

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 1802.3.6.1 to permit a sideyard setback of 5 ft. in lieu of the required 10 ft.

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

1. Need for storage because we have no attic
2. Need for Car and Boat
3. Need because we have no basement

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):  
Everett K. Barton, Jr.  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Mary Ann Barton  
(Type or Print Name)  
Signature: \_\_\_\_\_  
8610 Sandy Plains Rd.  
Address: \_\_\_\_\_  
Dundalk, Md. 21222  
City and State: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of June 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 17th day of June 1987, at 9:45 o'clock A.M.

ESTIMATED LENGTH OF HEARING: 1/2HR. + 1HR.  
AVAILABLE FOR HEARING: MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER: \_\_\_\_\_  
REVIEWED BY: \_\_\_\_\_ DATE: 5/10/87

CERTIFICATE OF POSTING  
BALTIMORE COUNTY, MARYLAND  
TOWSON, MARYLAND

Subject: 1274  
Posted to: Variance  
Postman: Everett K. Barton, Jr. et al.  
Location of property: N/S Sandy Plains Rd. 44' W of Lynch Rd. Ext.  
8610 Sandy Plains Rd.  
Location of Signposting: Sandy Plains Rd. across 12th Election District  
Date of return: 6/15/87  
Number of Signs: 1

ZONING DESCRIPTION

Beginning on the N/S of Sandy Plains Road, 44 ft. W. of the centerline of Lynch Road (paper street) extended to the N/S of Sandy Plains Road. Thence S 67°15'40" E 74.22 ft., N. 2°01'20" E. 102.5 ft., thence 73 ft. westerly along Chink creek to a point, thence S. 21°51'20" W. 95.5 ft. to the place of beginning. Containing 7203 SQ. FT. in the 12th. Election District. Also Known as #8610 Sandy Plains Rd.

CERTIFICATE OF PUBLICATION

OFFICE OF  
Dundalk Eagle

4 N. Center Place  
P.O. Box 8936  
Dundalk, Md. 21222

May 28, 1987

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hrgs. - Case #87-502-A - P.O. #87991 - Reg. #M00190 - 80 lines @ \$32.00.

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 29th day of May 1987; that is to say, the same was inserted in the issues of May 28, 1987

Kimbel Publication, Inc.  
per Publisher.

By K.C. Oller

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 28, 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 28, 1987

THE JEFFERSONIAN

Susan Steiner Obrecht  
Publisher

2896

PETITION FOR ZONING VARIANCE

12th Election District - 7th Councilmanic District

Case No. 87-502-A

LOCATION: North Side Sandy Plains Road, 44 feet West of the Centerline of Lynch Road Extended (8610 Sandy Plains Road)

DATE AND TIME: Wednesday, June 17, 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 5 feet in lieu of the required 10 feet

Being the property of Everett K. Barton, Jr., 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

June 10, 1987

Mr. Everett K. Barton, Jr.  
Mrs. Mary Ann Barton  
8610 Sandy Plains Road  
Dundalk, Maryland 21222

RE: PETITION FOR ZONING VARIANCE  
N/S Sandy Plains Rd., 44' W of the c/l of Lynch Rd. Extended (8610 Sandy Plains Rd.)  
12th Election District - 7th Councilmanic District  
Everett K. Barton, Jr., et ux - Petitioners  
Case No. 87-502-A

Dear Mr. and Mrs. Barton:

This is to advise you that \$25.00 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 117, County Office Building, Towson, Maryland

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

DATE: 6/17/87 ACCOUNT: R-01-615-000

SIGN & POST RETURNED: 75.96  
Mr. Everett Barton, Jr., 8610 Sandy Plains Rd., Balto., Md. 21222

RECEIVED FROM: ADVERTISING & POSTING RE CASE #87-502-A

FOR: 8 0020\*\*\*\*\*75.96 317af

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
N/S Sandy Plains Rd., 44' W of : OF BALTIMORE COUNTY  
C/L of Lynch Rd., Extended (8610 Sandy Plains Rd.) :  
12th District :

EVERETT K. BARTON, JR., et ux, : Case No. 87-502-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 26th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Everett K. Barton, Jr., 6610 Sandy Plains Rd., Dundalk, MD 21222, Petitioners.

