

7-263-A 4210 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, THOMAS FOWLES, 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 1802.2A (201.1.211) to permit a side set back of 3 feet for an open carport in lieu of the required 6 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons (state hardship or practical difficulty):
a smaller open carport would not serve the Petitioner's purpose as it would not be large enough.

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.

THOMAS FOWLES
Contract purchaser
Legal Owner
Address - 3310 Kerry Road
Baltimore, Maryland 21207
2657254
Petitioner's Attorney
Address -
11th day

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 5th day of June 1978, at 1:30 p.m.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: May 22, 1978
FROM: Leslie H. Groff, Director of Planning
SUBJECT: Petition #78-263-A, Petition for Variance for side yard setback

West side of Kerry Road, 60 feet, more or less, Northwest of Hillmere Road
Petitioner - Thomas Fowles

2nd District

HEARING: Monday, June 5, 1978 (1:30 P.M.)

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

LHG:JGHaw

RE: PETITION FOR VARIANCE
W/S of Kerry Rd., 60', more or less,
NW of Hillmere Rd., 2nd District
THOMAS FOWLES, Petitioner
Case No. 78-263-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
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of May, 1978, a copy of the foregoing Order was mailed to Mr. Thomas Fowles, 3310 Kerry Road, Baltimore, Maryland 21207, Petitioner.



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
681-44-2202
S. ERIC DINENNA
ZONING COMMISSIONER

June 8, 1978

Mr. Thomas Fowles
3310 Kerry Road
Baltimore, Maryland 21207

RE: Petition for Variance
W/E of Kerry Road, approxi-
mately 60' NW of Hillmere
Road - 2nd Election District
Thomas Fowles - Petitioner
NO. 78-263-A (Item No. 210)

Dear Mr. Fowles:

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

Very truly yours,

George J. Hession, III
Deputy Zoning Commissioner

GJM/jhm

Attachment:

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

LEGAL DESCRIPTION

Beginning at a point of 60 feet northwest of the intersection of Hillmere Road and Kerry Road on the west side of Kerry Road; being lot #6 of Block A of Section D, Windsor Farms as recorded in the land records of Baltimore County in Liber #23, folio #126. Also known as 3310 Kerry Road. Thomas Fowles.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 18, 1978

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

Mr. Thomas Fowles
3310 Kerry Road
Baltimore, Maryland 21207

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Housing Administration
Industrial Development

RE: Variance Petition
(Item Number 210)
Petitioner - Thomas Fowles

Dear Mr. Fowles:

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 ensure 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 Variance is required as a result of your proposal to construct an open carport on the side of the existing dwelling within 3 feet of the side property line in lieu of the required 6 feet.

Particular attention should be afforded the comments of the Department of Permits and Licenses, and if any additional explanation is required, you may contact Mr. Charles Burnham at 494-3987.

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 more 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

Mr. Thomas Fowles
3310 Kerry Road
Baltimore, Maryland 21207

Item # 210

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 11th day of April 1978.

S. ERIC DINENNA
Zoning Commissioner

Petitioner Thomas Fowles
Petitioner's Attorney

Reviewed by
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

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 enforcement with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner.

the above Variance should be had, and it further appearing that by reason of the fact that the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a side setback of 3 feet in lieu of the required six feet, for an open carport, should be granted.

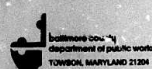
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of June, 1978, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the 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 15th day of June, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. HOLMES, P.E.
DIRECTOR

May 22, 1978

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

Re: Item #210 (197-1978)
Property Owner: Thomas Fowles
SW/5 Kerry Rd. 60' NW Hillmore Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' for an open carport in lieu of the required 6'.
Acres: 0.155 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 utility improvements are not directly involved. Any reconstruction of any concrete sidewalk, curb and gutter, entrance, apron, etc. will be the full responsibility of the Petitioner.

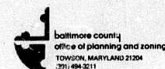
This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #210 (197-1978).

Very truly yours,

Edmund M. Weber, P.E.
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

ENCLOSURE

1-WE Key Sheet
15 NW 23 & 24 Pos. Sheets
NW 4 F Topo
SA Tax Map



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 #210, Zoning Advisory Committee Meeting, April 11, 1978, are as follows:

Property Owner: Thomas Fowles
Location: SW/5 Kerry Road 60' NW Hillmore Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' for an open carport in lieu of the required 6'.
Acres: 0.155
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 ensure that all parties would be 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. ROOY, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

May 11, 1978

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

Dear Mr. DiNenna:

Comments on Item #210, Zoning Advisory Committee Meeting, April 11, 1978, are as follows:

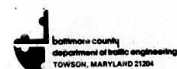
Property Owner: Thomas Fowles
Location: SW/5 Kerry Rd. 60' NW Hillmore Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' for an open carport in lieu of the required 6'.
Acres: 0.155
District: 2nd

The requested variance is for the construction of a car port, therefore no health hazards are anticipated.

