PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

1. WEST Fred T. Kiracha Jr. ... 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, 1A01.3B-1.d(103.3 and 1A.00.3B.3)

to allow a 44 foot side ward setback in lieu of the required

50 feet

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

House has been constructed as shown on the accompanying plat and does not meet 50 foot setback requirement (house has existed on the site in this location for approximately 3 years).

L or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of e County adopted pursuant to the Zoning Law For Baltimore County.

Pred T. Kirsch, Jr.

Suite 205 Alexander Brown Bldg. 102 W. Fernsylvania Avanue

Towson, Maryland 21204

of_____October_____, 197 9, 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

P. M.

Phoenix, Maryland 21131

Protestant's Attorney

RE: PETITION FOR VARIANCE 5/S of Mamopa Court, 400' E of Pleasant Grove Rd., 4th District

FRED T. KIRSCH, JR., Petitioner

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

: Case No. 80-121-A

:::::::

ORDER TO ENTER APPEARANCE

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 Deputy People's Counse

ale W. Hisaman JD John W. Hessian, III People's Counsel for Baltimore County County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 5th day of November, 1979, a copy of the aforegoing Order was mailed to S. Eric DiNenna, Esquire, Suite 205 Alex. Brown Building, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.

BALTIMORE COUNTY TOWSON MARYI AND 21204 OFFICE OF PLANNING & ZONING

> WILLIAM E. HAMMOND ZONING COMMISSION

> > November 16, 1979

S. Eric DiNenna, Esquire Suite 205 Alexander Brown Building 102 West Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Variance S/S of Mamopa Court, 400' E of Pleasant Grove Road - 4th **Election District** Fred T. Kirsch, Jr. - Petitioner NO. 80-121-A (Item No. 73)

Dear Mr. DiNenna:

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

> Very truly yours, you MN Jung

FEAN M. H. JUNG Deputy Zoning Commissioner

JMHJ/mc

Attachments

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

MCKEE, DUVAL & ASSOCIATES, INC. Engineering - Surveying - Real Estate Development

1717 YORK RD.

LUTHERVILLE, MARYLAND 21093

Telephone: (301) 252-5820

September 27. 1979

Description of 1.70 Acres of Land, More or Less 4th Election District Baltimore County, Maryland

Beginning for the same at a point on the southern right-of-way of Mamopa Court (50 feet wide) and running thence with the outlines of and Pleasant Grave Road.

* and Pleasant Grave Road.

* and Pleasant Grave Road.

* Tot 17 as shown on a plat dated August 9, 1974 and recorded among the Plat Records of Baltimore County in Plat Book E.H.K., Jr. 38 Folio 2 and known as Pleasant Run the following courses and distances: South 07° 00' 00" West 250.00 feet, South 54° 58' 35" West 56.97 feet, South 86° 45' 00" West 55.00 feet, thence South 36° 30' 00" West 265.54 feet, the aforesaid distance being erroneously shown on the aforesaid plat as 295.54 feet, thence running North 590 18' 05" West 15.00 feet, thence North 50° 14' 13" West 47.28 feet, thence North 40° 28' 11" West 109.97 feet, thence North 48° 15' 36" West 41.30 feet, thence North 52° 55' 38" West 45.68 feet, thence North 58° 03' 36" West 40.32 feet, thence North 39° 37' 40" West 32.93 feet, thence North 57° 08' 10" East 230.00 feet, thence South 55° 54' 07" Bast 225.00 feet, thence South 86° 45' 00" East 69.78 feet, thence North 540 58' 35" East 47.47 feet, thence North 070 00' 00" East 245.48 feet, thence running with the southerly right-of-way line of Mamopa Court for a curve to the left having a radius of 945 feet and an arc length of 12.03 feet to the place of beginning. Containing 1.70 acres of land, more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammonu To Zoning Commissioner John D. Seyffert, Director FROM Office of Planning and Zoning

November 5, 1979

Petition No. 80-121-A - Item 73

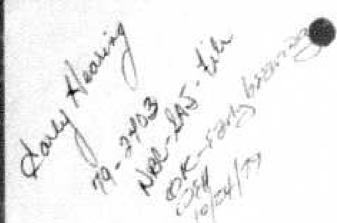
Petition for Variance for side yard setback South side of Mamopa Court, 400 feet East of Pleasant Grove Road Petitioner - Fred T. Kirsch, Jr.

4th District

HEARING: Friday, November 16, 1979 (1:00 P.M.)

