

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
 Roger Dale Hargis and Sun Cha Hargis, legal owners of the property situated 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 15-2-1 of the Zoning Ordinance of Baltimore County to allow a side setback of three (3) feet in lieu of the required 20 feet. In an area 450' x 150'.

- 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 20-foot 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 20 feet.
 3. To move the kitchen any place but the request place in the addition would require major plumbing changes in the house and make the house non-livable for a period of time because of health reasons.
 4. The house now has two bedrooms and we need at least three because we are considering adopting a child and would be required to have at least one more bedroom, any other redesign of the addition would make present bedrooms too small to be used as bedrooms because of floor space.
 5. The addition would also enhance the appearance of the house and property.

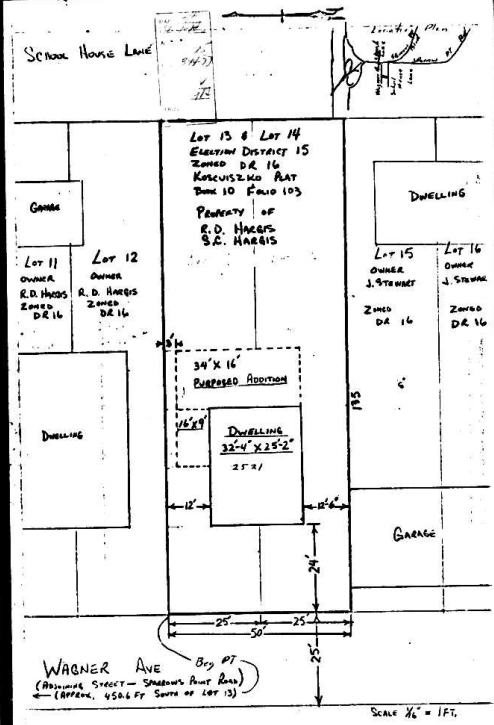
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE: June 15, 1977
 CONTRACT PURCHASER: Roger Dale Hargis
 ADDRESS: 2521 WAGNER AVE., BALTIMORE, MARYLAND 21219
 PETITIONER'S ATTORNEY: Charles E. Kuntz, Jr.
 PROTESTANT'S ATTORNEY: John W. Hesston, III

ORDERED BY THE Zoning Commissioner of Baltimore County, this 15th day of June, 1977, 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 public hearing be had before the Zoning Commissioner of Baltimore County in Room 118, County Office Building in Towson, Baltimore County, on the 23rd day of June, 1977, at 10:00 o'clock A.M.

Description and Location of Property: Beginning on the outside of Wagner Ave. approx. 450.6 feet south of Sparrows Point Road; and known as Lots numbered 13 and 14 as shown on the Plat of Koczulisko, which is recorded in Land Records of Baltimore County in Book 10 Folio 103; also known as 2521 Wagner Ave.

Owners of Record - Roger Dale Hargis and Sun Cha Hargis
 State Department of Assessments and Taxation Description - District 15, Property Number 15 19 5128790; Map 111 Block 15 Parcel 157; Deed Reference Liber 5333 Folio 200 Card Number 30761; Koczulisko Plat Lots 13, 14 Book 10 Folio 103; Wagner Ave.



RE: PETITION FOR VARIANCE FROM AREA AND HEIGHT REGULATIONS FROM 1/3 of Wagner Ave., 450' S of Sparrows Point Rd., 15th District OF BALTIMORE COUNTY
 ROGER D. HARGIS, et al., Petitioners - Case No. 77-227-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 therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kuntz, Jr., Deputy People's Counsel
 John W. Hesston, III, People's Counsel, County Office Building, Towson, Maryland 21284, 410-2186

I HEREBY CERTIFY that on the 13th day of May, 1977, a copy of the foregoing Order was mailed to Mr. and Mrs. Roger D. Hargis, 2521 Wagner Avenue, Baltimore, Maryland 21219, Petitioners.

John W. Hesston, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner Date: May 20, 1977
 FROM: Acting Director of Planning
 SUBJECT: Petition #77-227-A, Petition for Variance for a Side Yard (East side of Wagner Avenue 450) feet south of Sparrows Point Road Roger Dale Hargis and Sun Cha Hargis - Petitioners

15th District
 HEARING: Monday, May 21, 1977 10:00 A.M.

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

Thomas E. Baker, Acting Director of Planning

Mr. & Mrs. Roger Dale Hargis
 2521 Wagner Avenue
 Baltimore, Maryland 21219

RE: Petition for Variance from Area and Height Regulations from 1/3 of Wagner Avenue, 450' S of Sparrows Point Road, 15th Election District Roger Dale Hargis, et al. - Petitioners NO. 77-227-A (Item No. 203)

Dear Mr. & Mrs. Hargis:
 I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
 George J. Matyniak, Deputy Zoning Commissioner

GJM/mc
 Attachments
 cc: John W. Hesston, III, Esquire, People's Counsel

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

Mr. Roger Dale Hargis and Mrs. Sun Cha Hargis
 2521 Wagner Avenue
 Baltimore, Maryland 21219
 Form No. 500

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21284

Your Petition has been received and accepted for filing this 15th day of May, 1977.

Eric Blensiefel, Zoning Commissioner

Petitioners: Roger Dale & Sun Cha Hargis
 Petitioner's Attorney: Charles E. Kuntz, Jr.
 Reviewed by: Nicholas P. Commodari, Planning & Zoning Associate III

AUG 02 1977

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 granted, 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 feet instead of the required twenty-five feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of May, 1977, 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.

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 15th day

of May, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 13, 1977

COUNTY OFFICE BLDG. 111 S. CHESTNUT AVE. TOWSON, MARYLAND 21286

COMMODARI

CHIEF ENGINEER

MEMBER

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD CONSTRUCTION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Mr. Roger Dale Hargis Mrs. Sun Cha Hargis 1521 Wagner Avenue Baltimore, Maryland 21219

RE: Variance Petition Item No. 203 Petitioner - Roger Dale Hargis Sun Cha Hargis

Dear Mr. and Mrs. Hargis:

The Zoning Plans Advisory Committee has reviewed the plan 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.

This D.R. 16 zoned site, is currently improved with a single family dwelling and is located on the east side of Wagner Avenue approximately 450' south of Sparrows Point Road, in the 15th Election District. Adjacent properties are also zoned D.R. 16 and improved with similar type uses.

This Variance is necessitated by your proposal to construct an addition to the side and rear of the existing dwelling with a resultant side setback of 3' in lieu of the required 25'.

Mr. Roger Dale Hargis Mrs. Sun Cha Hargis Page 2 Item No. 203 May 13, 1977

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, Nicholas S. Commodari, Chairman Zoning Plans Advisory Committee

NBR:jif



March 21, 1977

Mr. Eric S. DiNenna, Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21286

Dear Mr. DiNenna:

Comments on Item #203, Zoning Advisory Committee Meeting, March 15, 1977, are as follows:

Property Owner: Roger D. and Sun Cha Hargis Location: E/S Wagner Avenue 450.6' S. Sparrows Point Road Existing Zoning: D.R. 16 Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 25'. Acres: 50 x 135' 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, Planner III Project and Development Planning



THORNTON M. MOUNING, P.E. DIRECTOR

May 6, 1977

Mr. E. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21286

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: Wagner Avenue and School House Lane, existing public roads, are proposed to be improved in the future as 30-foot closed section roadways on 40-foot minimum rights-of-way. Highway rights-of-way widenings, 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.

Storm Drains: The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance or damage 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.

Item #203 (1976-1977) Property Owner: Roger D. & Sun Cha Hargis Page 2 May 6, 1977

Storm Drains: (Cont'd)

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: There is a 6-inch public water main in School House Lane to the rear or east of this property. There is also a 6-inch public sewer main in Wagner Avenue, which water main terminates approximately 30 feet north of this property. Additional fire hydrant protection is required in the vicinity. Public 8-inch sanitary sewers exist in Wagner Avenue and School House Lane.

Very truly yours, DONALD J. MOOP, P.E. Acting Chief, Bureau of Engineering

DMP, EAM: PMS: CC: M. Nunche

A-100 Key Sheet 25 SE 30 "00" Sheet SE 7 H Topo 111 Tax Map



STEPHENE COLLINS DIRECTOR

April 14, 1977

Mr. Eric S. DiNenna Zoning Commissioner 2nd Floor, Courthouse Towson, Maryland 21286

Dear Mr. DiNenna:

Comments on Item #203, Zoning Advisory Committee Meeting, March 15, 1977, are as follows: Property Owner: Roger D. & Sun Cha Hargis Location: E/S Wagner Avenue 450.6' S Sparrows Point Rd. Existing Zoning: D.R. 16 Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 25'. Acres: 50 x 135' District: 15th

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

Very truly yours, Michael S. Flanigan Traffic Engineer Associate

NBR:jif



March 23, 1977

Mr. E. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21286

Dear Mr. DiNenna:

Comments on Item #203, Zoning Advisory Committee Meeting, March 15, 1977, are as follows: Property Owner: Roger D. & Sun Cha Hargis Location: E/S Wagner Ave. 450.6' S Sparrows Point Rd. Existing Zoning: D.R. 16 Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 25'. Acres: 50 x 135' District: 15th

Since this is a variance for a setback and metropolitan sewer and water are available, a health problem is not anticipated.

Very truly yours, Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

NBR:bat

JOHN D. SEIFFERT
DIRECTOR

March 14, 1977

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21286

Dear Mr. DiNenna:

Comments on Item # 203 Zoning Advisory Committee Meeting, March 15, 1977 are as follows:

Property Owner: Roger D. & Sun Cha Margis
Location: E/S Wagner Ave. 450.6' S Sparrows Point Road
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 75'.

Acres: 50 X 135'
District: 15th

The items checked below are applicable:

- A. Structure shall conform to Baltimore County Building Code (B.O.C.B.) 1970 Edition and the 1971 Supplement and other applicable code.
- B. A building permit shall be required before construction can begin.
- C. Three sets of construction drawings will be required to file an application for a building permit.
- D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3' and 6'0" of property line.
- F. No comment.
- G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Mark E. Lumbard CEB

Charles E. Burnham
Plaza Review Chief
CEB:PTJ

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: March 15, 1977

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

S.A.C. Meeting of: March 15, 1977

RE: Item No: 203
Property Owner: Roger D. & Sun Cha Margis
Location: E/S Wagner Ave. 450.6' S. Sparrows Point Rd.
Present Zoning: D.R. 16
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 75'.

District: 15th
No. Acres: 50 X 135'

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

MWP/lp

JOSEPH H. McLEOD, PRESIDENT
F. BARBAR WILLIAMS, JR., VICE-PRESIDENT
MARLENE M. BISHOP

THOMAS W. BOYER
WAS. LOURAIN F. CHAMBER
ROGER B. HARTON

ALVIN LORRY
WAS. WALTER J. LITTLE
WILLIAM H. TAYLOR



TOWSON, MD. 21204 May 10 19 77

Substituted Petition for Variance-15th Dist.
THIS IS TO CERTIFY, that the annexed advertisement of
was inserted in the following:

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

weekly newspapers published in Baltimore County, Maryland,
once a week for 1 successive weeks before the
23 day of May 19 77, that is to say, the same
was inserted in the issues of 5/5/77

STROMBERG PUBLICATIONS, INC.

BY *(Signature)*

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 5 1977

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 successive weeks before the 23rd day of
May 19 77 the publication
appearing on the 5th day of May 1977
19 77.

THE JEFFERSONIAN
(Signature)
Manager

Cost of Advertisement \$

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY #77-277-A
Towson, Maryland

District: 15th Date of Posting: 5-15-77

Posted for: Henry Margis 204 23, 1977 @ 11:00 A.M.

Petitioner: Roger D. Margis

Location of property: E/S of Wagner Ave. 450.6' S of Sparrows Point Road

Location of Sign: 1400 South on South Road of Roger D. Margis

Remarks: Fray Margis etc.

Posted by: Mark E. Lumbard Date of return: 5-12-77

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 3 day of
March 1977. Filing Fee \$ 25. Received Cash
 other

(Signature)
S. Eric DiNenna,
Zoning Commissioner

Petitioner: Roger D. Margis Submitted by: MWP

Petitioner's Attorney: Reviewed by: MWP

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

BALTIMORE COUNTY, MARYLAND No. 51677
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: May 5, 1977 ACCOUNT: 87-277-A

AMOUNT: \$25.00

RECEIVED FROM: Roger D. Margis, 204 Wagner Ave., Baltimore, Md. 21203

FOR: Building Sign Replacement - 77-277-A

\$30.00 NET 2 25.00 NET

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND No. 51793
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: May 23, 1977 ACCOUNT: 87-277-A

AMOUNT: \$40.00

RECEIVED FROM: Roger D. Margis 204 Wagner Ave., Baltimore, Md. 21203

FOR: Advertising and posting of property 77-277-A

\$77.00 NET 20 40.00 NET

VALIDATION OR SIGNATURE OF CASHIER

