

PETITION FOR ZONING VARIANCE 83-70-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 1401.3-B-3, (103.3 & 100.3, 3-B-3), to permit sideyard setbacks of 25 ft. instead of the required 50 ft. each.

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

With 50' sideyard setbacks, a home with attached garage or porch cannot be built. Need about 50' for house, 10' for porch and 22' for garage.

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 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) John Richard Schou
Signature: John Richard Schou
Address: 5214 Silver Spring Rd. 256-2177
City and State: Baltimore, Md. 21128
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
John Richard Schou
5214 Silver Spring Rd. 256-2177
Baltimore, Md. 21128
City and State: Baltimore, Md. 21128
Attorney's Telephone No. 257-2277

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of October, 1982, 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 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 14th day of December, 1982, at 9:30 o'clock A. M.

Very truly yours,
Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S Sweet Air Rd., 1,060'
W of the centerline of Carroll
Manor Rd., 10th District : OF BALTIMORE COUNTY

JOHN R. SCHOU, et ux,
Petitioners : Case No. 83-70-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. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 23rd day of November, 1982, a copy of the foregoing Order was mailed to Mr. and Mrs. John R. Schou, 5214 Silver Spring Road, Baltimore, Maryland 21128, Petitioners.

John W. Hession, III

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 9, 1982

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204
Chairman

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

Mr. & Mrs. John R. Schou
5214 Silver Spring Road
Perry Hall, Maryland 21128

RE: Item No. 57 - Case No. 83-70-A
Petitioner - John R. Schou, et ux
Variance Petition

Dear Mr. & Mrs. Schou:

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 plan 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.

This hearing is necessitated by your proposal to construct a dwelling on this site within 25 feet of both side property lines. Even though the submitted site plan indicates side setbacks of 25 feet and 43 feet, it was your decision to have the petition advertised as submitted.

Particular attention should be afforded to the comments of the State Highway Administration.

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
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hsc
Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

October 28, 1982

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

Re: Item #57 (1982-1983)
Property Owner: John R. & Susan Schou
S/S Sweet Air Rd. 1060' W. from centerline of Carroll Manor Rd.
Acres: 153.32/151.67 X 274.16/320.33
District: 10th

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:

Sweet Air Road (Md. 145) 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.

Baltimore County highway and utility improvements are not directly involved.

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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 57 (1982-1983).

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RJM:EAM:FWK:rs

cc: Jack Wimbley

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Catrider
Administrator

October 15, 1982

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

Attention: Mr. N. Commodari

Re: SAC Meeting of Oct. 5, 1982
ITEM: #57
Property Owner: John R. & Susan Schou
Location: S/S Sweet Air Road, Route 145, 1060' W. from centerline of Carroll Manor Road
Existing Zoning: R.C.2
Proposed Zoning: Variance to permit sideyard setbacks of 25' in lieu of the required 50'
Acres: 153.32/151.67 X 274.16/320.33
District: 10th

Dear Mr. Hammond:

On review of the site plan of Sweet Air Farms Lot #2 and field inspection, the State Highway Administration finds the plan generally acceptable.

Access to the building lot must be through permit from the State Highway Administration District #4 office at Joppa and Falls Roads, Brooklandville, c/o Mr. Henry Saunders 321-3472.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

By: George Wittman

cc: Mr. H. Saunders (w-attachment) (301) 659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
P.O. Box 17 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

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

October 25, 1982

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

Dear Mr. Hammond:

Comments on Item #57, Zoning Advisory Committee Meeting of October 5, 1982, are as follows:

Property Owner: John R. & Susan Schou
Location: S/S Sweet Air Road 1060' W. from centerline of Carroll Manor Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit sideyard setbacks of 25' in lieu of the required 50'.
Acres: 153.32/151.67 X 274.16/320.33
District: 10th

The dwelling will be served by an existing drilled well and proposed septic system. The well was drilled April 22, 1982 and the yield test results for the well will be valid until April 22, 1985.

Soil percolation tests have been conducted, the results of which will be valid until September 23, 1984.

The proposed location of the dwelling will not interfere with the location of the well or sewage disposal area. Prior to occupancy of the dwelling, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

Very truly yours,

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/als

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
654-3902

ED LALESKI, JR.
DIRECTOR

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

Dear Mr. Hammond:

Comments on Item # 57 Zoning Advisory Committee Meeting are as follows:

Property Owner: John R. & Susan Schou
Location: S/S Sweet Air Road 1060' W. from centerline of Carroll Manor Road
Existing Zoning: R.C.2
Proposed Zoning: Variance to permit sideyard setbacks of 25' in lieu of the required 50'.
Acres: 153.32/151.67 X 274.16/320.33
District: 10th

The items checked below are applicable:

- All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- A building and other miscellaneous permits shall be required before beginning construction.
- Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
- Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line. See Table 102, Section 1107 and Table 1102.
- Requested variance conflicts with the Baltimore County Building Code, Section/s.
- A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

1. Comments: STANDARD COMMENTS

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,
Charles L. Burnham, Chief
Plans Review

CHB:rs
PDRM 01-82

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/mould/must 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 /should/must be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of December, 1982, that the ~~variance~~ Petition for Variance(s) to permit side yard setbacks of 40 feet on the west side and 35 feet on the east side in lieu of the required 50 feet, for the expressed purpose of constructing a dwelling, in accordance with the site plan filed herein and marked Petitioners' Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of said site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dube, Superintendent

Towson, Maryland - 21204

Date: September 30, 1982

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

Z.A.C. Meeting of: October 5, 1982

RE: Item No: 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63
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,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 83-70-A
John R. Schou, et ux

Date: November 26, 1982

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

NEG:JGHalc

cc: Arlene January
Shirley Hess

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

December 21, 1982

Mr. & Mrs. John Richard Schou
5214 Silver Spring Road
Perry Hall, Maryland 21128

RE: Petition for Variance
S/S of Sweet Air Road, 1,060' W of the
centerline of Carroll Manor Road - 10th
Election District
John Richard Schou, et ux - Petitioners
NO. 83-70-A (Item No. 57)

Dear Mr. & Mrs. Schou:

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

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

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



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

December 20, 1982

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: John R. and Susan Schou

Location: S/S Sweet Air Road 1060' W. from centerline of Carroll Manor Road

Item No.: 57 Zoning Agenda: Meeting of October 5, 1982

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 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

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 operation.

(X) 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", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

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

REVIEWED BY: *George M. Ryan*
Planning Group
Special Inspection Division
Noted and Approved: *George M. Ryan*
Fire Prevention Bureau

JK/mh/cm
12/14
83-70-P

PETITION FOR VARIANCE

10th Election District

ZONING: Petitioner for Variance

LOCATION: South side of Sweet Air Road, 1,060 ft. West of the centerline of Carroll Manor Road

DATE & TIME: Tuesday, December 14, 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 Variance to permit side yard setbacks of 25 ft. instead of the required 50 ft. each

The Zoning Regulation to be excepted as follows:
Section 1A01.3B, 3 (101.3 and 1A09.3B, 3) - side yard setbacks in an R.C. 2 (R.D.P.) zone

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

Being the property of John R. Schou, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, December 14, 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

Zoning Description

Beginning on the south side of Sweet Air Road 153 feet wide, at a distance of 1060 feet west of the center line of Carroll Manor Road. Being Lot 2, in the final subdivision of Sweet Air Farms. Book number 40 Folio 73. Also known as 4901 Sweet Air Road in the 10th Election District.

John Richard Schou
5214 Silver Spring Road
Perry Hall, Md. 21128

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

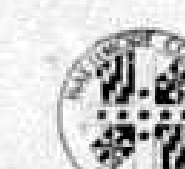
Your Petition has been received and accepted for filing this 5th day of October, 1982

Petitioner John R. Schou, et ux

Petitioner's Attorney

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

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



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3553

WILLIAM E. HAMMOND
ZONING COMMISSIONER

December 3, 1982

Mr. & Mrs. John R. Schou
5214 Silver Spring Road
Baltimore, Maryland 21128

RE: Petition for Variance
S/S Sweet Air Rd., 1,060' W of the c/l of
Carroll Manor Road
Case #83-70-A

Dear Mr. & Mrs. Schou:

This is to advise you that \$51.30 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

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

No. 113020

DATE: 12/13/82 ACCOUNT: KKK R-01-615-000

AMOUNT: \$51.30

RECEIVED FROM: Susan M. Schou
FOR: Advertising & Posting Case #83-70-A

6 041*****513020 21424

VALIDATION OR SIGNATURE OF CASHIER

November 17, 1982

Mr. & Mrs. John R. Schon
5214 Silver Spring Road
Baltimore, Maryland 21236

NOTICE OF HEARING

Re: Petition for Variance
S/S of Sweet Air Rd., 1,060' W of the centerline
of Carroll Manor Road
Case #83-70-A Item #57

TIME: 9:30 A.M.

DATE: Tuesday, December 14, 1982

PLACE: Room 106, County Office Building, 111 West

Chesapeake Avenue, Towson, Maryland

[Signature]
ZONING COMMISSIONER OF
BALTIMORE COUNTY

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

No. 1089C0

DATE: 9-16-82 ACCOUNT: 01-667

AMOUNT: 35.00

RECEIVED FROM: *[Signature]*
FOR: Filing fee for item 57

6 015-0600350016 8208A 7 21128

VALIDATION OR SIGNATURE OF CASHIER

#L38180 p.B20

CERTIFICATE OF PUBLICATION

TOWSON, MD. 11/29 1982

THIS IS TO CERTIFY, that the annexed
advertisement was published in THE TOWSON
TIMES, a weekly newspaper distributed in
Towson, Baltimore County, Md., once a
week for 1 successive weeks,
the first publication appearing on the
29th day of Nov. 1982.

THE TOWSON TIMES

[Signature]

Cost of Advertisement, \$ 28.80

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 25, 1982

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 14th
day of December, 1982, the ~~first~~ publication
appearing on the 25th day of November
1982.

THE JEFFERSONIAN

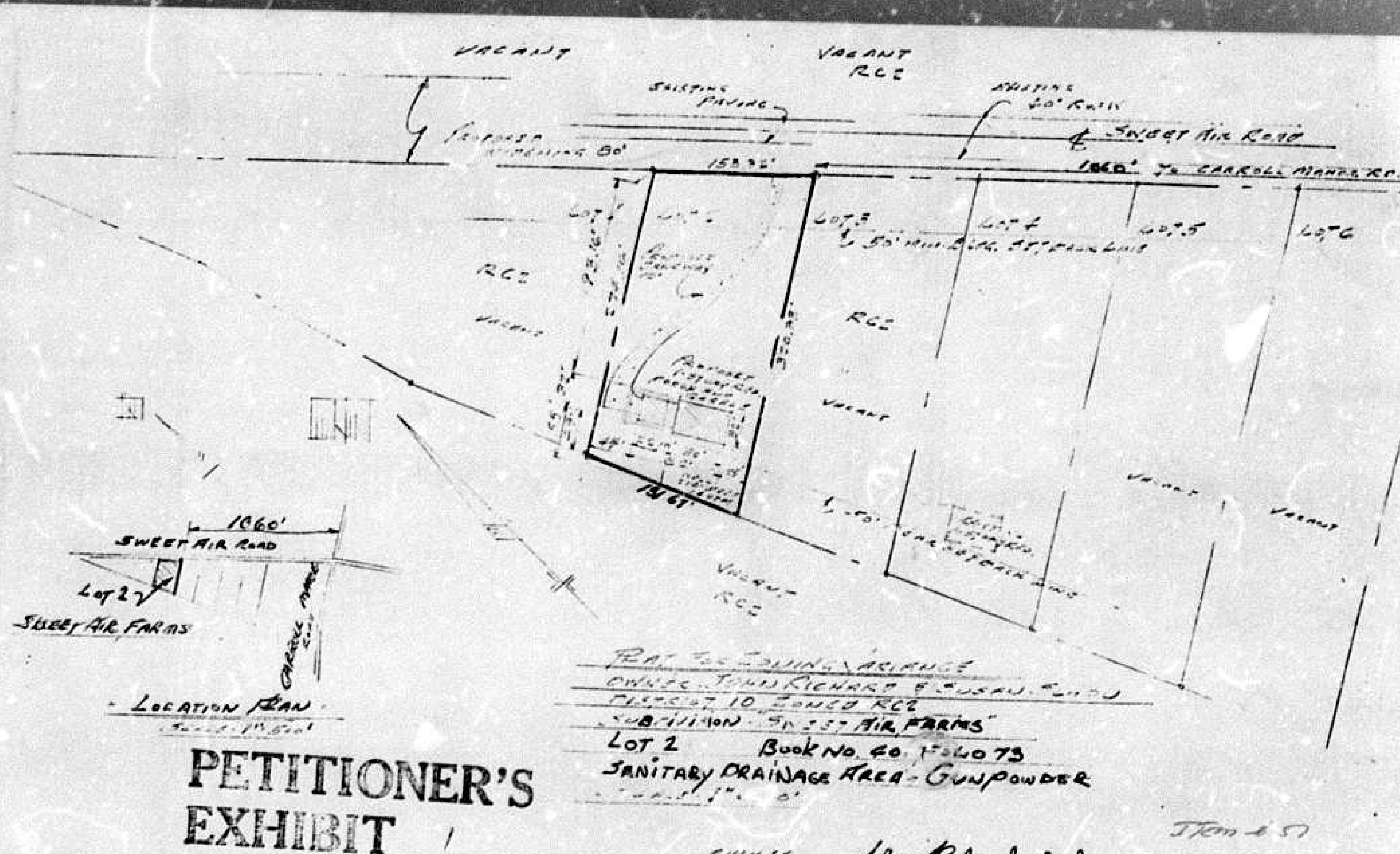
[Signature]
Manager.

Cost of Advertisement, \$

[Small newspaper clipping text]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1D Date of Posting: 11/28/82
Posted for: Petition for Variance
Petitioner: John R. Schon, et ux
Location of property: 515 Sweet Air Rd., 1060' W of
the centerline of Carroll Manor Rd
Location of Signs: front of property (facing Sweet
Air Rd.)
Remarks: Item 2, 6, 7
Posted by: *[Signature]* Date of return: 12/13/82
Number of Signs: 1



PETITIONER'S
EXHIBIT 1

RE: PETITION FOR VARIANCE
OWNER: JOHN RICHARD & SUSAN SCHON
PLOT: 10, SWEET AIR
SUBDIVISION: 515 SWEET AIR FARMS
LOT 2 BOOK NO. 40, P. 6073
SANITARY DRAINAGE AREA - GUNPOWDER

[Signature]
[Signature]

