

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Martha J. Higgs
Legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof.
herby petition for a Variance from Section 1 802.38 (211.3 & 301.1) To permit a side yard set back for an open car port, one foot set back instead of the required 6 feet on the existing drive way.

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

1. Cost me to take the car port down and repair that end of the house.
2. The car port will keep rain from coming into my side entrance door.
3. I have a drainage problem with the car port will help stop the water seepage in that end of the house.
4. The car port will enable me to keep my car out of the bad weather (snow) because I leave at 1 A.M. in the morning for work.

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
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this... day

of January, 1978, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the... day of March, 1978, at 10:30 A.M.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 16, 1978

FROM: Leslie H. Groff, Director of Planning

SUBJECT: Petition #78-201-A. Petition for Variance for a Side Yard. ITEM # 139

North side of Ripple Road 133 feet East of Millwood Road
Petitioner - James A. Higgs and Martha J. Higgs

HEARING: Wednesday, March 22, 1978 (10:30 A.M.)

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

Leslie H. Groff
Director of Planning

LHG:JGH:m

RE: PETITION FOR VARIANCE
N/S of Ripple Rd. 133' E of
Millwood Rd., 2nd District
JAMES A. HIGGS, et ux, Petitioners Case No. 78-201-A

ORDER TO ENTER APPEARANCE

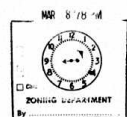
Mr. Commissioners:

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 March, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. James A. Higgs, 3310 Ripple Road, Baltimore, Maryland 21207, Petitioners.



Mr. S. Eric DiNenna
Zoning Commissioner
Dear Mr. DiNenna
Please allow me to file for my petition
I am very sorry to see your name in the paper
I will be glad to appear personally at the hearing
Sincerely,
James A. Higgs
March 15, 1978
78-201-A

March 23, 1978

Mr. & Mrs. James A. Higgs
3310 Ripple Road
Baltimore, Maryland 21207

RE: Petition for Variance
N/S of Ripple Road, 133' E of
Millwood Road - 2nd Election
District
James A. Higgs, et al -
Petitioners
NO. 78-201-A (Item No. 139)

Dear Mr. & Mrs. Higgs:

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

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED:arl

Attachments

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

3312 Ripple Road
Baltimore, Maryland 21207
March 13, 1978

Zoning Commission
Baltimore County
Towson, Maryland 21204

Gentlemen:

We, the undersigned owners of the property No. 3312 Ripple Road, have no objection to the construction of a carport at 3310 Ripple Road. We believe that it would enhance the neighborhood.

Very truly yours,

George J. Jorgensen
George J. Jorgensen

Edwin S. Jorgensen
Edwin S. Jorgensen

3308 Ripple RD
Baltimore MD
March 21 1978

To whom it may concern:
We the undersigned owners of the property
No 3308 Ripple Road, have no objection
to a Carport at 3310 Ripple RD.

John A. Jorgensen
John A. Jorgensen

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...

the above Variance should be had; and it further appearing that by reason of the EXISTENCE 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 one foot in lieu of the required six feet, for an open carport, should be granted...

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd March, 1978, 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 Zoning Commissioner of Baltimore County 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 day of 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

March 9, 1978

Chairman
Nicholas B. Commodari

MEMBERS
Person of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. James A. Higgs
3310 Ripple Road
Baltimore, Maryland 21207

RE: Variance Petition
Item Number 139
Petitioner - James A. Higgs

Dear Mr. & Mrs. Higgs:

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 suitability of the requested zoning.

This property, located on the north side of Ripple Road, east of Millwood Road in the 2nd Election District, is presently improved with a single family detached dwelling. At the time of field inspection, the "proposed" carport, as shown on the submitted plan, was existing. This Variance is now being requested in order to correct this situation.

Particular attention should be afforded the comments of the Department of Permits and Licenses concerning the attached Code Memorandum #202.

