

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 1802.3 C.1. To permit a rear y. d. set back of 19 feet instead of the required 30 ft.

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

Due to the configuration of the lot, the location of the house can not be so located without requiring a Variance. Said lot can not be developed as residential lot without the benefit of said Variance.

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: Legal Owner(s): Kenneth Deinkle (Type or Print Name) Signature: Kenneth Deinkle Address: 300 Orama Road Baltimore, Maryland 21221

ORDER RECEIVED FOR FILING DATE: 11/13/82

84-134-A #81 Kenneth Deinkle 300 Orama Road Baltimore, MD 21221

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 8, 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

Robert J. Romadka, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

RE: Item No. 81 - Case No. 84-134-A Petitioner - Kenneth Deinkle Variance Petition

Dear Mr. Romadka:

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.

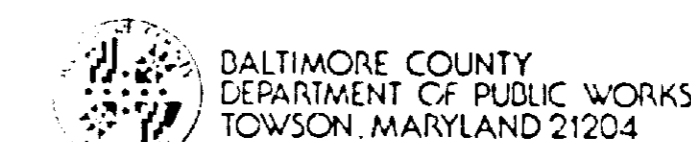
Particular attention should be afforded to the comments of the Department of Permits and Licenses. If additional information or explanation is required you may contact Mr. Charles Burnham at 494-3987.

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.

Very truly yours,

Nicholas B. Commodari, Chairman

NBC:bsc Enclosures cc: Norman G. Sacks Associates, Inc. P.O. Box 556 Bel Air, Maryland 21014



HARRY J. PISTEL, P.E. DIRECTOR

November 3, 1983

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

RE: Item #81 (1983-1984) Property Owner: Crystal M. Isaacs N/S Watersedge Rd. 360' E. from centerline Peach Orchard Road Acres: 55 X 100 District: 12th

Dear Mr. Jablon:

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.

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 81 (1983-1984).

Very truly yours,

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

RAM:EAM:FWR:ss

E-SW Key Sheet 20 SE 32 Pos. Sheet SE 5 F Topo 110 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner TO: Office of Planning and Zoning Date: December 2, 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 # 74 - John Zeruos Item # 75 - Raymond & Alma Hinchliffe Item # 77 - David C. & Carol A. Hopkins Item # 78 - Henry Knott Item # 80 - Henry & Lula Cook Item # 81 - Kenneth Deinkle Item # 85 - Terry & Joyce Riggleson Item # 86 - Michael P. & Mary J. Elder Item # 93 - McCormick Properties, Inc. Item # 97 - Neil H. & Christy A. Whaley Item # 98 - El-Jen, Incorporated Item # 99 - George B. P. Ward Item #100 - Kaye D. Muttter Item #101 - Andrew & Courtney Suggs Item #103 - Clyde Woodard Item #104 - Joel Brown Item #105 - Stanley I. Panitz, Inc. Item #106 - Wesco Realty

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

LJF/ft

Mr. William E. Hammond -2- December 10, 1982

STORM DRAINS: (Cont'd) which may result, due to improper grading or improper installation of drainage facilities, would be the fully responsibility of the Petitioner.

There is a 15 inch storm drain within the indicated Baltimore County 10 foot drainage and utility easement along the northwesterly outline of this Parcel "A".

The Petitioner is cautioned that no construction of any structure, including footings is permitted within Baltimore County rights-of-way and utility easements.

WATER AND SANITARY SEWER:

There are public 6 inch and 8 inch water mains and 8 inch public sanitary sewerage approximately 60 feet southwesterly and northwesterly of this Parcel "A". See drawings 45-0128 and 45-0137 (file 3), and 61-0523 and 61-0524 (file 1), respectively.

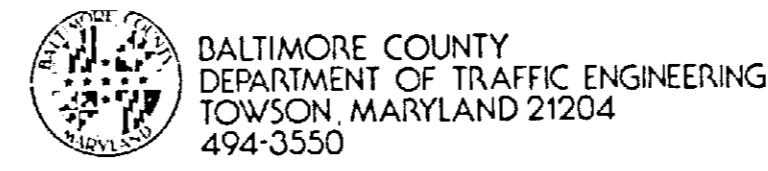
Very truly yours,

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

RAM:EAM:FWR:pmg

cc: Jack Wimbley

I-SE Key Sheet 4 NE 37 Pos. Sheet NE 1 J Topo 98 Tax Map



STEPHEN E. COLLINS DIRECTOR

December 13, 1982

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

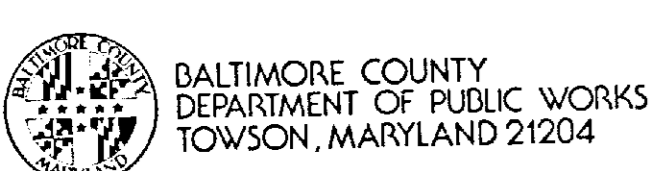
Re: Zoning Advisory Committee Meeting of November 3, 1982

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers, 74, 75, 77, 78, 79, 80, 81, 83, 84, 85, 76.

Michael S. Flanigan Traffic Engineering Assoc. II

MSF/ccm



HARRY J. PISTEL, P.E. DIRECTOR December 10, 1982

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

Re: Item #81 (1982-83) Property Owner: Kenneth Deinkle SE/S Miles Road 37.02' S. of Corsica Road Acres: 0.1408 District: 15th

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:

HIGHWAY:

Miles Road and Corsica Road, public roads, are proposed to be further improved and connected in the future as one continuous 30 foot closed section roadway on a 50 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.

