

IN RE: PETITION FOR VARIANCE

S/S Ohio Avenue, 135' W
of Baltimore Street
13th Election District
1st Councilmanic District
(3023 Ohio Avenue)

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 01-225-A

Vernell G. Marvel, Legal Owner
and

*

Thomas M. Diggs, Contract Purchaser
Petitioners

*

* * * * *

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, Thomas M. Diggs. The variance request is for property located at 3023 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 side yard setbacks of 8 ft. 9 in. in lieu of the required 10 ft. and a lot width of 40 ft. in lieu of the required 55 ft., and to permit a single-family dwelling on an undersized lot.

Appearing at the hearing on behalf of the variance request were Tom Diggs and Gilbert France. There were no protestants or other persons in attendance.

The subject case is a companion case to Case Nos. 01-222-A, 01-223-A and 01-226-A. The owner of the subject property owns Lots 64-70 along Ohio Avenue. Lots 66 and 67 are the lots whereupon the home of the Petitioner currently exists. All the other lots are vacant. The Petitioner in this request is proposing to construct a single-family home on Lot 69 and one half of Lot 68. Said lots comprise a total of 25 ft. each. What the Petitioner is attempting to do is take three 25 ft. lots and subdivide them in half, thereby creating two 37 ½ ft. lots upon which they propose to construct single-family dwellings. The Petitioners indicated that they may utilize

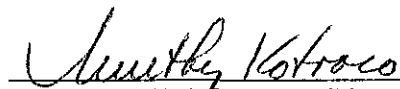
DATE RECEIVED FOR FILING

Date 2/1/01
By D. Emerson

the subject dwellings as rental properties. The area upon which the subdivision is proposed has a total width of 75 ft. The line of subdivision is drawn to subdivide the total 75 ft. lot into two 37 ½ ft. lots. However, the Petitioners' variance request is for relief to allow a lot with a width of 40 ft. In reviewing the site plan submitted along with the request, the lot in question is actually 37 ½ ft. and not the 40 ft. as represented on the petition.

The variance request was submitted to the Office of Planning for their review and comment. The Planning Office requests that the variance be denied and has recommended disapproval of the undersized lot. After considering the testimony and evidence offered at the hearing, the position of the Planning Office, and the fact that the lot in question is actually 37 ½ ft. and not the 40 ft. as represented on the Petitioners' variance request, I find that the variance should be denied.

THEREFORE, IT IS ORDERED this 1st day of February, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 8 ft. 9 in. in lieu of the required 10 ft. and a lot width of 40 ft. in lieu of the required 55 ft., and to permit a single-family dwelling on an undersized lot, and to permit a single-family dwelling on an undersized lot, be and is hereby DENIED.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



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. 01-225-A
Property: 3023 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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3023 OHIO AVE 3023
which is presently zoned D.R.55

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, the owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto as made a part hereof, hereby petition for a Variance from Section(s) 180 2.3.C.1 & 304 BC 22 TO

TO PERMIT SIDEYARD SETBACKS of 8ft. 9in. in lieu of the ~~PERMITTED~~ REQUIRED 10ft. AND A LOT WIDTH of 40ft. in lieu of the REQUIRED 55ft. AND TO PERMIT A BUILDING PERMIT FOR A SINGLE FAMILY DWELLING ON AN UNDERSIZED LOT 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:

~~THOMAS M. DUGGS~~ / ~~THOMAS M. DUGGS~~
Name - Type or Print
~~THOMAS M. DUGGS~~ / ~~THOMAS M. DUGGS~~
Signature
2430 ZION RD / 2402 ZION RD
Address Telephone No.
BALTIMORE MD 21227
City State Zip Code

Legal Owner(s):

VERNELL B MARUEL
Name - Type or Print
~~VERNELL B MARUEL~~
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

Attorney For Petitioner:

~~THOMAS M. DUGGS~~
Name - Type or Print
~~THOMAS M. DUGGS~~
Signature
Company
Address Telephone No.
State Zip Code

Representative to be Contacted:

TOM MAULE
Name
529 CAMP MEADE (410) 691
Address Telephone No.
LINTHICUM MD 21090
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By JCM Date 11-29-00

Case No. 01-225A

Zoning Description
For LOTS 68 69 70 (3013 OHIO AVE)

BEGINNING AT A POINT ON THE SOUTH SIDE
OF OHIO 135' + WEST OF BALTIMORE ST.
BEING LOT #S 68-69-70- IN THE SUBDIVISION
OF BALTIMORE HIGHLANDS AS RECORDED IN BALTO
COUNTY PLAT BOOK 2 FOLIO 379 SEC F CONTAINING
9,375 Sq FT ALSO KNOWN AS 3013 OHIO AVE AND
LOCATED IN THE 13TH ELECTION DISTRICT.

225

BALTIMORE COUNTY, MD LAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

DATE 11/29/00 ACCOUNT 0-2277

AMOUNT \$

\$551

RECEIVED
FROM:

FOR:

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

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: #01-225-A
3023 Ohio Avenue
S/S Ohio Avenue, 135' +/- W of Baltimore Street
13th Election District - 1st Councilmanic District
Legal Owner(s): Vernell G. Marvel
Contract Purchaser Thomas M. Diggs

Variance: to permit side yard setbacks of 8-feet, 9-inches in lieu of the required 10-feet and a lot width of 40-feet in lieu of the required 55-feet and to permit a building permit for a single family dwelling on an undersized lot.

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

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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391

1/007-Jan. 4 C442472

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.

