

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Charles T. Vogel, 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 301.1 of the Zoning Regulations of Baltimore County to permit an open side yard setback of 6'-7" instead of the required 7'-6".

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
1. Because of existing window wells, a narrower width would make carport unusable.
 2. Making carport closer to house would make it impossible to enter from existing driveway. It would mean relocating driveway, sidewalk and gas lamp.
 3. One of primary purposes of carport is to protect basement from flooding caused by contour of land.

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 Charles T. Vogel
Address 3339 Hiss Ave.
Baltimore, Maryland 21234
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day

of June, 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 through Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of June, 1973, at 1:00 o'clock.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 14, 1973
FROM: William D. From, Director
SUBJECT: Petition #73-312, Southwest side of Hiss Avenue 225 feet West of Glen Road Petition for Variance for a Side Yard. Petitioner - Charles T. Vogel

14th District

HEARING: Wednesday, June 20, 1973 (1:00 P.M.)

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

William D. From
William D. From, Director

WDF:NEG:rw

RE: PETITION FOR VARIANCE : BEFORE THE
SW/S of Hiss Avenue, 225' W : DEPUTY ZONING
of Glen Road - 14th District : Charles T. Vogel - Petitioner : COMMISSIONER
NO. 73-312-A (Item No. 220) : OF
BALTIMORE COUNTY

This Petition represents a request for a Variance from Section 301.1 of the Baltimore County Zoning Regulations to permit a side yard setback for an open carport less than the required seven (7) feet, six (6) inches. The subject property is located on the southwest side of Hiss Avenue, two hundred and twenty-five (225) feet west of Glen Road, in the Fourteenth Election District of Baltimore County.

Testimony indicated that hardship and practical difficulty exists with regard to the topography or grading of the lot, water run off, and the location of the existing driveway.

It was also pointed out that the Variance, as requested, was inadvertently advertised incorrectly, in that the advertisement and Petition indicated a request of six (6) feet, seven (7) inches and should have indicated six (6) feet, two (2) inches.

After reviewing the above testimony and facts, it is the opinion of the Deputy Zoning Commissioner that a hardship and/or practical difficulty does exist and that the Variance requested is hereby amended to six (6) feet, two (2) inches and can be granted without being detrimental to the health, safety, or general welfare of the area in question.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 26th day of June, 1973, that the herein Petition for a Variance, to permit a side yard setback for an open carport of six (6) feet, two (2) inches instead of the required seven (7) feet, six (6) inches, should be and the same is GRANTED, from and after the date of this Order, subject

to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

James E. Hays
Deputy Zoning Commissioner
of Baltimore County

DESCRIPTION OF PROPERTY

The subject property being located on the southwest side of Hiss Avenue, 225 feet west of Glen Road, being lots 428 and 427 of Glenhaven, Section B, as recorded in the Land Records Office of Baltimore County in W. P. C. 7 Folio 62-63.

Said property containing 0.146 acres more or less.

ORDER RECEIVED FOR FILING

DATE June 26, 1973
BY Charles T. Vogel

Dr. Charles T. Vogel
3339 Hiss Avenue
Baltimore, Md. 21234

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing

this 1st day of June, 1973

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Charles T. Vogel

Petitioner's Attorney _____

Reviewed by William D. From
Zoning Advisory Committee

ORDER RECEIVED FOR FILING

DATE June 26, 1973
BY Charles T. Vogel

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 25th day of

April, 1973, Item # _____

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Charles T. Vogel Submitted by Charles T. Vogel
Petitioner's Attorney _____ Reviewed by William D. From

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

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	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: <u>William D. From</u>	Revised Plans:				Change in outline or description _____ Yes				
Previous case: _____	Map # _____				_____ No				

CERTIFICATE OF POSTING TO THE DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 14th Date of Posting May 31, 73
Posted for: Henry H. Jones, Jr., 1973 S. L. C. P. H.
Petitioner: Charles T. Vogel
Location of property: SW 1/4 of Hiss Ave. 225' West of Glen Rd.
Location of signs: 1 sign posted on 2nd of 3339 Hiss Ave. and
May 31, 1973. 1 sign posted on 2nd of 3339 Hiss Ave. and
Remarks: _____
Posted by: William D. From Date of return: June 2, 73

BALTIMORE COUNTY, MARYLAND No. 10856
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE June 20, 1973 ACCOUNT 01-662
AMOUNT \$43.25
DISTRIBUTION
WHITE - CASHIER
Charles T. Vogel
3339 Hiss Ave.
Baltimore, Md. 21234
Advertising and posting of property #73-312-A
YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND No. 10810
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE May 25, 1973 ACCOUNT 01-662
AMOUNT \$25.00
DISTRIBUTION
WHITE - CASHIER
Charles T. Vogel
3339 Hiss Ave.
Baltimore, Md. 21234
Petition for Variance #73-312-A
YELLOW - CUSTOMER

PETITION FOR A VARIANCE FOR A VARIANCE

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ORIGINAL

OFFICE OF

THE ESSEX TIMES

ESSEX, MD. 21221

June 4 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of
Eric Dinwiddie
Zoning Commissioner of Baltimore County

