

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE * ZONING COMMISSIONER
W/S Fiske Ave., 479' E of *
Butler Road * OF BALTIMORE COUNTY
9-1/2 & 10 Fiske Avenue *
4th Election District * CASE # 90-419-SPHA
3rd Councilmanic District *
William A. Fowble, III *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the placement of a porch and septic area on property other than the subject site and the approval of a lot 2,785 sq. ft. for a single family dwelling in lieu of the required 20,000 sq. ft. and zoning variances from (1) Section 1802.3.C.1. to permit a dwelling to be constructed on lots 15, 16 and 17 with minimum total width of 37.88 ft. in lieu of the required 100 ft.; (2) Section 1802.3.C.1. to permit a rear yard depth of 11 ft. in lieu of the required 40 ft.; (3) Section 1802.3.C.1. to permit individual side yards of 8 ft. and 12.5 ft. in lieu of required 15 ft. minimum and a sum of side yard widths of 20.5 ft. in lieu of required 40 ft.; (4) Section 301.1 to permit a 6 foot wide open porch on S/E side with setback of 2 ft. in lieu of required 11.25 ft.; (5) Section 1802.3.C.1. to permit dwelling unit to remain as is on 20 ft. lot (lot 18) instead of required 100 ft. with side yard setbacks of 2 ft. on each side in lieu of minimum 15 ft. on each, and a sum of side yards of 4 ft. in lieu of required 40 ft., as more particularly described on Petitioner's Exhibit 1.

The Petitioner, William A. Fowble, III, appeared, testified and was represented by Charles E. Brooks, Esquire. Appearing on behalf of Petition was Ralph Driscoll. Appearing and testifying as Protestants were Michael and

Ann O'Neill and Eileen Wuerthele. Appearing and noting their opposition to Petitioner's request were Elizabeth Steele, Sharon Herb, Eleanor H. Taylor, Anna Welsh, Samuel E. Scruggs and Ellen Cray.

Testimony indicated that the subject property known as 9-1/2 and 10 Fiske Avenue consists of .066 acres +/- zoned D.R.2 and is currently unimproved. Testimony indicated that the subject property is located within the "historic" Glyndon area adjoining Glyndon Park, as indicated on Petitioner's Exhibit No. 1.

The Petitioner testified that he is desirous of constructing a single family dwelling on combined lots No. 15, 16 and 17 with a 22 x 48 ft. footprint. Testimony indicated that the subject lots predate 1945. The Petitioner also desires to place a porch on the southeast side of the proposed house which will extend onto park property, as well as the proposed septic system, also to be located on Park property. The Petitioner testified that, pursuant to the deed of easement dated September 7, 1979, the Petitioner has the permission of the Glyndon Park Chataqua Association to locate the septic system on park property. The Petitioner further testified that the rear of the proposed house will face Fiske Avenue from which a driveway will be constructed. The Petitioner concluded by stating that the proposed house would be consistent with the existing architecture in the neighborhood and, also, that should the requested relief be denied, he would suffer an undue hardship and practical difficulty.

Mr. Ralph Driscoll testified that he has lived in this community for the past 67 years. Mr. Driscoll testified that he has known the Petitioner and his family for many years and is familiar with the Petitioner's plans for the subject property. Mr. Driscoll testified that he supports Petition-

er's request and believes that Petitioner's proposed home would be complimentary to this community.

Mr. J. Michael O'Neill appeared as a Protestant and testified that his primary concern, regarding the Petitioner's request, was safety. Mr. O'Neill testified that Fiske Avenue is an extremely roadway with vehicular parking on one side of the roadway only. He testified that he was concerning that Petitioner's proposed house will not match the architecture of the existing dwellings and that the proposed house is too large for the subject site.

Mrs. Ann O'Neill testified and concurred with the testimony of her husband.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted in part. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested, if granted in part, will not be detrimental to the public health, safety and general welfare.

Based upon the testimony and evidence presented, it is clear that the Zoning Commission lacks authority to grant variance relief on property not owned by the Petitioner or properly brought under his jurisdiction by a properly filed Petition. Therefore, the special hearing relief relative to the subject porch must be denied. However, as Petitioner does have permission and authority, pursuant to the Confirmatory Deed of Easement, marked Petitioner's Exhibit No. 7, to locate the proposed septic system on park property, the special hearing request relative to the septic system shall be

granted. Further, Petitioner's special hearing request for a lot of 2,875 sq. ft. for single family dwelling in lieu of the required 20,000 sq. ft. shall be granted.

The Petitioner has also requested variance relief which is set forth specifically above.

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).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel.

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-419-SPHA

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 Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

See attached

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing 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: _____
Charles E. Brooks
(Type or Print Name)
Signature _____
610 Bosley Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: (301)296-2602

Legal Owner(s): _____
William A. Fowble, III
(Type or Print Name)
Signature _____
(Type or Print Name)
Signature _____
3 Fiske Avenue 833-3087
Address
Glyndon, Maryland 21021
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Charles E. Brooks
(301)296-2600
Name
610 Bosley Avenue, Towson, MD
Address
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 7 day of March, 1990, 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 108, County Office Building in Towson, Baltimore County, on the 24 day of April, 1990 at 9:30 o'clock P. M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING - 1/2 HR. + 15 MIN.
AVAILABLE FOR HEARING - 1/2 DAY
ALL DECISIONS/RECOMMENDATIONS - NEXT TWO WEEKS
REVIEWED BY: CAM DATE 12 Feb 90

In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

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, in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of May, 1990 that Petition for Special Hearing to approve the construction of a porch extending onto property not owned by Petitioner is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the placement of a septic area on property other than that of Petitioner, pursuant to the Confirmatory Deed of Easement, marked Petitioner's Exhibit No. 1 is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to grant a lot of 2,875 sq. ft. for a single family dwelling in lieu of the required 20,000 sq. ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 1802.3.C.1 to permit a dwelling to be constructed on lots 15, 16 and 17 with a minimum total width of 37.88 ft. in lieu of the required 100 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 1802.3.C.1. to permit a rear yard depth of 11 ft. in lieu of the required 40 ft. is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 1802.3.C.1. to permit individual side yards of 8 ft. and 12.5 ft. in lieu of required 15 ft. minimum and a sum of side yard widths of 20.5 ft. in lieu of required 40 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 301.1 to permit a 6 foot wide open porch on S/E side with setback of 2 ft. in lieu of required 11.25 ft. is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 1802.3.C.1. to permit dwelling unit to remain as is on 20 ft. lot (lot 18) instead of required 100 ft. with side yard setbacks of 2 ft. on each side in lieu of minimum 15 ft. on each, and a sum of side yards of 4 ft. in lieu of required 40 ft., is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

3. The subject property shall be developed as a single family dwelling unit only.

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

JRH:mmm
cc: Peoples Counsel
cc: Protestants

ATTACHMENT TO
PETITION FOR SPECIAL HEARING
(WILLIAM A. FOWBLE, III, OWNER)

1. The use of property owned by Glyndon Park Chataqua Association in a manner consistent with prior use by construction of a porch extending onto park property and for a septic area pursuant to permission granted by the Association's Board of Directors and Confirmatory Deed of Easement.
2. A lot of 2,875 sq. ft. for a single family dwelling in lieu of the required 20,000 sq. ft because overall density would not be affected.

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

April 16, 1990



Dennis F. Rasmussen
County Executive

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, MD 21204

RE: Item No. 261, Case No. 90-419-SPHA
Petitioner: William A. Fowble, et ux
Petition for Special Hearing

Dear Mr. Brooks:

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

cc: Mr. & Mrs. William A. Fowble
3 Fiske Avenue
Glyndon, MD 21071

Baltimore County
Zoning Commissioner
Office of Planning and 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 12th day of February, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William A. Fowble

Petitioner's Attorney: Charles E. Brooks

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: April 20, 1990

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

SUBJECT: William A. Fowble, III, Item 261
(Revised Comment)

Staff has received an inquiry from a resident of the Glyndon Park Chautauqua Association regarding our comments of March 15, 1990. Specifically, the resident pointed out that staff's comment regarding the association's position relative to the Petitioner's request could be misleading.

In order to clear up any misunderstanding, we have enclosed a letter, dated September 6, 1990, which describes the position of the Glyndon Park Chautauqua Association relative to the Petitioner's property.

PK/JL/cmm
Enclosure

4/20 Mailed revised copies to Charles Brooks, Jr.

A meeting of the Glyndon Park Chautauqua Association was held on Wednesday, September 6, 1989 at 7:00 P. M. in the Park. Those present were:

Ralph and Florence Driscoll	Cottage #1
Stephen Obici	Cottage #2
William A. Fowble	Cottage #3
George A. Stearns	Cottage #5
Michael and Ann O'Neill	Cottage #6
Lucille Storch	Cottage #7
Rich and Eileen Wuerthele	Cottage #8
Barbara C. Duncan	Cottage #9
Rene and Carolyn Herbst	Cottage #11
Dan Bailey and Emily Stanley	Cottage #23

The purpose of the meeting was to look at Mr. William A.

Fowble's proposed house plans and location and consider granting

approval for his porch on Park property.

There was concern and discussion about not wanting to set a precedent for future building.

A motion was made and seconded that permission be given

Mr. Fowble to build a porch on Park property, not to exceed the

width of his proposed house, 22 feet, and not to extend beyond

the porch of Cottage #10; this approval contingent upon Mr.

Fowble receiving approval from Landmarks Preservation Commission

and Baltimore County for the construction of his house.

There was no further discussion and the motion was voted

on and unanimously accepted. Eunice Rose, Cottage #12, was

unable to attend the meeting. However, her written vote is

attached to these minutes.

There being no further business, the meeting was

adjourned.

Respectfully submitted,

Lucille Storch
Acting Secretary

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: March 15, 1990

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

SUBJECT: William A. Fowble, III, Item 261

The Petitioner requests Variances needed to construct a dwelling. In reference to the Petitioner's request, staff offers the following:

- The development of the lot as proposed by the Petitioner would not be incompatible with the existing adjacent lots.
- The Glyndon Park Chautauqua Association met on September 6, 1989, to review the Petitioner's building and site plan and voted unanimously to approve Mr. Fowble's request at that time.

Based upon an analysis of the information provided, staff recommends the Petitioner's request be granted.

Should the Petition be granted, the following conditions are recommended:

- The Petitioner should receive approval from the Landmarks Preservation Commission prior to the issuance of any building permits.
- The proposed porch shall not be wider than the proposed house and it shall not extend beyond the porch of cottage #10.

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/cmm

MAR 20 1990

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



Dennis F. Rasmussen
County Executive

March 9, 1990

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 259, 262, 263, 264, 265, 266, 267, 268, and 270.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
SECTION AND RESOURCE MANAGEMENT

2-22-90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

MAR 09 1990

Zoning Item #261, Zoning Advisory Committee Meeting of March 6, 1990

Property Owner: William A. Fowble
Location: 415 Fiske Avenue, 419 E Butler Rd, 19 1/2 Fiske Ave District: 4

Water Supply: Metro Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been ☒ must be ☒ conducted.
- () The results are valid until ☒
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ☒ shall be valid until ☒
- () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3990.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others

BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Fire Department
Towson, Maryland 21204-2586
484-4500
Paul H. Reincke
Chief

MARCH 14, 1990



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: WILLIAM A. FOWBLE, III

Location: #9-1/2 AND 10 FISKE AVENUE

Item No.: 261 Zoning Agenda: MARCH 6, 1990

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: *Pat Keller* 3-14-90 Noted and Approved: *Paul H. Reincke*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

MAR 15 1990

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for March 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 262, 263, 264, and, 266.

For Item 259 the previous County Review Group comments remain in effect.

For Item 261 the minimum width for a single panhandle frontage is 20 feet (12 feet is shown). The septic area on the opposite side of the road would require crossing of the public road R/W with private sewer line (which would require a franchise agreement).

For Items 265, 269 and 270, a County Review Group Plan may be required for each property.

For Items 267 and 268 the previous County Review Group comments remain in effect.

For Item #203 revised - Caves Valley Gold Club - the previous County Review Group comments still apply.

Amendment for 90-154A - No. 819 Ridgeleigh Road, we have no comments.

Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:s

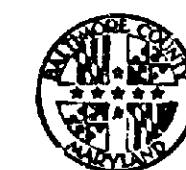
RECEIVED
APR 24 1990

ZONING OFFICE

Dear Mr. Haines:
I am writing to oppose a zoning variance being petitioned by William Fowble, Case Number 90-419-SPHA on Duke Avenue, 479° East of Butter Road, Glyndon.

The dramatic difference in number between the permitted and proper lot size and the requested size makes it almost a ridiculous request. Our zoning laws were created after great thought and consideration. To destroy all this with such an outlandish request makes a farce of the whole procedure. I believe that zoning laws should protect, not destroy communities. I urge you to deny the request.

Yours truly,
Wann B. Tallie
Box 43, Glyndon, Md. 21071



County Council of Baltimore County
Court House, Towson, Maryland 21204
(301) 887-3196
Fax (301) 887-5791

COUNCIL

Ronald B. Hickmell
FIRST DISTRICT

Melvin G. Minix
SECOND DISTRICT

Charles A. Ruppensberger, III
THIRD DISTRICT

CHAIRMAN

Barbara F. Bachar
FOURTH DISTRICT

Norman W. Lawless
FIFTH DISTRICT

William R. Evans
SIXTH DISTRICT

Dale T. Vols
SEVENTH DISTRICT

Thomas Toporovich
LEGISLATIVE COUNSEL

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

Dear Mr. Haines:

Attached please find Resolution 17-90 concerning the public disclosure of William A. Fowble, III, an employee of the Baltimore County Department of Public Works, Bureau of Construction Inspection.

This Resolution was unanimously approved by the County Council at their meeting on Monday, April 2, 1990 and is being forwarded to you for appropriate action.

Sincerely,

Thomas Toporovich
Secretary

TT:dp
Enclosure

cc: Mr. William A. Fowble, III

RECEIVED
APR 4 1990

ZONING OFFICE

April 3, 1990

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1990, Legislative Day No. 7
Resolution No. 17-90

Mr. C.A. Dutch Ruppensberger, III Councilman

By the County Council, April 2, 1990.

A RESOLUTION concerning the public disclosure of William A. Fowble, III, an employee of the Baltimore County Department of Public Works, Bureau of Construction Inspection.

WHEREAS, William A. Fowble, III, has filed for zoning variances on certain lots in Glyndon Park for the construction of a new home and a petition for special hearing on an existing home all located in the Third Councilmanic District of Baltimore County; and

WHEREAS, this Resolution is intended to provide full public disclosure of his interest in the proceeding before the Zoning Commissioner under Section 22-11(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland that the filing of zoning variances and a petition for special hearing by William A. Fowble, III, does not contravene the public welfare and is hereby authorized.

Special Hearing to approve the use of property owned by Glydon Park Chataqua Association in a manner consistent with prior use by construction of a porch extending onto park property and for a septic area pursuant to permission granted by the Association's Board of Directors and Confirmatory Deed of Easements and to approve a lot of 2,875 sq. ft. for a single family dwelling in lieu of the required 20,000 sq. ft. because overall density would not be affected.

Variance to permit a dwelling to be constructed on lots 15, 16, and 17 with minimum total width of 37.88 ft. in lieu of the required 100 ft.; to permit a rear yard depth of 11 ft. in lieu of required 40 ft. for lots 15, 16, and 17; to permit individual side yards of 8 ft. and 12.5 ft. in lieu of the required 15 ft. minimum and a sum of side yards widths of 20.5 ft. in lieu of the required 40 ft. for lots 15, 16, and 17; to permit a 6 ft. wide open porch on SE side with setback of 2 ft. in lieu of required 11.25 ft. for lots 15, 16, and 17; to permit dwelling unit to remain as is on 20 ft. lot (lot 18) instead of the required 100 ft. with side yard setbacks of 2 ft. on each side in lieu of minimum 15 ft. each and a sum of side yards of 4 ft. in lieu of the required 40 ft.

January 3, 1991

ADDENDUM TO FILE

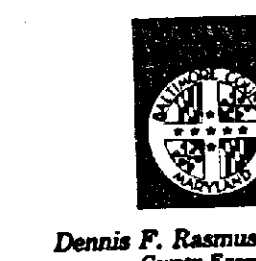
CASE 90-419-SPHA

Copies of this Deed, Liber 8595, Page 531, as well as Building Permit 48-075959 for an open porch and roof and accompanying site plan are being microfilmed and be a part of this file. This permit has been approved due to the new easement referred to in the deed which was not an original part of this petition and therefore not addressed in the order.

Wann B. Tallie

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

May 7, 1990



Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
Case No. 90-419-SPHA
William A. Fowble, III

Dear Mr. Brooks:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in part, 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,
J. Robert Haines
Zoning Commissioner

JRH:mmm

cc: Peoples Counsel
cc: Protestants
cc: Mr. William A. Fowble, III

90-419-SPHA
Liber 8595 page 531
Recorded 9/14/90

THIS DEED OF EASEMENT, Made this 24 day of August, 1990, by and between the GLYNDON PARK CHATAQUA OF BALTIMORE CITY, a body corporate of the State of Maryland, party of the first part, Grantor, and WILLIAM A. FOWBLE, III, party of the second part, of Baltimore County, State of Maryland, Grantee.

