

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William F. Rode, 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 1802.3-C (1985) to permit a lot width of 50 feet in lieu of the required 55 feet for lots 144 & 145.

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

I, William Willoughby, on acting alone with this petition for a 5 foot variance on lots 144 & 145 as the contract purchaser. I have the consent of William F. Rode to apply for the 5 foot variance for said lots. On North Hazelwood Dr., any of the houses are located on 50 foot lots.

See attached description

Property is to be posted 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.

William Willoughby Legal Owner
Address: 3713 Eastern Ave.
Baltimore 21206
410-4667

William F. Rode Legal Owner
Address: 3713 Eastern Ave.
Baltimore 21206
410-4667

Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day

of February, 1978, 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 28th day of March, 1978, at 10:00 o'clock.

Eric D. Nemo
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric D. Nemo, Zoning Commissioner Date: March 20, 1978

FROM: Leslie H. Groat, Director of Planning

SUBJECT: Petition 78-204-A, Petition for Variance for Lot Widths. ITEM # 164
East side of North Hazelwood Avenue 85 feet North of Southwood Avenue
Petitioner - William F. Rode
District 14

HEARING: Tuesday, March 28, 1978 (10:00 A.M.)

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

Leslie H. Groat
Director of Planning

LHG:JGH:rw

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
7/5 of North Hazelwood Ave., 85' : OF BALTIMORE COUNTY
N of Southwood Ave., 14th District
WILLIAM F. RODE, Petitioner : Case No. 78-204-A

ORDER TO ENTER APPEARANCE

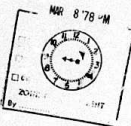
Mr. Commissioner:

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.
Charles E. Kowitz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 8th day of March, 1978, a copy of the foregoing Order was mailed to Mr. William F. Rode, Petitioner, Box 363 Galloway Road, Baltimore, Maryland 21206.



Law Office
PAUL P. ZAWICKI
ATTORNEY AT LAW

BOHLENZAWICKI BUILDING
6721 BELAIR ROAD
BALTIMORE, MARYLAND 21206
PHONE: 865-3894
865-2318

March 28, 1978

Mr. George Martinak
Deputy Zoning Commissioner
Baltimore County
County Office Building
Towson, Maryland 21204

RE: Cases 78-203-A
78-204-A

Dear Mr. Martinak:

I am enclosing herewith the Memorandum for The Record from William Willoughby, Petitioner in the above cases, for your consideration in the granting of the requested variances.

Very truly yours,

Paul F. Zawicki
Paul F. Zawicki

PPZ:am



April 4, 1978

Paul Zawicki, Esquire
6721 Belair Road
Baltimore, Maryland 21206

RE: Petition for Variances
F/S of North Hazelwood Avenue, 85'
N of Southwood Avenue - 14th Election
District
William F. Rode - Petitioner
NO. 78-204-A (Item No. 164)

Dear Mr. Zawicki:

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

Very truly yours,

George J. Martinak
George J. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

DESCRIPTION

Beginning at a point from the intersection of Southwood Ave. and North Hazelwood Ave. on the east side of North Hazelwood Ave. 85 feet north of Southwood Ave. as recorded in the Last Records of Baltimore County Lot 144 & 145 Plat of County Side Liber # 7 Folio # 3 also known as ' 5805 North Hazelwood Ave.)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. William F. Rode
Box 363 - Galloway Road
Baltimore, MD. 21206
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 21st day of February 1978.

S. Eric D. Nemo
S. Eric D. Nemo
Zoning Commissioner

Petitioner: William F. Rode
Petitioner's Attorney: _____
Reviewed by: Richard E. Combs
Chairman, Zoning Plans
Advisory Committee

ORDER RECEIVED FOR FILING
DATE: April 1, 1978
BY: [Signature]

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 Petitioner,

to permit a lot width of 50 feet instead of the required 55 feet for Lots 144 and 145 should be granted. It is ORDERED by the Zoning Commissioner of Baltimore County, that the Variance requested not adversely affecting the health, safety, and general welfare of the community.

