

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert P. Hepner and Janice J. Hepner, legal owners 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 1A00.3.B.3 to allow side yard set backs of 41 ft and 42 ft respectively in lieu of the required 50 ft.

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

Topography is prohibitive and width of lot prohibits 50 ft set back. Restrictive covenants necessitate large size house.

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 Robert P. Hepner
Address 2 Witherwood Ct., 4A
Townson, Maryland 21204
Petitioner's Attorney Charles E. Kountz, Jr.
Protestant's Attorney John W. Heslian, III

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of October 1975, 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 19th day of November, 1975, at 11:00 o'clock A. M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: November 14, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-115-A. Petition for a Variance for Side Yards
North side of Shawan Valley Drive 275 feet, Northwest of Falls Road.
Petitioner - Robert P. Hepner and Janice J. Hepner

8th District

HEARING: Wednesday, November 19, 1975 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has determined that there are no comprehensive planning factors requiring comments on this petition at this time.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rv

RE: PETITION FOR VARIANCE
North side of Shawan Valley Drive 275 feet
Northwest of Falls Road, 8th District
ROBERT P. HEPNER, Petitioner
Case No. 76-115-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter,

I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Heslian, III
John W. Heslian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I hereby certify that on this 17th day of November, 1975, a copy of the foregoing

Order was mailed to Mr. Robert P. Hepner, 2 Witherwood Court, 4A, Towson, Maryland 21204, Petitioner.



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

Branch of Engineering
ELLENWORTH N. DIVER, P.E. CHIEF

November 13, 1975

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

Re: Item #79 (1975-1976)
Property Owner: Robert P. & J. Hepner
N/S of Shawan Valley Dr., 275' N/W of Falls Rd.
Existing Zoning: RDP
Proposed Zoning: Variance from Sec. 1A00.3B3 to allow side yard setbacks of 41' and 42' respectively in lieu of the required 50'.
District: 8th

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.

General:

Baltimore County utilities and highway improvements are as secured by Public Works Agreement 87306 executed in connection with the development of "Shawan Valley". The submitted plan should be revised to indicate that Lot 33 is as shown on the Record Plat "Section One, Flat Two, Shawan Valley", (E.N.K., Jr. 37, Folio 56).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #79 (1975-1976).

Very truly yours,

Ellenworth N. Diver
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PMR:ss

cc: G. Reier (File Shawan Valley)

V-SW Key Sheet
68 NW 18 Pos. Sheet
NW 17 E Topo
41 & 50 Tax Maps

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3600

STEPHEN E. COLLINS
DIRECTOR

November 12, 1975

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

Re: Item 79 - ZAC - October 21, 1975
Property Owner: Robert P. & J. Hepner
Location: N/S Shawan Valley Dr. NW of Falls Road
Existing Zoning: RDP
Proposed Zoning: Var. from Sec. 1A00.3B3 to allow side yard set backs of 41' & 42' respectively in lieu of required 50'

No. of Acres:
District: 8th

Dear Mr. DiNenna:

No Traffic Engineering problems are anticipated by the requested variances to the side yards.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:mc

DESCRIPTION OF PROPERTY

Located on the north side of Shawan Valley Drive, approximately 275 feet northwest of the center line of Falls Road and known as lot #33, as shown on the plat of Shawan Valley, which is recorded among land records of Baltimore County in liber 37, Folio 56.

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

November 13, 1975

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 #79, Zoning Advisory Committee Meeting, October 21, 1975, are as follows:

Property Owner: Robert P. and J. Hepner
Location: N/S of Shawan Valley Drive 275' NW of Falls Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B3 to allow side yard set backs of 41' and 42' respectively in lieu of the required 50'
No. of Acres:
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

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, a Variance to permit side yards of 41 feet and 42 feet instead of the required 50 feet should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 21st day of November, 1975, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works 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 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Mr. Robert P. Hepner
2 Witherwood Court, 4A
Towson, Md. 21204

Your Petition has been received and accepted for filing this day of October 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner Robert P. & Janice Hepner
Petitioner's Attorney Reviewed by Franklin T. HOGANS, Jr.,
Chairman,
Zoning Plans
Advisory Committee

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 21, 1975

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

Z.A.C. Meeting of: October 21, 1975

Re: Item 79
Property Owner: Robert P. & J. Hepner
Location: N/S of Shawan Valley Dr. 275' N.W. of Falls Road
Present Zoning: RDP
Proposed Zoning: Variance from Section 1A00.3B3 to allow side yard setbacks of 41' & 42' respectively in lieu of the required 50'.

District: 8th
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,

Field Representative.

VHP/ml

H. EMBLE PARKS, PRESIDENT
EUGENE C. HEUS, VICE-PRESIDENT
MRS. ROBERT L. BERNEY

MARCUS M. EDWARDS
JOSEPH N. MCGOWAN
ALVIN LORICK
JOSHUA R. WHEELER, SUPERINTENDENT

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD A. WINTERFEL

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 6, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. HOGANS, Jr.,
Chairman

Mr. Robert P. Hepner
2 Witherwood Court, 4A
Towson, Maryland 21204

RE: Variance Petition
Item 79
Robert P. and Janice J.
Hepner - Petitioners

Dear Mr. Hepner:

The Zoning Plans 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 of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the north side of Shawan Valley Drive, 275 feet northwest of Falls Road, and is currently a vacant lot in the subdivision of Shawan Valley - Section 1.

The petitioner is requesting a Variance to permit side yard setbacks of 41 feet and 42 feet, respectively in lieu of the required 50 feet, in order that an 80 foot wide home may be placed on this lot.

Adjacent properties consist of undeveloped lots within the aforementioned subdivision.

Mr. Robert P. Hepner
Item 79
November 6, 1975
Page 2

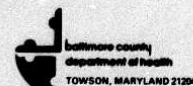
This petition is accepted for filing on the date of the enclosed Filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. HOGANS, Jr. (Sd.)
FRANKLIN T. HOGANS, JR.,
Chairman, Zoning Plans
Advisory Committee

PTH:JD

Enclosure



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

October 23, 1975

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

Dear Mr. DiNenna:

Comments on Item #79, Zoning Advisory Committee Meeting, October 21, 1975, are as follows:

Property Owner: Robert P. & J. Hepner
Location: N/S of Shawan Valley Dr. 275' NW of Falls Rd.
Existing Zoning: RDP
Proposed Zoning: Variance from Sec. 1A00.3B3 to allow side yard set backs of 41' & 42' respectively in lieu of the required 50'.

No. of Acres:
District: 8th

An approved water well must be obtained prior to issuance of a building permit.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD:dlac

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

828-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Robert P. & J. Hepner

Location: N/S of Shawan Valley Drive 275' NW of Falls Road

Item No. 79 Zoning Agenda October 21, 1975

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 exceeds the maximum allowed by the Fire Department.

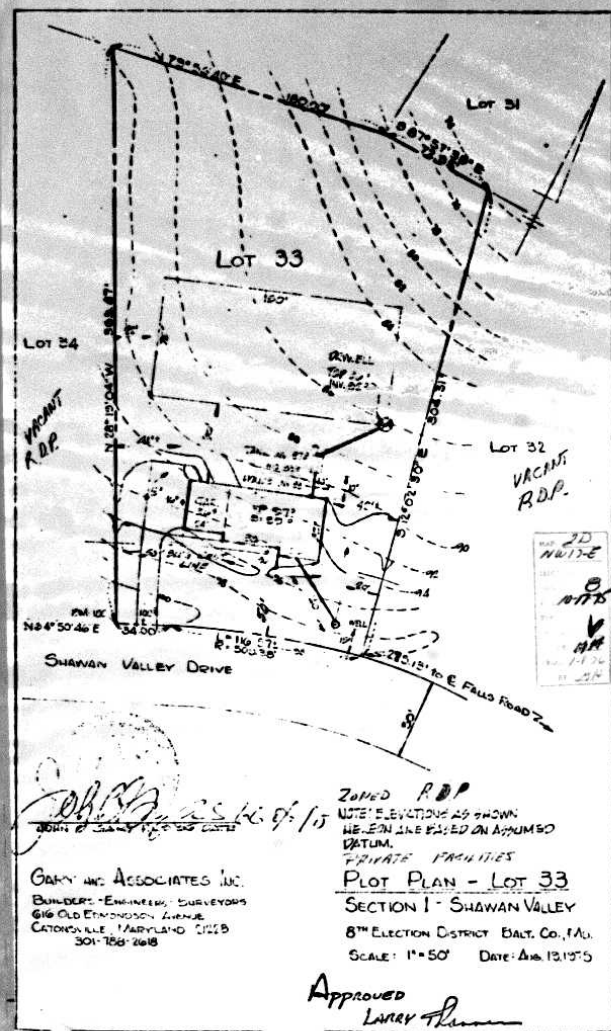
() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 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.

Reviewed: [Signature] Noted and Approved: [Signature]
Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau



FUNCTION	Map		Original		Revised		Final		GIS 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: <u>NBC</u>										
Previous case:										

Revised Plans:
Change in outline or description Yes
Map #

OFFICE OF THE TOWSON TIMES

TOWSON, MD. 21204 Oct. 29, 1975

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for Variance- Hoyer

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 19th day of Nov. 1975 that is to say, the same was inserted in the issue of October 29, 1975.

STRONBERG PUBLICATIONS, Inc.

By: Patricia Smink

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 30, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing on the 11th day of November, 1975, the 11th publication appearing on the 30th day of October 1975.

THE JEFFERSONIAN

Cost of Advertisement, \$

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 25 day of Sept 1975. Filing Fee \$ 21 Received ☒ Check ☒ Cash ☐ Other

S. Eric Dinenna
Zoning Commissioner

Petitioner Hoyer Submitted by Mr. L. L. L. L.
Petitioner's Attorney reviewed by NBC

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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 9th Date of Posting OCT. 31/1975

Posted for PETITION FOR VARIANCE

Petitioner Robert P. Hoyer

Location of property N/S OF SHAWAN VALLEY DR. 2.75' NW. OF FALLS RD.

Location of Sign N/S OF SHAWAN VALLEY DR. 300' +/- NW. OF FALLS RD.

Remarks Thomas S. Proctor Date of return Nov. 7, 1975

Posted by Thomas S. Proctor Signature

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 23379

DATE Sept. 25, 1975 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM (Cash) Robert P. Hoyer, 2 Withwood Ct., LA

FOR Petition for Variance

172887 25 25.00 MSC

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 25987

DATE Nov. 19, 1975 ACCOUNT 01-662

AMOUNT \$45.00

RECEIVED FROM Robert P. Hoyer, 2 Withwood Ct., LA

FOR Advertising and posting of property

176-115-1 45.00 MSC

VALIDATION OR SIGNATURE OF CARRIER