

274 87-392-A **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 103.3 (205.3) to permit a side yard setback of 3 feet in lieu of the required 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Due to the petitioner's health problems, an attached garage is desired to protect cars and enclose them in a heated area. An entrance and the driveway exist on this side of the home. Owners built the home and have lived here for 22 years. Adjoining neighbors have no objection to the proposed setback.

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.:
Address
Phone No.

Legal Owner(s):
HERBERT I. SCHER
(Type or Print Name)
Signature
MARILYN SCHER
(Type or Print Name)
Signature
25 Millstone Road
Randallstown, Md. 21133
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Phone No. 273-375

NW 8 K

Herbert I. Scher, et ux
25 Millstone Rd., 25' N of the
c/l of Willow Brook Ct., Extended
(25 Millstone Rd.), 2nd Elec. Dist.
2nd Councilmanic District
2nd C.D.

ORDER REC
Date 4/13/87
By Betty J. Subramanian

IN RE: PETITION FOR ZONING VARIANCE
E/S Millstone Rd., 25' N of the
c/l of Willow Brook Ct. Ext.
(25 Millstone Road)
2nd Election District
2nd Councilmanic District
Herbert I. Scher, et ux
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-392-A

The Petitioners herein request a variance to permit a side yard setback of 3 feet in lieu of the required 15 feet.

Testimony by and on behalf of the Petitioners indicated that the existing residence, which faces north, was built 22 years ago. The Petitioners now propose the construction of a garage attached to the house by a 6-foot enclosed passageway, which will provide direct access to the automobiles by Mr. Scher, who has health problems including emphysema. Placing the garage closer to the house would require the removal of part of a front wall extension for the dwelling and the rearrangement of the existing driveway and landscaping. In the opinion of the Petitioners, the design of the proposed garage is aesthetically pleasing and will not affect the general welfare of the neighborhood.

An adjacent neighbor testified in protest of his concern that his property will not be safe in the event of fire. It is his belief that his own carport is 15 feet from the property line rather than the 7 feet shown on the plan submitted.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 13th day of April, 1987, that a variance to permit a side yard setback of 3 feet for the construction of a garage attached to the house by a 6-foot enclosed passageway, in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, from and after the date of this Order.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Arnold Jablon
Zoning Commissioner

April 13, 1987

Mr. & Mrs. Herbert I. Scher
25 Millstone Road
Randallstown, Maryland 21133

RE: Petition for Zoning Variance
E/S Millstone Rd., 25' N of the
c/l of Willow Brook Ct. Ext.
2nd Election District
2nd Councilmanic District
Case No. 87-392-A

Dear Mr. & Mrs. Scher:

Enclosed please find a copy of the decision rendered in the above-referenced case. Your Petition for Zoning Variance has been Granted in accordance with the attached Order.

If you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,
Jean M. H. Jung
Deputy Zoning Commissioner

JMH:jbs

Enclosure

cc: Mr. Edwin O. Tremper
23 Millstone Road
Randallstown, Maryland 21133

People's Counsel

ORDER RECEIVED FOR FILING
Date 4/13/87
By Betty J. Subramanian

ORDER RECEIVED FOR FILING
Date 4/13/87
By Betty J. Subramanian

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of February, 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 8th day of April, 1987, at 10:30 o'clock P.M.

DESCRIPTION FOR VARIANCE
25 Millstone Road
2nd Election District

Beginning at a point on the east side of Millstone Road, 50 feet wide, at a distance of 25 feet north of the centerline of Willow Brook Court and being known as Lot E, Block A, as shown on the plat of Section "E" of Herndon Heights, which is recorded in the Land Records of Baltimore County in Liber GLB No. 24, folio 148.

PETITION FOR ZONING VARIANCE
2nd Election District - 2nd Councilmanic District
Case No. 87-392-A

LOCATION: East Side Millstone Road, 25 feet North of the Centerline of Willow Brook Court Extended (25 Millstone Road)
DATE AND TIME: Wednesday, April 8, 1987, at 10:30 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 3 feet in lieu of the required 15 feet

Being the property of Herbert I. Scher, 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 VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S Millstone Rd., 25' N of C/L : OF BALTIMORE COUNTY
of Willow Brook Ct. Extended : (25 Millstone Rd.), 2nd Dist.
HERBERT I. SCHER, et ux, : Case No. 87-392-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 date, 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 HERESY CERTIFY that on this 10th day of March, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Herbert I. Scher, 25 Millstone Rd., Randallstown, MD 21133, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

April 1, 1987

Mr. Herbert I. Scher
Mrs. Marilyn Scher
25 Millstone Road
Randallstown, Maryland 21133

RE: PETITION FOR ZONING VARIANCE
E/S Millstone Rd., 25' N of the c/l of Willow Brook Ct. Extended (25 Millstone Rd.)
2nd Election District - 2nd Councilmanic District
Herbert I. Scher, et ux - Petitioners
Case No. 87-392-A

Dear Mr. and Mrs. Scher:

This is to advise you that \$67.96 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 self.

