FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B. and 301.1 to permit a side yard setback of 0' in lieu of the minimum 7.5' for an open projection (carport), as more r cicularly described on Petitioner's Exhibit 1.

The Petitioners, Rogue G. Lim and Lilia G. Lim, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R. and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Peti-

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore

County this 22 nd day of March, 1989 that the Petition for Zoning Variance from Section 1802.3.B. and 301.1 to permit a side yard setback of 0' in lieu of the minimum 7.5' for an open projection (carport), , as more particularly described on Petitioner's Exhibit 1 be and is hereby GRANTED, subject, however, to the following restrictions:

> 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 30 day appellate process from this O 'er 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.

2. The Petitioners shall not cause the carport to be enclosed and all storm water shall be directed on site over the yard area.

ZONING COMMISSIONER FOR BALTIMORE COUNTY

cc: Peoples Counsel

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this ---day of ______, 19_____, that the herein Petition for Variance(s) to permit

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

REASONS FOR VARIANCE PETITION - Continued -

the community, the variance(s) should /should not be granted.

- 3. There is no other place that I can put a car port on my property; hence, this petition.
- 4. There are come houses in this same zoning area that have car port. And of the same lot size.

Variance: to permit a side yard setback of 0 ft. in lieu of the minimum 7.5 ft. for an open projection (carnort) Variance: to permit a side yard aethack of 0 ft. in lieu of the minimum 7.5 ft. for an open project. HIS IS TO CERTIFY, that the annexed advertisement of tion (carport).
In the event that this Petition is in the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoring 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 in writing and received in this office by the date of the heapon set about me 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 in writing and received in this office by the date of the hearing set above or presented at the hearing. date of the hearing set above or presented at the hearing. J. ROBERT HAINES

NOTICE OF HEARING

Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County California. The Zoning Commissioner of Baltimore County, by suthority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of

Catonsville Times Arbutus Times

was inserted in the following: X THE JEFFERSONIAN ☐ Booster Weekly Owings Mills Flier ☐ Towson Flier

J. ROBERT HAINES
Zoning Commissioner of Baltimore County Weekly newspapers published in Baltimore County, Maryland once a week for_ _successive weeks before the_____day of______19___ say, the same was inserted in the issues of

March 2, 1989

PATUXENT PUBLISHING COMPANY

PO 10440 reg M25298 price \$63.53

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

March 21, 1989

Mr. and Mrs. Rogue G. Lim 1218 Ingleside Avenue Baltimore, Maryland 21207

> RE: Petition for Zoning Variance Case No. 89-378 A

Dear Mr. and Mrs. Lim:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Robert Haines Zoning Commissioner

cc: Peoples Counsel

Dennis F. Rasmussen
County Executive

PETITION FOR ZONING VIRIANCE 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. and 301.1 to permit a side ward. setback of 0' in lieu of the minimum 7.5' for ar open projection (carport)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. Health reasons - ily son is suffering from Asthma and over exposure to extreme temperatures could start a "Cold" and triggers asthma attack. Scrapping ice on windshield starts his nose drippin;. Likewise, summer sun will build up demograture like an oven in the car and starts a "Cold" and triggers asthma attack. 2. Safety reasons - Ingleside Avenue is busy street. There were 2 accidents in the past; wrackless drivers side-sweep cars parked on the side of the street. YOUR CONSIDERATION WILL BE FOREVER APPRECIATED.
ALL WE NEED IS A CAR PORT WITHOUT WALLS. (See back for more)
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

	which is the subject of this Petric	on.
Contract Purchaser:	Legal Owner(s):	MAP SPITE
	Roque G. Lim	MAP SP
(Type or Print Name)	(Type or Print Name)	- (3
	Rucalina	
Signature	Signature	1/17/9
	Lilia G. Lim	
Address	(Type or Print Name)	200
	Lilie I Kim	1000 FF
City and State	Signature	DP
A 44 for The Aldrews		
Attorney for Petitioner:		2.630
The second secon	1218 Ingleside Avenue	
(Type or Print Name)		ne No.
	Baltimore, MD. 21207 (Ca	tonsville)
Signature	City and State	
	Name, address and phone number of legal of	
Address	tract purchaser or representative to be con	ntacted
	Roque & Lilia G. Lim	
City and State	Name	
Attorney's Telephone No.:	1218 Ingleside Avenue	
		one No.
ORDERED By The Zoning Commissioner of	Baltimore County, this	day
-LIL 00	subject matter of this petition be adve	
required by the Zoning Law of Baltimore County,	, in two newspapers of general circulation	through-
out Baltimore County, that property be posted, an Commissioner of Baltimore County in Room 10	id that the public hearing be had before th	ne Zoning
•	· · · · · · · · · · · · · · · · · · ·	
County, on theday of	March, 1907, at	_ o'clock
	1 11 11	,
-7	1 Robert for	rea

