

73-184-A 13 PETITION FOR ZONING VALLANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, EVELYN C. SCHERER, 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 to permit an accessory structure in the side yard instead of the required rear yard, and to permit a setback of 1.5 feet instead of the required 2.5 feet.

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

Proposed structure is for use as a wheelchair shelter to provide protection during inclement weather. There is an existing ramp to the proposed location which was constructed at great expense. To relocate the existing ramp would be unfeasible and create unreasonable hardship and present a 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 Evelyn C. Scherer Legal Owner
Address: EVELYN C. SCHERER
3001 MORELAND AVENUE
Baltimore, Maryland 21234
665-9111
Petitioner's Attorney _____ Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of January, 1973, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of February, 1973, at 10:15 o'clock.

Eric D. DiNenna
Zoning Commissioner of Baltimore County.
(over)

DESCRIPTION FOR VARIANCE
3001 MORELAND AVENUE
14TH ELECTION DISTRICT

Being located on the southeast side of Moreland Avenue, approximately 125 feet northeast of Harford Road and known as Lot Nos. 145-147, inclusive, of the plat of California Orchard, recorded amongst the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 37.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 5, 1973
FROM: William D. Fromm, Director
Office of Planning and Zoning
SUBJECT: Petition #73-184-A. Southeast side of Moreland Avenue 125 feet Northeast of Harford Road.
Petition for Variance for an accessory Structure and rear yard.
Petitioner - Evelyn C. Scherer

14th District

HEARING: Wednesday, February 21, 1973 (10:15 A.M.)

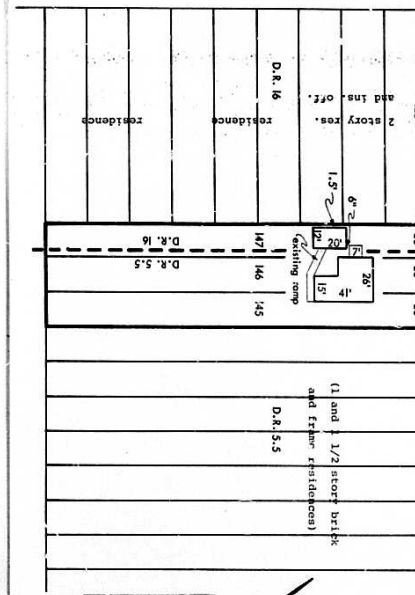
The staff of the Office of Planning and Zoning will offer no comments on this petition at this time.

William D. Fromm
William D. Fromm

MDP:NEC:FW



ROAD HARFORD



MORELAND AVENUE

Plat to Accompany Variance Request
3001 Moreland Avenue
Zoned D.R. 5.5 and D.R. 16
14th Election District
Existing public water and sewer facilities
Scale: 1" = 40'
Vicinity
(no scale)
(1 and 2 story residences)

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 N. Calverton Ave.
Towson, Maryland 21204

also

JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

February 8, 1973

M's. Evelyn C. Scherer
3001 Moreland Avenue
Baltimore, Maryland 21234

RE: Variance Petition
Item 131
Evelyn C. Scherer - Petitioner

Dear M's. Scherer:

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

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plan that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations on the appropriateness of the requested zoning.

The subject property is located on the south side of Moreland Avenue, 125 feet East of Harford Road, in the 14th District of Baltimore County. The subject property is currently improved with a two-story frame dwelling that is located approximately 6 to 8 feet above the street grade at Moreland Avenue. There is an existing driveway alongside of the property which goes to a parking pad next to the rear portion of the house in the side yard. There has also been constructed a ramp that leads from the rear of the dwelling down to the parking pad.

The question arose as to whether or not the proposed carport was to be connected to the covered ramp, thus causing the carport to be attached to the dwelling. Mr. Byrnes called the petitioner and was informed that the carport would be free standing and is not to be connected.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after this date on the filing certificate, will be forwarded

M's. Evelyn C. Scherer
Item 131
Page 2
February 8, 1973

to you in the near future.

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

JJD:JO

(Enclosure)

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Division of Engineering
F. L. SMITH, N. DIVER, P. E. CHIEF

February 2, 1973

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

Re: Item #131 (1972-1973)
Property Owner: Evelyn C. Scherer
3001 Moreland Avenue
Present Zoning: D.R. 5.5 and D.R. 16
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure in the side yard instead of required rear yard and to permit a setback of 1.5' instead of required 2.5'
District: 14th No. Acres: 60' x 225'

Dear Mr. DiNenna:

Baltimore County utilities and highway improvements are not involved. Additional fire hydrant protection may be required in the vicinity. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #131 (1972-1973).

Very truly yours,

F. L. Smith
F. L. SMITH, N. DIVER, P.E.
Chief, Bureau of Engineering

END:SM:FNH:es

cc: John T. Loos

N-KN Key Sheet
32 NE 16 Position Sheet
NE 8 D Topo
71 Tax Map

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 Petitioner,

the above Variance should be had, and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety, and general welfare of the community, Variances to permit an accessory structure in the side yard instead of the required rear yard, and to permit a setback of 1.5 feet instead of the required 2.5 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County that on the 12th day of March, 1973, that the herein Petition for a Variance should be and the same is granted from and after the date of this order, to permit an accessory structure in the side yard instead of the required rear yard, and to permit a setback of 1.5 feet instead of the required 2.5 feet, subject to the approval of a site plan by the Department of Public Works 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 day of 1973, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Md. 21204
474-3211

January 29, 1973

S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Md. 21204
474-3211

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

Dear Mr. DiNenna:

Comments on #131, Zoning Advisory Committee Meeting, January 23, 1973, are as follows:

Property Owner: Evelyn C. Scherer
Location: 3001 Moreland Avenue
Present Zoning: D.R. 5.5 and D.R. 16
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure in the side yard instead of required rear yard and to permit a setback of 1.5' instead of required 2.5'
District: 14
No. Acres: 60' X 225'

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,
John L. Wimbley
Planner I
Project Planning Division
Office of Planning and Zoning

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

January 18, 1973

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE HEALTH COMMISSIONER

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

Dear Mr. DiNenna:

Comments on Item 131, Zoning Advisory Committee Meeting January 16, 1973, are as follows:

Property Owner: Evelyn C. Scherer
Location: 3001 Moreland Avenue
Present Zoning: D.R. 5.5 and D.R. 16
Proposed Zoning: Variance from Section 400.1 to permit an accessory structure in the side yard instead of required rear yard and to permit a setback of 1.5' instead of required 2.5'.
District: 14
No. Acres: 60' X 225'

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mg

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
Wm. T. MELZER
DIRECTOR DEPUTY TRAFFIC ENGINEER

February 28, 1973

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

Re: Item 131 - ZAC - January 23, 1973
Property Owner: Evelyn C. Scherer
3001 Moreland Avenue
Variance from Section 400.1 to permit an accessory structure in the side yard instead of required rear yard and to permit a setback of 1.5' instead of required 2.5'

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the side yard.

Very truly yours,
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

PETITION FOR A VARIANCE
14th DISTRICT
ZONING: Petition for Variance for an Accessory Structure and rear yard.
LOCATION: Southwest side of Moreland Avenue 125 feet Northeast of Harford Road.
DATE & TIME: WEDNESDAY, FEBRUARY 21, 1973 at 10:15 A.M.
PUBLIC HEARING: Room 104, 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 Variance from the Zoning Regulations of Baltimore County to permit an accessory structure in the side yard instead of the required rear yard, and to permit a setback of 1.5 feet instead of the required 2.5 feet, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.
Section 400.1 - Accessory Buildings shall be located only in the rear yard and shall occupy not more than 20% thereof. In no case shall they be located less than 15 feet from any side or rear lot line. All that parcel of land in the Fourteenth District of Baltimore County.
Being located on the southeast side of Moreland Avenue, approximately 125 feet northeast of Harford Road and known as Lot No. 10-101, inclusive, of the plat of Calverton Orchard, recorded against the Land Record in Baltimore County, in Plat No. 1, 1966-67.
Being the property of Evelyn C. Scherer, as shown on plat plan filed with the Zoning Department.
Hearing Date: Wednesday, February 21, 1973 at 10:15 A.M.
Public Hearing: Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORIGINAL
OFFICE OF
THE
ESSEX TIMES
ESSEX, MD. 21221 February 5 - 1973
THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric DiNenna
Zoning Commissioner of Baltimore County
was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one XXXXXXXXXX week before the 5th day of February 1973, that is to say, the same was inserted in the issue of February 1, 1973.
STROMBERG PUBLICATIONS, Inc.
By: Ruth Morgan

PETITION FOR A VARIANCE
14th DISTRICT
ZONING: Petition for Variance for an Accessory Structure and rear yard.
LOCATION: Southwest side of Moreland Avenue 125 feet Northeast of Harford Road.
DATE & TIME: WEDNESDAY, FEBRUARY 21, 1973 at 10:15 A.M.
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Being the property of Evelyn C. Scherer, as shown on plat plan filed with the Zoning Department.
Hearing Date: Wednesday, February 21, 1973 at 10:15 A.M.
Public Hearing: Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 1, 1973
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 one time XXXXXXXXXX before the 21st day of February, 1973, the 1st publication appearing on the 1st day of February 1973.

THE JEFFERSONIAN
By: Frank Smith
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

14th
District: 14th
Date of Posting: 2-1-73
Posted for: Hearing Wed Feb 21, 1973 9:15 AM
Petitioner: Evelyn C. Scherer
Location of property: NE 1/4 of Moreland Ave. 125' N.E. of Harford Rd.
Location of Sign: 1 Sign Erected on South of Moreland Ave. 125'
Remarks: Met. H. H. H.
Posted by: Met. H. H. H.
Date of return: 2-7-73

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE March 22, 1973 ACCOUNT 01-662

AMOUNT \$12.50

WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Charles E. Scherer
3001 Moreland Ave.
Baltimore, Md. 21204
Advertising and posting of property #73-18-A

PETITION MAPPING PROGRESS SHEET

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										
Dated										
Granted by ZC, BA, CC, CA										
Reviewed by: JPM			Revised Plans:				Change in outline or description		Yes	No
Previous case:			Map #							

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 28th day of January 1973
HVB:mg

S. Eric DiNenna
Zoning Commissioner

Petitioner: Scherer Submitted by: Scherer

Petitioner's Attorney: Reviewed by: JPM

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.