

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Frank A. Metzger, 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,

herby petition for a Variance from Section 1A.00.3B.3 Request side yards set backs

of 20 feet instead of the required 50 feet from Chester Road and a 10 foot interior

set back from the 300' side yard property line instead of the required 50 feet and to permit an accessory building outside of the 1/3 of the lot farthest removed from the corner and this parcel a setback of 20 feet instead of the req. 50'

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

In March 1972, before purchasing property, we were lead to believe by the Baltimore County Zoning Office that we could build our home on property as long as we built 50 feet from front road (Chesapeake Ave.) and 20 feet from side road (Chester Rd.).

On July 31, 1972, upon checking with the Baltimore County Zoning Office relative to the footage that must be allowed between neighboring borderline and new house to be built, we learned that we cannot build due to the zoning of property which has set-backs of 75 feet from front road and 50 feet from sides. Due to the above set-backs we are unable to build and remain with expenses incurred in the purchase of the property.

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: Frank A. Metzger
 Address: 4844 Bowland Avenue
Baltimore, Maryland 21206
 Petitioner's Attorney: _____
 Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of October, 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 6th day of November, 1972, at 10:30 o'clock

John W. Flanagan
 Zoning Commissioner of Baltimore County.

(over)

#73-118-A
 #33

#73-118-A
 #33

Beginning at a point at the N/E intersection of Chesapeake Avenue and Chester Road - known as part of Lots No. 157, No. 156 and No. 155 of the plat of Leng Beach Estates - as recorded in the Land Records of Baltimore County in Plat Book W.P.C. No. 3 folio 178.



**PETITION AND SITE PLAN
 EVALUATION COMMENTS**

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 1, 1972

COUNTY OFFICE BUILDING
 TOWSON, MARYLAND 21284
 JOHN L. DILLON, JR.,
 Chairman
 MEMBERS:
 MICHAEL S. FLANIGAN
 DEPARTMENT OF
 COUNTY ENGINEERING
 STATE HEALTH COMMISSIONER
 DEPARTMENT OF HEALTH ADMINISTRATION
 HEALTH DEPARTMENT
 PROJECT PLANNING
 REGIONAL DEVELOPMENT
 COUNTY OFFICE BUILDING
 TOWSON, MARYLAND 21284

Mr. Frank A. Metzger
 4844 Bowland Avenue
 Baltimore, Maryland 21206

RE: Variance Petition
 Item 33
 Frank A. Metzger and Katherine Metzger -
 Petitioners

Dear Mr. Metzger:

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 northwest corner of Chesapeake Avenue and Chester Road, in the 15th District of Baltimore County. This RDP lot is unimproved; however, it is in close proximity to residential homes on all adjacent lots. There is no curb and gutter existing along Chesapeake Avenue and Chester Road.

This petition is being withheld from a hearing date until such time as revised site plans are submitted that are to scale and reflect the following items: Give dimensions of the proposed dwelling; indicate the location of the proposed septic system and the approximate location of the septic systems on the two immediately adjacent properties. Indicate the future widening of Chesapeake Avenue and Chester Road. The petitioners must also show reflect those comments of the Bureau of Engineering, Project Planning, and the Health Department.

Very truly yours,
John L. Dillon, Jr.
 JOHN L. DILLON, JR.,
 Chairman
 Zoning Advisory Committee

JLD:JC
 Enclosure

**Baltimore County, Maryland
 Department of Public Works
 COUNTY OFFICE BUILDING
 TOWSON, MARYLAND 21284**

August 31, 1972

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #33 (1972-1973)
 Property Owner: Frank A. and Katherine Metzger
 N/E Intersection, Chesapeake Ave. and Chester Rd.
 Present Zoning: R.D.P.
 Proposed zoning: Variance from Section 1A00.3B.3 request side yard setbacks of 20' instead of required 50' and a 10' setback from the 300' property line instead of required 50'
 District: 15th No. Acres: 100' x 300'

Dear Mr. DiNenna:

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.

General:

The plan does not indicate existing physical features to scale, i.e., houses, garages, drives, walks, paving, utilities; or the adjacent properties ownership, location plan, etc. as required per the Check List.

Highways:

Chester Road and Chesapeake Avenue, existing public roads, are proposed to be improved in the future as 30-foot closed-type roadway cross-sections on 50-foot rights-of-way. Highway improvements are not required at this time. However, highway right-of-way widening based upon the centerlines of the existing right-of-way, including any necessary revertible easements for slopes, will be required in connection 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 Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #33 (1972-1973)
 Property Owner: Frank A. and Katherine Metzger
 Page 2
 August 31, 1972

Storm Drains: (Cont'd)

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, shall be the full responsibility of the Petitioner.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the elevations of first floor levels and other special construction features are required.

