409
88-22-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 1A01.3 B.3 to permit a side yard setback of 0 feet in lieu of the required 35 feet.

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

1. Existing driveway leads to proposed garage site.
2. Incline of land precludes locating garage behind house.
3. Construction of garage and new driveway on opposite (northeast) side of house is precluded by septic system.

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: none (Type or Print Name) ____ Signature ____ Address ____ City and State

Legal Owner(s): Samuel E. Banks (Type or Print Name) ____ Signature ____ (Type or Print Name) ____ Signature

MAP VJ 20-21-H, E.D. 4, DATE 6/26/87, 200 ____, 1000 ____, D# ____

Attorney for Petitioner: none (Type or Print Name) ____ Signature ____ Address ____ City and State

3454 Butler Road 771-7154 (business) Phone No. 329.385 w 42.900
Glyndon, MD 21071

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name: Same
Address: ____ Phone No.: ____

Attorney's Telephone No.: ____

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of June, 19 87, 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 20th day of July, 19 87 at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
Date ____
By ____

88-22-A
#409

Samuel E. Banks 88-22-A
W/S of Butler Rd. approx. 925' N of
c/l of Mantua Rd. (3454 Butler Rd.)
4th E.D.
3rd C.D.

#409 88-22-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 8th day of June, 1987.

Zoning Commissioner

Petitioner Samuel E. Banks Received by: James E. Dyer
Petitioner's Attorney ____ Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner Date June 17, 1987

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

SUBJECT Zoning Petitions No. 88-22-A, 88-24-A, 88-25-A, 88-26-A, 88-29-A, 88-30-A and 88-32-A

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

Norman E. Gerber, AICP
Director

NEG:JGH:slb

RECEIVED
JUN 17 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1987

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

000

Chairman

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

Mr. Samuel E. Banks
3454 Butler Road
Glyndon, Maryland 21071

RE: Item No. 409 - Case No. 88-22-A
Petitioner: Samuel E. Banks
Petition for Zoning Variance

Dear Mr. Banks:

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:bjs

Enclosures

Maryland Department of Transportation
State Highway Administration

William K. Hellmann, Secretary
Hal Kassoff, Administrator

April 27, 1987

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Md. 21204

Attention: Mr. James Dyer

Re: ZAC Meeting of April 21, 1987
ITEM: #409.
Property Owner: Samuel E. Banks
Location: W/S Butler Road, 925 feet ± N of centerline of Mantua Rd.
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a side yard setback of 0 feet in lieu of the required 35 feet
Area: 1.33 acres
District: 4th Election District

Dear Mr. Jablon:

On review of the submittal of 4-21-87, the State Highway Administration will require the site plan to be revised.

The revised site plan must show a proposed 80' right of way (40' half section) from Butler Road, Route 128.

It is requested the site plan be revised prior to a hearing date being set.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

