

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NW/S School Lane, * DEPUTY ZONING COMMISSIONER
160' SW of Seminary Avenue * OF BALTIMORE COUNTY
(1426 School Lane)
8th Election District * Case No. 95-15-SPHA
3rd Councilmanic District *
Arthur S. Chapman
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 1426 School Lane, located in the Lutherville area of northern Baltimore County. The Petitions were filed by the owner of the property, Arthur S. Chapman. The Petitioner seeks a special hearing to approve the reconstruction and/or repair of an existing building located in a 100-year riverine floodplain and to approve said building as a residence and private museum, pursuant to Sections 500.6 and 517.2.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 26-670 of the Baltimore County Code (B.C.C.). In addition, the Petitioner seeks a variance from Sections 103.2 and 1B02.3.C.1 of the B.C.Z.R. to permit a front setback of 12 feet in lieu of the required 25 feet for an existing building. The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Arthur Chapman, property owner, William Thomas, Robert Vaughn and Fred Spigler, representatives of the Lutherville Community Association, and Lisa Kier, Aide to Councilman Douglas S. Riley. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.344 acres, more or less, zoned D.R. 5.5 and is improved with

ORDER RECEIVED FOR FILING
Date 8/12/94
By [Signature]

MICROFILMED

a one-story frame building, 22.4' x 66.1' in dimension. This building, which is of significance to the African-American community in Lutherville, was constructed in 1908 and was used as a school house until the mid-1950's when it closed. The Petitioner proposes renovations to this building and utilizing a portion of same as a private residence with the remainder of the building used for a museum and meeting area. Mr. Chapman estimates the cost of the proposed improvements to run approximately \$100,000.

Messrs. Robert Vaughn and Fred Spigler appeared and testified on behalf of the Lutherville Community Association. They testified that the Association and the rest of the Lutherville community support Mr. Chapman's plans to renovate the property, which has become very deteriorated. They testified that they met with County Executive Roger Hayden to discuss this project and that Baltimore County sold the school house to Mr. Chapman for \$1 in exchange for his renovations to the site. Testimony indicated that due to the location of this property within the 100-year floodplain, the requested special hearing is necessary in order to proceed as proposed. Furthermore, due to the location of the existing building 12 feet from the front property line, the requested variance is necessary in order to bring the property into compliance with current zoning regulations. Testimony indicated that the Petitioner does not propose any improvements to the site any closer than the existing 12-foot setback and that compliance with the Zoning Plans Advisory Committee comments submitted by the Developers Engineering Division of the Department of Public Works and the Department of Environmental Protection and Resource Management can be met.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

ORDER RECEIVED FOR FILING

Date

By

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).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variance relief sought should be granted.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 17, 1994

Mr. Arthur S. Chapman
2870 Welsh Road
Philadelphia, Pennsylvania 19152

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NW/S School Lane, 160' SW of Seminary Avenue
(1426 School Lane)
8th Election District - 3rd Councilmanic District
Arthur S. Chapman - Petitioner
Case No. 95-15-SPHA

Dear Mr. Chapman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with 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 Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over a horizontal line.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

A handwritten checkmark is drawn over the word "File".
File

MICROFILMED



95-15-SHA

#20



Petition for Special Hearing + VARIANCE

to the Zoning Commissioner of Baltimore County

for the property located at 1426 SCHOOL LANE

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

FLOODPLAIN WAIVER ---- ~~SEB~~CIAL HEARING PURSUANT TO SECTION 500.6, BCZR AND SECTION 517.2.2, BUILDING CODE AND SECTION 26-670, FLOOD PLAIN MANAGEMENT - BCC --- TO PERMIT THE RECONSTRUCTION AND/OR REPAIR OF EXISTING BUILDING IN THE 100 YEAR RIVERINE FLOODPLAIN, AND TO APPROVE SAID BUILDING AS A RESIDENCE AND PRIVATE MUSEUM. Variance to Section 103.2, 1B02.3.C.1 to permit an existing front setback of 12 feet in lieu of the required 25 feet.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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/Lessee:

Legal Owner(s)

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

ARTHUR S. CHAPMAN

(Type or Print Name)

Signature

ARTHUR S. CHAPMAN

(Type or Print Name)

Signature

2870 WELSH RD.

Address

Phone No

PHILADELPHIA, PA 19152

City

State

Zipcode

Name, Address and phone number of representative to be contacted

WILLIAM J. THOMAS

Name

8501 WELLINGTON VALLEY WAY 828-0455

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 7/20/94

ORDER RECEIVED FOR FILING

Date

By



Beginning on the NW/S School Lane (30 ft. wide) approximately 160 feet south west of Seminary Avenue containing 15,000 square feet in the eighth election district and third council district. Being known as 1426 School Lane.

