

7P-4-19 7P-4-19 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, GEORGE H. NITZEL, JR., 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 1.002 - 301 to permit a side setback of 4' instead of the required 15'.

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

Need of additional living quarters due to size of family in present dwelling.
Due to septic system and construction of the present house, the addition should be attached to side without going to great expense.
Also addition to the side would be in accordance with the design of the other homes in the neighborhood.
Cannot afford at present prices to relocate.

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 John W. Heslian, III Legal Owner
Address 676 Bangert Street
White Marsh, Maryland
Petitioner's Attorney _____ Protester's Attorney _____
Date July 19, 1977

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of July, 1977, 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 18th day of July, 1977, at 10:45 o'clock.

By Eric Di Ninna
Zoning Commissioner of Baltimore County.
(over)

7P-4-19
#218

RE: PETITION FOR VARIANCE
5/5 of Bangert St. 1000' W of
Winkler St., 11th District
OF BALTIMORE COUNTY
GEORGE H. NITZEL, JR., et al.,
Petitioners
Case No. 78-4-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. John W. Heslian, III
Charles E. Kountz, Jr. John W. Heslian, III
Deputy People's Counsel People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 6th day of July, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. George H. Nitzel, Jr., 676 Bangert Street, White Marsh, Maryland 21162, Petitioners.

John W. Heslian, III
John W. Heslian, III



July 20, 1977

Mr. & Mrs. George H. Nitzel, Jr.
676 Bangert Street
White Marsh, Maryland 21162

RE: Petition for Variance
5/5 of Bangert Street, 1000' W of
Winkler Street - 11th Election District
George H. Nitzel, Jr., et al. -
Petitioners
NO. 78-4-A (Item No. 248)

Dear Mr. & Mrs. Nitzel:

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

Very truly yours,

Eric Di Ninna
Eric Di Ninna
Zoning Commissioner

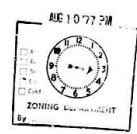
SED/srl

Attachments

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

7P-4-A
George H. Nitzel Jr.
Bangert Street
White Marsh Md 21162
Mr. & Mrs. Eric Di Ninna.

On July 19, 1977, I received a release from your office on Variance Petition Item 248. I would like to apply for my building permit this day of July 19, 1977. I will accept all responsibilities that go with the permit by July 19, 1977.
I thank you for your help.
George H. Nitzel Jr.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Eric Di Ninna, Zoning Commissioner Date: June 30, 1977
FROM: Norman E. Gerber, Zoning Commissioner
SUBJECT: Petition 78-4-A, Petition for Variance for Side Yard
South side of Bangert Street 1000 feet West of Winkler Street
Petitioner - George H. Nitzel, Jr. and Rita Nitzel

11th District

RECEIVED: Monday, July 19, 1977 (10:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

NO:100:111

Beginning at a point in the North East corner of the lot known as 676 Bangert Street, which boundaries run South 16° 59' East - 200.00' then South 49° 16' 30" West - 100.00' then North 16° 59' East - 200.00' then North 49° 16' 30" East - 100.00'. From this point running North East approximately 1,000' is the nearest intersection known as Winkler and Bangert Streets.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 8, 1977

R. George H. Nitzel, Jr.
Mrs. Rita F. Nitzel
676 Bangert Street
White Marsh, Maryland

RE: Variance Petition
Item No. 248
Petitioner - George Nitzel
Rita Nitzel

Dear Mr. & Mrs. Nitzel:

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.

Located on the south side of Bangert Street approximately 1,000 feet southwest of Winkler Street, this D.R. 2 zoned site is presently improved with a one-story stucco dwelling. Adjacent properties are also zoned D.R. 2 and are improved with similar type uses.

This Variance is necessitated by your proposal to construct an addition to the east side of the existing dwelling with a feet from the property line in lieu of the required 15 feet.

At the time of field inspection, the representative from the Health Department indicated that there were no problems with the private facilities servicing

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, the Variance to permit a side yard setback of eight feet in lieu of the required 15 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of July, 1977, 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 Zoning Commissioner of Baltimore County 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...

