

# 76-140-A (over 76-103) **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Thomas & Jane Gist 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 1A00.3B(3) to permit a sideyard

setback of ten (10) feet in lieu of the required fifty feet.

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

Due to severe overcrowding and lack of sufficient living space to accommodate three adults and one child (1. e. ---2 boys, ages 18 and 10 years sharing a bedroom 8' x 11') we find it imperative to seek a larger home; and with the housing market so high the most economically advantageous way to get more room is to enlarge our present home.

We would like to be able to pay off any ensuing mortgage without having to spread payments over too many years---again, the most feasible plan would be an addition to our present home.

With one son in college and another child's education to be considered, again, the cost factor is a primary concern to us when seeking larger living quarters; therefore we maintain that an addition to our present home is the best recourse for us.

This addition, however, will only be possible if we are allowed this variance.

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

For 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

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

For 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

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For 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

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day

of December 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 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 12th day of January 1976 at 10 o'clock

A.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE  
Beginning 510 feet North of  
Mt. Vista Road and 200 feet  
West of Raphael Road,  
11th District  
THOMAS GIST, Petitioner  
: BEFORE THE ZONING COMMISSIONER  
: OF BALTIMORE COUNTY  
: Case No. 76-140-A

## **ORDER TO ENTER APPEARANCE**

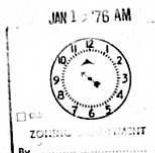
Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 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 passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.  
Charles E. Kountz, Jr.  
Deputy People's Counsel

John W. Hessian, III  
John W. Hessian, III  
People's Counsel  
County Office Building  
Towson, Maryland 21204  
494-2188

I hereby certify that on this 9th day of January, 1976, a copy of the foregoing Order was mailed to Mr. Thomas Gist, 11120 Raphael Road, Upper Falls, Maryland 21156, Petitioner.



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

*Branch of Engineering*  
ELLSWORTH N. DIVER, P. E. CHIEF

January 12, 1976

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

Re: Item #103 (1975-1976)  
Property Owner: Thomas & Jane Gist  
Beginning at a point 200' W. of the W/S of Raphael Rd.  
510' N. of Mt. Vista Rd.  
Existing Zoning: RDP  
Proposed Zoning: Variance from Sec. 1A00.3B(3) to permit a sideyard setback of 10' in lieu of the required 50'.  
No. of Acres: 200 x 100 District: 11th

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 property is located beyond the Baltimore County Metropolitan District and the Urban Rural Demarcation Line, and is utilizing private onsite water and sewerage facilities. The Baltimore County Comprehensive Water and Sewerage Plan indicates "Planned Service" in the area in 11 to 30 years.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #103 (1975-1976).

Very truly yours,

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

END:EAM:FWR:ss

Q-SE Key Sheet  
48 NE 39 Pos Sheet  
102 12 J Topo  
64 Tax Map

## **BALTIMORE COUNTY, MARYLAND**

### **INTER-OFFICE CORRESPONDENCE**

TO: S. Eric DiNenna, Zoning Commissioner Date: January 9, 1976  
FROM: William D. Fromm, Director of Planning  
SUBJECT: Petition # 76-140-A. Petition for Variance for a Side Yard.  
Beginning 510 feet North of Mt. Vista Road and 200 feet West of Raphael Road.  
Petitioner - Thomas Asplen Gist and Jane Calais Gist

11th District

HEARING: Monday, January 21, 1976 at 10:45 A.M.

There are no comprehensive planning factors requiring comment on this petition at this time.

William D. Fromm  
William D. Fromm  
Director of Planning

WDF:NEG:nb

JAN 9 76 PM



## **BALTIMORE COUNTY**

### **ZONING PLANS**

### **ADVISORY COMMITTEE**



### **PETITION AND SITE PLAN**

### **EVALUATION COMMENTS**

### **DESCRIPTION FOR VARIANCE**

Beginning at a point 200 feet west of the west side of Raphael Road, said point on Raphael Road being 510 feet approximately north of Mt. Vista Road, and thence running the following courses and distances: N 85° 55' W 200 feet, N 4° 05' E 100 feet, S 85° 55' E 200 feet, and S 4° 05' W 100 feet to the point of Beginning.

