

IN RE: PETITION FOR VARIANCE
W/S Baltimore Street, 200' +/-
S of centerline Georgia Avenue
13th Election District
1st Councilmanic District
(4214 Baltimore Street)

Rita E. Schiren
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-451-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for variance filed by the legal owner of the subject property, Rita Schiren and the contract purchaser, Gilbert M. France, Jr. for the property located at 4214 Baltimore Street. The variance request is from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with a width of 50 ft. in lieu of the required 55 ft.

Appearing at the hearing on behalf of the variance request was Gilbert France, Jr., the contract purchaser. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.14 acres, more or less, zoned D.R.5.5. The property comprises two unimproved lots situated at 4214 Baltimore Street, located within the Baltimore Highlands community. Mr. France is desirous of purchasing the lots from Mrs. Rita Schiren and constructing a single family residential dwelling thereon. In order to proceed with his plans the variance request is necessary. Mrs. Schiren has owned this lot in excess of 20 years. Mrs. Schiren resides in the house located at the corner of Baltimore Street and Georgia Avenue and is now desirous of selling off several of the lots that she acquired many years ago. In order to proceed with his plans a variance to allow a house to be built on a lot with a lot width of 50 feet is requested.

ORIGINAL RECEIVED FOR FILING

Date

7/7/99

By

R. Jameson

Baltimore Highlands is an old established community which was designed and developed in the 1920's. Many of the houses located within this community are built upon 50 foot lots. Some houses are even constructed on 40 foot lots. Therefore, the house to be constructed by Mr. France is in character and keeping with the many other houses in the Baltimore Highlands community. Testimony further revealed that Mrs. Schiren is a widow, is up in years, and is having difficulty in maintaining these unimproved lots. Therefore, she is desirous of selling these two lots to Mr. France.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and her 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.

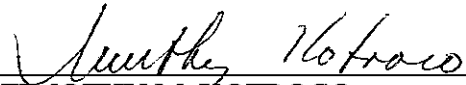
Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, 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 after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 7th day of July, 1999, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with a width of 50 ft. in lieu of the required 55 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for the 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.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/7/99
By R. J. [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 7, 1999

Mrs. Rita E. Schiren
4212 Baltimore Street
Baltimore, Maryland 21227

Re: Petition for Variance
Case No. 99-451-A
Property: 4214 Baltimore Street

Dear Ms. Schiren:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County ^{LOTS}
for the property located at 4214 BALTIMORE ST. 88-87
which is presently zoned D.R.S.S.

This Petition shall be filed with the Department of Permits and 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) 1802.3.C.1; 8022 AND 304; 8222, TO PERMIT A DWELLING ON A LOT WITH A WIDTH OF 50ft. in lieu of THE REQUIRED 55ft.

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

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

GILBERT M FRANCE JR
Name - Type or Print
Gilbert M France Jr
Signature
2430 ZION RD (410) 536-4217
Address Telephone No.
BALTO MD 21227
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

RITA E. SCHIREN
Name - Type or Print
Rita E Schiren
Signature

Name - Type or Print

Signature
4212 BALTIMORE ST (410) 789-3553
Address Telephone No.
BALTIMORE MD 21227
City State Zip Code

Representative to be Contacted:

MARCEY MILLER - OPF-ERA
Name
529 S COMPTON LEADER RD (410) 691-1111
Address Telephone No.
BALTO MD 21090
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By JCM Date 5-13-99

Case No. 99-451A

R2U 9/15/98

ORDER RECEIVED FOR FILING
DATE 7/7/99
BY R. J. JAMES

4214 Baltimore St.

STARTING ON THE NORTH CORNER OF
BALTIMORE STREET AND GEORGIA AVE.
R/W 50 FEET 26 FEET OF PAVING STARTING
AT A PIPE MARKER HEADING SOUTH
55 FEET TO START OF SAID PROPERTY.
BEING 50 FEET IN WIDTH AND 125 FEET
IN LENGTH, KNOW AS LOTS 87 & 88 IN
THE SUBDIVISION OF BALTIMORE HIGHLANDS,
AS RECORDED IN THE BALTIMORE COUNTY
PLAT BOOK #2, FOLIO 379, CONTAINING
6,250 sq FEET. ALSO KNOW AS 4212
BALTIMORE STREET AND LOCATED IN
THE 13TH ELECTION DISTRICT 1ST COUNCILLMANIC
DISTRICT.

451

99.451-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6-10, 1999

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 6-10, 1999

THE JEFFERSONIAN,

S. Williams

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-451-A
4214 Baltimore Street, 230 +/-
W/S Baltimore Street, 230 +/-
S of centerline Georgia Avenue
13th Election District
1st Councilmanic District

Legal Owner(s):

Rita E. Schiren

Contract Purchaser:

Gilbert M. Franco, Jr.

Variance: to permit a dwelling on a lot with a width of 50 feet in lieu of the required 55 feet.

Hearing: Monday, June 28, 1999 at 2:30 p.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible. For

special accommodations

Please contact the Zoning

Commissioner's Office at

(410) 887-4386.

(2) For information concern-

ing the File and/or Hearing.

Contact the Zoning Review Of-

fice at (410) 887-3391.

6/17/99 June 10 C3180933

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 451
Petitioner: GILBERT FRANCE JR.
Address or Location: ~~2430 ZION RD. BALTO. MD. 21227~~
4214 BALTIMORE ST.

PLEASE FORWARD ADVERTISING BILL TO:

Name: GILBERT FRANCE JR.
Address: 2430 ZION RD. BALTO. MD. 21227

Telephone Number: (410) 536-4217

Revised 2/20/98 - SCJ

99.451-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 28, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-451-A
4214 Baltimore Street
W/S Baltimore Street, 200' +/- S of centerline Georgia Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Rita E. Schiren
Contract Purchaser: Gilbert M. France, Jr.

Variance to permit a dwelling on a lot with a width of 50 feet in lieu of the required 55 feet.

HEARING: Monday, June 28, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Rita E. Schiren
Gilbert M. France, Jr.
Marcy Miller

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 13, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
June 10, 1999 Issue – Jeffersonian

Please forward billing to:
Gilbert France, Jr.
2430 Zion Road
Baltimore, MD 21227

410-536-4217

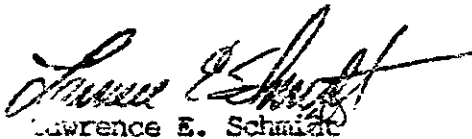
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Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 25, 1999

Ms. Marcey Miller
OPF-ERA
529 S. Camp Meade Road
Baltimore, MD 21090

RE: Case No.: 99-451-A
Petitioner: Schiren/France
Location: 4214 Baltimore Street

Dear Ms. Miller:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 13, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

June 2, 1999

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 May 24, 1999

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:

426, 434, 435, 436, 437, 438, 439, 444, 445, 446, 447,
448, 449, 450, (451) 452, ~~453~~, and 455

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

cc: File

Come visit the County's Website at www.co.ba.md.us

RECEIVED JUN 17 1999



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: June 3, 1999

TO: Arnold Jablon
FROM: R. Bruce Seeley *(RBS)*
SUBJECT: Zoning Item #451, 452

Schiren Property - 4212 Baltimore Street

Zoning Advisory Committee Meeting of May 24, 1999

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- 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).
- X Please be advised that the stream on Lot #91 or 92 may impact a portion of the building area on Lot #90.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: June 1, 1999

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for June 1, 1999
Item No. 451

The Bureau of Development Plans Review has reviewed the subject zoning item. Baltimore Street is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

RWB:HJO:jrb

cc: File

ZAC06019.451



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 5.21.99

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

RE: Baltimore County
Item No. 451 JCM

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Chief
Engineering Access Permits Division

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

RE: PETITION FOR VARIANCE
4214 Baltimore Street, W/S Baltimore St,
200' +/- S of c/l Georgia Ave
13th Election District, 1st Councilmanic

Legal Owner: Rita E. Schiren
Contract Purchaser: Gilbert M. France, Jr.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-451-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
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1999 a copy of the foregoing Entry of Appearance was mailed to Marcey Miller, 529 S. Camp Meade Road, Linthicum Heights, MD 21090, representative for Petitioners.



PETER MAX ZIMMERMAN

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____

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

RE: Undersized Lots

Residential Processing Fee Paid
(\$50.00)

Accepted by JCM
Date 5-17-99

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 and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

GILBERT M FRANCE JR 2430 ZION RD. (410) 536-4217
Print Name of Applicant Address Telephone Number
Lot Address 4214 BALTIMORE STREET 8788 Election District 13 Councilmanic District 1 Square Feet 6250
Lot Location: NE S W side corner of BALTIMORE ST AND GEORGIA AVE 55' SOUTH feet from NE SW corner of ILLINOIS AVE
(street) (street)
Land Owner: RITA E SCHIREN Tax Account Number 1308001465
Address: 4212 BALTIMORE STREET Telephone Number (410) 789-3953

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

**TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?**

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
SW-6A Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>ORS.5</u>		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

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

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

Date: _____

SCHEDULED DATE CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by _____ on _____
(name of planner) 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. This fee is subject to change. Confirm all current fees prior to filing the application.

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 _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

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

TENTATIVE DECISION DATE _____ 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: _____

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

6/4/99

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____

Residential Processing Fee Paid
(\$50.00)

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

Accepted by _____
Date _____

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 and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

GILBERT M. FRANCE JR. 2430 ZION RD. (410) 536-4217
Print Name of Applicant Address Telephone Number

Lot Address 4214 BALTIMORE STREET Election District 13 Councilmanic District 1 Square Feet 6250

Lot Location: NE S W side corner of BALTIMORE-STAN GEORGE AVE 55' SOUTH feet from NE SW corner of ILLINOIS AVE
(street) (street)

Land Owner: RITA E SCHIREN Tax Account Number 1308001465

Address: 4212 BALTIMORE STREET Telephone Number (410) 789-3953

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
SW-6A Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>ORS-5</u>		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

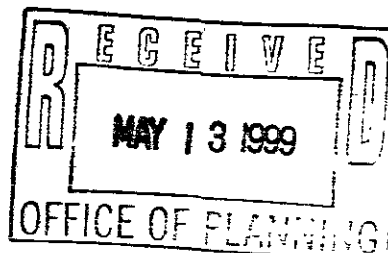
RECOMMENDATIONS / COMMENTS:

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

Hold pending outcome of the
hearings (Item Nos. 451 & 452) 99-451A

Signed by: Jeffrey Long
for the Director, Office of Planning and Community Conservation

Date: 5/26/99



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

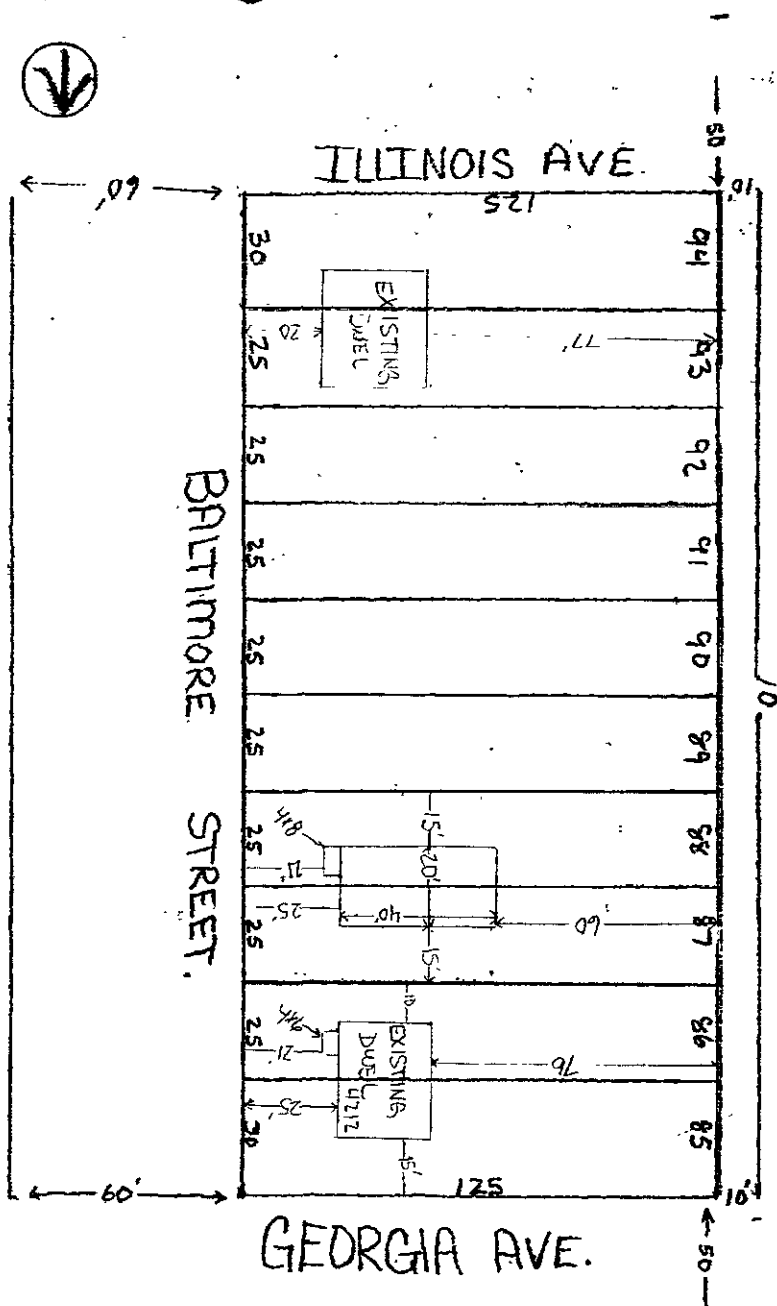
PROPERTY ADDRESS: 4214 BALTIMORE STREET.

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

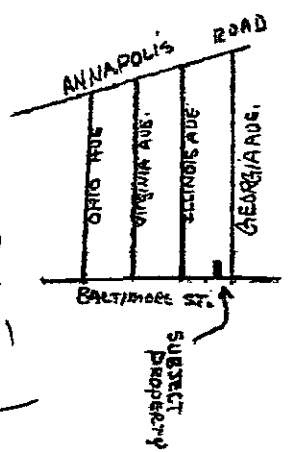
Subdivision name: BALTIMORE HEIGHTLANDS

plat book # 2, folio # 379, lot # 3768, section # C

OWNER: RITA E SCHIREN



North
date: 4-14-99
prepared by: _____
Scale of Drawing: 1" = 50'



Vicinity Map
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: 13

Councilmanic District: 1

1" = 200' scale map: SW6A

Zoning: DR.5.5.

Lot size: .14 acreage 6,250 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☐ yes ☒ no
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____
GWM 451

99-451-A

IN RE: PETITION FOR ZONING VARIANCE *
W/S of Baltimore St., 110' S of *
the c/l of Pennsylvania Ave. *
(4018 Baltimore Street) *
13th Election District *
Thomas F. Young, et ux *
Petitioners *

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-369-A

* * * * *

The Petitioners herein request a zoning variance to permit a lot width of 40 feet in lieu of the required 55 feet, and side yard setbacks of 7 feet in lieu of the required 10 feet as described on the plan submitted.

Testimony by one of the Petitioners indicated that they propose to build a 26-foot wide split foyer dwelling at the above-referenced location. The proposed home is both a size large enough for the family's needs as well as consistent with the size of existing homes in the area. Likewise, 7-foot side yard setbacks are found on a number of other lots in the community. The Petitioners have lived in the area for over twenty years and desire to sell their older, larger home, located several blocks away, to build a smaller home on the instant site. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 25th day of March, 1987, that a variance to permit a lot width of 40 feet, and side yard setbacks of 7 feet, in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, from and after the date of this Order.

John M. H. Young
Deputy Zoning Commissioner
of Baltimore County

RECEIVED FOR FILING

Date 3/25/87
By John M. H. Young

4-23-87
4-23-87
4-23-87

IN RE: PETITION FOR ZONING VARIANCE
W/S of Baltimore Avenue,
45' S of Pennsylvania Avenue
13th Election District

Colleen R. Young,

Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 87-83-A

* * * * *

The Petitioner herein requests a zoning variance to permit a lot width of 40 feet in lieu of the required 55 feet and side yard setbacks of 7 feet in lieu of the required 10 feet.

Testimony by the Petitioner indicates that she purchased two 20' lots to build a home and establish a residence in the older neighborhood in which she grew up. She proposes to construct a split foyer dwelling with its 26' front facing Baltimore Street. Numerous existing homes in the area are placed on 40' wide sites and with reduced side yard setbacks.

There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 19th day of September 1986, that the herein request for a zoning variance to permit a lot width of 40 feet and side yard setbacks of 7 feet, in accordance with the plan submitted, is hereby GRANTED, from and after the date of this Order.

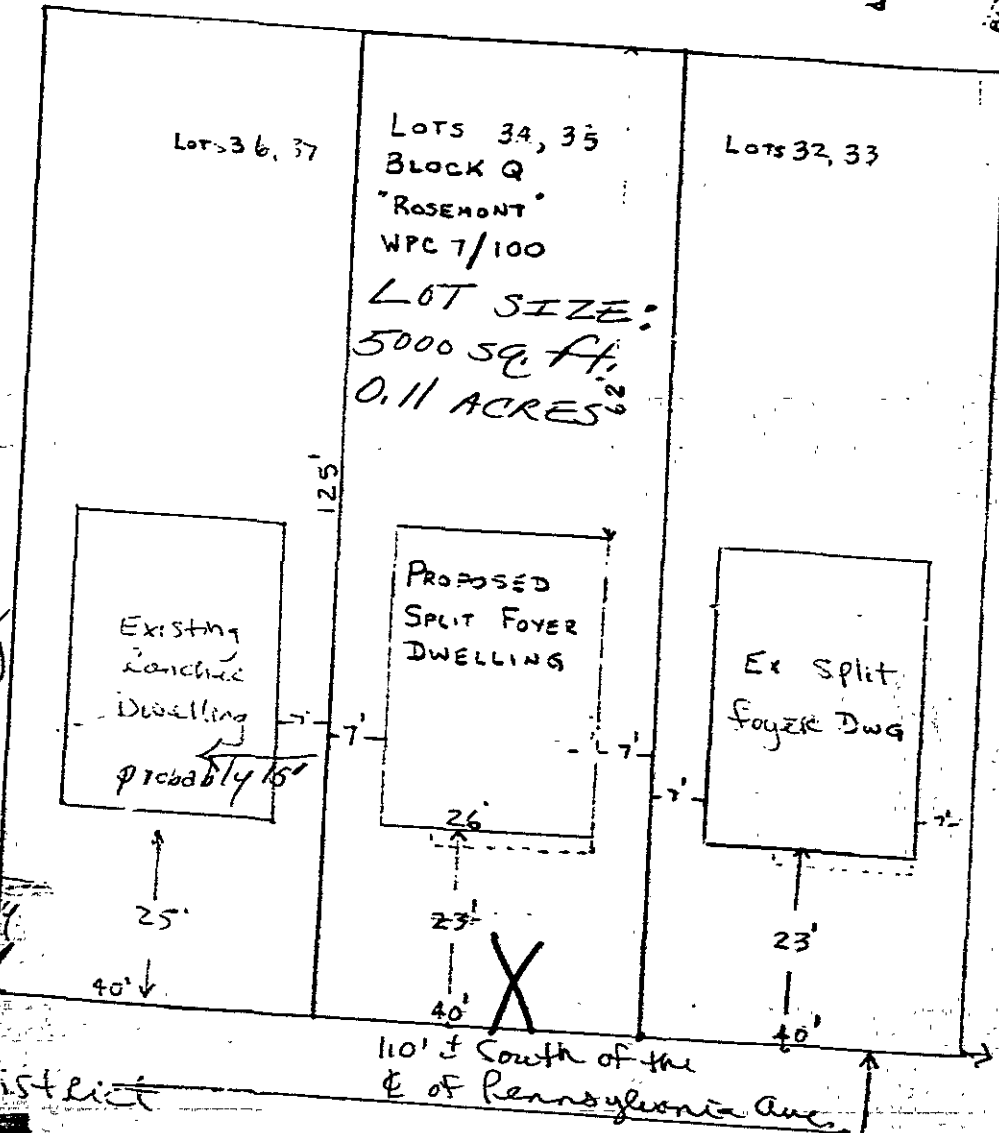
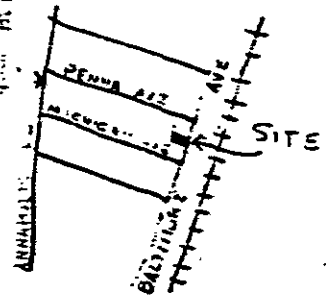
John M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

DATE

BY

87-83-A
4480

Plot for Variance,
 Owners: Thomas & George
 Rosemary Young



Rosemary Young
 9/17/87

Probable
 60'

13th District

BALTIMORE STREET

STREET

OFFICE COPY

257

60' R/W

20' PAVING NO CURB

PUBLIC UTILITIES EXIST IN STREET

AVERAGE FRONT SETBACK OF DWELLINGS WITHIN 200' IS 25'.

87-369-A

(SHEET SW

S 22,000

D.R. 5.5

VERMONT

GEORGIA

WASHINGTON

BALTIMORE

HIGHLANDS

S 23,000

ILLINOIS

SITE →

AVENUE

D.R. 5.5

VIRGINIA

N 510,000

AVENUE

BALTIMORE

OHIO

AVENUE

ABANDONED

W 6,000

S 24,000

G-SE

94.451-A

SW 6A

1" = 200'

1996 CO









