

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SW/S Piney Grove Road, 538' SE * ZONING COMMISSIONER
of the c/1 of Old Hanover Road * OF BALTIMORE COUNTY
(4905 Piney Grove Road) * Case No. 88-481-A
4th Election District *
3rd Councilmanic District *
Lindsay M. Drechsler, et ux *
Petitioners *

AMENDED ORDER

WHEREAS the Petitioner requested a variance to permit a setback of 62 feet from the centerline of any street in lieu of the required 75 feet, and a setback of less than 5 feet from any lot line other than a street in lieu of the required 35 feet, for existing improvements and a proposed breezeway, as more particularly described in Petitioner's Exhibit 1.

WHEREAS, the Order provided among other determinations that:

- 5) The Petitioners shall not allow or cause the subject property to be used as a two-family dwelling and/or apartments. The subject property shall be used as one dwelling unit and there shall be no rooms or separate apartments for rent. The proposed breezeway and existing garage, including the second floor, shall contain no kitchen or bathroom facilities.
- 6) The Petitioners agree to allow the Zoning Enforcement Office to make periodic on-site inspections of the subject property upon request to confirm that the property is not being used as a two-family dwelling unit or as apartments for rent, and that no kitchen or bathroom facilities are present in the breezeway, garage or second floor of the garage.

WHEREAS the Order contains an error in that one bathroom facility was intended to be permitted in the second floor of the existing garage.

IT IS THEREFORE, ORDERED, by the Zoning Commissioner of Baltimore County, this 14th day of September, 1988, that an amendment to the Order granting the relief requested for a variance to

permit a setback of 62 feet from the centerline of any street in lieu of the required 75 feet, and a setback of less than 5 feet from any lot line other than a street in lieu of the required 35 feet, for existing improvements and a proposed breezeway, as more particularly described in Petitioner's Exhibit 1, be and the same is hereby granted from and after the date of this Order, subject, however to the following restrictions:

- 1) Restriction #5 in the Order dated August 15, 1988 is hereby amended to read that the Petitioners shall not allow or cause the subject property to be used as a two-family dwelling and/or apartments. The subject property shall be used as one dwelling unit and there shall be no rooms or separate apartments for rent. The proposed breezeway and existing garage, including the second floor, shall contain no kitchen and shall contain only one bathroom facility.
- 2) Restriction #6 in the Order dated August 15, 1988 is hereby amended to read that the Petitioners agree to allow the Zoning Enforcement Office to make periodic on-site inspections of the subject property upon request to confirm that the property is not being used as a two-family dwelling unit or as apartments for rent, and that no kitchen and only one bathroom facility are present in the breezeway, garage or second floor of the garage.

IT IS FURTHER ORDERED that all other provisions and restrictions of the Order dated August 15, 1988 remain in full force and effect.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Enclosure

cc: Mr. Jacob Hundertmark
4812 Piney Grove Road, Reisterstown, Md. 21136

Mr. Edgar Grothe
14622 Old Hanover Road, Boring, Md. 21020

Mr. Paul M. Schaffner
4915 Piney Grove Road, Reisterstown, Md. 21136

People's Counsel

File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
484-3353

J. Robert Haines
Zoning Commissioner

September 15, 1988



Dennis F. Rasmussen
County Executive

John L. Ulrich, Esquire
838 Dulaney Valley Road
Townson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
SW/S Piney Grove Road, 538' SE of the c/1 of Old Hanover Road
(4905 Piney Grove Road)
4th Election District - 3rd Councilmanic District
Lindsay M. Drechsler, et ux - Petitioners
Case No. 88-481-A

Dear Mr. Ulrich:

Enclosed please find a copy of the Amended Order in the above-captioned matter. The Petition for Zoning Variance has been granted subject to the modifications in the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Amended Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjjs

cc: Mr. Jacob Hundertmark
4812 Piney Grove Road, Reisterstown, Md. 21136

Mr. Edgar Grothe
14622 Old Hanover Road, Boring, Md. 21020

Mr. Paul M. Schaffner
4915 Piney Grove Road, Reisterstown, Md. 21136

People's Counsel

File

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
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4th Election District *
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Lindsay M. Drechsler, et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a setback of 62 feet from the centerline of any street in lieu of the required 75 feet, and a setback of less than 5 feet from any lot line other than a street in lieu of the required 35 feet, for existing improvements and a proposed breezeway, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared, testified and were represented by John L. Ulrich, Jr., Esquire. Jacob Hundertmark and Edgar Grothe appeared and testified in opposition.

Testimony indicated that the subject property, known as 4905 Piney Grove Road, consists of 1.566 acres, plus or minus, and is zoned R.C. 2. The property is currently improved with a single family dwelling and a detached two-story accessory structure (garage), which is approximately equal in size to the dwelling unit. Mr. Drechsler testified that he and his wife purchased the subject property in 1969 at which time the house and a single-story garage existed. Mr. Drechsler testified that a second story was added to the garage in August 1986 for additional storage space. He further indicated that the second story was later improved to provide living quarters for the Petitioners' daughter. The Petitioner indicated that the garage was then "connected" to the existing dwelling by a staircase and walkway. In support of this claim, the Petitioners intro-

duced as Petitioner's Exhibit 4 photographs of the subject property which clearly show the staircase which extends downward from the second floor of the garage to the sidewalk that leads to the Petitioners' dwelling. Mr. Drechsler testified that he intends to enclose the staircase and rear porch area of the garage with a breezeway-type structure, which will result in the entire walkway between the two structures being enclosed to create a structural link between the two buildings. At the present time, there are no connecting structures as defined by the B.C.Z.R. between the two buildings.

The Petitioners testified that there has been an ongoing dispute with the adjoining property owners over the failing septic system on the subject property and the fact that the property was used as a two family dwelling on one lot after the daughter occupied the second floor of the garage. The Petitioners further testified that the living space over the garage is no longer occupied and that they have never offered the space for rent or remuneration to anyone.

