

IN RE: PETITION FOR ADMINISTRATIVE \* BEFORE THE  
 ZONING VARIANCE \*  
 NW/S Heavrin Court, 400 ft. W of \* ZONING COMMISSIONER  
 c/l of Necker Avenue \*  
 30 Heavrin Court \* OF BALTIMORE COUNTY  
 11th Election District \*  
 5th Councilmanic District \* Case No. 95-442-A  
 Stacy Hale  
 Petitioner

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Stacy Hale for that property known as 30 Heavrin Court in the Belneck subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 504 and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit an open projection (deck) with a setback of 1 ft. in lieu of the required 11.25 ft., and to amend the Final Development Plan of Belneck Square for lot No. 15. The subject property and requested relief is more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

CBZRA RECEIVED FOR FILING  
 Date 7/6/95  
 By M. Howard

MICROFILMED

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of July, 1995 that the Petition for a Zoning Variance from Section 504 and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit an open projection (deck) with a setback of 1 ft., in lieu of the required 11.25 ft., and to amend the Final Development Plan of Belneck Square for lot No. 15, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

OFFICE OF PLANNING  
 7/6/95  
 SUC  
 BY: *[Signature]*

LES:mmm

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

*[Handwritten initials]*

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 5, 1995

Ms. Stacy Hale  
30 Heavrin Court  
Baltimore, Maryland 21236

RE: Petition for Administrative Variance  
Case No. 95-442-A  
Property: 30 Heavrin Court

Dear Ms. Hale:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative 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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.





# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

95-442-A

for the property located at 30 HEAVEN CT 21236

which is presently zoned Residential DR 5-5

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) 504 & 301.1 (BCZR) & V.B.6.b (CMDF) 1989

**To permit an open projection (proposed attached deck) with a setback of 1 foot in lieu of the required 11.25 feet and to amend the Final Development Plan of Belneck Square for Lot #15.**

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

*Because of the size of the lot and the positioning of the house there is not enough land to support a deck as desired*

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.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee.

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

30 Heaven CT 529-2246  
Address Phone No

BALT MD 21236  
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_ day of \_\_\_\_\_, 19\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: *[Signature]*

DATE: 6-5-95

ESTIMATED POSTING DATE: 6-15-95



Printed with Soybean Ink on Recycled Paper

ITEM #: 436

MICROFILMED

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 30 Heaven CT  
address  
Balt MD 21236  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

*not to with the porch there is the house and the side of the lot and a 4 ft  
 clear is not enough for the support of the driveway*

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

*Stacy Hale* (signature)  (signature)  
 Stacy C Hale (type or print name) Carol (type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
 I HEREBY CERTIFY, this 1st day of June, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

*Stacy Hale*

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/1/95  
 date

*William J. Scott*  
 NOTARY PUBLIC

My Commission Expires:  
7/1/95

# EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 30 Haven CT  
(address)

Beginning at a point on the North West side of Haven CT  
(north, south, east or west) (name of

street on which property fronts which is 50 Feet  
(number of feet of right-of-way width)

wide at the distance of 400 West Side Mark of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Necker Ave  
(name of street)

which is 60 Feet wide. \*Being Lot # 15,  
(number of feet of right-of-way width)

Block \_\_\_\_\_, Section # \_\_\_\_\_ in the subdivision of Bellevue Square  
(name of subdivision)

as recorded in Baltimore County Plat Book # \_\_\_\_\_, Folio # \_\_\_\_\_, containing

4796.60. Also known as 30 Haven CT  
(square feet or acres) (property address)

and located in the 11 Election District, 5 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_\_\_, Folio \_\_\_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

# 436

- 
- \_\_\_\_\_ 12. FEATURES: Location of streams, stormwater management systems, drainage pipe systems on or within 50 feet of the property, and the 100-year floodplain, if any. If not in the floodplain, note this on the plan.
  - \_\_\_\_\_ 13. B.O.C.A.: Buildings must meet the building code and fire code requirements with regard to type of construction, windows, setbacks, etc.
  - \_\_\_\_\_ 14. SPECIAL REQUIREMENTS: For special hearings on two-apartment dwellings, floor plans detailing each floor with room sizes and uses are required. For waterfront construction such as piers, ask for a copy of the waterfront construction checklist (available in Room 109).

ALL OF THE ABOVE INFORMATION MUST BE COMPLETE AND ACCURATE OR THE PETITION CANNOT BE ACCEPTED FOR FILING.

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

93-442-A

District 11th Date of Posting 6/17/95

Posted for: Variance

Petitioner: Raymond J. Grant, Hold

Location of property: 30 Heavin Ct, NW/8

Location of Signs: Facing roadway, on property being zoned

Remarks: \_\_\_\_\_

Posted by [Signature] Date of return: 6/23/95  
Signature

Number of Signs: 1







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

receipt

95-442-A

Account: R-001-6150

Number # 436

Date 6-5-95

Taken by: JRF

HALE --- 30 HEAVEN CT.

010 -- VARIANCE -- \$50.00

030 -- SPH. Amendment -- \$50.00

080 -- Sign ----- \$35.00

\$135.00

RECEIVED

03A03H0198MICHRC

\$135.00

BA 0010:35AM06-05-95

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

June 15, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-442-A (Item 436)  
30 Heavrin Court  
NW/S Heavrin Court, 400' W of c/l Necker Avenue  
11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before June 18, 1995. The closing date (July 3, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon  
Director

cc: Stacy Hale



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 5, 1995

Ms. Stacy Hale  
30 Heavrin Court  
Baltimore, Maryland 21236

RE: Item No.: 436  
Case No.: 95-442-A  
Petitioner: Stacy Hale

Dear Ms. Hale:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 18, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 15, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 30 Heavrin Court

INFORMATION:

Item Number: 436

Petitioner: Stacy Hale

Property Size: \_\_\_\_\_

Zoning: DR-5.5

Requested Action: Administrative Variance

Hearing Date:     /    /    

SUMMARY OF RECOMMENDATIONS:

The applicant requests an administrative variance to permit a setback of 1' in lieu of the required 11.25', and an amendment to the F.D.P. of Belneck Square.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

The proposal is consistent with all pertinent provisions of the B.C.Z.R and the C.M.D.P.

Prepared by: Jeffrey N. Long

Division Chief: Carol L. Kline

PK/JL

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: June 26, 1995  
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting  
for June 26, 1995  
Items 436, 437, 438, 441, 442, 444, 445, 446  
447 and 449

The Developers Engineering Section has reviewed  
the subject zoning item and we have no comments.

