

87-185-A

W/S of Indian Head Rd., 1230' S of Darnall
Rd. (1806 Indian Head Rd.)

9th Elec. Dist.

89

9/24/86

Variance - filing fee \$35.00 - William D. Gould, Jr., et ux

9/24/86

Hearing set for 11/7/86, at 10:30 a.m.

11/7/86

Advertising and Posting - \$78.00

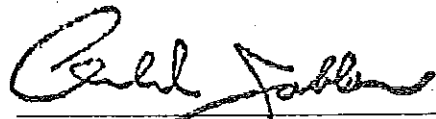
11/10/86

Ordered by the Zoning Commissioner that the Petition for Zoning Variances to permit a side yard setback of 5' in lieu of the required 20' and a sum of the side yard setbacks of 37' in lieu of the required 50' 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(s) 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 10th day of November, 19 86, that the Petition for Zoning Variances to permit a side yard setback of 5 feet in lieu of the required 20 feet and a sum of the side yard setbacks of 37 feet in lieu of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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: E. Harrison Stone, Esquire

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 a Variance from Section 1802.3.B.1202.31, For a sideyard variance of 5 feet in lieu of 20 feet; and a total sum of sideyards of 37 feet in lieu of 50 feet

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

Practical Difficulty

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 N 34,070 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:
E. Harrison Stone
(Type or Print Name)
Signature _____
Suite 600,
102 W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 823-1800

Legal Owner(s):
William D. Gould, Jr. and Barbara W. Gould
(Type or Print Name)
Signature _____
(Type or Print Name)
Signature _____
1806 Indian Head Rd. 821-5075
Address Phone No.
Towson, Md. 21204
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 24th day of September, 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 7th day of November, 1986, at 10:30 o'clock A.M.

(over)
Zoning Commissioner of Baltimore County.

CARL L. GERHOLD
PHILIP E. CROSS
JOHN F. ITZEL
WILLIAM G. ULBRICH
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

May 21, 1986

Zoning Description

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a pipe on the west side of Indian Head Road 1230 feet southerly measured along the west side of Indian Head Road from the south side of Darnall Road, thence binding on the west side of Indian Head Road, the two following lines viz: Southerly by a line curving to the right having a radius of 475 feet for an arc distance of 158.04 feet (the chord of said arc bearing South 45 degrees 28 minutes 06 seconds West 157.31 feet) and South 55 degrees 00 minutes West 11.33 feet, thence leaving said road and binding on the property lines of the petitioner herein, the five following courses and distances viz: North 35 degrees 00 minutes West 247.31 feet, North 53 degrees 42 minutes 40 seconds East 81.64 feet, South 57 degrees 28 minutes 43 seconds East 126.03 feet, North 35 degrees 56 minutes 10 seconds East 8 feet and South 50 degrees 01 minute 20 seconds East 113.48 feet to the place of beginning.

Being the property of the petitioners herein and shown on a plat filed with the Baltimore County Zoning Department.

Being known as 1806 Indian Head Road.



OFFICE COPY

RE: PETITION FOR VARIANCES
W/S of Indian Head Rd., 1230' S
of Darnall Rd. (1806 Indian
Head Rd.), 9th District
OF BALTIMORE COUNTY
WILLIAM D. GOULD, JR., et ux,
Petitioners
Case No. 87-185-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
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of October, 1986, a copy of the foregoing Entry of Appearance was mailed to E. Harrison Stone, Esquire, Suite 600, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

E. Harrison Stone, Esquire
Suite 600, 102 West Pennsylvania
Avenue
Towson, Maryland 21204

September 26, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
W/S of Indian Head Rd., 1230' S of Darnall Rd.
(1806 Indian Head Rd.)
9th Election District
William D. Gould, Jr., et ux - Petitioners
Case No. 87-185-A

TIME: 10:30 a.m.
DATE: Friday, November 7, 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. 025903

DATE: 10/21/86 ACCOUNT: 01-115
AMOUNT: \$ 35.00
RECEIVED FROM: E. Harrison Stone
FOR: Filing Fee for Variance Item 89
VALIDATION OR SIGNATURE OF CASHIER

ORDER RECEIVED FOR FILING

Date: October 9, 1986 By: [Signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: October 3, 1986
Posted for: Variance
Petitioner: William D. Gould, Jr., et ux
Location of property: W/S of Indian Head Rd., 1230' S of Darnall Rd. (1806 Indian Head Rd.)
Location of Sign: In front of 1806 Indian Head Rd.
Remarks: _____
Posted by: S. J. Brata
Number of Signs: 1

