

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Manorfield Rd., 174 ft. N
of c/l Hallfield Manor Drive * ZONING COMMISSIONER
8604 Manorfield Road
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
William A. Mehl III, et ux * Case No. 95-385-A
Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for a Variance for the property at 8604 Manorfield Road in the Hallfield Manor subdivision located in Perry Hall, Baltimore County. The Petition is filed by William A. Mehl III and Margaret Dawn Mehl, his wife, property owners. Variance relief is requested from Section 1B02.3.B and other appropriate sections of the Baltimore County Zoning Regulations (BCZR) to allow an addition (enclosed porch) with a rear yard setback of 18.5 ft., in lieu of the required 30 ft., and to amend the Final Development Plan of Hallfield Manor. The subject property is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the public hearing held for this case were the aforementioned Petitioners/property owners, William A. Mehl III and Margaret D. Mehl. Also present was Leonard G. Buerhaus, the Registered Property Line Surveyor, who prepared the site plan. The Petitioners were represented by Robert D. Sellers, Esquire. Appearing in opposition to the request was Marcia H. Schneider, who resides next door to the Petitioners. She was represented by David Meadows, Esquire.

Testimony and evidence presented by Mr. Buerhaus was that the subject property is approximately 4,356 sq. ft in area and zoned D.R.5.5. The property is part of the Hallfield Manor Subdivision, a community of single

ORDER RECEIVED FOR FILING
7/5/95
M. D. Gorbach
D.C.S.
BY

MICROFILMED

family and duplex dwellings in Perry Hall. The property is improved with a one story sided duplex dwelling. The property shares a common wall with Ms. Schneider's property. Mr. Buerhaus explained that he was retained by the property owners for the purpose of preparing the plans necessary to construct an enclosed porch to the rear of the house. He noted that the BCZR requires a 30 ft. rear yard setback and that the distance from the rear wall to the property line currently is 33-1/2 ft. The Petitioners propose constructing a 15 ft. x 15 ft. enclosed porch out of the rear of the house. This porch will result in a rear yard setback of 18-1/2 ft., thus, the necessary variance. Mr. Buerhaus also described the lot as being 44 ft. wide and 99 ft. deep.

Mr. Mehl also testified. He indicated that the porch could be placed only where proposed in that access to same will be from the kitchen and a sliding door which is located on the second story rear portion of the house. He explained that the architectural scheme and style of the house dictated that the proposed porch be located on the second story (not basement level) and on that side of the house adjacent to the Schneider property. He also indicated that the porch will act as a three season family room. He explained that he has older children who reside with him and that the additional space was needed. Mr. Mehl also produced exhibits showing similar porches throughout the community as justification for this request.

Mrs. Schneider testified in opposition. Her house and lot are similar to the Mehl's property and, as noted above, share a common wall. The rear of her property is improved with an open deck which need not maintain a 30 ft. setback because it is not enclosed. She would not object to the proposed addition if it was on the basement level. However, she indicated

7/15/95
M. Hook

that the porch will destroy her line of sight and adversely impact the use and enjoyment of her deck. It was observed that the porch cannot have windows on that side facing the Schneider property due to the fact that a firewall must be maintained.

The consideration of variances in Baltimore County is governed Section 307 of the BCZR. Therein, a three part test is offered which the Petitioner must satisfy in order for variance relief to be granted. First, the Petitioner must show that a practical difficulty or undue hardship would result if strict compliance with the regulations was mandated. Second, the relief must be consistent with the spirit and intent of the BCZR. Third, there must be no adverse impact to the surrounding locale.

The Court of Special Appeals has recently comprehensively discussed the grant of variances in Cromwell v. Ward, 102 Md. App. 691 (1995). The Court noted that a property owner must establish that his property is unique in order for the practical difficulty test to be passed.

In this case, I am persuaded that this Petitioner has satisfied that portion of the requirement. It is clear that the proposed enclosed porch can be located only where requested. The first floor (basement level) of the dwelling is not suitable and the layout of the second floor mandates that the addition be located on that side of the house abutting the common wall with Ms. Schneider. I find that the Petitioner has met the practical difficulty standard.

Moreover, there is compliance with the spirit and intent test. Strict observance of the regulations would allow only for an expansion of 3-1/2 ft. towards the rear property line. An addition of such dimension is obviously impractical.

ORDERED FOR FILING
7/5/95
D. J. Park

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 3, 1995

Robert D. Sellers, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: Case No. 95-385-A
Petition for Zoning Variance
Property: 8604 Manorfield Road
William A. Mehl III, et ux, Petitioners

Dear Mr. Sellers:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been denied 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 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", written in a cursive style.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Mr. and Mrs. William A. Mehl III
David Meadows, Esquire
Mrs. Marcia H. Schneider





Petition for Variance

95-385-A

to the Zoning Commissioner of Baltimore County

for the property located at # 8604 MANORFIELD RD.

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 Variance from Section(s) 1B02.3.B (1B01.2.C.4 Bill 100, 1970) or other appropriate BCZR sections

To allow an addition (enclosed porch) with a rear yard setback of 18.5 feet in lieu of the required 30 feet & to amend the FDP of Hallfield Manor.

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

TO BE DISCUSSED DURING THE HEARING.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

ROBERT D. SELLERS

(Type or Print Name)

Robert D Sellers

Signature

401 WASHINGTON AVE, 276.303 583-1712

Address

Phone No

TOWSON

City

MD

State

21204

Zipcode

Legal Owner(s)

WILLIAM A. MEHL 3RD

(Type or Print Name)

William A. Mehl 3RD

Signature

MARGARET DAWN MEHL

(Type or Print Name)

Margaret Dawn Mehl

Signature

8604 MANORFIELD RD

Address

256.3957

Phone No

BALTO

City

MD

State

21236

Zipcode

Name, Address and phone number of representative to be contacted

LEONARD G. BUERHAUS

Name

1220 LONGFORD RD.

Address

821-1135

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *JP*

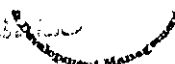
DATE

4/25/95

379



Printed with Soybean Ink on Recycled Paper



EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 8604 MANORFIELD RD.
(address)

Beginning at a point on the WEST side of _____
(north, south, east or west) (name of

MANORFIELD RD. which is 50'
street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 174 NORTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street HALLFIELD MANOR DRIVE
(name of street)

which is 60' wide. *Being Lot # 64,
(number of feet of right-of-way width)

Block C, Section # 2 in the subdivision of HALLFIELD MANOR
(name of subdivision)

as recorded in Baltimore County Plat Book # 36, Folio # 52, containing

4356 SQ. FT. Also known as 8604 MANORFIELD RD.
(square feet or acres) (property address)

and located in the 11TH Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

#379

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Townson, Maryland

93-385

District 11th Date of Posting 5/13/95

Posted for: Variences

Petitioner: William & Margaret Mehl

Location of property: 8604 Manor Field Rd, W/S

Location of Signs: facing road way, on property being 70 x 60

Remarks: _____

Posted by [Signature] Date of return: 5/19/95
Signature

Number of Signs: 1



CERTIFICATE OF PUBLICATION

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: #95-385-A
(Item 379)
8604 Manorfield Road
W/S Manorfield Road, 174'
N of c/l Hallfield Manor
Drive
11th Election District
5th Councilmanic
Legal Owner(s):
William A. Mehl, 3rd and
Margaret Dawn Mehl
Hearing: Monday,
June 5, 1995 at 10:00
a.m. in Rm. 118, Old
Courthouse.

Variance to allow an addition (enclosed porch) with a rear yard setback of 18.5 feet in lieu of the required 30 feet; and to amend the Final Development Plan of Hallfield Manor.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.
5/121 May 11.

TOWSON, MD.,

May 12, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 11, 1995.

THE JEFFERSONIAN,

A. Henriksen
LEGAL AD. - TOWSON

~~Publisher~~



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

receipt

95-385-A

Account: R-001-6150

Number # 379

Date

4/25/95

Taken by: JRF

MEHL -- 9604 MANORFIELD RD.

010 -- VARIANCE -- \$50.00

030 -- SPH Amendment -- \$50.00

080 -- SIGN -- \$35.00

~~\$135.00~~

135.00

PAID BY CHECK

92A0280114111CHRE
 BA 0010:120804 4/25/95

\$135.00

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 379

Petitioner: WILLIAM A. MEHL III

Location: 8604 MANORFIELD RD, BALTO, MD 21236

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WILLIAM A. MEHL III

ADDRESS: 8604 MANORFIELD RD
BALTIMORE, MD 21236

PHONE NUMBER: 410-256-3858

AJ:ggs

(Revised 04/09/93)



TO: PUTUMENT PUBLISHING COMPANY
May 11, 1995 Issue - Jeffersonian

Please forward billing to:

William A. Mehl, III
8604 Manorfield Road
Baltimore, MD 21236
256-3858

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: 95-385-A (Item 379)
8604 Manorfield Road
W/S Manorfield Road, 174' N of c/l Hallfield Manor Drive
11th Election District - 5th Councilmanic
Legal Owner(s): William A. Mehl, 3rd and Margaret Dawn Mehl
HEARING: MONDAY, JUNE 5, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow an addition (enclosed porch) with a rear yard setback of 18.5 feet in lieu of the required 30 feet; and to amend the Final Development Plan of Hallfield Manor.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 4, 1995

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: 95-385-A (Item 379)
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HEARING: MONDAY, JUNE 5, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow an addition (enclosed porch) with a rear yard setback of 18.5 feet inlieu of the required 30 feet; and to amend the Final Development Plan of Hallfield Manor.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: William and Margaret Mehl
Marcia Schneider
Robert D. Sellers, Esq.

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.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 1, 1995

Robert D. Sellers, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: Item No.: 379
Case No.: 95-385-A
Petitioner: W. A. Mehl, et ux

Dear Mr. Sellers:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor


WCR/jw
Attachment(s)

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director 
Office of Planning and Zoning

DATE: May 10, 1995

SUBJECT: 8604 Manorfield Road

INFORMATION:

Item Number: 379
Petitioner: Mehl Property
Property Size: _____
Zoning: DR 5.5
Requested Action: Variance
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to allow a side yard setback of 18.5 feet in lieu of the minimum required 30 feet and to amend the development plan for Hallfield Manor.

Based upon a review of the information provided, staff offers the following comment:

Pursuant to Section 1b01.3A7.b(1) of the Baltimore County Zoning Regulations, an analysis of the subject request reveals that this minor amendment is in accordance with the specific standards and requirements of (BCZR) Article (1B), as required by sub-section 7.b(2).

Notwithstanding the finding that the amendment is in accordance with the appropriate sections of the BCZR and CMDP, staff believes that the applicant will need to prove hardship or practical difficulty to justify the location of the proposed addition.

Prepared by: Jeffrey W. Long
Division Chief: Carol L. Kern

PK/JL

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: May 22, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 15, 1995
Items 378, 379, 381, 384, and 390.