#20

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-15-SPH A

District 8th Date of Posting 7/22/94
Posted for: Special Hearing & Variances
Petitioner: Arthur S. Chapman
Location of property: 1426 School Lane, NW/SE
Location of Signs: Facing road way, on property being zoned
Remarks: _____
Posted by MR. Shealy Date of return: 7/22/94
Signature
Number of Signs: 2



10/2/94 10:10 AM



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

95-15-SP-A

receipt

Account: R-001-6150

Number

Date 7/20/94

Item Number: 20

Taken In By: MDE/WCR

Chapman, Arthur S. - 1426 School Lane

010 - Zoning Variance - \$ 50.00

030 - Special Hearing - \$ 50.00

080 - (2 signs at \$35.00 each) - \$ 70.00

Total - \$170.00

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01A01R0470H1CNR

\$170.00

00 0012#26P007-20-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 25, 1994

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-15-SPHA (Item 20)
1426 School Lane
NW/S School Lane, 160' S/W of Seminary Avenue
8th Election District - 3rd Councilmanic
Petitioner(s): Arthur S. Chapman

Special Hearing to permit the reconstruction and/or repair of existing building in the 100 year Riverine Floodplain, and to approve said building as a residence and private museum.
Variance to permit an existing front setback of 12 feet in lieu of the required 25 feet.

HEARING: TUESDAY, AUGUST 9, 1994 at 9 a.m. Rm. 118 Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Arthur S. Chapman
William J. Thomas

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

August 2, 1994

(410) 887-3353

Mr. & Mrs. Arthur S. Chapman
2870 Welsh Road
Philadelphia, PA 19152

RE: Item No. 20, Case No. 95-15-SPHA
Petitioner: Arthur S. Chapman, et ux
Petition for Special Hearing and Variance

Dear Mr. & Mrs. Chapman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 July 20, 1994, and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

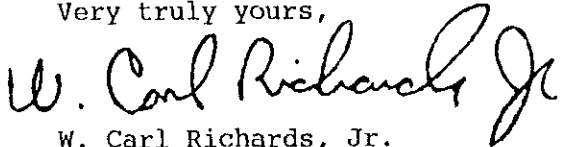
- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr." The signature is written in dark ink and is positioned above the printed name and title.

W. Carl Richards, Jr.
Zoning Coordinator

WCR:jw

Enclosures

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 1, 1994
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 8, 1994
Item 20

The Developers Engineering Section has reviewed the subject zoning item. Per the Department of Public Works Storm Drain Design Plate D-19, "The 20-foot minimum building setback is required from the riverine flood plain's freeboard line only. This setback applies to front, rear and side of structures. This setback applies to all residential, commercial, industrial or institutional structures."

Also, the first floor elevation of the building is to be 2 feet 0 inches above the maximum flood level of 100-year storm (riverine or tidal).

RWB:sw

[Handwritten signature]



Maryland Department of Transportation
State Highway Administration

James Lightizer
Secretary
Hal Kassoff
Administrator

7-22-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 20

CASE NO. 95-15 SPHA

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAMSEY, ACTING CHIEF
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

7-11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 2, 1994

SUBJECT: 1426 School Lane

INFORMATION:

Item Number: 20 - 95-15-SPHA 8-9-94.
Petitioner: Arthur S. Chapman
Property Size: _____
Zoning: D.R. 5.5
Requested Action: _____
Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

Staff supports the applicant's Petition since the relief requested is necessary to facilitate the revitalization of an existing dwelling. This laudable undertaking will also enhance the attractiveness of the community.

