

MAP NO. 8L
 5C
 E. D. 15
 DATE 12-15-84
 200 ✓
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86-348-A
 #225
 uca

86-348-A
 #225

Edwin W. Moore, et ux
 6820 North River Drive, Apt. 101
 (6820 North River Drive)
 15th Elec. Dist.

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 (Inground Swimming Pool) to be located in the front yard and a shed in the side yard, both in lieu of the required rear yard and side setback of 1.100 feet in lieu of the 2.5 feet required.

- 1) This property is in Chase Md and is Waterfront on Bird River.
- 2) The above said shed is existing and has been in this location for 8 years.
- 3) Owners have started to reassess the 2nd dwelling on this property to an accessory use structure (Hobby Shop and Storage Bldg)

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

Attorney for Petitioner: _____
 (Type or Print Name)
 Address: _____ Phone No. _____
 City and State: _____
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
 Name: _____
 Address: _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of February, 1986, 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 10th day of March, 1986, at 9:45 o'clock.

 Zoning Commissioner of Baltimore County.

MAP NO. 8L
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IN RE: PETITION ZONING VARIANCES * BEFORE THE
 N/S of North River Drive, * ZONING COMMISSIONER
 475' SE of the extension of * OF BALTIMORE COUNTY
 the centerline of Loyola Road * Case No. 86-348-A
 (6820 North River Drive) - *
 15th Election District *
 Edwin W. Moore, et ux, *
 Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit accessory structures, i.e., swimming pool and shed, in the front yard and in the side yard, respectively, instead of the required rear yard and a side yard setback of one foot instead of the required 2 1/2 feet for the existing shed, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Mary Bennett, their daughter, now the legal owner of the property, appeared and testified. David K. Lubert, the pool contractor, appeared on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, bounded by North River Drive and Bird River, measures 75' x 240' and is zoned D.R.5.5. The house, where the Petitioners and Ms. Bennett have resided for years, faces Bird River, with the kitchen and bedrooms in the rear towards North River Drive. The community and adjacent property owners also consider the front of the property to be the water side. See *Burkhardt v. Balto. Co.*, Misc. 5981-76, Circuit Ct., Balto. Co.

A 12' x 16' pool is proposed to be located in the front yard and there is a 10' x 16' shed situated one foot from the east property line. The shed has been there for about eight years. Neither accessory structure can be

ORDER RECEIVED FOR FILING
 DATE 12-15-84
 BY _____

located in the rear yard, as required by law, because a carport, a 24' x 40' storage building (which was the original house many years ago), and walkways would restrict the placement of any structure or use there.

The Petitioners seek relief from Sections 1B01.1.A.14 and 400.1. pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the requested variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING
 DATE 12-15-84
 BY _____

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of March, 1986, that the Petition for Zoning Variances to permit a swimming pool in the front yard and a shed in the side yard instead of the required rear yard and a side yard setback of 1 foot instead of the required 2 1/2 feet for the 10' x 16' shed be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein.

1. 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.
2. One large deciduous, two conifers, or four small deciduous trees shall be planted and maintained.
3. The Petitioners shall ensure that the chemically treated water in the pool is not discharged into Bird River but is pumped from the pool and removed from the site in an environmentally safe manner consistent with State and local regulations, where applicable.

 Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
 DATE 12-15-84
 BY _____

Zoning Description

Beginning on the NE/S of North River Drive, 475' SE of the extension of the centerline of Loyola Road to the NE/S of North River Drive. Being lots #36, 37, and 38 on the Plat of Harewood Park Book #7 Folio 131, 15th Election District, containing 18,000 sq. ft. Also known as #6820 North River Drive.

PETITION FOR ZONING VARIANCES

15th Election District

LOCATION: North Side of North River Drive, 475 feet Southeast of the extension of the Centerline of Loyola Road (6820 North River Drive)

DATE AND TIME: Monday, March 10, 1986, at 9:45 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 Zoning Variances for an accessory structure (inground swimming pool) to be located in the front yard and an existing shed in the side yard both in lieu of the required rear yard and an existing side setback of 1 foot in lieu of the required 2.5 feet

Being the property of Edwin W. Moore, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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 VARIANCES : BEFORE THE ZONING COMMISSIONER
 N/S North River Dr. : OF BALTIMORE COUNTY
 475' SE of Extension : Case No. 86-348-A
 of C/L Loyola Rd. :
 (6820 North River Dr.), :
 15th District :
 EDWIN W. MOORE, et ux, :
 Petitioners :

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

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Room 223, Court House
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Edwin W. Moore, 6820 North River Dr., Chase, MD 21220, Petitioners; and Mr. David K. Lubert, 146 Lake Shore Dr., Pasadena, MD 21122, who requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

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 not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/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 _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



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

ARNOLD JABLON
ZONING COMMISSIONER

March 5, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Edwin W. Moore
Mrs. Bertha E. Moore
6820 North River Drive
Chase, Maryland 21220

RE: PETITION FOR ZONING VARIANCES
N/S North River Drive, 475' SE of the extension
of the c/l Loyola Rd. (6820 North River Drive)
15th Election District
Edwin W. Moore, et ux - Petitioners
Case No. 86-348-A

Dear Mr. and Mrs. Moore:

This is to advise you that \$54.49 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 OR THE ORDER SHALL NOT BE ISSUED.

Do NOT remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit mailing, Towson, Maryland

BALTIMORE COUNTY, MARYLAND No. 018525
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/10/86 ACCOUNT 8-01-615-000

RECEIVED FROM: [Signature] AMOUNT \$54.49

FOR: [Signature]

BR 1 *****46521 01.07

VALIDATION OR SIGNATURE OF CASHIER

Petition for Variance

15th Election District
LOCATION: North side of North River Drive, 475 feet Southeast of the extension of the c/l Loyola Road (6820 North River Drive).
DATE & TIME: Monday, March 10, 1986 at 9:45 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 on the Petition for Zoning Variance for an accessory structure proposed on the lot and an existing shed in the side yard and an existing side setback of 1 foot in line of the required 2 feet.

Being the property of Edwin W. Moore, et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petitioner(s) 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

The Times

Middle River, Md., Feb. 19 1986

This is to Certify, That the annexed Petition - Moore Reg. 887516

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive

weeks before the 19th day of Feb. 1986

By Order of
[Signature]
Publisher

PETITION FOR ZONING VARIANCES

15th Election District
LOCATION: North side of North River Drive, 475 feet Southeast of the extension of the c/l Loyola Road (6820 North River Drive).
DATE & TIME: Monday, March 10, 1986, at 9:45 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 on the Petition for Zoning Variance for an accessory structure proposed on the lot and an existing shed in the side yard and an existing side setback of 1 foot in line of the required 2 feet.

