

IN RE: PETITION FOR ZONING VARIANCE
S/S Patapsco Avenue, 344' W of
the c/l of Walnut Avenue
(611 Patapsco Avenue)
15th Election District
7th Councilmanic District

John Reese Owens
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-128-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 1B02.3.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling in accordance with Petitioner's Exhibit 2.

The Petitioner appeared, testified and was represented by Stuart D. Kaplow, Esquire. Also appearing on behalf of the Petitioner were Ron Spielman and Dwight Little with W. Duvall and Associates, Inc. Appearing as Protestants in the matter were Mr. and Mrs. W. C. Reed, adjoining property owners.

Testimony indicated that the subject property, known as 611 Patapsco Avenue, consists of two lots comprising 0.169 acres more or less zoned D.R. 5.5 and is presently unimproved. Petitioner is desirous of developing the property with a single family dwelling in accordance with Petitioner's Exhibit 1. Mr. Owens testified he purchased the subject property approximately three months ago along with the adjoining property known as 613 Patapsco Avenue. He indicated that at the time of purchase, he was under the impression that he could construct a dwelling on the two lots known as 611 Patapsco Avenue. Mr. Owens testified that he found out shortly thereafter that he would not be able to build a home without the requested variance. Petitioner testified that 613 Patapsco Avenue is im-

ORDER RECEIVED FOR FILING

Date 11/2/91

By [Signature]

MICROFILMED

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

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 9-23-91

COPY

John Reese Owens
327 Register Avenue
Baltimore, Maryland 21212

RE:
CASE NUMBER: 92-128-A
S/S Patapasco Avenue, 344' W of c/l Walnut Avenue
611 Patapasco Avenue
15th Election District - 7th Councilmanic
Petitioner(s): John Reese Owens
HEARING: MONDAY, NOVEMBER 4, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 800.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE 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 forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Lawrence E. Schacht
Lawrence E. Schacht
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

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

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

SEPTEMBER 26, 1991

COPY

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 113, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-128-A
S/S Patapasco Avenue, 344' W of c/l Walnut Avenue
611 Patapasco Avenue
15th Election District - 7th Councilmanic
Petitioner(s): John Reese Owens
HEARING: MONDAY, NOVEMBER 4, 1991 at 9:00 a.m.

Variance to allow a lot width of 50 ft. in lieu of the required 55 ft. width.

Lawrence E. Schacht
Lawrence E. Schacht
Zoning Commissioner of
Baltimore County

cc: John Reese Owens
W. Duvall & Associates, Inc.

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

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 23, 1991

Mr. John R. Owens
327 Register Avenue
Baltimore, MD 21212

RE: Item No. 131, Case No. 92-128-A
Petitioner: John R. Owens
Petition for Variance

Dear Mr. Owens:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: October 23, 1991
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

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

JED:jw
Enclosures

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

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 17th day of September, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

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

Petitioner: John R. Owens
Petitioner's Attorney:

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

DATE: October 18, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 1, 1991

This office has no comments for item numbers 127, 129, 130, 131, 132, 133, 134, 135, 138, 139, 140 and 141.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 27, 1991

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

SUBJECT: Owens Property, Item No. 131

The petitioner is requesting a Variance to permit a 50 ft. width in lieu of the minimum 55 ft. required. Staff has the following comments on the above request:

In instances such as these, staff's primary concerns are:

1. What is the impact on adjoining property?
2. Are adequate front, side and rear yard setbacks being provided on the site?
3. Will the reduced lot sizes result in requests for additional variances when subsequent lot owners try to build unsuitable homes on the lots or expand homes into required areas?

Based upon the information provided and analysis conducted, staff recommends that if the request is granted, the following conditions be attached:

- All building setback lines (front, side, rear) shall be shown on the site plan and recorded by the applicant on the deed of record. Furthermore, a statement shall be attached to the site plan which clearly states that all development shall conform to the setbacks as shown and additional variances shall not be granted for setbacks on the subject property.
- Any applications for building permits shall include a copy of the site plan and the commissioner's "Findings of Fact and Conclusion of Law," provided by the applicant.

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/rdn
ITEM131/TXTROZ

Baltimore County Government
Fire Department

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

(801) 887-4500

OCTOBER 1, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JOHN REESE OWENS
Location: #611 PATAPASCO AVENUE
Item No.: 131 Zoning Agenda: OCTOBER 1, 1991

Centlemen:

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.

Reviewed by: *James E. Dyer* Noted and Approved: *James E. Dyer*
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/REK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 27, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For October 1, 1991

The Development Engineering Division has reviewed the subject zoning items and we have no comments for Items 127, 129, 130, 131, 132, 133, 135, 137, 138, 139, 140 and 141.

For Item 134, this subdivision is okay, with no comments needed.

For Item 136, the comments are reserved until the County Review Group plan is submitted. However, sideyard setback dimensions may change as a result of the County Review Group comments.

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

END:cc

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS
Mr. & Mrs. W.C. Reed 609 Potapscoc Ave 21237

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS
John R. Owens 327 Register Ave
Stonewall D. Kariw 30 Blomhall 21202
Ron. Spigelman W. Duval Assoc. Inc

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 611 PATAPSCO AVE.
Subdivision name: CHESACO PARK SHEET 1 PLAND
plat book 6, folio 124, lots 522, sections 1
OWNER: JOHN REESE OWENS
327 REGISTER AVE.
BALTO, MD. 21212

92-128-A HAZ. LOCATION
KI 1

North
date: 9/28/91
prepared by: WIDENALL ASSOC., INC. Scale of Drawing: 1" = 50'

see pages 5 & 6 of the CHECKLIST for additional required information

LOCATION INFORMATION
Councilmanic District: 7TH
Election District: 15TH
1"=200' scale map: N.E. 2-F
Zoning: DR. S.S. EXIST.
Lot size: 0.167 7543.50
acreage square feet

SEWER: ☒ WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: ITEM #: CASE#:

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 611 PATAPSCO AVE.
Subdivision name: CHESACO PARK SHEET 1 PLAND
plat book 6, folio 124, lots 522, sections 1
OWNER: JOHN REESE OWENS
327 REGISTER AVE.
BALTO, MD. 21212

92-128-A

North
date: 9/28/91
prepared by: WIDENALL ASSOC., INC. Scale of Drawing: 1" = 50'

see pages 5 & 6 of the CHECKLIST for additional required information

LOCATION INFORMATION
Councilmanic District: 7TH
Election District: 15TH
1"=200' scale map: N.E. 2-F
Zoning: DR. S.S. EXIST.
Lot size: 0.167 7543.50
acreage square feet

SEWER: ☒ WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: ITEM #: CASE#:

CASE NUMBER: 92-128-A

SE NUMBER: 92-128-A

PETITIONER'S EXHIBIT #

PETITIONER'S EXHIBIT #



PETITIONER'S EXHIBIT 34



PETITIONER'S EXHIBIT 35

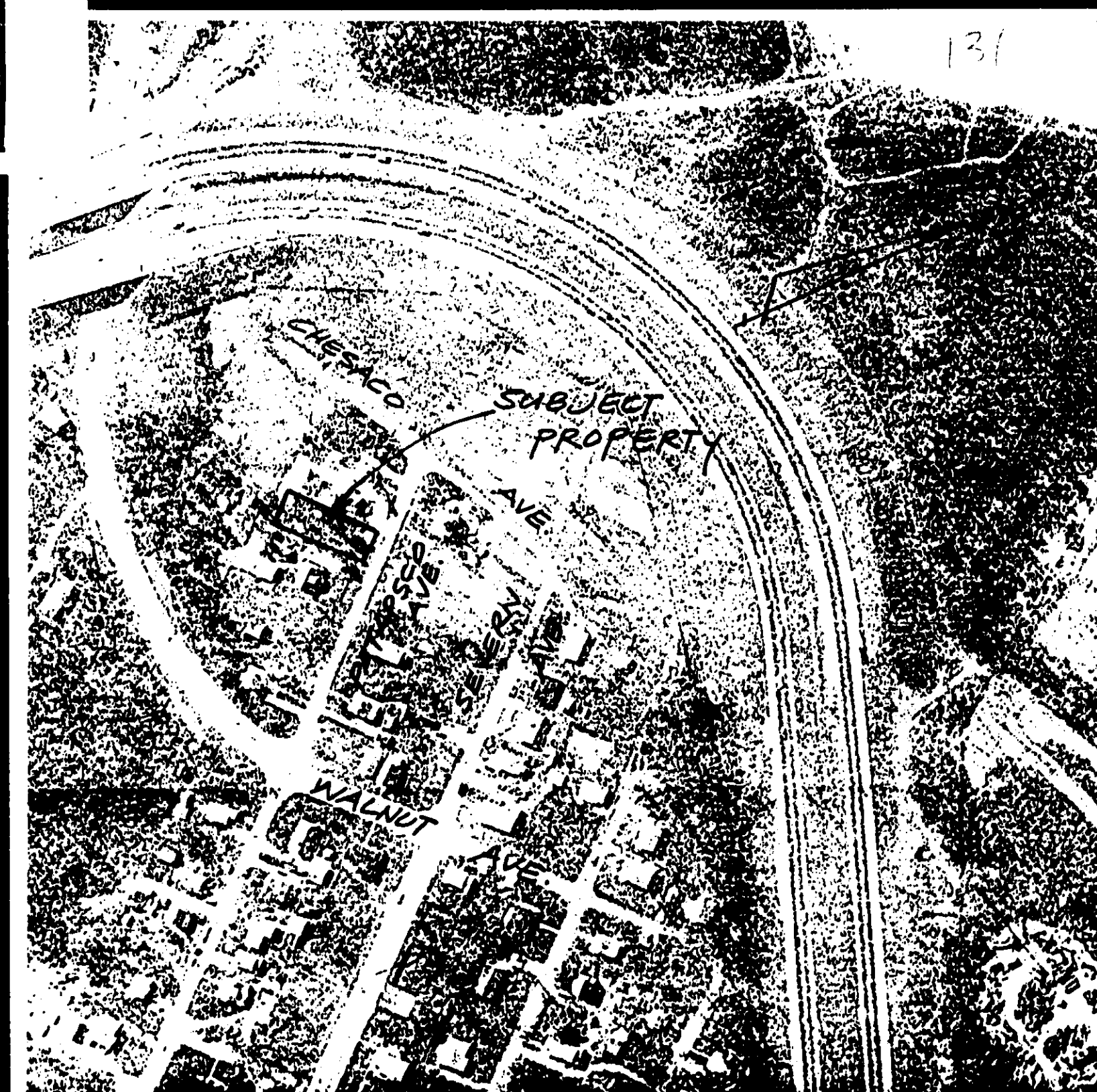
To Whom it May Concern:

8/16/91

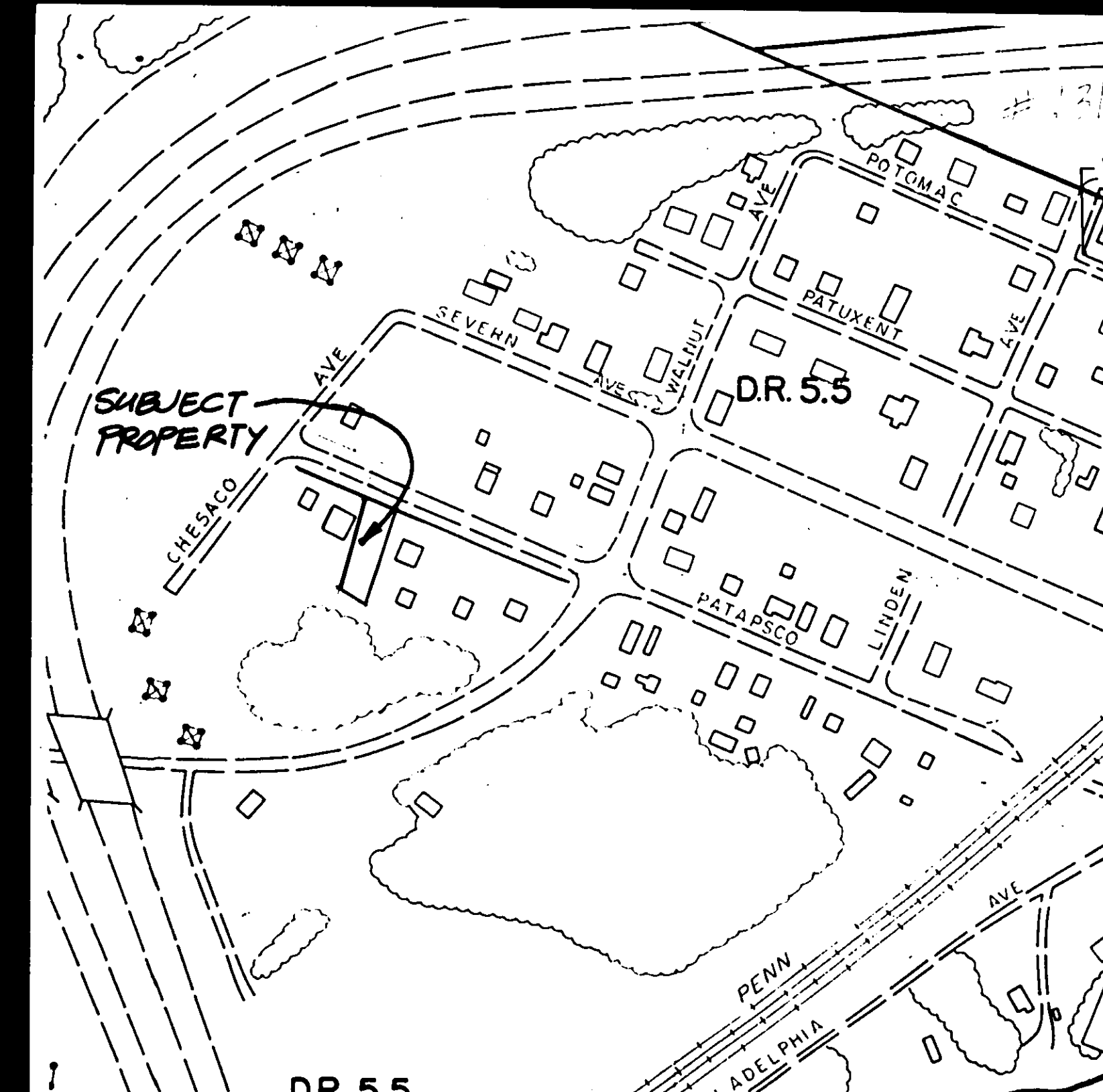
We have no objections to John R Owens building a new house next to my house at 609 Potapscoc Ave. Mr. Owens house will be located at 611 Potapscoc Avenue Baltimore Md 21237

William Reed
Marguerite Reed
W.C. Reed
Marguerite Reed

PETITIONER'S EXHIBIT 4



SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION CHESACO PARK
SHEET N.E. 2-F
92-128-A



SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION CHESACO PARK
SHEET N.E. 2-F
92-128-A