Mr. & Mrs. Thomas A. Gist  
11120 Raphael Road  
Upper Falls, Maryland 21156

RE: Petition for Variance  
Beginning 510' N of Mt. Vista Road  
and 200' W of Raphael Road - 11th  
Election District  
Thomas A. Gist, et ux - Petitioners  
NO. 76-140-A (Item No. 103)

Dear Mr. & Mrs. Gist:

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

Very truly yours,

S. Eric DiNenna  
S. ERIC DINENNA  
Zoning Commissioner

SED:sh

Attachment:

cc: John W. Hessian, III, Esquire  
People's Counsel

Item 103  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Mr. Thomas Asplen Gist  
11120 Raphael Road  
Upper Falls, Maryland 21156  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 2nd day of December 1975

S. Eric DiNenna  
S. Eric DiNenna  
Zoning Commissioner

Petitioner Thomas A. Gist

Petitioner's Attorney \_\_\_\_\_ Reviewed by Franklin T. Hoggans  
Chairman,  
Zoning Plans  
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 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, the Variance to permit a side yard setback of ten (10) feet in lieu of the required fifty (50) feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of January, 1976, 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.

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of January, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



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

December 16, 1975

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

Dear Mr. DiNenna:

Comments on Item #103, Zoning Advisory Committee Meeting, December 2, 1975, are as follows:

Property Owner: Thomas & Jane Gist  
Location: Beginning at a point 200' W of the W/S of Raphael Rd. 510' N of Mt. Vista Rd.  
Existing Zoning: RDP  
Proposed Zoning: Variance from Sec. 1A00.3B(3) to permit a sideyard setback of 10' in lieu of the required 50'.  
No. of Acres: 200 x 100  
District: 11th

A revised plot plan is required indicating method of water supply.

Very truly yours,

Thomas H. Devlin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

RJW:dls6

# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING  
111 N. Chesapeake Avenue  
Towson, Maryland 21204

Franklin T. HOGANS, Jr.  
Chairman

December 8, 1975

Mr. Thomas Asplen Gist  
11120 Raphael Road  
Upper Falls, Maryland 21156

RE: Variance Petition  
Item 103  
Thomas & Jane Gist- Petitioner

Dear Mr. Gist:

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 200 feet west of the west side of Raphael Road, 510 feet north of Mt. Vista Road, and is currently improved with a one-family cottage. The petitioner is requesting a Variance to permit a side yard setback of 10 feet in lieu of the required 50 feet, in order that an addition may be constructed on the east side of the cottage.

Adjacent properties are improved with single family residences.

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

Mr. Thomas Asplen Gist  
Re: Item 103  
Page 2  
December 8, 1975

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,

Franklin T. HOGANS, Jr.  
Chairman, Zoning Plans  
Advisory Committee

PTH:JD

Enclosure



STEPHEN E. COLLINS  
DIRECTOR

December 10, 1975

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

Re: Item 103 - ZAC - December 2, 1975  
Property Owner: Thomas & Jane Gist  
Location: Beginning at a point 200' W of the W/S of Raphael Rd. 510' N of Mt. Vista Road  
Existing Zoning: RDP  
Proposed Zoning: Variance from Sec. 1A00.3B(3) to permit a side yard setback of 10' in lieu of required 50'  
No. of Acres: 200 x 100  
District: 11th

Dear Mr. DiNenna:

The requested variance to the side yard is not expected to cause any traffic problems.

Very truly yours,

Michael S. Flanagan  
Traffic Engineer Associate

## Baltimore County Fire Department

J. Austin Deitz  
Chief



Towson, Maryland 21204

873-7316

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

Attention: Mr. Jack Dillon, Chairman  
Zoning Advisory Committee

Re: Property Owner: Thomas & Jane Gist

Location: Beginning at a point 200' W of the W/S of Raphael Rd. 510' N of Mt. Vista Road  
Item No. 103  
Zoning Agenda December 2, 1975

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.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed: [Signature] Noted and Approved: [Signature]  
Planning Group Acting Deputy Chief  
Special Inspection Division Fire Prevention Bureau



WILLIAM D. FROMM  
DIRECTOR

December 9, 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 #103, Zoning Advisory Committee Meeting, December 2, 1975, are as follows:

Property Owner: Thomas & Jane Gist  
Location: Beginning at a point 200' W. of the W/S of Raphael Road 510' N of Mt. Vista Road  
Existing Zoning: R.D.P.  
Proposed Zoning: Variance from Sec. 1A00.3B(3) to permit a sideyard setback of 10' in lieu of the required 50'  
No. of Acres: 200x100  
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 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. Wimbley  
Planning Specialist II  
Project and Development Planning

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 8, 1975

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

Z.A.C. Meeting of: December 2, 1975

Re: Item 103

Property Owner: Thomas & Jane Gist

Location: Beginning at a point 200' W. of the W/S of Raphael Rd. 510' N. of Mt. Vista Rd.

Present Zoning: R.D.P.

Proposed Zoning: Variance from Section 1A00.3B (3) to permit a sideyard setback of 10' in lieu of the required 50'.

District: 11th

No. Acres: 200 x 100

Dear Mr. DiNenna:

No bearing on student population.

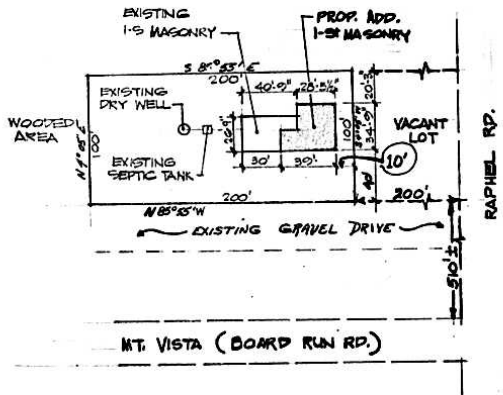
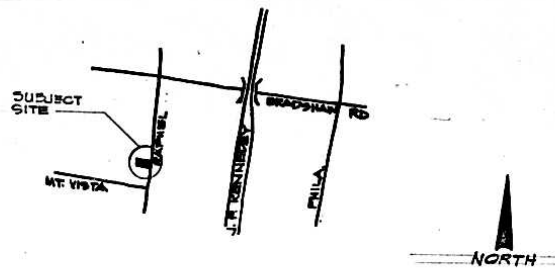
Very truly yours,

W. Nick Petrovich,  
Field Representative.

H. ENSLEY PARKS, President  
EUGENE C. HESS, Vice President  
MRS. ROBERT L. BERRY

MARCUS M. BOTSARIS  
JOSEPH N. MCGRAW  
ALVIN LORICK

T. BAYARD WILLIAMS, III  
RICHARD W. TRACY, III  
WES. WILSON, III



PETITION FOR ZONING VARIANCE  
FOR  
THOMAS & JANE A. GIST  
DISTRICT NO. 11 ZONED RDP  
SCALE: 1"=60'

| PETITION MAPPING PROGRESS SHEET                 |                                                                                                             |    |          |    |           |    |         |    |           |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------|----|----------|----|-----------|----|---------|----|-----------|
| FUNCTION                                        | Wall Map                                                                                                    |    | Original |    | Duplicate |    | Tracing |    | 200 Sheet |
|                                                 | date                                                                                                        | by | date     | by | date      | by | date    | by | date      |
| Descriptions checked and outline plotted on map |                                                                                                             |    |          |    |           |    |         |    |           |
| Petition number added to outline                |                                                                                                             |    |          |    |           |    |         |    |           |
| Denied                                          |                                                                                                             |    |          |    |           |    |         |    |           |
| Granted by<br>ZC, BA, CC, CA                    |                                                                                                             |    |          |    |           |    |         |    |           |
| Reviewed by: <u>N.B.C.</u>                      | Revised Plans:<br>Change in outline or description Yes <input type="checkbox"/> No <input type="checkbox"/> |    |          |    |           |    |         |    |           |
| Previous case:                                  | Map #                                                                                                       |    |          |    |           |    |         |    |           |

PETITION FOR A VARIANCE  
17th DISTRICT  
ZONING: Petition for Variance for a Side Yard.  
LOCATION: Beginning 510 feet North of Mt. Vista Road and 200 feet West of Raphael Road.  
DATE & TIME: MONDAY, JANUARY 12, 1976 at 10:45 A.M.  
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.  
Petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 10 feet instead of the required 20 feet.  
The Zoning Commission will be composed as follows:  
Barbara L. B. S. - Vice President - 60 feet.  
All that parcel of land in the Borough of Towson, Baltimore County, Maryland, containing 1.00 acre, more or less, being the property of Thomas Gist and Jane Gist, as shown on plat plan filed with the Zoning Department.  
Hearing Date: Monday, January 12, 1976 at 10:45 A.M.  
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.  
By Order of  
S. ERIC DINENNA  
ZONING COMMISSIONER OF BALTIMORE COUNTY (197)

# OFFICE OF THE ESSEX TIMES

ESSEX, MD. 21221 Dec. 23, 1975

THIS IS TO CERTIFY, that the annexed advertisement of  
Petition for a Variance- Gist  
was inserted in THE ESSEX TIMES, a weekly newspaper published in  
Baltimore County, Maryland, once a week for one  
week before the 12th day of Jan. 1976 that is to say, the same  
was inserted in the issues of Dec. 23, 1975.

STROMBERG PUBLICATIONS, Inc.

By Patricia Gist

PETITION FOR A VARIANCE  
17th DISTRICT  
ZONING: Petition for Variance for a Side Yard.  
LOCATION: Beginning 510 feet North of Mt. Vista Road and 200 feet West of Raphael Road.  
DATE & TIME: MONDAY, JANUARY 12, 1976 at 10:45 A.M.  
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.  
Petition for Variance from the Zoning Regulations of Baltimore County to permit a side yard setback of 10 feet instead of the required 20 feet.  
The Zoning Commission will be composed as follows:  
Barbara L. B. S. - Vice President - 60 feet.  
All that parcel of land in the Borough of Towson, Baltimore County, Maryland, containing 1.00 acre, more or less, being the property of Thomas Gist and Jane Gist, as shown on plat plan filed with the Zoning Department.  
Hearing Date: Monday, January 12, 1976 at 10:45 A.M.  
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.  
By Order of  
S. ERIC DINENNA  
ZONING COMMISSIONER OF BALTIMORE COUNTY (197)

## CERTIFICATE OF PUBLICATION

TOWSON, MD. December 23, 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., once in each of one (1) successive weeks before the 12th day of January, 1976, the first publication appearing on the 22nd day of December, 1975.

THE JEFFERSONIAN,  
Manager.

Cost of Advertisement, \$



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 28249  
DATE Jan. 12, 1976 ACCOUNT 01-662  
AMOUNT \$43.50  
RECEIVED FROM Thomas A. Gist, 11120 Raphael Rd., Upper Falls, Md.  
21156 Advertising and posting of property  
FOR #76-110-A  
\$43.50 43.50 CASH  
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 28221  
DATE Dec. 18, 1975 ACCOUNT 01-662  
AMOUNT \$25.00  
RECEIVED FROM Thomas A. Gist, 11120 Raphael Rd., Balto.  
Md. 21156 (Upper Falls, Md.)  
FOR Petition for Variance #76-110-A  
\$25.00 25.00 CASH  
VALIDATION OR SIGNATURE OF CASHIER