

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Dean R. and
Mrs. Sandra J. Esslinger, legal owners of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof.

humbly petition for a Variance from Section 21.01.02.01 and 21.01.02.03 to
allow a side street 16 feet
wide street 16 feet
setback of 50 feet in lieu of the required 25 feet and a setback
of 50 feet 7 inches in lieu of the required 50 feet respectively. in D.R. 5.5 Zone

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

To enclose an open porch (roof and floor existing) and make
into a family room.

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 so to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser
Address: 524 Wilton Rd.
Towson, Md. 21204
Petitioner's Attorney
Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 22nd day

of 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 through-
out Baltimore County, that property be posted, and that the public hearing be held before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 15th day of August, 1977, at 10:15 A.M.

Eric D. DiNenna
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 11, 1977

FROM: Leslie H. Groff, Director of Planning

SUBJECT: Petition 78-48-A. Petition for Variance for a Side Yard

Northwest corner of Wilton Road and Newberry Lane
Petitioner - Dean R. Esslinger and Sandra J. Esslinger

9th District

HEARING: Monday, August 15, 1977 (10:15 A.M.)

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

Leslie H. Groff
Director of Planning

LHG:JGHr

RE: PETITION FOR VARIANCE

NW corner of Wilton Rd. and
Newberry Lane, 9th District

DEAN R. ESSLINGER, et ux, Petitioners

Case No. 78-48-A

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

ORDER TO ENTER APPEARANCE

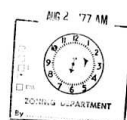
Mr. Commissioner:

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. Kuntz, 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 22nd day of August, 1977, a copy of the
aforegoing Order was mailed to Mr. and Mrs. Dean R. Esslinger, 524 Wilton Road,
Towson, Maryland 21204, Petitioners.

John W. Hession, III



Baltimore County
Office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-2351
S. ERIC DINENNA
ZONING COMMISSIONER

October 11, 1977

Mr. & Mrs. Dean R. Esslinger
524 Wilton Road
Towson, Maryland 21204

RE: Petition for Variances
NW corner of Wilton Road and
Newberry Lane - 9th Election
District
Dean R. Esslinger, et ux -
Petitioners
NO. 78-48-A (Item No. 268)

Dear Mr. & Mrs. Esslinger:

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

Very truly yours,
George J. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

DESCRIPTION

Beginning at a point on the northwest corner of Wilton
Road and Newberry Lane, being lot number 198 of Section One
of Wiltondale, as recorded in the land records of Baltimore
County in Libr #10, Folio 106. Also known as 524 Wilton Rd.

cc: J. Somers
W. Munchal
N-W Key Sheet
33 NE 3 Pw. Sheet
HE 9A Topo
70 Tax Map

Baltimore County
Department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

July 18, 1977

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

Re: Item #268 (1976-1977)
Property Owner: Dean R. & Sandra J. Esslinger
N/W cor. Wilton Rd. & Newberry Lane
Existing zoning: D.R. 5.5
Proposed zoning: Variance to permit a side setback of
21' 7" in lieu of the required 25' and a side street
setback of 36' 7" in lieu of the required 50'.
Acres: 0.201 District: 9th

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

Wilton Road and Newberry Lane, existing public roads, are proposed to be improved
in the future as 30-foot closed section roadways on 50-foot and 40-foot rights-of-way,
respectively. Highway rights-of-way widenings, including a fillet area for sight distance
and any necessary reversible easements for slopes will be required in connection with any
grading or building permit application.

Sediment Control

Development of this property through striping, 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 striping of top soil.

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent)
to prevent creating any nuisance 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. Additional fire
hydrant protection is required in the vicinity.

