

**PETITION FOR ZONING VARIANCE  
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, BERtha C. Kilian, 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 1102.34.1 to permit lot widths of 60 feet, in lieu of the required 70 feet, for lots 13, 14, and 15.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (attach separate affidavits)

THE THREE LOTS, NUMBERED THIRTEEN, FOURTEEN AND FIFTEEN OF SUBDIVISION GRARY A, LONG PROPERTY, WAS REGISTERED AS THREE SEPARATE LOTS WITH THE COUNTY BEFORE MY PARENTS BOUGHT THE LOTS. WHEN THEY BUILT THEIR HOUSE, THEY BUILT IT ON THE MIDDLE LOT, SO A HOUSE COULD BE BUILT ON EACH OF THE REMAINING TWO LOTS. BUT BECAUSE THE ZONING LAWS HAD BEEN CHANGED SINCE THEY PURCHASED THE LOTS, ALL THREE LOTS DOES NOT MEET ALL THE ZONING REGULATIONS. THE ONLY REGULATION THAT THE LOTS DOES NOT MEET, IS THE LOT WIDTH OF SEVENTY FEET.

SINCE MY FATHER DIED, I HAVE BEEN DOING MOST OF THE MAINTENANCE TO THE HOUSE AND GROUNDS. RIGHT NOW, I RENT A HOUSE CLOSE BY, BUT WOULD RATHER BUILD A HOME NEXT TO MY MOTHER, SO THAT I COULD CONTINUE TO TAKE CARE OF MY MOTHER'S PLACE AS SHE GROWS OLDER. THE OTHER LOT WOULD BE FOR MY YOUNGER BROTHER; FOR HIM TO BUILD A HOUSE LATER.

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 of Baltimore County.

Bertha C. Kilian  
Petitioner's Attorney  
Howard J. Kilian  
Legal Owner  
4708 RIDGE RD.  
BALTO. MD. 21236

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of August 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 15th day of September, 1976, at 10:30 o'clock A. M.

Donald R. Duff  
Zoning Commissioner of Baltimore County.

DATE RECEIVED FOR FILING



**Baltimore County**  
Department of Health  
TOWSON, MARYLAND 21286

Donald R. Duff, M.D., M.P.H.  
DEPUTY STATE AND COUNTY HEALTH OFFICER

August 25, 1976

Mr. S. Eric DiMenna, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21286

Dear Mr. DiMenna:

Comments on Item # 24, Zoning Advisory Committee Meeting, August 10, 1976, are as follows:

Property Owner: Bertha C. Kilian  
Location: N/S Ridge Rd., 1350' E Fitch Rd.  
Existing Zoning: D.A. 3.5  
Proposed Zoning: Variance to permit lot widths of 60' in lieu of the required 70'

Area: 178.5 x 201.02  
186.5 x 761.92  
District: 14th

Metropolitan water and sewer are available.

Very truly yours,  
Thomas E. Swin  
Thomas E. Swin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

**BALTIMORE COUNTY, MARYLAND**

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: August 31, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition 477-59-A.  
Petition for Variance for lot widths  
North side of Ridge Road 1350 feet East of Fitch Avenue  
Petitioner - Bertha C. Kilian

14th District

HEARING: Wednesday, September 15, 1976 (10:30 A.M.)

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

Norman E. Gerber  
Norman E. Gerber  
Acting Director of Planning

**BALTIMORE COUNTY ZONING ADVISORY COMMITTEE**

September 7, 1976

COUNTY OFFICE BLDG.  
106 Towson Road  
Towson, Maryland 21286

MEMBER:  
Mrs. Bertha C. Kilian  
4704 Ridge Road  
Baltimore, Maryland 21236

RE: Variance Petition  
Item 24  
Bertha C. Kilian - Petitioner

Dear Mrs. Kilian:

The Zoning Planning 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.

This site, zoned D.R. 3.5, is located on the north side of Ridge Road approximately 1350 feet east of Fitch Avenue.

This property, consisting of three 60 foot lots, is improved with a small brick dwelling. Adjacent properties to the east, west and south are also improved with similar type dwellings. Vacant wooded land exists to the north. A variance to allow the existing dwelling to remain on the No. 14 (60 feet wide) and construct new dwelling on lots 13 and 15 (also 60 feet wide) in lieu of the required 70 feet is being requested.

