

MAP NW 9P
2C
E.D. 3
DATE 10/18/87
200
1000
DP

William S. Heller, et ux 88-67-A
SE/S Old Court Rd., 2250' SW of C/I
of Greenspring Ave.
3rd E.D.
2nd C.D.

479 88-67-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 400.1 to permit an accessory building (garage) existing to be located in the side yard in lieu of the required rear yard.

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

Compliance with paragraph 400.1 requiring accessory buildings in residence zones to be located only in the rear yard would necessitate the demolition of the existing garage that presently and historically services the existing residence. Both house and garage have been in use for many years. Petitioner will suffer undue hardship if compelled to demolish the garage, which now poses no adverse impact on the general welfare of the community.

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:

Crown Development Corporation
(Type or Print Name)
Signature
2324 W. Joppa Road, Suite 330
Address
Lutherville, Maryland 21093
City and State

Legal Owner(s):

William S. Heller
(Type or Print Name)
Signature
Sally S. Heller
(Type or Print Name)
Signature
2324 W. Joppa Road, Suite 330
Address
Lutherville, Maryland 21093
City and State

Attorney for Petitioner:

Susan S. Miller, Esquire
(Type or Print Name)
Signature
3655B Old Court Road, Suite 24
Address
Baltimore, Maryland 21208
City and State

6516 Darnall Road (301) 339-7207
Address
Phone No.
Ruxton, Maryland 21204
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John W. Shilling, Jr.
2324 W. Joppa Road, Suite 330
Address
Lutherville, Maryland 21093 (301) 337-0604
City and State
Phone No.

Attorney's Telephone No.: (301) 484-8102

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day

of June 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 3rd day of August, 1987, at 9:30 o'clock A.M.

Charles Lee
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
Date August 11, 1987
By John P. Langlois

88-67-A
4-6-88

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: July 8, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition Nos. 88-56-XSPA, 88-67-A, 88-68-SPH and 88-76-A

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

Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
JUL 10 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 20, 1987

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

Susan S. Miller, Esquire
3655-B Old Court Road, Suite 24
Baltimore, Maryland 21208

RE: Item No. 474 - Case No. 88-67-A
Petitioner: William S. Heller, et ux
Petition for Zoning Variance

Dear Ms. Miller:

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

cc: Mr. John W. Shilling, Jr.
2324 W. Joppa Road, Suite 330, Lutherville, Md. 21093

File

RECEIVED
Maryland Department of Transportation
State Highway Administration
JUN 1 1987
ZONING OFFICE
May 28, 1987

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

RE: Baltimore County
Item #474
Property Owner:
William S. Heller
et ux
Location: SE/S Old Court Road
Maryland Route 133
2250 Feet SW centerline of Greenspring Avenue
Existing Zoning: D.R. 1
Proposed Zoning: Variance to permit an accessory building (garage) existing to be located in the side yard in lieu of the required rear yard
Area: 5.53 acres
District: 3rd

Dear Mr. Jablon:

On review of the submittal of April 27, 1987, showing a proposed 80' right-of-way (40' half section), the State Highway Administration finds the submittal generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engr. Access Permits

BY: George Wittman

CL-GW/es

cc: J. Ogle

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
Paul H. Reincke
Chief
C. Richard Moore
Acting Director

June 10, 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 469, 471, 474, 475, 476, 480, 481, 483, 470, 472, and 479.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate II

MSF:11

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

May 28, 1987

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

Re: Property Owner: Wm. S. Heller, et ux

Location: SE/S Old Court Road, 2250' SW centerline of Greenspring Avenue

Item No.: 474 Zoning Agenda: May 26, 1987

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.

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

/s/

Case No. 88-67-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 day of June, 1987.

Arnold Jablon
Zoning Commissioner

Received by: Susan S. Miller, Esquire
Chairman, Zoning Plans Advisory Committee

My telephone number is 333-1350

Teletypewriter for Impaired Hearing or Speech
303-7886 Baltimore Metro - 888-0481 D.C. Metro - 1-800-485-6242 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

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 result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the variance requested will not adversely affect the health, safety, and general welfare of the community, the variance should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of August, 1987, that the Petition for Zoning Variance to permit an accessory building (existing garage) in the side yard in lieu of the required rear yard be and is hereby GRANTED from and after the date of this Order.

