which is the subject of this Petition. Contract Purchaser: Legal Owner(s): James A. Wagener (Type or Print Name) (Type or Print Name) ------Signature Carolyn Waganer.... ------------City and State N6,550 355-6344 E37385 12 Kirsim Ct. ------(Type or Print Name) Freeland, Maryland 21053 -----City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Mr. or Mrs. James Waganer -------12 Kirsim Ct. 329-6377 352-4744 Attorney's Telephone No.: Freeland, Md. 21053

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 19th _____ day ____ day of __March ____, 19 87 at _____ o'clock

Attorney

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this

Received by: Petitioner ___ Petitioner's

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner Date February 24, 1987

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

SUBJECT Zoolog Petition No. 87-354-A

Please consider the Chesapeake Bay Critical Area Finding to represent the position of this office.

NEG: JGH: slb

BAL MORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

February 24, 2987

Mr. Arnold Jablon Zoning Commissioner

PROM Mr. Norman E. Gerber, AICP Director, Office of Flanning & Zoning SUBJECT Chesapeake Bay Critical Area Finding James A. Walner, et ux (87-354-A)

This petition has been determined to be consistent with the requirements of Chesapeake Bay Critical Area requirements provided that five large deciduous trees or ten minor deciduous trees or ten conifers are planted and maintained on the lot. A combination of these three tree types is acceptable provided that 5,000 square feet of tree cover is provided. A large deciduous tree is estimated to cover 1,000 square feet and a minor deciduous or conifer 500 square feet. Any existing trees that are to remain can be credited toward meeting these requirements.

To the degree possible all stormwater runoff from the impervious surfaces of the site should be directed or spread over vegetated areas to encourage maximum degree of infiltration.

Office of Planning and Zoning

NEG/PJS/jat

cc: Uri Avin Tim Dugan David Fields Jim Hoswell Andrea Van Arsdale Tom Vidmar People's Counsel

CPS-008

ARNOLD JADLON

ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

March 4, 1987

Mr. & Mrs. James A. Wagamer 12 Kirsim Court Freeland, Maryland 21053

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

TOWSON, MARYLAND 21204

RE: Petition for Zoning Variance N/S Stillwater Road. 165' E of Riverside Road (300 and 304 Stillwater Road) 15th Election District Case No. 87-354-A

Dear Mr. & Mrs. Waganer:

Enclosed please find a copy of the decision rendered on the above-referenced case. Your Petition for Zoning Variance has been Granted subject to the restriction noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

> Very truly yours, ZAN M. H. JUNG Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: Mr. Michael Northop Maryland State Department of Planning 301 W. Preston Street Baltimore, Maryland 21201

People's Counsel

plant habitat: it is determined that the requested variances will not adversely affect the health, mafety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore day of March, 1987, that the request for a variance to permit a lot width of 50 feet for Lots 53 and 54, in accordance with the plan submitted, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) Five (5) large deciduous trees or ten (10) minor deciduous trees or ten (10) conifers shall be planted and maintained on the lot. A combination of these three tree types is acceptable provided that 5,000 sq.ft. of that cover is provided. A large deciduous tree is estimated to cover 1,000 sq.ft. and a minor deciduous or conifer tree will cover approximately 500 sq.ft. Any existing trees that are to remain can be credited toward meeting these requirements.
- All stormwater runoff from the impervious surfaces of the site should be directed or spread over vegetated areas to encourage maximum degree of infiltration.

Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 19, 1987

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

MEMBERS Bureau of Department of Traffic Engineering

State Roads Commission

Fire Prevention Health Department Project Planning Building Department

hoard of Education Coning Administration Industrial Development

Freeland, Maryland 21053 RE: Item No. 241 - Case No. 87-354-A Petitioner: James A. Waganer, et ux Petition for Zoning Variance

Dear Mr. Waganer:

Mr. James A. Waganer

12 Kirsim Ct.

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,

Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Frank S. Lee 1277 Neighbors Avenue

Baltimore, Maryland 21237

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

NORMAN E. GERBER DIRECTOR Mr. Arnold Jab'on Zoning Commissioner County Offic Building

Towson, Maryland 21204

JANUARY 30, 1987 (CRITICAL AREA)

Re: Zoning Advisory Meeting of DECEMBER 23,1986 Property Owner: JAMESA . WAGAUER, etal Location: N/S STILLWATER RD. 165'

Dear Mr. Jabion:

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

applicable.)There are no site planning factors requiring comment. A County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.)This site is part of a larger tract; therfore 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)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)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.

