

IN RE: PETITION FOR VARIANCE
S/S Ohio Avenue, 260' W
of Baltimore Street
13th Election District
1st Councilmanic District
(3017 Ohio Avenue)

Vernell G. Marvel, Legal Owner
and
Joseph F. France, Contract Purchaser
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-223-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Vernell G. Marvel and the contract purchaser, Joseph F. France. The variance request is for property located at 3017 Ohio Avenue, located in the Baltimore Highlands area of Baltimore County. The variance request is from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a dwelling on a lot with a width of 50 ft. in lieu of the required 55 ft.

Appearing at the hearing on behalf of the variance request were Thomas Diggs and Gilbert France. Mr. Joseph France, the contract purchaser was unable to attend the hearing. There were no protestants or other persons in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.143 acres, more or less, zoned DR 5.5. The subject property is unimproved at this time. It is part and parcel of an overall tract of property owned by the Petitioner, Vernell Marvel. The subject case is a companion case to Case Nos. 01-222-A, 01-225-A and 01-226-A. This request involves Lots 64 and 65. The Petitioner proposes to construct a dwelling as shown on the site plan submitted. The dwelling is proposed to be 20 ft. wide and 40 ft. long. It has side yard setbacks of 15 ft. on either side. The site plan submitted into evidence at the hearing shows

2/1/01
P. J. Jenson

It should also be noted that the Office of Planning has taken a strong position in opposition to the Petitioners' request. The Planning Office recommends denial on the variance request and has disapproved the undersized lot submittal. After considering the testimony and evidence offered at the hearing, I find that the variance request to allow a dwelling to be constructed on Lots 64 and 65 should be denied.

Timothy Kotroco
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

22 26/10/01 J. Jenson

IN RE: PETITION FOR VARIANCE

S/S Ohio Avenue, 260' W
of Baltimore Street
13th Election District
1st Councilmanic District
(3017 Ohio Avenue)

Vernell G. Marvel, Legal Owner
and
Joseph F. France, Contract Purchaser
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-223-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

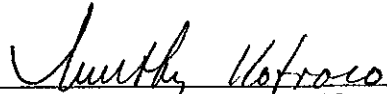
This matter came before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Vernell G. Marvel and the contract purchaser, Joseph F. France, requesting a variance for property located at 3017 Ohio Avenue. The variance request was for an unimproved lot that contained a 50 ft. lot width in lieu of the required 55 ft. The matter came on for a public hearing and by order dated the 1st day of February, 2001, I denied the Petitioners' variance request.

Thereafter, on February 8, 2001, the Petitioners requested, by way of a written motion, that I reconsider my previous denial of the variance request. The Petitioners have submitted a new site plan showing the setbacks of the house to be constructed, as well as the homes on either side of the subject property. After considering the newly submitted site plan and the matters contained within the motion for reconsideration, I find that my order issued the 1st day of February, 2001 should in fact be modified and the variance request granted.

THEREFORE, IT IS ORDERED this 26th day of February, 2001, by this Deputy Zoning Commissioner, that the Petitioners' motion for reconsideration be granted and the variance request to allow a home to be constructed on a lot with a lot width of 50 ft. in lieu of the required 55 ft., be and is hereby GRANTED.

2/26/01
R. J. Johnson

IT IS FURTHER ORDERED, that the granting of the variance relief herein is contingent upon no appeal being filed from the Orders issued in Case Nos. 01-222-A, 01-225-A and 01-226-A. In the event an appeal is filed in either of those cases by the Petitioners herein, the variance relief granted shall be rescinded.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED
2/26/01
K. J. JENSEN



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 27, 2001

Ms. Vernell G. Marvel
c/o Leoma Stahl
117 Allegany Road
Stevensville, Maryland 21666

Re: Order on Motion for Reconsideration
Case No. 01-223-A
Property: 3017 Ohio Avenue

Dear Ms. Marvel:

Enclosed please find the decision rendered in the above-captioned case. Your Motion for Reconsideration has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Mr. Tom Mauk
529 Camp Meade
Linthicum, MD 21090

✓ Mr. Thomas M. Diggs
2430 Zion Road
Baltimore, MD 21227

I have enclosed an new site plan
for 3017 drive as you requested, therefore
I would hope you would reconsider the O set back
Variance for 3019 drive



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 1, 2001

Ms. Vernell G. Marvel
c/o Leoma Stahl
117 Allegany Road
Stevensville, Maryland 21666

Re: Petition for Variance
Case No. 01-222-A
Property: 3019 Ohio Avenue

Dear Ms. Marvel:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 1, 2001

Ms. Vernell G. Marvel
c/o Leoma Stahl
117 Allegany Road
Stevensville, Maryland 21666

Re: Petition for Variance
Case No. 01-223-A
Property: 3017 Ohio Avenue

Dear Ms. Marvel:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



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Census 2000



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Come visit the County's Website at www.co.ba.md.us

Copies to:

Mr. Tom Mauk
529 Camp Meade
Linthicum, MD 21090

Mr. Joseph F. France
2403 Saratoga Avenue
Baltimore, MD 21227

Mr. Gil France
2430 Zion Road
Baltimore, MD 21227



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3017 OHIO AVE.
which is presently zoned D.R.SS.

