

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 232.2 to permit a side yard set back line of 20 feet instead of the required 30 feet.

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

The purchasers are not altering the size of the building with any additions. The property was used as a residence and we are changing it to business use as a Beauty Salon and an office. In order to gain the additional 10 feet of property the building would have to be torn down. The adjoining property is also zoned BR and used as a commercial business and that building is approximately 100 feet from the subject property line.

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: Frank Julio Sr. & Anita M. Savino
Legal Owner(s): Personal Representatives of the Estate of Mary L. Sebring

Signature: [Signatures]

Address: 4510 Allen Road, Randallstown, MD 21133

City and State: Randallstown, MD 21133

Attorney for Petitioner: Paul Weinstein

Signature: [Signature]

Address: 1209 Court Square Rd, Baltimore, Md. 21202

City and State: Baltimore, Md. 21202

Attorney's Telephone No.: 277-1950

Address: 9015 Liberty Rd., Randallstown, MD 21133

Address: 922-2500

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of September, 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

on the 15th day of October, 1985, at 1:30 o'clock

BY: [Signature] Zoning Commissioner of Baltimore County

(over)

DATE: October 15, 1985

BY: [Signature]

ADMINISTRATIVE

DATE: October 15, 1985

Last Will and Testament

I, MARY L. SEBRING, of Baltimore County, State of Maryland, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this as and for my Last Will and Testament, hereby revoking any and all Wills and Codicils heretofore made by me.

ITEM 1. I direct my Personal Representatives hereinafter named, or their successors in office, to pay all of my just debts and funeral expenses as soon as conveniently possible after my death. I further direct that my Personal Representatives, of their successors in office, be not confined nor restricted to any limitation upon funeral expenditures imposed by law, but that they be allowed such sum as in their opinion shall be necessary and proper, including the erection of a suitable monument and/or marker for my grave, if I, during my lifetime, shall not have provided for the same.

ITEM 2. I give, devise and bequeath all of the rest, residue and remainder of my estate as follows:

A. I give and bequeath my set of china dishes (Schumann, Arzberg, Germany) and the sum of Fifteen Thousand Dollars, (\$15,000.00) unto Anna Rita Topper.

B. I give and bequeath all of the remainder of my personal effects and household effects unto my sister, Florence L. Landis, and my niece, Anna Rita Topper, in equal shares, absolutely.

C. I give and bequeath the sum of One Thousand Dollars, (\$1,000.00) unto my brother, Francis Hillegas, should he be living at the time of my death. In the event he is not living at the time of my death, I direct that this bequest shall be a part of and pass under Paragraph E of this Item 2 of my Last Will and Testament.

D. In the event Alma Evelyn Hilton is living at the time of my death, I do give and bequeath Two Thousand Dollars,

ITEM 4. I direct that all estate, inheritance and succession taxes (including interest and penalties thereon, if any) levied or assessed by all governmental bodies and which may become payable by reason of my death, including specifically all such taxes otherwise payable by the surviving owner of any fund or asset formerly held with me in joint and survivor tenancy, shall be paid from my residuary estate without requiring contribution from anyone who in the absence of this provision would be liable for the payment of such taxes. All such taxes may be prepaid on behalf of any person having a future interest therein, if my Personal Representative deems it advisable to do so.

ITEM 5. I do hereby constitute and appoint as the Personal Representatives of my estate Anna Rita Topper and Florence L. Landis, or the survivor of them. It is my desire that the Personal Representatives of my estate be excused from giving bond in the settlement thereof, other than such minimum bond as may be required of them under the laws of the State of Maryland. I do hereby confer upon my Personal Representatives, or the survivor of them, all powers necessary and proper for the administration of my estate and for such purpose, I authorize them, or the survivor of them, to sell at public or private sale, assign, transfer, convey, exchange, divide, invest, reinvest, mortgage, lease, deed or otherwise to deal with my estate as they, or the survivor of them in their sole and absolute discretion may deem proper; and to compromise claims against or owing to my estate or to vote in person or by either limited or general proxy securities constituting a part of my estate without liability for loss or reason of the exercise of such voting rights, all of which powers shall be exercised without the necessity of prior application to or subsequent ratification by the Orphans' Court of Baltimore County or any other court having jurisdiction over the administration of my estate. It is my intention that the enumeration of the above powers shall not be a limitation upon the exercise by my Personal Representatives, or the survivor of them, of other powers conferred upon them by law.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 30, 1985

