

87-139-A

#45

SE/cor. of Tenbury and Alston Rds.
(1 Alston Rd.)

9th Elec. Dist.

8/19/86

Variance - filing fee \$35.00 - John H. Gochnauer, Jr.

8/19/86

Hearing set for 9/29/86, at 10:00 a.m.

9/29/86

Advertising and Posting - \$78.00

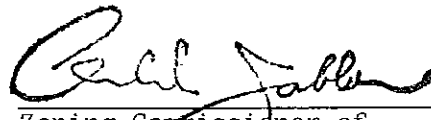
9/29/86

Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit a side yard setback of 7' in lieu of the required 8' and a rear yard setback of 16' in lieu of the required 30' is GRANTED with conditions.

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/~~would not~~ result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the variance(s) requested ~~will~~/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of September, 19 86, that the Petition for Zoning Variances to permit a side yard setback of 7 feet in lieu of the required 8 feet and a rear yard setback of 16 feet in lieu of the required 30 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for his building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



 Zoning Commissioner of
 Baltimore County

AJ/srl

cc: Mr. John H. Gochnauer, Jr.

People's Counsel

45

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.B (211.3, 211.4) to permit a side yard setback of 7 feet and a rear yard setback of 16 feet in lieu of the required 8 ft. and 30 ft. respectively.

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

1. It would be impossible to locate porch anywhere else on property.
2. Would like area to sit out and not be bothered with wind, rain, bugs, etc.
3. Insulate the back of my home to keep it warmer in winter.

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: _____
 (Type or Print Name)
 City and State: _____
 Signature: _____

Legal Owner(s):
 John H. Gochbauer, Jr.
 (Type or Print Name)
 Signature: _____
 Address: _____
 (Type or Print Name)
 City and State: _____
 Signature: _____

MAP 116-12-P
 3C
 E.D. 9
 4-21-87
 200
 100
 DP

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

1 Alston Road
 Address
 Phone No. 828-7669
 Lutherville, MD. 21093
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 John H. Gochbauer, Jr.
 Name
 Address _____
 City and State _____

1 Alston Road
 Address
 Phone No. 828-7669
 Lutherville, MD. 21093

Attorney's Telephone No.: _____
 Address _____
 City and State _____

1 Alston Road
 Address
 Phone No. 828-7669
 Lutherville, MD. 21093

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 _____ day of _____, 1986, at _____ o'clock _____ A.M.

Carl J. Ball
 Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
 Date 8/23/86
 By _____

ORDER RECEIVED FOR FILING
 Date 8/23/86
 By _____

ZONING DESCRIPTION

Beginning on the SE/Cor. of Tenbury and Alston Roads, being lot # 16, Block C, on the plat of Green Ridge Garden Book # 22 Folio 145, Containing approximately 8,000 Sq. Ft. in the 9th Election District. Also known as #1 Alston Road.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SE Corner of Tenbury & Alston : OF BALTIMORE COUNTY
 Rds. (1 Alston Rd.) :
 9th District :
 JOHN H. GOCHBAUER, JR., : Case No. 87-139-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.

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, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 27th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. John H. Gochbauer, Jr., 1 Alston Rd., Lutherville, MD 21093, Petitioner.

Peter Max Zimmerman
 Peter Max Zimmerman

Mr. John H. Gochbauer, Jr.
1 Alston Road
Lutherville, Maryland 21093

August 22, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
 SE/cor. of Tenbury and Alston Rds.
 (1 Alston Rd.)
 9th Election District
 John H. Gochbauer, Jr. - Petitioner
 Case No. 87-139-A

TIME: 10:00 a.m.
 DATE: Monday, September 29, 1986
 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Carl J. Ball
 Zoning Commissioner
 of Baltimore County

BALTIMORE COUNTY, MARYLAND No. 025803
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE 7/23/86 ACCOUNT 01-615-000
 AMOUNT \$ 35.00
 RECEIVED FROM John H. Gochbauer
 FOR Variance # 45
 B 8056*****35001a 228F
 VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCES

9th Election District

Case No. 87-139-A

LOCATION: Southeast Corner of Tenbury and Alston Roads
 (1 Alston Road)
 DATE AND TIME: Monday, September 29, 1986, at 10:00 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 Variances to permit a side yard setback of 7 feet and a rear yard setback of 16 feet in lieu of the required 8 feet and 30 feet respectively

Being the property of John H. Gochbauer, Jr., 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 JARLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY



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

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 23, 1986

Mr. John H. Gochbauer, Jr.
 1 Alston Road
 Lutherville, Maryland 21093

RE: PETITION FOR ZONING VARIANCES
 SE/cor. of Tenbury and Alston Rds.
 (1 Alston Rd.)
 9th Election District
 John H. Gochbauer, Jr. - Petitioner
 Case No. 87-139-A

Dear Mr. Gochbauer:

This is to advise you that \$78.00 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 itself.

