

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

79-33-A
#278

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Joseph J. Hess, 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 1802a.29 (2)(1), 3) to permit a side street setback of 12' instead of the required 25' and a distance of 37' from center line of street instead of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Due to the style of the house and the fact that the house faces the corner it is not practical to hold the front setback.

79-33-A
#278
DATE RECEIVED FOR PLANNING

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay a fee 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 _____ Legal Owner _____
Address _____
Petitioner's Attorney _____ Protestants' Attorney _____
Address _____

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 104, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1978, at _____ o'clock _____ A. M.

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

79-33-A
#278

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
SW corner of Loch Lomond Drive : OF BALTIMORE COUNTY
and Glen Park Road, 11th District :
JOSEPH J. HESS, Petitioner : Case No. 79-33-A

ORDER TO ENTER APPEARANCE

Mr. Convalescer:
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.

John W. Hessian, III
John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21286
494-2188

I HEREBY CERTIFY that on this 21st day of July, 1978, a copy of the foregoing Order was mailed to Mr. Joseph J. Hess, 4143 Glen Park Road, Baltimore, Maryland 21236, Petitioner.

John W. Hessian, III
John W. Hessian, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21286
491-484-3293

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

August 22, 1978

Mr. Joseph J. Hess
4143 Glen Park Road
Baltimore, Maryland 21236

RE: Petition for Variances
SW/Corner of Loch Lomond
Drive and Glen Park Road -
11th Election District
Joseph J. Hess - Petitioner
NO. 79-33-A (Item No. 278)

Dear Mr. Hess:

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

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: July 25, 1978
FROM: Leslie H. Graf, Director of Planning
SUBJECT: Petition #79-33-A, Petition for Variances for a street and centerline setback

Southwest corner of Loch Lomond Drive and Glen Park Road
Petitioner - Joseph J. Hess

11th District

HEARING: Monday, August 14, 1978 (10:45 A.M.)

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

Leslie H. Graf
Leslie H. Graf
Director of Planning

LHG:JHM

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE

BEGINNING at a point on the southwest corner of Loch Lomond Drive and Glen Park Road and known as lot 7 Block A of Section One of Brae Mar and recorded among the Land Records of Baltimore County in Liber 23, folio 63.
Also known as 4143 Glen Park Road.



PETITION AND SITE PLAN
EVALUATION COMMENTS

Mr. Joseph J. Hess
4143 Glen Park Road
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Baltimore, Maryland 21236
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21286

Your Petition has been received and accepted for filing this 27th day of June, 1978.

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Joseph J. Hess
Petitioner's Attorney: _____
Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 2, 1978

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21286

to
Nicholas B. Commodari
Chairman

Mr. Joseph J. Hess
4143 Glen Park Road
Baltimore, Maryland 21236

MEMBERS
Bureau of Engineering
Department of Traffic Administration
State Roads Commission
Bureau of Fire Protection
Health Department
Project Planning
Baltimore Department of Public Works
Baltimore Board of Health
Baltimore Board of Education
Baltimore Board of Police Commissioners
Baltimore Board of Public Works

RE: Variance Petition
Item No. 278
Petitioner - Hess

Dear Mr. Hess:

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 assure that all parties are made aware of plans or problems in regard to the development plans that may have a bearing on this matter. 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 an addition to the side of the existing dwelling and coupled with its orientation on this property, this Variance 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

NBC:amr

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 Variance should be had, and it further appearing that by reason of the exigency of the Variance requested, no adversely affecting the health, safety, and general welfare of the community, a Variance to permit a side setback of 12 feet in lieu of the required 25 feet and a setback of 37 feet from the center line of the street in lieu of the required 50 feet should be granted.

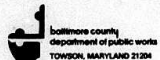
IT IS ORDERED by the Deputy Commissioner of Baltimore County, this August 2, 1978, that the herein Petition for the aforementioned Variance should be and the same is GRANTED from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and Deputy Zoning Commissioners 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 above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this August 2, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E. DIRECTOR

August 2, 1978

Mr. S. Eric DiNenna, Zoning Commissioner, County Office Building, Towson, Maryland 21284

Re: Item #278 (1977-1978) Property Owner: Joseph J. Hess, SW/C Loch Lomond Dr. & Glen Park Rd. Existing Zoning: DR 5.5 Proposed Zoning: Variance to permit a side setback of 12' in lieu of the required 25' and a setback of 37' to the centerline in lieu of the required 50'. District: 11th

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. Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Very truly yours, ELLSWORTH M. DIVER, P.E., Chief, Bureau of Engineering

EMD:EMR:MR:SS 6-28 Key Sheet 43 NE 29 Pos. Sheet NE 11 H Topo 63 Tax Map



LESLIE H. GARY, DIRECTOR

July 24, 1978

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

Dear Mr. DiNenna:

Comments on Item #278, Zoning Advisory Committee Meeting, June 27, 1978, are as follows:

Property Owner: Joseph J. Hess Location: SW/C Loch Lomond Drive and Glen Park Road Existing Zoning: D.R. 5.5 Proposed Zoning: Variance to permit a side setback of 12' in lieu of the required 25' and a setback of 37' to the center line in lieu of the required 50'. District: 11th

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, Planner III, Project and Development Planning



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

August 1, 1978

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

Dear Mr. DiNenna:

The following are comments on Item # 278, Zoning Advisory Committee Meeting of June 27, 1978.

Property Owner: Joseph J. Hess Location: SW/C Loch Lomond Dr. & Glen Park Rd. District: 11th Existing Zoning: D.R. 5.5 Proposed Zoning: Variance to permit a side setback of 12' in lieu of the required 25' and a setback of 37' to the center line in lieu of the required 50'.

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

Very truly yours, Thomas H. Devlin, Director, BUREAU OF ENVIRONMENTAL SERVICES

TMD:JSP:phg SEC 35 11



STEPHENE COLLINS, DIRECTOR

July 20, 1978

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

Item No. 278 - SAC - June 27, 1978 Property Owner: Joseph J. Hess Location: SW/C Loch Lomond Dr. & Glen Park Rd. Existing Zoning: D.R. 5.5 Proposed Zoning: Variance to permit a side setback of 12' in lieu of the required 25' and a setback of 37' to the center line in lieu of the required 50'.

Acres: District: 11th

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours, Stephen E. Weber, Engineer I

SEM/ams



Paul H. Reincke, CHIEF

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

Attention: H. Commodore, Chairman, Zoning Advisory Committee

Re: Property Owner: Joseph J. Hess Location: SW/C Loch Lomond Dr. & Glen Park Rd.

Item No. 278 Zoning Agenda Meeting of 06/27/78

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 or 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 [redacted] 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 prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: [Signature] Planning Group Special Inspection Division. APPROVED: [Signature] Fire Prevention Bureau.



JOHN S. SEFFERT, DIRECTOR

79-33-A 11:00 AM

August 16, 1978

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

Dear Mr. DiNenna:

Comments on Item # 278 Zoning Advisory Committee Meeting, are as follows:

Property Owner: Joseph J. Hess Location: SW/C Loch Lomond Dr. & Glen Park Road Existing Zoning: D.R. 5.5 Proposed Zoning: Variance to permit a side setback of 12' in lieu of the required 25' and a setback of 37' to the center line in lieu of the required 50'.

Acres: District: 11th

The items checked below are applicable:

- X. A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement.
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.
C. Wood frame walls are not permitted within 30' of a property line. Contact Building Department if distance is between 30' and 60' of property line.
E. Requested setback variance conflicts with the Baltimore County Building Code. See Section [redacted].
I. No Comment.
J. Comment:

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

CEB/rj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 26, 1978

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

Z.A.C. Meeting of: June 27, 1978

RE: Item No. 278 Property Owner: Joseph J. Hess Location: SW/C Loch Lomond Dr. & Glen Park Rd. Present Zoning: D.R. 5.5 Proposed Zoning: Variance to permit a side setback of 12' in lieu of the required 25' and a setback of 37' to the center line in lieu of the required 50'.

District: 11th No. Acres:

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours, W. Nick Petrowski, Field Representative

WNP/tp

JOSEPH H. MCGOWAN, PRESIDENT, T. BARBAR WILLIAMS, JR., REPRESENTATIVE, MARCUS W. BOWLING

THOMAS H. BOYER, ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LOROCK, ROBERT W. TRACY, D.V.M.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 7-27-78
Posted for: Variance
Petitioner: Joseph J. Hess
Location of property: Shelton Cor. Loch Lomond Dr. & Glen Park Road
Location of Sign: Corner of property on street
Remarks: _____
Posted by: Alan H. Somerville Date of return: 7-27-78
Signature

1- Sign

PETITION MAPPING PROGRESS SHEET

FUNCTION	Full Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map					6-19	1-14				
Petition number added to outline										
Denied										
Granted by ZC, BA, CG, CA										
Reviewed by: <u>ADJ</u> Revised Plans: Change in outline or description _____ Yes Previous case: _____ Map # <u>NE114</u> _____ No										

NOTICE TO PETITIONERS FOR VARIANCE...
The Baltimore County Zoning Department of Baltimore County, Md. is hereby giving notice of the location of the proposed variance...
The Baltimore County Zoning Department of Baltimore County, Md. is hereby giving notice of the location of the proposed variance...
The Baltimore County Zoning Department of Baltimore County, Md. is hereby giving notice of the location of the proposed variance...

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 27, 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 one week at one time successive weeks before the 11th day of August, 1978, the 10th publication appearing on the 27th day of July, 1978.
THE JEFFERSONIAN
L. Leach, Jr., Manager

NOTICE TO PETITIONERS FOR VARIANCE...
The Baltimore County Zoning Department of Baltimore County, Md. is hereby giving notice of the location of the proposed variance...
The Baltimore County Zoning Department of Baltimore County, Md. is hereby giving notice of the location of the proposed variance...
The Baltimore County Zoning Department of Baltimore County, Md. is hereby giving notice of the location of the proposed variance...

OFFICE OF THE TIMES
TOWSON, MD. 21204 July 27 1978
THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Joseph J. Hess was inserted in the following:
 Catonsville Times Towson Times
 Dundalk Times Arbutus Times
 Essex Times Community Times
 Suburban Times East Suburban Times West
weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 28th day of July, 1978, that is to say, the same was inserted in the issues of July 27, 1978
STROMBERG PUBLICATIONS, INC.
BY: Esther Berger

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this 16 day of July 1978. Filing Fee \$ 25. Received Cash Check Other
S. Eric Dikensia, Zoning Commissioner
Petitioner Joseph J. Hess Submitted by Hess
Petitioner's Attorney _____ Reviewed by ADJ
* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 73398
DATE July 20, 1978 ACCOUNT 01-662
AMOUNT \$25.00
RECEIVED Joseph J. Hess
FOR Filing Fee for Case No. 79-3-A
\$25.00 RECEIVED
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - VENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 73466
DATE August 13, 1978 ACCOUNT 01-662
AMOUNT \$43.71
RECEIVED Pamela H. Hess
FROM 4143 Glen Park Rd., Balto., Md.
FOR 21236, Cost of Advertising and Posting for Case No. 33-A
\$43.71 RECEIVED
VALIDATION OR SIGNATURE OF CASHIER

