

87-197-A

97

10/1/86

10/1/86

11/19/86

12/4/86

W/S of Kincaid Ct., 720' S of the c/l of Sweet
Air Rd. (12 Kincaid Ct.)

10th Elec. Dist.

Variance - filing fee \$35.00 - George E. Shannon, et ux

Hearing set for 11/19/86, at 10:00 a.m.

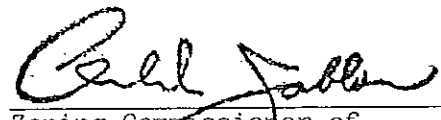
Advertising and Posting - \$80.75

Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit a rear yard setback of 42' in lieu of the required 50' is GRANTED with conditions.

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 requested ~~will~~/will not adversely affect the health, safety, and general welfare of the community, the variance should /~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of December, 1986, that the Petition for Zoning Variance to permit a rear yard setback of 42 feet in lieu of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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.


Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. George E. Shannon

People's Counsel

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 1A04.3B.3 to permit a rear yard setback of 42 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)
1. Proposed enclosure cannot be relocated as existing concrete pad and footer in place.
 2. Insulate rear of home to reduce heating bills.
 3. Protect the rear entrance from inclement weather.
 4. Reduce hazard of injury on slippery patio surface.
 5. Eliminate exposure to bugs, flies, mosquitos, wind and rain, during use of patio.

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.

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

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of October, 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 19th day of November, 1986, at 10:00 o'clock

Zoning Commissioner of Baltimore County

(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1074
 Posted for: George E. Shannon, et ux
 Petitioner: 12 Kincaid Ct., 720' S of Sweet Air Rd.
 Location of property: 12 Kincaid Ct.
 Location of Signposting: Kincaid Ct. across 12' E. road by 3' E. rd.
 Remarks: Ad. Notation on sign #12 Kincaid Ct.
 Posted by: M. H. Jung
 Number of Signs: 1

LEGAL DESCRIPTION

Being on a culdesac at the end of a private easement, running approximately 650 ft., west from Kincaid Court, said point being 720 ft., south of the centerline of Sweet Air Road and

Being Lot #20, Block H. As set forth on a plat entitled Section 5, resubdivision of part of Quinn subdivision Section 4 (O.T.G. 35/84), which said Plat is now recorded among the land records of Baltimore County in Plat Book ENKJR, Jr. 51, Folio 70. Also known as 12 Kincaid Court.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 W/S of Kincaid Ct., 720' S of : OF BALTIMORE COUNTY
 Sweet Air Rd. (12 Kincaid Ct.) : 10th Election District
 GEORGE E. SHANNON, et ux, : Case No. 87-197-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 or final Order.

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

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

I HEREBY CERTIFY that on this 8th day of October, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. George E. Shannon, 12 Kincaid Ct., Baldwin, MD 21013, Petitioners; and Patio Enclosures, Inc., P.O. Box 550, Glen Burnie, MD 21061, which requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

Mr. George E. Shannon
 Mrs. Phyllis M. Shannon
 12 Kincaid Court
 Baldwin, Maryland 21013

October 2, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
 W/S of Kincaid Ct., 720' S of the c/l of
 Sweet Air Rd. (12 Kincaid Ct.)
 10th Election District
 George E. Shannon, et ux - Petitioners
 Case No. 87-197-A

TIME: 10:00 a.m.
 DATE: Wednesday, November 19, 1986
 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 025933
 DATE 9/4/86 ACCOUNT 01-615
 AMOUNT \$ 35.00
 RECEIVED FROM: PATTIO ENCLOSURES, INC.
 FOR: FILING FEE - VARIANCE 120 97
 8 8112*****350515 5028
 SIGNATURE: PATTIO ENCLOSURES
 VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR ZONING VARIANCE

10th Election District
 Case No. 87-197-A

LOCATION: West Side of Kincaid Court, 720 feet South of the Centerline of Sweet Air Road (12 Kincaid Court)

DATE AND TIME: Wednesday, November 19, 1986, at 10:00 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 Variance to permit a rear yard setback of 42 feet in lieu of the required 50 feet

Being the property of George E. Shannon, 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



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

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. JUNG
 DEPUTY ZONING COMMISSIONER

November 12, 1986

Mr. George E. Shannon
 Mrs. Phyllis M. Shannon
 12 Kincaid Court
 Baldwin, Maryland 21013

RE: PETITION FOR ZONING VARIANCE
 W/S of Kincaid Ct., 720' S of the c/l of
 Sweet Air Rd. (12 Kincaid Ct.)
 10th Election District
 George E. Shannon, et ux - Petitioners
 Case No. 87-197-A

Dear Mr. and Mrs. Shannon:

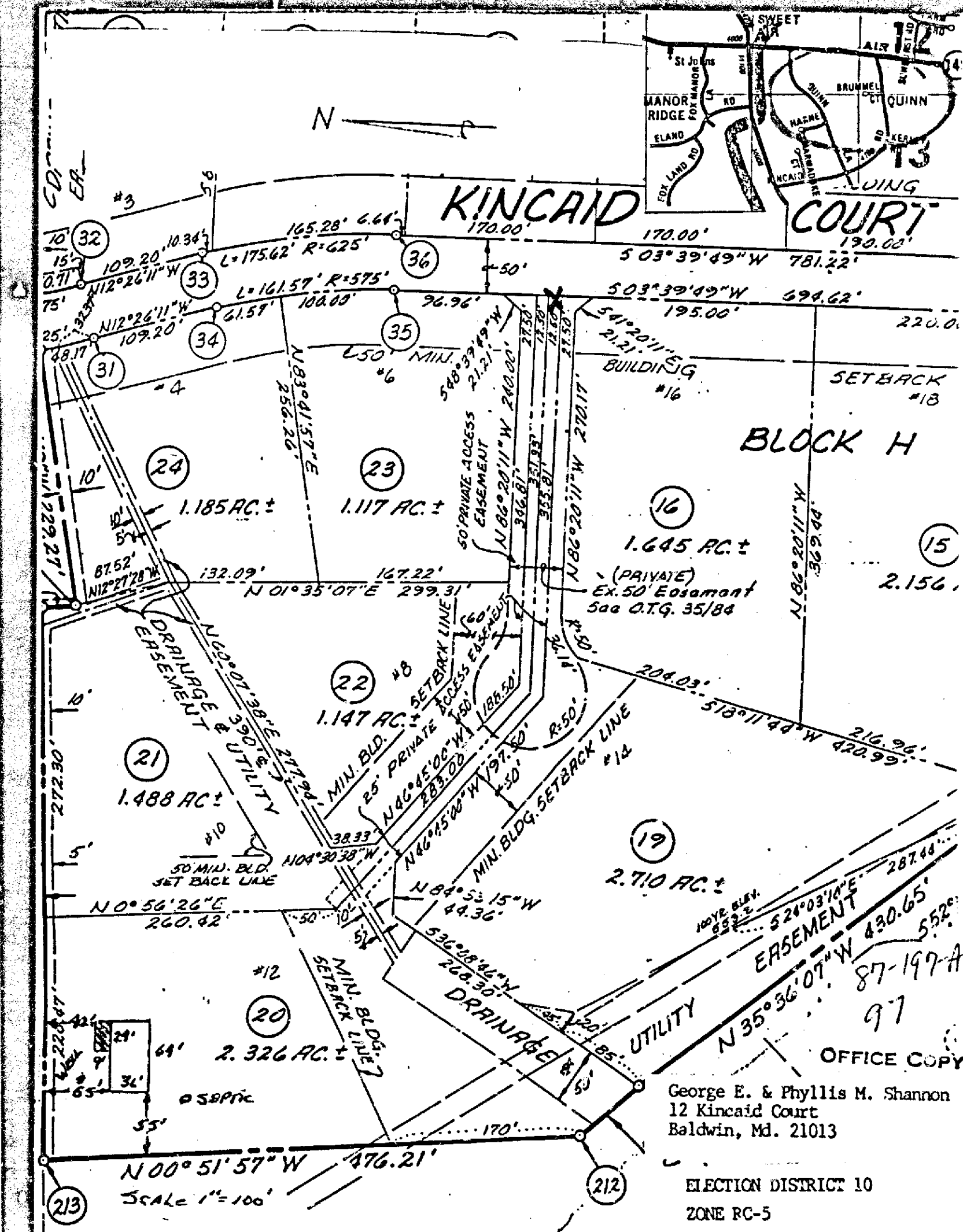
This is to advise you that \$80.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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 check payable to Baltimore County, Maryland, and remit to, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 025623
 DATE 11/19/86 ACCOUNT 01-615-000
 SIGN & POST :
 RETURNED 11/24/86 AMOUNT \$ 80.75
 RECEIVED FROM: PATTIO ENCLOSURES, INC., P.O. Box 550, Glen Burnie, Md. 21061-0550
 FOR: ADVERTISING & POSTING COSTS RE CASE #87-197-A
 8 8019*****002515 0001
 VALIDATION OR SIGNATURE OF CARRIER



PETITION FOR ZONING VARIANCE
1000 Block of Sweet Air Road
Case No. 87-197-A
LOCATION: West Side of Kincaid Court, 720' South of the Intersection of Sweet Air Road (12 Kincaid Court)
DATE AND TIME: Wednesday, November 19, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 100, 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 on the Petition for Zoning Variance to permit a new yard width of 12 feet in lieu of the required 50 feet.
Being the property of George E. Shannon, et ux, as shown on plat plan filed with the Zoning Office.
In the event that the Petitioner is granted a building permit may be issued within the thirty day appeal period. The Zoning Commissioner will, however, entertain any request for extending 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
BALTIMORE COUNTY
10955 Oct. 20.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 30, 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 October 30, 1986.

THE JEFFERSONIAN,

Luan Seiden Obeult
Publisher

Cost of Advertising
27.50

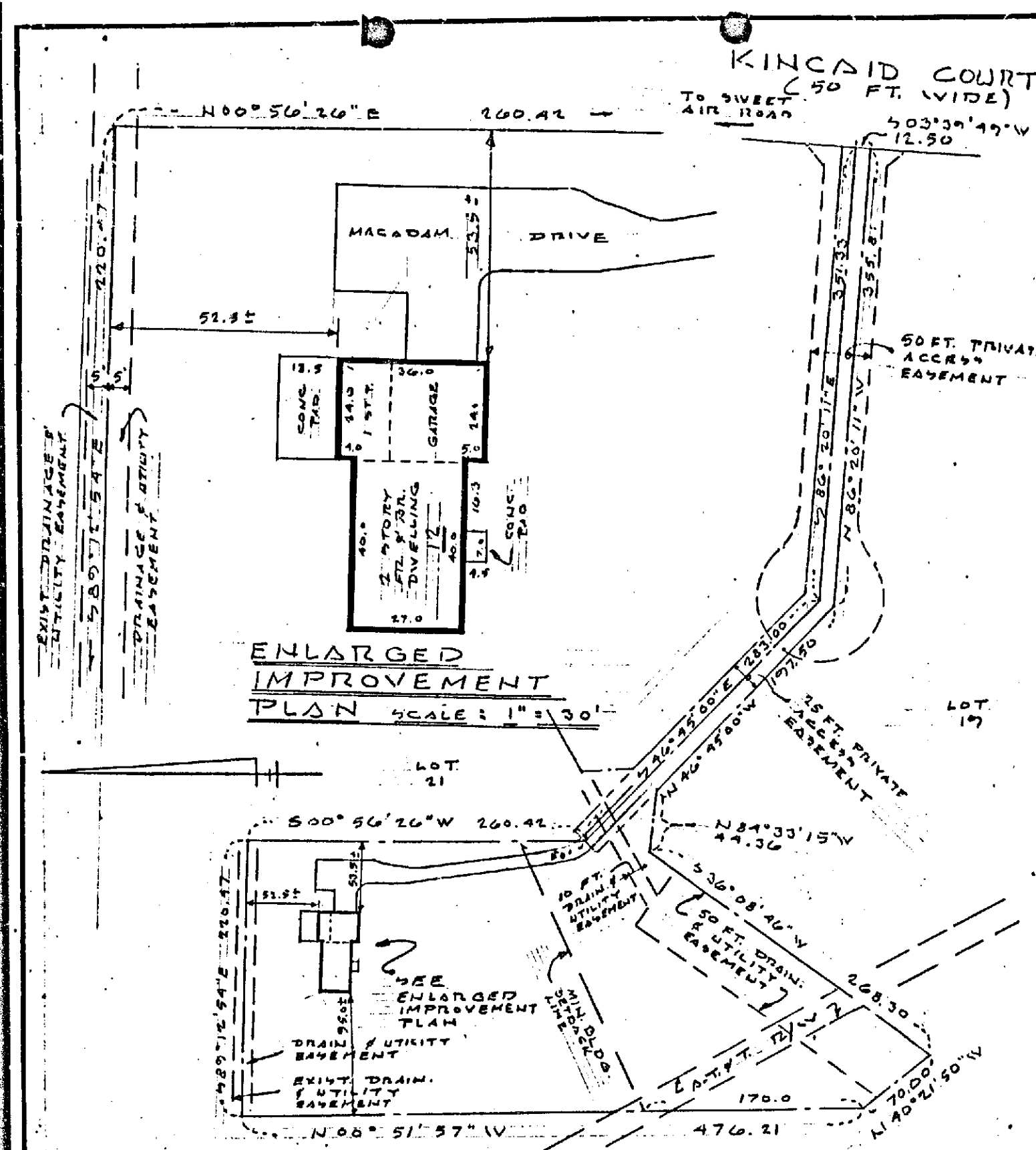
CERTIFICATE OF PUBLICATION

TOWSON, MD., October 23, 1986.
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 23, 1986.

TOWSON TIMES,

Luan Seiden Obeult
Publisher

38.25



This reproduction subject to 1% reduction in scale.

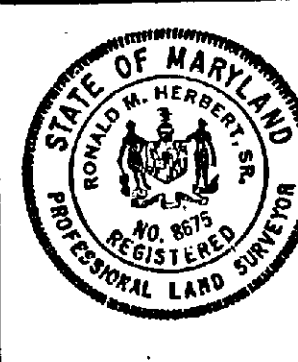
I hereby certify that I have made a survey of this lot for the purpose of locating the improvements shown and that they are located as shown.

11/24/86

REG. NO. 8675

Lot 20, Block H, "Section 5, Recubdivision Part of QUINN SUBDIVISION, Section 4, Plat Book E.H.K. Jr. No. 51, Folio 70

This plat is not to be used for the establishment of property lines.



LOCATION SURVEY
12 KINCAID COURT, BALTIMORE COUNTY, MARYLAND
OFFICE OF
MANK & KUNST
408 YORK ROAD
TOWSON, MARYLAND 21204
SCALE
1" = 100'
DATE
11/24/86
JOB NO.
302
86 K

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: November 7, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-197-A, 87-198-A, 87-200-A, 87-202-A, 87-203-A, 87-204-A, 87-214-A, 87-215-A, 87-219-A, 87-220-A, 87-222-A and 87-223-A

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

Norman E. Gerber for J. Stowell
Norman E. Gerber, AICP
Director

NEG:JGH:slb

87-1117
PATIO ENCLOSURES, INC.
RIC-LEE CORPORATION
P.O. BOX 550
GLEN BURNIE, MARYLAND 21061-0550
301-760-1919
DEC 3 1986
ZONING OFFICE

December 1, 1986

Arnold Jablon
Zoning Commissioner
Baltimore County Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: George E. Shannon, et ux
12 Kincaid Court
Baldwin, Md. 21013
Case No. 87-197-A

Dear Mr. Jablon:

Per your conversation with R.T. Tice, Agent for Patio Enclosures, Inc., enclosed please find drawing, in reference to the above mentioned case.

Yours truly,

Virginia Morgan
Virginia Morgan
Secretary

Enc.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 5, 1986

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

Mr. George E. Shannon
12 Kincaid Court
Baldwin, Maryland 21013

RE: Item No. 97 - Case No. 87-197-A
Petitioner: George E. Shannon, et ux
Petition for Zoning Variance

Dear Mr. Shannon:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

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

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

OCTOBER 27, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 16, 1986
Item # 97
Property Owner: GEORGE E. SHANNON, et ux
Location: W/3 KINCAID COURT, 720'S.
OF SWEET AIR 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:

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by 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 "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments:

cc: James Hoswell

David Fields, Acting Chief
Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3350
STEPHEN E. COLLINS
DIRECTOR

October 2, 1986

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 95, 96, 97, 98, and 99.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

87-197-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
1st day of October, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: George E. Shannon, et ux Received by: James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee





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

PAUL H. REINCKE
CHIEF

Sept. 10, 1986

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

RE: Property Owner: George E. Shannon, et ux
Location: W/S Kincaid Court, 720 ft. S centerline Sweet Air Road
Item No.: 97 Zoning Agenda: Meeting of Sept. 16, 1986

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.

(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.

REVIEWER: *Capt. J. P. Kelly* 9/14/86

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

*CRG 04 ACCESS ROADS SHALL BE POSTED WITH FIRE LANE SIGNS ALONG ITS ENTIRE LENGTH. BALTIMORE COUNTY COUNCIL BILL 102-74
/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

September 17, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 97 Zoning Advisory Committee Meeting are as follows:

Property Owner: George E. Shannon, et ux
Location: W/S Kincaid Court, 720' S c/l Sweet Air Road
Districts: 10th

APPLICABLE ITEMS ARE CIRCLED:

A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.

B. A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

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

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 6'-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 exterior wall within 3'-0" of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.

I. 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.

J. Comments:

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 Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Schumacher
BY: C. E. Schumacher, Chief
Building Plans Review

L/22/RK

EXHIBIT 2

12 Kincaid Court
Baldwin, Maryland 21013
October 20, 1986

Ric-Lee Corporation
T/A Patio Enclosures, Inc.
P.O. Box 550
Glen Burnie, Maryland 21061

RE: Petition for Zoning Variance for #12 Kincaid Court, Baldwin, Md.
Case No. 87-197- A
Wednesday, November 19, 1986 10:00 a.m.
Room 106, County Office Bldg. Towson, Md.

Gentlemen:

We, George E. Shannon, Jr. and Phyllis M. Shannon desire that Patio Enclosures, Inc. represent us at the above hearing.

Yours truly,

George E. Shannon
George E. Shannon, Jr.

Phyllis M. Shannon
Phyllis M. Shannon