

74-155A 94 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Kyle L. A. Woodie, et ux, Woodie, owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

herby petition for a Variance from Section 1.405.3B.1 to Section 1.405.3B.1 of 9 feet in lieu of the required 10 feet.

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

Our house and carport were built as a unit, nine feet from the property line, in 1939. It was our plan to increase our living area at some later date by enclosing the carport. We were assured that such an improvement could be added without violating any codes, however, on September 14, 1978 when we made application for a building permit to enclose the carport, without exceeding it's original foundation or boundaries, we were informed that the regulations of 1959 had been altered. We respectfully request that a Variance be granted so that we may proceed with this certain improvement. Presently (Aug. Sept. Oct.) under building permit #5341 we are making an addition to our home. A two car garage has been built making it possible and practical to convert the carport to a living area. We believe that this enclosure is a wise and sound judgment architecturally.

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 the 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 purchase 10/22/78 Legal Owner John W. Hession, III
Address 7427 Goettner Road
Kingsville, Maryland 21087
Petitioner's Attorney John W. Hession, III
Protestant's Attorney

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

of October, 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 27th day of January, 1978, at 10:15 o'clock

...A.M.

John W. Hession, III
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
SW/S of Goettner Rd., 300'
NW of Cedar Lane, 11th District
KYLE L. WOODIE, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 79-155-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 29th day of December, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Kyle L. Woodie, 7427 Goettner Road, Kingsville, Maryland 21087, Petitioners.

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

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
679-1300

& ERIC DINENIA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

January 23, 1979

Mr. & Mrs. Kyle J. Woodie
7427 Goettner Road
Kingsville, Maryland 21087

RE: Petition for Variance
SW/S of Goettner Road,
300' NW of Cedar Lane -
11th Election District
Kyle J. Woodie, et ux -
Petitioners
NO. 79-155-A (Item No. 94)

Dear Mr. & Mrs. Woodie:

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

Very truly yours,
George J. Martinak
Deputy Zoning Commissioner

GJM:mr

Attachment

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Who
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

Mr. & Mrs. Kyle L. Woodie
7427 Goettner Road
Kingsville, Maryland 21087

December 27, 1978

RE: Item No. 94
Petitioner - Woodie
Variance Petition

Dear Mr. & Mrs. Woodie:

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 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. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/af

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dinenna
To: Zoning Commissioner
Date: December 27, 1978
Leslie H. Grose, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition #79-155-A, Item #74
Petition for Variance for side yard setback
Southwest side of Goettner Rd., 300 feet Northwest of Cedar Lane
Petitioner - Kyle and Dorothy Woodie

11th District

HEARING: Monday, January 22, 1979 (10:45 A.M.)

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

Leslie H. Grose
Leslie H. Grose
Director of Planning and Zoning

LHG:JGH:w

Mr. & Mrs. Kyle L. Woodie
7427 Goettner Road
Kingsville, Maryland 21087

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 24th day of October, 1978.

Eric Dinenna
S. ERIC DINENIA
Zoning Commissioner

Petitioner - Woodie
Petitioner's Attorney

Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

JUN 25 1979

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),

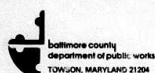
the Variance(s) should be had, and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance is hereby granted a side setback of nine feet in lieu of the required fifty feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of January, 1978, that the herein Petition for the aforementioned Variance(s) should be and the same is/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.

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 22nd day of January, 1978, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

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 #94 (1978-1979)
Property Owner: Kyle L. & Dorothy G. Woodie
SW/S Goettner Rd. 300' NW Cedar Ln.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 9' in lieu of the required 10'.
Acres: 0.466 District: 11th

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:

Goettner Road, 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 damages to adjacent properties, especially by the concentration of surface waters. Construction 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 Sewers:

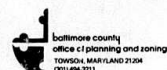
Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities. This property is beyond the Baltimore County Metropolitan District and the Urban-Rural Demonstration Line, and in an area designated "Planned Service in 6-10 years" on Baltimore County Water and Sewerage Plans W and S-17B.

Very truly yours,

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

END:EMH/PWR:SS

Q-NE Key Sheet
53 & 51 NE 38 Pcs. Sheets
NE 14 J Topo
64 Tax Map
cc: J. Somers



LESLIE H. CHASE
DIRECTOR

January 5, 1979

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 #94, Zoning Advisory Committee Meeting, October 24, 1978, are as follows:

Property Owner: Kyle L. & Dorothy G. Woodie
Location: SW/S Goettner Road 300' NW Cedar Lane
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 9' in lieu of the required 10'.
Acres: 0.466
District: 11th

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



STEPHENE COLLINS
DIRECTOR

December 19, 1978

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

Item No. 94 - SAC - Meeting of October 24, 1978
Property Owner: Kyle L. & Dorothy G. Woodie
Location: SW/S Goettner Rd. 300' NW Cedar Lane
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 9' in lieu of the required 10'.

Acres: 0.466
District: 11th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/mjn



Paul H. Reincke
CHIEF

November 6, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Kyle L. & Dorothy G. Woodie
Location: SW/S Goettner Rd. 300' NW Cedar Ln.

Item No. 94 Zoning Agenda Meeting of 10/24/78

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 _____ 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 building 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] Special Inspection Division
APPROVED BY: [Signature] Fire Prevention Bureau



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

December 11, 1978

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

Dear Mr. DiNenna:

Comments on Item #94, Zoning Advisory Committee Meeting of October 24, 1978, are as follows:

Property Owner: Kyle L. & Dorothy G. Woodie
Location: SW/S Goettner Rd. 300' NW Cedar Ln.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 9' in lieu of the required 10'.
Acres: 0.466
District: 11th

The dwelling is presently served by a water well and sewage disposal system, both of which appear to be functioning properly.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/TBD/fth/p



JOHN E. SEEVER
DIRECTOR

October 30, 1978

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

Dear Mr. DiNenna:

Comments on Item #94, Zoning Advisory Committee Meeting, October 24, 1978, are as follows:

Property Owner: Kyle L. & Dorothy G. Woodie
Location: SW/S Goettner Road - 300' NW Cedar Lane
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 9' in lieu of the required 10'.

