

**PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS** (Urban R-32)

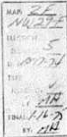
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Andrew C. Linhard and
I, or we, L. Carmen Linhard legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herby petition for a Variance from Section 1A09L3B.3 to permit a front yard setback of 42 ft. instead of the required 50 ft. from front property line and a setback of 42 ft. from the centerline of the front street instead of the required 75 ft.

the required 75 ft. of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
Practical difficulty

1. Front porch is existing now.
2. Owner wishes to enclose the porch for use as a sunporch and to help heat the front of the house.

See attached description



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.

Contract purchaser: Andrew C. Linhard
Legal Owner: L. Carmen Linhard
Address: Box 313 Mt. Carmel Rd
Parkton, Md. 21120
Petitioner's Attorney: _____
Protector's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of November, 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 25th day of December, 1974 at 10:15 o'clock.

(over)

December 10, 1974

Mr. & Mrs. Andrew C. Linhard
Box 313, Mt. Carmel Road
Parkton, Maryland 21120

RE: Petition for Variance
W/S of Mt. Carmel Road, 1900'
N of Prettyboy Dam Road (Parkton
Road) - 5th Election District
Andrew C. Linhard, et al -
Petitioners
NO. 75-127-A (Item No. 82)

Dear Mr. & Mrs. Linhard:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/scw
Attachments

DESCRIPTION FOR VARIANCE

BEGINNING at a point west side of Mt. Carmel Rd., said point being 1300 feet, more or less, north of Prettyboy Dam Road (Parkton Rd.), and thence running and binding along Mt. Carmel Rd., N7°43'00"W, 610.08 feet, thence S 83°47'00"W, 201.30 feet, thence S 5°29'00"E, 608.59 feet, and thence N84°07'20"E, 225.06 feet to the point of BEGINNING.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: December 6, 1974
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-127-A. Petition for Variance for Front Yard.
West side of Mt. Carmel Road, 1300 feet, more or less, North of Prettyboy Dam Road (Parkton Road).
Petitioner - Andrew C. Linhard and L. Carmen Linhard

5th District
HEARING: Monday, December 9, 1974 (10:15)

The staff of the Office of Planning and Zoning will offer no comment on this petition.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rw



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 18, 1974

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21284

JAMES B. BYRNES, III
Chairman

- MEMBER:
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

Mr. Andrew C. Linhard
Box 313, Mt. Carmel Road
Parkton, Maryland 21120

RE: Variance Petition
Item 82
Andrew C. & L. Carmen
Linhard - Petitioners

Dear Mr. Linhard:

The Zoning Plans 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 west side of Mt. Carmel Road, approximately 1300 feet north of Parkton Road, in the 5th Election District of Baltimore County. It is presently improved with a two-story frame dwelling and three out buildings of various sizes, with the remainder of this 2.9 acre tract unimproved. Large acreage farm properties abut the site on all sides.

The petitioner is requesting a Variance to permit a front yard setback of 42 feet from the center line of the street instead of the required 75 feet and proposes to enclose the existing front porch of the dwelling for use as a sun porch.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be 1d

Mr. Andrew C. Linhard
Re: Item 82
November 18, 1974

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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 B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Plans Advisory Committee

JBB:JD

Enclosure

cc: Leon A. Podolak and Associates
63 E. Main Street
Westminster, Md. 21157

**BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE**



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 82
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Mr. Andrew C. Linhard
Box 313, Mt. Carmel Road
Parkton, Md. 21120
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your Petition has been received and accepted for filing this 8th day of November, 1974.

S. Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner Andrew C. & L. Carmen Linhard

Petitioner's Attorney
cc: Leon A. Podolak and Associates
63 E. Main Street
Westminster, Md. 21157

Reviewed by *James B. Byrnes, III*
Chairman,
Zoning Advisory
Committee

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 Petitioners, the Variances should be had; and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety, and general welfare of the community, the Variances to permit a front yard setback of 34 feet in lieu of the required 50 feet and to permit a setback of 42 feet from the centerline of the front street in lieu of the required 75 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of December, 1974, that the herein Petition for Variances to permit a front yard setback of 34 feet in lieu of the required 50 feet and to permit a setback of 42 feet from the centerline of the front street in lieu of the required 75 feet 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 following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, the Variances should be had; and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety, and general welfare of the community, the Variances to permit a front yard setback of 34 feet in lieu of the required 50 feet and to permit a setback of 42 feet from the centerline of the front street in lieu of the required 75 feet should be granted.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of December, 1974, that the above Variance be and the same is hereby DENIED.

