

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony revealed that the subject property consists of 6,650 sq.ft., zoned D.U. 5.5 and is improved with a single family dwelling. This property was the subject of prior Case No. 09-474-A in which the Petitioners were granted a variance to construct an addition on the southeast side of the existing dwelling. That addition has not yet been constructed. The Petitioners now seek to construct a two-story garage in the rear yard of their property in accordance with Petitioner's Exhibit 1. Testimony indicated that the dwelling does not have a basement and that the second floor of the proposed garage will be used for a work shop and exercise room as

- 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.

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.

THREEFOUR, 17 IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of April, 1994 that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (S.C.Z.R.) to permit an accessory structure height of almost 22 feet in lieu of the maximum permitted 15 feet and to amend the previously approved site plan in Case No. 89-074-A for a proposed garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

5) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement

2

ORDER RECEIVED FOR FILING
Date 4/16/04
By Bo

ZONING DESCRIPTION
942-2A
BEGINNING AT A POINT ON THE SW. SIDE OF
LESLIE RD (50' RW) AT A DISTANCE OF 22.5 FT.
S.E. OF RAILWAY AVE (50 FT. RW) BEING
LOT 13 IN THE SUBDIVISION OF ADDITION TO
BROOKVIEW PLAT BOOK 2 FOLIO 124
ALSO KNOWN AS 1508 LESLIE AVE
IN THE 12TH ED., 7TH CD.
LOT AREA = .15 AC

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

TRK:bja

- 4 -

ORDER RECEIVED FOR FILING
Date 4/1/94

Date: 12/8
 Printed for: Levin
 Position: Robert H. Levin, Artist
 Location of property: 128 S. Olive St., 2nd, 2nd St. N. Bay, La
 Location of Sign: Sign reading on property being used
 Remarks:
 Printed by: William
 Date of return: 1/1/89
 Number of Signs: 7

TOWSON, MD., Feb 24, 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 Feb 24, 1994

THE JEFFERSONIAN,
A. Henickson
LEGAL AD. - TOWSON

cc: People's Counsel

100

ORDER RECEIVED FOR FILING
Date 4/11/94
4793

receipt

DATE: 2/7/94

1835 VAR CODE 010 50.00
(1) SIGN POSTED CODE 080 35.00
85.00 TOTAL

BLACK
1508 LESLIE RD.

111 West Chesapeake Avenue
Towson, MD 21204

410) 867-3353

Baltimore County Government
Office of Zoning Administration
and Development Management

94-303-A

111 West Chesapeake Avenue
Towson, MD 21204

410) 867-3353

DUE DATE: CLOSING DATE OF HEARING DATE

INVOICE

Robert and Linda Black
1508 Leslie Road
Dundalk, Maryland 21222

CASE NUMBER/PROJECT NAME: 94-303-A

(1) Zoning Notice Sign and Post Set(s) @ \$50.00/set = \$50.00 Due*

(In lieu of payment, we ask that you make use of the following waiver)

INVOICE WAIVER

CASE NUMBER/PROJECT NAME: 94-303-A

Returned _____ Zoning Notice Sign and Post Set(s).

DATE _____ for SADM

*Amount Due waived upon return of the COMPLETE sign and post set(s).
When you return same, bring this form with you.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

94-303-A

410) 867-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public regarding 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:
File No.: 305
Petitioner: Robert A. Black
Location: 1508 Leslie Rd.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert A. Black
ADDRESS: 1508 LESLIE RD.
Dundalk, MD 21222
PHONE NUMBER: 410-212-7440

AJ:aps (Revised 04/09/93)

TO: POTENTIAL PUBLISHING COMPANY
2/7/94 Issue - Advertisement

Please Forward Billing to:

Robert A. Black
1508 Leslie Road
Dundalk, MD 21222
202-7940

94-303-A

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 109 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: 94-303-A (Item 305)
1508 Leslie Road
800 Leslie Road, 225 E. of Baltimore Avenue
17th Election District - 7th Councilmanic
Petitioner(s): Robert A. Black and Linda R. Black

Variance to permit an accessory structure (proposed detached garage) with a height of just under 22 feet in line of the permitted 15 feet; and to amend the last approved plan in case 89-074.

