

17-252-A
183

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, IRVIN S. ERDMAN, 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 1204.3.B.1.1.2. Permit a side setback of 15 feet and 40 feet instead of the required fifty (50) feet, and add Section 1204.1 to permit a side setback for an OPRD GARAGE of 28 feet in lieu of the required 37.5 feet

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

Lot size is only 100 feet wide (Practical Difficulty). Present home is old, too large to heat or maintain and too many steps to climb (Hardship).

I purchased the property in July, 1949 and twice in the past I had planned to build a house for myself. I have had two separate Perk Tests completed and a building permit issued in the past but due to changes in my circumstances, either financially or being recalled to active duty in the Air Force, I have not been able to build at those times.

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 Jan 21 1979
By Irvin S. Erdman
Contract purchaser
Address 11229 Notch Cliff Rd
Glen Arm Md. 21057
Phone 592-9169
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

of May 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of June 1979, at 10:00 o'clock A. M.

Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 6, 1979

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

000
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. Irvin S. Erdman
11229 Notch Cliff Road
Glen Arm, Maryland 21057

RE: Item No. 183
Petitioner - Erdman
Variance Petition

Dear Mr. Erdman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

The subject of this petition is a vacant .49 acre tract of land located on the south side of Notch Cliff Road, approximately 6300 feet south of Glen Arm Road. Because of your proposal to construct a dwelling and future carport closer to the side property lines than the current R.C.5 regulations will allow, this Variance is required.

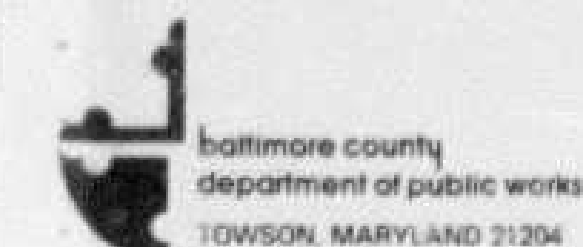
In view of the fact that you are a County employee, this petition was required to be disclosed to the Baltimore County Council. The resolution approving the processing of this petition is included in this case file.

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:mr



THORNTON M. MOURING, P.E.
DIRECTOR

March 27, 1979

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

Re: Item #183 (1978-1979)
Property Owner: Irvin Erdman
S/S Notch Cliff Rd. 6300' S. Glen Arm Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit side setbacks of 15' and 40' in lieu of the required 50'.
Acres: 0.49 District: 11th

Dear Mr. DiNenna:

The following comments are furnished in regard to the petition submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Comments were supplied for this property in connection with the Zoning Advisory Committee review for Item #10 (1974-1975).

With the revision of the proposed right-of-way width for Notch Cliff Road from 60 to 50 feet (minimum) in this vicinity, those comments remain valid and applicable to this Item #183 (1978-1979).

Very truly yours,

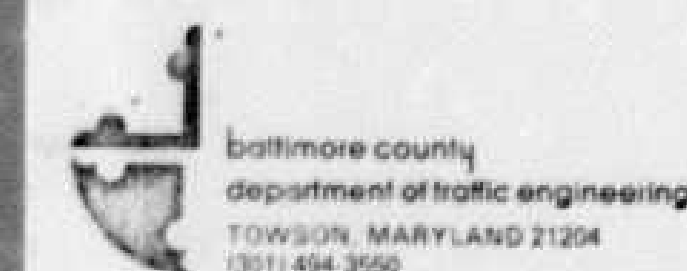
Edmund M. Dwyer, Jr.
EDMUND M. DWYER, JR.
Chief, Bureau of Engineering

END:ZAM:PW:ms

cc: J. Tremmer
J. Somers

R-SE Key Sheet
50 NE 20 Pos. Sheet
NE 13 E Topo
62 Tax Map

Attachments



STEPHEN E. COLLINS
DIRECTOR

April 4, 1979

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

RE: Zoning Comments

Dear Mr. DiNenna:

The Department of Traffic Engineering has no comments on Items: 177, 178, 179, 180, 183, and 186 of the Zoning Advisory Committee of March 13, 1979.

Very truly yours,

Michael S. Flanigan
MICHAEL S. FLANIGAN
Engineer Associate II

MSF/hnd

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
August 5, 1979

Bureau of Engineering
EDMUND M. DWYER, JR., Chief
Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #10 (1974-1975)
Property Owner: Irvin S. Erdman
S/S of Notch Cliff Rd., 6300' S. of Glen Arm Rd.
Existing Zoning: R.C.5
Proposed Zoning: Variance from Section 1204.3.B.1.2. to permit side yard setbacks of 15' and 40' instead of the required 50'.
No. of Acres: 0.49 District: 11th

Dear Mr. DiNenna:

The following comments are furnished in regard to the petition submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

Notch Cliff Road, an existing public road, is proposed to be improved in the future as a 60-foot shoulder-type roadway cross-section as a 60-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

Soil and Controls

Development of this property through striping, grading and stabilization will result in a sediment pollution problem, danger to 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

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.

#10 (1974-1975)
Property Owner: Irvin S. Erdman
Page 2
August 5, 1979

Water and Sanitary Sewers

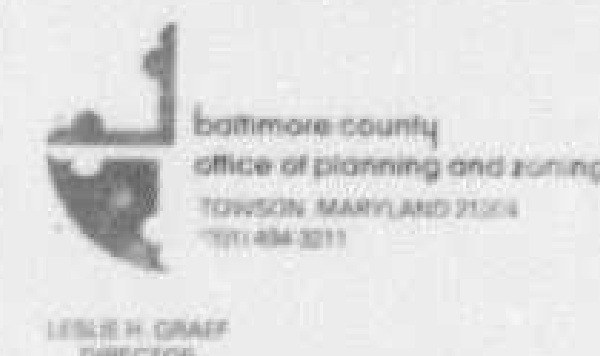
Public water supply and sanitary sewers are not available to serve this property. This area is beyond the Baltimore County Metropolitan District. The Baltimore County Comprehensive Water and Sewerage Plan (July 1973) indicates the area to be beyond the Urban Rural Separation Line and "No Planned Service".

Very truly yours,
Edmund M. Dwyer, Jr.
EDMUND M. DWYER, JR.
Chief, Bureau of Engineering

END:ZAM:PW:ms

cc: J. Somers

R-SE Key Sheet
50 NE 20 Pos. Sheet
NE 13 E Topo
62 Tax Map



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 #183, Zoning Advisory Committee Meeting, March 13, 1979, are as follows:

Property Owner: Irvin Erdman
Location: S/S Notch Cliff Road 6300' S. Glen Arm Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit side setbacks of 15' and 40' in lieu of the required 50'.
Acres: 0.49
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,

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

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following findings 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 appears that the granting of the Variances requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variances should be granted.

