

IN RE: PETITION FOR VARIANCE
S/S Waldman Avenue, 137.5' E of
the c/l of Murray Avenue
(7305 Waldman Avenue)
12th Election District
7th Councilmanic District

Chester Stewart
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-123-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 7305 Waldman Avenue, located in the vicinity of Lincoln Avenue and Lodge Farm Road in Edgemere. The Petition was filed by the owner of the property, Chester Stewart. The Petitioner seeks relief from Sections 1B02.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, a rear yard setback of 5 feet in lieu of the required 30 feet, and a front setback of 20 feet in lieu of the required 25 feet for a proposed dwelling on an undersized lot. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Chester Stewart, property owner, and his daughter, Darnillia Sanders. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 10,000 sq.ft., zoned D.R. 5.5 and is presently unimproved. The property is 50 feet wide by 200 feet deep and is located in an older community known as Chesapeake Terrace in southeastern Baltimore County. The Petitioner is desirous of developing the property with a single family

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

dwelling for his daughter. Mr. Stewart testified that he is getting up in years and would like to have his daughter living close by. He noted that the subject property has been in his family since 1951 and that he has resided on the adjoining property at 7307 Waldman Avenue since that time. Due to the narrow width of the lot and the proposed orientation of the dwelling, the relief requested is necessary in order to proceed with the proposed improvements. Testimony indicated that the outward appearance of the proposed dwelling will be similar to others in the neighborhood, however, the front of the dwelling will be oriented to face the west side of Mr. Stewart's home. As can be seen from the site plan, the adjacent property on the west side is improved with a Baltimore County pumping station, the building of which is located in the northeast corner of that lot on the north and east property lines shared with the subject property. Both Mr. Stewart and his daughter testified that they did not intend to use the rear yard of the subject property and wanted to orient the house as proposed for easier access between the two properties. It is to be noted that were the house to be oriented towards Waldman Avenue, the front of the house would face the side of the pump station building.

The Office of Planning submitted Zoning Plans Advisory Committee comments, dated October 4, 1996, in which they expressed several concerns with the proposed development. In particular, the Office of Planning noted that the requested front and rear yard setbacks are self-imposed due to the orientation of the proposed dwelling. The Office of Planning has requested that the front of the dwelling be oriented towards Waldman Avenue so as to be consistent with other houses in this community and to continue the established street pattern.

ORDER RECEIVED FOR FILING
Date 11/2/96
By [Signature]

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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, I am persuaded to grant the variance. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations would impose a practical difficulty upon the Petitioner. In the opinion of this Deputy Zoning Commissioner, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

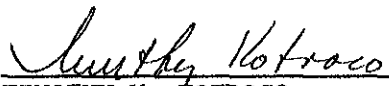
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of November, 1996 that the Petition for

ORDER RECEIVED FOR FILING
Date 11/26/96
By [Signature]

Variance seeking relief from Sections 1B02.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, a rear yard setback of 5 feet in lieu of the required 30 feet, and a front setback of 20 feet in lieu of the required 25 feet for a proposed dwelling on an undersized lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 11/2/16
By [Signature]

RECEIVED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 7, 1996

Mr. Chester Stewart
7307 Waldman Avenue
Edgemere, Maryland 21219

RE: PETITION FOR VARIANCE
S/S Waldman Avenue, 137.5' E of the c/l of Murray Avenue
(7305 Waldman Avenue)
12th Election District - 7th Councilmanic District
Chester Stewart - Petitioner
Case No. 97-123-A

Dear Mr. Stewart:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted 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
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ File

MICROFILMED

CRITICAL AREA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7305 Waldman Ave.

97-123-A

which is presently zoned 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) 1 Boz.3.c.1 BCZR, To permit

SETBACKS A 50' Lot in lieu of the required 55' 5' Rear yard, 20' FRONT YARD in lieu of the required 30' and 25' & RELIEF from 304.1 For an undersized DR 55 Lot.

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

1. want to build on existing lot and cannot comply with zoning require
2. want 6 foot set back on one side of house because front door is on the other side of house

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.

I/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):

Chester Stewart

(Type or Print Name)

Signature

(Type or Print Name)

Signature

7307 Waldman Ave. 477-8217

Address

Phone No

Edgemere Md. 21219

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

CHESTER STEWART

Name

7307 WALDMAN AVE. 477-8217

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: Jum

DATE

9-17-96

121

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink on Recycled Paper

MICROFILMED



Zoning Description

97-123-A

Zoning Description for **7305 Waldman Ave. Edgemere, MD 21219.**

Beginning at a point on the **South** side of **Waldman Ave.** which is **30 feet** wide at the distance of **137.5 feet East** of the centerline of the nearest improved intersecting street **Murray Ave.** which is **25 feet** wide. *Being Lot #124, Block , Section #**B** in the subdivision of **Chesapeake Terrace** as recorded in Baltimore County Plat Book #5, Folio #36, containing **10,000 square feet.** Also know as **7305 Waldman Ave. Edgemere, MD 21219** and located in the **12th** Election District, **7th** Councilmanic District.

121

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/3, 1996

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 10/3, 1996.

THE JEFFERSONIAN,

A. H. Smith
LEGAL AD. - TOWSON

NOTICE OF HEARINGS
The following persons have been notified by the Board of Baltimore County will hold a public hearing on the property identified herein at Room 105 of the County Office Building, 111 W. Crosspike Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case #97-123-A
(Item 121)
7305 Waldman Avenue
SS Waldman Avenue, 137.5
4th from of Murray Avenue
12th Election District
7th Concourse
Leapt Owner(S)
Chester Stewart
Variance to permit a 5 foot rear and 28 foot front yard setbacks in lieu of the required 30 feet and 25 feet and relief from 30W1 for an undersized DR-55 lot.
Hearing: Thursday, October 24, 1996 at 2:30 p.m. in Room 118, Old Courthouse.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible for special accommodations. Please Call 807-3333.
(2) For information concerning the Public Hearing, please Call 807-3333.
10/04/96 Oct. 3 C97792

UNRECORDED

2000
50
101 0 00



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 121 Petitioner: STEWART, CHESTER

Location: 7305 WALDMAN AVE. EDGEHURST, MD-21219

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S Aute.

ADDRESS: _____

PHONE NUMBER: 477-8217

MICROFILMED



Plat to accompany Petition for Zoning Variance Special Hearing

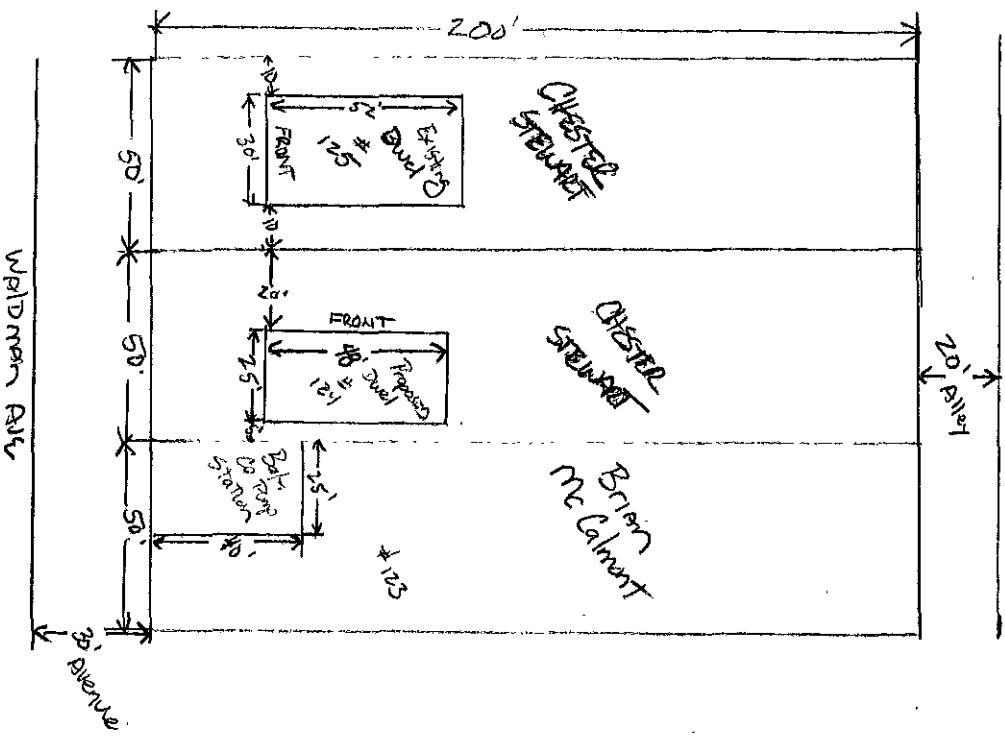
PROPERTY ADDRESS: 1305 WALDMAN AVE

Subdivision name: CHEESAPEAKE TERRACE

plat book # 5, folio # 36, lot # 121, section # B

OWNER: CHESTER STEWARD

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

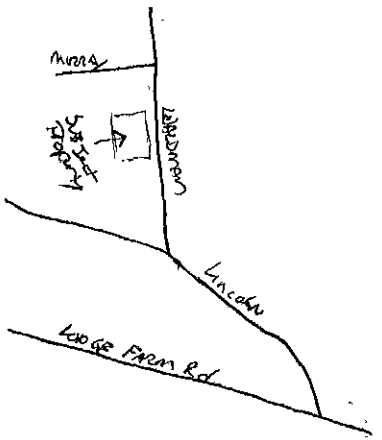


North



date: _____
prepared by: M. Taylor

Scale of Drawing: 1" = 50'



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 12
Councilmanic District: 7

