

**PETITION FOR ZONING VARIANCE
FROM AREA ANI HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Charles F. Westerman, 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,

herby petition for a Variance from Section 400.1 of the Zoning Regulations of Baltimore County (garage) to be located in the side yard rather than the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) There is no other place on the lot for the garage to be located. The "encroachment", if any, relates to a small portion only of the garage as the location plat clearly indicates.

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.

DATE 13th day of September 1972

Contract purchaser Charles F. Westerman Legal Owner
Address 7219 Arden Park Avenue

Nelson R. Kerr Petitioner's Attorney
Address 210 W. Pennsylvania Avenue, Towson, Maryland 21286

John J. Dillond, Jr. Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 13th 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 had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of September, 1972, at 11:00 o'clock.

Eric DiMenna
Zoning Commissioner of Baltimore County.

Nelson R. Kerr, Esq.,
210 W. Pennsylvania Avenue
Towson, Maryland 21206

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 September, 1972.

Eric DiMenna
Zoning Commissioner

Petitioner Charles F. Westerman
Petitioner's Attorney Nelson R. Kerr Reviewed by John J. Dillond, Jr.
Zoning Advisory Committee

24 August 1972
5210 Kenwood Avenue
Election District 14
Charles Westerman - Owner and Petitioner

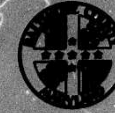
Legal Description:

Beginning on the east side of Kenwood Avenue, approximately 50' south of Radecke Avenue and thence running the four (4) following courses and distances:

S41°04'2"W 92.15'
S48°18'E 100.00'
N71°02'E 129.09'
S17°37'E 41.80'

to the place of beginning. Area bounded thereby is approximately 8064 square feet.

**BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE**



**PETITION AND SITE PLAN
EVALUATION COMMENTS**

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Nelson R. Kerr, Esq.,
210 W. Pennsylvania Avenue
Towson, Maryland 21206

RE: Variance Petition
Item 48
Charles F. Westerman - Petitioner

Dear Mr. Kerr:

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 northeast side of Kenwood Avenue, 50 feet southeast of Radecke Avenue, in the 14th Election District of Baltimore County. The subject property is improved with an existing one and one-half story one car garage that is located on the side yard of this property and is the subject of this petition. Immediately to the north of this site is the right-of-way of the Susquehanna Transmission Power Lines. There is an existing dwelling at the rear of this property that fronts on Trumbull Hill Road. No curb and gutter exists along Kenwood Avenue at this location.

The subject petition is accepted for filing, however, revised site plan must be submitted prior to the hearing that includes the possibility of the existing dwelling being moved to the side yard and the existing garage being moved onto the subject site. The petitioner is also advised to pay particular attention to the Bureau of Engineering contacts with respect to the proposed construction of driveway along Kenwood Avenue.

This petition is accepted for filing on the date of the enclosed filing certificate. Action of the hearing date and time, which will be held not later than 30 days after the date when the site of the filing certificate, will be forwarded to you in the near future.

Very truly yours,

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

JJD:JD
Enclosure

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

Bureau of Engineering
ELLENWORTH N. DIVER, P. E. CHIEF
September 20, 1972

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

Re: Item #48 (1972-1973)
Property Owner: Charles F. Westerman
5210 Kenwood Avenue
Present Zoning: D.R. 5,5
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (garage) to be located in the side yard rather than the required rear yard
District: 14th No. Acres: 8064 sq. ft.

Dear Mr. DiMenna:

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 item.

Highways:

Kenwood Avenue is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

This property will be affected by the future proposed construction of Radecke Avenue which will require highway right-of-way widening along the frontage adjacent to Kenwood Avenue. Radecke Avenue is proposed to be extended southerly from Kenwood Avenue, with a channelized intersection, as a Federal Aid Project and is currently scheduled for construction under the Capital Improvement Program for 1978-79.

Since the right turn lane from the westbound lane of Kenwood Avenue into the north bound lane of Radecke Avenue will begin with the point of curvature near the southernmost corner of this property, most of the right-of-way taking would be with denied access frontage. Thus the means of access to this property will have to be resolved at such time that right-of-way acquisition occurs.

Preliminary contract drawings and right-of-way plats have been prepared and are available for inspection in this office. The plat should be revised to indicate the proposed highway construction and right-of-way.

Item #48 (1972-1973)
Property Owner: Charles F. Westerman
Page 2
September 20, 1972

Since all other public utilities exist and are serving this property, we have no further comment.

Very truly yours,

Ellenworth N. Diver
ELLENWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:RMD:es
N-SE Key Sheet
21 W 20 Position Sheet
NE 6-S 200' Topo

cc: John J. Trenner

BALTIMORE COUNTY, MARYLAND No. 5785
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 8, 1972 ACCOUNT 01-662

AMOUNT \$1.00

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
PINK - AGENCY

Charles F. Westerman
5210 Kenwood Ave.
Baltimore, Md. 21206
Advertising on posting of property #73-120-X 41.00 MC

73-120-X
73-120-X
73-120-X
73-120-X

ORDER RECEIVED FOR FILING

ORDER RECEIVED FOR FILING

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 that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner...