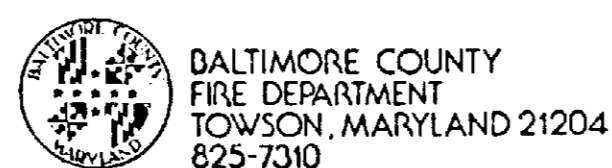
STORM DRAINS:

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

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

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 not 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 _____ day of _____, 19____, that the herein Petition for Variance(s) to permit _____



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

December 20, 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: Kenneth Deinlein

Location: SE/S Miles Road 3702' S. of Corsica Road

Item No.: 81 Zoning Agenda: Meeting of November 3, 1982

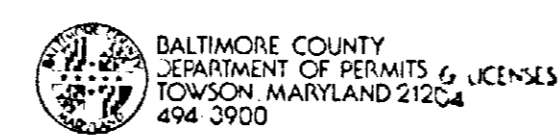
Gentlemen:

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

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

JW/mb/cm



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
825-7300

ED BALESKIR
DIRECTOR

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

Dear Mr. Hammond

Comment on Item # 81 Zoning Advisory Committee Meeting
are as follows:

Property Owner: Kenneth Deinlein
Location: SE/S Miles Road 37.02' S. of Corsica Road
Proposed zoning: D.R. 5.5
Variance to permit a rear yard setback of 19' in lieu of the required 30'.

The items checked below are applicable:

- X1. All structures shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged and other applicable Codes.
X2. A building and other miscellaneous permits shall be required before beginning construction.
X3. 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.
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 3'-0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Line 2, Section 1107 and Table 1102.
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 revised 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 205 and the required construction classification of Table 101.
X4. Comments: This property is below elevation 10'-0" and shall comply with Section 519.1 as amended by Bill #1-82

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., 21204.

Very truly yours, [Signature]
Charles E. Burnham, Chief
Plans Review

DB:rrj
PDM 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Property Location: _____ Towson, Maryland - 21204

Date: Nov. 3, 1982

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

Z.A.C. Meeting of: Nov. 3, 1982

RE: Item No.: 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population. * If the flight patterns of aircraft taking off and landing are such that they must pass over school property we would be deeply concerned since the safety of school children is very important to us.

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

KNP/bp

IN THE MATTER OF THE APPLICATION OF KENNETH L. DEINLEIN FOR VARIANCE FROM §1B02.3C.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS SE/S MILES ROAD 37.02' S. OF CORSICA ROAD 15th DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY NO. 84-134-A

ORDER OF DISMISSAL

Petition of Kenneth L. Deinlein for variance from §1B02.3C.1 of the Baltimore County Zoning Regulations to permit a rear yard setback of 19 feet in lieu of the required 30 feet, on property located on the southeast side of Miles Road 37.02 feet south of Corsica Road in the Fifteenth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of Appeal filed May 9, 1984 (copy of which is attached hereto and made a part hereof) from the attorney representing the Protestants-Appellants in the above entitled matter; and

WHEREAS, the said attorney for the said Protestants-Appellants requests that the appeal filed on behalf of said Protestants-Appellants be dismissed as of May 9, 1984.

IT IS HEREBY ORDERED, this 23rd day of May, 1984, that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

[Signature] William T. Hackett, Chairman

[Signature] Diana K. Vincent

[Signature] Patricia Phipps

IN RE: PETITION ZONING VARIANCE SE/S of Miles (Corsica) Road, 37.02' S of Corsica Road 15th Election District Kenneth L. Deinlein

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 84-134-A

APPEAL

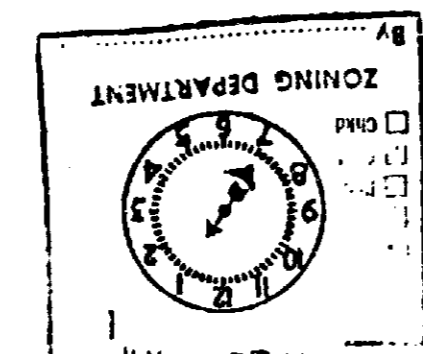
Now comes Albert J. Blatteau and Giovanna Blatteau, his wife, and files this appeal to the decision of the Zoning Commissioner of Baltimore County, dated December 21, 1983, allowing a variance to permit a rear yard setback of nineteen (19) feet instead of the required thirty (30) feet.

[Signature] RAYMOND E. PRYOR

CERTIFICATION

I HEREBY CERTIFY that a copy of the foregoing Appeal was mailed to Arnold Jablon, Zoning Commissioner, County Office Building, Towson, Maryland 21204, and Robert J. Romadka, Esquire, Germania Federal Building, 809 Eastern Boulevard, Baltimore, Maryland 21221, on this 21st day of December, 1983.

[Signature] RAYMOND E. PRYOR



PRYOR & PRYOR, Chartered ATTORNEYS AT LAW 809 EASTERN BLVD. TOWSON, MD. 21204 825-0270

RE: PETITION FOR VARIANCE SE/S Miles (Corsica) Rd., 37.02' S of Corsica Rd., 15th District KENNETH DEINLEIN, Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 84-134-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.

[Signature] Peter Max Zimmerman Deputy People's Counsel

[Signature] 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 3rd day of November, 1983, a copy of the foregoing Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioner.

[Signature] John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner Date: October 25, 1983
TO: _____
FROM: Norman E. Gerber, Director Office of Planning and Zoning
SUBJECT: Kenneth Deinlein 84-134-A

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

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

NEG:JGH:cav

IN RE: PETITION ZONING VARIANCE
SE/3 of Miles (Corsica) Road,
37.02' S of Corsica Road -
15th Election District
Kenneth L. Deinlein,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-134-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a rear yard setback of 19 feet instead of the required 30 feet. The purpose of the request is to enable the Petitioner to build, or to have built, a home on the subject property, as more fully described on Petitioner's Exhibit 1.

The Petitioner appeared and testified and was represented by Counsel. One Protestant appeared and testified.

Testimony indicated that the property is zoned D.R.5.5. The Petitioner purchased a tract of land consisting of the area called "Middle-Lea" and the subject property in 1968. In the early 1970's, he developed it into 13 lots and Parcel A, which is the subject property here. In addition, Corsica Road, which was built as a result of the development, cut Parcel A off from the remainder of the development. Petitioner's Exhibit 1 more fully describes the location of the subject property including the subject site. Due to the configuration of the site, a variance for the rear yard is needed in order to build a reasonable house. The proposed two story house will be 24' x 24' and will front on Corsica Road. It was understood that the alignment of Corsica Road at the time of its development was determined by Baltimore County to be as shown on Petitioner's Exhibit 1. The Petitioner has never owned any adjoining property to the subject site. At the present, Corsica Road ends at the end of the subject site and does not connect with Miles Road.

