

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, RAYMOND R. & MARY F. WAGNER, 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 18-2-30(1) to permit side yard setback of 7 feet in lieu of the required 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)

1. The 25 feet side yard setback requirements was set up for commercial property, this area is used mainly for residential use
2. No other houses in this neighborhood have a sideyard set back of 25 feet
3. I would have to move a concrete drive way if I was to put the garage in any other location, the driveway covers an old house foundation.
4. I intend to use the foundation of the old house as the foundation for the garage. See attached description

5. Etc. 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
Raymond R. Wagner
Mary F. Wagner
Address: 2514 Wagner Ave.
Baltimore, Md. 21219

Petitioner's Attorney
William E. Evans, Esq.
Address: 2 N. Dundalk Ave.
Baltimore, Md. 21222

ORDERED By The Zoning Commissioner of Baltimore County, this 24 day of July, 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 the property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 15th day of August, 1975, at 10:30 o'clock

S. Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION FOR VARIANCE FOR RAYMOND R. WAGNER

LOCATED ON THE WEST SIDE OF WAGNER AVENUE APPROXIMATELY 260 FEET SOUTH OF SPARROWS POINT ROAD AND KNOWN AS LOTS # 14 & 15 AS SHOWN ON THE PLAT OF EDGAR SNAULY WHICH IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 2 FOLIO 234.

ALSO KNOWN AS 2514 WAGNER AVENUE.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 25, 1975
FROM: William D. From, Director of Planning
SUBJECT: Petition #76-31-A, Petition for Variance for a Side Yard.
West side of Wagner Avenue 260 feet South of Sparrows Point Road.
Petitioner - Raymond R. Wagner and Mary F. Wagner

15th District

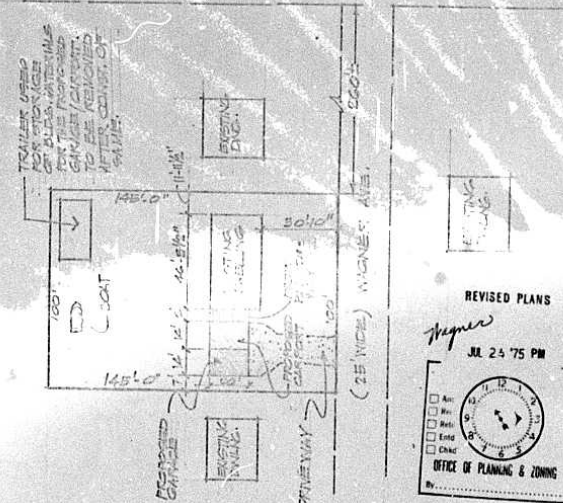
HEARING: Monday, August 4, 1975 at 10:30 A.M.

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

WDF:NEG:nb

William D. From
Director of Planning

SPARROWS POINT



PETITION FOR ZONING VARIANCE FOR
RAYMOND R. & MARY F. WAGNER
2514 WAGNER AVE. BALTO. MD. 21219
DISTRICT NO. 15 ZONED D.R. 1G
EDGAR SNAULY PLAT
LIBER 2 FOLIO 234
LOT 14 & 15
PUBLIC FACILITIES EXISTING
SCALE: 1"=40'

RE: PETITION FOR VARIANCE to permit a side yard of 7 feet instead of the required 25 feet. West side of Wagner Avenue 260 feet South of Sparrows Point Road - 15th District.
RAYMOND R. WAGNER
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 76-31-A, Item # 4

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 this 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
People's Counsel

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 24th day of July, 1975 to Raymond R. & Mary F. Wagner, 2514 Wagner Avenue, Baltimore, Maryland 21219, Legal Owners.

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

JUL 24 75 PM



I will not attend. JWH.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Raymond R. Wagner
2514 Wagner Avenue BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
Baltimore, Md. 21219

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

Your Petition has been received and accepted for filing this 2nd day of July, 1975

S. Eric DiNenna
Zoning Commissioner

Petitioner Raymond R. & Mary F. Wagner

Petitioner's Attorney

Reviewed by Franklin F. Hofans, Jr.
Chairman,
Zoning Plans
Advisory Committee

August 5, 1975

Mr. & Mrs. Raymond R. Wagner
2514 Wagner Avenue
Baltimore, Maryland 21219

RE: Petition for Variance W/S of Wagner Avenue, 260' S of Sparrows Point Road - 15th Election District
Raymond R. Wagner, et ux - Petitioners
NO. 76-31-A (Item No. 4)

Dear Mr. & Mrs. Wagner:

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

Very truly yours,

S. Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

SED/srl
Attachments
cc: William R. Evans, Esquire
2 North Dundalk Avenue
Baltimore, Maryland 21222

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

ORDER RECEIVED FOR FILING

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 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 of seven feet in lieu of the required twenty-five (25) feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of August, 1975, that the herein Petition for a Variance to permit a side yard setback of seven (7) feet in lieu of the required twenty-five (25) feet should 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 5th day of August, 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 24, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204
Franklin T. Hogans
Chairman, Jr.

MEMBERS
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

Mr. Raymond R. Wagner
2514 Wagner Avenue
Baltimore, Maryland 21219

RE: Variance Petition
Item 4
Raymond R. & Mary F. Wagner -
Petitioners

Dear Mr. Wagner:

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 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, currently zoned D.R. 16, is located on the west side of Wagner Avenue, approximately 260 feet south of Sparrows Point Road, in the 15th Election District of Baltimore County.

The property is currently improved with a one-story single family dwelling and a 24'x28' concrete slab on the side of the existing dwelling, where the proposed garage/carport will be located. A trailer, currently used for the storage of building materials for the construction of the proposed structure, and a boat are located in the rear yard. Upon field inspection, the petitioner

Mr. Raymond R. Wagner
Re: Item 4
July 24, 1975
Page 2

indicated that the trailer would be removed after completion of the garage/carport should his request be granted. Single family dwellings exist along Wagner Avenue with wooded unimproved land to the west. Curb and gutter exists only in front of the subject property.

The petitioner is requesting a side yard variance of seven (7) feet in lieu of the required 25 feet in order to construct a combination garage and carport (20'x28') attached to the side of the existing dwelling with a breezeway (6'x20').

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

Nicholas B. Commodari,
Zoning Technician II

PTH:JD
Enclosure

DEPARTMENT OF TRAFFIC ENGINEERING

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

July 21, 1975

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

Re: Item 4 - ZAC - July 8, 1975

Property Owner: Raymond R. & Mary F. Wagner
Location: W/S of Wagner Ave. 260' S. of Sparrows Point Road
Existing Zoning: D. R. 16
Proposed Zoning: Variance from Sec. 1802.3C(1) to permit side yard setback of 7 feet in lieu of the required 25'.

No. of Acres: 100 x 145
District: 15th

Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the sideyard setback.

Very truly yours,

Michael S. Flanigan
Traffic Engineering Associate

MSF/bza

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

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

July 24, 1975

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

Re: Item #4 (1975-1976)

Property Owner: Raymond R. and Mary F. Wagner
W/S of Wagner Ave., 260' S. of Sparrows Point Road
Existing Zoning: D.R. 16
Proposed Zoning: Variance from Sec. 1802.3C(1) to permit side yard setback of 7' in lieu of the required 25'.
No. of Acres: 100 x 145 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.

General:

The submitted plan should be revised to more correctly locate this site in relation to other structures along Wagner Avenue. The revised plan should indicate the existing driveway entrances, concrete pad, chain link fencing and that this property, comprising Lots 14 and 15, is part of the Edgar Snavely Plat (recorded J.W.S. 2 Part 2, Folio 234). Further, the plat should indicate that the proposed improvements consist of a garage, intended to be connected to the existing dwelling with a breezeway-patio.

Highways:

Wagner Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 40-foot right-of-way (minimum). 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.

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 grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #4 (1975-1976)

Property Owner: Raymond R. and Mary F. Wagner
Page 2
July 24, 1975

Storm Drains:

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.

The property to be developed is located adjacent to the water front. The Petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

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

ENT:ELN:PW:isa

cc: John Somers

4-4W Key Sheet
25 SE 30 Pos. Sheet
SE 7 h Topo
111 Tax Map

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER



July 23, 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 #4, Zoning Advisory Committee Meeting, July 8, 1975, are as follows:

Property Owner: Raymond R. and Mary F. Wagner
Location: W/S of Wagner Avenue 260' S. of Sparrows Point Road
Existing Zoning: D.R. 16
Proposed Zoning: Variance from Sec. 1802.3C(1) to permit side yard setback of 7 feet in lieu of the required 25'.
No. of Acres: 100 x 145
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
Planning Specialist II
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 9, 1975

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

Z.A.C. Meeting of: July 8, 1975

Re: Item 4

Property Owner: Raymond R. & Mary F. Wagner
Location: W/S of Wagner Ave. 260' S. of Sparrows Point Rd.
Present Zoning: D.R. 16
Proposed Zoning: Variance from Section 1802.3C(1) to permit side yard setback of 7 feet in lieu of the required 25'.

District: 15th
No. Acres: 100 x 145

Dear Mr. DiNenna:

Very truly yours,

W. Nick Petrovich,
Field Representative.

FRANKLIN PARKER, Chairman
EUGENE E. HESS, Vice-Chairman
MR. ROBERT L. BERRY

NANCY M. BOISARD
JOSEPH N. HODMAN
ALVIN LUTCH
JOSEPH A. WHEELER

FRANK W. WILLIAMS, JR.
RICHARD W. TRACEY, VMD
MR. MICHAEL K. WILKINSON

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

AREA CODE 301 PLANNING 484-3211 ZONING 484-3351

SEP 17 1975

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

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

Dear Mr. DiNenna:
Comments on Item #4. Zoning Advisory Committee Meeting,
July 8, 1975, are as follows:

Property Owner: Raymond R. & Mary F. Wagner
Location: W/S of Wagner Ave. 260' S of
Sparrows Point Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Variance from Sec. 1802.3C(1)
to permit side yard setback of 7
feet in lieu of the required 25'.
No. of Acres: 100 x 145
District: 15th

Since this variance is for a side yard setback and
metropolitan water and sewer exist, this Department has no
objections to this variance.

Very truly yours,

Thomas H. Devlin, Director

BUREAU OF ENVIRONMENTAL SERVICES

HH:mah

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 2 day of

July 1975. Item #

S. Eric DiNenna,
Zoning Commissioner

Petitioner WAGNER Submitted by MR. WAGNER
Petitioner's Attorney ✓ Reviewed by NBC

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 7-18-75
Posted for: Heavis Mon. Aug 4th 1975 @ 10:30 A.M.
Petitioner: Raymond R. Wagner
Location of property: W/S of Wagner Ave. 260' S of Sparrows Pt. Rd.
Location of Signs: 1 Sign Postcard Front yard of # 2514
Negative Area
Remarks: Mail H. Devlin
Posted by Signature Date of return: 7/24/75

PETITION FOR
A VARIANCE
FOR
VARIANCE FOR A SIDE YARD
SETBACK
Wagner Avenue 260 feet South
of Sparrows Point Road.
DATE & TIME: MONDAY,
AUGUST 4, 1975 at 10:30 A.M.
PUBLIC HEARING: Room
100, County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and Resolu-
tions of Baltimore County, will
hold a public hearing:
Petition for Variance from
the Zoning Regulations of
Baltimore County to permit a
side yard of 7 feet instead of the
required 25 feet.
The Zoning Department to be
represented by:
Section 1802.3C(1) - side
yard setback.
All interested parties to the
Variance should appear at the
public hearing.
LOCATED ON THE WEST
SIDE OF WAGNER AVENUE
APPROXIMATELY 260 FEET
SOUTH OF SPARROWS
POINT ROAD AND SHOWN
AS LOT 2514 & 2515 AS
SHOWN ON THE PLAT OF
RECORD 2514 WHICH
RECORDED AMONG THE
LAND RECORDS OF
BALTIMORE COUNTY IN
LIBER 3 POLARIS
ALSO KNOWN AS 2514
WAGNER AVENUE.
Bound the property of Ray-
mond R. Wagner and Mary F.
Wagner, as shown on plat
filed with the Zoning Depart-
ment.
Hearing Date: Monday,
August 4, 1975 at 10:30 A.M.
Public Hearing: Room 100,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
MD.
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY
July 17, 1975

OFFICE OF
THE DUNDALK TIMES

DUNDALK, MD. 21222

July 17 19 75

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION - WEST SIDE OF WAGNER AVENUE
was inserted in THE DUNDALK TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one ~~week~~
week before the 14th day of Aug. 1975, that is to say, the same
was inserted in the issues of July 17, 1975

STROMBERG PUBLICATIONS, Inc.

By C. C. C.

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: <u>N.B.C.</u>	Revised Plans: Change in outline or description <u>Yes</u> Map # <u>_____</u>									
Previous case:										

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

No. 23309

DATE: August 4, 1975 ACCOUNT: 01-662

AMOUNT: \$45.25

RECEIVED FROM: Raymond R. Wagner, 2514 Wagner Ave., 21219

FOR: Advertising and posting of property

#16-31-A

45.25 4 45.25 MSC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 21673

DATE: August 4, 1975 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Raymond R. Wagner, 2514 Wagner Ave., 21219

FOR: Petition for Variance

#16-31-A

25.00 4 25.00 MSC

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 17, 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 a week
of one time ~~one week~~ before the 14th
day of August, 1975, the 80th publication
appearing on the 17th day of July
1975.

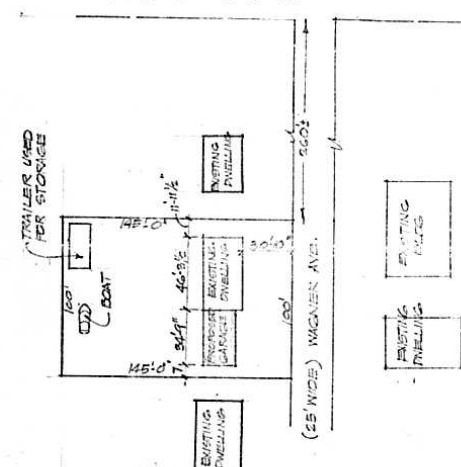
THE JEFFERSONIAN

L. L. Smith
Manager.

Cost of Advertisement, \$



SPARROWS POINT RD



PETITION FOR ZONING VARIANCE

FOR

RAYMOND R. & MARY F. WAGNER

2514 WAGNER AVE. BALTO MD 21219

DISTRICT NO. 15 - ZONED DR.16

LOT 2514 & LOT 2515

SECTION 02 PLAT 284

PUBLIC FACILITIES EXISTING

SCALE: 1"=50'

old Post

