

IN RE: PETITIONS FOR VARIANCE  
 NW/8 Delmar Ave., 511' SW of  
 the c/l of North Point Road  
 (3006 Delmar Avenue); and,  
 NW/5 Delmar Ave., 561' SW of  
 the c/l of North Point Road  
 (3004 Delmar Avenue)  
 15th Election District  
 7th Councilmanic District

BEFORE THE  
 DEPUTY ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 94-267-A & 94-268-A

Bernard A. Hahn - Petitioner

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as combined Petitions for Variance in Case Nos. 94-267-A and 94-268-A for the subject adjacent properties, known as 3006 and 3004 Delmar Avenue, respectively. The Petitions were filed by the owner of the properties, Bernard A. Hahn, and the Contract Purchaser, Mark E. McCluskey, through their attorney, Jack N. Sturgill, Jr., Esquire. In both instances, the Petitioners seek relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet for each for an existing dwelling at 3006 Delmar Avenue and a proposed dwelling for 3004 Delmar Avenue. The property and relief requested is more particularly described on the site plan submitted and identified herein as Petitioner's Exhibits 1.

Appearing on behalf of the Petition were Bernard A. Hahn, property owner, and his son-in-law, Mark E. McCluskey. The Petitioner was represented by Jack N. Sturgill, Jr., Esquire. There were no Protestants.

Testimony and evidence presented indicated that the property known as 3006 Delmar Avenue, consists of 6,950.66 sq.ft., more or less, zoned D.R. 50 and is improved with a single family dwelling which has been the owner's residence for many years. The adjoining property known as 3004 Delmar Avenue consists of 6,761.46 sq.ft., more or less, and is currently

unimproved. The Petitioner is desirous of developing this lot with a single family dwelling for his daughter and son-in-law. Testimony revealed that the subject property is located within an older subdivision known as Cedarcrest, which was laid out with 25-foot wide lots and that most of the homes in this community were built on combined lots 50 feet in width. Inasmuch as this subdivision predates the zoning regulation establishing the minimum required width of 55 feet, the relief requested is necessary in order to proceed with the proposed development. Further testimony indicated that the building envelope proposed for this lot meets all other setback requirements imposed by the B.C.Z.R. and that the relief requested meets the spirit and intent of the zoning regulations.

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;
- 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).

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

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 granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24<sup>th</sup> day of February, 1994 that the Petitions for Variance seeking relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet for each for an existing dwelling at 3006 Delmar Avenue and a proposed dwelling at 3004 Delmar Avenue, in accordance with Petitioner's Exhibits 1, be and is hereby GRANTED, subject to the following restrictions:

- 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 relief granted herein shall be rescinded.

*Timothy M. Kotroco*  
 TIMOTHY M. KOTROCO  
 Deputy Zoning Commissioner  
 for Baltimore County

ORDER RECEIVED FOR FILING  
 Date 2/23/94  
 By [Signature]

TMK:bjb

Suite 113 Courthouse  
 400 Washington Avenue  
 Towson, MD 21204

February 24, 1994

(410) 887-4386

Jack R. Sturgill, Jr., Esquire  
 Hamilton Federal Building  
 19 W. Pennsylvania Avenue  
 Towson, Maryland 21204

RE: PETITIONS FOR VARIANCE  
 NW/8 Delmar Ave., 511' SW of the c/l of North Point Road  
 (3006 Delmar Avenue); and, NW/5 Delmar Ave., 561' SW of  
 the c/l of North Point Road (3004 Delmar Avenue)  
 15th Election District - 7th Councilmanic District  
 Bernard A. Hahn - Petitioner  
 Case Nos. 94-267-A & 94-268-A

Dear Mr. Sturgill:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Variance have 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
 TIMOTHY M. KOTROCO  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjb

cc: Mr. Bernard A. Hahn  
 3006 Delmar Avenue, Baltimore, Md. 21219

Mr. Mark E. McCluskey  
 7730 Bay Front Road, Baltimore, Md. 21219

People's Counsel

File



ORDER RECEIVED FOR FILING  
 Date 2/23/94  
 By [Signature]

**Petition for Variance**  
 to the Zoning Commissioner of Baltimore County  
 for the property located at 3006 Delmar Avenue, Baltimore, MD 21219  
 which is presently zoned RBS-5

This Petition shall be read with the Office of Zoning Administration & Development Management. 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(s) 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet.