RWB:sw



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

6-13-95

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

Re: Baltimore County  
Item No.: 436 (JRF)


Dear Ms. Watson:

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,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

Mr. and Mrs. David R. Miller  
28 Heavrin Court  
Baltimore, MD 21236

May 23, 1995

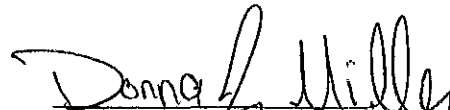
To Whom it May Concern:

This letter is in reference to the deck being built at 30 Heavrin Court by Mr. Hale. We do not have any problems or concerns regarding the location of the deck and its proximity to our property line. We are supportive of its construction.

Should you need to contact us regarding this matter you may write to us at the above address, or call 410-256-8508. Thank you.

Sincerely,

  
David R. Miller

  
Donna J. Miller

  
MY COMMISSION EXPIRES MARCH 10, 1997

# 436

MICROFILM

# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 30 Heaven CT see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Belard Square

plat book # 1010, lot # 10, section # 1

95-442-A

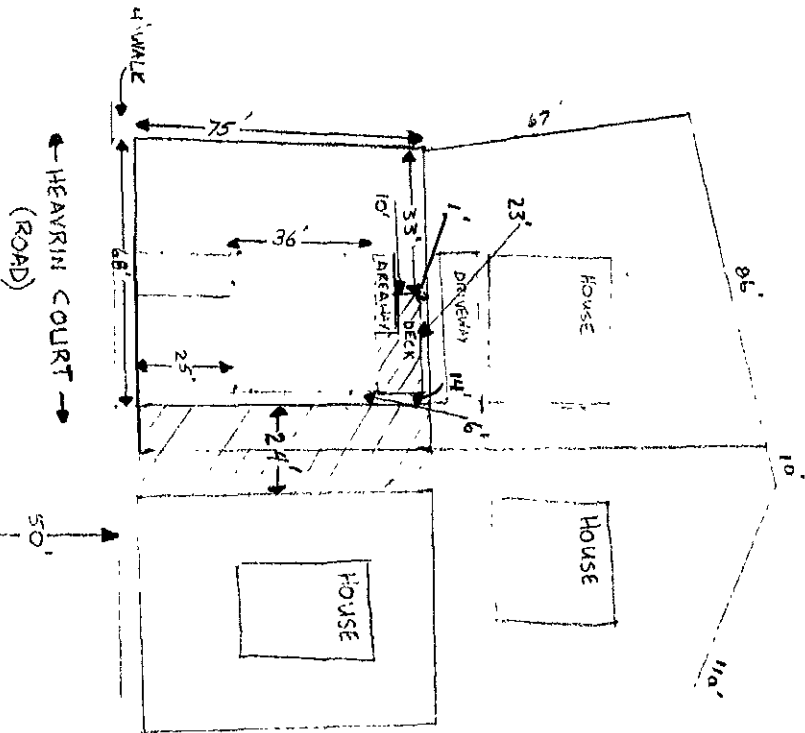
OWNER: Stacy Clark

*Stacy Clark*



North

date: 6/5/95  
prepared by: S. Clark

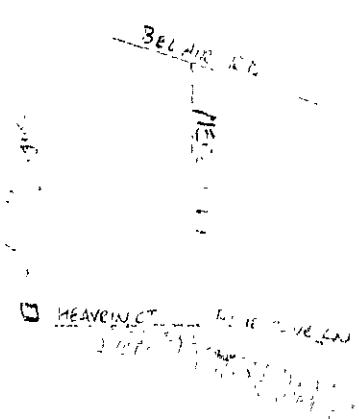


Scale of Drawing: 1" = 20'

## LOCATION INFORMATION



Vicinity Map  
scale: 1" = 1000'



Election District: 11

Councilmanic District: 5

1"=200' scale map#: NE-9F

Zoning: DR S-S

Lot size: .11 4791.60  
acreage square feet

SEWER:  public  private  
WATER:    
Chesapeake Bay Critical Area:    
Prior Zoning Hearings: None

## Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 436 CASE#:



# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 30 Heavin CT

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Belmont Square

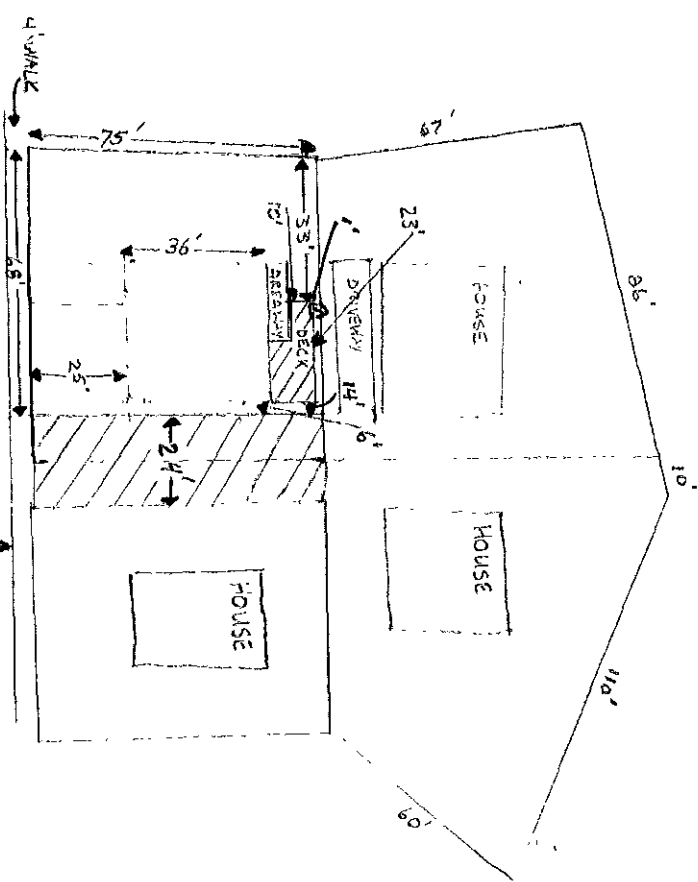
plat book # \_\_\_\_\_ folio # \_\_\_\_\_ lot # \_\_\_\_\_ section # \_\_\_\_\_

OWNER: Stacy Chale

# 95-442-A



North  
date: 6/5/75  
prepared by: S. HALE  
Scale of Drawing: 1" = 20'



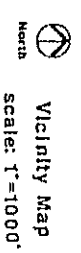
**LOCATION INFORMATION**

Election District: 11  
 Councilmanic District: 5  
 1"=200' scale map#: NE-9F  
 Zoning: DR 5.5  
 Lot size: .11 acreage 4791.60 square feet