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

BALTIMORE COUNTY, MARYLAND No. 025540
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE 9/29/86 ACCOUNT 01-615-000
 NO POST AMOUNT \$ 78.00
 RECEIVED FROM John H. Gochbauer
 FOR Advertising & Posting 87-139-A
 B 8056*****78001a 228F
 VALIDATION OR SIGNATURE OF CASHIER

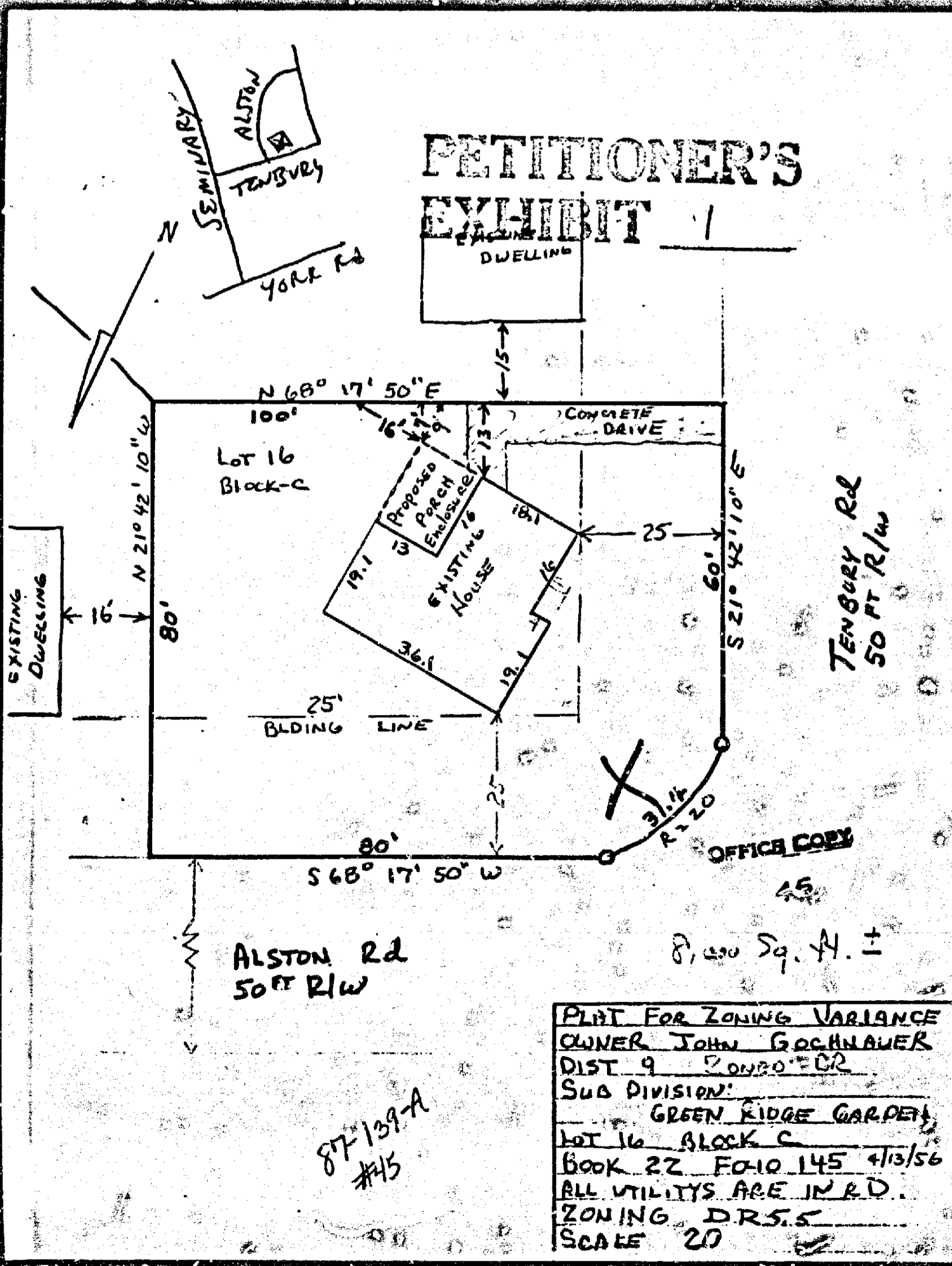
CERTIFICATE OF PUBLICATION

TOWSON, MD., September 21, 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 September 11, 1986

THE JEFFERSONIAN,

Susan Shuler Obrecht
 Publisher
 Cost of Advertising
 24.75

Advertisement for Zoning Variance
 16 Minutes Duration
 10:00 a.m. - 10:15 a.m.
 Location: Southeast Corner of Tenbury and Alston Roads (1 Alston Road)
 DATE AND TIME: Monday, September 29, 1986, at 10:00 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 Variances to permit a side yard setback of 7 feet and a rear yard setback of 16 feet in lieu of the required 8 feet and 30 feet respectively.
 Being the property of John H. Gochbauer, Jr., 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 JARLON, Zoning Commissioner of Baltimore County



PLAT FOR ZONING VARIANCE
 OWNER JOHN GOCHBAUER
 DIST 9
 SUB DIVISION: GREEN RIDGE GARDEN
 LOT 16 BLOCK C
 BOOK 22 FOLIO 145
 ALL UTILITIES ARE I.M.R.D.
 ZONING D.R.S.S
 SCALE 20'

87-139-A
 #15

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 10, 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 September 10, 1986.

TOWSON TIMES,

Susan Studer Osbert
Publisher

3825

NOTICE TO THE PUBLIC... CERTIFICATE OF PUBLICATION... TOWSON TIMES, SEPTEMBER 10, 1986...

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 2, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21284

- 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. John H. Gochbauer, Jr.
1 Alston Road
Lutherville, Maryland 21093

RE: Item No. 45 - Case No. 87-139-A
Petitioner: John H. Gochbauer, Jr.
Petition for Zoning Variance

Dear Mr. Gochbauer:

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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file.

Very truly yours,
James E. Dyer, Jr.
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures

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

PAUL H. REINCKE
CHIEF

August 15, 1986

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

RE: Property Owner: John Gochbauer, Jr.

Location: SE/corner Tenbury and Alston Roads

Item No.: 45

Zoning Agenda: Meeting of 8/19/86

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 100 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 [redacted] 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.

REVIEWER: [Signature] Noted and Approved: [Signature] Fire Prevention Bureau

/mb

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND RECEIVED
Legislative Session 1986, Legislative Day No. 15 AUG 12 1986
RESOLUTION NO. 39-86 ZONING OFFICE
Ms. Barbara Bachur, Councilwoman

By the County Council, August 4, 1986

A RESOLUTION concerning the public disclosure of John H. Gochbauer, Jr. WHEREAS, John H. Gochbauer, Jr., an employee with the Baltimore County Fire Department, is the owner of property located at 1 Alston Road, Lutherville, Maryland 21093, Fourth Councilmanic District, which property is or will be the subject to a Petition for Variance to enclose a patio; and WHEREAS, this Resolution is intended to serve as the public disclosure required by §22-11(e) of the Baltimore County Code. NOW, THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, that the interest of John H. Gochbauer, Jr. in the property described herein and the Petition for Variance in connection therewith does not contravene the public welfare.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-139-A

District: 9th Date of Posting: 8/29/86
Posted for: Variance
Petitioner: John H. Gochbauer, Jr.
Location of property: SE/corner Tenbury & Alston Rds.
Location of Signs: [redacted]
Remarks: [redacted]
Posted by: [Signature] Date of return: 9/5/86
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: September 3, 1986
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-118-A, 87-139-A, 87-140-A, 87-141-A, 87-142-5PH, 87-143-A, 87-147-A and 87-148-A

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

Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND LICENSING
TOWSON, MARYLAND 21204
494-3610

August 15, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
Dear Mr. Jablon:
Comments on Item # 45 Zoning Advisory Committee Meeting are as follows:
Property Owner: John H. Gochbauer, Jr.
Location: SE/C Tenbury and Alston Roads
District: 9th.

- APPLICABLE ITEMS ARE CIRCLED:
1. 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.S.C.G. #17-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. 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.
4. 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. Approved seals are not acceptable.
5. All the Group except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-4 The Group 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 on party wall. See Table 101, Section 100.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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 variances 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.
7. The requested variance appears to conflict with Section(s) [redacted] of the Baltimore County Building Code.
8. When filing for a required Change of the 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 Group are from the [redacted] to the [redacted] or on [redacted]. See Section 312 of the Building Code.
9. The proposed project appears to be located in a Flood Plain. Flood/Alleviation. Please see the attached copy of Section 510 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.
10. Comments:
11. 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 157 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]

8/22/86

August 26, 1986

RE: Zoning Advisory Meeting of August 19, 1986
Item # 45
Petitioner: JOHN H. GOCHBAUER, JR.
Location: SE/CORNER TENBURY & ALSTON RDS.

- 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.
[X] A County Review Group Meeting is required.
[X] A County Review Group Meeting was held and the minutes will be covered by the Bureau of Public Services.
[X] This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
[X] A record plat will be required and must be recorded prior to issuance of a building permit.
[X] The access is not satisfactory.
[X] The parking arrangement is not satisfactory.
[X] The parking calculations must be shown on the plan.
[X] This property contains soils which are defined as wetlands, and development on these soils is prohibited under the provisions of Section 22-53 of the Development Regulations.
[X] Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
[X] Development of this site may constitute a potential conflict with the amended Development Plan was approved by the Planning Board.
[X] A site plan must comply with Baltimore County Landscape Manual, Bill 178-79.
[X] To building permit may be issued until a Reserve Capacity Use Certificate has been issued.
[X] The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, 1984. As conditions change are re-evaluated annually by the Traffic Services Area.
[X] Additional comments:

cc: James Howell Eugene A. Gerber
Chief, Current Planning and Development

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 19th day of August, 1986.

Arnold Jablon
Zoning Commissioner
Petitioner: John H. Gochbauer, Jr. Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee
Attorney: [redacted]



Pets case 25