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/Owner: Mark E. McCluskey, 7730 Bayfront Rd., Baltimore, Md. 21219  
 Legal Owner(s): Bernard A. Hahn, 3006 Delmar Ave., Baltimore, Md. 21219  
 Attorney for Petitioner: Jack N. Sturgill, Jr., Esquire, Hamilton Federal Building, 19 W. Pennsylvania Avenue, Towson, MD 21204

ESTIMATED LENGTH OF HEARING: 4 hrs.  
 The following date: 2/18-2/19, Next Two Months  
 ALL INFORMATION RECEIVED BY THE ZONING COMMISSIONER IS CONFIDENTIAL  
 RECEIVED BY: [Signature] DATE: 1-5-94

ORDER RECEIVED FOR FILING  
 Date 1/5/94  
 By [Signature]

*Item # 266*  
 Zoning Description  
 # 3006 Delmar Ave.  
 94-267-A  
 Beginning at a point on the north-west side of Delmar Ave. 511 ft ± south west of the center line of North-point Rd. as shown on the plat entitled "Second Revised Plat of Cedarcrest", lot nos 17 & 18 and being recorded in plat book 12 folio 31.

**CERTIFICATE OF POSTING**  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District: 1358 Date of Posting: 1/28/94  
 Posted for: [Signature]  
 Petitioner: Bernard A. Hahn & Mark E. McCluskey  
 Location of property: 3006 Delmar Ave., NW/8, 511 SW of N.P.R.  
 Location of signs: [Signature]  
 Remarks: [Signature]  
 Posted by: [Signature] Date of return: 1/28/94  
 Number of signs: 1

94-267-A  
 94-268-A

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 1/20, 1994  
 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 1/20, 1994.

THE JEFFERSONIAN,  
*A. Henickson*  
 LEGAL AD. - TOWSON

**receipt**  
 Baltimore County Zoning Administration & Development Management  
 211 West Chesapeake Avenue  
 Towson, Maryland 21204

94-267-A  
 Account: R-001-4196  
 Number: 266  
 Date: 1-5-94  
 Bernard Hahn  
 3006 Delmar Ave 21219  
 # 010 Residential Variance \$50.00  
 # 080 Sign + Posting 35.00  
 Total \$85.00

314010279W1CHRC  
 68 0011449A01-05-94 \$85.00  
 Please Make Checks Payable To: Baltimore County

TO: EVIDENT PUBLISHING COMPANY  
JANUARY 20, 1994 Issue - Jeffersonian

Please forward billing to:

Jack R. Sturgill, Jr., Esq.  
Hamilton Federal Building  
19 West Pennsylvania Avenue  
Towson, Maryland 21284  
28-6855

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, 111 W. Chesapeake Avenue in Towson, Maryland 21284 at

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

CASE NUMBER: 94-267-A (Item 266)  
3006 Delmar Avenue  
M/S Delmar Avenue, 511' x 75' SW of c/1 Westpoint Road  
15th Election District - 7th Councilmanic  
Legal Owner(s): Bernard A. Hahn  
Contract Purchase(s): Mark E. McCluskey  
HEARING: MONDAY, FEBRUARY 14, 1994 at 10:00 a.m. Rm 118, Old Courthouse.

Variance to permit a lot width of 50 feet in lieu of the minimum required 55 feet.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE MANICATED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

JANUARY 14, 1994

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3006 Delmar Avenue  
M/S Delmar Avenue, 511' x 75' SW of c/1 Westpoint Road  
15th Election District - 7th Councilmanic  
Legal Owner(s): Bernard A. Hahn  
Contract Purchase(s): Mark E. McCluskey  
HEARING: MONDAY, FEBRUARY 14, 1994 at 10:00 a.m. Rm 118, Old Courthouse.

