

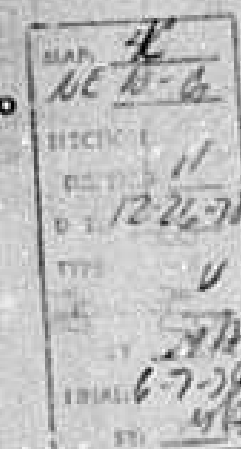
PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Mr. Carl A. Gerkens, 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 1B02.3B (208.3) to permit a side setback of 6' in lieu of the required 10' for an enclosed area, 1B02.3B (208.3 & 301.1) to permit a side setback of 1.5' in lieu of the required 7.5' for an existing patio and roof cover and 400.1 to permit a side setback of 2' in lieu of the required 24'.

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

1. The garage and patio are existing with these setbacks.
2. The prospective buyer would like to enclose a portion of the patio for an extension to the kitchen, which will have a 6' setback.



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. I further agree to and am to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE April 5, 1979
 ORDERED BY The Zoning Commissioner of Baltimore County, this 28th day of February, 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 a public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 2nd day of April, 1979, at 10:15 o'clock A.M.

Carl A. Gerkens
 Contract purchaser
 Address: 3919 Tila Rd
Baltimore, Md 21234

John W. Hessian, III
 Petitioner's Attorney
 Address: _____

John W. Hessian, III
 Protester's Attorney
 Address: _____

(over)

DESCRIPTION

Beginning at a point 845' east of Simms Road on the south side of Tila Road, as recorded in the Land Records of Baltimore County on the Plat of Carla Green, resubdivision of Parcel A and a portion of Parcel B, Block B, Lot 7, Liber 38, Folio 21, in the 11th Election District, otherwise known as 3919 Tila Road.

RE: PETITION FOR VARIANCES
 S/S of Tila Rd., 845'
 E of Simms Rd., 11th District
 CARL A. GERKENS, Petitioner
 : BEFORE THE ZONING COMMISSIONER
 : OF BALTIMORE COUNTY
 : Case No. 79-220-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. Hessian, III
 John W. Hessian, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 20th day of March, 1979, a copy of the foregoing Order was mailed to Mr. Carl A. Gerkens, 3919 Tila Road, Baltimore, Maryland 21234, Petitioner.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna
 Zoning Commissioner
 Leslie H. Grogan, Director
 Office of Planning and Zoning
 FROM: Petition 79-220-A, Item #146
 Petition for Variances for side yard setbacks
 SUBJECT: South side of Tila Road, 845 feet East of Simms Road
 Petitioner - Carl A. Gerkens
 HEARING: Monday, April 2, 1979 (10:15 A.M.)
 11th District

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

Leslie H. Grogan, Director

baltimore county
 office of planning and zoning
 TOWSON, MARYLAND 21204
 (717) 484-3363
 S. ERIC DINENNA
 ZONING COMMISSIONER

April 5, 1979

Mr. Carl A. Gerkens
 3919 Tila Road
 Baltimore, Maryland 21234

RE: Petition for Variances
 S/S of Tila Road, 845'
 E of Simms Road - 11th
 Election District
 Carl A. Gerkens -
 Petitioner
 NO. 79-220-A (Item No. 146)

Dear Mr. Gerkens:

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:nr

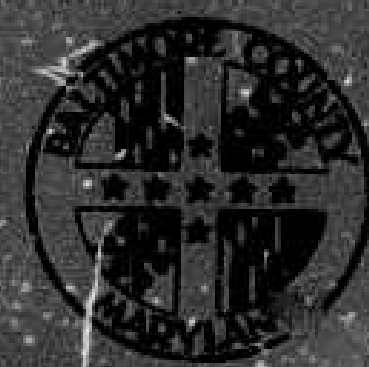
Attachment

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

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 28th day of February, 1979

S. ERIC DINENNA
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner Gerkens
 Petitioner's Attorney

Mr. Carl A. Gerkens
 3919 Tila Road
 Baltimore, Maryland 21234

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 12, 1979

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

ofo
 Nicholas B. Commodari
 Chairman

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

Mr. Carl A. Gerkens
 3919 Tila Road
 Baltimore, Maryland 21234

RE: Item No. 146
 Petitioner - Gerkens
 Variance Petition

Dear Mr. Gerkens:

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.

