

353 87-486-A **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.B.(211.3, 301.1) to permit a side yard setback of 4'6" in lieu of the required 6' for an open projection (deck).

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

1. INABILITY TO MEET THE SETBACK REQUIREMENTS AT THE PROPERTY LINE.

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.:
Address
Phone No.

Legal Owner(s):
RICHARD A. FISHKIN
(Type or Print Name)
Signature
ANN K. FISHKIN
(Type or Print Name)
Signature
6501 TROTWOOD CT.
Address
BALTIMORE, MD 21209
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

87-486-A
353
Richard A. Fishkin, et ux
6501 Trotwood Ct.
Baltimore, MD 21209
(410) 494-3353

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of April, 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 106, County Office Building in Towson, Baltimore County, on the 10th day of June, 1987, at 9:30 o'clock A.M.

Carol Fisher
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING - 1/2 HR. + 1 HR. (over)
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
OTHER
REVIEWED BY: *CHR* DATE: 5/1/87

PETITION FOR ZONING VARIANCE
3rd Election District - 2nd Councilmanic District
Case No. 87-486-A

LOCATION: Northeast Corner Willow Glen Drive and Trotwood Court (6501 Trotwood Court)

DATE AND TIME: Wednesday, June 10, 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 4 feet 6 inches in lieu of the required 6 feet for an open projection (deck)

Being the property of Richard A. Fishkin, 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 JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION FOR ZONING VARIANCE
NE/cor. Willow Glen Drive
and Trotwood Court
(6501 Trotwood Court)
3rd Election District
2nd Councilmanic District
Richard A. Fishkin, et ux
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-486-A

The Petitioners herein request a variance to permit a side yard setback of 4'6" in lieu of the required 6' for an open projection (deck).

Testimony by the Petitioners indicated that the subject property is situated on a corner lot, in front of an adjacent house. The Petitioners propose constructing a deck at the side of the existing dwelling with a railing and front and rear steps. The Petitioners intend to place the footings outside the existing driveway, believing that such placement will be more secure as well as less expensive than footing on top of the existing driveway pavement. Landscaping will be provided.

The adjacent neighbor appeared and testified in protest. Alternatives, such as a side deck within setback requirements and/or a rear deck for additional space, are available. The proposed deck will be an eyesore and decrease his property value.

All parties to the hearing stipulated to an inspection of the property by the Deputy Zoning Commissioner.

After due consideration of the testimony and evidence presented, and following a site visit to the property, in the opinion of the Deputy Zoning Commissioner, it appears that strict compliance with the Baltimore County Zoning Regulations (BCZR) would not result in practical difficulty and unreasonable hardship upon the Petitioners if the instant variance were not granted. The variance requested would adversely affect the health, safety, and general welfare of the community and should not be granted.

ORDER RECEIVED FOR FILING
Date 5/1/87
By *Betty Johnson*

RE: PETITION FOR VARIANCE
NE Corner Willow Glen Dr. & Trotwood Ct. (6501 Trotwood Ct.)
3rd District
OF BALTIMORE COUNTY
RICHARD A. FISHKIN, et ux,
Petitioners
Case No. 87-486-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 20th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Richard A. Fishkin, 6501 Trotwood Ct., Baltimore, MD 21209, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 26th day of June, 1987 that the Petition for Zoning Variance to permit a side yard setback of 4'6" for an open projection (deck), be and is hereby DENIED.

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

ORDER RECEIVED FOR FILING
Date 6/1/87
By *Betty Johnson*

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

ARNOLD JABLON
ZONING COMMISSIONER
June 2, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Richard A. Fishkin
Mrs. Ann K. Fishkin
6501 Trotwood Court
Baltimore, Maryland 21209

RE: PETITION FOR ZONING VARIANCE
NE/cor. Willow Glen Dr. and Trotwood Ct.
(6501 Trotwood Ct.)
3rd Election District - 2nd Councilmanic District
Richard A. Fishkin, et ux - Petitioners
Case No. 87-486-A

Dear Mr. and Mrs. Fishkin:

This is to advise you that \$72.77 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.

