

79-108-A # 55 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Sandra Lee Bell
and Mr. Howard Gary Bell, 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 1-802.3B (211) 31. (201) 11.10. PREMISE, a
side yard setback of 2 feet in lieu of the required 6 feet in a R-3.5-S

of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)
Increased traffic on Chesaco Avenue has caused parking difficulties and concern for the safety of our automobiles. We plan to install a concrete driveway and, at the same time, a carport (if the requested variance is approved) in order to provide our automobiles protection from the elements. The above-mentioned variance is required in order to construct a carport to be attached to the side of our home with less than the required six feet setback. A free-standing carport could be built in our back yard, but it would block our neighbors view and would not allow us the use of our back yard. The side ground cannot practically be used for any other purpose and this proposed location would not block any of our neighbors view. Not only would this location be the most desirable, but it would preserve the beauty of our home and would not require a 50 foot side setback as prescribed by zoning regulations. I, or we, agree to pay expense 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: November 6, 1978
Contract purchaser: Howard Gary Bell
Address: 1520 Chesaco Avenue
Baltimore, Md. 21237
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of September, 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 _____ day of _____, 1978, at 10:15 o'clock
A.M.
Eric DiNenna
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner
FROM: Director of Planning
SUBJECT: Petition 79-108-A, Petition for Variance for side yard setback
West side of Chesaco Avenue, opposite Sagamore Road
Petitioner - Howard Gary and Sandra Lee Bell
14th District

HEARING: Wednesday, November 8, 1978 (10:15 A.M.)

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

Leslie H. Graef
Director of Planning

LHG:JGH:aw

RE: PETITION FOR VARIANCE
W/S of Chesaco Ave., - opposite
Sagamore Rd., 14th District
HOWARD G. BELL, et ux, Petitioners
Case No. 79-108-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 - ay be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 19th day of October, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. Howard G. Bell, 1520 Chesaco Avenue, Baltimore, Maryland 21237, Petitioners.

John W. Heslian, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 484-2363
S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

November 28, 1978

Mr. & Mrs. Howard Gary Bell
1520 Chesaco Avenue
Baltimore, Maryland 21237

RE: Petition for Variance
W/S of Chesaco Avenue,
opposite Sagamore Road -
14th Election District
Howard Gary Bell, et ux -
Petitioners
NO. 79-108-A (Item No. 55)

Dear Mr. & Mrs. Bell:

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

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

GJM:mr

Attachment

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

DESCRIPTION FOR H.G. BELL PROPERTY

BEGINNING on the west side of Chesaco Avenue directly west of and opposite the centerline of Sagamore Road and known as Lot #11 as shown on Plat of Camelot which is recorded in Land records of 1.1000 County in Liber 29, Folio 87.
Also known as 1520 Chesaco Avenue

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



HEARING AND SITE PLAN

PREPARED BY

Mr. & Mrs. Howard Bell
1520 Chesaco Avenue
Baltimore, Maryland 21237

Item No. 55

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this _____ day of September, 1978.

Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Bell
Petitioner's Attorney: _____

Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Zoning Commissioner of
Baltimore County
Room 106
County Office Building
Towson, Maryland 21204

Re: Proposed Zoning Various Requested by
Howard Gary Bell and Sandra Lee Bell
1520 Chesaco Avenue

Gentlemen:

We are the owners of the property 1600 Chesaco Avenue and reside next to the above-mentioned property owners. We are aware of their proposed variance requesting that they be permitted a sideyard setback of 2 feet from our property line in lieu of the required 6 feet.

Please be advised that we have reviewed their proposal to install a concrete driveway and construct a carport (to be attached to their house) with a setback of 2 feet instead of the required 6 feet from our sideyard line, and hereby consent to same.

Very truly yours,
Phyllis Fulmer
Phyllis Fulmer

MAR 13 1979

ORDER RECEIVED FOR FILING
DATE 11/23/78

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 Petitioner:

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, the Variance to permit a side yard setback of two feet in lieu of the required six feet should be granted.

