

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **EDWIN A. & FREDA S. SCHULTZ**, legal owners 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.C.1 to permit lot widths of 50' instead of the required 55' (lots 64, 65, 66) and to permit a side yard of 3'-6" instead of the required 10 feet for Lot 65.

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

1. All other properties in the area are built on 50' lots.
2. Property cannot be sold because houses are erected on both sides of property.
3. This lot was sub-divided and the original plat recorded for 50' lots at a time where houses were permitted on 50' lots in this area.
4. The contract purchasers propose to build a house 30 feet wide which would allow for ten foot set-back from the side property lines of the property.

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.

BY **Edwin A. Schultz**
Contract Purchaser
Address: 1104 Race Drive
Apartment 1-D
Baltimore, Maryland 21221

BY **Frederick S. Schultz**
Legal Owner
Address: 388 Race Drive
Baltimore, Maryland 21221

BY **Franklyn J. Weinberg**
Petitioner's Attorney
Address: 303 Maryland Trust Building
Baltimore, Maryland 21202

ORDERED BY The Zoning Commissioner of Baltimore County, this 12th day of September, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of November, 1972, at 10:30 o'clock.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 23, 1972

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
HEALTH PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

RE: Variance Petition

Item 49
Edwin A. & Freda S. Schultz - Petitioners

Dear Mr. Weinberg:

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 north side of Savannah Road, approximately 908 feet from the intersection of Riverside Road, in the 15th District of Baltimore County. The subject property is currently improved with an existing two-story frame dwelling and detached garage. This structure is located on Lot 65, which is the center 50 foot lot. Lot 66 is located on the west side of the existing dwelling and is proposed to be improved with a 30x49 foot dwelling with 10 foot side yards which meet the setback requirements of this zone. Lot 65 is shown to be left as an unimproved lot, however, the petitioner's request is to allow this to become a 50 foot lot. Therefore, it can be anticipated that a dwelling will be placed upon this lot at some future date. In order to fully protect the petitioner's client, or the petitioner, I recommend that he add a variance of 3 feet 8" to cover the existing setback from the lot line of Lot 65 and 66. Curb and gutter exists along Savannah Road at this location.

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,

John J. Dillon, Jr.
Chairman, Zoning
Advisory Committee

JJD:JU
Enclosure

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH H. DIVER, P.E. CHIEF

September 19, 1972

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

Re: Item #49 (1972-1973)

Property Owners: Edwin A. and Freda S. Schultz
7/23 of Savannah Rd., 908' S/E of Riverside Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3.C.1 to permit lot widths of 50' instead of required 55'.
District: 15th No. Acres: 50' x 20'

Dear Mr. DiNenna:

Since no further highway improvements are required and all public utilities exist, this office has no further comment in regard to the subject zoning item.

Very truly yours,

Ellsworth H. Diver, P.E.
Chief, Bureau of Engineering

ENCLOSURE(S)

1-24 Key Sheet
7-24 Position Sheet
1E 20 200' Topo

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204
928-7516

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

Attention: Mr. Jack Dillon
Zoning Advisory Committee

Re: Property Owner: Edwin A. and Freda S. Schultz

Location: N/E/S of Savannah Road, 908' S/E of Riverside Road

Item No. 49 Zoning Agenda September 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 100 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.
- () 4. 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.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: **John L. Wimbley** Noted and Approved: **Paul H. Rinche**
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

September 14, 1972

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

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

Dear Mr. DiNenna:

Comments on Item 49, Zoning Advisory Committee Meeting September 12, 1972, are as follows:

Property Owner: Edwin A. and Freda S. Schultz
Location: N/E/S of Savannah Road, 908' S/E of Riverside Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3.C.1 to permit lot widths of 50' instead of required 55'.
District: 15
No. Acres: 50' x 200'

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devilla
Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mng

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Wimbley
Acting Director

S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
(410) 221-1111

September 18, 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 #49, Zoning Advisory Committee Meeting, September 12, 1972, are as follows:

Property Owners: Edwin A. and Freda S. Schultz
Location: N/E/S of Savannah Road, 908' S/E of Riverside Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3.C.1. to permit lot widths of 50' instead of required 55'.
District: 15
No. Acres: 50' x 200'

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

Very truly yours,

John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: September 12, 1972

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

Re: Item #49 ZAC meeting of September 12, 1972

Property Owners: Edwin A. and Freda S. Schultz
Location: N/E/S of Savannah Rd., 908' S/E of Riverside Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3.C.1. to permit lot widths of 50' instead of required 55'.

District: 15
No. Acres: 50' x 20.'

