



SITE

91-293-A

#293

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PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
BY	DATE		1" = 200'	PARKVILLE	NE
			DATE OF PHOTOGRAPHY APRIL 1953		7-D

Topography Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION-PHILADELPHIA, PA.

1-23-69 GOTTSCALK/
FAUVEL - 3038 LAVENDER AVE.
BARTO, MD. 21234

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
SE/S Lavender Avenue, 200' NE
of the c/l of Taylor Avenue
3038 Lavender Avenue
14th Election District
6th Councilmanic District
Samuel E. Fauver, et ux
Petitioners

* ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 91-293-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 6'6" in lieu of the minimum required 10 feet for an existing dwelling and a rear yard setback of 13 feet in lieu of the required 30 feet for a proposed two story addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of March, 1991 that the Petition for Residential Variance to permit a side yard setback of 6'6" in lieu of the minimum required 10 feet for an existing dwelling and a rear yard setback of 13 feet in lieu of the required 30 feet for a proposed two story addition, 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:

- 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.
- 2) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments. The addition shall contain no kitchen facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/21/91
By [Signature]

JRH:bjs

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21284

March 21, 1991

Mr. & Mrs. Samuel E. Fauver
3038 Lavender Avenue
Baltimore, Maryland 21234

RE: PETITION FOR RESIDENTIAL VARIANCE
SE/S Lavender Avenue, 200' NE of the c/l of Taylor Avenue
(3038 Lavender Avenue)
14th Election District - 6th Councilmanic District
Samuel E. Fauver, et ux - Petitioners
Case No. 91-293-A

Dear Mr. & Mrs. Fauver:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential 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,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

#293
PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1B02.3.C.1. --- To permit a 6 ft., 6 in. side yard (existing) setback and a 13 ft. rear yard setback in lieu of the 10 ft. and 30 ft., respectively.

Existing dwelling is a 3-bedroom home in a residential area of Parkville, Md., housing 4 people (parents, child & grandparent). An addition to the rear of the house is necessary to accommodate an Uncle who must move in (due to elimination of present housing accommodations, health, and age).

House was built in 1941 before property and building restrictions. Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, 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/State/Zip Code
Attorney for Petitioner:

Legal Owner(s):
(Type or Print Name)
Signature
Address
City/State/Zip Code
Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Attorney's telephone number
Name
Address

ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be posted on the property on or before the _____ day of _____, 19____.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in the newspapers of general circulation throughout Baltimore County, that the property be reported, 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 _____ day of _____, 19____, at _____ o'clock, _____.

ORDER RECEIVED FOR FILING
Date 3/21/91
By [Signature]

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) infers competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 3038 Lavender Avenue
Baltimore, MD 21234
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

Existing dwelling is a 3-bedroom home in a residential area of Parkville, Md., housing 4 people (parents, child & grandparent). An addition to the rear of the house is necessary to accommodate an Uncle who must move in (due to elimination of present housing accommodations, health, and age.)
House was built in 1941 before property/building restrictions.
That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reprinting and advertising fee and may be required to provide additional information.

Samuel E. Fauver and Margaret P. Fauver
AFFIANT (Handwritten Signature)
AFFIANT (Printed Name)

Margaret E. Gottschalk
AFFIANT (Handwritten Signature)
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of March, 1991, before me, a Notary Public of the State of Maryland, to and for the County aforesaid, personally appeared Samuel E. Fauver & Margaret P. Fauver & Margaret E. Gottschalk

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the facts herein set forth and that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1/1/91
Notary Public

My Commission Expires: 10/1/91

ITEM #293

DESCRIPTION

91-293-A

Beginning on the southeast side of Lavender Avenue, 30 feet wide. at the distance of 200 feet northeast of the centerline of Taylor Avenue, being Lot #3 in the subdivision of "Linwood", Plat Book 13, Folio 9. Also known as #3038 Lavender Avenue, containing .080 acre in the 14th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 2/18/91
Posted for: Variance
Petitioner: Samuel E. & Margaret P. Fauver
Location of property: SE/S Lavender Ave. 200' NE of Taylor Ave. 3038
Location of Sign: Facing between lanes, approx. 13' from roadway, on grassy area of Petitioner
Remarks:
Posted by: [Signature] Date of return: 2/15/91
Number of Signs: 1

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

Account: R-601-6150
Number:

Date:

PUBLIC HEARING FEE: \$100.00
POSTING SIGNAGE (10): \$100.00
POSTING SIGNS - ADVERTISING: \$100.00
TOTAL: \$300.00
LAST NAME OF OWNER: FAUVER

Please Make Checks Payable To: Baltimore County
2009-31-001-23-91 \$60.00

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21284

887-3353

February 7, 1991

Samuel E. Fauver, et al
3038 Lavender Avenue
Baltimore, Maryland 21234

Re: CASE NUMBER: 91-293-A

LOCATION: SE/S Lavender Avenue, 200' NE of c/l Taylor Avenue
3038 Lavender Avenue

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 13, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is February 28, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post on this case shall be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens
(301) 887-3391

File ✓

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

Property Address: 3038 Lavender Avenue
 Subdivisions: LINWOOD/Block District 14, Conventional District C
 Lot 0003, Block 000, Section 00, Plat 000, Book #13, Folio 009

Owner(s): Samuel E & Margaret P. Fauver and Margaret E. Gottschalk

Lot size - 3500' sq. ft., 0.080 Ac.
 Utilities located in Lavender Ave
 Site is not in Critical Area

Zoning - DR-5.5
 Vicinity Map
 Scale: 1"=100'

LAVENDER AVE (30' R/W)
 as shown on plan (rear)

EXISTING BUILDINGS

EXISTING BUILDING

3038 EXISTING
 2 story brick frame

PROPOSED CHANGES
 2nd story addition
 and new steps
 (see sketch 4410)

Petitioner's Exhibit 1

91-293-A

J.E.F.

Date: 1/21/91
 Scale: 1"=20'

CASE #: 91-293-A

REAR VIEW OF HOUSE AND NORTH SIDE
 GOTTSCHALK/FAUVER 3038 LAVENDER AVE

SOUTH SIDE OF HOUSE
 GOTTSCHALK/FAUVER - 3038 LAVENDER AVE

PETITIONER'S EXHIBIT #2

CASE #: 91-293-A

REAR OF HOUSE
 GOTTSCHALK/FAUVER 3038 LAVENDER AVE

NORTH SIDE OF HOUSE
 TO THE SECOND STEP DOWN
 GOTTSCHALK/FAUVER 3038 LAVENDER AVE

REAR OF HOUSE
 GOTTSCHALK/FAUVER 3038 LAVENDER AVE

PETITIONER'S EXHIBIT #2

200' MAP - NE-7D

BL-CCC
 BALTIMORE CO.
 BALTIMORE CITY

WILLOW
 LINWOOD
 OAK
 CREST
 HANFORD

141

DR-5

SITE

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91-293-A