Peter Max Zimmerman  
Peter Max Zimmerman

Mr. Everett K. Barton, Jr.  
Mrs. Mary Ann Barton  
8610 Sandy Plains Road  
Dundalk, Maryland 21222

May 11, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE  
N/S Sandy Plains Rd., 44' W of the c/l of Lynch Rd. Extended (8610 Sandy Plains Rd.)  
12th Election District - 7th Councilmanic District  
Everett K. Barton, Jr., et ux - Petitioners  
Case No. 87-502-A

TIME: 9:45 a.m.

DATE: Wednesday, June 17, 1987

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

C. J. Ball  
Zoning Commissioner  
of Baltimore County

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

DATE: 6/17/87 ACCOUNT: R-01-615-000

RECEIVED FROM: Everett K. Barton

FOR: 8 0018\*\*\*\*\*35.00 819af

VALIDATION OR SIGNATURE OF CASHIER

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 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 ~~not~~ be granted.

The, before, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of June, 1987, that the Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 10 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.
2. Compliance with the Chesapeake Bay Critical Area comments submitted by the Director of Planning, dated May 21, 1987, attached hereto and made a part of this Order.

*Arnold Jablon*  
Zoning Commissioner of  
Baltimore County

AD/srl

Attachment

cc: Mr. & Mrs. Everett K. Barton, Jr.

People's Counsel

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: May 21, 1987

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

SUBJECT: Chesapeake Bay Critical Area Findings -  
Everett K. Barton, Jr., et ux (87-502-A, Item 369)

In accordance with Section 8-1813 of the Chesapeake Bay Critical Law and the July 8, 1985 Opinion from the County Attorney, it is hereby my "findings" that the proposed development will comply with the terms of Section 8-1813(a) for minimizing adverse impacts on water quality and protecting identified habitats, provided that the Special Exception is conditioned on compliance with the following requirements:

1. One (1) major deciduous trees, or two (2) conifers, or two (2) minor deciduous trees are planted and maintained on a lot. A combination of these three tree types is acceptable provided that 1,000 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.
2. Storm water runoff from impervious surfaces associated with this petition should be directed over previous areas such as lawn to encourage maximum infiltration.

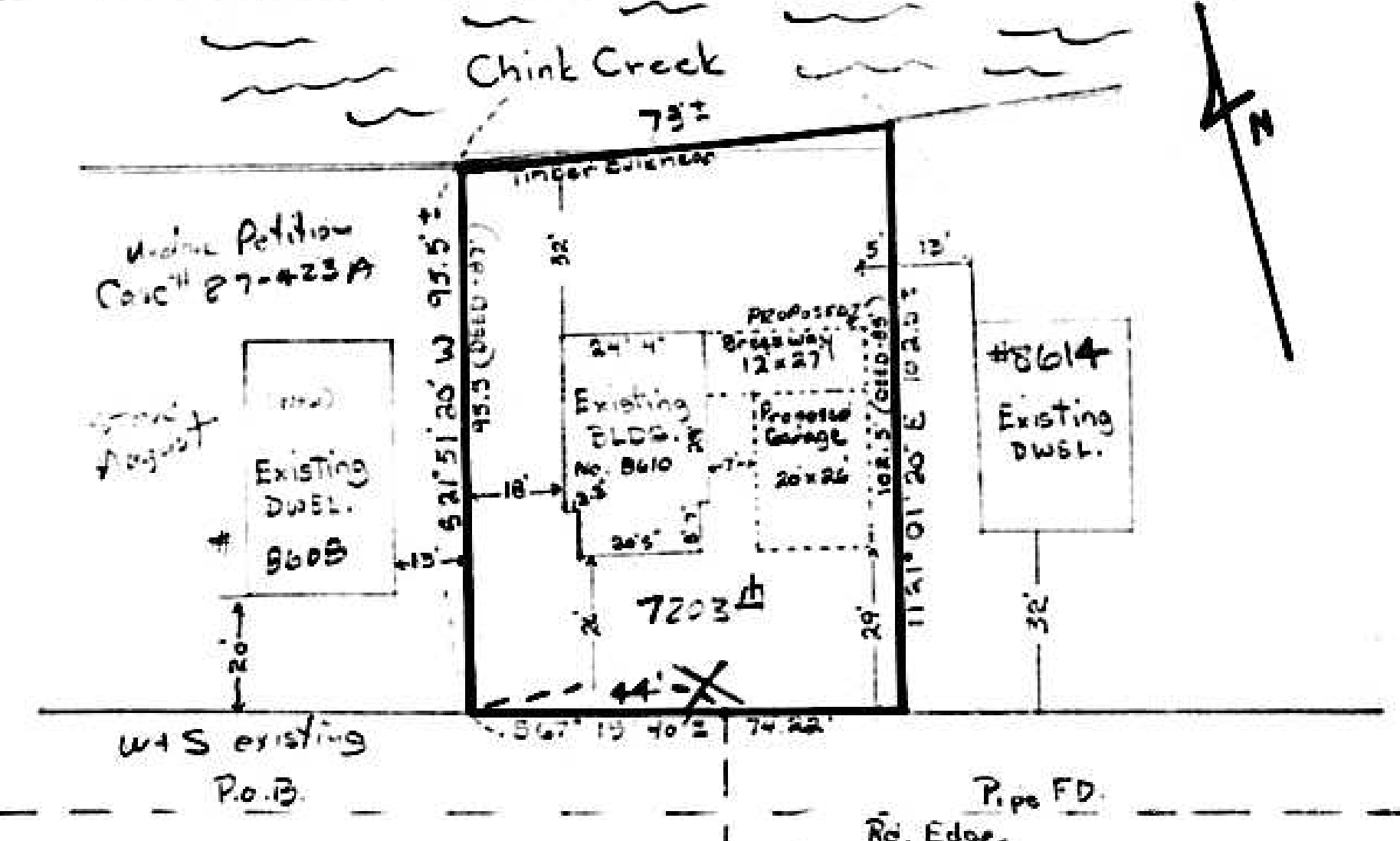
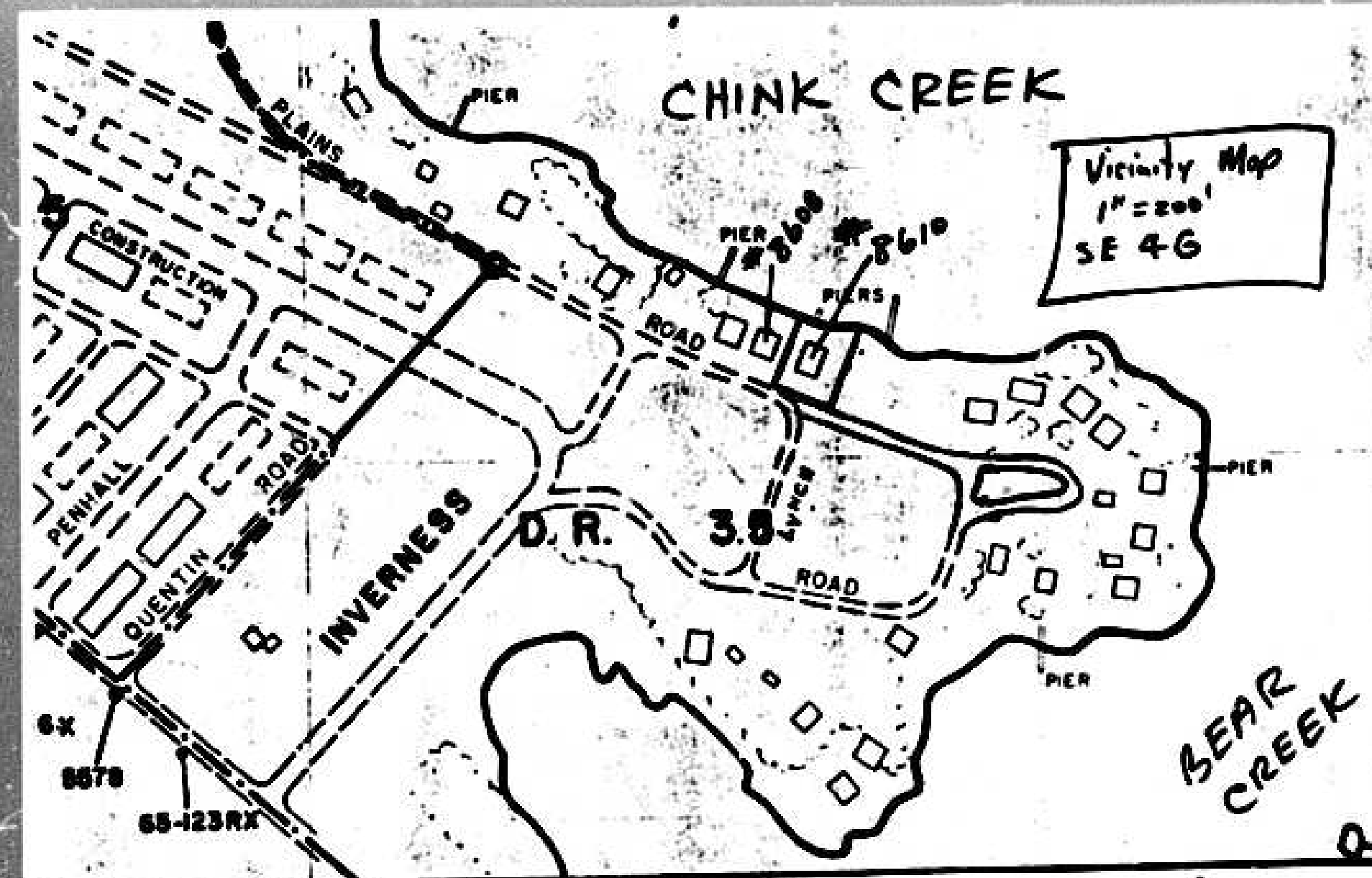
*Norman E. Gerber*  
Norman E. Gerber, AICP, Director  
Office of Planning and Zoning