Messrs. Hundertmark and Grothe testified as to their opposition to the granting of this variance. They are also vigorously opposed to a two-family use of the subject property and/or apartments for rent being permitted on a property where there is an existing failing septic system. There was extensive testimony as to the failure of the existing septic system and the problems that it has caused adjacent landowners. There was also a great deal of testimony indicating that Petitioner's Exhibit 1 is not an accurate representation of the actual size, shape and dimensions of the various buildings located on the subject property.

Petitioner's Exhibit 4 clearly indicates that the subject accessory structure, namely, the garage with a second-story is as large as, if

not larger than, the principal residence. There was also a great deal of documentary evidence supplied by the Department of Environmental Protection and Resource Management (DEPRM), specifically, the Water and Sewer Division, concerning the failed septic system. Initially, in their comments dated April 4, 1988, DEPRM recommended a denial of the variance pending soil evaluations by that agency and until such time as the existing septic system had been corrected to comply with Baltimore County design regulations. Subsequently, the Petitioners endeavored to correct the problems with the failed septic system and by letter dated July 18, 1988 DEPRM advised this office that an investigation of the subject property revealed that the Petitioners had fulfilled all requirements imposed by DEPRM and that the septic system was operating properly. DEPRM further indicated that they no longer had any objection to the requested variance.

The Protestants argued that the Petitioner should not be permitted to obtain a variance that would allow them to pump raw sewage onto open land, or onto a neighboring property. The Protestants were advised that no variance would be granted that would permit such activity. Further, that in the event the requested variance is granted, it would be based upon the fact that DEPRM has indicated that the septic system is operating properly.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

The Petitioners argued that the accessory structure (garage) is really part of the principal dwelling because it is attached thereto by the walkway. Therefore, it is not an accessory structure as defined in Sections 101 and 400.1 of the B.C.Z.R., but is part of the principal structure. The Petitioners further argue that since there is a staircase to a sidewalk which runs to the principal dwelling, the two structures are connected. I disagree with this interpretation of the zoning regulations. Inasmuch as the two structures are not actually physically connected, a sidewalk and/or exterior staircase hardly qualifies as a connecting wall or structure.

Although the Petitioner claims that he intends to construct a breezeway which will connect the principal dwelling unit with the garage, said construction has not yet taken place. Section 400.1 states that the limitations do not apply to structures which are attached by a covered passageway. A sidewalk is not a covered passageway. A fully enclosed walkway, porch and staircase in this instance may comply. At such time as the breezeway is constructed, as will be required by the terms and conditions of this Order, then the requested variance will be appropriate. If the Petitioner fails to comply with that restriction, he will be in viola-

tion of the requirements of the Order and will therefore be subject to civil penalties.

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare, provided the restrictions imposed hereinafter are complied with by the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of August, 1988 that the Petition for Zoning Variance to permit a setback of 62 feet from the centerline of any street in lieu of the required 75 feet, and a setback of less than 5 feet from any lot line other than a street in lieu of the required 35 feet, for existing improvements and a proposed breezeway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall submit to the Zoning Commissioner's Office by no later than October 30, 1988, a new site plan prepared by a registered professional engineer and/or land surveyor, which clearly identifies all buildings, their size and area dimensions, their exact location on the subject property, their distances from all property lines, and any other information as may be required to be a certified site plan.

3) The Petitioner shall comply with all Zoning Plans Advisory Committee Comments as submitted herein and made a part hereof, including, but not limited to, any requirements which may be set forth by the Department of Environmental Protection and Resource Management (DEPRM) hereinafter with respect to the septic system.

4) The proposed structure (breezeway) between the principal dwelling unit and the garage shall be completely constructed by no later than November 30, 1988. Upon completion, the Petitioners shall contact the Zoning Enforcement Office to arrange for an inspection of the property to confirm that the two buildings have been connected to form one complete dwelling unit as defined in the B.C.Z.R. under Sections 101 and 400.1.

5) The Petitioners shall not allow or cause the subject property to be used as a two-family dwelling and/or apartments. The subject property shall be used as one dwelling unit and there shall be no rooms or separate apartments for rent. The proposed breezeway and existing garage, including the second floor, shall contain no kitchen or bathroom facilities.

6) The Petitioners agree to allow the Zoning Enforcement Office to make periodic on-site inspections of the subject property upon request to confirm that the property is not being used as a two-family dwelling unit or as apartments for rent, and that no kitchen or bathroom facilities are present in the breezeway, garage or second floor of the garage.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

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

J. Robert Haines
Zoning Commissioner

August 15, 1988



Dennis F. Rasmussen
County Executive

John L. Ulrich, Jr., Esquire
828 Dolaney Valley Road
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
SW/S Piney Grove Road, 538' SE of the c/l of Old Hanover Road
(4905 Piney Grove Road)
4th Election District; 3rd Councilmanic District
Lindsay M. Drechsler, et ux - Petitioners
Case No. 88-481-A

Dear Mr. Ulrich:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

Enclosure

cc: Mr. Jacob Hundertmark
4812 Piney Grove Road, Reisterstown, Md. 21136

Mr. Edgar Grothe
14622 Old Hanover Road, Boring, Md. 21020

Mr. Paul M. Schaffner
4915 Piney Grove Road, Reisterstown, Md. 21136

People's Counsel

File

PETITION FOR ZONING VARIANCE *
TO THE ZONING COMMISSIONER OF *
BALTIMORE COUNTY * ITEM # 342
* * * * *
LINDSAY M. DRECHSLER & * CASE # 88-481-A
BARBARA A. DRECHSLER, *
PETITIONERS *

PETITIONERS' BRIEF

Lindsay M. Drechsler and Barbara A. Drechsler, Petitioners,
by John L. Ulrich, their attorney, submit as follows:

FACTS:

This matter was heard by the Zoning Commissioner on June 8, 1988. It was held over pending submission of Petitioners' Brief and proof of satisfactory compliance with Baltimore County Department of Health requirements as to the sewage disposal system design for the subject property. Petitioners submit as follows on the evidence presented at the June 8, 1988 Hearing.

