

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 (1899a.3.B.3) to permit a side yard setback of 38 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)

A building permit was approved for a 20' x 20' one-story garage addition with a 38-foot side yard setback on November 26, 1986. After construction began, the owner desired a change to add a 12' x 20' second-story addition. The deficiency setback was discovered at the time the revised permit was requested. The neighbors to the south have no objection to the requested addition, and the local architectural review committee has approved the two-story addition.

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): (Type or Print Name) Signature Address City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted

394

87-475-A

463 # 4-544-4-8

James L. Myers, Jr., et ux, Petitioners W/S Sunnymeadow Lane, 478' S of the Centerline of Sunspot Rd. (104 Sunnymeadow Lane), 4th District, Baltimore County, Md. 21204

RE: PETITION FOR VARIANCE W/S Sunnymeadow Lane 478' South of C/L of Sunspot Road (104 Sunnymeadow Lane) 4th District BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 87-475-A JAMES L. MYERS, JR., et ux, Petitioners ENTRY OF APPEARANCE Please enter my appearance on behalf of petitioners 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.

RECEIVED JUN 8 1987 ZONING OFFICE

P. H. Goodman Attorney for Petitioners 5646 Mt. Gilead Road Reisterstown, Maryland 21136 833-0636

I HEREBY CERTIFY that on this 3rd day of June, 1987 a copy of the foregoing Entry of Appearance was mailed to The People's Counsel, Room 223, Court House, Towson, Maryland 21204.

P. H. Goodman

PETITION FOR ZONING VARIANCE

4th Election District - 3rd Councilmanic District Case No. 87-475-A

LOCATION: West Side Sunnymeadow Lane, 478 feet South of the Centerline of Sunspot Road (104 Sunnymeadow Lane)

DATE AND TIME: Monday, June 8, 1987, at 10:15 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 38 feet in lieu of the required 50 feet

Being the property of James L. Myers, Jr., et ux, as shown on plat 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

DESCRIPTION FOR ZONING VARIANCE

104 Sunnymeadow Lane 4th Election District

Beginning at a point on the west side of Sunnymeadow Lane, 50 feet wide, at a distance of 478 feet, more or less, south of the centerline of Sunspot Road and being Lot 6, as shown on the plat of Section One, Owings Manor, which is recorded among the Land Records of Baltimore County in plat book E.H.K., Jr., No. 40, folio 15.

394

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: May 19, 1987 Posted for: Variance Petitioner: James L. Myers, Jr., et ux Location of property: W/S Sunnymeadow Lane, 478' S of the Centerline of Sunspot Rd. (104 Sunnymeadow Lane) Location of Sign: In front of 104 Sunnymeadow Lane Remarks: Posted by: J. J. Givata Signature Date of return: May 22, 1987 Number of Signs: 1

87-475-A

ORDER RECEIVED FOR FILING

ESTIMATED LENGTH OF HEARING: 15 MIN. + 1HR. MON./TUES. 10:00 AM. - 12:00 PM. (over) ALL OTHER CASES HEARD BY 10:00 AM. REVIEWED BY: CCB DATE: 5/13/87

RE: PETITION FOR VARIANCE W/S Sunnymeadow Lane, 478' S of C/L of Sunspot Rd. (104 Sunnymeadow Lane), 4th District BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 87-475-A JAMES L. MYERS, JR., et ux, 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 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 20th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. James L. Myers, Jr., 104 Sunnymeadow Lane, Reisterstown, MD 21136, Petitioners.

Peter Max Zimmerman Peter Max Zimmerman

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

ARNOLD JABLON ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

Mr. James L. Myers, Jr. Mrs. Sherry T. Myers 104 Sunnymeadow Lane Reisterstown, Maryland 21136

RE: PETITION FOR ZONING VARIANCE W/S Sunnymeadow Lane, 478' S of the c/l of Sunspot Rd. (104 Sunnymeadow Lane) 4th Election District - 3rd Councilmanic District James L. Myers, Jr., et ux - Petitioners Case No. 87-475-A

Dear Mr. and Mrs. Myers:

This is to advise you that \$76.20 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 Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 35881 DATE: 6/9/87 ACCOUNT: P-01-615-000 SIGN & POST RETURNED AMOUNT: \$ 76.20 Mr. James L. Myers, 104 Sunnymeadow Lane, Reisterstown, Md. 21136 RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE #87-475-A FOR: B B031*****762934 8084F