Prepared by: Giffy W. Long
Division Chief: Dany L. Kerns

PK/JL:lw

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B A L T I M O R E C O U N T Y, M A R Y L A N D
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

August 2, 1994

TO: Mr. Arnold Jablon, Director
 Zoning Administration and
 Development Management

FROM: J. Lawrence Pilson *JLP/lms*
 Development Coordinator, DEPRM

SUBJECT: Zoning Item #20 - Chapman Property
 1426 School Lane
 Zoning Advisory Committee Meeting of July 25, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Reconstruction of the building must be in the existing footprint. No additional structures will be permitted within the floodplain.

/

JLP:VK:sp

CHAPMAN/DEPRM/TXTSBP

RECEIVED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

August 4, 1994

Mr. & Mrs. Arthur S. Chapman
2870 Welsh Road
Philadelphia, PA 19152

RE: Case No. 95-15-SPHA, Item No. 20
Arthur S. Chapman, et ux
Petition for Special Hearing and
Variance

Dear Mr. & Mrs. Chapman:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on August 4, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Winiarski".

Julie A. Winiarski
Office Assistant

Enclosure





8/9/94
8

4017-94

8/9

William Donald Schaefer
Governor

**Maryland Department of Natural Resources
Water Resources Administration**

Tawes State Office Building
Annapolis, Maryland 21401

Torrey C. Brown, M.D.
Secretary

Robert D. Miller
Director

"A Commitment to Excellence in Managing Maryland's Water Resources"

August 3, 1994

Mr. W. Carl Richards, Jr.
Zoning Administration and Development Management
Rm. 109, County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

95-15
8/9 Turn

Dear Mr. Richards:

Baltimore County has requested comments on a floodplain waiver (case # 95-15-SPHA) to substantially improve an existing structure in the riverine floodplain.

This office does not object to granting such a waiver, provided all other required provisions of the floodplain ordinance are adhered to. Please be advised that substantial improvements are required to be fully elevated as if new construction, and any enclosed areas below the 100-year flood elevation must be limited in use to parking of vehicles and limited storage and be vented with water equalizing vents. An existing basement must be filled in to be level on the interior with outside finished grade on at least one side and be vented.

If a permit is issued, the file must be documented with a substantial improvement worksheet. An elevation certificate will be required to document proper elevation of the lowest floor of the structure. Other forms may be required.

Please advise the applicant that a State permit will be required, and must be issued prior to any work commencing on the structure.

If you have any questions about these requirements, please contact me at (410) 974-3825

Sincerely,

John M. Joyce
John M. Joyce, Manager
Community Assistance Program

JMJ

RECEIVED

AUG 9 1994

Telephone: (410) 974-3825
DNR TTY for the Deaf: 301-974-3683

ZADM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

August 11, 1994

Mr. & Mrs. Arthur S. Chapman
3870 Welsh Road
Philadelphia, PA 19152

RE: Case No. 95-15-SPHA, Item No. 20
Arthur S. Chapman, et ux
Petition for Special Hearing and
Variance

Dear Mr. & Mrs. Chapman:

Enclosed are copies of comments received from the Office of Planning and Zoning and the Maryland Department of Natural Resources Water Resources Administration on August 9, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Winiarski".
Julie A. Winiarski
Office Assistant

Enclosure

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

Inter-Office Correspondence

July 21, 1994

TO: Baltimore County Zoning Plans Advisory Committee

FROM: W. Carl Richards, Jr.
 Zoning Supervisor (887-3391)

SUBJECT: Flood Plain Waiver - Expedited Hearing
 Case Number 95-15-SPHA
 Legal Owner: Arthur S. Chapman
 Contract Purchaser: N/A
 Address: 1426 School Lane
 Description: W/S School Lane, 175' S of centerline Seminary Avenue
 8th Election District; 3rd Councilmanic District