Evidentiary Abstract: This property was acquired by the Petitioners on September 20, 1969 consisting of 1.566 acres of land more or less located on the south side of Piney Grove Road, 500 feet southeast of its intersection with Old Hanover Road, District 4, with improvements thereon (house and garage) and known as 4905 Piney Grove Road. The property is currently zoned RC-2.

Petitioners testified further to the following facts pertaining to their property: They obtained a permit to add a second story to the garage which was granted, with final inspection in August, 1986. The permit approved the renovation of the garage as a storage facility. Petitioners thereafter added

electrical service under permit, but, converted the second story of the garage to living quarters, currently without kitchen facilities, without obtaining a permit. Petitioners' daughter occupied the space over the garage as a household member, still sharing the main cooking facilities with the Petitioners in the house located 8 feet from the garage. No one currently occupies the garage and it was never rented. In July, 1987, Petitioners were cited for violation of Sections 1A01 2B (Permitted Users - Dwellings - 1 Family Detached) and 1 A01 3B4 (More Than 1 Principal Dwelling Per Lot) of the Baltimore County Zoning Regulations. The case was resolved in the District Court for Baltimore County on February 3, 1988 (No fine imposed and Petitioners to seek Zoning Variance regarding set back requirements within period of six months). Petition for Variance was filed in March, 1988.

Petitioners further testified as to plans to construct a structural covered breezeway between the existing home and existing garage to bring those improvements within the requirements of Section 1A 01.3B. This course of action was recommended by the Zoning Office of Baltimore County. Inherent to the overall course of action of Petitioners is the requirement for the setback variance as petitioned.

LEGAL ARGUMENT

Baltimore County Zoning Regulation 1A01 2B defines uses permitted as of right in all RC-2 zones to include: 1. Dwellings, 1- Family detached.

Section 101 of the regulations (Definitions) defines "Dwelling" as "a building or portion thereof which provides living facilities for one or more families" (emphasis added). "Family" is defined as "any number of individuals lawfully living together as a single housekeeping unit and doing their cooking on the premises" (emphasis added) as distinguished from a group occupying a rooming house or hotel.

Further, "Accessory Building" is defined by section 101 as "One which is subordinate and customarily incidental to and on the same lot with a main building. A structure connected to a principal building by a covered passageway or with one wall in

common shall not be considered an accessory building. (emphasis added).

Section 400 addresses Accessory Buildings in Residence Zones. Section 400.1 of the Zoning Regulations states: "Accessory Buildings in Residence Zones, other than farm buildings (section 404) shall be located only in the rear yard and shall occupy not more than 40% thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50% of such third. In no case shall they be located less than 2 1/2 feet from any side or rear lot lines, except that 2 private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building. (Emphasis added).

Applying the above sections to the evidence, Petitioners' use of the property, upon completion of the 8 ft. structural breezeway connecting the house and garage, satisfies the requirements of Section 1A013B of the Zoning Regulations of Baltimore County. The single family or housekeeping unit in the instant case consists of the Petitioners and their daughter and son, who collectively are the sole occupants of the premises, consisting of the house and accessory garage, including the living space above it, which is connected by the structural breezeway is considered part of the principal building (the house). No other individuals occupy the dwelling. The Petitioners emphasize that no rent has ever been assessed or collected in connection with their ownership of the premises and only the Petitioners' daughter has ever resided over the garage and never for the purpose of cooking meals. All meals are cooked in the kitchen located in the house where the family shares their meals and cooking responsibilities.

Finally, the variance requested, if granted, will resolve the setback requirements of Section 1A013B3 of the Baltimore County Zoning Regulations. Petitioners' burden is to establish

that strict compliance would result in practical difficulty or unreasonable hardship. Petitioners have rendered substantial improvements to the property since acquiring title in 1969. These improvements have been at a substantial cost and were made without increasing residential density, and without any threat of injury to the public health, safety, and general welfare. More significantly, the improvements were made without altering the property's basic physical appearance, natural terrain, or density. The buildings are located on the premises as they were when purchased. The buildings have been substantially, cosmetically and aesthetically improved but without excavation, or change in the property's terrain or topography. The number of household members living on the premises has remained constant. Buildings are the same size and location and improvements, both internal and external, in no way threaten the intent, purpose, and integrity of the zoning classification of the zone in which the property is located. Strict application of the requirements would prevent use of the subject buildings for a permitted purpose, that of a principal dwelling. The improvements readily suit the agricultural flavor of the area and enhance the property and surrounding properties greatly without in any way altering the basic structure of the property or its improvements. To deny the variance would cost the Petitioners years of hard work and expense in improving the property. The Petitioners have no alternative recourse to effectuate the improvements herein described.

The Court of Special Appeals of Maryland discussed the burden of proof as to area variances in the case of Anderson v. Board of Appeals, 22 Md. App 28. (1974) as follows: "The burden of proof includes: (a) strict application of requirements would prevent use of the property for a reasonable and permitted purpose; (b) whether a lesser relaxation of the standards than that applied for might provide adequate relief; & (c) that the relief can be fashioned so that the spirit of the ordinance is observed and general welfare secured.

Petitioners argue that the facts of this case satisfy the requirements of the above described burden. For the reasons herein

submitted, Petitioners respectfully request that the variance herein petitioned be granted.

