

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 1801.2.C.6 (V.B.5.a+b, C.M.D.P.) to permit a window and building 10 ft. from the tract boundary in lieu of the required 35 ft. and 30 ft. respectively. (Lot #3) and (V.B.5.a+b, C.M.D.P.) to permit facing windows 20 feet apart in lieu of the required 40 feet. (Lot #2 & #3) and (V.B.5.a+b, C.M.D.P.) to permit 10 ft. window to property line setbacks in lieu of the required 15 ft. for (Lot #2-2 sides) and (Lot #3-1 side)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
The immediate vicinity is used almost exclusively as single family house. None of the houses in the vicinity have boundary setbacks 16' and in fact, most are approximately 10'. Petitioner finds that strict adherence to 1801.2.C.6 would limit development of the property to one improvement centered on the two lots. This deprives petitioner of the efficient use of his property, injures the surrounding owners by requiring development which greatly differs from existing improvements, and does not advance the purpose of §1800. Therefore, the requested variances should be granted so as to not cause petitioner practical difficulty and/or undue hardship, and not injure surrounding owners while still securing public safety and welfare.

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:	Legal Owner(s):
(Type or Print Name)	Reba E. Hammond
Signature	<i>Reba E. Hammond</i>
Address	Ronald D. Hammond
City and State	(Type or Print Name)
	<i>Ronald D. Hammond</i>
Attorney for Petitioner:	1614 Ruxton Road 825-1656
Robert A. McFarland	Address Phone No.
(Type or Print Name)	Baltimore, Maryland 21204
Signature	City and State
21 W. Susquehanna Avenue	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address	Name
Towson, Maryland 21204	Address Phone No.
City and State	
Attorney's Telephone No.: 823-1230	

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of May, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of July, 1987, at 10:30 o'clock A.M.

ESTIMATED LENGTH OF HEARING - 1/2HR. + 1HR.
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS (over)
ALL OTHER DATE 4/15/87
REVIEWED BY: *uc*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: June 18, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 88-27-A

There are no comprehensive planning factors requiring comment on this petition.

NEG:JGH:sib

Norman E. Gerber
Norman E. Gerber, AICP
Director

RECEIVED
JUN 19 1987

ZONING OFFICE

CPS-008

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

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

April 28, 1987

Re: Property Owner: Ronald D. Hammond, et ux
Location: NE/S Fuller Avenue, 148' NW centerline Belair Road
Item No.: 424 Zoning Agenda: Meeting of 4/28/87

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: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/j1

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 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
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert A. McFarland, Esquire
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Item No. 424 - Case No. 88-27-A
Petitioner: Ronald D. Hammond, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Hammond:

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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:bjs

Enclosures

cc: Gerhold, Cross & Etzel
412 Delaware Avenue, Towson, Md. 21204



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

C. Richard Moore
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 408, 419, 421, 422, 424, 425, 426, 427, 428, 429, 430, 433, and 432.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

IN RE: PETITION FOR ZONING VARIANCE
NE/S Fuller Ave., 148' NW of the c/l of Belair Road
14th Election District
6th Election District
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-27-A
Ronald D. Hammond, et ux
Petitioners

The Petitioners herein request variances to permit a window and building 10 feet from the tract boundary line in lieu of the required 35 feet and 30 feet, respectively, for Lot #3; to permit facing windows 20 feet apart in lieu of the required 40 feet for Lots #2 and #3; and to permit window to property line setbacks of 10 feet in lieu of the required 15 feet for two sides of Lot #2 and one side of Lot #3, all as more particularly described on the plan submitted prepared by Gerhold, Cross & Etzel, revised 4/23/87 and identified as Petitioner's Exhibit 1.