Office of Planning & Zoning Towson, Maryland 21204

Mr. & Mrs. Rogue G. Lim 1218 Ingleside Avenue Baltimore, Maryland 21207

Zoning Commissioner of Baltimore County.

Dennis F. Rasmussen
County Executive

Petition for Zoning Variance CASE NUMBER: 89-378-A NW/S Ingleside Avenue, 105' E c/l St. Mary's Street 1218 Ingleside Avenue 1st Election District - 1st Councilmanic Petitioner(s): Rogue G. Lim, et ux HEARING SCHEDULED: THURSDAY, MARCH 16, 1989 at 2:00 p.m.

Please be advised that 18.53 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION	No. 067476	fice, County Office) minutes before
AND THE PROPERTY OF THE PERCEIPT	-01-615-000	d post set(s), there r each set not
AMOUNT_\$	78.53	S.
PROM:	100 200 V	rines
POR: 3/16/59/cary	89-318-77	S oner of
8 115*****7653:8	.1.01	y

CERTIFICATE OF POSTING 89-378-A

Date of Posting 2 - 2-14 - Fg 1/ arviner Prome prim et us property NIN faith of Clargeride are 105 E of the Location of Signer Clas front of 1218 angleside arenue Date of return: 3-3-89

Beginning on the northwest side of Ingleside

105 feet east of the centerline of St. Mary's

Book 6 Folio 109. Also known as 1218 Ingleside

Street, being lots 38, 39, and 40; block 3;

Avenue in the 1st Election District.

Avenue, 42 feet wide, at the distance of

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

February 17, 1989

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-378-A
NW/S Ingleside Avenue, 105' E c/1 St. Mary's Street
1218 Ingleside Avenue
1st Election District - 1st Councilmanic
Petitioner(s): Rogue G. Lim, et ux
HEARING SCHEDULED: THURSDAY, MARCH 16, 1989 at 2:00 p.m.

Variance to permit a side yard setback of 0 ft. in lieu of the minimum 7.5 ft. for an open projection (carport).

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of

cc: Rogue G. Lim, et ux
File

Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 6, 1989

Mr. Roque Lim 1218 Ingleside Avenue Baltimore, MD 21207

RE: Item No. 303, Case No. 89-378-A
Petitioner: Roque G. Lim
Petition for Zoning Variance

Dear Mr. Lim:

Bureau of Engineering

Department of Traffic Engineering

Bureau of Fire Prevention

Health D partment

Building Department

Board of Education

Industrial Development

Zoning Administration

Project Planning

State Roads Commission

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. 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.

