

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
RMC Cooper and Lincoln Avenues * ZONING COMMISSIONER
2346 Cooper Avenue * OF BALTIMORE COUNTY
15th Election District * Case No. 94-274-A
7th Councilmanic District *
Russell M. Lam, et ux *
Petitioner *

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 M. 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 south-eastern portion of Baltimore County within the Chesapeake Bay Critical Area. Mr. Lam testified that he has owned 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 Petitioner must adduce testimony that the relief can be granted so as same is in keeping with 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.

-2-

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.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) 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 Baltimore County this 23rd 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

-3-

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, 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
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn

-4-

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

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

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

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

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 filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mnn

att.

CRITICAL Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 2346 Cooper AVE
94-274-A which is presently zoned DR 55

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto as "made a part hereof," hereby petition for a Variance from Section(s) 1802.3C.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 feet width and 10 feet side each respectively. (To replace an existing dwelling.)

Existing dwelling is in state of Disrepair
Meets no current codes

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 Purchase/Cause:
Type or Print Name:
Signature:
Address:
City: State: Zipcode:
Attorney for Petitioner:
Type or Print Name:
Signature:
Address:
City: State: Zipcode:
Attorney for Petitioner:
Type or Print Name:
Signature:
Address:
City: State: Zipcode:

Printed with Carbon Ink
on Recycled Paper

94-274-A #274

ZONING DESCRIPTION FOR 2346 Cooper AVE (address)
Election District 15 Councilmanic District Donald Mason

Beginning at a point on the North West side of Cooper
Ave & Lincoln Ave (street on which property fronts) which is (number of feet of right-of-way width)
wide at a distance of (number of feet) (north, south, east or west)
Continuation of the nearest improved intersecting street (name of street)
which is (number of feet of right-of-way width) wide, being lot # 95
Block 1, Section B in the subdivision of
Chesapeake Terrace as recorded in Baltimore County Plat
(name of subdivision)
Block # 3, Policy # 32, containing
9350.66 sq. ft. (square feet and acres)

2/4/94 Re: 94-274-A
Mr. Lam called advised
that an error was made and
the request and plat should
indicate side setbacks of
6 1/2 ft. He will change the
sign to reflect same; prepare
revised plats to submit at
hearing, along with documenta-
tion from neighbors indicating
that they are aware of the
6 1/2 ft setback.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 1/23/94
Posted for: Source
Petitioner: Russell M. Lam
Location of property: 2346 Cooper Ave, Towson, Md 21204
Location of Sign: Property, 2346 Cooper Ave, Towson, Md 21204
Remarks:
Posted by: [Signature] Date of return: 2/4/94
Number of Signs: 4

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/23, 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 1/23, 1994

THE JEFFERSONIAN
A. H. HENRIKSON
LEGAL AD. - TOWSON

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 petition for a Variance from Section 1802.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) 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 respectively, to replace an existing dwelling, at the following time and place:
Date: February 22, 1994 at 11:00 a.m. in Room 118, Old Courthouse.
Petitioner: Russell M. Lam and Lee E. Lam
Hearing: Tuesday, February 22, 1994 at 11:00 a.m. in Room 118, Old 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 respectively, to replace an existing dwelling.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are held in accordance with the provisions of the Zoning Act and Regulations. (2) If you require information concerning the hearing, please call 887-3391. (3) If you require information concerning the hearing, please call 887-3391. (4) If you require information concerning the hearing, please call 887-3391.

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NMC Cooper and Lincoln Avenues * ZONING COMMISSIONERS
2346 Cooper Avenue *
15th Election District * OF BALTIMORE COUNTY
7th Councilmanic District * Case No. 94-274-A
Russell M. Lam, et al *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commission 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 south-eastern portion of Baltimore County within the Chesapeake Bay Critical Area. Mr. Lam testified that he has owned the property for approximately 5 months and the site is presently improved with a dilapidated dwelling. This dwelling is very old and 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 Commission may grant area requirements upon the showing of a practical difficulty or undue hardship by the petitioner. Moreover, the petitioner 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.

-2-

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.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Area requirements to:

- 1) 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.

WHEREFORE, it is ORDERED by the Zoning Commission for Baltimore County this 23rd 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 both 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 11, 1994, attached hereto and made a part thereof.

LES/mnn

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2/24/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 2/24/94
By [Signature]

94-274-A

ZONING DESCRIPTION FOR 2346 Cooper AVE
Election District 15 Councilmanic District Donald Morgan

Beginning at a point on the North West corner of Cooper Avenue & Lincoln Ave where to (north, south, east or west)
(street on which property fronts) (number of feet of right-of-way width)
wide at a distance of (number of feet) (north, south, east or west) of the intersection of the nearest improved intersecting street (name of street)
which is (number of feet of right-of-way width) wide, giving lot # 95.
Block Section B in the subdivision of Chesapeake Terrace (name of subdivision) as recorded in Baltimore County Plat Book 3, folio 26, containing 7360 sq. ft. (square feet and acres)

2/4/94 Re: 94-274-A

Mr. Lam called advised that an error was made on the request and plat should indicate side setbacks of 6 1/2 ft. He will change the sign to reflect same; prepare revised plat to submit at hearing, along with documentation from neighbors indicating that they are aware of the 6 1/2 ft setback.

Suite 113 Courthouse
401 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 23, 1994

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

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 filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES/mnn
att.

CRITICAL
Petition for Variance
to the Zoning Commissioner of Baltimore County

For the property located at 2346 Cooper AVE which is presently zoned DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property shown 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 1802.3.C.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 feet width and 10 feet side each respectively. (To replace an existing dwelling which is in a state of disrepair and needs no current codes)

Existing dwelling is in state of Disrepair
Needs no current codes

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertisement, 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 applied pursuant to the Zoning Laws of Baltimore County.

Witness my hand and affix the seal of said office, this 23rd day of February, 1994.
Commissioner
Type or Print Name Russell M. Lam
Signature [Signature]
Address Lee E. Lam
2346 Cooper Ave
Baltimore, MD 21222
City Baltimore State MD Zip Code 21222
Address and phone number of petitioner Russell M. Lam
137 Wells Ave
Baltimore, MD 21222
City Baltimore State MD Zip Code 21222
Address and phone number of respondent [Signature]
137 Wells Ave
Baltimore, MD 21222
City Baltimore State MD Zip Code 21222
Address and phone number of respondent [Signature]
137 Wells Ave
Baltimore, MD 21222
City Baltimore State MD Zip Code 21222

CERTIFICATE OF PUBLICATION
TOWSON, MD. 126, 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 126, 1994.
THE JEFFERSONIAN
LEGAL AD - TOWSON
A. H. HENRIKSON

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL receipt

Account R-001-6180

Date 1-7-94 94-274-A

Russell M. Lam

Please Make Checks Payable To: Baltimore County

Cashier Validation

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/neighborhood 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 assessed 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.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 274

Petitioner:

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Russell M. Lam

ADDRESS: 137 Wells Ave
BALG MD 21222

PHONE NUMBER: 282-8284

AJ:ggs (Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY
JANUARY 20, 1994 Issue - Jefferson

Please forward billing to:

Russell Lam
137 Wells Avenue
Baltimore, 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 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-274-A (Item 274)
2346 Cooper 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 Room 118, Old 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 respectively (to replace an existing dwelling).

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED 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

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

CASE NUMBER: 94-274-A (Item 274)
2346 Cooper 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 Room 118, Old 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 respectively (to replace an existing dwelling).

Arnold Jablon
Director

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 CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

February 15, 1994

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

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

Dear Mr. and Mrs. Lam:

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 7, 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.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

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. 94-274 (555)

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. KAMSEY, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2268 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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, 266, 267, 268, 270, 273, 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. Kears

PK/JL:lw

ZAC.262/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 31, 1994

FROM: J. James Dieter

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

RECEIVED
FEB 1 1994
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 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' 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:

1. "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>.



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

SEN Nos. 163-92, 164-92, 165-92, 166-92, 167-92, 168-92, 169-92
William A. Howard
Chairman, County Council

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

LEDGE FOREST

94-274-A

SHEET

S.E.
7-H

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTODIAMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210