

76-244-A #304 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JOSEPH AND MARY HEHER, legal owners of the property situate in Baltimore County and which is described in the caption and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.10 (204-A) to permit a sum of both sideyards of 23 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. At the time house was built 16 years ago, permit was issued for house as it presently exists, no structural changes having been made in this time. In order to sell the house at this time and pass clear title, we are hereby requesting a variance.

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 of Baltimore County.

Contract purchaser: Joseph & Mary Heher
Legal Owner: Joseph & Mary Heher
Address: 302 Northway Ct.
Reisterstown, Md. 21136

Petitioner's Attorney: John W. Hession, III
Protestant's Attorney: _____

ORDERED BY The Zoning Commissioner of Baltimore County this _____ day

of April, 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 held before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the _____ day of June, 1976, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S of Greenview Ave. 430 feet NE of : OF BALTIMORE COUNTY
Walgrave Rd., 4th District :
JOSEPH & MARY HEHER, Petitioners : Case No. 76-244-A

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 hereof, and of the passage of any preliminary or final Order in connection therewith.

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

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

I HEREBY CERTIFY that on this 20th day of May, 1976, a copy of the foregoing Order was mailed to Mr. & Mrs. Joseph Heher, 305 Northway Court, Reisterstown, Maryland 21136, Petitioners.



June 7, 1976

Mr. & Mrs. Joseph Heher
102 Northway Court
Reisterstown, Maryland 21136

RE: Petition for Variance
E/S of Greenview Avenue, 430' NE
of Walgrave Road - 4th Election
District
Joseph Heher, et al - Petitioners
NO. 76-244-A (Item No. 204)

Dear Mr. & Mrs. Heher:

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

George W. Martinak
George W. Martinak
Deputy Zoning Commissioner

GJM/mc

Attachments

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

13 GREENVIEW AVENUE
REISTERSTOWN, 4th ELECTION DISTRICT
LOT NO. 38
BLOCK K
"RESDIVISION OF A PORTION OF ACADEMY ACRES SECTION THREE
ALSO

PLAT ONE SECTION ONE SUBURBIA"
DESCRIPTION FOR ZONING VARIANCE APPLICATION

Located on the east side of Greenview Avenue approximately 430 feet northeast of Walgrave Road.

Being known and designated as Lot No. 38, Block K, as shown on a plat entitled "Resubdivision of a portion of Academy Acres, Section 3 also Plat One, Section One, Suburbia" which is recorded among the Land Records of Baltimore County, Maryland, in Plat Book MTR 26, Folio 59. The improvements thereon being known as 13 Greenview Avenue.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner
FROM: William D. Fromm, Director of Planning

SUBJECT: Petition 76-244-A - Petition for Variance from the Zoning Regulations of Baltimore County to permit a sum of both side yards of 23 feet instead of the required 25 feet. Petitioner - Joseph Heher and Mary Heher

4th District

Hearing: Wednesday, June 7, 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/mcc



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

June 14, 1976

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

Dear Mr. DiNenna:

Comments on Item #204, Zoning Advisory Committee Meeting, April 20, 1976, are as follows:

Property Owner: Joseph & Mary Heher
Location: E/S Greenview Avenue 430' NE Walgrave Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a sum of both sideyards of 23' in lieu of the required 25'.
Acres: 160.00 ± 52.81
200.43 ± 160.45
District: 4th

Metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD:ph



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

May 13, 1976

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

Re: Item #204 (1975-1976)
Property Owner: Joseph & Mary Heher
Location: E/S Greenview Ave., 430' NE Walgrave Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a sum of both sideyards of 23' in lieu of the required 25'.
Acres: 160.00 ± 52.81
200.43 ± 160.45
District: 4th

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 involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review of this Item #204 (1975-1976).

