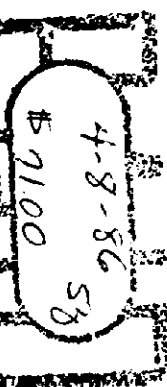


MAP FILE
4C
E.D. 9
DATE 1-20-87
200
100
DP

86-395-A
4864



86-395-A
4864

William John Theiss, Jr., et ux
NE/S Powderhorn La., opposite
Buckhorn Rd. (9535 Powderhorn La.)
9th Elec. Dist.



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 11, 1986

Mr. William John Theiss, Jr.
9535 Powderhorn Lane
Baltimore, MD 21234

RE: PETITION FOR VARIANCE
NE/S of Powderhorn Lane
opposite Buckhorn Road
(9535 Powderhorn Lane) -
9th Election District
William John Theiss, Jr.,
et ux, Petitioners
Case No. 86-395-A

Dear Mr. Theiss:

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

IN RE: PETITION FOR VARIANCE
NE/S of Powderhorn Lane
opposite Buckhorn Road
(9535 Powderhorn Lane) -
9th Election District
William John Theiss, Jr.,
et ux, Petitioners
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-395-A

The Petitioners herein request a variance to permit a side yard setback of 12 feet in lieu of the required 15 feet.

Testimony by the Petitioners indicated that they propose to enclose an existing 16' x 26' carport particularly for the benefit of an elderly member of the family who is confined to a wheelchair. In fact, the enclosure was completed under permit in 1985 before the Petitioners were informed that a variance was necessary. 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 11th day of April, 1986, that the herein Petition for Variance to permit a side yard setback of 12 feet in lieu of the required 15 feet, in accordance with the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

ORDER RECEIVED FOR FILING
DATE April 11, 1986
BY [Signature]

JMHJ:bg

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

Zoning Description

Beginning on the NE/S of Powderhorn La. Opposite the SE/S of Buckhorn Rd. extended. Being known and designated as Lot No. 3, Block B as shown on the Plat of Hunting Lodge which Plat is recorded among the Land Records of Baltimore County in Plat Book C.L.B. No. 23, Folio 2. The improvements thereon being known as No. 9535 Powderhorn Lane.

PETITION FOR ZONING VARIANCE

9th Election District

LOCATION: Northeast Side of Powderhorn Lane opposite Buckhorn Road (9535 Powderhorn Lane)

DATE AND TIME: Tuesday, April 8, 1986, at 9:45 a.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:

Petition for Zoning Variance to permit a side yard setback of 12 feet in lieu of the required 15 feet

Being the property of William John Theiss, Jr., et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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
NE/S Powderhorn La.
opposite Buckhorn Rd.
(9535 Powderhorn La.)
9th District
WILLIAM JOHN THEISS, JR.,
et ux, Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

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
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 18th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. William J. Theiss, Jr., 9535 Powderhorn Lane, Baltimore, MD 21234, 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 1802.3.5.1 to permit a side yard setback of 12 feet in lieu of the required 15 feet

1. To provide an area that my 86 year old mother, who is confined to a wheelchair, can sit for fresh air and not be disturbed by insects.
2. To provide an energy-saver for summer cooling; purpose- to cool kitchen without running air-conditioning units. (Conversely, will warm kitchen-side in winter.)
3. Area also to be used for therapeutic exercise equipment (health reasons)

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: William John Theiss, Jr.
(Type or Print Name)
Signature: *William John Theiss, Jr.*
Address: Dorothy Grace Theiss
(Type or Print Name)
City and State: *Dorothy Grace Theiss*
Signature
Attorney for Petitioner: 9535 Powderhorn Lane 661-3150
(Type or Print Name) Address Phone No.
Baltimore, MD 21234
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
William John Theiss, Jr.
Name
Address 9535 Powderhorn Lane 661-3150
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day

of March, 1986 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 8th day of April, 1986, at 9:45 o'clock

Arnold Jablon
Zoning Commissioner of Baltimore County.

(over)



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 2, 1986

Mr. William John Theiss, Jr.
Mrs. Dorothy Grace Theiss
9535 Powderhorn Lane
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE
NE/S Powderhorn La. opposite Buckhorn Rd.
(9535 Powderhorn La.)
9th Election District
William John Theiss, Jr., et ux - Petitioners
Case No. 86-395-A

Dear Mr. and Mrs. Theiss:

This is to advise you that \$71.00 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 until the time it is placed by self.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 018568
DATE 4/9/86 ACCOUNT 8-01-613-002
SIGN & POST RETURNED 4/8/86 AMOUNT \$ 71.00
RECEIVED FROM Mr. J. Theiss, Jr.
FOR Advertising & Posting re Case #86-395-A
D 8017*****71.00\$ 80001
VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 20, 1986

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 20, 1986.

THE JEFFERSONIAN,

18 Kentish
Publisher

Cost of Advertising

22.00

86-395-A

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 19, 1986

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 March 19, 1986.

