

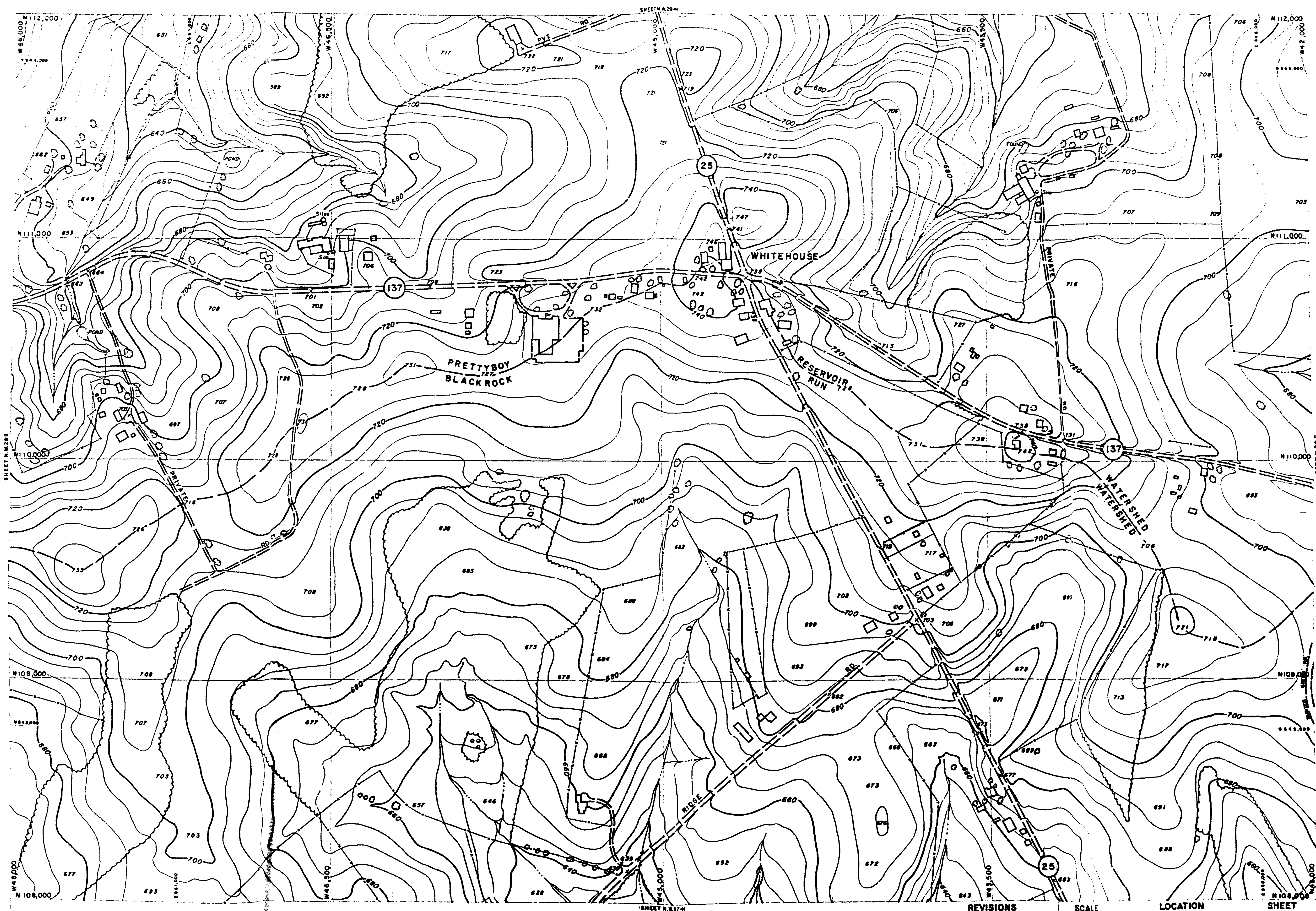
1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Dale J. ...
 Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
 Ord. Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
 94-420-A
Edmund ...
 Chairman, County Council

SCALE 1" = 200'	LOCATION WHITEHOUSE	SHEET NW 28-H
DATE OF PHOTOGRAPHY JANUARY 1986		

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

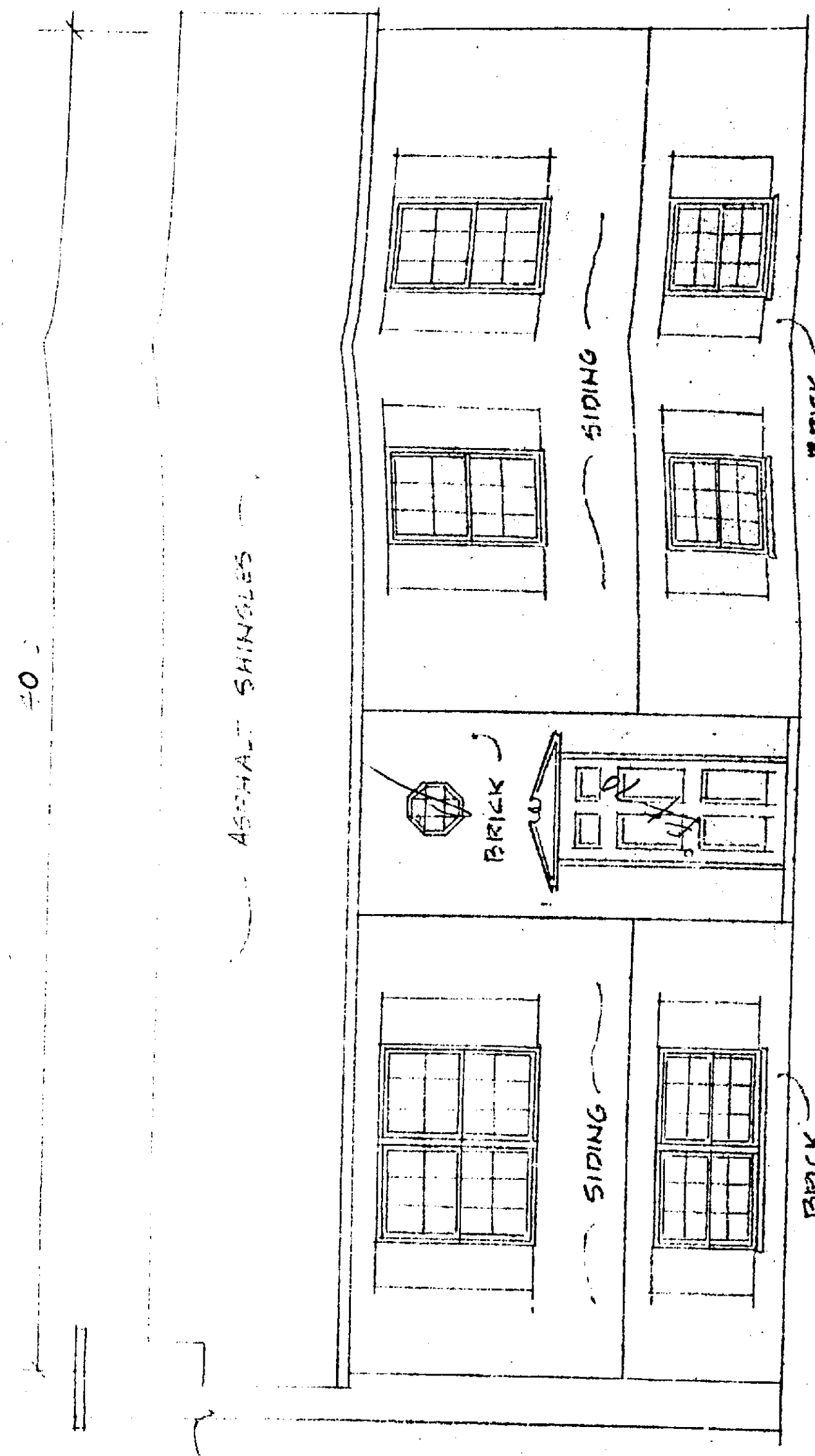


GG-SW GG-SE
GG-NW GG-NE

PHOTOGRAMMETRIC MAP OF # 403
BALTIMORE COUNTY, MARYLAND 94-420-A

REVISIONS BY DATE
1/24/63
SCALE 1" = 200'
DATE OF PHOTOGRAPHY APRIL 1961
Topography Compiled by Photogrammetric Methods
MAPS, INCORPORATED - BALTIMORE 22, MARYLAND