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

JDS:JGH:dme



S. Eric DiNenna Attorney at Law Suite 205 Mex Brown Building 102 W. Pennsylvania Noeme Jouron Maryland 2/204 30/ - 425-7630



October 24, 197

The Honorable William E. Hammond Zoning Commissioner for Baltimore County County Office Building Towson, Maryland 21204

> RE: Petition for Zoning Variance -5 Mamopa Court, 4th Election District Tetitioner: Fred T. Kirsch, Jr. My File No. 79-66

Dear Mr. Commissioner:

SED: cm

On September 25, 1979, I filed a Petition for Variance on behalf of my clients. The subject property was, in fact, developed several years ago but was not sold by the developer. Upon entering into a Contract of Sale recently to sell the property, the mortgage company for the Buyer discovered, as a result of a location survey, a possible zoning violation of the set-back requirement. As a result of this discovery, the above-mentioned Petition was filed.

I have recently been informed by my clients that there is in existence a Contract of Sale to a third party with a typical financing contingency therein. The commitment for mortgage money and settlement date . November 15, 1979. The mortgage company will not extend the commits. beyond the 15th because of the prime interest rate. As you can see, 'he whole deal could fall through and some innocent parties will be damaged as a result.

The purpose of this letter is to respectfully request that, if at all possible, this matter be set in for a hearing before you or your Deputy on or before November 15, 1979. If there is any problem or question regarding this request, please do not hesitate to contact me.

Thank you in advance for your kind attention and consideration.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Fred T. Mirsch, Jr. 13716 Manda Milli Lane Phoenix, Maryland 21131

Petitioner Fred T. Kirsch, J.,

Petitioner's Attorney S. Eric DiNerse

ees Mckee, DaVal & Assoc, Inc. 1717 York Rosc Luth., Md. 21073

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this

WILLIAM E. HAMMOND

Zoning Commissioner

Chairman, Zoning Plans

Advisory Committee

FEB 1 1 1980 -

November 19, 1979

80-121

80-121-19

Re: Item #73 (1979-1980) Property Owner: Fred T. Kirsch, Jr. S/S Mamopa Ct. 400' E. Pleasant Grove Rd. Existing Zoning: RC 2 Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'. Acres: 1.70 District: 4th

Dear Mr. Hammond:

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.

Chief, Bureau of Engineering

December 3, 1979

County Office Building Towson, Maryland 21204

Ballimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement 47405, executed in conjunction with the

This office has no further comment is regard to the plan submitted for Zoning

Very truly yours, Elment H Dives /come ELLSWORTH N. DIVER, P.E.

cc: J. Wimbley

CC-SW Key Sheet NW 23 J Topo

General:

development of "Pleasant Run", of which this property comprises Lot 17 of the plat of Pleasant Run, recorded E.H.K., Jr. 36, Polio 2.

Advisory Committee review in connection with this Item 73 (1979-1980).

89 NW 37 Pos. Sheet

31 & 32 Tax Maps

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

> Very truly yours, Dute les OCommoden NICHOLAS B. COMMODARI Chairman

Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: McKee, DaVal & Assoc, Inc. 1717 York Road Luth., Md. 21093

80-121-A

November 23, 1979

baltimore county fire department TOWSON, MARYLAND 21204 (301) 825-7310

Paul H. Reincke

October 24, 1979

80-121

Office of Planning and Zoning Baltimore County Office Building

Towson, Meryland 21204 Attention: Mr. William Hammond, Zoning Commissioner

Re: Property Owner Fred T. Kirsch, Jr.

Location: S/S Marcpa Ct. 400' E Pleasant Grove Rd.

Zoning Advisory Committee

Item Mo. 73

Zoming Agenda: Meeting of 10/9/79

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 or _____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

EXCERDS the maximum allowed by the Pire 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" 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.

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

Noted and Kleose M Welgand Planning Group Special Inspection Division

BALTIMORE COUNTY, MARYLAND

Comments on Item #73, Zoning Advisory Committee Meeting, October 9, 1979, are as follows:

Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'.

This office has reviewed the subject petition and offers the following comments. These comments

are not intended to indicate the appropriaentess of the zoning in question, but are to assure that

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

all parties are made aware of plans or problems with regard to development plans that may have a

Vary truly yours,

John L. Wimbley

Planner III

John Zer mblego

Current Planning and Development

October 25, 1979

INTER-OFFICE CORRESPONDENCE

Mr. Nick Commodari Mr. Charles E. Burnham, Chi f PROM.....Plans Review..... Zoning Advisory Coumittee SUBJECT Meuting of October 9, 1979

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

TOWSON, MARYLAND 21204

Mr. William Hammond, Zoning Commissioner

Property Owner: Fred T. Kirsch, Jr.

Location: S/S Mamopa Court 400' E. Pleasant Grove Road

Zoning Advisory Committee

Towson, Maryland 21204

Dear Mr. Hammond

Acres: 1.70

District: 4th

bearing on this petition.

Office of Planning and Zoning

Existing Zoning: RC-2

Baltimore County Office Building

The following cases should be made aware of our standard comments unless other wise noted.

