

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 23, 1985

Mr. and Mrs. George Dunks
2405 Birch Road
Baltimore, Maryland 21207

RE: PETITION FOR VARIANCE
S/S of Birch Drive, 100' E of
Locust Drive (2405 Birch Dr.)
1st Election District
George Dunks, et ux,
Petitioners
Case No. 86-258-A

Dear Mr. and Mrs. Dunks:

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: People's Counsel

MAP 112-35
2B
F.D. 1
DATE 12-23-85
200
1000
DP

86-258-A
#153

IN RE: PETITION FOR VARIANCE
S/S of Birch Drive, 100' E of
Locust Drive (2405 Birch Dr.)
1st Election District
George Dunks, et ux,
Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-258-A

The Petitioners herein request a variance to permit a side setback of one foot in lieu of the required ten feet.

Testimony by one of the Petitioners indicated that since both he and his wife are 79 years old, the present arrangement of the house with no bathroom on the main level is difficult for them. In their desire to remain in their home and neighborhood, they propose to enclose an existing porch to provide a bathroom and small sitting room. There were no protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) 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, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 23rd day of December, 1985, that the herein Petition for Variance to permit a side setback of one foot in lieu of the required ten feet, in accordance with the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. All water runoff shall be retained on the property.

Jean M. H. Jung
Deputy Zoning Commissioner
for Baltimore County

JMHJ:bg

PETITION FOR VARIANCE
1st Election District

LOCATION: Southside of Birch Drive, 100 feet East of Locust Drive (2405 Birch Drive)
DATE AND TIME: Monday, December 23, 1985 at 9:00 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 from Section 1B02 3C-1 to permit a side setback of 1 foot in lieu of the required 10 feet.

Being the property of George Dunks, 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

RE: PETITION FOR VARIANCE
S/S of Birch Dr., 100' E of
Locust Dr. (2405 Birch
Dr.), 1st District
GEORGE DUNKS, et ux,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-258-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
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 26th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. George Dunks, 2405 Birch Road, Baltimore, MD 21207, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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 1B02 3C-1 to permit a side setback of 1 foot in lieu of the required 10 feet.

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

Advanced age of owners - need for bathroom on first floor.
Failing eyesight of both owners.
Most logical place to put extension (enclosing existing porch).

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.

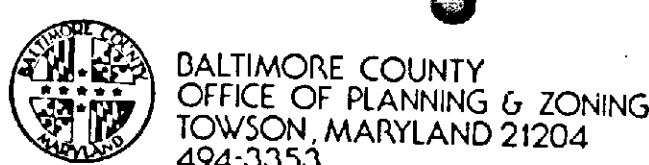
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

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.:
Legal Owner(s):
XX *George Dunks*
(Type or Print Name)
XX *Ellen V. Dunks*
Signature
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
City and State
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of November, 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 23rd day of December, 1985, at 9:00 o'clock.

Arnold Jablon
Zoning Commissioner of Baltimore County.

(over)



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 17, 1985

C. Victor McFarland
Representative of Estate of Lillian W. Wolfe
1002 Frederick Road
Baltimore, Maryland 21228

Re: Petition for Variance
N/S Offutt Rd., 3,000' W of the c/l
of Chapman Rd. (2656 Offutt Rd.)
2nd Election District
Estate of Lillian W. Wolfe - Petitioner
Case No. 86-259-A

Dear Mr. McFarland:

This is to advise you that \$49.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 12-23-85 ACCOUNT R-01-615-000
AMOUNT 49.00
RECEIVED Mrs. George Dunks et ux
FOR Advertising & Posting 86-258-A
BY *****A30012 23325
VALIDATION OF SIGNATURE OF CASHIER

BEGINNING at a point on the south side of Birch Road (50' wide) 100' east of the extension of Locust Drive and being lot 14, Block "2" as shown on the plat of Larchmont, which is recorded in the Land Records of Baltimore County in Liber 7 Folio 16. Known as 2405 Birch Road in the 1st Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 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 December 5, 1985.

THE JEFFERSONIAN,

W. B. Kestel
Publisher
Cost of Advertising
22.00

LEGAL NOTICE

PETITION FOR VARIANCE
S/S of Birch Drive, 100 feet East of Locust Drive (2405 Birch Drive)
DATE AND TIME: Monday, December 23, 1985 at 9:00 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 from Section 1B02 3C-1 to permit a side setback of 1 foot in lieu of the required 10 feet. Being the property of George Dunks, 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.

CERTIFICATE OF PUBLICATION

72292

Pikesville, Md., Dec. 4, 1985

CERTIFY, that the annexed advertisement was published in THE NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 23rd day of December, 1985.

publication appearing on the
day of Dec., 1985
publication appearing on the
day of Dec., 1985
the third publication appearing on the
day of Dec., 1985

THE NORTHWEST STAR

W. B. Kestel
Manager

Cost of Advertisement \$22.00

Mr. & Mrs. George Dunks
2405 Birch Drive
Baltimore, Maryland 21207

November 22, 1985

NOTICE OF HEARING

Re: Petition for Variance
S/S Birch Drive, 100' E of Locust Drive
(2405 Birch Drive)
1st Election District
Case No. 86-258-A

TIME: 9:00 a.m.
DATE: Monday, December 23, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

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

No. 012340

DATE: 12/15/85 ACCOUNT: R-01-615-000

AMOUNT: \$ 35.00

RECEIVED FROM: George Dunks

FOR: fly for p. 10/15/85

VALIDATION OR SIGNATURE OF CASHIER

10/11/85 #152 Rec'd - 10-21-85
10-640-85
RE: VARIANCE FOR
2405 BIRCH DR. (ROAD)
LARCHMONT

GENTLEMEN

THE PROPERTY OWNERS ARE IN THEIR 70'S
AND ARE IN GREAT NEED FOR THE
ADDED CONVENIENCE: FIRST FLOOR BATH
CLIMBING STAIRS AND FADING EYESIGHT
MAKES LIFE DIFFICULT FOR THEM.

FOR FEAR OF THEM FALLING, I RESPECTFULLY
REQUEST AN EARLY RESPONSE SO THE
IMPROVEMENT CAN BE ACCELERATED.

Sincerely,
George Dunks
944-7274
GW CONSTRUCTION, INC.
10-21-85

Note: Mr. Wiest if call Mr. D. on
Wed. 10/30/85 re:
request for early hearing.

To the Office of Zoning Commissioner
Baltimore County, Maryland

Re: 2405 Birch Rd., - 1st Election District
Larchmont - 21207

Dear Sir:

We own the property next door to 2405 Birch Rd., adjoining the east side of said
property.

We understand that Mr. & Mrs. Dunks would like to enclose their side porch for
an additional bath.

We have no objection whatsoever.

Sincerely,

Molash M. Willott
8407 Birch Dr.
299 8619

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: November 26, 1985

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

SUBJECT: Zoning Petition No. 86-248-A, 86-251-A, 86-258-A, and 86-259-A

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

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director

NEG:JGH:slm

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-258-A

District: 1st Date of Posting: 12-5-85

Posted for: Variance

Petitioner: George Dunks, et al

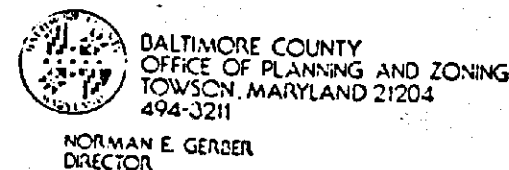
Location of property: S/S of Birch Drive, 100' E of Locust Drive
(2405 Birch Drive)

Location of Sign: On front of 2405 Birch Drive

Remarks:

Posted by: [Signature] Date of return: 12-12-85

Number of Signs: 1



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

NOVEMBER 25, 1985

Re: Zoning Advisory Meeting of NOVEMBER 5, 1985
Item #152
Property Owner: GEORGE DUNKS, et al
Location: S/S BIRCH RD. 100' E. OF
LOCUST DRIVE

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 22-39 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,
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 "g" level
traffic capacity may become more limited. The Basic Services Areas
are re-evaluated annually by the County Council.
- () Additional comments:

cc: James Hoswell

Eugene A. Boher
Chief, Current Planning and Development



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

STEPHEN E. COLLINS
DIRECTOR

November 18, 1985

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

Item No. -ZAC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 151,
152, 153, 155, 156, & 159.

NSP/bld

Michael S. Flanagan
Traffic Engineer Associate II



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

December 6, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 152 Zoning Advisory Committee Meeting are as follows:

Property Owner: Georges Dunks, et al
Location: S/S Birch Road, 100 feet E of Locust Drive
District: 1st.

APPLICABLE ITEMS ARE CIRCLED:

- (1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85,
the Maryland Code for the Handicapped and Age (A.S.I. #11-1 - 1980) and other applicable Codes and Standards.
- (1) A building and other miscellaneous permits shall be required before the start of any construction.
- (1) 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.
- (1) 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.
- (1) All the Groups except B-1 Single Family Detached dwellings require a minimum of 1 hour fire rating for
exterior walls closer than 6'-0" to an interior lot line. B-1 Single Family Detached dwellings 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 101, Section 107, Section 106.1 and Table 102. No openings are permitted in an
exterior wall within 3'-0" of an interior lot line. A vent wall shall be a 1 hour fire rated
construction without any openings.
- (1) 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.
- (1) The requested variance appears to conflict with Section(s) [] of the Baltimore
County Building Code.
- (1) When filing for a required Change of Use/Accessory Permit, an alternative 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 Use Groups are from Use [] to Use [] or
to Mixed Use [] See Section 313 of the Building Code.
- (1) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached
copy of Section 514.0 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct
elevations above sea level for the lot and the finish floor levels including basement.
- (1) Comments:
- (1) These abbreviated comments reflect only on the information provided by the user 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 129 of the County Office Building at
V. Chesapeake Avenue, Towson, Maryland 21204.



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

PAUL H. REINCKE
CHIEF

November 21, 1985

Mr. Arnold Jablon
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: George Dunkes, et ux

Location: S/S Birch Road, 100 feet E of Locust Drive

Item No.: 152

Zoning Agenda: Meeting of November 5, 1985

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.

- (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.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved:

Fire Prevention Bureau

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 6, 1985

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

o0o

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. and Mrs. George Dunkes
2405 Birch Road
Baltimore, Maryland 21207

RE: Item No. 152 - Case No. 86-258-A
Petitioners - George Dunkes, et ux
Variance Petition

Dear Mr. and Mrs. Dunkes:

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:nr

Enclosures

cc: Mr. George J. Wist
G W Construction, Inc.
1912 Greengate Road
Baltimore, Maryland 21207

MICROFILMED

MAP COORDINATES
33 G 7

PLAT FOR ZONING VARIANCE

OWNER: GEORGE + ELLEN DUNKES
(944-3262)

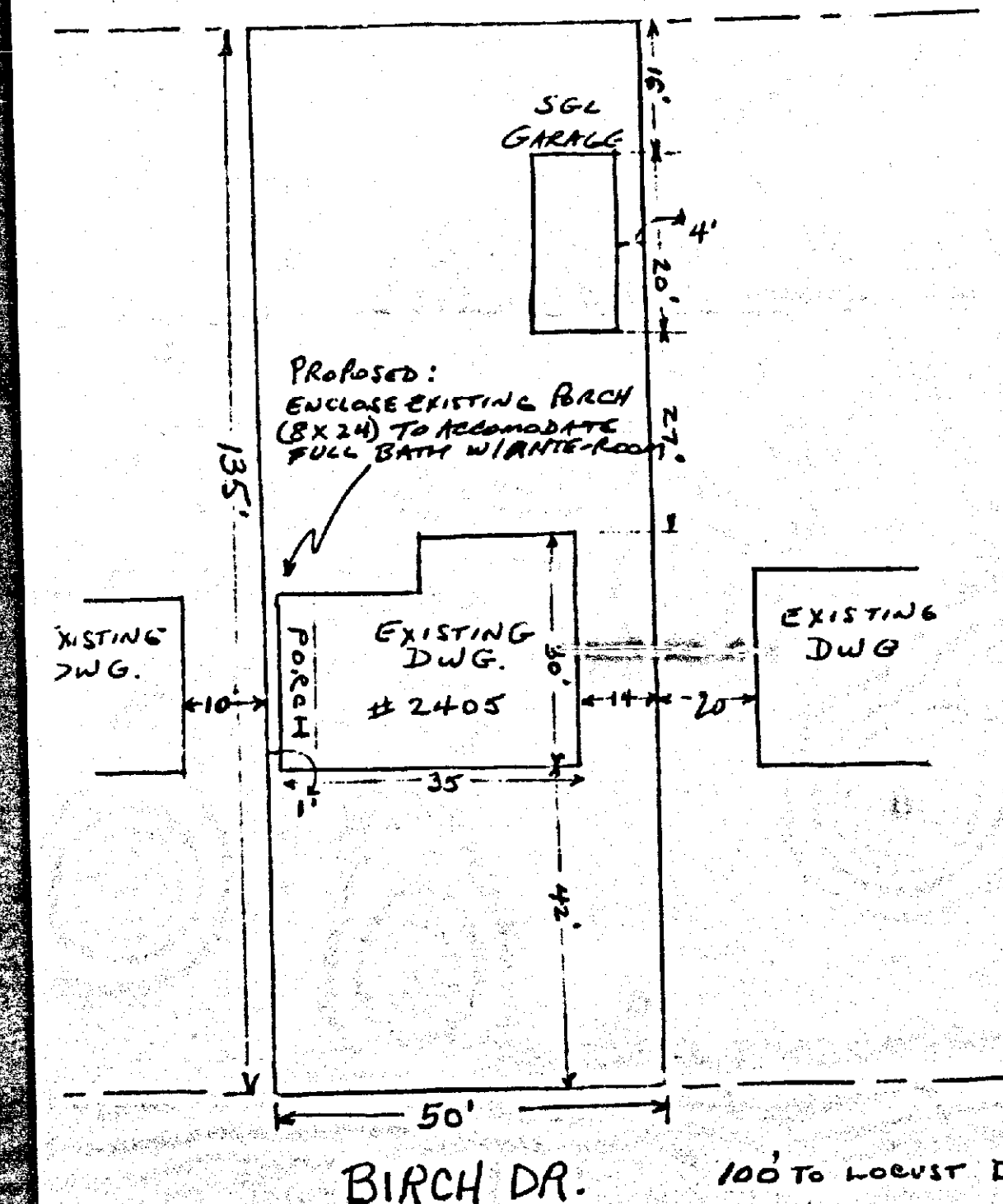
DISTRICT: 1ST ZONED DR55

SUBDIVISION: LARCHMONT

LOT #14 BLK 2 BOOK 7 PG 16

EXISTING PUBLIC WATER SEWER

VICINITY



MICROFILMED