon:

As a result of processing a Building Permit Application by Liberty Associates, Owners of the property adjacent to us at 8503 Liberty Road, your office has stated that a portable storage shed located on the rear of our property is in violation of a setback regulation. To have the processing of their Building Permit Application delayed at this time would cause them a critical economic hardship. Therefore, we are willing to process for a variance to permit less than a thirty foot side yard and rear yard setback at this time with the understanding that your office will permit the processing and issuance of the building and other permits requested by Liberty Associates, but, that if the variance is ultimately not approved, we will, at such time, move the portable storage shed to a location on our property that would be in conformity with the setback regulation.

I am hereby authorizing Mr. Donald H. Ready, a Partner in Liberty Associates Partnership, to act as our authorized representative in the processing of this application since we are located in New Jersey and would find it extremely inconvenient to be present throughout this process.

We enclose herewith a check in the amount of \$100. as processing fee and we understand that subsequently we will be billed an additional amount of money for advertising.

Very truly yours,
Melody Irvin
Melody Irvin

MI:egf

CERTIFICATE OF PUBLICATION
84259

Pikesville, Md., Jan. 7, 1987

CERTIFY, that the annexed advertisement published in the NORTHWEST STAR, a weekly published in Pikesville, Baltimore land before the 21st day of Jan. 1987

publication appearing on the 7th day of Jan., 1987

publication appearing on the _____ day of _____, 19____

publication appearing on the _____ day of _____, 19____

THE NORTHWEST STAR
[Signature]
Manager

Cost of Advertisement \$20.00

87-305-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 10th day of December, 1986.

[Signature]
ARNOLD JABLON
Zoning Commissioner

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

Petitioner: Melody S. Irvin
Petitioner's Attorney: Robert W. Cannon, Esquire

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-305-A

District: 2nd
Posted for: Variance
Fetitioner: Melody S. Irvin
Location of property: SW/S of Liberty Road 245' NW of Courtleigh Dr.
Location of Sign: SW/S of Liberty Road in front of subject property
Remarks: _____
Posted by: *[Signature]*
Number of Signs: 1

Date of Posting: Jan 2-87
Date of return: Jan 6-87

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW/S of Liberty Rd., 245' NW of Courtleigh Dr., 2nd District : OF BALTIMORE COUNTY
MELODY S. IRVIN, Petitioner : Case No. 87-305-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 proceedings in this matter and of the passage of any preliminary or final Order.

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

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

I HEREBY CERTIFY that on this 12th day of January, 1987, a copy of the foregoing Entry of Appearance was mailed to Robert W. Cannon, Esquire, 100 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE
2nd Election District
Case No. 87-305-A

LOCATION: Southwest Side of Liberty Road, 245 feet Northwest of Courtleigh Drive

DATE AND TIME: Wednesday, January 21, 1987, at 9:30 a.m.

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

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

Petition for Zoning Variance to permit a side yard setback of 7.5 feet in lieu of the required 30 feet and a rear yard setback of 5.0 feet in lieu of the required 30 feet for an existing storage shed

Being the property of Melody S. Irvin, as shown on plat 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 held at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

**PETITION FOR
ZONING VARIANCE**
2nd Election District
Case No. 87-305-A

LOCATION: Southwest Side of
Liberty Road, 245 feet Northwest
of Courtleigh Drive
DATE AND TIME: Wednesday, Ja-
nuary 21, 1987, at 9:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Balti-
more County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing:

Petition for Zoning Variance to per-
mit a side yard setback of 7.5 feet in lieu
of the required 30 feet and a rear yard
setback of 5.0 feet in lieu of the re-
quired 30 feet for an existing storage
shed.

Being the property of Melody S. Ir-
vin, 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

1/26 Jan. 1.

