

IN THE MATTER OF THE  
THE APPLICATION OF  
JAMES A. FOLDEN  
FOR VARIANCES ON PROPERTY  
LOCATED ON THE EAST SIDE  
NORMAN AVENUE, 40' NORTH OF  
WEST SEMINARY AVENUE  
(1503 NORMAN AVENUE)  
8TH ELECTION DISTRICT  
3RD COUNCILMANIC DISTRICT

O P I N I O N

James A. Folden, Petitioner, requests through a Revised Petition for Variance from the requirements of Section 1B03.C.1 and Section 303.1 of the Baltimore County Zoning Regulations (hereinafter "BCZR") to permit a front average setback of 30 feet from the existing right-of-way known as Norman Avenue in lieu of the minimum required 38 feet for proposed lot 2 and a rear yard setback of 20 feet in lieu of the required 30 feet for the same lot.

Mr. Folden appeared and testified that he had purchased and lived in an existing dwelling since 1983 on what is proposed to become lot 1 if the subdivision is granted. That property is known as 20 W. Seminary Avenue and fronts on Seminary Avenue with side frontage on Norman Avenue. The rear of that parcel consists of what is proposed as lot 2 on the Plat to Accompany Zoning Variance accepted as Petitioner's Exhibit No. 1. That lot would front on Norman Avenue. Mr. Folden also identified a topographical map, Petitioner's Exhibit No. 3, and located on that map the site of his home and proposed lot, as well as the location of the homes of the protestants, Thomas Longo of 16 W. Seminary Avenue and Richard Wayne Poehlman of 1505 Norman Avenue. Mr. Folden testified that pursuant to the direction of the Office of Planning & Zoning he

\* BEFORE THE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 91-494-A

Case No. 91-494-A James A. Folden 2  
revised his original petition to request the 30-foot setback rather than the 25-foot setback originally sought. While he has no definite plans and no site plan was produced, Mr. Folden anticipates that a ranch-type house consistent with the houses on Norman Avenue might some day be built on lot 2. He testified concerning his contact with members of the Lutherville Community Association.

Eric Ruckel, 1610 Riderwood Drive, Lutherville, testified that he is a member and a director of the Lutherville Community Association and serves as the committee chairman of the Zoning and Development Committee. He testified further that as a result of his investigation and recommendation to the Board of Directors, that Board took a position concerning the Petition for Variances which position was approved by a majority of those present voting at a general meeting of the community association. (See Exhibit No. 4.)

Daniel G. Waguspak, a civil engineer by training, who is employed by Purdum & Jeschke, testified based upon his training, knowledge and experience that the MCZK as applied in this case would require a 30-foot setback from the rear property line of the proposed lot 2 and also a 38-foot setback from the front property line, that being the average of the front yard setbacks of the two adjoining lots which in this case consist of the front yard setback of the Poehlman property estimated at 50 feet and the side yard setback of the existing Folden house consisting of approximately 21 feet. He testified that Petitioner seeks a variance of 8 feet from the front yard setback requirement. In his opinion, since the lot

Case No. 91-494-A James A. Folden 3  
is 75 feet deep and 38 feet are required as a front yard setback and 30 feet required as a rear yard setback, a building could be built without requiring any variances; however, that building would be 7 feet deep and thus not be feasible. He believed that without the variances as requested the lot would not be buildable in that it would not present a building envelope of sufficient size to build a single-family dwelling containing between 800 and 1,000 square feet of living space. Although he admitted that he is not a traffic engineer and that his firm did not conduct any study with regard to that, since what Petitioner seeks is a mini-subdivision, it is not subject to the same requirements as a major subdivision and therefore no traffic study need be done. Furthermore, he believed that any effects on traffic, health, safety or general welfare would be minimal on the surrounding community since this is the addition of one single-family house in a developed community where the infrastructure already exists.

Finally, he testified that residents predominantly park off-street and that the building envelope proposed would provide off-street parking for lot 2. No addition burden would be placed upon the water and sewer in the community other than tapping into the lines to service one additional house.

Protestants, Thomas Longo and Richard Wayne Poehlman, testified in opposition to the Petition. Mr. Longo in particular stated that Petitioner's did not present a hardship case and that he did not want to have a house that close to his rear or side property line. Mr. Poehlman also testified as to the lack of evidence of hardship, his concerns about placing a large building

Case No. 91-494-A James A. Folden 4  
close to his front yard, and the deleterious effects that creating another single-family dwelling would have on what he described as a quiet neighborhood with natural landscaping barriers in a quiet and tranquil setting. From that testimony together with the exhibits as presented, the Board finds facts as follows.  
In applying the law, the Board observes that 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) Another method is to prove undue hardship, but the testimony does not present persuasive evidence to meet that requirement. To prove practical difficulty for an area variance, the Petitioner must produce evidence to allow the following questions to be answered affirmatively:

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).

The Board finds as a fact that strict compliance with the zoning regulations for setbacks as they appear in this case would considerably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome. However,

Case No. 91-494-A James A. Folden 5  
considering the equities between the neighboring and adjoining property owners, the Board believes that substantial injustice would result were the Board to grant the variances requested. No lesser relaxation than that applied for would give substantial relief. The Board believes that one of the reasons for setback requirements is to prevent inappropriately sized buildings on inappropriately sized lots. Petitioner's lot would allow a building to be erected but it would be out of character and keeping with the other dwellings in the community. Since we are unable to answer the second question in Petitioner's favor, and in our view the addition of another single-family dwelling to an already fully developed neighborhood would adversely affect this community and be detrimental to the public safety, health and general welfare, we believe that the variances requested should be denied.

O R D E R

IT IS THEREFORE this 9th day of April, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Variances be and the same are hereby DENIED.

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

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

C. William Clark, Acting Chairman

S. Diane Levero

Harry E. Buchheister, Jr.

IN RE: PETITION FOR ZONING VARIANCE  
E/S Norman Avenue, 40' N of  
West Seminary Avenue  
(1503 Norman Avenue)  
8th Election District  
3rd Councilmanic District  
James A. Folden  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-494-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Sections 1B03.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front average setback of 30 feet from the existing right-of-way (25 feet from a future right-of-way) in lieu of the minimum required 38 feet for proposed Lot 1, and a rear yard setback of 20 feet in lieu of the required 30 feet for proposed Lot 2, in accordance with Petitioner's Exhibit 5.

The Petitioner, James A. Folden, appeared, testified and was represented by Arnold H. Rippenger, Esquire. Also appearing on behalf of the Petitioner was Daniel Waquespack, Engineer. Appearing as Protestants in the matter were Thomas Longo and Wayne Poehlman, immediate neighbors to the subject property.

Testimony indicated that the subject property, known as 1503 Norman Avenue, consists of 0.144 acres zoned D.R. 5.5 and is presently unimproved. Said property is part of a larger lot owned by Petitioner which is proposed to be subdivided to create two building lots in accordance with that shown on Petitioner's Exhibit 1. Testimony indicated that because of the configuration of proposed Lot 2, the variances requested are necessary in order to situate a single family dwelling on that lot. Mr. Folden testified he discussed his plans with his neighbors and the Lutherville Community Association, of which he is a member and on the

ORDER REVIEWED FOR FILING

DATE: 4/14/92

BY: [Signature]

Board of Directors, and that no objections were raised. He indicated that the Association is taking a "neutral position". Petitioner's engineer, Daniel Waquespack testified that he had prepared the plat submitted into evidence as Petitioner's Exhibit 5. Mr. Waquespack testified that other variances along Norman Avenue have been granted for purposes of subdividing in the same manner as proposed and that in his opinion, the relief requested would not result in any detriment to the surrounding community.

Testimony presented in opposition to the request indicated that the neighborhood is fully developed. It was the Protestants' position that squeezing an additional home in this already congested area would adversely impact parking and add additional traffic to the community. Testimony further revealed that there have not been any new homes built in the area in the past 30 years.

Controversy arose at the hearing concerning the position of the Lutherville Community Association. At the close of the hearing, it was requested that an official letter from that Association be forwarded to the Deputy Zoning Commissioner prior to the issuance of this Order. Said letter was received by this Office on September 25, 1991, the contents of which have been considered as well as all the other evidence and testimony presented at the hearing in rendering this decision.

