

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.B (202.3) to permit a minimum side yard setback of 5 feet in lieu of the minimum required 20 feet, and a sum of 45 feet for both side yards in lieu of the required 50 feet.

There is only 21 feet of space available between the house and the property line. I would like to put a garage bldg. 16 feet wide onto the house. This will leave a 19 foot clearance between the garage and the next dwelling.

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):
FRED SCHWERER
(Type or Print Name)
Signature
EVA SCHWERER
(Type or Print Name)
Signature
7020 Pheasant Cross Dr.
Address
BALTIMORE, Md 21209
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

MAP NO. 9C
2C
3
DATE 9/17/87
200
1000
OF

ORDERED By The Zoning Commissioner of Baltimore County, this 5th 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of July, 1987, at 10:00 o'clock A.M.

(over)

DESCRIPTION

BEGINNING on the west side of Pheasant Cross Drive, 50 feet wide, at the southwest corner of Pheasant Cross Drive and Sugarcone Road.

BEING Lot 32, Block C in the subdivision of Greengate Book No. 33, Folio 48.

Also known as 7020 Pheasant Cross Drive in the 3rd Election District.

IN RE: PETITION FOR ZONING VARIANCE
SW/cor. Pheasant Cross Drive
and Sugarcone Road
(7020 Pheasant Cross Drive)
3rd Election District
2nd Councilmanic District
Fred Schwerer, et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-50-A

The Petitioners herein request a variance to permit a minimum side yard setback of 5 feet in lieu of the minimum required 20 feet, and a sum of 45 feet for both side yards in lieu of the required 50 feet.

Testimony by one of the Petitioners indicated that they propose the construction of an attached garage for general and vehicular storage, including a motorcycle, which currently must be kept in the basement. Since the property is a corner lot, and considering the grade of the property and internal arrangement of the dwelling, the proposed location is the only feasible one available. The Petitioner stated that the garage was to be 18' wide, although the plat submitted showed it would be 16' wide.

Close examination of the submitted plat by the Deputy Zoning Commissioner revealed that the rear width of the property is shown as being 113.26 feet, but, adding the various elements totals 118'7" (5' setback on the south, plus 18' garage, plus 28'3" section of the house, plus 27'4" section of the house, plus 40' setback from Sugarcone Road equals 118'7").

Subsequent to the hearing, the Petitioners attempted unsuccessfully to provide a more accurate site plan. A patio built by the developer at the time of the original construction of the dwelling (approximately 1970) utilizes 23' from the house and the Petitioners were told by the developer that they owned an additional 5'.

There were no Protestants.

PETITION FOR ZONING VARIANCE
3rd Election District - 2nd Councilmanic District
Case No. 88-50-A

LOCATION: Southwest Corner Pheasant Cross Drive and Sugarcone Road (7020 Pheasant Cross Drive)

DATE AND TIME: Tuesday, July 28, 1987, at 10:00 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 minimum side yard setback of 5 feet in lieu of the minimum required 20 feet and a sum of both side yards of 45 feet in lieu of the required 50 feet

Being the property of Fred Schwerer, 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 JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

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 6th day of August, 1987 that a minimum side yard setback of 5 feet and a sum of 45 feet for both side yards, for a garage attached to the existing dwelling be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject to the following conditions:

A revised site plan must be submitted to and approved by the Office of Zoning prior to the issuance of a building permit for an attached garage.

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

ORDER RECEIVED FOR FILING
Date 8/16/87
By Beth J. Schickman

RE: PETITION FOR VARIANCE
SW/Corner Pheasant Cross Dr. &
Sugarcone Rd. (7020 Pheasant
Cross Dr.), 3rd District
FRED SCHWERER, et ux, Petitioners Case No. 88-50-A

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

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 30th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Fred Schwerer, 7020 Pheasant Cross Dr., Baltimore, MD 21209, Petitioners.

RECEIVED
JUL 1 1987

ZONING OFFICE

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

August 6, 1987

Mr. & Mrs. Fred Schwerer
7020 Pheasant Cross Drive
Baltimore, Maryland 21209

RE: Petition for Zoning Variance
SW/cor. Pheasant Cross Drive and Sugarcone Road (7020 Pheasant Cross Drive)
3rd Election District, 2nd Councilmanic District
Case No. 88-50-A

Dear Mr. Schwerer:

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Granted, subject to the condition noted in the attached Order.