Water:

Public water supply is available to serve this property.

Sanitary Sewer:

Public sanitary coverage is not available to serve this property which is assumed to be employing private onsite sewage disposal for the "present dwelling". A private onsite sewage disposal system must be provided to serve the "proposed new home" in accordance with Health Department regulations.

Very truly yours,
Stephen D. Diver
 STEPHEN D. DIVER, P.E.
 Chief, Bureau of Engineering

ENCLOSURES
 2-CW Key Sheet
 5 ME 12 Petition Sheet
 NR 2 K Top
 99 Tax Map

cc: John Sowers

**BALTIMORE COUNTY, MARYLAND
 JEFFERSON BUILDING TOWSON, MARYLAND 21204**



DEPARTMENT OF TRAFFIC ENGINEERING
 EUGENE J. CLIFFORD, P.E.
 CHIEF
 Wm. T. MILLER
 DEPUTY TRAFFIC ENGINEER

September 18, 1972

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item 33 - ZAC - August 22, 1972
 Property Owner: Frank A. & Katherine Metzger
 Chesapeake Avenue & Chester Road
 Variance from Sec. 1A00.3B.3 request side yard setbacks of 20' instead of required 50' and a 10' setback from the 300' property line instead of req. 50'
 District 15

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variances.

Very truly yours,
Michael S. Flanagan
 Michael S. Flanagan
 Traffic Engineer Associate

MSF:nc

**BALTIMORE COUNTY, MARYLAND
 DEPARTMENT OF HEALTH**

JEFFERSON BUILDING
 TOWSON, MARYLAND 21204

August 31, 1972

DONALD J. ROOP, M.D., M.P.H.
 DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 33, Zoning Advisory Committee Hearing, August 29, 1972, are as follows:

Property Owner: Frank A. and Katherine Metzger
 Location: N/E Intersection, Chesapeake Avenue and Chester Road
 Present Zoning: R.D.P.
 Proposed Zoning: Variance from Section 1A00.3B request side yard setbacks of 20' instead of required 50' and a 10' setback from the 300' property line instead of required 50'.
 District: 15
 No. Acres: 100' x 300'

Complete soil evaluation must be conducted and approved prior to issuance of building permit.

Very truly yours,
Thomas A. Davis
 THOMAS A. DAVIS, Director
 BUREAU OF ENVIRONMENTAL SERVICES

HVB:ing

DEC 27 1972

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 SEPARATE of the Variance requested not adversely affecting the health, safety, and general welfare of the community. Variance to permit side yard setbacks of twenty (20) feet instead of the required fifty (50) feet from Chester Road and a ten (10) foot setback from the interior side yard property line instead of the required fifty (50) feet; and to permit an accessory building outside of the one-third (1/3) of the lot farthest removed from the corner, permitting a setback of thirty (30) feet instead of the required fifty (50) feet.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 1972, that the herein Petition for a Variance should be and the same is denied from and after the date of this order to permit side yard setbacks of twenty (20) feet instead of the required fifty (50) feet from Chester Road and a ten (10) foot setback from the interior side yard property line instead of the required fifty (50) feet; and to permit an accessory building outside of the one-third (1/3) of the lot farthest removed from the corner, permitting a setback of thirty (30) feet instead of the required fifty (50) feet.

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

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21284

Date: August 23, 1972

Mr. S. Eric DiVenna
Zoning Commissioner
County Office Building
Towson, Maryland 21284

Re: Item #33 ZAC meeting of August 22, 1972
Property Owners: Frank A. and Katherine Metzger
Location: N/E Intersection, Chesapeake Ave. and Chester Rd.
Present Zoning: R.D.F.
Proposed Zoning: Variance from Section IAO.3.B.3 request side yard setbacks of 20' instead of required 50' and a 10' setback from the 300' property line instead of required 50'.
District: 15
No. Acres: 100' x 300'

Dear Mr. DiVenna:

No bearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP:ld

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiVenna
Zoning Commissioner
FROM: Norman E. Gerber
Office of Planning and Zoning
SUBJECT: Petition #2-118-A, N/E Intersection, Chesapeake Avenue and Chester Road
Petitioner for Variance for Accessory Building and Side Yards.
Petitioner - Frank A. and Katherine Metzger

