

3674
Relay Permit No 64566- KTH Defr
#5145-V

PETITION FOR VARIANCE TO THE ZONING REGULATIONS

IN RE MATTER OF
MARTIN J. DIPPEL :
JOHN J. DIPPEL :
ALBERT M. DIPPEL :
t/a THE DIPPEL BROTHERS :
7110 Belair Road :
Baltimore 6, Maryland :

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

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

THE DIPPEL BROTHERS

LEGAL COUNSEL

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

The Zoning Regulation to be excepted as follows:

Section 232.2 - Side street side yard - 10 feet
Section 303.2 - Front yard - average of lots immediately adjoining on each side.

The Reasons for Variance:

To permit a side street side yard of 0 feet instead of required 10 feet and to
permit a front yard of 10 feet instead of the average lots immediately adjoining
on each side.

Property situated:

All that parcel of land in the Fourteenth District of Baltimore County
on the Southwest most corner of Belair Road and West Elm Avenue; thence Southerly
and binding on the West side of Belair Road 175 feet; thence North 1/4 degrees
5 minutes West 105 feet; thence North 1/4 degrees 21 minutes East 175 feet to
the South side of West Elm Avenue; thence Southerly and binding on the South
side of West Elm Avenue 105 feet to the place of beginning.

11/23/60
3:30
Martin J. Dippel
John J. Dippel
Albert M. Dippel
t/a Dippel Bros.
7110 Belair Rd #6

1-51674

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 4058

DATE 11/16/60

TO: The Dippel Bros
7110 Belair Rd.
Baltimore 6, Md.

BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO.	01622	TOTAL AMOUNT
QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	\$ 23.00
1	Advertising and sign - Dippel Bros.	23.00
TOTAL		23.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

ORDERED by the Zoning Commissioner of Baltimore County
this 21st day of September, 1960,
that the subject matter of this petition as advertised in two
newspapers 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 23rd day of
November, 1960, at 3:30 o'clock
P.M.

Zoning Commissioner
of Baltimore County

Upon hearing on the above petition for a variance to the
Zoning Regulations of Baltimore County to permit a side yard of
0 feet instead of the required 10 feet and to permit a front yard
of 10 feet instead of the average lots immediately adjoining on
each side, and it appearing that the Regulations would result in
practical difficulty and unnecessary hardship upon the petitioner
and variances to said regulations would grant relief without
substantial injury to the public health, safety and the general
welfare of the locality involved, the variances as requested
should be granted, therefore:

It is this 28th day of November, 1960 by the
Deputy Zoning Commissioner of Baltimore County, ORDERED that the
aforesaid variances should be and the same are hereby granted,
which permit a side street of 0 feet instead of the required
10 feet and to permit a front yard of 10 feet instead of the
average lots immediately adjoining on each side.

Deputy Zoning Commissioner
of Baltimore County

Francis X. Dippel, Esq.,
Calvert & Preston Sts.,
Baltimore 2, Maryland

December 13, 1961

Re: Petition for Variance to
Zoning Regulations - S.W. Cor.
Bel Air Road and Elm Ave.,
4th Dist., The Dippel Bros.,
Petitioners

Dear Mr. Dippel:

Concerning the petition filed for variances
in the above matter, Mr. Lawrence E. Shaver has indicated to this
Department and the Department of Permits & Licenses, that your
petition No. 5145-V may have been based on the use of parking
facilities which are not yours and for which you have no per-
mission to use.

A copy of Mr. Shaver's letter and plat are
enclosed for your perusal.

Please let me know if a mistake has been made.

Very truly yours

Zoning Commissioner

LAWRENCE E. SHAVEN
ATTORNEY AT LAW
CARPENTER BUILDING
TOWSON 4, MD.
WILLY 3-0410

December 12, 1961

Mr. John G. Rose
Zoning Commissioner for Baltimore County
County Office Building
Towson 4, Maryland

Re: File No. 5145-V

Dear Mr. Rose:

Confirming the complaint which I made to you on behalf of
the Knights of Columbus of Overlea this morning, I am writing this
letter to advise you that the variance obtained by Dippel Brothers
for the enlargement of their funeral home on Belair Road and Elm
Avenue, should not have been granted for the reason that the plat
filed by them does not correctly state their frontage on Belair Road.

It is the contention of my client that Dippel Brothers have
included in their plot plan approximately ten feet of my client's
land. A survey made by Keller & Keller, Surveyors, on November 26,
1957, clearly indicates that my client has a frontage on Belair Road
of 85.75 feet. A photostatic copy of the Keller plat is enclosed.
In the plot plan filed by Dippel Brothers they have included a part
of this lot as a parking area.

As you will recall, Mr. Dippel resisted the Knights of
Columbus enlarging its building because of inadequate parking area.
He himself now undertakes to more than double the size of his building,
and naturally there will be an additional need for parking, and I
assume you granted the variance, having in mind the parking area as
indicated on his plat plan. You are respectfully asked to rescind
your action.

I am also advised that a building permit has been issued within
the past few days, and that they are in the process of starting their
expansion program.

We therefore request that Dippel Brothers be notified to cease
their operations until this matter can be determined.

Yours very truly,

LEE:map
Encl: (1)

NOTICE OF HEARING

FOR VARIANCE

The public is hereby notified that there
will be a hearing before the Deputy Zoning
Commissioner of Baltimore County, Room
104, County Office Building, 111 W. Ches-
apeake Avenue, Towson, Maryland,
on Wednesday, November 21, 1960,
at 3:30 P.M.

