

70-184-ASPH 66-185-X

1947-1013-X

## PETITION FOR ZONING VARIANCE 84-285-4 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 permit (in-ground pool) to be constructed outside of farthest removed the one-third of lot/from side street.

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

1. Topography of my land dictates placement of in-ground pool closer to proposed road edge than 125' setback. Where the law allows placement of the pool is a steep slope which would require raising of one horizontal side of the poel above ground, leaving the other side (8') striking completely out of the

2. Construction (without variance) on site cannot be guaranteed. 3. Construction (without variance) would be much more costly.

FOR

RECEIVED

ORDER

(SEE ATTACHMENT) 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 rolemnly declare and affirm,

	under the penalties of perjury are the legal owner(s) of the which is the subject of this Pet	he property
Contract Purchaser:	Legal Owner(s):	14 37
	Phillip G. Huber	*********
(Type or Print Name)	Twee Se Print Harmen	3/.
Sure	Signature	
Address	(Type of Print Name)	1944
<u> </u>	Mary Saw Wheel	es l'
Attorner Petitioner:	Signatural  Item 228	
And Letterough	2715 /nderson Road 357-	
(Page Print Name)	/.ddress	Phone No.
	White Hall, Maryland 2116	1
S. Marie	City and State	112
	Name, address and phone number of leg- tract purchaser or representative to be	gal owner, con e contacted
- Andrew		
Gsy and State	Name	*************
Attorney's Telephone No.:	Address	Phone No.
ONDERED By The Zoning Commissioner of	Baltimore County, this19th	day

of Nirch 19.84, 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 \_\_\_\_\_ 30th \_\_\_\_ day of \_\_\_\_ April Zoning Commissioner of Baltimore County.

#### PETITION FOR ZONING VALIANCE 84-285-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 Parlance from Section 400.1 - to permit in-ground pool to be constructed outside of

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

- 1. Topography of my land dictates placement of in-ground pool closer to proposed road edge than 125' setback. Where the law allows placement of the pool is a steep slope which would require raising of one horizontal side of the pool above ground, leaving the other : ice (8') striking completely out of the
- Construction (without variance) on alte cannot be guaranteed. 3. Construction (without variance) would be much more costly.

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	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)	Phillip G. Huber (Type of Print Name)	
Signature	Signatury Caller	
Address	(Type or Print Name)	
City and State	Signature Saw Needer	
Attorney for Petitioner:		
(Type c: Print Name)	2715 Anderson Road 357-5761 Address Phone No.	
Signature	White Hall, Maryland 21161 City and State	
Address	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted	
City and State	Name	
Attorney's Telephone No.:	Address /hone No.	

March 19.84, that the subject matter of this petition be advertised, as by the Zoning Law of Baltimore County, in two newspapers of general circulation through imore County, that property be posted, and that the public hearing be had before the Zoning more of Baltimore County in Room 106, County Office Building in Towson, Baltimore

ATTACHENT

Hardship or practical difficulty, continued

- 4. Contractor, Mr. David Moser, recommends building in proposed location as indicated on plat.
- 5. Construction (without variance) would interfere with septic system and septic drain area. I have placed pool (in proposed location) so that it exceeds Health Department requirements. They recommend 20' from dr well and I am 31' from dry well to pool patio, and 38' from dry well to actual pool.
- 6. Proposed site plan still provides 35' setback from pool patro to proper " line and 38' setback from pool edge to property line. (Pool will be fenced according to law.)
- 7. Also, my wife and I consider this an equally important practical difficulty. Proposed placement of pool provides for immediate supervision from my house even when pool is not in use. To place it without variance places pool 128' from my house, out of view and direct supervision (pool will be fenced according to law).
- 8. Petitioner will provide a signed letter from neighbors on both sides and across the street saying they support my request.

ATTACHENT

Hardship or practical difficulty, continued

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- 8. Petitioner will provide a signed letter from neighbors on both sides and across the street saying they support my request.

PETITION FOR ZONING VARIANCE 84-285-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 400.1 - to permit in-ground pools to be constructed outside of the one-third of lot/from side street.

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

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- 2. Construction (without variance) on site cannot be guaranteed. 3. Construction (without variance) would be much more costly.

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 position, 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.

Lou Huber or Print Name)  Anderson Road 35	Julier
Lou Huber or Print Name) Any Sou	leber
ary Sou X	leber
l'ure	17-5761
Anderson Road 35	57-5761
Anderson Road 35	7-5761
ess	Phone No
e Hall, Maryland 21 and State	161
ddress and phone number of rchaser or representative to	
e	
	Phone No.
County this 19	th day
	ress e County, this

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_30th \_\_\_\_ day of \_\_\_April \_\_\_\_, 19\_84 , at 10:00 o'clock

(over)

TO: ZONING COMMISSIONER FOR BALTIMORE COUNTY

. A ... M.