This Petition shall be filed with the Department of Permits and 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)

1302.3.c.1 and 304 to permit a dwelling
on a lot with a width of 50 ft. in lieu of the required 55 ft.

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

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

JOSEPH F FRANCE
Name - Type or Print
Joseph F France
Signature
2403 SARATOGA AVE. (410) 247-7978
Address Telephone No.
BALTIMORE MD 21227
City State Zip Code

Attorney For Petitioner:

2/10/98
Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Case No. 01-223-A

REV 9/15/98

Legal Owner(s):

VERNELL G MARVEL
Name - Type or Print
see Power of Attorney letter
Signature
LEOMA STAHL POA
Name - Type or Print
Leoma Stahl POA
Signature
117 Allegany Rd 410-643
Address Telephone No.
Stevensville Md 21666
City State Zip Code

Representative to be Contacted:

TOM MAUK
Name
529 CAMP MEADE day & eve. 120 (410) 691-1111
Address Telephone No.
LINTICUM MD 21090
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BK Date 11/28/00

ORDER RECEIVED FOR FILING

CONING DESCRIPTION

FOR LOTS 64 & 65 (#3017 OHIO AVE)

BEGINNING AT A POINT ON THE SOUTH SIDE OF
OHIO AVE 260' + WEST OF BALTIMORE ST BEING
LOT #S 64 & ⁶⁵~~64~~ IN THE SUBDIVISIONS OF
BALTIMORE HIGHLANDS AS RECORDED IN BALTO COUNTY
PLAT BOOK 2 FOLIO 379 SECT CONTAINING 0.143 ACRE.
ALSO KNOWN AS 3019 OHIO AVE AND LOCATED IN THE 13TH
ELECTION DISTRICT.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 05627

DATE 11/2/00 ACCOUNT 15001-4150

AMOUNT \$ 50.00

RECEIVED FROM: Tom Diggs

FOR: cash for zoning violation

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

It's a 503

PAID RECEIPT

PAYMENT TOTAL TIME
11/2/2000 11:00:00 11:00:00
CASHIER ROOM 000 50000
OFFICE 520 (CASHIER VERIFICATION)
162344
11/2/2000

50.00
50.00 (2)
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-223-A
3017 Ohio Avenue
S/S Ohio Avenue, 260' W of
centerline Baltimore Street
13th Election District
1st Councilmanic District
Legal Owner(s): Vernell G.
Marvel

Contract Purchaser, Joseph
F. France

Variance: to permit a
dwelling on a lot with a
width of 50 feet in lieu of
the required 55 feet.

Hearing: Monday, January
22, 2001 at 9:00 a.m. in
Room 407, County Courts
Building, 401 Basley Ave-
nue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

1/006 Jan. 4 C442467

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1/4/, 2001

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 1/4/, 2001.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-223-A

Petitioner/Developer: V.G. MARVEL

JOSEPH F. FRANCE

Date of Hearing/Closing: 1-22-01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

3017 OHIO AVENUE

The sign(s) were posted on JANUARY 4, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



ZONING NOTICE

CASE # OI-223-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407 COUNTY COURTS
PLAZA, BLDG - 401 BOSLEY AVENUE
MONDAY, JANUARY 22, 2001

DATE AND TIME: AT 9:00 AM

REQUEST: VARIANCE TO PERMIT A
DWELLING QUALITY WITH A WIDTH
OF 50 FEET IN LIEU OF THE REQUIRED
55 FEET.

POSTED HERE DUE TO WEATHER OR OTHER CONDITIONS AND SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 867-3591

DO NOT REMOVE THIS SIGN AND POST UNTIL END OF HEARING, UNDER PENALTY OF LAW

HANDCARRIED ACCESSIBLE

RE: PETITION FOR VARIANCE
3017 Ohio Avenue, S/S Ohio Ave,
260' W of c/l Baltimore St
13th Election District, 1st Councilmanic

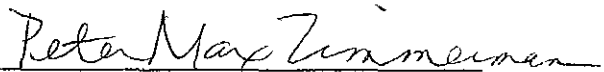
Legal Owner: Vernell G. Marvel & Leoma Stahl Poa
Contract Purchaser: Joseph F. France
Petitioner(s)

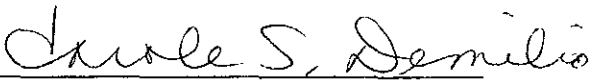
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-223-A

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of December, 2000 a copy of the foregoing Entry of Appearance was mailed to Tom Mauk, 529 Camp Meade Road, Linthicum, MD 21090, representative for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 8, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-223-A
3017 Ohio Avenue
S/S Ohio Avenue, 260' W of centerline Baltimore Street
13th Election District – 1st Councilmanic District
Legal Owner: Vernell G. Marvel
Contract Purchaser: Joseph F. France

Variance to permit a dwelling on a lot with a width of 50 feet in lieu of the required 55 feet.

