

PETITION FOR ZONING VARIANCE
 878 Aiken Avenue, 240' N
 Taylor Avenue
 7807 Aiken Avenue
 9th Election District
 6th Councilmanic District
 Raymond E. Weber, et al
 Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 89-513-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The petitioners herein request a variance to allow a rear yard setback of 24 feet in lieu of the minimum required 30 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. There were no protestants. Testimony indicated that the subject property, known as 7807 Aiken Avenue, consists of .93 acres +/- zoned D.R. 5.5 and is currently improved with a single family dwelling. The Petitioners propose having an enclosed porch and deck added onto the rear of the existing dwelling. Due to the layout of the existing dwelling and its location on the lot, the addition must be placed as indicated on Petitioners' Exhibit 1 which necessitates the requested variance.

The Petitioner testified that he has discussed this matter with his adjacent neighbors who have voiced no objection to the planned addition.

Testimony indicated that to grant the requested variance would not result in any detriment to the health, safety or general welfare of the community.

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

307.1 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 Petitioner.

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.

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17 day of May, 1989 that a variance to allow a rear yard setback of 24 feet in lieu of the minimum required 30 feet, as more particularly described on 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 30 day 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.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

JRH/mcc
 cc: Peoples Counsel

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3333
 J. Robert Haines
 Zoning Commissioner

July 10, 1989



Mr. and Mrs. Raymond E. Weber
 7807 Aiken Avenue
 Baltimore, Maryland 21234

RE: Petition for Zoning Variance
 Case No. 89-513-A

Dear Mr. and Mrs. Weber:

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 887-3331.

Very truly yours,
J. Robert Haines
 J. Robert Haines
 Zoning Commissioner

JRH/mcc
 cc: Peoples Counsel

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned legal owner(s) of the property above described in the description and plat attached hereto and who is/are the legal owner(s) of the property, hereby petition the Zoning Commissioner of Baltimore County to grant a variance from Section 307.1 of the Baltimore County Zoning Regulations to allow a rear yard setback of 24 feet in lieu of the minimum required 30 feet.

MAP	
DATE	
FILE	
NO.	
1000	
CP	

Property is to be posted and advertised as prescribed by Zoning Regulations 1. or we agree to pay expenses of above Variance advertisement, posting, etc. upon filing of the 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 do solemnly declare and affirm under the penalties of perjury that I am the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
 (Type or Print Name) (Type or Print Name)
 Signature _____ Signature _____
 Address _____ (Type or Print Name)
 City and State _____ Signature _____
 Attorney for Petitioner: _____
 (Type or Print Name) _____
 Address _____ Phone No. _____
 Signature _____ Baltimore, Maryland, 21284
 City and State _____
 Address _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted.
 City and State _____ Name _____
 Attorney's Telephone No.: _____ Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of April, 1989, 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 15th day of June, 1989, at 2:00 o'clock P.M.

J. Robert Haines
 Zoning Commissioner of Baltimore County
 (over)

ZONING DESCRIPTION

Beginning on the west side of Aiken Avenue 30' wide, at the distance of 240 ft. McAikens Edge of Taylor Avenue, Being lot 152 & 253, in the subdivision of Parkville Height, Book no. 7 Folio 38. Also known as 7807 Aiken Avenue in the 9th election district.

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 971 Date of Posting: 5/22/89
 Posted for: Lawrence
 Petitioner: Raymond E. Weber, et al
 Location of property: 7807 Aiken Ave.
 Location of Signs: 7807 Aiken Ave. signs 24' for 30' rear yard
 Remarks: on property of Baltimore
 Posted by: M. Haines Date of return: 5/26/89
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 30, 19 89
 THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 25, 1989

THE NORTHEAST TIMES
 THE JEFFERSONIAN,
S. Zebe Orlean
 Publisher

PC 12553
 reg 12699E
 re 89-513-A
 price \$7.12

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning 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 21284 as follows:
 Petition for Zoning Variance
 CASE NUMBER: 89-513-A
 7807 Aiken Avenue,
 9th Election District - 6th Councilmanic District
 Petitioner(s): Raymond E. Weber, et al
 HEARING SCHEDULED: THURSDAY, JUNE 15, 1989 at 2:00 P.M.
 Variance: To allow a rear yard setback of 24 feet in lieu of the minimum required 30 feet.

J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 U.S. 25 May 25

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 494-3333

J. Robert Haines
 Zoning Commissioner
 Mr. & Mrs. Raymond E. Weber
 7807 Aiken Avenue
 Baltimore, Maryland 21234

Date: 6/9/89



Re: Petition for Zoning Variance
 CASE NUMBER: 89-513-A
 7807 Aiken Avenue, 240 ft. N of Taylor Avenue
 7807 Aiken Avenue
 9th Election District - 6th Councilmanic District
 Petitioner(s): Raymond E. Weber, et al
 HEARING SCHEDULED: THURSDAY, JUNE 15, 1989 at 2:00 P.M.

