

87-353-A

#235

1/19/87

1/19/87

3/2/87

3/3/87

NW/S of Fearne Ave., 475' NE of Putty Hill Rd.
(8812 Fearne Ave.)

14th Elec. Dist.

Variance - filing fee \$100.00 - Alice Diane Brown

Hearing set for 3/2/87, at 9:45 a.m. (Mrs. Jung)

Advertising and Posting - \$91.93

Ordered by the Deputy Zoning Commissioner that the request for a variance to permit a lot width of 50', a side yard setback of 9', and a sum of the side yard setbacks of 18', all in accordance with the plan submitted, is GRANTED with restrictions.

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 402.1 to permit a lot width of 50 feet in lieu of the required 80 feet, a side yard setback of 9 feet in lieu of the required 15 feet and a sum of the side yard setbacks of 18 feet in lieu of the required 35 feet.

My house is very large and I would like to take full advantage of my second floor, by utilizing all of my space. I would like to make it into an efficiency apartment. Being a single parent of a handicapped child, the extra income would help me considerably.

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:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1987, 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 108, County Office Building in Towson, Baltimore County, on the 2nd day of March, 1987, at 9:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

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 19th day of January, 1987.

Petitioner Alice Diane Brown
Petitioner's Attorney
Received by: James E. Dyer

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 235 Zoning Advisory Committee Meeting are as follows:

Property Owner:
Location:
District:

APPLICABLE ITEMS ARE CIRCLED:

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Aged (A.D.A. 111-1 - 1980) and other applicable Code and Standards.
- A building and other miscellaneous permits shall be required before the start of any construction.
- Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- 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.
- All Use Groups except P-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. P-1 Use Groups require a one-hour wall of clear than 1'-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 1007, Section 1006.2 and Table 1007. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- 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.
- The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
- 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 317 of the Building Code.
- 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 #11-85. Site plans shall show the correct elevations above sea level for the 1st and the finish floor levels including basement.
- Comments:
- 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.

L727/86

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, AICP, Director
SUBJECT: Zoning Petitions No. 87-352-A, 87-353-A, 87-356-SpHA, 87-357-A, 87-361-A and 87-374-A
Date: February 20, 1987

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

NEG:JGH:slb

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500
PAUL H. REINCKE
CHIEF

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

RE: Property Owner: A. Diane Brown
Location: NW/S Fearn Avenue, 475 ft. NE Putty Hill Rd.
Item No.: 235 Zoning Agenda: Meeting of 12/23/86

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 or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior 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: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 19, 1987

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

Ms. Alice Diane Brown
8812 Fearn Avenue
Baltimore, Maryland 21234

RE: Item No. 235 - Case No. 87-353-A
Petitioner: Alice Diane Brown
Petition for Zoning Variance

Dear Ms. Brown:

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
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
STEPHEN E. COLLINS
DIRECTOR

January 21, 1987

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 233, 234, 235, 237, 238, 239, 240, 241, 243, 244, 246, 248, 249, and 250.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate II

MSF:1t

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

JANUARY 31, 1987

Re: Zoning Advisory Meeting of DECEMBER 23, '86
Item # 235
Property Owner: A. DIANE BROWN
Location: NW/S FEARNE AVE, 475' NE PUTTY HILL RD

