IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

W/S Weatherbee Road, 50 ft. N

of Draper Road

306 Weatherbee Road 9th Election District 4th Councilmanic District

John B. Steele, et ux

Petitioners

* BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-176-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by John B. Steele and Mary D. Steele, his wife, property owners, for that property known as 306 Weatherbee Road in Towson, (Overbrook subdivision of Baltimore County). The Petitioners/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 5 ft., in lieu of the required 15 ft., and a sum of side yards of 15 ft., in lieu of the required 25 ft., for an addition, in a D.R.3.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners 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 Petitioners have 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 Petitioners.

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 day of November, 1996 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 5 ft., in lieu of the required 15 ft., and a sum of side yards of 15 ft., in lieu of the required 25 ft., for an addition, in a D.R.3.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

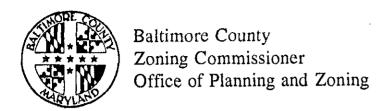
1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn

ORDER RECEIVED FOR FILIN

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County





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

November 14, 1996

Mr. and Mrs. John B. Steele 306 Weatherbee Road Towson, Maryland 21286

> RE: Petition for Administrative Variance Case No. 97-176-A Property: 306 Weatherbee Road

Dear Mr. and Mrs. Steele:

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 887-3353.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

MICHOFILMED

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Petition for Administrative Variance

97-176 A

to the Zoning Commissioner of Baltimore County

for the property located at

306 Weather bee

hich is presently zoned DR, 3, 2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attache hereto and made a part hereof, hereby petition for a Variance from Section(s).
hereto and made a part hereof, hereby petition for a Variance from Section(s)
6 Jan School Star of
Over brook As Recorded in doon to Plat Book #12
SEE BELOW
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

D 1802.3.C./; BCZR, TO PERMIT A SIDEYARD SETBACK OF 5' IN LIEU of The REDUIRED 15' AND A SUM of SIDE YARDS OF 15' IN CIEU of The REDUIRED 25'.

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			Legal Owner(s) STep /
(Type or Print Name)		1.012.01.03	(Type or Print Name)
Signature			Signature Steple
Address			Type or Print Name) Maris Alono Alono The
City	State	Zipcode	Signature
Attorney for Petitioner			306 Weather bee Rd.
(Type or Print Name)			Towson, MD. 21286
Signature			Name, Address and phone number of representative to be contacted
Address	Phone No		Name Steele Strue: 6/10-494-9495
City	State	Zipcode	Address Phone No

Loning Commissioner of Baltimore County



REVIEWED BY DATE 10-15-16
ESTIMATED POSTING DATE: 10-27-96



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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 <u>BO6 Weather bee</u> Rd
address MD 010 QC
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)
LE ADE UDIN AGE AND CAN NO LONGER
climb the stays to the bath Room whitch
build A FIRST Floor BATH ROOM THAT IS
handicAped AccessAble.
· · · · · · · · · · · · · · · · · · ·
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and
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.
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.
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. ORE Company Compan
may be required to provide additional information. The provide additional information. The provide additional information. The provide additional information.
may be required to provide additional information. Stephen B. Steele Mary D. Steele Mary D. Steele
state of Maryland, County of Baltimore, to wit: I HEREBY CERTIFY, this 14 day of Action, 1996, before me, a Notary Public of the State
signature) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this
signature) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 1 HEREBY CERTIFY, this 4 day of October 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared And Maryland Mules Maryland
signature) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this
signature) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 1 HEREBY CERTIFY, this 4 day of October, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared The Affiants(s) herein personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law
may be required to provide additional information. Steele
may be required to provide additional information. Steele