Dear Mr. & Mrs. Weber:

Please be advised that \$6.12 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.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21284 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. _____ Date: 6-15-89 ACCOUNT: PC 12553
 AMOUNT: \$ 46.12 in
 RECEIVED FROM: Raymond E. Weber \$ _____ of
 FOR: J. Robert Haines 89-513-A y

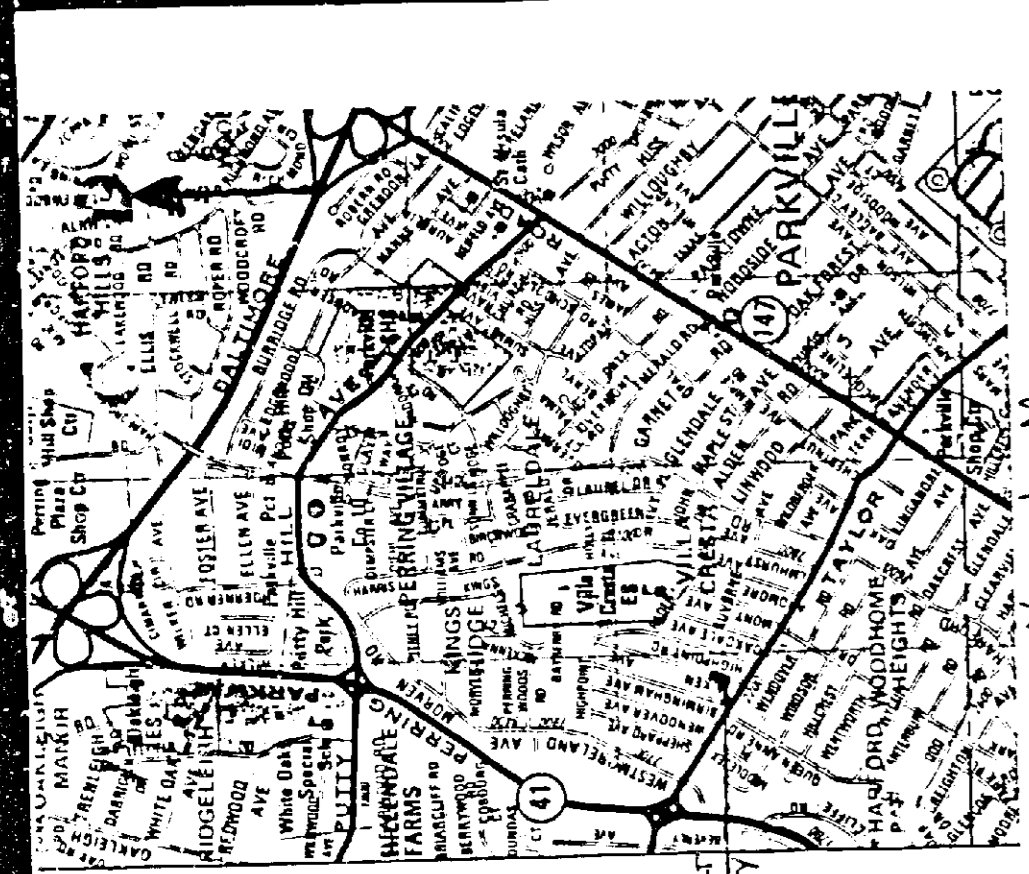
VALIDATION OR SIGNATURE OF CASHIER
 DATE: _____ TIME: _____

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 494-3333
 J. Robert Haines
 Zoning Commissioner