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

APPROVED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 5/16/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 5/8/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

378

379

380

381

382

385

386

389

391

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/05/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 8, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 375, 379, 380, 381, 382, 383,
384, 386, 388, 389 AND 390.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-9-95

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

Re: Baltimore County
Item No.: 379 (JRF)

Dear Ms. Watson:

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.

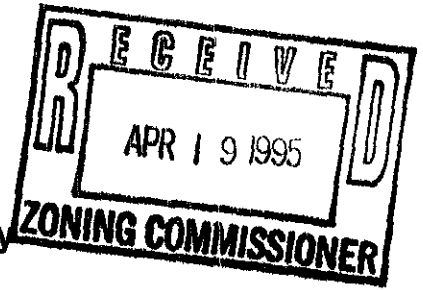
Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/



County Council of Baltimore County

Court House, Towson, Maryland 21204
(410) 887-3196
Fax (410) 887-5791

Stephen G. Samuel Moxley
FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Douglas B. Riley
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder
SIXTH DISTRICT

Louis L. DePazzo
SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

April 18, 1995

Mr. Lawrence E. Schmidt
Baltimore County Zoning Commissioner
Court House
Towson, Maryland 21204

95-385-A

Dear Mr. Schmidt:

Attached please find a copy of Resolution 20-95 concerning the public disclosure of William A. Mehl, III, an employee of the Baltimore County Office of Substance Abuse. Mr. Mehl has applied for a zoning variance in order to construct a porch on his home located at 8604 Manorfield Road.

This Resolution was unanimously approved by the County Council at its April 17, 1995 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosures

cc: William A. Mehl, III

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1995, LEGISLATIVE DAY NO. 8
RESOLUTION NO. 20-95

MR. JOSEPH BARTENFELDER, COUNCILMAN

BY THE COUNTY COUNCIL, APRIL 17, 1995

A RESOLUTION concerning the public disclosure of William A. Mehl, III, an employee of the Baltimore County Office of Substance Abuse.

WHEREAS, William A. Mehl, III, an employee of Baltimore County, has applied for a zoning variance in order to construct a porch on his home located at 8604 Manorfield Road, Baltimore, Maryland 21236; and

WHEREAS, this Resolution is intended to provide full disclosure under Section 26-3(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the application for a variance filed by William A. Mehl, III does not contravene the public welfare and is hereby authorized.

R02095/RES95

RE: PETITION FOR VARIANCE	*	BEFORE THE
8604 Manorfield Road, W/S Manorfield Rd,	*	ZONING COMMISSIONER
174' N of c/l Hallfield Manor Drive	*	OF BALTIMORE COUNTY
11th Election Dist., 5th Councilmanic	*	CASE NO. 95-385-A
William A. Mehl, III, et ux.		
Petitioners		

* * * * *

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 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert D. Sellers, Esq., 401 Washington Avenue, Suite 303, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

IN THE MATTER OF THE PETITION OF
WILLIAM AND MARGARET MEHL FOR
A ZONING VARIANCE AND AMENDMENT
TO THE FINAL DEVELOPMENT PLAN
FOR HALLFIELD MANOR ON THE
PROPERTY LOCATED ON THE WEST
SIDE OF MANORFIELD ROAD
174' NORTH OF THE INTERSECTION
OF HALLFIELD MANOR DRIVE (8604
MANORFIELD ROAD)

* BEFORE THE ZONING
* COMMISSIONER OF
* BALTIMORE COUNTY

*
* CASE NO. 95-385-A
* (ITEM 379)
*
*
*
*
*

ELEVENTH ELECTION DISTRICT
FIFTH COUNCILMANIC DISTRICT

ENTRANCE OF APPEARANCE

Please enter the appearance of Moore, Carney, Ryan and
Lattanzi, L.L.C. and David M. Meadows on behalf of Marcia
Schneider.



David M. Meadows
Moore, Carney, Ryan and Lattanzi
4111 East Joppa Road
Baltimore, Maryland 21236
(410) 529-4600

Attorney for Protestant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19 day of May, 1995, a copy of
the foregoing Entrance of Appearance was mailed postage prepaid, by
first-class mail to:

Robert D. Sellers, Esquire
401 Washington Avenue, Suite 303
Towson, Maryland 21204



David M. Meadows

3241-95

AJ- GS

shelley

MOORE, CARNEY, RYAN AND LATTANZI, LLC.

ATTORNEYS AT LAW

4111 E JOPPA ROAD

BALTIMORE, MARYLAND 21236

(410) 529-4600

FAX (410) 529-6146

E SCOTT MOORE
(1926-1992)

ROBERT E CARNEY, JR
RICHARD E LATTANZI
JUDITH L HARCLERODE
RONALD A DECKER
DAVID M MEADOWS
LISA M L EISEMANN

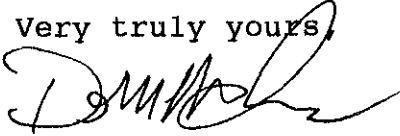
May 19, 1995

Baltimore County Office of Zoning
Administration and Development
Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: In the Matter of the Petition of William and Margaret
Mehl for a Zoning Variance and Amendment to the Final
Development Plan for Hallfield Manor on the Property
Located on the West Side of Manorfield Road 174' North of
the Intersection of Hallfield Manor Drive (8604
Manorfield Road)
Case No. 95-385-A (Item 379)

Dear Sirs:

Please find enclosed, our firm's Entrance of Appearance for
the above-captioned hearing scheduled before the Zoning
Commissioner.

Very truly yours,

David M. Meadows

DMM:gd

Enclosure

cc: Marcia Schneider
Robert D. Sellers, Esquire

RECEIVED
MAY 22 1995
ADM

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

WILLIAM A. MERL III

8604 MANORFIELD RD. BALTO, MD. 21236

Leonard G. Buerhaus

1220 Longford Rd. Luth. 21093

M. Dawn Mell

8604 Manorfield Rd Balt MD
21236



Printed with Soybean Ink
on Recycled Paper

MICRONITE

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 8604 Manorfield Road see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Hallfield Manor 95-385-A

plat book # 30, folio # 52, lot # 64, section # 2

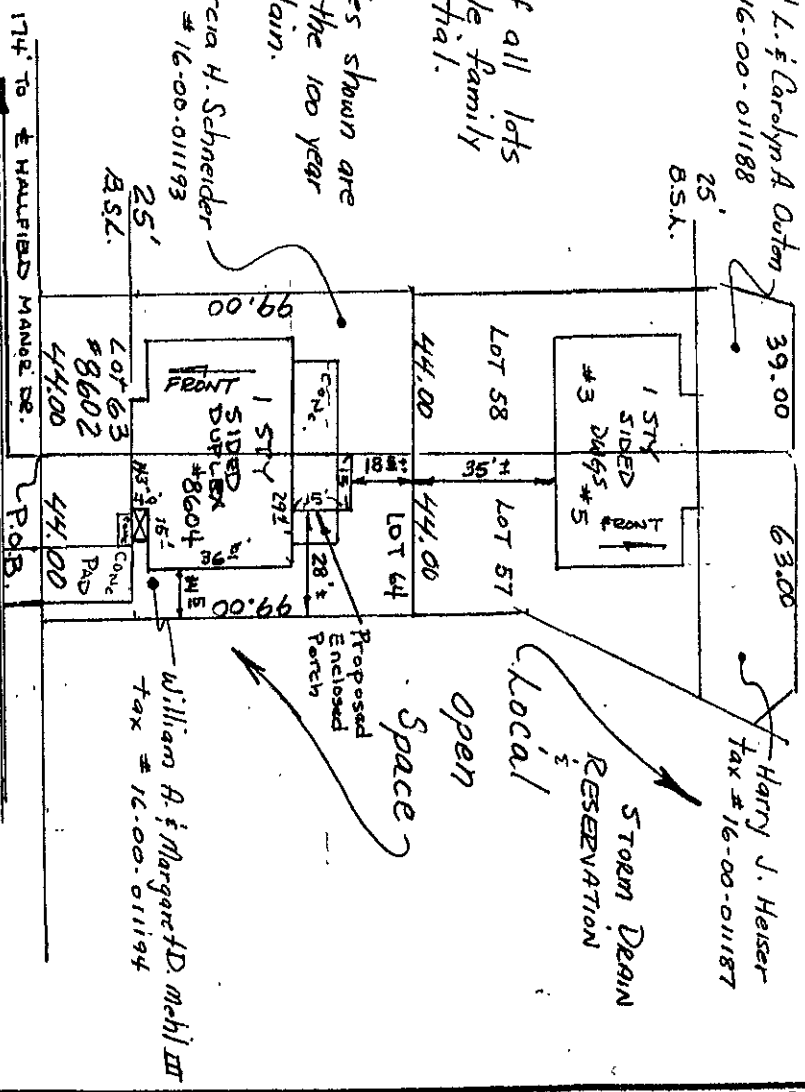
OWNER: Richard L. & Carolyn A. Oton Lineage Court

Richard L. & Carolyn A. Oton
tax # 16-00-011188

Harry J. Heiser
tax # 16-00-011187

Use of all lots is single family residential.

Properties shown are not in the 100 year flood plain.



EX. 8" SEWER 7
Dwg. # 72-1018

Manorfield Road (50' R/W, 30' Paving)



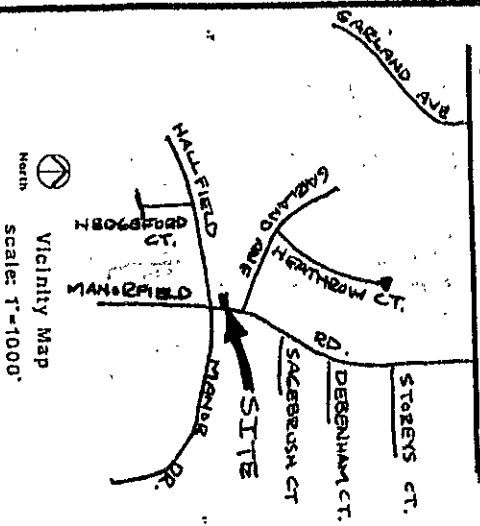
North

date: 3-31-95
prepared by: _____

Scale of Drawing: 1" = 50'

[Handwritten signature]

TO BEARDED SILVER SPRING ED.



