

PETITION FOR ZONING VARIANCE

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 400.1 to allow an accessory structure (swimming pool) to be constructed in the side yard in lieu of the required rear yard.

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

1. Rear yard is located adjacent to the river. Pool cannot be built in this area due to flooding at high tide.
2. If pool is allowed to be built in side yard, the ground elevation in this area is approximately ten feet higher than the elevation of rear yard.

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:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.

Legal Owner(s):
Susan Gallese Moken
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Edward Galloway / Mary J. Peltz
Name
5617 Baltimore National Pike 744-5757
Address Balto Md. 21228 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of February, 1984, 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 24th day of April, 1984, at 9:30 o'clock A.M.

Cal Jahn
Zoning Commissioner of Baltimore County

(over)

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Attorney for Petitioner:
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Legal Owner(s):
Susan Gallese Moken
(Type or Print Name)
Signature
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Name, address and phone number of legal owner, contract purchaser or representative to be contacted
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Cal Jahn
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE

PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner
Date: April 5, 1984
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Anthony J. Moken, et ux
84-276-A

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

Norman E. Gerber, Director
Office of Planning and Zoning

NFG/JGH/sf

Mr. & Mrs. Anthony J. Moken
2400 Bauernschmidt Drive
Baltimore, Maryland 21221

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 21st day of February, 1984.

Received by: Nicholas S. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 6, 1984

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

Nicholas S. Commodari
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. Anthony J. Moken
2400 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: Case No. 84-276-A (Item No. 215)
Petitioner - Anthony J. Moken, et ux
Variance Petition

Dear Mr. & Mrs:

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.

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 S. Commodari
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 28, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #215 (1983-1984)
Property Owner: Anthony J. Moken, et ux
N/E corner Bauernschmidt Dr. and Poplar Dr.
Acres: 85/142.60 X 267.09/239.70
District: 15th

Dear Mr. Jablon:

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 exist and are not directly involved.

Bauernschmidt Drive, an existing public road, is proposed to be further improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

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 nuisance 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 215 (1983-1984).

Very truly yours,

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

RAM:EAM:FWR:ss

1-SE Key Sheet 3 NE 39 Pos. Sheet
NE 1 J Topo 98 Tan Map

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 Petitioners and the granting of the variance requested will not adversely affect the health, safety, and general welfare of the community, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 1st day of May, 1984, that the herein Petition for Variance to permit an accessory structure (swimming pool) to be constructed in the side yard in lieu of the required rear yard, in accordance with the site plan filed herein, is GRANTED, from and after the date of this Order, subject, however, to the following:

1. The privacy fence shall be 4 feet high and shall be landscaped so as to be concealed from Bauernschmidt Drive.
2. A revised site plan shall be submitted to and approved by the Office of Planning and Zoning.

Jan M. Dine
Deputy Zoning Commissioner
of Baltimore County

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 Petitioners and the granting of the variance requested will not adversely affect the health, safety, and general welfare of the community, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 1st day of May, 1984, that the herein Petition for Variance to permit an accessory structure (swimming pool) to be constructed in the side yard in lieu of the required rear yard, in accordance with the site plan filed herein, is GRANTED, from and after the date of this Order, subject, however, to the following:

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Deputy Zoning Commissioner
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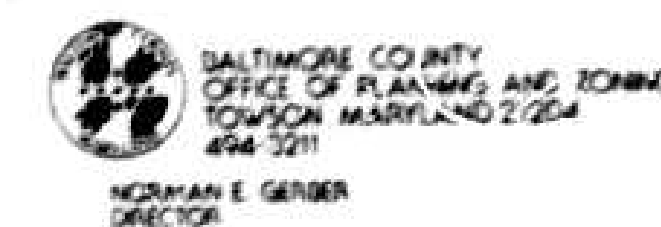
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Jan M. Dine
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
MAY 1 1984
BY May 1 1984



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

3/19/84

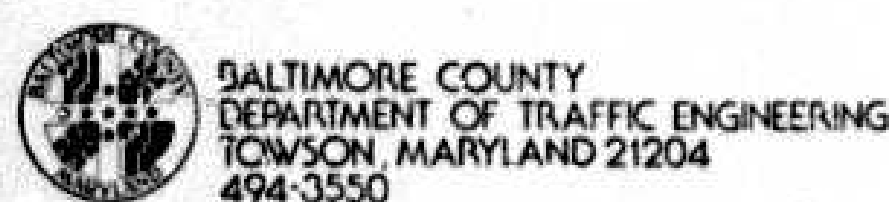
Re: Zoning Advisory Meeting of 2/21/84
Item # 215
Property Owner: Anthony J. Moken, et al.
Location: NE/Cor. Bauernschmidt Dr. & Poplar Dr.
Towson, Md. 21204

