

88-219-A
#52

290.52 Ft. N of Chittenden La., 780 Ft. E of Garrison Forest Rd.
(8 Chittenden Ln.)

9-27-87

Variance - filing fee - \$35.00 - Gilbert C. Hooper, III, et ux

9-27-87

Hearing set for 12-7-87, at 9:00 a.m. before Ms. Nastarowicz

12/9/87

ORDERED by the Deputy Zoning Commissioner that the Petition for Variance is
GRANTED, with restrictions.

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 ~~XXXXXXX~~ result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance ~~XXX~~ requested ~~XXXX~~ will not adversely affect the health, safety, and general welfare of the community, the variance ~~XX~~ should ~~XXXXXXXXXX~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of December, 1987, that the herein Petition for Variance(s) to permit a side yard setback of 30 feet in lieu of the required 37.5 feet for an open projection (deck) in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 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.

AMN:bjs

Ann M. Natarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

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 1A04.3.b.3.(301.1) To permit a side yard setback of 30 feet in lieu of the required 37.5 feet for an open projection (deck).

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

1. The house has an existing deficient setback making it difficult to add any deck at all on the side of the house.
2. The deck would definitely not be detrimental to the health, safety, or general welfare of others.
3. The nearest house is well over 200 feet away, approximately 300-350 feet away.
4. The adjacent property line is well shielded by trees and shrubs.

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 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)	Gilbert Carroll Hooper, III
Signature	Signature
Address	Mary Coleman Hooper
City and State	Signature
City and State	8 Chittenden Lane
City and State	Owings Mills, MD 21117
City and State	City and State
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Signature
City and State	Name
City and State	Address
City and State	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of September 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 11th day of December, 1987, at 9:00 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

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

Paul H. Reincke
Chief

August 26, 1987

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Gilbert Carroll Hooper, III, et ux

Location: 290.52' N. Chittenden La., 780' E. Garrison Forest Road

Item No.: 52

Zoning Agenda: Meeting of 8/18/87

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 of 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] Noted and Approved: [Signature]
Hearing Group: [Signature] Fire Prevention Bureau
Special Inspection Division

/s/

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Building, Suite 405
Towson, Maryland 21204
494-4554

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Zoning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 43, 44, 45, 46, 47, 48, 49, 52, 55, 56, 57, and 58.

Very truly yours,

[Signature]
Michael S. Flanagan
Traffic Engineer Associate II

MSF:ab

RECEIVED
SEP 20 1987
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: November 12, 1987

FROM: Norman E. Gerber, AICP
Zoning Petitions No. 88-214-A, 88-215-A, 88-217-A, 88-207-A, 88-208-A, 88-218-A, 88-219-A, 88-223-A, 88-224-A, 88-225-A

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

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:dm

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

LANDMARK COMMUNITY NEWSPAPERS OF
Westminster, Md. Nov. 1987
THIS IS TO CERTIFY that the annexed Regulation was published for one (1) day of November 1987.
[] Carroll County Times a daily newspaper in Westminster, Carroll
[] Randallstown News, a weekly newspaper in Baltimore
[] Community Times, a weekly newspaper in Baltimore
LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND
Per [Signature]

NOTICE OF ZONING VARIANCE
The following is a notice of a zoning variance application filed with the Zoning Commission of Baltimore County, Maryland, on September 22, 1987, by Gilbert Carroll Hooper, III, et ux, for a variance from Section 1A04.3.b.3.(301.1) of the Zoning Regulations of Baltimore County to permit a side yard setback of 30 feet in lieu of the required 37.5 feet for an open projection (deck) on the property located at 8 Chittenden Lane, Owings Mills, Maryland 21117. The variance is being requested for the purpose of allowing the construction of a deck on the side of the house. The variance is being requested for the purpose of allowing the construction of a deck on the side of the house. The variance is being requested for the purpose of allowing the construction of a deck on the side of the house.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 2, 1987

