IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N side Hunters Mill Road, * ZONING COMMISSIONER
1584' E of c/l of Vernon Rd. * OF BALTIMORE COUNTY
2412 Hunters Mill Road * Case No. 90-141-A
10th Election District
3rd Councilmanic District

Donald Frederick Jones, Jr., *
et ux, Petitioners
* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A00.3.B.3 to allow a building setback of 14 feet in lieu of the minimum 50 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioner, Donald Frederick Jones, Jr., appeared and testified. Appearing on behalf of the Petitioner was Michael Moorefield. The Protestant, Edward J. Brannan was represented by Robert J. Brannan, Esquire.

Testimony indicated that the subject property known as 2412 Hunters Mill Road, consists of approximately 2.013 acres +/-, zoned R.C.2 and is improved with a single family dwelling and accessory shed.

Testimony indicated that the Petitioner is desirous of constructing a two story addition on the west side of his home, creating garage space on the first floor, and bedroom, living room and dining room space on the second floor. The Petitioner testified that the existing home currently has only two bedrooms, and he is in need of the additional living space to accommodate his growing family. The Petitioner testified that the proposed location will not require any additional tree removal nor will it adversely impact on water drainage. He testified that in view of the layout of the subject property, the proposed location for the addition is the only practical location, and that he will suffer practical difficulty and undue hardship should the requested variance be denied.

ORDER RECEIVED FOR FILING
Date 11/9/89
By M. [illegible]

Mr. Edward J. Brannan, Protestant, appeared, testified and was represented by Robert J. Brannan, Esquire.

Testimony indicated that Mr. Brannan is Mr. Jones' adjoining property owner to the west. He testified that the houses in this area are typically situated 50 feet from property lines, and that the requested 14 foot variance request is unacceptable.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
>
> 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
>
> 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In reviewing the evidence, there is insufficient evidence to allow a finding that the Petitioner would experience practical difficulty or unreasonable hardship if the requested variance was denied. The testimony presented by the Petitioner was in support of matter of a preference rather than of the necessity for the variance. The Petitioner has failed to show that compliance would unreasonably prevent the use of the property

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By M. [illegible]

or be unnecessarily burdensome. It is apparent from the Plaintiff's site plan that the requested addition would be more appropriately located in the rear yard of the subject lot. Therefore, the variance requested must be denied.

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 denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of Nov., 1989 that the Petition for a Zoning Variance from Section 1A00.3.B.3 to allow a building setback of 14 feet in lieu of the minimum 50 feet, in accordance with Petitioners' Exhibit 1, be and is hereby DENIED.

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

JRH/mmn
cc: Peoples Counsel

cc: Mr. and Mrs. Donald F. Jones, Jr., 2412 Hunters Mill Road, White Hall, Md. 21161

cc: Mr. Michael Moorefield, 7460 Cross Road, Kingsville, Md. 21087

cc: Edward J. Brannan, 2400 Hunters Mill Road, White Hall, Md. 21161

cc: Robert J. Brannan, Esquire, 401 Washington Avenue, Suite 201, Towson, Maryland 21204

ORDER RECEIVED FOR FILING
Date 11/9/89
By M. [illegible]

IN THE MATTER OF THE APPLICATION OF DONALD FREDERICK JONES, JR., ET UX FOR A ZONING VARIANCE ON PROPERTY LOCATED ON THE NORTH SIDE HUNTERS MILL ROAD, 1584' EAST OF CENTERLINE OF VERNON ROAD (2412 HUNTERS MILL ROAD) 10TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 90-141-A

* * * * * * * * * *

OPINION

This matter comes before the Board on appeal from the denial of a variance for a building setback of 14 feet in lieu of the minimum 50 feet. The subject property is located on a 2.013 ± acre lot zoned R.C.2. and is the home of the Petitioner, Donald Jones, Jr. and his family. Testimony from Mr. Jones indicated and photographs submitted as evidence further illustrated the home is a brick structure located virtually isolated from its neighbors by large mature trees. The Appellant testified that his desires to add an addition to the structure on the western side of the existing dwelling which will necessitate a 14 foot side yard setback. Mr. Jones further testified that he and his family have outgrown the living space and need additional room to accommodate his family. The Appellant has lived on the premises since 1978 and the present house was constructed in 1981. The house as it exists now has two bedrooms. The Appellant further testified that the addition would house three additional rooms which would enhance the livability of the home and the raising of his family.

Mr. Jones went on to explain the topography of his lot indicating that the house sits at the end of a long driveway upon which the addition would be constructed. The rear of the home has

a slope and a swale which places the drainage toward the area of the residence. He further indicated that the addition would not change the flow of the surface water. The plans and photographs indicate that no additional clearing or grading would be necessary other than the location of the addition and the placing of a proposed addition either to the rear or to the east of the residence would be extremely costly. Mr. Jones further explained that the east side of the residence contains the telephone, electricity, chimney, and water flow and any construction on that side would require the relocation of all of these utilities. Mr. Jones feels that this addition would not adversely impact any of the neighbors. Mr. Jones candidly testified that in 1981 when this house was constructed, he had not contemplated placing any additions onto the structure. However, after the birth of his second child in 1988, he found that an addition was necessary in order to accommodate his family as he said before. The nearest neighbors' home is situated 160 feet from the Jones' home and would not be adversely affected by the granting of this variance.

The Board believes that strict application of the Baltimore County Zoning Regulations (BCZR) would cause practical difficulty to the Petitioner and his property. The Board further believes that strict compliance with the side yard setback requirement would render strict conformance with the variance requirements unnecessarily burdensome to the Appellant. The Board further feels that no injustice to the applicant or other property owners in this district would occur by the granting of the variance and that the

relief the Appellant seeks would not be against the spirit of the ordinance and there will be no detriment to the public safety or public welfare.

