

**PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS 73-16-A**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:  
 William S. Niemyer  
 I, or we, William S. Niemyer 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 1A00.383 to permit a side yard of 30 feet along the

easterly lot line of Lot 24 and 30 feet along the westerly lot line of Lot 23 and to also permit a 0 foot side yard setback for the existing position of the dwelling along the westerly boundary of Lot 23 instead of the required minimum distance of 50 feet and to permit a distance between structures of 10 feet instead of the required 100 feet.  
 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  
 These lots together with an existing dwelling were purchased in 1966 when the required side yards were 8 and 12 feet. Our intention was to add on to the existing dwelling as our family grew. The width of the lot where the dwelling is located is but 86 feet. The imposition of 11-50 foot yards by the newly-created RDP Zone establishes standards and requirements which deny us a fair, reasonable, and expected use of the lots for our dwelling and impose upon us a practical difficulty and unreasonable hardship in expanding our home.

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.

Contract purchaser Annabelle L. Niemyer  
 Address Box 362 C, Rt. 15  
 Baltimore, Maryland 21220  
 Petitioner's Attorney \_\_\_\_\_  
 Protestant's Attorney \_\_\_\_\_

ORDERED BY The Zoning Commissioner of Baltimore County, this 16th day of July, 1972, 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 19th day of July, 1972, at 10:30 o'clock  
Eric DiNenna  
 Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCES : BEFORE THE  
 S/S of Galloway Road, 1450' SE of : DEPUTY ZONING  
 Bowleys Quarters Road - 15th District : WILLIAM S. NIEMYER - PETITIONER  
 William S. Niemyer - Petitioner : COMMISSIONER  
 NO. 73-16-A (Item No. 210) : OF  
 : BALTIMORE COUNTY

The Petitioner is requesting Variances to side yard setbacks as required in a R. D. P. Zone. The property consists of Lot Nos. 23 and 24 of Plat No. 1 of the plat of Bowleys Quarters, said plat being recorded among the Land Records of Baltimore County, in Plat Book W. P. C. 7, folio 12.

Mr. William S. Niemyer, owner of the subject property, testified in his own behalf. Mr. Niemyer based his hardship on the fact that the newly created R. D. P. Zone denies him a fair, reasonable, and expected use of his property. He explained that the total width of his lots, at the point where his dwelling is located, is not more than ninety feet (90'), and that the setbacks required under the R. D. P. classification would in themselves require one hundred feet (100') of yard area.

Mr. Niemyer described his property and proposed improvements as follows. Lot No. 23 is improved with his dwelling, said dwelling was built with a zero foot (0') setback on the west side of the lot. He now plans to add an addition to the east side that will extend easterly to a point on Lot No. 24. He also plans to build a garage that will be located on the division line between Lot Nos. 23 and 24. The Variances requested are for thirty foot (30') side yards for the garage, and a zero foot (0') foot setback for the dwelling as presently located on the westernmost boundary of Lot No. 23 and thirty feet (30') from the eastern boundary of Lot No. 24 instead of the fifty foot (50') side yards required for all buildings. A Variance is also requested to permit ten feet (10') between the garage and dwelling instead of the required one hundred feet (100') and/or fifty foot (50') yard area required for each building.

After reviewing Mr. Niemyer's testimony, it is clearly evident to the Deputy Zoning Commissioner that a hardship and/or a practical difficulty exists and that the requested Variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 28th day of July, 1972, that the herein Petition for Variances should be and the same is GRANTED to permit the proposed garage to have a side yard of thirty feet (30') along the easterly lot line of Lot 24 and thirty feet (30') along the westerly lot line of Lot No. 23 instead of the required fifty feet (50') for each side yard, and to permit a Zero foot (0') side yard setback for the existing dwelling along the westerly boundary of Lot No. 23 and thirty feet (30') for the proposed addition to the dwelling from the eastern boundary of Lot No. 24 instead of the required minimum distance of fifty feet (50') for each side yard; and to permit a distance between structures of ten feet (10') instead of the required one hundred feet (100') from and after the date of this Order, subject to the approval of a site plan by the Bureau of Public Works and the Office of Planning and Zoning.

James E. D...  
 Deputy Zoning Commissioner of Baltimore County

Title - Description of property for side yard variances for garage and dwelling.  
 Sold property being located on the south side of Galloway Road 1450 feet more or less south east of the intersection of Galloway and Bowleys Quarters Road. Said property also being known as Lots 23 and 24, of Plat No. 1 of the plat of Bowleys Quarters Company of Baltimore County, said plat being recorded among the land records of Baltimore County and Plat Book WPC 7, Folio 12.