Information proffered and testimony given on behalf of the Petitioners indicated that the subject property is proposed to be subdivided into two lots. Lot #1, which meets all requirements of the BCZR, will contain the existing three apartment dwelling and associated garages. Lots #2 and #3, the subject of the instant petition, will provide 60' x 137' building lots for single family homes. Lot #1 is zoned DR 16, Lot #2 is split between DR 16 and DR 5.5 and Lot #3 is zoned DR 5.5. The neighborhood, including both sides of Fuller Avenue, is developed with one and one-half or two story brick or concrete block single family homes, generally on lots 56 feet wide. The proposed development of this remaining property in a developed neighborhood would be consistent with the neighborhood.

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 variances 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 24th day of July, 1987, that variances to permit a window and building 10 feet from the tract boundary line in lieu of the required 35 feet and 30 feet, respectively, for Lot #3; to permit facing windows 20 feet apart in lieu of the required 40 feet for Lots #2 and #3; and to permit window to property line setbacks of 10 feet in lieu of the required 15 feet for two sides of Lot #2 and one side of Lot #3, be approved, in accordance with Petitioner's Exhibit 1, and as such, the Petition for Zoning Variance is hereby GRANTED, from and after the date of this Order.

John M. Dwyer
John M. Dwyer
Deputy Zoning Commissioner
of Baltimore County

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 _____, 1987.

Received by: *John E. Nye*
Chairman, Zoning Plans Advisory Committee
Petitioner: *Robert A. McFarland*
Petitioner's Attorney: *Robert A. McFarland*

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

Arnold Jablon
Zoning Commissioner

July 24, 1987



Dennis F. Baumann
Zoning Commissioner

Robert A. McFarland, Esquire
21 W. Susquehanna Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
NE/S Fuller Avenue, 148' NW of the c/l of Belair Road
14th Election District, 6th Councilmanic District
Ronald D. Hammond, et ux - Petitioners
Case No. 88-27-A

Dear Mr. McFarland:

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,

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

JMH:rbjs

Enclosures

cc: People's Counsel

CARL L. OERHOLD
PHILIP H. CROSS
JOHN P. STEEN
WILLIAM D. SALMON
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

ERNEST L. BOLLINGER
PAUL S. BOLLINGER
FRED W. BOLLINGER

023-4470

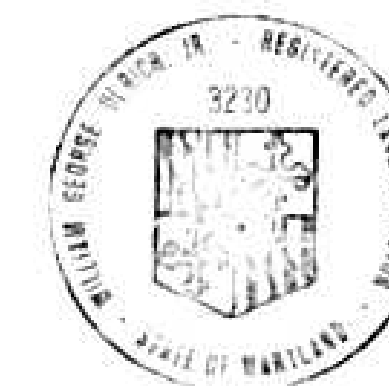
April 2, 1987

Zoning Description

All that piece or parcel of land situate, lying and being in the Fourteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the northeast side of Fuller Avenue 40 feet wide at a point measured northwesterly along the northeast side of Fuller Avenue North 49 degrees 00 minutes West 148.00 feet from the centerline of Belair Road and running thence binding on the northeast side of Fuller Avenue, North 49 degrees 00 minutes West 120.00 feet, thence leaving Fuller Avenue and binding on the property lines of the petitioner herein, the two following courses and distances viz: North 41 degrees 00 minutes East 137.00 feet and South 49 degrees 00 minutes East 120.00 feet and thence running through the land of the petitioner herein South 41 degrees 00 minutes East 137.00 feet to the place of beginning.

Containing 0.38 of an Acre of land more or less.



William B. Uebel

OFFICE COPY

PETITION FOR ZONING VARIANCES

14th Election District - 6th Councilmanic District

Case No. 88-27-A

LOCATION: Northeast Side Fuller Avenue, 148 feet Northwest of the Centerline of Belair Road

DATE AND TIME: Thursday, July 23, 1987, at 10:30 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 Variances to permit a window and building 10 feet from the tract boundary in lieu of the required 35 and 30 feet respectively as to Lot 3, permit facing windows 20 feet apart in lieu of the required 40 feet as to Lots 2 and 3, and 10 feet window to property line setbacks in lieu of the required 15 feet for Lot 2 - two sides and Lot 3 - one side