Mr. James L. Myers, Jr. Mrs. Sherry T. Myers 104 Sunnymeadow Lane Reisterstown, Maryland 21136 April 27, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE W/S Sunnymeadow Lane, 478' S of the c/l of Sunspot Rd. (104 Sunnymeadow Lane) 4th Election District - 3rd Councilmanic District James L. Myers, Jr., et ux - Petitioners Case No. 87-475-A

TIME: 10:15 a.m. DATE: Monday, June 8, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 32505 DATE: 7/2/87 ACCOUNT: 01-615 AMOUNT: \$ 35.00 RECEIVED FROM: THE BALTIMORE COUNTY ZONING DEPARTMENT FOR: FILING FEE FOR VARIANCE 104-394

LOCATION: West Side Sunnymeadow Lane, 478 feet South of the Centerline of Sunspot Road (104 Sunnymeadow Lane) DATE AND TIME: Monday, June 8, 1987, at 10:15 a.m. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

THE JEFFERSONIAN

Westminster, Md. May 21, 1987. IFY that the annexed Req. #M00135 P.O.# 87900 (1) days previous of May 1987 in the county Times, a daily newspaper published in Westminster, Carroll County, Maryland wn News, a weekly newspaper published in Baltimore County, Maryland y Times, a weekly newspaper published in Baltimore County, Maryland CITY NEWSPAPERS OF MARYLAND, INC. Per [Signature]

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 21, 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 May 21, 1987.

THE JEFFERSONIAN, Susan Shender Street Publisher 32-17

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of June, 1987, that the Petition for Zoning Variance to permit a side yard setback of 38 feet in lieu of the required 50 feet be and is hereby GRANTED from and after the date of this Order.

Arnold J. [Signature]
Zoning Commissioner
Baltimore County

AJ/srl
cc: Peggy H. Goodman, Esquire
People's Counsel

ORDER RECEIVED FOR FILING
Date *June 11, 1987*
By *Shelley [Signature]*

87-4754-4
1001

87-4754
394

James L. Myers, Jr., et al., at or by 87-4754-4
W/S Sunspot Road, La. 4787 S of the
City of Sunspot Rd. (106 Sunspot Road
4th E.D.
3rd C.D.

March 24, 1987

We the undersigned are the lawful owners of the property known as 106 SUNNYMEADOW, which is adjacent to the property owned by Mr. and Mrs. J. L. Myers Jr.. We understand Mr. and Mrs. Myers have requested a variance from Baltimore county, Maryland concerning the construction of a two car garage which is attached to the existing structure. We further understand the garage and the addition as constructed will be approximately 12 feet beyond the building restriction line which is approximately 38 feet from our property line. As the adjoining property owner most affected by this construction, we unconditionally consent to the construction and do not object to the construction or the placement of the garage and the addition as planned by Mr. and Mrs. Myers.

SIGNED *Steph Allen [Signature]* DATE 3-25-87

Ellen [Signature] 3-25-87

WITNESSED *Shirley Myers [Signature]* DATE 3-25-87

EXHIBIT 2

MARCUS CONSTRUCTION, INC.

John.

