

87-337-A

#217

SW/S Sweet Air Rd., 225' NW of the c/l of Carroll
Ridge Ct. (4909 Sweet Air Rd.)

10th Elec. Dist.

1/2/87

Variance - filing fee \$35.00 - Mark S. Stershic, et ux

1/2/87

Hearing set for 2/18/87, at 9:45 a.m.

2/18/87

Advertising and Posting - \$73.75

2/18/87

Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit a side yard setback of 24' in lieu of the required 50' is GRANTED with conditions.

11/23/87

Appeal filed by Martin's Inc. to County Board of Appeals.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it

result in practical difficulty and unreasonable hardship upon the property, 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 18th day of February, 1986, that the Petition for Zoning Variance to permit a side yard setback of 24 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. Mark S. Stershic

People's Counsel

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 103.3 (1A00.3.B.3) to permit a side yard setback of 24 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)
 IN ORDER TO KEEP OUR VEHICLES AND LAWN TRACTOR OUT OF THE WEATHER, WE DESIRE TO CONSTRUCT A ONE STORY 24'x24' FRAME GARAGE. THE ONLY LOGICAL LOCATION FOR THIS GARAGE ADDITION IS AS SHOWN ON THE PLAT. THE PRESENT ZONING REQUIRES A 50' BUILDING SETBACK FROM THE PROPERTY LINES. IN ORDER TO CONSTRUCT THIS ADDITION AS PROPOSED, WE SEEK A VARIANCE FROM THE EXISTING 50' BUILDING SETBACK FROM THIS SIDE YARD. THE ONE STORY REAR ADDITION WILL BE USED AS A SUNROOM, AND WILL SERVE AS A PASSAGE FROM THE GARAGE TO THE EXISTING HOUSE.

Property is to be posted and advertised as prescribed by Zoning Regulations.
 I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
 (Type or Print Name)
 Signature
 Address
 City and State
 Attorney for Petitioner:
 (Type or Print Name)
 Signature
 Address
 City and State
 Attorney's Telephone No.:

Legal Owner(s):
 MARK S. STERSHIC
 (Type or Print Name)
 Signature
 Address
 City and State
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 BOB BAYER
 Name
 Address
 City and State
 Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1987, 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 18th day of February, 1987, at 9:45 o'clock A.M.

(over)

ZONING DESCRIPTION

The tract of land consisting of 1.46 acres, more or less, situated on the south side of Sweet Air Road, 225 feet West of centerline of Carroll Ridge Court. Being known and designated as Lot 4 as shown on a Plat entitled, "Final Subdivision Plat of Sweet Air Farms", which Plat is recorded among the Land Records of Baltimore County in Plat Book EHP, Jr., No. 40, Folio 73. The improvements thereon being known as 4909 Sweet Air Road in the 10th Election District.

Mr. Mark S. Stershic
 Mrs. Mary M. Stershic
 4909 Sweet Air Road
 Baldwin, Maryland 21013

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
 SW/S Sweet Air Rd., 225' NW of the c/l of
 Carroll Ridge Ct. (4909 Sweet Air Rd.)
 10th Election District
 Mark S. Stershic, et ux - Petitioners
 Case No. 87-337-A

TIME: 9:45 a.m.
 DATE: Wednesday, February 18, 1987
 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
 of Baltimore County

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

DATE 12/2/86 ACCOUNT 01-615
 AMOUNT \$ 35.00
 RECEIVED ROBERT J BAYER
 FILING FEE FOR VARIANCE ITEM 217
 8 8013*****3500:0 8028F
 STERSHIC - PETITIONER
 VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE

10th Election District

Case No. 87-337-A

LOCATION: Southwest Side of Sweet Air Road, 225 feet Northwest of the Centerline of Carroll Ridge Court (4909 Sweet Air Road)

DATE AND TIME: Wednesday, February 18, 1987, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

