

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, BARRY & SHILO SAYER, 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 1404.3B to allow a 40 foot side yard instead of the required 50 feet in a R.C.5 zone.

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

(1) The location of the 10,000 square foot septic area will not allow the dwelling to be moved toward the rear of the lot to a commensurate required side yard.

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 of Baltimore County.

Contract purchaser
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of June, 1978, 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 the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of June, 1978, at 10:15 o'clock A.M.

Eric DiNenna
Zoning Commissioner of Baltimore County.
(over)

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
CH 468-730

June 29, 1978

Mr. & Mrs. Barry Sayer
207 Sacreheart Lane
Reisterstown, Maryland 21136

RE: Petition for Variance
E/S of Fallscrest Way, 1572'
SE of Falls Rd., 8th Election
District
Barry Sayer, et ux - Petitioners
No. 78-280-A (Item No. 234)

Dear Mr. & Mrs. Sayer:

I have this date passed my Order in the above referenced matter, in accordance with the attached.

Very truly yours,

George J. Hudkins
GEORGE J. HUDKINS
Deputy Zoning Commissioner

GJM/jhm

Attachment

cc: John W. Hesalan, III, Esquire
People's Counsel

RE: PETITION FOR VARIANCE
E/S of Fallscrest Way, 1572'
SE of Falls Rd., 8th District
BARRY SAYER, ET UX, Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 78-280-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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hesalan, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2138

I HEREBY CERTIFY that on this 14th day of June, 1978, a copy of the aforesaid Order was mailed to Mr. and Mrs. Barry Sayer, 200 E. Joppa Road, Towson, Maryland 21204, Petitioners.



RE: PETITION FOR VARIANCE
E/S of Fallscrest Way, 1572'
SE of Falls Rd., 8th District
BARRY SAYER, et ux, Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 78-280-A

AMENDED 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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hesalan, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2138

I HEREBY CERTIFY that on this 19th day of June, 1978, a copy of the aforesaid Amended Order was mailed to Mr. and Mrs. Barry Sayer, 203 Sacred Heart Lane, Reisterstown, Maryland 21136, Petitioners.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNenna
Zoning Commissioner
Date: June 20, 1978
From: Leila H. Grief
Director of Planning
Subject: Petition # 78-280-A, Item 234
Petition for Variance for side yard setback
East side of Fallscrest Way, 1572 feet Southeast of Falls Road
Petitioner - Barry and Shilo Sayer

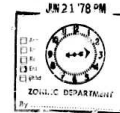
8th District

HEARING: Wednesday, June 28, 1978 (10:15 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Leila H. Grief
Leila H. Grief
Director of Planning

LHG:jhm



COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
Phone 730-9000

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204
Phone 498-8880

April 28, 1978

BEL AIR OFFICE
L. GERALD WOLFE
Landscape Architect
Phone 838-0888

ZONING DESCRIPTION LOT 7, PLAT 1, SECT. II, FALLSWOOD:

Beginning for the same at a point on the east side of Fallscrest Way, said point being distant 1072.42 feet measured along said east side of Fallscrest Way from its intersection with the centerline of Falls Road thence being all of Lot 7 as shown on a plat of Plat 1, Section II, Fallswood recorded among the plat records of Baltimore County in plat book 40 folio 89. Containing 1.23 Acres of land more or less.

Malcolm E. Hudkins
Malcolm E. Hudkins
Registered Surveyor #5095

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Barry Sayer
200 East Joppa Road
Towson, Maryland 21204
Item No. 234

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 20th day of May, 1978.

Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioners: Barry Sayer & wife
Petitioner's Attorney: Nicholas B. Commodari
Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plan
Advisory Committee

cc: Hudkins Associates, Inc.
101 Shell Building
Towson, Maryland 21204

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, the Variance to permit a side yard setback of 40 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of June, 1978, 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 Department of Planning and Zoning, Baltimore County 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 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE Bldg.
112 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

June 14, 1978

Mr. Eric S. DiNenno
Chairman

Mr. & Mrs. Barry Sayer
200 East Joppa Road
Towson, Maryland 21204

RE: Variance Petition
Item No. 234
Petitioner - Sayer

Dear Mr. & Mrs. Sayer:

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 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 suitability of the requested zoning.

Because of your proposal to construct a dwelling and attached garage within 40' of the side property line in lieu of the required 50', this Variance is required.

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,

William B. Commodore
Chairman
Zoning Plans Advisory Committee

NBC:smw

cc: Hudkins Associates, Inc.
101 Shell Building
Towson, Maryland 21204



THORNTON M. MOWING, P.E.
DIRECTOR

June 23, 1978

Mr. & Mrs. Barry Sayer
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #234 (1977-1978)
Property Owner: Barry & Sheila Sayer
E/S Falls Road May 1572.12' S/S Falls Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Access: 1.23 District: 8th

Dear Mr. DiNenno:

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 highway and utility improvements are not directly involved, and are as secured by Public Works Agreement No. 87607, executed in conjunction with the development of "Fallwood - Section Two", of which this property is lot 7 of Plat No. 1 Section 11, Fallwood, recorded E.H.K., Jr. 40, Folio 89.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #234 (1977-1978).

Very truly yours,

Thornton M. Mowing, P.E.
Chief, Bureau of Engineering

END:RAN:PMH:as

cc: C. Warfield

8-MW Key Sheet
54 NW 12 & 13 Pgs. Sheets
NW 14 C & D Pgs.
59 & 60 Tax Maps

Paul H. Reineke
Chief

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
(301) 625-7310

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

Attention: Mr. Commodore, Chairman
Zoning Advisory Committee

Re: Property Owner: Barry & Sheila Sayer

Location: E/S Falls Road May 1572.12' S/S Falls Rd.

Item No. 234

Zoning Agenda Meeting of 05/09/78

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below agreed 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 must 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 "Life Safety Code", 1970 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED

Planning Division
Special Inspection Division

Noted and
Approved

Fire Prevention Bureau



LESLIE H. CRAIG
DIRECTOR

June 9, 1978

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

Dear Mr. DiNenno:

Comments on Item #234, Zoning Advisory Committee Meeting, May 9, 1978, are as follows:

Property Owner: Barry & Sheila Sayer
Location: E/S Falls Road May 1572.12' S/S Falls Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'
Access: 1.23
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
Current Planning and Development



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

June 1, 1978

Mr. & Mrs. Barry Sayer, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenno:

The following are comments on Item #234, Zoning Advisory Committee Meeting of May 9, 1978:

Property Owner: Barry & Sheila Sayer
Location: E/S Falls Road May 1572.12' S/S Falls Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Access: 1.23
District: 8th

The proposed variance will not interfere with the location of the well or septic system, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
Bureau of Environmental Services

TSD/TJR/lth



STEPHEN E. COLLINS
DIRECTOR

May 24, 1978

Mr. & Mrs. Barry Sayer
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 234 - EAC - May 9, 1978
Property Owner: Barry & Sheila Sayer
Location: E/S Falls Road May 1572.12' S/S Falls Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Access: 1.23
District: 8th

Dear Mr. DiNenno:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Collins
Director

SDM/dsm



Paul H. Reineke
Chief

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

Attention: Mr. Commodore, Chairman
Zoning Advisory Committee

Re: Property Owner: Barry & Sheila Sayer

Location: E/S Falls Road May 1572.12' S/S Falls Rd.

Item No. 234

Zoning Agenda Meeting of 05/09/78

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below agreed 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 must 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 "Life Safety Code", 1970 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED

Planning Division
Special Inspection Division

Noted and
Approved

Fire Prevention Bureau



LESLIE H. CRAIG
DIRECTOR

May 5, 1978

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

Dear Mr. DiNenno:

Comments on Item #234, Zoning Advisory Committee Meeting, May 9, 1978, are as follows:

Property Owner: Barry & Sheila Sayer
Location: E/S Falls Road May 1572.12' S/S Falls Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'
Access: 1.23
District: 8th

The items checked below are applicable:

1. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Amendments, and other applicable codes.

2. A building permit shall be required before construction can begin.

3. Additional _____ permits shall be required.

4. Building shall be upgraded to new use - require alteration permit.

5. Three sets of construction drawings will be required to file an application for a building permit.

6. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

7. Wood frame walls are not permitted within 3'0" of a property line.

8. Contact Building Department if distance is between 3'0" and 6'0" of property line.

9. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

1. No Comment.

2. Comments

Very truly yours,
Charles E. Dumbauld
Planning Division

(2B-10)

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 3, 1978

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

Z.A.C. Meeting of: May 9, 1978

RE: Item No: 234
Property Owner: Harry & Shula Sayer
Location: 1/2 S Fallscrest Way 1572.12 SE Falls Rd.
Present Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.

Di-strict: 8th
No. Acres: 1.23

Dear Mr. DiNenna:

Re hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

KN/tp

JOSEPH A. MILLER, PRESIDENT
T. RAY, WILLIAMS, JR., VICE-PRESIDENT
MARION H. BATHURST

THOMAS A. HIGLEY
MRS. LINDA J. TAYLOR
ROBERT W. BUREL, SECRETARY

ALVIN LORICK
W. H. MORTON & SONS, JR.
RICHARD W. FRACKS, D.D.



TOWSON, MD 21204 June 8 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Harry & Shula Sayer was inserted in the following:

- | | |
|--|--|
| ☐ Catonsville Times | ☐ Towson Times |
| ☐ Dundalk Times | ☐ Arbutus Times |
| ☐ Essex Times | ☐ Community Times |
| ☐ Suburban Times | ☐ Suburban Times West |

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 9th day of June 1978, this is to say, the same was inserted in the issues of June 8, 1978

STROMBERG PUBLICATIONS, INC.

By *Ethel Bunge*

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 8 1978

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. on the 8th day of June 1978, the 19th day of June 1978, the 28th day of June 1978, appearing on the 5th day of June 1978.

THE JEFFERSONIAN

Cost of Advertisement, \$.....

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

No. 65644

DATE June 1, 1978 ACCOUNT 01-662

AMOUNT \$5.00

RECEIVED FROM: *Baltimore Association, Inc. Filing Fee for*
FOR: *Petition for Variance, Case No. 78-200-A*

231 JUN 1 2500 ME

VALIDATION OF SIGNATURE OF CARRIER

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

No. 73353

DATE June 27, 1978 ACCOUNT 71-662

AMOUNT \$43.57

RECEIVED FROM: *Harry Sayer, 201 Barred Heart Lane, Baltimore, Md.*
FOR: *211% Cost of Advertising and Posting Case No. 78-200-A*

27 JUN 27 4357 ME

VALIDATION OF SIGNATURE OF CARRIER

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

Your Petition has been received * this 28th day of April 1978. Filing Fee \$ 25.00. Received ☒ Cash ☐ other

Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner *Berry & Shula Sayer* submitted by *Malachi Huthus*
Petitioner's Attorney *Deane Huthus* Reviewed by *Deane Huthus*

* 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: 8th Date of Posting: JUNE 10, 1978

Posted for: *PETITION FOR VARIANCE*

Petitioner: *HARRY & SHULA SAYER*

Location of property: *E/S of FALLS CREST WAY, 1572.12 SE of FALLS RD.*

Location of Sign: *E/S of FALLS CREST WAY, 1572.12 SE of FALLS RD.*

Remarks: *None*

Posted by: *Thomas R. Huthus* Date of return: *JUNE 16, 1978*

Signature