Variance to permit a lot width of 50 feet in lieu of the minimum required 55 feet.

*Bill John*

Arnold Jablon  
Director

cc: Bernard A. Hahn  
Mark E. McCluskey  
Jack R. Sturgill, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE MANICATED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

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on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

February 8, 1994

Jack R. Sturgill, Jr., Esquire  
Hamilton Federal Building  
19 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Case No. 94-267-A, Item No. 266  
Petitioner: Bernard A. Hahn, et al  
Petition for Variance

Dear Mr. Sturgill:

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 indicate the appropriateness of the zoning action requested, but 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 January 5, 1994, and a hearing was 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 preliminary review by zoning personnel.

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Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Karsoff  
Admin. Director

1-20-94

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 94-266 (ZSS)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
DAVID N. KATZ, ACTING CHIEF  
John Contestable, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, Md 21286-5500

(410) 887-4500

DATE: 01/19/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21284  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION:

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the contents below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time, UN THE FOLLOWING ITEM NUMBERS: 264, 265, 266, 267, 268, 269, 270, 272, 273, 274, 275, AND 276.

RECEIVED  
JAN 20 1994  
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Prevention, PHONE 687-4681, MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: January 20, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 262, 264, 265, 267, 268, 270, 273, 274, 275 and 276.

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 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Gary L. Lewis*

PK/JL:lw

ZAC.262/PZONE/ZAC1

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

September 13, 1993

Mr. Bernard A. Hahn  
Bernie Hahn Enterprises  
3006 Delmar Avenue  
Baltimore, MD 21219

Subject: Limited Exemption Approval  
Hahn Property - 1507  
Delmar Avenue  
DRC No. 9073A

Dear Mr. Hahn:

On September 7, 1993, the Development Review Committee reviewed the plan submitted on the above referenced project and determined it to be a Limited Exemption under Section 26-171(a)(10) of the Baltimore County Development Regulations. This exempts your development from Division 2 of these regulations; however, compliance with Divisions 3, 4 and 5 is still required, as is compliance with all applicable zoning regulations.

The following requirements are necessary to further process your project and must be submitted to:

Zoning Administration and Development Management (ZADM)  
County Office Building - Room 123  
111 W. Chesapeake Avenue, Towson, MD 21204

1. Any additional engineering plans required by the County, such as, landscape, critical areas, storm water management, sediment and erosion control, forest buffer, forest conservation, etc. You may contact Environmental Impact Review (EIR) of the Department of Environmental Protection and Resource Management (DEPRM), at 887-3980 for details.
2. A copy of this Limited Exemption Approval letter.

Accordingly, you may apply for a building permit with the Department of Permits and Licenses, in the County Office Building, Room 100, 111 West Chesapeake Avenue, Towson, MD.

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on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

September 13, 1993

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Printed with Soybean Ink  
on Recycled Paper

Bernard A. Hahn  
p. 2  
September 13, 1993

If you have any questions, please feel free to call me at 410-887-3353.

Respectfully,

*Donald T. Rascoe*  
Donald T. Rascoe, Manager  
Development Management

LTR:KAK:ggl

cc: DEPRM/GWM - Att: Larry Pilson, Chief  
OPE - Att: Carolyn Beatty - M.S. 3402  
ZADM - Att: Carol Brown  
HAHN/XTXOGL

Existing zoning of 55' ...  
 Councilman's District  
 Public water & sewer service lot

Item # 266

**OWNER'S EXHIBIT 1**

OWNER  
 Bernard Hahn  
 4006 Delmar Avenue  
 Baltimore, Md. 21219

PLAT TO ACCOMPANY PETITION FOR A ZONING VARIANCE TO  
 ALLOW LOT WIDTHS OF 55' IN LIEU OF THE REQ. 55'

LOTS 17-18 AND 19-20 BLOCK E 55' REVISED PLAT  
 CEDAR CREST  
 PLAT # 12-31  
 15TH DISTRICT BALTIMORE COUNTY, MARYLAND  
 SCALE 1"=50' DATE 10-21-93

Plat offered to  
 zoning purposes

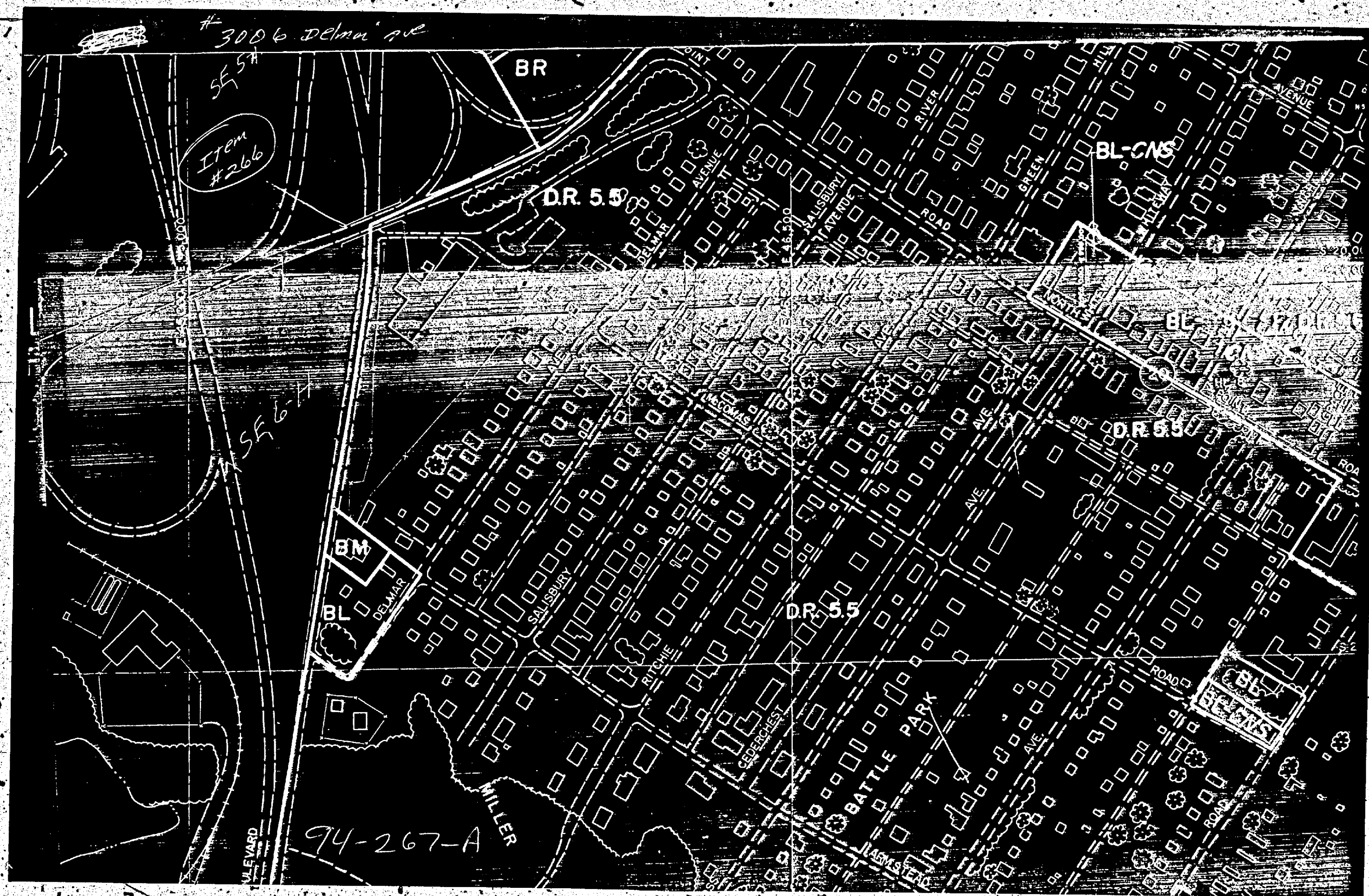
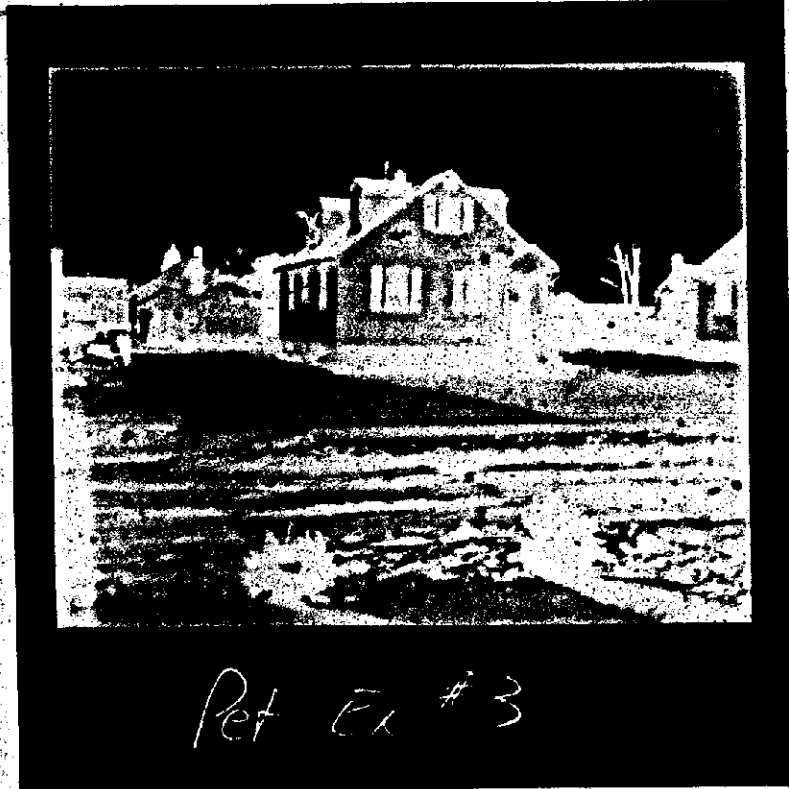
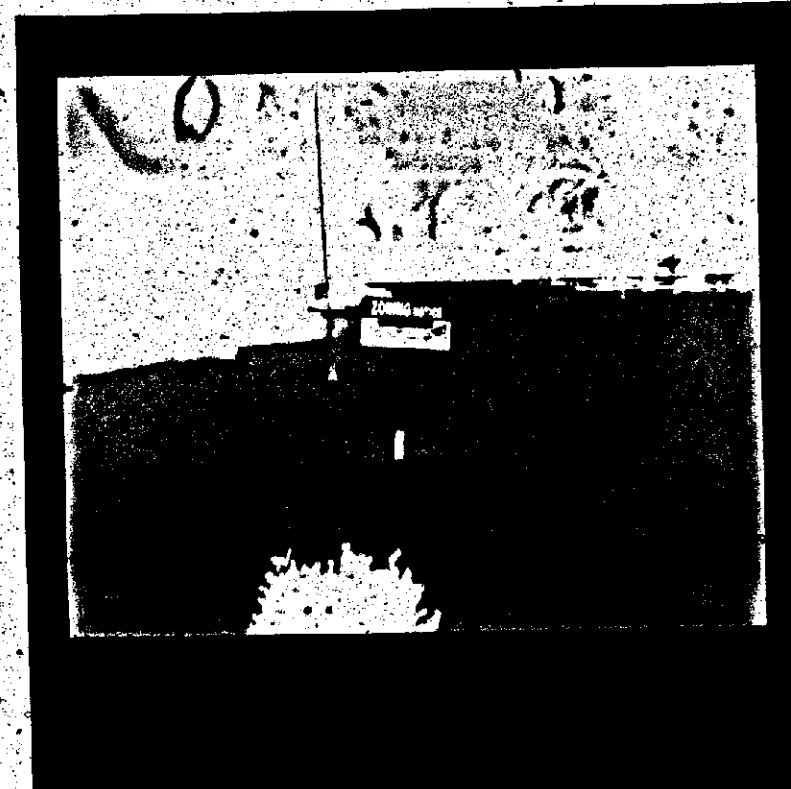
94-267-A

