

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 11.02.1.1. To permit a minimum sideyard setback of 5 (five) feet instead of the required 20 (ten) feet and a sum of 10 (ten) feet instead of the required 25 (twenty-five) feet.

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

1. Owner cannot meet setback requirements
2. Owner is a 67 year old
3. Owner does not own adjoining lots and cannot afford to buy any other lots

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

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of September, 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 8th day of October, 1985, at 1:30 o'clock P.M.

Carl J. Jablon
Zoning Commissioner of Baltimore County.
(over)

MAP 3D
NW 15A
E.D. 2
DATE 7/1/85
200
1000
DP

Rose Claire Garliss
111 W. Chesapeake Ave.
Towson, Maryland 21204
85-147-A
N/S of Estella Rd., 377' W of York Rd.
6th Dist.

Case No. 85-147-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 3rd day of September, 1985.

Petitioner: Rose Claire Garliss
Petitioner's Attorney: _____

Received by: *James E. Dyer*
JAMES E. DYER, Chairman
Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 27, 1985

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Ms. Rose Claire Garliss
854 Bosley Avenue
Towson, Maryland 21204

RE: Item No. 74 - Case No. 85-147-A
Petitioner - Rose Claire Garliss
Variance Petition

Dear Ms. Garliss:

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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures.

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
494-3271
NORMAN E. GERSON
DIRECTOR

SEPTEMBER 23, 1985

Re: Zoning Advisory Meeting of September 23, 1985
Item # 74
Property Owner: ROSE CLAIRE GARLISS
Location: N/S of ESTELLA RD. 377' W of Y of York 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.
- ☒ 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 §111.07-79. 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 §111.178-79, 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: James Hisswell

Eugene A. Bober
Chief, Current Planning and Development

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 74, Zoning Advisory Committee Meeting of Sept. 3, 1985

Property Owner: Rose Claire Garliss

Location: N/S of Estella Rd., 377' W of York Rd. District 8th

Water Supply: Private Sewage Disposal: Private

COMMENTS ARE AS FOLLOWS:

- ☐ Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ☐ Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 194-3775, to obtain requirements for such installation/s before work begins.
- ☐ A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ☐ A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ☐ Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ☐ Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ☐ Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ☐ If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

10/8 86-147-A

Zoning Item # 74 Zoning Advisory Committee Meeting of Sept. 3, 1985
Page 2

- ☐ Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 194-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- ☐ Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 194-3768.
- ☐ Soil percolation tests (have been/must be) conducted.
☐ The results are valid until _____
☐ Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- ☐ Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ☐ In accordance with Section 13-117 of the Baltimore County Code, the water well yield test:
☐ shall be valid until _____
☐ is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ☐ Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ☐ If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- ☒ Others: Approval pending the installation of Public Water and Sewer.

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-0550

September 23, 1985

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

Item No. -ZAC- Meeting of September 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbers 73, 74, 75, 76, 77, 78, 79, 80, & 81.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc II

MSF/blt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
CHIEF

August 30, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Rose Claire Garliss

Location: N/S of Estella Road, 377' west of centerline of York Road

Item No.: 74

Zoning Agenda: Meeting of September 3, 1985

Continued:

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.
- ☒ 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.

VIEWER: *Paul H. Rencke* Noted and Approved: *John E. Dwyer*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



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

October 24, 1985

**TED JABLON, JR.
DIRECTOR**

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

Dear Mr. Jablon:

Comments on Item # 711: Zoning Advisory Committee Meeting are as follows:

Property Owner: **Rose Claire Garliss**
Location: **N/S of Estella Road, 377' West of c/l of York Road**
District: **8th.**

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) 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/are 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. Reproduced seals are not acceptable.
- ☒ All the Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-4 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 401, Section 1007, Section 1008, and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☒ 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 401 and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- ☒ 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. Maryland Architectural or Engineer seals are usually required. The change of the Groups and from Use _____ to Use _____ or to Mixed Use _____ See Section 312 of the Building Code.
- ☒ The proposed project appears to be located in a Flood Plain, Flood/Divergence. Please see the attached copy of Section 510.0 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.
- ☒ Comments:
- ☒ 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 113 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Chamberlain
C. E. Chamberlain
Building Plans Review

10/8
86-147-A

BALTIMORE COUNTY, MARYLAND

SEP 27 AM

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner

Date: September 26, 1985

Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-145-A, 86-146-A, 86-147-A, 86-148-A, 86-149-A, 86-150-A, 86-151-A, 86-152-A, 86-153-A, 86-154-A, 86-155-A, 86-156-A, 86-157-A, 86-158-A, 86-159-A, 86-160-A, 86-161-A and 86-165-XA

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:sjm

IN RE: PETITION FOR VARIANCE
N/S Estella Road, 377'
W of York Road -
8th Election District
Rose Claire Garliss,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-147-A

DISMISSAL

Pursuant to the advertisement and posting of property, neither the Petitioner nor anyone on her behalf having appeared at the scheduled hearing; therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 17th day of October, 1985, that said Petition for Variance is hereby dismissed.

JMJH:bg

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

PROPERTY DESCRIPTION

BEGINNING at a point on the North side of Estella Road 377 feet West of the center line of York Road and known as Lots 23 and 24, Section T of Timonium Heights and recorded among the Land Records of Baltimore County in Plat Book 5, Folio 82.

**86-147-A
CERTIFICATE OF PUBLICATION**

TOWSON, MD., September 19, 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 September 19, 1985.

THE JEFFERSONIAN,

B. Kentz
Publisher

Cost of Advertising
24.75

**PETITION FOR VARIANCE
8th Election District**
LOCATION: North side of Estella Road, 377' West of York Road
DATE AND TIME: Tuesday, October 8, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 113, 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 from Section 1 B02.3.c.1 to permit a minimum side yard setback of five feet instead of the required ten feet and a sum of ten feet instead of the required twenty-five feet.
Being the property of Rose Claire Garliss 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

**PETITION FOR VARIANCE
8th Election District**

LOCATION: North side of Estella Road, 377' West of York Road
DATE AND TIME: Tuesday, October 8, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 113, 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 from Section 1 B02.3.c.1 to permit a minimum side yard setback of five feet instead of the required ten feet and a sum of ten feet instead of the required twenty-five feet.

Being the property of Rose Claire Garliss 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

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
N/S Estella Rd., 377' : OF BALTIMORE COUNTY
W of York Rd., 8th Dist. :
ROSE CLAIRE GARLISS, : Case No. 86-147-A
Petitioner :
: : : : :
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.

SEP 27 AM
☐ A
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☐ Z
ZONING DEPARTMENT

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 11th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to Rose Claire Garliss, 854 Bosley Ave., Towson, MD 21204, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

October 3, 1985

Ms. Rose Claire Garliss
854 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Variance
N/S Estella Rd., 377' W/York Rd.
8th Election District
Rose Claire Garliss, Petitioner
Case No. 86-147-A

Dear Ms. Garliss:

This is to advise you that \$59.75 is due for advertising an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

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

Sincerely,
Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

**86-147-A
CERTIFICATE OF PUBLICATION**

TOWSON, MD., September 18th, 1985.

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on September 18th, 1985.

TOWSON TIMES,

B. Kentz
Publisher

34.00

**PETITION FOR VARIANCE
8th Election District**
LOCATION: North side of Estella Road, 377' West of York Road
DATE AND TIME: Tuesday, October 8, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 113, 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 from Section 1 B02.3.c.1 to permit a minimum side yard setback of five feet instead of the required ten feet and a sum of ten feet instead of the required twenty-five feet.
Being the property of Rose Claire Garliss 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