RECEIVED  
MAY 28 1987  
ZONING OFFICE

NEG/PJS/jat  
cc: Tim Dugan  
David Fields  
Jim Hoswell  
Tom Vidmar  
People's Counsel

ORDER RECEIVED FOR FILING

CPS-008



Plat For Zoning Variance  
Owner: Everett & Mary Barton Jr.  
District 12 Zoned Dr 3.5  
Existing Utilities in Sandy Plains Rd.  
Scale: 1" = 30'  
Lynch Rd. Extended (Paving Street)  
OFFICE COPY

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 22, 1987

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

000

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. Everett K. Barton, Jr.  
8610 Sandy Plains Road  
Dundalk, Maryland 21222

RE: Item No. 369 - Case No. 87-502-A  
Petitioner: Everett K. Barton, Jr., et ux  
Petition for Zoning Variance

Dear Mr. Barton:

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

87-502-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 28th day of April, 1987.

*Arnold Jablon*  
Arnold Jablon  
Zoning Commissioner  
Petitioner: Everett K. Barton, Jr., et ux Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee



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

STEPHEN E. COLLINS  
DIRECTOR

April 24, 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 6(1985), 367, 369, 371, 372, and 373.

Very truly yours,

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

MSF:lt



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

PAUL H. REINCKE  
CHIEF

March 31, 1987

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

RE: Property Owner: Everett K. Barton, Jr., et ux (Critical Area)

Location: N/S Sandy Plains Rd., 44' W. of centerline of Lynch Road, ext.

Item No.: 369 Zoning Agenda: Meeting of 3/31/87

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 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.
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: *John F. O'Neill*  
John F. O'Neill  
Planning Group  
Special Inspection Division

/mb

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: May 26, 1987  
Norman E. Gerber, AICP, Director  
FROM: Office of Planning & Zoning  
SUBJECT: Zoning Petitions No. 87-499-A, 87-500-A and 87-502-A

Please consider the Chesapeake Bay Critical Area Findings (see memoranda from Gerber to Jablon dated May 21, 1987) to be the position of this office on the subject petitions.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:sib

RECEIVED  
MAY 28 1987  
ZONING OFFICE

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204

TED ZALESKI, JR.  
DIRECTOR

May 4, 1987

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

Dear Mr. Jablon:

Comments on Item # 369 Zoning Advisory Committee Meeting are as follows:

Property Owner: Everett K. Barton, Jr.  
Location: N/S Sandy Plains Road, 44' W of centerline of Lynch Road  
District: 12th

APPLICABLE CODES ARE CITED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 417-85, the Maryland Code for the Handicapped and used (A-8111, 4111) - 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 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 One Group except B-1 Single Family Detached Dwellings require a minimum of 5 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-2 One 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 1207, Section 1208 and Table 1207. No openings are permitted in an exterior wall within 3'-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 401 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 alternative permit application shall also be filed 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/Waterway. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill 417-85. Site plans shall show the correct elevations above sea level for the lot and the finished 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 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*Mark S. Johnson*  
Mark S. Johnson  
Building Plans Review

4/27/87

1-12-87