

78-256-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Starnes, Jr.,
 I, or we, Charles G. Starnes, Jr. & Louise H. Starnes, legal owners 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 100-38.5 (1.1000, 3.0, 3.1) R0-5 Forestry RDP to permit a side yard setback of 44 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)

Buildings: 1st floor

Property is to be posted and advertised as prescribed by Zoning Regulations.

Now 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.

Contract purchaser
 Address: 212 Kaufman Rd.
 Parkton, Maryland 21120
 Petitioner's Attorney: John W. Hession, III
 Deed: 100-38.5
 Deed: 100-38.5

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of April, 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 11th day of April, 1978, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County,

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 E/S of Kaufman, 237 S of Bentley Rd.,
 7th District : OF BALTIMORE COUNTY
 CHARLES G. STARNES, JR., et ux,
 Petitioners : Case No. 78-256-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.

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel

John W. Hession, III
 John W. Hession, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204
 474-2188

I HEREBY CERTIFY that on this 8th day of May, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Charles G. Starnes, Jr., 212 Kaufman Road, Parkton, Maryland 21120, Petitioners.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: May 22, 1978
 FROM: Leslie H. Grael, Director of Planning
 SUBJECT: Petition 78-256-A, Petition for Variance for side yard setback
 East side of Kaufman, 237 feet South of Bentley Road
 Petitioner - Charles G. and Louise H. Starnes, Jr.

7th District

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

Leslie H. Grael
 Leslie H. Grael
 Director of Planning

LHG:JGH:rw



June 1, 1978

Mr. & Mrs. Charles G. Starnes, Jr.
 212 Kaufman Road
 Parkton, Maryland 21120

RE: Petition for Variance
 E/S of Kaufman Road, 237'
 S of Bentley Road - 7th
 Election District
 Charles G. Starnes, Jr., et ux -
 Petitioners
 NO. 78-256-A (Item No. 213)

Dear Mr. & Mrs. Starnes:

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

Very truly yours,
George J. Gatinak
 GEORGE J. GATINAK
 Deputy Zoning Commissioner

GJM/jlm

Attachment

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

VARIANCE DESCRIPTION

BEGINNING at a point on the East side of Kaufman Road 237 feet south of Bentley Road and Recorded among the Land Records of Baltimore County, as Lot No. 26 Section 1 of Bentley Estates in Liber 17 Folio 15.

Also known as: 212 Kaufman Road.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 18, 1978

COUNTY OFFICE BUILDING
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

600

Nicholas B. Commodari

Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Protection

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Mr. & Mrs. Charles G. Starnes, Jr.
 212 Kaufman Road
 Parkton, Maryland 21120

RE: Variance Petition
 Item Number 213
 Petitioner - Charles Starnes

Dear Mr. & Mrs. Starnes:

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. Those 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 east side of Kaufman Road approximately 237 feet southeast of Bentley Road in the 7th Election District, this R.C. 5 zoned property is presently improved with a single family detached dwelling, which is the subject of this petition. Because this structure was constructed within 44 feet of the side property line in lieu of the required 50 feet, this Variance is requested in order to legalize this situation.

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

DATE: Jan 1, 1978
FILED: State of Maryland

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 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 adverse affecting the health, safety, and general welfare of the community, the Variance is granted a side yard setback of 44 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1st day of June, 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 Deputy 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 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 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 and are as required in conjunction with the development of "Bentley Estates", of which, this property comprises lot 26 of "Section 1 Bentley Estates", recorded E.L.S., Jr. 37, Folio 13.

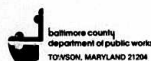
Kaufman Road right-of-way width is proposed as 60 feet, not 70 feet as indicated on the submitted plan.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #213 (1977-1978).

Very truly yours,
Edmund N. Diver, P.E.
Chief, Bureau of Engineering

END: EAM: PML: ss
EX-105 Key Sheet
139 88 88 Pos. Sheet
HW 30 8 Topo
7 Tax Map

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

May 24, 1978

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

Re: Item #213 (1977-1978)
Property Owner: Charles G. & Louise H. Starnes
2/S Kaufman Rd. 237' S. Bentley Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'.
Acres: District: 7th

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 utility improvements are not directly involved and are as required in conjunction with the development of "Bentley Estates", of which, this property comprises lot 26 of "Section 1 Bentley Estates", recorded E.L.S., Jr. 37, Folio 13.

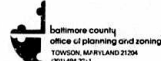
Kaufman Road right-of-way width is proposed as 60 feet, not 70 feet as indicated on the submitted plan.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #213 (1977-1978).

Very truly yours,
Edmund N. Diver, P.E.
Chief, Bureau of Engineering

END: EAM: PML: ss
EX-105 Key Sheet
139 88 88 Pos. Sheet
HW 30 8 Topo
7 Tax Map

Zoning Commissioner of Baltimore County



LESLIE H. GRAFF
DIRECTOR

May 15, 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 #213, Zoning Advisory Committee Meeting, April 11, 1978, are as follows:

Property Owner: Charles G. & Louise H. Starnes
Location: E/S Kaufman Road 237' S. Bentley Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'.
District: 7th

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
Current Planning and Development



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

May 12, 1978

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

Dear Mr. DiNenna:

Comments on Item #213, Zoning Advisory Committee Meeting, April 11, 1978, are as follows:

Property Owner: Charles G. & Louise H. Starnes
Location: E/S Kaufman Rd. 237' S. Bentley Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'.
District: 7th

The area of the requested variance will not be located in the area of the water wall or sewage disposal area, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/JBR/rhs



STEPHEN E. COLLINS
DIRECTOR

April 19, 1978

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

Item No. 213 - EAC - April 11, 1978
Property Owner: Charles G. & Louise H. Starnes
Location: E/S Kaufman Rd. 237 Feet S. Bentley Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 44 Feet in lieu of the required 50 Feet.

Acres: District: 7th

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Engineer I

SEV/dm



Paul H. Reinecke
CHIEF

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

Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Charles G. & Louise H. Starnes
Location: E/S Kaufman Rd. 237' S. Bentley Rd.

Item No. 213 Zoning Agenda Meeting of 04/11/78

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 _____ 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 _____ 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 on 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.

Approved: [Signature] Planning Section
Special Inspection Division
Approved: [Signature] Fire Prevention Bureau



JOHN D. SEVIER
DIRECTOR

April 11, 1978

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

Dear Mr. DiNenna:

Comments on Item #213 Zoning Advisory Committee Meeting, April 11, 1978 are as follows:

Property Owner: Charles G. & Louise H. Starnes
Location: E/S Kaufman Rd. 237' S. Bentley Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'.

Acres: District: 7th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1976 Edition and the 1977 Supplement, State of Maryland Code for the Department and apply other applicable codes.
- X B. A building permit shall be required before construction can begin.
- C. Additional _____ permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- X E. Three sets of construction drawings will be required to file an application for a building permit.
- F. 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.
- G. Wood frame walls are not permitted within 3' of a property line. Contact Building Department if distance is between 3' and 6' of property line.
- X H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- J. Comment:

Very truly yours,
Charles E. Hurd
Planning Section Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 12, 1978

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

Z.A.C. Meeting of: April 11, 1978

RE: Item No: 213
Property Owner: Charles G. & Louise H. Starnes
Location: E/S Kaufman Rd. 237' S. Bentley Road
Present Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'.

District: 7th
No. Acres:

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

Nick Petrovich
Field Representative

NJP/bp

JOSEPH M. MCCORMACK, CHAIRMAN
Y. BAYARD WILLIAMS, JR., VICE-CHAIRMAN
MATTHEW M. ROTHS

THOMAS H. BRYAN
WILLIAM F. GURCH
ROBERT M. HAYDEN

ALVIN LUKATEL
WILLIAM M. BRYAN, JR.
WILLIAM M. FRANK, D.D.M.

ROBERT V. DUBEL, SUPERINTENDENT

