

IN RE: PETITION FOR ZONING VARIANCE
 N/S Inwood Road, 350' W of the
 c/l of Johnnycake Road
 (7308 Inwood Road)
 1st Election District
 1st Councilmanic District

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 90-509-A

William A. Campion, Jr., et ux
 Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 5 feet in lieu of the minimum required 15 feet for an open projection (deck), in accordance with Petitioner's Exhibit 1.

The Petitioners appeared, testified and were represented by Michael Marino, Esquire. Also appearing on behalf of the Petition was Thomas M. Doughty, adjoining property owner. There were no Protestants.

Testimony indicated that the subject property, known as 7308 Inwood Avenue, consists of 3,885 sq.ft. zoned D.R. 3.5 and is improved with a single family dwelling which has been Petitioners' residence for the past two years. Petitioners are desirous of constructing an open deck off the second floor on the rear of the existing dwelling to provide more habitable space. Testimony indicated that due to the layout of the dwelling and its location on the lot, a variance from rear yard setback requirements is necessary. Petitioners testified the existence of a drainage swale in the rear yard prevents normal use of the land, which is usually wet from laying water. In further support of their request, Petitioners introduced a letter signed by various neighbors in the community indicating their support of Petitioners' request. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

ORDER RECEIVED FOR FILING
 Date 7/1/90
 By J. Robert Haines

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

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of July, 1990 that the Petition for Zoning Variance to permit a rear yard setback of 5 feet in lieu of the minimum required 15 feet for an open projection (deck), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

The Petitioners may apply for their building permit and be granted same upon receipt of this order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners will be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
 Date 7/1/90
 By AMN:bjs

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3353

July 24, 1990



Dennis F. Rasmussen
 County Executive

Michael Marino, Esquire
 10 E. Baltimore Street
 Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
 N/S Inwood Road, 350' W of the c/l of Johnnycake Road
 (7308 Inwood Road)
 1st Election District - 1st Councilmanic District
 William A. Campion, Jr., et ux - Petitioners
 Case No. 90-509-A

Dear Mr. Marino:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

AMN:bjs

cc: Mr. & Mrs. William Campion, Jr.
 7308 Inwood Avenue, Baltimore, Md. 21228

People's Counsel

File

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 1st Date of Posting: June 19, 1990
 Posted for: Petitioners
 Petitioner: William A. Campion, Jr., et ux
 Location of property: N/S Inwood Road, 350' W of c/l of Johnnycake Road
 Location of Signs: Front of 7308 Inwood Road
 Remarks:
 Posted by: J. Robert Haines Date of return: June 22, 1990
 Number of Signs: 1

Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21284

receipt
 No 2173

Date

Account: R-001-6150
 Number

7/17/90 H9000366

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IPL)	1 X	\$35.00
TOTAL:		\$35.00

B 8165*****3500:a 3186F
 Please make checks payable to: Baltimore County

Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21284

receipt
 No 2899

Date 7/09/90

Account: R-001-6150
 Number

PUBLIC HEARING FEES	QTY	PRICE
080 - POSTING SIGNS / ADVERTISING	1 X	\$93.57
TOTAL:		\$93.57

LAST NAME OF OWNER: CAMPION

Please make checks payable to: Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 18, 1990
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 14, 1990

THE JEFFERSONIAN,

S. Zake Orlov
 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 Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21284 on Monday, July 9, 1990 at 9:30 a.m.
 Petitioner: William A. Campion, Jr., et ux
 Hearing Date: Monday, July 9, 1990 at 9:30 a.m.
 Variance to permit a 5 foot rear yard setback in lieu of the minimum 15 feet for an open projection (deck).
 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 the period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 CAT106/159 June 14, 1990

CERTIFICATE OF PUBLICATION

CATONSVILLE TIMES, June 18, 1990
 THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 14, 1990

CATONSVILLE TIMES

S. Zake Orlov
 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 located at 7308 Inwood Road in the 1st Election District in Towson, Maryland 21284 on Monday, July 9, 1990 at 9:30 a.m.
 Petitioner: William A. Campion, Jr., et ux
 Hearing Date: Monday, July 9, 1990 at 9:30 a.m.
 Variance to permit a 5 foot rear yard setback in lieu of the minimum 15 feet for an open projection (deck).
 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 the period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 CAT106/159 June 14, 1990

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-509-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.2.b. and 301.1 To permit a 5 foot rear yard setback in lieu of the minimum 15 feet for an open projection (deck).