THE ABOVE REFERENCED WAIVER HAS BEEN ACCEPTED FOR FILING PURSUANT TO SECTION 500.6 (BCZR), 517.2.2 (BUILDING CODE), AND 26-270 (BCC). THE HEARING OFFICER (ZONING COMMISSIONER) SHALL HEAR AND DECIDE THE REQUEST BASED ON SOUND FLOOD PLAIN MANAGEMENT AND, IF GRANTED, SUBJECT TO ANY APPROPRIATE CONDITIONS AS MAY BE RECOMMENDED. AN EARLY HEARING DATE OF AUGUST 9, 1994 AT 9:00 A.M. HAS BEEN SET AND BECAUSE OF THE EARLY DATE, YOU ARE REQUESTED TO EXPEDITE YOUR REVIEW AND FORWARD YOUR RECOMMENDATIONS TO THIS OFFICE UNDER THE ABOVE REFERENCE PRIOR TO THE HEARING DATE. IF YOU SHOULD NEED ADDITIONAL MATERIALS TO COMPLETE YOUR COMMENTS, YOU SHOULD CONTACT THE OWNER, AGENT OR MYSELF IMMEDIATELY.

WCR:scj

FLOOD.WAI (ZADM/TXTSOPH)
7/19/94

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ZONING ADVISORY COMMITTEE
ROOM 301, COUNTY OFFICE BUILDING
MEETING OF JULY 25, 1994 - 2:30 p.m.

+Non-Residential or Complex
Residential
‡Residential, Non-Administrative
*Administrative Variance (Posting
Procedure Only, if not challenged)

Item Number: ‡ 20 (MJK/WCR)
Legal Owner: Arthur S. Chapman
Contract Purchaser: N/A
Critical Area? No, but is in 100 YEAR RIVERINE FLOOD PLAIN
Location: W/S School Lane, 175' S of centerline Seminary Avenue
(#1426 School Lane)
Existing Zoning: D.R.-5.5
Proposed Zoning: Special Hearing to permit the reconstruction and/or
repair of existing building in the 100 year riverine
flood plain and to approve said building as a residence
and private museum. Variance to permit an existing
front setback of 12 feet in lieu of the required 25
feet.
Area: .344 acre
District: 8th Election District
3rd Councilmanic District

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
1426 School Lane, W/S School Lane,	*	ZONING COMMISSIONER
175' S of c/l Seminary Avenue, 8th		
Election Dist., 3rd Councilmanic	*	FOR BALTIMORE COUNTY
Arthur S. Chapman	*	CASE NO.: 95-15-SPHA
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July, 1994, a copy of the foregoing Entry of Appearance was mailed to William J. Thomas, 8501 Wellington Valley Way, Lutherville, MD 21093, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

AGENDA
ZONING ADVISORY COMMITTEE
ROOM 301, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF JULY 25, 1994 - 2:30 p.m.
FORMAL OR INFORMAL RESPONSE DUE AT AUGUST 8, 1994 MEETING

¢Distributed at Meeting
*Agenda Only
+Agenda and Petition
#Agenda, Petition and Plat

Distribution:

*Zoning Commissioner's Office (Lawrence Schmidt); Mail Stop 2112
#ZADM, Development Control H.O. Hearing File (Gwendolyn Stephens)
#ZADM, Development Control Work File (Charlotte Minton)
¢*ZADM, Development Management (David Flowers)
¢*ZADM, Development Management (Kurt Kugelberg)
¢*ZADM, Development Management (John Alexander)
¢#Public Works, Development Plan Review (Dennis A. Kennedy)
¢*Planning Office Director (David Fields)
#Planning Office (Jeffrey Long)
*Recreation and Parks (Ronald Schaeffer); Mail Stop 52
¢#DEPRM (Larry Pilson)
*DEPRM, Air Quality Management (Dave Filbert); Mail Stop 3404
#State Highway Administration, Access Permits Division (David N. Ramsey)
#Fire Prevention, Plans Review (Lt. Robert Sauerwald); Mail Stop 1102F
#Dept. of Permits & Licenses, Building Plans Review (Dick Seim)
*Economic Development Commission, Business Development (Susan Brennan); M.S. 2M07
*Highways (Richard Cox); Mail Stop 1003
*Community Development (Amy Johanson); Mail Stop 1102M
+People's Counsel (Peter Zimmerman); Mail Stop 2010
#IF CRITICAL AREA, Maryland Office of Planning (Mike Nortrup)
#IF ELDERLY HOUSING, Community Development (Frank Welsh); Mail Stop 1102M
#IF 100 YEAR FLOOD PLAIN WAIVER, WRA/DNR (John Joyce)

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with your office's or department's code, standards or regulations. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received by the committee within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency is not represented at the meeting, you should return your written comments to Zoning Administration and Development Management, Room 109, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1108), Attention: Charlotte Minton. If you have any questions regarding these zoning petitions, please contact Charlotte or the Development Control planner (see initials after item number) at 887-3391 (FAX - 887-5708).

