

79-237-A 162 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Alan Jack Schultz and
Phyllis Kathryn Schultz legal owner(s) 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 1802.3B (211.3) to permit a side ~~street~~ setback
of 5.35 feet in lieu of the required 25 foot setback and a setback of 30.35 feet
in lieu of the required 50 foot setback from the center line of Haycoke Road
for an attached garage.

Because of the topography of the lot and the existence of the swimming pool in the
rear yard, and a ten foot drainage and utility easement across the rear of the lot,
it would be a practical difficulty to locate the proposed garage in any other
manner.

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 Alan Jack Schultz
Phyllis Kathryn Schultz
Address: 4243 Four Mill Road
Baltimore, Maryland 21236

Petitioner's Attorney Richard E. Lattanzi
Address: 9105 Belair Road 21236

Protestant's Attorney _____
Address: _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day
of _____ 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 through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore
County, on the _____ day of April 1979, at _____ o'clock
A.M.

Eric DiNenna
Zoning Commissioner of Baltimore County.
(over)

10:00 A.M.
4/30/79

79-237-A
#162

RE: PETITION FOR VARIANCE
SW corner of Four Mill Rd. and
Haycoke Rd., 11th District
ALAN JACK SCHULTZ, et ux,
Petitioners

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
: Case No. 79-237-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.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2184

I HEREBY CERTIFY that on this 23rd day of April, 1979, a copy of the foregoing
Order was mailed to Richard E. Lattanzi, Esquire, Rohe & Lattanzi, 9105 Belair Road,
Baltimore, Maryland 21236, Attorney for Petitioners.

John W. Hessian, III
John W. Hessian, III

Description

All that lot of ground situate in the Eleventh Election
District of Baltimore County, Maryland, located on the southwest corner
of Four Mill Road and Haycoke Road, and described as follows:

Being known and designated as Lot No. 6, Block B, as shown on
a Plat entitled, "Plat 3 Section One Chapel Manor", which Plat is recorded
among the Land Records Of Baltimore County in Plat Book O.T.G. No. 33 folio
66; the improvements thereon being known as No. 4243 Four Mill Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
Zoning Commissioner
Date: April 17, 1979

Leslie H. Groef
FROM: Director of Planning and Zoning

Petition #79-237-A, Item 162

SUBJECT: Petition for Variance for side street setback and distance to center line of street
Southwest corner of Four Mill Road and Haycoke Road
Petitioner - Alan Jack Schultz, et ux

11th District

HEARING: Monday, April 30, 1979 (10:00 A.M.)

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

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

LHG:JGH:rw

TO WHOM IT MAY CONCERN:

We/I, the undersigned, have no objections that a garage
(approximately 24' x 20') be erected on the property at 4243 Four Mill Rd.,
Baltimore County, MD. We/I understand that on the east side of the
property there will be a 5.35 ft. building setback line in lieu of the
present 25.00 ft. building setback line. The front of the garage (north
side) will be within the present 25.00 ft building setback line. We/I
also understand that the overall appearance of the addition will be equal
to or better than the present structure.

NAME	ADDRESS	DATE
Mrs. Mrs. Carol J. Lattanzi	4241 Four Mill Rd.	4-23-79
Mr. & Mrs. Robert Lattanzi	4302 Four Mill Rd.	4-23-79
Mr. & Mrs. Charles B. Davis	1 North Ct.	4-23-79
Mr. & Mrs. Lawrence Smith	63 Four Mill Rd.	4-23-79
Mr. & Mrs. James J. Warron	4306 Haycoke Rd.	4-23-79
Mr. & Mrs. Charles Warron	4305 Haycoke Rd.	4-23-79
Mr. & Mrs. E. Lattanzi	2 North Ct.	4-23-79
Mr. & Mrs. Carl M. Zorn	4304 Four Mill Rd.	4-24-79

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(201) 484-3383

S. ERIC DINENNA
ZONING COMMISSIONER

April 30, 1979

Richard E. Lattanzi, Esquire
9105 Belair Road
Baltimore, Maryland 21236

RE: Petition for Variances
SW/corner of Four Mill Road
and Haycoke Road - 11th
Election District
Alan Jack Schultz, et ux -
Petitioners
NO. 79-237-A (Item No. 162)

