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	e, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this
	[20] [H. H. H
لد بد	19 that the herein Petition for Variance(s) to permit

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1987

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

MEMBERS

Bureau of

Engineering

Department of

Bureau of Fire Prevention

Realth Department

Project Planning

Building Department

Board of Education

Industrial

Soning Administration

Traffic Engineering

State Roads Commission

Chairman

Donald E. Brand, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> RE: Item No. 404 - Case No. 88-23-A Petitioner: Harry Horney, et ux Petition for Zoning Variance

Dear Mr. Brands

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.

Zoning Plans Advisory Committee

Enclosures

JED:bjs

cc: Paul Lee Engineering, Inc. 304 W. Pennsylvania Avenue, Towson, Md. 21204 BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204

DREEK KRRX 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.

Traffic Engineer Associate II

MSF:1t

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

Paul H. Reincke

April 23, 1987

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



Re: Property Owner: Harry Horney, et ux

Location: S/S Middleborough Road, 360' S. of centerline of West Road

Item No.: 404

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.

accordance with Petitioner's Exhibit 2, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED.

Office of Planning & Zoning

Towson, Maryland 21204

Baltimore County Zoning Commissioner

494-3353

July 27, 1987



Donald E. Brand, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

RE: Petition for Zoning Variance S/S Middleborough Road, 360' S of the c/l of West Road (1719 Middleborough Road) 15th Election District, 5th Councilmanic District Harry Horney, et ux - Petitioner Case No. 88-23-A

Dear Mr. Brand:

Pursuant to the recent hearing held in 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, Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: People's Counsel

IN RE: PETITION FOR ZONING VARIANCE S/S Middleborough Road, 360' S of the c/l of West Road (1719 Middleborough Road) 15th Election District 5th Councilmanic District

Harry Horney, et ux

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

The Petitioners herein request a variance to permit a 10-foot side yard setback in lieu of the required 35 feet, as more particularly described on the plan submitted, prepared by Paul Lee Engineering, Inc., dated 11/24/86 and identified as Petitioner's Exhibit 2.

. . . . . . . . . . .

Testimony by and on behalf of the Petitioners indicated that the subject property was subdivided to create a number of lots including Lot 2, which contains an existing dwelling, and Parcel "A", as reflected on the plan submitted, prepared by Paul Lee Engineering, Inc., dated March 1985 and identified as Petitioner's Exhibit 1. Parcel "A" was of sufficient size for building purposes but could not meet tract boundary requirements. The Petitioners propose the rerecording of Parcel "A" as a buildable lot and a variance to permit a tract boundary setback of 10 feet for the construction of a dwelling.

There were no Protestants.

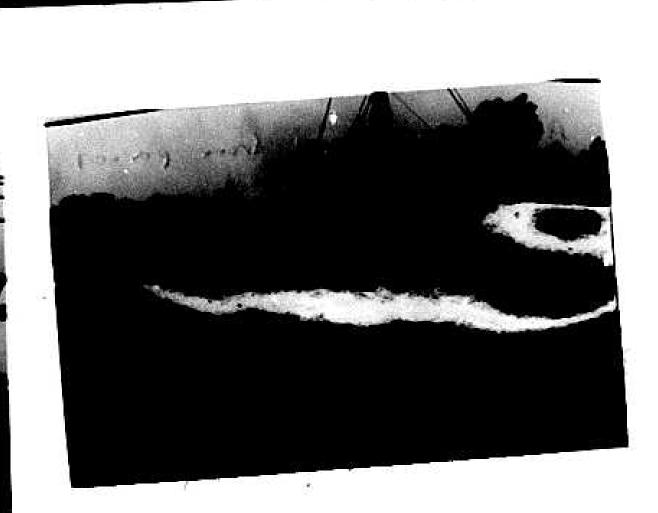
After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Fetitioners, in the opinion of the Deputy Zoning Commissioner, the variance 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