HEARING: Monday, January 22, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

C: Vernell G. Marvel, Leoma Stahl, POA, 117 Allegany Road, Stevensville 21666
Joseph F. France 2403 Saratoga Avenue, Baltimore 21227
Tom Mauk, 529 Camp Meade Road, Linthicum 21090

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 5, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 4, 2001 Issue – Jeffersonian

Please forward billing to:

Gil France
2430 Zion Road
Baltimore, MD 21227

410 984-6553

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-223-A

3017 Ohio Avenue

S/S Ohio Avenue, 260' W of centerline Baltimore Street

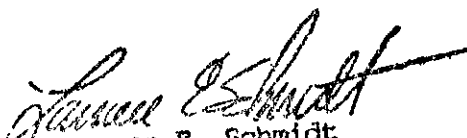
13th Election District – 1st Councilmanic District

Legal Owner: Vernell G. Marvel

Contract Purchaser: Joseph F. France

Variance to permit a dwelling on a lot with a width of 50 feet in lieu of the required 55 feet.

HEARING: Monday, January 22, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-223-A

Petitioner: JOSEPH FRANCE

Address or Location: 3019 OHIO AVE LOTS 64+65

PLEASE FORWARD ADVERTISING BILL TO:

Name: GIL FRANCE

Address: 2430 ZION RD

BALTIMORE MARYLAND 21227

Telephone Number: (410) 984-6553

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 19, 2001

Vernell G. Marvel
117 Allegany Road
Stevensville, MD 21666

Dear Mr. Marvel:

RE: Case Number: 01-223-A, 3017 Ohio Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 28, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. 602
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Joseph F. France, 2403 Saratoga Avenue, Baltimore 21227
Tom Mauk, 529 Camp Meade Road, Linthicum 21090
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: January 9, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 18, 2000
Item Nos. 222, 223, 224, 225, 226, 227,
228, 230, and 232

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

December 20, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DECEMBER 11, 2000

Item No.: See Below

Dear Ms. Stephens:

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:

222, 223, 225, 226, 227, 228, 230, 232,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB*/RBS

DATE: January 18, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of December 11, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
222	3019 Ohio Avenue
223	3017 Ohio Avenue
224	607 Stoney Lane
225	3023 Ohio Avenue
226	3021 Ohio Avenue
227	3507 Hiss Avenue
228	7464 Bradshaw Road
229	6975 Rockfields Road
230	3012A Hernwood Road
232	1807 Suttan Avenue

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 12, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 3017 Ohio Avenue

INFORMATION:

12

Item Number: 223

Petitioner: Vernell G. Marvel

Zoning: DR 5.5

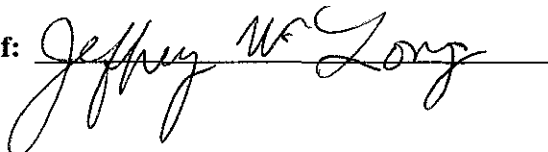
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

It appears that the property owners, William and Vernell Marvel, own Lots 64, 65, 66, 67, 68, 69 and 70 in the subdivision of Baltimore Highlands. The Office of Planning has recently reviewed undersized lot requests for the properties located at 3017, 3021, and 3023 Ohio Avenue. In addition, the office also reviewed a variance for the property located at 3019 Ohio Ave. The assemblage of small lots—in single ownership—to create building lots appears to be contrary to the intent of the Baltimore County Zoning Regulations and Development Regulations.

In addition, these lots do not meet the requirements of Section 304.1 of the BCZR, which states that the lots must predate 1955 and that the owner does not own sufficient adjoining property to meet the height and area requirements. For the reason stated above, the Office of Planning recommends that the applicant's request be denied.

Section Chief:



AFK:JL

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-223-A

FROM: Arnold Jablon, Director
Department of Permits & Development Management

Residential Processing Fee Paid
(\$50.00)

Accepted by _____
Date _____

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 and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

JOSEPH F FRANCE 2403 SARATOGA AVE (410) 247-7978
Print Name of Applicant Address Telephone Number

Lot Address 3017 Ohio Ave Election District 13 Councilmanic District 1 Square Feet 6,250

Lot Location: N E (S) W (side) corner of Ohio Ave. 260 feet from N E (S) W corner of Balt. more St.
(street) (street)

