

76-189-A #156 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Donald & Mary Piper, legal owner... 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 1802.30.1 to permit

a rear yard set-back of 17.25'

instead of the required 30'

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

Reasons:
To permit house (approx. 24' x 54') facing South Cove Road
30' front and 17.25' rear.

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
Address: 1920 Kilmore Rd. Baltimore, Md. 21222

Legal Owner
Address: 1920 Kilmore Rd. Baltimore, Md. 21222

Petitioner's Attorney
Address: 1920 Kilmore Rd. Baltimore, Md. 21222

Protestant's Attorney
Address: 1920 Kilmore Rd. Baltimore, Md. 21222

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

February 1976, 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 22nd day of March, 1976, at 10:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER

SE corner of Lodge Forest Road and
South Cove Road, 15th District

OF BALTIMORE COUNTY

DONALD & MARY PIPER, Petitioners : Case No. 76-189-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.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 18th day of March, 1976, a copy of the foregoing

Order was mailed to Mr. and Mrs. Donald Piper, 1920 Kilmore Road, Baltimore, Maryland 21222, Petitioners.



March 22, 1976

Mr. & Mrs. Donald Piper
1920 Kilmore Road
Baltimore, Maryland 21222

RE: Petition for Variance
SE/corner of Lodge Forest Road and
South Cove Road - 15th Election District
Donald Piper, et ux - Petitioners
NO. 76-189-A (Item No. 156)

Dear Mr. & Mrs. Piper:

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

Very truly yours,

George J. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

DESCRIPTION FOR VARIANCE

Beginning at a point on the SE/4 of Lodge Forest Road and South Cove Road, and being all of lot #805, and one-half of lot #806 of the Revised Plat of Lodge Forest, W.P.C. liber 8, folio 86-87.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 5, 1976

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-189-A. Petition for Variance for a Rear Yard.
Southwest corner of Lodge Forest Road and South Cove Road.
Petitioners - Donald Piper and Mary Piper

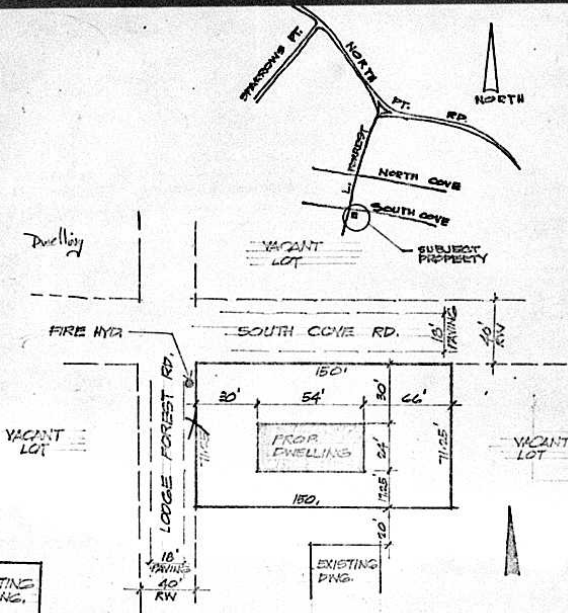
15th District

Hearing: Monday, March 22, 1976 at 10:00 A.M.

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

William D. Fromm
Director of Planning

WDF:JGH:mb



PETITION FOR ZONING VARIANCE
FOR
DONALD & MARY PIPER
#1920 KILMORE AVE. BALTO. MD. 21222
DISTRICT NO. 15
ZONED D.R. 5.5
PUBLIC FACILITIES EXISTING

SCALE: 1"=40'

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

March 18, 1976

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

Re: Item #156 (1975-1976)
Property Owner: Donald & Mary Piper
S/E cor. South Cove Rd. & Lodge Forest Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance for front and rear yard setbacks.
No. of Acres: 150 x 71.25 District: 15th
150 x 71.25

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:

Lodge Forest Road and South Cove Road, existing public roads, are proposed to be improved in the future as 40-foot and 30-foot closed section roadways on 50-foot and 40-foot rights-of-way, respectively.

Highway improvements are not required at this time. Highway rights-of-way widening, including a fillet area at the intersection, together with 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. The submitted plan must 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.

Item #156 (1975-1976)
Property Owner: Donald & Mary Piper
Page 2
March 18, 1976

Storm Drains: (Cont'd)

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are available to serve this property.

Very truly yours,

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

END:EAM:FWR:ss

cc: J. Trenner
J. Somers

A-NE Key Sheet
27 SE 33 Pos. Sheet
SE 7 I Topo
111 Tax Map

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 foregoing of the Variance requested not adversely affecting the health, safety and general welfare of the community.

to permit a rear yard setback of 17.25 feet instead of the required 30 feet should be granted.

IS ORDERED by the Zoning Commissioner of Baltimore County this 22nd

day of March, 1976, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order to permit a rear yard setback of 17.25 feet instead of the required 30, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy 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 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 5, 1976

COUNTY OFFICE BUILDING
211 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hogans, Jr.
XXXXXXXXXXXXXXXXXXXX
Chairman

Mr. Donald Piper
1920 Kilmore Road
Baltimore, Maryland 21222

RE: Variance Petition
Item 156
Donald and Mary Piper - Petitioners

Dear Mr. Piper:

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 issues or problems with regard to the development plan 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 southeast corner of South Cove Road and North Forest Road, and is currently an undeveloped residential lot. The petitioner is requesting a variance to permit a front and rear yard setback of 17.25 feet instead of the required 30, in order that a single family residence may be constructed on this lot facing South Cove Road. Adjacent properties are improved with single family dwellings in the immediate environs of this site.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice

Mr. Donald Piper
Re: Item 156
March 5, 1976
Page 2

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,

Franklin T. Hogans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman, Zoning Plans
Advisory Committee

FTH:JB
Enclosure

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

March 2, 1976

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

RE: Item 156 - ZAC - February 3, 1976
Property Owner: Donald & Mary Piper
Location: SE/C South Cove Rd. & North Forest Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance for front and rear yard setbacks
No. of Acres: 150 X 71.25
150 71.25
District: 15th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variances to the front and rear yard setbacks.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate

MSP:nc

Baltimore County
Health Department
TOWSON, MARYLAND 21204
(301) 225-7310

Paul H. Reincke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Donald and Mary Piper

Location: SE/C South Cove Rd., & North Forest Rd.

Item No. 156

Zoning Agenda February 3, 1976

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 EXCEEDS the maximum allowed by the Fire Department.
- () 4. 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.

(x) 6. Site plans are approved as drawn.

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

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

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

February 17, 1976

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

Dear Mr. DiNenna:

Comments on Item #156, Zoning Advisory Committee Meeting, February 3, 1976, are as follows:

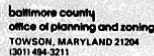
Property Owner: Donald and Mary Piper
Location: SE/C South Cove Rd. and North Forest Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance for front and rear yard setbacks
No. Acres: 150 X 71.25
150 71.25
District: 15th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:ph



WILLIAM D. FROMM
DIRECTOR

March 1, 1976

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 #156, Zoning Advisory Committee Meeting, February 3, 1976, are as follows:

Property Owner: Donald and Mary Piper
Location: SE/C South Cove Road and North Forest Road
Existing Zoning: D.R.5.5
Proposed Zoning: Variance for front and rear yard setbacks.
No. Acres: 150 x 71.25
150 x 71.25
District: 15th

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#76-189-14

District: 15th Date of Posting: 3-4-76
 Posted for: Heating Monday March 22, 1976 C. 10:00 AM
 Petitioner: Donaith Roper
 Location of property: S.E. 1/4 of Lodge Forest Rd. & South Cove Rd
 Location of Signs: 1 Sign posted on S.E. Cor. of Lodge Forest & South Cove Rds.
 Remarks:
 Posted by: Paul H. Hare Date of return: 3-11-76

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 4, 1976

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 one time successive weeks before the 22nd day of March, 19 76, the first publication appearing on the 4th day of March 19 76.

THE JEFFERSONIAN

D. Frank Strickler
Manager

Cost of Advertisement, \$_____

[illegible]

OFFICE OF
THE DUNDALK TIMES

DUNDALK, MD. 21222

March 4, 1976

THIS IS TO CERTIFY, that the annexed advertisement of
 Peititon for a Variance- Piper

was inserted in THE DUNDALK TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 22nd day of Mar. 1976, that is to say, the same was inserted in the issues of March 4, 1976.

STROMBERG PUBLICATIONS, Inc.

By Pete Sunk

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#76-189-14

District: 15th Date of Posting: 3-4-76
 Posted for: Heating Monday March 22, 1976 C. 10:00 AM
 Petitioner: Donaith Roper
 Location of property: S.E. 1/4 of Lodge Forest Rd. & South Cove Rd
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 Remarks:
 Posted by: Paul H. Hare Date of return: 3-11-76

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

No. 31681

DATE Mar. 18, 1976 ACCOUNT 01-662

AMOUNT \$47.50

RECEIVED FROM: Ronald Lee Schott, 2100 Lodge Forest Rd.
Baltimore, Md. 21219
 FOR: Advertising and posting of property for Donald
Piper #76-189-A

794214 19

4 7.5 C MSC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 28275

DATE January 28, 1976 ACCOUNT 01-662

AMOUNT **\$25.00**

RECEIVED FROM: Donald & Mary Piper
FOR: ~~XXXXXXXXXXXX~~ (Cash)
Petition for Variance

2992 JAN 26

25.0 C HSC

VALIDATION OR SIGNATURE OF CASHIER



149

22-6 SE



4