

# PETITION FOR ZONING VARIANCE

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 1802.26 to permit rear yard setback of 26 feet instead of the required 30 feet.

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

To have enough room on first floor so Mother can live in home.

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: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_

Legal Owner(s):  
Henry H. McNew, Jr.  
(Type or Print Name)  
Signature: *Henry H. McNew, Jr.*  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Henry H. McNew, Jr.  
Name  
2911 Montrose Ave., Balto. 21237 866-2472  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day

of July, 1985, 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 105, County Office Building in Towson, Baltimore County, on the 6 day of August, 1985, at 1:15 o'clock

*Carl Jablon*  
Zoning Commissioner of Baltimore County.  
(over)

Case No. 86-58-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 3rd day of July, 1985.

Petitioner Henry H. McNew, Jr., et ux  
Petitioner's Attorney  
Received by *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE  
July 26, 1985

County Office Bldg.,  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. Henry H. McNew, Jr.  
2911 Montrose Avenue  
Baltimore, Maryland 21237

RE: Item No. 372 - Case No. 86-58-A  
Petitioners - Henry H. McNew, Jr., et ux  
Variance Petition

Dear Mr. & Mrs. McNew:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

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

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:mr  
Enclosures

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.  
DIRECTOR

July 5, 1985

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

Re: Item #372 (1984-1985)  
Property Owner: Henry H. McNew, Jr.  
S/S Montrose Avenue, 333' E.  
Hamilton Ave.  
District 14th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem facilities, would be the full responsibility of the Petitioner.

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Since no public facilities are involved, this office has no comment.

Very truly yours,  
*James A. Marble, P.E.*  
JAMES A. MARBLE, P.E., Chief  
Bureau of Public Services

JAM:PMO:blp

cc: File

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3221  
NORMAN E. GENDER  
DIRECTOR

JULY 12, 1985

Re: Zoning Advisory Meeting of JUNE 18, 1985  
Item # 372  
Property Owner: HENRY H. MCNEW, JR., ET UX  
Location: S/S MONTROSE AVE., 333' E.  
HAMILTON AVE.

Dear Mr. Jablon:

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

- ☒ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- ☐ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☐ The property is located in a deficient service area as defined by 8111.178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ☐ The property is located in a traffic area controlled by a "D" level intersection as defined by 8111.178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments: \_\_\_\_\_

Eugene A. Sober  
Chief, Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550  
STEPHEN E. COLLINS  
DIRECTOR

June 26, 1985

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

ZAC-Meeting of June 18, 1985

Item No. 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.  
Property Owner: \_\_\_\_\_  
Location: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_  
Proposed Zoning: \_\_\_\_\_

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.

MSF/ccm

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineering Assoc. II

*McNew*  
8/6

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2566  
494-4500  
PAUL H. REINCKE  
CHIEF

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

July 1, 1985

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Henry H. McNew, Jr., et ux

Location: S/S Montrose Avenue 333' E. Hamilton Avenue

Item No.: 372 Zoning Agenda: Meeting of June 18, 1985

Gentlemen:

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

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *Roy W. Kemmer*  
Noted and Approved: Roy W. Kemmer  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610  
TED ZALESKI, JR.  
DIRECTOR

July 8, 1985

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 372 Zoning Advisory Committee Meeting are as follows:  
Property Owner: Henry H. McNew, Jr., et ux  
Location: S/S Montrose Avenue 333' E. Hamilton Avenue  
District: 14th.

APPLICABLE ITEMS ARE CHECKED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, 1985, and other applicable Code and Standards.
- ☒ A Building and other miscellaneous permits shall be required before the start of any construction.
- ☐ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- ☐ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☐ All Use Groups except 4-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. All wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1007, Section 1008, and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☐ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and structure type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- ☐ The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.
- ☐ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Structural architectural or engineering seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_ or to Third Use. See Section 311 of the Building Code.
- ☐ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 514.0 of the Building Code as adopted by Bill #11-85. The owner shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- ☐ Comments:
- ☐ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may provide additional information by visiting from 10:00 a.m. to 4:00 p.m. at the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*Mark P. Coleman*  
Mark P. Coleman, Chief  
Building, Plans Review