To Balto. Co. Property & Business Permits 12-21-93

**OWNER'S EXHIBIT 2**

I, William J. Wolf #3007  
 Delmar Ave Balto 21219  
 Have nothing against the lot,  
 property of 3006 Delmar Ave  
 being used for the purpose of  
 building a home (private residence)  
 William Wolf

Petitioner's  
 Exhibit 3  
 94-267-A



IN RE: PETITIONS FOR VARIANCE  
 NW/8 Delmar Ave., 511' SW of  
 the c/l of North Point Road  
 (3006 Delmar Avenue); and,  
 NW/8 Delmar Ave., 561' SW of  
 the c/l of North Point Road  
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 7th Councilmanic District

BEFORE THE  
 DEPUTY ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 94-267-A & 94-268-A

Bernard A. Hahn - Petitioner

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Testimony and evidence presented indicated that the property known as 3006 Delmar Avenue, consists of 6,980.66 sq.ft., more or less, zoned R.R. 5B and is improved with a single family dwelling which has been the owner's residence for many years. The adjoining property known as 3004 Delmar Avenue consists of 6,761.46 sq.ft., more or less, and is currently

unimproved. The Petitioner is desirous of developing this lot with a single family dwelling for his daughter and son-in-law. Testimony revealed that the subject property is located within an older subdivision known as Cedarcrest, which was laid out with 25-foot wide lots and that most of the homes in this community were built on combined lots 50 feet in width. Inasmuch as this subdivision predates the zoning regulation establishing the minimum required width of 55 feet, the relief requested is necessary in order to proceed with the proposed development. Further testimony indicated that the building envelope proposed for this lot meets all other setback requirements imposed by the B.C.Z.R. and that the relief requested meets the spirit and intent of the zoning regulations.

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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 granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24<sup>th</sup> day of February, 1994 that the Petitions for Variance seeking relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet for each for an existing dwelling at 3006 Delmar Avenue and a proposed dwelling at 3004 Delmar Avenue, in accordance with Petitioner's Exhibits 1, be and is hereby GRANTED, subject to the following restrictions:

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*Timothy M. Kotrood*  
 TIMOTHY M. KOTROOD  
 Deputy Zoning Commissioner  
 for Baltimore County

ORDER RECEIVED FOR FILING  
 Date 2/23/94  
 By [Signature]

Suite 113 Courthouse  
 400 Washington Avenue  
 Towson, MD 21204

February 24, 1994

(410) 887-4306

Jack R. Sturgill, Jr., Esquire  
 Hamilton Federal Building  
 19 W. Pennsylvania Avenue  
 Towson, Maryland 21204

RE: PETITIONS FOR VARIANCE  
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 (3006 Delmar Avenue); and, NW/8 Delmar Ave., 561' SW of  
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Very truly yours,  
*Timothy M. Kotrood*  
 TIMOTHY M. KOTROOD  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjjs

cc: Mr. Bernard A. Hahn  
 3006 Delmar Avenue, Baltimore, Md. 21219

Mr. Mark E. McCluskey  
 7730 Bay Front Road, Baltimore, Md. 21219

People's Counsel  
 file

ORDER RECEIVED FOR FILING  
 Date 2/23/94  
 By [Signature]

**Petition for Variance**  
 to the Zoning Commissioner of Baltimore County  
 for the property located at 3004 Delmar Avenue, Baltimore, Maryland, which is presently zoned R.R. 5B

This Petitioner desires relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet for each for an existing dwelling at 3006 Delmar Avenue and a proposed dwelling for 3004 Delmar Avenue. The property and relief requested is more particularly described on the site plan submitted and identified herein as Petitioner's Exhibits 1.