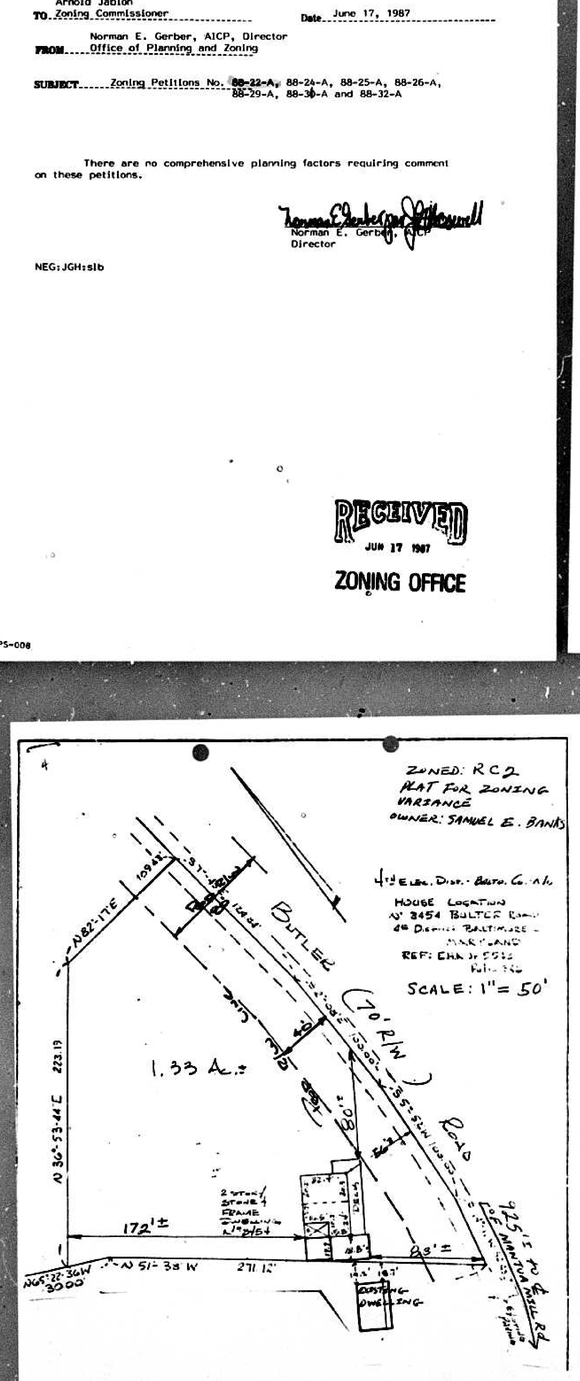
RECEIVED
MAY 1 1987
ZONING OFFICE

My telephone number is (301) 333-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

4

ZONED: RC2
PLAT FOR ZONING VARIANCE
OWNER: SAMUEL E. BANKS

4th Elec. Dist. - Balto. Co., Md.
HOUSE LOCATION
No. 3454 BUTLER Road
4th District BALTIMORE - MARYLAND
REF: Deed 5915 Folio 536
SCALE: 1" = 50'



409

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

STEPHEN E. KOLTNOW
COMMISSIONER
C. Richard Moore
Acting Director

May 11, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Bureau of Traffic Engineering has no comments for items number 396, 404, (409), 410, 414, 415, 411, 412, and 406.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

April 23, 1987

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

Dennis F. Rasmussen
County Executive

Re: Property Owner: Samuel E. Banks

Location: W/S Butler Road, 925' +- N of centerline of Mantua Road

Item No.: 409 Zoning Agenda: Meeting of 4/21/87

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 4-24-87 Noted and Approved: John E. O'Neill
Planning Group
Special Inspection Division
Fire Prevention Bureau

/JL

Pursuant to the advertisement, posting of the property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would not result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the requested variance will not adversely affect the health, safety, and general welfare of the community, the variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of July, 1987, that the Petition for Zoning Variance to permit a side yard setback of zero feet in lieu of the required 35 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Arnold Jablon
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. Samuel E. Banks

People's Counsel

ORDER RECEIVED FOR FILING
Date July 21, 1987
By Arnold Jablon et al

DESCRIPTION OF PROPERTY

BEGINNING on the west side of Butler Road 70 feet wide, at the distance of 925 feet +/- North of the centerline of Mantua Road, thence leaving said West side of Butler Road: (1) North 51° - 38' West 271.12 feet, (2) North 65° - 22' - 36" West 30.00 feet, (3) North 36° - 53' - 44" East 223.19 feet (4) North 82° - 17' East 109.43 feet, (5) South 7° 43' East 124.84 feet, (6) South 2° - 08' East 100.00 feet, (7) South 5° - 52' West 100.00 feet, and (8) South 14° - 11' West 52.45 feet to the point of beginning.

Also known as 3454 Butler Road in the 4th Election District containing 0.187 acres of land, more or less.

PETITION FOR ZONING VARIANCE

4th Election District - 3rd Councilmanic District

Case No. 88-22-A

LOCATION: West Side of Butler Road, approximately 925 feet North of Mantua Road (3454 Butler Road)

DATE AND TIME: Monday, July 20, 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 0 feet in lieu of the required 35 feet

Being the property of Samuel E. Banks **, 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
W/S Butler Rd., approx. 925' N of C/L of Mantua Rd. (3454 Butler Rd.), 4th District
SAMUEL E. BANKS, Petitioner
: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 88-22-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 18th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. Samuel E. Banks, 3454 Butler Rd., Glyndon, MD 21071, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

88-22-A

District 4th
Date of Posting 6-30-87
Posted for: Variance
Petitioner: Samuel E. Banks
Location of property: W/S of Butler Road Approx. 925' N of the C/L of Mantua Mill Road (3454 Butler Road)
Location of Signs: Conspicuous of subject property 3454 Butler Road
Remarks:
Posted by [signature] Date of return: July 2-87
Number of Signs: 1

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 15, 1987

Mr. Samuel E. Banks
3454 Butler Road
Glyndon, Maryland 21071

RE: PETITION FOR ZONING VARIANCE
W/S Butler Rd., approx. 925' N of c/l of
Mantua Rd. (3454 Butler Rd.)
4th Election District - 3rd Councilmanic District
Samuel E. Banks - Petitioner
Case No. 88-22-A

Dear Mr. Banks:

This is to advise you that $70.48 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 ... re County, Maryland, and remit ... lding, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 35975

DATE 7/20/87 ACCOUNT R-01-615-000
SIGN & POST RETURNED AMOUNT $ 70.48
RECEIVED FROM Mr. Samuel E. Banks, c/o McCormick & Co., 11350 McCormick Rd., Hunt Valley, Md. 21031
FOR ADVERTISING & POSTING COSTS RE CASE #88-22-A
B B034*****7048a $20BF
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 2, 19 87.

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 July 2 19 87.

THE JEFFERSONIAN,

Susan Lee Obrecht
Publisher

CASE NO. 88-22-A
4th Election District
3rd Councilmanic District
Case No. 88-22-A

LOCATION: West Side of Butler Road, approximately 925 feet North of Mantua Road (3454 Butler Road)

DATE AND TIME: Monday, July 20, 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 0 feet in lieu of the required 35 feet

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

JT 7/2

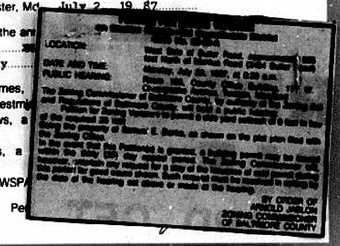
LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md. July 2, 19 87

THIS IS TO CERTIFY that the ann...
was published for one (1) ... time...
to the 2nd day of July ...

- ☐ Carroll County Times, ... in Westmi...
- ☐ Randallstown News, a ...
- ☒ Community Times, a ...

LANDMARK COMMUNITY NEWSP...
Pe...



Mr. Samuel E. Banks
3454 Butler Road
Glyndon, Maryland 21071

June 8, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
W/S Butler Rd., approx. 925' N of c/l of
Mantua Rd. (3454 Butler Rd.)
4th Election District - 3rd Councilmanic District
Samuel E. Banks - Petitioner
Case No. 88-22-A

TIME: 9:30 a.m.

