

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, FREDERICK & RUTH ROCK, 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 1802.3 C (504 V.B.-9), to permit

a setback of 6.3 feet from side street property line in lieu

of the required 25 feet. To permit a setback of 36.3 feet from

center line of side street in lieu of the required 50 feet.

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

A one story addition with toilet facilities, to be used presently as a family room then possibly as a bedroom due to the heart condition of Mr. Frederick Rock (owner).

The architecture to be in strict compliance with the existing dwelling.

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.

Contract purchaser Frederick C. Rock Legal Owner

Address 2 Flagship Rd

Baltimore, Md 21222

Petitioner's Attorney: _____

Protestant's Attorney _____

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of June, 1975, 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 16th day of June, 1975, at 10:00 o'clock

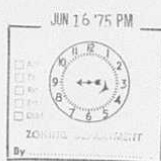
A. M.

S. Eric Di Nenna
Zoning Commissioner of Baltimore County

(over)



16 June 1975



Baltimore County Zoning Commissioner
Mr. S. E. DiNenna
Baltimore County, Maryland 21204

RE: #75-285-A
Northwest corner of Shipway and Flagship

Dear Mr. DiNenna:

I would like you to waive the 30 day appeal period in the above referenced case.

I will be responsible for stopping the proposed construction in the event that case is appealed. If the case is not appealed, I will continue as per contract.

Very truly yours,

Wayne D. Fertitta
Wayne D. Fertitta,
President

WDF:dre

cc: Mrs. & Mrs. F. Rock

Copy of Order

RE: PETITION FOR VARIANCE
TO PERMIT A SETBACK OF
6.3 FEET FROM SIDE STREET
PROPERTY LINE INSTEAD OF
THE REQUIRED 25 FEET; AND TO
PERMIT A SETBACK OF 36.3
FEET FROM CENTER LINE OF
SIDE STREET INSTEAD OF THE
REQUIRED 50 FEET.
Northwest corner of Flagship
Road and Shipway - 12th District.
FREDERICK C. ROCK
Case No. 75-285-A, Item 190

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

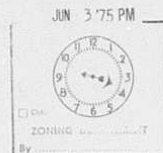
Pursuant to the authority contained in Section 524.1 of the Baltimore

County Charter, I hereby enter my appearance in this proceeding. You are

requested to notify me of any hearing date or dates which may be now or

hereafter designated therefore, and of the passage of any preliminary or

final Order in connection therewith.



John W. Hessian, III
John W. Hessian, III
People's Counsel

Charles E. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 3rd

day of June, 1975 to: Frederick Rock and Ruth Rock 2 Flagship Road, Baltimore, Maryland

21222, Legal Owners.

John W. Hessian, III
John W. Hessian, III

I will not attend. JWH.

Mr. & Mrs. Frederick C. Rock
2 Flagship Road
Baltimore, Maryland 21222

RE: Petition for Variances
NW/corner of Flagship Road and
Shipway - 12th Election District
Frederick C. Rock, et ux -
Petitioners
NO. 75-285-A (Item No. 190)

Dear Mr. & Mrs. Rock:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

SED/esl

Attachments

cc: Mr. Wayne D. Fertitta, President
Fertitta Construction Company, Inc.
7 L West Aylesbury Road
Timonium, Maryland 21093

John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Fred Rock, Assessor Date: June 2, 1975
FROM: Councilman Gary Huddles
SUBJECT: Request for Resolution

I am advised by the Office of Law that due to the fact that you are a state employee it is not necessary for you to disclose your property interest prior to a request for a zoning variance.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 13, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-285-A; Petition for Variance for Side Street
Northwest corner of Flagship Road and Shipway
Petitioner - Frederick C. Rock and Ruth M. Rock

12th District

HEARING: Monday, June 16, 1975 (10:00 A.M.)

There are no comprehensive planning factors which require comment on this petition at this time.

William D. Fromm
William D. Fromm
Director of Planning

WDF:NEG:rw



DOLLENBERG, GERHOLD, CROSS & ETZEL
Registered Professional Engineers & Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

March 19, 1975

Zoning Description

All that piece or parcel of land situate, lying and being in the Twelfth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the corner formed by the intersection of the northwest side of Shipway with the southwest side of Flagship Road and running thence and ending on the northwest side of Shipway South 69 degrees 38 minutes west 58.63 feet, thence leaving said road and running the two following courses and distances viz: North 20 degrees 22 minutes west 46.50 feet and North 69 degrees 38 minutes East 55.63 feet to the southwest side of Flagship Road and thence ending on the southwest side of said road South 20 degrees 22 minutes East 46.50 feet to the place of beginning.