LOCATION INFORMATION

Election District: 11

Councilmanic District: 5

1"=200' scale map#: NE 9-G

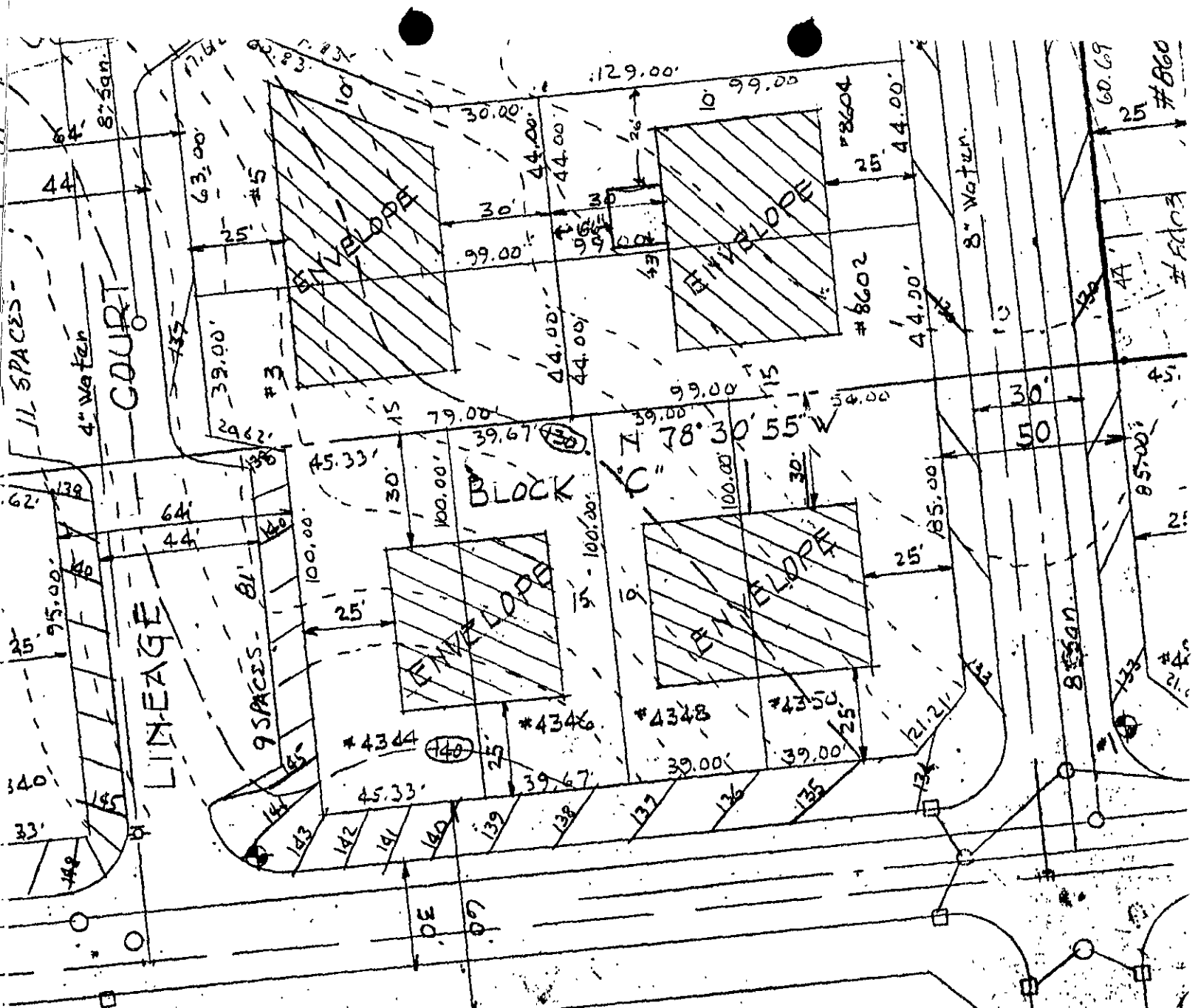
Zoning: DR 5.5

Lot size: 0.10 4356.00
acreage square feet

Public Private
SEWER:
WATER:
Chesapeake Bay Critical Area:
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

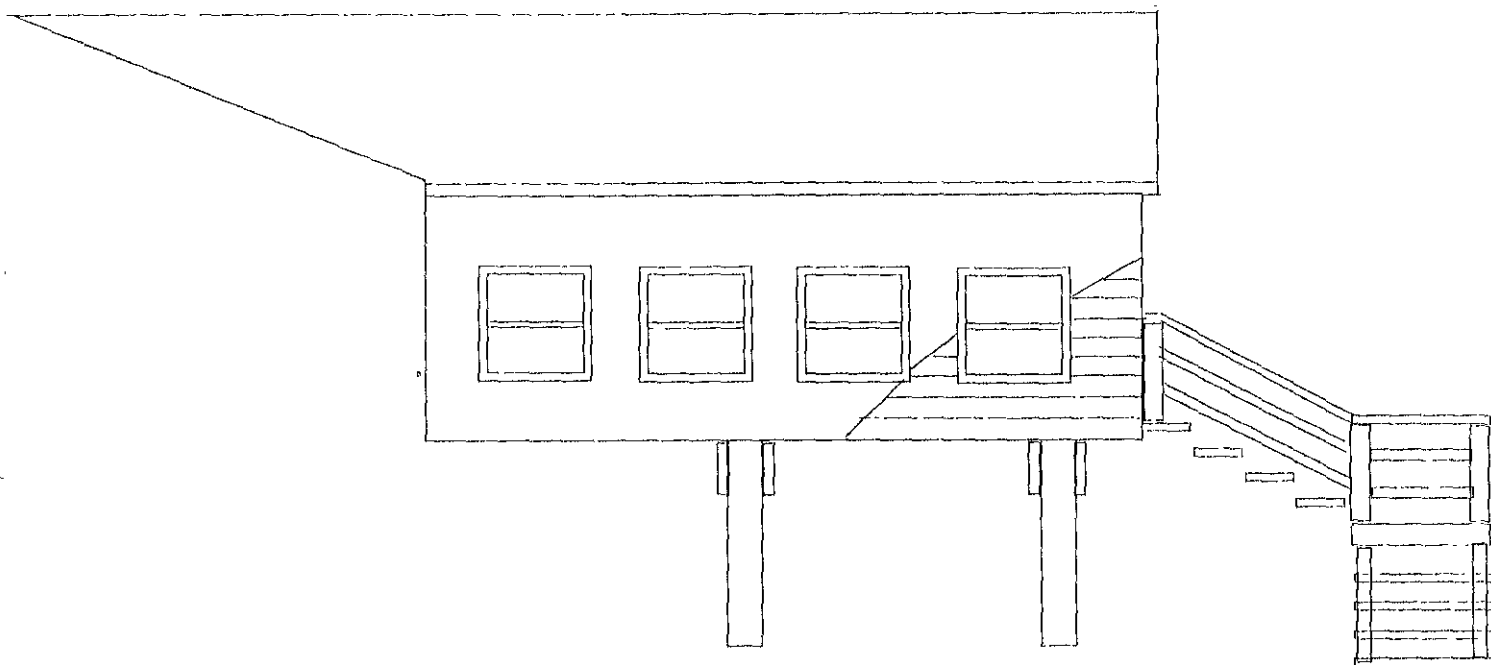
reviewed by: _____ ITEM #: _____ CASE#: _____
88 379



HALLFIELD MANOR ZONE

PLAN TO ACCOMPANY
 REQUEST FOR AMENDMENT
 TO F.D.P.
 OF
 HALLFIELD MANOR
 # 8604 MANORFIELD RD.

