

PETITION FOR ZONING VARIANCE 85-334-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 400.1 to allow an accessory structure to be located in the side yard instead of the required rear yard.

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

1. To build an unattached garage (3 car) in side of yard, rather than rear yard. Due to drainage and in ground pipe for drainage system.

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.

MAP DE 21
E. D. 15
DATE 1-28-87
200
1000
DP

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): Marvin M. Kahl
(Type or Print Name) (Type or Print Name)

Signature: Marvin M. Kahl Signature: _____
Address: Katherine B. Kahl
(Type or Print Name) (Type or Print Name)

City and State: Baltimore, Maryland Signature: Katherine B. Kahl
City and State

Attorney for Petitioner: _____
(Type or Print Name) Address: 1110 Seneca Rd. 335-5283 Phone No. _____
City and State: Baltimore, Maryland 21220

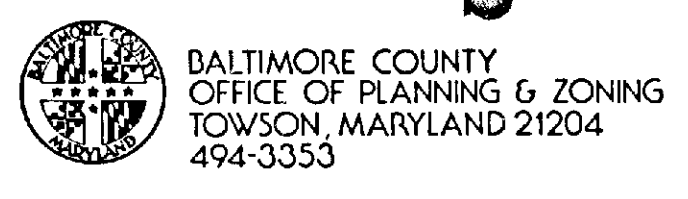
Address: _____ Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State: _____ Name

Attorney's Telephone No.: _____ Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of April, 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 106, County Office Building in Towson, Baltimore County, on the 22nd day of May, 1985, at 1:30 o'clock PM.

Carl Jahn
Zoning Commissioner of Baltimore County.

Carroll on Book (over)



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 23, 1985

Mr. & Mrs. Marvin M. Kahl
1110 Seneca Road
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
S/S Seneca Rd., 426' E of
centerline of Chestnut Rd.
(1110 Seneca Road)
15th Election District
Marvin M. Kahl, et ux -
Petitioners
Case No. 85-334-A (Item No. 297)

Dear Mr. & Mrs. Kahl:

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

JMH:hg
Attachments
cc: People's Counsel

ZONING DESCRIPTION

Beginning on the South side of Seneca Road 30 feet wide, at the distance of 426 feet East of the centerline of Chestnut Road and running South 70° 30' East 150 thence South 27° 8' 30" West 405.17 thence North 62° 51' 30" West 148.78 thence North 27° 8' 30" East 386.11 to the beginning point.

Also known as 1110 Seneca Road.

PETITION FOR VARIANCE

15th District

LOCATION: South side of Seneca Road, 426 ft. East of the centerline of Chestnut Road (1110 Seneca Road)

DATE AND TIME: Wednesday, May 22, 1985 at 1:30 p.m.

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

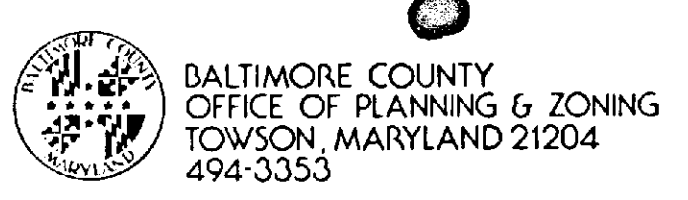
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to allow an accessory structure to be located in the side yard instead of the required rear yard

Being the property of Marvin M. Kahl, 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



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

ARNOLD JABLON
ZONING COMMISSIONER

Mr. & Mrs. Marvin M. Kahl
1110 Seneca Road
Baltimore, Maryland 21220

RE: Petition for Variance
S/S Seneca Rd., 426' E of the c/l of
Chestnut Road (1110 Seneca Road)
Case No. 85-334-A

Dear Mr. & Mrs. Kahl:

This is to advise you that \$50.59 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. 007258

DATE 5/22/85 ACCOUNT R-01-615-000

AMOUNT \$ 50.59

RECEIVED FROM: Mr. Kahl

FOR: Advertising & posting costs
Case # 85-334-A

VALIDATION OR SIGNATURE OF CASHIER

April 23, 1985

Mr. and Mrs. Marvin M. Kahl
1110 Seneca Road
Baltimore, Maryland 21220

NOTICE OF HEARING

RE: Petition for Variance
S/S of Seneca Rd., 426' E of the
c/l of Chestnut Road
(1110 Seneca Road)
Marvin M. Kahl, et ux - Petitioners
Case No. 85-334-A

TIME: 1:30 p.m.