WHEREAS, the parties of the first and second part are all owners of various lots and land as shown on two plats of Glyndon Park, recorded among the Land Records of Baltimore County, the first plat dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427; the second plat being dated July 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, and

WHEREAS, the party of the second part, owner of lots number 15, 16 and 17, as shown on the aforesaid plats has been granted the right by the party of the first part to install, maintain, repair, replace, relocate, use or rebuild porches, decks, verandas, or similar structures by whatever name known, for no greater than 10 feet, into that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 on the aforesaid plats, and,

WHEREAS, it is the intention of the parties hereto by the execution of this instrument to grant the aforesaid easements to the party of the second part, his heirs and assigns.

NOW, THEREFORE, this Deed of Easement witnesseth that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, although no money actually having been paid, the party of the first part does hereby grant, convey and confirm unto the party of the second part, his heirs and assigns an easement in, for no greater than 10 feet, over and through

that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427, and northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated July, 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, said easement to be for the purpose of installing, maintaining, repairing, replacing, relocating, using or rebuilding the porches, decks, verandas, or similar structures by whatever name known deemed desirable from time to time, as the party of the second part as owner of the aforesaid lots, his heirs, successors and assigns.

AS WITNESS, the corporate seal of the GLYNDON PARK CHATAQUA OF BALTIMORE CITY and the signature of Sam Scruggs, III, the President, thereof.

WITNESS: THE GLYNDON PARK CHATAQUA OF BALTIMORE CITY
BY: Sam Scruggs (SEAL)
SAM SCRUGGS, President

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

On this 24 day of August, 1990, before me, a Notary Public of said State, personally appeared SAM SCRUGGS, known to me, (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and who acknowledged that he executed the same for the purpose therein contained, as the duly authorized President of said corporation.

AS WITNESS my hand and Notarial Seal.

Betty B. Egan
Notary Public
My Commission Expires: Aug 1, 1992

2

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

90-419 SPHA

PERMIT # B-075959
RECEIPT # NR
XREF # 405
PAID BY: 4500
INSPECTOR: 11/18/92

PROPERTY ADDRESS 9A Fiske Ave
SUBDIV: Glyndon Park
TAX ACCOUNT # 6446-610052 DISTRICT/PRECINCT 4 2
OWNER'S INFORMATION (LAST, FIRST)
NAME: FOWLE, William A. 3rd
ADDR: 10 Fiske Ave Glyndon, MD 21071

APPLICANT INFORMATION
NAME: William A Fowble, 3rd
COMPANY:
ADDR1: 10 Fiske Ave
ADDR2: Glyndon MD 21071
PHONE # 335-4087 WHIC LICENSE #:
APPLICANT SIGNATURE: William A Fowble BLOCK: 0 PL: 2
PLANS: CONST 1 PLOT 1 PLAT 0 DATA: EL
TENANT:
ENGR: 0
SELLER:

TYPE OF IMPROVEMENT
1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

TYPE OF USE
RESIDENTIAL
01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
05. SWIMMING POOL
06. GARAGE
07. OTHER

TYPE FOUNDATION
1. SLAB
2. BLOCK
3. CONCRETE

BASEMENT
1. FULL
2. PARTIAL
3. NONE

DESCRIBE PROPOSED WORK:
Construct addition on front of existing single family dwelling. Addition to be used as a open porch w/ roof (22'x10'x12') 2nd floor porch to be constructed over front property to be 2nd floor basement. (SFD-B-068348)

NON-RESIDENTIAL
08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (FENCE HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE, MERCANTILE, RESTAURANT
20. SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE OF CONSTRUCTION
1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINFC. CONCRETE

TYPE OF HEATING FUEL
1. GAS
2. OIL
3. COAL
4. OTHER

TYPE OF WATER SUPPLY
1. PUBLIC SYSTEM
2. PRIVATE SYSTEM
3. OTHER

TYPE OF SEWAGE DISPOSAL
1. PUBLIC SEWER
2. PRIVATE SYSTEM
3. SEPTIC
4. OTHER

CENTRAL AIR: 1. YES 2. NO
ESTIMATED COST: \$2,000.00
PROPOSED USE: addition (porch)
EXISTING USE: addition (porch)

OWNERSHIP
1. PRIVATELY OWNED
2. PUBLICLY OWNED
3. SALE
4. RENTAL

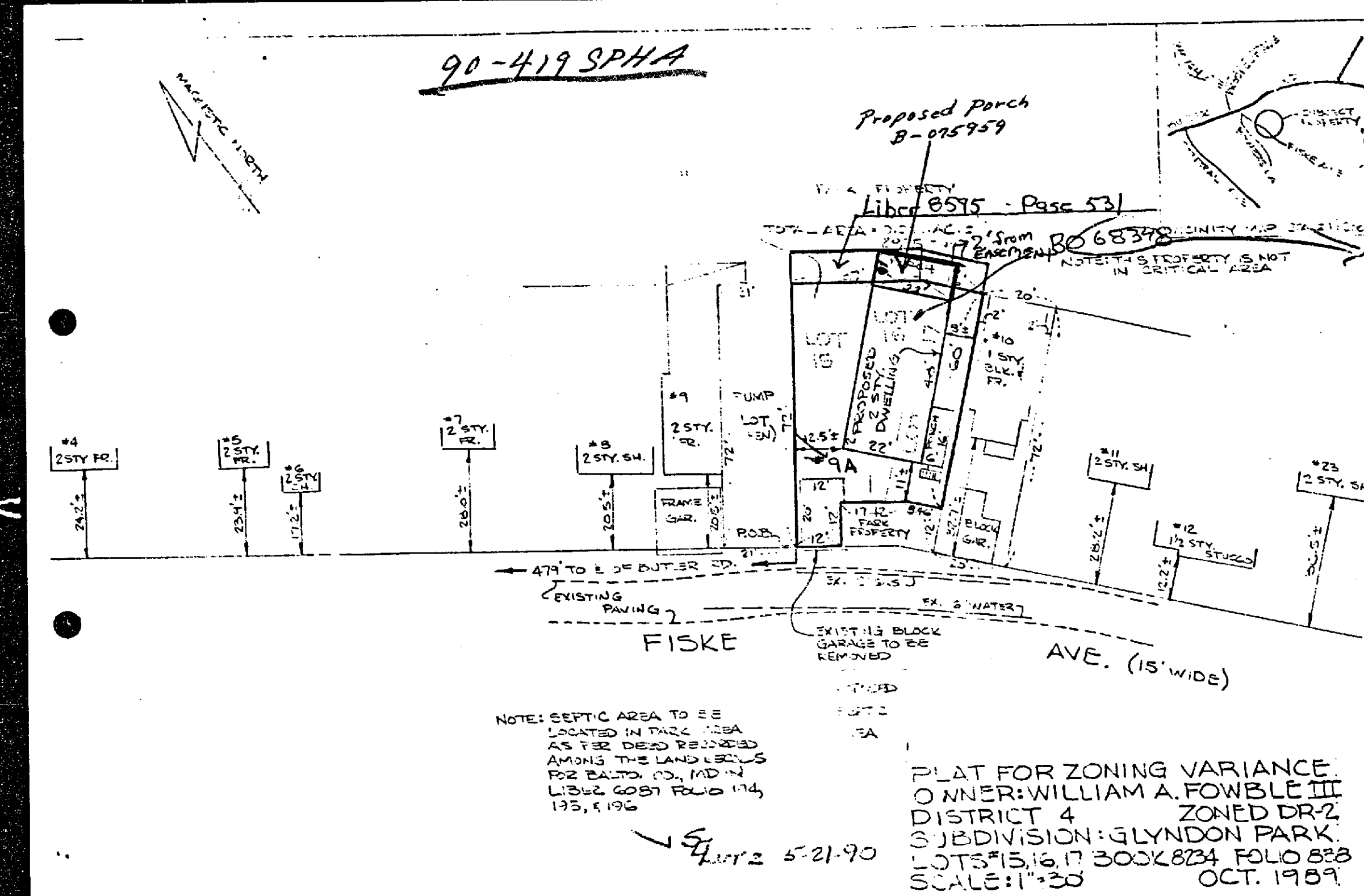
RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHOUSE 5. MIDRISE
6. HIGHRISE

1. FAMILY BEDROOMS
2. BATHROOMS
3. KITCHENS
4. CLASS 44
LIBER 36 FOLIO 28

BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR 220 SIZE 53'53" X 72'10"
WIDTH 22' FRONT STREET
DEPTH 18' SIDE STREET
HEIGHT 18' FRONT SETBK 24' SIDE SETBK 16'
STORIES 1.5 SIDE STH SETBK 6'
LOT # 15 CORNER LOT NO
1. YES 2. NO NO ZONING

APPROVAL SIGNATURES
DATE

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED



90-419 SPHA
LIBER 8595 PAGE 531

THIS DEED OF EASEMENT, Made this 24 day of August, 1990, by and between the GLYNDON PARK CHATAQUA OF BALTIMORE CITY, a body corporate of the State of Maryland, party of the first part, Grantor, and WILLIAM A. FOWBLE, III, party of the second part, of Baltimore County, State of Maryland, Grantee.

WHEREAS, the parties of the first and second part are all owners of various lots and land as shown on two plats of Glyndon Park, recorded among the Land Records of Baltimore County, the first plat dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427; the second plat being dated July 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, and

WHEREAS, the party of the second part, owner of lots number 15, 16 and 17, as shown on the aforesaid plats has been granted the right by the party of the first part to install, maintain, repair, replace, relocate, use or rebuild porches, decks, verandas, or similar structures by whatever name known, for no greater than 10 feet, into that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 on the aforesaid plats, and,

WHEREAS, it is the intention of the parties hereto by the execution of this instrument to grant the aforesaid easement to the party of the second part, his heirs and assigns.

NOW, THEREFORE, this Deed of Easement witnesseth that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, although no money actually having been paid, the party of the first part does hereby grant, convey and confirm unto the party of the second part, his heirs and assigns an easement in, for no greater than 10 feet, over and through

RECEIVED FOR TRANSFER
State Department of Assessments & Taxation
for Baltimore County
DATE 9/14/90

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE William A Fowble DATE 9/14/90

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND
Approved Signature
KIP Sec 11-85 Enact

LIBER 8595 PAGE 532

that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427, and northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated July, 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, said easement to be for the purpose of installing, maintaining, repairing, replacing, relocating, using or rebuilding the porches, decks, verandas, or similar structures by whatever name known deemed desirable from time to time, as the party of the second part as owner of the aforesaid lots, his heirs, successors and assigns.

AS WITNESS, the corporate seal of the GLYNDON PARK CHATAQUA OF BALTIMORE CITY and the signature of Sam Scruggs, III, the President, thereof.

WITNESS: THE GLYNDON PARK CHATAQUA OF BALTIMORE CITY
BY: Sam Scruggs (SEAL)
SAM SCRUGGS, President

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

On this 24 day of August, 1990, before me, a Notary Public of said State, personally appeared SAM SCRUGGS, known to me, (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and who acknowledged that he executed the same for the purpose therein contained, as the duly authorized President of said corporation.

AS WITNESS my hand and Notarial Seal.

Betty B. Egan
Notary Public
My Commission Expires: Aug 1, 1992

WILL TOU
William Fowble
10 Fiske Ave.
Glyndon Md 21071

RECEIVED
Mr. Robert Haines, Zoning Commissioner
111 West Chesapeake Ave.
Towson, MD 21204
APR 24 1990
ZONING OFFICE

Dear Mr. Haines,
There's a reason for the old adage, "Give 'em an inch, and they want a mile". The fiasco of the former boarding house and adjoining too narrow lot on Central Avenue was just the inch needed to fan the flames of greed which could ultimately ruin my neighborhood, and my property value. These threatening flames were further fanned by the desire for more parking behind a shopping center, where NO ONE will park anyway. Now with case number 90-419-SPHA someone else wants their cake and eat it, too. I know that you can catch more bees with honey than vinegar, but because you didn't nip these variances in the bud on Central Ave., we have you to thank for more requests, I believe.

Yes, tiny houses were built on tiny lots long ago when the Fiske Avenue area known as Glyndon Park was only a summer community. Now, however, zoning laws exist to ostensibly maintain and protect for traffic, fire safety, over congestion, lot size regulation. Therefore, the zoning variance desired on Fiske Ave. is truly ludicrous: 2,875 square ft. in lieu of the required 20,000 for a single family dwelling; 39' total width instead of the specified 100'; and, only 11 feet rear yard depth rather than the legal forty feet.

I'd be lying if I said that many of us have been pleased by your recent decisions regarding requested zoning variances in Glyndon. If it was your neighborhood, I doubt you'd be any happier. Is it totally unrealistic to ask you to examine other communities as though they were your own? Where is it written that every square foot of green space must be developed for profit? Although you still an area of decent, caring, family-oriented people, much like the folks in your neighborhood, I imagine. The granting of zoning variances rips the fabric of our corner of the world, just like it would in yours.

PLEASE, PLEASE, don't grant the variance on Fiske Avenue that is requested in Case Number 90-419-SPHA.

Sincerely,
Sharon Herb
Sharon Herb (Mrs.)

P.S. These owners requesting variances claim "hardship", but whatever happened to "buyer beware." Besides this guy Fowble knew what he was getting into. This hardship angle is wearing mighty thin.

90-419 SPHA

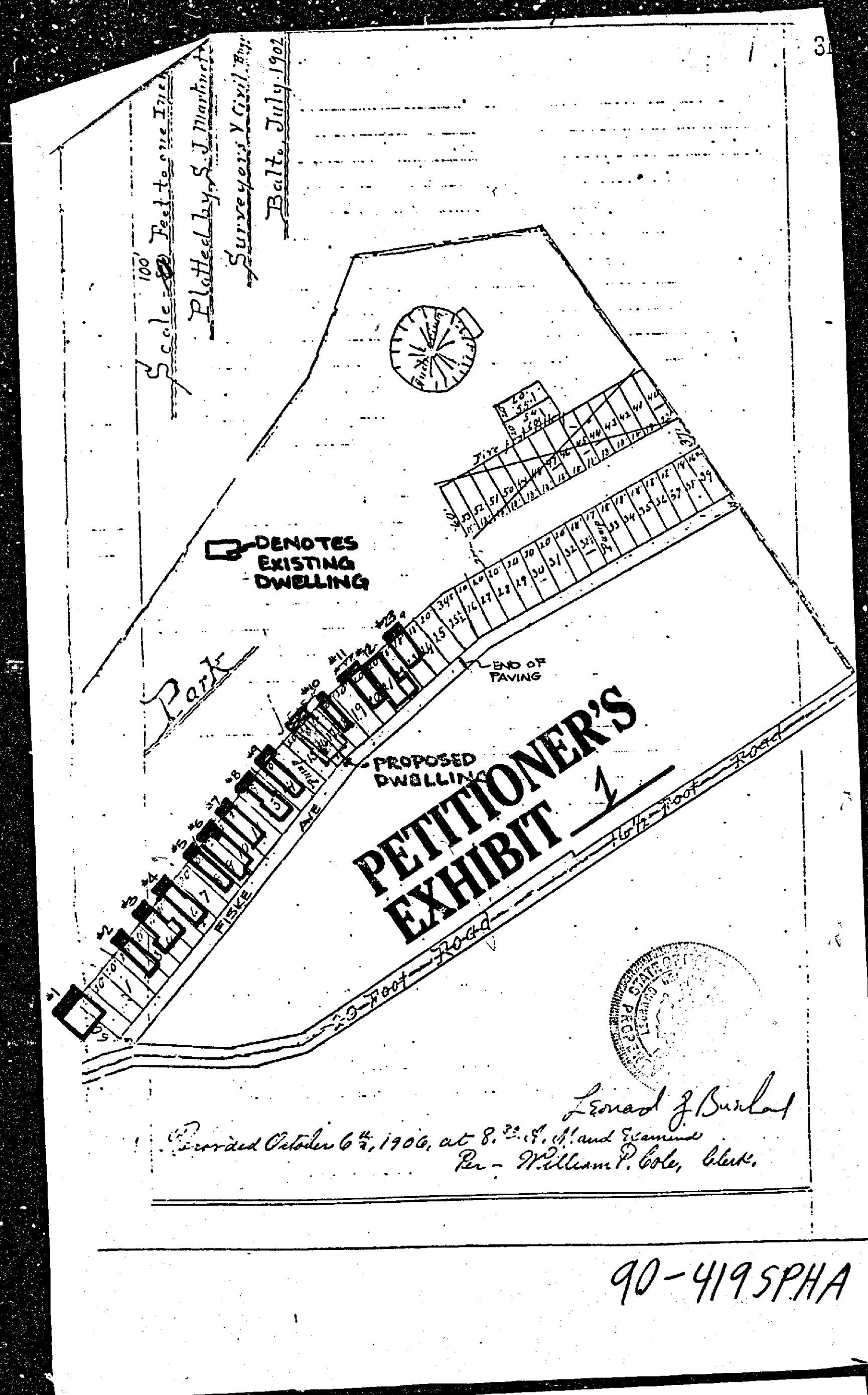
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<u>Ann B. O'Brien</u>	<u>20 E. Ave. Glyndon, MD 21071</u>
<u>Michael O'Neill</u>	<u>20 E. Ave. Glyndon, MD 21071</u>
<u>Elizabeth B. Steele</u>	<u>211 Central Ave. Glyndon, MD 21071</u>
<u>Sharon Herb</u>	<u>312 Central Ave. Glyndon, MD 21071</u>
<u>ELEANOR H. TAYLOR</u>	<u>Box 43, Glyndon, MD 21071</u>
<u>Anna Welsh</u>	<u>4801 Prospect Ave. Glyndon MD 21071</u>
<u>Ellen W. Wuerthele</u>	<u>8 Fiske Avenue Glyndon MD 21071</u>
<u>Sam E. Scruggs</u>	<u>6 Fiske Ave. Glyndon, MD 21071</u>
<u>Ellen Cray</u>	<u>208 Bond Ave. Reisterstown, MD 21074</u>

90-419 SPHA

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<u>P.W. Driscoll</u>	<u>1 Fiske Ave Glyndon Md 21071</u>



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GLYNDON PARK CHAUTAUQUA ASSOCIATION
GLYNDON, MARYLAND

September 1, 1989

Mr. William A. Fowble
3 Fiske Avenue
Glyndon, Maryland 21071

Dear Bill:

Thank you for showing us your revised tentative building plans. As we understand it the house you are proposing will be a 22-foot wide by 48-foot deep separate two-story structure with underground garage. The building will be oriented with its narrow dimension facing the park and long dimension perpendicular to the park, similar to the other cottages. The new building will be constructed 10 feet away from existing cottage #10 and will be along the same alignment, front and side, as cottage #10. This will result in a dimension of approximately 43 feet from the left front corner of the new house to the right front corner of existing cottage #9.