12-11-86

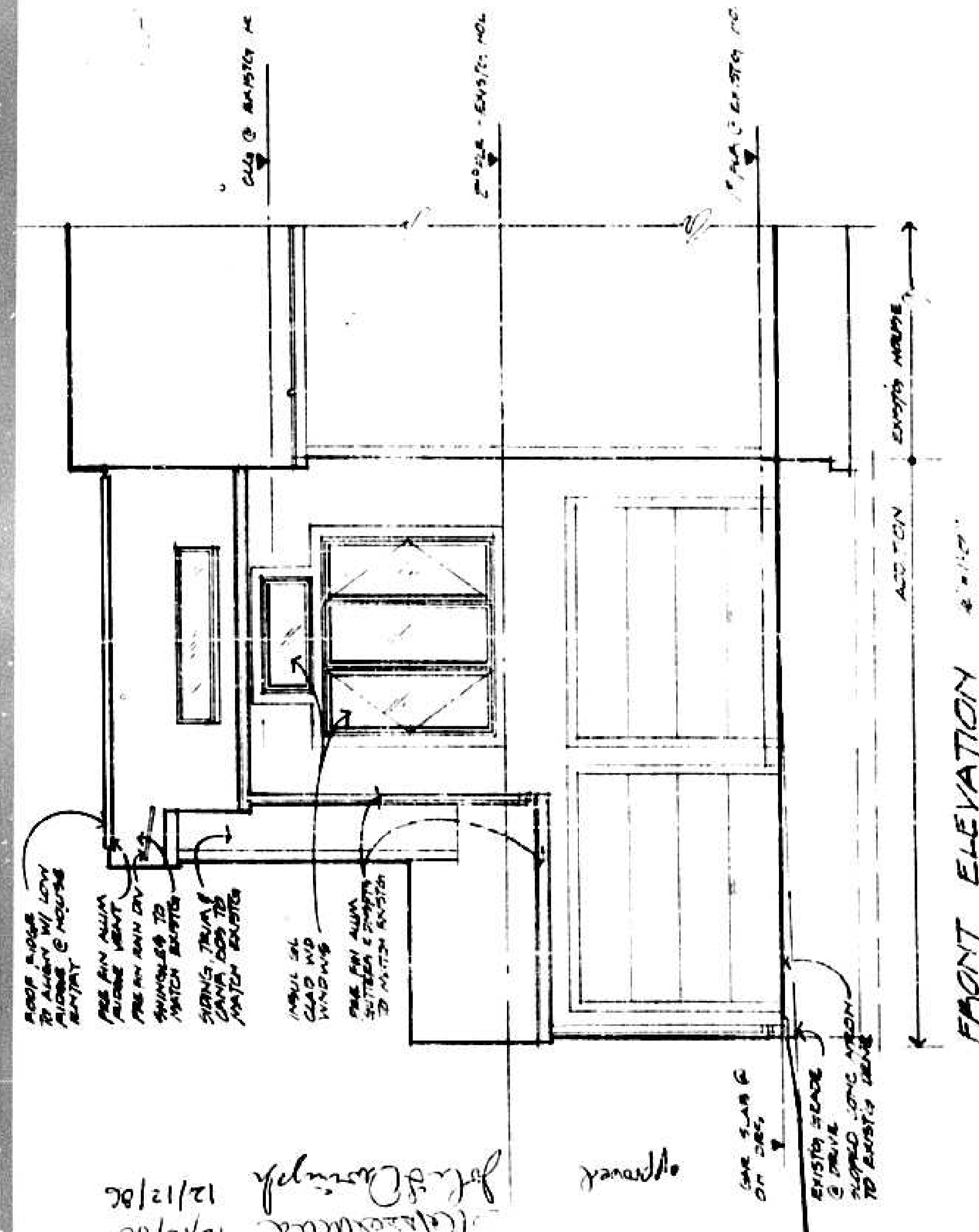
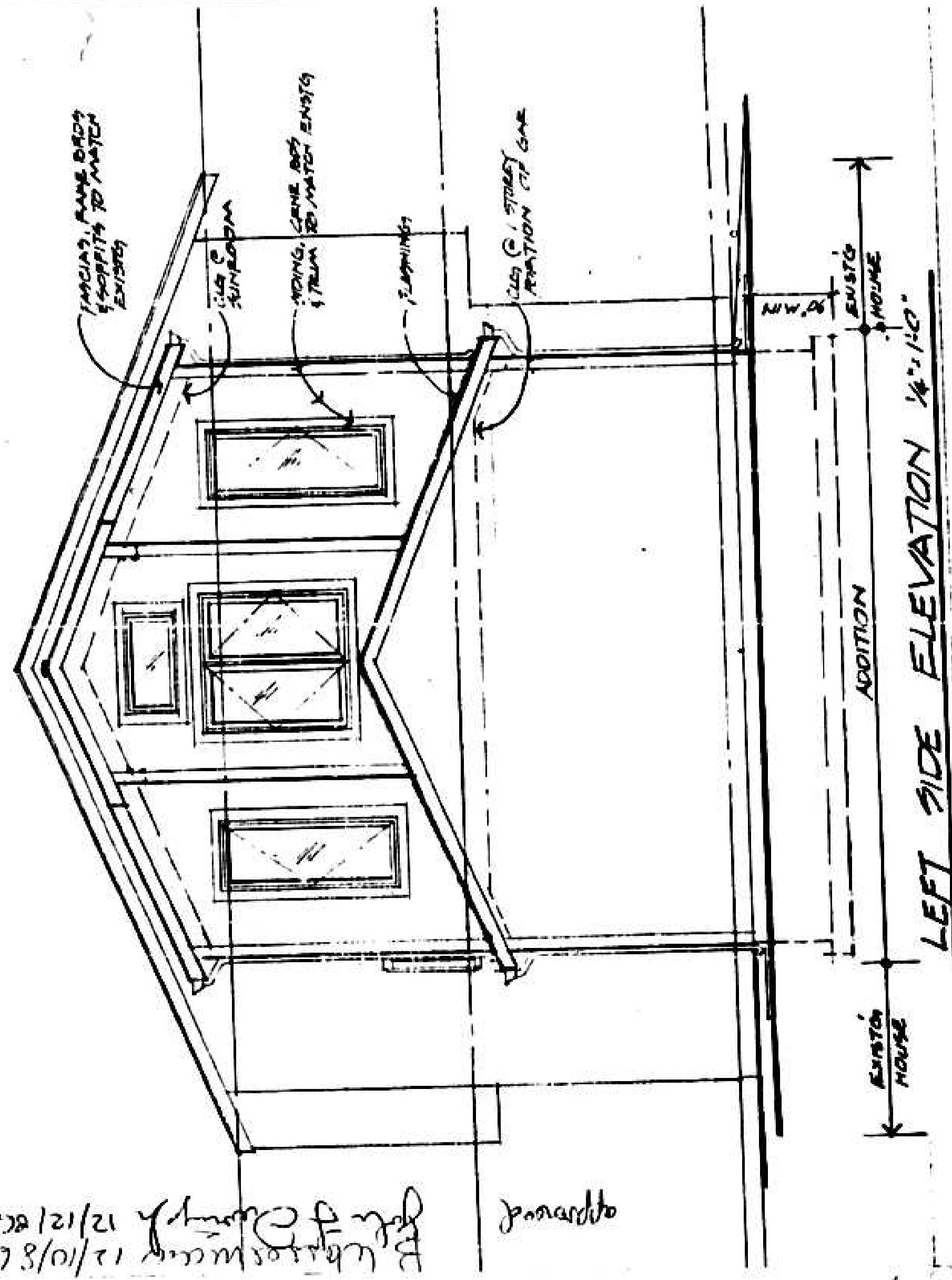