Property is to be posted and advertised as prescribed by Zoning Regulations. I do hereby agree to pay expenses of notice, 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.

Mark E. McCluskey  
 Mark E. McCluskey  
 7730 Bay Front Rd  
 Baltimore, Md. 21219

Bernard A. Hahn  
 Bernard A. Hahn  
 3004 Delmar Ave  
 Baltimore, Md. 21219

ORDER RECEIVED FOR FILING  
 Date 2/23/94  
 By [Signature]

Item #267  
 Zoning Description  
 # 3004 Delmar Ave.

Beginning At a point on the north-west side of Delmar Ave. 561' At ± southwest of the centerline of North Point Rd as shown on the plat entitled "Second Revised Plat of Cedarcrest" lot nos 19 & 20 and being recorded in Plat Book 12 folio 31.

**CERTIFICATE OF POSTING**  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District: 112 Date of Posting: 2/23/94  
 Posted for: [Signature]  
 Petitioner: Bernard A. Hahn & Mark E. McCluskey  
 Location of property: 3004 Delmar Ave, Baltimore, Md  
 Location of Signs: Facing West Way, on property being posted  
 Remarks:  
 Posted by: [Signature] Date of return: 2/23/94  
 Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 1/20, 1994  
 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 1/20, 1994.

THE JEFFERSONIAN,  
*A. Henriksen*  
 LEGAL AD. - TOWSON

**receipt**  
 Zoning Administration & Development Management  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Date: 1-5-94  
 By: Bernard Hahn  
 3004 Delmar Ave.

410 - Residential Variance - \$50.00  
 710 - Sign + Posting - 35.00  
 Total - \$85.00

PLEASE MAKE CHECKS PAYABLE TO: BALTIMORE COUNTY  
 \$95.00

Please forward billing to:

Jack R. Sturgill, Jr., Esq.  
Hamilton Federal Building  
19 W. Pennsylvania Avenue  
Towson, Maryland 21284  
78-6485

NOTICE OF HEARING

The Zoning Commission 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, 111 W. Chesapeake Avenue in Towson, Maryland 21284

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

CASE NUMBER: 94-268-A (Item 267)  
3004 Delmar Avenue  
M/S Delmar Avenue, 561 1/2' SW of c/l Westpoint Road  
15th Election District - 7th Councilmanic  
Legal Owner(s): Bernard A. Hahn  
Contract Purchaser(s): Mark E. McCluskey  
HEARING: MONDAY, FEBRUARY 14, 1994 at 10:00 a.m. Rm 118, Old Courthouse.

Variance to permit a lot width of 50 feet in lieu of the minimum required 55 feet.

LAWRENCE E. STURGITZ  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) MEMORANDUMS ARE HANDCARRIED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

111 West Chesapeake Avenue  
Towson, MD 21284

(410) 887-3353

JANUARY 14, 1994

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Variance to permit a lot width of 50 feet in lieu of the minimum required 55 feet.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Bernard A. Hahn  
Mark E. McCluskey  
Jack R. Sturgill, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDCARRIED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

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on Recycled Paper

111 West Chesapeake Avenue  
Towson, MD 21284

(410) 887-3353

February 8, 1994

Jack R. Sturgill, Jr., Esquire  
Hamilton Federal Building  
19 West Pennsylvania Avenue  
Towson, Maryland 21284

RE: Case No. 94-268-A, Item No. 267  
Petitioner: Bernard A. Hahn, et al  
Petition for Variance

Dear Mr. Sturgill:

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 indicate the appropriateness of the zoning action requested, but 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 January 5, 1994, and a hearing was 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 preliminary review by zoning personnel.

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1-20-94

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21284

Re: Baltimore County  
Item No. 94-267 (TJS)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
*Bob Small*  
for *DAVID H. KAMSKI, ACTING CHIEF*  
John Contestabile, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

700 East Johns Road, Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 01/18/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21284  
MAIL STOP-11CS

RE: Property Owner: SEE BELOW

LOCATION:

Item No.: SEE BELOW

Zoning Agenda:

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 this property.