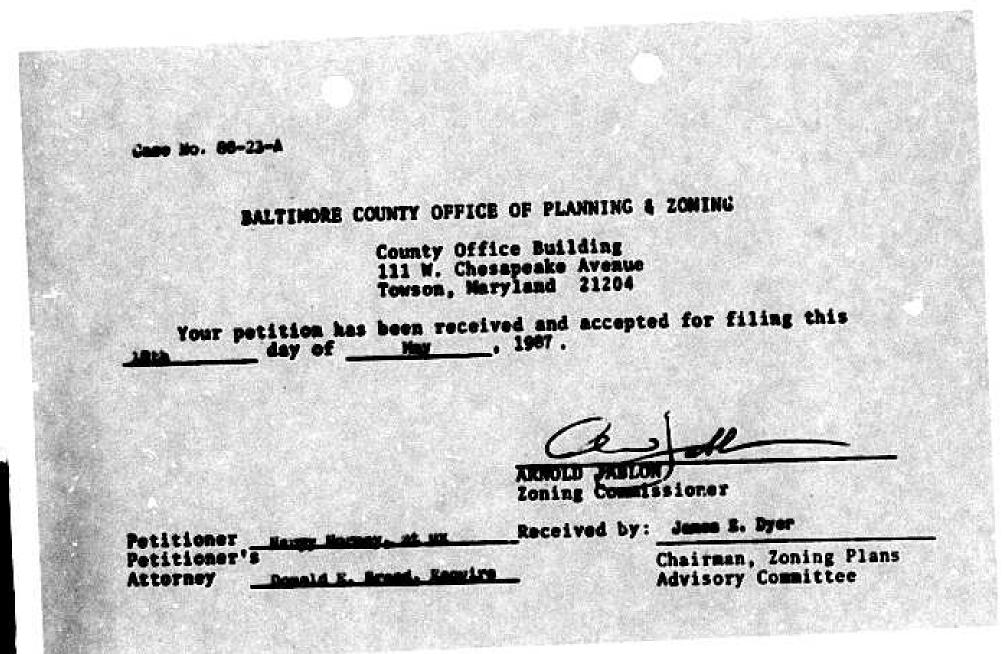
Case No. 88-23-A

THE ZONING COMMISSIONER OF BALTI!  The undersigned, legal owner(s) of the particular	operty situate in Baltimore County and which is	ANNE SECTION
scribed in the description and plat attached i	pereto and made a part hereof, hereby petition for a	
g jego i spekara ka	allow a 10 feet (10') sideyard setback	1
in lieu of of thirty five (eet (35')		
llowing reasons: (indicate hardship or practic		
Placement of house of the size and in the optimal manner.	shape compatible with the neighborhood 4B	
In the optimal manner.	E. D15	
	DATE CARE OF THE CONTRACT OF T	
	200	
Property is to be posted and advertised	as prescribed by Zoning Regulations.	10
I or we agree to nev expenses of above \	ariance advertising, posting, etc., upon filing of this № 3,240 and by the zoning regulations and restrictions of	
	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.	
ontract Purchaser;	Legal Owner(s):	
(Type or Print Name)	(Type or Print Name)	
	Totaly Itomery	11
Signature	Signature()	1
Address	(Type of Print/Time)	
City and State	Signature	
Attorney for Petitioner:		
Onald_E_Brand (Type or Profit Name)		
mon	Baltimore, Maryland 21221 City and State	
Signature  SOS Eastern Bauleyard	는 이 등 전에 가장하는 기업을 하는 것이 되었다. 이 경기를 받아 있는 것이 되었다면 되었다. 그 것이 되었다. 그 것이 되었다면 그 것이 되었다면 그 것이 되었다. 그 것이 되었다면 그 것이 되었다면 그 것이 되었다면 그 것이 되었다면 그 것이 되었다. 그 것이 되었다면 그 것이었다면 그 것이 되었다면 그 것	
Adáress	tract purchaser or representative to be contacted	
Baltimore_ Md21221		
Attorney's Telephone No.:686=8274	2014 Widdleborough Road 687-0566	
Attorne) a serephione ito.	Address Phone No.	
	of Baltimore County, this Jath day	
annulused has the Zoolan I am of Malitimions that	the subject matter of this petition be advertised, as inty, in two newspapers of general circulation through-	
out Rullimore County that property be posted	and that the public hearing be had before the Zoning 106, County Office Building in Towson, Baltimore	
County, on the 23rd day o	9-7-0-70	1
D. M.	2	
one and the second seco	MR) .IHR. ( EPV 1-12.	
ESTIMATED LENGTH OF HEARING -12	Zoning Commissioner of Baldmore County.	
ESTIMATED LEMITH STOR HEARING	MON I NO	3
MON. /THES. /NED NEXT TWO	(max) / - / - / - /	
MON. / THES. / VED NEXT TWO OTHER DATE OF THE DATE	1000c) / - 1/4 7	707



