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MAP 50-51
C.A.
E.D. 13
DATE 12-22-86
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Joan M. Cox
N/S Magnolia Ave., 593' E of the C/L
of Lilac Ave. (3224 Magnolia Ave.)
13th Elec. Dist.



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

ARNOLD JARLOW
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 16, 1986

Ms. Joan M. Cox
2581 Locksley Road
Melbourne, FL 32935

RE: PETITION FOR VARIANCE
N/S of Magnolia Avenue,
593' E of the centerline
of Lilac Avenue
(3224 Magnolia Avenue) -
13th Election District
Joan M. Cox, Petitioner
Case No. 86-438-A

Dear Ms. Cox:

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

Very truly yours,

Joan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

C. E. Kelley, Inc.
426 Shipley Road
Linthicum, Maryland 21090

Mr. Richard E. Parker
3222 Magnolia Avenue
Baltimore, Maryland 21227

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3 C.1 to allow lot width of 50 feet for lots 855 and 856 in lieu of the required 55'.

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

Since the house on lots 857, 858 and 859 was built before zoning laws were put into effect. Asking for a variance on lots 855 and 856 for the purpose of erecting a single family home whereas the code requires 55' we are asking for a 50' variance.

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: Legal Owner(s):
C. E. Kelley, Inc. (Type or Print Name)
C. E. Kelley (Signature)
426 Shipley Road
Linthicum, MD 21090
City and State
Atorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Atorney's Telephone No.:
Address
Phone No.

2581 Locksley Rd.
Melbourne, FL 32935
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of May, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore on the 23th day of April, 1986, at 9:30 o'clock.

Zoning Commissioner of Baltimore County.

(over)

Zoning Description and
Proposed Property Plat for
X Charles E. Kelly
Lots 855 and 856
Section A, English Consul Estate
Baltimore County, Maryland

Beginning on the North side of Magnolia Avenue, 593 ft. East of
Lilac Avenue and known as Lots numbered 855 and 856 of Section "A" of
English Consul Estate and recorded in the Land Records of Baltimore
County, Maryland in Plat Book W.P.C. Number 3, Folio 109 and are also
known as 3224 Magnolia Avenue (unimproved). 6,250 sq. ft.

PETITION FOR ZONING VARIANCE

13th Election District

LOCATION: North Side of Magnolia Avenue, 593 feet East of the Centerline of Lilac Avenue (3224 Magnolia Avenue)

DATE AND TIME: Tuesday, April 29, 1986, at 9:30 a.m.

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

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

Petition for Zoning Variance to permit a lot width of 50 feet in lieu of the required 55 feet regarding Lots 855 and 856

Being the property of Joan M. Cox, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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 JARLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

pearing that strict compliance with the Baltimore County Zoning Regulations (B22R) would not result in practical difficulty and unreasonable hardship upon the Petitioner, and the granting of the variance requested would adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should not be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 16th day of May, 1986, that the herein Petition for Variance to permit a lot width of 50 feet in lieu of the required 55 feet for Lots 855 and 856 is hereby DENIED, from and after the date of this Order.

Joan M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

JMHJ:bg

RECEIVED FOR FILING
DATE May 14, 1986
BY *Patricia A. Bell*

RECEIVED FOR FILING
DATE May 14, 1986
BY *Patricia A. Bell*

RE: PETITION FOR VARIANCE N/S Magnolia Ave., 593' E. of C/L Lilac Ave., 13th District
JOAN M. COX, Petitioner(s)
BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 86-438-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
Room 223, Court House
Towson, Maryland 21204
(301) 494 - 2188

I HEREBY CERTIFY that on this 10th day of April, 1986, a copy of the foregoing Entry of Appearance was mailed to Joan M. Cox, 2581 Locksley Rd., Melbourne, FL. 32935, Petitioner; and C. E. Kelley, Inc., 426 Shipley Rd., Linthicum, MD 21090, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

May 15, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Charles E. Kelley
C. E. Kelley, Inc.
426 Shipley Road
Linthicum, Maryland 21090

RE: PETITION FOR ZONING VARIANCE
N/S Magnolia Ave., 593' E of the c/l of Lilac Ave.
(3224 Magnolia Ave.)
13th Election District
Joan M. Cox - Petitioner
Case No. 86-438-A

Dear Mr. Kelley:

This is to advise you that \$59.55 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

No. 021706

DATE 5/16/86 ACCOUNT R-01-615-000

SIGN & POST
RETURNED TO ZONING OFFICE
Charles E. Kelley

RECEIVED FROM

FOR Advertising and Posting re Case #86-438-A

B 011*****59251a 3162F

VALIDATION OR SIGNATURE OF CASHIER

Louise A. Alder
3218 Magnolia Avenue
Baltimore, Maryland 21227

Baltimore County Zoning Commission
111 W. Chesapeake Avenue
Room 106
Towson, Maryland 21204

Re: Case NO. 86-438A

Dear Sirs:

I am unable to attend the hearing scheduled for Tuesday, April 29, 1986 due to my work schedule. I did however wish to send you this letter to express my objection to the passage of the variance for lots 855 and 856 regarding the above case number.

