

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
11 W. Chesapeake Ave.
Towson, Maryland 21204

000

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

May 1, 1972

Edward C. Covahey, Jr., Esq.
Suite 305 Heaver Plaza
Lutherville, Maryland 21093

RE: Type of Hearing: Variance from Section
400.3 - height of accessory structure (garage)
Location: S/S of Melancton Ave., 685'
E. of Francke Ave.
Petitioner: Oliver F. and Beatrice J. Blaker
8th District
Item 160

Dear Sir:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located on the south side of Melancton Avenue, 565' east of Francke Avenue, in the 8th Election of Baltimore County. The property is improved with an attractive two-story stone and frame dwelling that is well maintained and the lot is well landscaped with shrubs and trees. There existing dwellings on each side of the subject property and one on the south side that is very close to the petitioner's rear property line. Curb and gutter are existing on Melancton Avenue at this location.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Melancton Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a 50-foot right of way. Highway improvements are not required at this time. However, highway right of way widening based upon the existing center line will be required in conjunction with any grading or building permit application.

Sediment Control:

Development of this property through striping, grading, and stabilization could result in a sediment pollution problem,

Edward C. Covahey, Jr., Esq.
Item 160
May 1, 1972
Page 2

damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply (4-inch main) and public sanitary sewerage are available and serving this property.

FIRE DEPARTMENT:

This Department has no comment on the proposed site.

HEALTH DEPARTMENT:

Since metropolitan water and sewer are available to the site, no health hazards are anticipated.

PROJECT PLANNING DIVISION:

The Office of Planning has reviewed the subject site plan and offers the following comments:

1. The dwelling on the property to the south should be indicated on the site plan.
2. The site plan should indicate the proposed use of the proposed accessory building.

BOARD OF EDUCATION:

No bearing on student population.

ZONING ADMINISTRATION DIVISION:

This office is withholding acceptance of the subject petition until the petitioner can submit revised plans to this office indicating the use of the

Edward C. Covahey, Jr., Esq.
Item 160
May 1, 1972
Page 3

of the proposed second story addition and locate accurately the dwelling directly to the south of the subject property.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JJD:JD

Enc.

72-2922-A 160 9 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Beatrice J. Blaker

Oliver F. Blaker and Beatrice J. Blaker, 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,

herby petition for a Variance from Section 400.3 to permit the height of

a proposed garage to exceed fifteen (15') feet and to be approximately twenty-four (24') feet in height.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Proposed garage replaces a structure that was destroyed by falling branches in a wind storm situated approximately in the exact location of predecessor. To locate structure elsewhere would damage area ecologically and require destruction of trees and shrubs.

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 the 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.

DATE: 4/24/72 BY: Oliver F. Blaker, Jr. Contract purchaser Address: 211 Melancton Avenue, Lutherville, Maryland 21093

Edward C. Covahey, Jr. Protestant's Attorney Address: Suite 305, Newer Plaza, Lutherville, Maryland 21093

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of April 1972, 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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of June, 1972 at 2:00 o'clock.

Carville M. Downes, Zoning Commissioner of Baltimore County.

Beginning 685 feet from the intersection of Franke Avenue and Melancton Avenue measured easterly along the South Side of Melancton Avenue to the point of beginning. The lot being known and designated as lot 74 and part of lot 65 as laid out on the Plat of Lutherville as recorded among the land records of Baltimore County in Plat Book J.W.S. No. 8, Folio 57.



COVAHEY & BOOZER
ATTORNEYS AT LAW
814 BOLLEY AVENUE
TOWSON, MARYLAND 21204

February 5, 1973

AREA CODE 801
800-8441

Mr. Eric Dinenna
Zoning Commissioner for Baltimore County
Jefferson Building
Towson, Maryland 21204

RE: Zoning Application - Oliver F. Blaker

Dear Mr. Dinenna:

Hearing was held on the above-captioned, at which time one protestant appeared along with her attorney, Carville M. Downes. Mr. Downes advises me that he is no longer representing his client, and that she has in fact sold the adjacent property and moved to Annapolis and that she in fact has no interest in this proceeding. In accordance with your request at the last hearing, we have prepared a new schematic showing reducing the height of the structure to a total of 21 1/2 feet. You will recall that this structure was substantially completed when the problems with respect to zoning arose.

Accordingly, it would appear appropriate to grant the variance for 5 1/2 feet instead of the 9 originally requested. Also enclosed please find a schematic showing the finished product.

Very truly yours,

Edward C. Covahey, Jr.

ECC/pa
Encl.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric Dinenna, Zoning Commissioner Date: June 20, 1972

FROM: Norman E. Gerber, Office of Planning

SUBJECT: Petition #2292-A. South side of Melancton Avenue 685 feet East of Franke Avenue. Petition for variance for height.

8th District

HEARING: Wednesday, June 21, 1972 (2:00 P.M.)

The Office of Planning and Zoning will offer no comment on this petition at this time.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna Date: April 27, 1972

ATTN: Oliver L. Myers

FROM: Willem H. Myers, Jr.