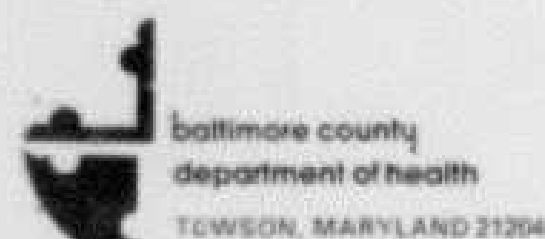
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of June, 1979, that the herein Petition for Variances to permit side yard setbacks of 15 feet and 40 feet in lieu of the required 50 feet and a side yard setback for an open carport of 28 feet in lieu of the required 37.5 feet 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



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

April 17, 1979

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

Dear Mr. DiNenna:

Comments on Item #183, Zoning Advisory Committee Meeting of March 13, 1979, are as follows:

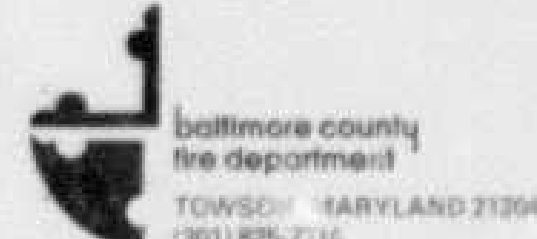
Property Owner: Irvin Erdman
Location: S/S Notch Cliff Rd. 6300' S Glen Arm Rd.
Existing Zoning: R.O. 5
Proposed Zoning: Variance to permit side setbacks of 15' and 40' in lieu of the required 50'.
Acres: 0.49
District: 11th

The proposed house will be served by a private water well and sewage disposal system. Prior to approval of a building permit, a water well meeting all requirements set forth by Maryland State Department of Health, Water Resources Administration and Baltimore County Department of Health, must be drilled. Soil percolation tests must also be conducted prior to application for a building permit.

Very truly yours,

[Signature]
Ian J. Forrester, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

LJP/JRP/rth-6



Paul H. Heinicke
CHIEF

March 21, 1979

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

Attention: R. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Irvin Erdman

Location: S/S Notch Cliff Rd. 6300' S Glen Arm Rd.

Item No. 183 Zoning Agenda Meeting of 3/13/79

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. Fire hydrants for the referenced property are required and shall be located at intervals of _____ 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 load and 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.

(X) 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", 1974 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments, this time.

REVIEWER: *[Signature]* Date: 3/21/79
Special Inspection Division

Approved: *[Signature]*
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: March 23, 1979
FROM: Ted Burnham
SUBJECT: Zoning Advisory Committee Meeting
March 13, 1979

ITEM # 177 See attached comments
ITEM # 178 Standard comments - Permits required etc.
ITEM # 179 Standard comments - Permits required etc.
ITEM # 180 Standard comments - Permits required etc.
ITEM # 181 See attached comments
ITEM # 182 No comments
ITEM # 183 Standard comments - Permits required etc.
ITEM # 184 See attached comments
ITEM # 185 See attached comments
ITEM # 186 See attached comments

[Signature]
Ted Burnham, Chief
Plans Review

TB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 8, 1979

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

Z.A.C. Meeting of: March 13, 1979

RE: Item No: 177, 178, 179, 180, 181, 182, 183, 185, 186
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

None of the above have any bearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH H. MCGONNELL, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS W. BUTCHER

THOMAS H. BOYER
MRS. LORRAINE F. CIRCUS
ROGER E. HAYDEN

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT T. DUBEL, SUPERINTENDENT

July 29, 1979

Baltimore County
Zoning Commissioners Office
Towson, Maryland 21204

Gentlemen:

Please send us notification of the Zoning Appeals hearing concerning the property for -

Irvin Erdman - No. 79-252-A

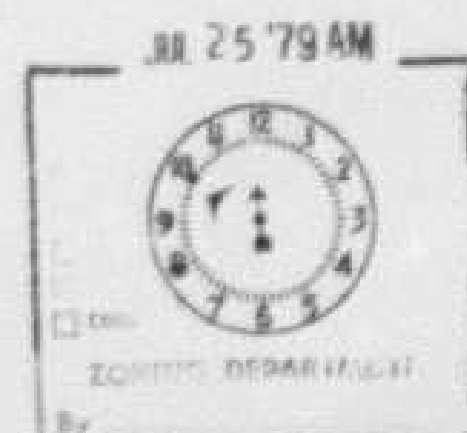
We are enclosing a stamped self-address envelope for your convenience in sending us information regarding the time, date, and place of this hearing.

Yours truly,

[Signature]
Howard Henschel
11228 Notch Cliff Road
Glen Arm, Maryland 21067

Enclosure

RECEIVED
BALTIMORE COUNTY
JUL 26 2 15 PM '79
COUNTY BOARD
OF APPEALS
BY



1/26/79 - Sent the following notices of scheduled hearing for Wed. JANUARY 16, '80, at 9 a.m.

Irvin S. Erdman
Mr. and Mrs. Louis Beumann
Mr. and Mrs. Douglas Phelps
Mr. and Mrs. Henry Phipps
Mr. and Mrs. William Boyd
Ms. Patricia Novak
John W. Hession, III, Esq.
Mr. J. E. Dyer
Mr. William Hammond

Petitioner
Protestants
" "
" "
" "
People's Counsel
Zoning
"

Mr. Walter A. Reiter, Jr., Chairman
Baltimore County Board of Appeals
Courthouse, Room 219
Towson, Md 21204

Dear Mr. Reiter:

This letter is in reference to Zoning Appeal Case No. 79-252-A. I am a Baltimore County employee and owner of the property which was granted a lot back variance by the Zoning Commissioner. The appeal was filed by two school teacher neighbors.

I purchased the property in July 1949 and went back into the U.S. Air Force in Sept 1949. I was released from active duty in Sept 1953 after Korea was over.

I had the property perk tested and obtained permits to build a house and tool shed in Sept. 1956. The shed was built but due to unexpected financial problems the house was not built.

In 1959 I felt my finances were such that I could build a house. I had the property perk tested the 2nd time due to change in the requirements. This was done in Nov 1967 but again I chose not build due to being laid-off.

In 1974 I decided to buy again to build but found out the zoning requirements had changed and would require a side yard back variance. A variance hearing was held in Oct 1974 but due to a change in the sq. ft. requirement for the septic system the variance was denied.

I began working for Baltimore County in the Office of Planning and Zoning in March 1978 and after becoming more familiar with zoning and other departments I checked to see if the septic system area requirement had changed. I spoke with Mr. Sheerwalt, Director of the

Bureau of Environmental Service who showed me a written policy change which would approve the septic system area of 5000 sq ft in lieu of 10,000 sq ft on lots recorded prior to a certain date as long as it would pass the perk test. My lot fell within these reduced requirements. In determining all septic requirements, I had drawings made and filed for a set-back variance again. The hearing was held on June 28, 1979, and the variance was granted by order of the zoning commission on 6/28/79. I had hope to start on the house this past summer but the appeal had been filed. I hope to be able to do some of work myself if the appeal is denied and due to health reasons I would like to start as soon as the weather permits. Prior to being able to obtain a building permit, a perk test must be conducted and approved and I will drilling with an acceptable rate of flow, therefore I do not want to spend the money for perk test and well until a decision is made. I am requesting that, if at all possible, that this case be scheduled for a hearing before the Board, as soon as possible, as it is a hardship on me. Thank you for any consideration given in this matter.

