86-181-A # 49 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 to permit AN accessory of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING Before beginning construction on an 8'by 8' shed located on the south side of our house, I called permits and licenses, and spoke with someone in building TOWSON, MARYLAND 21204 permits. I was informed that if a shed was less than loo sq.ft., no permit was meeded. Inquiring about placement on the lot, I followed the instructions IN RE: PETITION FOR VARIANCE E/S Topwood Court, 300' S of BEFORE THE to keep the shed 3' from the neighboring lot. Having completed the shed, an the c/l of Skywood Court, ARNOLD JABLON inspector informed me last week that it is in violation because it is not behind DEPUTY ZONING COMMISSIONER ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER (9107 Topwood Court) -Variance to permit an accessory structure (shed) to be located in the side yard the house, but on the side. I hope a variance will be granted because the 9th Election District November 14, 1985 shed is completed, and I thought it was in compliance when it was constructed. OF BALTIMORE COUNTY in lieu of the required rear yard, in accordance with the plan prepared by Kidde Property is to be posted and advertised as prescribed by Zoning Regulations. Terry Page, et ux, Consultants, Inc., revised September 24, 1984 and marked Petitioner's Exhibit 1, Case No. 86-181-A I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. Mr. and Mrs. Terry Page Petitioners is hereby GRANTED, from and after the date of this Order, subject, however, to 9107 Topwood Court . . . . . . . . . . . . Baltimore, Maryland 21234 the following restriction: The Petitioners herein request a variance to permit an accessory structure I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property 1. At any such time as the property is sold or the shed is (shed) to be located in the side yard in lieu of the required rear yard. RE: PETITION FOR VARIANCE which is the subject of this Petition. replaced, whichever comes first, the shed shall be E/S Topwood Court, 300' S of removed or relocated in accordance with the BCZR. Testimony by the Petitioners indicated that in the summer of 1985, about Contract Purchaser: the c/l of Skywood Court. Legal Owner(s): NE-11-0 (9107 Topwood Court) the time they moved into their new home, they made verbal telephone inquiries of --- Terry Page (Type or Print Name) 9th Election District (Type or Print Name) ere en paris Terry Page, et ux, Petitioners Baltimore County regarding the placement of the shed in question and the P. 112.31 213 Case No. 86-181-A Jens (ac) Dear Mr. and Mrs. Page: necessity of a permit. Understanding that they had obtained any necessary ap-Signature ( Deputy Zoning Commissioner I have this date passed my Order in the above captioned matter in accord-Jeanne Page proval, they had a custom built, free-standing shed placed adjacent to the ance with the attached. (Type or Print Name) of Baltimore County JMHJ:bg dwelling. The construction and design of the shed would make it difficult to une 1a City and State Very truly yours, relocate and it would appear rather strange looking if it were not beside the Attorney for Petitioner: Jan M. N. 9107 Topwood Ct. 668-9147 JEAN M. H. JUNG (Type or Print Name) A field inspection of the site indicated that the shed is so designed and Deputy Zoning Commissioner Baltimore, MD 21234 placed that it appears to be an addition rather than detached. It should be JMHJ:bg City and State noted that an addition also would have required a variance. Attachments Name, address and phone number of legal owner, contract purchaser or representative to be contacted There were no protestants. cc: People's Counsel Terry Page After due consideration of the testimony and evidence presented, and it ap-668-9147 pearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the ORDERED By The Zoning Commissioner of Baltimore County, this of September, 19.85, 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 County in Room 106, County Office Building in Towson, Baltimore Petitioners, and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, county, on the \_\_\_\_\_ day of \_\_\_\_ October the vaniance should be granted. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore IVED County, this 14 th day of November, 1985, that the herein Petition for PETITION FOR VARIANCE 9th Election District 9107 Topwood Court Baltimore, MD 21234 LOCATION: October 31, 1985 ZONING DESCRIPTION East side of Topwood Court, 300' South of the centerline of Skywood Court (9107 Topwood Court) Dear Sir: Deputy Zoning Commissioner Beginning at a point on the east side of Topwood Court 300' south of the centerline of Skywood Court and known as DATE AND TIME: ZONING DEPARTMENT We own and reside in the single family dwelling at 9105 Topwood Ct., the property immediately south of 9107 Topwood Ct. County Office Building Wednesday, October 30, 1985 at 11:00 a.m. 111 West Chesapeake Lot 19, Block C, Plat 3 of Sylwood and recorded among the PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland Towson, MD 21204 land records of Baltimore County in Plat Book 45, Folio 116 We have no objections to the existence of the shed on the south side of the residence at 9107 Topwood Ct., in front of the rear foundation RE: Case No. 86-181-A The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: TERRY PAGE, stup Also known as 9107 Topwood Court. Dear Ms. Jung: I am writing in reference to the public hearing with you yesterday on the shed located at the above address. First, I want to thank you for your George McKeever Date Petition for Variance from Section 400.1 to permit an accessory concerned, business-like approach to my petition for a variance. I left structure (shed) to be located in the side yard in lieu of the with uncertainty that the matter would be decided to my satisfaction, but with certainty that it would be resolved on an objective and casscabble basis. I now understand the rationale for limiting the erection of structures located where mine is. My second reason for writing is to reinforce the primary rationale that my husband and I feel warrants a decision to approve the location of the shed. After leaving your office, I was not sure I had effectively articulated our position. I thought it might help to briefly clarify our point of view in Being the property of \_\_\_\_\_\_ Terry Page, et ux the plat filed with the Zoning Office. writing: We feel that we did everything in our power to adhere to both the letter and the spirit of the existing regulations regarding the placement of a shed 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, entermain any request for a stay of the issuance of said permit during this period for on our property. After placing calls to the offices of Permits & Licenses, and Building, and bbeing given verbal approval that the shed, as proposed, did not require a building permit we proceeded with construction. The shed was constructed by a professional contractor, at a cost to us of \$1500. And because good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. the shed was custom-built to blend with the house, moving it to another location on the lot could only be done with great difficulty. Also, because the design of the shed was shaped to facilitate blending with the house, it would look somewhat unusual as a free-standing shed. Thus, although we appreciate that the BY ORDER OF ARNOLD JABLON location of the shed is a deviation from regulations, we feel that to require ZONING COMMISSIONER us to move it at this time would be unfair in light of our attempts to adhere OF BALTIMORE COUNTY to those regulations. Pilling on 1873 Finally, I would like to encourage you to inspect the shed in person. We feel that the shed blends in well with the house and landscaping. If you do drive over, please feel free to come on to the property and get a close look. EMFIREIT 2 Thank you again for your consideration. Sincerely, Maga

1.2.1986

1986

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3353 : BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE ARNOLD JABLON ZONING COMMISSIONER E/S Topwood Ct., 300' OF BALTIMORE COUNTY S of Centerline of Skywood Ct., 9th Dist. October 24, 1985± Case No. 85-181-A TERRY PAGE, et ux, Petitioners Mr. & Mrs. Terry Page :::::: 9107 Topwood Court Baltimore, Maryland 21234 ENTRY OF APPEARANCE Please enter the appearance of the People's Counsel in the above-Re: Petition for Variance E/S Topwood Ct., 300' S. of the captioned matter. Notices should be sent of any hearing dates or other c/1 Skywood Ct., (9107 Topwood Ct.) 9th Election District proceedings in this matter and of the passage of any preliminary or Terry Page, et ux - Petitoners Case No. 86-181-A final Order. Dear Mr. & Mrs. Page: This is to advise you that \$65.25 is due for advertising and posting of the above property. This fee must be paid before People's Counsel for Baltimore County an Order is issued. This fee must be paid and the zoning sign and post returned on the day of the hearing. Do <u>not</u> remove sign until day of the hearing. Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, MD 21204 494-2188 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION I HEREBY CERTIFY that on this 2nd day of October, 1985, a copy MISCELLANEOUS CASH RECEIPT of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Terry ACCOUNT RC1-615 CCO Page, 9107 Topwood Ct., Baltimore, MD 21234, Petitioners. ig Commissioner Peter Max Zimmerman - araennesser et en foar VALIDATION OR SIGNATURE OF CASHIER

NOTICE OF HEARING RE: PETITION FOR VARIANCE E/S Topwood Ct., 300' S of the -c/l Skywood Ct. (9107 Topwood Ct.) 9th Election District Terry Page, et ux, Petitioners Case No. 86-181-A TIME: 11:00 a.m. DATE: Wednesday, October 30, 1985 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland BALTIMORE COUNTY, MARYLAND No. 008647 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 12-01-615 COU RECEIVED CONT. VALIDATION OR SIGNATURE OF CASHIER

September 27, 1985

Mr. & Mrs. Terry Page

Baltimore, Maryland 21234

9107 Topwood Court

Petitioners - Terry Page, et ux Variance Petition Dear Mr. and Mrs. Page: Bureau of The Zoning Plans Advisory Committee has reviewed the plans sub-Department of Traffic Engineering mitted 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 Burcau of Fire Prevention 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 Health Department the Zoning Commissioner with recommendations as to the suitability of Project Planning the requested zoning. Building Department Enclosed are all comments submitted from the members of the Board of Education Committee at this time that offer or request information on your Zoning Administration petition. If similar comments from the remaining members are received. Industrial 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.

Mr. and Mrs. Terry Page

Baltimore, Maryland 21234

9107 Topwood Court

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 21, 1985

RE: Item No. 49 - Case No. 86-181-A

Very truly yours, JAMES E. DYER Chairman Zoning Plans Advisory Committee

Enclosures cc: Kidde Consultants, Inc. 1020 Cromwell Bridge Road Baltimore, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

Mr. Arnold Jablon

Zoning Commissioner

cc: James Hoswell

County Office Building

Towson, Maryland 21204

OCTOBER 7, 1985

Re: Zoning Advisory Meeting of August 20,1985

Item # 49
Property Owner: TERRY PAGE, et ux
Location: E/S TOPWOOD CT. S. OF & OF SKYWOOD CT .

