

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Sperl Development Co., 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 1211.1 to permit a width at front of building line of 50 feet instead of required 55 feet on Lots 202-205; 169-176, 181-186 North Hazelwood Avenue.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Property was on a plat recorded prior to 1945, and owner believed that with water and sewer available buildings would be permitted on 50 foot lots.

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

Sperl Development Company
Ella Mae Little, Contract purchaser
President
Address 3811 East Avenue
Baltimore, Md. 21234
Robert J. Ryan, Petitioner's Attorney
Address 406 Jefferson Bldg., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of September, 1971, that the subject matter of this petition be advertised, as provided 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 18th day of October, 1971, at 9:30 o'clock.

Thomas C. Gentner
Zoning Commissioner of Baltimore County.

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
File No. 72-98-A

ORDER OF DISMISSAL

Petition of Ella Mae Little (Sperl Development Co., Contract Purchaser) for variance from Section 1202.C(211.1) on properties located on the west side of North Hazelwood Ave. 538.9 feet south of Charles Avenue; east side of North Hazelwood Avenue 105.2 feet south of Charles Avenue, and the east side of North Hazelwood Avenue 379.2 feet south of Charles Avenue, in the 14th Election District of Baltimore County

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed February 16, 1972 (a copy of which is attached hereto and made a part hereof), from the attorney representing the Protestants-Appellants in the above entitled matter.

WHEREAS, the said attorney for the said Protestants-Appellants requests that the appeal filed on behalf of said Protestants be dismissed and withdrawn as of February 16, 1972.

IT IS HEREBY ORDERED, this 16th day of February, 1972, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slawik, Chairman
Walter A. Keller, Jr.
John A. Miller

File No. 72-98-A Zoning Appeal * BOARD OF ZONING APPEALS
Ella Mae Little (Sperl Development Co., contr.pur.) *

MOTION TO WITHDRAW APPEARANCE

Mr. Clerk:
Please withdraw my name and my appearance as counsel for Mr. & Mrs. John Bernwinkler, appellants.

Dorothy T. Jackson
Dorothy T. Jackson, Attorney
8109 Harford Road
Baltimore, Md. 21234
665-7636

I hereby certify that a copy of the Motion to Withdraw Appearance was mailed this 31st day of January, 1972 to E. Scott Moore, Esq., 408 Jefferson Bldg., Towson, Md. 21204; and Thomas C. Gentner, Esq., Title Bldg., 6th Floor, Balto., Md. 21202

Dorothy T. Jackson
Dorothy T. Jackson

In the Matter of * THE
The Petition for Variance to * COUNTY
Zoning Regulations - North * BOARD
Hazelwood Avenue, S. Charles Ave. * OF
Ella Mae Little - Petitioner * APPEALS
Sperl Development Company, *
Contract Purchaser - No. 72-98-A *

DISMISSAL OF APPEAL

Mr. Clerk:
Please enter a Dismissal of Appeal on behalf of John Bernwinkler and Jenny Bernwinkler, his wife, whose address is 5819 S. Hazelwood Avenue, Baltimore County, Maryland in the above captioned matter.

John Bernwinkler
John Bernwinkler

Jenny Bernwinkler
Jenny Bernwinkler

Thomas C. Gentner
Thomas C. Gentner
Attorney for Bernwinklers

I HEREBY CERTIFY that this 15th day of February, 1972, a copy of the foregoing Dismissal of Appeal was mailed to E. Scott Moore, Esquire, 408 Jefferson Building, Towson, Maryland 21204; Attorney for Petitioner, Ella Mae Little et al.

Thomas C. Gentner
Thomas C. Gentner

LEGAL DESCRIPTION OF PROPERTIES PETITION FOR ZONING VARIANCE

All those lots and parcels in the Fourteenth Election District of Baltimore County and described as follows:
Beginning at a point on the west side of North Hazelwood Avenue 538.9' South of its intersection with Charles Avenue and running south along said Avenue for 106' with an even rectangular depth of 150' and being known and designated as Lots Nos. 202-203-204 and 205 as shown on the Plat of County Side which plat is recorded among the Land Records of Baltimore County in Plat Book 7 folio 3.

Beginning also at a point on the east side of North Hazelwood Avenue at a distance of 105.2', more or less, to its intersection with Charles Avenue and running south along said Avenue a distance of 154' with an even rectangular depth, more or less, of 150' and being known and designated as Lots Nos. 181-192-183-184-185 and 186 as shown on the aforesaid Plat of County Side.

Beginning also at a point on the east side of North Hazelwood Avenue at a distance of 379.2', more or less, South of its intersection with Charles Avenue and running south along said Avenue for 200' with an even rectangular depth of 150' and being known and designated as Lots Nos. 165-170-171-172-173-174-175 and 176 as shown on the aforesaid Plat of County Side.

ROLLINS, SMALKIN, WESTON & ANDREW

ATTORNEYS AT LAW
SIXTH FLOOR TITLE BUILDING
106 ST. PAUL STREET
BALTIMORE, MARYLAND 21202

February 3, 1972

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

Gentlemen:

Re: #72121 - Board of Zoning Appeals
File No. 72-98-A - Ella Mae Little
(Sperl Development Co.)
Hearing Date: February 17, 1972

Please accept for filing the enclosed Entry of Appearance in the above case, in behalf of Mr. and Mrs. John Bernwinkler.

We would desire that Mr. Albert B. Kaltenbach, P.E., Department of Public Works, be present at this hearing in behalf of my clients. Will you subpoena him or do I have that authority in this type of hearing. Please advise.

Very truly yours,

ROLLINS, SMALKIN, WESTON & ANDREW
By: Thomas C. Gentner
Thomas C. Gentner

TCG:cal
Enclosure

cc: E. Scott Moore, Esquire
David A. Carney, Esquire
Mr. and Mrs. John Bernwinkler

In the Matter of
The Petition for Variance to
Zoning Regulations - North
Hazelwood Avenue, S. Charles Ave.
Ella Mae Little-Petitioner
Sperl Development Company,
Contract Purchaser- No. 72-98 A

REQUEST FOR APPEAL

Mr. Zoning Commissioner:

Please enter and appeal on behalf of John Bernwinkler and Jenny Bernwinkler, his wife, whose address is 5819 N. Hazelwood Avenue, Baltimore County, Md. in the above captioned matter to an Order Passed by you on November 23, 1971 granting a variance as requested, and remit the file in this case to the Board of Zoning Appeals.

Dorothy T. Jackson
Dorothy T. Jackson
8109 Harford Road
Baltimore, Md. 21234
665-7636

TCG:cal
#72121

File No. 72-98-A Zoning appeal * BOARD OF ZONING APPEALS
Ella Mae Little (Sperl Development Co., contr.pur.) *

ENTRY OF APPEARANCE

MR. CLERK:
Please enter the appearance of Thomas C. Gentner as attorney for Mr. and Mrs. John Bernwinkler.

Thomas C. Gentner
Thomas C. Gentner
Sixth Floor, Title Building
Baltimore, Maryland 21202
727-2443
Attorney for Bernwinklers

I HEREBY CERTIFY that this 3rd day of February, 1972, a copy of the foregoing Entry of Appearance was mailed to E. Scott Moore, Esquire, 408 Jefferson Building, Towson, Maryland 21204; to Mr. and Mrs. John Bernwinkler, 5819 North Hazelwood Avenue, Baltimore, Maryland 21206; and to David A. Carney, Esquire, One North Charles Street, Baltimore, Maryland 21201.

Thomas C. Gentner
Thomas C. Gentner

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 6, 1971

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

MEMORANDUM

BUREAU OF ENGINEERING

DEPARTMENT OF

STATE ROAD COMMISSION

BUREAU OF

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL

DEVELOPMENT

Robert J. Ryan, Esq.,
405 Jefferson Building
Towson, Maryland 21204RE: Type of Hearings: Variance
Location: 1/5 N. Hazelwood Ave., 150' S. of
Charles St.
W/2 N. Hazelwood Ave., 530' S. of
Charles St.
Petitioner: Sport Development Co.
Committee Meeting of July 20, 1971
14th District
Item 17

Dear Sir:

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 located on the east side of Hazelwood Avenue. There are two petitions involving the same variance requests. There are existing dwellings on the west side of the subject property that were developed by the petitioners who had variances on these properties several years ago. There is no curb and gutter along north Hazelwood Avenue at this location.

BUREAU OF ENGINEERING

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

Highways

North Hazelwood Avenue, an existing County road, is proposed to be improved as a 30-foot closed type highway cross section on a 50 foot right of way. Highway improvements, including highway right of way widening, will be required in connection with any grading or building permit applications.

Sediment Control:

Development of the property through striping, grading, and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Robert J. Ryan, Esq.,
Item 17
August 6, 1971

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Storm Drains

Provisions for accommodating storm water or drainage have not been indicated on the submitted plans.

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 and Sanitary Sewers

Both public water supply and sanitary sewerage are available to serve this property.

DEPT. OF TRAFFIC ENGINEERING

The subject variance should have no effect on traffic.

BOARD OF EDUCATION

No bearing on student population.

ZONING ADMINISTRATION DIVISION

This petition is accepted for filing. However, we are recommending that the petitioner add another variance request to his list of variances, that is variance from Section 304.

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, Chairman

OLM:JD
Enc.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Work Map		Original		Duplicate		Tracing		200 sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by										
ZC, BA, CC, CA										
Reviewed by:										
Previous case:										

Revised Plans:
Change in outline or description: Y or No

Nsp #

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#72-98-A

District: 14th

Date of Posting: Jan. 6-72

Posted for:

Petitioner: E.H. May Little Sport Development Co. C.P.

Location of property: W/2 N. Hazelwood Ave. 530' S. of Charles St.

C.P. N. Hazelwood Ave. 150' S. of Charles St. 321' S. of

Location of Sign: 2 Sign Posts on Hazelwood Ave.

Remarks:

Posted by: Paul H. Myers

Date of return: Jan. 17-72

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#72-98-A

District: 14th

Date of Posting: Sept. 30, 1971

Posted for:

Petitioner: E.H. May Little

Location of property: W/2 N. Hazelwood Ave. 530' S. of Charles St.

C.P. N. Hazelwood Ave. 150' S. of Charles St. 321' S. of

Location of Sign: 2 Sign Posts on Hazelwood Ave.

Remarks:

Posted by: Paul H. Myers

Date of return: Oct. 7-71

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 30, 1971.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., before the 19th day of October, 1971, the 19th publication appearing on the 30th day of September, 1971.

THE JEFFERSONIAN
B. L. Smith, Manager

Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE 12/27/91 ACCOUNT 01-662

AMOUNT 40.00

DISTRIBUTION WHITE - CARRIER PINK - AGENCY YELLOW - CUSTOMER

Variance to Zon. Reg. N. Hazelwood Ave. S. Charles Ave. Petition # 72-98-A -

E.H. May Little - Dorothy I. Jackson, Esq.

40.00 REC

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE Nov. 22, 1971 ACCOUNT 01-662

AMOUNT 864.5

DISTRIBUTION WHITE - CARRIER PINK - AGENCY YELLOW - CUSTOMER

S. Scott Moore, Esq.

405 Jefferson Building

Towson, Md. 21204

Advertising and posting of property for E.H. May Little #72-98-A

647.5 REC

Item 17

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing

this 14th day of September 1971

Chairman of
Zoning Commission

Petitioner: Sport Development Co.

Petitioner's Attorney: Robert J. Ryan

Chairman of
Advisory CommitteeBALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 14981

DATE: Sept. 27, 1971

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

Zoning Dept. of Baltimore County

RETURN THIS PORTION WITH YOUR PETITION TO THE ZONING DEPARTMENT OF BALTIMORE COUNTY

SECTION ALONG INFORMATION AND KEEP THIS PORTION FOR YOUR RECORDS

Petitioner: Sport Development Co. 25.00

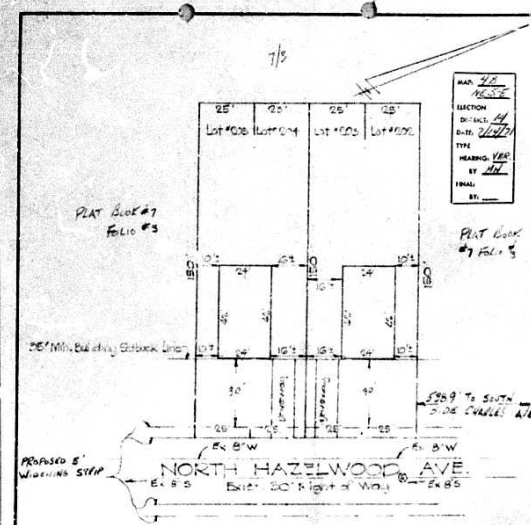
Petitioner's Attorney: Robert J. Ryan 25.00

Total: 50.00

REMARKS: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO OFFICE OF FINANCE, REVENUE DIVISION

COURTHOUSE, TOWSON, MARYLAND 21204

PLAN 47
Folio #3
PLAN 47
Folio #3B. D. LYNCH & CO.
8203 HARFORD ROAD
BALTIMORE, MD. 21234

Scale: 1" = 50'

Date: JULY 27, 1971

County: Md.

