

79-1-A 227 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Grapetree Construction Company, Inc., 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, hereby petition for a Variance from Section 79-1-A (103.1) to permit a side yard setback of 10 feet in lieu of the required 50 feet.

at the zoning jurisdiction of Baltimore County, to the zoning law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Lot is narrow to accommodate double car garage that is attached to house, in addition 70 feet is needed further into the side setback.

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.

Grapetree Construction Company, Inc.

Contract purchaser

Address: 12805 Sagamore Forest Lane, Glyndon, Maryland 21071

Petitioner's Attorney

Protestant's Attorney

WHEREAS By The Zoning Commissioner of Baltimore County, this 22nd day of June, 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 27th day of July, 1978, at 10:30 o'clock A.M.

Shirley R. Hanna
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 28, 1978

FROM: Leslie H. Groat, Director of Planning

SUBJECT: Petition #79-1A
Petition for Variance for 10' side yard setback
East side of Franklin Valley Circle, 917 feet South of Cockeys Mill Rd.
Petitioner - Grapetree Construction Company, Inc.
4th District

HEARING: Wednesday, July 5, 1978 (9:30 A.M.)

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

Leslie H. Groat
Leslie H. Groat
Director of Planning

LHG:JCH:rw

RE: PETITION FOR VARIANCE

E/S of Franklin Valley Circle
917 S of Cockeys Mill Road
4th District

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

GRAPETREE CONSTRUCTION COMPANY - Case No. 79-1-A
INC., Petitioner

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
Dapuy People's Counsel

John W. Hessian, III
John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 1st day of June, 1978, a copy of the foregoing Order was mailed to Leslie J. Grim, Vice President, Grapetree Construction Company, Inc., 12805 Sagamore Forest Lane, Glyndon, Maryland 21071, Petitioner.



July 6, 1978

Mr. Leslie J. Grim, Vice President
Grapetree Construction Company, Inc.
12805 Sagamore Forest Lane
Glyndon, Maryland 21071

RE: Petition for Variance
E/S of Franklin Valley Circle,
917 S of Cockeys Mill Road -
4th Election District
Grapetree Construction Company, Inc. -
Petitioner
NO. 79-1-A (Item No. 227)

Dear Mr. Grim:

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

Very truly yours,
George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/jhm

Attachment

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

Beginning at a point 917 feet South of Cockeys Mill Road on the East side of Franklin Valley Circle, being Lot No. 16, Block B, Plat 2 of Franklin Valley, Section One, as recorded in the Land Records of Baltimore County in Liber No. 39, folio No. 10, also known as lot Franklin Valley, Section One.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Leslie J. Grim, Vice President
Grapetree Construction Company, Inc.
12805 Sagamore Forest Lane
Glyndon, Maryland 21071

Item No. 227

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 28th day of April, 1978.

Shirley R. Hanna
S. ERIC DINENNA
Zoning Commissioner

Petitioner, Grapetree Construction Company, Inc.
Petitioner's Attorney, Nicholas B. Gonsky, Jr., Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 23, 1978.

Nicholas B. Gonsky, Jr., Chairman
Mr. Leslie J. Grim, Vice President
Grapetree Construction Company, Inc.
12805 Sagamore Forest Lane
Glyndon, Maryland 21071

Re: Variance Petition
Item No. 227
Petitioner - Grapetree Construction Company, Inc.

Dear Mr. Grim:

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 not intended to indicate the appropriateness of the zoning requested, but to assure that all parties are made aware of the problems with regard to the development plans that may have been heard on this case. The Director of Planning may file a report with the Zoning Commissioner with recommendations on the suitability of the requested zoning.

The Variance is necessitated by your proposal for a double garage and attached garage within 40' of the southerly property line in lieu of the required 50'. Two similar requests were granted (Case #77-72-A are #77-77-A) for lots to the south of this site.

This petition is accepted for filing on the date of the 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 of filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Gonsky, Jr.
NICHOLAS B. GONSKY, JR.
Chairman
Zoning Plans Advisory Committee

NB:Gansow

DATE 5/16/78

Payment 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 variance is hereby granted to the Petitioner:

the above Variance should be had, 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, the Variance to permit a side setback of 40 feet in lieu of the required 50 feet should be granted.