4/27/85



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 result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7<sup>th</sup> day of August, 1985, that the herein Petition for Variance(s) to permit a rear yard setback of 26 feet in lieu of the required 30 feet in accordance with the site plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

*Jean M. H. Jung*  
Deputy Zoning Commissioner  
of Baltimore County

ORDER RECEIVED FOR FILING  
DATE August 7, 1985  
BY Barbara A. Shind  
ADMINISTRATIVE ASSISTANT

# BALTIMORE COUNTY, MARYLAND

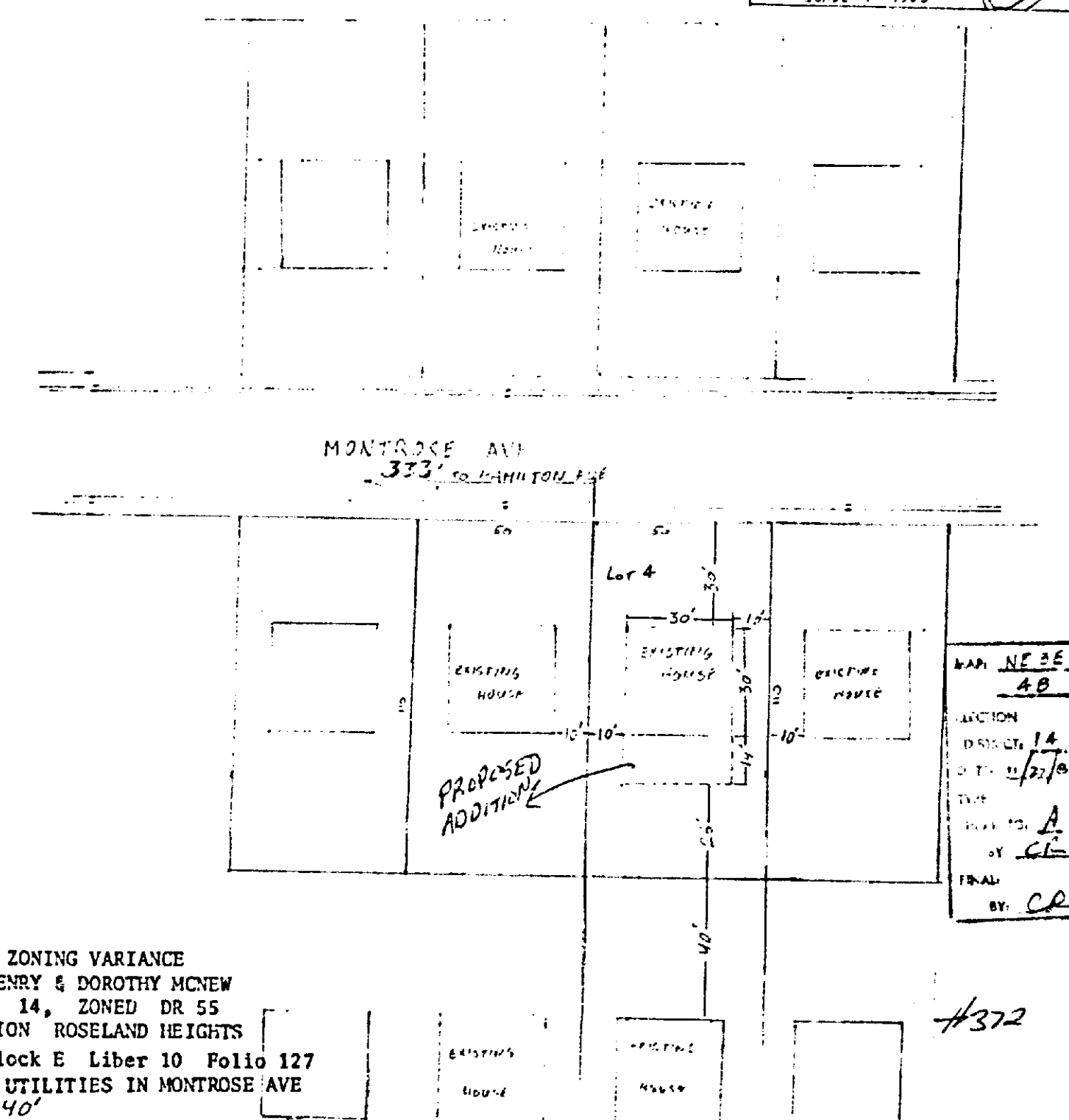
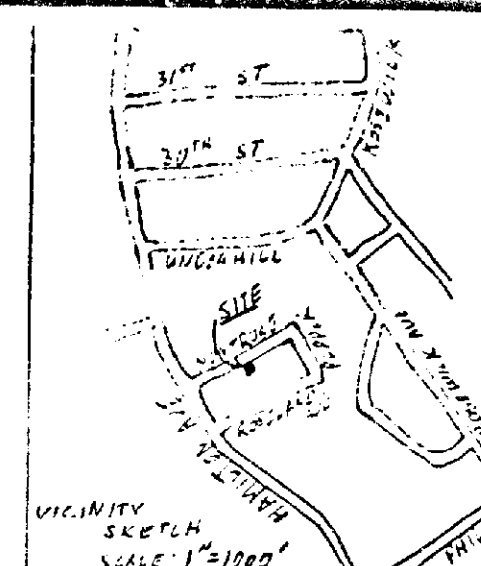
## INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Date: July 16, 1985  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petitions No. 86-54-A, 86-55-A, 86-57-A, 86-58-A and 86-59-A

