

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bismark G. and Silvia Castaneda, 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 1002.301 to permit a side yard setback of 3' instead of the required 10' (DR 5.5.)

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

I would like to build my two car garage on the side of Carroll Street; Because of the geographic location, which is quite level and very convenient, comparing with Landington Avenue side.

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 Bismark G. Castaneda Legal Owner
Address 5617 Carroll Street
Baltimore Co. Md. 21207
Petitioner's Attorney John W. Hession, III Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of May 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 25th day of June 1979, at 9:45 o'clock A.M.
Zoning Commissioner of Baltimore County.

(over)

Beginning as a point on the Southeast corner of Carroll Street and Landington Avenue. BEING known and designated as Lots No. 23, 24, 25, 26, and 27 of Block 18, as shown on Plat 4, Catonsville Manor, which said plat is recorded among the Land Records of Baltimore County in Plat Book WFC No. 6, folio 160; known also as: 5617 Carroll Street.

RE: PETITION FOR VARIANCE
SE corner of Carroll St. and
Landington Ave., 1st District
BISMARCK G. CASTANEDA, et ux,
Petitioners
: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 79-257-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. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 4th day of June, 1979, a copy of the foregoing Order was mailed to Mr. and Mrs. Bismark G. Castaneda, 5617 Carroll Street, Baltimore, Maryland 21207, Petitioners.

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

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 27, 1979

Mr. & Mrs. Bismark G. Castaneda
5617 Carroll Street
Baltimore, Maryland 21207

RE: Petition for Variance
SE corner of Carroll Street and
Landington Avenue - 1st Election
District
Bismark G. Castaneda, et ux -
Petitioners
NO. 79-257-A (Item No. 177)

Dear Mr. & Mrs. Castaneda:

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

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachment

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: Norman E. Gerber, Acting Director
Office of Planning and Zoning
FROM: Petition #79-257A, Item #177
SUBJECT: Petition for Variance for side yard setback
Southeast corner of Carroll Street and Landington Avenue
Bismark G. and Silvia Castaneda

1st District

HEARING: Monday, June 25, 1979 (9:45 A.M.)

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

Norman E. Gerber
Norman E. Gerber
Acting Director
Office of Planning and Zoning

NEG-JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Bismark G. Castaneda
5617 Carroll Street
Baltimore, Maryland 21207

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 1st day of May 1979.

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

Petitioner Bismark G. Castaneda, et ux
Petitioner's Attorney

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

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 31, 1979

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

cc: 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. Bismark G. Castaneda:
5617 Carroll Street
Baltimore, Maryland 21207

RE: Item No. 177
Petitioners - Castaneda
Variance Petition

Dear Mr. & Mrs. Castaneda:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:mr

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 appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variance should be granted.

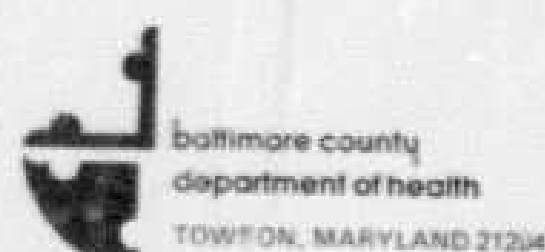
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of June, 1972, that the herein Petition for Variance to permit a side yard setback of three feet in lieu of the required ten feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval 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



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

April 16, 1979

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

Dear Mr. DiNenna:

Comments on Item #177, Zoning Advisory Committee Meeting of March 13, 1979, are as follows:

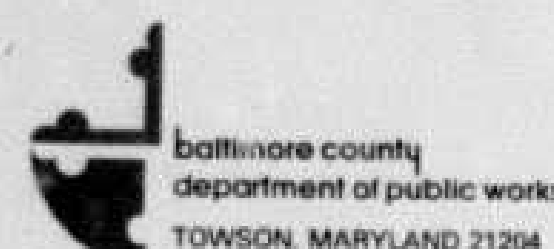
Property Owner: Bismarck G. & Silvia Castaneda
Location: SE/C Carroll St. & Landington Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 10'.
Acres: 0.241
District: 1st

Metropolitan water and sewer exist. Therefore, the proposed house addition should not present any health hazards.

Very truly yours,

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

LJF/JRP/fth



THOMAS M. MOURING, P.E.
DIRECTOR

March 21, 1979

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

Re: Item #177 (1978-1979)
Property Owner: Bismarck G. & Silvia Castaneda
S/E cor. Carroll St. & Landington Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 10'.
Acres: 0.241 District: 1st

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:

Carroll Street and Landington Avenue, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 50-foot rights-of-way. Highway rights-of-way widenings, including a fillet area for sight distance at the intersection and any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The construction of required concrete sidewalks and curb and gutters will be the full responsibility of the Petitioner.

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 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 #177 (1978-1979)
Property Owner: Bismarck G. & Silvia Castaneda
Page 2
March 21, 1979

Water and Sanitary Sewer:

There is a public 8-inch water main in Landington Avenue. There is 8-inch public sanitary sewerage in Carroll Street and Landington Avenue.

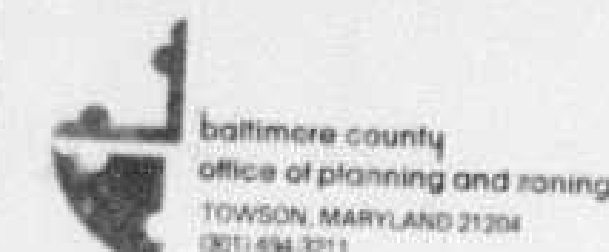
Very truly yours,

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

END:ENR:PWR:ES

cc: J. Somers

11-NE Key Sheet
2 SW 21 Pos. Sheet
SW 1 P Topo
95 Tax Map



LESLIE H. DRAEF
DIRECTOR

April 16, 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 #177, Zoning Advisory Committee Meeting, March 13, 1979, are as follows:

Property Owner: Bismarck G. & Silvia Castaneda
Location: SE/C Carroll St. and Landington Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 10'.
Acres: 0.241
District: 1st

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



Paul H. Reincke
CHIEF

March 21, 1979

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Bismarck G. & Silvia Castaneda
Location: SE/C Carroll St. & Landington Ave.

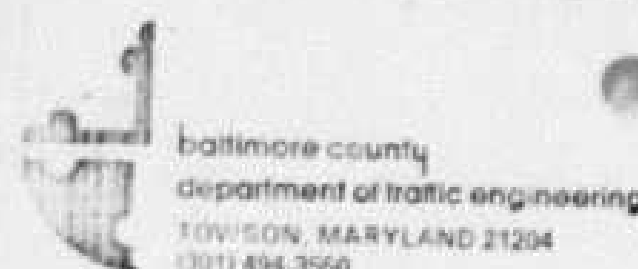
Item No. 177 Zoning Agenda Meeting of 3/13/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "A" 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 load and 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 and Approved: *[Signature]*
Planning Branch Special Inspection Division Fire Prevention Bureau



STEPHENE COLLINS
DIRECTOR

April 4, 1979

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

RE: Zoning Comments

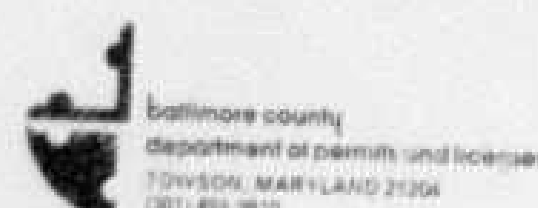
Dear Mr. DiNenna:

The Department of Traffic Engineering has no comments on Items: 177, 178, 179, 180, 183, and 186 of the Zoning Advisory Committee of March 13, 1979.

