

138 PETITION FOR ZONING VARIANCE 85-288-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 thereof, hereby petition for a Variance from Section 400.1 To permit accessory structure (Being an Inground Swimming Pool and Gazebo Bldg.) To be located in side yard area, in lieu of the required rear yard.

1. The location of the septic reserved area is directly in the rear yard.
2. This area of the lot provides the same elevation as to the existing house to be utilized.
3. This location will provide the best view for safety, if and when emergency situations prevailed.

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
Address
City and State

Legal Owner(s):
Brent R. Kopp
(Type or Print Name)
Signature
Sandra Lee Kopp
(Type or Print Name)
Signature

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

20804 Keeney Mill Road (357-8914)
Freeland Md. 21053
City and State

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

David K. Luber MPS
146 Lake shore Drive 437-6105
Pasadena Md 21122
Phone No.

Attorney's Telephone No.:
Address
City and State

ORDERED BY The Zoning Commissioner of Baltimore County, this 5th day of March, 1985, 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 104, County Office Building in Towson, Baltimore County, on the 9th day of April, 1985, at 10:30 o'clock.

Cal J. J. J.
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
W/S Keeney Mill Rd.,
1,240' N from Ruhl Rd.
(20804 Keeney Mill Rd.)
6th District
Brent R. Kopp, et ux,
Petitioners
: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 85-288-A
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 21st day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Brent R. Kopp, 20804 Keeney Mill Rd., Freeland, MD 21053, Petitioners; and David K. Luber MPS, 146 Lake Shore Drive, Pasadena, MD 21122, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

85-288-A

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 5th day of March, 1985

Petitioner Brent R. Kopp, et ux
Petitioner's Attorney
Received by
Arnold Jablon
Zoning Commissioner
Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 29, 1985

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. Brent R. Kopp
20804 Keeney Mill Road
Freeland, Maryland 21053

RE: Item No. 228 - Case No. 85-288-A
Petitioners - Brent R. Kopp, et ux
Variance Petition

Dear Mr. & Mrs. Kopp:

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.

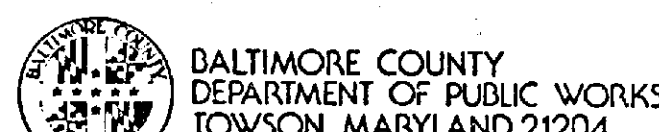
Very truly yours,

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

NBC:nr

Enclosures:

cc: Maryland Professional Services
146 Lake Shore Drive
Pasadena, Maryland 21122



HARRY J. PISTEL, P.E.
DIRECTOR

March 4, 1985

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

RE: Item #228 (1984-1985)
Property Owners: Brent R. Kopp, et ux
W/S Keeney Mill Rd. 1240' N. from Ruhl Rd.
Acres: 4.4
District: 6th

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 Comments:

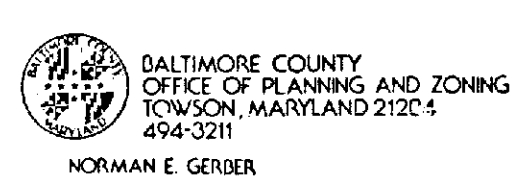
As no public facilities are involved, this office has no comment.

Very truly yours,

James A. Markle, P.E., Chief
Bureau of Public Services

JAM:EAM:ROP:iss

cc: File



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

RE: Zoning Advisory Meeting of FEBRUARY 19, 1985
Item # 228
Property Owners: BRENT R. KOPP, ET UX
Location: W/S KEENEY MILL RD. 1240' N.
FROM RUHL RD.

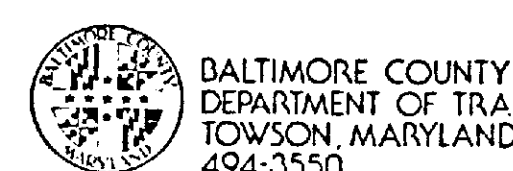
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract, therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

cc: Jones Hoswell

Eugene A. Roher
Chief, Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

February 27, 1985

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

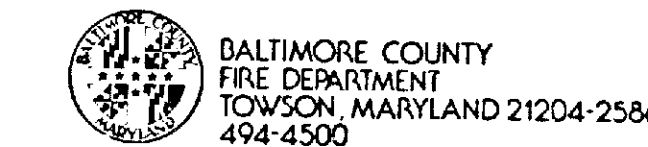
Item No. 208, 227 (228), 229, 230, 233, 234, 235, 236, and 237 ZAC - Meeting of 2-10-85
Property Owners:
Location:
Existing Zoning:
Proposed Zoning:

Dear Mr. Jablon:

The Department of Engineering has no comments for item numbers 208, 227, 228, 229, 230, 233, 234, 235, 236, and 237.