The new house will have a front porch constructed along the same alignment as the existing porch for cottage #10. Because of the break in the property line, the porch would encroach to a limited extent on existing park property.

After examining your stakes in the field and reviewing your plans it is our opinion that the proposed house will be similar to the existing cottages and should essentially blend in well with the park. Of course, as you are aware, there are many county ordinances (zoning, sanitary, etc.) which will have to be satisfied before you can obtain a building permit. We are not familiar with these ordinances and, accordingly, are not implying that you have the Park Association permission to build the subject house. We are saying that, in our opinion, the house you are proposing would blend in well with the other cottages.

PETITIONER'S EXHIBIT 2

90-419SPHA

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PETITIONER'S EXHIBIT 3

A meeting of the Glyndon Park Chautauqua Association was held on Wednesday, September 6, 1989 at 7:00 P. M. in the Park.

Those present were:

Ralph and Florence Driscoll	Cottage #1
Stephen Obici	Cottage #2
William A. Fowble	Cottage #3
George A. Stearns	Cottage #5
Michael and Ann O'Neill	Cottage #6
Lucille Storch	Cottage #7
Rich and Eileen Wuerthele	Cottage #8
Barbara C. Duncan	Cottage #9
Rene and Carolyn Herbst	Cottage #11
Dan Bailey and Emily Stanley	Cottage #23

The purpose of the meeting was to look at Mr. William A. Fowble's proposed house plans and location and consider granting approval for his porch on Park property.

There was concern and discussion about not wanting to set a precedent for future building.

A motion was made and seconded that permission be given Mr. Fowble to build a porch on Park property, not to exceed the width of his proposed house, 22 feet, and not to extend beyond the porch of Cottage #10; this approval contingent upon Mr. Fowble receiving approval from Landmarks Preservation Commission and Baltimore County for the construction of his house.

There was no further discussion and the motion was voted on and unanimously accepted. Eunice Rose, Cottage #12, was unable to attend the meeting. However, her written vote is attached to these minutes.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lucille Storch
Acting Secretary

90-419SPHA

Eunice E. Rose
12 Fiske Avenue
Glyndon, Maryland 21071

September 6, 1989

To our president - Lucille Storch
and to the Board of Directors of
the Glyndon Park Chautauqua Assoc....

I vote 'for' the building of the
porch on the front of Bill
Fowble's new home

Eunice Rose

44

Baltimore County
Zoning Board

This letter is to advise you that I have no objection to William Fowble building a house on lots 15, 16 and 17 as discussed with the members of the Glyndon Park Chautauqua Association on 9/6/1989.

George A. Stearns

PETITIONER'S EXHIBIT 4A

90-419SPHA

Mr. William A. Fowble -2- September 1, 1989

Since the planned building will have a front porch which will encroach partially on the grounds of the Association, we are calling a meeting of the lot owners to vote on this matter. The meeting is scheduled for Wednesday, September 6, 1989 at 7 p.m. on the park grounds. We would appreciate it if you will stake out the house corners including the porch and also showing the approximate boundary line of your lots with the park property so that everyone will be able to see how much the porch will encroach on park property. Also, we thought we would show your plans to the lot owners at the meeting and get their general opinion as to the proposed construction. Any additional site plans or building plans or details which you could present to the lot owners at the meeting would be appreciated.

We look forward to seeing you on September 6. If in the interim period you wish to discuss any matters with the Board, please let me know.

Most sincerely,
For the Board of Directors:

George Stearns,
Chairman

George Stearns

45

Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

* Stephen Charles Elci
2 Fiske Avenue
Glyndon, Md 21071

PETITIONER'S EXHIBIT 4B

90-419SPHA

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Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

R. W. Driscoll } 12 Fiske Avenue
Florence Elci } Glyndon, Md. 21071

PETITIONER'S EXHIBIT 4C

90-419SPHA

Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

Ry Beemer
Owner #4 Fiske Ave.
Glyndon, MD 21071

**PETITIONER'S
EXHIBIT 4D**

90-419-SPHA

Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

Carolyn B. Herbert
9-28-89 - 4432 Butler Rd, Glyndon, Md. 21071
Owner of 11 Fiske Ave, Glyndon, Md. 21071

**PETITIONER'S
EXHIBIT 4E**

90-419-SPHA

September 29, 1989

Dear Bill,

When we talked the other day about your proposed letter to the Baltimore County Zoning Board, I think I told you I would not be willing to sign the letter referring to the minutes of 9/6/89 inasmuch as the only contingencies were that the house would be 22 ft. wide and the porch not extend beyond the porch of Cottage #10.

However, I am not in opposition to your building your house as set forth in the letter from the Board of Directors dated 9/1/89.

At this time it is difficult to give you a fair response which I would expect to stand by without first knowing what Landmarks' reaction will be and exactly what Baltimore County will require in variances in order to issue you a permit.

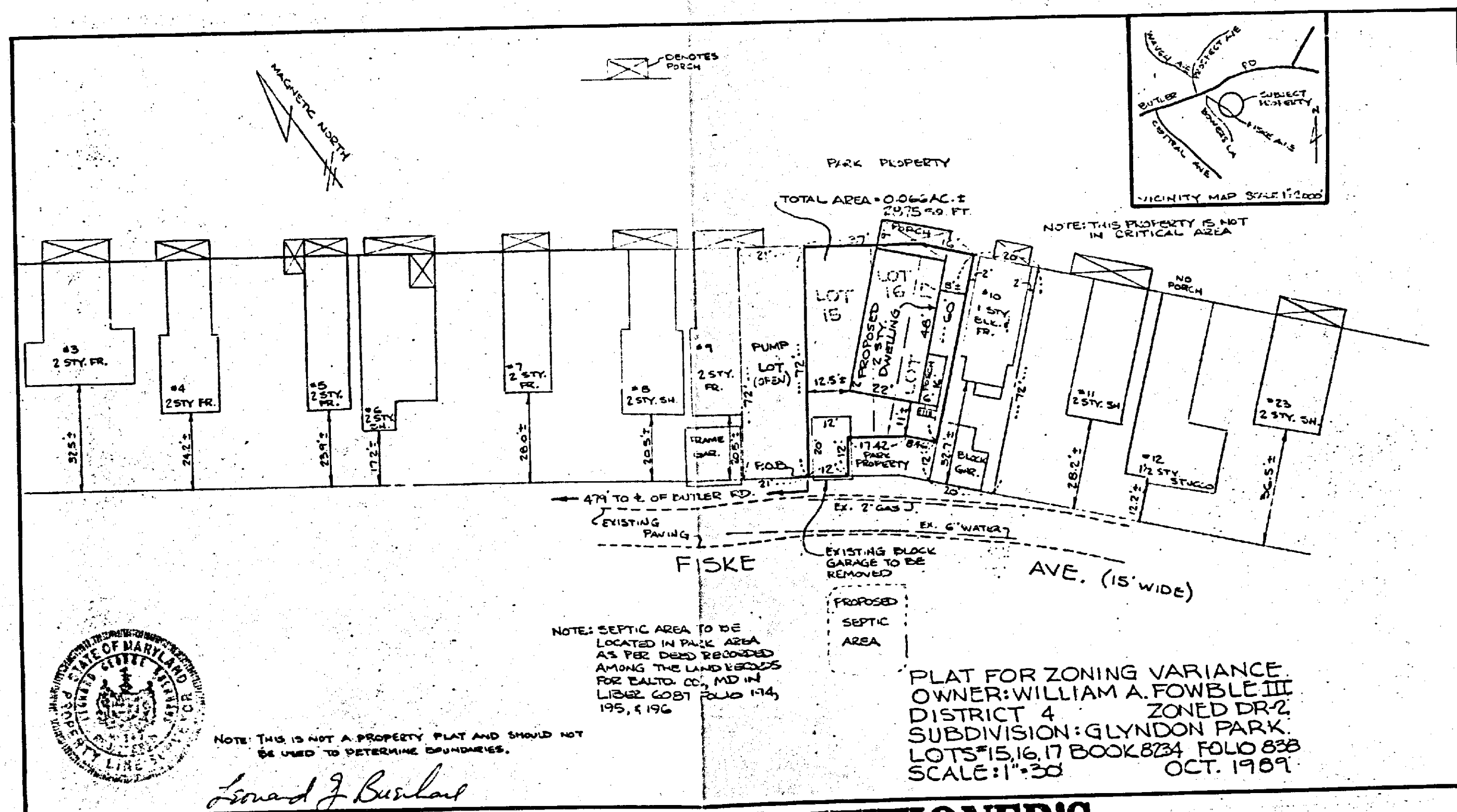
Sincerely,

Lucille Storch
Lucille Storch

**PETITIONER'S
EXHIBIT 4F**

90-419SPHA

90-419-SPHA

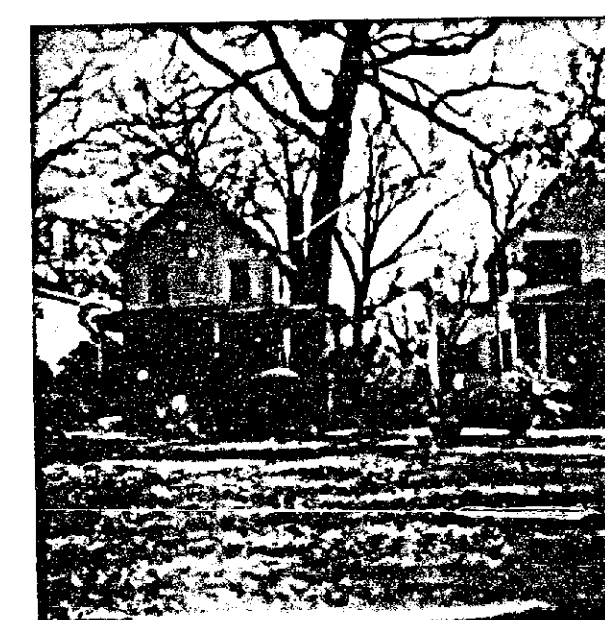


**PETITIONER'S
EXHIBIT 5**

90-419SPHA

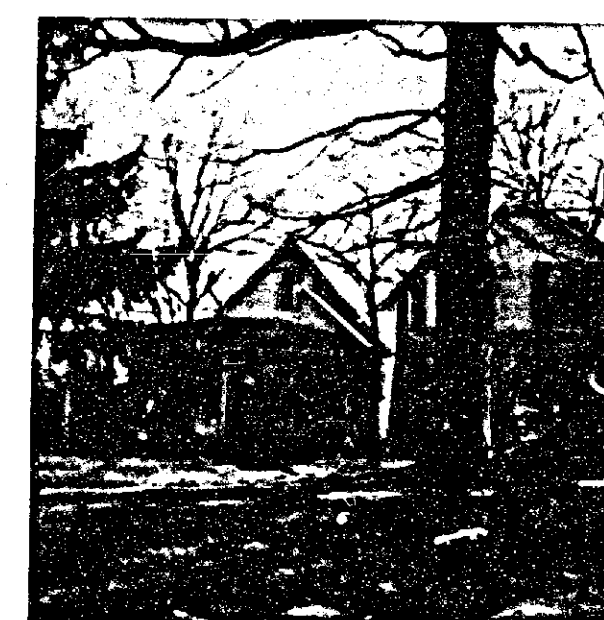
90-419SPHA

PETITIONER(S) EXHIBIT (6)



#4

#3



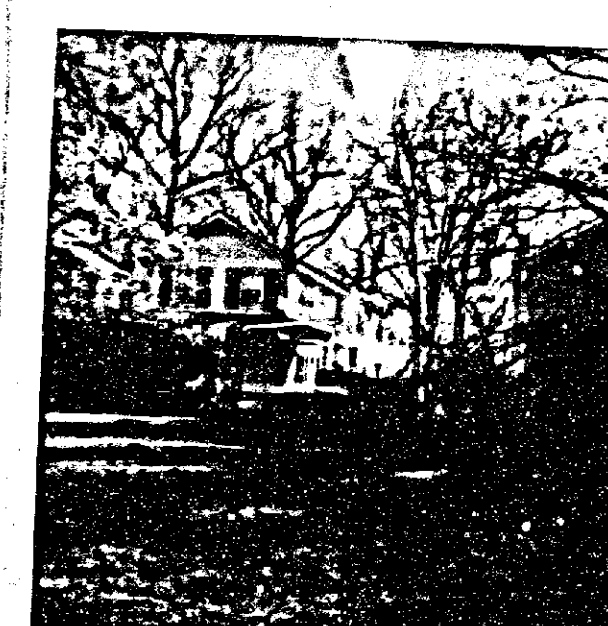
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#7

#6



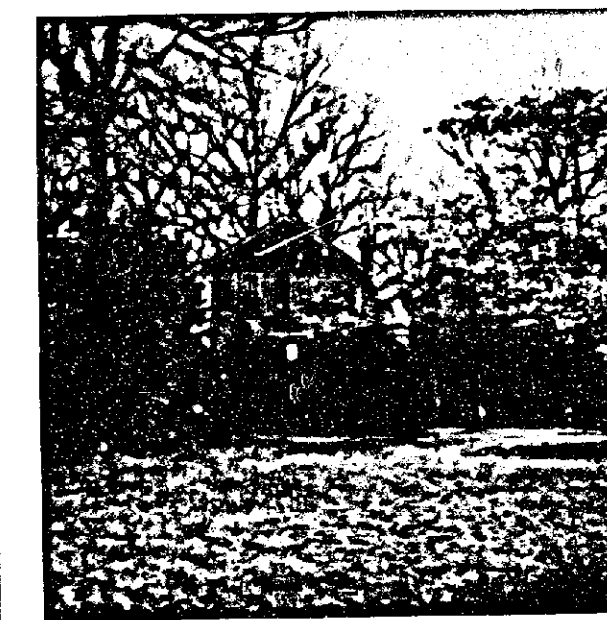
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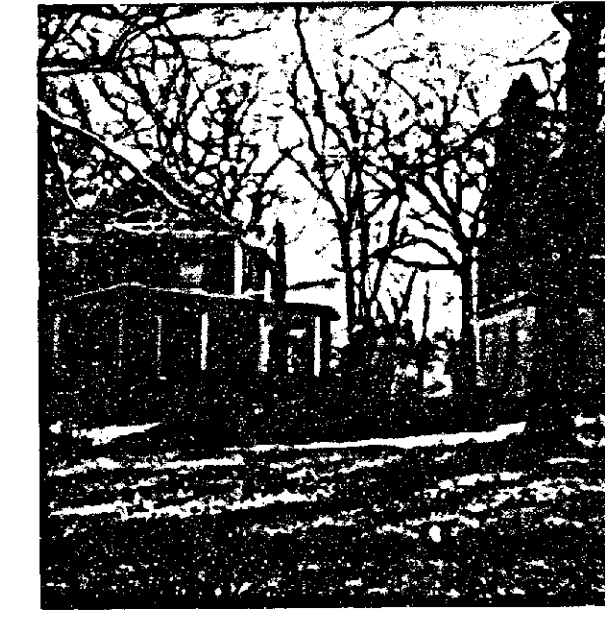
90-419SPHA

PETITIONER(S) EXHIBIT (6)