For further information concerning the comments from the Department of Permits and Licenses, you may contact Mr. Charles E. Burnham at 494-3987.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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/sf
 enclosures

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(s) should be granted.

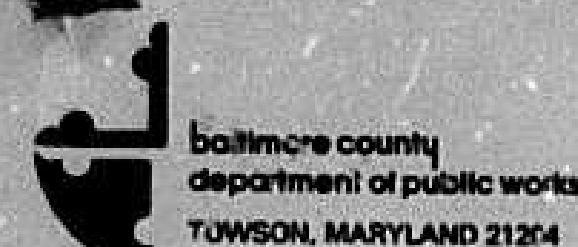
IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of April, 1979, that the herein Petition for Variances to permit side and rear setbacks of 6 feet in lieu of the required 10 feet for an enclosed area, 1.5 feet in lieu of the required 7.5 feet for an existing patio and roof cover, and 2 feet in lieu of the required 2.5 feet for an existing garage 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 Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

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, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



THORNTON M. MOUNING, P.E.
DIRECTOR

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

February 8, 1979

Re: Item #146 (1978-1979)
Property Owner: Carl A. Gerkens
S/S Tila Rd. 845' E. Simms Rd.
Existing Zoning: DR 3.5
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 10' for an enclosed area, a side setback of 1.5' in lieu of the required 7.5' for an existing patio and roof cover and a side setback of 2' in lieu of the required 2.5' for a garage.
Acres: 0.3015 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:

This property which appeared as Parcel "B" on the plat "Carla Green", recorded W.J.R. 27, Folio 106, is Lot 7 of the "Plat of Resubdivision of Parcel "A" and A portion of Parcel "B", Block "A" and Parcel "C", Parcel "D", and Parcel "E", Block "B" Carla Green", recorded S.H.K., Jr. 38, Folio 11.

There is a 10-foot drainage and utility easement contiguous to the rear property line of this lot.

Public Works Agreement 116010 was executed in connection with the development of "Carla Green".

Highways:

Tila Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the present 50-foot right-of-way. A standard type oil-de-sac roadway termination is proposed to be constructed just east of the easternmost outline of "Carla Green", within the adjacent "Seven Courts" property.

Sediment Control:

Development of this property through stripping, 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 stripping of top soil.

Item #146 (1978-1979)
Property Owner: Carl A. Gerkens
Page 2
February 8, 1979

Storm Drains:

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.

Water and Sanitary Sewer:

There is a public 8-inch water main and 8-inch public sanitary sewerage in Tila Road (Drawings #61-0458, File 3, and #72-0761, File 1, respectively).

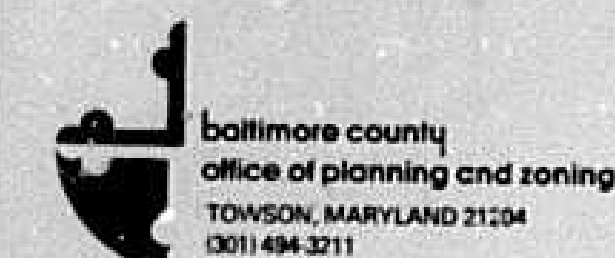
Very truly yours,

[Signature]
ELLSWORTH S. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley
H. Shalowitz
P. Koch

N-111 Key Sheet
39 NE 24 Pos. Sheet
NE 10 P. Copy
72 Tax Map



LESLIE H. GRAEF
DIRECTOR

March 5, 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 #146, Zoning Advisory Committee Meeting, January 2, 1979, are as follows:

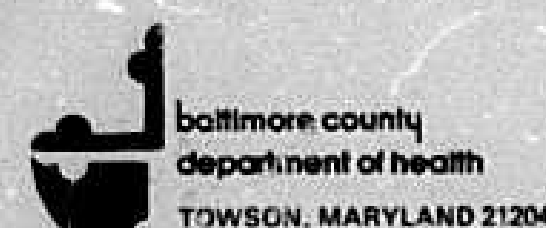
Property Owner: Carl A. Gerkens
Location: S/S Tila Road 845' E. Simms Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 10' for an enclosed area, a side setback of 1.5' in lieu of the required 7.5' for an existing patio and roof cover and a side setback of 2' in lieu of the required 2.5' for a garage.
Acres: 0.3015
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 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,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development