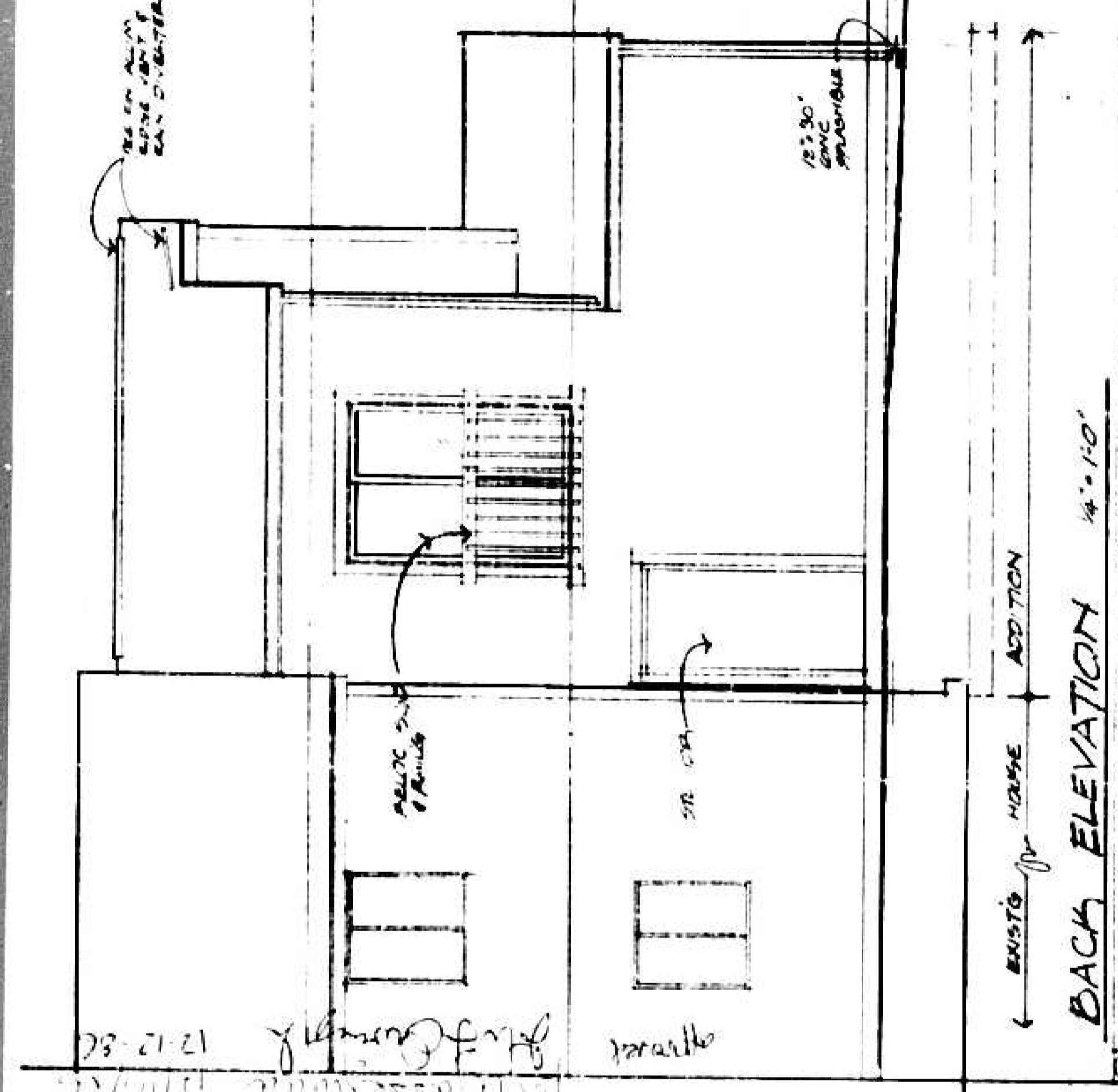
Please review these plans and return to Bonnie Wasserman.