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

see attached

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

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of July, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of July, 1990, at 9:30 o'clock A.M.

J. Robert Haines
 Zoning Commissioner of Baltimore County.

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21284
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

DATE 7/3/90

Mr. & Mrs. William A. Campion, Jr.
 7308 Inwood Avenue
 Baltimore, Maryland 21228

Re: Petition for Zoning Variance
 CASE NUMBER: 90-509-A
 N/S Inwood Road, 350' W of c/l of Johnnycake Road
 7308 Inwood Road
 1st Election District - 1st Councilmanic District
 Petitioner(s): William A. Campion, Jr., et ux
 HEARING: MONDAY, JULY 9, 1990 at 9:30 a.m.

Please be advised that \$73.57 is due for advertising and posting of the above captioned property.
 THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 West Chesapeake Avenue, Room 113, Towson, Maryland (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 \$20.00 added to the above amount for each such set not returned.

Very truly yours,
 J. Robert Haines
 ZONING COMMISSIONER

JRH:gs

Walter T. Parr
 Michael K. Smith, P.L.S.
 BPS/land technology, inc.
 Engineers & Surveyors
 P.O. Box 5814 • Baltimore, MD 21210 • (301) 435-0800

HARDSHIP AND DIFFICULTY 90-509-A
 1. Due to the limited size of the rear setback line no privacy area is afforded.
 2. The house has a sliding glass door on the second floor which cannot be used without a deck.
 3. Although the existing setback line does not allow it, the owners were informed by the builder that they had the option of having a deck constructed at either 8'x12' or 12'x16'.

Walter T. Parr
 Michael K. Smith, P.L.S.
 BPS/land technology, inc.
 Engineers & Surveyors
 P.O. Box 5814 • Baltimore, MD 21210 • (301) 435-0800

ZONING DESCRIPTION 90-509-A
 Beginning at a point on the north side of Inwood Road which is 85 feet east of the centerline of Briarleaf Court, 40 feet wide. Being Lot #17, Block A, Section 6 in the subdivision of Randed Plat One Chadwick Manor as recorded in Baltimore County Plat Book S.M. 57, Folio 26, containing 3,885 square feet. Also known as 7308 Inwood Road and located in the First Election District.

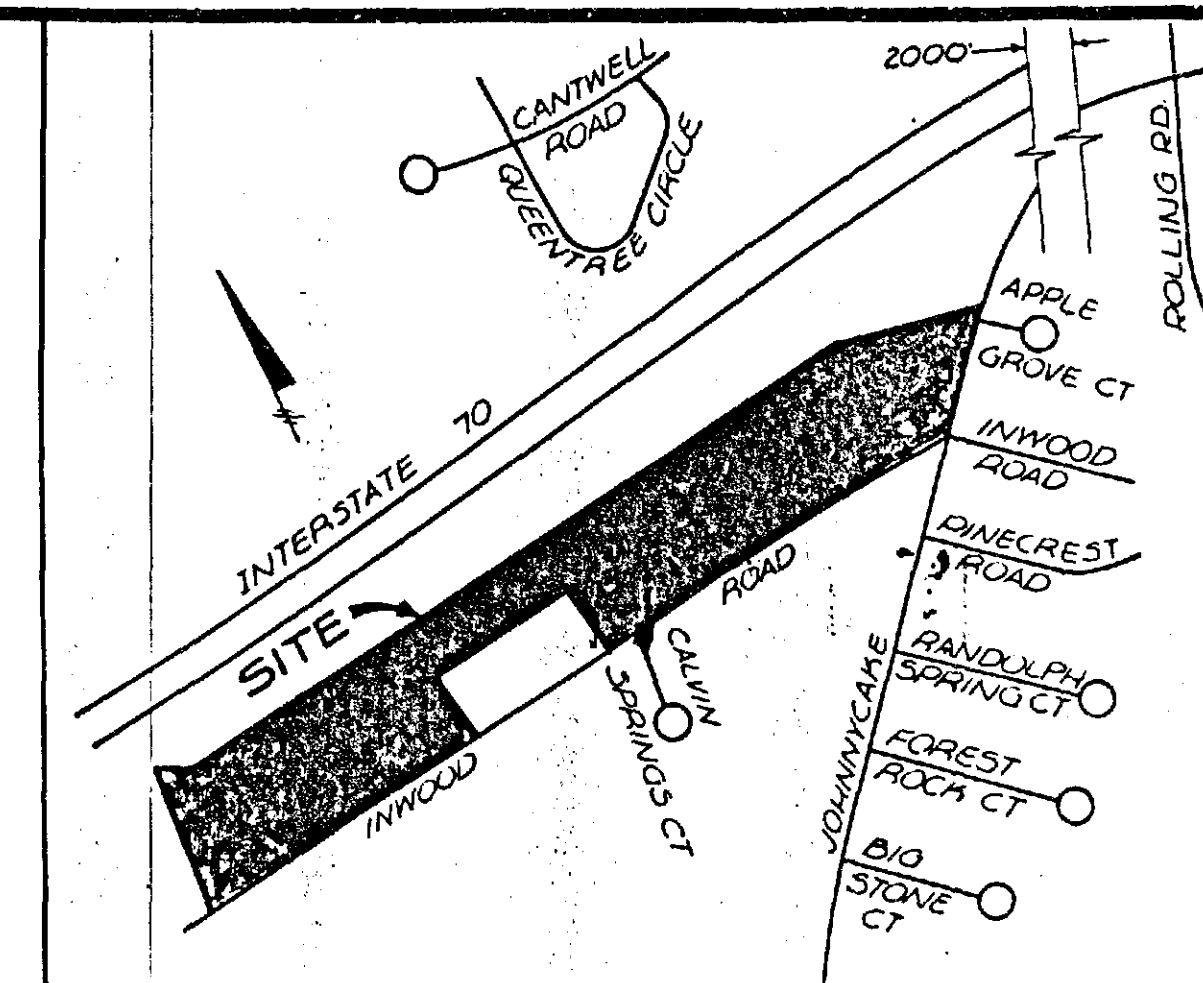
INTERSTATE 70

REASONS FOR SECOND AMENDED FINAL DEVELOPMENT PLAN

JUNE 5, 1987

1. Revise general note #19 from Lots 3 & 18, Block 'A' and Lot 1, Block 'B' to Lots 2 & 16, Block 'A' and Lot 23, Block 'B'.
2. Revise Local Open Space & 100 yr. Flood Plain Boundary between Blocks 'A' and 'B' (sh. 1 of 2).
3. Revise East Division line of Lot 1, Block 'B'.
4. Add 100 yr. Flood Plain Reservation between Local Open Space & Lot 1, Block 'B' (sh. 1 of 2).
5. Add dimension to east R/W line of Elderberry Court curve.
6. Add dimension to south edge of 100 yr. Flood Plain bordering Inwood Road (sh. 1 of 2).
7. Add dimension to north edge of Local Open Space bordering G.E. Co. R/W & extend 10' Drainage & Utility Easement through this area (sh. 1 of 2).
8. Add dimension at R/W line between Briarleaf Court & Inwood Road.

