

87-501A #367 Revised Petition 5/12/87 **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 (202.3) to permit a side yard setback of 10 feet in lieu of the required 20 feet and a sum of the side yard setbacks of 19 feet in lieu of the required 50 feet for an existing dwelling and 301.1 to permit a side yard setback of zero feet in lieu of the required 15 feet for an existing deck and patio and a side yard setback of 3 feet in lieu of the required 5.25 feet for an existing deck of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

* (7-foot side yard dwelling setback previously granted in Case No. 67-59-A was not violated)

SEE THE ATTACHMENT

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 _____

Legal Owner(s):
Stephen A. Weiner
(Type or Print Name)
Signature _____
Sandra L. Weiner
(Type or Print Name)
Signature _____
One Meldon Lane 301/764-0330
Address Phone No.
Towson, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Stephen A. Weiner
Name
One Meldon Lane
Towson, Maryland 21204 301/764-0330
Address Phone No.

Attorney for Petitioner:
Nancy E. Paige
(Type or Print Name)
Signature _____
233 E. Redwood Street
Address
Baltimore, Maryland 21202
City and State
Attorney's Telephone No.: 301/576-4294

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 17th day of June 1987, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.
(over)

ATTACHMENT TO PETITION FOR ZONING VARIANCE

1. A variance is necessary to permit the continuance of wood decks which have existed for at least 7-10 years, and were in existence prior to the purchase of the property by the petitioners. The decks function as patios, for which no variance would be needed. However, because of the extremely steep grade of the property, flat patio areas could not be constructed without construction of retaining walls and extensive regrading. The decks have the benefit of retaining the natural contour, while providing usable outdoors living space, with no detriment to others. Removal of the decks would work an unnecessary hardship upon the petitioners, with no corresponding benefits to anyone.
2. A variance was granted in 1966 (Case No. 67-59-A) for the main dwelling, permitting minimum sideyards of 7 feet, instead of the required 20 feet, and combined sideyards of 21 feet. For reasons now unknown, the house was constructed with combined sideyards of 19 feet, instead of the prescribed 21 feet, though each yard exceeds the 7 foot minimum. This de minimus encroachment, which appears to have existed for at least 20 years, was unknown to the petitioners at the time of their purchase of the property and would be cured by the requested variance. It cannot be physically removed without destruction of a portion of the building, a severe difficulty and hardship, with no corresponding benefit.
3. And for such other reasons as may be presented at a hearing hereon.

RE: PETITION FOR VARIANCE
W/S L'Hirondelle Club Rd.,
approx. 75' NW of Meldon La.
(1 Meldon La.), 9th District
STEPHEN A. WEINER, et ux,
Petitioners
Case No. 87-501-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 Nancy E. Paige, Esquire, 233 E. Redwood St., Baltimore, MD 21202, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
HENRY M. APPEL
ALFRED J. JUNGERS, P.L.S.

DESCRIPTION FOR A VARIANCE TO ZONING, NO. 1 MELDON LANE, NENETH DISTRICT, BALTIMORE COUNTY, MARYLAND

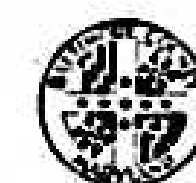
Beginning for the same at a point being at the four following courses and distances measured Westerly from a point on the West side of L'Hirondelle Club Road said point on the road being measured 75 feet, more or less, North-westerly along the West side of said road from Meldon Lane, viz: North 87 Degrees 38 Minutes West 82.0 feet South 85 Degrees 58 Minutes West 50.0 feet South 77 Degrees 23 Minutes West 50.0 feet and North 12 Degrees 17 Minutes 30 Seconds West 16.0 feet said courses and distances being along the center line of an 11 foot right-of-way and running thence South 12 Degrees 17 Minutes 30 Seconds East 305.66 feet North 84 Degrees 01 Minutes West 110.00 feet North 09 Degrees 13 Minutes 00 Seconds West 283.13 feet and North 85 Degrees 05 Minutes 00 Seconds East 90.09 feet to the place of beginning.

Containing 0.66 acres of land, more or less.