LOCATION WHITEHOUSE
SHEET N.W. 28-H



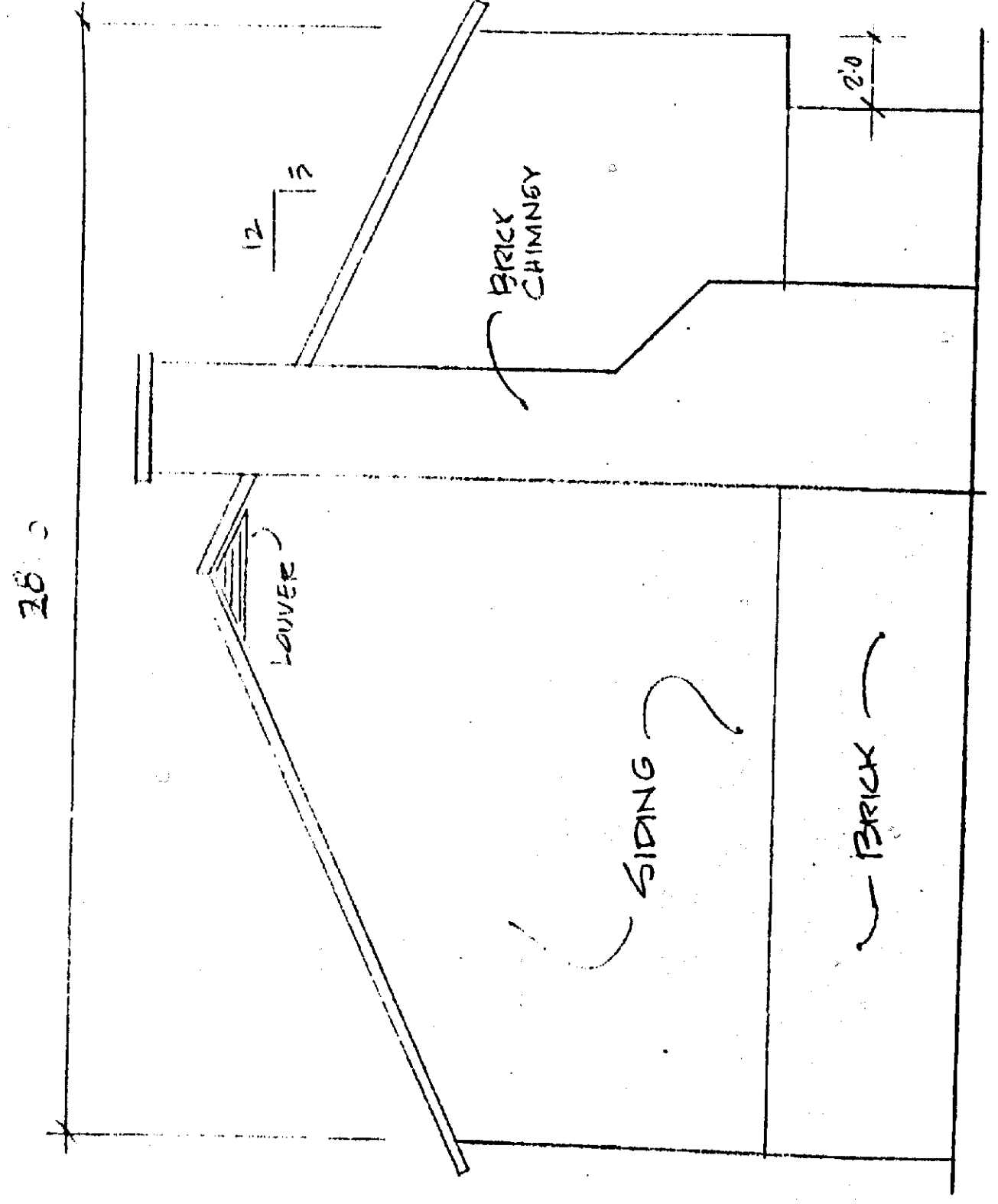
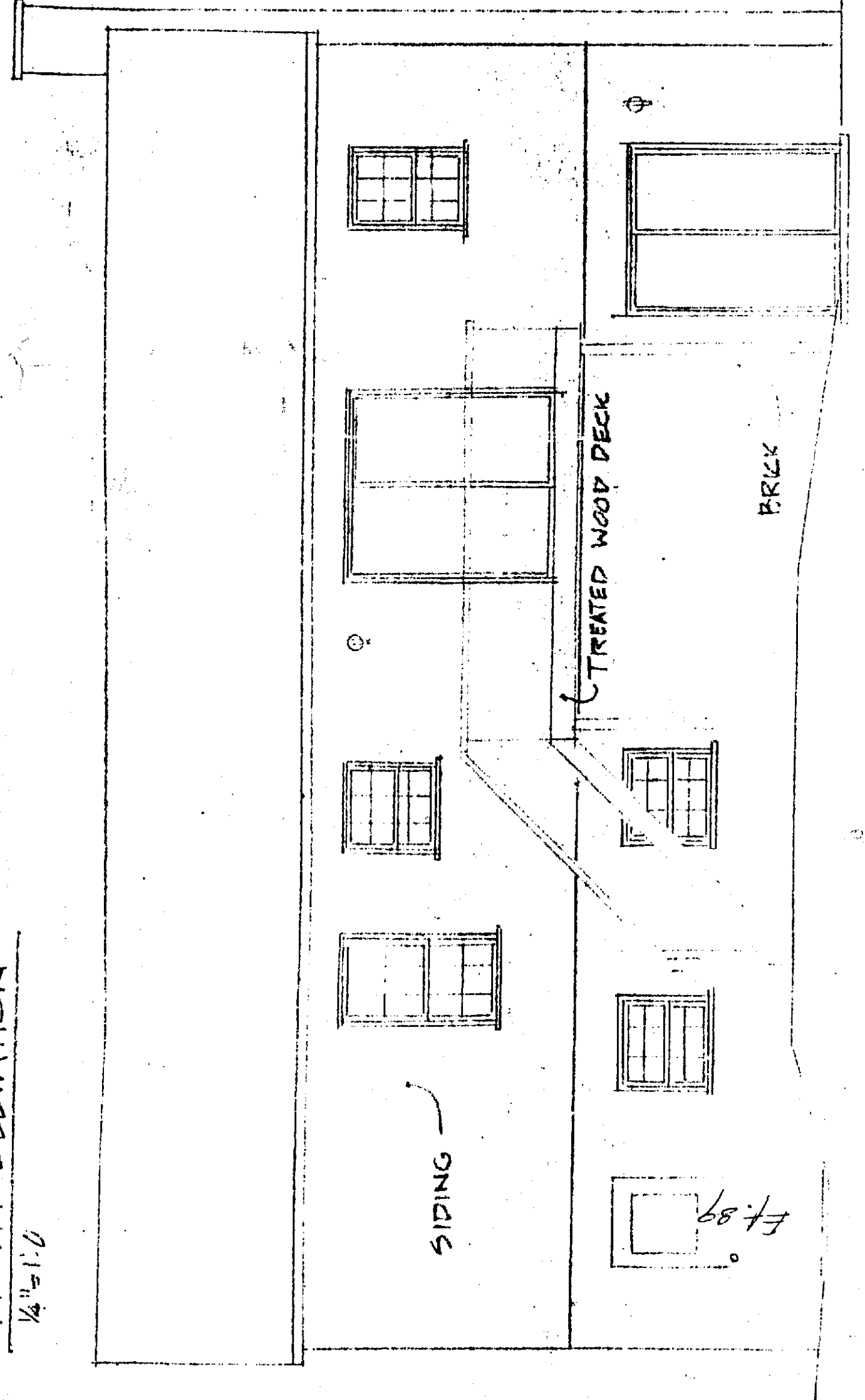
FRONT ELEVATION
1/4" = 1'-0"

Footst. Plank
Lumber
Grass
Sods
Veneer

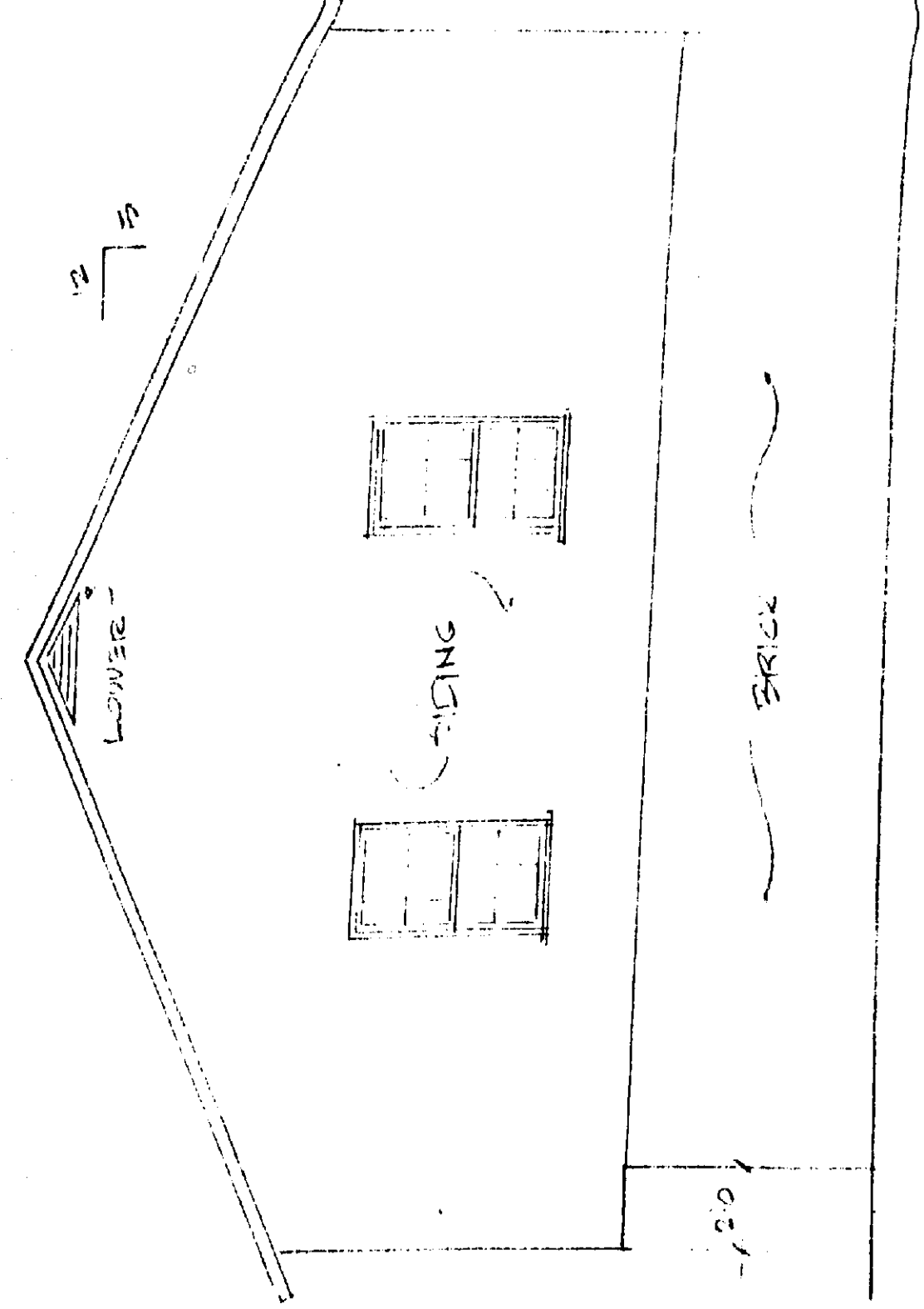
24' lot

94-420-A
Proposed House for
Bett - 771-4421

DATE	SCALE	PROJECT	NO.



LEFT SIDE



DATE	SCALE	PROJECT	NO.

P-114
94-420-A

LIBR 1638

THIS DEED made this 20th day of March in the year nineteen hundred and forty-eight by and between George M Hale deceased and forty-eight by and between George M Hale deceased of Baltimore County State of Maryland party of the first part hereinafter called the Grantor and James Preston Thompson et al first part hereinafter called the Grantee and James Preston Thompson and Catherine Curtis Thompson his wife of Baltimore County State of Maryland party of the second part hereinafter called the County and State aforesaid parties of the second part.

WITNESSETH that in consideration of the sum of one thousand dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said George M Hale doth grant and convey unto the said James Preston Thompson and Catherine Curtis Thompson his wife as tenants by the entireties their estates the survivor of them the heirs and assigns of the survivor in fee simple all that lot or parcel of land situate lying and being in the Fifth Election District of Baltimore County State of Maryland and described as follows that is to say

BEGINNING for the outline to include the same at a pipe set at the end of the second line of parcel No 2 described in a deed from John O Hale and wife to George M Hale and wife dated February 29 1916 recorded among the Land Records of Baltimore County in Liber WOC No 159 folio 139 etc running thence bounding on the third line of that parcel as surveyed by magnetic bearings in the year 1947 South 17 degrees 31 minutes East 201.05 feet to a pipe thence by a line of division and running for a line between lot No 4 and lot No 5 shown on a plat unrecorded made for George M Hale and dated March 15 1947 South 71 degrees 58 minutes 30 seconds West 227.92 feet to a pipe set on the North-east side of the Falls Road at a point 20 feet East of the center line of that road-thence bounding along the Northeast side of that road North 18 degrees 1 minute 30 seconds West 117.1 feet to a pipe and to intersect the above mentioned second line of parcel No 2 as described in said deed from John O Hale and wife to George M Hale and wife thence thence bounding on that line as now surveyed North 55 degrees 13 minutes East 236.25 feet to the place of beginning containing nine hundred and fifty-one one thousandths of an acre (10911) of land more or less

BEING a part of the said land that was conveyed unto the said George M Hale by the above mentioned deed from John O Hale and wife dated February 29 1916 recorded among the Land Records of Baltimore County in Liber WOC No 159 folio 139 etc and lots 5 and 6 of above mentioned plat

TOGETHER with the buildings and improvements thereupon erected made or being and all and every the rights appurtenances and advantages thereunto in anywise appertaining

TO HAVE AND TO HOLD the same land and premises above described and mentioned and hereby intended to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said James Preston Thompson and Catherine Curtis Thompson his wife as tenants by the entireties their estates the survivor of them the heirs and assigns of the survivor in fee simple

AND the said Grantor hereby covenants that he will warrant specially the

94-420-A

LIBR 1708

Road south 26 degrees 38 minutes 26 seconds east 54 and 87/100ths feet to the place of beginning.