ORDER RECEIVED FOR FILING

DATE July 27, 1972

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DATE July 27, 1972

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: July 18, 1972  
 FROM: Norman E. Garber, Office of Planning  
 SUBJECT: Petition #73-16-A, South side of Galloway Road 1450 feet, more or less, southeast of Bowleys Quarters Road, Petition for Variance for Side Yards, William S. Niemyer and Annabelle L. Niemyer - Petitioners  
 15th District  
 HEARING: Wednesday, July 19, 1972 (10:30 A.M.)

The Office of Planning will offer no comment on this petition.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 23, 1972

JOHN J. DILLON, JR.  
 XXXXXXXXXXXXXXX

Mr. William S. Niemyer  
 Box 362 C Rte 15  
 Baltimore, Maryland 21220

RE: Petition for Variance  
 Item 210  
 William S. and Annabelle L. Niemyer

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 attached comments are a result of this review and inspection.

The subject property is located on the south side of Galloway Road, approximately 1450 feet southeast of Bowleys Quarter Road, in the 15th District of Baltimore County. This 80 foot wide water front lot is improved with a one story block dwelling which is built on the west property line. There are at least five other structures on this property. This property is also improved with a pier and boat ramp. There is no curb and gutter existing at this location.

This petition is accepted for filing, however, revised plans must be submitted to this office prior to the hearing that indicate the following items:

1. show all existing structures on the site
2. show the existing driveway into the site.
3. show the location of the existing septic system.
4. indicate the approximate location of all existing structures on each adjoining property.

This petition is accepted for filing on the date of the next and 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,

CLIVER L. MYERS, Chairman

CEM:JJD  
 Enclosure

JOHN J. DILLON, JR., Zoning Tech. II

BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM # 210  
 JUNE 13, 1972

TOWSON, MARYLAND - 21204

Property Owner NIEMYER  
 District 15  
 Present Zoning RDP  
 Proposed Zoning V1a  
 No. Acres 80 x 326

NO BEARING ON STUDENT POPULATION

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

ERIC DI NENNA  
 Director  
 111 W. Chingwood Ave.  
 Towson, Md. 21284  
 #6-3151

June 29, 1972

Mr. S. Eric DiNenna, Zoning Commissioner  
 Zoning Advisory Committee  
 Office of Planning and Zoning  
 Baltimore County Office Building  
 Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 210, Zoning Advisory Committee Meeting, June 13, 1972, are as follows:

Property Owner: William S. Niemyer and Annabelle L. Niemyer  
 Location: S/S Galloway Road, 1450' S/E of Bowley's Quarters Road  
 Present Zoning: R. D. P.  
 Proposed Zoning: Variance from Sect. 1A00.383 to permit a side yard of 30' along Easterly lot line of Lot 24 and 30' along Westerly lot line of Lot 23 and to permit a 0' side yard setback for the existing position of the dwelling along the W boundary of lot 23 instead of req. 50' and to permit distance between struct. of 10' instead of req. 100'.  
 District: 15  
 No. Acres: 80' X 326'

All adjacent ownerships must be shown.

Very truly yours,  
Richard B. Williams  
 Richard B. Williams  
 Planner II  
 Project Planning Division  
 Office of Planning and Zoning

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna Date: June 22, 1972
ATTN: Oliver L. Myers
FROM: Ellsworth N. Myers, P.E.

SUBJECT: Item #210 (1971-1972)
Property Owner: William S. Weisner and Annabelle L. Niemyer
S/S Galloway Rd., 1450' S/E of Bowleys Quarters Rd.
Present Zoning: R.U.P.
Proposed Zoning: Variance from Sect. 1A00.3B3 to permit a side yard of 30' along easterly lot line of Lot 24 and 30' along westerly lot line of Lot 23 and to permit a 0' side yard setback for the existing position of the dwelling along the west boundary of Lot 23 instead of required 50' and to permit distance between structures of 10' instead of required 100'

District: 15th
No. Acres: 80' x 326'

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

Highways:

Galloway Road, an existing public road, is proposed to be improved in the future as a 30-foot class-type roadway cross-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 connection with any grading or building permit application. The plan must be revised to indicate the proposed right-of-way widening and all existing physical features on this and the adjacent properties, i.e., buildings, driveways, sheds, ramp, septic tank, etc.

Sediment Control:

Development of this 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 stripping of top soil.

Storm Drainage:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Item #210 (1971-1972)
Property Owner: William S. Weisner and Annabelle L. Niemyer
Page 2
June 22, 1972

Notes:
Public water supply is available and serving this property.

Sanitary Sewer:
Public sanitary sewerage is not available to serve this property which is employing private onsite sewage disposal.