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

Mr. Gilbert Carroll Hooper, III
8 Chittenden Lane
Owings Mills, Maryland 21117

RE: Item No. 52 - Case No. 88-219-A
Petitioner: Gilbert C. Hooper, III, et ux
Petition for Zoning Variance

Dear Mr. Hooper:

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,

[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures



EXHIBIT "A"
BEGINNING FOR THE SAME at a pipe at the end of the second or North 14 degrees 22 minutes 10 seconds East 131.66 feet line of the land which by deed dated November 1st, 1957, and recorded or intended to be recorded among the Land Records of Baltimore County 222, and wife, which pipe is on the fifth or North 18 degrees 15 minutes East 356.63 feet line of the land which by deed dated June 5, 1941, and recorded among said Land Records in Liber C.W.B., Jr. No. 1149, Folio 290, was conveyed by R. Curzon Hoffman, Jr., and wife to Henry W. Chittenden, Jr., and wife, and thence binding on said land mentioned line, which line is also the North 18 degrees, 15 minutes East 340.94 foot line of the land which by deed dated January 8, 1951, and recorded among said Land Records in Liber G.L.B. No. 2312, Folio 470, was conveyed by William H. Dorsey and wife to Peter A. Sturges and wife, North 16 degrees, 22 minutes 10 seconds East 27.50 feet to an iron pipe, thence binding on the last line of the land conveyed by Hoffman to Chittenden as aforesaid South 45 degrees 31 minutes 10 seconds East 40.49 feet to a steel bar replacing the post at the beginning of said land, thence binding on a part of the fourth and a part of the fifth lines of the land which by deed dated March 24, 1924, and recorded among the aforesaid Land Records in Liber H.J.C. No. 191, Folio 19, was conveyed by Henry W. Chittenden, Jr., and wife, North 18 degrees, 00 minutes 10 seconds East 159.70 feet and North 20 degrees 13 minutes 10 seconds East 30.80 feet to an iron pipe at the beginning of the fifth line of the land conveyed in Liber G.L.B. No. 2377, Folio 130, was conveyed by Henry W. Chittenden, Jr., and wife (1.377 acres tract), thence with said line South 40 degrees 45 minutes 10 seconds East 287.30 feet to an iron pipe, thence binding reversely on the third and part of the second lines of the second described parcel of land conveyed by Chittenden South 13 degrees 16 minutes 00 seconds West 27.50 feet to a pipe set at the end of the third line of the land conveyed by Chittenden to R. Curzon Hoffman, Jr., and wife as aforesaid, thence binding reversely on said line North 69 degrees 14 minutes 10 seconds West 398.66 feet to the place of beginning. Containing 0.9198 acres more or less.
Together with a right-of-way with the use in common with others over the secondly described parcel of land, conveyed by Chittenden to Wood as aforesaid in its entirety, with access at any point, including the right to grant the use thereof to purchasers of any portion of the land.
BEING the same lot of ground described in a Deed July 24, 1979 and recorded among the Land Records of Baltimore County in Liber No. 6056 Folio 730 was granted and conveyed by Isabella Bartlett unto C. W. Lynn Whitman and Barbara C. Whitman, his wife

88-219-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 27th day of September, 1987.
J. Robert Haines
ZONING COMMISSIONER
Petitioner: Gilbert C. Hooper, III, et ux Received by: James E. Dyer
Petitioner's Attorney: [Signature] Chairman, Zoning Plans Advisory Committee

Mr. Gilbert Carroll Hooper, III
8 Chittenden Lane
Owings Mills, Maryland 21117

RE: Petition for Zoning Variance
290.52' N of Chittenden Lane, 780' E of Garrison Forest Road
3rd Election District; 3rd Councilmanic District
Case No. 88-219-A