These additions look quite satisfactory to me.

Regards,
Don [Signature]

EXHIBIT 3

611 sunspot road
reisterstown, maryland 21136
301-526-5663



87-475H

Maps 10:30 6/5/87
Blair, Myers
Lynn, Bookman, Log
No last

my located Sunnyside Ave - zone RC 3 -
level there 6 months. House 3 yr
ed - started construction w/ permit
but then found that needed variance
35' instead of 50' - garage + family room
20' x 20' in area with above
garage.

variance granted - short for
no other permit req'd

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 13, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21284

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Public Administration
Industrial Development

Mr. James L. Myers, Jr.
104 Sunnyside Lane
Reisterstown, Maryland 21136

RE: Item No. 394 - Case No. 87-475-H
Petitioner: James L. Myers, Jr., et ux
Petition for Zoning Variance

Dear Mr. Myers:

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, in 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:kkb
Enclosures

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21284 2586
494 4500

PAUL H. REINCKE
CHIEF

April 13, 1987

Mr. Arnold Jablon,
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21284

RE: Property Owner: James L. Myers, Jr., et ux

Location: W/S Sunnyside Ln., 478' S. centerline Sunspot Rd.

Item No.: 394

Zoning Agenda: Meeting of 4/14/87

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.
- 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.

REVIEWED: *Carl J. Kelly* / Noted and Approved: *John F. O'Neill*
Planning Group / Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

May 5, 1987

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21284

Dear Mr. Jablon:

Comments on Item # 394 - Zoning Advisory Committee Meeting are as follows:

Property Owner: James L. Myers, Jr.
Location: W/S Sunnyside Lane, 478' S centerline Sunspot Road
Districts: L4h

- APPLICABLE CODES AND ORDINANCES:
- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 411-85, the Maryland Code for the Building and Land (A.B.C. 10-101 - 1985) and other applicable Codes and Standards.
 - 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 not required on plans and technical data.
 - 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. Registered seals are not acceptable.
 - All One Group except Two Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. 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 401, Section 107, Section 1205.2 and Table 12-7. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
 - 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.
 - The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
 - When filing for a required Change of Use/Occupancy Permit, an alternative 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.
 - The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 514.0 of the Building Code as adopted by Bill 411-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
 - Comments:

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. To receive the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21284.
Mark E. Schuman
311 E. Baltimore, 212
Building Plans Review

27-2022
Duty Hanning
29-206-20-20-20

3/31/87
TO JD
3/31/87

RECEIVED
MAR 31 1987
ZONING OFFICE

Mr. Jablon,
I am requesting an early hearing for
item # 394 for the Myers Residence at 104 Sunnyside
Lane, Reisterstown, Md 21136. The reason for the hardship
is that the county had erred initially in granting the
original permit which was dated November 20/80, permit #
2540-86 and granted a permit for a 20'x20' garage
addition. When a 12'x20' screen addition was applied for on
March 11/87 on top of the 20'x20' garage it was found
that the approval of the original garage by the
zoning office was in error and had voided the
building restrictions here. Thus, the project is 95% complete &
we are unable to complete the project.