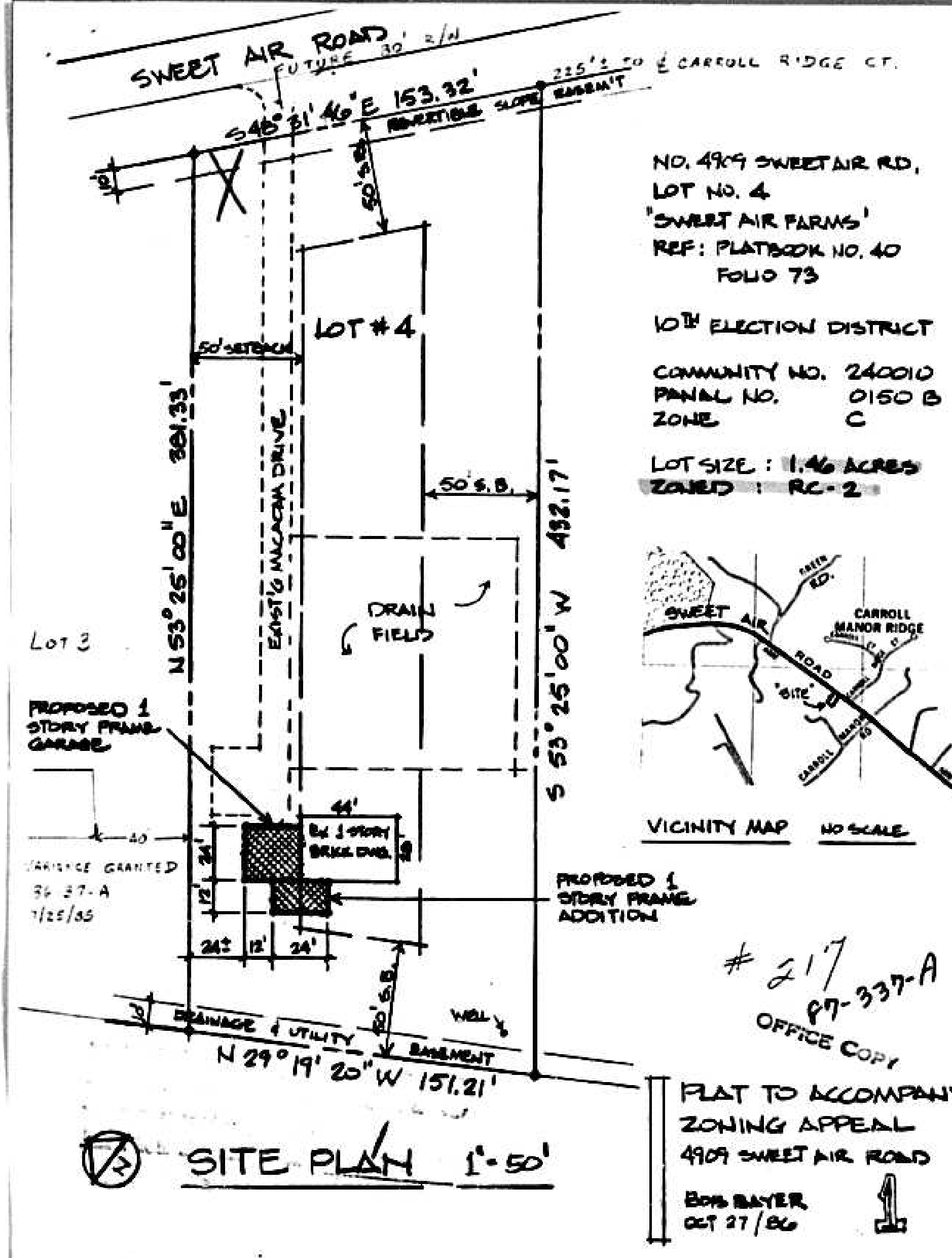
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a side yard setback of 24 feet in lieu of the required 50 feet

Being the property of Mark S. Stershic, 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, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
 TO: Zoning Commissioner
 FROM: Norman E. Gerber, AICP, Director
 Office of Planning and Zoning
 SUBJECT: Zoning Petitions No. 87-330-A, 87-331-A, 87-332-A, 87-336-A and 87-337-A

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

Norman E. Gerber, AICP
 Director

NEG:JGH:sib

FEB 9 1987
 ZONING OFFICE

CPS-008

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3553

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. JUNG
 DEPUTY ZONING COMMISSIONER

February 10, 1987

Mr. Mark S. Stershic
 Mrs. Mary M. Stershic
 4909 Sweet Air Road
 Baldwin, Maryland 21013

RE: PETITION FOR ZONING VARIANCE
 SW/S Sweet Air Rd., 225' NW of the c/l of
 Carroll Ridge Ct. (4909 Sweet Air Rd.)
 10th Election District
 Mark S. Stershic, et ux - Petitioners
 Case No. 87-337-A

Dear Mr. and Mrs. Stershic:

This is to advise you that \$73.75 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 the check payable to Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, 111 West Chesapeake Avenue, Towson, Maryland

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

No. 33005

DATE 2/10/87 ACCOUNT 01-615
 SIGN & POST RETURNED AMOUNT \$ 73.75
 RECEIVED FROM Mr. Mark Stershic, 4909 Sweet Air Road, Baldwin, Md. 21013
 ADVERTISING & POSTING COSTS RE CASE 897-337-A
 FOR 8 8013*****73:75 31121
 VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SW/S Sweet Air Rd., 225' NW of : OF BALTIMORE COUNTY
 C/L of Carroll Ridge Ct. (4909 :
 Sweet Air Rd.), 10th District :
 MARK S. STERSHIC, et ux. : Case No. 87-338-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 21st day of January, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Mark S. Stershic, 4909 Sweet Air Rd., Baldwin, MD 21013, Petitioners; and Mr. Bob Bayer, 15 Tarland Ct., Baltimore, MD 21236, who requested notification.

Peter Max Zimmerman
 Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 28, 1987

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 January 28, 1987.

TOWSON TIMES,

Publisher

34.00

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 January, 1987.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Mark S. Stershic, et ux
Petitioner's Attorney: James E. Dyer
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 29, 1987

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 January 29, 1987.

THE JEFFERSONIAN,

Publisher

of Advertising

24.75

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1074 Date of Posting: 2/1/87
Posted for: Variance
Petitioner: Mark S. Stershic, et ux
Location of property: 244 Sweet Air Rd., 225' NW Carroll Ridge Ct., Pkpa. Ct.
Location of Signs: Along Sweet Air Rd., 225' NW Carroll Ridge Ct., Pkpa. Ct.
Remarks: No comments.
Posted by: [Signature] Date of return: 2/1/87
Number of Signs: 1

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 12, 1987

Mr. Mark S. Stershic
4909 Sweet Air Road
Baldwin, Maryland 21013

RE: Item No. 217 - Case No. 87-337-A
Petitioner: Mark S. Stershic, et ux
Petition for Zoning Variance

Dear Mr. Stershic:

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
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

December 22, 1986

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

RE: ZAC Meeting of 12-16-86
ITEM: #217.
Property Owner: Mark S. Stershic, et ux
Location: SW/S Sweet Air Road, Route 45, 225 feet NW centerline Carroll Ridge Court
Existing Zoning: R.C. 2
Proposed zoning: Variance to permit a side yard setback of 24 feet in lieu of the required 50 feet
Area: 1.46 acres
District: 10th Electin District

Dear Mr. Jablon:

On review of the submittal of 10-27-86, the State Highway Administration finds the site plan generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 313-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 707 North Calvert St. Baltimore, Maryland 21203 0717



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

DECEMBER 16, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 217 Zoning Advisory Committee Meeting are as follows:

Property Owner: MARK S. STERSHIC, ET UX
Location: SW/S SWEET AIR ROAD, 225 FEET NW CENTERLINE CARROLL RIDGE CT.
District: 10TH

APPLICABLE CODES ARE CIRCULAR:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Building and Code (A.B.S.1.1, #17-1 - 1985) 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 One Group except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls other than 0-4 to an interior lot line. R-4 Two Group require a one hour wall if closer than 1'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 102, Section 102.2 and Table 102.2. No openings are permitted in an exterior wall within 1'-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 Group are from Use _____ to Use _____, if to Mixed Use _____ See Section 312 of the Building Code.

(I) The proposed project appears to be located in a Flood Plain, Flood Hazard, Please see the attached copy of Section 316.2 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation 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 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark S. Stershic, et ux
Building Plans Review



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

NORMAN E. GERDER
DIRECTOR

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

JANUARY 27, 1987

RE: Zoning Advisory Meeting of DECEMBER 16, 1986
Item # 217
Property Owner: MARK S. STERSHIC, et ux
Location: SW/S SWEET AIR RD. 225' NW & CARROLL RIDGE CT.

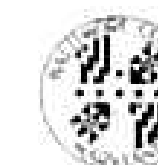
Dear Mr. Jablon:

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.
- () 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
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2586
494-4500

PAUL H. HENRIKE
CHIEF

December 18, 1986

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

Re: Property Owner: Mark S. Stershic, et ux

Location: SW/S Sweet Air Road, 225' NW centerline Carroll Ridge Court

Item No.: 217

Zoning Agenda: Meeting of 12/16/86

Gentlemen:

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

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

2. A second means of vehicle access is required for the site.

3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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

6. Site plans are approved, as drawn.

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

REVIEWER: [Signature]
Planning Group
Special Inspection Division

Noted and Approved: [Signature]
Fire Prevention Bureau

/mb



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

STEPHEN E. COLLINS
DIRECTOR

January 21, 1987

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 217A, 218, 219, 222, 225, 227, 228, 229, 230, and 231.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

RECEIVED
FEB 3 1987

ZONING DEPT.