

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) 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 ... and a side yard setback of 20' instead of the required 27' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

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.

I do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s): (Type or Print Name) Signature Address City and State Attorney for Petitioner: (Type or Print Name) Signature Address City and State Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of March, 1982, 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 14th day of May, 1982, at 9:45 o'clock A. M.

Very truly yours, Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCES: BEFORE THE ZONING COMMISSIONER W/S of Goldenwood Rd., 175' S of Magdolina Rd., 14th District OF BALTIMORE COUNTY

FRANCES M. FRANZ, Case No. 82-235-A Petitioner

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

Peter Max Zimmerman Deputy People's Counsel John W. Hession, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 2nd day of April, 1982, a copy of the foregoing Order was mailed to Frances M. Franz, 41 Cliffwood Road, Baltimore, Maryland 21206, Petitioner; and Steven J. Foehrkolb, 213 Oberle Avenue, Baltimore, Maryland 21221, Contract Purchaser.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21284

April 22, 1982

Nicholas B. Commodari Chairman

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

Mr. Frances M. Franz 41 Cliffwood Road Baltimore, Maryland 21206

RE: Item No. 163 Petitioner - Frances M. Franz Variance Petition

Dear Mr. Franz:

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 Commission with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, NICHOLAS B. COMODARI Chairman Zoning Plans Advisory Committee

ENCLOSURE

cc: Mr. Steven J. Foehrkolb 213 Oberle Avenue Baltimore, Maryland 21221

ORDER RECEIVED FOR FILMS

DATE May 6, 1982

PAIF CASE 82-235

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

I-W Key Sheet 15 & 16 NE 21 & 22 Pos. Sheets NE 4 P Topo 89 Tax Map

HARRY J. PISTEL, P.E. DIRECTOR April 27, 1982

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item #168 (1981-1982) Property Owner: Frances M. Franz W/S Goldenwood Rd. 175' S. of centerline of Magdolina Rd. Acres: 75/75 x 151.08/150.00 District: 14th

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.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

There is 8-inch public sanitary sewerage within the indicated Buehler Avenue existing 40-foot wide utility easement. This right-of-way, if improved in the future as a public road, would be as a 30-foot closed section roadway on a minimum 40-foot right-of-way, with fillet areas for sight distance at the Goldenwood Road intersection.

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.

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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 168 (1981-1982).

Very truly yours,

ROBERT I. WORTON, P.E., Chief Bureau of Public Services

RAM:EAM:FWR:es

cc: Jack Wimbley

BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204 494-3985

CHIEF March 30, 1982

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Frances M. Franz

Location: W/S Goldenwood Road 175' S. of centerline of Magdolina Road Item No.: 168 Zoning Agenda: Meeting of March 9, 1982

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 dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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.

REVIEWED AND APPROVED: [Signature] Planning Group Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner TO: Office of Planning and Zoning Date: March 26, 1982 FROM: Ian J. Forrest SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #155 - James & Deborah M. Anderson, Jr.
Item #160 - Samuel L. Castrock
Item #162 - Raymond J. & Arlene M. Cannoles
Item #163 - Matthews & Matthews, Inc.
Item #164 - Clarence A. & Maggie G. Cox
Item #166 - Lawrence R. & Sharon A. King
Item #167 - Carl D. & Dorothy C. McKinney, Sr.
Item #168 - Frances M. Franz
Item #170 - Erwin V. & Frieda Heinrich
Item #175 - John Shavers
Item #177 - Agnes A. Stem
Item #180 - Howard M. Grossfeld, et al.
Item #181 - Charles & Loretta Cain, Jr.
Item #182 - Curtis M. & Betty Johnson
Item #187 - Donald L. & Beverlee J. Weston, Jr.
Item #189 - Oliver B. & Jean J. Dearden

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJE/fth

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. William Hammond TO: Nick Commodari Date: April 9, 1982 FROM: Charles E. Dearden SUBJECT: Zoning Advisory Committee Meeting of March 9, 1982

- Item # 166 See comments.
Item # 167 Standard comment only.
Item # 168 Standard comment only.
Item # 169 See comments.
Item # 170 See comments.
Item # 171 Standard comment only.
Item # 172 Standard comments only.