S. Wilkinson
THE JEFFERSONIAN,
LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-225-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 _____

3023 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

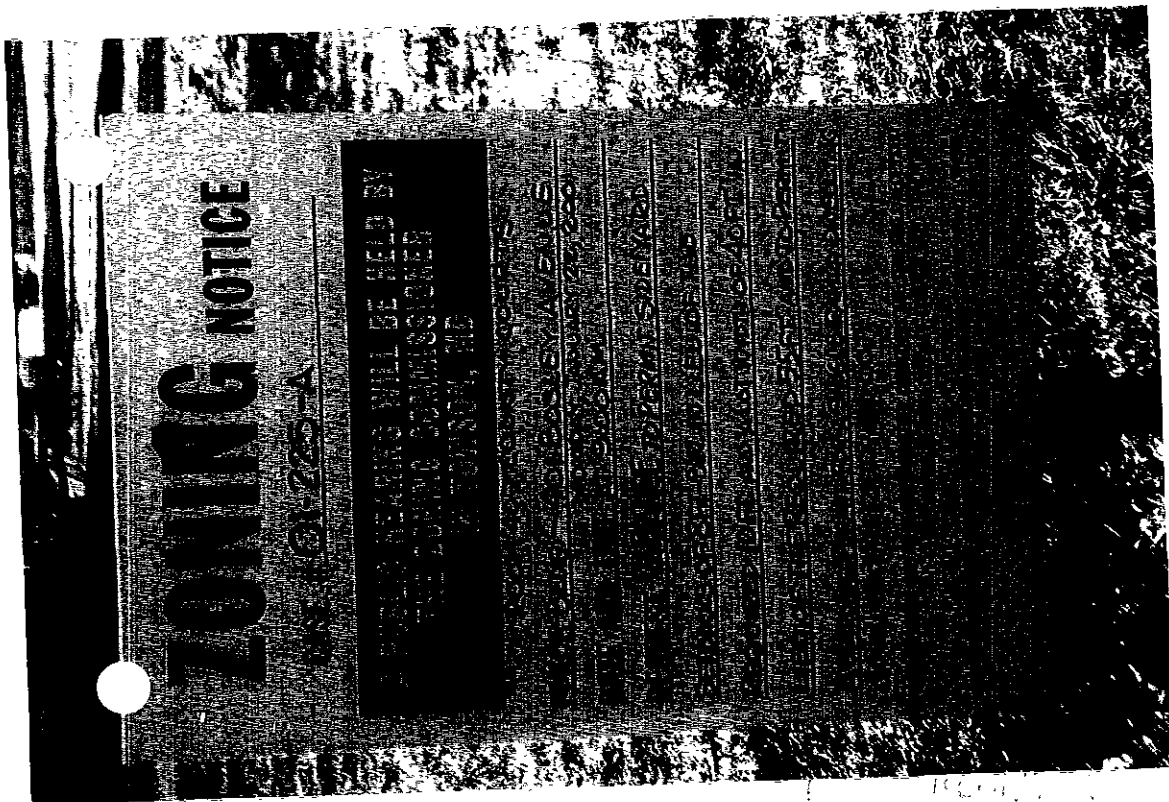
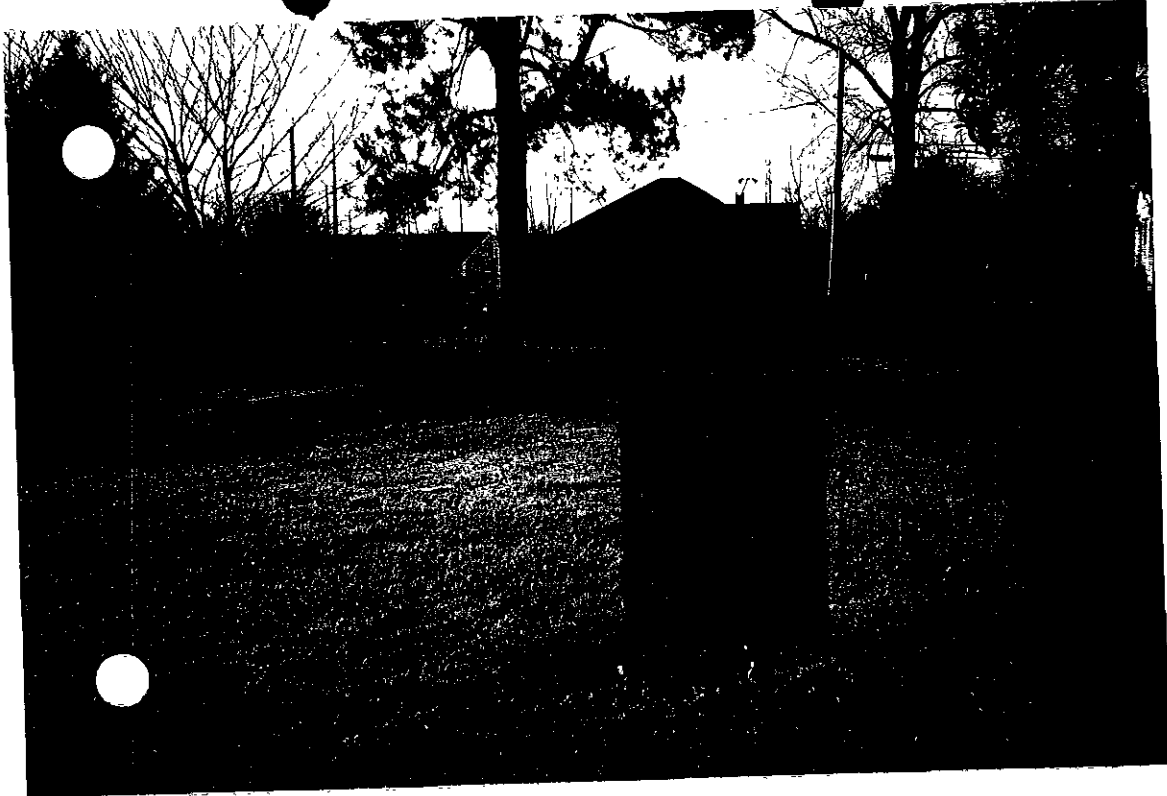
(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