Standard Comments only.

Standard Comment only.

See Comment.

Charles E. Burnham, Chief Plans Review

CEB: rrj

BALTIMORE COUNTY DEPARTMENT OF HEALTH TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

November 29, 1979

Pursuant to the dvertisement, posting of property, and public hearing on

the Petition and it appearing that by reas n of the following finding of facts

in practical difficulty and unreasonable hardship upon the petitioner(s), the

general welfare of the community, the Variance(s) should be granted.

Zoning.

permit

day of November . 19.72, that the herein Petition for the Variance(s) to

that strict compliance with the Baltimore County Zoning Regulations would result

Variance(s) should be had; and it further appearing that by reason of the grant-

ing of the Variance(s) requested not adversely affecting the health, safety, and

permit a 44 foot side yard setback in lieu of the required 50 feet should be and

of a site plan by the Department of Public Works and the Office of Planning and

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____

Zoning Commissioner of Baltimore County

the Tetition and it appearing that by reason of failure to show practical diffi-

culty and or unreasonable hardship, the Variance(s) should not be granted.

day of _____, 19__, that the herein Petition for the Variance(s) to

the same is GRANTED, from and after the date of this Order, subject to the approval

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Marylan 2120h

Dear Mr. Hammond:

Comments on Item #73, Zoning Advisory Committee Meeting of October 9, 1979, are as follows:

> Property Owner: Existing Zoning: R.C. 2

Fred T. Kirsch, Jr. S/S Mamopa Ct. 400' E Pleasant Grove Rd. Proposed Zoning: Variance to permit a side setback of 44' in

BUREAU OF ENVIRONMENTAL SERVICES

Acres. District:

lieu of the required 50'. 1.70 The existing dwelling is presently served by a private water well and sewage disposal system. The house location does not interfere

with the location of either the well or sewage disposal system; therefore, no health hazards are anticipated. Very truly yours, Ian . Forrest, Director

IJF/JRP/fthe

PO-121-19

pattimore county department of traffic engineering TOWSON, MARYLAND 21204

STEPHEN _ COLLINS

COUNTY OFFICE SLDG. 111 W. Chesapeake Ave. Towner, Maryland 21204

sicholas B. Comedar

Chairman

MEMBERS

droug of

Engineering

Burees of

Industrial.

Sevelopment.

Department of

Fire Prevention

Sealth Dopartment

Building Department

Board of Education

Boning Administration

Project Planning.

Traffic Engineering

State Boads Commission

Mr. William Hammand Zoning Commissioner

County Office Building Towson, Maryland 21204

73 - ZAC - October 9, 1979 Property Owner: Fred T. Kirsch, Jr. Location: S/S Mamupa Ct. 400' E Pleasant Grove Rd. Existing Zoning: R.C. 2 Proposed Zoning: Variance to permit a side setback of 44' in lieu of the required 50'.

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

S. Eric DiNenna, Esquire

Towson, Maryland 21204

Dear Mr. DiNenna:

of the requested zoning.

existing well and septic system.

102 West Pennsylvania Avenue

Suite 205 Alexander Brown Building

November 9, 1979

RE: Item No. 73

The Zoning Plans Advisory Committee has reviewed the plans

Because the existing dwelling situated on the subject property

At the time of this writing, all comments from this Committee

submitted with the above referenced petition. The following commemts

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 Plannin, may file a written report with

the Zoning Commissioner with recommendations as to the suitability

was constructed within 44 feet of the side property line in lieu of the

required 50 feet, this Variance is necessary in order to correct this situation. The submitted site plan should indicate the location of the

were not available. Because it was verbally indicated to me that your

request presented no particular problems. I scheduled this petition for

certificate, will be forwarded to you in the near future.

a hearing. This petition is accepted for filing on the date of the enclosed

Variance Petition

Petitioner - Fred T. Kirsch, Jr.

Acres: 1.70 District: 4th

Dear Mr. Bammond:

This Department has no comment for item 73.

Very truly yours. Engineer Associate II

MSF/cmw

Pire Prevention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON MARYLAND - 21204

Date: October 11, 1979 and October 16, 1979

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

Z.A.C. Meeting of: October 9, 1979

RE: Item No: 66, 73, 74, 75, 76, 77, 78
Property Owner:
Location: Present Zoning: Proposed Zoning:

> Distric : No. Acres:

Dear Mr. DiNenna:

All of the above have no searing on student population.

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

The Ecolog Commissioner of Bal-riors Greety, by sufficient of the sating Act and Herselettons of Bal-omore County, will hold a rubble

Smore County will hold a visible intering:

Potition I r Variance to allow a set foot side parel outbook in lieu of he required for feat.

