



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
CHIEF

February 14, 1984

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

Attention: Nick Cosmodari, Chairman
Zoning Plans Advisory Committee

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

Location: N/S Magledd 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 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 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 approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *Paul H. Rencke* (Signature) Approved: *George M. Magdon* (Signature)

Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

PROPERTY DESCRIPTION

Beginning at a point on the North side of Magledd 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 Magledd Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Cosmodari, Zoning Department Date: February 1, 1984

FROM: C. E. Burnham, Chief, Building Plans Review *C.E.B.*

SUBJECT: Zoning Advisory Committee
Meeting of January 24, 1984

Item #174	See Comments
Item #175	See Comments
Item #176	Standard Comments
Item #177	Standard Comments
Item #178	See Comments
Item #179	See Comments
Item #180	See Comments
Item #181	See 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 Comment
Item #189	No Comment
Item #190	See Comments

CEB/vw

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

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

Date: January 26, 1984

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

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

District:
No. Acres:

Dear Mr. Jablon:

The above items have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich (Signature)
Wm. Nick Petrovich, Assistant
Department of Planning

MNP/lh

Enclosures - 17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO: Zoning Commissioner

Date: March 13, 1984

FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: Francis C. Wehr, et ux
84-254-A

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

Norman E. Gerber (Signature)
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/st

PROPERTY DESCRIPTION

Beginning at a point on the North side of Magledd 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 Magledd Road.

PETITION FOR VARIANCE

11th Election District

ZONING: Petition for Variance
LOCATION: North side of Magledd Road, 91.51 ft. West of Summit Avenue (9608 Magledd Road)
DATE & TIME: Monday, April 2, 1984 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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 1

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

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

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

March 28, 1984

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

Re: Petition for Variance
N/S Magledd Rd., 91.51' W of Summit
Avenue (9608 Magledd 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.

Sincerely,

Arnold Jablon (Signature)
ARNOLD JABLON
Zoning Commissioner

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

No. 128257

DATE: 3-2-84 ACCOUNT: R-11-415-000

AMOUNT: \$ 40.20

RECEIVED FROM: *Wm. R. Ruby*
FOR: *Advertising & posting Case # 84-254-A*
(Francis C. Wehr, et ux)

6 028*****02010 0026A

VALIDATION OR SIGNATURE OF CARRIER

OFFICE COPY

IN RE: PETITION ZONING VARIANCE
N/S of Magleth Road, 91.51' W
of Summit Avenue (9608 Mag-
leth Road) - 11th Election
District
Francis C. Wehr, et ux,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-254-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

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

Mr. Wehr 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
regulation would cause practical difficulty to the petitioner and his property.
In *Van v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area
variance, the Petitioner must meet the following:

1. whether strict compliance with requirement would unrea-
sonably prevent the use of the property for a permitted
purpose or render conformance unnecessarily burdensome;

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

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

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 require-
ment 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 addi-
tion, the variance requested will not be detrimental to the public health, safe-
ty, 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
should be granted.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County,
this 6th 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
and after the date of this Order.

Arnold Jablon
Zoning Commissioner
Baltimore County

- 2 -

April 6, 1984

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

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

Dear Mr. & Mrs. Wehr:

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

Sincerely,

Arnold Jablon
Zoning Commissioner

AJ/srl

Attachments

cc: People's Counsel

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

NOTICE OF HEARING

Re: Petition for Variance
N/S Magleth Rd., 91.51' W of Summit
Avenue (9608 Magleth Road)
Francis C. Wehr, et ux - 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

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

No. 124071

DATE: 4/3/84 ACCOUNT: 2-01-615-000

AMOUNT: \$100.00

RECEIVED FROM: 111 West Chesapeake Avenue, Towson, Md. 21204

FOR: 187

8 875-0000-350040 61C6A

VALIDATION OR SIGNATURE OF CASHIER

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

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
24th day of January, 1984.

Arnold Jablon
Zoning Commissioner

Petitioner: Francis C. Wehr, et ux
Petitioner's Attorney: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 15, 1984

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 15, 1984,
of one time before the 2nd
day of April, 1984, the 1st publication
appearing on the 15th day of March
1984.

THE JEFFERSONIAN

L. Leach, Jr.
Manager

Cost of Advertisement, \$16.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 3/15/84

Posted for: Petitioner for Variance

Petitioner: Francis C. Wehr, et ux

Location of property: N/S Magleth Rd., 91.51' W of Summit Ave.

Location of sign: Front of property (#9608 Magleth Rd.)

Remarks:

Posted by: Mark B. Blumhagen

Date of return: 3/23/84

Number of signs: 1

CERTIFICATE OF PUBLICATION

Towson, Md. 3/16 1984

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 1 consecutive weeks, the
first publication appearing on the 16th day of
March 1984.

The TOWSON TIMES

Cost of Advertisement: \$19.20

9608 Magleth Ave.
Public Water & Sewage