Very truly yours,

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

END:KAN:PHB:ES

T-100 Key Sheet
54 MM 17 inch. Sheet
12 1/2 x 19
48 Tab Map



STEPHENE COLLINS
DIRECTOR

May 12, 1976

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

Re: Item 204 - ZAC - April 20, 1976
Property Owner: Joseph & Mary Heher
Location: E/S Greenview Ave. 430' NE Walgrave Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Var. to permit a sum of both sideyards of 23' in lieu of the required 25'.
Acres: 160.00 ± 52.81
200.43 ± 160.45
District: 4th

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variances to the sideyards.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

"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 sum of both side yards of 23 feet instead of the required 25 feet should be granted

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th

day of June, 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 7th day of June, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

4. Joseph Heber
305 Northway Court
Reisterstown, Md. 21136

Item 204

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 27th day of April, 1976.

E. Eric DiNenna
Zoning Commissioner

Petitioner: Joseph & Mary Heber

Petitioner's Attorney:
The Wilson T. Ballard Co.,
17 Guyana Mill Court
Cottage Mills, Md. 21117

Reviewed by:
Franklin T. Rogers, Jr.
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 13, 1976

Mr. Joseph Heber
305 Northway Court
Reisterstown, Maryland 21136

RE: Variance Petition
Item 204
Joseph & Mary Heber - Petitioners

Dear Mr. Heber:

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.

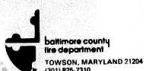
The subject property is located on the east side of Greenview Avenue, 430 feet northeast of Walgrove Road, and is currently the site of an existing single family residence. The petitioner is requesting Variances for existing side yard setbacks in order that clear title may be assured concerning an apparent location of the house not in compliance with Zoning Regulations. Adjacent properties are improved with single family detached dwellings.

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. Rogers, Jr.
Chairman, Zoning Plans
Advisory Committee

PTH:JD
Enclosure
cc: The Wilson T. Ballard Co.,



Paul H. Reische
CHIEF

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

Attention: Mr. Frank Rogers, Chairman
Zoning Advisory Committee

Re: Property Owners: Joseph & Mary Heber

Location: E/S Greenview Ave. 130' NE Walgrove Rd.

Item No. 204 Zoning Agenda April 20, 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 "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: [Signature] Noted and Approved: [Signature]

Planning Group Acting Deputy Chief

Special Inspection Division Fire Prevention Bureau



WILLIAM D. PROHM
DIRECTOR

May 11, 1976

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

Comments on Item #204, Zoning Advisory Committee Meeting, April 20, 1976, are as follows:

Property Owner: Joseph & Mary Heber
Location: E/S Greenview Ave 430' NE Walgrove Road
Existing Zoning: D.R.3.5
Proposed Zoning: Variance to permit a sum of both sideyards of 23' in lieu of the required 25'
Acres: 160.00 x 52.81
200.43 160.45
District: 4th

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: April 22, 1976

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

B.A.C. Meeting of: April 20, 1976

Re: Item 204
Property Owner: Joseph & Mary Heber
Location: E/S Greenview Ave. 430' N.E. Walgrove Rd.
Present Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a sum of both sideyards of 23' in lieu of the required 25'.

District: 4th
No. Acres: 160.00 x 52.81
200.43 160.45

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
District Representative

WSP/ml

STREETWAY FOR A YACHTING BOAT
The city of San Francisco has voted to build a streetway for a yacht club. The city will build a streetway for a yacht club. The city will build a streetway for a yacht club.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on ~~one~~ one ~~time~~ time before the 2nd day of June, 19 76, the ~~last~~ publication appearing on the 13th day of May 19 76

L. Lusk Smith
Manager

Cost of Advertisement, \$_____

TOWSON, MD. 21204 May 12, 1976

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Variance-- Heher
was inserted in the following:

- ☐ Catonsville Times
☐ Dundalk Times
☐ Essex Times
☐ Suburban Times East
☐ Towson Times
☐ Arbutus Times
☒ Community Times
☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 2nd day of June 19 76, that is to say, the same was inserted in the issues of May 12, 1976.

STROMBERG PUBLICATIONS, INC.