ORDER

For the reasons as set forth herein, it is this [illegible] day of [illegible], 1990 by the County Board of Appeals of Baltimore County ORDERED that the request for a Zoning Variance to allow a building setback of 14 feet in lieu of the minimum 50 feet be **GRANTED** in accordance with the plan submitted as Appellant's Exhibit No. 3 which is a part of the file in this matter.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Arnold G. Foreman
Arnold G. Foreman

Lynn B. Moreland
Lynn B. Moreland

11-9-89
DENIED

PETITION FOR ZONING VARIANCE

Item 3
90-141-A

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 1A00.3.B.3 (R.11.303.1970) To allow a building setback of 14 ft. in lieu of the minimum 50 ft.

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

Practical difficulty of the lot is the basis of our request. The existing grading would allow this addition with minimal disturbance to existing drainage pattern. No additional tree removal would be required in maintaining existing wooded lot. Existing dwelling was limited to two bedrooms, family size exceeds current space limitations.

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.

MAP	NE 30 B
	3F
E.D.	10
DATE	[illegible]
	JL

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.

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

DATE ________ ACCOUNT ________

AMOUNT $ ________

RECEIVED FROM ________

FOR [illegible] FEE

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION: WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Address ________

City and State ________

Attorney's Telephone No.: ________

Legal Owner(s):

Donald Frederick Jones, Jr.
(Type or Print Name)

Donald Frederick Jones Jr.
Signature

Sharon Ann Heckner Jones
(Type or Print Name)

Sharon Ann Heckner Jones
Signature

2412 Hunters Mill Rd 785-4632 (Sharon)
Address Phone No.

White Hall, MD 21161
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

See above
Name

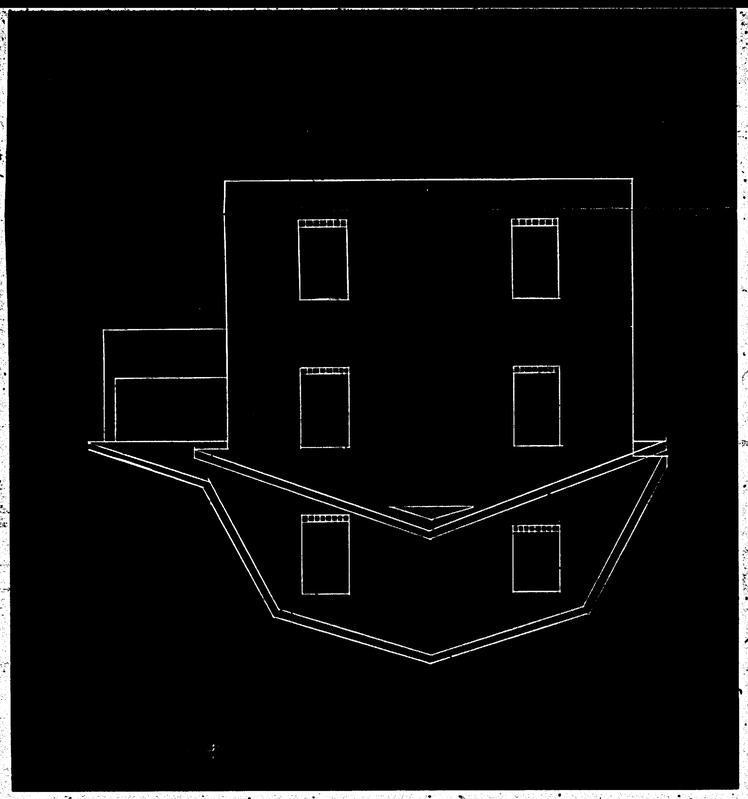
____
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 31 day of July, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30 day of Oct, 1989, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

Filed BY JDD
7/6/89.
any time or day
2 hr long time.

(over)