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;

ORDER REVIEWED FOR FILING

DATE: 4/14/92

BY: [Signature]

- 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).

After due consideration of the testimony and evidence presented, it appears the variance requested should be denied. In the opinion of this Deputy Zoning Commissioner, the addition of another single family dwelling to an already overcrowded and fully developed neighborhood would adversely affect this community and 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 variance requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of October, 1991, that the Petition for Zoning Variance from Sections 1B03.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front average setback of 30 feet from the existing right-of-way (25 feet from a future right-of-way) in lieu of the minimum required 38 feet for proposed Lot 1, and a rear yard setback of 20 feet in lieu of the required 30 feet for proposed Lot 2, in accordance with Petitioner's Exhibit 5, be and is hereby DENIED.

Timothy M. Kotroko  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

October 1, 1991

Arnold H. Rippenger, Esquire  
1719 Gough Street  
Baltimore, Maryland 21231-8109

RE: PETITION FOR ZONING VARIANCE  
E/S Norman Avenue, 90' N of W. Seminary Avenue  
(1503 Norman Avenue)  
8th Election District - 3rd Councilmanic District  
James A. Folden - Petitioner  
Case No. 91-494-A

Dear Mr. Rippenger:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied 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,  
*Timothy M. Kotrocco*  
TIMOTHY M. KOTROCCO  
Deputy Zoning Commissioner  
for Baltimore County

cc: Mr. Thomas Longo  
16 W. Seminary Avenue, Lutherville, Md. 21093

Mr. Wayne Poehlman  
1505 Norman Avenue, Lutherville, Md. 21093

People's Counsel

File

483

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-494-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 1803.1 for a front yard average of 20' from the existing R/W (15' from of future R/W) in lieu of the required 38'. FOR PROPOSED LOT 2.

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

The required 38' front yard set back (the average of the two adjoining lots) and the required 30' rear yard set back only leaves a building footprint 7' deep for a proposed single family house. (The proposed lot is 75' deep)

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 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): \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)

Address: \_\_\_\_\_ Address: \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)

City and State: \_\_\_\_\_ City and State: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Attorney for Petitioner: \_\_\_\_\_ (w) 234-6147  
Address: 20 W. Seminary Avenue (h) 337-0575  
Lutherville, Maryland 21093  
City and State: \_\_\_\_\_ Phone No. \_\_\_\_\_

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

City and State: \_\_\_\_\_ Name: \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_ Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of June, 1991, 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 22nd day of August, 1991, at 9 o'clock P.M.

FILED 6/19/91 BY JLL  
ANY TIME OR DAY  
E.H.R. H.R.V.G. TIME.

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

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 21286 as follows:

Case Number: 91-494-A  
E/S Norman Avenue, 137' N of Seminary Avenue  
1503 Norman Avenue (to the east of 20 W. Seminary)  
8th Election District  
3rd Councilmanic District  
Petitioner(s):  
James Folden  
Hearing Date: Friday, August 15, 1991 at 9:00 a.m.

Variances for a front yard average of 20' N. from the existing right-of-way (15' N. from the future right-of-way) in lieu of the required 38' for proposed lot 2.

Zoning Commissioner of Baltimore County  
TIA7/229 July 25

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/26, 1991

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 7/25, 1991.

TOWSON TIMES,  
S. Zeke Orlem  
Publisher

\$ 84.29

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/26, 1991

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 7/25, 1991.

THE JEFFERSONIAN,  
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Case Number: 91-494-A  
E/S Norman Avenue, 137' N of Seminary Avenue  
1503 Norman Avenue (to the east of 20 W. Seminary)  
8th Election District  
3rd Councilmanic District  
Petitioner(s):  
James Folden  
Hearing Date: Thursday, August 22, 1991 at 11:00 a.m.

Variances for a front yard average of 20' N. from the existing right-of-way (15' N. from the future right-of-way) in lieu of the required 38' for proposed lot 2.

Zoning Commissioner of Baltimore County  
TIA7/229 July 25

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THE JEFFERSONIAN,  
S. Zeke Orlem  
Publisher

\$ 84.29

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: August 22, 1991

Posted for: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location of property: \_\_\_\_\_

Location of Signs: \_\_\_\_\_

Remarks: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of return: August 22, 1991

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/26, 1991

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THE JEFFERSONIAN,  
S. Zeke Orlem  
Publisher

\$ 84.29

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: November 25, 1991

Posted for: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location of property: E/S Norman Avenue, 90' N of W. Seminary Avenue, 1503 Norman Avenue

Location of Signs: on front of 1503 Norman Avenue

Remarks: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of return: December 2, 1991

Number of Signs: 1

91-494-A  
REVISED,  
7-30-91

Petition for Variance

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1803.1 for a front average of 30' from the existing right-of-way (25' from a future right-of-way) in lieu of the required 38' and a rear yard setback of 20' in lieu of the required 30' for proposed lot 2.

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

The required 38' front yard set back (the average of the two adjoining lots) and the required 30' rear yard set back only leaves a building footprint 7' deep for a proposed single family house. (The proposed lot is 75' deep).

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.

Contract Purchaser/Lessee: \_\_\_\_\_ Legal Owner(s): \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)

Address: \_\_\_\_\_ Address: \_\_\_\_\_  
(Type or Print Name) (Type or Print Name)

City and State: \_\_\_\_\_ City and State: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Attorney for Petitioner: \_\_\_\_\_ (w) 234-6147  
Address: 20 W. Seminary Avenue (h) 337-0575  
Lutherville, Maryland 21093  
City and State: \_\_\_\_\_ Phone No. \_\_\_\_\_

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

City and State: \_\_\_\_\_ Name: \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_ Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR. +HR.  
AVAILABLE FOR HEARING  
MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER MATT 7-30

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7-15, 1991

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 8-15, 1991.

THE JEFFERSONIAN,  
S. Zeke Orlem  
Publisher

\$ 84.29

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7-15, 1991

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 8-15, 1991.

TOWSON TIMES,  
S. Zeke Orlem  
Publisher

\$ 84.29

483

ZONING DESCRIPTION  
OF PROPOSED LOT 2

BEGINNING AT A POINT LOCATED ON THE EASTERN RIGHT OF WAY OF NORMAN AVE. A. 40 FT. RIGHT OF WAY AT A DISTANCE OF 137 FT. N OF THE CENTERLINE OF SEMINARY AVENUE A 40 FT. RIGHT OF WAY. THENCE THE FOLLOWING CURVES AND DISTANCES: N 87° 23' 48" W A DISTANCE OF 75.03' TO A POINT, THENCE N 01° 25' 00" E TO A POINT, THENCE S 80° 35' 00" E TO A POINT, THENCE S 01° 25' 00" W TO POINT OF BEGINNING. CONTAINING 6300 SQUARE FEET AND BEING KNOWN AS 1503 NORMAN AVE. (.14 AC)

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: August 22, 1991

Posted for: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location of property: \_\_\_\_\_

Location of Signs: \_\_\_\_\_

Remarks: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of return: August 22, 1991

Number of Signs: 1

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

Account: R 001 6150  
Number

REVISD PLANS

Date: \_\_\_\_\_

Please Make Checks Payable To: Baltimore County \$35.00  
6A 0012-04F047-33-91

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

Account: R 001 6150  
Number

receipt

Date: 8/11/91

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

LAST NAME OF OWNER: FOLDEN

Please Make Checks Payable To: Baltimore County \$35.00  
0A040123N1CHR  
6A 0012-04F047-33-91

**receipt**

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

Account: R-001-6150  
Number

91-494-A

Date

Cashier Validation

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

Account: R-001-6150  
Number

91-494-A

Date

Cashier Validation

**COPY**

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3354

DATE: 8-5-91

James Folden  
20 W. Seminary Avenue  
Lutherville, Maryland 21093

RE:  
Case Number: 91-494-A  
E/S Norman Avenue, 137' W of Seminary Avenue  
1503 Norman Avenue (to the rear of 20 W. Seminary)  
8th Election District - 3rd Councilmanic  
Petitioner(s): James Folden  
HEARING: THURSDAY, AUGUST 22, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 109.29 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.