Respectfully Submitted,

John L. Ulrich, Jr.
John L. Ulrich, Jr.
Suite 1
828 Dolaney Valley Road
Towson, Maryland 21204
Attorney for Petitioners

BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND RESOURCE MANAGEMENT

WATER AND SEWERAGE DIVISION

RECOMMENDATION
RECONSTRUCT PLUMBING PERMITS

PLEASE PRINT ON THE ENTIRE FORM

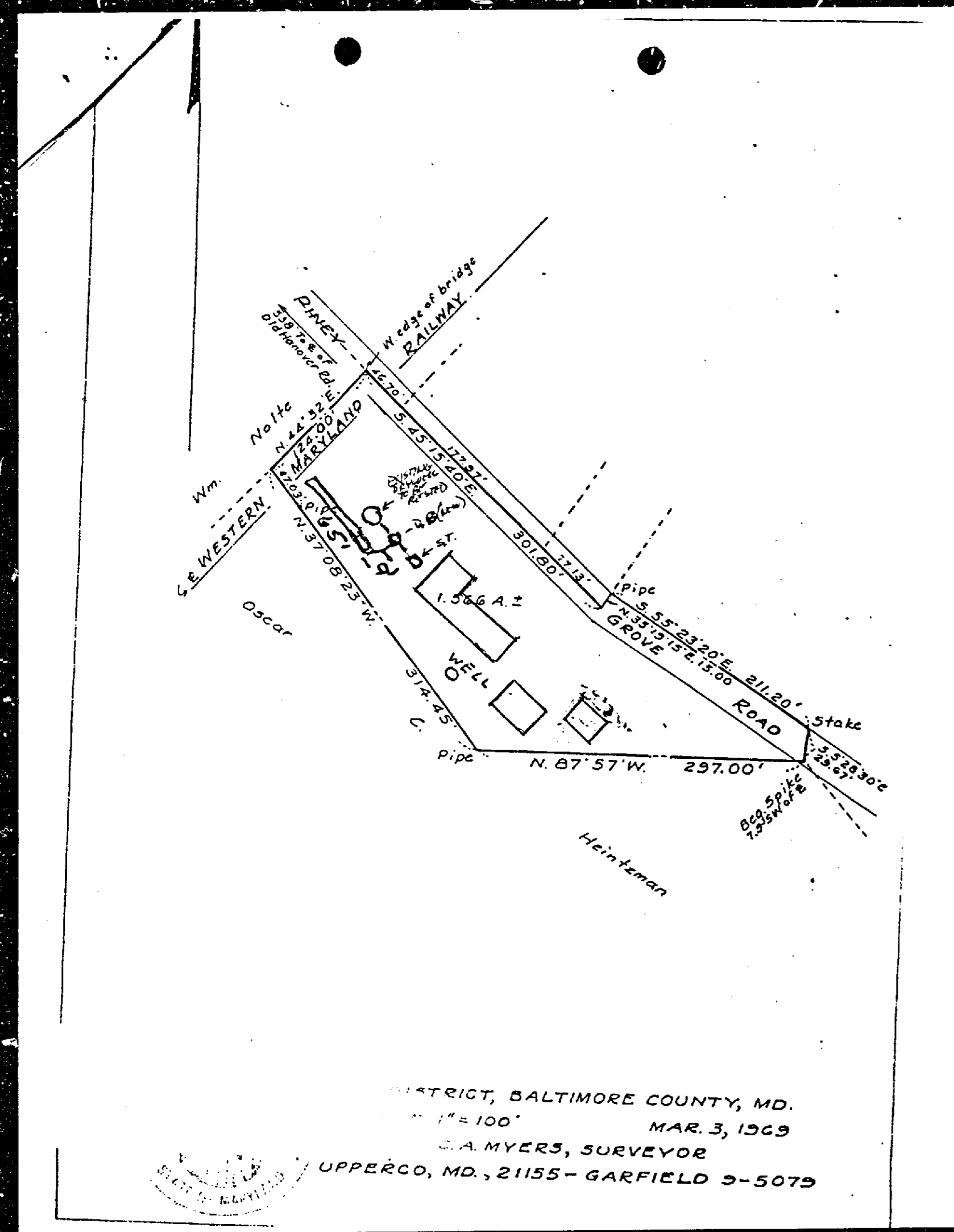
Owner's Name MR. LINDSAY M. DRECHSLER Election District 4

Location of Property (House No. & Street) 4905 PINEY GROVE RD
Phone: 494-2944

- () Inspect septic tank baffles, repair as needed.
() Replace septic tank _____ (size, type)
() Install manhole riser and lid, bring riser and lid to grade. Cover of septic tank to remain in place.
(x) Install distribution box as shown.
() Install _____ seepage pit/s _____ (size) as shown on plot plan.
(x) Install 1 65' absorption trenches, 30" wide, 9' deep, 7" stone, as per plot plan.
() Install _____ (no.) (length) field laterals, _____ wide, _____ deep, minimum _____ sq. ft. trench bottom, as per plot plan.
() Other Comments:

6-21-88
Date

Wesley E. Wood
Sanitarian



PLUMBING PERMIT

THIS PERMIT MUST BE POSTED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND LICENSES
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21284

PERMIT NO. **F 45787**

DATE ISSUED: 6/21/88 SEWAGE DISPOSAL: Sewer CASH SLIP NO. 13899 DIST. 4

TYPE OF BUILDING: OLD BUILDING PERMIT NO. _____

PLUMBER'S NAME: Edgar & Cognie T/A: None

ADDRESS: 1394 Old Hanover Rd LICENSE: 99 PHONE: 833-1366

OWNERS NAME: Lindsay & Barbara Drechsler

LOCATION OF PROPERTY: 4905 Piney Grove Rd

LOT NO. _____ BLOCK _____ SECTION _____ SUB DIVISION _____

TOWN OR VICINITY: Reisterstown NO. OF GAS METERS _____

GAS PERMIT: RANGE _____ WATER HEATER _____ FURNACE _____ OTHER _____ SIZE OF PIPE _____

CAUTION - PLASTIC WATER SERVICE LINES WILL REQUIRE A REVIEW OF THE ELECTRICAL SYSTEM TO ASSURE PROPER GROUND. CONTACT AN ELECTRICAL CONTRACTOR.

