Date 3/3/6/

IN RE: PETITION FOR VARIANCE
W/S Rohe Farm Lane, 1210' S
centerline of Bird River Road
15th Election District
5th Councilmanic District
(998 Rohe Farm Lane)

Daniel W. Kimble Petitioners

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 01-293-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Daniel Kimble. The Petitioner is requesting a variance for property he owns at 998 Rohe Farm Lane. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 10 ft. and 15 ft. and a sum of the side yards of 25 ft. in lieu of the required setbacks of 15 ft. and 25 ft. and a sum of the side yards of 40 ft.

Appearing at the hearing on behalf of the variance request was Daniel Kimble, the property owner. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.410 acres, more or less, zoned DR 2. The subject property is unimproved at this time. Mr. Kimble testified that he purchased the lot approximately 20 years ago when he bought his existing single family residence. Mr. Kimble lives on the property adjacent to this unimproved lot. He is desirous of obtaining the variances, in order that he may build a single family dwelling on the property for a member of his family. In order to proceed with the construction of the home, the variance requests are necessary.

IN RE: PETITION FOR VARIANCE
W/S Rohe Farm Lane, 1210' S
centerline of Bird River Road
15th Election District
5th Councilmanic District
(998 Rohe Farm Lane)

Daniel W. Kimble Petitioners

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* * * * * * * * * * * * *

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3/3/2/2000 FILING

Corrected
3/22/01
raj
Corrected copy mailed
to Mr. Kimble 3/22/01.

3/3/0/ 101 Films

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this <u>13</u> day of March, 2001, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard setbacks of 10 ft. and 15 ft. and a sum of the side yards of 25 ft. in lieu of the required setbacks of 15 ft. and 25 ft. and a

sum of the side yards of 40 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

March 13, 2001

Mr. Daniel W. Kimble 1000 Rohe Farm Lane Baltimore, Maryland 21220

> Re: Petition for Variance Case No. 01-293-A

> > Property: 998 Rohe Farm Lane

Dear Mr. Kimble:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

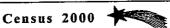
Timothy M. Kotroco

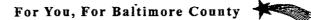
Deputy Zoning Commissioner

butly lotroco

TMK:raj Enclosure













Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 978 Robe Falm Law e

	tor the pro	perty located at 1701		M LANDE
		which is present	ly zoned <u>Of</u>	<i>(</i> 2
This Petition shall be filed with to owner(s) of the property situate in Emade a part hereof, hereby petition	he Department of Pe Baltimore County and for a Variance from S	ermits and Development Ma which is described in the des ection(s)	anagement. The cription and plat	undersigned, lega attached hereto and
yard setbacks of	10 ft, and 15	- ft 1100.5.2.	1 to per.	mit side
25 ft. in lieu of the	institut of	your year setting	ks of 154	Ft. and 25 fy
of the Zoning Regulations of Baltim hardship or practical difficulty)	ore County, to the zor	ning law of Baltimore County	, for the following	reasons: (indicate
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Developemento Be To The weight	nother 5	de of STRe	et, IT	would
Be To The weight	ond noods	BENIFIT TO	Builda	! LERGER
house FOR PROPER	TY Values	:		,
Property is to be posted and advertise I, or we, agree to pay expenses of about regulations and restrictions of Baltimore			to and are to be bore County.	ounded by the zoning
		I/We do solemnly decla perjury, that I/we are the is the subject of this Pe	re and affirm, unde	r the penalties of the property which
Contract Purchaser/Lessee:		Legal Owner(s):		
			12	1
Name - Type or Print		Daniel Name Type or Print	W. Ku	nbre
0:-		ame	w Kin	n lels
Signature		Signature	7.10	
Address	Telephone No.	Name - Type or Print	only 1 a	Jher Cus de
City			410-574	17242
·	Zip Code	Signature		
Attorney For Petitioner:		looo Rohe	Farm	Lane
SPC.	•	BaltimoRe	md	Telephone No.
Name - Type or Print		City	State	<u> </u>
Signature		Representative to	be Contacted:	
Company 3		Name		
Address	Telephone No.	Add		
5-2/	reichnone 140.	Address		Telephone No.
State	Zip Code	City	State	Zip Code
		<u>OFFI</u>	CE USE ONLY	
Cos No. 0/ 202 1		ESTIMATED LENGT		,
Case No. 01-293- A				·

