

IN RE: PETITION FOR ZONING VARIANCE
NW/cor. Ridgeshire Road and
German Hill Road
(1201 Ridgeshire Road)
12th Election District
7th Councilmanic District
John M. Gattus, Jr., et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-421-A

The Petitioners herein request a variance to permit a front yard setback of 22.5 feet in lieu of the average 25 feet; a side yard setback of 3 feet in lieu of the required 8 feet and a side yard setback of 1 foot for an open projection (patio roof) in lieu of the required 6 feet.

Testimony by the Petitioners indicated that they propose to construct an addition, and furthermore, to replace the metal awning over a patio. The existing patio with metal awning currently extends the entire length of the north side of the house. The Petitioners propose constructing a single wood roof to cover the existing patio and the proposed addition, as shown on the plan submitted, prepared by Don Lynch Assoc., Inc. dated August 18, 1983 and identified as Petitioner's Exhibit 1. Because of the configuration of the lot, the location of the dwelling and the size of the addition proposed, there is no other location for the addition that provides suitable internal access. Water runoff is currently directed onto the subject property in the rear and into the driveway in the front creating no adverse impact on the adjacent neighbor. In fact, there were no Protestants to the proposed improvements.

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 24th day of April, 1987, that a front yard setback of 22.5 feet, a side yard setback of 3 feet for an addition, and a side yard setback of 1 foot for an open projection (patio roof), all in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

All rainwater runoff must continue to be directed onto the Petitioners' property.

John M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Arnold Jablon
Zoning Commissioner

April 24, 1987



Dennis F. Rasmussen
County Executive

Mr. & Mrs. John M. Gattus, Jr.
1201 Ridgeshire Road
Baltimore, Maryland 21222

RE: Petition for Zoning Variance
NW/cor. Ridgeshire Road and
German Hill Road
12th Election District
7th Councilmanic District
Case No. 87-421-A

Dear Mr. & Mrs. Gattus:

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,

John M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: People's Counsel

ORDER RECEIVED FOR FILING
Date 4/24/87
By *John M. H. Jung*

ORDER RECEIVED FOR FILING
Date 4/24/87
By *John M. H. Jung*

PROPERTY DESCRIPTION

Beginning on the west side of German Hill Road and ending 49.18 feet west of 25 foot radius. Property known as 1201 Ridgeshire Road, also known as Lot #1, Block A as shown on Revised Plat of "Hillshire" and recorded among the Land Records of Baltimore County in Plat Book W.J.R. 27, Folio 82. Located in the 12th Election District.

PETITION FOR ZONING VARIANCES

12th Election District - 7th Councilmanic District

Case No. 87-421-A

LOCATION: Northwest Corner of Ridgeshire Road and German Hill Road
(1201 Ridgeshire Road)

DATE AND TIME: Tuesday, April 21, 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 Variance to permit a front yard setback of 22.5 feet in lieu of the average 25 feet, a side yard setback of 3 feet in lieu of the required 8 feet and a side yard setback for an open projection (patio roof) of 1 foot in lieu of the required 6 feet

Being the property of John M. Gattus, 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

RE: PETITION FOR VARIANCE
NW/Corner Ridgeshire Rd. &
German Hill Rd. (1201 Ridgeshire
Rd.), 12th District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

JOHN M. GATTUS, JR., et ux,
Petitioners

Case No. 87-421-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 30th day of March, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. John M. Gattus, Jr., 1201 Ridgeshire Rd., Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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 1902.3B (211.3, 211.2, 301.1, 303.1) to permit a front yard setback of 22.5 feet in lieu of the average 25 feet; a side yard setback of 3 feet in lieu of the required 8 feet and a side yard setback for an open projection (patio roof) of 1 foot in lieu of the required 6 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Requesting both front and side variance in order to replace existing carport with room addition and existing metal awning patio cover with one of wood because of:
1) Configuration of lot
2) Location of house on lot
3) Size of addition
4) Aesthetics

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.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

1201 Ridgeshire Road 282-6594
Address Phone No.

Baltimore, Maryland 21222
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

John M. Gattus, Jr.

1201 Ridgeshire Road H-282-6584
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of April, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of April, 1987, at 9:45 o'clock a.m.