CHECK ITEM	ITEMS	CODE #	FEE
Abandoned Water Meters		31.8673	
Amusement Devices		01.201	
Animal Licenses		01.254	
Animal License Penalties		01.305	
Bingo Applications		01.607	
Bingo Licenses		14.201	
Building Permit Applications		01.251	
Change of Occupancy		01.252	
Control of Day Nurseries		01.672	
County Financing Application		31.703	
Electrical Adm. Board Examination Fees		01.609	
Electrical Adm. Board Licenses		01.221	
Electrical Permits		01.260	
Fire Prevention Code		01.237	
Food Service Facility Permits		01.677	
Gas Permit Applications		01.242	
Mini Bike Registration		R01.267	
Hotel/Hotel Permits		01.673	
Parade Permits		R01.266	
Percolation Tests		01.675	
Plumbing Board Licenses		01.222	
Plumbing Permit Application		01.622	
Public Swimming Pool & Bathing Beach		01.241	
Refuse Collectors' & Disposers' Permits		01.235	
Residential Parking Permits		01.263	
Sanitary Tank Permits		01.243	
Sewer House Connection Applications		31.605	
Sewer Service Charge Pro-rated		30.601	
Sewer System Connection Charge		31.614	
Storm Drain Applications		01.244	
Sub-soil Drain Permit Applications		01.622	
Taxicabs		01.204	
Towing Vehicles License		01.233	
Trailer Camps		01.671	
Trailer Permits		01.253	
Wastewater Discharge		R30.715-000	
Water Applications		31.606	
Water Distribution Account		32.604	
Water Meter Fee		31.607	
Water Pump Permit		01.245	
Water Surcharge		31.615	
Water System Connection Charge		31.615	
TOTAL (Make check payable to Baltimore County, MD.)			

REMARKS: OK to reconstruct existing water system. Reconstruct to 1988 standards. W. wood quality as per spec.

SANITARY SEWER LOCATION IS _____ DEPTH _____ HOUSE CONNECTION _____

Y BRANCH IS _____ DEPTH _____

PRIVATE DISPOSAL _____

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND LICENSES
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21284
CASH SLIP RECEIPT

No. A 36899 DATE: 6/21/88

APPLICANT: Edgar & Cognie

APPLICANT'S ADDRESS: 1394 Old Hanover Rd, Towson, MD

CHECK ITEM	ITEMS	CODE #	FEE
Abandoned Water Meters		31.8673	
Amusement Devices		01.201	
Animal Licenses		01.254	
Animal License Penalties		01.305	
Bingo Applications		01.607	
Bingo Licenses		14.201	
Building Permit Applications		01.251	
Change of Occupancy		01.252	
Control of Day Nurseries		01.672	
County Financing Application		31.703	
Electrical Adm. Board Examination Fees		01.609	
Electrical Adm. Board Licenses		01.221	
Electrical Permits		01.260	
Fire Prevention Code		01.237	
Food Service Facility Permits		01.677	
Gas Permit Applications		01.242	
Mini Bike Registration		R01.267	
Hotel/Hotel Permits		01.673	
Parade Permits		R01.266	
Percolation Tests		01.675	
Plumbing Board Licenses		01.222	
Plumbing Permit Application		01.622	
Public Swimming Pool & Bathing Beach		01.241	
Refuse Collectors' & Disposers' Permits		01.235	
Residential Parking Permits		01.263	
Sanitary Tank Permits		01.243	
Sewer House Connection Applications		31.605	
Sewer Service Charge Pro-rated		30.601	
Sewer System Connection Charge		31.614	
Storm Drain Applications		01.244	
Sub-soil Drain Permit Applications		01.622	
Taxicabs		01.204	
Towing Vehicles License		01.233	
Trailer Camps		01.671	
Trailer Permits		01.253	
Wastewater Discharge		R30.715-000	
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Water Distribution Account		32.604	
Water Meter Fee		31.607	
Water Pump Permit		01.245	
Water Surcharge		31.615	
Water System Connection Charge		31.615	
TOTAL (Make check payable to Baltimore County, MD.)			

Description: Plumbing DEPT OF PERMITS & LICENSES

APPLICANT'S COPY BY: B. Galt

THIS IS NOT A PERMIT OR LICENSE AND DOES NOT AUTHORIZE CONSTRUCTION OF ANY KIND. NO BUILDING PERMIT FEES REFUNDED.

RECEIVED ZONING OFFICE
DATE: 6/22/88

JOHN L. ULRICH, JR.
Attorney at Law
828 DULANEY VALLEY ROAD
TOWSON, MARYLAND 21284
June 20, 1988

AREA CODE 301
VALLEY 1-7332

Honorable J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Re: Petition for Zoning Variance
Case # 88-481-A
Lindsay M. Drechsler, et ux,
Petitioners

Dear Commissioner Haines,
Pursuant to your directive at the hearing recently conducted on June 8, 1988, the following enclosures are submitted for your review:

- Petitioners' brief
- Documentation concerning evaluation and correction of the sewage disposal system which has been completed and approved by the Department of Environmental Protection and Resource Management.

Please advise if further documentation will be necessary prior to a decision in this case.

Respectfully submitted,
J. S. Ulrich, Jr.
John L. Ulrich, Jr.

JLU/mpd
encl.

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-481-A

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 1401.3B3 (a) variance from the setback requirements of 75 ft. from the centerline of any street to 52 ft. from the centerline of any street and from the requirement of 35 ft. from any lot line other than a street and to less than 5 ft. from any lot line other than a street.

