

77-247-A #226 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mr. & Mrs. Myles Feldman, 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 1802.39 (205.3) to permit a side set back of 1 foot in lieu of the required 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (Indicate hardship or practical difficulty.)
To properly keep our automobiles in good condition and rust free, in order to keep them for a long period of time, we require a garage, on our property. However, because of the existing dwelling location it is not practical to place the garage both in a readily accessible position and within the existing zoning setbacks. It should be noted that garages and/or carports have been built on almost every other adjacent property including both immediate neighbors.

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.

DATE June 13, 1977
Contract purchaser Myles Feldman
Legal Owner
Address 423 Birch Hollow Road
Baltimore, Maryland 21208
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of June, 1977, 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of June, 1977, at 10:45 A.M.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: May 31, 1977
FROM: Norman E. Gerber, Acting Director
SUBJECT: Petition #77-247-A. Petition for Variance for a Side Yard.
South side of Birch Hollow Road 773.68' East of Stevenson Rd.
Petitioner - Myles Feldman and Beverly Feldman

3rd District

HEARING: Monday, June 13, 1977 (10:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition. However, it is suggested that the establishment of a 1'-wide side yard setback on a residential lot would either preclude the granting of a similar variance on the adjacent lot or could result in the creation of a 2'-wide alleyway between houses - a condition similar to tenement air shafts.

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

REG:JRM:hw

RE: PETITION FOR VARIANCE
S/S of Birch Hollow Rd. 773.68' E of
Stevenson Rd., 34d District
MYLES FELDMAN, et ux, Petitioners
: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 77-247-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. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 8th day of June, 1977, a copy of the foregoing Order was mailed to Mr. & Mrs. Myles Feldman, 3425 Birch Hollow Road, Baltimore, Maryland 21208, Petitioners.

John W. Hession, III
John W. Hession, III



June 16, 1977

Mr. & Mrs. Myles Feldman
3425 Birch Hollow Road
Baltimore, Maryland 21208

RE: Petition for Variance
S/S of Birch Hollow Road, 773.68' E
of Stevenson Road - 3rd Election District
Myles Feldman, et ux - Petitioners
NO. 77-247-A (Item No. 226)

Dear Mr. & Mrs. Feldman:

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

Very truly yours,

George J. DiMenna
Deputy Zoning Commissioner

GJM/mc

Attachments

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

THE MR AND MRS FELDMAN RESIDENCE
3425 BIRCH HOLLOW ROAD
BALTIMORE, MARYLAND 21208

*** SURVEYOR'S DESCRIPTION ***

EAST
BEGINNING FROM THE POINT 773.68 FEET FROM THE CENTERLINE OF STEVENSON ROAD, ON THE SOUTH SIDE OF BIRCH HOLLOW ROAD AND COMPRISING LOT 18, STEVENSON AT AUTON FARMS, SECTION 1, BLOCK A, BALTIMORE COUNTY, MARYLAND, ELECTION DISTRICT 3, AND RECORDED IN BNC 30, FOLIO 7.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Myles Feldman
3425 Birch Hollow Road
Baltimore, Maryland 21208
Room No. 226

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 10th day of April, 1977

S. Eric DiMenna
S. Eric DiMenna
Zoning Commissioner

Petitioner: Myles & Beverly Feldman

Petitioner's Attorney

Reviewed by William B. Tucker
Nicholas P. Connelley, Jr.
Planning & Zoning
Associate III

cc: Norm and Annmar, Inc.
One Investment Plaza
Towson, Maryland 21204



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

May 9, 1977

Re: Item #226 (1976-1977)
Property Owner: Myles Feldman
S/S Birch Hollow Rd. 773.68' E. Stevenson Rd.
Existing Zoning: D.B. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 15'.
Acres: 0.668 District: 3rd

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.

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #226 (1976-1977).

Very truly yours,

Donald W. Tucker, P.E.
DONALD W. TUCKER, P.E.
Acting Chief, Bureau of Engineering

DMT:EAM:PMW:hw

0-10 Key Sheet
30 100 1000 Feet Scale
100 1000 10000 Feet Scale
60 Tax Map

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

to permit a side yard setback of 1 foot instead of the a Variance required 15 feet.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th

day of June, 1977, 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.