Sheet 13



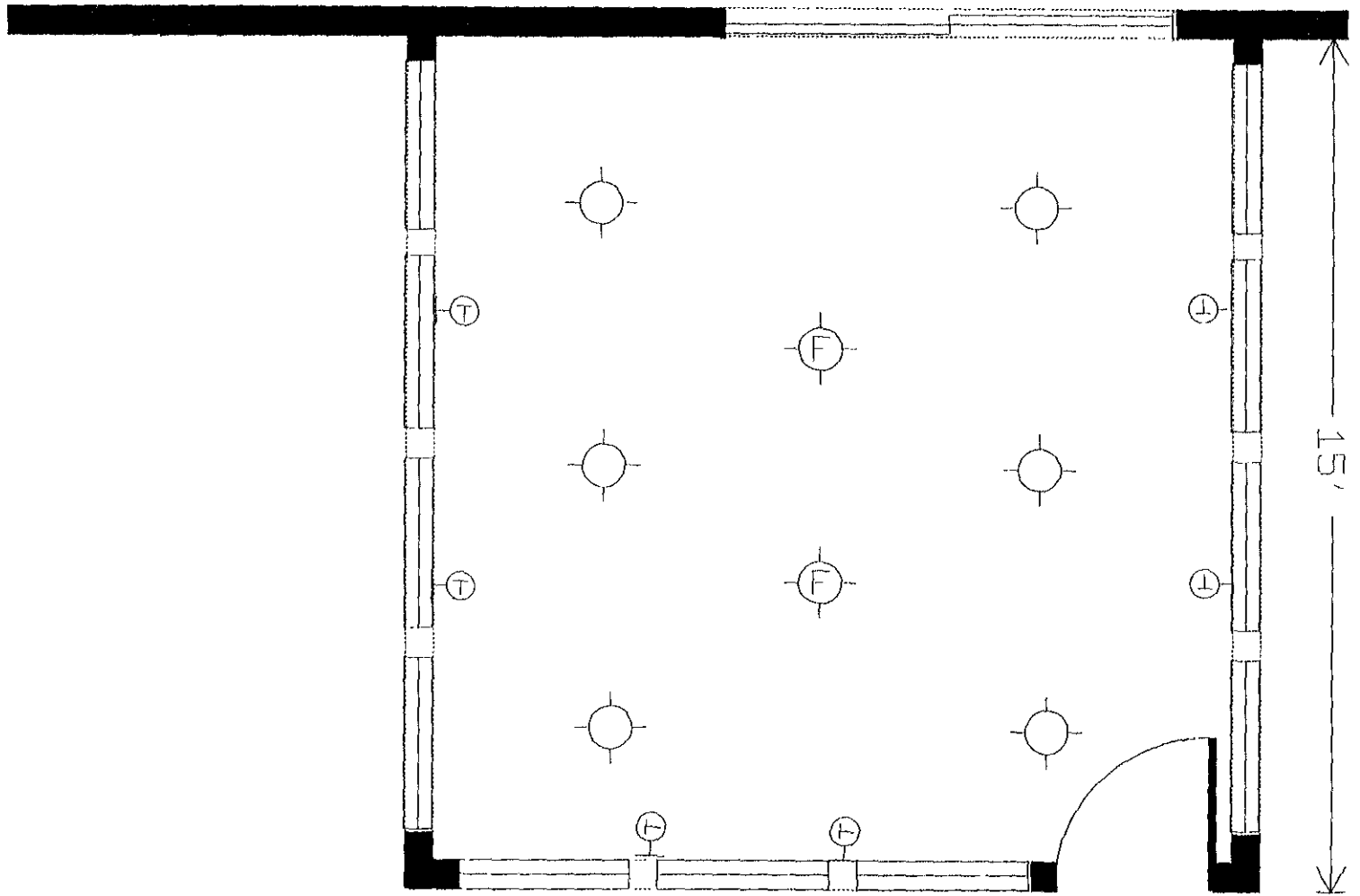
LEFT SIDE VIEW

Part No 3

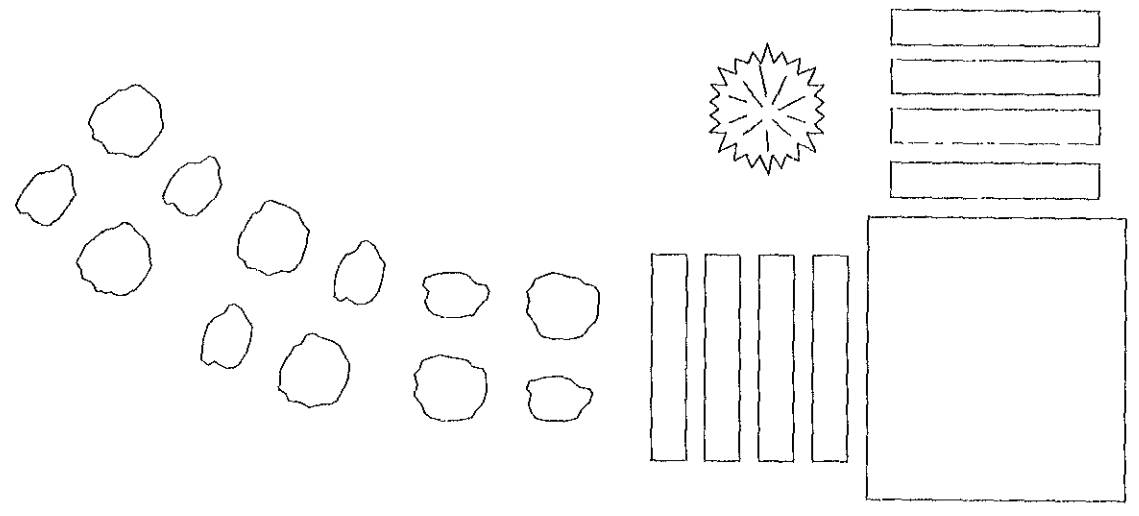
MICROFILMED

(a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) (AA) (AB) (AC) (AD) (AE) (AF) (AG) (AH) (AI) (AJ) (AK) (AL) (AM) (AN) (AO) (AP) (AQ) (AR) (AS) (AT) (AU) (AV) (AW) (AX) (AY) (AZ) (BA) (BB) (BC) (BD) (BE) (BF) (BG) (BH) (BI) (BJ) (BK) (BL) (BM) (BN) (BO) (BP) (BQ) (BR) (BS) (BT) (BU) (BV) (BW) (BX) (BY) (BZ) (CA) (CB) (CC) (CD) (CE) (CF) (CG) (CH) (CI) (CJ) (CK) (CL) (CM) (CN) (CO) (CP) (CQ) (CR) (CS) (CT) (CU) (CV) (CW) (CX) (CY) (CZ) (DA) (DB) (DC) (DD) (DE) (DF) (DG) (DH) (DI) (DJ) (DK) (DL) (DM) (DN) (DO) (DP) (DQ) (DR) (DS) (DT) (DU) (DV) (DW) (DX) (DY) (DZ) (EA) (EB) (EC) (ED) (EE) (EF) (EG) (EH) (EI) (EJ) (EK) (EL) (EM) (EN) (EO) (EP) (EQ) (ER) (ES) (ET) (EU) (EV) (EW) (EX) (EY) (EZ) (FA) (FB) (FC) (FD) (FE) (FF) (FG) (FH) (FI) (FJ) (FK) (FL) (FM) (FN) (FO) (FP) (FQ) (FR) (FS) (FT) (FU) (FV) (FW) (FX) (FY) (FZ) (GA) (GB) (GC) (GD) (GE) (GF) (GG) (GH) (GI) (GJ) (GK) (GL) (GM) (GN) (GO) (GP) (GQ) (GR) (GS) (GT) (GU) (GV) (GW) (GX) (GY) (GZ) (HA) (HB) (HC) (HD) (HE) (HF) (HG) (HH) (HI) (HJ) (HK) (HL) (HM) (HN) (HO) (HP) (HQ) (HR) (HS) (HT) (HU) (HV) (HW) (HX) (HY) (HZ) (IA) (IB) (IC) (ID) (IE) (IF) (IG) (IH) (II) (IJ) (IK) (IL) (IM) (IN) (IO) (IP) (IQ) (IR) (IS) (IT) (IU) (IV) (IW) (IX) (IY) (IZ) (JA) (JB) (JC) (JD) (JE) (JF) (JG) (JH) (JI) (JJ) (JK) (JL) (JM) (JN) (JO) (JP) (JQ) (JR) (JS) (JT) (JU) (JV) (JW) (JX) (JY) (JZ) (KA) (KB) (KC) (KD) (KE) (KF) (KG) (KH) (KI) (KJ) (KK) (KL) (KM) (KN) (KO) (KP) (KQ) (KR) (KS) (KT) (KU) (KV) (KW) (KX) (KY) (KZ) (LA) (LB) (LC) (LD) (LE) (LF) (LG) (LH) (LI) (LJ) (LK) (LL) (LM) (LN) (LO) (LP) (LQ) (LR) (LS) (LT) (LU) (LV) (LW) (LX) (LY) (LZ) (MA) (MB) (MC) (MD) (ME) (MF) (MG) (MH) (MI) (MJ) (MK) (ML) (MM) (MN) (MO) (MP) (MQ) (MR) (MS) (MT) (MU) (MV) (MW) (MX) (MY) (MZ) (NA) (NB) (NC) (ND) (NE) (NF) (NG) (NH) (NI) (NJ) (NK) (NL) (NM) (NN) (NO) (NP) (NQ) (NR) (NS) (NT) (NU) (NV) (NW) (NX) (NY) (NZ) (OA) (OB) (OC) (OD) (OE) (OF) (OG) (OH) (OI) (OJ) (OK) (OL) (OM) (ON) (OO) (OP) (OQ) (OR) (OS) (OT) (OU) (OV) (OW) (OX) (OY) (OZ) (PA) (PB) (PC) (PD) (PE) (PF) (PG) (PH) (PI) (PJ) (PK) (PL) (PM) (PN) (PO) (PP) (PQ) (PR) (PS) (PT) (PU) (PV) (PW) (PX) (PY) (PZ) (QA) (QB) (QC) (QD) (QE) (QF) (QG) (QH) (QI) (QJ) (QK) (QL) (QM) (QN) (QO) (QP) (QQ) (QR) (QS) (QT) (QU) (QV) (QW) (QX) (QY) (QZ) (RA) (RB) (RC) (RD) (RE) (RF) (RG) (RH) (RI) (RJ) (RK) (RL) (RM) (RN) (RO) (RP) (RQ) (RR) (RS) (RT) (RU) (RV) (RW) (RX) (RY) (RZ) (SA) (SB) (SC) (SD) (SE) (SF) (SG) (SH) (SI) (SJ) (SK) (SL) (SM) (SN) (SO) (SP) (SQ) (SR) (SS) (ST) (SU) (SV) (SW) (SX) (SY) (SZ) (TA) (TB) (TC) (TD) (TE) (TF) (TG) (TH) (TI) (TJ) (TK) (TL) (TM) (TN) (TO) (TP) (TQ) (TR) (TS) (TT) (TU) (TV) (TW) (TX) (TY) (TZ) (UA) (UB) (UC) (UD) (UE) (UF) (UG) (UH) (UI) (UJ) (UK) (UL) (UM) (UN) (UO) (UP) (UQ) (UR) (US) (UT) (UU) (UV) (UW) (UX) (UY) (UZ) (VA) (VB) (VC) (VD) (VE) (VF) (VG) (VH) (VI) (VJ) (VK) (VL) (VM) (VN) (VO) (VP) (VQ) (VR) (VS) (VT) (VU) (VV) (VW) (VX) (VY) (VZ) (WA) (WB) (WC) (WD) (WE) (WF) (WG) (WH) (WI) (WJ) (WK) (WL) (WM) (WN) (WO) (WP) (WQ) (WR) (WS) (WT) (WU) (WV) (WW) (WX) (WY) (WZ) (XA) (XB) (XC) (XD) (XE) (XF) (XG) (XH) (XI) (XJ) (XK) (XL) (XM) (XN) (XO) (XP) (XQ) (XR) (XS) (XT) (XU) (XV) (XW) (XZ) (YA) (YB) (YC) (YD) (YE) (YF) (YG) (YH) (YI) (YJ) (YK) (YL) (YM) (YN) (YO) (YP) (YQ) (YR) (YS) (YT) (YU) (YV) (YW) (YZ) (ZA) (ZB) (ZC) (ZD) (ZE) (ZF) (ZG) (ZH) (ZI) (ZJ) (ZK) (ZL) (ZM) (ZN) (ZO) (ZP) (ZQ) (ZR) (ZS) (ZT) (ZU) (ZV) (ZW) (ZX) (ZY) (ZZ)

15'



15'



www.digitale.com

Baltimore County Government
Office of Zoning Administration
and Development Management

Re: Case Number 95-385-A (Item 379)
8604 Manorfield Road

I object to the granting of a variance to allow an addition
(enclosed porch) with a rear yard setback of 18.5 feet in lieu
of the required 30 feet; and to amend the Final Development
Plan of Hallfield Manor.

Lorraine Kirchner 5/17/95
LORRAINE KIRCHNER
8603 MANORFIELD RD.

Constance Kirchner 5/18/95
CONSTANCE KIRCHNER
8603 MANORFIELD RD 21236

Wendy Hughes (Wendy Hughes)
4350 Hallfield Manor Dr.
Baltimore, MD 21236

Gene C Hughes
GENE C. HUGHES
4350 Hallfield Manor Dr. 21236

Peter J Danna
Peter J DANNA
4348 HALLFIELD MANOR
Baltimore, Md 21236 dr.

