PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

DI.

761

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

LYAF we, Roger T. & Helen Stultzlegal owner Sof the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, 400.1 to permit an accessory structure hereby petition for a Variance from Section ANNEXESCENTRACK MEXICAL SERVICES. (garage) on a corner lot to be located outside of the third of the lot farthest removed from both streets.

BE YERROCKER VOLUMEN VOLUMEN STREET AND THE STREET STREET

1.

DATE

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

To meet the requirements of Section 400 would require the garage to be located in an area subject to intensive flooding . 28 from storm runoff from adjoining apartments areas.

See attached description

3826 Property is to be posted and advertised as prescribed by Zoning Regulations.

I be we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this pectors, and further agree to and are to be bound by the zoning regulations and restrictions of Balimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser & Helen & Stultz Address 3405 Liberty Gardens Rd

Carrier Ine 1. Matter
Petitioner's XMANGER Address 511 W. Joppa Rd., 27204

or December

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore Qunty, 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 5th day of January 1976 at 10:150'clockA. M

Zoning Commissioner of Baltimore County,

+ Pagy I of Telly

Balto Md 21207

115/76

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date December 24, 1975

FROM William D. Fromm, Director of Planning

SUBJECTERLICO. 176-132-A. Petition for Variance for an Accessory Structure. (Garage).
Southeast corner of Liberty Gardens Road and Bexhill Road.
Petitioner - Roger T. Stultz and Helen E. Stultz

2nd District

HEARING Monday, January 5, 1976 (10:15 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has no comment to offer on this petition.

Halanthon William D. Fromm Director of Planning

WDF : NEG : FW

RE: PETITION FOR VARIANCE Southeast corner of Liberty Gardens Road and Bexhill Road, 2nd District

. REFORE THE ZONING COMMISSIONED

OF BALTIMORE COUNTY

ROGER T. STULTZ, Petitioner : Case No. 76-132-A

ORDER TO ENTER APPEARANCE

Pursuant to the author ity 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. Lunty fr. Charles E. Kountz, Jr. Deputy People's Counsel

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

I hereby certify that on this 22nd day of December, 1975, a copy of the foregoing Order was mailed to Augustine J. Muller, Jr., Esquire, 511 West Joppa Road, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III



Baltimore County, Maruland Bepartment Of Bublic Borks

> COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering

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

> Re: Item #98 (1975-1976) Item #98 (1975-1976)
> Property Owner: Rooper T. & Helen E. Stultz
> N/E cor. of Bexhill & Liberty Gardens Roads
> Exieting Soning: D. R. 55.
> Proposed Zoning: Variance from Sec. 400.1 to permit
> an accessory structure (garage) on a corner lot to be
> located outside of the third of the lot farthest
> removed from both streets.
> No. of Acres: 240 x 120 District: 2nd

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.

Liberty Gardens Boad, an existing County road, is proposed to be improved in the near future as a 40-foot closed section roadway on a 60-foo. right-of-way (55-foot minimum in the vicinity of the properties east of Remilli Road). Any additional highway right-of-way widening, sight distance fillet, and revertible easements for alogue as mocessary will be required in connection with any grading or building permit appeads no. Purther information may be obtained from the Baltimore County Bureau of Engineering: the submitted plan must be revised accordingly.

Bexhill Road, an existing County road, is improved with dual 24-foot closed section roadways on an 80-foot right-of-way at this location.

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.

This property is subjected to flooding an indicated on the submitted plan. Provisions for accommodating storm water or drainage are contemplated in conjunction with the future highway improvements for Liberty Gardens Road, which when completed, are expected to eliminate the flooding of this property.

January 6, 1976

Augustine J. Muller, Esquire 511 West Joppa Read Towson, Maryland 21204

RE: Petition for Variance SE/corner of Liberty Cardens Read and Benthill Read -2nd Election District Reger T. Stultz, et un -NO. 76-132-A (Rem No. 98)

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

SED/sew

Item #98 (1975-1976) Property Owner: Roger T. & Helen E. Stultz Page 2 January 2, 1976

Storm Drains: (Cont'd)

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 ful. responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours.

Solsward S. Duner ELISHORTH N. DIVER, P.E.

END: EAM: FWR: SS

D. Grise R. Covahey (Oakview Apts.)

AUGUSTINE J MULLER

DESCRIPTION

PROPERTY OF Roger T. & Helen E. Stultz

Beginning for the same at the eastermost in ersection of Liberty Gardens and Bexhill Roads in the 2nd. Election District of Baltimore County, Maryland and running thence binding on the eastermost side of said liberty Gardens Road N 450 E 120 feet, thence leaving said road and running at right angle thereto S 450 E 240 feet thence S 450 W 120 feet to the eastermost side of Bexhill Road, thence binding or said Bexhill Road N 45° W 240 feet to the beginning. Being the property of Roger 7. and Helen E. Stultz, recorded among the land records of Baltimore County in Liber (LB 2041, Polio 157 and known as 3405 Liberty Gardens Road.

Ben

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

ent, posting of property, and public hearing on the shows 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 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, the Variance to permit an accessory structure (garage) on a corner lot to be located outside of the third of the lot farthest removed from both streets should 1976 that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this D. The 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 petitis the above Variance should NOT BE GRANTED. IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ 197 __, that the above Variance be and the same is hereby DENIED. Zoning Commissioner of Baltimore Count

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenu Towson, Maryland 21204 Your Petition has been received and accepted for filing this lot Petitioner Peper S. A Sales S. Stales Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 23, 1975

Franklin T. Hogan

MINNERS ZORING ADMINISTRATIO HEALTH DEPARTMENT

BUREAU OF FIRE PREVENTION DEPARTMENT OF TRAFFIC ENGINEERS

STATE HIGHWAY NUREAU OF ENGINEERING

PROJECT AND DEVELOPMENT PLANN

BOARD OF EDUCATION

Augustine J. Muller, Esq. 511 W. Joppa Road Towson, Maryland 21204

RE: Variance Petition Variance 12.
Item 98
Roger T. & Helen E. Stultz Petitioners

Dear Mr. Muller:

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 northeast corner of Bexhill and Liberty Gardens Roads, and is currently improved with a single family dwelling.

The petitioner is requesting a Variance to permit an accessory structure (garage) to be located outside of the rear third of the lot farthest removed from both streets.

This property abuts to the north single family residences along its rear property line, across Bexhill Road, and across Liberty Garden Road.

The petitioner's plan indicates an area subject to flooding. Field inspection revealed this

Augustine J. Muller, Esq. Re: Item 98 Page 2 December 23, 1975

situation to exist, apparently as a result of improper storm drainage facilities, located along Liberty Gardens Road in conjunction with the apartment development.

The petitioner should note with particular interest the comments of the Bureau of Engineering.

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 fc warded to you in the near future.

Very truly yours,

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

FTH: JD

Enclosure

Baltimore County Fire Department

J. Austin Deitz



Towson, Maryland 21204 825-7310

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

Attention: Mr. Jack Dillon, Chairman Zoning Advisory Committee

Re: Property Owner: Roger T. & Helen E. Stults Location: NE/C of Bexhill & Liberty Gardens Roads

Item No. 98

Zoning Agenda November 25, 1975

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the connents 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 read 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 Pire Department.

EXCESS the maximum allowed by the Fire Department.

() h. The site shall be made to comply with all applicable parts of the
Fire Frevention Code prior to occupancy or beginning of operations,
() 5. The buildings and structures editing or proposed on the site shall
comply with all mplicable requirements of the Hational Fire Frotection
Association Standard No. 10. Whe Life Safety Codes, 1970 Edition prior

() 6. Site plans are approved as drawn.

1. The Fire Prevention Bureau has no comments at this time.

Noted and Planning Group Special Inspection Division

Acting Deputy Chief Pire Prevention Bureau



STEPHEN E. COLLINS DIRECTOR

December 4, 1975

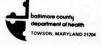
Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: Item 98 - ZAC - November 25, 1975
Property Owner: Roger T. & Helen E. Stultz
Location: NE/C of Bexhill & Liberty Gardens Rd.s Location: NE/C of Bexhill & Liberty Gardens Rd,s Existing Zoning: D.R., 5-m Sec., 400.1 to permit an accessory structure (garage) on a corner lot to be located outside of the third of the lot farthest removed from both steets

No traffic engineering problems are anticipated by the requested variance to permit an accessory structure on a corner lot to be located in the outside third o the lot.

Very truly yours. Michael & Homeion Michael S. Flanigan Traffic Engineer Associate

MSF:nc



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 #98, Zoning Advisory Committee Meeting, November 25, 1975, are as follows:

Property Owner: Roger T. & Helen E. Stultz Location: NE/C of Bexhill & Liberty Gardens Rds. Existing Zoning: D.R. 5.5 Proposed Zoning: Variance from Sec. 400.1 to permit an accessory atructure (sarage) on a corn

accessory structure (garage) on a corner lot to be located outside of the third of No. of Acres: 240 x 120

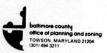
District: 2nd

Public water and sewer are existing.

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

THD: dlse



December 4, 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 #98, Zoning Advisory Committee Meeting, November 25, 1975, are as follows

Property Owner: Roger T. and H len E. Stultz
Location: NE/C of Boshill and Liberty Gardens Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) on a
corner lot to be located outside of the third of the lot farthest removed from buth

streets No. of Acres: 240 x 120

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.

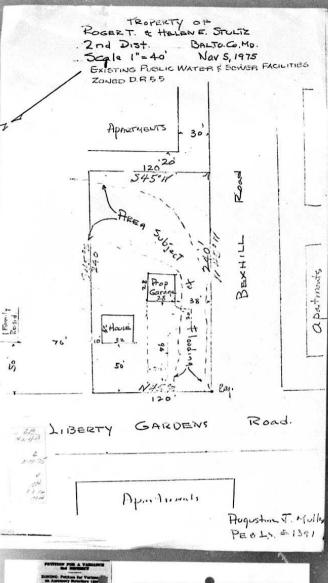
This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John Lil mbly John L. Wimbley

Planning Specialist II
Project and Development Planning

December 8, 1975



CERTIFICATE OF PUBLICATION January appearing on the _____18tb___day of ______December. THE JEFFERSONIAN,

Cost of Advertis

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 24, 1975

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

Z.A.C. Meeting of: November 25, 1975

Re: Item
Property Owner: Roger T. & Helen E. Stultz
Location: NE/C of Bexhill & Liberty Cardens Rds.
Present Zoning: D. R. S. S
Proposed Zoning: Variance from Sec. 400.1 to permit an accessory structure (garage) on a corner lot to be located outside of the third of the lot farthest removed from both structs.

District: No. Acres:

2nd 240 x 120

Dear Mr. DINensa:

No bearing on student population.

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

H. EMSLIE PARKS, PRESIDENT EUDENE C. HESS. V.C. CO.

MARCUS M. BOTSARIS JOSEPH N. MIGOWAN ALVIN LORECK

T. BAYAND WILLIAMS, JR. MRS. HICHARD X. WUERFEL

7	6-	132	-1

OFFICE OF CATONSVILLE I IM IES

CATONSVILLE, MD. 21228

THIS IS TO CERTIFY, that the annexed advertisement of Petition for a Variance- Roger T. Stulfz

STROMBERG PUBLICATIONS. Inc.

By PathSmink

1-5,6N

76-132-A

CERTWICATE OF POSTER BUT OF BALTIM

District 2 red			1 30.00
Posted for Petition For Petitioner: Bosen T. S	VARIANCE	Date of Pustin	Dec. 20, 1975
Petitioner: Bobert T. S	TULTZ.	Manager 1	
Location of property SE/Cor. e Be×HILL	E LIBERTY C	ARbens Rd.	AND
Location of Signa: FRONT 34	05 LIBERT,	GARDENS	Rd,
Remarks:		••••••	
Posted by Flormas K. Pro	land D	ate of return: De	c. 22 1975

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received * this 13TH day of 1975. Filing Fee \$ 25.00 . Received Mcheck V Cash Other Petitioner_STULTZ Submitted by MULLER

Petitioner's Attorney MILLER Reviewed by JBBM This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

> BALTIMORE COUNTY, MARYLAND No. 28234 DATE Jan. 5, 1976 67878 M 5 54.00 mt VALIDATION OR SIGNATURE OF CASHIER