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

February 1, 1979

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

Dear Mr. DiNenna:

Comments on Item #146, Zoning Advisory Committee Meeting of January 2, 1979, are as follows:

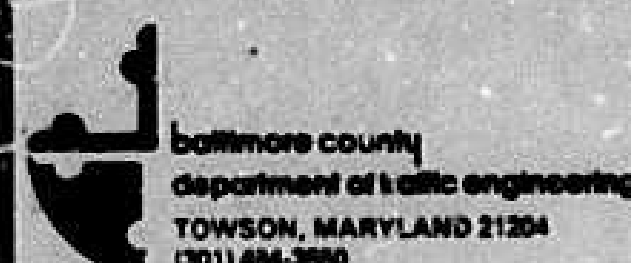
Property Owner: Carl A. Gerkens
Location: S/S Tila Rd. 845' E. Simms Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 10' for an enclosed area, a side setback of 1.5' in lieu of the required 7.5' for an existing patio and roof cover and a side setback of 2' in lieu of the required 2.5' for a garage.
Acres: 0.3015
District: 11th

Metropolitan water and sewer exist.

Very truly yours,

[Signature]
Earl J. Fought, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

LJI/JRE/lth6



STEPHEN E. COLLINS
DIRECTOR

January 18, 1979

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

Item No. 146 - January 2, 1979
Property Owner: Carl A. Gerkens
Location: S/S Tila Rd. 845' E. Simms Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 10' for an enclosed area, a side setback of 1.5' in lieu of the required 7.5' for an existing patio and roof cover and a side setback of 2' in lieu of the required 2.5' for a garage.
Acres: 0.3015
District: 11th

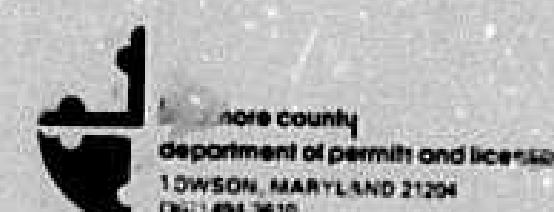
Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances to the side setback.

Very truly yours,

[Signature]
Stephen E. Weber
Engineer I

MSF/GCW/hmd



JOHN D. SEYFERT
DIRECTOR

January 23, 1979

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

Dear Mr. DiNenna:

Comments on Item #146 Zoning Advisory Committee Meeting, January 2, 1979 are as follows:

Property Owner: Carl A. Gerkens
Location: S/S Tila Road - 845' E. Simms Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 6' in lieu of the required 10' for an enclosed area, a side setback of 1.5' in lieu of the required 7.5' for an existing patio and roof cover and a side setback of 2' in lieu of the required 2.5' for a garage.
Acres: 0.3015
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, State of Maryland Code for the Handicapped and aged and other applicable codes.
- X.B. A building permit shall be required before construction can begin.
- X. Additional permits shall be required.
- X.C. Building shall be upgraded to new use - requires alteration permit.
- X.D. Three sets of construction drawings will be required to file an application for a building permit.
- X.E. 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.
- X.F. Wood frame walls are not permitted within 3' of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- X.G. Requested setback variances conflict with the Baltimore County Building Code. See Section _____.
- X.H. No Comment.
- X.I. Comment: Types of construction is not indicated on plans, see Section 305.1 of the Baltimore County Building Code. See Note "G" above.

[Signature]
Charles E. Burnham
Plans Review Chief

C28:rrc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari, Chairman
Zoning Plans Advisory Committee
FROM: Captain Joseph Kelly
Fire Prevention Bureau
SUBJECT: Zoning Advisory Committee Meeting of January 2, 1979

ITEM # 146
Property Owner: Carl A. Gerkens
Location: S/S Tila Rd. 845' E. Simms Rd.
No Comments

