

PETITION FOR ZONING VARIANCE 85-289-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 1802.3.B (211.3) to permit a sideyard setback of 1 ft. instead of the required minimum of 8 ft. and a sum of sideyard setbacks of 18 ft. instead of the required 20 ft.

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

We wish to build an attached 14 ft. garage to our existing property which is only 15 feet from the property line at its smallest point. This garage, we believe, will cause no hardship or loss of light or views for the neighboring property, nor will it interfere with aesthetic characteristics.

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):
(Type or Print Name)	WILLIAM D. BAUER
Signature	William D. Bauer
Address	Mrs. Lucille A. Bauer
City and State	Mrs. Lucille A. Bauer
Attorney for Petitioner:	
(Type or Print Name)	2412 CIDER MILL RD. 494-3734
Signature	BALTO. MD. 21234
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.:	Address Phone No.

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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of April, 1985, at 11:00 o'clock.

Call John
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
W/S Cider Mill Rd., 406' : OF BALTIMORE COUNTY
S from the Centerline of :
Proctor Lane (2412 Cider :
Mill Rd.), 9th District :
WILLIAM D. BAUER, et ux, : Case No. 85-289-A
Petitioners :
: : : : :
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
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
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. William D. Bauer, 2412 Cider Mill Rd., Baltimore, MD 21234, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 2, 1985

Mr. & Mrs. William D. Bauer
2412 Cider Mill Road
Baltimore, MD 21234

RE: PETITION FOR VARIANCE
W/Side of Cider Mill Road,
406' S/From the centerline of
Proctor Lane, (2412 Cider Mill Rd.)
9th Election District
William D. Bauer, et ux -
Petitioners
Case No. 85-289-A (Item No. 236)

Dear Mr. & Mrs. Bauer:

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

JMH:jbg

Attachments

cc: Mr. Guido Palermo
2410 Cider Mill Road
Baltimore, MD 21234
People's Counsel

RE: PETITION FOR VARIANCE * BEFORE THE
W/Side of Cider Mill Road, *
406' S/From the centerline of *
Proctor Lane, (2412 Cider Mill Rd.) *
9th Election District * OF BALTIMORE COUNTY
William D. Bauer, et ux - * Case No. 85-289-A
Petitioners *

The Petitioners herein request a variance to permit a side yard setback of 1 foot in lieu of the required minimum of 8 feet, and a sum of side yard setbacks of 18 feet in lieu of the required 20 feet for the construction of a 14' x 29' garage to be attached to the existing dwelling.

Testimony by and on behalf of the Petitioners indicates that the location of a garage in the rear yard would require the removal of two fourteen-inch trees and would reduce the usable area of the rear yard. They propose to utilize the existing driveway. The garage will be 14 feet high at its peak and located on ground at least 3 feet below the level of the adjacent home. A garage instead of a carport is needed to protect the motor vehicle from the weather.

The neighbor adjacent to the proposed garage location testified that the plan submitted is inaccurate in that his house is only 8 feet from the property line. It is his belief that water runoff problems will increase, that he will lose air space and that the granting of the variance will cause a substantive change in the neighborhood.

All parties to the hearing stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood. Field inspection revealed that the adjacent residence is located on ground substantially higher than the level of the Petitioners driveway, that windows on the side of the house are small and high and that large shrubbery occupies much of the side yard.

ORDER RECEIVED FOR FILING
DATE May 2, 1985
BY Barbara A. Stedman
ADMINISTRATIVE ASSISTANT

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1985, Legislative Day No. 4

RESOLUTION NO. 23-85

Mr. Eugene W. Gallagher, Councilman

By the County Council, February 19, 1985

A RESOLUTION concerning the public disclosure of William D. Bauer.

WHEREAS, William D. Bauer, an employee in the Department of Public Works, Bureau of Engineering, is the owner of property located on Cider Mill Road, in Baltimore County which property is or will be the subject of a Petition for Variance to allow the construction of an attached garage to an existing building; and

WHEREAS, this Resolution is intended to serve as the public disclosure required by §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 William D. Bauer in the property described herein and the Petition for Variance in connection therewith does not contravene the public welfare.