1"=200' scale map#: SE-7H

Zoning: _____
Lot size: 12,511 10,000
acreage square feet

SEWER: public private
WATER: Yes No

Cheapeake Bay Critical Area: _____
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by J. Meppay on 9-17-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 9-30 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES ___ NO ___ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-15 C (B-3 Work Days)

TENTATIVE DECISION DATE 10-18 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

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**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number

97-123-A

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Chester Stewart 7307 Waldman Ave. 410-477-8217
Print Name of Applicant Address Telephone Number

Lot Address 7305 Waldman Ave Election District _____ Council District _____ Square Feet _____

Lot Location: N E S W / side / corner of _____, _____ feet from N E S W corner of _____
(street) (street)

Land Owner Chester Stewart Tax Account Number _____

Address 7307 Waldman Ave Telephone Number 410-477-8217
Edgemere, Md. 21219

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	✓	_____
2. Permit Application	_____	✓
3. Site Plan	✓	_____
Property (3 copies)	_____	_____
Topo Map (available in Rm 206 C.O.B.) (2 copies)	✓	_____
<small>(please label site clearly)</small>	✓	_____
4. Building Elevation Drawings	_____	_____
5. Photographs (please label all photos clearly)	✓	_____
Adjoining Buildings	✓	_____
Surrounding Neighborhood	✓	_____

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by _____
ZADM

Date _____

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

Approval **Disapproval** Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning & Community Conservation

Date: _____

TO: PUTUXENT PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian

Please forward billing to:

Chester Stewart
7307 Waldman Avenue
Edgemere, MD 21219
477-8217

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: 97-123-A(Item 121)
7305 Waldman Avenue
S/S Waldman Avenue, 137.5+/- from c/l Murray Avenue
12th Election District - 7th Councilmanic
Legal Owner(s): Chester Stewart

Variance to permit a 5 foot rear and 20 foot front yard setbacks in lieu of the required 30 feet and 25 feet and relief from 304.1 for an undersized D.R.-5.5 lot.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

MICROFILMED

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

121 No.

96-103 024874

97-123-1

DATE 9-17-96 ACCOUNT 2001-615D

AMOUNT \$ 85.00

RECEIVED FROM: CHESTER STEWART 7305 WILLOW AVE.

FOR: VAB (010) 50.00
Posteur (090) 35.00

DIADG#0259MICHNC

VALIDATION OR SIGNATURE OF CASHIER

JCM

Blue - CASHIER
Pink - AGENCY
Yellow - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 1996

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: 97-123-A(Item 121)
7305 Waldman Avenue
S/S Waldman Avenue, 137.5+/- from c/l Murray Avenue
12th Election District - 7th Councilmanic
Legal Owner(s): Chester Stewart

Variance to permit a 5 foot rear and 20 foot front yard setbacks in lieu of the required 30 feet and 25 feet and relief from 304.1 for an undersized D.R.-5.5 lot.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

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

Arnold Jablon
Director

cc: Chester Stewart

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

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

Mr. Chester Stewart
7307 Waldman Avenue
Edgemere, MD 21219

RE: Item No.. 12i
Case No.: 97-123-A
Petitioner: Chester Stewart

Dear Mr. Stewart:

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 September 17, 1996.

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 Roslyn Eubanks 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/re
Attachment(s)

MICROFILMED



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

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
October 4, 1996

FROM: R. Bruce Seeley *RBS/gp*
DEPRM

SUBJECT: Zoning Item #121 - Stewart Property
7305 Waldman Avenue
Zoning Advisory Committee Meeting of September 30, 1996

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

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:SA:sp

STEWART/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: October 4, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 7305 Waldman Avenue

INFORMATION:

Item Number: 121

Petitioner: Chester Stewart

Property Size: _____

Zoning: DR 5.5

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The front of the dwelling must be oriented towards the street. The front yard and side yard variances should be denied. The setback variance requests are self imposed by the orientation of the house. The layout of the proposed dwelling is not patterned in a similar manner to those in the neighborhood. The proposed infill development needs to continue the established street pattern and dwelling layout to reflect adjacent building mass.

As a result of Baltimore County's pumping station, the potential dwelling at 7303 Waldman Avenue will have to be setback an extra 40' to meet the front setback requirements. To create a staggered front building setback from 7307 Waldman Avenue to 7303 Waldman Avenue, the front setback should be 45'.

Prepared by: Jeffrey W. Long

Division Chief: Edryl L. Kerns

AFK:JL:lw

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9/26/96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 121 (JCM)

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 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/es

[Handwritten note]

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/03/96

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 30, 1996.

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 Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 119, 120, 121, 122, 124, 125, 126, 127 and 129.

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

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 7, 1996

FROM: *Sub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 7, 1996
Item Nos. 119, 121, 122, 124, 125,
126, 127, & 129

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

97-123-A

DATE: September 17, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #121
7305 Waldman Avenue

orientation. Applicant advised of problems inherent with proposed house

JCM:scj

MICROFILMED

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Chester Stewart 7307 Waldman Ave. 410-477-8217
Print Name of Applicant Address Telephone Number

Lot Address 7305 Waldman Ave Election District 12 Council District 7 Square Feet 10,000

Lot Location: N E S W / (side) / corner of WALDMAN AVE, 136' feet from N E S W corner of E. C. OF MURKAY
(street) (street)

Land Owner Chester Stewart Tax Account Number

Address 7307 Waldman Ave Telephone Number 410-477-8217
Edgemere, Md. 21229

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	—	—
2. Permit Application	—	—
3. Site Plan Property (3 copies)	✓	—
4. Building Elevation Drawings	—	—
5. Photographs (please label all photos clearly)		
Adjoining Buildings	—	—
Surrounding Neighborhood	—	—

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by _____
ZADW

Date _____

9F 7-H RM 306

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

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

See attachment.

MICROFILMED

Signed by: Ervin McDaniel
for the Director, Office of Planning & Community Conservation

Date: 10/4/96

SCHEDULE DATES, CERTIFICATE OF FILING POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by J. MERRILL on 9-17-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 9-30 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-15 C (B-3 Work Days)

TENTATIVE DECISION DATE 10-18 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

1. The front of the proposed dwelling must be toward the street (Waldman Avenue). The layout of the proposed dwelling is not patterned in a similar manner to those in the neighborhood. The proposed infill development needs to continue the established street pattern and dwelling layout to reflect adjacent building mass.
2. The proposed dwelling on lot 7305 Waldman Avenue should have a front building setback of 45'. As a result of a Baltimore County pumping station, the potential dwelling at 7303 Waldman Avenue (the vacant lot in the rear of the pumping station) will be set back an extra 40' to meet the front setback requirements. To create a staggered front building setback along Waldman Avenue, the proposed dwelling at 7305 Waldman Avenue should have a front building setback of 45'.

Please see Item #121 for comments on the variance for this site.

RE: PETITION FOR VARIANCE
7305 Waldman Avenue, S/S Waldman Avenue,
137.5+/- from c/l Murray Avenue
12th Election District, 7th Councilmanic

Chester Stewart
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-123-A

* * * * *

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 21st day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Chester Stewart, 7307 Waldman Avenue, Baltimore, MD 21219, Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

Plan to accompany Petition for Zoning Variance Variance Special Hearing

See Pages 5 & 6 of the CHECKLIST for additional requirements, require information

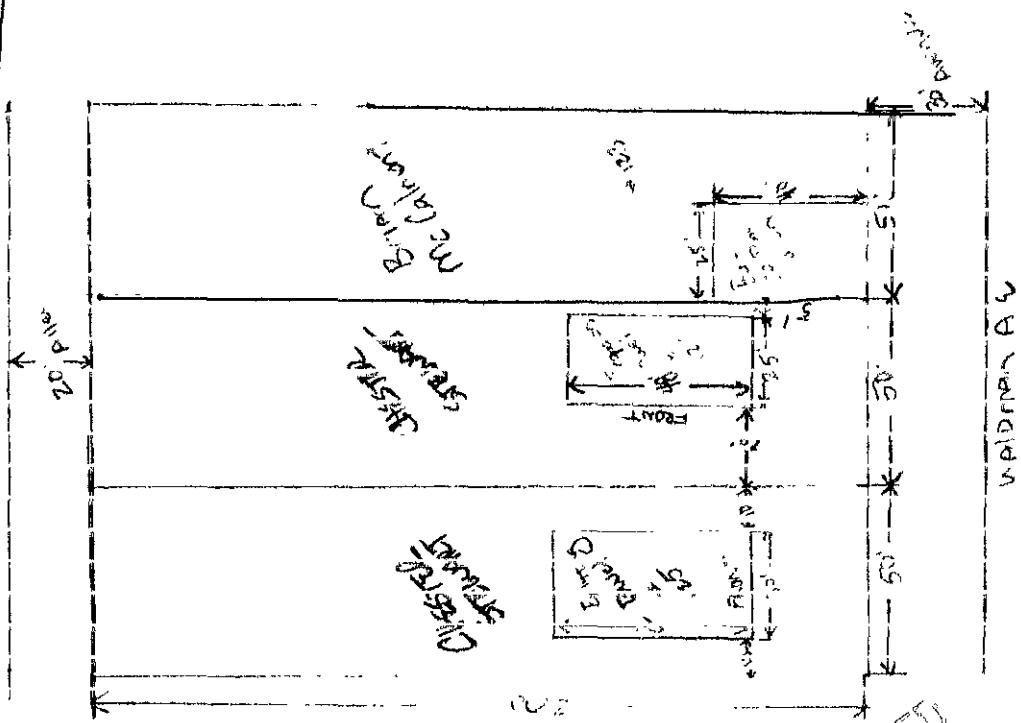
PROPERTY ADDRESS: 305 WADSWORTH AVE

Subdivision name: CHESSDAK TERRACE

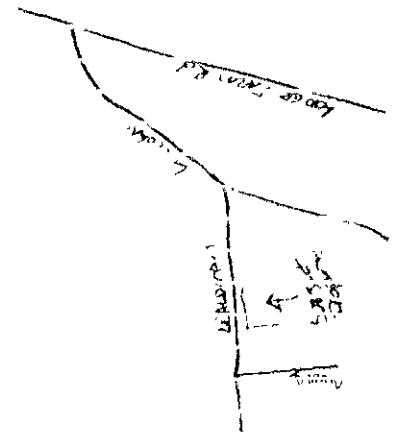
Site: block # 5, folio # 319, lot # 2, sections # B

OWNER: CHRIS S. WOOD

97-123-A



COPY HERE



V city Map
scale 1"=1000'

LOCATION INFORMATION

Sheet on District: 12
 Geometric District: 7
 1"=200' scale map# SE-7H
 Zoning: DR5.5
 Lot size: 1/2 A-44 11,100 square feet

SEWER: YES NO
 WATER: YES NO

Crosswalk by Critical Area:
 Prior Zoning Hearings: N/A

Zoning Office USE ONLY!

