

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 400.1 to permit an accessory building to be located outside the rear 1/3 of the lot farthest removed from the side street and to occupy more than 50% of such third.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
 To replace existing non-conforming structure which has deteriorated beyond repair.

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, We 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:
 (Type or Print Name)
 Signature
 City and State

Legal Owner(s):
 Michael J. Rife
 (Type or Print Name)
 Signature
 City and State

Address for Petitioner:
 (Type or Print Name)
 Signature
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
 Name
 Address
 City and State

Attorney's Telephone No.:
 City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of June, 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 17th day of August, 1982, at 9:45 o'clock A.M.

Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 NE corner of Baltimore Ave. and Willow Spring Road, 12th District : OF BALTIMORE COUNTY
 MICHAEL J. RIFE, Petitioner : Case No. 83-39-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 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
 494-2138

I HEREBY CERTIFY that on this 23rd day of July, 1982, a copy of the foregoing Order was mailed to Michael J. Rife, 118 Baltimore Avenue, Baltimore, Maryland 21222, Petitioner; and S. S. Kastal, Garages Unlimited, Inc., P. O. Box 9565, Baltimore, Maryland 21237, who requested notification.

John W. Hession, III

BALTIMORE COUNTY **ZONING PLANS** **ADVISORY COMMITTEE**



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 6, 1982

COUNTY OFFICE BUILDING
 111 West Chesapeake Ave.
 Towson, Maryland 21204

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. Michael J. Rife
 118 Baltimore Avenue
 Baltimore, Maryland 21222

RE: Item No. 247 - Case No. 83-39-A
 Petitioner - Michael J. Rife
 Variance Petition

Dear Mr. Rife:

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.

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. Commodari
 Chairman
 Zoning Plans Advisory Committee

ENCLOSURE

cc: S. S. Kastal

Garages Unlimited, Inc.
 Box 9565
 Baltimore, Md. 21237

BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
 DIRECTOR

June 16, 1982

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

Re: Item #247 (1981-1982)
 Property Owner: Michael J. Rife
 N/E corner Baltimore Avenue and Willow Spring Road
 Acres: 26.87 x 125 District: 12th

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.

Willow Spring Road and Baltimore Avenue, existing public roads, are proposed to be improved in the future as 40 and 30-foot closed section roadways on 70 and 40-foot rights-of-way, respectively, with filllet areas for sight distance at their intersection.

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the 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 247 (1981-1982).

Very truly yours,

Robert A. Morison, P.E., Chief
 Bureau of Public Services

RAM:HAM:FWR:SS

cc: Jack Wimbley

P-SE Key Sheet 15 SE 17 Pos. Sheet
 SE 4 E Topo 103 Tax Map

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

NORMAN C. GERBER
 DIRECTOR

August 10, 1982

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

Dear Mr. Hammond:

Comments on Item # 247, Zoning Advisory Committee Meeting, June 8, 1982, are as follows:

Property Owner: Michael J. Rife
 Location: NE corner Baltimore Avenue and Willow Spring Road
 Acres: 26.87 X 125
 District: 12th

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.

Since the petition is to approve a non-conforming use, there are no site planning factors requiring comment at this time.

Very truly yours,

John L. Wimbley
 Planner III
 Current Planning & Development

JLW:sh

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
 TO: Office of Planning and Zoning Date: June 16, 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 #208 - Dr. Larry & Gail Becker
- Item #211 - Donald D. & Joyce A. Smith
- Item #213 - Ridgely Condominium Assoc., Inc.
- Item #225 - James Brudzinski, et al
- Item #230 - Louis & Gertrude Kiefer
- Item #231 - Randallstown Associates
- Item #233 - Millard A. & Leslie R. Bierman, Jr.
- Item #234 - 21st Century Properties
- Item #239 - Norman Isaac & Victoria DeChantal Sines, Jr.
- Item #241 - Thomas J. Jerbi
- Item #243 - Chesapeake Limited Partnership
- Item #246 - Joseph & Elizabeth Sector
- Item #247 - Michael J. Rife
- Item #248 - Ray H. & Susan Watts, Jr.
- Item #251 - William F. Gebhardt, et al
- Item #255 - Dorothy A. Tallangen, et al
- Item #256 - Burning Wood Realty, Inc.

Ian J. Forrest, Director
 BUREAU OF ENVIRONMENTAL SERVICES

IJF/eth

BALTIMORE COUNTY
 DEPARTMENT OF PERMITS & LICENSES
 TOWSON, MARYLAND 21204
 494-3900

TED ZALSKI, JR.
 DIRECTOR
 Mr. William E. Hammond, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 247 Zoning Advisory Committee Meeting June 8, 1982 are as follows:

Property Owner: Michael J. Rife
 Location: NE/Corner Baltimore Avenue and Willow Spring Road
 Existing Zoning: R-3
 Proposed Zoning:

Acres: 26.87 X 125
 District: 12th

The items checked below are applicable:

- A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 4-82 and other applicable Codes.
- X B. A building/ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- NOTE: X E. an exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 1'-0" of lot line. A firewall is required if construction is on the lot line. See Table 401, Line 2, Section 1107 and Table 1109.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham, Chief
 Plans Review

