

86-161A #36 **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit an accessory structure (pool) outside of the 1/3 of the corner lot farthest from both streets.

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

Trees would over hang the pool in corner of lot.

Permitted area is too small to have this pool installed facing this direction.

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

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

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

Contract Purchaser: (Type or Print Name) _____ Signature _____ Address _____ City and State _____

Legal Owner(s): (Type or Print Name) _____ Signature _____ Address _____ City and State _____

Attorney for Petitioner: (Type or Print Name) _____ Signature _____ Address _____ City and State _____

Attorney's Telephone No.: _____

RAM 30
NEG 9
DISTRICT 9
DATE 4/1/85
TYPE
HEARD BY
BY
BY

Case No. 86-161-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 _____ day of _____, 1985

ARNOLD JABLON
Zoning Commissioner

Petitioner: Janet Margaret Sipe
Received by: JAMES E. DYER, Chairman
Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 30, 1985

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

Ms. Janet Margaret Sipe
8231 Bon Air Road
Baltimore, Maryland 21234

RE: Item No. 36 - Case No. 86-161-A
Petitioner - Janet Margaret Sipe
Variance Petition

Dear Ms. Sipe:

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:nr

Enclosures.

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

SEPTEMBER 24, 1985

RE: Zoning Advisory Meeting of August 6, 1985
Property Owner: JANET MARGARET SIFE
Location: SE CORNER BON AIR & CLEARWOOD
RODS.

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 forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The 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 _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by S11 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 S11 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Area is re-evaluated annually by the County Council.
- () Additional comments: _____

cc: James Howell

Eugene A. Robor
Chief, Current Planning and Development

ORDER RECEIVED FOR FILING

DATE 4/1/85 BY [Signature]
ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1985, at 10:00 o'clock.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

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

PAUL H. REINCKE
CHIEF

August 20, 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: Janet Margaret Sipe

Location: S/E corner Bon Air Road and Clearwood Road

Item No.: 36 Zoning Agenda: Meeting of August 6, 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.

- () 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.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: Roy W. Kemmer
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

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

TED ZALESKI, JR.
DIRECTOR

August 26, 1985

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

Dear Mr. Jablon:

Comments on Item # 36 Zoning Advisory Committee Meeting are as follows:

Property Owner: Janet Margaret Sipe
Location: S/E Corner Bon Air Road and Clearwood Road
District: 9th.

APPLICABLE TYPES AND CIRCLES:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 417-85. The Maryland Code for the Building and Code (A.B.C. 121-1-1-1980) 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 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.
- (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 Sub-Single Family Detached Dwelling require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Sub-Single Family require a one hour wall if closer than 1'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 108, and Table 102. No openings are permitted in an exterior wall within 1'-0" of an interior lot line.
- (F) 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 101 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 Use. See Section 312 of the Building Code.
- (I) The proposed project 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 417-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: Pool shall be enclosed by a 4'-0" fence in compliance with Section 616.0.

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

[Signature]
By: C. E. Sturman, Jr.
Building Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner
TO: _____
Norman E. Gerber, Director
FROM: Office of Planning and Zoning