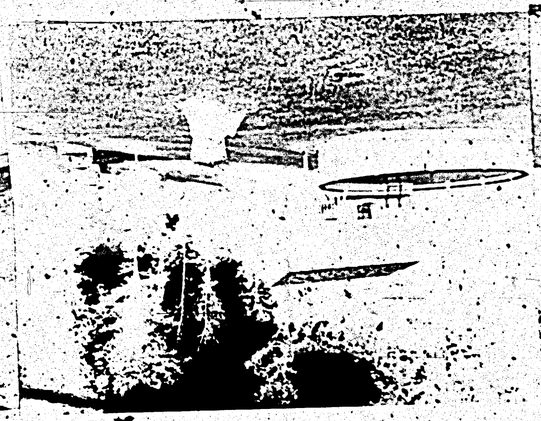




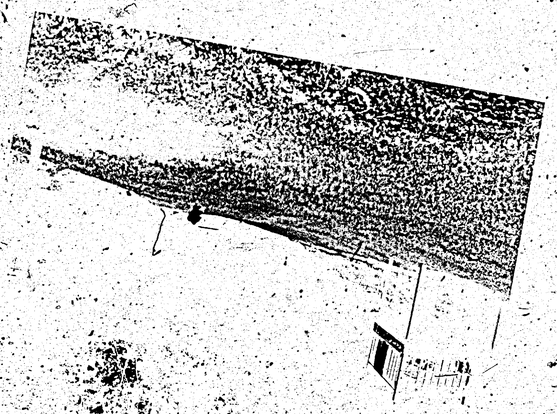


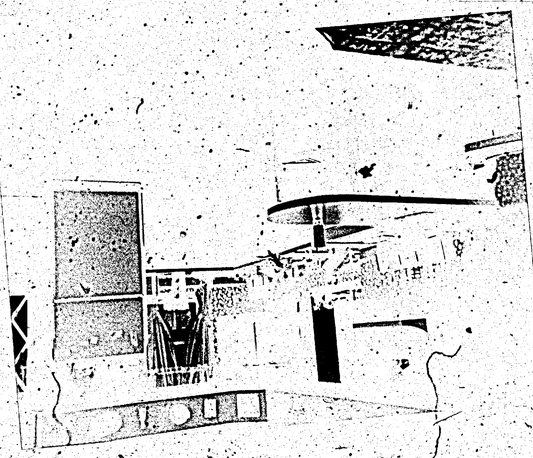


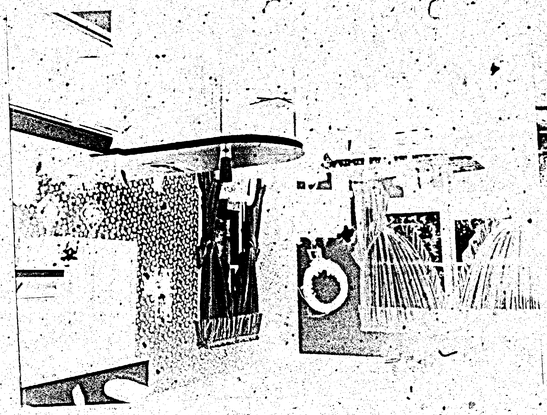


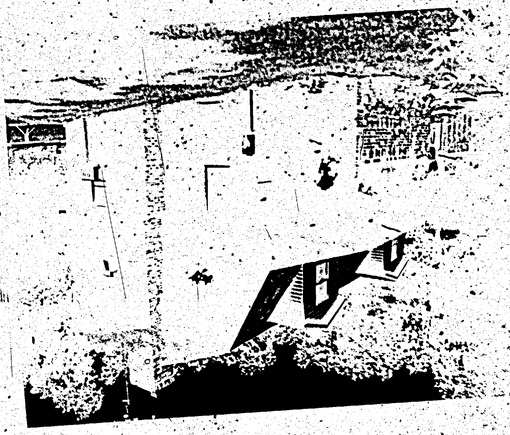












90-141-A Appellants 2 -

HUNTERS MILL WOODS

RESUBDIVISION OF LOT "a"

10TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

AUGUST 1, 1973

OWNER - DEVELOPER
MR. JOSEPH M. O'NEILL
BOX 158 A BECKLEYSVILLE RD.
MILLERS, MD. 21107

EXISTING ZONING - R.D.P.
GROSS ACREAGE - 6.165
NUMBER OF LOTS - 3
GROSS DENSITY - .486

VICINITY MAP
SCALE: 1" = 1 MILE

HUNTERS MILL WOODS
35-51
(6)

PROPOSED PUBLIC R/W LINE AS ESTABLISHED BY ANY AS REQUESTED TO BE SHOWN BY THE BALTIMORE COUNTY BUREAU OF ENGINEERING

BEARINGS ARE MAGNETIC, COORDINATES ARE ASSUMED

SCALE: 1" = 50'

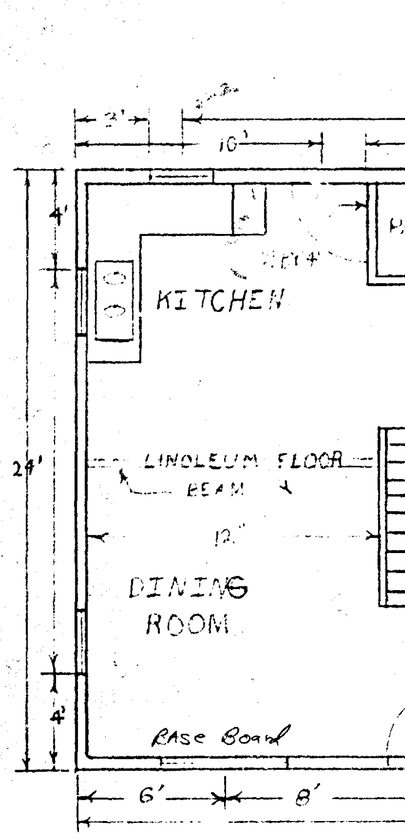
HUNTERS MILL ROAD

ENGINEER
O'NEIL SURVEY AND ASSOC.
21 COURT STREET
WESTMINSTER, MARYLAND
21157

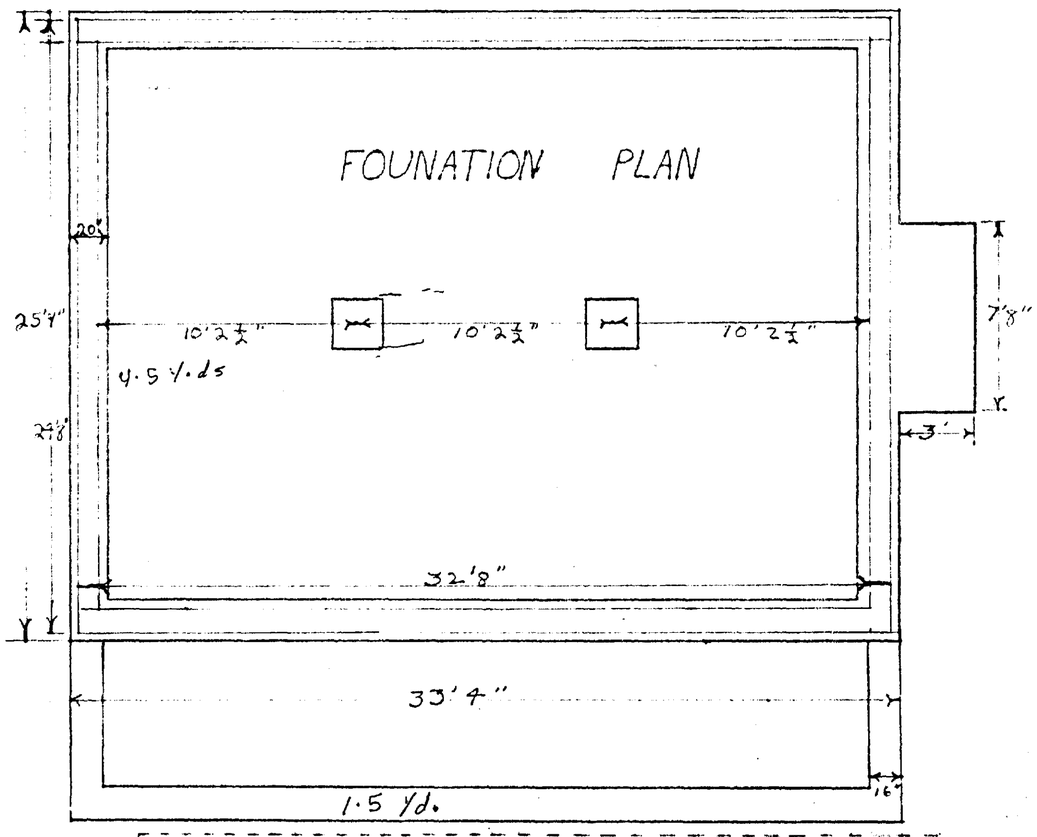
APPROVAL: BALTIMORE COUNTY HEALTH DEPT.