Relative to Mr. & Mrs. Phillip Huber's request for a variance of zoning regulations to place an in-ground pool outside of the 1/3 of lot farthest from the road,

I have no objections whatsoever. I have seen where Mr. & Mrs. Huber desire the pool and have no objectives. Further, it is the only logical place to put their pool.

Sulfi Late	2711 Andreson Col
Trigory C. pec	
No. of the second secon	

TYCEO CATTA

1000 St. 3.540

Hardahis or processed difficulty, consumer

- 4. Contractor, "Tr. David Foser, recorner is building in proposed in union as indicated on plat.
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- 8. Petitioner will provide a signed letter from neighbors on both sides and across the street saying they support my request.

RE: PETITION FOR VARIANCE SW Corner Anderson Rd. & Shane Valley Ct. (2715 Anderson Rd.). 7th District

l'etitioners

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

a simple control of your or accordingly

PHILLIP G. HUBER, et ux. : Case No. 84-285-A

ENTRY OF APPLARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any proliminary or final

> Phyllis Cole Friedman People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 10th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Phillip G. Huber, 2715 Anderson Road, White Hall, MD 21161, Petitioners.

Flyllis lote Priedman

Phyllis Cole Friedman

PAUL H REINCKE

March 14, 1984

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

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Fhillip G. Huber, et ux

Location: SW/Cor. Anderson Rd and Shane Valley Court

Item No.: 228

Zoning Agenda: Meeting of 3/6/84

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 feet along an approved road in located at intervals or accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle acress 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 promosed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prioto occupancy.
- ( ) 6. Site plans are approved, as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Part July 114 14 Approved: Planning Group / Special Inspection Division

My and the second Fire Prevention Bureau

RECEIVE

ORDER

The Petitioners seek relief from Section 406.1, pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is that a practical difficulty or unreasonable hardship would result if the variance were not granted. It has been established that the requirethe Petitioners seek relief from here would unduly restrict the use of the Lue to the special conditions unique to this particular parcel. In addithe variance requested will not be detrimental to the public health, safegeneral welfare.

Pursuant to the advertisement, posting of the property, and public hearing this Petition held, and for the reasons given above, the variance requested should be granted.

DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 494-3610

TED ZALESKI, JR. Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Lilding

Towson, Maryland 21200

Dear Mr. Jablon: Comments on Item # 228 Zoning Advisory Committee Meeting are as follows:

Property Owner: Phillip G. Huber, at ux Location: SW/Cor. Anderson Road and Shane Valley Court Existing Zoning: R.C. 2 Proposed Zoning: Variance to permit an accessory structure to be located outside of the one-third of lot from side street (swimming

Acres: 240/255 x 275/260

- A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-
- B. A building/& other permitschall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/INCENT.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. in exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two builty 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.
- P. Requested variance appears to conflict with the Baltimore Camty Building Code,
- 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
- 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 401.
- ( I.) comments Provide pool fence 4'-0 high as required by building code sections 627.9 with appropriate gates, latches, etc.

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 con-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.,

> Charles E. Burn'an, Chief Plans Review

March 8, 1984

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County. this 3. day of May, 1984, that the Petition for Variance to permit an accessory structure (in-ground pool) to be located in the third of the lot

closest to the side street be and is hereby GRANTED, from and after the date of this Order, subject to the following:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appelrate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > - 3 -

R RE ORDER لللا DAT BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 5, 1984

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

Z.A.C. Meeting of: March 6th, 1984

RE: Item No: 225,226,227 (228), 6 229. Property Owner: Location: Present Zoning Proposed Zoning:

District: No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly your?

Wm. Nick Petrovich, Assistant Department of Planning

May 3, 1984

Mr. & Mrs. Phillip G. Huber 2715 Anderson Road White Hall, Haryland 21151

> IN RE: Petition Zoning Variance SW/corner of Anderson Road and Shane Valley Court (2715 Anderson Road) - 7th Election District Phillip G. Ruber, et ux, Petitioners Case No. 84-235-A

Dear Mr. & Mrs. Huber:

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

Sincerely,

ARNOLD JABLOW Zoning Commissioner

AJ/srl Attachments cc: People's Counsel IN RE: PETITION ZONING VARIANCE BEFORE THE SW/corner of Anderson Road and Shane Valley Court (2715 ZONING COMMISSIONER Anderson Road) - 7th Election District OF B' TIMORE COUNTY Phillip G. Huber, et ux. Case No. 84-285-A

. . . . . . . . . . .

Petitioners \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (in-ground pool) to be located in the third of the lot cloarst to the side street, as more particularly shown on Petitioners' Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the suffect property, zoned R. ? . is unique in that it is a corner lot with a nonexis. 's mide street. The house, constructed in 1979, faces inderson Road and the side street. Shane Valley Court, exists on paper only but has of been projected by the developer to be built. The plat was recorded among the Land Records of Baltimore County in 1973 and shows Shane Valley Court.

