

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NE/S Severn Avenue, 20'1 NE *
 of c/l Chesaco Avenue * ZONING COMMISSIONER
 612 Severn Avenue *
 15th Election District * OF BALTIMORE COUNTY
 7th Councilmanic District *
 Nelson H. Butz, et al * Case No. 96-306-A
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 612 Severn Avenue in the Chesaco Park section of Baltimore County. The Petition is filed by Ronnie L. Butz and Nelson H. Butz, property owners. Variance relief is requested from Section 431 of the Baltimore County Zoning Regulations (BCZR) to permit the parking of a commercial vehicle exceeding 10,000 pounds gross vehicle weight on a residential lot. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Nelson H. Butz, Petitioner/property owner. Also appearing in support of the hearing were Roger Butt and Frank Sicca. There were no Protestants or other interested persons present.

Testimony presented by the Petitioner was that the subject property is approximately .32 acres in area, zoned D.R.5.5. This is a residential property located on the northeast corner of the intersection of Chesaco Avenue and Severn Avenue. Although a residential property, the site is adjacent to the right-of-way for the Baltimore Beltway (I-695) and there is a significant amount of commercial activity and M.L. zoning nearby.

ORDER RECEIVED FOR FILING
 Date 3/27/46
 By M. Hawk

4032111

Mr. Nelson Butz indicated that he has lived on the site for approximately 6 years and has owned the property for a lesser period of time. The property is actually comprised of five individual lots (Nos. 395 thru 697) of the originally platted Chesaco Park subdivision. The property is improved with an existing single family dwelling, an attached deck and a driveway and parking area.

Mr. Butz is employed by Coastal Excavating Company, a corporation owned by Roger Butt, who also appeared at the hearing. In connection with his employment, Mr. Butz owns a Ford dump truck which weighs approximately 40,000 pounds. Mr. Butz indicates that he leaves his house each day at approximately 7:00 A.M. and drives the dump truck to work. After working during the day, offsite, he returns approximately 5:00 P.M. each day and parks the truck on the driveway to the rear of the house. Mr. Butz indicated that he has parked the truck at this location since his occupancy of the property without incident. He also indicated that to store the truck offsite would be inconvenient and costly. He believes that the storage of the truck on the property, where indicated, does not detrimentally impact the neighborhood. He indicates that neighboring commercial properties utilize nearby lots for storage and that the location of I-695 nearby causes greater impact to the neighborhood than the storage of his vehicle. Moreover, he indicated that the truck is not driven through the neighborhood, except to go to and from work.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petition for Variance. The testimony and evidence offered on behalf of the Petitioner is persuasive. I am convinced that the Petitioner has satisfied the requirements of Section 307 of the BCZR and the case law. The grant of variance relief, as requested, is appropriate particularly in view of the nature of the sur-

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Date 3/27/96
By M. Brook

rounding locale. Moreover, it is clear that the required variance relief is consistent with the BCZR and will not be detrimental to surrounding properties.

Despite the grant of the variance, however, I will impose a certain restriction to the relief authorized. Specifically, the relief granted herein shall be personal to Mr. Butz and the Ford dump truck he presently owns, or a similar replacement. In this regard, a significantly larger truck may be inappropriate. For example, parking of a tractor trailer on the site would cause greater detrimental impact to the surrounding neighborhood and vicinity. Thus, the relief granted shall be personal to Mr. Butz and the Ford dump truck which he presently owns, or a similar replacement. In the event subsequent resident of the property wishes to park a commercial vehicle on the site which exceeds 10,000 pounds, or if Mr. Butz desires to park a different truck, an additional public hearing shall be necessary to request modification of the relief granted herein.

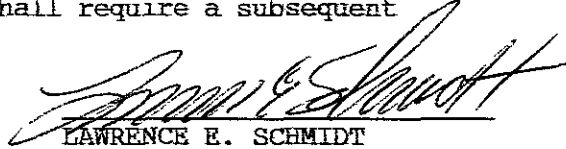
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of March, 1996 that a variance from Section 431 of the Baltimore County Zoning Regulations (BCZR) to permit the parking of a commercial vehicle exceeding 10,000 pounds gross vehicle weight on a residential lot, be and is hereby GRANTED subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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Date 3/27/96
By M. Spork

2. The variance relief granted herein shall be personal to Nelson H. Butz and shall permit the parking of the Ford dump truck owned by him and described at the public hearing. Utilization of the relief granted herein by a different individual, or for a larger truck, as more fully set forth hereinabove, shall require a subsequent hearing.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING

Date

3/27/96

By

M. Shank

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 27, 1996

Mr. Nelson Butz
612 Severn Avenue
Baltimore, Maryland 21237

RE: Case No. 96-306-A
Petition for Zoning Variance
Property: 612 Severn Avenue

Dear Mr. Butz:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

03/27/96





Petition for Variance

VIOLATION

to the Zoning Commissioner of Baltimore County

for the property located at

96-306-A

1612 Severn Avenue

which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, 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(s)

431; BCZR, TO PERMIT THE PARKING OF A COMMERCIAL VEHICLE EXCEEDING 10,000 LBS. GROSS VEHICLE WEIGHT ON A RESIDENTIAL LOT.

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

1. A 35 MILE TRIP TO AND FROM TRUCK PER DAY
- 2 THE COST IS 150⁰⁰ FOR MONTH
- 3 MOST OF ALL TRUCK IS USED FOR SNOW REMOVAL FOR STATE ROADS

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/Lessee.

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

Ronnie L. Butz
(Type or Print Name)

Ronnie L Butz
Signature

Nelson H Butz
(Type or Print Name)

Nelson H. Butz
Signature

1612 Severn Avenue 410-686-0263
Address Phone No

Baltimore Maryland 21237
City State Zipcode
Name, Address and phone number of representative to be contacted.

Nelson H. Butz
Name

1612 Severn Avenue 410-686-0263
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JCM DATE 2-7-96

301



Printed with Soybean Ink on Recycled Paper



EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

96-306-A

ZONING DESCRIPTION FOR 612 SEVERN AVE.
(address)

Beginning at a point on the NE. side of
(north, south, east or west)

SEVERN AVE. which is 40'
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of 20' NE. of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street CHESACO AVE.
(name of street)

which is 40' wide. *Being Lot #s 693, 694, 695, 696 & 697
(number of feet of right-of-way width)

Block —, Section # — in the subdivision of CHESACO PARK
(name of subdivision)

as recorded in Baltimore County Plat Book # 6, Folio # 164

containing .32 AC. ± Also known as 612 SEVERN AVE.
(square feet or acres) (property address)

and located in the 15 Election District, 7 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

301



Development Plan Conferences Schedule

JJS

Comments to Soph
by 11-9 AM

Date: THURSDAY 11/16/95 Project: MOUNT CARMEL CENTER - 111 Mt. Carmel Rd
S/s Mt. Carmel Rd., West of York Rd # VII-308

Project Manager: Kurt A. Kugelberg Phone #: (410) 887-3353

Time: 8:30 a.m. Meeting Location: COUNTY OFFICE BUILDING - Room 123
111 W. Chesapeake Ave., Towson, MD 21204

Councilmanic District: 3rd Engineer: George W. Stephens, Jr. & Associates, Inc.

Hearing Officer Hearings

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District _____

Date of Posting 2/29/96

Posted for: _____

Petitioner: _____

Location of property: _____

Location of Sign: Front Yard

Remarks: _____

Posted by W. T. [Signature]

Date of return: _____

Number of Signs: 1

Signature



38.5-5

post by: 3/4/96

CASE NUMBER: 96-306-A (Item 301)
612 Severn Avenue
NE/S Severn Avenue, 20'1 NE of c/1 Chesaco Avenue
15th Election District - 7th Councilmanic
Legal Owner: Ronnie L. Butz and Nelson H. Butz

Variance to permit the parking of a commercial vehicle exceeding 10,000 pounds gross vehicle weight on a residential lot.

HEARING: TUESDAY, MARCH 19, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

* 301

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

No. 213730
96-306-A

DATE 2-7-96 ACCOUNT 612 SEVERN AVE

AMOUNT \$ 85.25

RECEIVED FROM RON BUTZ 612 SEVERN AVE

FOR: VPR (010) 50.00
POSTING (020) 35.25

85.25

MICROFILMED

VALIDATION OR SIGNATURE OF CASHIER JCM

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Handwritten scribble at the bottom left of the page.



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No.: 301 Petitioner: RONNIE BUTZ

Location: 612 SEVERN AVE., BALTO., Md. 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS: _____

PHONE NUMBER: 410-686-0263

APPROVED

TO: PUPUXENT PUBLISHING COMPANY
February 29, 1996 Issue - Jeffersonian

Please forward billing to:

Ronnie Butz
612 Severn Avenue
Baltimore, MD 21237
686-0263

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-306-A (Item 301)
612 Severn Avenue
NE/S Severn Avenue, 20'1 NE of c/1 Chesaco Avenue
15th Election District - 7th Councilmanic
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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 26, 1996

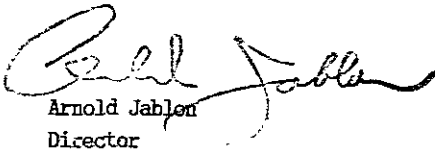
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HEARING: TUESDAY, MARCH 19, 1996 at 10:00 a.m. in Room 118, Old Courthouse.


Arnold Jablon
Director

cc: Ronnie and Nelson Butz

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 12, 1996

Mr. and Mrs. Ronnie L. Butz
612 Severn Avenue
Baltimore, MD 21237

RE: Item No.: 301
Case No.: 96-306-A
Petitioner: R. L. Butz, et ux

Dear Mr. and Mrs. Butz:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 7, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 26, 1996
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 26, 1996
Items 294, 295, 296, 298, 299, 300, 301, 302, 8
and 303

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

ARCHIVED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

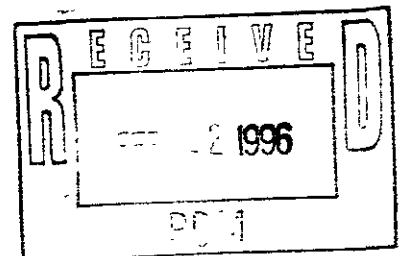
Location: DISTRIBUTION MEETING OF FEB. 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294, 295, 296, 298, 299, 300,
301, 302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: February 21, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 295, 296, 298, 300, 301, 303 and 304

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey M. Fuzay

Division Chief:

Carol Keller

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

2-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 301 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

MICROFILM

RE: PETITION FOR VARIANCE
612 Severn Avenue, NE/S Severn Avenue,
20'1 NE of c/l Chesaco Avenue, 15th
Election District - 7th Councilmanic

Ronnie L. and Nelson H. Butz
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-306-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of March, 1996, a copy of the foregoing Entry of Appearance was mailed to Ronnie L. and Nelson H. Butz, 612 Severn Avenue, Baltimore, MD 21237, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

NELSON BUTZ

612 SEVERN AVE.

ROGER BUTT

5 JORDAN RIDGE CIR APT 1-A

FRANK SICCA

Cedar Crest Ct N



Plat to accompany Petition for Zoning Variance Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

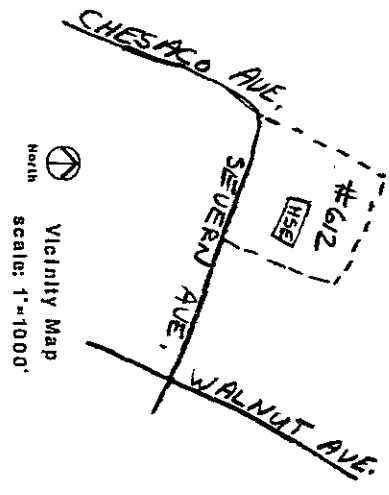
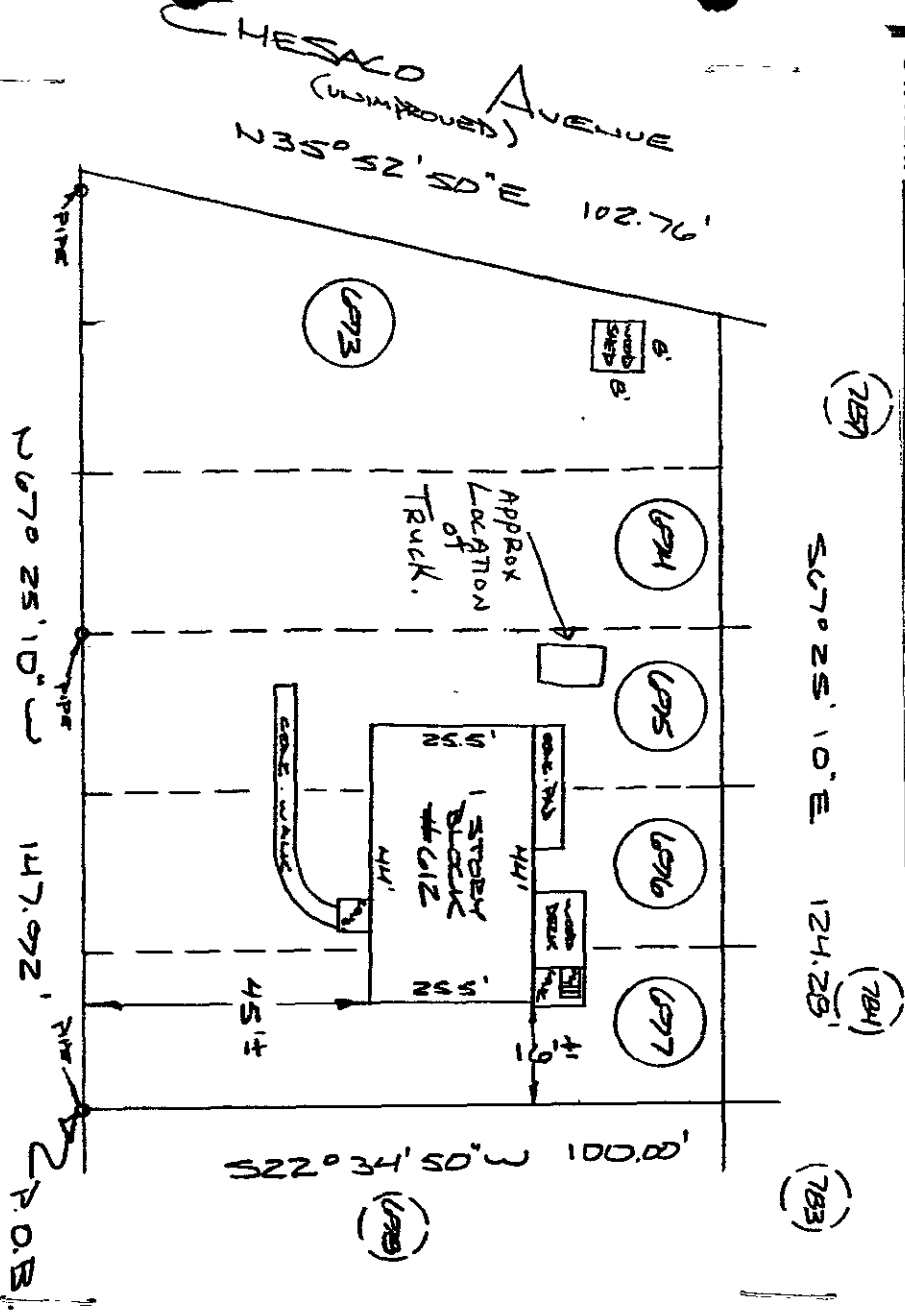
PROPERTY ADDRESS: 142 Severn Avenue

Subdivision name: Chesaco Park

plat book # 6, folio # 164, lot # , section #

OWNER: Nelson & Rennie Butz

96-306-A



LOCATION INFORMATION

Election District: 15
Councilmanic District: 7

1"=200' scale map #: NE-2F

Zoning: DRS.5 ± 13,888 ±
Lot size: 0.32 ac. ± square feet

- SEWER: public private
- WATER: public private

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

9 am 301

North
date: 2/7/96
prepared by: R. Butz
Scale of Drawing: 1"= 30'

APPLICANT TAKES FULL RESPONSIBILITY FOR THE CORRECTNESS OF THE INFORMATION CONTAINED HEREON. R.B.

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
1272 Severn Avenue, 20th Fl. * ZONING COMMISSIONER
of c/1 Chesaco Avenue * OF BALTIMORE COUNTY
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15th Election District * Case No. 96-306-A
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FINDINGS OF FACT AND CONCLUSIONS OF LAW

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rounding locale. Moreover, it is clear that the required variance relief is consistent with the BCZR and will not be detrimental to surrounding properties.

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THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of March, 1996 that a variance from Section 431 of the Baltimore County Zoning Regulations (BCZR) to permit the parking of a commercial vehicle exceeding 10,000 pounds gross vehicle weight on a residential lot, be and is hereby GRANTED subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING
Date 3/27/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 3/27/96
By [Signature]

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Date 3/27/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21284
(410) 887-4386
March 27, 1996

Mr. Nelson Butz
612 Severn Avenue
Baltimore, Maryland 21237
RE: Case No. 96-306-A
Petition for Zoning Variance
Property: 612 Severn Avenue

Dear Mr. Butz:
Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mnm
att.

VIOLATION
Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 612 Severn Avenue
96-306-A which is presently zoned D.R.S.5
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, 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(s) 431, BCZR, TO PERMIT THE PARKING OF A COMMERCIAL VEHICLE EXCEEDING 10,000 LBS. GROSS VEHICLE WEIGHT ON A RESIDENTIAL LOT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
1. A 35 MILE TRIP TO AND FROM TRUCK PER DAY
2. THE LOT IS 1500 SQ FT
3. MOST OF ALL TRUCK IS USED FOR SOIL REMOVAL FOR STATE ROADS
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/Owner:
Legal Owner(s):
Signature: *Ronnie L. Butz*
Signature: *Nelson H. Butz*
Signature: *Nelson H. Butz*
Address: 612 Severn Avenue
City: Baltimore State: Maryland Zipcode: 21237
Signature: *Nelson H. Butz*
Address: 612 Severn Avenue
City: Baltimore State: Maryland Zipcode: 21237

ESTIMATED LENGTH OF HEARING
Reviewed by: *JCM* DATE: 2-7-96
301

EXAMPLE 3 -- Zoning Description

Three copies of the zoning description of your property are required. This is a sample to help you with the description. DO NOT USE THIS FORM FOR "FILL-IN THE BLANK" type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 612 SEVERN AVE.
(address)
Beginning at a point on the NE side of SEVERN AVE. which is 40' wide at the distance of 20' of the centerline of the nearest improved intersecting street CHESACO AVE. which is 40' wide. "Being Lot #s 693, 694, 695, 696 & 697" as recorded in Baltimore County Plat Book # 6, Folio # 164 containing .32 ac. +/- Also known as 612 SEVERN AVE. and located in the 15 Election District, 7 Councilmanic District.

If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state "As recorded in Deed Liber Folio and include the measurements and directions (metes and bounds) only here and on the plat in the correct location.
Typical metes and bounds: N 87° 12' 13" E, 321.1 ft., S 18° 27' 03" E, 87.2 ft., S 62° 19' 00" W, 318 ft., and N 08° 15' 22" W, 80 ft. to the place of beginning.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____ Date of Posting: 3/27/96
Posted for: _____
Petitioner: _____
Location of property: _____
Location of Sign: Front Yard
Remarks: _____
Posted by: *W. J. Linn* Date of return: _____
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/29, 1996
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/29, 1996.

THE JEFFERSONIAN,
A. Henderson
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, in accordance with the provisions of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed Variance from Section 431 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
1. A 35 MILE TRIP TO AND FROM TRUCK PER DAY
2. THE LOT IS 1500 SQ FT
3. MOST OF ALL TRUCK IS USED FOR SOIL REMOVAL FOR STATE ROADS
The hearing will be held on March 29, 1996 at 10:00 a.m. in Room 112 of the County Administration Center, 400 Washington Avenue, Towson, Maryland 21284.
The hearing will be held at the following address:
Case #96-306-A
Room 112
400 Washington Avenue
Towson, Maryland 21284
Legal Owner(s):
Nelson H. Butz and Ronnie L. Butz
Notice: If you wish to file an appeal, you must do so within 30 days of the date of the hearing. The hearing will be held on March 29, 1996 at 10:00 a.m. in Room 112 of the County Administration Center, 400 Washington Avenue, Towson, Maryland 21284.
Lawrence E. Schmidt
Zoning Commissioner
Baltimore County
Office of Planning and Zoning
400 Washington Avenue
Towson, Maryland 21284
Phone: (410) 887-4386
Fax: (410) 887-3353
If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.
Printed on Recycled Paper

post by: 3/4/96

CASE NUMBER: 96-306-A (Item 301)
612 Severn Avenue
NE/S Severn Avenue, 20'1 NE of c/1 Chesaco Avenue
15th Election District - 7th Councilmanic
Legal Owner: Ronnie L. Butz and Nelson H. Butz

Variance to permit the parking of a commercial vehicle exceeding 10,000 pounds gross vehicle weight on a residential lot.

HEARING: TUESDAY, MARCH 19, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

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

DATE: 2-7-96 ACCOUNT: 96-306-A

AMOUNT: \$ 85.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER: [Signature]



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

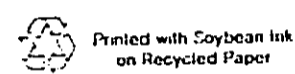
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 301 Petitioner: RONNIE BUTZ
Location: 612 SEVERN AVE, BALTO, Md. 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME
ADDRESS:
PHONE NUMBER: 410-686-0263



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TO: PUTNEM PUBLISHING COMPANY
February 29, 1996 Issue - Jeffersonian

Please forward billing to:

Ronnie Butz
612 Severn Avenue
Baltimore, MD 21237
686-0263

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-306-A (Item 301)
612 Severn Avenue
NE/S Severn Avenue, 20'1 NE of c/1 Chesaco Avenue
15th Election District - 7th Councilmanic
Legal Owner: Ronnie L. Butz and Nelson H. Butz

Variance to permit the parking of a commercial vehicle exceeding 10,000 pounds gross vehicle weight on a residential lot.

HEARING: TUESDAY, MARCH 19, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 687-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 687-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 26, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-306-A (Item 301)
612 Severn Avenue
NE/S Severn Avenue, 20'1 NE of c/1 Chesaco Avenue
15th Election District - 7th Councilmanic
Legal Owner: Ronnie L. Butz and Nelson H. Butz

Variance to permit the parking of a commercial vehicle exceeding 10,000 pounds gross vehicle weight on a residential lot.

HEARING: TUESDAY, MARCH 19, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

[Signature]
Arnold Jablon
Director

cc: Ronnie and Nelson Butz

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 687-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 687-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 12, 1996

Mr. and Mrs. Ronnie L. Butz
612 Severn Avenue
Baltimore, MD 21237

RE: Item No.: 301
Case No.: 96-306-A
Petitioner: R. L. Butz, et ux

Dear Mr. and Mrs. Butz:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 7, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (687-3391).

Sincerely,

[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 26, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 26, 1996
Items 294, 295, 296, 298, 299, 300, 301, 302, 303 and 303

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500



Office of the Fire Marshal
(410)887-4380

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

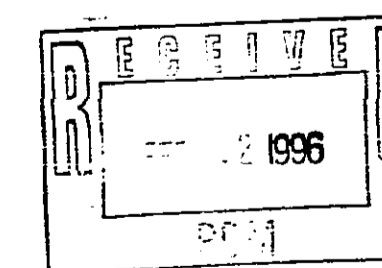
Location: DISTRIBUTION MEETING OF FEB. 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

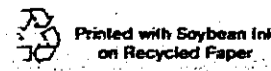
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294, 295, 296, 298, 299, 300, 301, 302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: February 21, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 295, 296, 298, 300, 301, 303 and 304

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: [Signature]
Division Chief: [Signature]

PK/JL

ITEM295/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kessoff
Administrator

2-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 301 (J2M)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

RE: PETITION FOR VARIANCE
612 Severn Avenue, NE/3 Severn Avenue,
20'1" NE of 7th Chesapeake Avenue, 15th
Election District - 7th Councilmanic
Petitioners
Ronnie L. and Nelson H. Butz

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-306-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Dextilio

CAROLE S. DEXTILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of March, 1996, a copy of the foregoing Entry of Appearance was mailed to Ronnie L. and Nelson H. Butz, 612 Severn Avenue, Baltimore, MD 21237, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

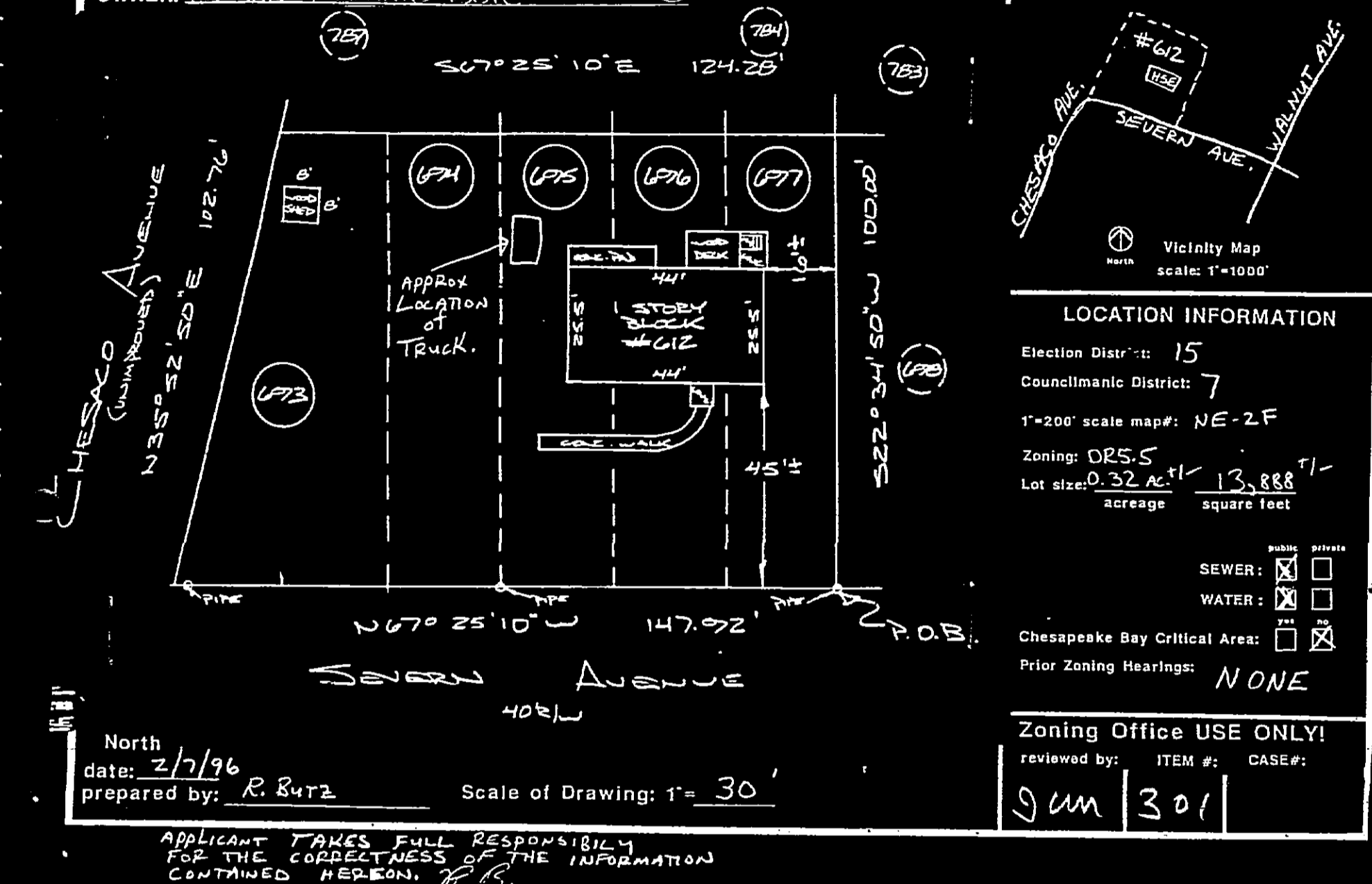
PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
NELSON BUTZ	612 SEVERN AVE.
ROBERT BUTZ	5 JUDAH CIRCLE UNIT 1-A
FRANK SICA	Center Court # 11

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 612 Severn Avenue
Subdivision name: Chesapeake Park
Plat book # 6, sheet # 162, map # 100000
OWNER: Nelson & Ronnie Butz

96-306-A



LOCATION INFORMATION

Election Dist: 15
Councilmanic District: 7
1"=200' scale map: NE-2F
Zoning: O.R.S. 5
Lot size: 0.32 AC ± 13,888 square feet

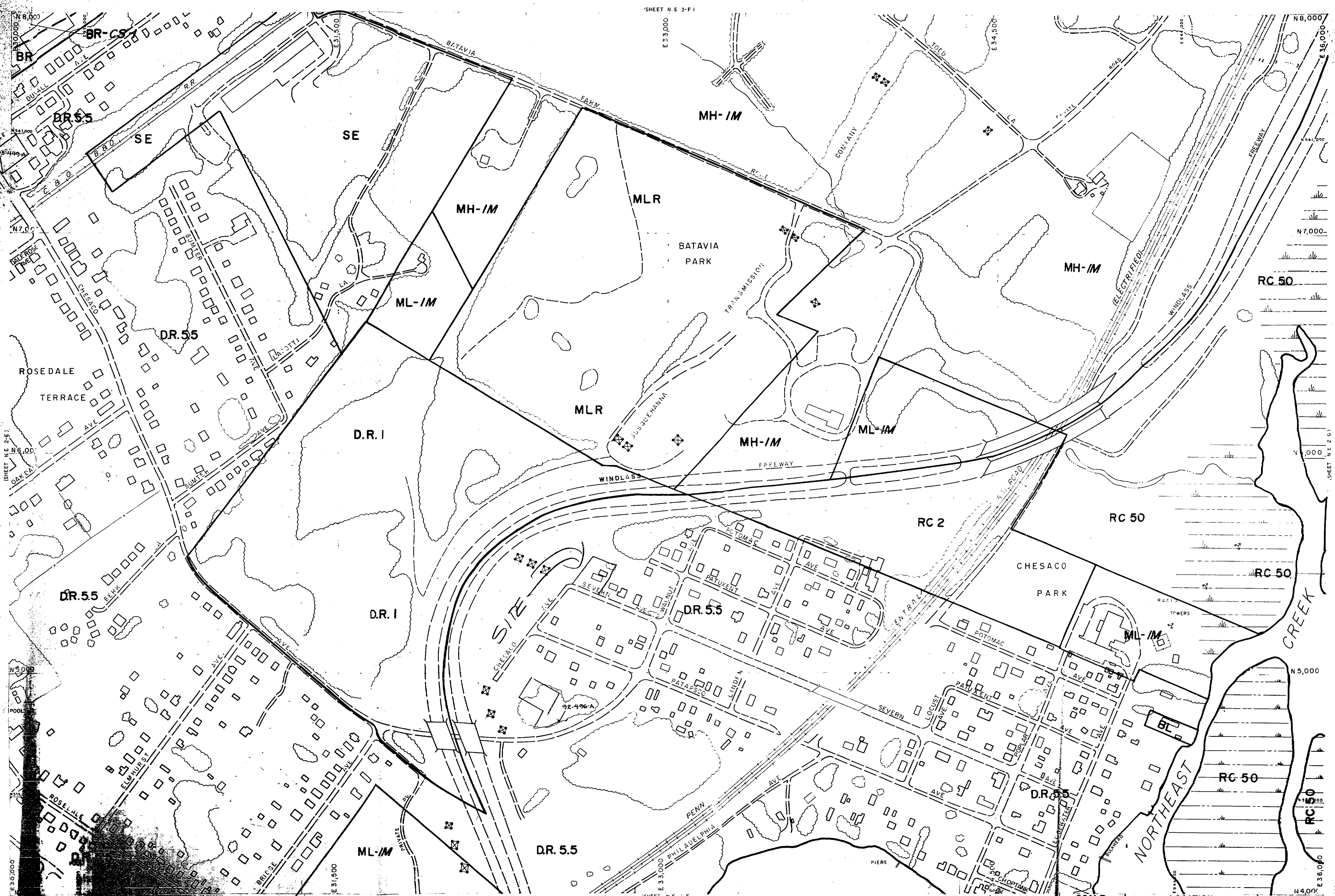
SEWER:
WATER:
Chesapeake Bay Critical Area:
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

Reviewed by: JUM
ITEM #: 301
CASE#: 96-306-A

North
date: 2/19/96
prepared by: R. Butz
Scale of Drawing: 1"=30'

APPLICANT TAKES FULL RESPONSIBILITY FOR THE CORRECTNESS OF THE INFORMATION CONTAINED HEREON.



BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
 No. 83-92, 84-92, 85-92, 86-92, 87-92, 88-92, 89-92, 90-92, 91-92, 92-92

William A. Howard
 Chairman, County Council

SCALE 1" = 200' ±	LOCATION CHESACO PARK	SHEET N.E. 2-F
DATE OF PHOTOGRAPHY JANUARY 1986		

96-306-A

301

AREAS
 METRIC METHODS
 21210