BY E. Patricia Smink

District 17th Date of Posting MAY 14 1978
 Posted for PETITION FOR VARIANCE
 Petitioner: JOSEPH HEIDER
 Location of property: E.S. of GREENVIEW AVE. 430' NE of
WAKEFORD RD
 Location of Signs: EBL #13 GREENVIEW AVE
 Remarks: _____
 Posted by Shirley L. Howard Date of return 11/87

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

Your Petition has been received * this 12 day of July
1974. Filing Fee \$. Received ✓ Check

10 121


S. Eric DiNenna,
Zoning Commissioner

Petitioner HEHER Submitted by MISS EVERSON
Petitioner's Attorney _____ Reviewed by NOR

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

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

No. 33427

DATE June 7, 1976 ACCOUNT 01-662
AMOUNT \$41.00

RECEIVED FROM: Joseph J. Bahar, 302 Northway Court, Reisterstown, Md. 21136

FOR: Advertising and posting of property—#76-2141-A

JUN 8 0 22 JUN 7 41.00 HSC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 33378

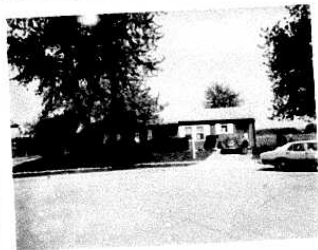
DATE May 10, 1976 ACCOUNT 01-662

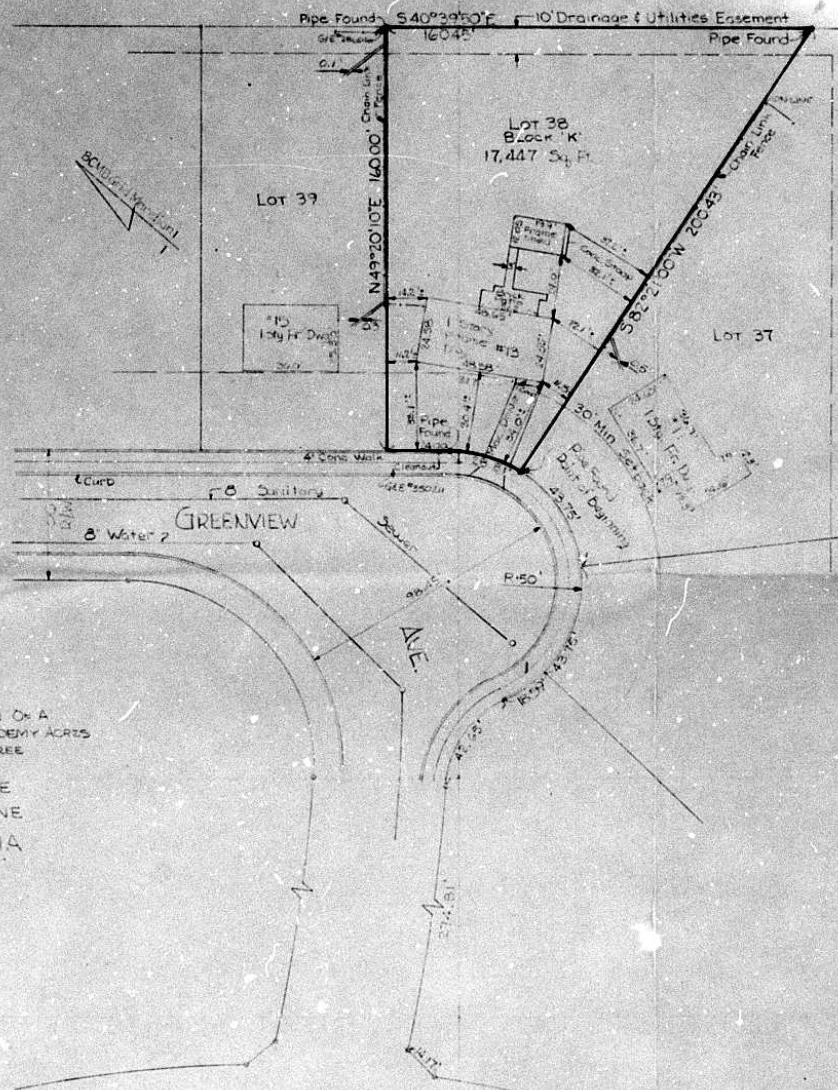
AMOUNT \$25.00

RECEIVED
FROM Joseph J. Heher, 13 Greenview Ave., Baltimore, Md.
1136 Advertising and posting of property — 76-1244-A
END

10 52:11 25.0 C MSY

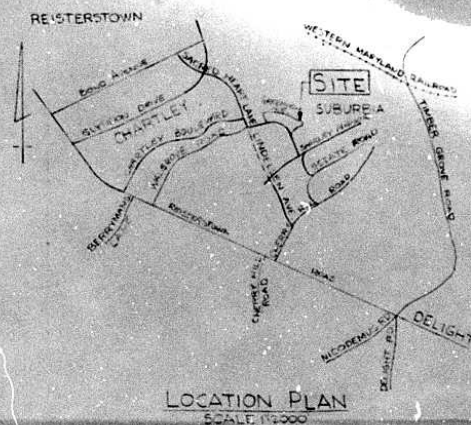
VALIDATION OR SIGNATURE OF CASHIER





RESUBDIVISION OF A
PORTION OF ACADEMY ACRES
SECTION THREE
ALSO
PLAT ONE
SECTION ONE
SUBURBIA

WALGROVE RD.



LOCATION PLAN
SCALE 1/4\"/>

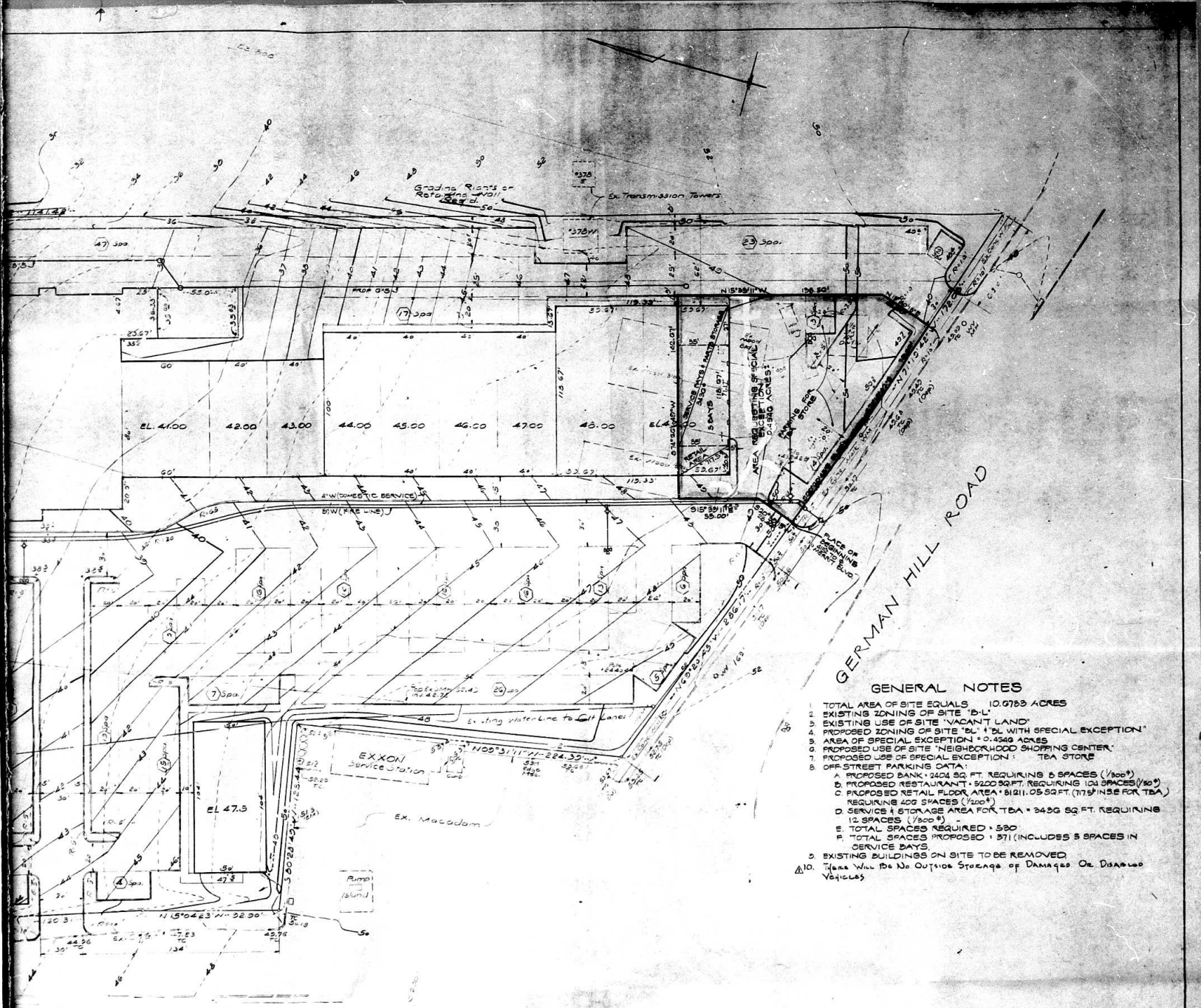
DATE	12/14/75
REVISION	4-8-76
BY	ALF
CHECKED	ALF
DATE	3/2/76
BY	ALF
CHECKED	ALF

Tax Map 45-14-217
Zoned DW 30



ZONING VARIANCE PLAT
13 GREENVIEW AVENUE
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
THE WILSON T. BALLARD CO.
CONSULTING ENGINEERS
17 GWYNNS MILL COURT
OWINGS MILLS, MARYLAND

SCALE:	1"=30'
DATE:	3/2/76
JOB NO:	301-056.47
SURVEYED:	ALF
DRAFTED:	ALF



GERMAN HILL ROAD

GENERAL NOTES

1. TOTAL AREA OF SITE EQUALS 10.0783 ACRES
2. EXISTING ZONING OF SITE "B-1"
3. EXISTING USE OF SITE "VACANT LAND"
4. PROPOSED ZONING OF SITE "B-1" WITH SPECIAL EXCEPTION
5. AREA OF SPECIAL EXCEPTION 0.4540 ACRES
6. PROPOSED USE OF SITE "NEIGHBORHOOD SHOPPING CENTER"
7. PROPOSED USE OF SPECIAL EXCEPTION 1 TBA STORE
8. OFF-STREET PARKING DATA:
 - A. PROPOSED BANK 2404 SQ. FT. REQUIRING 5 SPACES (1/3000)
 - B. PROPOSED RESTAURANT 5200 SQ. FT. REQUIRING 104 SPACES (1/300)
 - C. PROPOSED RETAIL FLOOR AREA 8121.05 SQ. FT. (11751 SQ. FT. FOR TBA) REQUIRING 420 SPACES (1/300)
 - D. SERVICE & STORAGE AREA FOR TBA 3420 SQ. FT. REQUIRING 12 SPACES (1/300)
 - E. TOTAL SPACES REQUIRED 530
 - F. TOTAL SPACES PROPOSED 571 (INCLUDES 5 SPACES IN SERVICE BAYS)
9. EXISTING BUILDINGS ON SITE TO BE REMOVED
10. There Will Be No Outside Storage of Damaged Or Disabled Vehicles

PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION TO PORTION OF
GIANT SHOPPING CENTER
MERRITT BLVD & GERMAN HILL ROAD
12th Election District
Scale: 1" = 30'

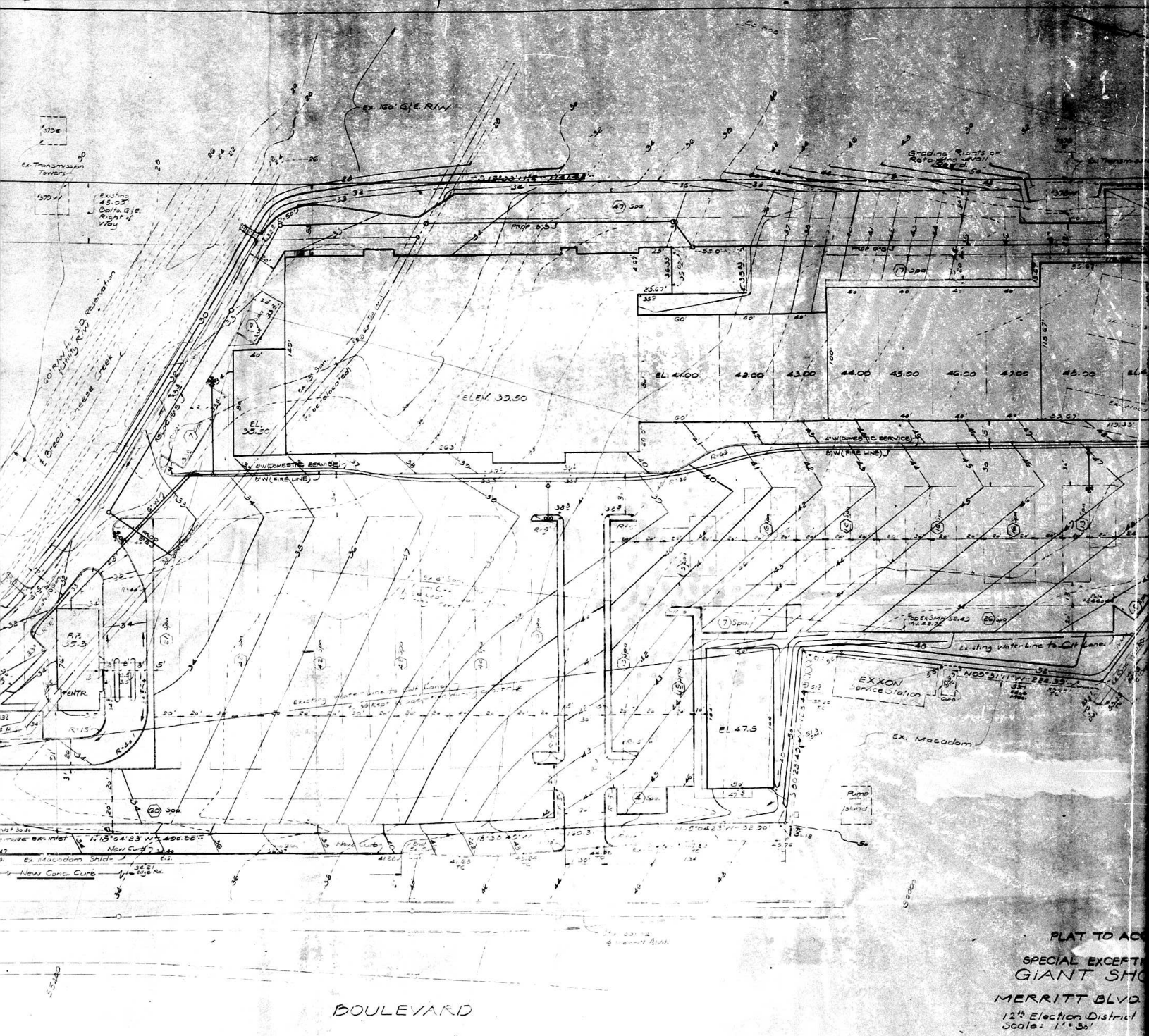
Baltimore County, Md.
FEBRUARY 24, 1976

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *[Signature]*
DATE 2-24-76
76-299-X

MCA
MCA ENGINEERING CORP.
1010 LUDWIG LUTHER BLVD.
BALTIMORE, MD. 21204

Added Note No. 10 Per ZAC Comments	4-8-76
Revised	DATE

AUG 24 1976



Added Note NEW PL
N^o 1
Revised

AUG 24 1976

