

87-267-A

#144

NE/S of Todd Point La., 2925' S & W
of Morse La. (4624 Todd Point La.)

15th Elec. Dist.

11/21/86

Variance - filing fee \$35.00 - James Brinmore Wills, et ux

11/21/86

Hearing set for 12/29/86, at 10:00 a.m.

12/29/86

Advertising & Posting - \$71.35

1/9/87

Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit accessory structure 21'10" in height in lieu of the permitted 15' is GRANTED with restrictions.

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 requested ~~will~~/will not adversely affect the health, safety, and general welfare of the community, the variance should ~~/should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of January, 19 87, that the Petition for Zoning Variance to permit an existing accessory structure 21'10" in height in lieu of the permitted 15 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following restrictions which are conditions precedent to the relief granted herein:

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.
2. The recommendations from the Director of the Office of Planning and Zoning to the Zoning Commissioner, dated December 16, 1986, stating that the proposed addition would not have any adverse impact, pursuant to the Chesapeake Bay Critical Area legislation, shall be adopted in its entirety.


Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. James Brinmore Wills

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 400.3 to permit an accessory structure height of 21'10" in lieu of the permitted 15 feet.

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

Need additional storage area for hobby use. Owner wishes to construct a second story addition to the existing garage.

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 save 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
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Name
Attorney's Telephone No.:
Address
Phone No.

Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Address
Phone No.
Baltimore, Maryland 21219
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Name
Address
Phone No.

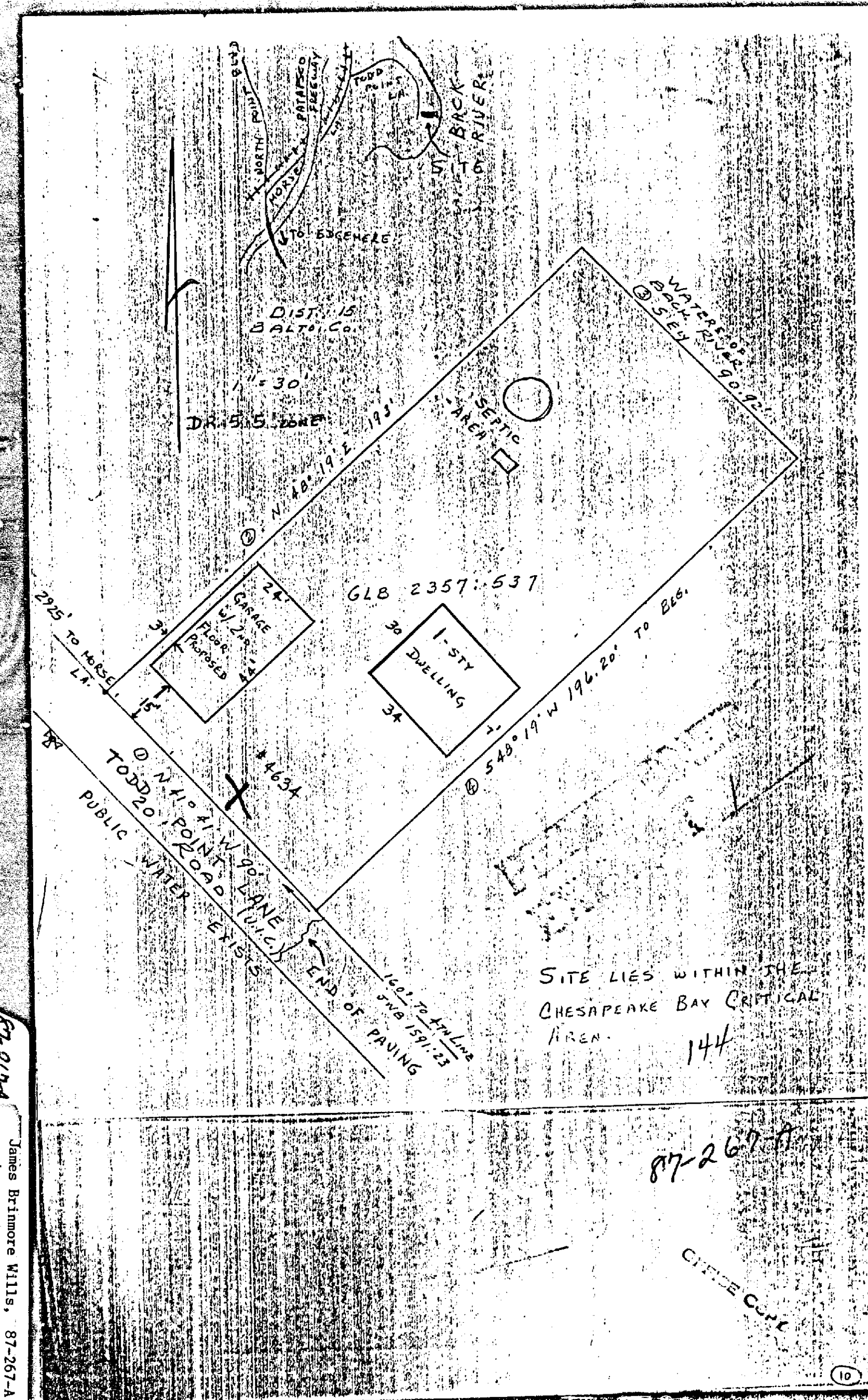
ORDERED BY The Zoning Commissioner of Baltimore County, this 21st day of November, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of December, 1986, at 10:00 o'clock A.M.

