

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

ALLAN L. LEVITT and wife
vs. ELAINE L. LEVITT, his legal owner of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof.
1302-106-A (30-1)
hereby petition for a Variance from Section 55-101 of the Zoning Regulations of Baltimore County for a front yard setback of 10 feet to 3 feet from front property line (Mayflower Court) in lieu of required 30 feet. The ideal setback was established by 1977-106-A, Ordinance of the Baltimore County Board of Commissioners.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) The reason for petitioning for a zoning variance is to enable the property owners to build an additional bedroom and bath which will be attached to one of the existing bedrooms, and fronting on the Mayflower Court (front yard) side of the property. The petitioners have a growing family and therefore, desire to build an addition rather than move to a larger house.

The property is presently a three-bedroom ranch with two of the bedrooms facing Mayflower Court (front yard) side of the property. The third bedroom adjoins the second bedroom and faces the left side of the house (16.8' setback). According to the architect planning the addition, it would not be practical to build vertically. First, it would be extremely expensive to do so; secondly, it would be out of character with the present one-story structure to place a bedroom and bath on property to be added and advertised as prescribed by Zoning Regulations. I or we agree to pay expense 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.

See attached description

Contract purchaser
SHELDON H. LEVITT
Petitioner's Attorney
Address: 110 E. Lexington Street
Baltimore, Maryland 21202

Protestant's Attorney
Address: 110 E. Lexington Street
Baltimore, Maryland 21202

By The Zoning Commissioner of Baltimore County, this 20th day of September, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of November, 1977, at 10:15 A.M.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
TO: Zoning Commissioner
FROM: Director of Planning
SUBJECT: Petition 78-106-A, Petition for Variance for Front Yard Setback
Northwest corner of Alden Road and Mayflower Court
Petitioner - Allan L. Levitt and Elaine L. Levitt
3rd District

HEARING: Monday, November 14, 1977 (10:15 A.M.)

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

Lellie H. Graef
Director of Planning

LHG:JGH:rw



RE: PETITION FOR VARIANCE
NW corner of Alden Rd. & Mayflower Cr.,
3rd District
ALLAN L. LEVITT, et ux, Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 78-106-A

ORDER TO ENTER APPEARANCE

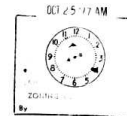
Mr. Commissioner:

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. Kowitz, 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 25th day of October, 1977, a copy of the foregoing Order was mailed to Sheldon H. Levitt, Esquire, 110 E. Lexington Street, Baltimore, Maryland 21202, Attorney for Petitioners.



OFFICE OF THE TIMES
TOWSON, MD 21204 October 27 1977

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Allan L. Levitt, NW/cor. Alden Rd. & Mayflower Court was inserted in the following:

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

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 25th day of October, 1977, that is to say, the same was inserted in the issues of October 27, 1977

STROMBERG PUBLICATIONS, INC.
BY *Eric DiNenna*

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: Oct. 20, 1977 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED FROM: Allan Levitt 7012 Alden Rd., Balto., Md.
FOR: Petition for Variance 78-106-A
25.00 CASH

Description for Variance

Beginning at a point on the Northwest corner of Alden Road and May Flower Court and thence running North 11° 16' 30" West 60.00'; thence North 11° 16' 30" West 7.09'; thence South 79° 9' 30" West 59.10' to a curve with a radius of 6.00' for a distance of 3.68'; thence North 65° 39' 56" West 3.44' to a curve going South with a radius of 12.00' for a distance of 7.04'; thence South 80° 43' 45" West 8.02'; thence North 11° 49' 12" 95' to a curve with a cord of South 80° 15' 25" West 25.08'; thence South 11° 16' 30" East 14.80'; thence South 11° 16' 30" East 60.00'; thence North 78° 43' 30" East 105.00' to the beginning point.

OFFICE OF THE TIMES
TOWSON, MD 21204 October 27 1977

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Allan L. Levitt, NW/cor. Alden Rd. & Mayflower Court was inserted in the following:

- ☐ Catonsville Times
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STROMBERG PUBLICATIONS, INC.
BY *Eric DiNenna*

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: Nov. 14, 1977 ACCOUNT: 01-662
AMOUNT: \$20.50
RECEIVED FROM: Cash (Allan L. Levitt)
FOR: Advertising and posting of property 78-106-A
20.50 CASH

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 front yard setback of ten feet in lieu of the required 34 feet from the front property line (Mayflower Court) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of November, 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 Zoning Commissioner of Baltimore County, 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

Item #50 (1977 - 1978)
Property Owner: Allan L. & Elaine L. Levitt
Page 2
November 9, 1977

Water and Sanitary Sewer

Public water supply and sanitary sewerage are serving this property, which is tributary to the Owens Falls Sanitary Sewer System, subject to State Health Department regulations.

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAH/PW:ee

CC: J. Somers

On-Site Map Sheet
24 NW 19 Pos. Sheet
NW 6 E 20p
78 Twp Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 2, 1977

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Sheldon H. Levitt, Esquire
110 East Lexington Street
Baltimore, Maryland 21202

RE: Variance Petition
Item Number 50
Petitioner - Allan L. Levitt
Elaine L. Levitt

Dear Mr. Levitt:

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 that 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 northwest corner of Alden Road and Mayflower Court in the 3rd Election District, the subject property is currently improved with a one-story brick dwelling and garage in the rear. Adjacent properties are similarly improved and are zoned D.R. 3.5 as is the subject property.

