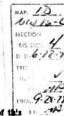


79-32-A 8267 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Mr. Sabir A. Rahman, 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 1403.2B, 4 (103.21) to permit side setbacks of 30 feet and 40 feet in lieu of the required 50 feet in R04 Zone.

of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) We plan to build a house with a two car garage. This house exceeds the width of 50 feet that is available on this lot under the existing restrictions. We need the variance so that we can build the house.



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.

Contract purchaser: Sabir A. Rahman
Address: 12007-K Tarragon Road
Reisterstown, Maryland 21136
Petitioner's Attorney: _____
Protestant's Attorney: _____

BY ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, at _____ o'clock _____ M.

George J. Martinak
Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S of Franklin Valley Circle, 628.58' : OF BALTIMORE COUNTY
S of Cockeys Mill Rd., 4th Dist. :
SABIR A. RAHMAN, et ux, Petitioners : Case No. 79-32-A

ORDER TO ENTER APPEARANCE

vs. 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 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 John W. Hession, III
Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel
County Office Building County Office Building
Towson, Maryland 21204 Towson, Maryland 21204
494-2189 494-2189

I HEREBY CERTIFY that on this 21st day of July, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Sabir A. Rahman, 12007-K Tarragon Road, Reisterstown, Maryland 21136, Petitioners.

John W. Hession, III
John W. Hession, III

 **baltime county**
office of planning and zoning
TOWSON, MARYLAND 21204
(410) 434-2363

S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

August 16, 1978

Mr. & Mrs. Sabir A. Rahman
12007-K Tarragon Road
Reisterstown, Maryland 21136

RE: Petition for Variances
E/S of Franklin Valley Circle,
628.58' S of Cockeys Mill Road -
4th Election District
Sabir A. Rahman, et ux
Petitioners
NO. 79-32-A (Item No. 267)

Dear Mr. & Mrs. Rahman:

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:m

Attachment

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: July 25, 1978
FROM: Lufie H. Graef, Director of Planning
SUBJECT: Petition 79-32-A, Petition for Variance for side yard setbacks
East side of Franklin Valley Circle, 628.58 feet S. of Cockeys Mill Rd.
Petitioner - Sabir A. and Saeda Rahman

4th District

HEARING: Monday, August 14, 1978 (10:30 A.M.)

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

Lufie H. Graef
Lufie H. Graef
Director of Planning

LHG:JGHw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

12007 - K Tarragon Road
Reisterstown, Maryland 21136
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 20th day of June 1978

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Rahman
Petitioner's Attorney: _____

Reviewed by: Nicholas R. Commodari
Nicholas R. Commodari
Chairman, Zoning Plans
Advisory Committee

 **baltime county**
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

July 25, 1978

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

Re: Item #267 (1977-1978)
Property Owner: Sabir & Saeda Rahman
e/s Franklin Valley Cir. 628.58' S. Cockeys Mill Rd.
Existing Zoning: R-4
Proposed Zoning: Variance to permit side setbacks of
30' and 40' in lieu of the required 50'.
Area: 1.1357 district: 4th

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 secured by Public Works Agreement #47502, executed in conjunction with the development of "Franklin Valley", of which this property is lot 18, Block B of Plat 1, Franklin Valley, Section 1, recorded K.B., Jr. 39, Folio 9.

This office has no further comment in regard to the plat submitted for Zoning Advisory Committee review in connection with this Item #267 (1977-1978).

Very truly yours,

Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EM:PMR:SS

cc: C. Warfield

1-25 Day sheet
61 & 62 SW 46 Pos. sheets
MM 16 L Topo
48 Tax Map

OCT 26 1978

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 Petitioner:

the above Variance should be held; and it further appearing that by reason of the findings of the Variance requested not adversely affecting the health, safety, and general welfare of the community. Variances to permit side yard setbacks of 30 feet and 40 feet in lieu of the required 50 feet should be granted.

IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of 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 Deputy Zoning Commissioner of Baltimore County 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 BLDG.
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Bureau of Education
Zoning Administration
Industrial Development

August 2, 1978

Mr. & Mrs. Sabir A. Rahman
12007 - K Tarragon Road
Reisterstown, Maryland 21136

RE: Variance Petition
Item No. 267
Petitioner - Rahman

Dear Mr. & Mrs. Rahman:

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 dwelling on this vacant property within 30 feet of the southerly property line and 40 feet from the northerly property line in lieu of the required 50 feet, this Variance is required. This property is located in an area where similar Variances requests have been granted in the past.

If this petition is granted and at the time of application for the necessary building permits, the location of the proposed septic system must be indicated on the site plans.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will

Mr. & Mrs. Rahman
Page 2
August 2, 1978

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
Chairman
Zoning Plans Advisory Committee

NBC:sm
Enclosure

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 464-3811

LESLIE H. GRAFF
DIRECTOR

July 24, 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 #267, Zoning Advisory Committee Meeting, June 20, 1978, are as follows:

Property Owner: Sabir and Saeeda Rahman
Location: E/S Franklin Valley Circle 628.58' S. Cockeys Mill Road
Existing Zoning: RC-4
Proposed Zoning: Variance to permit side setbacks of 30' and 40' in lieu of the required 50'.
Acres: 1.1357
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. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

July 26, 1978

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

Dear Mr. DiNenna:

Comments on Item #267, Zoning Advisory Committee Meeting of June 20, 1978, are as follows:

Property Owner: Sabir & Saeeda Rahman
Location: E/S Franklin Valley Cir. 628.58' S Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit side setbacks of 30' and 40' in lieu of the required 50'.
Acres: 1.1357
District: 4th

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

Very truly yours,
Charles E. Durbach
Director
BUREAU OF ENVIRONMENTAL SERVICES

TEH/JRH/tjh

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 464-3800

STEPHEN E. COLLINS
DIRECTOR

June 27, 1978

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

Item No. 267 - EAC - June 20, 1978
Property Owner: Sabir & Saeeda Rahman
Location: E/S Franklin Valley Cir. 628.58' S Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit side setbacks of 30' and 40' in lieu of the required 50'.

Acres: 1.1357
District: 4th

Dear Mr. DiNenna:

The Variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Engineer I

SEW/hms

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 465-7310

Paul H. Reincke
CHIEF

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

Attention: E. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Sabir & Saeeda Rahman

Location: E/S Franklin Valley Cir. 628.58' S Cockeys Mill Rd.

Item No. 267 Zoning Agenda Meeting of 6/20/78

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 or _____ 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", 1978 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY

Planning Group
Special Inspection Division

Noted and

Approved: George M. Maganoff
Fire Prevention Bureau

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 464-3811

JOHN S. SEVIER
DIRECTOR

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

Dear Mr. DiNenna:

Comments on Item #267 Zoning Advisory Committee Meeting, June 20, 1978, are as follows:

Property Owner: Sabir & Saeeda Rahman
Location: E/S Franklin Valley Cir. 628.58' S Cockeys Mill Rd.
Existing Zoning: R.C. 4
Proposed Zoning: Variance to permit side setbacks of 30' and 40' in lieu of the required 50'.

Acres: 1.1357
District: 4th

The items checked below are applicable:

- XA. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1978 Edition and use 1971 Supplement, State of Maryland Code for the Baltimore County and all other applicable codes.
- XB. A building permit shall be required before construction can begin.
- XC. Additional _____ permits shall be required.
- XD. Building shall be upgraded to new use - requires alteration permit.
- XE. Three sets of construction drawings will be required to file an application for a building permit.
- XF. Three sets of construction drawings with a registered Maryland Architect or Engineer's original and will be required to file an application for a building permit.
- YG. 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.
- YH. Reported setback variance conflicts with the Baltimore County Building Code, See Section _____.
1. No Comment.
2. Comment:

Very truly yours,

Charles E. Durbach
Charles E. Durbach
Plans Review Chief

CEB/rvj

OCT 26 1978

VALIDATION OR SIGNATURE (X CANVAS)