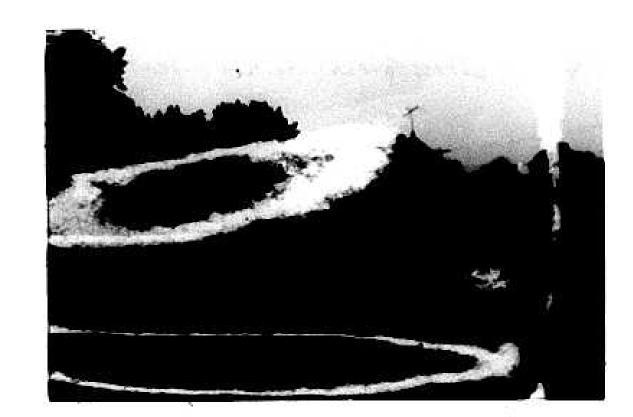
















## INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO. Zoning. Commissioner Date June 13, 1987

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

SUBJECT .. Zuning Petition No. 88-23-A

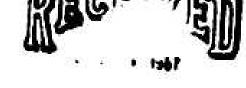
Percel "A" should be re-recorded as a lot.



NEG: JGH: s1b



ZONING OFFICE



ZUIMING OFFICE

CPS+008



ROBERT J ROMADKA

JOHN & GONTRE'N JOHN O HENNEGAN CHARLES & POOS, III DONALD E BRAND DONALDH SHEFFY

Romadka, Gontrum, Hennegan & INVINGTON PEDGEAL BUILDING 600 EASTERN BOULEVARD

ESSEE, MARYLAND SIZES

TREEPHONE (201) 000-0274

ZONING OFFICE

June 18, 1987

Arnold Jablon. Zoning Commissioner of Baltimore County County Office Building 111 W. Chesapeake Avenue Baltimore, Maryland 21204

> Re: Petition for Zoning Variance S/S Middleborough Road Case No 88-23-A Harry Horney, et ux - Petitioners

Dear Mr. Jablon:

I would appreciate it if you would reschedule the hearing presently set for Thursday, July 23, 1987 for an earlier time. If an earlier time is not possible, don't change the date.

Thank you for your consideration in this matter. Please advise me of the new hearing date.

DEB/klp

cc: Mr. Harry Horney

phone the second

Part Sin S.R

Peal Les Engineering Sur 101 W. Praydonto Ma Tourn Maydead 1800

DESCRIPTION

1719 HIDDLEROROUGH ROAD - PARCEL "A"

HARRY HORNEY PROPERTY

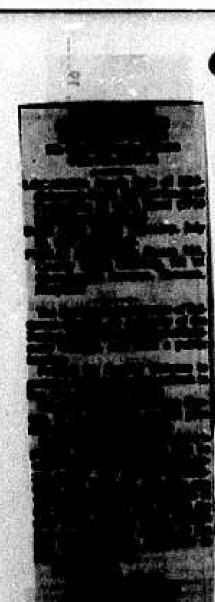
15TH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located 360 feet + south of the center line of West Road, and on the south side of Middleborough Road, thence leaving said south side of Middleborough Road: (1) South 12019'48" East 125.00 feet, (2) South 77°40'12" West 65.00 feet and (3) North 12°19'46" West 125.00 feet to the south side of Middleborough Road; thence binding on the south side of Middleborough Road (4) North 77°40'12" East 65.00 feet to the point of beginning.