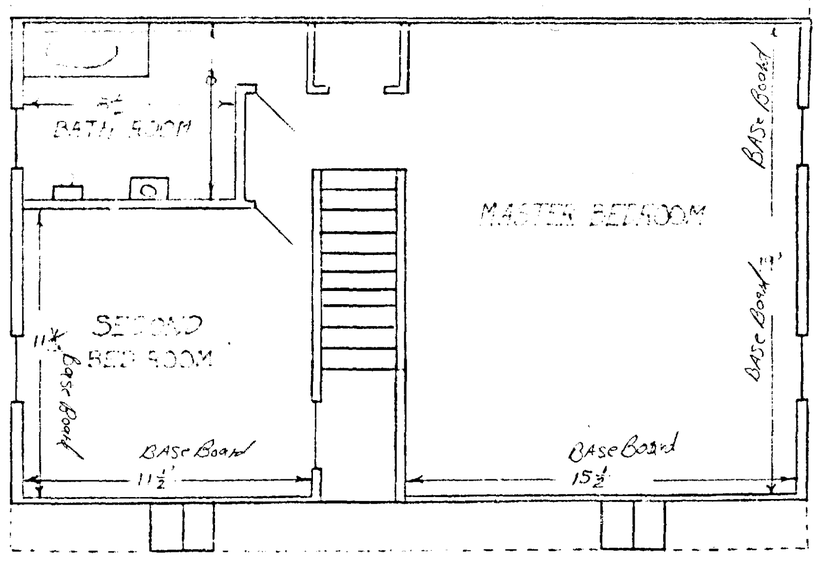
APPROVAL: BALTIMORE COUNTY PLANNING BOARD

APPROVAL: ALLOTMENT, PLANNING & ZONING



FIRST FLOOR PLAN 1" = 1/4"





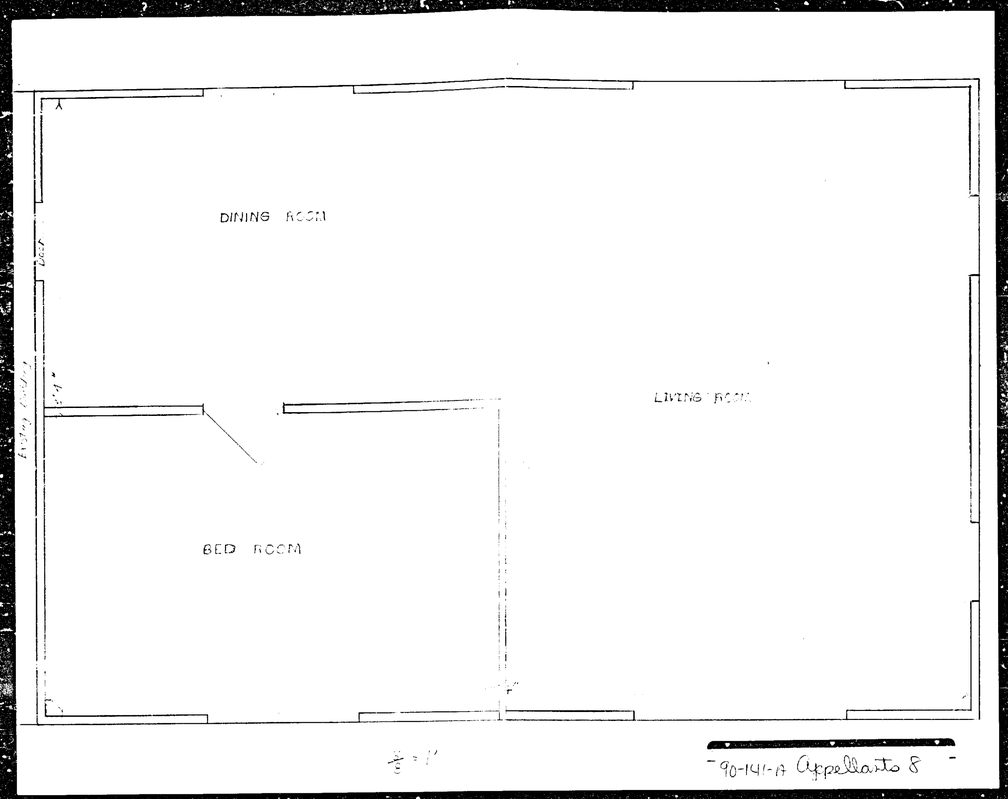
SECOND FLOOR

REVISIONS			
NO	DATE	BY	
1			
2			
3			
4			
5			

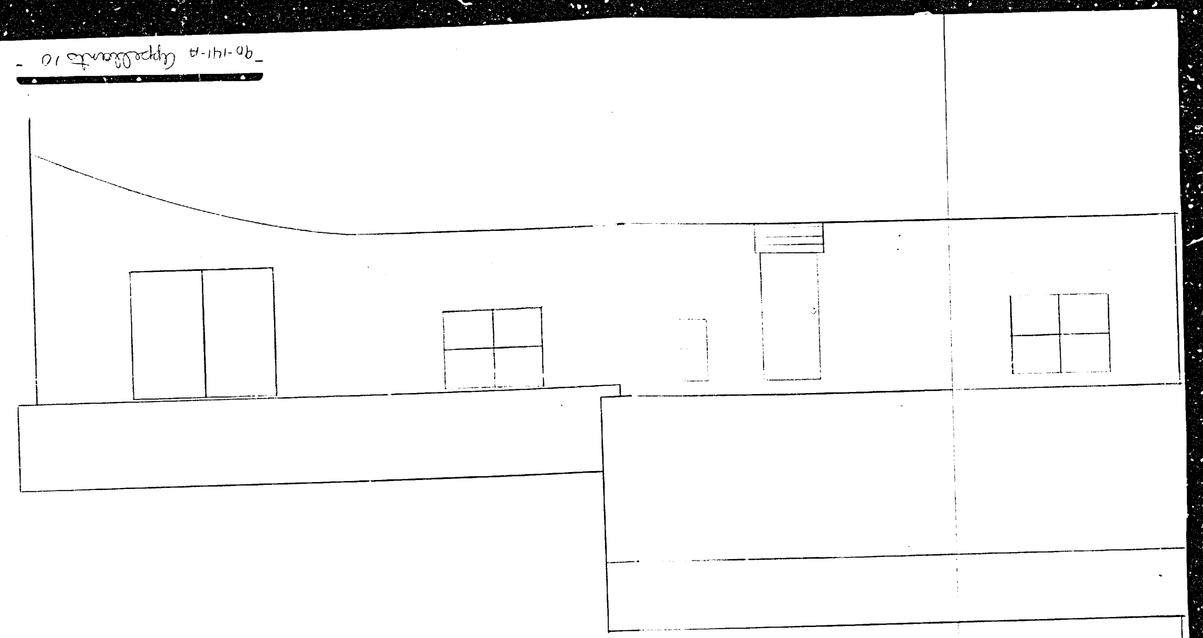
Donald Lewis Jr.
343 Twinkle Rd. Joppa Md.
Phone 679-5614

DRAWN BY	SCALE	MATERIAL
CHK'D	DATE	DRAWING NO
TRACED	APP'D	

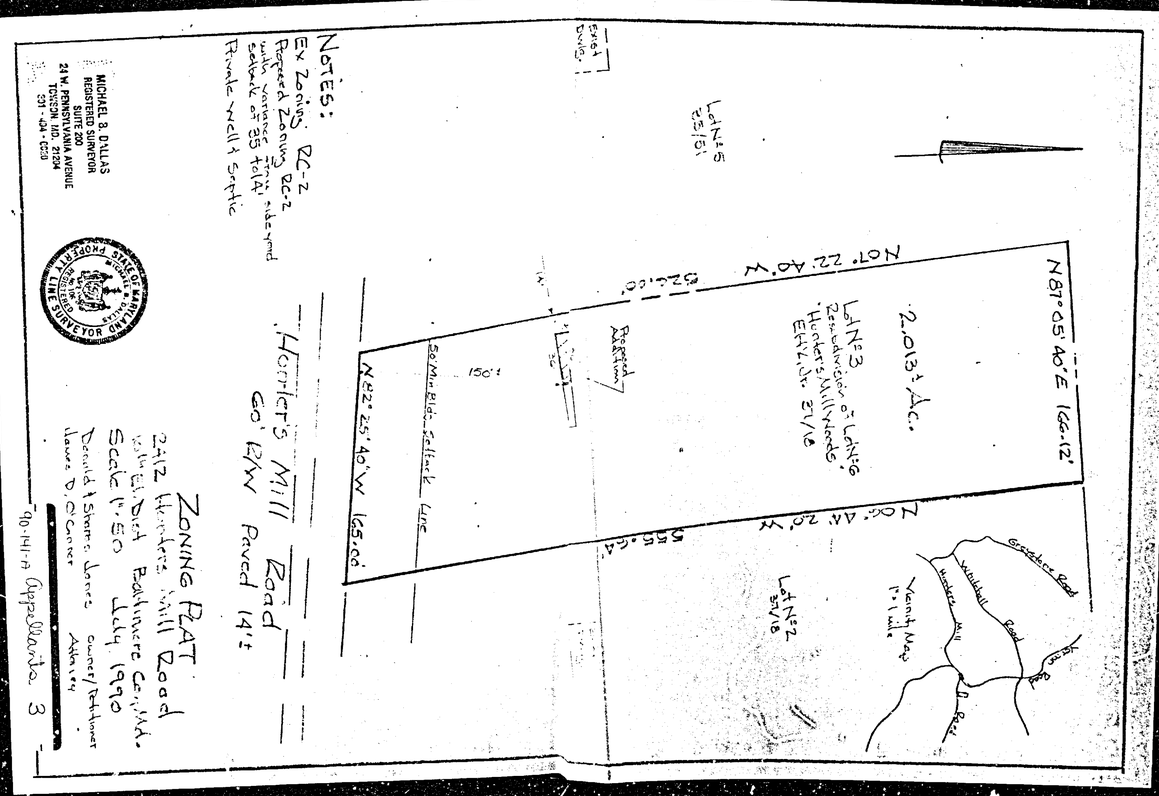
90-141-A Appellants 4 -



90-141-A Appellants 8



90-141-A Appellants 10



90-141-A Appellants 3

90-141-A Appellants' #17

#3

Donald Frederick Jones, Jr.
Sharon Ann Heckner Jones

Begining on the north side of Hunters Mill 60 feet wide, at the distance of 1584 feet east of center line of Vernon Road. Being Lot #3, resubdivision of Lot #6, in the subdivision of Hunters Mill Woods. Book No. 37 Folio 18. Also known as 2412 Hunters Mill Road in the 10th Election District.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number № 881

Date

A900022

	QTY	PRICE
APPEAL FEES		
FOR OUR ALL OTHER ORDERS	1 X	4125.00
ISP - POSTING SIGNS / ADVERTISING	1 X	25.00
	TOTAL:	$150.00

DONALD FREDERICK JONES, JR.

B CO1*****15000:a 5054F

Cashier Validation:

Please make checks payable to: Baltimore County

IN RE: PETITION FOR ZONING VARIANCE
N side Hunters Mill Road, 1584' E of c/l of Vernon Rd.
2412 Hunters Mill Road
10th Election District
3rd Councilmatic District

Donald Frederick Jones, Jr., et ux., Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-141-A

NOTICE OF APPEAL

The Petitioners, Donald Frederick Jones, Jr., et ux., by their attorney, James D. O'Connor, appeal from the Findings of Fact and Conclusions of Law of the Zoning Commissioner for Baltimore County in the above-encaptioned case dated November 9, 1989.

JAMES D. O'CONNOR
100 West Road, Suite 211
Towson, Maryland 21204
Phone: 321-0595
Attorney for Appellants

MAIL CERTIFICATION

I HEREBY CERTIFY that on this 7th day of December, 1989, a copy of the aforegoing Notice of Appeal was mailed, postage prepaid, to Peoples Counsel, 401 Bosley Avenue, Towson, Maryland 21204; Mr. Michael Moorefield, 7460 Cross Road, Kingsville, Maryland 21087; Mr. Edward J. Brannan, 2400 Hunters Mill Road, White Hall, Maryland 21161; and a copy to Robert J. Brannan, Esquire, 401 Washington Avenue, Suite 201, Towson, Maryland 21204.

James D. O'Connor

RECEIVED DEC 8 1989 DCJ

O'CONNOR & GRAHAM
ATTORNEYS AT LAW
100 WEST ROAD
SUITE 211
TOWSON, MARYLAND 21204
(301) 321-0595

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

January 4, 1990

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
N side Hunters Mill Road
1584' E of c/l of Vernon Rd.
2412 Hunters Mill Road
10th Election District, 3rd Councilmanic District
DONALD FREDERICK JONES, JR., ET UX - Petitioners
Case No. 90-141-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on December 8, 1989 by James D. O'Connor of O'Connor & Graham, Attorney for Petitioners. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

JRH:jat
cc: People's Counsel of Baltimore County
Room 304, County Office Bldg., Towson, Md. 21204
James D. O'Connor, Esquire, 200 West Road, Suite 211,
Towson, Maryland 21204
Mr. & Mrs. Donald F. Jones, Jr., 2412 Hunters Mill Road,
White Hall, Maryland 21161
Mr. Michael Moorefield, 7460 Cross Road, Kingsville, Md. 21087
Edward J. Brannan, 2400 Hunters Mill Road, White Hall, Md. 21161
Robert J. Brannan, Esquire, 401 Washington Avenue, Suite 201
Towson, Maryland 21204
File

Enclosures

O'CONNOR & GRAHAM
ATTORNEYS AT LAW
100 WEST ROAD
SUITE 211
TOWSON, MARYLAND 21204
(301) 321-0595

IN RE: PETITION FOR ZONING VARIANCE
N side Hunters Mill Road, 1584' E of c/l of Vernon Rd.
2412 Hunters Mill Road
10th Election District
3rd Councilmatic District

Donald Frederick Jones, Jr., et ux., Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-141-A

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Phone: 32 -0595
Attorney for Appellants

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James D. O'Connor

RECEIVED DEC 8 1989 DCJ

O'CONNOR & GRAHAM
ATTORNEYS AT LAW

GARY K. GRAHAM
JAMES D. O'CONNOR

ADMITTED MD & D.C. BARS

100 WEST ROAD
SUITE 211
TOWSON, MARYLAND 21204

PHONE: (301) 321-0595
FAX: (301) 337-8607

December 7, 1989

Robert J. Haines, Zoning Commissioner
Office of Planning and Zoning for Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance
Donald Frederick Jones, Jr., et ux., Petitioners
Case No: 90-141-A

Dear Mr. Haines:

Enclosed herewith you will find a Notice of Appeal to be filed in the above-encaptioned case. I understand that this matter will now be forwarded to the Board of Appeals. Enclosed is our check in the amount of $150.00 to cover the $125.00 appeal fee and the $25.00 sign fee.

If you require anything further, please do not hesitate to contact me. Thank you for your cooperation herein.

Very truly yours,

James D. O'Connor

JOC/kan
89-158
cc: Mr. and Mrs. Donald F. Jones, Jr.
Peoples Counsel
Mr. Michael Moorefield
Mr. Edward J. Brannan
Robert J. Brannan, Esquire

RECEIVED DEC 8 1989 DCJ

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-141-A

District 10th Date of Posting 12/7/89
Posted for: Appeal
Petitioner: Donald Frederick Jones
Location of property: N/S Hunters Mill Rd. 1584' E/ Vernon Rd.
2412 Hunters Mill Rd
Location of Signs: Facing Hunters Mill Rd, approx. 10' Fm roadway on property of Petitioner
Remarks:
Posted by [signature] Date of return: 12/12/89
Signature
Number of Signs: 1

IN RE: PETITION FOR ZONING VARIANCE
N side Hunters Mill Road, 1584' E of c/l of Vernon Rd.
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10th Election District
3rd Councilmanic District

Donald Frederick Jones, Jr., et ux, Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-141-A

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Testimony indicated that the subject property known as 2412 Hunters Mill Road, consists of approximately 2.013 acres +/-, zoned R.C.2 and is improved with a single family dwelling and accessory shed.

Testimony indicated that the Petitioner is desirous of constructing a two story addition on the west side of his home, creating garage space on the first floor, and bedroom, living room and dining room space on the second floor. The Petitioner testified that the existing home currently has only two bedrooms, and he is in need of the additional living space to accommodate his growing family. The Petitioner testified that the proposed location will not require any additional tree removal nor will it adversely impact on water drainage. He testified that in view of the layout of the subject property, the proposed location for the addition is the only practical location, and that he will suffer practical difficulty and undue hardship should the requested variance be denied.

CERTIFICATE OF POSTING
DATE 12/8/89
By [signature]

Mr. Edward J. Brannan, Protestant, appeared, testified and was represented by Robert J. Brannan, Esquire.

Testimony indicated that Mr. Brannan is Mr. Jones' adjoining property owner to the west. He testified that the houses in this area are typically situated 50 feet from property lines, and that the requested 14 foot variance request is unacceptable.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or rendor conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In reviewing the evidence, there is insufficient evidence to allow a finding that the Petitioner would experience practical difficulty or unreasonable hardship if the requested variance was denied. The testimony presented by the Petitioner was in support of a matter of a preference rather than of the necessity for the variance. The Petitioner has failed to show that compliance would unreasonably prevent the use of the property

-2-

CERTIFICATE OF POSTING
DATE 12/8/89
By [signature]

or be unnecessarily burdensome. It is apparent from the Plaintiff's site plan that the requested addition would be more appropriately located in the rear yard of the subject lot. Therefore, the variance requested must be denied.

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 denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of March, 1989 that the Petition for a Zoning Variance from Section 1A00.3.B.3 to allow a building setback of 14 feet in lieu of the minimum 50 feet, in accordance with Petitioners' Exhibit 1, be and is hereby DENIED.

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

JRH/mmn
cc: Peoples Counsel
cc: Mr. and Mrs. Donald F. Jones, Jr., 2412 Hunters Mill Road, White Hall, Md. 21161
cc: Mr. Michael Moorefield, 7460 Cross Road, Kingsville, Md. 21087
cc: Edward J. Brannan, 2400 Hunters Mill Road, White Hall, Md. 21161
cc: Robert J. Brannan, Esquire, 401 Washington Avenue, Suite 201, Towson, Maryland 21204

-3-

90-141A

PROTESTANT(S) SIGN-IN SHEET

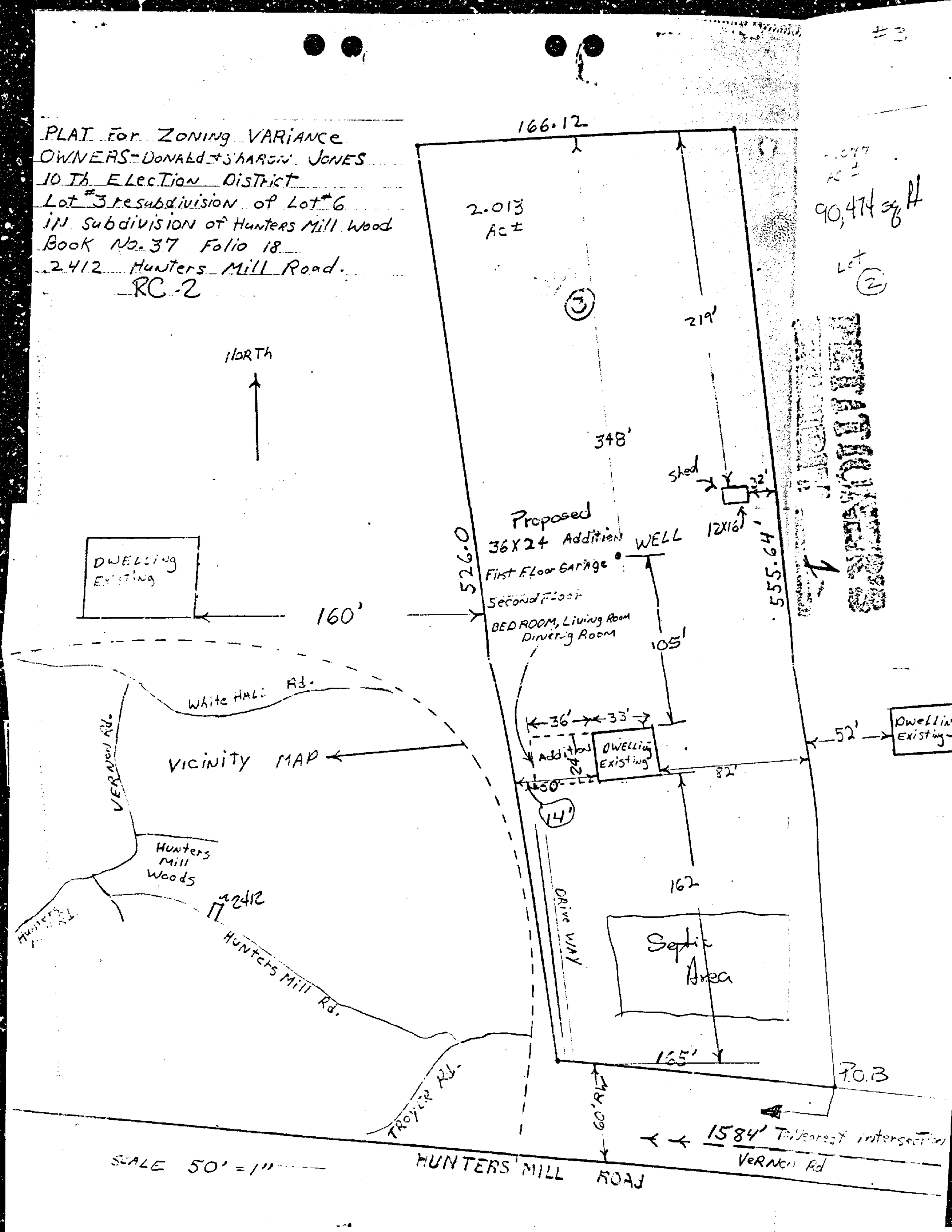
NAME	ADDRESS
Edward J. Brannan	2400 Hunters Mill Rd White Hall Md 21161
Robert J. Brannan, Esq	401 Washington Avenue Ste 201 Towson MD 21204

90-141A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Donald Jones Jr	2412 Huntersmill Rd Md 21121
Michael Moorefield	7460 Cross Rd Kingsville MD 21087



HFM

2401 Hunter Mill Rd.
White Hall, Md. 21161
13 Oct., 1990

RECEIVED
COUNTY BOARD OF APPEALS
90 OCT 17 AM 11:48

Mr. William Hackett
Chairman, County Board of Appeals
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

Re: Case No. 90-141-A (Donald F. Jones, Jr. et ux)

Dear Mr. Hackett,

I am writing in reference to the zoning exemption granted Mr. Jones which will waive the normal setback and allow him to build to the property line. We built in the center of our property. That is the reason there are 160 feet between the houses. He chose in 1981 to build on the edge of his. The large mature trees which isolate his house are on our property. Their root systems will inevitably be damaged by the heavy construction equipment the addition will require, as well as the driveway to allow his truck access to the rear of his yard. We will then be responsible for their removal so that the addition will not be damaged when they fall. Essentially we have purchased and are currently being taxed on property he will be using. One of the reasons we chose Baltimore County despite the high tax rate was because of the stringent zoning. It would appear our faith was misplaced. If this addition is built, I think we at least deserve a lowering of the assessment of our property to compensate for the inevitable lowering of our property value. It seems we are being unfairly penalized for Mr. Jones' lack of foresight in building so close to the property line in 1981. This unequal application of the zoning process has cost us time and expense that we can ill afford. Our taxes are so high we cannot afford to appeal. Why not just eliminate zoning altogether, if it is to be selectively enforced, and use the money saved to lower these taxes?

Sincerely,

Carol Brassan

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

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

October 4, 1989

Mr. & Mrs. Donald Jones, Jr.
2412 Hunters Mill Road
White Hall, MD 21161

RE: Item No. 3, Case No. 90-141-A
Petitioner: Donald Jones,Jr., et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Jones:

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 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
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 31th day of July, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Donald F. Jones, Jr., et ux

Petitioner's Attorney:

CERTIFICATE OF PUBLICATION

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 21204 as follows:

Petition for Zoning Variance
Case number: 90-141-A
N side Hunters Mill Road, 1584' E of c/l of Vernon Road
2412 Hunters Mill Road
10th Election District
3rd Councilmanic
Petitioner(s): Donald Frederick Jones, Jr., et ux
Hearing Date: Monday, Oct. 30, 1989 at 9:30 a.m.

Variance: to allow a building setback of 14 feet in lieu of the minimum 50 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
Zoning Commissioner of Baltimore County

T/9/314 Sept. 27.

TOWSON, MD., Sept. 27, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 27, 1989.

TOWSON TIMES.

S. Zeke Orlan
Publisher

PO 17187
req M34210
cs 90-141-A
price $ 60.90

CERTIFICATE OF PUBLICATION

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 21204 as follows:

Petition for Zoning Variance
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J. ROBERT HAINES
Zoning Commissioner of Baltimore County

10/049 Oct. 5.

TOWSON, MD., Oct 5, 1989

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 Oct 5, 1989.

THE JEFFERSONIAN.

S. Zeke Orlan
Publisher

PO 17187
req M34210
cs 90-141-A
price $ 39.40

CERTIFICATE OF POSTING 90-141-A
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10th — Date of Posting: 10/8/89
Posted for: Variance
Petitioner: Donald Frederick, Jr. et ux
Location of property: N/S Hunters Mill Rd., 1584' E/Vernon Rd.
2412 Hunters Mill Rd.
Location of Signs: Facing Hunters Mill Rd. approx. 10' Fr. roadway on property of Petitioner
Remarks:
Posted by: [illegible] (Signature) — Date of return: 10/13/89
Number of Signs: 1

OCT 30, 1989

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner — DATE: October 5, 1989

FROM: Pat Keller, Deputy Director, Office of Planning and Zoning

SUBJECT: Donald Frederick Jones, Jr., Item 3
Zoning Petition No. 90-141A

The petitioner requests a Variance to allow a building setback of 14 ft. in lieu of the minimum 50 ft.

In reference to this request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

RECEIVED
AUG 3 1989
ZONING OFFICE

July 31, 1989

Dennis F. Rasmussen
County Executive

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 1, 2, 3, 5, 6, 7, and 8.

Very truly yours,

[illegible]

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

JULY 26, 1989

Dennis F. Rasmussen
County Executive

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

RE: Property Owner: DONALD FREDERICK JONES, JR.
Location: N SIDE HUNTERS MILL ROAD
Item No.: 3 — Zoning Agenda: JULY 18, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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.

REVIEWER: Capt Wm Brady, Planning Group, Special Inspection Division
Noted and Approved: Capt Wm Brady, Fire Prevention Bureau

JK/KEK

JUL 28 1989

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

J. Robert Haines
Zoning Commissioner

DATE 10/9/89

Dennis F. Rasmussen
County Executive

Mr. & Mrs. Donald Frederick Jones, Jr.
2412 Hunters Mill Road
White Hall, Maryland 21161

Re: Petition for Zoning Variance
CASE NUMBER: 90-141-A
N side Hunters Mill Road, 1584' E of c/l of Vernon Road
2412 Hunters Mill Road
10th Election District - 3rd Councilmanic
Petitioner(s): Donald Frederick Jones, Jr., et ux
HEARING DATE: MONDAY, OCTOBER 30, 1989 at 9:30 a.m.

Dear Mr. & Mrs. Jones:

Please be advised that $125.50 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

... & post set(s), there ... unt for each such set

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT — No. 077360

DATE 10/30/89 — ACCOUNT R-01-115-000
AMOUNT $ 125.50
RECEIVED FROM: Donald F. Jones, Jr.
FOR: P/A for 10/30/89 hearing 90-141-A

B [illegible]

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER