

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS #239

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert Levine legal owner 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 1802.3 M (205.3) To permit a side yard setback of seven feet in lieu of the required fifteen feet.

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

To erect a garage as per attached plans.

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 and Maddle Levine Legal Owner
Address 2217 Sugarcane Road
Tel. 486-8848
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day

of July 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 property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of July at 9:45 o'clock A.M.

George J. Martinak
Deputy Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 5, 1978
FROM: Leslie H. Greef, Director of Planning
SUBJECT: Petition #79-12-A. Petition for Variance
South side of Sugarcane Road, 753 feet West of Pheasant Cross Drive
Petitioner - Robert and Maddle Levine

3rd District

HEARING: Monday, July 17, 1978 (9:45 A.M.)

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

Leslie H. Greef
Director of Planning

LHG:JGH:dne

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
5/5 of Sugarcane Rd., 753' : OF BALTIMORE COUNTY
W of Pheasant Cross Dr., 3rd District : Case No. 79-12-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

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 John W. Hession, III
Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of June, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Robert Levine, 2217 Sugarcane Road, Baltimore, Maryland 21209, Petitioners.



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 484-2383
S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

August 17, 1978

Mr. & Mrs. Robert Levine
2217 Sugarcane Road
Baltimore, Maryland 21209

RE: Petition for Variance
S/5 of Sugarcane Road, 753'
W of Pheasant Cross Drive -
3rd Election District
Robert Levine, et ux - Petitioners
NO. 79-12-A (Item No. 239)

Dear Mr. & Mrs. Levine:

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

Very truly yours,
George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/jun

Attachment

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

Beginning at a point on the south side of Sugarcane Road, 753' west of Pheasant Cross Drive as recorded in the land records of Baltimore County, Plat 2, Section one of Greengate, Book 33, Folio 48, Block C, Lot number 24 also known as 2217 Sugarcane Road.

ROBERT GOLDMAN & CO.
1007 N. CHARLES STREET
BALTIMORE, MD. 21201

BALTIMORE COUNTY ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 5, 1978

Nicholas B. Commodari, Chairman
Mr. & Mrs. Robert Levine
2217 Sugarcane Road
Baltimore, Maryland 21209

RE: Variance Petition
Item No. 239
Petitioner - Levine

Dear Mr. & Mrs. Levine:

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 garage addition the side of your existing dwelling within 7 feet of the side property line in lieu of the required 15 feet, this Variance is necessitated.

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,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:smv
cc: Mr. Robert Goldman, R.A.
1007 North Charles Street
Baltimore, Maryland 21201

Mr. & Mrs. Robert Levine
2217 Sugarcane Road
Baltimore, Maryland 21209

Item No. 239

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 16th day of May 1978.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner - Levine
Petitioner's Attorney

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Mr. Robert Goldman, R.A.
1007 North Charles Street
Baltimore, Maryland 21201

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 Petitioner.

the above Variance should be had; and it further appearing that by reason of the GRASSING 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 seven feet in lieu of the required 15 feet should be granted.

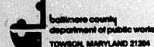
It IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of August, 1978, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and Deputy Zoning Commissioner of 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 17th day of August, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON H. MCGOWAN, P.E.
DIRECTOR

July 11, 1978

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

Re: Item #239 (1977-1978)
Property Owner: Robert & Maddie Levine
Location: S/S Sugarcone Rd. 753' W. Pheasant Cross Dr.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 15'.
Acres: 0.3317 District: 3rd

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:

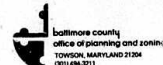
Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement No. 36814 executed in connection with development of "Green Gate", of which this property is Lot 24 of Plat 2, Section 1, Green Gate, rounded C.T.G. 33, Folio 46.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #239 (1977-1978).

Very truly yours,

Edmund H. Davis
EDMUND H. DAVIS, P.E.
Chief, Bureau of Engineering

END:DSM:FWH:BS
O-WM Key Sheet
37 NW 11 Post Sheet
NW BC Topo
69 Tex Map



LESLIE H. GRAEF
DIRECTOR

June 9, 1978

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

Dear Mr. DiNenna:

Comments on Item #239, Zoning Advisory Committee Meeting, May 16, 1978, are as follows:

Property Owner: Robert and Maddie Levine
Location: S/S Sugarcone Road 753' W Pheasant Cross Drive
Existing Zoning: D.R.2
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 15'
Acres: 0.3317
District: 3rd

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
Planner III
Current Planning and Development



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

July 5, 1978

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

Dear Mr. DiNenna:

Comments on Item #239, Zoning Advisory Committee Meeting of May 16, 1978, are as follows:

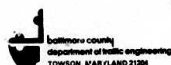
Property Owner: Robert & Maddie Levine
Location: S/S Sugarcone Rd. 753' W Pheasant Cross Dr.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 15'.
Acres: 0.3317
District: 3rd

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas B. Devlin
Thomas B. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TBH/JNP/ctb6



STEPHEN E. COLLINS
DIRECTOR

May 24, 1978

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

Item No. 239 - BMC - May 16, 1978
Property Owner: Robert & Maddie Levine
Location: S/S Sugarcone Rd. 753' W Pheasant Cross Dr.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 15'.

Acres: 0.3317
District: 3rd

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Stephen E. Weber
Engineer I

SEM/dsm



Paul H. Reloche
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Robert & Maddie Levine

Location: S/S Sugarcone Rd. 753' W Pheasant Cross Dr.
Item No. 239
Zoning Agenda Meeting of 05/16/78

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 created 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 "Life Safety Code", 1975 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

APPROVED: *Charles E. Rumbach* Chief, Fire Prevention Bureau
Special Inspection Division



JOHN D. SEVERETT
DIRECTOR

June 1, 1978

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

Dear Mr. DiNenna:

Comments on Item #239 during Advisory Committee Meeting, May 16, 1978 are as follows:

Property Owner: Robert & Maddie Levine
Location: S/S Sugarcone Rd. 753' W. Pheasant Cross Dr.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 15'.

Acres: 0.3317
District: 3rd

The items checked below are applicable:

A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1975 Edition and 1978 Supplement, State of Maryland Code for the Building and used as other applicable codes.

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

C. Additional "Permit" shall be required.

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

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

F. Five 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.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

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

I. No Comment.

J. Comment:

Very truly yours,

Charles E. Rumbach
Charles E. Rumbach
Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: May 18, 1978

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

Z.A.C. Meeting of: May 16, 1978

RE: Item No. 239
Property Owner: Robert & Maddie Levine
Location: S/S Sugarcone Rd. 753' W. Pheasant Cross Drive
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 7' in lieu of the required 15'.

District: 3rd
No. Acres: 0.3317

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICEPRESIDENT
MARVUS H. BOTTAFIO

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROBERT E. MURPHY

ALVIN LOFFER
MRS. WILTON F. SMITH, JR.
RICHARD W. TRACY, JR.

ROBERT F. DUGEL, SUPERINTENDENT

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original	Duplicate		Tracing		200 Sheet	
	date	by		date	by	date	by	date	by
Descriptions checked and outline plotted on map				05	01A				
Petition number added to outline									
Denied									
Granted by: ZC, BA, CC, CA									
Reviewed by: <u>BA</u>				Revised Plans: Change in outline or description _____ Yes _____ No					
Previous case: _____				Map # <u>6009C</u>					

BY Lila Barger

Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 73462

DATE August 15, 1978 ACCOUNT 17-62

AMOUNT, 336.60

RECEIVED Manor Hill Pools, 1500 Bernard Drive, Balt., Md.
STREET, COAST OF ADVERTISING AND POSTING FOR OUR
FOR 300-79-10-2

332 RECD 16 336.60 MY

VALIDATION OR SIGNATURE OF CASHIER

District: 3rd Date of Posting: JUNE 30, 1978
 Posted for: PETITION FOR VARIANCE
 Petitioner: ROBERT LEVING, R.T.W.
 Location of property: 3/8 S. SUGARCREE RD., 752' W. of PHILMONT
CROSS DRIVE
 Location of Signs: FRONT 2417 SUGAR CREEK RD.

Remarks:
 Posted by: Thomas G. Nieland Date of return: JULY 7, 1978