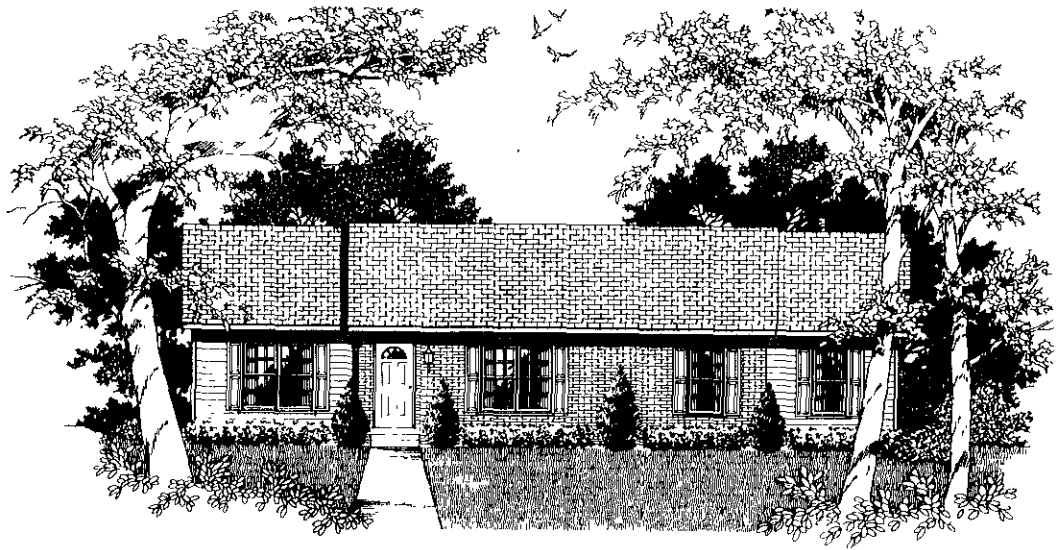
Reviewed by: Sum ITEM #: 121 CASE #:



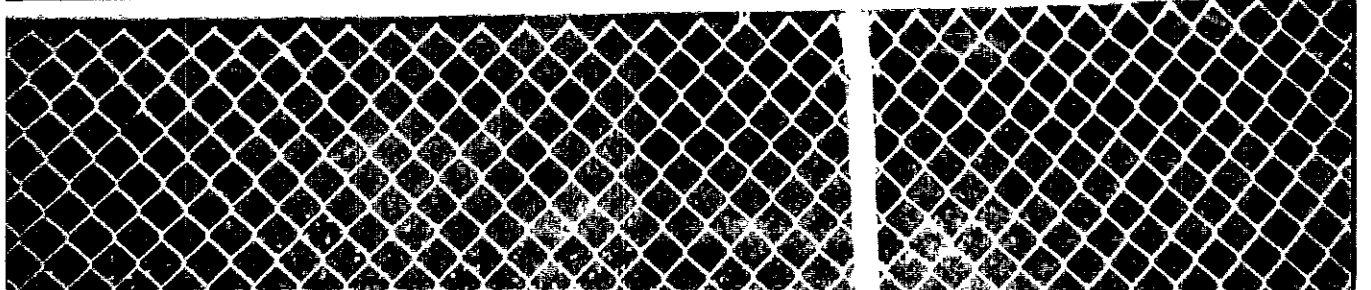
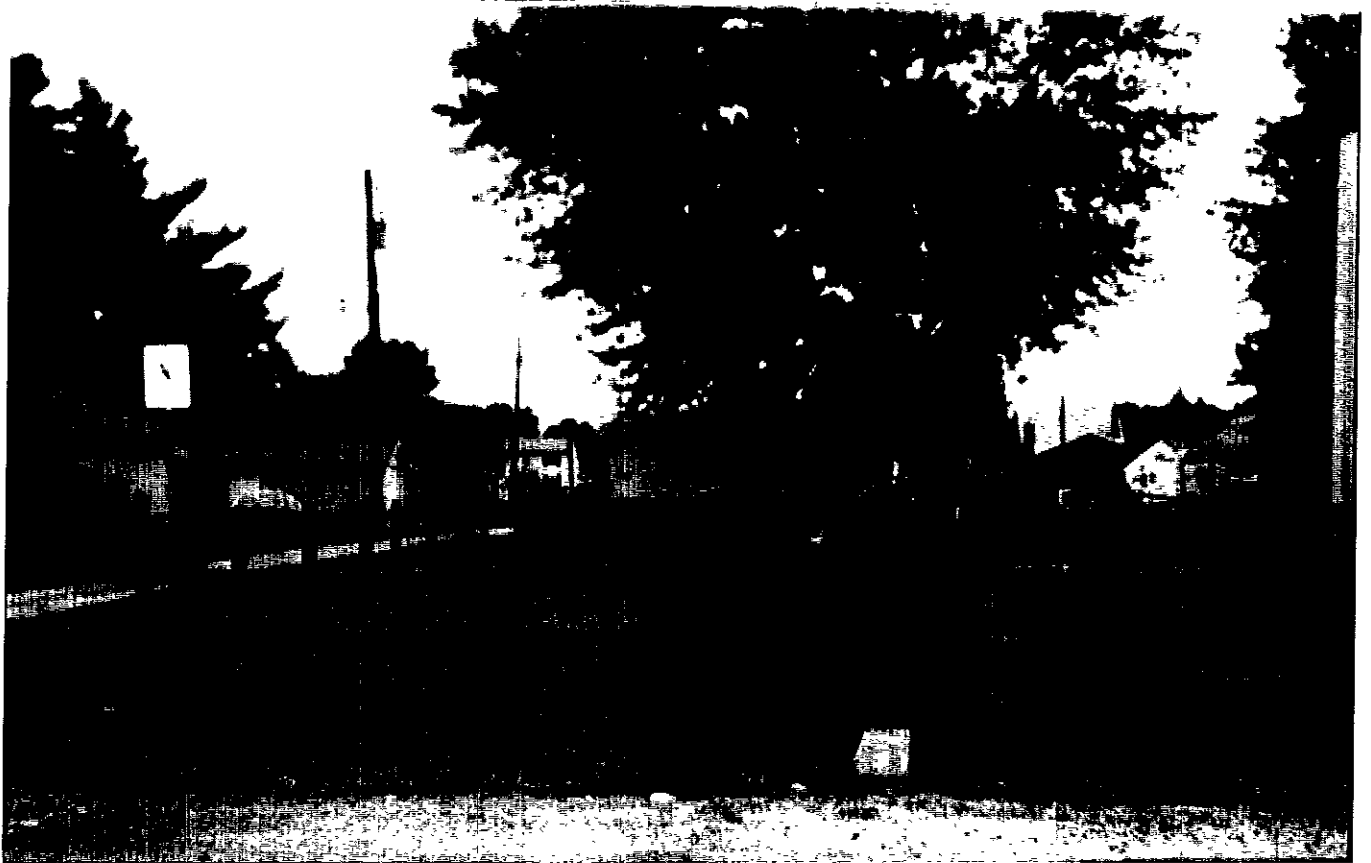
North
 Date: 10/10/10
 Prepared by: M. T. W.

