

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

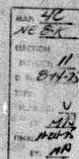
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, RONALD A. RUPP legal owner 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 a Variance from Section 1400.3B.3 to permit side yard setbacks of 10' 6" instead of the required 50'.

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

- (1) The lot is only 50 feet wide and the existing foundation is too weak to hold a larger house.

See attached description



RE: PETITION FOR VARIANCE
South side of Loxley Beach Road
1299.3 feet Southwest of the intersection
of Loxley Beach Rd., 11th District
RONALD M. RUPP, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-81-A

ORDER TO ENTER APPEARANCE

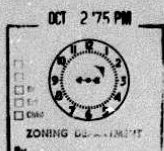
Mr. Commissioner:

Pursuant to the authority contained in Section 234.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the progress of any preliminary or final Order in connection therewith.

Charles E. Kopp, Jr.
Deputy People's Council

John W. Hooton, III
People's Council
County Office Building
Towson, Maryland 21204
494-2888

I hereby certify that on this 2nd day of October, 1975, a copy of the foregoing Order was mailed to Mr. Ronald M. Rupp, Box 976 A Loxley Beach Road, White Marsh, Maryland 21242, Petitioner.



October 20, 1975

Mr. & Mrs. Ronald M. Rupp
Box 976 A, Loxley Beach Road
White Marsh, Maryland 21242

RE: Petition for Variance
S/S of Loxley Beach Road, 1299.3'
SW of the intersection of Loxley
Beach Road - 11th District
Ronald M. Rupp, et al - Petitioners
NO. 76-81-A (Case No. 30)

Dear Mr. & Mrs. Rupp:

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

Very truly yours,

S. ERIC DINEEN
Zoning Commissioner

SED/vsl

Attachments

cc: John W. Hooton, III, Esquire
People's Council

DESCRIPTION FOR VARIANCE FOR RONALD & JOAN RUPP

BEGINNING AT A POINT 1299 FEET 3 INCHES WEST OF THE INTERSECTION
OF LOXLEY BEACH ROAD AND LOXLEY BEACH ROAD ON THE SOUTH SIDE OF
LOXLEY BEACH ROAD,
AS RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 10
FOLIO 8 AS LOT #27 OF "LOXLEY BEACH".

Property is to be posted and advertised as prescribed by Zoning Regulations.
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: Ronald M. Rupp
Legal Owner: Joan L. Rupp
Address: Box 976 A Loxley Beach Rd.
White Marsh, Md. 21242

Petitioner's Attorney: John W. Hooton, III
Protestant's Attorney: Charles E. Kopp, Jr.

Address: Box 976 A
SEP 9 - 75 AM
ORDERED By The Zoning Commissioner of Baltimore County, this 9th day
of September, 1975, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 188, County Office Building in Towson, Baltimore
County, on the 16th day of October, 1975, at 10:30 o'clock
By S. Eric Dineen
Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 24, 1975

Mr. Ronald M. Rupp
Box 976 A Loxley Beach Road
White Marsh, Maryland 21242

RE: Variance Petition
Item 30
Ronald & Joan Rupp - Petitioners

Dear Mr. Rupp:

The enclosed comments are to be included with
the Zoning Plans Advisory Committee comments sent
you September 17, 1975 under the above
referenced subject.

Very truly yours,

Franklin T. Hoggins, Jr.
FRANKLIN T. HOGGINS, JR.
Chairman,
Zoning Plans Advisory Committee

ETH:JD

Enclosure

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

Branch of Engineering
ELLSWORTH H. DIVER, P. E. CHIEF

September 19, 1975

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

Re: Item #30 (1975-1976)
Property Owner: Ronald and Joan Rupp
S/S of Loxley Beach Rd., 1,299' 3" W. of the intersection
of Loxley Beach Rd. and Loxley Beach Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1400.3B.3 to permit
side yard setbacks of 10' 6" instead of the required 50'.
District: 11th

Dear Mr. Dineen:

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:

The submitted plan must be revised to more correctly indicate the existing and
proposed improvements on this site and the relationship of the improvements on
adjacent lots thereto.

Highways:

Loxley Beach Road, an existing public road, is proposed to be improved in the
future on a 60-foot right-of-way. Highway improvements are not required at this
time. Highway right-of-way widening, based upon the centerline of the existing
right-of-way, including any necessary reversible easements for slopes, will be required
in connection with any grading or building permit application. The submitted plan
should be revised to indicate the proposed highway right-of-way widening.

Sediment Control:

Development of this property through stripping, grading and stabilization could
result in a sediment pollution problem, damaging private and public holdings down-
stream 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.

Project #30 (1975-1976)
Property Owner: Ronald and Joan Rupp
Page 2
September 19, 1975

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this
property which is utilizing private onsite facilities.

Very truly yours,

Ellsworth H. Diver, P.E.
Chief, Bureau of Engineering

END:RAN:PMR:es

cc: John Senors

10-41 Key Sheet
32 10 11 Fee Sheet
55 9 J Topo
73 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dineen, Zoning Commissioner Date: October 14, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition # 76-81-A. Petition for Variance for a Side Yard.
South side of Loxley Beach Road 1299.3 feet
Southwest of the intersection of Loxley Beach Road.
Petitioner - Ronald M. Rupp and Joan L. Rupp

11th District

HEARING: Thursday, October 16, 1975 at 10:30 A.M.

