

76-19 #160 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Donald C. White
I, or we, Mary C. White, legal owner(s) 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 1802.3B(214.1 - 1955) to permit a side yard setback of 5 ft. in lieu of the required 12 ft. for an open carport.

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

1. Side door opens onto driveway and is at ground level. Snow or rain bring problems. With any amount of snow, storm door cannot be opened outward. Also, heavy rain drives water under door into house. Proposed carport would cover this door.
2. To provide protection for car from weather elements.
3. To improve property.

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 March 23, 1976
BY Donald C. White
Contract purchaser Mary C. White
Address 8503 Wendell Ave.
Baltimore, Md. 21234
Petitioner's Attorney _____
Protestant's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day

of February 1976, 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 23rd day of March 1976, at 10:30 o'clock A.M.

Franklin T. Hoggans, Jr.
Zoning Commissioner of Baltimore County.
(over)

March 30, 1976

Mr. & Mrs. Donald C. White
8503 Wendell Avenue
Baltimore, Maryland 21234

RE: Petition for Variance
E/S of Wendell Avenue, 125' N of Hiss Avenue - 14th Election District
Donald C. White, et ux - Petitioners
NO. 76-196-A (Item No. 160)

Dear Mr. & Mrs. White:

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

Very truly yours,

George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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

Description

Beginning at a point on the East side of Wendell Avenue, 125 ft. North of Hiss Avenue and being Lot No. 7, Block "F", Section 4, of Hallmark Manor Libe W.J.R. 28 Folio 69.

Also known as 8503 Wendell Avenue.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
East side of Wendell Avenue 125 feet : OF BALTIMORE COUNTY
North of Hiss Avenue, 14th District
DONALD C. & MARY C. WHITE, : Case No. 76-196-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me 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.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel
Baltimore County Office Building
Towson, Maryland 21204
494-2183

I HEREBY CERTIFY that on this 23rd day of March, 1976, a copy of the foregoing Order was mailed to Mr. and Mrs. Donald C. White, 8503 Wendell Avenue, Baltimore, Maryland 21234, Petitioners.



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 23, 1976

Mr. Donald C. White
8503 Wendell Avenue
Baltimore, Maryland 21234

RE: Variance Petition
Item 160
Donald C. & Mary C. White -
Petitioners

Dear Mr. White:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you March 16, 1976 under the above referenced subject.

Very truly yours,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

baltimore county
department of public works
TOWSON, MARYLAND 21204

March 18, 1976

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

Re: Item #160 (1975-1976)
Property Owner: Donald C. & Mary C. White
E/S Wendell Ave., 125' N. of Hiss Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit side yard setback of 3' in lieu of required 12'.
No. of Acres: 0.25 District: 14th

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 highway and utility improvements are not directly involved. However, the Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within Baltimore County rights-of-way or utility easements. The submitted plan must be revised to indicate the 10-foot drainage and utility easement, centered upon the northwesterly sidelines of this Lot #7, Block "F", as shown on the recorded plat of "Section Four Hallmark Manor" (W.J.R. 28, Folio 69).

Additional fire hydrant protection may be required in the vicinity.

Very truly yours,

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

END:EAM:FWR:as

cc: M. Munchel

N-SE Key Sheet
28 & 29 NE 18 Pos. Sheets
NE 7 & 8 E Topo
01 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 16, 1976

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-196-A, Petition for Variance for a Side Yard.
East side of Wendell Avenue 125 feet North of Hiss Avenue
Petitioner - Donald C. White and Mary C. White.

14th District

Hearing: Monday, March 29, 1976 at 10:30 A.M.

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

William D. Fromm
William D. Fromm
Director of Planning

WDF/JGH/ew

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 23, 1976

Mr. Donald C. White
8503 Wendell Avenue
Baltimore, Maryland 21234

RE: Variance Petition
Item 160
Donald C. & Mary C. White -
Petitioners

Dear Mr. White:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you March 16, 1976 under the above referenced subject.

Very truly yours,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

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

to permit a side yard setback of three (3) feet instead of the required twelve (12) feet for an open carport should be granted.

Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County this 30th

day of March, 1976, that the herein Petition for the aforementioned Variance 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.

Deputy Zoning Commissioner of Baltimore County

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 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



balmore county
department of public works
TOWSON, MARYLAND 21204

March 10, 1976

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

Re: Item #160 (1975-1976)
Property Owner: Donald C. & Mary C. White
E/S Wendell Ave., 125' N. of Hiss Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit side yard setback of 3' in lieu of required 12'.
No. of Acres: 0.25 District: 14th

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 highway and utility improvements are not directly involved. However, the Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within Baltimore County rights-of-way or utility easements. The submitted plan must be revised to indicate the 10-foot drainage and utility easement, centered upon the northwesterly sidelines of this Lot #7, Block "F", as shown on the recorded plat of "Section Four Hallmark Manor" (W.J.R. 20, Folio 69).

Additional fire hydrant protection may be required in the vicinity.

Very truly yours,

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

END:RAM:FWR:ss

cc: W. Munchel

N-SE Key Sheet
28 & 29 NE 10 Pos. Sheets
NE 7 & 8 E Topo
81 Tax Map

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

March 16, 1976

COUNTY OFFICE BLDG.
131 E. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Franklin T. Hoggans, Jr.
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENT

Mr. Donald C. White
8503 Wendell Avenue
Baltimore, Maryland 21234

RE: Variance Petition
Item 160
Donald C. & Mary C. White -
Petitioner

Dear Mr. White:

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 is located on the east side of Wendell Avenue, 125 feet east of Hiss Avenue, and is currently improved with a one-story semi-detached dwelling. The petitioner is requesting a Variance to permit a side yard setback of 3 feet in lieu of the required 12 feet, in order that an open projection (carport) may be constructed on the side of the house. Adjacent properties are improved with residences, both detached and semi-detached.

This Committee has little comment other than the suggestion that the 5 foot drainage and utility easement into which the proposed carport is shown to project, should be investigated, and if found not to be utilized at present or in the future, should be relocated as per the requirements of the Bureau of Public Services.

Mr. Donald C. White
Re: Item 160
March 16, 1976
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. Hoggans, Jr.
FRANKLIN T. HOGGANS, JR.
Chairman, Zoning Plans
Advisory Committee

FTH:JJ

Enclosure



Paul H. Reincke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Donald C. & Mary C. White

Location: E/S Wendell Ave. 125' N of Hiss Ave.

Item No. 160

Zoning Agenda February 10, 1976

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.

(II) 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

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



WILLIAM D. FROMM
DIRECTOR

March 2, 1976

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 #160, Zoning Advisory Committee Meeting, February 10, 1976, are as follows:

Property Owner: Donald C. and Mary C. White
Location: E/S Wendell Ave. 125' N. of Hiss Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit side yard setback of 3' in lieu of required 12'
Acres: 0.25
District: 14th

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



STEPHEN E. COLLINS
DIRECTOR

March 2, 1976

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

Re: Item 160 - ZAC - February 10, 1976
Property Owner: Donald C. & Mary C. White
Location: E/S Wendell Avenue 125' N of Hiss Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit side yard setback of 3' in lieu of required 12'
No. of Acres: 0.25
District: 14th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