BEING the same lot of ground which by Deed dated November 16, 1948 and recorded among the Land Records of Baltimore County immediately prior hereto was granted and conveyed by Annie Faeh et al. Trustee to the said grantors.

The above description having been prepared with reference to the True Meridian by Albert E. Palmer, Surveyor and Civil Engineer, from survey made October 16, 1948.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, appurtenances, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, a-ove described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said GERRARD BROTHERS INCORPORATED, its successors and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESSETH the hands and seals of said grantors

TRUSTEES: William T. Biermann (REAL)
John J. Neubauer William T. Biermann
John J. Neubauer Florence C. Biermann (REAL)
Florence C. Biermann

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I HEREBY CERTIFY, That on this 16th day of November in the year one thousand nine hundred and forty-eight before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared WILLIAM T. BIERMANN and FLORENCE C. BIERMANN, his wife the grantors named in the above Deed, and they acknowledged the aforesaid Deed to be their act.

As WITNESS my hand and Notarial Seal.

John J. Neubauer Notary Public
John J. Neubauer

(Notarial Seal)
Recorded Nov. 16 1948 at 9:25 A.M. & exd per T. Breden Silcott rec by eah
Exd by 50426

72765 George M. Hale, widower : THIS DEED, made this 2nd day of October, in the
Deed to Howard P. Hale : year nineteen hundred and forty-eight, by and between
US \$-55 SS \$-55 : George M. Hale, widower, divorcee, of Baltimore
County, State of Maryland, party of the first part,
hereinafter called the Grantor, and Howard Preston Hale of the County and State, aforesaid,
party of the second part.

WITNESSETH, that in consideration of the sum of five dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said George M. Hale, doth grant and convey unto the said Howard Preston Hale, his heirs and assigns, in fee simple; all that lot or parcel of land situate, lying and being in the Fifth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the outline to include the same at a pipe set on the East side of the

July 13, 1984


Arnold Jablon
Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21284

Dear Mr. Jablon:

I would like to appeal the decision rendered regarding a petition for variance on Case Number 94-420-A; E/S Falls Road, 368' N of the c/l of Ridge Road, (17207 Falls Road).

I will be contacting you in the near future.

Sincerely,



Stanley E. Holt
P.O. Box 698
Sparks, MD 21152
771-4421
Fax: 771-4181
SEB/sjt

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS

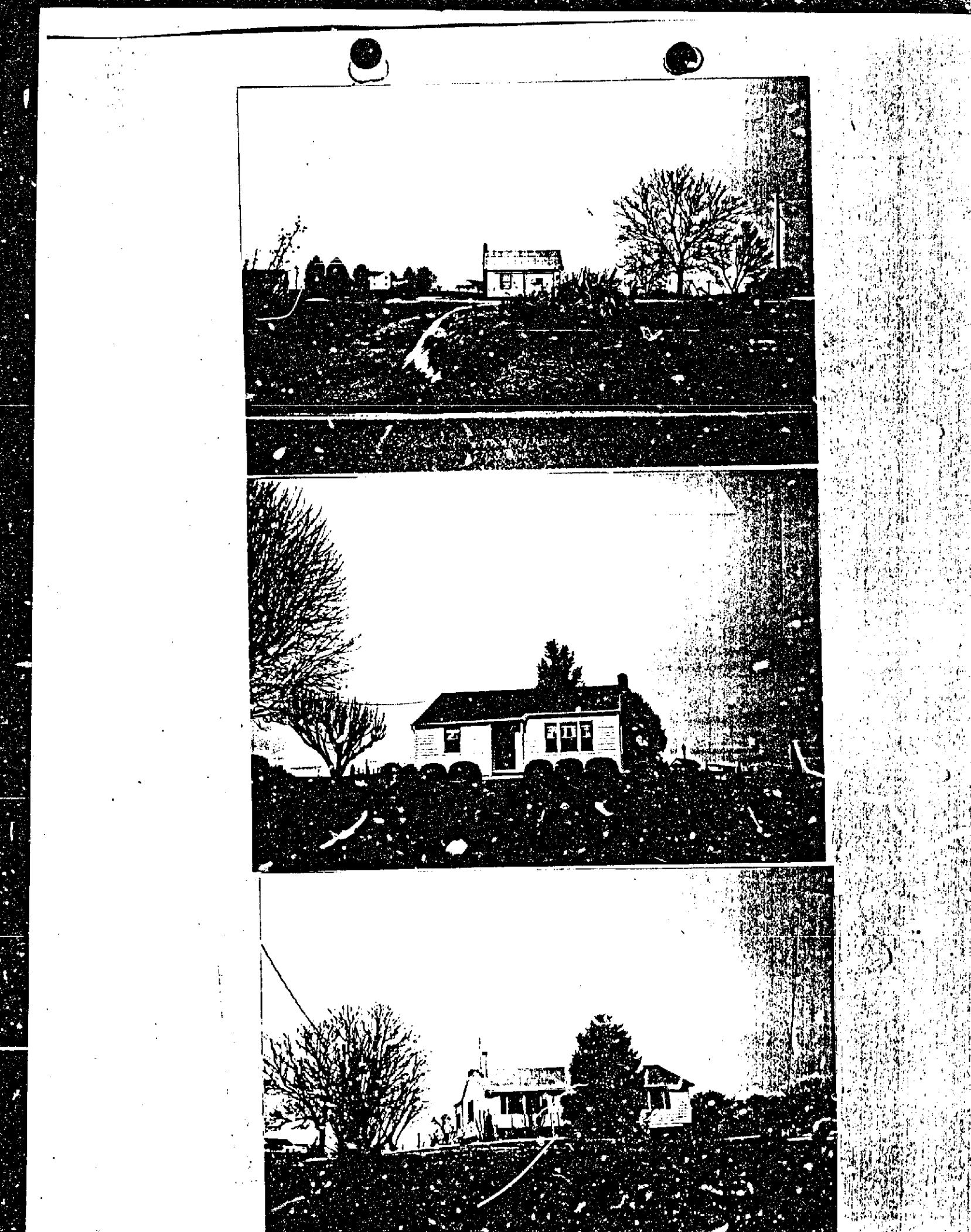
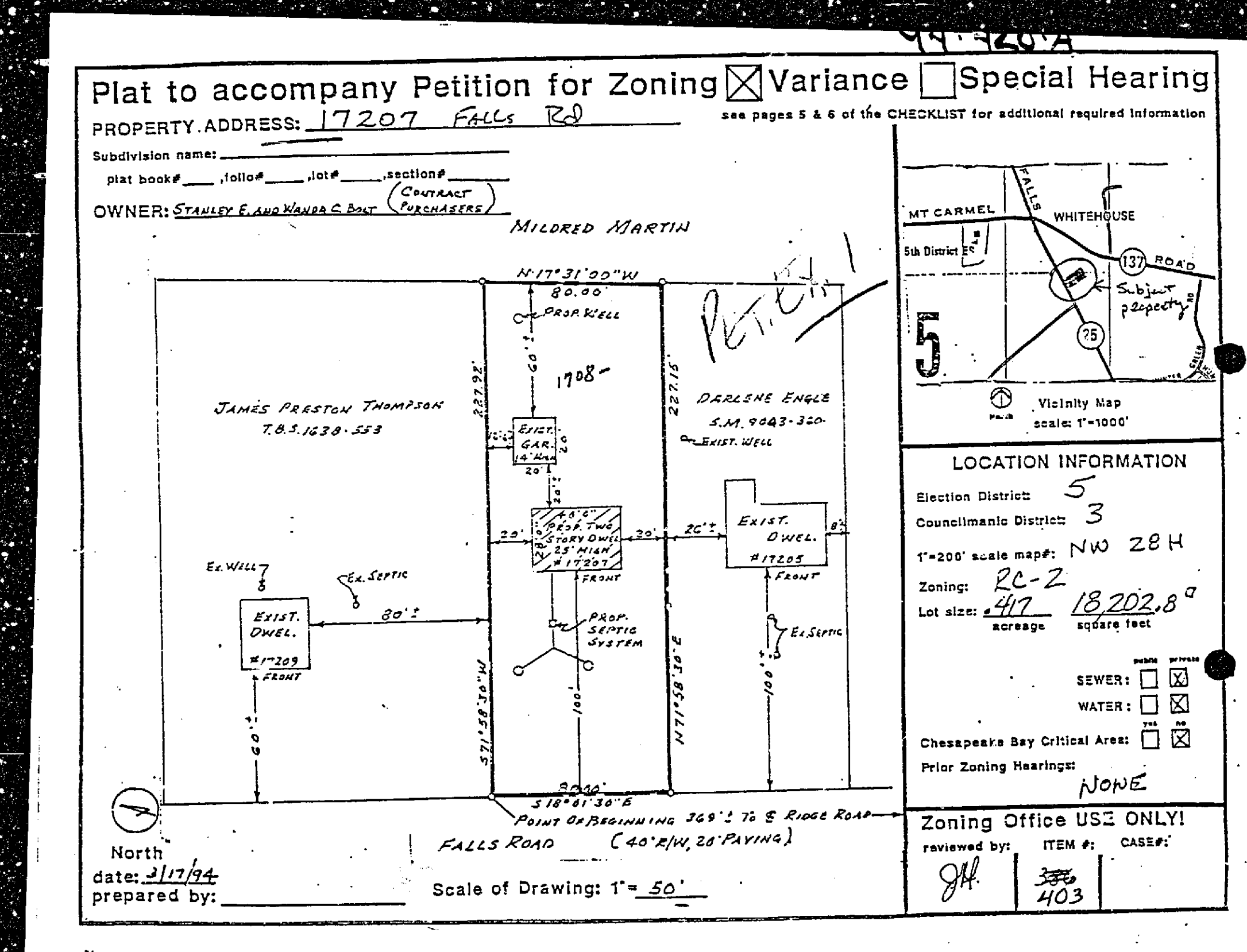
David Elbert 17209 Falls Rd
Upperco, MD 21155

LORING T. SPARKS 17422 Falls Rd
Upperco, MD 21155

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS

Stanley Bolt P.O. Box 698 Sparks, MD 21152
Charlotte Schwartz/Dan Engle 4315 Miller Station Sparks, MD 21152



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.

Carl Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 403

Petitioner:

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME:

ADDRESS:

PHONE NUMBER:

*MUST BE SUPPLIED

94-420-A
THE PUBLISHING COMPANY
May 12, 1994 Issue - Jeffersonian
Please forward billing to:
Stanley (Sunny) Bolt
P. O. Box 698
Sparks, Maryland 21152
771-4421

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: 94-420-A (Item 403)
17207 Falls Road
E/S Falls Road, 369' N of c/l Ridge Road
5th Election District - 3rd Councilmanic
Petitioner(s): Darlene Engle, PR for Howard P. Hall and Darlene Engle
Contract Purchaser(s): Stanley E. Bolt
HEARING: WEDNESDAY, JUNE 8, 1994 at 9:00 a.m. Rm. 118 Old Courthouse.