*J. Robert Haines*  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

\* AS YOU ARE AWARE, THIS DATE IS NO LONGER PROPER.  
HOWEVER, THE FEES ASSOCIATED WITH IT MUST BE PAID.

**COPY**

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3354

DATE: 8/26/91

James Folden  
20 W. Seminary Avenue  
Lutherville, Maryland 21093

RE:  
Case Number: 91-494-A  
E/S Norman Avenue, 137' W of Seminary Avenue  
1503 Norman Avenue (to the rear of 20 W. Seminary)  
8th Election District - 3rd Councilmanic  
Petitioner(s): James Folden  
HEARING: FRIDAY, SEPTEMBER 13, 1991 AT 9:00 A.M.

Dear Petitioner(s):

Please be advised that \$ 109.29 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.

ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

**COPY**

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3354

AUGUST 5, 1991

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:

Case Number: 91-494-A  
E/S Norman Avenue, 137' W of Seminary Avenue  
1503 Norman Avenue (to the rear of 20 W. Seminary)  
8th Election District - 3rd Councilmanic  
Petitioner(s): James Folden  
HEARING: FRIDAY, SEPTEMBER 13, 1991 AT 9:00 A.M.

Variance for a front average of 30 ft. from the existing right-of-way (25 ft. from a future right-of-way) in lieu of the required 38 ft.; and a rear yard setback of 20 ft. in lieu of the required 30 ft. for proposed lot 2.

*J. Robert Haines*  
Zoning Commissioner of  
Baltimore County

cc: James Folden

**COPY**

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3354

JUNE 27, 1991

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:

Case Number: 91-494-A  
E/S Norman Avenue, 137' W of Seminary Avenue  
1503 Norman Avenue (to the rear of 20 W. Seminary)  
8th Election District - 3rd Councilmanic  
Petitioner(s): James Folden  
HEARING: THURSDAY, AUGUST 22, 1991 at 11:00 a.m.

Variance for a front yard average of 20 ft. from the existing right-of-way (15 ft. from the future right-of-way) in lieu of the required 38 ft. for proposed lot 2.

Zoning Commissioner of  
Baltimore County

cc: James Folden

**COPY**

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3354

July 23, 1991

Mr. James Folden  
20 W. Seminary Avenue  
Lutherville, MD 21093

RE: Item No. 483, Case No. 91-494-A  
Petitioner: James Folden  
Petition for Zoning Variance

Dear Mr. Folden:

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

**COPY**

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3354

Your petition has been received and accepted for filing this  
26th day of June, 1991.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

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

Petitioner: James Folden  
Petitioner's Attorney:

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(301) 887-1500

JUNE 21, 1991

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

RE: Property Owner: JAMES FOLDEN  
Location: #1503 NORMAN AVENUE  
Item No.: 483 Zoning Agenda: JUNE 25, 1991

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.

Noted and Approved  
REVIEWER: *Carl J. Kelly* 6-25-91 Approved: *Carl J. Kelly*  
Planning & Zoning Division Fire Prevention Bureau  
Special Inspection Division

JK/KEK

*Rec'd 6/25/91*

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: July 17, 1991

TO: Mr. J. Robert Haines  
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: June 25, 1991

This office has no comments for items number 463, 464, 465, 471, 478, 480, 481, 483, 484, 485, 486, 487, 488 and 489.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: July 9, 1991  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for June 25, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 463, 464, 465, 471, 478, 480, 484, 485, 487, 488, 489.

For Items 476 and 490, the previous County Review Group Meeting Comments still apply.

For Items 481, 482 and 486, County Review Group Meetings may be required.

For Item 481, Cockeysville Road is an existing road, and no further improvements are required at this time.

In addition, entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

Also, prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services (887-3321).

For Item 482, Hammonds Ferry Road and Second Avenue are existing roads, and no further improvements are requested at this time.

However, prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services (887-3321).

For Item 486, Pulaski Highway (U.S. Route 40) is a State Road and any improvements, including entrances, are subject to requirements and approval of the State Highway Administration.

Page 2  
Zoning Advisory Committee Meeting for June 25, 1991

For Item 483, the previous minor subdivision comments still apply.

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

RWB:s

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(301) 887-4500

AUGUST 6, 1991

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

RE: REVISED PETITION AND PLATS RECEIVED FOR ITEM #483  
(CASE #91-494-A) ON JULY 30, 1991.

Item No.: 483 Zoning Agenda: AUGUST 6, 1991

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: *C. H. [Signature]* Noted and Approved *C. W. [Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/REK

Rec'd  
8/7/91

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 6, 1991  
Zoning Administration and  
Development Management

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

SUBJECT: Folden Properties, Item No. 483

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

The Office of Planning and Zoning recommends granting the variances for a front yard of 30 ft. from the existing right-of-way (25 ft. from the future right-of-way) in lieu of the required 38 ft. and rear yard of 20 ft. in lieu of the required 30 ft.

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  
ITEM483/ZAC1

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

August 8, 1991

Mr. James A. Folden  
20 W. Seminary Avenue  
Lutherville, MD 21093

RE: 91-494-A

Dear Mr. Folden:

Enclosed are copies of the Planning Office comments received on August 6, 1991 for case number 91-494-A.

If there are any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

*Julie A. Winarski*  
JULIE A. WINIARSKI

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

August 14, 1991

Mr. James A. Folden  
20 W. Seminary Avenue  
Lutherville, MD 21093

RE: 91-494-A

Dear Mr. Folden:

Enclosed are copies of the Planning Office comments received on August 13, 1991 for case number 91-494-A.

If there are any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

*Julie A. Winarski*  
JULIE A. WINIARSKI

cc: Mr. Charles Gast



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

April 9, 1992

Arnold H. Ripperger, Esquire  
P.O. Box 38189  
Baltimore, MD 21231

RE: Case No. 91-494-A  
James A. Folden

Dear Mr. Ripperger:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,  
*Kathleen C. Weidenhammer*  
Kathleen C. Weidenhammer  
Administrative Assistant

encl.

cc: Mr. James Folden  
Mr. Thomas Longo  
Mr. Wayne Peshman  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of  
Zoning Administration

RECEIVED  
APR 9 1992  
ZONING OFFICE

COPY

James Folden  
20 W. Seminary Avenue  
Lutherville, Maryland 21093

Re: Case Number: 91-494-A  
Petitioner(s): James Folden

Dear Petitioner:

This office is in receipt of the revisions filed with regard to the above captioned matter. I must inform you that the revisions were not received in such time as to allow their advertisement before the scheduled hearing date. Therefore, the case will not go forward on August 22, 1991.

Currently the hearing docket has been scheduled throughout the month of September, 1991. Presently it appears that this case will be reset within the first ten working days of October, 1991. However, should a postponement or withdrawal open a slot in September, I will make the effort to reschedule this matter accordingly.

Thank you for your anticipated cooperation.