ZONING DESCRIPTION FOR — 998 ROHE FARM LANE
BEGINNING AT A POINT ON THE SOUTH-WEST SIDE
OF ROHE FARM LANE WHICH IS 50 FEET WIDE AT A
DISTANCE OF 1210 FEET SOUTH OF BIRD RIVER ROAD
BEING LOT # 2 OF THE MINOR SUBDIVISION OF DANIEL
W. KIMBLE PROPERTY. AS RECORDED IN BALTIMORE
COUNTY LAND RECORDS LIBER # 6637 FOLIO 361
CONTANING 17, 825 SQUARE FEET
ALSO KNOW AS 998 ROHE FARM LANE
AND LOCATED IN THE 15 ELECTION DISTRICT
AND THE 5 ***L** COUNCILMANIC DISTRICT.

ALSO KNOWN AS PARCEL 2 AS SHOWN ON THE MINOR

SUBDIVISION OF DANIEL W. KIMBLE AS RECORDED IN DEED

LIBER 6637 FOLIO 361 —— SOUTHWESTERNMOST SIDE OF ROHE

FARM LANE, 50 FEET WIDE THE FOLLOWING LINE, N.32 43' 00"

W. 76.43 S. 56 25' 00" W. 233.90

BALTIMORE COUNTY, MARYL OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	.A ○8665 No.	PATE RELIATION TO THE RESERVE CONTROL OF THE
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FOR: 200.2000	180 me	
		01-293-A
DISTRIBUTION WHITE - CASHIER PINK - AGENCY Y	ELLOW - CUSTOMER 2 2 3 5	CASHIER'S VALIDATION

MOTHER OF ANIMALS

The Zoning Commissioner of Ballimore County, by authority of the Zoning Act and Regulations, of Ballimore County will hold public hearing in Towson Maryland on the property identified herein as follows:

Case: #01-293-A
998 Rohe Farm Lane
W/S Rohe Farm Lane; 1210'
S of centerline Bird River Rd.
15th Election District
5th Councilmanic District
Legal Owner(s):Daniel W.

Sth. Councilmanic District Legal Owner(s): Daniel W. Kimble Variance: to permit side yard setbacks of 10 feet and 15 feet in lieu of the required 15 feet and 25 feet and to permit a side yard combination of 25 feet in lieu of the required 40 feet. Hearing: Tuesday, March 13, 2001 at 9:08 a.m. in Room 407, County Courts Betheling, 401 Bosley Ave.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(410) 887-4366.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-

JT/2/753 Feb. 27 C453098

CERTIFICATE OF PUBLICATION

TOWSON, MD,	3		, 20 <u>01</u>
THIS IS TO CERTIFY, that the	annexed	ad	vertisement was
published in THE JEFFERSONIAN, a v	veekly ne	wsp	aper published in
Towson, Baltimore County, Md., once in	each of _		successive
weeks, the first publication appearing or	1 <u> </u>	2	7, 2001.
	,		
THE	JEFFER	RSC)NIAN,
J. 02	I M	l d	12-
15.00	ADVE	P]	ISING

	RE: Case No.: $0/-0.75$
	Petitioner/Developer: DANIEL Kimble
	Date of Hearing/Closing: 13 MAR 200/
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•
Attention: Ms. Gwendolyn Stephens	-
Ladies and Gentlemen:	·
	acated at 998 ROHE FARM LANE
	(Month, Day, Year)
	Sincerely,
	SSAMME 24 Feb 01
	(Signature of Sign Poster and Date)
	SSG Robert Black
Comment of the state of the sta	(Printed Name)
And the second s	1508 Leslie Road
	(Address)
and the state of t	Dundalk Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
and the second s	(Telephone Number)
	, r

RE: PETITION FOR VARIANCE 998 Rohe Farm Lane, W/S Rohe Farm Ln, 1210' S of c/l Bird River Rd '5th Election District, 5th Councilmanic

Legal Owner: Daniel W. Kimble Petitioner(s)

- BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 01-293-A

* * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

ole S. Demilio

Max Timmeman

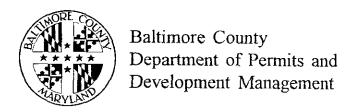
CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue

Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of February, 2001 a copy of the foregoing Entry of Appearance was mailed to Daniel W. Kimble, 998 Rohe Farm Lane, Baltimore, MD 21220, Petitioners.

PETER MAX ZIMMERMAN



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

February 7, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-293-A

998 Rohe Farm Lane

W/S Rohe Farm Lane, 1210' S of centerline Bird River Road

15th Election District – 5th Councilmanic District

Legal Owner: Daniel W . Kimble

<u>Variance</u> to permit side yard setbacks of 10 feet and 15 feet in lieu of the required 15 feet and 25 feet and to permit aside yard combination of 25 feet in lieu of the required 40 feet.

HEARING: Tuesday, March 13, 2001 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

C: Daniel W. Kimble, 1000 Rohe Farm Lane, Baltimore 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 26, 2001.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 27, 2001 Issue – Jeffersonian

Please forward billing to:
Daniel W. Kimble
1000 Rohe Farm Lane
Baltimore MD 21220

410 574-7242

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998 Rohe Farm Lane
W/S Rohe Farm Lane, 1210' S of centerline Bird River Road
15th Election District – 5th Councilmanic District
Legal Owner: Daniel W , Kimble

<u>Variance</u> to permit side yard setbacks of 10 feet and 15 feet in lieu of the required 15 feet and 25 feet and to permit aside yard combination of 25 feet in lieu of the required 40 feet.

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Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

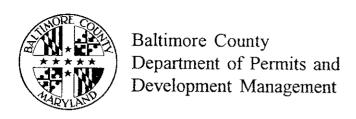
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 01-293-A
Petitioner: Daniel Kimblo
Address or Location: 1000 Rohe Farm Lang
PLEASE FORWARD ADVERTISING BILL TO:
Name: Daniel W. Kimble
Address: 1000 Rohe Farm Lawe
Baltimore Maryland 21220
Telephone Number: 410 - 5747242

Revised 2/20/98 - SCJ

01-293-A



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 9, 2001

Daniel W Kimble 1000 Rohe Farm Lane Baltimore MD 21220

Dear Mr. Kimble:

RE: Case Number: 01-293-A, 998 Rohe Farm Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 24, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 6, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 12, 2001

Item Nos. 288, 289, 290, 291, 293, 295, 297, 298, 299, 300, 301, 302, 303, 304,

and 308

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

ZAC-2-12-2001-NO COMMENT ITEMS-362001.doc



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

February 8, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 5, 2001

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

290, 291, 292, 293, 294, 295, 297, 298, 299, 300, 302, 303, 304, and 308

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley My

DATE:

March 19, 2001

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of February 5, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
288	10260 York Road
289	10240 York Road
290	2522 Venetian Road
291	5126 Edmondson Avenue
293	998 Rohe Farm Lane
295	Gwynnbrook Property
296	1909 Halethorpe Avenue
297	2707-2709 Rolling Road
298	326 Stone Castle Avenue
299	2127 York Road
300	2127 York Road
301	3916 Old North Point Road
302	7605 Curving Lane
303	703 Main Street
308	104 McCormick Avenue

Juni 3/13

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 20, 2001

ا بدو المؤاد الم

TO: Arnold Jablon, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 998 Rohe Farm Lane

INFORMATION:

Item Number: 01-293

Petitioner: Daniel W. Kimble

Zoning: DR 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the variance request to allow side yard setbacks of 10 feet and 15 feet in lieu of the required 15 feet and 25 feet, and a combined side yard of 25 feet in lieu of the required 40 feet.