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 Petitioner,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, that the Variance requested not adversely affecting the health, safety, and general welfare of the community.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. William F. Rode
Box 363
Galloway Road
Baltimore, Maryland 21220

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

March 16, 1978

Mr. William F. Rode
Box 363
Galloway Road
Baltimore, Maryland 21220

RE: Variance Petition
Item Number 164
Petitioner - Wm. F. Rode

Dear Mr. Rode:

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.

Located on the east side of Hazelwood Avenue approximately 85 feet north of Southwood Avenue in the 14th Election District, the subject property consists of a vacant 50 foot wide lot. Adjacent properties are improved with a contractor's storage yard and individual dwellings to the west, while another vacant 50 foot wide lot exists immediately to the north. Because of your previous ownership of this lot, which is now owned by Mr. William Willoughby, and the subject property, this Variance to allow a lot width of 50 feet in lieu of the required 55 feet is necessitated.

In light of the problems resulting from the sale to Mr. Willoughby and your lot, both of these petitions will be heard simultaneously. At that time I am certain that you will be able to clearly explain to the Zoning

Mr. William F. Rode
Page 2
Item Number 164
March 16, 1978

or Deputy Zoning Commissioner what has transpired to date.

Since the comments from the Bureau of Engineering are not available at the time, it is my suggestion that you personally contact Mr. Frederick Ringer at 494-3754 and discuss the proposal and any effects that it may have on his particular department.

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. Connolly

NICHOLAS B. CONNOLLY
Chairman
Zoning Plans Advisory Committee

NBC:rf

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-2711

March 8, 1978

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 #164, Zoning Advisory Committee Meeting, February 28, 1978, are as follows:

Property Owner: William F. Rode
Location: E/S N. Hazelwood Avenue 85' N Southwood Avenue
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
(Adjacent to Item 141)
Existing Zoning: D.R.5.5
District: 14th

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. Whalley
Planner III
Current Planning and Development

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

March 16, 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 #164, Zoning Advisory Committee Meeting of February 28, 1978:

Property Owner: William F. Rode
Location: E/S N. Hazelwood Ave. 85' N Southwood Ave.
Acres: 0.172
District: 14th

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

Very truly yours,

Thomas H. Devlin
BUREAU OF ENVIRONMENTAL SERVICES

TBD/KS/eth

SEC 33 118

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

March 17, 1978

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

Re: Item #164 (1977-1978)
Property Owner: William F. Rode
E/S N. Hazelwood Ave. 85' N. Southwood Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'. (Adjacent to Item 141)
Acres: 0.172 District: 14th

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

North Hazelwood Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 30-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, disrupting private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping on top soil.

Storm Drains

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

This property is subject to the 100-year design storm flooding by Red House Run per the United States Department of Housing and Urban Development F.I.R.A. Map 59, which indicates a 100-year design storm flood elevation at this location, of approximately 120 feet above M.L.T. (Baltimore County Datum). Further construction is not permitted within 100-year flood plains.

Item #164 (1977-1978)
Property Owner: William F. Rode
Page 2
March 17, 1978

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 full responsibility of the Petitioner.

Water and Sanitary Sewer

The public water main which exists in North Hazelwood Avenue must be extended to serve this property, see Drawing #66-0303, File 3.

Public sanitary sewerage exists in North Hazelwood Avenue to serve this property, see Drawing #66-0304, File 1.

Very truly yours,

Ellsworth M. Dwyer, P.E.
ELLSWORTH M. DWYER, P.E.
Chief, Bureau of Engineering

END:EM:PMR:rs

CC: D. Grise
R. Pincus
J. Jones

J-NE Vap Sheet
17 NE 17 Pw. Sheet
NE SE Topo
89 Top Map

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3000

STEPHEN S. COLLINS
DIRECTOR

March 17, 1978

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

Item No. 164 - SAC - February 28, 1978
Property Owner: William F. Rode
Location: E/S N. Hazelwood Ave. 85' N Southwood Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'. (Adjacent to Item 141)

Acres: 0.172
District: 14th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit a lot width of 50 feet in lieu of the required 55'.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

FST/rms

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(410) 226-7310

Paul H. Baldeck
Chief

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

Attention: N. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: William F. Rode

Location: N/S N. Hazelwood Ave. 85' N Southwood Ave.

Item No. 164 Zoning Agenda Meeting of 2/28/78

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 the property.

- () 1. The 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 _____ ~~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.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

APPROVED: *George M. Wagonett*
Noted and Approved: *George M. Wagonett*
Special Inspection Division Fire Prevention Bureau

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEFFERT
DIRECTOR

March 14, 1978

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

Dear Mr. DiNenna:

Comments on Item #164 Zoning Advisory Committee Meeting, February 28, 1978 are as follows:

Property Owner: William F. Rode
Location: N/S N. Hazelwood Ave - 85' North Southwood Ave.
Relisting Zoning: B.S. 5-5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'. (Adjacent to Item 141.)

Acres: 0.172
District: 14th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.B.) 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. - comment. Interior property lines shall be removed or provide fire wall of masonry 2 hour construction.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burbanck

Charles E. Burbanck
Plans Review Chief
(301) 494-3610

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 24, 1978

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

Z.A.C. Meeting of: February 28, 1978

EE: Item No: 164
Property Owner: William F. Rode
Location: N/S N. Hazelwood Ave. 85' N. Southwood Avenue
Present Zoning: B.S. 5-5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'. (Adjacent to Item 141.)

District: 14th
No. Acres: 0.172

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

MWP/bp

JOSEPH M. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BOWEN
THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROGER B. HATHEN
ALVIN LORECE
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.
ROBERT T. DUGEL, SUPERINTENDENT

PETITION MAPS PROGRESS SHEET									
FUNCTION	Wall Map		Original		Options		Tracking		200 Sheet
	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <i>W</i>									
Revised Plans: Change in outline or description									
Previous case: <i>None</i>									
Map # <i>NEES</i>									

Need \$5.00 Fee

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

No. 65455

DATE: Feb. 21, 1978 ACCOUNT: 01-669

AMOUNT: \$25.00

RECEIVED FROM: Cash William Wagonett

FOR: Petition for Variance for Mr. Rode

838 SEP 21 25.00 OK

VALIDATION OF SIGNATURE OF CASHIER

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 March 9 1978

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - William F. Rode, 6/5
North Hazelwood Ave.
was inserted in the following:

☐ Calonsville 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 one successive weeks before the
10th day of March 1978, that is to say, the same
was inserted in the issues of March 9, 1978

STROMBERG PUBLICATIONS, INC.
By: *Esther Berger*

PETITION FOR A VARIANCE
FOR PROPERTY

NOTED: PETITION for Variance
LOCATION: N/S N. Hazelwood Ave. 85' N. Southwood Ave.
RELISTING ZONING: B.S. 5-5
PROPOSED ZONING: Variance to permit a lot width of 50' in lieu of the required 55'. (Adjacent to Item 141.)