Very truly yours,

G. G. Stephens  
(301) 887-3391

NOTICE OF REASSIGNMENT  
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-494-A  
JAMES A. FOLDEN  
E/S Norman Avenue, 40' N of  
W. Seminary Ave. (1503 Norman Ave.)  
8th Election District;  
3rd Councilmanic District  
VAR-front and rear yard setbacks  
10/1/91 - D.Z.C.'s Order DENYING  
Petition.

which was scheduled for hearing on April 22, 1992 has been REASSIGNED at the request of Counsel for Petitioner due to schedule conflict and has been

REASSIGNED FOR: WEDNESDAY, APRIL 1, 1992 AT 10:00 a.m.

cc: Arold H. Ripperger, Esquire-Counsel for Petitioner

Mr. James A. Folden - Petitioner/Appellant

Mr. Thomas Longo

Mr. Wayne Poehlman  
P. David Fields  
Pat Keller  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary

APPEAL

Petition for Zoning Variance  
E/S Norman Avenue, 40' N of West Seminary Avenue  
(1503 Norman Avenue)  
8th Election District - 3rd Councilmanic District  
JAMES A. FOLDEN - Petitioner  
Case No. 91-494-A

Petition(s) for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner and Protestant Sign-in Sheets

Petitioner's Exhibits: 1 - 4 - Photographs

Deputy Zoning Commissioner's Order dated October 1, 1991 (Denied)

Notice of Appeal received November 1, 1991\* from Arold H. Ripperger, Attorney on behalf of the petitioner.

cc: James Folden, 20 W. Seminary Avenue, Lutherville, MD 21093

Arold H. Ripperger, Esquire - P.O. Box 38189, Balto., MD 21231

Thomas Longo, 16 W. Seminary Avenue, Lutherville, MD 21093

Wayne Poehlman, 1505 Norman Avenue, Lutherville, MD 21093

People's Counsel of Baltimore County

Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
Lawrence E. Schmidt, Zoning Commissioner  
Timothy M. Kotroco, Deputy Zoning Commissioner  
James E. Dyer, Zoning Supervisor  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, Director of Zoning Administration  
and Development Management  
Public Services

NOTICE OF ASSIGNMENT  
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-494-A  
JAMES A. FOLDEN  
E/S Norman Avenue, 40' N of  
W. Seminary Ave. (1503 Norman Ave.)  
8th Election District;  
3rd Councilmanic District  
VAR-front and rear yard setbacks  
10/1/91 - D.Z.C.'s Order DENYING  
Petition.

ASSIGNED FOR: WEDNESDAY, APRIL 22, 1992 AT 1:00 p.m.

cc: Arold H. Ripperger, Esquire-Counsel for Petitioner

Mr. James A. Folden - Petitioner/Appellant

Mr. Thomas Longo

Mr. Wayne Poehlman  
People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kuszmaul  
Legal Secretary

1/14/92 - Following parties notified of hearing set for April 22, 1992 at 1:00 p.m.:

Arold H. Ripperger, Esquire

Mr. James A. Folden

Mr. Thomas Longo

Mr. Wayne Poehlman  
People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
Public Services  
Lawrence E. Schmidt  
Timothy M. Kotroco  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon

2/6/92 - Above parties sent Notice of Reassignment to April 1, 1992 at 10:00 a.m. at the request of Counsel for Petitioner due to schedule conflict.

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

RE: Petition for Zoning Variance  
E/S Norman Avenue, 40' N of West Seminary Avenue  
(1503 Norman Avenue)  
8th Election District, 3rd Councilmanic District  
JAMES A. FOLDEN - Petitioner  
Case No. 91-494-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on November 1, 1991\* by Arold H. Ripperger, Attorney on behalf of the Petitioner. All materials relative to the case are being forwarded herewith. (\*Please note, the 30-day deadline case are being forwarded herewith. (\*Please note, the 30-day deadline for filing an appeal was quoted erroneously as being November 1, 1991 by Charlotte Radcliffe, Appeal Clerk of the Zoning Office.)

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

Very truly yours,

Zoning Commissioner

LES:cer

Enclosures

cc: James Folden, 20 W. Seminary Avenue, Lutherville, MD 21093  
Arold H. Ripperger, Esquire - P.O. Box 38189, Balto., MD 21231  
Thomas Longo, 16 W. Seminary Avenue, Lutherville, MD 21093  
Wayne Poehlman, 1505 Norman Avenue, Lutherville, MD 21093

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

File

Arold H. Ripperger  
ATTORNEY AND COUNSELOR AT LAW  
1719 BOLDEN STREET  
P.O. BOX 38189  
BALTIMORE, MARYLAND 21231-8189

TELEPHONE  
301-337-2333  
FAX 332-4980

October 31st, 1991

Baltimore County Board of Appeals  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

HAND DELIVERED

Re: PETITION FOR ZONING VARIANCE  
E/S Norman Avenue, 90' N of W. Seminary Avenue  
(1503 Norman Avenue)  
8th Election District - 3rd Councilmanic District  
James A. Folden - Petitioner  
Case No. 91-494-A

Dear Sirs:

This letter notes an appeal to the Board of Appeals from the decision issued October 1st, 1991 in the subject case by Deputy Zoning Commissioner Timothy M. Kotroco. Mr. Folden's check no. 2993-dated October 29th, 1991 and in the amount of \$150.00 is enclosed with this letter to pay the filing costs.

There also are enclosed with this letter copies of the letter dated October 1st, 1991 and the commissioner's Findings of Fact and Conclusions of Law which accompanied that letter, and of the envelope in which the aforesaid letter and Findings were mailed. You will note that, although the letter is dated October 1, 1991, the postage meter date on the envelope is "Oct 10 '91". The date stamped on the letter "Oct 15 1991" indicates the date on which the envelope was received in my office. As a result of the delayed mailing, client and I were deprived of one-third of the thirty days allowed for consideration of the decision and filing of this appeal.

The burden of the appeal is that the decision is incorrect.

Very sincerely yours,

Arold H. Ripperger

encs.

cc: Mr. James A. Folden-w/enc1.

Arold H. Ripperger  
ATTORNEY AND COUNSELOR AT LAW  
1719 BOLDEN STREET  
P.O. BOX 38189  
BALTIMORE, MARYLAND 21231-8189

January 30th, 1992

Mrs. Linda Lee M. Kuszmaul  
Legal Secretary  
County Board of Appeals of Baltimore County  
County Office Building, Room 49  
400 Washington Avenue  
Towson, Maryland 21204

Re: Case No. 91-494-A  
James A. Folden  
E/S Norman Avenue, 40' N of  
W. Seminary Avenue (1503 Norman Ave.)  
8th Election District  
3rd Councilmanic District

Dear Mrs. Kuszmaul:

In accord with your advice in our telephone conversation on Wednesday, January 29th, 1992, this letter requests that the subject case be advanced for hearing at a date earlier than Wednesday, April 22nd, 1992, the date scheduled per your January 14th, 1992 notice of assignment.

I understand that the possibility of an earlier date depends upon cancellations and the order of pending cases. Because of Mr. Folden's schedule at his employment, it would be a great help were an earlier date to become available.

Thank you for your consideration of this request.

Very sincerely yours,

Arold H. Ripperger

cc: Mr. James A. Folden  
M. Thomas Longo  
Mr. Wayne Poehlman

Lutherville Community Association  
P/O Box 6  
Lutherville, Maryland 21093

Mr. Timothy Kotroco  
Deputy Zoning Commissioner  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re : Case No. : 91-494-A, It. 483  
Variance for 1503 Norman Ave.,  
owned by James Folden

Dear Mr. Kotroco:

In response to your request for information concerning the above referenced case, I offer the following background information. Mr. Folden made the Board of Directors of the Association aware of his desires in April, 1991, and at that time he was only requesting a variance for the front yard setback. As the director responsible for zoning matters, I told him we would withhold any official stance until I had the opportunity to poll his immediate neighbors. Towards that end, I spoke with Mr. Curtis Andrews, 1500 Norman Avenue, and Mr. and Mrs. Thomas Longo, 16 West Seminary Avenue, at some length, as well as a brief conversation with Mr. and Mrs. Poehlman, 1505 Norman Avenue. Both Mr. Andrews and Mr. Longo indicated they were not thrilled by the proposal, but they would not oppose the request. Both parties indicated that Mr. Folden's ownership of the property gave him the right to make such a request. The Poehlmans did not welcome the proposal, but they were too busy to discuss the matter when I approached them in person. They indicated that they would follow up our brief meeting with a telephone conversation, but the call never materialized.

These preliminary findings were discussed at the Board meeting in May, 1991. Ultimately the Board voted not to oppose the petition for a variance. At the Association's general meeting in June the subject also came up for a discussion and a vote. A segment of those in attendance opposed the matter, at least in part because of a disinclination towards any additional development in Lutherville, but the majority allowed Mr. Folden to proceed.

