

75-145-A 11/17/75 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MICHAEL W. HEDGES, 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 1802.3C(1) to permit side yard setbacks of 16 FT. and 10 FT. in lieu of the required 25 FT. respectively.

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

- (1) Zoned D.R. 16
- (2) Would like to build residential home on property, as all buildings around are residential homes. Changed in zoning 1971 for commercial

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.

DATE January 6, 1975
BY Michael W. Hedges
Contract purchaser
Address 311 LEEANNE ROAD
Baltimore, Md. 21221
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day

of January, 1975, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of January, 1975, at 10:15 o'clock

William D. Fromm
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: January 6, 1975

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 75-145-A. Petition for Variance for a Side Yard.
East side of South Marlyn Avenue 100 feet North of Lutz Avenue
Petitioner - Michael W. Hedges

13th District

HEARING: Monday, January 13, 1975 (10:15 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

The granting of this request would not be inconsistent with the character of the surrounding development.

William D. Fromm
William D. Fromm, Director
Office of Planning and Zoning

WDF:NDG:rw

March 17, 1975

Mr. & Mrs. Michael W. Hedges
311 Leeanne Road
Baltimore, Maryland 21221

RE: Petition for Variances
E/S of S. Marlyn Avenue, 130'
N of Lutz Avenue - 15th District
Michael W. Hedges - Petitioner
NO. 75-145-A (Item No. 104)

Dear Mr. & Mrs. Hedges:

I have this date passed my Order in the above captioned matter in accordance with the attachd.

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

DESCRIPTION FOR VARIANCE Michael W. Hedges

Beginning at a point on the east side of South Marlyn Avenue, said point being 100 feet north of Lutz Avenue, and being Lot No. 2 of the plat of "Daniel Crook" (Liber 4 Folio 141).



ADOPTED BY THE
BALTIMORE COUNTY COUNCIL

MICHAEL W. HEDGES
311 LEEANNE ROAD
BALTIMORE, MD 21221
PHONE: 391-8506

14 March 1975

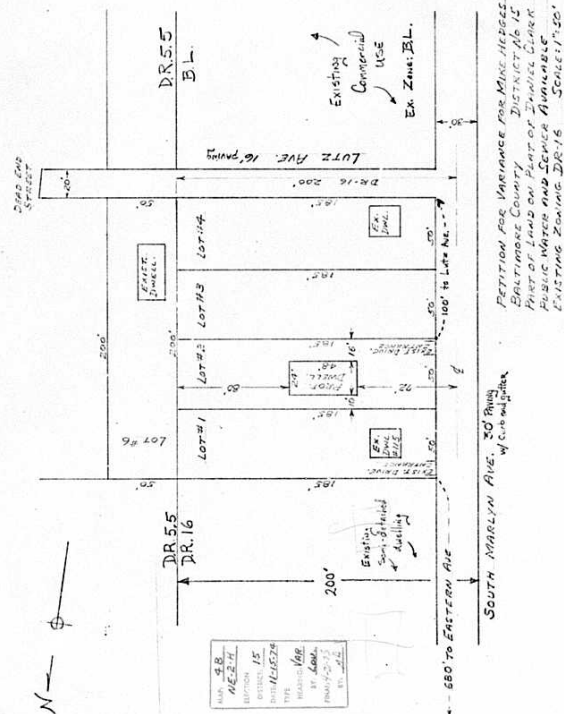
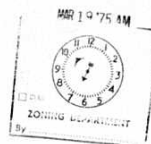
BALTIMORE COUNTY, MARYLAND
Office of Finance - Revenue Division

Dear Sir:

In reference to my hearing, which was on 13 Jan 75, Re: Petition for Variances, I would like to request a waiver on the 30 day appeal period, because I just paid my fee for posting and advertising on 12 Mar 75. I will accept full responsibility for this request.

Property Address:
117 South Marlyn Ave
Baltimore, Maryland 21221

Michael W. Hedges
Michael W. Hedges



PETITION FOR VARIANCE FOR MICHAEL HEDGES
BALTIMORE COUNTY DISTRICT 16-15
PART OF LAND ON PLAT OF DANIEL CROOK
PUBLIC WATER AND SEWER AVAILABLE
EXISTING ZONING DR-16 SCALE 1"=50'

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

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 Variance requested not adversely affecting the health, safety and general welfare of the community

to permit side yard setbacks of 16 feet and 10 feet instead of the required 25 feet should be granted. IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 17th day of March, 1975, that the herein Petition for a Variance should be and the same be 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.

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 _____, 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Director
WM. T. MELLISH, Deputy Traffic Engineer

December 13, 1974

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

Re: Item 104 - ZAC - December 3, 1974
Property Owner: Michael W. Hedges
Location: E/S of South Marilyn Ave. 100 ft. N of Lutz Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Variance from Sec. 1802.3C (1) to permit side yard setbacks of 16 ft. and 10 ft. in lieu of the required 25 ft. respectively.
No. of Acres: 50 x 185
District: 15th

Dear Mr. DiNenna:

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

Very truly yours,

Michael J. Flanigan
Asst. Traffic Engineer

MSF/13b

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 16, 1974

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Mr. Michael Hedges
111 Loring Road
Baltimore, Maryland 21221

RE: Variance Petition
Item 104
Michael W. Hedges - Petitioner

Dear Mr. Hedges:

The Zoning Plans 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 of the property. The following comments are a result of this review and inspection.

The subject property is located on the east side of South Marilyn Avenue, 100 feet north of Lutz Avenue and is currently vacant. Adjacent properties are improved with single family residences zoned D.R. 16 by the Comprehensive Zoning Maps adopted March 24, 1971.

The petitioner is requesting side yard variances for the construction of a single family dwelling on this lot.

South Marilyn Avenue at this point is improved with curb, gutter and sidewalk, and is proposed to be widened as indicated in the comments of the Bureau of Engineering.

Please contact me at your convenience concerning these revised plans.

Mr. Michael Hedges
Re: Item 104
December 16, 1974

Page 2

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

Very truly yours,

Franklin T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

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

Bureau of Engineering
ELLENWORTH N. DYER, P.E. - CHIEF

December 9, 1974

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

Re: Item #104 (1974-1975)
Property Owner: Michael W. Hedges
E/S of South Marilyn Ave., 100' N. of Lutz Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Variance from Sec. 1802.3C (1) to permit side yard setbacks of 16' and 10' in lieu of the required 25', respectively.
No. of Acres: 50 x 185 District: 15th

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.

Highways

South Marilyn Avenue, an existing County street, is proposed to be further improved in the future, in the vicinity of this property, as a 40-foot closed section or a 56-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application. The submitted plan must be revised to indicate the proposed highway right-of-way widening.

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 gradation 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. Corrosion of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #104 (1974-1975)
Property Owner: Michael W. Hedges
Page 2
December 9, 1974

Water and Sanitary Sewers

Public water and sanitary sewerage which exist in South Marilyn Avenue apparently had served the former dwelling on this site.

Very truly yours,

Ellenworth N. Dyer, P.E.
Chief, Bureau of Engineering

RND:SMW:FOR:SS

cc: J. Somers

1-104 Key Sheet
5-104 29 Foot Sheet
W-2 8' Trench
57 Tax Map

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

December 3, 1974

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

Dear Mr. DiNenna:

Comments on Item 104, Zoning Advisory Committee Meeting, December 3, 1974, are as follows:

Property Owner: Michael W. Hedges
Location: E/S of South Marilyn Ave. 100 ft. N of Lutz Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Variance from Sec. 1802.3C(1) to permit side yard setbacks of 16 ft. and 10 ft. in lieu of the required 25 ft. respectively.
No. of Acres: 50 x 185
District: 15th

Comments: Metropolitan water and sewer are available.

Very truly yours,

Thomas M. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

MBV/ncc

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204

828-7416

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Michael W. Hedges

Location: E/S of South Marilyn Avenue 100 ft. N of Lutz Avenue

Item No. 104 Zoning Agenda December 3, 1974

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. 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.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *ATX/KH* Noted and Approved: *Redmond*
Planning Group Special Inspection Division Deputy Chief
Fire Prevention Bureau



December 16, 1974

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 #104, Zoning Advisory Committee Meeting, December 3, 1974, are as follows:

Property Owner: Michael W. Hedges
Location: E/S of South Marilyn Ave. 100 ft. N of Lutz Avenue
Existing Zoning: D.R.16
Proposed Zoning: Variance from Sec. 1802.3C (1) to permit side yard setbacks of 16 ft. and 10 ft. in lieu of the required 25 ft. respectively
No. of Acres: 50 x 185
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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
Planning and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 434-3211 ZONING 484-3381

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 20, 1974

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

Z.A.C. Meeting of: December 3, 1974

Re: Item 104
Property Owner: Michael W. Hedges
Location: E/S of South Marilyn Ave., 100 ft. N. of Lutz Ave.
Present Zoning: D.R. 16
Proposed Zoning: Variance from Section 1802.3C (1) to permit side yard setbacks of 16 ft. and 10 ft. in lieu of the required 25 ft. respectively.

District: 15th
No. Acres: 50 x 185

Dear Mr. Dinenna:

No bearing on student population.

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

WNP/ml

H. EMILE PARKS, President
L. GUYNE C. HIGGS, Vice President
MRS. ROBERT L. GERNY

MARCUS M. BOTTSWORTH
RICHARD N. THORNTON
ALVIN LORECK
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. THORNTON, VMD
MRS. RICHARD K. RUCOFF

CERTIFICATE OF PUBLICATION

OFFICE OF

Essex Times

889 Eastern Blvd
Essex, Md. 21221

December 26 1974

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION - EAST SIDE OF SOUTH MARLYN AVENUE
was inserted in **ESSEX TIMES** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 13th. day of January 1975; that is to say, the same was inserted in the issues of December 26, 1974.

Stromberg Publications, Inc.

Publisher.

By C. Cassare

PETITION FOR VARIANCE
15TH DISTRICT

Having: Petition for Variance for a Side Yard.
LOCATION: East side of South Marilyn Avenue 100 feet North of Lutz Avenue.
DATE & TIME: Monday, January 13, 1975 at 10:15 A.M.
PUBLIC HEARING: Room 142, 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 side yard setbacks of 16 feet and 10 feet instead of the required 25 feet.
The zoning Regulation to be so changed is as follows:
Section 1802.3C - Side Yard - 25 feet.
All that parcel of land in the 15th District of Baltimore County beginning at a point on the east side of South Marilyn Avenue and extending 100 feet north of Lutz Avenue and being Lot 2 of the plan of "Daniel Creek" (Liber 4 Page 141).
Being the property of Michael W. Hedges, as shown on plat plan filed with the Zoning Department.
Hearing Date: Monday, January 13, 1975 at 10:15 A.M.
Public Hearing: Room 142, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
S. ERIC DINENNA
Zoning Commissioner of Baltimore County
Dec. 26

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 26, 1974

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 two successive weeks before the 13th day of January 1975, the first publication appearing on the 26th day of December 1974.

THE JEFFERSONIAN,
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

75-115-A

District: 15th
Posted for: Hedger Monday Jan 13 1975 @ 10:15 A.M.
Petitioner: Michael W. Hedges
Location of property: E/S of S. Marilyn Ave. 100' N. of Lutz Ave.
Location of Sign: 100' N. of S. Marilyn Ave. 100' N. of Lutz Ave.
Remarks: if any are
Posted by: Mail H. Hedges Date of return: Jan. 2, 75

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 14 day of

November 1974. Item #.....

Petitioner Hedges Submitted by S. Eric Dinenna
Petitioner's Attorney Reviewed by
S. ERIC DINENNA
Zoning Commissioner

* 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	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, GC, CA										
Reviewed by: <u>J. P. N.</u>	Revised Plans:		Change in outline or description		Yes		No			
Previous case:			Map #							

Mr. Michael Hedges
311 Leesanne Road
Baltimore, Maryland 21221

Item 104

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 12th day of December 1974

S. ERIC DINENNA
Zoning Commissioner

Petitioner Michael W. Hedges

Petitioner's Attorney Reviewed by
Franklin T. Howans, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY, MARYLAND No. 17194
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE Dec. 18, 1974 ACCOUNT 01-662
AMOUNT \$25.00
DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Michael W. Hedges
311 Leesanne Rd.
Baltimore, Md. 21221
#175-115-A Petition for Variance 25.00 REC

BALTIMORE COUNTY, MARYLAND No. 17928
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE March 12, 1975 ACCOUNT 01-662
AMOUNT \$10.50
DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Michael Hedges
311 Leesanne Rd.
Baltimore, Md. 21221
Advertising and posting of property
#175-115-A 10.50 REC