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



William D. Fromm
William D. Fromm,
Director of Planning

WDF:NEG:nb

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 above Variance should be had, and it further appearing that by reason of the STAFFING of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a side yard setback of 10 feet, 6 inches in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of October, 1975, that the herein Petition for the aforementioned 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.

[Signature]
Zoning Commissioner of Baltimore County

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 1975, that the above Variance be and the same is hereby DENIED.

[Signature]
Zoning Commissioner of Baltimore County

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 26, 1975

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

Z.A.C. Meeting of: August 26, 1975

Re: Item 38
Property Owner: Ronald & Joan Rupp
Location: S/S of Loreley Beach Rd. 1299'3" W. of the intersection of Loreley Beach Rd. & Loreley Beach Rd.
Present Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit side yard setbacks of 10'6" instead of the required 50'.

District: 11th
No. Acres:

Dear Mr. DiNenna:
No bearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative.

WHP/ml

H. ENSLEY PARKS, President
EUGENE C. NESS, Vice President
MRS. ROBERT L. BERTNEY

MARCUS M. BOTSARIS
JOSEPH N. MCGOWAN
ALVIN LORECK
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD R. BURTLEY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

FORMERLY:
BALTIMORE CONCRETE BLOCK CORP.

PHILADELPHIA HIGHWAY AT RACE STREET, BALTIMORE, MARYLAND
ZONING DISTRICT 11

September 26, 1975

Mr. Franklin T. Hogan, Jr. - Chairman
Baltimore County Zoning Plans Advisory Committee
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Hogan:

Enclosed are 10 copies of a revised plot plan for construction of a new dwelling for Mr. & Mrs. R.M. Rupp of Loreley Beach Road, White Marsh, Maryland. Please note that this dwelling will be constructed on property which is currently occupied by their present home.

Mr. & Mrs. Rupp desire to replace their current dwelling for various reasons. First, family size: husband, wife, and two children, dictates that three bedrooms are desired instead of only the two now available. Secondly, the present dwelling is in a state of ill repair and is possibly a fire hazard. Estimates to repair and enlarge the house have exceeded the cost of a new home. For these reasons, Mr. and Mrs. Rupp have decided to upgrade the property instead of selling and moving out.

The new home will not be much larger than the current home and its location has been moved to lie almost directly in the foundation of the existing building. The proposed 60 foot right-of-way has been located on the plot plan per the request of the Bureau of Engineering. Due to the limited width of the property, they have requested a variance from Sec. 1A00.3B.3 to permit side yard setbacks of 10'6" instead of the required 50'. They have also located the proposed dwelling so that there is available room to expand the existing septic system if required. The house is located fairly close to

MANUFACTURERS OF Bermuda Stone THE ORIGINAL MARYLAND MARBLE SPILT BLOCK

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 17, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hogan, Jr.
Chairman

Mr. Ronald M. Rupp
Box 976 A Loreley Beach Road
White Marsh, Maryland 21162

RE: Variance Petition
Item 38
Ronald & Joan Rupp - Petitioners

Dear Mr. Rupp:

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, currently zoned R.D.P., is located on the south side of Loreley Beach Road, approximately 1299 feet northwest of the north-south orientation of Loreley Beach Road, in the 11th Election District of Baltimore County.

The property is currently improved with a one-story masonry building and metal shed in what appears to be the front yard. Adjacent dwellings along the south side of Loreley Beach Road are improved with single family waterfront dwellings, while the property to the north is wooded unimproved land.

The petitioner is proposing to raze the existing



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

October 17, 1975

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

Dear Mr. DiNenna:

Revised Comments on Item #38, Zoning Advisory Committee Meeting, August 26, 1975, are as follows:

Property Owner: Ronald & Joan Rupp
Location: S/S of Loreley Beach Rd. 1299'3" W of the intersection of Loreley Beach Rd. & Loreley Beach Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit side yard setbacks of 10'6" instead of the required 50'.

No. of Acres:
District: 11th

The present septic system appears to be functioning satisfactorily and the private water well is an approved type. No health hazard is anticipated.

Very truly yours,

[Signature]
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

ENB:dlc

Mr. Ronald M. Rupp
Re: Item 38
September 17, 1975
Page 2

dwell and construct a 45'x28' dwelling with side setbacks of 10.5 feet in lieu of the required 50 feet; hence the side yard Variance request.

The petitioner should pay particular attention to the comments of the Health Department pertaining to the necessity of public facilities being made available to this site.

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,

[Signature]
NICHOLAS B. COMMODARI,
Zoning Technician II

NBC:JD

Enclosure

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. Wm. T. MILLER
DIRECTOR DEPUTY TRAFFIC ENGINEER

September 8, 1975

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

Re: Item 38 - ZAC - August 26, 1975
Property Owner: Ronald & Joan Rupp
Location: S/S of Loreley Beach Rd. 1299' 3" W of the intersection of
Loreley Beach Rd. & Loreley Beach Rd.
Existing Zoning: R. D. P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit side yard
setbacks of 10' 6" instead of the required 50'.
No. of Acres:
District: 11th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested
variance to the side yard.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Associate

NSF/202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 5, 1975

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

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

Dear Mr. DiNenna:

Comments on Item #38, Zoning Advisory Committee Meeting,
August 26, 1975, are as follows:

Property Owner: Ronald and Joan Rupp
Location: S/S of Loreley Beach Rd. 1299' 3" W of the
intersection of Loreley Beach Rd. and
Loreley Beach Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit
side yard setbacks of 10' 6" instead of
the required 50'.

No. of Acres:
District: 11th

Inspection of this property revealed an inadequate and
overflowing septic system; therefore, a new house would not be
approved by this Office until such time as metropolitan water and
sewer is made available.

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

EHV:dlp

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER

September 18, 1975

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 #38, Zoning Advisory Committee Meeting, August 26, 1975, are as follows:

Property Owner: Ronald and Joan Rupp
Location: S/S of Loreley Beach Road 1299' 3" W of Intersection of Loreley Beach Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3B.3 to permit side yard setbacks of 10' 6"
instead of the required 50'
No. of Acres:
District: 11th

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 ensure 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. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 108 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-2811 ZONING 484-2801

Item 38
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for
filing this 22nd day of September, 1975.

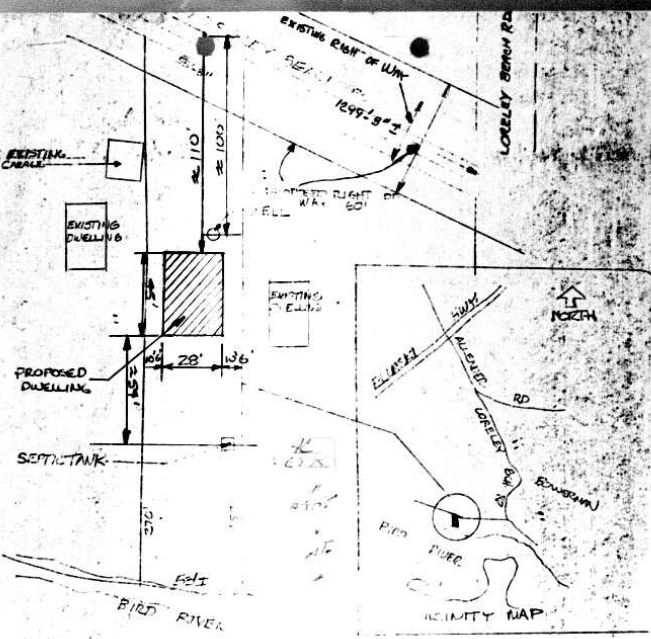
S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Ronald & Joan Rupp
Petitioner's Attorney Franklin T. Hoyans, Jr. Reviewed by Franklin T. Hoyans, Jr.
Chairman,
Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11th Date of Posting 9/25/75
Posted for: Monday, Thursday, Oct. 2 - 1975, 9:00 AM
Petitioner: Ronald M. Rupp
Location of property: S/S of Loreley Beach Rd. 1299' 3" W of the
Intersection of Loreley Beach Rd.
Location of Sign: 1 sign - 1 posted on Box 976 - A Loreley Beach Rd.

Remarks:
Posted by Mark H. Hena Date of return 10/2/75



PETITION FOR ZONING VARIANCE
FOR
R.M. RUPP & WIFE
BOX 976 A
LORELEY BEACH RD.
DISTRICT 11th
ZONED R.D.P.
PLAT BOOK 10/B
LOT 27

SCALE 1"=40'



CERTIFICATE OF PUBLICATION
ROSEDALE, MD., Sept. 29, 1975

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE OBSERVER, a weekly newspaper published
in Rosedale, Baltimore County, Md., one time before the
16th day of October 1975, the publication
appearing on the 25th day of September 1975.

THE OBSERVER,
Robert A. Ziegler
Advertising Mgr.

Cost of Advertisement \$19.20



CERTIFICATE OF PUBLICATION
TOWSON, MD., September 25, 1975

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., one time
of one time sixteen weeks before the 16th
day of October 1975, the 1975 publication
appearing on the 25th day of September
1975.

THE JEFFERSONIAN,
L. Lusk
Manager.

Cost of Advertisement, \$.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 25925

DATE Oct. 16, 1975 ACCOUNT 01-662

AMOUNT \$15.20

RECEIVED Joan L. Rupp, Box 976-A Loreley Beach Rd., Balto.
MD. 21204
FOR Advertising and posting of property
976-A

6216216 4520000

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 11th day of
August 19 Item #

Petitioner Ronald & Joan Rupp Submitted by same
Petitioner's Attorney Franklin T. Hoyans, Jr. Reviewed by DD

* This is not to be interpreted as acceptance of the Petition for
assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 23324

DATE Aug. 11, 1975 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Ronald Rupp, Box 976-A Loreley Beach Rd.
White Marsh, MD. 21162
FOR Petition for Variance

6016211 2500000

VALIDATION OR SIGNATURE OF CASHIER