Variance to allow side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot.

LAWRENCE E. SCHWITZ
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 887-3391.

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: 94-420-A (Item 403)
17207 Falls Road
E/S Falls Road, 369' N of c/l Ridge Road
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Petitioner(s): Darlene Engle, PR for Howard P. Hall
Contract Purchaser(s): Stanley E. Bolt
HEARING: WEDNESDAY, JUNE 8, 1994 at 9:00 a.m. Rm. 118 Old Courthouse.

Variance to allow side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot.

Arnold Jablon
Director

cc: Darlene Engle
Stanley Bolt

- 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 887-3391.

Mr. Howard Preston Hale
c/o Ms. Darlene Engle
4315 Miller Station Road
Millers, Maryland 21107

RE: Case No. 94-420-A, Item No. 403
Petitioner: Howard Preston Hale, et al.
Petition for Variance

Dear Mr. Hale:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on April 25, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 17, 1994
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section
RE: Zoning Advisory Committee Meeting
for May 16, 1994
Item No. 403

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to Baltimore County Development Regulations, Divisions 3, 4 and 5 for a minor development.

Also, all required improvements affecting the State road right-of-way are subject to the standards and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

RWB:ew

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

May 24, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
FROM: J. Lawrence Pilson
Development Coordinator, DEPRM
SUBJECT: Zoning Item #403 - Engle Property
17207 Falls Road
Zoning Advisory Committee Meeting of May 9, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

Prior to development of a residential lot recorded before 1972, and not served by Public Sewerage, Soil Percolation tests must be successfully completed which demonstrate suitable soils and sufficient area for the placement of one septic system and at least one repair. Additionally, a water well would need to be drilled and tested for yield demonstrating a yield of at least 1 gallon per minute after 6 hours of pumping.

JLP:TE:sp
ENGLE/DEPRM/TXTSBP

1644
9
2334-94
DATE: 05/05/94

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.

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 403, 404, 405, 407, 408, 409, 410, 412, 413, AND 414.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102P

cc: File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 18, 1994
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. 401, 403, 408, 413, 415, 416, 417, 418, 419, 421, 422, 425 and 426.

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: *Caryl L. Kern*

PK/JL:lw

ZAC.401/PZONE/ZAC1

IN RE: PETITION FOR VARIANCE
 E/S Falls Road, 369' N of
 the c/l of Ridge Road
 (17207 Falls Road)
 5th Election District
 3rd Councilmanic District

Darlene Engle, Pers. Repr. for
 the Estate of Howard P. Hale
 Petitioner

* BEFORE THE
 * DEPUTY ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 94-420-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 17207 Falls Road, located in the Whitehouse area of northern Baltimore County. The Petition was filed by Darlene Engle as Personal Representative for the Estate of Howard Preston Hale, legal owner, and the Contract Purchaser, Stanley E. Bolt. The Petitioners seek variance relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot, pursuant to Section 304.2 of the B.C.Z.R., for a proposed dwelling. The subject property and relief sought are more particularly described on the plat submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Charlotte Schultz, who appeared on behalf of Darlene Engle, and Stanley Bolt, the Contract purchaser. Appearing in opposition to the Petitioners' request were David Elbert, adjoining property owner, and Loring T. Sparks, nearby resident of the area.

Testimony revealed that the subject property consists of .417 acres, more or less, zoned R.C.2 and is improved with a 20' x 20' garage towards the rear of the property. The Petitioner has contracted to sell the property to Mr. Bolt who is desirous of developing the site with a

single family dwelling. As to the existing garage, neither Mr. Bolt nor Ms. Schultz knew how long the structure has been on the property but indicated that the garage has existed on the site for some time. Because of the dimensions of the lot, the requested variances are necessary in order to develop the property as proposed.

Appearing and testifying in opposition to the Petitioners' request were David Elbert and Loring Sparks. Mr. Elbert and Mr. Sparks are opposed to the granting of the variance, and indicated that water and septic service for the subject site would be a problem in that water is not plentiful in this area. Furthermore, both gentlemen argued that the subject property is just too small to support a single family dwelling and they request the variance relief be denied.

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).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners

would experience practical difficulty or unreasonable hardship if the requested variance were denied. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

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 denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of June, 1994 that the Petition for Variance seeking relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot, pursuant to Section 304.2 of the B.C.Z.R., for a proposed dwelling in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

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

TMK:bjs

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113 Courthouse
 400 Washington Avenue
 Towson, MD 21284

June 22, 1994

(410) 887-4386

Ms. Darlene Engle
 431 Miller Station Road
 Millers, Maryland 21107

RE: PETITION FOR VARIANCE
 E/S Falls Road, 369' N of the c/l of Ridge Road
 (17207 Falls Road)
 5th Election District - 3rd Councilmanic District
 Darlene Engle, Personal Representative for the
 Estate of Howard P. Hale - Petitioner
 Case No. 94-420-A

Dear Ms. Engle:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied 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:bjs

cc: Mr. Stanley Bolt
 P.O. Box 699, Sparks, Md. 21152

People's Counsel

File

ORDER RECEIVED FOR FILING
 Date 6/22/94
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 6/22/94
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 6/22/94
 By [Signature]

Petition for Variance
 to the Zoning Commissioner of Baltimore County
 for the property located at 17207 Falls Road 2155
 which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property all 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) 1A01.3.B.3 (RC20) to allow side yard setbacks of 20 ft. each in lieu of the of minimum required 35 ft. each and to approve an undersize lot per section 304.2

of the Zoning Regulations of Baltimore County, to the Zoning L-1 of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
 THE SUBJECT PROPERTY IS 80' WIDE, AND SIDE SET BACKS ARE NOW 35'. THE BUILDING PLANS CALL FOR A 40' WIDE HOUSE. WE ASK FOR SIDE SET BACKS TO BE PERMITTED TO BE 20' IN THIS INSTANCE.

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 Name
Stanley E. Bolt
 (Type or Print Name)
 Signature
[Signature]
 Address
P.O. Box 699
Sparks, MD. 21152
 City State Zipcode
 Attorney for Petitioner
 (Type or Print Name)
 Signature
[Signature]
 Address
[Address]
 City State Zipcode

Legal Owner(s)
 (Type or Print Name)
Darlene Engle Resp
for Howard Preston Hale
 Signature
[Signature]
 Address
4315 Miller Station Rd
4084
 City State Zipcode
 (Type or Print Name)
Darlene Engle
4084
 Address
Miller St and 2110 7
 City State Zipcode
 (Type or Print Name)
Darlene Engle
4084
 Address
Miller St and 237-10 19
 City State Zipcode

ESTIMATED LENGTH OF HEARING
 (minutes)
 (Type or Print Name)
 (Type or Print Name)
 REVIEWED BY: [Signature] DATE: 4/18/94

ORDER RECEIVED FOR FILING
 Date 4/18/94
 By [Signature]

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR #17207 FALLS ROAD
 (address)
 Election District 5TH Councilmanic District 3RD

Beginning at a point on the EAST side of Falls Road
 (north, south, east or west)
ROAD which is 40 FEET
 (street on which property fronts)
 wide at a distance of 31.1 FEET NORTH of the
 (number of feet) (north, south, east or west)
 centerline of the nearest improved intersecting street RIDGE ROAD
 (name of street)
 which is 30 FEET wide. *Block Lot # _____
 (number of feet of right-of-way width)
 Block _____, Section # _____ in the subdivision of
 (name of subdivision) _____ as recorded in Baltimore County Plat
 Book # _____, Folio # _____, containing
18,202 6 9 0.417 Ac
 (square feet and acres) Item # 403

METES AND BOUNDS DESCRIPTION
 BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF FALLS ROAD, 40 FEET WIDE, AT A POINT DISTANT 329 FEET, MORE OR LESS FROM THE CENTERLINE OF RIDGE ROAD, 30 FEET WIDE, RUNNING THENCE BOUNDING IN THE EAST SIDE OF SAID FALLS ROAD SOUTH 18 DEGREES 01 MINUTES 30 SECONDS EAST 80.00 FEET, RUNNING THENCE FOR LINES OR DIVISION THERE, ACCORDING COURSES AND DISTANCES VIZ: FIRST, NORTH 71 DEGREES 58 MINUTES 30 SECONDS EAST 27.15 FEET, SECOND, NORTH 17 DEGREES THIRTY ONE MINUTES WEST 80.00 FEET AND THIRD SOUTH 71 DEGREES 58 MINUTES 30 SECONDS WEST 27.92 FEET TO THE POINT OF BEGINNING

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 5TH Date of Posting 6/14/94
 Posted for Variance
 Petitioner: Darlene Engle, Howard P. Hale, Stanley Bolt
 Location of property: 17207 Falls Rd., 4084 Miller St, Sparks, Md.
 Location of Sign: Along Stanley on property being taxed
 Remarks:
 Posted by [Signature] Date of return: 6/22/94
 Number of Signs: 1

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 in the Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21284, on June 18, 1994 at 10:00 A.M. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:
 Case #94-420-A (Item #403)
 17207 Falls Road, 369' N of Ridge Road, 5th Election District
 3rd Councilmanic District
 Petitioner(s):
 Darlene Engle, P/R for Howard P. Hale and Darlene Engle
 Contract Purchaser(s):
 Stanley E. Bolt
 Hearing: Wednesday, June 18, 1994 at 10:00 A.M. in Rm. 118, Old Courthouse.
 Variance to allow side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot.
 LAWRENCE E. SCARWIT
 Zoning Commissioner for Baltimore County
 NOTES: (1) Hearing is held on the first Wednesday of the month unless otherwise designated. Please Call 887-3391.
 (2) For information concerning the public hearing, please call 887-3391.
 (3) 1994 June 12.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/12 19 94
 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 5/12, 19 94

THE JEFFERSONIAN,
A. Henriksen
 LEGAL AD. - TOWSON

Baltimore County
 Zoning Administration &
 Development Management
 117 West Chesapeake Avenue
 Towson, Maryland 21284

94-420-A
 receipt

Date 4/15/94
 ENGLE -- 17207 Falls Rd.
 OIO -- Variance \$ 50.00
 OTO -- Sign \$ 35.20
\$ 85.20