SEWER:  public  private  
 WATER:  YES  NO

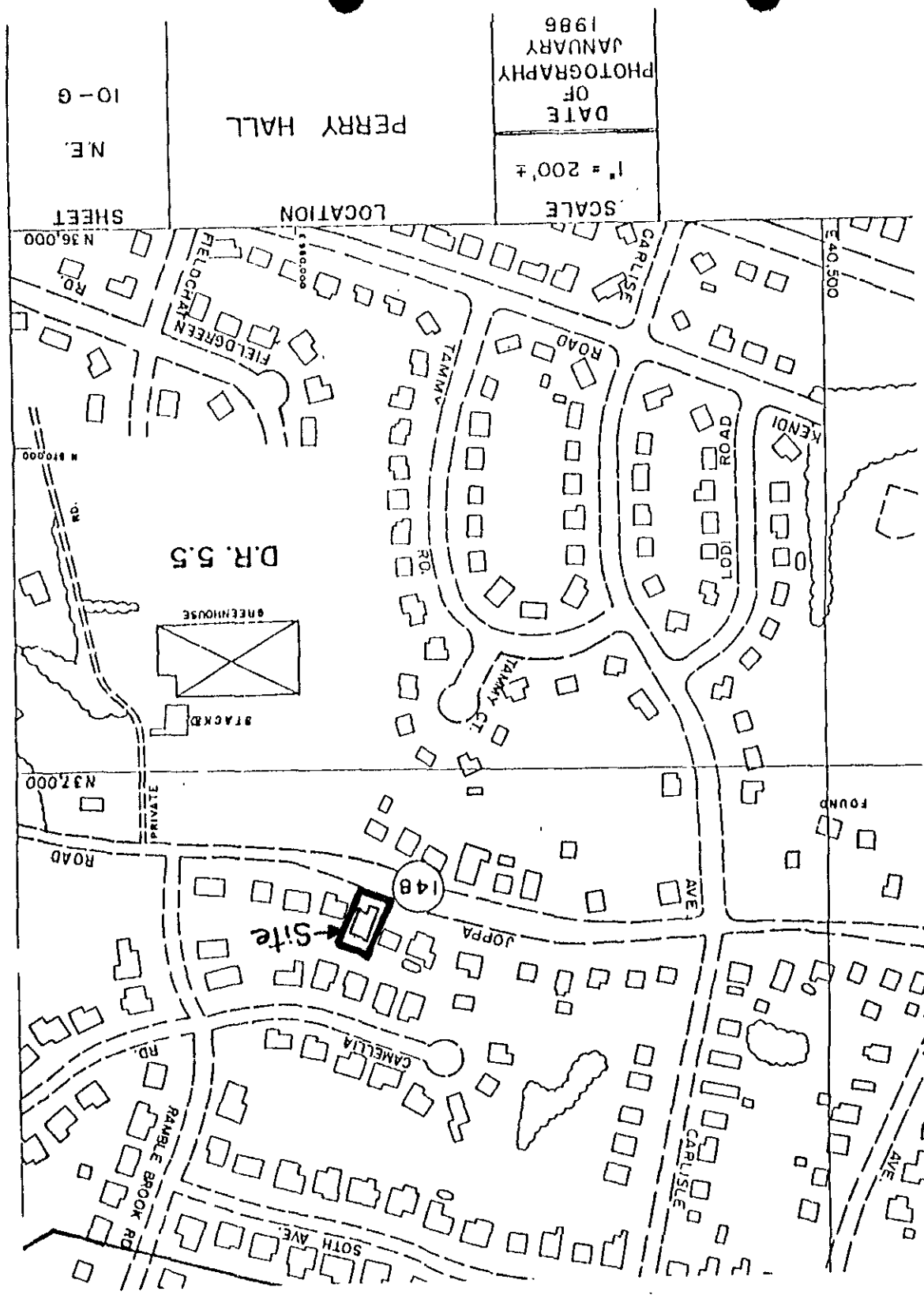
Chesapeake Bay Critical Area:  YES  NO  
 Prior Zoning Hearings: None

**Zoning Office USE ONLY!**  
 reviewed by: [Signature] ITEM #: 430 CASE#:



# EXAMPLE 4 - Zoning Map

- 1 copy



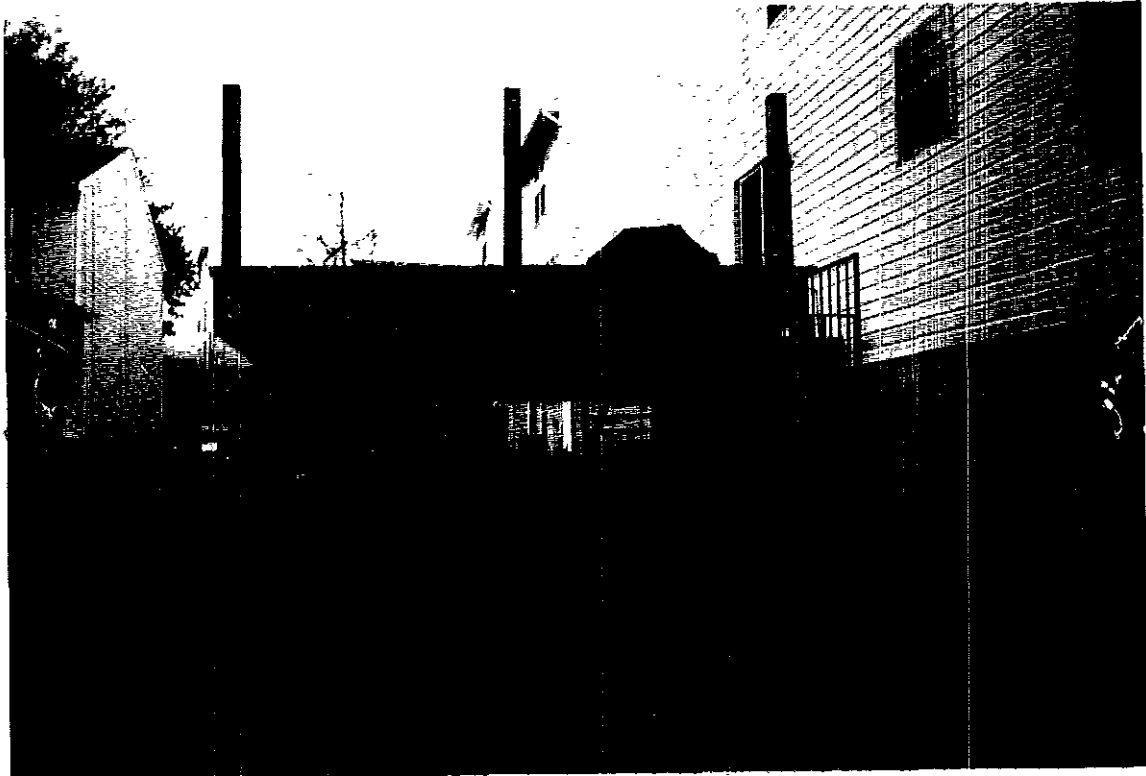
10-G  
N.E.  
SHEET

SCALE  
1" = 200'  
DATE  
OF  
PHOTOGRAPHY  
1986

PERRY HALL

LOCATION

PETITIONER(S) EXHIBIT ( )