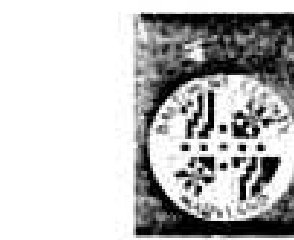
Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 35891
DATE 6/10/87
SIGN & POST
RETURNED
AMOUNT \$ 72.77
RECEIVED Richard A. Fishkin, 6501 Trotwood Ct., Baltimore, Md. 21209
ADVERTISING & POSTING COSTS RE CASE #87-486-A
B021*****727718 81047
VALIDATION OR SIGNATURE OF CLERK

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Arnold Jablon
Zoning Commissioner

June 26, 1987



Dennis F. Baumgartner
County Executive

Mr. & Mrs. Richard A. Fishkin
6501 Trotwood Court
Baltimore, Maryland 21209

RE: Petition for Zoning Variance
NE/cor. Willow Glen Drive
and Trotwood Court
3rd Election District
2nd Councilmanic District
Case No. 87-486-A

Dear Mr. & Mrs. Fishkin:

Pursuant to the hearing recently held on the above-referenced case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Denied in accordance with the attached Order.

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

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

JMH:bjt

Enclosures

cc: Mr. Robert Caplan
6503 Trotwood Court
Baltimore, Maryland 21209
People's Counsel

Mr. Richard A. Fishkin
Mrs. Ann K. Fishkin
6501 Trotwood Court
Baltimore, Maryland 21209
May 1, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/cor. Willow Glen Dr. and Trotwood Ct.
(6501 Trotwood Ct.)
3rd Election District - 2nd Councilmanic District
Richard A. Fishkin, et ux - Petitioners
Case No. 87-486-A

TIME: 9:30 a.m.

DATE: Wednesday, June 10, 1987

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

Carol Fisher
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 30598
DATE 6/1/87
AMOUNT \$ 35.00
RECEIVED Richard A. Fishkin
FILING FEE FOR VARIANCE 1 TEN 353
8 8017*****35001A 30304
VALIDATION OR SIGNATURE OF CLERK

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting May 22-87
Posted for: Variance
Petitioner: Richard A. Fishkin, et ux
Location of property: N.E. Corner of Willow Glen Dr. and
Trotwood Ct. (6501 Trotwood Ct.)
Location of Sign: N.E. Corner of Willow Glen Dr. and Trotwood
Court
Remarks:
Posted by: A. J. Jablon Date of return: May 22-87
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 21 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
May 21 1987

THE JEFFERSONIAN,

Susan Lewis Abbott
Publisher

32.17

CERTIFICATE OF PUBLICATION

87928
Pikesville, Md., May 20 1987
TO CERTIFY, that the annexed advertisement
published in the NORTHWEST STAR, a weekly
or published in Pikesville, Baltimore
Maryland before the 10th day of
June 1987
st publication appearing on the
10th day of May 1987
and publication appearing on the
10th day of May 1987
the third publication appearing on the
10th day of May 1987