Being the property of Edwin W. Moore, et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petitioner(s) 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

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20 1986

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

February 20 1986

THE JEFFERSONIAN,
[Signature]
Publisher

Cost of Advertising

27.50

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
Zoning Commissioner

Date: March 7 1986

TO: NORMAN E. GERBER, AICP
Director of Planning & Zoning

FROM: Critical Area Comments - E. W. Moore, et ux (86-348-A,
SUBJECT: Item 223) and L. A. Hayden, Sr. et ux (86-347-A, Item 210)

These two petitions for a variance should be deemed to satisfy the requirements of the Chesapeake Bay Critical Area statute if one large deciduous or two conifers or four small deciduous trees are planted and maintained on the respective lots. The site of the plantings can be determined by the petitioner.

In addition, in regard to the E. W. Moore petition, it is necessary to require that the chemically treated water in the pool to be constructed not be discharged into Bird River, but rather be pumped from the pool and removed from site in an environmentally safe manner consistent with local and state regulation where applicable.

In reference to the L. A. Hayden, Sr. et ux petition, it is recommended that all runoff generated from the new structure be infiltrated into the ground to the degree physically possible by spreading over a permeable surface such as a lawn.

[Signature]
Norman E. Gerber, AICP

NEG:PJS:vh

CY: Jean Jung
Jim Howsall
Thomas L. Widmar
People's Counsel
Andrea Van Arsdale
E. W. Moore
L. A. Hayden

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner

Date: March 7, 1986

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

SUBJECT: Zoning Petitions No. 86-347-A and 86-348-A

Please consider the Critical Area comments (see memorandum dated 3/6/86 from Gerber to Jablon) to be the position of this office.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:slm

Mr. Edwin W. Moore
Mrs. Bertha E. Moore
6820 North River Drive
Chase, Maryland 21220

February 7, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
N/S North River Drive, 475' SE of the extension
of the c/l Loyola Rd.
(6820 North River Drive)
15th Election District, Petitioners: Edwin W. Moore, et ux
Case No. 86-348-A

TIME: 9:45 a.m.

DATE: Monday, March 10, 1986

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

BALTIMORE COUNTY, MARYLAND No. 012393
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 12/2/85 ACCOUNT 01-615-000

RECEIVED FROM: Mary A. Bennett AMOUNT \$35.00

FOR: Variance # 223

BR 1 *****46521 01.07

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 2/12/86

Posted for: Variance

Petitioner: Edwin W. Moore, et ux

Location of property: N/S North River Drive, 475' SE of c/l Loyola Rd. - 6820 North River Drive

Location of Sign: [Signature] 111 West Chesapeake Avenue, Towson, Md.

Remarks: [Signature]

Posted by: [Signature] Date of return: 2/10/86

Number of Signs: 1

Case No. 86-348-A

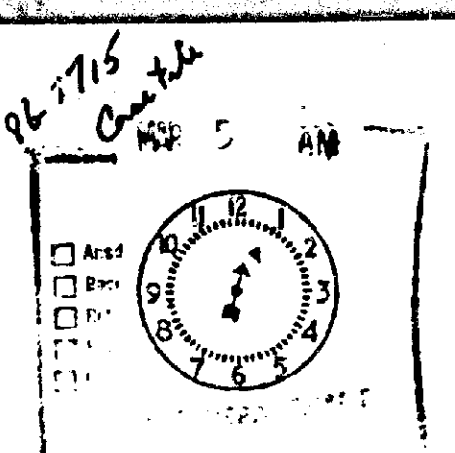
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of February, 1986.

[Signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner Edwin W. Moore, et ux Received by: James E. Dyer, Jr.
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee



March 3, 1986

RE: Item No. 223 - Case No. 86-348-A
Petitioners - Edwin W. Moore, et ux
variance petition

Mr. Arnold Jablon
Zoning Commissioner

Dear Mr. Jablon:

I would, at this time, like to acknowledge a change in property ownership of 6820 North River Drive. Variance No. 86-348-A was filed and a hearing is scheduled for Monday - March 10th at 9:45 a.m.

Due to the age and health of my parents, Edwin and Bertha Moore, the original owners, I was initially scheduled to act as their personal representative. Now I will appear as owner and wish to continue with this hearing date as noted above.

If there are any questions concerning this change, I will bring the new deed for this property with me on the day of the hearing.

Thank you,

Very truly yours,
Mary Bennett
Mrs. Mary Bennett

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 14, 1986

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21284

Mr. and Mrs. Edwin W. Moore 6820 North River Drive Chase, Maryland 21220

RE: Item No. 223 - Case No. 86-348-A Petitioners - Edwin W. Moore, et ux 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. and Mrs. Moore:

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.

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.

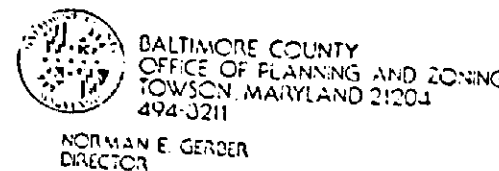
Very truly yours,

James E. Dyer (m) JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. David K. Luber Maryland Professional Services 146 Lake Shore Drive Pasadena, Maryland 21122



FEBRUARY 13, 1986 (CRITICAL AREA)

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21284

RE: Zoning Advisory Meeting of December 17, 1985 Item # 223 Property Owner: EDWIN W. MOORE, et ux Location: NE/S North River Dr. 475' SE of the extension of the c/l of Loyola Rd.

Dear Mr. Jablon:

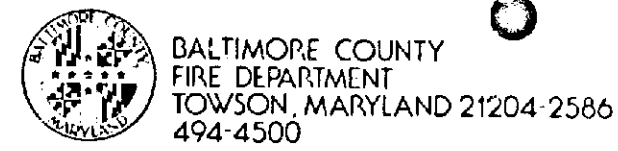
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment. County Review Group Meeting is required. Forward 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. 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 22-99 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 1/22/86. Landscaping must comply with Baltimore County Landscape Manual. The property is located in a Baltimore County Landscape Manual, 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 "g" level intersection as defined by Bill 178-79. Its conditions change and are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE BAY PROVIDED BY THE CONSERVATIVE PLANNING DIVISION.

cc: James Hottel

Eugene A. Sobor CHIEF, Current Planning and Development



PAUL H. REINCKE CHIEF

December 17, 1985

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

Attention: Nick Conodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Edwin W. Moore, et ux

Location: NE/S North River Drive, 475' SE of extension of centerline

Item No.: 223 Zoning Agenda: Meeting of December 17, 1985

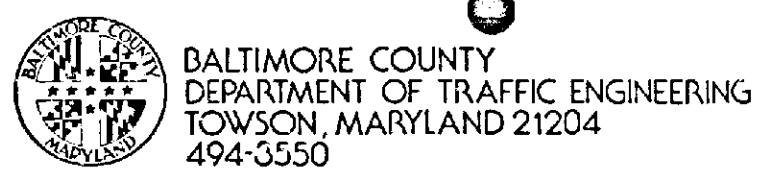
Gentlemen:

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

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

/mb



STEPHEN E. COLLINS DIRECTOR

January 16, 1986

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

Item No. -2AC- Meeting of December 17, 1985 Property Owner: Location: Existing Zoning: Proposed Zoning:

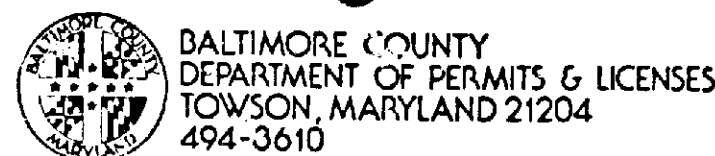
Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 192, 222, 223, 227, 228, and 229.