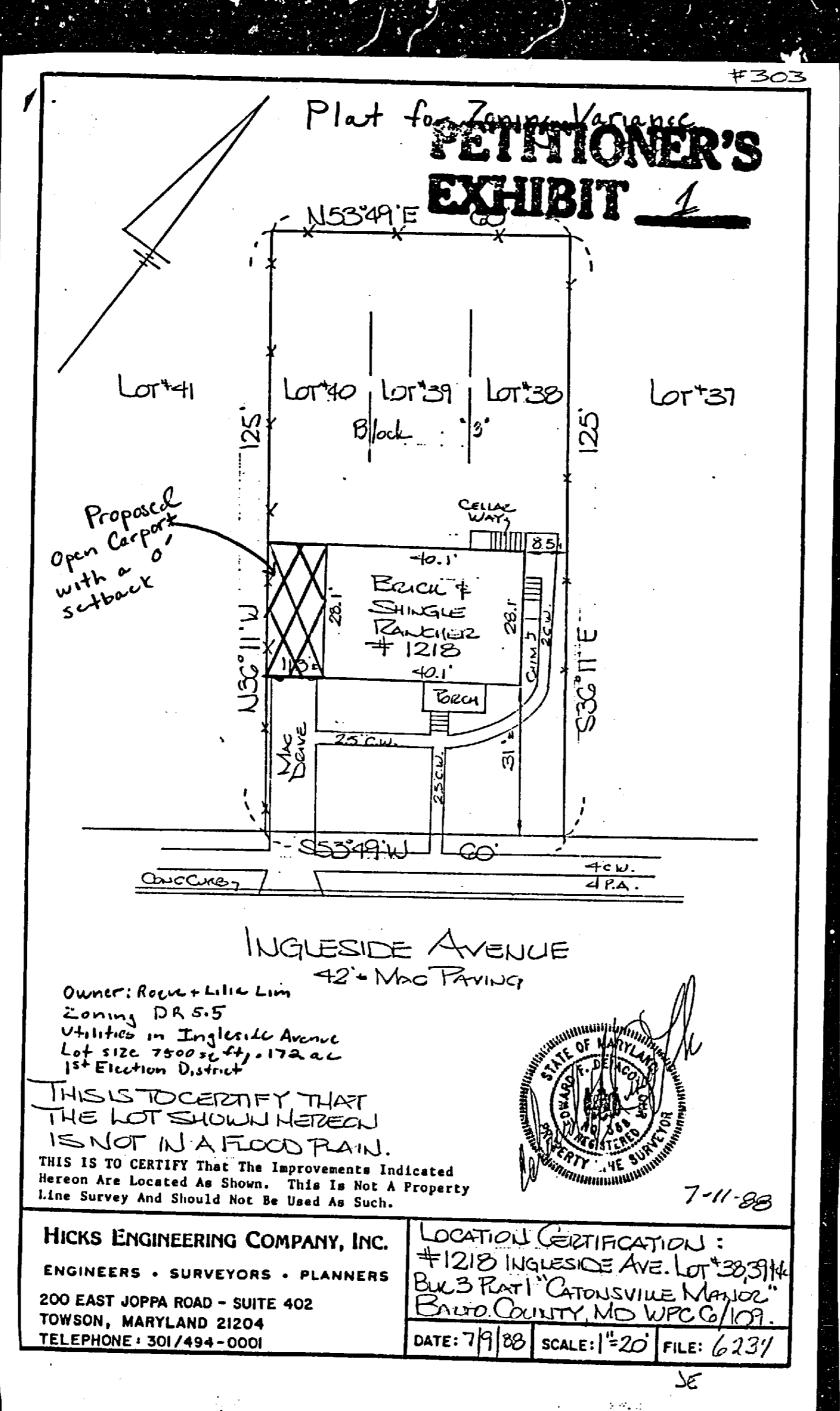
IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVEANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

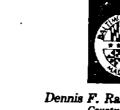
JED:jw

Enclosures



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

March 1, 1989



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

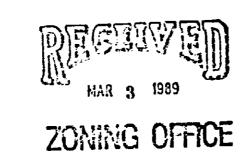
Dear Mr. Haines.

The Bureau of Traffic Engineering has no comments for items number 275, 299, 300, 301, 302, 303, 304, 305, 306, 307, & 308.

Very truly yours,

Michael S. Flanigan Traffic Engineer Assoc. II

MSF/lab



Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke February 14, 1989 J. Robert Haines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204 Re: Property Owner: Rogue G. Lim NW/S of Ingleside Avenue, 105' E of center- Dennis F. Rasmussen
County Executive Location: line of St. Mary's Street Zoning Agenda: Meeting of January 31, 1989 Item No.: 303 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 Protec-tion 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.

Planning Group
Special Inspection Division

PARALEI

PAR

89-378-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeaks Avenue Towson, Maryland 21204

J. Polet Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner Rome G. Lim Rece Petitioner's Attorney

Received by: <u>James E. Dyer</u>
Chairman, Zoning Plans
Advisory Committee

RACTIMORE COUNTY, MARYAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines

TO Zoning Commissioner

Date March 7, 1989

Pat Keller, Deputy Director
Office of Planning and Zoning

Zoning Petition Nos. 89-308-SPH (Jefferson); 89-318-A (Podles); 89-350-A (Khouzami); 89-354-A (Smith); 89-359-A (Heuttner); 89-363-A (Cash); 89-364-A (Kaplan); 89-368-A (Appel); 89-369-A (Mathai); 89-375-A (Vinson); 89-376-A (Gambrill); 89-378-A (Lim); 89-379-A (Freundlich); 89-387-A (Babikow) and 89-393-A (Lubman)

The Office of Planning and Zoning has no comment on the above listed petitions.

PK/sf

ZOVING OFFICE

CPS-008