

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Geo. F. & Mary F. Vaeth, Jr., legal owners 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 1102.38 to permit a rear yard setback of 8.5 feet in lieu of the required 30 feet.

Because of family size, more space is needed for family functions. Our only choices are to move or add to the house. The only reasonable way to add is as shown on the attached Dg. #A-1. Philosophical reasons and our desire to maintain neighborhood stability mandated our desire to add to the house, which is in the Liberty Rd. corridor, rather than move. We feel the addition will add value to the house and neighborhood and help to maintain neighborhood stability. Moving would present an economic hardship at this time and in the future.

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

Petitioner's Attorney

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

of MAY, 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 25th day of June, 1973, at 10:00 o'clock.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 14, 1973
FROM: William D. Fromm, Director
SUBJECT: Petition #73-313-A. South side of Rockdale Court 105 feet, northeast of Sunset Lane.

Petitioner for a Variance for a Rear Yard
Petitioner - George F. Vaeth, Jr. and Mary Frances Vaeth

2nd District

HEARING: Monday, June 25, 1973 (10:00 A.M.)

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

William D. Fromm
William D. Fromm, Director

WDF:NEG:rw

RE: PETITION FOR VARIANCE
S/S of Rockdale Court, 105' NE
of Sunset Lane - 2nd District
George F. Vaeth, Jr., et ux -
Petitioners
NO. 73-313-A (Item No. 208)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Variance to permit a rear yard setback of 8.5 feet instead of the required thirty (30) feet.

The property is improved with a one (1) story, semi-detached dwelling and is located on the south side of Rockdale Court, one hundred and five (105) feet northeast of Sunset Lane, in the Second Election District of Baltimore County.

Testimony indicated that the Petitioners propose to construct a twenty-two (22) foot by 30.79 foot addition to the rear of their existing dwelling. The addition is to be connected by an eight (8) foot long passageway and will occupy approximately one-third (1/3) of the total rear yard area.

Hardship and/or practical difficulty were based on additional space needed for the Petitioners' large family and the fact that the only suitable area for the addition is within the rear yard.

Several area residents were present in protest to the proposed addition. Their protests were based on drainage problems and the fact that the proposed addition would be out of character with other yard areas in the neighborhood.

The testimony and evidence presented by the Petitioner, Mr. George F. Vaeth, Jr., who is an architect by trade, leaves little doubt in the Commissioner's mind that the improvements would be done in excellent taste insofar as aesthetic considerations are concerned. However, the granting of a Variance must be based on practical difficulty or hardship related to the size or shape of the lot, topography, or some other unusual physical condition that exists with respect to their property.

After reviewing the above testimony, it is the opinion of the Deputy Zoning Commissioner that the Petitioners have not satisfactorily proven that practical difficulty or unreasonable hardship exists and/or that the granting of the Variance would be in strict harmony with the spirit and intent of the area regulations.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of June, 1973, that the Variance to permit a rear yard setback of 8.5 feet instead of the required thirty (30) feet be and the same is hereby DENIED.

James E. Kelly
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE June 29, 1973
BY John R. Kelly

ROGERS AND VAETH, INC. ARCHITECTS AND PLANNERS
1000 CENTURY PLAZA, COLUMBIA, MARYLAND 21044 (301) 997-1000

SURVEYOR'S DESCRIPTION OF LOT #3, BLOCK B, MC LAMOND, PLAT BOOK V.J.R. NO. 26, FOLIO 52

Beginning for the same at the distance of 105.00 feet measured northeasterly from the intersection of the southeast side of Rockdale Court and the northeast side of Sunset Lane, and thence running and binding on the southeast side of Rockdale Court 50 degrees 28 minutes 45 seconds east 50.00 feet to a point, thence South 49 degrees 31 minutes 15 seconds east 110.00 feet to a point, thence South 40 degrees 28 minutes 45 seconds west 50.00 feet to a point, thence North 49 degrees 31 minutes 15 seconds west 110.00 feet to the place of beginning. Being known as 3521 Rockdale Court.

BALTIMORE COUNTY, MARYLAND No. 10821
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 31, 1973 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER George F. Vaeth, Jr.
George F. Vaeth, Jr.,
3521 Rockdale Court
Baltimore, Md. 21207
Petition for Variance,
#73-313-A

BALTIMORE COUNTY, MARYLAND No. 10862
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE June 25, 1973 ACCOUNT 01-662

AMOUNT \$45.50

WHITE - CASHIER George F. Vaeth, Jr.
George F. Vaeth, Jr.,
3521 Rockdale Court
Baltimore, Md. 21207
Advertising and posting of property
#73-313-A

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>ETH</u>			Revised Plans: Change in outline or description <u>Yes</u> Previous case: <u>_____</u> Map # <u>_____</u>						



Mr. George F. Vaeth, Jr.,
3521 Rockdale Court
Baltimore, Maryland 21207

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 4th day of June, 1973

S. Eric DiNenna
Zoning Commissioner

Petitioner George F. & Mary F. Vaeth, Jr.

