

IN RE: PETITION FOR VARIANCE \* BEFORE THE  
 NW/Corner Patapsco and Linden Avenues \*  
 (Lots 634 & 635 Chesaco Park) \* DEPUTY ZONING COMMISSIONER  
 15th Election District \*  
 7th Councilmanic District \* OF BALTIMORE COUNTY

Douglas P. Hufnagel, et ux \* Case No. 95-410-A  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as Lots 634 and 635 of Chesaco Park, located just south of the Windlass Freeway near Back River. The Petition was filed by the owners of the property, Douglas P. and Dana L. Hufnagel, through their attorney, Alfred L. Brennan, Jr., Esquire. The Petitioners seek a variance from Section 1B02.2 and 3, and Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow the subject property as a buildable lot with a lot width of 50 feet in lieu of the required 55 feet, a corner lot setback of 10 feet in lieu of the required 25 feet, and a total area of 5,000 sq.ft. in lieu of the minimum required 6,000 sq.ft., for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Douglas Hufnagel, property owner, and his attorney, Alfred L. Brennan, Jr., Esquire. Appearing in opposition to the request were Steve Webster, adjacent property owner, and Bill Werner, who resides across from the subject site.

Testimony and evidence offered revealed that the subject property consists of 0.115 acres, more or less, zoned D.R. 5.5, and is located on the northwest corner of Patapsco Avenue and Linden Avenue in the subdivi-

ORDER RECEIVED FOR FILING  
 Date 6/22/95  
 By [Signature]

MICROFILMED

sion known as Chesaco Park. The property is also located within the Chesapeake Bay Critical Areas in close proximity to Back River. The Petitioners wish to develop the lot with a single family dwelling in accordance with the elevation drawings submitted into evidence as Petitioner's Exhibit 6. Due to the size of the property and its location on a corner, the relief requested is necessary. Further testimony revealed that Mr. Hufnagel purchased the property in 1984 at which time many of the lots in this community were owned by his family. Mr. Hufnagel testified that he also owned the adjoining Lots 632 and 633, but sold those and the dwelling thereon to the Protestant, Mr. Steve Webster, seven years ago. Mr. Hufnagel testified that he attempted to sell the subject lots to Mr. Webster at the same time, however, Mr. Webster could not afford to purchase the property at that time so he decided to hold on to the property. Mr. Hufnagel now wishes to construct a single family dwelling on the property for resale.

Mr. Steve Webster testified that since this lot is on a corner, a dangerous sight visibility problem will result if a dwelling is constructed on the property. He testified that the lot is too narrow to support a dwelling and that the visibility of motorists travelling through this intersection would be impeded as a result of this dwelling. Mr. Webster also testified that since Linden Avenue is a dead-end street, the children in the neighborhood skateboard and play in this area. He further testified that he was denied the opportunity to purchase the lot as stated earlier, but that he has maintained the property for the past 7 years.

Mr. Bill Werner also testified in opposition to the proposed dwelling. Mr. Werner is also concerned that the subject lot is not of sufficient size to support a dwelling. He is equally concerned about the safety of the children who play in this area of the neighborhood and be-

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Date

By

believes that a dwelling on this lot will create a blind spot for motorists and children, given the fact that this is a corner lot. Mr. Werner is also of the opinion that a two-story dwelling would be out of character with the other homes in this area. He further testified that there is a parking problem in the neighborhood and that another dwelling in this area will only exacerbate the situation.

This matter comes before me pursuant to Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.). Section 304 relates to the issuance of building permits for undersized lots. It is clear that the subject property is undersized and is only 50 feet wide, and not 55 feet, as required by the current B.C.Z.R. Under Section 304, I am required to determine whether the proposed dwelling is "appropriate" for this site.

After due consideration of the testimony and evidence presented, it appears the relief requested should be denied. The testimony presented by the Petitioner was not convincing that approval of this undersized lot for a proposed dwelling could be granted without adversely affecting the health, safety and general welfare of the surrounding locale. The Protestants argued that the subject property is too small to support a dwelling of the size proposed, and that a dwelling on this lot would impede the visibility of motorists and children. I am inclined to agree. Therefore, the relief requested must be denied.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of June, 1995 that the Petition for Variance seeking relief from Section 1B02.2 and 3, and Section 304 of the

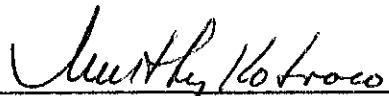
ORDER RECEIVED FOR FILING

Date

By

Baltimore County Zoning Regulations (B.C.Z.R.) to allow the subject property as a buildable lot with a lot width of 50 feet in lieu of the required 55 feet, a corner lot setback of 10 feet in lieu of the required 25 feet, and a total area of 5,000 sq.ft. in lieu of the minimum required 6,000 sq.ft., for a proposed dwelling, in accordance with Petitioner's Exhibits 1 and 6, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order in which to file an appeal.

  
\_\_\_\_\_  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 6/22/15  
By [Signature]

RECEIVED

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 22, 1995

(410) 887-4386

Alfred L. Brennan, Jr., Esquire  
825 Eastern Boulevard  
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE  
NW/Corner Patapsco and Linden Avenues  
(Lots 634 & 635 Chesaco Park)  
15th Election District - 7th Councilmanic District  
Douglas P. Hufnagel, et ux - Petitioners  
Case No. 95-410-A

Dear Mr. Brennan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Douglas P. Hufnagel  
1703 Cross Gate Court, Jarrettsville, Md. 21084

Mr. Steve Webster, 510 Patapsco Avenue, Baltimore, Md. 21237

Mr. Bill Werner, 8101 Linden Avenue, Baltimore, Md. 21237

Chesapeake Bay Critical Areas Commission  
45 Calvert Street; 2nd Floor, Annapolis, Md. 21401

People's Counsel; DEPRM; Case File

MICROFILMS





# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at Patapsco and Linden Avenues

which is presently zoned VR 5.5

95-410-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 1B02.2, 3, 304

To allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

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

*Petitioners own the lot and desire to build a house on their lot. Without a variance for setbacks, they could not build a house in conformity with others in the neighborhood.*

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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Alfred L. Brennan, Jr.

(Type or Print Name)

Signature

825 Eastern Boulevard

687-3434

Address

Phone No.

Baltimore, Maryland 21221

City

State

Zipcode

Legal Owner(s)

Douglas P. Hufnagel

(Type or Print Name)

Signature

Dana L. Hufnagel

(Type or Print Name)

Signature

1703 Cross Gate Court

557-7930

Address

Phone No

Jarrettsville, Maryland 21084

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: [Signature]

DATE

5-12-95

406

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink on Recycled Paper



95-410-A <sup>406</sup>

**BEGINNING FOR THE SAME** and being known and designated as Lots numbered 634 and 635 in a development known as Chesaco Park, as they appear on a Plat thereof recorded in the Land Records of Baltimore County in Liber WPC No. 6, folio 164.

PETITIONER'S  
EXHIBIT 5

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Townen, Maryland

95-410-A

District 1526 Date of Posting 5/17/95

Posted for: Varsonica

Petitioner: Douglas & Dana Hufnagel

Location of property: NW/cur Potomac & Linden Ave

Location of Signs: facing road way on property being zoned

Remarks: \_\_\_\_\_

Posted by M. Kelly Date of return: 6/2/95  
Signature

Number of Signs: 1





## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-410-A

(Item 406)

NWC Patapsco and Linden Avenues

15th Election District

7th Councilmanic

Legal Owner(s):

Douglas P. Hutnagel and

Dana L. Hutnagel

Hearing: Tuesday,

June 13, 1995 at 10:30

a.m. in Rm. 118, Old

Courthouse.

Variance to allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

LAWRENCE E. SCHMIDT

Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.  
5/336 May 26.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

5/25, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/25, 1995

THE JEFFERSONIAN,

*A. Henriksen*

LEGAL AD. - TOWSON

*Henriksen*



Baltimore County  
 Zoning Administration &  
 Development Management  
 111 West Chesapeake Avenue  
 Towson, Maryland 21204

**CRITICAL  
 AREA**

receipt

95-410-A

Account: R-001-6150

Item Number 406  
 Taken in by: *[Signature]*

Date 5-12-95

# 010	Residential Variance Filing Fee	50.00
# 08W	Sign & Posting	35.00
<hr/>		
Total		85.00

Owner: Douglas P. Hutnagel  
 S.O. no address yet  
 NW Corner Patuxco Ave & Linden Ave.

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 406

Petitioner: Douglas P. Hufnagel and Dana L. Hufnagel

Location: Patapsco and Linden Avenues

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Douglas P. Hufnagel

ADDRESS: 1703 Cross Gate Court

Jarrettsville, Maryland 21084

PHONE NUMBER: (410) 557-7930

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
May 25, 1995 Issue - Jeffersonian

Please forward billing to:

Douglas P. Hufnagel  
1703 Cross Gate Court  
Jarrettsville, MD 21084  
557-7930

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-410-A (Item 406)  
NWC Patapsco and Linden Avenues  
15th Election District - 7th Councilmanic  
Legal Owner(s): Douglas P. Hufnagel and Dana L. Hufnagel  
HEARING: TUESDAY, JUNE 13, 1995 at 10:30 a.m. in Room 118, Old Courthouse

Variance to allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

UNRECORDED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 18, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-410-A (Item 406)  
NWC Patapsco and Linden Avenues  
15th Election District - 7th Councilmanic  
Legal Owner(s): Douglas P. Hufnagel and Dana L. Hufnagel  
HEARING: TUESDAY, JUNE 13, 1995 at 10:30 a.m. in Room 118, Old Courthouse

Variance to allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon  
Director

cc: Douglas and Dana Hufnagel  
Alfred L. Brennan, Jr., Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 7, 1995

Alfred L. Brennan, Jr.  
825 Eastern Boulevard  
Baltimore, Maryland 21221

RE: Item No.: 406  
Case No.: 95-410-A  
Petitioner: D. P. Hufnagel, et ux

Dear Mr. Brennan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 12, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

UNRECORDED




BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: May 31, 1995

FROM: Pat Keller, Director, OPZ 

SUBJECT: Hufnagel Property

INFORMATION:

Item Number:

406

Petitioner:

Hufnagel Property

Property Size:

Zoning:

DR-5.5

Requested Action:

Variance

Hearing Date:

/ /

SUMMARY OF RECOMMENDATIONS:

See attached comment of May 31, 1995.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Carol L. Kerns*

PK/JL

5-12-95, Variance Pet., Item # 406  
Case # 83-4111

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

B \_\_\_\_\_  
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION: Attorney Alfred L. Brennan JR, 687-3434

Douglas P. Hufnagel 1703 Cross Gate Ct., Jarrattsville, Md. 21084 557-7936  
Print Name of Applicant Address Telephone Number

Lot Address None yet / NWC Linden Ave. Election District 15 Council District 7 Square Feet 5000  
Patapsco &

Lot Location: N E S W / side / corner of NWC Linden Ave. feet from N E S W corner of \_\_\_\_\_  
(street) (street)

Land Owner Douglas P. Hufnagel Tax Account Number 15-21-450164

Address Same Telephone Number \_\_\_\_\_

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	PROVIDED?	
	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (available in Rm 206 C.O.B.) (2 copies)	<input type="checkbox"/>	<input type="checkbox"/>
(please label site clearly)	<input type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Residential Processing Fee Paid  
Codes 030 & 080 (\$85)

Accepted by \_\_\_\_\_  
ZADM

Date \_\_\_\_\_

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

- Approval     Disapproval     Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Francis Morsey  
for the Director, Office of Planning & Zoning

Date: 5/31/95

MICROFILMED



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director June 5, 1995  
Zoning Administration and  
Development Management

FROM: J. Lawrence Pilson *JLP*  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #406 - Hufnagel Property  
Patapsco & Linden Avenues  
Zoning Advisory Committee Meeting of May 22, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of this property must comply with the following Chesapeake Bay Critical Area Regulations:

1. Impervious surface must not exceed 25% of the total lot acreage or 1250 square feet.
2. Tree cover of 15% must be provided on site which equals two large trees. Credit will be granted for existing trees which are retained.
3. The applicant is encouraged to contact Environmental Impact Review at 887-3980 for details about Chesapeake Bay Critical Area Regulations.

✓  
JLP:TJL:sp

c: Douglas & Dana Hufnagel

HUFNAGEL/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: May 30, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for May 30, 1995  
Items 401, 402, 406, and 407

The Developers Engineering Section has reviewed  
the subject zoning item and we have no comments.

RWB:sw

UNRECORDED

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/23/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 22, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 401, 402, 404, 405,  
406, 407, 409, 410 AND 411.

**RECEIVED**

**MAY 30 1995**

**ZADM**

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

5-16-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 406 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

**PETITION PROBLEMS  
AGENDA OF MAY 22, 1995**

**#402 --- MJK**

1. Need name of legal owner on petition form.
2. Need authorization for "legal agent" to sign for legal owner.

**#403 --- JRA**

1. Receipt was not given to petitioner or attorney.

**#404 --- JLL**

1. Need typed or printed title of person signing for legal owner.

**#406 --- JJS**

1. Incorrect zoning on petition form - VR 5.5????

**#410 --- JJS**

1. Need legal owner's telephone number on petition form.
2. Zoning on petition form does not agree with zoning on folder.
3. Review information not completed on bottom of petition form.
4. No descriptions in folder (see John Sullivan's memo).

RE: PETITION FOR VARIANCE  
NWC Patapsco and Linden Avenues, 15th  
Election District, 7th Councilmanic

Douglas P. and Dana L. Hufnagel  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 95-410-A

\* \* \* \* \*

ENTRY OF APPEARANCE

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

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13<sup>th</sup> day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Alfred L. Brennan, Jr., Esquire, 825 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

*file*

**BRENNAN AND BRENNAN**

ATTORNEYS AT LAW, P.A.  
825 EASTERN BOULEVARD  
ESSEX, BALTIMORE, MD. 21221

JAMES C. BRENNAN  
ALFRED L. BRENNAN, JR.

TELEPHONE  
(410) 687-3434  
TELEFAX  
(410) 391-4963

DEBORAH M. ENGRAM

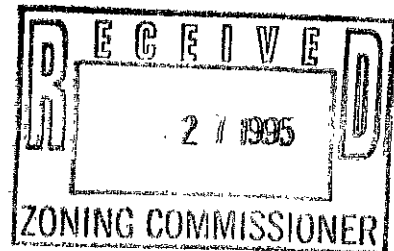
December 22, 1995

Timothy M. Kotroco, Esquire  
Deputy Zoning Commissioner for Baltimore County  
Old Courthouse, Room 118  
400 Washington Avenue  
Towson, Maryland 21204

Re: Motion for Reconsideration/  
Petition for Variance  
NWC Patapsco and Linden Avenues  
15th Election Dist., 7th Councilmanic  
PETITIONERS: DOUGLAS & DANA HUFNAGEL  
Case No. 95-410-A

Dear Mr. Kotroco:

I am writing with respect to a letter that was mailed to you dated October 30, 1995 by Peter Max Zimmerman, People's Counsel for Baltimore County. Mr. Zimmerman objected to my letter to you dated October 25, 1995 wherein I formalized my Motion for Reconsideration. In the October 25, 1995 letter, I referred back to my letter dated July 20, 1995 wherein I requested that you reconsider your Findings of Fact and Conclusions of Law and Order. (See copy enclosed herewith) It is my contention that I timely filed the Motion for Reconsideration based on the July 20, 1995 letter.

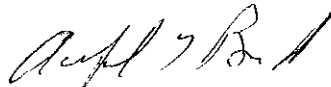


Timothy M. Kotroco, Esquire  
December 22, 1995  
Page Two

---

If there is any further information that you need, please do not hesitate to contact me.

Very truly yours,



Alfred L. Brennan, Jr.

ALB, JR/bg  
Enclosure

cc: Mr. and Mrs. Douglas P. Hufnagel  
Mr. Stephen Webster  
Mr. William Werner  
Peter Max Zimmerman, Esquire



**BRENNAN AND BRENNAN**

ATTORNEYS AT LAW, P.A.  
825 EASTERN BOULEVARD  
ESSEX, BALTIMORE, MD. 21221

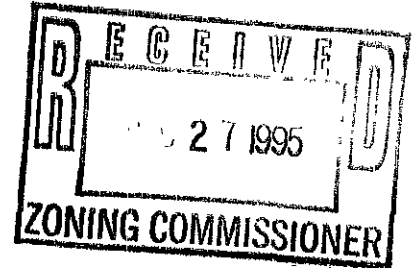
JAMES C. BRENNAN  
ALFRED L. BRENNAN, JR.

TELEPHONE  
(410) 687-3434  
TELEFAX  
(410) 391-4963

DEBORAH M. ENGRAM

July 20, 1995

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
Suite 112 Courthouse  
400 Washington Avenue  
Towson, Maryland 21204



Attn: Timothy M. Kotroco

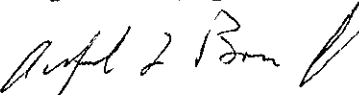
Re: Petition For Variance  
NW/Corner Patapsco and Linden Avenues  
(Lots 634 & 635 Chesaco Park)  
Case No.: 95-410-A

Dear Mr. Kotroco:

Please accept this letter as a Motion to reconsider your Findings Of Fact and Conclusions Of Law and Order dated June 22, 1995. The Petitioners propose to redesign the home so it is to be more appropriate for the property. New diagrams of the proposed site and site plans for the house will be forth coming.

Thank you for your cooperation and assistance with regard to this matter.

Very truly yours,

  
Alfred L. Brennan, Jr.

ALB, JR/rp

cc: Mr. and Mrs. Douglas P. Hufnagel  
1703 Cross Gate Court, Jarrettsville, Maryland 21084

Mr. Steve Webster, 510 Patapsco Avenue, Baltimore, MD 21237

Mr. Bill Werner, 8101 Linden Avenue, Baltimore, MD 21237



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse  
400 Washington Ave.  
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN  
People's Counsel

CAROLE S. DEMILIO  
Deputy People's Counsel

October 30, 1995

Timothy M. Kotroco, Esquire  
Deputy Zoning Commissioner for Baltimore County  
Old Courthouse, Room 118  
400 Washington Avenue  
Towson, MD 21204

Hand-delivered

Re: MOTION FOR RECONSIDERATION/  
Petition for Variance  
NWC Patapsco and Linden Avenues  
15th Election Dist., 7th Councilmanic  
PETITIONERS: DOUGLAS & DANA HUFNAGEL  
Case No. 95-410-A

Dear Mr. Kotroco:

We are in receipt of Mr. Brennan's letter dated October 25, 1995.

Upon review of the file, we know of no authority to enter a reconsideration Order more than 30 days after the date of the June 22, 1995 Opinion and Order in the case.

In any event, the Opinion reveals undisputed facts which disqualify the Petitioner from eligibility under Baltimore County Zoning Regulations (BCZR) Section 304. The combined lots 634 and 635 met neither width nor area requirements (see § 304.1B). Moreover, the Petitioner owned sufficient adjoining land to comply with the regulations, but sold off lots 632 and 633 (see § 304.1C).

Very truly yours,

A handwritten signature in cursive script that reads "Peter Max Zimmerman".

Peter Max Zimmerman  
People's Counsel for Baltimore County

PMZ/caf

cc: Alfred L. Brennan, Jr., Esq.  
Mr. Stephen Webster (Protestant)  
Mr. William Werner (Protestant)

**BRENNAN AND BRENNAN**

ATTORNEYS AT LAW, P.A.  
825 EASTERN BOULEVARD  
ESSEX, BALTIMORE, MD. 21221

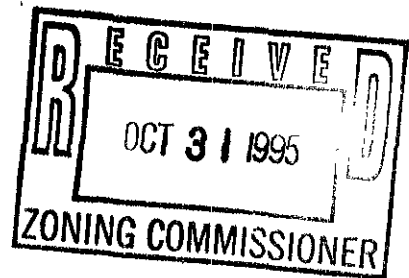
JAMES C. BRENNAN  
ALFRED L. BRENNAN, JR.

TELEPHONE  
(410) 687-3434  
TELEFAX  
(410) 391-4963

DEBORAH M. ENGRAM

October 25, 1995

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
Suite 112 Courthouse  
400 Washington Avenue  
Towson, Maryland 21204



Attn: Timothy M. Kotroco

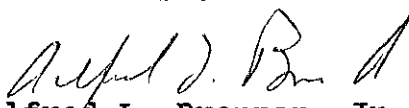
Re: Petition for Variance  
NW/Corner Patapsco and Linden Avenues  
(Lots 634 & 635 Chesaco Park)  
Case No.: 95-410-A

Dear Mr. Kotroco:

By letter dated July 20, 1995, I requested that you reconsider your Findings of Fact and Conclusions of Law and Order dated June 22, 1995. I have had an opportunity to do further investigation and have prepared an alternate building plan. Enclosed please find a formal Motion for Reconsideration which sets forth all of the items for your consideration in this Motion.

If there is any further information that you need, please do not hesitate to contact me.

Very truly yours,

  
Alfred L. Brennan, Jr.

ALB, JR/bg  
Enclosures

cc: Mr. and Mrs. Douglas P. Hufnagel  
cc: Mr. Stephen Webster  
cc: Mr. William Werner  
cc: Peter Max Zimmerman, Esquire

Re: PETITION FOR VARIANCE  
NWC Patapsco and Linden  
Avenues, 15th Election  
District, 7th Councilmanic  
  
Douglas P. and Dana L. Hufnagel  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 95-410-A

\* \* \* \* \*

**MOTION FOR RECONSIDERATION**

A hearing was held on June 13, 1995 on the Petition for Variance. Findings of Fact and Conclusions of Law were filed on June 22, 1995 by Timothy M. Kotroco, Deputy Zoning Commissioner for Baltimore County. By letter dated July 20, 1995 Petitioner, through his attorney, filed a Motion to Reconsider the June 22, 1995 Order.

Since the hearing, Mr. Hufnagel has offered lots 634 and 635 to Mr. Steve Webster for below market price. Notwithstanding the offer, Mr. Webster has told Mr. Hufnagel that he is not interested in purchasing the lots.

The Hufnagels are resubmitting the original two story house with dimension of 30'x 32', hereinafter referred to as Plan 1 (See "Plan 1" attached hereto). They are also submitting an alternate house which is a rancher with dimension of 26' x 46', hereinafter referred to as Plan 2 (See "Plan 2" attached hereto).

The protestants at the hearing stated the visibility of motorists travelling through this intersection would be impeded as a result of the proposed dwelling. The issue of sight visibility problems was discussed with Baltimore County Department of Permits and Development Management, Development Plans Review Division with respect to both lots. Rahee J.

Famili, P.E. of that Department was shown diagrams of the two proposed buildings and was asked to render an opinion as to the safety of the intersection with respect to both buildings. The code requires that a driver of a car approaching an intersection be able to see up or down the intersecting street while sitting 10' behind a line which is the extension of the edge of the roadbed into the intersection. In the case of the two story home, the line of visibility is 34' from the edge line. The rancher's line of visibility would be 40 feet. Mr. Famili wrote on both proposed drawings that the proposed building on lots 634 and 635 will not impact the line of sights negatively for either roads (See Exhibits "A-1 and A-2" attached hereto).

There have been requests for set back variance in this community which have been approved in the past.

Case No. 92-128-A was a Petition for Zoning Variance at 611 Patapsco Avenue to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling. Petition was granted (See Exhibit "B-1 and B-2" attached hereto).

Case No. 87-309A was also a Petition for Zoning Variance to permit lot width of 50 feet in lieu of the required 55 feet and a side street setback of 12 feet in lieu of the required 25 feet. The proposed building was 28' x 44'. The Petition was granted with conditions (See Exhibit "C" attached hereto).

The subject lot is 5,000 square feet. The plans for the two story house, Plan 1, would only consume 780 square feet while the plans for the rancher, Plan 2, would cover 1196 square feet. The two story house would allow twice the amount of yard then the

rancher considering both plans provide for off street parking for two (2) vehicles.

A survey of the types of houses within a six (6) block area of the proposed site revealed thirty (30) ranchers, nine (9) bungalows and eleven (11) two stories, including a few cape cods.

Enclosed are examples of two story homes in the community (See Exhibit "D" attached hereto).

Based on the survey of the neighborhood either the two story home or rancher would not be out of character with the other houses in the area.

The Opinion states that Mr. Hufnagel purchased the property in 1984 at which time many of the lots in this community were owned by his family. Lots 634 and 635 were not purchased from any of his family members, but was an arms length transaction with the then owner of the lot. A copy of Mr. Hufnagel's deed was placed into evidence at the hearing.


Bill Werner, one of the protestants, commented at the hearing that there is a parking problem in the neighborhood. Only one house on Patapsco Avenue does not have a driveway and that is the residence of Steven Webster. Mr. Hufnagel took a picture of Patapsco Avenue looking westbound from the dead end at the Amtrack crossing. Only three vehicles are parked in the street, the remaining are in the driveways. (See Exhibit "E").

Mr. Hufnagel took the photographs in this motion on different dates and times. He was also at the property on different occasions to take measurements to prepare the drawings.

At no point in time did he ever see any children playing. There are only about four (4) children who live on this part of Patapsco Avenue and none live on Linden Avenue. Patapsco Avenue is a dead end street with only four (4) houses past the Hufnagel lot. Linden Avenue is also a dead end with only two (2) houses on that street, one of which belongs to Bill Werner and the other is a home for Cerebral Palsy people.

Since the building of a house on this lot would not pose a safety problem for vehicles and pedestrians, similar petitions have been granted in the neighborhood, other houses of the same size and shape exist in the neighborhood, there does not appear to be a parking problem on this road, and Petitioner contends that either one of his proposed houses would be appropriate for the site. It is hereby requested that Petitioner's request to build a two story home on a 30 x 32' lot be approved. In the alternative, Petitioner is requesting that he be allowed to build the rancher on a 26' x 46' lot.

BRENNAN AND BRENNAN  
ATTORNEYS AT LAW, P.A.

  
ALFRED L. BRENNAN, JR.  
825 Eastern Boulevard  
Baltimore, Maryland 21221  
(410) 687-3434  
Attorney for Petitioner

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of October, 1995, a copy of the foregoing Motion for Reconsideration was mailed to Peter Max Zimmerman, Esquire, Peoples Counsel for Baltimore County, Room 47, Courthouse, 400 Washington Avenue, Towson, Maryland 21204, Stephen R. Webster, 510 Patapsco Avenue, Baltimore, Maryland 21237 and William Werner, 8101 Linden Avenue, Baltimore, Maryland 21237.

  
ALFRED L. BRENNAN, JR.



**BRENNAN AND BRENNAN**

ATTORNEYS AT LAW, P.A.  
825 EASTERN BOULEVARD  
ESSEX, BALTIMORE, MD. 21221

JAMES C. BRENNAN  
ALFRED L. BRENNAN, JR.

TELEPHONE  
(410) 687-3434  
TELEFAX  
(410) 391-4963

DEBORAH M. ENGRAM

July 20, 1995

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
Suite 112 Courthouse  
400 Washington Avenue  
Towson, Maryland 21204



Attn: Timothy M. Kotroco

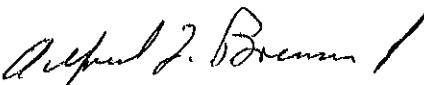
Re: Petition For Variance  
NW/Corner Patapsco and Linden Avenues  
(Lots 634 & 635 Chesaco Park)  
Case No.: 95-410-A

Dear Mr. Kotroco:

Please accept this letter as a Motion to reconsider your Findings Of Fact and Conclusions Of Law and Order dated June 22, 1995. The Petitioners propose to redesign the home so it is to be more appropriate for the property. New diagrams of the proposed site and site plans for the house will be forth coming.

Thank you for your cooperation and assistance with regard to this matter.

Very truly yours,

  
Alfred L. Brennan, Jr.

ALB, JR/rp

cc: Mr. and Mrs. Douglas P. Hufnagel  
1703 Cross Gate Court, Jarrettsville, Maryland 21084

Mr. Steve Webster, 510 Patapsco Avenue, Baltimore, MD 21237

Mr. Bill Werner, 8101 Linden Avenue, Baltimore, MD 21237

IN RE: PETITION FOR ZONING VARIANCE  
S/S Patapsco Avenue, 344' W of  
the c/l of Walnut Avenue  
(611 Patapsco Avenue)  
15th Election District  
7th Councilmanic District

John Reese Owens  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-128-A

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 1B02.3.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling in accordance with Petitioner's Exhibit 2.

The Petitioner appeared, testified and was represented by Stuart D. Kaplow, Esquire. Also appearing on behalf of the Petitioner were Ron Spielman and Dwight Little with W. Duvall and Associates, Inc. Appearing as Protestants in the matter were Mr. and Mrs. W. C. Reed, adjoining property owners.

Testimony indicated that the subject property, known as 611 Patapsco Avenue, consists of two lots comprising 0.169 acres more or less zoned D.R. 5.5 and is presently unimproved. Petitioner is desirous of developing the property with a single family dwelling in accordance with Petitioner's Exhibit 1. Mr. Owens testified he purchased the subject property approximately three months ago along with the adjoining property known as 613 Patapsco Avenue. He indicated that at the time of purchase, he was under the impression that he could construct a dwelling on the two lots known as 611 Patapsco Avenue. Mr. Owens testified that he found out shortly thereafter that he would not be able to build a home without the requested variance. Petitioner testified that 613 Patapsco Avenue is im-

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

PETITION FOR ZONING VARIANCE

194  
87-309-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 1B02.3C.1 to permit lot widths of 50 feet in lieu of the required 55 feet and a side street setback of 12 feet in lieu of the required 25 feet for Lot no. 325.

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

- 1. Existing Lot is 50 feet wide
- 2. All lots in Rosedale Terrace are 50 feet wide
- 3. Unless variance is approved, this property must stay unimproved

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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

MAP	NE2E
	4B
E. D.	15
DATE	6/18/87
200	
1000	
DP	

N5375  
129,390

Contract Purchaser:

HENRY W. HONG  
(Type or Print Name)  
Henry W. Hong  
Signature  
1912 Middleborough Rd.  
Address  
Baltimore, Md. (687-8762)  
City and State

Legal Owner(s):

JOHN RIZZO  
(Type or Print Name)  
John Rizzo  
Signature  
FRANCES A. RIZZO  
(Type or Print Name)  
Frances A. Rizzo  
Signature

Attorney for Petitioner:

(Type or Print Name)  
Signature  
Address  
City and State

1003 ROSEDALE AVE 687-2979  
Address Phone No.  
BALTIMORE, MD 21237  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Attorney's Telephone No.:

Name  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day

of December, 1986, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of January, 1987, at 9:30 o'clock M.

*[Signature]*

Zoning Commissioner of Baltimore County.

(over)

Exhibit "C"

MICROFILMED

ORDER RECEIVED FOR FILING

Date March 20, 1987  
By Stella P. Jones, Clerk

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would ~~would not~~ result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested ~~will~~ will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~should not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10<sup>th</sup> day of March, 1987, that the Petition for Zoning Variances to permit lot widths of 50 feet in lieu of the required 55 feet for Lots 324 and 325 and a side street setback of 12 feet in lieu of the required 25 feet for Lot 325 be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
\_\_\_\_\_  
Zoning Commissioner of  
Baltimore County

AJ/srl

cc: Mr. & Mrs. John Rizzo

People's Counsel

ORDER RECEIVED FOR FILING

Date

March 10, 1987

By





611 Patapsco Avenue

EXHIBIT "B-2"

EXHIBIT "D"



LINDEN AVENUE AND PATUXENT AVENUE



400 BLOCK POTOMAC AVENUE

EXHIBIT "D"



500 BLOCK POTOMAC AVENUE

EXHIBIT "E"



WESTERLY VIEW OF PATAPSCO AVENUE FROM DEAD END OF PATAPSCO AVENUE



Re from 406

Note:

Underage lot  
package sent to  
OP 2 on 5/17/95.

APR 17 1995



INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

Call # 95-410-A

TO: Director, Office of Planning and Zoning  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

B \_\_\_\_\_  
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION: Attorney Alfred L. Brennan JR, 687-3434

Douglas P. Hutnagel 1703 Cross Gate Ct, Jarrettsville, Md 21084 557-79  
Print Name of Applicant Address Telephone Number

Lot Address Noneyer / NWC Linden Aves Patapsco # Election District 15 Council District 7 Square Feet 5000

Lot Location: N E S W / side / corner of NWC Linden Aves feet from N E S W corner of \_\_\_\_\_  
(street) (street)

Land Owner Douglas P. Hutnagel Tax Account Number 15-21-450164

Address Same Telephone Number \_\_\_\_\_

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	PROVIDED?	
	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<input type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Residential Processing Fee Paid  
Codes 030 & 080 (\$85)

Accepted by \_\_\_\_\_  
ZADM

Date \_\_\_\_\_

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

RECOMMENDATIONS/COMMENTS:

Approval     Disapproval     Approval conditioned on required modifications of the permit to conform with the following recommendations:

MICROFILMED

Signed by: Francis Morsey  
for the Director, Office of Planning & Zoning

Date: 5/31/95

PROTESTANT(S) SIGN-IN SHEET

NAME

Bill Werner

Steve Webster

ADDRESS

8101 Linden Ave <sup>21237</sup> BALTO MD

510 Patapsco Ave 21237

*[Faint handwritten text]*

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Alfred L. Brennan, Jr  
Douglas P. Hufnagel

825 Eastern Blvd 21227  
(1703 Crossgate Ct. Jannettsville)  
21084

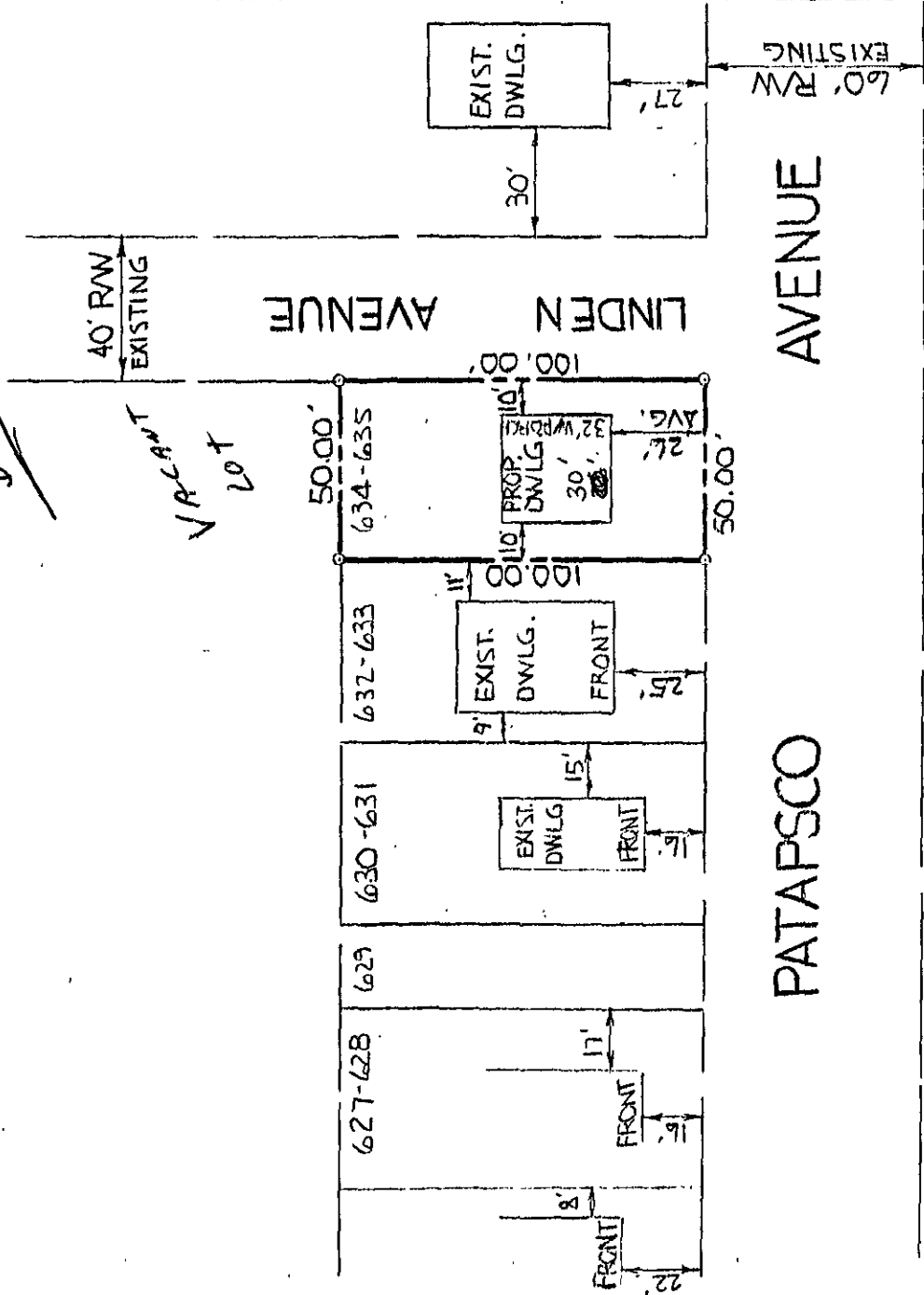
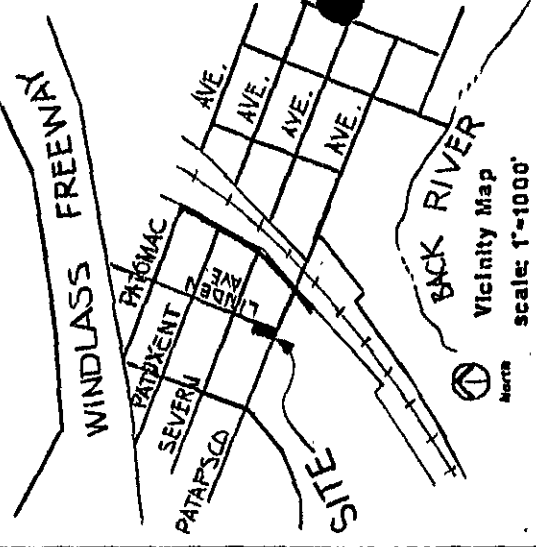


# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: NONE TAX Ass# 15-21-452164 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CHESACO PARK  
 plat book# 6, folio# 164, lot# 634-235 section# SHEET 1 PLAN D  
 95-410-A

OWNER: DOUGLAS P. HUFNAGEL



## LOCATION INFORMATION

Councilmanic District: 7  
 Election District: 15  
 1"-200' scale map#: NE 2F  
 Zoning: DR 5.5  
 Lot size: 0.115 acreage 5000 square feet

Chesapeake Bay Critical Area:  
 SWEWER:  public  private  
 WATER:  YES  NO  
 Prior Zoning Hearings: NONE

## Zoning Office USE ONLY!

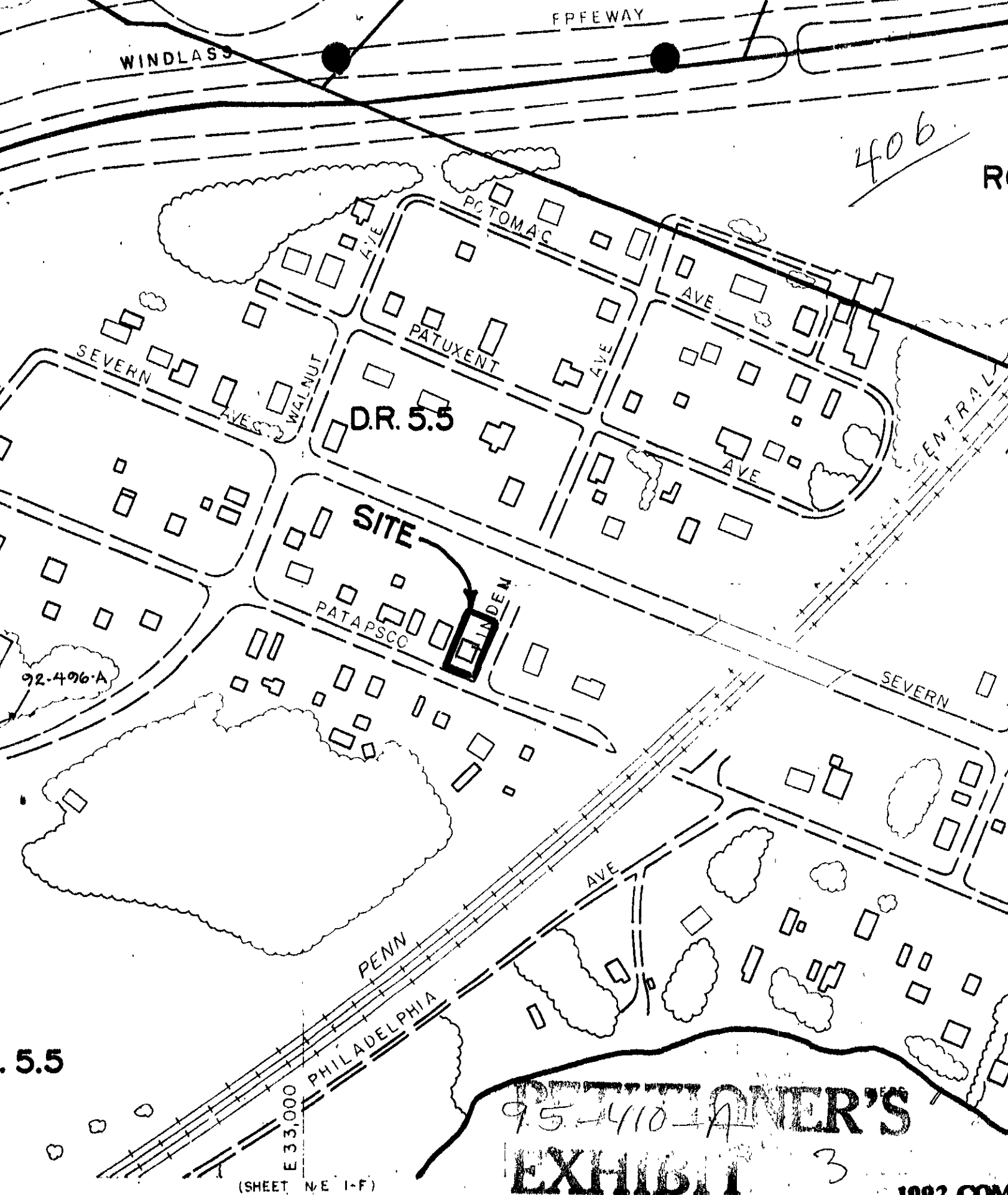
reviewed by: *[Signature]* ITEM #: 406 CASE#:

# PETITIONER'S EXHIBIT 1

ENCLOSURE

North  
 date: 3-28-95  
 prepared by: K.L.S.

Scale of Drawing: 1"=50'



406

D.R. 5.5

SITE

92-496-A

PETITIONER'S  
EXHIBIT 3

(SHEET NO. 1-F)

PETITIONER'S  
EXHIBIT 2

95-410-A

95-410-A



406

UNRECORDED

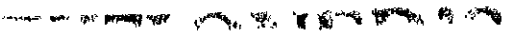
Side view of property

Side view of Property





Front of Property along Patapsco Ave



95-410-A

95-410-A

406

North view from Patapsco and Linden Avenues



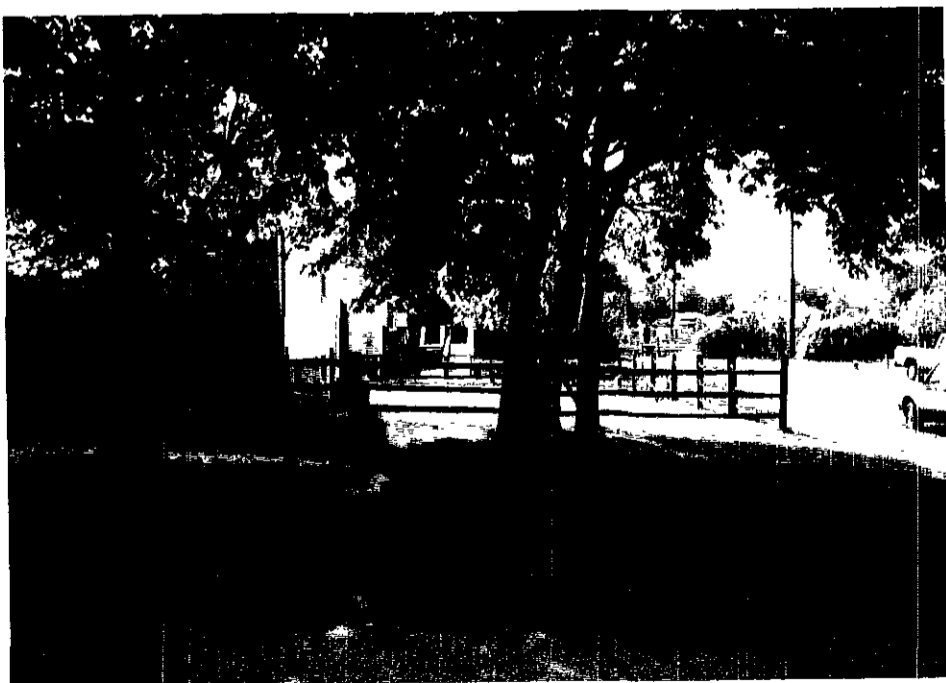
Front of Property Along Patapsco Avenue

95-410-A



406

East View Along Patapsco Avenue from Linden Ave.



Looking West on Patapsco from Linden Avenue



95-410-A



406

Looking West on Patapsco from Linden Ave,

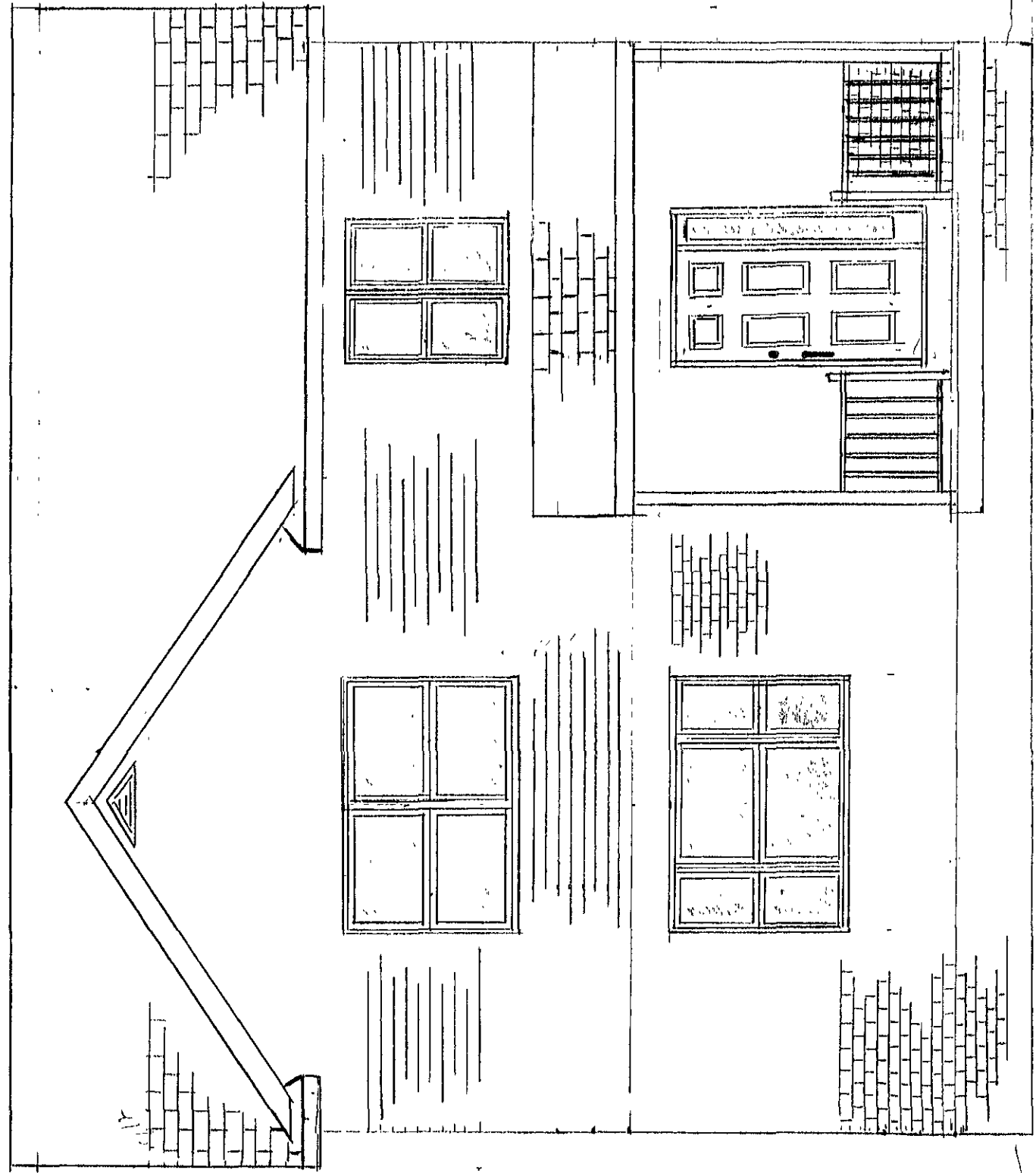


Petitioner's  
Exhibit 7  
(photograph)

95-410-A

Lot # 634, 635  
W.P.C. No 6-164

Front Elevation



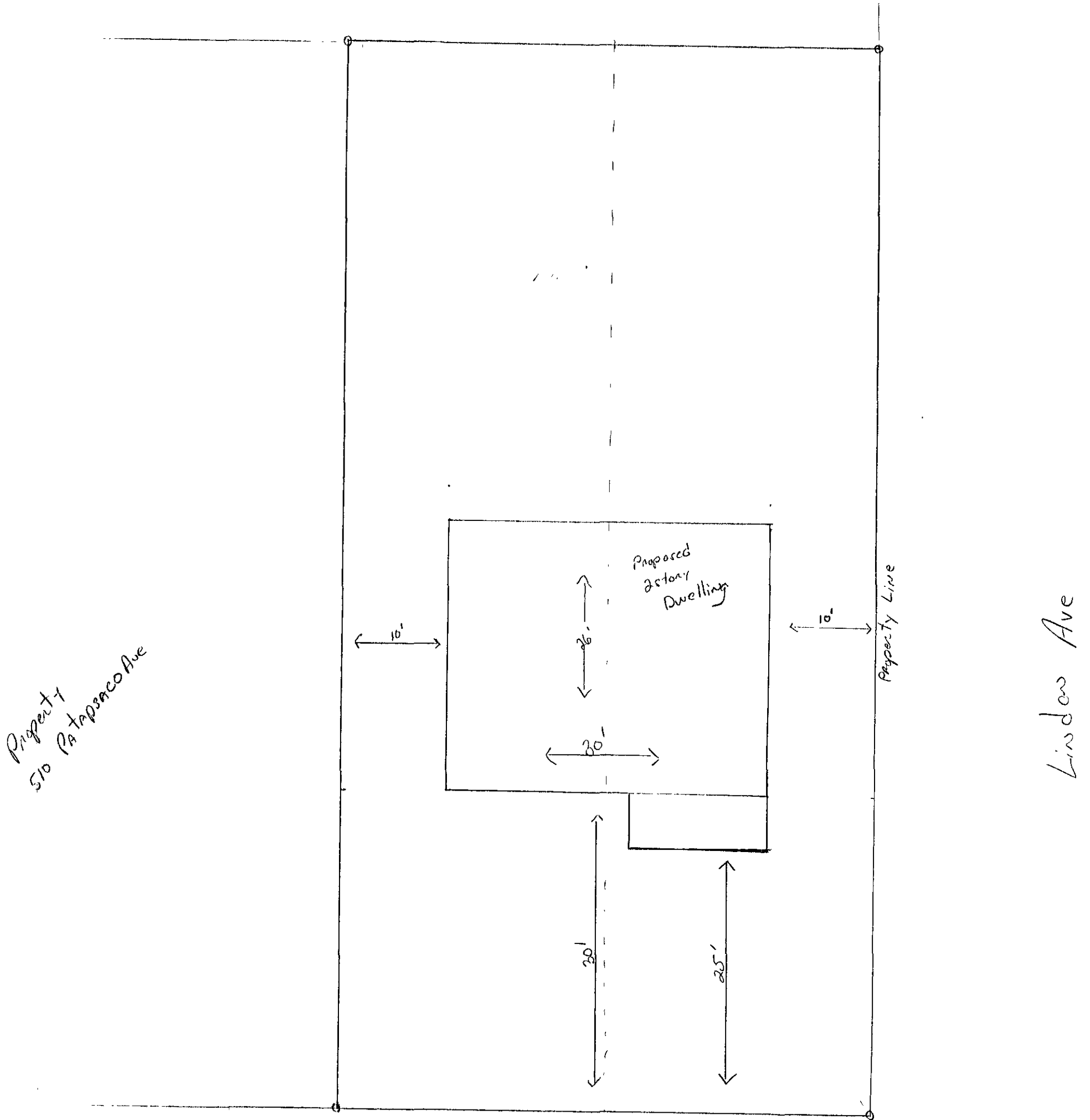
PERMITTER'S  
EXHIBIT 6

Scale 1/4" = 1 Foot

Drawn By: D. Hurlangel

# PLOT PLAN

Lot # 634, 635  
W.P.C. No 6-164



Property  
510 Patapsaco Ave

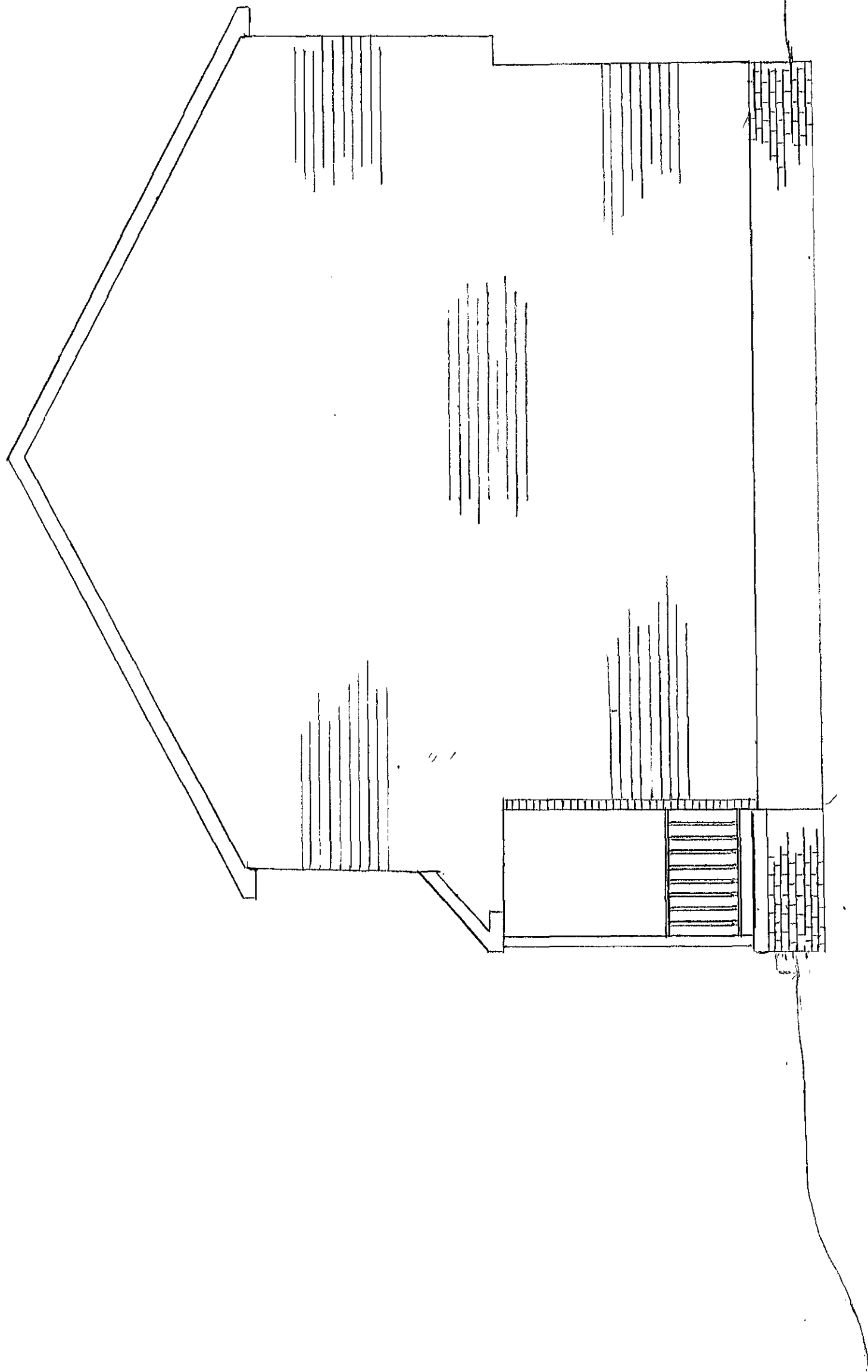
Property Line

Lindas Ave

Patapsaco Ave

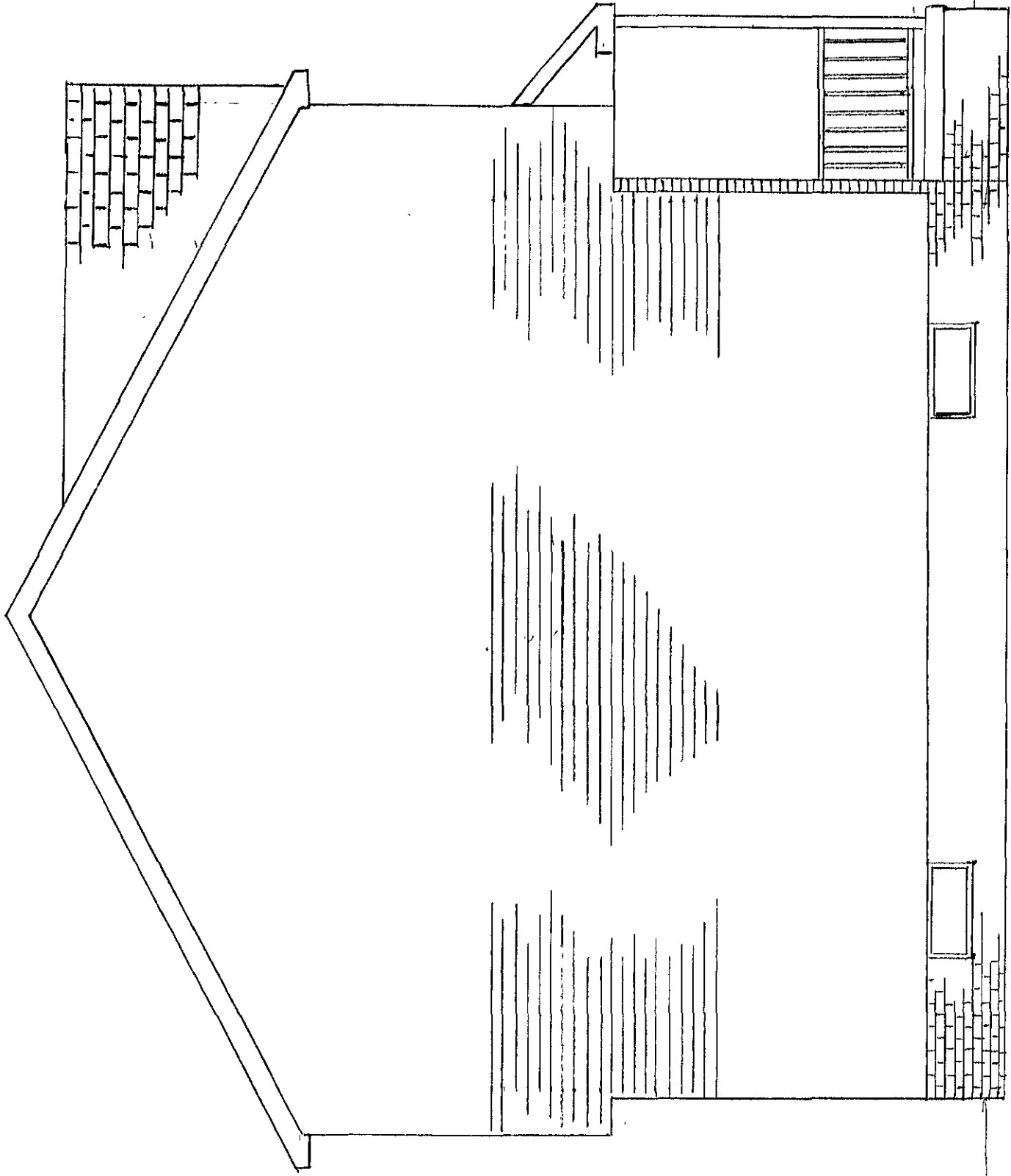
Scale 1 inch = 10 feet  
DRAWN By: D. H. H. H. H.

