

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we William T. & Joyce E. Mellema, legal owner(s) 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 1A00.3 B3 to permit side yard set backs of 38 and 20 feet instead of the required 50 feet for each

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The owners lot has a total width of only 100 feet which under current regulations makes it impossible to construct a home thereon. This particular area was subdivided in the 1940's before current zoning and planning regulations and policies had been adopted. All but one of the lots in this area have already been improved by single family residences and to be denied the same right would inflict a great hardship and practical difficulty on the petitioners.

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 William T. Mellema
Address Route 7 Box 237
Pikesville, Maryland 21208

143 Main Street
Petitioner's Attorney
Address Reisterstown, Maryland 21136
933-1221

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day

of October, 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 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 November, 1975, at 10:15 o'clock

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
East side of Old Hanover Road 600 feet
North of Kemp Road, 4th District
WILLIAM T. MELLEMA, Petitioner

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
: Case No. 76-112-A

ORDER TO ENTER APPEARANCE

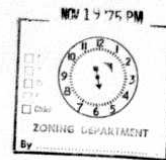
Mr. Commissioner:

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.

Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I hereby certify that on this 17th day of November, 1975, a copy of the foregoing Order was mailed to Martin J. Smith, Esquire, 143 Main Street, Reisterstown, Maryland 21136, Attorney for Petitioner.



November 20, 1975

Martin J. Smith, Esquire
143 Main Street
Reisterstown, Maryland 21136

RE: Petition for Variance
E/S of Old Hanover Road, 600' N of
Kemp Road - 4th Election District
William T. Mellema, et ux - Petitioners
NO. 76-112-A (Item No. 71)

Dear Mr. Smith:

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

Very truly yours,
George A. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

DESCRIPTION FOR VARIANCE
WILLIAM T. & JOYCE E. MELLEMA

BEGINNING AT A POINT APPROXIMATELY 600 FEET NORTH OF KEMP ROAD ON THE EAST SIDE OF OLD HANOVER ROAD AND RUNNING S 81° 30' 00" E 215.55 FEET, THENCE N 08° 30' 00" E 100.00 FEET, THENCE N 81° 30' 00" W 210.60 FEET, THENCE S 11° 27' 00" W 100.13 FEET TO THE BEGINNING POINT.

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3666
STEPHEN COLLINS
DIRECTOR

November 10, 1975

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

Re: Item 71 - ZAC - October 14, 1975
Property Owner: William T. & Joyce E. Mellema
Location: E/S of Old Hanover Rd. 600' N. of Kemp Road
Existing Zoning: RDP
Proposed Zoning: Var. from Sec. 1A00.3 B3 to permit side yard set backs of 38 & 20 feet instead of the required 50 feet for each
No. of Acres: 100 x 210
District: 4th

Dear Mr. DiNenna:

The proposed variances to the side yards are not expected to cause any traffic problems.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211
WILLIAM D. FROMM
DIRECTOR

November 13, 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 #71, Zoning Advisory Committee Meeting, October 14, 1975, are as follows:

Property Owner: William T and Joyce E. Mellema
Location: E/S of Old Hanover Road 600' N of Kemp Road
Existing Zoning: R.D.P.
Proposed Zoning: Variance from Sec. 1A00.3b3 to permit side yard set backs of 38 and 20 feet instead of the required 50 feet for each
No. of Acres: 100 x 210
District: 4th

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

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 71

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Martin J. Smith, Esq.
143 Main Street
Reisterstown, Maryland 21136

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

Your Petition has been received and accepted for filing this 14th day of October 1975

S. Eric DiNenna
Zoning Commissioner

Petitioner William T. & Joyce E. Mellema

Petitioner's Attorney

Reviewed by Franklin T. Hoffman, Jr.
Chairman,
Zoning Plans
Advisory Committee

cc: C. A. Byers, Surveyor
Bury Road
Oppose, Maryland 21136

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 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, a Variance to permit side yards of 38 feet and 20 feet instead of the required 50 feet for each should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 20th day of November, 1975, that the herein Petition for the aforementioned 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 Commissioner 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
1111 N. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

Franklin T. Hogns,
Chairman

MEMBERS
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF PUBLIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PLANNING AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT DIVISION
OFFICE OF THE BUILDING INSPECTOR

November 7, 1975

Martin J. Smith, Esq.
143 Main Street
Reisterstown, Maryland 21136

RE: Variance Petition
Item 71
William T. & Joyce E. Mellema -
Petitioners

Dear Mr. Smith:

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 east side of Old Hanover Road, 600 feet north of Kemp Road, and is currently a vacant lot.

The petitioner is requesting a Variance to permit side yard setbacks of 38 feet and 20 feet in lieu of the required 50 feet for each, in order that a single family dwelling may be constructed thereon.

Adjacent properties are improved with single family dwellings on similar lots.

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

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

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

October 27, 1975

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

Re: Item #71 (1975-1976)
Property Owner: William T. & Joyce E. Mellema
E/S of Old Hanover Rd., 600' N. of Kemp Rd.
Existing Zoning: RDP
Proposed Zoning: Variance from Sec. 1A00.3 B3 to permit side yard setbacks of 38' and 20' instead of the required 50' for each.
No. of Acres: 100 x 210 District: 4th

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:

Old Hanover Road (Md. 668 A & B) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, demanding private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

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.

Martin J. Smith, Esq.
Re: Item 71
November 7, 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.
Chairman, Zoning Plans
Advisory Committee

FTM:JD

Enclosure

cc: C. A. Myers, Surveyor
Emory Road
Upperco, Maryland 21155

Item #71 (1975-1976)
Property Owner: William T. & Joyce E. Mellema
Page 2
October 27, 1975

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are not available to serve this property which is located beyond the Baltimore County Metropolitan District and the Urban Rural Demarcation Line. The Baltimore County Comprehensive Water and Sewerage Plan, amended August 1974, indicates "No Planned Service" in the area.

Very truly yours,

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

END:HAM:FWH:es

X-SE Key Sheet
70 NW 1/4 Sec. 2
NW 1/4 Sec. 2
39 Tax Map

Baltimore County Fire Department

J. Austin Oeltz
Chief



Towson, Maryland 21204

873-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: William T. & Joyce E. Mellema

Location: E/S of Old Hanover Road, 600' N of Kemp Road

Item No. 71

Zoning Agenda October 14, 1975

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. 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: H. J. Kelly
Planning Group
Special Inspection Division

Noted and
Approved: Paul H. Reincke
Deputy Chief
Fire Prevention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 21, 1975

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

Z.A.C. Meeting of: October 14, 1975

Re: Item 71
Property Owner: William T. & Joyce E. Mellema
Location: E/S of Old Hanover Rd. 600' N. of Kemp Rd.
Present Zoning: R.D.P.
Proposed Zoning: Variance from Section 1A00.3B3 to permit side yard setbacks of 38' & 20'. instead of the required 50 ft. for each.

District: 4th
No. Acres: 100 x 210

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative

W. Nick Petrovich,
Field Representative

W. Nick Petrovich,
Field Representative

W. Nick Petrovich,
Field Representative

VALIDATION OR SIGNATURE OF CASHIER