Land Owner: VERNELL G MARUCC Tax Account Number 04131313200970

Address: 3019 OHIO AVE. Telephone Number (410) 643-1284

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>✓</u>	<u> </u>
2. Permit Application	<u> </u>	<u>✓</u>
3. Site Plan	<u>✓</u>	<u> </u>
Property (3 copies)	<u> </u>	<u> </u>
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	<u>✓</u>	<u> </u>
4. Building Elevation Drawings	<u>✓</u>	<u> </u>
5. Photographs (please label all photos clearly)	<u>✓</u>	<u> </u>
Adjoining Buildings	<u> </u>	<u> </u>
Surrounding Neighborhood	<u>✓</u>	<u> </u>
6. Current Zoning Classification: <u>D.R.-5.5</u>	<u> </u>	<u> </u>

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☒ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations

See attached

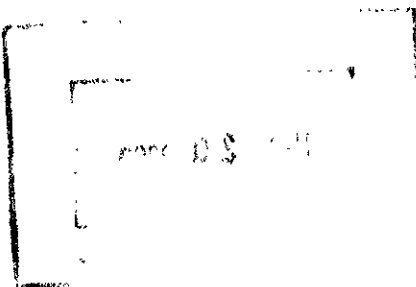
Signed by: Jeffrey W. Long
for the Director, Office of Planning and Community Conservation

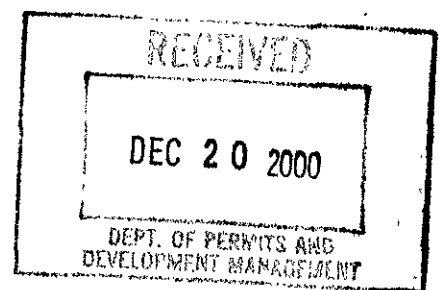
Date 12/12/2000

Attachment

It appears that the property owners, William and Vernell Marvel, own Lots 64, 65, 66, 67, 68, 69 and 70 in the subdivision of Baltimore Highlands. The Office of Planning has recently reviewed undersized lot requests for the properties located at 3017, 3021, and 3023 Ohio Avenue. In addition, the office also reviewed a variance for the property located at 3019 Ohio Ave. The assemblage of small lots—in single ownership—to create building lots appears to be contrary to the intent of the Baltimore County Zoning Regulations and Development Regulations.

In addition, these lots do not meet the requirements of Section 304.1 of the BCZR, which states that the lots must predate 1955 and that the owner does not own sufficient adjoining property to meet the height and area requirements. For the reason stated above, the Office of Planning recommends that the applicant's request be denied.







Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 12.8.00

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 223 BR

Dear Ms. Jackson:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

K.A. Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Cover Sheet

OF Pages 1

(410) 536-4217 Fax

att: Timothy Kotroco.

Re: Motion to Reconsider for 3017 ohio ave
and 3019 ohio ave.

Thank You

Thomas M. Liggett

PS: If you need any other info, or have
any Questions please call me at 410-984-5092

Gilbert M. France Jr
2430 Zion RD
Baltimore, MD
(410)536-4217
(410)984-6553

February 8, 2001

Joseph F. France
2403 Saratoga Ave
Baltimore, MD 21227

RE: Motion of reconsideration
Case#01-223-A
Property 3017 Ohio Ave

Dear Mr. Timothy M. Kotroco

I have enclosed a new site plan for the property that was not included in the previous site plan. With this new plan I hope you will reconsider the variances at 3017 Ohio ave. As it does not differ from many of the other houses already in the neighborhood of Baltimore Highlands

Thank you,

Joseph F. France

Gilbert M. France.
2430 Zion Rd.
Balto. Md. 21227
(410) 536-4217
(410) 984-6553

Feb 8 2001

Joseph F. France
2403 Saratoga Ave
Balto Md. 21227

Re: Motion to Reconsider
Case # 01-223-A
PROPERTY 3017 OHIO AVE.

Dear MR. Timothy M. Kotroco,

I have enclosed a new site Plan for the property that was not included in the original site Plan. With this new site Plan I hope you will reconsider the variance at 3017 Ohio Ave. as it does not differ from many of the other houses already in the subdivision of Baltimore Highlands