PETITION FOR ZONING VARIANCES
9th Election District
Case No. 87-185-A

LOCATION: West Side of Indian Head Road, 1230 feet South of Darnall Road (1806 Indian Head Road)

DATE AND TIME: Friday, November 7, 1986, at 10:30 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 Variances to permit a side yard setback of 5 feet in lieu of the required 20 feet and a total sum of the side yards of 37 feet in lieu of the required 50 feet

Being the property of William D. Gould, 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



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 28, 1986

E. Harrison Stone, Esquire
Suite 600, 102 West Pennsylvania
Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCES
W/S of Indian Head Rd., 1230' S of Darnall Rd.
(1806 Indian Head Rd.)
9th Election District
William D. Gould, Jr., et ux - Petitioners
Case No. 87-185-A

Dear Mr. Stone:

This is to advise you that \$79.00 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 the Zoning Department, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 11/7/86 ACCOUNT: 025607
SIGN & POST TO: [Signature]
AMOUNT: \$ 79.00
RECEIVED FROM: [Signature]
FOR: ADVERTISING & POSTING COSTS RE CASE #87-185-A
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Date: October 24, 1986
SUBJECT: Zoning Petitions No. 87-184-A, 87-185-A, 87-186-A, 87-187-A, 87-188-A, 87-189-A and 87-192-A

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

Norman E. Gerber, AICP
Director

NEG:jun:slb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 13, 1986

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

ooo

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

E. Harriston Stone, Esquire
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204

RE: Item No. 89 - Case No. 87-185-A
Petitioner: William D. Gould, Jr., et ux
Petition for Zoning Variance

Dear Mr. Stone:

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:kkb

Enclosures

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204



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

STEPHEN E. COLLINS
DIRECTOR

October 2, 1986

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 88, 89, 90, 91, 92, 93, and 94.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

September 16, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 89 Zoning Advisory Committee Meeting are as follows:

Property Owners: William D. Gould, et ux
Location: W/S Indian Head Road, 1230' S Darnall Road
District: 9th.

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.A.C.J. #12-1 - 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 Use Groups except Sub Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. But Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built 20' or an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2, and Table 102. 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 request 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.
- 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/Waterside. 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.

Marko Edman
Marko Edman, Chief
Building Plans Review

L/22/86

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 16, 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 October 16, 1986.

THE JEFFERSONIAN,

Susan Shuler Obrecht
Susan Shuler Obrecht
Publisher

24.75



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

OCTOBER 17, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 9, 1986
Item # 89
Property Owner: WILLIAM D. GOULD, et al
Location: W/S INDIAN HEAD RD, 1230'
S. DARNALL 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 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 "D" level intersection as defined by Bill 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:

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell



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

PAUL H. REINCKE
CHIEF

September 5, 1986

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

RE: Property Owner: William D. Gould, et ux

Location: W/S Indian Head Road, 1230' S. Darnall Road

Item No.: 89

Zoning Agenda Meeting of 9/9/86

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 comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

87-185-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
24th day of September, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: William D. Gould, Jr., et ux Received by: James E. Dyer
Petitioner's Attorney: E. Harriston Stone, Esquire
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

