

75-9-A 209 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Alan N. Kanter and Harriet M. Kanter, his wife, 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 301-1 and 1 B02.3 of the Zoning Code to permit a side yard of 12.5', instead of the required minimum for an attached carport of 15' (a variance of 2.5').

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

Hardship and practical difficulty in that the carport is an integral part

of the home and cannot be economically removed and would further destroy the appearance of the structure.

(SEE MEMORANDUM ATTACHED)

see attached description

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

Contract purchaser
Address: 8 Eden Roc Court
Baltimore, Maryland 21208

Cardin & Weinstein, P.A.
By: Michael H. Mannes, Esquire, Attorney
Address: 6615 Reisterstown Road
Baltimore, Maryland 21215

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of June 1974

that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of July, 1974, at 10:00 o'clock

Signature of Zoning Commissioner of Baltimore County.

(over)

1-S,60 75-9-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: July 13, 1974

Posted for: PETITION FOR VARIANCE

Petitioner: ALAN N. KANTER

Location of property: W/S of EDEN ROC COURT, 396.60' NW of EDEN ROC WAY

Location of Sign: FRONT of 8 EDEN ROC COURT

Remarks: Thomas L. Boland

Posted by: Thomas L. Boland Date of return: July 19, 1974

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS-IN DECREASE IN SIDE YARD REQUIREMENT FROM 15 FEET TO 12.5 FEET (0.0, 8 EDEN ROC COURT-NO. 8, ELECTION DISTRICT-BALTIMORE COUNTY, MARYLAND.)

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

MEMORANDUM

The existing DR-1 classification, as established by the Baltimore County Zoning Maps on the land for which this zoning variance is requested, requires:

1. That, as to the minimum side yard requirement, a minimum width of 20 feet to be maintained with a 25% permissible extension.
2. That the Petitioner has an attached carport which is located 12.5 feet from the side yard.
3. That the County requires a minimum of 15 feet based on Section 301.1 of the Baltimore County Zoning Regulations.
4. That a 2.5 foot variance is needed to allow the carport to exist in its present position.
5. That, in accordance with special regulations for existing developments or subdivisions and small lots or tracts in DR zones (1B02.3) (AAB) of the said Baltimore County Zoning Regulations, the minimum side yard requirement of 20 feet does apply to Petitioner's lot.
6. That granting of the variance will not reduce the sum of the two (2) side yards below the required minimum 50 feet.

The hardship and practical difficulty in removing the carport which now exists on the lot and is an integral part of the home necessitates the granting of the requested variance.

The Petitioner therefore requests the zoning variance to permit a side yard of 12.5 feet instead of the required minimum for an attached carport of 15 feet.

Signature of Michael H. Mannes, Esquire, Attorney for Petitioner
Cardin & Weinstein, P.A.
6615 Reisterstown Road
Baltimore, Maryland 21215
301-358-7411

July 30, 1974

Michael H. Mannes, Esquire
6615 Reisterstown Road
Baltimore, Maryland 21215

RE: Petition for Variance
W/S of Eden Roc Court, 396.60' NW
of Eden Roc Way - 3rd District
Alan N. Kanter - Petitioner
NO. 75-9-A (Item No. 209)

Dear Mr. Mannes:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

MCA
MCA ENGINEERING CORPORATION
ENGINEERS
SURVEYORS
1000 Cromwell Bridge Rd., Baltimore, Md. 21204 • Tel. (301) 623-0900

DESCRIPTION

LOT 5, BLOCK C, "EDEN ROC," NO. 8 EDEN ROC COURT, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This description is for Side Yard Variance.

Beginning for the same at a point on the west side of Eden Roc Court, as shown on the plat titled "Resubdivision Plat of Parcel B, Block C, Eden Roc" and recorded among the Land Records of Baltimore County in Plat Book O. T. G. 33, page 21, at the distance of 396.60 feet, as measured northwesterly and northerly along the southwest and west side of said Eden Roc Court from the north end of the gusset line connecting said southwest side of Eden Roc Court with the northwest side of Eden Roc Way, fifty feet wide, said beginning point being at the dividing line between Lots 5 and 6, Block C, as shown on said plat, running thence binding on the west and northwest side of said Eden Roc Court, (1) northeasterly, by a curve to the right with the radius of 50.00 feet, the distance of 46.37 feet, thence along the east line of said Lot 5, (2) N 15° 30' 05" W 201.03 feet, thence along the south right of way line of the Baltimore Beltway two courses: (3) S 89° 20' 20" W 332.03 feet, and (4) S 88° 37' 20" W 134.03 feet, thence binding on the southwest outline of

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Planning • Reports

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 24, 1974

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #75-9-A, West side of Eden Roc Court 396.60 feet Northwest of Eden Roc Way.
Petition for Variance for a Side Yard.
Petitioner - Alan N. Kanter and Harriet M. Kanter

3rd District

HEARING: Monday, July 29, 1974 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer at this time.
The granting of this request would not be inconsistent with the 1980 Guideplan.

Signature of William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rw

MCA
MCA ENGINEERING CORPORATION

"Eden Roc," (5) S 33° 01' 30" E 42.07 feet, thence binding on the shore-mentioned dividing line, (6) S 68° 38' 05" E 497.81 feet to the place of beginning.

Containing 1.43 acres of land, more or less.