Right Side Elevation



Scale  $\frac{1}{4}'' = 1 \text{ Foot}$   
Drawn By: D. Hofmeyer

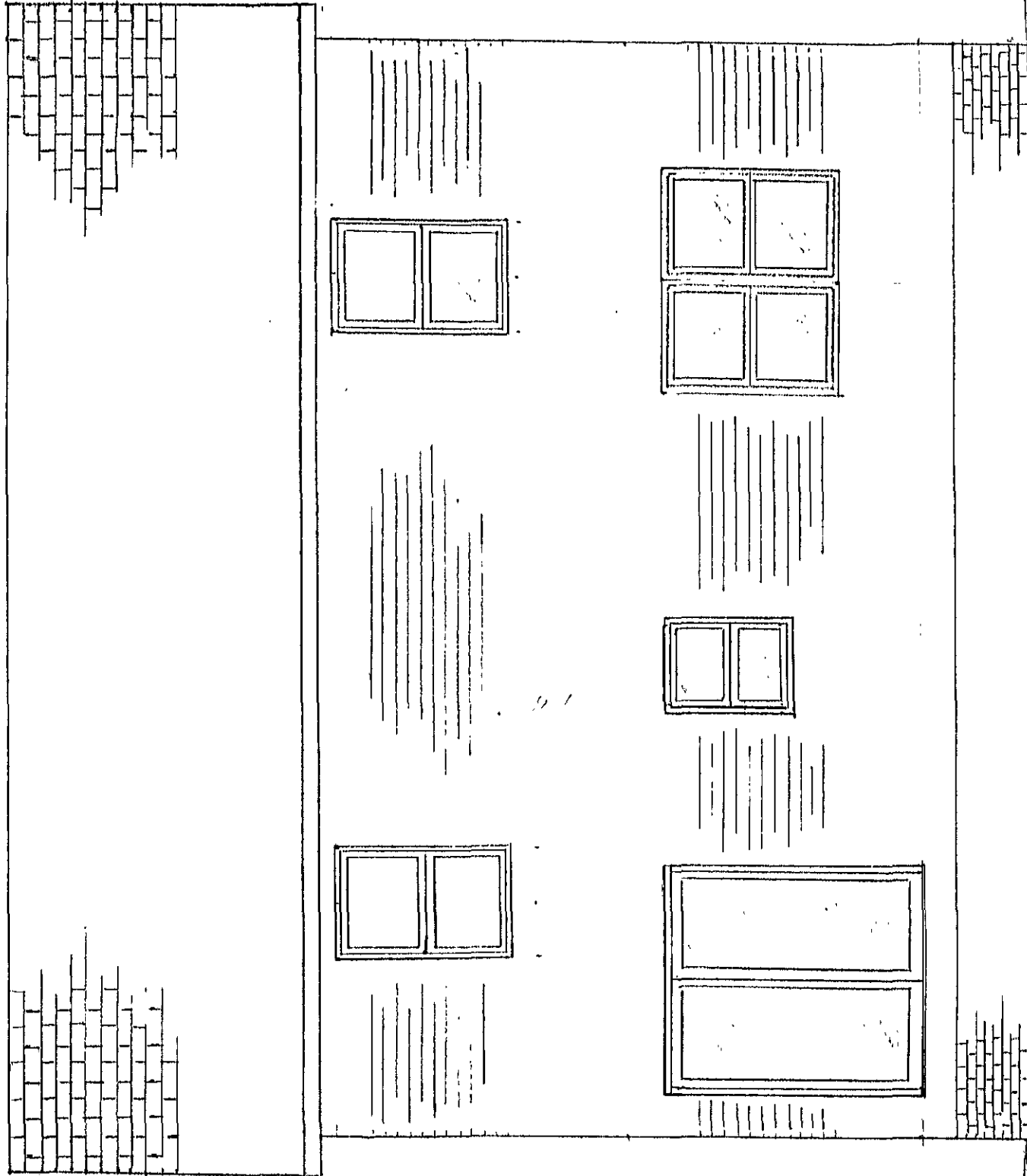
Left Side Elevation



Drawn By: D. Hufnagel

Scale:  $\frac{1}{4}$  in = 1 foot

Rear Elevation



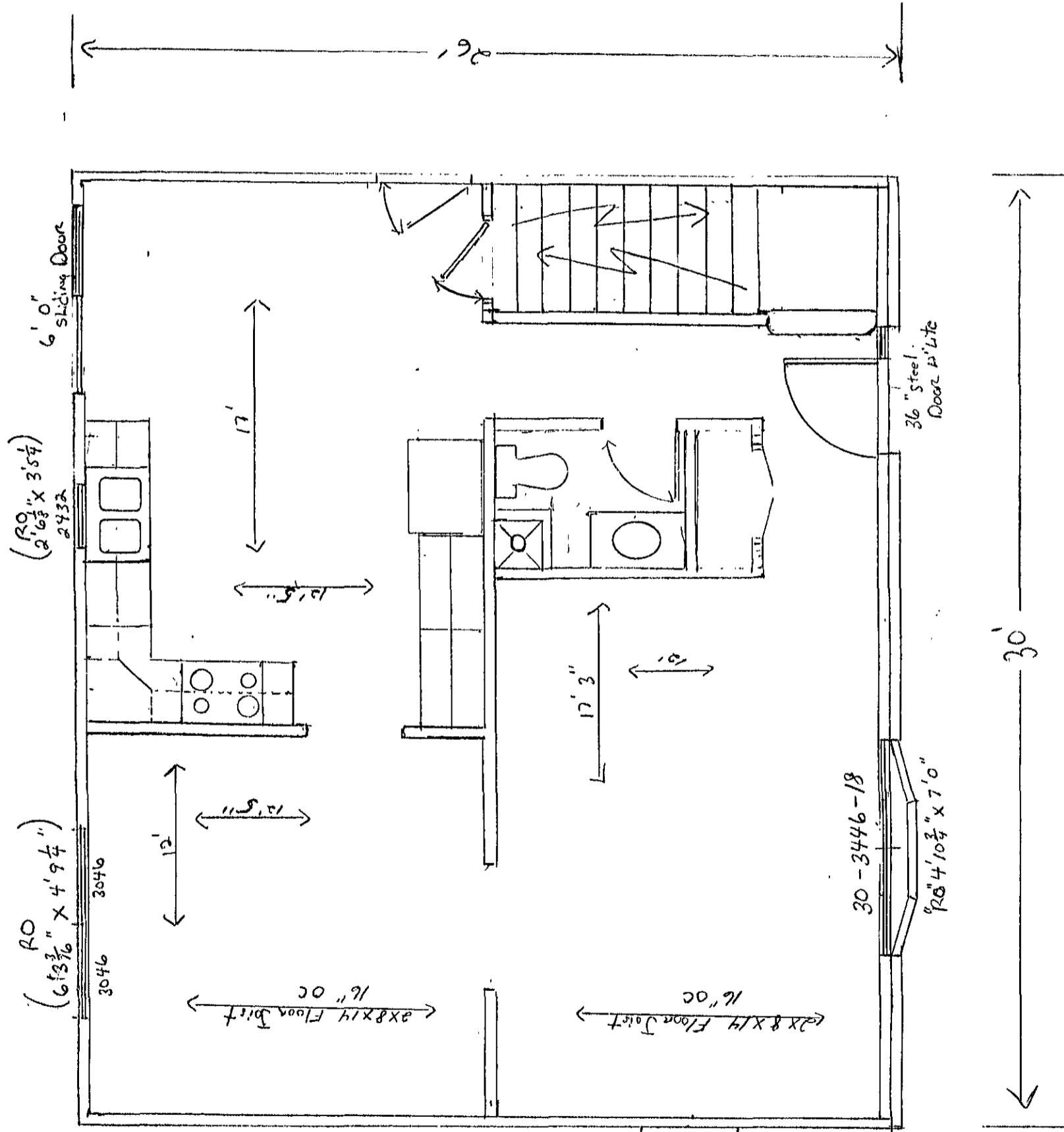
Drawn By: D. H. Hagerl

Scale: -  $\frac{1}{4}$ " in. = 1 Foot



26 x 50

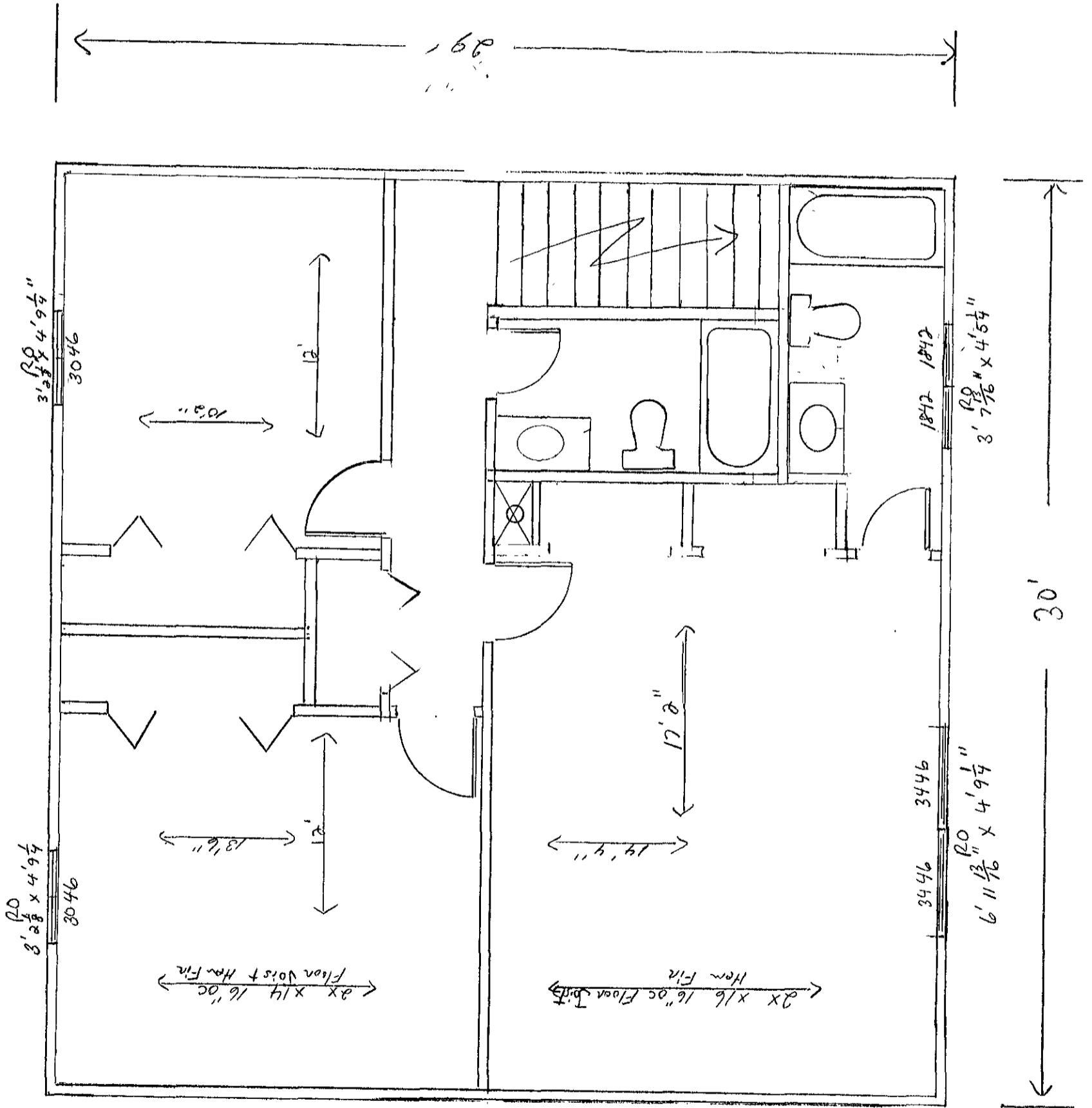
# Floor Plan Lower



Scale 1/4" = 1 foot

Drawn By: D. Hufnagel

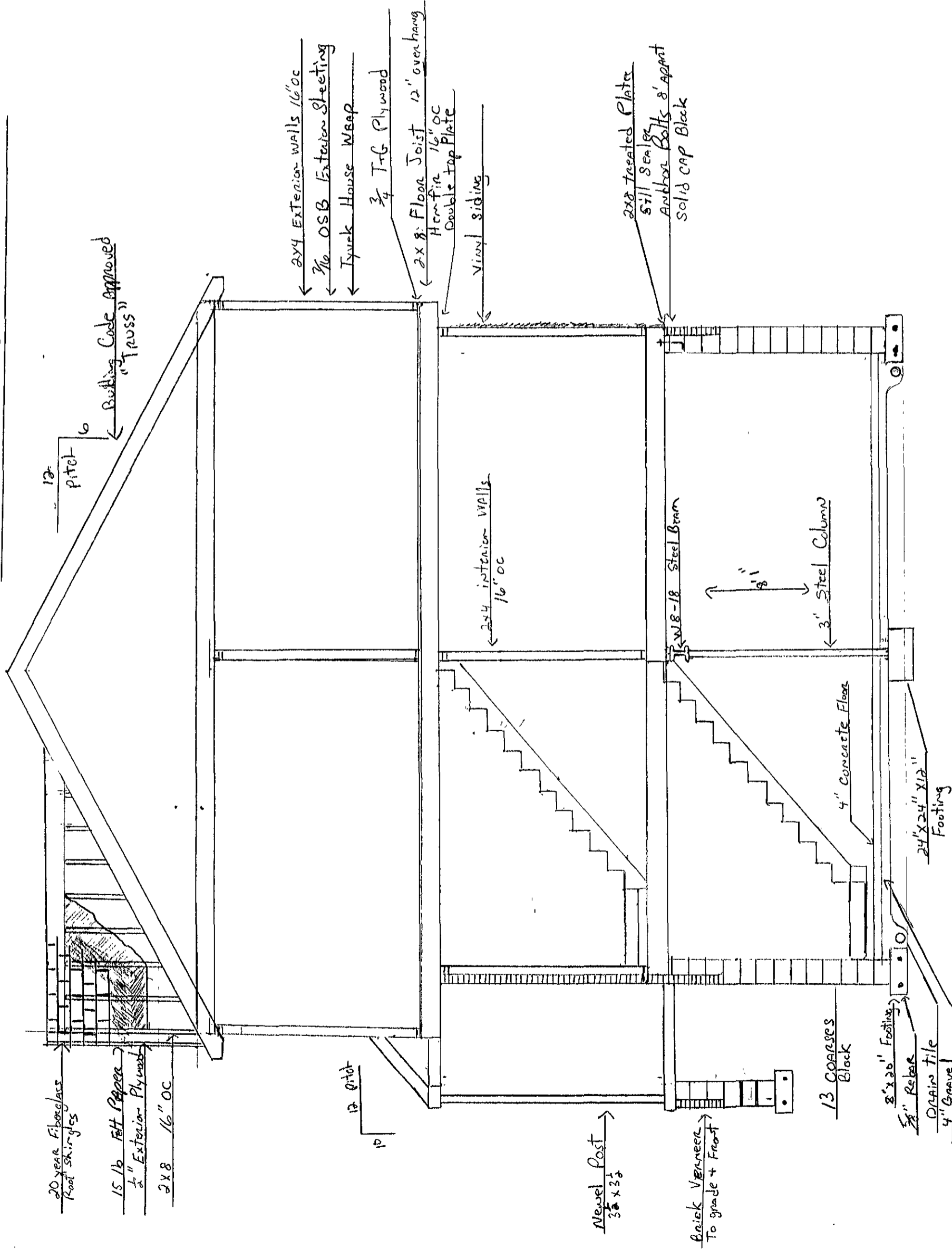
# Floor Plan Upper



Scale  $\frac{1}{4}$  inch = 1 foot

Drawn By: D. Hufnagel

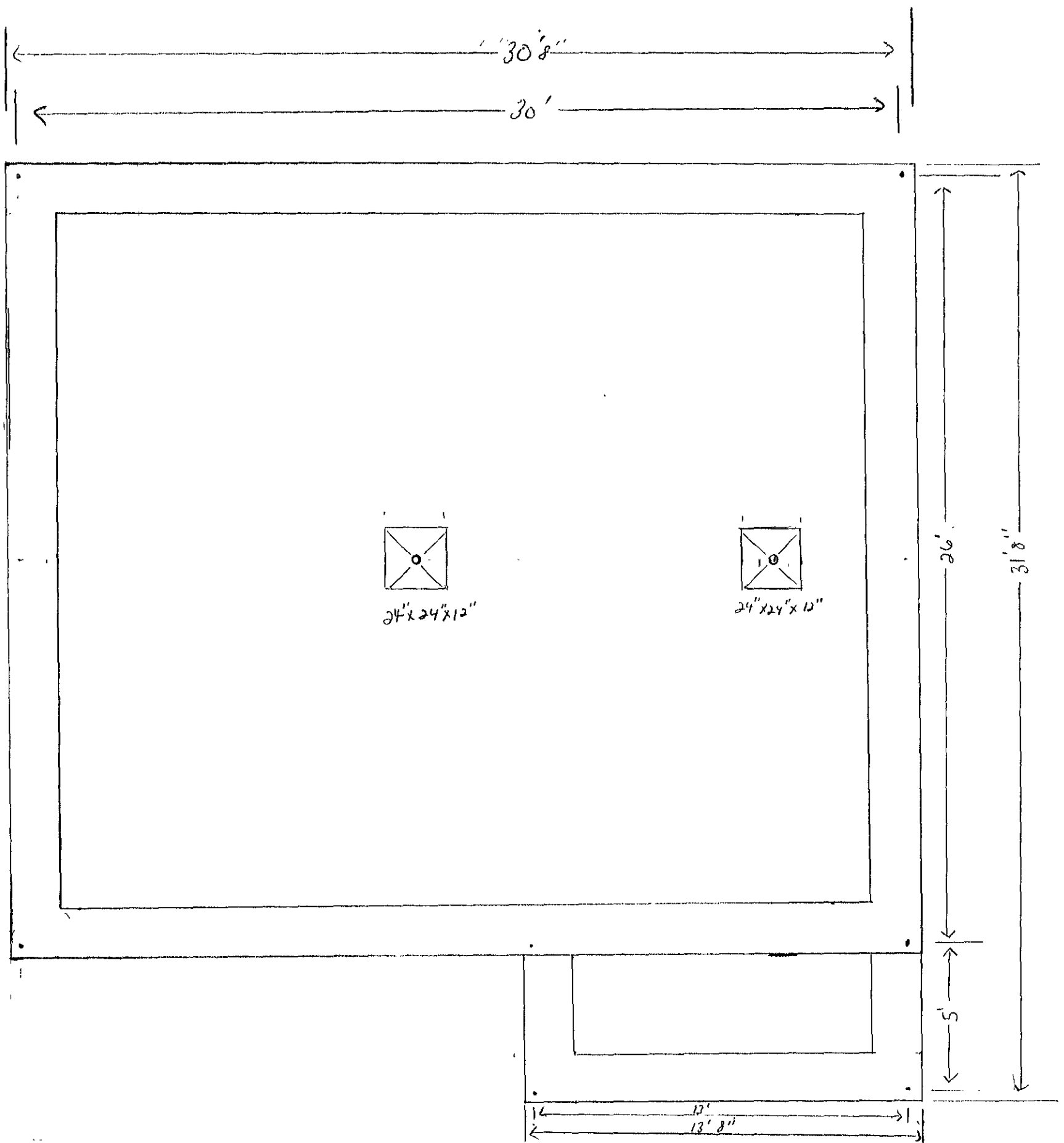
# Cross Section



Drawn By: D. Hufnagel

Scale: 1/4" = 1 foot

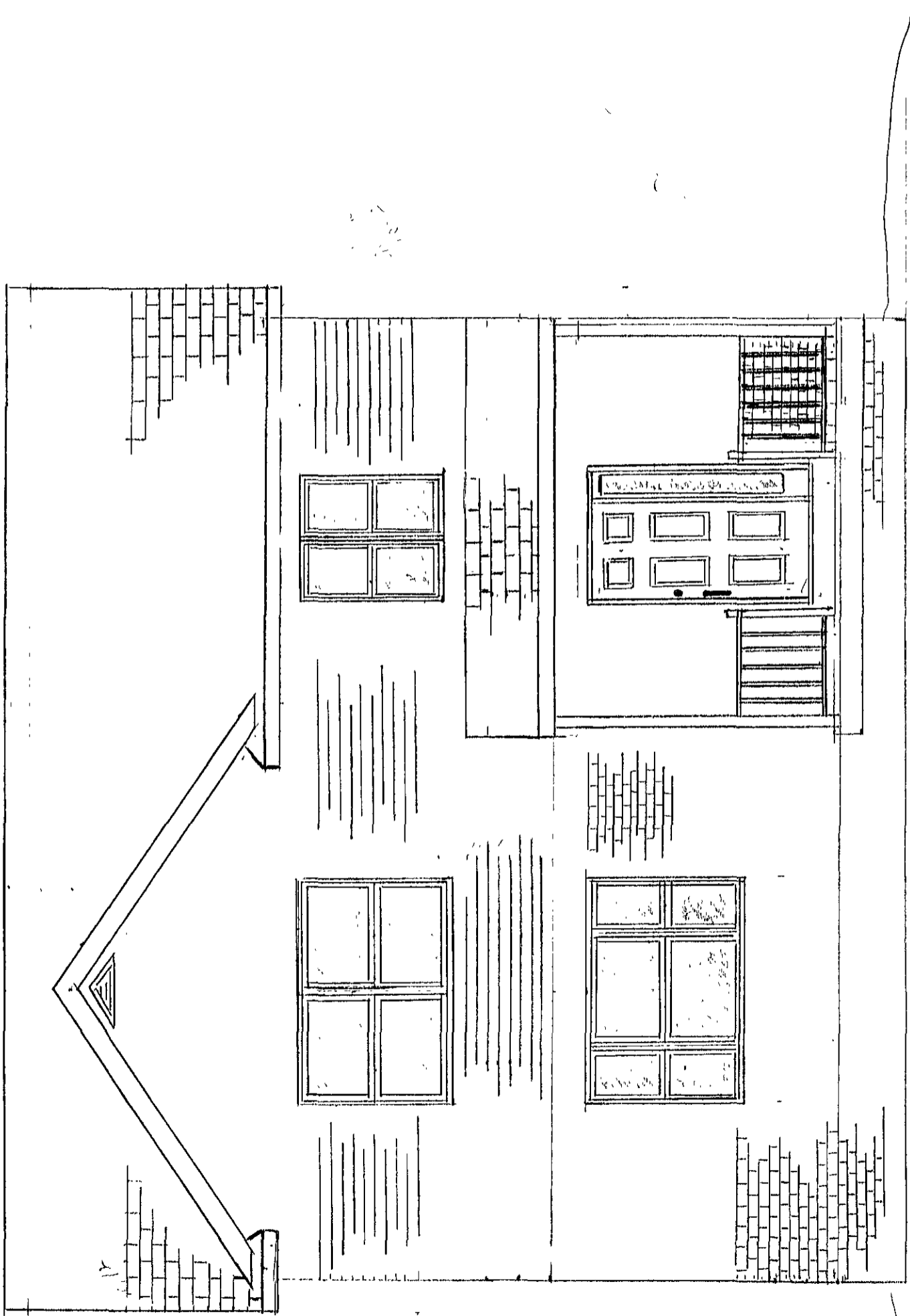
# Foundation Plan



Drawn By: D. Huhngel  
Scale:  $\frac{1}{4}$  in = 1 foot

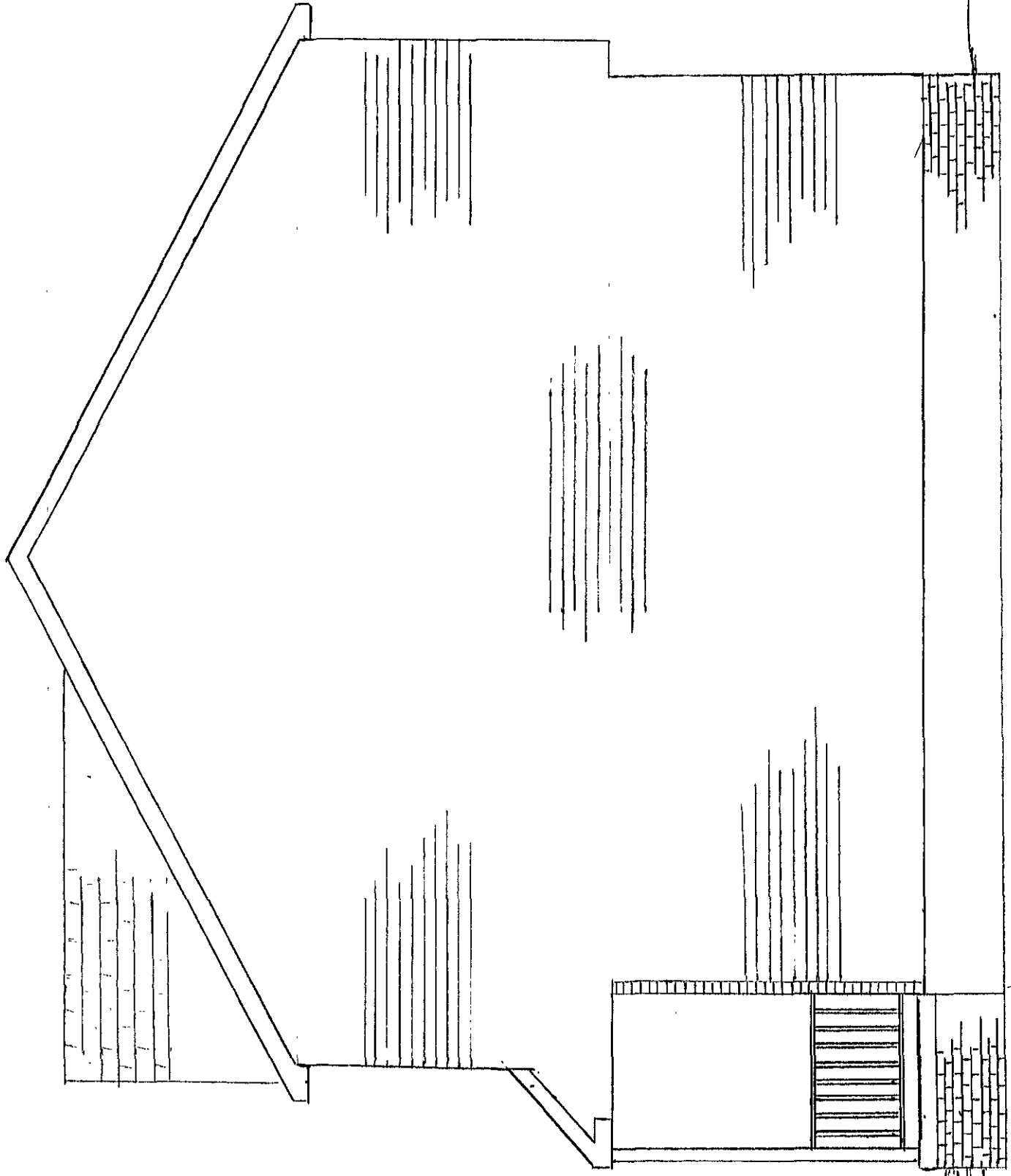
Front Elevation

Plan 1



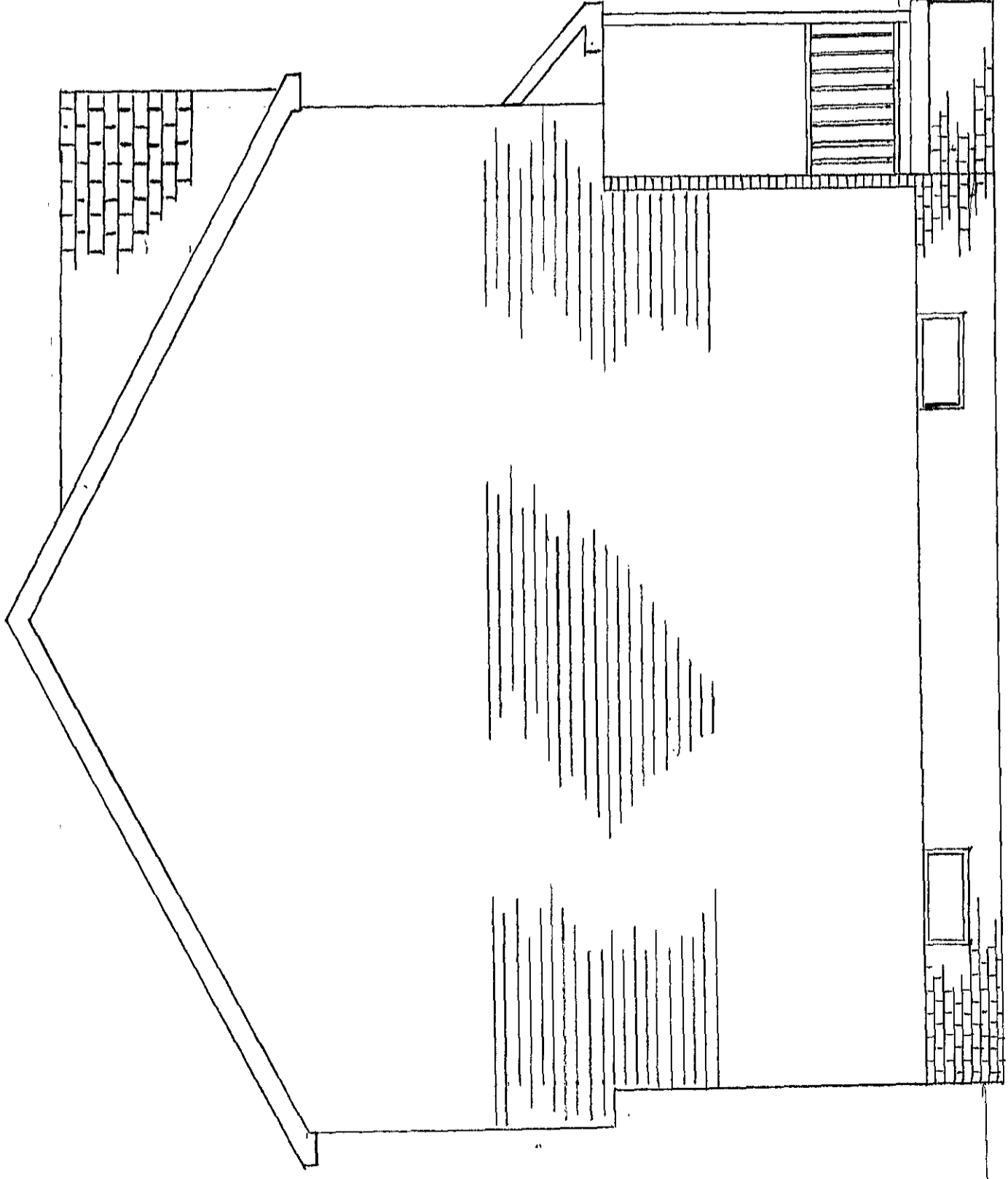
Scale  $\frac{1}{4}'' = 1$  Foot

Right Side Elevation



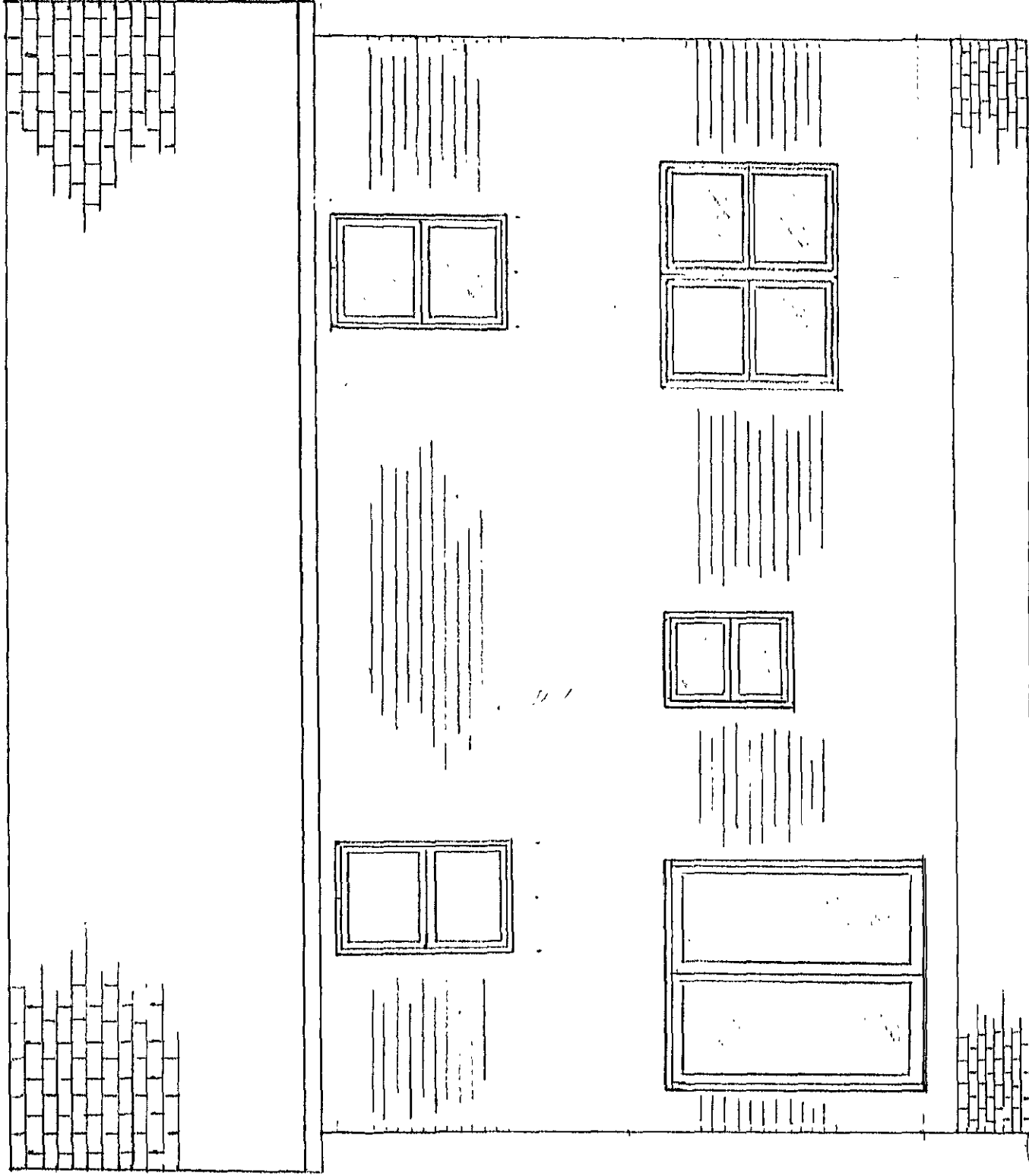
Scale  $\frac{1}{4}'' = 1 \text{ Foot}$

Left Side Elevation



Scale:  $\frac{1}{4}$  in = 1 foot

Rear Elevation

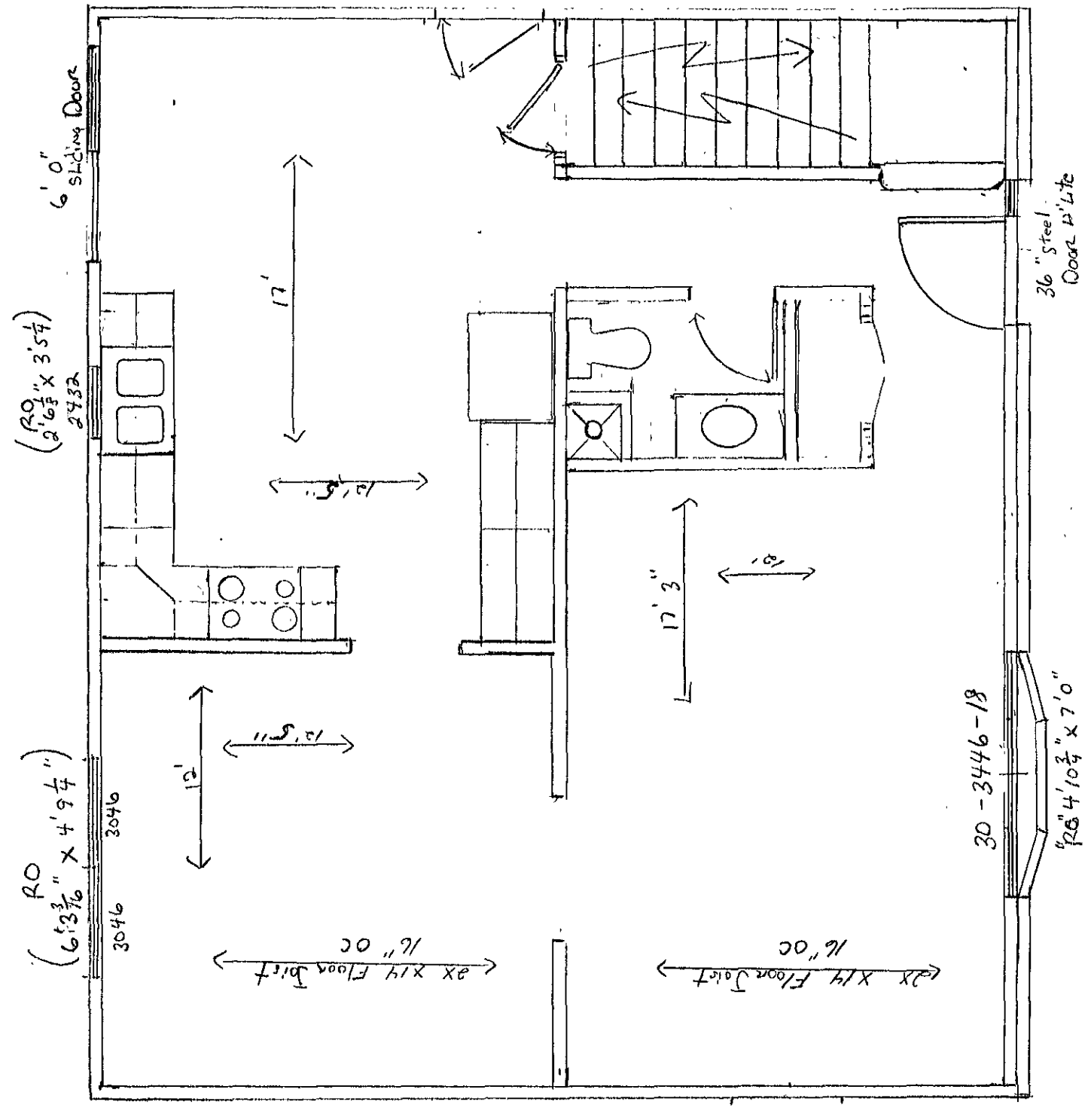


Scale: -  $\frac{1}{4}'' = 1 \text{ foot}$



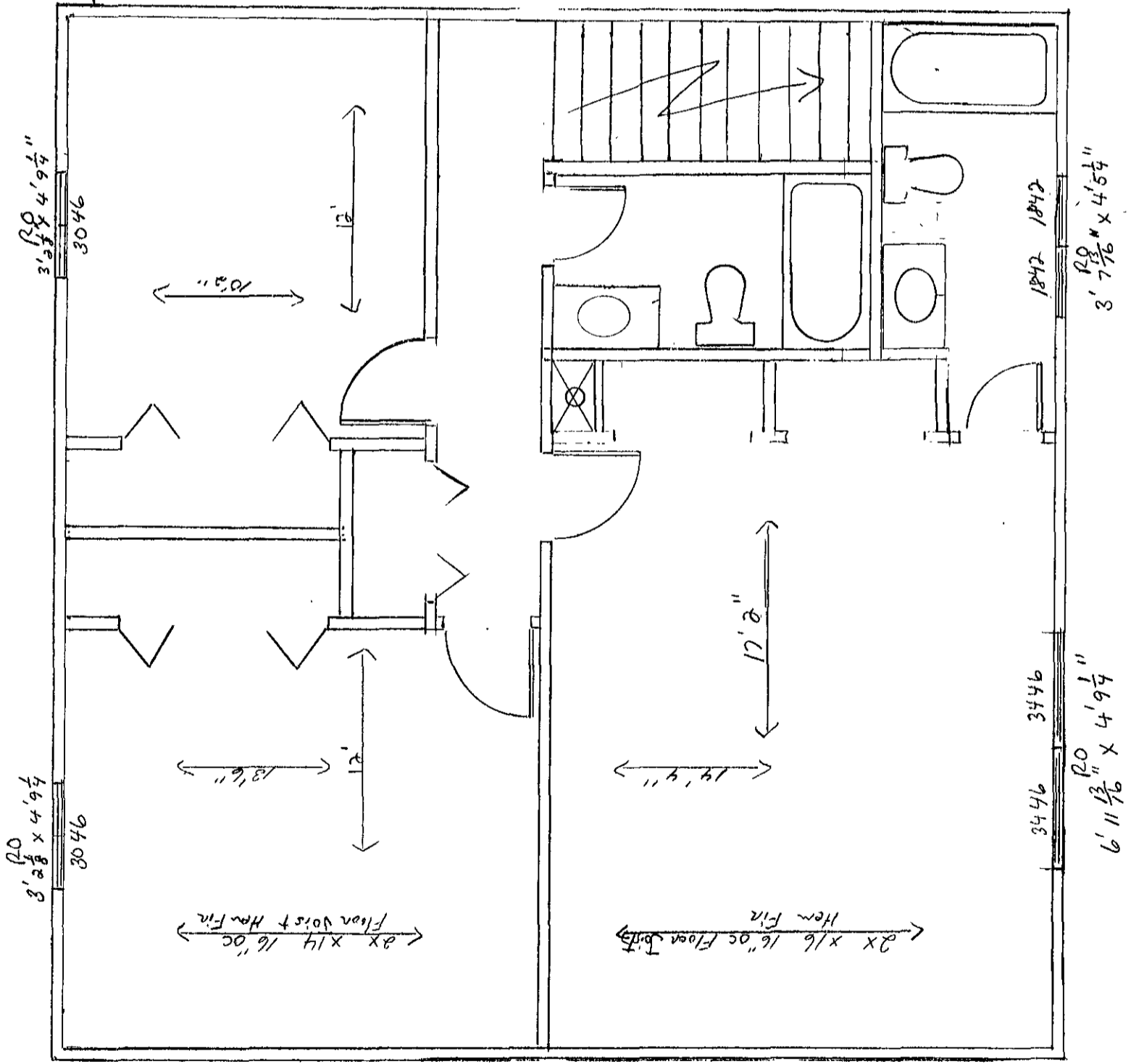
2/10/80

# Floor Plan Lower



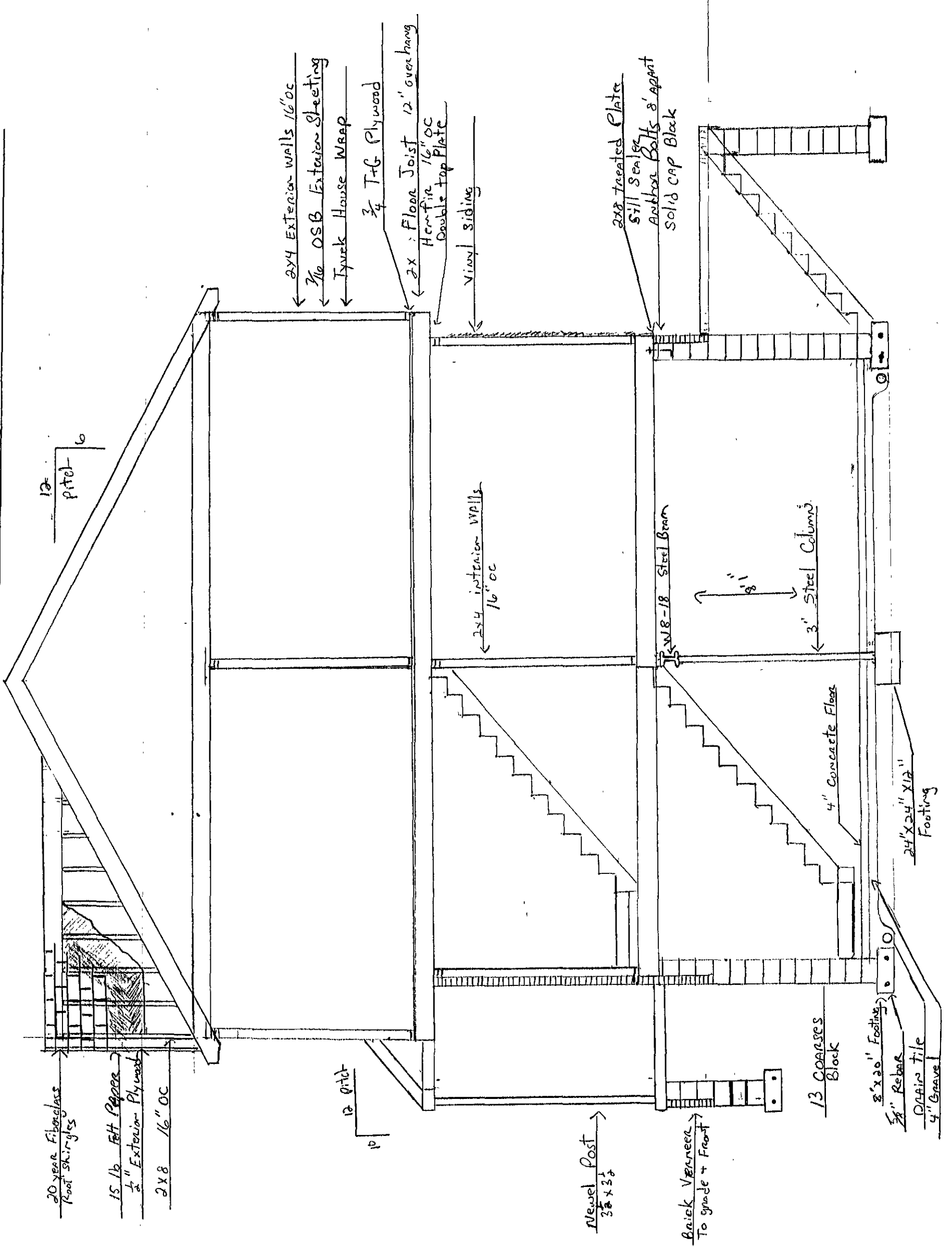
Scale 1/4" = 1 foot

# Floor Plan Upper



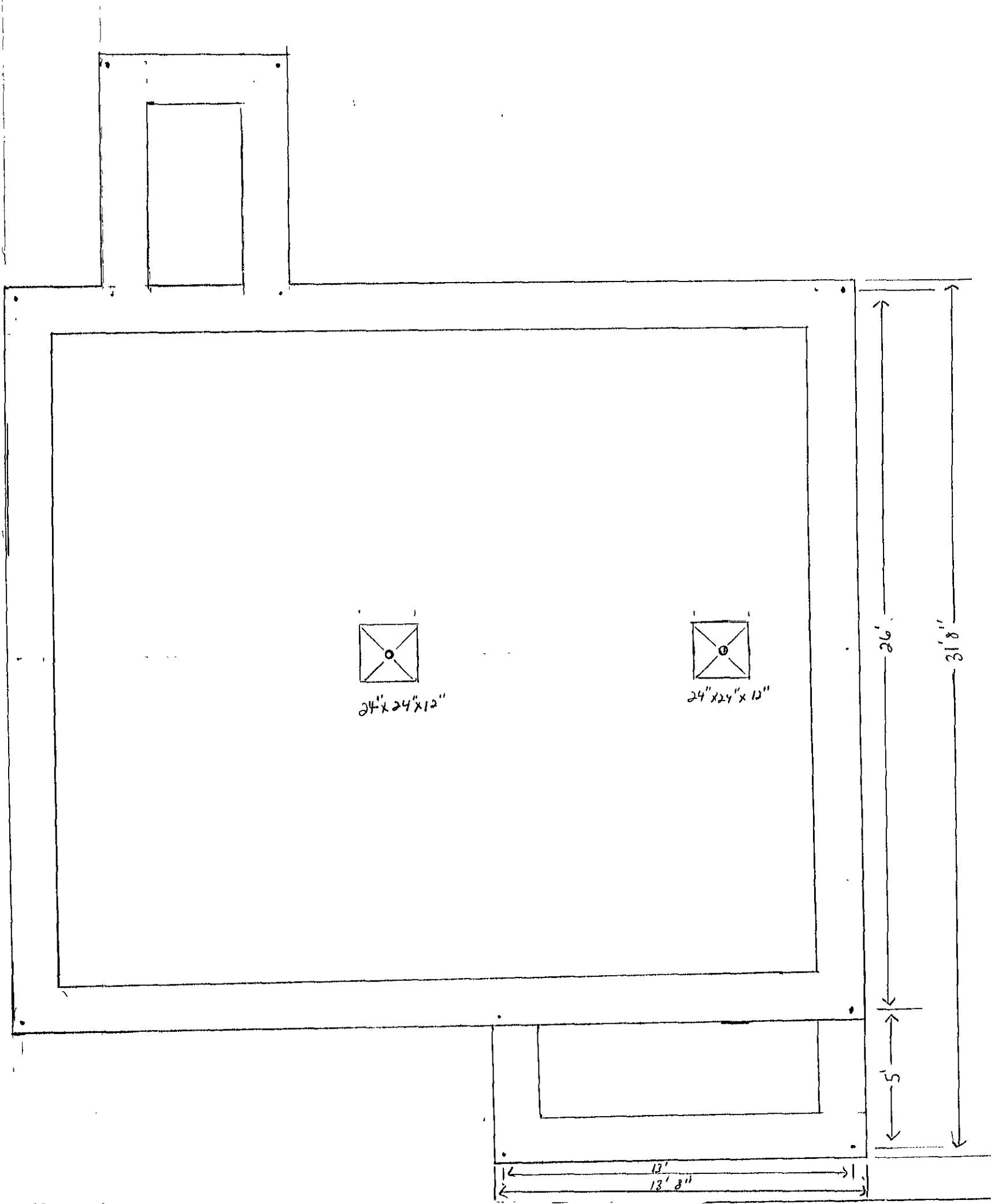
Scale  $\frac{1}{4}$  inch = 1 foot

# Cross Section



Scale: 1/4 in = 1 foot

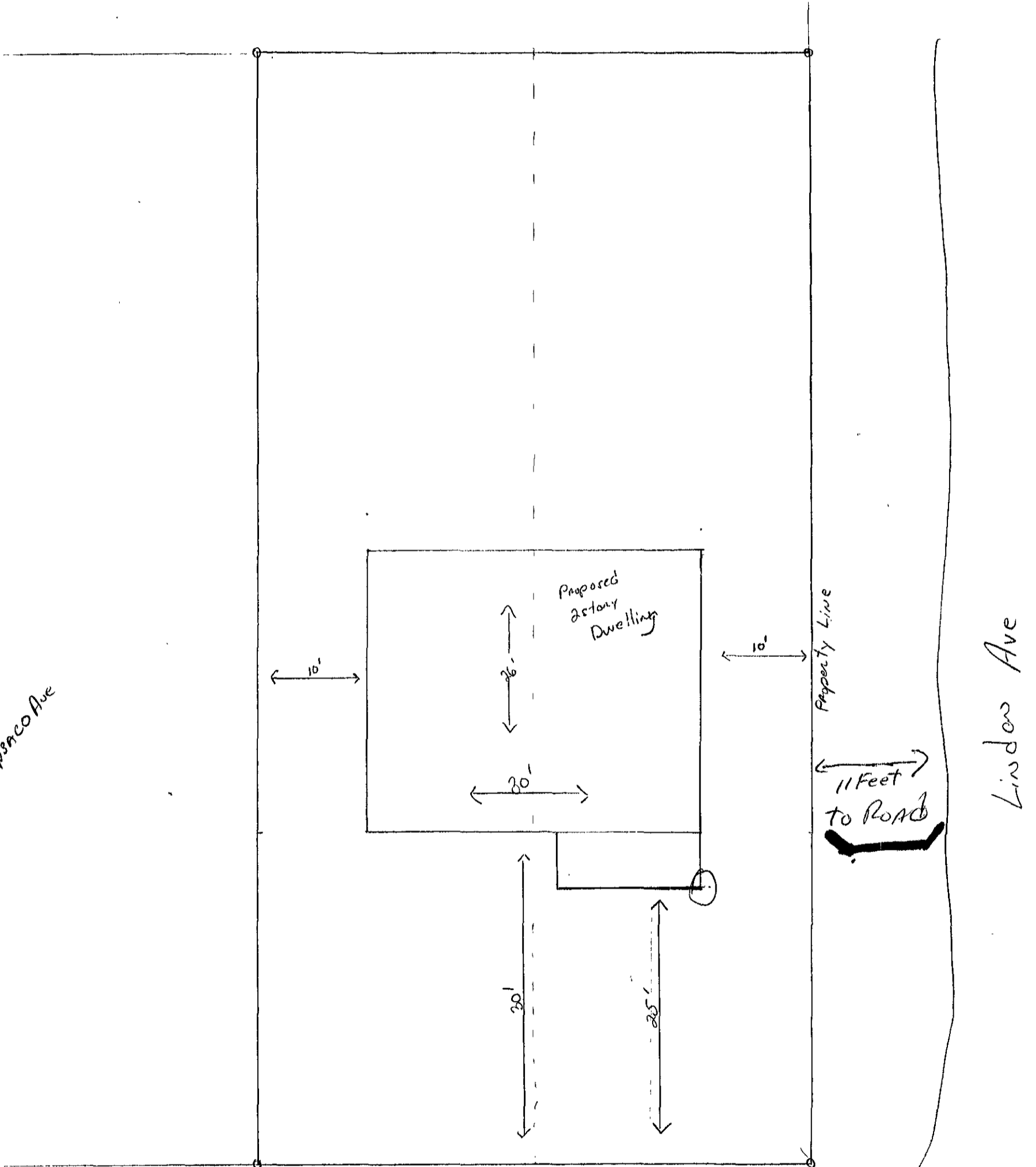
# Foundation Plan



Scale:  $\frac{1}{4}$  in = 1 foot

# PLOT PLAN

Property  
510 Patapsaco Ave



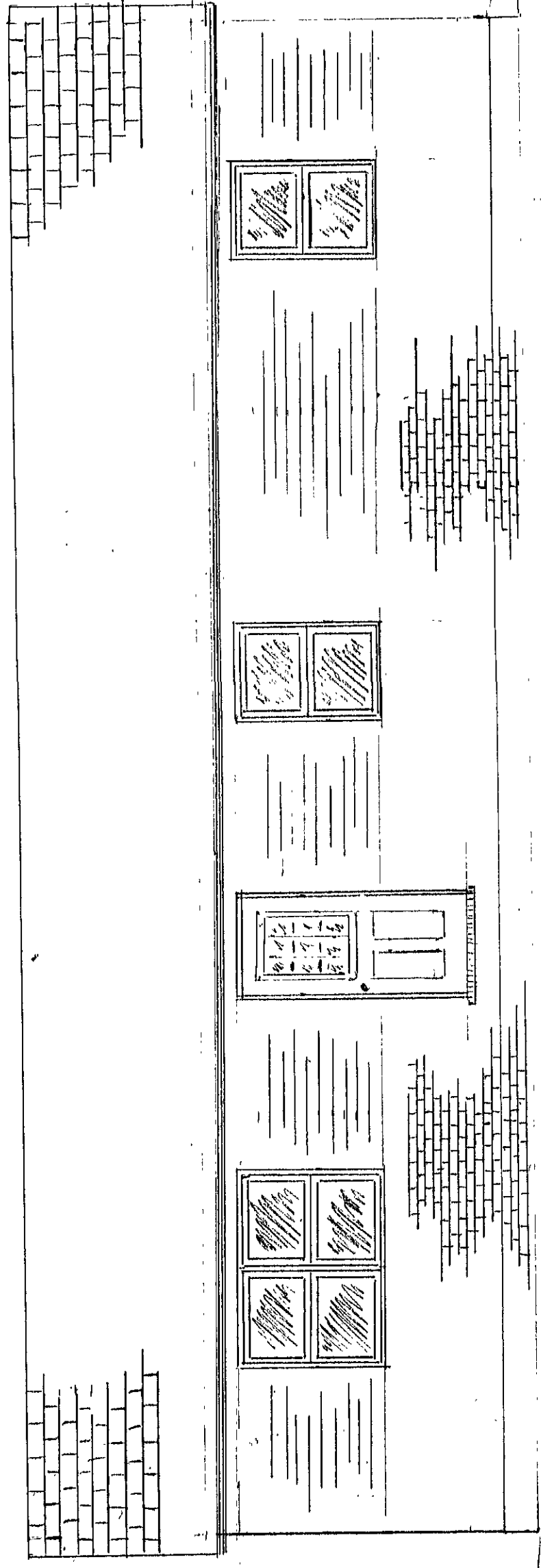
Scale 1 inch = 10 feet

Patapsaco Ave

Front Elevation

Linden Ave

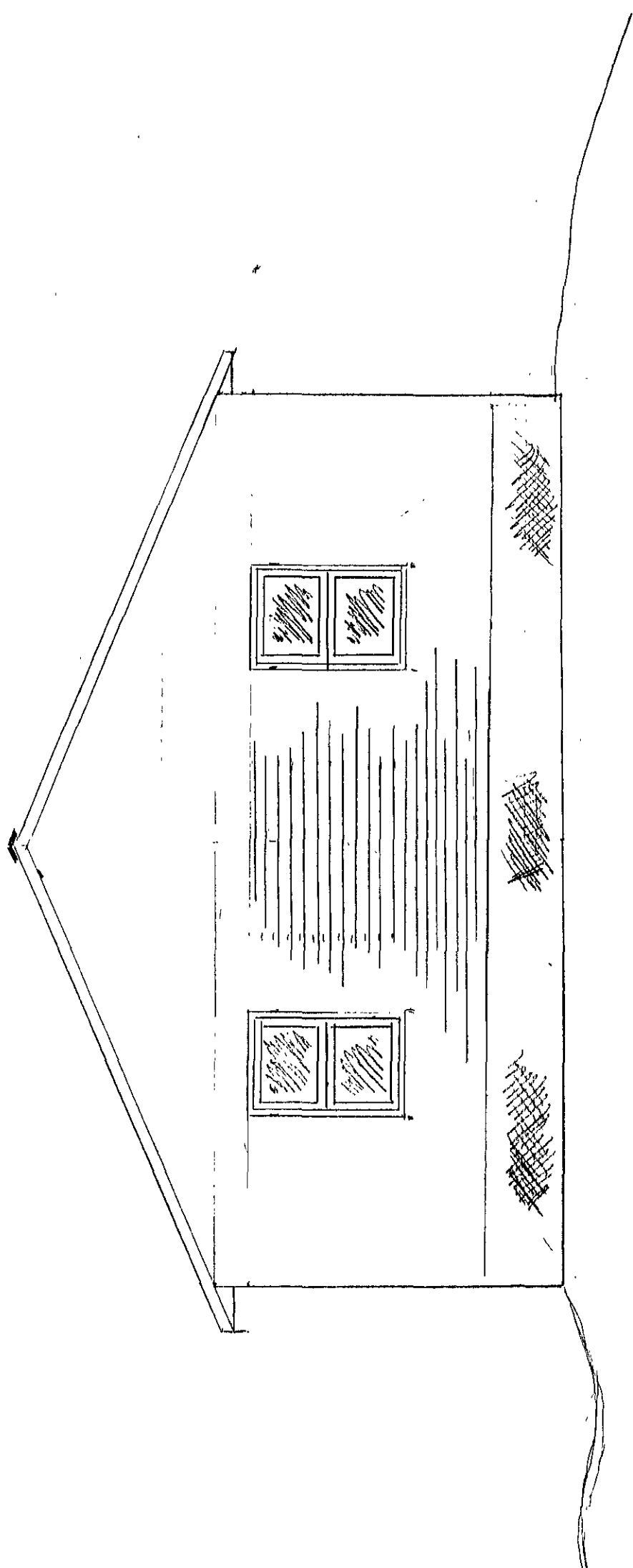
Side View



1/4" = 1 Foot

Plan 2

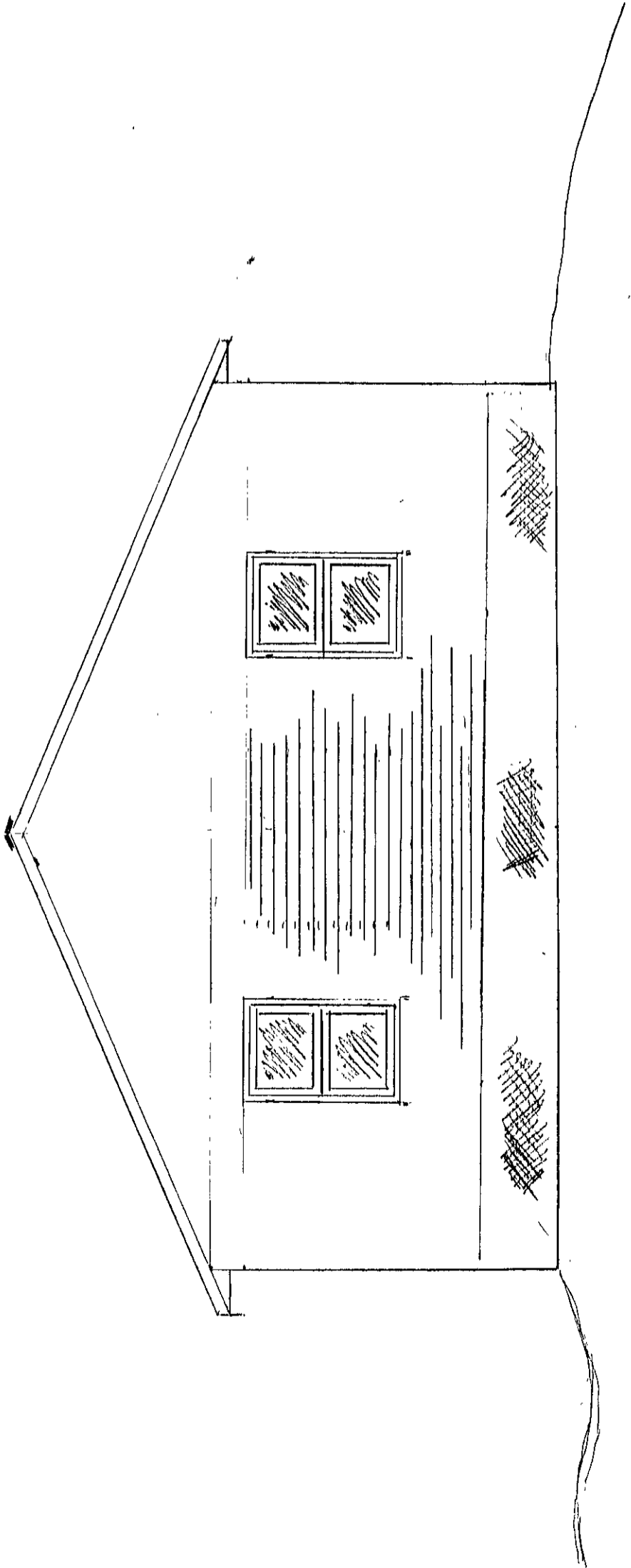
Left Elevation  
Patapasco Ave Side View



$\frac{1}{4}'' = 1 \text{ Foot}$

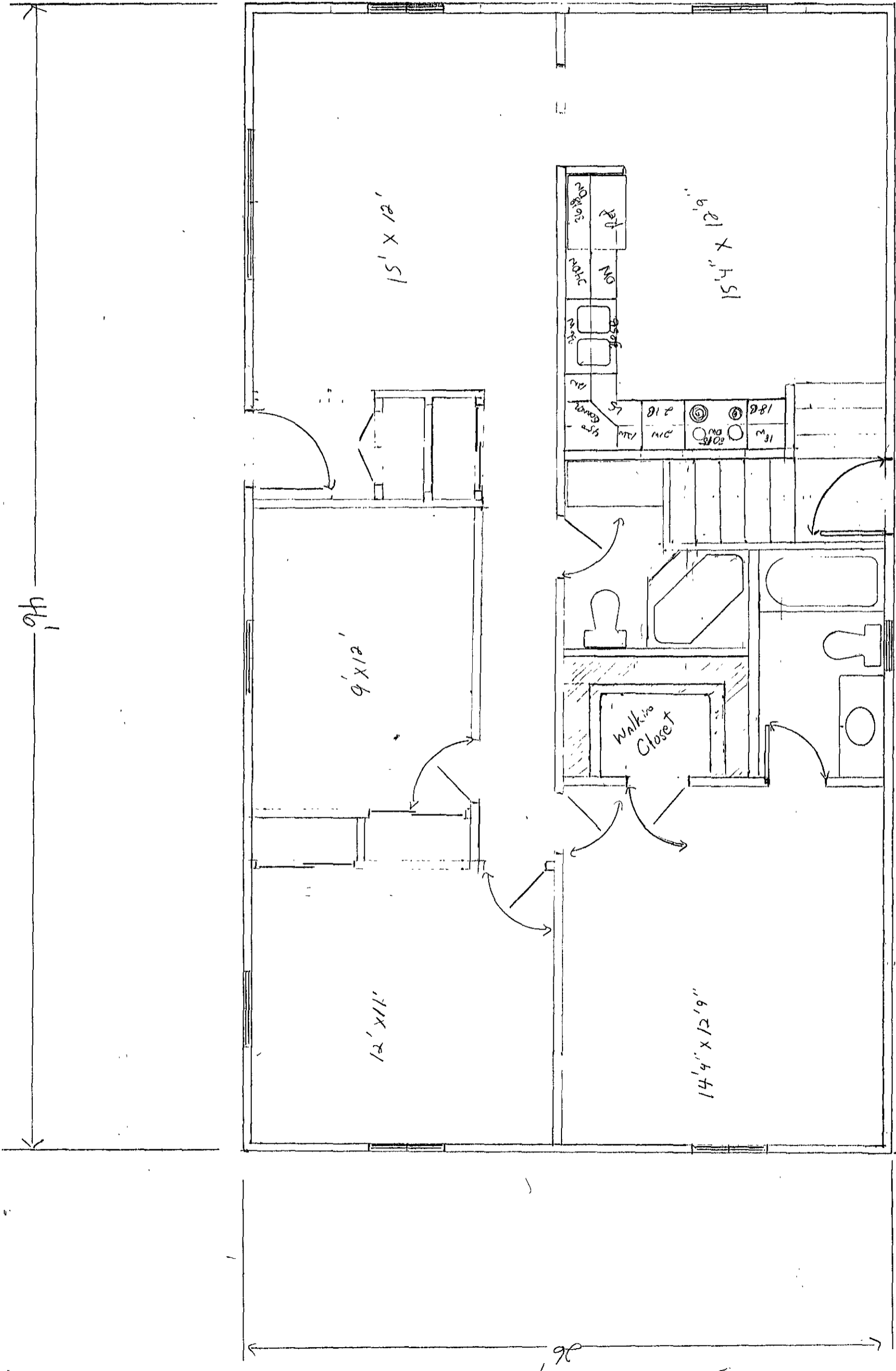
Right Elevation

W

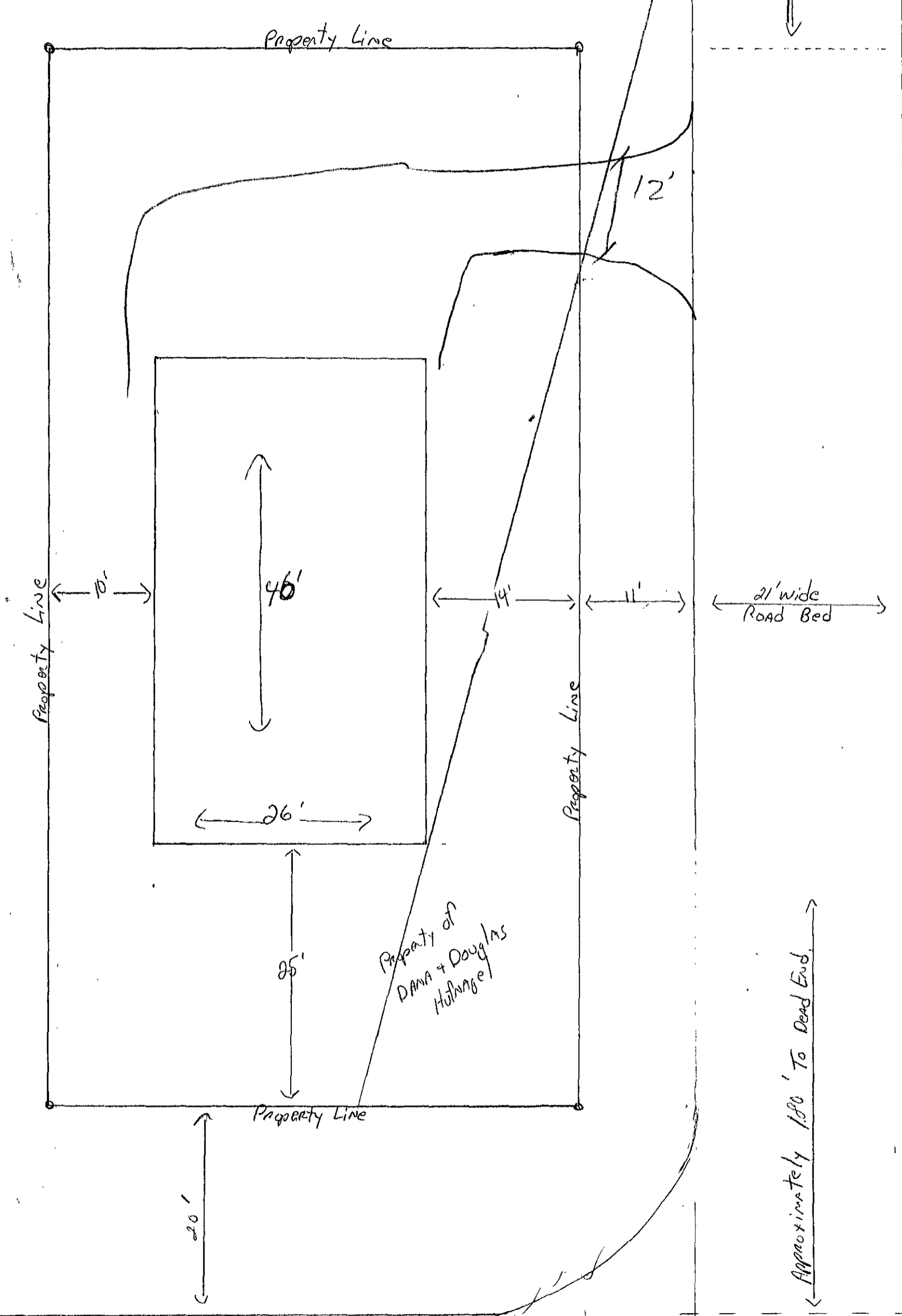


$\frac{1}{4}'' = 1 \text{ Foot}$



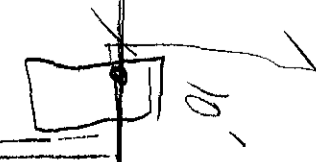


Dead End  
No Thru Street  
1  
Approximately  
60 Feet To Dead End

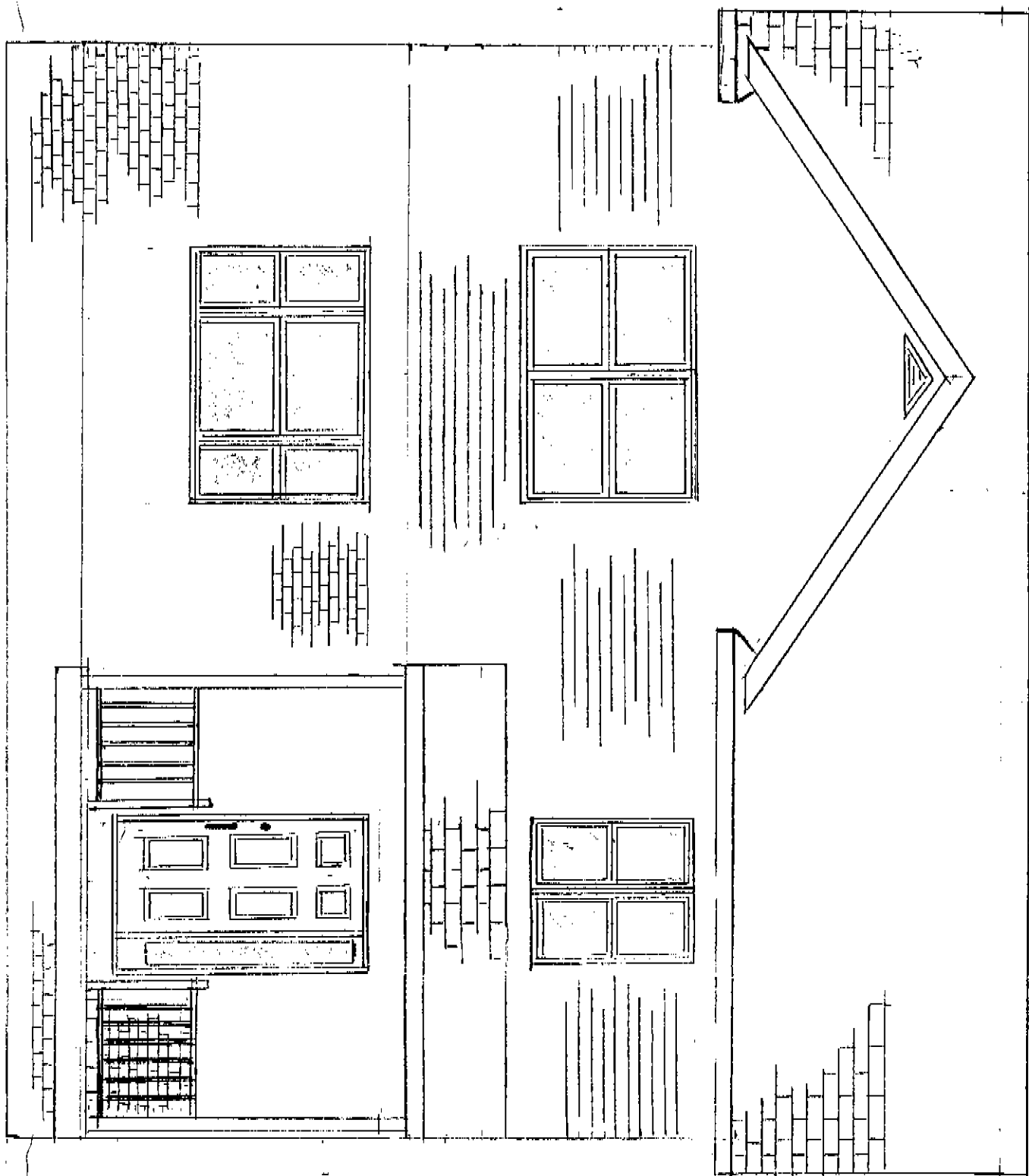


PATAPSCO AVE  
2 LANE wide

Approximately 200'  
To Dead End



Front Elevation



Lot # 634, 635  
W.P.C. No 6-164

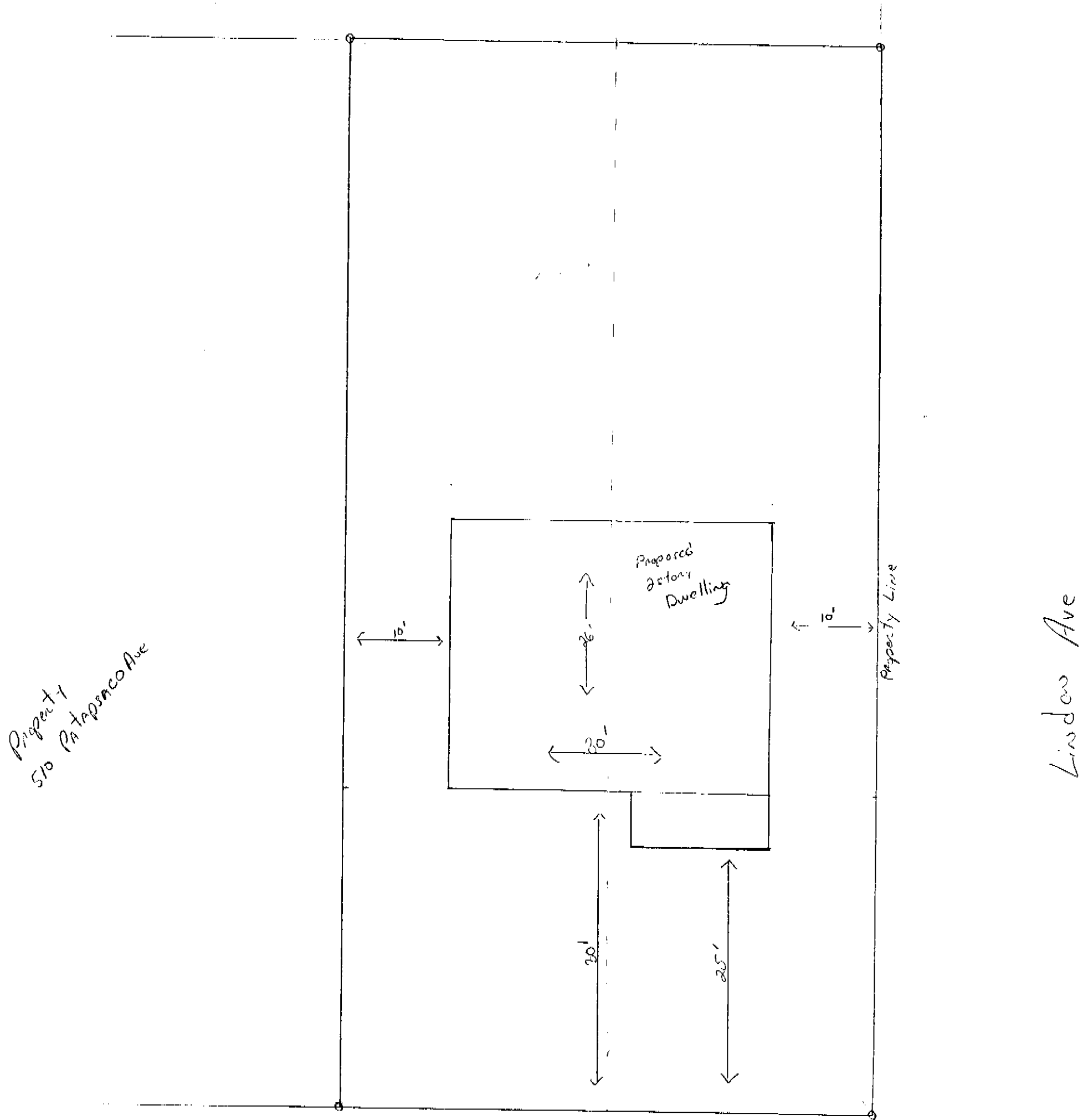
**EXHIBIT 6**  
**PER'S**

Scale 1/4" = 1 Foot

Drawn By: D. Hodge

# PLOT PLAN

Lot # 634, 635  
W.P.C. No 6-164



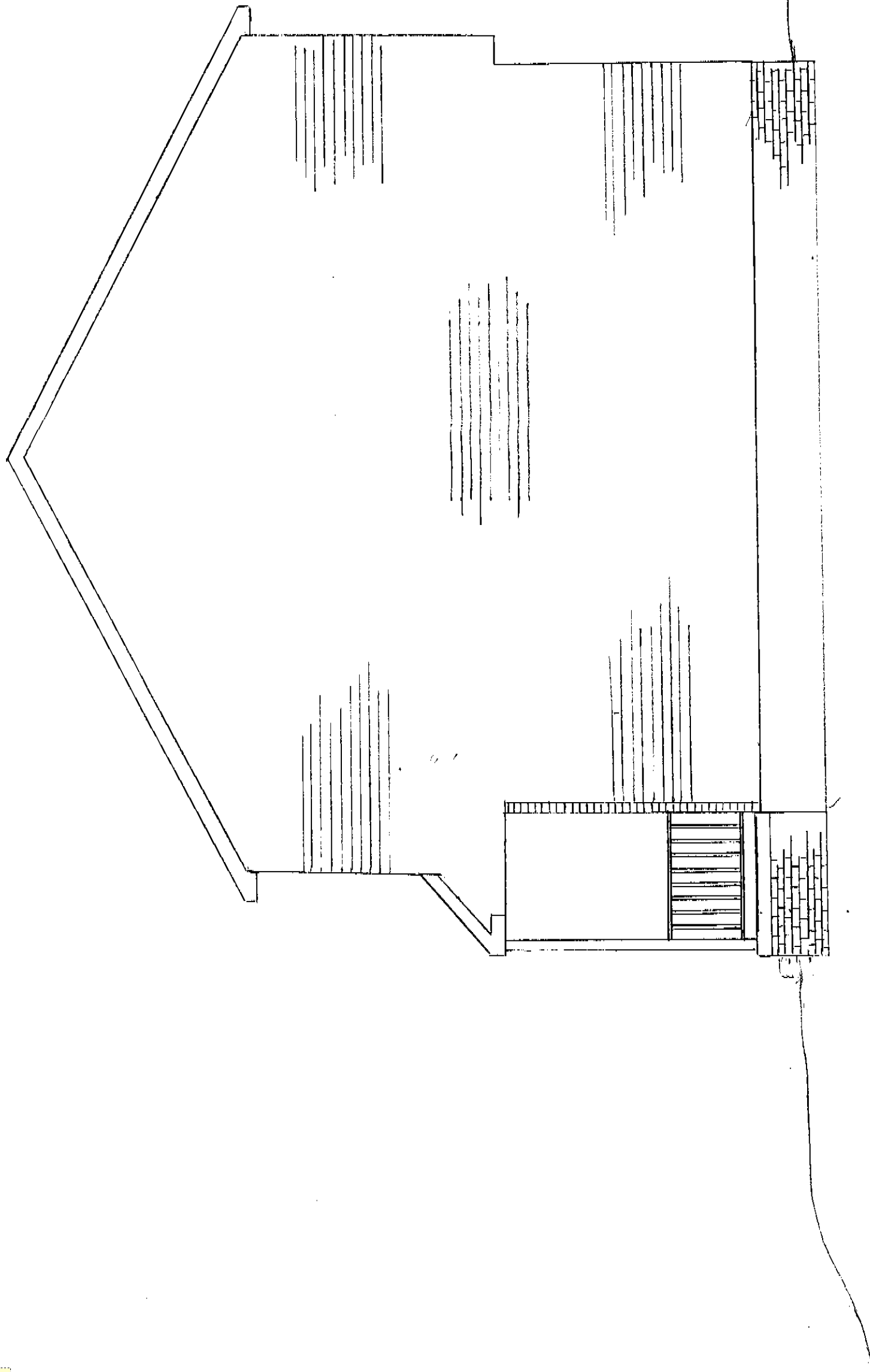
Property  
510 Patapsaco Ave

Scale 1 inch = 10 feet

Drawn By: D. H. Wagner

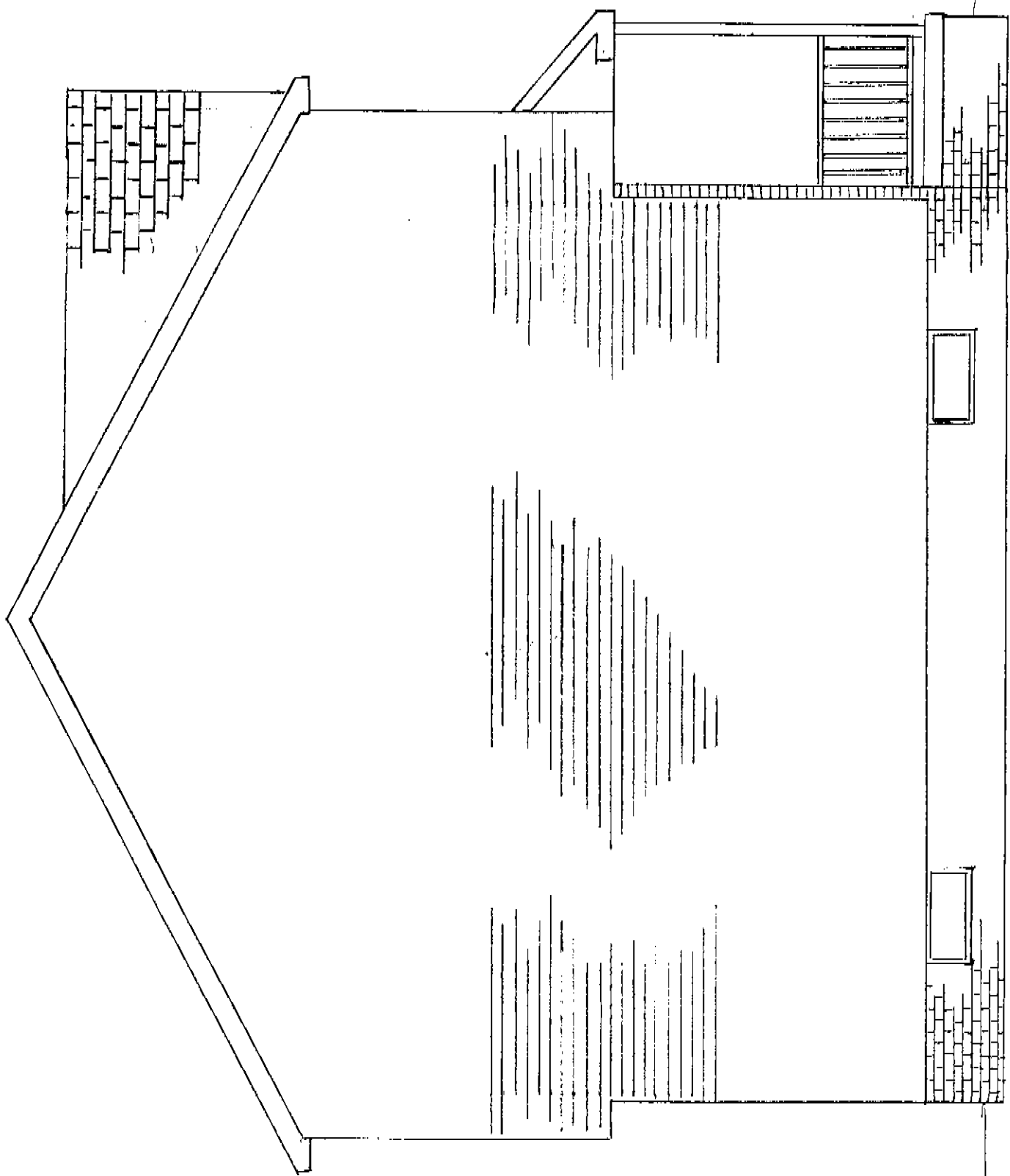
Patapsaco Ave

# Right Side Elevation



Scale 1/4" = 1 foot  
Drawn by: D. H. Hangel

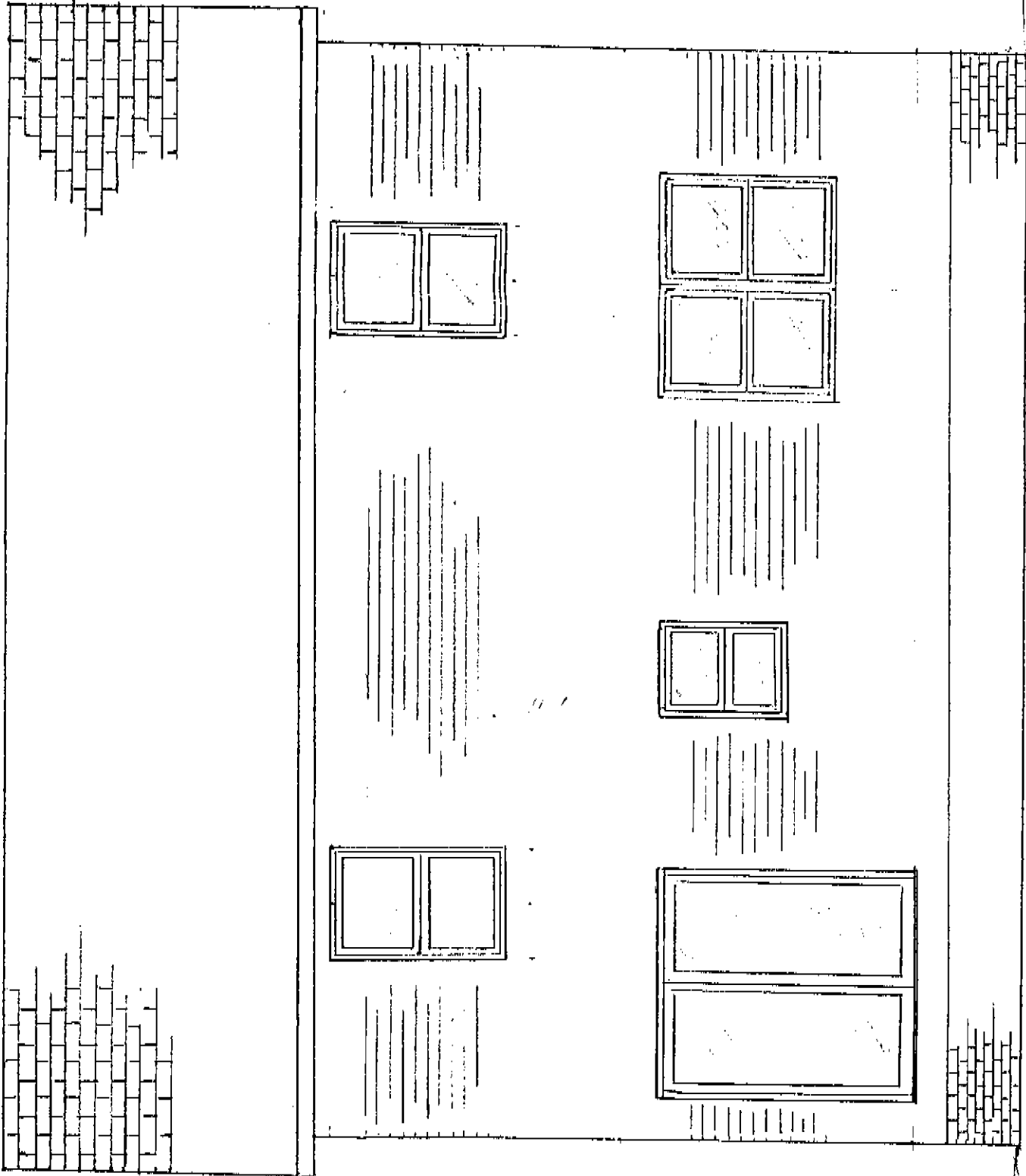
# Left Side Elevation



Drawn By: D. H. Haged

Scale:  $\frac{1}{4}$  in = 1 foot

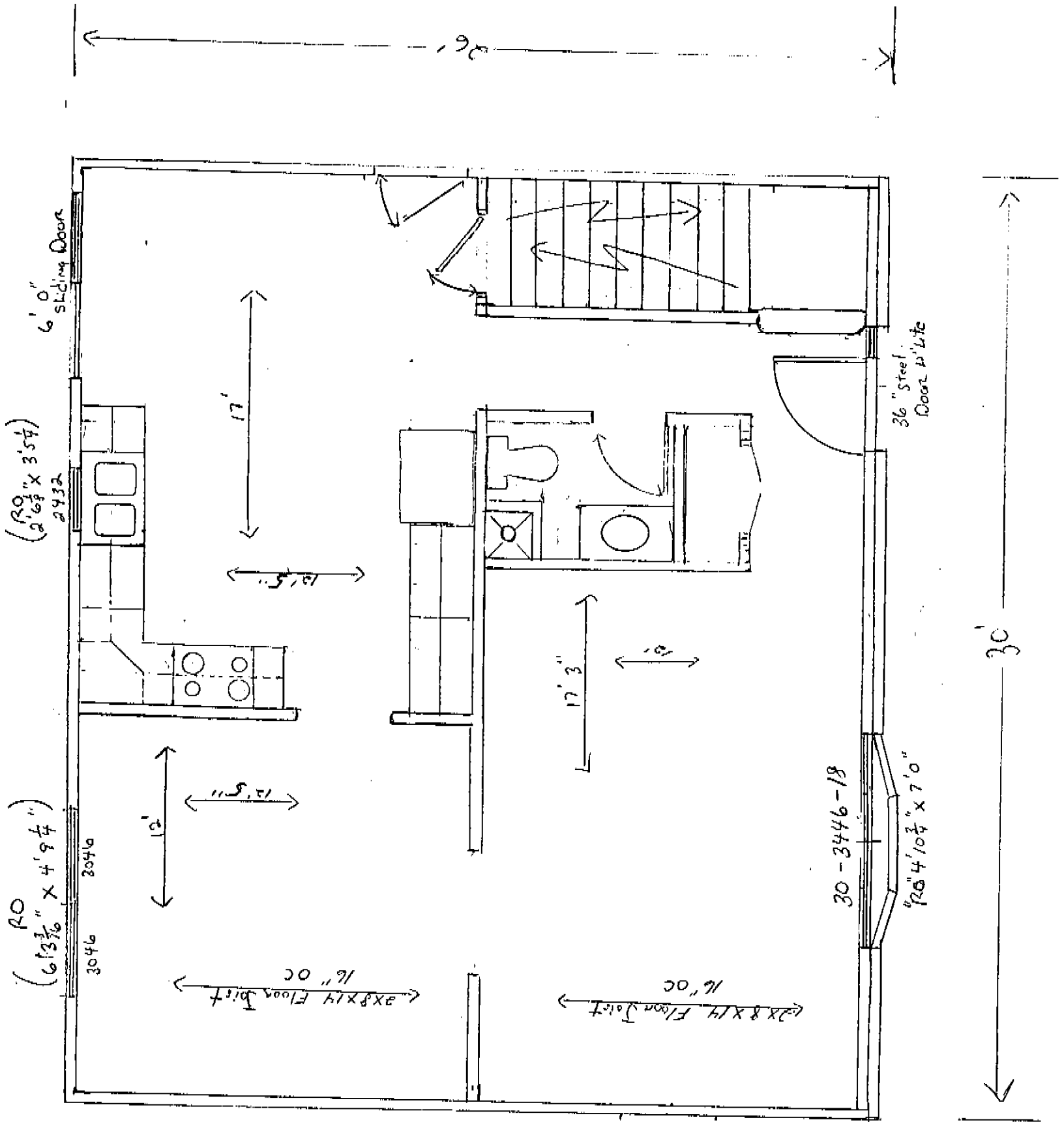
Rear Elevation



Drawn By: D. H. Hengel  
Scale: - 1/4" = 1 Foot

96 X 50

# Floor Plan Lower

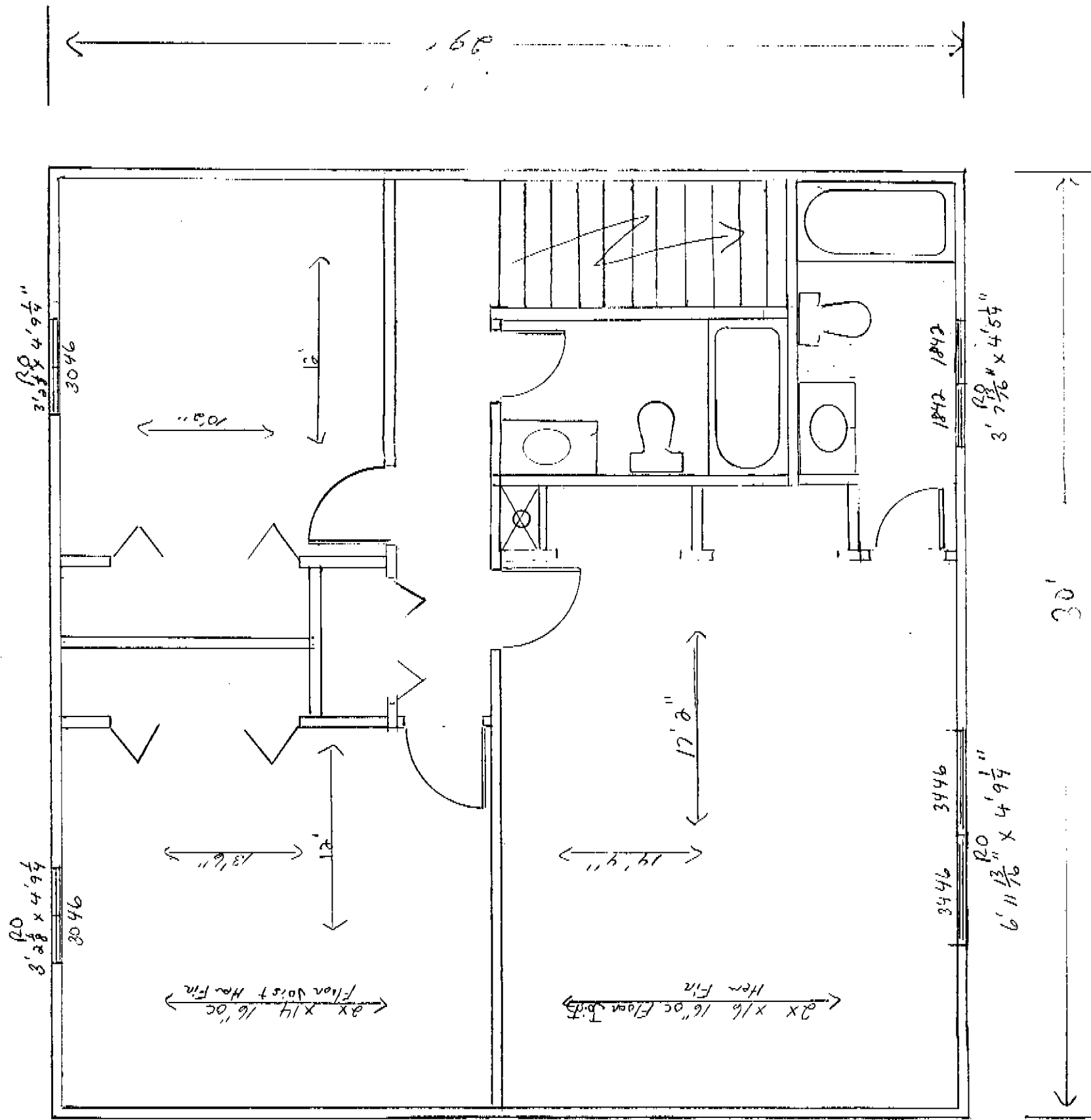


Scale 1/4" = 1 foot

Drawn By: D. Hufnagel



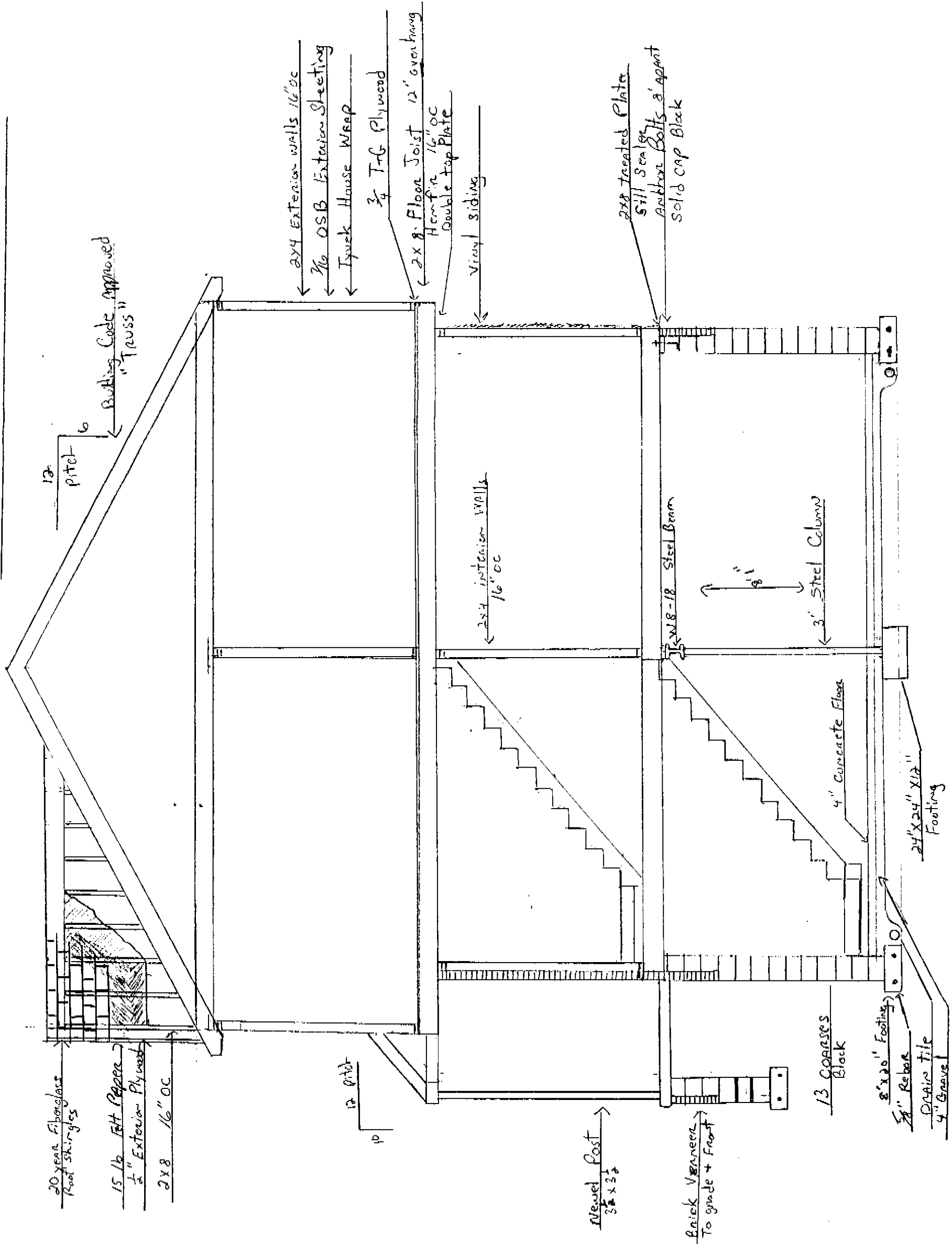
# Floor Plan Upper



Scale  $\frac{1}{4}$  inch = 1 foot

Drawn By: D. Hufnagel

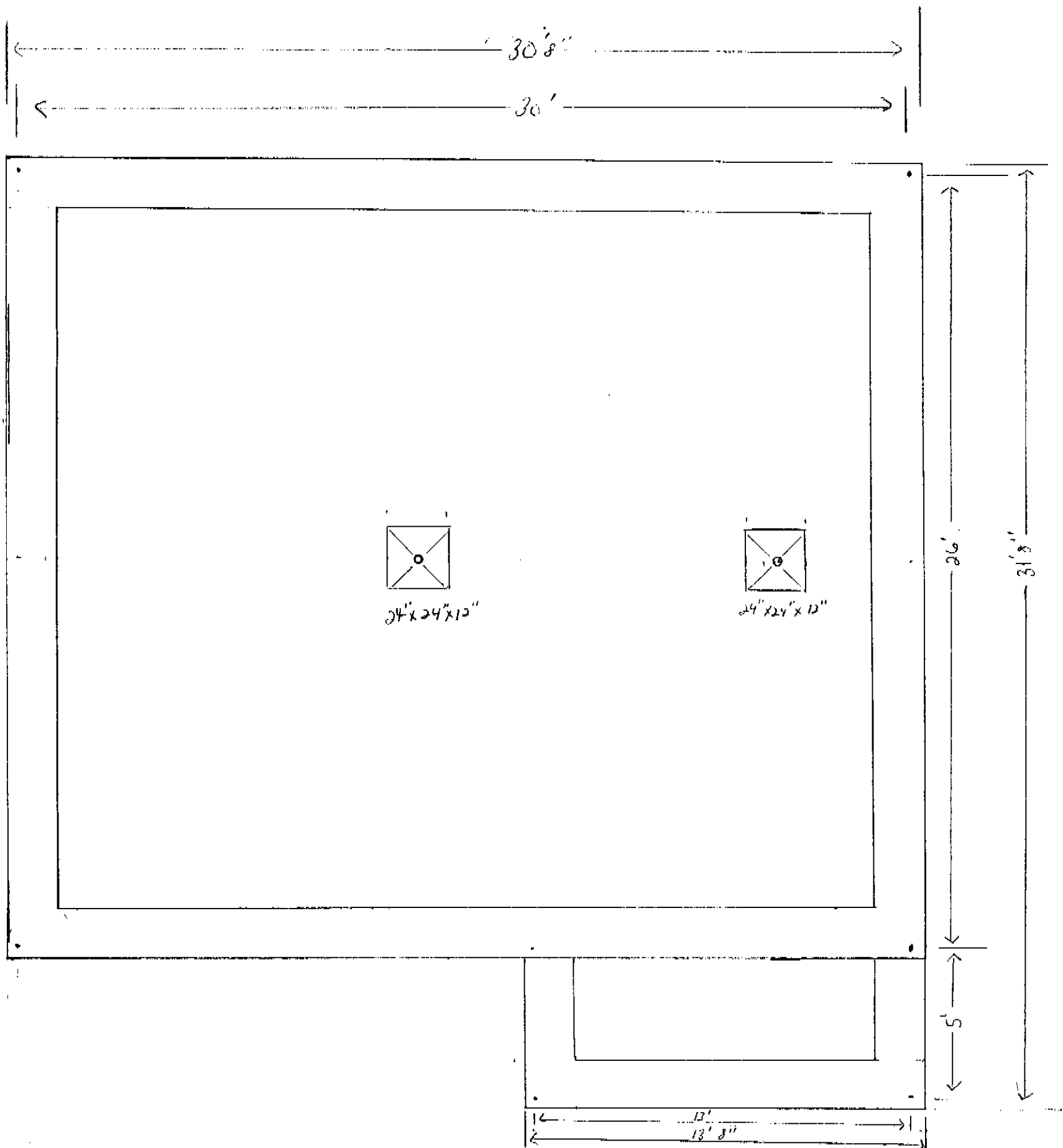
# Cross Section



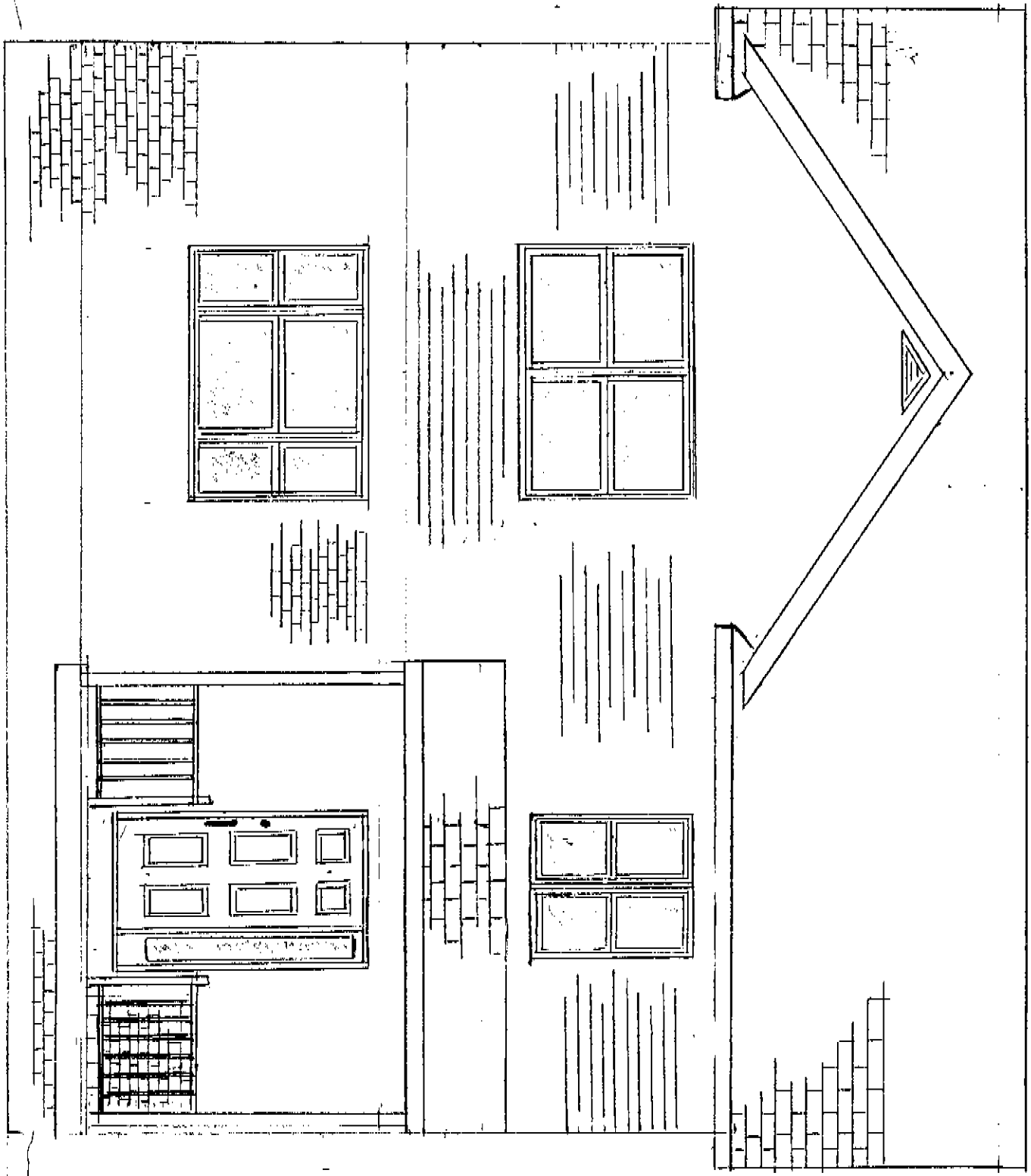
Drawn By: D. Halmagel

Scale: 1/4 in = 1 foot

# Foundation Plan



Drawn By: D. Huthagel  
Scale: 1/4 in = 1 foot

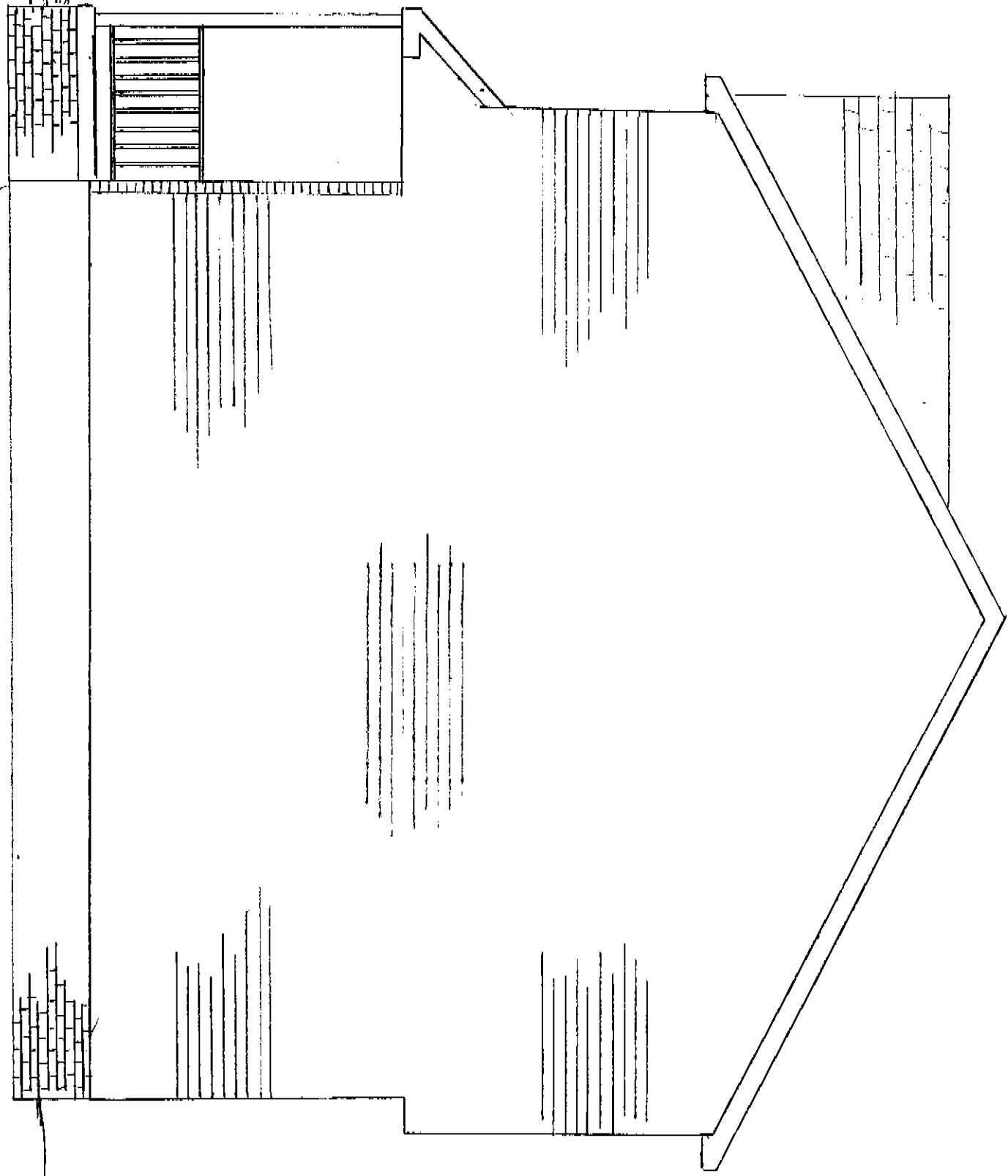


Front Elevation

1/1/2011

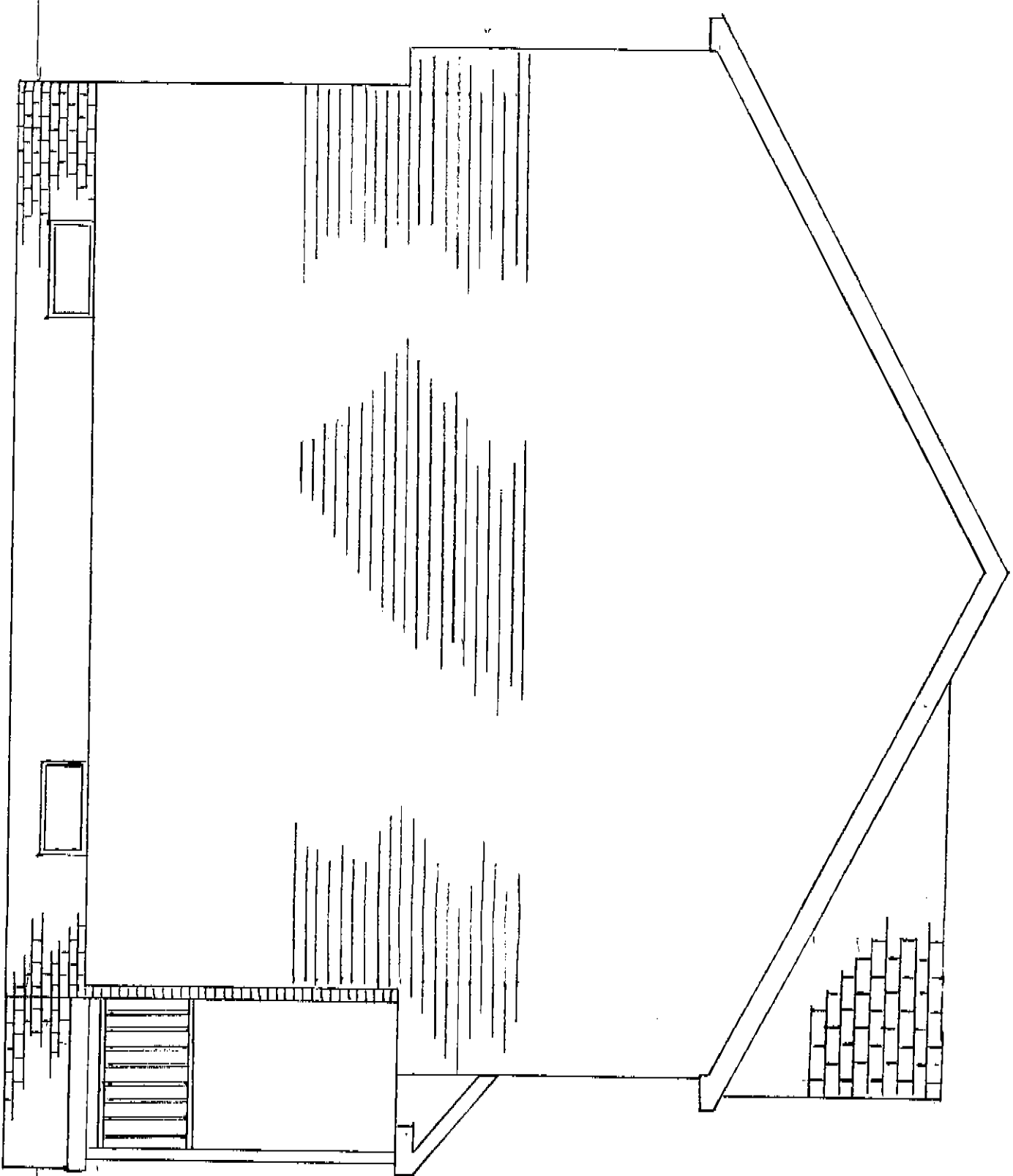
Scale 1/4" = 1 Foot

Right Side Elevation



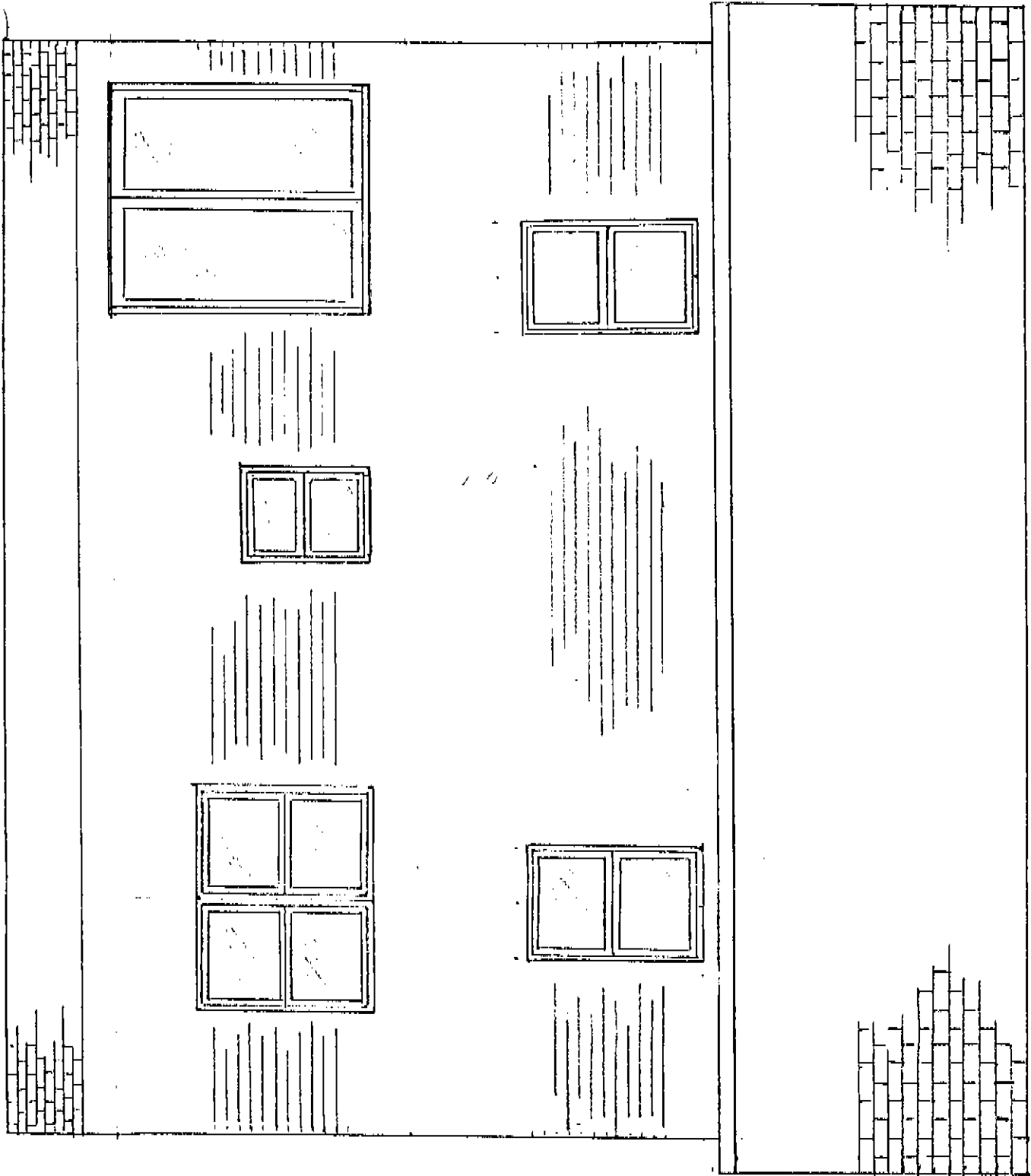
Scale  $\frac{1}{4}'' = 1 \text{ Foot}$

Left Side Elevation



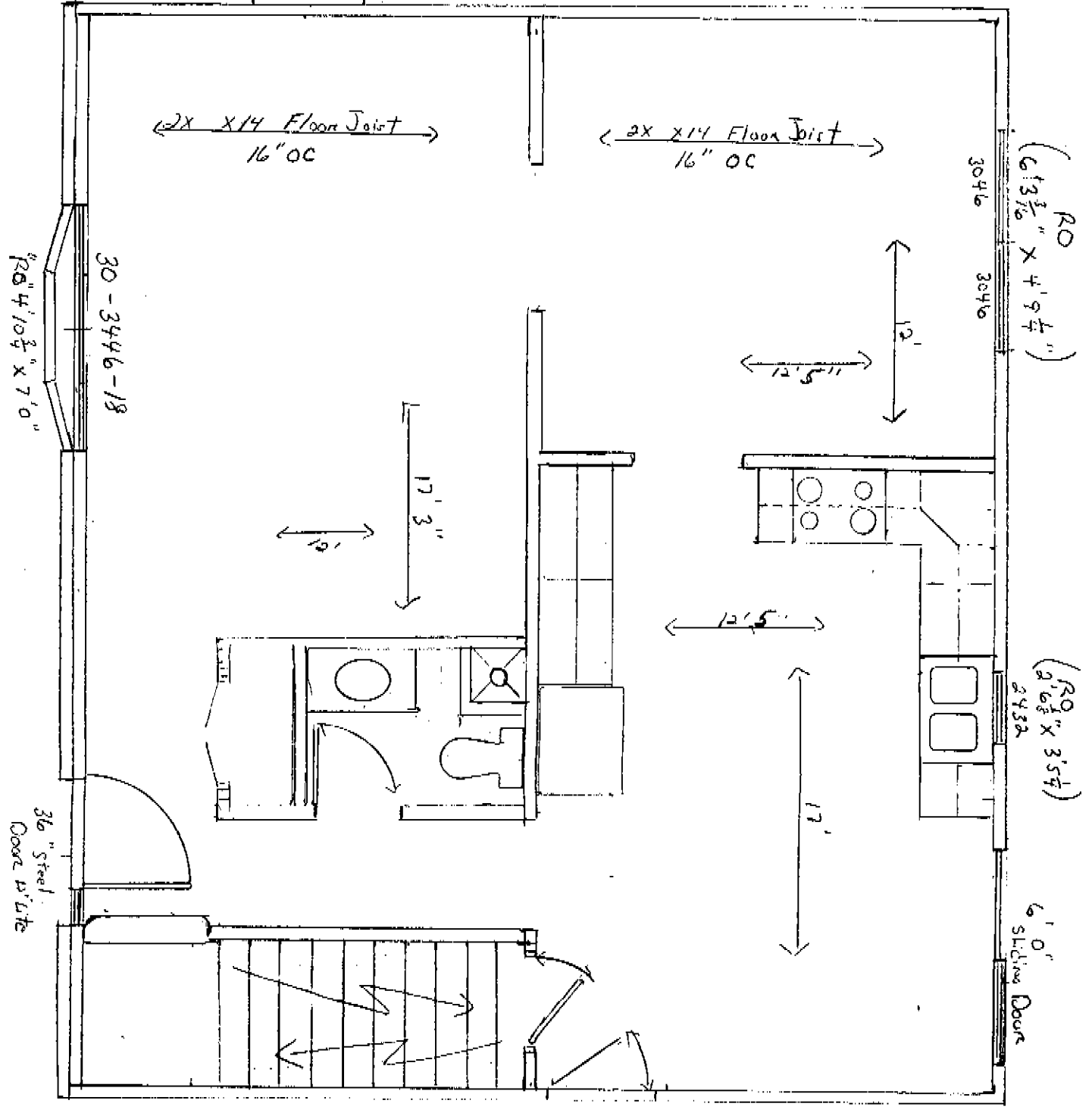
Scale: 1/4" = 1 foot

Rear Elevation



Scale :-  $\frac{1}{4}'' = 1 \text{ foot}$

# Floor Plan Lower

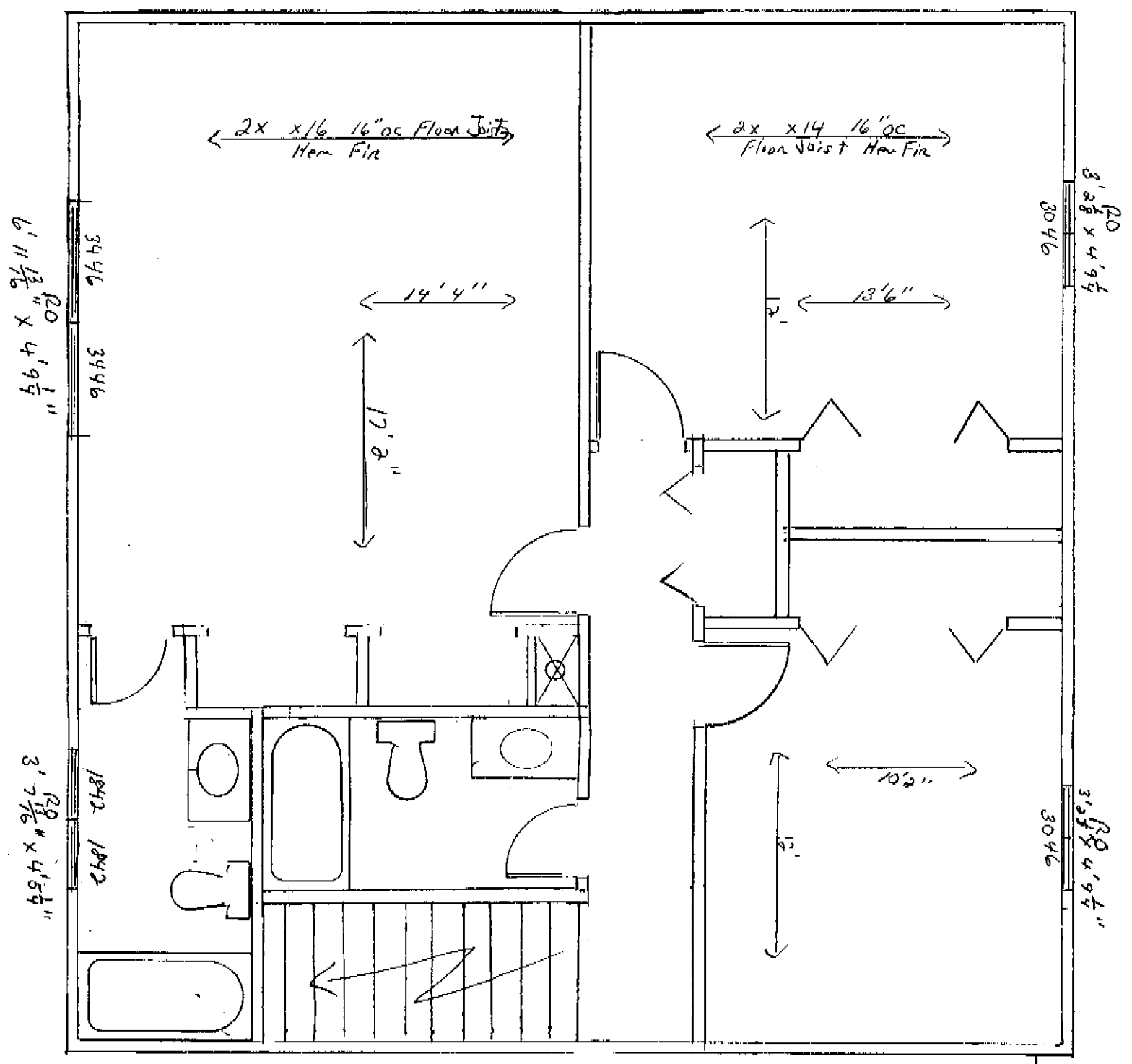


Scale 1/4" = 1 foot

26833

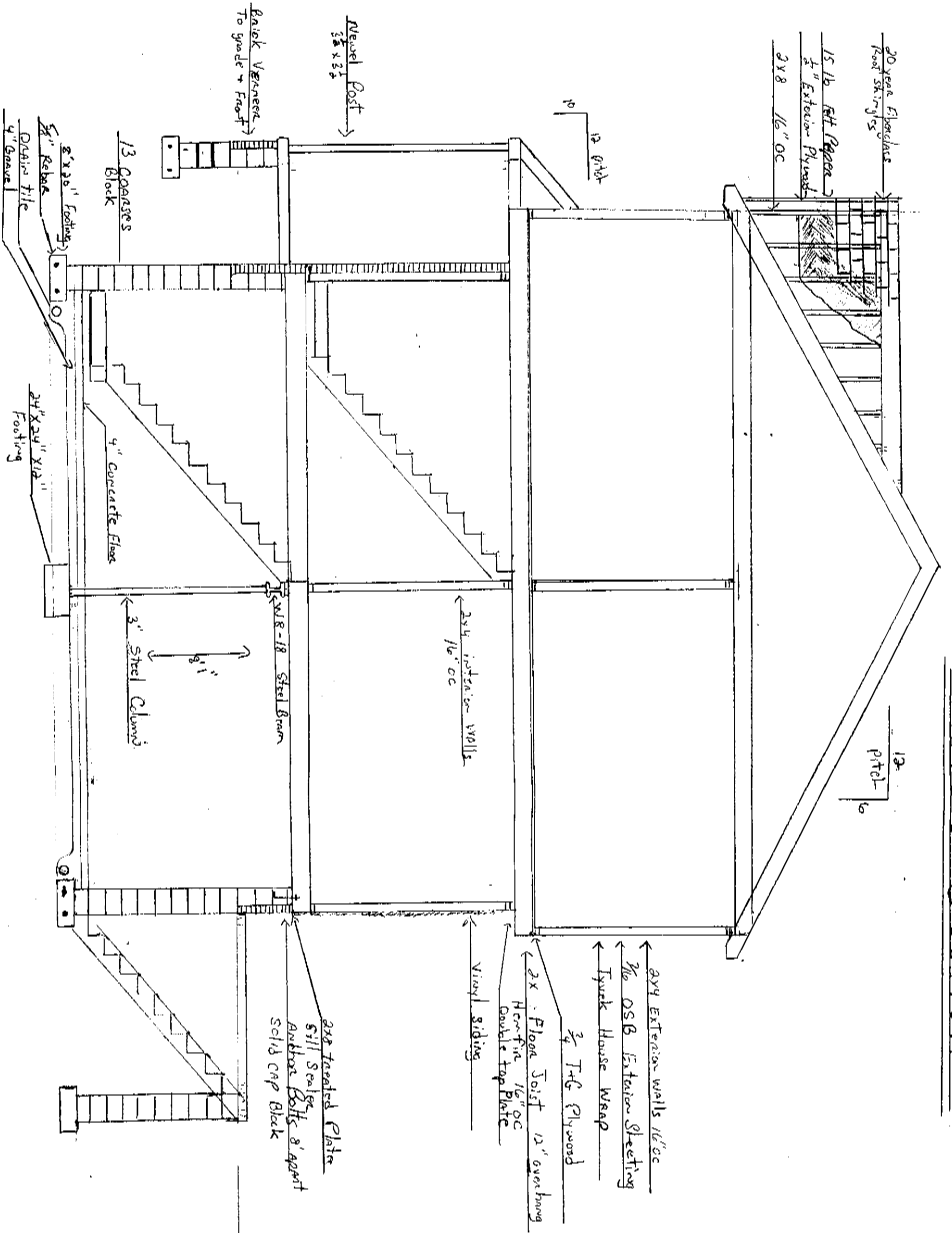


# Floor Plan Upper



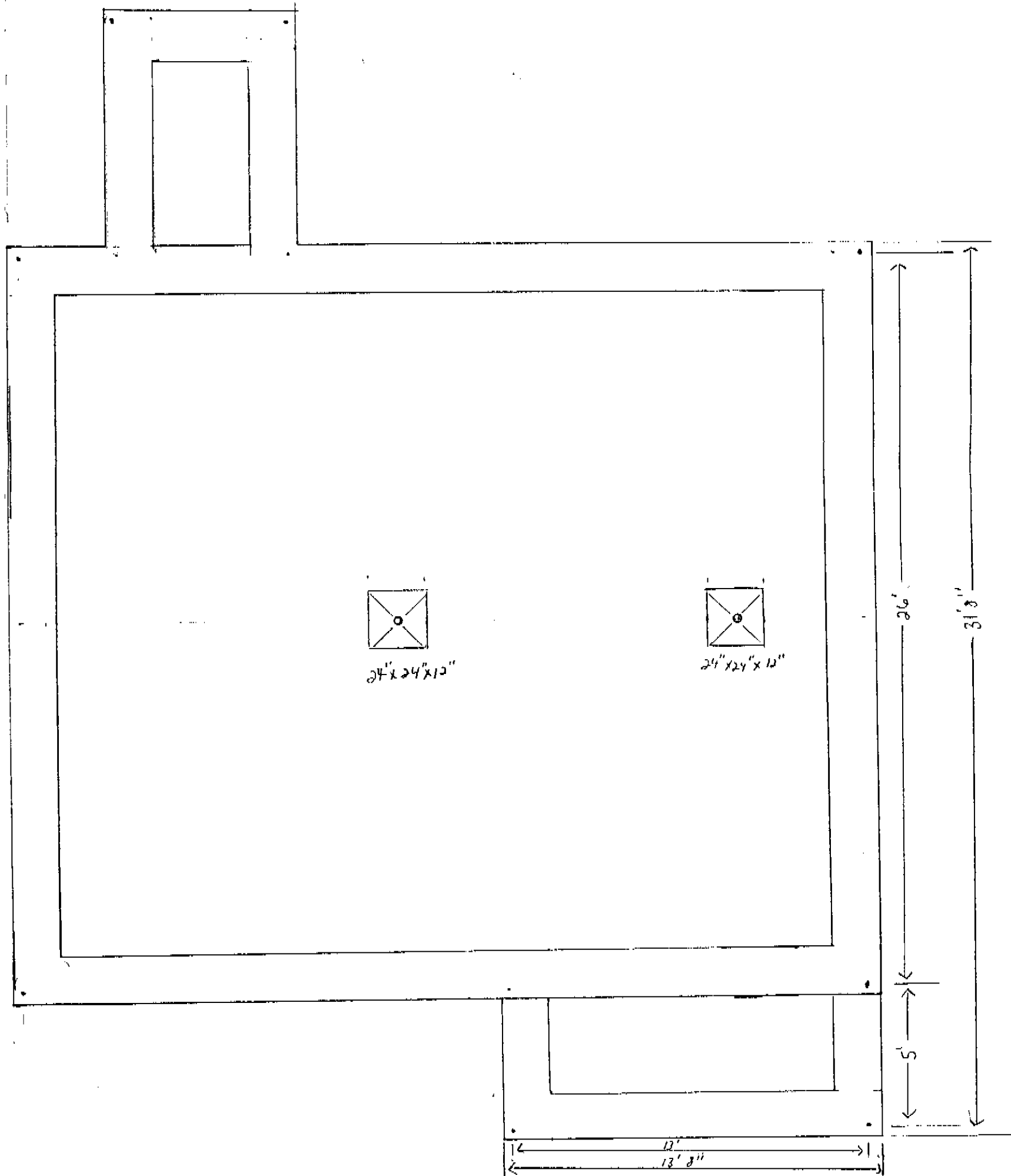
Scale  $\frac{1}{4}'' = 1 \text{ foot}$

# Cross Section



Scale: 1/4 in = 1 foot

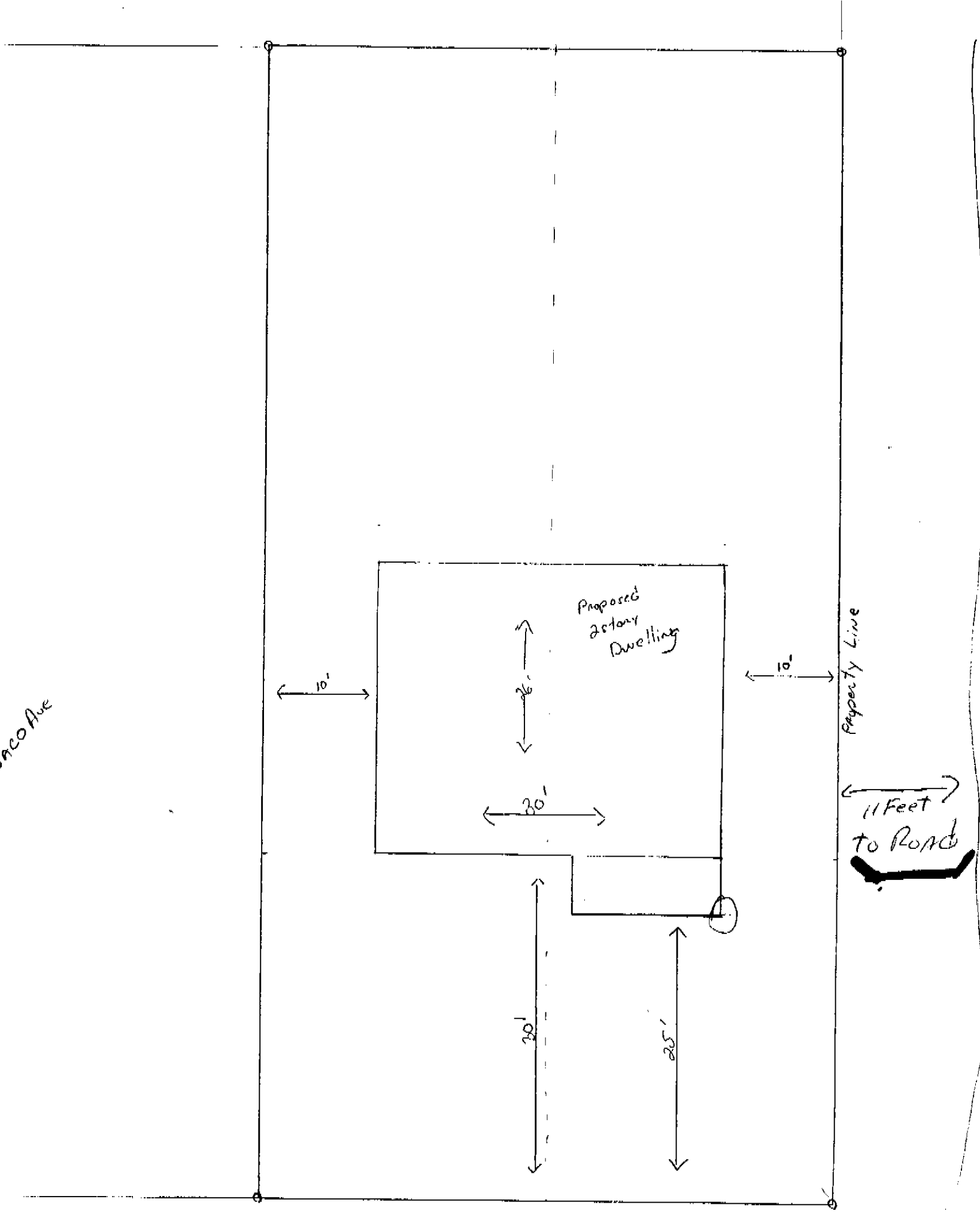
# Foundation Plan



Scale:  $\frac{1}{4}$  in = 1 foot

# PLOT PLAN

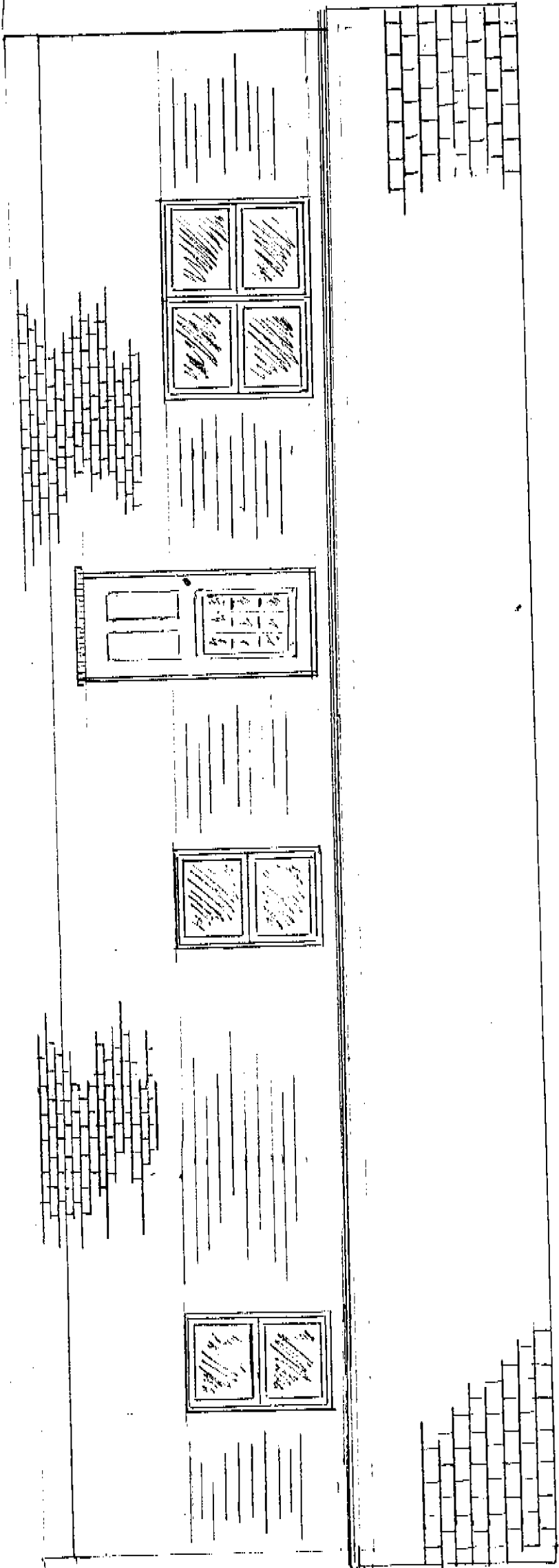
Property  
510 Patapsaco Ave



Scale 1 inch = 10 feet

Patapsaco Ave

Front Elevation  
Linden Ave  
Side View

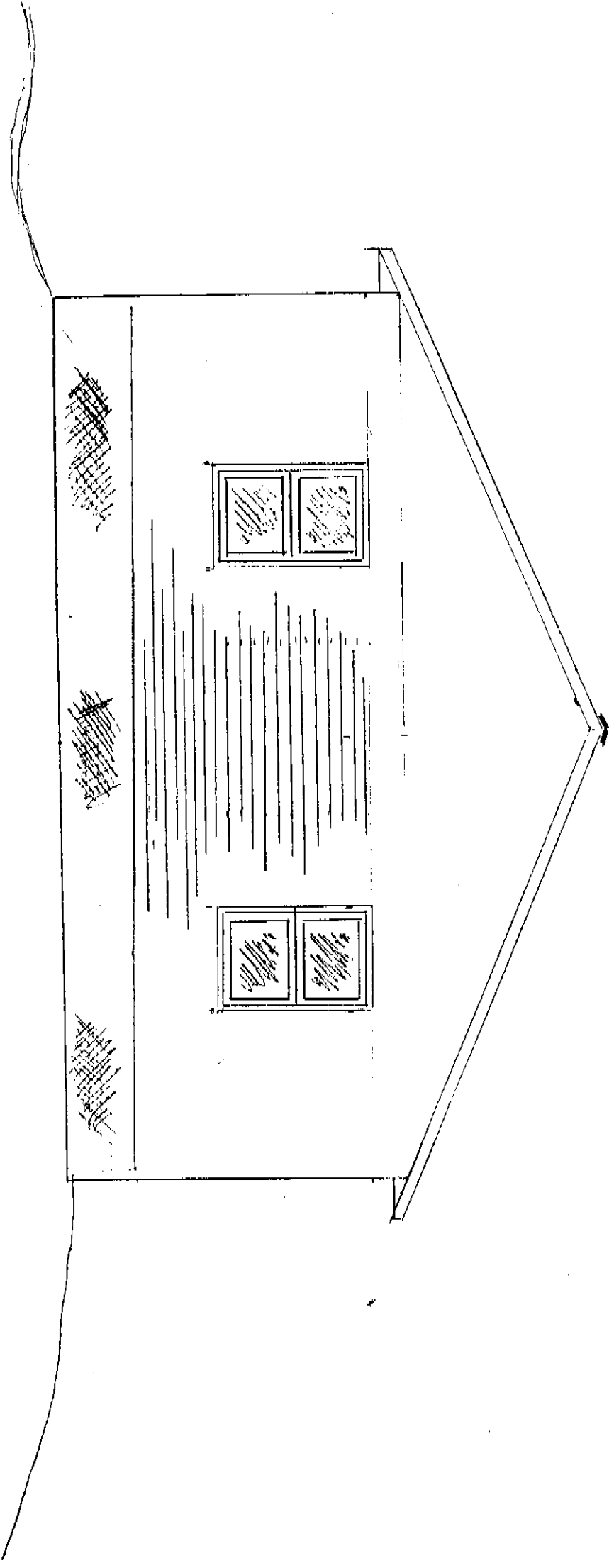


Plan 2

1/4" = 1 Foot

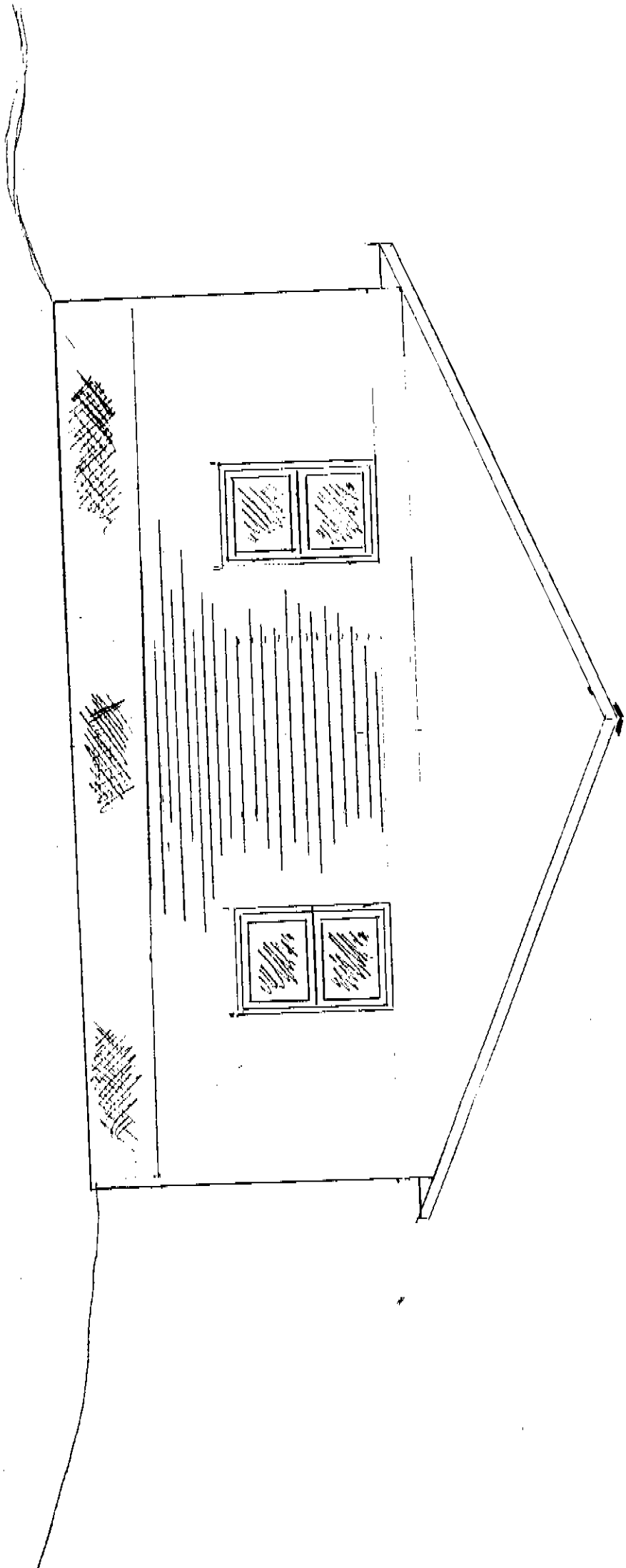
Left Elevation

Pt. Apsaco AVE Side View

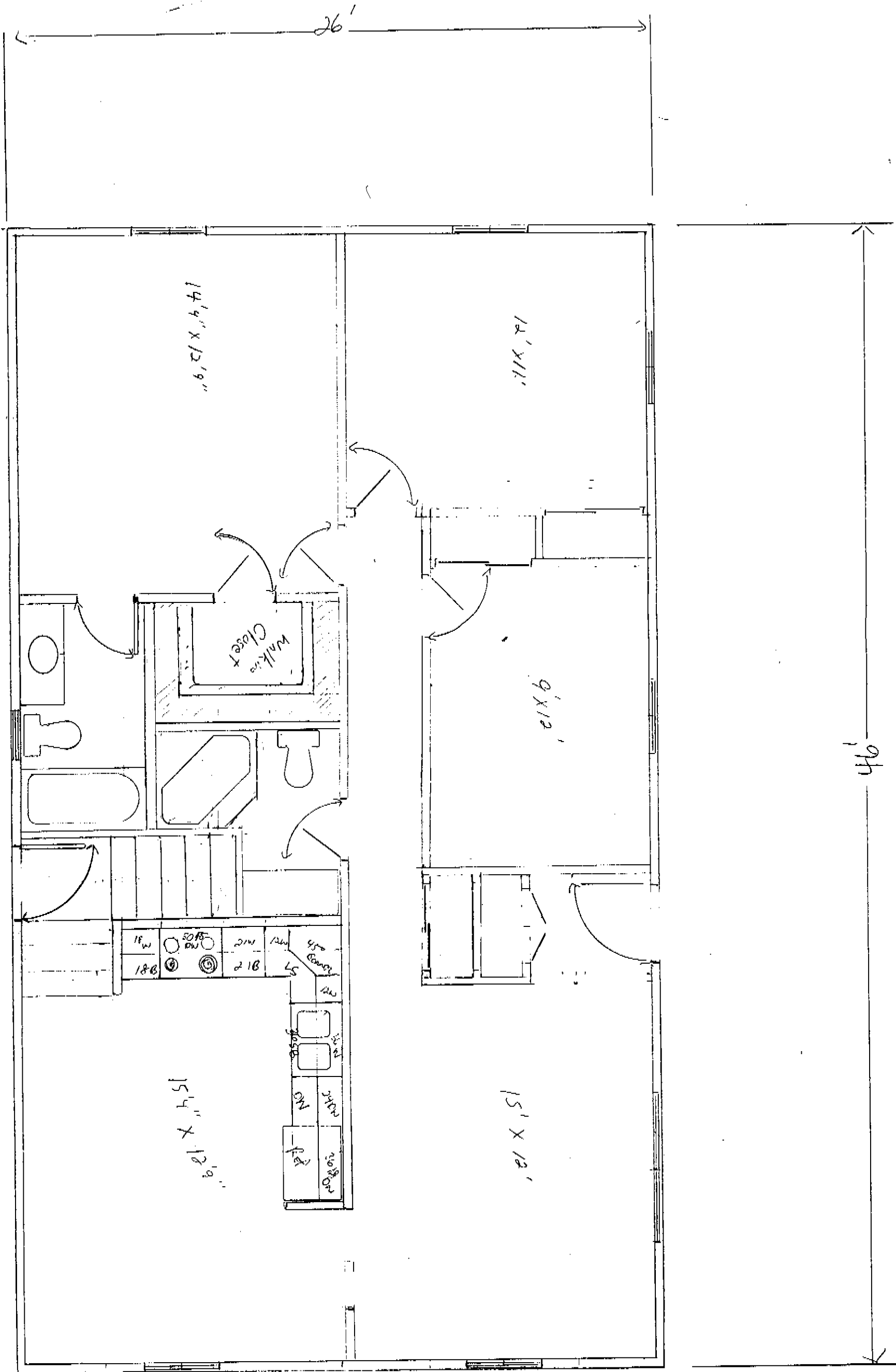


1/4" = 1 Foot

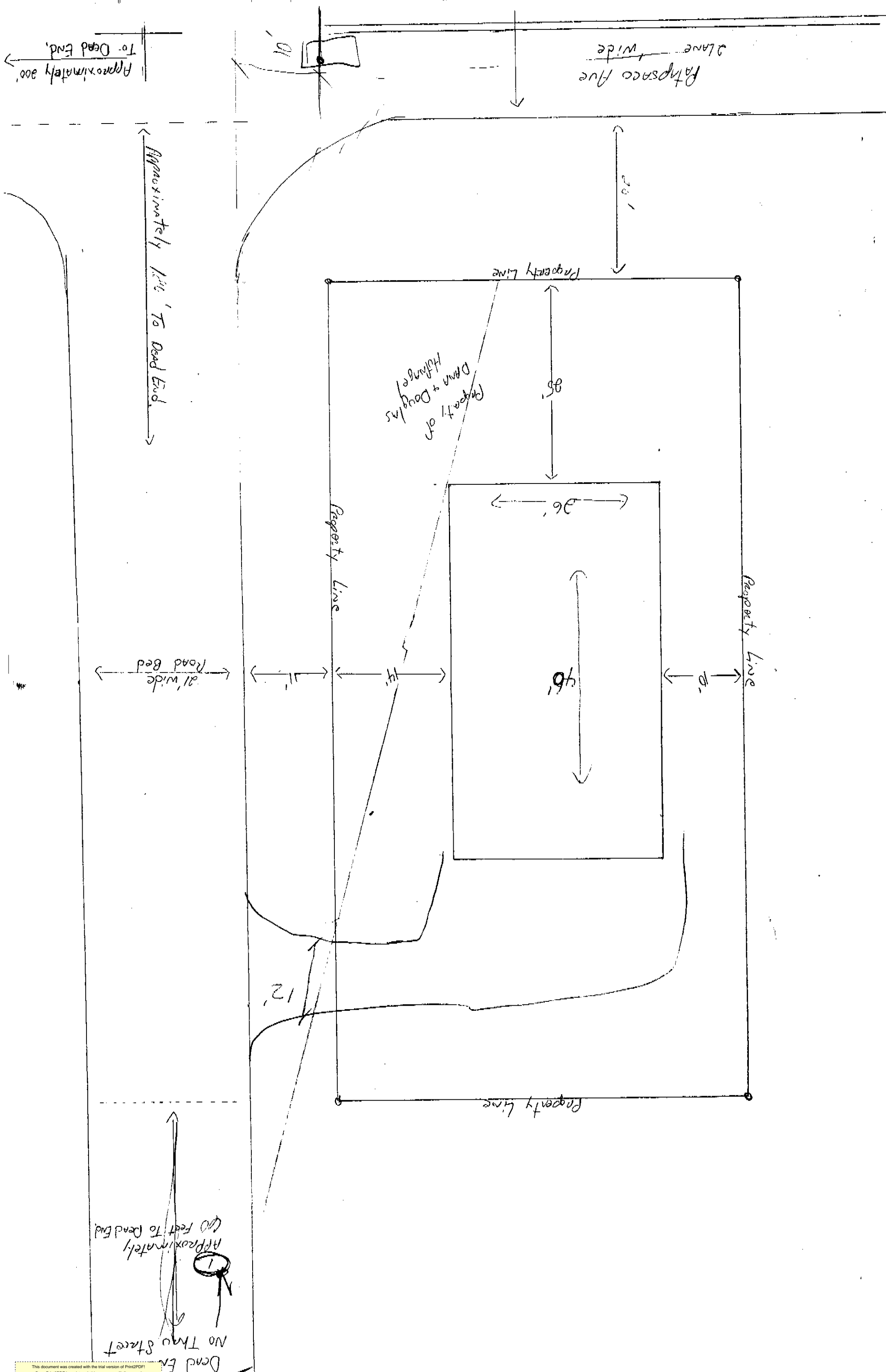
Right Elevation



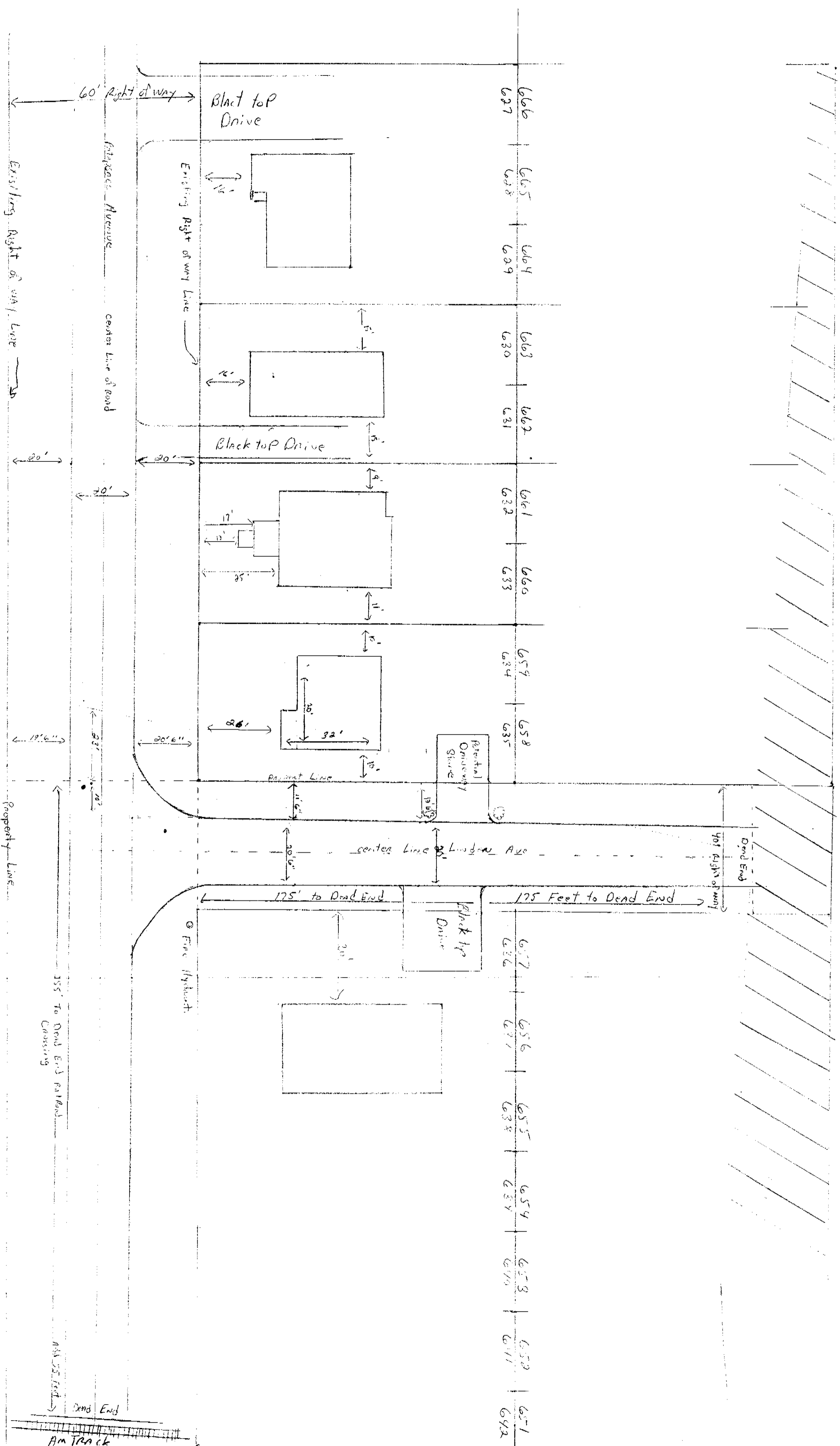
$\frac{1}{4}'' = 1 \text{ FOOT}$







Sevren Avenue Bridge over Rail Road



The proposed building on lots 634 & 635 will not impact the line of sight negatively for either roads.

Rakae J. Farnick, P.E.

10/5/195

Exhibit A-1

SCALE	1 inch = 40 feet
DATE	
DRAWN BY	
REVISION	
DRAWING NUMBER	





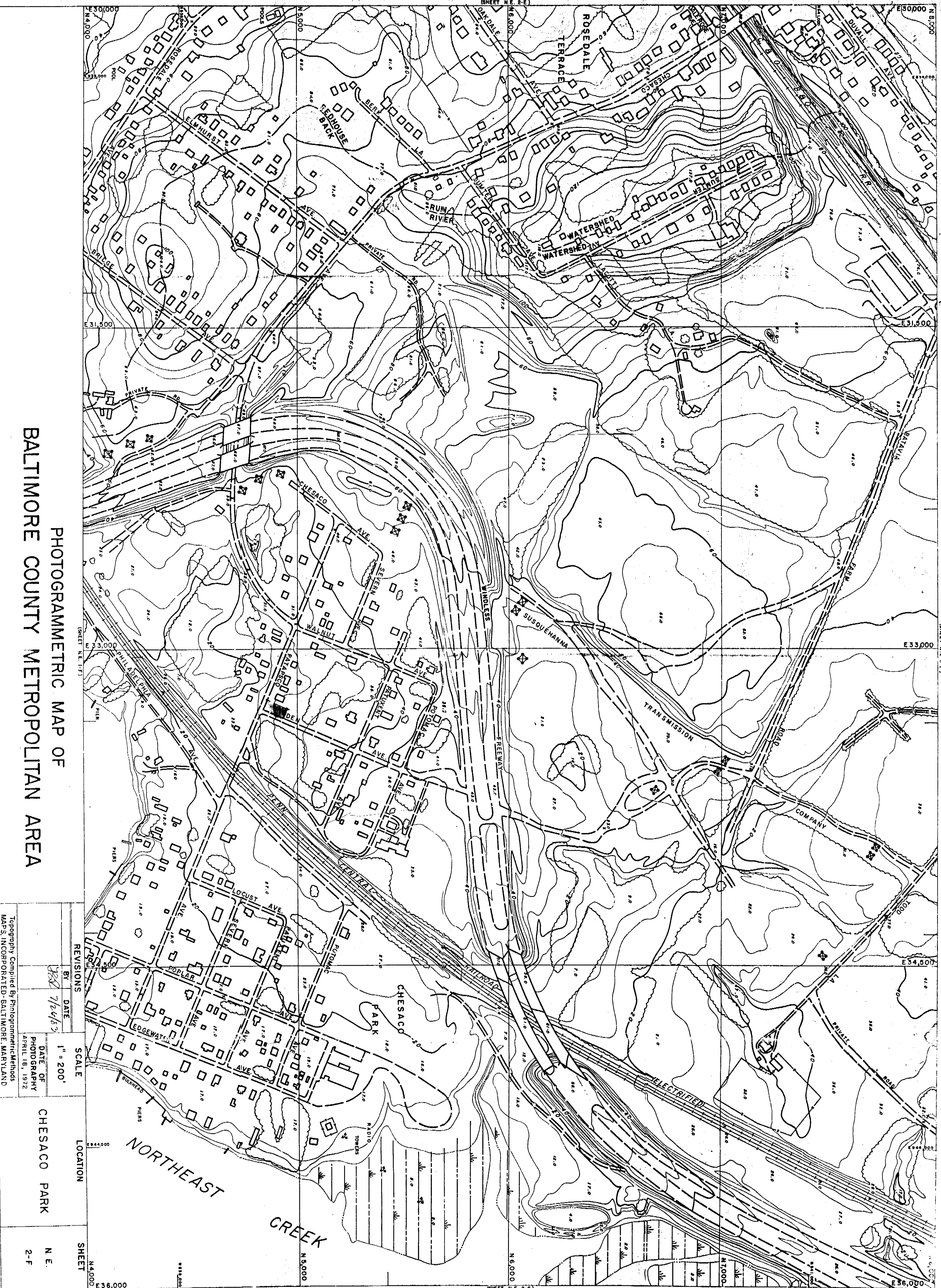
PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 26401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CHESACO PARK	N. E. 2-F
DATE OF PHOTOGRAPHY	MICROFILMED	
JANUARY 1986		

95-410-A

906  
17



PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS	SCALE	LOCATION	SHEET
BY: [Signature] DATE: 7/24/83	1" = 200'	CHESACO PARK	N. E. 2-F
<small>Topography Compiled by Photogrammetric Methods MAPS, INCORPORATED - BALTIMORE, MARYLAND DATE OF PHOTOGRAPHY: APRIL 18, 1972</small>			

IN RE: PETITION FOR VARIANCE \* BEFORE THE  
 NW/Corner Patapsco and Linden Avenues \* DEPUTY ZONING COMMISSIONER  
 (Lots 634 & 635 Chesaco Park) \* 15th Election District  
 7th Councilmanic District \* OF BALTIMORE COUNTY  
 Douglas P. Hufnagel, et ux \* Case No. 95-410-A  
 Petitioners \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as Lots 634 and 635 of Chesaco Park, located just south of the Windlass Freeway near Back River. The Petition was filed by the owners of the property, Douglas P. and Dana L. Hufnagel, through their attorney, Alfred L. Brennan, Jr., Esquire. The Petitioners seek a variance from Section 1802.2 and 3, and Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow the subject property as a buildable lot with a lot width of 50 feet in lieu of the required 55 feet, a corner lot setback of 10 feet in lieu of the required 25 feet, and a total area of 5,000 sq.ft. in lieu of the minimum required 6,000 sq.ft., for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Douglas Hufnagel, property owner, and his attorney, Alfred L. Brennan, Jr., Esquire. Appearing in opposition to the request were Steve Webster, adjacent property owner, and Bill Werner, who resides across from the subject site.

Testimony and evidence offered revealed that the subject property consists of 0.115 acres, more or less, zoned D.R. 5.5, and is located on the northwest corner of Patapsco Avenue and Linden Avenue in the subdivi-

sion known as Chesaco Park. The property is also located within the Chesapeake Bay Critical Areas in close proximity to Back River. The Petitioners wish to develop the lot with a single family dwelling in accordance with the elevation drawings submitted into evidence as Petitioner's Exhibit 6. Due to the size of the property and its location on a corner, the relief requested is necessary. Further testimony revealed that Mr. Hufnagel purchased the property in 1984 at which time many of the lots in this community were owned by his family. Mr. Hufnagel testified that he also owned the adjoining Lots 632 and 633, but sold those and the dwelling thereon to the Protestant. Mr. Steve Webster, seven years ago. Mr. Hufnagel testified that he attempted to sell the subject lots to Mr. Webster at the same time, however, Mr. Webster could not afford to purchase the property at that time so he decided to hold on to the property. Mr. Hufnagel now wishes to construct a single family dwelling on the property for resale.

Mr. Steve Webster testified that since this lot is on a corner, a dangerous sight visibility problem will result if a dwelling is constructed on the property. He testified that the lot is too narrow to support a dwelling and that the visibility of motorists travelling through this intersection would be impeded as a result of this dwelling. Mr. Webster also testified that since Linden Avenue is a dead-end street, the children in the neighborhood skateboard and play in this area. He further testified that he was denied the opportunity to purchase the lot as stated earlier, but that he has maintained the property for the past 7 years.

Mr. Bill Werner also testified in opposition to the proposed dwelling. Mr. Werner is also concerned that the subject lot is not of sufficient size to support a dwelling. He is equally concerned about the safety of the children who play in this area of the neighborhood and be-

lieves that a dwelling on this lot will create a blind spot for motorists and children, given the fact that this is a corner lot. Mr. Werner is also of the opinion that a two-story dwelling would be out of character with the other homes in this area. He further testified that there is a parking problem in the neighborhood and that another dwelling in this area will only exacerbate the situation.

This matter comes before me pursuant to Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.). Section 304 relates to the issuance of building permits for undersized lots. It is clear that the subject property is undersized and is only 50 feet wide, and not 55 feet, as required by the current B.C.Z.R. Under Section 304, I am required to determine whether the proposed dwelling is "appropriate" for this site.

After due consideration of the testimony and evidence presented, it appears the relief requested should be denied. The testimony presented by the Petitioner was not convincing that approval of this undersized lot for a proposed dwelling could be granted without adversely affecting the health, safety and general welfare of the surrounding locale. The Protestants argued that the subject property is too small to support a dwelling of the size proposed, and that a dwelling on this lot would impede the visibility of motorists and children. I am inclined to agree. Therefore, the relief requested must be denied.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of June, 1995 that the Petition for Variance seeking relief from Section 1802.2 and 3, and Section 304 of the

Baltimore County Zoning Regulations (B.C.Z.R.) to allow the subject property as a buildable lot with a lot width of 50 feet in lieu of the required 55 feet, a corner lot setback of 10 feet in lieu of the required 25 feet, and a total area of 5,000 sq.ft. in lieu of the minimum required 6,000 sq.ft., for a proposed dwelling, in accordance with Petitioner's Exhibits 1 and 6, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order in which to file an appeal.

*Timothy M. Kotrocco*  
 TIMOTHY M. KOTROCCO  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
 Date 6/22/95  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 6/22/95  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 6/22/95  
 By [Signature]

ORDER RECEIVED FOR FILING  
 Date 6/22/95  
 By [Signature]

Baltimore County Government  
 Zoning Commissioner  
 Office of Planning and Zoning

Suite 112 Courthouse  
 400 Washington Avenue  
 Towson, MD 21204

June 22, 1995 (410) 887-4386

Alfred L. Brennan, Jr., Esquire  
 825 Eastern Boulevard  
 Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE  
 NW/Corner Patapsco and Linden Avenues  
 (Lots 634 & 635 Chesaco Park)  
 15th Election District - 7th Councilmanic District  
 Douglas P. Hufnagel, et ux - Petitioners  
 Case No. 95-410-A

Dear Mr. Brennan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,  
*Timothy M. Kotrocco*  
 TIMOTHY M. KOTROCCO  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Douglas P. Hufnagel  
 1703 Cross Gate Court, Jarrettsville, Md. 21084  
 Mr. Steve Webster, 510 Patapsco Avenue, Baltimore, Md. 21237  
 Mr. Bill Werner, 8101 Linden Avenue, Baltimore, Md. 21237  
 Chesapeake Bay Critical Areas Commission  
 45 Calvert Street, 2nd Floor, Annapolis, Md. 21401  
 People's Counsel; DEPRM; Case File

**CRITICAL AREA**

**Petition for Variance**  
 to the Zoning Commissioner of Baltimore County  
 for the property located at Patapsco and Linden Avenues  
 which is presently zoned VR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Sections 1802.2, 3, 304 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

To allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

*Petitioners own the lot and desire to build a house on their lot. Without a variance for setbacks, they could not build a house in conformity with others in the neighborhood.*

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.

Use as security deposit and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Contact Purchaser/Lessee:  
 (Type or Print Name) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zipcode \_\_\_\_\_

Legal Owner:  
 Douglas P. Hufnagel  
 (Type or Print Name) \_\_\_\_\_  
 Signature *Douglas P. Hufnagel*  
 Dana L. Hufnagel  
 (Type or Print Name) \_\_\_\_\_  
 Signature *Dana L. Hufnagel*

Agency for Petitioner:  
 Alfred L. Brennan, Jr.  
 (Type or Print Name) \_\_\_\_\_  
 Signature *Alfred Brennan*  
 825 Eastern Boulevard 687-3434  
 Baltimore, Maryland 21221  
 City \_\_\_\_\_ State \_\_\_\_\_ Zipcode \_\_\_\_\_

Name \_\_\_\_\_  
 Address \_\_\_\_\_ Phone No. \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zipcode \_\_\_\_\_  
 Name Address and phone number of representative to be contacted \_\_\_\_\_

OFFICE USE ONLY  
 ESTIMATED LENGTH OF HEARING \_\_\_\_\_  
 unavailable for hearing \_\_\_\_\_  
 the following date \_\_\_\_\_ Next Two Months  
 ALL OTHER \_\_\_\_\_  
 RECEIVED BY: *[Signature]* DATE 6/22/95

ORDER RECEIVED FOR FILING  
 Date 6/22/95  
 By [Signature]

**BEGINNING FOR THE SAME** and being known and designated as Lots numbered 634 and 635 in a development known as Chesaco Park, as they appear on a Plat thereof recorded in the Land Records of Baltimore County in Liber WPC No. 6, folio 164.

406  
 95-410-A

**CERTIFICATE OF POSTING**  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District 15th Date of Posting 5/27/95  
 Posted for: Variances  
 Petitioner: Douglas & Dana Hufnagel  
 Location of property: NW/Corner Patapsco & Linden Ave  
 Location of Sign: Posting two ways on property being zoned  
 Remarks: \_\_\_\_\_  
 Posted by: *[Signature]* Date of return: 6/2/95  
 Number of Signs: 1

**CERTIFICATE OF PUBLICATION**  
 TOWSON, MD., 5/25, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/25, 1995

THE JEFFERSONIAN,  
*A. Henrichson*  
 LEGAL AD. - TOWSON

NOTICE OF HEARING  
 The Zoning Commission of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 112 of the County Clerk Building, 111 W. Chesapeake Avenue, Baltimore, Maryland, on Tuesday, June 27, 1995 at 10:00 A.M. The hearing will be held in accordance with the provisions of the Zoning Law of Baltimore County. The Commission will consider the petition for a variance to allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.  
 LAWRENCE E. SCHMIDT  
 Zoning Commissioner for Baltimore County  
 NOTES: (Petitioners are advised that they may appeal the Commission's decision to the County Board of Appeals. For information concerning the appeal process, please call 887-3391.)  
 6/29/95

**Baltimore County**  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21284

**CRITICAL AREA**

receipt  
75-410-A  
ACCOUNT R-001-6150

Date 5-12-95  
Item Number 406  
Taken in by: JJA

# 010 Residential Variance filing fee 50.00  
# 080 Sign & Posting 35.00  
Total \$85.00

Owner: Douglas P. Hufnagel  
s. to: no address yet  
NW Corner Patapsco Ave & Linden Ave

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Carl Jablon*  
ARNOLD JABLON, Director

For newspaper advertising:  
Item No.: 406  
Petitioner: Douglas P. Hufnagel and Dana L. Hufnagel  
Location: Patapsco and Linden Avenues

PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Douglas P. Hufnagel  
ADDRESS: 1703 Cross Gate Court  
Jarrettsville, Maryland 21084  
PHONE NUMBER: (410) 557-7930

AJ:995 (Revised 04/09/93)

**TO: POTTERY PUBLISHING COMPANY**  
May 25, 1995 Issue - Jeffersonian

Please forward billing to:  
Douglas P. Hufnagel  
1703 Cross Gate Court  
Jarrettsville, MD 21084  
557-7930

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-410-A (Item 406)  