The Protestant, Donald Schram, testified that he doubted the actual numbers on the plat showing the distances from the proposed house to the property lines. He also testified that he himself was not opposed to the variance request and indeed praised the Petitioner for being an excellent developer and friend of the community. Notwithstanding the above, Mr. Schram testified that he had the authority to register objections to the request on behalf of two neighbors, Mr. and Mrs. William Selig and Giovanna Blatterman. He also testified that it was his feeling that Mr. and Mrs. Selig probably would withdraw their objection if they heard the testimony as he had, but that Mrs. Blatterman would not.

The Petitioner testified that there was no way he could relocate the house on the property without creating more involved problems and that the present location is the most convenient and rational approach. The property is an oddly-shaped parcel caused by considerations outside the control of the Petitioner. There also exists a difficult topography which slopes from front to back.

The Petitioner seeks relief from Section 1602.3.C.1., pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. *McLean v. Soley*, 270 Md. 209 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance was to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance was not to be granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of November, 1983, that the Petition for Variance to permit a rear yard setback of 19 feet instead of the required 30 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The comments of the Baltimore County Zoning Plans Advisory Committee are adopted in their entirety and made a part of this Order.

Arnold Jablon
Zoning Commissioner of Baltimore County

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

ARNOLD JABLON
ZONING COMMISSIONER

November 14, 1983

Robert J. Romadka, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

Re: Petition for Variance
SE/3 of Miles (Corsica) Rd., 37.02' S
of Corsica Rd.
Kenneth Deinlein - Petitioner
Case No. 84-134-A

Dear Mr. Romadka:

This is to advise you that \$81.19 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 122985

DATE 11/28/83 ACCOUNT R-01-615-000

AMOUNT \$91.19

RECEIVED FROM Kenneth Deinlein
FOR Advertising & Posting Case #84-134-A

1/21/84 073*****013210 222A

VALIDATION OR SIGNATURE OF CASHIER

ORDER RECEIVED FOR FILING
DATE 11/28/83
BY *Shelley S. Soley, clk*
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING
DATE 11/28/83
BY *Shelley S. Soley, clk*
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING
DATE 11/28/83
BY *Shelley S. Soley, clk*
ADMINISTRATIVE ASSISTANT

NORMAN G. SACKS ASSOCIATES, INC.
P.O. BOX 556 • BEL AIR, MARYLAND 21014 • 838-1434 / 879-7790

September 27, 1982

Description to accompany plat for a variance request from a 30' required rear yard setback to a 19' proposed rear yard setback
Deinlein Property
15th Election District
Baltimore County, Maryland



Beginning for the same at a point, on the southeast side of Miles (Corsica) Rd. 37.02 feet south from the corner of Miles and Corsica Roads, thence

running with and binding on the outline of Parcel "A" as shown on a plat entitled "Middle-Lea" and recorded among the Land Records of Baltimore County in Liber O.T.G. 33 Folio 54.

The following courses and distances, viz:

1. South 6°-00'-00" East 160.45 feet
2. South 44°-24'-30" East 32.34 Feet to the waters of Norman Creek
3. thence along said Creek South 45°-35'-30" West 10.00 feet
4. thence leaving said Creek and running North 44°-24'-30" West 131.12 feet to the south right of way line of Miles Road, thence running with and binding on said right of way line the following two courses in distances, viz:
5. North 45°-08'-30" East 17.98 feet to a point of curve, and
6. by a line curving to the left having a radius of 175.00 feet being subtended by a chord bearing North 29°-18'-7" East 95.93 feet to the place of beginning.

Containing 0.1408 acres of land more or less.

Being part of that parcel of land conveyed to Kenneth L. Deinlein, Company in Liber E.H.K.Jr. 4849 Folio 11 and designated as Parcel "A" as shown on a plat entitled "Middle-Lea" and recorded among the Land Records of Baltimore County in Liber O.T.G. 33 Folio 54

PETITION FOR VARIANCE

15th Election District

ZONING: Petition for Variance
LOCATION: Southeast side of Miles (Corsica) Road, 37.02 ft. South of Corsica Road
DATE & TIME: Wednesday, November 16, 1983 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Variance to permit a rear yard setback of 19 ft. instead of the required 30 ft.

The Zoning Regulation to be excepted as follows:
Section 1602.3C.1 - rear yard setback in a D.R. 5.5 zone

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

Being the property of Kenneth Deinlein, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

October 9, 1983

Robert J. Romadka, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

NOTICE OF HEARING

Re: Petition for Variance
SE/3 of Miles (Corsica) Rd., 37.02' S
of Corsica Road
Kenneth Deinlein - Petitioner
Case No. 84-134-A

TIME: 10:00 A.M.

DATE: Wednesday, November 16, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 111261

DATE 11/21/83 ACCOUNT R-01-615-000

AMOUNT 30.00

RECEIVED FROM *Robert J. Romadka*
FOR *Advertising & Posting*

11/21/83 073*****013210 222A

VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON
ZONING COMMISSIONER

December 29, 1983

Robert J. Romadka, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

Re: Petition for Variance
SE/3 Miles (Corsica) Rd., 37.02' S of
Corsica Rd.
Kenneth Deinlein - Petitioner
Case No. 84-134-A

Dear Mr. Romadka:

Please be advised that an appeal has been filed by Raymond E. Pryor, attorney for protestants, Albert J. Blatterman and wife, from the decision rendered by the Zoning Commissioner of Baltimore County, in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:aj

cc: Donald Schram
359 Miles Road
Baltimore, Maryland 21221

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

November 21, 1983

Robert J. Romadka, Esquire
Germania Federal Building
809 Eastern Boulevard
Baltimore, Maryland 21221

IN RE: Petition Zoning Variance
SE/5 of Miles (Corsica) Road,
37.02' S of Corsica Road -
15th Election District
Kenneth L. Deinlein, Petitioner
Case No. 84-134-A

Dear Mr. Romadka:

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

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

Attachments

cc: Mr. Donald Schram
359 Miles Road
Baltimore, Maryland 21221

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

PRYOR & PRYOR, CHARTERED

RAYMOND E. PRYOR
MELVIN J. PRYOR

OFFICE:
828-0870

May 8, 1984

County Board of Appeals
for Baltimore County
Room 219, Court House
Towson, Maryland 21204

RE: Kenneth L. Deinlein
"use No. 84-134-A"
SE/5 Miles (Corsica) Road

Gentlemen:

Kindly be advised that my clients desire to dismiss their appeal to the decision of the Zoning Commission of Baltimore County which is dated December 21, 1983.

