

79-211-A 136 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John F. Dirzuweit, Jr., 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 400-1 to allow a 22' x 22' structure (garage) in the front yard instead of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
To build new garage in front of house and to use side as shown on attached plat. The extra grading around the house does not allow for the construction of a garage with the normal setback behind the house or attached on the side. Since I am in the building and asphalt paving business and the building will be used for storage and repair of my equipment. The building is best not attached to the house for these reasons. The building would greatly improve the appearance of the property by enclosing barrels of material and other unsightly equipment.

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.

DATE March 20, 1979
ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of February, 1979, 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 19th day of March, 1979, at 10:00 o'clock A.M.

Patricia Q. Dirzuweit
John F. Dirzuweit, Jr.
Contract purchaser Legal Owner
Address: 1101 Piney Hill Road
Monkton Md 21111
Petitioner's Attorney
Protestant's Attorney

(over)

10:00 A.M.
3/19/79

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Piney Hill Rd., 2300'
W of Monkton Rd., 7th District : OF BALTIMORE COUNTY
JOHN F. DIRZUWEIT, et ux, : Case No. 79-211-A
Petitioners

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.

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

I HEREBY CERTIFY that on this 28th day of February, 1979, a copy of the foregoing Order was mailed to Mr. and Mrs. John F. Dirzuweit, 1101 Piney Hill Road, Monkton, Maryland 21111, Petitioners.

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

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3353
S. ERIC DINENNA
ZONING COMMISSIONER

March 20, 1979

Mr. & Mrs. John F. Dirzuweit, Jr.
1101 Piney Hill Road
Monkton, Maryland 21111

RE: Petition for Variance
S/S of Piney Hill Road.
2300' W of Monkton Road -
7th Election District
John F. Dirzuweit, et ux -
Petitioners
NO. 79-211-A (Item No. 136)

Dear Mr. & Mrs. Dirzuweit:

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

Attachment

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

Description of John F. Dirzuweit, Jr.
and Patricia Q. Dirzuweit (wife) property
1101 Piney Hill Road

Beginning at a point on the south side of Piney Hill Road approximately 2300' west of Monkton Road and running the following directions and distances. South 1259', Hence Southwest 52' Hence Southwest 638' Hence Northwest 182', Hence Northwest 70' Hence Northwest 162', Hence North 132', Hence East 105', Hence Northwest 207', Hence West 356', Hence Northeast 339', Hence Northwest 91' and along the South Right of Way line of Piney Hill Road 650' to the beginning point. Also known as Piney Hill Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner
TO: Leslie H. Graef, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition #79-211-A, Item 136

Date: March 8, 1979

Petition for Variance for accessory structure
South side of Piney Hill Road, 2300 feet West of Monkton Road
Petitioner - John F. and Patricia Q. Dirzuweit

7th District

HEARING: Monday, March 19, 1979 (10:00 A.M.)

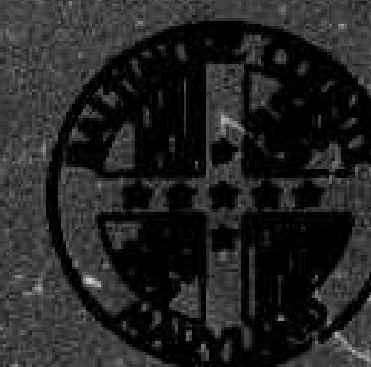
There are no comprehensive planning factors requiring comment on this petition as to the variances; this office questions the proposed use as described on the petitioner's application.

Leslie H. Graef, Director
Office of Planning and Zoning

LHG:JGH:rw

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 6th day of February, 1979

S. ERIC DINENNA
Zoning Commissioner

Petitioner: Dirzuweit
Petitioner's Attorney

Reviewed by: Nicholas S. Commodari
Chairman, Zoning Plans
Advisory Committee

Mr. & Mrs. John F. Dirzuweit, Jr.
1101 Piney Hill Road
Monkton, Maryland 21111

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3353

S. ERIC DINENNA
ZONING COMMISSIONER

April 4, 1979

Mr. & Mrs. John F. Dirzuweit, Jr.
1101 Piney Hill Road
Monkton, Maryland 21111

RE: Petition for Variance
Case No. 79-211-A (Item No. 136)
S/S of Piney Hill Road, 2300' W of
Monkton Road (1101 Piney Hill Road)
7th Election District

Dear Mr. & Mrs. Dirzuweit:

Subsequent review of the above referenced reveals that you intend to store and repair equipment, used in conjunction with your asphalt paving business, in your proposed garage.

Due to the fact that your property is zoned Resource Conservation (R. C.5), which is a residential zone, this garage cannot be used for the aforementioned purpose. It is permissible to store one commercial vehicle in the garage; however, the storage and repair of equipment is not allowed.

If you have any questions regarding the above, please do not hesitate to contact this office.

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SED/DI:af

cc: Mr. James E. Dyer, Zoning Supervisor

Ms. Diana Iiter, Zoning Associate III

Case No. 79-211-A

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) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 28th day of March, 1972, that the herein Petition for Variance(s) to permit an accessory structure (garage) in the front yard in lieu of the required rear yard 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.

