

79-175-A 129 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Chung-Ho Chen & Sami Chen, 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 1402.38, 14.1 (103.3) to permit a side street setback of 41 feet in lieu of the required 50 feet and 66 feet to the centerline of Sungold Road in lieu of the required 75 feet and a front setback of 48 feet in lieu of the required 50 feet.

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

Builders error

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 Chung-Ho Chen
Legal Owner Sami Chen
Address 13704 Killmerway Court
Phoenix, Maryland 21131
Petitioner's Attorney Raymond E. Pryor
Address 28 Allegheny Avenue
Towson, Maryland 21204
ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December 1979, 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 5th day of February, 1979, at 2:30 o'clock P.M.

(over)

RE: PETITION FOR VARIANCES
NE corner of Berryman's Lane
and Sungold Road, 4th District
OF BALTIMORE COUNTY
CHUNG-HO CHEN, et ux, Petitioners : Case No. 79-175-A

ORDER TO ENTER APPEARANCE

Ms. 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
Deputy People's Counsel

John W. Hession, 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 foregoing Order was mailed to Mr. and Mrs. Chung-Ho Chen, 13704 Killmerway Court, Phoenix, Maryland 21131, Petitioners.

John W. Hession, III
People's Counsel

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 466-3263
S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

February 6, 1979

Raymond E. Pryor, Esquire
Suite 1207, 28 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Variances
NE corner of Berryman's Lane
and Sungold Road - 4th Election
District
Chung-Ho Chen, et ux -
Petitioners
NO. 79-175-A (Item No. 129)

Dear Mr. Pryor:

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

Attachment

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

Located on the Northeast corner of Berryman's Lane and Sungold Road and known as Lot 1 as shown on the plat of Section One of "Sungdale", which is recorded in the Land Records of Baltimore County in Liber 35, Folio 16.

Also known as 377 Berryman's Lane.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner
FROM: Office of Planning and Zoning
SUBJECT: Petition #79-175-A, Item 129
Petition for Variances for front, side and centerline setbacks
Northeast corner of Berryman's Lane and Sungold Road
Petitioners - Chung-Ho Chen & Sami Chen

4th District

HEARING: Monday, February 5, 1979 (2:30 P.M.)

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

L. H. Grier, Director
Office of Planning and Zoning

1HGJGHW

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

090
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Planning
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Public Administration
Industrial Development

Raymond E. Pryor, Esquire
28 Allegheny Avenue
Towson, Maryland 21204

January 24, 1979

RE: Item No. 129
Petitioner - Chung-Ho et ux
Sami Chen
Variance Petition

Dear Mr. Pryor:

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.

Located on the northeast corner of Berryman's Lane and Sungold Road, in the 4th Election District, the subject of this petition is an existing dwelling and attached garage. Because of your client's desire to legalize the front and side setbacks of this structure, this Variance petition 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,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:af

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMAS M. BOLING, P.E.
DIRECTOR

January 19, 1979

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

Re: Item #129 (1978-1979)
Property Owner - Chung-Ho & Sami Chen
N/EC Berryman's Lane & Sungold Rd.
Existing Zoning: RE-3
Proposed Zoning: Variance to permit a side setback of 41' and 66' to the center of Sungold Rd. in lieu of the required 50' and 75' respectively and a front setback of 48' and 73' to the center of Berryman's Lane in lieu of the required 50' and 75' respectively.
District: 4th

THOMAS M. BOLING:

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.

Comments:

Baltimore County highway and utility improvements are not directly involved and are as shown by Public Works Agreement #7105, executed in connection with the development of Sungdale, Section 1 and 2, of which this property is lot 1 of the recorded plat of "Section One Sungdale", O.T.C. 35, Folio 14.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 129 (1978-1979).

Very truly yours,

THOMAS M. BOLING, P.E.
Chief, Bureau of Engineering

END:af:FWB:BS

Y-SE Key Sheet
50 and 42 Feet Sheet
SW 12 x Type
57 The Map

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.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16 day of February, 1978, that the herein Petition for Variance(s) to permit front yard and side yard setbacks of 48 feet and 41 feet in lieu of the required 50 feet, and 66 feet to the center line of Sungold Road in lieu of the required 75 feet setbacks 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.

[Signature]
Zoning Commissioner of Baltimore County

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, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16 day of February, 1978, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



LESLIE H. GRANT
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 #129, Zoning Advisory Committee Meeting, December 12, 1978, are as follows:

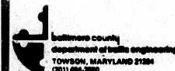
Property Owner: Chung-Ho and Suni Chen
Location: NE/C Berryman's Lane and Sungold Road
Existing Zoning: RC-3
Proposed Zoning: Variance to permit a side setback of 41' and 66' to the center of Sungold Road in lieu of the required 50' and 75' respectively and a front setback of 48' and 73' to the center of Berryman's Lane in lieu of the required 50' and 75' respectively.
District: 4th

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,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development



STEPHEN S. COLLINS
DIRECTOR

January 9, 1979

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

Item No. 129 - RC-3 - December 12, 1978
Property Owner: Chung-Ho & Suni Chen
Location: NE/C Berryman's Ln. & Sungold Rd.
Existing Zoning: R.C. 3
Proposed Zoning: Variance to permit a side setback of 41' and 66' to the center of Sungold Rd. in lieu of the required 50' & 75' respectively and a front setback of 48' and 73' to the center of Berryman's Ln. in lieu of the required 50' and 75' respectively.
Acres: 1.0
District: 4th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the side and front setbacks.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate II

HSP/fmh



Paul H. Reinecke
Chief

January 12, 1979

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

Attest: J. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Chung-Ho & Suni Chen

Location: NE/C Berryman's Ln. & Sungold Rd.

Item No. 129 Zoning Agenda Meeting of 12/12/78

Comments:

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

- (1) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (2) 2. A second means of vehicle access is required for the site.
- (3) 3. The vehicle dead end condition shown as _____ exceeds the maximum allowed by the Fire Bureau at _____.
- (4) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of construction.
- (5) 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", 1974 Edition prior to occupancy.
- (6) 6. Site plans are approved as drawn.
- (7) 7. The Fire Prevention Bureau has no comments on this item.

Reviewed by: *[Signature]* Approved: *[Signature]*
Special Inspection Division Fire Prevention Bureau



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

January 12, 1979

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

Dear Mr. DiNenna:

Comments on Item #129, Zoning Advisory Committee Meeting of December 12, 1978, are as follows:

Property Owner: Chung-Ho & Suni Chen
Location: NE/C Berryman's Ln. & Sungold Rd.
Existing Zoning: R.C. 3
Proposed Zoning: Variance to permit a side setback of 41' and 66' to the center of Sungold Rd. in lieu of the required 50' & 75' respectively and a front setback of 48' and 73' to the center of Berryman's Ln. in lieu of the required 50' and 75' respectively.

Acres: 1.0
District: 4th

The existing vacant dwelling is presently served by a water well and a private sewage disposal system.

Very truly yours,

[Signature]
THOMAS H. DEVLIN, M.D.
BUREAU OF ENVIRONMENTAL SERVICES

TED/IRP/fth

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 2, 1979

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

I.A.C. Meeting of: December 12, 1978

RE: Item No. 129
Property Owner: Chung-Ho & Suni Chen
Location: NE/C Berryman's Ln. & Sungold Rd.
Existing Zoning: R.C. 3
Proposed Zoning: Variance to permit a side setback of 41' and 66' to the center of Sungold Rd. in lieu of the required 50' and 75' respectively and a front setback of 48' and 73' to the center of Berryman's Ln. in lieu of the required 50' and 75' respectively.

District: 4th
No. Acres: 1.0

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich
Field Representative

MSP/bp

JOSEPH H. McGRAW, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE PRESIDENT
WILLIAM H. BOWEN, SECRETARY

THOMAS H. DEVLIN
ROBERT A. HANCOCK
ROBERT T. DUNN, TREASURER

ALLAN LORECK
WILLIAM H. BOWEN, JR.
RICHARD W. TRACY, JR.

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 12th day of December 1978

[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Chung-Ho & Suni Chen
Petitioner's Attorney: Pryor

Reviewed by: *[Signature]*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Raymond E. Pryor, Esquire
28 Allegheny Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received this 1st day of December 1978. Filing Fee \$ 25 Received ☒ Cash ☐ Other ☐

[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Chung-Ho Chen Submitted by: Chung-Ho Chen
Petitioner's Attorney: Pryor Reviewed by: *[Signature]*

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Map		Original		Duplicate		Filing		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: <i>[Signature]</i>			Revised Plans: Change in outline or description		Yes		No			
Previous case:			Map #							

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: JAN 12 1979
Posted for: *[Signature]*
Petitioner: *[Signature]*
Location of property: *[Signature]*
Location of Sign: *[Signature]*
Remarks: *[Signature]*
Posted by: *[Signature]* Date of return: 1/12/79



PETITION FOR VARIANCES
IN DISTRICT

THE TIMES
NEWSPAPERS

TOWSON MD 21204 January 18 1979

THIS IS TO CERTIFY that the annexed advertisement of
PETITION FOR VARIANCES - Chung-Ho Chen & Sumi
Chen
was inserted in the following:

Catoonsville Times
Dundalk Times
Essex Times
Suburban Times East

Towson Times
Arbutus Times
Community Times
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 issues of January 18, 1979.

SIROMBURG PUBLICATIONS, INC.

BY

PETITION FOR VARIANCES
IN DISTRICT

THE TIMES
NEWSPAPERS

TOWSON MD 21204 January 18 1979

THIS IS TO CERTIFY that the annexed advertisement of
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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 issues of January 18, 1979.

SIROMBURG PUBLICATIONS, INC.

BY

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

No. 76268

DATE February 5, 1979 ACCOUNT 01-662

AMOUNT \$12.90

RECEIVED Chung-Ho Chen

FOR Cost of Advertising and Posting Case No. 79-175-A

420.4 HSE

VALIDATION OR SIGNATURE OF CASHIER

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

No. 76273

DATE January 8, 1979 ACCOUNT 01-662

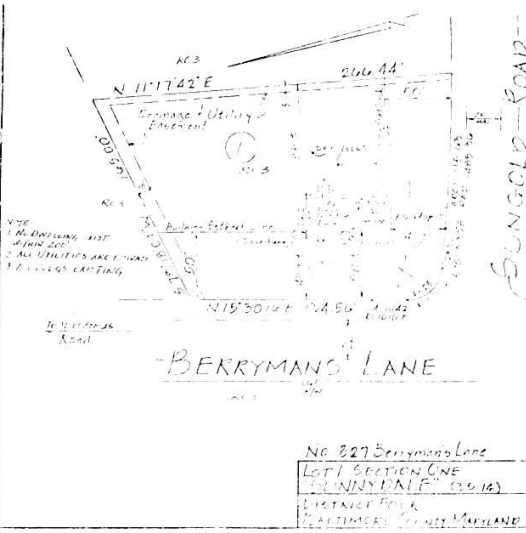
AMOUNT \$25.00

RECEIVED Chung-Ho Chen

FOR Filing Fee for Case No. 79-175-A

25.00 HSE

VALIDATION OR SIGNATURE OF CASHIER



PETITION FOR VARIANCES
IN DISTRICT

THE JEFFERSONIAN

TOWSON, MD 21204 January 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
for one time successive weeks before the 19th day of
January 1979, that is to say, the same
appearing on the 18th day of January 1979.

THE JEFFERSONIAN.

Cost of Advertisement \$

PETITION FOR VARIANCES
IN DISTRICT

THE JEFFERSONIAN

TOWSON, MD 21204 January 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
for one time successive weeks before the 19th day of
January 1979, that is to say, the same
appearing on the 18th day of January 1979.

THE JEFFERSONIAN.

Cost of Advertisement \$