Sincerely,
Irvin Erdman
mail stop 1108

P.S. with the interest rates and rate of inflation continuously climbing upward, if I don't start to build soon I will again be unable to afford to build, if the appeal is denied.

WALK 642

SUBJECT: IRVIN ERDMAN
Variance-Side yard setbacks and open court
S/S Notch Cliff Road, 6300' S Glen Arm Road,
11th District

ASSIGNED FOR: WEDNESDAY, JANUARY 16, 1980 at 9 a.m.

Re the Protestants wish to summon Mr. R. Powell of the Baltimore County Health Department to appear on our behalf on the aforementioned date at the County Courthouse, Room 215, Towson, Maryland 21204.

Mr. and Mrs. Louis Baumann
Mr. and Mrs. Douglas Phelps
Mr. and Mrs. Henry Phipps
Mr. and Mrs. William Boyd
Ms. Patricia Novak

December 27, 1979

Mr. Sheriff:

Please issue the above summons.

June Holmen, County Board of Appeals

SUBJECT: IRVIN ERDMAN
Variance-Side yard setbacks and open court
S/S Notch Cliff Road, 6300' S Glen Arm Road,
11th District

ASSIGNED FOR: WEDNESDAY, JANUARY 16, 1980 at 9 a.m.

Re the Protestants wish to summon Mr. R. Powell of the Baltimore County Health Department to appear on our behalf on the aforementioned date at the County Courthouse, Room 215, Towson, Maryland 21204.

Mr. and Mrs. Louis Baumann
Mr. and Mrs. Douglas Phelps
Mr. and Mrs. Henry Phipps
Mr. and Mrs. William Boyd
Ms. Patricia Novak

December 27, 1979

Mr. Sheriff:

Please issue the above summons.

June Holmen, County Board of Appeals

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
April 30, 1980

Re: Case No. 79-252-A
Irvin Erdman, Petitioner

Dear Mr. and Mrs. Baumann:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,
Edith T. Eisenhart, Adm. Secretary

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
June 4, 1980

Mr. Irvin S. Erdman
11229 Notch Cliff Road
Glen Arm, Maryland 21057

Dear Mr. Erdman:

Re: Irvin Erdman
Case No. 79-252-A

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,
June Holmen, Secretary

Encl.
cc: Mr. & Mrs. L. Baumann
Mr. & Mrs. D. Phelps
Mr. & Mrs. H. Phipps
Mr. & Mrs. W. Boyd
Ms. Patricia Novak
Mr. W. Hammond
Mr. J. Dyer

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
June 4, 1980

John W. Hession, III, Esq.
People's Counsel for Baltimore County
Court House
Towson, Md. 21204

Dear Mr. Hession:

Re: Irvin Erdman
Case No. 79-252-A

In accordance with Rule 8-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule 8-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,
June Holmen, Secretary

Encl.

July 2, 1979

To Whom it May Concern:

We request an appeal board to be convened in reference to case 79-252-A, (ITEM NO. 183)

Respectfully,
Notchcliff Association

Mrs. Mrs. Louis Baumann
11227 Notchcliff Rd.
Glenarm Md. 21057

Mr. & Mrs. Douglas Phelps
11307 Notchcliff Rd.

Mr. & Mrs. Henry Phipps
11311 Notchcliff Rd.

Mr. & Mrs. William Boyd
11415 Notchcliff Rd.

* Mrs. Patricia Novak
11201 Notchcliff Rd.

JAN 29 1980 AM

ZONING

June 26, 1979

Mr. Irvin S. Erdman
11229 Notch Cliff Road
Glen Arm, Maryland 21057

RE: Petition for Variances
S/S of Notch Cliff Road, 6300' S of
Glen Arm Road - 11th Election
District
Irvin S. Erdman - Petitioner
NO. 79-252-A (Item No. 183)

Dear Mr. Erdman:

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

Very truly yours,
WILLIAM F. HAMMOND
Zoning Commissioner

WER/srl

Attachments

cc: Mr. & Mrs. H. Phipps
11311 Notch Cliff Road
Glen Arm, Maryland 21057

Mrs. Phyllis Baumann
11227 Notch Cliff Road
Glen Arm, Maryland 21057

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

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1979, Legislative Day No. 7

RESOLUTION NO. 21-79

Mr. Norman W. Lauenstein, Councilman

By the County Council, April 2, 1979

WHEREAS, Irvin S. Erdman, an employee in the Baltimore County Office of Planning and Zoning, is the owner of real property located on Natch Cliff Road, in the Eleventh Election District of Baltimore County; and

WHEREAS, Irvin S. Erdman has applied for a zoning variance on said property for a side yard setback; and

WHEREAS, pursuant to Section 1001 (a) and (b) of the Baltimore County Charter, Irvin S. Erdman has by this resolution, made a full public disclosure of all pertinent facts to the respective members of the County Council of Baltimore County.

BE IT RESOLVED by the County Council of Baltimore County, Maryland, that, based solely on the foregoing facts, the interests of Irvin S. Erdman do not violate the public interest.

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
S/S of Natch Cliff Rd., 6300' :
S of Glen Arm Rd., 11th Dist. : OF BALTIMORE COUNTY
IRVIN ERDMAN, Petitioner : Case No. 79-252-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 for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 1st day of June, 1979, a copy of the foregoing Order was mailed to Mr. Irvin Erdman, 11229 Natch Cliff Road, Glen Arm, Maryland 21057, Petitioner.

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

a subdivision of his land, an improper result not in accord with the spirit and intent of said Regulations.

John W. Hessian, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 6th day of June, 1980, a copy of the foregoing Petition on Appeal was served on the Administrative Secretary of the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204; and a copy thereof was mailed to Mr. Irvin Erdman, 11229 Natch Cliff Road, Glen Arm, Maryland 21057, Petitioner.

John W. Hessian, III

RE: PETITION FOR VARIANCES : IN THE
on property located on the : CIRCUIT COURT
S/S Natch Cliff Road 6300' :
S. of Glen Arm Road :
11th District : FOR
Irvin Erdman, Petitioner : BALTIMORE COUNTY
Zoning File No. 79-252-A : AT LAW
People's Counsel for : Misc. Docket No. 12
Baltimore County, : Folio No. 217
Appellant : File No. 7167

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule 5-2 (d) of the Maryland Rules of Procedure; William T. Hockett, LeRoy S. Spurrier and John A. Miller, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the Appeal to the representative of every party to the proceeding before it; namely, Irvin S. Erdman, 11229 Natch Cliff Road, Glen Arm, Maryland 21057, Petitioner, and John W. Hessian, III, Esquire, Room 223 Courthouse, Towson, Maryland 21204, People's Counsel for Baltimore County, and Mr. and Mrs. Louis Baumann, 11227 Natch Cliff Road, Glen Arm, Maryland 21057, and Mr. and Mrs. Douglas Phelps, 11307 Natch Cliff Road, Glen Arm, Maryland 21057, and Mr. and Mrs. Henry Phipps, 11311 Natch Cliff Road, Glen Arm, Maryland 21057, and Mr. and Mrs. William Boyd, 11415 Natch Cliff Road, Glen Arm, Maryland 21057, and Ms. Patricia Novak, 11201 Natch Cliff Road, Glen Arm, Maryland 21057, Protestants, a copy of which notice is attached hereto and prayed that it may be made a part thereof.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County
Room 219, Courthouse, Towson, Md. 21204
494-3180