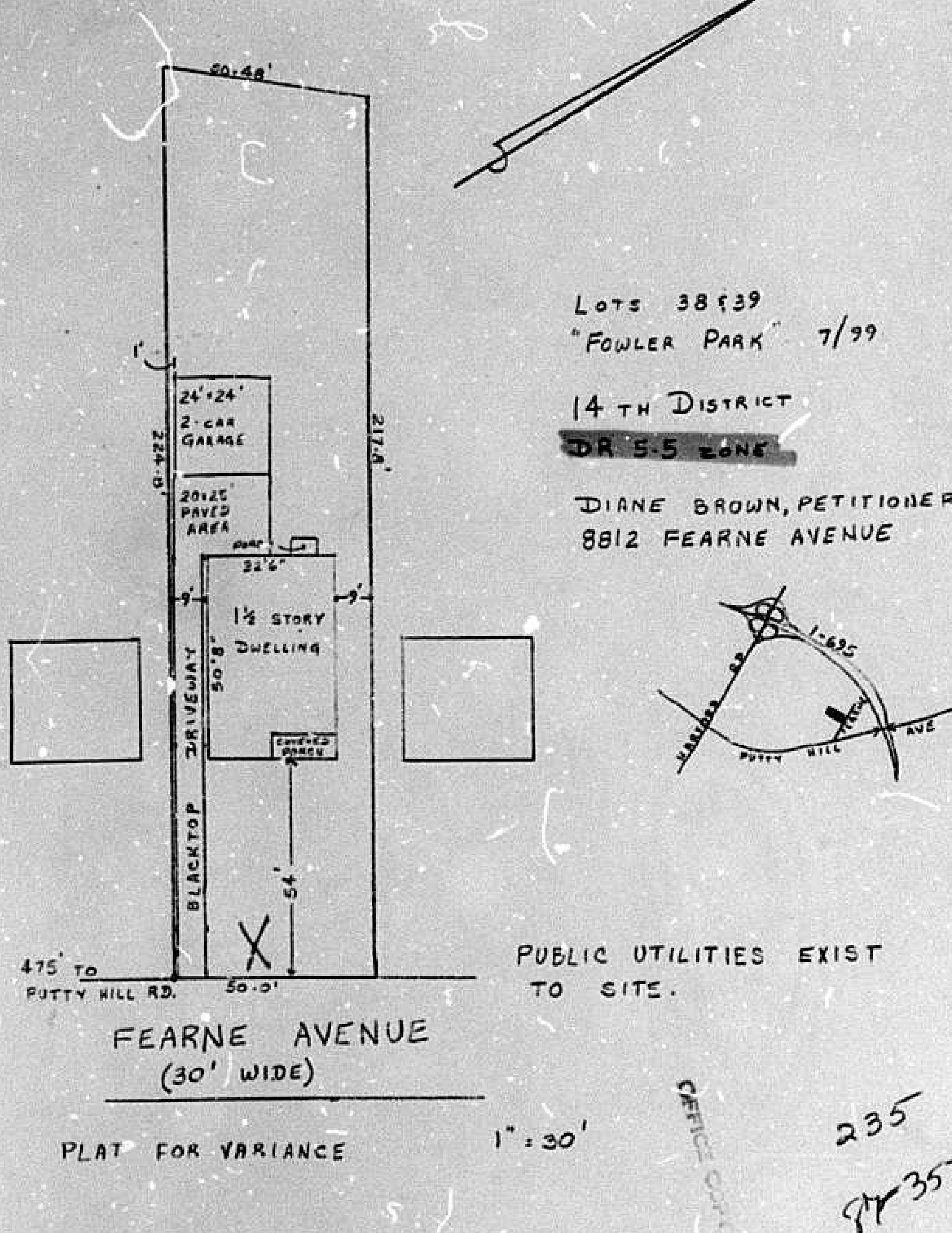
Dear Mr. Jablon:

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.
- () 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 Hoswa11



DESCRIPTION FOR VARIANCE
8812 FEARNE AVENUE
14TH ELECTION DISTRICT

Beginning at a point on the northwest side of Fearn Avenue, 30 feet wide, at a distance of 475 feet northeast of Putty Hill Avenue and being Lots 38 and 39 as shown on the plat of "Fowler Park", which is recorded in the Land Records of Baltimore County in Plat Book No. 7, Folio 99.



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 3, 1987

Ms. Alice Diane Brown
8812 Fearn Avenue
Baltimore, Maryland 21234

RE: Petition for Zoning Variance
NW/S of Fearn Avenue,
475' NE of Putty Hill Road
14th Election District
Case No. 87-353-A

Dear Ms. Brown:

Enclosed please find a copy of the decision rendered on the above-referenced case. Your Petition for 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

JMH:jbs

Enclosures

cc: People's Counsel

IN RE: PETITION FOR ZONING VARIANCE
NW/S of Fearn Avenue, 475'
NE of Putty Hill Road
(8812 Fearn Avenue)
14th Election District
Alice Diane Brown
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-353-A

The Petitioner herein requests a zoning variance to permit a lot width of 50 feet in lieu of the required 80 feet, a side yard setback of 9 feet in lieu of the required 15 feet, and a sum of the side yard setbacks of 18 feet in lieu of the required 35 feet.

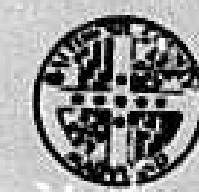
Testimony by the Petitioner indicated that she has resided in the existing dwelling for twelve years, the last five years alone with her handicapped daughter. The Petitioner's home is one of the largest on a block where the houses are detached. A man across the street has a three-room apartment in his dwelling. The Petitioner proposes to convert the upper level of her home to a small efficiency apartment to be rented for use by one individual. The apartment resident would use the same front door entrance as the Petitioner. No external changes are proposed.

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 3rd day of March, 1987, that the herein request for a variance to permit a lot width of 50 feet, a side yard setback of 9 feet, and a sum of the

ORDER RECEIVED FOR FILING
2-26-87
By *John J. Sullivan*



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 25, 1987

Ms. Alice D. Brown
8812 Fearn Avenue
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE
NW/S of Fearn Ave., 475' NE of Putty Hill Rd.
(8812 Fearn Ave.)
14th Election District - 6th Councilmanic District
Alice Diane Brown - Petitioner
Case No. 87-353-A

Dear Ms. Brown:

This is to advise you that \$91.93 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 Zoning Office, Room 113, County Office Building, Towson, Maryland

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

No. 33049

DATE 2/27/87 ACCOUNT R-01-615-000

SIGN & POST
RETURNED AMOUNT \$ 91.93
Ms. A. Diane Brown, 8812 Fearn Ave.,
Baltimore, Md. 21234

