

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William V. Wertz, Inc., 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, hereby petition for a Variance from Section 1802.3.C.1 to allow 55.5 foot side yard instead of the required 25 feet. Section 1802.3.C.2 To permit dwelling in D.R. 16 zone to be located within 15 feet of land some D.R. 5.5 instead of the required 75 feet.

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

Present zoning restricts house size to 10' width. Owner wishes to construct 44 foot wide dwelling

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.

William V. Wertz, Inc.

Contract purchaser

Legal Owner

Address: 8629 Liberty Road, Randallstown, Md. 21133

Petitioner's Attorney

Proponent's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of December 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 6th day of February 1978 at 10:15 A.M.

Zoning Commissioner of Baltimore County

(over)



BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Calverton St. 60' : OF BALTIMORE COUNTY
E of Kent Ave., 1st District

WILLIAM V. WERTZ, INC., Petitioners : Case No. 158-A

ORDER TO ENTER APPEARANCE

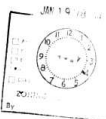
Mr. Commissioner:

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. Kuntz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 18th day of January, 1978, a copy of the foregoing Order was mailed to William V. Wertz, Inc., 8629 Liberty Road, Randallstown, Maryland 21133, Petitioners.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna,
Zoning Commissioner Date: February 3, 1978

Lettie H. Graef
FROM: Director of Planning

ITEM # 116
SUBJECT: Petition #78-158-A. Petition for Variance for Side Yards.
Northside of Calverton Street 60 feet East of Kent Avenue
Petitioner - William V. Wertz, Inc.

1st DISTRICT

HEARING: Monday, February 6, 1978 (10:15 A.M.)

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

Lettie H. Graef
Director of Planning

LHG:JGH:rw

COLUMBIA OFFICE
WALTER PAUL
Registered Surveyor
Phone 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
300 EAST JOPPA ROAD
ROOM 101, SHILL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-0800

REL AIR OFFICE
L. ORALD WOLFF
Landscape Architect
Phone 838-0808

November 23, 1977

DESCRIPTION TO ACCOMPANY APPLICATION FOR SIDE YARD VARIANCE:

Beginning for the same at a point on the north side of Calverton Street (40 feet wide) said point being distant 80 feet easterly from the intersection formed by the said north side of Calverton Street with the center line of Kent Avenue (40 feet wide) thence being all of lots 21, 22 and 23 as shown on the plat of Catonsville Heights recorded among the plat records of Baltimore County in Plat Book 6 folio 178.

Containing 0.17 Acres of land more or less.

Malcolm E. Hordine
Registered Professional Engineer



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

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

Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PARKS PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

January 20, 1978

Mr. William V. Wertz
William V. Wertz, Inc.
8629 Liberty Road
Randallstown, Maryland 21133

RE: Variance Petition
Item Number 116
Petitioner - Wm. V. Wertz, Inc.

Dear Mr. Wertz:

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 suitability of the requested zoning.

This currently vacant property, zoned D.R. 16, is located on the north side of Calverton Street approximately 60 feet east of Kent Avenue in the 1st Election District. Adjacent properties are similarly zoned and consist of vacant land to the north and west, while an individual dwelling exists to the east.

This Variance is necessitated by your proposal to construct a dwelling on the property within 8 feet of the side property lines in lieu of the required 25 feet. In addition I have included with this petition a request to

Mr. William V. Wertz
Page 2
Item Number 116
January 20, 1978

allow the proposed structure within 55 feet of the D.R. 5.5 zoning, which extends through the centerline of Calverton Street, in lieu of the required 75 feet.

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. COMMADARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Hudkins Associates, Inc.
101 Shell Building
200 East Joppa Ave.
Towson, Maryland 21204

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 findings of the Variance requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit side yard setbacks of 8 feet instead of the required 25 feet and a dwelling in a D.R.16 Zone to be located within 45 feet of a road instead of the required 75 feet should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of April, 1977, that the herein petition for the aforementioned Variance 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.