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative

MWP:ld

T. SAYARD WILLIAMS, JR. PRESIDENT
MRS. JOHN M. BROOKER VICE-PRESIDENT
MRS. ROBERT L. GORDON

CUDENCE D. HERR
N. RUSSELL KRAUT
ALVIN L. LORICK
JOSEPH A. R. WINKELER SUPERVISOR

H. EMILIE HANCOCK
RICHARD W. TRACY, V.M.D.
MRS. RICHARD K. WUERFEL

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts the strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

the above Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community. Variance to permit lot widths of fifty (50) feet instead of the required fifty-five (55) feet for Lots 64, 65, and 66, and to permit a side yard of three (3) feet, eight (8) inches instead of the required ten (10) feet for Lot 65 should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12th day of JANUARY, 1972, that the herein Petition for a Variance should be and the same is granted, from and after the date of this Order, to permit lot widths of fifty (50) feet instead of the required fifty-five (55) feet for Lots 64, 65, and 66, and to permit a side yard of three (3) feet, eight (8) inches instead of the required ten (10) feet for Lot 65, subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of JANUARY, 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric Dinenna, Zoning Commissioner Date: October 30, 1972
FROM: Norman E. Gerber, Office of Planning
SUBJECT: Petition #73-116-A. Northeast side of Savannah Road 908 feet Southeast of Riverside Road.
Petition for variance for side yard and lot widths.

15th District

HEARING: Thursday, November 2, 1972 (10:30 A.M.)

The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.



BEGINNING at a point on the northeast side of Savannah Road, 908' southeast of Riverside Road, being and comprising lot #64, Section "B" on the Plat of Back River Highlands, recorded among the Land Records of Baltimore County, in Plat Book Liber W.P.C. 4, Folio 64.

PETITION FOR A VARIANCE

15th DISTRICT

SECTION: Petition for Variance for Side Yard and Lot Widths.
LOCATION: Northeast side of Savannah Road 908 feet Southeast of Riverside Road.
DATE & TIME: THURSDAY, NOVEMBER 2, 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 Lot Widths of 50 feet instead of the required 55 feet for Lots 64, 65 and 66, and to permit side yard of 3 feet 8 inches instead of the required 10 feet for Lot 65.

The Zoning Regulation to be accepted as follows:

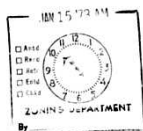
Section 1802.35.1 - Lot Widths - 55 feet - Side Yard - 10 feet

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

Being the property of Edwin A. and Freda S. Schulz, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thurs. Nov. 2, 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



LAW OFFICE
FRANKLIN J. WEINBERG
300 MARYLAND TRUST BUILDING
CALVERT & REDWOOD STREETS
BALTIMORE, MARYLAND 21202
January 13, 1973

NOT IN BALTIMORE OFFICE
H&S LOUIS WHEAT
BALTIMORE, MARYLAND 21202
201-582

S. Eric Di Nenna
Zoning Commissioner of Baltimore County
Room 106, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Variance Petition
Item 49
Edwin A. & Freda S. Schulz - Petitioners

Dear Mr. Di Nenna:

Hearing was held on November 2, 1972 before you in the above-entitled matter.

At the time of the hearing, there was a protest by the adjoining property owner, which you advised at the hearing was without merit. No ruling has been issued by you as of this date & I have been advised by the attorney for the protester that they do not plan to pursue the matter any further.

It is therefore requested that a ruling be issued in regard to the Variance Petition.

Very truly yours,

Franklin J. Weinberg

FJW:bbs

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 12, 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., on one time, November 19, 1972, the first publication day of November, 1972, the first publication appearing on the 12th day of October, 1972.

THE JEFFERSONIAN
H. Leach, Jr., Manager

Cost of Advertisement, \$.....

PETITION FOR A VARIANCE
15th DISTRICT
SECTION: Petition for Variance for Side Yard and Lot Widths.
LOCATION: Northeast side of Savannah Road 908 feet Southeast of Riverside Road.
DATE & TIME: THURSDAY, NOVEMBER 2, 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 Lot Widths of 50 feet instead of the required 55 feet for Lots 64, 65 and 66, and to permit side yard of 3 feet 8 inches instead of the required 10 feet for Lot 65.
The Zoning Regulation to be accepted as follows:
Section 1802.35.1 - Lot Widths - 55 feet - Side Yard - 10 feet
All that parcel of land in the Fifteenth District of Baltimore County
Being the property of Edwin A. and Freda S. Schulz, as shown on plat plan filed with the Zoning Department.
Hearing Date: Thurs. Nov. 2, 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
Oct. 12

PETITION FOR A VARIANCE
15th DISTRICT
SECTION: Petition for Variance for Side Yard and Lot Widths.
LOCATION: Northeast side of Savannah Road 908 feet Southeast of Riverside Road.
DATE & TIME: THURSDAY, NOVEMBER 2, 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 Lot Widths of 50 feet instead of the required 55 feet for Lots 64, 65 and 66, and to permit side yard of 3 feet 8 inches instead of the required 10 feet for Lot 65.
The Zoning Regulation to be accepted as follows:
Section 1802.35.1 - Lot Widths - 55 feet - Side Yard - 10 feet
All that parcel of land in the Fifteenth District of Baltimore County
Being the property of Edwin A. and Freda S. Schulz, as shown on plat plan filed with the Zoning Department.
Hearing Date: Thurs. Nov. 2, 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
Oct. 12

THE ESSEX TIMES

ESSEX, MD. 21221 October 16 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna, Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 16 day of October 1972 that is to say, the same was inserted in the issue of October 12, 1972.

STROMBERG PUBLICATIONS, Inc.

Joanette Schwartz

Franklin J. Weinberg, Esq.,
300 Maryland Trust Building
Baltimore, Maryland 21202

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 12th day of September 1972.

H. O. Schulz
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Edwin A. & Freda S. Schulz

Petitioner's Attorney: Franklin J. Weinberg

Reviewed by: H. O. Schulz
Advisory Committee

L. Sigm

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#73-116-A

District: 15th Date of Posting: Oct. 12-72
Posted for: Heavy Truck Use 2-1972 C. 10:30 A.M.
Petitioner: Edwin A. Schultz
Location of property: Beltsville & Sawwood Rd. Sec. 18 E. 7
Riverside Drive
Location of Sign: 1 sign placed on front of house No. 321
Sawwood Rd.
Remarks:
Posted by: Paul H. Jones Date of return: Oct. 19-72
Signature

Franklyn J. Weinberg, Esq.,
509 Maryland Trust Building
Baltimore, Maryland 21202

Item 49

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 12th day of September 1972.

R. D. Jones
R. D. JONES,
Zoning Commissioner

Petitioner Edwin A. & Fred S. Schultz

Petitioner's Attorney Franklyn J. Weinberg

Reviewed by *[Signature]*
Planning Advisory Committee

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well 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: <i>af</i>			Revised Plans:							
Previous case:			Change in outline or description				Yes		No	
			Map #							

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 5075

DATE Oct. 11, 1972 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Franklyn J. Weinberg, Esq.
509 Maryland Trust Building
Baltimore, Md. 21202
Petition for Variance for Edwin Schultz
#73-116-A

25.00 REC

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 5739

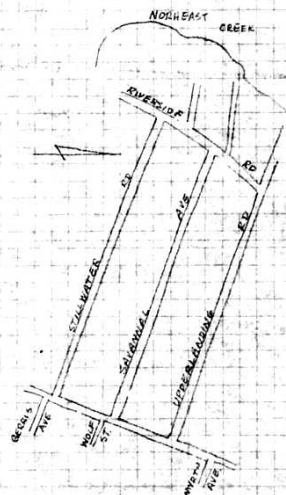
DATE Nov. 2, 1972 ACCOUNT 01-662

AMOUNT \$41.75

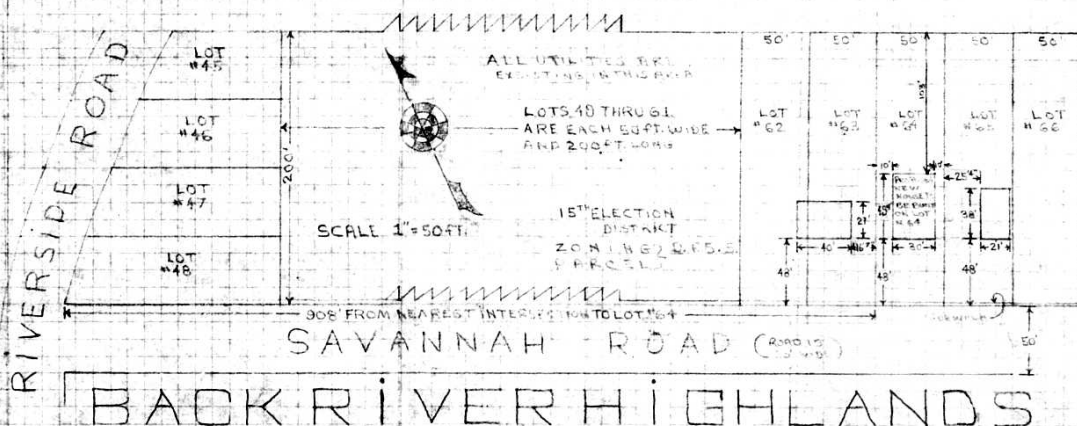
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Have Money Order 7-89-520 - Ronald W. Grupp
Advertising and posting of property for
Edwin Schultz
#73-116-A
(1104 Thoe Dr., Baltimore, Md. 21221)

41.75 REC



VICINITY MAP
SCALE: 1"=500'



BACK RIVER HIGHLANDS

MAP	1/2"
ELECTION	1/2"
DISTANCE	1/2"
D-TL	1/2"
TYPE	1/2"
PLANNED	1/2"
DATE	1/2"
BY	1/2"

APPROVED BY	Customer Signature
APPROVED BY	Deputy Signature

MICROFILMED