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 June, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Mr. Myles Feldman
Mrs. Beverly Feldman
Page 2
Item No. 226
June 6, 1977

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 60 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Comodari
NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

ENC: 1

cc: Kamm and Ammon, Inc.
One Investment Place
Towson, Maryland
21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

OFFICE ALSO
TOWSON, MARYLAND 21204
Nicholas B. Comodari
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

STATE BOARD OF COMMISSIONERS

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

RECORDS ADMINISTRATION

DEVELOPMENT

June 6, 1977

Mr. Myles Feldman
Mrs. Beverly Feldman
3425 Birch Hollow Road
Baltimore, Maryland 21208

RE: Variance Petition
Item No. 226
Petitioner - Myles Feldman
Beverly Feldman

Dear Mr. & Mrs. Feldman:

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.

Located on the south side of Birch Hollow Road approximately 773 feet east of Stevenson Road in the 3rd Election District, this D.R. 2 zoned site is presently improved with a one story brick dwelling. Adjacent properties are also zoned D.R. 2 and improved with similar type uses.

This Variance is necessitated by your proposal to construct a garage to the side of the existing dwelling within one foot of the side property line in lieu of the required 15 feet.

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 458-2211

May 20, 1977

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

Dear Mr. DiNenna:

Comments on Item 226, Zoning Advisory Committee Meeting, April 19, 1977, are as follows:

Property Owner: Myles Feldman
Location: 3425 Birch Hollow Road 773.68' E Stevenson Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 15'.
Acres: 0.468
District: 3rd

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
John L. Wimbley
Planner III
Project and Development Planning

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3680

STEPHEN E. COLLINS
DIRECTOR

May 18, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, MD 21204

Re: Item 226 - SAC - April 19, 1977
Property Owner: Myles Feldman
Location: 3425 Birch Hollow Road 773.68' E Stevenson Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 15'.
Acres: 0.468
District: 3rd

Dear Mr. DiNenna:

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

Sincerely,

Michael S. Flanagan
Michael S. Flanagan
Associate Traffic Engineer

MSF/jlf

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
(301) 458-7210

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

May 4, 1977

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

Dear Mr. DiNenna:

Comments on Item 226, Zoning Advisory Committee Meeting, April 19, 1977, are as follows:

Property Owner: Myles Feldman
Location: 3425 Birch Hollow Rd. 773.68' E Stevenson Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 15'.
Acres: 0.468
District: 3rd

Since metropolitan water and sewer are available, no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
THOMAS H. DEVLIN
DIRECTOR OF ENVIRONMENTAL SERVICES

THD/bw/rhs

Baltimore County
Department of Health
TOWSON, MARYLAND 21204
(301) 458-7210

Paul H. Reinecke
CHIEF

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

Attention: Nicholas B. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Myles Feldman

Location: 3425 Birch Hollow Rd. 773.68' E Stevenson Rd.

Item No. 226 Zoning Agenda April 19, 1977

Comments:

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 100 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. 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.
7. The Fire Prevention Bureau has no comments, at this time.

APPROVED: _____
Planning Group
Special Inspection Division

Noted and Approved: _____
Battalion Chief
Fire Prevention Bureau

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 458-3610

JOHN D. SEYFERT
DIRECTOR

April 19, 1977

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

Dear Mr. DiNenna:

Comments on Item # 226 Zoning Advisory Committee Meeting, April 19, 1977 are as follows:

Property Owner: Myles Feldman
Location: 3425 Birch Hollow Road 773.68' E Stevenson Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 15'.
Acres: 0.468
District: 3rd

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☒ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief
CER/bv

AUG 01 1977

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 19, 1977

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

Z.A.C. Meeting of: April 19, 1977

RE: Item No: 226
Property Owner: Myles Feldman
Location: 515 Birch Hollow Rd. 773.68' E. Stevenson Rd.
Present Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 15'.

District: 3rd
No. Acres: 0.468

Dear Mr. DiNenna:

No hearing on student population

Very truly yours,

W. Nick Petrorch
W. Nick Petrorch,
Field Representative

MNP/bp

JOSEPH M. MCCORMAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BUTLER, JR.

THOMAS H. BOWEN
MRS. LORRAINE F. CHURCH
ROGER E. HARTMAN
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILDRED L. SMITH, JR.
MICHAEL W. TRACEY, D.V.M.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 15th day of

July 1977. Filing Fee \$ 2.00 Received ☒ Check

☐ Cash

☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Myles J. Feldman Submitted by W. Nick Petrorch

Petitioner's Attorney — Reviewed by —

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

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 June 3 19 77

Petition for Variance-3rd Dist.

THIS IS TO CERTIFY, that the annexed advertisement of

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 1 successive weeks before the 13 day of June 19 77, that is to say, the same was inserted in the issues of

May 25, 1977

STROMBERG PUBLICATIONS, INC.

BY *Cal S. S. S.*

1-SIGN

77-247-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: MAY 28, 1977

Posted for: PETITION FOR VARIANCE

Petitioner: MYLES FELDMAN

Location of property: 515 E. BIRCH HOLLOW RD. 773.68' E. OF

STEVENSON RD.

Location of signs: FRONT 342.5 BIRCH HOLLOW RD.

Remarks: —

Posted by: Thomas R. Deane Date of return: JUNE 3, 1977

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

No. 51795

DATE June 20, 1977 ACCOUNT 01-662

AMOUNT \$19.55

RECEIVED Myles J. Feldman 515 Birch Hollow Road, Balto.
FROM: Times
FOR: Advertising and posting of property
#77-247-A

3925

VALIDATION OR SIGNATURE OF CARRIER

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

No. 51753

DATE May 23, 1977 ACCOUNT 01-662

AMOUNT \$25.00

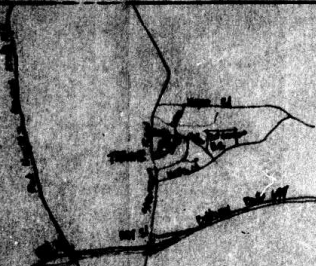
RECEIVED Kann & Kannon, Inc., Suite 109 One Investment
FROM: Times
FOR: Petition for Variance for Myles Feldman
#77-247-A

