

87-404-A **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 44-1-1 of the Zoning Regulations of Baltimore County, to permit the construction of a detached garage on the rear of the property, to be used for the storage of a car and for the storage of other items, and for the following reasons: (indicate hardship or practical difficulty)

1. Better Utilization of Space
2. Better Maintenance of Property

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
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Name
Address
City and State
Phone No.

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

Stamp: BALTIMORE COUNTY ZONING COMMISSIONER'S OFFICE, 21204 TOWSON, MARYLAND 21204. Includes fields for DATE, TIME, and other administrative markings.

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of February, 1987, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of April, 1987, at 9:45 o'clock A.M.

Signature of Zoning Commissioner of Baltimore County.

ZONING DESCRIPTION

Beginning at a point on the south side of Chumleigh Road (60 feet wide) at a distance of 178 feet west of York Road and being Lot No. 11, Block 4 as shown on the plot of Rogers Forge-Section 12, which is recorded in the Land Records of Baltimore County in plot book G-L-P-No. 19, Folio 56, Known as 423 Chumleigh Rd. in the 9th Election District.

IN RE: PETITION FOR ZONING VARIANCE
S/S Chumleigh Road,
178' W of York Road
(423 Chumleigh Road)
9th Election District
4th Councilmanic District
Ernest F. Ohler
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-404-A

The Petitioner herein requests a zoning variance to permit a side yard setback of 0' in lieu of the required 2.5' and a setback of 12' to the center of the alley in lieu of the required 15' for an accessory structure (garage).

Testimony by the Petitioner indicated that he proposes to construct a garage adjacent to his next door neighbor's property line. In consultation with that neighbor, other possible locations were discussed but it was agreed that the proposed location would provide for easier yard maintenance as well as be aesthetically compatible with the neighborhood. The Rogers Forge Community Association also provided written approval of the Petitioner's proposal (Petitioner's Exhibit 2). The Petitioner is aware that all portions of the building, including rainspouts and gutters, must be within his property line and that rainwater runoff must not drain onto the adjacent property.

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, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 16th day of April, 1987, that a 0' side yard setback and a 12'

PETITION FOR ZONING VARIANCES

(9th Election District - 4th Councilmanic District)

Case No. 87-404-A

LOCATION: South Side of Chumleigh Road, 178 feet West of York Road (423 Chumleigh Road)

DATE AND TIME: Tuesday, April 14, 1987, at 9:45 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 0 feet in lieu of the required 2.5 feet and a setback of 12 feet to the center of the alley in lieu of the required 15 feet for an accessory structure (garage)

Being the property of Ernest F. Ohler, 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

setback to the center of the alley, in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

Rainwater runoff from the garage must be drained onto the Petitioner's property.

Signature of Deputy Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
Date 4/16/87
By [Signature]

RE: PETITION FOR VARIANCES
S/S Chumleigh Rd., 178' W of York Rd. (423 Chumleigh Rd.)
9th District
ERNEST F. OHLER, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-404-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 18th day of March, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. Ernest F. Ohler, 423 Chumleigh Rd., Baltimore, MD 21212, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
Arnold Jablon
Zoning Commissioner

April 16, 1987

Mr. Ernest F. Ohler
423 Chumleigh Road
Baltimore, Maryland 21212

RE: Petition for Zoning Variance
S/S Chumleigh Road,
178' W of York Road
9th Election District
4th Councilmanic District
Case No. 87-404-A

Dear Mr. Ohler:

Enclosed please find a copy of the decision rendered on the above-referenced case. Your Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbs

Enclosures

cc: People's Counsel

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 8, 1987

Mr. Ernest F. Ohler
423 Chumleigh Road
Baltimore, Maryland 21212

RE: PETITION FOR ZONING VARIANCES
S/S Chumleigh Rd., 178' W of York Rd.
(423 Chumleigh Rd.)
9th Election District - 4th Councilmanic District
Ernest F. Ohler - Petitioner
Case No. 87-404-A

Dear Mr. Ohler:

This is to advise you that \$96.89 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.

Stamp: BALTIMORE COUNTY, MARYLAND. OFFICE OF PLANNING & ZONING. TOWSON, MARYLAND 21204. 494-3353. Includes fields for DATE, AMOUNT, and other administrative markings.



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

STEPHEN E. COLLINS
DIRECTOR

January 30, 1987

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 287, 288, 289, 290, 291, 292, 293, 294, 295, and 296.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt



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

PAUL H. REINCKE
CHIEF

January 27, 1987

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

RE: Property Owner: Ernest F. Ohler

Location: S/S Chumleigh Road, 178' W. York Road

Item No.: 288

Zoning Agenda: Meeting of 1/20/87

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: *John F. Kelly* 1-27-87
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

/mb



**BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204**

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 288 Zoning Advisory Committee Meeting are as follows:

Property Owner: Ernest F. Ohler
Location: S/S Chumleigh Road, 178 feet W York Road
District: D.R. 10.5

APPLICABLE ITEMS ARE CIRCLED:

- (A) 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.L. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- 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 registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Use Groups except B-4 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. See wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 106.2 and Table 103. No openings are permitted in an exterior wall within 1'-0" of an interior lot line. The fire or party wall shall be non-combustible and 2 hour fire rated. Table 501.
- F. 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.
- G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.
- H. 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.
- I. The proposed project appears to be located in a Flood Plain, Flood Hazard. 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: The structure shall not drain water onto the adjoining property, section 518 of Bill # 17-85.

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 N. Chesapeake Avenue, Towson, Maryland 21204.

Marko E. Chumbar
Mr. C. E. Chumbar, Chief
Building Plans Review

1/27/87

**ROGERS FORCE COMMUNITY
HOUSING ALTERATION FORM**

PART I

TYPE OF IMPROVEMENT	CHANCE	REQUESTED BY	NAME	ERNEST F. OHLER
PURPOSE		ADDRESS	423 CHUMLEIGH RD	
DIMENSIONS		PHONE #	823-8355	
HEIGHT	14'-0"	DATE	12/1/86	
LENGTH	24'-0"			
WIDTH	14'-0"			
DEPTH				
MATERIAL	BRICK			
COLOR	TO MATCH HOUSE AS CURRENTLY APPEARS			
ESTIMATED COST	\$1000			
ESTIMATED DATE OF START AND COMPLETION	START WORK PERMIT			
	APPROX - COMPLETION APPROX 6 WEEKS.			

PART II

DESCRIPTION

SEE DRAWINGS

DESCRIPTIVE SKETCH

PART III

CONTRACTOR: *CERTAINTECH CONSTRUCTION Co.*
NAME: _____
ADDRESS: 1721 BERRY DRIVE
FOREST HILL 1110 21038
TELEPHONE: 879-1116

PART IV

COMMUNITY ASSOCIATION
APPROVAL
DENIAL

John F. O'Neill
AUTHORIZED SIGNATURE