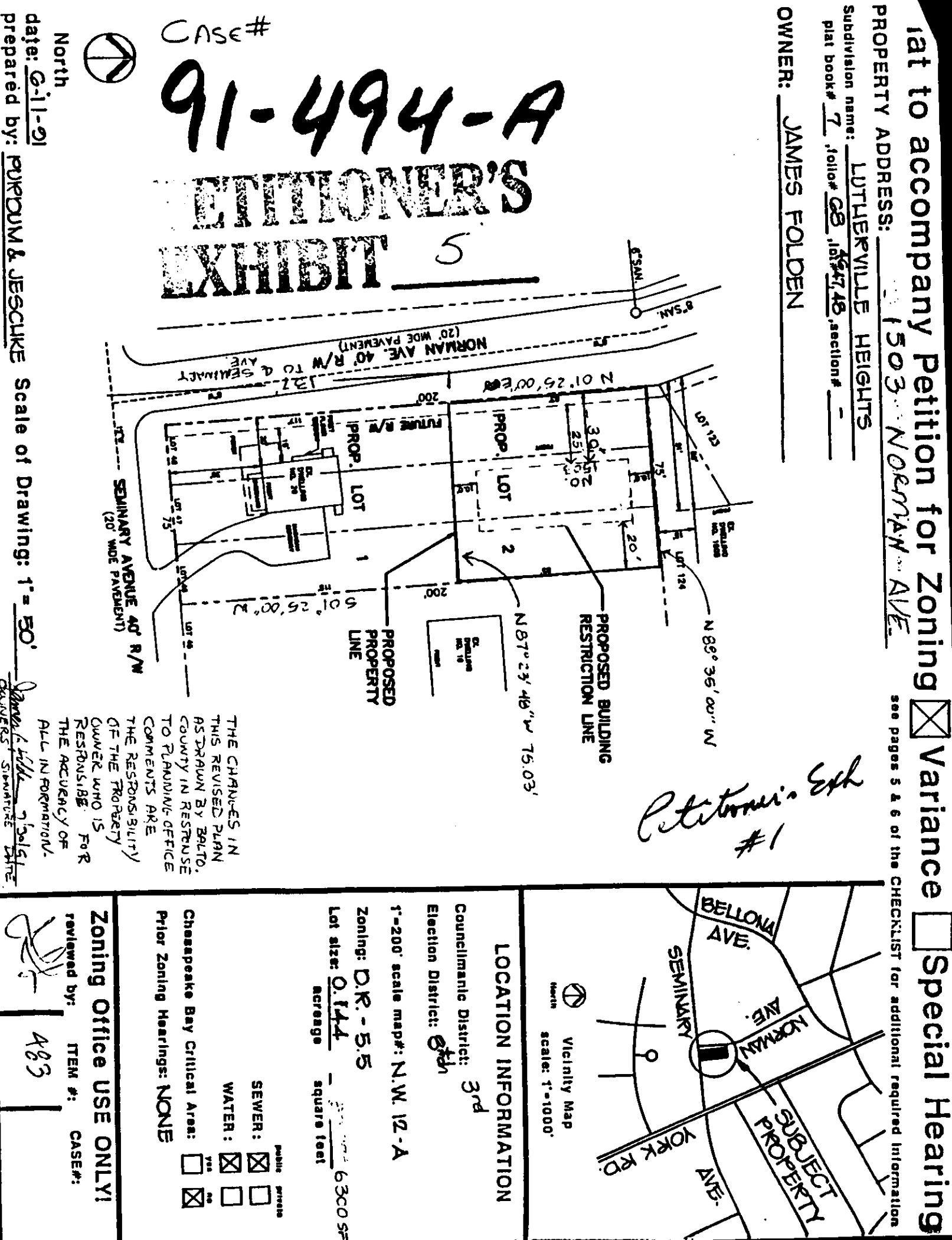
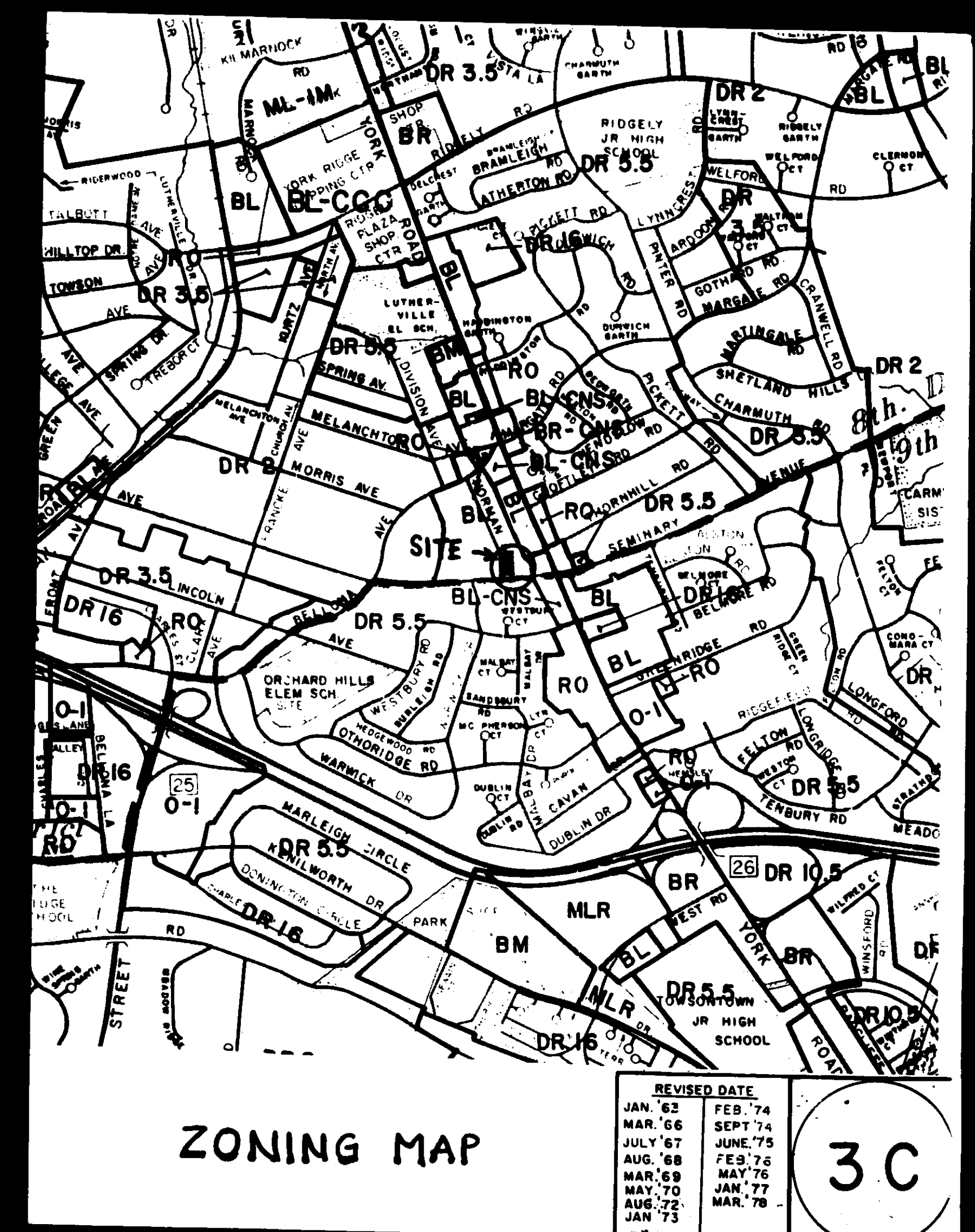
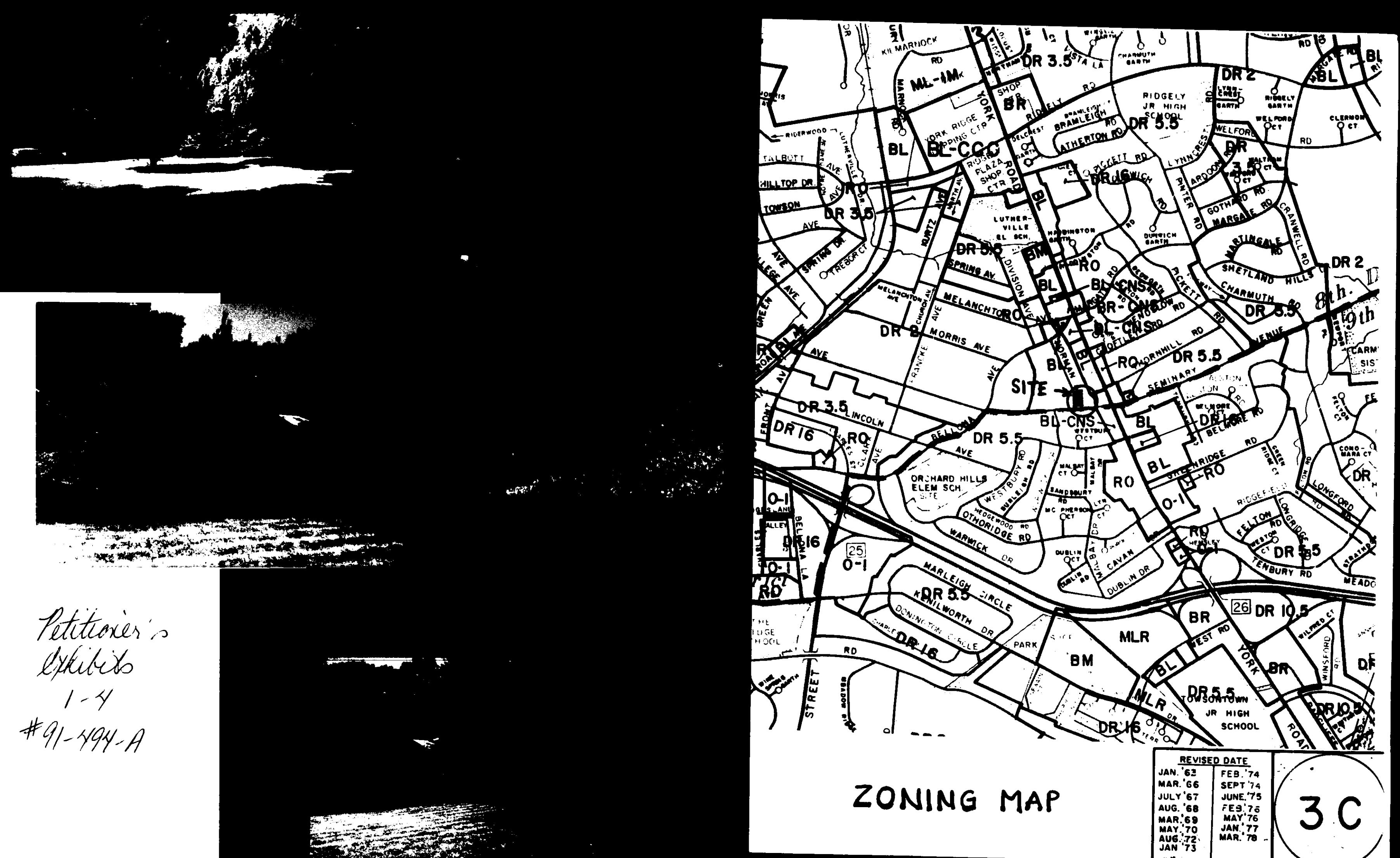
RECEIVED  
SEP 25 1991  
ZONING OFFICE

