

## BALTIMORE COUNTY OFFICE OF PLANNING &amp; ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

YOUR petition has been received and accepted for filing this day of \_\_\_\_\_, 19\_\_.

Richard C. Huber, et ux  
Zoning Commissioner James E. Dyer

Received by:

Chairman, Zoning Plans  
Advisory Committee

Petitioner  
Petitioner's  
Attorney

## 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, AICP  
Director

NEG:JGH:sib

RECEIVED  
APR 14 1987  
ZONING OFFICE

CPS-00A

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 28, 1987

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

000

## 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

Mr. Richard C. Huber  
12708 Fork Road  
Fork, Maryland 21051

RE: Item No. 325 - Case No. 87-434-A  
Petitioners: Richard C. Huber, et ux  
Petition for Zoning Variance

Dear Mr. Huber:

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, Jr.  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures

March 19, 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 306, 317, 318, 319, 320, 321, 323, 324, 325, and 326.

Very truly yours,

Michael S. Flanagan  
Traffic Engineer Associate II

MSF:lt



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

PAUL H. REINCKE  
CHIEF

February 18, 1987

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

RE: Property Owner: Richard C. Huber, et ux  
Location: W/S Fork Rd. 260 ft. ± N of centerline of Upland Dr.  
Item No.: 325 Zoning Agenda: Meeting of 2/17/87

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: [Signature] Date: 2-17-87  
Planning Group  
Special Inspection Division

Noted and Approved: [Signature]  
Fire Prevention Bureau

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204

TED ZALESKI, JR.  
DIRECTOR

February 18, 1987

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

Dear Mr. Jablon:

Comments on Item # 325 Zoning Advisory Committee Meeting are as follows:

Property Owner: Richard C. Huber  
Location: W/S Fork Road, 260 Feet ± N of centerline of Upland Drive  
District: 11th

## 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.E.S.I. #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 New Groups except B-4 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-4 New Groups require a one hour wall if closer than 3'-0" to an interior lot line. New wall built up on interior lot line shall require a fire or party wall. See Table 401, Section 1107, Section 1104.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- 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 401 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/Temporary 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 the \_\_\_\_\_ to the \_\_\_\_\_, or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.
- I The proposed project appears to be located in a Flood Plain, Flood/Overwash. 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.
- 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 review. 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.

[Signature]  
B. E. Dyer, Chief  
Building Plans Review

L/22/86

IN RE: PETITION FOR ZONING VARIANCE  
W/S Fork Road, 260' N of the  
C/L of Upland Drive  
(12708 Fork Road)  
11th Election District  
6th Councilmanic District  
Richard C. Huber, et ux  
Petitioners

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 87-434-A

The Petitioners herein request a variance to permit a side yard setback of 25 feet in lieu of the required 50 feet.

Testimony by one of the Petitioners indicated that the existing dwelling includes a family room in the basement. Although they have attempted to control the runoff from the Wilson Avenue side of their property, their basement has flooded four times in the past eleven years and caused extensive water damage to furniture and items stored in the basement. The Petitioners propose the construction of a 13' x 15' addition for use as a family room. Subsequent to the public hearing, inaccuracies in the measurements were discovered in the original plan submitted and a revised drawing, marked Petitioner's Exhibit 2, was submitted proposing the construction of a 12' x 15' addition. A variance to permit a side yard setback of 24'4" is therefore required in order to construct the addition proposed. There were no Protestants.

After due consideration of the testimony and evidence presented, including the fact that the Petitioner reduced the size of the proposed addition to 12' x 15', it appears 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 will not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

ORDER RECEIVED FOR FILING

Date: 2/18/87 By: [Signature]

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 21st day of May, 1987 that a side yard setback of 24'4" in accordance with Petitioner's Exhibit 2, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, from and after the date of this Order.

[Signature]  
Deputy Zoning Commissioner  
of Baltimore County

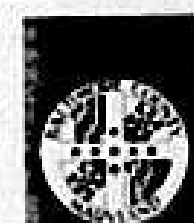
ORDER RECEIVED FOR FILING

Date: 2/18/87 By: [Signature]

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

Arnold Jablon  
Zoning Commissioner

May 21, 1987



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Richard C. Huber  
12708 Fork Road  
Fork, Maryland 21051

RE: Petition for Zoning Variance  
W/S Fork Road, 260' N of the  
c/l of Upland Drive  
11th Election District  
6th Councilmanic District  
Case No. 87-434-A

Dear Mr. & Mrs. Huber:

Pursuant to the hearing recently held on the above-referenced case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Granted in accordance with 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*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:jbs

Enclosures

cc: 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

Variance from Section \_\_\_\_\_

1A04.3 B.3 to permit a side yard setback of 25 feet in lieu of the required 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)

1. Basement is too damp year around.
2. Water damage to basement during heavy rains and power failures.
3. Have replaced all furnishings in basement due to the above reasons.

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 \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day

of \_\_\_\_\_, 19\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

*Carl Jung*  
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE  
W/S Fork Rd., 260' N of C/L of  
Upland Dr. (12708 Fork Rd.)  
11th District  
RICHARD C. HUBER, et ux,  
Petitioners  
BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 87-434-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 31st day of March, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Richard C. Huber, 12708 Fork Rd., Fork, MD 21051, Petitioners.

*Peter Max Zimmerman*  
Peter Max Zimmerman

### CERTIFICATE OF POSTING

SENIOR DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 11th Date of Posting: 4/13/87  
Posted for: Variance  
Petitioner: Richard C. Huber  
Location of property: W/S Fork Rd., 260' N of Upland Drive  
12708 Fork Rd.  
Location of Sign: Highway Fork Rd., approx 3' E of intersection  
D.M. Property of R.C. Huber  
Remarks: \_\_\_\_\_  
Posted by: *Waltman* Date of return: 4/16/87  
Number of Signs: 1

### ZONING DESCRIPTION

BEGINNING ON THE WEST SIDE OF FORK ROAD 25 FEET WIDE, AT THE DISTANCE OF 260 FEET NORTH OF THE CENTERLINE OF UPLAND DRIVE. BEING LOTS 25, 26, 27, 52, 53, and 54, SECTION E IN THE SUBDIVISION OF THE HEARNITT TRACT, BOOK NO. 9 FOLIO 12. ALSO KNOWN AS 12708 FORK ROAD IN THE 11th ELECTION DISTRICT.

### PETITION FOR ZONING VARIANCE

11th Election District - 6th Councilmanic District

Case No. 87-434-A

LOCATION: West Side of Fork Road, 260 feet North of the Centerline of Upland Drive (12708 Fork Road)  
DATE AND TIME: Friday, May 8, 1987, at 9:30 a.m.  
PUBLIC HEARING: Room 301, 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 side yard setback of 25 feet in lieu of the required 50 feet

Being the property of Richard C. Huber, 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

April 30, 1987

Mr. Richard C. Huber  
Mrs. Linda L. Huber  
12708 Fork Road  
Fork, Maryland 21051

RE: PETITION FOR ZONING VARIANCE  
W/S Fork Rd., 260' N of the c/l of Upland Dr.  
(12708 Fork Rd.)  
11th Election District - 6th Councilmanic District  
Richard C. Huber, et ux - Petitioners  
Case No. 87-434-A

Dear Mr. and Mrs. Huber:

This is to advise you that \$91.93 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

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

DATE: 5/8/87 ACCOUNT: R-01-615-000

SIGN & POST RETURNED

Mr. Richard C. Huber, 12708 Fork Rd.,  
Fork, Md. 21051

ADVERTISING & POSTING COSTS RE CASE #87-434-A

FOR: 0 0011\*\*\*\*\*913310 00000

VERIFICATION OR SIGNATURE OF CASHIER

### CERTIFICATE OF PUBLICATION

TOWSON, MD., April 16, 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 16, 1987.

THE JEFFERSONIAN,

Publisher

32.17

PETITION FOR  
ZONING VARIANCE,  
11th Election District  
6th Councilmanic District  
Case No. 87-434-A

LOCATION: West Side of Fork Road,  
200 feet North of the Centerline of  
Upland Drive (12708 Fork Road)  
DATE AND TIME: Friday, May 8,  
1987, at 9:30 a.m.

PUBLIC HEARING: Room 301,  
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 Zoning Variance to  
permit a side yard setback of 25  
feet in lieu of the required 50 feet

Being the property of Richard C.  
Huber, et ux, as shown on plat per  
last with the Zoning Office.

In the event that this Petition is  
granted, a building permit may be  
issued within the 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 submitted in writing by the  
date of the hearing set above or  
made at the hearing.

BY ORDER OF  
ARNDIS JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
0407 000000-04-15

## CERTIFICATE OF PUBLICATION

TOWSON, MD., April 15, 1987

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  
April 15, 1987.

TOWSON TIMES,

*Susan Leland Abbott*  
Publisher

4476

Mr. Richard C. Huber  
Mrs. Linda L. Huber  
12708 Fork Road  
Fork, Maryland 21051

March 20, 1987

## NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE  
W/S Fork Rd., 260' N of the c/l of Upland Dr.  
(12708 Fork Rd.)  
11th Election District - 6th Councilmanic District  
Richard C. Huber, et ux - Petitioners  
Case No. 87-434-A

TIME: 9:30 a.m.

DATE: Friday, May 8, 1987

PLACE: Room 301, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

*[Signature]*  
Zoning Commissioner  
of Baltimore County

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

DATE 7/3/87 ACCOUNT Lot 115-000

AMOUNT \$ 3500

RECEIVED FROM Richard Huber

FOR ZONING VARIANCE 325

8 8011\*\*\*\*\*3500:0 8022F

VALIDATION OR SIGNATURE OF CASHIER