Arnold Jablon
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Susan S. Miller, Esquire

People's Counsel

17-241
5/28/87
To S
AD 900-800
Case file

MILLER AND MILLER, P.A.
ATTORNEYS AT LAW
SUITE 24
3655-B OLD COURT ROAD
BALTIMORE, MARYLAND 21208

RECEIVED
MAY 28 1987
ZONING OFFICE
(301) 384-3000

FREDERICK W. MILLER
SUSAN S. MILLER

May 27, 1987

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County, Maryland
Room 109
County Office Building
Towson, Maryland 21204

Re: Petition No. 474 for Zoning Variance

Dear Mr. Jablon:

A Petition for Zoning Variance was filed on May 13, 1987 by William S. Heller and Sally S. Heller, Legal Owners, and Crown Development Corporation, Contract Purchaser. The Petition is based upon an existing condition, to wit, a garage which has been in existence since the construction of the residence on the property in 1929.

Please accept this letter as a formal request for an expedited hearing. Any delay in the hearing will cause economic hardship to the parties.

Thank you for your prompt consideration of this matter.

Very truly yours,

Susan S. Miller
Susan S. Miller

SSM:jeh
cc: Mr. John W. Shilling
c/o Crown Development Corporation

DESCRIPTION OF PROPERTY OWNED BY

WILLIAM S. AND SALLY S. HELLER

THIRD ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the centerline of Old Court Road (State Route 133), said point being situated approximately 2250 feet southwesterly from the centerline of Greenspring Avenue, thence leaving said centerline and running with the following nine courses and distances: Southerly by a line curving to the west with a radius of 1808.60 feet and a chord which bears South 12°13'30" East 545.58 feet, the distance of 547.67 feet to a point, thence Southwesterly by a line curving to the West with a radius of 100 feet and a chord bearing South 26°27' West 100.00 feet, the distance of 104.72 feet to a point, thence South 56°27' West 80.00 feet to a point, thence Southwesterly by a line curving toward the South with a radius of 150 feet and a chord bearing South 37°25'35" West 97.79 feet, the distance of 99.61 feet to a point, thence North 71°35'50" West 96.00 feet to a point, thence North 10°20' West 32.07 feet to a point, thence North 13°21' West 134.69 feet to a point, thence South 86°27'00" West 124.95 feet to a point, thence North 23°33'30" West 301.85 feet to a point on the centerline of Old Court Road; thence turning and running with said centerline the following four courses and distances: North 53°21'40" East 192.01 feet to a point, thence North 53°29' East 29.5 feet to a point, thence following a line curving toward the East with a chord bearing North 57°33' East for 192.21 feet, the distance of 192.33 feet to a point, thence North 61°38' East 100.00 feet to the point of beginning.

Containing 5.53 acres of land, more or less.

OFFICE COPY

PETITION FOR ZONING VARIANCE

3rd Election District - 2nd Councilmanic District

Case No. 88-67-A

LOCATION: Southeast Side Old Court Road, 2250 feet Southwest of Centerline of Greenspring Avenue

DATE AND TIME: Monday, August 3, 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 an accessory building (garage) existing to be located in the side yard in lieu of the required rear yard

Being the property of William S. Heller, 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 VARIANCE : BEFORE THE ZONING COMMISSIONER
SE/S Old Court Rd., 2250' SW of : OF BALTIMORE COUNTY
C/L of Greenspring Ave.
3rd District
WILLIAM S. HELLER, et ux, : Case No. 88-67-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 13th day of July, 1987, a copy of the foregoing Entry of Appearance was mailed to Susan S. Miller, Esquire, 3655B Old Court Rd., Suite 24, Baltimore, MD 21208, Attorney for Petitioners; and John W. Shilling, Jr., Crown Development Corp., 2324 W. Joppa Rd., Lutherville, MD 21093, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

July 29, 1987

Susan S. Miller, Esquire
3655-B Old Court Road, Suite 24
Baltimore, Maryland 21208

RE: PETITION FOR ZONING VARIANCE
SE/S Old Court Rd., 2250' SW of c/l of
Greenspring Ave.
3rd Election District - 2nd Councilmanic District
William S. Heller, et ux - Petitioners
Case No. 88-67-A

Dear Ms. Miller:

This is to advise you that \$73.15 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
No. 37825

DATE 8/3/87 ACCOUNT B-01-615-000

SIGN & POST RETURNED
AMOUNT \$ 73.15

RECEIVED FROM Helmsley Court Limited Partnership,
2324 W. Joppa Rd., Suite 330, Lutherville,
Md. 21093

FOR ADVERTISING & POSTING COSTS RE CASE #88-67-A

8 8017*****731518 8032F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting July 16, 1987
Posted for Variance
Petitioner William S. Heller, et ux
Location of property SE/S Old Court Rd. 2250' SW of c/l of
Greenspring Ave.
Location of Sign SW front of SE/S Old Court Rd.
Remarks
Posted by S. J. Grata Signature Date of return July 17, 1987
Number of Signs 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 16, 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 16, 1987.

THE JEFFERSONIAN,

Susan Sander Obrecht

Publisher

PETITION FOR
ZONING VARIANCE
3rd Election District
2nd Councilmanic District
Case No. 88-67-A

LOCATION: Southeast Side of
Old Court Road, 2250 feet South-
west of Centerline of Greenspring
Avenue

DATE AND TIME: Monday, August
3, 1987 at 9:30 a.m.

PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing:

Petition for Zoning Variance to
permit an accessory building (gar-
age) existing to be located in the
side yard in lieu of the required rear
yard

Being the property of William S.
Heller, 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 ap-
peal period. The Zoning Commis-
sioner 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
7/21/87

LEGAL NOTICE

PETITION FOR ZONING VARIANCE

3rd Election District - 2nd Councilmanic District

LOCATION: SE/S Old Court Road, 2250' SW of Greenspring Ave.

DATE AND TIME: Monday, August 3, 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 is to permit an accessory building (garage) on a lot located in the 3rd election district.

Being the property of William S. Heller, et ux, as shown on plat plan filed with the Zoning Office.

In the event that the Petitioner is granted a building permit may be issued within the sixty (60) 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
ARNOOLD J. JARLSON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Northwest STAR

1000 KER AVE, SUITE 204 • PIKESVILLE, MD. 21208 • 653-3800

CERTIFICATE OF PUBLICATION

B9800

Pikesville, Md., July 15, 19 87

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 3rd day of Aug. 19 87

the first publication appearing on the 15th day of July, 19 87

the second publication appearing on the _____ day of _____, 19 _____

the third publication appearing on the _____ day of _____, 19 _____

THE NORTHWEST STAR

Phyllis Hedberg
Manager

Cost of Advertisement \$22.40

Susan S. Miller, Esquire
3655-B Old Court Road, Suite 24
Baltimore, Maryland 21208

June 25, 1987

NOTICE OF HEARING
RE: PETITION FOR ZONING VARIANCE
SE/S Old Court Rd., 2250' SW of c/l of Greenspring Ave.
3rd Election District - 2nd Councilmanic District
William S. Heller, et ux - Petitioners
Case No. 88-67-A

TIME: 9:30 a.m.