A 10,000 square foot septic drain field exists in the rear yard which canbe disturbed by construction of a pool. In addition, the property slopes to the Dear which prevents locating the pool anywhere other than where proposed. ld on the other mide of the drain field would cause tremendous construcon poblems in that one-mal, of the pool would be on ground lavel, and due to sope, one-half above ground. The contractor would not be able to guarantee instruction walls. The only level ground on which construction could take place is where proposed.

The Petitioners indicated that their neighbors do not object to the propossil. See Fetitioners' Exhibit 3

IN RE: FETITION ZONING VARIANCE 54/corner of Anderson Road And Shane Valle; Court (2715 . Anderson Road) - 7th Election District

ZONING COMMISSIONER OF BALTIMORE COUNTY

BEFORE THE

Phillip G. Huber, et ux. Case No. 84-285-A

Petitioners •

. . . . . . . . . . . FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to perilt an accessory structure (in-ground pool) to be located in the third of the lot closest to the side street, as more particularly shown on Petitioners' Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, zoned R.C.2, is unique in that it is a corner lot with a nonexisting side street. The house, constructed in 1979, faces Anderson Road and the side street, Shane Valley Court, exists on page, only but has not been projected by the developer to be built. The plat was recorded among the Land Records of Baltimore County in 1973 and shows Shane Valley Court.

A 10,000 square foot septic drain field exists in the rear yard which cannot be disturbed by construction of a pool. In addition, the property slopes to the moar which prevents locating the pool anywhere other than where proposed. To build on the other side of the drain field would cause tremendous construction problems in that one-half of the pool would be on ground level, and due to the slope, one-half above ground. The contractor would not be able to guarantee the construction walls. The only level ground on which construction could take place is where proposed.

The Fetitioners indicated that their neighbors do not object to the proposal. See Petitioners' Exhibit 3.

- 2 -

The Petitioners seek relief from Section 400.1, pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zening regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Fursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

- 2 -

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County. this 3 day of May, 1984, that the Petition for "ariance to permit an accessor; structure (in-ground pool) to be located in the third of the lot closest to the side street be and is hereby GRANTED, from and after the date of this Order, subject to the following:

 The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

BALITIMORE COUNTY DEPARTMENT OF HEALITH

Zoning Item # 228, Zoning Advisory Committee Meeting of Mark 6 1954

Water Supply \_\_\_\_\_\_ Sewage Disposal \_\_\_\_\_\_ Sewage Disposal \_\_\_\_\_\_ CVIVATE

( ) Prior to approval of a Building Permit for construction, renovation and/or

complete plans and specifications must be submitted to the Plans Review

Section. Environmental Support Services, for final review and approval.

( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

( ) A permit to construct from the Division of Air Pollution Control is required

installation of equipment for any existing or proposed food service facility,

Property Owner: Phillip G. Huber, of ux

Location: SW/ Cox. Anderson Rend

ments for such installation/s before work begins.

Zoning Commissioner

County Office Building

Towson, Maryland 21204

COMMENTS ARE AS FOLLOWS:

88 20 1082 (1)

Office of Planning and Zoning

March 22 1754

LEGAL DESCRIPTION OF PROPERTY

Property located at southwest owner of Anderson Road and Shane Valley Crurt, property being known as Lot 17 as shown on a plat entitled, "Plat 1, Shane Valley" and recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. No. 40, Folio 48. The improvements thereon being known as 2715 Anderson Road, Liber E.H.K., Jr. No. 5946 Polio 7.

> 2715 Anderson Road, White Hall, Maryland 21161 7th Election District

> > GERICE COPY

Phillip G. Huber 2715 Anderson Road White Hall, MD 21161 ---

Armold Jablon Zoning Commissioner Room 109, County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Mr. Jablon:

On February 23, 1984 I filed a petition for a zoning variance under "Item #228." The petition is to authorize a variance from Section 400.1 to permit construction of an in-ground swimming pool closer to a road (outside the 1/3 lot rule).

I am requesting an expedient hearing as I have signed a construction contract to commence May 15, 1984. This was signed prior to discovering the zoning difficulty. If delayed, I must pa delay costs in addition to losing my construction date. This would both delay and increase the cost of an already expensive proposition.

Any consideration in this matter would be greatly appreciated. As a County employee, I wrote a letter to Mr. Max Spicer, County Attorney, requesting a County Resolution. This was done at the instruction of the Zoning office to assure no conflict of interest.

Sincerely

Raltimore County Police Department

Pull:rlj

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

· April 17, 1984

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

Chairman MEMBERS Bureau of

Department of Traffic Engineering State Roads Commissio Jureau of Fire Provention

Health Department Project Planning Building Department Board of Education Zoning Administration Industrial

Mr. & Mrs. Phillip G. Huber 2715 Anderson Road White Hall, Maryland 21161

> RE: Case No. 84-285-A (Item No. 228) Petitioner - Phillip G. Huber, et ux Variance Petition

Dear Mr. & Mrs. Hubers

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.

Fnclosed 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. Michela B. Commadawful

NICHOLAS B. COMMODARI

Chairman Zoning Plans Advisory Committee

Enclosures

NBC:bsc

for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere. ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more. ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiens for review and approval. ( ) Prior to any new construction or substantial alteration of public swiming pool, wading pool, bathbouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services. ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health. ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

Zoning Item # 205 Zoning Advisory Committee Meeting of March (, 1934 ( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water quality and Waste Management at 191-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768. ( ) Soil percolation tests (have been/must be) conducted. The results are valid until Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required. ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled. ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until is not accomptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications. ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water camples. ( ) If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted. ( ) Others This existing residence is served by a well and Private sewane disposal system with an approved resource area. According to the master subdivision plat star and the original building receit dot the the proposed prod will be at least DO For Som the receive area or required by this office.

88 20 1283 (2) R

Ian J. Forrest, Director BURRAU CP BEVIRORIESTAL SERVICES

DALTIMORE COUNTY FIRE DEPARTMENT TOWSON MARY AND 21204-2566 494-4500

PAUL H REMICKE

March 14. 1984

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

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Phillip G. Huber, et ux

Location: SW/Cor. Anderson Rd and Shane Valley Court

Item No.: 228

Zoning Agenda: Meeting of 3/6/84

Centlemen:

Pursuant to your request, the refurenced 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 feet along an approved road in located at intervals or ar ordance with Baltimore County Standards as published by the lepartment of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EACEEDS 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 price to occupancy.

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

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

PEVIEWER: Part Jan Will 3-14-54 Approved: Planning Group / Fire Prevention Bureau

Special Inspection Division

## COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

RESOLUTION NO. 26-84

Legislative Session 1984, Legislative Day No. \_\_6\_

Mr. James T. Smith, Jr. Councilman

By the County Council, March 19, 1984

A RESOLUTION concerning the public disclosure of Phillip G. Huber.

WHEREAS, Phillip G. Huber, Major in the Baltimore County Police Department, is planning to construct an in-ground swimming pool on his residence known as 2715 Anderson Road in the White Hall section of Baltimore County, which swimming pool is or will be the subject of a petition for variance from the Baltimore County Zoning Regulations relating to the placement of an ancillary structure (pool) on a corner lot; and

WHEREAS, this Resolution is intended to serve as the public disclosure

required by Section 22-11(e) of the Baltimore County Code;

NOW, THEREFORE, Be it Resolved by the County Council of Baltimore County, Maryland, that the interest of Phillip G. Huber in the property described herein and the petition for zoning variance in connection therewith does not contravene the public welfare.

March 22 1984

#### BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Cosmissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 Zoning Item # 228, Zoning Advisory Committee Meeting of March 6,1984 Property more Phillip G. Huber, et ux Location: SW/ Cor. Anderson Road Sewage Disposal <u>Orivare</u> Water Supply \_\_\_\_\_OVIUATE\_ CONTENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility. complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts
- A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Peview and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunes, whirlpools, hot tubs, water and severage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must to in accordance with Water Resources Administration requirements.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Office of Planning & Coming FROM Police Department

Nicholas B. Commodari

March 21, 1984

1/2354

SUBJECT ZONING VARIANCE, VIEW #228

Attached please find a copy of County Council Resolution No. 26-84. I reiterate, I need an early hearing before the Zoning Commissioner, preferably the second week in April. Your assistance will be greatly appreciated.

Zoning Item # 228 Zoning Advisory Committee Meeting of Navak (, 1934)
Page 2

disposal of potentially hazardous materials and solid wastes.

( ) Soil percolation tests (have been/must be) conducted.

the minimum Baltimore County Standards must be drilled.

The results are valid until

additional tests are required.

shall be valid until

Applications.

( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or

Any abandoned underground storage tanks containing gasoline, waste oil, sol-

vents, etc., must have the contents removed by a licensed hauler and either

Soil percolation test results have expired. Petitioner should contact

the Division of Environmental Support Services to determine whether

Where water wells are to be used as a source of water supply, a well meeting

is not acceptable and must be retested. This must be accomplished

prior to conveyance of property and approval of Building Permit

( ) In accordance with Section 13-117 of the Baltimore County Code, the water

( ) Prior to occupancy approval, the potability of the water supply must be

( ) If submission of plans to the County Review Group is required, a Hydro-

(1) Others This existing residence is served by a well and

verified by collection of bacteriological and chemical water samples.

geological Study and an Environmental Effects Report must be submitted.

private sewage disposal system with an approved

the proposed eval will be AT least 20 First income

the reserve was At required by this affice.

According to the master subdivision

Burrau (17/ESVIBONOUS/TAL SESVICES

olan and the original building perait plat above

be removed from the property or properly backfilled. Prior to removal or

abandonment, owner must contact the Division of Water Quality and Waste

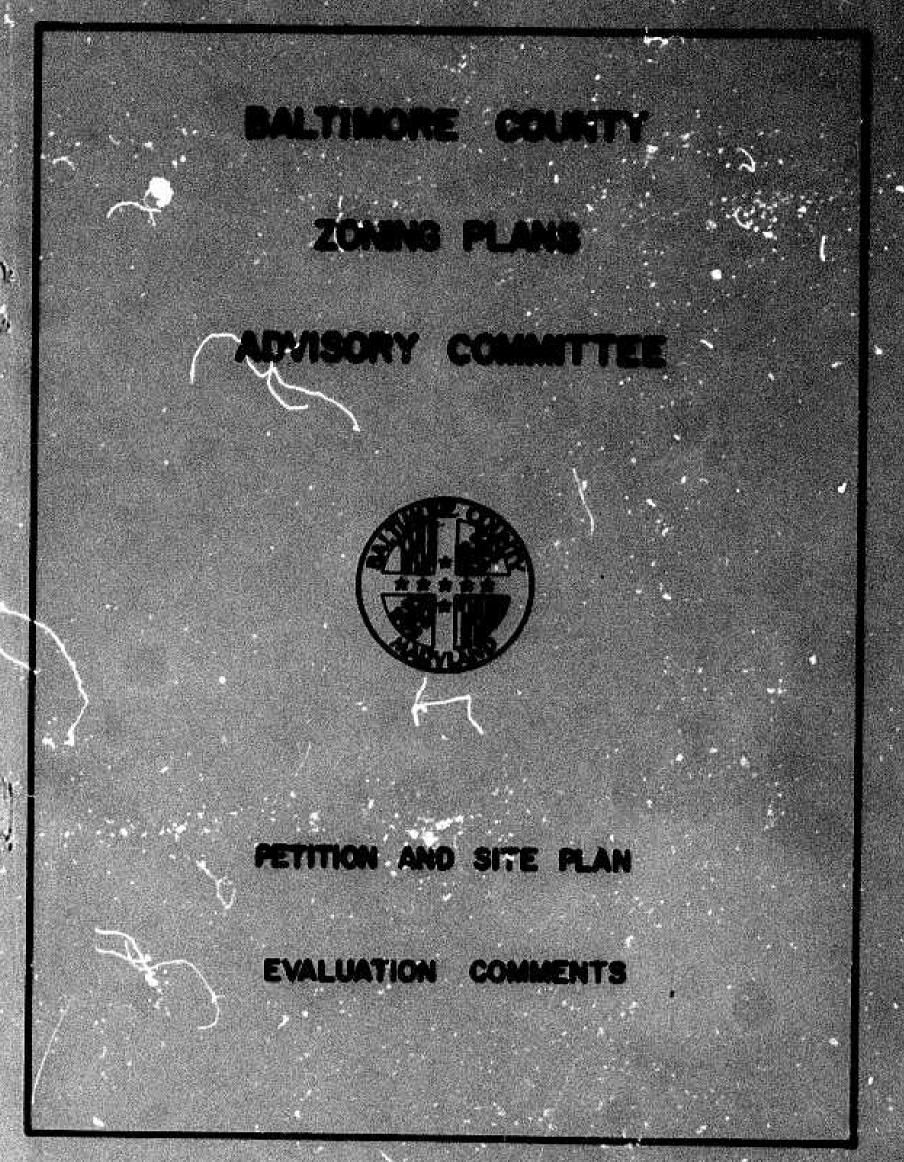
Phillip G. Huber, Planning & Budget Division

PGH:rlj Attachment

Management at L9L-3768.

well yield test

88 20 1283 (2) R



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE April 17, 1984 Coth.: Office Band. 111 W. Chesaveuse Ave. Towson, Maryland 2:20: Mr. & Mrs. Phillip G. Huber 2715 Anderson Road White Hall, Maryland 21161 Michales 3. Commoders Chairman RE: Case No. 81-285-A (Item No. 228) Petitioner - Phillip G. Huber, et ux METATAS Tarrance Petition Buteau of

Engineering

Department of Traffic Engineering State Roads Commissio Zuteau of Fire Provention Health Department Project Stanning Busident Capactrant

Board of Lauration inning werenistration Development

Dear Mr. & Mrs. Huber:

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 coning.

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 tition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, That ilis & Commalawfus

NICHELAS B. COPPOPARI Chairman

Coming Plans Advisory Committee

NBC:5sc Enclosures

DALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON MARYLAND 21204 NORMAN E GERDER DIRECTOR

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

2/14/84

Re: Zo ing Advisory Meeting of 3/6/54 1tm 1228 Property Owner: Phillip Huber, atax Location: 5 w car. Anderson Rd. , Show Vullay C+

Dear Mr. Jabion:

cc: James Hoswell

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

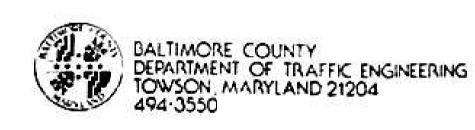
There are no site planning factors requiring comment.

A County Review Group Meeting is required. )A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. )This site is part of a larger tract; therfore 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 Saltimore County Master Plan. )The amended Development Plan was approved by the Planning Roard )Landscaping should be provided on this site and shown on the plan.
)The property is located in a deficient service area as defined by 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service )The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas

|Additional comments:

are re-evaluated annually by the County Council.

Chief, Current Planning and Development



STEPHEN E COLLINS DIRECTOR

March 8, 1984

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

> Item No. 225, 227, 228, and 229. ZAC- Meeting of Jarch t. 1984 Property Owner: Location: Existing Zoning: Proposed Zoning:

Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no conner for item numbers 225, 227, 228, and 229,

> Michael S. Flanigan Traific Englaceric Assoc. II

MSI/cem

23 20 1082 (1)

March 8, 1984

Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21200

Comments on Item # 228 Zoning Advisory Committee Meeting are as follows:

Property Owner: Phillip C. Huber, et ux

Location: SW/Cor. Anderson Road and Shane Valley Court Existing Zoning: R.C. 2 Proposed Zoning: Variance to permit an accessory structure to be located outside of the one-third of lot from side street (swimming

Acres: 240/255 x 275/260 District: 7th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-

B. A building/ & other / permitgahall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer scal is/IECEE required. Non-reproduced scals 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 firevall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table '40', also Section 503.2.
- P. Requested variance appears to conflict with the Baltimore County Building Code, Section/s \_\_\_\_\_
- 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 service, of a Registered in Maryland Architect or Engineer cortify 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 401.
- (1.) Comments Provide pool fence 4'-0 high as required by building code sections 627.9 with appropriate gates, latches, etc.

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 W. Chesapeake Ave.,

Very truly yours, Straste & Sumb --Charles E. Burnham, Chief

THE REPORT OF THE PARTY OF THE

### PETITION FOR VARIANCE

7th Election District

ZONING: Petition for Variance

Southwest corner Anderson Road and Shane Valley LOCATION:

Court (2715 Anderson Read)

DATE & TIME: Monday, Apri. 30, 1984 at 10:00 A.M.

PUBLIC HEARING:

Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

> Petition for Variance to permit accessory structure (in-ground pool) to be constructed outside of the one-third of lot farthest removed from side street

Being the property of Phillip G. Huber, 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



HARRY J. PISTEL, P. E. DIRECTOR

April 26, 1984

Mr. Armold Jablon Coning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #228 (1983-1984) Property Owner: Phillip G. Huber, et ux S/W cor. Anderson Rd. and Shane Valley Ct. Acres: 240/255 X 275/260 District: 7th

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 are not directly involved and are as secured by Public Works Agreement 77601, executed in conjunction with the development of "Shane Valley", of which this property is a part.

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.

There is a 20-foot drainage and utility easement centered upon the westerly outline of this Lot 17.

This office has no further comment in regard to the plan sui mitted for Zoning Advisory Committee review in connection with this Item 228 (1983-1984).

Very truly yours,

RAM: EAM: FWR:88

SS-SW Key Sheet

146 NE 7 Pos. Shect NE 37 B Topo 8 Tax Map

#### LEGAL DESCRIPTION OF PROPERTY

Property located at southwest corner of Anderson Road and Shane Valley Court, property being known as Lot 17 as shown on a plat entitled, "Plat 1, Shane Valley" and recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. No. 40, Folio 48. The improvements thereon being known as 2715 Anderson Road, Liber E.H.K., Jr. No. 5946 Polio 7.

> 2715 Anderson Road, White Hall, Maryland 21151 7th Election District

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO....Zoning Completioner

Norman E. Gerber, Director FROM Office of Planning and Zoning

Phillip G. Huber, et ux SUBJECT 84-285-A

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

> > Office of Planning and Zoning

Date\_\_ Agril 11, 1984

NEG/JGH/sf

PETITION FOR VARIANCE

7th Election District

ZONING:

DATE & TIME:

Petition for Variance

LOCATION: Southwest corner Anderson Road and Shane Valley Court (2715 Anderson Road)

Monday, April 30, 1984 at 10:00 A.M.

and Regulations of Baltimore County, will hold a public hearing:

PUBLIC HEARING: Room 106, Courty Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

Petition for Variance to permit accessory structure (in-ground po 1) to be constructed outside of the one-third of lot farthest removed from side street

Being the property of Phillip G. Huber, 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 perit 1. The Zoning Commissioner will, however, enter namy request for a stay of the iscuance 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 AENOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

ARNOLD JADLON ZONING COMMISSIONER

April 25, 1984

Mr. & Mrs. Phillip G. Huber 2715 Anderson Road White Hall, Maryland 21161

> Re: Petition for Variance SW/cor. Anderson Rd. & Shane Valley Ct. (2715 Anderson Road) Case No. 84-285-A

> > 15-1909

Dear Mr. and Mrs. Huber:

This is to advise you that \$42.68 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

M. 130259

LIJABLON g Commissioner

DATE 4-30-84 NY R-01-615-000

VALIDATION OR SIGNATURE OF CASHIER

April 3, 1964

Mr. & Mrs. Phillip G. Ruber 2715 Anderson Road White Hall, Marylan 21161

> NOTICE OF HEARING SN/corner Anderson Rd. & Shame Valley Ct. (2715 Anderson Road) Case No. 84-285-A

TIME: 10:00 A.M. DATE: Monday, April 30, 1984 PLACE: Room 106, County Office Buildir 7, 111 West Chesapeake Avenue, Towson, Maryland

> Zoning Compilesioner of Baltimore County

m. 126848 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

R-01-615-000 AMOUNT #35.00

Maior Phillip & Huber

Zoniko Verience The 228 @ 914e\*\*\*\*\*\*\* # 232A

VALIDATION OR SIGNATURE OF CASHIER

# CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., excectanged of one time representation before the 30th day of 19.84., the first publication appearing on the 12th day of 19.84.

D. Frank south

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Duilding 111 W. Chosapouko Avezue Townes, Maryland 21204

Your potition has been received and accepted for filing this

And Desired by Salar Committee Chairman, Leading Plans
Advisory Committee

DUPLICATE

## CERTIFICATE OF PUBLICATION

D. Frank Sirretan.

Manager.

Cost of Advertisement, \$\_\_\_\_/\_

District Department of Baltinons County
Towns, Maryland

District Date of Parting 4/15/80.

Proted for Children for Variable.

Postioner: Shillip Q Miller, et all

Location of property: See It anderson at & Blane

Calley Lt.

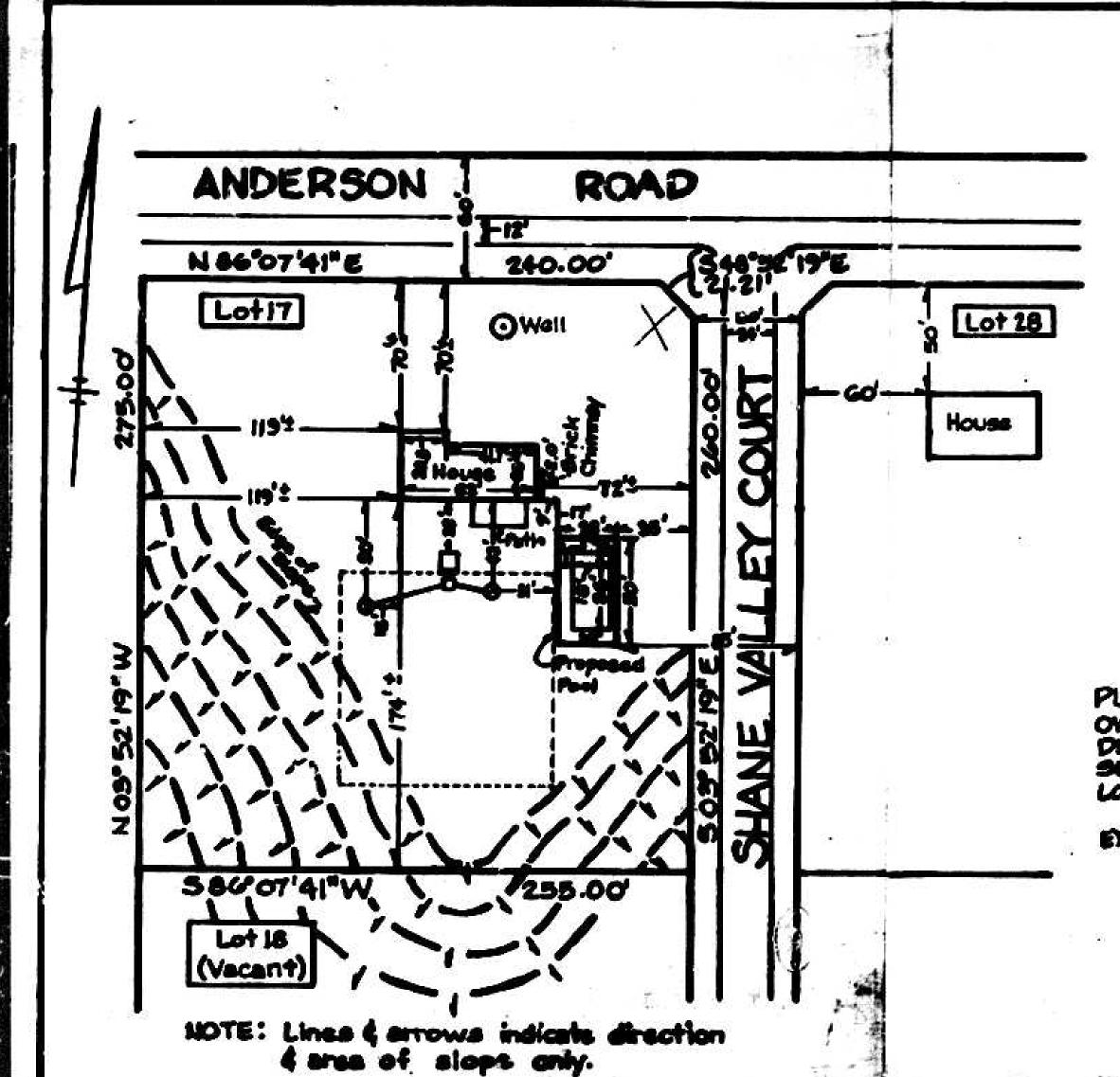
Location of Signer Front of Respectly (# 27/5 anderson

M.)

Remarks:

Proted by Blan 2 Leternan Date of return: 1/11/84

87-285-A



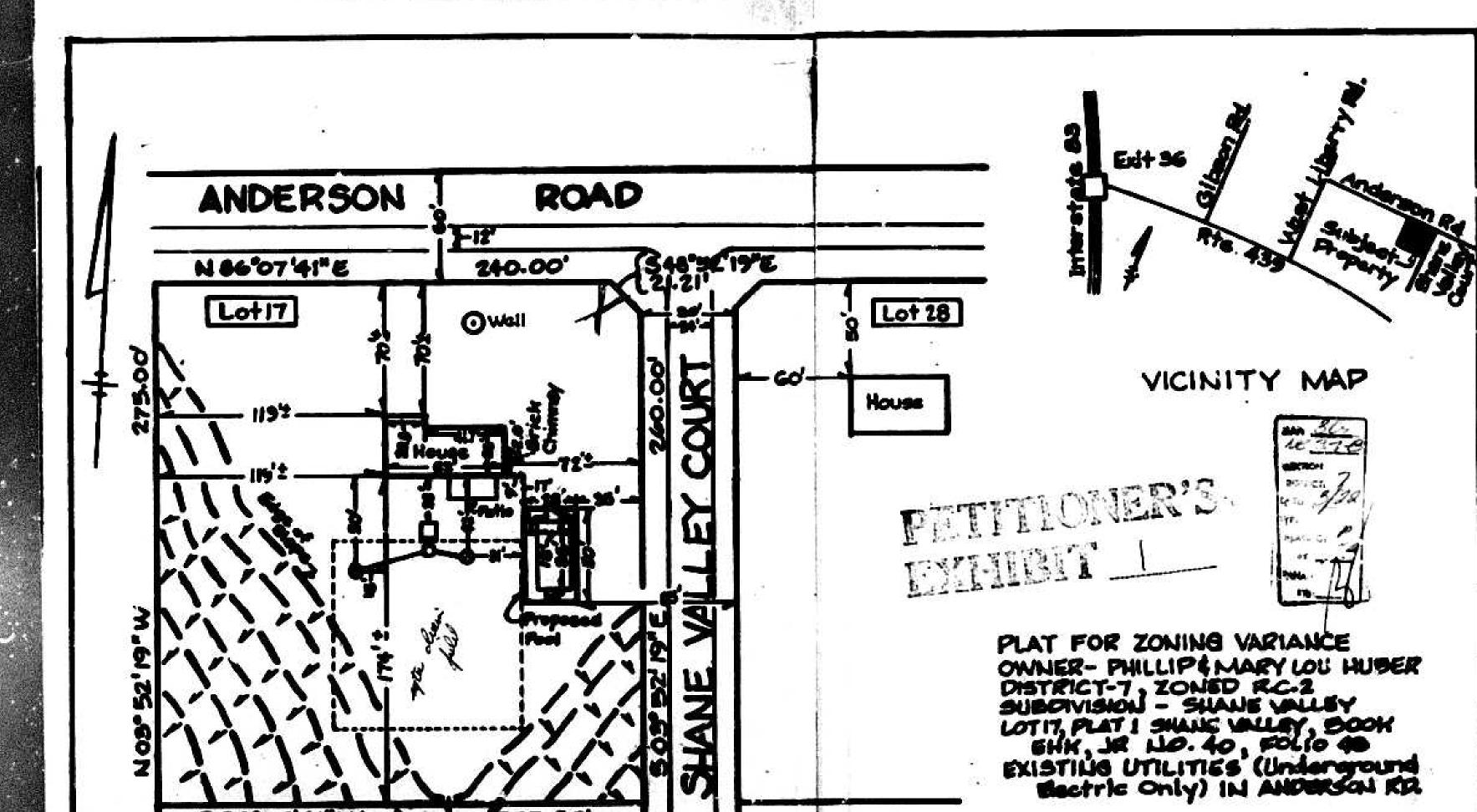
VICINITY MAP



PLAT FOR ZONING VARIANCE
OWNER- PHILLIP4 MARY LOU HUBER
DISTRICT-7, ZONED R.C.2
SUBDIVISION - SHANE VALLEY
LOTIT, PLAT I SHANE VALLEY, BOOK
EHK, JR LLO. 40, FOLIO 48
EXISTING UTILITIES (Underground
Esctric Only) IN AMORGON RP.

X5

Books: 1-50 Date: 3-22-64



Alce Co.

NOTE: Lines & arrows indicate direction 4 area of slope only.

(Vacant)

Santa: 1589 Earls 3 28 64