Very truly yours,
Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAR,FWB:SS

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

OCT 30 1978

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 Variances requested not adversely affecting the health, safety, and general welfare of the community. Variances to permit a side street setback of 16' 7" instead of the required 25' and a setback from the center line of the street of 36' 7" instead of the required 50' should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of October, 1977, that the herein Petition for the aforementioned Variances should be and the same are 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 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Nicholas B. Commodari
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF FIRE PROTECTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

August 2, 1977

Mr. Dean R. Esslinger
Mrs. Sandra J. Esslinger
524 Wilton Road
Towson, Maryland 21204

RE: Variance Petition
Item No. 268
Petitioner - Dean R. Esslinger
Sandra Esslinger

Dear Mr. & Mrs. Esslinger:

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 northwest corner of Wilton Road and Newberry Lane in the 9th Election District.

This property is improved with a single family dwelling, as are the adjacent D.R. 5.5 zoned properties. This Variance hearing is necessitated by the desire to enclose the existing open porch, maintaining a setback of 16' 7", in lieu of the required 25' from the side street property line and 36' 7" in lieu of the required 50' from the centerline of the side street.

Mr. Dean R. Esslinger
Mrs. Sandra J. Esslinger
Page 2
Item No. 268
August 2, 1977

In light of the comment made by the Bureau of Engineering, stating that the right-of-way width is 40 feet instead of the 30 as shown on the site plans, this office has revised the petition forms to request a 16' 7" setback instead of the 21' 7" as shown, to accommodate for the wider right-of-way.

Revised plans indicating a 40 foot right-of-way should be submitted before the scheduled hearing date.

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 B. COMMODARI,
Chairman
Zoning Plans Advisory Committee
DIANA ITTER
Planning & Zoning Associate III

NBC:DIrf

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 484-2211

July 27, 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 #268, Zoning Advisory Committee Meeting, June 28, 1977, are as follows:

Property Owner: Dean R. and Sandra J. Esslinger
Location: NW/C Wilton Road and Newberry Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 21' 7" in lieu of the required 25' and a side street setback of 36' 7" in lieu of the required 50'
Acres: 0.201
District: 9th

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

baltimore county
department of health
TOWSON, MARYLAND 21204

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

July 14, 1977

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

Dear Mr. DiNenna:

Comments on #268, Zoning Advisory Committee Meeting, June 28, 1977, are as follows:

Property Owner: Dean R. and Sandra J. Esslinger
Location: NW/C Wilton Rd. & Newberry Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 21' 7" in lieu of the required 25' and a side street setback of 36' 7" in lieu of the required 50'.
Acres: 0.201
District: 9th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/MS/rth

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 424-3656

STEPHENE COLLINS
DIRECTOR

July 28, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item 268 - ZAC - June 28, 1977
Property Owner: Dean R. and Sandra J. Esslinger
Location: NW/C Wilton Rd. & Newberry La.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 21' 7" in lieu of the required 25' and a side street setback of 36' 7" in lieu of the required 50'.
Acres: 0.201
District: 9th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the side yard and setback from the street.

Sincerely,

Michael S. Flanagan
Associate Traffic Engineer

MSF/jfl

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 425-2910

Paul H. Reische
Chief

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

Attention: Nicholas B. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Dean R. & Sandra J. Esslinger

Location: NW/C Wilton Rd. & Newberry La.

Item No. 268

Zoning Agenda June 28, 1977

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below with an "r" 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 load and 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.

REVIEWED:

Planning Code
Special Inspection Division

Noted and

Approved:

By: Chief

Fire Prevention Bureau

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 484-3000

JOHN D. SEYFERT
DIRECTOR

June 22, 1977

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

Dear Mr. DiNenna:

Comments on Item # 268 Zoning Advisory Committee Meeting, June 28, 1977 are as follows:

Property Owner: Dean R. and Sandra J. Esslinger
Location: NW/C Wilton Road & Newberry Lane
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 21' 7" in lieu of the required 25' and a side street setback of 36' 7" in lieu of the required 50'.
Acres: 0.201
District: 9th

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 6' 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. Burnham
Plaza Service Chief
CEB:rrj

