

IN THE MATTER OF

Jan DeGroot

PETITION FOR VARIANCE TO ZONING REGULATIONS

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For Variance to the Zoning Regulations and Restrictions
To the Zoning Commissioner of Baltimore County

JAN DEGROOT

Legal Owner

of the property hereinafter described hereby petition for a Variance
to the Zoning Regulations and Restrictions of Baltimore County.

The Regulation to be exempted is as follows:

Section 211.1 Lot area and width in "R-6" (residence) Zone

Each one-family dwelling hereafter erected shall be located
on a lot having a width at the front building line of not less than 55
feet.

The reason for Variance: To permit the erection in an
"R-6" (residence) Zone, of dwellings on lots Nos. 4 and 5, 51 feet in
width and a dwelling on lot No. 6, 50 feet in width.

Property situated North side of Edmondson Avenue, 1st
District of Baltimore County, beginning 57 feet east of Midvale Ave.,
thence easterly, on the north side of Edmondson Avenue, 152 feet with
a rectangular duty northwesterly of 134 feet. Being lots Nos. 4, 5 and
6 on plat of Jan DeGroot property section "1".

Legal Owner

Address: c/o Alfred F. Walker, Atty.
332 Equitable Building, #2

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ORDERED BY the Zoning Commissioner of Baltimore

County this 9th day of September, 1955.

that the subject matter of this petition be ordered in
a newspaper of general circulation throughout Baltimore
County and that the property be posted, as required by the
Zoning Regulations and Act of Assembly aforesaid, and that
a public hearing thereon be had in the office of the Zoning
Commissioner of Baltimore County, Maryland, on the 10th
day of October, 1955, at 10:30 o'clock
A. M.

Zoning Commissioner
of Baltimore County

Upon hearing on petition for variance to the Zoning
Regulations to use the property as described therein, it is the
opinion of the Zoning Commissioner that to grant a variance would
be contrary to the spirit and intent of the provisions stated in
Section 307 of the Regulations. There is no testimony
offered suggesting hardship on the petitioners nor any need to grant a
variance and to do so under the facts of this case would deliberately
circumvent the provisions of Section 211 which apply to "R-6"
Zone.

It is, therefore, this 9th day of October, 1955,
ORDERED by the Zoning Commissioner of Baltimore County that the
aforesaid petition for variance is hereby denied.

William H. Adams
Zoning Commissioner
of Baltimore County

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September 14, 1955

\$25.00

RECEIVED of Alfred F. Walker, Attorney, the sum of
Twenty Five (\$25.00) Dollars, being cost of petition for
a Variance, advertising and posting property, on the north
side of Edmondson Avenue, beginning 57 feet east of Midvale
Avenue, 1st District of Baltimore County, Maryland.

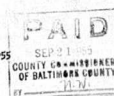
Zoning Commissioner of Baltimore County

RECEIVED

Monday
Wednesday, October 10, 1955

at 10:30 a.m.

Reckord Building
Towson 4, Maryland.



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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 9-28-55
Petition for: Variance to Zoning Regulations
Petitioner: Jan DeGroot
Location of Property: 1st Dist. of Baltimore County, by 57 ft. E. of Midvale Ave.,
thence easterly, on the north side of Edmondson Ave., 152 feet with a rectangular duty
northwesterly of 134 feet. Being lots Nos. 4, 5 and 6 on plat of Jan DeGroot property section "1".
Location of Sign: North side of Edmondson Ave. 132 ft. East of
Midvale Ave.
Remarks:
Posted by: George R. Hummel Date of return: 9-28-55

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Baltimore County Planning Board
111 West Chesapeake Avenue
TOWSON 4, MARYLAND

October 27, 1955

JOHN E. BOGGS, JR., CHAIRMAN
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JOHN E. BOGGS, JR., CHAIRMAN

MALCOLM H. DILL, SECRETARY
DILL, A. WATSON, SECRETARY DIRECTOR

MEMORANDUM

TO: Mr. Wilkie H. Adams
FROM: Mr. Malcolm H. Dill
SUBJECT: Jan DeGroot Property

Mr. Jan DeGroot is the owner of property located at the northwest
corner of Edmondson and Rosewood Avenues, in Catonsville.

During July of this year Mr. DeGroot filed a building permit applica-
tion for a dwelling to be constructed on a portion of his property. In
the processing of the permit it was learned that Mr. DeGroot intended
to subdivide his property without recording an approved final plat. He
was immediately notified and appeared before the Joint Subdivision Planning
Committee on July 14, 1955. At that time Mr. DeGroot and his attorney,
Mr. Walker, presented to the Committee a preliminary plat of the Jan DeGroot
Property, Section B. This preliminary plat contemplated 7 lots, 5 of which
had substandard lot widths. The Committee called the substandard lots to
regulations had made 55 feet the minimum lot width for a single family dwelling.
Mr. DeGroot informed the Committee that water service connections had been
installed, for the five proposed lots fronting Edmondson Avenue, prior to
the adoption of the new standards. The matter of the water connections has
subsequently been checked, and unless the Baltimore City Water Department's
records are not up-to-date, there are only two water connections to Mr.
DeGroot's property.

The Joint Subdivision Planning Committee agreed that a record plat would
be required but referred the question of lot sizes to the Planning Board.

The Subdivision Regulations state that whenever there is a discrepancy
between its minimum standards and those of the Zoning Regulations, Building
Code or other official regulations of Baltimore County, the highest standards
shall apply. The Zoning Regulations under Section 204 - "Use of Undersized
Single Family Lots", states that a single family dwelling may be erected on a
lot having an area or width at the building line less than that required by
the height and area regulations provided:

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- That such lot shall have been duly recorded
either by deed or in a validly approved subdivi-
sion prior to the adoption of these regula-
tions; and
- That all other requirements of the height and
area regulations are complied with; and
- That the owner of the lot does not own sufficient
adjoining land to conform substantially to the
width and area requirements.

Mr. DeGroot's lots would not qualify under either Sections a or c above.
In the light of the facts as presented by Mr. DeGroot and considered by the
staff, I am not able to arrive at any conclusive reasoning which would permit
Mr. DeGroot to qualify for a variance under the hardship clause. In short,
I can see no basis on which Mr. DeGroot legally can get the number of lots
he proposes along Edmondson Avenue.

Therefore, if all the facts as stated herein are correct, I am recommend-
ing that Mr. DeGroot process a plat which shows no lots with less than 55 feet
widths at the building line.

W. H. Adams

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NOTICE OF HEARING
The above is hereby notified
that there will be a hearing in
Baltimore County, Maryland, on the
subject of the proposed plat of
Jan DeGroot, Section B, 1st
District, Baltimore County, Maryland,
containing 7 lots, 5 of which
have substandard lot widths.
The hearing will be held on
October 27, 1955, at 10:30 a.m.,
in the Zoning Department, Towson 4,
Maryland.
The purpose of the hearing is to
determine whether or not the
proposed plat complies with the
requirements of the Zoning Regu-
lations and Act of Assembly aforesaid.
The property is located on the
north side of Edmondson Avenue,
beginning 57 feet east of Midvale
Avenue, 1st District of Baltimore
County, Maryland.
By Order of
WILKIE H. ADAMS
Zoning Commissioner
of Baltimore County
Sept. 28, 1955

OFFICE
THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Baltimore, Md. THE COMMUNITY PRESS
Dundalk, Md.

No. 1 Newburg Avenue CATONSVILLE, MD.

THIS IS TO CERTIFY, that the annexed advertisement of
Wilkie H. Adams, Zoning Commissioner
of Baltimore County,
was inserted in THE BALTIMORE COUNTIAN, a group of
three weekly newspapers published in Baltimore County, Mary-
land, once a week for 2 successive weeks before
the 1st day of October 1955, that is to say
the same was inserted in the issues of

September 23-29, 1955.

THE BALTIMORE COUNTIAN

By Paul J. Morgan

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**NO PLAT
IN
THIS FOLDER**