(over)

MAP SEEN
E.D. 15-14
DATE 11/17/86
200
1000
DP

114#
87-267-A

James Brinmore Wills, 87-267-A
NE/S of Todd Point La., 2925 S & W
of Morse La. (4624 Todd Point La.)
15th Elec. Dist.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: December 17, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 87-266-SpHA, 87-248-XA, 87-266-A, 87-267-A, 87-277-A and 87-283-A

Please consider the Chesapeake Bay Critical Area findings (see memoranda dated 12/16/86 from Norman E. Gerber to Arnold Jablon) to be the comments of this office.

Norman E. Gerber, AICP
Director

NEG:JGH:slb

RECEIVED
DEC 18 1986
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Zoning Commissioner
Date: December 16, 1986
FROM: Mr. Norman E. Gerber, AICP, Director
Office of Planning and Zoning
SUBJECT: Chesapeake Bay Critical Area Finding
James Brinmore Wills, et ux (87-267-A, Item 144)

In accordance with Section 8-1813 of the Chesapeake Bay Critical Area Law, the "Findings" by the Director of the Office of Planning and Zoning are that granting the requested variance is not expected to have an adverse impact on water quality or on habitats because it involves only the addition of a second story onto an existing garage.

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

NEG/PJS/jat

cc: Uri Avin
Tim Dugan
Jim Hoswell
Andrea VanArsdale
Tom Vidmar
Phyllis Cole Friedman, Esq.

RECEIVED
DEC 19 1986
ZONING OFFICE

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

DECEMBER 2, 1986
(CRITICAL AREA)

Re: Zoning Advisory Meeting of OCTOBER 21, 1986
Item 144
Property Owner: JAMES BRINMORE WILLS, et ux
Location: NE/S TODD POINT LANE, 2925 S & W OF MORSE LANE.

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 B111 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 B111 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:
THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Hoswell

David Fields, Acting 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 21st day of November, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner James Brinmore Wills, et ux Received by: James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee

Property Description
Beginning at a point on the northeast side of Todd Point Lane at a distance of 2925 feet south and east of Morse Lane and running thence North 49° 19' East, 193 feet to the waters of Back River, thence southeasterly along the waters 90.92 feet, thence South 48° 19' West, 196.20 feet to the northeast side of Todd Point Lane, thence along the northeast side North 41° 41' West, 90 feet to the point of beginning. Known as 4634 Todd Point Lane in the 15th Election District.

CITIZEN COPY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 18, 1986

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

000

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
DevelopmentMr. James Brinmore Wills
4634 Todd Point Lane
Baltimore, Maryland 21219RE: Item No. 144 - Case No. 87-267-A
Petitioner: James Brinmore Wills, et ux
Petition for Zoning Variance

Dear Mr. Wills:

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

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550STEPHEN 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 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, and 149.

Very truly yours,

Michael S. Flanagan

Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500FAUL H. RENCKE
CHIEF

October 20, 1986

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

RE: Property Owner: James Brinmore Wills, et ux
Location: NE/S of Todd Point Lane, 2925 ft. S & E of Morse Lane
Item No.: 144 Zoning Agenda: Meeting of Oct. 21, 1986

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.

(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
Planning Group Approved: [Signature]
Special Inspection Division Fire Prevention Bureau

/mb * CRITICAL AREA

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353ARNOLD JABLON
ZONING COMMISSIONERJEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 19, 1986

Mr. James Brinmore Wills
Mrs. Phyllis Margaret Wills
4634 Todd Point Lane
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE
NE/S of Todd Point Lane, 2925' S & W of Morse Lane
(4624 Todd Point Lane)
15th Election District
James Brinmore Wills, et ux - Petitioners
Case No. 87-267-A

Dear Mr. and Mrs. Wills:

This is to advise you that \$71.35 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 not remove sign from property from the time it is placed by this office until the day of the hearing. If.

