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 1A04.3.B.3 to permit a side yard setback of 40 ft. instead of the required 50 ft. and to amend the ser amended development plan of E1-Ray Farm lot 15 Block A. to construct a dwelling outside of the allowable building area. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. The house is a costom home designed for my families needs and I have already spent a considerable amount of money on the plans for the house. Also, the property was rather expensive. 2. My mother-in-law will soon be living with us and this is going to require separate living quarters on one floor for her. BALTIMORE COUNTY 3. Being a novelist at building a house, I was unaware of the size of the set back DEPARTMENT OF PUBLIC WORKS lines on my lot. The lot is very large, but it is narrow and also has a large TOWSON, MARYLAND 212C4 drainage and utility easement on it. I need this variance to build on the rear BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE of the lot.

Property is to be posted and advertised as prescribed by Zening Regulations. HARRY J. PISTEL, P. E. DIRECTOR June 19, 1985 August 5, 1985 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. Mr. George Albert Sevick, Jr. COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 2120/ 206 Ballard Avenue, 2nd Floor Baltimore, Maryland 21220 Mr. Arnold Jablon I/We do solemnly declare and affirm, 86-15-A Zoning Commissioner under the penalties of perjury, that I/we are the legal owner(s) of the property County Office Building Nicholas B. Commodari which is the subject of this Petition. Towson, Maryland 21204 Chairman RE: Item No. 326 - Case No. 86-15-A Contract Purchaser: Re: Items (#326-#330 & #332-#335 & #339 (1984-1985) Petitioner - George Albert Sevick, Jr., et ux Variance Petition MEMBERS Various Locations BALTIMORE COUNTY OFFICE OF PLANNING & ZONING (Type or Print Name) Bureau of Zoning Advisory Committee Engineering Meeting of May 14, 1985 Dear Mr. Sevick: County Office Puilding Department of 111 W. Chesapeake Avenue Traffic Engineering Dear Mr. Jablon: Towson, Maryland 21204 The Zoning Plans Advisory Committee has reviewed the plans State Roads Commissi submitted with the above referenced petition. The following comments The following comments are furnished in regard to the plats (Type or Print Name) Bureau of are not intended to indicate the appropriateness of the zoning action Your petition has been received and accepted for filing this Tire Prevention submitted to this office for review by the Zoning Advisory Committee Sandra Kay Swick requested, but to assure that all parties are made aware of plans or 4th day of June in connection iwth the subject items. City and State Health Department 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 Project Planning GENERAL COMMENTS: the Zoning Commissioner with recommendations as to the suitability of Attorney for Petitioner: Building Department the requested zoning. Since no public facilities are involved with any of the above 206 Ballard Ave. 2nd floor 574-7597 Board of Education referenced petitions, this office has no comment at this time. (Type or Print Name) Enclosed are all comments submitted from the members of the Zoning Administration However, at such time that the various applicants file for building Committee at this time that offer or request information on your Industrial permits, the Bureau of Public Services will comment on the existence Baltimore, Maryland 21220 petition. If similar comments from the remaining members are received Development and availability of public facilities to support any construction. City and State I will forward them to you. Otherwise, any comment that is not informa-Petitioner George Albert Sevick, Jr. Received by tive will be placed in the hearing file. This petition was accepted Name, address and phone number of legal owner, con-Very truly yours, for filing on the date of the enclosed filing certificate and a hearing tract purchaser or representative to be contacted Petitioner's Chairman, Zoning Plans scheduled accordingly. Attorney Advisory Committee City and State 206 Ballard Ave. 2nd floor /James A. Markle, P.E., Chief Kichalas B. Commodari, Attorney's Telephone No.: Balto., Md. 21220 Bus. 574-5574 Bureau of Public Services NICHOLAS B. COMMCDARI of June 1985, 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 10th day of QRDERED By The Zoning Commissioner of Baltimore County, this JAM:PMO:blp Chairman Zoning Plans Advisory Committee cc: file NBC:bsc Enclosures Zoning Commissioner of Baltimore County. BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610 BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586 BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING 494-4500 TED ZALESKI, JR. . May 17, 1985 PAUL H. REINCKE CHIEF NORMAN E. GERBER DIRECTOR ZONING DEPARTHS May 15, 1985 Mr. Arnold Jablon Zoning Commissioner Mr. Arnold Jablon Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning Zoning Commissioner Baltimore County Office Building JUNE 18, 1985 Mr. Arnold Jablon County Office Building Towson, Maryland 21204 Zoning Commissioner Towson, Maryland 21204 County Office Building Towson, Maryland 21204 Comments on Item # 326 Zoning Advisory Committee Meeting are as follows: Attention: Nick Commodari, Chairman Re: Zoning Advisory Meeting of MAY 14, 1985 Item No. 329, 327, 329, 330, 331, 334, and 337 ZAC Meeting of May 14, 1985 George Albert Sevick, Jr., et ux Zoning Plans Advisory Committee Item # 326
Property Owner: GEORGE ALBERT SEVICK IR. NW/ Side El Ray Road, 700 NE of c/l of Mt. Vista Road Property Owner: Location: NW/SIDE EL RAY RD. 700/ RE: Property Owner: George Albert Sevick, Jr., et ux Location: Existing Zoning: WE OF & OF MT. VISTA RD. Proposed Zoning: Location: NW/side El Ray Road, 700' NE of centerline of Mt. Vista Road All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #117-1 - 1980) and other applicable Codes and Standards. The Division of Current Planning and Development has reviewed the subject Zoning Agenda: Meeting of May 14, 1985 petition and offers the following comments. The items checked below are Item No.: 326 B A building and other miscellaneous permits shall be required before the start of any construction. Gentlemen: (X)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 C Residential: Two sets of construction drawings are required to file a pounit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data. Pursuant to your request, the referenced property has been surveyed by this Acres: forward by the Bureau of Public Services. Bureau and the comments below marked with an "X" are applicable and required)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract. District: D. Commercial: Three sets of construction drawings sealed and signed by a registered in Haryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable. to be corrected or incorporated into the final plans for the property.)A record plat will be required and must be recorded prior to issuance of a building permit. () 1. Fire hydrants for the referenced property are required and shall be)The access is not satisfactory. E. All Use Groups except R-4 Single Family Detached Duellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any well built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. Dear Mr. Jablon:)The circulation on this site is not satisfactory. located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the) ne parking arrangement is not satisfactory.
) Parking calculations must be shown on the plan. The Department of Traffic Engineering has no comments for item numbers 326, 327, 329, 330, 331, 334, and 337. Department of Public Works.)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 () 2. A second means of vehicle access is required for the site. I. The structure does not appear to comply with Table 505 for parmissable height/area. Reply to the requested under the provisions of Section 22-98 of the Development variance by this office cannot be considered until the necessary data pertaining to beight/area and construction type is provided. See Table 201 and 505 and have your architect/Engineer contact this department)Development of this site may constitute a potential conflict with () 3. The vehicle dead end condition shown at the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board G. The requested variance appears to conflict with Section(s) ______, of the Baltimore Count w Duilding Code.)Landscaping: Must comply with Baltimore County Landscape Manual. EXCEEDS the maximum allowed by the Fire Department. The property is located in a deficient service area as defined by H. When f ling for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Haryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use or Use . See Section 312 of the Building Code. Bill 178-79. No building permit may be issued until a Reserve MSF/ccm Capacity Use Certificate has been issued. The deficient service () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.)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 (X) 5. The buildings and structures existing or proposed on the site shall I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement. are re-evaluated annually by the County Council. comply with all applicable requirements of the National Fire Protection A COPY OF THE PORTION OF THE FINDL DEVELOPMENT RED WHICH SHOWS THIS LOT SHOULD BE INCLUDED IN THIS SUBMITTAL REFERENCE CURRENT PLANNING FILE

XI-375 Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy. () 6. Site plans are approved, as drawn. Eugene A. Bober Chief, Current Planning and Development Noted and Frol n. Markowitz E. These abbreviated 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 the applicant may obtain additional information by visiting Room 12? of the County Office Building at 111 Markie E Stembra.

BY: C. E. burn en, Chief
Building Plans Beview Fire Prevention Bureau Special Inspection Division

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Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict con:pliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted. Therefore, IT IS ORDERFD by the Zoning Commissioner of Baltimore County, this , 19——, that the herein Petition for Variance(s) to permit June 5, 1985 Mr. & Mrs. George A. Sevick, Jr. RE: PETITION FOR VARIANCE 206 Ballard Ave., 2nd Floor ZONING DESCRIPTION : BEFORE THE ZONING COMMISSIONER NW/S of E1-Ray Rd., 700 Balto., Md. 21220 NE of the Centerline of NOTICE OF HEARING OF BALTIMORE COUNTY Mt. Vista Rd., 11th Dist. Beginning on the NW/S of El-Pay Road at the distance of 700 ft. NE from the centerline of Mt. Vista Rd. Being Lot # 15, Block A, on the Plat RE: PETITION FOR ZONING VARIANCE NW/S of E1-Ray Rd., 700 ft. GEORGE A. SEVICK, Jr., of El - Ray Farms E.H.K. Jr. 47, folio 144. Also known as 8 Flray Road in the et ux, Petitioners 11 th. election district. NE/centerline of Mt. Vista Rd. 11th Election District ::::::: George A. Sevick, Jr., et ux. - Petitioners Case No. 86-15-A ENTRY OF APPEARANCE TIME: 10:00 a.m. Please enter the appearance of the People's Counsel in the above-Wednesday, July 10, 1985 captioned matter. Notices should be sent of any hearing dates or other PLACE: Room 106, County Office Building, 111 West Chesapeake proceedings in this matter and of the passage of any preliminary or Avenue, Towson, Maryland final Order. People's Counsel for Baltimore County Liter Max Zumenn Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 of Baltimore County I HEREBY CERTIFY that on this 19th day of June, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. George Albert Sevick, Jr., 206 Ballard Ave., 2nd Floor, Baltimore, MD 21220, Petitioner. 0 BALTIMORE COUNTY, MARYLAND DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 INTER-OFFICE CORRESPONDENCE The Petitioner seek relief from Section 1A04.3.B.3, pursuant to Section IN RE: PETITION ZONING VARIANCE BEFORE THE NW/S of Elray Road, 700' NE Arnold Jablon 307, and from Section 1801.3.A.7.c, Baltimore County Zoning Regulations (BCZR). of the centerline of Mt. Vista * ZONING COMMISSIONER TO Zoning Commissioner June 25, 1985 ARNOLD JABLON ZONING COMMISSIONER Road - 11th Election District An area variance may be granted where strict application of the zoning OF BALTIMORE COUNTY Norman E. Gerber, Director George A. Sevick, Jr., et ux, FROM Office of Planning and Zoning July 9, 1985 regulation would cause practical difficulty to the petitioner and his property. Case No. 86-15-A Petitioners McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area SUBJECT_Zoning_Petitions_No._86-16-A, 86-15-A, 86-9-A, 86-12-A, and 86-17-A Mr. & Mrs. George A. Sevick, Jr. 206 Ballard Ave., 2nd Floor variance, the petitioner must meet the following: Baltimore, Maryland 21220 1. whether strict compliance with requirement would unrea-FINDINGS OF FACT AND CONCLUSIONS OF LAW sonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; The Petitioners herein request a variance to permit a side yard setback of RE: Petition for Zoning Variance NW/S of E1-Ray Rd., 700 ft. NW/centerline of Mt. Vista Rd. 40 feet instead of the required 50 feet in order to construct their home, as 2. whether the grant would do substantial injustice to ap-There are no comprehensive planning factors requiring comment plicant as well as other property owners in the dison this petition. 11th Election District more particularly described on Petitioners' Exhibit 1, and if granted, to amend trict or whether a lesser relaxation than that applied George A. Sevick, Jr., et ux - Petitioners for would give substantial relief; and Case No. 86-15-A the 5th Amended Development Plan of Elray Farms, Block A, Lot 15, to construct whether relief can be granted in such fashion that the the home outside of the building envelope shown thereon. spirit of the ordinance will be observed and public safety and welfare secured. Office of Planning and Zoning Dear Mr. & Mrs. George Sevick, The Petitioners appeared and testified. There were no Protestants. Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). NEG:JGH:slm Testimony indicated that the subject property, zoned R.C.5, is long and This is to advise you that \$52.90 is due for advertising and posting of the above property. This fee must be paid before It is clear from the testimony that if the variance were granted, such use narrow and shaped like a boomerang. The property fronts on Elray Road, 106 feet an Order is issued. as proposed would not be contrary to the spirit of the BCZR and would not result wide at that point, stretches over 650 feet to the rear property line, and is This fee must be paid and the zoning sign and post returned in substantial detriment to the public good. on the day of the hearing. Do not remove sign until day of the 190 feet wide in the rear. The building envelopes for this subdivision are to After due consideration of the testimony and evidence presented, it is the rear of the properties, and the Petitioners have attempted to locate the Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building,

Towson Maryland 21,204 before g. clear that a practical difficulty or unreasonable hardship would result if the proposed home within this site's particular building area. However, they need a instant variance were not granted. It has been established that the requirehome larger than would fit due to plans for Mrs. Sevick's parents to live with BALTIMORE COUNTY, MARYLAND ment from which the Petitioners seek relief would unduly restrict the use of the them, and the custom home designed for them exceeds the envelope and transgress-OFFICE OF FINANCE - REVENUE DIVISION land due to the special conditions unique to this particular parcel. In audi-MISCELLANEOUS CASH RECEIPT R-01-615-000 reld Xellox es the east side yard setback required by law by ten feet. Due to the unusual tion, the variance requested will not be detrimental to the public health, safeshape of the property, the location of the envelope, and the existing well and Commissioner ty, and general welfare. large drainage and ubility easement, the home can only be located where pro-Pursuant to the advertisement, posting of the property, and public hearing RESEIVED M. Geo. Servick, Je. Indeed, to locate the house other than where proposed would still reon this Petition held, and for the reasons given above, the requested variance either a variance or an amendment to the development plan. The Petitionand mendment should be granted. 16, and he does not object to the requested relief. 8 031******5230:a 6108) - 2 -VALIDATION OR SIGNATURE OF CASHIER

UAN 15 838

DATE

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Therefore, IT IS ORDEPED by the Zoning Commissioner of Baltimore County, this ______ day of July, 1985, that the Petition for Zoning Variance to permit a side yard setback of 40 feet instead of the required 50 feet and, additionally, the amendment to the 5th Amended Development Plan of Elray Farms, Block A, Lot 15, be and are 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 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.

AJ/srl

cc: Mr. & Mrs. George Albert Sevick, Jr.

People's Counsel

ORDER

- 3 -

JULY 10, 1685 AT 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
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 Zoning Variance from Section 1A64.3.B.3 to permit a side yard antback of 40 feet instead of the required 50 feet and to amend the 5th

Petition

for Zoning Variance

11th Election District
LOCATION: Northwest side of ElRay Road, 700 feet Northeast of the
centerline of Mt. Vista Road.
DATE & TIME: WEDNESDAY.

amended development plan of El-Ray Farm lot 15 Block A to construct a dwelling outside of the allowable building area.
Being the property of George A.
Sevich, Jr. yet ar, as shown on the plat filed with the Zaning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner 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 By Order Of

This is to Certify, That the annexed

was inserted in Die Times, a newspaper printed and published in Baltimore County, once in each successive

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Location of property: NW/S FI-Ray Rd. 700' NE of MI. Vista Rd.

Location of Signe: Focing FT-Roy Rd, Approx 12' Fr. Youd Way, on Number of Signs: _

PETITION FOR ZONING VARIANCE

11th Election District

LOCATION:

Northwest side of El-Ray Road, 700 feet Northeast of the centerline of Mt. Vista Road.

DATE AND TIME:

Wednesday, July 10, 1985 at 10:00 a.m.

Room 106, County Office Building, 111 West Chesapeake PUBLIC HEARING: 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 Zoning Variance from Section 1A04.3.B.3 to permit a side yard setbac. of 40 feet instead of the required 50 feet and to amend the 5th amended development plan of E1-Ray Farm lot 15 Block A to construct a dwelling outside of the allowable building area.

Being the property of George A. Sevick, Jr., et ux as shown on the plat filed with the Zoning Office.

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.

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

JABLON COMMISSIONER TIMORE COUNTY

_ACCOUNT 01-615-000

B DEETANAMAN, D. B. S. I. D. I.

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE ::-11th Election District

LOCATION: Northwest side of El-Ray Road, 700 feet Northeast of the centerline of Mt. Vista Road. DATE AND TIME: Wednesday, July 10, 1985 at 10:00 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 W. Cherapeake Avenue, Towson,

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Zoning Variance from Section 1A04.3.B.3 to permit a side yard setback of 40 feet instead of the required 50 feet and to amend the 5th amended development plan of El-Ray

required 50 feet and to amend the 5th amended development plan of El-Ray Farm lot 15 Block A to construct 8 dwelling outside of the allowable building area.

Being the property of George A. Sevick, Jr., et ux as shown on the plat filed with the Zoning Office.

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

86-0-A 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., appearing on June 20 19 85

THE JEFFERSONIAN,

June 20

Publisher

Cost of Advertising 24.75

UTILITY SEMENT FARM N 89" 10" 21" E 190.00 170.15 DWELLING -5<u>0</u>5% LOT 16 PLAT OF ELRAY FARMS EHK.47/144 BLOCK 'A' SCALE 1":50" PLAT FOR: ZONING VARIANCE OWNER: GEORGE ALBERT SEVICK \$ SANDRA KAY SEVICK Zouing RC-5 11Th Election District LOCATION MAP DIST. Hc5

PARABON KOE