MOC Patapsco and Linden Avenues  
15th Election District - 7th Councilmanic  
Legal Owner(s): Douglas P. Hufnagel and Dana L. Hufnagel  
HEARING: TUESDAY, JUNE 13, 1995 at 10:30 a.m. in Room 118, Old Courthouse

Variance to allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

Variance to allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

May 18, 1995

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-410-A (Item 406)  
MOC Patapsco and Linden Avenues  
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HEARING: TUESDAY, JUNE 13, 1995 at 10:30 a.m. in Room 118, Old Courthouse

Variance to allow a buildable lot with a lot width of 50 feet, corner lot setback of 10 feet and area of 5,000 square feet in lieu of the required 55 feet, 25 feet, and 6,000 square feet respectively.

*Carl Jablon*  
Arnold Jablon  
Director

cc: Douglas and Dana Hufnagel  
Alfred L. Brennan, Jr., Esq.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

June 7, 1995

Alfred L. Brennan, Jr.  
825 Eastern Boulevard  
Baltimore, Maryland 21221

RE: Item No.: 406  
Case No.: 95-410-A  
Petitioner: D. P. Hufnagel, et ux

Dear Mr. Brennan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 12, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: May 31, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: Hufnagel Property

INFORMATION:  
Item Number: 406  
Petitioner: Hufnagel Property  
Property Size:  
Zoning: DR-5.5  
Requested Action: Variance  
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:  
See attached comment of May 31, 1995.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Camille Lewis*  
PK/JL

ITEM406/PZ06/ZAC1

5-12-95, Variance Pet., Item # 406  
Carl P. Jablon

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots  
Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

APPLICANT SUPPLIED INFORMATION: *Alfred L. Brennan Jr. 687-3434*  
*Douglas P. Hufnagel 1703 Cross Gate Ct, Jarrettsville, MD 21084 557-7930*  
or *Douglas P. Hufnagel / Dana L. Hufnagel, Patapsco & Linden Aves, Election District 15, Council District 7, Square Feet 5000*

Let Address: *None / NWC Underpass, Election District 15, Council District 7, Square Feet 5000*  
Lot Location: *N E S W side / corner at NW Patapsco & Linden Aves. feet from N E S W corner of*

Lot Owner: *Douglas P. Hufnagel* Tel. Account Number: *15-21-450164*  
Address: *Some* Telephone Number:

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	YES	NO	Residential Processing Fee Paid Codes (OO # 000 (PSS)
1. This Recommendation Form (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Accepted by: <i>ZAC</i>
2. Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Date: _____
3. Site Plan Property (2 copies) Topic 1412 (available at the ZAC) (2 copies) (Green lines and cover)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Photographs (owner's view of ground) Adjoining Buildings Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

RECOMMENDATIONS/COMMENTS:  
 Approval  Disapproval  Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: *Francis Murray* Date: 5/31/95

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management June 5, 1995

FROM: J. Lawrence Pilsner  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #406 - Hufnagel Property  
Patapsco & Linden Avenues  
Zoning Advisory Committee Meeting of May 22, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

**Environmental Impact Review**

Development of this property must comply with the following Chesapeake Bay Critical Area Regulations:

1. Impervious surface must not exceed 25% of the total lot acreage or 1250 square feet.
2. Tree cover of 15% must be provided on site which equals two large trees. Credit will be granted for existing trees which are retained.
3. The applicant is encouraged to contact Environmental Impact Review at 887-3980 for details about Chesapeake Bay Critical Area Regulations.

JLP:TJL:sp  
cc: Douglas & Dana Hufnagel  
HUFNAGEL/DEPRM/TXTSPB

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 30, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for May 30, 1995  
Items 401, 402, 406, and 407

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:aw

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/23/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 22, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 401, 402, 404, 405, 406, 407, 409, 410 AND 411.

RECEIVED  
MAY 30 1995  
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

5-16-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 406 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for* Bob Small  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

PETITION PROBLEMS  
AGENDA OF MAY 22, 1995

#402 — MJK

1. Need name of legal owner on petition form.
2. Need authorization for "legal agent" to sign for legal owner.

#403 — JRA

1. Receipt was not given to petitioner or attorney.

#404 — JLL

1. Need typed or printed title of person signing for legal owner.

#406 — JJS

1. Incorrect zoning on petition form - VR 5.57777

#410 — JJS

1. Need legal owner's telephone number on petition form.
2. Zoning on petition form does not agree with zoning on folder.
3. Review information not completed on bottom of petition form.
4. No descriptions in folder (see John Sullivan's memo).

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots  
Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

APPLICANT SUPPLIED INFORMATION: Anthony Alfred L. Brennan Jr., 687-3434

or Douglas P. Hufnagel, 1703 Cross Gate Ct, Towson, MD 21284 557-70

Lot Address: Hanesey / NWC Linden Ave, Section District 15, Council District 7, Square Feet 5000

Lot Location: N E S W / side / corner of NWC Patuxent Ave, Met from N E S W corner of

Lot Owner: Douglas P. Hufnagel Tax Account Number: 15-21-450164

Address: Same Telephone Number

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (submitted on the 2nd C.D.R.) (2 copies) (Please label site sheets)	<input type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (taken latest at photo client) Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Residential Processing Fee Paid  
Codes (OO & OX) (20)

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

RECOMMENDATION/COMMENTS:  
 Approval  Disapproval  Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: *Francis Moroney* Date: 5/31/95

*Re Item 406*  
*Note*  
*Undersize lot*  
*Processing fee paid*  
*OT - 5/17/95*  
*AS*

RE: PETITION FOR VARIANCE  
NWC Patuxent and Linden Avenues, 15th  
Election District, 7th Councilmanic  
Douglas P. and Dana L. Hufnagel  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 95-410-A

ENTRY OF APPEARANCE

please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County  
*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13<sup>th</sup> day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Alfred L. Brennan, Jr., Esquire, 825 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Bill Weigel</i>	<i>2101 Linden Ave Balto MD</i>
<i>Steve Webster</i>	<i>510 Patuxent Ave 21237</i>

PLEASE PRINT CLEARLY

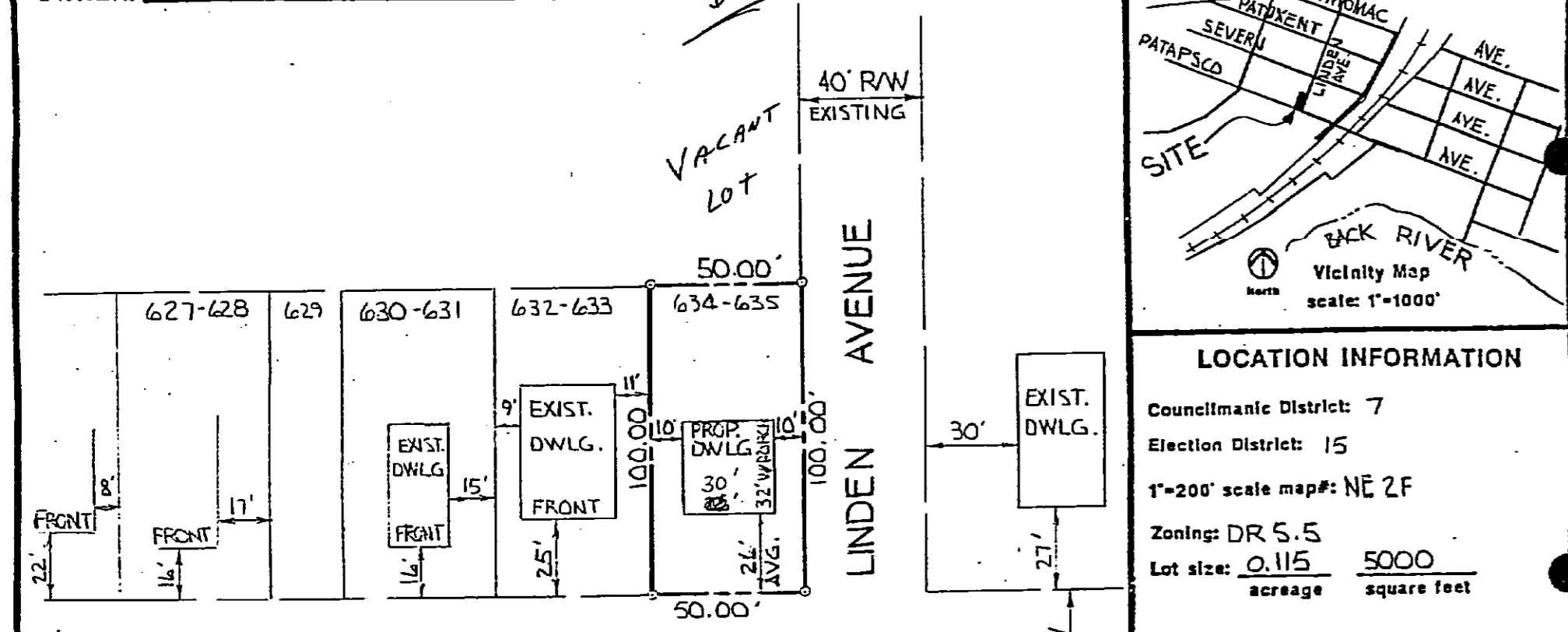
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Alfred L. Brennan Jr</i>	<i>825 Eastern Blvd 21221</i>
<i>Douglas P. Hufnagel</i>	<i>(1703 Cassgate Ct Jannettville) 21084</i>