Thank You
Joseph F. France

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3019 OHIO AVE. 3017

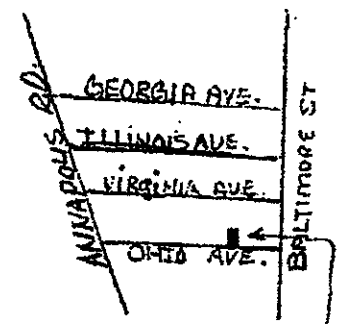
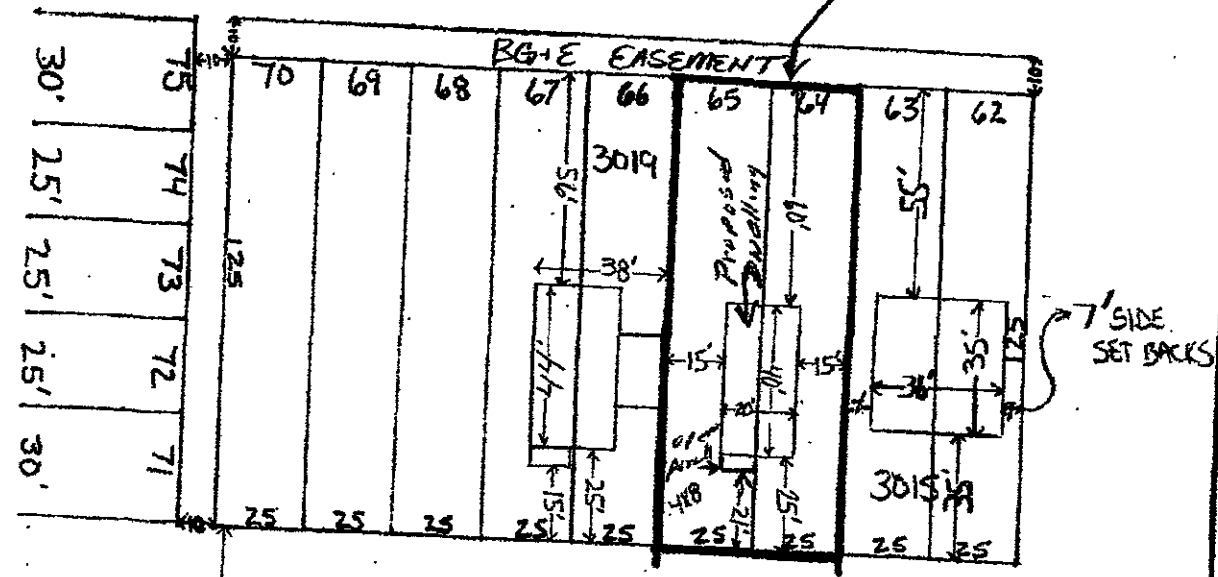
Subdivision name: BALTIMORE HIGHLANDS
plat book # 2, folios 379, lot # 64-65, sections F

OWNER: VERNELL B MARVEL

see pages 5 & 6 of the CHECKLIST for additional required information

TAX ID# 0413131320097

LOTS 64-65
3017



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 13
Councilmanic District: 1
1"=200' scale map: SWGA
Zoning: D.R.5.5
Lot size: .143 acreage 6250 square feet

SEWER: ☒ Public ☐ Private
WATER: ☒ Public ☐ Private
Chesapeake Bay Critical Area: ☐ Yes ☒ No
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

North
Date: 02-10-01
prepared by: _____
Scale of Drawing: 1"= 50

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, Vernell L. Marvel, hereinafter referred to as "GRANTOR", a legal resident of 3019 Ohio Avenue, Baltimore, Maryland 21227, have made constitute and appoint and by these presents do make, constitute and appoint Leoma C. Stahl of 117 Allegheny Road, Stevensville, Maryland 21666, hereinafter referred to as an "ATTORNEY", my true and lawful attorney and in the event Leoma C. Stahl, is unwilling, unable or predeceases me, then I hereby appoint

Louis L. Stahl of 117 Allegheny Road, Stevensville, MD 21666 as an alternate attorney, under the same terms and conditions as herein contained, that is to say:

1. **DISPOSITION OF PROPERTY:** To lease, sell, insure, transfer, mortgage, pledge, exchange, or otherwise dispose of or encumber any and all property, real, personal or mixed, and to execute and deliver good and sufficient deeds or other instruments for the lease, conveyance, mortgage or transfer of the same.
2. **COLLECTION OF DEBTS:** To collect, sue for, compromise or otherwise dispose of any claim, debt, rents or share in an estate in which I now or hereafter may have an interest.
3. **RECOVERING POSSESSION OF PROPERTY:** To eject, remove, or relieve tenants or other persons from, and recover possession of, any property, real, personal and/or mixed, in which I now or hereafter may have an interest.
4. **AQUISITION OF PROPERTY:** To buy, receive, lease, accept or otherwise acquire in my name and for my account, property, real, personal or mixed, upon such terms, considerations and condition as my attorney shall think proper.
5. **LITIGATION:** To institute, maintain, defend, compromise, arbitrate or otherwise dispose of, any and all actions, suits, attachments or other legal proceedings for or against me.

6. **WRITING AND ENDORSING CHECKS AND DEPOSITING MONEY:**

To cash or deposit with any bank, banker, trust company or other banking institution, all monies which may come into the hands of said attorney and all bills of exchange, drafts, checks, promissory notes and other securities (including but not limited to, such instruments issued by or drawn on the treasurer or other fiscal officer or depository of the United States, of any sovereign state or authority or any political subdivision or instrumentality thereof) for money payable or belonging to me, and for that purpose to sign my name (in the manner provided herein) and endorse the same for deposit or collection, and from time to time to withdraw any and all monies deposited with such bank, banker, trust company or other banking institution that has monies so belonging to me, and for that purpose to draw checks and drafts thereon in my name and in the manner provided herein.