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 2/21/84.
- ☒ Landscaping to offset the proposed structure is shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments:

Stephen G. Belts
Chief, Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

March 9, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 215, 216, 217, 218, 219, and 220. ZAC- Meeting of February 21, 1984.
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

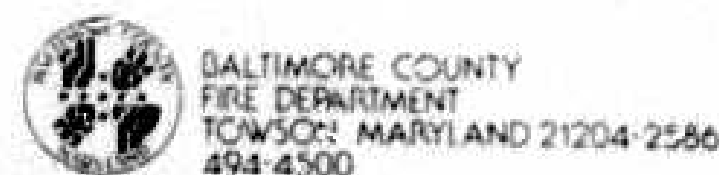
Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 215, 216, 217, 218, 219, and 220.

Michael S. Flanagan
Traffic Engineering Assoc. II

NSP/ccm



PAUL H. REINCKE
CHIEF

March 2, 1984

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Anthony J. Moken, et al

Location: NE/Cor. Bauernschmidt Dr. & Poplar Dr.

Item No.: 215 Zoning Agenda: 2/21/84

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 100 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.

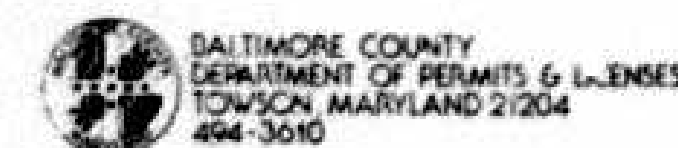
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

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

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

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

/mb



TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 215 Zoning Advisory Committee Meeting are as follows:

Property Owner: Anthony J. Moken, et al
Location: NE/Cor. Bauernschmidt Dr. & Poplar Drive
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard.

Acres: 85/142.60 x 267.09/239.70

District:

The items checked below are applicable:

- All structures shall conform to the Baltimore County Building Code 1981/Council Bill 178-79 and other applicable codes.
- A building/ other miscellaneous structure is required before beginning construction.
- Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal and title not required. Non-reproduced seals and signatures are required on plans and Technical Data.
- 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" for commercial uses or 4'0" for one and two family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 5'0" of lot line. A firewall is required if construction is on the lot line, see Table 501, Item 2, Section 501.07 and Table 502, also Section 503.2.
- Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____
- A charge 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, then 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 501.

1. 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 (Plan Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burman
Charles E. Burman, Chief
Plan Review

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 21, 1984

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

S.A.C. Meeting of: February 21, 1984

RE: Item No.: 215, 216, 217, 218, 219, 220.
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/lh

RE: PETITION FOR VARIANCE
E/S Bauernschmidt Dr.,
approx. 275' of Poplar
Dr. (2400 Bauernschmidt Dr.)
15th District

ANTHONY J. MOKEN, et ux,
Petitioners

Case No. 84-276-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 4th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Anthony J. Moken, 2400 Bauernschmidt Drive, Baltimore, MD 21227, Petitioners; and Mr. Edward Galloway, 5617 Baltimore National Pike, Baltimore, MD 21228, who requested notification.

Phyllis Cole Friedman
Phyllis Cole Friedman

CERTIFICATE OF PUBLICATION

PETITION FOR VARIANCE
15th Election District

ZONING: Petition for Variance

LOCATION: East side Bauernschmidt Drive, approximately 275' Northeast of Poplar Drive (2400 Bauernschmidt Drive)

DATE & TIME: Tuesday, April 24, 1984 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 on the Petition for Variance to allow an accessory structure (swimming pool) to be constructed in the side yard in lieu of the required rear yard.

Being the property of Anthony J. Moken, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

TOWSON, MD. April 5, 1984.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 1st day of April, 1984, the first publication appearing on the 5th day of April, 1984.

THE JEFFERSONIAN
Manager.

Cost of Advertisement, \$100

DUPLICATE CERTIFICATE OF PUBLICATION

PETITION FOR VARIANCE
15th Election District

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Zoning Commissioner
of Baltimore County

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BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Petition for Variance
15th Election District

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LOCATION: East side Bauernschmidt Drive, approximately 275' Northeast of Poplar Drive (2400 Bauernschmidt Drive)

DATE & TIME: Tuesday, April 24, 1984 at 9:30 A.M.

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By Order of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

The Times
Middle River, Md., April 5, 1984

This is to certify, that the annexed was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of the successive weeks before the 5th day of April, 1984.

54-276-A
Publisher.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 4/5/84

Period for: Petition for Variance

Petitioner: Anthony J. Moken, et ux

Location of property: E/S Bauernschmidt Dr., approx. 275' NE of Poplar Drive

Location of sign: Bauernschmidt Dr. (H. 2400)

Remarks: Moken Bauernschmidt Dr.

Posted by: Paul L. Gorman Date of return: 7/12/84

Number of Signs: 1

SURVEYOR'S DESCRIPTION

East side Bauernschmidt Dr., approximately 275 ft. Northeast of Poplar Drive

AND BEING KNOWN AS Lot 1 and 1 part of Bauernschmidt Manor, recorded in Land Records of Balto. Co., Liber 12, folio 81
Section "A" - Liber 115/folio 458 - Tax # 15-13-752901, GA 12-0-81.
Also being known as 2400 Bauernschmidt Drive, Baltimore County, Baltimore, Maryland 21221.

Mr. & Mrs. Anthony J. Moken
2400 Bauernschmidt Drive
Baltimore, Maryland 21221

NOTICE OF HEARING

Re: Petition for Variance
E/S Bauernschmidt Dr., approx. 275' NE of Poplar Drive (2400 Bauernschmidt Drive)
Anthony J. Moken, et ux - Petitioners
Case No. 84-276-A

TIME: 9:30 A.M.

DATE: Tuesday, April 24, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Edward Galloway
5617 Baltimore National Pike
Baltimore, Maryland 21228

Arnold Jablon
Zoning Commissioner
of Baltimore County

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

No. 126824

DATE: 4/5/84 ACCOUNT: R-21-615-000

AMOUNT: \$95.00

RECEIVED FROM: *Anthony J. Moken*

FOR: *Advertising & posting case #84-276-A*

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

April 16, 1984

Mr. & Mrs. Anthony J. Moken
2400 Bauernschmidt Drive
Baltimore, Maryland 21221

Re: Petition for Variance
E/S Bauernschmidt Dr., approx. 275'
NE of Poplar Dr. (2400 Bauernschmidt Dr.)
Anthony J. Moken, et ux - Petitioners
Case No. 84-276-A

Dear Mr. & Mrs. Moken:

This is to advise you that \$42.11 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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

Sincerely,

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

No. 130248

DATE: 4-2-84 ACCOUNT: R-11-615-000

AMOUNT: \$42.11

RECEIVED FROM: *Anthony J. Moken*

FOR: *Advertising & posting case #84-276-A*

VALIDATION OR SIGNATURE OF CASHIER

Arnold Jablon
Zoning Commissioner

PETITION FOR VARIANCE

15th Election District

ZONING: Petition for Variance

LOCATION: East side Bauernschmidt Drive, approximately 275' Northeast of Poplar Drive (2400 Bauernschmidt Drive)

DATE & TIME: Tuesday, April 24, 1984 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 allow an accessory structure (swimming pool) to be constructed in the side yard in lieu of the required rear yard

Being the property of Anthony J. Moken, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ARNOLD JABLON
ZONING COMMISSIONER

May 1, 1984

Mr. and Mrs. Anthony J. Moken
2400 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: Petition for Variance
E/S of Bauernschmidt Dr., approx-
imately 275' NE of Poplar Dr.,
(2400 Bauernschmidt Dr.) - 15th
Election District
Anthony J. Moken, et ux - Petitioners
No. 84-276-A (Item No. 215)

Dear Mr. and Mrs. Moken:

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

Very truly yours,

Car M H Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMH/mc

Attachments

cc: Mr. Edward Galloway
Maryland Pools
5617 Baltimore National Pike
Baltimore, Maryland 21228

People's Counsel

Ms. Michele Riley
1016 Colliwood Road
Baltimore, Maryland 21228

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 6, 1984

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

also
Nicholas B. Commodari
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. Anthony J. Moken
2400 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: Case No. 84-276-A (Item No. 215)
Petitioner - Anthony J. Moken, et ux
Variance Petition

Dear Mr. & Mrs.:

The Zoning Plans Advisory Committee has reviewed the
plans submitted with the above referenced petition. The
following comments are not intended to indicate the appro-
priateness 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.

Enclosed are all comments submitted from the members
of the Committee, at this time that offer or request infor-
mation 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:bsc

Enclosures

HARRY J. FISTEL, P.E.
DIRECTOR

March 28, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #215 (1983-1554)
Property Owner: Anthony J. Moken, et ux
N/E corner Bauernschmidt Dr. and Poplar Dr.
Acres: 85/142.50 X 267.09/239.76
District: 15th

Dear Mr. Jablon:

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 exist and are not directly
involved.

Bauernschmidt Drive, an existing public road, is proposed to be further
improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Development of this property through stripping, grading and stabilization could
result in a sediment pollution problem, damaging private and public holdings down-
stream 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 215 (1983-1554).

Very truly yours,

Robert A. Norton, P.E.
ROBERT A. NORTON, P.E., Chief
Bureau of Public Services

PAM:EAM:FWR:iss

1-SE Key Sheet 3 NE 39 Pos. Sheet
NE 1 J Topo 98 Tax Map

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of
Item #
Property Owner: Anthony J. Moken, et ux
Location: N/E corner Bauernschmidt Dr. and Poplar Dr.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject
petition and offers the following comments. The items checked below are
applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be
forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract, therefore it is defined as a
subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior
to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and
development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited
under the provisions of Section 22-66 of the Development
Regulations.
- ☒ Development of this site may constitute a potential conflict with
the Baltimore County Master Plan.
- ☒ The amended development plan was approved by the Planning Board
on
Landscape should be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by
Bill 178-79. No building permit may be issued until a Reserve
Capacity Use Certificate has been issued. The deficient service
is.
- ☒ The property is located in a traffic area controlled by a "T" level
intersection as defined by Bill 178-79, and as conditions change
traffic capacity may become more limited. The Basic Services Areas
are re-evaluated annually by the County Council.
- ☒ Additional comments

Ernest G. Baker
Ernest G. Baker
Chief, Current Planning and Development

PAUL H. RICHMOND
CHIEF

March 2, 1984

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: Anthony J. Moken, et ux

Location: NE/Cor. Bauernschmidt Dr. & Poplar Dr.

Item No.: 215 Zoning Agenda: 2/21/84

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

REVIEWED: *George M. Hammond*
Approved: _____
Planning Group Fire Prevention Bureau
Special Inspection Division

March 5, 1984

ED JABLON, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 215 Zoning Advisory Committee Meeting are as follows:

Property Owner: Anthony J. Moken, et ux
Location: NE/Cor. Bauernschmidt Dr. & Poplar Drive
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit an accessory structure (swimming pool)
to be located in the side yard in lieu of the required
rear yard.

Acres: 85/142.60 X 267.09/239.70
District:

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1981/Council
Bill 178-79 or other local codes and other applicable
codes.
- B. A building/ & other _____ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit
application. Architect/Engineer seal is/is not required. Non-reproduced seals
and signatures are required on Plans and Technical Data.
- D. Commercial: Three sets of construction drawings with a Maryland Registered
Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two
Family use group of an adjacent lot line shall be of one hour fire resistive
construction, no openings permitted within 3'0" of lot lines. A firewall is
required if construction is on the lot line, see Table 401, line 2, Section
1407 and Table 1402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code,
Section/_____.
- G. 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.
- H. 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
complies with the height/area requirements of Table 505 and the required con-
struction classification of Table 401.
- I. Comments

NOTES: These comments reflect only on the information provided by the drawings sub-
mitted to the office of Planning and Zoning and are not intended to be
strued as the full extent of any permit. If desired, additional information
may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.,
Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

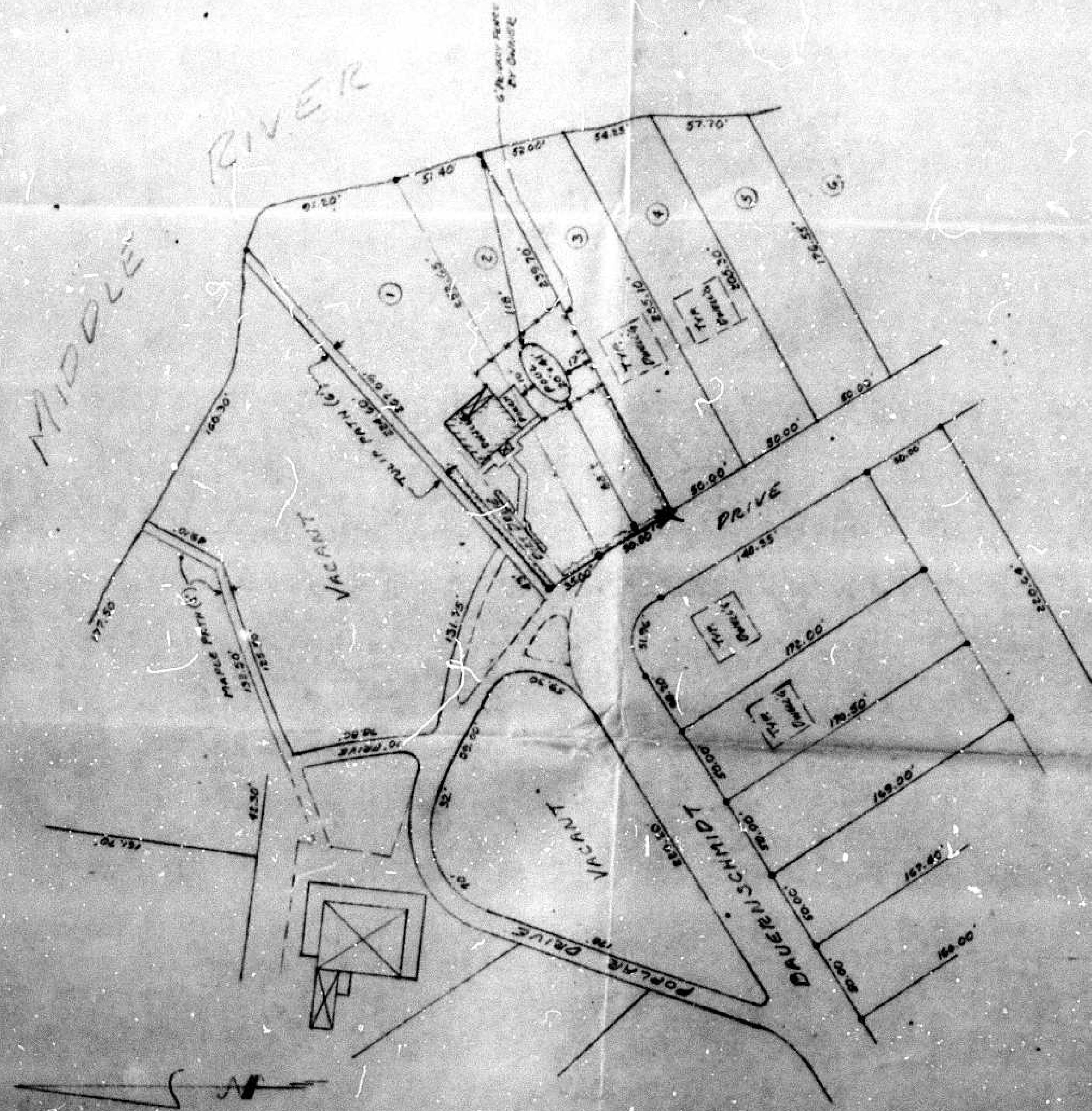
CEB:es

SURVEYOR'S DESCRIPTION

BEING KNOWN AS Lot 1 and 2 par* of Bauernschmidt Manor,
Section "A" - Liber 115/Folio 456 - Tax # 15-13-752931, QA 12-0-81.
Also being known as 2400 Bauernschmidt Drive, Baltimore County,
Baltimore, Maryland 21221.

OFFICE COPY

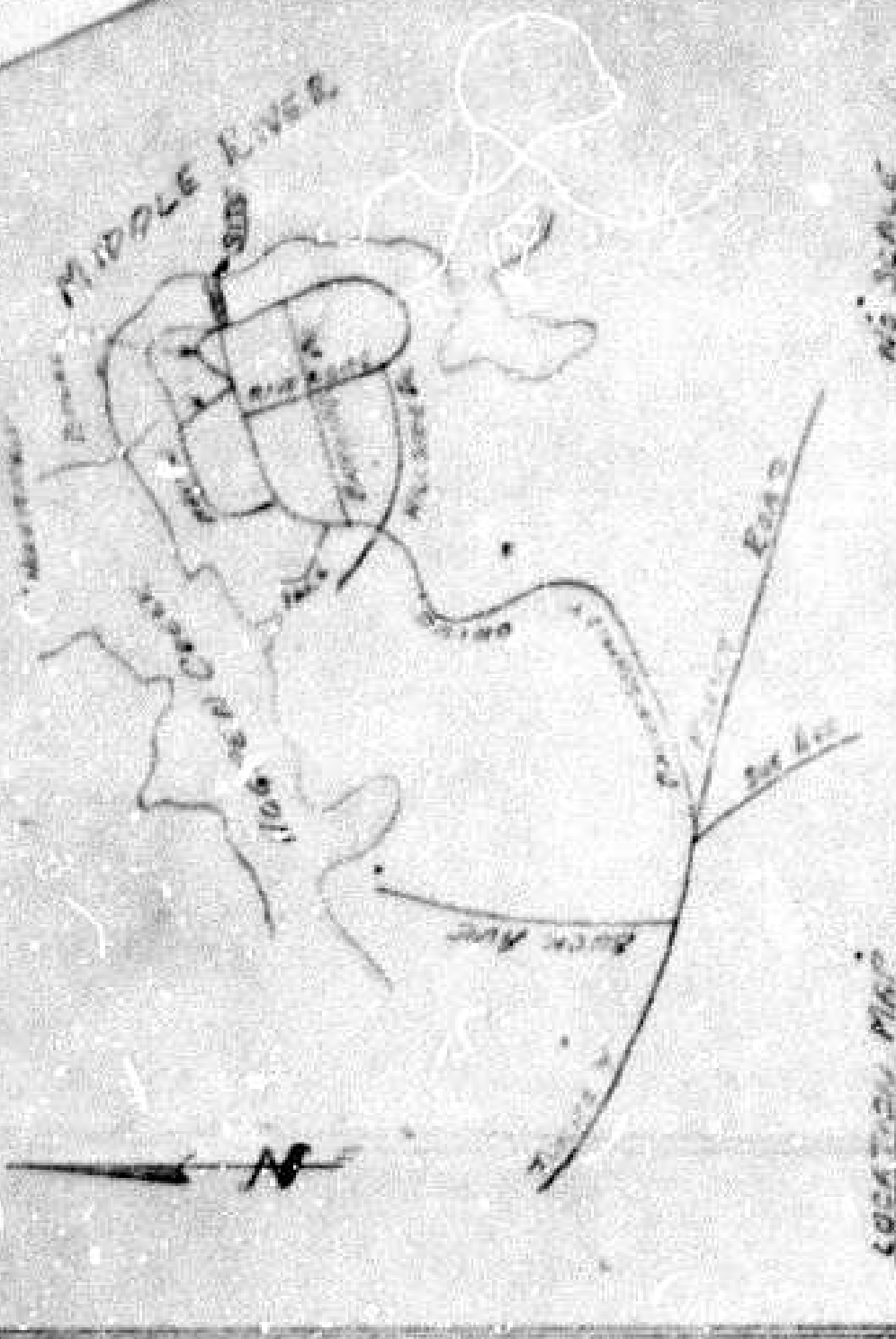
VARIANCE PLAT FOR ACCESSORY STRUCTURE
- SWIMMING POOL -



SCALE 1"=50'
PART OF DAUERLSCHMIDT MANOR
SECTION "A" - LOTS #1 & 2
115 / #58
TAX #15-13-752991
ON 12-0-81
BALTIMORE COUNTY, MD

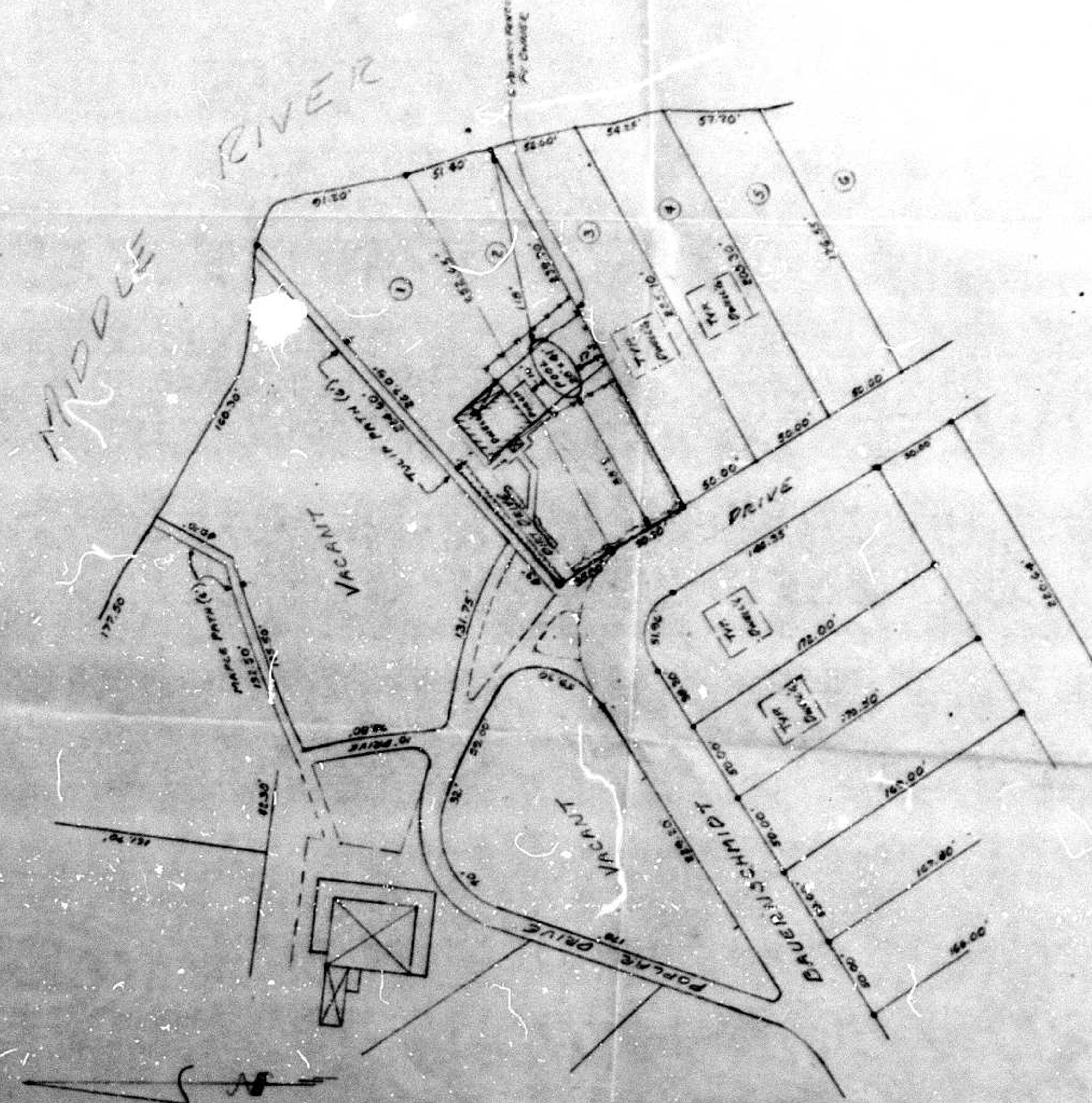
SITE PLAN of
LOTS #1 & 2
2400 DAUERLSCHMIDT DRIVE
BALTIMORE COUNTY
#115

VARIANCE PLAT FOR ACCESSORY STRUCTURE
- SWIMMING POOL -
SCALE 1"=50'
DATE 01-23-84
BY J. J. J. J.
MR. JAMES M. J. J. J.
2400 DAUERLSCHMIDT DRIVE, BALTIMORE, MD 21221
MARYLAND POOLS, INC.
83-929



DIRECTIONS:
BEST WAY GET SOUTH - CROSS KEY DRIVE
& CONTINUE TO RT - 702 EXIT - FOLLOW TO 10
OLD CANTERBURY AVE - LEFT TO LIGHT RAIL STATION
DANCE RIDGE AVE - CONTINUE TO 1000 FT. TO
TURKEY POINT RD - LEFT & GO APPROX 1 MILE
TO LEFT ON DAUERLSCHMIDT DRIVE - CONTINUE
TO SITE #2400

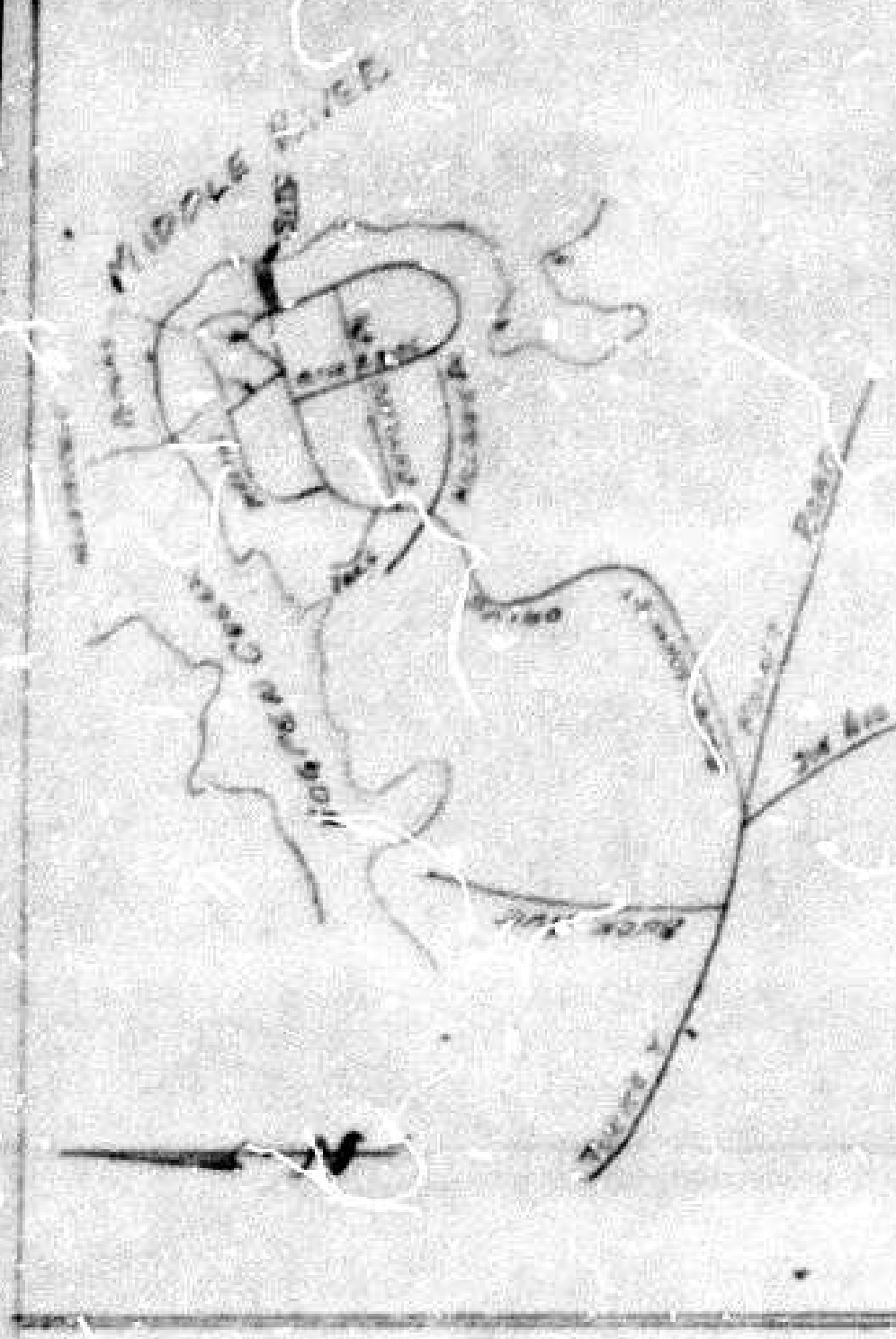
VARIANCE PLAT FOR ACCESSORY STRUCTURE
- SWIMMING POOL -



SCALE 1"=50'
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SECTION "A" - LOTS #1 & 2
115 / #58
TAX #15-13-752991
ON 12-0-81
BALTIMORE COUNTY, MD

SITE PLAN of
LOTS #1 & 2
2400 DAUERLSCHMIDT DRIVE
BALTIMORE COUNTY
#115

VARIANCE PLAT FOR ACCESSORY STRUCTURE
- SWIMMING POOL -
SCALE 1"=50'
DATE 01-23-84
BY J. J. J. J.
MR. JAMES M. J. J. J.
2400 DAUERLSCHMIDT DRIVE, BALTIMORE, MD 21221
MARYLAND POOLS, INC.
83-929



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