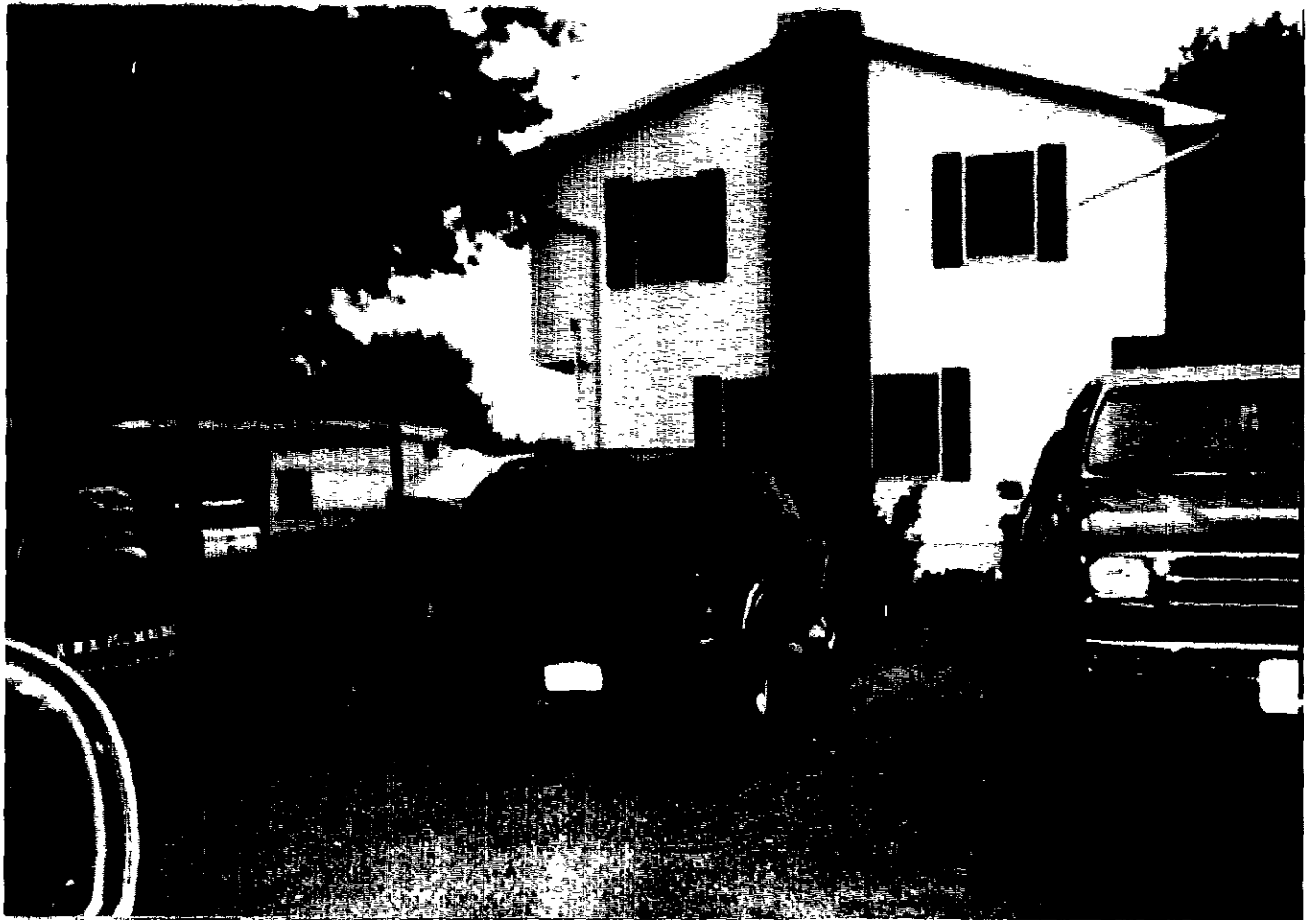
Scale of Drawing: 1"=50'

MICROFILMED

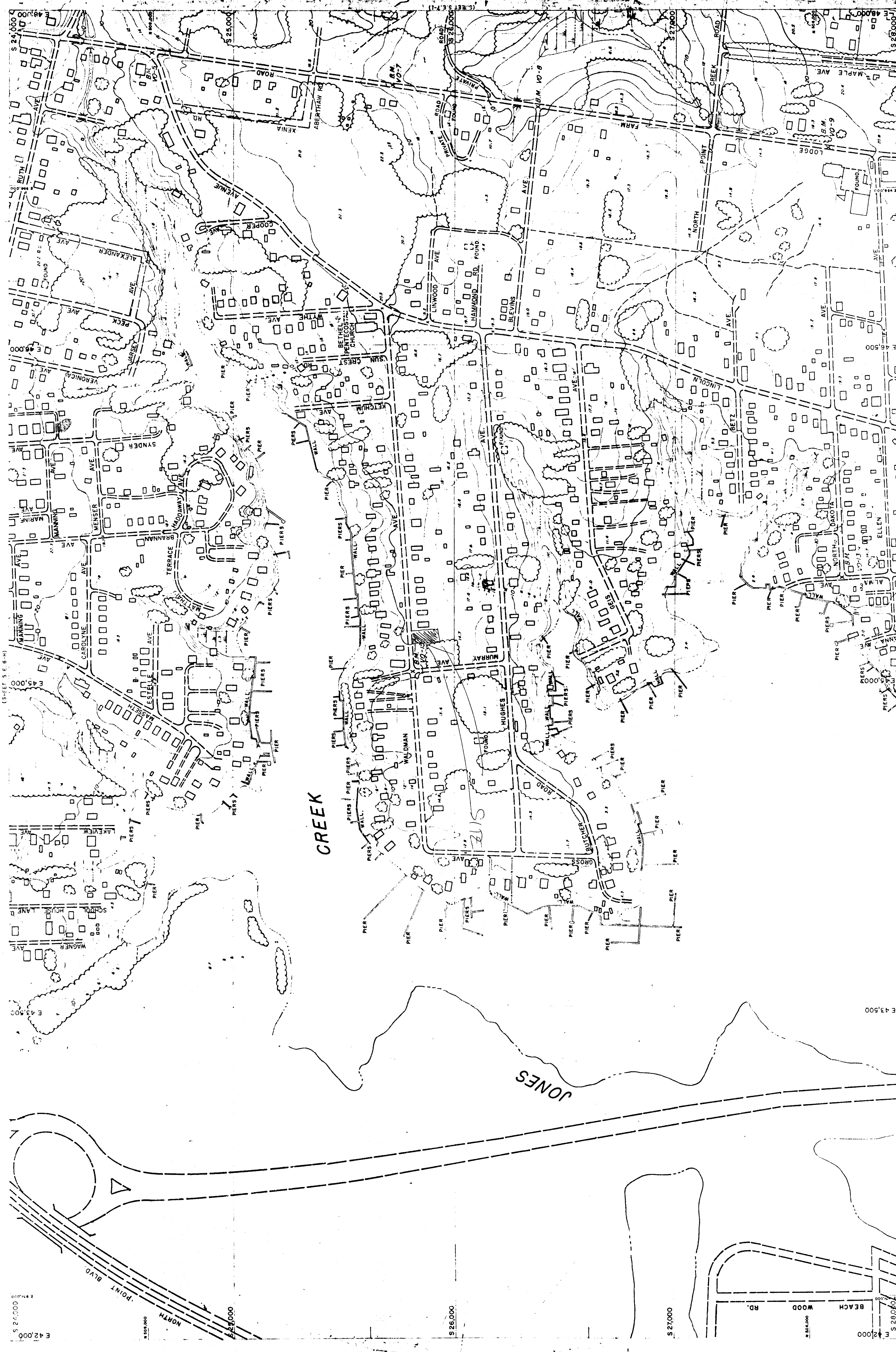


MICROFILMED









LOCATION
LODGE FOREST

REVISIONS		SCALE	DATE OF PHOTOGRAPHY
BY	DATE	1" = 200'	DEC 1954

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

TOPOGRAPHY CORRECTED BY PHOTOGRAMMETRIC METHODS
 ABRAMS AERIAL SURVEY CORP. LAISING, MICH.

SHEET
 S.E.
 7-H

MICROFILMED

22"

17"

11"

8.5"

8.5"

11"

17"

22"

17"

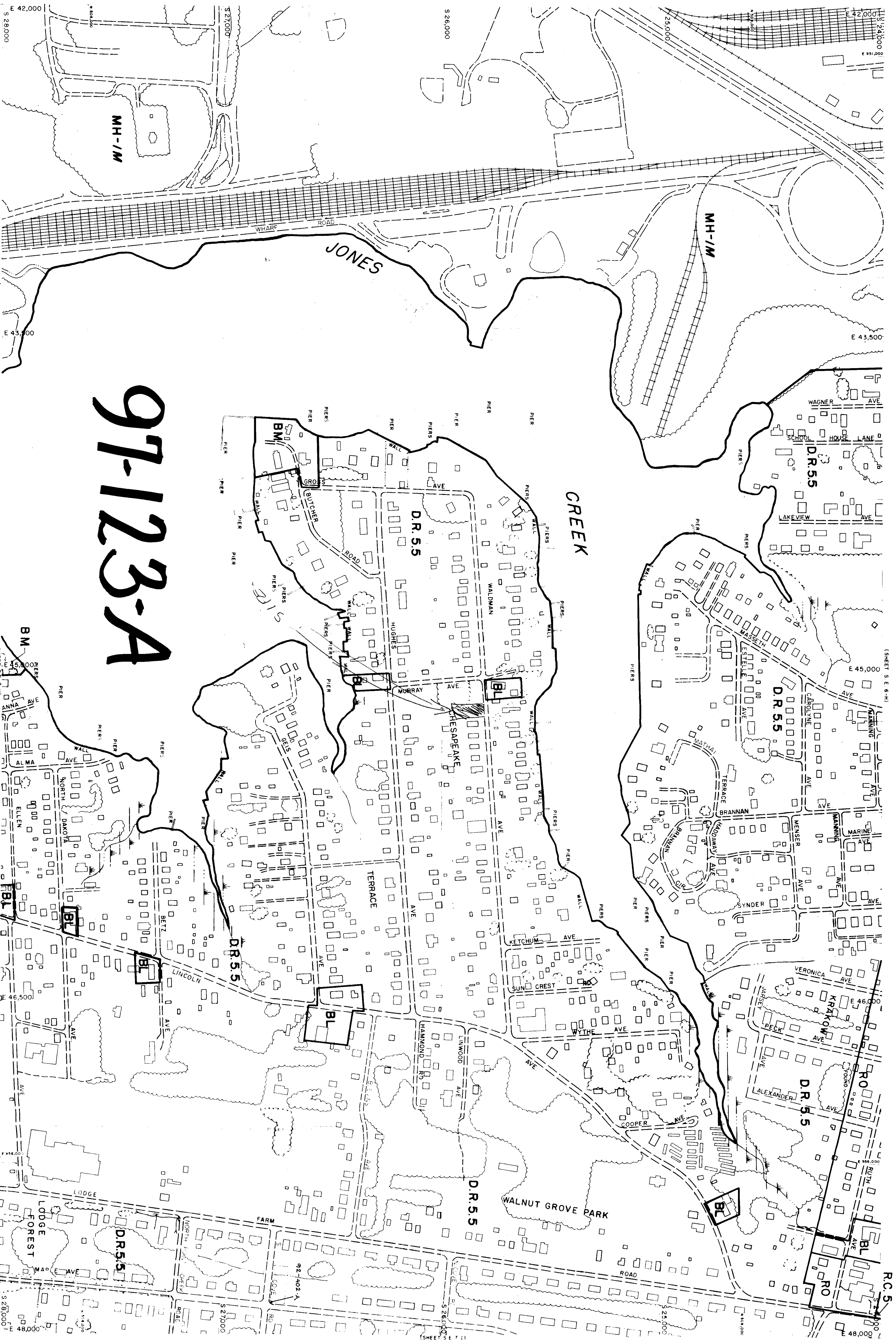
11"