(over)

ORDER RECEIVED FOR FILING
Date 4/24/87
By *John M. H. Jung*

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 March, 19 87.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: John M. Gattus, Jr., et ux
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: April 10, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
Zoning Petitions No. 87-415-A, 87-420-A, 87-421-A, 87-424-A, 87-425-A,
SUBJECT: 87-426-A, 87-427-A, 87-428-A, 87-429-A, 87-430-A, 87-431-A, 87-434-A,
87-435-A, 87-436-SpH, 87-438-A, 87-443-SpH, 87-445-A and 87-446-A

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

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slb

CPS-00A

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 13, 1987

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

Mr. John M. Gattus, Jr.
1261 Ridgeshire Road
Baltimore, Maryland 21222

RE: Item No. 308 - Case No. 87-421-A
Petitioner: John M. Gattus, Jr., et ux
Petition for Zoning Variance

Dear Mr. Gattus:

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:kbb

Enclosures

cc: Don Lynch Assoc., Inc.
4907 Harford Road
Baltimore, Maryland 21214

February 6, 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 307, 308, 309, 310, 311, and 312.

Very truly yours,

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

MSF:lt

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

PAUL H. REINCKE
CHIEF

January 28, 1987

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

RE: Property Owner: John M. Gattus, Jr., et ux

Location: NW/C Ridgeshire Road and German Hill Road

Item No.: 308

Zoning Agenda: Meeting of 2/3/87

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: *Paul H. Reincke*
Planning Group
Special Inspection Division

Noted and

Approved: *John E. Dyer*

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 # 308 Zoning Advisory Committee Meeting are as follows:

Property Owner: John M. Gattus, Jr., et ux
Location: NW/C Ridgeshire Road and German Hill Road
District: D.R. 5.5

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.S.I. #11-1 - 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/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 One Group except Sub Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. All One Group require a one hour rating if closer than 1'-0" to an interior lot line. Any wall built on an exterior lot line shall require a fire or party wall. See Table 101, Section 1007, Section 1006, and Table 1002. No openings are permitted in fire resistive construction without any openings where it is 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 requested lot line 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.
- 6 The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- 7 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.
- 8 The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 514.0 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.
- 9 Comments: The open patio cover shall be non-combustible, or the same as required for open rear porches. See the attached Code memo #1.

10 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 the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 127 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burman
By: C. E. Burman, Chief
Building Plans Review