SUBJECT: Item #160 (1972-1972)
Property Owner: Oliver F. and Beatrice J. Blaker
S/S of Melancton Ave., 685' E. of Franke Ave.
Present Zoning: D.R. 1.5
Proposed Zoning: Variance from Section 400.3 - height of accessory structure (garage)

District: 8th
No. Acres: 250' x 250'

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:
Melancton Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed-type roadway cross-section on a 50-foot right-of-way. Highway improvements are not required at this time. However, highway right-of-way widening based upon the existing centerline will be required in conjunction with any grading or building permit application.

Sediment Control:
Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drainage:
The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:
Public water supply (4-inch main) and public sanitary sewerage are available and serving this property.

William H. Myers, Jr.
Chief, Bureau of Engineering

END:RAM, PWR:SS
cc: John Somers

DOWNES & SEILAND

ATTORNEYS AT LAW
301 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

May 24, 1972



Director of Planning and Zoning
for Baltimore County
County Office Building
Towson, Maryland 21204

Re: 211 Melancton Avenue

Dear Sir:

Please be advised that this office represents Mrs. Marie B. Ljungquist who owns and resides at 215 Melancton Avenue, Lutherville, Baltimore County, Maryland. Dr. Oliver F. Blaker at 211 Melancton Avenue, has applied for a variance to finish construction of a two story building at the rear corner of his property which adjoins our client's property. This building has been unfinished, and unoccupied since March, 1972 and is in direct violation of the zoning laws.

For some reason, even though the Petition for a variance has been filed, no date has been set for a hearing and the property has yet to be posted. I was told that your office has requested more information from Dr. Blaker.

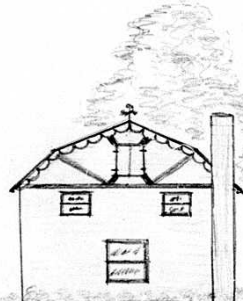
How long must Mrs. Ljungquist and her neighbors endure the obvious violation. Since it does not conform to the zoning regulations we insist that the necessary steps be taken immediately to have the building removed. If this is not done we have been authorized by our client to initiate whatever legal steps we feel appropriate to have your office enforce the zoning regulations.

Very truly yours,
DOWNES & SEILAND

Carville M. Downes

CMD:ps

cc: Mrs. Marie B. Ljungquist



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 the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners

the above Variance should be had; and it further appearing that by reason of the grading of the Variance requested not adversely affecting the health, safety, and general welfare of the community

to permit the height of a proposed garage of a Variance twenty-one and one-half (21 1/2) feet instead of the required fifteen (15) feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of February, 1972, that the herein Petition for a Variance should be and the same is hereby DENIED.

It is further ordered, from and after the date of this order, to permit the height of a proposed garage of twenty-one and one-half (21 1/2) feet instead of the required fifteen (15) feet, subject to the approval of a site plan by the Bureau of Public Services and the Office of Planning and Zoning.

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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of February, 1972, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

TO: S. Eric DiNenna, Zoning Commissioner
Attention: Mr. Myers
FROM: Fire Prevention Bureau
Fire Department
SUBJECT: Property Owner: Oliver F. and Beatrice J. Blaker

Location: S/S of Melancton Avenue, 565' off Franke Avenue

ITEM # 160 Zoning Agenda:

- () 1. Fire hydrants for the proposed site (are required and) shall be in accordance with Baltimore County Standards.
The hydrants shall be located at intervals of _____ feet along an approved road.
- () 2. A second means of access is required for the site.
- () 3. The dead-end condition shown at _____ exceeds the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1971 Edition, and the Fire Prevention Code prior to occupancy or commencement of operations.
- () 5. The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1971 Edition, and the Fire Prevention Code when construction plans are submitted for approval.
- (X) 6. The Fire Department has no comment on the proposed site.
- () 7. Site plans approved as shown.

H. Kelly
Planning Division
Fire Prevention Bureau

Note: Above comments indicated with a check apply.

mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers Date: April 6, 1972
FROM: H.V. Bonner
SUBJECT: Item 160 - Zoning Advisory Committee Meeting, April 4, 1972

160. Property Owner: Oliver F. and Beatrice J. Blaker
Location: S/S of Melancton Avenue, 565' off Franke Avenue
Present Zoning: D.R. 5-5
Proposed Zoning: Variance from Section 400.3 - height of accessory structure(garage)
District: 8
No. Acres: 250' x 250'

Since metropolitan water and sewer are available to the site, no health hazards are anticipated.

H. Bonner
Sanitarian II
Water and Sewer Section
Division of Sanitary Engineering

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna
TO: Zoning Commissioner Date: April 7, 1972
John L. Wimbley
FROM: Project Planning Division
SUBJECT: Zoning Advisory Agenda Item #160

April 4, 1972
Oliver F. and Beatrice J. Blaker
S/S of Melancton Avenue,
565' off Franke Avenue

The Office of Planning has reviewed the subject site plan and offers the following comments:

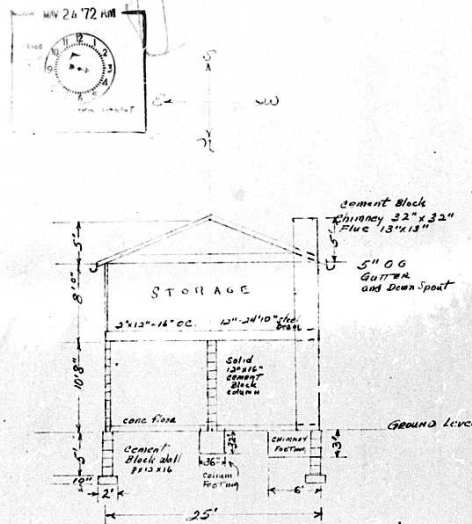
1. The dwelling on the property to the south should be indicated on the site plan.
2. The site plan should indicate the proposed use of the proposed accessory building.

BALTIMORE COUNTY BOARD OF EDUCATION

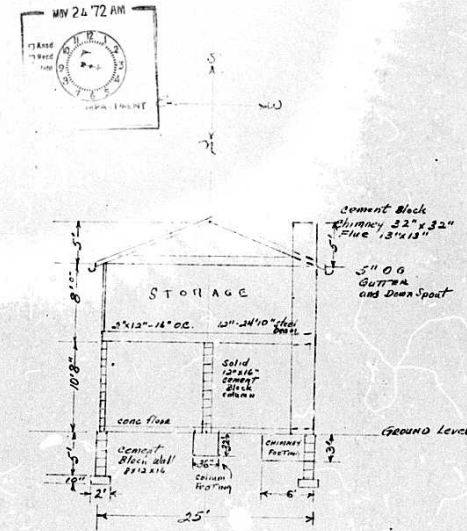
ZONING ADVISORY COMMITTEE MEETING OF April 4, 1972

Petitioner: Blaker
Location:
District:
Present Zoning:
Proposed Zoning:
No. of Acres:

Comments: NO BEARING ON STUDENT POPULATION



Scale 1/8" = 1'
Sheet 2 of 2
North Side



Scale 1/8" = 1'
Sheet 2 of 2
North Side

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 8TH Date of Posting: JUNE 3-1972
Posted for: KARIANNE
Petitioner: OLIVER F. BLAKER
Location of property: S/S OF MELANCTON AVE. 685 FT. E. OF
FRANKE AVE.
Location of Sign: 211 MELANCTON AVE.
Remarks:
Posted by: Charles M. Neal Date of return: JUNE 14-1972

**PETITION FOR A VARIANCE
IN A DISTRICT**

NOTICE: Petition for Variance for the following:

LOCATION: 300th Ave. south of Heston
Ave. and east of East
Franchise Avenue
City of Baltimore, Maryland, near
11th St. Bk. Pk.

PUBLIC HEARING: Room 1401, County
Public Hearing Room, Maryland
County, Tuesday, June 11, 1974.

The zoning commissioner of Baltimore County is hereby giving notice that the Zoning Act and Regulations of Baltimore County will hold a public hearing on the following:

Petition for Variance from the Zoning Act and Regulations of Baltimore County to permit the height of a structure to be 35 feet above the height of the required 1-1/2 feet.

The proposed variance is to be accepted as follows:

1. The proposed structure is in the Sixth District of Baltimore County and is located on the east side of Franchise Avenue and near the intersection of Franchise Avenue and Washington Avenue, immediately along the east side of Franchise Avenue to the point of beginning of the lot.

2. The proposed structure is on Lot 71 and part of Lot 53 as laid out in the subdivision map as recorded among the land records of the County of Baltimore, Maryland, Book 1, Folio 117.

3. The proposed structure of Oliver F. Naber and Stephen J. Naber, as owners, is in violation of the Zoning Ordinance.

DATE: Tuesday, June 11, 1974
TIME: 2:00 P. M.

Public Hearing: Room 1401, County
Public Hearing Room, 300th Washington
Avenue, Towson, Md.

S. ERIC DOWNSHA,
Zoning Commissioner of
Baltimore County

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper print and published in Towson, Baltimore County, Md., ~~on the~~ of one time ~~successive weeks~~ before the 21st day of June, 1973, the last publication appearing on the 1st day of June 1972.

G. Leach Smith
Manager.

Cost of Advertisement, \$.....

[illegible]

Jul 5 - 1972

was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~week~~ week before the 5th day of June 1972 that is to say, the same was inserted in the issue of June 1, 1972.

STROMBERG PUBLICATIONS, Inc.

By Kurt Margen

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>[Signature]</i> 3/17/72										
Previous case: _____										

Reviewed Plans:
Change in outline or description _____ Yes
_____ No

Map # 3C

Oliver F. Klaker
211 Malachton Ave.
Batherville, Md. 21093
Advertising and printing
#72-292-4

3950 ASD

Edward C. Covasay, Jr., Esq.
Suite 305 Beaver Plaza
1301 York Road
Latherville, MI. 48332
Petition for Variance for 01
#72-232-A

25.00 mm