Carol Outen
3 Lineage Ct.
Baltimore, MD 21236

Pick Outen
3 LINEAGE CT.
BALTIMORE, MD 21236

Cynthia Greene (Cynthia Greene)
4400 Hallfield Manor Drive
Baltimore, MD 21236

Ref No 3



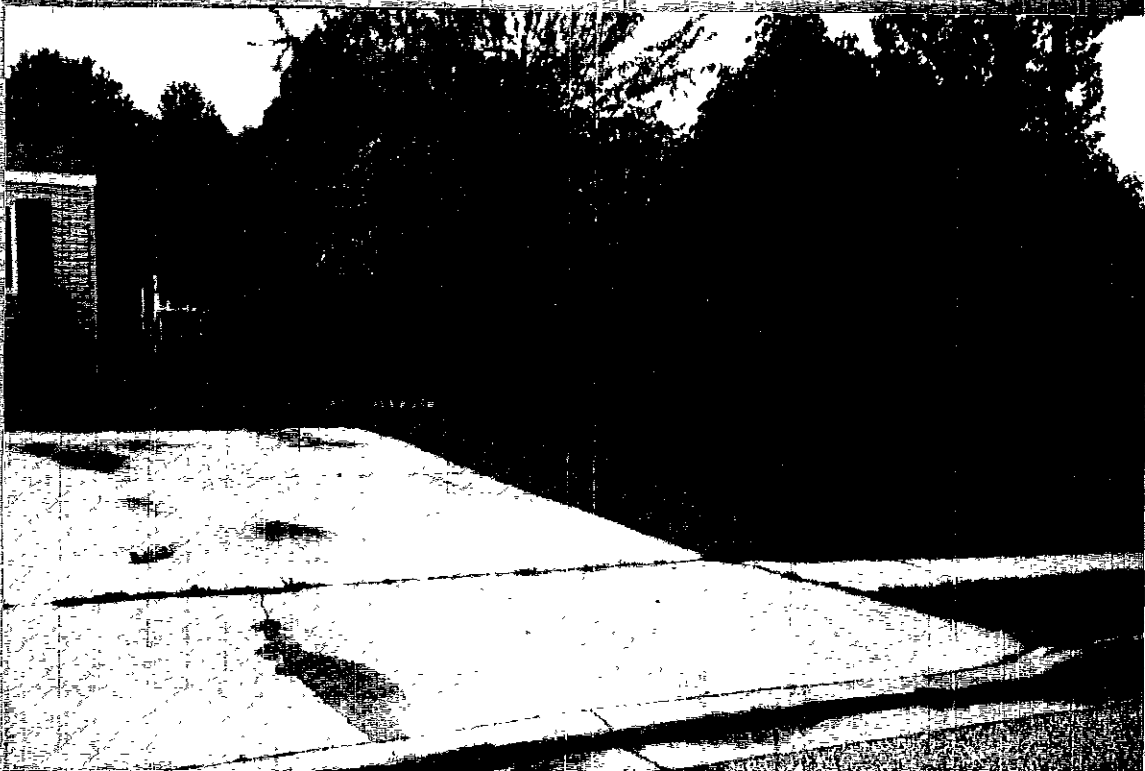
Front Views
8602 8604
Manorfield Rd.
(21286)

29



8602

b



8604

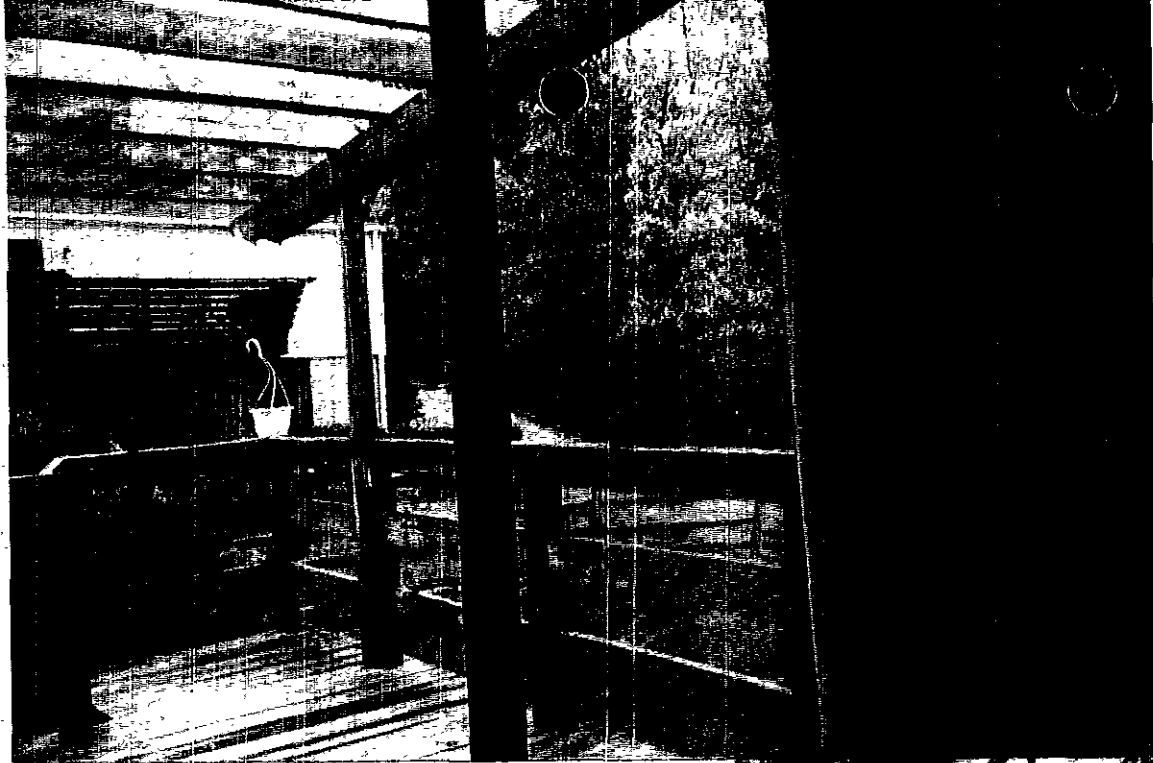
c

MICROFILMED



View from Rick & Carol Outen's porch
(to illustrate natural swale \rightarrow run)
(i.e. lowness r/t surrounding homes)





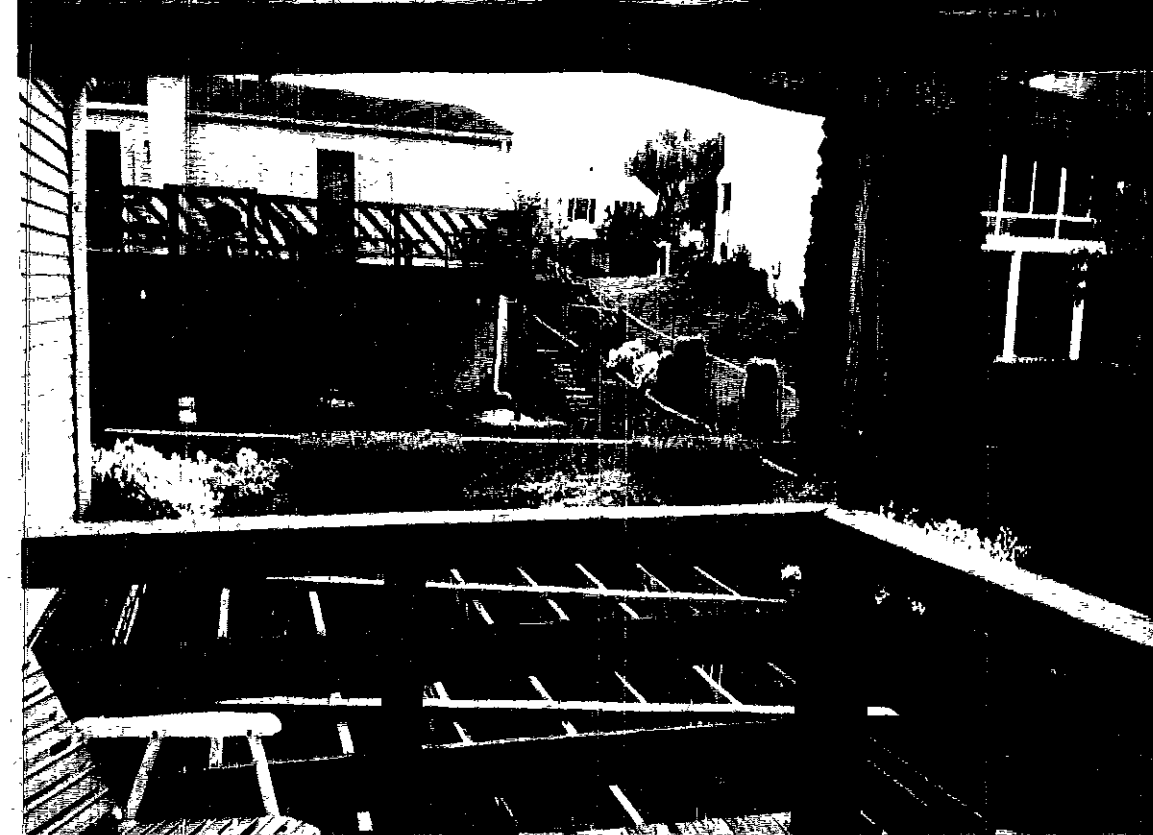
What I now
see from
my dining room

f



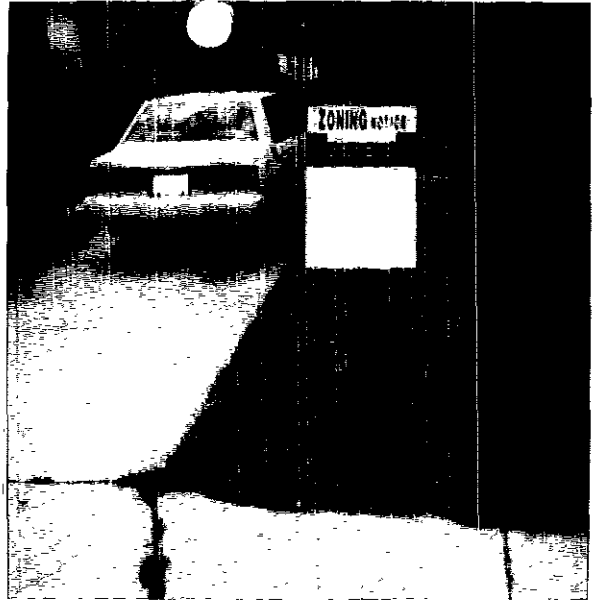
View from my
rear porch
→ 8604 +
Garland Ave
from porch

g



View → Halliwell
Manor
from porch

h



2/11



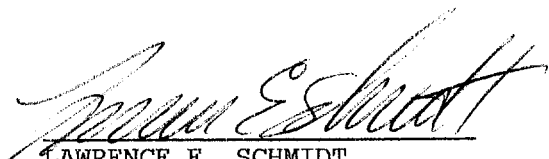
Nonetheless, despite these findings, the Petition cannot be granted. It is the third requirement which the Petitioner fails. A grant of the relief requesting construction of the proposed enclosed porch would definitively adversely affect the Schneider property. It would literally be on the property line, owing to the inherent nature of duplex houses. I concur with Ms. Schneider that it would block her light and air as well as destroy her view and adversely impact the use and enjoyment of her open deck. Unfortunately, for the Petitioner, this is one of those cases where the grant of a variance would so detrimentally affect a neighboring property that relief cannot be given. Although construction, where contemplated, is the only place practical, the negative impacts on the surrounding property are dispositive of the issue. For this reason, the Petition for Variance should and must be denied.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of July, 1995 that a variance from Section 1B02.3.B and other appropriate sections of the Baltimore County Zoning Regulations (BCZR) to allow an addition (enclosed porch) with a rear yard setback of 18.5 ft., in lieu of the required 30 ft., and to amend the Final Development Plan of Hallfield Manor, be and is hereby DENIED.

ORDER RECEIVED FOR FILING
Date 7/6/95
By M. Grant

LES/mmn


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



1993 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1998
 DATE OF PHOTOGRAPHY: JANUARY 1998
 SCALE: 1" = 200'
 LOCATION: HOLLY NECK
 SHEET: S.E. 2-J

**BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP**

018310

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Manorfield Rd., 174 ft. N ZONING COMMISSIONER
of 71 Hallfield Manor Drive *
8604 Manorfield Road * OF BALTIMORE COUNTY
11th Election District *
5th Councilmanic District *
William A. Mehl III, et ux * Case No. 95-385-A
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for a Variance for the property at 8604 Manorfield Road in the Hallfield Manor subdivision located in Perry Hall, Baltimore County. The Petition is filed by William A. Mehl III and Margaret Dawn Mehl, his wife, property owners. Variance relief is requested from Section 1802.3.B and other appropriate sections of the Baltimore County Zoning Regulations (BCZR) to allow an addition (enclosed porch) with a rear yard setback of 18.5 ft. in lieu of the required 30 ft., and to amend the Final Development Plan of Hallfield Manor. The subject property is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the public hearing held for this case were the aforementioned Petitioners/property owners, William A. Mehl III and Margaret D. Mehl. Also present was Leonard G. Buerhaus, the Registered Property Line Surveyor, who prepared the site plan. The Petitioners were represented by Robert D. Sellers, Esquire. Appearing in opposition to the request was Marcia H. Schneider, who resides next door to the Petitioners. She was represented by David Meadows, Esquire.

Testimony and evidence presented by Mr. Buerhaus was that the subject property is approximately 4,356 sq. ft in area and zoned D.R.5.5. The property is part of the Hallfield Manor Subdivision, a community of single

family and duplex dwellings in Perry Hall. The property is improved with a one story sided duplex dwelling. The property shares a common wall with Ms. Schneider's property. Mr. Buerhaus explained that he was retained by the property owners for the purpose of preparing the plans necessary to construct an enclosed porch to the rear of the house. He noted that the BCZR requires a 30 ft. rear yard setback and that the distance from the rear wall to the property line currently is 33-1/2 ft. The Petitioners propose constructing a 15 ft. x 15 ft. enclosed porch out of the rear of the house. This porch will result in a rear yard setback of 18-1/2 ft., thus, the necessary variance. Mr. Buerhaus also described the lot as being 44 ft. wide and 99 ft. deep.

Mr. Mehl also testified. He indicated that the porch could be placed only where proposed in that access to same will be from the kitchen and a sliding door which is located on the second story rear portion of the house. He explained that the architectural scheme and style of the house dictated that the proposed porch be located on the second story (not basement level) and on that side of the house adjacent to the Schneider property. He also indicated that the porch will act as a three season family room. He explained that he has older children who reside with him and that the additional space was needed. Mr. Mehl also produced exhibits showing similar porches throughout the community as justification for this request.

Mrs. Schneider testified in opposition. Her house and lot are similar to the Mehl's property and, as noted above, share a common wall. The rear of her property is improved with an open deck which need not maintain a 30 ft. setback because it is not enclosed. She would not object to the proposed addition if it was on the basement level. However, she indicated

that the porch will destroy her line of sight and adversely impact the use and enjoyment of her deck. It was observed that the porch cannot have windows on that side facing the Schneider property due to the fact that a fire wall must be maintained.

The consideration of variances in Baltimore County is governed Section 307 of the BCZR. Therein, a three part test is offered which the Petitioner must satisfy in order for variance relief to be granted. First, the Petitioner must show that a practical difficulty or undue hardship would result if strict compliance with the regulations was mandated. Second, the relief must be consistent with the spirit and intent of the BCZR. Third, there must be no adverse impact to the surrounding locale.

The Court of Special Appeals has recently comprehensively discussed the grant of variances in *Cromwell v. Ward*, 102 Md. App. 691 (1995). The Court noted that a property owner must establish that his property is unique in order for the practical difficulty test to be passed.

In this case, I am persuaded that this Petitioner has satisfied that portion of the requirement. It is clear that the proposed enclosed porch can be located only where requested. The first floor (basement level) of the dwelling is not suitable and the layout of the second floor mandates that the addition be located on that side of the house abutting the common wall with Ms. Schneider. I find that the Petitioner has met the practical difficulty standard.

Moreover, there is compliance with the spirit and intent test. Strict observance of the regulations would allow only for an expansion of 3-1/2 ft. towards the rear property line. An addition of such dimension is obviously impractical.

Nonetheless, despite these findings, the Petition cannot be granted. It is the third requirement which the Petitioner fails. A grant of the relief requesting construction of the proposed enclosed porch would definitively adversely affect the Schneider property. It would literally be on the property line, owing to the inherent nature of duplex houses. I concur with Ms. Schneider that it would block her light and air as well as destroy her view and adversely impact the use and enjoyment of her open deck. Unfortunately, for the Petitioner, this is one of those cases where the grant of a variance would so detrimentally affect a neighboring property that relief cannot be given. Although construction, where contemplated, is the only place practical, the negative impacts on the surrounding property are dispositive of the issue. For this reason, the Petition for Variance should and must be denied.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of July, 1995 that a variance from Section 1802.3.B and other appropriate sections of the Baltimore County Zoning Regulations (BCZR) to allow an addition (enclosed porch) with a rear yard setback of 18.5 ft. in lieu of the required 30 ft., and to amend the Final Development Plan of Hallfield Manor, be and is hereby DENIED.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

COPIES FILED
7/13/95
M. Mehl

7/13/95
M. Mehl

COPIES FILED
7/13/95
M. Mehl

COPIES FILED
7/13/95
M. Mehl

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-4386

July 3, 1995

Robert D. Sellers, Esquire
401 Washington Avenue
Towson, Maryland 21204
RE: Case No. 95-385-A
Petition for Zoning Variance
Property: 8604 Manorfield Road
William A. Mehl III, et ux, Petitioners

Dear Mr. Sellers:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been denied 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 887-3353.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att: Mr. and Mrs. William A. Mehl III
David Meadows, Esquire
Mrs. Marcia H. Schneider

Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 8604 MANORFIELD RD.
which is presently zoned D.R.5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owners 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 Sections 1802.3.B (1801.2.C.4 Bill 100, 1970) or other appropriate BCZR sections

To allow an addition (enclosed porch) with a rear yard setback of 18.5 feet in lieu of the required 30 feet & to amend the FDP of Hallfield Manor.

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

TO BE DISCUSSED DURING THE HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person Name: WILLIAM A. MEHL III
Address: 8604 MANORFIELD RD. PERRY HALL, MD 21126
Signature: [Signature]
Address: 8604 MANORFIELD RD. PERRY HALL, MD 21126
Signature: [Signature]
Address: 8604 MANORFIELD RD. PERRY HALL, MD 21126
Signature: [Signature]
Address: 8604 MANORFIELD RD. PERRY HALL, MD 21126
Signature: [Signature]

ESTIMATED LENGTH OF HEARING: 30 minutes
ALL OTHER: NONE
REVIEWED BY: [Signature] DATE: 4/25/95
379

EXAMPLE 3 - Zoning Description - 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description. DO NOT USE THIS FORM FOR "FILL-IN-THE-BLANKS" type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 8604 MANORFIELD RD.
Beginning at a point on the WEST side of MANORFIELD RD. (north, south, east or west) (name of street) which is 50' wide at the distance of 174' NORTH of the centerline of the nearest improved intersecting street HALFIELD MANOR DRIVE (number of feet) (north, south, east or west) (name of street) which is 60' wide. *Being Lot # 44. Block C, Section # 2 in the subdivision of HALFIELD MANOR as recorded in Baltimore County Plat Book #36, Folio #52, containing 4356 SQ. FT. Also known as 8604 MANORFIELD RD. (square feet or acres) (property address) and located in the 11th Election District, 5th Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio #, and include the measurements and directions (metes and bounds only) here and on the plat in the correct location."
Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

CS/RESID (TXTSOPH)
REVISED 5/16/94
379
10

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 11th Date of Posting: 5/13/95
Posted for: [Signature]
Petitioner: William A. Mehl III, et ux
Location of property: 8604 Manorfield Rd., Perry Hall, MD
Location of Signs: [Signature]
Remarks:
Posted by: [Signature] Date of return: 5/18/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD., May 12, 1995
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of L successive weeks, the first publication appearing on May 11, 1995.
THE JEFFERSONIAN,
LEGAL AD. - TOWSON
A. Henikson

Baltimore County Zoning Administration & Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21284

receipt
 95-385-A
 Account: 80116150
 Number # 379
 Taken by: JRF

Date: 4/23/95

MEHL -- 8604 MANORFIELD RD.
 010 - VARIANCE -- \$50.00
 030 - SPH Amendment -- \$50.00
 040 - SIGN -- \$35.00

5/15/95
 135.00

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 21284 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl Jablon
 ARNOLD JABLON, DIRECTOR

For newspaper advertising:
 Item No.: 379
 Petitioner: WILLIAM A. MEHL
 Location: 8604 MANORFIELD RD. TOWSON, MD 21284

PLEASE FORWARD ADVERTISING BILL TO:
 NAME: WILLIAM A. MEHL
 ADDRESS: 8604 MANORFIELD RD.
 TOWSON, MD 21284
 PHONE NUMBER: 410-256-3858

AL:ggg (Revised 04/09/93)

13

TO: POTENTIAL PUBLISHERS COMPANY
 May 11, 1995 Issue - Jeffersonian

Please forward billing to:
 William A. Mehl, III
 8604 Manorfield Road
 Baltimore, MD 21284
 256-3858

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: 95-385-A (Item 379)
 8604 Manorfield Road
 W/S Manorfield Road, 174' N of c/l Hallfield Manor Drive
 11th Election District - 5th Councilmanic
 Legal Owner(s): William A. Mehl, 3rd and Margaret Dawn Mehl
 HEARING: MONDAY, JUNE 5, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow an addition (enclosed porch) with a rear yard setback of 18.5 feet in lieu of the required 30 feet; and to amend the Final Development Plan of Hallfield Manor.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

LAWRENCE E. SCHMIDT
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

May 4, 1995

NOTICE OF HEARING

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Carl Jablon
 Arnold Jablon
 Director

cc: William and Margaret Mehl
 Marcia Schneider
 Robert D. Sellers, Esq.

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.

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3353

June 1, 1995

Robert D. Sellers, Esquire
 401 Washington Avenue
 Towson, Maryland 21204

RE: Item No.: 379
 Case No.: 95-385-A
 Petitioner: W. A. Mehl, et ux

Dear Mr. Sellers:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards Jr.
 W. Carl Richards, Jr.
 Zoning Supervisor

WCR/jw
 Attachment(s)

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BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Zoning Administration &
 Development Management

FROM: Pat Keller, Director
 Office of Planning and Zoning

DATE: May 10, 1995

SUBJECT: 8604 Manorfield Road

INFORMATION:

Item Number: 379
 Petitioner: Mehl Property
 Property Size: _____
 Zoning: DR 5.5
 Requested Action: Variance
 Hearing Date: 5/11/95

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to allow a side yard setback of 18.5 feet in lieu of the minimum required 30 feet and to amend the development plan for Hallfield Manor.

Based upon a review of the information provided, staff offers the following comment:

Pursuant to Section 1b01.3A7.b(1) of the Baltimore County Zoning Regulations, an analysis of the subject request reveals that this minor amendment is in accordance with the specific standards and requirements of (BCZR) Article (1B), as required by sub-section 7.b(2).

Notwithstanding the finding that the amendment is in accordance with the appropriate sections of the BCZR and OMDP, staff believes that the applicant will need to prove hardship or practical difficulty to justify the location of the proposed addition.

Prepared by: *Jeffrey W. Long*
 Division Chief: *Carl Jablon*

PK/JL
 ITEM 379/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 22, 1995
 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
 Developers Engineering Section

RE: Zoning Advisory Committee Meeting
 for May 15, 1995
 Items 378, 379, 381, 384, and 390.

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

BALTIMORE COUNTY, MARYLAND
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
 INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: 5/16/95

FROM: DEPRM
 Development Coordination

SUBJECT: Zoning Advisory Committee
 Agenda: 5/18/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 378
 379
 380
 381
 382
 385
 386
 389
 391

LS:sp
 LETTY2/DEPRM/TXSBP

NAME: Marcia A. Schneider ADDRESS: 8604 Manorfield Rd 21236
Don Meadows, MGRY. ATTORNEY & SCHNEIDER 1411E Sp. Rd, Balt, Md 21208 524-4400

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 8604 Manorfield Road see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Hallfield Manor

Plat books: 36, 52, 53, 64, sections 2 95-385-A

OWNER: Richard L. & Carolyn A. Oltman Tax # 16-00-01188 Harry J. Heiser Tax # 16-00-01187

Use of all lots is single family residential.

Properties shown are not in the 100 year flood plain.

Marcia A. Schneider Tax # 16-00-01193

William A. & Margaret D. Mahl Tax # 16-00-01194

17' to MANORFIELD ROAD (50' R/W, 30' PAVING)

date: 3-31-95 prepared by: PLN Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Election District: 11

Councilmatic District: 5

1"=200' scale map: NE 9-G

Zoning: DR 5.5

Lot size: 0.10 4356.00 square feet

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
 reviewed by: PLN ITEM #: 379 CASE#:

ELECTION DISTRICT: 11

APPLICATION FOR AMENDMENT TO DEVELOPMENT PLAN

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MR & MRS William Mahl legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for an Amendment to the Development Plan under Section 1801.2A.7.c. of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the Amendment of Lot

Block C Plat 3652 as previously approved on the

Development Plan of HALLFIELD MANOR

Section 2. Said Amendment is necessitated to permit

ADD A REAR YARD ADDITION (ENCLOSED PORCH) TO RE LOCATED OUTSIDE THE 30' BUILDING ENVELOPE (GREEN) CREATING A REAR YARD SETBACK OF 18' 6"

Property is to be posted and I, or we, agree to pay expenses of processing and posting upon filing of this request, additional public hearing and reposting fees if I decide to proceed after a Protestants public hearing request 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.

Date: 3/24/95 Mahl, William III
8604 Manorfield Rd
Balto, MD 21236
 Legal Owner(s) Signature(s): M. Dawn Mellor Address (type or print): Balto, MD 21236
 Phone # Work - 522-8228 zip
 Home - 256-3858

PUBLIC HEARING REQUEST

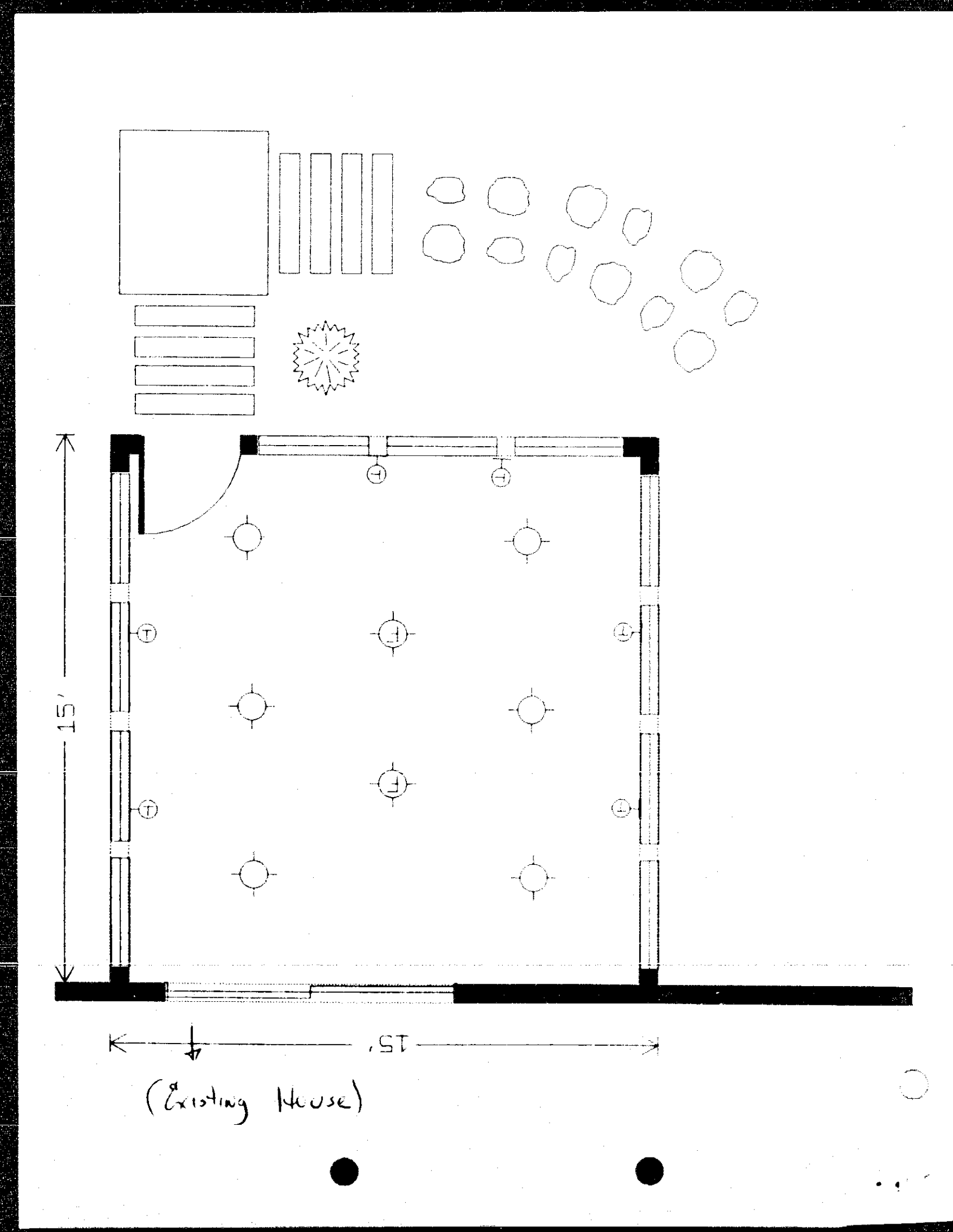
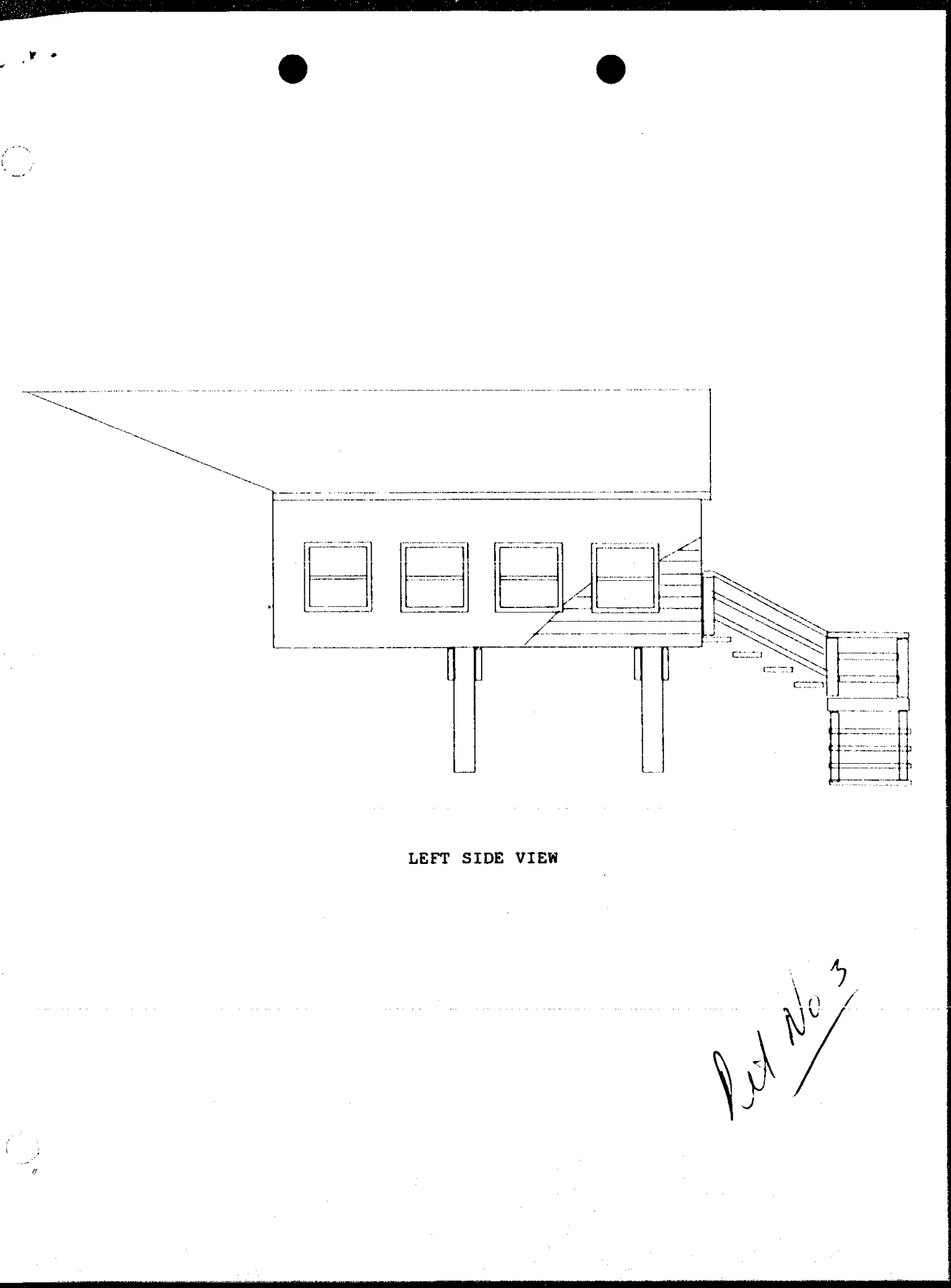
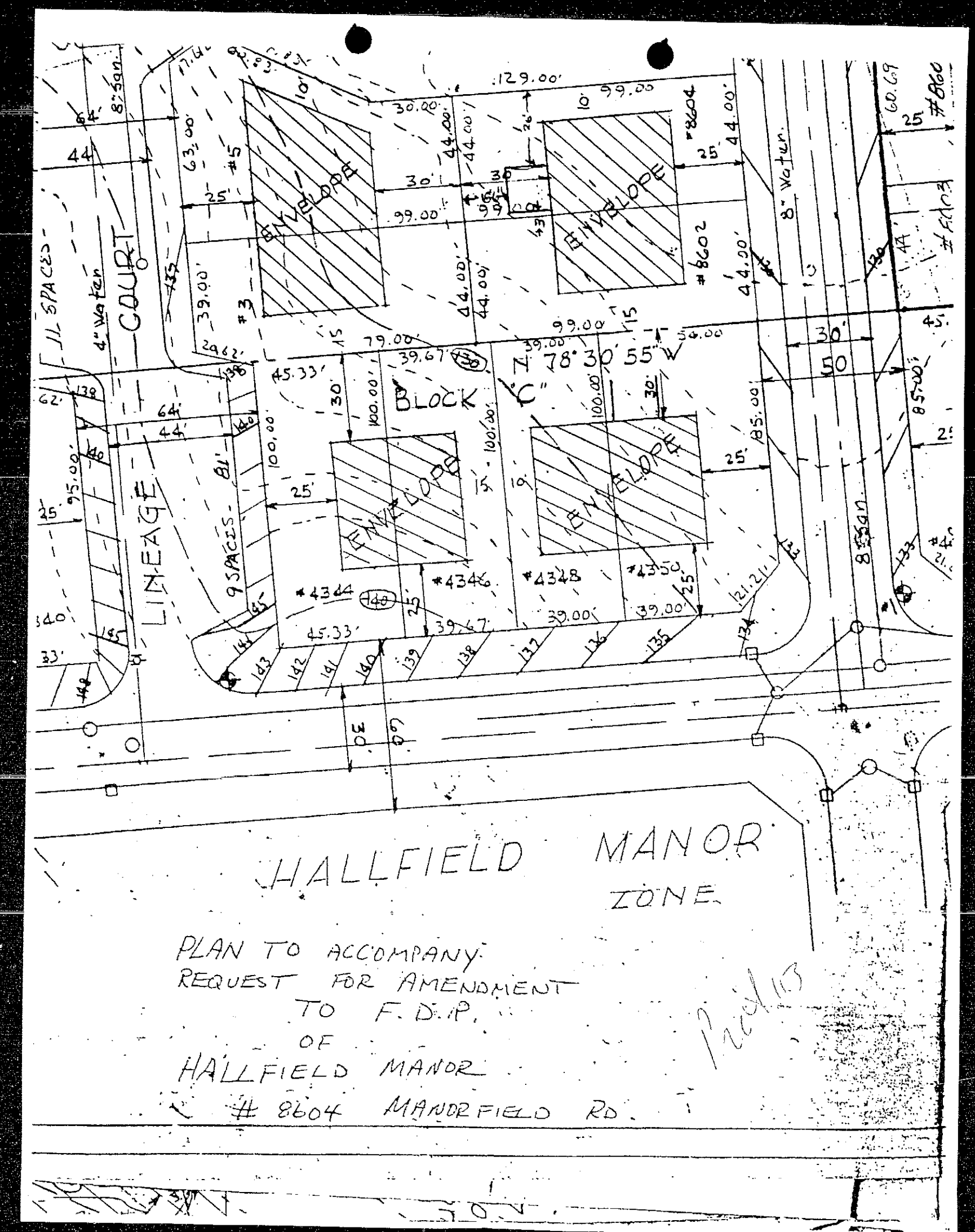
I, or we, Marcia Schneider request that the proposed Amendment be the subject of a public hearing as provided for in Section 1801.2A.7.iii of the Zoning Regulations. I also agree to pay a processing fee for this public hearing request.

Date: 030295 Marcia A. Schneider
8604 Manorfield Rd
Balto, MD 21236
 Address (type or print): Balto, MD 21236 zip
 Phone # Work - 525-8691
 Home - 256-2460

CERTIFICATION

It is hereby CERTIFIED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Certification for Amendment to Development Plan is in keeping with the spirit and intent of the Baltimore County Zoning Regulations and other Baltimore County land use and development requirements and that said amendment does not violate the spirit and intent of the original development plan.

ZONING COMMISSIONER OF BALTIMORE COUNTY By: _____ Date _____

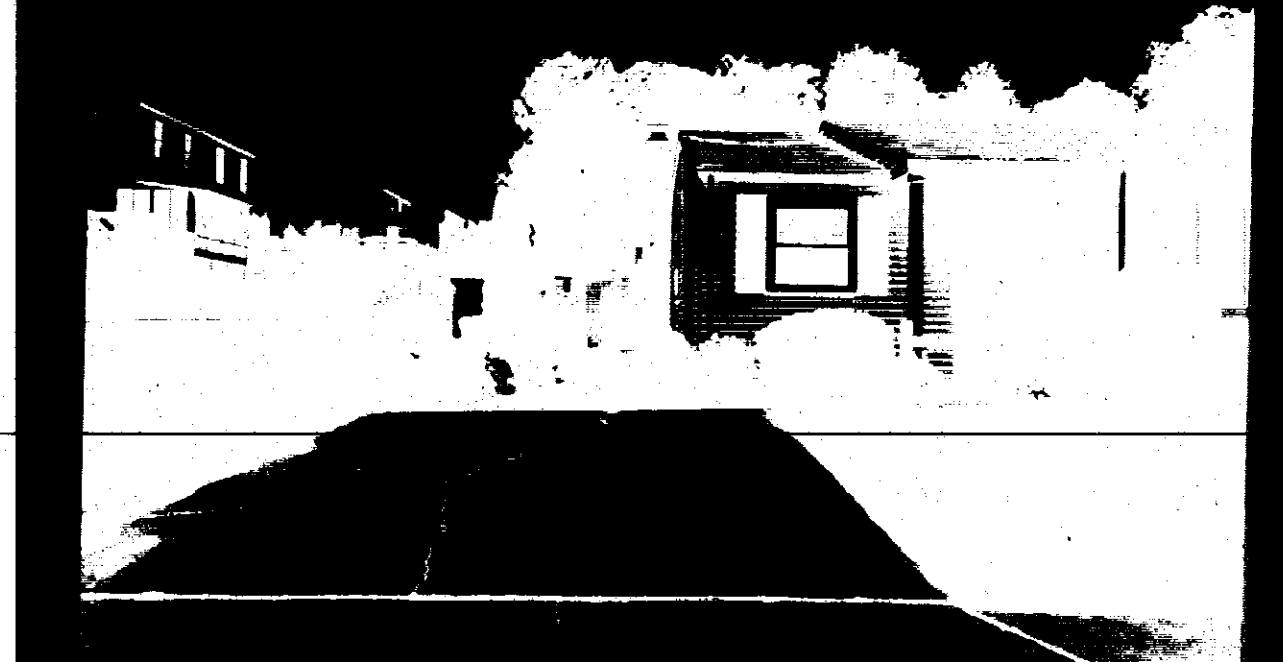


- Baltimore County Department of Zoning Administration and Development Management
- Case Number: 95-385-A (Item 379)
8604 Manorfield Road
- Subject to the granting of a variance to allow an addition (enclosed porch) with a rear yard setback of 18.5 feet in lieu of the required 30 feet; and to amend the First Development Plan of Hallfield Manor.
- Ferrara Kirchner 4711
400 FIVE KIRCHNER
9003 MANORFIELD RD.
- Constance Kirchner Stein
CONSTANCE KIRCHNER
3003 MANORFIELD RD 21236
- Wendy Hughes (Wendy Hughes)
4350 Hallfield Manor Ln.
Baltimore, MD 21236
- Gene C. Hughes
GENE C. HUGHES
4350 Hallfield Manor Dr 21236
- Peter J. Danna
Peter J. Danna
4348 Hallfield Manor
Balto, Md 21236
- Carol Outen
3 Lineage Ct.
Baltimore, MD 21236
- Richard Outen
3 LINEAGE CT.
BALTIMORE, MD 21236
- Cynthia Greene (Cynthia Green)
4400 Hallfield Manor Drive
Baltimore, MD 21236
- PLN



Front views
8602 8601
Maner Field Rd.
(21236)

29



8602-

b



8604

c



d

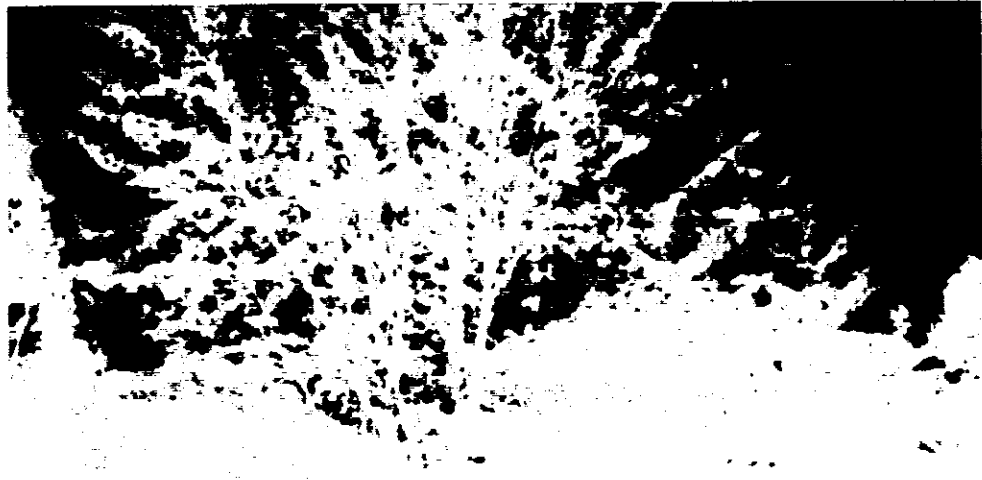
View from Ricky Carol Cutler's porch
(to illustrate natural setting (run)
to surrounding homes)



e



what I saw
see from
my dining room
f
View from my
rear porch
8604 +
Garland Ave
from porch
g
View of Hall Street
Maner
from porch
h



95-385-A



M - NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC BALTIMORE, MD 21210

□ Denotes existing enclosed additions in close proximity to applicants proposed addition.

379

HALLFIELD MANOR D.R. 16

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992

SCALE 1" = 200'

LOCATION PERRY HALL

SHEET NE 9-G

DATE OF PHOTOGRAPHY JANUARY 1986

William A. Howard
Chairman, County Council