COUNTY OFFICE BLDG., 11 W. Chesapeake Ave., Towson, Maryland 21284

Paul Weinstein, Esquire, 1209 Court Square Building, Baltimore, Maryland 21202

RE: Item No. 56 - Case No. 86-155-A, Petitioner - Estate of Mary L. Sebring, Variance Petition

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

Dear Mr. Weinstein:

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, Chairman, Zoning Plans Advisory Committee

JED:rr

Enclosures

cc: Ms. Nancy M. Crony, M/B Outsail Realty Co., Inc., 9015 Liberty Road, P.O. Box 27, Randallstown, Maryland 21133

Hicks Engineering Co., Inc., 232 Cockeysville Road, Suite B, Hunt Valley, Maryland 21030

DATE: October 15, 1985

BY: [Signature]

ADMINISTRATIVE

DATE: October 15, 1985

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING

TOWSON, MARYLAND 21204

494-4500

STEPHEN J. JABLON, DIRECTOR

September 24, 1985

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

Item No. 66 -ZAC- Meeting of August 27, 1985

Property Owner: Estate of Mary L. Sebring

Location: NE/S Liberty Road, 530' NW of Chapman Road

Existing Zonings: B.R.

Proposed Zonings: Variance to permit a side yard setback line of 20' instead of the required 30'.

Acres: .46

District: 2nd

Dear Mr. Jablon:

This site will be required to meet all of the State Highway Administration standards.

[Signature] Michael S. Flanigan, Traffic Engineer Assoc II

MSF/bld

BALTIMORE COUNTY FIRE DEPARTMENT

TOWSON, MARYLAND 21204-2586

494-4500

PAUL H. RENCKE, CHIEF

August 30, 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: Estate of Mary L. Sebring

Location: NE/S Liberty Road, 530' NW of Chapman Road

Item No.: 66

Zoning Agenda: Meeting of August 27, 1985

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.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 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: [Signature] Noted and Approved: [Signature]

Special Inspection Division, Fire Prevention Bureau

/mb

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES

TOWSON, MARYLAND 21204

494-3610

TED ZALESKI, JR., DIRECTOR

September 18, 1985

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

Dear Mr. Jablon:

Comments on Case # 66 Zoning Advisory Committee Meeting are as follows:

Property Owner: Estate of Mary L. Sebring

Location: NE/S Liberty Road, 530' NW of Chapman Road

District: 2nd.

APPLICABLE STANDARDS AND COMMENTS:

() 1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.D. 501-2111-1 - 1983) and other applicable Codes and Standards.

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

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

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

() 5. All the Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. See the Groups require a one hour wall, if closer than 1'-0" to an interior lot line. See Table 1007, Section 1006.2 and Table 1008. See openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() 6. The structure does not appear to comply with Table 505 for permissible 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 505 and 506 and have your Architect/Engineer contact this department.

() 7. The requested variance appears to conflict with Section(s) [] of the Baltimore County Building Code.

() 8. When filing for a required Change of the 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 the Groups are from [] to [] of the Code.

() 9. The proposed structure appears to be located in a Flood Plain. Flood/Overflow. Please see the attached copy of Section 216.0 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 Flood Plain levels including basement.

(X) 10. Comments: Minimum tenant separation is one hour fire rating. Each tenant shall be provided with at least one independent exit complying with Article 8 of B.O.C.A. See the attached sheet.

() 11. 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 review. If desired, the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature] Director

10/21/85

cc: James Hoswell

Eugene A. Bober, Chief, Current Planning and Development

DATE: October 15, 1985

Paul Weinstein, Esquire
1209 Court Square Building
Baltimore, Maryland 21202

September 13, 1985

NOTICE OF HEARING

RE: PETITION FOR VARIANCE
NE/S Liberty Rd., 530' NW/
Chapman Rd. (9322 Liberty Rd.)
2nd Election District
Estate of Mary L. Sebring, Petitioner
Case No. 86-155-A

TIME: 1:30 p.m.