Account R 001-6150
 Number 403

Taken by JRF

Please Make Checks Payable To: Baltimore County

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

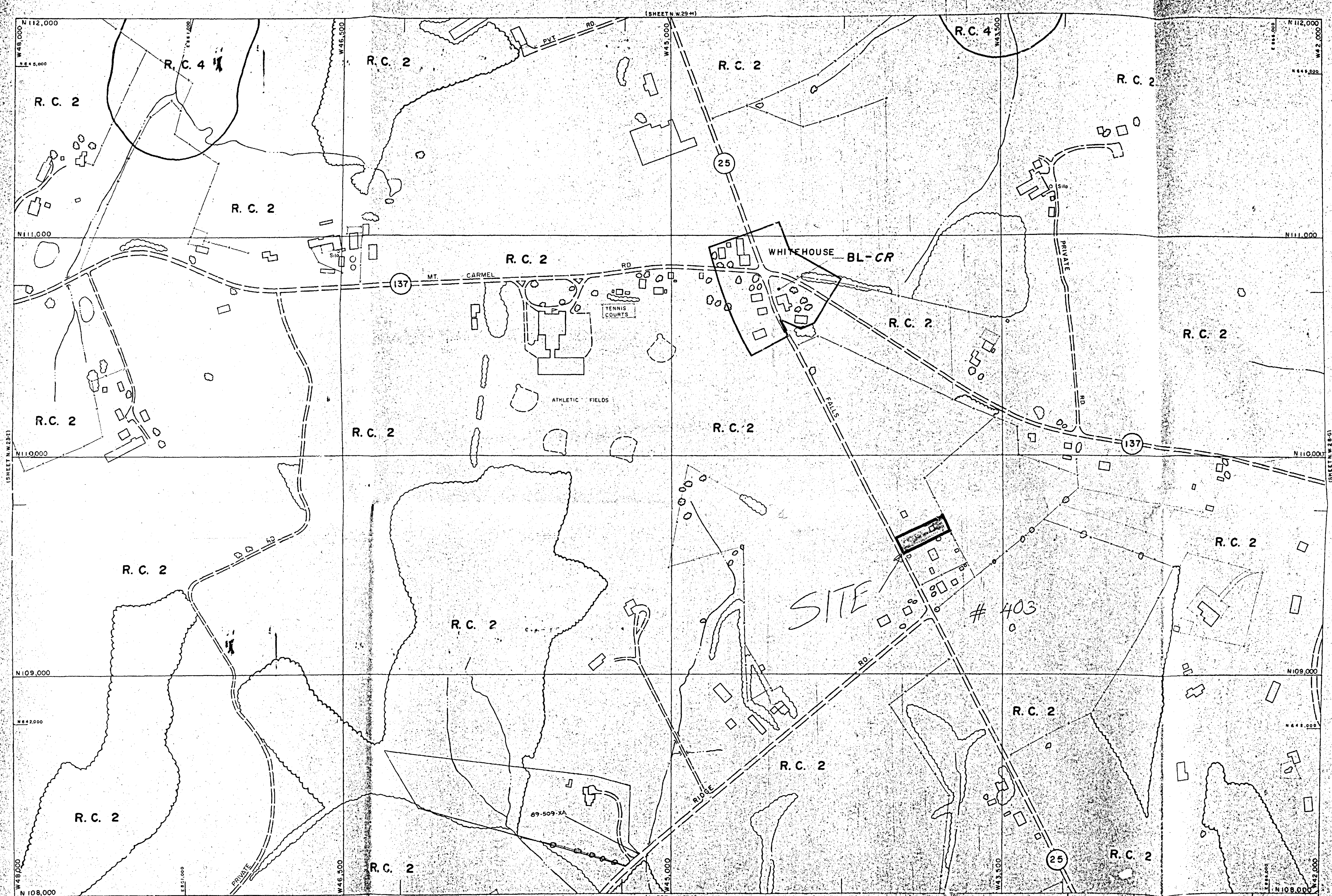
DATE: 4/15/94 ACCOUNT: SCARWIT
 AMOUNT: \$ 85.20

RECEIVED FROM: Stanley E. Bolt

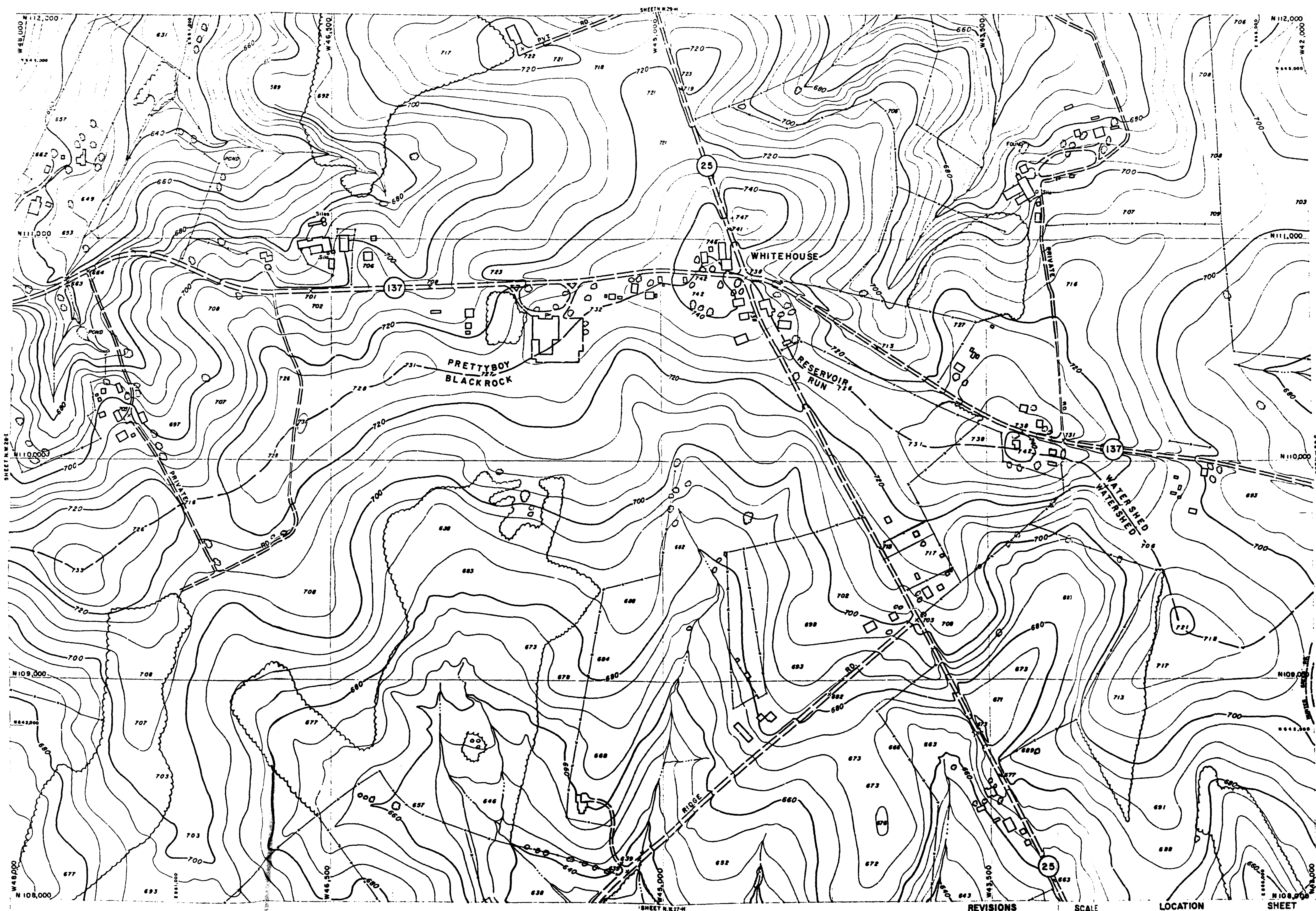
FOR: 94-420-A 403-A
17207 FALLS RD

01A01H04J0M1CHRC \$210.00
 BAL. COUNTY CLERK 02-13-94
 VALIDATION OR SIGNATURE OF CASHIER

DATE: 4/15/94 BY: [Signature]



<p>GG-SW GG-SE GG-NW GG-NE</p> <p>THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210</p>	<p>1988 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 13, 1988</p> <p><i>Dale J. ...</i> Chairman, County Council</p>	<p>BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP</p> <p>1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992</p> <p>94-420-A <i>Edmund ...</i> Chairman, County Council</p>	<p>SCALE 1" = 200'</p> <p>DATE OF PHOTOGRAPHY JANUARY 1986</p>	<p>LOCATION WHITEHOUSE</p>	<p>SHEET NW 28-H</p>
--	--	--	--	--------------------------------	------------------------------

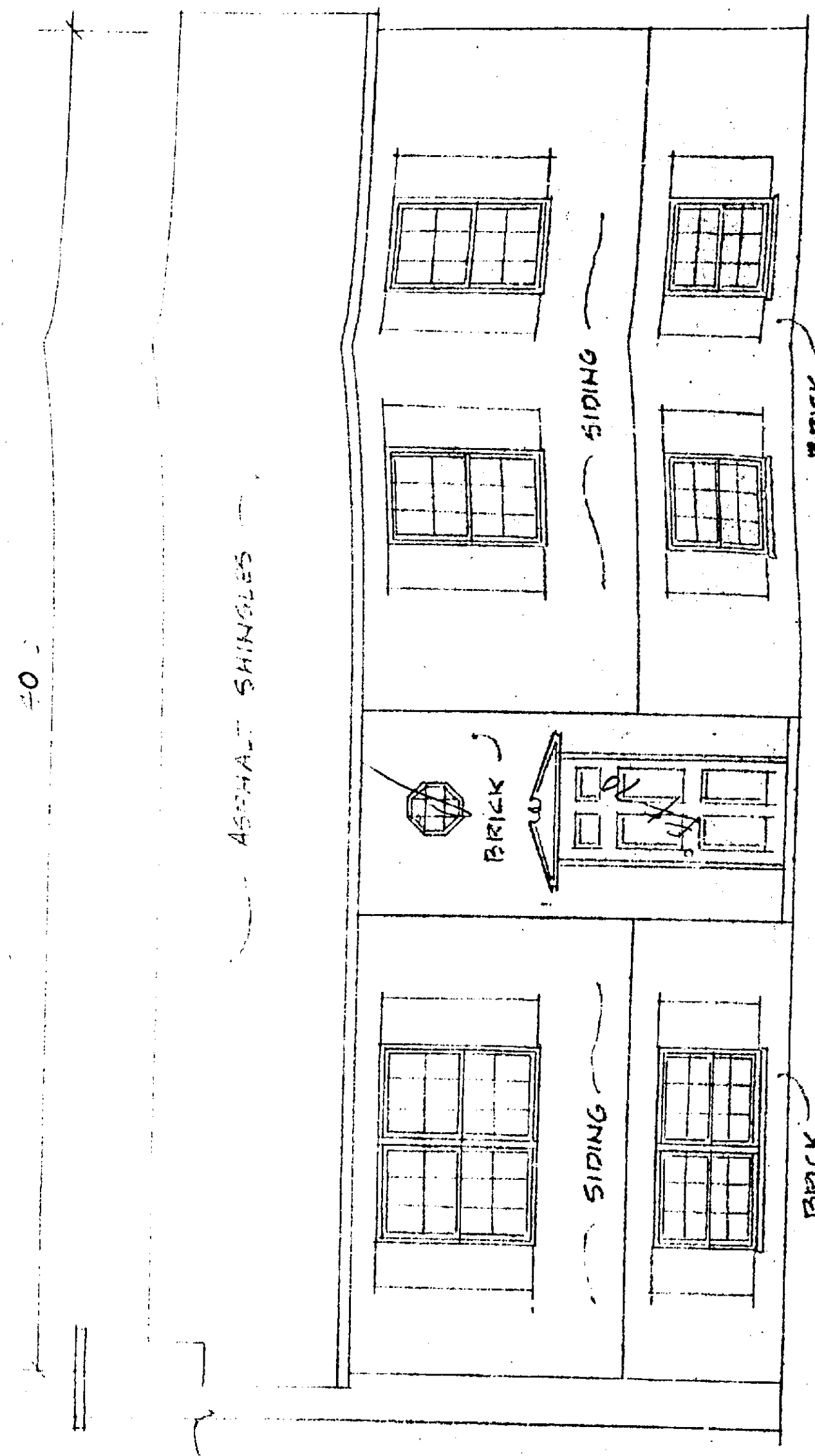


GG-SW GG-SE
GG-NW GG-NE

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY, MARYLAND # 403 94-420-A

REVISIONS BY DATE
1/24/63
SCALE 1" = 200'
DATE OF PHOTOGRAPHY APRIL 1961
Topography Compiled by Photogrammetric Methods
MAPS, INCORPORATED - BALTIMORE 22, MARYLAND

LOCATION WHITEHOUSE
SHEET N.W. 28-H



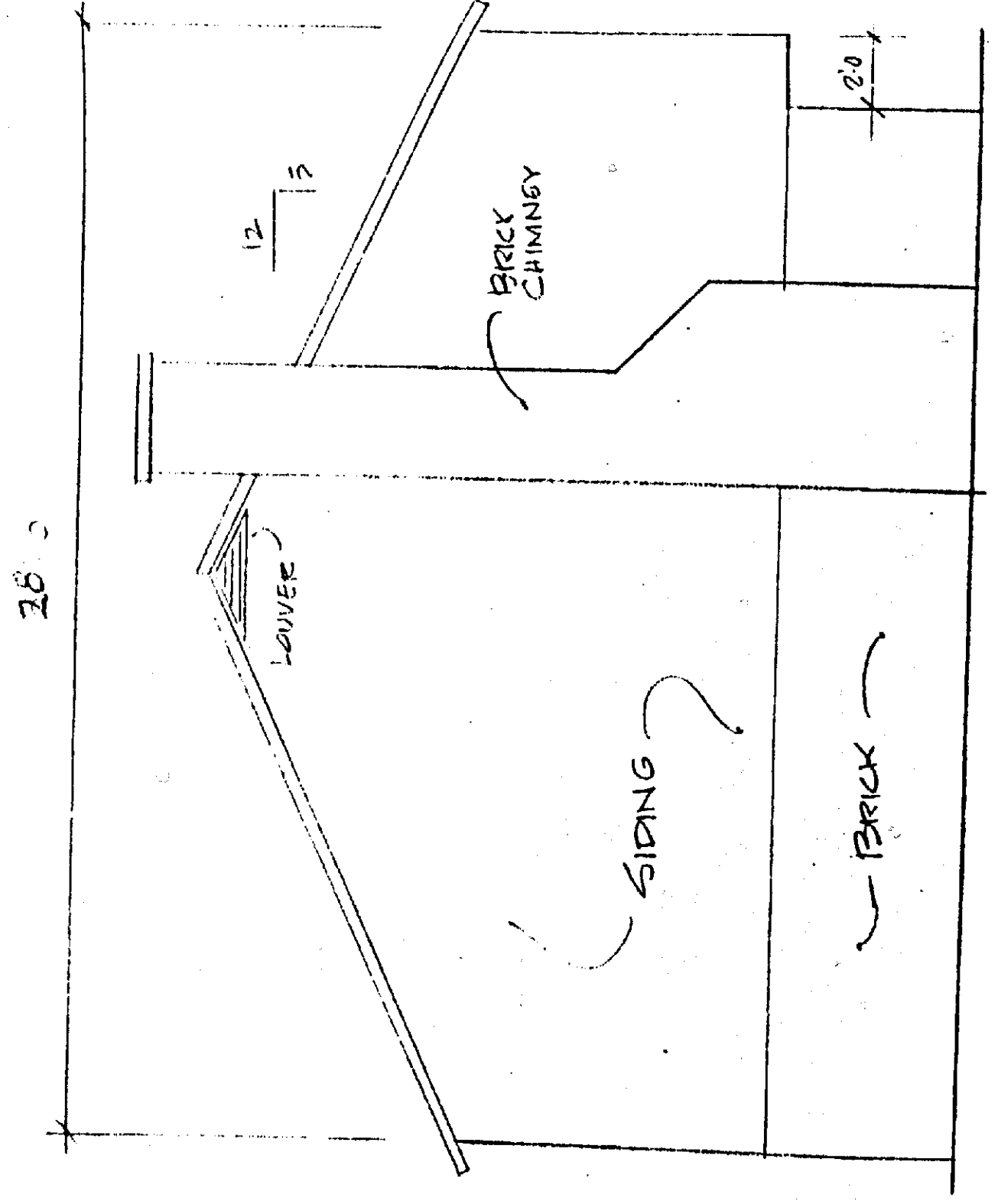
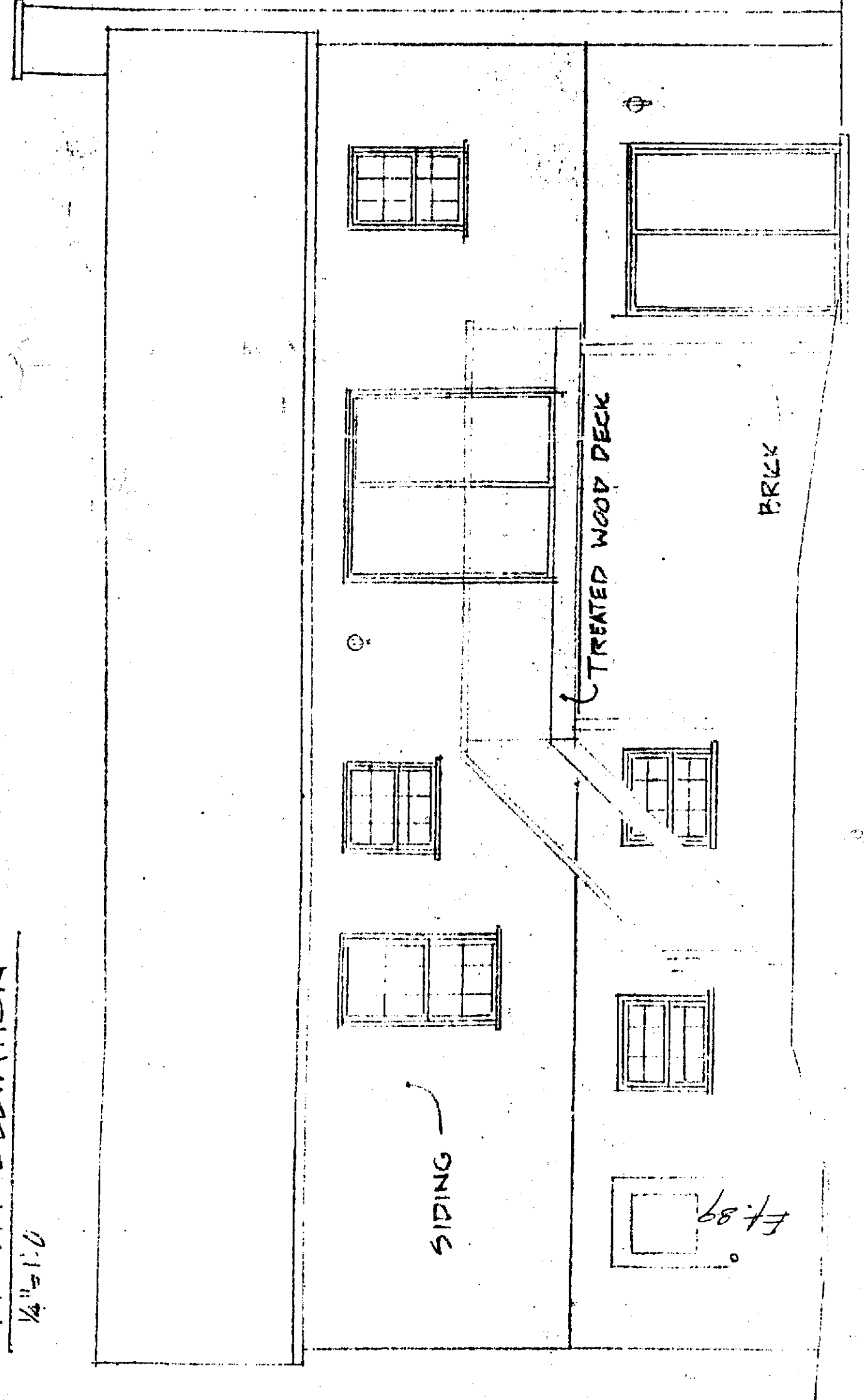
FRONT ELEVATION
1/4" = 1'-0"

Footst. Plank
Lumber
Grass
Sods
Veneer

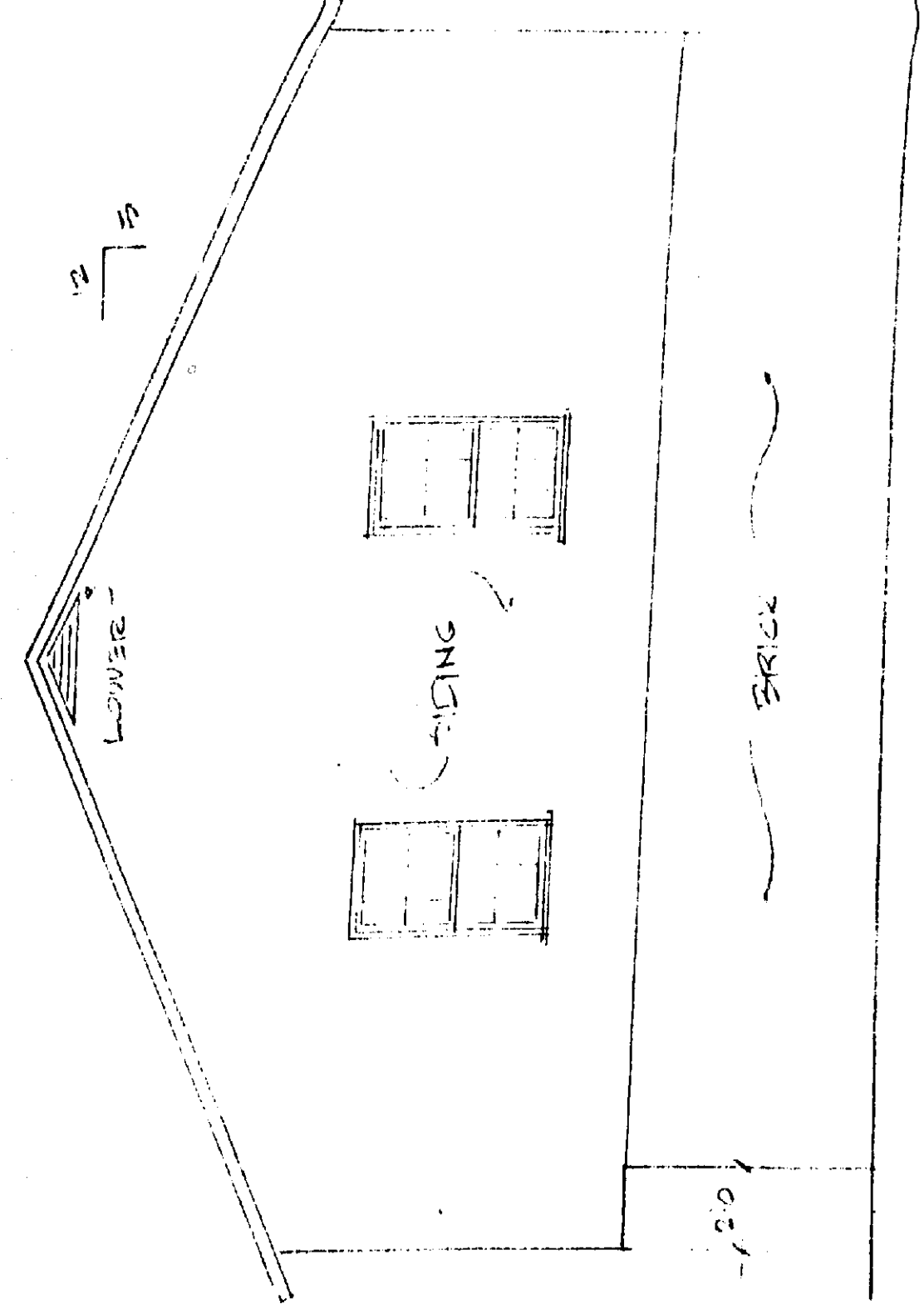
24' lot

94-420-A
Proposed House For
Bott - 771-4421

DATE	SCALE	PROJECT	NO.