Deputy Zoning Commissioner of Baltimore County

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 11th day of April, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

December 28, 1977

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

Re: Item #116 (1977-1978)
Property Owner: William V. Wertz, Inc.
N/S Calverton St. 60' E. Kent Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit side setbacks of 8' in lieu of the required 25'.
Acres: 0.17 District: 1st

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

Calverton Street, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including 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 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.

Storm Drains

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

Item #116 (1977-1978)
Property Owner: William V. Wertz, Inc.
Page 2
December 28, 1977

Water and Sanitary Sewer

There is an 8-inch public water main in Calverton Street. Additional fire hydrant protection is required in the vicinity.

A public 8-inch sanitary sewer extension is required, and proposed under Job Order 1-2-640 (Contract No. 77216 EXO), Drawing No. 76-0651, File 1, to serve this property.

Very truly yours,

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

END: EAM/FMR/SS

cc: J. Somers
S. Bellostri
W. Munchel
J. P. Nolan

H-R Key Sheet
5 SW 23 Pw. Sheet
SW 2 P Topo
95 Tax Map



December 21, 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 #116, Zoning Advisory Committee Meeting, December 13, 1977, are as follows:

Property Owner: William V. Wertz, Inc.
Location: N/S Calverton St. 60' E. Kent Avenue
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit side setbacks of 8' in lieu of the required 25'
Acres: 0.17
District: 1st

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.

Adjacent ownership must be shown on the site plan. Road improvements must be made in accordance with Bureau of Engineering requirements.

Very truly yours,

John L. Wimbley
Planner III
Project and Development Planning



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

January 11, 1978

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

Dear Mr. DiNenna:

The following are comments on Item # 116, Zoning Advisory Committee Meeting of December 13, 1977:

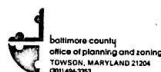
Property Owner: William V. Wertz, Inc.
Locations: N/S Calverton St. 60' E Kent Ave.
Acres: 0.17
District: 1st

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

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TLD/KS/pc
SFC 35-118



S. ERIC DINENNA
ZONING COMMISSIONER

April 6, 1978

Mr. William Wertz
8629 Liberty Road
Baltimore, Maryland 21137

RE: Petition for Variances
N/S Calverton Street, 60' E of Kent
Avenue - 1st Election District
William V. Wertz, Inc. - Petitioner
NO. 78-158-A (Item No. 116)

Dear Mr. Wertz:

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

Very truly yours,
George J. Vartan
Deputy Zoning Commissioner

GJM/mc

Attachments

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



STEPHENE COLLINS
DIRECTOR

January 30, 1978

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

Item No. 116 - ZAC - December 13, 1977
Property Owner: William V. Wertz, Inc.
Location: N/S Calverton St. 60' E Kent Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit side setbacks of 8' in lieu of the required 25'.
Acres: 0.17
District: 1st

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit side setbacks of eight feet.

Very truly yours,

Michael S. Fianigan
Traffic Engineer Associate

MSF/ma

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: William V. Wertz, Inc.

Location: N/S Calverton St. 60' E Kent Ave.

Item No. 116 Zoning Agenda Meeting of 12/13/77

Comments:

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 this 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 _____

RETURNS 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.

(X) 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 by: [Signature] Planning Group
Special Inspection Division
Noted and Approved: [Signature] Deputy Chief
Fire Prevention Bureau

December 9, 1977

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

Dear Mr. DiNenna:

Comments on Item #116 Zoning Advisory Committee Meeting, December 13, 1977
are as follows:

Property Owner: William V. Wertz, Inc.
Location: N/S Calverton St. 60' E. Kent Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit side setbacks of 8' in lieu of the required 25'.

