

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William & Anne Canning, 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 1400.3B.3 to permit a sideyard setback of 20' instead of the required 50'.

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

Our four children need more room and play area as our house presently does not allow enough room for their school and recreational activities.

See attached description

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 _____ Legal Owner William & Anne Canning
Address 3530 Sweet Air Rd.
Phoenix, Md. 21131
Petitioner's Attorney _____ Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____ 1972, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1973, at 10:15 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF
TOWNSHIP ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRY
DEVELOPMENT

Mr. William P. Canning, Jr.,
3530 Sweet Air Road
Phoenix, Maryland 21131

RE: Variance Petition
Item 102
William & Anne Canning - Petitioners

Dear Mr. Canning:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans, that may have a bearing on this case. The Director and/or Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning.

The subject property is located on the northeast side of Sweet Air Road, approximately 2200 feet east of Jarrettville Pike, in the 10th District of Baltimore County. This RDP zoned property is presently improved with a two-story dwelling. The property to the rear is wooded and unimproved. The properties on either side of this site are improved with residential dwellings. The land on the opposite side of Sweet Air Road is presently vacant. This area has no public water and sewer facilities available.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days, after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

John J. Dillon, Jr.
Chairman,
Zoning Advisory Committee

JJD:GAE:JD

Enclosure

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

MS 200 Topo
35 Tax Map

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

January 16, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #102 (1972-1973)

Property Owner: William and Anne Canning
3530 Sweet Air Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 1400.3B.3 to permit a side yard setback of 20' instead of required 50'
District: 10th No. Acres: 1.50 acres

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Sweet Air Road is a State Road. All improvements and entrances on this road will be subject to State Highway Administration requirements.

Storm Drains:

The petitioner 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 Petitioner.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Water and Sanitary Sewer:

Public water and sewer are not available to this site.

Very truly yours,
Ellsworth N. Diver
Chief, Bureau of Engineering

END:HAM:WAS:as



Maryland Department of Transportation
State Highway Administration

January 11, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

ITEM 102
Re: L.A.C. Meeting 12/12/72
Property Owners: William & Anne Canning
Location: 3530 Sweet Air Rd. (Rte. 145) east of Jarrettville Pike
Variance from Sec. 1400.3B.3
District: 10
Relocation Jarrettville Pike (Route 145)

Dear Sir:

A review of the subject revised plan indicates that the property could be seriously affected by the State Highway Administration's tentatively proposed highway improvement.

The project is not in the current 1973-1977 Highway Improvement Program; however, it is listed in the 1973-1997 Twenty-Year Needs Study.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
by: John E. Meyers
Asst. Development Engineer

CLJ:EM:bk



Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
David H. Fisher
Administrator

December 13, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item: 102
Re: L.A.C. Meeting 12/12/72
Property Owner: William and Anne Canning
Location: 3530 Sweet Air Rd. (Rte. 145) Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 1400.3B.3 to permit a side yard setback of 20' instead of required 50'
District: 10
No. Acres: 1.50 acres

Attention Mr. John J. Dillon:

Dear Mr. DiNenna:

The location description for the subject site is inadequate. The site could not be located, therefore we are unable to comment.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
by: John E. Meyers
Asst. Development Engineer

CLJ:EM:bk

Baltimore County Fire Department



Towson, Maryland 21204
410-771-7818

J. Austin Deitz
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Acting
Zoning Advisory Committee

Re: Property Owner: William and Anne Canning

Location: 3530 Sweet Air Road

Item No. 102 Zoning Agenda Tuesday, December 12, 1972

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____
- () 4. EXCEEDS the maximum allowed by the Fire Department. The site shall be made to comply with all applicable provisions of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: J. Austin Deitz Noted and Approved: Deputy Chief
Planning Group Special Inspection Division Fire Prevention Bureau

mls
4/25/72

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director
4400 N. J. Road
Baltimore, Maryland 21204
Tel: 381
Towson, Md. 21204
410-3311

January 2, 1973

S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
410-3311

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #102, Zoning Advisory Committee Meeting, December 12, 1972, are as follows:

Property Owner: William and Anne Canning
Location: 3530 Sweet Air Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 1400.3B.3 to permit a side yard setback of 20' instead of required 50'
District: 10
No. Acres: 1.50 acres

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Richard S. Williams
Planner I
Project Planning Division
Office of Planning and Zoning

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community

to permit a side yard setback of twenty (20) feet and forty-three (43) feet instead of the required fifty (50) feet
 IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of February, 1972, that the herein Petition for a Variance should be and the same is granted, from and after the date of this Order to permit a side yard setback of twenty (20) feet and forty-three (43) feet instead of the required fifty (50) feet, subject to the approval of a site plan by the State Highway Administration, the Bureau of Public Services, and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

December 13, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 102, Zoning Advisory Committee Meeting December 12, 1972, are as follows:

Property Owner: William and Anne Canning
Location: 3530 Sweet Air Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 1400.3B.3 to permit a side yard setback of 20' instead of required 50'.
District: 10
No. Acres: 1.50

Property is served by a private water well and a private sewage disposal system which appears to be operating satisfactorily.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mg

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: December 13, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #102 ZAC meeting on December 12, 1972
Property Owner: William and Anne Canning
Location: 3530 Sweet Air Road
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 1400.3B.3 to permit a side yard setback of 20' instead of required 50'.

District: 10
No. Acres: 1.50 acres

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative

WNP:rd

OFFICE COPY

TO WHOM IT MAY CONCERN:

I, William P. Canning, Jr., and my wife, Anne E. Canning, of Sweet Air Road, Phoenix, Maryland, ask for your consideration in the following matter. Recently, we tried to have an addition built onto our house but were told that due to a new zoning law, we would be unable to do so without waiting 90 to 120 days for a hearing to obtain a variance on the side yard setback.

We have a small house for the size of our family and our children are now at the age where they need more room. We have been planning this addition for some time, and feel that we now have the best solution to our space problem. We had even thought about putting the addition on another angle of our house, but we could not afford it.

Since we started learning this addition before the new zoning law went into effect, we would certainly appreciate any consideration you could give us and our children.

Very truly yours,

William P. Canning Jr.
Anne E. Canning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

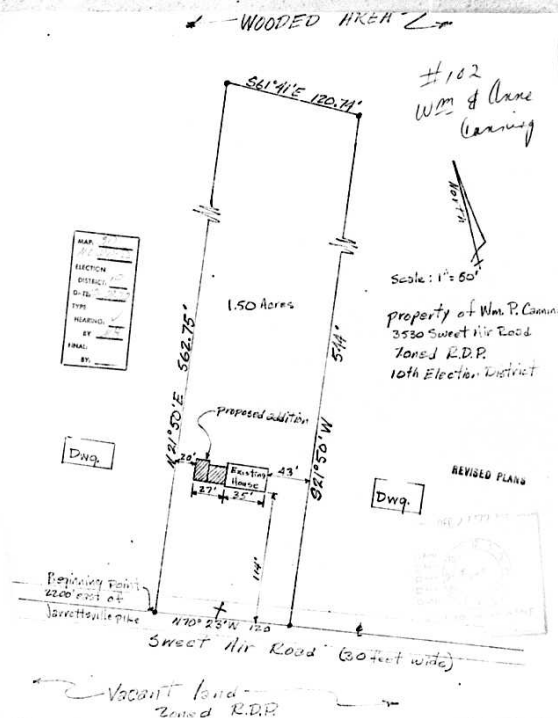
TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: January 5, 1973
 FROM: Norman E. Gerber, Office of Planning
 SUBJECT: Petition #73-164-A, N/Side of Sweet Air Road 2200 feet East of Jarrettsville Pike. Petition for Variance for a Side Yard. Petitioners - William and Anne Canning

10th District

HEARING: Monday, January 22, 1973 (10:15 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.

NEG:rw



Description of Property

REVISED PLANS

Beginning at a point on the north side of Sweet Air Road, approximately 2,200 feet east of the intersection of Sweet Air Road and Jarrettsville Pike, and running the following courses and distances:

1. N 21° 50'E 562.75 feet
2. S 61° 41'E 120.74 feet
3. S 21° 50'W 544 feet
4. N 70° 23'W 120 feet, to the point of beginning.

Said lot containing 1.50 acres of land, known as 3530 Sweet Air Road and Recorded in the Land Records of Baltimore County in Liber OTG No. 5151, folio 641.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chaucer Avenue
Towson, Maryland 21204

Your Petition has been received this day of

1972, Item #

S. E. DiNenna
Zoning Commissioner

Petitioner: Canning Submitted by

Petitioner's Attorney: None Reviewed by

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

15/MSU

By Ruth Morgan

Cost of Advertisement, \$.....

Petitioner's Attorney _____ Reviewed by John J. Miller
Chairman,
Advisory Committee

Posted by Paul V. Hays Date of return: Jan - 11 - 73

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:	_____		Revised Plans: Change in outline or description _____ Yes _____ No							
Previous cases:	_____		Map # _____							

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
PINK - AGENCY

William F. Canning, Jr.
3530 Sweet Air Road
Phoenix, MA. 21131

Advertising and posting of property
#13-161-A 89 6 8 24 AM 25 4 4 0 C PER

WHITE - CARMER **DISTRIBUTION** YELLOW - CUSTOMER
PINK - AGENCY
Ayres Construction Co.
2301 Choate Road
Fallston, Md. 21047
Petition for Variance for William Canning
#73-161-A 250 C