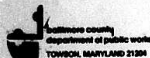
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of July, 1978, that the above Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and Deputy State Engineer of Baltimore County the Office of Planning and Zoning.

By 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 10th day of July, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOUNING, P.E.
DIRECTOR

June 8, 1978

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

Re: Item #227 (1977-1978)
Property Owner: Grapevine Construction Co., Inc.
Location: E/S Franklin Valley Cir. 917 S. Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acres: 1.1191 District: 4th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan 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 secured by Public Works Agreement No. 47502, executed in conjunction with the development of "Franklin Valley", of which this property is Lot 16, Block B of Plot 2, Franklin Valley, Section 1, recorded H&M., Jr. 39, Folio 10.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #227 (1977-1978).

Very truly yours,

Edmund N. Diver, P.E.
EDMUND N. DIVER, P.E.
Chief, Bureau of Engineering

END:ENM:PW:iss

cc: C. Warfield

X-58 Key Sheet
61 NW 46 Sec. Sheet
NW 16 T. 20p
48 Tax Map



LEIGH H. GRAY
DIRECTOR

June 9, 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 #227, Zoning Advisory Committee Meeting, April 25, 1978, are as follows:

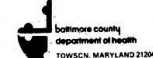
Property Owner: Grapevine Construction Co., Inc.
Location: E/S Franklin Valley Circle 917 S. Cockeys Mill Road
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'
Acres: 1.1191
District: 4th

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

May 18, 1978

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

Dear Mr. DiNenna:

Comments on Item #227, Zoning Advisory Committee Meeting, April 25, 1978, are as follows:

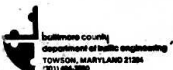
Property Owner: Grapevine Construction Co., Inc.
Location: E/S Franklin Valley Cir. 917 S. Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acres: 1.1191
District: 4th

The proposed variance will not interfere with the location of the sewage disposal area or well, therefore no health hazards are anticipated.

Very truly yours,

Thomas E. Devlin
Thomas E. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/DE/10/10



STEPHEN E. COLLINS
DIRECTOR

May 11, 1978

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

Item No. 227- RAC - April 25, 1978
Property Owner: Grapevine Construction Co., Inc.
Location: E/S Franklin Valley Cir. 917 S. Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acres: 1.1191
District: 4th

Dear Mr. DiNenna:

The variance should have no effect on traffic.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer
Planning and Design

CRM/SDM/dsm



Paul H. Reinecke
Chief

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

Attention: H. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Grapevine Construction Co., Inc.

Location: E/S Franklin Valley Cir. 917 S. Cockeys Mill Rd.

Item No. 227 - Zoning Agenda Meeting of 04/25/78

Sentiments:

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 drive and condition shown at _____ shall be 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 operation.

() 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.

(x) 7. The Fire Prevention Bureau has no comments at this time.

RECEIVED: 5/19/78
Planning Office
Special Inspection Division
Noted and Approved: *Paul H. Reinecke*
Fire Prevention Bureau



JOHN E. SEVIER
DIRECTOR

April 19, 1978

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

Dear Mr. DiNenna:

Comments on Item # 227 Zoning Advisory Committee Meeting, April 25, 1978

are as follows:
Property Owner: Grapevine Construction Co., Inc.
Location: E/S Franklin Valley Cir. 917 S. Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.
Acres: 1.1191
District: 4th

The following are applicable:

X1. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Undeveloped and aged and other applicable codes.

X2. A building permit shall be required before construction can begin.

X3. Additional permits shall be required.

X4. Building shall be upgraded to new use - require alteration permit.

X5. Three sets of construction drawings will be required to file an application for a building permit.

X6. 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.

X7. 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.

X8. Requested setback variance conflicts with the Baltimore County Building Code. See Section

1. No Comment.

2. Comments:

Very truly yours,
Charles E. Burman
Charles E. Burman
Planner III

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: April 25, 1978

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

Z.A.C. Meeting of: April 25, 1978

RE: Item No. 227
Property Owner: Grapevine Construction Co., Inc.
Location: E/S Franklin Valley Cir. 917 S. Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit a side setback of 40' in lieu of the required 50'.