FLOOD.WAI (ZADM/XTTSOPH)
7/19/94

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Provisional Approval
Permit No: B 206004

DATE: 7/20/94

LOCATION: 1426 School La.

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:
(Please check appropriate box(es))



Owner has filed for a public hearing, Item # 20.



Owner must file for a public hearing within _____ days before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations.

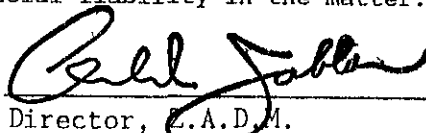


Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within _____ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit.

However, in the event that all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed or withdrawn, this provisional approval is rescinded forthwith.

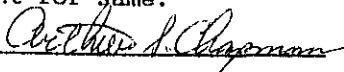
Immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.



Director, Z.A.D.M.

I have read the above statement and I agree to abide by the decision of the Zoning Commissioner in this matter. I also hereby certify that I the undersigned am in fact the owner and if applicable the contract purchaser and not just an agent for same.

Signed _____
Owner



Signed _____
Contract Purchaser

(Please print clearly)

(Please print clearly)

WCR/MSK
Zoning Office Staff

Name Arthur S. Chapman
Address 2870 WELSH Rd.
PHILA. PA. 19152
Work Phone # 215-673-3582
Home Phone # _____

Name _____
Address _____
Work Phone # _____
Home Phone # _____



APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

#20

DATE: 18 July 94

OEA: JP
HISTORIC DISTRICT/BLDG.

PERMIT #: B206004
RECEIPT #: A 228961
CONTROL #: MR
XREF #:

PROPERTY ADDRESS 1426 SCHOOL LANE
LUTHERVILLE, MD 21093
SUBDIV: 150' S of E. Broadway Ave.
TAX ACCOUNT #: 08-02-058252
OWNER'S INFORMATION (LAST, FIRST)
NAME: CHAPMAN, ARTHUR & HELEN
ADDR: 2870 WELSH RD, PHILA. PA 19152

☒ YES ☐ NO
☐ DO NOT KNOW
DISTRICT/PRECINCT 8 14

FEE: 50.55
PAID: 55.00
PAID BY: Appl
INSPECTOR:

DOES THIS BLDG.
HAVE SPRINKLERS
YES ☐ NO ☒

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

APPLICANT INFORMATION

NAME: ARTHUR & HELEN CHAPMAN
COMPANY: WPT 5-TT
STREET: Philadelphia, Pa. 19152
CITY, ST, ZIP: 2870 Welsh Rd.
PHONE #: 215-673-3582 MHC LICENSE #:
APPLICANT SIGNATURE: Arthur J. Chapman TRACT: BLOCK:
PLANS: CONST ☒ PLOT ☒ PLAT ☒ DATA ☒ EL ☐ PL ☐
TENANT
CONTR: WILLIAM J THOMAS
ENGR:
SELLR:

DESCRIBE PROPOSED WORK:

1. MUST connect to public water & sewerage prior to occupancy
Emergency Repairs - Flood Plain Waiver F.E.P.D.
REMOVAL OF ROOF ON HEN# 20
LEFT PORTION OF BUILDING - 2nd fl. ELEV.
Removal of Damaged Roof 50% (24'x30'x18' = 720 sq ft)
Using Pre-const. trusses. Water Damage. Riverine Floodplain
NON-RESIDENTIAL Plans to be submitted by Inspector
08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS, BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR, GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT
20. SWIMMING POOL SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

BUILDING 1 or 2 FAM.