DATE: Monday, July 20, 1987

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

Zoning Commissioner
...e County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 32535

DATE 4/1/87 ACCOUNT R-01-615-000
AMOUNT $ 35.00
RECEIVED FROM Samuel Brown
FOR Posting for Variance Item #409
B B045*****3500a 209BF
VALIDATION OR SIGNATURE OF CASHIER

ZONED: RC2

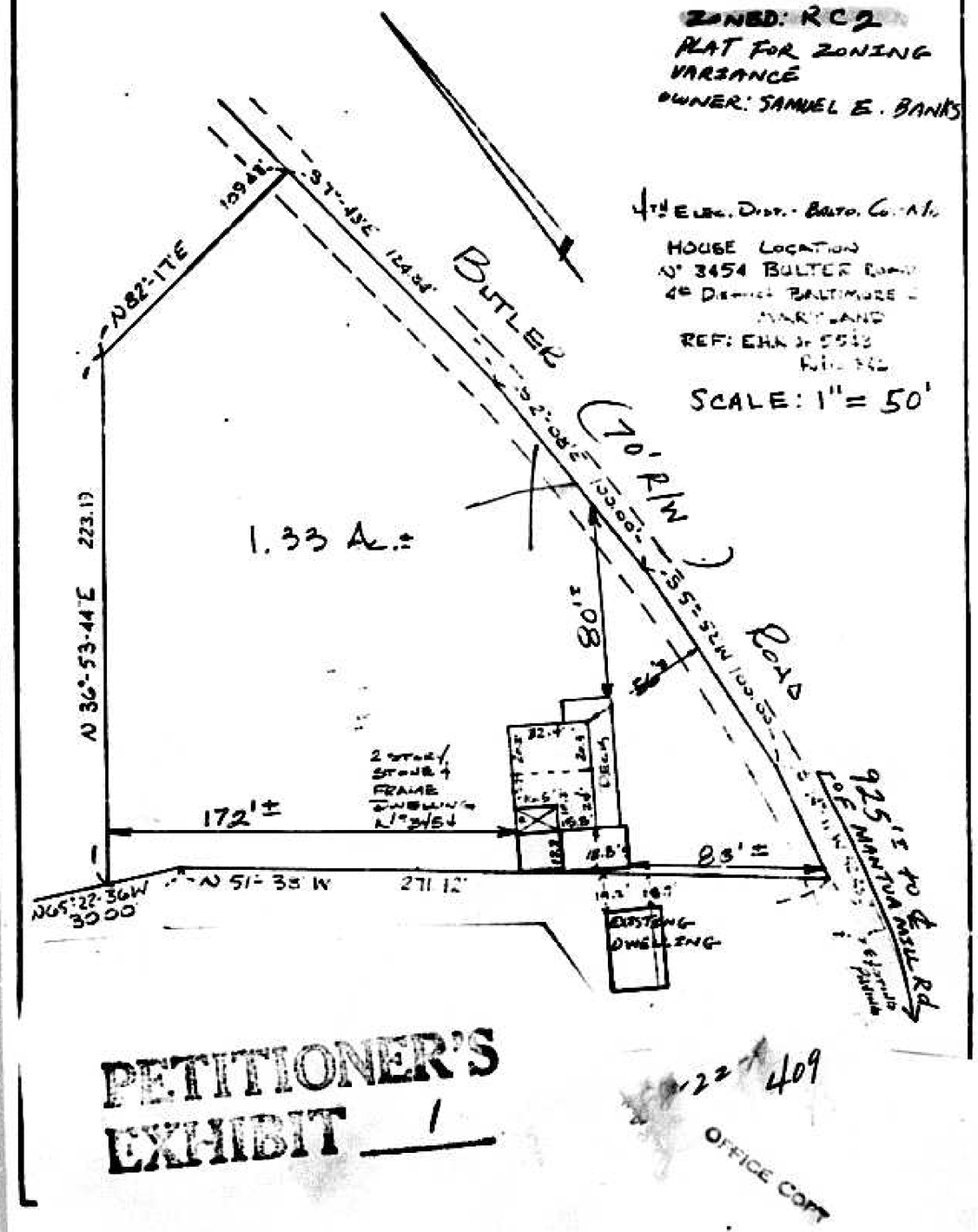
PLAT FOR ZONING VARIANCE

OWNER: SAMUEL E. BANKS

4th E Elec. Dist. - Balto. Co. Md.