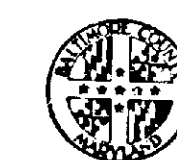
There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber, Jr.*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:slm



PLAT FOR ZONING VARIANCE  
OWNER: HENRY & DOROTHY MCNEW  
DISTRICT 14, ZONED DR 55  
SUBDIVISION ROSELAND HEIGHTS  
7445 Block E Liber 10 Folio 127  
EXISTING UTILITIES IN MONTROSE AVE  
SCALE 1/8" = 1'-0"



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

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 7, 1985

Mr. & Mrs. Henry H. McNew, Jr.  
7911 Montrose Avenue  
Baltimore, Maryland 21237

RE: PETITION FOR VARIANCE  
S/S Montrose Avenue, 33'  
E/Hamilton Avenue  
(7911 Montrose Avenue)  
14th Election District  
Henry H. McNew, Jr., et ux,  
Petitioners  
Case No. 86-58-A

Dear Mr. & Mrs. McNew:

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

Very truly yours,

*Jean M. H. Jung*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:bjg

Attachments

cc: People's Counsel

## PETITION FOR VARIANCE

14TH Election District

LOCATION: South side of Montrose Ave., 333' East of Hamilton Avenue (7911 Montrose Avenue)

DATE AND TIME: Tuesday, August 6, 1985 at 1:15 p.m.

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

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

Petition for Variances from Section 1802.3C.1 to permit rear yard setback of 26' instead of the required 30'.

Being the property of Henry H. McNew, Jr., et ux as shown on the plat filed with the Zoning Office.

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

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

## ZONING DESCRIPTION

Located on the South side of Montrose Ave. 333. feet east of Hamilton Ave. and known as lot 4, Block E, as shown on Plat of Roseland Heights which is recorded in land records of Baltimore County in liber 10, Folio 127. Also known as 7911 Montrose Ave. in the 14th Election District.

RE: PETITION FOR VARIANCE  
S/S of Montrose Ave.,  
333' E of Hamilton Ave.  
(7911 Montrose Ave.)  
14th District  
HENRY H. MCNEW, JR.,  
et ux, Petitioners

: BEFORE THE ZONING COMMISSIONER  
: OF BALTIMORE COUNTY  
:  
: Case No. 86-58-A

## ENTRY OF APPEARANCE

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

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 12th day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Henry H. McNew, Jr., 7911 Montrose Ave., Baltimore, MD 21237, Petitioners.