Very truly yours,

Charles S. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

END/2P/202



STEPHEN E. COLLINS
DIRECTOR

April 19, 1978

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

Item #210 - ENC - April 11, 1978
Property Owner: Thomas Fowles
Location: SW/5 Kerry Rd. 60 Feet NW Hillmore Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3 feet for an open carport in lieu of the required 6 feet.
Acres: 0.155
District: 2nd

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Engineer I

SEB/dm



Paul H. Reencke
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: H. Commodore, Chairman
Zoning Advisory Committee

Re: Property Owner: Thomas Fowles
Location: SW/5 Kerry Rd. 60' NW Hillmore Rd.
Item #210 Zoning Agency Meeting of 04/11/78

Gentlemen:

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) 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) 2. A second means of vehicle access is required for the site.
- (3) 3. The vehicle access and condition shown at _____
- (4) 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) 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", 1978 Edition prior to occupancy.
- (6) 6. Site plans as approved as shown.
- (7) 7. The Fire Prevention Bureau has no comments, at this time.

Planning Group
Special Inspection Division

Noted and Approved: [Signature]
Fire Prevention Bureau



JOHN L. WIMBLEY
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 #210 Zoning Advisory Committee Meeting, April 11, 1978, are as follows:

Property Owner: Thomas Fowles
Location: SW/5 Kerry Road 60' NW Hillmore Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' for an open carport in lieu of the required 6'.
Acres: 0.155
District: 2nd

The items checked below are applicable:

- X 1. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1978 Edition and the 1978 Supplement, State of Maryland Code for the Building and Code and other applicable codes.
- X 2. A building permit shall be required before construction can begin.
- C 3. Additional _____ permits shall be required.
- C 4. Building shall be upgraded to new use - require alteration permit.
- X 5. Three sets of construction drawings shall be required to file an application for a building permit.
- F 6. 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.
- X 7. Wood frame walls shall not be permitted within 3' of a property line. Current Building Department if distance is between 3' and 6' of property line.
- X 8. Reported outdoor antenna conflicts with the Baltimore County Building Code. See Section _____.
- I 9. No Comment.
- J 10. Comments:

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief



JOHN L. WIMBLEY
DIRECTOR

June 7, 1978

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

Dear Mr. DiNenna:

Comments on Item #210 Zoning Advisory Committee Meeting, June 6, 1978, are as follows:

Property Owner: Mr. Thomas Fowles
Location: 1310 Kerry Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' for an open carport in lieu of the required 6'.

Acres: 0.155
District: 2nd

The items checked below are applicable:

- X 1. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1978 Edition and the 1978 Supplement, State of Maryland Code for the Building and Code and other applicable codes.
- X 2. A building permit shall be required before construction can begin.
- C 3. Additional _____ permits shall be required.
- C 4. Building shall be upgraded to new use - require alteration permit.
- X 5. Three sets of construction drawings will be required to file an application for a building permit.
- F 6. 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.
- X 7. Wood frame walls shall not be permitted within 3' of a property line. Current Building Department if distance is between 3' and 6' of property line.
- X 8. Reported outdoor antenna conflicts with the Baltimore County Building Code. See Section _____.
- I 9. No Comment.
- J 10. Comments:

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review 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

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

RE: Item No: 210
Property Owner: Thomas Fowles
Location: 3475 Kerry Rd. 60' x 75' Hillmore Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' for an open carport in lieu of the required 6'.

District: 2nd
No. Acres: 0.155

Dear Mr. DiNenna:

Re bearing on student population.

