

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Wilco Contracting Co., Inc., 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 255.1, (238.1), to permit a front yard

of 16 feet in lieu of the required 25 feet, and a distance of 41 feet

from the center line of the street in lieu of the required 50 feet,

255.1, (238.2) to permit a side yard of 4.60 feet and a rear yard of

of the zoning regulations of Baltimore County, Maryland, for the

following reasons: (Indicate hardship or practical difficulty) The above referred to sections

of the Baltimore County Zoning Regulations were adopted on March 30, 1955.

On July 19, 1955 and April 15, 1956, Baltimore County issued Building Permit

to the Petitioner for the construction of a building on the subject property

pursuant to said permits. Petitioner, in reliance on and in accordance with

said permits, did construct the building, shown on the Plat attached hereto,

and on May 22, 1956 did lease the Building to B. C. Herman & Co., Inc. On

August 1, 1974, Petitioner contracted to sell the subject property to

Gerald H. Herman. In preparation for the consummation of the sale, Petition

er discovered that zoning variances had to be acquired, because while the

building was built in reliance on and in accordance with Building Permits

issued by Baltimore County, the Building as it now stands violates front

yard set back requirements on the east side, rear yard set back requirements

on the west side and side yard set back requirements on the north side.

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 Harlan Williams, Jr., President

WILCO CONTRACTING CO., INC.

Contract purchaser

1416 Clarkview Road

Baltimore, Maryland 21209

Address 1417 Clarkview Road

Baltimore, Maryland 21209

H. Gregory Skidmore, Esquire

929 N. Howard Street

Baltimore, Maryland 21201

Protestant's Attorney

Address 929 N. Howard St., Baltimore, Md.

21201, 539-3240

ORDERED BY The Zoning Commissioner of Baltimore County, this 12th day of

December 1974, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out 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 13th day of January 1975, at 10:30 o'clock

A.M.

(over)

Zoning Commissioner of Baltimore County.

(over)

10:30 A

11/3/75

75-146-A

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75-146-A

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75-146-A

105

January 20, 1975

H. Gregory Skidmore, Esquire
929 N. Howard Street
Baltimore, Maryland 21201

RE: Petition for Variances
W/S of Clarkview Road, 536.68' SW of
Falls Road - 3rd District
Wilco Contracting Company - Petitioner
NO. 75-146-A (Item No. 105)

Dear Mr. Skidmore:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. W.A. T. MELZER
DIRECTOR DEPUTY TRAFFIC ENGINEER

December 13, 1974

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

Re: Item 105 - ZAC - December 3, 1974

Property Owner: Wilco Contracting Co., Inc.

Location: W/S of Clarkview Rd. 536 ft. SW of Falls Rd.

Existing Zoning: M. L.

Proposed Zoning: Variance from Sec. 255.1 (238.1) to permit a

front yard of 16 ft. in lieu of the required 25

ft., & distance of 41 ft. from the center line

of the street in lieu of the required 50 ft.,

255.1 (238.2) to permit a side yard of 4.60 ft.

& a rear yard of 27.5 ft., in lieu of the re-

quired 30 ft. respectively.

No. of Acres: 0.9914

District: 3rd

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested

variances to the front and side yards.

Very truly yours,

Michael S. Flanagan
Asst. Traffic Engineer

MSF/13b

EVANS, HAGAN & HOLDEFER, INC.

SURVEYORS AND CIVIL ENGINEERS

8013 BELAIR ROAD / BALTIMORE, MD. 21236 (301) 668-1501
829 POPLAR STREET / CAMBRIDGE, MD. 21613 (410) 228-2880
118 E. MAIN STREET / WESTMINSTER, MD. 21157 (301) 546-1700
15 S. WASHINGTON STREET / EASTON, MD. 21601 (301) 822-5433