*Peter Max Zimmerman*  
Peter Max Zimmerman



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

ARNOLD JABLON  
ZONING COMMISSIONER

August 1, 1985

Mr. & Mrs. Henry H. McNew, Jr.  
7911 Montrose Avenue  
Baltimore, Maryland 21237

RE: Petition for Variance  
S/S of Montrose Ave., 33' East of  
Hamilton Ave. (7911 Montrose Ave.)  
14th Election District  
Henry H. McNew, Jr. et ux - Petitioners  
Case No. 86-58-A

This is to advise you that \$55.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

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

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

|                                      |                           |            |            |
|--------------------------------------|---------------------------|------------|------------|
| BALTIMORE COUNTY, MARYLAND           |                           | No. 006886 |            |
| OFFICE OF FINANCE - REVENUE DIVISION |                           |            |            |
| MISCELLANEOUS CASH RECEIPT           |                           |            |            |
| DATE                                 | 8-6-85                    | ACCOL. NO. | 01-615-000 |
| RECEIVED FROM                        | Henry H. McNew            |            |            |
| AMOUNT                               | \$55.00                   |            |            |
| FOR                                  | Petitioners Ave. 33'-58-A |            |            |
| VALIDATION OR SIGNATURE OF CASHIER   |                           |            |            |



Mr. & Mrs. Henry H. McNew, Jr.  
7911 Montrose Avenue  
Baltimore, Maryland 21237

July 5, 1985

### NOTICE OF HEARING

RE: PETITION FOR VARIANCE  
S/S of Montrose Ave., 33' East of  
Hamilton Ave. (7911 Montrose Ave.)  
14th Election District  
Henry H. McNew, Jr., et ux - Petitioners  
Case No. 86-58-A

TIME: 1:15 p.m.

DATE: Tuesday, August 6, 1985

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

*[Signature]*  
Zoning Commissioner  
of Baltimore County

PETITION FOR VARIANCE  
14th Election District  
LOCATION: South side of Montrose Ave., 333' East of Hamilton Avenue (7911 Montrose Avenue)  
DATE AND TIME: Tuesday, August 6, 1985 at 1:15 p.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance from Section 1802.3C.1 to permit rear yard setback of 26' instead of the required 30'. Being the property of Henry H. McNew, Jr., et ux as shown on the plat filed with the Planning Office.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.  
By Order of  
ARNOLD JABLON,  
Zoning Commissioner  
of Baltimore County  
July 18.

### CERTIFICATE OF PUBLICATION

TOWSON, MD., July 18, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 18, 1985

86-58-A

THE JEFFERSONIAN,

*[Signature]*

Publisher

Cost of Advertising

22

PETITION FOR VARIANCE  
14th Election District  
LOCATION: South side of Montrose Ave., 333' East of Hamilton Avenue (7911 Montrose Avenue)  
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BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

### CERTIFICATE OF PUBLICATION

86-58-A

OFFICE OF  
Dundalk Eagle

38 N. Dundalk Ave.  
Dundalk, Md. 21222 July 18, 1985

19

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Petition for Variance - P.O. #67162 - Reg. #L73220. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 19th day of July 1985; that is to say, the same was inserted in the issues of July 18, 1985

Kimbel Publication, Inc.  
per Publisher.

By *[Signature]*

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

No. 007276

DATE: 6/5/85 ACCOUNT: P01-615-000

AMOUNT: \$ 35.00

RECEIVED FROM: Mr. McNew

FOR: Subj Fee for Bond # 372  
VARIANCE

B 8011\*\*\*\*\*35001a 80SEF

VALIDATION OR SIGNATURE OF CASHIER

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

86-58-A

District: 14TH Date of Posting: 7/19/85  
Posted for: Variance  
Petitioner: Henry H. McNew, et ux  
Location of property: S/S Montrose Ave., 333' E of Hamilton Ave.  
7911 Montrose Ave.  
Location of Signs: Facing Montrose Ave. at 2000' 10' E. of Railway,  
on property of Petitioner.  
Remarks:  
Posted by: *[Signature]* Date of return: 7/19/85  
Signature  
Number of Signs: 1



# PETITION FOR ZONING VARIANCE

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 1802.26 to permit rear yard setback of 26 feet instead of the required 30 feet.

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

To have enough room on first floor so Mother can live in home.

