

78-218 A #160 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Harriet J. Stevenson, legal owner 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 1802.3B (Sec. III.C.3, 1945) and 301.1 to permit a side yard setback of one (1) foot in lieu of the required five and one-quarter (5.25) feet.

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

The driveway to be covered by a carport is located immediately beside the Petitioners' dwelling. In order to properly cover the drive, a minor encroachment over the minimum side yard width line must be made. Unless the encroachment is allowed, the driveway will continue in an unsafe condition during the winter, spring and fall, due to the severe wet and icy conditions created thereon by precipitation.

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: Harriet J. Stevenson Legal Owner
Address: 7674 Forest Garden Avenue
Baltimore, Maryland 21204

Law Offices of Robert P. Weisheit
By: Robert P. Weisheit, Jr. President Attorney
Address: 609 Equitable-Townson Building
Towson, Maryland 21204

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

of February, 1978, 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 106, County Office Building in Towson, Baltimore County, on the 10th day of April, 1978 at 11:00 o'clock

A.M. Feb 21 78 AM
Zoning Commissioner of Baltimore County.
(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Co. Missioner Date: March 23, 1978

FROM: Leslie H. Graf, Director of Planning

SUBJECT: Petition 78-218-A, Petition for Variance a Side Yard Setback
North side of Forest Garden Avenue 265 feet Southwest of Laurel Avenue.
Petitioner - Johnnie J. Stevenson and Harriet J. Stevenson

3rd District

HEARING: Monday, April 10, 1978 (11:00 A.M.)

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

Leslie H. Graf
Director of Planning

1HGJGHW

RE: PETITION FOR VARIANCE
N/S of Forest Garden Ave. 265'
SW of Laurel Ave., 3rd District
JOHNNIE J. STEVENSON, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 78-218-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. Kountz, Jr.
Charles E. Kountz, 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 28th day of March, 1978, a copy of the foregoing Order was mailed to Bowen P. Weisheit, Jr., Esquire, 600 Equitable-Townson Building, Towson, Maryland 21204, Attorney for Petitioners.



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
494-2188
S. ERIC DIMENNA
ZONING COMMISSIONER

April 13, 1978

Bowen P. Weisheit, Esquire
600 Equitable Townson Building
Towson, Maryland 21204

RE: Petition for Variance
N/S Forest Garden Avenue, 265' SW
of Laurel Avenue - 3rd Election
District
Johnnie J. Stevenson, et ux -
Petitioners
NO. 78-218-A (Item No. 160)

Dear Mr. Weisheit:

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

Very truly yours,

George J. Matyniak
GEORGE J. MATYNIK
Deputy Zoning Commissioner

GJM/mc

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

ADVERTISEMENT DESCRIPTION

BEGINNING on the north side of Forest Garden Avenue, 265 feet southwest of the intersection of Forest Garden Avenue and Laurel Avenue, being designated as Lot No. 132 on the revised Plat of Forest Gardens, recorded in Baltimore County Plat Book No. 16, folio 40, the improvements being known as 3674 Forest Garden Avenue.

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THORNTON M. McFARLING, P.E.
DIRECTOR

March 16, 1978

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

Re: Item #160 (1977-1978)
Property Owner: Johnnie J. & Harriet J. Stevenson
N/S Forest Garden Ave. 265' SW Laurel Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 5.25' for an open carport.
Area: 0.23 District: 3rd

Dear Mr. DiMenna:

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, additional fire hydrant protection is required in the vicinity. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee in connection with this Item #160 (1977-1978).

Very truly yours,

Ellsworth N. Dyer, P.E.
ELLSWORTH N. DYER, P.E.
Chief, Bureau of Engineering

END/EN:PMH:SS

cc: Mr. Munchel
2-3M Ray Sheet
10 MM 13 Pos. Sheet
MM SE Topo
88 Top Map

BALTIMORE COUNTY **ZONING PLANS** **ADVISORY COMMITTEE**



PETITION AND SITE PLAN

EVALUATION COMMENTS

Bowen P. Weisheit, Jr., Esq.
600 Equitable Townson Bldg.
Towson, MD 21204
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING ITEM # 160
County Office Building
111 N. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 21st day of Feb., 1978.

