

360 87-498-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 1B02.3 C.1 to permit a rear yard setback of 33.3 feet in lieu of the required 38 feet for an open porch.

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

1. Basement was flooding due to drainage off of dwellings roof.
2. Existing structure was falling apart and was unsafe.

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): _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Name _____
Address _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 27th 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 16th day of June, 1987, at 9:45 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

87-498-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 day of April, 1987.

Petitioner: Mary E. Perseghin
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee



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

STATION EXCISES
C. Richard Moore
Acting Director

April 17, 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 360, 361, 362, 363, 364, 365, 369, and 366.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: May 13, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition Nos. 87-491-A, 87-492-A, 87-497-A, 87-498-A and 87-501-A

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

NEG:JGH:sib

RECEIVED
MAY 15 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 22, 1987

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

Chairman

MEMBERS

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

Ms. Mary E. Perseghin
1900 Robinwood Road
Baltimore, Maryland 21222

RE: Item No. 360 - Case No. 87-498-A
Petitioner: Mary E. Perseghin
Petition for Zoning Variance

Dear Ms. Perseghin:

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/KRB
Chairman
Zoning Plans Advisory Committee

JED:KRB

Enclosures

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

PAUL H. RENCKE
CHIEF

March 19, 1987

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

RE: Property Owner: Mary Perseghin

Location: S/S Sollers Point Road, 146' +- SW of centerline of Durnanway

Item No.: 360 Zoning Agenda: Meeting of 3/24/87

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 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.

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
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

April 16, 1987

Re: Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 360 Zoning Advisory Committee Meeting are as follows:

Property Owner: Mary Perseghin
Location: S/S Sollers Point Road, 146 ft +- SW of centerline of Durnanway
District: 12th

APPLICABLE ITEMS AND COMMENTS:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 617-85, the Maryland Code for the Building and Code (B.C.D.C. 17-1-1 - 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 shall be required to file with a permit application. Unsealed plans are not acceptable.
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. Unsealed plans are not acceptable.
5. All the Group except B-4 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-4 the Group require a one hour wall if closer than 5'-0" to an interior lot line shall require a fire or party wall. See Table 107, Section 107.1 and Table 107.2. No openings are permitted in an exterior wall within 5'-0" of an interior lot line.
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 101 of the Baltimore County Building Code.
8. When filing for a proposed Change of Use/Temporary 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 Architects and Engineers seals are usually required. The change of Use Groups are from the Group to the Group, or to Mixed Use. See Section 311 of the Building Code.
9. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 116.0 of the Building Code as adopted by Bill 617-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
10. Complete Construction of purchase shall comply to code memo #1 available in room 122 of County Office Building @ 111 W. Chesapeake Ave. Towson, MD 21204.
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.

John E. O'Neill
Baltimore County, Chief
Building Plans Review

L277/85

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(s) 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 _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1

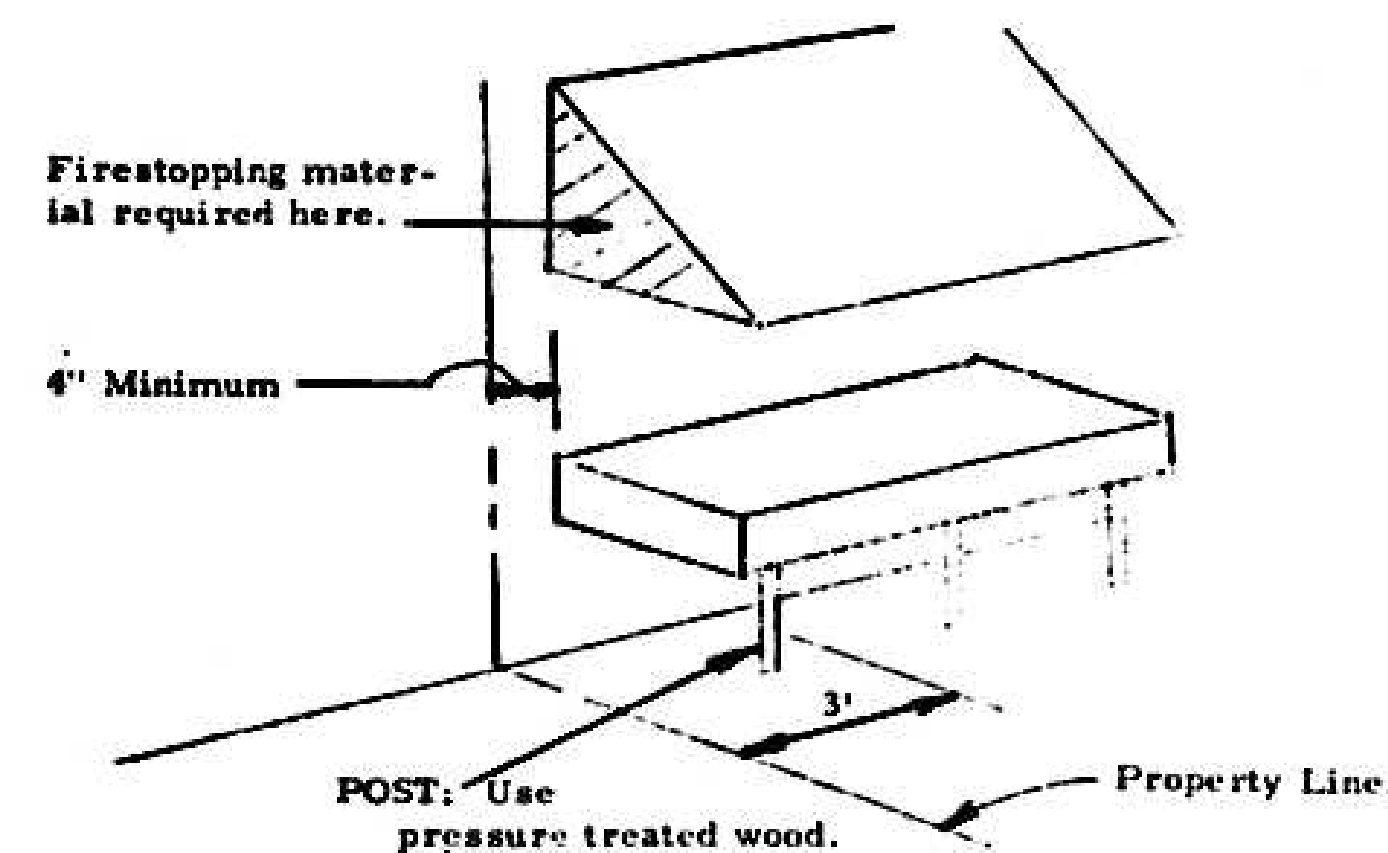
Effective 4-22-85

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

IN RE: PETITION FOR ZONING VARIANCE
W/S Sollers Point Road, 146'
SW of the c/l of Dunmanway
(2908 Sollers Point Road)
12th Election District
7th Councilmanic District
Mary E. Perseghin
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-498-A

The Petitioner herein requests a variance to permit a rear yard setback of 33.3 feet in lieu of the required 38 feet for an open porch.

Testimony by the son and daughter-in-law of the Petitioner indicated that the subject property is an inside group home with a covered open porch, which the Petitioner wishes to legalize. The original porch was deteriorated and the basement was flooding on a regular basis. Two adjacent neighbors had similar flooding problems. Ms. Perseghin applied for a building permit for an 8' x 18'4" open porch with roof about 3 years ago and was denied. However, the deck was built without benefit of a permit. 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 21st day of June 1987, that a variance to permit a rear yard setback of 33.3 feet for an open porch, in accordance with the plan submitted, be and is hereby GRANTED, from and after the date of this Order.

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

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Arnold Jablon
Zoning Commissioner

June 26, 1987

Ms. Mary E. Perseghin
1900 Robinwood Road
Baltimore, Maryland 21222

RE: Petition for Zoning Variance
W/S Sollers Point Road, 146'
SW of the c/l of Dunmanway
12th Election District
7th Councilmanic District
Case No. 87-498-A

Dear Ms. Perseghin:

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 Granted 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,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjs

Enclosures

cc: People's Counsel

Zoning Description-Building Permit #64305

Beginning on the ~~west~~ side of Sollers Point Road 50 ft. wide, at a distance of 146 feet southwest of centerline of Dunmanway. Lot number 16 in the subdivision of Sollers Point Road. Book #13 and Folio #76-77. Also known as 2908 Sollers Point Road in the 12th Election District.

