PETITION FOR ZONING VARIANCE

41-
86-104-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 ~~250.2 to permit a minimum side yard setback of 14'~~ in lieu of the required 30' and a sum of side yard setbacks of 32' in lieu of the required 80' and section 301.1 allow a side yard setback of 10' in lieu of the required 22.5', of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Building and setbacks are existing.
2. No buildings close on west side adjoining Hunt Valley Mall parking lot.
3. To upgrade property in keeping with work in progress at 4 and 5 Shawan Rd.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Edward P. Erler, Sr. (Type or Print Name)
Signature	Edward P. Erler Sr. (Signature)
Address	Reita L. Erler (Type or Print Name)
City and State	Reita L. Erler (Signature)
Attorney for Petitioner:	Ike 415
(Type or Print Name)	16938 Flickerwood Rd. Md. 21120 Address Phone No.
Signature	Parkton, Md. 21120 343 0434 City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Edward P. Erler, Sr. Name
Attorney's Telephone No.:	16938 Flickerwood Rd. Md. 21120 Address Phone No.

MAP 3D NW 19-B
ELECTION DISTRICT 8
DATE 2/21/86
TYPE
RECEIVED A
BY RE
FINAL
BY

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of July, 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 11th day of September, 1985, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE Sept. 11, 1985
BY Barbara A. Stillard
ADMINISTRATIVE ASSISTANT

32/104-A
#415

Edward P. Erler, Sr., et ux 86-104-A
N/S Shawan Road, 450' W/York Road
(6 Shawan Road)
8th Dist.

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 11, 1985

Mr. & Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Maryland 21120

RE: PETITION FOR VARIANCE
N/S of Shawan Road, 450' W/
York Road, (6 Shawan Road)
8th Election District
Edward P. Erler, Sr., et ux,
Petitioners
Case No. 86-104-A

Dear Mr. & Mrs. Erler:

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

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

IN RE: PETITION FOR VARIANCE N/S of Shawan Road, 450' W/ York Road, (6 Shawan Road) 8th Election District Edward P. Erler, Sr., et ux, Petitioners	•	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-104-A

* * * * * * * * * * *

The Petitioners herein request variances to permit a minimum side yard setback of 14 feet in lieu of the required 30 feet, a sum of side yard setbacks of 32 feet in lieu of the required 80 feet, and to allow a side yard setback of 10 feet in lieu of the required 22.5 feet.

Testimony indicated that the Petitioners propose to enlarge an existing 36' x 28' office building with setbacks of 14 feet on the west side and 18 feet on the east side with a 26' x 28' addition having the same setbacks. At the suggestion of the Baltimore County Department of Traffic Engineering they intend to establish a common entrance with the site to the east and therefore must rearrange the revised plan submitted (Petitioner's Exhibit 3) only to the extent of placing the open porch/deck and building entrance on the east instead of the west side of the building. The requested 10-foot setback for an open porch is no longer needed. There were no protestants.

After due consideration of the testimony and evidence presented, 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 some of the variances requested would not adversely affect the health, safety and general welfare of the community, and, therefore, the variances should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 11th day of September, 1985, that the herein Petition for Variances to permit a minimum side yard setback of 14 feet in lieu of the required 30 feet and a sum of side yard setbacks of 32 feet in lieu of the required 80 feet are hereby GRANTED, from and after the date of this Order.

The variance for a side yard setback of 10 feet in lieu of the required 22.5 feet is no longer needed and, as such, is hereby dismissed.

Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

ORDER RECEIVED FOR FILING
DATE Sept. 11, 1985
BY Barbara A. Stillard
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING
DATE Sept. 11, 1985
BY Barbara A. Stillard
ADMINISTRATIVE ASSISTANT

PETITION FOR VARIANCE
8th Election District

LOCATION: North side of Shawan Road, 450' West of York Road (6 Shawan Road)

DATE AND TIME: Wednesday, September 11, 1985 at 10:30 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 Variances from Section 250.2 to permit a minimum side yard setback of 14' in lieu of the required 30' and a sum of side yard setbacks of 32' in lieu of the required 80' and Section 301.1 to allow a side yard setback of 10' in lieu of the required 22.5'.