Michael S. Flinnigan
Zoning Commissioner of Baltimore County

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, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman
Nicholas B. Commodari

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 1, 1979

Mr. & Mrs. John F. Dirzuweit, Jr.
1101 Piney Hill Road
Monkton, Maryland 21111

RE: Item No. 136
Petitioners - Dirzuweit
Variance Petition

Dear Mr. & Mrs. Dirzuweit:

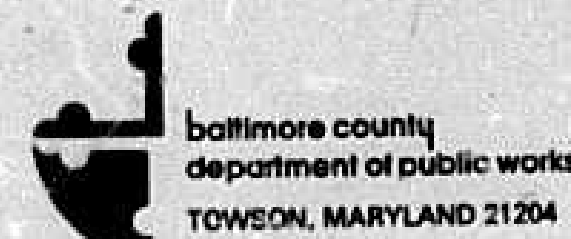
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are 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 Commission with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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/sf
Enclosures



THORNTON M. MOURING, P.E.
DIRECTOR

February 6, 1979

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

Re: Item #136 (1978-1979)
Property Owner: John F. & Patricia Q. Dirzuweit
S/S Piney Hill Rd. 2300' W. Monkton Rd.
Existing Zoning: RC 5
Proposed Zoning: Variance to permit an accessory structure to be located in the front yard in lieu of the required rear yard.
Acres: 20.65 District: 7th

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.

General:

This property is a remaining portion of an approximately 28 acre piece of land indicated as "Tract A" on the Preliminary Plan of Piney Hill Farms, dated November 27, 1970, and designated "Reserved for Future Development", from which approximately 11 acres were subdivided as lots 1 and 2 of the plat "Property of John B. Holmes, II & Wife", recorded C.T.G. 35, Folio 97.

Highways:

Piney Hill Road, an existing public road is proposed to be improved in the future with horizontal and vertical realignments in this vicinity, on a 60-foot right-of-way. Highway right-of-way widening, including necessary reversible easements for slopes will be required in connection with any further development of, or grading or building permit applications for this property.

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:

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

Item #136 (1978-1979)
Property Owner: John F. & Patricia Q. Dirzuweit
Page 2
February 6, 1979

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

There are two stream branches traversing this property. Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Water and Sanitary Sewer:

This property, which is tributary to Gunpowder Falls and Loch Raven Reservoir, is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation line. Baltimore County Water and Sewerage Plans W and S-108, as amended, indicate "No Planned Service" in the area.

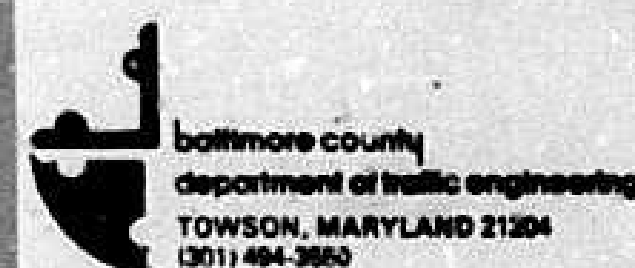
Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PWR:ss

cc: J. Wimbley
J. Trimmer
D. Grise

HH-SK Key Sheet
101 & 102 NW 5 & 6 Pos. Sheets
NW 26 B Topo
28 Tax Map



STEPHEN E. COLLINS
DIRECTOR

January 8, 1979

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

Item No. 136 - SAC - December 19, 1978
Property Owner: John F. & Patricia Q. Dirzuweit
Location: S/S Piney Hill Rd. 2300' W. Monkton Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit an accessory structure to be located in the front yard in lieu of the required rear yard.
Acres: 20.65
District: 7th

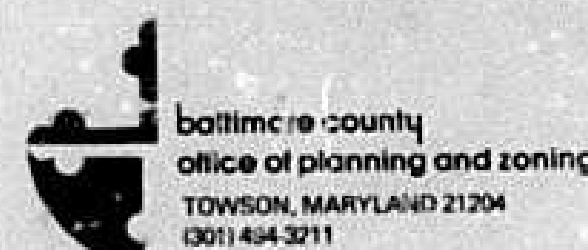
Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to permit accessory structure to be located in the front yard.

Very truly yours,

Michael S. Flinnigan
Michael S. Flinnigan
Engineer Associate II

MSF/hmd



LESLIE H. GRAFF
DIRECTOR

March 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 #136, Zoning Advisory Committee Meeting, December 19, 1978, are as follows:

Property Owner: John F. and Patricia Q. Dirzuweit
Location: S/S Piney Hill Road 2300' W. Monkton Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit an accessory structure to be located in the front yard in lieu of the required rear yard.

Acres: 20.65
District: 7th

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Nick Commodari Date: January 4, 1979
FROM: Mr. Charles E. Burnham, Chief
Plane Review
Zoning Advisory Committee
Meeting of December 19, 1979
SUBJECT: _____

ITEM NO. 134 Standard Comments are applicable
ITEM NO. 135 Standard Comments are applicable
ITEM NO. 136 Standard Comments are applicable
ITEM NO. 137 Standard Comments are applicable
ITEM NO. 138 See Comments Attached
ITEM NO. 139 See Comments Attached
ITEM NO. 140 See Comments Attached

Charles E. Burnham, Chief
Plane Review

Charles E. Burnham

CEB:rzj



Paul H. Pancke
CHIEF

January 18, 1979

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: John F. & Patricia Q. Dirzuweit

Location: S/S Piney Hill Rd. 2300' W. Monkton Rd.

Item No. 136 Zoning Agenda Meeting of 12/19/78

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 _____ 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", 1975 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

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

Reviewed by: *George M. Hegardt* Noted and Approved: *George M. Hegardt*
Special Inspection Division Fire Prevention Bureau