HGW:dat J.O. No. 73483 November 23, 1973



BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLYBORN, P.E. Director
WILLIAM T. MELZER Deputy Traffic Engineer

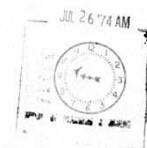
July 24, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Re: Item 24 - 2AC - June 25, 1974
Property Owner: Alan and Harriett Kanter
W/S Eden Roc Court, 396.60 feet NW of Eden Roc Way
Variance from Sections 301.1 and 1B02.3A and B of the Zoning Code to permit a side yard of 12.5 feet instead of the required minimum for an attached carport of 15 feet (a variance of 2.5 feet)
District 3

Dear Mr. DiNenna:
No traffic problems are anticipated by the requested variance to the side yard.

Very truly yours,
Signature of Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF/pk



Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner.

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety and general welfare of the community

to permit a side yard of 12.5 feet instead of the required 15 feet for an attached carport. It is ORDERED by the Zoning Commissioner of Baltimore County this 30th day of July, 1974, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1974, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

July 16, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #209 (1973-1974)
Property Owner: Alan N. & Harriett M. Kanter
W/S of Eden Roc Court, 396.60' NW of Eden Roc Way
Existing Zoning: D.R. 1
Proposed Zoning: Variance from Sections 301.1 and 1802.3A & B of the Zoning Code to permit a side yard of 12.5' instead of the required minimum for an attached carport of 15' (a variance of 2.5')
No. of Acres: 1.43 District: 3rd

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #209 (1973-1974).

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PNR:ss

C-WK Key Sheet
36 NW 15 Pos. Sheet
NW 9 D Topo
68 Tax Map

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County Fire Department

J. Austin Deltz
Chief



Towson, Maryland 21204
873-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Alan N. & Harriett M. Kanter

Location: W/S of Eden Roc Court, 396.60' NW of Eden Roc Way
Item No. 209 Zoning Agenda June 25, 1974

Gentlemen:

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at
- () 4. The maximum allowed by the Fire Department. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1973 Edition prior to occupancy.
- (X) 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: H. J. Felt
Planning Group
Special Inspector

Noted and Approved: Paul H. Reincke
Deputy Chief
Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 16, 1974

Michael H. Mannes, Esq.
6615 Reisterstown Road
Baltimore, Maryland 21215

RE: Variance Petition
Item 209
Alan N. & Harriett M. Kanter -
Petitioners

Dear Mr. Mannes:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the north side of Eden Roc Court, approximately 396 feet northwest of Eden Roc Way, in the 3rd Election District of Baltimore County. It is presently improved with an existing two-story brick and shingle dwelling and, additionally, a covered carport and concrete walk, which appear to be an integral part of the dwelling. Adjacent properties are all similarly improved.

The petitioner is requesting a Variance to permit a side yard setback of 12-1/2 feet for the existing open carport instead of the required 15 feet.

This Committee is not quite clear as to whether the original structure was built in error

Michael H. Mannes, Esq.
Item 209
July 16, 1974

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or whether the covered carport and walk was established subsequent to the construction of the dwelling.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JAMES E. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: MCA
1020 Cromwell Bridge Rd.
Baltimore, Maryland 21204

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

July 8, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 209, Zoning Advisory Committee Meeting, June 25, 1974, are as follows:

Property Owner: Alan N. & Harriett M. Kanter
Location: W/S of Eden Roc Court, 396.60' NW of Eden Roc Way
Existing Zoning: D.R. 1
Proposed Zoning: Variance from Sections 301.1 & 1802.3A & B of the Zoning Code to permit a side yard of 12.5' instead of the required minimum for an attached carport of 15' (a variance of 2.5')
No. of Acres: 1.43
District: 3rd

Private well and septic system on property appear to be satisfactory.

Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

JVB/mcf

Michael H. Mannes, Esq.
6615 Reisterstown Road
Baltimore, Maryland 21215

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted

for filing this 27th day of June 1974.

S. ERIC DINENNA,
Zoning Commissioner

Petitioner: Alan N. & Harriett M. Kanter

Petitioner's Attorney: Michael H. Mannes
cc: MCA, 1020 Cromwell Bridge Rd. (21204)

Reviewed by: James E. Byrnes, III
Chairman,
Zoning Advisory Committee

Plat showing property known as "A" Eden Roc Court, Baltimore County, Maryland. Also known as Lot 3 Block "C" as shown on Resubdivision Plat of Parcel "B" Block "C" Eden Roc and recorded among the Land Records Baltimore County in Plat Book O.T.G. 20-21.

GENERAL NOTES

1. Total area of Property equals ----- 1.49 Acres ±
2. Existing zoning of Property ----- "DR-1"
3. Existing use of Property ----- Residential
4. Proposed zoning of Property ----- "DR-1" with Side yard variance
5. Proposed use of Property ----- Residential
6. Subject site has a private wall & private sewage system
7. Petitioner is requesting a variance to sections 204.1 & 204.2A & B of the zoning code to permit a side yard of 12.5' instead of the required minimum for an attached carport of 15.00' (A variance of 2.50')

PLAT TO ACCOMPANY PETITION FOR SIDE YARD VARIANCE AT "B" EDEN ROC COURT

Election District 3
Scale: 1"=30'

Baltimore County, Md.
April 24, 1974



MCA □ □ □

CONSULTING
ENGINEERS

1020 Cramwell Bridge Rd. Baltimore, Md.