Thank you
Drew Schorhan SCHORHAN
THE WOOD DESIGN/BUILD SCORHAN
5072-94 STEVENS AVE. #2
COLUMBIA, MD
21045
945-4445

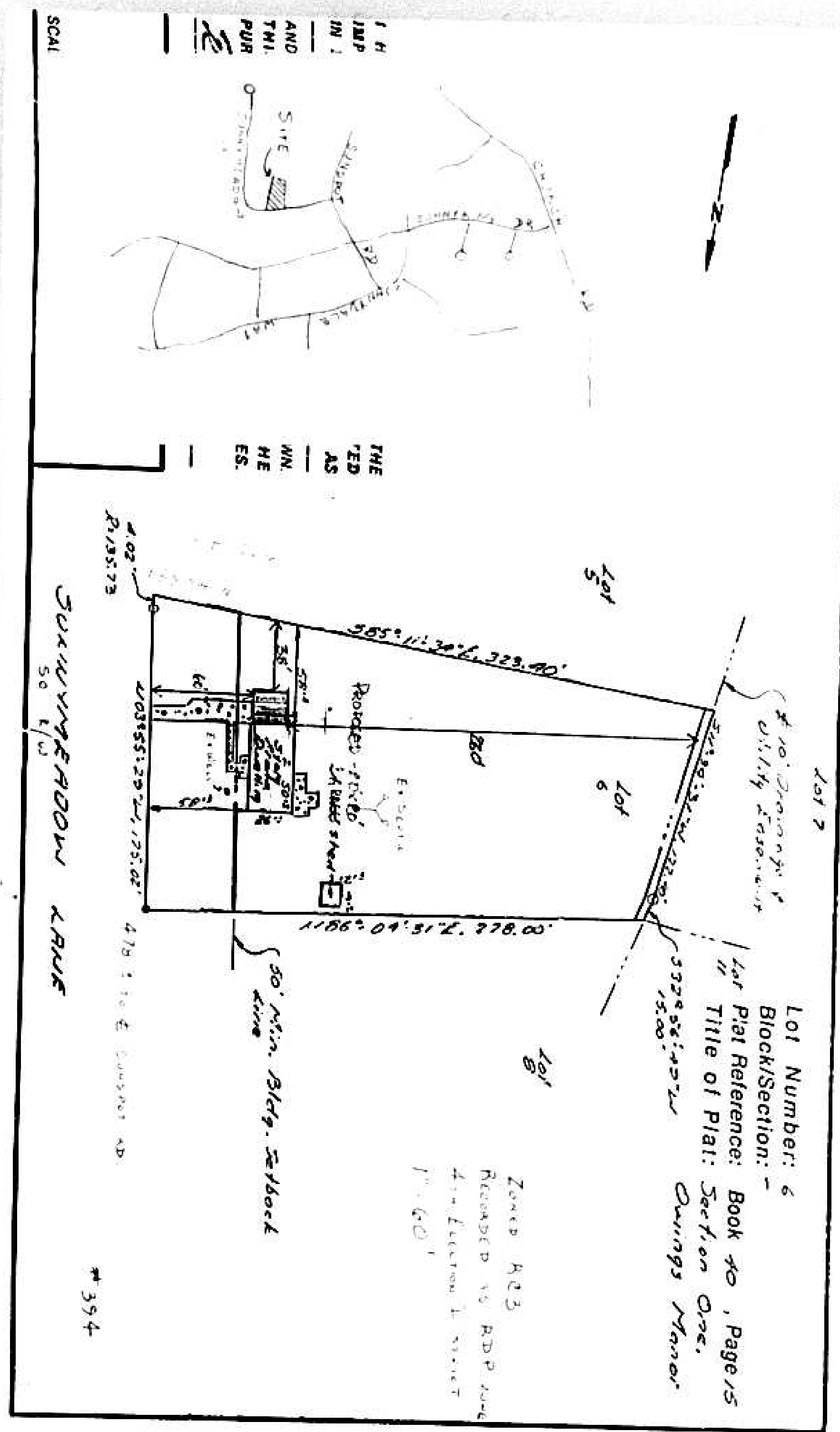
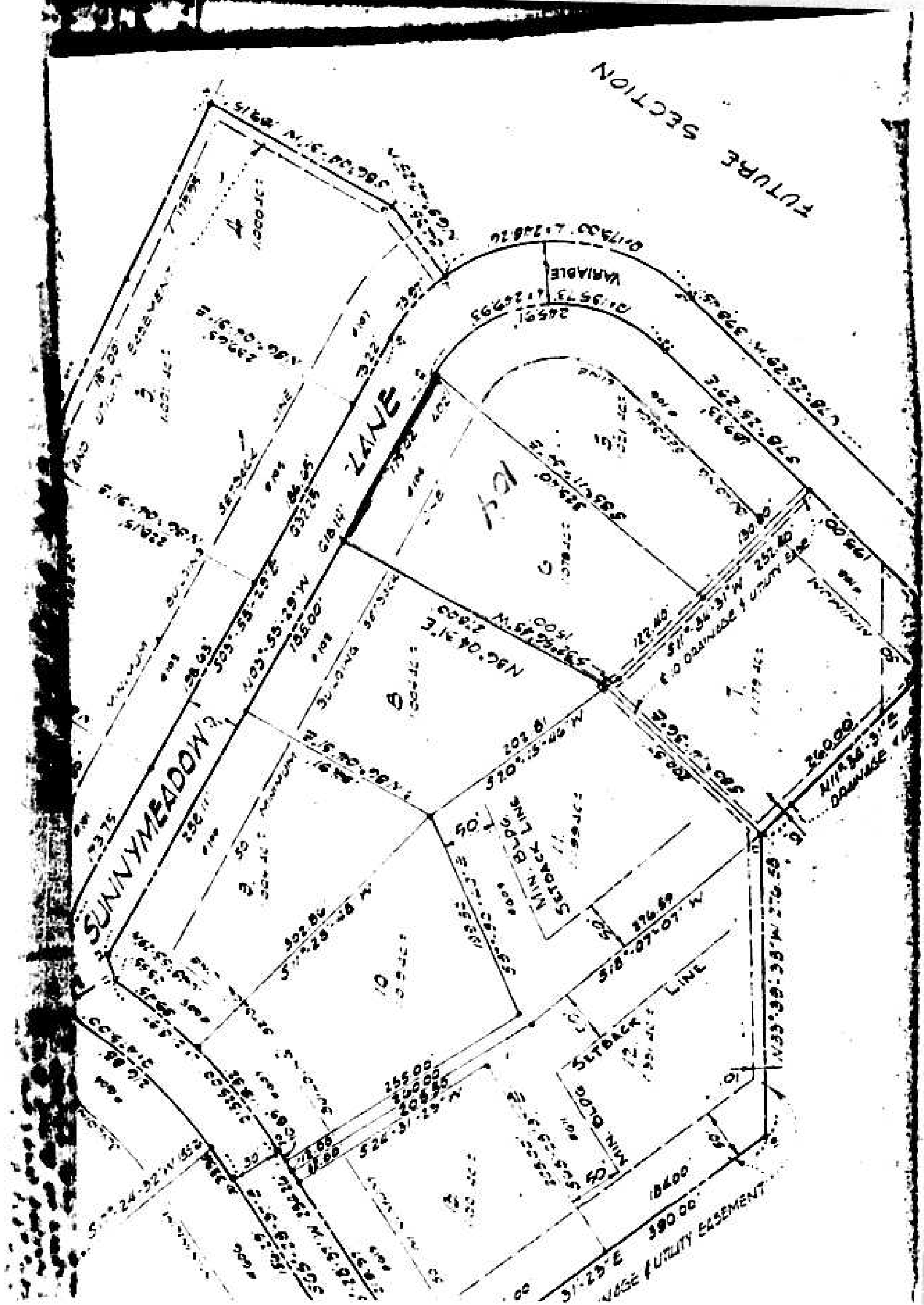
MARCUS CONSTRUCTION, INC.

12-11-86

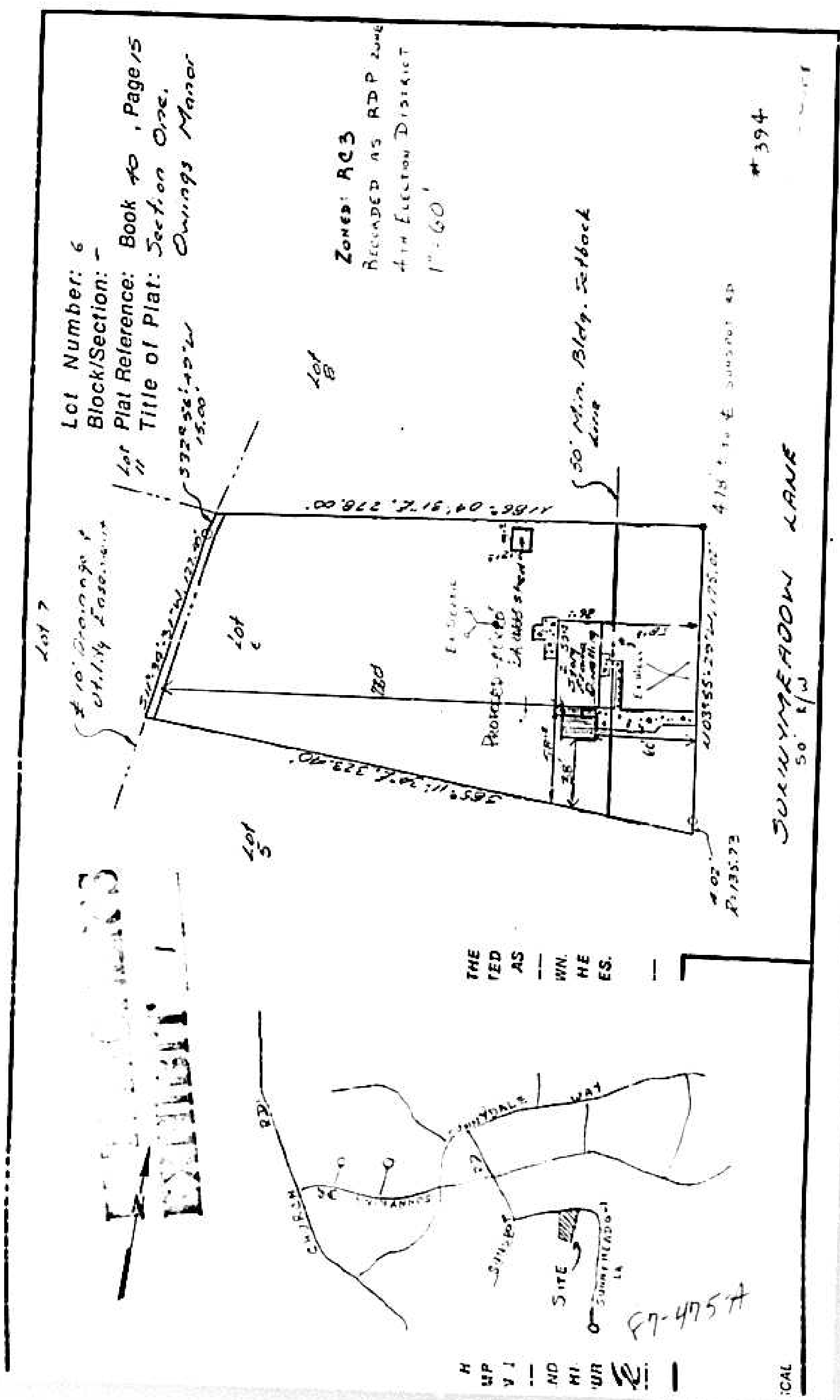
John,
Please review these plans and return
to Bonnie Wasserman.
These additions look quite satisfactory to me.

Regards,
Doug

611 sunspot road
reisterstown, maryland 21136
301-526-5663



87-475A



87-475-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
 22nd day of April, 1987.

Arnold Jablon
 Zoning Commissioner

Petitioner: James L. Myers, Jr., et al.
 Received by: James E. Dyer
 Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner
 FROM: Norman E. Gerber, AICP, Director, Office of Planning and Zoning
 SUBJECT: Zoning Petitions Nos. 87-472-A, 87-475-A, 87-476-50H, 87-480-A, 87-481-A, 87-482-A, 87-485-X, 87-486-A and 87-487-A

Date: May 7, 1987

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

Norman E. Gerber
 Director

NEG:JGH:sib

RECEIVED
 MAY 11 1987
 ZONING OFFICE