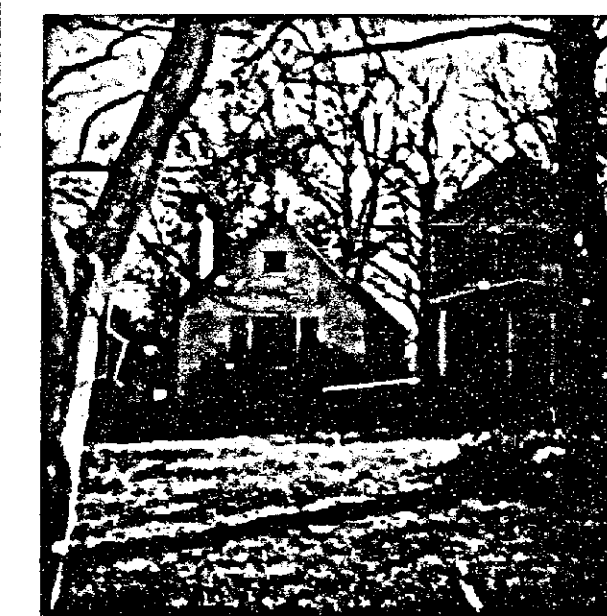
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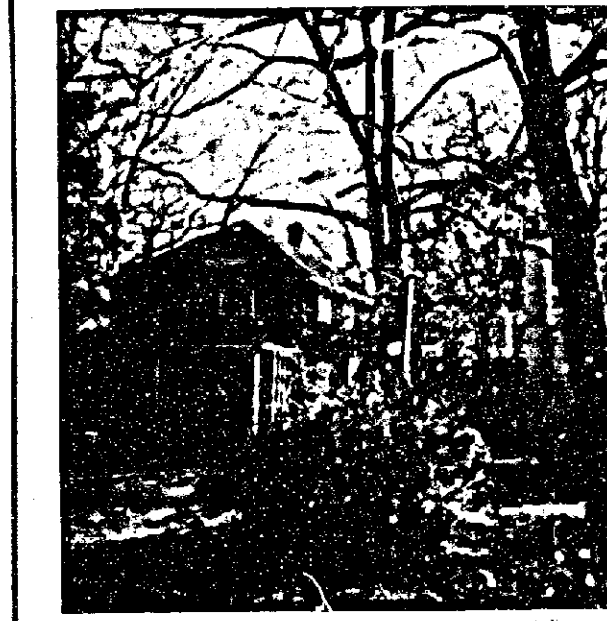
#11

#10



#12

#11



#23

#12

THIS CONFIRMATORY DEED OF EASEMENT, Made this 7th day of September, 1979, by and between THE GLYNDON PARK CHATAUQUA OF BALTIMORE CITY, a body corporate of the State of Maryland, party of the first part, Grantor, and RALPH W. DRISCOLL and FLORENCE E. DRISCOLL, his wife; A. VINTON FEETE and DOROTHY V. FEETE, his wife; CATHERINE E. WINTERS; RAYMOND E. BEAVER and PATRICIA S. BEAVER, his wife; GEORGE A. STEARNS and MARY L. STEARNS, his wife; ELIZABETH P. L'ESPERANCE; JOHN R. LUSBY, III and JOAN M. LUSBY, his wife; G. DALTON FEETE and LOUISE FEETE, his wife; JULIA R. CADE; ARY P. LAUDEMAN and JAMES D. LAUDEMAN, JR.; JACK MALPAS and M. JOAN MALPAS, his wife; and JOHN PINCKNEY and DORIS C. PINCKNEY, his wife, all parties of the second part, of Baltimore County, State of Maryland, Grantees.

WHEREAS, the parties of the first and second part are all owners of various lots and land as shown on two plats of Glyndon Park, recorded among the Land Records of Baltimore County, the first plat dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427; the second plat being dated July, 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, and

WHEREAS, the parties of the second part and their predecessors in title to the various lots as shown on the aforesaid plats have been granted the right by the party of the first part to install, maintain, repair, replace, relocate and rebuild various cesspools, septic systems and underground sewage drainage and disposal areas in that portion of the property of the party of the first part lying southwest of lots 1 through 38 and 1 through 39 respectively on the aforesaid plats and the fifteen foot wide avenue now known as Fiske Avenue shown on said plats, which rights have been fully and freely exercised by the parties of the second part, and,

TRANSFER TAX NOT REQUIRED
BALTIMORE COUNTY, MARYLAND
9-17-79

PETITIONER'S
EXHIBIT 2

90-419SPHA

April 15, 1990

Robert Haines
Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Haines:

We are opposed to the Zoning Variance being petitioned by William Fowble, Case Number 90-419-SPHA, on Fiske Ave, 479' East of Butler Road for the following reasons:

- 1) Degree of Variance. This request is dramatic in all respects. 2,875 square feet in lieu of the required 20,000 for single family dwelling 38' total width in lieu of the required 100' 11' rear yard depth in lieu of the required 40' This is a dangerous precedent to establish in Glyndon.
- 2) Fiske Avenue Parking and Congestion. Fiske Avenue is a single lane dead end road with little available parking. In 1985, the Baltimore County Department of Traffic and Engineering reviewed the access problems with Fiske Avenue and posted No Parking signs in an attempt to alleviate some of the congestion. It has had little effect. Additional houses will only compound the problem of parking and access.
- 3) Intersection of Fiske Avenue onto Butler Road. Fiske Avenue and Bowers Lane join into a single lane and intersect with Butler Road. This intersection is blind from all sides and makes for dangerous entries onto Butler Road. The situation is further compounded in that the single lane entrance is at the top of the hill where Butler Road's 2 lanes are being merged to one. Additional traffic congestion at this intersection will only compound the existing problems.
- 4) Fire Hazard. Glyndon Park's 13 homes on Fiske Avenue were originally built as summer cottages with little thought in their construction to fire prevention. Many of them are only 5-10 feet apart, and most of them are of light timber construction. The lots in question in this variance petition are approximately in the middle of this row of cottages. Any type of fire break that exists at the moment would be lost. Many homes could be lost in the event of a fire, including the new home. Just such a fire destroyed most of the cottages many years ago.
- 5) Privacy. These 13 cottages were built originally for summer spiritual community activities. All the cottages are now occupied by single families, year round, who want some degree of privacy that is protected by existing Zoning Laws.

For these reasons, which are stated in the interest of community safety and stability, we ask that you deny the zoning variance listed above.

PROTESTANT'S
EXHIBIT 1

90-419SPHA

LEER 6078 PAGE 195

WHEREAS, it is the intention of the parties hereto by the execution of this instrument to confirm the grant of the aforesaid easements to the parties of the second part, their heirs and assigns.

NOW, THEREFORE, this Confirmatory Deed of Easement witnesseseth that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part does hereby grant, convey and confirm unto the parties of the second part, their heirs and assigns an easement in, over and through that portion of the property of the party of the first part lying south west of lots 1 through 38 as shown on the Plat of Glyndon Park dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427, and southwest of lots 1 through 39 as shown on the Plat of Glyndon Park dated July, 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31 and southwest of the unnamed fifteen foot wide avenue lying southwest and immediately adjacent to the rear lines of the aforesaid lots which lane or avenue is now known as Fiske Avenue, said easement to be for the purpose of installing, maintaining, repairing, replacing, relocating, and rebuilding the cesspools, septic tanks, pipes and underground sewage disposal systems now in existence or deemed necessary and desirable from time to time for the health, safety, welfare, and convenience of the parties of the second part as owners of the aforesaid lots, their heirs, successors and assigns. It is expressly understood and agreed that should public sewage disposal facilities be installed to service all of the improvements on the lots owned by the parties of the second part, the easements heretofore granted and hereby confirmed shall automatically cease and terminate as to each of the aforesaid lots, on the date that

-2-

each of the aforesaid lots is finally connected into the public sewage disposal system, however, under no circumstances shall the parties of the second part, their heirs, successors or assigns be obligated to remove the pipes, cesspools, septic tanks or other sewage disposal systems then existing under or within the property.

The actual amount of consideration paid or to be paid is NONE.
AS WITNESS, the corporate seal of The Glyndon Park Chataqua of Baltimore City and the signature of John R. Lusby, III, the President, thereof.

WITNESS:

Florence E. Driscoll, Secretary

THE GLYNDON PARK CHATAQUA ASSOCIATION
BALTIMORE CITY, MARYLAND
BY: JOHN R. LUSBY, III, President

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

On this 1st day of September, 1979, before me, a Notary Public of said State, personally appeared JOHN R. LUSBY, III, known to me, (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and who acknowledged that he executed the same of the purpose therein contained, as the duly authorized President of said corporation.

AS WITNESS my hand and Notarial Seal.

0116444 73324 12 01-02-79
0116444 72244 12 01-02-79

LAW OFFICES
CALLAHAN,
CALWELL &
LAUDEMAN

This is to certify that the within instrument was prepared by or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Rec'd for record SEP 20 1979
Per Elmer H. Kahline, Jr., Clerk
Mail to CALLAHAN & CALWELL - 3-
Receipt No. 31.00

To:
Mr. Robert Haines
Zoning Commissioner

We are opposed to the zoning variance, Case #90-419-SPHA for Fiske Ave.

NAME	ADDRESS
hinda T. Burr	25 Waugh Ave. 21071
Arden Herb	312 Central Ave. 21071
Barb Whitman	4702 Butler Rd. 21071
Katherine G. Walker	8 Tingleton Court 21136
Carolyn Newman	412 1st Ave. 21136
John Michael O'Hall	619 St. Paul Ave. 21136
Deanna B. Davis	17 Chittenden Ave. 21071
George B. Stender	16 W. or E. 1st St. 21071
Doris P. Driscoll	21 Northampton Ave. 21071
R. C. A. 21071	19 W. Northampton Hill Dr. 21071
Joseph B. Gentry	19 W. Northampton Hill Dr. 21071
Robert Salbeck	N 204 12 Northampton Rd.
Doris Clinton	422

To:
Mr. Robert Haines
Zoning Commissioner

We are opposed to the zoning variance, Case #90-419-SPHA for Fiske Ave.

NAME	ADDRESS
John T. MacDonell	317 Fiske Ave. Glyndon
Donald Gregorian	225 Central Ave. Glyndon
Jane Shegarian	109 Central Ave. Glyndon
W. W. H. H. H.	5 Central Ave. Glyndon
Paul St. Amant	5 Central Ave. Glyndon
Emory E. Rose	12 Fiske Ave. Glyndon
Robert W. H. H.	8 Fiske Ave.

GLYNDON PARK CHATAQUA ASSOCIATION
GLYNDON, MARYLAND

DECEMBER 2, 1989

MR. WILLIAM A. FOWBLE
3 FISKE AVENUE
GLYNDON, MARYLAND

DEAR BILL:

THIS LETTER IS TO VERIFY THE INFORMATION CONCERNING THE USE OF THE PARK AREA BY THE MEMBERS OF THE ASSOCIATION. THE PARK IS OWNED BY THE GLYNDON PARK CHATAQUA ASSOCIATION. THE MEMBERSHIP CONSISTS OF THE OWNERS OF ALL COTTAGES LOCATED ON FISKE AVE. WHICH ARE #S 1 THROUGH 12 AND #23. OF WHICH EACH COTTAGE PAYS ANNUAL DUES OF \$70.00 EACH YEAR. ALL MEMBERS HAVE COMMON USAGE OF THE PARK PROPERTY FOR RECREATIONAL PURPOSES.

AS STATED IN THE DEED NBM 239, FOLIO 426 RECORDED AUGUST 11, 1904, FROM THE PROHIBITION CAMP MEETING ASSOCIATION OF BALTIMORE CITY TO THE GLYNDON PARK CHATAQUA ASSOCIATION OF BALTIMORE CITY, THE ASSOCIATION HAS ALL RIGHT, TITLE AND INTEREST IN AND ALL THAT LOT OF GROUND SITUATED AND LYING IN BALTIMORE COUNTY IN THE STATE OF MARYLAND AND WHICH IS KNOWN AS GLYNDON PARK, SITUATED NEAR THE VILLAGE OF GLYNDON.

THIS LETTER IS ALSO TO VERIFY THAT ALL COTTAGE OWNERS LISTED ABOVE OWN IN FEE ONE OR MORE LOTS 60 FEET DEEP FROM FRONT TO BACK WITH THE FRONT OF EACH DWELLING. EXCLUDING THE PORCH. BEING AT THE PROPERTY LINE. ALL FRONT PORCHES ARE ON PARK PROPERTY WITH THE EXCEPTION OF COTTAGE #12 WHICH WAS REMOVED WHEN IT WAS DAMAGED BY FIRE.

THE GLYNDON PARK CHATAQUA ASSOCIATION IS A TAX EXEMPT CORPORATION MAKING IT EXEMPT FROM ALL TAXES.

SINCERELY,

FOR THE BOARD OF DIRECTORS

George Stearns

GEORGE STEARNS,
CHAIRMAN

PETITIONER'S
EXHIBIT 8

90-419SPHA

Historic Glyndon Incorporated
(503) 244-1231

April 23, 1990

Mr. Robert J. Haines
Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Commissioner Haines:

I am writing to inform you that the Board of Directors of Historic Glyndon Incorporated voted to oppose the zoning variance being petitioned by William Fowble, case #90-419-SPHA, on Fiske Avenue in Glyndon.

The number of variances being requested plus the degree of those variances is dramatic, especially the request for acceptance of 2,875 sq. ft. in lieu of the required 20,000 for a single family dwelling. This is a dangerous precedent to set in a historic district where a number of small lots exist established more than a century ago when the town was designed as a summer village.

Glyndon was designated by Baltimore County as a landmark historic district so that it could be preserved for the educational, cultural, economic, and general welfare of the inhabitants of the County now and in the future. The continued granting of zoning variances for building on substandard lots is defeating the purpose of the County Council in listing Glyndon as a landmark of historical, educational, and architectural value.

At their April 16, 1990 meeting, the County Council of Baltimore County adopted a resolution asking the Planning Board to draft legislation to create "community conservation areas" to protect older communities from deterioration. Such legislation would be legal implementation of recommendations in the recently adopted 1989 Master Plan, which seeks to relieve the tremendous stress by development being placed on the County's older communities. The County government is clearly seeking ways to protect these areas through zoning changes, through adherence to current zoning laws, and through caps to control growth.

We urge you to deny the request for zoning variances regarding this lot in Glyndon and to support the County Council in its efforts to preserve the integrity of neighborhoods such as ours. The addition of another modern house with a two-car garage squeezed onto a tiny lot is not consistent with the current thinking put forth by the Master Plan and by the Council.

PROTESTANT'S
EXHIBIT 2

cc: The Honorable C.A. Ruppersberger

90-419SPHA

Sincerely,
Arden Herb
Mr. Arden Herb
President



X-SE W-SW

1983 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1983
BM Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21218

[Signature]
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
GLYNDON
REISTERSTOWN
AREA

SHEET
N.W.
17-J

261 90-19-SHA

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE * ZONING COMMISSIONER
W/S Fiske Ave., 479' E of *
Butler Road * OF BALTIMORE COUNTY
9-1/2 & 10 Fiske Avenue *
4th Election District * CASE # 90-419-SPHA
3rd Councilmanic District *
William A. Fowble, III *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the placement of a porch and septic area on property other than the subject site and the approval of a lot 2,785 sq. ft. for a single family dwelling in lieu of the required 20,000 sq. ft. and zoning variances from (1) Section 1802.3.C.1. to permit a dwelling to be constructed on lots 15, 16 and 17 with minimum total width of 37.88 ft. in lieu of the required 100 ft.; (2) Section 1802.3.C.1. to permit a rear yard depth of 11 ft. in lieu of the required 40 ft.; (3) Section 1802.3.C.1. to permit individual side yards of 8 ft. and 12.5 ft. in lieu of required 15 ft. minimum and a sum of side yard widths of 20.5 ft. in lieu of required 40 ft.; (4) Section 301.1 to permit a 6 foot wide open porch on S/E side with setback of 2 ft. in lieu of required 11.25 ft.; (5) Section 1802.3.C.1. to permit dwelling unit to remain as is on 20 ft. lot (lot 18) instead of required 100 ft. with side yard setbacks of 2 ft. on each side in lieu of minimum 15 ft. on each, and a sum of side yards of 4 ft. in lieu of required 40 ft., as more particularly described on Petitioner's Exhibit 1.

The Petitioner, William A. Fowble, III, appeared, testified and was represented by Charles E. Brooks, Esquire. Appearing on behalf of Petition was Ralph Driscoll. Appearing and testifying as Protestants were Michael and

Ann O'Neill and Eileen Wuerthele. Appearing and noting their opposition to Petitioner's request were Elizabeth Steele, Sharon Herb, Eleanor H. Taylor, Anna Welsh, Samuel E. Scruggs and Ellen Cray.

Testimony indicated that the subject property known as 9-1/2 and 10 Fiske Avenue consists of .066 acres +/- zoned D.R.2 and is currently unimproved. Testimony indicated that the subject property is located within the "historic" Glyndon area adjoining Glyndon Park, as indicated on Petitioner's Exhibit No. 1.

The Petitioner testified that he is desirous of constructing a single family dwelling on combined lots No. 15, 16 and 17 with a 22 x 48 ft. footprint. Testimony indicated that the subject lots predate 1945. The Petitioner also desires to place a porch on the southeast side of the proposed house which will extend onto park property, as well as the proposed septic system, also to be located on Park property. The Petitioner testified that, pursuant to the deed of easement dated September 7, 1979, the Petitioner has the permission of the Glyndon Park Chataqua Association to locate the septic system on park property. The Petitioner further testified that the rear of the proposed house will face Fiske Avenue from which a driveway will be constructed. The Petitioner concluded by stating that the proposed house would be consistent with the existing architecture in the neighborhood and, also, that should the requested relief be denied, he would suffer an undue hardship and practical difficulty.

Mr. Ralph Driscoll testified that he has lived in this community for the past 67 years. Mr. Driscoll testified that he has known the Petitioner and his family for many years and is familiar with the Petitioner's plans for the subject property. Mr. Driscoll testified that he supports Petition-

er's request and believes that Petitioner's proposed home would be complimentary to this community.