[Signature] MICHAEL S. FLANNAN Traffic Engineer Associate II

MSF/blid



TED ZALESKI, JR. DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 223 Zoning Advisory Committee Meeting are as follows:

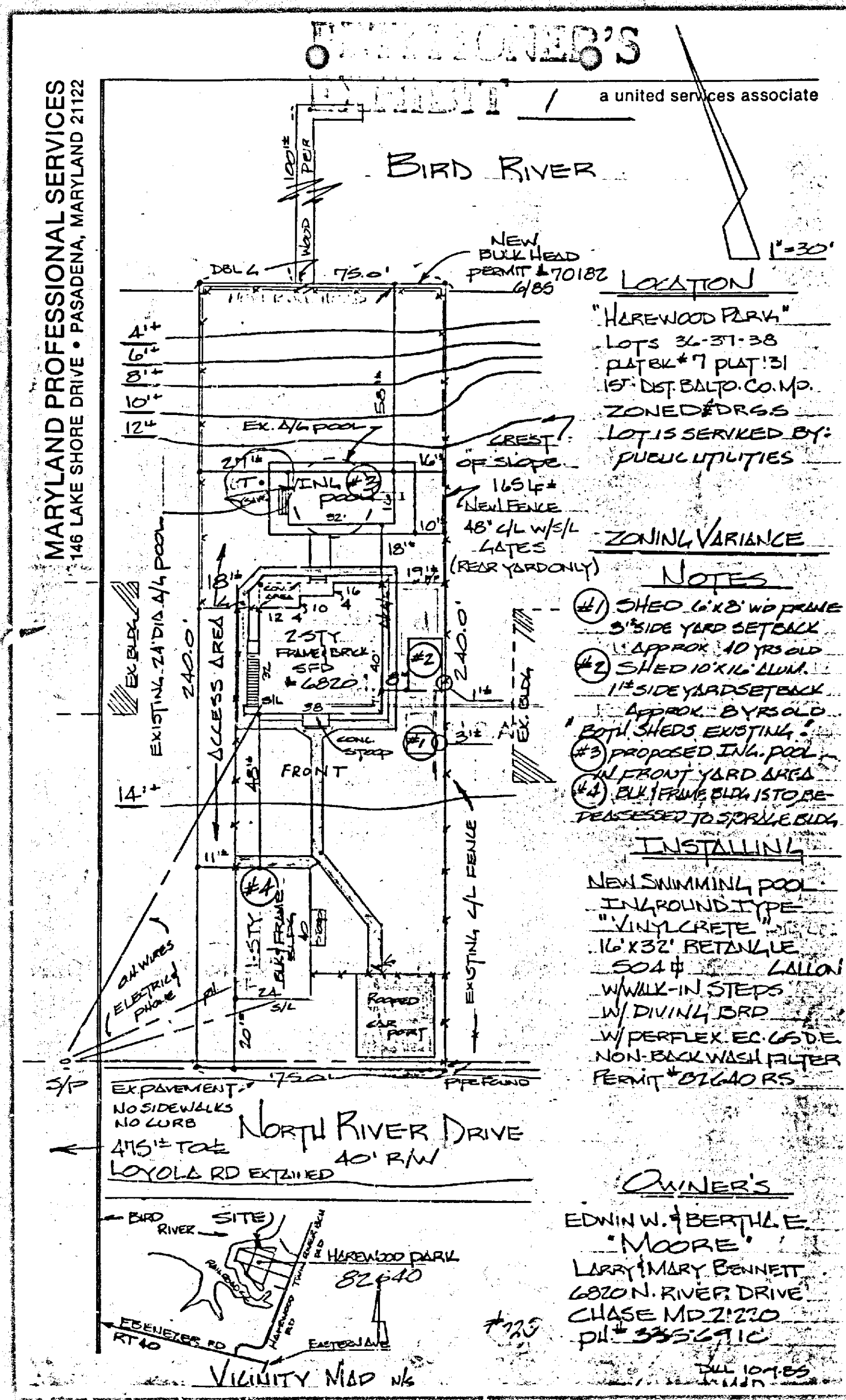
Property Owner: Edwin W. Moore, et ux Location: NE/S North River Drive, 475' SE of the extension of the c/l of 15th. District: Loyola Road to the NE/S North River Drive

APPLICABLE ITEMS ARE CIRCLED:

- 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.
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/are not 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 Use Groups except R-1, 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-1 Use Groups require a one hour wall if closer than 9'-0" to an interior lot line. All small walls on an interior lot line shall require a fire or party wall. See Table 404, Section 1407, Section 1406.2 and Table 1102. 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 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 404 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/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.
The proposed project appears to be located in a Flood Plain, Flood Hazard. 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 finished floor levels including basement.
Comments:
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 172 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

LJZ/PS

[Signature] Building Plans Section



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Edwin W. Moore, et ux
 6820 North River Drive, Apt. 101
 (6820 North River Drive)
 15th Elec. Dist.

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 (Inground Swimming Pool) to be located in the front yard and a shed in the side yard, both in lieu of the required rear yard and a side setback of 1.100 feet in lieu of the 2.5 feet required.

- 1) This property is in Chase Md and is Waterfront on Bird River.
- 2) The above said shed is existing and has been in this location for 8 years.
- 3) Owners have started to reassess the 2nd dwelling on this property to an accessory use structure (Hobby Shop and Storage Bldg)

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

Attorney for Petitioner: _____
 (Type or Print Name)
 Address: _____ Phone No. _____
 Signature: _____ City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
 Name: _____
 Address: _____
 City and State: _____
 Name: _____
 Address: _____
 City and State: _____
 Name: _____
 Address: _____
 City and State: _____
 Name: _____
 Address: _____
 City and State: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of February, 1986, 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 10th day of March, 1986, at 9:45 o'clock.

 Zoning Commissioner of Baltimore County.