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: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_

Legal Owner(s):  
Henry H. McNew, Jr.  
(Type or Print Name)  
Signature: *Henry H. McNew, Jr.*  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Henry H. McNew, Jr.  
Name  
2911 Montrose Ave., Balto. 21237 866-2472  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day

of July, 1985, 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 105, County Office Building in Towson, Baltimore County, on the 6 day of August, 1985, at 1:15 o'clock

*Carl Jablon*  
Zoning Commissioner of Baltimore County.  
(over)

Case No. 86-58-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 3rd day of July, 1985.

Petitioner Henry H. McNew, Jr., et ux  
Petitioner's Attorney  
Received by *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE  
July 26, 1985

County Office Bldg.,  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. Henry H. McNew, Jr.  
2911 Montrose Avenue  
Baltimore, Maryland 21237

RE: Item No. 372 - Case No. 86-58-A  
Petitioners - Henry H. McNew, Jr., et ux  
Variance Petition

Dear Mr. & Mrs. McNew:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

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

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:mr  
Enclosures

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY I. PISTEL, P.E.  
DIRECTOR

July 5, 1985

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

Re: Item #372 (1984-1985)  
Property Owners Henry H. McNew, Jr.  
S/S Montrose Avenue, 333' E.  
Hamilton Ave.  
District 14th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem facilities, would be the full responsibility of the Petitioner.

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Since no public facilities are involved, this office has no comment.

Very truly yours,  
*James A. Marble, P.E.*  
JAMES A. MARBLE, P.E., Chief  
Bureau of Public Services

JAM:PMO:blp

cc: File

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3221  
NORMAN E. GENDER  
DIRECTOR

JULY 12, 1985

Re: Zoning Advisory Meeting of JUNE 18, 1985  
Item # 372  
Property Owner: HENRY H. MCNEW, JR. ET UX  
Location: S/S MONTROSE AVE., 333' E.  
HAMILTON AVE.

Dear Mr. Jablon:

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

- ☒ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- ☐ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☐ The property is located in a deficient service area as defined by B111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ☐ The property is located in a traffic area controlled by a "D" level intersection as defined by B111 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments: \_\_\_\_\_

Eugene A. Sober  
Chief, Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550  
STEPHEN E. COLLINS  
DIRECTOR

June 26, 1985

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

ZAC-Meeting of June 18, 1985

Item No. 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.  
Property Owner: \_\_\_\_\_  
Location: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_  
Proposed Zoning: \_\_\_\_\_

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, and 384.

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineering Assoc. II

MSF/ccm

*McNew*  
8/6

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2566  
494-4500  
PAUL H. REINCKE  
CHIEF

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

July 1, 1985

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Henry H. McNew, Jr., et ux

Location: S/S Montrose Avenue 333' E. Hamilton Avenue

Item No.: 372 Zoning Agenda: Meeting of June 18, 1985

Gentlemen:

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

- ☐ 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☐ 2. A second means of vehicle access is required for the site.
- ☐ 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ☐ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *Roy W. Kemmer*  
Noted and Approved: Roy W. Kemmer  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610  
TED ZALESKI, JR.  
DIRECTOR

July 8, 1985

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 372 Zoning Advisory Committee Meeting are as follows:  
Property Owner: Henry H. McNew, Jr., et ux  
Location: S/S Montrose Avenue 333' E. Hamilton Avenue  
District: 14th.

APPLICABLE ITEMS ARE CHECKED.

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, effective 10/1/85, and other applicable Code and Standards.
- ☐ A Building and other miscellaneous permits shall be required before the start of any construction.
- ☐ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- ☐ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☐ All Use Groups except 4-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. All wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1007, Section 1009 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☐ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and structure type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- ☐ The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.
- ☐ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Structural architectural or engineering seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_ or to third Use. See Section 311 of the Building Code.
- ☐ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 514.0 of the Building Code as adopted by Bill #11-85. The owner shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- ☐ Comments:
- ☐ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may provide additional information by visiting from 10:00 a.m. to 4:00 p.m. at the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*Mark P. Coleman*  
Mark P. Coleman, Chief  
Building, Plans Review