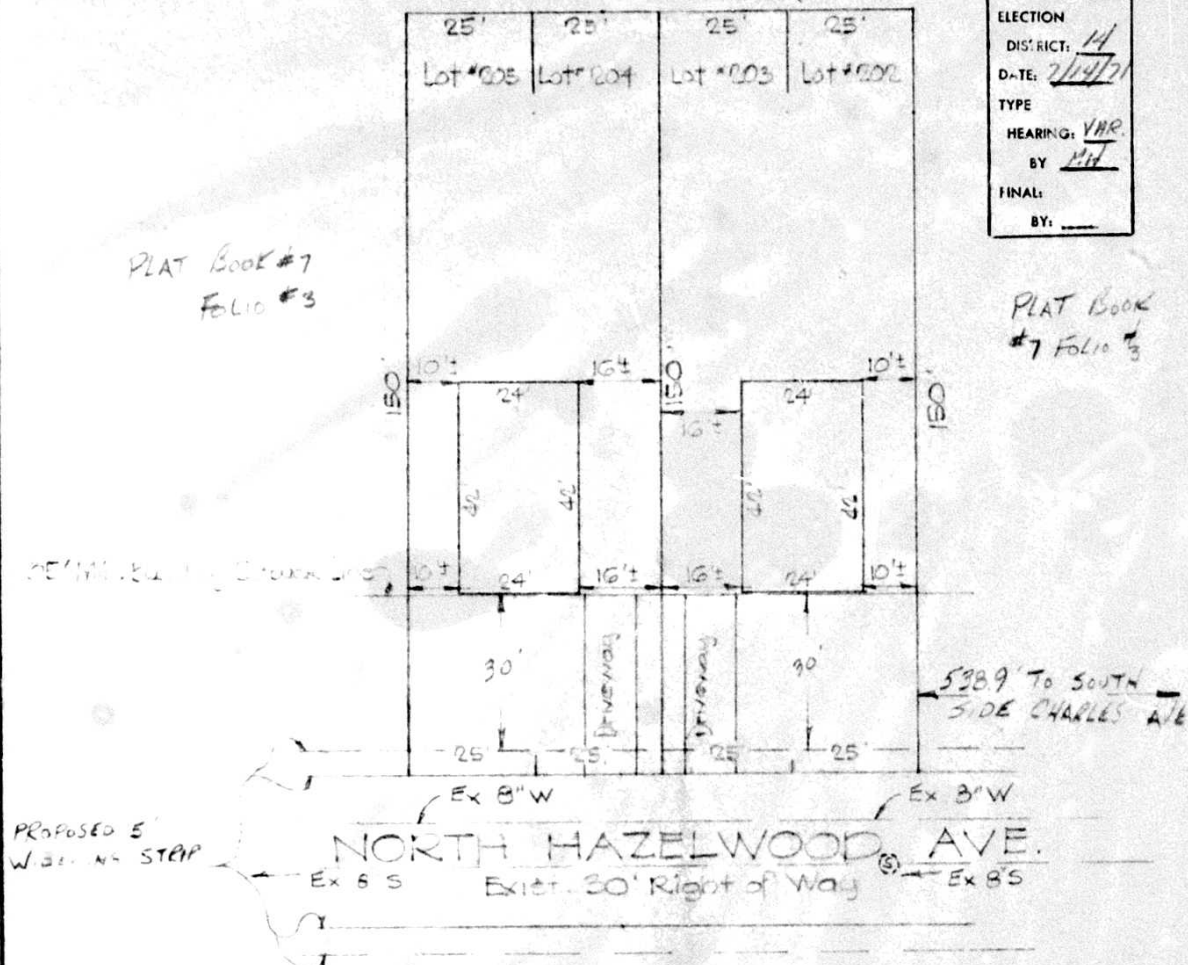
May 01 1972

7/3

MAP:	4B NESE
ELECTION	
DISTRICT:	14
DATE:	7/14/71
TYPE	
HEARING:	VNR.
BY	MH
FINAL:	
BY:	

PLAT Book #7
Folio #3

PLAT Book
#7 Folio #3



PLOT PLAN
LOTS 202 thru 205, PLAT OF COUNTY SIDE

Lot No. 202-205 Block

Part of Plat No. PLAT Book #7 Folio #3

Election District No. #14

Baltimore County, Md.

B. D. LYNCH & CO.
8203 HARFORD ROAD
BALTIMORE, MD. 21234

Scale: 1" = 30'

Date: July 7, 1971

Print-O-Meter



0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100