8.5"

8.5"

11"

17"



97-123-A

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

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill No. 89-92, 84-92, 85-92, 86-92, 87-92, 88-92, 89-92

SCALE
1" = 200' ±
DATE OF PHOTOGRAPHY
JANUARY 1986

LODGE FOREST LOCATION
SHEET
7-H

A-NW A-NE
THIS MAP HAS BEEN REVISED IN SELECTED AREAS
BY THE OFFICE OF PLANNING AND ZONING
BY BUCHART-JOHN, INC., BALTIMORE, MD. 21210

William J. Stewart
Chairman, County Council

MICROFILMED

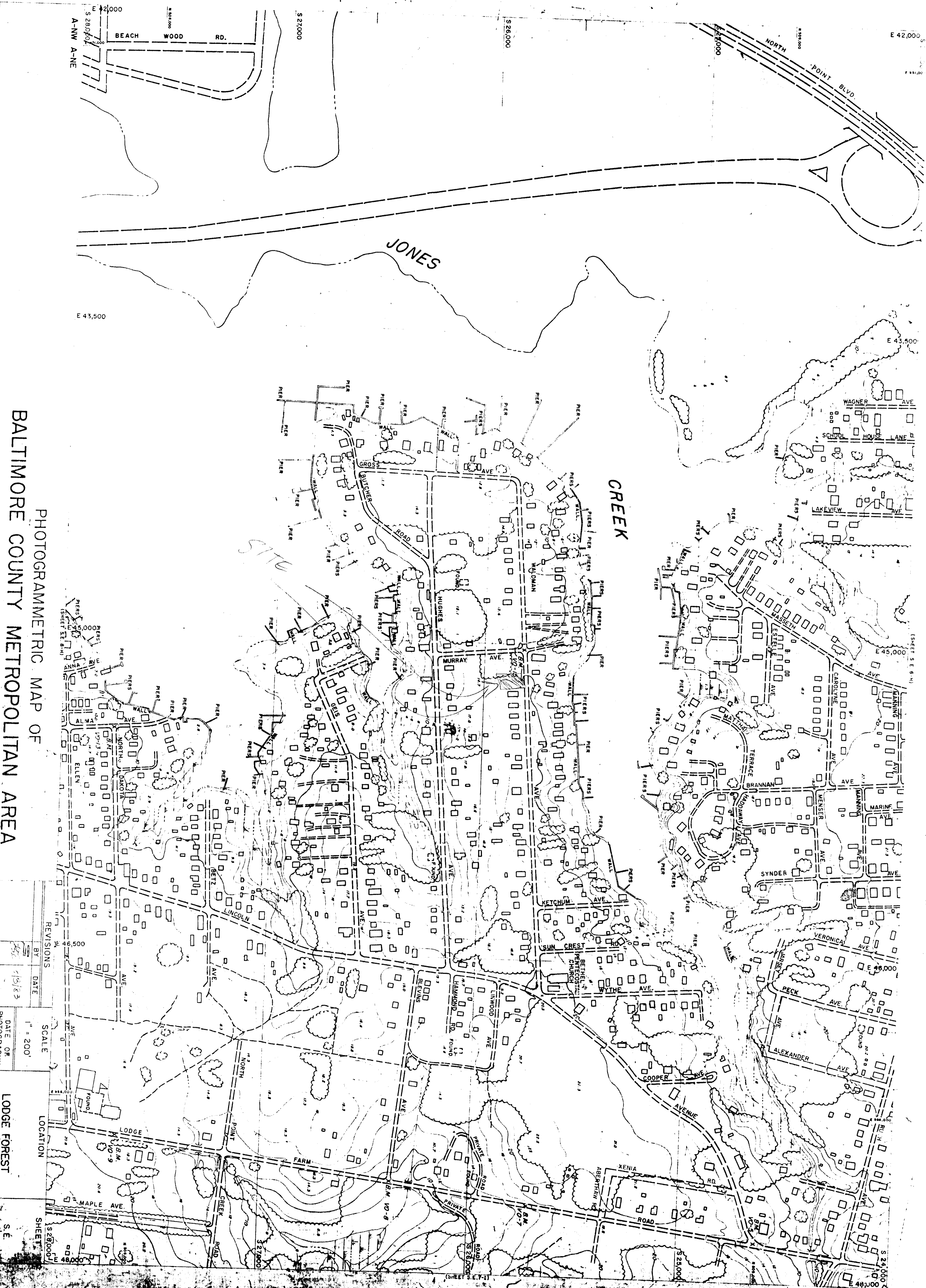


SCALE 1" = 200'±
LOCATION LODGE FOREST
SHEET S.E. 7-H

DATE OF PHOTOGRAPHY JANUARY 1986
MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

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



PHOTOGAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS BY DATE 1/15/54 1/15/54		SCALE 1" = 200'	LOCATION LODGE FOREST S.E. 74 SHEET 17
DATE OF PHOTOGRAPHY DEC 1954		METHOD OF PHOTOGRAPHY AERIAL SURVEY CORP LANSING MICH	LOCATION LODGE FOREST S.E. 74 SHEET 17

17"

11"

8.5"

8.5"

11"

17"

22"

IN RE: PETITION FOR VARIANCE * BEFORE THE
S/S Waldman Avenue, 137.5' E of * DEPUTY ZONING COMMISSIONER
the c/l of Murray Avenue * (7305 Waldman Avenue)
12th Election District * OF BALTIMORE COUNTY
7th Councilmanic District * Case No. 97-123-A
Chester Stewart
Petitioner

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 7305 Waldman Avenue, located in the vicinity of Lincoln Avenue and Lodge Farm Road in Edgemere. The Petition was filed by the owner of the property, Chester Stewart. The Petitioner seeks relief from Sections 1802.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, a rear yard setback of 5 feet in lieu of the required 30 feet, and a front setback of 20 feet in lieu of the required 25 feet for a proposed dwelling on an undersized lot. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Chester Stewart, property owner, and his daughter, Darillia Sanders. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 10,000 sq.ft., zoned D.R. 5.5 and is presently unimproved. The property is 50 feet wide by 200 feet deep and is located in an older community known as Chesapeake Terrace in southeastern Baltimore County. The Petitioner is desirous of developing the property with a single family

dwelling for his daughter. Mr. Stewart testified that he is getting up in years and would like to have his daughter living close by. He noted that the subject property has been in his family since 1951 and that he has resided on the adjoining property at 7307 Waldman Avenue since that time. Due to the narrow width of the lot and the proposed orientation of the dwelling, the relief requested is necessary in order to proceed with the proposed improvements. Testimony indicated that the outward appearance of the proposed dwelling will be similar to others in the neighborhood, however, the front of the dwelling will be oriented to face the west side of Mr. Stewart's home. As can be seen from the site plan, the adjacent property on the west side is improved with a Baltimore County pumping station, the building of which is located in the northeast corner of that lot on the north and east property lines shared with the subject property. Both Mr. Stewart and his daughter testified that they did not intend to use the rear yard of the subject property and wanted to orient the house as proposed for easier access between the two properties. It is to be noted that were the house to be oriented towards Waldman Avenue, the front of the house would face the side of the pump station building.

The Office of Planning submitted Zoning Plans Advisory Committee comments, dated October 4, 1996, in which they expressed several concerns with the proposed development. In particular, the Office of Planning noted that the requested front and rear yard setbacks are self-imposed due to the orientation of the proposed dwelling. The Office of Planning has requested that the front of the dwelling be oriented towards Waldman Avenue so as to be consistent with other houses in this community and to continue the established street pattern.

- 2 -

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 a grant of the variance would do a substantial justice to the applicant, as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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, I am persuaded to grant the variance. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations would impose a practical difficulty upon the Petitioner. In the opinion of this Deputy Zoning Commissioner, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of November, 1996 that the Petition for

- 3 -

Variance seeking relief from Sections 1802.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, a rear yard setback of 5 feet in lieu of the required 30 feet, and a front setback of 20 feet in lieu of the required 25 feet for a proposed dwelling on an undersized lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotrocc
TIMOTHY M. KOTROCC
Deputy Zoning Commissioner
for Baltimore County

TMK:bjc

*11/16/96
11/16/96*

- 4 -

ORDER RECEIVED FOR FILING
Date *11/16/96*
By *[Signature]*

ORDER RECEIVED FOR FILING
Date *11/16/96*
By *[Signature]*

ORDER RECEIVED FOR FILING
Date *11/16/96*
By *[Signature]*



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21284
(410) 887-4386

November 7, 1996

Mr. Chester Stewart
7307 Waldman Avenue
Edgemere, Maryland 21219

RE: PETITION FOR VARIANCE
S/S Waldman Avenue, 137.5' E of the c/l of Murray Avenue
(7305 Waldman Avenue)
12th Election District - 7th Councilmanic District
Chester Stewart - Petitioner
Case No. 97-123-A

Dear Mr. Stewart:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted 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. Kotrocc
TIMOTHY M. KOTROCC
Deputy Zoning Commissioner
for Baltimore County

TMK:bjc

cc: People's Counsel

file



Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 7305 Waldman Ave.
97-123-A which is presently zoned 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 Sections 1802.3.C.1 & 304.1 B.C.Z.R. to permit A 50' lot in lieu of the required 55' rear yard setback in lieu of the required 30' rear yard setback for an undersized DR 5.5 lot.

1. I want to build on existing lot and cannot comply with zoning reg.
2. I want 5 foot set back on one side of house because front door is on the other side of house

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/Lessee:
Type or Print Name: Chester Stewart
Signature: *[Signature]*
Address: _____
City: _____ State: _____ Zipcode: _____
Attorney for Petitioner:
Type or Print Name: _____
Address: 7307 Waldman Ave. 477-8017
City: Edgemere Md 21219
State: _____ Zipcode: _____
Name: CHESTER STEWART
Address: 7307 Waldman Ave 477-8217
City: _____ State: _____ Zipcode: _____

ORDER RECEIVED FOR FILING
Date *11/16/96*
By *[Signature]*

ESTIMATED LENGTH OF HEARING
unavailable for hearing
ALL OTHER: _____
REVIEWED BY: *[Signature]* DATE: 9-17-96
121

Zoning Description

97-123-A
Zoning Description for 7305 Waldman Ave. Edgemere, MD 21219.

Beginning at a point on the South side of Waldman Ave. which is 30 feet wide at the distance of 137.5 feet East of the centerline of the nearest improved intersecting street Murray Ave. which is 25 feet wide. *Being Lot #124, Block _____, Section #B in the subdivision of Chesapeake Terrace as recorded in Baltimore County Plat Book #5, Folio #36, containing 10,000 square feet. Also known as 7305 Waldman Ave. Edgemere, MD 21219 and located in the 12th Election District, 7th Councilmanic District.

121

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 at the County Administration Center, 400 Washington Avenue, Towson, Maryland 21284 on the following date and time: Case #97-123-A
11/16/96
10:00 AM
7305 Waldman Avenue, 1275' W of the c/l of Murray Avenue 12th Election District
7th Councilmanic District
Chester Stewart

Persons in possession of lot near and 25 feet from and 30 feet from the required 30 feet and 25 feet and 20 feet from 304.1 for an undersized DR-5.5
Meeting Thursday, October 24, 1996 at 10:00 AM in Room 112, Courthouse, 400 Washington Avenue, Towson, Maryland 21284
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTICE: (1) Hearings are held in accordance with the special accommodations provided for in the Zoning Act and Regulations of Baltimore County. (2) If you are unable to attend the hearing, please contact the Planning and Zoning Department at 887-3391.

10/04/96 Oct. 3 027702

CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/3, 1996

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 10/3, 1996.

THE JEFFERSONIAN,
A. H. Hennrich
LEGAL AD. - TOWSON



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 121 Petitioner: STEWART, CHESTER
Location: 7305 WALDMAN AVE. EDGEMERE, MD. 21219

PLEASE FORWARD ADVERTISING BILL TO:

NAME: S. ADAMS
ADDRESS: _____

PHONE NUMBER: 477-8217

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by J. M. DEER on 9-17-96 Date (A)

A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 9-30 D (15 Days Before C)

DATE POSTED _____
HEARING REQUESTED-YES ___ NO ___ -DATE _____
CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-15 C (B-3 Work Days)
TENTATIVE DECISION DATE 10-30 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____
Location of property: _____

Posted by: _____ Date of Posting: _____
Signature _____
Number of Signs: _____

TO: PUTNEM PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian
Please forward billing to:
Chester Stewart
7307 Waldman Avenue
Edgемere, MD 21219
477-8217

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: 97-123-A (Item 121)
7305 Waldman Avenue
6/6 Waldman Avenue, 137.5 +/- from c/l Murray Avenue
1218 Election District - 7th Councilmanic
Legal Owner(s): Chester Stewart

Variance to permit a 5 foot rear and 20 foot front yard setbacks in lieu of the required 30 feet and 25 feet and relief from 304.1 for an undersized D.R.-5.5 lot.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

LAWRENCE F. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 1996

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: 97-123-A (Item 121)
7305 Waldman Avenue
5/5 Waldman Avenue, 137.5 +/- from c/l Murray Avenue
1218 Election District - 7th Councilmanic
Legal Owner(s): Chester Stewart

Variance to permit a 5 foot rear and 20 foot front yard setbacks in lieu of the required 30 feet and 25 feet and relief from 304.1 for an undersized D.R.-5.5 lot.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:30 p.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Chester Stewart

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



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

Mr. Chester Stewart
7307 Waldman Avenue
Edgемere, MD 21219

RE: Item No.: 121
Case No.: 97-123-A
Petitioner: Chester Stewart

Dear Mr. Stewart:

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 September 17, 1996.

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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

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

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
October 4, 1996

FROM: R. Bruce Seeley
DEPRM

SUBJECT: Zoning Item #121 - Stewart Property
7305 Waldman Avenue
Zoning Advisory Committee Meeting of September 30, 1996

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

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:SA:sp
STEWART/DEPRM/TXTSPP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
DATE: October 4, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 7305 Waldman Avenue

INFORMATION:

Item Number: 121
Petitioner: Chester Stewart
Property Size: _____
Zoning: DR 5.5
Requested Action: _____
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The front of the dwelling must be oriented towards the street. The front yard and side yard variances should be denied. The setback variance requests are self imposed by the orientation of the house. The layout of the proposed dwelling is not patterned in a similar manner to those in the neighborhood. The proposed infill development needs to continue the established street pattern and dwelling layout to reflect adjacent building mass.

As a result of Baltimore County's pumping station, the potential dwelling at 7303 Waldman Avenue will have to be setback an extra 40' to meet the front setback requirements. To create a staggered front building setback from 7307 Waldman Avenue to 7303 Waldman Avenue, the front setback should be 45'.

Prepared by: *Jeffrey M. Long*
Division Chief: *Edny L. Kinas*
AFK:JL:lw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 121 (JCM)

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Michael Smith
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/02/96

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

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF SEPT. 30, 1996.

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 Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 119, 120, 121, 122, 124, 125, 126, 127 and 129.

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

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 7, 1996
Item Nos. 119, 121, 122, 124, 125,
126, 127, & 129

Date: October 7, 1996

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE30

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

97-123-A

DATE: September 17, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #121
7305 Waldman Avenue

orientation. Applicant advised of problems inherent with proposed house

JCM:scj

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Erin McDane
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

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

MINIMUM APPLICANT SUPPLIED INFORMATION:

Chester Stewart 7305 Waldman Ave. 410-477-8217

Lot Address: 7305 Waldman Ave. Election District: 18 Council District: 1 Square Feet: _____

Lot Location: N E S W side / corner of _____ feet from N E S W corner of _____

Lead Owner: Chester Stewart Tax Account Number: _____ Telephone Number: 410-477-8217

Address: 7307 Waldman Ave Edgemere, Md 21229

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

	PROVIDED?	YES	NO
1. This Recommendation Form (2 copies)			
2. Permit Application			
3. Site Plan			
4. Building Elevation Drawings			
5. Photographs (taken from all adjacent streets)			
Surrounding Neighbors			

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

Approval Disapproval Approval conditional on required modifications of the permit to conform with the following recommendations:

See attachment.

Signed by: *Erin McDane* Date: 10/4/96
Erin McDane, Office of Planning & Community Conservation
Revised 05/95

- The front of the proposed dwelling must be toward the street (Waldman Avenue). The layout of the proposed dwelling is not patterned in a similar manner to those in the neighborhood. The proposed infill development needs to continue the established street pattern and dwelling layout to reflect adjacent building mass.
- The proposed dwelling on lot 7305 Waldman Avenue should have a front building setback of 45'. As a result of a Baltimore County pumping station, the potential dwelling at 7305 Waldman Avenue (the vacant lot in the rear of the pumping station) will be set back an extra 40' to meet the front setback requirements. To create a staggered front building setback along Waldman Avenue, the proposed dwelling at 7305 Waldman Avenue should have a front building setback of 45'.

Please see Item #121 for comments on the variance for this site.