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of July, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

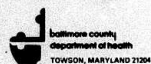
Mr. George H. Nitzel
Mrs. Rita F. Nitzel
Page 2
Item No. 248
July 9, 1977

this site. However, since his comment is not available at this time, I suggest that you contact Mr. Kenneth Schmidt at 494-2762 for his comment.

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,
Nicholas S. Comodari
Chairman
Zoning Plans Advisory Committee

NBC:rf



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

July 1, 1977

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

Dear Mr. DiNenna:

Comments on Item #248, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: George & Rita Nitzel, Jr.
Location: SE/S Bangert St. 1000' SW Winkler St.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.
Acres: 20,000 sq. ft.
District: 11th

Metropolitan water exists. Since the existing septic system is functioning properly, no health hazard is anticipated.

Very truly yours,

Thomas E. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/BJV/ctb



THORNTON M. INQUIRING, P.E.
DIRECTOR

June 14, 1977

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

Item #248 (1976-1977)
Property Owner: George & Rita Nitzel, Jr.
Location: SE/S Bangert St. 1000' SW Winkler St.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.
Acres: 20,000 sq. ft. District: 11th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

Bangert Street, an existing public road, is proposed to be improved in the future as a 30-foot closed auction roadway on the present 50-foot right-of-way.

Sediment Control

Development of this property through stripping, grading and stabilization could result in a sedimentation problem, damaging private and public holdings down-drain of the property. A grading permit is, therefore, necessary for all gradings, including the stripping of top soil.

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any mudflows 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 is serving this property, which is utilizing a private onsite sewage disposal system. The Baltimore County Comprehensive Sewerage Plan, adopted January 1976, indicates "Planned Service" in the area in 3 to 5 years.

Very truly yours,

Donald W. Tixier, P.E.
Acting Chief, Bureau of Engineering

DWT/EAM/PWR:bs



June 6, 1977

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

Dear Mr. DiNenna:

Comments on Item #248, Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: George and Rita Nitzel, Jr.
Location: SE/S Bangert St. 1000' SW Winkler Street
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.
Acres: 20,000 sq. ft.
District: 11th

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
Planner III
Project and Development Planning



STEPHENE COLLINS
DIRECTOR

June 14, 1977

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

Item #248 - ZAC - May 31, 1977
Property Owner: George & Rita Nitzel, Jr.
Location: SE/S Bangert St. 1000' SW Winkler St.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.
Acres: 20,000 sq. ft.
District: 11th

Dear Mr. DiNenna:

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

Sincerely,

Michael S. Flanagan
Traffic Engineer Associate

MHF/jlf



Paul H. Heinicke
CHIEF

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

Attention: Mr. Nicholas Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: George & Rita Nitzel, Jr.

Location: SE/S Bangert St. 1000' SW Winkler St.

Item No. 248

Zoning Agenda May 31, 1977

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 "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.

Noted and Approved: George M. Kaganell
Planning Group
Special Inspection Division
on behalf of
Fire Prevention Bureau



JOHN D. SEEVER
DIRECTOR

June 7, 1977

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

Dear Mr. DiNenna:

Comments on Item #248 Zoning Advisory Committee Meeting, May 31, 1977, are as follows:

Property Owner: George & Rita Nitzel, Jr.
Location: SE/S Bangert St. 1000' SW Winkler St.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.
Acres: 20,000 sq. ft.
District: 11th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☒ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 5'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burman
Planning Group

Charles E. Burman
Plans Review Chief
C.E.B.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 31, 1977

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

Z.A.C. Meeting of: May 31, 1977

RE: Item No: 248
Property Owner: George & Rita Nitzel, Jr.
Location: 5615 Bangert Street 1000' SW Minkler Street
Present Zoning: D.R. 2
Proposed Zoning: Variance to permit a side setback of 8' in lieu of the required 15'.

District: 11th
No. Acres: 20,000 sq. ft.

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich

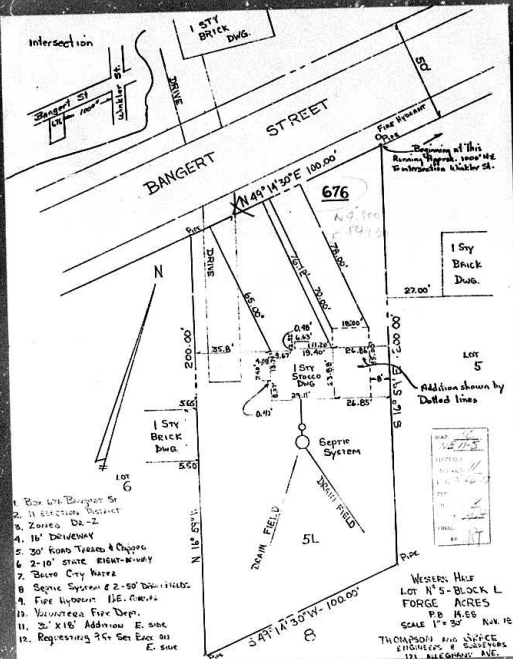
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH H. MCCORMACK, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE PRESIDENT
MARCEL W. HUTTENBACH

THOMAS H. BOWEN
MRS. LORRAINE F. CONVERSE
ROGER B. WATSON
ROBERT J. GUREL, K. HENNINGSTADT

ALVIN LORECK
MRS. WILTON M. SMITH, JR.
RICHARD W. TRACY, D.V.M.



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Mr. George H. Nitzel, Jr. County Office Building
Attn: Alan P. Wilson 111 W. Chesapeake Ave.
676 Bangert Street Towson, Maryland 21204
Chase Marsh, Maryland
Your Petition has been received and accepted for filing
this 28th day of May 1977.

Shelli L. Hines
Zoning Commissioner

Petitioner: Mr. George H. Nitzel, Jr.
Petitioner's Attorney: Reviewed by
Nicholas S. Combs
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 6-2-77
Posted for: Advertising and posting of property
Petitioner: George H. Nitzel, Jr.
Location of property: 5615 Bangert St. 1000' West of Minkler St.
Location of Signs: 1 Sign, Petitioner's Office, 676 Bangert St.
Remarks: _____
Posted by: W. Nick Petrovich Date of return: 7-2-77
Signature: _____

OFFICE OF THE
TIMES
NEWSPAPERS
TOWSON, MD 21204 June 10 1977

THIS IS TO CERTIFY that the annexed advertisement of
PETITION FOR VARIANCE - for side yard, 11th Dist.,
was inserted on the following

☐ Catonsville Times ☐ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore County, Maryland,
once a week for _____ successive weeks before the
1st _____ day of _____ 1977, that is no day the same
was inserted in the issues of _____ June 10, 1977.

STROMBERG PUBLICATIONS, INC.
W. Nick Petrovich

CERTIFICATE OF PUBLICATION

TOWSON, MD. _____ June 20 _____ 1977.

THIS IS TO CERTIFY that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., _____ each
at _____ 1977, _____ weeks before the _____ day of _____
day of _____ 1977, the 1977 publication
appearing on the _____ day of _____ 1977.

THE JEFFERSONIAN
L. L. L. L.
Manager

Cost of Advertisement, \$ _____

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 16 day of
May 1977. Filing Fee \$ 35 Received Check
Cash
Other

Shelli L. Hines
Zoning Commissioner

Petitioner: _____ Submitted by: _____
Petitioner's Attorney: _____ Reviewed by: _____

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

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

No. 51839
DATE: June 20, 1977 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED: George H. Nitzel, Jr. 676 Bangert St., Baltimore, Md.
FOR: 21162
Petition Fee Variance
778-4-4
\$25.00
VALIDATION OR SIGNATURE OF CARRIER

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

No. 51832
DATE: July 12, 1977 ACCOUNT: 01-662
AMOUNT: \$45.50
RECEIVED: George H. Nitzel, Jr. 676 Bangert Street,
for: 21162
Advertising and posting of property
778-4-4
\$45.50
VALIDATION OR SIGNATURE OF CARRIER