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

Very truly yours,

Jean M. H. Jung
Jean M. H. Jung
Deputy Zoning Commissioner

JMH:jbj

Enclosures

cc: People's Counsel

PETITION FOR ZONING VARIANCE
3rd Election District - 2nd Councilmanic District
Case No. 88-50-A
LOCATION: Southwest Corner Pheasant Cross Drive and Sugarcone Road (7020 Pheasant Cross Drive)
DATE AND TIME: Tuesday, July 28, 1987, at 10:00 a.m.
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Being the property of Fred Schwerer, 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.

CERTIFICATE OF PUBLICATION

80756

Pikesville, Md., July 6, 1987

TO CERTIFY, that the annexed advertisement published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore Maryland before the 28th day of

1987

first publication appearing on the

th day of July, 1987

second publication appearing on the

day of July, 1987

the third publication appearing on the

day of July, 1987

THE NORTHWEST STAR

Manager

Cost of Advertisement \$25.00



ARNOLD JADON
ZONING COMMISSIONER
July 22, 1987

Mr. Fred Schwerer
Mrs. Eva Schwerer
7020 Pheasant Cross Drive
Baltimore, Maryland 21209

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITION FOR ZONING VARIANCE
SW/cor. Pheasant Cross Dr. and Sugarcone Rd.
(7020 Pheasant Cross Dr.)
3rd Election District - 2nd Councilmanic District
Fred Schwerer, et ux - Petitioners
Case No. 88-50-A

Dear Mr. and Mrs. Schwerer:

This is to advise you that \$76.35 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.

e County, Maryland, and remit
ding, Towson, Maryland

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

DATE 7/28/87 ACCOUNT R-01-615-000

SIGN & POST
STOLEN UNABLE TO
PRODUCE Mrs. Eva Schwere, 7020 Pheasant Cross
Drive, Balto., Md. 21209

RECEIVED
FROM

ADVERTISING & POSTING COSTS RE CASE #85-5C-A

FOR

B 0044*****763518 5788F

VALIDATION OR SIGNATURE OF CASHIER

Mr. Fred Schwerer
Mrs. Eva Schwerer
7020 Pheasant Cross Drive
Baltimore, Maryland 21209

June 17, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SW/cor. Pheasant Cross Dr. and Sugarcone Rd.
(7020 Pheasant Cross Dr.)
3rd Election District - 2nd Councilmanic District
Fred Schwerer, et ux - Petitioners
Case No. 88-50-A

TIME: 10:00 a.m.

Tuesday, July 28, 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 4/17/87 ACCOUNT Pol-615-00

AMOUNT \$ 35.00

RECEIVED FROM EVA SCHWIERER (PODNEY) mailed

ITEM #61
FOR RESIDENTIAL VARIANCE

B B185*****35001a 4292F

VALIDATION OR SIGNATURE OF CASHIER



PLAT FOR ZONING VARIANCE
OWNERS: FRED & EVA SCHWERER
3RD ELECTION DISTRICT
ZONED: DR1
SUBDIVISION: GREENGATE
LOT 32, BLOCK C, BOOK NO. 33 FOLIO 48
7020 PHEASANT CROSS DRIVE

LOT SIZE:
14,060.714 S.F.
.322 ACRES

SCALE: 1" = 50'

OFFICE COPY

[illegible]