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

No. 33169

DATE 4/6/87 ACCOUNT R-01-615-DCC

SIGN & POST TO BE RETURNED AMOUNT \$ 67.96

Mr. Herbert I. Scher, 25 Millstone Road, Randallstown, Md. 21133

ADVERTISING AND POSTING COSTS RE CASE #87-392-A

FOR \$ 8 8138****00679618 MD

VALIDATION OR SIGNATURE OF CASHIER

85909

TO CERTIFY, that the annexed advertisement
 is published in the NORTHWEST STAR, a weekly
 paper published in Pikesville, Baltimore
 Maryland before the _____ 8th _____ day of
 April 19 87

1st publication appearing on the
18th day of Mar., 19 87

2nd publication appearing on the
day of , 19

3rd publication appearing on the
day of , 19

Phyllis Holbeck
Manager

Cost of Advertisement \$24.00

February 18, 1987

RE: PETITION FOR ZONING VARIANCE

E/S Millstone Rd., 25' N of the c/l of Willow
Brook Ct. Extended (25 Millstone Rd.)
2nd Election District - 2nd Councilmanic District
Herbert I. Scher, et ux - Petitioners
Case No. 87-392-A

TIME: 10:30 a.m. 1:30 p.m.

DATE: Wednesday, April 8, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

A.J:med

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

No. 30417

DATE 12/23/86 ACCOUNT 01 615

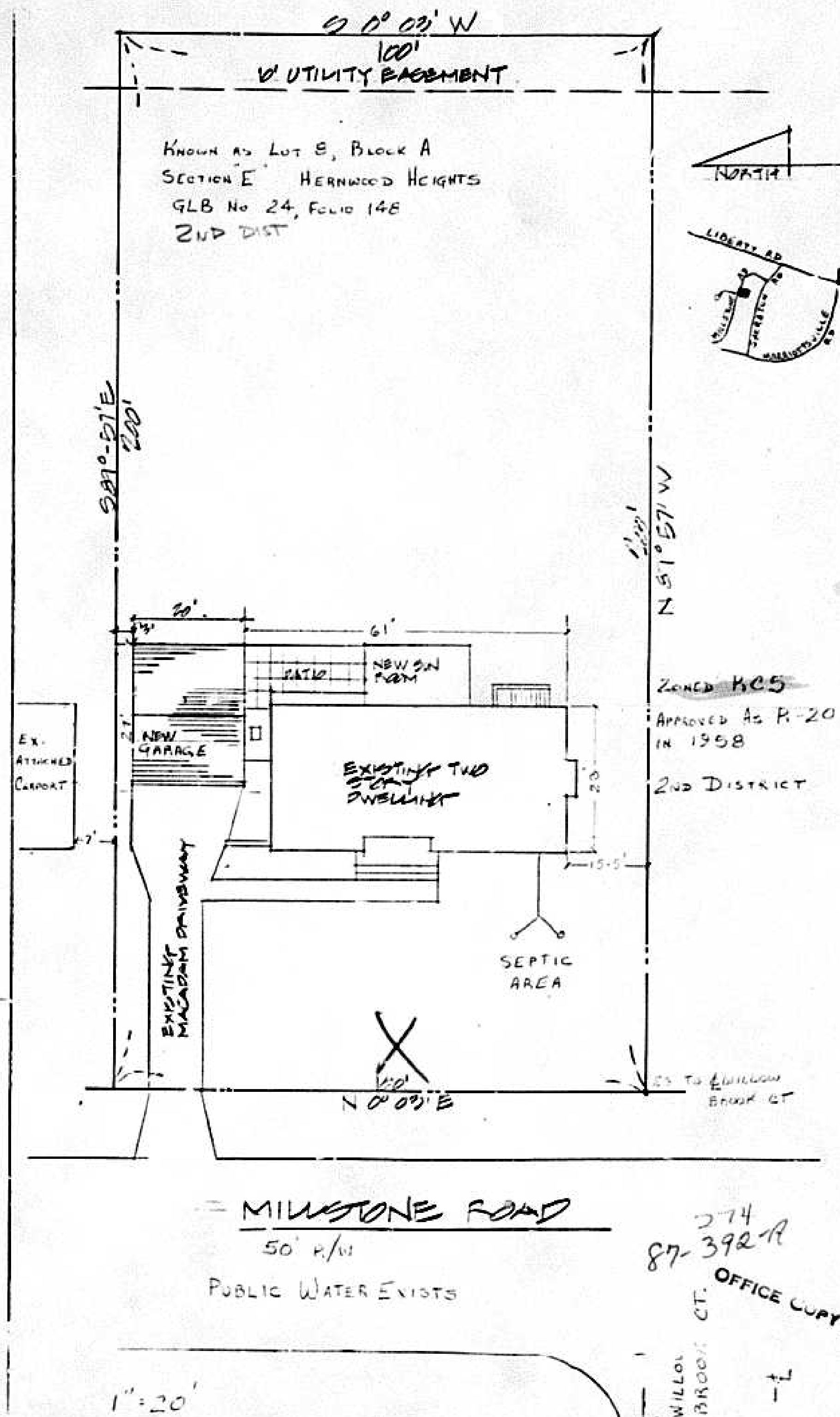
AMOUNT \$ 35.00

RECEIVED MAY 14 1964

FOR FILING FEE FOR VARIANCE ITEM 274

8 8050*****35001 82088

VALIDATION OR SIGNATURE OF CASHIER



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
11th day of February, 1987.

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: Herbert I. Scher, et ux Received by: James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: March 17, 1987
Norman E. Gerber, AICP
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition Number 87-383-A, 87-384-A, 87-388-A, 87-389-A,
87-390-A, 87-391-A, 87-392-A and 87-393-A

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

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:bph

RECEIVED
MAR 19 1987
ZONING OFFICE

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

STEPHEN E. COLLINS
DIRECTOR

January 30, 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 269, 270, 271, 272, 273, 274, 276, and 277.

Very truly yours,

Michael S. Flynn
Michael S. Flynn
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 20, 1987

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

cdo

Chairman

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

Mr. Herbert I. Scher
25 Millstone Road
Randallstown, Maryland 21133

RE: Item No. 274 - Case No. 87-392-A
Petitioner: Herbert I. Scher, et ux
Petition for Zoning Variance

Dear Mr. Scher:

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 suit-
ability 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
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 274, Zoning Advisory Committee Meeting are as follows:

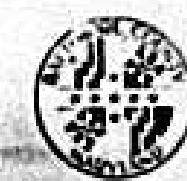
Property Owner: Herbert I. Scher, et ux
Location: E/S Millstone Road, 25 feet N of centerline Willow Brook Court
District: R.C. 5

APPLICABLE RULES ARE CITED:

1. 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. #17-1 - 1980) and other applicable Codes and Standards.
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/is 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 B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-1 Use Groups require a one hour fire rating for exterior walls closer than 5'-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 101.2, and Table 102. No comments are permitted in an exterior wall within 5'-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 101 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, 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.
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 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Michael S. Flynn
Michael S. Flynn
Building Plans Reviewer

4/22/87



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

NORMAN E. GERBER
DIRECTOR

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

MARCH 4, 1987

Re: Zoning Advisory Meeting of January 6, 1987
Item # 274
Property Owner: HERBERT I. SCHER, et al
Location: E/S MILLSTONE RD. 25' N.
OF E OF WILLOW BROOK CT. EXT.

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.
- ☒ 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

Robyn
Please make up a sticker
for 1:30 p.m. & give to Steve
to place on sign posted with
this paper.
thy
Bettye

2nd Election District 87-392-A

Location: E/S Millstone Rd., 25' N of the c/l
of Willow Brook Ct. Extended (25
Millstone Rd.)

Hearing: Wednesday, April 8, 1987, at 1:30 p.m.

Petition for Zoning Variance to permit a side yard setback of 3' in lieu of the required 15'

Petitioners: Herbert I. Scher, et ux

No. of Signs: 1 STEVE ARATA POST: 3/24/87

Make Right on Shenandoah
3/20/87-A.D. *Exterior sticker*



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

PAUL H. REINCKE
CHIEF

January 27, 1987

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

RE: Property Owner: Herbert I. Scher, et ux

Location: E/S Millstone Rd., 25' N. of centerline Willow Brook Ct.

Item No.: 274

Zoning Agenda: Meeting of 1/6/87.

Continued:

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: *Paul H. Reincke*
Planning Group
Special Inspection Division

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

/mb

2/24/87
Paul H. Reincke
2/24/87
P.D. - of 25 Millstone Rd.
Randallstown, Md. 21133
Feb 23, 1987
Case # 87-392-A
Herbert I. Scher, et ux
111 West Chesapeake Ave.
Towson, Md.

Dear Mr. Jablon:

I have a hearing scheduled for
April 8, 1987 at 10:30 A.M. Because of a
prior commitment, I will be
unavailable at this time.
Miss DuBois said that
1:30 P.M. on April 8 would be fine.
I would appreciate this change in
time.

Yours truly,
Herbert I. Scher

FEB 24 1987

*3/8/87 - Sticker returned
Change requested not*