CODE CODE
93 BOCA CODE

TYPE OF IMPROVEMENT

1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. ☒ OTHER ROOF REMOVAL PARTIAL

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. ☒ FIVE OR MORE FAMILY
(ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

TYPE FOUNDATION

1. SLAB
2. BLOCK
3. ☒ CONCRETE
BASEMENT
1. ☒ FULL
2. PARTIAL
3. NONE

TYPE OF CONSTRUCTION

1. MASONRY
2. ☒ WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS
2. OIL
3. ELECTRICITY
4. COAL

TYPE OF SEWAGE DISPOSAL

1. ☒ PUBLIC SEWER EXISTS ☒ PROPOSED
2. ☒ PRIVATE SYSTEM
SEPTIC
PRIVY
EXISTS
PROPOSED

CENTRAL AIR: 1. 2.
ESTIMATED COST: \$1,000.00
OF MATERIALS AND LABOR

PROPOSED USE: SFD & Roof Repair
EXISTING USE: SFD

OWNERSHIP

1. ☒ PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL

RESIDENTIAL CATEGORY:

1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. HIRISE
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS CLASS 04
POWDER ROOMS KITCHENS LIBER FOLIO

BUILDING SIZE LOT SIZE AND SETBACKS

FLOOR 720 SIZE 100' X 150'
WIDTH 28' FRONT STREET
DEPTH 30' SIDE STREET
HEIGHT 18' FRONT SETBK
STORIES 1 SIDE SETBK
LOT # 3 SIDE STR SETBK
CORNER LOT REAR SETBK
1. Y 2. ☒ N ZONING

APPROVAL SIGNATURES

BLD INSP: R. 1009
BLD PLAN: 1009
FIRE: 1009
SEDI CTL: 1009
ZONING: 1009
PUB SERV: 1009
ENVRMT: 1009
PERMITS: 1009
DATE: 7/18/94
OK TO FILE: 7-18-94
18 July 94

