

79-76-A 79-76-11 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Richard J. Halle, 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 1002.30 (2) 1.33 (2) 1.11 to permit a side setback of 39' instead of the required 6' for an open carport.

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

BECAUSE OF THE LAYOUT OF THE EXISTING LOT IT WILL BE NECESSARY TO RECEIVE A VARIANCE TO ADD A CARPORT TO THE SIDE OF THE EXISTING DWELLING. THERE IS ONLY ONE ENTRANCE PATH INTO THE YARD FOR A DRIVEWAY AND ONLY A MINIMAL DISTANCE OF FOOTAGE BETWEEN LOTS WHICH DOES NOT PERMIT ANY ADDITIONAL CONSTRUCTION ROOM WHICH WOULD STILL COMPLY WITH THE SIDE YARD ZONING CODE.

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.

DATE October 1, 1978
 Contract purchaser Richard J. Halle
 Address 524 NOLLMEYER ROAD
 BALTIMORE, MD. 21220
 Petitioner's Attorney Richard J. Halle
 Protester's Attorney _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 11th day

of July, 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of October, 1978, at 10:00 o'clock A. M.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna September 18, 1978
 Zoning Commissioner
 FROM: Leslie H. Groat
 Director of Planning
 SUBJECT: Petition 79-76 Item 6, Petition for Variance for a side yard setback
Southwest side of Nollmeyer Road, 182.1 feet Northwest of Bayville Road
Petitioner - Richard J. and Diane Halle

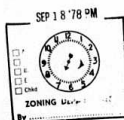
15th District

HEARING: Monday, October 2, 1978 (10:00 A.M.)

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

Leslie H. Groat
 Director of Planning

LHG:JGH/w



RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SW/S of Nollmeyer Rd., 182.1' : OF BALTIMORE COUNTY
 NW of Bayville Rd., 15th District
 RICHARD J. HALLE, et ux, : Case No. 79-76-A
 Petitioners

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 the above, and of the passage of any preliminary or final Order in connection therewith.

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 8th day of September, 1978, a copy of the foregoing

Order was mailed to Mr. and Mrs. Richard J. Halle, 524 Nollmeyer Road, Middle River, Maryland 21220, Petitioners.

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

BEGINNING AT A POINT 182.10 FEET NORTHWEST OF BAYVILLE ROAD ON THE SOUTHERLY SIDE OF NOLLMEYER ROAD, BEING LOT NUMBER 14, BLOCK B, SECTION 3 OF CARROLLWOOD, AS RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY IN LIDER NUMBER 30, FOLIO NUMBER 148. ALSO KNOWN AS 524 NOLLMEYER ROAD.

Baltimore County
 Office of Planning and Zoning
 TOWSON, MARYLAND 21204
 (301) 454-2363
 S. ERIC DINENNA
 ZONING COMMISSIONER
 George J. Martinak
 Deputy Zoning Commissioner

October 11, 1978

Mr. & Mrs. Richard J. Halle
 524 Nollmeyer Road
 Baltimore, Maryland 21220

RE: Petition for Variance
 SW/S of Nollmeyer Road, 182.1' NW
 of Bayville Road - 15th Election
 District
 Richard J. Halle, et ux - Petitioners
 NO. 79-76-A (Item No. 6)

Dear Mr. & Mrs. Halle:

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

Very truly yours,
George J. Martinak
 Deputy Zoning Commissioner

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
 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
 Public Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

September 21, 1978.

Mr. & Mrs. Richard J. Halle
 524 Nollmeyer Road
 Baltimore, Maryland 21220

RE: Variance Petition
 Item No. 6
 Petitioner - Halle

Dear Mr. & Mrs. Halle:

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 availability of the requested zoning.

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

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 July, 1978.

S. Eric DiNenna
 Zoning Commissioner
 Petitioner's Attorney Richard J. Halle
 Reviewed by Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

Mr. & Mrs. Richard J. Halle
 524 Nollmeyer Road
 Baltimore, Maryland 21220

Item No. 6

FEB 28 1979

DATE 02-24-1978

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 fact 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 granting of the Variance requested, not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a side yard setback of 3.25' in lieu of the required six feet, for an open carport, should be granted.

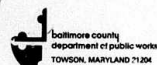
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of October, 1978, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Department 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 11th day of October, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THOMAS M. MOURING, P.E.
DIRECTOR

August 8, 1978

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

Re: Item #6 (1.7-1979)
Property Owner: Richard J. Halle
S/W Hollmeyer Rd. 182.1' NW Bayville Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3.25' in lieu of the required 6' for open carport.
Acres: 63 x 110' District: 15th

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 No. 156512, executed in connection with the development of Section Three of Carrollwood, of which this property comprises Lot 14 of Block B, shown on the recorded plat (O.T.C. 30 Police 148).

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,
Thomas M. Mouring, P.E.
Chief, Bureau of Engineering

END:EM:PMR:SS

2-1/4 Key Sheet
12 & 13 NE 42 Pos. sheets
NE 2 & 4 E Topo
91 Tax Map



LESLIE H. GRAFT
DIRECTOR

August 25, 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 #6, Zoning Advisory Committee Meeting, July 11, 1978, are as follows:

Property Owner: Richard J. Halle
Location: SW/S Hollmeyer Road 182.1' NW Bayville Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3.25' in lieu of the required 6' for open carport
Acres: 63 x 110' District: 15th

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 the petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley, Jr.
John L. Wimbley, Jr.
Planning III
Current Planning and Development



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

August 29, 1978

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

Dear Mr. DiNenna:

Comments on Item #6, Zoning Advisory Committee Meeting of July 11, 1978, are as follows:

Property Owner: Richard J. Halle
Location: SW/S Hollmeyer Rd. 182.1' NW Bayville Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3.25' in lieu of the required 6' for open carport.
Acres: 63 x 110' District: 15th

Municipal water and sewer exist, therefore the proposed variance should not pose any health hazards.

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

END/JEB/tbc



STEPHEN E. COLLINS
DIRECTOR

July 21, 1978

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

Item No. 6 - SAC - July 11, 1978
Property Owner: Richard J. Halle
Location: SW/S Hollmeyer Rd. 182.1' NW Bayville Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3.25' in lieu of the required 6' for open carport.
Acres: 63 x 110'
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the side setback to permit an open carport.

Very truly yours,
Stephen E. Collins
Stephen E. Collins
Engineer I

SEM/ma



Paul H. Reincke
Chief

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

Attention: H. Comondari, Chairman
Zoning Advisory Committee

Re: Property Owner: Richard J. Halle
Location: SW/S Hollmeyer Rd. 182.1' NW Bayville Rd.
Item No. 6 - Zoning Agenda Meeting of 07/11/78

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below 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 _____ EXCEEDS the maximum allowed by the Fire Department.
- (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 requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy.
- (6) 6. Site plans are approved as drawn.
- (7) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] Noted and Approved: [Signature]
Planning Group Special Inspection Division Fire Prevention Bureau



JOHN D. SEEVERY
DIRECTOR

August 15, 1978

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

Dear Mr. DiNenna:

Comments on Item # 6 Zoning Advisory Committee Meeting, July 11, 1978 are as follows:

Property Owner: Richard J. Halle
Location: SW/S Hollmeyer Road 182.1' NW Bayville Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3.25' in lieu of the required 6' for open carport.
Acres: 63 x 110'
District: 15th

The items checked below are applicable:

- X 1. A structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 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.
- X 3. A building permit shall be required.
- X 4. Building shall be upgraded to new use - requires alteration permit.
- X 5. Three sets of construction drawings may be required to file an application for a building permit.
- X 6. Three sets of construction drawings with a registered Maryland Architect or Engineer's official seal will be required to file an application for a building permit.
- X 7. 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.
- X 8. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____
1. No Comment.
2. Comment:

Very truly yours,
Charles E. Seevery
Planning Chief

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 10, 1978

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

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

RE: Item No. 6
Property Owner: Richard J. Halle
Location: SW/S Hollmeyer Rd. 182.1' NW Bayville Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3.25' in lieu of the required 6' for open carport.
District: 15th
No. Acres: 63 x 110'

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WJP/bp

ALFRED H. MCGUIRE, President
T. HARVEY WILLIAMS, JR., Vice-President
MARVIN M. BOWMAN

THOMAS H. BRYER
MRS. LORRAINE T. CHURCH
ROSE E. HARTEN

ALVIN LORUCK
MRS. MILTON F. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

FEB 28 1979