At 3:30 P.M.
the purpose of said hearing being to de-
termine whether or not the Dippel Broth-
ers, last owner of the property on the
Southwest corner of Belair Road and
West Elm Avenue, (more properly, the
Dippel Brothers, last owners of the property,
175 feet, thence North 1/4 degrees 5 min-
utes West 105 feet, thence North 1/4 de-
grees 21 minutes East 175 feet to the South
side of West Elm Avenue, thence Southerly
and binding on the South side of West Elm
Avenue 105 feet to the place of beginning,
should be granted an exception to the Zon-
ing Regulations and Act of Assembly for Bal-
timore County.

The exception is as fol-
lows:

Section 232.2 - Side street side yard -

10 feet

Section 303.2 - Front yard - average of

lots immediately adjoining on each side.

The Reasons for Variance:

To permit a side street side yard of 0

feet instead of required 10 feet and to per-
mit a front yard of 10 feet instead of the

average lots immediately adjoining on

each side.

The purpose of the petition is to permit a

side street side yard of 0 feet instead of

required 10 feet and to permit a front yard

of 10 feet instead of the average lots im-
mediately adjoining on each side.

By Order of

JOHN C. ROSE

Deputy Zoning Commissioner

Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 14, 1960.

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 November 14,
1960, 1 time, 2 weeks before the 23rd
day of November, 1960, the date of publication
appearing on the 14th day of November
1960.

THE JEFFERSONIAN,

Samuel H. Smith,
Manager.

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

14th
Date of Posting 11-2-60
Filed for: Variance to Zoning Regulations
Petitioner: The Dippel Brothers
Location of property: Southwest corner of Belair Rd. & West Elm Ave.
Location of Sign: Southwest corner of Belair Rd. & West Elm Ave.
Remarks: See map
Filed by: George A. Hammond
Date of return: 11-3-60

KELLER & KELLER

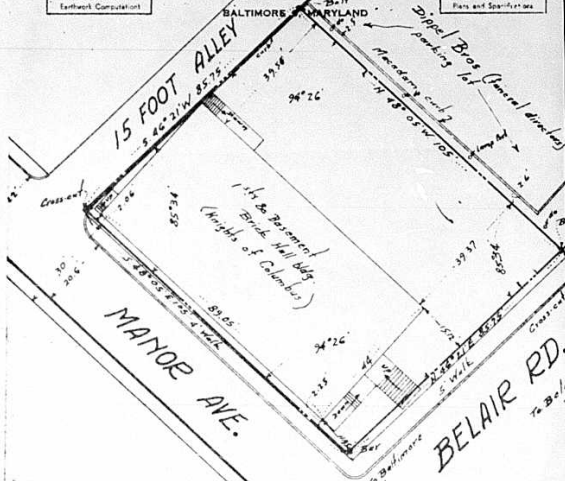
State Registered Land Surveyors

3814 WOODLAWN AVENUE

BALTIMORE, MARYLAND

City, Farm and
Topographical Surveys
Land Subdivisions
Engineering Computations

Municipal Engineering
Construction Supervision
Road Location, Layout
Plans and Specifications

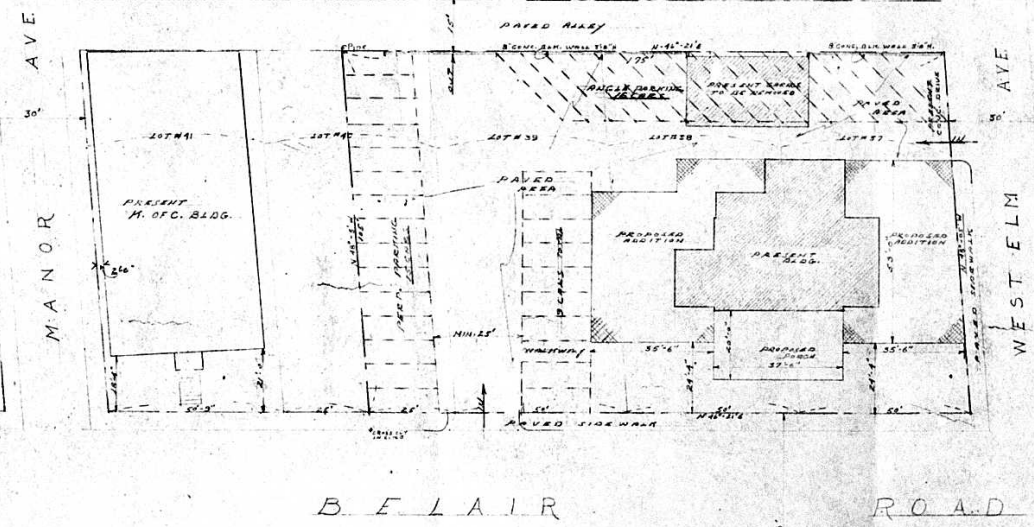


This is to Certify that we have this day made a Field
Survey of all lot 41 & the SW 1/4 of lot 40 Plat of Overton Manor Plat Book
and that property lines are as shown on this Plat.

Scale: 1" = 20'

Date: Nov. 26, 1957

Keller & Keller



NOTE:
PORTING RECOMMENDATIONS AND PARTY CANS

CUMMINS-HART CONSTRUCTION CO.
316 WYNDHURST AVENUE, BALTIMORE 10, MD.

ALTERATIONS & ADDITIONS
FOR
DIPPEL BROS INC. 710 BELAIR RD.

DRAWN BY	OK 850 10/1/58
CHECKED BY	
APPROVED	
SCALE	1" = 20'-0"
DATE	AUG. 23, 1958

PLAT TAKEN FROM PLAT OF OVERTON MANOR
PLAT 614 AS PLINY OF
LAND RECORDS OFFICE, TOWNSHIP NO.
BY A. A. KELLER, STATE SURVEYOR
AUG. 30, 1957

CON. H. BROS. (G. BROS.)