Dear Mr. Hooper:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

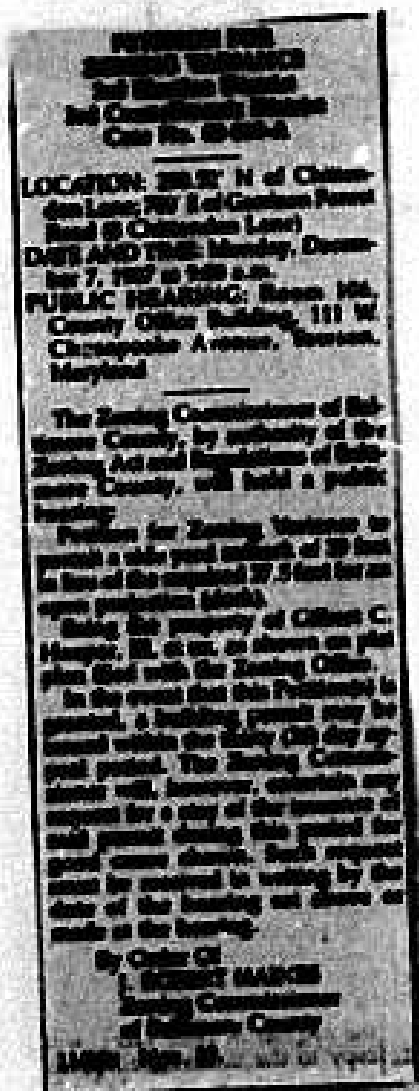
Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AM:bjb
Enclosures

cc: People's Counsel

File



CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov 19, 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 Nov 19, 1987

THE JEFFERSONIAN,

Susan Shuler O'Connell

Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

88-219-A

Subject: Variances Date of Posting: 11-14-87

Posted for: Gilbert C. Hooper, III et ux

Postmaster: Gilbert C. Hooper, III et ux

Location of property: 290.52' N of Chittenden Lane, 780' E of Garrison Forest Road, (P. Chittenden Lane)

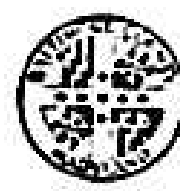
Location of signs: Location signs N. side of Chittenden Lane at

Access Road to subject property - 1 sign west side of Access

Remarks: Post in front of subject property

Posted by: AJ [Signature] Date of return: 11-25-87

Number of signs: 2



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

J. ROBERT HAINES
ZONING COMMISSIONER

November 9, 1987

Mr. Gilbert C. Hooper, III
8 Chittenden Lane
Owings Mills, Maryland 21117

RE: Petition for Zoning Variance
290.52' N of Chittenden Lane, 780' E of Garrison Forest Road
3rd Election District; 3rd Councilmanic District
Case No. 88-219-A

Dear Mr. Hooper:

This is to advise you that \$90.84 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

JRH:med

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

No. 45854

DATE: 12-7-87 ACCOUNT: 01-615-000

AMOUNT: \$ 90.84

RECEIVED FROM: G. C. Hooper, III

FOR: Advt. & Posting # 88-219-A

8 8008*****90841a 0076f

Post & sign returned

VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR ZONING VARIANCE

3rd Election District; 3rd Councilmanic District

Case No. 88-219-A

LOCATION: 290.52' N of Chittenden Lane; 780' E of Garrison Forest Road
(8 Chittenden Lane)

DATE AND TIME: Monday, December 7, 1987 at 9:00 AM

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 30 feet in lieu of the required 57.5 feet for an open projection (deck).

Being the property of Gilbert C. Hooper, III, 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.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Mr. & Mrs. Gilbert C. Hooper, III
8 Chittenden Lane
Owings Mills, Maryland 21117

November 4, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
290.52' N of Chittenden Lane; 780' E of Garrison Forest Road
(8 Chittenden Lane)
3rd Election District; 3rd Councilmanic District
Gilbert C. Hooper, III, et ux - Petitioners
Case No. 88-219-A

TIME: 9:00 AM

DATE: Monday, December 7, 1987

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

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

No. 41433

DATE: 8/1/87 ACCOUNT: 01-615

AMOUNT: \$ 35.00

RECEIVED FROM: G. C. Hooper

FOR: Finag Fee For Variance Item 52

8 8174*****35001a 0052f

VALIDATION OR SIGNATURE OF CARRIER

D AND RESCHEDULED FOR A