2500

VALIDATION OR SIGNATURE OF CARRIER

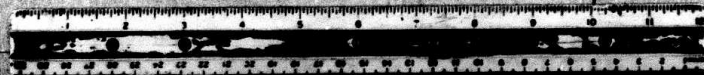


AUG 04 1977

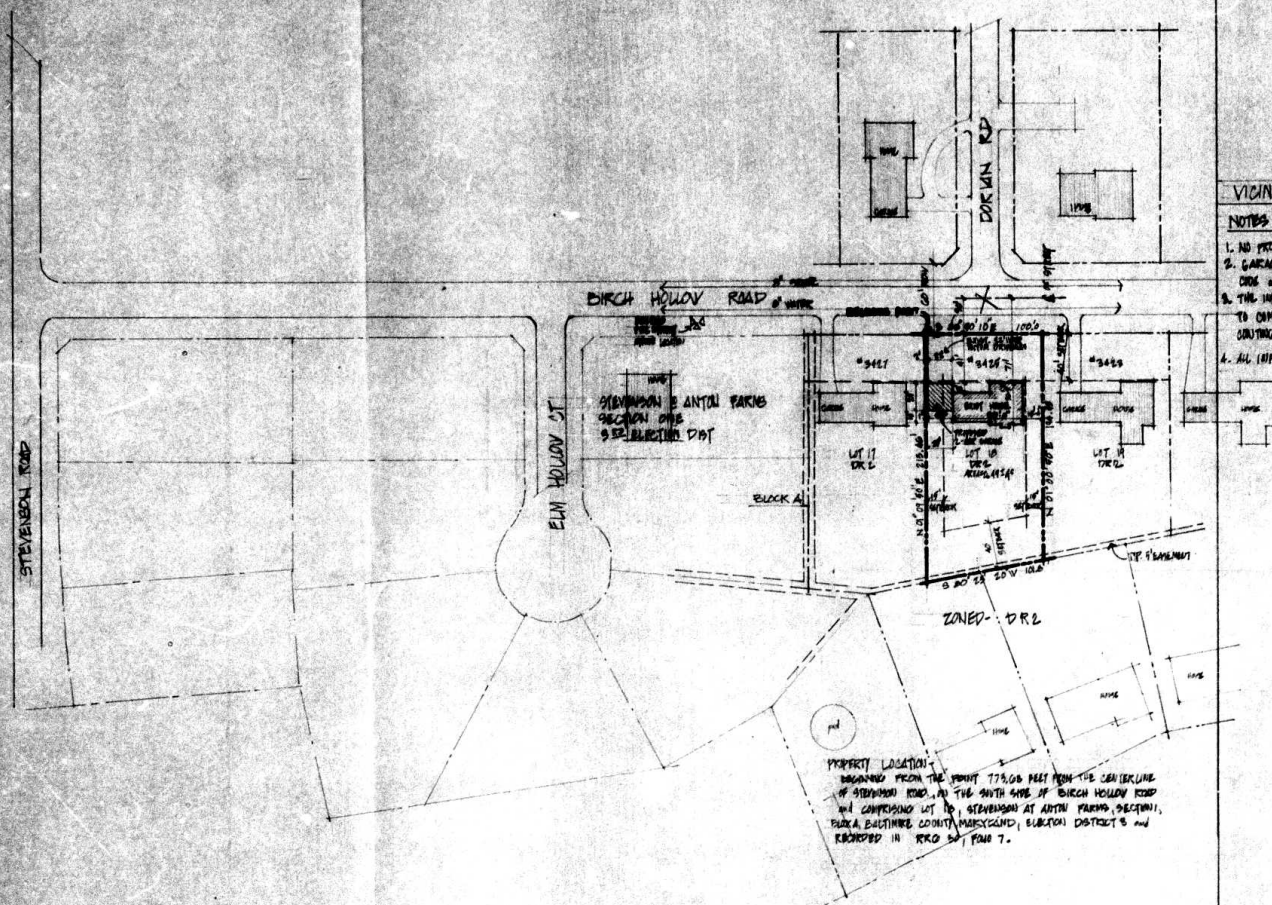


1999

- PROPERTY LOCATION
 BEARING FROM THE POINT 774.00 FEET FROM THE CENTERLINE
 OF SECTION ROAD, IN THE NORTH 400 FT. SECTION ROAD TRAP
 AND CONTAINING LOT 1, BEGINNING AT NORTH TRAP, SECTION
 ROAD, SECTION ROAD, SECTION ROAD, SECTION ROAD AND
 BEARING IN THE S. 1/4, T. 7.



AUG 04 1977



VICINITY MAP SCALE 1" = 500'

NOTES

1. NO PROPOSED NEW PAVING.
2. GARAGE SHALL MEET THE MINIMUM CONSTRUCTION OF THE LATEST APPLICABLE BOCA BUILDING CODE AND REQUIREMENTS OF DAVID CO. BUILDING OFFICIALS.
3. THE INFORMATION SHOWN HEREON IS REFERENCED SHALL BE VALIDATED BY CHANGE PRIOR TO COMMENCING ANY WORK, EXCAVATION OR CONSTRUCTION. ALL CONDITIONS SHOWN ARE ENTIRELY SUBJECT TO ANY APPROVALS BY DAVID CO. BUILDING DEPT. OFFICIALS.
4. ALL INFORMATION TAKEN FROM MCA DND, JOB SPECIFIED BY 31004.

PROPERTY LOCATION:
 BOUNDARY FROM THE POINT 775.00 FEET FROM THE CENTERLINE
 OF STEVENSON ROAD, IN THE SOUTH SIDE OF BIRCH HOLLOW ROAD
 AND COMPASSING LOT 12, STEVENSON AT ANTON PARKING, SECTION 1,
 BLOCK A BATHING COUNTY, MISSOURI, SECTION DISTRICT 8 and
 RECORDED IN RRO 50, PAGE 7.

REVISIONS

PROPOSED GARAGE
 FOR M. J. FELDMAN
 11111 STEVENSON RD
 BIRCH HOLLOW
 SECTION 1, DISTRICT 8

TITLE
 SITE PLAN - 10 SHEET
 WORKSHEET

DESIGNED
 APR 3 1971
 DATE
 4-3-71
 DRAWN
 A. HENK
 1971

SP 1