HEARING: THURSDAY, MARCH 15, 1994 at 9:00 a.m., Rm. 118 Old Courthouse.

FOR NEWSPAPER ADVERTISING:
FILE NO.: 305
PETITIONER: Robert A. Black
LOCATION: 1508 LESLIE RD.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert A. Black
ADDRESS: 1508 LESLIE RD.
Dundalk, MD 21222
PHONE NUMBER: 410-212-7440

Arnold Jablon, Director

FOR NEWSPAPER ADVERTISING:
FILE NO.: 305
PETITIONER: Robert A. Black
LOCATION: 1508 LESLIE RD.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert A. Black
ADDRESS: 1508 LESLIE RD.
Dundalk, MD 21222
PHONE NUMBER: 410-212-7440

Arnold Jablon, Director

FOR NEWSPAPER ADVERTISING:
FILE NO.: 305
PETITIONER: Robert A. Black
LOCATION: 1508 LESLIE RD.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert A. Black
ADDRESS: 1508 LESLIE RD.
Dundalk, MD 21222
PHONE NUMBER: 410-212-7440

Arnold Jablon, Director

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

94-303-A

410) 867-3353

FEBRUARY 11, 1994

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Arnold Jablon, Director

cc: Robert and Linda Black

NOTES: (1) ZONING ORDER & POST MUST BE RETURNED TO RM. 109, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE UNRECORDED. RECORDING FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(3) FOR INFORMATION CONCERNING THE FILE NUMBER, HEARING, CONTACT YOUR OFFICE AT 867-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

410) 867-3353

March 4, 1994

Mr. and Mrs. Robert A. Black
1508 Leslie Road
Baltimore, Maryland 21222

RE: Case No. 94-303-A, Item No. 305
Petitioner: Robert A. Black, et al.
Petition for Variance

Dear Mr. and Mrs. Black:

The Zoning Plans Advisory Committee (ZPAC) 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 ensure 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 February 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 assessed 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.

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 28, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for February 28, 1994
Item No. 305

The Developers Engineering Section has reviewed the subject zoning item. If the variance is granted, the proposed driveway entrance must be built per Department of the Public Works Standard Plate P-15A. Also, show the access to the proposed garage.

RWB:ca

Maryland Department of Transportation
State Highway Administration

O. James Lighizer
Secretary
Hal Kassot
Administrator

3-16-94

Re: Baltimore County
Item No. 94-305 (JLL)

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

Dear Ms. Minon:

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 410-333-1550 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for the Secretary, ACTIVE CHIEF
Engineering Access Permits
Division

My telephone number is
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 (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

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 Nos. MD, 305, 306, 307 and 310.

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 887-3850.

Prepared by: Jeffrey W. Long

Division Chief: Pat Keller

ENCLOSURE

ZAC/NO/PLANNING

Baltimore County Government

Fire Department



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

(410) 887-4500

DATE: 02/15/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: SEE BELOW

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 the property.

7. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 305, 307, 309 AND 310.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE 887-4881, MS-1102F

cc: File



Printed Name/Title

PETITION FOR VARIANCE
1508 Leslie Road

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

PETITIONER:
ROBERT A. BLACK, et ux

CASE NO: 94-303-A
Item 305

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Desilio
Carole S. Desilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY THAT on this 16 day of March, 1994, a copy of the foregoing Entry of Appearance was mailed to Mr. Robert A. Black, 1508 Leslie Road, Baltimore, MD 21222.

Peter Max Zimmerman
Peter Max Zimmerman

PLEASE PRINT CLEARLY

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

Robert A. Black

1508 Leslie Rd. Dundalk, MD

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1508 Leslie Road, Dundalk MD 21222

See pages 6 & 8 of the CHECKLIST for additional required information

Subdivision name: Addition to Brookview

plot book # 2, June 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

OWNER: Robert and Linda Black