MAP NO. 8L
 5C
 E. D. 15
 DATE 12-15-84
 200 ✓
 1000 ✓
 100 ✓
 50 ✓

IN RE: PETITION ZONING VARIANCES * BEFORE THE
 N/S of North River Drive, * ZONING COMMISSIONER
 475' SE of the extension of * OF BALTIMORE COUNTY
 the centerline of Loyola Road * Case No. 86-348-A
 (6820 North River Drive) - *
 15th Election District *
 Edwin W. Moore, et ux, *
 Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit accessory structures, i.e., swimming pool and shed, in the front yard and in the side yard, respectively, instead of the required rear yard and a side yard setback of one foot instead of the required 2 1/2 feet for the existing shed, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Mary Bennett, their daughter, now the legal owner of the property, appeared and testified. David K. Lubert, the pool contractor, appeared on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, bounded by North River Drive and Bird River, measures 75' x 240' and is zoned D.R.5.5. The house, where the Petitioners and Ms. Bennett have resided for years, faces Bird River, with the kitchen and bedrooms in the rear towards North River Drive. The community and adjacent property owners also consider the front of the property to be the water side. See *Burkhardt v. Balto. Co.*, Misc. 5981-76, Circuit Ct., Balto. Co.

A 12' x 16' pool is proposed to be located in the front yard and there is a 10' x 16' shed situated one foot from the east property line. The shed has been there for about eight years. Neither accessory structure can be

located in the rear yard, as required by law, because a carport, a 24' x 40' storage building (which was the original house many years ago), and walkways would restrict the placement of any structure or use there.

The Petitioners seek relief from Sections 1B01.1.A.14 and 400.1. pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the requested variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of March, 1986, that the Petition for Zoning Variances to permit a swimming pool in the front yard and a shed in the side yard instead of the required rear yard and a side yard setback of 1 foot instead of the required 2 1/2 feet for the 10' x 16' shed be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein.

1. 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.
2. One large deciduous, two conifers, or four small deciduous trees shall be planted and maintained.
3. The Petitioners shall ensure that the chemically treated water in the pool is not discharged into Bird River but is pumped from the pool and removed from the site in an environmentally safe manner consistent with State and local regulations, where applicable.

 Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
 DATE 3/15/86
 BY _____
 AS/AS
 Mary Bennett
 People's Counsel

Zoning Description

Beginning on the NE/S of North River Drive, 475' SE of the extension of the centerline of Loyola Road to the NE/S of North River Drive. Being lots #36, 37, and 38 on the Plat of Harewood Park Book #7 Folio 131, 15th Election District, containing 18,000 sq. ft. Also known as #6820 North River Drive.

PETITION FOR ZONING VARIANCES
 15th Election District

LOCATION: North Side of North River Drive, 475 feet Southeast of the extension of the Centerline of Loyola Road (6820 North River Drive)
 DATE AND TIME: Monday, March 10, 1986, at 9:45 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 Zoning Variances for an accessory structure (inground swimming pool) to be located in the front yard and an existing shed in the side yard both in lieu of the required rear yard and an existing side setback of 1 foot in lieu of the required 2.5 feet

Being the property of Edwin W. Moore, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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 VARIANCES : BEFORE THE ZONING COMMISSIONER
 N/S North River Dr. : OF BALTIMORE COUNTY
 475' SE of Extension : Case No. 86-348-A
 of C/L Loyola Rd. :
 (6820 North River Dr.), :
 15th District :
 EDWIN W. MOORE, et ux, :
 Petitioners :

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

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Room 223, Court House
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Edwin W. Moore, 6820 North River Dr., Chase, MD 21220, Petitioners; and Mr. David K. Lubert, 146 Lake Shore Dr., Pasadena, MD 21122, who requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

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 not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/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 _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 5, 1986

Mr. Edwin W. Moore
Mrs. Bertha E. Moore
6820 North River Drive
Chase, Maryland 21220

RE: PETITION FOR ZONING VARIANCES
N/S North River Drive, 475' SE of the extension
of the c/l Loyola Rd. (6820 North River Drive)
15th Election District
Edwin W. Moore, et ux - Petitioners
Case No. 86-348-A

Dear Mr. and Mrs. Moore:

This is to advise you that \$54.49 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 OR THE ORDER SHALL NOT BE ISSUED.

Do NOT remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit mailing, Towson, Maryland

BALTIMORE COUNTY, MARYLAND No. 018525
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/10/86 ACCOUNT 8-01-615-000
RECEIVED FROM: [Signature]
AMOUNT \$54.49

FOR: [Signature]
B [Signature]

VALIDATION OR SIGNATURE OF CASHIER

Petition for Variance

15th Election District
LOCATION: North side of North
River Drive, 475 feet Southeast of the
extension of the c/l Loyola Rd.
(6820 North River Drive.)
DATE & TIME: Monday, March 10,
1986 at 9:45 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 on the Petition for Zoning Variance for an accessory structure (unpaved swimming pool) to be located in the front yard and an existing shed in the side yard both in line of the required rear yard and an existing side setback of 1 foot in line of the required 2 feet.

Being the property of Edwin W. Moore, et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petitioner(s) 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

The Times

Middle River, Md., Feb. 19 1986

This is to Certify, That the annexed
Petition - Moore
Reg. 887516

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 19th day of Feb. 1986.

By Order of
[Signature]
Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20 1986

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 February 20, 1986.

THE JEFFERSONIAN,
[Signature]
Publisher

Cost of Advertising
27.50

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
Zoning Commissioner

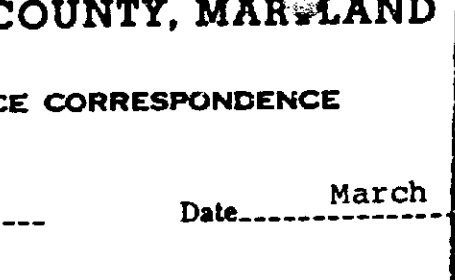
TO: NORMAN E. GERBER, AICP
Director of Planning & Zoning

FROM: Critical Area Comments - E. W. Moore, et ux (86-348-A),
SUBJECT: Item 223) and L. A. Hayden, Sr. et ux (86-347-A, Item 210)

These two petitions for a variance should be deemed to satisfy the requirements of the Chesapeake Bay Critical Area statute if one large deciduous or two conifers or four small deciduous trees are planted and maintained on the respective lots. The site of the plantings can be determined by the petitioner.

In addition, in regard to the E. W. Moore petition, it is necessary to require that the chemically treated water in the pool to be constructed not be discharged into Bird River, but rather be pumped from the pool and removed from site in an environmentally safe manner consistent with local and state regulation where applicable.

In reference to the L. A. Hayden, Sr. et ux petition, it is recommended that all runoff generated from the new structure be infiltrated into the ground to the degree physically possible by spreading over a permeable surface such as a lawn.



By Order of
[Signature]
Norman E. Gerber, AICP

NEG:PJS:vh

CY: Jean Jung
Jim Howsall
Thomas L. Widmar
People's Counsel
Andrea Van Arsdale
E. W. Moore
L. A. Hayden

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner

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

SUBJECT: Zoning Petitions No. 86-347-A and 86-348-A

Please consider the Critical Area comments (see memorandum dated 3/6/86 from Gerber to Jablon) to be the position of this office.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:slm

Mr. Edwin W. Moore
Mrs. Bertha E. Moore
6820 North River Drive
Chase, Maryland 21220

February 7, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
N/S North River Drive, 475' SE of the extension
of the c/l Loyola Rd.
(6820 North River Drive)
15th Election District, Petitioners: Edwin W. Moore, et ux
Case No. 86-348-A

TIME: 9:45 a.m.

DATE: Monday, March 10, 1986

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

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND No. 012393
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 12/2/85 ACCOUNT 01-615-000
RECEIVED FROM: Mary A. Bennett
AMOUNT \$35.00

FOR: [Signature] # 223

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 2/12/86

Posted for: [Signature]

Petitioner: Edwin W. Moore, et ux

Location of property: N/S North River Drive, 475' SE of c/l Loyola Rd. - 6820 North River Drive

Location of Sign: [Signature] Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Remarks: [Signature]

Posted by: [Signature] Date of return: 2/10/86

Number of Signs: 1

Case No. 86-348-A

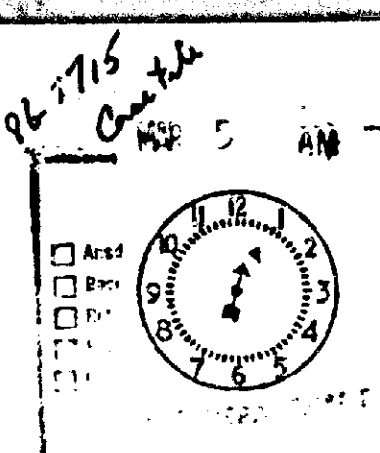
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of February, 1986.

[Signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner Edwin W. Moore, et ux Received by: [Signature]
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee



March 3, 1986

RE: Item No. 223 - Case No. 86-348-A
Petitioners - Edwin W. Moore, et ux
variance petition

Mr. Arnold Jablon
Zoning Commissioner

Dear Mr. Jablon:

I would, at this time, like to acknowledge a change in property ownership of 6820 North River Drive. Variance No. 86-348-A was filed and a hearing is scheduled for Monday - March 10th at 9:45 a.m.

Due to the age and health of my parents, Edwin and Bertha Moore, the original owners, I was initially scheduled to act as their personal representative. Now I will appear as owner and wish to continue with this hearing date as noted above.

If there are any questions concerning this change, I will bring the new deed for this property with me on the day of the hearing.

Thank you,

Very truly yours,
Mary Bennett
Mrs. Mary Bennett

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 14, 1986

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21284

Mr. and Mrs. Edwin W. Moore 6820 North River Drive Chase, Maryland 21220

RE: Item No. 223 - Case No. 86-348-A Petitioners - Edwin W. Moore, et ux 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. and Mrs. Moore:

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.

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.

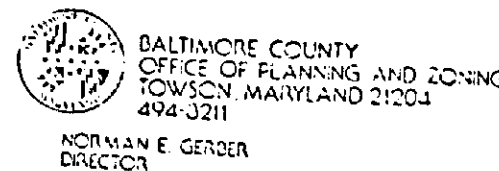
Very truly yours,

James E. Dyer (m) JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. David K. Luber Maryland Professional Services 146 Lake Shore Drive Pasadena, Maryland 21122



FEBRUARY 13, 1986 (CRITICAL AREA)

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21284

RE: Zoning Advisory Meeting of December 17, 1985 Item # 223 Property Owner: EDWIN W. MOORE, et ux Location: NE/S North River Dr. 475' SE of the extension of the c/l of Loyola Rd.

Dear Mr. Jablon:

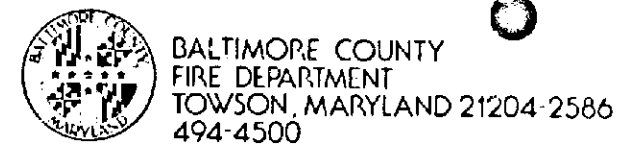
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment. County Review Group Meeting is required. Forward 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. 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 22-99 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 1/22/86. Landscaping must comply with Baltimore County Landscape Manual, 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 "g" level intersection as defined by Bill 178-79. Its conditions change and are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE BAY PROVIDED BY THE CONSERVATIVE PLANNING DIVISION.

cc: James Hottel

Eugene A. Sobor CHIEF, Current Planning and Development



December 17, 1985

PAUL H. REINCKE CHIEF

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

Attention: Nick Conodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Edwin W. Moore, et ux

Location: NE/S North River Drive, 475' SE of extension of centerline

Item No.: 223 Zoning Agenda: Meeting of December 17, 1985

Gentlemen:

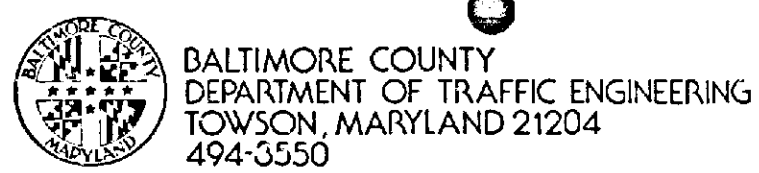
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

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

Noted and Approved: John F. O'Neill Fire Prevention Bureau

REVIEWER: [Signature] Planning Group Special Inspection Division

/mb



STEPHEN E. COLLINS DIRECTOR

January 16, 1986

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

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

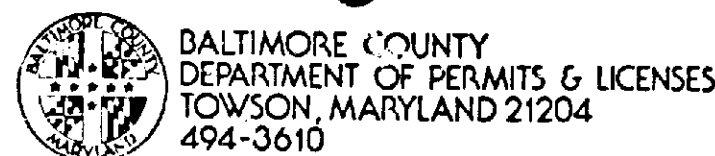
Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 192, 222, 223, 227, 228, and 229.