Mr. & Mrs. James A. Higgs
Page 2
Item Number 139
March 9, 1978

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
Chairman
Zoning Plans Advisory Committee

NBC:rf

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 498-3211

February 1, 1978

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 #139, Zoning Advisory Committee Meeting, January 3, 1978, are as follows:

Property Owner: James A. and Martha J. Higgs
Location: 1415 S. Ripple Road 133' E. Millwood Road
Existing Zoning: D.R.S.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 6' for a open carport
District: 2nd

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
Current Planning and Development

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

January 26, 1978

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

Reference: Item #139 (1977-1978)
Property Owner: James A. & Martha J. Higgs
1415 S. Ripple Rd., 133' E Millwood Rd.
Existing Zoning: D.R.S. 5-5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 6' for an open carport.
Acres: -- District: 2nd

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 highway and utilities improvements are not directly involved. Additional fire hydrant protection is required in the vicinity.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item.

Very truly yours,

Ellsworth H. Diver, P.E.
Chief, Bureau of Engineering

END:HAM:PMR:bjo
CC: W. J. Hinchel

RY - L.H.E.
PS - 18 N.W.27
TP - N.W.S-C
Tax Map - 87

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

January 12, 1978

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

Dear Mr. DiNenna:

The following are comments on Item # 139. Zoning Advisory Committee Meeting of January 3, 1978:

Property Owner: James A. & Martha J. Higgs
Location: 1415 S. Ripple Rd. 133' E Millwood Rd.
Acres: --
District: 2nd

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TWD/KS/pc
SEC 35 118

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: James A. & Martha J. Higgs

Location: N/S Ripple Rd. 133' E Millwood Rd.

Item No. 139

Zoning Agenda Meeting of 1/3/78

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below method 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 _____ REVERTS 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.
7. The Fire Prevention Bureau has no comments, at this time.

Reviewed by: *James A. Higgs*
Special Inspection Division

Noted and Approved: *George M. McGonigle*
Deputy Chief
Fire Prevention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 28, 1977

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

Z.A.C. Meeting of: January 3, 1978

RE: Item No: 139
Property Owner: James A. & Martha J. Higgs
Location: N/S Ripple Rd. 133' E-Millwood Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 6' for an open carport.

District: 2nd
No. Acres:

Dear Mr. DiNenna:

No bearing on student population.

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

NWP/bp

February 10, 1978

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

Item No. 139 - ZAC - January 3, 1978
Property Owner: James A. & Martha J. Higgs
Location: N/S Ripple Rd. 133' E Millwood Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 6' for an open carport.
Acres: _____
District: 2nd

Dear Mr. DiNenna:

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

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

NSP/ma

January 9, 1978

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

Dear Mr. DiNenna:

Comments on Item # 139 Zoning Advisory Committee Meeting, January 3, 1978 are as follows:

Property Owner: James A. & Martha J. Higgs
Location: N/S Ripple Road 133' E Millwood Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 6' for an open carport.

Acres: _____
District: 2nd

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 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 Code Memorandum #202 dated 1-1-78.

Very truly yours,

Charles E. Burham
Charles E. Burham
Plans Review Chief
CDB:mrj

CODE MEMORANDUM #202

April 5, 1973

SUBJECT: Awnings and Porches

A. REAR PORCHES

Rear awnings or open porches may be constructed of combustible floor and or roof materials if all construction is 2 1/2" or more from the interior lot lines or adjoining buildings, and is limited to the first floor level.

If porch or awning abuts an adjoining line, it shall require an 8" masonry party wall as a shielding wall which shall extend past the face of the porch openings.

A porch or awning may be constructed less than 2 1/2" from a property line without the 8" masonry shielding wall if it is totally non-combustible in construction and no attempt is made to enclose it when approved by the Buildings Engineer.

B. FRONT PORCHES

Front awnings and porches, may be continuous across property lines and of combustible construction if:

1. They are properly fire stopped with non-combustible materials at each interior property line.
2. They have no combustible supporting members within 2 1/2" of the interior property line.
3. They are limited to one story in height.
4. The adjoining owners agree in writing.
5. The porch is open front and sides.

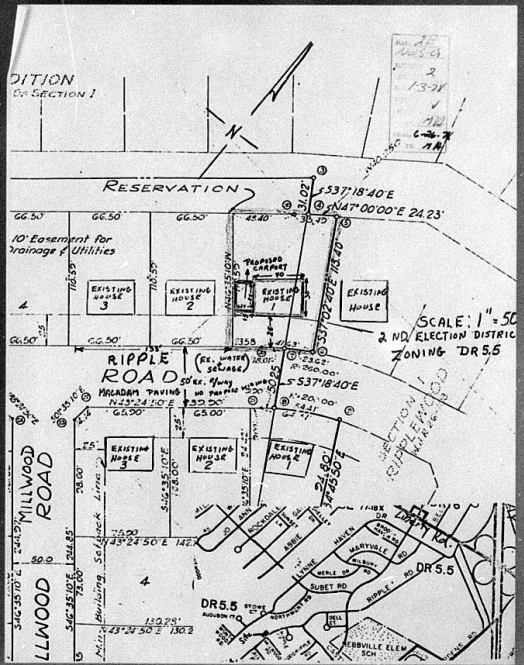
Brick and sheet metal are examples of non-combustible materials which are acceptable for fire stopping.

C. ALL PORCHES

If any porch is to be closed, it shall be considered a habitable part of the dwelling interior and shall be subjected to all of the applicable requirements that pertain to one and two family dwellings in the Baltimore County Building Code, and its supplements, particularly Section 907.3 as amended.

This does not in any way waive any requirements, such as set backs or other rules regulations or codes of other County or State Departments, which may also be applicable.

Steven Koren
Steven Koren, Buildings Engineer



PETITION FOR A VARIANCE

CERTIFICATE OF PUBLICATION
70679

Pikesville, Md., Mar. 2, 1978

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 22nd day of Mar, 1978

the first publication appearing on the 1st day of Mar, 1978

the second publication appearing on the 1st day of Mar, 1978

the third publication appearing on the 1st day of Mar, 1978

THE NORTHWEST STAR

John P. O'Leary

Cost of Advertisement, 25.00

PETITION FOR A VARIANCE FOR DEFENSE

CERTIFICATE OF PUBLICATION

TOWSON, MD., MARCH 2, 1978

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 before the 22nd day of MARCH, 1978, the last publication appearing on the 20th day of MARCH, 1978

H. L. Jeffersonian
Manager

Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outlines plotted on map					13	W.N.				
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>RAS</u>	Revised Plans: Change in outline or description, <u>Yes</u> <u>No</u>									
Previous case:	Map # <u>110-5-G</u>									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 19 day of Dec 1977 Filing Fee \$ 25.00 Received Check Cash Other

Eric Binenna
S. Eric Binenna,
Zoning Commissioner

Petitioner H. L. Jeffersonian Submitted by Eric Binenna

Petitioner's Attorney Eric Binenna Reviewed by Eric Binenna

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

1-Sign 78-201

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting MARCH 4, 1978

Posted for PETITION FOR VARIANCE

Petitioner JAMES A. HIGGS

Location of property N.E. of Ripple Road 131 E. of Millwood Rd.

Location of Signs FRONT 3310 RIPLE RD.

Remarks by Thomas L. Roland

Date of return MARCH 10, 1978

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 65468

DATE Feb. 28, 1978 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED James A. Higgs 3310 Ripple Road, Balto., Md.

FOR Petition for Variance 78-201-A

325 PERMS 28 250C HIG

VALIDATION OF SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 65507

DATE March 17, 1978 ACCOUNT 01-662

AMOUNT \$52.95

RECEIVED James A. Higgs 3310 Ripple Road, Balto., Md.

FOR Advertising and posting of property 78-201-A

322 PERMS 17 5295 HIG

VALIDATION OF SIGNATURE OF CASHIER

