## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 2346 Cooper Avenue in the Chesapeake Terrace subdivision of Baltimore County. Relief is requested from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a buildable lot with a width of 50 ft. and side yard setbacks of 6-1/2 ft. on both sides, in lieu of the minimum required 55 ft. width and 10 ft. side yard setbacks, respectively. The Petition is filed by Russell M. Lam and Lee E. Lam, property owners.

Appearing at the public hearing held for this case was Russell Lam, co-owner. Despite the fact that the public hearing was posted and advertised, there were no interested persons or Protestants present.

Testimony and evidence offered by the Petitioner is that the subject property is a narrow, yet deep, lot located at 2346 Cooper Avenue in the Chesapeake Terrace subdivision. This is an old subdivision in the southeastern portion of Baltimore County within the Chesapeake Bay Critical Area. Mr. Lam testified that he has cwned the property for approximately 5 months and the site is presently improved with a dilapidated dwelling. This dwelling is very old and is in a state of disrepair. In fact, Mr. Lam indicated that the house is in such a condition that rehabilitation of same is impractical. Thus, he proposes to raze the existing dwelling and

construct a new house in its place. The proposed house will be, as shown on the site plan, offered into the record as Petitioners' Exhibit No. 1. Moreover, the new dwelling will be 37 ft. wide. Thus, side yard setbacks on both sides will be 6-1/2 ft. It is to be noted that the Petition was worded originally to request permission for 7-1/2 ft. setbacks, however, same was amended prior to the public hearing.

Mr. Lam also noted that he does not own any adjacent property. The adjacent property on the east side (shown as lot No. 94) is unimproved. The property on the west side (lot No. 96) is improved with a dwelling which fronts Lincoln Avenue. Mr. Lam, therefore, testified that relief was requested so as to permit construction on a lot 5 ft. narrower than that allowed within the regulations.

Zoning variances in Baltimore County are governed by Section 307 of the B.C.Z.R. Therein, it is provided that the Zoning Commissioner may grant area requirements upon the showing of a practical difficulty or undue hardship by the Petitioner. Moreover, the Fetitioner must adduce testimony that the relief can be granted so as same is in keeping within the spirit and intent of the regulations and for so long as the variance relief will not result in detriment to the surrounding locale. In this case, I am persuaded that the Petitioner has met its burden. It is to be particularly noted that the proposed construction is in effect a replacement of the prior house on this site. There is no doubt that the newer structure will be far more esthetically pleasing and be more in keeping with other dwellings in the neighborhood. Moreover, the Petitioner is presented with an unusual set of site constraints which justifies the variances. For all of these reasons, I am persuaded that the variances should be granted.

Petition for Variance

for the property located at 2346 Cooper AVE

which is presently zoned DR 555

to the Zoning Commissioner of Baltimore County

This Petition shall be filed 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

1B02.3C.1 To allow a buildable lot with a lot width of 50 feet and side setbacks of 7-1/2 feet each in lieu of the minimum required 55

existing dwelling.) of the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or

feet width and 10 feet side each respectively. (To replace an

Existing DWelling is in state of Dis Repairs
Meds no Correct Codes

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.

Property is to be posted and advertised as prescribed by Zoning Regulations.

hereto an 'made a part hereof, hereby petition for a Variance from Section(s)

This property lies within close proximity to the Chesapeake Bay and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.2.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what strps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

> Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

2) Conserve fish, wildlife, and plant habitat; and

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT, IS ORDERED by the Zoning Commissioner for Laltimore County this day of February, 1994 that a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow

a buildable lot with a width of 50 ft. and side yard setbacks of 6-1/2 ft. on Loth sides, in lieu of the minimum required 55 ft. width and 10 ft. side yard setbacks, respectively, be and is hereby GRANTED, subject, however, to the following restrictions, which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated January 31, 1994, attached hereto and made a part thereof.

> LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES/mmn

94-274-A

Election District 15 Convenience 2346 Cooper AVE
Election District 15 Councilmanic District Douald Mason
Beginning at a point on the North West side of Cooper (north, south, east or west)
Ave, & Lincoln ave which is (street on which property fronts) (number of feet of right-of way width)
(number of feet of right-of way width)
wide at a distance of
wide at a distance of of the
contectine of the nearest improved internacting alrest
(name of street)
(number of feet of right-of-way width) wide. Being Lot # 95
Block, Section # Bin the subdivision of
(name of subdivision)  as recorded in Baltimore County Plat
Book #, Folio #, containing

2/4/94 (e: 94-274-4 Mr. Lam called advised that an error was made and and

the request and plat should indicate side settacks of sign to reflect pame; prepare
revised plats to submit at
hearing, along with documentation from neighbors industing

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 94-274-A

Posted for: Jeneres	Date of Posting 1/29/
Petitioner: 8055-1/4	Los Lan
Location of property: 2346	Exper Are, Nalcor Haide + Coper
Location of Signs:	rood way on proporty being 2000 &
Remarks:	

NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by suthority of the Zoning Act and Regulations of Baltimore County will haid a public hearing, on the CERTIFICATE OF PUBLICATION property Identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published Case: #94-274-A in Towson, Baltimore County, Md., once in each of \_\_\_ successive Avenue 15th: Election District weeks, the first publication appearing on \_\_\_\_\_\_ 126\_\_\_\_\_, 196

Hearing: Tuesday, February 22, 1994 at 11:00 s.m. in Rm. 118, Old

Variance to allow a buildable

each respectively (to replace an existing dwelling).

LAWRENCE E. SCHMIDT

THE JEFFERSONIAN.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 23, 1994

Mr. and Mrs. Russell M. Lam 137 Wells Avenue Baltimore, Maryland 21222

> RE: Case No. 94-274-A Petition for Zoning Variance Property: 2346 Cooper Avenue

Dear Mr. and Mrs. Lam:

 Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning fi ing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

LES:mmn

Type of Print Name) M-Lam

Contract Purchaser/Lessee

I/We do solumnly declare and affirm, under the penalties of perjury, that I/we are the

· CRITICAL

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zening Commissioner as a Petition for Variance for that property located at 246 Cooper Avenue in the Chesapeake Terrace muldivision of Saltimore County. Relief is requested from Section 2002.3.C.1 of the Saltimore County Zening Regulations (R.C.Z.S.) to allow a buildable lot with a width of 50 ft. and side yard setbacks of 6-1/2 ft. on both sides, in lies of the minimum required 55 ft. width and 10 ft. side yard setbacks, respectively. The Petition is filed by Russell S. Lam and Lee S. Law, property concre.

Appearing at the public hearing held for this case was Russell Lam, co-comer. Despite the fact that the public hearing was posted and advertised, there were no interested persons or Protestants present.

Testimony and evidence offered by the Petitioner is that the subject property is a narrow, yet deep, lot located at 2346 Cooper Avenue in the Chesapeake Torrace subdivision. This is an oil subdivision in the south-eastern portion of Baltimore County within the Chesapeake Bay Critical Area. Nr. Lam testified that he has oned the property for approximately 5 months and the site is presently improved with a dilapidated chellion. This deciling is very old and is in a state of disrepair. In fact, Mr. Lam indicated that the house is in such a condition that robabilistics on one is impractical. Thus, he processe to rare the existing deciling and

construct a new house in its pince. The proposed house will be, as show on the site pina, offered into the record as Petitioners' Exhibit No. 1. Moreover, the new deedling will be 17 ft. wide. Thus, side year attacked on both sides will be 6-1/2 ft. It is to be noted that the Petition was worthed originally to respent permission for 7-1/2 ft., nethocks, however, access was assented prior to the public hearing.

Nr. Lam also noted that he does not own any edjacent property. The adjacent property on the east side (shown as lot No. 94) is unisproved. The property on the west side (10 No. 95) is largerowed with a checking which fronts Lincoln Avenue. Nr. Lam, therefore, teatified that relief was requested so as to permit construction on a lot 5 ft. narrower than that allowed within the recallations.

