

36-208A #95 **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) in the side yard instead of the required rear one-third (1/3) of the lot farthest removed 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)
For practical placement of swimming pool to avoid interference with well & septic systems.

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)

Legal Owner(s):

Ronald F. Messina

(Type or Print Name)

Signature

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ZONING DESCRIPTION

Beginning at the SW/cor. of Stockton Road and Woodbark Lane, Being Lot 2, Block 'A', in the subdivision of Hickory Hill, Book 24, Folio 107. Also known as 14610 Woodbark Lane. IN THE 10TH ELEC. DIST.

PETITION FOR VARIANCE

10th Election District

LOCATION: Southwest Corner of Stockton Road and Woodbark Lane (14610 Woodbark Lane)

DATE AND TIME: Wednesday, November 20, 1985 at 10:15 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) in the side yard instead of the required rear one-third (1/3) of the lot farthest removed from both streets.

Being the property of Ronald F. Messina, 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

RE: PETITION FOR VARIANCE
SW/Corner Stockton Rd.
& Woodbark Ln. (14610
Woodbark Ln.), 10th Dist.
RONALD F. MESSINA, et ux,
Petitioners

Case No. 86-208-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
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Ronald F. Messina, 14610 Woodbark Lane, Phoenix, MD 21131, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING

DATE 11/20/85 BY [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of October, 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 through 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 20th day of November, 1985, at 10:15 o'clock.

[Signature]
Zoning Commissioner of Baltimore County.

(over)



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 12, 1985

Mr. & Mrs. Ronald F. Messina
14610 Woodbark Lane
Phoenix, Maryland 21131

Re: Petition for Variance
SW/cor. Stockton Rd. & Woodbark Lane
(14610 Woodbark Lane)
10th Election District
Ronald F. Messina, et ux - Petitioners
Case No. 86-208-A

Dear Mr. & Mrs. Messina:

This is to advise you that \$63.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

No. 012452

DATE 11-20-85 ACCOUNT R-01-615-000

AMOUNT \$ 63.75

RECEIVED FROM Ronald F. Messina

FOR Advertising & Posting 11-20-85

VALIDATION OR SIGNATURE OF CASHIER

October 16, 1985

Mr. & Mrs. Ronald F. Messina
14610 Woodbark Lane
Phoenix, Maryland 21131

NOTICE OF HEARING

RE: PETITION FOR VARIANCE
SW/cor. Stockton Rd. & Woodbark Lane
(14610 Woodbark Lane)
10th Election District
Ronald F. Messina, et ux - Petitioners
Case No. 86-208-A

TIME: 10:15 a.m.

DATE: November 20, 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. 012543

DATE 11-15-85 ACCOUNT 11-115-000

AMOUNT \$ 35.00

RECEIVED FROM Ronald F. Messina

FOR Variance # 95

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 23, 1985

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

Mr. and Mrs. Ronald F. Messina
14610 Woodbark Lane
Phoenix, Maryland 21131

RE: Item No. 95 - Case No. 86-208-A
Petitioner - Ronald F. Messina, et ux
Variance Petition

Dear Mr. and Mrs. Messina:

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.

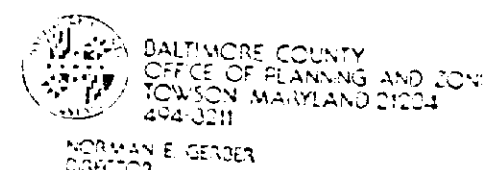
Very truly yours,

[Signature]
JAMES E. DYER

Chairman
Zoning Plans Advisory Committee

JED:nrr

Enclosures



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

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

OCTOBER 31, 1985

Re: Zoning Advisory Meeting of September 17, 1985
Item # 95
Property Owner: RONALD F. MESSINA, et ux
Location: SW/CORNER STOCKTON RD. & WOODBARK LANE

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.