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME: James A. Folden ADDRESS: 20 W. Seminary Ave. Towson  
NAME: Arnold H. Rippenha ADDRESS: 1719 Gough St. 21231-8164

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME: Thomas Longo ADDRESS: 16 W. Seminary Ave.  
NAME: Wayne Poehlman ADDRESS: 1505 Norman Ave.



Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

August 8, 1991

RE: 91-494-A

Dear Mr. Folden:

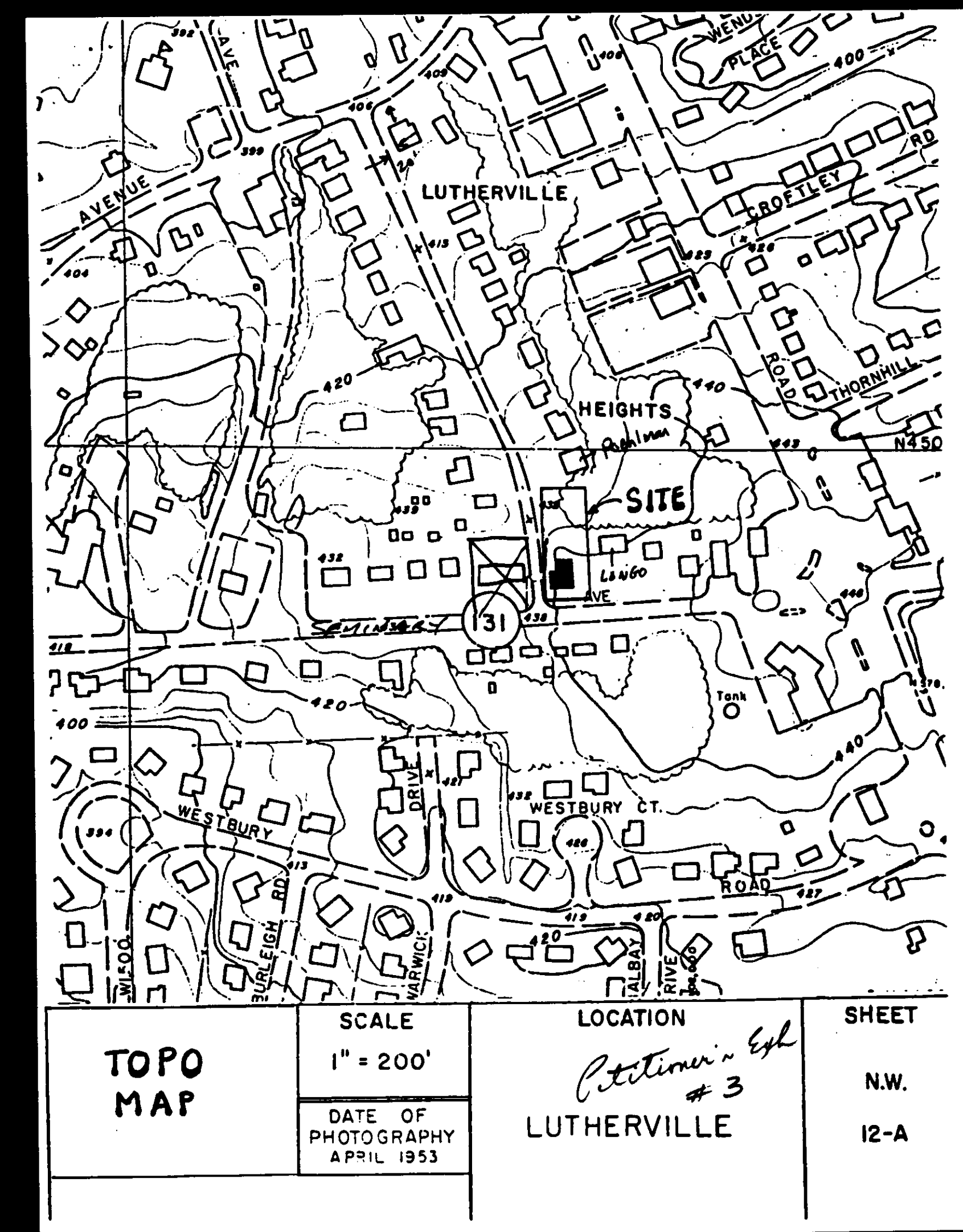
Enclosed are copies of the Planning Office comments received on August 6, 1991 for case number 91-494-A.

If there are any questions, please do not hesitate to call me at 887-3391.