Zonies variances in Baltimore County are governed by Section 307 of the S.C.Z.B. Therein, it is provided that the Zonies Commissioner may agreat area requirements upon the showing of a practical difficulty or undue handahip by the Petitioner. Receiver, the Petitioner must adduct testimony that the regired can be granted an as asse in in keeping within the spirit and intent of the regulations and for no long as the variance relief will not result in detriment to the surrounding locale. In this case, I am persuaded that the Petitioner has not its burden. It is to be particularly noted that the Proposed construction is in affect a replacement of the prior house on this site. There is no doubt that the meser structure will be far noce enthetically pleasing and be more in keeping with other deutilings in the neighborhood. Norcover, the Petitioner is presented with an unumnal set of site constraints which justifies the variances. For all of these reasons, I am persuaded that the variances and the sound of the provided the created.

-2-

This property lies within close proximity to the Chesspeake Bay and is, therefore, subject to the Chesspeake Bay Critical Area legislation found within Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the R.C.Lin., the Director of the Department of Environmental Protection and Resource Management has unbmitted recommendations which describe what stops the Putilioner must take to insure that the ruleif requested complies with the following Chesarenke Nov Citical Areas remainments to:

- Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- Be consistent with established land use policies for development in the Cheapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, novement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached bereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, asfe-ty, and/or querial welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Semonre Monogeness, as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

Se

THEREFORE, IT, IS ORDERED by the Zoning Commissioner for Baltimore County this 23 day of February, 1994 that a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow

a buildable lot with a width of 50 ft. and mide yard methacks of 6-1/2 ft.
on both mides, in lieu of the minimum required 55 °t. width and 16 ft.
mide yard estbacks, respectively, be and in hereby GRATTED, midject, however, to the following restrictions, which are conditions precedent to the
restriction of the conditions of the conditions precedent to the

 The Patitioners now apply for their suiting permit and he promoted also pure course; and Order; however, Patitioners are hereby made autre that proceeding at this time in at their own risk until such time on the 30 day appellate process in the process of the process of the process of the until such time on the 30 day appellate process until the process of the process of the process of the would be required to return, and he responsible for returning, said property to its original

 The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated January 31, 1994, attached her-to and made a part thereof.

TAMERICE E. SCIMIDT Zoning Commissioner Con Ball Income Const

ORDER RECEIVED FOR FILING
Date
Sy
The Character
Sy

Baltimore County Government Zoning Commissioner Office of Flanning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 23, 1994

Mr. and Mrs. Russell M. Lam 137 Wells Avenue Baltimore, Maryland 21222

RE: Case No. 94-274-A Petition for Zoning Variance Property: 2346 Cooper Avenue

Dear Mr. and Mrs. Lam

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please he advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at BS-3391.

Very truly yours,

LES:mor

· CRITICAL Petition for Variance to the Zoning Commissioner of Baltimore County for the property boosted at 2346 Cooper AVE 1802.3C.1 To allow a buildable lot with a lot width of 50 feet and side methacks of 7-1/2 feet each in lieu of the minimum required 55 feet width and 10 feet side each respectively. (To replace and STIRLING dwelling. County, to the Zoring Law of Baltimore County, for the kr Existing Occuering is in state of Dis Repair Meets no correct codes 1900 do nationally decision and affirm, some the providing of purpose, that there are the Russell M. Lam - lessel Modon De E Jam 137 Wells AVE San Barrer BACE NO 1212 274 Russell Lam 137 Wells AVE 282-8284 @ ----m 1-7-9#

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(number of feet of right-of-way	/ width)
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Chrisepeake Trilace	as recorded in Baltimore County Plat
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9350 S.F. (Aquare feet and acres)	, containing
(square feet and acres)	
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2/4/94	e: 94-274-A
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6 1/2 ft. He will a	chance the
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revised plat to se bearing, along w	

that they are aware of the

	CENTRICATE OF POSTING HING DEPARTMENT OF SALTMONE COUNTY 94-27- Towns, Maryland
District 15th	1/25/4
Posted for Veneva	4
Patter Anzell 4	ter tem
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Location of property: 234.6.	Good Ary Notes bridge top



CERTIFICATE OF PUBLICATION

> a. Henriksan LEGAL AD. TOWSON

£36

receipt CRITICAL 94-274-A RUSSEH M Lam site - 2346 Confer Ave # 010 Variance (Kesdential) - Sign & posting -35.4

(410) 887-3353

February 15, 1994

Mr. and Mrs. Russell M. Lan 137 Wells Avinue Baltimore, Maryland 21222

RE: Case No. 94-274-A, Item No. 274
Petitioner: Russell H. Lam, et ux.
Petition for Variance

The Zoning Flant Advisory Counties (202) has reviewed the plant minimum and the plant and the plant

Enclosed are all comments submitted thus far from the members of '300 class' offer or request information on your settline. The submitted comments are received and the submitted of the submitte

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.

