

79-25A 255 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

George W. Kelch
I, or we, Amelia L. Kelch, 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 1102.33 (211, 3 and 301.1) to permit a carport to be located within 3' of the side property line in lieu of required 6 feet

- of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County, for the following reasons (Baltimore hardship or practical difficulty):
1. Large bay window is on the right side of driveway approx. 2 feet off the ground level. With any amount of rain or snow we have been unsuccessful in keeping water out of the interior of the bay window area. Proposed carport would cover this bay window.
 2. To provide protection for car from weather elements.
 3. To improve property.

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

I or we agree to pay expense 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	<u>Amelia L. Kelch</u>
Address	<u>9141 Covered Bridge Road</u>
	<u>Baltimore, Maryland 21234</u>
Petitioner's Attorney	
Protestant's Attorney	

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of August, 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 14th day of August, 1978, at 10:00 o'clock.

S. Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna,
Zoning Commissioner
TO: _____ Date: July 25, 1978
FROM: Leslie H. Graw,
Director of Planning
SUBJECT: Petition 79-25-A, Petition for Variance for side yard setback for open carport
Item #254
West side of Covered Bridge Road, 234 feet North of Cider Mill Road
Petitioner - George W. and Amelia L. Kelch

9th District

HEARING: Monday, August 7, 1978 (10:00 A.M.)

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

Leslie H. Graw
Leslie H. Graw
Director of Planning

LHG:jgh:aw

RE: PETITION FOR VARIANCE
W/S Covered Bridge Road
234' N Cider Mill Road, 9th District
OF BALTIMORE COUNTY
GEORGE W. KELCH, et ux, Petitioners Case No. 79-25-A

ORDER TO ENTER APPEARANCE

Mr. Commissionar:
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 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 Zimmern
Peter Max Zimmern
Deputy People's Counsel

I HEREBY CERTIFY that on this 14th day of July, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. George W. Kelch, 9141 Covered Bridge Road, Baltimore, Maryland 21234, Petitioners.

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

John W. Heslian, III
John W. Heslian, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 494-2188
S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

August 8, 1978

RE: Petition for Variance
W/S of Covered Bridge Road,
234' N of Cider Mill Road -
9th Election District
George W. Kelch, et ux - Petitioners
NO. 79-25-A (Item No. 255)

Dear Mr. & Mrs. Kelch:

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:mr

Attachment

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

Description
Beginning at a point on the west side of Covered Bridge Road approximately 234 feet north of Cider Mill Road, Section One Plat # 2 of Perring Park as recorded in the Land records of Baltimore County Block # 1, Lot # 22 Book 27 folio 50. Also known as 9141 Covered Bridge Road.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. George W. Kelch
9141 Covered Bridge Road
Baltimore, Maryland 21234
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 13th day of June, 1978

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Kelch
Petitioner's Attorney: _____ Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

July 27, 1978

cc:
Nicholas B. Commodari
Chairman

Mr. & Mrs. George W. Kelch
9141 Covered Bridge Road
Baltimore, Maryland 21234

RE: Variance Petition
Item No. 255
Petitioner - Kelch

Dear Mr. & Mrs. Kelch:

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 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.

Because of your proposal to construct a carport to the side of the existing dwelling within 3 feet of the side property line in lieu of the required 6 feet, this Variance is required. Please note the fact that the petition forms have been changed in order to reflect this request. Originally the forms stated that the required setback was 7.5 feet. However, in investigating the matter, it appears that 6 feet is required.

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

NB:Ciamr

Pursuant to the statement, 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 Petitioner.

the above Variance should be had, and it further appearing that by reason of the starting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a carport to be located within three feet of the side property line is in lieu of the required six feet should be.