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of May, 1982, that the ~~hence~~ Petition for Variance(s) to permit a side street setback of forty feet from the centerline of the street (paper street known as Buehler Avenue) in lieu of the required fifty feet and a side yard setback of twenty feet in lieu of the required twenty-five feet, for the expressed purpose of constructing a dwelling, in accordance with the site plan marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Hubel, Superintendent
Towson, Maryland - 21204
Date: March 2, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 9, 1982

RE: Item No: 166, 167, 168, 169, 170, 171, 172
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 11, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: ZAC Meeting of March 9, 1981

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items number 166, 167, 168, 169, 170, 171, and 172.

Very truly yours,
C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer
Planning & Design

CRM/bza

cc - Mr. Jack Wimbley
Current Planning

94
R-235-A
Ham

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond,
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 82-235-A
SUBJECT: Zoning Petition No. 82-235-A
Date: April 9, 1982

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

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:mc

Mr. Steven J. Poehkolb
213 Oberle Avenue
Baltimore, MD 21221
March 21, 1982

NOTICE OF HEARING

RE: Petition for Variance
W/s of Goldenwood Rd., 175' S of Magdalena Rd.
Frances M. Franz - Petitioner
Case #82-235-A

TIME: 9:15 A.M.

DATE: Tuesday, May 1, 1982

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

TOWSON, MARYLAND

cc: Frances M. Franz
11 Cliffwood Rd.
Baltimore, MD 21206

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR VARIANCE 14th DISTRICT

ZONING: Petition for Variance
LOCATION: West side of Goldenwood Pl., 175 ft. South of Magdalena Rd.
DATE & TIME: Tuesday, May 1, 1982 at 9:15 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 Variance to permit a side street setback of 40 feet from the centerline of the street in lieu of the required 50 feet, and a side yard setback of 20 ft. instead of the required 25 ft.

The Zoning Regulation to be excepted as follows:

Section 1802.3.B (211.3) - Minimum side yard setback and distance from centerline of street.

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

Being the property of Frances M. Franz, as shown on plat plan filed with the Zoning Department

Hearing to be held Tuesday, May 1, 1982 at 9:15 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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

April 8, 1982

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168, Zoning Advisory Committee Meeting, March 9, 1982, are as follows:

Property Owner: Frances M. Franz
Location: W/S Goldenwood Road 175' S. of centerline of Magdalena Road
Acres: 75/75 X 151.08/150.00
District: 14th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

JLW:rh

ORDER RECEIVED FOR FILING

DATE: May 6, 1982
BY: *John L. Wimbley*
ADMINISTRATIVE ASSISTANT

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 20, 1982

Ms. Frances M. Franz
41 Cliffwood Road
Baltimore, Maryland 21206

Re: Petition for Variances
W/S of Goldenwood Rd., 175' S. of
Magdolina Rd., 14th District
Frances M. Franz, Petitioner
Case No. 82-235-A

Dear Ms. Franz:

This is to advise you that \$50.71 is due for advertising and posting of the above property.

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

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

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

No. 107627

DATE: 5/4/82 ACCOUNT: 01-662

AMOUNT: \$50.71

RECEIVED FROM: Steven J. Foehrkolb
FOR: Advertising & Posting Case #82-235-A
(Frances M. Franz)

AMOUNT PAID: 50.71

VALIDATION OR SIGNATURE OF CASHIER

May 6, 1982

Mr. Steven J. Foehrkolb
213 Oberle Avenue
Baltimore, Maryland 21221

RE: Petition for Variances
W/S of Goldenwood Road, 175' S of
Magdolina Road - 14th Election
District
Frances M. Franz - Petitioner
NO. 82-235-A (Item No. 168)

Dear Mr. Foehrkolb:

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

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/ar1

Attachments

cc: Ms. Frances M. Franz
41 Cliffwood Road
Baltimore, Maryland 21206

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

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 82-235 A
Building Permit Application
No.

Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County, Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

Steven J. Foehrkolb
Frances M. Franz

Mr. Frances M. Franz
41 Cliffwood Road
Baltimore, Maryland 21206

cc: Steven J. Foehrkolb
213 Oberle Avenue
Baltimore, Maryland 21221

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 9th day of March, 1982.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Frances M. Franz

Petitioner's Attorney:

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 7th day of Feb, 1982.
Filing Fee \$ 25.00 Received: Check
 Cash
 Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner: Frances Franz

Submitted by: *Foehrkolb*

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

No. 104588

the Petition for assignment of a

DATE: 2/7/82 ACCOUNT: 01-662

AMOUNT: 25.00

RECEIVED FROM: *Frances Franz*

FOR: *104588*

VALIDATION OR SIGNATURE OF CASHIER

82-235-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14 Date of Posting: 4/15/82

Posted for: *Frances M. Franz*

Petitioner: *Frances M. Franz*

Location of property: *175' S of Goldenwood Rd., 14th District*

Location of Signs: *West side of property facing Goldenwood Rd.*

Remarks: *See Z. Ord. 100*

Posted by: *William E. Hammond* Signature Date of return: 4/23/82

Petition For Variance
14TH DISTRICT
ZONING DISTRICT FOR VARIANCE
LOCATION: West side of Goldenwood Rd., 175 ft. South of Magdolina Rd.
DATE & TIME: Tues. day, May 4, 1982 at 9:00 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 on the Petition for Variance to permit a side street setback of 40 feet from the centerline of the street in lieu of the required 60 feet and a side yard setback of 20 ft. instead of the required 25 ft.
The Zoning Regulation to be excepted as follows:

The Times

Middle River, Md., April 15, 1982
This is to Certify, That the annexed
Public
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of *one* successive weeks before the *15th* day of *April*, 1982.
John W. Hessian, III Publisher.

PETITION FOR VARIANCE
14TH DISTRICT
ZONING DISTRICT FOR VARIANCE
LOCATION: West side of Goldenwood Rd., 175 ft. South of Magdolina Rd.
DATE & TIME: Tuesday, May 4, 1982 at 9:00 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 on the Petition for Variance to permit a side street setback of 40 feet from the centerline of the street in lieu of the required 60 feet and a side yard setback of 20 ft. instead of the required 25 ft.
The Zoning Regulation to be excepted as follows:
Beginning at a point on the west side of Goldenwood Road, 175 feet south of the centerline of Magdolina Road, as recorded in the Land Records of Baltimore County, in the plat of Frances M. Franz, known as 8610 Goldenwood Road in the 14th Election District.
Being the property of Frances M. Franz as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, May 4, 1982 at 9:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, Maryland.
By order of
WILLIAM E. HAMMOND,
Zoning Commissioner
Baltimore County
April 15, 1982.