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

\$26,670 WILKES mckelb FINAL 7/20/94

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

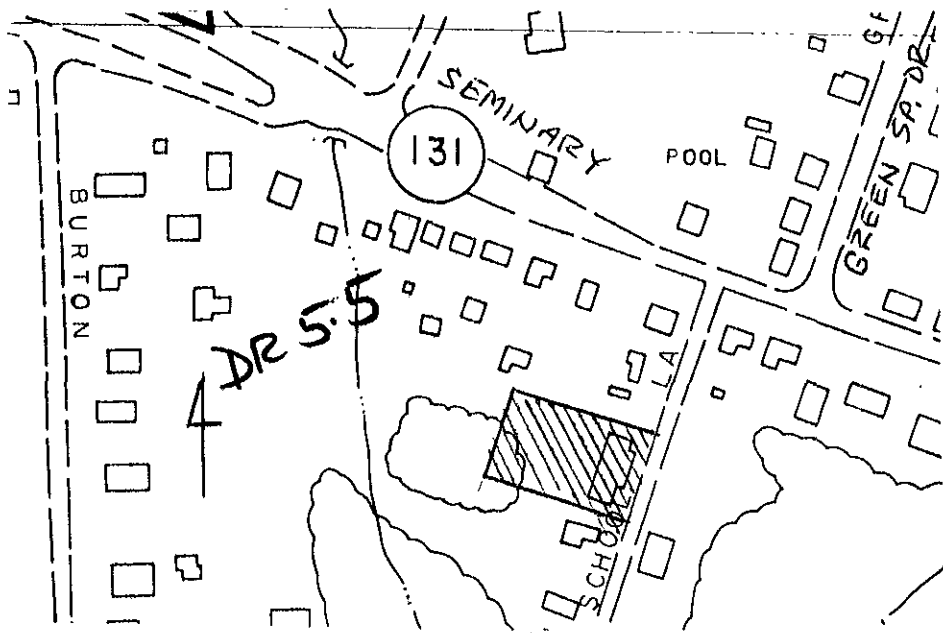
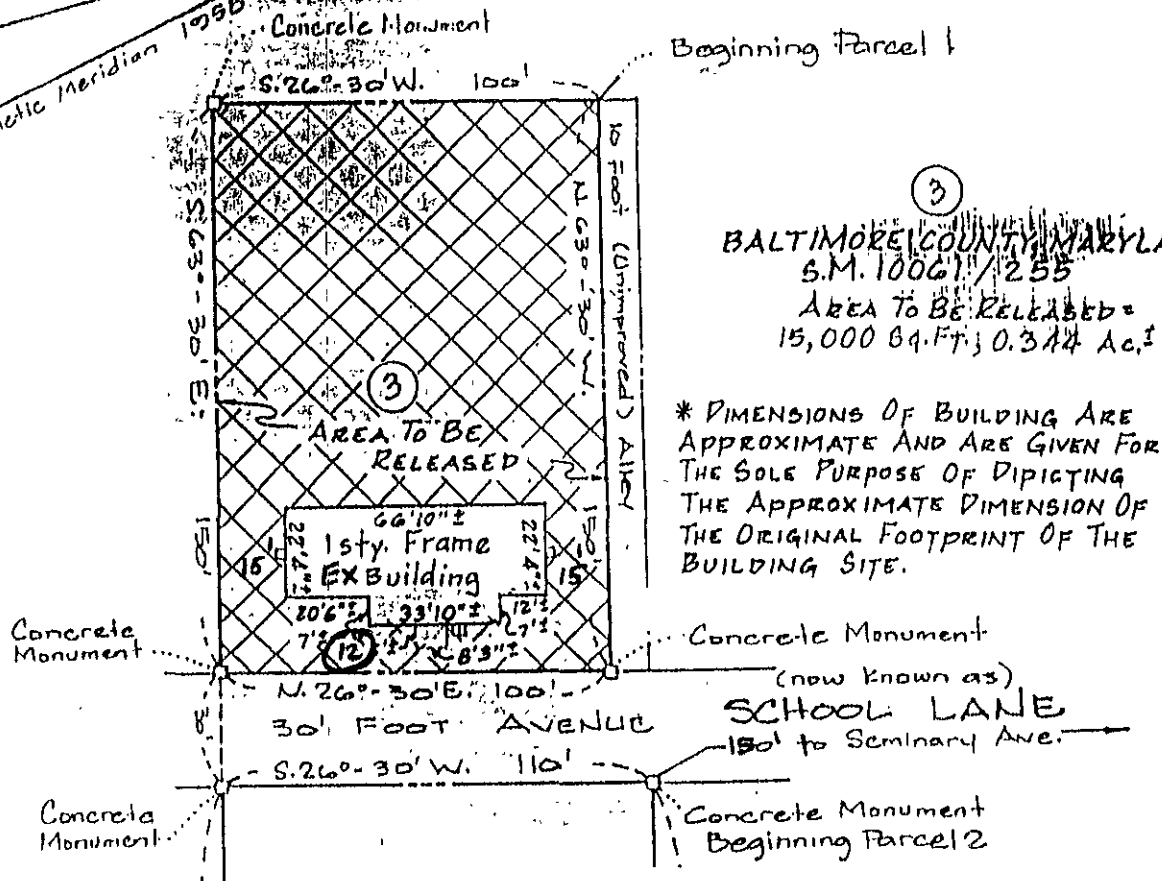
Arthur S. Chapman
FRED SPIGLER
ROBERT VAUGHAN
William Thomas
Lisa Ken

2870 WELSH Rd Phila. Pa. 19152
609 Goucher Ave. 21093
308 MORRIS AVE 21093
8501 WELLINGTON WAYLEY
County Council Office way



Printed with Soybean Ink
on Recycled Paper

MICROFILMED



Subdivision name: _____
 plat book# _____, folio# _____, lot# _____, section# _____

OWNER: Arthur + Helen Chapman
Property # 08-02-058252

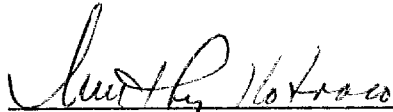
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95-15-SPHA

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of August, 1994 that the Petition for Special Hearing to approve the reconstruction and/or repair of an existing building located in a 100-year riverine floodplain and to approve said building as a residence and private museum, pursuant to Sections 500.6 and 517.2.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 26-670 of the Baltimore County Code (B.C.C.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 103.2 and 1B02.3. C.1 of the B.C.Z.R. to permit a front setback of 12 feet in lieu of the required 25 feet for an existing building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee (ZAC) comments submitted by the Developers Engineering Division of the Department of Public Works dated August 1, 1994 and the Department of Environmental Protection and Resource Management, dated August 2, 1994.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED