

76-17-A 76-17-A 76-17-A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Herman G. E. Anschuetz, 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 1802.38 (Sec. III C.3) to permit a side yard setback for a carport of one (1) foot in lieu of the required 5.25 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
A one (1) foot setback is necessary because the current setback requirement does not permit sufficient remaining space for an eleven foot wide carport. The carport will be of masonry and frame construction in keeping with neighboring architectural standards per the attached sketches (2).

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 Herman G. E. Anschuetz
Address 9113 NAYGALL ROAD
BALTO., MD.
21234
Petitioner's Attorney John W. Hession, III
Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of June, 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 14th day of July, 1975, at 10:30 o'clock.

Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 11, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #76-17-A. Petition for Variance for a Side Yard
Northeast side of Naygall Road 480 feet Southeast of Glenmill Road
Petitioner - Herman G. E. Anschuetz and Anita Anschuetz

11th District

HEARING: Monday, July 14, 1975 (10:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition at this time.

William D. Fromm
William D. Fromm
Director of Planning

WDF:HEG:rw

RE: PETITION FOR VARIANCE to permit a side yard setback for a carport of 1 foot instead of the required 5.25 feet. Northeast side of Naygall Road 480 feet Southeast of Glenmill Road - 11th District.
HERMAN G. E. ANSCHUETZ
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 76-17-A, Item #235

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, we hereby enter our appearance in the above proceeding. You are requested to notify us of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.



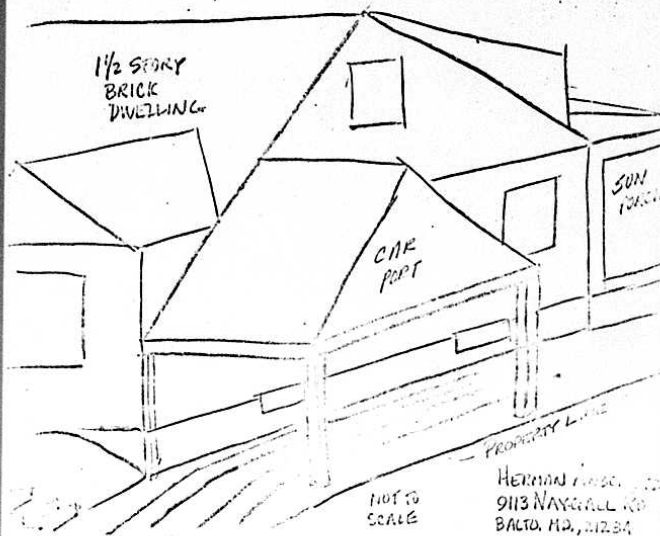
John W. Hession, III
John W. Hession, III
People's Counsel

Charles E. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 5th day of July, 1975, to Herman G. E. Anschuetz and Anita Anschuetz, 9113 Naygall Road, Baltimore, Maryland 21234, Legal Owners.

John W. Hession, III
John W. Hession, III

I will not attend. JWH.



July 16, 1975

Mr. & Mrs. Herman G. E. Anschuetz
9113 Naygall Road
Baltimore, Maryland 21234

RE: Petition for Variance NE/S of Naygall Road, 480' SE of Glenmill Road - 11th Election District
Herman G. E. Anschuetz, et al - Petitioners
NO. 76-17-A (Item No. 235)

Dear Mr. & Mrs. Anschuetz:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

/s/

S. ERIC DI NENNA
Zoning Commissioner

SED/aw

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

May 23, 1975

TO WHOM IT MAY CONCERN:

Mr. Frank C. Hurley, Jr. of 9111 Naygall Road, has seen the attached plat and sketch of the proposed carport which would result in a zero setback along the southeast property line between 9113 and 9111 Naygall Road. He and I are in agreement as to the location and style of the carport.

Herman G. E. Anschuetz
Herman G. E. Anschuetz

Frank C. Hurley, Jr.
Frank C. Hurley, Jr.



DESCRIPTION FOR VARIANCE

BEING LOCATED ON THE NORTHEAST SIDE OF NAYGALL ROAD, 480 FEET SOUTHEAST OF GLENMILL ROAD AND SHOWN AS LOT 14, BLOCK A OF JOPPA VILLAGE AS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK G. L. E. NO. 22 FOLIO 14.
ALSO KNOWN AS 9113 NAYGALL ROAD.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

SEP 17 1975

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 the 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 granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a side yard setback for a carport of one (1) foot in lieu of the required 5.25 feet should be granted.

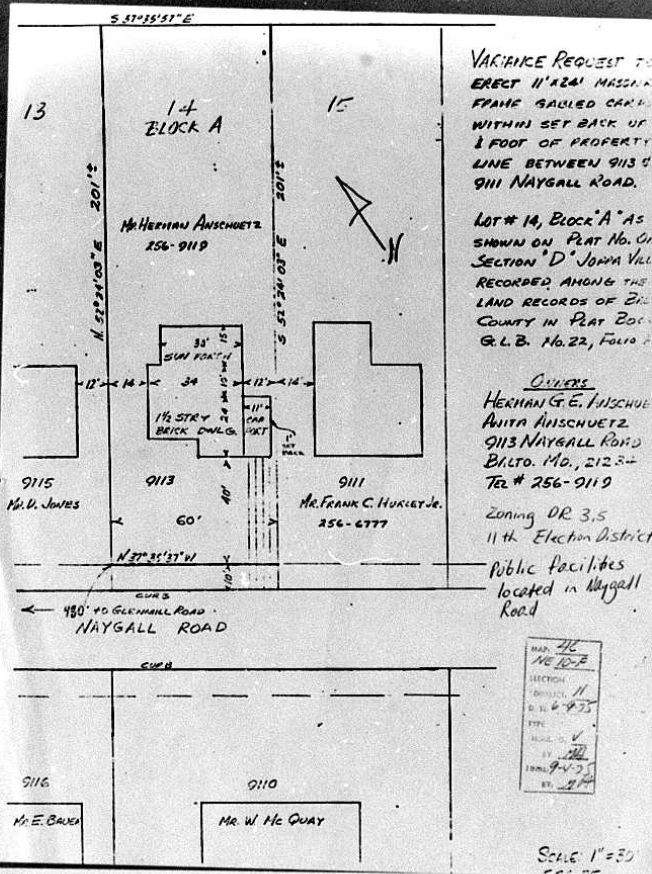
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of July, 1975, that the herein Petition for a Variance to permit a side yard setback for a carport of one (1) foot in lieu of the required 5.25 feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

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 ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
TOWSON, MARYLAND 21204
Franklin T. HOGANS, Jr.
CHAIRMAN

June 19, 1975

Mr. Herman G. E. Anschuetz
9113 Naygall Road
Baltimore, Maryland 21234

RE: Petition for Variance
Item 235
Herman G.E. & Anita Anschuetz -
Petitioners

Dear Mr. Anschuetz:

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 northeast side of Naygall Road, 480 feet southeast of Glennmill Road, and is currently improved with a single family brick dwelling.

The petitioner is requesting a Variance to permit a side yard setback of 1 foot in lieu of the required 5.25 feet, in order that a carport may be constructed on the side of the dwelling. Adjacent properties are improved with single family dwellings on both sides of Naygall Road.

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

Mr. Herman G. E. Anschuetz
Re: Item 235
June 19, 1975
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.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

PTH:JD

Enclosure

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

June 12, 1975

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 #235, Zoning Advisory Committee Meeting, June 17, 1975, are as follows:

Property Owner: Herman G. E. & Anita Anschuetz
Location: NE/S of Naygall Rd. 480' SE of Glennmill Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance from Sec. 1802.3B (Sec. III C.3) to permit a side yard setback for a carport of 1' in lieu of the required 5.25'.

No. of Acres: 201 x 60
District: 11th

Metropolitan water and sewer are available to the site. Since this is a variance for a setback, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:jrb

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204

875-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Herman G. E. & Anita Anschuetz

Location: NE/S of Naygall Road 480' SE of Glennmill Road

Item No. 235 Zoning Agenda June 17, 1975

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 _____ exceeds 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", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *[Signature]* Noted and Approved:
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

Wm. T. MEISER
DEPUTY TRAFFIC ENGINEER

June 13, 1975

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

Re: Item - 235 - ZAC - June 17, 1975

Property Owner: Herman G. E. & Anita Anschuetz
Location: NE/S of Naygall Rd. 480' SE of Glennmill Road
Existing Zoning: D. R. 3.5
Proposed Zoning: Variance from Sec. 1802.3B (Sec. III C. 3) to permit a side yard setback for a carport of 1' in lieu of the required 5.25'.

No. of Acres: 201 x 60
District: 11th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Traffic Engineering Associate

MSF/bza

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 18, 1975

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

Z.A.C. Meeting of: June 17, 1975

Re: Item 235
Property Owner: Herman G.E. & Anita Anschuetz
Location: NE/S of Naygall Road 480' S.E. of Glennmill Road
Present Zoning: D.R. 3.5
Proposed Zoning: Variance from Section 1802.3B (Section III C.3) to permit a side yard setback for a carport of 1' in lieu of the required 5.25'.

District: 11th
No. Acres: 201 x 60

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich, Jr.
Field Representative.

H. ENGLISH PARKS, RECREATION
EUGENE C. MEER, PRESIDENT
MRS. ROBERT L. BERRY

MARCUS W. EDWARDS
JOSEPH W. WILSON
ALVIN A. GRIFFIN
JOSHUA W. WHEELER, SUPERVISOR

T. RAYMOND WILLIAMS, JR.
RICHARD W. TRACY, VAND.
MRS. RICHARD E. WILSON

SEP 17 1975



June 27, 1975

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 #235, Zoning Advisory Committee Meeting, June 17, 1975, are as follows:

Property Owner: Herman G. E. and Anita Anschuetz
Location: NE/S of Naygall Road 480' SE of Glenmill Road
Existing Zoning: D.R.3.5
Proposed Zoning: Variance from Sec. 1802.38(Sec. III C.3) to permit a side yard setback for a carport of 1' in lieu of the required 5.25'.
No. of Acres: 201 x 60
District: 11th

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
Project 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 494-3211 ZONING 494-3211

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

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

July 2, 1975

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

Re: Item #235 (1974-1975)
Property Owner: Herman G.E. & Anita Anschuetz
N/ES of Naygall Rd., 480' S/E of Glenmill Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance from Sec. 1802.38
(Sec. III C.3) to permit a side yard setback for a carport of 1' in lieu of the required 5.25'.
No. of Acres: 201 x 60 District: 11th

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. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #235 (1974-1975).

Very truly yours,

Ellsworth N. Diver
Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:RMR:ss

M-W Key Sheet
38 NE 24 Pos. Sheet
NE 10 F Topo
71 Tax Map



CERTIFICATE OF PUBLICATION

ROSEDALE, MD., July 8, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE OBSERVER, a weekly newspaper published in Rosedale, Baltimore County, Md., one time before the 11th day of July 1975, the publication appearing on the 26th day of June 1975.

THE OBSERVER,
Robert A. Leimbueh
Advertising Mgr.

Cost of Advertisement \$19.20

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 26, 1975

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 on each of one time successive weeks before the 11th day of July 1975, the first publication appearing on the 24th day of June 1975.

THE JEFFERSONIAN,
L. Leimbueh
Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#76-17-H

District: 11th Date of Posting: 6-26-75
Posted for: Harry Monday, July 14, 1975, C. 10:30 A.M.
Petitioner: Herman G. E. & Anita Anschuetz
Location of property: N/ES of Naygall Rd 480' S/E of Glenmill Rd
Location of Sign: Sign Post on Naygall Rd. No. 9113
Remarks:
Posted by: Paul H. Shaw
Date of return: 7-2-75

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, CC, CA										
Reviewed by: D.J.										
Revised Plans: Change in outline or description										
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 25th day of May 1975. Item #

Petitioner Mrs Anschuetz Submitted by S. Eric DiNenna, Zoning Commissioner
Petitioner's Attorney Reviewed by Dana Oller

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

Item 235
Mr. Herman G.E. Anschuetz
9113 Naygall Road BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Baltimore, Md. 21204

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

Your Petition has been received and accepted for filing this 10th day of June 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner Herman G. E. & Anita Anschuetz

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

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

No. 21603

DATE May 28, 1975 ACCOUNT 91-662

AMOUNT \$25.00

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Cash
Petition for Variance for Herman G. E. Anschuetz

250.00

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

No. 21682

DATE July 14, 1975 ACCOUNT 01-662

AMOUNT \$43.15

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Herman G. E. Anschuetz
9113 Naygall Road
Baltimore, Md. 21204
Advertising and posting of property #76-17-H

SEP 17 1975