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to Irvin S. Erdman, 11229 Natch Cliff Road, Glen Arm, Maryland 21057, and

Erdman v. People's Counsel - 12/217/7167

John W. Hessian, III, Esquire, Room 223, Courthouse, Towson, Maryland 21204, People's Counsel for Baltimore County, and Mr. and Mrs. Louis Baumann, 11227 Natch Cliff Road, Glen Arm, Maryland 21057, and Mr. and Mrs. Douglas Phelps, 11307 Natch Cliff Road, Glen Arm, Maryland 21057, and Mr. and Mrs. Henry Phipps, 11311 Natch Cliff Road, Glen Arm, Maryland 21057, and Mr. and Mrs. William Boyd, 11415 Natch Cliff Road, Glen Arm, Maryland 21057, and Ms. Patricia Novak, 11201 Natch Cliff Road, Glen Arm, Maryland 21057, Protestants, on this 4th day of June, 1980.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

cc: J. Howell
cc: J. Jones
cc: J. Miller

RE: PETITION FOR VARIANCES : IN THE CIRCUIT COURT
on property located on the :
S/S Natch Cliff Road 6300' : FOR BALTIMORE COUNTY
S. of Glen Arm Road :
11th District : AT LAW
Irvin Erdman, Petitioner : Misc. Docket No. 12
Zoning Case No. 79-252-A : Folio No. 217
: File No. 7167

PETITION ON APPEAL

People's Counsel for Baltimore County, a party below, having heretofore filed an Order for Appeal from the decision of the County Board of Appeals under date of April 30, 1980, granting the variances sought in this case, files this Petition in compliance with Maryland Rule B.2.e., setting forth the grounds upon which said appeal is taken, viz:

1. That the Petition for variances sought herein should not have been considered by the Zoning Commissioner for Baltimore County and the County Board of Appeals, on appeal, because it was not accompanied by the information and supporting material required by Rule B.5 of the Rules of Practice and Procedure, duly adopted pursuant to the provisions of Subsection 500.8 of the Baltimore County Zoning Regulations, and said Petition being thus incomplete, should not have been entertained.

2. That the hardship and/or practical difficulty upon which Petitioner bases his request is in fact self-inflicted in that Petitioner did not comply with the subdivision regulations and requirements contained in Title 22 of the Baltimore County Code in conveying portions of the basic tract of which the subject parcel is a part, and he is thus not entitled to the variances granted.

3. That the granting of said variances by the County Board of Appeals in effect permits Petitioner to improperly accomplish

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond, Zoning Commissioner
Office of Planning and Zoning
TO: Walter A. Reiter, Jr., Chairman
FROM: County Board of Appeals
SUBJECT: Certified copies of zoning documents - Case No. 79-252-A
Irvin Erdman, Petitioner

Attached please find the necessary documents from the Zoning Commissioner's file which, for the Circuit Court, must be certified as True Test Copies in the above captioned appeal.
Please certify these documents and return same to this office.

Very truly yours,
Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman
County Board of Appeals

WAR:se

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond, Zoning Commissioner
Office of Planning and Zoning
TO: Walter A. Reiter, Jr., Chairman
FROM: County Board of Appeals
SUBJECT: Certified copies of zoning documents - Case No. 79-252-A
Irvin Erdman, Petitioner

Attached please find the necessary documents from the Zoning Commissioner's file which, for the Circuit Court, must be certified as True Test Copies in the above captioned appeal.
Please certify these documents and return same to this office.

Very truly yours,
Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman
County Board of Appeals

WAR:se

RE: PETITION FOR VARIANCES
on property located on the
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
11th District

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW

Irvin Erdman, Petitioner
Misc. Docket No. 12

Zoning Case No. 79-252-A
Folio No. 217

People's Counsel for Baltimore
County, Appellant
File No. 7167

PETITION FOR EXTENSION OF TIME TO FILE TRANSCRIPT OF PROCEEDINGS

John W. Hession, III, People's Counsel for Baltimore County, and Peter Max Zimmerman, Deputy People's Counsel, Protestants below, petition this Court, pursuant to Maryland Rule 87(b), for an extension of time within which to file the transcript of proceedings before the Baltimore County Board of Appeals and in support of this Petition state:

That Carol A. Beresh, Court Reporter for the County Board of Appeals at the time of the hearing before said Board in the above-entitled case, has informed the County Board of Appeals that due to a backlog of cases, she will be unable to prepare the transcript prior to the filing deadline of July 6, 1980, and will require an additional thirty days to do so.

WHEREFORE, Appellants pray this Honorable Court to extend the time for filing the transcript of proceedings until August 6, 1980, 60 days after the Petition on Appeal was filed.

John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

FILED JUN 16 1980

the property prior to any opinion...being issued." Transcript, p. 73. The Board of Appeals, however, despite the fact that the Petitioner still had not submitted a surveyor's plat of his property, proceeded to grant the variance and issue its opinion and order on April 30, 1980.

On Appeal, People's Counsel again has raised the impropriety of the Board's entertaining the petition without requiring compliance with the Rules. The Court finds that the Board acted prematurely in granting the variance without having before it the surveyor's plat (as required).

Accordingly, the Court will remand the case back to the Board in order that it may receive and consider the surveyor's plat in making its determination with respect to the variance. It may well be that the board's determination will be unaffected by such additional evidence.

Costs to be paid by Appellee.

JAMES S. SHERAS
JUDGE JAMES S. SHERAS

Dated: 10/6/81

Copies to:
Irvin S. Erdman
John W. Hession, III, Esquire
Peter Max Zimmerman, Esquire
County Board of Appeals
Court File
Protestants

cc: John W. Hession, III, Esq.
Mr. Irvin S. Erdman

Respectfully submitted,

Jane Holmen
Jane Holmen, County Board of Appeals
of Baltimore County

Record of proceedings filed in the Circuit Court for Baltimore County
Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations, together with the zoning use district maps at the hearing on this petition, or whenever directed to do so by this Court.

Irvin Erdman
Case No. 79-252-A

June 4, 1979 Comments of Baltimore County Director of Planning - filed
June 6, Comments of Baltimore County Zoning Plans Advisory Committee - filed
June 20, At 10 A.M. hearing held on petition by Zoning Commissioner
June 26, Order of Zoning Commissioner granting variances subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning
July 2, Order of Appeal to County Board of Appeals from Order of Zoning Commissioner
January 16, 1980 Hearing on appeal before County Board of Appeals
April 30, Order of County Board of Appeals granting the variances petitioned for
May 29, Order for Appeal filed in the Circuit Court for Baltimore County by People's Counsel for Baltimore County
June 4, Certificate of Notice sent to all interested parties
June 6, Petition to accompany Order for Appeal filed in the Circuit Court for Baltimore County
June 16, August 5 Petition for Extension of time to file transcript to August 6, 1980
Transcript of testimony filed - 1 volume

Petitioner's Exhibit No. 1 - Building Permit issued Oct. 8, 1954
" " " 2 - Hand drawn Plat of Area
" " " 3 - Letter from Building Engineer 3/29/55
" " " 4 - Letter dated April 17, 1979, to S. Eric DiNenna from Ian J. Forrest

cc: John W. Hession, III, Esq.
Mr. Irvin S. Erdman

Respectfully submitted,

Jane Holmen
Jane Holmen, County Board of Appeals
of Baltimore County

RE: PETITION FOR VARIANCES
on property located on the
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
11th District

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW

Irvin Erdman, Petitioner
Misc. Docket No. 12

Zoning Case No. 79-252-A
Folio No. 217

People's Counsel for Baltimore
County, Appellant
File No. 7167

ORDER

Upon the foregoing Petition for Extension of Time to File Transcript of Proceedings, it is hereby ORDERED this 16 day of June, 1980, that the time for filing in Court the transcript of proceedings before the Board of Appeals is hereby extended until August 6, 1980.

John E. Ramey
JUDGE

No. 7167 LAW Docket 12 Folio 217
CIRCUIT COURT FOR BALTIMORE COUNTY

PETITION FOR VARIANCES
on property located on the
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
Irvin Erdman, Petitioner
Zoning Case No. 79-252-A
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
Appellant

John W. Hession, III
Peter Max Zimmerman
Rm. 223, Court House
Towson MD (04)
494-2188

COUNTY BOARD OF APPEALS FOR BALTIMORE
COUNTY
MR. AND MRS. LOUIS BAUMANN
MR. AND MRS. DOUGLAS PHELPS
MR. AND MRS. HENRY PHIPPS
MR. AND MRS. WILLIAM BOYD
MR. PATRICIA NOVAK
Protestants

DATE	CLERK'S MEMORANDUM	NO.
5/19/80	Protestants for Appellant's Order for Appeal from the Order of the County Board of Appeals for Balto. Co. fd.	1
6/4/80	Certificate of Notice fd.	2
6/6/80	Petition on Appeal fd.	3
6/16/80	Petitioners' Petition for Extension of Time to file Transcript of Proceedings and Order of Court that the transcript of proceedings can be filed before the Board of Appeals before or until August 6, 1980 fd. (JER, JR)	4
8/6/80	Certified copies of Proceedings before the Zoning Board fd.	5
9/24/81	How & SS. Hearing and Held Sub-Court Opinion to be filed.	
10/9/81	Memorandum Opinion that the Court will Remand the case back to the Board fd. (JES)	6

RE: PETITION FOR VARIANCES
on property located on the
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
11th District

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Irvin Erdman, Petitioner
Misc. Docket No. 12

Zoning File No. 79-252-A
Folio No. 217

People's Counsel for
Baltimore County,
Appellant
File No. 7167

CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND
BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, Leroy B. Spurrier and John A. Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER
OF BALTIMORE COUNTY

No. 79-252-A

May 22, 1979 Petition of Irvin S. Erdman for a variance from Section 1A04.3.B.3 to permit a side yard setback of 15 ft. and 40 ft. instead of the required 50 ft., and Section 301.1 to permit a side yard setback for an open corport of 28 ft. in lieu of the required 37.5 ft., on property located on the south side of Natch Cliff Road, 6300 ft. south of Glen Arm Road, in the 11th District - filed
May 22, Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for June 20, 1979, at 10 a.m.
May 31, Certificate of Publication in newspaper - filed
June 2, Certificate of Posting of property - filed

PETITION FOR VARIANCES
on property located on the
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
Irvin Erdman, Petitioner
Zoning Case No. 79-252-A
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
Appellant
V.
COUNTY BOARD OF APPEALS FOR
BALTIMORE COUNTY
MR. AND MRS. LOUIS BAUMANN
MR. AND MRS. DOUGLAS PHELPS
MR. AND MRS. HENRY PHIPPS
MR. AND MRS. WILLIAM BOYD
MS. PATRICIA NOVAK
Protestants

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Miscellaneous Law Case No. 7167
Docket 12, Folio 217

MEMORANDUM OPINION

On May 22, 1979, Petitioner (Irvin Erdman) filed a petition for a variance from Sections 1A04.3.B.3 and 301.1 of the Baltimore County Zoning Regulations. Under the Rules of Practice and Procedure of the Zoning Commissioner of Baltimore County (Appendix E), the petition was required to be accompanied by a surveyor's plat. Note specifically Rule 11.B.4 and 5. This requirement was not met. Nevertheless, the Zoning Commissioner, on June 20, 1979, granted Petitioner's request. This decision was appealed to the County Board of Appeals which heard the matter on January 16, 1980. People's Counsel, noting that the requirements of the Rules cited above were not met, challenged the propriety of proceeding with the hearing. The Board Chairman, cognizant of this problem, indicated that although testimony would be taken, the hearing would not be completed until such time as there had been compliance with the aforementioned Rules. Before closing the hearing, the Chairman again advised the Petitioner that he "had to submit a surveyor's plat of

FILED OCT 9 1981

RE: PETITION FOR VARIANCES
on property located on the
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
11th District

Irvin Erdman, Petitioner

Zoning Case No. 79-252-A

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW

Misc. Docket No. 12

Folio No. 217

File No. 7167

ORDER FOR APPEAL

MR. CLERK:

Please note an appeal to the Circuit Court for Baltimore County from the Order of the County Board of Appeals for Baltimore County under date of April 30, 1980 granting the requested variances in the above-entitled case.

John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
434-2188

I HEREBY CERTIFY that on this 15th day of May, 1980, a copy of the foregoing Order for Appeal was served on the Administrative Secretary of the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204; and a copy thereof was mailed to Mr. Irvin Erdman, 11229 Natch Cliff Road, Glen Arm, Maryland 21057, Petitioner.

John W. Hession, III

RE: PETITION FOR VARIANCE
on property located on the
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
11th District

Irvin Erdman, Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 79-252-A

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner granting the requested variances. The property is located on the south side of Natch Cliff Road 6300 feet south of Glen Arm Road, in the Eleventh Election District of Baltimore County. The property contains 0.49 acres and is presently zoned R.C. 5.

The R.C. 5 zoning, as designated by Section 1A04.3.B.1 of the Baltimore County Zoning Regulations, requires that each lot contain at least two acres. However, Section 1A04.3.B.5 provides exceptions for lots duly recorded among the land records of Baltimore County prior to the effective date of Bill 98-75 which created the R.C. 5 designation. Section 1A04.3.B.5 would apply to this site.