IS ORDERED by the Zoning Commissioner of Baltimore County, this 1978.

day 2 AUGUST 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 statement, 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 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



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

July 12, 1978

Re: Item #255 (1977-1978)
Property Owner: George W. & Amelia L. Kelch
W/S Covered Bridge Rd. 234' N. Cider Mill Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 7.5' for an open carport.
Acres: 0.25 District: 9th

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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #255 (1977-1978).

Very truly yours,

ELLEN K. N. DIVER, P.E.
Chief, Bureau of Engineering

ED:KAN:PM:zer

N-NE Key Sheet
39 NE 16 Pos. Sheet
NE 100 Topo
71 Tax Map



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

July 24, 1978

Dear Mr. DiNenna:

Comments on Item #255, Zoning Advisory Committee Meeting, June 6, 1978, are as follows:

Property Owner: George W. & Amelia L. Kelch
Location: W/S Covered Bridge Road 234' N. Cider Mill Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 7.5' for an open carport.
Acres: 0.25
District: 9th

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. Wimbly
John L. Wimbly
Planner III
Current Planning and Development



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

July 12, 1978

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

Dear Mr. DiNenna:

Comments on Item #255, Zoning Advisory Committee Meeting of June 6, 1978, are as follows:

Property Owner: George W. & Amelia L. Kelch
Location: W/S Covered Bridge Rd. 234' N. Cider Mill Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 7.5' for an open carport.
Acres: 0.25
District: 9th

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

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/TRE/tls



STEPHEN E. COLLINS
DIRECTOR

June 22, 1978

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

Item No. 255 - June 6, 1978
Property Owner: George W. & Amelia L. Kelch
Location: W/S Covered Bridge Rd. 234' N. Cider Mill Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 7.5' for an open carport.

Acres: 0.25
District: 9th

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Waber
Engineer I

SEM/tms



Paul H. Reincke
CHIEF

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

Re: Property Owner: George W. & Amelia L. Kelch
Location: W/S Covered Bridge Rd. 234' N. Cider Mill Rd.
Item No. 255 Zoning Agenda Meeting of 06/06/78

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "r" 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 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 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 subject to occupancy.
6. Site plan as approved as shown.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: Noted and Approved:
Planning Group Charles E. Burman
Special Inspection Division Fire Prevention Bureau



JOHN D. SEVIER
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 # 255 Zoning Advisory Committee Meeting, June 6, 1978 are as follows:

Property Owner: George W. & Amelia L. Kelch
Location: W/S Covered Bridge Road 234' N. Cider Mill Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 7.5' for an open carport.

Acres: 0.25
District: 9th

The items checked below are applicable:

- A. The items shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- B. A building permit shall be required before construction can begin.
- C. Additional permits shall be required.
- D. Building shall be up to new use - requires alteration permit.
- 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 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section .
- I. No Comment.
- J. Comment:

Very truly yours,

Charles E. Burman
Charles E. Burman
Planning Group Chief

CE:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 5, 1978

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

Z.A.C. Meeting of: June 6, 1978

RE: Item No: 255
Property Owner: George W. & Amelia L. Kelch
Location: W/S Covered Bridge Rd. 234' N. Cider Mill Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 7.5' for an open carport.

District: 9th
No. Acres: 0.25

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrowich
W. Nick Petrowich,
Field Representative

NPD/tp

JOSEPH H. MCGOWAN, JR. DEPUTY
T. BAYARD WILLIAMS, JR. VICE-DEPUTY
MANCUS H. BOHRAND

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROGER B. HATHEN

ALVIN LORRECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACY, D.C.A.

FOREST V. HUBBELL, SUPERINTENDENT



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & YENGE DISPOSITION
MISCELLANEOUS CASH RECEIPT

No. 65638

DATE May 26, 1978

AMOUNT \$ 25.00 (cash)

RECEIVED George W. Kelch
FOR Philanthropy for Variance
9741 Covered Bridge Rd.
Baltimore, Md. 21234

JUN 7 7 1978 20

25.00 NC

VALIDATION OR SIGNATURE OF CASHIER