1/27/87

BALTIMORE COUNTY BUILDING CODE

1984 BOCA, SECTION 110.6

CODE MEMORANDUM #1

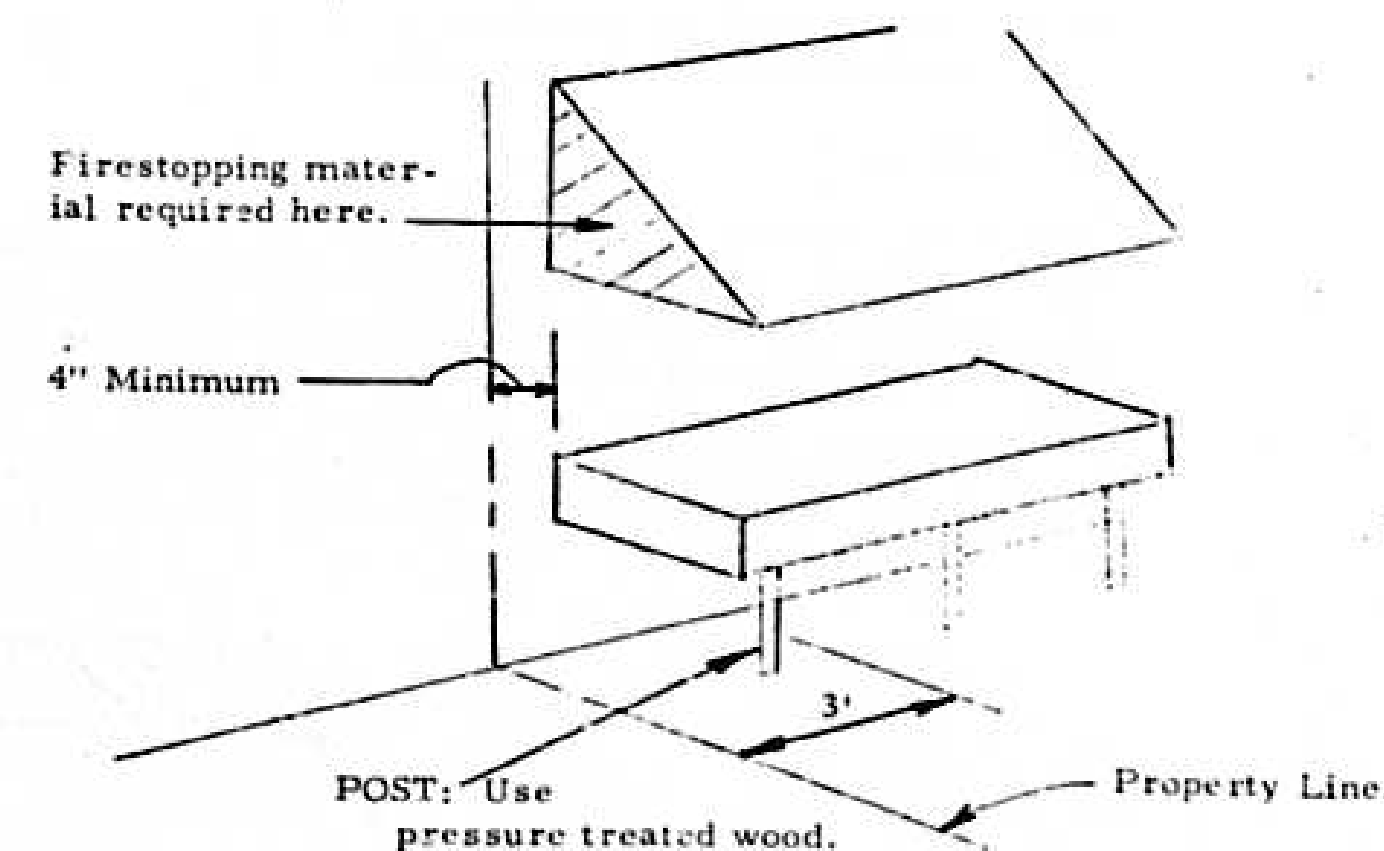
Effective 4-22-85

SUBJECT:

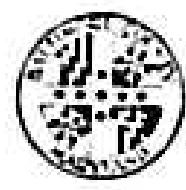
A. Rear Porches

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.



OVER



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 14, 1987

Mr. John M. Gattus, Jr.
Mrs. Kathleen V. Gattus
1201 Ridgeshire Road
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCES
NW/cor. Ridgeshire Rd. and German Hill Rd.
(1201 Ridgeshire Rd.)
12th Election District - 7th Councilmanic District
John M. Gattus, Jr., et ux - Petitioners
Case No. 87-421-A

Dear Mr. and Mrs. Gattus:

This is to advise you that \$81.57 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.

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

No. 35813

County, Maryland, and remit to, Towson, Maryland

DATE: 4/21/87 ACCOUNT: R-01-515-000

SIGN & POST RETURNED AMOUNT: \$ 81.57

Mr. John M. Gattus, Jr., 1201 Ridgeshire Rd., Balto., Md. 21222

RECEIVED FROM: ADVERTISING AND POSTING COSTS RE CASE #87-421-A

FOR: B B021*****01571a 47112

VALIDATION OR SIGNATURE OF CASHIER

Mr. John M. Gattus, Jr.
Mrs. Kathleen V. Gattus
1201 Ridgeshire Road
Baltimore, Maryland 21222

March 13, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
NW/cor. Ridgeshire Rd. and German Hill Rd.
(1201 Ridgeshire Rd.)
12th Election District - 7th Councilmanic District
John M. Gattus, Jr., et ux - Petitioners
Case No. 87-421-A

TIME: 9:45 a.m.
DATE: Tuesday, April 21, 1987
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

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

No. 30499

DATE: 4/20/87 ACCOUNT: 01-615

AMOUNT: \$ 35.00

RECEIVED FROM: JOHN M. GATTUS, JR.

FOR: FILING FEE FOR VARIANCE 17th 304

B B025*****35001a 6206F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 4/21/87
Posted for: Variance
Petitioner: John M. Gattus, Jr. et ux
Location of property: NW/cor. Ridgeshire Rd. & German Hill Rd.
Location of Sign: NW/cor. Ridgeshire Rd. & German Hill Rd.
Remarks: 1201 Ridgeshire Rd.
Posted by: [Signature] Date of return: 4/21/87
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 2, 1987

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 April 2, 1987.

THE JEFFERSONIAN,

Publisher

32.17

PETITION FOR ZONING VARIANCES
12th Election District
7th Councilmanic District
Case No. 87-421-A
LOCATION: Northwest Corner of Ridgeshire Road and German Hill Road (1201 Ridgeshire Road)
DATE AND TIME: Tuesday, April 21, 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 Variance to permit a front yard setback of 22.5 feet in lieu of the average 25 feet, a side yard setback of 3 feet in lieu of the required 8 feet and a side yard setback for an open projection (patio) of 1 foot in lieu of the required 6 feet.
Being the property of John M. Gattus, Jr., 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 PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

April 3, 1987

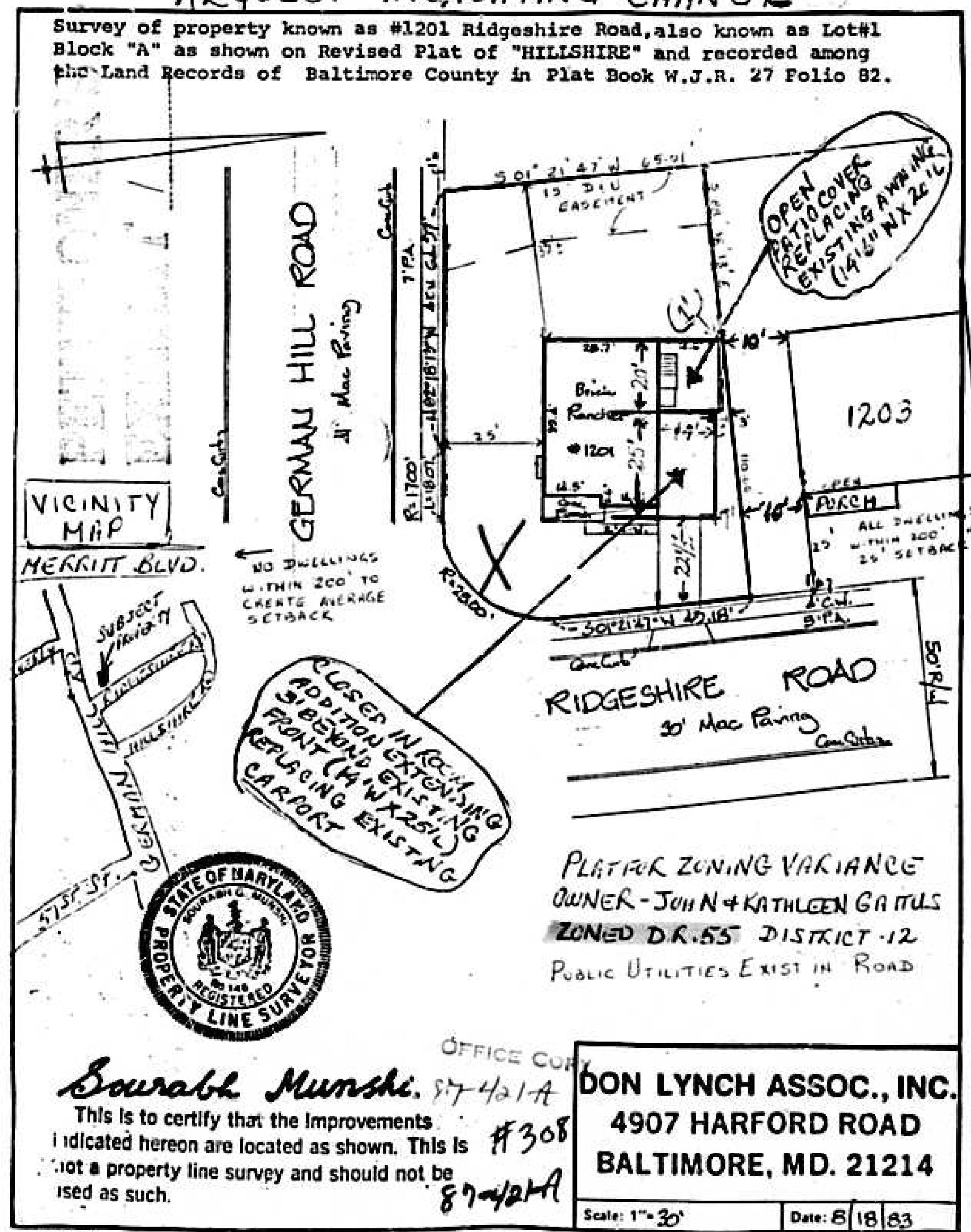
THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hrgs. Case #87-421-A - P.O. #86818 - Reg. #M00038 - 86 lines was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 3rd day of April 1987; that is to say, the same was inserted in the issues of April 2, 1987

Kimbel Publication, Inc.

per Publisher.

By: [Signature]

REQUEST INDICATING CHANGE



PROPERTY AS IT NOW IS

Survey of property known as #1201 Ridgeshire Road, also known as Lot#1 Block "A" as shown on Revised Plat of "HILLSHIRE" and recorded among the Land Records of Baltimore County in Plat Book W.J.R. 27 Folio 82.