LEFT SIDE



DATE	SCALE	PROJECT	NO.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 15, 1994

Mr. David Elbert
17209 Falls Road
Upperco, MD 21155

Ms. Loring T. Sparks
17422 Falls Road
Upperco, MD 21155

RE: Petition for Variance
E/S Falls Road, 369 Ft. N of
the c/l of Ridge Road
(17207 Falls Road)
5th Election District
3rd Councilmanic District
Darlene Engle, Rep. for the
Estate of Howard P. Hale-PETITIONER
Case No. 94-420-A

Dear Mr. Elbert and Ms. Sparks:

Please be advised that an appeal of the above-referenced case was
filed in this office on July 13, 1994 by Stanley E. Bolt, contract
purchaser. All materials relative to the case have been forwarded to
the Board of Appeals.

If you have any questions concerning this matter, please do not
hesitate to contact Julie Winiarski at 887-3391.

Sincerely,
Arnold Jablon
ARNOLD JABLON
Director

AJ:jaw

cc: Ms. Darlene Engle
People's Counsel

APPEAL

Petition for Variance
E/S Falls Road, 369 Ft. N of the c/l of Ridge Road
17207 Falls Road
5th Election District - 3rd Councilmanic District
Darlene Engle, Pers. Rep. for the
Estate of Howard P. Hale-PETITIONER
Case No. 94-420-A

Petition(s) for Variance
Undersize Lot Recommendation Form
Description of Property
Certificate of Posting (not in file)
Certificate of Publication
Entry of Appearance of People's Counsel
Zoning Plans Advisory Committee Comments
Petitioner(s) and Protestant(s) Sign-In Sheets
Petitioner's Exhibits: 1 - Plat to accompany Petition for Variance
Three Photographs (not marked exhibits)
Copies of four deeds
Letter of Administration
Deputy Zoning Commissioner's Order dated June 22, 1994 (Denied)
Notice of Appeal received on July 13, 1994 from Stanley E. Bolt,
Contract Purchaser

c: Mr. David Elbert, 17209 Falls Road, Upperco, MD 21155
Ms. Loring T. Sparks, 17422 Falls Road, Upperco, MD 21155
Ms. Dee Engle, 4315 Millers Station Road, Millers Station,
MD 21107
Mr. Stanley E. Bolt, P.O. Box 698, Sparks, MD 21152
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Patrick Keller, Director, Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Manager
Docket Clerk
Arnold Jablon, Director of ZADM

RE: PETITION FOR VARIANCE
E/S Falls Road, 369' N of
c/l Ridge Road
(17207 Falls Road), 5th
Election Dist., 3rd
Councilmanic Dist.

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 94-420-A

DARLENE ENGLE, P/R FOR THE
ESTATE OF HOWARD PRESTON HALE
Petitioners

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. DeMilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 1994, a copy of
the foregoing Entry of Appearance was mailed to Darlene Engle, Personal
Representative for the Estate of Howard Preston Hale, 4315 Mill Station
Road, Millers, MD 21107.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue
August 11, 1994

NOTICE OF ASSIGNMENT
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTONEMENTS MUST BE IN WRITING AND IN
STRICT COMPLIANCE WITH RULE 2(b). NO POSTONEMENTS WILL BE
GRANTED WITHIN FIFTY-FIVE (55) DAYS OF SCHEDULED HEARING DATE
UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL
NO. 59-79.

CASE NO. 94-420-A
DARLENE ENGLE, P.R., for the Estate of Howard
P. Hale -Petitioner
E/S Falls Road, 369' N of the c/l of Ridge
Road (17207 Falls Road)
5th Election District
3rd Councilmanic District

VAR - To permit side yard setbacks of 20' each
in lieu of minimum required 35' each and to
approve undersized lot for a proposed
dwelling.

6/22/94 -D.Z.C.'s Order in which Petition for
Variance was DENIED.

ASSIGNED FOR: THURSDAY, SEPTEMBER 29, 1994 at 10:00 a.m.

cc: David M. Meadows, Esquire
Mr. Stanley E. Bolt
Ms. Dee Engle
Ms. Loring T. Sparks
Mr. David Elbert
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Counsel for Appellant
/Contract Purchaser
Appellant /Contract Purchaser
Petitioner
Protestant
Protestant
Administrative Assistant

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning
Attn: Ervin McDarvel
County Courts Bldg, Rm 406
431 E. Bay Ave
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersize Lots
Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommenda-
tions and comments from the Office of Planning and Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:
Project Name: MILLERS, MD 21107
□ DARLENE ENGLE 4315 MILLER STATION RD 239-4194
□ Lot Address: 17207 FALLS RD. Election District 5 Council District 3 Square Feet 4620
□ Lot Location: W side of Falls Rd. 3/4 mi. S of 8th St. W corner of RISE RD.
Land Owner: MRS. HOWARD P. HALE Tax Account Number:
Address: 4315 MILLER STATION RD Telephone Number: 239-4194
MILLERS, MD 21107

□ CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

REQUIREMENTS	YES	NO
1. This Recommendation Form (3 Copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Site Plan (Scale: 1/4" = 1'-0" max)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings (Scale: 1/8" = 1'-0" max)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (Color best of prime views) Adjacent Buildings Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESIDENTIAL PROCESSING FEE Paid
\$200.00 (Code: 00-6100-000)

Date: 7/29/94

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY:

RECOMMENDATION COMMENTS:
 Approval Disapproval Approval conditioned on required modifications of the permit to conform with the following recommendations.

State of Maryland
LETTERS OF ADMINISTRATION
Estate No. 12356

I certify that administration of the Estate of
Howard Preston Hale
was granted on the 20th day of November, 1992
to Darlene Marie Engle
as personal representative and the appointment is in effect
this 20th day of November, 1992.

Will probated November 20, 1992
 Intestate estate.

Reese P. Starnes
Register of Wills
Carroll County

LIBER 5122 MREG 13
TRANSFER TAX NOT REQUIRED
Date of Recording
Date of Execution
Date of Acknowledgment

This Deed, made this 22nd day of JANUARY, 1992, in the year one thousand nine hundred and ninety-two, by and between

HOWARD PRESTON HALE, widower and unmarried, of Baltimore County, of the first part, and
ROBERT LEROY ENGLE and DARLENE MARIE ENGLE, his wife, of the second part.

Witnesseth, that in consideration of the sum of \$0.00 (Zero Dollars and no cents) to the said HOWARD PRESTON HALE, widower and unmarried, who is the owner in fee simple of the lot(s) of ground situated, lying and being in the Fifth Election District of Baltimore County, Maryland, and described as follows, that is to say:

Beginning for the outlines to include the same at a pipe set on the East side of Falls Road, 20 feet East of the center line of the road-bed and at the end of the first line of the parcel of land described in a deed from George M. Hale, to Howard Preston Hale, dated October 22, 1948, recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1708 folio 29, etc., running line in the East side of Falls Road, and along the North West side of lot No. 2 as shown on an unrecorded plat made for George W. Haley, dated March 15, 1947, North 17 degrees 58 minutes 30 seconds East 80 feet to a pipe set on the North West side of lot No. 2 as shown on an unrecorded plat made for O. V. Haley and wife, to George M. Hale, dated February 29, 1916, recorded among the Land Records of Baltimore County in Liber T.B.S. No. 152 folio 18, etc., running thence

thence by a line of division and running at right angle with said road, and along the North West side of lot No. 2 as shown on an unrecorded plat made for George M. Hale, dated March 15, 1947, North 17 degrees 58 minutes 30 seconds East 226.37 feet to a pipe to intersect the third line of the parcel of land described in a deed from George M. Hale, to Howard Preston Hale, dated October 22, 1948, recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1708 folio 29, etc.,

thence by a line of division and running at right angle with said road, and along the North West side of lot No. 2 as shown on an unrecorded plat made for George M. Hale, dated March 15, 1947, North 17 degrees 58 minutes 30 seconds East 226.37 feet to a pipe to intersect the third line of the parcel of land described in a deed from George M. Hale, to Howard Preston Hale, dated October 22, 1948, recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1708 folio 29, etc.,

94-420-A

LIBER 9043 PAGE 350

This DEED, made this 22nd day of JANUARY, 1992, in the year one thousand nine hundred and ninety-two, by and between ROBERT LEROY ENGLE and DARLENE MARIE ENGLE, his wife, of Baltimore County, of the first part, and DARLENE MARIE ENGLE, of the second part.

Witnesseth, that in consideration of the sum of Zero Dollars (\$0.00), the said ROBERT LEROY ENGLE and DARLENE MARIE ENGLE, his wife, do hereby grant and convey unto the said DARLENE MARIE ENGLE, her heirs and assigns, in fee simple, all that lot of ground situated, lying, and being in the Fifth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

Beginning for the outlines to include the same at a pipe set on the East side of Falls Road, 20 feet East of the center line of the road-bed and at the end of the first line of that parcel of land described in a deed from George M. Hale, to Howard Preston Hale, dated October 22, 1948, recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1708 folio 29, etc., running thence binding along the East side of Falls Road, and along the North West side of lot No. 2 as shown on an unrecorded plat made for George M. Hale, dated March 15, 1947, North 17 degrees 58 minutes 30 seconds East 226.37 feet to a pipe to intersect the third line of the parcel of land described in a deed from George M. Hale, to Howard Preston Hale, dated October 22, 1948, recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1708 folio 29, etc.,

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.

Carl Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 403

Petitioner:

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME:

ADDRESS:

PHONE NUMBER:

*MUST BE SUPPLIED

94-420-A
THE PUBLISHING COMPANY
May 12, 1994 Issue - Jeffersonian

Please forward billing to:

Stanley (Sunny) Bolt
P. O. Box 698
Sparks, Maryland 21152
771-4421

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: 94-420-A (Item 403)

17207 Falls Road

E/S Falls Road, 369' N of c/l Ridge Road

5th Election District - 3rd Councilmanic

Petitioner(s): Darlene Engle, PR for Howard P. Hall and Darlene Engle

Contract Purchaser(s): Stanley E. Bolt

HEARING: WEDNESDAY, JUNE 8, 1994 at 9:00 a.m. Rm. 118 Old Courthouse.