DATE: Tuesday, October 15, 1985

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

LEGAL NOTICE
Petitioner: Estate of Mary L. Sebring
Location: Northeast side of Liberty Road, 530' Northwest of Chapman Road (9322 Liberty Road)
Date and Time: Tuesday, October 15, 1985 at 1:30 p.m.
Public Hearing: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION

69184

Pikesville, Md., Sept. 25 1985

TO CERTIFY, that the annexed advertisement published in the **NORTHWEST STAR**, a weekly newspaper published in Pikesville, Baltimore, Maryland before the 15th day of Oct. 1985

first publication appearing on the 5th day of Sept. 19 85
the second publication appearing on the _____ day of _____ 19 ____
the third publication appearing on the _____ day of _____ 19 ____

THE NORTHWEST STAR

Mary L. Sebring
Manager

Cost of Advertisement \$18.00

86-155-A

Petition for Variance
2nd Election District

LOCATION: Northeast side of Liberty Road, 530' Northwest of Chapman Road (9322 Liberty Road)

DATE AND TIME: Tuesday, October 15, 1985 at 1:30 p.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 Variance from Section 238.2 to permit a side yard setback of 20' in lieu of the required 30'.

Being the property of Estate of Mary L. Sebring 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

ZONING DESCRIPTION

Beginning on the north east side of Liberty Road, 530' north west of Chapman Road. Thence the four following courses and distances:

- 1. N. 59° 43' 19" W. 100.34'
- 2. N. 30° 13' 07" E. 199.93'
- 3. S. 59° 51' 55" E. 100.06'
- 4. S. 30° 08' 13" W. 200.18'

to the place of beginning. Also known as 9322 Liberty Road, in the 2nd Election District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 006867
DATE 8/15/85 ACCOUNT 01-615-000
AMOUNT \$ 100.00
RECEIVED FROM Estate of Mary Sebring
FOR Filing Fee for Variance # 66

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S Liberty Rd., 530' NW/ : OF BALTIMORE COUNTY
NW/Chapman Rd. (9322 :
Liberty Rd.), 2nd District :
ESTATE OF MARY L. SEBRING, : Case No. 86-155-A
Petitioner :

ENTRY OF APPEARANCE

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

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

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

I HEREBY CERTIFY that on this 18th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to Paul Weinstein, Esquire, 1209 Court Square Bldg., Baltimore, MD 21202. Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

October 10, 1985

Paul Weinstein, Esquire
1209 Court Square Building
Baltimore, Maryland 21202

RE: Petition for Variance
NE/S Liberty Rd., 530' NW/
Chapman Rd. (9322 Liberty Rd.)
2nd Election District
Estate of Mary L. Sebring, Petitioner
Case No. 86-155-A

This is to advise you that \$ 45.00 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 deposit it in the County Office Building, Room 111, County Office Building, Towson, Maryland.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012491
DATE 10-15-85 ACCOUNT 2-01-615-000
AMOUNT \$ 45.00
RECEIVED FROM Advertising & Posting 86-155-A
FOR

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

ARNOLD JABLON
ZONING COMMISSIONER

October 15, 1985

Paul Weinstein, Esquire
1209 Court Square Building
Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
NE/S Liberty Road, 530'
NW of Chapman Road
(9322 Liberty Road) -
2nd Election District
Estate of Mary L. Sebring,
Petitioner
Case No. 86-155-A

Dear Mr. Weinstein:

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

Very truly yours,
Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

Mark A. Epstein, Esquire
Jefferson Building - Suite 102
105 West Chesapeake Avenue
Towson, Maryland 21204

IN RE: PETITION FOR VARIANCE : BEFORE THE
NE/S Liberty Road, 530' : DEPUTY ZONING COMMISSIONER
NW of Chapman Road :
9322 Liberty Road - : OF BALTIMORE COUNTY
2nd Election District :
Estate of Mary L. Sebring, : Case No. 86-155-A
Petitioner :
:

The Petitioner herein requests a variance to permit a side yard setback of 20 feet in lieu of the required 30 feet.

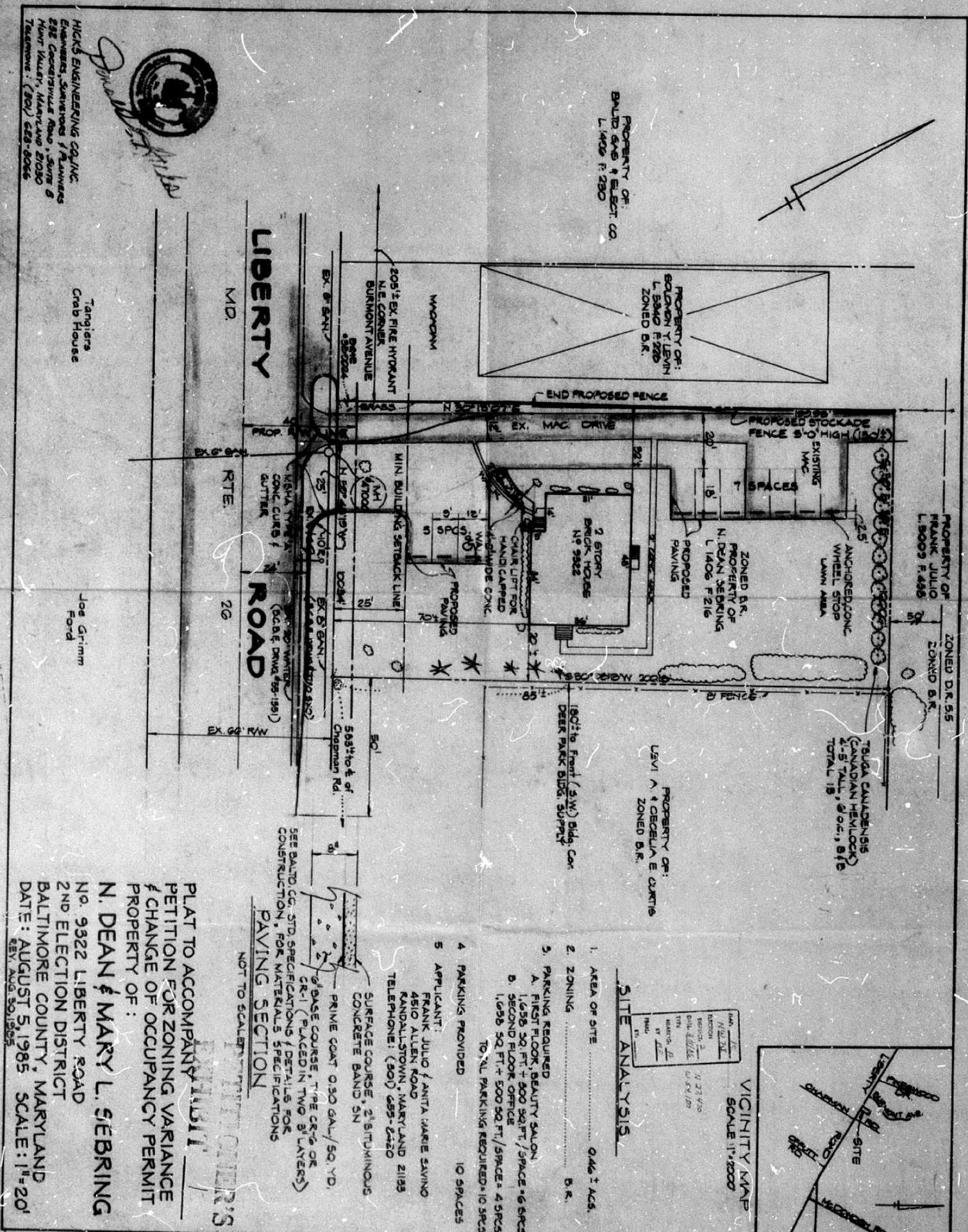
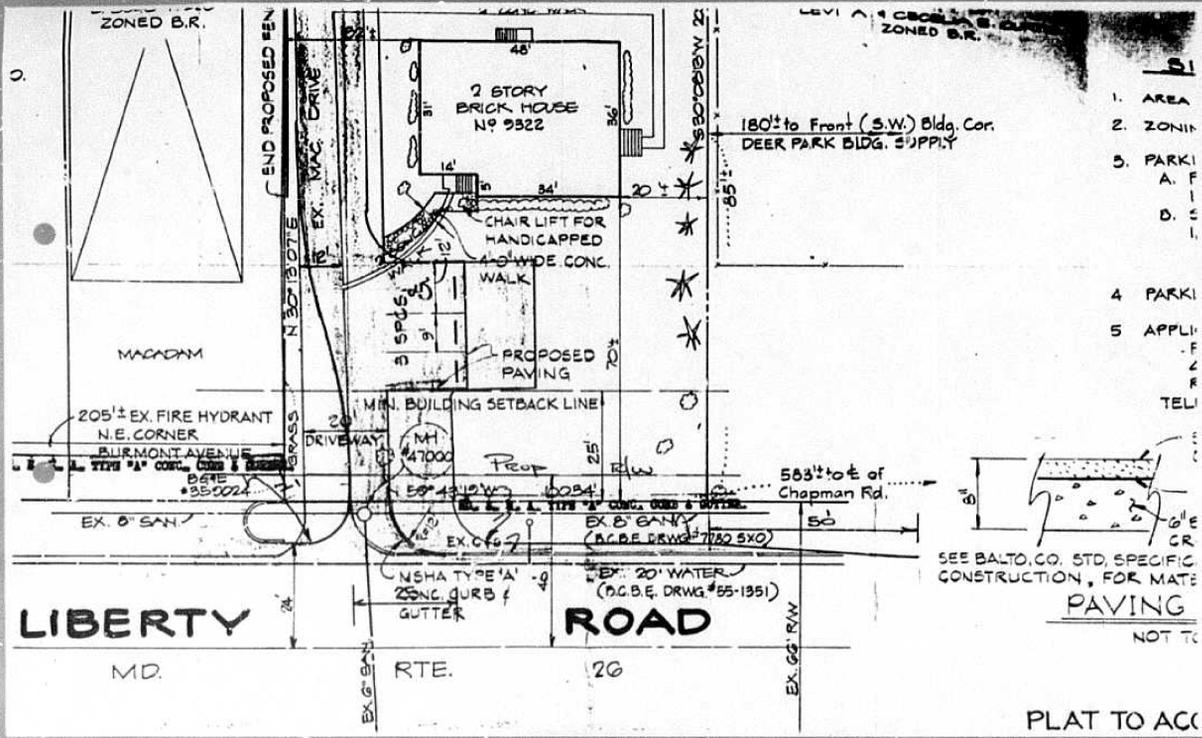
Testimony by the Petitioner indicated that she proposes to convert an existing residence, located on B.R.-zoned land with commercial businesses on both sides and across the street, in order to use part of the building for her beauty salon. The building has been in place with a 20-foot side yard setback on the east side for at least 16 years. 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 Petitioner and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of October, 1985, that the herein Petition for Variance to permit a side yard setback of 20 feet in lieu of the required 30 feet, in accordance with the plan prepared by Hicks Engineering Co., Inc., revised August 30, 1985 and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE October 15, 1985
BY



86-155-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2, subd. _____ Date of Posting: September 29, 1985

Posted for: Variances

Petitioner: Estate of Mary L. Sebring

Location of property: N.E. 1/4 Liberty Rd., 30' NW Chapman Rd. (9322 Liberty Rd.)

Location of Signs: Front of 9322 Liberty Road

Remarks: _____

Posted by: S. J. Arata Date of return: September 27, 1985

Number of Signs: _____

Case No. 86-155-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 10th day of September, 1985.

ARNOLD JARLON
Zoning Commissioner

Petitioner: Estate of Mary L. Sebring Received by: JAMES E. DYER, Chairman
Petitioner's Attorney: Paul Weinstein, Esquire Zoning Plans Advisory Committee

86-155-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 26, 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 September 26, 1985.

THE JEFFERSONIAN,
JB Venetok
Publisher

Cost of Advertising: 22

PETITION FOR VARIANCE
2nd Election District

LOCATION: North side of Liberty Road, 30' NW of Chapman Road (9322 Liberty Road)

DATE AND TIME: Tuesday, October 15, 1985 at 7:00 p.m.

PUBLIC HEARING: Room 310, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from the Zoning Ordinance, Chapter 21B, to permit a side yard setback of 20' in lieu of the required 30'.

Notice of the hearing of the Petitioner, set forth on above on the 10th day of September, 1985, at 10:00 a.m. at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

In the event that this Petitioner is granted a hearing, permission to be used within the thirty (30) day appeal period. The Zoning Commissioner will, however, maintain and require for a day of the issuance of said permit during this period. For good cause shown, such request may be received or granted by the Zoning Commissioner above as made at the hearing.

By Order of:
ARNOLD JARLON,
Zoning Commissioner
of Baltimore County
Sept. 26, 1985

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE & CHANGE OF OCCUPANCY PERMIT

PROPERTY OF: N. DEAN & MARY L. SEBRING

No. 9322 LIBERTY ROAD
2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: AUGUST 5, 1985 SCALE: 1"=20'