

PETITION FOR ZONING VARIANCE 83-254-A

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 1A01.3.B.3 (103.3&IA00.3.B.3.) to permit a side yard setback of 48 feet instead of the required 50 feet.

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

THE UNDERSIGNED WISHES TO ADD A 24' x 24' GARAGE TO HIS HOME. IN BUILDING THE GARAGE, IT WILL BE 2' SHORT OF THE REQUIRED 50' MINIMUM DISTANCE TO THE PROPERTY LINE.

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: _____
 (Type or Print Name)
 City and State: _____
 Title: _____
 Attorney for Petitioner: _____
 (Type or Print Name)
 Signature: _____
 City and State: _____
 Address: _____
 City and State: _____
 Attorney's Telephone No.: _____
 Address: _____
 Phone No.: _____

Legal Owner(s):
 JAMES LOUIS KERNS
 (Type or Print Name)
 Signature: *James Louis Kerns*
 LINDA LEE KERNS
 (Type or Print Name)
 Signature: *Linda Lee Kerns*
 2657 BECKLEYVILLE RD., 343-0405
 Address
 MILLERS, MD. 21107
 City and State
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 JAMES LOUIS KERNS
 Name
 2657 BECKLEYVILLE RD., 343-0405
 Address
 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of March, 1983, 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 12th day of May, 1983, at 9:30 o'clock A.M.

[Signature]
 Zoning Commissioner of Baltimore County.

(over)

Mr. & Mrs. James L. Kerns
 2657 Beckleysville Road
 Millers, Md. 21107

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 29th day of March, 1983.

[Signature]
 WILLIAM E. HAMMOND
 Zoning Commissioner

Petitioner James L. Kerns, et ux
 Petitioner's Attorney _____
 Reviewed by *[Signature]*
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 S/S of Beckleysville Rd., :
 2,335.32' W of Spooks Hill Rd., : OF BALTIMORE COUNTY
 6th District
 JAMES L. KERNS, et ux, : Case No. 83-254-A
 Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioners:
 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.

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

I HEREBY CERTIFY that on this 19th day of April, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. James L. Kerns, 2657 Beckleysville Road, Millers, Maryland 21107, Petitioners.

[Signature]
 John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond
 Zoning Commissioner
 Norman E. Gerber, Director
 FROM: Office of Planning and Zoning
 Zoning Petition No. 83-254-A
 SUBJECT: James L. Kerns, et ux
 Date: April 25, 1983

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

[Signature]
 Norman E. Gerber per J. Haswell
 Norman E. Gerber
 Director of Planning and Zoning

NEG:JGHslc
 cc: Arlene January/
 Shirley Hess

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond
 Zoning Commissioner
 Norman E. Gerber, Director
 FROM: Office of Planning and Zoning
 Zoning Petition No. 83-254-A
 SUBJECT: James L. Kerns, et ux
 Date: April 25, 1983

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

[Signature]
 Norman E. Gerber per J. Haswell
 Norman E. Gerber
 Director of Planning and Zoning

NEG:JGHslc
 cc: Arlene January/
 Shirley Hess

Item # 184
 COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
 Legislative Session 1983, Legislative Day No. _____
 RESOLUTION NO. _____
 Mr. James T. Smith, Jr., Councilman
 By the County Council, _____

A RESOLUTION concerning the public disclosure of James Louis Kerns.
 WHEREAS, James Louis Kerns, a Police Officer for Baltimore County, intends to file a Petition for Zoning Variance in connection with a garage which he intends to add to his home at 2657 Beckleysville Road, Millers, Maryland; and

WHEREAS, this Resolution is intended to serve as the public disclosure required by Section 22-11(e) of the Baltimore County Code.

NOW, THEREFORE, Be it Resolved by the County Council of Baltimore County, Maryland, that the interest of James Louis Kerns in the property described herein does not contravene the public welfare.

resolution was passed on

LSJ:bbr
 3/21/83
 Item #184

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 3, 1983

COUNTY OFFICE BLDG.
 111 W. 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. & Mrs. James L. Kerns
 2657 Beckleysville Road
 Millers, Maryland 21107

RE: Item No. 184 - Case No. 83-254-A
 Petitioner - James L. Kerns, et ux
 Variance Petition

Dear Mr. & Mrs. Kerns:

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.