Dear Mr. Lattanzi:

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

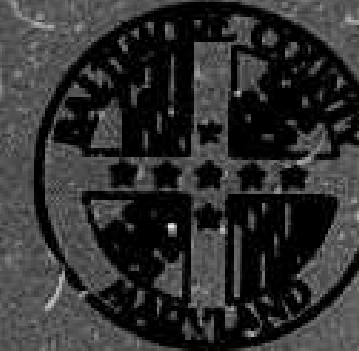
Very truly yours,
S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

SED:mr

Attachment

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 17, 1979

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

cc: Nicholas B. Comodari
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. Richard E. Lattanzi
Rohe & Lattanzi
9105 Belair Road
Baltimore, Maryland 21236

RE: Item No. 162
Petitioner - Schultz
Variance Petition

Dear Mr. Lattanzi:

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.

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. Comodari
NICHOLAS B. COMODARI
Chairman
Zoning Plans Advisory Committee

NBC/jhl

Enclosures

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 21st

day of April, 1979, that the herein Petition for Variances to permit a side street setback of 5.35 feet in lieu of the required 25 feet and a setback from the center line of Haycoke Road of 30.35 feet in lieu of the required 50 feet 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.

[Signature]
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, MARYLAND

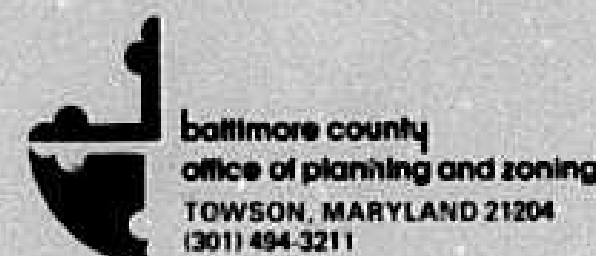
INTER-OFFICE CORRESPONDENCE

TO: Rich Commodari Date: February 23, 1979
FROM: Ted Burnham
SUBJECT: Zoning Advisory Meeting of 2-6-79

ITEM NO. 159 There are no comments to this item other than the Standard Permit required, etc.
ITEM NO. 160 Same as above
ITEM NO. 161 Same as above
ITEM NO. 162 Same as above

[Signature]
Ted Burnham, Chief
Plans Review

TS:rrj



March 14, 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 #162, Zoning Advisory Committee Meeting, February 6, 1979, are as follows:

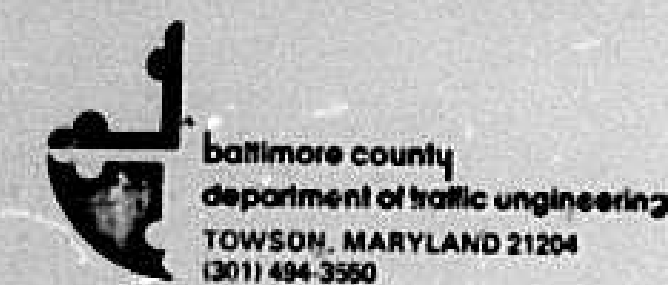
Property Owner: Alan J and Phyllis K. Schultz
Location: SW/C Four Mill Road and Haycoke Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5.35' and 30.35' to the center of Haycoke Road in lieu of the required 25' and 50' respectively.
Acres: 0.233
District: 11th

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,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

April 4, 1979

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

RE: Zoning Comments

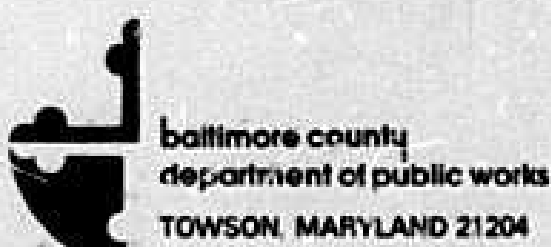
Dear Mr. DiNenna:

The Department of Traffic Engineering has no comments on Items: 159, 160, 161, 162, 164, and 165 of the Zoning Advisory Committee Meeting of February 6, 1979.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate

MSF/hmd



THORNTON J.A. MAJORING, P.E.
DIRECTOR

February 23, 1979

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

Re: Item #162 (1978-1979)
Property Owner: Alan J. & Phyllis K. Schultz
S/W cor. Four Mill Rd. & Haycoke Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a side setback of 5.35' and 30.35' to the center of Haycoke Rd. in lieu of the required 25' and 50' respectively.
Acres: 0.233 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.