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



November 1, 1974

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

Dear Mr. DiNenna

Comments on Item #82, Zoning Advisory Committee Meeting, October 15, 1974, are as follows:

Property Owner: Andrew C and L. Carmen Linhard
Location: W/S of Mt. Carmel Road 1300 ft. N of Prettyboy Dam Rd. (Parkton Rd.)
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit a front yard setback of 32 ft. instead of the required 50 ft. from property line and a setback of 40 ft. from the centerline of the front street instead of the required 75 ft.
No. of Acres: 2.981
District: 5th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment

Very truly yours,
John L. Wimbly
John L. Wimbly
Planning Specialist II
Project and Development Planning

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

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF
November 12, 1974

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

Re: Item #82 (1974-1975)
Property Owner: Andrew C. & L. Carmen Linhard
W/S of Mt. Carmel Rd., 1300' N. of Prettyboy Dam Rd. (Parkton Rd.)
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit a front yard setback of 32' instead of the required 50' from property line and a setback of 40' from the centerline of the front street instead of the required 75'.
No. of Acres: 2.981 District: 5th

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.

Highways:
Mount Carmel Road, an existing public road, is proposed to be improved in the future as a 40-foot closed roadway section on a 60-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering, and the plan should be revised accordingly.

Sediment Control:
Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:
The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

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

HVB/ncp

Item #82 (1974-1975)
Property Owner: Andrew C. & L. Carmen Linhard
Page 2
November 12, 1974

Water and Sanitary Sewer:
Public water supply and sanitary sewerage are not available to serve this property which is utilizing private onsite facilities. This property lies beyond the Baltimore County Metropolitan District and the Urban Rural Delineation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended July 1973, indicates No Planned Service.

Very truly yours,
Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:RAM:FW:iss
cc: J. Somers
00-WE Key Sheet
114 NW 22 Top. Sheet
NW 29 F Topo
21 Tax Map

Baltimore County Fire Department

J. Austin Deitz
Chief
Towson, Maryland 21204
833-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Andrew C. & L. Carmen Linhard
Location: W/S of Mt. Carmel Rd. 1300 ft. N of Prettyboy Dam Rd. (Parkton Rd.)
Item No. 82 Zoning Agenda October 15, 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. EXCEEDS 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", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *H. J. Kelly* Noted and Approved: _____
Planning Group Special Inspection Division Deputy Chief Fire Prevention Bureau

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 17, 1974

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

Re: Item 82 Z.A.C. Meeting of: October 15, 1974
Property Owner: Andrew C. & L. Carmen Linhard
Location: W/S of Mt. Carmel Rd., 1300 ft. N. of Prettyboy Dam Rd., (Parkton Road).
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 1A00.3B.3 to permit a front yard setback of 32 ft. instead of the required 50 ft. from property line and a setback of 40 ft. from the centerline of the front street instead of the required 75 ft.

District: 5th
No. Acres: 2.981
Dear Mr. DiNenna: No bearing on student population.

Very truly yours,
W. Rick Polivish
Field Representative

WNP/rl

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>WBC</i>					Revised Plans:		Change in outline or description: Yes ___ No ___			
Previous case:					Map #					

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

October 31, 1974

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

Dear Mr. DiNenna:
Comments on Item 82, Zoning Advisory Committee Meeting, October 15, 1974, are as follows:

Property Owner: Andrew C. & L. Carmen Linhard
Location: W/S of Mt. Carmel Rd. 1300 ft. N of Prettyboy Dam Rd. (Parkton Rd.)
Existing Zoning: R.D.P.
Proposed Zoning: VARIANCE from Sec. 1A00.3B.3 to permit a front yard setback of 32 ft. instead of the required 50 ft. from property line & a setback of 40 ft. from the centerline of the front street instead of the required 75 ft.
No. of Acres: 2.981
District: 5th

Comments: Septic system appears to be functioning satisfactorily; dug water well acceptable.

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

HVB/ncp