DATE: Wednesday, May 22, 1985

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 7, 1985

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

SUBJECT: Zoning Petitions Nos. 85-323-A, 85-324-A, 85-327-A, 85-328-A, 85-329-A, 85-331-A, 85-332-A and 85-334-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:JGH:lm

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

No. 007429

DATE 4/1/85 ACCOUNT 01-615-000

AMOUNT \$ 35.00

RECEIVED FROM: Marvin Kahl

FOR: Variance #297

VALIDATION OR SIGNATURE OF CASHIER

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 2nd day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Marvin M. Kahl, 1110 Seneca Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

APR 17 1987

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 Zoning Commissioner of Baltimore County, this 23rd day of May, 1985, that the herein Petition for Variance(s) to permit an accessory structure (26' x 30' garage) 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 hereby GRANTED, from and after the date of this Order.

Jan M. Jung
Deputy Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 15, 1985

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21284

Chairman
Nicholas B. Comodari

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. Marvin M. Kahl
1110 Seneca Road
Baltimore, Maryland 21220

RE: Item NO. 297 - Case NO. 85-334-A
Petitioner - Marvin M. Kahl, et ux
Variance Petition

Dear Mr. & Mrs. Kahl:

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. Comodari
NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

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

MAY 3, 1985

Re: Zoning Advisory Meeting of APRIL 23, 1985
Item # 297
Property Owner: MARVIN M. KAHL, et ux
Location: S/S SENECA RD, 426' E. OF E
CHESTNUT 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.

- There are no site planning factors requiring comment.
- 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 unenclosed Development Plan was approved by the Planning Board on _____.
- Landscaping: Must comply with Baltimore County Landscaping Manual.
- The property is located in a deficient service area as defined by §11-178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is _____.
- The property is located in a traffic area controlled by a "D" level intersection as defined by §11-178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

(X) Additional comments:
THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIV.

Eugene A. Bober
Chief, Current Planning and Development

cc: James Howell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
Zoning Commissioner
Date: May 6, 1985
NORMAN E. GERBER, Director
Office of Planning and Zoning

Petition 85-334-A
SUBJECT: Chesapeake Bay Critical Area Consistency

This petition is consistent with the requirements of the Chesapeake Bay Critical Area Program.

NEG:PJS:vh

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

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

STEPHEN E. COLLINS
DIRECTOR

May 16, 1985

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

Item No. 295, 297 and 298 Meeting of April 23, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 295, 297, and 298.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

NSF/ccm

*Kle
9/20
85-334-A*

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
494-4500

PAUL H. REINCKE
CHIEF

April 25, 1985

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Marvin M. Kahl, et ux

Location: S/S Seneca Rd., 426' E. of centerline of Chestnut Rd.

Item No.: 297

Zoning Agenda: Meeting of 4/23/85

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 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.

REVIEWED BY: *Paul H. Reincke* Noted and Approved: *Paul H. Reincke*
Fire Prevention Bureau
Special Inspection Division

5/20 /mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

April 24, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 297 Zoning Advisory Committee Meeting are as follows:

Property Owner: Marvin M. Kahl, et ux
Location: S/S Seneca Road, 426' East of c/l of Chestnut Road
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

- All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, and other applicable Codes and Standards.
- A building and other miscellaneous permits shall be required before the start of any construction.
- Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Stamped seals are not acceptable.
- E. All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 3'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 1001, Section 1007, Section 1002 and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Sealed Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____.
- I. The proposed project appears to be located in a Flood Plain, Vial/Silverline. Please see the attached copy of Section 22-60 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments
- K. These abbreviated 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 the applicant may obtain additional information by visiting Room 120 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark A. Burman
Mark A. Burman, Chief
Building Plans Review

4/22/85

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

May 24, 1985

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

Re: Item #297 (1984-1985)
Property Owner: Marvin M. Kahl, et ux
S/S Seneca Rd. 426' E. of centerline of
Chestnut Road
Address: 150/148.78 x 386.11/405.11
District: 15th

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:

- Seneca Road shall ultimately be improved on a 50-foot right-of-way.
- The proposed garage construction does not appear to have a significant effect on storm water drainage.
- As no public facilities are involved, this office has no comment.

Very truly yours,
Mark A. Burman
Mark A. Burman, P.E., Chief
Bureau of Public Services

JAM:EAM:ROP:ss

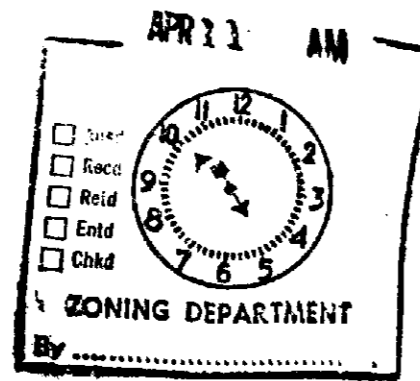
cc: File

5/20 85-334-A

APR 17 1987

85-334
Any Hearing
NCC

4/11/85
To AC
Y
Iron 297



March 30, 1985

Gentlemen:

I am requesting that my variance be approved as soon as possible in view of the following reason:

My wife has recently been informed that she is terminally ill. She has cancer of the bone and lungs both of which are in-operable and untreatable. It is for this reason that I am requesting that my variance be approved as soon as possible, while my wife can still care for herself and not have to depend on me to care for her.

Thank you very much for your cooperation in this matter.

Sincerely,
Marvin M. Kahl
Marvin M. Kahl, et ux

85-334-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 2, 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 May 2, 1985

THE JEFFERSONIAN,

J.B. Venetaki
Publisher

Cost of Advertising
24.75

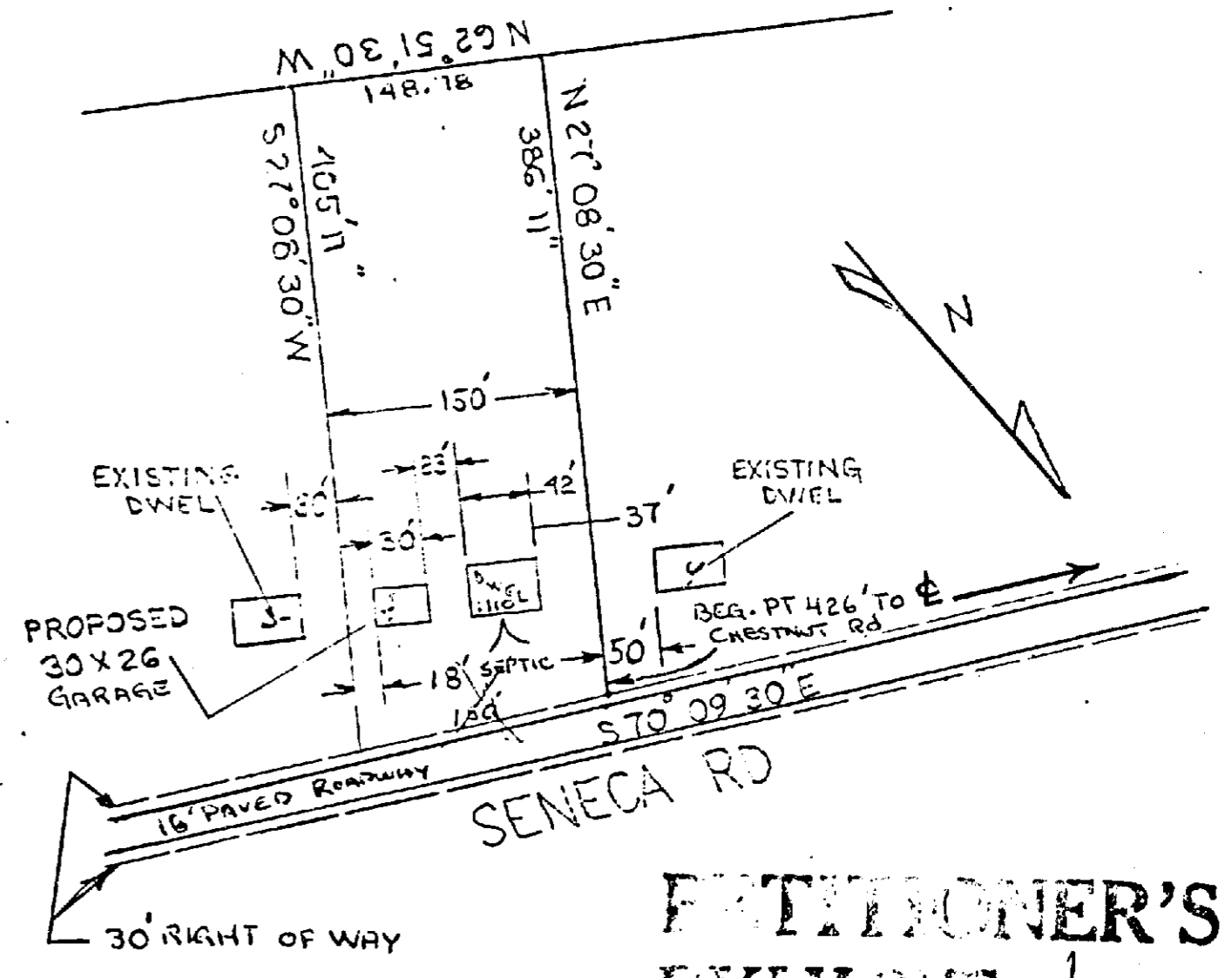
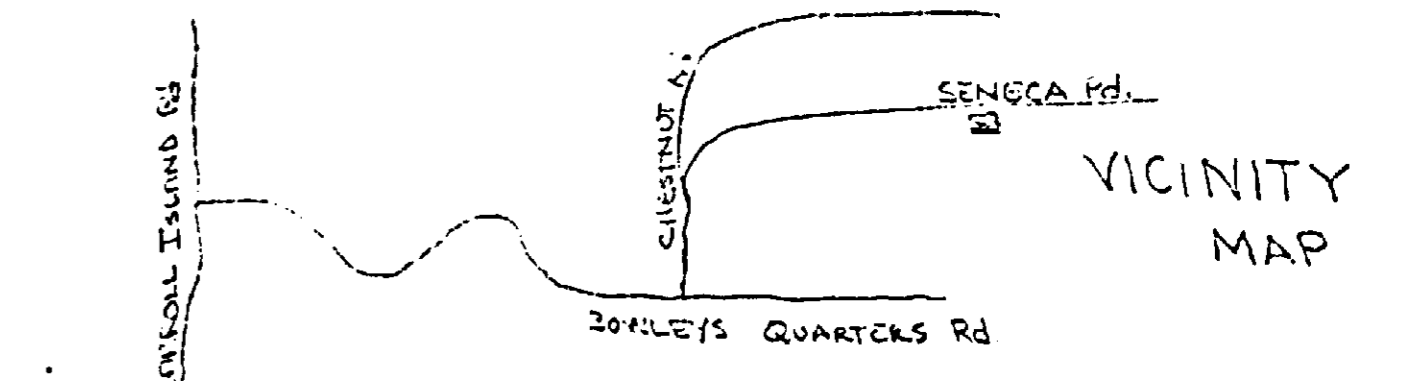
PETITION FOR VARIANCE
15th Election District
LOCATION: South side of Seneca Road, 429 ft. east of the centerline of Chestnut Road (1110 Seneca Road)
DATE & TIME: Wednesday, May 22, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to allow an accessory structure to be located in the side yard instead of the required rear yard.
Being the property of Marvin M. Kahl, 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
May 2, 1985

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-334-A

District: 15th Date of Posting: 5/1/85
Posted for: Variance
Petitioner: Marvin M. Kahl, et ux
Location of property: 1/2 Seneca Rd, 429' E. of Chestnut Rd.
1110 Seneca Rd.
Location of Signs: Facing Seneca Rd, 100' from roadway
on property of Petitioner
Remarks: _____
Posted by: *M. Kahl* Signature Date of return: 5/10/85
Number of Signs: 1



PETITIONER'S EXHIBIT 1

PLAT FOR ZONING VARIANCE
OWNER: MARVIN M. KAHL
KATHERINE KAHL
DISTRICT-15
MAP 91, BLOCK 23, LIBER 4349 FOLIO-0529
SCALE 1" = 100'
ZONING RC 5 PUBLIC WATER #297

85-334-A

The Times

Middle River, Md., May 2, 1985

This is to Certify, That the annexed
Petition - Kahl
Reg L 71728
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 2nd day of May, 1985
John D. Wilk Publisher.

Petition for Variance
15th Election District
LOCATION: South side of Seneca Road, 429 ft. east of the centerline of Chestnut Road (1110 Seneca Road)
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By Order of:
ARNOLD JABLON
Zoning Commissioner
of Baltimore County



85-334-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 17th day of April, 1985.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner
Received by *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Petitioner: Marvin M. Kahl, et ux
Petitioner's Attorney: _____