

IN RE: PETITION FOR ZONING VARIANCE
E/S Kilbridge Rd., 308' from
c/l of Vicky Road
9123 Kilbridge Road
11th Election District
5th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY

Jo Ann Hecht
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 1802.3.B to permit a rear yard setback of 14 feet in lieu of the required 30 feet and to amend the last amended Development Plan of North Gate Hall, as more particularly described on Petitioners' Exhibits 1 & 2.

The Petitioner, Jo Ann Hecht, appeared and testified. Also appearing on behalf of the Petitioner was David Wolinga of Patio Enclosures, Inc. There were no Protestants.

Testimony and evidence indicate that the subject property known as 9123 Kilbridge Road, consists of .149 acres +/-, zoned D.R. 5.5 and is currently improved with a single family dwelling. The Petitioner desires to enclose the existing rear yard porch with glass windows. Testimony indicated that Petitioner's adjoining neighbors have no objection to the proposed enclosed porch.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare

of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of Oct., 1989 that a variance to permit a rear yard setback of 14 feet in lieu of the required 30 feet and to amend the last amended Development Plan of North Gate Hall, as more particularly described on Petitioners' Exhibits 1 & 2, be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein.

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

JRH:mmm
cc: Peoples Counsel

J. Robert Haines
Zoning Commissioner
for Baltimore County

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 1802.3.B (1801.2.C.A. - 111.100, -13701) -

...to permit a rear yard setback of 14 ft. in lieu of the required 30 ft. -
...and to amend the last amended final development plan of North Gate -

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

1. Reduce noise, insulate and reduce heating bills.
2. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
3. A place to sit out and not be concerned with the weather, bugs, mosquitoes, flies, etc.
4. Improve appearance of house.

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: _____

Legal Owner(s): _____
(Type or Print Name)
Signature: _____
(Type or Print Name)
Signature: _____

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

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1989, 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 _____ day of _____, 1989, at _____ o'clock _____ P.M.

(over)

LIBER 5740 PAGE 973

This Deed, Made this 6th day of April

in the year one thousand nine hundred and seventy-seven by and between CHESAPEAKE HOMES, INC., a Maryland Corporation, duly organized and existing under the laws of the State of Maryland

of the first part, and LAWRENCE B. HECHT and JO ANN HECHT, his wife, of Baltimore County, in the State of Maryland, parties of the second part.

Witnesseth, that in consideration of the sum of (\$5.00) Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged,

the said party of the first part

do es hereby grant and convey unto the said LAWRENCE B. HECHT and JO ANN HECHT, his wife, as tenants by the entireties, their personal representatives,

heirs and assigns,

in fee simple, all that lot(s) of ground, situate, lying and being in

Baltimore County, State of Maryland, and described as follows, that is to say:-

Beginning for the same and being known and designated as Lot No. 50, Block D, as shown on a Plat entitled, "Resubdivision of Plat 'C' of North Gate Hall," which Plat is recorded among the Plat Records of Baltimore County, Maryland in Plat Book EHK, JR. No. 38, folio 71. The improvements thereon being known as No. 9123 Kilbridge Road.

BEING one of the lots described in a Deed dated August 6, 1974 and recorded among the Land Records of Baltimore County in Liber EHK, JR. No. 5468, folio 625, which was granted and conveyed by Uptown Financial Corporation unto Chesapeake Homes, Inc.

TOGETHER with the right to use in common with others the 30 foot road described in a deed from George Steg to George Steg, et ux, dated December 14, 1915 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 454, folio 300. And the right to use in common with others the 15 foot right-of-way described in a Deed from George Steg, et ux, to George W. Steg, et ux, dated June 10, 1926 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 639, folio 582.

The undersigned corporate officer of the Grantor certifies that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfers of all or substantially all of the property and assets of said grantor.

Test to be given by the Grantor before the Court of Appeals of Maryland.

By: Howard C. Weinert 93.00 net

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th
Posted for: 14 days
Petitioner: Jo Ann Hecht
Location of property: E/S Kilbridge Rd., 308' S of c/l of Vicky Rd.
9123 Kilbridge Rd.
Location of Sign: Facing Kilbridge Rd., approx. 15' E of Roadway
Remarks: For 14 days of 14 ft. setback
Posted by: J. Robert Haines
Number of Signs: 1

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on August 31, 1989.

