

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Shelton D. and
L. or Mrs. Lillian N. Sadler 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,
herely petition for a Variance from Section 303.1 to permit a variance from setback
of 31' to the center line of Rehbaum Avenue in lieu of the setback of 50' for a
proposed addition in a D.R. 5.5 Zone, Section 400.1 to permit an existing pool
to be located outside of the rear third of the lot farthest removed from the side street.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the
following reasons: (Indicate hardship or practical difficulty)

The variance requested would not create any health or safety
hazards and would not be detrimental in any way to surrounding
properties, either in appearance or value.

Present kitchen is too small to serve family of 5, and cannot be
expanded without requested addition. To obtain needed space
without addition would require the purchase of a new dwelling.
This would cause a hardship on the entire family.

Property is to be posted and advertised as prescribed by Zoning Regulations.
If we agree to pay expenses of above Variance advertising, posting, etc. upon filing of this
petition, and further agree to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser _____
Address _____
Petitioner's Attorney _____
Protetant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day
of _____ 197____, that the subject matter of this petition be advertised as
required by the Zoning Law of Baltimore County, in the newspapers of general circulation through-
out Baltimore County, and that the public be heard by the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the _____ day of _____ 197____ at _____ o'clock
A.M.

(over)

DESCRIPTION FOR VARIANCE

Located on the southwest corner of Rehbaum Avenue and
Woodside Avenue, being lot #55 as shown on plat of Halthorpe,
recorded in land records of Baltimore County, in plat book #1,
folio #60B, also known as 4301 Rehbaum Avenue.

RE: PETITION FOR VARIANCE
from Sections 303.1 and
400.1 of the Baltimore
County Zoning Regulations
SW corner Rehbaum and
Woodside Avenues
13th District
Shelton D. Sadler, et ux
Petitioners

OPINION

This case was appealed to the Board by the Halthorpe Improvement Association,
Inc. By telephone, yesterday and today, a representative of the Association
advised the Board that they no longer wish to pursue their appeal. The case was
scheduled for 10 a.m. this morning, October 18, 1979, and the Board waited until 10:21
a.m. The only people to appear at this time were the Petitioners and Peter Zimmerman,
Esquire, Deputy People's Counsel. The People's Counsel did not appeal the Zoning
Commissioner's Order, and are not a party in this case.

Considering the telephone calls from the representative of the Appellant
and the nonappearance of the Appellant, the Board, upon its own Motion, will dismiss the
appeal, and hence, the prior Order of the Zoning Commissioner granting the requested
variances will be affirmed. An Order to this effect follows hereafter.

ORDER

For the reasons set forth in the foregoing Opinion, it is this _____ 18th day
of October, 1979, by the County Board of Appeals, ORDERED that the appeal filed in
this case is hereby DISMISSED, and the Order of the Zoning Commissioner, dated February
12, 1979, granting the requested variances be and the same is hereby AFFIRMED.

Any appeal from this decision must be in accordance with Rules 8-1 thru
8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Kiefer, Jr., Chairman
Patricia M. Millhouse
Patricia Millhouse

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
SW corner of Rehbaum Ave.
and Woodside Ave.,
13th District : OF BALTIMORE COUNTY
SHELTON D. SADLER, et ux, : Case No. 79-164-A
Petitioners

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

I HEREBY CERTIFY that on this 19th day of January, 1979, a copy of the
aforegoing Order was mailed to Mr. and Mrs. Shelton J. Sadler, 4501 Rehbaum
Avenue, Baltimore, Maryland 21227, Petitioners.

John W. Heslian, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
201-640-3303
S. ERIC DINENNA
ZONING COMMISSIONER

February 12, 1979

Mr. & Mrs. Shelton D. Sadler
4501 Rehbaum Avenue
Baltimore, Maryland 21227

RE: Petition for Variance
SW corner of Rehbaum and
Woodside Avenues - 13th
Election District
Shelton D. Sadler, et ux -
Petitioners
NO. 79-164-A (Item No. 1-6)

Dear Mr. & Mrs. Sadler:

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

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SED:mr

Attachments

cc: Mr. James M. Franz
President, Halthorpe Improvement
Association, Inc.
P.O. Box 7366
Halthorpe, Maryland 21227
John W. Heslian, III, Esquire
People's Counsel

Halthorpe Improvement Association, Inc.

P. O. BOX 7366
HALETHORPE, MARYLAND 21227

February 5, 1979

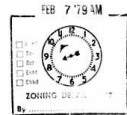
Mr. Eric Dinenna, Zoning Commissioner
111 N. Chesapeake Avenue
Towson, MD 21204

Dear Mr. Dinenna:

This is to inform you that our organization has unanimously
voted to oppose the change in the zoning variance as petitioned
by Mr. Shelton D. Sadler on the Southwest corner of Rehbaum
and Woodside Avenues in the 13th Election District-1st
Commislanic District of Baltimore County.

Sincerely,

James M. Franz
James M. Franz
President



Halthorpe Improvement Association, Inc.

P. O. BOX 7366
HALETHORPE, MARYLAND 21227

March 9, 1979

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Commissioner:

This is to notify you that my organization wishes to appeal the
Zoning Variance granted to Shelton D. and Lillian N. Sadler at
4501 Rehbaum Avenue in the 13th Election District, Halthorpe,
Maryland.

The reason we are appealing this variance is because we do not
want a precedence established allowing the frontal change in our
old neighborhood.

Enclosed you will find a check to cover the cost of the appeal
as stated in your letter dated February 12, 1979.

Sincerely,

James M. Franz
James M. Franz,
President, Halthorpe Improvement Association
4509 Maple Avenue
Halthorpe, Maryland 21227



Pursuant to the advertisement, posting of property, and public hearing on the 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(s),

the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general

welfare of the community, the Variance(s) should be granted from the yard setback of 31 feet to the center line of Rehbaum Avenue in lieu of the required average 58 feet, for a proposed addition, and an existing pool to be located outside of the rear third of the lot farthest removed from the side street (Woodside Avenue) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of February, 1979, that the herein Petition for the aforementioned Variance(s) should be and the same is/are GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works, the Zoning Commissioner of Baltimore County and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of February, 1979, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

Zoning Commissioner of Baltimore County

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 28th day of November 1978

S. ERIC DINENNA
Zoning Commissioner

Petitioner: Sadler
Petitioner's Attorney:

Reviewed by: Nicholas B. Commodari

Mr. & Mrs. Shelton D. Sadler
4501 Rehbaum Avenue
Baltimore, Maryland 21227

Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 24, 1979

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Shelton D. Sadler
4501 Rehbaum Avenue
Baltimore, Maryland 21227

NICHOLAS B. COMMODARI
Chairman

MEMBERS
Bureau of Engineering
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. & Mrs. Sadler:

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 an addition to the existing dwelling towards Rehbaum Avenue, closer to the remaining dwellings on this street, this Variance for front setback is required. As indicated in our previous conversation, I have also included the location of the existing pool in this request.

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
Chairman
Zoning Plans Advisory Committee

NBC/sf

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: Eric DiNenna
Zoning Commissioner
Date: January 31, 1979

From: Leslie H. Graf, Director
Office of Planning and Zoning

SUBJECT: Petition #79-164-A, Item 116

Petition for Variance for front yard setback and an accessory structure Southwest corner of Rehbaum Avenue and Woodside Avenue
Petitioner - Shelton D. and Lillian N. Sadler

13th District

HEARING: Monday, February 5, 1979 (10:00 A.M.)

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

Leslie H. Graf, Director
Office of Planning and Zoning



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

January 12, 1979

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

Re: Item #116 (1978-1979)

Property Owner: Shelton D. & Lillian N. Sadler
2/4 cor. Rehbaum Ave. & Woodside Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.
Acre: 0.143 District: 13th

Dear Mr. DiNenna:

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

Highways

Rehbaum and Woodside Avenues, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on their 50-foot rights-of-way.

Sediment Control

Development of this property through striping, 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 striping of top soil.

Storm Drainage

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.

Water and Sanitary Sewer

There is a public 6-inch water main in Rehbaum Avenue. There is public 8-inch sanitary sewerage in Rehbaum and Woodside Avenues. The nearest fire hydrant is located on Claridge Road.

Very truly yours,
WILLIAM H. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM/PWR:SS
cc: W. Munchel

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE H. GRAF
DIRECTOR

January 25, 1979

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 #116, Zoning Advisory Committee Meeting, November 28, 1978, are as follows:

Property Owner: Shelton D. and Lillian N. Sadler
Location: SW. C. Rehbaum Avenue and Woodside Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.
Acre: 0.143
District: 13th

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.

No site planning factors requiring comment.

Very truly yours,

John L. Winkley
John L. Winkley
Planner III
Current Planning and Development

JOHN A. REYNOLDS
DIRECTOR

December 4, 1978

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

Dear Mr. DiMenna:

Comments on Item # 116 Zoning Advisory Committee Meeting, November 28, 1978
and on Item # 116

Property Owner: Shelton D. & Lillian M. Sadler
Location: SW/C Rehbaum Ave. & Woodside Ave.
Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.

Area: 0.143
District: 13th

The items checked below are applicable:

- Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- A building permit shall be required before construction can begin.
- Additional _____ Permit to detail be required.
- Building shall be upgraded to any new - minimum aluminum permit.
- Three sets of construction drawings will be required to file an application for a building permit.
- 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.
- Wood frame walls are not permitted within 3'0" of a property line. Concrete Building Department II drawings in between 3'0" and 6'0" of property line.
- Reported setback variance conflicts with the Baltimore County Building Code. See Section _____.
- No Comment.
- Comment:

Very truly yours,

Charles E. Sander
Charles E. Sander
Planning Director

(CB:2)

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 22, 1978

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

Z.A.C. Meeting of: November 28, 1978

RE: Item No: 116
Property Owner: Shelton D. & Lillian M. Sadler
Location: SW/C Rehbaum Ave. & Woodside Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 51' to the center line in lieu of the average 58'.

District: 13th
Sq. Acres: 0.143

Dear Mr. DiMenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/dp

JOSEPH H. MICHAEL, President
Y. BARTON, Vice President
MARCUS H. STRAIN
THOMAS H. ROYER
H. LORANCE F. CONNER
ROGER B. HAYDEN
ROBERT V. DUBEL, Superintendent
ALVIN LORICE
WILLIAM H. SMITH, JR.
RICHARD W. TRACEY, DVM.

STEPHEN S. COLLINS
DIRECTOR

January 8, 1979

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

Item No. 116 - SWC - November 28, 1978
Property Owner: Shelton D. & Lillian M. Sadler
Location: SW/C Rehbaum Ave. & Woodside Ave.
Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.

Area: 0.143
District: 13th

Dear Mr. DiMenna:

No traffic problems are anticipated by the requested variance to the front setback.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Engineer Associate II

MSF/rm

Paul H. Reinecke
CHIEF

December 8, 1978

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

Attention: S. Compadari, Chairman
Zoning Advisory Committee

Re: Property Owner: Shelton D. & Lillian M. Sadler

Location: SW/C Rehbaum Ave. & Woodside Ave.

Item No. 116 Zoning Agenda Meeting of 1/28/79

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below surfold 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 _____

violates 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.

Noted and Approved: *George M. Nigam*
Planning Group Chief Inspection Division Fire Prevention Bureau

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

January 3, 1979

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

Dear Mr. DiMenna:

Comments on Item #116, Zoning Advisory Committee Meeting of November 28, 1978, are as follows:

Property Owner: Shelton D. & Lillian M. Sadler
Location: SW/C Rehbaum Ave. & Woodside Ave.
Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.

Area: 0.143
District: 13th

Metropolitan water and sewer exist.

Very truly yours,

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

TED/TED/ETH

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
RECEIVED
DATE: March 12, 1979
FILE NO: 78572
SUBJECT: Shelton D. & Lillian M. Sadler
Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
RECEIVED
DATE: March 12, 1979
FILE NO: 76267
SUBJECT: Shelton D. & Lillian M. Sadler
Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
RECEIVED
DATE: March 12, 1979
FILE NO: 76267
SUBJECT: Shelton D. & Lillian M. Sadler
Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
RECEIVED
DATE: March 12, 1979
FILE NO: 76267
SUBJECT: Shelton D. & Lillian M. Sadler
Variance to permit a front setback of 51' to the centerline in lieu of the average 58'.



79-164-A

CERTIFICATE OF POSTING
Baltimore County Department of Planning and Zoning
Towson, Maryland

District: 13th Date of Posting: Jan. 16, 1979

Posted for: PETITION FOR VARIANCE

Petitioner: SHELTON D. SADLER, ET AL.

Location of property: SW COR. REHBAUM AVE. & WOODSIDE AVE.

Location of Sign: SW COR. REHBAUM AVE. & WOODSIDE AVE.

Remarks: *Thomas H. Devlin*

Posted by: *Thomas H. Devlin* Date of return: Jan. 24, 1979

1-Sign

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map					1/28	HH				
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>WNP</i>										
Revised Plans: Change in outline or description										
Previous case:										

79-164-A

CERTIFICATE OF POSTING
Baltimore County Department of Planning and Zoning
Towson, Maryland

District: 13th Date of Posting: March 18, 1979

Posted for: *APR 18*

Petitioner: SHELTON D. SADLER, ET AL.

Location of property: SW COR. REHBAUM AVE. & WOODSIDE AVE.

Location of Sign: SW COR. REHBAUM AVE. & WOODSIDE AVE.

Remarks: *Thomas H. Devlin*

Posted by: *Thomas H. Devlin* Date of return: March 23, 1979

1-Sign

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - Shelton D. Sadler
was inserted in the following:

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

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
19th day of JANUARY 1979, that is to say, the same
was inserted in the issue of January 18, 1979

STROMBERG PUBLICATIONS, INC.

BY Edith Berger

CERTIFICATE OF PUBLICATION

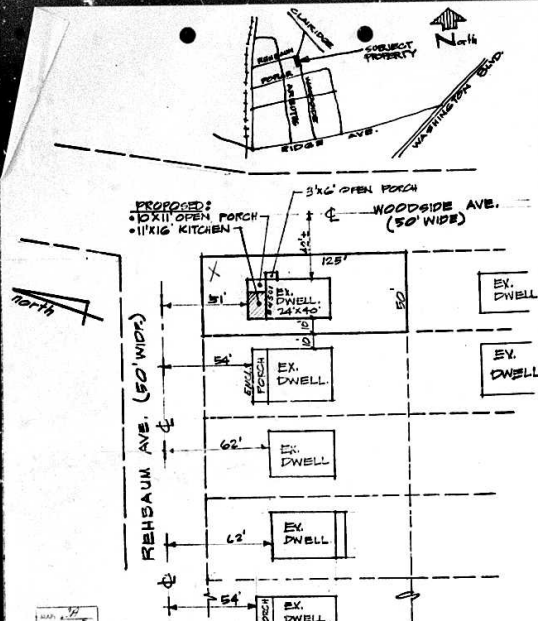
TOWSON, MD. FEBRUARY 18 1979

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., once a week
etc. one time successive weeks before the 19th
day of February 1979, the last publication
appearing on the 18th day of January
1979

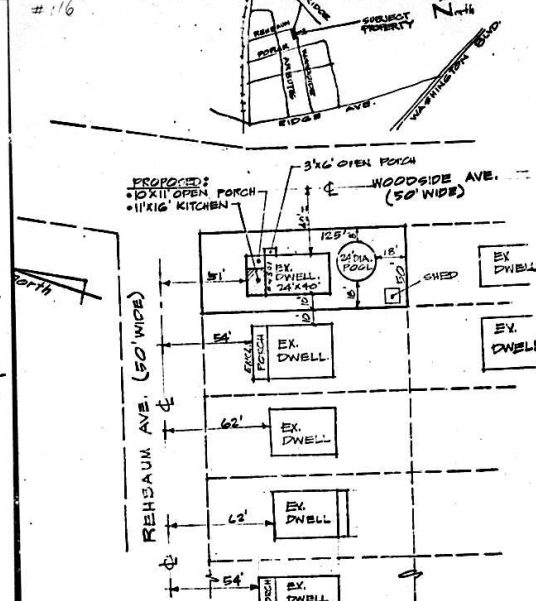
THE JEFFERSONIAN

R. Frank Smith
Manager

Cost of Advertisement, \$.....



PETITION FOR VARIANCE
MR. & MRS. S. D. SADLER
13th ELECT. DISTRIC, ZONE DR 5.5
HALETHORPE
LOT 56, PLAT BK. 1, FOLIO 60B
PUBLIC UTILITIES EXISTING IN THE ST.
SCALE: 1"=40'



PETITION FOR VARIANCE
MR. & MRS. S. D. SADLER
13th ELECT. DISTRIC, ZONE DR 5.5
HALETHORPE
LOT 56, PLAT BK. 1, FOLIO 60B
PUBLIC UTILITIES EXISTING IN THE ST.
SCALE: 1"=40'