PETITION FOR ZONING VARIANCE

12th Election District - 7th Councilmanic District

Case No. 87-498-A

LOCATION: West Side Sollers Point Road, 146 feet Southwest of the Centerline of Dunmanway (2908 Sollers Point Road)

DATE AND TIME: Tuesday, June 16, 1987, 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 33.3 feet in lieu of the required 38 feet for an open porch

Being the property of Mary E. Perseghin, 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

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
W/S of Sollers Point Rd. :
146' SW of C/L of Dunmanway : OF BALTIMORE COUNTY
(2908 Sollers Point Rd.) :
12th District :
MARY E. PERSEGHIN, Petitioner : Case No. 87-498-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 26th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Mary E. Perseghin, 1900 Robinwood Rd., Baltimore, MD 21222, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

OFFICE COPY



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

ARNOLD JABLON
ZONING COMMISSIONER

June 10, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Ms. Mary E. Perseghin
1900 Robinwood Road
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
W/S Sollers Point Rd., 146' SW of the c/l of
Dunmanway (2908 Sollers Point Rd.)
12th Election District - 7th Councilmanic District
Mary E. Perseghin - Petitioner
Case No. 87-498-A

Dear Ms. Perseghin:

This is to advise you that \$79.97 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: Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 35902
DATE 6-16-87 ACCOUNT R-01-615-000
signs returned ACCOUNT \$ 79.97
Mary E. Perseghin
Advertising and Posting Case 87-498-A
B 8056*****7897:1 8168f

CERTIFICATE OF POSTING
SENIOR DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

District 12-TH Date of Posting 5/28/87
Posted for Variance
Petitioner: Mary E. Perseghin
Location of property: W/S Sollers Pt. Rd. 146' SW of Dunmanway
2908 Sollers Pt. Rd.
Location of Sign: Existing Sollers Pt. Rd. signs same as existing
Remarks: On property of Petitioner
Posted by [Signature] Date of return 7/28/87
Number of Signs 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 28, 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 28, 1987.

THE JEFFERSONIAN

[Signature]
Publisher

32.17

LOCATION: West Side Baltimore
Point Road, 146 feet Southwest of
the Centerline of Dunmanway
2908 Sollers Point Road
11th and 12th Election Districts
JUNE 16, 1987 at 9:45 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
Chesapeake Avenue, Towson,
Maryland
The Zoning Commissioner of Baltimore County, by authority of the Planning and Zoning Commission of Baltimore County, will hold a public hearing.
Petitioner: Mrs. Mary E. Perseghin to present a zoning variance to allow a one-story detached house with a porch to be located on the property of Mrs. E. Perseghin, 2908 Sollers Point Road, 146 feet Southwest of the Centerline of Dunmanway, 2908 Sollers Point Road, 11th and 12th Election Districts, Baltimore County, Maryland.
In the event that the Petitioner is successful, a zoning variance may be issued within the time limit set forth in the petition. The Zoning Commission will, however, consider any appeal for a day of the hearing and will grant during the period for appeal. The variance will be issued by the Zoning Commission on the day of the hearing or before the day of the hearing.

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222 May 28, 1987

THIS IS TO CERTIFY that the annexed advertisement of Arnold Jablon in the matter of Zoning Regs. - Case 87-498-A - P.O. 887966 - Reg. 1400182 - 82 Lines @ \$32.80. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 29th day of May 1987; that is to say, the same was inserted in the issues of May 28, 1987

Kimbel Publication, Inc.
per Publisher.

By [Signature]

