

79-46-78 261 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Anna M. Williams, James H. Williams, et al., Petitioners 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.C1. to permit a lot width of 50 feet in lieu of the required 55 feet (D.R.S.F.).

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

The purchasers wish to construct a single family residence, following installation of the sewer line extension now under construction, similar to other existing residences in the immediate neighborhood. This lot was subdivided as a building lot and has no other practical purpose for either the present owners or the purchasers.

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 we's be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchase
336 Stemmers Run Road
Baltimore, Maryland 21221
Petitioner's Attorney
Protestant's Attorney

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

of August, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of August, 1978, at 10:45 A.M.

Deputy Zoning Commissioner of Baltimore County
(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner
Date: August 3, 1978
To: Leslie H. Groat
Director of Planning
FROM: Petition #79-46-A, Item 261

Petition for Variance for lot width
Southeast side of Bauernschmidt Drive, 66 feet southwest of Martin Drive
Petitioner - Anna M. Williams, et al

15th District

HEARING: Monday, August 28, 1978 (10:45 A.M.)

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

Leslie H. Groat
Director of Planning

LP9:JG/HW

RE: PETITION FOR VARIANCE
SE/8 of Bauernschmidt Drive 55'
SW of Martin Drive, 15th District
OF BALTIMORE COUNTY

ANNA M. WILLIAMS, et al, Petitioners : Case No. 79-46-A

ORDER TO ENTER APPEARANCE

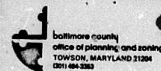
Mr. Commissioner:

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.

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 August, 1978, a copy of the foregoing Order was mailed to Anna M. Williams, 731-A Martin Drive, Baltimore, Maryland 21221, Petitioner.

John W. Hession, III
John W. Hession, III



S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

September 18, 1978

Mr. Robert D. Williams
731-A Martin Drive
Baltimore, Maryland 21221

RE: Petition for Variance
SE/8 of Bauernschmidt Drive,
66' SW of Martin Drive -
15th Election District
Anna M. Williams, et al -
Petitioners
NO. 79-46-A (Item No. 261)

Dear Mr. Williams:

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

Very truly yours,
S. ERIC DINENNA
Zoning Commissioner

SED:nr

Attachments

cc: Mr. Frederick C. Kidd, Jr.
336 Stemmers Run Road
Baltimore, Maryland 21221
John W. Hession, III, Esquire
People's Counsel

Mr. Lee R. Miller, President
Bauernschmidt Manor Improvement
Association
Route 1, Box 712
Baltimore, Maryland 21221

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 16, 1978

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Md. 21204 217-7100

cc: Nicholas A. Commodari
Chairman

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

Ann M. Williams
James H. Williams
Robert D. Williams
731-A Martin Drive
Baltimore, Maryland 21221

RE: Variance Petition
Item No. 261
Petitioner - Williams

Dear Anna, James and Robert Williams:

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 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 current vacant 50' wide lot is proposed to be developed with an individual dwelling. As per your conversation with Mr. Douglas Swann, of this office, this variance is necessitated because you sold the adjacent 66' wide lot and allowed this lot to remain undeveloped (inadequate lot width). Particular attention should be afforded to the comments of the Health Department concerning the availability of public sewer as well as comments of Bureau of Engineering concerning the proposed widening of Bauernschmidt Drive.

This petition is accepted for filing on the date of the enclosed using 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 A. Commodari
NICHOLAS A. COMMODARI
Chairman
Zoning Plans Advisory Committee

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

ORDER RECEIVED FOR FILING
DATE 10/14/78 BY 10/14/78

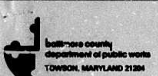
Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, the Zoning Commission of Baltimore County, this 19th day of September, 1978, that the herein Petition for the aforementioned Variance should be and is 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 lot width of 50 feet in lieu of the required 55 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of September, 1978, that the above Variance be and the same is hereby GRANTED.

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 Zoning Commission of Baltimore County, this 19th day of September, 1978, that the herein Petition for the aforementioned Variance should be and is 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 lot width of 50 feet in lieu of the required 55 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of September, 1978, that the above Variance be and the same is hereby GRANTED.

Zoning Commissioner of Baltimore County



THORNTON M. MOURNING, P.E.
DIRECTOR
July 19, 1978

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

Re: Item #261 (1977-1978)
Property Owner: James H. Williams, et al
S/S Bauernschmidt Dr. 66' S/W Martin Dr.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Area: 0.1974 District: 15th

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:
Bauernschmidt Drive, 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 striping, grading and stabilization could result in a sediment pollution problem, causing private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Storm Drainage:
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.