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

- When property purchased (1969), house and garage (structures for which variance requested) were located within approximately 62 ft. of the center of Piney Hill Road and 5 ft. of the adjoining property line and in compliance with then existing zoning regulations.
- Garage improved (2nd story added per permit & later finished off into living quarters for family of owners, without obtaining permit. Petitioners intend to connect house and finished garage with functional breezeway (approx 12 ft.). Setback variance needed to bring house/garage single dwelling unit within current zoning setback requirements. Cost of improvement 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 this variance petition, and further agree to and 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: _____ Legal Owner(s): _____
(Type or Print Name) _____ (Type or Print Name) _____
Signature: Lindsay M. Drechsler Signature: Lindsay M. Drechsler
Address: _____ Address: 4905 Piney Grove Road
City and State: _____ City and State: Reisterstown, Maryland 21136

Attorney for Petitioner: _____
John L. Ulrich, Jr. 4905 Piney Grove Road (301) 429-2944
(Type or Print Name) _____ Address _____ Phone No. _____
Signature: John L. Ulrich, Jr. Reisterstown, Maryland 21136
City and State _____

828 Dulaney Valley Road _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address _____ City and State _____
Towson, Maryland 21204 _____ John L. Ulrich, Jr.
City and State _____ Name _____
Attorney's Telephone No.: (301) 821-7332 _____ 828 Dulaney Valley Road 821-7332
Address _____ Phone No. _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 23rd day of MARCH, 1988, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of JUNE, 1988, at 2 o'clock P.M.

ESTIMATED LENGTH OF HEARING - 1/2HR.
AVAILABLE FOR HEARING
MON./TUES. A.M. - NEXT TWO MONTHS
ALL OTHERS - NEXT TWO MONTHS

REVIEWED BY: J. Robert Haines DATE: 3/26/88
Zoning Commissioner of Baltimore County.

ZONING DESCRIPTION

BEGINNING for the same at a railroad spike 7.5 feet Southwest of the center of Piney Grove Road at the end of the North 39 degrees 58 minutes 28 seconds West 742.24 foot line as described in a Deed from Paul Martin, et al., Trustees, to Alfred Wallace Caples, dated December 1, 1964, recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4395, folio 135, etc. running thence binding on that Deed the three following lines, North 87 degrees 57 minutes West 297.00 feet to a pipe, North 37 degrees 08 minutes 23 seconds West 314.45 feet to a pipe 22.5 feet Northwest of the center of the Western Maryland Railway, thence running along the Northwest side of that railway, North 44 degrees 32 minutes East 124.00 feet to a nail in or near the center of Piney Grove Road, thence running in or near the center of that road, South 45 degrees 15 minutes 40 seconds East 301.80 feet, thence North 35 degrees 19 15 seconds East 15.00 feet to a pipe at the end of the South 35 degrees 19 minutes 15 seconds West 208.73 foot line in the above mentioned Deed, thence binding on that Deed and running along the Northeast side of Piney Grove Road, South 55 degrees 23 minutes 20 seconds East 211.20 feet to a stake, thence crossing the center of said road, South 05 degrees 28 minutes 30 seconds East 29.67 feet to the place of beginning, containing one acre and five hundred sixty-six thousandths of an acre (1.566) of land, more or less.

BEING all that lot of ground described in a Deed dated 9/20/69 from Alfred Wallace Caples and Anna K. Caples, his wife, Grantors unto Lindsay M. Drechsler and Barbara A. Drechsler, his wife, Grantees, as recorded in the Land Records of Baltimore County in Liber 5036 folio 640.

ALSO BEING located on the South side of Piney Grove Road, 500 feet Southeast of the intersection of Piney Grove Road & Old Hanover Road. BEING also known as 4905 Piney Grove Road, in the 4th Election District.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: May 20-88

Posted for: Variance

Petitioner: Lindsay M. Drechsler, et ux

Location of property: S.W. side of Piney Grove Road, 338' SE of the C.P. of Old Hanover Road, 4905 Piney Grove Rd

Location of Signs: On front of 4905 Piney Grove Rd

Remarks: _____

Posted by: J. Robert Haines Date of return: May 27-88

Number of Signs: _____

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, as follows:

Petition for Zoning Variance
Case number: 88-481-A
828 Dulaney Valley Road, 538' SE of Old Hanover Road
4th Election District - 3rd Councilmatic
Petitioners: Lindsay M. Drechsler, et ux
HEARING SCHEDULED: WEDNESDAY, JUNE 8, 1988 at 2:00 p.m.

Variance from the setback requirements of 75 ft. from the centerline of any street to 52 ft. from the centerline of any street and from the requirements of 35 feet from any lot line other than a street to less than 5 feet from any lot line in the event that this Petition 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 the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., May 19, 1988

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 19, 1988

THE JEFFERSONIAN,
S. Zebe Orlov
Publisher

\$ 37.00

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
5246 May 19

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., May 19, 1988

THIS IS TO CERTIFY that the annexed Reg. # 88-481-A P.O. # 200664 was published for one (1) successive weeks/days previous to the 15th day of May, 1988, in the

Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland.

Randallstown News, a weekly newspaper published in Baltimore County, Maryland.

Community Times, a weekly newspaper published in Baltimore County, Maryland.

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.
Per: James Keifer

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
23rd day of March, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Lindsay M. Drechsler, et ux received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee
Attorney: John L. Ulrich, Jr.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 50360
DATE: 3-11-88 ACCOUNT: P-01-615-000
AMOUNT: \$ 95.00
RECEIVED FROM: L.M. Drechsler Item # 342
FOR: Zoning Petition Filing Fee
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 52681
DATE: 4/1/88 ACCOUNT: P-01-615-000
AMOUNT: \$ 85.57
RECEIVED FROM: [Signature] Office Hearing
FOR: [Signature] Office Hearing
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

Date: 4/25/88

Mr. & Mrs. Lindsay M. Drechsler
4905 Piney Grove Road
Haltersettown, Maryland 21130

Re: Petition for Zoning Variance
CASE NUMBER: 88-481-A
585 Piney Grove Road, 538' SE of c/1 Old Hanover Road
(4925 Piney Grove Road)
4th Election District - 3rd Councilmanic
Petitioner(s): Lindsay M. Drechsler, et ux
HEARING SCHEDULED: WEDNESDAY, JUNE 8, 1988 at 2:00 p.m.



