

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 1802.3C.1 to permit a rear yard setback of 2 feet in lieu of the required 30 feet.

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

Due to increase in family size.

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.

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
City and State
Attorney's Telephone No.

MAILED
4A
DATE 5/26/87
200
1000
OP

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 10:00 o'clock.

Zoning Commissioner of Baltimore County

(over)

NOT critical area

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: May 26, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning & Zoning
SUBJECT: Zoning Petitions No. 87-499-A, 87-500-A and 87-502-A

Please consider the Chesapeake Bay Critical Area Findings (see memoranda from Gerber to Jablon dated May 21, 1987) to be the position of this office on the subject petitions.

Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
MAY 29 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: May 21, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Chesapeake Bay Critical Area Findings - Kenneth S. Daye, EC 102187-499-A, Item 362

In accordance with Section 8-1813 of the Chesapeake Bay Critical Area Law and the July 8, 1985 Opinion from the County Attorney, it is hereby my "findings" that the proposed development will comply with the terms of Section 8-1813(a) for minimizing adverse impacts on water quality and protecting identified habitats, provided that the Special Exception is conditioned on compliance with the following requirements:

Storm water runoff from impervious surfaces associated with this petition should be directed over previous areas such as lawn to encourage maximum infiltration.

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

NEG:PJS/jat
cc: Tim Dugan
David Fields
Jim Howell
Tom Vidmar
People's Counsel

RECEIVED
MAY 23 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 8, 1987

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

MEMBERS

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

Mr. & Mrs. Kenneth S. Daye
2818 Lodge Farm Road
Baltimore, Maryland 21219

RE: Item No. 362 - Case No. 87-499-A
Petitioners: Kenneth S. Daye, et ux
Petition Zoning Variance

Dear Ms. Long:

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, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
494-3550

STEWART BUCHANAN
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, 359, and 366.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:16



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: Kenneth S. Daye, et ux

Location: NW/C Lodge Farm Road and Popes Road

Item No.: 362 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 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: [Signature]
Planning Group
Special Inspection Division

Noted and Approved: [Signature]
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

YED 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 # 362 Zoning Advisory Committee Meeting are as follows:

Property Owner: Kenneth S. Daye
Location: NW/C Lodge Farm Road and Popes Road
District: 15th

APPLICABLE CODES AND ORDINANCES:

- A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 017-86. The Maryland Code for the Manufactured and Appliance (S.B. 1, 017-1 - 1987) 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/are 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. Registered seals are not acceptable.
- E. All the Group 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. But the Group require a one hour wall if closer than 1'-0" to an interior lot line. Bay wall built on an impervious lot line shall require a fire or party wall. See Table 602, Section 107, Section 108.2 and Table 102. To determine are submitted in a exterior wall within 1'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 605 for permissible height/area. Reply to the requested copy of Section 110.2 of the Building Code as adopted by Bill 017-86. Site plans shall show the correct elevations above sea level for the 1st and the finish floor levels including basement.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a proposed Change of Non-Temporary Permit, an attention permit application shall also be filed along with three sets of complete 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 the Group or Use shall be to _____ or to Mixed Use _____ See Section 112 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 110.2 of the Building Code as adopted by Bill 017-86. Site plans shall show the correct elevations above sea level for the 1st and the finish floor levels including basement.
- J. Comments:
- 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 106 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

971 C. E. [Signature]
Building Plans Review

L/27/86

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 27th day of April, 1987

[Signature]
Zoning Commissioner

Petitioner's Attorney: [Signature]
Chairman, Zoning Plans Advisory Committee

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

IN RE: PETITION FOR ZONING VARIANCE
NW/cor. Lodge Farm Road and
Popes Lane (2818 Lodge Farm Rd.)
15th Election District
7th Councilmanic District
Kenneth S. Daye, et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-499-A

The Petitioners herein request a variance to permit a rear yard setback of 3 feet in lieu of the required 30 feet.

Testimony by the Petitioners indicated that they propose the construction of a 24' x 24' garage/addition onto their existing dwelling to provide more living space for their family, which now includes Mr. Daye's father. The addition will provide a double garage on the lower level and two bedrooms and a bathroom on the upper level. The rear yard of the site adjoins the side yard of the adjacent house. The property now has one maple tree and one fruit tree. There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having ascertained that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat; in the opinion of the Deputy Zoning Commissioner, the requested variance will 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 18th day of June, 1987, that a rear yard setback of 3 feet, in accordance with the plan submitted, be approved, and as such, the Petition for

ORDER RECEIVED FOR FILING
Date 6/18/87
By [Signature]

DESCRIPTION FOR VARIANCE
2818 Lodge Farm Road
15th Election District

Beginning at a point on the northwest corner of Lodge Farm Road (40 feet wide) and Popes Lane (30 feet wide) and running thence and binding on the northeast side of Popes Lane, North 48 degrees 43 minutes 40 seconds West, 77.87 feet; thence for a line of division, North 41 degrees 16 minutes 20 seconds East, 66.18 feet; thence South 48 degrees 43 minutes 40 seconds East, 92.74 feet to the northwest side of Lodge Farm Road and running thence and binding on said road South 53 degrees 57 minutes 10 seconds West, 67.80 feet to the point of beginning.