I specifically empower my said attorney to go to any bank and examine the contents of any and all safe-deposit boxes located thereat and to remove therefrom any contents which may be found therein including cash, securities, negotiable bonds, and any papers, instruments and documents and retain possession thereof. This specific authorization is not to be construed by way of limitation of the general powers therein recited.

7. **BORROWING MONEY:** To borrow money in my name when deemed necessary to my said attorney upon such terms as to my said attorney appears proper and to execute such instrument as may be requisite for such purpose.
8. **EXECUTING GOVERNMENT VOUCHERS:** To execute vouchers in my behalf for any and all allowances, compensation, and reimbursements properly payable to me by the Government, or any agency or department thereof, including but not restricted to allowances and reimbursements for transportation or dependents or for shipments of household effects as authorized by law and regulations.
9. **TAX RETURNS:** To prepare, execute and file income and other tax returns
10. **SHIPMENT OF PROPERTY:** To take possession and order the removal and shipment of any of my property from or to any port, warehouse, depot, dock, or

other place of storage for safekeeping, governmental or private, and to execute and deliver any release, voucher, receipt, shipping ticket, certificate or other instrument necessary or convenient for such purpose.

11. **AUTOMOBILE:** To execute and deliver in the proper person and authority any and all documents, instruments, and papers necessary to effect proper registration of any automobile in which I now or may hereafter have an interest, or the sale thereof and transfer of legal title thereto as required by law, and to collect and receipt for all monies paid in consideration of such sale and transfer.
12. **GIFTS:** To make gifts of money and/or property to persons, human and/or corporate, identified as legatees in my Last Will and Testament, or in the absence of a Last Will and Testament to heirs pursuant to Maryland Law of intestate succession consistent with the attorney's fiduciary duties, to minimize estate and gift taxes that may arise pursuant to Federal and State Law.
13. This instrument is to be construed and interpreted as a General Power of Attorney. The enumeration of specific items, rights, acts or powers herein is not intended to, nor does it, limit or restrict, and is not to be construed or interpreted as limiting or restricting, the General Powers herein granted to said Attorney-In-Fact.
14. I hereby authorize the use of a photocopy of this General Power of Attorney, in lieu of the original copy executed by me, for the purpose of effectuating the terms and provisions hereof.

FURTHER, I do authorize my aforesaid Attorney-In-Fact to perform all necessary acts in the execution of the aforesaid authorization and generally to do any and all acts on my behalf in any other matter or thing pertaining or belonging to me with the same validity as I could effect if personally present.

AND I HEREBY DECLARE, that any act or thing lawfully done hereunder by my said Attorney shall be binding on myself and my heirs, legal and personal representatives and assigns.

PROVIDED, however, that all business transacted in my name and for me or for my account shall be transacted in my name and all endorsements and instruments executed by my said Attorney for the purpose of carrying out the foregoing powers shall contain my name followed by that of my said Attorney and the designation "ATTORNEY-IN-FACT".

Notwithstanding anything herein to the contrary, this Power of Attorney shall not be affected or impaired by my disability, it being my express intention that this Power of Attorney shall survive my disability and remain in full force and effect until the occurrence of the first of the following circumstances: (1) my death; (2) the death of my said attorney; (3) until the actual revocation of this Power of Attorney by me.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this
19 day of May, 1998.

James R. Rickell
Witness

Versell L. Marvel (SEAL)
Versell L. Marvel

STATE OF MARYLAND, COUNTY of *CARROLL*

TO WIT:

I, the undersigned, do hereby certify that I am a duly commissioned, qualified and authorized Notary Public in and for the aforesaid State and that the Grantor in the foregoing Power of Attorney, who is known to me, appeared before me this day within the territorial limits of my authority and executed said instrument after the contents thereof had been read and duly explained to said Grantor and acknowledged that the execution of said instrument was the free and voluntary act and deed of said Grantor for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal this 19th day of May, 1998.

[Signature]
Notary Public

My Commission Expires:

Jan 2002

Plat to accompany Petition For Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3019 OHIO AVE.

