

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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.3 to allow a front yard setback of 0' and a rear yard setback of 21' in lieu of the required 50' and a side yard setback of 53' to the centerline of the road in lieu of the required 75'.

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

We would like to add a one story room for use as a den and closet space. As the house is situated on the property this is the only area where we are able to connect the room to the interior living quarters, we also wish to legalize the setback of the existing dwelling. 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
(Type or Print Name) (Type or Print Name)
Signature _____ Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name) _____
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
City and State _____
Name _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
City and State _____

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of December, 1981, 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 23rd day of February, 1982, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 10, 1982

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

Mr. & Mrs. Adrian H. Merryman
10140 Falls Road
Brooklandville, Md. 21022

RE: Item No. 111
Petitioner - Adrian Merryman, et ux
Variance Petition

Dear Mr. & Mrs. Merryman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

In view of your proposal to construct an addition to the side of your existing dwelling and "legalize" the front and rear yard setbacks of this structure, this hearing is required.

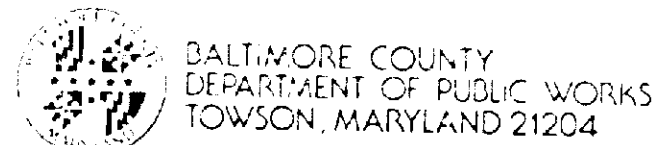
Prior to scheduling this petition for a hearing, I contacted the health department, and it was indicated that since the proposed addition would be used as a sitting room and storage, a permit could be approved. However, the comment that is included herein is different. I spoke to Mr. J. Robert Powell of said department, and he stated that an appeal could be taken from this decision. I suggest that you contact him at 494-2762, and at the time of the scheduled hearing, present any further information on this matter.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Chairman
Zoning Plans Advisory Committee

Enclosures
cc: George W. Stephens, Jr. & Associates, Inc.
303 Allegheny Avenue
Towson, Md. 21204



HARRY J. PHELPS
DIRECTOR

January 20, 1982

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #111 (1981-1982)
Property Owner: Adrian H. & Joan C. Merryman
W/S Falls Rd. 345' N. of Baltimore Beltway
Acres: 0.624 District: 3rd

Dear Mr. Hammond:

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:

Falls Road (Md. 25) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

The depth of the "W. Barry Cassell" site, as shown on the Preliminary Plan "Briar Patch", dated February 17, 1965 has been increased approximately 180 feet westerly to produce the configuration of this present larger (0.624+ acre) parcel of land. See also the plat "Channawold" (Formerly Briar Patch), recorded O.T.G. 34, Folio 38.

The contiguous roads, north and south of this property, are not County roads; it is the responsibility of the Petitioner to ascertain his rights in and to these roads.

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

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.

Maryland Department of Transportation

State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Calldorf
Administrator

December 28, 1981

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 12-28-81
ITEM: 111.
Property Owner: Adrian H. & Joan C. Merryman
Location: W/S Falls Road 25, 345' N of Baltimore Beltway
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a front yard setback of 0' and a rear yard setback of 21' in lieu of the required 50' and a side yard setback of 53' to the centerline of the road in lieu of the required 75'.
Acres: 0.624
District: 3rd

Dear Mr. Hammond:

On review of the site plan of November 25, 1981 and field inspection, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:vrd
Enclosure
cc: Mr. J. Wimbley



February 8, 1982

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #111, Zoning Advisory Committee Meeting, December 28, 1981, are as follows:

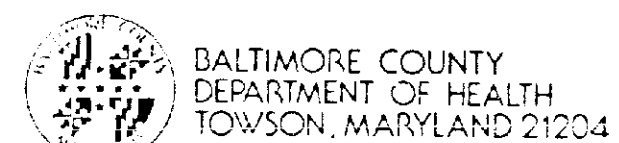
Property Owner: Adrian H and Joan C. Merryman
Location: W/S Falls Road 345' N. of Baltimore Beltway
Acres: 0.624
District: 3rd

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 petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

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



DEPARTMENT OF HEALTH
DEPUTY STATE & COUNTY HEALTH OFFICER

February 2, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 111, Zoning Advisory Committee Meeting of December 28, 1981, are as follows:

Property Owner: Adrian H. & Joan C. Merryman
Location: W/S Falls Road 345' N. of Baltimore Beltway
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a front yard setback of 0' and a rear yard setback of 21' in lieu of the required 50' and a side yard setback of 53' to the centerline of the road in lieu of the required 75'.
Acres: 0.624
District: 3rd

The dwelling is presently served by a drilled well and septic system. The septic system is failing; discharging sewage into a roadside ditch. The presence of springs in the vicinity of the sewage disposal system and the small size of the lot indicates that correction of the failing septic system is not possible.

The proposed addition will be used for a sitting room and storage. This will increase both the interior floor space and thus the future potential occupancy of the dwelling; consequently increasing the potential sewage flows.

In view of the above, this Department finds it cannot approve a building permit for the proposed addition until such a time as metropolitan sewer is available and connected thereto.

Very truly yours,

John L. Forrest
John L. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LVF/ith

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of April, 1982, that the ~~variance(s)~~ variance(s) for variance(s) to permit a front yard setback of zero feet for the existing garage and a rear yard setback of 21 feet for the existing dwelling, both in lieu of the required 50 feet, and a setback of 62 feet from the centerline of Falls Road in lieu of the required 75 feet, for the expressed purpose of constructing a 5' x 10' addition to the existing dwelling for storage purposes only, are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the comments submitted by the Department of Health, dated April 6, 1982.
2. A revised site plan, conforming to the variances granted herein, shall be submitted for approval by the Department of Public Works, the Department of Health, and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Duber, Superintendent

Towson, Maryland - 21204

Date: January 8, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 28, 1981

RE: Item No: 110, 111, 112, 113, 114, 115, 116
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

[Signature]
Wm. Nick Petrovich, Assistant
Department of Planning

KNP/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner

TO: Norman E. Gerber, Director
FROM: Office of Planning & Zoning

SUBJECT: Zoning Petition No. 82-173-A

Date: February 9, 1982

Mr. William E. Hammond

2

April 6, 1982

This department will, therefore, approve a building permit for an addition to the dwelling not to exceed interior measurements of 5 ft. by 10 ft. It is understood that this addition will be used for storage only and no additional plumbing fixtures will be installed in the addition.

Mr. Merryman has been informed of the above and is agreeable to same.

Very truly yours,

[Signature]
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

IJP/fth

cc: Adrian H. Merryman

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

[Signature]
Norman E. Gerber, Director

NEG/JGd/bph

RE: PETITION FOR VARIANCES
W/S of Falls Rd., 345'
N of Beltway,
3rd District

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

ADRIAN H. MERRYMAN,
et ux, Petitioners

Case No. 82-173-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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for
Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of February, 1982, a copy of the foregoing Order was mailed to Mr. and Mrs. Adrian H. Merryman, 10440 Falls Road, Brooklandville, Maryland 21022, Petitioners.

[Signature]
John W. Hessian, III

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
D. J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

April 6, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Revised comments on Item 111, Zoning Advisory Committee Meeting of December 28, 1981, are as follows:

Property Owner: Adrian H. & Joan C. Merryman
Location: W/S Falls Road 345' N. of Baltimore Beltway
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a front yard setback of 0' and a rear yard setback of 21' in lieu of the required 50' and a side yard setback of 53' to the centerline of the road in lieu of the required 75'.

Acres: 0.624
District: 3rd

This office has been in contact with Mr. Merryman, in order to find a solution to the failing sewage system serving his home, as noted in the hearing held Tuesday, February 12, 1981 at 9:30 A.M. In the course of telephone conversations, Mr. Merryman was informed that approval of a building permit for the proposed addition would be predicated on satisfactory soil percolation tests, and subsequent reconstruction of the presently failing septic system. When informed of the minimum acceptable criteria for approval of soil percolation tests, Mr. Merryman conceded that favorable soil tests and proper correction of the failing septic system could probably not be achieved.

This department's position, of not approving a building permit for the proposed addition, was predicated on the fact that such an addition would increase the interior floor space and thus the future potential occupancy of the dwelling; consequently, increasing sewage flows. This office, however, would be willing to accept a smaller addition, so sized that it could be used for the purpose of storage, while being too small for practical use in conversion to a future bedroom.

PETITION FOR VARIANCE

3rd DISTRICT

ZONING: Petition for Variances
LOCATION: West side of Falls Road, 345 ft. North of Beltway
DATE & TIME: Tuesday, February 23, 1982 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to allow a front yard setback of 0' and a rear yard setback of 21' in lieu of the required 50' and a setback of 53' to the centerline of the road in lieu of the required 75'

The Zoning Regulation to be excepted as follows:

Section 1A04.3B.3 - minimum front and rear yard setbacks and distance to centerline of street in R.C. 5 Zone

All that parcel of land in the Third District of Baltimore County

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 82-173-A
Building Permit Application
No.
5th Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County, Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

[Signature]
Adrian H. Merryman

Being the property of Adrian H. Merryman, et ux, as shown on plat plan filed with the Zoning Department:

Hearing Date: Tuesday, February 23, 1982, at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