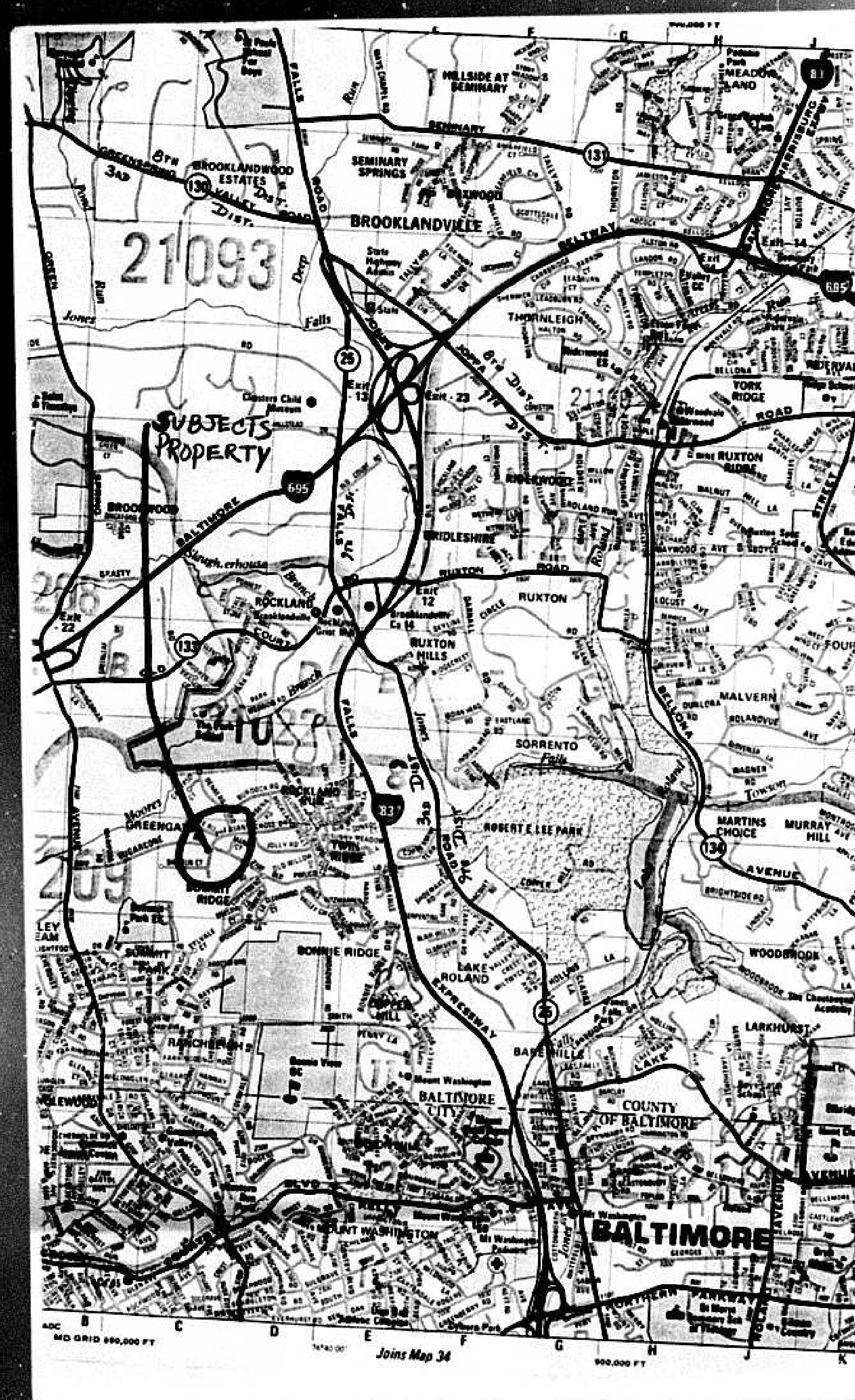
CERTIFICATE OF PUBLICATION

TOWSON, MD., July 9, 195

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 July 9, 1957

THE JEFFERSONIAN.

Susan Sander Orest
Publisher



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
5th day of June, 1987.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Fred Scherer, et ux
Petitioner's
Attorney

Received by:

James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO: Zoning Commissioner

Date: June 30, 1987

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

SUBJECT: Zoning Petitions No. 88-38-A, 88-39-SpH, 88-40-SpH, 88-42-A, 88-44-A,
88-47-A, 88-48-A, 88-49-A, 88-50-A, 88-51-A and
88-54-A

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

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slb

RECEIVED
JUL 1 1987

ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 15, 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. & Mrs. Fred Scherer
7020 Pheasant Cross Drive
Baltimore, Maryland 21209

RE: Item No. 461 - Case No. 88-50-A
Petitioner: Fred Scherer, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Scherer:

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 recom-
mendations 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:bj

Enclosures

cc: File



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

Stephen M. Moore
STEPHEN M. MOORE
C. Richard Moore
Acting Director

June 10, 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 452, 453, 454, 455, 456, 457, 458, 459, 461, 462, 464,
465, 466, 468, 451, 467, and 463.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

May 26, 1987

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

Dennis F. Rasmussen
Dennis F. Rasmussen
County Executive

Re: Property Owner: Fred Scherer, et ux

Location: SW/C Pheasant Cross Drive and Sugarcone Road

Item No.: 461

Zoning Agenda: Meeting of 5/19/87

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 accor-
dance 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 Pro-
tection 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: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau