

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Thomas J. Miraglia, legal owner of the property situated 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 211.4 to permit a rear yard of

13 feet instead of the required 30 feet, Sect. 211.2, to permit a front yard setback from the center line of the street of 10 feet instead of the required 50 feet for zone (1) separate building site: being Lot "B", #213 and 214 of Ridge Grove recorded in Plat Book W.P.C. No. 5 folio 84.

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

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 for Baltimore County.

Contract purchaser Thomas J. Miraglia Legal Owner
Address 3117 California Avenue
Baltimore, Md. 21234

Petitioner's Attorney John G. Rose 11/7/65
Address First National Bank Bldg.
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day of

MAY, 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 105, County Office Building in Towson, Baltimore County, on the 17th day of June, 1965, at 11:00 o'clock

A. M. W. A. H. H.
Zoning Commissioner of Baltimore County

LOT "B"

BEGINNING for the same at a point on the south side of California Avenue 30 feet wide, said point being 166.22 feet northwesterly measured along the south side of California Avenue from its intersection with the northwest side of Ridge Road 30 feet wide, thence running and binding on the south side of California Avenue in a northwesterly direction 123 feet to a point, thence at right angles to said south side of California Avenue in a southeasterly direction 50 feet to intersect the southwest lot line of lot no. 214 as shown on plat entitled Ridge Grove, recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 5, folio 84, thence running and binding on said lot line in a southeasterly direction 123 feet to a point, thence running at right angles to said lot line in a northwesterly direction 60 feet to the place of beginning.

BEING parts of lots nos. 213 and 214, as shown on the Plat entitled Ridge Grove, recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 5, folio 84.

May 11, 1965

Claude A. Hanley, Esq.
1st National Bank Building
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Your petition has been received and accepted for filing this

4th day of MAY, 1965

John G. Rose
Zoning Commissioner

Owner Name: Thomas J. Miraglia

Reviewed by John G. Rose

RE: PETITION FOR VARIANCES
TO SECTIONS 211.4 and 211.2
of Zoning Regulations -
S/S California Ave., 251.224
N/W Ridge Road, 14th St.,
Thos. J. Miraglia,
Petitioner

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 65-369-A

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 that strict compliance with Sections 211.2 and 211.4 of the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner and the variances requested would give relief to the petitioner without substantial injury to the public health, safety and general welfare, therefore the variances should be had for the two following described parcels of land:

LOT "B" BEGINNING for the same at a point on the south side of California Avenue 30 feet wide, said point being 166.22 feet northwesterly measured along the south side of California Avenue from its intersection with the northwest side of Ridge Road 30 feet wide, thence running and binding on the south side of California Avenue in a northwesterly direction 123 feet to a point, thence south 29° 15' west a distance of 62.62 feet to a point, thence south 77° 24' east, 144.94 feet to a point, thence north 12° 36' east for a distance of 60 feet to the place of beginning.

BEING parts of lots Nos. 213 and 214, as shown on plat entitled Ridge Grove, recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 5, folio 84.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: June 8, 1965

FROM: Mr. George E. Savaris, Director of Planning

SUBJECT: Petition nos. 65-369-A. "Variance to permit a rear yard of 13 feet instead of the required 30 feet and to permit a front yard setback from the center line of the street of 40 feet instead of the required 50 feet (2) separate building sites being Lots 213 and 214 of Ridge Grove recorded in Plat Book W.P.C. No. 5 folio 84. South side of California Avenue 251.22 feet Northwest of Ridge Road. Being the property of Thomas J. Miraglia"

14th District Thursday, June 10, 1965 (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

1. The Project Planning Division of the Office of Planning and Zoning has determined that the petitioner's plan shows an illegal subdivision of land. The petitioner should seek approval of a preliminary subdivision plan before proceeding with any request for variances.
2. Inasmuch as the petitioner's plan shows lots of less than 6,000 square feet in area, and as no variance from lot area requirements has been requested, we question what the petition has been properly advertised.
3. The petitioner's plan also shows the subject lots as having a gross density of approximately 6.85, whereas permitted gross density is only 4.5. Again, no variance as to density has been requested. Further, granting of such a variance would appear to violate Section 307 of the Zoning Regulations. This section prohibits variances as to density.
4. From a planning viewpoint, the subject petition is not in accordance with the spirit and intent of the Zoning Regulations. Land is overcrowded. Adequate provision has not been made for light and air in the sense that adequate rear yards depths cannot be maintained. Possible future widening could diminish front-yard depths.
5. The form of the petition is inaccurate and somewhat confusing. It should be withdrawn and then refilled in a manner meeting the requirements of the law and seeking only the minimum variances necessary to provide reasonable relief.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. James Brew Date: May 10, 1965

FROM: George E. Savaris

SUBJECT: Zoning Petition for Variance - Thomas Miraglia
California Ave., Ridge Road (Avenale Rd.)

Review of the subject plat results in the following comments:

This applicant is involved in improper subdivision of his property and as such cannot meet the following requirements:

1. The subject plat shows a proposal for 3 lots each approximately 5100 square feet in area. These areas are considerably less than the minimum allowable lot areas in an R-6 zone.
2. The subject plat shows the front building line for the 3 proposed dwellings to be 10 feet from the centerline of California Avenue. The minimum setback (front) from the centerline of the street is 50 feet.
3. The subject plat shows a 13 foot rear yard for each of the 3 proposed dwellings. The rear yard variance requested is apparently for only one property.

GHP/oa

LOT "A"

BEGINNING for the same at a point on the south side of California Avenue 30 feet wide, said point being 269.22 feet northwesterly measured along the south side of California Avenue from its intersection with the northwest side of Ridge Road, thence running and binding on the south side of California Avenue in a northwesterly direction 123 feet to a point, thence south 29° 15' west a distance of 62.62 feet to a point, thence south 77° 24' east, 144.94 feet to a point, thence north 12° 36' east for a distance of 60 feet to the place of beginning.

BEING parts of lots nos. 213 and 214, as shown on Plat entitled Ridge Grove, recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 5, folio 84.

BALTIMORE COUNTY, MARYLAND		No. 30694
OFFICE OF FINANCE		DATE 6/22/65
Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND		
To: Cash	B.L.P. Zoning Div. of Balto. Co.	
DEPOSIT TO ACCOUNT NO. 81-622	QUANTITY	CONV.
Advertising and posting of property Thomas Miraglia	65-369-A	\$4.00
6-225 7420 • 30594 1P-		\$1.80
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.		

PETITION FOR A VARIANCE

LOT "B"

BEGINNING for the same at a point on the south side of California Avenue 30 feet wide, said point being 166.22 feet northwesterly measured along the south side of California Avenue from its intersection with the northwest side of Ridge Road 30 feet wide, thence running and binding on the south side of California Avenue in a northwesterly direction 123 feet to a point, thence south 29° 15' west a distance of 62.62 feet to a point, thence south 77° 24' east, 144.94 feet to a point, thence north 12° 36' east for a distance of 60 feet to the place of beginning.

BEING parts of lots Nos. 213 and 214, as shown on Plat entitled Ridge Grove, recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 5, folio 84.

By Order of the Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 22, 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 day of the month of May, 1965, the first publication appearing on the 20th day of May, 1965.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

CERTIFICATE OF PUBLICATION

OFFICE OF
The Eastern Beacon

731 Eastern Ave. June 7 1965
Baltimore, Md.

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for variance - Thomas J. Miraglia
was inserted in The Eastern Beacon a weekly newspaper published in Baltimore County, Maryland, once a week
for one (1) successive weeks before the
22 day of June 1965; that is to say,
the same was inserted in the issue of June 2, 1965

By ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Stromberg Publications, Inc.
Publisher.

By *John J. Smith*

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

TO: *Charles A. Rose, Esq.
100 National Bank Building
Baltimore, Md. 21202*

DATE: *5/24/65*

TELEPHONE: 833-3000

DISPOSIT TO ACCOUNT NO. *01-01*

QUANTITY *01-01*

DATE: *5/24/65*

AMOUNT *25.00*

REMARKS: *Petition for Variance for Thomas Miraglia*

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: *14th* Date of Posting: *6-3-65*

Posted for: *Thomas J. Miraglia*

Petitioner: *Thomas J. Miraglia*

Location of property: *38 California Ave. 251-22*

Location of Sign: *38 California Ave. 251-22*

Remarks: *3120 California Ave.*

Posted by: *Robert J. Buller* Date of return: *6-10-65*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: *Mr. John G. Rose, Zoning Commissioner* Date: *June 8, 1965*

FROM: *Mr. George E. Gavrilis, Director of Planning*

SUBJECT: *Petition No. 65-369-A. "Variance to permit a rear yard of 13 feet instead of the required 30 feet; and to permit a front yard setback from the center line of the street of 40 feet instead of the required 50 feet for two (2) separate building sites being Lots 213 and 214 of Ridge Grove recorded in Plat Book W.P.C. No. 3 folio 54. South side of California Avenue 251.22 feet Northwest of Ridge Road. Being the property of Thomas J. Miraglia"*

14th District *Thursday, June 10, 1965* (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- The Project Planning Division of the Office of Planning and Zoning has determined that the petitioner's plat shows an illegal subdivision of land. The petitioner should thus secure approval of a preliminary subdivision plan before proceeding with any request for variances.
- Inasmuch as the petitioner's plot shows lots of less than 6,000 square feet in area, and as no variance from lot area requirements has been requested, we question whether the petition has been properly advertised.
- The petitioner's plat also shows the subject lots as having a gross density of approximately 6.85, whereas permitted gross density is only 4.5. Again, no variance as to density has been requested. Further granting of such a variance would appear to violate Section 307 of the Zoning Regulations. This section prohibits variances as to density.
- From a planning viewpoint, the subject petition is not in accordance with the spirit and intent of the Zoning Regulations. Land is overcrowded. Adequate provision has not been made for light and air in the sense that adequate rear yard depths cannot be maintained. Possible future widening could diminish front-yard depths.
- The form of the petition is inaccurate and somewhat confusing. It should be withdrawn and then refiled in a manner meeting the requirements of the law and seeking only the minimum variances necessary to provide reasonable relief.

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 10, 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... successive weeks before the... day of... 1965, the 10th publication appearing on the... day of... 1965.

THE JEFFERSONIAN,
G. L. Smith
Manager.

Cost of Advertisement, \$...

PETITION FOR VARIANCE
NEW DISTRICT
ZONING: Petition for Variance to the Zoning Regulations of Baltimore County to permit a rear yard of 13 feet instead of the required 30 feet; and to permit a front yard setback from the center line of the street of 40 feet instead of the required 50 feet for two (2) separate building sites being Lots 213 and 214 of Ridge Grove recorded in Plat Book W.P.C. No. 3 folio 54. South side of California Avenue 251.22 feet Northwest of Ridge Road. Being the property of Thomas J. Miraglia.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners and the Board of Zoning Appeals, has received and considered the petition and has determined that the same is in accordance with the Zoning Regulations of Baltimore County.

Section 11.1 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

Section 11.2 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

Section 11.3 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

Section 11.4 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

Section 11.5 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

Section 11.6 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

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Section 11.11 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

Section 11.12 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

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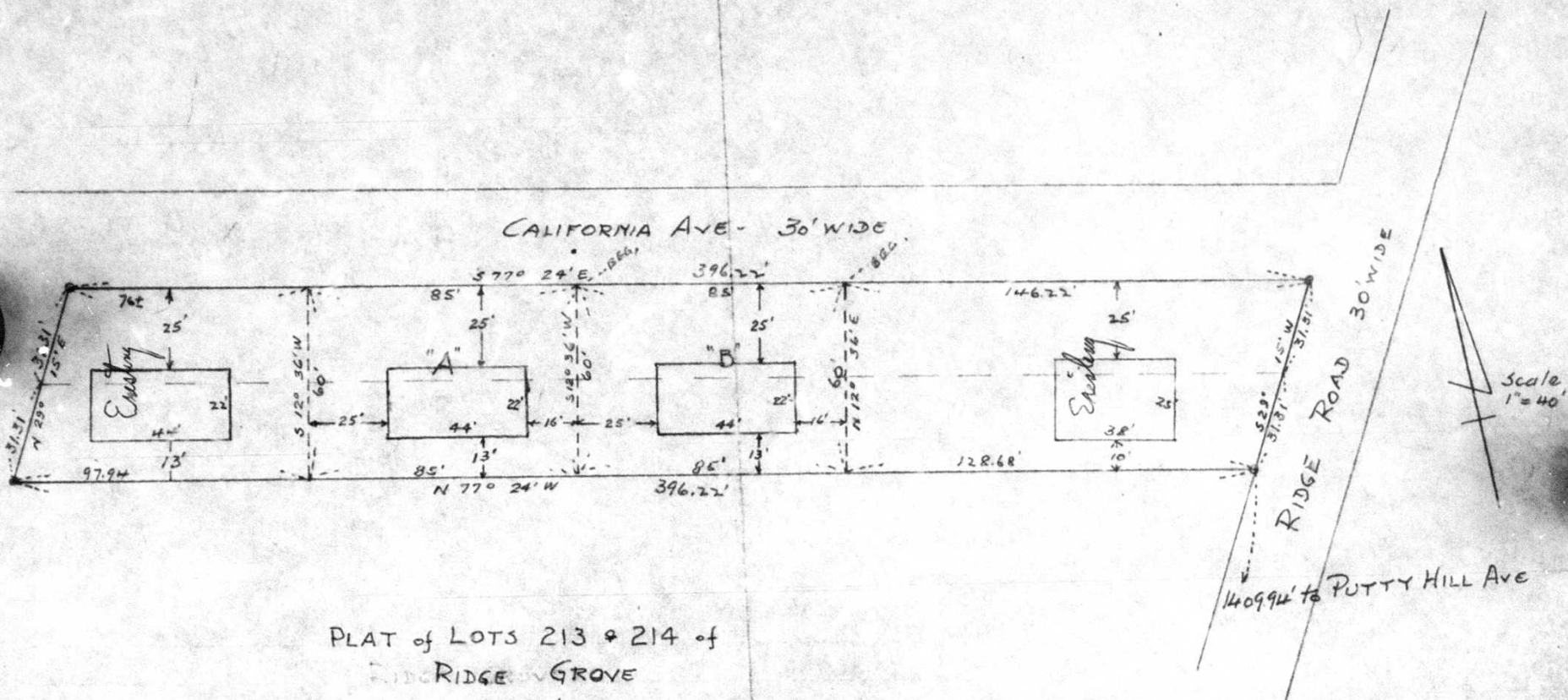
Section 11.96 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.

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Section 12.00 - Front Yard - 30 feet from the center line of the street. All that parcel of land in the Fourteenth District of Baltimore County.



PLAT of LOTS 213 & 214 of
 RIDGE GROVE
 P.B. 5/84
 14TH DIST. BALTO. CO. MD.