In the event that there are any outstanding costs involved in this matter, kindly forward them to this office to the attention of my clients.

Thanking you for your cooperation in this matter, I am

Sincerely yours,

Raymond E. Pryor
RAYMOND E. PRYOR

REP:AD
cc: Robert J. Romadka, Esquire
cc: Mr. and Mrs. Albert Blattman

RECEIVED
COUNTY BOARD OF APPEALS
MAY - 9 - 4 0 20

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 10, 1982

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

ofo
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

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 81
Petitioner - Kenneth Deinlein
Variance Petition

Dear Mr. Romadka:

As indicated in our previous conversation, the scheduling of this petition is being withheld until it is accurately determined that the proposed dwelling on the subject property, known as "parcel A" on plat of Middle-Lea O.T.G. 33, Folio 54, does not exceed the permitted density for this subdivision.

I will await your further action on this matter.

Very truly yours,

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

NBC:bsc

cc: Norman G. Sacks Associates, Inc.
P.O. Box 556
Bel Air, Maryland 21014

file



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

May 23, 1984

Raymond E. Pryor, Esquire
28 Allegheny Avenue, Suite 1207
Towson, Maryland 21204

Re: Case No. 84-134-A
Kenneth L. Deinlein

Dear Mr. Pryor:

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

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart
Administrative Secretary

Encl.

cc: Robert J. Romadka, Esquire
Kenneth Deinlein
Donald Schram
Phyllis C. Friedman
N. E. Gerber
J. G. Hoswell
A. Jablon
Jean M. H. Jung
J. E. Dyer



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

January 13, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 84-134-A KENNETH L. DEINLEIN

SE/5 Miles (Corsica) Rd., 37.02' S of Corsica Rd.

15th District

Var. - to permit a rear yard setback of 19' in lieu of the required 30'.

11/21/83 - Z. C.'s Order - GRANTED w/restrictions

ASSIGNED FOR:

TUESDAY, MARCH 20, 1984, at 10 a.m.

cc: Robert J. Romadka, Esq.

Counsel for Petitioner

Kenneth Deinlein

Petitioner

Raymond E. Pryor, Esq.

Counsel for Protestants

Donald Schram

Protestant

Peter M. Zimmerman, Esq.

Deputy People's Counsel

N. Gerber

J. Hoswell

A. Jablon

J. Jung

J. Dyer

June Holmen, Secy.

LAW FIRM

Romadka, Gerbun, Hennehan & Foss

GERMANIA FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 868-8274

ROBERT J. ROMADKA
JOHN W. HESSIAN, III
CHARLES E. POOL, III
JUANNE M. PINDEAR

BY COUNSEL
ALFRED W. WALFORD

February 23, 1984

County Board of Appeals for Baltimore County
Room 200, Court House
Towson, Maryland 21204

RE: Kenneth L. Deinlein
Case #84-134-A
SE/5 Miles (Corsica) Rd.
15th District

Gentlemen:

Please be advised that the above captioned case has been scheduled for hearing on Tuesday, March 20, 1984 at 10:00 a.m. Unfortunately, I have another hearing that has already been scheduled and advertised before the Zoning Commissioner for the same date and time. I would therefore respectfully request that the above captioned case be rescheduled at another date and time.

Any assistance in this matter would be greatly appreciated.

I will therefore await to hear from you.

Very truly yours,

Robert J. Romadka
Robert J. Romadka

RJR/msw

cc: Mr. Kenneth Deinlein
Raymond E. Pryor, Esquire

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

Hearing Room #218

March 1, 1984

NOTICE OF POSTPONEMENT and REASSIGNMENT

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

CASE NO. 84-134-A

KENNETH L. DEINLEIN

FOR VARIANCE - REAR YARD SETBACK OF 19' IN LIEU OF THE REQUIRED 30'

SE/5 OF MILES ROAD (CORSIKA) 37.02' S. OF CORSIKA ROAD

15th DISTRICT

11/21/83 - Z.C. GRANTED VARIANCE

Scheduled for hearing on Tuesday, March 20, 1984 at 10 a.m. has been POSTPONED at the request of counsel for Petitioner (hearing before Z.C.) and

REASSIGNED FOR:

THURSDAY, MAY 10, 1984 at 10 a.m.

cc: Robert J. Romadka, Esq.

Counsel for Petitioner

Kenneth Deinlein

Petitioner

Raymond E. Pryor, Esq.

Counsel for Protestants

Donald Schram

Protestant

Phyllis C. Friedman

People's Counsel

N. E. Gerber

J. G. Hoswell

A. Jablon

Jean M. H. Jung

J. E. Dyer

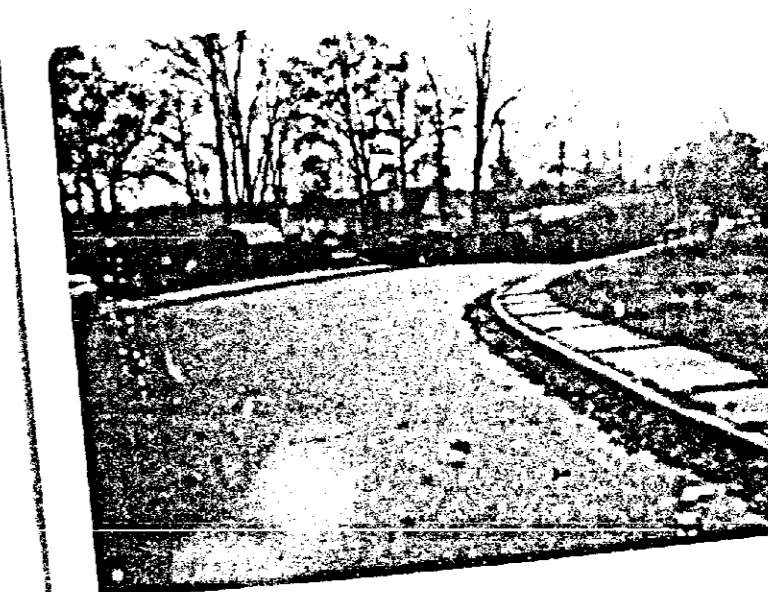
Edith T. Eisenhart, Adm. Secretary

1/13/84 - Following were notified of hearing set for Tues. March 20, '84, at 10 a.m.:

Robt. Romadka
Kenneth Deinlein
Raymond Pryor
Donald Schram
Pete Zimmerman
N. Gerber
J. Hoswell
A. Jablon
J. Jung
J. Dyer

*Postponed 3-1-84
By Mr. Romadka*

3/1/84 - ABOVE NOTIFIED OF POSTPONEMENT AND REASSIGNMENT FOR THURSDAY, MAY 10, 1984 at 10 a.m.



Petition For Variance

16TH ELECTION DISTRICT

ZONING: Petition for Variance

LOCATION: Southeast side of Miles (Corsica) Road, 37.02 ft. south of Corsica Road.

DATE & TIME: Wednesday, Nov. 16, 1983 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, Md.

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 rear yard setback of 19 ft. instead of the required 30 ft.

The Zoning Regulation to be excepted as follows: Section 1802.5C.1 - rear yard setback in a D.R. 5.5 zone.

All that parcel of land in the Fifteenth District of Baltimore County.

Beginning for the same at a point, on the southeast side of Miles (Corsica) Rd. 37.02 feet south from the corner of Miles and Corsica Roads, thence running with and binding on the outline of Parcel "A" as shown on a plat entitled "Middle-Les" and recorded among the Land Records of Baltimore County in Liber O.T.G. 33 Folio 54.

The following courses and distances, viz:

1. South 69°-00'-00" east 160.45 feet.

2. South 44°-24'-30" east 32.34 feet to the waters of Norman Creek.

3. Thence along said Creek south 45°-35'-30" west 10.00 feet.

4. Thence leaving said Creek and running North 44°-24'-30" west 131.12 feet to the south right of way line of Miles Road, thence running with and binding on said right of way line the following two courses in distances, viz:

5. North 45°-08'-30" East 17.98 feet to a point of curve, and

6. By a line curving to the left having a radius of 175.00 feet being subtended by a chord bearing North 29°-18'-7" East 95.93 feet to the place of beginning.

Containing 0.1408 acres of land more or less.

Being part of that parcel of land conveyed to Kenneth L. Deinlein Company in Liber E.H.E. Jr. 4849 Folio 11 and designated as Parcel "A" as shown on a plat entitled "Middle-Les" and recorded among the Land Records of Baltimore County in Liber O.T.G. 33 Folio 54.

Being the property of Kenneth Deinlein, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
Arnold Jablon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md. Oct 27 19 83

This is to Certify, That the annexed

Petition

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 27th day of Oct, 19 83

Joe D. W. J. Publisher.

PETITION FOR VARIANCE

15th Election District

ZONING: Petition for Variance

LOCATION: Southeast side of Miles (Corsica) Road, 37.02 ft. South of Corsica Road.

DATE & TIME: Wednesday, November 16, 1983 at 10:00 A.M.

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Being part of that parcel of land conveyed to Kenneth L. Deinlein Company in Liber E.H.E. Jr. 4849 Folio 11 and designated as Parcel "A" as shown on a plat entitled "Middle-Les" and recorded among the Land Records of Baltimore County in Liber O.T.G. 33 Folio 54.

Being the property of Kenneth Deinlein, as shown on plat plan filed with the Zoning Department.

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By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

Oct. 27.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 27, 19 83.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., of one time successive weeks before the 16th day of November, 19 83, the first publication appearing on the 27th day of October, 19 83.

THE JEFFERSONIAN,

L. Frank Smith
Manager.

Cost of Advertisement, \$ 21.50

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

No. 124053

DATE 12/29/83 ACCOUNT R-01-615-000

AMOUNT \$80.00

RECEIVED FROM: Raymond E. Pryor, Esquire

FOR: Appeal on Case No. 84-134-A
(Kenneth L. Deinlein)

(Clk.) C 012*****800010 #296A

VALIDATION OR SIGNATURE OF CASHIER

84-134-A 15th District

SE/s Miles (Corsica) Rd., 37.02' S of Corsica Road

Kenneth L. Deinlein

2 SIGNS (1 a location sign)

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Md. 21221

Norman G. Sacks Associates, Inc.
P.O. Box 556
Bel Air, Md. 21014

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 26th day of September, 1983.

(Signature)
ARNOLD JABLON
Zoning Commissioner

Petitioner Kenneth Deinlein
Petitioner's Attorney Robert J. Romadka, Esq.

Received by *(Signature)*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 1/15/84

Posted for: Board of Appeals

Petitioner: Kenneth L. Deinlein

Location of property: SE/s Miles (Corsica) Rd., 37.02' S of Corsica Rd.

Location of Signs: location-facing intersection of Miles and Corsica; site-facing Miles

Remarks: _____

Posted by *(Signature)* Date of return: 1/19/84

Number of Signs: 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 10/20/83

Posted for: Petition for Variance

Petitioner: Kenneth Deinlein

Location of property: SE/s Miles (Corsica) Rd., 37.02'
SE Corsica Rd.