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

> (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 )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 )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:

> > Chief, Current Planning and Development

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

August 26, 1985

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

> Item No. 49 ZAC Meeting August 20, 1985 Property Owner: Terry Page, et ux Location: E. Side Topwood Court, s. of centerline of Skywood Court Existing Zoning: D.R.2 Proposed Zoning: Variance to permit an accessory structure (shed) to be located in the side yard instead of the required rear yard. Acres: 60 x 120 District: 9th Election District

Dear Mr. Jablon:

MSF/bza

The Department of Traffic Engineering has no

comment on this particular item.

Very truly yours,

Michael S. Flanigan Traffic Engineering Associate II

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

EE: Froperty Owner: Terry Page, et ux Location: E side Topwood Court, S of centerline of Skywood Court

Item No.: 49 Zoning Agenda: Meeting of August 20, 1985 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Sureau 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.

(f 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. Shed shall not block windows for rescue in dwelling unit.

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

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

Fire Prevention Bureau Special Inspection Division

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

JED:nr

September 10, 1985

TED ZALESKI, JR.

Mr. Armold Jahlon, Zoning Commissioner Office of Planning and Zoning

Comments on Item # 49 Zoning Advisory Committee Meeting are as follows:

Terry Page, et ux E side Topwood Court, S of c/l of Skywood Court Districts

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.E.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.

All Use Groups except R-4 Single Femily Detached Dwellings require a minimum of 1 hour fire rating or 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 interior lot line. exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for paraissable height/area. Reply to the requested varience 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. 9 G. The requested variance appears to conflict with Section(s) \_\_\_\_\_, of the Baltimore

H. When filing for a required Change of Use/Cocupancy Parmit, an alteration permit application shall also be filed along with three sets of acceptable construction pl. a indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Haryland Architectural or Engineer seels are usually required. The change of Use Groups are from Use to Use or to Mixed Uses.

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.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Flamming and Zoming 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 Sullding at 111 w. Chesapeake Avenue, Towson, Haryland 21204. Marles & Sunhan

4/22/85

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon October 21, 1985 Zoning Commissioner

Norman E. Gerber, Director Office of Planning and Zoning

Zoning Petitions No. 86-174-A, 86-175-XA, 86-179-A, 86-181-A, 86-183-A, 86-184-A, and 86-185-A

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

Office of Planning and Zoning

NEG:JGH:slm

Plat showing property known as #9107 Topwood Court, Baltimore County, Maryland. Also known as Lot 19, Block "C" as shown on Plat 3, "SYLWOOD" recorded among the Land Records of Baltimore County, Maryland in Plat Book E.H.K., Jr, 45, Folio 116. Election District & PR 2 "SYLWOOD" PLAT 2 9101455E 60.00 5'DELINAGE & UTILITY EASEMENT Lot 19-C Existing 25TY DWLG. 25 EUNDING SETBACK 21116 RESIDENCE POINT 180.32 FEAT NW COR LOT 22-C TOPWOOD CT. 300' to a of Skywood C 4'C.W NIOIA EE W 60.00 (BLACKTOF) (STONE ASASE) Excisi Plat for Variance THIS IS TO CERTIFY that I have located the improvements on the lot shown KIDDE CONSULTANTS, INC. hereon, and that said improvements exist, and that said improvements lie entirely within the boundaries 1020 Cromwell Bridge Road Baltimore, Maryland 21204 Per KIDDE CONSULTANTS, INC. THIS PLAT NOT INTENDED FOR USE IN THE ESTABLISHMENT OF 1.0.01-84073 Wo 5072-c Scale: 1"-30 Issued: 2/3/84 PROPERTY LINES 301 Rev. 9/77 and one 35.4

86-181-A CERTIFICATE OF PUBLICATION PETITION FOR VARIANCE
9th Election District October 10 TOWSON, MD., LOCATION: East side of Topwood Court, 300' South of centerline of Skywood Court (9107 Topwood THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed DAIL AND TIME: Wednesday, October 30, 1985 at 11:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesspeake Avenue, Towson,
Marrhand and published in Towson, Baltimore County, Md., appearing on October 10 THE JEFFERSONIAN, Private Pot Publisher Cost of Advertising 2200

86-181-A CERTIFICATE OF PUBLICATION LOCATION: East side of Topwoo TOWSON, MD. October 9 THIS IS TO CERTIFY, that the annexed advertisement was DATE AND TIME: Weoneadey, Co-tober 30, 1985 at 11:00 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 9 19 85 Being the property of Terry Page, ux as shown on the plat filed with TOWSON TIMES. BY ORDER OF APPLY DESCRIPTION POTENTIAL BROWNING OF BROWNING BROWNING OF 38.25

Case No. 86-181-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 the \_\_\_\_ day of September \_\_\_\_, 19 85.

ARNOLD JABLON

Zoning Commissioner Received by:

Petitioner Terry Page, et ux Petitioner's Attorney de

Chairman, Zoning Plans Advisory Committee

ZONING DEPARTMENT OF BALTIMORE COUNTY District 974 10/8/85 Fumber of Signs:

CERTIFICATE OF POSTING