November 5, 1974

DESCRIPTION OF PROPERTY TO BE CONVEYED TO GERALD H. HERMAN,
LOCATED ON THE WEST SIDE OF CLARKVIEW ROAD, 3rd ELECTION
DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a pipe now set on the West side of Clarkview Road, 50 feet wide as laid out and shown on Plat One, "Northern Central Distribution Center," recorded among the Land Records of Baltimore County in Plat Book A.R.G. 29, folio 129, said place of beginning also being at the beginning of the 4th or last line of the land which by deed dated October 30, 1988 and recorded among the land records of Baltimore County in liber O.T.G. No. 3047, folio 54 was conveyed by Lela I. Williams, widow, to Wilco Contracting Co., Inc., thence leaving said place of beginning and running and binding on the West side of Clarkview Road, as laid out on said plat, and also binding on the 4th or last line of the aforesaid deed, referring all courses of this description to the True Meridian as established by the Baltimore County Metropolitan District, (1) South 1 degree 40 minutes 54 seconds East 175.00 feet to a pipe now set at the beginning of the aforesaid deed, thence leaving the West side of Clarkview Road and running and binding on a part of the 1st line of the hereinmentioned deed, (2) South 89 degrees 57 minutes 36 seconds West 232.44 feet to a railroad spike now set at the beginning of the land which by deed dated Feb. 23, 1987 and recorded among the land records of Baltimore County in liber O.T.G. No. 4734, folio 242 was conveyed by Wilco Contracting Co., Inc. to J.H. Williams, Inc., thence running and binding reversely on the 3rd or last line of the second hereinmentioned deed, (3) North 20 degrees 04 minutes 24 seconds West 83.045 feet to intersect the 2nd line of the 1st hereinmentioned deed, at a point distant 87.80 feet, measured northerly along said 2nd line from the beginning thereof, and also to intersect the 3rd line of the land which by deed dated May 29, 1936 and recorded among the Land Records of Baltimore County in liber O.T.G. No. 4813, folio 475, was conveyed by T.

PAGE II

Courtney Jenkins, Jr., et al to J.H. Williams, Inc. at a point distant 87.80 feet measured southerly along said 3rd line from the beginning thereof, thence continuing the same course and running and binding on the 2nd line of the land which by deed dated Feb. 23, 1987 and recorded among the Land Records of Baltimore County in liber O.T.G. 4734, folio 245 was conveyed by J.H. Williams, Inc. to Wilco Construction Company, (4) North 20 degrees 02 minutes 24 seconds West 83.045 feet to a pipe now set in the 2nd line of the 3rd hereinmentioned deed, at a point distant 27.56 feet measured reversely and westerly along said 2nd line, from the end thereof, thence running and binding in part on a part of said 2nd line of the 3rd hereinmentioned deed, and in part binding on the 3rd line of the 1st hereinmentioned deed, in all, (5) North 89 degrees 57 minutes 36 seconds East 287.56 feet to the place of beginning.

Containing 0.9914 acres of land, more or less as now surveyed by Evans, Hagan and Holdfer, Inc.



L. Alan Evans

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 6, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #75-146-A, West side of Clarkview Road 536.68 feet Southwest of Falls Road, Side and Rear Yards, Petitioner - Wilco Contracting Company, Inc.

3rd District

HEARING: Monday, January 13, 1975 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.

The granting of this request would not be inconsistent with the character of the surrounding development.

William D. Fromm, Director
Office of Planning and Zoning

WDF:NEC:rv

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County Fire Department

J. Austin Deitz

Chief

Towson, Maryland 21204

875-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Wilco Contracting Co., Inc.

Location: W/S of Clarkview Rd. 536 ft. SW of Falls Road

Item No. 105

Zoning Agenda December 3, 1974

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 _____

() 4. EXCEEDS the maximum allowed by the Fire Department.

() 5. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 6. 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.

() 7. Site plans are approved as drawn.

() 8. The Fire Prevention Bureau has no comments at this time.

Reviewed: Michael S. Flanagan Noted and Approved: Paul H. Pincus

Planning Group Deputy Chief

Special Inspection Division Fire Prevention Bureau

Pursuant to the advertisement, posting of property, and public hearing on the above 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 Petitioners

the above Variance should be had; and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety and general welfare of the community, Variances to permit a front yard of 16 feet instead of the required 25 feet; a distance of 41 feet from the centerline of the street instead of the required 50 feet; a side yard of 4.60 feet; and a rear yard of 27.5 feet instead of the required 30 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 20th day of January, 1975, that the herein Petition for a Variance should be and the same is granted from and after the date of this order, subject to the approval of a site plan by the Department of Public Works 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 Commission of Baltimore County, this day of 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

December 12, 1974

XXXXXXXXXXXXX
Franklin T. Hoggans, Jr.

H. Gregory Skidmore, Esq.
929 N. Howard Street
Baltimore, Maryland 21201

RE: Variance Petition
Item 105
Wilco Contracting Co., Inc. -
Petitioner

Dear Mr. Skidmore:

The Zoning Plans 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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the west side of Clarkview Road, 536 feet southwest of Falls Road.

The petitioner is requesting yard variances for an existing one-story block building now occupied by B. C. Herman & Co., Inc.

No changes are anticipated in the site by the petitioner, because the request is merely an effort to conform to present zoning requirements in an apparently non-conforming situation. The

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

December 3, 1974

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

Dear Mr. DiNenna:

Comments on Item 105, Zoning Advisory Committee Meeting, December 3, 1974, are as follows:

Property Owner: Wilco Contracting Co., Inc.
Location: W/S of Clarkview Rd. 536 ft. SW of Falls Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance from Sec. 255.1 (238.1) to permit a front yard of 16 ft. in lieu of the required 25 ft., & a distance of 41 ft. from the center line of the street in lieu of the required 50 ft., 255.1 (238.2) to permit a side yard of 4.60 ft. & a rear yard of 27.5 ft. in lieu of the required 30 ft. respectively.

No. of Acres: 0.9914
District: 3rd

Metropolitan water and sewer are available; all buildings are existing.

Jones Falls Moratorium: A moratorium was placed on new sewer connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on November 13, 1973; therefore approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

CHVB/mce

H. Gregory Skidmore, Esq.
Re: Item 105
December 12, 1974

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existing office and warehouse use will remain in operation.

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,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

cc: Evans, Hagan & Holdofer, Inc.
8013 Belair Road
Baltimore, Maryland 21236

Item #105 (1974-1975)
Property Owner: Wilco Contracting Co., Inc.
Page 2
December 11, 1974

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 and Sanitary Sewer

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

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

UNDEVELOPED

cc: J. Reier (File Northern Central Distribution Center)
J. Reier

0-W-8 Ray Sheet
11 W-8 & 9-108. Sheets
W-8 & 9-108. Map
69 Tax Map

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



December 16, 1974

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 #105, Zoning Advisory Committee Meeting, December 3, 1974, are as follows:

Property Owner: Wilco Contracting Co., Inc.
Location: W/S of Clarkview Rd. 536 ft. SW of Falls Road
Existing Zoning: M.L.
Proposed Zoning: Variance from Sec. 255.1 (238.1) to permit a front yard of 16 ft. in lieu of the required 25 ft., and a distance of 41 ft. from the center line of the street in lieu of the required 50 ft., 255.1 (238.2) to permit a side yard of 4.60 ft. and a rear yard of 27.5 ft. in lieu of the required 30 ft. respectively.
No. of Acres: 0.9914
District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING AREA 301 ZONING AREA 301

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

December 11, 1974

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

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

Re: Item #105 (1974-1975)
Property Owner: Wilco Contracting Co., Inc.
W/S of Clarkview Rd., 536' S/W of Falls Rd.
Existing Zoning: M.L.
Proposed Zoning: Variance from Sec. 255.1 (238.1) to permit a front yard of 16' in lieu of the required 25' and a distance of 41' from the centerline of the street in lieu of the required 50', and 255.1 (238.2) to permit a side yard of 4.60' and a rear yard of 27.5', in lieu of the required 30' respectively.
No. of Acres: 0.9914 District: 3rd

Dear Mr. DiNenna:

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

Clarkview Road, an existing County road, is improved as a 36-foot closed section roadway on a 50-foot right-of-way in the vicinity of this property northerly to Falls Road and on a 60-foot right-of-way southerly from this property as shown on recorded plat One - Northern Central Distribution Center" (B.C.D. 29, Folio 128). Highway application. The submitted plan must be revised to indicate the proposed highway right-of-way widening.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Design Standards.

Sediment Control

Development of this property through stripping, 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.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 20, 1974

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

Re: Item 105
Property Owner: Wilco Contracting Co., Inc.
Location: W/S of Clarkview Rd., 536 ft. S.W. of Falls Road
Present Zoning: M.L.
Proposed Zoning: Variance from Section 255.1 (238.1) to permit a front yard of 16 ft. in lieu of the required 25 ft., & a distance of 41 ft. from the center line of the street in lieu of the required 50 ft., 255.1 (238.2) to permit a side yard of 4.60 ft. & a rear yard of 27.5 ft. in lieu of the required 30 ft. respectively.

District: 3rd
No. Acres: 0.9914

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/ml

W. EMBLE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MR. ROBERT L. DUNN

MARSHALL HOFFMAN
JOSEPH N. WILSON
ALVIN LORCA
JOSHUA R. WHEELER

JOHN A. WILSON, JR.
EDWARD A. TAYLOR, JR.
MR. MICHAEL C. CLARK

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

No. 17195

DATE Dec. 18, 1974 ACCT-NO 01-662

AMOUNT \$25.00

DISTRIBUTION
WHITE CASHIER F.R. AGENCY YELLOW - CUSTOMER

Messrs. Miles, Barton & Weiner
323 N. Howard St.
Baltimore, Md. 21201

Position for Variance for Wilco Contracting Co.
#5-116-A

