

76-213-A #177 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Stewart P. Jung, Sr.
I, or we, Helene M. Jung, 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 1802.3C1 to permit a front yard setback of 15 feet instead of required 25 feet and 30 feet from center of street instead of required 50 feet to permit a rear setback of 11 feet instead of required 30 feet and a setback of 40 feet from center line of side street instead of the required 50 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Undersized lot of 50 feet in old subdivision is not wide enough to meet present zoning setbacks.

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
Address: 2613 Matthews Drive
Baltimore, Maryland 21234

Address: 2613 Matthews Drive
Baltimore, Maryland 21234

ORDERED By The Zoning Commissioner of Baltimore County, this 24th 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 14th day of April 1976, at 10:15 o'clock.

10:15P
4/14/76

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: March 23, 1976
FROM: William R. From, Director of Planning
SUBJECT: Petition #76-213-A. Petition for Variance for Front, Side and Rear Yards.
Southwest corner of Rosewick Avenue and Thirty-Fourth Street
Petitioner - Stewart P. Jung, Sr. and Helene M. Jung

14th District

HEARING: Wednesday, April 14, 1976 (10:15 A.M.)

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

William R. From
Director of Planning

VDF:JGH:rw

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW corner of Rosewick Avenue and : OF BALTIMORE COUNTY
34th Street, 14th District
STEWART P. JUNG, SR. & HELENE : Case No. 76-213-A
M. JUNG, 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. Kuntz, Jr.
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 8th day of April, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Stewart P. Jung, Sr., 2613 Matthews Drive, Baltimore, Maryland 21234, Petitioners.

John W. Hession, III



April 21, 1976

Mr. & Mrs. Stewart P. Jung, Sr.
2613 Matthews Drive
Baltimore, Maryland 21234

RE: Petition for Variances
SW corner of Rosewick Avenue and
34th Street - 14th Election District
Stewart P. Jung, Sr., et ux -
Petitioners
NO. 76-213-A (Item No. 177)

Dear Mr. & Mrs. Jung:

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

Very truly yours,
George A. Martinak
Deputy Zoning Commissioner

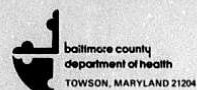
GJM/mc

Attachments

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

Description of property listed in petition for zoning variance from area and height regulations as requested by Stewart P. Jung Sr. and his wife Helene M. Jung

All that parcel of land in the Fourteenth District of Baltimore County located on the southwest corner of Rosewick Avenue and Thirty-Fourth Street being and known as lot no. 192 shown on the plat of Rosedale Farms recorded among the land records of Baltimore County in Liber 5 folio 61.



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

April 26, 1976

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

Dear Mr. DiNenna:

Comments on Item #177, Zoning Advisory Committee Meeting, February 24, 1976, are as follows:

Property Owner: Stewart P., Sr. & Helene M. Jung
Location: SW/c Rosewick Avenue & Thirty-Fourth (34th) St.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance for front and rear yard setbacks.
Acres: 155.15
167.55 x 51.31
District: 14th

Metropolitan water and sewer are available.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJW:phs

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



April 1, 1976

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

Re: Item #177 (1975-1976)
Property Owner: Stewart P., Sr. & Helene M. Jung
S/W cor. Rosewick Ave. & 34th St.
Existing Zoning: DR 5.5
Proposed Zoning: Variance for front and rear yard setbacks.
No. of Acres: 155.15 x 50
167.55 x 51.31 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.

Highways:

34th Street and Rosewick Avenue, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 40-foot and 50-foot rights-of-way, respectively. Highway improvements and highway right-of-way widenings, including a fillet area for sight distance at the intersection, together with any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering. The submitted plan must be revised accordingly.

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.

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

AUG 03 1976

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 Variances should be had; and it further appearing that by reason of the granting of the Variances requested not adversely affecting the health, safety and general welfare of the community, Variances to permit a front yard setback of 15 feet instead of the required 25 feet, 30 feet from the center of the street instead of the required 50 feet, a rear yard setback of 11 feet instead of the required 30 feet, and a setback of 40 feet from the center line of the side street instead of the required 50 feet should be granted.

Deputy
IS ORDERED by the Zoning Commissioner of Baltimore County this 21st day of April, 1976, that the herein Petition for the aforementioned Variances should be and the same are 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 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 1, 1976

COUNTY OFFICE BLDG.
111 W. Chesaapeake 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. Stewart P. Jung, Sr.
2613 Matthews Drive
Baltimore, Maryland 21234

RE: Variance Petition
Item 177

Stewart P., Sr. & Helene
M. Jung - Petitioners

Dear Mr. Jung:

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, zoned D.R. 5.5, is located on the southwest corner of Rosewick Avenue and 34th Street, in the 14th Election District of the county.

The subject lot, approximately 50'x160', is currently unimproved as is the lot immediately to the south. Properties to the north, east and west are improved with small single family residences.

The petitioner is requesting front and rear setback Variances in order to construct a 24'x48' modular home fronting on 34th street.

Present and previous ownership of the vacant lot immediately to the south of the subject property

Mr. Stewart P. Jung, Sr.
Re: Item 177
April 1, 1976
Page 2

should be verified before the scheduled hearing to determine whether an additional Variance for lot width is required.

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

NICHOLAS B. COMMODARI,
Zoning Technician II

NBC:JD

Enclosure

Item #177 (1975-1976)
Property Owner: Stewart P., Sr. & Helene M. Jung
Page 2
April 1, 1976

Storm Drains: (Cont'd)

This property is traversed by a drainage course, as generally indicated on the submitted plan. It is the responsibility of the Petitioner to ascertain and clarify rights-of-way through this property, particularly in regard to the indicated 30-foot right-of-way; he is to provide the recording reference.

A drainage and utility easement is required through this property.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

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.

Water and Sanitary Sewer:

Public water supply exists in 34th Street and Rosewick Avenue. Public sanitary sewerage exists in Rosewick Avenue. There is also a public sanitary sewer traversing the rear of this lot within a 10-foot Baltimore County utilities right-of-way (Drawing #48-0759, File 1).

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

END:EAM:FWR:ss

cc: J. Trenner
J. Somers
S. Bellestri

J-NE Key Sheet
11 NE 19 Pos. Sheet
NE 3 E Topo
89 Tax Map

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reinecke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Stewart P., Sr. & Helene M. Jung

Location: SW/c Rosewick Ave. & Thirty-Fourth (34th) St.

Item No. 177 Zoning Agenda February 24, 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.

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

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

Noted and Approved: Louis H. Hoff
Reviewed: Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reinecke
CHIEF

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Stewart P., Sr. & Helene M. Jung

Location: SW/c Rosewick Ave. & Thirty-Fourth (34th) St.

Item No. 177 Zoning Agenda February 24, 1976

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

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

Noted and Approved: Louis H. Hoff
Reviewed: Planning Group Acting Deputy Chief
Special Inspection Division Fire Prevention Bureau

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

March 3, 1976

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

Re: Item 177 - ZAC - February 24, 1976
Property Owner: Stewart P., Sr. & Helene M. Jung
Location: SW/c Rosewick Ave. & Thirty-Fourth (34th) St.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance for front and rear yard setbacks
No. of Acres: 155.15 X 50
167.55 51.51
District: 14th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variances to the front and rear yard setbacks.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

WILLIAM D. FROMM
DIRECTOR

April 2, 1976

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

Dear Mr. DiNenna:

Comments on Item #177, Zoning Advisory Committee Meeting, February 24, 1976, are as follows:

Property Owner: Stewart P., Sr. and Helen M. Jung
Location: SW/c Rosewick Ave & Thirty-Fourth (34th) St.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance for front and rear yard setbacks
Acres: 155.15 x 50
167.55 51.51
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