TOWSON TIMES,

18 Kentish
Publisher

34.00

86-395-A

Mr. William John Theiss, Jr.
Mrs. Dorothy Grace Theiss
9535 Powderhorn Lane
Baltimore, Maryland 21234

March 7, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S Powderhorn La. opposite Buckhorn Rd.
(9535 Powderhorn La.)
9th Election District
William John Theiss, Jr., et ux - Petitioners
Case No. 86-395-A

TIME: 9:45 a.m.

DATE: Tuesday, April 8, 1986

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

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

No. 018305

DATE 1/21/86 ACCOUNT 01-615-000

AMOUNT \$ 35.00

RECEIVED FROM William J. Theiss Jr.

FOR Variance # 264

86395*****3500 8214F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: March 24, 1986

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

SUBJECT: Zoning Petition Nos. 86-386A, 86-387A, 86-388A, 86-389A, 86-394A, 86-395A, 86-397A

There are no comprehensive planning factors requiring comment on this petition.

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

NEG/JGH/dml

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 14, 1986

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

Mr. William John Theiss, Jr.
9535 Powderhorn Lane
Baltimore, Maryland 21234

RE: Item No. 264 - Case No. 86-395-A
William J. Theiss, Jr., et ux -
Petitioners
Variance Petition

Dear Mr. Theiss:

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3311
NORMAN E. GERBER
DIRECTOR

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

MARCH 19, 1986

Re: Zoning Advisory Meeting of February 4, 1986
Item # 264
Property Owner: WILLIAM J. THEISS, JR., et ux
Location: NE/S POWDERHORN LA. OPPOSITE
BUCKHORN 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.
- ☐ 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 22-55 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 1/21/86.
- ☐ Landscaping must comply with Baltimore County Landscape Manual, 1981 118-79. 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 118-79, and as conditions change are re-evaluated annually by the County Council.
- ☐ Additional comments:

cc: James Howell

Euphonia A. Boler
Chief, Current Planning and Development

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

PAUL H. REINCKE
CHIEF

February 18, 1986

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: William J. Theiss, Jr.

Location: NE/S Powderhorn Lane opposite Buckhorn Road

Item No.: 264 Zoning Agenda: Meeting of 2-4-86

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.
- ☒ 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 comment at this time.

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

Noted and Approved: *John F. O'Neill*
Fire Prevention Bureau

/mb

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 3/15/86

Posted for: Variance

Petitioner: William John Theiss, Jr. et ux

Location of property: NE/S Powderhorn Lane opposite Buckhorn Rd.

Location of Signs: NE/S Powderhorn Lane, across 9th Ex. Rd. Hwy.

Remarks: As per City of Baltimore

Posted by: *W. Howell*

Date of return: 3/15/86

Number of Signs: 1

Case No. 86-395-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 4th day of March, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner William J. Theiss, Jr., et ux Received by: *James E. Dyer*
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee



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

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 264 Zoning Advisory Committee Meeting are as follows:

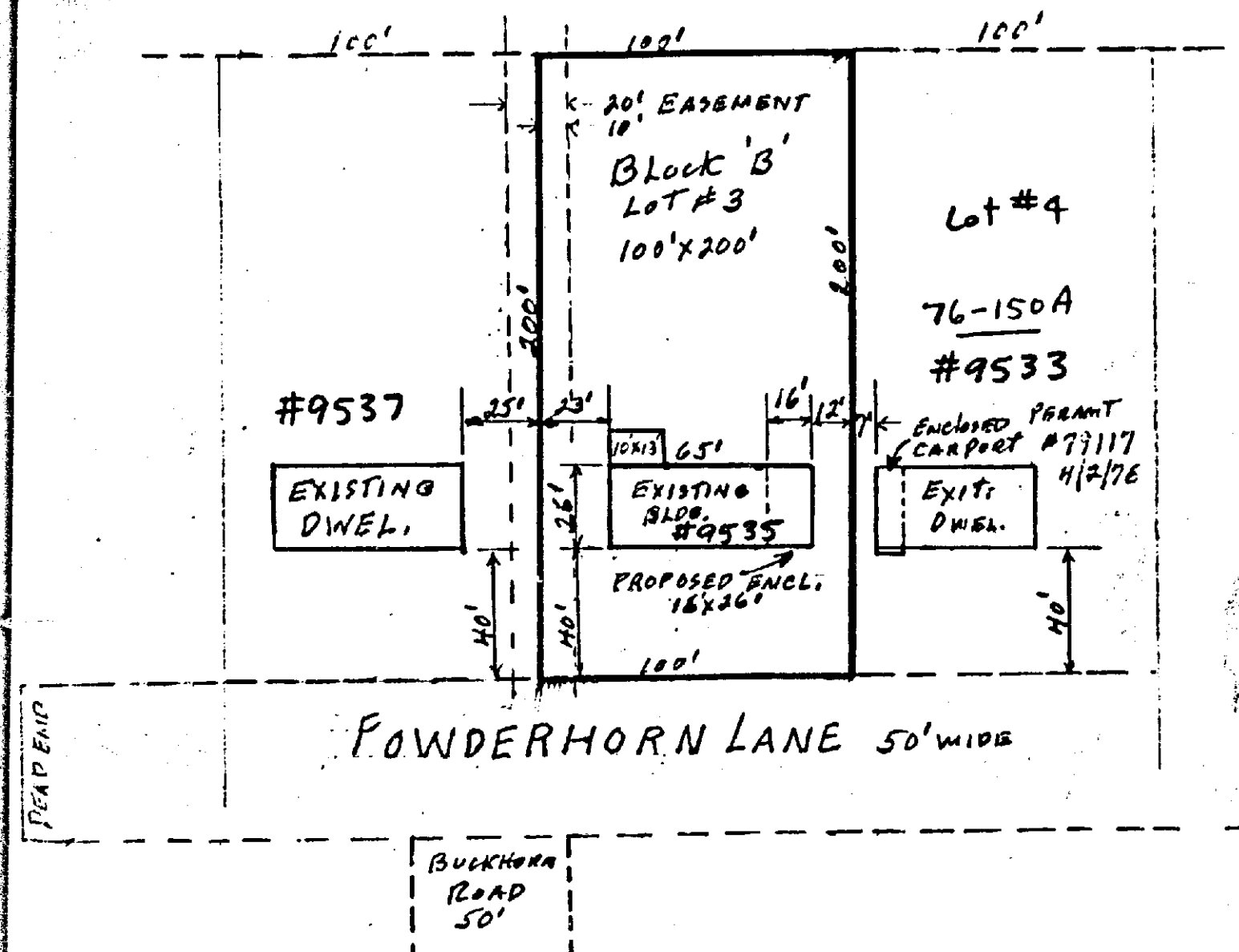
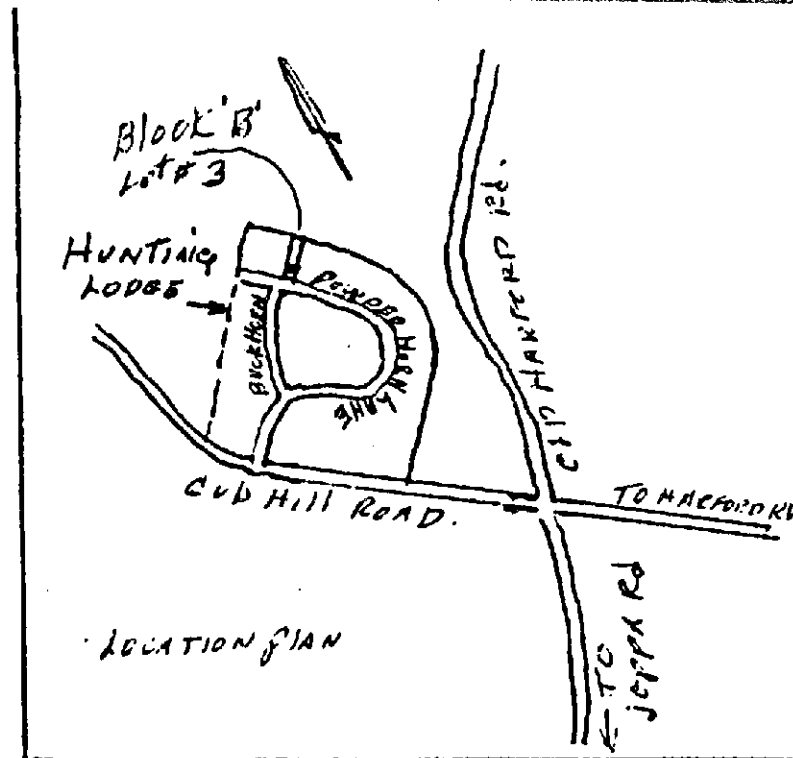
Property Owners: William J. Theiss, Jr., et ux
Location: NE/S Powderhorn Lane opposite Buckhorn Road
Districts: 9th.

APPLICABLE ITEMS ARE CIRCLED:

- A. 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.
- B. A building and other miscellaneous permits shall be required before the start of any construction.
- C. 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.
- D. 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.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-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 1401, Section 1407, Section 1406.2 and Table 1402. 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 1401 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. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 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.
- 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 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles P. Lumb
BY: C. E. Burnham, Chief
Building Plans Review

L/22/85



PETITION FOR ZONING VARIANCE
Owner- William John, Jr., and Dorothy Grace Theiss
District- 9 Zoning DR-2
Subdivision- Hunting Lodge
Lot No. 3, Block B Book G.L.B. No. 23, folio 2.
Existing property- 9535 Powderhorn Lane
Scale- 1" = 50'

264