4/27/85



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 result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of August, 1985, that the herein Petition for Variance(s) to permit a rear yard setback of 26 feet in lieu of the required 30 feet in accordance with the site plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

*Jean M. H. Jung*  
Deputy Zoning Commissioner  
of Baltimore County

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Date: July 16, 1985  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petitions No. 86-54-A, 86-55-A, 86-57-A, 86-58-A and 86-59-A

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

*Norman E. Gerber, Jr.*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG:JGH:slm

ORDER RECEIVED FOR FILING  
DATE August 7, 1985  
BY Barbara A. Shind  
ADMINISTRATIVE ASSISTANT

### PETITION FOR VARIANCE

14TH Election District

LOCATION: South side of Montrose Ave., 333' East of Hamilton Avenue (7911 Montrose Avenue)

DATE AND TIME: Tuesday, August 6, 1985 at 1:15 p.m.

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

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

Petition for Variances from Section 1802.3C.1 to permit rear yard setback of 26' instead of the required 30'.

Being the property of Henry H. McNew, Jr., et ux as shown on the plat filed with the Zoning Office.

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

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

### ZONING DESCRIPTION

Located on the South side of Montrose Ave. 333. feet east of Hamilton Ave. and known as lot 4, Block E, as shown on Plat of Roseland Heights which is recorded in land records of Baltimore County in liber 10, Folio 127. Also known as 7911 Montrose Ave. in the 14th Election District.

RE: PETITION FOR VARIANCE  
S/S of Montrose Ave.,  
333' E of Hamilton Ave.  
(7911 Montrose Ave.)  
14th District  
HENRY H. MCNEW, JR.,  
et ux, Petitioners

: BEFORE THE ZONING COMMISSIONER  
: OF BALTIMORE COUNTY  
:  
: Case No. 86-58-A  
: : : : :  
ENTRY OF APPEARANCE

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

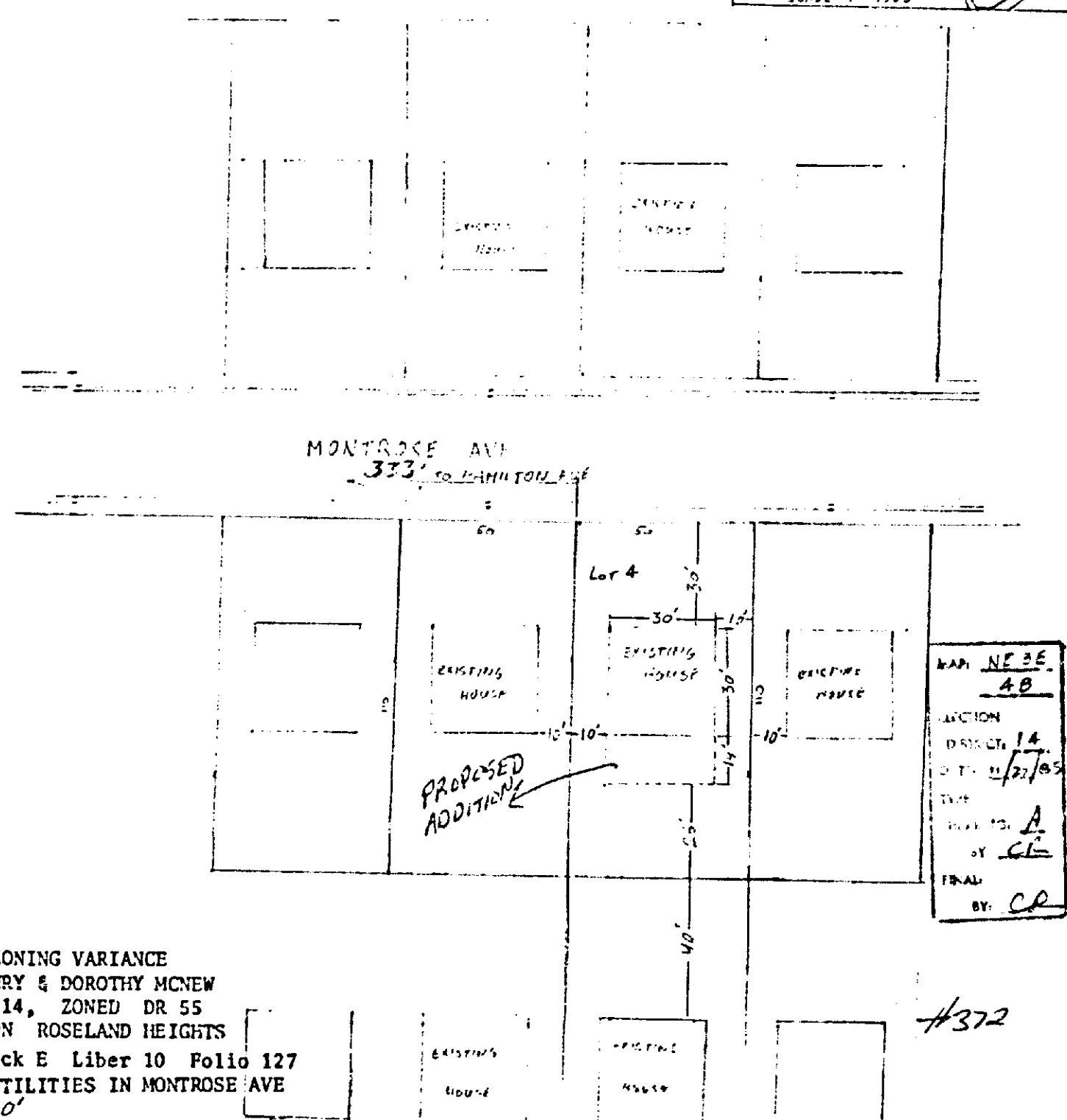
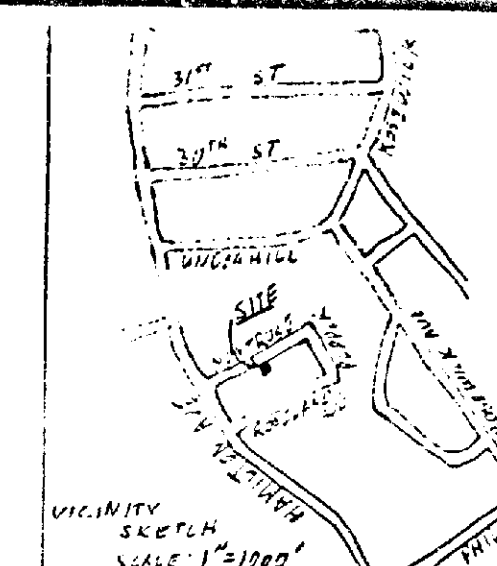
*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

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

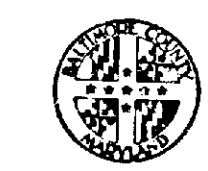
I HEREBY CERTIFY that on this 12th day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Henry H. McNew, Jr., 7911 Montrose Ave., Baltimore, MD 21237, Petitioners.

*Peter Max Zimmerman*  
Peter Max Zimmerman

OFFICE COPY



PLAT FOR ZONING VARIANCE  
OWNER HENRY & DOROTHY MCNEW  
DISTRICT 14, ZONED DR 55  
SUBDIVISION ROSELAND HEIGHTS  
7911 Block E Liber 10 Folio 127  
EXISTING UTILITIES IN MONTROSE AVE  
SCALE 1/8" = 1'-0"



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

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 7, 1985

Mr. & Mrs. Henry H. McNew, Jr.  
7911 Montrose Avenue  
Baltimore, Maryland 21237

RE: PETITION FOR VARIANCE  
S/S Montrose Avenue, 33'  
E/Hamilton Avenue  
(7911 Montrose Avenue)  
14th Election District  
Henry H. McNew, Jr., et ux,  
Petitioners  
Case No. 86-58-A

Dear Mr. & Mrs. McNew:

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

Very truly yours,

*Jean M. H. Jung*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:bq

Attachments

cc: People's Counsel



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

ARNOLD JABLON  
ZONING COMMISSIONER

August 1, 1985

Mr. & Mrs. Henry H. McNew, Jr.  
7911 Montrose Avenue  
Baltimore, Maryland 21237

RE: Petition for Variance  
S/S of Montrose Ave., 33' East of  
Hamilton Ave. (7911 Montrose Ave.)  
14th Election District  
Henry H. McNew, Jr. et ux - Petitioners  
Case No. 86-58-A

This is to advise you that \$55.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

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

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

|                                      |                           |            |            |
|--------------------------------------|---------------------------|------------|------------|
| BALTIMORE COUNTY, MARYLAND           |                           | No. 006886 |            |
| OFFICE OF FINANCE - REVENUE DIVISION |                           |            |            |
| MISCELLANEOUS CASH RECEIPT           |                           |            |            |
| DATE                                 | 8-6-85                    | ACCOL. NO. | 01-615-000 |
| RECEIVED FROM                        | Henry H. McNew            |            |            |
| AMOUNT                               | \$55.00                   |            |            |
| FOR                                  | Petitioners Ave. 33'-58-A |            |            |
| VALIDATION OR SIGNATURE OF CASHIER   |                           |            |            |



Mr. & Mrs. Henry H. McNew, Jr.  
7911 Montrose Avenue  
Baltimore, Maryland 21237

July 5, 1985

### NOTICE OF HEARING

RE: PETITION FOR VARIANCE  
S/S of Montrose Ave., 33' East of  
Hamilton Ave. (7911 Montrose Ave.)  
14th Election District  
Henry H. McNew, Jr., et ux - Petitioners  
Case No. 86-58-A

TIME: 1:15 p.m.

DATE: Tuesday, August 6, 1985

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

*[Signature]*  
Zoning Commissioner  
of Baltimore County

PETITION FOR VARIANCE  
14th Election District  
LOCATION: South side of Montrose Ave., 333' East of Hamilton Avenue (7911 Montrose Avenue)  
DATE AND TIME: Tuesday, August 6, 1985 at 1:15 p.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance from Section 1802.3C.1 to permit rear yard setback of 26' instead of the required 30'. Being the property of Henry H. McNew, Jr., et ux as shown on the plat filed with the Planning Office.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.  
By Order of  
ARNOLD JABLON,  
Zoning Commissioner  
of Baltimore County  
July 18.

### CERTIFICATE OF PUBLICATION

TOWSON, MD., July 18, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 18, 1985

86-58-A

THE JEFFERSONIAN,

*[Signature]*

Publisher

Cost of Advertising

22

PETITION FOR VARIANCE  
14th Election District  
LOCATION: South side of Montrose Ave., 333' East of Hamilton Avenue (7911 Montrose Avenue)  
DATE AND TIME: Tuesday, August 6, 1985 at 1:15 p.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance from Section 1802.3C.1 to permit rear yard setback of 26' instead of required 30'. Being the property of Henry H. McNew, Jr., et ux as shown on the plat filed with the Zoning Office.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

### CERTIFICATE OF PUBLICATION

86-58-A

OFFICE OF  
Dundalk Eagle

38 N. Dundalk Ave.  
Dundalk, Md. 21222 July 18, 1985

19

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Petition for Variance - P.O. #67162 - Reg. #L73220. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 19th day of July 1985; that is to say, the same was inserted in the issues of July 18, 1985

Kimbel Publication, Inc.  
per Publisher.

By *[Signature]*

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

No. 007276

DATE: 6/5/85 ACCOUNT: P01-615-000

AMOUNT: \$ 35.00

RECEIVED FROM: Mr. McNew

FOR: Paying fee for Bond # 372  
VARIANCE

B 8011\*\*\*\*\*35001a 80SEF

VALIDATION OR SIGNATURE OF CASHIER

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

86-58-A

District: 14TH Date of Posting: 7/19/85  
Posted for: Variance  
Petitioner: Henry H. McNew, et ux  
Location of property: S/S Montrose Ave., 333' E of Hamilton Ave.  
7911 Montrose Ave.  
Location of Signs: Facing Montrose Ave. at 2000' 10' E. of Railway,  
on property of Petitioner.  
Remarks:  
Posted by: *[Signature]* Date of return: 7/19/85  
Signature  
Number of Signs: 1