Variance to allow side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot.

LAWRENCE E. SCHWITZ
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 887-3391.

94-420-A
111 West Chesapeake Avenue
Towson, MD 21204

May 5, 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: 94-420-A (Item 403)

17207 Falls Road

E/S Falls Road, 369' N of c/l Ridge Road

5th Election District - 3rd Councilmanic

Petitioner(s): Darlene Engle, PR for Howard P. Hall

Contract Purchaser(s): Stanley E. Bolt

HEARING: WEDNESDAY, JUNE 8, 1994 at 9:00 a.m. Rm. 118 Old Courthouse.

Variance to allow side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot.

Carl Jablon
Arnold Jablon
Director

cc: Darlene Engle
Stanley Bolt

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 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 11, 1994

Mr. Howard Preston Hale
c/o Ms. Darlene Engle
4315 Miller Station Road
Millers, Maryland 21107

RE: Case No. 94-420-A, Item No. 403
Petitioner: Howard Preston Hale, et al.
Petition for Variance

Dear Mr. Hale:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on April 25, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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 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.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 17, 1994
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting
for May 16, 1994
Item No. 403

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to Baltimore County Development Regulations, Divisions 3, 4 and 5 for a minor development.

Also, all required improvements affecting the State road right-of-way are subject to the standards and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

RWB:ew

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

May 24, 1994

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

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #403 - Engle Property
17207 Falls Road
Zoning Advisory Committee Meeting of May 9, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

Prior to development of a residential lot recorded before 1972, and not served by Public Sewerage, Soil Percolation tests must be successfully completed which demonstrate suitable soils and sufficient area for the placement of one septic system and at least one repair. Additionally, a water well would need to be drilled and tested for yield demonstrating a yield of at least 1 gallon per minute after 6 hours of pumping.

JLP:TE:sp

ENGLE/DEPRM/TXTSBP

1644
9
2334-94
Baltimore County Government
Fire Department

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

(410) 887-4500

DATE: 05/05/94

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.

8. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 403, 404, 405, 407, 408, 409, 410, 412, 413, AND 414.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102P

cc: File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 18, 1994
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. 401, 403, 408, 413, 415, 416, 417, 418, 419, 421, 422, 425 and 426.

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 M. Long*

Division Chief: *Caryl L. Kern*

PK/JL:lw

ZAC.401/PZONE/ZAC1

IN RE: PETITION FOR VARIANCE
 E/S Falls Road, 369' N of
 the c/l of Ridge Road
 (17207 Falls Road)
 5th Election District
 3rd Councilmanic District
 Darlene Engle, Pers. Repr. for
 the Estate of Howard P. Hale
 Petitioner

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 94-420-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 17207 Falls Road, located in the Whitehouse area of northern Baltimore County. The Petition was filed by Darlene Engle as Personal Representative for the Estate of Howard Preston Hale, legal owner, and the Contract Purchaser, Stanley E. Bolt. The Petitioners seek variance relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot, pursuant to Section 304.2 of the B.C.Z.R., for a proposed dwelling. The subject property and relief sought are more particularly described on the plat submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Charlotte Schultz, who appeared on behalf of Darlene Engle, and Stanley Bolt, the Contract purchaser. Appearing in opposition to the Petitioners' request were David Elbert, adjoining property owner, and Loring T. Sparks, nearby resident of the area.

Testimony revealed that the subject property consists of .417 acres, more or less, zoned R.C.2 and is improved with a 20' x 20' garage towards the rear of the property. The Petitioner has contracted to sell the property to Mr. Bolt who is desirous of developing the site with a

single family dwelling. As to the existing garage, neither Mr. Bolt nor Ms. Schultz knew how long the structure has been on the property but indicated that the garage has existed on the site for some time. Because of the dimensions of the lot, the requested variances are necessary in order to develop the property as proposed.

Appearing and testifying in opposition to the Petitioners' request were David Elbert and Loring Sparks. Mr. Elbert and Mr. Sparks are opposed to the granting of the variance, and indicated that water and septic service for the subject site would be a problem in that water is not plentiful in this area. Furthermore, both gentlemen argued that the subject property is just too small to support a single family dwelling and they request the variance relief be denied.

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).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners

would experience practical difficulty or unreasonable hardship if the requested variance were denied. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

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 denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of June, 1994 that the Petition for Variance seeking relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot, pursuant to Section 304.2 of the B.C.Z.R., for a proposed dwelling in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

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

TMK:bjs

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113 Courthouse
 400 Washington Avenue
 Towson, MD 21284

June 22, 1994

(410) 887-4386

Ms. Darlene Engle
 431 Miller Station Road
 Millers, Maryland 21107

RE: PETITION FOR VARIANCE
 E/S Falls Road, 369' N of the c/l of Ridge Road
 (17207 Falls Road)
 5th Election District - 3rd Councilmanic District
 Darlene Engle, Personal Representative for the
 Estate of Howard P. Hale - Petitioner
 Case No. 94-420-A

Dear Ms. Engle:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied 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:bjs

cc: Mr. Stanley Bolt
 P.O. Box 699, Sparks, Md. 21152

People's Counsel
 Elio

ORDER RECEIVED FOR FILING
 Date 4/22/94
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 4/22/94
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 4/22/94
 By [Signature]

Petition for Variance
 to the Zoning Commissioner of Baltimore County
 for the property located at 17207 Falls Road 2155
 which is presently zoned RC-2

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 hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A01.3.B.3 (RC20) To allow side yard setbacks of 20 ft. each in lieu of the of minimum required 35 ft. each and to approve an undersize lot per section 304.2

of the Zoning Regulations of Baltimore County, to the Zoning Ltr of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
 THE SUBJECT PROPERTY IS 80' WIDE, AND SIDE SET BACKS ARE NOW 35'. THE BUILDING PLANS CALL FOR A 40' WIDE HOUSE. WE ASK FOR SIDE SET BACKS TO BE PERMITTED TO BE 20' IN THIS INSTANCE.

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 Name: Stanley E. Bolt
 (Type or Print Name)
 Signature: [Signature]
 Address: P.O. Box 699
Sparks, MD. 21152
 City State Zipcode
 Attorney for Petitioner:
 (Type or Print Name)
 Signature: _____
 Address: _____
 City State Zipcode

Legal Owner(s):
 Name: Darlene Engle Resp
 (Type or Print Name)
 Signature: [Signature]
 Address: 4315 Miller Station Rd
4004
 City State Zipcode
 Name: Darlene Engle
 Address: Miller 2nd 21107
 City State Zipcode
 Name: Darlene Engle
 Address: Miller 2nd 237-1019
 City State Zipcode

ESTIMATED LENGTH OF HEARING
 (minutes) (hours) (days)
 ALL INFORMATION FOR HEARING
 REVIEWED BY: [Signature] DATE: 4/18/94

ORDER RECEIVED FOR FILING
 Date 4/18/94
 By [Signature]

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 17207 Falls Road
 (address)
 Election District 5TH Councilmanic District 3RD

Beginning at a point on the EAST side of Falls Road
 (north, south, east or west)
Road which is 40 FEET
 (street on which property fronts)
 wide at a distance of 34.5 FEET NORTH of the
 (number of feet) (north, south, east or west)
 centerline of the nearest improved intersecting street Ridge Road
 (name of street)
 which is 30 FEET wide. *Being Lot # _____,
 (number of feet of right-of-way width)
 Block _____, Section # _____ in the subdivision of
 (name of subdivision) as recorded in Baltimore County Plat
 Book # _____, Folio # _____, containing
18,202 6 9 0.417 Ac
 (square feet and acres) Item # 403

METES AND BOUNDS DESCRIPTION
 BEGINNING FOR THE SAME AT A POINT ON THE EAST SIDE OF FALLS ROAD, 40 FEET WIDE, AT A POINT DISTANT 34.5 FEET, MORE OR LESS FROM THE CENTERLINE OF RIDGE ROAD, 30 FEET WIDE, RUNNING THENCE BOUNDING IN THE EAST SIDE OF SAID FALLS ROAD SOUTH 18 DEGREES 01 MINUTES 34 SECONDS EAST 80.00 FEET, RUNNING THENCE FOR LINES OR DIVISION THE THIRD, ACCORDING COURSES AND DISTANCES VIZ: FIRST, NORTH 71 DEGREES 58 MINUTES 30 SECONDS EAST 27.15 FEET, SECOND, NORTH 17 DEGREES THIRTY ONE MINUTES WEST 80.00 FEET AND THIRD SOUTH 71 DEGREES 58 MINUTES 30 SECONDS WEST 27.92 FEET TO THE POINT OF BEGINNING

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 5TH Date of Posting: 4/18/94
 Posted for: Variance
 Petitioner: Darlene Engle, Resp, Stanley Bolt
 Location of property: 17207 Falls Rd., 4315 Miller St. Rd.
 Location of Sign: Along street on property being taxed
 Remarks: _____
 Posted by: [Signature] Date of return: 4/22/94
 Number of Signs: 1

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 as in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21284, on June 18, 1994 at 10:00 A.M. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:
 Case #94-420-A
 (Item #43)
 17207 Falls Road
 E/S Falls Road, 369' N of
 Ridge Road
 5th Election District
 3rd Councilmanic District
 Petitioner(s):
 Darlene Engle, P/R for
 Howard P. Hale and
 Stanley Bolt
 Contract Purchaser(s):
 Stanley E. Bolt
 Hearing: Wednesday,
 June 18, 1994 at 10:00 A.M.
 in Rm. 118, Old
 Courthouse
 Variance to allow side yard setbacks of 20 feet each in lieu of the minimum required 35 feet each and to approve an undersized lot.
 LAWRENCE E. SCARWIT
 Zoning Commissioner for Baltimore County
 NOTES: (1)Hearings are held on Wednesdays unless otherwise specified. (2)If you have any questions, please call 887-3391. (3)If you are unable to attend, please call 887-3391. (4)If you are unable to attend, please call 887-3391. (5)If you are unable to attend, please call 887-3391.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/12 19 94
 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 5/12, 19 94

THE JEFFERSONIAN,
A. Henkelson
 LEGAL AD. - TOWSON

Baltimore County
 Zoning Administration &
 Development Management
 117 West Chesapeake Avenue
 Towson, Maryland 21284

94-420-A
 receipt

Date: 4/25/94 Account: R 001-6150
 Number: 403
 ENGLE -- 17207 Falls Rd.
 Taken by JRF
 OIO -- Variance \$ 50.00
 OTO -- Sign \$ 35.20
 \$ 85.20

Cashier Validation
 Please Make Checks Payable To: Baltimore County

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCIAL REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 148203
 DATE: 4/25/94 ACCOUNT: SCARWIT
 AMOUNT: \$ 85.20
 RECEIVED FROM: Darlene Engle
 FOR: 94-420-A 403-A
17207 FALLS RD
 O1401N0430M1CHRC \$210.00
 BAL. COUNTY CLERK 02-13-94
 VALIDATION OR SIGNATURE OF CASHIER
 SIGNATURE: _____ TITLE: _____