

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

78-146-A  
1/98

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Eugene F. & Eunice I. Kolb, owners 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 Sections 14A4.2B1 to DETRIMT A, SIDE YARD setback of 20 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate whether or practical difficulty) Proposed extension of the existing house moves approximately 4 ft. closer to the property line on the southwest side; existing side setback is now 24 ft., with addition will be 20 ft. (New construction must not diminish the side setback, if less than the current requirement, which is 50 ft; when originally built in 1959 this was not a requirement.)

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expense 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 \_\_\_\_\_ Legal Owner \_\_\_\_\_  
 Address... 12118 JERUSALEM ROAD  
 KINGSVILLE, Md. 21087  
 Petitioner's Attorney \_\_\_\_\_ Protestant's Attorney \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ 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 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 \_\_\_\_\_ day of \_\_\_\_\_ 1977, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. NW 8 77 PM



(over)

4/10/77  
11/1/77  
1/1/77  
5/12/77  
1/1/77

10-23-78  
1/1/78

RE: PETITION FOR VARIANCE NW/8 of Jerusalem Rd. 615' NE of Chapman Rd., 11th District  
 EUGENE F. KOLB, Petitioner  
 : BEFORE THE ZONING COMMISSIONER : OF BALTIMORE COUNTY  
 : Case No. 78-146-A

**ORDER TO ENTER APPEARANCE**

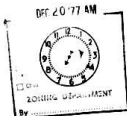
Mr. Commissioner:  
 Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or date which may be now or hereafter designated therefore, and of the passage of any preliminary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

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

John W. Hession, III  
 John W. Hession, III  
 People's Counsel  
 County Office Building  
 Towson, Maryland 21284  
 494-2188

I HEREBY CERTIFY that on this 20th day of December, 1977, a copy of the foregoing Order was mailed to Mr. Eugene F. Kolb, 12118 Jerusalem Road, Kingsville, Maryland 21087, Petitioner.

John W. Hession, III



Baltimore County  
 Office of Planning and Zoning  
 TOWSON, MARYLAND 21286  
 (301) 494-2181

S. ERIC DILMENA  
 ZONING COMMISSIONER

January 23, 1978

Mr. & Mrs. Eugene Kolb  
 12118 Jerusalem Road  
 Kingsville, Maryland 21087

RE: Petition for Variance NW/8 of Jerusalem Road, 615' NE of Chapman Road - 11th Election District Eugene F. Kolb, et ux - Petitioners NO. 78-146-A (Item No. 98)

Dear Mr. & Mrs. Kolb:

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

Very truly yours,  
 S. Eric Dilmena  
 ZONING COMMISSIONER

GJM/mc

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

DESCRIPTION OF LOT OWNED BY EUGENE F. KOLB AND EUNICE I. KOLB, KNOWN AS 12118 JERUSALEM ROAD, KINGSVILLE, MARYLAND

Beginning on the Northwest side of Jerusalem Road approximately 615 feet Northeast of the centerline of Chapman Road, and thence running North 30 degrees West 211.77 feet, thence North 50 degrees 15 minutes East 104.35 feet, thence South 30 degrees East 211.77 feet, and thence returning along the Jerusalem Road South 50 degrees 15 minutes West 104.35 feet to the place of beginning, the property also known as 12118 Jerusalem Road.

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

To: S. Eric Dilmena, Zoning Commissioner Date: January 6, 1978  
 FROM: Leslie H. Crowl, Director of Planning  
 SUBJECT: Petition #78-146-A, Petition for Variance for a Side Yard Northwest side of Jerusalem Road 615 feet Northeast of Chapman Road Petitioner - Eugene F. Kolb and Eunice I. Kolb 11th District

HEARING: Monday, January 9, 1978 (10:30 A.M.)

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

Leslie H. Crowl, Director of Planning

LHG:JGH

**BALTIMORE COUNTY**  
**ZONING PLANS**  
**ADVISORY COMMITTEE**



Mr. Eugene F. Kolb  
 Mrs. Eunice I. Kolb  
 12118 Jerusalem Road  
 Kingsville, Md. 21087

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
 County Office Building  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21284

Your Petition has been received and accepted for filing this \_\_\_\_\_ day of \_\_\_\_\_ 1977.

S. Eric Dilmena  
 Zoning Commissioner

Petitioner or a duly sworn agent reviewed by \_\_\_\_\_  
 Petitioner's Attorney \_\_\_\_\_  
 EUGENE F. KOLB  
 Chairman, Zoning Plans Advisory Committee

Baltimore County  
 Department of Public Works  
 TOWSON, MARYLAND 21286

THORNTON M. MOURING, P.E.  
 DIRECTOR

December 9, 1977

A. S. Eric Dilmena  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21284

No. Item #00 (1977-1978)  
 Property Owner: Eugene F. & Eunice I. Kolb  
 N/8 Jerusalem Rd. 615' N/C Chapman Rd.  
 Existing Zoning: R.C. 5  
 Proposed Zoning: Variance to permit a side setback of 20' in lieu of the required 50'.  
 Acre: 0.50 District: 11th

Dear Mr. Dilmena:

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:**  
 Jerusalem Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way. Highway right-of-way widening, including any necessary reworkable elements for slopes will be required in connection with any grading or building permit application.

**Eradicant 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 nuisance or damage 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.

**Water and Sanitary Sewer:**  
 Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities. This property is within the Baltimore County Metropolitan District and beyond the Urban-Rural Demarcation Line. The Baltimore County Water and Sewerage Plan, as amended, indicates "Pierced Service" in the area in 6 to 10 years.