Containing 0.187 acres of land, more or less.



Harry Herney, et ul Middle borge 4 Ad. 360' 3/ Wast Ad. 1769 Middle boxonyh Rt Freing Middle barrege Ed, spores 15 En nidwir, on property of Batteries Date of resure: 7/4/87



CERTIFICATE OF PUBLICATION

July 2

THE JEFFERSONIAN.

88-73-11

Gusan Sendy Obrest

PETITION FOR ZONING VARIANCE

15th Election District - 5th Councilmanic District

Case No. 88-23-A

LOCATION:

South Side of Middleborough Road, 360 feet South of Centerline of West Road (1719 Middleborough Road)

DATE AND TIME: Thursday, July 23, 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 Beltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a 10 foot side yard setback in lieu of the required 35 feet

Being the property of Harry Horney, 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 JABLOW ZONING COMMISSIONER OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE S/S Middleborough Rd., 360' S of C/L of West Rd. (1719

: BEFORE THE ZONING COMMISSIONER

OF BALITIMORE COUNTY Middleborough Rd.), 15th Dist.

HARRY HORNEY, et ux, Petitioners Case No. 88-23-A

: : : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the Feople'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.

> Thyllis Cole Fredman Phyllis Cole Frier man People's Counsel for Baltimore County

Peter Max Zimmeman

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 Donald E. Brand, Esquire, 809 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioners.

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

July 15, 1987

Donald E. Brand, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> RE: PETITION FOR ZONING VARIANCE S/S Middleborough Rd., 360' S of c/l of West Rd. (1719 Middleborough Rd.) 15th Election District - 5th Councilmanic District Case No. 88-23-A Harry Horney, et ux - Petitioners

Dear Mr. Brand:

This is to advise you that \$110.25 is due for advertising and posting of the above property. This fee must be paid before an

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.

OFFICE	MORE COUNTY, MARYLAND 00. 3598 of Finance - nevenue division LLANGOUS CASH RECEIPT	87 County, Maryland, and remit
PATE_	7/23/87 • R-01-615-000	
Na Calva	SIGN & POST RETURNED Quality 011 20., 2014 Hiddleborous Balto., 2d. 21221	gh Sd.,
	EVERTISING & POSTING RE CASE #88-23-A	
	B 8620*****11025:a %23%F	
	VALIDATION OF DISMATURE OF CASHED	

CERTIFICATE OF PUBLICATION

THE AVENUE NEWS

442 Eastern Blvd. Batto., Md. 21221

THIS IS TO CERTIFY, that the annexed advertisement of

HARRY HORNEY, ET UX 15th ELECTION DISTRICT.
To advertise PO# 89676 REQ# MO3282, S/S
MIDDLEBOROUGH RD., 360'S OF C/1 OF WEST RD.
(1719 MIDDLEBOROUGH RD.)
HEARING: THURSDAY, JULY 23, 1987, at 9:30 am., 119 lines at \$59.50

was inserted in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for \_\_\_\_\_ successive week(s) before the 3rd day of JULY 19.87; that is to say, the same was inserted in the issues of  $\frac{7/2}{}$  19 87

The Avenue Inc.

Donald E. Brand, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

June 10, 1987

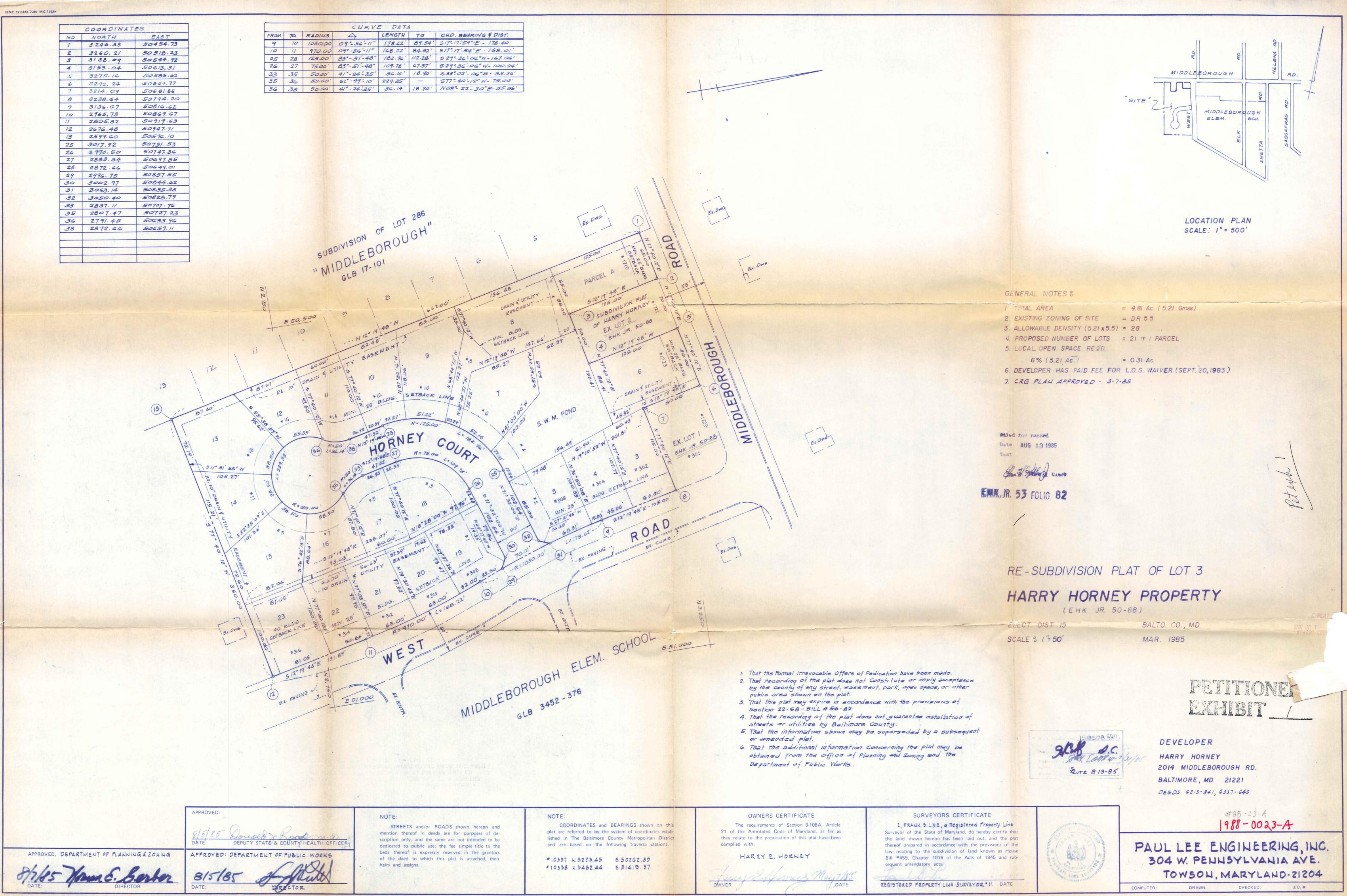
RE: PETITION FOR ZONING VARIANCE S/S Middleborough Rd., 360' S of c/l of West Rd. (1719 Middleborough Rd.) 15th Election District - 5th Councilmanic District Case No. 88-23-A Harry Horney, et ux - Petitioners

TIME:	9:30 a.m.
DATE:	Thursday, July 23, 1987
PLACE: I	Room 106, County Office Building, 111 West Chesapeake
32	Avenue, Towson, Maryland

of Baltimore County

32526 BALTIMORE COURTY, MARYLAND - VARTANCE TITEM & GOG B 8048\*\*\*\*35001a 807aF

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