The director of Zoning Administration and Development Reinspeares has instituted a system whereby seasoned moderned that the offer the zoning regulations as that comply with a comparison of the zoning regulations and petitions filling regulations with this office without the necessity of a preliminary curse by sensing personals.

111 West Chesapeake Avenue Towson, MD 21201 (41m 887-3353

CONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Ballierre County Zoning Regulations require that notice be given to the seneral public/maniphoring property.

The country of t

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner in responsible for the costs associated with these requirements.

- Posting fees will be accessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising: Iten No.: 274 Petitioner:\_\_ PLEASE FORMARD ADVERTISING BILL TO: NAME: RUSSELL M LAM ADDRESS: 137 WEILS AVE BALLE MD 21222 PHONE NUMBER: 282-8284

Maryland Department of Transportation State Highway Administration

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 Advantages for a product and the state of the state

Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717 Street Address: 707 North Cathert Street - Baltimore, Mandand 21202

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

Thank you for the opportunity to review this item.

Ms. Charlotte Minton

Zoning Administration and Development Management County Office Building

111 W. Chesapeake Avenu Towson, Maryland 21204

AJ:qqs 63

(Pauled 04/09/93)

Hal Kassoff

1-20-94

Re: Baltimore County Item No.: \$\psi 274 (555)

Bob Sall

DAVID N. RAMSEY, ACTING CHIEF

Please found billing to:

TO: INTRODUCT FURLISHEN COMMAN JAMMAY 20, 1994 Insus - Jeffersonies

NOTICE OF HEARING

The Zoulog Commissioner of Baltimore County, by authority of the Zoulog Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in hown 10% of the County of the hubbles, 111 N. Consepade Across In Townson, Eurypean 2204

CASE MEMBER: 94-274-8 (Item 274)
2366 Overer Revene
MAC Overer and Lincoln Revene
MAC Overer and Lincoln Revene
1964 Election District - 7th Conscilencia
Putitioner(n): Ransell R. Lan and Len E. Lan STATUTE: THE FEB. 22, 1994 at 11:00 a.e. in Sa., 115, 01d Courtheaper.

Variance to allow a buildable lot with a lot width of 50 feet and aide netbacks of 7-1/2 feet each in lies of the minimum required 55 feet width and 10 feet aide each respectively (to replace as existing

HOTES: (1) HEARING ARE HANDICAPPED ACCESSINE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INCORPATION CHACKEING THE FILE AND/O. HYRADING, PLEASE CALL 887-3391.



(410) 887-3353

111 West Chesapeake Avenue Towson, MD 21204

NOTICE OF HEARING The funing Commissioner of Baltimore County, by authority of the Zening Act and Republican of Baltimore
County, will build a public bearing on the property (destified Sorein in
Born 106 of the County Office Building, 111 W. Chempeaks Arrows in Towns, Maryland 72,204

CASE MINUSE: 74-275-8 (11cm 275)

CASE RESIDES 94-75-6 (Tens 278)
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Variance to allow a buildable lot with a lot width of 50 feet and side methacks of 3-1/2 feet each in Her of the minimum required 55 feet width and 10 feet side each respectively (to replace an existing

WATER: (1) EMBES SIGN & POT MOT HE RETURNED TO MM. 104, 111 M. CREAMMARE RESERVE ON THE MEANING DATE.

(2) RESERVES AND RESCRIPTION CONCERNES; FOR STRICKE ACCOMPANATIONS "LAMB CALL SET-1355.

(3) FOR INTERPRATION CONCERNS THE STRICK REQUIRE, CONTECT THE OFFICE AT MET-1351.

A Property Contract



DATE: January 20, 1994

JAN 2 4 694

The Office of Planning and Zoning has no comments on the following petition(s): Item No. 262, 264, 265, 266, 267, 268, 270, 273, 27, 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.