This petition is necessitated by your proposal to construct an addition to the front and side of the existing dwelling within 10' of the front property line in lieu of the required average setback of 34' as shown on the submitted site plan.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

November 15, 1977

Sheldon H. Levitt, Esquire
110 East Lexington Street
Baltimore, Maryland 21202

RE: Variance Petition
Item Number 50
Petitioner - Allan & Elaine Levitt

Dear Mr. Levitt:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you November 2, 1977 under the above referenced subject.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBCirf

Enclosure

Sheldon H. Levitt, Esq.
Page 2
Item Number 50
Nov. 2, 1977

At the time of this writing, the comments from the Bureau of Engineering were not available. However, through conversation with Mr. Frederick Ringer, representative of said department on this committee, it was indicated that he foresaw no problems with your proposal.

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 10 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

NBCirf

cc: Bacharach Associates, Inc.
Architects & Engineers
1601 South Road
Baltimore, Maryland 21209

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

November 9, 1977

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

Re: Item #50 (1977 - 1978)
Property Owner: Allan L. & Elaine L. Levitt
NW cor. Alden Rd. & Mayflower Ct.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a front setback of 10.4' in lieu of the required 18.9'.
Acres: District: 3rd

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

Alden Road and Mayflower Court, existing County roads, are proposed to be improved in the future as 30-foot closed section roadways on the existing 50-foot right-of-way. Highway right-of-way widening, consisting of a filler area for right distance at right intersection, will be required in connection with any grading or building permit application.

The existing ornamental brick walls, along the frontages of this property, on Alden Road and Mayflower Court are within the existing public 50-foot right-of-way. The petitioner is cautioned that no encroachment by construction of any structure, including footings and walls, will be permitted within County right-of-way or utility easements.

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.

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 436-3211

September 26, 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 #50, Zoning Advisory Committee Meeting, September 20, 1977, are as follows:

Property Owner: Allan L. & Elaine L. Levitt
Location: NW/C Alden Road and Mayflower Court
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a front setback of 10.4' in lieu of the required 18.9'.
Acres: District: 3rd

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

October 17, 1977

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

Dear Mr. DiNenna:

Comments on Item #50, Zoning Advisory Committee Meeting, September 20, 1977, are as follows:

Property Owners: Allan L. & Elaine L. Levitt
Location: NW/C Alden Rd. & Mayflower Ct.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a front setback of 10.4' in lieu of the required 18.9'.
Acre: 3rd
District: 3rd

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TMD/Ks/rth.

September 23, 1977

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

Re: Item No. 50 - ZAC - September 20, 1977
Property Owners: Allan L. & Elaine L. Levitt
Location: NW/C Alden Rd. & Mayflower Ct.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a front setback of 10.4' in lieu of the required 18.9'.
Acre: 3rd
District: 3rd

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF/kam

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

Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owners: Allan L. & Elaine L. Levitt

Location: NW/C Alden Rd. and Mayflower Ct.

Item No. 50

Zoning Agenda September 20, 1977

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments have been applied 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 _____ 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 _____

REMARKS: The variance 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 construction.
- () 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.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: _____
Special Inspection Division

Noted and Approved: _____
Duty Chief
Fire Prevention Bureau

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: September 20, 1977

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

Z.A.C. Meeting of: September 20, 1977

RE: Item No. 50
Property Owners: Allan L. & Elaine L. Levitt
Location: NW/C Alden Rd. & Mayflower Ct.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a front setback of 10.4' in lieu of the required 18.9'.

District: 3rd
No. Acre: 3rd

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative

KNP/bp

November 3, 1977

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

Dear Mr. DiNenna:

Comments on Item # 50 Zoning Advisory Committee Meeting, NOVEMBER 3, 1977 are as follows:

Property Owners: Allan L. & Elaine L. Levitt
Location: NW/C Alden Road and Mayflower Court
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a front setback of 10.4' in lieu of the required 18.9'.

Acre: 3rd
District: 3rd

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction.
- ☒ 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
Plans Review Chief
CBS/rj

Sheldon H. Levitt, Registrar
110 East Lexington Street
Baltimore, Maryland 21202

ITEM # 50

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 20th day of September 1977.

Petitioner: Allan L. & Elaine L. Levitt
Petitioner's Attorney: Sheldon Levitt
Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee
CC: Bacharach Associates, Inc.
Architects & Engineers
1601 South Road
Baltimore, Maryland 21209

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this _____ day of _____ 1977 Filing Fee \$ _____ Received ☒ Check ☐ Cash ☐ Other

Petitioner: _____ Submitted by: S. Eric DiNenna
Petitioner's Attorney: _____ Reviewed by: _____

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

September 28, 1977

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

Dear Mr. DiNenna:

Comments on Item # 50 Zoning Advisory Committee Meeting, September 20, 1977 are as follows:

Property Owners: Allan L. & Elaine L. Levitt
Location: NW/C Alden Road & Mayflower Court
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a front setback of 10.4' in lieu of the required 18.9'.

Acre: 3rd
District: 3rd

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 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
Charles E. Burnham
Plans Review Chief
CBS/rj

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: OCT. 29, 1977

Posted for: PETITION FOR VARIANCE

Petitioner: ALLAN L. LEVITT

Location of property: NW/C ALDEN RD. AND MAYFLOWER CT.

Location of Sign: NW/C ALDEN RD. AND MAYFLOWER CT.

Remarks: _____

Posted by: Charles E. Burnham Date of return: Nov. 4, 1977

CERTIFICATE OF PUBLICATION

TOWSON, MD. _____, 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. on _____ at _____ o'clock _____ before the _____ day of _____, 1977, the first publication appearing on the _____ day of _____, 1977.

THE JEFFERSONIAN
Baltimore County

Cost of Advertisement \$ _____