CEB:rdj

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~~ 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 31st day of August, 1982, that the ~~hence~~ Petition for Variance(s) to permit an accessory building (garage) to be located outside the rear one-third of the lot farthest removed from the side street and to occupy more than 50% of such one-third, for the expressed purpose of razing the existing 42' x 26' garage and replacing it with a 40' x 20' garage, 320 square feet (20' x 16') to be used for general storage and 480 square feet (20' x 24') to be used for parking and/or storage of automobiles, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the comments submitted by the Department of Permits and Licenses, dated June 17, 1982.
2. The accessory building shall not be used for the repair of motor vehicles.
3. A revised site plan, indicating thereon the specific area for general storage and the specific area for automobile parking and/or storage, shall be submitted for approval by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: June 16, 1982

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

Z.A.C. Meeting of: June 8, 1982

RE: Item No: 246 (247) 248, 249, 250, 251, 252
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above items have no bearing on student population.

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

WNP/bp

August 31, 1982

Mr. Michael J. Rife
118 Baltimore Avenue
Baltimore, Maryland 21222

RE: Petition for Variance
NE/corner of Baltimore Avenue
and Willow Spring Road - 12th
Election District
Michael J. Rife - Petitioner
NO. 83-39-A (Item No. 247)

Dear Mr. Rife:

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/srl

Attachments

cc: Mr. S. J. Kastal
Garages Unlimited, Inc.
Box 9565
Baltimore, Maryland 21237

Mr. Charles O. Weinreich
106 Baltimore Avenue
Baltimore, Maryland 21222

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

PETITION FOR VARIANCE

12th Election District

ZONING: Petition for Variance
LOCATION: Northeast corner of Baltimore Avenue and Willow Spring Road
DATE & TIME: Tuesday, August 17, 1982 at 9:45 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 an accessory building to be located outside the rear 1/3 of the lot farthest removed from the side street and to occupy more than 50% of such third

The Zoning Regulation to be excepted as follows:
Section 400.1 - location of accessory building

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

Being the property of Michael J. Rife, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, August 17, 1982 at 9:45 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

July 20, 1982

Mr. Michael J. Rife
118 Baltimore Avenue
Baltimore, Maryland 21222

NOTICE OF HEARING
Re: Petition for Variance
NE/corner of Baltimore Ave. & Willow
Spring Road
Michael J. Rife - Petitioner
Case #83-39-A Item #247

TIME: 9:45 A.M.

DATE: Tuesday, August 17, 1982

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

TOWSON, MARYLAND

cc: Garages Unlimited, Inc.
c/o S. J. Kastal
Box 9565
Baltimore, Maryland 21237

[Signature]
ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR VARIANCE

12th Election District

ZONING: Petition for Variance
LOCATION: Northeast corner of Baltimore Avenue and Willow Spring Road
DATE & TIME: Tuesday, August 17, 1982 at 9:45 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 an accessory building to be located outside the rear 1/3 of the lot farthest removed from the side street and to occupy more than 50% of such third

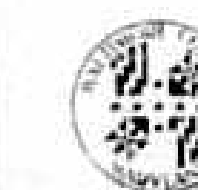
The Zoning Regulation to be excepted as follows:
Section 400.1 - location of accessory building

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

Being the property of Michael J. Rife, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, August 17, 1982 at 9:45 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
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. REINCKE
CHIEF

September 1, 1982

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Michael J. Rife

Location: NE/Cor. Baltimore Avenue and Willow Spring Road

Item No.: 247

Zoning Agenda: Meeting of June 8, 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 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 _____ 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.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and
Planning Group Approved: *[Signature]*
Special Inspection Division Fire Prevention Bureau

JK/mb/cm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner

TO: Norman E. Gerber, Director
Office of Planning and Zoning

FROM: Zoning Petition No. 83-39-A

SUBJECT: Petitioner: Michael J. Rife

Date: August 9, 1982

Assuming the proposed garage is to be for residential accessory use only, this office is not concerned with this type of variance; however, we are concerned with the size in that it would not appear to be in conformance with the established character of the neighborhood.

Norman E. Gerber for J. Hammond
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:dme

Mr. Michael J. Rife
118 Baltimore Ave
Baltimore, Md. 21202

S.B. Kastel
Garages Unlimited, Inc.
Box 9505
Baltimore, Md. 21237

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 June, 1982.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Michael J. Rife

Petitioner's Attorney: _____

Reviewed by: Nicholas B. Commodari

Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

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>GH</u>			Reviewed Plans:							
Previous case: _____			Change in outline or description: <u>Yes</u>							
			Map # _____							



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

August 11, 1982

Mr. Michael J. Rife
118 Baltimore Avenue
Baltimore, Maryland 21222

Re: Petition for Variance
NE/corner of Baltimore Ave. & Willow
Spring Road
Case #83-39-A Item #247

Dear Mr. Rife:

This is to advise you that \$51.55 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, 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. 108944

DATE: 8/17/82 ACCOUNT: 01-662

AMOUNT: \$51.55

RECEIVED FROM: Michael John Rife
FOR: Advertising & Posting Case #83-39-A

C 615*****51551d 8178A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 29, 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. ~~on one time~~ before the 17th day of August, 1982, the next publication appearing on the 29th day of July, 1982.

THE JEFFERSONIAN,

Cost of Advertisement: \$

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

No. 107911

DATE: 8/24/82 ACCOUNT: 01-662

AMOUNT: \$51.55

RECEIVED FROM: Garage 412-142
FOR: Advertising & Posting Case #83-39-A

C 664*****25001d 8218A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

August 10, 1982

THIS IS TO CERTIFY, that the annexed advertisement of Wm. Hammond, Zon. Comm. for Balto County in matter of zoning petition of Michael J. Rife was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once ~~a week~~ for successive weeks before the 30th day of July, 1982; that is to say, the same was inserted in the issue of July 29, 1982.

Kimbel Publication, Inc.
Publisher.

By: *Kimbel Publication, Inc.*CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 8/17/82

Posted for: Advertising & Posting Case #83-39-A

Petitioner: Michael J. Rife

Location of property: NE corner of Baltimore Ave. & Willow Spring Rd.

Location of Signs: on the property at the NE corner of Baltimore Ave. & Willow Spring Rd.

Remarks: _____

Posted by: William E. Hammond Date of return: 8/17/82

Number of Signs: 1

THIS DOCUMENT IS PHOTOGRAPHED AS
RECEIVED. ITS CONTRAST OR CONDITION
IS BELOW MICROFILM REPRODUCTION

10' 20' 30' 40' 50' 60' 70' 80' 90' 100'

N

PLAT FOR VARIANCE

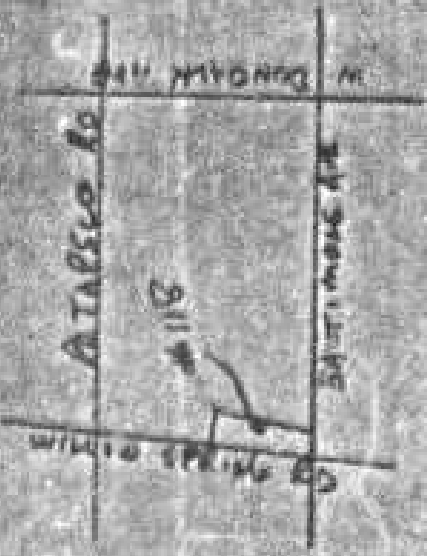
SCALE 1" = 10'

SECTION NUMBER 13 PRESENT 9

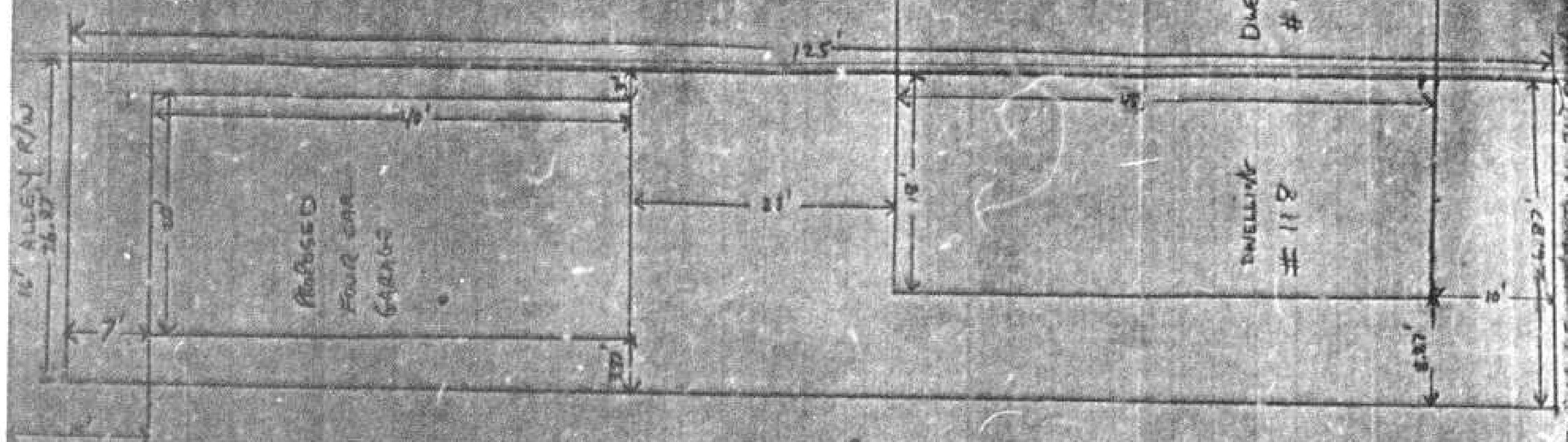
ZONING - DR 10.5

PUBLIC UTILITIES EXIST

WILLOW SPRING ROAD
70' RIGHT AWAY
24' PAVEMENT WIDTH



JAN 1977



BALTIMORE AVE. 24' PAVEMENT WIDTH