THE JEFFERSONIAN
NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zehe Publisher

PO 16249
reg M34169
ca 90-118-A
price \$74.86

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the subject of a petition for a zoning variance from Section 1802.3.B (1801.2.C.A. - 111.100, -13701) - to permit a rear yard setback of 14 ft. in lieu of the required 30 ft. and to amend the last amended final development plan of North Gate Hall, of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) 1. Reduce noise, insulate and reduce heating bills. 2. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns. 3. A place to sit out and not be concerned with the weather, bugs, mosquitoes, flies, etc. 4. Improve appearance of house. 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.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Jo Ann Hecht
9123 Kilbridge Road
Perry Hall, Maryland 21226

Re: Petition for Zoning Variance
CASE NUMBER: 90-118-A
E/S Kilbridge Road, 308 ft. S of c/l of Vicky Road
9123 Kilbridge Road
11th Election District - 5th Councilmanic
Petitioner(s): Jo Ann Hecht
HEARING SCHEDULED THURSDAY, SEPTEMBER 28, 1989 at 2:30 p.m.

Dear Ms. Hecht:

Please be advised that \$ 99.86 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 077302
DATE 9/28/89 ACCOUNT R 001 615 000
AMOUNT \$ 99.86
RECEIVED FROM Jo Ann Hecht
FOR PAID 9/28/89 being 90-118-A
B 9121*****951610-2007
VALIDATION OR SIGNATURE OF CASHIER
DATE/TIME: _____

Legal Description of Property

Beginning on the east side of Kilbridge Rd., 60 feet wide, at a distance of 308', south of the centerline of Vicky Rd. Being lot 50, in the subdivision of North Gate Hall. Boor no. 38, Folio 071.

Also Known as 9123 Kilbridge Rd. In the 11th election district.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

August 16, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-118-A
E/S Kilbridge Road, 308 ft. S of c/l of Vicky Road
9123 Kilbridge Road
11th Election District - 5th Councilmanic
Petitioner(s): Jo Ann Hecht
HEARING SCHEDULED THURSDAY, SEPTEMBER 28, 1989 at 2:30 p.m.

Variance to permit a rear yard setback of 14 ft. in lieu of the required 30 ft. and to amend the last amended final development plan of North Gate.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Jo Ann Hecht
Patio Enclosures, Inc.
File

9/29/89

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: September 8, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Jo Ann Hecht, Item 579
Zoning Petition No. 90-118-A

The petitioner requests a variance to permit a rear yard setback of 14 feet in lieu of the required 30 feet and to amend the last amended Final Development Plan of North Gate Hall. The Office of Planning and Zoning has no comment on the above request.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL/se

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(301) 887-3334

RECEIVED
AUG 3 1989
ZONING OFFICE

July 31, 1989



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 515, 574, 575, 576, 577, 578, 579, 580, 581, and 582.