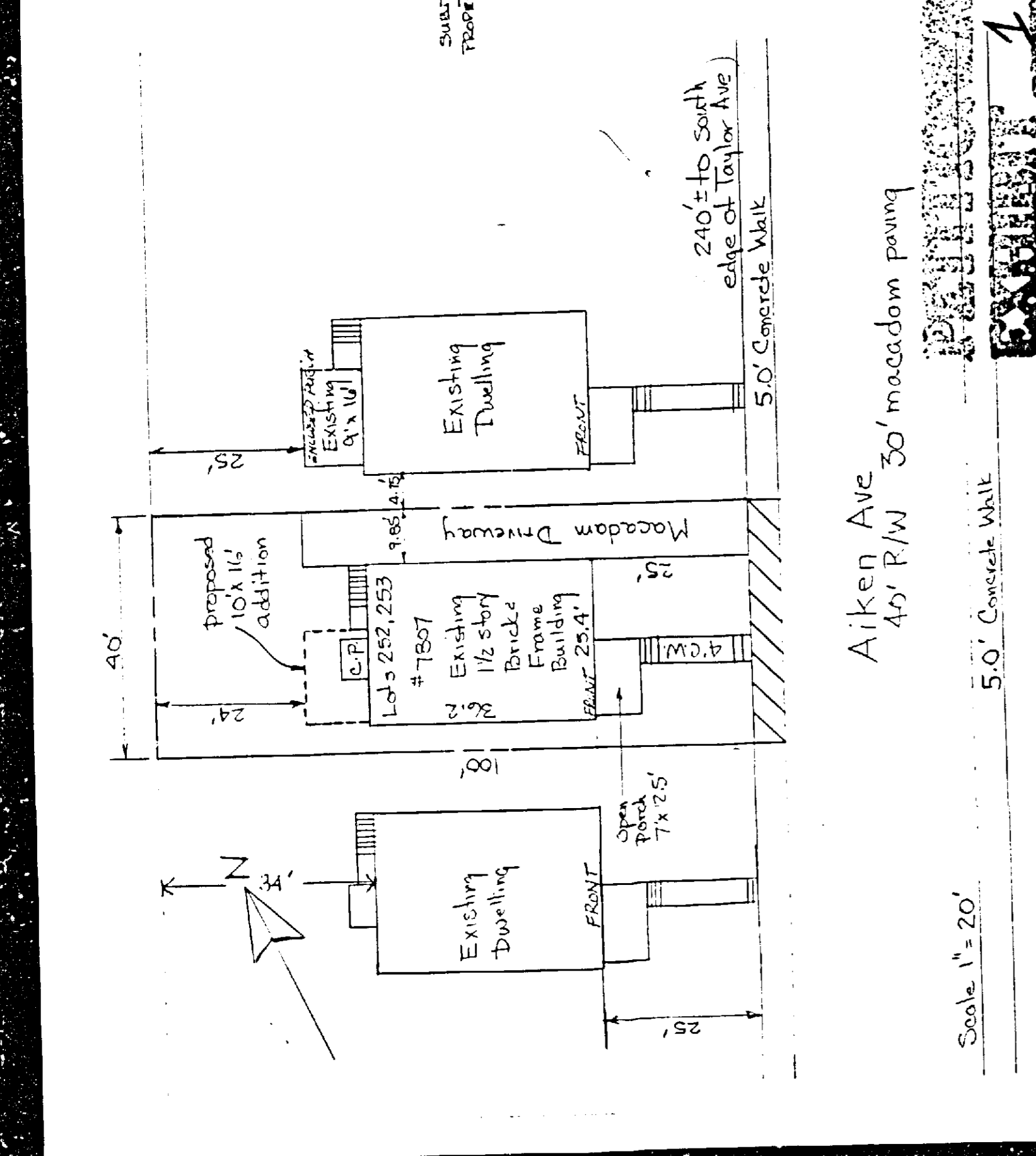
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 Petitioner(s): Raymond E. Weber, et al
 HEARING SCHEDULED: THURSDAY, JUNE 15, 1989 at 2:00 P.M.
 Variance: To allow a rear yard setback of 24 feet in lieu of the minimum required 30 feet.

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
 J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 111 W. Chesapeake Avenue
 Towson, Maryland 21284



Plat For Zoning Variance
 Owner: Raymond E. Weber
 Lot size: 4,000 sq. ft. or 0.09 acres
 District (County): 9
 Subdivision: Parkville Heights
 Lots: 252, 253, 255, 256, 257, 258, 259
 Existing utilities in Aiken Ave
 Zone: OR 5.5



89-513-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
 19th day of April, 1989.

J. Robert Haines
 J. ROBERT HAINES
 ZONING COMMISSIONER

Petitioner: Raymond E. Weber, et al received by: James E. Dyer
 Attorney: _____ Chairman, Zoning Plans
 Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 11, 1989

Mr. & Mrs. Raymond E. Weber
 7807 Aiken Avenue
 Baltimore, MD 21234

RE: Item No. 421, Case No. 89-513-A
 Petitioner: Raymond E. Weber, et al
 Petition for Zoning Variance

Dear Mr. Weber:

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 any concerns 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 HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:jw
 Enclosures

Baltimore County
 Department of Public Works
 Bureau of Traffic Engineering
 Courts Building, Suite 406
 Towson, Maryland 21284
 (800) 857-5554

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 252, 253, 255, 256, 257, 258, 259, 261, 262, and 263.

Very truly yours,
Michael S. Flanigan
 Michael S. Flanigan
 Traffic Engineer Assoc. II

MSP/lab

RECEIVED
 1989 04 18
 ZONING OFFICE

Baltimore County
 Fire Department
 Towson, Maryland 21284-2508
 884-4700

Paul H. Tomko
 Chief

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

Re: Property Owner: Raymond E. Weber, et al
 Location: W/S Aiken Ave., 240' N of Taylor Ave.
 Item No.: 421 Zoning Agenda: 4/18/89

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," 1988 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Kelly* 4-14-89 Noted and Approved: *Chapman Bradley*
 Planning Group Fire Prevention Bureau
 Special Inspection Division

/s/

Baltimore County
 Department of Public Works
 Bureau of Traffic Engineering
 Courts Building, Suite 406
 Towson, Maryland 21284
 (800) 857-5554

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 252, 253, 255, 256, 257, 258, 259, 261, 262, and 263.

Very truly yours,
Michael S. Flanigan
 Michael S. Flanigan
 Traffic Engineer Assoc. II

MSP/lab

RECEIVED
 1989 04 18
 ZONING OFFICE