Mr. J. Michael O'Neill appeared as a Protestant and testified that his primary concern, regarding the Petitioner's request, was safety. Mr. O'Neill testified that Fiske Avenue is an extremely roadway with vehicular parking on one side of the roadway only. He testified that he was concerning that Petitioner's proposed house will not match the architecture of the existing dwellings and that the proposed house is too large for the subject site.

Mrs. Ann O'Neill testified and concurred with the testimony of her husband.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted in part. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested, if granted in part, will not be detrimental to the public health, safety and general welfare.

Based upon the testimony and evidence presented, it is clear that the Zoning Commission lacks authority to grant variance relief on property not owned by the Petitioner or properly brought under his jurisdiction by a properly filed Petition. Therefore, the special hearing relief relative to the subject porch must be denied. However, as Petitioner does have permission and authority, pursuant to the Confirmatory Deed of Easement, marked Petitioner's Exhibit No. 7, to locate the proposed septic system on park property, the special hearing request relative to the septic system shall be

granted. Further, Petitioner's special hearing request for a lot of 2,875 sq. ft. for single family dwelling in lieu of the required 20,000 sq. ft. shall be granted.

The Petitioner has also requested variance relief which is set forth specifically above.

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).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel.

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-419-SPHA

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 Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

See attached

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing 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: _____
Charles E. Brooks
(Type or Print Name)
Signature _____
610 Bosley Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: (301)296-2602

Legal Owner(s): _____
William A. Fowble, III
(Type or Print Name)
Signature _____
(Type or Print Name)
Signature _____
3 Fiske Avenue 833-3087
Address
Glyndon, Maryland 21021
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Charles E. Brooks
(301)296-2600
Name
610 Bosley Avenue, Towson, MD
Address
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 7 day of March, 1990, 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 108, County Office Building in Towson, Baltimore County, on the 24 day of April, 1990 at 9:30 o'clock P. M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING - 1/2 HR. + 1 HR.
AVAILABLE FOR HEARING - 1/2 DAY
ALL DECISIONS/RECORDS - NEXT TWO WEEKS
REVIEWED BY: CAM DATE 12 Feb 90

ATTACHMENT TO
PETITION FOR SPECIAL HEARING
(WILLIAM A. FOWBLE, III, OWNER)

1. The use of property owned by Glyndon Park Chataqua Association in a manner consistent with prior use by construction of a porch extending onto park property and for a septic area pursuant to permission granted by the Association's Board of Directors and Confirmatory Deed of Easement.
2. A lot of 2,875 sq. ft. for a single family dwelling in lieu of the required 20,000 sq. ft. because overall density would not be affected.

261 90-419-SPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-419-SPHA

See Attached

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulties are located in Glyndon Park originally platted by deed in 1906. Home on Lot 18 is existing and predates zoning regs impossible to comply with certain regs. Petitioner is using all of his vacant property (lots 15, 16, 17) to construct new home. It is impossible to comply with current regulations for DR-2 zone. Home is designed and aligned to be in keeping with existing homes. Strict application of regulations would prohibit construction of proposed dwelling. Most of the existing homes are located on 20' lots. Petitioner is combining 3 lots - all that are vacant for a house 22' wide.

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

610 Bosley Avenue

Towson, Maryland 21204

City and State

Attorney's Telephone No. (301) 296-2600

Legal Owner(s):

William A. Fowble, III

(Type or Print Name)

Signature

(Type or Print Name)

Signature

City and State

3 Fiske Avenue 833-9087

Glyndon, Maryland 21071

City and State

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

Charles E. Brooks

Name

610 Bosley Avenue 296-2600

Address

ORDERED BY THE Zoning Commissioner of Baltimore County, this 7th day

of March 1990, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be held before the Zoning

Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore

County, on the 24th day of April 1990 at 9:30 o'clock

A.M.

(over)

J. Robert Haines

Zoning Commissioner of Baltimore County

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

Account R-001-4130

Number

Ne 2244

90-419

M9000723

Date

4/24/90

PUBLIC HEARING FEES

QTY

PRICE

080 - POSTING SIGNS / ADVERTISING 1 X

\$186.77

TOTAL: \$186.77

LAST NAME OF OWNER: FOWBLE

B 008*****1867918 3248F

Please make checks payable to: Baltimore County

Cashier Validation

261 ATTACHMENT TO PETITION FOR ZONING VARIANCE

WILLIAM A. FOWBLE, III.

The undersigned, legal owner, hereby petitions for variances from the following sections: (The following variances refer to lot 15, 16 and 17):

1. Section 1B02.3.C.1. to permit a dwelling to be constructed on lots 15, 16 and 17 with minimum total width of 37.88 feet in lieu of required 100 feet.

2. Section 1B02.3.C.1. to permit a rear yard depth of 11 feet in lieu of required 40 feet.

3. Section 1B02.3.C.1. to permit individual side yards of 8 feet and 12.5 feet in lieu of required 15 feet minimum and a sum of side yard widths of 20.5 feet in lieu of required 40 feet.

4. Section 301.1 to permit a 6 foot wide open porch on S/E side with set back of 2 feet in lieu of required 11.25 feet.

(The following variance refers to lot 18):

5. Section 1B02.3.C.1. to permit dwelling unit to remain as is on 20' foot lot (lot 18) instead of required 100 foot with side yard set backs of 2 feet on each side in lieu of minimum 15 feet each and a sum of side yards of 4 feet in lieu of required 40 feet.

261 90-419-SPHA

ZONING DESCRIPTION - LOTS 15, 16 AND 17

Beginning at a point on the North side of Fiske Avenue, 15 feet wide at a distance of 479 feet Southeastly from the center line of Butler Road, which is forty feet wide. Being Lots 15, 16 and 17 in the subdivision of Glyndon Park, as recorded among the land records for Baltimore County, Maryland in Liber 306, Folio 30; containing 0.066 acres of land more or less. Also being know as 9 1/2 Fiske Avenue, and being located in the 4th Election District of Baltimore County, Maryland.

ZONING DESCRIPTION - LOT 18

Beginning at a point on the North side of Fiske Avenue, 15 feet wide at a distance 517 feet Southeastly from the center line of Butler Road, which is forty feet wide. Being Lot 18 in the subdivision of Glyndon Park, as recorded among the land records of Baltimore County, Maryland in Liber 306, Folio 30; containing 0.033 acres of land more or less. Also being known as 10 Fiske Avenue, and being located in the 4th Election District of Baltimore County, Maryland.

90-419-SPHA CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: April 3, 1990

Posted for: Special Hearing and Variance

Petitioner: William A. Fowble, III

Location of property: N/S Fiske Avenue, 479' E Butler Road

Location of Sign: North side of Fiske Avenue in front of lot 15, 16 & 17

Remarks: S.J. Haines

Posted by: S.J. Haines Date of return: April 6, 1990

Number of Signs: 3

Baltimore County Zoning Commissioner County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204		Account R-001-4130	Receipt No. 1350
Date	2/12/90		
PUBLIC HEARING FEES	QTY	PRICE	
010 - ZONING VARIANCE (FRL)	2 X	\$35.00	
030 - SPECIAL HEARING (FRL)	1	\$55.00	
LAST NAME OF OWNER: FOWBLE			
B 0148*****1050018 3112F		Please make checks payable to: Baltimore County	
Cashier Validation			

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

J. Robert Haines
Zoning Commissioner

Mr. William A. Fowble, III
3 Fiske Avenue
Glyndon, Maryland 21071

Re: Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-419-SPHA
N/S Fiske Avenue, 479' E Butler Road
9 1/2 & 10 Fiske Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): William A. Fowble, III
HEARING: TUESDAY, APRIL 24, 1990 at 9:30 a.m.

Do: Mr. Fowble

Please be advised that \$186.77 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 ON 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.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

JRH:ga

cc: Charles E. Brooks, Esq.

\$136.79 CERTIFICATE OF PUBLICATION

TOWSON, MD., March 30, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on March 29, 1990.

OWINGS MILLS TIMES,

S. Zake-Orlin

Publisher

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 104 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-419-SPHA
N/S Fiske Avenue, 479' E Butler Road
9 1/2 & 10 Fiske Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): William A. Fowble, III
HEARING: TUESDAY, APRIL 24, 1990 at 9:30 a.m.

Special Hearing to approve the use of property owned by Glydon Park Chautauque Association in a manner consistent with prior use by construction of a porch extending onto park property and for a septic area pursuant to permission granted by the Association's Board of Directors and Confirmatory Deed of Easements to approve a lot of 2,075 sq. ft. because overall density would not be affected. Variance to permit a dwelling to be constructed on lots 15, 16, & 17 with minimum total width of 37.88' in lieu of the required 100'; to permit a rear yard depth of 11' in lieu of required 40' for lots 15, 16, & 17; to permit individual side yards of 8' and 12.5' in lieu of the required 15' minimum and a sum of side yards width of 20.5' in lieu of the required 40' for lots 15 & 17; to permit a 6' wide open porch on SE side with setback of 2' in lieu of required 11.25' for lots 15, 16, & 17; to permit dwelling unit to remain as is on 20' lot (lot 18) instead of the required 100' with side yard setbacks of 2' on each side in lieu of minimum 15' each and a sum of side yards of 4' in lieu of the required 40'.

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 stay of the issuance of said permit must be in writing and received in this office by the date of the hearing.

J. ROBERT HAINES
Zoning Commissioner
Baltimore County

3/9/90 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 104 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-419-SPHA
N/S Fiske Avenue, 479' E Butler Road
9 1/2 & 10 Fiske Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): William A. Fowble, III
HEARING: TUESDAY, APRIL 24, 1990 at 9:30 a.m.

Special Hearing to approve the use of property owned by Glydon Park Chautauque Association in a manner consistent with prior use by construction of a porch extending onto park property and for a septic area pursuant to permission granted by the Association's Board of Directors and Confirmatory Deed of Easements to approve a lot of 2,075 sq. ft. because overall density would not be affected. Variance to permit a dwelling to be constructed on lots 15, 16, & 17 with minimum total width of 37.88' in lieu of the required 100'; to permit a rear yard depth of 11' in lieu of required 40' for lots 15, 16, & 17; to permit individual side yards of 8' and 12.5' in lieu of the required 15' minimum and a sum of side yards width of 20.5' in lieu of the required 40' for lots 15 & 17; to permit a 6' wide open porch on SE side with setback of 2' in lieu of required 11.25' for lots 15, 16, & 17; to permit dwelling unit to remain as is on 20' lot (lot 18) instead of the required 100' with side yard setbacks of 2' on each side in lieu of minimum 15' each and a sum of side yards of 4' in lieu of the required 40'.

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 stay of the issuance of said permit must be in writing and received in this office by the date of the hearing not above or pre-sented at the hearing.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Wm. A. Fowble, III
Charles E. Brooks, Esq.

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

April 16, 1990



Dennis F. Rasmussen
County Executive

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, MD 21204

RE: Item No. 261, Case No. 90-419-SPHA
Petitioner: William A. Fowble, et ux
Petition for Special Hearing

Dear Mr. Brooks:

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

cc: Mr. & Mrs. William A. Fowble
3 Fiske Avenue
Glyndon, MD 21071

Baltimore County
Zoning Commissioner
Office of Planning and 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
12th day of February, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William A. Fowble

Petitioner's Attorney: Charles E. Brooks

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: April 20, 1990

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

SUBJECT: William A. Fowble, III, Item 261
(Revised Comment)

Staff has received an inquiry from a resident of the Glyndon Park Chautauqua Association regarding our comments of March 15, 1990. Specifically, the resident pointed out that staff's comment regarding the association's position relative to the Petitioner's request could be misleading.

In order to clear up any misunderstanding, we have enclosed a letter, dated September 6, 1990, which describes the position of the Glyndon Park Chautauqua Association relative to the Petitioner's property.

PK/JL/cmm
Enclosure

4/20 Mailed revised copies to Charles Brooks, Jr.

A meeting of the Glyndon Park Chautauqua Association was held on Wednesday, September 6, 1989 at 7:00 P. M. in the Park. Those present were:

Ralph and Florence Driscoll	Cottage #1
Stephen Obici	Cottage #2
William A. Fowble	Cottage #3
George A. Stearns	Cottage #5
Michael and Ann O'Neill	Cottage #6
Lucille Storch	Cottage #7
Rich and Eileen Wuerthele	Cottage #8
Barbara C. Duncan	Cottage #9
Rene and Carolyn Herbst	Cottage #11
Dan Bailey and Emily Stanley	Cottage #23

The purpose of the meeting was to look at Mr. William A.

Fowble's proposed house plans and location and consider granting

approval for his porch on Park property.

There was concern and discussion about not wanting to set a precedent for future building.

A motion was made and seconded that permission be given

Mr. Fowble to build a porch on Park property, not to exceed the

width of his proposed house, 22 feet, and not to extend beyond

the porch of Cottage #10; this approval contingent upon Mr.

Fowble receiving approval from Landmarks Preservation Commission

and Baltimore County for the construction of his house.

There was no further discussion and the motion was voted

on and unanimously accepted. Eunice Rose, Cottage #12, was

unable to attend the meeting. However, her written vote is

attached to these minutes.

There being no further business, the meeting was

adjourned.

Respectfully submitted,

Lucille Storch
Acting Secretary

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: March 15, 1990

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

SUBJECT: William A. Fowble, III, Item 261

The Petitioner requests Variances needed to construct a dwelling.

In reference to the Petitioner's request, staff offers the following:

- The development of the lot as proposed by the Petitioner would not be incompatible with the existing adjacent lots.
- The Glyndon Park Chautauqua Association met on September 6, 1989, to review the Petitioner's building and site plan and voted unanimously to approve Mr. Fowble's request at that time.

Based upon an analysis of the information provided, staff recommends the Petitioner's request be granted.

Should the Petition be granted, the following conditions are recommended:

- The Petitioner should receive approval from the Landmarks Preservation Commission prior to the issuance of any building permits.
- The proposed porch shall not be wider than the proposed house and it shall not extend beyond the porch of cottage #10.

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/cmm

MAR 20 1990

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



Dennis F. Rasmussen
County Executive

March 9, 1990

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 259, 262, 263, 264, 265, 266, 267, 268, and 270.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
SECTION AND RESOURCE MANAGEMENT

2-22-90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

MAR 09 1990

Zoning Item #261, Zoning Advisory Committee Meeting of March 6, 1990

Property Owner: William A. Fowble

Location: 415 Fiske Avenue 419 E Butler Rd 19 1/2 Fiske Ave District: 4

Water Supply: Metro Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been ☒ must be ☒ conducted.
- () The results are valid until ☒
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ☒ shall be valid until ☒
- () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3990.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others

BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Fire Department
Towson, Maryland 21204-2586
484-4500
Paul H. Reincke
Chief

MARCH 14, 1990



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: WILLIAM A. FOWBLE, III

Location: #9-1/2 AND 10 FISKE AVENUE

Item No.: 261 Zoning Agenda: MARCH 6, 1990

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: *James E. Dyer* 3-14-90 Noted and Approved: *Carlton D. Brady*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

MAR 15 1990

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for March 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 262, 263, 264, and, 266.

For Item 259 the previous County Review Group comments remain in effect.

For Item 261 the minimum width for a single panhandle frontage is 20 feet (12 feet is shown). The septic area on the opposite side of the road would require crossing of the public road R/W with private sewer line (which would require a franchise agreement).

For Items 265, 269 and 270, a County Review Group Plan may be required for each property.

For Items 267 and 268 the previous County Review Group comments remain in effect.

For Item #203 revised - Caves Valley Gold Club - the previous County Review Group comments still apply.

Amendment for 90-154A - No. 819 Ridgeleigh Road, we have no comments.

Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:s

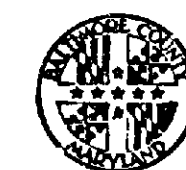
RECEIVED
APR 24 1990

ZONING OFFICE

Dear Mr. Haines:
I am writing to oppose a zoning variance being petitioned by William Fowble, Case Number 90-419-SPHA on Duke Avenue, 479° East of Butter Road, Glyndon.

The dramatic difference in number between the permitted and proper lot size and the requested size makes it almost a ridiculous request. Our zoning laws were created after great thought and consideration. To destroy all this with such an outlandish request makes a farce of the whole procedure. I believe that zoning laws should protect, not destroy communities. I urge you to deny the request.

Yours truly,
Wann B. Tallie
Box 43, Glyndon, Md. 21071



County Council of Baltimore County
Court House, Towson, Maryland 21204
(301) 887-3196
Fax (301) 887-5791

COUNCIL

Ronald B. Hickmell
FIRST DISTRICT

Melvin G. Minix
SECOND DISTRICT

Charles A. Ruppensberger, III
THIRD DISTRICT

Barbara F. Bachar
FOURTH DISTRICT

Norman W. Lawless
FIFTH DISTRICT

William R. Evans
SIXTH DISTRICT

Dale T. Vols
SEVENTH DISTRICT

Thomas Toporovich
LEGISLATIVE COUNSEL

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

Dear Mr. Haines:

Attached please find Resolution 17-90 concerning the public disclosure of William A. Fowble, III, an employee of the Baltimore County Department of Public Works, Bureau of Construction Inspection.

This Resolution was unanimously approved by the County Council at their meeting on Monday, April 2, 1990 and is being forwarded to you for appropriate action.

Sincerely,

Thomas Toporovich
Secretary

TT:dp
Enclosure

cc: Mr. William A. Fowble, III

RECEIVED
APR 4 1990

ZONING OFFICE

April 3, 1990

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1990, Legislative Day No. 7
Resolution No. 17-90

Mr. C.A. Dutch Ruppensberger, III Councilman

By the County Council, April 2, 1990.

A RESOLUTION concerning the public disclosure of William A. Fowble, III, an employee of the Baltimore County Department of Public Works, Bureau of Construction Inspection.

WHEREAS, William A. Fowble, III, has filed for zoning variances on certain lots in Glyndon Park for the construction of a new home and a petition for special hearing on an existing home all located in the Third Councilmanic District of Baltimore County; and

WHEREAS, this Resolution is intended to provide full public disclosure of his interest in the proceeding before the Zoning Commissioner under Section 22-11(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland that the filing of zoning variances and a petition for special hearing by William A. Fowble, III, does not contravene the public welfare and is hereby authorized.

Special Hearing to approve the use of property owned by Glydon Park Chataqua Association in a manner consistent with prior use by construction of a porch extending onto park property and for a septic area pursuant to permission granted by the Association's Board of Directors and Confirmatory Deed of Easements and to approve a lot of 2,875 sq. ft. for a single family dwelling in lieu of the required 20,000 sq. ft. because overall density would not be affected.

Variance to permit a dwelling to be constructed on lots 15, 16, and 17 with minimum total width of 37.88 ft. in lieu of the required 100 ft.; to permit a rear yard depth of 11 ft. in lieu of required 40 ft. for lots 15, 16, and 17; to permit individual side yards of 8 ft. and 12.5 ft. in lieu of the required 15 ft. minimum and a sum of side yards widths of 20.5 ft. in lieu of the required 40 ft. for lots 15, 16, and 17; to permit a 6 ft. wide open porch on SE side with setback of 2 ft. in lieu of required 11.25 ft. for lots 15, 16, and 17; to permit dwelling unit to remain as is on 20 ft. lot (lot 18) instead of the required 100 ft. with side yard setbacks of 2 ft. on each side in lieu of minimum 15 ft. each and a sum of side yards of 4 ft. in lieu of the required 40 ft.

January 3, 1991

ADDENDUM TO FILE

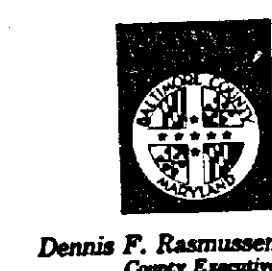
CASE 90-419-SPHA

Copies of this Deed, Liber 8595, Page 531, as well as Building Permit 48-075959 for an open porch and roof and accompanying site plan are being microfilmed and be a part of this file. This permit has been approved due to the new easement referred to in the deed which was not an original part of this petition and therefore not addressed in the order.

Wann B. Tallie

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

May 7, 1990



Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
Case No. 90-419-SPHA
William A. Fowble, III

Dear Mr. Brooks:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in part, 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,
J. Robert Haines
Zoning Commissioner

JRH:mm

cc: Peoples Counsel
cc: Protestants
cc: Mr. William A. Fowble, III

90-419-SPHA
Liber 8595 page 531
Recorded 9/14/90

THIS DEED OF EASEMENT, Made this 24 day of August, 1990, by and between the GLYNDON PARK CHATAQUA OF BALTIMORE CITY, a body corporate of the State of Maryland, party of the first part, Grantor, and WILLIAM A. FOWBLE, III, party of the second part, of Baltimore County, State of Maryland, Grantee.

WHEREAS, the parties of the first and second part are all owners of various lots and land as shown on two plats of Glyndon Park, recorded among the Land Records of Baltimore County, the first plat dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427; the second plat being dated July 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, and

WHEREAS, the party of the second part, owner of lots number 15, 16 and 17, as shown on the aforesaid plats has been granted the right by the party of the first part to install, maintain, repair, replace, relocate, use or rebuild porches, decks, verandas, or similar structures by whatever name known, for no greater than 10 feet, into that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 on the aforesaid plats, and,

WHEREAS, it is the intention of the parties hereto by the execution of this instrument to grant the aforesaid easements to the party of the second part, his heirs and assigns.

NOW, THEREFORE, this Deed of Easement witnesseth that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, although no money actually having been paid, the party of the first part does hereby grant, convey and confirm unto the party of the second part, his heirs and assigns an easement in, for no greater than 10 feet, over and through

that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427, and northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated July, 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, said easement to be for the purpose of installing, maintaining, repairing, replacing, relocating, using or rebuilding the porches, decks, verandas, or similar structures by whatever name known deemed desirable from time to time, as the party of the second part as owner of the aforesaid lots, his heirs, successors and assigns.

AS WITNESS, the corporate seal of the GLYNDON PARK CHATAQUA OF BALTIMORE CITY and the signature of Sam Scruggs, III, the President, thereof.

WITNESS: THE GLYNDON PARK CHATAQUA OF BALTIMORE CITY
BY: Sam Scruggs (SEAL)
SAM SCRUGGS, President

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

On this 24 day of August, 1990, before me, a Notary Public of said State, personally appeared SAM SCRUGGS, known to me, (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and who acknowledged that he executed the same for the purpose therein contained, as the duly authorized President of said corporation.

AS WITNESS my hand and Notarial Seal.

Betty B. Egan
Notary Public
My Commission Expires: Aug 1, 1992

2

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

90-419 SPHA

PERMIT # B-075959
RECEIPT # NR
XREF # 405
PAID BY: 4500
INSPECTOR: 11/18/92

PROPERTY ADDRESS 9A Fiske Ave
SUBDIV: Glyndon Park
TAX ACCOUNT # 6446-610052 DISTRICT/PRECINCT 4 2
OWNER'S INFORMATION (LAST, FIRST)
NAME: FOWLE, William A. 3rd
ADDR: 10 Fiske Ave Glyndon, MD 21071

APPLICANT INFORMATION
NAME: William A Fowble, 3rd
COMPANY:
ADDR1: 10 Fiske Ave
ADDR2: Glyndon MD 21071
PHONE # 335-4087 WHIC LICENSE #:
APPLICANT SIGNATURE: William A Fowble BLOCK: 0 PL: 2
PLANS: CONST 1 PLOT 1 PLAT 0 DATA: EL 0 PL 2
TENANT:
ENGR: 0
SELLER:

TYPE OF IMPROVEMENT
1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

TYPE OF USE
RESIDENTIAL
01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY
05. SWIMMING POOL
06. GARAGE
07. OTHER

TYPE FOUNDATION
1. SLAB
2. BLOCK
3. CONCRETE

BASEMENT
1. FULL
2. PARTIAL
3. NONE

DESCRIBE PROPOSED WORK:
Construct addition on front of existing single family dwelling. Addition to be used as a open porch w/ roof (22'x10'x12') 20'x10' porch to be constructed over front property to be used as a basement. (SFD-B-068348)

NON-RESIDENTIAL
08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (FENCE HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE, MERCANTILE, RESTAURANT
20. SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE OF CONSTRUCTION
1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINFC. CONCRETE

TYPE OF HEATING FUEL
1. GAS
2. OIL
3. COAL
4. OTHER

TYPE OF WATER SUPPLY
1. PUBLIC SYSTEM
2. PRIVATE SYSTEM
3. OTHER

TYPE OF SEWAGE DISPOSAL
1. PUBLIC SEWER
2. PRIVATE SYSTEM
3. SEPTIC
4. OTHER

CENTRAL AIR: 1. YES 2. NO
ESTIMATED COST: \$2,000.00
PROPOSED USE: addition (porch)
EXISTING USE: NR

OWNERSHIP
1. PRIVATELY OWNED
2. PUBLICLY OWNED
3. SALE
4. RENTAL

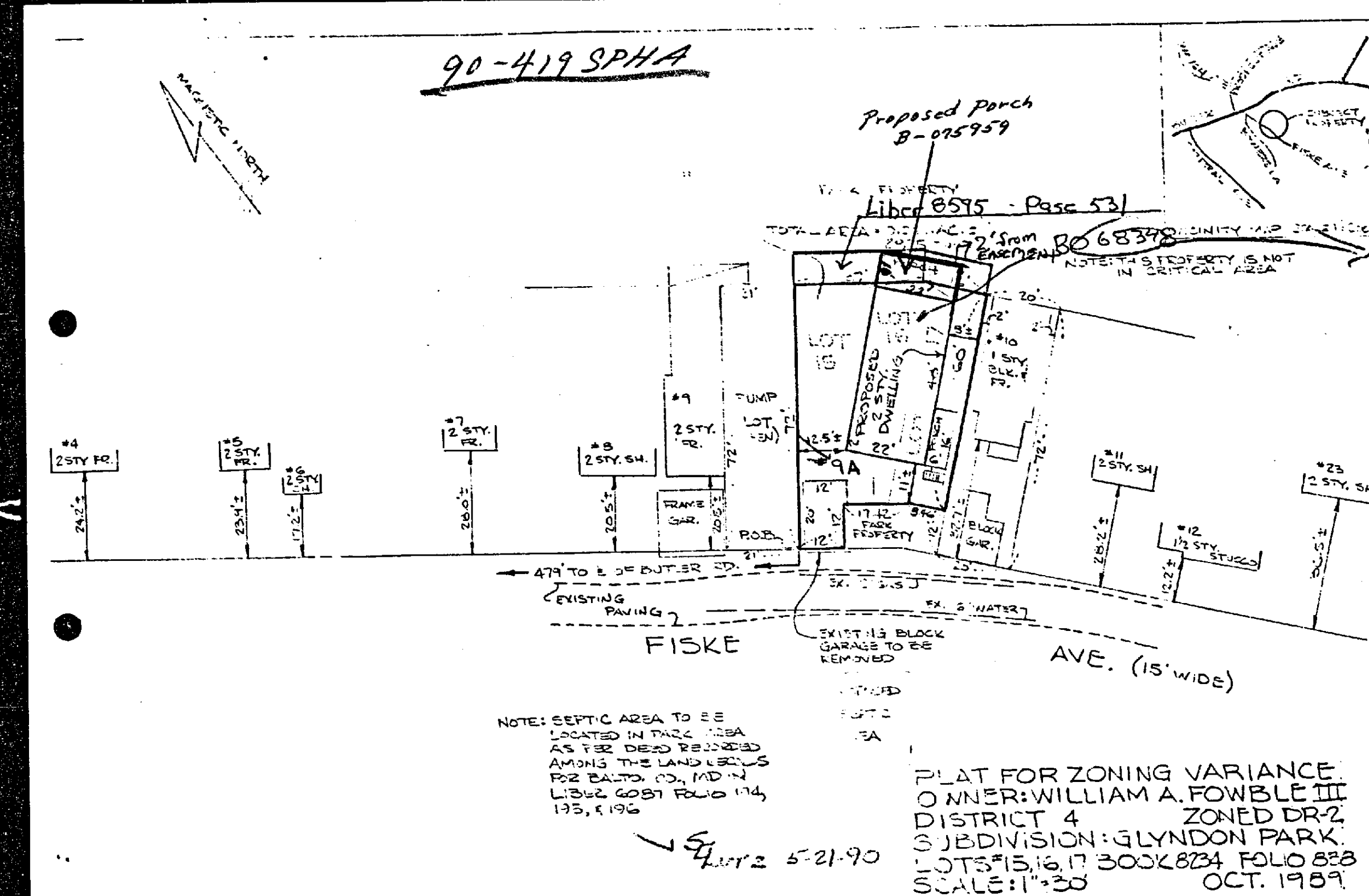
RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHOUSE 5. MIDRISE
6. HIGHRISE

1. FAMILY BEDROOMS
2. BATHROOMS
3. KITCHENS
4. CLASS 44
LIBER 36 FOLIO 28

BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR 220 SIZE 53'53" X 72'10"
WIDTH 22' FRONT STREET
DEPTH 18' SIDE STREET
HEIGHT 18' FRONT SETBK 24' from front
STORIES 1 1/2 SIDE SETBK 16' from
LOT # 15 1/2 SIDE STH SETBK 6'
CORNER LOT REAR SETBK 16'
1. YES 2. NO ZONING

APPROVAL SIGNATURES DATE
BID INSP: _____
BID PLAN: _____
FIRE: _____
SEPT CIL: _____
SEPT SERV: _____
PLANNING: _____
PERMITS: _____

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED



90-419 SPHA
LIBER 8595 PAGE 531

THIS DEED OF EASEMENT, Made this 24 day of August, 1990, by and between the GLYNDON PARK CHATAQUA OF BALTIMORE CITY, a body corporate of the State of Maryland, party of the first part, Grantor, and WILLIAM A. FOWBLE, III, party of the second part, of Baltimore County, State of Maryland, Grantee.

WHEREAS, the parties of the first and second part are all owners of various lots and land as shown on two plats of Glyndon Park, recorded among the Land Records of Baltimore County, the first plat dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427; the second plat being dated July 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, and

WHEREAS, the party of the second part, owner of lots number 15, 16 and 17, as shown on the aforesaid plats has been granted the right by the party of the first part to install, maintain, repair, replace, relocate, use or rebuild porches, decks, verandas, or similar structures by whatever name known, for no greater than 10 feet, into that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 on the aforesaid plats, and,

WHEREAS, it is the intention of the parties hereto by the execution of this instrument to grant the aforesaid easement to the party of the second part, his heirs and assigns.

NOW, THEREFORE, this Deed of Easement witnesseth that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, although no money actually having been paid, the party of the first part does hereby grant, convey and confirm unto the party of the second part, his heirs and assigns an easement in, for no greater than 10 feet, over and through

RECEIVED FOR TRANSFER
State Department of Assessments & Taxation
for Baltimore County
9/14/90

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE: William A Fowble DATE: 9/14/90

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND
Approved Signature
9/14/90 Sec 11-85 Easement

LIBER 8595 PAGE 532

that portion of the property of the party of the first part lying northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427, and northeast of lots 15, 16 and 17 as shown on the plat of Glyndon Park dated July, 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, said easement to be for the purpose of installing, maintaining, repairing, replacing, relocating, using or rebuilding the porches, decks, verandas, or similar structures by whatever name known deemed desirable from time to time, as the party of the second part as owner of the aforesaid lots, his heirs, successors and assigns.

AS WITNESS, the corporate seal of the GLYNDON PARK CHATAQUA OF BALTIMORE CITY and the signature of Sam Scruggs, III, the President, thereof.

WITNESS: THE GLYNDON PARK CHATAQUA OF BALTIMORE CITY
BY: Sam Scruggs (SEAL)
SAM SCRUGGS, President

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

On this 24 day of August, 1990, before me, a Notary Public of said State, personally appeared SAM SCRUGGS, known to me, (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and who acknowledged that he executed the same for the purpose therein contained, as the duly authorized President of said corporation.

AS WITNESS my hand and Notarial Seal.

Betty B. Egan
Notary Public
My Commission Expires: Aug 1, 1992

WILL TOU
William Fowble
10 Fiske Ave.
Glyndon Md 21071

RECEIVED
Mr. Robert Haines, Zoning Commissioner
111 West Chesapeake Ave.
Towson, MD 21204
APR 24 1990
ZONING OFFICE

Dear Mr. Haines,
There's a reason for the old adage, "Give 'em an inch, and they want a mile". The fiasco of the former boarding house and adjoining too narrow lot on Central Avenue was just the inch needed to fan the flames of greed which could ultimately ruin my neighborhood, and my property value. These threatening flames were further fanned by the desire for more parking behind a shopping center, where NO ONE will park anyway. Now with case number 90-419-SPHA someone else wants their cake and eat it, too. I know that you can catch more bees with honey than vinegar, but because you didn't nip these variances in the bud on Central Ave., we have you to thank for more requests, I believe.

Yes, tiny houses were built on tiny lots long ago when the Fiske Avenue area known as Glyndon Park was only a summer community. Now, however, zoning laws exist to ostensibly maintain and protect for traffic, fire safety, over congestion, lot size regulation. Therefore, the zoning variance desired on Fiske Ave. is truly ludicrous: 2,875 square ft. in lieu of the required 20,000 for a single family dwelling; 39' total width instead of the specified 100'; and, only 11 feet rear yard depth rather than the legal forty feet.

I'd be lying if I said that many of us have been pleased by your recent decisions regarding requested zoning variances in Glyndon. If it was your neighborhood, I doubt you'd be any happier. Is it totally unrealistic to ask you to examine other communities as though they were your own? Where is it written that every square foot of green space must be developed for profit? Although you still an area of decent, caring, family-oriented people, much like the folks in your neighborhood, I imagine. The granting of zoning variances rips the fabric of our corner of the world, just like it would in yours.

PLEASE, PLEASE, don't grant the variance on Fiske Avenue that is requested in Case Number 90-419-SPHA.

Sincerely,
Sharon Herb
Sharon Herb (Mrs.)

P.S. These owners requesting variances claim "hardship", but whatever happened to "buyer beware." Besides this guy Fowble knew what he was getting into. This hardship angle is wearing mighty thin.

