

65-295-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

we, Joseph & Elizabeth Knell, 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 400.1 - Accessory buildings in residence zone - to permit an accessory building in a side yard instead of the required rear yard, 301-1 to permit a carport 3 1/2 feet from side lot line instead of required 6 feet.

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

We have always had a chain link fence around our property since we purchased house about 7 years ago and an entrance for parking our vehicle was installed then. It is the most convenient place to install a carport.

See Attached Description

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 of Baltimore County.

Contract purchaser Joseph Knell
Legal Owner Elizabeth Knell

Address 2802 Vermont Ave.
Baltimore, Md. 21227

Petitioner's Attorney Melvin C. Paul
Address 2958 Greenmount Ave. 21218
Baltimore, Md. 21218

ORDERED BY The Zoning Commissioner of Baltimore County, this 1st day

of April, 1965, 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 108, County Office Building in Towson, Baltimore County, on the 1st day of April, 1965, at 10:30 o'clock

A.M. 10:30

John G. Rose
Zoning Commissioner of Baltimore County.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts

the above Variance should be had; and it further appearing that by reason of

a Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this

day of April, 1965, that the herein Petition for a Variance should be and the

same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to show practical difficulty or unreasonable hardship

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7 day

of April, 1965, that the above Variance be and the same is hereby DENIED.

Edward D. Hardesty
Deputy Zoning Commissioner of Baltimore County

MICROFILMED

MELVIN C. PAUL
ATTORNEY AT LAW

2958 GREENMOUNT AVENUE
BALTIMORE, MARYLAND 21218
HOPKINS 7-3680

June 5, 1965

Baltimore County Office of Planning & Zoning
121 West Chesapeake Ave.
Towson, Maryland 21204

RE: Petition for Variances to
Zoning Regulation
No. 65-295-A

Gentlemen:

Enclosed herewith, please find check in the amount of \$40.00 to cover the cost for an appeal in the above matter. My clients have instructed me to file an appeal from the Order passed by Mr. Edward D. Hardesty, dated May 7, 1965.

Very truly yours,

Melvin C. Paul
Melvin C. Paul

MCP/nd
Encl.

RECEIVED
JUN 7 1965
BALTIMORE COUNTY
OFFICE OF PLANNING



RE: PETITION FOR VARIANCE
from Section 400.1 of the
Zoning Regulations,
N/S Vermont Avenue 150'
from Annapolis Road,
13th District
Joseph Knell,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-295-A

OPINION

The petitioner here seeks variance from Section 400.1 of the Zoning Regulations to permit an accessory building (carport) in the side yard instead of the rear yard as required by the aforementioned section of the Zoning Regulations.

The testimony indicated that the petitioner contracted to have a carport erected in June, 1964, the carport having a front yard setback even with the principle building on the lot and three and one half feet from the side lot line.

Without going into detail as to the testimony before the Board, the Board cannot find any practical difficulty or unreasonable hardship to the petitioner that would warrant the granting of the variance sought here. The petitioner's lot is 85 feet wide and 125 feet in depth, and there is no reason apparent to the Board that the carport could not have been erected on the rear of the lot as required by the Regulations. The Board does feel, however, that the illegal construction of the carport (having been constructed without a building permit) was not in any way Mr. Knell's fault but rather that he relied on the word of the contractor or his agent that they would take care of securing all the necessary permits.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 7th day of November, 1965 by the County Board of Appeals, ORDERED that the variance petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parler

R. Bruce Alderman

INVOICE		BALTIMORE COUNTY, MARYLAND		No. 30672	
OFFICE OF FINANCE		Division of Collection and Receipts		DATE 4/15/65	
COURT HOUSE		TOWSON 4, MARYLAND			
TO: <u>Melvin C. Paul, Esq.</u> <u>2958 Greenmount Ave.</u> <u>Baltimore, Maryland 21218</u>		BILL TO: <u>Office of Planning & Zoning</u> <u>121 West Chesapeake Ave.</u> <u>Towson, Maryland 21204</u>			
DEPOSIT TO ACCOUNT NO. <u>65-295-A</u>		TOTAL AMOUNT			
QUANTITY	DETAILS - UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST			
	<u>Cost city appeal - J. Knell, Petitioner</u>	<u>35.00</u>			
	<u>No. 65-295-A</u>	<u>posting</u>	<u>5.00</u>	<u>40.00</u>	
PAID - Baltimore County, Md. - Office of Finance					
<u>6-1045 7049</u>		<u>30672 TIF</u>		<u>40.00</u>	
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.					

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date April 13, 1965

FROM: George E. Govrelis, Director

SUBJECT: Petition 65-295-A - Variance to permit an accessory building in a side yard instead of the required rear yard; and to permit a carport 3 1/2 feet from side lot line instead of the required 6 feet. North side of Vermont Avenue 150 feet from Annapolis Road. Being the property of Joseph Knell.

13th District

HEARING: Monday, April 26, 1965 (10:30 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and will offer no comment.

Beginning 150 feet from the intersection shown on the plat of the Baltimore Highlands, sub-division, of Annapolis Road and Vermont Avenue, thence 150 feet along the north side of Vermont Avenue, thence 100 feet north, thence 150 feet parallel to Vermont Avenue, thence south 150 feet to the place of beginning, 3 lots, 6, 7, 8, Vermont Avenue of the Baltimore Highlands.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 13TH Date of Posting April 15, 1965

Posted for: Variance

Petitioner: Joseph Knell

Location of property: 2802 Vermont Ave.

Location of Sign: on corner 2802 Vermont Ave.

Remarks: 1/2 sign

Posted by: J. Govrelis Date of return: April 15, 1965

INVOICE		BALTIMORE COUNTY, MARYLAND		No. 30542	
OFFICE OF FINANCE		Division of Collection and Receipts		DATE 4/15/65	
COURT HOUSE		TOWSON 4, MARYLAND			
TO: <u>Melvin C. Paul, Esq.</u> <u>2958 Greenmount Ave.</u> <u>Baltimore, Md. 21218</u>		BILL TO: <u>Zoning Dept. of Bal Co.</u>			
DEPOSIT TO ACCOUNT NO. <u>65-295-A</u>		TOTAL AMOUNT			
QUANTITY	DETAILS - UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST			
	<u>Advertising and posting of property for Joseph Knell</u>	<u>97.50</u>		<u>97.50</u>	
	<u>65-295-A</u>				
PAID - Baltimore County, Md. - Office of Finance					
<u>6-2145 4149</u>		<u>30542 TIF</u>		<u>97.50</u>	
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.					

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th

Date of Posting 7/1/65

Posted for: APPEAL

Petitioner: Josaph Knell

Location of property: W. S. Vermont Ave. 150' from Annapolis Rd.

Location of Sign: W. S. Vermont Ave. 150' from Annapolis Rd.

Remarks:

Posted by

Signature

Date of return: 7/1/65

**PETITION FOR
A VARIANCE**

13th DISTRICT

ZONING: Petition for a Variance for a Carport.

LOCATION: North side of Vermont Avenue 150 feet from Annapolis Road.

DATE & TIME: MONDAY, APRIL 26, 1965 at 10:30 A.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for a Variance to the Zoning Regulations of Baltimore County to permit an accessory building in a side yard instead of the required rear yard; and to permit a carport 3 1/2 feet from side lot line instead of the required 6 feet.

The Zoning Regulation to be excepted as follows:

Section 400.1—Accessory buildings in residence zones shall be located in the rear yard.

Section 301.1—If attached to the main building, a carport or a one-story open porch, with or without a roof, may extend into any required yard not more than 25% of the minimum required depth of a front or rear yard or of the minimum required width of a side yard.

All that parcel of land in the Thirteenth District of Baltimore County

Beginning 150 feet from the intersection shown on the plat of the Baltimore Highlands, sub-division, of Annapolis Road and Vermont Avenue, thence 150 feet along the north side of Vermont Avenue, thence 100 feet North, thence 150 feet parallel to Vermont Avenue, thence south 150 feet to the place of beginning, 3 lots, thence south 150 feet to the place of beginning, 3 lots, 6, 7, S. Vermont Avenue of the Baltimore Highlands.

Being the property of Joseph Knell, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, April 26, 1965 at 10:30 A.M.

Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Ave., Towson, Maryland.

By Order Of
John G. Rose
Zoning Commissioner Of
Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. April 8, 1965

THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper; printed and published in Baltimore County, Md., once in each of one

successive weeks before the 26th

day of April, 1965, the first publication

appearing on the 8th day of April

1965

THE TIMES

Manager.

Cost of Advertisement, \$ 22.00 John N. Martin

Purchase Order A8628
Requisition No. F9694

**PETITION FOR A VARIANCE
13TH DISTRICT**

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Hearing Date: Monday, April 26, 1965 at 10:30 A.M. Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By Order of
JOHN G. ROSE
Zoning Commissioner of
Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 8, 1965

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 in each of 1 successive weeks before the 26th

day of April, 1965, the first publication

appearing on the 23rd day of April

1965

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$

BY _____ DATE _____ SUBJECT _____
 CHKD. BY _____ DATE _____

SHEET NO. _____ OF _____
 JOB NO. _____