Very truly yours,

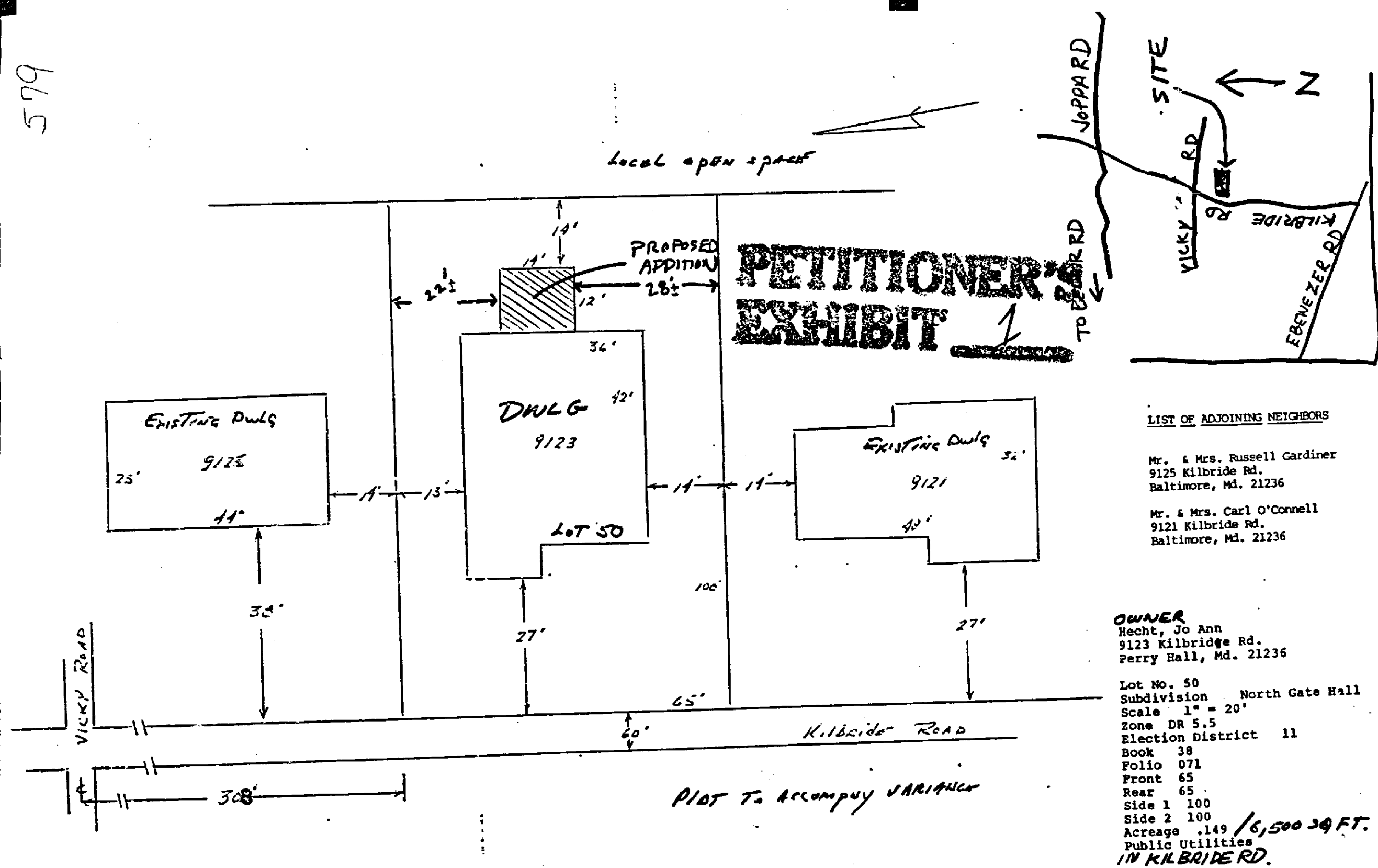
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lab



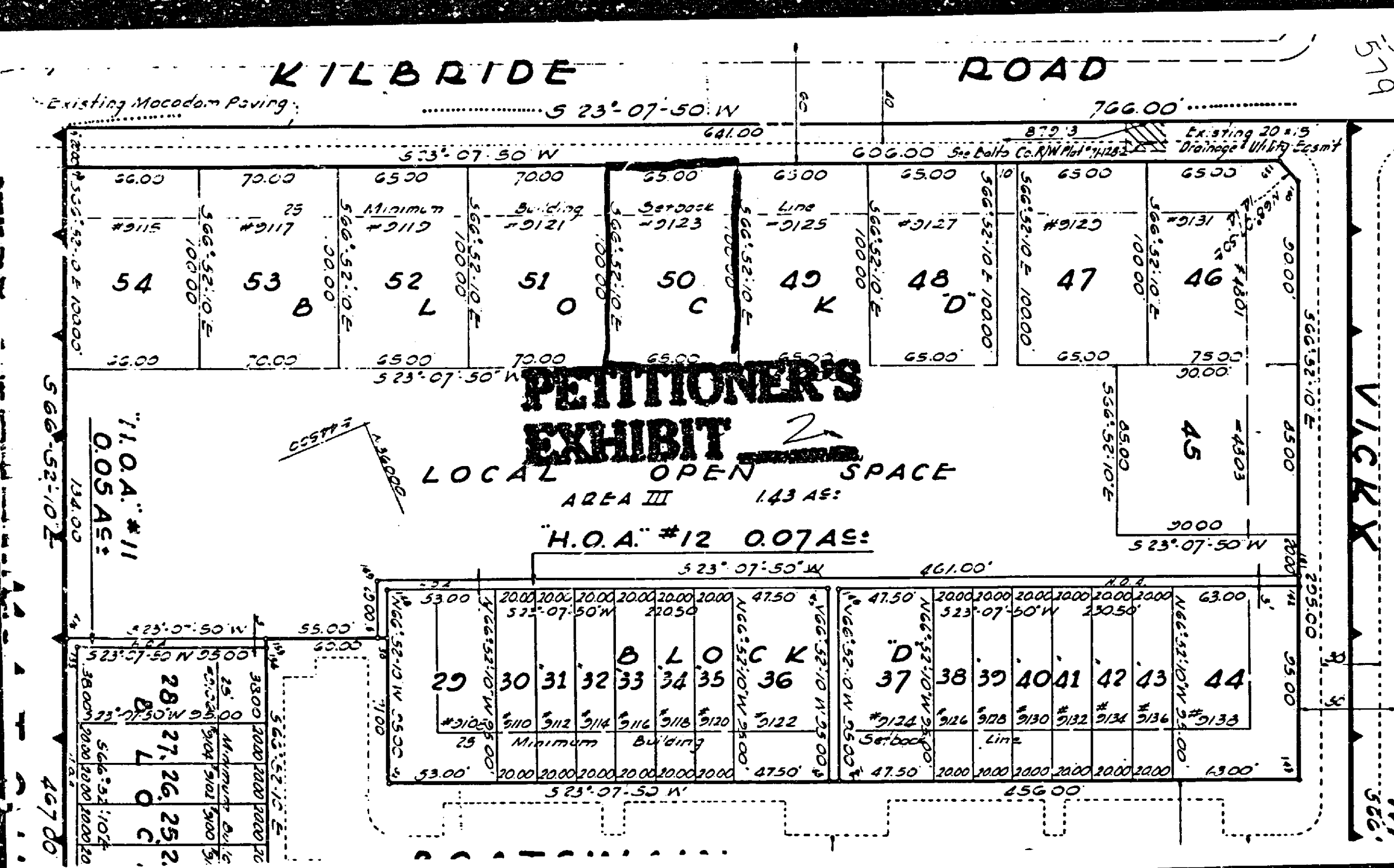
APPROVED
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
DATE: 9/11/89
BALTIMORE COUNTY OFFICE OF PLANNING (DIRECTOR)

EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
1000 E. JONES RD.
TOWSON, MD 21204
(301) 887-3334



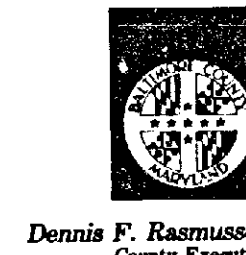
LIST OF ADJOINING NEIGHBORS
Mr. & Mrs. Russell Gardner
9125 Kilbridge Rd.
Baltimore, Md. 21236
Mr. & Mrs. Carl O'Connell
9121 Kilbridge Rd.
Baltimore, Md. 21236

OWNER
Jo Ann Hecht
9123 Kilbridge Rd.
Perry Hall, Md. 21236
Lot No. 50
Subdivision North Gate Hall
Scale 1" = 20'
Zone DR 5.5
Election District 11
Book 38
Page 071
Front 65
Rear 65
Side 1 100
Side 2 100
Acreage .140 16,500 SQ. FT.
IN KILBRIDE RD.



Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500
Paul H. Reincke
Chief

JULY 19, 1989



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JO ANN HECHT
Location: E/S KILBRIDGE ROAD,
Item No.: 579 Zoning Agenda: JULY 11, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* Noted and Approved
Planning Group File Prevention Bureau
Special Inspection Division

JK/KEK

NORTH GATE HALL.
KEEP IN ZONING
FILE. OLD TRANSITION
REQUIREMENTS
APPLY