Prepared by:

Section Chief:

AFK.MAC:



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 2.7.81

Ms. Ronnay Jackson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County

Item No. 293 B

Dear. Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

1. J. Srell



TIME NĀME 04/07/2005 16:16

TEI

4108875708 4108875708 SER.#: BROM2J866058

DATE, TIME FAX NO./NAME DURATION

04/07 16:16 94107063289 00:00:43 STANDARD

IN RE: PETITION FOR VARIANCE W/S Rohe Farm Lane, 1210' S centerline of Bird River Road 15th Election District 5th Councilmanic District (998 Rohe Farm Lane)

> Daniel W. Kimble Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

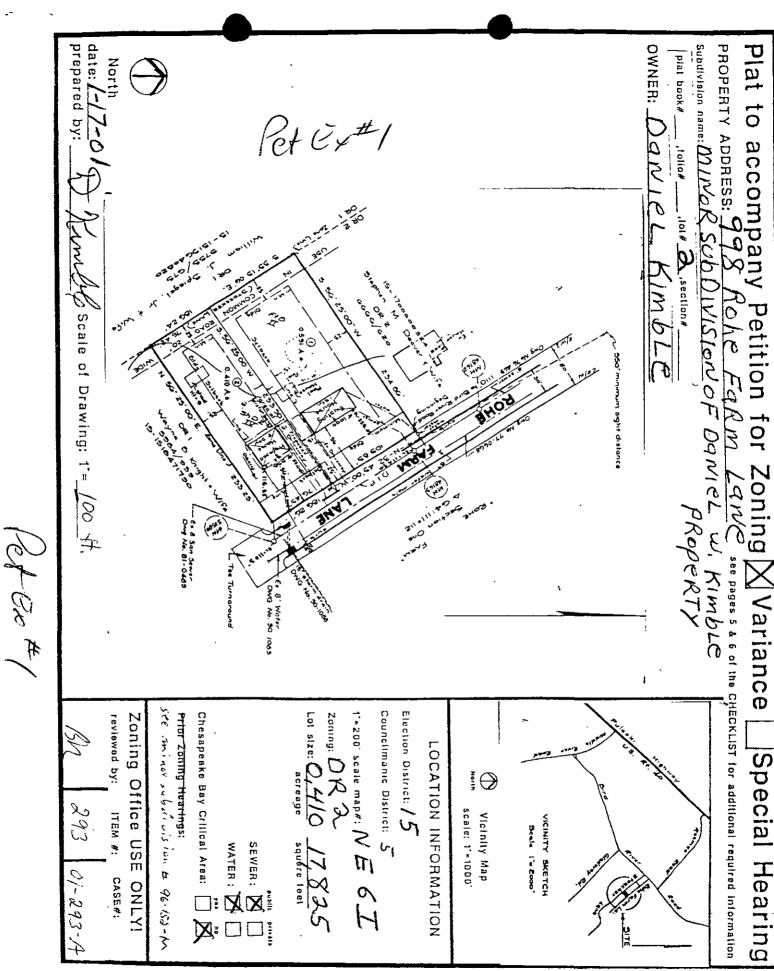
CASE NO. 01-293-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

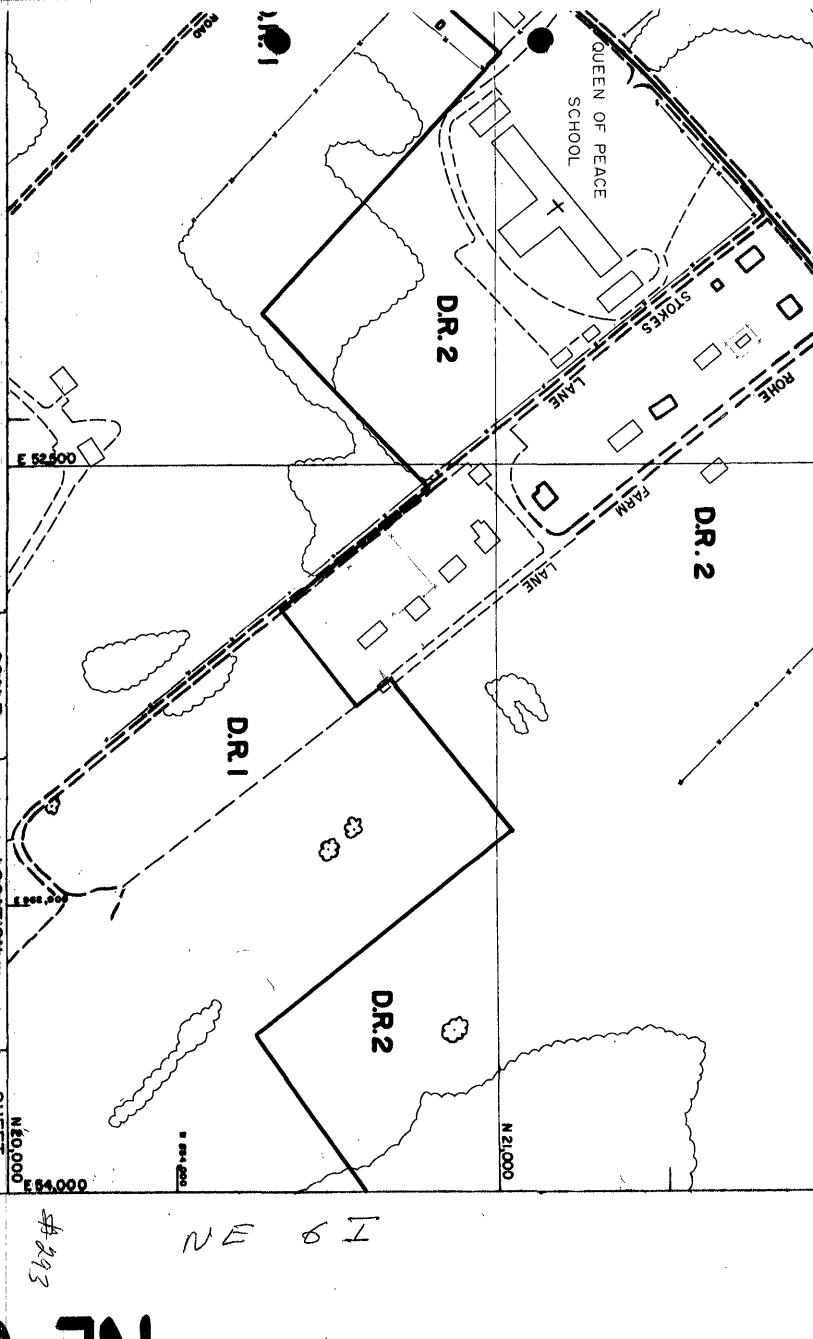
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Testimony and evidence indicated that the property, which is the subject of this variance 1--- The enhiert property is unimproved

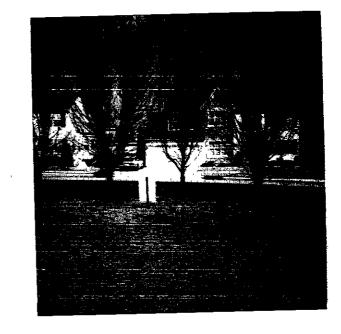


01-293-A





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Baltimore County Zoning Commissioner Office of Planning Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204

PhotoSiPl-A #01-293-A