Signature of Ellsworth N. Myers, Chief, Bureau of Engineering

END:SAH:PM:RS:
2-SW Key Sheet
6 & 7 NE 13 Location Sheet
NE 2 Y Topo
98 Tax Map

J. Austin Deitz
Chief



Towson, Maryland: 21204
622-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee

Re: Property Owner: William S. Weisner and Annabelle L. Niemyer
Location: S/S Galloway Road, 1450' S/E of Bowleys Quarters Road

Item No. 210 Zoning Agenda Tuesday, June 13, 1972

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 of 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. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
( ) 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 "The Life Safety Code", 1970 Edition prior to occupancy.
( ) 6. Site plans are approved as drawn.
( X ) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: J. Austin Deitz, Noted and Approved: Deputy Chief, Fire Prevention Bureau

mls
4/25/72

DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

June 20, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning & Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item #10, Zoning Advisory Committee Meeting June 13, 1972, are as follows:

Property Owner: William S. and Annabelle L. Niemyer
Location: S/S Galloway Road, 1450' S/E of Bowleys Quarters Road

Present Zoning: R.U.P.
Proposed Zoning: Variance from Sect. 1A00.3B3 to permit a side yard of 30' along Easterly lot line of Lot 24 and, and 30' along Westerly lot line of Lot 23, and to permit a 0' side yard setback for the existing position of the dwelling along the W boundary of Lot 23 instead of required 50' and to permit distance between structures of 10' instead of required 100'.

District: 15
No. Acres: 80' x 326'

Metropolitan Water. Private septic system which appears to be working.

Very truly yours,
Thomas H. Bevilin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mn



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
Wm. T. MILLER
TRAFFIC ENGINEER

July 10, 1972

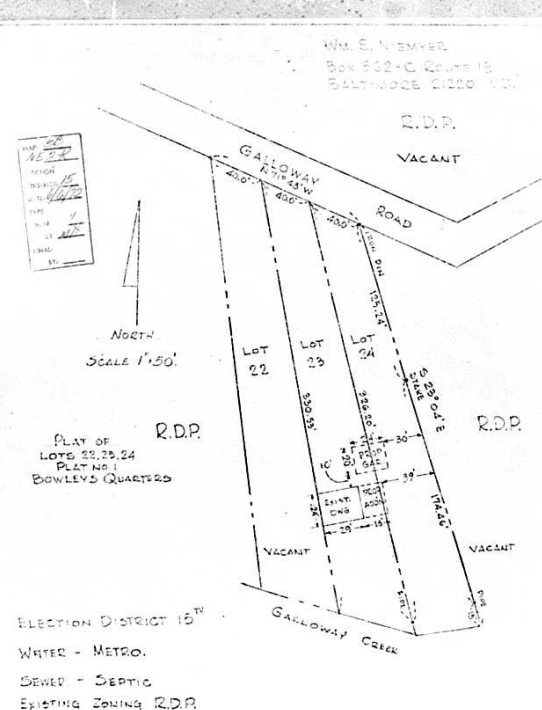
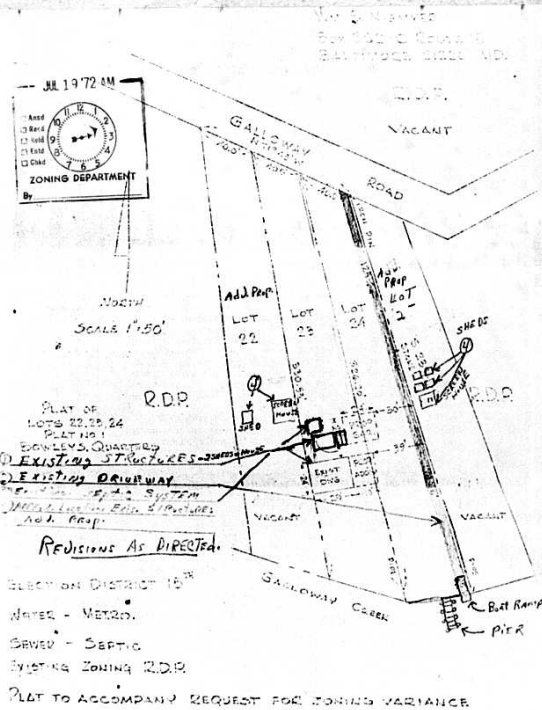
Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 210 - ZAC - June 13, 1972
Property Owner: Wm. S. Weisner & Annabelle L. Niemyer
Galloway Road SE of Bowleys Quarters Road
Var. from Sect. 1A00.3B3 to permit a side yard, 0' side yard setback of 10' instead of req. 100'
Dist. 15

Dear Mr. DiNenna:
No traffic problems are anticipated from the requested variance.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate

MSF: nr



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 15th
Posted for: William S. Niemyer
Location of property: S/S of Galloway Rd. 1450' S.E. of Bowleys Quarters Rd.
Remarks: 1 sign placed beside driveway to Lot No. 23 & Mail Box No. 362-C.
Posted by: Michael S. Flanigan
Date of return: July 6, 1972