9. Add dimension at R/W line between Elderberry Court, turnaround & Local Open Space, 'A'.
10. Widen west curb, R/W line & set back line of Elderberry Court.
11. Revise south set back line of Lots 16 through 19, Block 'B'.
12. Revise north & west set back lines of Lot 16, Block 'B'.
13. Revise plat number of Barbara Jo Burke Stago Property (sh. 2 of 2).
14. Revise dimensions for the following lots in Block 'A': Lots 1, 2, 3, 6, 7, 11, 12, 14, 15, 16 and 18.
15. Revise dimensions for the following lots in Block 'B': Lots 1, 2, 14, 21, 22 and 23.
16. No lots have been sold within 300' of the above changes.



LOCATION MAP

GENERAL NOTES

1. ELECTION DISTRICT _____
2. COUNCILMANIC DISTRICT _____
3. CENSUS TRACT _____ 4015.04
4. WATERSHED _____ 5.0
5. SUBSEWER SHED _____ 78
6. SITE DATA:
 - NET AREA _____ 14.51 ac
 - GROSS AREA _____ 15.78 ac
 - LOCAL OPEN SPACE
 - REQUIRE 53 Lots x 650 Sq Ft/Lot + 35,750² = 0.82 ac
 - SHOWN 166,205.40 + 50,222.59 + 210,428.07² = 4.97 ac
7. PARKING
 - REQUIRED 2 P5/Lot x 2 = 50 = 100
 - PROPOSED 2 P5/Lot x 2 = 50 = 100
8. ZONING
 - CLASSIFICATION _____ DR 35
 - ALLOWED DWELLING UNITS (3.5 x 1578) _____ 55
 - # OF PROP UNITS _____ 50
9. SOIL TYPES _____ AaB2, LcB2, LfD & WcB
10. OWNERSHIP
 - RALPH & DOROTHY DECHAMPO FOUNDATION, INC
 - 5330/897, HPROP NO. 01-1600008619
11. OPEN SPACE TO BE RETAINED & MAINTAINED BY BALTIMORE COUNTY
12. STORM WATER MANAGEMENT Will Be Provided At Exist 72" Culvert In Accordance With Current Regulations
13. PROVIDE 5' CLEARANCE BEHIND PROP ROW FOR SIGHT DISTANCE
14. PROPOSED DRAINAGE SHOWN THUS _____
15. PROPOSED VEGETATION
 - LANDSCAPE REQUIREMENT: 1 TREE/LOT x 50 = 50 TREES.
 - VEGETATION IS TO BE REMOVED IN AREAS FOR ENVELOPES, DRIVEWAYS & PARKING PADS

15. THERE ARE NO HISTORIC BLDGS ON THIS SITE

16. DEVELOPER:
 ROCHUDA ENTERPRISES, INC
 700 FAIRMOUNT AVE
 TOWSON, MD 21284
 823-0637

NOTE: The Soil Lines Shown Hereon Were Taken From The Soil Conservation Service Maps. The Wetlands Areas Were Determined In The Field And The Locations Approved By The Baltimore County Health Department.

17. REFUSE TO BE COLLECTED BY BALTIMORE COUNTY.

18. A LANDSCAPE PLAN MUST BE APPROVED BY THE PLANNING OFFICE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

DATE OF AMENDED CRG PLAN 8-15-86
 DATE OF THE APPROVED CRG PLAN 11/14/85

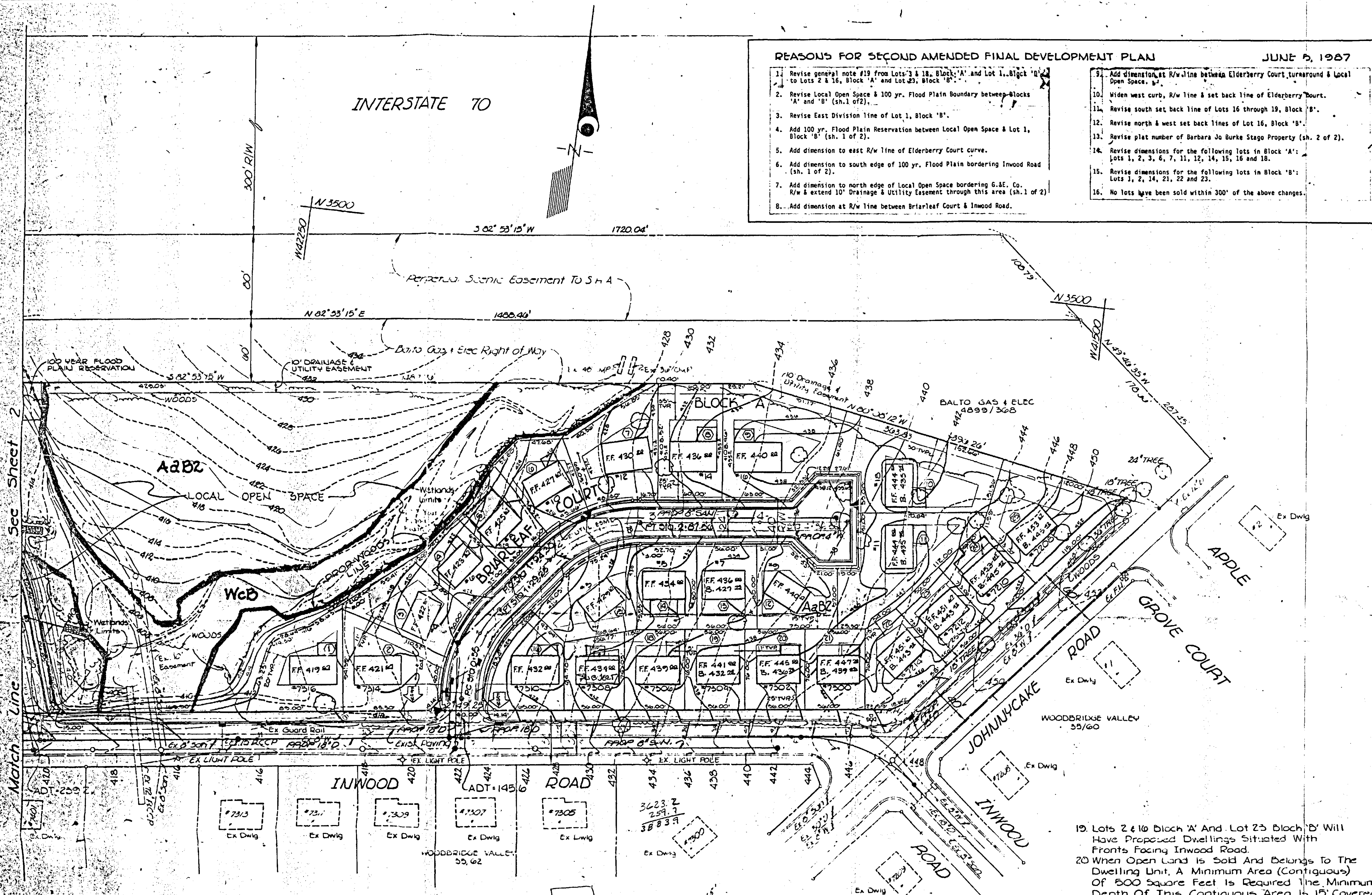
Office of Planning and Zoning
 Approved by: _____
 Director of Planning _____ Date _____
 Zoning Commissioner _____ Date _____

REASON FOR THIRD AMENDMENT:
 REVISED LOT LINES, WASTE LOCATIONS AND GRADING FOR LOTS 2 THRU 14 ELDERBERRY COURT. DATE OF THIRD AMENDMENT - MAY 3, 1988.

REASON FOR 1ST AMENDED FINAL DEVELOPMENT PLAN

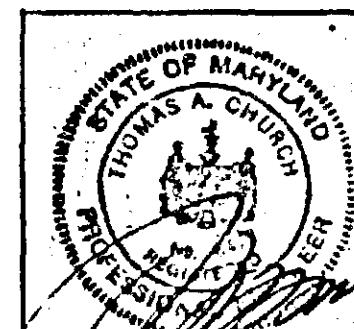
1. REDUCTION IN NUMBER OF LOTS FROM 50 LOTS TO 50 LOTS
2. NO LOTS HAVE BEEN SOLD WITHIN 300' OF THE ABOVE CHANGES.

NOTE: NO LOTS HAVE BEEN SOLD WITHIN 300' FROM CHANGES LISTED UNDER REASON FOR THIRD AMENDMENT.



PLAN

Scale: 1" = 50'



THIRD AMENDMENT BY:
 DEVELOPMENT ENGINEERING CONSULTANTS, INC.
 6005 YORK ROAD
 BALTIMORE, MD 21212 (371-2400)

Soils Types Data

AaB2 - Aldino Silt Loam 3-8% Slope
 LcB2 - Leqore Silt Loam 5-8% Slopes
 LfD - Beqore Silt Loam 15-25% Slopes
 WcB - Watchung Silt Loam 0-5% Slopes

Area	Type	Building	Slopes and Dr.-King Areas	Class
54	AaB2	Moderate Seasonally Perched Water Table	Moderate Seasonally Perched Water Table	D
56	LcB2	Slight	Moderate Slope	C
0	LfD	Severe Slope	Severe Slope	C
4	WcB	Severe High Water Table, Poor Natural Drainage	Severe High Water Table, Poor Natural Drainage	D

NOTE: This development plan is approved by the Zoning Commissioner based on his interpretation of the Zoning Regulations that it complies with present policy, density and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.

NOTE: Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits)

LEGEND

- WETLAND LIMITS
- A.D.T.
- HOUSE NUMBERS
- LOT NUMBERS
- STREET LIGHT

Johnson, Mirmiran & Thompson, P.A.

THIRD AMENDED FINAL DEVELOPMENT PLAN
 CHADWICK MANOR - SECTION G
 BALTIMORE COUNTY, MD
 Scale: 1" = 50'

REVISIONS: 1. 11/14/85 (1) 2. 11/14/85 (2) 3. 11/14/85 (3) 4. 11/14/85 (4) 5. 11/14/85 (5) 6. 11/14/85 (6) 7. 11/14/85 (7) 8. 11/14/85 (8) 9. 11/14/85 (9) 10. 11/14/85 (10) 11. 11/14/85 (11) 12. 11/14/85 (12) 13. 11/14/85 (13) 14. 11/14/85 (14) 15. 11/14/85 (15) 16. 11/14/85 (16) 17. 11/14/85 (17) 18. 11/14/85 (18) 19. 11/14/85 (19) 20. 11/14/85 (20) 21. 11/14/85 (21) 22. 11/14/85 (22) 23. 11/14/85 (23) 24. 11/14/85 (24) 25. 11/14/85 (25) 26. 11/14/85 (26) 27. 11/14/85 (27) 28. 11/14/85 (28) 29. 11/14/85 (29) 30. 11/14/85 (30) 31. 11/14/85 (31) 32. 11/14/85 (32) 33. 11/14/85 (33) 34. 11/14/85 (34) 35. 11/14/85 (35) 36. 11/14/85 (36) 37. 11/14/85 (37) 38. 11/14/85 (38) 39. 11/14/85 (39) 40. 11/14/85 (40) 41. 11/14/85 (41) 42. 11/14/85 (42) 43. 11/14/85 (43) 44. 11/14/85 (44) 45. 11/14/85 (45) 46. 11/14/85 (46) 47. 11/14/85 (47) 48. 11/14/85 (48) 49. 11/14/85 (49) 50. 11/14/85 (50)

OWNER: Rochuda Enterprises, Inc.
 700 FAIRMOUNT AVE
 TOWSON, MD 21284

DESIGN: C.F.H. DATE: 2/20/86 SCALE: 1" = 50'

DRAWN: M.K.S. APPROVED: _____ DATE: _____

SHEET 1 OF 2

FILE NO: B-83/59