JAN 5 2001

RE: PETITION FOR VARIANCE
3023 Ohio Avenue, S/S Ohio Ave,
135' W of c/l Baltimore St
13th Election District, 1st Councilmanic

Legal Owner: Vernell G. Marvel & Leoma Stahl Poa
Contract Purchaser: Thomas M. Diggs
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-225-A

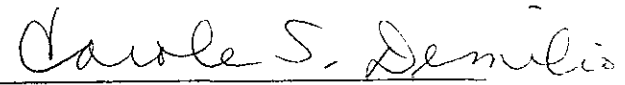
* * * * *

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 18, 2000

CORRECTION 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: 01-225-A
3023 Ohio Avenue
S/S Ohio Avenue, 135' +/- W of Baltimore Street
13th Election District – 1st Councilmanic District
Legal Owner: Vernell G. Marvel
Contract Purchaser: Thomas M. Diggs

Variance to permit side yard setbacks of 8-feet, 9-inches in lieu of the required 10-feet and a lot width of 40-feet in lieu of the required 55-feet and to permit a building permit for a single family dwelling on an undersized lot.

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". Below the signature, the initials "G & Z" are written.

Arnold Jablon
Director

C: Vernell G. Marvel, Leoma Stahl, POA, 117 Allegany Road, Stevensville 21666
Thomas M. Diggs, 2430 Zion Road, 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.





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: 01-225-A
3023 Ohio Avenue
S/S Ohio Avenue, 135' +/- W of Baltimore Street
13th Election District – 1st Councilmanic District
Legal Owner: Vernell G. Marvel
Contract Purchaser: Thomas M. Diggs

Variance to permit side yard setbacks of 8-feet, 9-inches in lieu of the required 10-feet and a lot width of 40-feet in lieu of the required 55-feet and to permit a building permit for a single family dwelling on an undersized lot.

HEARING: Monday, January 9, 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", with the initials "GJZ" written below it.

Arnold Jablon
Director

C: Vernell G. Marvel, Leoma Stahl, POA, 117 Allegany Road, Stevensville 21666
Thomas M. Diggs, 2430 Zion Road, 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.**
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(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

410 984-6553

2430 Zion Road

Baltimore, MD 21227

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: 01-225-A

3023 Ohio Avenue

S/S Ohio Avenue, 135' +/- W of Baltimore Street

13th Election District – 1st Councilmanic District

Legal Owner: Vernell G. Marvel

Contract Purchaser: Thomas M. Diggs

Variance to permit side yard setbacks of 8-feet, 9-inches in lieu of the required 10-feet and a lot width of 40-feet in lieu of the required 55-feet and to permit a building permit for a single family dwelling on an undersized lot.

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



Lawrence E. Schmidt
G02

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: 225

Petitioner: TOM Diggs

Address or Location: 3023 OHIO AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: GIL FRANCE

Address: 2430 ZION RD.

BALTIMORE MARYLAND 21227

Telephone Number: (410) 984-6553



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: 01-225-A, 3023 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 29, 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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Thomas M Diggs, 2430 Zion Road, Baltimore 21227
Tom Mauk, 529 Camp Meade, 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 *mc/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: 3023 Ohio Avenue

12

INFORMATION:

Item Number: 225

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



Maryland Department of Transportation
State Highway Administration

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

Date: 12.8.06

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

RE: Baltimore County
Item No. 225 JCM

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,

for 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

BALTIMORE COUNTY, MARYLAND
Interoffice Memorandum

DATE: November 4, 2000

TO: Hearing Officer

FROM: Sophia C. Jennings
W. Carl Richards, Jr.

SUBJECT: Case Number 01-225-A (Item 225)
3023 Ohio Avenue

Sophia -
Petition Forms
w/ ORIGINAL
SIGNATURES ~~HAVE~~
BEEN added. Joe.

Upon review of the file, it was observed that **none** of the petition forms had an original signature of the person holding Power of Attorney for the legal owner. Joe Merrey, who took in the petition, will call Leona Stahl (power of attorney) and advise her that the petition would not be held up, a petition form with an original signature should be submitted to supplement the file.

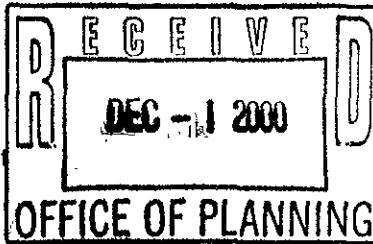
INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

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. 01-225A

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

RE: Undersized Lots



Residential Processing Fee Paid
(\$50.00)

Accepted by JCM
Date 11/29/00

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:

THOMAS M LIGGS 2462 ZION RD. (410) 242-5796
Print Name of Applicant Address Telephone Number

Lot Address 3023 OHIO AVE Election District 13 Councilmanic District 1 Square Feet 4,687.5

Lot Location: NE S W side corner of BALTO / OHIO 173 HEADING EAST TO
(street) feet from NE S W corner of WASHINGTON
(street)

Land Owner: VERNELL G MARUEL Tax Account Number 04131313200820

Address: 3019 OHIO AVE Telephone Number (410)

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?

1. This Recommendation Form (3 copies)

YES ☒ NO ☐

2. Permit Application

☐ YES ☒ NO

3. Site Plan
Property (3 copies)

☒ YES ☐ NO

Topo Map (2 copies): available in Room 208, County Office Building - (please label site clearly)

☒ YES ☐ NO

4. Building Elevation Drawings

☒ YES ☐ NO

5. Photographs (please label all photos clearly)
Adjoining Buildings

☒ YES ☐ NO

Surrounding Neighborhood

☒ YES ☐ NO

6. Current Zoning Classification: DR5-5

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

PENDING

01-225A

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

Date 12/6/00

Attachment

It appears that the property owners, William and Vernell Marvel, own Lots 68,69 and 70 in the subdivision of Baltimore Highlands. These three lots have a total width of 75 feet, which should allow the construction of one single family dwelling in a DR 5.5 zone.

The plat attached to the undersized lot applications shows a subdivision of Lot 69, resulting in a combination of ½ of Lot 69 with Lot 68, (3021 Ohio Avenue) and the remaining ½ of Lot 69 combined with Lot 70, (3023 Ohio Avenue). (DRC item 112700A)

This lot line adjustment or combination of lots created the two resulting 37.5 foot wide undersized lots. Therefore, 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.

225

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:

J. L. M.
P. R.
S.

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.

[Signature]
Witness

[Signature] (SEAL)
Veruel L. Marvel

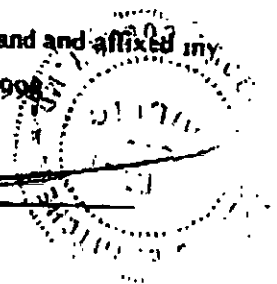
STATE OF MARYLAND, COUNTY of *CARROLL*

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

IN RE: PETITION FOR ZONING VARIANCE
W/S of Baltimore Avenue,
45' S of Pennsylvania Avenue
13th Election District

Colleen R. Young,

Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 87-83-A

* * * * *

The Petitioner herein requests a zoning variance to permit a lot width of 40 feet in lieu of the required 55 feet and side yard setbacks of 7 feet in lieu of the required 10 feet.

Testimony by the Petitioner indicates that she purchased two 20' lots to build a home and establish a residence in the older neighborhood in which she grew up. She proposes to construct a split foyer dwelling with its 26' front facing Baltimore Street. Numerous existing homes in the area are placed on 40' wide sites and with reduced side yard setbacks.

There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 19th day of September 1986, that the herein request for a zoning variance to permit a lot width of 40 feet and side yard setbacks of 7 feet, in accordance with the plan submitted, is hereby GRANTED, from and after the date of this Order.

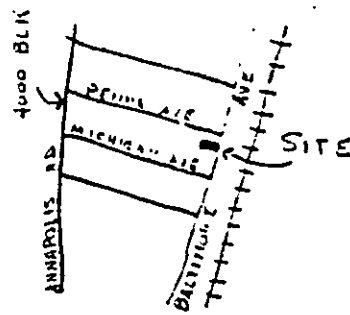
John M. H. Young
Deputy Zoning Commissioner
of Baltimore County

DATE 9/19/86

BY *Butte J. Solub...*

RECEIVED FOR FILING

87-83-A
#480



Lot 34

LOTS 32, 33
BLOCK Q
"ROSEMONT"
WPC 7/100

LOTS 30, 31

PENNSYLVANIA AVE 50' R/W

VACANT

PROPOSED
SPLIT FOYER
DWELLING

EX 30'x30'
3-STY DWG

13TH DISTRICT
DR 5.5
1" = 20'

125'

62'

7'

38'4"

7'

26'

25'

4'

7'

25'

15'



20' PAVING
NO CURB

BALTIMORE STREET

60' R/W

PUBLIC UTILITIES EXIST IN STREET

OFFICE COPY 1/80

AVERAGE FRONT SETBACK OF DWELLINGS WITHIN 200 IS 25'

8783

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S of Baltimore St., 110' S of *
the c/l of Pennsylvania Ave. * DEPUTY ZONING COMMISSIONER
(4018 Baltimore Street) *
13th Election District * OF BALTIMORE COUNTY
Thomas F. Young, et ux * Case No. 87-369-A
Petitioners *

* * * * *

The Petitioners herein request a zoning variance to permit a lot width of 40 feet in lieu of the required 55 feet, and side yard setbacks of 7 feet in lieu of the required 10 feet as described on the plan submitted.

Testimony by one of the Petitioners indicated that they propose to build a 26-foot wide split foyer dwelling at the above-referenced location. The proposed home is both a size large enough for the family's needs as well as consistent with the size of existing homes in the area. Likewise, 7-foot side yard setbacks are found on a number of other lots in the community. The Petitioners have lived in the area for over twenty years and desire to sell their older, larger home, located several blocks away, to build a smaller home on the instant site. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 15th day of March, 1987, that a variance to permit a lot width of 40 feet, and side yard setbacks of 7 feet, in accordance with the plan submitted, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, from and after the date of this Order.

John M. H. Young
Deputy Zoning Commissioner
of Baltimore County

RECEIVED FOR FILING

Date

By

#257

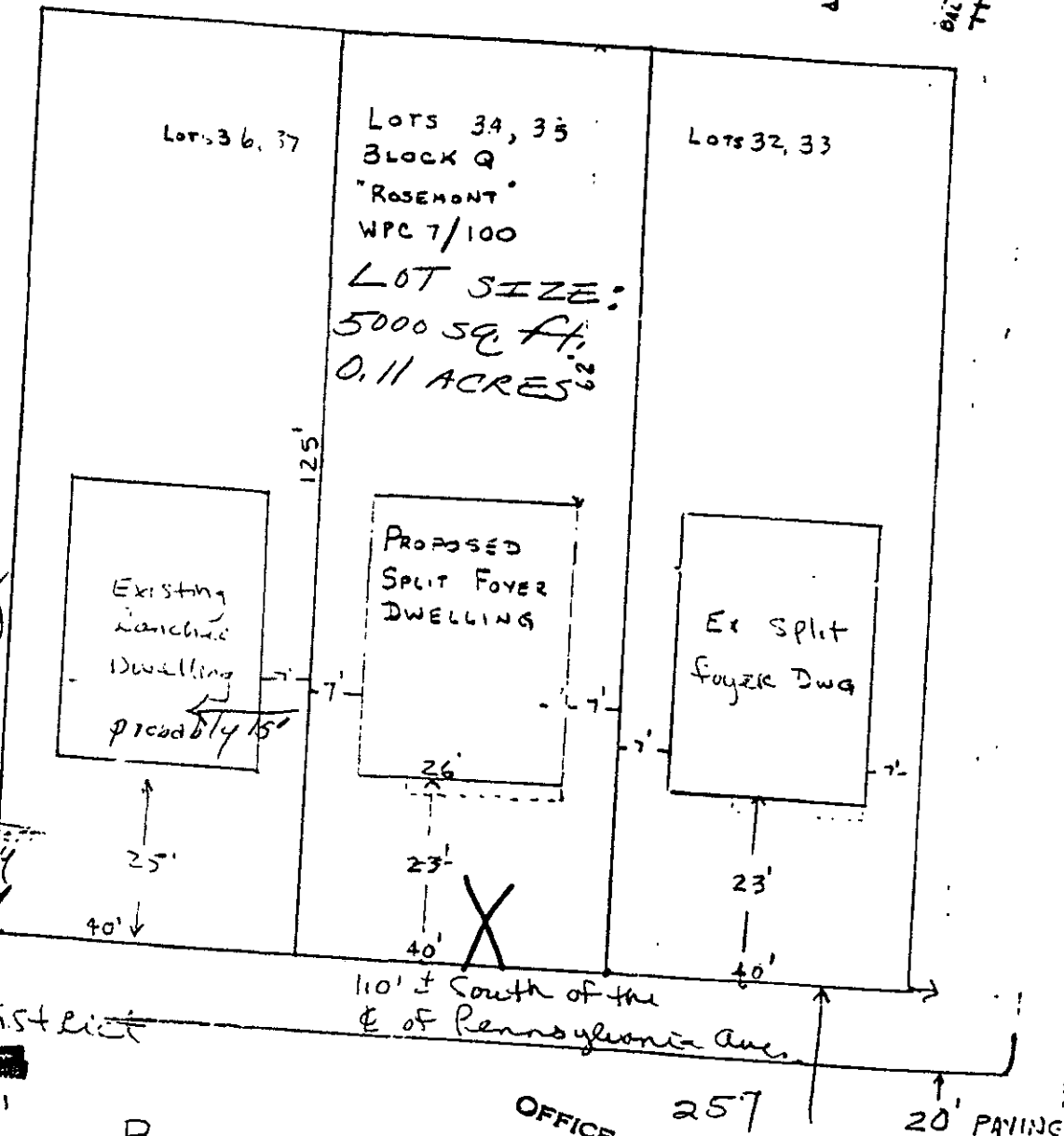
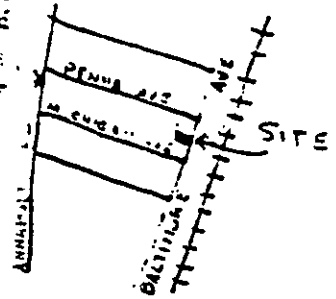
87-369-A

3/15/87

John M. H. Young

1987 (107)
3/15/87
4018 BALTIMORE ST.
BALTIMORE, MD 21206

Plat for Variance,
 Owners: Thomas F. Young
 Rosemary Young



Rosemary Young
 9/17/57

13th District

1" = 20'

BALTIMORE STREET

OFFICE COPY

60' R/W

PUBLIC UTILITIES EXIST IN STREET

AVERAGE FRONT SETBACK OF DWELLINGS WITHIN 200' IS 25'

87-3697A

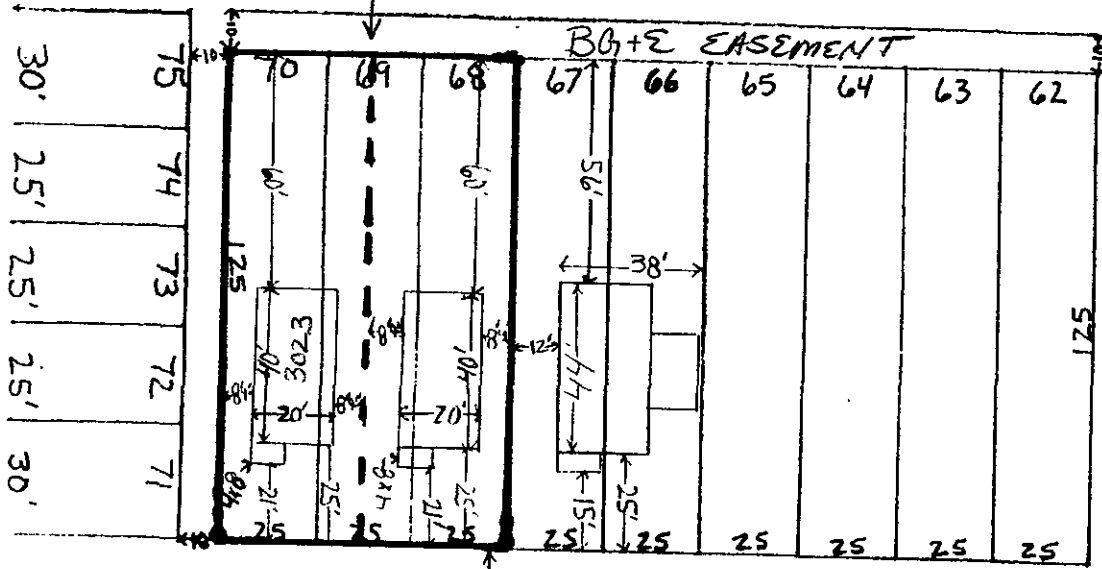
PROPERTY ADDRESS: 3023 OHIO AVE. ☒ Zoning ☐ Variance ☐ Special Hearing

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

Subdivision name: BALTIMORE HIGHLANDS
 plat book # 2, folio # 379, lot # 68-69-70, section # F
 OWNER: VERRELL & MARCEL
LOTS 68-69-70

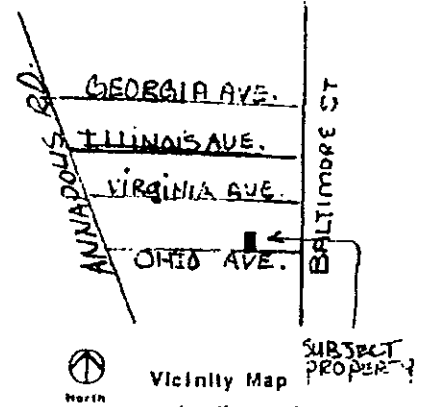
TAX #
041313/3200820

SET BACKS
 FRONT 25'
 SIDES 8'9"
 BACK 60'
 TO POOLCH 21'



3023 OHIO AVE.

Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District: 13
 Councilmanic District: 1
 1"-200' scale map #: SWG A
 Zoning: D.R.5.5
 Lot size: .22 acreage 9,375 square feet

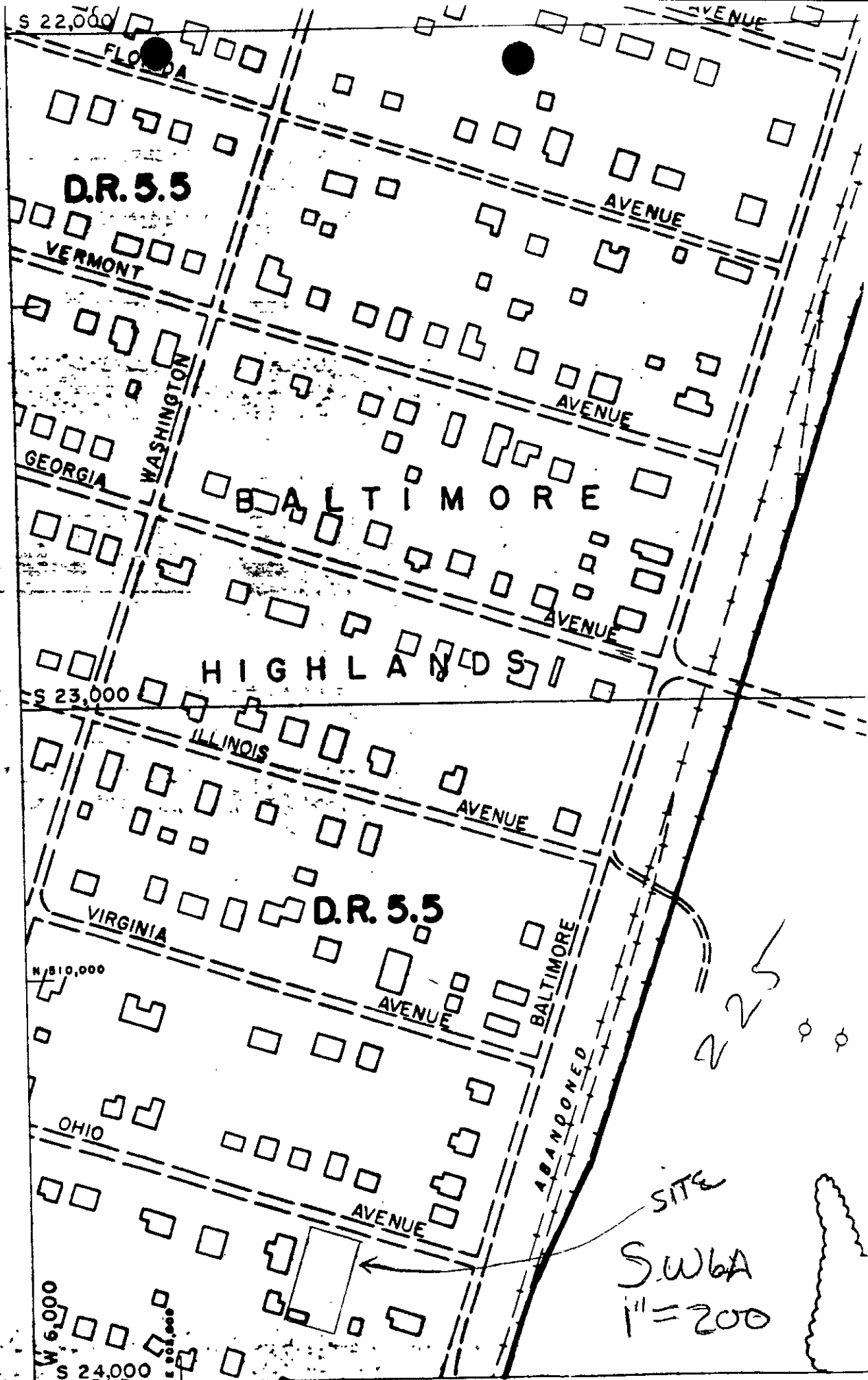
SEWER: ☒ Public ☐ Private
 WATER: ☒ Public ☐ Private
 Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: Jan ITEM #: 225 CASE #:

(SHEET SW



D.R. 5.5

VERMONT

GEORGIA

WASHINGTON

BALTIMORE

HIGHLANDS

ILLINOIS

VIRGINIA

D.R. 5.5

OHIO

BALTIMORE

ABANDONED

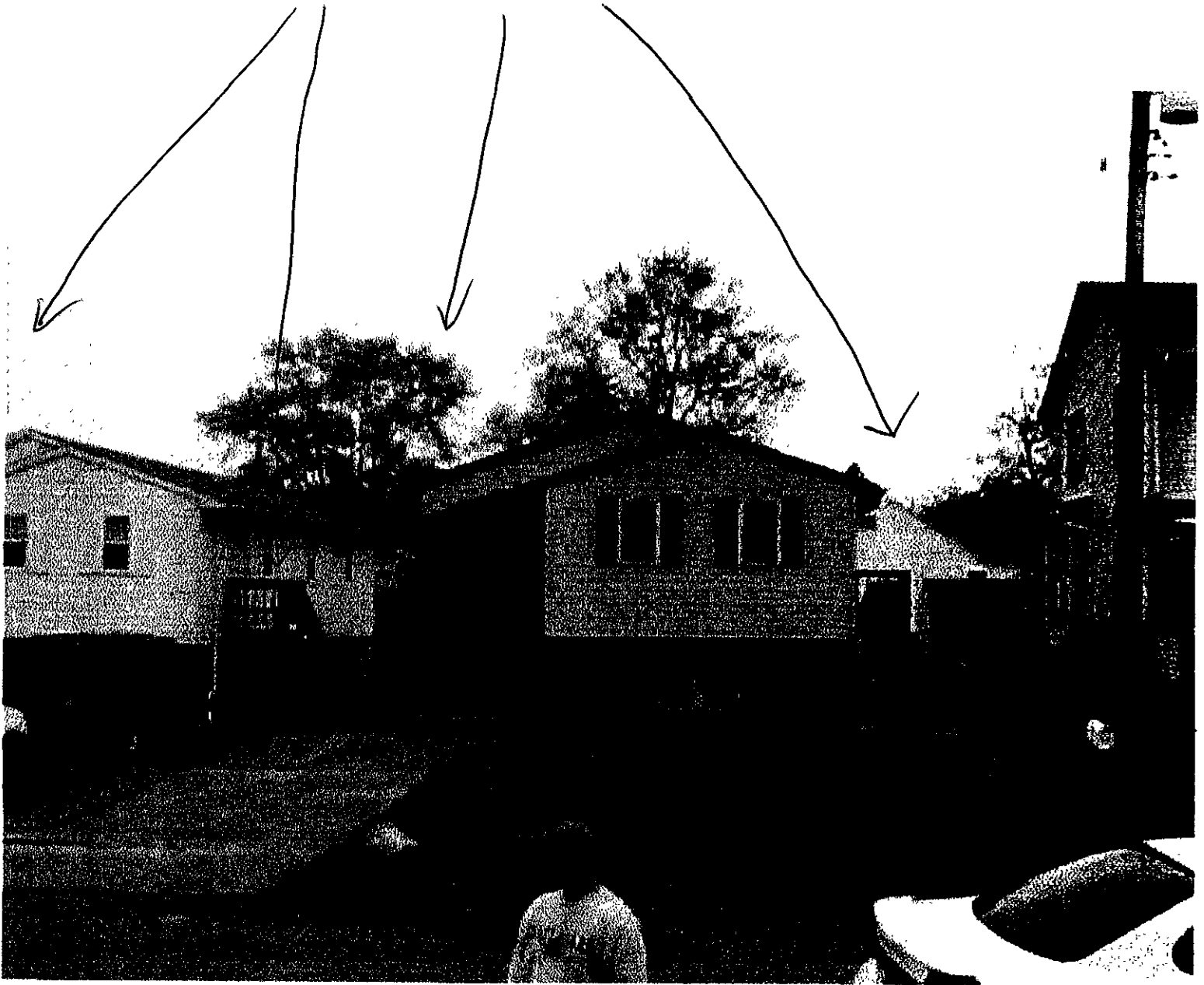
S.W. 6A

1" = 200'

G-SE

1996

40 FT LOTS LESS THAN 6000 Sq FT
7' SET BACKS



BALTIMORE ST.
BALTIMORE HIGHLANDS 21227

40 FT LOT LESS THAN 6000 SQ FT
7' SET BACKS



BALTIMORE ST
BALTIMORE HIGHLANDS 21227

40' LOT LESS THAN 6000 SQ FT
7' SET BACKS



WASHINGTON AVE
BALTIMORE HIGHLANDS 21227

1/10 FT LOTS LESS THAN 6000 Sq FT



BALTIMORE ST.