THE NORTHWEST STAR

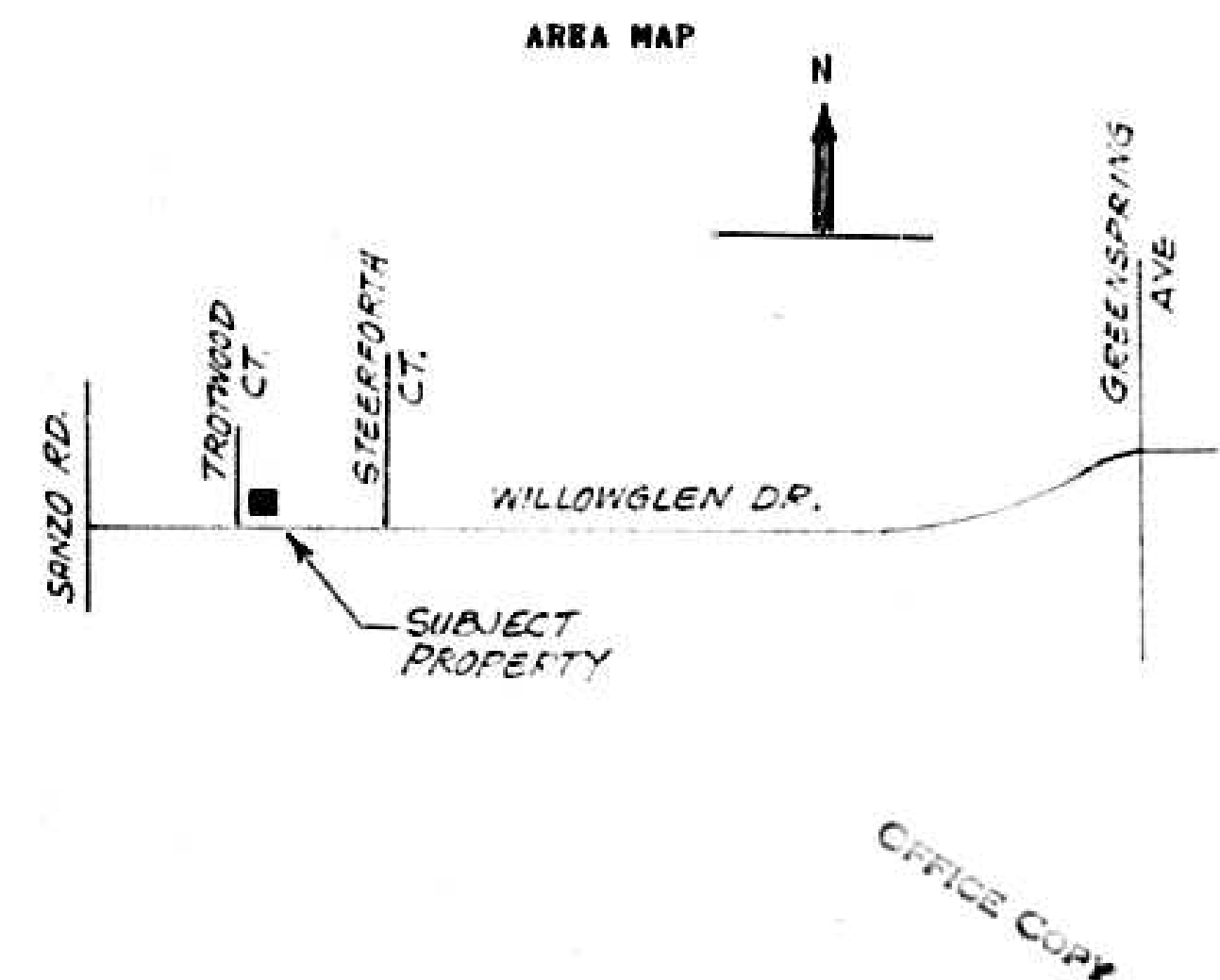
Phillip McHenry
Manager

Cost of Advertisement \$25.60

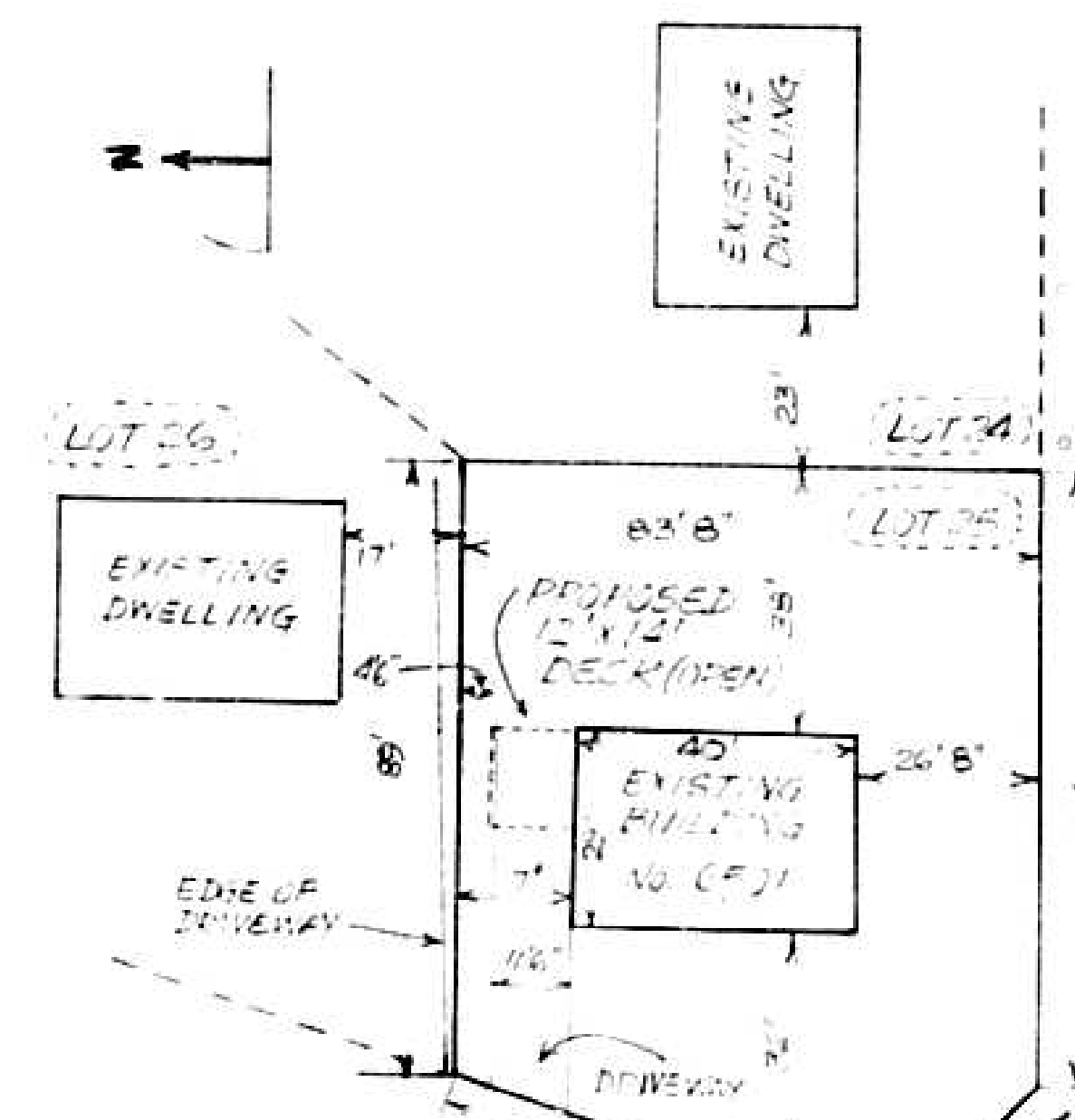
DESCRIPTION OF PROPERTY

Beginning for the same at the southeast end of the gusset
line connecting the north side of Willow Glen Drive as laid
out ninety feet wide with the east side of Trotwood Court as
laid out fifty feet wide as shown on Plat One Section Two
"Pickwick" recorded among the Land Records of Baltimore
County in Plat Book O.T.G. 31, page 38 and running thence,
binding on the north side of said Willow Glen Drive (1) Due
East 90.00 feet to the dividing line between Lots 24 and 25
Block 1 as shown on said Plat thence binding on said dividing
line (2) Due North 83.67 feet thence along the dividing line
between Lots 25 and 26 of said Block (3) Due West 89.15 feet
to the east side of said Trotwood Court (4) Southwesterly by
a curve to the left with the radius of 50.00 feet the
distance of 33.56 feet and (5) Due South 42.57 feet and
thence binding on the aforementioned gusset line (6) South 45
degrees 00 minutes 00 seconds East 14.14 feet to the place of
beginning. The improvements thereon being known as 6501
Trotwood Court.

AREA MAP



PLAT



TROTWOOD CT. (50' RW, 33'6" PLANS)

PLAT FOR EDWARD J. FISHKIN
OWNER - RICHARD A. FISHKIN
DISTRICT - 3, FIVE D.F.S.B.
SUBDIVISION - FISHKIN
LOT 25, BLK. I, BOOK NO. 31, F.D. 38
EXISTING 45' x 12' BUILDING NO. 6501
SCALE: 1" = 30'

353

87-486-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 7, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-472-A, 87-475-A, 87-476-SPH, 87-480-A, 87-481-A,
87-482-A, 87-485-X, 87-486-A and 87-487-A

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

Norman E. Gerber
Director

NEG:JCH:sib

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 21, 1987

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

Mr. Richard A. Fishkin
6501 Trotwood Court
Baltimore, Maryland 21209

RE: Item No. 353 - Case No. 87-486-A
Petitioner: Richard A. Fishkin, et ux
Petition for Zoning Variance

Dear Mr. Fishkin:

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 suit-
ability of the requested zoning.

Enclosed are all comments submitted from the members of the