Michael S. Flanagan Traffic Engineer Associate II

MSF/blid



TED ZALESKI, JR. DIRECTOR

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

Dear Mr. Jablon:

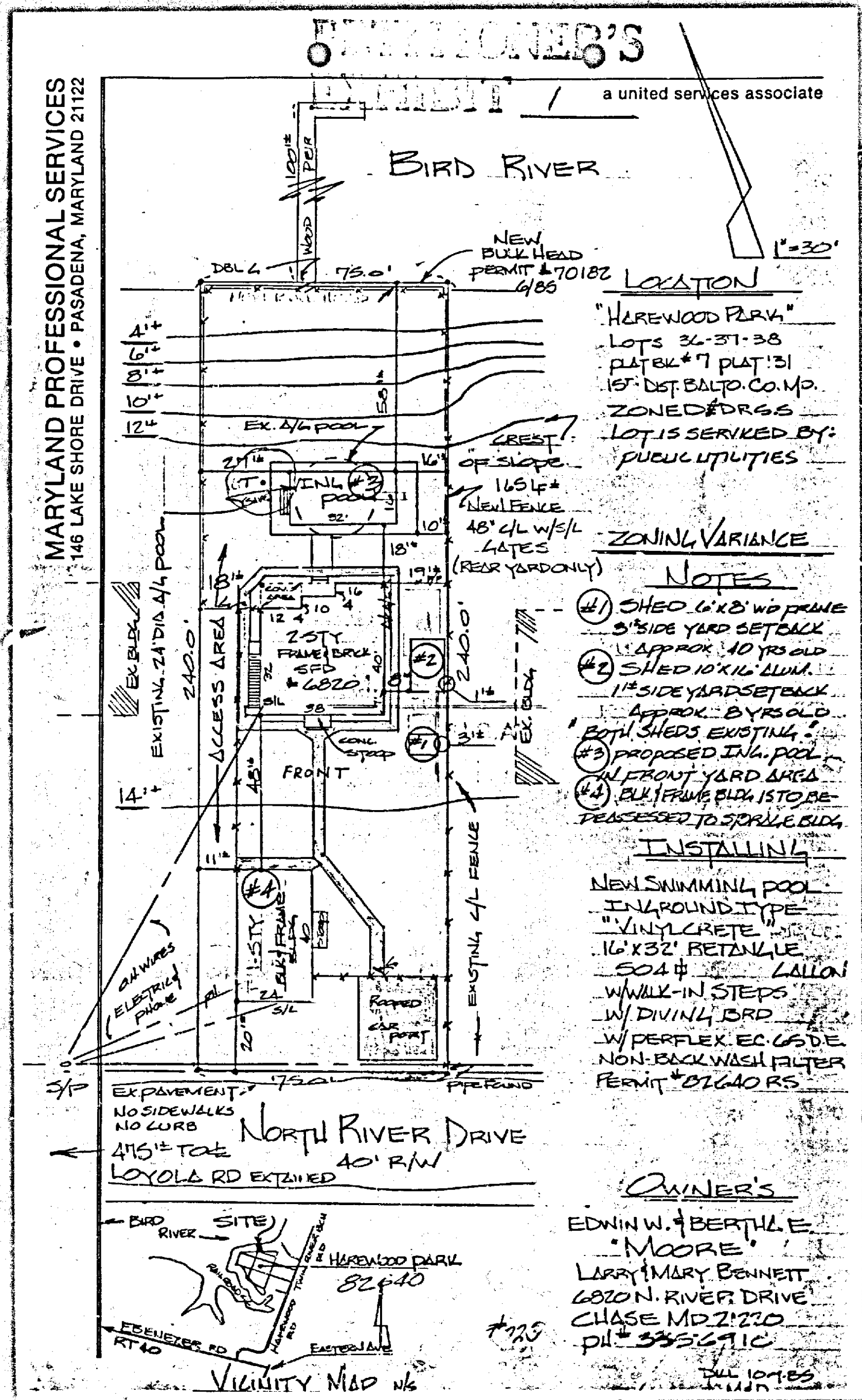
Comments on Item # 223 Zoning Advisory Committee Meeting are as follows:

Property Owner: Edwin W. Moore, et ux Location: NE/S North River Drive, 475' SE of the extension of the c/l of 15th. District: Loyola Road to the NE/S North River Drive

- APPLICABLE ITEMS ARE CIRCLED:
1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85.
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 in Maryland Architect or Engineer is/are not required on plans and technical data.
4. 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.
5. All Use Groups except R-1, 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-1 Use Groups require a one hour wall if closer than 9'-0" to an interior lot line. All walls built on an interior lot line shall require a fire or party wall. See Table 404, Section 1407, Section 1406.2 and Table 1402. No 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 404 and 505 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 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.
9. The proposed project appears to be located in a Flood Plain, Flood Hazard. 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 finished floor levels including basement.
10. Comments:
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 permit. If desired the applicant may obtain additional information by visiting Room 172 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Building Plans Section

LJZ/PS



MAP NO. 8L
 5C
 E. D. 15
 DATE 12-15-84
 200 ✓
 1000 ✓
 100 ✓
 50 ✓

86-348-A
 #225
 uca

86-348-A
 #225
 uca

Edwin W. Moore, et ux
 6820 North River Drive, Apt. 101
 (6820 North River Drive)
 15th Elec. Dist.

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 (Inground Swimming Pool) to be located in the front yard and a shed in the side yard, both in lieu of the required rear yard and side setback of 1.100 feet in lieu of the 2.5 feet required.

- 1) This property is in Chase Md and is Waterfront on Bird River.
- 2) The above said shed is existing and has been in this location for 8 years.
- 3) Owners have started to reassess the 2nd dwelling on this property to an accessory use structure (Hobby Shop and Storage Bldg)

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

Attorney for Petitioner: _____
 (Type or Print Name)
 Address: _____ Phone No. _____
 City and State: _____
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
 Name: _____
 Address: _____
 City and State: _____
 Attorney's Telephone No.: _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of February, 1986, 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 10th day of March, 1986, at 9:45 o'clock.

Carl J. Jablon
 Zoning Commissioner of Baltimore County.

MAP NO. 8L
 5C
 E. D. 15
 DATE 12-15-84
 200 ✓
 1000 ✓
 100 ✓
 50 ✓

IN RE: PETITION ZONING VARIANCES * BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY *
 N/S of North River Drive, *
 475' SE of the extension of *
 the centerline of Loyola Road *
 (6820 North River Drive) - *
 15th Election District *
 Edwin W. Moore, et ux, *
 Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit accessory structures, i.e., swimming pool and shed, in the front yard and in the side yard, respectively, instead of the required rear yard and a side yard setback of one foot instead of the required 2 1/2 feet for the existing shed, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Mary Bennett, their daughter, now the legal owner of the property, appeared and testified. David K. Lubert, the pool contractor, appeared on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, bounded by North River Drive and Bird River, measures 75' x 240' and is zoned D.R.5.5. The house, where the Petitioners and Ms. Bennett have resided for years, faces Bird River, with the kitchen and bedrooms in the rear towards North River Drive. The community and adjacent property owners also consider the front of the property to be the water side. See *Burkhardt v. Balto. Co.*, Misc. 5981-76, Circuit Ct., Balto. Co.