BALTIMORE HIGHLANDS 21227



PROPOSED HOUSES
SAME HOUSES TO BE BUILT
on OHIO AVE

This house to
be built



PROPOSED PROPERTY
3019 OHIO AVE.

This is owner's house



3019 OHIO AVE.



TENNESSEE AVE.
NEW HOME



WASHINGTON AVE.

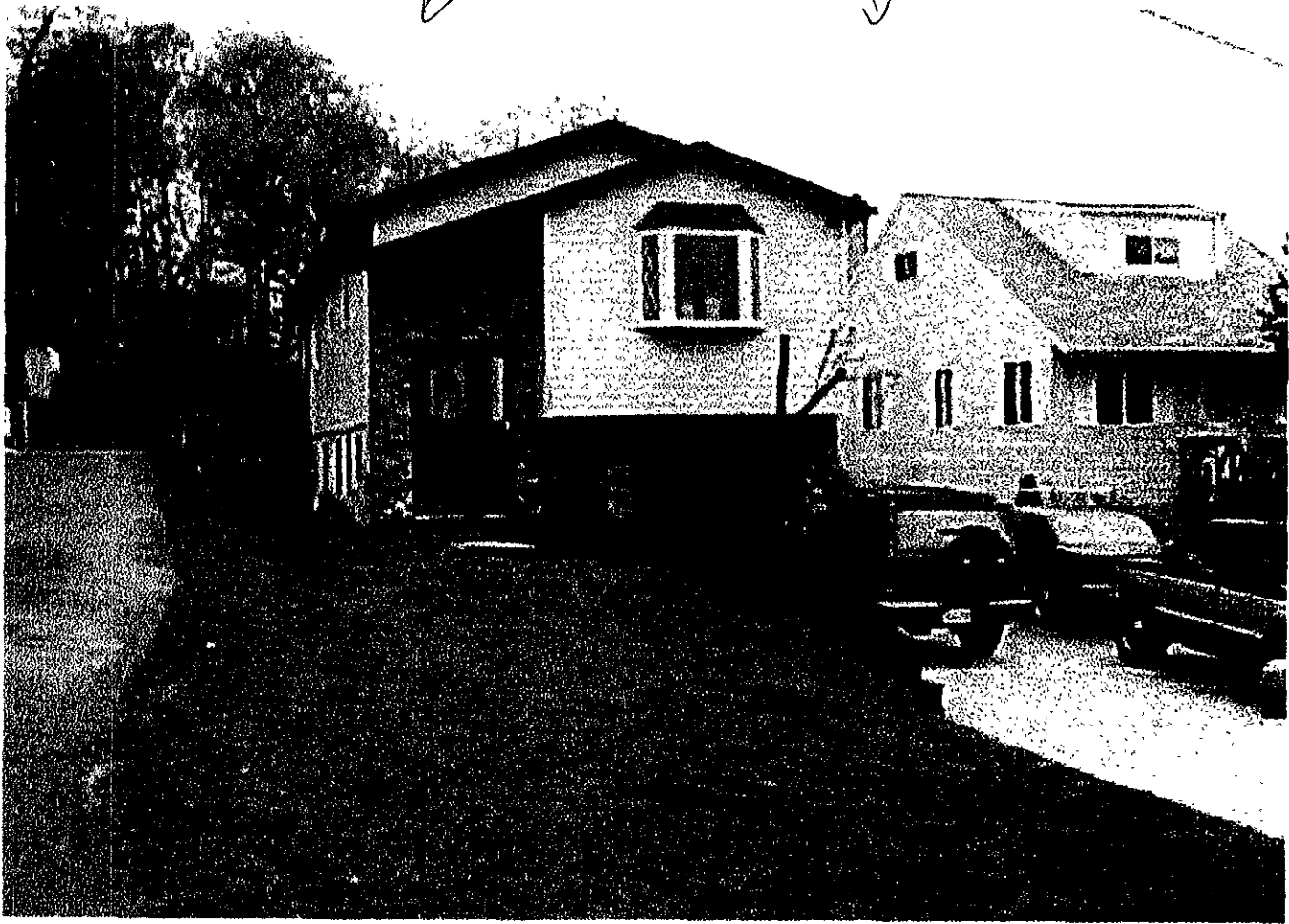
40 FT LOTS LESS THAN 6000 SQ FT

7' SET BACKS



~~6000 SQ FT~~ WASHINGTON AVE
BALTIMORE HIGHLANDS 21227

40' LOTS Less THAN 6000 Sq FT
7' Set-BACKS



BALTIMORE ST
BALTIMORE High LANDS 01227

No Appeals filed
per George

Re: 01-226-A
01-225-A

MJ
2/26/01

Copies to:

Mr. Tom Mauk
529 Camp Meade
Linthicum, MD 21090

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