RE: PETITION FOR VARIANCE * BEFORE THE
7305 Waldman Avenue, S/S Waldman Avenue, * ZONING COMMISSIONER
137.5x/- from c/1 Murray Avenue * OF BALTIMORE COUNTY
12th Election District, 7th Councilmanic *
Chester Stewart * CASE NO. 97-123-A
Petitioner *

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

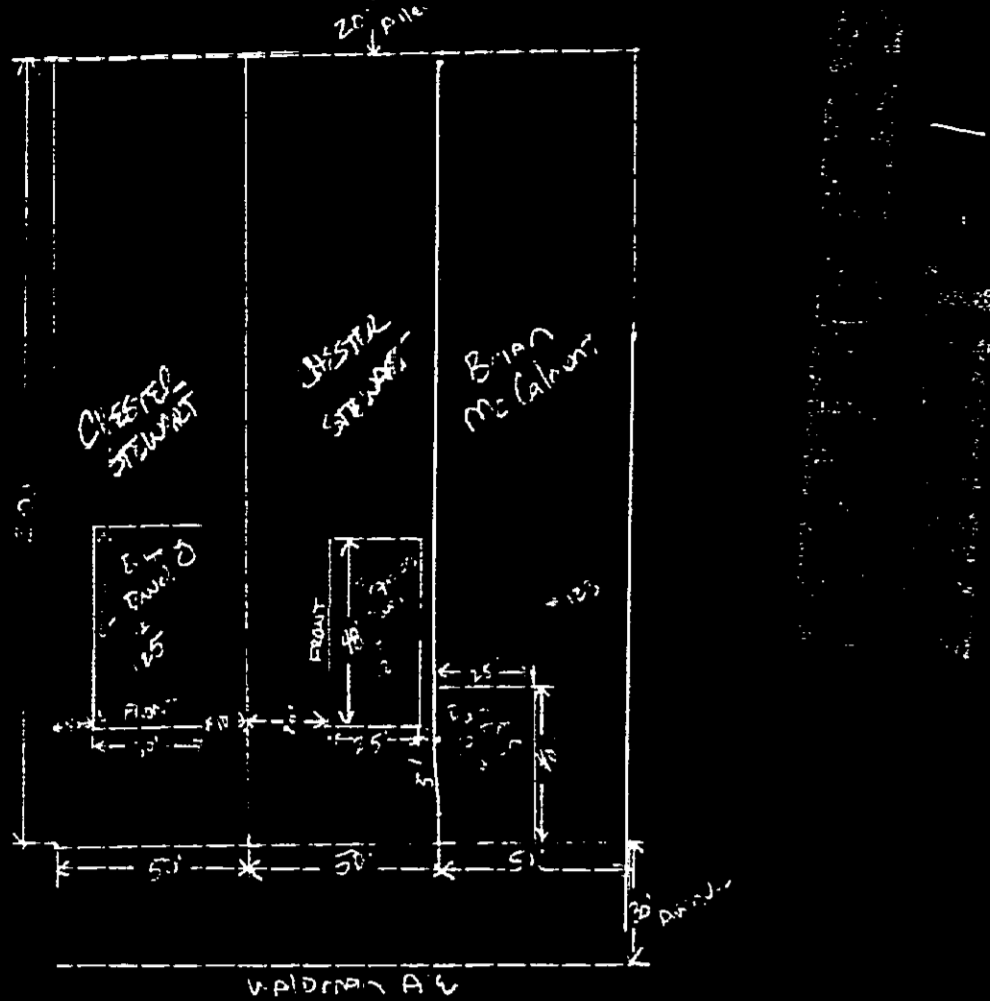
Charles S. Demilio
CHARLES S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Chester Stewart, 7307 Waldman Avenue, Baltimore, MD 21219, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Flat to accompany Petition for Zoning Variance Special Hearing
 PROPERTY ADDRESS: 105 WILSON AVE
 SUBDIVISION: CHESAPEAKE TERRACE
 LOT: 5 UNIT: 21 SECTION: 2
 OWNER: 2122 5th St 97-123-A

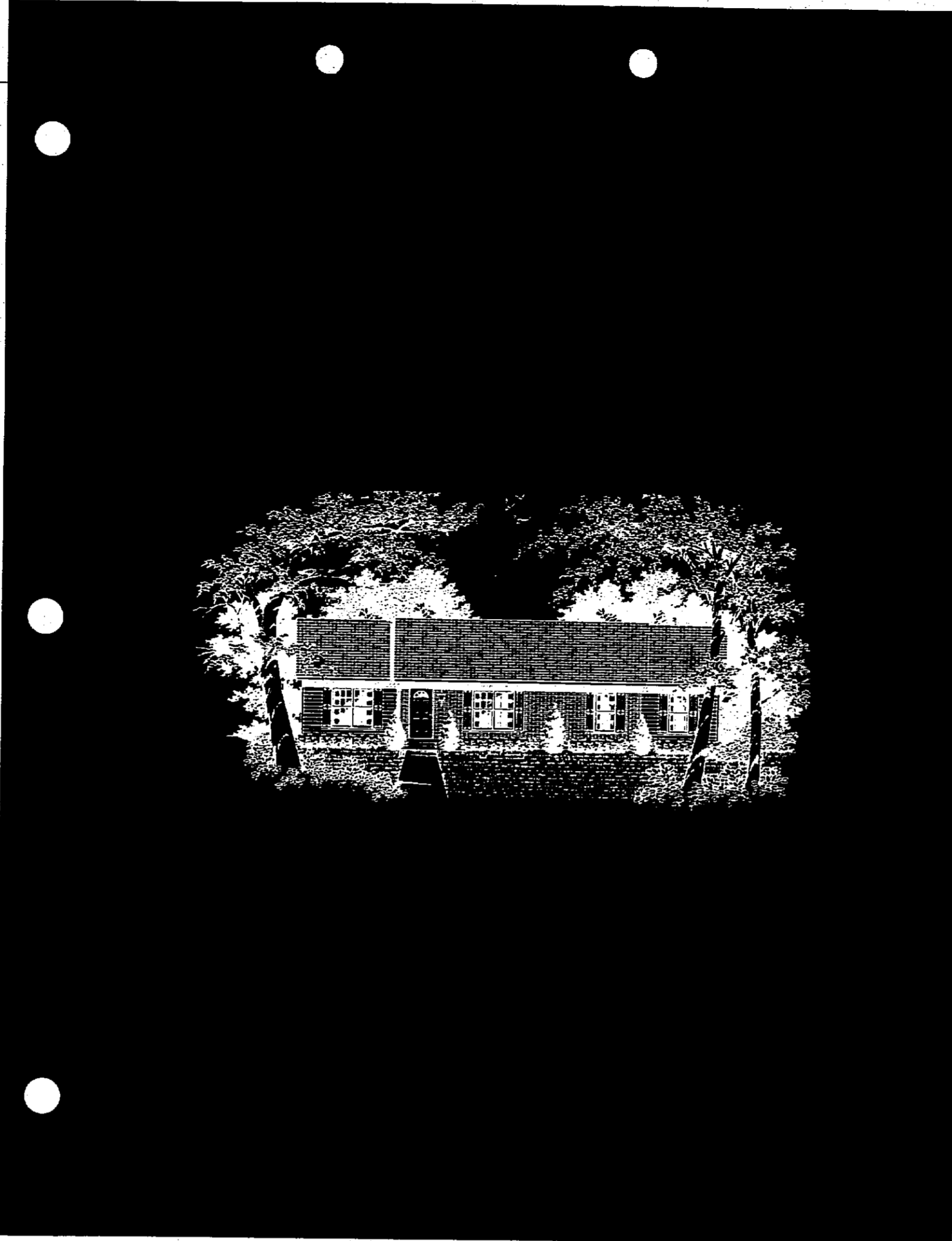


Scale of Drawing: 1" = 50'
 Prepared by: [Signature]

LOCATION INFORMATION
 Sheet of District: 2
 Council District: 7
 1"=200' scale map: SE-7H
 Zoning: R5.5
 Lot size: 1.20 acres
 Section: 2