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...

to permit an accessory structure (garage) to be located in the side yard rather than the rear yard...

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of March, 1973, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, to permit an accessory structure (garage) to be located in the side yard rather than the required rear yard, subject to the approval of a site plan by the State Highway Administration, the Bureau of Zoning Commissioner of Baltimore County Public Services, and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of...

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of September, 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. Director Wm. T. MILLER Deputy Traffic Engineer

October 17, 1972

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

Re: Item #8 - ZAC - September 12, 1972
Property Owner: Charles F. Westerman
5210 Kenwood Avenue
Variance from Section 400.1 to permit an accessory structure (garage) to be located in the side yard rather than the required rear yard District 14

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance.

Very truly yours,
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

Baltimore County Fire Department

J. Austin Deitz Chief
Towson, Maryland 21204
878-7316

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

Attention: Jack Dillon
Zoning Advisory Committee

Re: Property Owner: Charles F. Westerman
Location: 5210 Kenwood Avenue

Item No. 48 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: Noted and Approved: Paul H. Reincke
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/25/72

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 48, Zoning Advisory Committee Meeting September 12, 1972, are as follows:

Property Owner: Charles F. Westerman
Location: 5210 Kenwood Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (garage) to be located in the side yard rather than the required rear yard.
District: 14
No. Acres: 8,064 sq. ft.

Since this variance is for a side yard structure, no health hazard is anticipated. Metropolitan water and sewer are available.

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

HVB:anc

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21284
46-2311

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

Property Owner: Charles F. Westerman
Location: 5210 Kenwood Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (garage) to be located in the side yard rather than the required rear yard.
District: 14
No. Acres: 8064 square feet

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 #8 ZAC meeting of September 12, 1972
Property Owner: Charles F. Westerman
Location: 5210 Kenwood Ave.
D.R. 5.5
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure (garage) to be located in the side yard rather than the required rear yard.
District: 14
No. Acres: 8064 sq. ft.

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
Field Representative

WNP:ld

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner
FROM: Norman E. Garber, Office of Planning and Zoning
SUBJECT: Petition #73-120-A. East side of Kenwood Avenue 50 feet South of Radecke Avenue.
Petitioner - Charles F. Westerman

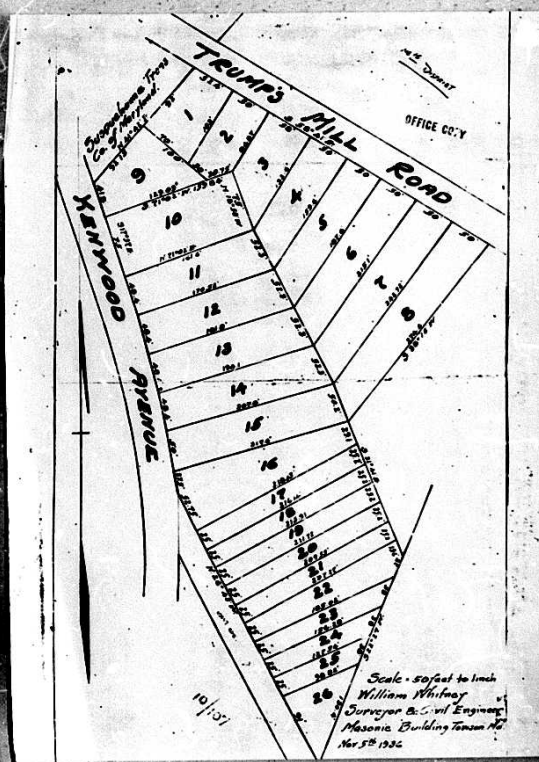
Date: October 31, 1972

14th District

HEARING: Monday, November 6, 1972 (11:00 A.M.)

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

NEG:rw

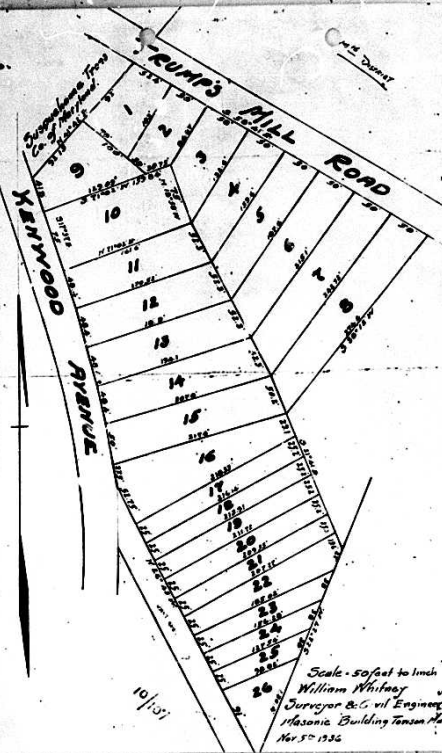


T. HARVARD WILLIAMS, JR. PRESIDENT
MRS. LINDA M. BRIDGER, VICE-PRESIDENT
MRS. BEVERLY L. SPERRY

EUGENE C. HESS
W. RUSSELL KNIGHT
ALVIN L. OWEN

H. EMBLIE PARKS
RICHARD W. TRADEWELL, M.D.
MRS. RICHARD H. WINTERL

JUDITH A. WHEELER, ALTERNATE



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 the _____ day of _____, 1972, the _____ publication appearing on the _____ day of _____, 1972.

THE JEFFERSONIAN
L. Paul Strick
Manager

Cost of Advertisement, \$ _____

NOTICE TO PETITIONERS
The Board of Public Works for Baltimore County, Maryland, is hereby giving notice that the following petition for the annexed advertisement was filed with the Board of Public Works for Baltimore County, Maryland, on the _____ day of _____, 1972, at _____ o'clock _____ of the said day. The Board of Public Works for Baltimore County, Maryland, is hereby giving notice that the following petition for the annexed advertisement was filed with the Board of Public Works for Baltimore County, Maryland, on the _____ day of _____, 1972, at _____ o'clock _____ of the said day. The Board of Public Works for Baltimore County, Maryland, is hereby giving notice that the following petition for the annexed advertisement was filed with the Board of Public Works for Baltimore County, Maryland, on the _____ day of _____, 1972, at _____ o'clock _____ of the said day.

NOTICE TO PETITIONERS
The Board of Public Works for Baltimore County, Maryland, is hereby giving notice that the following petition for the annexed advertisement was filed with the Board of Public Works for Baltimore County, Maryland, on the _____ day of _____, 1972, at _____ o'clock _____ of the said day. The Board of Public Works for Baltimore County, Maryland, is hereby giving notice that the following petition for the annexed advertisement was filed with the Board of Public Works for Baltimore County, Maryland, on the _____ day of _____, 1972, at _____ o'clock _____ of the said day.

ORIGINAL

OFFICE OF

THE ESSEX TIMES

ESSEX, MD. 21221 October 23 - 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 23 day of October 1972 that is to say, the same
was inserted in the issue of October 19, 1972.

STROMBERG PUBLICATIONS, Inc.

By *Paul Morgan*

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall 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>J.P.</i>			Revised Plans: Change in outline or description	Yes	No					
Previous case:			Map #							

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#73-120-A

District: *14th*
Date of Posting: *10/12/72*
Posted for: *Charles F. Westerman*
Petitioner: *Charles F. Westerman*
Location of property: *E 1/2 of Kaywood Ave. SW. side of Redden Ave.*
Location of Sign: *Sign posted @ SW. corner of Kaywood Ave.*
Remarks:
Posted by: *Paul H. Hunt* Date of return: *10/26/72*

Helson R. Harry, Esq.,
210 W. Pennsylvania Avenue
Towson, Maryland 21284

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your Petition has been received and accepted for filing

this 12th day of September 1972.

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner: *Charles F. Westerman*

Petitioner's Attorney: *Helson R. Harry*

Reviewed by: *J.P. DiNenna*
Zoning Advisory Committee

BALTIMORE COUNTY, MARYLAND
OFFICE OF PUBLIC REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 5086

DATE: Oct. 27, 1972 ACCOUNT: 03-669

AMOUNT: \$25.00

WHITE - CARRIER

BILL LEFTFIELD
FISH - ASSESSY

YELLOW - CUSTOMER

Charles F. Westerman

5230 Hammond Ave.

Baltimore, Md. 21206

Petitioner Sun Payment

773-120-A

25.00

D.R. 3.5

5 48° 18' E
100.00'

100' WIDE RIGHT-OF-WAY
SUSQUEHANNA TRANSMISSION COMPANY of Maryland

EXISTING
WOOD
FRAME
GARAGE
18' x 26'
REFER TO
PERMIT 000521
15 AND 81372

EXISTING
WOOD FRAME
SINGLE FAMILY
Dwelling
26'4" x 36'6"
5210

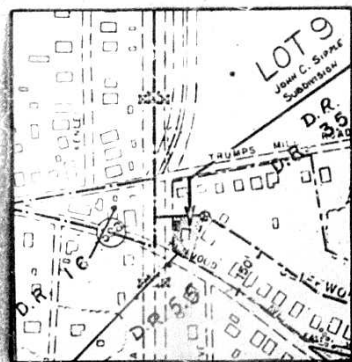
N 70° 00' E
129.09'

D.R. 5.5

D.R. 5.5

8064.06 Sq. Ft.
0.183 Acre

SCALES
1" = 16' 0"
1" = 200'



← 30' TO ADJACENT AVENUE
EXISTING PUBLIC WATER AND SEWERS
ON 60' RIGHT OF WAY
EXISTING 40' ROADWAY
← 30' TO ADJACENT AVENUE

KENWOOD AVENUE

S 17° 37' E
41.80'

TO EAST AVENUE 346'

PLAT PREPARED FOR
CHARLES WESTERMAN, OWNER
PETITIONER FOR ZONING SIDE
YARD SET-BACK VARIANCE
14TH ELECTION DISTRICT
DRAWN BY M. J. BROWN E.S.T. 250 AN. 1968

24 August
1972



