

77-154-A 77-154-A 77-154-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, William Ray Burton, 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 1-A.04.033. 1A permit side yard setback of 27 feet in lieu of the required 50 feet and a front yard setback of 50 feet from the center of the street instead of the required 75 feet.

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

- Existing dwelling has only one bedroom.
- Existing property only 115 feet wide thereby requiring any addition or building to be only 15 feet wide with existing 50 foot sideyard setback requirement.
- Existing storage and other outbuildings will not accommodate tractor and recreation vehicle storage.

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.

Contract purchaser
Address: 17901 Middletown Rd
Freeland, MD 21053

Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of December, 1978.

that the subject matter of this petition be admitted, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, 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 22nd day of January, 1978, at 10:30 o'clock A.M.

S. Eric Dinenna
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCES
SW/S of Middletown Rd, 268'
NW of Gores Mill Rd., 6th District
WILLIAM R. BURTON, Petitioner
Cov No. 79-154-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 proceedings. 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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

I HEREBY CERTIFY that on this 29th day of December, 1978, a copy of the foregoing Order was mailed to Mr. William R. Burton, 19904 Middletown Road, Freeland, Maryland 21053, Petitioner.

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

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 394-2263

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

January 23, 1979

Mr. William Ray Burton
19904 Middletown Road
Freeland, Maryland 21053

RE: Petition for Variances
SW/S of Middletown Road,
268' NW of Gores Mill Road -
6th Election District
William R. Burton - Petitioner
NO. 79-154-A (Item No. 84)

Dear Mr. Burton:

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

Very truly yours,

George J. Martink
GEORGE J. MARTINK
Deputy Zoning Commissioner

GJM:mr

Attachment

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

DESCRIPTION FOR VARIANCE PROPERTY OF WILLIAM R. BURTON 6TH ELECTION DISTRICT

Beginning at a point on the Southwest side of Middletown Road, 268 feet Northwest of Gores Mill Road and running and binding on the side of the road, North 37° 36' West, 115.5 feet; thence South 36° 12' East, 386.75 feet; thence South 11° 56' East, 118.9 feet; thence North 35° 51' East, 377.7 feet to the point of beginning. Containing 1.02 acres, more or less.

Also known as 19904 Middle town Road.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 28, 1978

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

cc: Nicholas B. Comm'dari
Chairman

MEMBERS
Bureau of Engineering
Department of Health Engineering
State Roads Commission
Bureau of Park Recreation
Health Department
Project Planning
Housing Department
Board of Education
County Administration
Industrial Development

Mr. William Ray Burton
19904 Middletown Road
Freeland, Maryland 21053

RE: Item No. 84
Petitioner - Burton
Variance Petition

Dear Mr. Burton:

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.

Because of your proposal to construct an addition to the side of the existing dwelling within 27 ft. of the side property line and 54 ft. of the center line of the road, this Variance is necessitated. Originally, it was the feeling of this office that the proposed storage shed (32' x 56') should be included with this request. However, after further discussion, it was decided that this structure would be allowed with the understanding that it is to be used for "residential storage" only.

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. Comm'dari
NICHOLAS B. COMM'DARI
Chairman
Zoning Plans Advisory Committee

NBC:af

cc: Robert C. Norris, Reg. Surveyor
Old Court Road
Baltimore, Maryland 21207

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
Zoning Commissioner
TO: Letitia H. Gray December 28, 1978
FROM: Director of Planning and Zoning
SUBJECT: Petition 79-154-A, Item #84

Petition for Variances for side and front yard setback
Southwest side of Middletown Road, 268 feet Northwest of Gores Mill Road
Petitioner - William R. Burton

6th District

HEARING: Monday, January 22, 1979 (10:30 A.M.)

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

Letitia H. Gray
Letitia H. Gray
Director of Planning and Zoning

LHG:JGltw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Pursuant to the advertisement, posting of property, and public hearing on the 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(s).