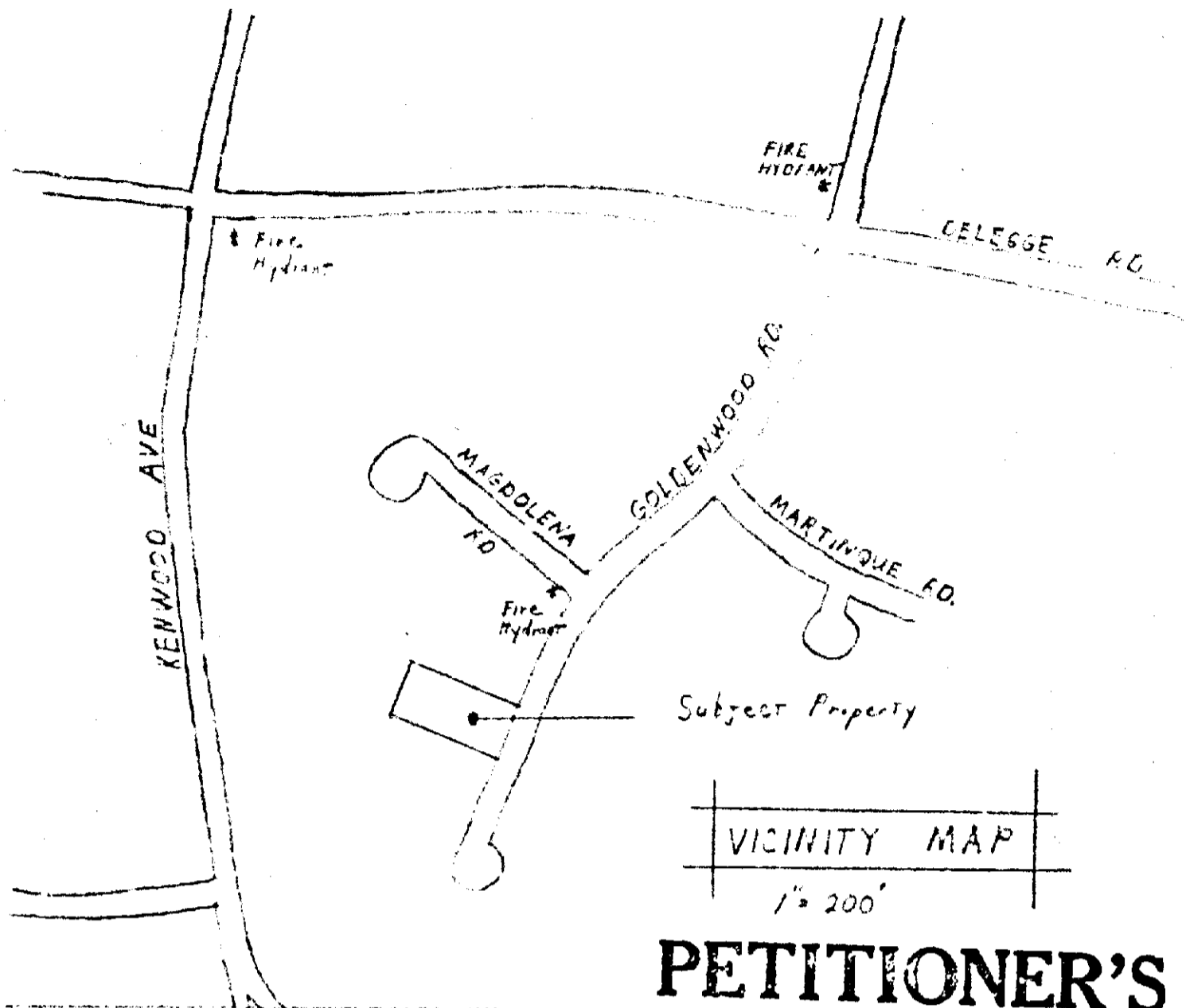
CERTIFICATE OF PUBLICATION

TOWSON, MD., April 15, 1982.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., before the 15th day of April, 1982, the 15th day of April, 1982, appearing on the 15th day of April, 1982.
THE JEFFERSONIAN
Richard L. Smith Manager.