TRUE COPY TEST:

Thomas Toporovich, Secretary
Baltimore County Council

OCT 24 1985

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 will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit:

85-289-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: William D. Bauer, et ux
Petitioner's Attorney

ARNOLD JABLON
Zoning Commissioner

Received by: 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

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. William D. Bauer
2412 Cider Mill Road
Baltimore, Maryland 21234

RE: Item No. 236 - Case No. 85-289-A
Petitioners - William D. Bauer, et ux
Variance Petition

Dear Mr. & Mrs. Bauer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

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

Very truly yours,

Nicholas B. Commodari, Chairman

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:nrr

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 4, 1985

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

Re: Item #236 (1984-1985)
Property Owner: William D. Bauer, et ux
W/S Cider Mill Rd. 406' S. from centerline
Proctor Lane
Acres: 70/70.18 x 120.04/125.08
District: 9th

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:sa

cc: File



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

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

3/11/85

Re: Zoning Advisory Meeting of 2/19/85
Item # 236
Property Owner: William D. Bauer, et ux
Location: W/S Cider Mill Rd.
S of Proctor 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.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is re-evaluated annually by the County Council.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 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:

Eugene A. Bober

Chief, Current Planning and Development

cc: James Hoswell



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

STEPHEN L. 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 Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

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

Michael S. Flanigan
Traffic Engineering Assoc. II

MSP/ccm



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4300

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 Owner: Wm. D. Bauer, et ux

Location: W/S Cider Mill Road 406' S. from c/l Proctor Road

Item No.: 236 Zoning Agency 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.

- () 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.
- (X) 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.

Noted and Approved: *Errol M. Markowitz*
REVIEWED BY: *Paul H. Rencke* Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3210

March 4, 1985

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

Dear Mr. Jablon:

Comments on Item #236 Zoning Advisory Committee Meeting are as follows:

Property Owner: William D. Bauer, et ux
Location: W/S Cider Mill Road 406' S. from c/l Proctor Road
Existing Zoning: D.B. S-5
Proposed Zoning: Variance to permit a side yard setback of 1' in lieu of the required 8' and a sum of side yard setbacks of 18' in lieu of the required 20'.

Acres: 70/70.18 x 120.04/125.08
District: 9th.

The items checked below are applicable:

(X) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 ~~and the Baltimore County Building Code 1981/Council Bill 1-82~~ and other applicable Codes.

B. A building permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. 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.

(X) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant 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 1407 and Table 1402, also Section 503.2.

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 three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

(X) Comments - West side of proposed structure shall be a 1 hour fire rated wall assembly without any openings.

NOTES: 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. Burnham, Chief
Plans Review

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner

Date: March 29, 1985

FROM: Office of Planning and Zoning

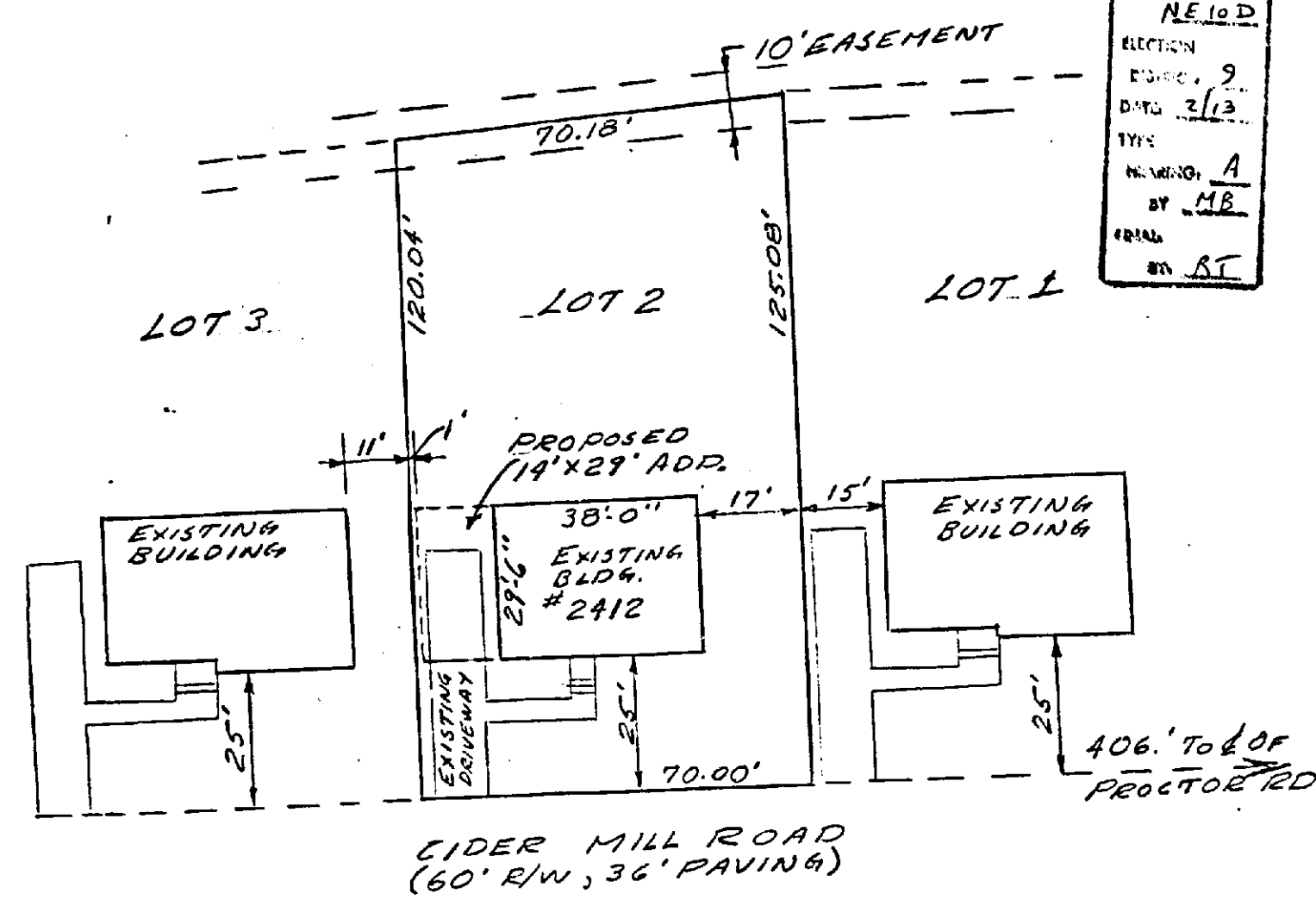
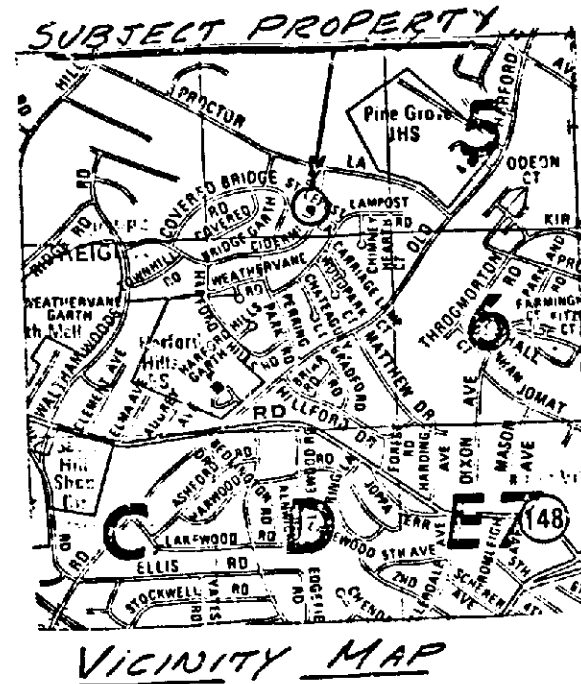
SUBJECT: Zoning Petitions No. 85-287-A, 85-289-A, 85-290-A, 85-291-A, 85-292-A and 85-293-X

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

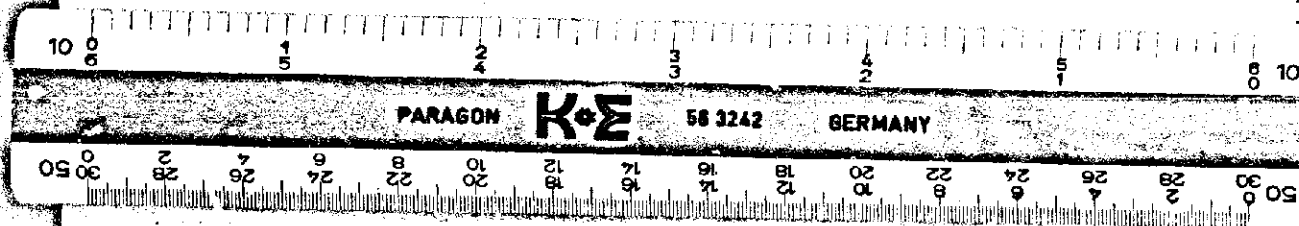
NEG/JGH/sf

Norman E. Gerber, Director
Office of Planning and Zoning

OCT 24 1985

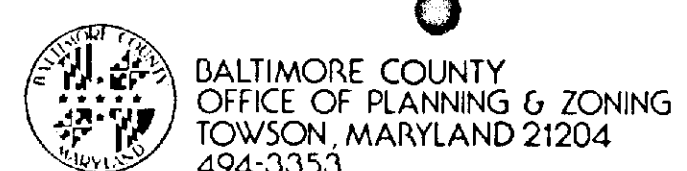


PLAT FOR ZONING VARIANCE
OWNER - Wm. & Carole Bauer
DISTRICT - 9, ZONED - DR 5.5
SUBDIVISION - PEERING PARK
LOT 2, Bk. H, Book 28, Folio 34
EXISTING UTILITIES IN CIDER MILL RD
SCALE: 1"=30'



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 3/22/85
Posted for: Variance
Petitioner: William D. Bauer, et al
Location of property: W/S Cider Mill Rd., 406' S. of Proctor Lane
2412 Cider Mill Rd.
Location of Sign: Approx. 15' from midway of Cider Mill Rd. on
prop. for posting of Petition
Remarks: M. J. Jablon
Posted by: [Signature] Date of return: 3/24/85
Number of Signs: 1



ARNOLD JABLON
ZONING COMMISSIONER

April 4, 1985

Mr. & Mrs. William Bauer
2412 Cider Mill Road
Baltimore, Maryland 21234

RE: Petition for Variance
W/S Cider Mill Rd., 406' S from c/l of Proctor Lane
(2412 Cider Mill Road)
Case No. 85-289-A

Dear Mr. & Mrs. Bauers

This is to advise you that \$51.50 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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.

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

No. 005378

DATE: 4-5-85 ACCOUNT: 1-01-615-000

AMOUNT: \$51.50 (cash)

RECEIVED FROM: Bill Bauer

FOR: adm + posting Case 85-289-A

U *****010014 80007

VALIDATION OR SIGNATURE OF CARRIER

March 8, 1985

Mr. & Mrs. William D. Bauer
2412 Cider Mill Road
Baltimore, Maryland 21234

NOTICE OF HEARING

RE: Petition for Variance
W/S Cider Mill Rd., 406' S from c/l of Proctor Lane
(2412 Cider Mill Road)
Case No. 85-289-A

TIME: 11:00 a.m.
DATE: Tuesday, April 9, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

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

No. 004934

DATE: 4-5-85 ACCOUNT: 1-01-615-000

AMOUNT: \$ 25

RECEIVED FROM: [Signature]

FOR: adm + posting Case 85-289-A

U *****010014 80007

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 21, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 21, 1985

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising

20.00

STATE OF PUBLICATION

85-289-A
Towson, Md. 4/3, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 20th day of March, 1985

The TOWSON TIMES
[Signature]
Cost of Advertisement: \$ 25.00