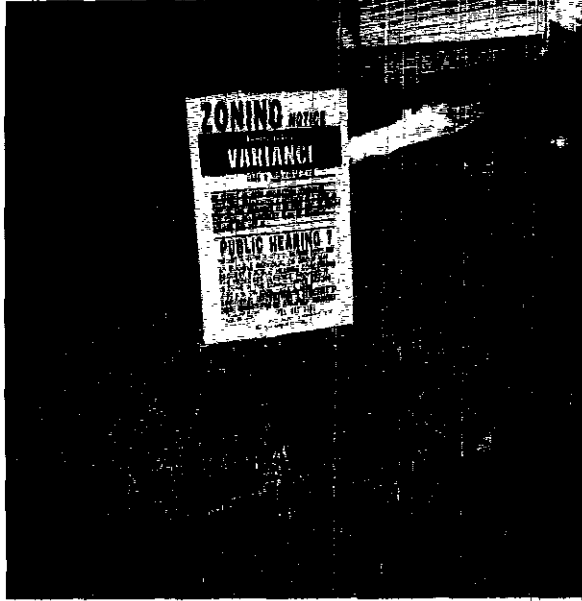


REAR YARD - s Proposed Location of DECK

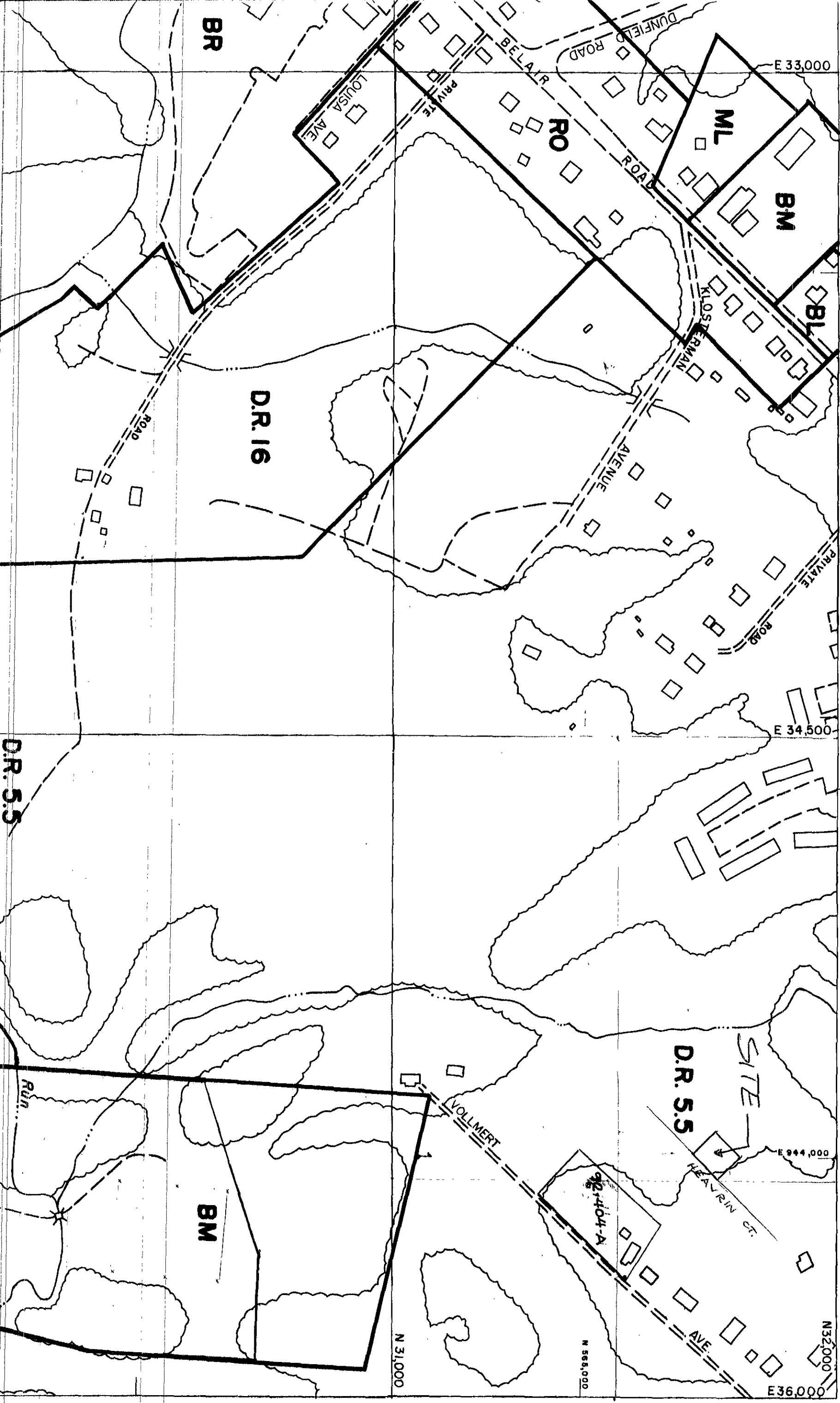
MICROFILMED

# 436

95-442-A



441



# 436

95-442-A

NE 8-F



#136

|                     |              |          |           |       |      |
|---------------------|--------------|----------|-----------|-------|------|
| SCALE               | 1" = 200' ±  | LOCATION | FULLERTON | SHEET | N.E. |
| DATE OF PHOTOGRAPHY | JANUARY 1986 |          |           |       | 8-F  |

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

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

95-442-A

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE ZONING VARIANCE NW/S Heavrin Court, 400 ft. W of c/l of Neckers Avenue 30 Heavrin Court 11th Election District 5th Councilmanic District Stacy Hale Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Stacy Hale for that property known as 30 Heavrin Court in the Belneck subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 504 and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit an open projection (deck) with a setback of 1 ft. in lieu of the required 11.25 ft., and to amend the Final Development Plan of Belneck Square for lot No. 15. The subject property and requested relief is more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

upon the Petitioner. Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of July, 1995 that the Petition for a Zoning Variance from Section 504 and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit an open projection (deck) with a setback of 1 ft., in lieu of the required 11.25 ft., and to amend the Final Development Plan of Belneck Square for lot No. 15, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

- 1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

Signature of Lawrence E. Schmidt, Zoning Commissioner for Baltimore County

Baltimore County Government Office of Zoning Administration and Development Management

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21284

(410) 887-4386

July 5, 1995

Ms. Stacy Hale 30 Heavrin Court Baltimore, Maryland 21236

RE: Petition for Administrative Variance Case No. 95-442-A Property: 30 Heavrin Court

Dear Ms. Hale:

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

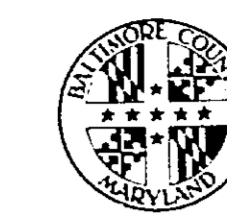
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals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

Very truly yours,

Signature of Lawrence E. Schmidt, Zoning Commissioner

LES:mmm encl.

