

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Fred W. Langschmidt, legal owner 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 211.2 (Side Yards - For one-family dwelling, 8 feet wide for one side yard) to permit a 6' sideyard instead of the required 8' and Sec. 211.4 to permit a rear yard of 20' instead of the required 30'.

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

See attached description

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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser Fred W. Langschmidt, Legal Owner
Address 100 S. Tremont Road
Baltimore, Maryland 21229

Philip J. Guentzer, Esq., Petitioner's Attorney
Address 116 W. Mulberry Street
Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of March, 1971, 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 in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of May, 1971, at 10:00 o'clock.

Oliver L. Myers, Chairman
Zoning Board of Baltimore County

- 1) THAT the present owner of this property, Fred W. Langschmidt, entered into a Contract of Sale with August A. Gassinger and Sons, Inc., to purchase the subject property about 1932; and
- 2) THAT pursuant to its normal course of operations, August A. Gassinger and Sons, Inc., did allow Fred W. Langschmidt to make periodic payments to be applied to the purchase price of the subject property, occupy the property and erect upon it a single one-room structure in 1940; and
- 3) THAT August A. Gassinger and Sons, Inc., did convey title to the present owner in 1943; and
- 4) THAT the owner of the aforementioned structure has, since the time of its erection, used it as a dwelling place or a summer cottage; and
- 5) THAT as the erection of the aforementioned building preceded the adoption of the first Zoning Regulations of Baltimore County in 1945 by some five (5) years, it was entitled to the status of a pre-existing, non-conforming use;
- 6) THAT the owner now wishes to improve the present structure with a 12' by 14' addition and to install indoor plumbing to make the present structure more comfortable and more in keeping with the surrounding structures; and
- 7) THAT to make these improvements would, under the laws of Baltimore County and the State of Maryland, destroy the pre-existing, non-conforming use status of this property; and
- 8) THAT in order to make the aforementioned improvements, petitioners must obtain various permits; and
- 9) THAT in order to obtain these permits petitioner must obtain a zoning variance for that portion of the Area and Height regulations with which the present structure does not now conform; and
- 10) THAT if petitioner is denied his request for a zoning variance he will either be forced to uneconomically destroy, at great expense, the present structurally sound dwelling, or to abandon forever his plans for

improving the subject property, which would be to the detriment of the interests of both the petitioner and the owners of surrounding properties; and

11) THAT the erection of the aforementioned addition would involve a continuation of the presently non-conforming wall (six feet from the side property line rather than the required eight) but that an expansion in that direction rather than a wall at 90° is required in order to avoid removal of the present roof (gabled with the center line running parallel to the lot lines) and to avoid relocation of the water connection installed before the proposed addition was considered; and

12) THAT the petitioner has obtained the approval of the owners of the next adjoining lots on either side to the erection of this addition, namely Mr. and Mrs. William Davis, owners of the property to the Northeast, and Mr. and Mrs. Franklin Bowering, owners of the property to the Southwest.

TELEPHONE 484-5411		INVOICE		BALTIMORE COUNTY, MARYLAND		No. 81266	
		OFFICE OF FINANCE		DATE May 3, 1971			
TO: <u>Mr. & Mrs. William Davis, 116 W. Mulberry Street, Baltimore, Md. 21201</u>		Zoning Dept. of Baltimore County					
DEBIT TO ACCOUNT NO. <u>65-422</u>		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL AMOUNT DUE		25.00	
QUANTITY		DETAILS ALONG PERFORMANCE AND KEEP THIS PORTION FOR YOUR RECORDS		COST			
1		Petition for Variance for Fred W. Langschmidt #1-270-A		25.00			
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204							

TELEPHONE 484-5411		INVOICE		BALTIMORE COUNTY, MARYLAND		No. 81269	
		OFFICE OF FINANCE		DATE May 25, 1971			
TO: <u>Cash</u>		Zoning Dept. of Baltimore County					
DEBIT TO ACCOUNT NO. <u>65-422</u>		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL AMOUNT DUE		41.00	
QUANTITY		DETAILS ALONG PERFORMANCE AND KEEP THIS PORTION FOR YOUR RECORDS		COST			
1		Advertising and posting of property for Fred W. Langschmidt #1-270-A		41.00			
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION MAIL TO COURTHOUSE, TOWSON, MARYLAND 21204							

Description

BEGINNING on the east side of Greenbank Road ± 232.80 feet north from the intersection of Gunpowder Road and Greenbank Road, being known as lot number 35, section "A" as shown on the Plat of Oliver Beach which is recorded among the Land Records of Baltimore County in Plat Book OGB, Jr., No. 12, folio 56.

Containing ± 0.255 acres

COUNTY OFFICE BUILDING
106 E. CALHOUN STREET
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE HIGHWAY COMMISSION

BUREAU OF FIRE PREVENTION

DEPARTMENT OF PUBLIC WORKS

BUILDING DEPARTMENT

ZONING AND PLANNING DIVISION

INDUSTRIAL DEVELOPMENT

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 23, 1971

Philip J. Guentzer, Esq.
116 W. Mulberry Street
Baltimore, Maryland 21201

RE: Type of Hearing: Side yard Variance
Location: E/S Greenbank Rd., 232' N. of Gunpowder Rd.
Petitioner: Fred W. Langschmidt
Committee Meeting of March 23, 1971
15th District
Item 141

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a small dwelling, with the surrounding properties improved with shore houses and permanent type dwellings, 10 to 20 years of age, in good repair. Greenbank Road is not improved to offer as good a road as the surrounding properties. At the present time it is undergoing extensive construction work with regard to the public sanitary sewer and water system being installed.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Greenbank Road, an existing County road, is proposed to be improved in the future as a 30-foot closed highway section on a 50-foot right-of-way. Highway improvements are not required at this time. However, highway right-of-way widening will be required in conjunction with any present or subsequent grading or building permit application.

The status of the Private Road is unknown.

The entrance locations are subject to approval by the Department of Traffic Engineering.

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Storm Drains:

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Water:

Public water supply is available to serve this property.

Sanitary Sewer:

Public sanitary sewerage is not presently available to serve this property. However, extensive public sanitary sewerage is presently under construction in the Oliver Beach area, see Drawings 888-942 and 953, File 1 in particular.

FIRE PREVENTION:

This office has no comment on the proposed site.

BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

DEPT. OF TRAFFIC ENGINEERING:

The subject variances should have no effect on traffic.

HEALTH DEPARTMENT:

This office will not approve a building application until such time as the public sewer, which is under construction, is operational.

BOARD OF EDUCATION:

No bearing on student population.

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This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing, date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

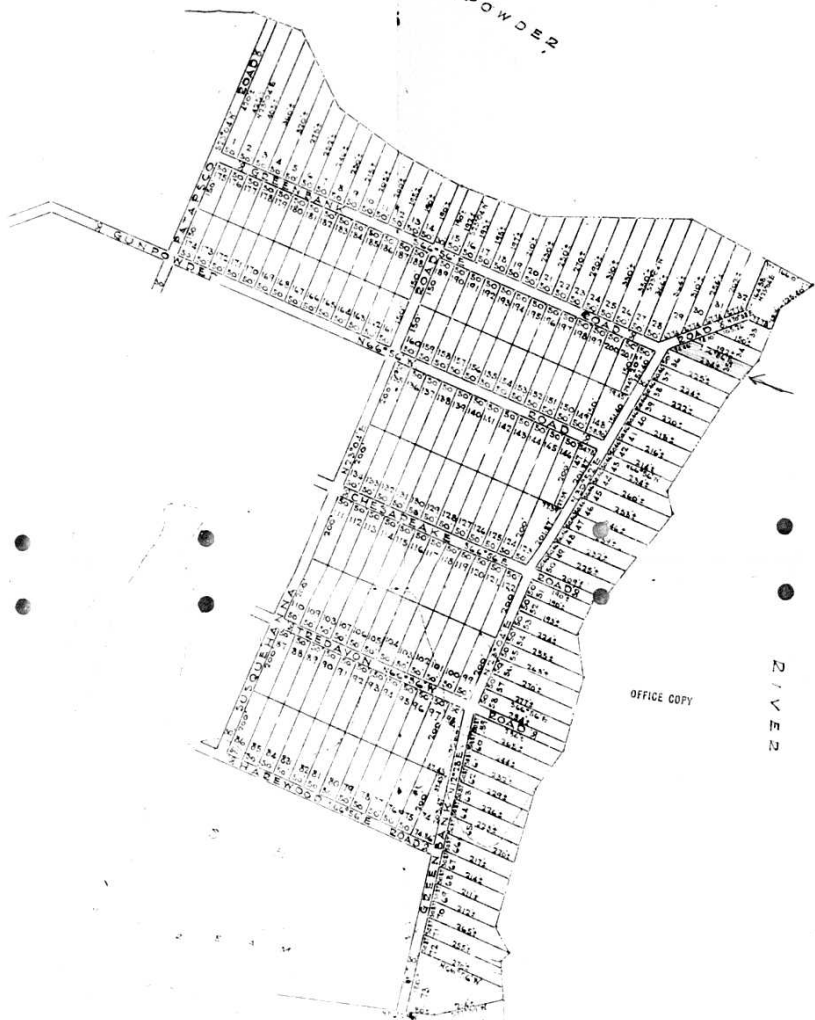
OLM:JD
Enc.

JUL 14 1971

MICROFILMED

District. 15 Date of Posting. May 10th 1971
 Posted for: Neeraj Wad May 26th 1971 @ 12:00 P.M.
 Peltitioner: Dr. M. V. Kamphadkar
 Location of property: C/S of Sindabad Rd. 232 St. No. of Shapardenkar
 Location of Sign: On Sign Post, Back of Mridul Building, Opp. No. 238, S.C. No. of Shapardenkar Rd.
 Remarks:
 Posted by: Mul. W. Desai Date of return: May 13th 1971.

GUNPOWDER



OFFICE COPY

RIVER

9/97

SECTION A
OF
OLIVER BEACH

FIFTEENTH DIST. OF
BALTIMORE COUNTY
ANDRETTA GATLINGER & SONS, INC.
OWNERS