Very truly yours,  
JULIE A. WINIARSKI

Petitioner's Exh #2

887-3355



Lutherville Community Association  
P/O Box 6  
Lutherville, Maryland 21093

Mr. Timothy Kotroco  
Deputy Zoning Commissioner  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re : Case No. : 91-494-A, It. 483  
Variance for 1503 Norman Ave.,  
owned by James Folden

Dear Mr. Kotroco:

In response to your request for information concerning the above referenced case, I offer the following background information. Mr. Folden made the Board of Directors of the Association aware of his desires in April, 1991, and at that time he was only requesting a variance for the front yard setback. As the director responsible for zoning matters, I told him we would withhold any official stance until I had the opportunity to poll his immediate neighbors. Towards that end, I spoke with Mr. Curtis Andrews, 1500 Norman Avenue, and Mr. and Mrs. Thomas Longo, 16 West Seminary Avenue, at some length, as well as a brief conversation with Mr. and Mrs. Poehlman, 1505 Norman Avenue. Both Mr. Andrews and Mr. Longo indicated they were not thrilled by the proposal, but they would not oppose the request. Both parties indicated that Mr. Folden's ownership of the property gave him the right to make such a request. The Poehlmans did not welcome the proposal, but they were too busy to discuss the matter when I approached them in person. They indicated that they would follow up our brief meeting with a telephone conversation, but the call never materialized.

These preliminary findings were discussed at the Board meeting in May, 1991. Ultimately the Board voted not to oppose the petition for a variance. At the Association's general meeting in June the subject also came up for a discussion and a vote. A segment of those in attendance opposed the matter, at least in part because of a disinclination towards any additional development in Lutherville, but the majority allowed Mr. Folden to proceed.

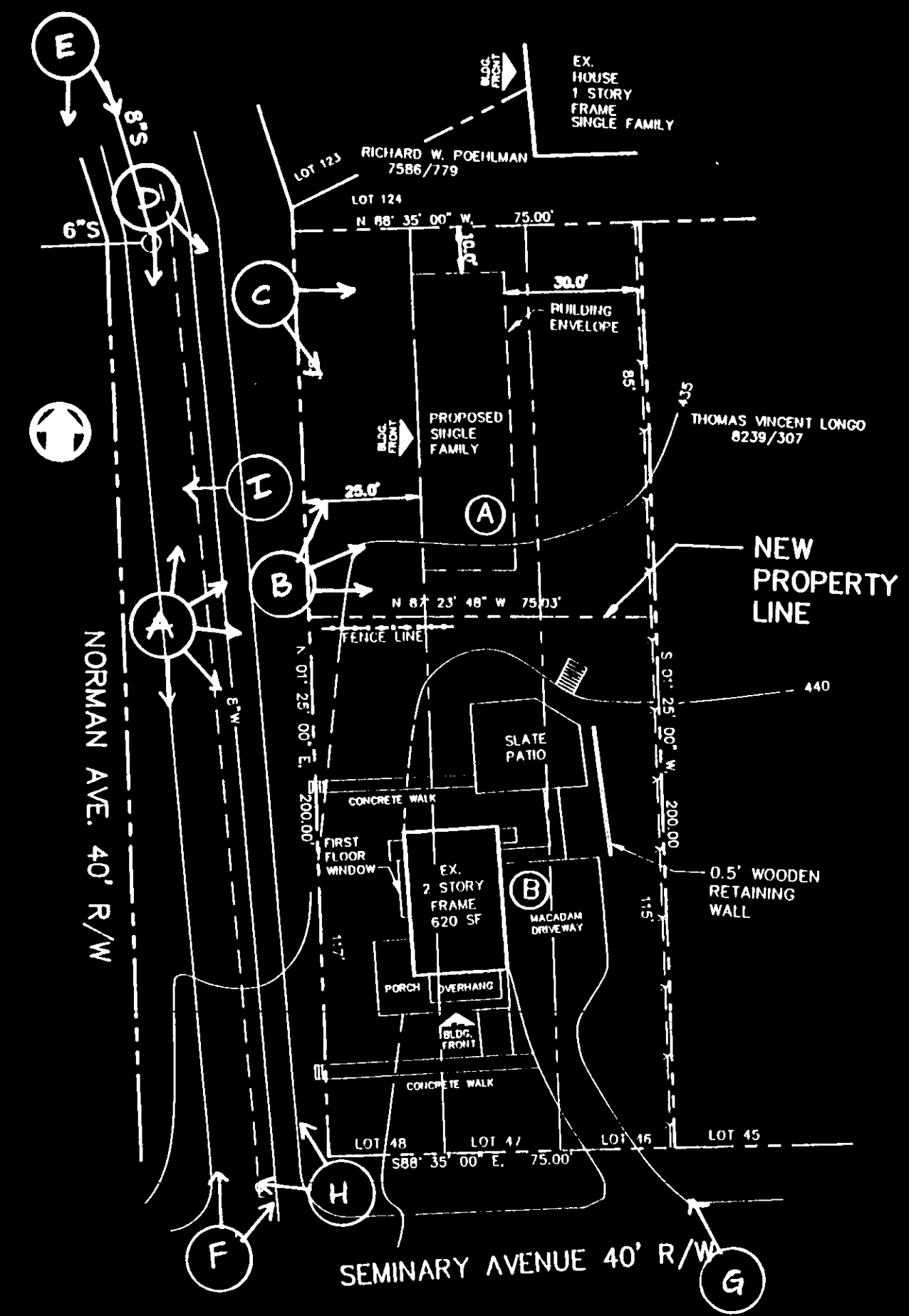
Petitioner's Exh #4

91-494-A

ITEM # 483  
PHOTOGRAPHS  
20 W. SEMINARY AVE.

