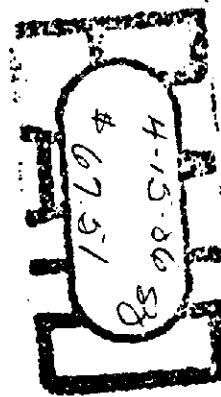


MAP 1120-1-5
20
E.D. 4
DATE 1-22-87
200
1000
DP

Kenneth D. Kocher, et al
73' S of Ewing Drive,
338' E of Hammershire Road,
(21 Ewing Drive) -
4th Election District.

86-410-A
215



IN RE: PETITION FOR VARIANCE
73' S of Ewing Drive,
338' E of Hammershire Road
(21 Ewing Drive) -
4th Election District
Kenneth D. Kocher, et al,
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-410-A

The Petitioners herein request a variance to permit a projection of 9 1/2 feet in lieu of the permitted 6 1/2 feet.

Testimony by the Petitioners indicated that the permitted 6 1/2 foot deck would not be functional, whereas the requested 9 1/2 foot deck would allow for the placement of a table, chairs and chaise lounges. The proposed location of the deck is adjacent to sliding glass doors. The front of the building aesthetically could not be utilized. 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 16th day of April, 1986, that the herein Petition for Variance to permit a projection of 9 1/2 feet in lieu of the permitted 6 1/2 feet, in accordance with the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

DATE April 16, 1986
BY JMHJ:ng
ADMINISTRATIVE ASSISTANT

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

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 16, 1986

Mr. Kenneth D. Kocher
21 Ewing Drive
Reisterstown, MD 21136

RE: PETITION FOR VARIANCE
73' S of Ewing Drive,
338' E of Hammershire Road
(21 Ewing Drive) -
4th Election District
Kenneth D. Kocher, et al,
Petitioners
Case No. 86-410-A

Dear Mr. Kocher:

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:ng
Attachments
cc: People's Counsel

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 Variance from Section 1902-3B, 217-5(301-1) to permit a projection of 9.5 feet in lieu of the permitted 6.25 feet (see case no. 78-49-A).

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

1. The 6.25 feet width for a deck is not a practical size. The width would accommodate normal size lounge chairs and have room to move around them.
2. Entertaining on the allowed width is not practical.

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 _____

Legal Owner(s): (Type or Print Name) *Andrew S. Bauerlium*
Signature *Andrew S. Bauerlium*
(Type or Print Name) *Kenneth D. Kocher*
Signature *Kenneth D. Kocher*

Attorney for Petitioner: (Type or Print Name) _____
Signature _____
Address _____
City and State _____

21 Ewing Drive 771-4221 (w)
Address Phone No.
Reisterstown, Md. 21136
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name _____
Address _____
Phone No. _____

Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 13th 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 15th day of April, 1986, at 9:30 o'clock.

Arnold Jablon
Zoning Commissioner of Baltimore County.
(over)

Case No. 86-410-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 13th day of March, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Kenneth D. Kocher, et al
Petitioner's Attorney

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

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: March 28, 1986

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

SUBJECT: Zoning Petition Nos. 86-404-A, 86-405-A, 86-406-A, 86-410-A

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

Norman E. Gerber
NORMAN E. GERBER, AICM, Director
Office of Planning and Zoning

NES/JGH/dai

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
March 21, 1986

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

Mr. Kenneth D. Kocher
21 Ewing Drive
Reisterstown, Maryland 21136

Chairman

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

RE: Item No. 275 - Case No. 86-410-A
Petitioners - Kenneth D. Kocher, et al
Variance Petition

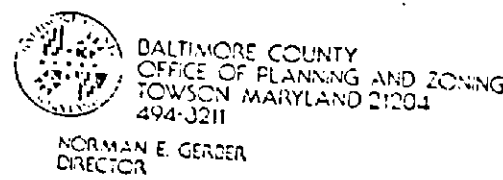
Dear Mr. Kocher:

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



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

MARCH 24, 1986

Re: Zoning Advisory Meeting of FEBRUARY 11, 1986
Item # 275 KENNETH D. KOCHER, et al
Property Owner: 73' S. Ewing Drive, 338'
Location: E. HAMMERSHIRE RD.

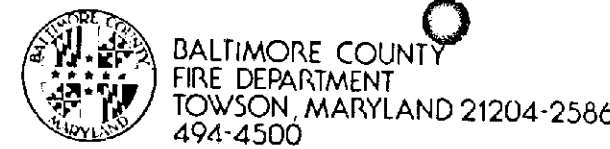
Dear Mr. Jablon:

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 calculation 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 22-99 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 [blank].
- ☒ 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 [blank].
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 172-79, and as conditions change are reevaluated annually by the County Council.
- ☒ Additional comments: [blank]

cc: James Roswell

Eugene A. Sober
Chief, Current Planning and Development



PAUL H. REINCKE
CHIEF

February 20, 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: Kenneth D. Kocher

Location: 73' S Ewing Dr. 338' E Hammershire Rd.

Item No.: 275 Zoning Agenda: Meeting of 2-11-86

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 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.

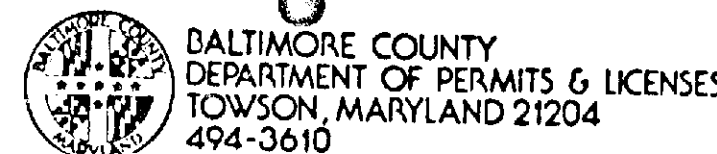
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group
Special Inspection Division

/mb



TED ZALESKI, JR.
DIRECTOR

February 11, 1986

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

Dear Mr. Jablon:

Comments on Item # 275 Zoning Advisory Committee Meeting are as follows:

Property Owner: Kenneth D. Kocher, et al
Location: 73 feet S Ewing Drive, 338 feet E Hammershire Road
District: 4th.

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.B.S.I. #17-1 - 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/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. Reproduced seals are not acceptable.
- ☒ 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 25' or more interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1407. 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 Use Groups are 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, 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 finished floor levels including basement.
- ☒ Comments: Porch decks shall be designed for a 60 lb. live load. Guard rails shall comply to Section 627.0 when required. All wood shall be approved durable or pressure treated as required in Section 1315.4.
- ☒ 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 Chesapeake Avenue, Towson, Maryland 21204.

4/27/86

DESCRIPTION FOR VARIANCE

Beginning at a point _____ feet south of the centerline of Ewing Drive (25 feet wide), 338 feet east of Hammershire Road and being Unit "A" Building 7-10, as shown of the plot of Brookshire Condominium No. Two, Phase 14, which is recorded in the Land Records of Baltimore County in Condominium Plat Book 6, Folio 63.

Known as 21 Ewing Drive in the 4th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

86-410-A

District: 4th Date of Posting: 3-25-86

Posted for: [Signature]

Petitioner: Kenneth D. Kocher, et al

Location of property: 73' S of Ewing Drive, 338' East of Hammershire Road (21 Ewing Drive)

Location of Sign: [Signature]

Remarks: [Signature]

Posted by: [Signature] Date of return: 3-31-86

Number of Signs: 1

PETITION FOR ZONING VARIANCE

4th Election District

LOCATION: 73 feet South of Ewing Drive, 338 feet East of Hammershire Road (21 Ewing Drive)

DATE AND TIME: Tuesday, April 15, 1986, at 9:30 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 projection of 9.5 feet in lieu of the permitted 6.25 feet (see previous Case No. 78-49-A)

Being the property of Kenneth D. Kocher, et al, 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 : BEFORE THE ZONING COMMISSIONER
73' S Ewing Dr., 338' E. : OF BALTIMORE COUNTY
Hammershire Rd. (21 Ewing Dr.) :
4th District :

KENNETH D. KOCHER, et al : Case No. 36-410-A
Petitioner(s) :

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.

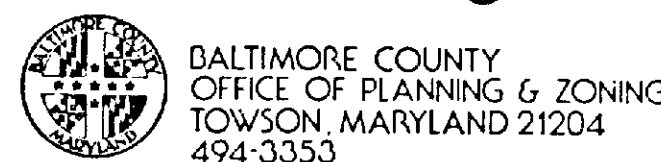
[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
(301) 494 - 2188

I HEREBY CERTIFY that on this 26th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to Kenneth D. Kocher and Andrew S. Bauerlien, 21 Ewing Dr., Reisterstown, MD 21136, Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

5304
5305



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 9, 1986

Mr. Kenneth D. Kocher
Mr. Andrew S. Bauerlien
21 Ewing Drive
Reisterstown, Maryland 21136

RE: PETITION FOR ZONING VARIANCE
73' S of Ewing Dr., 338' E of Hammershire Rd.
(21 Ewing Dr.)
4th Election District
Kenneth D. Kocher, et al - Petitioners
Case No. 86-410-A

Dear Mr. Kocher and Mr. Bauerlien:

This is to advise you that \$67.51 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 itself.

BALTIMORE COUNTY, MARYLAND No. 018588
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

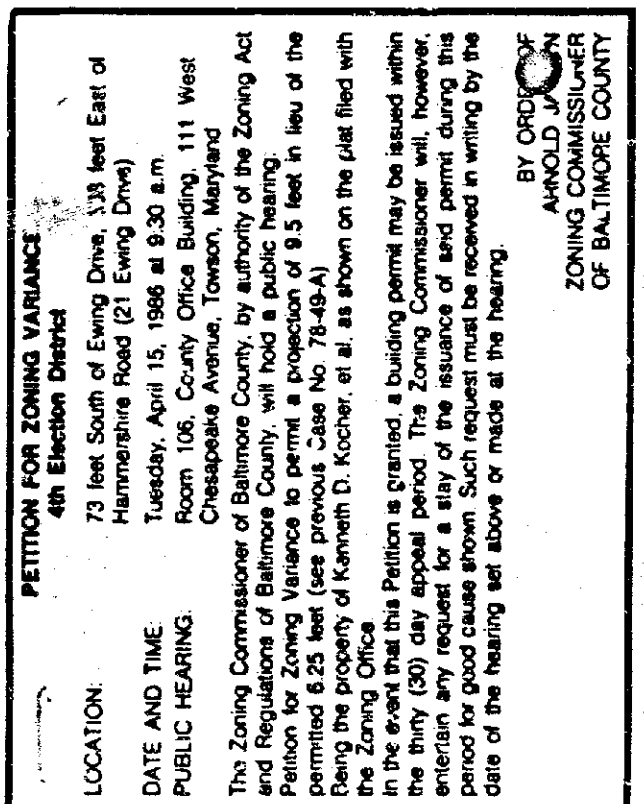
DATE: 4/15/86 ACCOUNT: 001-410-000
SIGN & POST RETURNED
4/15/86 AMOUNT: \$ 67.51

RECEIVED FROM: Kenneth D. Kocher

FOR: Advertising & Posting re Case 86-410-A

8615*****07,113 018588

VALIDATION OR SIGNATURE OF CASHIER



TY NEWSPAPERS OF MARYLAND, INC.

estminster, Md., Mar. 27, 19 86

By that the annexed Reg. # 87640, P.C. # 75291 (1) successively weeks/days previous of March, 19 86, in the

nty Times, a daily newspaper published in Westminster, Carroll County, Maryland. n News, a weekly newspaper published in Baltimore County, Maryland. Times, a weekly newspaper published in Baltimore County, Maryland. TY NEWSPAPERS OF MARYLAND, INC.

Per: [Signature]

March 14, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
73' S Ewing Dr., 338' E of Hammershire Rd.
(21 Ewing Drive)
4th Election District
Kenneth D. Kocher, et al - Petitioners
Case No. 86-410-A

TIME: 9:30 a.m.

DATE: Tuesday, April 15, 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. 018337

DATE 1/30/86 ACCOUNT 01-615

AMOUNT \$ 35.00

RECEIVED FROM: KENNETH H. KOCHER

FOR: FILING FACTOR VARIANCE ITEM 275

H B023*****35701a 5308F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____, March 27 86, 19--

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 27 1886

THE JEFFERSONIAN,

Cost of Advertising

24.75

86-410-A

**PETITION FOR ZONING
VARIANCE**
4th Election District

LOCATION: 73 feet South of Ewing Drive, 338 feet East of Hammershire Road (21 Ewing Drive)
DATE AND TIME: Tuesday, April 15, 1985, at 9:30 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 projection of 9.5 feet in lieu of the permitted 6.25 feet (see previous Case No. 78-49-AF).

Being the property of Kenneth E. Kocher, et al, as shown on plat plan of record.

In the event that this Petition(s) granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, ascertain any request 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 on or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Mar. 27.

PROPOSED FOR: KENNETH D. #21 EWING DR.
REISTERSTOWN, MD. 21136

275