Being the property of Ronald D. Hammond, 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

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NE/S Fuller Ave., 148' NW of : OF BALTIMORE COUNTY
C/l. of Belair Rd., 14th Dist.
RONALD D. HAMMOND, et ux, : Case No. 88-27-A
Petitioners

ENTRY OF APPEARANCE

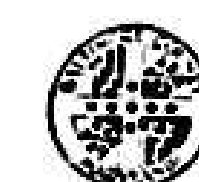
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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 Robert A. McFarland, Esquire, 21 W. Susquehanna Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

July 15, 1987

Robert A. McFarland, Esquire
21 West Susquehanna Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCES
NE/S Fuller Ave., 148' NW of the c/l of Belair Rd.
14th Election District - 6th Councilmanic District
Ronald D. Hammond, et ux - Petitioners
Case No. 88-27-A

Dear Mr. McFarland:

This is to advise you that \$124.33 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.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 7/23/87 ACCOUNT: 2-01-415-000

SIGN & POST
RETURNED
Power & Mosner, P.A., 21 W. Susquehanna Ave.,
Towson, Md. 21204

ADVERTISING & POSTING RE CASE #88-27-A

FOR: 8 6044*****124333 62287

VALUATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 2, 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 July 2, 1987.

THE JEFFERSONIAN

Publisher

CERTIFICATE OF POSTING

BOARD DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

88-27-A

District: 14th
Posted for: Variance
Petitioner: Ronald D. Hammond, et ux
Location of property: NE/S Fuller Ave., 148' NW of Belair Rd.
Location of sign: Facing Fuller Ave., 222 W. 10' E. 200' S. 200' E. 200' S. 200' E. 200' S. 200' E. 200' S. 200' E.
Remarks: As per Entry of Appearance
Posted by: [Signature]
Date of return: 7/16/87
Number of Signs: 1

CERTIFICATE OF PUBLICATION

Office of

THE AVENUE NEWS

442 Eastern Blvd.
Balto., Md. 21221

JULY 2, 19 87

THIS IS TO CERTIFY, that the annexed advertisement of

RONALD D. HAMMOND, ET UX 14th ELECTION DISTRICT
To advertise PO# 89684 REQ# M03290, NE/S FULLER
AVE., 148' NW OF THE C/I OF BELAIR RD.
HEARING: thursday, July 23, 1987 at 10:30am,
140 lines at \$70.00

was inserted in **The Avenue News** a weekly newspaper
published in Baltimore County, Maryland once a week for one
successive week(s) before the 3rd day of JULY 19 87.
that is to say, the same was inserted in the issues of 7/2 19 87.

The Avenue Inc.

per publisher

By Doris Caldwell

PETITION FOR
ZONING VARIANCES
14th Election District
6th Councilmanic District
Case No. 88-27-A
LOCATION: Northeast
Side Fuller Ave., 148
feet Northwest of the
Centerline of Belair
Rd.
DATE & TIME: Thursday,
July 23, 1987, at 10:30
a.m.
PUBLIC HEARING: Room
106, County Office
Building, 111 W.
Chesapeake Ave.,
Towson, Maryland.
The Zoning Com-
missioner of Baltimore
County, by authority of
the Zoning Act and
Regulations of
Baltimore County, will
hold a public hearing:
Petition for Zoning
Variances to permit a
window and building
10 feet from the tract
boundary in lieu of the
required 35 and 30 feet
respectively as to Lot
3, permit facing win-
dows 20 feet apart in
lieu of the required 40
feet as to Lots 2 and 3,
and 10 feet window to
property line setback
in lieu of the required
15 feet for Lot 2 - two
sides and Lot 3 - one
side.
Being the property of
Ronald D. Hammond,
et ux, as shown on plat
plan filed with the
Zoning Office.
It is ordered that this
notice be published in
the Baltimore County
Official Gazette for
three consecutive weeks
prior to the hearing.
Dated: July 2, 1987.
Zoning Commissioner
of Baltimore County

Robert A. McFarland, Esquire
21 West Susquehanna Avenue
Towson, Maryland 21204

June 11, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
NE/S Fuller Ave., 148' NW of the c/l of
Belair Rd.
14th Election District - 6th Councilmanic District
Ronald D. Hammond, et ux - Petitioners
Case No. 88-27-A

TIME: 10:30 a.m.