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 306 Weather bee Kol.
address Vocusion ND: 21286 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)
Le Are up IN Age AND CAN NO longer
alimb the stairs to the bath room whitch
is on the second Floor, he would like
To build A FIRST Floor ball Room that
is handicaped Accessable.
· · · · · · · · · · · · · · · · · · ·
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.
Solo Belle Mary Stelle
Highaturg Land B Steele The Man D. Steele
(type or print name) (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
1 HEREBY CERTIFY, this day of Servan, 1946, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Jose Band Musica & Stelle
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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.
ASWITNESS my hand and Notarial Seal.
October 1996 Mase & Clorigana
My Copannission Expires:
June 1, 2000



Petition for Administrative Variance 97-176-A to the Zoning Commissioner of Baltimore County

I he undersigne	ed, legal owner(s) of the pro a part hereof, hereby peti	operty situate in Baltin tion for a Variance from	LINCONTO PLATBOOK#
of the Zoning Repractical difficulty	gulations of Baltimore Cou		В∈らい w of Baltimore County; for the following reasons: (Indicate hardship
180 5' 111			PERMIT A GIOGYARD SETBALL O 15' AND A SUM of SIDE MARD IRAD 25'.
Property is to l, or we, agree to	o be posted and adve o pay expenses of above V	ertised as prescrib /ariance adventising, p	bed by Zoning Regulations. posting, etc., upon filing of this petition, and further agree to and ar County adopted pursuant to the Zoning Law for Baltimore County.
Contract Purchaser/Les	:Se∂:	,	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we a legal owner(s) of the property which is the subject of this Petition. Legal Owner(s):
(Type or Print Name)			(Type or Print Name) Sidnature
Address		((Type or Print Mame) Steele
City Attorney for Petitioner	State	Žipcode	Signature Steele
			Jousen, MD. 21286
(Type or Print Name)			City State Zipcode Name, Address and phone number of representative to be contacted
(Type or Print Name) Signature			blu Starle

Zoning Commissioner of Baltimore County



ESTIMATED POSTING DATE:



Printed with Soybean Ink on Recycled Paper

ZONING DESCRIPTION

97-176-A

ZONING DESCRIPTION FOR 306 WEATHERBEE ROAD TOWSON MD.

Beginning at a point on the N. 46 52' E. - N. 43 08' W. side of Weatherbee road which is 25' R/W wide at the distance of 50' north of the centerline of the nearest improved intersecting street Weatherbee Road which is 50' wide. *Being Lot # 4. Block 2, Section # A in the subdivision of Overbrook as recorded in Baltimore

County Plat Book # 12., Folio # 1038, containing 5,800 square feet. Also known as 306 Weatherbee road and located in the 9th. Election District, 4th. Councilmanic District.

06

VALIDATION VALIDATION VALIDATION VALIDATION		As. 1/As (010)	RECEIVED STEEL	DATE 10-15-96	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION LISCELLANEOUS CASH RECEIPT
VALIDATION OR SIGNATURE OF CASHIER LOW-CUSTOMER	DISTRIBUTIONICHEC VICEO CONTRACTORICO CONTRA		AMOUNT \$ 50.	ACCOUNT ABOUT 6150	RYLAND 106 No.
	\$50.00	A CO	306 Weamnes	150	026369

	RE: Case No.: 97.176-A
	Petitioner/Developer:
	JACK STEELE
	Date of Hearing/Closing: Nov. 12-199C
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
	es of perjury that the necessary sign(s) required by law rty located at 306 WEATHERSEE KOAD PYKAND ZIZSC
The sign(s) were posted on	OCT 27, 1996 (Month, Day, Year)
	,
	Sincerely,
ZONING NOTICE	(Signature of Sign Poster and Date) 1-stomes P. 074 58
VARIANCE	(Printed Name)
the ten the way to the tent of	375 Nicholson Roop (Address)
PUBLIC HEARING ? THE WAS THE	(Address) (Address)
	(Telephone Number)

i i i i i i



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/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:

- 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

AJ:gqs

(Revised 04/09/93)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-27-96

Format for Sign Printing, Black Letters on a White Background:

ļ	ZONING NOTICE
	ADMINISTRATIVE
	VARIANCE
	Case No.: 97-176-A
	To Permit A SIDEYARD SETBACK of 5' IN LIEU of
	The REQUIRED 15', AND A SUM of side yARDS of
	15' in Lieu of The Resurres 25'

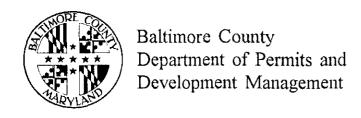
PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



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

October 25, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-176-A (Item 176)
306 Weatherbee Road
W/S Weatherbee Road, 50' N of c/l Draper Road
9th Election District - 4th Councilmanic
Legal Owner(s): John B. Steele and Mary B. Steele
Post by Date: 10/27/96
Closing Date: 11/12/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

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

Arnold Jablon Director

cc: John and Mary Steele



Baltimore County
Department of Permits and
Development Management

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

December 12, 1996

Mr. and Mrs. John B. Steele 306 Weatherbee Road Towson, MD 21286

RE: Item No.: 176

Case No.: 97-176-A

Petitioner: John B. Steele, et ux

Dear Mr. and Mrs. Steele:

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 October 15, 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.
Zoning Supervisor

WCR/re
Attachment(s)



Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Parker F Williams Administrator

Baltimore County (JCM)

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

RE:

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,

Ronald Burns, Chief

Engineering Access Permits

Division

BS/es

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 10/24/96

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 OCT. 28, 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.

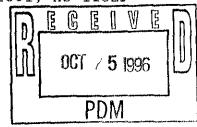
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS (176) 177,178,180 AND 181.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED,





BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: October 23, 1996

Permits and Development

Management

FROM: Pat Keller, Director

Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. (176,) 178, 180, and 181

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by

Division Chief

PK/JL

John Arthander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: November 6, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for November 4, 1996 Item Nos. 175, 176, 177, 178, 180,

181, and 182

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE:

10/25/95

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee

Meeting Date: Oct, 28,96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

176 178 179

180

RBS:sp

BRUCE2/DEPRM/TXTSBP

~ 271

BENJAMIN K. YORKOFF, M.D.

7401 OSLER DRIVE SUITE 104 TOWSON, MARYLAND 21204 TELEPHONE 321-8580

97-171-A

TO WHOM IT MAY CONCERN:

IT IS NECESSARY FOR MR. JOHN STEELE TO HAVE A BATHROOM ON THE FIRST FLOOR OF HIS HOME, DUE TO MEDICAL CONDITIONS. HE SUFFERS FROM LUMBAR SPINE PAIN, ARTHRITIS, AND ANGINA, AND MUST UNDERGO CONTINUOUS THERAPY.

IF THERE IS ANY QUESTIONS FRGARDING THIS NEED, PLEASE FEEL FREE TO CONTACT THIS OFFICE.

SINCERELY,

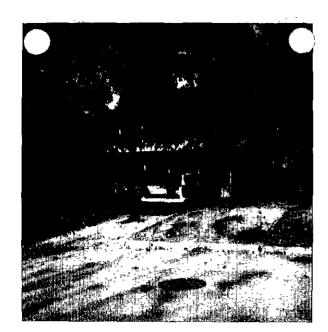
BENJAMIN K. YORKOFF, M.D.

BKY: MIH

PLAN HOLD CORPORATION . IRVINE CALIFORNIA

PLAN HL

97-176-A







STEVENSON d---50'---DRAPER 7 (ne ス 5/ LANE 0 6 16 ROAD LOTS Co Z 个 POPO SUBDIVISION
BLOCK-C
BLOCK-C
BLOCK-D -W 40 FAINGTON FRED H. DOLLENBERG & BRO. T gook days 0 F 50 FEET TO ONE INCH -DUNCAN BLDG.- JULY 2.1940. ENGINEERS 111 D GEMON JOPP S 35°47 W 230.22 7 M. 96.575 CENTER SECOT MARKET N. 350 49 E. 202.12 = anon ROLD N. 35° 49 E-- 279.00 RR MICROFILMED.

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