Jeffy W. Long Gares Clearer

PK/JL: 1

SITE LOCATION

The subject property is located at 2346 Cooper Avenue. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: January 31, 1994

ECEIVE

FEB 1 1994

ZADM

APPLICANT'S NAME Russell and Lee Lam

APPLICANT PROPOSAL

The applicant has requested a variance from section 1802.3C.1 of the Baltimore County Zoning Regulations to allow a buildable lot with a lot width of 50' and side setbacks of 7.5' each in lieu of the minimum 55' width and 10' s.de each respectively.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

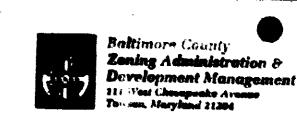
Mr. Arnold E. Jablon, Director Office of Zoning Administration and Development Management

SUBJECT: Petition for Zoning Variance - Item 274 Lam Property Chesapeake Bay Critical Area Findings

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

- "Hinimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
- 2. Conserve fish, wildlife and plant habitat; and
- Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if poliution is controlled, the number, movement, and activities of persons in that area can create adverse environ-mental impacts "COMPA (1.55, 10.0), 10.

INTER-OFFICE CORRESPONDENCE



Russell M Lam

111 West Chesapeake Avenue

Mr. and Mrs. Russell M. Lam

Baltimore, Maryland 21222

Dear Mr. and Mrs. Lam:

on this case.

with this office.

RE: Case No. 94-274-A, Item No. 274

Petition for Variance

and a hearing was scheduled accordingly.

Petitioner: Russell M. Lam, et ux.

137 Wells Avenue

Towson, MD 21204

Both the state of the

sqieen!

(410) 887-3353

and the second s

Please Make Checks Payable To: Baltimere County

**Baltimore County Government** 

Office of Zoning Administration

and Development Management

February 15, 1994

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans

Enclosed are all comments submitted thus far from the members of ZAC

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

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 7, 1994,

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

1. The director of Zoning Administration and Development Management

the necessity of a preliminary review by zoning personnel.

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

**Baltimore County Government** Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

# ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For nowspaper advertising:	
Item No.: 274	
Petitioner:	
Location:	
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: KUSSELL M LAM	
NAME: RUSSELL M LAM  ADDRESS: 137 WELLS AVE  BALTO MD 21222	
BALTO MD 21222	) 
PHONE NUMBER: 282-8284	

AJ:ggs Printed on Recycled Paper

(Revised 04/09/93)

State Highway Administration

O. James Lighthizer Hal Kassoff Administrator

1-20-94

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

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.

Engineering Access Permits

BS/

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

The state of the s

O: PUTUXENT PUBLISHING COMPANY JAMUARY 20, 1994 Issue - Jeffersonian

Please foward billing to:

Russell Lam 137 Wells Avenue Raltimore, Maryland 21222 282-8284

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 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-274-A (Item 274) 2346 Cooper Avenue NWC Cooper and Lincoln Avenue 15th Election District - 7th Councilmanic Petitioner(s): Russell M. Lam and Lee E. Lam HEARING: TUES. FEB. 22, 1994 at 11:00 a.m. in Rm., 118, 01d Courthouse.

Variance to allow a buildable lot with a lot width of 50 feet and side setbacks of 7-1/2 feet each in lieu of the minimum required 55 feet width and 10 feet side each resapectively (to replace an existing

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson MD 21204

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Beltimore County, by authority of the Zoning Act and Begulations of Beltimore 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 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Haryland 21204 as follows CASE NUMBER: 94-274-A (Item 274)

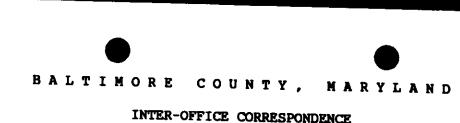
2346 Cooper Avenue NMC Cooper and Lincoln Avenue 15th Election District - 7th Councilmanic Petitioner(s): Russell M. Lam and Lee E. Lam HEARING: TUES. FEB. 22, 1994 at 11:00 a.m. in Rm.. 118, Old Courthouse.

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cc: Russell Lam and Lee Lam

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Int



Arnold Jablon, Director Zoning Administration and

Development Management

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

Petitions from Zoning Advisory Committee

ZONING CHARLESIA

DATE: January 20, 1994

94-274A

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.

PK/JL:lw

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

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

DATE: January 31, 1994

FROM: J. James Dieter

Petition for Zoning Variance - Item 274 Lam Property Chesapeake Bay Critical Area Findings

ZADM

SITE LOCATION

The subject property is located at 2346 Cooper Avenue. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Russell and Lee Lam

APPLICANT PROPOSAL

The applicant has requested a variance from section 1B02.3C.1 of the Baltimore County Zoning Regulations to allow a buildable lot with a lot width of 50' and side setbacks of 7.5' each in lieu of the minimum 55' width and 10' side each respectively.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

"Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;

2. Conserve fish, wildlife and plant habitat; and

3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts" <COMAR 14.15.10.01.0>.

ZAC.262/PZONE/ZAC1

#### REGULATIONS AND FINDINGS

- Regulation: "A minimum 100 feet buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" (Baltimore County Code Section 76-49(a)).
  - Finding: This property is located approximately 370' from the tidal waters of Jones Creek. Therefore, no disturbance of the 100' buffer shall occur.
- Regulation: Obredoing, rilling, or construction other than
  any control of the property of the pro
  - Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site. Therefore, no dredging, filling, or construction shall occur in any tidal or non-tidal wetland for this project, and this regulation has been met.
- Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December. 1898, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot." «Baltimore County Code, Section 25%-541(e)(12).
- Finding: Current impervious areas total approximately 840 square fact or 93 of the lot. This includes all building structures, paved and crusher run driveways and parking pads, swimming pools, or any other impervious surfaces. The amount of impervious areas shall not exceed 2.33 square fector 0.35 of the lot during referel pools.
- Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" (Baltimore County Code, Section 2' 453(h)(2)>.
  - Finding: Stormwater runoff shall be directed from impervious surfaces to vegetated areas, to encourage maximum infiltration. Thuse measures will ensure that the requirements of this regulation are met.

Mr. Arnold E. Jablon January 31, 1994 Page 3

- Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland; over of at least 15% <a href="COMMR 14.15.0.2.04">CCOMMR 14.15.0.2.04</a> (C5)(e)>.
  - Finding: The property currently has 15% tree cover (8 trees) and it must be maintained to be in compliance with the above regulation.

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal dose comply with Chesapeake Bay Critical Area Regulations and is therefore approved. If there are any questions, please contact Mb. Patricia M. Fare at 887-3890.



### LID / KDK / tom

- K. c: Mr. and Mrs. Russell Lam 137 Wells Avenue Baltimore, Maryland 21222
- I AM/DEDOM/MOCRCA

B man bear

To whom it my Converen

Case # 94-274-4 (item # 274) 2346 Cooper AVE N.W.C. Cooper + Lucoln AVE

Correction of said side settents to be 6% Feet and not the stated 7% feet is here by been brought to my attention and I do acknowledge set back's to be 66 feet on sides on the lot being 50' wide and not ss' wide with set backs of 10°. Advocatized sign has been changed by MR law and visible to lable interest of any one wishing to attend this hearing. Oware of Lot # 95 adjoining Lot # 94

PLEASE PRINT CLEARLY PETITIONER(S	SIGN-IN SIGN
NAME	ACORPSS
Russell Lam	137 WEIS AVE BOKMD

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

(410) 887-4500

DOTE : 01/19/96

Arnold Jablon Director Zoning Administration and Development Management Mallinore County Office Euilding

LOCATION

Item No. 1 SEE BELOW

Zoning Agendar 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.

FOLLOWING ITEM NUMBERS:264, 265, 266, 267, 268, 269, 270, 272, 273, 274, 275, AND 276.



ZADM

REVIEWER: LT. ROBERT P. SAUERWALD Fire Freyention, PROFIE 087-4801, MS-1102F

cc: File

**8** 

Du Mi damb.

As per our conversation of feb. 11, 1994 concerning the because posted on your property, I understand that it spould have read six and one half (6'1) feat side seet back readinal of seven and one half (7'1) feat in lease of the mandating ten (18) fort side set back. I have so objection to you changing the market on said. Variance.

Sixualy Jours, Alchart J. Brzoski