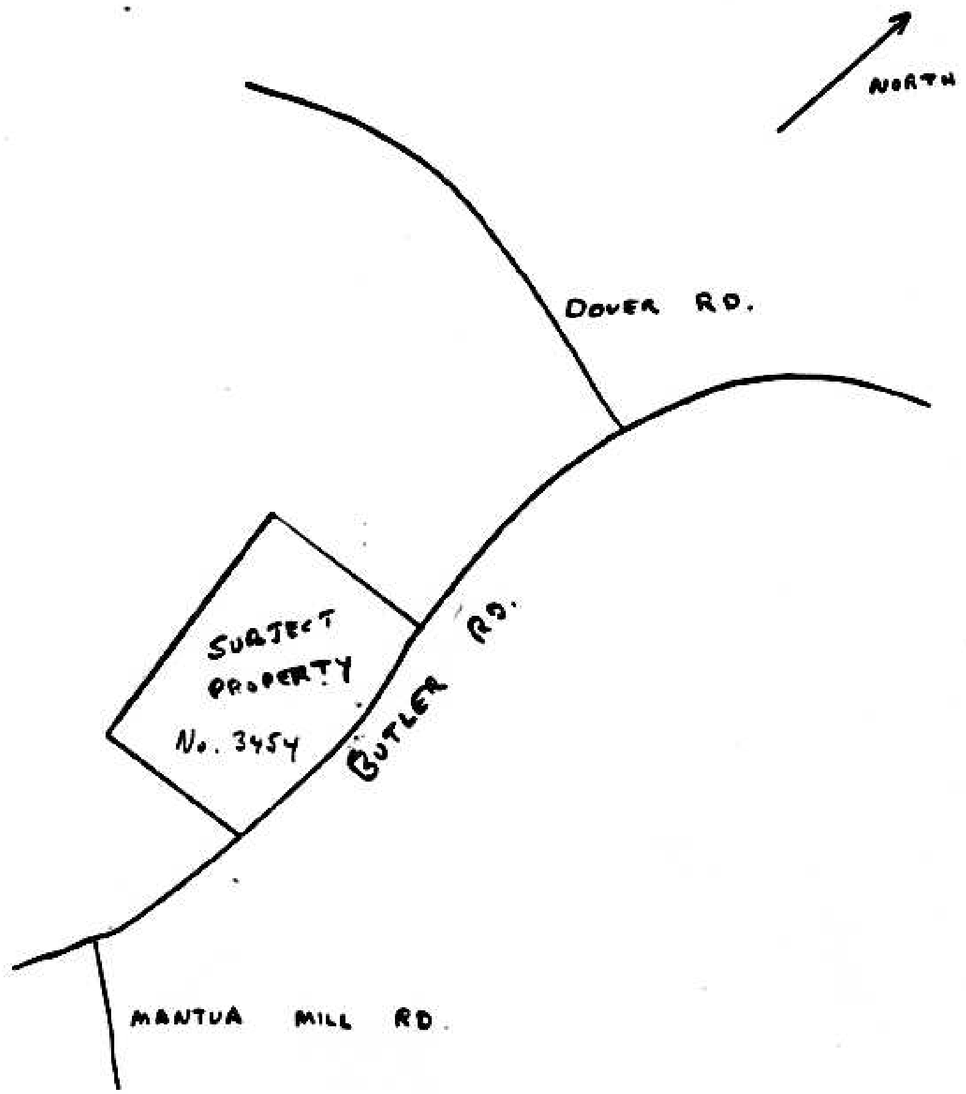
HOUSE LOCATION
No. 3454 BUTLER Road
4th District BALTIMORE
MARYLAND
REF: Ehk Jr 5513
Fol. 762

SCALE: 1" = 50'



PETITIONER'S EXHIBIT 1

#22 409

OFFICE COPY

VICINITY MAP