Item #261 (1977-1978)
Property Owner: James H. Williams, et al
Page 2
July 19, 1978

Water and Sanitary Sewer:
There is an 8-inch public water main in Bauernschmidt Drive. Eight inch public sanitary sewerage, under Contract 77-183-SW is proposed to be constructed in Bauernschmidt Drive, Job Order 1-2-489, Drawing 877-1093, File 1.

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

END: EAM:FWH:iss
CO: J. Somers
1-SK Key Sheet
2-S-SW 39 Pos. Sheets
WS 1-S Topo
98 Tax Map



August 2, 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:

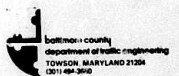
Comments on Item #261, Zoning Advisory Committee Meeting, June 13, 1978, are as follows:

Property Owner: James H. Williams, et al
Location: SE/S Bauernschmidt Drive 66' SW Martin Drive
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Area: 0.1974
District: 15th

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. Winkley III
John L. Winkley III
Planner III
Current Planning and Development



Stephen E. Collins
DIRECTOR
June 23, 1978

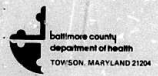
Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 261 - EAC - June 13, 1978
Property Owner: James H. Williams, et al
Location: SE/S Bauernschmidt Dr. 66' SW Martin Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Area: 0.1974
District: 15th

Dear Mr. DiNenna:

The Variance should not have any effect on traffic.

Very truly yours,
Stephen E. Collins
Stephen E. Collins
Engineer



DONALD J. REUP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER
July 26, 1978

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

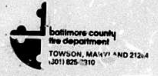
Dear Mr. DiNenna:

Comments on Item #261, Zoning Advisory Committee Meeting of June 13, 1978, are as follows:

Property Owner: James H. Williams, et al
Location: SE/S Bauernschmidt Dr. 66' SW Martin Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Area: 0.1974
District: 15th

Metropolitan water exists and public sewer is under construction to serve Bauernschmidt Manor and should therefore be available in the near future. A building permit will not be approved until public sewer is available.

Very truly yours,
Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES



Paul H. Heinicke
CHIEF
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: H. Comodari, Chairman
Zoning Advisory Committee

Re: Property Owner: James H. Williams, et al
Location: SE/S Bauernschmidt Dr. 66' SW Martin Dr.

Item No. 261 Zoning Agenda Meeting of 06/23/78

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. 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 _____ EXCEEDED the maximum allowed by the Fire Department.

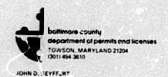
() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 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", 1976 Edition prior to occupancy.

() 6. Site plan are approved as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *John L. Winkley III* Chief and *George M. Gannon*
Planning Group 1 Approved
Special Inspection Division Fire Prevention Bureau



June 8, 1978

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

Dear Mr. DiNenna:

Comments on Item #261 Zoning Advisory Committee Meeting, June 13, 1978 are as follows:

Property Owner: James H. Williams, et al
Location: SE/S Bauernschmidt Dr. 66' SW Martin Dr.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 55'.
Area: 0.1974
District: 15th

The items checked below are applicable:

X1. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1975 Edition and its 1977 Supplement, and other applicable codes.

X2. A building permit shall be required before construction can begin.

X3. Additional _____ Permit shall be required.

X4. Building shall be designed to be used as a residence attention permit.

X5. Three sets of construction drawings will be required to file an application for a building permit.

X6. 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.

X7. Wood frame walls are not permitted within 3'0" of a property line. Concrete Building Department if distance is between 3'0" and 6'0" of property line.

X8. Requested setback variance conflict with the Baltimore County Building Code. See Section _____.

1. No Comment.

2. Comment:

Very truly yours,
Charles E. Burman
Charles E. Burman
Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

WSON, MARYLAND - 21204

Date: June 8, 1978

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

Z.A.C. Meeting of: June 13, 1978

RE: Item No. 261
Property Owner: James H. Williams, et al
Location: SE/S Bauernschmidt Dr. 66' SW Martin Drive
Present Zoning: D.R. 5-1
Proposed Zoning: Variance to permit a lot width of 50' in lieu of the required 77'.

District: 15th
No. Acres: 0.1974

Dear Mr. DiNenna:
No bearing on student population.