RECEIVED FROM
ADVERTISING & POSTING COSTS RE CASE #87-353-A

FOR
B 8024*****31334 8025F

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW/S of Fearn Ave., 475' NE of Putty Hill Rd. (8812 Fearn Ave.): OF BALTIMORE COUNTY
14th District)
ALICE DIANE BROWN, Petitioner : Case No. 87-353-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
Phyllis Cole Friedman
People's Counsel for Baltimore County

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 30th day of January, 1987, a copy of the foregoing Entry of Appearance was mailed to Alice Diane Brown, 8823 Fearn Ave., Baltimore, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

FEB 3 1987

ZONING OFFICE

PETITION FOR ZONING VARIANCE
14th Election District
Case No. 87-353-A

LOCATION: Northwest Side of Fearn Avenue, 475 feet Northeast of Putty Hill Road (8812 Fearn Avenue)

DATE AND TIME: Monday, March 2, 1987, at 9:45 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 lot width of 50 feet in lieu of the required 80 feet, a side yard setback of 9 feet in lieu of the required 15 feet, and a sum of the side yard setbacks of 18 feet in lieu of the required 35 feet

Being the property of Alice Diane Brown, 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

side yard setbacks of 18 feet, all in accordance with the plan submitted, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) There shall be no external changes. Occupants of both apartments shall use the same front door.
- 2) The dwelling shall be owner-occupied at all times the apartment on the upper level is rented.

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

ORDER RECEIVED FOR FILING
2-26-87
By *John J. Sullivan*

January 23, 1987

RE: PETITION FOR ZONING VARIANCE
NW/S of Fearn Ave., 475' NE of Putty Hill Rd.
(8812 Fearn Ave.)
14th Election District
Alice Diane Brown - Petitioner
Case No. 87-353-A

TIME: 9:45 a.m.

DATE: Monday, March 2, 1987

PLACE: Room 301, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

AJ:med

Zoning Commissioner
of Baltimore County

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

No. 29850

DATE 12/9/86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM: A DIANE BROWN

FOR: FILING FEE FOR VARIANCE ITG n 235

B085*****10000:0 0000F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PLATING
ZONING DEPARTMENT OF BALTIMORE COUNTY *27-353-A*
Towson, Maryland

District: 14th Date of Posting: 2/13/87
 Posted for: Veronica
 Petitioner: Maria Diane Brown
 Location of property: NW 1/4 Ferns Ave., 475' NE 1/4 Hill Rd.
8812 Ferns Ave.
 Location of Signs: Ferns Ave., across 10' E. road way,
on property of Petitioner
 Remarks: _____
 Posted by: M. H. H. H. Date of return: 2/13/87
 Signature
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 11, 1987

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 February 11, 1987

TOWSON TIMES.

Publisher

44.76

PETITION FOR
ZONING VARIANCE
14th Election District
Case No. 17-352-A

LOCATION: Northwest Side of
Peoria Avenue, #75 East Northwest
of Pulley Hill Road (#123 Peoria Ave-
nue)

DATE AND TIME: Hearing: March 30,
1987, at 4:45 a.m.

PUBLIC HEARINGS: Room 301,
County Office Building, 111 N. East
Street, Peoria, Illinois, Maryland

The Zoning Commission, of Baltimore
County, Maryland, by authority of the
Zoning and Planning Commission of Balti-
more County, will hold a public hear-
ing.

Position: For Zoning Variance to
permit a lot width of 50 feet on less
of the required 80 feet, a side-
yard setbacks of 8 feet in less of
the required 15 feet, and a front
setback of 15 feet in less of the
required 25 feet.

Being: the property of Alan Glenn
Brown, as shown on plat filed with
the Zoning Office.

It is stated that the Petitioner is
granted a zoning variance may be
granted if the following conditions are
met: (1) the variance is a one-time
used period. The Zoning Commis-
sion will, however, entertain any
request for a stay of the issuance of
said permit during the period for
which the variance is requested. The
variance may be obtained in writing by
the date of the hearing set above or
made at the hearing.

BY ORDER OF
WORLD-IDEAL, INC.
ZONING COMMISSION
OF BALTIMORE COUNTY

80023-LEBANON For: 11

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 12 1987

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 February 12 19 87

THE JEFFERSONIAN.

Publisher

Cost of Advertising
32.17

**PETITION FOR
REZONING VARIANCE**
Zoning Ordinance
Case No. 87-003-A

LOCATION: Northwest Side of
Fearnle Avenue, 475 feet Northeast
of Putty Hill Road (8812 Fearnle
Avenue)

DATE AND TIME: Monday, March
2, 1987, at 9:43 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 lot width of 20 feet in lieu of the required 40 feet, a side yard setback of 9 feet in lieu of the required 15 feet, and a rear of the side yard setbacks of 18 feet in lieu of the required 35 feet.

Being the property of Alice Diane Brown, 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, however, estimates any request for a stay of the local government permit during this period is a good cause shown. Such request must be received in writing by the date of the hearing set above or made at (s) hearing.

By Order of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

201B Feb. 12.