THE JEFFERSONIAN
Manager

Cost of Advertisement: \$ _____

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 3-9-78

Posted for: *William F. Rode*

Petitioner: *William F. Rode*

Location of property: *6/5 N. Hazelwood Ave. 85' N. Southwood Ave.*

Remarks: *See map.*

Posted by: *Michael H. Dean* Date of return: 3-16-78

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

No. 65528

DATE: March 20, 1978 ACCOUNT: 01-669

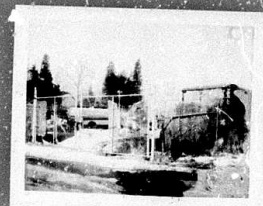
AMOUNT: \$10.00

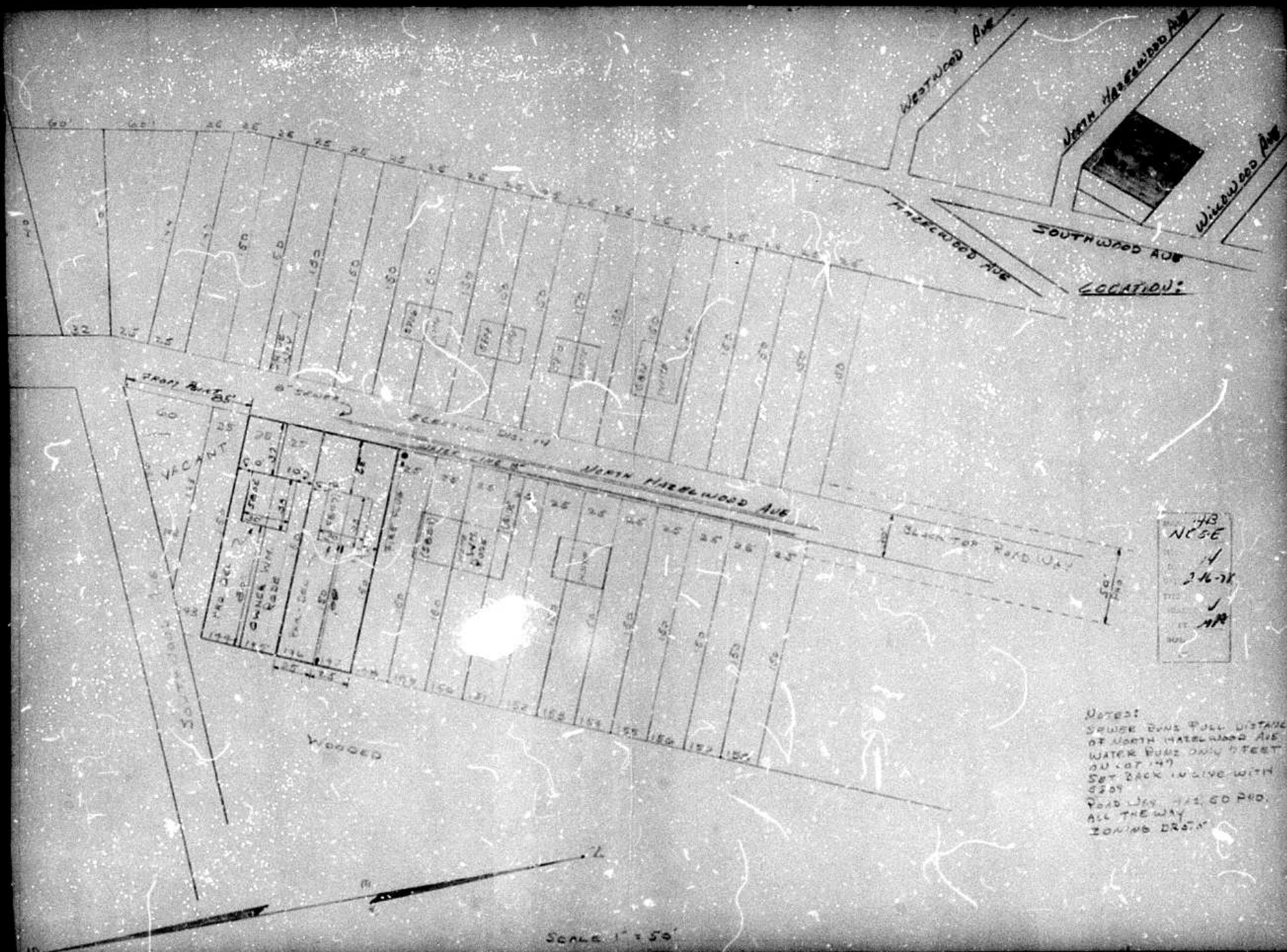
RECEIVED FROM: *William F. Rode*

FOR: *Advertisement and posting of property for Mr. Rode*

838 SEP 21 10.00 OK

VALIDATION OF SIGNATURE OF CASHIER





4B
 NCSE
 14
 24-78
 14

Notes:
 SINKER DUNE FULL DISTANCE
 OF NORTH HAZELWOOD AVE
 WATER DUNE ONLY 5 FEET
 50' (BT 14)
 SET BACK INCLUDE WITH
 5209
 ROAD LANE 44.60 PRD.
 ALL THE WAY
 TOWARD DUNE