The property owner testified that on several prior occasions he had intended to erect a residence on this site, but due to circumstances beyond his control he was never able to do so. He testified that he purchased this property in 1949 but was recalled to Military Service and, therefore, was unable to build. In 1954 the property passed the percolation test and a building permit, No. 29146, was issued. For personal reasons this permit was never utilized and in 1955 was suspended. In 1969 the property was again percolation tested and passed, but once again for personal reasons no building permit was applied for. In 1974 a variance to allow construction was requested, but it was denied and was not further pursued. In 1979 the Petitioner again filed for a variance to allow a residence to be erected, and this was granted by the Zoning Commissioner on June 26, 1979. An appeal from this decision was timely filed and a hearing was held before the Board on January 16, 1980.

IRVIN ERDMAN
South side Natch Cliff Rd., 6300' S
Glen Arm Road
Variance
Side yard setbacks
Open carport

No. 79-252-A
11th District

May 22, 1979 Petition filed
June 26, Z.C. GRANTED variances
July 2, Order of Appeal to C.B. of A. from Order of Zoning Commissioner
Jan. 16, 1980 Hearing held before the Board
April 30, Order of the Bd. GRANTING the variances
May 29, Order for Appeal filed in C. Ct. by People's Counsel
June 16, Time for filing extended to Aug. 6, 1980
Aug. 6, Record of proceedings filed in Circuit Ct.
Sept. 24, 1980 Remanded to the Board "in order that it may receive and consider the surveyor's plot in making its determination with respect to the variance." Judge James S. Sefkas
Oct. 8,

Irvin Erdman - #79-252-A

2.

Testimony from area residents indicated opposition to the granting of this variance, since to allow another residence to be erected would tend to make too many homes in too small an area. Testimony was also received to the effect that the wells in this area were now sometimes underproductive, and fear was expressed that an additional well would complicate this situation.

In this case the Board must concern itself only with the requested variances. Section 307 of the Baltimore County Zoning Regulations dictates conditions for granting or denying variances. The Baltimore County Board of Appeals is given the power to grant these requested variances only in cases where strict compliance would result in practical difficulty or unreasonable hardship. In the subject case denying the requested variances is to deny any use whatsoever of property purchased long prior to existing regulations. In the instant case this would be practical difficulty and/or unreasonable hardship. Section 307 further states that any such variance shall only be granted in such manner as to grant relief without substantial injury to public health, safety and general welfare. Mr. Ian J. Forrest's letter of April 17, 1979, entered as Petitioner's Exhibit #4, clearly addresses this issue. Unless all the requirements regarding health and safety are complied with, as this letter indicates, no building permit may be obtained. After careful consideration of all the testimony presented and exhibits offered, and considering these in relation to the Baltimore County Zoning Regulations, it is the opinion of this Board that the requested variances as granted in the Zoning Commissioner's Order, dated June 26, 1979, be granted and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 30th day of April, 1980, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner, dated June 26, 1979, be affirmed and that the variance petitioned for, be and the same is hereby GRANTED.

IN THE MATTER
OF THE APPLICATION OF
IRVIN ERDMAN
FOR VARIANCE FROM SECTIONS
1A04.3.B.3 and 301.1 of the
Baltimore County Zoning Regulations
S/S Natch Cliff Road 6300'
S. of Glen Arm Road
11th District

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 79-252-A

OPINION

Petition of Irvin Erdman for variance from Section 1A04.3.B.3 and Section 301.1 of the Baltimore County Zoning Regulations on property located on the south side of Natch Cliff Road 6300 feet south of Glen Arm Road in the Eleventh Election District of Baltimore County. This petition was granted by the Zoning Commissioner on June 26, 1979, subject to the approval of a site plan, and an appeal was filed to the Board by the Protestants.

The case has been on the Board's docket for some four years with no final decision having been reached. Therefore, the case was set for hearing on this day, January 25, 1983 at 10 a.m. By 10:25 a.m., the Petitioner did not appear at the hearing, nor did a representative or counsel appear on behalf of the Petitioner. Therefore, the Board must consider that the Petitioner no longer desires to pursue the petition, and will order that the Order of the Zoning Commissioner be reversed and the variance denied.

In addition, Mr. Lowman, the present owner of the subject property, was present at the hearing and stated that he does not desire the requested variances.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 26th day of January, 1983, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner, dated June 26, 1979, be reversed and the variance petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hession, III
William T. Hession, Chairman
Leroy B. Spurrier
William R. Evans

Irvin Erdman - #79-252-A

3.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hession, III
William T. Hession, Acting Chairman
Leroy B. Spurrier
John A. Miller

DESCRIPTION

0.49 ACRE PARCEL ON NOTCH CLIFF
ROAD, 11th ELECTION DISTRICT, BALTIMORE, COUNTY, MARYLAND

Beginning at the center of the Natch Cliff Road, approximately 6300 feet south of Glen Arm Road, and crossing said Natch Cliff Road South 82°10' East 100 feet; thence running the two following courses and distances, viz: South 4°23' East 212.31 feet and North 82°10' West 100 feet; thence leaving said outline and running the following course and distance; North 4°23' East 212.31 feet to the place of beginning.

424-3180

County Board of Appeals
Room 218, Court House
Towson, Maryland 21204
November 26, 1979

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 79-252-A IRVIN ERDMAN
Variance-Side yard setbacks and
open carport
S/S Natch Cliff Road, 6300' S Glen Arm Road
11th District
WEDNESDAY, JANUARY 16, 1979, at 9 a.m.

ASSIGNED FOR:

cc: Irvin S. Erdman Petitioner
Mr. and Mrs. Louis Baumann Protestants
Mr. and Mrs. Douglas Phelps "
Mr. and Mrs. Henry Phipps "
Mr. and Mrs. William Boyd "
Ms. Patricia Novak "
John W. Hession, III, Esq. People's Counsel
Mr. J. E. Dye Zoning
Mr. William Hammond "
Mrs. Carol Beresh "

June Halmen, Secretary
County Board of Appeals

Mr. Irvin Erdman
11229 Notch Cliff Rd.
Glen Arm, Maryland 21057

NOTICE OF HEARING

RE: Petition for Variances, S/S of Notch Cliff Rd., 6300' S of Glen Arm Rd.
Case No. 79-252-A

TIME: 10:00 A.M.

DATE: Wednesday, June 20, 1979

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3351

June 11, 1979

Mr. Irvin Erdman
11229 Notch Cliff Rd.
Glen Arm, Maryland 21057

RE: Petition for Variance
Case No. 79-252-A

Dear Sir:

This is to advise you that \$43.71 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and remit to Mrs. Campagna, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WFM/mc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: Norman E. Gerber, Acting Director
FROM: Office of Planning and Zoning
SUBJECT: Petition #79-252-A, Item # 183

Date: June 4, 1979

South side of Notch Cliff Rd., 6300 South of Glen Arm Road
Petition for Variances to permit side yard setbacks
Petitioner - Irvin Erdman

5th District

HEARING: Wednesday, June 20, 1979 (10:00 A.M.)