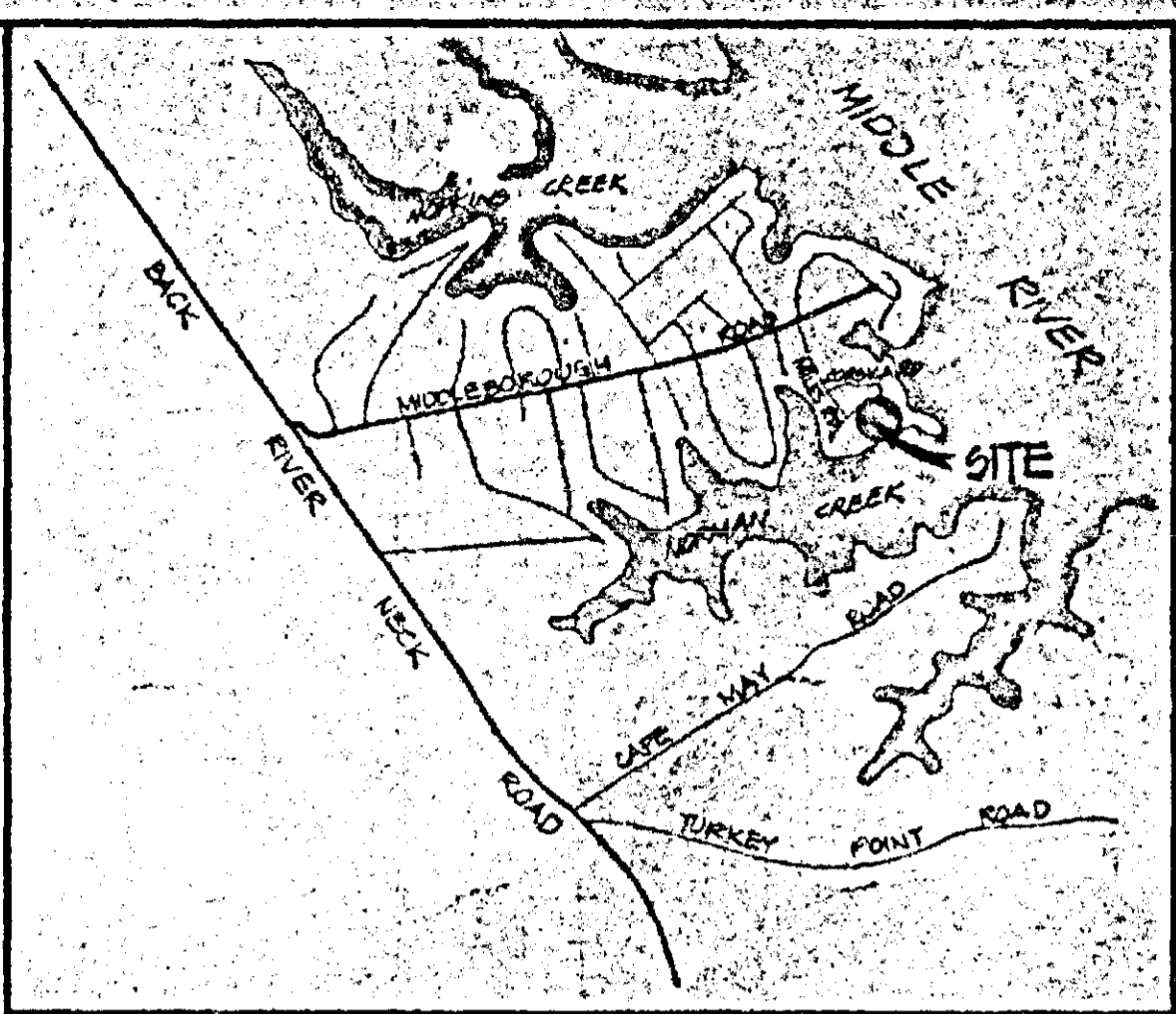
Location of Signs: site - rear of property facing Miles (Corsica Rd.) location - facing intersection of Miles & Corsica

Remarks: _____

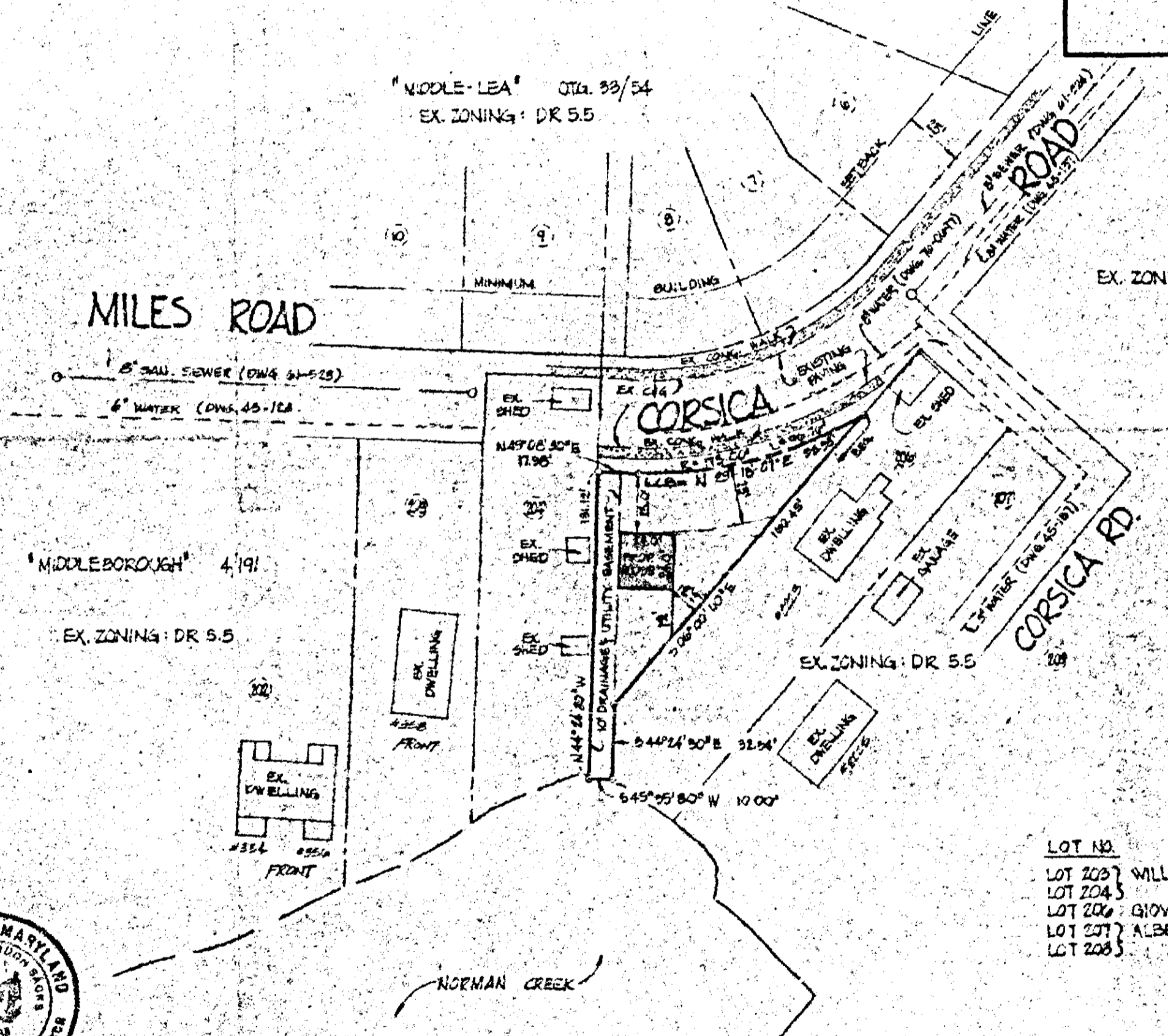
Posted by *(Signature)* Date of return: 11/1/83

Number of Signs: 2

PETITIONER'S EXHIBIT



LOCATION MAP
SCALE: 1" = 2000'



GENERAL NOTES

- 1) AREA TRACT = 0.1311 ACRES
- 2) EXISTING ZONING: DR 5.5
- 3) SEWER AND WATER ARE AVAILABLE IN MILES ROAD

SCHEDULE OF PROPERTY OWNERS

LOT NO.	OWNER	ADDRESS	PROPERTY NO.	DEED
LOT 203	WILLIAM ANDREW BELLS	958 MILES RD.	15-02-050720	5504/70
LOT 204	GIOVANNA BLATTERMAN	2223 CORSICA RD.	15-08-005240	0105/202
LOT 207	ALBERT J. FERTITTA	2225 CORSICA RD.	15-06-100001	5679/507

DENSITY CALCULATIONS
 ("CIRCL" E.P. RAPHAEL ASSOCIATES - PRELIM. PLAN OF "MIDDLE LEA")
 GROSS ACREAGE = 2.00 AC.
 GROSS RESIDENTIAL ACREAGE = 2.00 AC. • 151,551 SQ. FT.
 AREA OF SETBACK PARCELS 2" = 8700 SQ. FT.
 ADJUSTED GROSS RESIDENTIAL AREA = 2.00 AC. • 125,000 SQ. FT.
 DENSITY ALLOWED PER ACRE = 280 AC. x .45 = 13 LOTS

PLAT TO ACCOMPANY A PETITION FOR VARIANCE FROM A 50' REQUIRED REAR YARD SETBACK TO A 10' PROPOSED REAR YARD SETBACK FOR KENNETH DEINLEIN

NUMBER OF LOTS AS FOLLOWS (SEE C.T. 9, 23/12)