- ☒ 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 access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Planning calculations must be shown on the plan.
- ☒ This property contains soils to be shown on the plan.
- ☒ 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 11/15/85.
- ☒ Landscaping must comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by Bill 173-79. 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 traffic capacity may become more limited. The basic services area are re-evaluated annually by the County Council.
- ☒ Additional comments:

CC: James Howell

Eugene A. Brer
Chief, Current Planning and Development

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, 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 be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of November, 1985, that the herein Petition for Zoning Variance to permit an accessory structure (swimming pool) to be located in the side yard instead of the required rear third of the lot farthest removed from any street be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. Ronald F. Messina
People's Counsel

RECEIVED FOR FILING

DATE *11/20/85*
BY *[Signature]*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: November 4, 1985

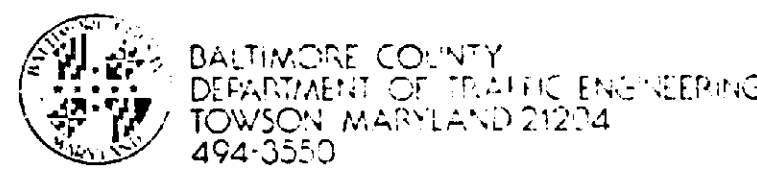
FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-191-A, 86-192-A, 86-193-A, 86-196-A, 86-201-A, 86-203-A, 86-204-A, 86-207-A, 86-208-A, 86-209-A, 86-211-A and 86-217-A

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

[Signature]
Norman E. Gerber, Director

NEG:JCH:als



STEPHEN E. COLLINS
DIRECTOR

September 25, 1985

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

Item No. -ZAC- Meeting of September 17, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbers 91, 92, 94, 95, 96, & 97.

[Signature]
Michael S. Flanagan
Traffic Engineer Assoc II

MSF/bld

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 31, 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 October 31, 1985.

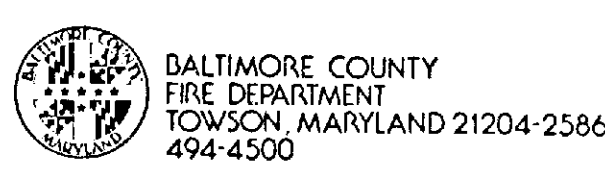
THE JEFFERSONIAN,
[Signature]
Publisher

Cost of Advertising
24.75

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10th Date of Posting: 10/19/85
Posted for: *[Signature]*
Petitioner: *[Signature]*
Location of property: *[Signature]*
Location of Sign: *[Signature]*
Remarks: *[Signature]*
Posted by: *[Signature]* Date of return: 11/1/85
Number of Signs: *[Signature]*



PAUL H. REINCKE
CHIEF

September 26, 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: Ronald F. Messina, et ux

Location: S/W corner Stockton Road and Woodbark Lane

Item No.: 95 Zoning Agenda: Meeting of 9/17/85

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

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 30th, 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 October 30th, 1985.

TOWSON TIMES,
[Signature]
Publisher

34.00

Case No. 86-208-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 14th day of October, 1985.

[Signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner: Ronald F. Messina, et ux
Petitioner's Attorney: *[Signature]*
Received by: *[Signature]*
Chairman, Zoning Plans Advisory Committee



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

November 5, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 95 Zoning Advisory Committee Meeting are as follows:

Property Owner: Ronald F. Messina, et ux
Location: S/W Corner Stockton Road and Woodbark Lane
District: 10th.

APPLICABLE ITDS ARE CITED:

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.D.I. #17-1 - 1985) and other applicable Code and Standards.
- A building and other miscellaneous permits shall be required before the start of any construction.
- Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is required on plans and technical data.
- 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 the Groups except Sub-Group Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Sub-Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built up an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1108.2 and Table 1105. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- The structure does not appear to comply with Table 506 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.
- The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
- When filing for a required Change of Use/Conversion 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 accordance with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use District 10 to District 10, Chesapeake Avenue, Towson, Maryland 21204.
- The proposed project appears to be located in a Flood Plain, Flood/Divergence. Please see the attached copy of Section 510.0 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 finished floor levels including basement.
- Comments: Pool shall be fenced as required by the Baltimore County Building Code. A separate permit is required.
- 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 full information by visiting Room 105 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

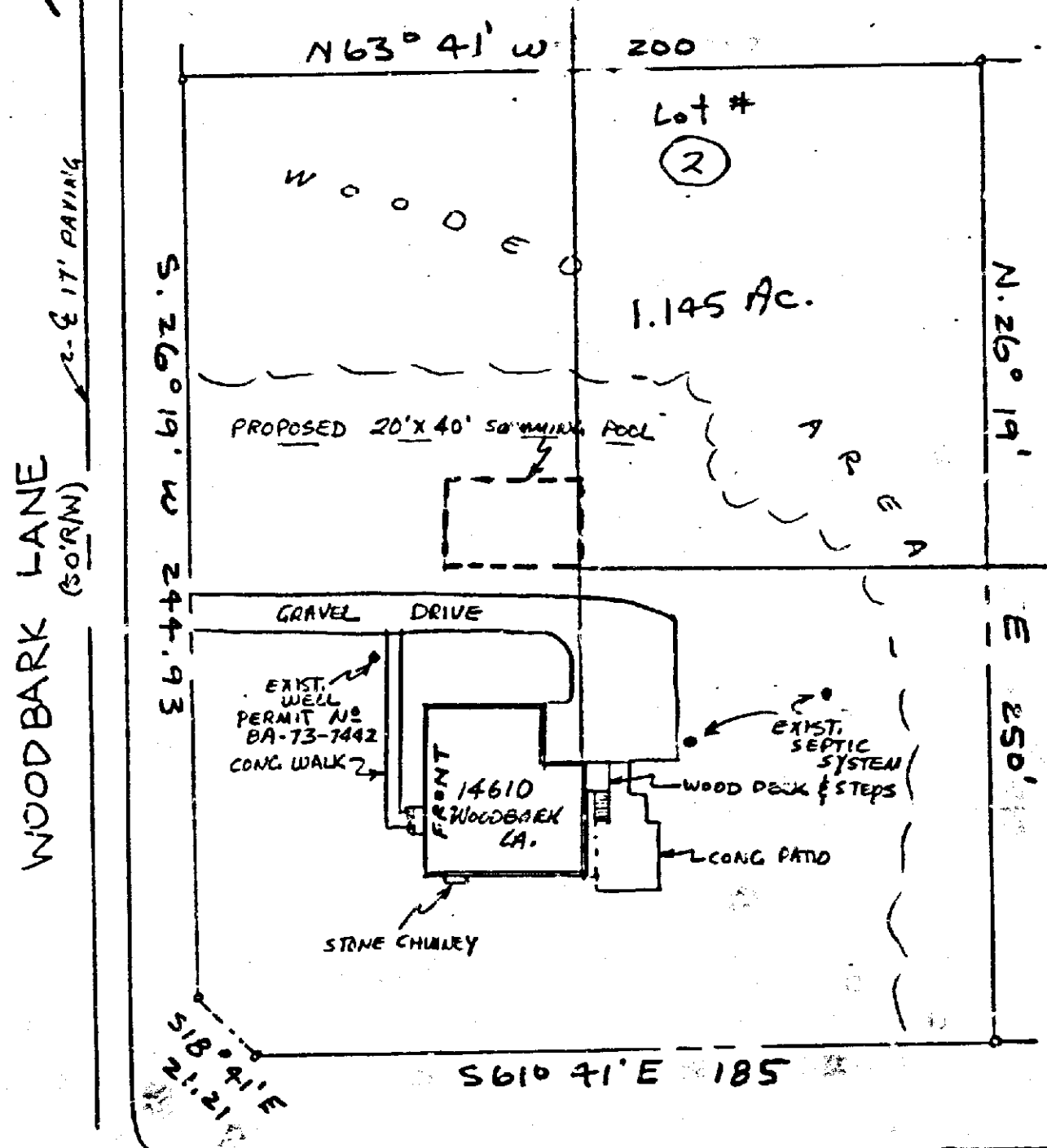
[Signature]
Mr. C. E. Burman, Chief
Building Plans Review

11/20 86-208-A 11/22/85

PLAT FOR ZONING VARIANCE
OWNER- RONALD F. & BOBBIE L. MESSINA
District 10 - ZONED RC-2
SUBDIVISION- HICKORY HILL 24/107
Lot 2 Block 'A'
SCALE: 1" = 400'

PETITIONER'S
EXHIBIT

[Signature]
BANK
SECTION
COUNTY
DATE
TYPE
HEARING
BY
AT
ST.



DEED REFERENCE: 5830/313
Lot 2 Block 'A'
HICKORY HILL
At 24/107
ELECT. DIST. IN BALTO. CO. MD.