Containing 0.06 of an Acre of land more or less.

Being Lot No. 8 Block 19 as laid out on Plat No. 1 Dundalk which plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 5 folio 40.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 5-29-75
Posted for: Monday, June 16, 1975 @ 10:00 A.M.
Petitioner: Frederick C. Rock
Location of property: NW corner of Flagship & Shipway
Location of Signs: 1 sign posted on West front of Shipway
Remarks: _____
Posted by: Paul H. Hession Date of return: 6-5-75

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 Petitioners.

the ~~same~~ 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 a setback of 6.3 feet from the

side street property line in lieu of the required 25 feet and a setback of 36.3 feet from the center line of the side street in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of June, 1975, that the herein Petition for Variance to permit a setback of 6.3 feet from the side street property line in lieu of the required 25 feet and a setback of 36.3 feet from the center line of the side street in lieu of the required 50 feet 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 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 NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of June, 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Frederick C. Rock
2 Flagship Road
Baltimore, Maryland 21222

Item 190

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 13 day of May 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner Frederick & Ruth Rock

Petitioner's Attorney
cc: Dollenberg, Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Md. 21204

Reviewed by Franklin T. Hogans, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 28, 1975

Mr. Frederick C. Rock
2 Flagship Road
Baltimore, Maryland 21222

RE: Petition for Variance
Item 190
Frederick & Ruth Rock - Petitioners

Dear Mr. Rock:

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 project is located at the northwest corner of Shipway and Flagship Road in the Dundalk area. The petitioner is requesting a Variance to permit the construction of an addition to his single family semi-detached dwelling on the corner street side.

Properties in this area are improved with semi-detached and group house dwellings. Across Shipway lies the Dundalk Elementary School directly opposite the subject site.

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

Mr. Frederick C. Rock
Re: Item 190
May 28, 1975
Page 2

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. Hogans, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

cc: Dollenberg, Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELLER
DEPUTY TRAFFIC ENGINEER

May 14, 1975

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

Re: Item 190 - ZAC - April 15, 1975
Property Owner: Frederick & Ruth Rock
Location: NW/C of Shipway & Flagship Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.3C (504VB 9) to permit a setback of 6.3' from side street property line in lieu of the required 25' & 36.3' from center line of side street in lieu of the required 50'.

No. of Acres: 0.06
District: 12th

Dear Mr. DiNenna:

No traffic problems are expected by the requested variance to the side yard setback.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc.

MCI/bza

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

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

May 29, 1975

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

Re: Item #190 (1974-1975)
Property Owner: Frederick & Ruth Rock
NW cor. of Shipway and Flagship Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.3C (504VB 9) to permit a setback of 6.3' from side street property line in lieu of the required 25' and 36.3' from center line of side street in lieu of the required 50'.
No. of Acres: 0.06 District: 12th

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.

General:

Baltimore County utilities and highway improvements are not involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #190 (1974-1975).

Very truly yours,

Ellynorth N. Diver, P.E.
ELLYNORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:PW:es

F-7E Key Sheet
1/4" = 19' Pos. Sheet
3/4" = 8' Topo
103 Tax Map

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD E. ROOP, M.D., M.P.H.
DEPUTY HEALTH COMMISSIONER

April 9, 1975

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

Dear Mr. DiNenna:

Comments on Item #190, Zoning Advisory Committee Meeting, April 15, 1975, are as follows:

Property Owner: Frederick & Ruth Rock
Location: NW/C of Shipway & Flagship Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 1802.3C (504VB9) to permit a setback of 6.3' from side street property line in lieu of the required 25' & 36.3' from center line of side street in lieu of the required 50'.

No. of Acres: 0.06
District: 12th

Metropolitan water and sewer are available.

Very truly yours,

Thomas A. Devlin
Thomas A. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES



April 15, 1975

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 #190, Zoning Advisory Committee Meeting, April 15, 1975, are as follows:

Property Owner: Frederick and Ruth Rock
Location: NW/c Shipway and Flagship Road
Existing Zoning: D.R.5.5
Proposed Zoning: Variance from Sec. 1802.3C(504VD 9) to permit a setback of 6.3' from side street property line in lieu of the required 25' and 36.3' from center line of side street in lieu of the required 50'.
No. of Acres: 0.06
District: 12th

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 454-3211 ZONING 454-3281

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 26 day of

May 1975. Item # _____.