Plat to accompany Petition for Zoning  Variance  Special Hearing

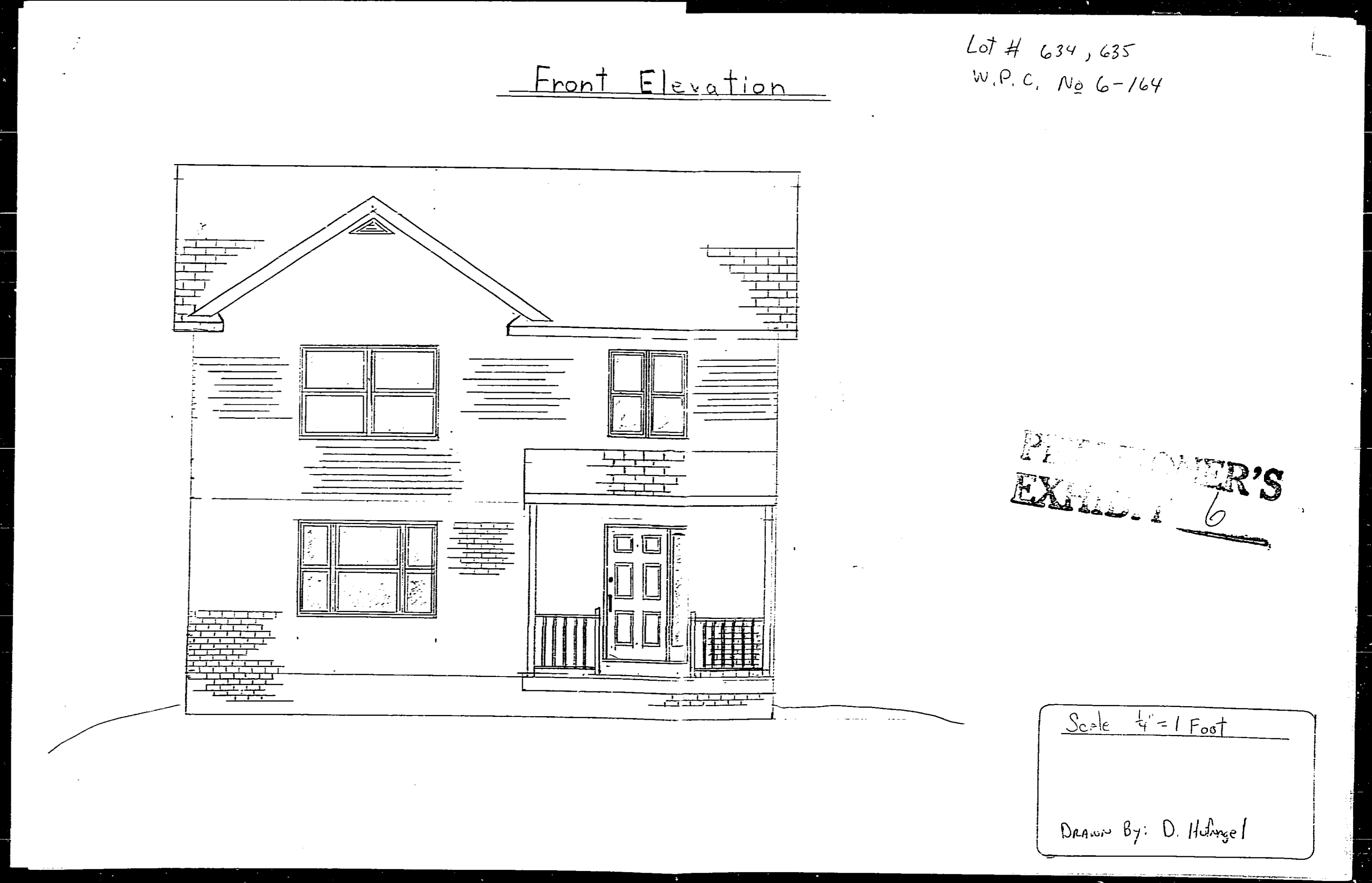
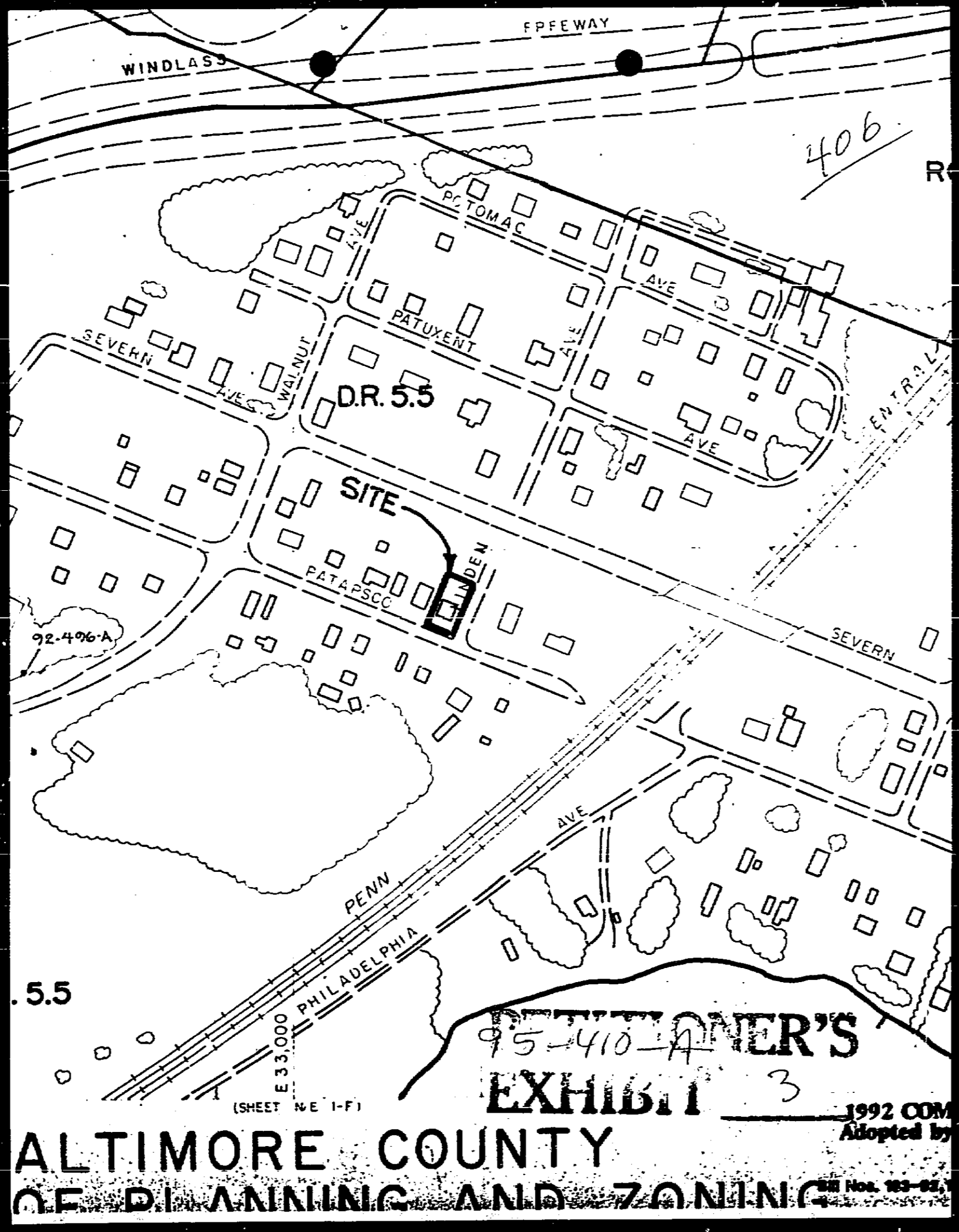
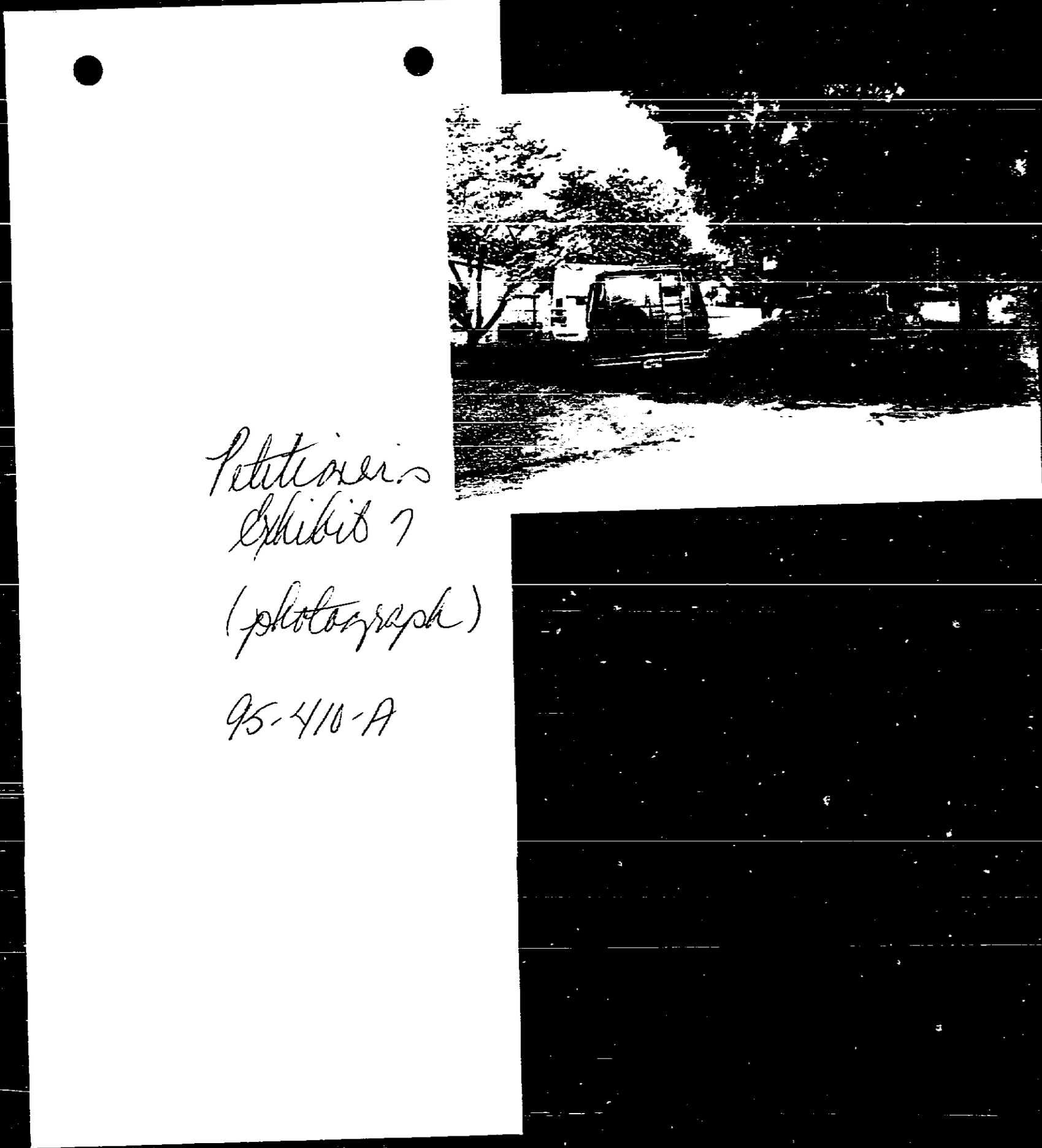
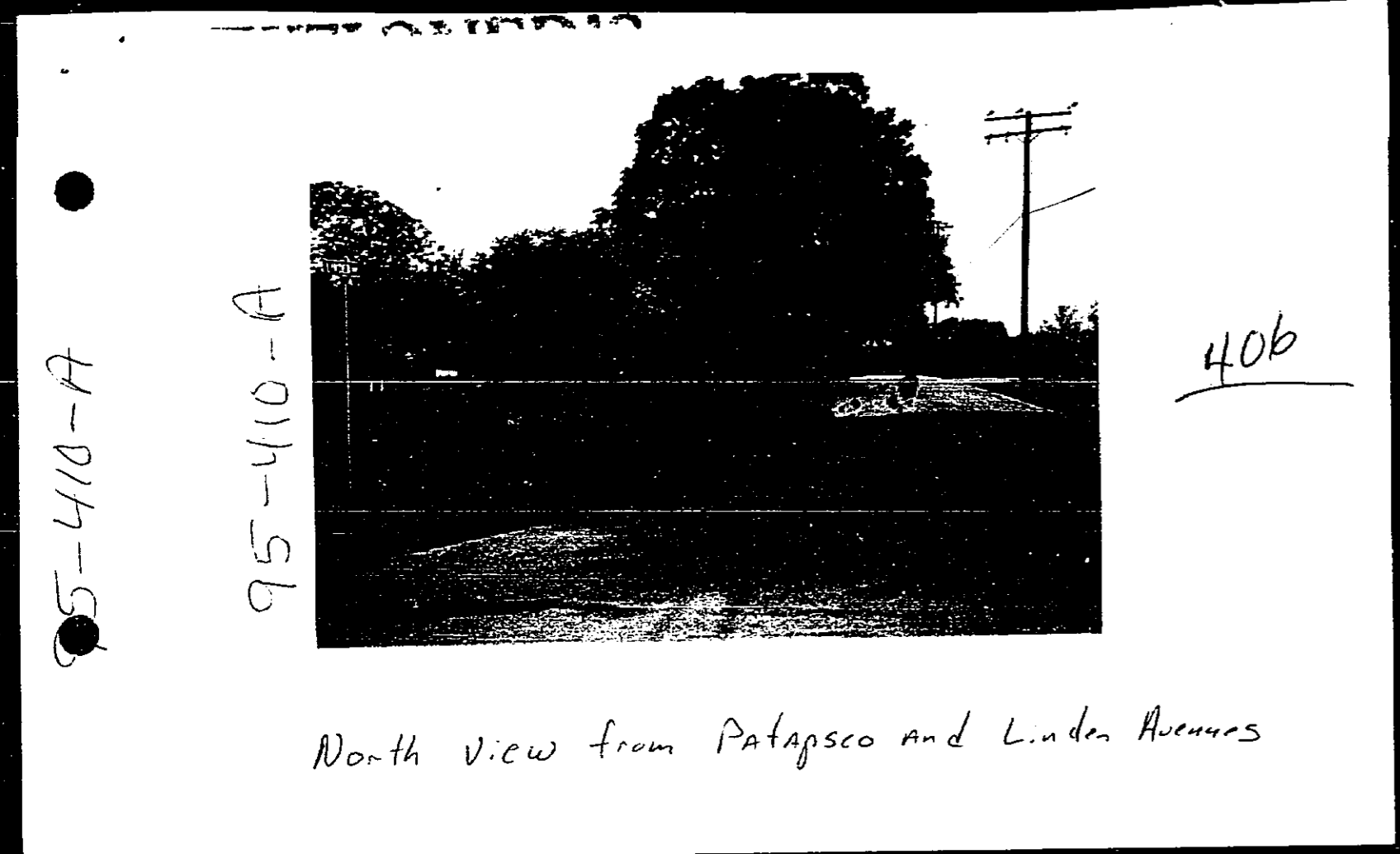
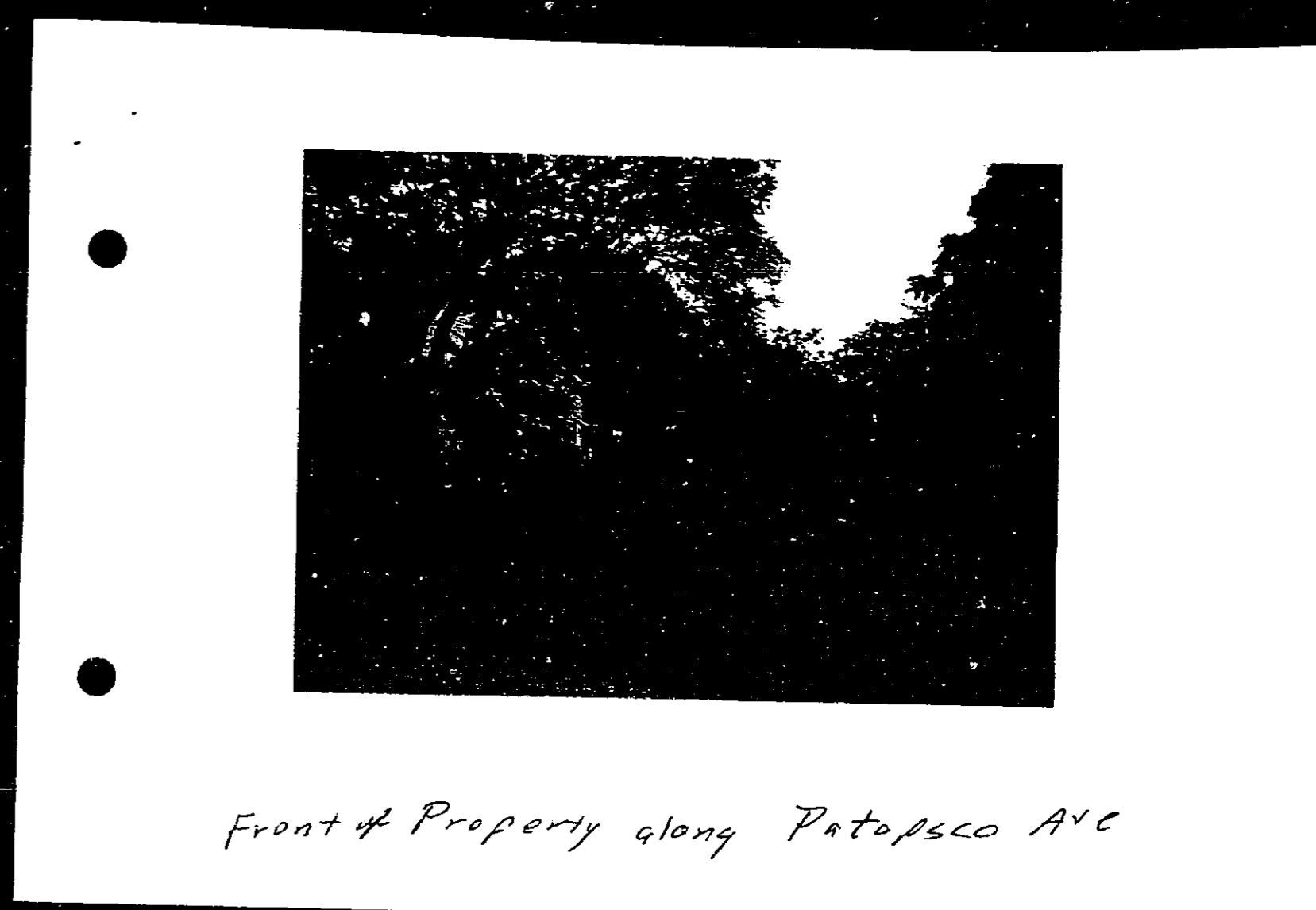
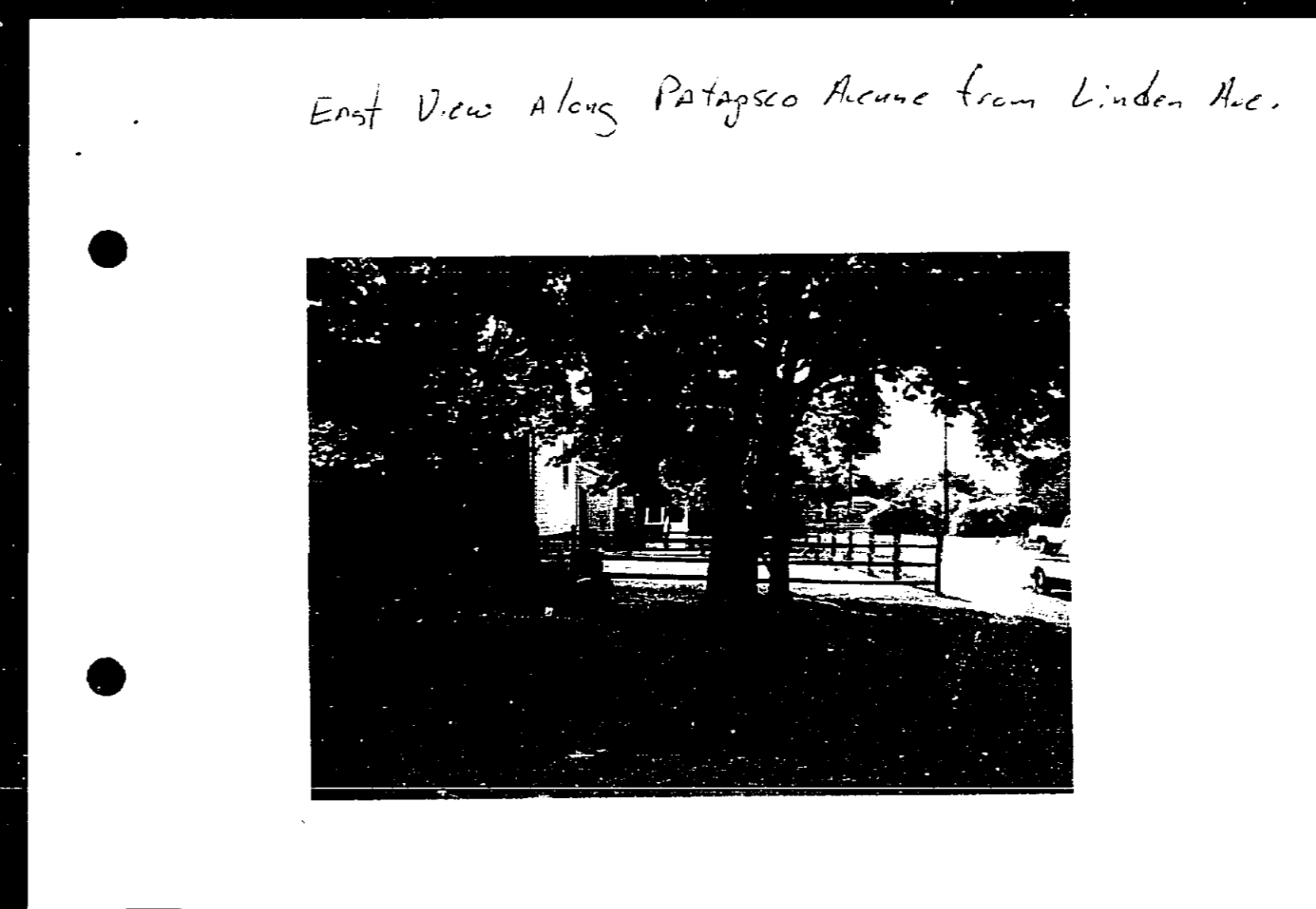
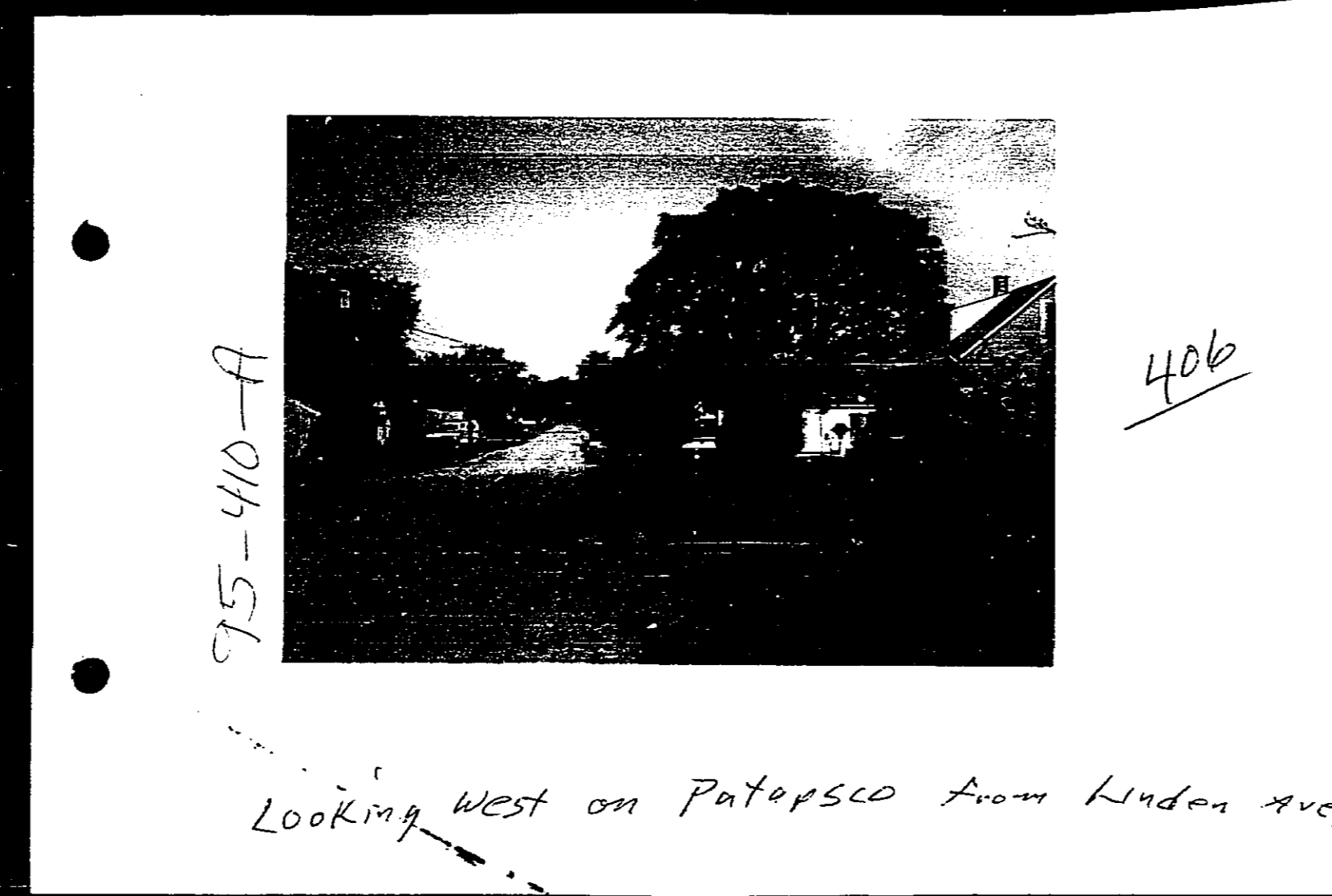
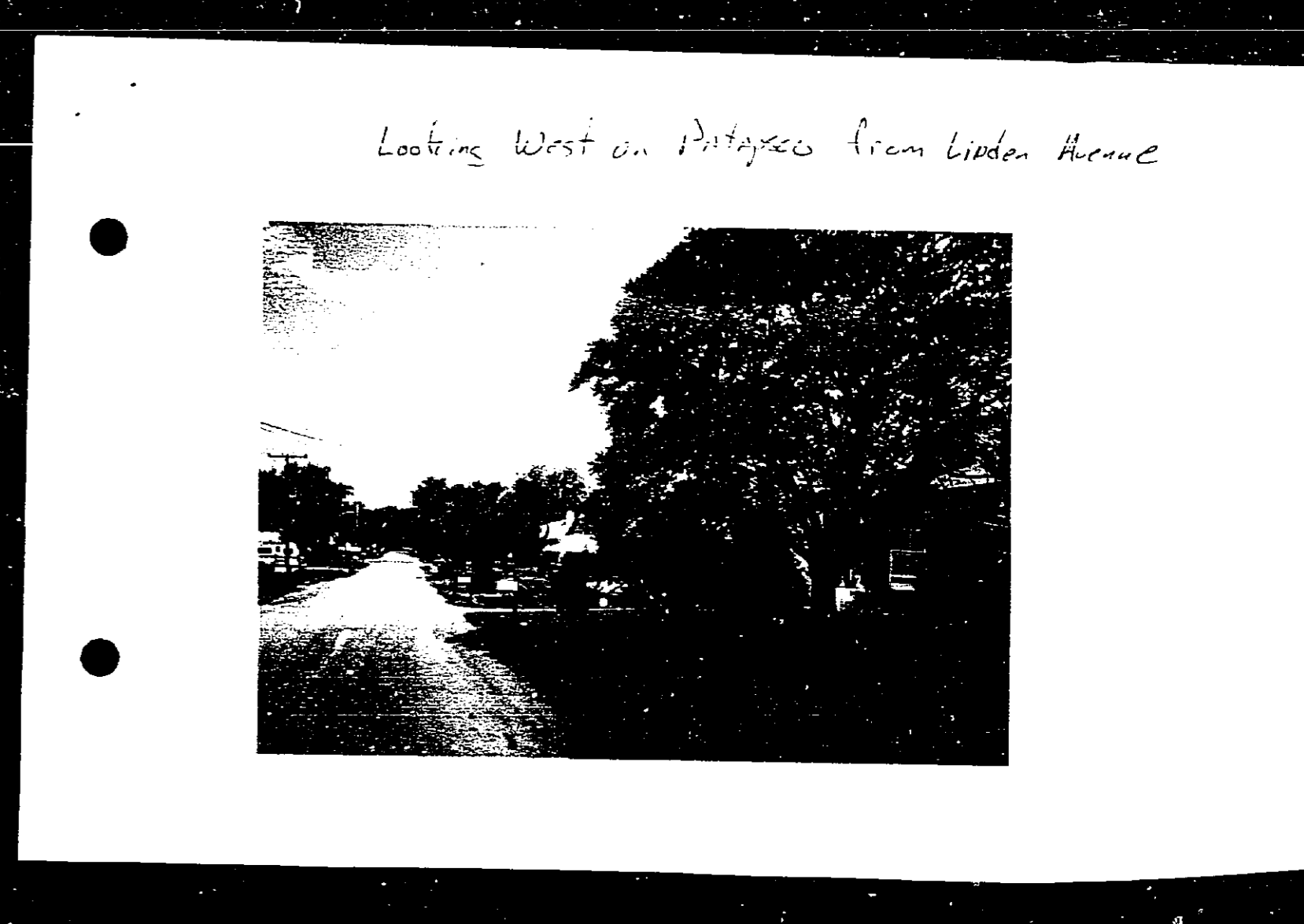
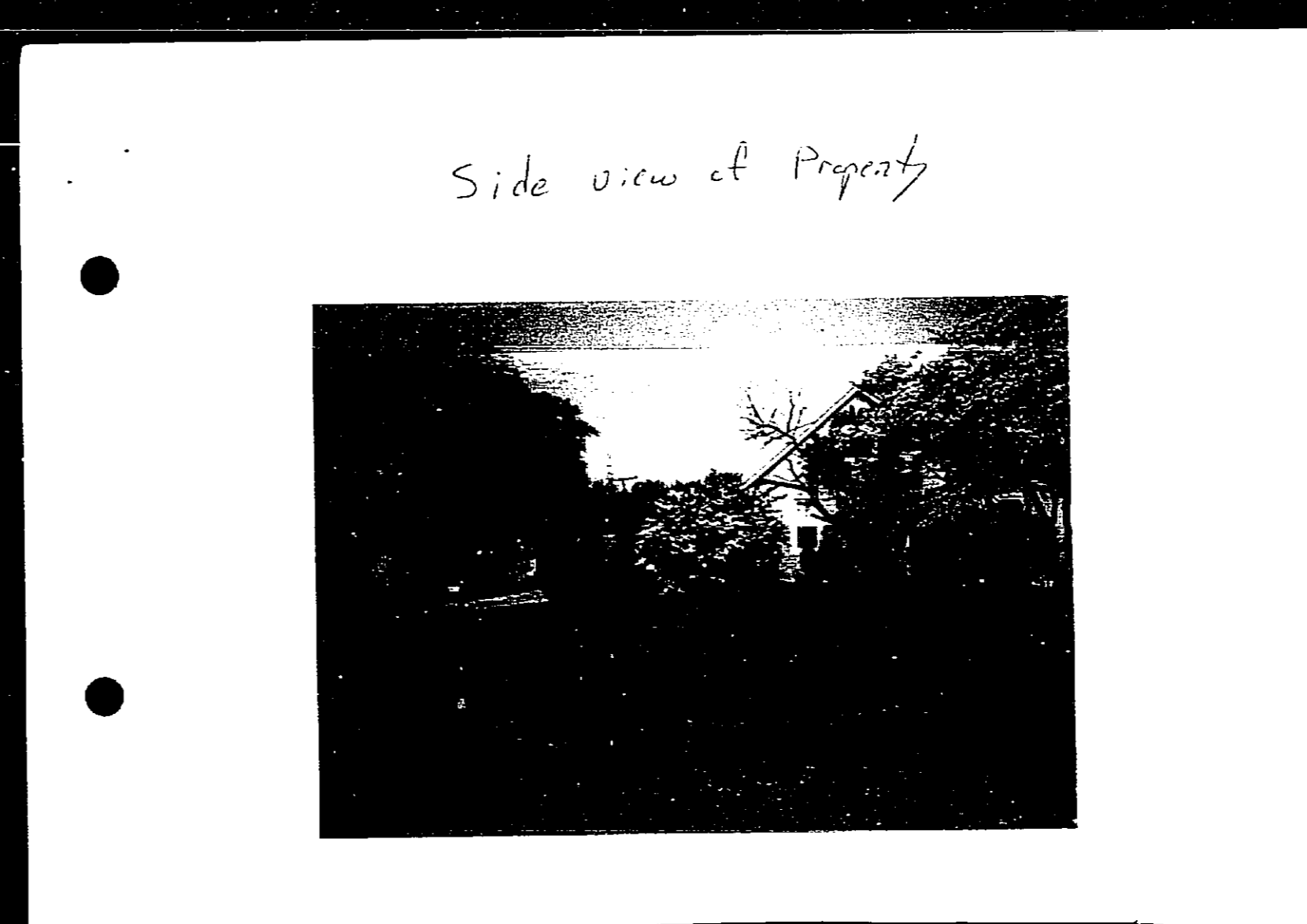
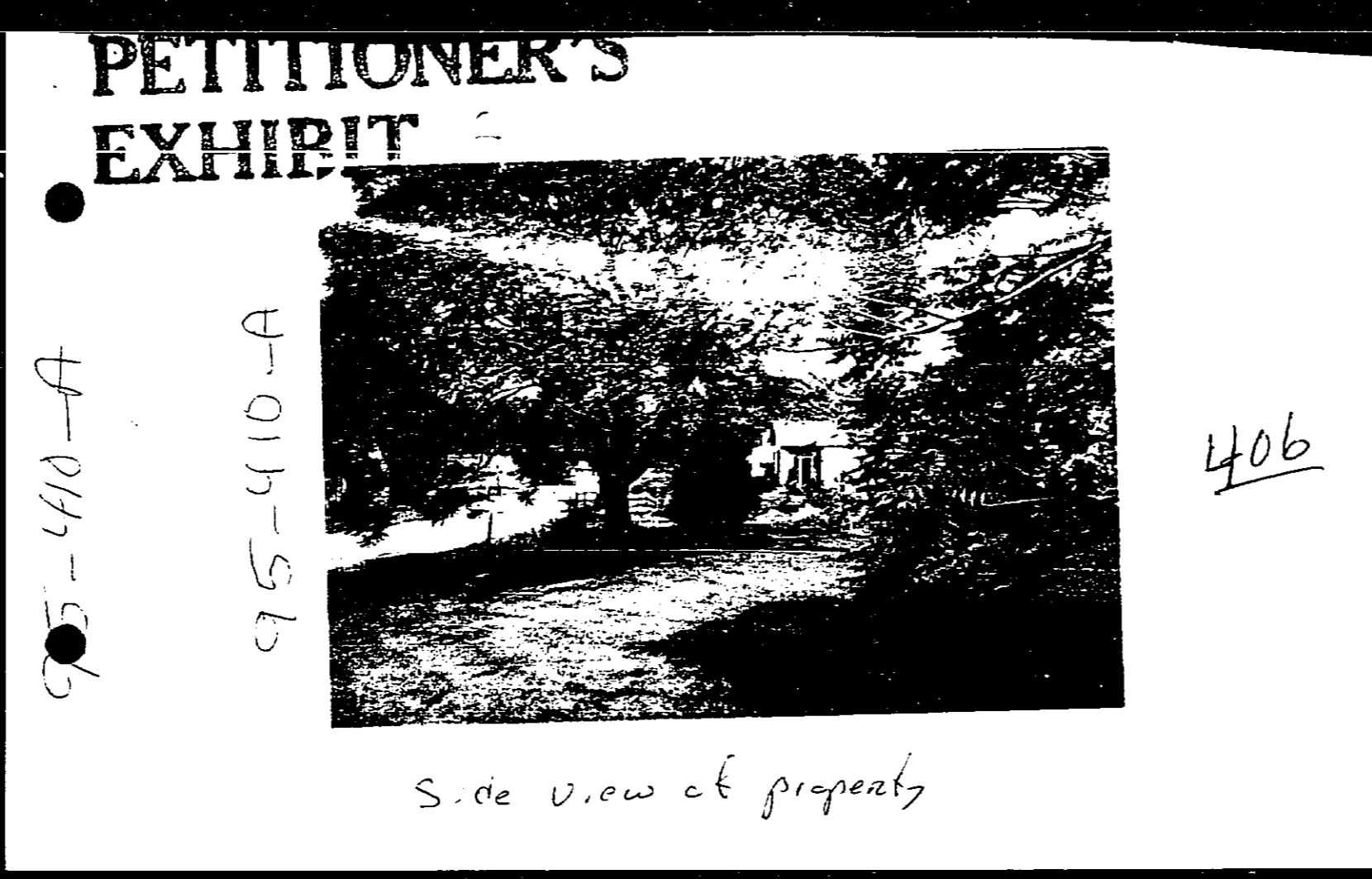
PROPERTY ADDRESS: NONE *Tax acct # 15-31-45214 see pages 5 & 6 of the CHECKLIST for additional required information*  
 Subdivision name: CHESACO PARK *95-410-A*  
 plat book # 6, folio # 164, lot # 235, section # SHEET 1 PLAN D  
 OWNER: DOUGLAS P. HUFNAGEL



**LOCATION INFORMATION**  
 Councilmanic District: 7  
 Election District: 15  
 1"=200' scale map#: NE 2F  
 Zoning: DR 5.5  
 Lot size: 0.115 5000 square feet  
 sewer:  WATER:   
 Chesapeake Bay Critical Area:   
 Prior Zoning Hearings: NONE

**Zoning Office USE ONLY!**  
 reviewed by: ITEM #: CASE#:  
*[Signature]* 406

**PETITIONER'S EXHIBIT 1**  
 North date: 3-28-95 prepared by: K.L.S. Scale of Drawing: 1"=50'



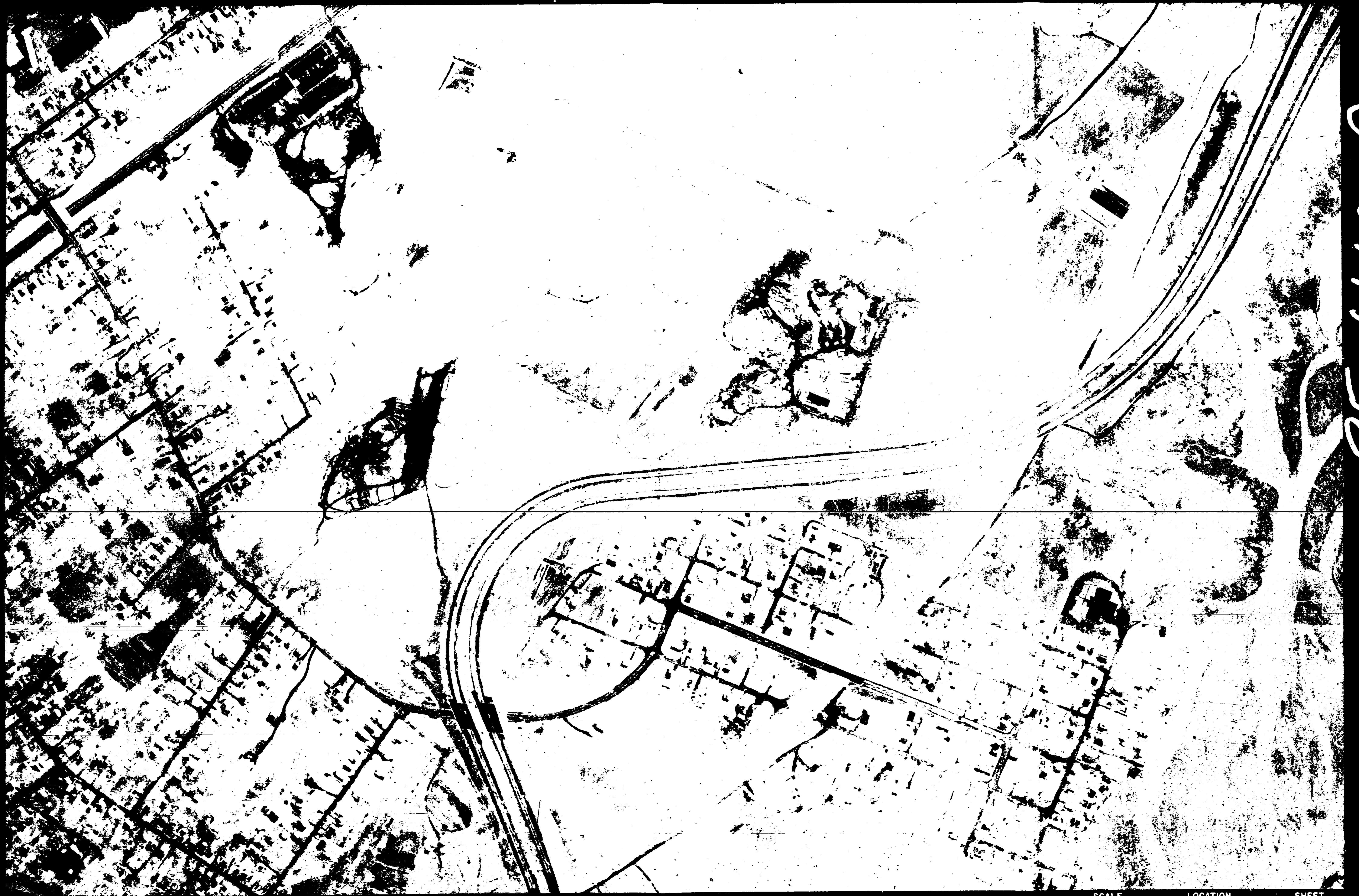


PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	CHESACO PARK	N. E. 2-F
		DATE OF PHOTOGRAPHY		
		APRIL 18, 1972		
Topography Compiled By Photogrammetric Methods MAPS, INCORPORATED - BALTIMORE, MARYLAND				

95-410-A

406



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

SCALE 1" = 200' ±	LOCATION CHESACO PARK	SHEET N. E. 2-F
DATE OF PHOTOGRAPHY JANUARY 1986		