Sewer:
 Water:
 Chesapeake Bay Critical Area:
 Prior Zoning Hearings: N/A

Zoning Office USE ONLY!
 reviewed by: ITEM #: CRSEP: 121

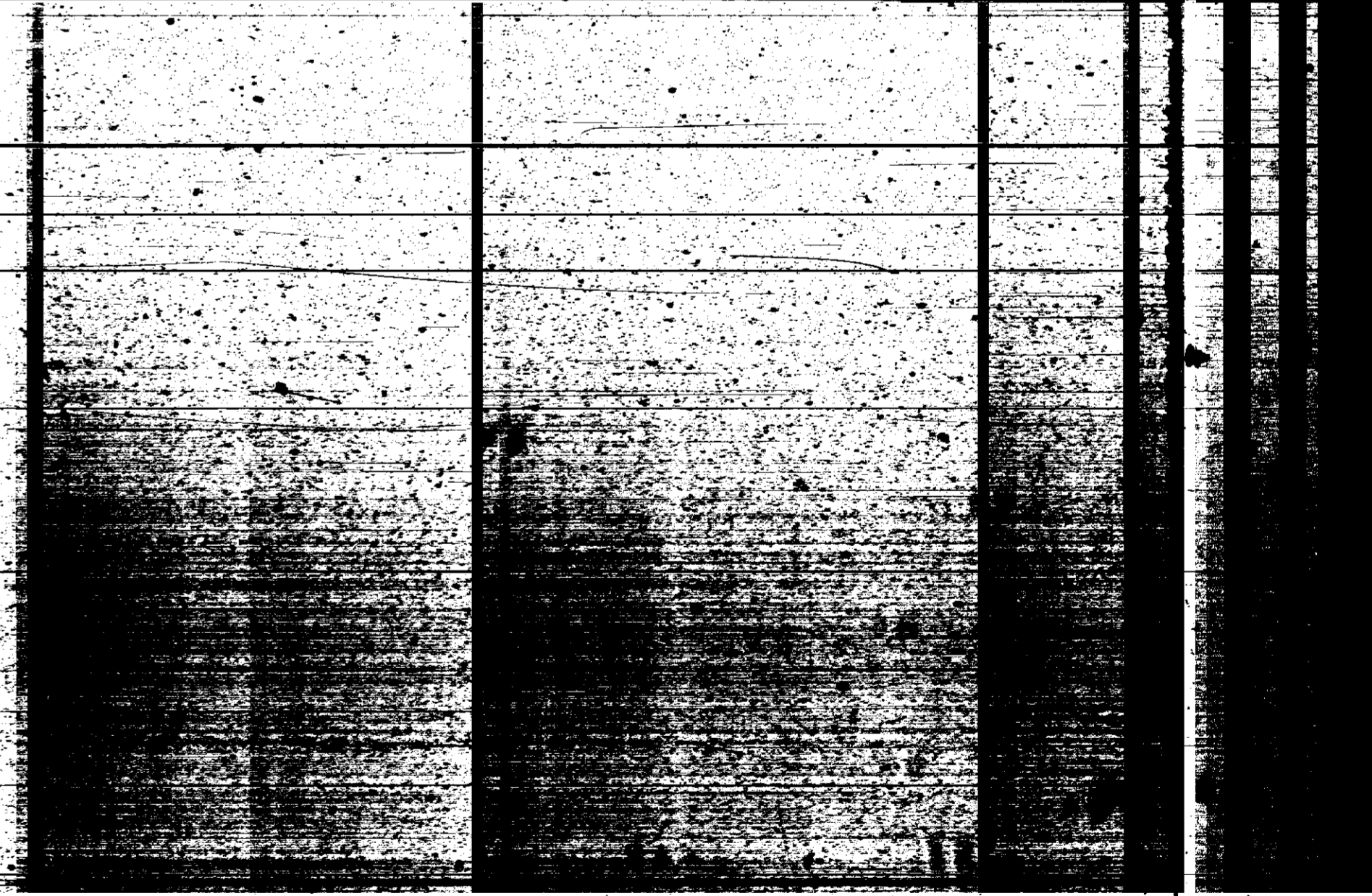
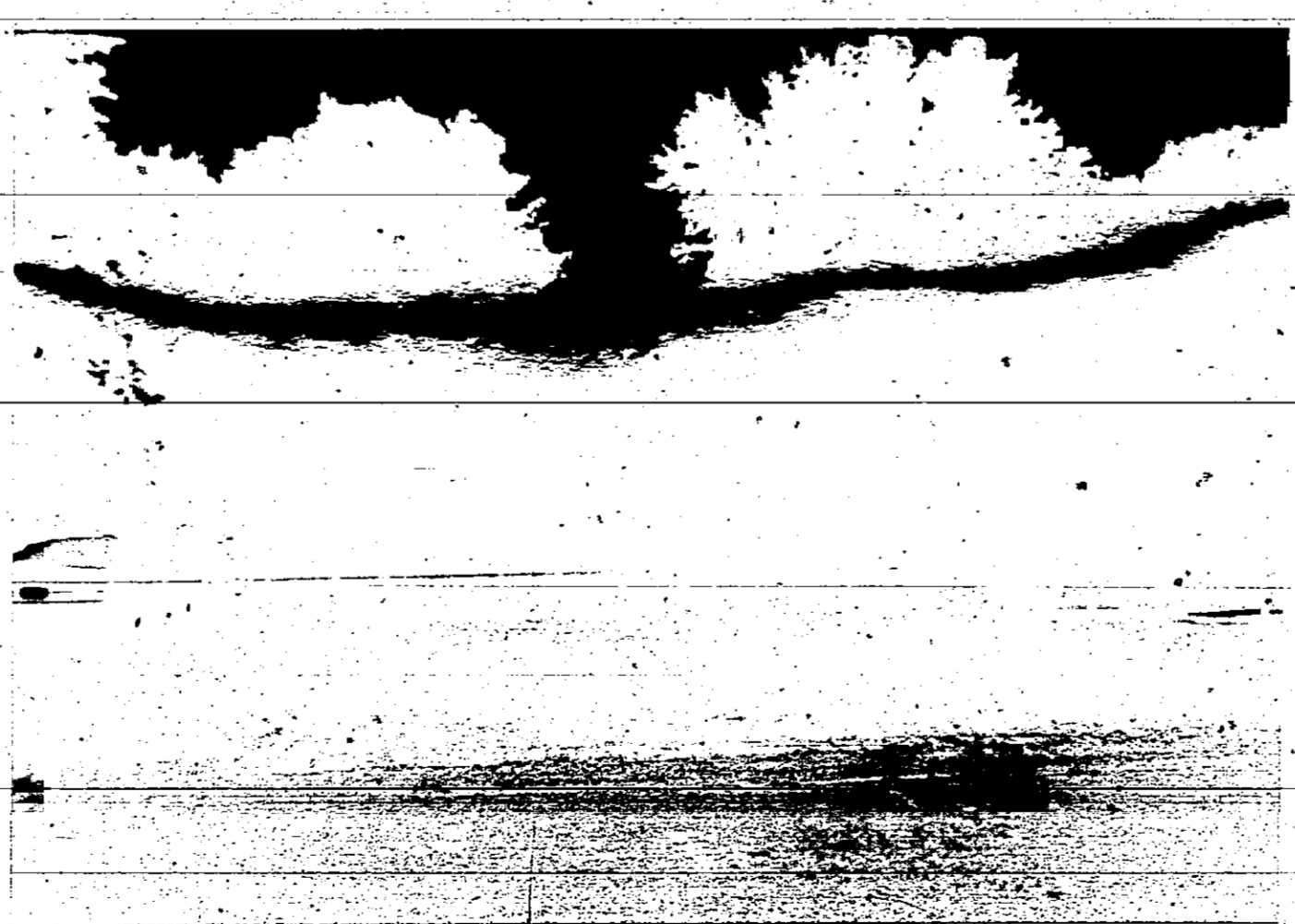


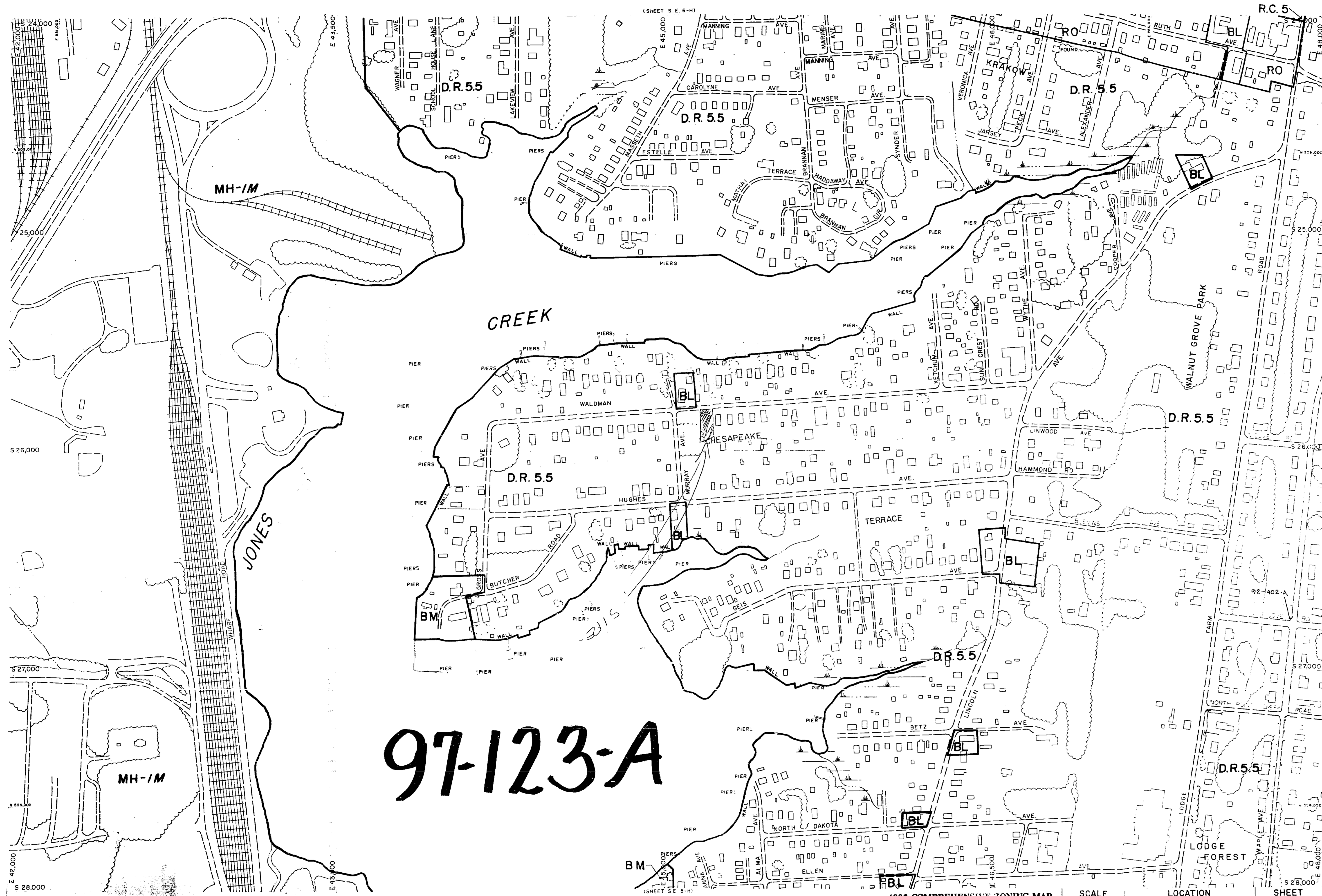
SUMMIT SERIES

RANCH AND CAPE COD PLANS



MVP
 A Division of Hilti-Craft Corporation





97-123-A

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP

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

William A. Howard
 Chairman, County Council

SCALE 1" = 200'	LOCATION LODGE FOREST	SHEET S.E. 7-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



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	LODGE FOREST	S.E. 7-H
DATE OF PHOTOGRAPHY				
12-14				

22"
17"
11"
8.5"
8.5"
11"
17"



97-123-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LODGE FOREST	S.E. 7-H
DATE OF PHOTOGRAPHY JANUARY 1986		

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