General:

Baltimore County highway and utility improvements are not directly involved.

There are public 8-inch water mains in Four Mill and Haycoke Roads, and public 8-inch sanitary sewerage in Four Mill Road, not 6 and 4-inch as indicated.

Development of this property through striping, 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.

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.

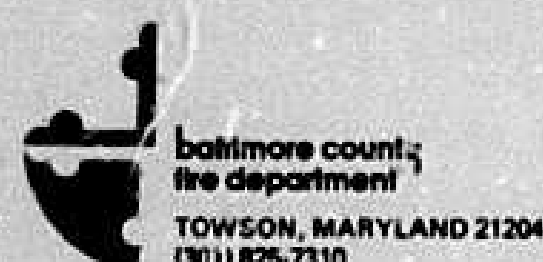
This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #162 (1978-1979).

Very truly yours,

[Signature]
ELIZABETH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAN:FWK:EE

M-NW Key Sheet, 40 NE 29 Pos. Sheet
NE 10 H Topo, 72 Tax Map



Paul H. Reincke
CHIEF

February 8, 1979

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Alan J. & Phyllis K. Schultz

Location: SW/C Four Mill Rd. & Haycoke Rd.

Item No. 162 Zoning Agenda Meeting of 2/6/79

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 or _____ 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.

(x) 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.

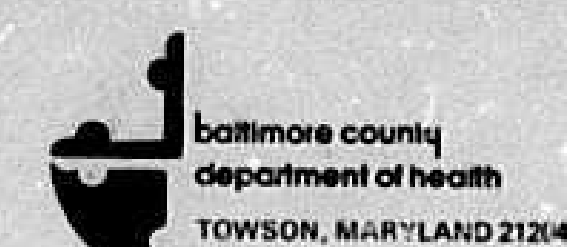
() 6. Site plans are approved as drawn.

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

REVIEWED: *[Signature]*
Planning Group
Special Inspection Division

Noted and
Approved:

[Signature]
Fire Prevention Bureau



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

March 26, 1979

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

Dear Mr. DiNenna:

Comments on Item #162, Zoning Advisory Committee Meeting of February 6, 1979, are as follows:

Property Owner: Alan J. & Phyllis K. Schultz
Location: SW/C Four Mill Rd. & Haycoke Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5.35' and 30.35' to the center of Haycoke Rd. in lieu of the required 25' and 50' respectively.
Acres: 0.233
District: 11th

Metropolitan water and sewer exist.

Very truly yours,

[Signature]
Ian J. Forrest, Acting Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRE/lth

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 5, 1979

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

Z.A.C. Meeting of: February 6, 1979

RE: Item No: 162
Property Owner: Alan J. & Phyllis K. Schultz
Location: SW/C Four Mill Rd. & Haycoke Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5.35' and 30.35' to the center of Haycoke Rd. in lieu of the required 25' and 50' respectively.

District: 11th
No. Acres: 0.233

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

MNP/bp

JOSEPH H. MCOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUSS W. BUTLER

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER W. HAYDEN

ALVIN LOROCK
MRS. MILTON E. SMITH, JR.
RICHARD W. TRACY, D.M.

ROBERT T. FUGEL, SUPERINTENDENT

Mr. Richard E. Lattansi
Rohe & Lattansi
9105 Belair Road
Baltimore, Maryland 21236

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.