Committee at this time that offer or request information on
your petition. If similar comments from the remaining
members are received, I will forward them to you. Otherwise,
any comment that is not informative will be placed in the
hearing file. This petition was accepted for filing on the
date of the enclosed filing certificate and a hearing
scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures



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

STEPHEN E. COLLINS
DIRECTOR

April 13, 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 350, 351, 352, 353, 354, 355, and 356.

Very truly yours,

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

MSF:lt

RECEIVED
MAY 11 1987

ZONING OFFICE



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

PAUL H. REINCKE
CHIEF

March 13, 1987

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

RE: Property Owner: Richard A. Fishkin, et ux

Location: NE/c Willow Glen Drive and Trotwood Court

Item No.: 353

Zoning Agenda: Meeting of 3/17/87

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 3-13-87
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

April 16, 1987

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

Dear Mr. Jablon:

Comments on Item # 353 Zoning Advisory Committee Meeting are as follows:

Property Owner: Richard A. Fishkin
Location: NE/C Willow Glen Drive & Trotwood Court
District: 3rd

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.M.S.I. #17-1 - 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 B-1 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-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 party wall. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- 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 101 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 Use _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 316.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the current elevations above sea level for the lot and the finish floor levels including basement.

(J) Comments: Deck shall be of treated wood and designed to a 60# L.L. plus D.L.

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 E. Dunham
By: C. E. Dunham, Chief
Building Plans Review

4/22/87