

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 1A04.3B.3 to permit a side yard setback of 27 feet in lieu of the required 50 feet and an amendment to Lot 3 of the First Amended Final Development Plan of "Willow Hill Manor" to allow construction outside of the building envelope.

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

To construct an addition in the side yard 27 feet from property line.

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: Legal Owner(s): Douglas R. Krach (Type or Print Name) Signature: Linda A. Krach (Type or Print Name) Address: 12699 Lee Ben Road, Kingsville, MD 21087 City and State: Name, address and phone number of legal owner, contract purchaser or representative to be contacted: City and State: Name: Attorney for Petitioner: Address: City and State: Name: Attorney's Telephone No.: Address: Phone No.

MAP INDEX: E.D. DATE 200 1000 DP

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of March, 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 18th day of May, 1987 at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

Douglas R. Krach, et ux E/S Lee Ben Rd., 246' N of New Cut Rd., 11th Election Dist., 12699 Lee Ben Rd., 5th C.D.

87-464-A #335

DESCRIPTION

Beginning on the east side of Lee Ben Road, 50 feet wide, at a distance of 246 feet, more or less, north of New Cut Road and being known as Lot 3 as shown on the Final Amended Plat of "Willow Hill Manor" which is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr. No. 49, Folio 18. Known as 12699 Lee Ben Road in the 11th Election District.

PETITION FOR ZONING VARIANCE

11th Election District - 5th Councilmanic District Case No. 87-464-A

LOCATION: East Side Lee Ben Road, 246 feet North of New Cut Road (12699 Lee Ben Road)

DATE AND TIME: Monday, May 18, 1987, at 10:30 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 27 feet in lieu of the required 50 feet and an amendment to Lot 3 of the First Amended Final Development Plan of "Willow Hill Manor" to permit construction outside of the building envelope

Being the property of Douglas R. Krach, 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 JARLON ZONING COMMISSIONER OF BALTIMORE COUNTY

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY DOUBLAS R. KRACH, et ux, Petitioners Case No. 87-464-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 Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

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 29th day of April, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Douglas R. Krach, 12699 Lee Ben Rd., Kingsville, MD 21087, Petitioners.

Peter Max Zimmerman Peter Max Zimmerman

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

ARNOLD JARLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

May 12, 1987

Mr. Douglas R. Krach Mrs. Linda A. Krach 12699 Lee Ben Road Kingsville, Maryland 21087

RE: PETITION FOR ZONING VARIANCE E/S Lee Ben Rd., 246' N of New Cut Rd. (12699 Lee Ben Rd.) 11th Election District - 5th Councilmanic District Douglas R. Krach, et ux - Petitioners Case No. 87-464-A

Dear Mr. and Mrs. Krach:

This is to advise you that \$80.07 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 payable to Baltimore County, Maryland, and remit to Room 112, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 35857

DATE 5/12/87 ACCOUNT 8-01-615-000 SLIP & POST RETURNED AMOUNT \$ 80.07 Mr. Douglas R. Krach, 12699 Lee Ben Rd., Kingsville, Md. 21087 RECEIVED FROM ADVERTISING & POSTING COSTS RE CA 7 #87-464-A FOR B B033*****80077a 8102af VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 30, 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 30, 1987.

THE JEFFERSONIAN.

Susan S. Stewart Publisher

32.17

Petition For Zoning Variance 11th Election District 5th Councilmanic District Case No. 87-464-A LOCATION: East Side Lee Ben Road, 246 feet North of New Cut Road (12699 Lee Ben Road) DATE AND TIME: Monday, May 18, 1987, at 10:30 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 27 feet in lieu of the required 50 feet and an amendment to Lot 3 of the First Amended Final Development Plan of "Willow Hill Manor" to permit construction outside of the building envelope. Being the property of Douglas R. Krach, 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 JARLON Zoning Commissioner of Baltimore County

The Times

Middle River, Md., April 29, 1987

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 29th day of April, 1987. Publisher.

22.90

ORDER RECEIVED FOR FILMING Date 5/19/87 By Shelli R. Lawrence

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 11.74 Date of Posting 4/28/87 Posted for Variance Petitioner Douglas R. Krach, et ux Location of property E/S Lee Ben Rd., 246' N of New Cut Rd., 12699 Lee Ben Rd. Location of Signs Front Lee Ben Rd., opposite W. Dr. 200' away from property. Remarks: Number of Signs 1

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of May, 1987, that the Petition for Zoning Variance to permit a side yard setback of 27 feet in lieu of the required 50 feet and, additionally, an amendment to the First Amended Final Development Plan of Willow Hill Manor, Lot 3, to permit construction outside of the building envelope be and are hereby GRANTED, from and after the date of this Order, subject to the following:

- 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.

Arnold Jablon
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. Douglas R. Krach
People's Counsel

ORDER RECEIVED FOR FILING
Date 2/24/87
By *John P. ...*

Mr. Douglas R. Krach
Mrs. Linda A. Krach
12699 Lee Ben Road
Kingsville, Maryland 21087

NOTICE OF HEARING
RE: PETITION FOR ZONING VARIANCE
E/S Lee Ben Rd., 246' N of New Cut Rd.
(12699 Lee Ben Rd.)
11th Election District - 5th Councilmanic District
Douglas R. Krach, et ux - Petitioners
Case No. 87-464-A

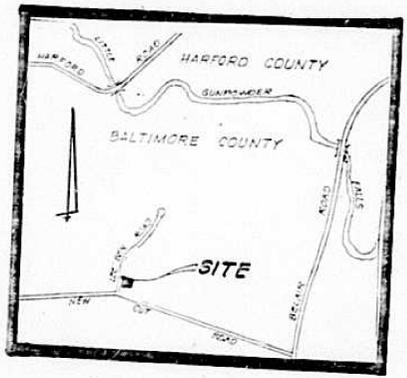
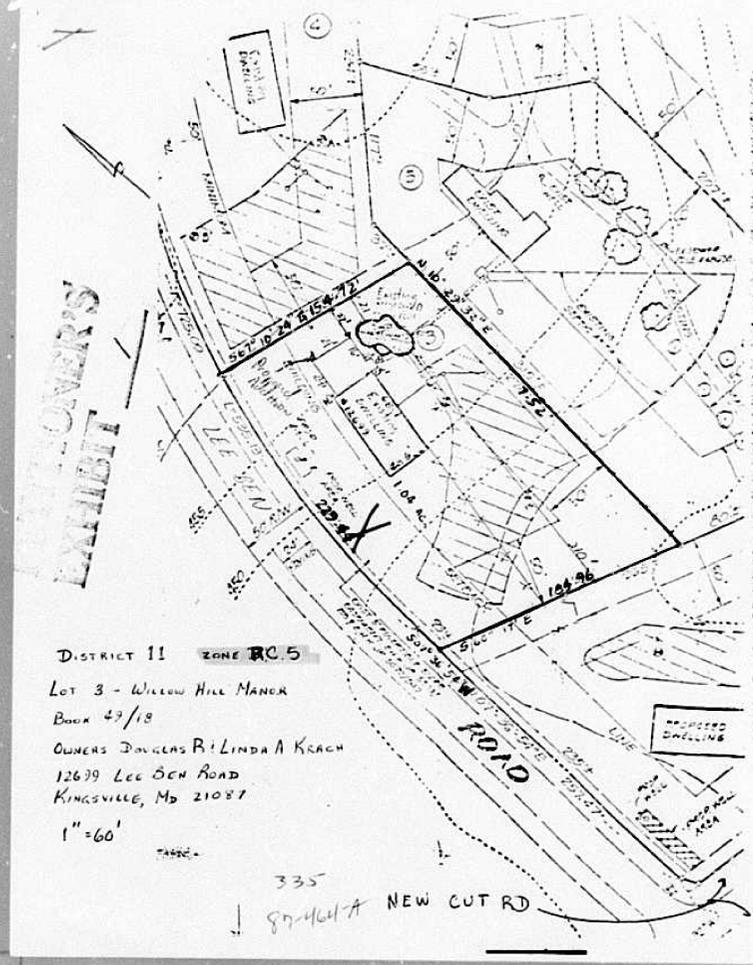
TIME: 10:30 a.m.
DATE: Monday, May 18, 1987
PLACE: Room 301, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

C. E. ...
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 29995

DATE: 5/18/87 ACCOUNT: 29995
AMOUNT \$ 35.00
RECEIVED FROM: Douglas R. Krach
FOR: Finance Revenue Division Item 225

VALIDATION OR SIGNATURE OF CASHIER



District 11 Zone RC.5
Subdivision - Willow Hill Manor
Lot 3 Book No. 49 Folio 18
Owner: Douglas R. & Linda A. Krach
12699 Lee Ben Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: April 13, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-462-A, 87-463-A, 87-464-A, 87-466-A and 87-467-A

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

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:s1b

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 8, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21284

Mr. Douglas R. Krach
12699 Lee Ben Road
Kingsville, Maryland 21087

RE: Item No. 335 - Case No. 87-464-A
Petitioners: Douglas R. Krach, et ux
Petition for Zoning Variance

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 Development

Dear Mr. Krach:

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:kkt

Enclosures



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

STEPHEN E. COLLINS
DIRECTOR

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 327, 329, 330, 332, 333, 334, 335, 337, 338, 339, 340, 344, 345, 346, 347, and 348.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

87-464-A

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 30th day of March, 1987.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner Douglas R. Krach, et ux Received by: James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee

RECEIVED
APR 14 1987

ZONING OFFICE



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

PAUL H. REINCKE
CHIEF

March 5, 1987

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

RE: Property Owner: Douglas R. Krach, et ux

Location: E/S Lee Ben Rd., 246' N. of New Cut Road

Item No.: 335

Zoning Agenda: Meeting of 3/3/87

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. Kelly 3-5-87
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

March 13, 1987

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

Dear Mr. Jablon:

Comments on Item # 335 Zoning Advisory Committee Meeting are as follows:

Property Owners: Douglas R. Krach
Location: E/S Lee Ben Rd. 246' N of New Cut Rd.
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.N.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 Use Groups except B-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. B-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 501, Section 1407, Section 1406.2 and Table 1402. 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 501 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(a) _____ 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, Tidal/Riverine. Please see the attached copy of Section 518.0 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:
- 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 W. Chesapeake Avenue, Towson, Maryland 21204.

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

4/22/87