7. The Fire Prevention Bureau has no comments at this time, ON THE FOLLOWING ITEM NUMBERS: 264, 265, 266, 267, 268, 269, 270, 272, 273, 274, 275, AND 276.

RECEIVED  
JAN 20 1994  
ZADM

REVIEWER: LT. ROBERT P. SAUERHALD  
Fire Prevention, PHONE 887-4581, MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

Tom 264  
94-268A

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: January 20, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 262, 264, 265, 266, 267, 268, 270, 273, 274, 275 and 276.

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 887-3480.

Prepared by: *Jeffrey W. Long*  
*Carol L. Lewis*

Division Chief:

PK/JL:lw

ZAC.262/EZONE/ZAC1

111 West Chesapeake Avenue  
Towson, MD 21284

(410) 887-3353

September 13, 1993

Mr. Bernard A. Hahn  
Bernie Hahn Enterprises  
3006 Delmar Avenue  
Baltimore, MD 21219

Subject: Limited Exemption Approval  
Hahn Property - 15C7  
Delmar Avenue  
DRC No. 9073A

Dear Mr. Hahn:

On September 7, 1993, the Development Review Committee reviewed the plan submitted on the above referenced project and determined it to be a Limited Exemption under Section 26-171(a)(10) of the Baltimore County Development Regulations. This exempts your development from Division 2 of these regulations; however, compliance with Divisions 3, 4 and 5 is still required, as is compliance with all applicable zoning regulations.

The following requirements are necessary to further process your project and must be submitted to:

Zoning Administration and Development Management (ZADM)  
County Office Building - Room 123  
111 W. Chesapeake Avenue, Towson, MD 21204

1. Any additional engineering plans required by the County, such as, landscape, critical areas, storm water management, sediment and erosion control, forest buffer, forest or savanna, etc. You may contact Environmental Impact Review (EIR) of the Department of Environmental Protection and Resource Management (DEPRM), at 887-3980 for details.
2. A copy of this Limited Exemption Approval letter.

Accordingly, you may apply for a building permit with the Department of Permits and Licenses, in the County Office Building, Room 100, 111 West Chesapeake Avenue, Towson, MD.

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111 West Chesapeake Avenue  
Towson, MD 21284

(410) 887-3353

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on Recycled Paper

Bernard A. Hahn  
P. 2  
September 13, 1993

If you have any questions, please feel free to call me at 410-887-3353.

Respectfully,  
*Donald T. Hannon*  
Donald T. Hannon, Manager  
Development Management

DTR:KAK:ggf  
cc: DEPRM/GWM - Att: Larry Filson, Chief  
OPZ - Att: Carolyn Beatty - M.S. 3402  
ZADM - Att: Carol Brown  
HAHN/TWTGCL

Existing Zoning DR 5.5  
 1" = 200' Scale, Map SE 5H & 6H  
 Councilmatic District  
 Public water & sewer service lot  
 Elect dist 15<sup>th</sup>

LOCATION MAP  
 Scale 1" = 1000'

OWNER  
 Bernard Hahn  
 3006 Delmar Avenue  
 Baltimore, Md. 21219

Plat altered for  
 zoning purposes.

PLAT TO ACCOMPANY PETITION FOR A ZONING VARIANCE TO  
 ALLOW LOT WIDTHS OF 50' IN LIEU OF THE REQ. 55'

LOTS 17-18 AND 19-20 BLOCK E 2<sup>ND</sup> REVISED PLAT  
 CEDAR CREST  
 PLAT 14-20-31  
 15<sup>TH</sup> DISTRICT BALTIMORE COUNTY, MARYLAND  
 Scale 1" = 50' DATE 10-21-73

**94-268-A**

FRANK S. LEE  
 127 N. CALVERT AVE.  
 BALTIMORE, MD. 21207