DATE: Monday, August 3, 1987

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

[Signature]
Zoning Commissioner
Baltimore County

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

No. 36091

DATE 5/13/87 ACCOUNT 01-615-000

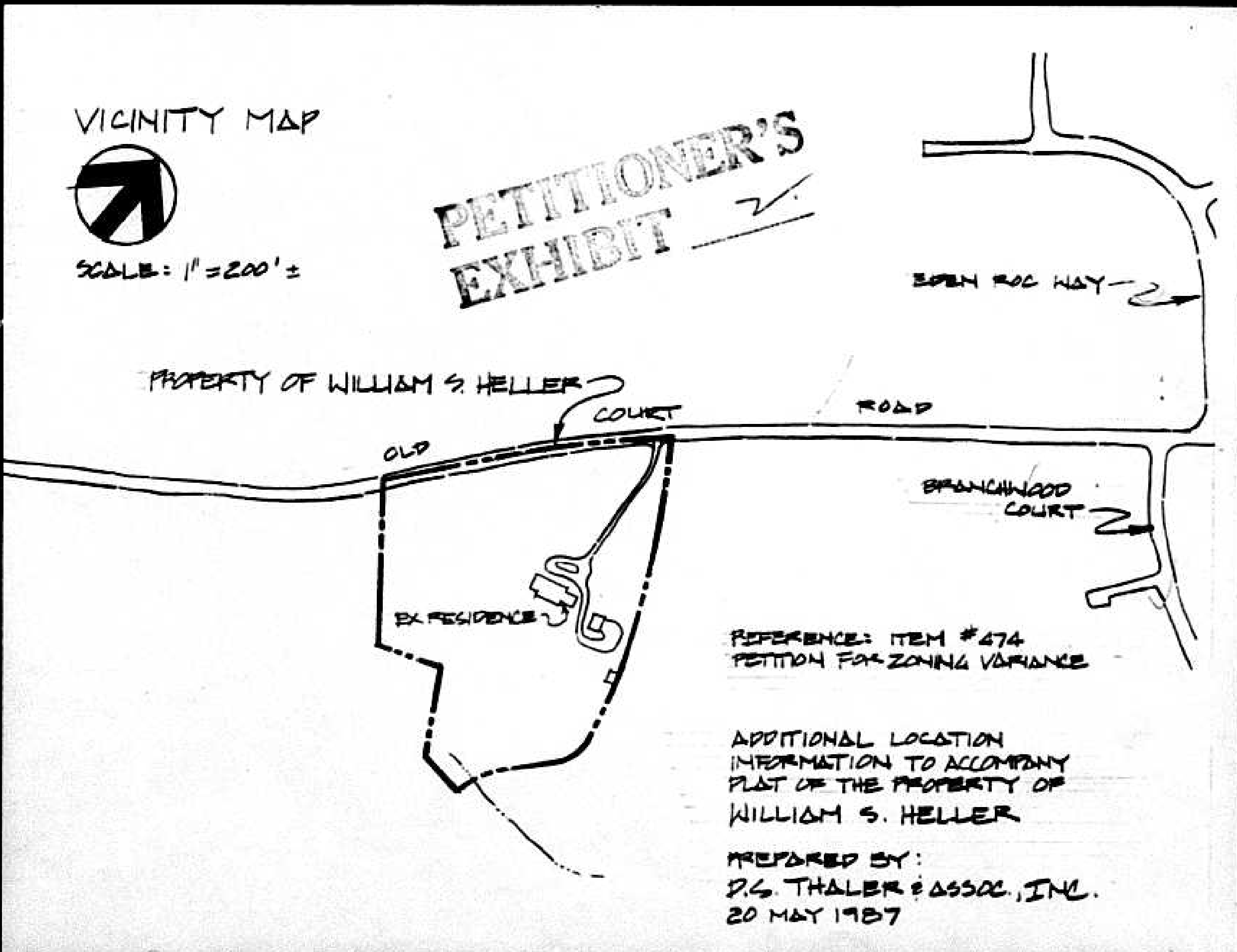
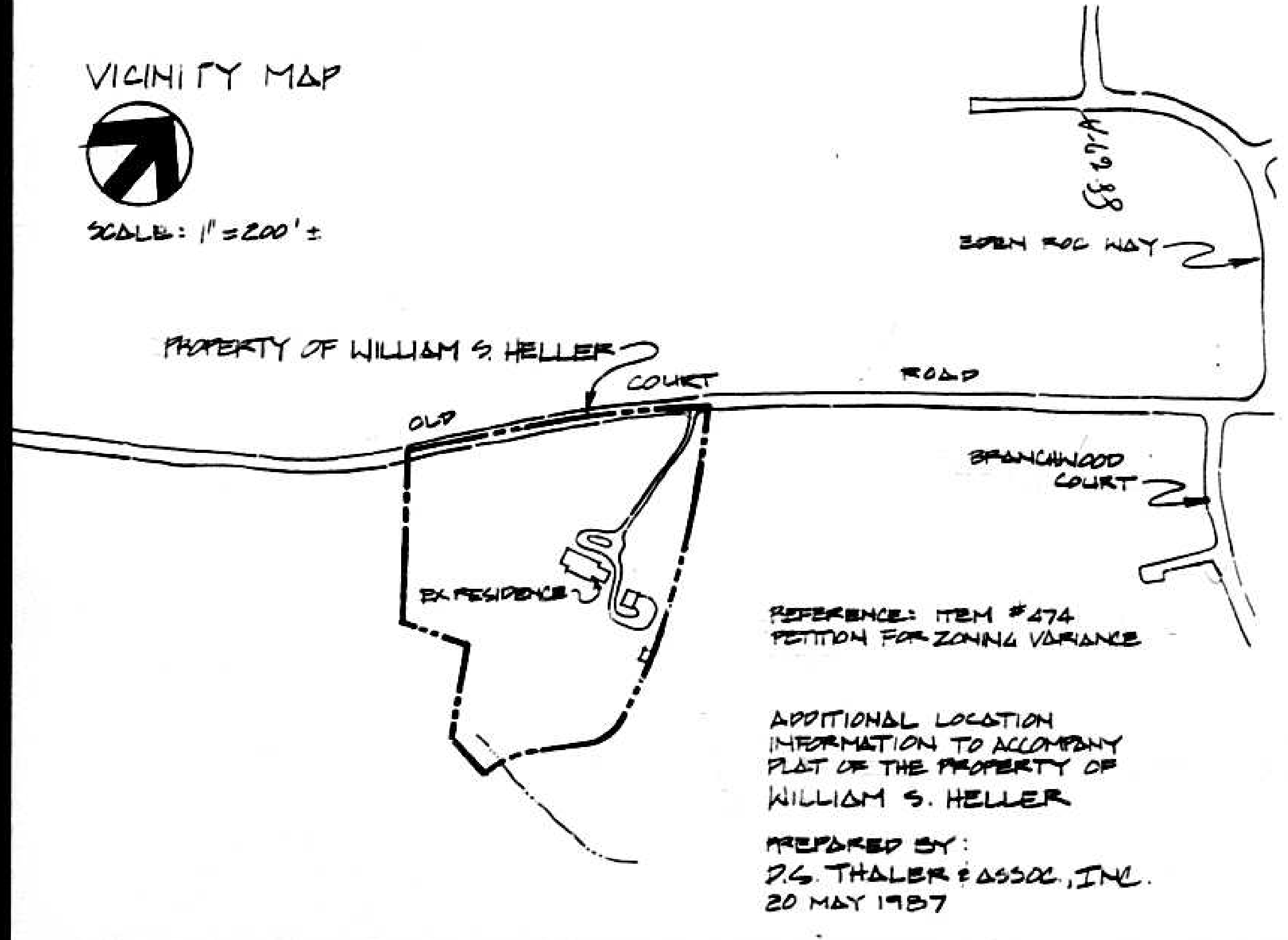
AMOUNT \$ 35.00