Being the property of Edward P. Erler, Sr., 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
OF BALTIMORE COUNTY

BEGINNING at a point on the north side of Shawan Road, 450' to York Road and running the following courses and distances; northerly 200', thence westerly 59', thence southerly 200', thence 59' to the point of beginning. Otherwise known as 6 Shawan Road, in the 8th Election District.

RE: PETITION FOR VARIANCES N/S Shawan Rd., 450' W/York Rd. (6 Shawan Rd.), 8th District EDWARD P. ERLER, SR., et ux, Petitioners	: : : : : :	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-104-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
People's Counsel for Baltimore County

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

AUG 16 AM
ZONING DEPARTMENT
By

I HEREBY CERTIFY that on this 15th day of August, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Edward P. Erler, Sr., 16938 Flickerwood Rd., Parkton, MD 21120, Petitioners.

Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

September 5, 1985

Mr. & Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Maryland 21120

Re: Petition for Zoning Variance
N/S Shawan Rd., 450' W. York Rd.
(6 Shawan Road) - 8th Elec. Dist.
Edward P. Erler, Sr., et ux - Petitioners
Case No. 86-104-A

Dear Mr. & Mrs. Erler:

This is to advise you that $72.25 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, County Office Building, Towson, Maryland.

Very truly yours,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012515
DATE 9-11-85 ACCOUNT 01-615-000
AMOUNT $72.25
RECEIVED FROM: Mrs Edward P Erler, Sr.
FOR: Adv & Posting 86-104-A
B 012500 MVRC 72250 PAID
VALIDATION OR SIGNATURE OF CASHIER

APR 11 1988

Mr. & Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Md. 21120

August 10, 1985

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S Shawan Rd., 450' W/York Rd.
(6 Shawan Road) - 8th Elec. Dist.
Edward P. Erler, Sr., et ux - Petitioners
Case No. 86-104-A

TIME: 10:30 a.m.

DATE: Wednesday, September 11, 1985

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

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 008541

DATE 6/28/85 ACCOUNT R-01-615-000

AMOUNT $ 100.00

RECEIVED FROM: Edward + Reita Erler

FOR: Erler Variance

6 B[illegible] 10000:a 825SF

415

VALIDATION OR SIGNATURE OF CASHIER

...mmissioner
...re County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 19, 1985

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

oOo

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. and Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Maryland 21120

RE: Item No. 415 - Case No. 86-104-A
Petitioners - Edward P. Erler, Sr., et ux
Variance Petition

Dear Mr. and Mrs. Erler:

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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

AUGUST 21, 1985

Re: Zoning Advisory Meeting of JULY 9, 1985
Item # 415
Property Owner: EDWARD P. ERLER, SR. et ux
Location: N/S SHAWAN RD. 450' W. OF YORK RD.

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.

(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 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 Baltimore County Master Plan.
( ) The amended Development Plan was approved by the Planning Board on ________.
(X) Landscaping: Must comply with Baltimore County Landscape Manual.
( ) 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:

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

9/11
86-104-A

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 1, 1985

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

Item No. 415 -ZAC- Meeting of July 9, 1985
Property Owner: Edward P. Erler, Sr., et ux
Location: N/S Shawan Road, 450' W. of York Road
Existing Zoning: MLR
Proposed Zoning: Variance to permit a minimum side yard setback of 14' in lieu of the required 30' and a sum of side yard setbacks of 32' in lieu of the required 80' and to allow a side yard setback of 10' in lieu of the required 22.5'.

Acres: 60' X 260'
District: 8th

Dear Mr. Jablon:

It is recommended that this site have a common entrance with the site to the east.

The site to the east of this property is called Shawan Pl. and was reviewed as item #117 and was also reviewed as a C.R.G. ITEM.

Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

Aug 20, 85
Date

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 415, Zoning Advisory Committee Meeting of July 9, 85
Property Owner: Edward P. Erler, Sr., et ux
Location: N/S Shawan Road District 8
Water Supply public Sewage Disposal Septic System
public sewer proposed

COMMENTS 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 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 Hygiene for review and approval.

( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, 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.

SS 20 1082 (1)

9/11
86-104

Zoning Item # 415 Zoning Advisory Committee Meeting of July 9, 85
Page 2

( ) 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 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 acceptable 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 samples.

( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

(✓) Others Approval by this office of a Building Permit for the proposed addition will be contingent upon extension of public sewer to this property and the connection of this addition to it.
Existing septic system must be backfilled in its entirety when public sewer is connected.

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

August 1, 1985

Mr. Arnold Jablon
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:* Edward P. Erler, Sr., et ux

Location: N/S Shawan Road, 450' W. of York Road

Item No.: 415 *Zoning Agenda:* Meeting of 7/9/85

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 or ________ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.*

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

( ) 3. *The vehicle dead end condition shown at ________*

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. *The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.*

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

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

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

REVIEWER: Capt Joseph Kelly 8-1-85
Planning Group
Special Inspection Division

Noted and Approved: Errol M. Markowitz
Fire Prevention Bureau

/mb

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

TED ZALESKI, JR.
DIRECTOR

August 19, 1985

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

Dear Mr. Jablon:

Comments on Item # 415 Zoning Advisory Committee Meeting are as follows:

Property Owner: Edward P. Erler, Sr. et ux
Location: N/S Shawan Road, 450' W. of York Road
District: 8th.

APPLICABLE ITEMS ARE CIRCLED:

(A.) 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.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B.) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(D.) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Detached Dwellings 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 wall 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.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ________, ________, of the Baltimore County Building Code.

H. When filing 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. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use ________ to Use ________, or to Mixed Uses ________ ________ ________. See Section 312 of the Building Code.

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.

(J.) Comments: Indicate handicapped parking location, signs, access to building, etc. Handicapped ramps shall comply to Section 815. The rise shall be limited to 1:12 ratio.

K. 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 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
BY: C. E. Burnham, Chief
Building Plans Review

4/22/85

APR 11 1986

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon
Zoning Commissioner — Date August 26, 1985

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

SUBJECT Zoning Petition No. 86-91-A, 86-95-A, 86-100-X, 86-103-A, 86-104-A and 86-106-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

To: Baltimore County

The Owners of Shawan Place have been made aware of the Ehler's request for additional space at their location on Shawan Road. Marblehill Partnership has worked very closely with the Ehler's in duveloping our property, Shawan Place. We are continuing to help each other out in our development plans. If in the opinion of Baltimore County, a common entrance or combined parking would be recommended we would be more than happy to cooperate.

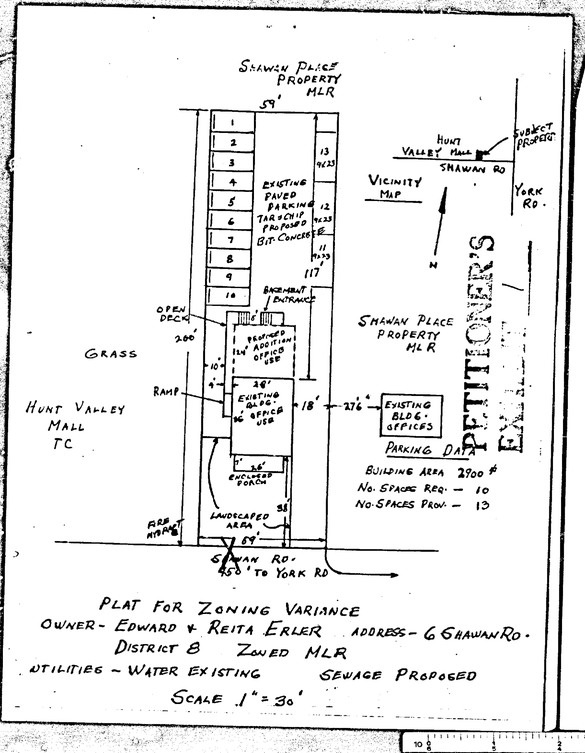
Please feel free to call if you have any questions. We look forward to working with the Ehler's in enhancing both our propertius.

Sincerely,

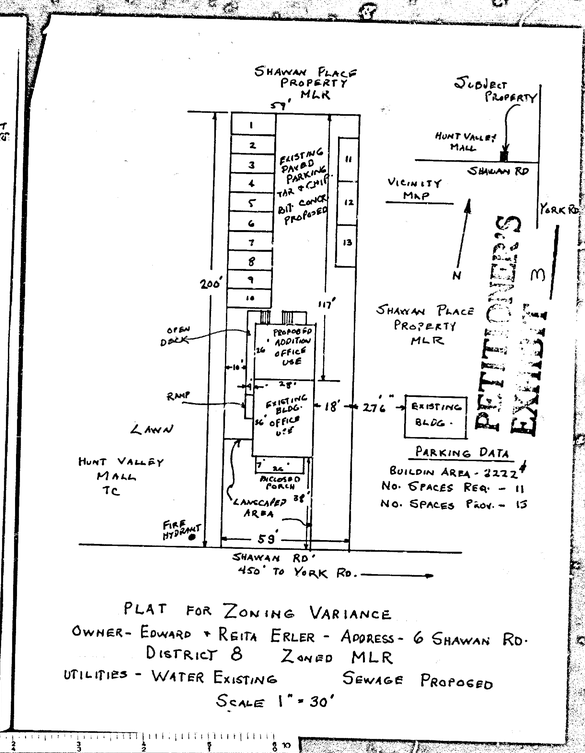
Robert Pollock
Partner
Marblehill Partnership

RP/kag

PETITIONER'S EXHIBIT 2



PLAT FOR ZONING VARIANCE
OWNER- EDWARD + REITA ERLER ADDRESS- 6 SHAWAN RD.
DISTRICT 8 ZONED MLR
UTILITIES - WATER EXISTING SEWAGE PROPOSED
SCALE 1" = 30'



PLAT FOR ZONING VARIANCE
OWNER- EDWARD + REITA ERLER - ADDRESS- 6 SHAWAN RD.
DISTRICT 8 ZONED MLR
UTILITIES - WATER EXISTING SEWAGE PROPOSED
SCALE 1" = 30'

86-104-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 22, 1985

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 August 22, 1985

THE JEFFERSONIAN,

Publisher

Cost of Advertising
24.75

PETITION FOR VARIANCE
8th Election District

LOCATION: North side of Shawan Road, 450' West of York Road (6 Shawan Road)
DATE AND TIME: Wednesday, September 11, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Variances from Section 250.2 to permit a minimum side yard setback of 14' in lieu of the required 30' and a sum of side yard setbacks of 25' in lieu of the required 80' and Section 307.1 to allow a side yard setback of 10' in lieu of the required 22.5'.

Being the property of Edward P. Erler, Sr., 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 hear no petition filed within that period 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

Aug. 22.

86-104-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 21, 1985

TOWSON TIMES,

Publisher

42.50

PETITION FOR VARIANCE
8th Election District

LOCATION: North side of Shawan Road, 450' West of York Road (6 Shawan Road)
DATE AND TIME: Wednesday, September 11, 1985 at 10:30 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 Variances from Section 250.2 to permit a minimum side yard setback of 14' in lieu of the required 30' and a sum of side yard setbacks of 25' in lieu of the required 80' and Section 307.1 to allow a side yard setback of 10' in lieu of the required 22.5'.

Being the property of Edward P. Erler, Sr., 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 hear no petition filed within that period 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

L78336-5766. 8/21

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-104-A

District 8th — Date of Posting Aug 23, 1985
Posted for: Variance
Petitioner: Edward P. Erler, Sr. et ux
Location of property: N/S of Shawan Road, 450' W of York Rd (6 Shawan Road)
Location of Signs: Corner of 6 Shawan Road
Remarks:
Posted by R. J. Ortt (Signature) — Date of return August 23, 1985
Number of Signs: 1

Case No. 86-104-A

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 31 day of July, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Edward P. Erler, Sr., et ux — Received by: James E. Dyer
Petitioner's Attorney

JAMES E. DYER, Chairman
Zoning Plans Advisory Committee

RECEIVED
BALTIMORE COUNTY
ZONING DEPARTMENT
By

86-104-A
Rec'd July 8 1985
169387 Fletcherwood Rd
Parkton Md. 21120

Baltimore County Zoning Dept
Towson, Md.
Attn: N. P. Ackar, Sr, clerk
Room No. 415

Dear Sir

On June 28/1985 we filed for a Variance on our property at 6 Shawan Rd, Cockeysville.

As our architects drawings had not been finalized at that time it has been suggested that the depth of the proposed addition be 26 feet instead of 24 feet.

As this dimension is not critical to the variance being requested we would like to amend our application to reflect this change.

The account # on our receipt is R-01-615-000.

Yours truly,
Edward + Reita Erler

APR 11 1986

PETITION FOR ZONING VARIANCE

41-
86-104-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 ~~250.2 to permit a minimum side yard setback of 14'~~ in lieu of the required 30' and a sum of side yard setbacks of 32' in lieu of the required 80' and section 301.1 allow a side yard setback of 10' in lieu of the required 22.5', of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Building and setbacks are existing.
2. No buildings close on west side adjoining Hunt Valley Mall parking lot.
3. To upgrade property in keeping with work in progress at 4 and 5 Shawan Rd.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Edward P. Erler, Sr. (Type or Print Name)
Signature	Edward P. Erler Sr. (Signature)
Address	Reita L. Erler (Type or Print Name)
City and State	Reita L. Erler (Signature)
Attorney for Petitioner:	Ike 415
(Type or Print Name)	16938 Flickerwood Rd. Md. 21120 Address Phone No.
Signature	Parkton, Md. 21120 343 0434 City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Edward P. Erler, Sr. Name
Attorney's Telephone No.:	16938 Flickerwood Rd. Md. 21120 Address Phone No.

MAP 3D NW 19-B
ELECTION DISTRICT 8
DATE 2/21/86
TYPE
RECEIVED A
BY RE
FINAL
BY

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of July, 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 11th day of September, 1985, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE Sept. 11, 1985
BY Barbara A. Stillard
ADMINISTRATIVE ASSISTANT

32/104-A
#415

Edward P. Erler, Sr., et ux 86-104-A
N/S Shawan Road, 450' W/York Road
(6 Shawan Road)
8th Dist.

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 11, 1985

Mr. & Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Maryland 21120

RE: PETITION FOR VARIANCE
N/S of Shawan Road, 450' W/
York Road, (6 Shawan Road)
8th Election District
Edward P. Erler, Sr., et ux,
Petitioners
Case No. 86-104-A

Dear Mr. & Mrs. Erler:

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

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

IN RE: PETITION FOR VARIANCE N/S of Shawan Road, 450' W/ York Road, (6 Shawan Road) 8th Election District Edward P. Erler, Sr., et ux, Petitioners	•	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-104-A

* * * * * * * * * * *

The Petitioners herein request variances to permit a minimum side yard setback of 14 feet in lieu of the required 30 feet, a sum of side yard setbacks of 32 feet in lieu of the required 80 feet, and to allow a side yard setback of 10 feet in lieu of the required 22.5 feet.

Testimony indicated that the Petitioners propose to enlarge an existing 36' x 28' office building with setbacks of 14 feet on the west side and 18 feet on the east side with a 26' x 28' addition having the same setbacks. At the suggestion of the Baltimore County Department of Traffic Engineering they intend to establish a common entrance with the site to the east and therefore must rearrange the revised plan submitted (Petitioner's Exhibit 3) only to the extent of placing the open porch/deck and building entrance on the east instead of the west side of the building. The requested 10-foot setback for an open porch is no longer needed. There were no protestants.

After due consideration of the testimony and evidence presented, 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 some of the variances requested would not adversely affect the health, safety and general welfare of the community, and, therefore, the variances should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 11th day of September, 1985, that the herein Petition for Variances to permit a minimum side yard setback of 14 feet in lieu of the required 30 feet and a sum of side yard setbacks of 32 feet in lieu of the required 80 feet are hereby GRANTED, from and after the date of this Order.

The variance for a side yard setback of 10 feet in lieu of the required 22.5 feet is no longer needed and, as such, is hereby dismissed.

Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

ORDER RECEIVED FOR FILING
DATE Sept. 11, 1985
BY Barbara A. Stillard
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING
DATE Sept. 11, 1985
BY Barbara A. Stillard
ADMINISTRATIVE ASSISTANT

PETITION FOR VARIANCE
8th Election District

LOCATION: North side of Shawan Road, 450' West of York Road (6 Shawan Road)

DATE AND TIME: Wednesday, September 11, 1985 at 10:30 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 Variances from Section 250.2 to permit a minimum side yard setback of 14' in lieu of the required 30' and a sum of side yard setbacks of 32' in lieu of the required 80' and Section 301.1 to allow a side yard setback of 10' in lieu of the required 22.5'.

Being the property of Edward P. Erler, Sr., 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
OF BALTIMORE COUNTY

BEGINNING at a point on the north side of Shawan Road, 450' to York Road and running the following courses and distances; northerly 200', thence westerly 59', thence southerly 200', thence 59' to the point of beginning. Otherwise known as 6 Shawan Road, in the 8th Election District.

RE: PETITION FOR VARIANCES N/S Shawan Rd., 450' W/York Rd. (6 Shawan Rd.), 8th District EDWARD P. ERLER, SR., et ux, Petitioners	: : : : : :	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-104-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
People's Counsel for Baltimore County

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

AUG 16 AM
ZONING DEPARTMENT
By

I HEREBY CERTIFY that on this 15th day of August, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Edward P. Erler, Sr., 16938 Flickerwood Rd., Parkton, MD 21120, Petitioners.

Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

September 5, 1985

Mr. & Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Maryland 21120

Re: Petition for Zoning Variance
N/S Shawan Rd., 450' W. York Rd.
(6 Shawan Road) - 8th Elec. Dist.
Edward P. Erler, Sr., et ux - Petitioners
Case No. 86-104-A

Dear Mr. & Mrs. Erler:

This is to advise you that $72.25 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, County Office Building, Towson, Maryland.

Very truly yours,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012515
DATE 9-11-85 ACCOUNT 01-615-000
AMOUNT $72.25
RECEIVED FROM: Mrs Edward P Erler, Sr.
FOR: Adv & Posting 86-104-A
B 012500 MVRC 72250 PAID
VALIDATION OR SIGNATURE OF CASHIER

APR 11 1988

Mr. & Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Md. 21120

August 10, 1985

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S Shawan Rd., 450' W/York Rd.
(6 Shawan Road) - 8th Elec. Dist.
Edward P. Erler, Sr., et ux - Petitioners
Case No. 86-104-A

TIME: 10:30 a.m.

DATE: Wednesday, September 11, 1985

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

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

No. 008541

DATE 6/28/85 ACCOUNT R-01-615-000

AMOUNT $ 100.00

RECEIVED FROM: Edward + Reita Erler

FOR: Erler Variance

6 Shawan Rd. ...10000:a 8255F

415

VALIDATION OR SIGNATURE OF CASHIER

...mmissioner
...re County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
August 19, 1985

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

oOo

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. and Mrs. Edward P. Erler, Sr.
16938 Flickerwood Road
Parkton, Maryland 21120

RE: Item No. 415 - Case No. 86-104-A
Petitioners - Edward P. Erler, Sr., et ux
Variance Petition

Dear Mr. and Mrs. Erler:

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,

James E. Dyer, *ler*

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

AUGUST 21, 1985

Re: Zoning Advisory Meeting of JULY 9, 1985
Item # 415
Property Owner: EDWARD P. ERLER, SR. et ux
Location: N/S SHAWAN RD. 450' W. OF YORK RD.

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.

- (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 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 Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board on ______.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- ( ) 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:

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

9/11
86-104-A

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 1, 1985

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

Item No. 415 -ZAC- Meeting of July 9, 1985
Property Owner: Edward P. Erler, Sr., et ux
Location: N/S Shawan Road, 450' W. of York Road
Existing Zoning: MLR
Proposed Zoning: Variance to permit a minimum side yard setback of 14' in lieu of the required 30' and a sum of side yard setbacks of 32' in lieu of the required 80' and to allow a side yard setback of 10' in lieu of the required 22.5'.

Acres: 60' X 260'
District: 8th

Dear Mr. Jablon:

It is recommended that this site have a common entrance with the site to the east.

The site to the east of this property is called Shawan Pl. and was reviewed as item #117 and was also reviewed as a C.R.G. ITEM.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm

Aug 20, 85
Date

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 415, Zoning Advisory Committee Meeting of July 9, 85

Property Owner: Edward P. Erler, Sr., et ux

Location: N/S Shawan Road District 8

Water Supply public Sewage Disposal Septic System
public sewer proposed

COMMENTS 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 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 Hygiene for review and approval.

( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, 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.

SS 20 1082 (1)

9/11 86-104

Zoning Item # 415 Zoning Advisory Committee Meeting of July 9, 85
Page 2

( ) 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 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 acceptable 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 samples.

( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

(✓) Others Approval by this office of a Building Permit for the proposed addition will be contingent upon extension of public sewer to this property and the connection of this addition to it.
Existing septic system must be backfilled in its entirety when public sewer is connected.

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

August 1, 1985

Mr. Arnold Jablon
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: Edward P. Erler, Sr., et ux

Location: N/S Shawan Road, 450' W. of York Road

Item No.: 415 Zoning Agenda: Meeting of 7/9/85

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 or ______ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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

( ) 3. The vehicle dead end condition shown at ______
EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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

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

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

REVIEWER: Capt Joseph Kelly 8-1-85
Planning Group
Special Inspection Division

Noted and Approved: Errol M. Markowitz
Fire Prevention Bureau

/mb

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

TED ZALESKI, JR.
DIRECTOR

August 19, 1985

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

Dear Mr. Jablon:

Comments on Item # 415 Zoning Advisory Committee Meeting are as follows:

Property Owner: Edward P. Erler, Sr. et ux
Location: N/S Shawan Road, 450' W. of York Road
District: 8th.

APPLICABLE ITEMS ARE CIRCLED:

(A.) 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.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B.) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(D.) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Detached Dwellings 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 wall 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.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ______, ______, of the Baltimore County Building Code.

H. When filing 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. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use ______ to Use ______, or to Mixed Uses ______ ______ ______. See Section 312 of the Building Code.

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.

(J.) Comments: Indicate handicapped parking location, signs, access to building, etc. Handicapped ramps shall comply to Section 815. The rise shall be limited to 1:12 ratio.

K. 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 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
BY: C. E. Burnham, Chief
Building Plans Review

4/22/85

APR 11 1988

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon
Zoning Commissioner — Date August 26, 1985

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

SUBJECT Zoning Petition No. 86-91-A, 86-95-A, 86-100-X, 86-103-A, 86-104-A and 86-106-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

To: Baltimore County

The Owners of Shawan Place have been made aware of the Ehler's request for additional space at their location on Shawan Road. Marblehill Partnership has worked very closely with the Ehler's in duveloping our property, Shawan Place. We are continuing to help each other out in our development plans. If in the opinion of Baltimore County, a common entrance or combined parking would be recommended we would be more than happy to cooperate.

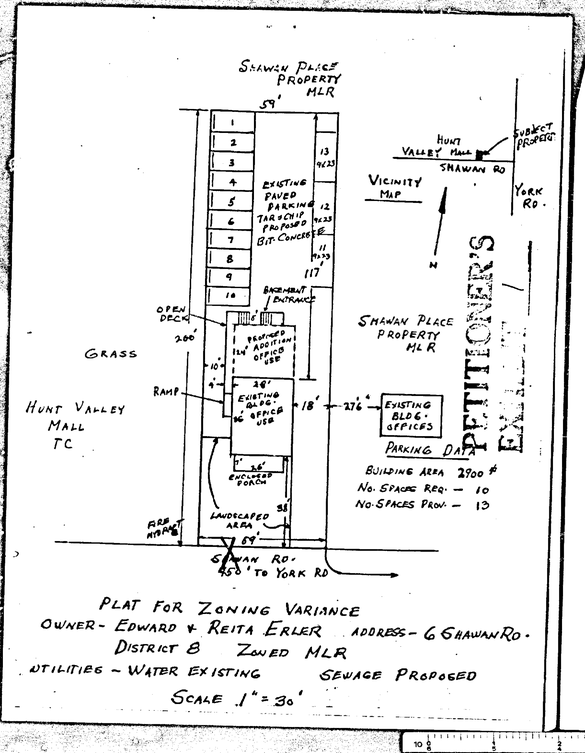
Please feel free to call if you have any questions. We look forward to working with the Ehler's in enhancing both our propertius.

Sincerely,

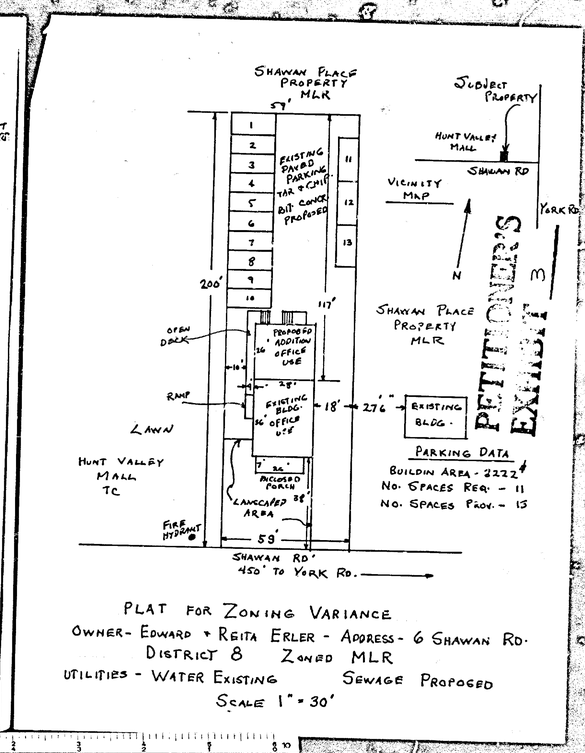
Robert Pollock
Partner
Marblehill Partnership

RP/kag

PETITIONER'S EXHIBIT 2



PLAT FOR ZONING VARIANCE
OWNER- EDWARD + REITA ERLER ADDRESS- 6 SHAWAN RD.
DISTRICT 8 ZONED MLR
UTILITIES - WATER EXISTING SEWAGE PROPOSED
SCALE 1" = 30'



PLAT FOR ZONING VARIANCE
OWNER- EDWARD + REITA ERLER - ADDRESS- 6 SHAWAN RD.
DISTRICT 8 ZONED MLR
UTILITIES - WATER EXISTING SEWAGE PROPOSED
SCALE 1" = 30'

86-104-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 22, 1985

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 August 22, 1985

THE JEFFERSONIAN,

Publisher

Cost of Advertising
24.75

PETITION FOR VARIANCE
8th Election District

LOCATION: North side of Shawan Road, 450' West of York Road (6 Shawan Road)
DATE AND TIME: Wednesday, September 11, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Variances from Section 250.2 to permit a minimum side yard setback of 14' in lieu of the required 30' and a sum of side yard setbacks of 25' in lieu of the required 80' and Section 307.1 to allow a side yard setback of 10' in lieu of the required 22.5'.

Being the property of Edward P. Erler, Sr., 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 hear no petition filed within that period 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

Aug. 22.

86-104-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 21, 1985

TOWSON TIMES,

Publisher

42.50

PETITION FOR VARIANCE
8th Election District

LOCATION: North side of Shawan Road, 450' West of York Road (6 Shawan Road)
DATE AND TIME: Wednesday, September 11, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

L78336-5766. 8/21

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-104-A

District 8th — Date of Posting Aug 23, 1985
Posted for: Variance
Petitioner: Edward P. Erler, Sr. et ux
Location of property: N/S of Shawan Road, 450' W of York Rd (6 Shawan Road)
Location of Signs: Corner of 6 Shawan Road
Remarks:
Posted by R. J. Ortt (Signature) — Date of return August 23, 1985
Number of Signs: 1

Case No. 86-104-A

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 31 day of July, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioner Edward P. Erler, Sr., et ux — Received by: James E. Dyer
Petitioner's Attorney

JAMES E. DYER, Chairman
Zoning Plans Advisory Committee

RECEIVED
BALTIMORE COUNTY
ZONING DEPARTMENT
By

86-104-A
Rec'd July 8 1985
169387 Fletcherwood Rd
Parkton Md. 21120

Baltimore County Zoning Dept
Towson, Md.
Attn: N. P. Ackar, Sr, clerk
Room No. 415

Dear Sir

On June 28/1985 we filed for a Variance on our property at 6 Shawan Rd, Cockeysville.

As our architects drawings had not been finalized at that time it has been suggested that the depth of the proposed addition be 26 feet instead of 24 feet.

As this dimension is not critical to the variance being requested we would like to amend our application to reflect this change.

The account # on our receipt is R-01-615-000.

Yours truly,
Edward + Reita Erler

APR 11 1986