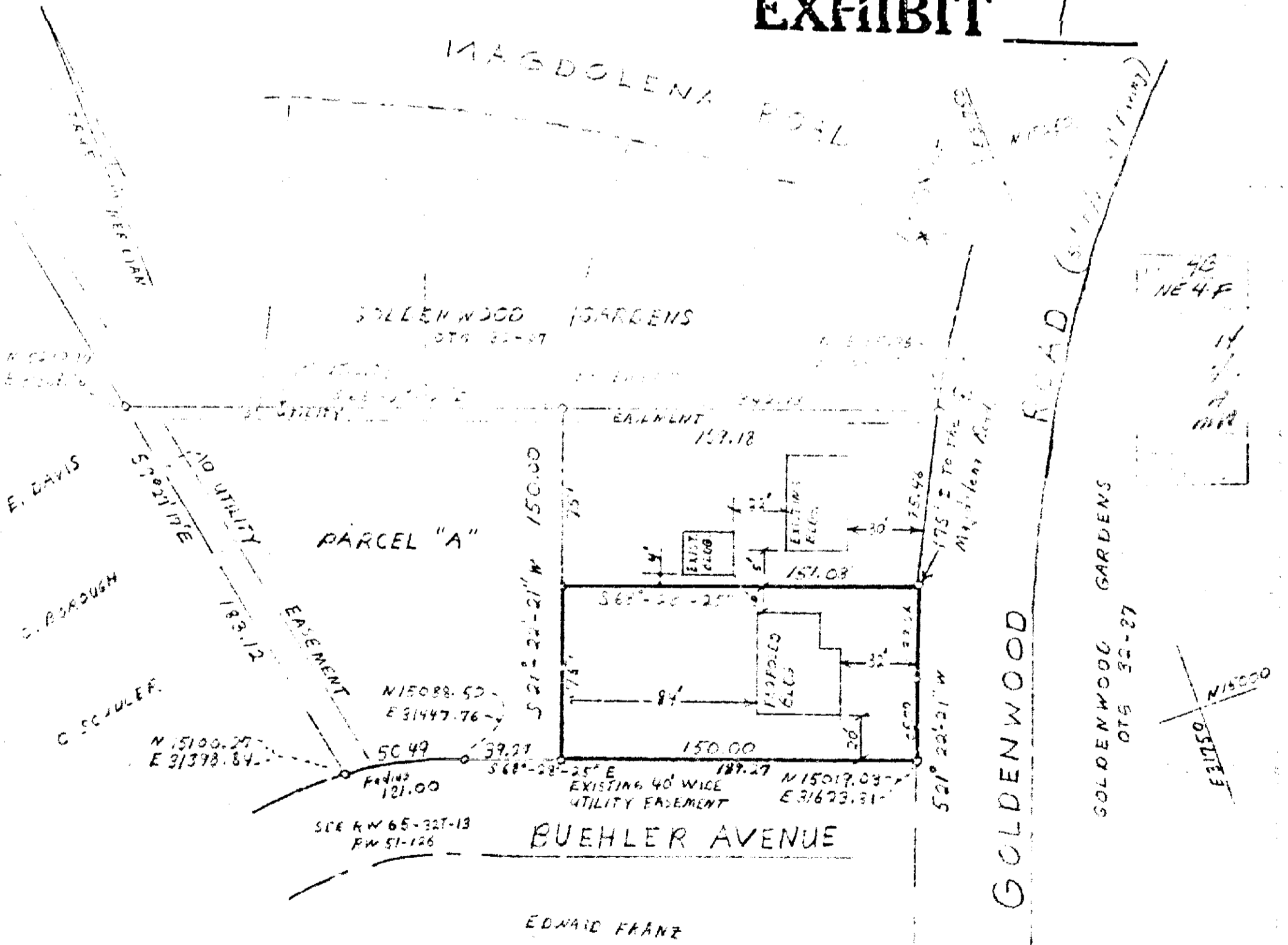
PETITION MAPPING PROGRESS SHEET

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: <i>L.H.T.</i>										
Revised Plans: Change in outline or description										
Previous case: _____										
Map # _____										

Section 18-23 B (21.3)
Minimum side yard setback and distance from centerline of street.
All the parcel of land in the Fourteenth District of Baltimore County, beginning at a point on the west side of Goldenwood Road, 175 feet south of the centerline of Magdolina Road, as recorded in the Land Records of Baltimore County, in the plat of Frances M. Franz, known as 8610 Goldenwood Road in the 14th Election District.
Being the property of Frances M. Franz as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, May 4, 1982 at 9:00 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



PETITIONER'S EXHIBIT



PLAT FOR ZONING VARIANCE
 OWNER: FRANCES M. FRANZ
 ZONED: DR. 5.5 ZONING MAP NO 4 B, ELECTION DIST. 14
 LOT NO. 2, O.T.G. 34' FOLIO 27
 PUBLIC WATER & SEWER EXISTING
 SCALE 1" = 50'

