

79-79-A 115 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Richard W. Ater, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and is a part hereof, hereby petition for a Variance from Section 100.3 to 200.3, A, 1st Edition, of 1977, for an accessory structure located on the permitted lot of 15'.

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

Petitioner wishes to construct a woodworking workshop above his proposed garage/



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 of Baltimore County.

DATE March 24, 1979
 Contract purchaser Richard W. Ater Legal Owner
 Address 5321 Trumps Mill Road
21206
 Petitioner's Attorney _____
 Protestor's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____ 1979.

December 8, 1979. 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 21st day of February, 1979 at 10:15 o'clock A.M.

S. Eric DiNenna
 Zoning Commissioner of Baltimore County.

Resubmitted for
 Wednesday, at 11:45 A.M.
 March 28, 1979

RE: PETITION FOR VARIANCE
 S/S of Trumps Mill Rd., 315'
 W of Rush Rd., 14th District
 RICHARD W. ATER, Petitioner : Case No. 79-179-A

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

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel

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

I HEREBY CERTIFY that on this 5th day of February, 1979, a copy of the foregoing Order was mailed to Mr. Richard W. Ater, 5321 Trumps Mill Road, Baltimore, Maryland 21206, Petitioner.

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

Baltimore County
 Office of Planning and Zoning
 TOWSON, MARYLAND 21204
 270-09-2002
 S. ERIC DINENNA
 ZONING COMMISSIONER

March 23, 1979

Mr. Richard W. Ater
 5321 Trumps Mill Road
 Baltimore, Maryland 21206

RE: Petition for Variance
 S/S of Trumps Mill Road, 315'
 W of Rush Road - 14th Election
 District
 Richard W. Ater - Petitioner
 NO. 79-179-A (Item No. 115)

Dear Mr. Ater:

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

Very truly yours,
S. Eric DiNenna
 S. ERIC DINENNA
 Zoning Commissioner

SED:mr

Attachment

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 7, 1979

Mr. Richard W. Ater
 5321 Trumps Mill Road
 Baltimore, Maryland 21237

RE: Item No. 115
 Petitioner - Ater
 Variance Petition

Dear Mr. Ater:

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.

Located on the south side of Trumps Mill Road, approximately 215' west of Rush Road, in the 14th Election District, the subject property is presently improved with a dwelling and unattached garage. Because of your proposal to demolish this latter structure and construct a new garage with a height of 20' in lieu of the required 15', this Variance is required. Revised site plans indicating the aforementioned 20' structure and the square footage of said structure should be submitted prior to the scheduled hearing.

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 of 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:af

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
 Zoning Commissioner
 Date: February 12, 1979
 FROM: LaTia H. Gross, Director
 Office of Planning and Zoning

SUBJECT: Petition 79-179-A, Item #115.
 Petition for Variance for maximum height of accessory structure
 South side of Trumps Mill Road, 315 feet West of Rush Road
 Petitioner: Richard W. Ater
 14th District

HEARING: Wednesday, February 21, 1979 (10:45 A.M.)

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

LaTia H. Gross
 LaTia H. Gross, Director
 Office of Planning and Zoning

LHG:JGH:hw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMITTEE

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 8th day of December, 1978

S. Eric DiNenna
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner: Richard W. Ater
 Petitioner's Attorney

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

Mr. Richard W. Ater
 5321 Trumps Mill Road
 Baltimore, Maryland 21237

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 had; 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 to permit a height of 20 feet in lieu of the required 15 feet, for an accessory structure (garage), should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of March, 1978, that the herein Petition for the aforementioned Variance(s) should be and the same is/are GRANTED, and that the date of this Order subject to the proposed woodwork

show not being used for commercial purposes and approval of a site plan by the Department of Public Works and the Office of Planning and Zoning. Pursuant to the advertisement, posting of property and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of March, 1978, that the aforementioned Variance(s) be and the same is/are hereby GRANTED.

Zoning Commissioner of Baltimore County



THOMSON H. MURPHY, P.E.
DIRECTOR

January 17, 1979

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

Re: Item #115 (1978-1979)
Property Owner: Richard W. Ater
5/8 Trumpe Mill Rd. 315' W. Rush Rd.
Existing Zoning: R.R. 3.5
Proposed Zoning: Variance to permit a height of an accessory structure (garage) of 20' in lieu of the required 15'.
Acres: 0.71 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.

General:

This property comprises a portion of Lot 7 of Plat "A" Kenwood Park, and of the Amended Plat "A" Kenwood Park, both as recorded in J.M.F. No. 1 - Part 3, Folio 323; and of the "Subdivision of Lots 6 and 7 on Plat "A" Kenwood Park", recorded C.R.K. 13, Folio 49.

Highways:

Trumpe Mill Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Trumpe Court, a County road, is proposed to be constructed (Job Order 3-1-3920) along the easterly side of this property as a 30-foot closed section roadway on a 50-foot right-of-way, as shown on the recorded plat "Subdivision of Lot No. 8 Plat "A" Kenwood Park", R.R.K., Jr. 42, Folio 124.

Highway rights-of-way widening for Trumpe Mill Road, and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The status of the 15-foot right-of-way, along and within the westerly side of this property, shown on the plat "Subdivision of Lots 6 and 7 on Plat "A" Kenwood Park", R.R.K. 13, Folio 49, is unknown to this office.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.



STEPHEN E. COLLINS
DIRECTOR

January 8, 1979

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

Item No. 115 - RMC - November 21, 1978
Property Owner: Richard W. Ater
Location: 5/8 Trumpe Mill Rd. 315' W. Rush Rd.
D.R. 3.5
Existing Zoning: R.R. 3.5
Proposed Zoning: Variance to permit a height of an accessory structure (garage) of 20' in lieu of the required 15'.
Acres: 0.71
District: 14th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the height of an accessory structure.

Very truly yours,

Michael S. Hinton
Michael S. Hinton
Engineer Associate II

NOT/END

Item #115 (1978-1979)
Property Owner: Richard W. Ater
Page 2
January 17, 1979

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 Drainage:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There is a public 8-inch water main, Job Order 3-1-3920, and 8-inch public sanitary sewerage, Job Order 3-1-3920, in Trumpe Mill Road. A public 8-inch water main and 6-inch sanitary sewer are under contract for construction within Trumpe Court, see drawings 878-0485, File 3 and 878-0486, File 1.

Very truly yours,

Edmund N. Diver, P.E.
Edmund N. Diver, P.E.
Chief, Bureau of Engineering

EDN:MM:WMS

cc: J. Wimbly
J. Somers
R. Covashey

R-SE Key Sheet
21 NW 20 Box Sheet
NW 6 E Topo
81 Map

Paul H. Beluche
CHIEF

November 20, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Richard W. Ater

Location: 5/8 Trumpe Mill Rd. 315' W. Rush Rd.

Item No. 115 Zoning Agenda Meeting of 11/21/78

Gentlemen:

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) The plat requirements for the referenced property are required and shall be located at intervals of 10 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 _____ within 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.

Noted and Approved: *George W. Leonard*
Special Inspection Division Fire Prevention Bureau



LESLIE H. GRAY
DIRECTOR

February 6, 1979

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

Dear Mr. DiNenna:

Comments on Item #115, Zoning Advisory Committee Meeting, November 21, 1978, are as follows:

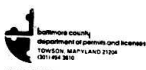
Property Owner: Richard W. Ater
Location: 5/8 Trumpe Mill Road 315' W. Rush Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a height of an accessory structure (garage) of 20' in lieu of the required 15'.
Acres: 0.71
District: 14th

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



JOHN L. WIMBLY
DIRECTOR

November 27, 1978

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

Dear Mr. DiNenna:

Comments on Item #115, Zoning Advisory Committee Meeting, November 21, 1978 are as follows:

Property Owner: Richard W. Ater
Location: 5/8 Trumpe Mill Rd. 315' W. Rush Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a height of an accessory structure (garage) of 20' in lieu of the required 15'.

Acres: 0.71
District: 14th

The items checked below are applicable:

X.A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Amendments, and other applicable codes.

X.B. A building permit shall be required before construction can begin.

X.C. Additional, Existing and Miscellaneous: _____

X.D. Building shall be upgraded to new use - requires alternate permit.

X.E. Some sets of construction documents will be required to file an application for a building permit.

X.F. Some sets of construction documents with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

X.G. Wood frame walls are not permitted within 10' of a property line.

X.H. Contact Building Department. If distance is between 10' and 40'.

X.I. Requested variance conflicts with the Baltimore County Building Code. See Section _____.

X.J. Comments: Set backs are not shown.

Very truly yours,
Charles E. Purman
Charles E. Purman
Planning Review Chief



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

December 6, 1978

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

Dear Mr. DiNenna:

Comments on Item #115, Zoning Advisory Committee Meeting of November 21, 1978, are as follows:

Property Owner: Richard W. Ater
Location: 5/8 Trumpe Mill Rd. 315' W. Rush Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a height of an accessory structure (garage) of 20' in lieu of the required 15'.
Acres: 0.71
District: 14th

Water/sewer and sewer exist. The existing dog well on the property must be properly backfilled.

Very truly yours,

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

TED/JP/tds

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 17, 1978

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

Z.A.C. Meeting of: November 21, 1978

RE: Item No: 115
Property Owner: Richard W. Ater
Location: S/S Trumps Mill Rd. 315' W Push Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a height of an accessory structure (garage) of 20' in lieu of the required 15'.

District: 14th
No. Acres: 0.71

Dear Mr. DiNenna:
No bearing on student population

very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

KNP/bp

JOSEPH H. ANDERSON, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE PRESIDENT
MARCUS H. BOYFARRE

THOMAS J. BOYER
H.E. LORRAINE F. CHIRCU
ROGER B. HAYDEN
ROBERT T. DUBEL, SUPERINTENDENT

ALVIN LORECK
HRS. WILTON B. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204 February 1 19 79

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - Richard W. Ater
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
2nd day of February 1979, that is to say, the same
was inserted in the issues of February 1, 1979

STROMBERG PUBLICATIONS, INC.

BY *Cathy Burger*

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 1, 1979

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~~
on one time ~~on~~ before the 21st
day of February 1979, the ~~same~~ publication
appearing on the 1st day of February
1979.

THE JEFFERSONIAN

L. L. Smith
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4 Date of Posting: 2/1/79
Posted for: Richard W. Ater
Petitioner: Richard W. Ater
Location of property: 43 Trumps Mill Rd. 315' W. Push Rd.
Location of Sign: front of property (S. 321 Trumps Mill Rd.)
Remarks: separated by increased bearing date
Posted by: W. Nick Petrovich Date of return: 2/9

1 sign

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14 Date of Posting: 2/3
Posted for: Richard W. Ater
Petitioner: Richard W. Ater
Location of property: 43 Trumps Mill Rd. 315' W. Push Rd.
Location of Sign: front of property (S. 321 Trumps Mill Rd.)
Remarks: separated by increased bearing date
Posted by: W. Nick Petrovich Date of return: 2/8

1 sign

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 6th day of
November 1978. Filing Fee \$ 25.00. Received ☒ Cash
☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: Richard W. Ater Submitted by: Gary M. 115
Petitioner's Attorney: _____ Reviewed by: Diana 115

* 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. 78593

DATE: March 21, 1979 ACCOUNT: 01-662
AMOUNT: \$6.21

RECEIVED FROM: Richard W. Ater
FOR: Posting a advertising property line on 73-179-A

4623 MC

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

No. 76120

DATE: 4-6-78 ACCOUNT: 01-662
AMOUNT: \$25.00

RECEIVED FROM: Gary Miller
FOR: Variance petition - Richard W. Ater
5321 Trumps Mill Road

25.00 MC



79-179-A

LOT #6 DR3.5

Part of Lot #7
(Vacant)
DR3.5

Lot #8
Plot A KENWOOD PARK 1/323
(Vacant)
DR3.5

Lot #9
Plot A KENWOOD PARK 1/323
(Vacant)

RUSH ROAD

Ex. Dwelling

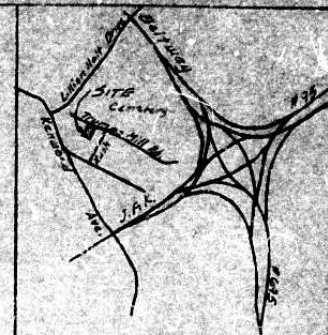
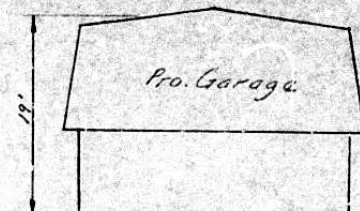
Ex. Dwelling
To be demolished

Ex. Dwelling

Pro. Garage

#5321

TRUMPS MILL ROAD
(40' E.W.)



VICINITY MAP
Scale 1"=2000'

GARDENS OF FAITH
CEMETERY
DR3.5

NOTES

1. Area
2. Ex. Zoning - DR3.5
3. Ex. Use: Residential
4. Pro. Use: Residential w/ variance for height for a pro garage.

MAP	40
REV	10
DATE	2-77
BY	
CHKD	
DATE	
BY	
CHKD	
DATE	
BY	

PLAT TO ACCOMPANY PETITION
ZONING VARIANCE

RICHARD W. ATER
#5321 TRUMPS MILL ROAD
14th Elect. Dist. - Balto. Co. Md.
Scale 1"=50'