Dear Mr. & Mrs. Drechsler:
Please be advised that \$85.57 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:gs
cc: John L. Ulrich, Jr., Esq.
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

April 14, 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 88-481-A
585 Piney Grove Road, 538' SE of c/1 Old Hanover Road
(4925 Piney Grove Road)
4th Election District - 3rd Councilmanic
Petitioner(s): Lindsay M. Drechsler, et ux
HEARING SCHEDULED: WEDNESDAY, JUNE 8, 1988 at 2:00 p.m.

Variance from the setback requirements of 75 ft. from the centerline of any street to 62 ft. from the centerline of any street and from the requirement of 33 feet from any lot line other than a street to less than 5 feet from any lot line other than a street.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Lindsay M. Drechsler
John L. Ulrich, Jr., Esq.
Casey Caplow, MS 1009
File

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Date: 4/14/88

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Zoning Item # 342, Zoning Advisory Committee Meeting of 3-29-88
Property Owner: Lindsay Drechsler
Location: 4905 Piney Grove Rd District 4
Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appearances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structures/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been _____, must be _____ conducted.
() The results are valid until _____.
() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others

This office recommends denial of the variance until soil evaluations are conducted and the petitioner complies with sewage disposal system design recommendations of this office.

Karen H. Morrey
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
494-3554

May 6, 1988



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:
The Bureau of Traffic Engineering has no comments for items number 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, and 347.

Very truly yours,
Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/pml-b

RECEIVED
MAY 11 1988
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2686
494-4500

April 5, 1988

Paul H. Reincke
Chief
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Re: Property Owner: Lindsay M. Drechsler, et ux
Location: SW/S Piney Grove Rd., 538' SE of c/1 of Old Hanover Road
Item No.: 342 Zoning Agenda: Meeting of 3/29/88

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.
- (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.

REVIEWER: *Carl J. Kelly* 4/5/88 Noted and Approved: *John F. O'Neill*
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
May 17, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
000

John L. Ulrich, Jr., Esquire
928 Dulany Valley Road
Towson, Maryland 21204

RE: Item No. 342 - Case No. 88-481-A
Petitioner: Lindsay M. Drechsler, et ux
Petition For Zoning Variance

Dear Mr. Ulrich:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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. 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:dt
Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: May 16, 1988

FROM: P. David Fields, Director Office of Planning and Zoning

SUBJECT: Zoning Petitions #88-480-A, (88-481-A), 88-482-A, 88-483-A, 88-484-A, 88-485-A, 88-492-A, 88-493-A, 88-495-SpHA, 88-498-A, 88-499-A, 88-500-A, 88-503-A, 88-504-A, 88-505-A

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

P. David Fields per [Signature]
P. David Fields, Director
Office of Planning and Zoning

PDF/jat

RECEIVED
MAY 17 1988
ZONING OFFICE

cc: John L. Ulrich, Esq.
5/17/88

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
494-3333

FILE COPY

May 20, 1988



Dennis F. Rasmussen
County Executive

Mr. Paul M. Schaffner
4915 Piney Grove Road
Reisterstown, Maryland 21136

Dear Mr. Schaffner:
I am in receipt of your letter of May 14, 1988, in which you lodge your opposition to zoning matter #88-481-A. Please be assured that your letter will be placed on file in that case. However, the appropriate way to address any requested Zoning Variance is by personally attending a public hearing and testify.

I can assure you that no Zoning Variance can be granted to allow an individual to pump raw sewage on to open land or into any water course.

I am forwarding a copy of your letter to the Baltimore County Department of Environmental Protection & Resource Management and requesting that they investigate the environmental concerns. I am requesting that they contact you directly about the environmental infractions.

Thank you very much.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

cc: Department of Environmental Protection
and Resource Management

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer
Zoning Supervisor
Date: 3/21/88
FROM: James Thompson
Zoning Enforcement Coordinator
Item No.: 342 (if known)
Petitioner: DRECHSLER (if known)
SUBJECT: DRECHSLER

VIOLATION CASE # 88-25-CV
LOCATION OF VIOLATION 4905 PINEY GROVE ROAD
DEFENDANT LINSAY M. DRECHSLER ADDRESS 4905 PINEY GROVE ROAD REISTERSTOWN, MD 21136

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS
CASEY CAPLES BUILDING INSPECTIONS
M.S., 1009

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

JRH:mm

MARLEE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
494-3333

September 1, 1988



Dennis F. Rasmussen
County Executive

Mr. Jacob Hundertmark
4812 Piney Grove Road
Reisterstown, Maryland 21136

RE: Cases No. 88-481-A
Petition for Zoning Variance
Lindsay Drechsler

Dear Mr. Hundertmark:

As you are aware from my letter of August 15, 1988, my decision, in this matter, is appealable within 30 days of the date of the Order. As of the date of this letter, the appeal period is still open and if you wish to file an appeal, you may contact Ms. Charlotte Radcliffe, at 494-3391 for information about filing.

My Order is based upon the facts as I understood them in the hearing. You are more than welcome to correct any factual problem that you believe exists, by testifying to the Baltimore County Board of Appeals, after you file the appeal to this matter.

Thank you very much.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JRH:mmm

Baltimore County
Department of Environmental Protection
& Resource Management
County Courts Building
401 Bosley Avenue
Towson, Maryland 21284
494-3733

June 6, 1988



Dennis F. Rasmussen
County Executive

Mr. Paul M. Schaffner
4915 Piney Grove Road
Reisterstown, MD 21136

Dear Mr. Schaffner:

Reference is made to your letter to the Zoning Commissioner expressing your opposition to a petition for a zoning variance at 4905 Piney Grove Road. In your letter you allege that the residents have been pumping sewage from their septic system onto the ground.