Deputy
It is ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of November, 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 Department 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 11th day of November, 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 Bldg.
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

Mr. Nicholas B. Commodari
Chairman

Mr. Howard Bell
Chairman

Mr. Howard Bell
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Mr. Howard Bell
Chairman

October 11, 1978

RE: Variance Petition
Item No. 55
Petitioner - Bell

Dear Mr. & Mrs. Bell:

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 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 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 B. Commodari
Chairman
Zoning Plans Advisory Committee

ENCLOSURE



THOMSON M. MURPHY, P.E.
DIRECTOR

November 22, 1978

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

Re: Item #55 (1978-1979)

Property Owner: Howard G. & Sandra L. Bell
W/S Chesaco Ave. opp. Sagamore Rd.
Existing zoning: D.R. 5.5
Proposed zoning: Variance to permit a side setback of 2' in lieu of the required 6'.
Acres: 0.1389 District: 14th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Comments:

Baltimore County highway and utility improvements are not directly involved and are as secured by public Works Agreement #145502, executed in conjunction with the development of "Comcast", of which this property comprises lot 13 of Block G of "Section Eight - Comcast", recorded A.R.C. 29, Page 97.

Development of this property through striping, 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 striping of top soil.

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.

There is a 10-foot Baltimore County drainage and utility easement across the rear of this property. The Petitioner is cautioned that no encroachment by construction of any structure, including footings, will be permitted within County rights-of-way or utility easements.

A 16-inch public water main and 8-inch public sanitary sewer exist in Chesaco Avenue, not in the rear of this property as stated on the submitted plan.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #55 (1978-1979).

Very truly yours,

THOMSON M. MURPHY, P.E.
Chief, Bureau of Engineering

J-NE Key Sheet
11 NE 19 Pos. Sheet
NE 3 E Topo
99 T&E Map



LESLIE H. GIBBY
DIRECTOR

October 24, 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 #55, Zoning Advisory Committee Meeting, September 5, 1978, are as follows:

Property Owner: Howard G. & Sandra L. Bell
Location: W/S Chesaco Avenue opposite Sagamore Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2' in lieu of the required 6'.
Acres: 0.1389 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. Winkler
Planner III
Current Planning and Development



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

October 4, 1978

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

Dear Mr. DiNenna:

Comments on Item #55, Zoning Advisory Committee Meeting,

September 5, 1978, are as follows:

Property Owner: Howard G. & Sandra L. Bell
Location: W/S Chesaco Ave. opp. Sagamore Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2' in lieu of the required 6'.
Acres: 0.1389
District: 14th

Metropolitan water and sewer exists, therefore the proposed variance should not pose any health hazards.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/TED/12/2



STEPHEN J. COLLINS
DIRECTOR

October 26, 1978

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

Dear Mr. DiNenna:

Item No. 55 - Meeting of September 5, 1978
Property Owner: Howard G. & Sandra L. Bell
Location: W/S Chesaco Ave. opp. Sagamore Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2' in lieu of the required 6'.
Acres: 0.1389
District: 14th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanagan
Engineer Associate II

MSF/mjn



Paul H. Jencke
Chief

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

Attention: Zoning Advisory Committee

Re: Property Owner: Howard G. & Sandra L. Bell

Location: W/S Chesaco Ave. opp. Sagamore Rd.

Item No. 55 Zoning Agenda

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 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]
Planning Group
Special Inspection Division

Noted and Approved: [Signature]
Fire Prevention Bureau



LESLIE H. GIBBY
DIRECTOR

September 27, 1978

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

Dear Mr. DiNenna:

Comments on Item # 55 Zoning Advisory Committee Meeting, September 5, 1978

are as follows:

Property Owner: Howard G. & Sandra L. Bell

Location: W/S Chesaco Ave. opposite Sagamore Road

Existing zoning: D.R. 5.5

Proposed zoning: Variance to permit a side setback of 2' in lieu of the required 6'.

Acres: 0.1389

District: 14th

The items checked below are applicable:

- X 1. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- X 2. A building permit shall be required before construction can begin.
- X 3. Additional _____ permits shall be required.
- X 4. Building shall be upgraded to new use - require alteration permit.
- X 5. Three sets of construction drawings may be required to file an application for a building permit.
- X 6. 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.
- X 7. Wood frame walls are not permitted within 10' of a property line. Contact Building Department if distance is between 10' and 65' of property line.
- X 8. Temporary setback variance conflicts with the Baltimore County Building Code. See Section _____.

1. No Comment.

2. Comment:

Very truly yours,

Charles E. Burdick
Planning Review Chief

CEB/mjz

MAR 13 1979

Date: August 31, 1978

Z.A.C. Meeting of: September 5, 1978

RE: Item No: 55
Property Owner: Howard G. & Sandra L. Bell
Location: W/S Chesaco Ave. opp. Sagamore Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 2' in lieu of the required 6'.

District: 14th
No. Acres: 0.1389

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

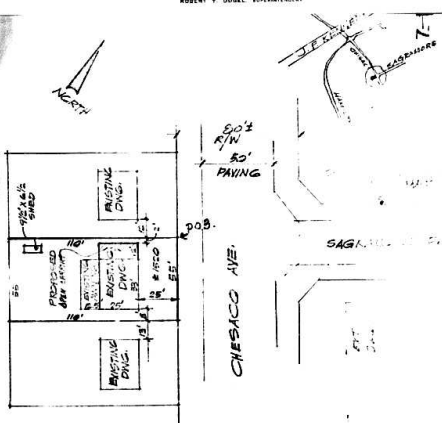
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. MCGOWAN PRESIDENT
T. BAYARD WILLIAMS JR. VICE-PRESIDENT
MARCUS M. ROTENBERG

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER B. HAYDIN
ROBERT T. OUEL, SUPERINTENDENT

ALVIN LORELE
MRS. MILTON B. SMITH, JR.
RICHARD W. TRACY, DVM



PETITION FOR VARIANCE FOR SIDE SETBACK
Mr & Mrs. H. G. BELL
14 DIST. CHAMPLAIN
LOT 13, BLK G
PUBLIC UTILITY EXISTING IN REAR
SCALE 1"=40'

MAP 48
NE 5-E

TARGET NO
DISTANCE 14
Q M 8-24-70

TIME
REMARKS J
IX

FINISH
SERIAL

District 14 Date of Posting 10/22

Posted for: V. Arany
 Pictitioner: Victor E. Bell et al.
 Location of property: W/2 Chancee and 1520 Chancee
 Location of Sign: front of property
 Remarks:
 Posted by: John E. Glicker Date of return: 10/1/77

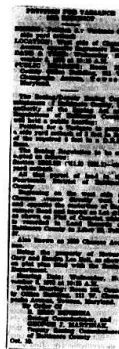
No. of Signs /

TOWSON, MD.,.....October 19....., 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., ~~once a week~~ at one time ~~announced before~~ before the 8th day of November 1975, the first publication appearing on the 12th day of October 1974.

THE JEFFERSONIAN,
L. Lank Smith
 Manager.

Cost of Advertisement \$

[illegible]


 OFFICE OF
 THE **TIMES**
 NEWSPAPERS
 TOWSON, MD 21204 October 19 1978

THIS IS TO CERTIFY, that the annexed advertise. of
PETITION FOR VARIANCE - Howard G. Bell, et ux
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
20th day of October, 1978, that is to say, the same
was inserted in the issues of October 19, 1978

STROMBERG PUBLICATIONS, INC.

BY *E. L. Burger*

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Description checked and outline plotted on map										
Petition number added to outline										
Dem. d										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>MBL</i>					Revised Plans: Change in outline or description Yes _____ No _____					
Previous case: _____					Map # _____					

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 22 day of Aug. 1978. Filing Fee \$ 25. Received ☒ Check

____th
S. Eric DiNanna
Zoning Commissioner
Petitioner BEL! Submitted by Mrs. Bozell
Petitioner's Attorney _____ reviewed by MJR

* 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

DA: November 8, 1978 ACCOUNT: 01-662
AMOUNT: \$51.97
*RECEIVED Rebecca Ball
FROM: _____
FOR: Cost of Advertising and Posting Case No. 79-108-4
28863-2 o 5197
VALIDATIONS OR SIGNATURE OF CASHIER



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

DATE October 10, 1978 ACCOUNT 01-662
AMOUNT \$25.00
RECEIVED Harman C. Ball
FROM _____
FOR Billing For Gar-Gar Rev 79-1004
100 000 20 250000
VALIDATION OR SIGNATURE OF CUSTOMER