RECEIVED FROM Helmsley Court Ltd. Pkship

FOR # 474 Var

B 8092*****350014 5146F

VALIDATION OR SIGNATURE OF CASHIER



WILLARD HACKERMAN
 ZONED DR-1
 AGRICULTURAL USE

UNIV. OF MARYLAND
 FOUNDATION, INC.
 ZONED DR-1
 AGRICULTURAL USE

EXISTING OLD COURT ROAD (HACKERMAN)
 (STATE ROUTE 133)
 32' PAVEMENT ON 50' R.O.W.
 PROPOSED R.O.W. 80'

PAUL SHULMAN, ET AL.
 ZONED DR-1
 VACANT

2250' ± TO S. OF
 GREENSTAMP AVENUE

* THERE ARE NO PRINCIPAL
 BUILDINGS WITHIN 200' OF
 ANY PROPERTY LINE.
 THERE IS ONE RESIDENCE
 APPROX. 450' TO THE N/E AND
 ONE APPROX. 500' TO THE S/W.

JOSEPH W. SHAPIRO
 ZONED DR-1
 RESIDENTIAL USE

SIDE YARD
 (20' ±, 1975, DIST. 100')

EXISTING DRIVE
 (MACADAM)

FRONT OF HOUSE

HELLER PROPERTY
 ZONED DR-1
 5.53 AC ±
 1215 / 559
 3623 OLD COURT ROAD

REAR YARD
 (AS DEFINED SECTION 1001
 E.Z.R., 1975)