Printed with Soybean Ink on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 30 Heavrin Ct 21236 which is presently zoned R-2B-S

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 and made a part hereof, hereby petition for a Variance from Section(s) 504 & 301.1 (BCZR) & V.B.6.b (CNDP) 1989 To permit an open projection (proposed attached deck) with a setback of 1 foot in lieu of the required 11.25 feet and to amend the Final Development Plan of Belneck Square for lot #15.

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.

Form with fields for Name, Address, City, State, Zip, and other details. Includes handwritten information for Stacy Hale at 30 Heavrin Ct, Baltimore, MD 21236.

A Public Hearing having been requested and/or held to be required as ordered by the Zoning Commission of Baltimore County, this petition is hereby filed with the Zoning Commission of Baltimore County, and the subject property is hereby posted and advertised as required by the Zoning Law for Baltimore County.

RECEIVED BY: [Signature] DATE: 6-5-95 ESTIMATED POSTING DATE: 6-15-95 ITEM #: 436

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) who consent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 30 Heavrin Ct, Baltimore MD 21236

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance in the above address: (issues, reasons or precise difficulty) To be used in the posting of the house at the size of 40 ft. It is not being used in support of other activities. A 4 foot deck is not being required to be at use.

That Affiant(s) acknowledge(s) that if a petition is filed, Affiant(s) will be required to pay a reposing and advertising fee and may be required to provide additional information.

Signature of Stacy Hale, Affiant

I HEREBY CERTIFY, this 1st day of June, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Stacy Hale

Notary Seal and Signature of Notary Public

My Commission Expires 7/1/95

EXAMPLE 3 - Zoning Description - 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 30 Heavrin Ct (address)

Beginning at a point on the north side of Heavrin Ct (north, south, east or west) (name of street)

which is 50 feet (number of feet of right-of-way width) street on which property fronts;

wide at the distance of 40 feet (number of feet) (north, south, east or west) Western corner of the

centerline of the nearest improved intersecting street Neckers Ave (name of street)

which is 60 feet (number of feet of right-of-way width) wide.

Block Section # in the subdivision of Block Same (name of subdivision)

as recorded in Baltimore County Plat Book #, Folio #, containing

47666. Also known as 30 Heavrin Ct (property address)

and located in the 11 Election District, 5 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number. Users DO NOT attempt to use the lot, Block and Subdivision description as shown, instead state: "As recorded in deed Liber #, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

CK/RESID (TYXISOPH) REVISED 5/16/94

# 436

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 11th Date of Posting 6/14/95

Posted for: Lawrence

Petitioner: Lawrence E. Schmidt, Stacy Hale

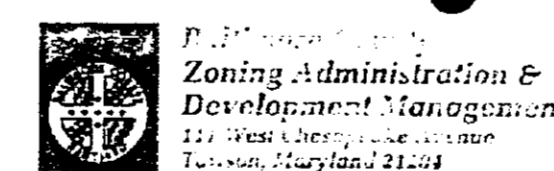
Location of property: 30 Heavrin Ct, MD

Location of Sign: Facing road on property being zoned

Remarks:

Posted by: [Signature] Date of return: 6/23/95

Number of Signs: 1



Date: 6-5-95

HALE - 30 HEAVRIN CT.

O10 - VARIANCE -- \$ 50.00

O30 - SPH Amendment -- \$ 50.00

O10 - Sign --- \$ 35.00

\$ 135.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

75-442-A

Account: R001-6150

Number # 436

Taken by: JRF

34 JRM:149ATCM6 \$135.00

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

June 15, 1995

Re: CASE NUMBER: 95-442-A (Item 436) 30 Heavrin Court NW/S Heavrin Court, 400' W of c/l Neckers Avenue 11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before June 18, 1995. The closing date (July 3, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Signature of Arnold Jablon

Arnold Jablon Director cc: Stacy Hale

Printed with Soybean Ink on Recycled Paper

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 5, 1995

Ms. Stacy Hale  
30 Heavrin Court  
Baltimore, Maryland 21236

RE: Item No.: 436  
Case No.: 95-442-A  
Petitioner: Stacy Hale

Dear Ms. Hale:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 18, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: June 15, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 30 Heavrin Court

INFORMATION:

Item Number: 436  
Petitioner: Stacy Hale  
Property Size: \_\_\_\_\_  
Zoning: DR-5.5  
Requested Action: Administrative Variance  
Hearing Date: \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

The applicant requests an administrative variance to permit a setback of 1' in lieu of the required 11.25', and an amendment to the F.D.P. of Belneck Square. While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

The proposal is consistent with all pertinent provisions of the B.C.Z.R and the C.M.D.P.

Prepared by: *Jeffrey N. Long*

Division Chief: *Carol L. Hines*

PK/JL

ITEM436/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 28, 1995  
Zoning Administration and Development Management.

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

RE: Zoning Advisory Committee Meeting  
for June 28, 1995  
Items 436, 437, 438, 441, 442, 444, 445, 446  
447 and 449

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:ew

6-13-95

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

Re: Baltimore County  
Item No.: 436 (JRF)

Dear Ms. Watson:

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

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

Thank you for the opportunity to review this item.

Very truly yours,  
*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

Mr. and Mrs. David R. Miller  
28 Heavrin Court  
Baltimore, MD 21236

May 23, 1995

To Whom it May Concern:

This letter is in reference to the deck being built at 30 Heavrin Court by Mr. Hale. We do not have any problems or concerns regarding the location of the deck and its proximity to our property line. We are supportive of its construction.

Should you need to contact us regarding this matter you may write to us at the above address, or call 410-256-8508. Thank you.

Sincerely,

*David R. Miller*  
David R. Miller

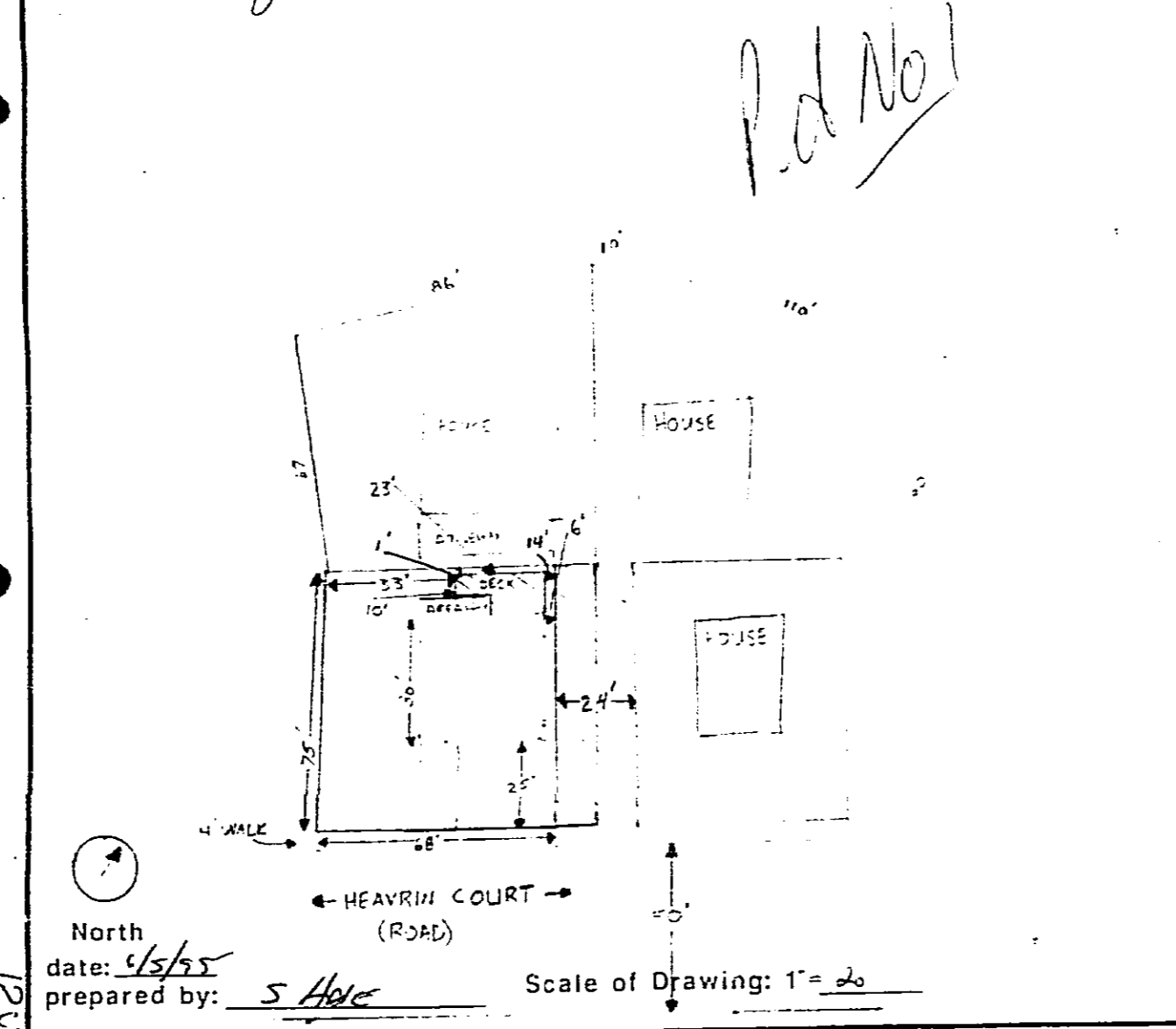
*Donna J. Miller*  
Donna J. Miller

MY COMMISSION EXPIRES MARCH 10, 1999

# 436

Plat to accompany Petition for Zoning  Variance  Special Hearing

PROPERTY ADDRESS: 30 Heavrin Ct  
subdivision name: Belneck Square  
[plat book #] [lot #] [section #] 95-442-A  
OWNER: Stacy Hale



LOCATION INFORMATION

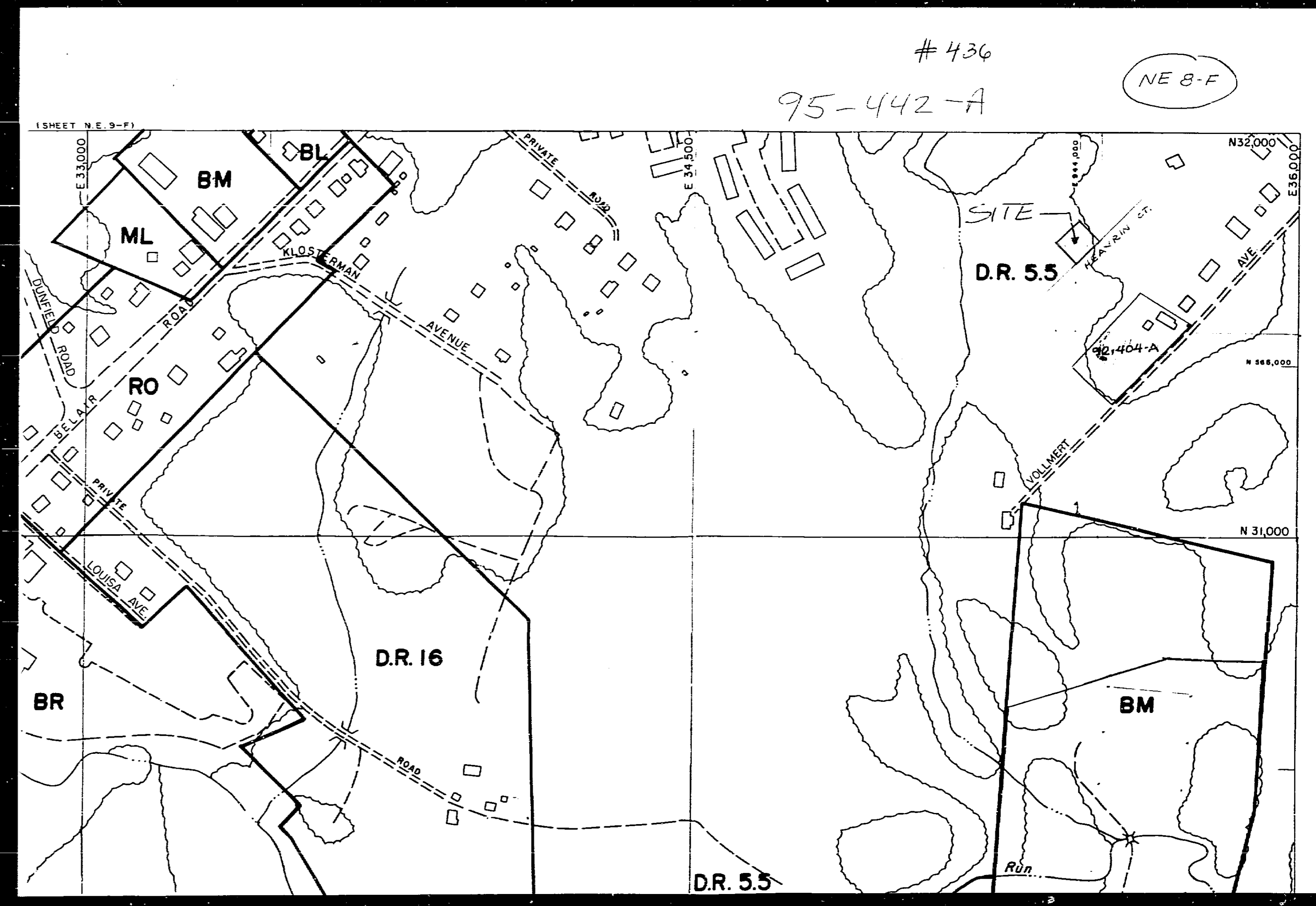
Election District: H  
Councilmanic District: NE OF  
1"=200 scale map: NE OF  
Zoning: DR 5.5  
Lot size: 47,716 sq. ft.  
acreage