**PETITION FOR A VARIANCE**  
15th DISTRICT

**ZONING:** Petition for Variance for Side Yard.

**LOCATION:** South side of Galloway Road 1450 feet, more or less, southeast of Bowleys Quarters Road.

**DATE & TIME:** Wednesday, July 19, 1972 at 10:30 A.M.

**PUBLIC HEARING:** Room 106, 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 Variance from the Zoning Regulations of Baltimore County to permit a side yard of 30 feet along the easterly lot line of lot 24 and 30 feet along the westerly lot line of Lot 23 and to permit a Zero foot side yard setback for the existing position of the dwelling along the westerly boundary of Lot 23 instead of the required minimum distance of 50 feet; and to permit a distance between structures of 10 feet instead of the required 100 feet.

The Zoning Regulation to be enacted as follows:

Section 1400.3B3 - The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet.

All that parcel of land in the Fifteenth District of Baltimore County.

Said property being located on the south side of Galloway Road 1450 feet more or less south east of the intersection of Galloway and Bowleys Quarters Road. Said property also being known as Lots 23 and 24, of Plat No. 1 of the plat of Bowleys Quarters Company of Baltimore County, said plat being recorded among the land records of Baltimore County and Plat Book WPC 7, Folio 12.

Being the property of William S. Niemyer and Annabelle Y. Niemyer, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, July 19, 1972 at 10:30 A.M.

Public Hearing: Room 106 County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

In order of  
**S. ERIC DINENNA**  
Zoning Commissioner of Baltimore County  
June 29.

## CERTIFICATE OF PUBLICATION

TOWSON, MD., June 29, 1972.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once a week~~ ~~or one time~~ ~~successive weeks~~ before the 19th day of July, 1972, the first publication appearing on the 29th day of June, 1972.

THE JEFFERSONIAN,

*L. Frank Struth*  
Manager.

Cost of Advertisement, \$-----

**PETITION FOR A VARIANCE**  
15th DISTRICT

**ZONING:** Petition for Variance for Side Yard.

**LOCATION:** South side of Galloway Road 1450 feet more or less, southeast of Bowleys Quarters Road.

**DATE & TIME:** WEDNESDAY, JULY 19, 1972 at 10:30 a.m.

**PUBLIC HEARING:** Room 106, 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 Variance from the Zoning Regulations of Baltimore County to permit a side yard of 30 feet along the easterly lot line of Lot 24 and 30 feet along the westerly lot line of Lot 23 and to permit a Zero foot side yard setback for the existing position of the dwelling along the westerly boundary of Lot 23 instead of the required minimum distance of 50 feet; and to permit a distance between structures of 10 feet instead of the required 100 feet.

The Zoning Regulations to be enacted as follows:

Section 1400.3B3 - The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet.

All that parcel of land in the Fifteenth District of Baltimore County.

Said property being located on the south side of Galloway Road 1450 feet more or less south east of the intersection of Galloway and Bowleys Quarters Road. Said property also being known as Lots 23 and 24, of Plat No. 1 of the plat of Bowleys Quarters Company of Baltimore County, said plat being recorded among the land records of Baltimore County and Plat Book WPC 7, Folio 12.

Being the property of William S. Niemyer and Annabelle Y. Niemyer, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, July 19, 1972 at 10:30 a.m.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF  
**S. ERIC DINENNA**  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
June 29

ORIGINAL

## CERTIFICATE OF PUBLICATION

OFFICE OF

*Essex Times*

809 Eastern Blvd  
Essex, Md. 21221

July 3 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna Zoning Commissioner of Baltimore County was inserted in **ESSEX TIMES** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~successive weeks~~ before the 3rd day of July 1972; that is to say, the same was inserted in the issue of June 29, 1972.

**Stromberg Publications, Inc.**

Publisher.

By *Ruth Morgan*

Mr. William S. Niemyer  
Box 362 Rte 15  
Baltimore, Maryland 21220

Item 210

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 13th day of June 1972

*S. Eric Dinenna*  
S. ERIC DINENNA,  
Zoning Commissioner

Petitioners: William S. and Annabelle L. Niemyer

Petitioner's Attorney

Reviewed by *Oliver S. Meyer*  
Chairman,  
Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 3758  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE July 20, 1972 ACCOUNT 01-662

AMOUNT \$48.50

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

William S. Niemyer  
Box 362 Rt. 15  
Baltimore, Md. 21220  
Advertising and posting of property  
#73-16-A

4850 MCC

BALTIMORE COUNTY, MARYLAND No. 3727  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE June 27, 1972 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Money Order #59950951  
Petition for Variance for W. S. Niemyer  
#73-16-A

ALL 6832 JUL 25

2500 MSC