A 12' x 16' pool is proposed to be located in the front yard and there is a 10' x 16' shed situated one foot from the east property line. The shed has been there for about eight years. Neither accessory structure can be

ORDER RECEIVED FOR FILING
 DATE 12-15-84
 BY *Carl J. Jablon*

located in the rear yard, as required by law, because a carport, a 24' x 40' storage building (which was the original house many years ago), and walkways would restrict the placement of any structure or use there.

The Petitioners seek relief from Sections 1B01.1.A.14 and 400.1. pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the requested variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING
 DATE 12-15-84
 BY *Carl J. Jablon*

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of March, 1986, that the Petition for Zoning Variances to permit a swimming pool in the front yard and a shed in the side yard instead of the required rear yard and a side yard setback of 1 foot instead of the required 2 1/2 feet for the 10' x 16' shed be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein.

1. 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.
2. One large deciduous, two conifers, or four small deciduous trees shall be planted and maintained.
3. The Petitioners shall ensure that the chemically treated water in the pool is not discharged into Bird River but is pumped from the pool and removed from the site in an environmentally safe manner consistent with State and local regulations, where applicable.

Mary Bennett
 Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
 DATE 12-15-84
 BY *Carl J. Jablon*

Mary Bennett
 People's Counsel

Zoning Description

Beginning on the NE/S of North River Drive, 475' SE of the extension of the centerline of Loyola Road to the NE/S of North River Drive. Being lots #36, 37, and 38 on the Plat of Harewood Park Book #7 Folio 131, 15th Election District, containing 18,000 sq. ft. Also known as #6820 North River Drive.

PETITION FOR ZONING VARIANCES
 15th Election District

LOCATION: North Side of North River Drive, 475 feet Southeast of the extension of the Centerline of Loyola Road (6820 North River Drive)
 DATE AND TIME: Monday, March 10, 1986, at 9:45 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 Zoning Variances for an accessory structure (inground swimming pool) to be located in the front yard and an existing shed in the side yard both in lieu of the required rear yard and an existing side setback of 1 foot in lieu of the required 2.5 feet

Being the property of Edwin W. Moore, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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 VARIANCES : BEFORE THE ZONING COMMISSIONER
 N/S North River Dr. : OF BALTIMORE COUNTY
 475' SE of Extension :
 of C/L Loyola Rd. : Case No. 86-348-A
 (6820 North River Dr.), :
 15th District :
 EDWIN W. MOORE, et ux, :
 Petitioners :

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

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Room 223, Court House
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 25th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Edwin W. Moore, 6820 North River Dr., Chase, MD 21220, Petitioners; and Mr. David K. Lubert, 146 Lake Shore Dr., Pasadena, MD 21122, who requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

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 not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/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 _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 5, 1986

Mr. Edwin W. Moore
Mrs. Bertha E. Moore
6820 North River Drive
Chase, Maryland 21220

RE: PETITION FOR ZONING VARIANCES
N/S North River Drive, 475' SE of the extension
of the c/l Loyola Rd. (6820 North River Drive)
15th Election District
Edwin W. Moore, et ux - Petitioners
Case No. 86-348-A

Dear Mr. and Mrs. Moore:

This is to advise you that \$54.49 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 OR THE ORDER SHALL NOT BE ISSUED.

Do NOT remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit mailing, Towson, Maryland

BALTIMORE COUNTY, MARYLAND No. 018525
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/10/86 ACCOUNT 8-01-615-000
RECEIVED FROM [Signature] AMOUNT \$54.49

FOR: [Signature] Case No. 86-348-A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: March 7, 1986
FROM: Norman E. Gerber, AICP, Director, Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 86-347-A and 86-348-A

Please consider the Critical Area comments (see memorandum dated 3/6/86 from Gerber to Jablon) to be the position of this office.

[Signature] Norman E. Gerber, AICP, Director

NEG:JGH:slm

Mr. Edwin W. Moore February 7, 1986
Mrs. Bertha E. Moore
6820 North River Drive
Chase, Maryland 21220

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
N/S North River Drive, 475' SE of the extension
of the c/l Loyola Rd.
(6820 North River Drive)
15th Election District, Petitioners: Edwin W. Moore, et ux
Case No. 86-348-A

TIME: 9:45 a.m.

DATE: Monday, March 10, 1986

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

[Signature] Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND No. 012393
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 12/2/85 ACCOUNT 01-615-000
RECEIVED FROM Mary A. Bennett AMOUNT \$35.00

FOR: [Signature] # 783

VALIDATION OR SIGNATURE OF CASHIER

Petition for Variance

15th Election District
LOCATION: North side of North River Drive, 475 feet Southeast of the extension of the c/l Loyola Road (6820 North River Drive).
DATE & TIME: Monday, March 10, 1986 at 9:45 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 on the petition for zoning variances for an accessory structure (detached swimming pool) to be located in the front yard and an existing shed in the side yard and an existing side setback of 1 foot in line of the required 2 feet.

Being the property of Edwin W. Moore, et ux, as shown on the plat filed with the Zoning Office. In the event that this Petitioner(s) 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

The Times

Middle River, Md., Feb. 19, 1986

This is to Certify, That the annexed

Petition - Moore

Reg. 887516

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of _____ successive weeks before the _____ day of _____, 1986.

By _____ Publisher.

86-348

PETITION FOR ZONING VARIANCES

15th Election District

LOCATION: North side of North River Drive, 475 feet Southeast of the extension of the c/l Loyola Road (6820 North River Drive).

DATE & TIME: Monday, March 10, 1986, at 9:45 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 on the petition for zoning variances for an accessory structure (detached swimming pool) to be located in the front yard and an existing shed in the side yard and an existing side setback of 1 foot in line of the required 2 feet.

Being the property of Edwin W. Moore, et ux, as shown on the plat filed with the Zoning Office.

In the event that this Petitioner(s) 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

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20, 1986

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 _____ February 20, 1986.

THE JEFFERSONIAN,

[Signature]

Publisher

Cost of Advertising

27.50

86-348-A

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 86-348-A
Towson, Maryland

District 15th Date of Posting 2/19/86

Posted for: [Signature]

Petitioner: Edwin W. Moore, et ux

Location of property: N/S North River Drive, 475' SE of c/l Loyola Rd. - 6820 N. Riv. Dr.

Location of Sign: [Signature] 111 West Chesapeake Avenue, Towson, Md.

Remarks: [Signature]

Posted by: [Signature] Date of return: 2/19/86

Number of Signs: 1

Case No. 86-348-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 February, 1986.