S. Eric Dinenna
S. Eric Dinenna,
Zoning Commissioner

Petitioner Rock Submitted by Mr. Feritta
Petitioner's Attorney _____ Reviewed by ABC

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 22, 1975

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

Z.A.C. Meeting of: April 15, 1975

Re: Item 190
Property Owner: Frederick & Ruth Rock
Location: NW/c of Shipway & Flagship Road
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1802.3C(504VD 9) to permit a setback of 6.3' from side street property line in lieu of the required 25' & 36.3' from center line of side street in lieu of the required 50'.

District: 12th
No. Acres: 0.06

Dear Mr. Dinenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

WNP/ml

H. EMILY PARKS, President
EUGENE C. HERSH, Vice President
MRS. ROBERT L. BENEY

MARQUE M. BODRAN
JOSEPH H. MIDDMAN
KALVIN LOHDE
JOSHUA M. WHEELER, Superintendent

F. RAYMOND WILLIAMS, JR.
RICHARD W. TRACEY, V.M.C.
MRS. RICHARD F. WUETEL

PETITION FOR A VARIANCE 12th DISTRICT

LOCATION: Northwest corner of
Flagship Road and Shipway
DATE & TIME: Monday, June 16,
1975 at 10:00 A.M.
PUBLIC HEARING: Room 104, 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 on the following:

Petition for Variance from the Zoning Regulations of Baltimore County to permit a setback of 6.3 feet from side street property line instead of the required 25 feet, and to permit a setback of 36.3 feet from center line of side street instead of the required 50 feet.

The Zoning Regulations to be changed as follows:
Section 1802.3C (504VD 9) - Setback from existing street - 30 feet and 50 feet.

All that parcel of land in the Twelfth District of Baltimore County, beginning for the same at the corner formed by the intersection of the northwest side of Shipway Road and running thence and bounding on the northwest side of Shipway Road 60 degrees 30 minutes West 40.30 feet to the southwest side of Flagship Road and thence bounding on the southwest side of said road South 30 degrees 22 minutes East 40.30 feet to the place of beginning.

Containing 0.06 of an Acre of land more or less.

Being Lot No. 2 Block 10 as laid out on Plat No. 1 Dundalk which plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 3 folio 65.

Being the property of Frederick C. Rock and Ruth M. Rock, as shown on plat filed with the Zoning Department.

Hearing Date: Monday, June 16, 1975 at 10:00 A.M.
Public Hearing: Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By Order of
S. ERIC DINENNA
Zoning Commissioner of Baltimore County
May 29

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 22, 1975

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 on one time successive weeks before the 16th day of June, 1975, the first publication appearing on the 22nd day of May, 1975.

THE JEFFERSONIAN,

S. Eric Dinenna
S. Eric Dinenna, Zoning Commissioner

Cost of Advertisement, \$ _____

PETITION FOR A VARIANCE 12th DISTRICT

LOCATION: Northwest corner of
Flagship Road and Shipway
DATE & TIME: Monday, June 16,
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PUBLIC HEARING: Room 104, County
Office Building, 111 W. Chesapeake
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Section 1802.3C (504VD 9) - Setback from existing street - 30 feet and 50 feet.

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Containing 0.06 of an Acre of land more or less.

Being Lot No. 2 Block 10 as laid out on Plat No. 1 Dundalk which plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 3 folio 65.

Being the property of Frederick C. Rock and Ruth M. Rock, as shown on plat filed with the Zoning Department.

Hearing Date: Monday, June 16, 1975 at 10:00 A.M.
Public Hearing: Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of
S. ERIC DINENNA
Zoning Commissioner of Baltimore County
May 29

CERTIFICATE OF PUBLICATION

OFFICE OF

"The Dundalk Times"

DUNDALK, MD.,

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in THE DUNDALK TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one time successive weeks before the

day of June, 1975; that is to say, the same was inserted in the issues of

Stromberg Publications, Inc.

Publisher.

By *S. Eric Dinenna*

BALTIMORE COUNTY, MARYLAND No. 21601
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 26, 1975 ACCOUNT 01-662

AMOUNT \$55.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Wayne D. Feritta
140 Fairview Drive
Severna Park, Md. 21156
Petition for Variance for Frederick C. Rock
#76-285-A

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: <u>NBC</u>					Revised Plans: Change in outline or description <u>Yes</u> <u>No</u>					
Previous case: _____					Map # _____					

BALTIMORE COUNTY, MARYLAND No. 21625
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE June 16, 1975 ACCOUNT 01-662

AMOUNT \$55.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER

Wayne D. Feritta
140 Fairview Drive
Severna Park, Md. 21156
Advertising and posting of property for Frederick C. Rock
#76-285-A



AUG 1 1975