Very truly yours,

[Signature]
Michael S. Flanagan
Engineer Associate II

MSF/hnd



JOHN D. SEFFERT
DIRECTOR

March 23, 1979

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

Dear Mr. DiNenna:

Comments on Item #177 Zoning Advisory Committee Meeting, March 13, 1979 are as follows:

Property Owner: Bismarck G. & Silvia Castaneda
Location: SE/C Carroll St. & Landington Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 10'.

Acres: 0.241
District: 1st

The items checked below are applicable:

- XA. Structure shall conform to Baltimore County Building Code (B.O.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- XB. A building permit shall be required before construction can begin.
- C. Additional _____ Permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- XS. 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.
- XG. 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. Wall facing South property line shall be 3/4 hour fire rated wall.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- J. Comments:

Very truly yours,

[Signature]
Charles E. Burnham
Plans Review Chief

CSB:revj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 8, 1979

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

Z.A.C. Meeting on March 13, 1979

RE: Item No. 178, 179, 180, 181, 182, 183, 185, 186
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

None of the above have any bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. HODGSON, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BUTLER

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROGER B. HAYDEN

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT T. DUNEL, SUPERINTENDENT

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st
Posted for: PETITION FOR VARIANCE
Petitioner: BISMARCK G. & SILVIA CASTANEDA
Location of property: SE CORNER CARROLL ST. & LANDINGTON AVE.
Location of Sign: SE COR. CARROLL ST. & LANDINGTON AVE.
Remarks: 1-Sign
Posted by: Thomas R. Boland Date of return: June 15, 1979

79-257-A

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: <u>cat</u>	Revised Plans:					Change in outline or description: <u>Yes</u>				
Previous case:	Map #					No				

PETITION FOR VARIANCE
1st DISTRICT
ZONING: Petition for Variance for side yard setback
LOCATION: Southeast corner of Carroll Street and Landington Avenue
DATE & TIME: Monday, June 25, 1979 at 9:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Variance to permit a side yard setback of 3 feet instead of the required 10 feet.
The Zoning Regulations to be amended as follows:
Section 1902.3C-1-adds yard setback All that parcel of land in the First District of Baltimore County, beginning at a point on the Southeast corner of Carroll Street and Landington Avenue.
Being known and designated as Lot No. 23, 24, 25, 26, and 27 of Block 19, as shown on Plat 4, Catonsville Manor, which said plat is recorded among the Land Records of Baltimore County in Plat Book 4070, Vol. 4, 1968, known also as: 507 Carroll Street.
Being the property of Bismarck G. and Silvia Castaneda, as shown on plat plan filed with the Zoning Department.
Hearing Date: Monday, June 25, 1979 at 9:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, MD 21204.
At Test: I, WILLIAM E. HAMMON, Zoning Commissioner, of Baltimore County.
Page 1.

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 7, 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., on one time, one time, one time before the 25th day of June, 1979, the 1979 publication appearing on the 7th day of June, 1979.
THE JEFFERSONIAN
L. Leank Struth
Manager
Cost of Advertisement \$

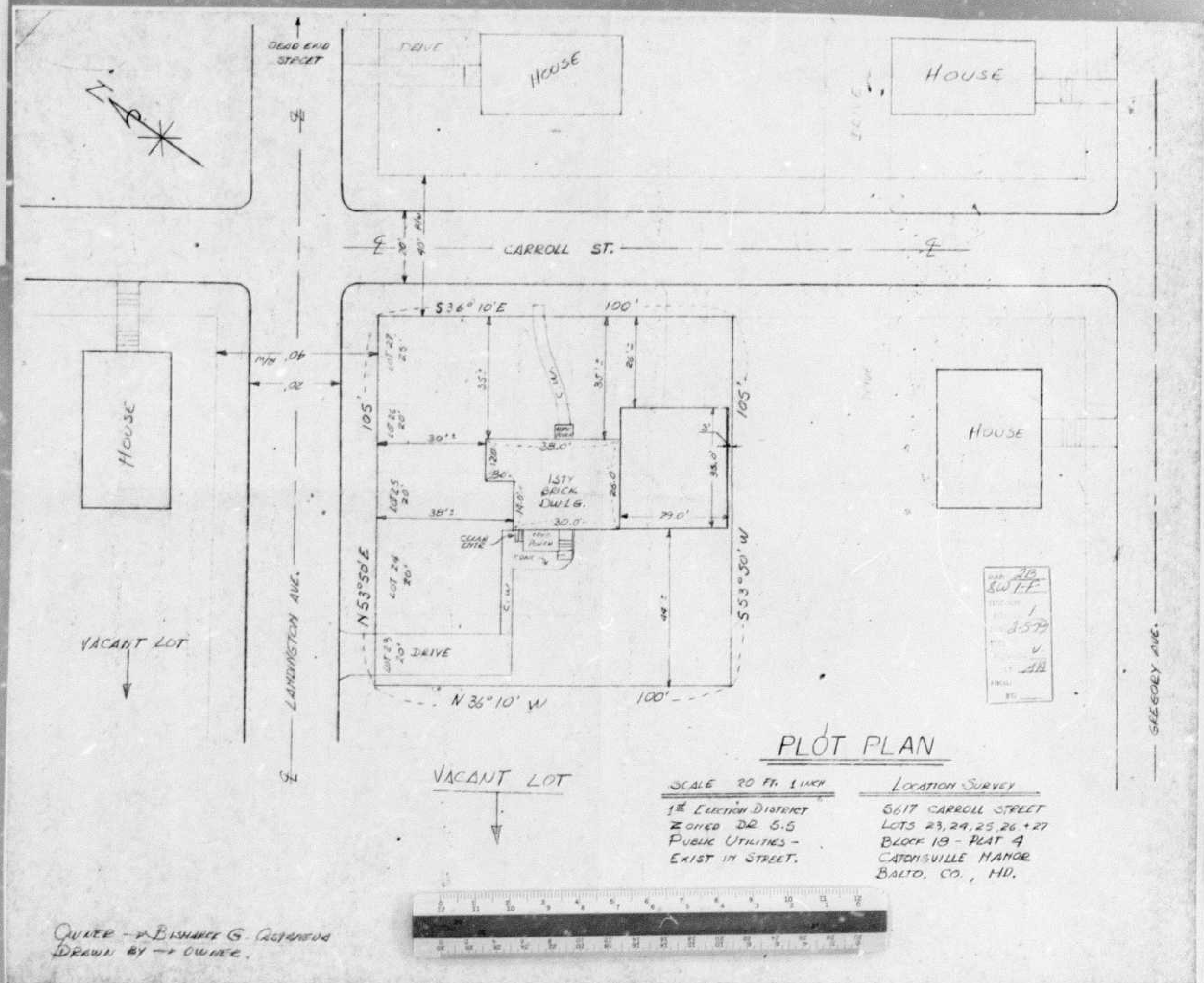
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 1 day of
June 1979. Filing Fee \$ 25. Received Check
Cash
Other

Petitioner Bismarck G. & Silvia Castaneda Submitted by W. Nick Petrovich
Petitioner's Attorney W. Nick Petrovich Reviewed by W. Nick Petrovich

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



OFFICE OF
THE TIMES
NEWSPAPERS
TOWSON, MD. 21204 June 7 1979

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - Bismarck G. Castaneda,
et ux
was inserted in the following:

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

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
8th day of June 1979, that is to say, the same
was inserted in the issues of May 7, 1979.

STROMBERG PUBLICATIONS, INC.
BY Esther Burger



BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78745
DATE June 25, 1979 ACCOUNT 01-662
AMOUNT \$39.65
RECEIVED FROM Guillermo Castaneda
FOR Cost of advertising and posting case No. 79-257A
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 78694
DATE May 31, 1979 ACCOUNT 01-662
AMOUNT \$25.00
RECEIVED FROM Guillermo Castaneda
FOR Filing Fee for Case No. 79-257-A
VALIDATION OR SIGNATURE OF CASHIER