Address: 0.17
District: 1st

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. Remove interior lot lines from plat.
- ☐ 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
C2B:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 7, 1977

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

Z.A.C. Meeting of: December 13, 1977

RE: Item No: 116
Property Owner: William V. Wertz, Inc.
Location: N/S Calverton St. 60' E. Kent Ave.
Present Zoning: D.R. 16
Proposed Zoning: Variance to permit side setbacks of 8' in lieu of the required 25'.

District: 1st
No. Acres: 0.17

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

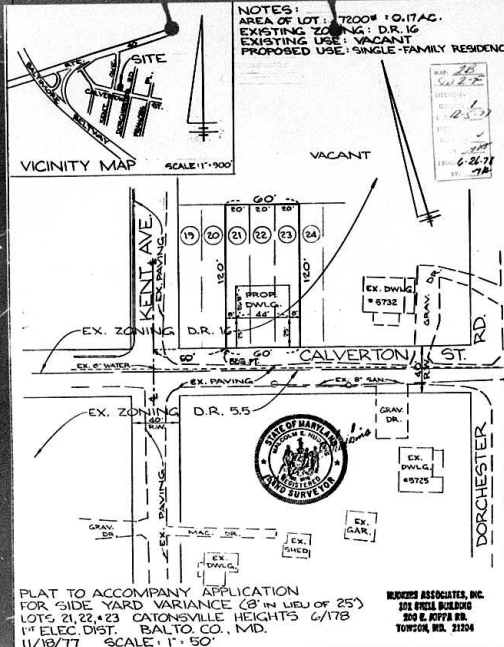
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/lp

JOSEPH H. McGUIRE, PRESIDENT
T. BARNARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BUTENAS

THOMAS H. BOYER
WES. LORRAINE F. CHURCH
RODER R. HATDEN
ROBERT F. DOBEL, REPRESENTATIVE

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



1-SIGN 78-158-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: JAN 21, 1978

Posted for: PETITION FOR VARIANCE

Petitioner: WM. V. WERTZ, INC.

Location of property: N/S OF CALVERTON ST. 60' E. OF KENT AVE.

Location of Sign: N/S OF CALVERTON ST. 70' E. OF KENT AVE.

Remarks: *Thomas B. Roland*

Posted by: *Thomas B. Roland* Date of return: JAN. 27, 1978

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <i>W. Nick Petrovich</i>			Revised Plans:		Change in outline or description		Yes		No
Previous case:			Map #						

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 19, 1978

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 each day of one time before the 6th day of February, 1978, the same publication appearing on the 19th day of January, 1978.

THE JEFFERSONIAN

John L. Jefferson
Manager

Cost of Advertisement: \$ _____



TOWSON, MD. 21204 January 18 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - William V. Wertz, Inc. N/S of Calverton St. was inserted in the following:

- ☒ Towson 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 20th day of January, 1978, that is to say, the same was inserted in the issues of January 19, 1978.

STROMBERG PUBLICATIONS, INC.

By *Edith Boyce*

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 24 day of Jan 1977 Filing Fee \$ 25.00 Received ☒ Cash ☐ Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner *William V. Wertz, Inc.* submitted by *John L. Jefferson*

Petitioner's Attorney Reviewed by *W. Nick Petrovich*

* 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

DATE: Feb. 3, 1978 ACCOUNT: 01-662

AMOUNT: \$ 49.00

RECEIVED: Wertz Bros., Inc. 8620 Liberty Rd.,
Dundalk, Md. 21113
FOR: Advertising and posting of property
#78-158-A

20634 FEB 6 49.00 REC

VALIDATION OR SIGNATURE OF CASHIER

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

DATE: Jan. 13, 1978 ACCOUNT: 01-666

AMOUNT: \$25.00

RECEIVED: William V. Wertz, Inc. 8620 Liberty Rd.,
Dundalk, Md. 21113
FOR: Petition for Variance #78-158-A

20634 FEB 10 25.00 REC

VALIDATION OR SIGNATURE OF CASHIER