

78-227-A #165 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph C. Geiger, Jr., 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 1603-1603(b) to permit a sidewalk setback of 19 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 hardship or practical difficulty)

The house is 42' and the garage is 20'

The lot is 100' wide

In order to comply with 50' side yard no house could be built.

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.

PLEASE NOTIFY

John W. Hession III Contract purchaser 100 Plumtree Road Legal Owner

3430 Birch Hollow Rd Address Bel Air, MD, 21014

486-1233 Petitioner's Attorney

100 Plumtree Road Protestant's Attorney

100 Plumtree Road Address

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RE: PETITION FOR VARIANCE

NE/S of Nicodemus Rd, 1600'

NW of Berryman's Lane, 4th District

JOSEPH C. GEIGER, JR., Petitioner

Case No. 78-227-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.

I HEREBY CERTIFY that on this 6th day of April, 1978, a copy of the foregoing Order was mailed to Mr. Joseph C. Geiger, Jr., 400 Plumtree Road, Bel Air, Maryland 21014, Petitioner; and Mr. Joseph Wilder, 3430 Birch Hollow Road, Baltimore, Maryland 21208, Contract Purchaser.

John W. Hession III

John W. Hession III, People's Counsel

County Office Building

Towson, Maryland 21204

494-2188

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Baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
301-494-3201

RE: Petition for Variance
NE/S of Nicodemus Road, 1600'
NW of Berryman's Lane - 4th
Election District
Joseph C. Geiger, Jr. -
Petitioner
NO. 78-227-A (Item No. 165)

May 1, 1978

Mr. Joseph C. Geiger, Jr.
400 Plumtree Road
Bel Air, Maryland 21014

Dear Mr. Geiger:

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

Very truly yours,
GEORGE E. DINENNO
Deputy Zoning Commissioner

GJM/jhm
Attachment

cc: Mr. Joseph Wilder
3430 Birch Hollow Road
Baltimore, Maryland 21208
John W. Hession, III, Esquire
People's Counsel

DESCRIPTION FOR VARIANCE
PROPERTY OF JOSEPH C. GEIGER, JR.

Beginning at a point in the center of Nicodemus Road 1600 feet Northwest of Berryman's Lane and running North 1/2° 28' East, 16.04 feet to a nail in a tree on the Northwest side of Nicodemus Road; thence running North 1/2° 28' East, 283.58 feet; thence South 1/2° 33' East, 100 feet; thence South 1/2° 28' West, 300 feet to the center of Nicodemus Road, thence South 1/2° 33' West, 100 feet to the point of beginning. Containing 30,000 square feet of land, more or less.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: April 11, 1978

FROM: Leslie H. Groat, Director of Planning

SUBJECT: Petition 78-227-A, Petition for Variance for Side Yards.
Northeast side of Nicodemus Road 1600 feet Northwest of Berryman's Lane.
Petitioner - Joseph C. Geiger, Jr.
4th District

HEARING: Wednesday, April 26, 1978 (10:00 A.M.)

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

LHG:JGHsw

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE

PETITION AND SITE PLAN
EVALUATION COMMENTS

Mr. Joseph C. V. Geiger, Jr.
400 Plumtree Road, BALTIMORE
Bel Air, MD 21014

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

Your Petition has been received and accepted for filing this 22nd day of February 1978.

Eric DiNenna
Zoning Commissioner

Joseph Geiger
Petitioner's Attorney

Reviewed by
Chairman, Zoning Plans
Advisory Committee

Baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
301-494-3201

March 17, 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 #165, Zoning Advisory Committee Meeting, February 28, 1978, are as follows:

Property Owner: Joseph C. Geiger, Jr.
Location: NE/S Nicodemus Rd. 1600' NW Berryman's Lane
Existing Zoning: RC-4
Proposed Zoning: Variance to permit side setbacks of 19' in lieu of the required 50'.
Acres: 0.6887
District: 4th

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. Winkley
Planner III
Current Planning and Development