Very truly yours,

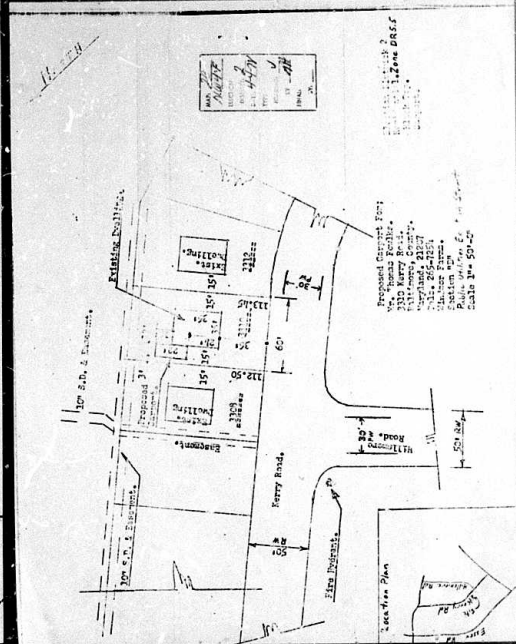
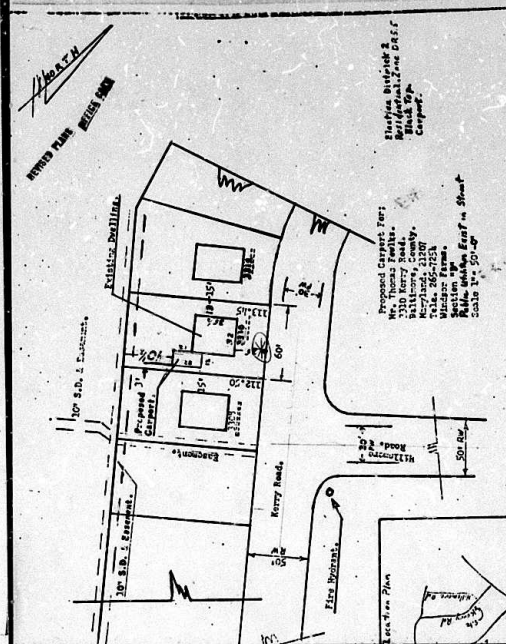
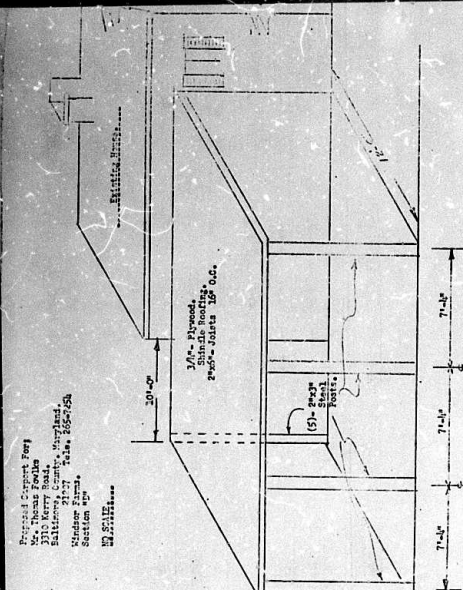
W. Rick Netowich
W. Rick Netowich
Field Representative

END/tp

JOSEPH H. McOWAN, JR., CLERK
T. BAYARD HALL, JR., VICEPRESIDENT
MARION M. BURNHAM

THOMAS H. DUTCH
WILLIAMSON C. CONNOR
ROBERT W. HATON
ROBERT V. DUBEL, SUPERVISOR

ALVIN LORREN
WILLIAM M. SMITH, JR.
RICHARD W. TRIST, D.M.



OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 May 18 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Thomas Fowles was inserted in the following:

- ☒ Catonsville Times
- ☒ Dundalk Times
- ☒ Essex Times
- ☒ Suburban Times East
- ☐ Towson Times
- ☐ Arbutus Times
- ☐ Community Times
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 18th day of May 1978 that is to say, the same was inserted in the issues of May 18, 1978

STROMBERG PUBLICATIONS, INC.
BY *E. B. Singer*

CERTIFICATE OF PUBLICATION
TOWSON, MD., May 18, 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., ~~consecutively~~ one time ~~consecutively~~ before the 18th day of June, 1978, the one publication appearing on the 18th day of May, 1978.
THE JEFFERSONIAN
H. L. Smith
Manager
Cost of Advertisement, \$.....

1-SIGN 78-263-A
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 2nd Date of Posting: MAY 22, 1978
Posted for: PETITION FOR VARIANCE
Petitioner: THOMAS FOWLES
Location of property: 103 OF KERRY RD. 60 FEET, MORE OR LESS, NW. OF HILLMORE RD.
Location of Sign: FRONT 3310 KERRY RD.
Remarks: _____
Posted by: Thomas K. Boland Date of return: MAY 23, 1978

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this 7 day of March 1978. Filing fee \$ 22 Received ☒ Cash ☐ Check ☐ Other
S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner
Petitioner: Fowles Submitted by: S. E.
Petitioner's Attorney: _____ Reviewed by: _____
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND No. 73304
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 6-5-78 ACCOUNT: 01-662
AMOUNT: 41.96
RECEIVED BY: Mr. Fowles
FROM: 3310 Kerry Rd.
FOR: 3310 Kerry Rd.
41.96

BALTIMORE COUNTY, MARYLAND No. 65933
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 3-24-78 ACCOUNT: 01-662
AMOUNT: 25
RECEIVED BY: Thomas Fowles (Cash)
FROM: 3310 Kerry Rd.
FOR: 3310 Kerry Rd.
25.00



PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map	Original	Duplicate	Tracing	200 Sheet				
Descriptions checked and outline plotted on map	date by	date by	date by	date by	date by				
Petition number added to outline									
Denied									
Granted by ZC, RA, CC, CA									
Reviewed by: <u>DiNenna</u>	Revised Plans: Change in outline o. description					Yes			
Previous case:	Map #					No			

Fowles