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

**BALTIMORE COUNTY, MARYLAND**

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: August 31, 1976

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SUBJECT: Petition 477-59-A.  
Petition for variance for lot widths  
North side of Ridge Road 1350 feet East of Fitch Avenue  
Petitioner - Bertha C. Kilian

14th District

HEARING: Wednesday, September 15, 1976 (10:30 A.M.)

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

Norman E. Gerber  
Norman E. Gerber  
Acting Director of Planning

Mrs. Bertha C. Kilian  
No: Item 24  
September 7, 1976  
Page 2

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,  
Nicholas B. Commodari  
NICHOLAS B. COMMODARI,  
Planning & Zoning  
Associate III

Enclosure

cc: Albert S. Pohmer, Surveyor  
and Civil Engineer  
215 J. Charles Street  
Baltimore, Md. 21201

NEG:GHW

ORDER RECEIVED FOR FILING  
DATE

Pursuant to the advertisement 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 create a practical difficulty and unreasonable hardship upon the Petitioner:

the above Variance should be granted, 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, the Variance to permit lot widths of 60 feet in lieu of the required 70 feet for lots Nos. 13, 14, and 15 should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of September, 1976, that the herein Petition for the above mentioned Variance should be and the same are GRANTED, from and after the date of this Order, subject to the approval of the Department of Public Works and the Office of Planning and Zoning.

Pursuant to the advertisement 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 17th day of September, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: August 31, 1976  
FROM: Norman E. Gerber, Acting Director of Planning  
SUBJECT: Petition 477-59-A  
Petition for Variance for Lot Widths  
North side of Ridge Road 1350 Feet East of Fitch Avenue  
Petitioner - Bertha C. Killian

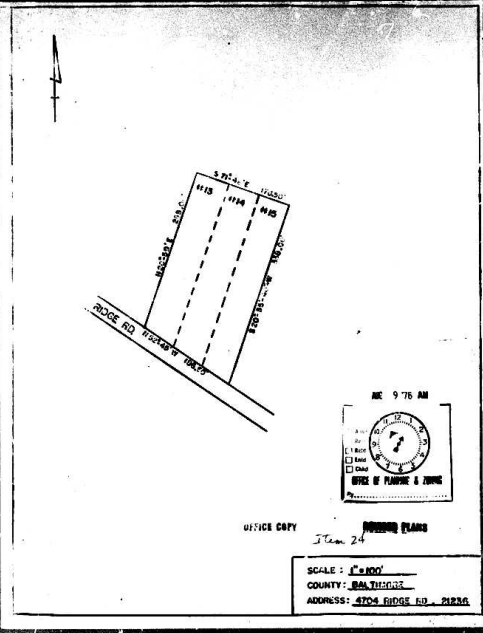
14th District

HEARING: Wednesday, September 15, 1976 (10:30 A.M.)

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

*Norman E. Gerber*  
Norman E. Gerber  
Acting Director of Planning

REG:JSM:rw



OFFICE COPY

SCALE: 1" = 100'  
COUNTY: BALTIMORE  
ADDRESS: 4704 RIDGE RD. - PIERCE



Mr. S. Eric DiMenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21284

September 8, 1976

Re: Item #24 (1976-1977)  
Property Owner: Bertha C. Killian  
N/S Ridge Rd., 1350' E. Fitch Ave.  
Existing Zoning: DR-3.5  
Proposed Zoning: Variance to permit lot widths of 60' in lieu of the required 70'.  
Acres: 126.5 x 701.00 District: 14th  
186.5 761.92

Dear Mr. DiMenna:

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

Ridge Road, an existing public road, is proposed to be improved in the future as a 40-foot lined section roadway on a 50-foot right-of-way. Highway improvements, including highway right-of-way widening and 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.

Setback Control

Development of this property through striping, grading and stabilization will result in a sediment pollution problem, damaging private and public buildings down stream of the property. A grading permit is, therefore, necessary for all grading including the striping of top soil.

Storm Drainage

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damages to adjacent properties, especially 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.



