

88-95-A
#517

NE/S Nina Ct., 290.67' SE of c/l of Marcie Dr.
(8203 Nina Ct.)

3rd E.D.

7/20/87

Variance - filing fee \$35.00 - Jesse S. Weinberg, et ux

7/20/87

Hearing set for 9/2/87, at 9:30 a.m., before Mr. Haines.

9/2/87

Advertising and Posting - \$76.35

9/3/87

Ordered by the Zoning Commissioner that the Petition for Zoning Variances to permit a side yard setback of 2' in lieu of the minimum required 20' and a sum of the side yard setbacks of 36.8' in lieu of the minimum required 50' is GRANTED with conditions.

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 3rd day of September, 1987, that the Petition for Zoning Variances to permit a side yard setback of 2 feet in lieu of the minimum required 20 feet and a sum of the side yard setbacks of 36.8 feet in lieu of the minimum required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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


J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH/srl

cc: Jesse S. Weinberg, Esquire

People's Counsel

88-95-A 517 **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 2 feet in lieu of the minimum required 20 feet, and a sum of both side yards of 36.8 feet in lieu of the minimum required 50 feet.

1. Present Zoning Regulations will not permit a garage and storage shed wider than thirteen feet from the present north side of the existing dwelling.
2. The width of the proposed garage and storage shed are greater than thirteen feet, and as a result will exceed minimum side yard requirements.
3. The sideyard is the only portion of the property where the proposed garage and storage shed can be built due to the topography of the lot. Any other location will interfere with the present drainage mews.
4. The existing dwelling has no storage facilities. 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
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Jesse S. Weinberg
8203 Nina Court
Baltimore, MD 21208
Office: 484-9494
Home: 486-5275
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of July, 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 2nd day of September, 1987, at 9:30 o'clock A.M.

ESTIMATED LENGTH OF HEARING 1 1/2 HRS.
AVAILABLE FOR HEARING 11:00 AM - 1:00 PM
ALL MON. TUES. WED. - NEXT TWO DAYS
REVIEWED BY: RLN DATE: 8/12/87

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

J. ROBERT HAINES
ZONING COMMISSIONER

August 25, 1987

Jesse S. Weinberg, Esquire
Mrs. Esther M. Weinberg
8203 Nina Court
Baltimore, Maryland 21208

RE: PETITION FOR ZONING VARIANCE
NE/S Nina Ct., 290.67' SE of c/l of Marcie Dr.
(8203 Nina Ct.)
3rd Election District - 2nd Councilmanic District
Jesse S. Weinberg, et ux - Petitioners
Case No. 88-95-A

Dear Mr. and Mrs. Weinberg:

This is to advise you that \$76.35 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 21204, before the hearing.

Sincerely,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

37670

9/1/87 8-01-675-000

SIGN & POST
EXTENSION

Jesse S. Weinberg, 8203 Nina Court, Balto., Md. 21208

ADVERTISING & POSTING COSTS RE CASE 88-95-A

8 801100000763518 8028F

ZONING DESCRIPTION

Beginning for the same on the northeast side of Nina Court, 50 feet wide at the distance of 290.67' southeasterly from the southeast side of Marcie Drive.

BEING KNOWN AND DESIGNATED as Lot No. 8, Block E, as shown on a plat entitled "Subdivision Plat of Section 5, Stevenson Ridge, which plat is duly recorded among the Land Records of Baltimore County in Plat Book W.J.R. No. 26, page 57.

The improvements thereon being known as No. 8203 Nina Court, and being located in the Third Election District of Baltimore County.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

88-95-A

District: 3rd
Posted for: Variance
Petitioner: Jesse S. Weinberg, et ux
Location of property: NE/S Nina Ct., 290.67' SE of c/l of Marcie Dr.
Location of sign: NE/S Nina Ct.
Remarks: 8/2/87
Posted by: J. S. Weinberg
Number of signs: 1

Jesse S. Weinberg, Esquire
Mrs. Esther M. Weinberg
8203 Nina Court
Baltimore, Maryland 21208

July 29, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S Nina Ct., 290.67' SE of c/l of Marcie Dr.
(8203 Nina Ct.)
3rd Election District - 2nd Councilmanic District
Jesse S. Weinberg, et ux - Petitioners
Case No. 88-95-A

TIME: 9:30 a.m.
DATE: Wednesday, September 2, 1987
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

36194

8/9/87 8-01-675-000

35.00

ITEN 517

ZONING VARIANCE

8 804100000350018 8088F

PETITION FOR ZONING VARIANCE

3rd Election District - 2nd Councilmanic District
Case No. 88-95-A

LOCATION: Northeast Side of Nina Court, 290.67 feet Southeast of Centerline of Marcie Drive (8203 Nina Court)

DATE AND TIME: Wednesday, September 2, 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 2 feet in lieu of the minimum required 20 feet and a sum of both side yards of 36.8 feet in lieu of the minimum required 50 feet

Being the property of Jesse S. Weinberg, 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 JARLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 13, 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 August 12, 1987

THE JEFFERSONIAN

Susan Seidenfeldt

Printer

RE: PETITION FOR VARIANCE
NE/S Nina Ct., 290.67' SE of
C/L of Marcie Dr. (8203 Nina
Ct.), 3rd District
JESSE S. WEINBERG, et ux,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-95-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 14th day of August, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Jesse S. Weinberg, 8203 Nina Ct., Baltimore, MD 21208, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

30645

Pikesville, Md., Aug 12, 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 2nd day of Sept. 19 87
the first publication appearing on the 12th day of Aug. 19 87
the second publication appearing on the day of 19
the third publication appearing on the day of 19

THE NORTHWEST STAR

Phyllis Cole Friedman
Phyllis Cole Friedman

Cost of Advertisement \$25.60

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines, Zoning Commissioner
TO: Zoning Administration
FROM: Norman E. Gerber, AICP
Director of Planning and Zoning
SUBJECT: Zoning Petition 88-95-A

Date: August 20, 1987

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

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director

NEG:KAR:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

RECEIVED
AUG 22 1987

ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 25, 1987

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

ofo

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. & Mrs. Jesse S. Weinberg
8203 Nina Court
Baltimore, Maryland 21208

RE: Item No. 517 - Case No. 88-95-A
Petitioner: Jesse S. Weinberg, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Weinberg:

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 to 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,

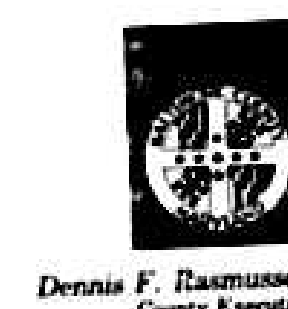
James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:bjs

Enclosures

cc: File

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554



July 9, 1987

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

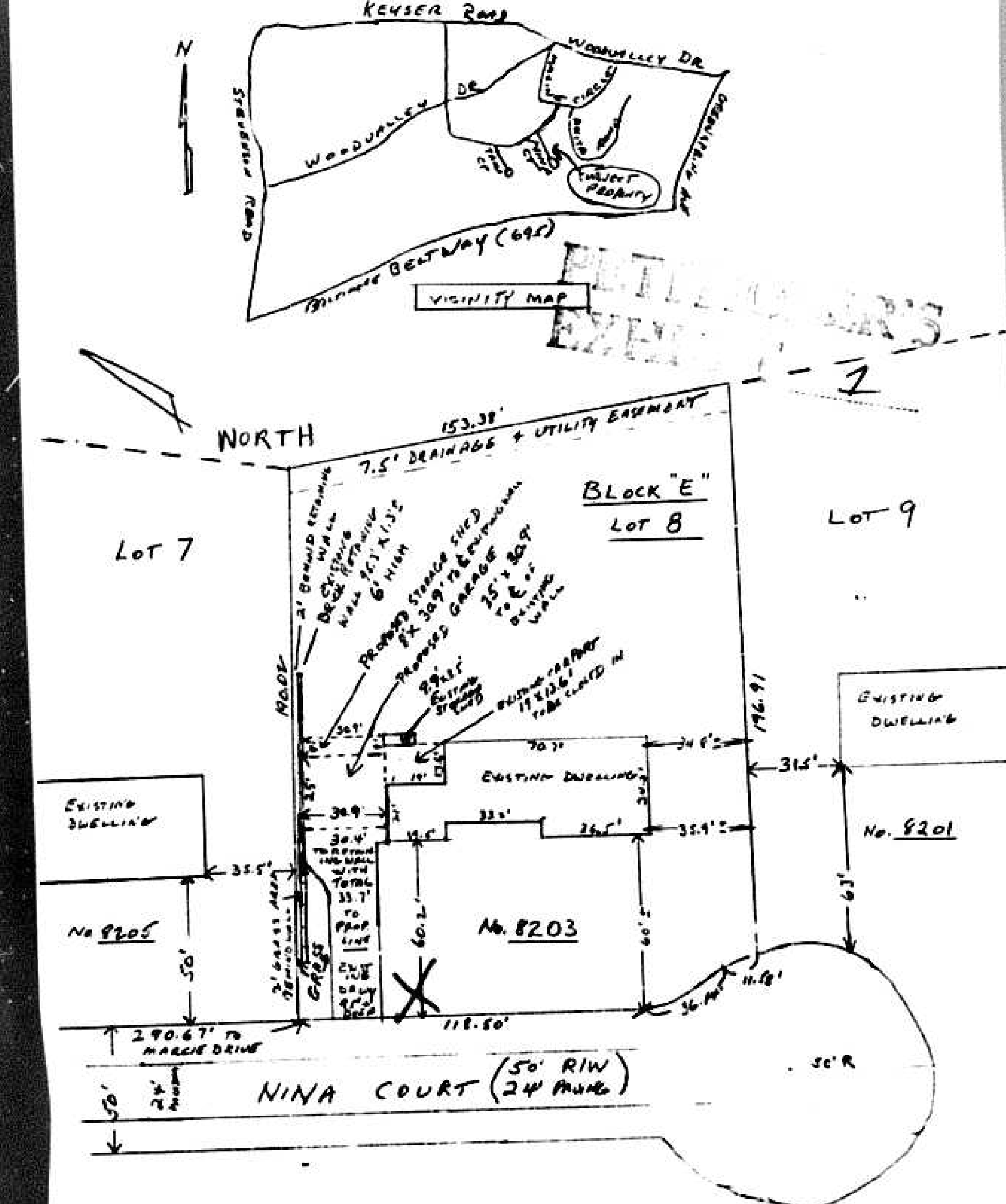
Dear Mr. Jablon:

The Bureau of Traffic Engineering has no comments for items number 516, 517, 519, 520, 521, 522, 523, 524, 525, and 526.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt



PLAT FOR ZONING VARIANCE

OWNERS - JESSE S. & ESTHER WEINBERG
DISTRICT 3, ZONED DR1
SUBDIVISION - STEVENSON RIDGE, SECTION 5
LOT 8, BLK. E, BOOK W.L.R. NO. 26, FOLIO 57
EXISTING UTILITIES IN NINA CT.
SCALE: 1" = 40 FT.

LOT SIZE 31,784.87 SQ. FT.
.7246 ACRES

OFFICE COPY

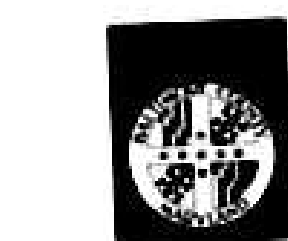
88-95-A

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

Paul H. Reacke
Chief

June 19, 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: Jesse S. Weinberg, et ux
Location: NE/S Nina Ct., 290.67 feet ± SE Marlee Drive
Item No.: 517
Zoning Agenda: Meeting of 6/23/87

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: [Signature]
[Signature]
Special Inspection Division

Noted and

Approved: [Signature]

Fire Prevention Bureau

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office of Planning and Zoning
111 W. Chesapeake Avenue
Room 109
Towson, Maryland 21204

JESSE S. WEINBERG
ATTORNEY AT LAW
8203 Nina Court
Baltimore, MD. 21208
Phone (301) 486-5275

Day Number
484-9494

June 9, 1987

RECEIVED
JUN 12 1987

ZONING OFFICE

Re: 8203 Nina Court

Dear Mr. Jablon:

My wife and I have prepared a Petition for Zoning Variance on our home requesting a side yard variance so that a garage and storage shed can be constructed to attach to our home. It is my understanding that when there are hardship cases the processing of the application and hearing can be expedited.

I am a semi-retired attorney and have accumulated many case files covering the past forty-eight years, since I was admitted to the Bar. I do not have storage space in my home and have rented storage space at a Public Locker facility. When I receive a request for information from one of my stored files it means I must travel over twenty-five miles round trip to retrieve a file for review. When I return the file to the locker it means another round trip. This is time consuming and recently has become dangerous.

The present heating system in our home has a summer-winter hookup for domestic hot water, which is inadequate and not satisfactory. Our plumber has recommended a separate hot water storage heater. We do not have a basement and our present utility and furnace/boiler does not have sufficient space to install a hot water heater. This means that we must move our washer and dryer to another room, so that we can fit a heater in our present utility and furnace room. We hope to accomplish this by closing in our present one car carport and converting it into an auxiliary utility room. Our present one car carport is open on two sides and exposed to inclement weather. It is overcrowded with items stacked on the two inside walls. The stacked items should be stored in a protected closed storage area.

Our one story ranch home was built on a slab over twenty-seven years ago. The developer made an error when the lot was engineered and as a result the dwelling was built too low on the lot. Our ground foundation is at least twelve to fifteen feet lower than the ground foundation of our neighbor to the north (No. 8205 Nina Court). In order that the resulting steep slope between the dwellings be properly maintained and proper drainage provisions be provided the builder had to erect a retaining wall and ninety-five feet in length and six feet in height between the two lots. The slope was built up so that it could be properly maintained and swales provided for proper drainage. The wall when erected was built two feet away from the property line, thus avoiding any possibility of an encroachment in the future.

* VARIATION DO NOT SCHEDULE ON THE
FOLLOWING DATES: 6/10/87 THRU 8/14/87

Mr. Arnold Jablon, Zoning Commissioner, June 9, 1987, page two

Inasmuch as the roof line of the proposed garage and storage shed would be lower or on line than the foundation of our adjoining neighbor, a zero to a two foot side yard variance would allow us to utilize the present retaining wall as the north wall and also as a base for the support columns of the proposed construction.

In view of the extenuating circumstances an early hearing on the attached petition is requested for the reasons hereinbefore set forth.

Respectfully yours,

[Signature]
Jesse S. Weinberg

PETITIONER'S
EXHIBIT 2

JSHiem

Case No. 88-95-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
20th day of July, 1987.

[Signature]
J. Robert Haines
ZONING COMMISSIONER
Received by: [Signature]
Chairman, Zoning Plans
Advisory Committee