15TH ELECT. DIST. BALTIMORE CO., MD.
 SCALE: 1" = 50' DATE: SEPT 22, 1982

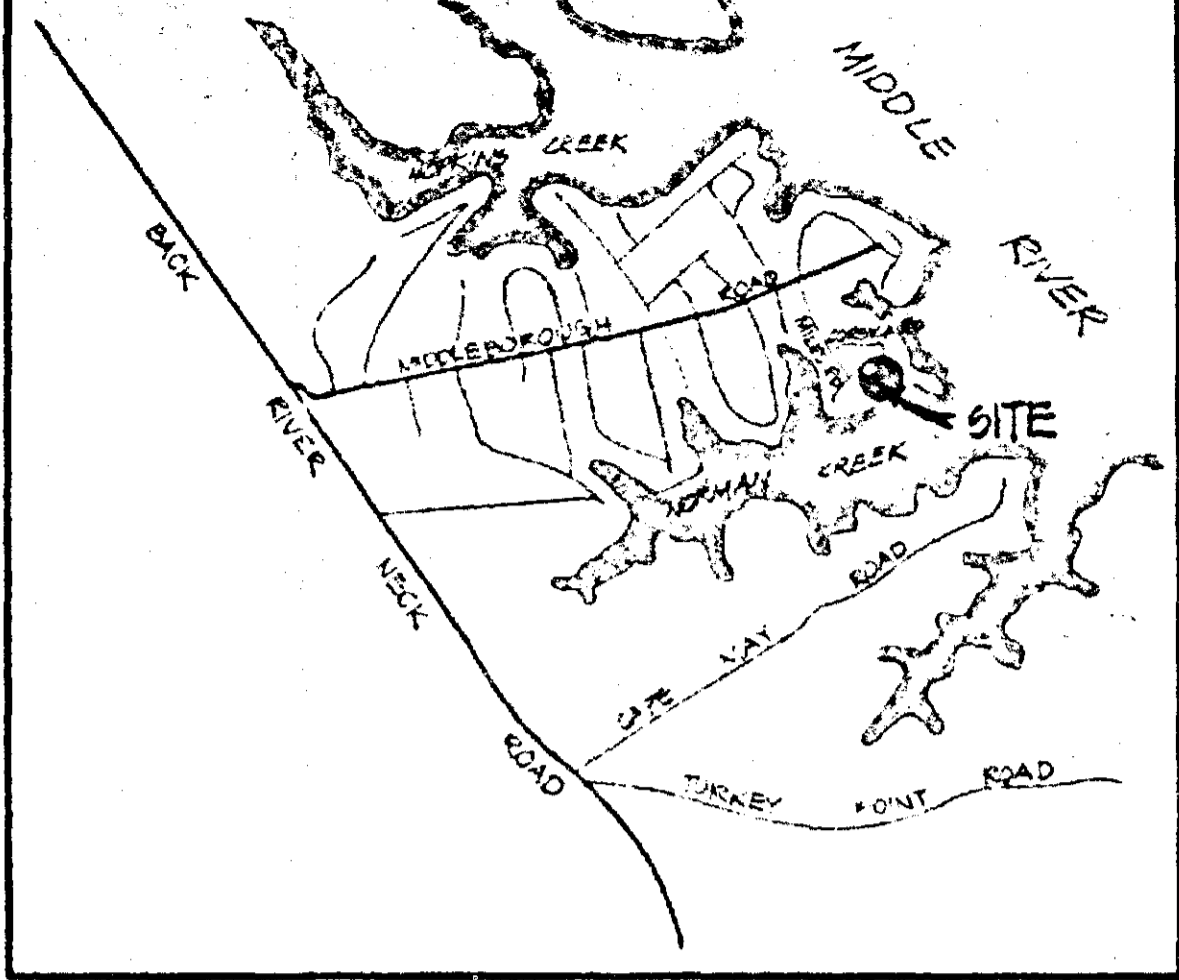


Norman G. Sacks 9/22/82; 11/14/83
 NORMAN G. SACKS, P.L.S. #20020 7/8/23/83

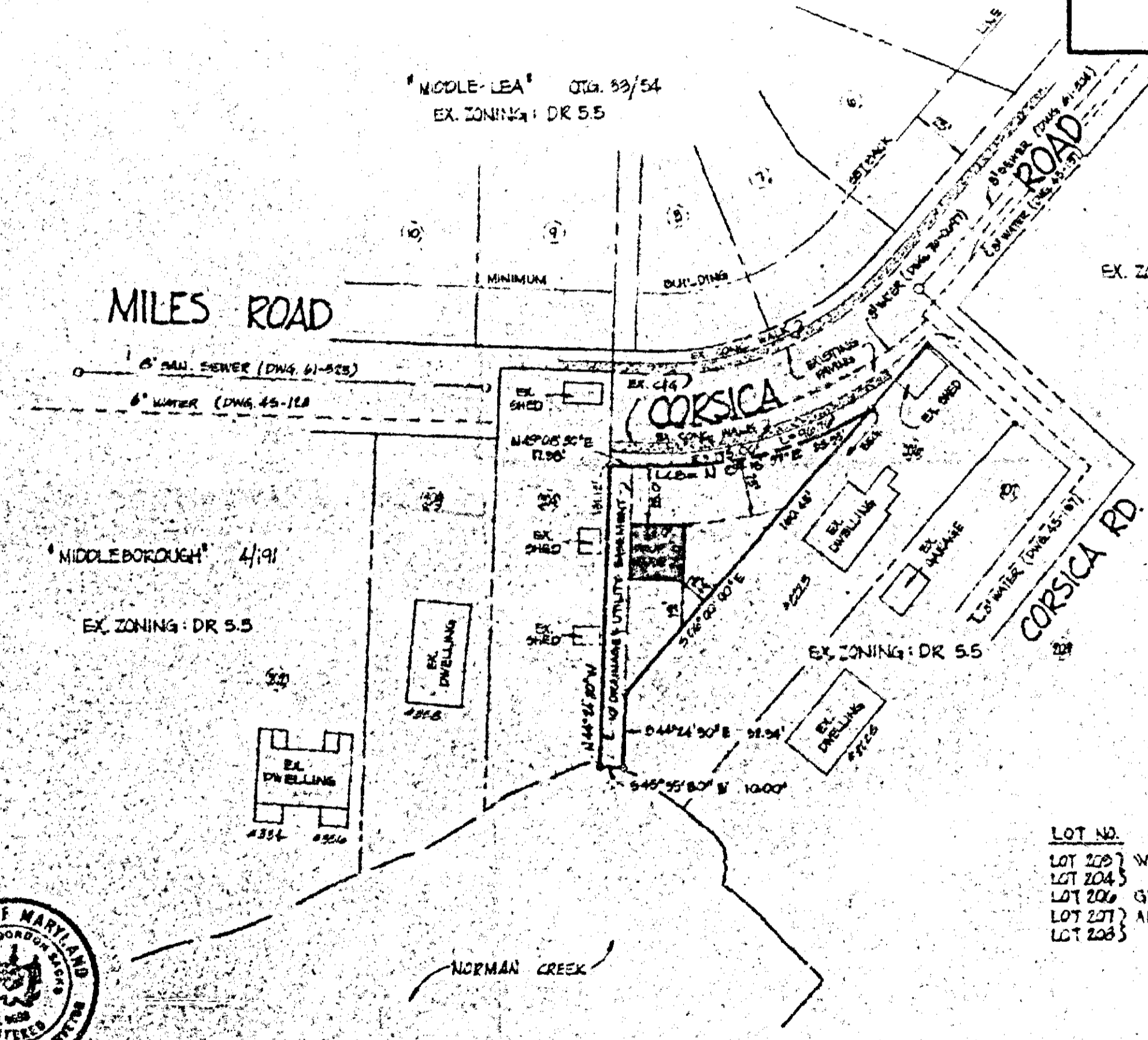
NORMAN G. SACKS ASSOCIATES, INC.
 P.O. BOX 556
 BEL AIR, MARYLAND 21014

JTM: H/L

SEP 23 1982
 REVISED PLANS



LOCATION MAP
SCALE: 1" = 2000'



GENERAL NOTES

- 1) AREA TRACT = 0.1400 ACRES
- 2) EXISTING ZONING: DR 5.5
- 3) SEWER AND WATER ARE AVAILABLE IN MILES ROAD

SCHEDULE OF PROPERTY OWNERS

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PLAT TO ACCOMPANY A PETITION FOR VARIANCE FROM A 50' REQUIRED REAR YARD SETBACK TO A 10' PROPOSED REAR YARD SETBACK FOR KENNETH DEINLEIN

15TH ELECT. DIST. BALTIMORE CO., MD.
 SCALE: 1" = 50' DATE: SEPT 22, 1982



Norman G. Sacks 9/22/82
 NORMAN G. SACKS, P.L.S. #20020

NORMAN G. SACKS ASSOCIATES, INC.
 P.O. BOX 556
 BEL AIR, MARYLAND 21014

JTM: H/L

MAP	1/1
NEEDS	1/1
ELECTION	1/1
DISTRICT	1/1
D-TL	1/1
TYPE	1/1
HEARD BY	1/1
BY	1/1
FINAL	1/1
BY	1/1