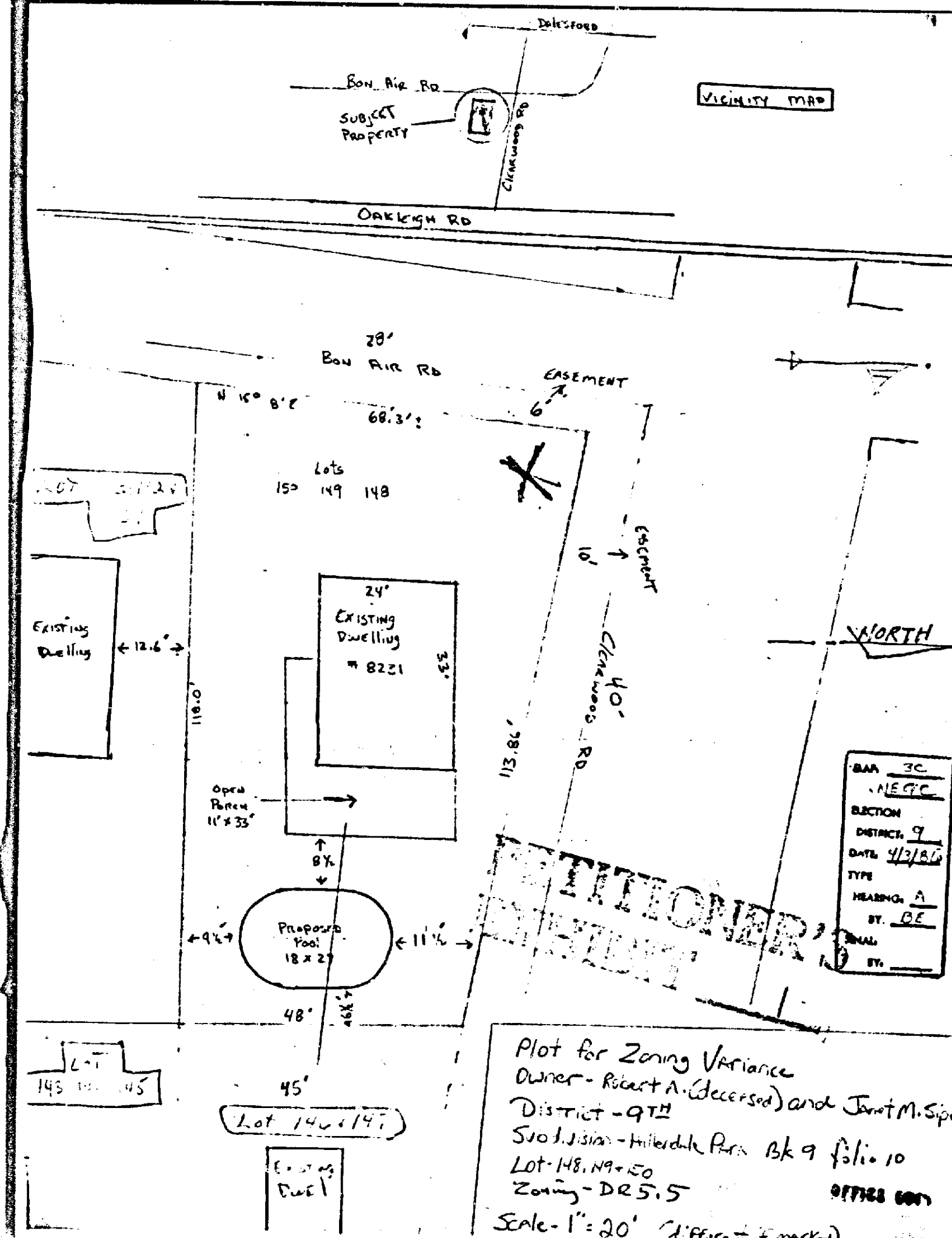
Date: September 26, 1985

SUBJECT: Zoning Petitions No. 86-145-A, 86-146-A, 86-147-A, 86-148-A, 86-149-A, 86-150-A, 86-151-A, 86-152-A, 86-153-A, 86-154-A, 86-155-A, 86-156-A, 86-157-A, 86-158-A, 86-159-A, 86-160-A, 86-161-A and 86-165-XA

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

NEG:JCH:slm

[Signature]
Norman E. Gerber, Director
Office of Planning and Zoning



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of October, 1985, that the Petition for Zoning Variance to permit an accessory structure (pool) outside of the third of the corner lot farthest removed from any street be and is hereby GRANTED, from and after the date of this Order, subject to the following restriction:

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

C. S. Sipe
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Ms. Janet Margaret Sipe
People's Counsel

ORDER RECEIVED FOR FILING

DATE October 17, 1985
BY Janet Margaret Sipe
ADMINISTRATIVE ASSISTANT

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SE/Corner Bon Air & Clearwood : OF BALTIMORE COUNTY
Rds. (8231 Bon Air Rd.), 9th :
District
JANET MARGARET SIPE, Petitioner : Case No. 86-161-A
: : : : :
ENTRY OF APPEARANCE

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

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2168

I HEREBY CERTIFY that on this 18th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to Janet Margaret Sipe, 8231 Bon Air Rd., Baltimore, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Re: Frederick Sipe
8231 Bon Air Road
Baltimore, Md. 21234

PETITIONER'S
EXHIBIT

The Sipe Family located at 8231 Bon Air Road is petitioning to install an above ground swimming pool. The size of the pool is 18' x 27' x 4'. It will be located in the backyard of the Sipe Family. If there are no objections upon the installation of the swimming pool, please sign your name and address below to permit construction of the swimming pool.