DATE: Thursday, July 23, 1987

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

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 32557

DATE 4/15/87 ACCOUNT 01-615-000

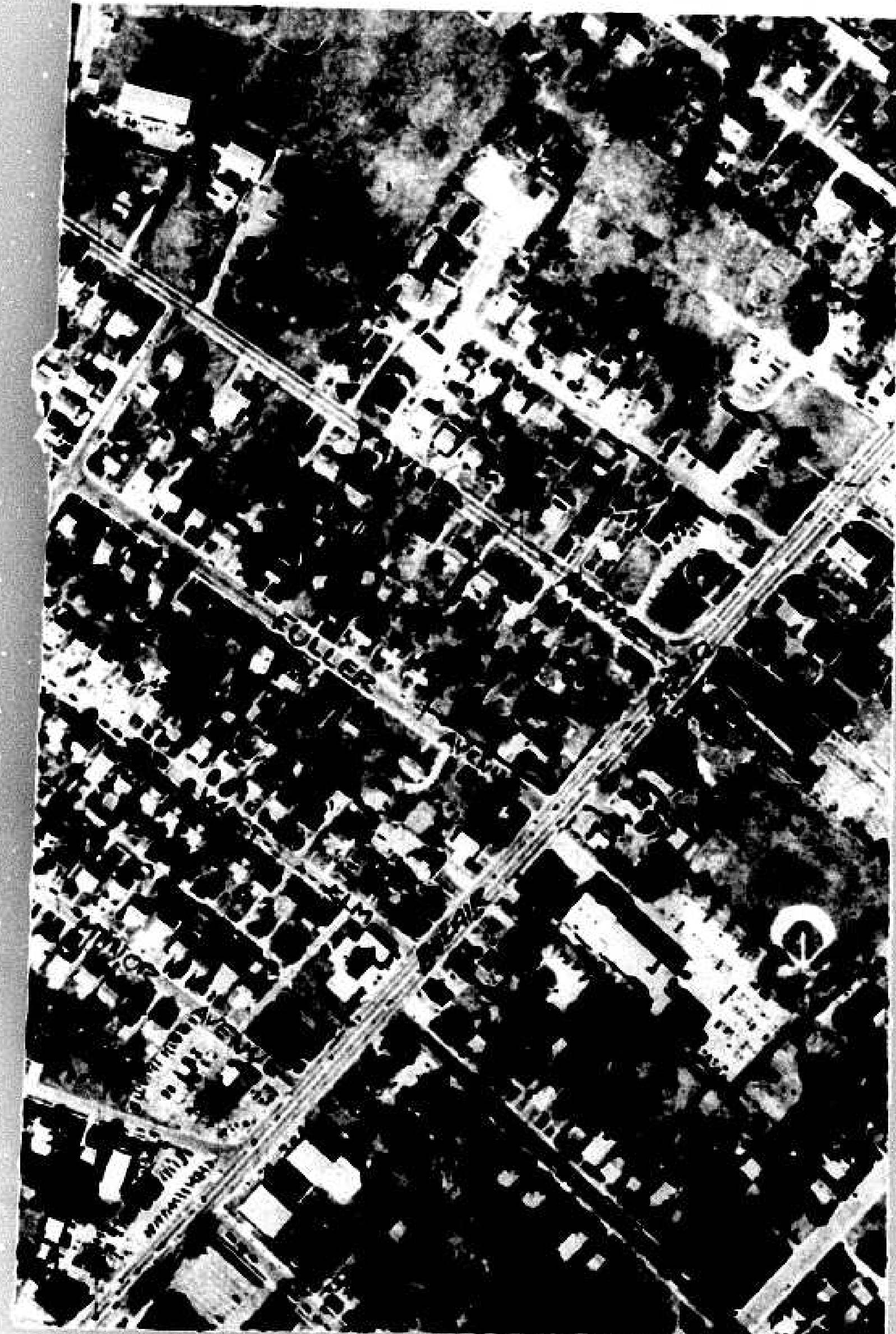
AMOUNT \$ 100.00

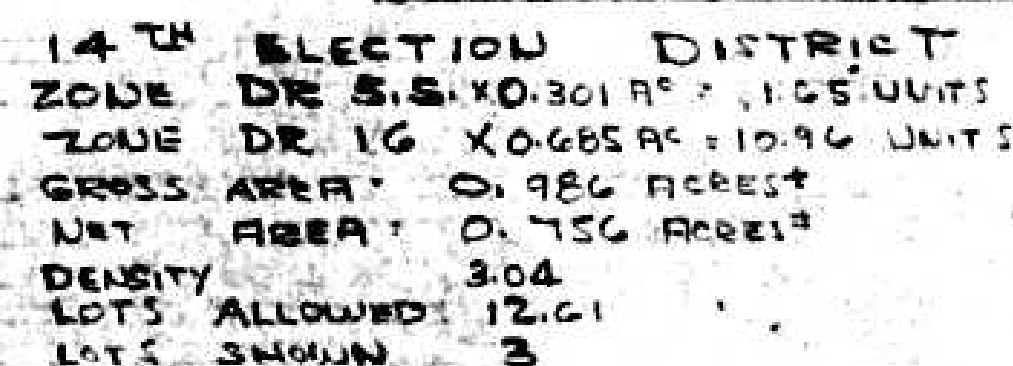
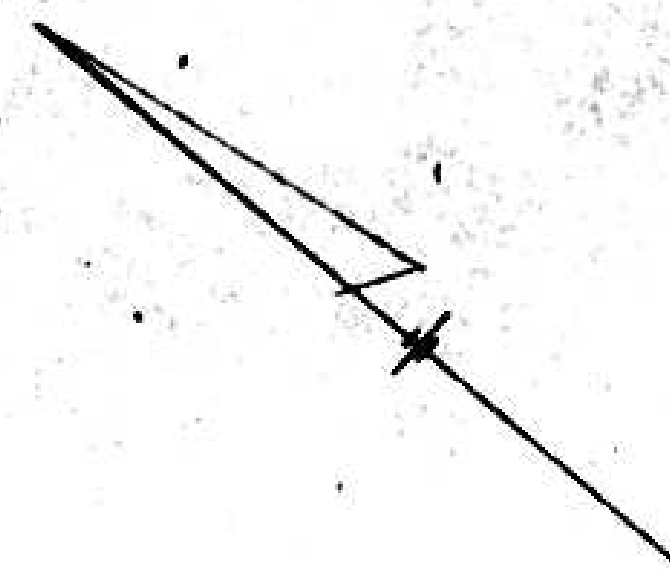
RECEIVED FROM Power + Money

FOR Don # 424

8 8151*****1000013 3102F

VALIDATION OR SIGNATURE OF CASHIER





PROPOSED ZONING VARIANCES
BUILDING TO TRACT BOUNDARY 10' IN LIEU OF 30'
WINDOW TO TRACT BOUNDARY 10' IN LIEU OF 35'
WINDOW TO WINDOW 20' IN LIEU OF 40'

PLAT TO ACCOMPANY ZONING PETITION * 424
PROPOSED 3 LOT SUBDIVISION

PROPERTY OF
REBA E. HAMMOND & RONALD D. HAMMOND
DEED REF: BK JR N 6576 Folio 500



William B. French

424

REVISED PLANS

4/23/17

OFFICE COPY

**PETITIONER'S
EXHIBIT** 1 *SCA*

SCALE 1"=20' 3-31-87