Containing 0.13 acres of land, more or less.

362

Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

- 1) Storm water runoff from impervious surfaces associated with this Petition should be directed over pervious areas, such as lawn, to encourage maximum infiltration.
- 2) At least one major and one minor deciduous trees, or their equivalent, shall be maintained on the site.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 6/18/87
By [Signature]

PETITION FOR ZONING VARIANCE

15th Election District - 7th Councilmanic District
Case No. 87-499-A

LOCATION: Northwest Corner Lodge Farm Road and Popes Lane
(2818 Lodge Farm Road)

DATE AND TIME: Tuesday, June 16, 1987, at 10:00 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 3 feet in lieu of the required 30 feet

Being the property of Kenneth S. Daye, 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

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

Arnold Jablon
Zoning Commissioner

June 18, 1987

Mr. & Mrs. Kenneth S. Daye
2818 Lodge Farm Road
Baltimore, Maryland 21219

RE: Petition for Zoning Variance
NW/corner Lodge Farm Road
and Popes Lane
15th Election District
7th Councilmanic District
Case No. 87-499-A

Dear Mr. & Mrs. Daye:

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, 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,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bjjs

Enclosures

cc: People's Counsel

Mr. Michael Northrop
Maryland State Department of Planning
301 W. Preston Street
Baltimore, Maryland 21201

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW Corner Lodge Farm Rd. &
Popes La. (2818 Lodge Farm Rd.) : OF BALTIMORE COUNTY
12th District
KENNETH S. DAYE, et ux, : Case No. 87-499-A
Petitioners :

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 26th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Kenneth S. Daye, 2818 Lodge Farm Rd., Baltimore, MD 21219, Petitioners.

[Signature]
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 10, 1987

Mr. Kenneth S. Daye
Mrs. Jane C. Daye
2818 Lodge Farm Road
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE
NW/cor. Lodge Farm Rd. and Popes La.
(2818 Lodge Farm Rd.)
15th Election District - 7th Councilmanic District
Kenneth S. Daye, et ux - Petitioners
Case No. 87-499-A

Dear Mr. and Mrs. Daye:

This is to advise you that \$110.17 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. 35901

DATE 6/16/87 ACCOUNT 8-23-415-000

SIGN & POST RETURNED AMOUNT \$ 110.17

RECEIVED FROM Mr. Kenneth S. Daye, 2818 Lodge Farm Rd., Towson, Md. 21219

FOR ADVERTISING & POSTING COSTS RE CASE #87-499-A

FOR 8 8023*****1101712 \$110.17

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

Office of

THE AVENUE NEWS

442 Eastern Blvd.
Baltimore, Md. 21221

MAY 28, 1987

THIS IS TO CERTIFY, that the annexed advertisement of

KENNETH S. DAYE, ET UX 15th ELECTION DISTRICT.
To advertise P087968 REOP N00184, NW/COR. LODGE FARM RD. AND POPES LA. (2818 LODGE FARM RD.)
126 LINES AT \$63.00

was inserted in The Avenue News a weekly newspaper

published in Baltimore County, Maryland once a week for ONE

successive week(s) before the 29 day of MAY 1987.

that is to say, the same was inserted in the issues of 5/28 1987

The Avenue Inc.

per publisher

by Denise Caldwell

CERTIFICATE OF POSTING

SENIOR DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th
Posted for Variance
Petitioner: Kenneth S. Daye, et ux
Location of property: NW/cor. Lodge Farm Rd. & Popes La.
2818 Lodge Farm Rd.
Location of sign: Existing Lodge Farm Rd. & Popes La. intersection
opp. Mrs. L. J. Daye, et ux property of Baltimore
Remarks:
Posted by: [Signature]
Date of return:
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

3217

Publication Fee
\$10.00 per line
100 Lines Maximum
7th Councilmanic District
Case No. 87-499-A

LOCATION: Northwest Corner
Lodge Farm Road and Popes Lane
(2818 Lodge Farm Road)
DATE AND TIME: Tuesday, June 16,
1987 at 10:00 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 3 feet in lieu of the required 30 feet.
Being the property of Kenneth S. Daye, et ux, as shown on plat plan filed with the Zoning Office.
In the event that this Petitioner is granted a building permit, the building must be erected within the 30 day appeal period. The Zoning Commissioner will, however, entertain any request for a day of the recovery of said permit during the period of said appeal period. 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
1511 May 28

Mr. Kenneth S. Daye
Mrs. Jane C. Daye
2818 Lodge Farm Road
Baltimore, Maryland 21219

May 7, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NW/cor. Lodge Farm Rd. and Popes La.
(2818 Lodge Farm Rd.)
15th Election District - 7th Councilmanic District
Kenneth S. Daye, et ux - Petitioners
Case No. 87-499-A

TIME: 10:00 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

No. 32431

DATE 3/12/87 ACCOUNT 81-615

AMOUNT \$ 25.00

RECEIVED FROM Kenneth Daye

FOR FILING Fee for Variance Item 362

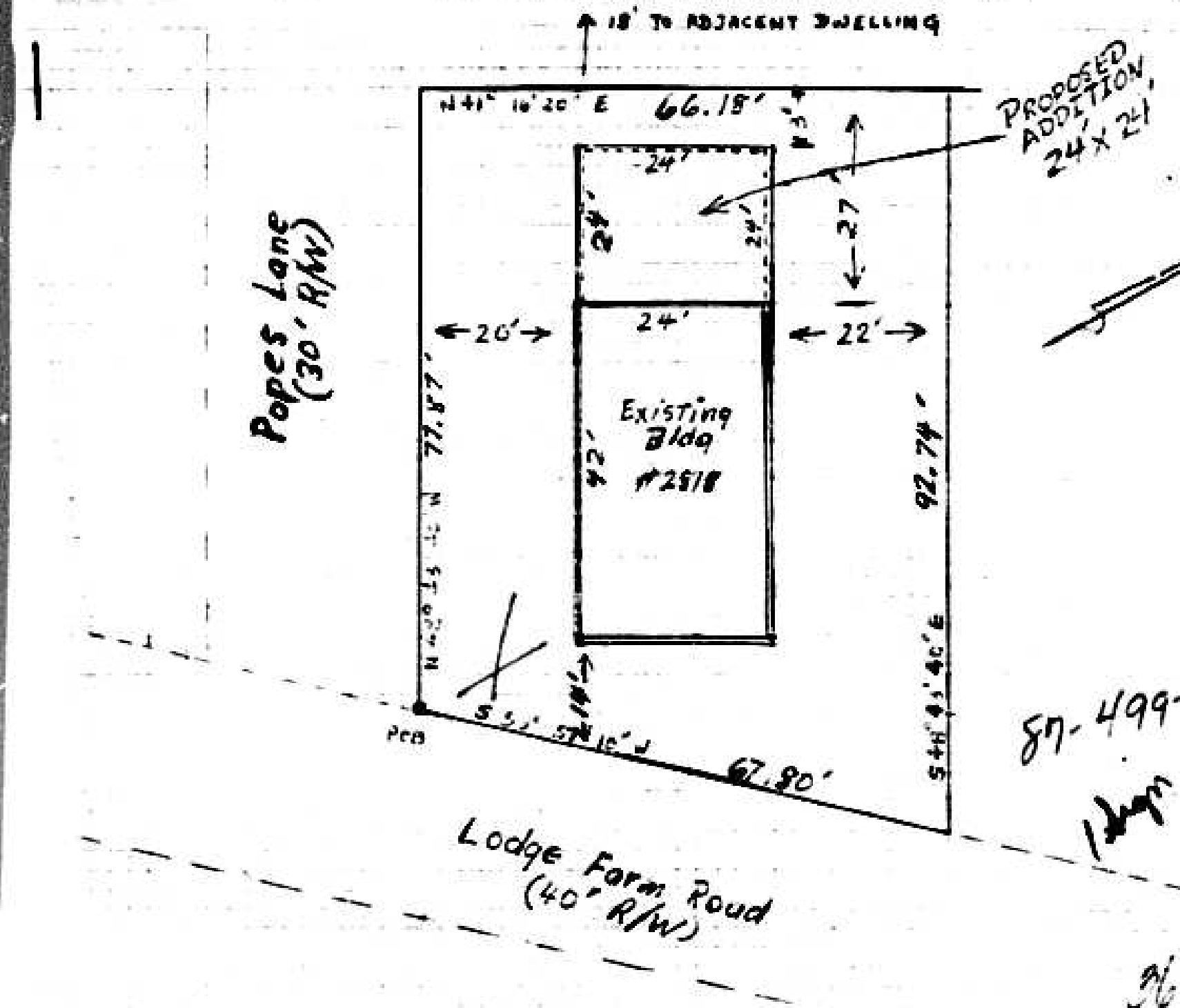
8 8037*****35901a 31287

VALIDATION OR SIGNATURE OF CASHIER

LOCATION/DIMENSION SHEET

NAME Daye ADDRESS 2818 Lodge Farm Road
DATE November 3, 1986 Baltimore, Md. 21219

1) Sketch or Map showing Location of Subject, street, names, distance from nearest intersection, and any detrimental conditions.



PLAT FOR ZONING VARIANCE
OWNER KENNETH & JANE DAYE
DISTRICT-15 ZONE D.R.55
BALTIMORE CO., Md.
ZONE 21219

PUBLIC UTILITIES EXIST IN ROAD

LOT SIZE: 0.13 ACRES

SCALE: 1" = 20'