MADDITIONAL COMMENTS:
THIS SITE IS LOCATED IN THE CHESAPEARE BAY PROVIDED BY THE COMPREHENSIVE PROMING DUISIN

David Fields, Acting Chief Current Planning and Development

cc: James Hoswell

195

IN RE: PETITION FOR ZONING VARIANCE

165' E of Riverside Road

(300 & 304 Stillwater Road)

N/S Stillwater Road,

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 87-354-A

.

The Petitioners herein request a zoning variance to permit a lot width of 50 feet in lieu of the required 55 feet for Lots 53 and 54, as more particularly described on the plan submitted, prepared by Frank S. Lee, dated 11/3/86.

Testimony by the Petitioners indicated that they purchased the subject properties in 1986. A one-bedroom dwelling exists on Lot 54. The Petitioners propose to build a new home on Lot 53 because additions and renovations to the existing one bedroom dwelling have proved to be economically impractical. The Petitioners have searched for a more suitable residence in the immediate vicinity in order to be close to Mrs. Waganer's recently widowed mother. However, the other available sites in the area presented more problems and had less property than the instant site. More than 75% of the homes in the Back River Highlands development are single family detached homes on 50'-wide lots.

There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing on the petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having ascertained that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204 TED ZALESKI, JR.

Comments on Item # 211 Zoning Advisory Committee Mesting are as follows:

Locations Districts

DIRECTOR

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

E. All Use Groupe except R-a Single Family Detected Deellings require a minimum of 1 hour firs rating for exterior walls closer than 6'-0 to an interior lot line. B-a Use Groupe 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 exterior 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 LC1 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.

N. When filing for a required Change of Uce/Compancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plane 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 seels are usually required. The change of Use Groupe are from Use ________ to Use ________, or to Mixed Uses ________. See Section 312 of the Fullding Code.

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

(1) comments: Elevations above sea level are not shown therfore it cannot be determined if the proposed dwelling is in a tidal flood plain. See public works.

These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Flanning 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 127 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland Z1704. Mostes G. Sumbon C. E. Durnham, Chief

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Building Plans Sevies

ARNOLD JADLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

February 25, 1987

Mr. James A. Waganer Mrs. Carolyn Waganer 12 Kirsim Court Freeland, Maryland 21053

DALTIMORE COUNTY OFFICE OF PLANNING & ZONING

TOWSON, MARYLAND 21204 494-3353

RE: PETITION FOR ZONING VARIANCE N/S Stillwater Rd., 105' E of Riverside Rd. (300 and 304 Stillwater Rd.) 15th Election District - 5th Councilmanic District James A. Waganer, et ux - Petitioners Case No. 87-354-A

Dear Mr. and Mrs. Waganer:

This is to advise you that \$67.79 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 Ralad- Gounty, Maryland, and remit Towson, Maryland No. 33048 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT SIGN & POST Mrs. Carolyn L. Wagmaer, T. Kirsim Court, Freeland, Haryland 21053 ADVERTISING & POSTING COSTS RE CASE #87-354-A B 022******67791a 302aF

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE N/S Stillwater Rd., 165' E of Riverside Rd. (300 & 304 Stillwater Rd.), 15th District

Petitioners

JAMES A. WAGANER, et ux,

Case No. 87-354-A

1 1 1 1 1 1 1

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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.

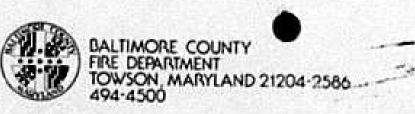
> Phyli . Cole Friedman People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 30th day of January, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. James A. Waganer, 12 Kirsim Ct., Freeland, MD 21053, Petitioners.



ZORNA CIPALE



PAUL H. REINCKE CHIEF

December 23, 1986

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson "aryland 21204

James A. Waganer, et ux * RE: Property Owner:

Location:

Gentlemen:

N/S Stillwater Rd., 165 ft. E Riverside Rd.

Zoning Agenda: Meeting of 12/23/86

Item No.:

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.

1 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 compents, at this time

Fire Prevention Bureau

*CRITICAL AREA

PETITION FOR ZONING VARIANCE

15th Election District

Case No. 87-354-A

LOCATION:

North Side of Stillwater Road, 165 feet East of Riverside Road

(300 and 304 Stillwater Road)

DATE AND TIME: Monday, March 2, 1987, at 10:00 a.m.

PUBLIC HEARING: Room 301, County Office Building, 111 W. Chesa, eake 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 lot width of 50 feet in lieu of the required 55 feet for Lot Nos. 53 and 54

Being the property of <u>James A. Waganer, et ux</u>, 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 DEFARTMENT 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

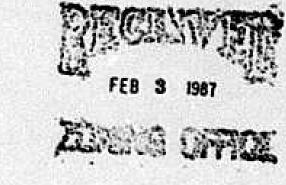
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 233, 234, 235, 237, 238, 239, 240, 241) 243, 244, 246, 248, 249, and 250.

Very truly yours,

Michael S. Flanigan Traffic Engineer Associate II

MSF:1t



3/2

Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTILIORE, MD. 21237

November 3, 1986

No. 300 Stillwater Road Lot 53, plat of Back River Highlands, 4 folio 64 & 65 15th District Baltimore, County, Maryland

Beginning for the same on the north side of Stillwater Road at the distance of 165 feet measured southeasterly along the north side of Stillwater Ruad from the east side of Riverside Road and being known and designated as lot 53, Block "C" as laid out and shown on the plat of Back River Highlands, said plat being recorded among the land records of Baltimore County in Plat Book 4 folio 64 and 65.

Containing 20,000 square feet of land.



SAYANUAH LOCATION MAP SCALE 1 : 500 STILLWATER PD NICHOLSON N70-13-41 W 53 # 29% 9 370"-13-41"E RIVERSIDE DE CURE STILLWATED-CURE

EXISTING USE - VACANT PROPOSED USE - DWELLING EXISTING TONING - DE SIS AREA OF LOTS 10,000 50 FT PUBLIC WATER - SEWER AVAILABLE

> LOT 53 BLOCK C" BACK RIVER HIGHLANDS FLAT BOOK 4/64-65

15TH DISTRICT BALTIMORE COUNTY, MARYLAND Seal 1 = 30' DATE 11-3-86

241

CFFICE COPY



OWNED

WAGANER, JAMES MY GAROL

FREELAND, MD. 21053

12 KIRSIMCT.

FRANK S. LEE 1277 NEIGHBORS AVE. BALTIMORE, MD. 21237 CERTIFICATE OF PUBLICATION

2, 1987, at 10:00 a.m. PUBLIC HEARING: Room 30

TOWSON, MD., February 12 19.87 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 12 87

THE JEFFERSONIAN,

Publisher

Cost of Advertising 32.18



PSTITION FOR ZONING VARIANCE

Qe Times

This is to Certify, That the annexed was inserted in Qc Times, a newspaper printed and published in Baitimore County, once in each successive

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY \$7-354-4

Location of property: N/S Stillateter Rd., 165' F/Averside Rd. 300 x 304 5/1/ Wotor Location of Signs: Fecing Still Kalander, eparers 15' Fr. madway Mistaly Number of Signa: _

Mr. James A. Waganer Mrs. Carolyn Waganer 12 Kirsim Court Freeland, Maryland 21053

January 23, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE N/S Stillwater Rd., 165' E of Riverside Rd. (300 and 304 Stillwater Rd.) 15th Election District

James A. Waganer, et ux - Petitioners

Case No. 87-354-A

TIME: 10:00 a.m. DATE: Monday, March 2, 1987

PLACE: Room 301, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

of Baltimore County

or Bartimore
No. 29860
615.000
5.00
118F