Ms. Mary E. Perseghin
1900 Robinwood Road
Baltimore, Maryland 21222

May 7, 1987

NOTICE OF HEARING

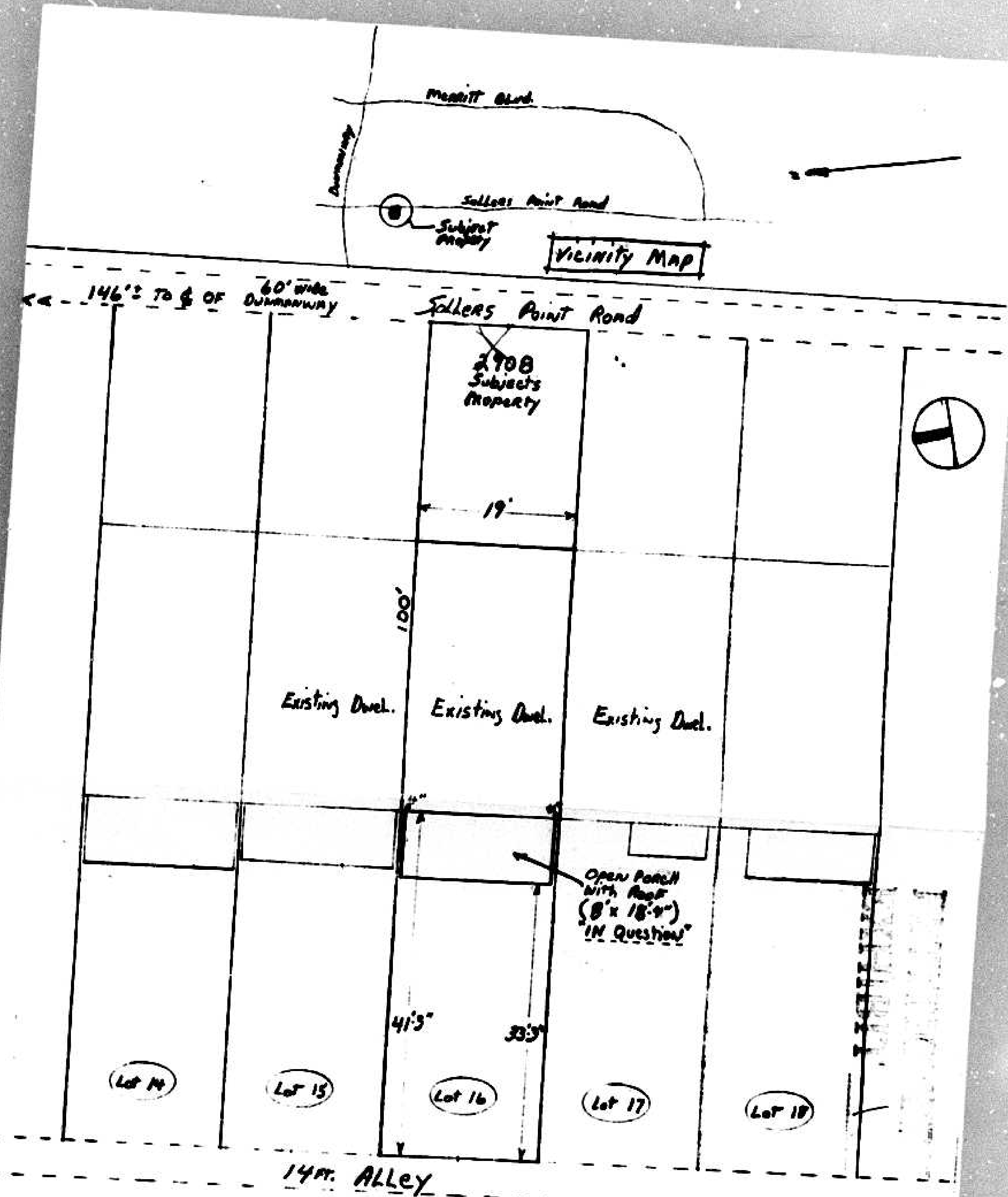
RE: PETITION FOR ZONING VARIANCE
W/S Sollers Point Rd., 146' SW of the c/l of
Dunmanway (2908 Sollers Point Rd.)
12th Election District - 7th Councilmanic District
Mary E. Perseghin - Petitioner
Case No. 87-498-A

TIME: 9:45 a.m.

DATE: Tuesday, June 16, 1987

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
3/11/87 R-01-615-000
\$ 36.00
PERSEGHIN 146
ZONING VARIANCE
B 8017*****2500:1 8116f



PLAT FOR ZONING VARIANCE
OWNER - MARY E. PERSEGHIN
DISTRICT - 12, ZONED D.R. 10.5
SUBDIVISION - DUNMANWAY
LOT 16, BLK. BOOK 13, FILIO 76-77
EXISTING UTILITIES IN SOLLERS PT. RD.
SCALE: 3/32" = 1'

LOT SIZE: 1,900 sq. ft.
0.0436 ACRES

360
87-498A