The undersigned, legal owner(s) 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 4156.1 To allow two recreational vehicles on the -- property -- instead of the permitted one -----

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

Minancial: recently spent \$8.000 on the second recreational vehicle.

Unable to find a second location to store one of the vehicles. Unaware of any such law governing this active, otherwise I would not have purchased the second vehicle.

I/We do solemnly declare and affirm,

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.

under the penalties of perjury, that I/we.... are the legal owner(s) of the propenty. which is the subject of this Petition. Legal Owner(s): Contract Purchaser: Francis C. Wehr -----(Type or Print Name) (Type of Print Nam:) Martha B. Wehr. Address Mouther B Wehr ---------City and State Iten. 18 Attorney for Petitioner: 9608 Magledt Road 668-3145 ______ (Type or Print Name) ---- Baltimore, -Maryland-21234---------Name, address and phone number of legal owner, con-........... tract purchase, or representative to be contacted ------City and Siate 9608 Maglest Bd. 668-3145

ORDERED By The Zoning Commissioner of Baltimore County, this ___24th_____ day

County, on the 2nd day of April 19 84, at 10:15 o'clock __A_M.

Attorney's Telephone No.: _____

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY 1 PISTEL P. E. DIRECTOR

March 15, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #187 (1983-1984) Property Owner: Francis C. Wehr, et ux N/S Magledt Rd. 91.51' W. Summit Avenue Acres: 91.51/123.97 X 286.57/321.17 District: 11th

Dear Mr. Jablon:

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.

Magledt Road, an existing public road, is proposed to be further improved in the future on a 60-foot right-of-way.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Icem 187 (1983-1984).

> Very truly yours, Bureau of Public Service

RAM: EAM: FWR: 68

N-NE Key Sheet 36 NE 20 Pos. Sheet NE 9 E Topo 71 Tax Map

RF: PETITION FOR VARIANCE N/S Magledt Rd., 91.51' W of Summit Ave. (9608 Magledt

kd.), 11th District

FRANCIS . WEHR, et ux. Petitioners

Case No. 84-254-A

ENTRY OF APPEARANCE

1::::::

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

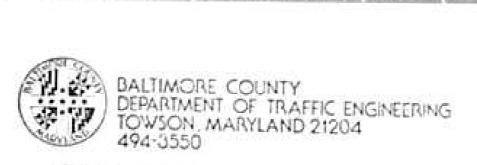
: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Max Januanna Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 494-2188

I HEREB? CERTIFY that on this 20th day of March, 1914, a copy of the feregoing Entry of Appearance was mailed to Mr. and Mrs. Francis C. Wehr, 9608 Magledt Road, Baltimore, MD 21234, Petitioners.

> Phyllia Cole Pridman Phyllis Cole Friedman



February 9, 1984

Mr. Arnold Jablon Zoning Comm ssioner County Office Building Towson, Maryland 21204

STEPHEN E. COLLINS

Item No. 176,177,179,182,183,184 187,188,189, & 190 ZAC-Meeting of Jan. 24, 198. Property Owner: Location: Existing Zoning: Proposed Zoning:

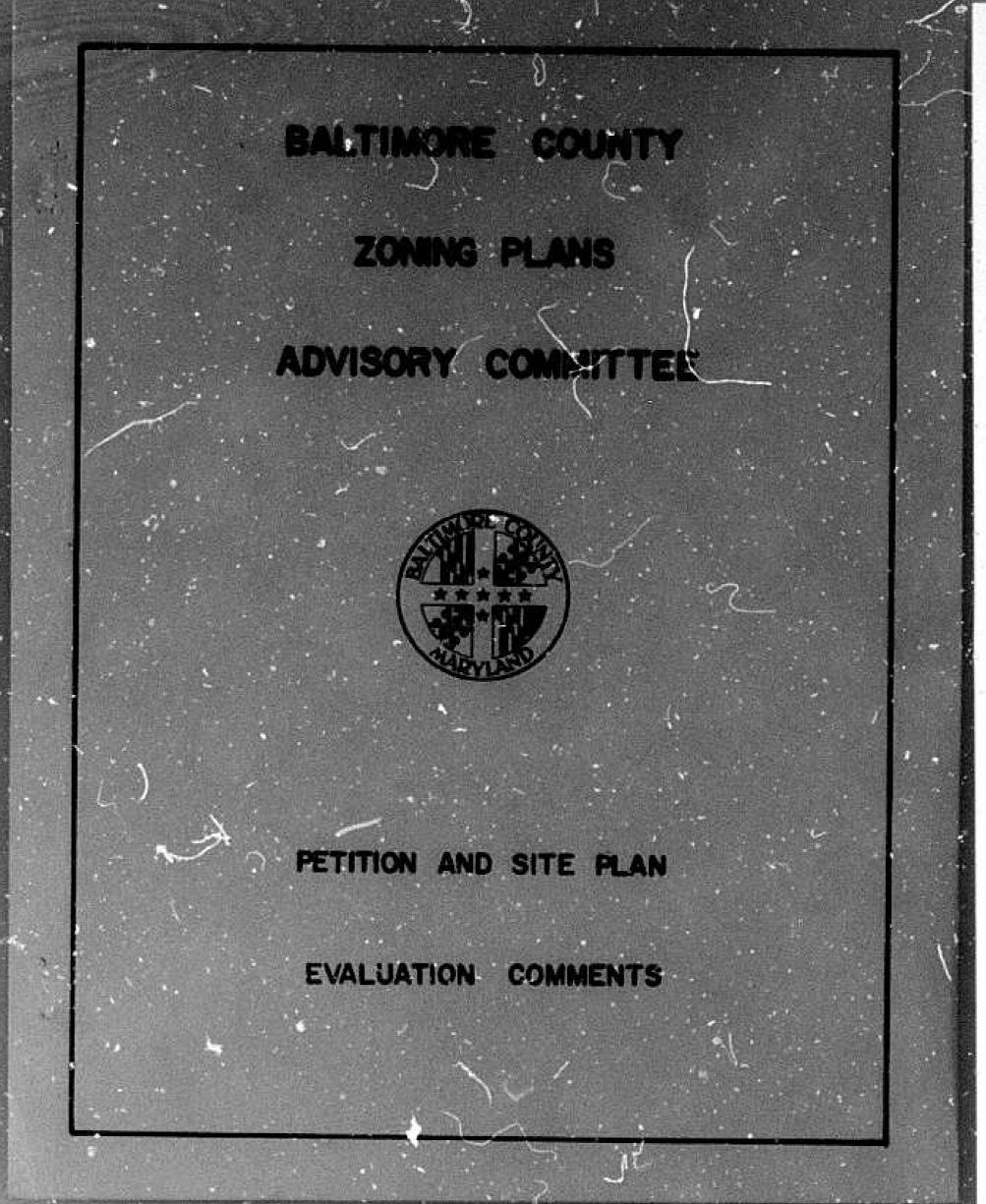
Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 176, 177, 179, 182, 183, 184, 187, 188, 189, and 190.

> - - - -Traffic Engineering Assoc. II

MSF/ccm



Re: Zoning Advisory Meeting of 1/24/84

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

)A County Review Group meeting was held and the minutes will be

forward by the Bureau of Public Services.
)This site is part of a larger tract; therfore it is defined as a

This property contains soils which are defined as wetlands, and

Development of this site my constitute a potential conflict with the Baltimore County Master Plan.

)The amended Development Plan was approved by the Planning Board

Bill 178-79. No building permit may be issued until a Reserve

Capacity Use Certificate has been issued. The deficient service

) The property is located in a traffic area controlled by a "D" level

intersection as defined by 8111 178-79, and as conditions change

traffic capacity may become more limited. The Basic Services Areas

Landscaping should be provided on this site and shown on the plan. The property is located in a deficient service area as defined by

)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development

>)There are no site planning factors requiring comment.
)A County Review Group Meeting is required.

subdivision. The plan must show the entire tract.

The circulation on this site is not satisfactory.

are re-evaluated annually by the County Council.

Parking calculations must be shown on the plan.

The parking arrangement is not satisfactory.

development on these soils is prohibited.

to issuance of a building permit.

The access is not satisfactory.

)Additional comments:

)A record plat will be required and must be recorded prior

Property Owner: Francis C. Welle, of u. 4

Location: NI Wingleds Rd. Wig Summit Aw.

CALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING

NORMAN E. GERDER DIRECTOR

Mr. Arnold Japlon

Dear Mr. Jablon:

Zoning Commissioner County Office Building

Tomon, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE March 23, 1984 111 W. Chesapeake Ave. Mr. & Mrs. Francis C. Wehr Towson, Maryland 21204 9608 Magledt Road

Nicholas b. Cornedari Chairman

NEXINERS Engineering Department of Traditio Engintering State Roads Commiss: Pareau of Fire Prevention Health Department Project Planning

Building Department

Soard of Education

Industrial. Development

Coming Administration

RE: Case No. 84-254-A (Item No. 187) Petitioner - Francis C. Wehr, et ux Variance Petitien

Dear Mr. & Mrs. Wehr:

Baltimore, Maryland 21234

The Zoning Plans-Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appro-priateness 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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwi e, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Mikle Blomwelow NICHOLAS B. COMMODARI Chairman · Zoning Plans Advisory Committee

NBC:bsc Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon, Zoning Commissioner TO Office of Planning and Zoning Date March 9, 1984 FROM Ian J. Forrest

SURJECT Zoning Variance Items Meeting - January 24, 1984

> The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

/ Item # 177 - James Elliott

Item # 179 - Randallstown West Limited Partnership, et al

Item # 183 - Hattie M. Short

Item # 184 - William H. Beatty, et al.

Item # 185 - Alvin E. Wagenheim

Item # 186 - Silver Spring Station Joint Venture

Item # 187 - Francis C. Wehr, et ux

Item # 189 - Joseph M. Nolan, et ux

Ian J. Forrest, Director SUREAU OF ENVIRONMENTAL SERVICES

1 ~ 0

IJF/fth

Eugene & Bolus Eugene A. Bober
Chief, Current Planning and Development

PAUL H PEINCKE CHIEF

February 14, 1984

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Francis C. Wehr, et ux

Location: N/S Magledt Road 91.51' W. Summit Avenue

Item No.: 187

Zoning Agenda: Meeting of January 24. 1984

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 or ____feet along an approved road, in accordance with Baltimore County Stundards 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 operation.
- () 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", 1976 Edition prior to occupancy.
- () 6. Site plans are _proved, as drawn.
- (%). The Fire Prevention Bureau has no comments, at this time,-REVIEWER: Cat. Just filly 3 15-84 Meproved. Alegan Milegarial
 Planning Group
 Fire Prevention Bureau
 Special Inspection Division

PROPERTY DESCRIPTION

Beginning at a point on the North side of Magledt Road 91.51' West of Summit Avenue and thence running South 75 08'00" West 91.51'; thence North 10°04'90" West 321.17'; thence South 86°47 00' East 123.87'; and thence South 4°11'04" East 286.57' to the beginning point.

Also known as 9608 Magledt Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO_Nicholas Commoderi. Zoning Department Date February 1, 1984

See Comments

See Comments

See Comments

PROM ___ C. E. Burnham. Chief. Building Plans Review C. 23

SUBJECT_ Zoning Advisory Committee___ Meeting of January 24, 1984

> Itcm #174 See Comments

Item #175 Sae Commants Item #176 Standard Comments

Item #177 Standard Comments Item #178 See Comments

Item #181 Se Comments Item #182 Standard Comments

Item #183 Standard Comments Item #184 Standard Comments

Item #185 See Comments Item #186 See Comments

Item(#187 No Comment Item #188 Standard Commert

Item #189 No Comment

Item #190

CEB/vw

Item #179

Item #180

PROPERTY DESCRIPTION

Beginning at a point on the North side of Magledt Road 91.51' West of Summit Avenue and thence running South 75 08'00" West 91.51'; thence North 10°04'00" West 321.17'; thence South 86°47'00' East 123.87'; and thence South 4'11'04" East 286.57' to the beginning point.

Also known as 9608 Magledt Road.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 26, 1984

Mr. Arnold Jablon Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: January 24, 1984

RE: Item No: 174, 175, 176, 177, 178, 179, 180, 181, 182, 183,184, 185, 186, Property Owner: 187, 188, 189, 5 190. Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

On Tich Felial Wm. Nick Petrovich, Assistant Department of Planning

WNP/1h

Laclosures - 17

PETITION FOR VARIANCE

11th Election District

ZONING:

Petition for Variance

LOCATION:

North side of Magledt Road, 91.51 ft. West of Summit Avenue

(9608 Magledt Road)

DATE & TIME:

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit 2 recreational vehicles on the property instead of the permitted I

Being the property of Francis C. Wehr, et ux, as shown on plat plan filed with the Zoning Department.

the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon Date_ March 13, 1984 TO Zoning Commissioner Norman E. Gerber, Director

PROM Office of Planning and Zoning Francis C. Wehr, et ux

SUBJECT 84-254-8

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

Office of Planning and Zoning

NEG/JGH/sf

DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARY AND 21204
494-3353

ARNOLD JABLON ZONING COMMISSIONER

March 28, 1984

Mr. & Mrs. Francis C. Wehr 9608 Magledt Road Baltimore, Maryland 21234

> Re: Petition for Variance N/S Magledt Rd., 91.51' W of Summit Avenue (9608 Magledt Road) Francis C. Wehr, et ux - Petitioners Case No. 84-254-A

Dear Mr. & Mrs. Wehr:

This is to advise you that \$40.20 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

No. 128257

OLD JABLON

(Francis C. Well, et ex) C 028********** 5028A

DIFICE COPY

Monday, April 2, 1984 at 10:15 A.M.

Avenue, Towson, Maryland

In the event that this Petition is granted, a building permit may be issued within

BY ORDER OF ARNOLD JABLON ZONING COM! ISSIGNER

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

ig Commissioner

VALIDATION OR SIGNATURE OF CARHIER

District

ORDER RECE

Mr. & Mrs. Prancis C. Wehr 9608 Magledt Mosd Baltimore, Maryland 21234

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Francis C. Wehr, et ux,

Case No. 84-254-A

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to allow two recreational vehicles on their property instead of the permitted one.

The Petitioner, Francis C. Wehr, and his son-in-law, William Robey, appeared and testified. There were no Protestants.

Mr. Webr has lived on the subject property since 1955 and Mr. Robey since 1959. Mr. Robey has purchased, and is storing, two recreational vehicles on the property. One vehicle is a 25-foot travel trailer and the other is a 20-foot boat. Although there is a garage, it is not nearly big enough to house either vehicle. Both are kept in the rear and not within view from the front. See Petitioners' Exhibit 1. The cost of keeping either off site is extremely high and not within the financial means of Mr. Robey. Neither of the immediate neighbors object to the two vehicles being kept on the property.

The Petitioners seek relief from Section 415A.1, pursuant to Section 307,

- of the Baltimore County Zoning Regulations (BCZR). An area variance may be granted where strict application of the zoning lation would cause practical difficulty to the petitioner and his property. an v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area war ance, the Petitioner must meet the following:
 - whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

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

Transie C. Wehr, et un

Pour by Man 2. Homan

Location of property: N/5 Marglest Nd., 91,51' n of Bummet

brent of projects (#9609 mayere (4)

Chairman, Zoning Plans Advisory Committee

84-254-A

- 2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of April, 1984, that the Petition for Variance to allow two recreational vehicles instead of the permitted one be and is hereby GRANTED from

Baltimore County

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

should be granted.

ould be granted.

- 2 -

CERTIFICATE OF PUBLICATION

L59203. 3/14 p56 CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly news paper distributed in Towson, Baltimore County, Md., once a week for _____ consecutive weeks, the first publication appearing on the _____ day of _____ 1984. The TOWSON TIMES Cost of Advertisement: \$ 19.20

April 6, 1984

Mr. & Hirs. Francis C. Hehr 9608 Magledt Road Baltimore, Maryland 21234

IN RE: Petition Zoning Variance N/S of Magledt Hoad, 91.51' W of Summit Avenue (9608 Magledt Road) - 11th Flection District Francis C. Vehr, et ux, Petitioners . Case No. 84-254-A

Dear Mr. & Mrs. Wehr:

AJ/arl

Attachments

cc: People's Counsel

I have this date passed ay Order in the above-referenced matter in accordance with the attached.

Sincerely,

ARNOLD JABLON

Zoning Commissioner

Mr. & Mrs. Francis C. Wehr 9608 Megledt Road Baltimore, Maryland 21234

> NOTICE OF HEARING Res Petition for Variance N/S Magledt Rd., 91.51' W of Summit Avenue (9608 Magledt Road) Francis C. Wahr, et un - Petitioners Case No. 84-254-A

TIME: 10:15 A.M.

DATE: Monday, April 2, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

of Baltimore County

No. 124071 BALTIMORE COUNTY, MARYLAND OFFICE OF PINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

6 0750000035p04b 61C6A

VALIDATION OR SIGNATURE OF CASHIER

HUTTOF DRIVE 9608 Magledt AVE.
Public Water & SEWAGE SESTAT. DO E .. 23.27' 107 No.76 Tis-1187 Existing Zaning: DR 5.5

FOR VARIANCE KEQUEST-

RECTEATIONAL

and after the date of this Order.