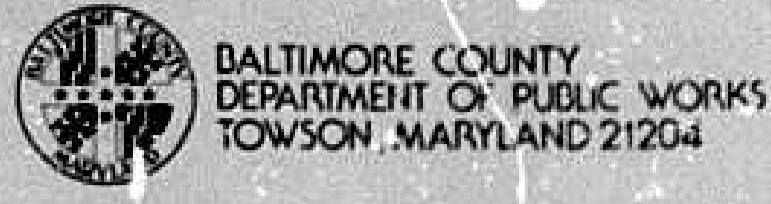
Very truly yours,
[Signature]
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NBC:bsc
 Enclosures

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 be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 13th day of May, 1983, that the herein Petition for Variance(s) to permit a side yard setback of 48 feet in lieu of the required 50 feet, for the expressed purpose of constructing an attached two car garage, in accordance with the site plan filed herein, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of said plan by the Department of Public Works and the Office of Planning and Zoning.

Jan. M. N. Jones
Deputy Zoning Commissioner of Baltimore County



HARRY J. BISTEL, P.E.
DIRECTOR

May 2, 1983

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

Re: Item #184 (1982-1983)
Property Owner: James L. & Linda L. Kerns
S/S Beckleysville Rd. 2,335.32' W. Spooks Hill Rd.
Acres: 178.35/230.27 X 272.37/268.11
District: 6th

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.

Highways:

Beckleysville Road, an existing public road, is proposed to be further improved in the future on a 60-foot right-of-way.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is tributary to Prettyboy Reservoir and is utilizing private onsite facilities.

Item #184 (1982-1983)
Property Owner: James L. & Linda L. Kerns
Page 2
May 2, 1983

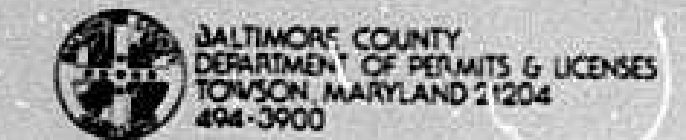
Water and Sanitary Sewer: (Cont'd)

This property is beyond the Baltimore County Metropolitan District and the Comprehensive Metropolitan Facilities Planning Area. The Baltimore County Water Supply and Sewerage Plans W and S-4A, as amended through January 1982, indicate "No Planned Service" in the area.

Very truly yours,
Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:PMR:SS

JJ-NE Key Sheet
134 & 135 NW 24 Pos. Sheets
NW 34 F Topo
11 Tax Map



TED ZALESKI, JR.
DIRECTOR

April 1, 1983

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

Dear Mr. Hammond:

Comments on Item # 184, Zoning Advisory Committee Meeting March 29, 1983 are as follows:

Property Owner: James L. & Linda L. Kerns
Location: S/S Beckleysville Rd. 2,335.32' W. Spooks Hill Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a side yard setback of 48' in lieu of the required 50'.

Acres: 178.35/230.27 X 272.37/268.11
District: 6th

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 and other applicable Codes.
- B. A building and other miscellaneous permits 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. Drawings are required if the addition is over 1 story.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line. See Table 401, Item 2, Section 1407 and Table 1402.
- F. Requested variances conflict 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 con comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- 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 (Plan Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,
Charles E. Surhan
Charles E. Surhan, Chief
Plan Review

CEB:J
FOM 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent
Towson, Maryland - 21204

Date: March 25, 1983

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

Z.A.C. Meeting of: March 29, 1983

RE: Item No: 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197
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

DESCRIPTION

Beginning at a point on the south side of Beckleysville Road 2,335.32' west of Spooks Hill Road and known as lot 4 of Prettyboy Manor and recorded among the land records of Baltimore County in Plat Book 36, Folio 46.

Also known as 2657 Beckleysville Road.

PETITION FOR VARIANCE

6th Election District

ZONING: Petition for Variance
LOCATION: South side of Beckleysville Road, 2,335.32 ft. West of Spooks Hill Road
DATE & TIME: Thursday, May 12, 1983 at 9:30 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 yard setback of 48 ft. instead of the required 50 ft.

The Zoning Regulation to be exempted as follows:
Section 11.3.B.3 (103.3 & 1A00.3.B.3) - side yard setback in R.C. 2 (R.D.P.) zone

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

Being the property of James L. Kerns, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, May 12, 1983 at 9:30 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 ZONING PLANS ADVISORY COMMITTEE

May 4, 1983

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

Chairman
Nicholas B. Commodari

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. & Mrs. James L. Kerns
2657 Beckleysville Road
Millers, Maryland 21107

RE: Item No. 184 - Case No. 83-254-A
Petitioner - James L. Kerns, et ux
Variance Petition

Dear Mr. & Mrs. Kerns:

Enclosed please find addendum comments for the above referenced case.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

HARRY J. PISTEL, P.E. DIRECTOR

May 2, 1983

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

Re: Item #184 (1982-1983) Property Owner: James L. & Linda L. Kerns, 5/S Beckleysville Rd., 2,335.32' W. Spooks Hill Rd. Acres: 178.35/230.27 X 272.37/268.11 District: 6th

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.

Highways:

Beckleysville Road, an existing public road, is proposed to be further improved in the future on a 60-foot right-of-way.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, decreasing private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is tributary to Prettyboy Reservoir and is utilizing private onsite facilities.

Item #184 (1982-1983) Property Owner: James L. & Linda L. Kerns Page 2 May 2, 1983

Water and Sanitary Sewer: (Cont'd)

This property is beyond the Baltimore County Metropolitan District and the Comprehensive Metropolitan Facilities Planning Area. The Baltimore County Water Supply and Sewerage Plans W and S-4A, as amended through January 1982, indicate "No Planned Service" in the area.

Very truly yours, Robert A. Norton, P.E., Chief Bureau of Public Services

RAM:ERM:FWR:iss

JJ-NE Key Sheet 134 & 135 NW 24 Pos. Sheets NW 34 F Topo 11 Tax Map

WILLIAM E. HAMMOND ZONING COMMISSIONER

May 13, 1983

Mr. & Mrs. James Louis Kerns 2657 Beckleysville Road Millers, Maryland 21107

RE: Petition for Variance 3/5 of Beckleysville Rd., 2,335.32' W of Spooks Hill Rd. - 6th Election District James L. Kerns, et ux - Petitioners NO. 83-254-A (Item No. 184)

Dear Mr. & Mrs. Kerns:

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

Very truly yours, Jean M.H. Jung, Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: 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. 83-254-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 permit application prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County, Maryland, and you from any liability or responsibility for any consequences which might arise during the appeal period.

Very truly yours, Mr. James L. Kerns, Mrs. Linda L. Kerns

WEH:bsc

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 17, 1983

COUNTY OFFICE BLDG. 111 W. 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. & Mrs. James L. Kerns 2657 Beckleysville Road Millers, Maryland 21107

RE: Item No. 184 - Case No. 83-254-A Petitioner - James L. Kerns, et ux Variance Petition

Dear Mr. & Mrs. Kerns:

Enclosed please find addendum comments for the above referenced case.

Very truly yours, Nicholas B. Commodari, Chairman, Zoning Plans Advisory Committee

NBC:bsc

Enclosure

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 184, Zoning Advisory Committee Meeting of March 29, 1983

Property Owner: James L. & Linda L. Kerns

Location: 5/S Beckleysville Road District 6

Water Supply Private Sewage Disposal Private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
() A permit to construct from the Division of Air Pollution Control is required for any churreroiler operation which has a total cooking surface area of five (5) square feet or more.
() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

May 9, 1983 Date

Zoning Item # 184 Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
() Soil percolation tests have been conducted. The results are valid until Revised plans must be submitted prior to approval of the percolation tests.
() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Application.
() All roads and parking areas should be surfaced with a dustless, bonding material.
(X) No health hazards are anticipated.
(X) Other: The dwelling is served by a drilled well and septic system, both of which appear to be functioning properly. The proposed addition will not interfere with the location of the well or septic system.

Ian J. Freese, Director, Bureau of Environmental Services

SS 20 1080 (2)

WILLIAM E. HAMMOND ZONING COMMISSIONER

May 2, 1983

Mr. & Mrs. James L. Kerns 2657 Beckleysville Road Millers, Maryland 21107

Re: Petition for Variance 5/S Beckleysville Rd., 2,335.32' W of Spooks Hill Rd. Case No. 83-254-A

Dear Mr. & Mrs. Kerns:

This is to advise you that \$44.55 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,

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 117603

DATE 5-9-83 ACCOUNT R-01-615-009

AMOUNT \$44.55

RECEIVED FROM James L. Kerns Advertising & Posting Case 83-254-A

02500000445510 8598A

VALIDATION OR SIGNATURE OF CASHIER