TOWSON, MD., January 1, 19 87

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
January 1, 19 87

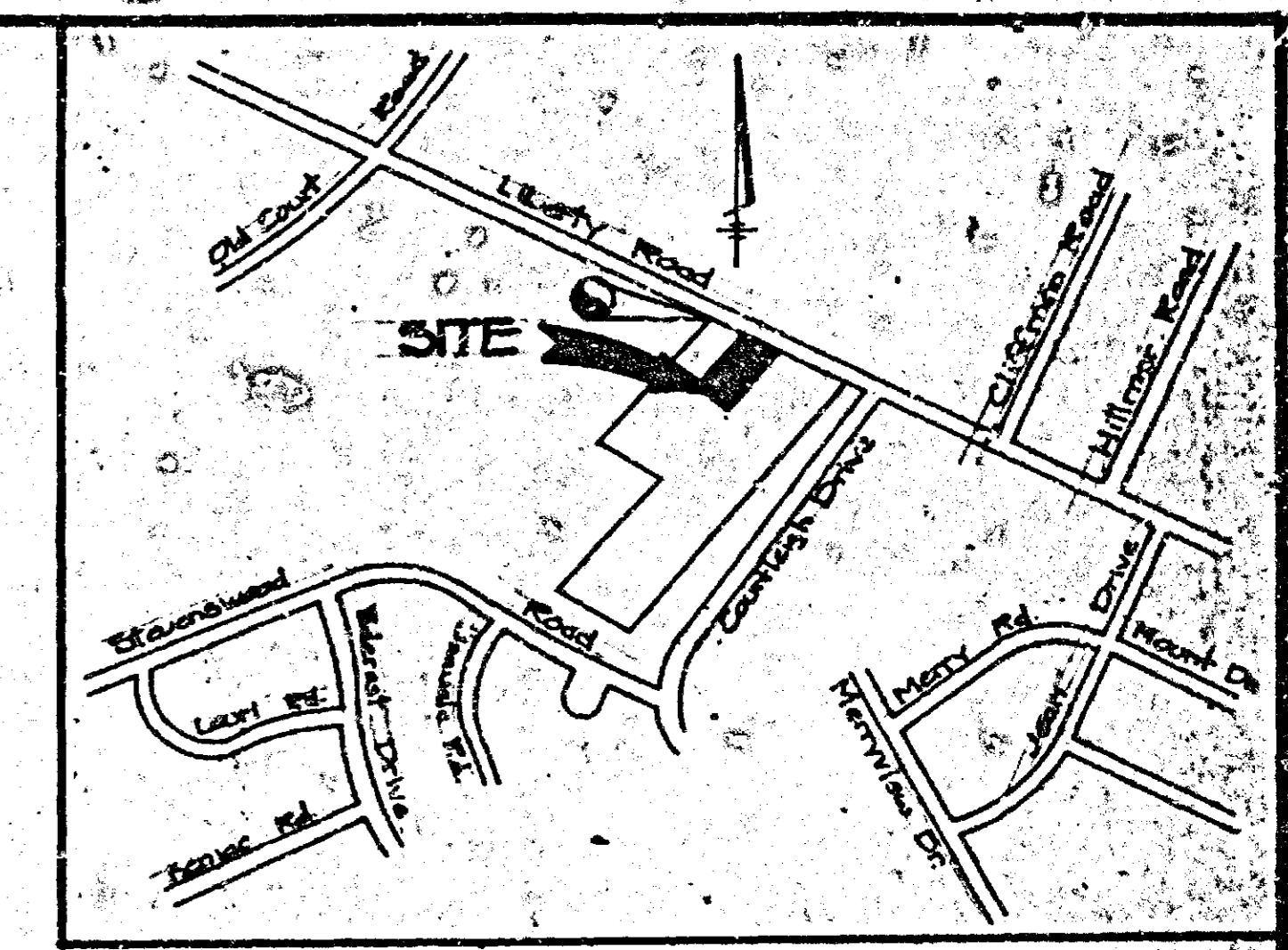
THE JEFFERSONIAN,

Susan Seuder Obrecht

Publisher

Cost of Advertising

24.75



LOCATION MAP
Scale: 1" = 500'

BM BALTO 22 HOENIG X-7146 ELEV. 522.82
1/2" IRON BAR IN JOINT CONC. WALK @ S.
LIBERTY ROAD

- NOTES:
- 1. EXISTING PARKING SPACES = 33 SPACES
 - 2. VARIANCE REQUIREMENT = 31
 - 3. ADDED = 1 PARKING SPACE = 34
 - 4. PROPOSED PARKING SPACES = 34 SPACES

NOTE!
VARIANCE MIN. SETBACKS OF 7.5'
FROM THE PROPERTY LINE IN
LIEU OF REQUIRED 30'