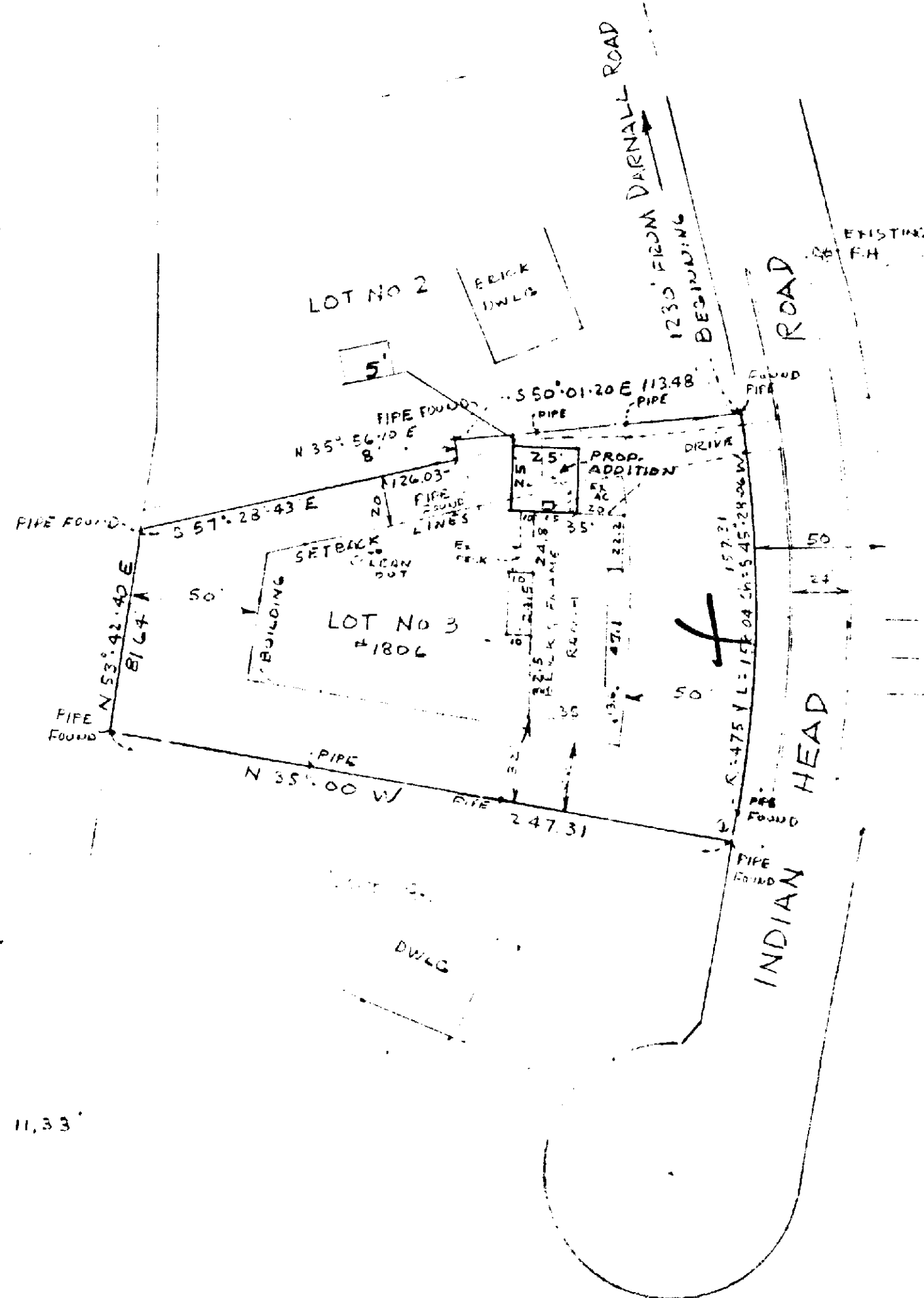
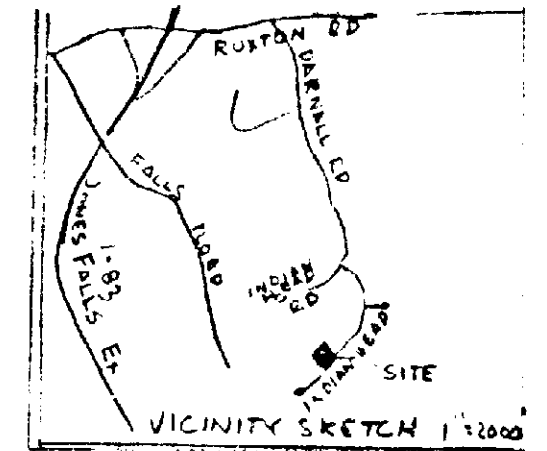
TOWSON, MD., October 15, 1986

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 October 15, 1986.

TOWSON TIMES,

Susan Shuler Obrecht
Susan Shuler Obrecht
Publisher

38.25



PLAT TO ACCOMPANY ZONING PETITION
FOR SIDE YARD VARIANCE OF 5' FEET IN
LIEU OF 20 FEET AND A TOTAL OF 37 FEET
IN LIEU OF TOTAL SIDE YARD OF 50 FEET
SECTION 1802.3C1

LOCATED
9TH DIST BALTO CO MD
DEED REF EARL NO 4155-251

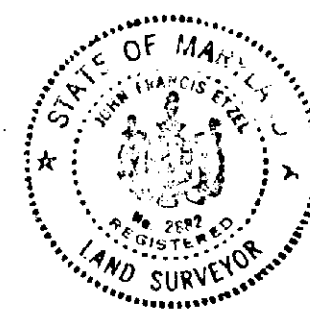
EXISTING ZONING - DRI
OWNER: WILLIAM D. GOULD, JR
AND BARBARA W. GOULD, HIS WIFE
1806 INDIAN HEAD ROAD
TOWSON MD 21204

Pet's dhi

*89
87-185-A
1 sign*

SCALE 1"=50' MAY 21, 1986

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 Delaware Avenue
TOWSON, MARYLAND 21204



PUBLIC WATER

① S 55° 00' W 11.33'