Reviewed by William D. Fromm
1000 Century Plaza, Columbia, Md. (21044) Zoning Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received - this 16th day of April, 1973, Item # _____

S. Eric DiNenna
Zoning Commissioner

Petitioner VAETH Submitted by Same

Petitioner's Attorney _____ Reviewed by ETH

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

Mr. George F. Vaeth, Jr.,
3521 Rockdale Court
Baltimore, Maryland 21207

BALTIMORE COUNTY OFF

THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 June 11 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric DiNenna
Zoning Commissioner of Baltimore County
was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for
one week before the 11 day of June 1973 that is to say,
the same was inserted in the issue of June 7, 1973.

STROMBERG PUBLICATIONS, INC.

By *Rich Morgan*

CERTIFICATE OF PUBLICATION

TOVSON, MD. June 11, 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 in each of one week before the 11th day of June, 1973, the first publication appearing on the 7th day of June, 1973.

Cost of Advertisement, \$.....

THE JEFFERSONIAN
By *Paul H. Reincke*
Manager

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204
825-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: George F. and Mary F. Varth, Jr.

Location: 3521 Rockdale Court

Item No. 210

Zoning Agenda Tuesday, May 1, 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 _____ 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 _____
- () 4. EXCEEDED: the maximum allowed by the Fire Department. 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", 1970 Edition prior to occupancy.
- (X) 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 13, 1973

Mr. George F. Varth, Jr.,
3521 Rockdale Court
Baltimore, Maryland 21204

RE: Variance Petition
Item 210
George F. & Mary F. Varth, Jr.,
Petitioners

Dear Mr. Varth:

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.

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 southeast side of Rockdale Court, 105 feet northeast of Sunset Lane, in the 2nd District of Baltimore County. This residential (D.R.S.5) property is currently improved with a semi-detached dwelling. The surrounding properties are also improved with semi-detached dwellings. Curb and gutter are existing at this location.

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 30 days after the date on the filing certificate, will be forwarded to you in the near future.

JJD:JJD
Enclosure
cc: Rogers & Varth, Jr.,
Towson, Md. 21044

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

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING

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

May 30, 1973

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

Re: Item 210 - ZAC - May 1, 1973
Property Owner: George F. and Mary F. Varth, Jr.
3521 Rockdale Court
Variance from Section 1802.38 to permit a rear yard setback of 8.5' in lieu of the required 30'
District 2

Dear Mr. DiNenna:

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

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

MSF/pk

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

Division of Engineering
ELLWORTH H. DYER, P.E. CHIEF

May 15, 1973

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

Re: Item #210 (1972 - 1973)
Property Owner: George F. and Mary F. Varth, Jr.
3521 Rockdale Court
Proposed Zoning: Variance from Section 1802.38 to permit a rear yard setback of 8.5' in lieu of the required 30'
District: 2nd No. Acres: 50' x 110'

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:

Baltimore County utilities and highway improvements are not involved.

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.

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 #210 (1972 - 1973).

Very truly yours,
Ellsworth H. Dyer
ELLWORTH H. DYER, P.E.
Chief, Bureau of Engineering

EDH:RAM:PM:res

cc: J. P. Lons

L-26 Key Sheet
20 NW 27 Sec. Sheet
TOWSON 5 & 6
77 Tax Map

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

May 3, 1973

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 210: Zoning Advisory Committee Meeting
May 1, 1973, are as follows:

Property Owner: George F. and Mary F. Varth, Jr.
Location: 3521 Rockdale Court
Present Zoning:
Proposed Zoning: Variance from Section 1802.38 to permit a rear yard setback of 8.5' in lieu of req. 30'
District: 2
No. Acres: 50' x 110'

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

Very truly yours,

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

HVB:map



May 11, 1973

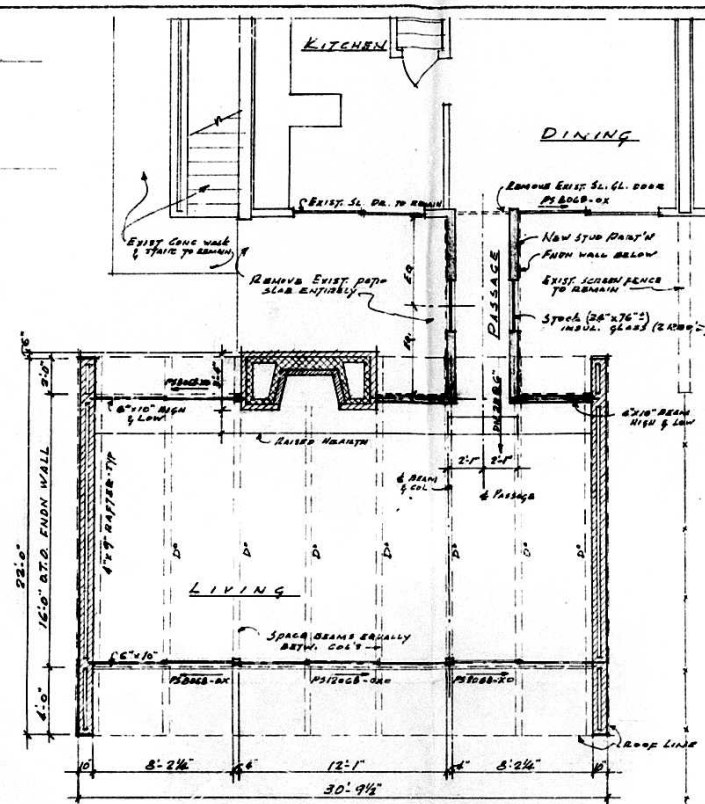
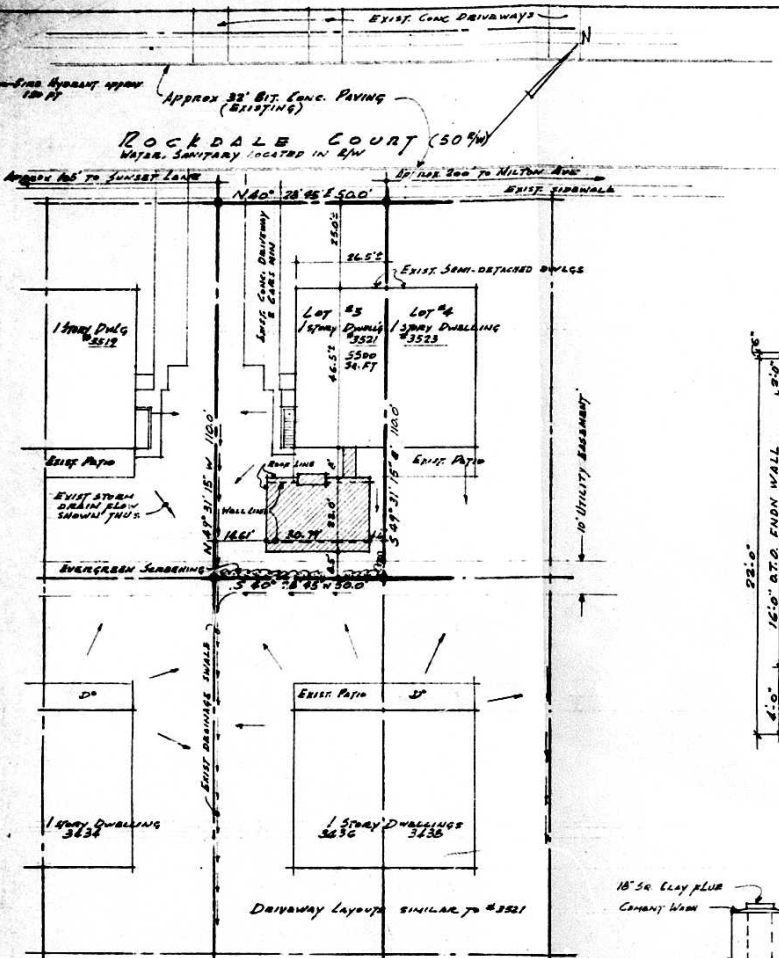
Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 210, Zoning Advisory Committee Meeting, May 11, 1973, are as follows:

Property Owner: George F. and Mary F. Varth, Jr.
Location: 3521 Rockdale Court
Present Zoning:
Proposed Zoning: Variance from Section 1802.38 to permit a rear yard setback of 8.5' in lieu of the required 30'
District 2
No. Acres: 50' x 110'

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



FLOOR PLAN SCALE 1/4"