[Signature] Arnold Jablon, Zoning Commissioner

Petitioner Edwin W. Moore, et ux Received by: [Signature] Chairman, Zoning Plans Advisory Committee

Attorney

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: MR. ARNOLD JABLON, Zoning Commissioner Date: March 7, 1986
FROM: NORMAN E. GERBER, AICP, Director of Planning & Zoning
SUBJECT: Critical Area Comments - E. W. Moore, et ux (86-348-A, Item 223) and L. A. Hayden, Sr. et ux (86-347-A, Item 210)

These two petitions for a variance should be deemed to satisfy the requirements of the Chesapeake Bay Critical Area statute if one large deciduous or two conifers or four small deciduous trees are planted and maintained on the respective lots. The site of the plantings can be determined by the petitioner.

In addition, in regard to the E. W. Moore petition, it is necessary to require that the chemically treated water in the pool to be constructed not be discharged into Bird River, but rather be pumped from the pool and removed from site in an environmentally safe manner consistent with local and state regulation where applicable.

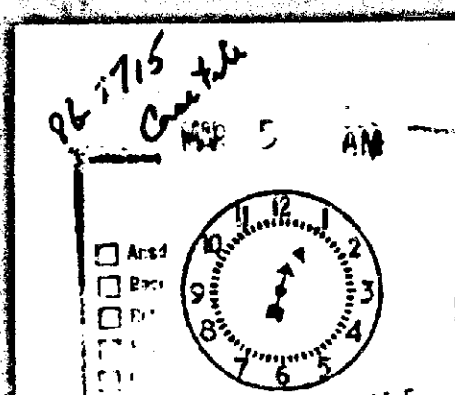
In reference to the L. A. Hayden, Sr. et ux petition, it is recommended that all runoff generated from the new structure be infiltrated into the ground to the degree physically possible by spreading over a permeable surface such as a lawn.

[Signature] Norman E. Gerber, AICP

NEG:PJS:vh

CC: Jean Jung
Jim Howsall
Thomas L. Widmar
People's Counsel
Andrea Van Arsdale
E. W. Moore
L. A. Hayden

CPS-008



March 3, 1986

RE: Item No. 223 - Case No. 86-348-A
Petitioners - Edwin W. Moore, et ux
variance petition

Mr. Arnold Jablon
Zoning Commissioner

Dear Mr. Jablon:

I would, at this time, like to acknowledge a change in property ownership of 6820 North River Drive. Variance No. 86-348-A was filed and a hearing is scheduled for Monday - March 10th at 9:45 a.m.

Due to the age and health of my parents, Edwin and Bertha Moore, the original owners, I was initially scheduled to act as their personal representative. Now I will appear as owner and wish to continue with this hearing date as noted above.

If there are any questions concerning this change, I will bring the new deed for this property with me on the day of the hearing.

Thank you,

Very truly yours,
Mary Bennett
Mrs. Mary Bennett

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 14, 1986

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21284

Mr. and Mrs. Edwin W. Moore 6820 North River Drive Chase, Maryland 21220

RE: Item No. 223 - Case No. 86-348-A Petitioners - Edwin W. Moore, et ux 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. and Mrs. Moore:

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.

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.

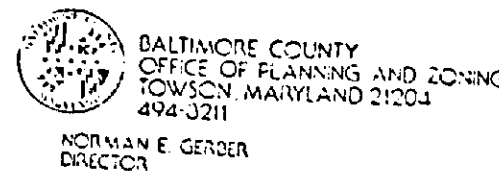
Very truly yours,

James E. Dyer (m) JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. David K. Luber Maryland Professional Services 146 Lake Shore Drive Pasadena, Maryland 21122



FEBRUARY 13, 1986 (CRITICAL AREA)

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21284

RE: Zoning Advisory Meeting of December 17, 1985 Item # 223 Property Owner: EDWIN W. MOORE, et ux Location: NE/S North River Dr. 475' SE of the extension of the c/l of Loyola Rd.

Dear Mr. Jablon:

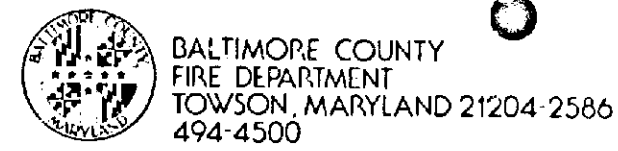
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- There are no site planning factors requiring comment. County Review Group Meeting is required. Forward 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. 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 22-99 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 1/22/86. Landscaping must comply with Baltimore County Landscape Manual, 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 "H" level intersection as defined by Bill 178-79. Its conditions change and are re-evaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE BAY PROVIDED BY THE CONSERVATIVE PLANNING DIVISION.

cc: James Hottel

Eugene A. Sobor CHIEF, Current Planning and Development



PAUL H. REINCKE CHIEF

December 17, 1985

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

Attention: Nick Conodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Edwin W. Moore, et ux

Location: NE/S North River Drive, 475' SE of extension of centerline

Item No.: 223 Zoning Agenda: Meeting of December 17, 1985

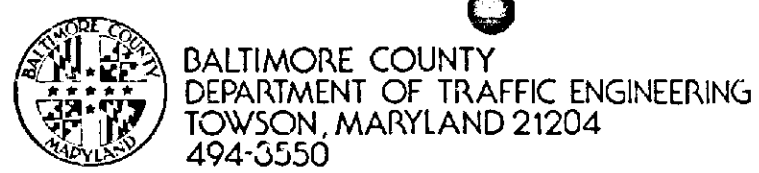
Gentlemen:

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.
7. The Fire Prevention Bureau has no comment at this time.

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

/mb



STEPHEN E. COLLINS DIRECTOR

January 16, 1986

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

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

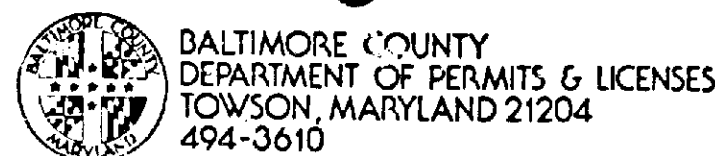
Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 192, 222, 223, 227, 228, and 229.

[Signature] MICHAEL S. FLANNAN Traffic Engineer Associate II

MSF/blid



TED ZALESKI, JR. DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 223 Zoning Advisory Committee Meeting are as follows:

Property Owner: Edwin W. Moore, et ux Location: NE/S North River Drive, 475' SE of the extension of the c/l of 15th. District: Loyola Road to the NE/S North River Drive

- APPLICABLE ITEMS ARE CIRCLED: 1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85. 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. 4. 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. 5. All Use Groups except B-1, Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. 6. The structure does not appear to comply with Table 505 for permissible height/area. 7. The requested variance appears to conflict with Section(s) of the Baltimore County Building Code. 8. 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. 9. The proposed project appears to be located in a Flood Plain, Flood Hazard. 10. Comments: 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.

LJZ/MS

[Signature] Building Plans Section