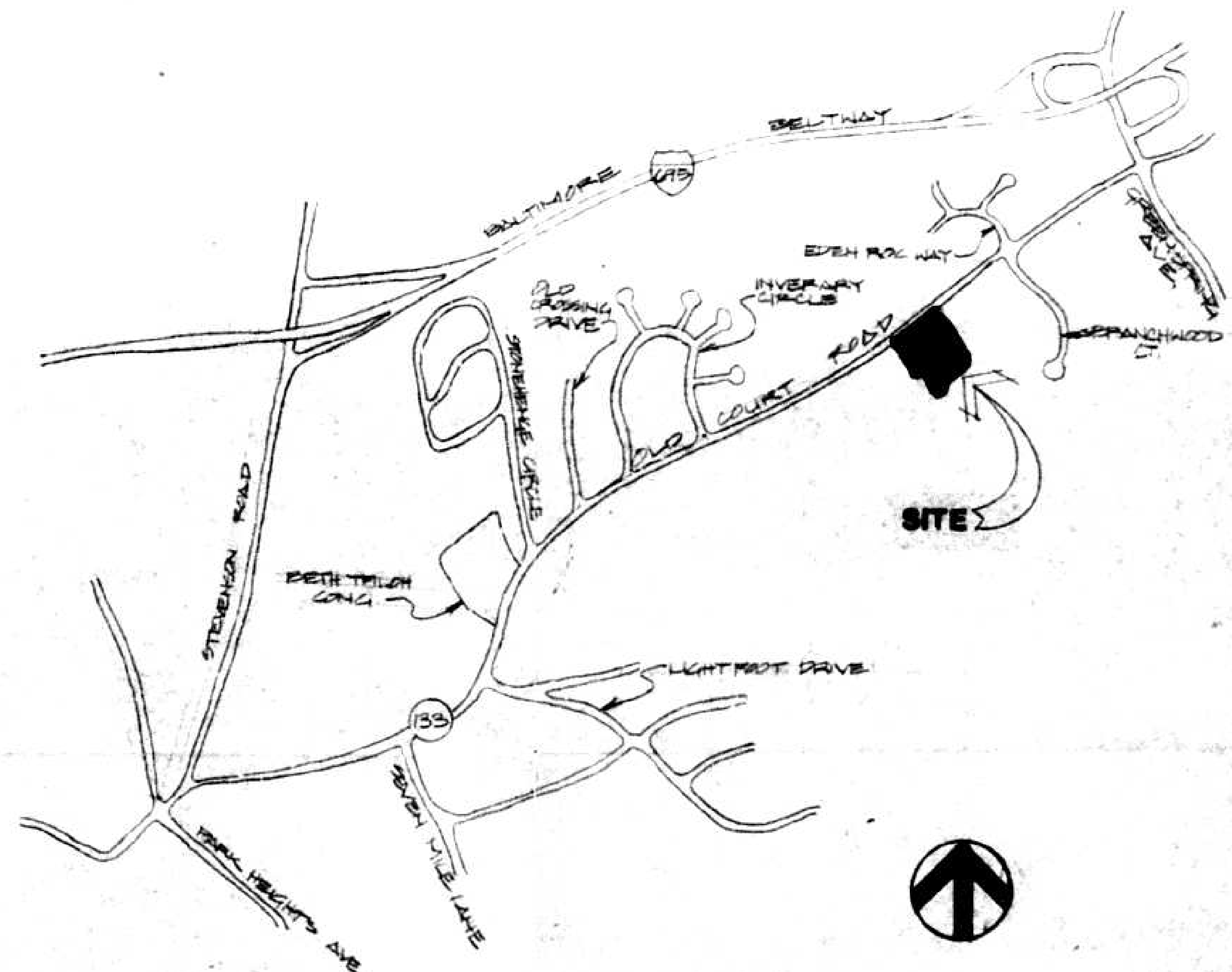
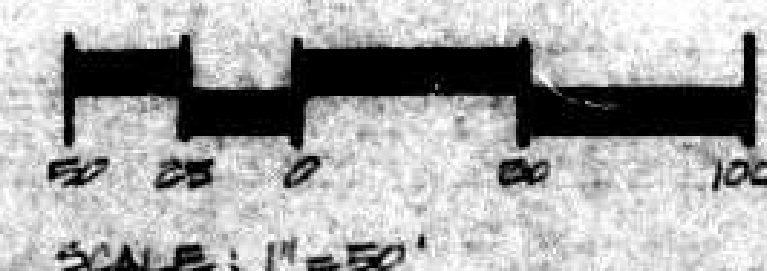
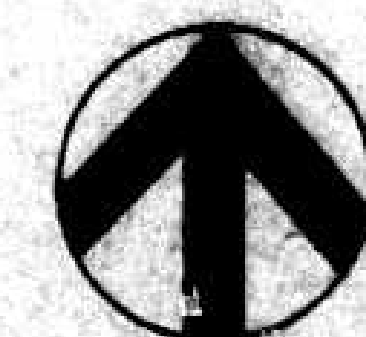
EXISTING HOUSE
 (TO REMAIN)