Very truly yours,

W. Nick Petrovich

W. Nick Petrovich,
Field Representative

WNP/up

JOSEPH H. MCCORMACK, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BUTENBERG

THOMAS H. BOYER
MRS. LOREANNE F. CHIRCO
ROBERT W. HATCHE
ROBERT F. DUBEL, SECRETARY

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



TOWSON, MD. 21204 August 10 1978

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Anna H. Williams, et al was inserted in the following:

- ☐ Catonsville Times
- ☐ Dundalk Times
- ☐ D.R. Times
- ☐ Suburban Times East
- ☐ Towson Times
- ☐ A-bus Times
- ☐ Community Times
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 11th day of August 1978, that is to say, the same was inserted in the issues of August 10, 1978

STROMBERG PUBLICATIONS, INC.

BY *Esther Burger*

CERTIFICATE OF PUBLICATION

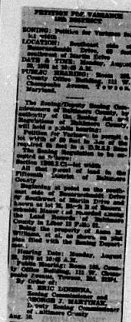
TOWSON, MD. August 30 1978

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 August 28th, 1978, before the 28th day of August 1978, the 1978 publication appearing on the 10th day of August 1978.

THE JEFFERSONIAN

H. Frank Stettin
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 29 day of May 1978. Filing Fee \$25.00 Received ☒ Check ☐ Cash ☐ Other

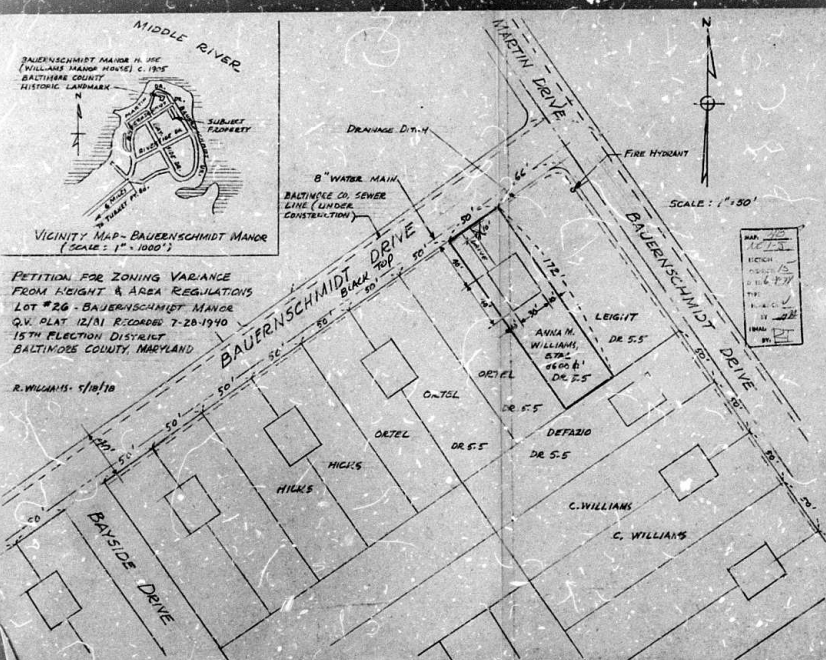
S. Eric DiNenna
Zoning Commissioner

Petitioner *Anna H. Williams, et al* submitted by *Kidd*
Petitioner's Attorney Reviewed by *DiNenna*

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map date by	Original date by	Duplicate date by	Tracing date by	GOO Sheet date by
Descriptions checked and outline plotted on map			6-1-78		
Petition number added to outline					
Denied					
Granted by ZC, RA, CC, CA					
Reviewed by: <i>DiNenna</i>					
Previous case:					
Review: Plans: Change in outline or description					Yes
Map # <i>15-1</i>					No



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

No. 73423

DATE August 3, 1978 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Carol Ann Kidd, 336 Chambers Run Rd., Balto.
Md. 21111, Filing Fee for Case No. 79-46-A

VALIDATION OR SIGNATURE OF CASHIER

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

No. 73482

DATE August 20, 1978 ACCOUNT 01-662

AMOUNT \$73.65

RECEIVED Frederick C. Kidd, Jr.
FOR Cost of Advertising and Posting fee Case No. 79-46-A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15
Posted for: *Variance*
Petitioner: *Anna H. Williams, et al*
Location of property: *SE/S Bauernschmidt Dr. 66' SW*
Location of Sign: *Front of Property*
Remarks:
Posted by: *Gayle C. Feltner*
Date of return: *8-16-78*

02701 1979