Acres: 0.466
District: 11th

The items checked below are applicable:

1. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
2. A building permit shall be required before construction can begin.
3. Additional _____ permits shall be required.
4. Building shall be upgraded to new use - requires alteration property.
5. Three sets of construction drawings MAY be required to file an application for a building permit.
6. 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.
7. Wood frame walls are not permitted within 3'0" of a property line. Concrete Building Department 12' distance is between 3'0" and 6'0" of property line.
8. Repeated setback variance conflicts with the Baltimore County Building Code. See Section _____.
9. No Comment.
10. Comments:

Very truly yours,
Charles E. Sullivan
Planning Review Chief

CEB/rw

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 23, 1978

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

Z.A.C. Meeting of: October 24, 1978

RE: Item No: 94
Property Owner: Kyle L. & Dorothy G. Woodie
Location: SW/S Goettner Rd. 300' NW Cedar Lane
Present Zoning: R.C. 5
Proposed Zoning: Variance to permit a side setback of 9' in lieu of the required 10'.

District: 11th
No. Acres: 0.466

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
Field Representative

WNP/ljp

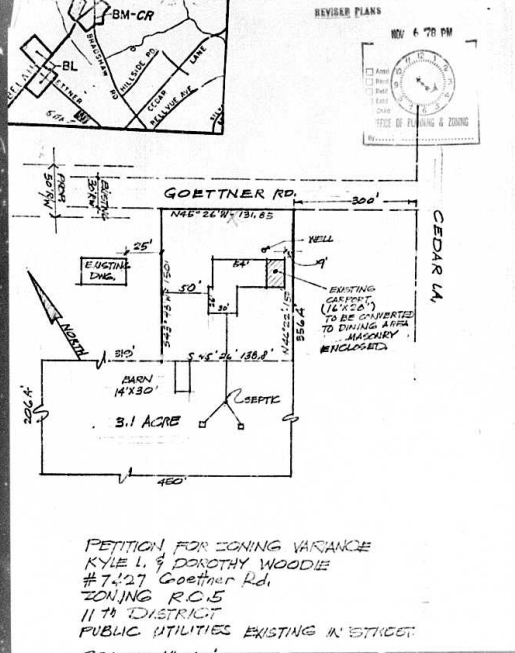
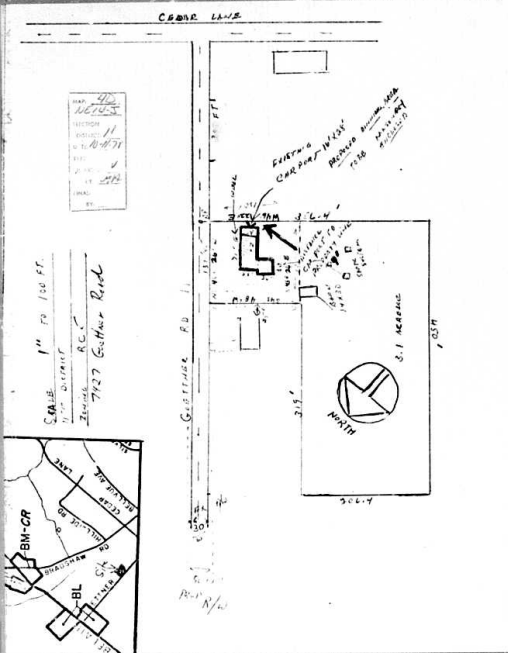
JOSEPH H. MCGINNIS, President
T. HAROLD WILLIAMS, JR., Vice President
MARCOUS H. PETERSON

THOMAS H. BUTLER
MRS. LOURANE E. CHURCH
ROBERT H. HARTMAN

ALVIN LORICK
MRS. WILTON B. SMITH, III
ROBERT H. TROST, D.D.

ROBERT F. DUBEL, SUPERVISOR

JUN 25 1979



CERTIFICATE OF PUBLICATION

TOWSON, MD. January 4, 1979.

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing on January 4, 1979, and continuing for the period of 14 days, of January 1979, the 19th publication appearing on the 14th day of January 1979.

THE JEFFERSONIAN
Mansel

Cost of Advertisement, \$

OFFICE OF THE TIMES

TOWSON, MD 21204 January 4 1979

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR VARIANCE - Kyle Woodie et al. was inserted in the following:

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

weekly newspapers published in Baltimore County, Maryland, since a week for one successive weeks before the 5th day of January 1979, that is to say, the same was inserted in the issues of January 4, 1979.

STROMBERG PUBLICATIONS, INC.
BY *Esther Berger*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 1/21/79

Posted for: *Petitioner for Variance*

Petitioner: *Kyle Woodie et al.*

Location of property: *Sub 15, Goettner Rd., 300' x 100'*

Location of Sign: *front of property (7467 Goettner Rd)*

Remarks:

Posted by: *Karl Coleman* Date of return:

1 sign

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

No. 76196

DATE: December 15, 1978 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED: *Dorothy G. Woodie*

FOR: *Filing Fee for Case No. 79-151-A*

25.00

VALIDATION OR SIGNATURE OF CASHIER

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

No. 76242

DATE: January 22, 1979 ACCOUNT: 01-662

AMOUNT: \$37.90

RECEIVED: *Dorothy G. Woodie*

FOR: *Case No. 79-155-A*

37.90

VALIDATION OR SIGNATURE OF CASHIER