Eric DiMenna
Eric DiMenna
Zoning Commissioner

Petitioner: Johnnie J. Stevenson
Petitioner's Attorney:

Reviewed by: Ellsworth N. Dyer
Ellsworth N. Dyer, P.E.
Chairman, Zoning Plans
Advisory Committee

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 STANDING OF the Variance requested not adversely affecting the health, safety, and general welfare of the community,

to permit a side yard setback of one (1) foot instead of a Variance the required 5.25 feet.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 18th day of April, 1978, 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 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 NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of April, 1978, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 N. CHESAPEAKE BOULEVARD
TOWSON, MARYLAND 21204

March 27, 1978

John P. Weisheit, Jr., Esquire
600 Equitable-Townson Building
Towson, Maryland 21204

RE: Variance Petition
Item Number 160
Petitioner - Johnnie J. Stevenson

Dear Mr. Weisheit:

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 suitability of the requested zoning.

This Variance is necessitated by your proposal to construct an attached carport within 1 foot of the northerly side property line in lieu of the required 5.25 feet. Properties in the surrounding area are improved with single family detached dwellings with one of the dwellings across Forest Garden Avenue improved with a carport approximately within the same distance to the property line as your request.

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

Lawson P. Weisheit, Jr., Esq.
Page 2
Item No. 160
March 27, 1978

Filing certificate, will be forwarded to you in the near future.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:rf



March 17, 1978

Mr. Eric S. 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 21, 1978, are as follows:

Property Owner: Johnnie J. & Harriet J. Stevenson
Location: NW/4 Forest Garden Ave. 265' SW Laurel Ave.
Existing Zoning: D.R.5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 5.25' for an open carport
Acres: 0.23
District: 3rd

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
Planner III
Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR
March 17, 1978

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

Item No. 160
Property Owner: Johnnie J. & Harriet J. Stevenson
Location: NW/4 Forest Garden Ave. 265' SW Laurel Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 5.25' for an open carport.
Acres: 0.23
District: 3rd

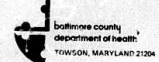
Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MEF/ame



DOUGLAS J. BOON, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

March 13, 1978

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

Dear Mr. DiNenna:

The following are comments on Item # 160, Zoning Advisory Committee Meeting of February 21, 1978:

Property Owner: Johnnie J. & Harriet J. Stevenson
Location: NW/4 Forest Garden Ave., 265' SW Laurel Ave.
Acres: 0.23
District: 3rd

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/KS/fcho
SEC 35 114



Paul H. Reinecke
CHIEF

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

Attention: F. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Johnnie J. & Harriet J. Stevenson

Location: NW/4 Forest Garden Ave. 265' SW Laurel Ave.

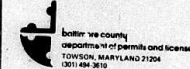
Item No. 160 Zoning Agenda Meeting of 2/21/78

Comments:

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 have 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.
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 shown.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: Planning Group
Special Inspection Division
Noted and Approved: Fire Prevention Bureau



JOHN D. SEYFERT
DIRECTOR

February 22, 1978

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

Dear Mr. DiNenna:

Comments on Item #160 Zoning Advisory Committee Meeting, February 21, 1978 are as follows:

Property Owner: Johnnie J. & Harriet J. Stevenson
Location: NW/4 Forest Garden Ave., 265' SW Laurel Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 5.25' for an open carport.
Acres: 0.23
District: 3rd

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ 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 3'0" and 4'0" of property line. (C.R. Bureau 1/9/1987)
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section .

Very truly yours,

Charles E. Burnham

Charles E. Burnham
Plans Review Chief
CEB:rf

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 17, 1978

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

Z.A.C. Meeting of: February 21, 1978

RE: Item No: 160
Property Owner: Johnnie J. & Harriet J. Stevenson
Location: NW/4 Forest Garden Ave., 265' SW Laurel Avenue
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 1' in lieu of the required 5.25' for an open carport.

District: 3rd
No. Acrier: 0.23

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

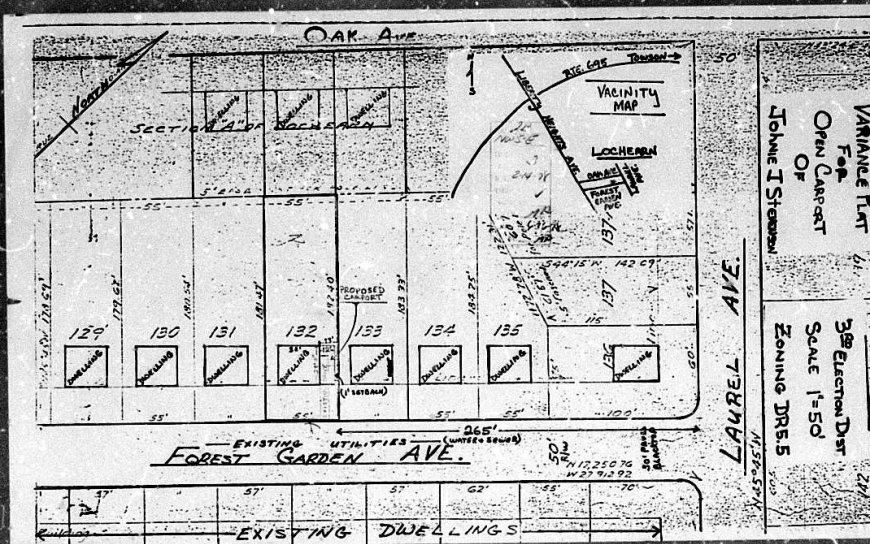
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/jup

JOSEPH H. MCCORMACK, PRESIDENT
Y. SARAY WILLIAMS, JR., VICE-PRESIDENT
MARY IS. H. BOWLING

THOMAS H. BOYER
MRS. LORRAINE J. CHURCH
ROGER B. HAYDEN
ROBERT J. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON S. SMITH, JR.
RICHARD W. TRACY, D.V.M.



PETITION MAPPING PROGRESS SHEET									
FUNCTION	Well Map		Original		Duplicate		Tracing	200 Sheet	
	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: <i>DB</i>					Revised Plans: Change in outline or description Yes Map # <i>6056</i>				
Previous case:									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this *4* day of *Feb* 1978. Filing Fee \$ *75.00* Received ☒ Check ☐ Cash ☐ Other

Eric DiNenna
Eric DiNenna,
Zoning Commissioner

Petitioner *Johnnie J. Stevenson* Submitted by *WNP/jup*
Petitioner's Attorney *WNP/jup* Reviewed by *DB*

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



TOWSON, MD. 21204 March 23 1978

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Johnnie J. Stevenson N/S of Forest Garden Avenue was inserted in the following:

- ☐ Caronsville 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 24th day of *March*, 1978, that is to say, the same was inserted in the issue of March 23, 1978.

STROMBERG PUBLICATIONS, INC.

BY *Edith Berger*

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 23, 1978

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 *March 23* one time *successive* weeks before the *10th* day of *April*, 1978, the *first* publication appearing on the *23rd* day of *March*, 1978.

THE JEFFERSONIAN,
Edith Berger
Manager.

Cost of Advertisement \$

PETITION FOR A VARIANCE
IN DISTRICT
3rd
This is to certify that the annexed advertisement for a Variance for a side setback of 1' in lieu of the required 5.25' for an open carport was published in the JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on March 23, 1978, the first publication appearing on the 23rd day of March, 1978.

PETITION FOR A VARIANCE
IN DISTRICT
3rd
This is to certify that the annexed advertisement for a Variance for a side setback of 1' in lieu of the required 5.25' for an open carport was published in the JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on March 23, 1978, the first publication appearing on the 23rd day of March, 1978.

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

No. 66510

DATE March 20, 1978 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED Money Order Johnnie J. Stevenson, 3674 Forest Garden Ave., Balto., Md. 21207
FOR Petition for Variance #78-218-4

1840 NERF 20 25.00 NERF

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

No. 66555

DATE April 7, 1978 ACCOUNT 01-662

AMOUNT \$5.32

RECEIVED Money Order Johnnie J. Stevenson, 3674 Forest Garden Ave., Balto., Md. 21207
FOR Advertising and posting of property #78-218-4

1819 NERF 7 4532 NERF

1-SIGN 78-218-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District *3rd* Date of Posting *MARCH 25, 1978*
Posted for: *PETITION FOR VARIANCE*
Petitioner: *JOHNNIE J. STEVENSON*
Location of property: *N/S of FOREST GARDEN AVE. 265' SW of LAUREL AVE.*
Location of Sign: *FRONT 3674 FOREST GARDEN AVE.*
Remarks:
Posted by *Thomas E. Ralston* Date of return: *MARCH 31, 1978*
Signature