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 petitive for a Variance from Section 1A04. 3B-3 to permit side sethacks of 25 feet and 27 feet in lieu of the required 50 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Description of Property PETITION FOR ZONING VARIANCE Owner wishes to remove a house and replace one in exact 15th Election District Beginning at a point on the southwest side of Riverview location RC5 zoning designation requires 50 foot setbacks. Road (20' wide) 150 feet southeast of Back River Neck Road and known as lot 18 and the northwest 25 feet of lot 19 as Southwest Side of Riverview Road, 150 feet Southeast of shown on the plot of "Holly Farm Beach" which is recorded Property is to be posted and advertised as prescribed by Zoning Regulations. Back River Neck Road (2300 Riverview Road) 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. in the Land Records of Baltimore County in Liber 10, Folio DATE AND TIME: Monday, April 21, 1986, at 9:30 a.m. 2. Known as 2300 Riverview Road in the 15th Election Dis-PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 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. trict. The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Legal Owner(s): CATHERINE THANNER Contract Purchaser: Petition for Zoning Variance to permit side yard setbacks of 25 feet BERNARD THANKER or final Order. and 27 feet in lieu of the required 50 feet (Type or Print Name) Catherine Thanner (Type or Print Name) Barnard Thumen MADELENE KAISER Signature Mousin City and State Attorney for Petitioner: 254 S CLINTON ST 675-3879 Being the property of <u>Catherine Thanner, et al</u>, as shown on plat plan filed with the Zoning Office. BALTO MARYLAND 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 Name, address and phone number of legal owner, confor good cause shown. Such request must be received in writing by the date of the tract purchaser or representative to be contacted hearing set above or made at the hearing. BY ORDER OF ARNOLD JABLON Altraey's Telephone No.: ZONING COMMISSIONER OF BALTIMORE COUNTY RDERED By The Zoning Commissioner of Baltimore County, this \_\_18th\_\_\_\_\_ day of March----, 19\_86, 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 rationary county, that property be posted, and that the public hearing be had before the Zoning County sioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore on the \_\_\_21st \_\_\_\_ day of \_\_\_April \_\_\_, 19\_86, at 9:30 o'clock ED Zoning Commis oner of Baltimore County. 3 March 21, 1986 Mr. Bernard Thanner Mrs. Catherine Thanner Ms. Madelene Kaiser 254 South Clinton Street Baltimore, Maryland 21224 NOTICE OF HEARING BALTIMORE COUNTY OFFICE OF PLANNING & ZONING RE: PETITION FOR ZONING VARIANCE SW/S Riverview Rd., 150' SE Back River Neck Rd. (2300 Riverview Rd.) TOWSON, MARYLAND 21204 15th Election District JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER Catherine Thanner, et al - Petitioners ARNOLD JABLON ZONING COMMISSIONER Case No. 86-419-A April 16, 1986 Monday, April 21, 1986 Mr. Bernard Thanner PLACE: Room 106, County Office Building, 111 West Chesapeake Mrs. Catherine Thanner Ms. Madelene Kaiser Avenue, Towson, Maryland 254 South Clinton Street Baltimore, Maryland 21224 RE: PETITION FOR ZONING VARIANCE SW/S Riverview Rd., 150° SE Back River Neck Rd. (2300 Riverview Rd.) 15th Election District Catherine Thanner, et al - Petitioners Case No. 86-419-A Dear Ladies and Gentleman: This is to advise you that  $\frac{co(1.19)}{}$  is due for advertising and posting of the above property. This fee must be paid before an Zoning Compassioner Order is issued. of Baltimore County 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. BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION Do not remove sign from property from the time it is placed by this office until the day of the booth lf. MISCELLANEOUS CASH RECEIPT No. 221893 re County, Maryland, and remit BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT DATE 4-21-X6 ACCOUNT RECEIPT

RECEIVED MICHIGAN AMOUNT \$ 60.19

RECEIVED MICHIGAN AMOUNT \$ 60.19 RECEIVED ! 

VALIDATION OR SIGNATURE OF CASHIER

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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₹.

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE SW/S Riverview Rd., 150' SE Back River Neck Rd. (2300 Riverview Rd.) 15th District

: BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

CATHERINE THANNER et al., : Case No. 86-419-A 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

> Phyllis Cole Friedman People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 1st day of April, 1986, a copy of the foregoing Entry of Appearance was mailed to Catherine Thanner and Madelene Kaiser, 254 S. Clinton St., Baltimore, MD 21224, Petitioners.