Very truly yours,  
 Thornton M. Mouring, P.E.  
 Chief, Bureau of Engineering

TMD:EM:PMR:es

JUN 14 1978

Pursuant to the advertisement, posting of 1977-0, and public hearing on the above petition and it appearing that by reason of the following finding of fact 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 granted; 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 20 feet instead of the required 50 feet should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 28th day of January, 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.

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 28th day of January, 1977, that the above Variance be and the same is hereby DENIED.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 28, 1977

City Office Room 111 W. Chapman Rd. Towson, Maryland 21286

Chairman Nicholas B. Commodari

Deputy Chairman Eugene F. Kolb

Members: Bureau of Engineering, Department of Traffic Engineering, State Roads Commission, Bureau of Fire Prevention, Health Department, Project Planning, Building Department, Board of Revision, County Administration, Industrial Development.

Mr. Eugene F. Kolb, Mrs. Eunice I. Kolb, 12118 Jerusalem Road, Kingsville, Maryland 21087

RE: Variance Petition Item Number 98 Petitioner - Eugene Kolb Eunice Kolb

Dear Mr. & Mrs. Kolb:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an 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.

Located on the north side of Jerusalem Road approximately 615' northeast of Chapman Road in the 11th Election District, this R.C. 5 zoned property is currently improved with an existing single family detached dwelling. Surrounding properties are also zoned R.C. 5 and are improved with similar type uses on approximately one-half acre lots.

As you are aware, the setback requirements under the existing zoning classification for this property are 50' on the sides and rear for any new construction. Due to the orientation of the side property lines and your proposal to construct an addition to the rear of the existing dwelling, the already nonconforming side setback will further be decreased. In light of this,

Mr. Eugene F. Kolb, Mrs. Eunice I. Kolb, Page 2, Item Number 98, December 28, 1977

this Variance is required.

Particular attention should be afforded the comments of the Health Department and the Bureau of Engineering. The line of this writing, the comments from the Office of Project and Development Planning and the Department of Traffic Engineering were not available, however, I personally spoke to the respective representatives on this committee, and they informed me that there were no problems requiring comment with this request.

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,

Nicholas B. Commodari

NICHOLAS B. COMMODARI, Chairman, Zoning Plans Advisory Committee

NBC:rf



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

January 5, 1978

Dear Mr. DiNanno:

Comments on Item #98, Zoning Advisory Committee Meeting, November 8, 1977, are as follows:

Property Owner: Eugene F. and Eunice I. Kolb, Location: NW/4 Jerusalem Road 615' NE Chapman Road, Existing Zoning: RC-5, Proposed Zoning: Variance to permit a side setback of 20' in lieu of the required 50', Acres: 0.50, 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, Planner III, Project and Development Planning



Donald J. Rogg, M.D., M.P.H., Deputy State and County Health Officer

November 26, 1977

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

Dear Mr. DiNanno: The following are comments on Item #98, Zoning Advisory Committee Meeting of November 8, 1977:

Property Owner: Eugene F. & Eunice I. Kolb, Location: NW/4 Jerusalem Rd. 615' NE Chapman Rd., Acres: 0.50, District: 11th

The existing seepage pit appeared to be functioning properly. A plumbing permit will be required for the installation of a new septic tank. The water well is not located in the area of the proposed addition, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director, Bureau of Environmental Services

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

Attention: N. Commodari, Chairman, Zoning Advisory Committee

Re: Property Owner: Eugene F. & Eunice I. Kolb, Location: NW/4 Jerusalem Rd. 615' NE Chapman Rd., Item No. 98, Zoning Agenda Meeting of 11/08/77

Enclosure: 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 [redacted]
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.

Reviewed: [Signature] Special Inspection Division, Noted and Approved: [Signature] Fire Prevention Bureau



Stephene Collins, Director

December 21, 1977

Mr. Eric S. DiNanno, Zoning Commissioner, 1st Floor, County Office Building, Towson, Maryland 21204

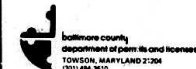
Re: Item 98 - ZAC - November 8, 1977, Property Owners Eugene F. & Eunice I. Kolb, Location: NW/4 Jerusalem Rd. 615' NE Chapman Rd., Existing Zoning: R.C. 5, Proposed Zoning: Variance to permit a side setback of 20' in lieu of the required 50', Acres: 0.50, District: 11th

Dear Mr. DiNanno: No traffic problems are anticipated by the requested variance to the side setback.

Very truly yours,

Michael S. Flanigan, Traffic Engineer Associate

MSF/lam



John G. Seffert, Director

November 3, 1977

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

Dear Mr. DiNanno: Comments on Item #98 Zoning Advisory Committee Meeting, November 8, 1977 are as follows:

Property Owner: Eugene F. & Eunice I. Kolb, Location: NW/4 Jerusalem Road - 615' NE Chapman Road, Existing Zoning: R.C. 5, Proposed Zoning: Variance to permit a side setback of 20' in lieu of the required 50', Acres: 0.50, District: 11th

The items checked below are applicable:

- X 1. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
X 2. A building permit shall be required before construction can begin.
X 3. Three sets of construction drawings may be required to file an application for a building permit.
4. 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.
5. 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.
X 6. All footings shall be on virgin ground or use a design by a Professional Registered Maryland Engineer.
7. Requested setback variances conflicts with the Baltimore County Building Code. See Section [redacted]

Very truly yours,

Charles E. Burnham, Plans Review Chief

