

79-105-A 47 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, ROBERT A. WANDA PROSSER, 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 1802-30.1, NO. 79-105-A REAR SETBACK OF 20 FOOT IN LIEU OF THE REQUIRED 30 FOOT. A.S.S.

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

THE EXISTING (BUILDING) HOUSE NOW SITS 30 FEET OFF OF REAR SETBACK LINE. THE TYPICAL 10' x 4' x 4' ROOM (VERY SMALL AND NOT FUNCTIONAL) THE ONLY BATHROOM IN THE HOUSE IS IN AN UNFINISHED BASEMENT, WITH SIX FOOT CEILING HEIGHTS. WE PROPOSE TO ADD A 10 FOOT ADDITION TO REAR OF HOUSE WITH 10 SIDE SETBACK CHANGES TO HOUSE, 30 HAYS IN A NEW BATHROOM AND KITCHEN.

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.

Robert A. Wanda Prosser
Petitioner
Address: 4434 Grape Hill Road, Baltimore, Maryland 21236
Petitioner's Attorney: John W. Hession, III
Address: 5419 Park Heights Avenue, Baltimore, Maryland 21215

ORDERED By The Zoning Commissioner of Baltimore County, this 29th 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 108, County Office Building in Towson, Baltimore County, on the 6th day of November 1978 at 10:45 o'clock A.M.

John W. Hession, III
Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCE
NE/S of Grape Hill Rd., 205'
NW of Belair Rd., 14th District
OF BALTIMORE COUNTY

ROBERT PROSSER, et ux, Petitioners : Case No. 79-105-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:
Pursuant to the authority contained in Section 5.4.1 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
Dputy People's Counsel
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 18th day of October, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Robert Prosser, 4434 Grape Hill Road, Baltimore, Maryland 21236, Petitioners; and Mr. Sheldon Forchheimer, Homeview Contractors, Inc., 5419 Park Heights Avenue, Baltimore, Maryland 21215.

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

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
301-494-1333
S. ERIC DINENNO
Zoning Commissioner
George J. Martink
Deputy Zoning Commissioner

November 9, 1978

Mr. & Mrs. Robert M. Prosser
4434 Grape Hill Road
Baltimore, Maryland 21236
612 Spring Avenue
Lutherville, Maryland 21093

RE: Petition for Variance
NE/S of Grape Hill Road, 205' NW
of Belair Road - 14th Election
District
Robert M. Prosser, et ux -
Petitioners
No. 79-105-A (Item No. 47)

Dear Mr. & Mrs. Prosser:

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

Very truly yours,
George J. Martink
GEORGE J. MARTINK
Deputy Zoning Commissioner

GJM:m

Attachment

cc: Mr. Sheldon Forchheimer
Homeview Contractors, Inc.
5419 Park Heights Avenue
Baltimore, Maryland 21215

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

DESCRIPTION FOR VARIANCE
Beginning at a point on the Southeast side of Grape Hill Road, approximately 205 feet north of Belair Road and being known as Lot No. 4, Plat of "Oak Hill" as recorded in the Land Records of Baltimore County in Book 93, folio 13.
Also known as 4134 Grape Hill Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner
Lettie H. Groat
Director of Planning
October 31, 1978

SUBJECT: Petition 79105A - Item 47. Petition for Variance for rear yard setback
Northeast side of Grape Hill Road, 205 feet Northwest of Belair Road
Petitioner - Robert and Wanda Prosser
14th District

HEARING: Monday, November 6, 1978 (10:45 A.M.)

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

Sheldon Forchheimer
Lettie H. Groat
Director of Planning

LNQ:JGH:m

BALTIMORE COUNTY

ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Robert Prosser
4434 Grape Hill Road
Baltimore, Maryland 21236

Item No. 47

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 29th day of August 1978.