OWNER - JAMES FADEN  
EXIST. LOTS 46, 47, 48  
LUTHERVILLE HEIGHTS

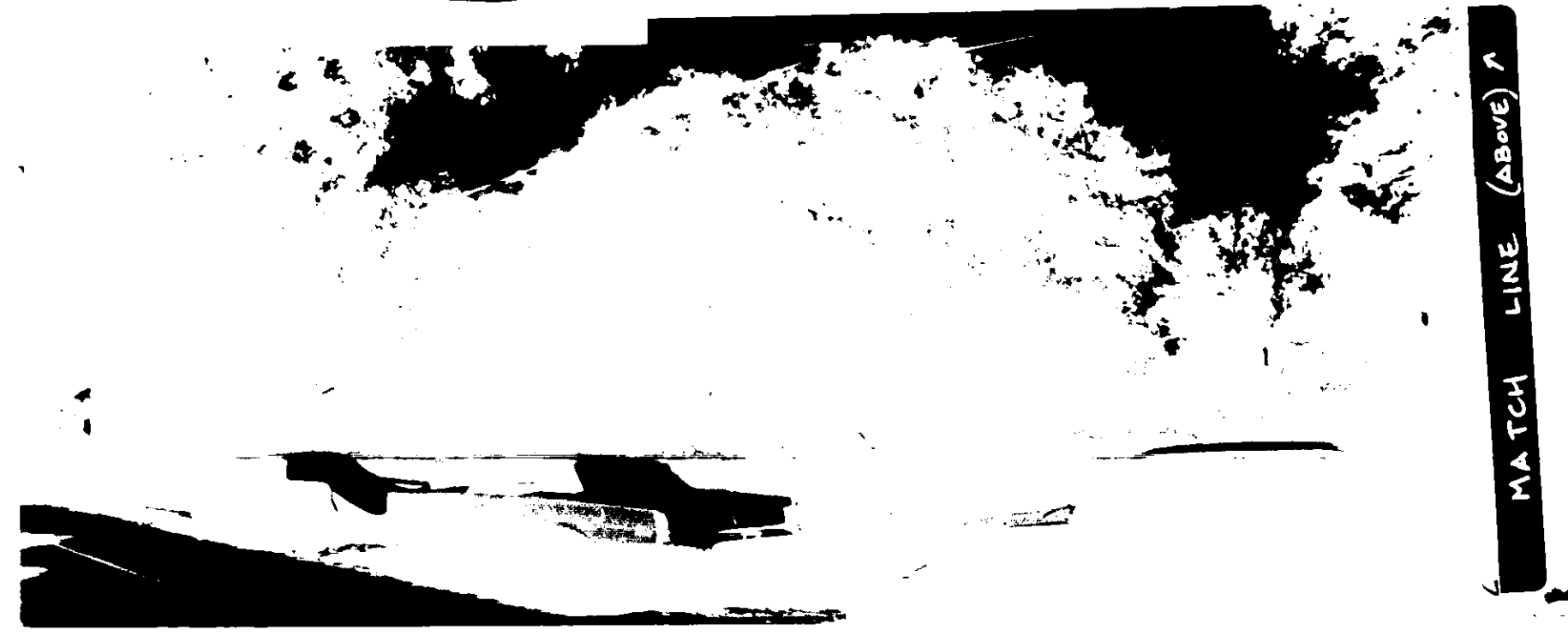
*3rd of Gazette  
Petition Sep 75*



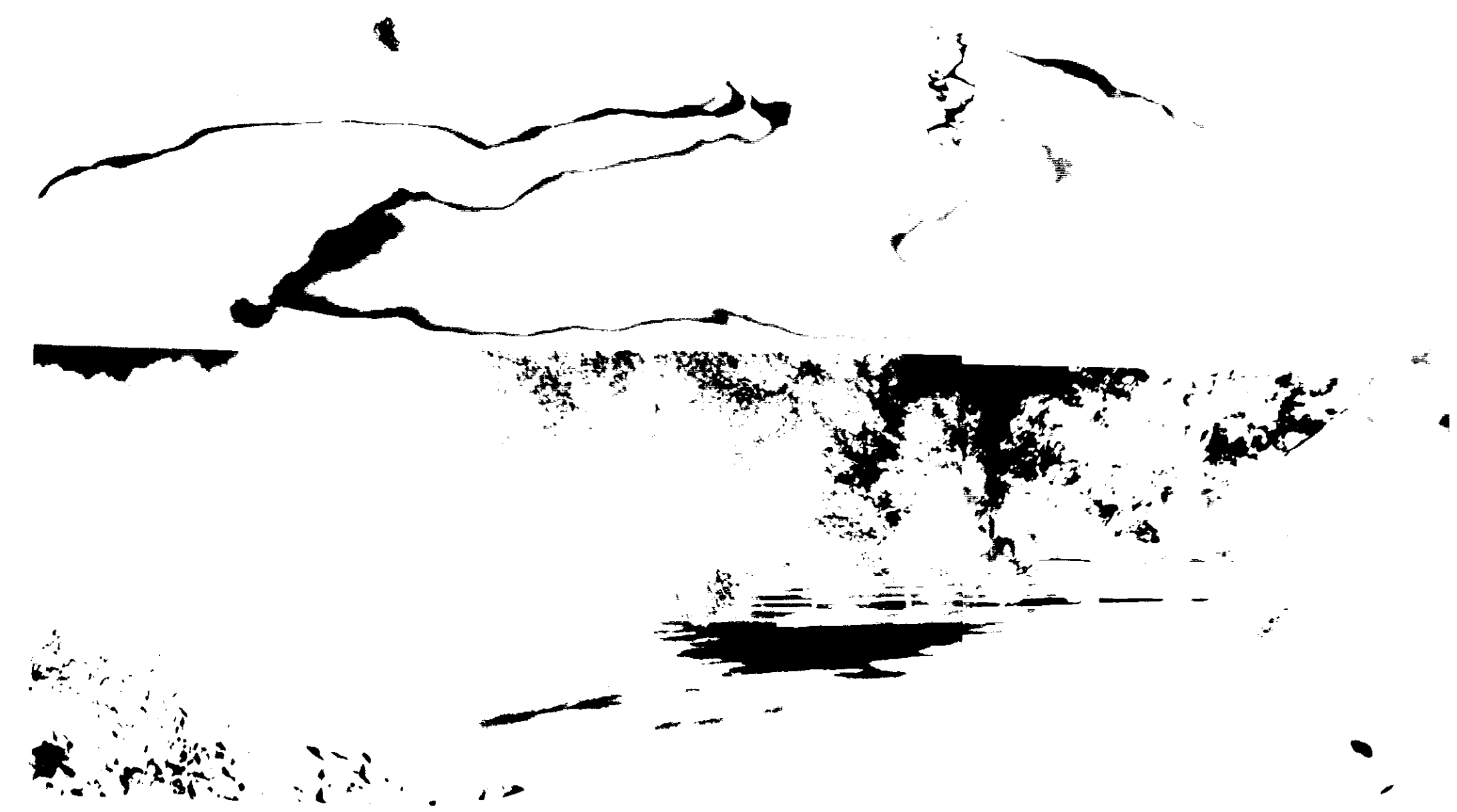
PHOTOGRAPH LOCATIONS



A



B



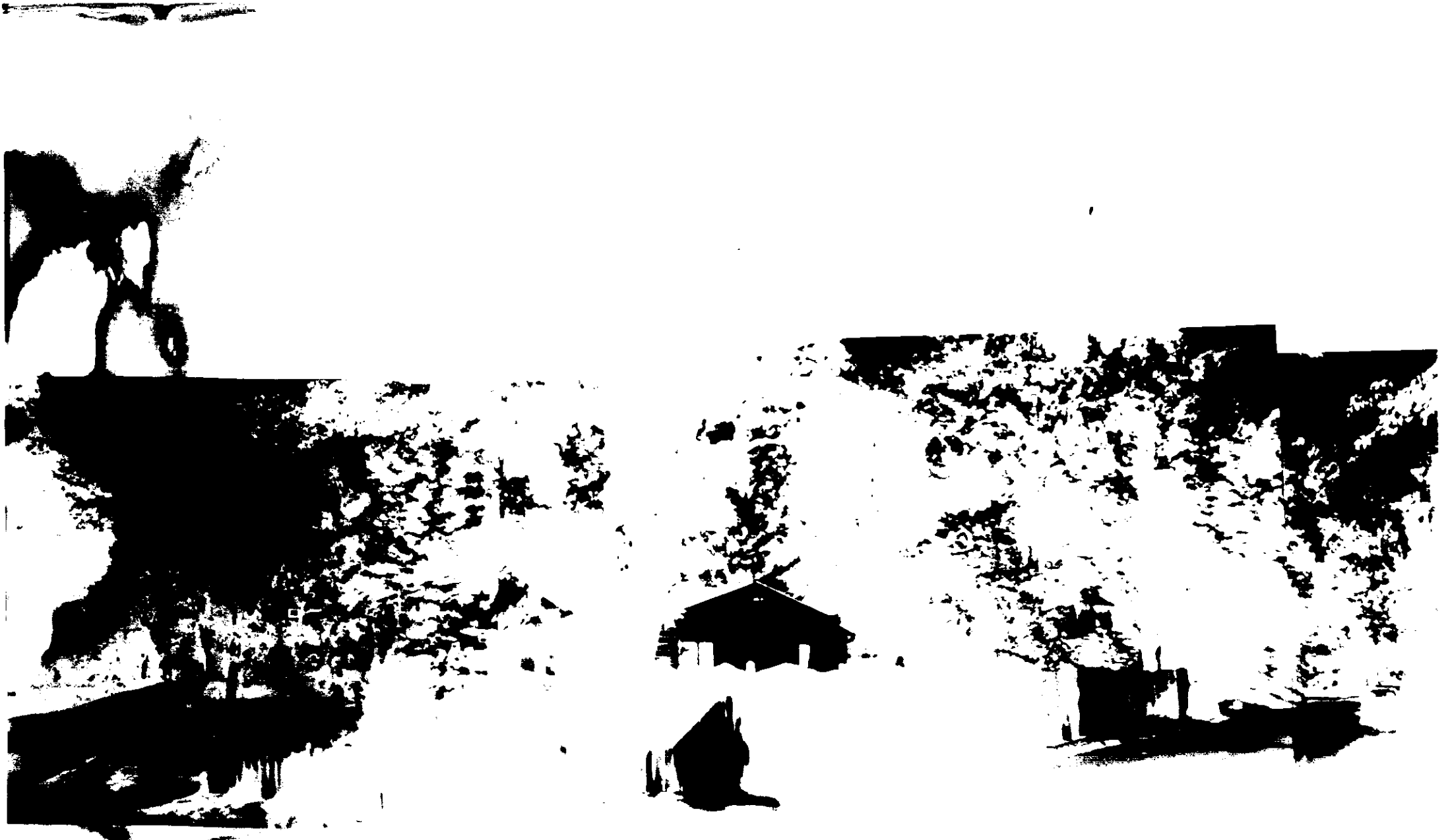
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D



E



F



G



H



I