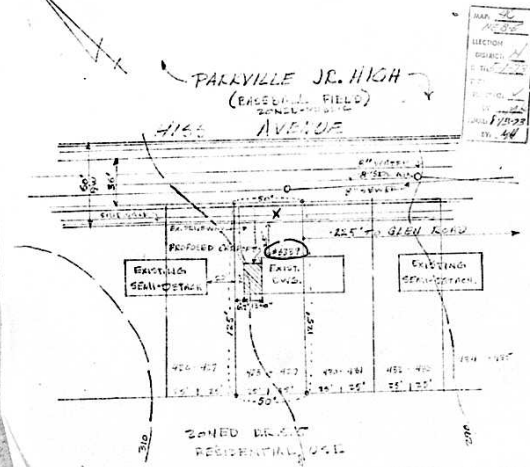
was inserted in THE ESSEX TIMES, a weekly newspaper published in
Baltimore County, Maryland, once a week for one week
before the 4th day of June 1973, that is to say, the same
was inserted in the issue of May 31, 1973.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan



PLAT TO ACCOMPANY
A VARIANCE PETITION
for
CHARLES T. VOGEL
3339 HISS AVE.
14TH ELECTION DISTRICT
ZONING: DR. 5.5
LOTS 420 9429 OF
GLENHAVEN - SECTION B
PLATBOOK 7 FOLIO 62-63



PETITION FOR A VARIANCE FOR A VARIANCE

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CERTIFICATE OF PUBLICATION

TOWSON, MD. May 31, 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., once a week
one time one week before the 20th
day of June 1973, the first publication
appearing on the 21st day of May
1973.

THE JEFFERSONIAN,
B. Lank
Manager.

Cost of Advertisement, \$

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 18, 1973

COUNTY OFFICE BUILDING
1111 CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204JOHN J. DILLON, JR.
Chairman

MEMBERS

BUREAU OF

ENGINEERING

BUREAU OF

PLANNING

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Mr. Charles T. Vogel
3339 Miss Avenue
Baltimore, Maryland 21234RE: Variance Petition
Item 220
Charles T. Vogel

Dear Mr. Vogel:

The Zoning Advisory Committee has approved 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.

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 plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the southwest side of Miss Avenue, 225 feet west of Glen Road, in the 14th District of Baltimore County. This property is currently improved with a two-story brick and frame dwelling (semi-detached), which is in good condition. The property is directly across from the Parkville Jr. High School. There are other dwellings on either side of the property. There is an existing retaining wall alongside of the paved area that is proposed to be improved with a carport.

This petition is accepted for filing on the date of the enclosed certificate. Notice of the hearing

Mr. Charles T. Vogel
Item 220
Page 2
June 18, 1973

date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

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

JJD:JD
EnclosureBaltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204Bureau of Engineering
ELEANOR H. DIVER, P. E. CHIEF

June 1, 1973

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

Re: Item #220 (1972-1973)
Property Owner: Charles T. Vogel
3339 Miss Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1201.2C4 to permit an open carport to extend into the side yard 13' 10" instead of the permitted 9'
District: 14th No. Acres: 50' x 125'

Dear Mr. DiNenna:

Baltimore County utilities and highway improvements are not involved.

It appears that 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 #220 (1972-1973).

Very truly yours,

Eleanor H. Diver
ELEANOR H. DIVER, P.E.
Chief, Bureau of Engineering

ENCLOSURE

cc: John Loos

M-SE Key Sheet
29 NE 17 Pos. Sheet
US 5 x 1000
SI Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E. Wm. T. NELSON
DIRECTOR DEPUTY TRAFFIC ENGINEER

May 30, 1973

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

Re: Item 220 - ZAC - May 15, 1973
Property Owner: Charles T. Vogel
3339 Miss Avenue
Variance from Section 1201.2C4 to permit an open carport to extend into the side yard 13' 10" instead of the permitted 9'
District 14

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

Baltimore County Fire Department

J. Austin Deitz
ChiefTowson, Maryland 21204
832-7310Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Charles T. Vogel

Location: 3339 Miss Avenue

Item No. 220 Zoning Agenda: May 15, 1973

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____ is not allowed by the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1973 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *John L. Wimbley* Noted: *Paul H. Rinecke*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/16/73BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204

May 16, 1973

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICERMr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 220, Zoning Advisory Committee Meeting
May 15, 1973, are as follows:

Property Owner: Charles T. Vogel
Location: 3339 Miss Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1201.2C4 to permit an open carport to extend into the side yard 13' 10" instead of the permitted 9'
District: 14
No. Acres: 50' x 125'

Metropolitan water and sewer are available. Since this is variance for a carport, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:amp

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER

May 21, 1973

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 Item #220, Zoning Advisory Committee Meeting, May 15, 1973, are as follows:

Property Owner: Charles T. Vogel
Location: 3339 Miss Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1201.2C4 to permit an open carport to extend into the side yard 13' 10" instead of the permitted 9'
District: 14
No. Acres: 50' x 125'

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 16, 1973

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

Z.A.C. Meeting of: Tuesday May 15, 1973

Re: Item 220

Property Owner: Charles T. Vogel
Locations: 3339 Miss Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance from Section 1201.2C4 to permit an open carport to extend into the side yard 13' 10" instead of the permitted 9'

District: 14
No. Acres: 50' x 125'

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNF/ml

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 100 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 486-2211 ZONING 486-2211

H. EMELIE PARKS, President
EUGENE C. HESS, Vice-President
MR. ROBERT L. BERNY

MARCUS M. ROTHSCHILD
JOSEPH N. MCDONNAN
ALVIN LORICK
JOSHUA W. WHEELER, Treasurer

T. WAYNE WILLIAMS, JR.
RICHARD W. TRACY, CLERK
MR. RICHARD F. BUCKLEY