STEPHAN COLLINS  
DIRECTOR

August 19, 1976

Mr. Eric S. DiMenna  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21284

Re: Item 24 - 2AC - August 10, 1976  
Property Owner: Bertha C. Killian  
Location: N/S Ridge Rd., 1350' E. Fitch Ave.  
Existing Zoning: D.R. 3.5  
Proposed Zoning: Variance to permit lot widths of 60' in lieu of the req. 70'.  
Acres: 126.5 x 701.00  
District: 14th  
186.5 761.92

Dear Mr. DiMenna:

No major traffic engineering problems are anticipated by the requested variance to the lot width.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate

MSF:nc

Item #14 (1976-1977)  
Property Owner: Bertha C. Killian  
Page 2  
September 9, 1976

Water and Sanitary Sewer

Public water supply and sanitary sewerage exist in Ridge Road.

Very truly yours,

*William N. Diven, P.E.*  
WILLIAM N. DIVEN, P.E.  
Chief, Bureau of Engineering

END:SAW:PM:ms  
cc: J. Tramm  
J. Sobers

MSW Key Sheet  
25 NE 24 Pos. Sheet  
NE 7 P. 7500  
BI Tax Map



OFFICE OF  
THE TIMES  
NEWSPAPERS  
TOWSON, MD. 21204 August 25, 1976

THIS IS TO CERTIFY, that the annexed advertisement of Petition for a Variance-- Killian was inserted in the following:

- Catonsville Times  Towson Times
- Dundalk Times  Arbutus Times
- Essex Times  Community Times
- Suburban Times East  Suburban Times West

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 15th day of Sept. 1976, that is to say, the same was inserted in the issues of August, 25, 1976.

STROMBERG PUBLICATIONS, INC.  
BY *Pat Strick*



OFFICE OF  
THE TIMES  
NEWSPAPERS  
TOWSON, MD. 21204 August 25, 1976

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- Catonsville Times  Towson Times
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weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 15th day of Sept. 76, that is to say, the same was inserted in the issues of August 25, 1976.

STROMBERG PUBLICATIONS, INC.  
BY *Pat Strick*

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 5, 1976

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

Z.A.C. Meeting of: August 10, 1976

Re: Item 24  
Property Owner: Bertha C. Kilian  
Location: N/S Ridge Rd. 1350' E. Fitch Rd.  
Present Zoning: D.R. 3.5  
Proposed Zoning: Variance to permit lot widths of 60' in lieu of the required 70'.

District: 14th  
No. Acres: 178.5 x 701.00  
186.5 701.92

Dear Mr. DiNenna:  
No bearing on student population.

Very truly yours,  
*W. Nick Petrovich*  
W. Nick Petrovich,  
Field Representative.

KNF/ml



Paul H. Reinecke  
Chief

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

Attention: Mr. Frank Spotts, Chairman  
Zoning Advisory Committee

Re: Property Owner: Bertha C. Kilian

Location: N/S Ridge Rd. 1350' E Fitch Rd.  
Item No. 24  
Meeting Agenda: August 10, 1976

Comments:  
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below which 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 demand 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 "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: *[Signature]* Noted and Approved: *George M. Wagonet*  
Planning Group Battalion Chief  
Special Inspection Division Fire Prevention Bureau



Norman E. Gerber  
Acting Director

August 5, 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 #24, Zoning Advisory Committee Meeting, August 10, 1976, are as follows:

Property Owner: Bertha C. Kilian  
Location: N/S Ridge Road 1350' E. Fitch Road  
Existing Zoning: D.R. 3.5  
Proposed Zoning: Variance to permit lot widths of 60' in lieu of the required 70'  
Acres: 178.5 x 701.00  
186.5 701.92  
District 14

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  
Planner III  
Project and Development Planning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 31, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-59-A  
Petition for Variance for Lot Widths  
North side of Ridge Road 1350 feet East of Fitch Avenue  
Petitioner - Bertha C. Kilian

14th District

HEARING: Wednesday, September 15, 1976 (10:30 A.M.)

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

*Norman E. Gerber*  
Norman E. Gerber  
Acting Director of Planning

NEG:JHR/w

DESCRIPTION FOR VARIANCE

PROPERTY OF BERTHA C. KILIAN

Beginning at a point on the North side of Ridge Road approximately 1350 feet East of Fitch Avenue, N 200° - 55' E 288.00', S 710° - 48' E 178.50', S 200° - 55' - 40' W 338.00', and N 510° - 45' W 186.50'.

Also known as 4704 Ridge Road.

September 17, 1976

Mrs. Bertha C. Kilian  
4704 Ridge Road  
Baltimore, Maryland 21234

RE: Petition for Variance  
N/S of Ridge Road, 1350' E  
of Fitch Avenue - 14th Elec-  
tion District  
Bertha C. Kilian - Petitioner  
NO. 77-59-A (Item No. 24)

Dear Mrs. Kilian:

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

Very truly yours,

*[Signature]*  
S. ERIC DI NENNA  
Zoning Commissioner

SED/aw

Attachments

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

BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
BERTHA C. KILIAN, Petitioner  
Case No. 77-59-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

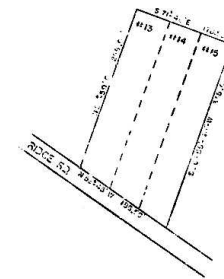
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

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

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

I HEREBY CERTIFY that on this 3rd day of September, 1976, a copy of the foregoing Order was mailed to Mrs. Bertha C. Kilian, 4704 Ridge Road, Baltimore, Maryland 21234, Petitioner.

John W. Heaston, III



REVISED PLANS

DATE: SEP 17 1976  
CASE NO.: 77-59-A  
HOURS: 8:00 AM TO 5:00 PM

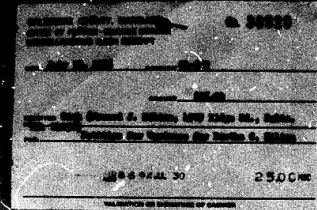
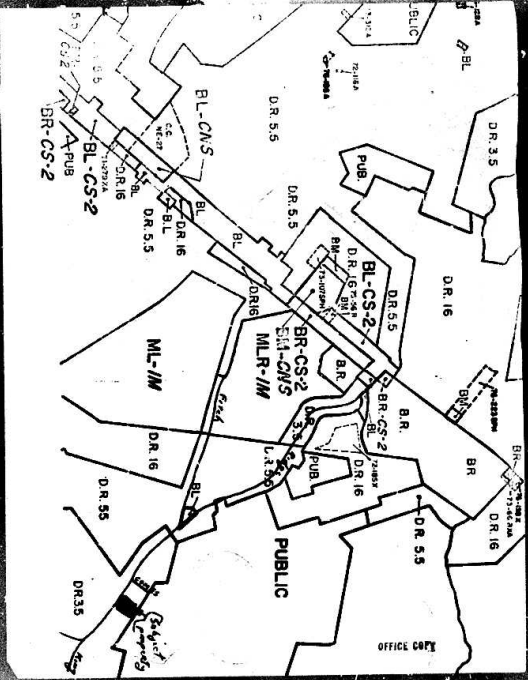
**CERTIFICATE OF PUBLICATION**

TOWSON, MD. August 25, 1976

THIS IS TO CERTIFY that the proposed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 25th day of August, 1976, before the 19th day of September, 1976, the first publication appearing on the 26th day of August, 1976.

THE JEFFERSONIAN  
*B. Leach Smith*  
 Manager

Cost of Advertisement, \$ \_\_\_\_\_



**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING**

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21284

Your Petition has been received • this 28 day of July 1976. Filing Fee \$ 25.00 Received  Cash  Other

*S. Eric Dinsaha*  
 S. Eric Dinsaha  
 Zoning Commissioner

Petitioner Frank J. ... Submitted by Marshall Cox  
 Petitioner's Attorney Marshall Cox Reviewed by ...  
 • This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

**CERTIFICATE OF POSTER**

BALTIMORE COUNTY DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District 144 Date of Posting 8-25-76  
 Posted for Posting 7/21/76, 151-1976, 151-1976, 151-1976  
 Petitioner Burke B. Kahan  
 Location of property 151-1976, 151-1976, 151-1976  
 Location of signs 151-1976, 151-1976, 151-1976  
 Posted by Mark H. ... Date of return 9-2-76

**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING**

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21284

Your Petition has been received • this 30th day of July 1976. Filing Fee \$ 25.00 Received  Cash  Other

*S. Eric Dinsaha*  
 S. Eric Dinsaha  
 Zoning Commissioner

Petitioner Burke B. Kahan Submitted by Ward J. ...  
 Petitioner's Attorney ... Reviewed by ...

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