District: 4th
No. Acres: 1.1191

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

Nick Petrevich
N. Nick Petrevich,
Field Representative

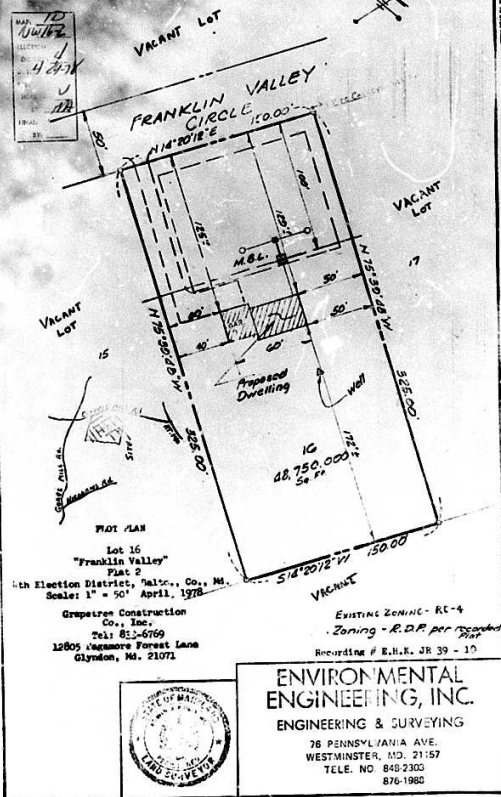
JOSEPH H. MCGRAW, PRESIDENT
T. HAROLD WILLIAMS, JR., VICE-PRESIDENT
RICHARD W. BOWMAN

THOMAS H. BOWEN
MR. CONRAD L. GORRICH
ROBERT B. HAYDEN

ALVIN LINCKE
MR. ALVIN E. LITTON, JR.
RICHARD W. TRACY, D.V.M.

ALBERT J. DUBEL, REPRESENTATIVE

MAP: 10
NW 1/4
 SECTION: 4
 T: 24
 R: 7
 S: 17
 FINAL: 17
 BY:



TOWSON, MD.....June 15....., 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., on ~~each~~ one ~~day~~ successive weeks before the 5th day of July, 1978, the ~~first~~ publication appearing on the 15th day of June, 1978.

THE JEFFERSONIAN.

Cost of Advertisement, \$.....

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map					4/8	4/8				
Petition number added to outline										
Denied										
Granted by ZC, RA, CC, CA										

Reviewed by: JB

Revised Plans:
Change in outline or description Yes
No

Previous case: NONE

Map # New 16L

42
District: _____ Date of Posting: JUNE 19, 1978
Posted for: PETITION FOR VARIANCE
Petitioner: GRANTEE CONSTRUCTION CO., INC.
Location of property: E/3 OF FRANKLIN VALLEY CIRCLE, 917' S OF
COCKEYS MILL RD
Location of Signs: E/3 OF FRANKLIN VALLEY CIRCLE, 915' or S OF
COCKEYS MILL RD
Remarks: _____
Posted by: Thomas H. Ireland Date of return: JUNE 23, 1978

Your Petition has been received * this 14th day of 1978. Filing Fee \$ 25⁰⁰. Received ☒ Check


S. Eric DiNenna,
Zoning Commissioner

Petitioner CRAPSTONE CONST. CO. Submitted by SAME (LESLIE GRIMM)
Petitioner's Attorney _____ Reviewed by JP

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

DATE June 8, 1978 ACCOUNT 01-662

RECEIVED
FROM Leslie J. Grim, Grapetree Construction Co., Inc.
12805 Sagamore Forest Lane, Glyndon, Md. 21071
FOR Petition for Variances, Case No. 70-1-1

42308JUN 8 2500 HSC

DATE July 5, 1978 ACCOUNT 01-662

RECEIVED: Grapetree Construction Co., Inc. 12805 Sagamore
FROM Forest Lane, Glyndon, Md. 21071, Cost of Advertising
FOR and Postage Case No. 79-1-A

20010622 7 38.60 HSE

VALIDATION OR SIGNATURE OF CARRIER