NAME	ADDRESS
1. <u>John Smith</u>	<u>8229 Bon Air Rd. 21234</u>
2. <u>William F. May</u>	<u>8227 Bon Air Rd. 21234</u>
3. <u>James T. Paul</u>	<u>8228 Bon Air Rd.</u>
4. <u>Erin M. Payne</u>	<u>8220 Oakleigh Rd. 21234</u>
5. <u>Barbara Wagner</u>	<u>8225 Oakleigh Rd. 21234</u>
6. <u>Apple Wirth</u>	<u>8202 Oakleigh Rd. 21234</u>
7. <u>Doraine Morgan</u>	<u>8214 Oakleigh - 21234</u>
8. <u>Nancy McLeod</u>	<u>8311 Bon Air Rd. 21234</u>
9. <u>Rose H. Brunkley</u>	<u>8317 Bon Air Rd. 21234</u>
10. <u>John J. Wagner</u>	<u>8220 Bon Air Rd.</u>

PETITION FOR VARIANCE
9th Election District

LOCATION: Southeast corner of Bon Air Road and Clearwood Road (8231 Bon Air Road)

DATE AND TIME: Wednesday, October 16, 1985 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 Variance from Section 400.1 to permit an accessory structure (pool) outside of the 1/3 of the corner lot farthest from both streets.

Being the property of Janet Margaret Sipe 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

Mrs. Janet M. Sipe
8231 Bon Air Road
Baltimore, Maryland 21234

September 13, 1985

NOTICE OF HEARING

RE: PETITION FOR VARIANCE
SE corner of Bon Air Rd. and
Clearwood Road (8231 Bon Air
Road) - 9th Election District
Janet Margaret Sipe, Petitioner
Case No. 86-161-A

TIME: 10:00 a.m.

DATE: Wednesday, October 16, 1985

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

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

ARNOLD JABLON
ZONING COMMISSIONER

October 14, 1985

Mrs. Janet M. Sipe
8231 Bon Air Road
Baltimore, Maryland 21234

Re: Petition for Variance
SE corner of Bon Air Rd. and
Clearwood Road (8231 Bon Air Rd.)
9th Election District
Janet Margaret Sipe, Petitioner
Case No. 86-161-A

Dear Mrs. Sipe:

This is to advise you that \$61.00 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 remit to Zoning Office, Room 113, County Office Building, Towson, Maryland.

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

No. 012497

DATE 10-21-85 ACCOUNT R-01-615-000

AMOUNT \$ 61.00

RECEIVED FROM Mr. & Mrs. F. Sipe

FOR Advertising and Posting 86-161-A

VALIDATION ON SIGNATURE OF CASHIER

Respectfully,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

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

No. 007405

DATE 7-15-85 ACCOUNT 01-615-000

AMOUNT \$ 35.00

RECEIVED FROM *Frederick R. Sipe*

FOR Variance \$ 36

VALIDATION ON SIGNATURE OF CASHIER

DESCRIPTION

Beginning on the southeast corner of Bon Air Road and Clearwood Road. Being lot #150 and part of lots 148, 149 on the plat of Hillendale Park Book #9, Folio #10. Also known as 8231 Bon Air Road in the 9th Election District.

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,

B. Ventak
Publisher

Cost of Advertising

22

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 25, 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 September 25, 1985.

TOWSON TIMES,

B. Ventak
Publisher

34.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 9/21/85

Posted to: Variance

Petitioner: Janet Margaret Sipe

Location of property: SE Corner Bon Air Rd. & Clearwood Rd. 8231 Bon Air Rd.

Location of Sign: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Md. 21204

Remark: None

Posted by: *Arnold Jablon* Date of return: 9/21/85

Number of Signs: 1