MSP/ccm

Michael S. Flannigan
Traffic Engineering Assoc. II



PAUL H. RENCKE
CHIEF

February 25, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owners: Brent R. Kopp, et ux

Location: W/S Keeney Mill Road 1240' N. from Ruhl Road

Item No.: 228

Zoning Agenda: Meeting of 2/19/85

Gentlemen:

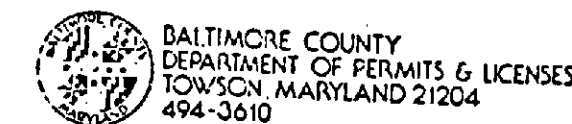
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

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

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/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested would/would 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



March 4, 1985

TED JABLON, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 228 Zoning Advisory Committee Meeting are as follows:

Property Owner: Brent R. Kopp, et ux
Location: W/S Keeney Mill Road 1240' N. from Ruhl Road
Existing Zoning: R.C. 1
Proposed Zoning: Variance to permit accessory structures (inground pool and gazebo) to be located in side yard in lieu of the required rear yard.

Address: 1240
District: 6th

The items checked below are applicable:

(A) 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.

(B) A building/structure shall be required to 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. Non-reproduced seals and signatures are required on Plans and Technical Data.

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" for Commercial use or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 401, Line 2, Section 407 and Table 402, also Section 501.2.

F. Requested variance appears to 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 these 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, have 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 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 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner _____ Date: April 3, 1985

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

SUBJECT: Zoning Petition No. 85-288-A and 86-288-A

There are no comprehensive planning factors requiring comment on these petitions.

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

NEG/JCH/sf



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 30, 1985

Mr. & Mrs. Brent R. Kopp
20804 Keeney Mill Road
Freeland, MD 21053

RE: PETITION FOR VARIANCE
W/side of Keeney Mill Road,
1240' W/iron Ruhl Road,
(20804 Keeney Mill Road)
6th Election District
Brent R. Kopp, et ux -
Petitioners
Case No. 85-288-A

Dear Mr. & Mrs. Kopp:

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

Very truly yours,

JEAN M. H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: Ms. Patricia Natusky
20800 Keeney Mill Road
Freeland, MD 21053

Ms. Joyce Knoch
21006 Keeney Mill Road
Freeland, MD 21053

People's Counsel

RE: PETITION FOR VARIANCE
W/side of Keeney Mill Road,
1240' N/iron Ruhl Road,
(20804 Keeney Mill Road)
6th Election District
Brent R. Kopp, et ux -
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-288-A

The Petitioners herein seek a variance to permit accessory structures (in-ground swimming pool and storage/shelter building) to be located in the side yard in lieu of the required rear yard.

The Petitioners propose to construct an 18' x 36' rectangular swimming pool and a 12' x 28' building, the upper level to be utilized for pool and other storage and occasional entertaining, and the lower level for storage including a riding lawn mower. The pool location was selected because of the existing septic area and the availability of visual supervision from the kitchen and living areas of the residence. The building will be located 63 feet from the side property line and in such a way as to provide part of the pool enclosure, and to take advantage of the gently rolling topography to provide access to the lower level.

One of the Protestants testified that other portions of the site provide equally sunny and usable locations, that no other neighborhood storage buildings are placed as close to the road, and that the feeling of country space would be better preserved if the pool and building were relocated further to the rear of property and as close to the septic area as regulations allow.

All parties to the hearing stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood.

After due consideration of the testimony and evidence presented, as well as an inspection of the property, and it appearing that strict compliance with

the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 30th day of April, 1985, that the herein Petition for Variance to permit accessory structures (in-ground swimming pool and storage/shelter building) to be located in the side yard in lieu of the required rear yard, in accordance with the site plan submitted and filed herein, marked Petitioner's Exhibit 1, is GRANTED, from and after the date of this Order, subject to the following:

1. The 12' x 18' building may be erected as shown, or may be erected to the rear of the pool. If any portion of that building is located in the side yard, it shall include a bricked lower portion of walls, English Tudor stucco, and windows, all similar to the style of the residence. The height shall not exceed fifteen feet as required by Section 400.3 of the Baltimore County Zoning Regulations, that height to be determined in accordance with Section A-13 of the Office of Zoning Policy Manual.

JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County

PETITION FOR VARIANCE

6th Election District

LOCATION: West side Keeney Mill Road, 1,240 ft. North from Ruhl Road (20804 Keeney Mill Road)

DATE AND TIME: Tuesday, April 9, 1985 at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 accessory structure (being an inground swimming pool and gazebo building) to be located in side yard in lieu of the required rear yard

Being the property of Brent R. Kopp, et ux _____ as shown on the plat filed with the Zoning Office.

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

Located on the west side of Keeney Mill Road
1240 feet North of Ruhl Road and known as Lot #5 in
Keeney Mill Farm
Section #2
Plat Book #35 Page #27
Located in the 6 st Dist. of Baltimore County

ORDER RECEIVED FOR FILING

DATE April 30, 1985

BY *John A. Elliott*

ORDER RECEIVED FOR FILING

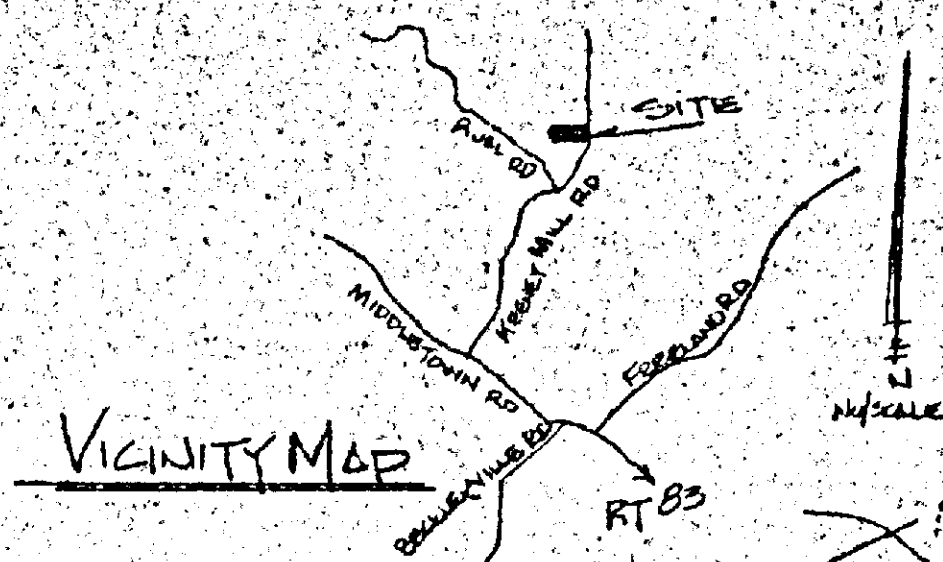
DATE April 30, 1985

BY *John A. Elliott*

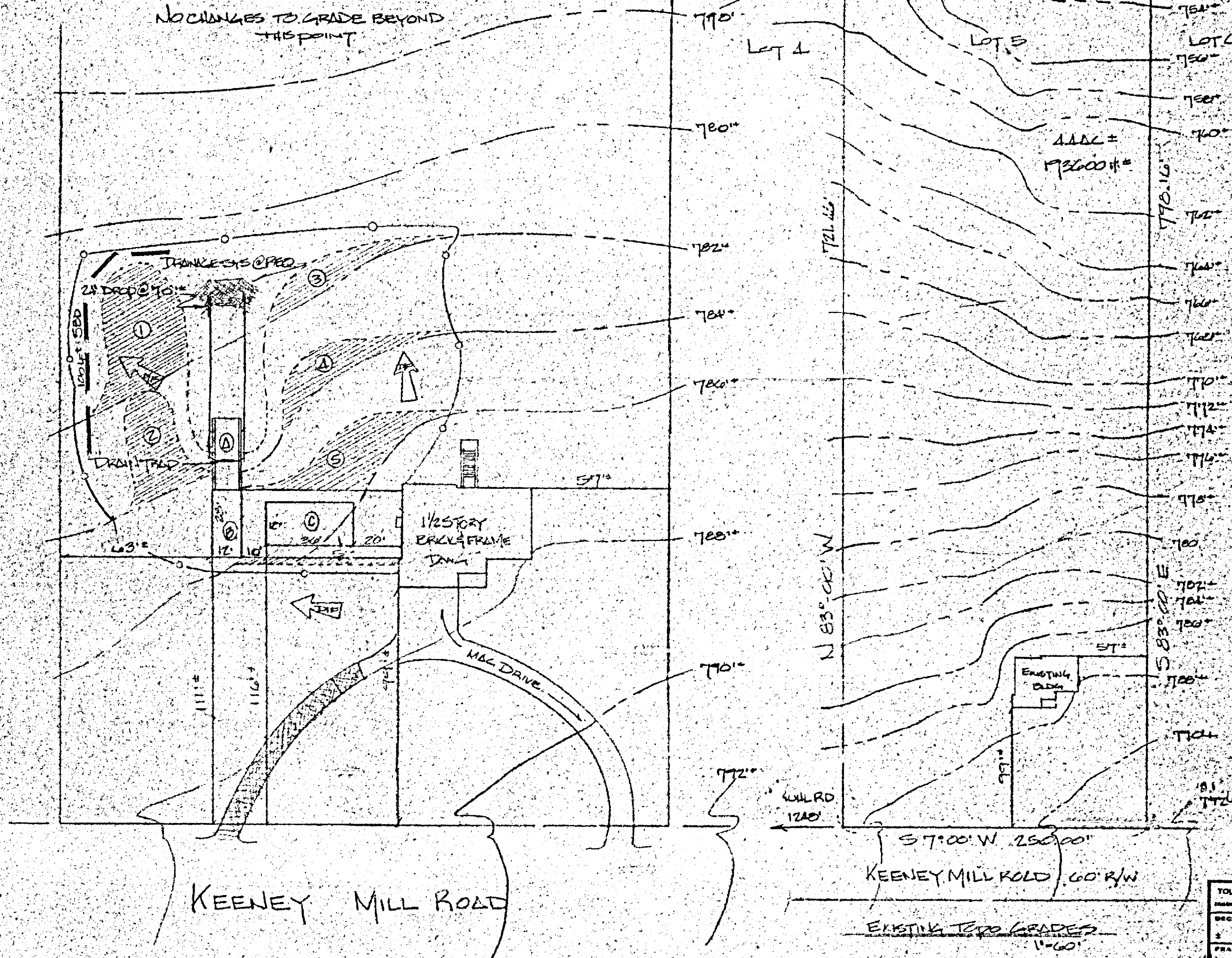
SITE LOCATION

"KEENEY MILL FARM"
SECTION TWO LOT # 6
PLAT BK # 35 PAGE # 27
MAP # 006 BLK # 09 PARCEL # 275
ZONED RC-4
LOT DIST. OF BALTO. CO. IN MD.
LAND ACC # 16-00-00-0718

VICINITY MAP



NO CHANGES TO GRADE BEYOND THIS POINT



LEGEND

EXISTING GRADE LINES	---
NEW GRADE LINES	---
AREAS TO FILL	///
LIMIT LINE OF CONST.	---
MED. SIZE GRAVEL AREA	///
STREAM BED LIKE	---
STRUCTURE OF AGRICULTURE RECORDS	---

AREA OF CUT CALCULATIONS

- ENTRY RAMP 12.15' (C) (S) (E) (N) 27' 41.70
 - GRASSY AREA 12.20' (C) (S) (E) (N) 27' 41.70
 - IN SWIMMING POOL 10.30' (C) (S) (E) (N) 27' 41.70
- TOTAL CUBIC YARDS OF CUT = 241.33

AREA OF FILL CALCULATIONS

- MANOR 30.50' (C) (S) (E) (N) 27' 41.70
 - 20.45' (C) (S) (E) (N) 27' 41.70
 - 13.40' (C) (S) (E) (N) 27' 41.70
 - 13.40' (C) (S) (E) (N) 27' 41.70
 - 25.25' (C) (S) (E) (N) 27' 41.70
- AVAILABLE AREA TO FILL = 250.55 C.Y.O.S

GENERAL NOTES

- AREA OF CONSTRUCTION
- RAMP @ 884
 - GRASSY AREA @ 884
 - POOL @ 612
 - CONCRETE @ 1200
- TOTAL DISTURBED AREA = 250.55
- TOTAL STRENGTH OF FILL @ 1251.93

- CONSTRUCTION OF STREAM BED LIKE AREA TO MEET W.V. DEPT. OF AGRICULTURE SOIL CONSERVATION SPEC.
- ALL SOIL EROSION PLAN ARE TO BE APPROVED BY BALTO. CO. SEWAGE & WASTE DEPT. BY INSPECTIONS
- ALL WORK TO BE DONE BY LIC. & BONDED CONTRACTORS
- PROTECT EXISTING STREAM COMPLETED FILL AREAS
- NO SPILLAGE OR STORM TO BE PLACED IN FILL AREA
- ALL WORK IS TO COMPLY W/ LOCAL BALTO. CO. CODES

TOLERANCES	REVISIONS	SCALE	DATE	BY
DECIMAL	1			
FRACTIONAL	2			
ANGULAR	3			
	4			
	5			