S. Eric Dinenna
S. ERIC DINENNO
Zoning Commissioner

Petitioner: PROSSER
Petitioner's Attorney:

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 18, 1978

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
NICHOLAS B. COMMODARI
Chairman
ZONING PLANS ADVISORY COMMITTEE
MEMBERS:
BUREAU OF PLANNING
Department of Traffic Engineering
State Parks Commission
Fire Protection
Health Department
Public Planning
Building Department
Board of Education
Social Administration
Industrial Development

Mr. Robert Prosser
4434 Grape Hill Road
Baltimore, Maryland 21236

RE: Variance Petition
Item No. 47
Petitioner - Prosser

Dear Mr. Prosser:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site filed 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.

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:cmr
Enclosure

MAR 13 1979

Pursuant to the advertisement, posting of property, and public hearing on the 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(s),

the Variance(s) should be granted; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of November, 1978, that the herein Petition for the aforementioned Variance(s) should be and the same is/was 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.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of November, 1978, that the aforementioned Variance(s) be and the same is/are hereby DENIED.



THOMSON M. MOURING, P.E.
DIRECTOR

October 26, 1978

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

Re: Item #47 (1978-1979)
Property Owner: Robert & Wanda Prosser
R/S Grape Hill Rd. 205' NW Belair Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 20' in lieu of the required 30'.
Acres: 0.1182 District: 14th

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.

Highways:

Grape Hill Road, shown as an "existing 10-foot wide private strip" on the submitted plan, is indicated as a 12-foot road on the J. George Hise Plat (recorded C.H.R. 11, Folio 93), of which this property comprises lot 4.

Grape Hill Road, an existing Baltimore County maintained 10-foot paved width public way, 32 feet wide, is proposed to be improved in the future as a public road with a 30-foot closed section roadway on a 10-foot right-of-way. Highway right-of-way widening including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

Sediment Control:

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.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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."

Item #47 (1978-1979)
Property Owner: Robert & Wanda Prosser
Page 2
October 26, 1978

Water and Sanitary Sewer:

Public water main does not exist in Grape Hill Road. An 8-inch public water main, although designed and bid, was not constructed (Drawing #57-0503, File 3).

There are no fire hydrants on Grape Hill Road. The nearest hydrant is located on the southeast side of Belair Road, opposite Martin Avenue.

Public sanitary sewerage does not exist in Grape Hill Road. There is an 8-inch public sanitary sewer within an offset 10-foot utility easement parallel and contiguous to the rear or northern property line of this lot, Drawing #64-1072, File 1, which plan also indicates an "approximate location of a private water line" along the northerly side of Grape Hill Road.

Very truly yours,

William M. Dwyer
WILLIAM M. DWYER, P.E.
Chief, Bureau of Engineering

END:EM:PMR:SS

cc: J. Wislady
J. Somers
J. Lewis
W. Marshall

WDM Key Sheet
29 NE 21 Box, Sheet
NE 1 P Topo
31 Tax Map



LESLIE H. GRAY
DIRECTOR

October 23, 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 #47, Zoning Advisory Committee Meeting, August 24, 1978, as follows:

Property Owner: Robert and Wanda Prosser
Location: NE/S Grape Hill Road 205' NW Belair Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 20' in lieu of the required 30'.
Acres: 0.1182
District: 14th

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



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

September 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 #47, Zoning Advisory Committee Meeting, August 29, 1978, are as follows:

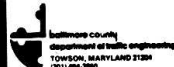
Property Owner: Robert & Wanda Prosser
Location: NE/S Grape Hill Rd. 205' NW Belair Road.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 20' in lieu of the required 30'.
Acres: 0.1182
District: 14th

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

Very truly yours,

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

THD:JRP:jlg



STEPHEN COLLINS
DIRECTOR

October 20, 1978

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

Item No. 47 - EMC - Meeting of August 29, 1978
Property Owner: Robert & Wanda Prosser
Location: NE/S Grape Hill Rd. 205' NW Belair Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 20' in lieu of the required 30'.
Acres: 0.1182
District: 14th

Dear Mr. DiNenna:

A. traffic problems are anticipated by the requested variance to the rear yard setback.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Engineer Associate II

MSF/mjm



Paul H. Reincke
Chief

October 5, 1978

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Mr. Donald J. Roy, Chairman
Zoning Advisory Committee

Re: Property Owner: Robert & Wanda Prosser

Location: NE/S Grape Hill Rd. 205' NW Belair Rd.
Item No. 47 Zoning agenda Meeting of 08/29/78

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 hydrant: 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 prior to occupancy.
- (6) Site plans are approved as drawn.
- (7) The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *William M. Dwyer* Noted and Approved: *George M. McQuinn*
Planning Group Special Inspector in Division Fire Prevention Bureau



JOHN S. DEWEY
DIRECTOR

September 22, 1978

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

Dear Mr. DiNenna:

Comments on Item # 47 Zoning Advisory Committee Meeting, August 29, 1978 are as follows:

Property Owner: Robert & Wanda Prosser
Location: NE/S Grape Hill Road 205' NW Belair Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a rear setback of 20' in lieu of the required 30'.

Acres: 0.1182

District: 14th

- The items checked below are applicable:
- A. Structure 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 upgraded to new use - require attention 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 10' of a property line. Contact Building Department if distance is between 10' and 6' of property line.
 - H. Encroached setback variance conflicts with the Baltimore County Building Code. See Section _____.
 - I. No Comment.
 - J. Comment:

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

CEB:mg

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 28, 1978

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

T.A.C. Meeting of: August 29, 1978

RE: Item No. 47
Property Owner: Robert & Wanda Prosser
Location: NE/S Grape Hill Rd. 205' NW Belair Road
Zoning: D-4, S-5
Prop: Variance to permit a rear setback of 20' in lieu of the required 30'.

District: 14th
No. Acres: 0.1182

Dear Mr. DiNenna:
A hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/lp

JOSEPH A. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BOYANIS
THOMAS H. BOYER
MRS. LORENE J. CHURCH
ROGER B. BARTON
ALVIN L. BOREK
MRS. MILTON W. SMITH, JR.
RICHARD W. HENCKY, JR.

ROBERT T. DUNN, SECRETARY

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14 Date of Posting: 10/1/78
Posted for: Robert Prosser et al.
Petitioner: Robert Prosser et al.
Location of property: NE/S Grape Hill Rd. 205' NW Belair Rd.
Location of Sign: front of property
Remarks: None
Posted by: Sean Coleman Date of return: 10/1/78
No. of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 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 the 15th day of November, 1978, the 10th publication appearing on the 15th day of October, 1978.
THE JEFFERSONIAN
S. Leach Smith
Manager

Cost of Advertisement: \$

OFFICE OF TIMES NEWSPAPERS

TOWSON, MD. 21204 October 19, 1978

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Robert Prosser, et al. was inserted in the following:

☐ Catonsville Times ☐ Towson Times
☐ Dandridge 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 20th day of October, 1978, that is to say, the same was inserted in the issues of October 19, 1978.

STROMBERG PUBLICATIONS, INC.

By *Esther Singer*

PETITION MAPPING PROGRESS SHEET										
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										
Petition number filed to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by <i>W</i>	Revised Plans: Change in outline or description Yes ☐ No ☐									
Previous case: <i>Nike</i>	Map: <i>NESE</i>									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 21 day of August 1978. Filing fee \$ 20.00. Received ☒ Check ☐ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: *Robert Prosser* Submitted by: *Robert Prosser*
Petitioner's Attorney: *Robert Prosser* Reviewed by: *Robert Prosser*

* 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. 16069

DATE: October 10, 1978 ACCOUNT: 01-669

AMOUNT: \$25.00

RECEIVED: *Robert Prosser, Inc.*
FOR: *Filing Fee for Case No. 79-105-4*

25.00 NC

VALIDATION OF SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 76128

DATE: November 8, 1978 ACCOUNT: 01-669

AMOUNT: \$11.19

RECEIVED: *Robert Prosser, Inc.*
FOR: *Cost of Advertising and Posting Case No. 79-105-4*

41.15 NC

VALIDATION OF SIGNATURE OF CARRIER



MAR 13 1979