SEWER:    
WATER:

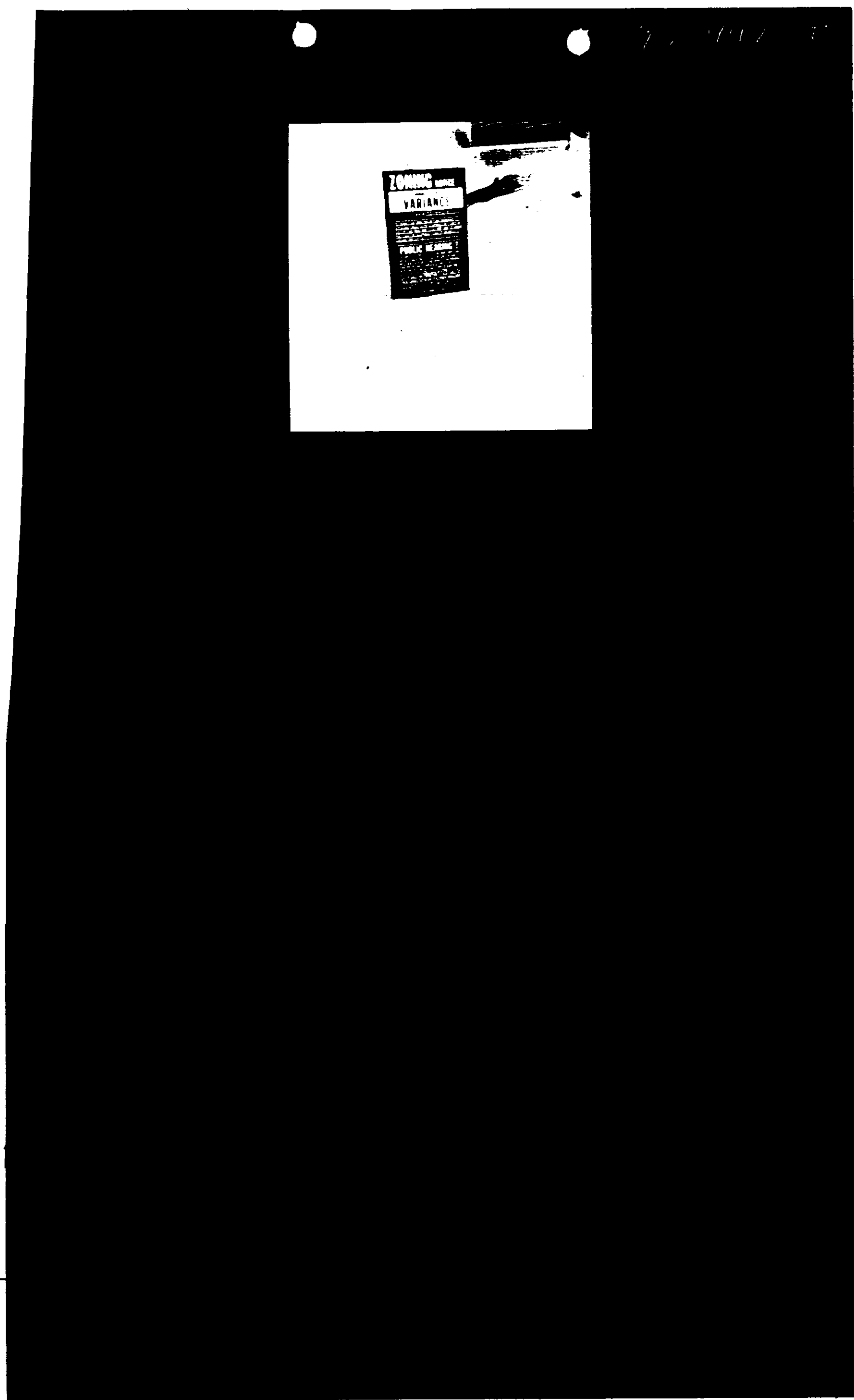
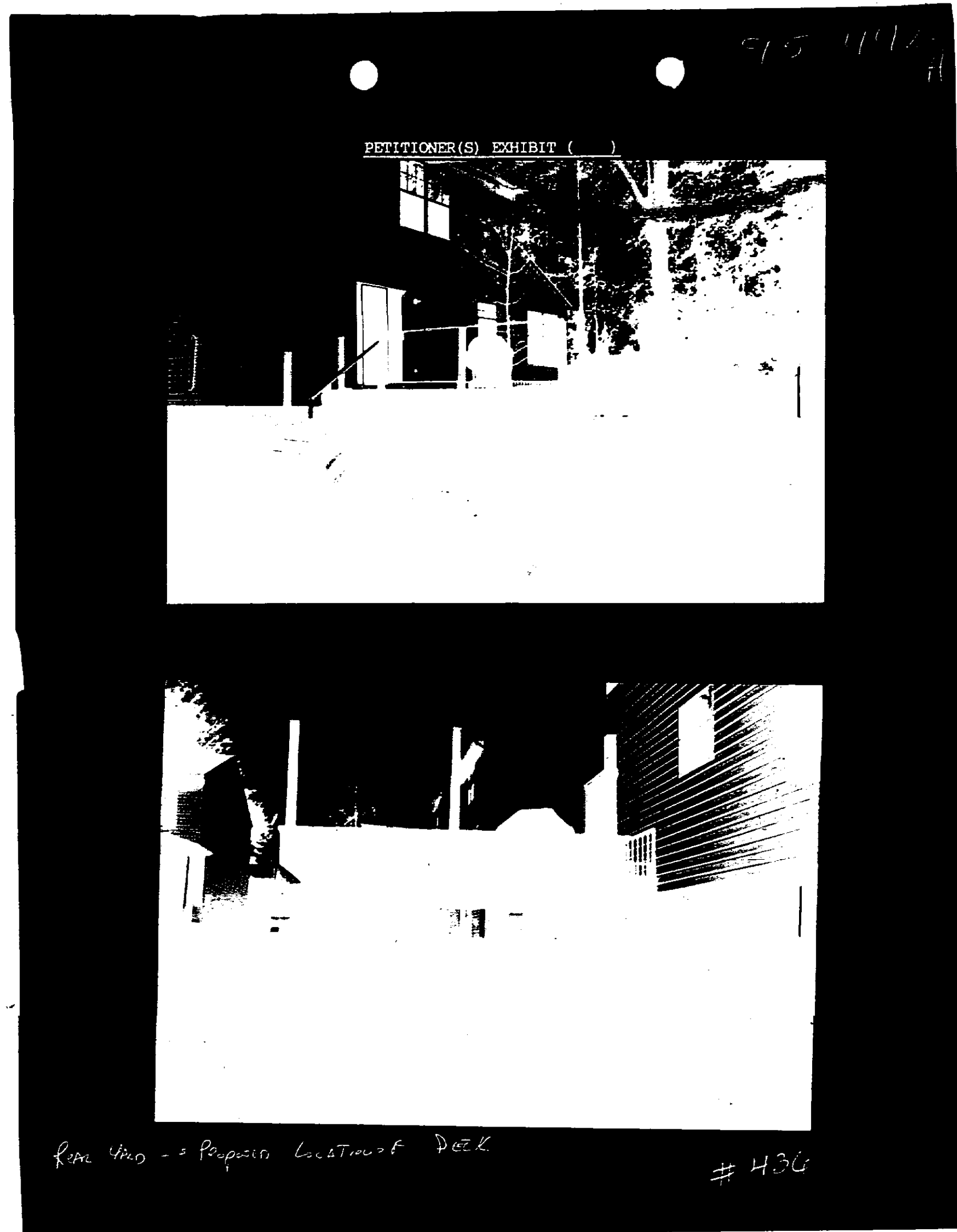
Chesapeake Bay Critical Area:

Prior Zoning Hearings: \_\_\_\_\_

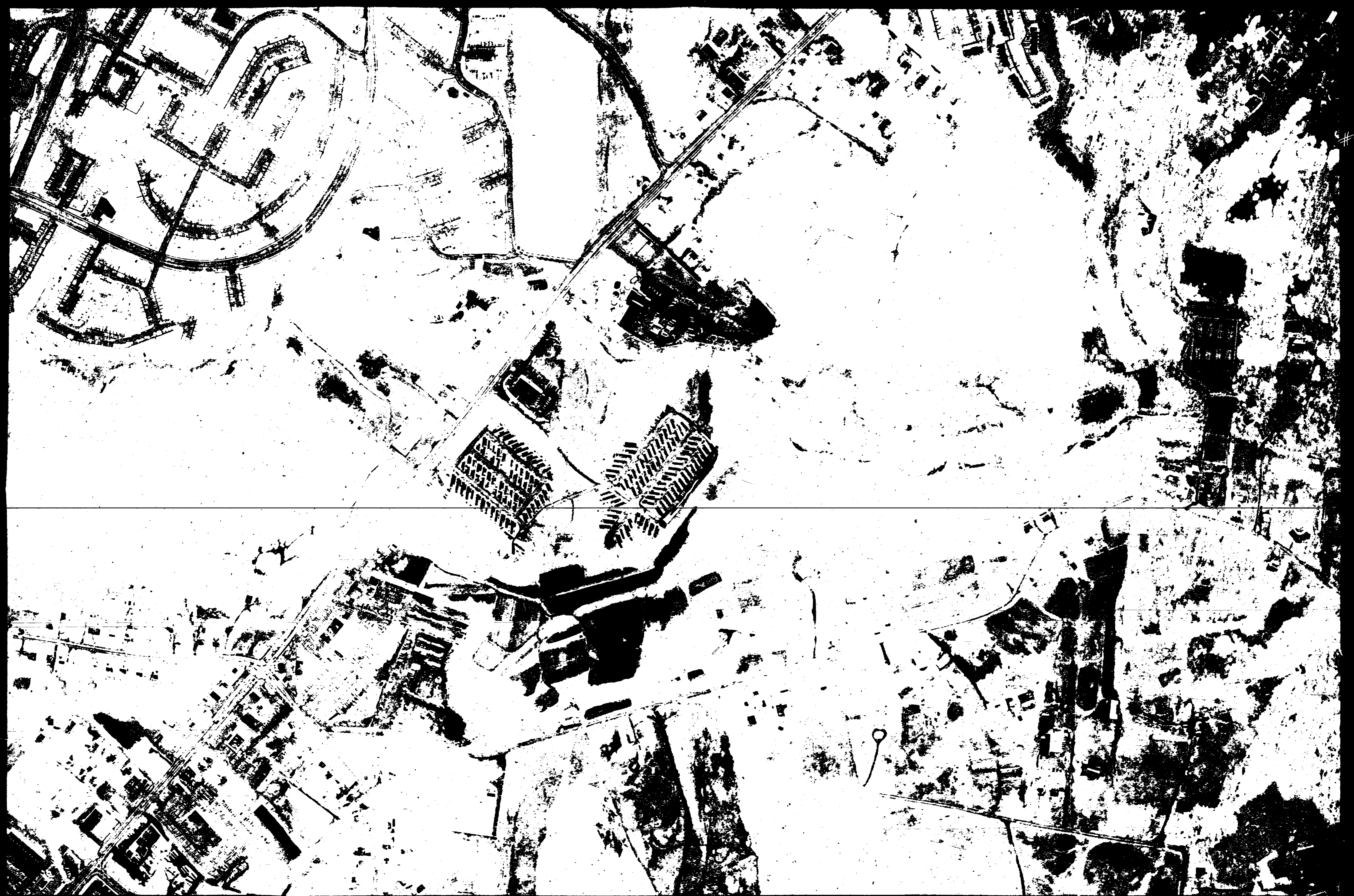
Zoning Office USE ONLY!  
reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_  
date: 6/28/95 prepared by: S Hale Scale of Drawing: 1"=20'







95-442-A



#436

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

|                           |           |             |
|---------------------------|-----------|-------------|
| SCALE                     | LOCATION  | SHEET       |
| 1" = 200' ±               | FULLERTON | N.E.<br>8-F |
| DATE<br>OF<br>PHOTOGRAPHY |           |             |
| JANUARY<br>1986           |           |             |