EXISTING GARAGE
 (TO REMAIN)

EXISTING OUTBUILDING
 (TO BE MAINTAINED)

SPRING HEAD
 STREAM

PLAT TO ACCOMPANY ZONING VARIANCE PETITION



VICINITY MAP

SCALE: 1" = 1000'

ELECTION DISTRICT #3

REVISIONS

DATE 4-27-87
 SCALE 1" = 50'
 DESIGNED BY
 DRAWN BY
 CHECKED BY
 APPROVED BY

CURVE #	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
1	1000.00	547.67'	S12°10'00"E	545.88'
2	100.00	104.72'	S26°27'W	100.00'
3	150.00	99.61'	S57°25'25"W	77.79'
4	LINK	192.80'	N57°55'E	192.21'

PROPERTY OF WILLIAM S. HELLER

7x150

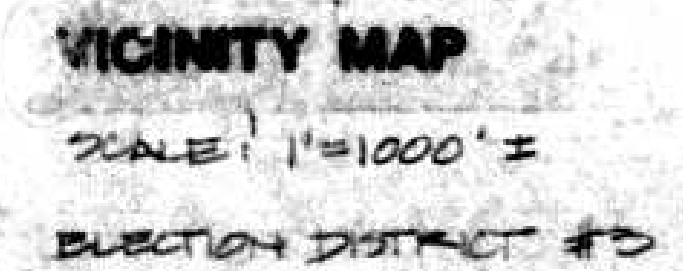
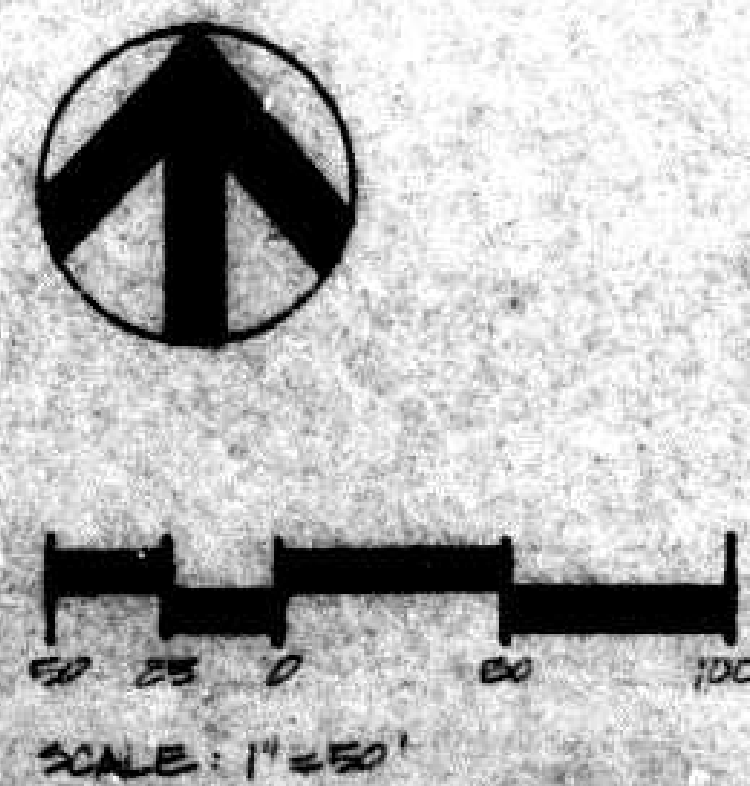
D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
SURVEYORS
LAND PLANNERS

11 WARREN ROAD
BALTIMORE MD 21208
(301) 484 4100

PROJECT No. 0549

MEET NO 1

4-8-88



5/5A
1 Sign
88-69-A
474 OFFICE

**PETITIONER
EXHIBIT**

REVISIONS

DATE 4/27/57
SCALE 1"=50'
C1

DESIGNED BY
DRAWN BY
CHECKED BY
APPROVED BY