The Rooling Regulations in he excepted as follows:

South I read parel of land in the furth District of Buildings County and in the furth District of Buildings County Beginning for the same at a count on the snothern right-of-wave Manages Court (50 feet under 180 feet in 180 feet under 180 feet under

D. Order Of WILLIAM E. HARMOND, Souther Communicationer of Bullimore County

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 25 Filing Fee \$ 25

73

William E. Hammond, Zoning Commissioner

Submitted by DINORNA Reviewed by MM

This is not to be interpreted as acceptance of the Petition for assignment of a

COMMING: Pictition for Variance for side year setback
LOCATION: South side of Namoon Churt, 400 feet East of Pleasant Grove Road
DATH & TIME: Friday, Nevember 16, 1979 at 1:00 P M
UNLAC HEATING: Room 10K,
County Office Building, 111 W.
Chempeske Avence, Towson,
Maryland. CERTIFICATE OF PUBLICATION

TOWSON, MD. November 1 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., sass decease, 19.79... the first publication appearing on the __lst___day of __November ____

G. Leank Structur

Cost of Advertisement, \$_____

Georgy Office Suitaing, 111 of.
Chasspassive Avenue. The 21
Maryamet.
The Zering Germinationer of Settlemine County, by suitaining of Settlemine County, by suitaining of Settlemine County, by suitaining of Settlemine County, will rest a purious of Settlemine County of Settlemine County of Settlemine County of Settlemine Set

NEWSPAPERS

TOWSON, MD. 21204 November 1

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Fred T. Firsch. Jr. was inserted in the following:

☐ Catonaville Times ☐ Lock Times

☐ Arbutus Times

☐ Towson Times

Community Times

weekly newspapers published in Baltimore, County, Maryland, once a week for week . successive weeks before the 2nd day of November 19.79 , that is to say, the same was inserted in the issues of November 1, 1979.

STROMBERG PUBLICATIONS, INC.

BALTIMORE COUNTY, MARYLAND No. 83250 OFFICE OF FINANCE GEVELUE DIVISION MISCELLANEOUS SH RECEIPT DATE October 25, 1979 ACCOUNT 01-662 AMOUNT \$25.00 FROM B. Eric Disanna, Esquire ros __ Filing Fee for Case No. 80-121-A 183 6 7AG 25 2500 1

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 83272 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE November 16, 1979 ACCOUNT 01-662 AMOUNT \$59.39 ARCKIVED McKee, DuVal & Associates, Inc. you Advertising and Posting for Case No. 80-121-4 203 OF MIN 19 5939m

VALIDATION OR SIGNATURE OF CARRIER

PLEASANT R-245 L-1203 LOCATION MAP Scale: 1"=600" 400 = to Kitica W FUR INT Grana : It to 954°5635 W 53,57 N35 37.40 W 980°4500'N 5500 N 56 03 37 W 40 32 N 52 55 38 W 45 GA N45 15 30 W 1140 25 II W 03.57 N 50" 14 13 W 47 28" N 59 18 05 W

GENEPAL 110TES

TExisting Zoning - R.C.-2 (foreverly R.D.P.) 2. Proposed Use - Residertial with a varionce to Section IAOL 38-1.d (103.3) and (1A.00.38.3) of the Baltimore County Zoning Regs. to allow ods side building setbook in lieu of the required 50' sice building settock.



PLAT TO ACCOMPANY PETITION FOR

VARIANCE TO ZONING

"# 5 INAINOPA COURT"

4th Election District 3cale . 1"= 100"

Salta Co., Md September 20, 1379

SCECH-

DOLLARDS -

MEART DY

100 1/2 1/30 100 1/2 1/30 10 21/2

Plot of PLEASANT RUN

		9	80-121-A	
CERTIFIE ING DEPARTM	CATE OF P	OSTING	my .	

J-W. MX 9/20/79

James W. Moke

		Townen, Muryler	TIMORE COUNTY
District.	4th		De (Con. 21 1000
Posted f	or PETTION	FOR VARIAN	Date of Posting CCI: 31, 1979
Petitioner	- IRED T.	KIRSCH, JR.	***************************************
Location	of property: S/S M	AMOPA CT., 400	E PLEASANT GROVE ROAD
Location	ot signa 5/5 MA MAMOP	MOPA CT. AT EN	TRANCE Rd To # 5
Remarks:	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		
Posted by	Floure A	Malaret Da	te of return: Nov. 2, 1979
		1-516N	

McKEE, DuVAL & ASSOC. INC.

Civil Engineers & Land Surveyors 1717 York Rd. - Lanies Bldg. - Loth., Md. 21093

> PETITION MAPPING PROGRESS SHEET Wall Map Original Duplicate Tracing 200 Sheet FUNCTION date by date by date by date by Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA Revised Plans: Change in outline or description____ Yes Previous case: