

IN RE: PETITION FOR ZONING VARIANCE
 E/S Normal Terrace, 260' S of
 Burke Avenue
 (24 Normal Terrace)
 9th Election District
 4th Councilmanic District
 Gregory J. Bauer, et ux
 Petitioners

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 90-556-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 14 feet in lieu of the required 30 feet for a proposed addition and to permit an existing accessory structure to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants. Testimony indicated that the subject property, known as 24 Normal Terrace, consists of 6338.6 sq. ft. zoned D.R. 5.5 and is improved with a single family dwelling and separate garage. Petitioners are desirous of removing an existing wood deck on the rear of the subject dwelling and replacing same with a two-story addition, in accordance with Petitioner's Exhibit 1, to provide additional living space for their family. Testimony indicated the proposed addition will include an additional bedroom and bathroom on the upper level and a den/library on the first floor. Petitioners testified that their daughter's bedroom is only 6' x 9' and will be converted for use as storage space. Additionally, there is only one bathroom in the home and the proposed addition will include a second bath. Mr. Bauer testified that he has spoken to the adjoining property owners who have no objections to his plans. He further testified that he presented his plans to the Burkleigh Square Community Association, who by

letter dated June 12, 1990, indicated that their Executive Board was in support of the relief requested by Petitioners. Petitioners argued that the denial of the variance would create practical difficulty and unreasonable hardship for them. Testimony indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

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 27th day of August, 1990 that the Petition for Zoning Variance to permit a rear yard setback of 14 feet in lieu of the required 30 feet for a proposed addition and to permit an existing accessory structure to be located in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) 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 would be required to return, and be responsible for returning, said property to its original condition.

Ann M. Nastarowicz
 ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

ANN:bjjs

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-5553
 J. Robert Haines
 Zoning Commissioner

August 27, 1990



Mr. & Mrs. Gregory J. Bauer
 24 Normal Terrace
 Towson, Maryland 21204

RE: PETITION FOR VARIANCE
 E/S Normal Terrace, 260' S of Burke Avenue
 (24 Normal Terrace)
 9th Election District - 4th Councilmanic District
 Gregory J. Bauer, et ux - Petitioners
 Case No. 90-556-A

Dear Mr. & Mrs. Bauer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions 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
 ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

ANN:bjjs

cc: People's Counsel

File

ORDER RECEIVED FOR FILING
 Date 8/27/90
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 8/27/90
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 8/27/90
 By [Signature]

418

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **90-556-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 1802.3.B.C.1 To permit a rear yard setback of 14 feet in lieu of the required 30 feet and from Section 400.1 to permit an existing accessory structure in the side yard in lieu of the required rear yard.

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

To be established

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.

1/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: _____ Legal Owner(s): Gregory J. Bauer
 (Type or Print Name) (Type or Print Name)
 Signature: Gregory J. Bauer Signature: Jo Anne Bauer
 (Type or Print Name) (Type or Print Name)
 Address: _____ Address: 24 Normal Terrace 828189
 City and State: _____ City and State: Baltimore MD 21204
 Attorney for Petitioner: _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 (Type or Print Name) _____ Address: _____
 City and State: _____ Name _____
 Attorney's Telephone No.: _____ Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of August 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 108, County Office Building in Towson, Baltimore County, on the 27th day of August 1990, at 2 o'clock.

J. Robert Haines
 J. Robert Haines
 Zoning Commissioner of Baltimore County

(over)

Petition for Zoning Variance
 Case Number: 90-556-A
 Hardship or practical difficulty

1. Limited facilities for a growing family
 A. one bath
 B. original 6' x 9' nursery is inadequate for a pre-teen bedroom
2. Desire to provide facilities for the care of aging parents
3. Cannot build to the sides
4. Financial hardship to relocate to a home of adequate size
5. Wish to remain in the immediate Towson area

Gregory J. Bauer Jo Anne Bauer
Gregory J. Bauer *Jo Anne Bauer*
 (Signature) (Signature)
 August 8, 1990 August 8, 1990
 (Date) (Date)

418

90-556-A

Zoning Description

Beginning at a point on the east side of Normal Terrace which is 30 feet wide at the distance of 260 feet south of the centerline of the nearest improved intersecting street Burke Avenue which is 30 feet wide. Being Lot #9 as recorded in Baltimore County Plat Book #5023, Folio #251 containing .15 acres. Also known as 24 Normal Terrace and located in the #9 Election District.

receipt

Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21286

Account 8-0014150
 Number No 2595

Date 5/23/90 H9000418

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IFL)	1 X	\$35.00
LAST NAME OF OWNER: BAUER	TOTAL:	\$35.00

8 017 *****350018 8248F
 Please make checks payable to Baltimore County

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 9th Date of Posting 8/27/90

Posted for: Variance

Petitioner: Gregory J. Bauer, et ux

Location of property: E/S of Normal Terrace, 260' S of Burke Ave

Location of Signs: Facing Normal Terrace across 13' E. roadway at property of Petitioner

Remarks: None

Posted by: [Signature] Date of return: 8/1/90

Number of Signs: 4

\$103.41

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 23 1990

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

TOWSON TIMES.
S. Zake Olson
 Publisher

PO 106179

ORDER RECEIVED FOR FILING
 Date 8/27/90
 By [Signature]

NOTICE OF PUBLICATION
 The Zoning Commission of Baltimore County, Maryland, will hold a public hearing on the proposed zoning map for the area bounded by the following: ...

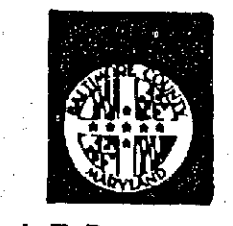
CERTIFICATE OF PUBLICATION

TOWSON, MD., July 23, 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 July 19, 1990

THE JEFFERSONIAN,
John Zabe
 Publisher

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

DATE 7/31/90



Mr. & Mrs. Gregory J. Bauer
 24 Normal Terrace
 Baltimore, Maryland 21204

Re: Petition for Zoning Variance
 CASE NUMBER: 90-556-A
 E/S Normal Terrace, 260' S of Burke Avenue
 24 Normal Terrace
 9th Election District - 4th Councilmanic
 Petitioner(s): Gregory J. Bauer, et ux
 HEARING: WEDNESDAY, AUGUST 22, 1990 at 2:00 p.m.

Dear Mr. Bauer:

Please be advised that \$127.41 is due for advertising and posting of the above captioned property.

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

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

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

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

June 26, 1990



Dennis F. Rasmussen
 County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
 CASE NUMBER: 90-556-A
 E/S Normal Terrace, 260' S of Burke Avenue
 24 Normal Terrace
 9th Election District - 4th Councilmanic
 Petitioner(s): Gregory J. Bauer, et ux
 HEARING: WEDNESDAY, AUGUST 22, 1990 at 2:00 p.m.

Variance to permit a rear yard setback of 14 feet in lieu of the required 30 feet and to permit an existing accessory structure in the side yard in lieu of the required rear yard.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner of
 Baltimore County
 cc: Mr. & Mrs. Bauer

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

August 6, 1990



Dennis F. Rasmussen
 County Executive

Mr. & Mrs. Gregory J. Bauer
 24 Normal Terrace
 Baltimore, MD 21204

RE: Item No. 418, Case No. 90-556-A
 Petitioner: Gregory J. Bauer, et ux
 Petition for Zoning Variance

Dear Mr. & Mrs. Bauer:

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 filing on the date of the hearing file. This petition was accepted for scheduled accordingly.

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

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

JED:jw
 Enclosures

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

Account: R001-6150
 Number

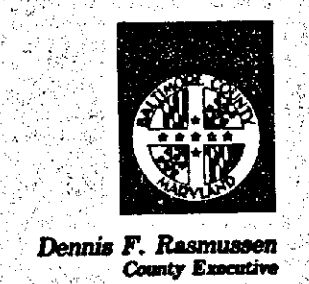
receipt
 No 3246

90-556

DATE	QTY	PRICE
8/22/90		
PUBLIC HEARING FEES		
080 - POSTING SIGNS / ADVERTISING 1 X		\$127.41
TOTAL:		\$127.41

04404#0110M1HRC \$127.41
 SA C001-3940B-22-90
 Please make checks payable to: Baltimore County

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



Dennis F. Rasmussen
 County Executive

Your petition has been received and accepted for filing this 13th day of June, 1990.

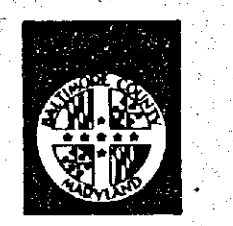
J. Robert Haines
 J. ROBERT HAINES
 ZONING COMMISSIONER

Received By:
James E. Dyer
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Gregory J. Bauer, et ux
 Petitioner's Attorney:

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

June 6, 1990



Dennis F. Rasmussen
 County Executive

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 355, 395, 408, 409, 410, 411, 412, 413, 414, 416, 417, 418, and 421.

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

MSF/lvw

RECEIVED
 JUN 13 1990
 ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
 Zoning Commissioner
 DATE: May 31, 1990

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

SUBJECT: Gregory J. Bauer, et ux, Item No. 418

The Petitioners request a Variance to rear yard setback requirements and accessory structure placement requirements.

In reference to the Petitioners' request, staff offers no comments.

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

Baltimore County
 Fire Department
 700 East Joppa Road, Suite 901
 Towson, Maryland 21204-5500
 (301) 887-4500
 Paul H. Reincke
 Chief

JUNE 4, 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: GREGORY J. BAUER
 Location: #24 NORMAL TERRACE
 Item No.: 418 Zoning Agenda: JUNE 12, 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. CHAPTER 22

REVIEWER: *Pat Keller* 6-5-90 Noted and Approved
 Planning Group
 Special Inspection Division
 Fire Prevention Bureau

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 14, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 12, 1990

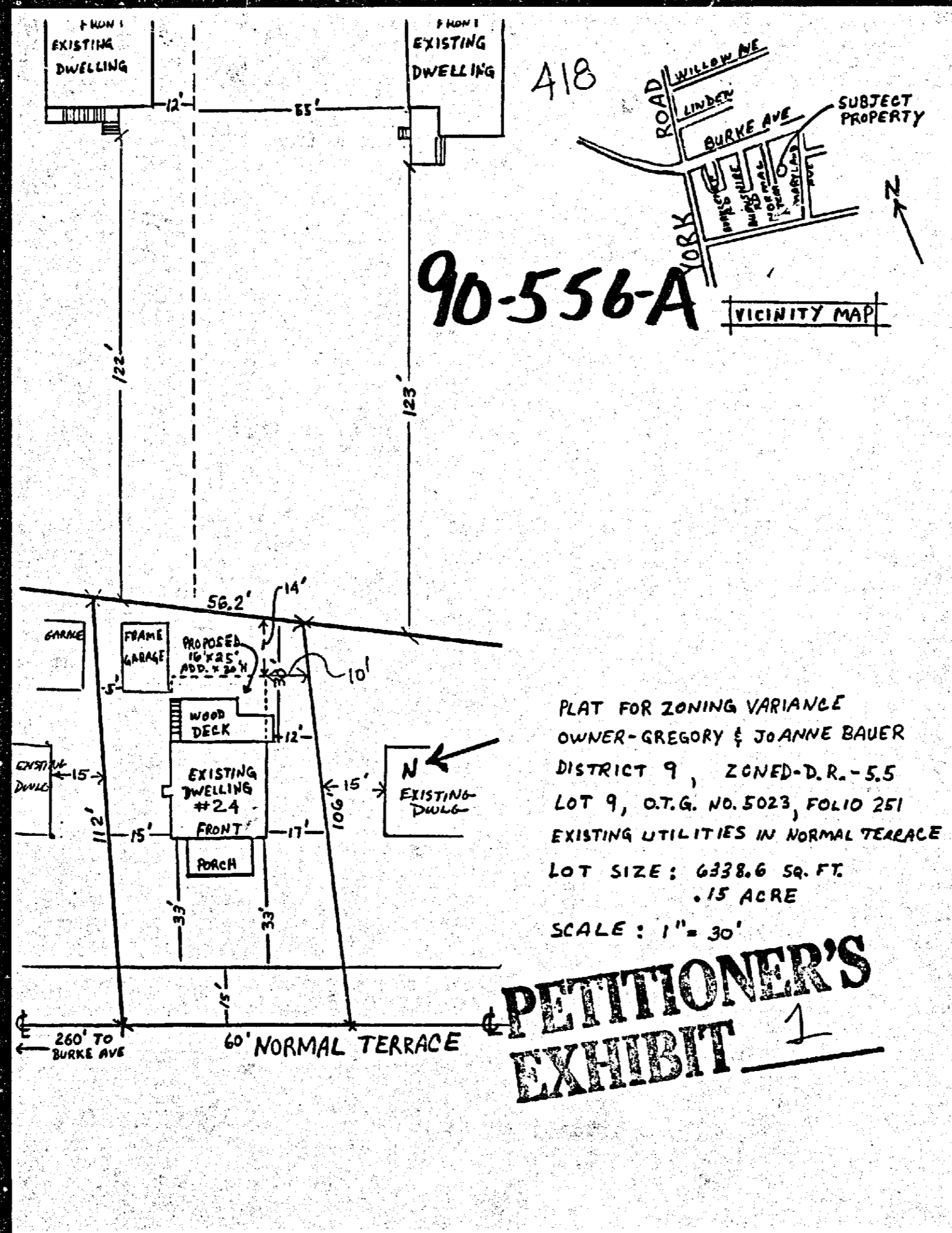
The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 355, 408, 409, 410, 411, 412, 414, 416, 417, 418 and 421.

For Item 395, the side yard as shown on the plat is 34.7 feet. The variance requested to 37 feet would not be adequate.

For Item 413, the previous County Review Group comments still apply.

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

RWB:s



BURKLEIGH SQUARE COMMUNITY ASSOCIATION
P. O. BOX 6713
TOWSON, MARYLAND 21204

June 12, 1990

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

RE: Item No. 418, Case No. 90-556-A

Dear Sir:

The owners of the property Lot 9, O.T.G. No. 5023, Folio 251, District 9, otherwise known as 24 Normal Terrace, have recently presented to the Burkleigh Square Community Association a plat for zoning variance as submitted to the Zoning Commission on May 24, 1990. Having reviewed the plat and discussed the intended use with the owners, we find no objections on the part of the Association regarding the request for variance. On behalf of the executive board of the Burkleigh Square Community Association I am submitting this letter in support of the petition for variance as sought by the owners of the subject property.

Respectfully,
Elizabeth S. Kahl
Elizabeth Kahl
President, Burkleigh Square
Community Association

PETITIONER'S EXHIBIT 2