see pages 5 & 6 of the CHECKLIST for additional required information

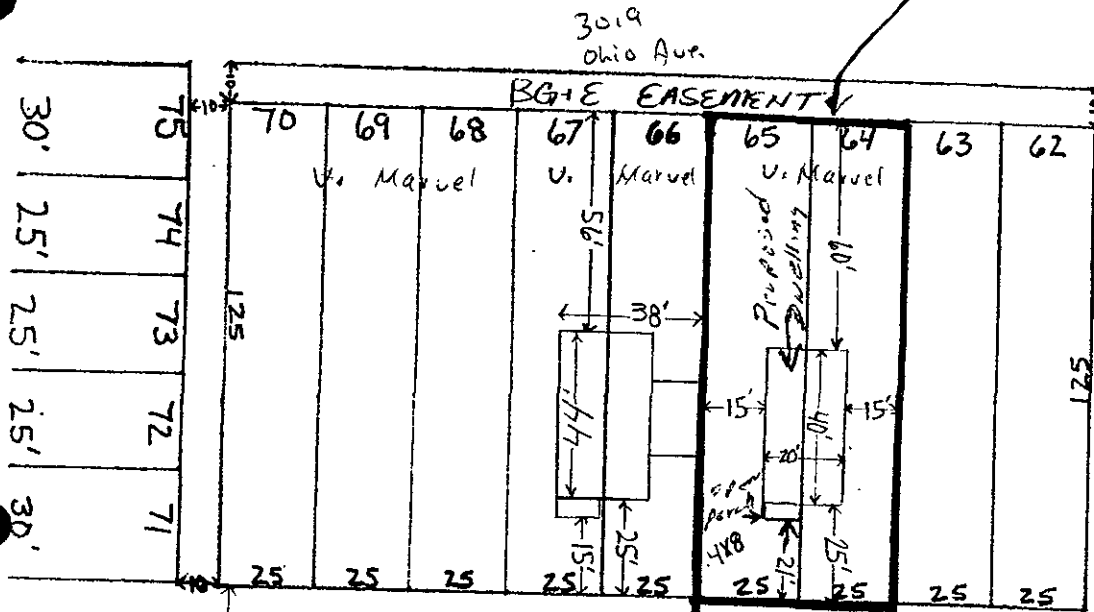
Subdivision name: BALTIMORE HIGHLANDS

plat book # 2, folio # 379, lot # 64-65, section # F

OWNER: VERNELL G MARVEL

3017 Ohio Ave.
LOTS 64-65

TAX ID# 0413131320097

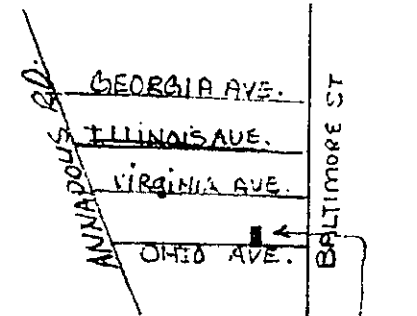


North

date: 11-7-00

prepared by: TD

Scale of Drawing: 1" = 50'



Vicinity Map
scale: 1"=1000'

SUBJECT
PROPERTY

LOCATION INFORMATION

Election District: 13

Councilmanic District: 1

1"=200' scale map #: SW6-A

Zoning: D.R.5.5

Lot size: .143 acreage 6250 square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: BN ITEM #: 223 CASE #: 01-223-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3019 OHIO AVE. 3017

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: BALTIMORE HIGHLANDS

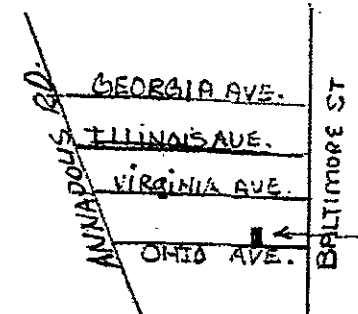
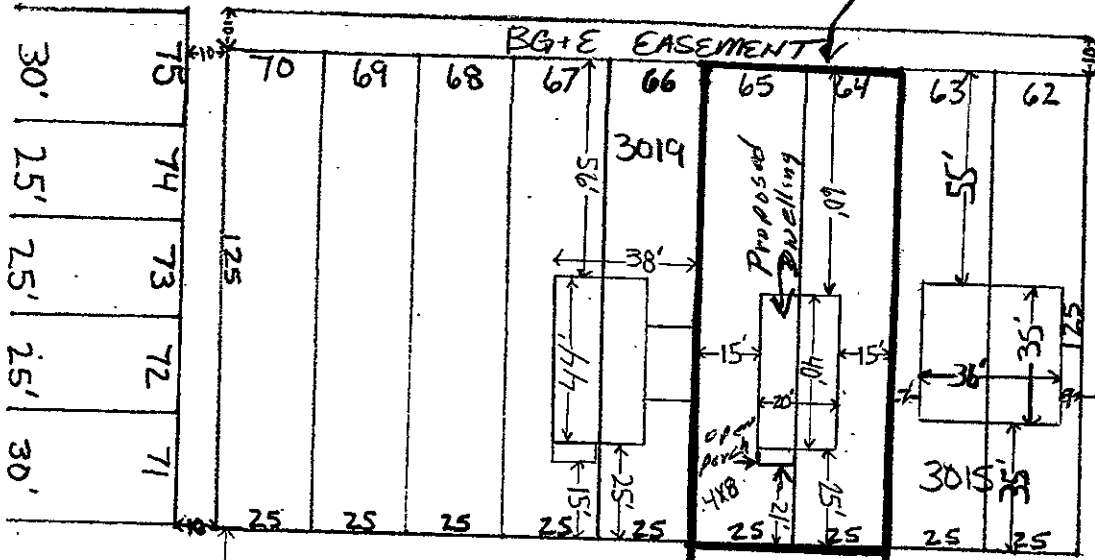
plat book # 2, folio # 379, lot # 64-65, section # F