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

No. 025753

re County, Maryland, and remit
Towson, Maryland

DATE	ACCOUNT
FROM	AMOUNT \$
RECEIVED FROM	PAID TO
BALANCE	
TOTAL	
REMARKS	
SIGNATURE OF CASHIER	

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Todd Point Lane, 2925' : OF BALTIMORE COUNTY
S & W of Morse Lane (4624 Todd :
Point Lane), 15th District :
JAMES BRINMORE WILLS, et ux, : Case No. 87-267-A
Petitioners :
: : : : :
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
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 4th day of December, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. James Brinmore Wills, 4634 Todd Point Lane, Baltimore, MD 21219, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE

15th Election District

Case No. 87-267-A

LOCATION: Northeast Side of Todd Point Lane, 2925 feet South and West of Morse Lane (4624 Todd Point Lane)

DATE AND TIME: Monday, December 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 Variance to permit an accessory structure 21'10" in lieu of the permitted 15' in height

Being the property of James Brinmore Wills, 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

SPECIAL NOTICE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS

BILL #17-85 BALTIMORE COUNTY BUILDING CODE 1984

EFFECTIVE - APRIL 22, 1985

SECTION 516.0 A Section added to read as follows:

SECTION 516.0 CONSTRUCTION IN AREAS SUBJECT TO FLOODING

516.1 AREAS SUBJECT TO INUNDATION BY TIDEWATERS:

1. Whenever building or additions are constructed in areas subject to inundation by tides, the building's lowest floor (including basement) shall be not lower than one (1) foot above the 100-year flood elevation, as established by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is more restrictive. These buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Areas beneath buildings will not be considered as basements if headroom to underside of floor joists is less than six feet or if enclosure walls are at least 50 percent open.

2. Crawl spaces under buildings constructed in the tidal plain, as determined by the U.S. Army Corps of Engineers or the Federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary sewage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

516.2 RIVERINE AREAS SUBJECT TO INUNDATION BY SURFACE WATERS WITHIN THE 100 YEAR FLOOD PLAIN.

1. No structures or additions shall be within the 100-year flood plain of any watercourse. The 100-year flood plain shall be based upon the Federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive. This determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 103.0 or 120.0 as applicable, except that rebuilding of residential dwelling units damaged in excess of 50 percent of physical value shall also be governed by the provisions of Subsection 516.1 of this Section.

3. Reconstruction of other than residential buildings or structures in the riverine areas shall be made to conform to 516.1 when damage exceeds 50 percent of physical value.

April 1985

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

November 3, 1986

TED ZALESKI, JR.
DIRECTORMr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 144, Zoning Advisory Committee Meeting are as follows:

Property Owner: James Brinmore Wills, et ux (CRITICAL AREA)
Location: NE/S of Todd Point Lane, 2925 ft. S & E of Morse Lane
District: 15th.

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.M.S.I. #117-1 - 1985) 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/is 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. Reproduced seals are not acceptable.

5. All Two Groups except B-1 Single Family Detached Buildings require a minimum of 2 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. How the 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 exterior wall within 3'-0" of an interior lot line. No openings are permitted in a

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 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) _____ of the Baltimore County Building Code.

8. 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 Engineering seals are usually required. The change of Use Groups are from the _____ to the _____ or to fixed use. See Section 312 of the Building Code.

9. 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.

10. Comments: What is the proposed use of the second floor? If it is to be living quarters, Section 608.1 would be applicable. If it is general storage the floor shall be designed for a live and dead load as per Section 903, 904 and Table 904.

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 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Building Plans Review

L/25/86

November 28, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S of Todd Point La., 2925' S & W of
Morse La. (4624 Todd Point La.)
15th Election District
James Brinmore Wills, et ux - Petitioners
Case No. 87-267-A

TIME: 10:00 a.m.

DATE: Monday, December 29, 1986

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

No. 026037

DATE 12/2/66 ACCOUNT 01-415

AMOUNT \$ 35 00

RECEIVED FROM: James B. White

FOR: TRUNG FEE FOR VARIANCE ITEM 146

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

**38 N. Dundalk Ave.
Dundalk, Md. 21222**

December 12,

1986

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of Zoning Hrgs. - Case #
87-267-A - P.O. #83540 - Req. #L98142 - 79 lines @
\$34.50 inserted in **The Dundalk Eagle** a weekly news-
paper published in Baltimore County, Maryland, once a week
for one ~~six~~ weeks before the
12th day of December 1986 ; that is to say,
the same was inserted in the issues of Dec. 11, 1986

Kimbel Publication, Inc.
per Publisher.

By K. E. Deke

PETITION FOR ZONING VARIANCE
15th Election District
Case No. 87-267-A
LOCATION: Northeast Side of Todd
Point Lane, 2925 feet South and
West of Morse Lane (4624 Todd
Point Lane)

DATE AND TIME: Monday, December 29, 1986, at 10:00 a.m.
PUBLIC HEARING: Room -106,
County Office Building, 111 W.
Chesapeake Avenue, Towson, Mary-
land

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 an accessory structure 21'10" in lieu of the permitted 15' in height

Being the property of James Brinmore Wills, et ux, as shown on plat plan 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 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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 12/6/87
 Posted for: Variano
 Petitioner: Lomas Brimmero With et ux
 Location of property: NEL Todd Point Hwy 2995 S.W. 1/4 Sec. 10
Hwy 2995 Todd Point Hwy
 Location of Signs: Along Todd Point Hwy, approx. 30' E. 2995 Hwy
on property of Petitioner
 Remarks: _____
 Posted by: J. Variano Signature Date of return: 12/10/87
 Number of Signs: 1

From THE JEFFERSONIAN
OF
CERTIFICATE OF PUBLICATION

THE TELEPHONE