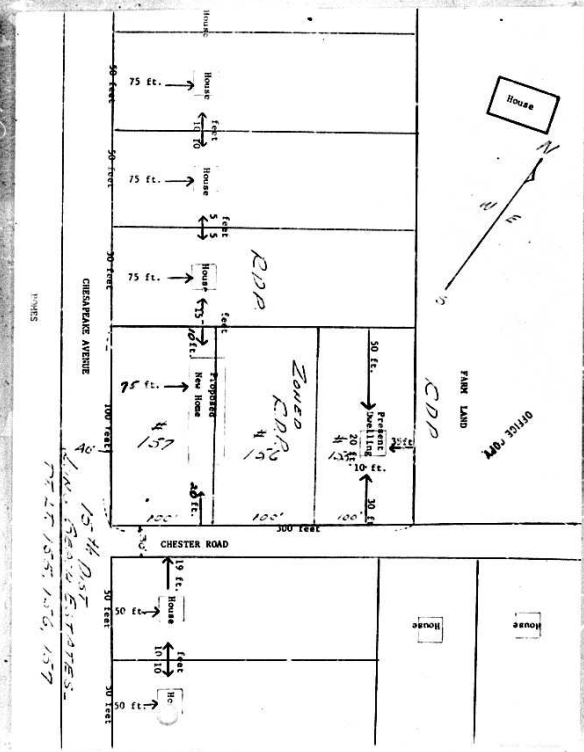
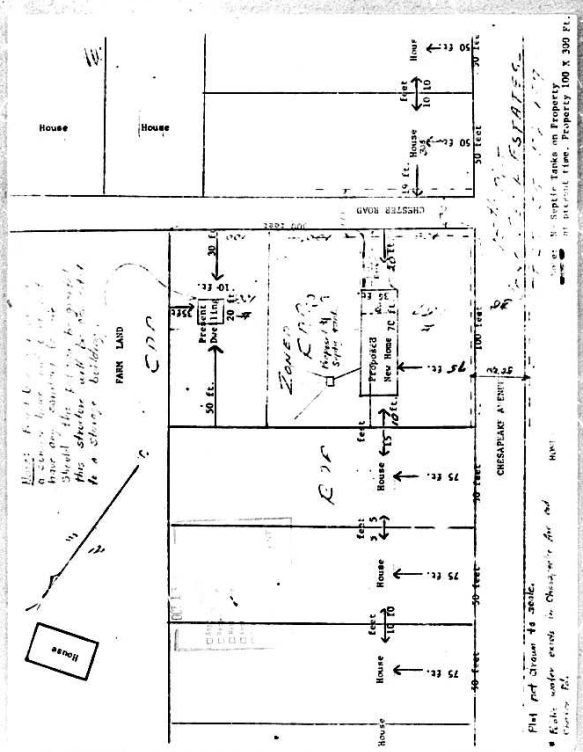
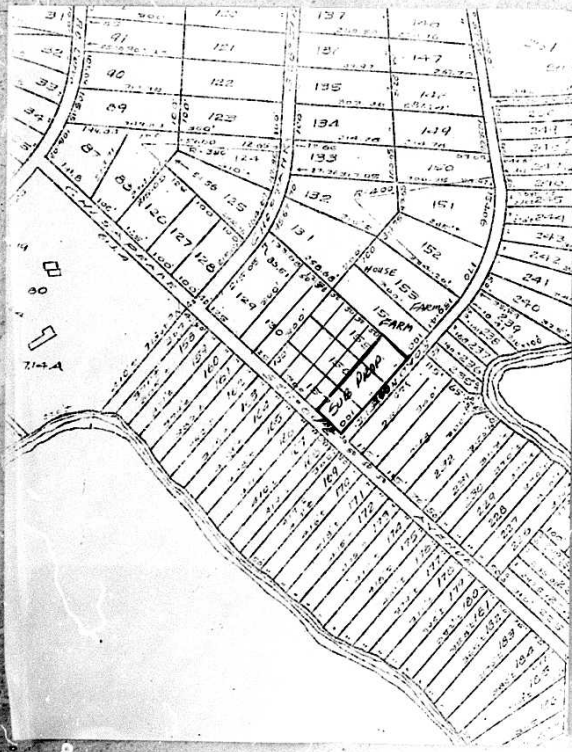
15th Dist. cc

HEARING: Monday, November 6, 1972 at 10:30 A.M.

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

NEG:rw

ORDER RECEIVED FOR FILED
November 13, 1972
D. E. [Signature]



PETITION MAPPING PROGRESS SHEET						
FUNCTION	Wall Map		Original		Duplicate	
	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: Previous case:	[Signature]		Revised Plans: Change in outline or description		Yes No	
	[Signature]		Map #		AB	

PARTITION FOR VARIANCE
 The zoning Commission for Baltimore County, Maryland, is hereby notified that the following property is being offered for partition and variance from the zoning ordinance of Baltimore County, Maryland, to wit: Parcel No. 111 W. Chesapeake Avenue, Baltimore, Maryland, owned by Frank A. Metzger and Katherine Metzger, Baltimore, Maryland. The zoning Commission for Baltimore County, Maryland, is hereby notified that the following property is being offered for partition and variance from the zoning ordinance of Baltimore County, Maryland, to wit: Parcel No. 111 W. Chesapeake Avenue, Baltimore, Maryland, owned by Frank A. Metzger and Katherine Metzger, Baltimore, Maryland. The zoning Commission for Baltimore County, Maryland, is hereby notified that the following property is being offered for partition and variance from the zoning ordinance of Baltimore County, Maryland, to wit: Parcel No. 111 W. Chesapeake Avenue, Baltimore, Maryland, owned by Frank A. Metzger and Katherine Metzger, Baltimore, Maryland.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 19, 1972.

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., since its issue on one time _____ weeks before the _____ day of _____, 1972, the first publication appearing on the _____ day of _____, 1972.

THE JEFFERSONIAN
E. Eric Dineema
 Manager.

Cost of Advertisement, \$ _____

PARTITION FOR VARIANCE
 The zoning Commission for Baltimore County, Maryland, is hereby notified that the following property is being offered for partition and variance from the zoning ordinance of Baltimore County, Maryland, to wit: Parcel No. 111 W. Chesapeake Avenue, Baltimore, Maryland, owned by Frank A. Metzger and Katherine Metzger, Baltimore, Maryland. The zoning Commission for Baltimore County, Maryland, is hereby notified that the following property is being offered for partition and variance from the zoning ordinance of Baltimore County, Maryland, to wit: Parcel No. 111 W. Chesapeake Avenue, Baltimore, Maryland, owned by Frank A. Metzger and Katherine Metzger, Baltimore, Maryland.



OFFICE OF
THE ESSEX TIMES
 ESSEX, MD. 21221 October 23 - 1972

THIS IS TO CERTIFY that the annexed advertisement of Eric Dineema, Zoning Commissioner of Baltimore County, was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week/ before the 23 day of October 1972 that is to say, the same was inserted in the issue of October 19, 1972.

STROMBERG PUBLICATIONS, Inc.

Ruth Morgan

Mr. Frank A. Metzger
 4806 Rowland Avenue
 Baltimore, Maryland 21206
 It on 33

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing
 this 19th day of October 1972.

E. Eric Dineema
 E. ERIC DINEEMA,
 Zoning Commissioner

Petitioner: Frank A. and Katherine Metzger
 Petitioner's Attorney: _____
 Reviewed by: *E. Eric Dineema*
 Advisory Committee

Mr. Frank A. Metzger
 4806 Rowland Avenue
 Baltimore, Maryland 21206
 It on 33

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing
 this 19th day of October 1972.

E. Eric Dineema
 E. ERIC DINEEMA,
 Zoning Commissioner

Petitioner: Frank A. and Katherine Metzger
 Petitioner's Attorney: _____
 Reviewed by: *E. Eric Dineema*
 Advisory Committee

Mr. Frank A. Metzger
 4806 Rowland Avenue
 Baltimore, Maryland 21206
 Item 33

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition does not meet the Zoning Commissioner's requirements for filing as per attached.

E. Eric Dineema
 E. ERIC DINEEMA,
 Zoning Commissioner

Owners Name: Frank A. and Katherine Metzger
 Reviewed by: _____

Idigo
CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 #73-118-A

District: 15th Date of Posting: 10-19-72
 Posted for: *Howe's Property, 21st St. 1972 @ 10:30 A.M.*
 Petitioner: *Frank Metzger*
 Location of property: *N.E. corner of Chesapeake Ave. & Charles Rd.*
 Location of Signs: *Idigo Road on Corner of Chesapeake Ave. & Charles Road*
 Remarks: _____
 Posted by: *Michael H. Shea* Date of return: 10/26/72

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 5083
 DATE: Oct. 16, 1972 ACCOUNT #1-662
 AMOUNT: \$25.00
 DISTRIBUTION: PINK - AGENCY YELLOW - CUSTOMER
 WHITE CARRIER: Frank A. Metzger, 4806 Rowland Ave., Baltimore, Md. 21206
 #73-118-A 17 250C

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 5741
 DATE: Nov. 6, 1972 ACCOUNT 01-662
 AMOUNT: \$ 40.25
 DISTRIBUTION: PINK - AGENCY YELLOW - CUSTOMER
 WHITE CARRIER: Frank A. Metzger, 4806 Rowland Ave., Baltimore, Md. 21206
 #73-118-A 4 25C