87-224-A #/27	S/S Dorsey Ave., 196.07' W of North Marlyn Ave. (835 Dorsey Ave.)
10/27/86	Variance - filing fee \$35.00 - Herman Heisterhagen, et ux
10/27/86	Hearing set for 12/8/86, at 9:30 a.m.
12/8/86	Advertising and Posting - \$65.35
12/9/86	Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit a side yard setback of O' in lieu of the required 7.5' for an open projection (carport is GRANTED with conditions.

87-224-A

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

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: Mr. & Mrs. Herman Heisterhagen

People's Counsel

PETITION FOR ZONING VARAINCE 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 203.3.A.1, 1B02.3C.1, 301.1 to permit a side yard setback of zero feet in lieu of the required 7.5 feet for an open projection (carport) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. Does not have enough land to meet current zoning regulations 2. Being a handicapped senior citizen, needs protection from inclement weather for personal safety. 3. Adjacent property is paper alley.

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-5,760 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: Legal Owner(s): Herman Heisterhagen (Type or Print Name) You F. Hustihagen Dorothy E. Heisterhagen City and State Attorney for Petitioner: 835 Dorsey Avenue 686-2261 (Type or Print Name) Baltimore, Md. 21221 Signature Name, address and phone number of legal owner, contract purchaser or representative to be contacted Kenneth Daniels 312 N. Marlyn Avenue , 391-7526 Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this ___27th_ of October, 19 86, 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

Beginning for the First on the soth side of Dorsey Avenue so feet wide at the distance of 146.07

Feet westerly from the southwest corner of Dorsey Ave and Marlyn Avenue. Deing bot at Block "C" Section "C" plat of Essex Book # 9 Folio# 74. Also Known as 835 Dorsey Avenue in the 15th election district

PETITION FOR ZONING VARIANCE 15th Election District Case No. 87-224-A South Side of Dorsey Avenue, 196.07 feet West of North Marlyn Avenue (835 Dorsey Avenue) DATE AND TIME: Monday, December 8, 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 fc: Zoning Variance to permit a side yard setback of O feet in lieu of the required 7.5 feet for an open projection (carport) Peing the property of Herman Heisterhagen, 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 ARNOLD JABLON ZONING COMMISSIONER JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER December 5, 1986 Mr. Herman Heisterhagen Mrs. Dorothy E. Heisterhagen 835 Dorsey Avenue Baltimore, Maryland 21221 RE: PETITION FOR ZONING VARIANCE S/S of Dorsey Ave., 196.07' W of North Marlyn Ave. (835 Dorsey Ave.) 15th Election District Herman Heisterhagen, et ux - Petitioners Case No. 87-224-A Dear Mr. and Mrs. Heisterhagen: This is to advise you that \$65.35 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 <u>not</u> 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 Pain' more County, Maryland, and remit to Zonina Office ilding, Towson, Maryland No. 025738 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

VER: HERMAN + POPOTHY Heisterhagen (rict-15 ZONING - R.O.) : 21 Block'C" Section'C" Plat of Essex 9/74 istiNG utilities in Opiser Arenze 2/6 1=30 DORSEY AVENUE (SO'R/W) -- 146 07 to R/W MARLYN AVE. LOT 20 EXISTING EXISTING NWEL. LOT 19 FX'ST CINEL EXIST OWEL 329 5·5 DOASEY AVE. Eastern Blud

0 Mr. Herman Heisterhagen October 31, 1986 Mrs. Dorothy E. Heisterhagen 835 Dorsey Avenue Baltimore, Maryland 21221 NOTICE OF HEARING RE: PETITION FOR ZONING VARIANCE S/S of Dorsey Ave., 196.07' W of North Marlyn Ave. (835 Dorsey Ave.) 15th Election District Herman Heisterhagen, et ux - Petitioners Case No. 87-224-A Monday, December 8, 1986 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland BALTIMORE COUNTY, MARYLAND No. 025388 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT RECEIVED BE WELL AT DAMELS FOR THENE FOR POR VARIABLE TEN 121 8 8223******3505:5 823&F

BATIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner

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

SUBJECT Zoning Petition Nos. 87-224-A, 87-225-A, 87-230-A, 87-231-A, 87-235-A, 87-236-A, 87-237-A, 87-241-A, 87-243-A and 87-245-SpH

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

Date November 24, 1986

NEG:JGH:slb

CPS-008

FOR POSTING & Advertisinf Foe 87-224-A B 8018******6258** ლივიქ

VALIDATION OR SIGNATURE OF CASHIER

: BEFORE THE ZONING COMMISSIONER S/S Dorsey Ave., 196.07' W of North Marlyn Ave. (835 Dorsey : OF BALTIMORE COUNTY Ave.), 15th District

HERMAN HEISTERHAGEN, et ux,

Case No. 87-224-A

:::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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 Fredman Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman "eputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 12th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Herman Heisterhagen, 835 Dorsey Ave., Baltimore, MD 21221, Petitioners; and Mr. Kenneth Daniels, 312 N. Marlyn Ave., Baltimore, MD 21221, who requested notification.

Peter Max Zimmerman

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Date of Posting 11/15/84 District 157/7 Posted for: Wallance

Petitioner: Herman Heisterhorgen, et us

Location of property: 5/5 Dorsey Mrs., 196.07' W/N. Marlyn Mrs.

135 Dorsey Mrs.

Location of Signs: Feling Dorsey Mrs., opposite for road way

1.0cation of Signs: Feling Dorsey Mrs., opposite for road way

1.0cation of Signs: Feling Dorsey Mrs., opposite for road way Number of Signs: ____/_ Petition for Times Zoning Variance 15th Election District Case No. 87-224-A

Department of Traffic Engineering State Roads Commissio Bureau of Health Department Project Planning Building Department Board of Education Zoning Administration Industrial Development A This is to Certify, That the annexed was inserted in Ote Times, a newspaper printed and published in Baltimore County, once in each

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE November 25, 1986

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

MEMBERS

Mr. Herman Heisterhagen 835 Dorsey Avenue Baltimore, Maryland 21221

JED:kkb

Enclosures

RE: Item No. 127 - Case No. 87-224-A Petitioner: Herman Heisterhagen, et ux Petition for Zoning Variance

Dear Mr. Heisterhagen:

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.

Zoning Plans Advisory Committee

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

STEPHEN E. COLLINS DIRECTOR

October 24, 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 (127) 128, 129, 130, 131, and 135.

Traffic Engineer Associate II

0

MSF:1t

BALTIMON COUNTY
DEFARTMENT OF PERMITS & LICENSES
10WSON, MARYLAND 21204 November 1, 1986 TED ZALESKI, JR. DIRECTOR Hr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning Towson, Maryland 21204 Dear Mr. Jablons Comments on Item # 127 Zoning Advisory Committee Meeting are as follows: Property Owner: Herman Heisterhagen, et ux S/S Dorsey Road, 146.07 ft. W of N. Marlyn Avenue Districts 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.H.S.I. #117-1 - 1980) and other applicable Codes and Standards. 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 ragistered in Moryland 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 on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. See the Code Memo for porches attached.

Same regulations will be applied to carports. P. The structure dose not appear to comply with Table 505 for permissable 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 G. The requested variance appears to conflict with Section(s) H. When filing for a required Change of Use/Occupancy Permit, an alteration parmit 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. Haryland Architectural or Engineer seals are usually required. The change of Use Groupe are from Use to Use , or to Mixed Uses

I. The proposed project appears to be located in a Flood Flain, Tidal/Liverine. 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 slevations above sea level for the lot end the finish floor levels including basesent.

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 W. Chesapeake Avenue, Toweon, Maryland 21204.

LOCATION: South Side of Dorsey Avenue, 196.07 feet West of North Marlyn Avenue (836 Dorsey Avenue). DATE & TIME: Monday, December

8, 1988, at 9:30 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 to permit a side yard setback of 0 feet in lieu or the

required 7.5 feet for an open projection

(carport).

Being the property of Herman Heisterhagen, et uk, 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

ill however, entertain any request for a stay of the insustice of said permit during this period for good cause thown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of

Petitioner'

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Petition for Zoning Variance to

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Being the property of Herman Heisterhagen, et ux, as shown on plat plan filed with the Zoning Ci-

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must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of AMNOLD JAMELON

WWD312 Now

Attorney

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 day of ______, 19 86

Zoning Commissioner Herman Heisterhagen, et ux Received by:

CERTIFICATE OF PUBLICATION ZONING VARIANCE
15th Election District
Cost No. 87-224-A LOCATION: South Side of the Domey Avenue, 196.07 feet West of North Martyn Avenue (835 Domey Avenue)
DATE AND TIME: Monday, Decem-TOWSON, MD., November 20 19 86 THIS IS TO CERTIFY, that the annexed advertisement was ber 8, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Averue, Towson,
Maryland published in THE JEFFERSONIAN, a weekly newspaper printed

November 20

THE JEFFERSONIAN,

and published in Towson, Baltimore County, Md., appearing on

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

NOVEMBER 6, 1986

Re: Zoning Advisory Meeting of October 7, 1986 Property Owner: HERMAN HEISTERHAGEN, et al Location: 5/5 DORSEY RD. 146.07 W.OF NORTH MORLYN AVE.

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 forward by the Bureau of Public Services.)This site is part of a larger tract; therfore 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)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

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
TOWNSON, MARYLAND 21204-2586 494-4500

No sand a second of the second

October 21, 1986

PAUL H. REINCKE CHIEF

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

RE: Property Owner: Herman Heisterhagen, et ux

Location: S/S Dorsey Rd., 146.07 ft. W of N. Marlyn Ave. Zoning Agenda: Meeting of Oct. 7, 1986 Item No.:

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.

Fire Prevention Bureau

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

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

Flanhing Group Special Inspection Division

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1 SUBJECT:

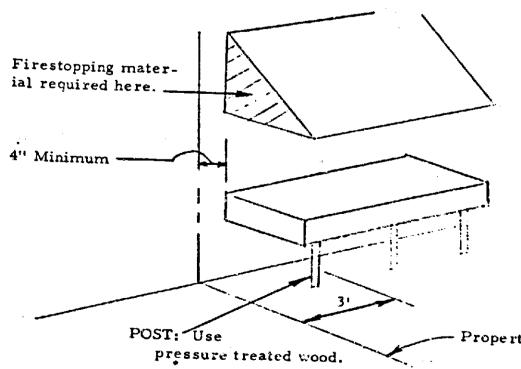
Effective 4-22-85

=

A. Rear Porches

Rear open porches may be constructed of combustible materials up to 3 feet from a property line without any additional fire protection requirements.

Rear open porches may be constructed of combustible materials up to 4" from a property line if facing surfaces shown (see diagram) are protected by a layer of drywall, fire retardant treated plywood, or other approved firestopping material and any exposed supporting members within 3 feet are non-combustible, or pressure treated wood.



- Property Line.

OVER

B. Front Porches

Front awnings and porches may be continuous across property lines and of combustible construction if:

- 1. They are properly fire stopped with non-combustible materials at each interior property line.
- 2. They have no combustible or untreated supporting members within 36" of the interior property line.
- 3. They are limited to one story in height.
- 4. The adjoining owners agree in writing.
- 5. The porch is open front and sides.

Drywall and sheet metal are examples of non-combustible materials which are acceptable for fire stopping.

C. All Porches

If any porch is to be closed, it shall be considered a habitable part of the dwelling's interior and shall be subjected to all of the applicable requirements that pertain to one and two family dwellings in the Baltimore County Building Code.

This does not in any way waive any requirements, such as setbacks of other County or State Departments, which may also be applicable.

JRR:es

Beginning for the First on the 50th side of Feet westerly from the southwest corner of Dorsey Ave and Marlyn Avenue. Being lot as Block "C" Section "C" Plat of Essex Book # 9 Folio# 74. Aiso Known as 835 Dorsey Avenue in the 15th election district



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

STEPHEN E. COLLINS DIRECTOR

October 23, 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 102, 116, 117, 118, 120, 121, 123, and 126

Michael S. Flanigan

Traffic Engineer Associate II

MSF:1t