3/12/87



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION



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

Nancy E. Paige, Esquire
233 East Redwood Street
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
W/S of L'Hirondelle Club Rd., approx. 75'
NW of Meldon La. (1 Meldon La.)
9th Election District - 4th Councilmanic District
Stephen A. Weiner, et ux - Petitioners
Case No. 87-501-A

Dear Ms. Paige:

This is to advise you that \$105.10 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		35906
DATE 6-17-87	ACCOUNT 2-01-615-000	
sign returned		AMOUNT \$ 105.10
RECEIVED FROM Steven A. Weiner, et ux		
FOR Advertising and Posting Case 87-501-A		
FOR 8 B015*****105101a 3178F		
VALIDATION OR SIGNATURE OF CASHIER		

PETITION FOR ZONING VARIANCE

9th Election District - 4th Councilmanic District

Case No. 87-501-A

LOCATION: West Side of L'Hirondelle Club Road, approximately 75 feet Northwest of Meldon Lane (1 Meldon Lane)

DATE AND TIME: Wednesday, June 17, 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 10 feet in lieu of the required 20 feet, a sum of the side yard setbacks of 19 feet in lieu of the required 50 feet for an existing dwelling, a side yard setback of 0 feet in lieu of the required 15 feet for an existing deck and patio, and a side yard setback of 3 feet in lieu of the required 5.25 feet for an existing deck (7-foot side yard dwelling setback previously granted in Case No. 67-59-A was not violated)

Being the property of Stephen A. Weiner, 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

Nancy E. Paige, Esquire
233 East Redwood Street
Baltimore, Maryland 21202

May 8, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
W/S of L'Hirondelle Club Rd., approx. 75'
NW of Meldon La. (1 Meldon La.)
9th Election District - 4th Councilmanic District
Stephen A. Weiner, et ux - Petitioners
Case No. 87-501-A

TIME: 9:30 a.m.

DATE: Wednesday, June 17, 1987

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

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		32436
DATE 6/16/87	ACCOUNT 2-01-615-000	
sign returned		AMOUNT \$ 35.00
RECEIVED FROM Stephen A. Weiner, et ux		
FOR RETURN TO VARIANCE		
FOR 8 B065*****35001a 3167F		
VALIDATION OR SIGNATURE OF CASHIER		

the community, the variance(s) should ~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of June, 1987, that the Petition for Zoning Variances to permit a side yard setback of 10 feet in lieu of the required 20 feet and a sum of the side yard setbacks of 19 feet in lieu of the required 50 feet for an existing dwelling, a side yard setback of zero feet in lieu of the required 15 feet for an existing deck and patio, and a side yard setback of 3 feet in lieu of the required 5.25 feet for an existing deck be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. Any encroachment of the stone patio now existing on the Protestant's property must be removed, unless (a) a resolution of the Board of Deacons and (b) between the Petitioner and the Protestant can be reached or (b) a civil action is filed by either the Petitioner or the Protestant within 30 days from the date of this Order to resolve any legal, civil disputes as to ownership of the property on which the stone patio may encroach.

Arnold J. Jablo
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Nancy E. Paige, Esquire

Dr. MacKenzie Walser

People's Counsel

ORDER RECEIVED FOR FILING

0000

110

District: 9th Date of Posting: May 29 - 57
 Posted for: Varianosa
 Petitioner: Stephen A. Weiner et ux
 Location of property: N.W. 1/4 Roundell's Creek Road approx 7.5' N.W.
of Mullen Lane (1 Mullen Lane)
 Location of Sign: S.W. side of L. Roundell's Road at the intersection
of Mullen Lane - entrance to subject property
 Remarks:
 Posted by: A. J. Smith Date of return: June 1 - 57
 Signature
 Number of Signs: 1

TOWSON, MD., May 28 19 67

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 19 67

THE JEFFERSONIAN,

Susan Sanders Obrecht
Publisher

35.40

TOWSON, MD., May 27, 1967.

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 May 27, 1967.

TOWSON TIMES.

Susan Sandra Orest

Publisher

54.70

[illegible]

TOWSON, MD., May 27, 1967.

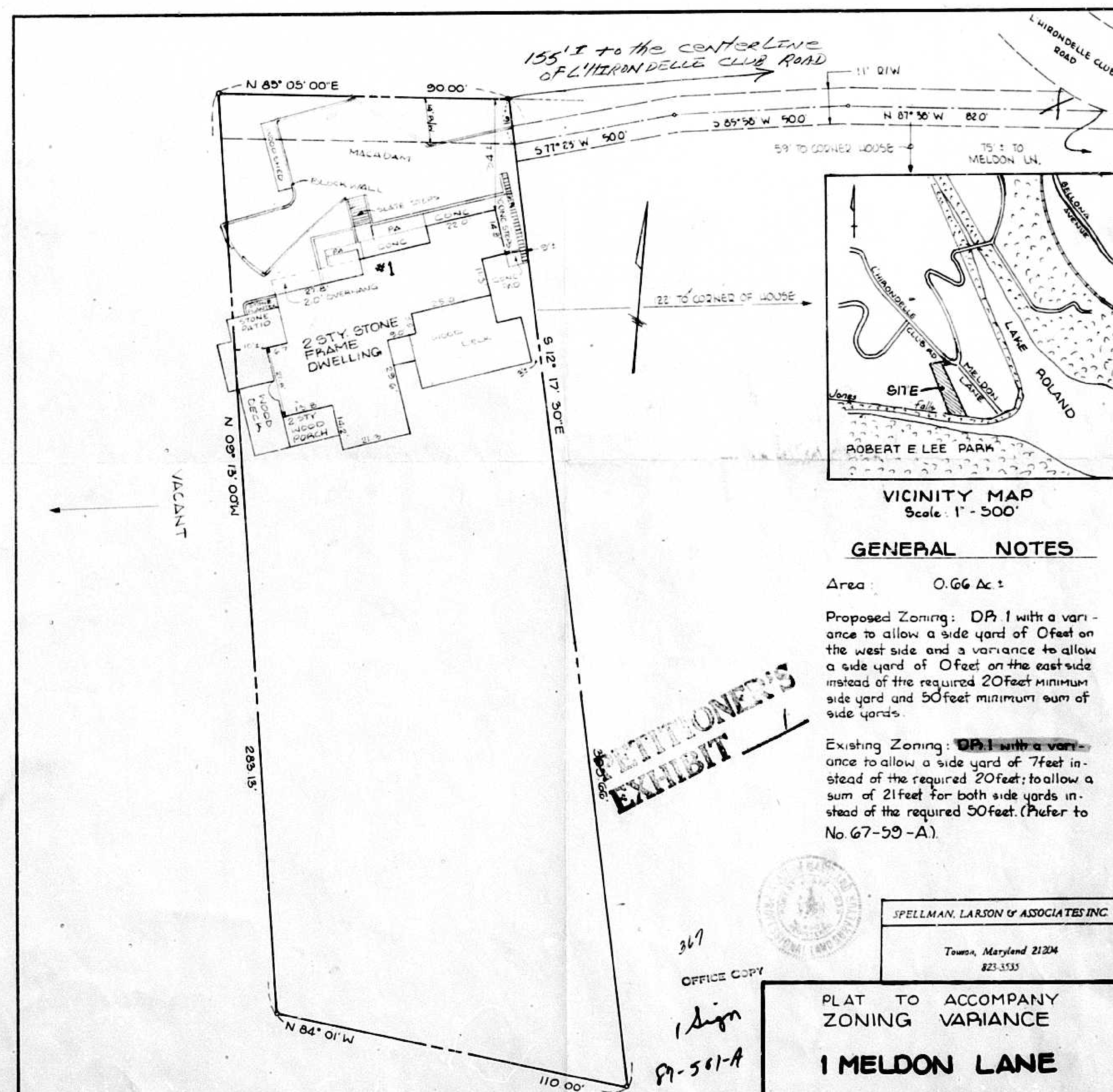
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 27, 1967.

TOWSON TIMES.

Susan Sandra Orest

Publisher

54.70



Area: 0.66 Ac. ±

Proposed Zoning: DR 1 with a variance to allow a side yard of 0feet on the west side and a variance to allow a side yard of 0feet on the east side instead of the required 20feet minimum side yard and 50feet minimum sum of side yards.

Existing Zoning: **DR-1** with a variance to allow a side yard of 7feet instead of the required 20feet; to allow a sum of 21feet for both side yards instead of the required 50feet. (Prefer to No. 67-59-A).

SPELLMAN, LARSON & ASSOCIATES INC.

Town, Maryland 21204
823-3535

PLAT TO ACCOMPANY
ZONING VARIANCE

1 MELDON LANE

9TH ELECTION DISTRICT BALTIMORE CO. MD. 21204

SCALE: 1" = 20'	DES BY: +	SHT. 1 OF 1
DATE: 2/25/87	DAN BY: J.T.P. II	

87012

LAW OFFICES
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER
GARRETT BUILDING
233 E. REDWOOD STREET
BALTIMORE, MD. 21202

DAVID P. GORDON
EUGENE M. FEINBLATT
DONALD N. ROTHMAN
EVAN ABRAMSON
LEWIS A. KANN
EDWARD E. ORTNER
SANDER L. WISE
FRANK ROBINSON
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HERBERT GOLDMAN
ROBERT E. SHARKEY
ALAN RICHARD SACHS
THOMAS J. DOUGLAS
GEOFFREY P. GUTTER
601 E. JONES

LAWRENCE D. COPPEL
CHARLES E. BEINEMANN, JR.
NANCY E. PAGE
MARC BLUM
PERRY M. GOULD
BARRY J. ROSEN
THEILA E. SACKS
THOMAS C. BARBUTI
FRANCIS MACDOUGALL
TIMOTHY D. A. CHRISS
ROBERT C. ELLIOTT
GABRIEL M. BELGRAD
ROBERT W. KATZ
JANA DAVID POLAKOFF
MARK H. FOLMAN
WILLIAM M. DAVISON, JR.
ALISON L. AUST
LONNIE M. BITZER

301 576-4000
TELE 90504-BAI
TELECOPIER 301-176-4240

1500 K STREET N.W. SUITE 600
WASHINGTON, D.C. 20006
202-659-0555
FAX 202-659-2799

JACK C. TRANTER
MERLE F. SUTTERLIN
RICHARD B. NETTLE
GARY L. ATTMAN
PATRICK THOMAS
JERROLD A. THROPE
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SUSAN SOUTER
SHERRY A. RIPPET
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WILKINSON
J. RONALD SMITH
JULIAN M. WILKINS
WILLIAM D. GRUEN
ELLIOTT CORAN
MARGARET D. ROBINSON
JILLIE TENDER
STEPHANIE A. HULL
BARRY F. LEVIN

THOMAS D. BENDA
BENNETT A. CARSON
MARK S. DACHILLE
GARY D. BARELL
ELIZABETH U. NATTER
BRADFORD W. WARRALL
DANIEL HIGHAM
SHARON L. ALKOUTY
CHARLES E. BRODSKY
DOUGLAS M. IRVIN
DANA A. REED
STEVEN M. TENDER
ANASTASIA M. WATSON
THOMAS B. KALLINS
LARRY E. HOFFBERGER
MORTON J. HOLLANDER
COCOWILL
STEVEN M. ORAM
OF COUNSEL

* MEMBER MARYLAND AND DISTRICT OF COLUMBIA BAR

DIRECT DIAL 301-576-4126

March 11, 1987

VIA CENTRAL DELIVERY

Mr. Robert E. Spellman
Spellman, Larson and Associates, Inc.
Suite 107, Jefferson Building
105 W. Chesapeake Avenue
Towson, Maryland 21204

RE: One Meldon Lane

Dear Bob:

Enclosed please find three copies of the Petition for a Zoning Variance with respect to the above-referred property, and a check for \$35.00 to cover the filing fees for the same. It is my understanding that when the petitions are submitted, they must be accompanied by 10 copies of a plat and three copies of the legal description for the property. As we discussed last week, please file the petitions, plats and legal descriptions with the zoning office. A meeting with a zoning technician has been set for 3:30 p.m. today for this purpose.

I have left the top section on the petition blank. Jeff Long, the zoning inspector, informed me that the technician is supposed to fill this section in. If this turns out to be incorrect, please have your secretary type in the required information. Remember, we are seeking zero side yard set-backs on the west and east sides of the property, which

GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

VIA CENTRAL DELIVERY

Mr. Robert E. Spellman
March 11, 1987
Page Two

requires a variance from Section 1B02.3.C of the zoning code.

Please call me if you have any questions or if any problems arise.

Very truly yours,


Daniel Higham

taw

Enclosures