Pursuant to the advertisement, posting of proper y, 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 strictness of the Variance requested not adversely affecting the health, safety, and general welfare of the community, Variance to permit side yard setbacks of 19 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20 day of May, 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 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 BUILDING
111 W. ...
TOWSON, MARYLAND 21204

Chairman
Nicholas B. Commodari

Members
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Public Works
Health Department
Project Planning
Planning Department
County of Education
Zoning Administration
Industrial Development

April 11, 1978

Mr. Joseph C. Geiger, Jr.
400 Plumtree Road
Bel Air, Maryland 21014

RE: Variance Petition
Item Number 165
Petitioner - Joseph Geiger

Dear Mr. Geiger:

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.

Located on the northeast side of Nicodemus Road approximately 1600 feet northwest of Berryman's Lane in the 4th Election District, the subject property consists of a vacant lot zoned R.C.4. Adjacent properties are similarly zoned and are improved with detached dwellings.

This Variance is necessitated by your proposal to construct a dwelling on this property within 19 feet of both side property lines in lieu of the required 50 feet. Particular attention should be afforded the comments of the Health Department concerning the proposed well and all comments from the Bureau of Engineering.

Mr. Joseph C. Geiger
Page 2
Item Number 165
April 11, 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

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Mr. Joseph Wilder
3430 Birch Hollow Road
Baltimore, Maryland 21208



March 17, 1978

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

Item No. 165 - ZAC - February 28, 1978
Property Owner: Joseph C. Geiger, Jr.
Location: NW/4 Nicodemus Rd. 1600' NW Berryman's La.
Existing zoning: R.C. 4
Proposed zoning: Variance to permit side setbacks of 19' in lieu of the required 50'.

Acres: 0.6887
District: 4th

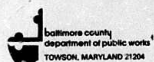
Dear Mr. DiMenna:

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

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

NBC/fms



THORNTON M. MOURING, P.E.
DIRECTOR

March 31, 1978

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

Re: Item #165 (1977-1978)
Property Owner: Joseph C. Geiger, Jr.
N/4 Nicodemus Rd. 1600' NW Berryman's La.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit side setbacks of 19' in lieu of the required 50'.
Acres: 0.6887 District: 4th

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

Nicodemus Road, an existing public road, is proposed to be improved in the future on a 70-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The indicated 20-foot right-of-way, contiguous to the westerly side line of this property is private.

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 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.

Item #165 (1977-1978)
Property Owner: Joseph C. Geiger, Jr.
Page 2
March 31, 1978

Water and Sanitary Sewer

Public water supply and sanitary sewerage are not available to serve this property, which is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. The Baltimore County Water and Sewerage Plans, W-150 and S-150, as amended, indicate "No Planned Service" in the area.

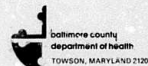
Very truly yours,

Edward R. Owen, P.E.
Chief, Bureau of Engineering

END: EAM:FWB:ss

cc: J. Trimmer
J. Somers

Y-NR Key Sheet
55 x 56 NW 43 Pos. Sheet
NW 14 x E 30
43 Tax Map



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

March 16, 1978

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

Dear Mr. DiMenna:

The following are comments on Item # 165, Zoning Advisory Committee Meeting of February 28, 1978:

Property Owner: Joseph C. Geiger, Jr.
Location: NW/4 Nicodemus Rd. 1600' NW Berryman's La.
Acres: 0.6887
District: 4th

Percolation tests have been performed and approved. A water well meeting State and County requirements must be drilled prior to the approval of a building permit application.

Very truly yours,

Thomas H. Berlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/KS/tfh

SEC 35 118



Paul H. Hencke
Chief

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

Attention: E. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Joseph C. Geiger, Jr.

Location: NW/4 Nicodemus Rd. 1600' NW Berryman's La.

Item No. 165 Zoning Agenda Meeting of 2/28/78

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 150 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 XXXXXX 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: Planning Group
Special Inspection Division

Noted and Approved: George M. Hagan
Fire Prevention Bureau