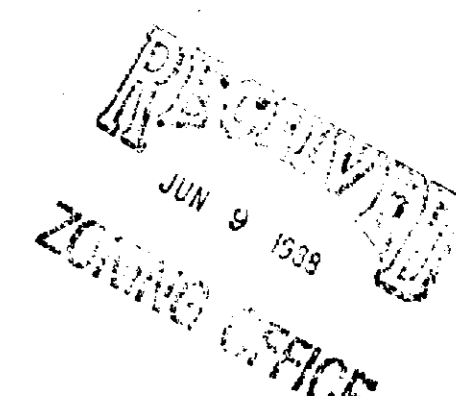
After researching records of the Western Regional Community Services and following a field investigation on March 30, 1988 by personnel from this office, we recommended a denial of the variance petition. Evidence is conclusive that there are problems with the sewage disposal system and that residents have illegally pumped out the system.

This office further recommends that soil evaluations be conducted to determine feasibility of correcting the failing sewage disposal system before considering petition approval. We have also, via copy of this letter, referred your complaint about the continuing surface discharge of sewage, to the Western Regional Office for investigation.

If you have further questions concerning this matter, you may contact Mr. Gerard A. Zitnik, Jr., at 494-2762.

Very truly yours,
Karen M. Merrey
KAREN M. MERREY, R.S.
Director
WATER AND SEWER DIVISION

KMM:ggf
cc: Mr. J. Robert Haines
Zoning Commissioner
Baltimore County
cc: Mr. Robert J. Weber
Western Regional Community Services



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
Date: July 18, 1988
FROM: Karen M. Merrey, Director
Water & Sewer Division - DEPRM
CASE #88-481A
SUBJECT: LINDSAY M. DRECHSLER, ET UX

Reference is made to your memo dated July 11, 1988, regarding a petition for zoning variance for the Drechsler property. This office originally recommended denial of the petition due to a history of problems with the on-site sewage disposal system.

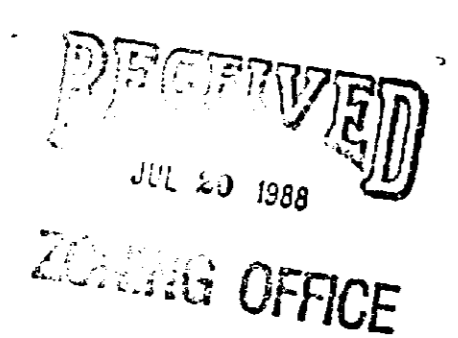
An investigation on July 15, 1988 by Mr. R. Bruce Seeley, Sanitarian of this Division, confirmed that the septic system has been repaired and is now properly functioning.

This office now has no objection to the variance approval.

If you have any further questions or comments regarding this matter, please contact Mr. Gerard A. Zitnik, Jr., at 494-2762.

Karen M. Merrey
KAREN M. MERREY, R.S.
Director
Water and Sewer Division

KMM:ggf



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
494-3333

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

July 11, 1988

Karen M. Merrey R.S.
Director
Water and Sewer Division
Dept. of Environmental Protection and
Resource Management
401 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Zoning Variance
Case #88-481-A
Lindsay M. Drechsler, et ux
Petitioners

Dear Ms. Merrey:

I have enclosed a copy of a letter and Memorandum from attorney, John L. Ulrich, Jr., who represents the Petitioners in this matter. According to the information provided by Mr. Ulrich on behalf of the Drechslers, the sewage disposal system problem has been corrected. Obviously, as you are well aware, the April 4, 1988 comments to the Zoning Advisory Committee indicate that this problem still exists.

Before I issue my final opinion in this matter, I would appreciate it if you would update me as to the exact status, so that I can appropriately address the issue in my final Order.

Thank you.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES

JRH:mmm
encl.

JOHN L. ULRICH, JR.
Attorney at Law
828 DULANEY VALLEY ROAD
TOWSON, MARYLAND 21284
June 22, 1988

AREA CODE 410
VALLEY 1-7331

Mr. Edgar E. Grothe
14622 Old Hanover Road
Boring, Maryland 21020

Mr. Jacob Haintzman
4812 Piney Grove Road
Reisterstown, Maryland 21136

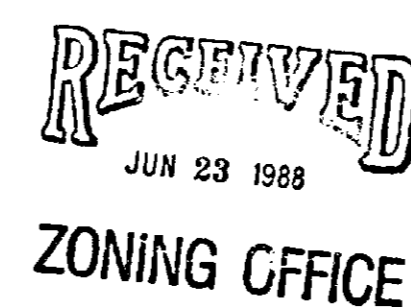
Re: Petition for Variance
Lindsay Drechsler et ux
Case # 88-481-A

Gentlemen, I enclose a copy of Petitioners' brief this date filed in the above referenced case pursuant to the directive of Commissioner Haines.

Very truly yours,

John L. Ulrich, Jr.
John L. Ulrich, Jr.

cc: J. Robert Haines, Zoning Commissioner
encl
JLU/mpd



10-31-88
FROM THE DESK OF J. ROBERT HAINES
TO: Ann Nastarowicz
James E. Dyer
W. Carl Richards
James H. Thompson
See me immediately
Discuss with me
Prepare draft response
Please follow up
Collect \$20.00 fee
Please handle
Please attend meeting
Prepare written report
Please file
Set up conference
Other
*Revised
Pur Per 8-15-88
John S. 10-30-88*

MICHAEL B. DALLAS
Registered Surveyor
SUITE 200
24 W. PENNSYLVANIA AVENUE
TOWSON, MD 21284
494-0020

RECEIVED ZONING OFFICE
DATE: 10/28/88

October 28, 1988

J. Robert Haines, Esquire
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21284

Re: Case No. 88-481-A, 4905 Piney Grove Road

Dear Mr. Haines:

Enclosed please find four copies of a Site Plan for the subject property. Mr. John Ulrich, Attorney for the Petitioner will be sending a separate cover letter to your attention.

If you have any comments or require any additional information, please do not hesitate to contact me.

Very truly yours,

Michael B. Dallas
Michael B. Dallas

Enclosures
MED/rjt

cc: Mr. John Ulrich
Mr. Drechsler

1/241.891028.1