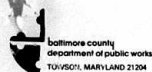
the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) to permit a side yard setback of 27 feet in lieu of the required 50 feet and a front yard setback of 5 feet from the center line of the street in lieu of the required 75 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of January, 1978, that the herein Petition for the aforementioned Variance(s) 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 Department of Public Works and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 1st day of February, 1978, that the aforementioned Variance(s) be and the same is 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.

Zoning Commissioner of Baltimore County



THORNTON M. MOURING, P.E.
DIRECTOR

December 20, 1978

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

Re: Item #84 (1978-1979)
Property Owner: William R. Burton
S/W Middletown Rd. 268' NW Gores Mill Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 50'.
Acres: 1.02 District: 6th

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:

Middletown Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-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.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through any grading, 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:

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

A future drainage and utility easement is required along the rear property line of this site.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creation of 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 #84 (1978-1979)
Property Owner: William R. Burton
Page 2
December 20, 1978

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities. This property is beyond the Baltimore County Metropolitan District and the Urban Water Demonstration Line, and in an area designated "No Planned Service" on Baltimore County Water and Sewerage Plans W-5 and S-4A, as amended. This property is tributary to Prettyboy Reservoir.

Very truly yours,

ELLENWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END/EM:FPD:ss

CC: J. Trenner
J. Somers

KX-NW Key Sheet
135 & 136 NW 19 Pos. Sheets
NW 345 Topo
11 Tax Map



LESLIE H. GRAFF
DIRECTOR

December 11, 1978

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

Dear Mr. DiNenna:

Comments on Item #84, Zoning Advisory Committee Meeting, October 17, 1978, are as follows:

Property Owner: William R. Burton
Location: SW/S Middletown Road 268' NW Gores Mill Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 50'.
Acres: 1.02
District: 6th

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-plan factors requiring comment.

Very truly yours,

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



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

November 16, 1978

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

Dear Mr. DiNenna:

Comments on Item #84, Zoning Advisory Committee Meeting of October 17, 1978, are as follows:

Property Owner: William R. Burton
Location: SW/S Middletown Rd. 268' NW Gores Mill Rd.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 50'.
Acres: 1.02
District: 6th

The proposed variance will not interfere with the well or sewage disposal system. Therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THJ/KRP:spg



Paul H. Reinke
CHIEF

November 16, 1978

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

Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: William R. Burton

Location: SW/S Middletown Rd. 268' NW Gores Mill Rd.

Item No. 84 Zoning Agenda Meeting of 10/17/78

Gentlemen:

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 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

violates the maximum allowed by the Fire Department.

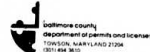
() 4. The site shall be used to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 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.

Noted and Approved: George M. Maganoff
Special Inspection Division Fire Prevention Bureau



JOHN D. SEITZ
DIRECTOR

November 2, 1978

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

Dear Mr. DiNenna:

Comments on Item #84, Zoning Advisory Committee Meeting, October 17, 1978, are as follows:

Property Owner: William R. Burton
Location: SW/S Middletown Rd. 268' NW Gores Mill Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 50'.

Acres: 1.02
District: 6th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.

X B. A building permit shall be required before construction can begin.

X C. Additional permits shall be required.

X D. Building shall be upgraded to new use - requires alteration permit.

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

F. 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.

G. 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.

H. Requested variance conflicts with the Baltimore County Building Code. See Section

1. No Comment.

2. Comment:

Very truly yours,

Charles E. Dumbauld
Charles E. Dumbauld
Planning Bureau Chief

CHJ:spg

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 18, 1978

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

Z.A.C. Meeting of: October 17, 1978

RE: Item No: 84
Property Owner: William R. Burton
Location: SW/S Middletown Rd. 268' NW Gores Mill Road
Present Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 50'.

District: 6th
No. Acres: 1.02

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrich
W. Nick Petrich
Field Representative

WSP/tpg

JOSEPH N. McGUIRE, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCEL M. BROWN, JR.

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ALVIN LORECK
MRS. WILTON E. SMITH, JR.
RICHARD W. TUCKER, CLERK

JUN 14 1979