90-419 SPHA

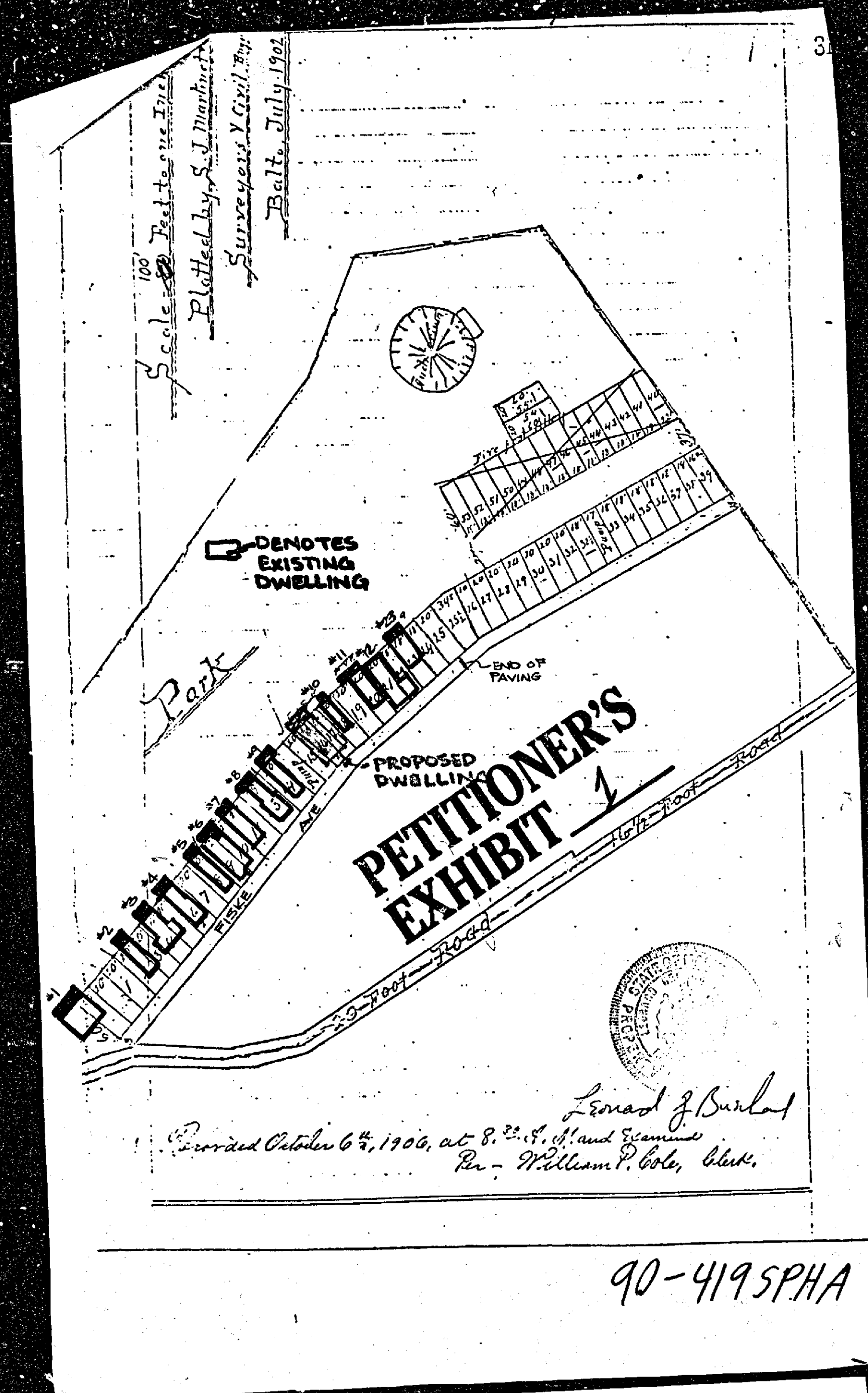
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<u>Ann B. O'Neil</u>	<u>20 E. E. Avenue, MD 21071</u>
<u>Elizabeth B. Steele</u>	<u>20 E. E. Avenue, MD 21071</u>
<u>Sharon Herb</u>	<u>312 Central Ave., Glyndon, MD 21071</u>
<u>ELEANOR H. TAYLOR</u>	<u>Box 43, Glyndon, MD 21071</u>
<u>Anna Welsh</u>	<u>4801 Prospect Ave., Glyndon MD 21071</u>
<u>Ellen W. Wuerthele</u>	<u>8 Fiske Avenue Glyndon MD 21071</u>
<u>Sam E. Scruggs</u>	<u>6 Fiske Ave., Glyndon, MD 21071</u>
<u>Ellen Gray</u>	<u>208 Bond Ave. Reisterstown, MD 21071</u>

90-419 SPHA

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<u>P. W. Driscoll</u>	<u>1 Fiske Ave.</u> <u>Glyndon Md.</u> <u>21071</u>



42

GLYNDON PARK CHAUTAUQUA ASSOCIATION
GLYNDON, MARYLAND

September 1, 1989

Mr. William A. Fowble
3 Fiske Avenue
Glyndon, Maryland 21071

Dear Bill:

Thank you for showing us your revised tentative building plans. As we understand it the house you are proposing will be a 22-foot wide by 48-foot deep separate two-story structure with underground garage. The building will be oriented with its narrow dimension facing the park and long dimension perpendicular to the park, similar to the other cottages. The new building will be constructed 10 feet away from existing cottage #10 and will be along the same alignment, front and side, as cottage #10. This will result in a dimension of approximately 43 feet from the left front corner of the new house to the right front corner of existing cottage #9.

The new house will have a front porch constructed along the same alignment as the existing porch for cottage #10. Because of the break in the property line, the porch would encroach to a limited extent on existing park property.

After examining your stakes in the field and reviewing your plans it is our opinion that the proposed house will be similar to the existing cottages and should essentially blend in well with the park. Of course, as you are aware, there are many county ordinances (zoning, sanitary, etc.) which will have to be satisfied before you can obtain a building permit. We are not familiar with these ordinances and, accordingly, are not implying that you have the Park Association permission to build the subject house. We are saying that, in our opinion, the house you are proposing would blend in well with the other cottages.

PETITIONER'S EXHIBIT 2

90-419SPHA

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PETITIONER'S EXHIBIT 3

A meeting of the Glyndon Park Chautauqua Association was held on Wednesday, September 6, 1989 at 7:00 P. M. in the Park.

Those present were:

Ralph and Florence Driscoll	Cottage #1
Stephen Obici	Cottage #2
William A. Fowble	Cottage #3
George A. Stearns	Cottage #5
Michael and Ann O'Neill	Cottage #6
Lucille Storch	Cottage #7
Rich and Eileen Wuerthele	Cottage #8
Barbara C. Duncan	Cottage #9
Rene and Carolyn Herbst	Cottage #11
Dan Bailey and Emily Stanley	Cottage #23

The purpose of the meeting was to look at Mr. William A. Fowble's proposed house plans and location and consider granting approval for his porch on Park property.

There was concern and discussion about not wanting to set a precedent for future building.

A motion was made and seconded that permission be given Mr. Fowble to build a porch on Park property, not to exceed the width of his proposed house, 22 feet, and not to extend beyond the porch of Cottage #10; this approval contingent upon Mr. Fowble receiving approval from Landmarks Preservation Commission and Baltimore County for the construction of his house.

There was no further discussion and the motion was voted on and unanimously accepted. Eunice Rose, Cottage #12, was unable to attend the meeting. However, her written vote is attached to these minutes.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lucille Storch
Acting Secretary

90-419SPHA

Eunice E. Rose
12 Fiske Avenue
Glyndon, Maryland 21071

September 6, 1989

To our president - Lucille Storch
and to the Board of Directors of
the Glyndon Park Chautauqua Assoc....

I vote 'for' the building of the
porch on the front of Bill
Fowble's new home

Eunice Rose

44

Baltimore County
Zoning Board

This letter is to advise you that I have no objection to William Fowble building a house on lots 15, 16 and 17 as discussed with the members of the Glyndon Park Chautauqua Association on 9/6/1989.

George A. Stearns

PETITIONER'S EXHIBIT 4A

90-419SPHA

Mr. William A. Fowble -2- September 1, 1989

Since the planned building will have a front porch which will encroach partially on the grounds of the Association, we are calling a meeting of the lot owners to vote on this matter. The meeting is scheduled for Wednesday, September 6, 1989 at 7 p.m. on the park grounds. We would appreciate it if you will stake out the house corners including the porch and also showing the approximate boundary line of your lots with the park property so that everyone will be able to see how much the porch will encroach on park property. Also, we thought we would show your plans to the lot owners at the meeting and get their general opinion as to the proposed construction. Any additional site plans or building plans or details which you could present to the lot owners at the meeting would be appreciated.

We look forward to seeing you on September 6. If in the interim period you wish to discuss any matters with the Board, please let me know.

Most sincerely,
For the Board of Directors:

George Stearns,
Chairman

George Stearns

45

Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

* Stephen Charles Elci
2 Fiske Avenue
Glyndon, Md 21071

PETITIONER'S EXHIBIT 4B

90-419SPHA

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Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

R. W. Driscoll } 12 Fiske Avenue
Florence Elci } Glyndon, Md. 21071

PETITIONER'S EXHIBIT 4C

90-419SPHA

Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

Ry Beane
Owner #4 Fiske Ave.
Glyndon, MD 21071

**PETITIONER'S
EXHIBIT 4D**

90-419-SPHA

Baltimore County
Zoning Board

This letter is to advise you that I am in favor of William Fowble building a house on lots 15, 16 and 17 as described in the minutes of the meeting held on 9/6/1989 of the Glyndon Park Chautauqua Association.

Carolyn S. Herbert
9-28-89 - 4432 Butler Rd, Glyndon, Md. 21071
Owner of 11 Fiske Ave, Glyndon, Md. 21071

**PETITIONER'S
EXHIBIT 4E**

90-419-SPHA

September 29, 1989

Dear Bill,

When we talked the other day about your proposed letter to the Baltimore County Zoning Board, I think I told you I would not be willing to sign the letter referring to the minutes of 9/6/89 inasmuch as the only contingencies were that the house would be 22 ft. wide and the porch not extend beyond the porch of Cottage #10.

However, I am not in opposition to your building your house as set forth in the letter from the Board of Directors dated 9/1/89.

At this time it is difficult to give you a fair response which I would expect to stand by without first knowing what Landmarks' reaction will be and exactly what Baltimore County will require in variances in order to issue you a permit.

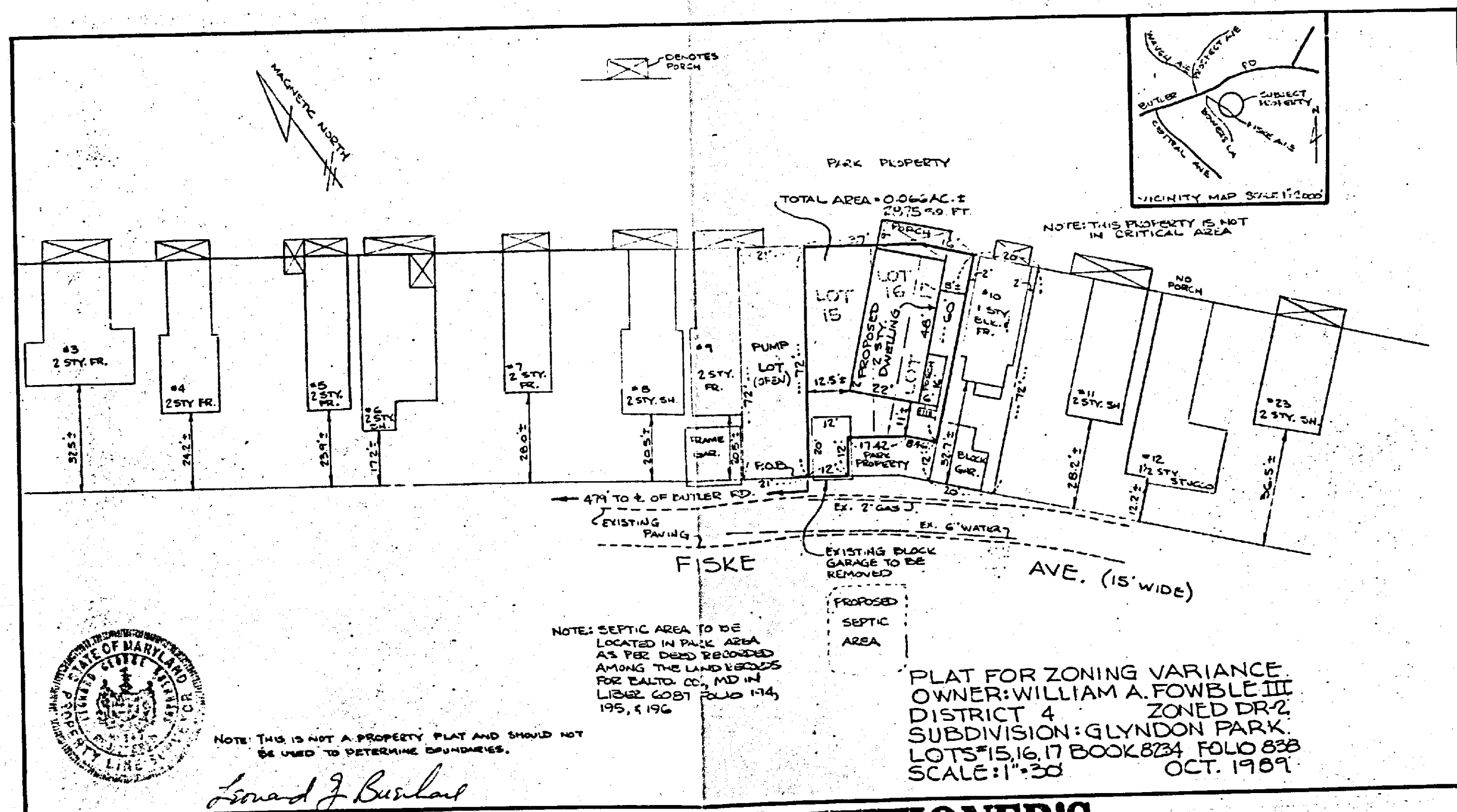
Sincerely,

Lucille Storch
Lucille Storch

**PETITIONER'S
EXHIBIT 4F**

90-419SPHA

90-419-SPHA

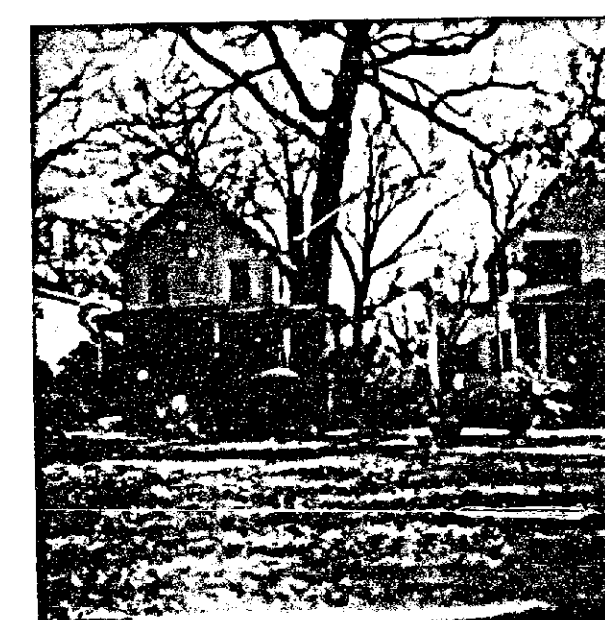


**PETITIONER'S
EXHIBIT 5**

90-419SPHA

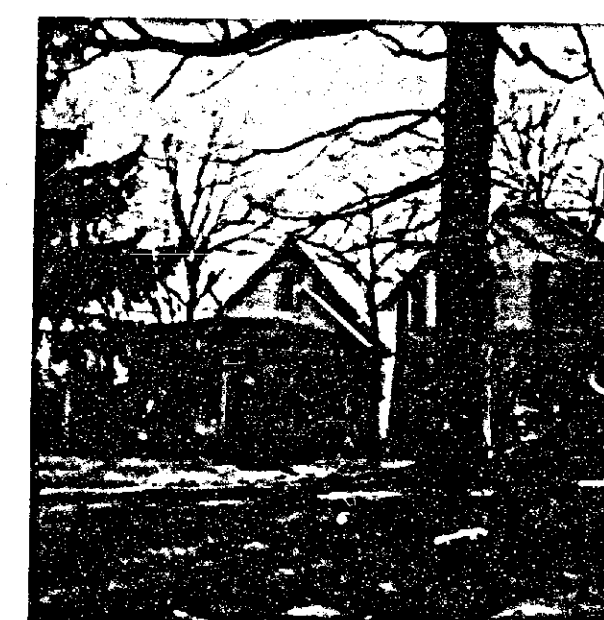
90-419SPHA

PETITIONER(S) EXHIBIT (6)



#4

#3



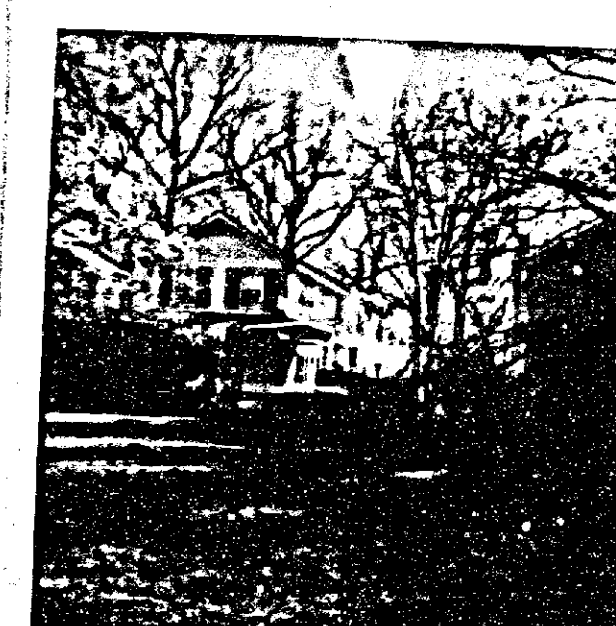
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#5



#7

#6



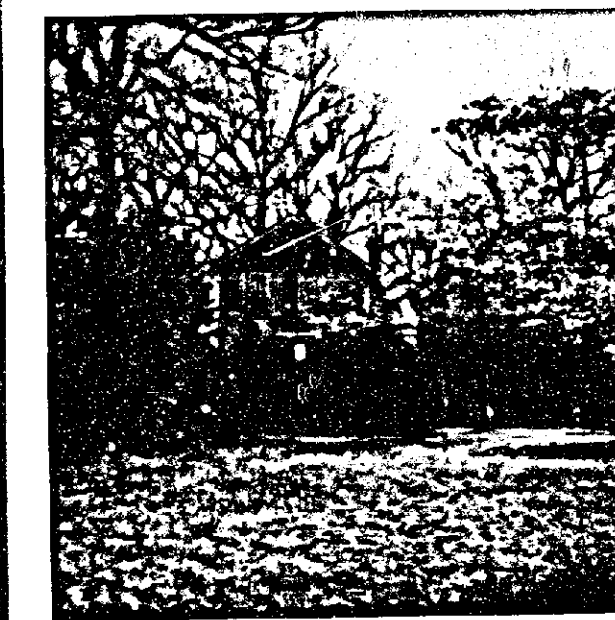
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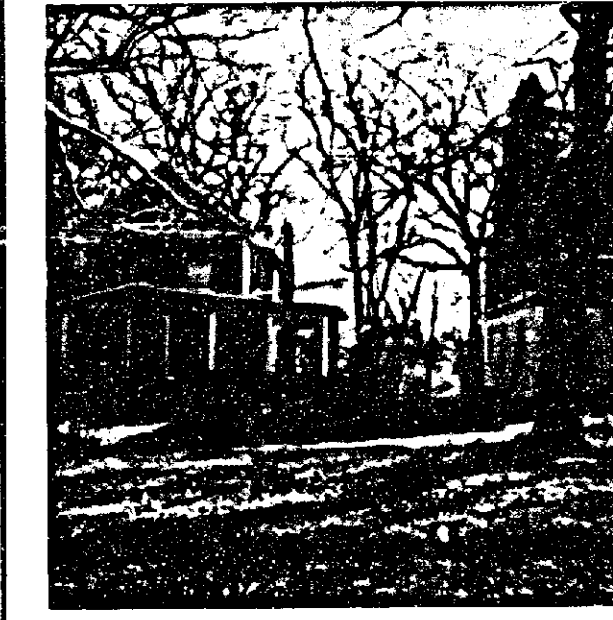
90-419SPHA

PETITIONER(S) EXHIBIT (6)



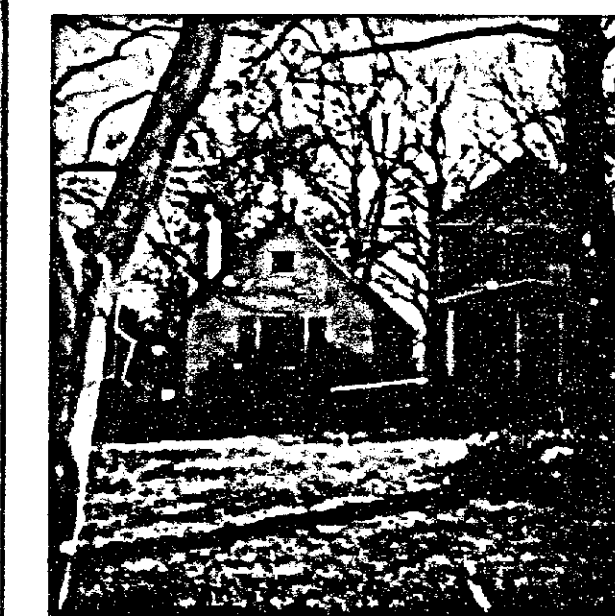
#9

#8



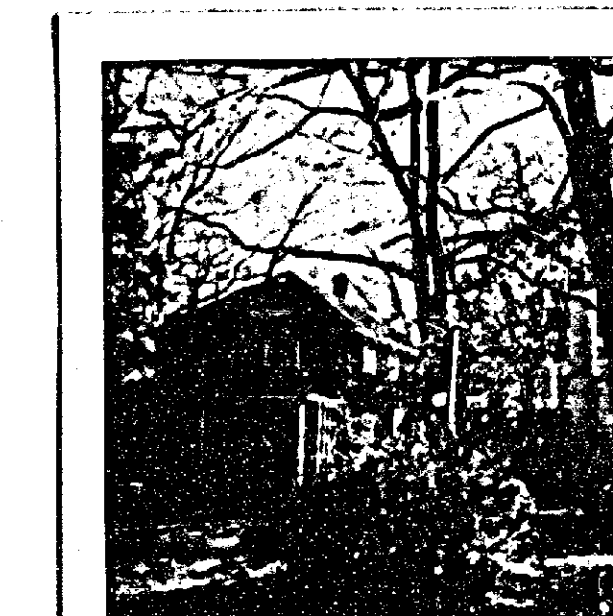
#11

#10



#12

#11



#23

#12

THIS CONFIRMATORY DEED OF EASEMENT, Made this 7th day of September, 1979, by and between THE GLYNDON PARK CHATAUQUA OF BALTIMORE CITY, a body corporate of the State of Maryland, party of the first part, Grantor, and RALPH W. DRISCOLL and FLORENCE E. DRISCOLL, his wife; A. VINTON FEETE and DOROTHY V. FEETE, his wife; CATHERINE E. WINTERS; RAYMOND E. BEAVER and PATRICIA S. BEAVER, his wife; GEORGE A. STEARNS and MARY L. STEARNS, his wife; ELIZABETH P. L'ESPERANCE; JOHN R. LUSBY, III and JOAN M. LUSBY, his wife; G. DALTON FEETE and LOUISE FEETE, his wife; JULIA R. CADE; ARY P. LAUDEMAN and JAMES D. LAUDEMAN, JR.; JACK MALPAS and M. JOAN MALPAS, his wife; and JOHN PINCKNEY and DORIS C. PINCKNEY, his wife, all parties of the second part, of Baltimore County, State of Maryland, Grantees.

WHEREAS, the parties of the first and second part are all owners of various lots and land as shown on two plats of Glyndon Park, recorded among the Land Records of Baltimore County, the first plat dated June, 1899, and recorded among the Land Records of Baltimore County in Liber N.B.M. 239, folios 426 and 427; the second plat being dated July, 1902, and recorded among the Land Records of Baltimore County in Liber W.P.C. 306, folios 30 and 31, and

WHEREAS, the parties of the second part and their predecessors in title to the various lots as shown on the aforesaid plats have been granted the right by the party of the first part to install, maintain, repair, replace, relocate and rebuild various cesspools, septic systems and underground sewage drainage and disposal areas in that portion of the property of the party of the first part lying southwest of lots 1 through 38 and 1 through 39 respectively on the aforesaid plats and the fifteen foot wide avenue now known as Fiske Avenue shown on said plats, which rights have been fully and freely exercised by the parties of the second part, and,

TRANSFER TAX NOT REQUIRED
BALTIMORE COUNTY, MARYLAND
9-17-79

PETITIONER'S
EXHIBIT 2

90-419SPHA

April 15, 1990

Robert Haines
Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Haines:

We are opposed to the Zoning Variance being petitioned by William Fowble, Case Number 90-419-SPHA, on Fiske Ave, 479' East of Butler Road for the following reasons:

- 1) Degree of Variance. This request is dramatic in all respects. 2,875 square feet in lieu of the required 20,000 for single family dwelling 38' total width in lieu of the required 100' 11' rear yard depth in lieu of the required 40' This is a dangerous precedent to establish in Glyndon.
- 2) Fiske Avenue Parking and Congestion. Fiske Avenue is a single lane dead end road with little available parking. In 1985, the Baltimore County Department of Traffic and Engineering reviewed the access problems with Fiske Avenue and posted No Parking signs in an attempt to alleviate some of the congestion. It has had little effect. Additional houses will only compound the problem of parking and access.
- 3) Intersection of Fiske Avenue onto Butler Road. Fiske Avenue and Bowers Lane join into a single lane and intersect with Butler Road. This intersection is blind from all sides and makes for dangerous entries onto Butler Road. The situation is further compounded in that the single lane entrance is at the top of the hill where Butler Road's 2 lanes are being merged to one. Additional traffic congestion at this intersection will only compound the existing problems.
- 4) Fire Hazard. Glyndon Park's 13 homes on Fiske Avenue were originally built as summer cottages with little thought in their construction to fire prevention. Many of them are only 5-10 feet apart, and most of them are of light timber construction. The lots in question in this variance petition are approximately in the middle of this row of cottages. Any type of fire break that exists at the moment would be lost. Many homes could be lost in the event of a fire, including the new home. Just such a fire destroyed most of the cottages many years ago.
- 5) Privacy. These 13 cottages were built originally for summer spiritual community activities. All the cottages are now occupied by single families, year round, who want some degree of privacy that is protected by existing Zoning Laws.

For these reasons, which are stated in the interest of community safety and stability, we ask that you deny the zoning variance listed above.

PROTESTANT'S
EXHIBIT 1

90-419SPHA

To:
Mr. Robert Haines
Zoning Commissioner

We are opposed to the zoning variance, Case #90-419-SPHA for Fiske Ave.

NAME	ADDRESS
Don Back	23 Fiske Ave. Glyndon
Emily Shaley	23 Fiske Ave. Glyndon
Alan W. Hawthile	8 Fiske Ave. Glyndon
Yvonne Switzer	2719 Butler Rd. Glyndon
Robert Switzer	4719 Butler Rd. 21071
Andrew Brown	4719 Butler Rd. 21071
Ann B. O'Fall	12 Chataqua Ave. Glyndon 21071
Mary F. Scruggs	6 Fiske Ave. Glyndon 21071
Ray E. Spriggs	6 Fiske Ave. Glyndon 21071
Andrew Spriggs	9 Fiske Ave. Glyndon 21071
Christy O'Fall	120 Central Ave. Glyndon 21071
Marki Clements	200 Central Ave. Glyndon 21071
Michael Brullo	15 Kypson Ave. Glyndon
James H. Wilson	14 Glyndon Ave. Glyndon
Margie M. Wilson	14 Glyndon Ave. Glyndon
Ryan S. Maher	220 Central Ave. Glyndon
Martha D. Healy	323 Central Ave. Glyndon 21071
Sharon L. Kline	308 Central Ave. Glyndon 21071
Shawn S. Herb	312 Central Ave. Glyndon 21071
Karen Coxson	316 Central Ave. Glyndon 21071
William A. Foley	325 Central Ave. Glyndon 21071

To:
Mr. Robert Haines
Zoning Commissioner

We are opposed to the zoning variance, Case #90-419-SPHA for Fiske Ave.

NAME	ADDRESS
John T. Burt	25 Waugh Ave. 21071
Arden Herb	312 Central Ave. 21071
Barb Whitman	4702 Butler Rd. 21071
Katherine G. Fells	8 Tighon Court 21136
W. J. W. W. W.	412 W. W. W. 21136
Carolyn Newman	619 St. Paul Ave. 21136
John F. O'Fall	17 Chataqua Ave. 21071
Deanna B. Davis	16 W. W. W. Hill Dr. 21071
George B. W. W.	16 W. W. W. Hill Dr. 21071
Doris P. W. W.	21 W. W. W. Hill Dr. 21071
R. C. A. W. W.	19 W. W. W. Hill Dr. 21071
Joseph B. W. W.	19 W. W. W. Hill Dr. 21071
Robert J. W. W.	19 W. W. W. Hill Dr. 21071
Doris W. W.	19 W. W. W. Hill Dr. 21071

To:
Mr. Robert Haines
Zoning Commissioner

We are opposed to the zoning variance, Case #90-419-SPHA for Fiske Ave.

NAME	ADDRESS
John T. Burt	317 Fiske Ave. Glyndon
James T. MacDonald	225 Central Ave. Glyndon
Donald Gregorian	109 Central Ave. Glyndon
John Gregorian	109 Central Ave. Glyndon
John T. Burt	5 Central Ave. Glyndon
John T. Burt	5 Central Ave. Glyndon
John T. Burt	12 Fiske Ave. Glyndon
John T. Burt	8 Fiske Ave. Glyndon

GLYNDON PARK CHATAUQUA ASSOCIATION
GLYNDON, MARYLAND

DECEMBER 2, 1989

MR. WILLIAM A. FOWBLE
3 FISKE AVENUE
GLYNDON, MARYLAND

DEAR BILL:

THIS LETTER IS TO VERIFY THE INFORMATION CONCERNING THE USE OF THE PARK AREA BY THE MEMBERS OF THE ASSOCIATION. THE PARK IS OWNED BY THE GLYNDON PARK CHATAUQUA ASSOCIATION. THE MEMBERSHIP CONSISTS OF THE OWNERS OF ALL COTTAGES LOCATED ON FISKE AVE. WHICH ARE #S 1 THROUGH 12 AND #23. OF WHICH EACH COTTAGE PAYS ANNUAL DUES OF \$70.00 EACH YEAR. ALL MEMBERS HAVE COMMON USAGE OF THE PARK PROPERTY FOR RECREATIONAL PURPOSES.

AS STATED IN THE DEED NBM 239, FOLIO 426 RECORDED AUGUST 11, 1904, FROM THE PROHIBITION CAMP MEETING ASSOCIATION OF BALTIMORE CITY TO THE GLYNDON PARK CHATAUQUA ASSOCIATION OF BALTIMORE CITY, THE ASSOCIATION HAS ALL RIGHT, TITLE AND INTEREST IN AND ALL THAT LOT OF GROUND SITUATED AND LYING IN BALTIMORE COUNTY IN THE STATE OF MARYLAND AND WHICH IS KNOWN AS GLYNDON PARK, SITUATED NEAR THE VILLAGE OF GLYNDON.

THIS LETTER IS ALSO TO VERIFY THAT ALL COTTAGE OWNERS LISTED ABOVE OWN IN FEE ONE OR MORE LOTS 60 FEET DEEP FROM FRONT TO BACK WITH THE FRONT OF EACH DWELLING. EXCLUDING THE PORCH. BEING AT THE PROPERTY LINE. ALL FRONT PORCHES ARE ON PARK PROPERTY WITH THE EXCEPTION OF COTTAGE #12 WHICH WAS REMOVED WHEN IT WAS DAMAGED BY FIRE.

THE GLYNDON PARK CHATAUQUA ASSOCIATION IS A TAX EXEMPT CORPORATION MAKING IT EXEMPT FROM ALL TAXES.

SINCERELY,

FOR THE BOARD OF DIRECTORS

George Stearns

GEORGE STEARNS,
CHAIRMAN

PETITIONER'S
EXHIBIT 8

90-419SPHA

Historic Glyndon Incorporated
(503) 241-1211

April 23, 1990

Mr. Robert J. Haines
Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Commissioner Haines:

I am writing to inform you that the Board of Directors of Historic Glyndon Incorporated voted to oppose the zoning variance being petitioned by William Fowble, case #90-419-SPHA, on Fiske Avenue in Glyndon.

The number of variances being requested plus the degree of those variances is dramatic, especially the request for acceptance of 2,875 sq. ft. in lieu of the required 20,000 for a single family dwelling. This is a dangerous precedent to set in a historic district where a number of small lots exist established more than a century ago when the town was designed as a summer village.

Glyndon was designated by Baltimore County as a landmark historic district so that it could be preserved for the educational, cultural, economic, and general welfare of the inhabitants of the County now and in the future. The continued granting of zoning variances for building on substandard lots is defeating the purpose of the County Council in listing Glyndon as a landmark of historical, educational, and architectural value.

At their April 16, 1990 meeting, the County Council of Baltimore County adopted a resolution asking the Planning Board to draft legislation to create "community conservation areas" to protect older communities from deterioration. Such legislation would be legal implementation of recommendations in the recently adopted 1989 Master Plan, which seeks to relieve the tremendous stress by development being placed on the County's older communities. The County government is clearly seeking ways to protect these areas through zoning changes, through adherence to current zoning laws, and through caps to control growth.

We urge you to deny the request for zoning variances regarding this lot in Glyndon and to support the County Council in its efforts to preserve the integrity of neighborhoods such as ours. The addition of another modern house with a two-car garage squeezed onto a tiny lot is not consistent with the current thinking put forth by the Master Plan and by the Council.

PROTESTANT'S
EXHIBIT 2

cc: The Honorable C.A. Ruppersberger

90-419SPHA

Sincerely,

Arden Herb

Mr. Arden Herb
President



X-SE W-SW

1983 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1983
 Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

[Signature]
 Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21218

**BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP**

SCALE 1" = 200' ±	LOCATION GLYNDON REISTERSTOWN AREA	SHEET N.W. 17-J
DATE OF PHOTOGRAPHY JANUARY 1986		

261 90-19-SHA