2300 Riverview Rd. Joe & Madelone Kaiser 675.3879

1 7 50

2300 Riveriew Rd

Awersen Rd.

\_\_\_\_

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this - 22 day of \_\_\_\_\_\_, 19\_86, that the Petition for Zoning Variances to permit side yard setbacks of 25 feet and 27 feet in lieu of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 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. Comments from the Director of the Office of Planning and Zoning, dated April 11, 1986, as to the Chesapeake Bay Critical Area requirements, are adopted in their entirety and made a part of this Order.

Baltimore County

AJ/srl

cc: R. Bruce Alderman, Esquire

People's Counsel

 $\Box$ 5

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 28, 1986

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Variance Petition

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

Chairman

MEMBERS

Ms. Madelene Kaiser 254 South Clinton Street Baltimore, Maryland 21224

0

RE: Item No. 289 - Case No. 86-419-A Petitioners - Catherine Thanner, et al

Dear Ms. Kaiser:

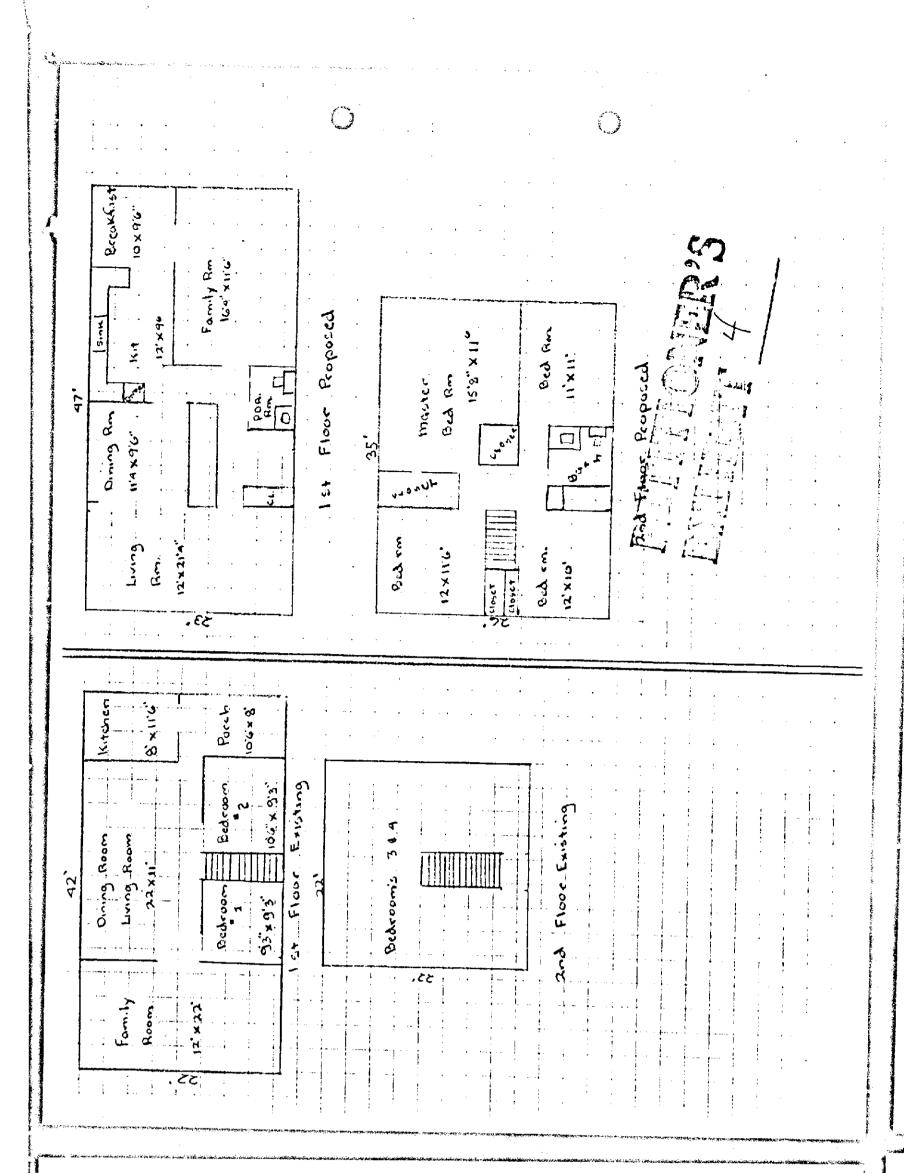
The Zoning Plans Advisory Committee has reviewed the plans sub-Engineering mitted with the above-referenced petition. The following comments are Department of not intended to indicate the appropriateness of the zoning action re-Traffic Engineering quested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing Bureau of on thi case. The Director of Planning may file a written report with Fire Prevention the Zoning Commissioner with recommendations as to the suitability of Health Department the requested zoning. Project Planning Enclosed are all comments submitted from the members of the Com-Buildir- Department Board of Education

mittee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly:

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

JED:nr

Enclosures



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner

FROM Norman E. Gerber, AICP, Director Office of Planning & Zoning

SUBJECT Zoning Petition No. 86-419-A

Please consider the Chesapeake Bay Critial Area Review (see memorandum dated 4/11/86, Gerber to Jablon) to be the comments of this office.

> NORMAN E. GERBER, AICH, Director Office of Planning and Zoning

Date\_April 11, 1986

NEG/JGH/dmi

B. TIMORE COUNTY, MAR LAND Received 4-15-86

INTER-OFFICE CORRESPONDENCE MR. ARNOLD JABLON

TO. Zoning Commissioner April 11, 1986 NORMAN E. GERBER, AICP FROM Director of Planning & Zoning

Chesapeake Bay Critical Area Reviews - Madelene Kaiser, et al., SUBJECT (86-419-A) and Margaret Corkan (86-417-X Sp. HA)

The polition of Madelene Kaiser, et al., is found to be consistent with the requirements of the Critical Area Statute provided that all the trees indicated on the plat to be retained are in fact maintained and that they are protected from stress or damage during the construction phase. Additionally, all runoff from downspouts and other impervious surfaces should be infiltrated to the degree possible by spreading over lawn and other pervious areas. No direct discharge of stormwater into the Bay should be permitted.

The petition of Margaret Corkan involves a tract of land, virtually all of which has been severely disturbed, and consists of a parking area improved with crusher run or crusher run-like material. However, an order to minimize water quality impacts from runoff, the

1. A minimum width strip of 32 feet of deciduous shrub plantings be made paralleling the existing white pine planting screen along Beach Road. This could consist of, for example, three rows of plantings eight feet apart beginning twelve feet from the interior row of white pines. Dogwood, crabapple, viburnum, and shrub honeysuckle are examples of suitable species. Taller shrubs should be planted next to the white pine and successive shorter species be planted towards the site's interior. The entire width between the existing white pine plantings and the proposed lateral telephone poles could be included for planting. Aesthetic and wildlife along with water quality benefits would result.

2. Some consideration should be given to removing the various miscellaneous materials located on the perimeter of the existing

3. The existing parking area should not be extended as appears to be the case regarding the south corner of Site II. The southeast delineation of parking should be considered for revision in order to eliminate the proposed minor extension of the parking or storage area into natural areas. This is necessary in order to provide a filter strip between the parking-storage area and the adjacent

NEG:PJS:vh

cy: Jim Hoswell People's Counsel Jean Young

Norman E. Gerber, AICP Andrea Van Arsdale

Audrev Thier

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYIAND

FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586 494-4500

PAUL H. REINCKE CHIEF

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: Madelene Kaiser

Location: SW/S Riverview Road, 150' SE Back River Neck Road

Item No,:

Gentlemen:

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

( ) I. 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.

( X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

\ 6. Site plans are approved, as drawn.

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

Planning Group

#ire Prevention Bureau Special Inspection Division

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING DEPARTMENT OF TRAFFIC ENC TOWSON MARYLAND 21204 STEPHEN E. COLLINS DIRECTOR

March 14, 1986

Meeting of February 25, 1986

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

Item No. Property Owner: Location:

Existing Zoning: Proposed Zoning:

Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 289, 290, 291, 292, 294, 295, 296 297, 298, 299, 300,

MSF/bld

APR 23 1987\_

Industrial

Zoning Administration

cc: James Hoswell

Mr. Arnold Jablon

Dear Mr. Jablon:

Zoning Commissioner

County Office Building Towson, Maryland 21204

Eugene A. Bober Chier, Current Plunning and Development

MARCH 26, 1986

(CRITICAL AREA)

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

A County Review Group meeting was held and the minutes will be

forward by the Bureau of Public Services.

( . )This site is part of a larger tract; therefore it is defined as a

)This property contains so is which are defined as wetlands, and

Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-93 of the Development

( )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

fs
( )The property is located in a traffic drea controlled by a "D" level intersection as defined by Sill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas

Additional comments:

I. THIS SITE IS LOCATED IN THE CHESAPEAKE BAY

CRITICAL AREA ADDITIONAL COMMENTS WILL BE PROVINED

BY THE COMPREHENSIVE PLANNING DUISION.

(X)There are no site planning factors requiring comment.
)A County Review Group Meeting is required.

Subdivision. The plan must snow the entire tract.

)The circulation on this site is not satisfactory.

)The parking arrangement is not satisfactory. Parking calculations must be shown on the plan.

development on these soils is prohibited.

are re-evaluated annually by the County Council.

to issuance of a building permit.

)The access is not satisfactory.

( )A record plat will be required and must be recorded prior

Re: Zoning Advisory Meeting of FEBRUDE 425, 1986

Item + 209

Property Owner: MADELENE KAISER, et al

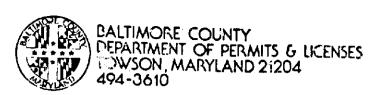
BACK RIVER NECK RO

Location: SW/S RIVERVIEW RD. 1501 SE

February 21, 1986

Zoning Agenda: Meeting of 2-25-86

THE RESERVE OF STREET



February 28, 1286

TED ZALESKI, JR. DIRECTOR

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

Comments on Item # 289 Zoning Advisory Committee Meeting are as follows:

Madelene Kaiser. et al (CRITICAL AREA)

SW/S Riverview Road, 150' SE Back River Neck Road Districts 15th.

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.

B) 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/is not required on plans and technical data.

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

E. All Use Groups except R-4 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-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an extorior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable 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 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) \_\_\_\_\_\_, of the Baltimore

PLATN

The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

Comments: Elevations of grade and house are not shown. See copy of Section 516.0 enclosed.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Sailding at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

4/22/85

BY: C. F. Burnham, Chief Building Plant heview Chicko Chambon

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this the day of March, 1986.

Zoning Commissioner

Petitioner Catherine Thanner, et al Received by Petitioner's Attorney

Shairman, Zoning Flank M Advisory Committee

SPECIAL OTE FOR CONSTRUCTION IN TIDAL ORIVERING HEAS BUL #17-85 BALTIMORE COUNTY BUILDING CODE 1984 EFFECTIVE - AFRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

CONSTRUCTION IN AREAS SUBJECT TO FLOODING

AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tidewaters, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least

- 2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corp of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.
- 3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERIE AREAS SUBJECT TO IMUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

- 1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.
- 2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.
- 3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of

April 1985

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 86-1119-A

District 1574	Date of Posting 3/18/14
Posted for: Variones	
Petitioner: Colhorine Thanner, et	0/
Location of property: 541/5 Pivor View Pd.	150' SE Back River About Rd.
2300 Riverview R.	d.
ocation of Signs: Facing Pivor Visw Rdy	opprox. 10' Fr. you I way
an proporty of Potitioner	
lemarks:	
Posted by Material	Date of return: 4/4/86
fumber of Signs:/	

## CERTIFICATE OF PUBLICATION

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

April 3 , 19 86

PETITION FOR ZONING VARIANCE 15th Election District OCATION: Southwest Side of

Riverview Road, 150 feet Southeast of Back River Neck Road (230) Riverview Road)
DATE AND TIME: Monday, April 21 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106. County Office Building, 111 W. Chesaprake Avenue, Towson.

The Zoning Commissioner of Balti-more County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Zoning Variance to per mit side yard setbacks of 25 feet and 2 feet in lies of the required 50 feet.

Being the property of Catherine Thanner, et al, as shown on plat pian 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 above or made at the hearing set above or made at the hearing.

By Order Of ARNOLD JABLON,

Zoning Commissioner of Baltimore County

Apr. 3.

THE JEFFERSONIAN.

Publisher

Cost of Advertising

April 3

15th Floction District LOCATIO1: Southwest side of Riv-erview Road, 150 feet Southeast of Back River Neck Road (2300 Riverview Road).
DATE & TIME: Monday, April 21.

1984, at 9:30 a.m.. PUBLIC HEARING: Room 104, County Office Suilding, 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 Zouing Variance to permit side yard setbacks of 25 feet and 27

Petition for Variance

eet in lies of the required 50 feet. Being the property of Catherine Thenner, et al, as shown on the plat plan 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 shows. Such request must be received in writing by the date of the hearing

set above or made at the hearing. By Order Of Arnold Jables Zoning Commission of Baltimore County **Times** 

This is to Certify, That the annexed was inserted in the Times, a newspaper printed and published in Baltimore County, once in each 15 www. Publisher.

86-419-1