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

Norman E. Gerber, Acting Director
Office of Planning and Zoning

NEG:JGH/rw

PETITION FOR VARIANCES

11th District

ZONING: Petition for Variances for side yard setbacks
LOCATION: South side of Notch Cliff Road, 6300 feet South of Glen Arm Road
DATE & TIME: Wednesday, June 20, 1979 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit side yard setbacks of 15 feet and 40 feet instead of the required 50 feet and a side yard setback for an open carport of 28 feet in lieu of the required 37.5 feet

The Zoning Regulations to be excepted as follows:

Section 1A04 3.B.3 - side yard setbacks
Section 301.1 - Minimum setback for open projection

All that parcel of land in the Eleventh District of Baltimore County

Being the property of Irvin S. Erdman, as shown on plat plan filed with the Zoning Department

Hearing Date: Wednesday, June 20, 1979 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

County Council of Baltimore County
Court House, Towson, Maryland 21204
(301) 494-3196

April 10, 1979

COUNCIL

Ronald A. Hickman

Gary H. Miller

James T. Smith, Jr.

Barbara F. Backer

Nathaniel W. Lantieri

Ernest W. Gallagher

John W. O'Rourke

Thomas Toporovich

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

Dear Mr. DiNenna:

Attached herewith please find Resolution No. 31-79, wherein Irvin S. Erdman, an employee in the Office of Planning and Zoning disclosed his application for a zoning variance on his property located on Notch Cliff Road for a side yard setback.

This resolution was passed by the County Council at their meeting on Monday, April 2, 1979.

Sincerely,

Thomas Toporovich
Secretary

TT:bl

Enc: 1

CC: Irvin S. Erdman

April 2, 1982

Mr. Irvin S. Erdman
11229 Notch Cliff Road
Glen Arm, Maryland 21057

Re: Case No. 79-252-A
Irvin Erdman

Dear Mr. Erdman:

On October 8, 1981, the above entitled case was remanded to the Board by the Circuit Court with instructions "... In order that it may receive and consider the surveyor's plat in making its determination with respect to the variance."

Please advise the Board if you have obtained the surveyor's plat, as ordered, and are ready to proceed with a hearing. If not, do you intend to do so? We are anxious to clear our docket and would appreciate your advice as to the status of this case.

Very truly yours,

William T. Hackett, Chairman

etc

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
November 19, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 79-252-A

IRVIN ERDMAN

S/S Notch Cliff Rd., 6300' S Glen Arm Rd.

11th District

Variances

4/26/79 - Z.C.'s Order - GRANTED,
subj. to the approval of a site plan

ASSIGNED FOR:

TUESDAY, JANUARY 25, 1983, at 10 a.m.

cc: Mrs. Irvin S. Erdman

Petitioner

Mr. & Mrs. L. Baumann

Protestants

Mr. & Mrs. D. Phelps

"

Mr. & Mrs. H. Phipps

"

Mr. & Mrs. W. Boyd

"

Ms. Patricia Novak

"

J. W. Hession, Esq.

People's Counsel

J. E. Dyer

W. Hammond

June Holmen, Secy.

11/19/82 - Following were notified of hearing set for Tues., Jan. 25, 1983, at 10 a.m.:

Mrs. Irvin Erdman
Mr. and Mrs. L. Baumann
Mr. and Mrs. D. Phelps
Mr. and Mrs. H. Phipps
Mr. and Mrs. W. Boyd
Patricia Novak
J. Hession
J. Dyer
W. Hammond

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
January 26, 1983

Mr. and Mrs. Louis Baumann
11227 Notchcliff Road
Glen Arm, Maryland 21057

Re: Case No. 79-252-A - Circuit Court
Irvin Erdman - 12/21/7167

Dear Mr. and Mrs. Louis Baumann:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Mr. and Mrs. Douglas Phelps
Mr. and Mrs. Henry Phipps
Mr. and Mrs. William Boyd
Ms. Patricia Novak
Mrs. Irvin S. Erdman
John W. Hession, III, Esq.
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Moswell
Judge James S. Stefakis

Mr. Irvin S. Erdman
11229 Notch Cliff Road
Glen Arm, Maryland 21057

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 1st day of May 1979.

S. Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner Irvin S. Erdman
Petitioner's Attorney None

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11 Date of Posting 7/15/79
Posted for: Board of Appeals
Petitioner: Irvin S. Erdman
Location of property: 515 Notch Cliff Rd. 6300' S of
Glen Arm Rd.
Location of Sign: front of property
Remarks: See below
Posted by Irvin Erdman Date of return: 7/15/79
Signature
No. of Signs 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78683

DATE May 25, 1979 ACCOUNT 01-662
AMOUNT \$25.00

RECEIVED FROM Irvin Erdman
FOR Filing Fee for Case No. 79-252-A

3931200 25.00

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78728

DATE June 18, 1979 ACCOUNT 01-662
AMOUNT \$43.11

RECEIVED FROM Irvin Erdman
FOR Cost of Advertising and Posting Case No. 79-252-A

2200720 43.71

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78756

DATE June 29, 1979 ACCOUNT 01-662
AMOUNT \$10.00

RECEIVED FROM Patricia Novak, 11201 Notchcliff Road 21057
FOR Appeal costs - Case #79-252-A

2057200 10.00

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 31, 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., once a week for one time ~~before~~ before the 20th day of June, 1979, the first publication appearing on the 31st day of May 1979.