OWNER: VERNELL G MARVEL

TAX ID # 0413131320097

LOTS 64-65

3017



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

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Councilmanic District: 1

1"=200' scale map #: SWGA

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SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____



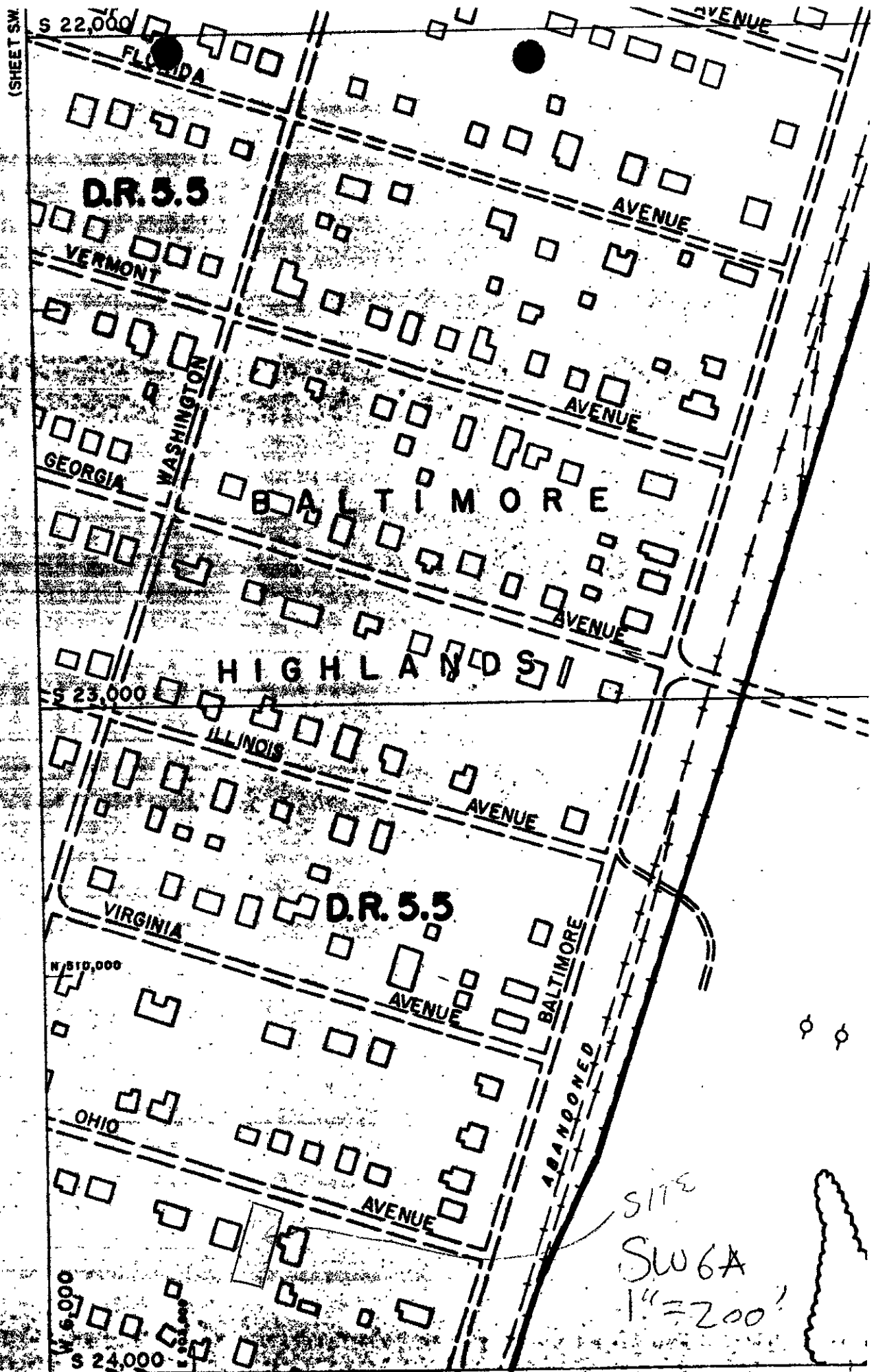
North

date: 02-10-01

prepared by: _____

Scale of Drawing: 1"= 50

OHIO AVE. 3017



* Add Lot #64 & 65 site location on this map (highlighted)
(= 50' x 125') = 260' W of Balto.
223