Eric Di Nenna

S. ERIC DI NENNA
Zoning Commissioner

Petitioner: Schultz
Petitioner's Attorney:

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 4/13
Posted for: *Petition for Variance*
Petitioner: *Alan Jack Schultz et ux*
Location of property: *4243 Four Mill Rd. & Haycock Rd.*
Location of Sign: *corner of property facing Four Mill Rd. and Haycock Rd. (4243 Four Mill Rd.)*
Remarks:
Posted by: *Alan Lattansi* Date of return: 4/20/79
1 sign

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

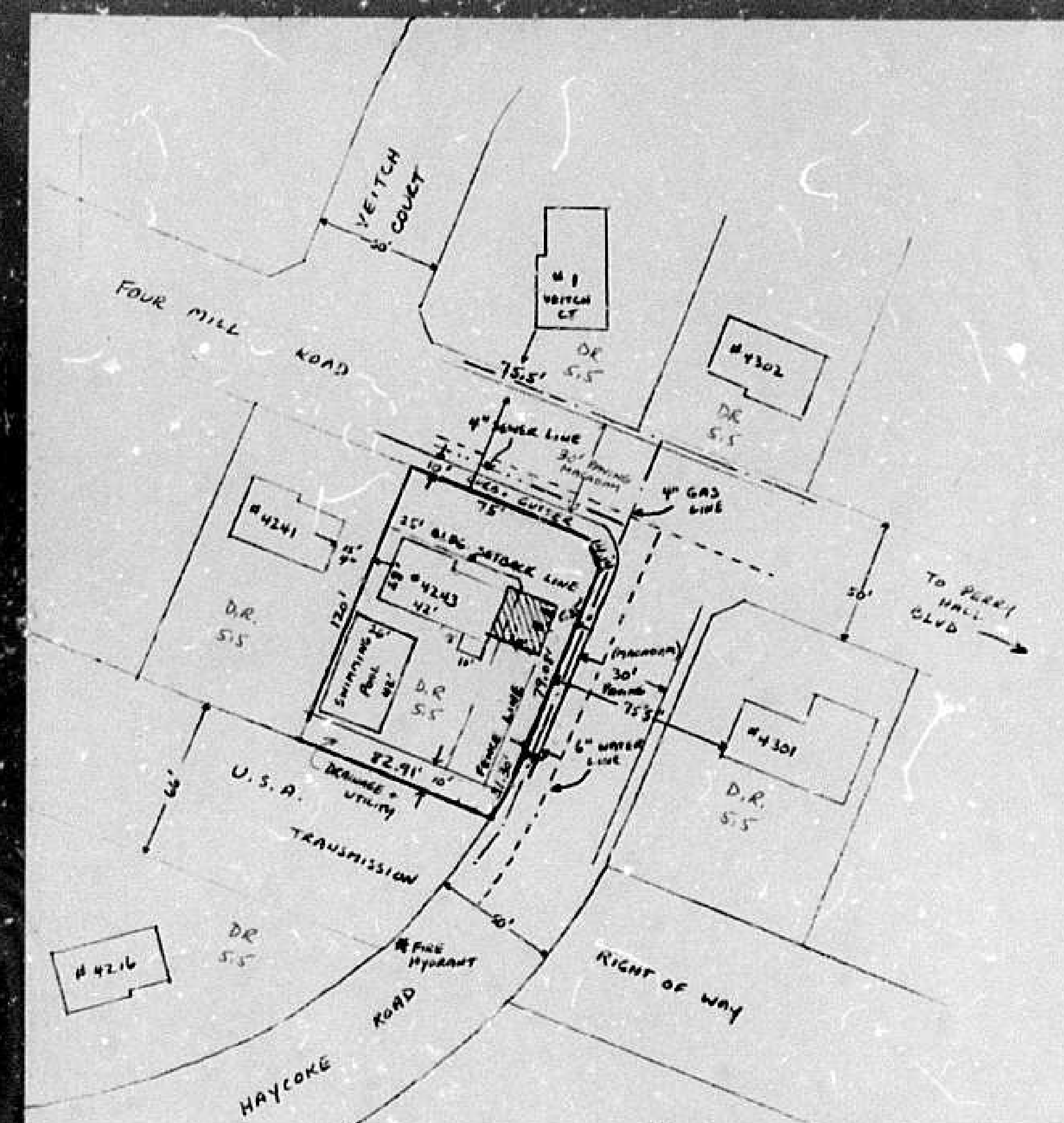
Your Petition has been received * this 25th day of
January 1979. Filing Fee \$ 25.00. Received ☒ Check
☐ Cash
☐ Other

S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner: *Alan Jack Schultz* Submitted by: *Richard E. Lattansi*
Petitioner's Attorney: *Samuel* Reviewed by: *GEF*

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

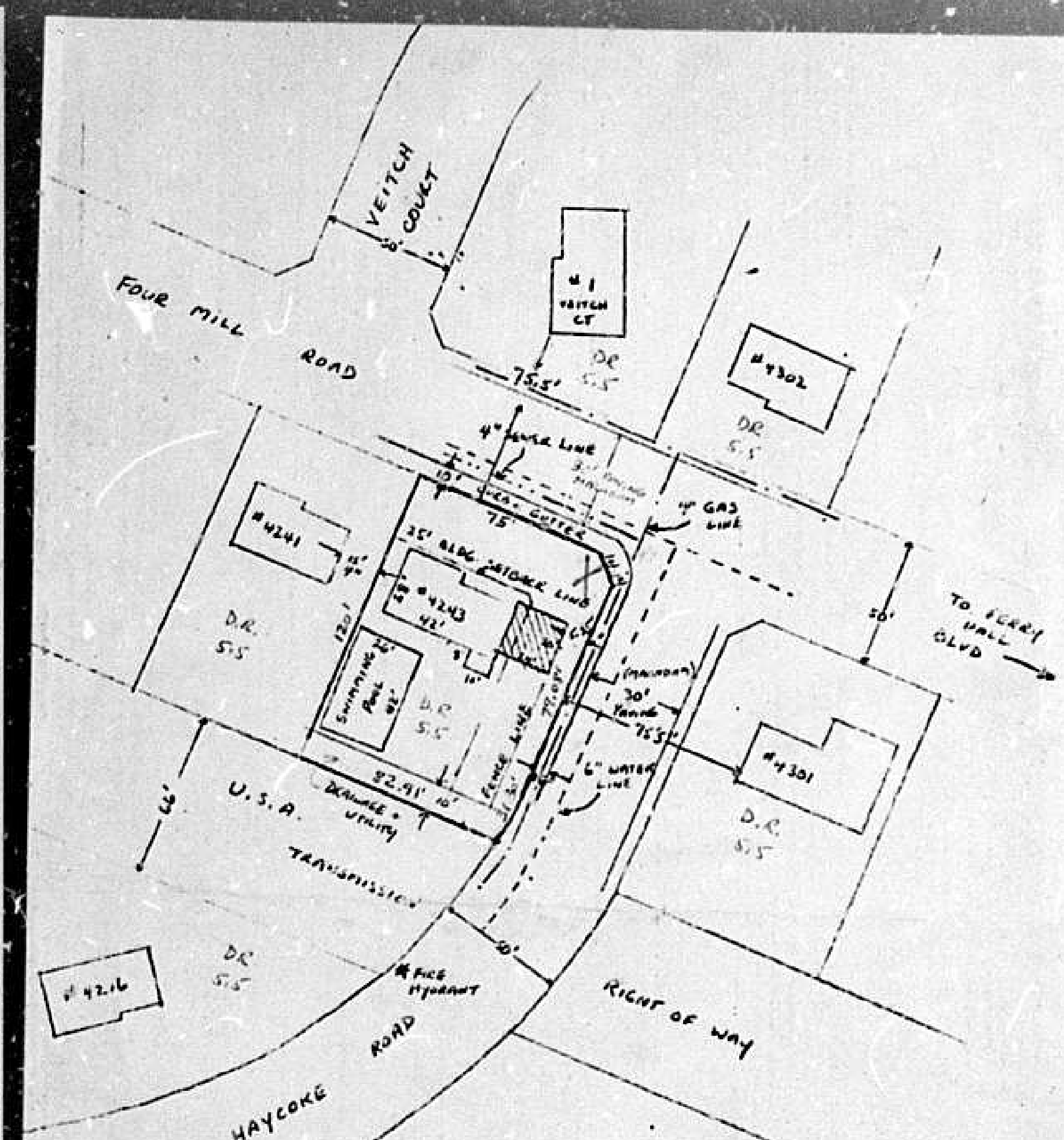
PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>GEF</i>					Revised Plans: Change in outline or description ☐ Yes ☒ No					
Previous case:					Map #					



PLAT OF
PROPERTY OF
ALAN JACK SCHULTZ
AND
VIRGIL KATHRYN SCHULTZ
4243 FOUR MILL ROAD
11th ELECTION DISTRICT
D.R. S.S.
LOT NO. 6, BLOCK B
PLAT 3 SECTION ONE
CHAPPEL MANOR
PLAT BOOK DTG 23/66

JANUARY 19, 1979
FOR SIDEYARD
SETBACK

LEGEND:
--- 4" EXISTING GUTTER LINE
--- 6" EXISTING WATER PIPE
--- 4" SEWER LINE
--- PROPOSED GARAGE



PLAT OF
PROPERTY OF
ALAN JACK SCHULTZ
AND
VIRGIL KATHRYN SCHULTZ
4243 FOUR MILL ROAD
11th ELECTION DISTRICT
D.R. S.S.
LOT NO. 6, BLOCK B
PLAT 3 SECTION ONE
CHAPPEL MANOR
PLAT BOOK DTG 23/66

JANUARY 19, 1979
FOR SIDEYARD
SETBACK

LEGEND:
--- 4" EXISTING GUTTER LINE
--- 6" EXISTING WATER PIPE
--- 4" SEWER LINE
--- PROPOSED GARAGE

PETITION FOR
VARIANCES
12th District
ZONING: Petition for Variance
for side street setback and distance
to corner line of street.
LOCATION: Southwest corner of
Four Mill Road and Haycock Road
DATE & TIME: Monday, April 30,
1979 at 10:00 A.M.
PUBLIC HEARING: Room 100,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland
The Zoning/Planning Board
Commissioner of Baltimore County,
by authority of the Zoning Act and
Regulations of Baltimore County,
will hold a public hearing
on the petition for variance to permit
a side street setback of 5.5 feet in
lieu of the required 25 feet and a
setback from the corner line of
Haycock Road of 25 feet in lieu
of the required 50 feet.
The Zoning Regulations to be
repealed are as follows:
Section 1202.20 (11.3) - side
street setback and distance to
corner line of street.
All that parcel of land in the
Eleventh Election District of
Baltimore County, Maryland,
containing 0.12 acre, more or less,
situated on the southwest corner of
Four Mill Road and Haycock Road,
and described as follows:
Being known and designated as
Lot No. 6, Block B, as shown on a
Plat entitled, "Plat 3 Section One
Chapel Manor", which Plat is
recorded among the Land Records of
Baltimore County in Plat Book
DTG No. 23/66, the improvement
thereon being known as the
Chapel Manor.
Being the property of Alan Jack
Schultz, et ux, as shown on the
Plat filed with the Zoning Department
on Monday, April 23,
1979 at 10:00 A.M.
Public Hearing: Room 100,
County Office Building, 111 W.
Chesapeake Avenue, Towson, MD
21204
By Order of
S. ERIC DI NENNA
Zoning Commissioner
Baltimore County
April 23

OFFICE OF
THE
TIMES
NEWSPAPERS
TOWSON, MD. 21204 April 11 19 79

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCES - Alan Jack Schultz,
et ux
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,
once a week for one successive weeks before the
13th day of April, 1979, that is to say, the same
was inserted in the issues of April 12, 1979

STROMBERG PUBLICATIONS, INC.

BY *Esther Burger*

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 12, 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., ~~once a week~~
~~for one time~~ successive weeks before the 13th
day of April, 1979, the ~~same~~ publication
appearing on the 12th day of April,
1979.

THE JEFFERSONIAN
S. Frank Smith
Manager

Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78648
DATE: April 30, 1979 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED BY: *Alan Jack Schultz*
FROM: *Alan Jack Schultz*
FOR: *Cost of Advertising and Posting Case No. 79-27-4*
143644 30 46230
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78616
DATE: April 5, 1979 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED BY: *Rohe & Lattansi*
FROM: *Alan Jack Schultz*
FOR: *Filing Fee for Case No. 79-27-4*
104624 6 250000
VALIDATION OR SIGNATURE OF CASHIER