THE JEFFERSONIAN
S. Leach Shuster
Manager

Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET

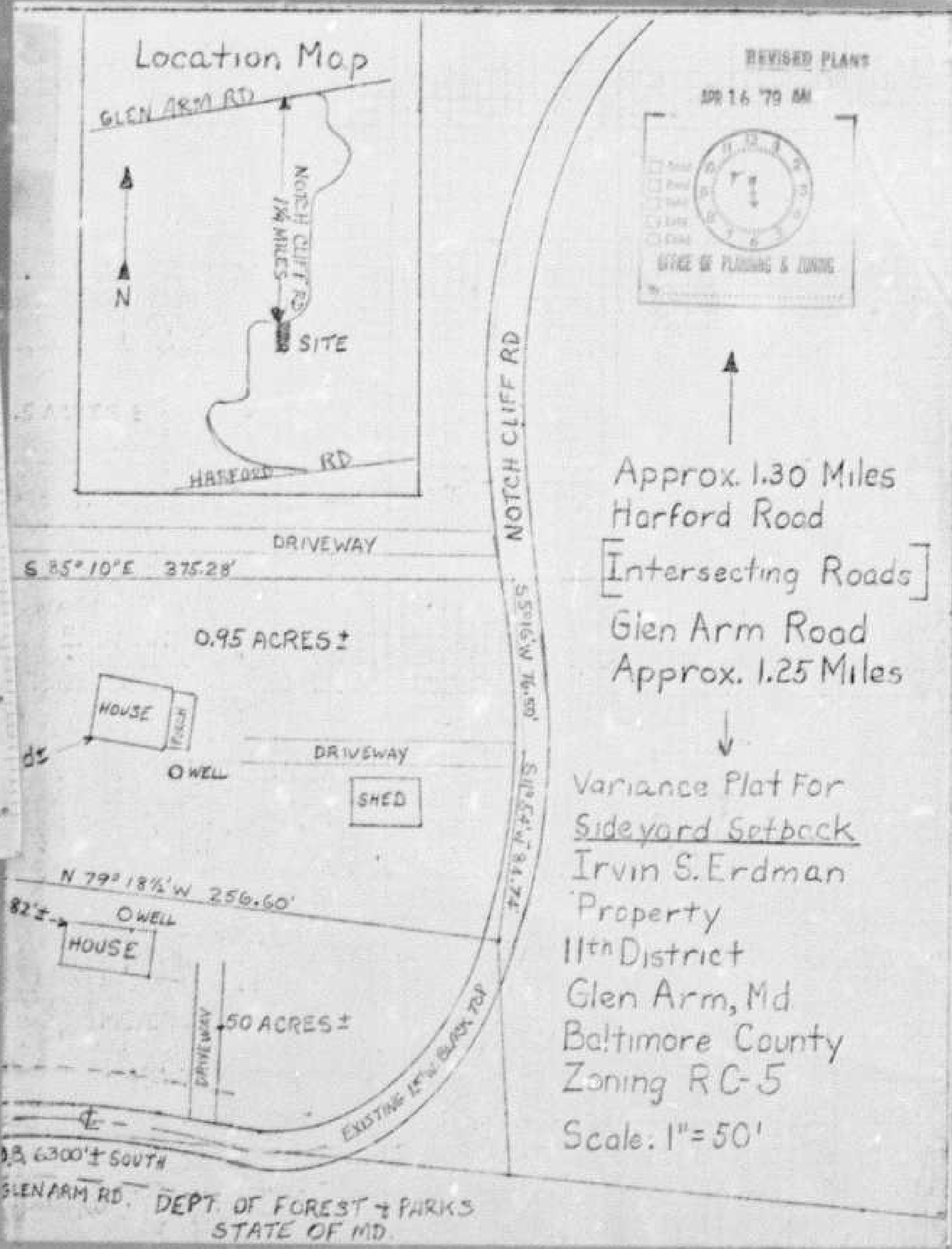
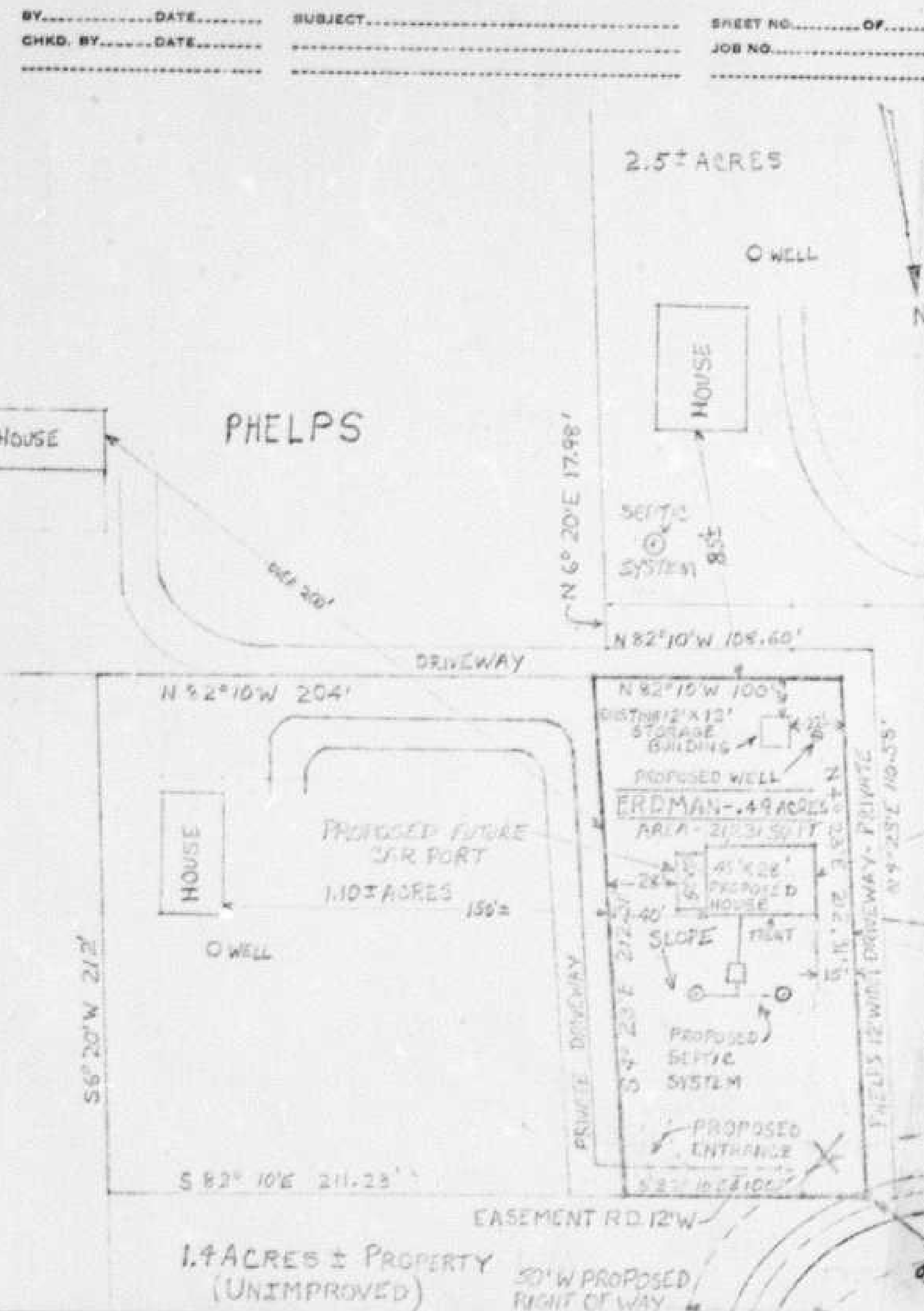
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>WML</u>										
Previous case: <u>75-74-A</u>										
Revised Plans: Change in outline or description										
Map #										

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11 Date of Posting 6/11/79
Posted for: Petition for Variance
Petitioner: Irvin S. Erdman
Location of property: 515 Notchcliff Rd. 6300' S of
Glen Arm Rd.
Location of Sign: front of property
Remarks:
Posted by Irvin Erdman Date of return: 6/14/79
Signature



79-252-A
11th District
5/5 Notch Cliff Road 6300'
S. of Glen Arm Road
Irvin Erdman, Petitioner
1 SIGN



Approx. 1.30 Miles
Harford Road
[Intersecting Roads]
Glen Arm Road
Approx. 1.25 Miles

Variance Plat For
Sideyard Setback
Irvin S. Erdman
Property
11th District
Glen Arm, Md
Baltimore County
Zoning RC-5
Scale: 1"=50'