As a resident of Magnolia Avenue who does indeed have lots located next door to my home I can certainly agree that to set rules and regulations regarding footage to protect residents against homes or structures being placed right upon others is an excellent idea and this is what has been done by Baltimore County. My objection is to having exceptions made for each and every zoning regulation that is set for protection. If we as residents cannot rely on the rules and regulations to be followed then what are we to follow. I do not oppose improvement to our neighborhood but I do not think that squeezing a new structure into an already small space will enhance our community at all. If anything it will upset a balance that we have for spacing and only encourage other lot owners on the street to sell their lots and try for exceptions to the rules which are there apparently to be changed at one's whim.

I would strongly urge the Zoning Board to deny the change proposed for lots 855 and 956 and I would also thank you for making such a fair decision.

Sincerely yours,

Louise Alder
Louise A. Alder

PROTESTANT'S
EXHIBIT 2

PETITION FOR ZONING VARIANCE
13th Election District
LOCATION: North Side of Magnolia Avenue, 593 feet East of the Centerline of Lilac Avenue (3224 Magnolia Avenue)
DATE AND TIME: Tuesday, April 29, 1986, at 9:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance as presented for a lot of 50 feet in width of the required 50 feet required Lot 855 and 856.
Being the property of Joan M. Cox, as shown on p/t plan filed with the Zoning Office on 4/10/86.
In the event that the Petitioner(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, ascertain 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
Apr. 10.

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 10, 1986

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 April 10, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

24.75

86-438A

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th Date of Posting April 12, 1986

Posted for: Variance

Petitioner: Joan M. Cox

Location of property: N/S of Magnolia Ave., 593' E. of the c/l of Lilac Ave. (3224 Magnolia Ave.)

Location of Sign: 3224 Magnolia Ave. in front of subject property

Remarks:

Posted by: L. J. Alder Signature Date of return: April 14, 1986

Number of Signs: 1

March 18, 1986
To whom it may concern:
Charles Kelley has my permission to represent my interest in Variance Case 317.
Joan Cox
2591 Locksley Rd.
Melbourne, Fla. 32935
Phone 305.242-2914

PETITIONER'S
EXHIBIT 2

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

April 10 19 86

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR ZONING
75386

was inserted in the following:

Catonsville Times
Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 12 day of April 1986, that is to say, the same was inserted in the issues of

April 10, 1986

PATUXENT PUBLISHING CORP.
By: [Signature]

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

86-438

Ms. Joan M. Cox
2581 Locksley Road
Melbourne, Florida 32935

March 31, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S Magnolia Ave., 593' E of the c/l of Lilac Ave.
(3224 Magnolia Ave.)
13th Election District
Joan M. Cox - Petitioner
Case No. 86-438-A

TIME: 9:30 a.m.

DATE: Tuesday, April 29, 1986

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

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

No. 019801

DATE 3/6/86 ACCOUNT 01-615-000

AMOUNT \$ 35.00

RECEIVED FROM C.E. Kelley Inc

Variance # 317

FOR: B 003*****35001a 5064F

#681

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 9, 1986

COUNTY OFFICE Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Ms. Joan M. Cox
2591 Locksley Road
Melbourne, Florida 32935

Chairman

RE: Item No. 317 - Case No. 86-438-A
Petitioner - Joan M. Cox
Variance Petition

Dear Ms. Cox:

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 problems with regard to the development plans that may have a bearing 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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Lewis & Selby Land Surveyors
1205 Hillshire Road
Baltimore, Maryland 21222

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon,
Zoning Commissioner

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

SUBJECT: Zoning Petition Nos. 86-438-A, 86-443-A, 86-444-A, 86-449-A, 86-450-A, 86-451-A

Date: April 15, 1986

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

Norman E. Gerber
NORMAN E. GERBER, AICP, Director
Office of Planning and Zoning

NEG/JGH/dmi

Case No. 86-438-A
Item No. 317
Date: 6/12/86
N/S Magnolia Ave., 593' E of the c/l
of Lilac Ave. (3224 Magnolia Ave.)
13th Election District
Joan M. Cox - Petitioner

Variance - 3' in width of 50' in lieu of 55' for Lots 855 & 856.

- CPS-008
- ☒ 1. Copy of Petition
 - ☒ 2. Copy of Description of Property
 - ☒ 3. Copy of Certificate of Posting
 - ☒ 4. Copy of Certificates of Publication
 - ☒ 5. Copy of Zoning Advisory Committee Comments
 - ☒ 6. Copy of Comments from the Director of Planning
 - ☐ 7. Planning Board Comments and Accompanying Map
 - ☒ 8. Copy of Order to Enter Appearance
 - ☒ 9. Copy of Order - ~~Zoning~~/Deputy Zoning Commissioner - 5/16/86 Denied.
 - ☒ 10. Copy of Plat of Property [See Petitioner's Exhibit No. 1]
 - ☒ 11. Protestants' Exhibits Nos. 1 to 3
 - Protestants' Exhibit No. 1 - Magnolia-Lily Property Ownership Map
 - Protestants' Exhibit No. 2 - Letter to Baltimore County Zoning Commission, from Louise A. Adler, undated
 - Protestants' Exhibit No. 3 - List of Residents Protesting Petition and 8 Color Photographs [Original Photographs and List sent to Board of Appeals - Copy of List only maintained in Zoning file]
 - ☒ 12. Petitioners' Exhibits Nos. 1 to 2
 - Petitioners' Exhibit No. 1 - Plat of Property
 - Petitioners' Exhibit No. 2 - Letter dated 3/10/86 from Joan M. Cox to To Whom It May Concern
 - ☒ 13. Letter of Appeal from Attorney for Joan Cox, dated 6/4/86
 - ☒ 14. Letter notifying Protestants of appeal, dated June 16, 1986

*Robert A. Hoffman, Esquire
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204
Attorney for Appellant/Petitioner

*Ms. Joan M. Cox
2581 Locksley Road
Melbourne, Florida 32935
Appellant/Petitioner

Mr. Charles E. Kelley
Charles E. Kelley, Inc.
426 Shipley Road
Linthicum, Maryland 21090
Contract Purchaser

Mr. Richard E. Parker
3222 Magnolia Avenue
Baltimore, Maryland 21227
Appellee/Protestant

THOMAS SCHATZ
3224 MAGNOLIA AVE (21227)

Herbert O'Connor, III
210 Allegheny Ave.
Towson, Md. 21204

REQUESTED NOTIFICATION

Counsel for Appella-
nt-Petitioner

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
NORMAN E. GERBER
DIRECTOR

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

APRIL 10, 1986

Re: Zoning Advisory Meeting of March 18, 1986
Item # 317
Property Owner: JOAN M. COX
Location: N/S MAGNOLIA AVE. 593'
E. LILAC 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.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract, to issuance of a building permit.
- ☒ 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 shown on the plan.
- ☒ 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 22-99 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Zoning Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and its conditions change are re-evaluated annually by the County Council.
- ☐ Additional comments:

cc: James Hoswell

Eugene A. Bober
Chief, Current Planning and Development

Ms. Louise A. Adler
3218 Magnolia Avenue
Baltimore, Maryland 21227

Appellee/Protestant

Phyllis C. Friedman, Esquire

People's Counsel

Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

Request Notification
" "
" "
" "

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

April 1, 1986

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

Item No. -ZAC- Meeting of March 18, 1986
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 311, 313, 314, 319, 320, 321, and 322.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/blb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

April 14, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 317 Zoning Advisory Committee Meeting are as follows:

Property Owner: JOAN M. COX
Location: N/S Magnolia Avenue, 593' E Lilac Avenue
District: 13th.

OFFICIALS' NOTES ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, and Maryland Code for the Handicapped and Aged (A.B.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- C. 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.
- D. 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. Registered seals are not acceptable.
- H. All Use Groups except B-4 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for minimum height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Accessory 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. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____ See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 214.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the exact all-weather above sea level for the lot and the finish floor levels including basement.
- J. Comments:
- K. 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 obtain additional information by visiting Room 122 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland 21204.

4/22/86

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

PAUL H. RENCKE
CHIEF

April 10, 1986

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

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Joan M. Cox

Location: N/S Magnolia Avenue 593' E. Lilac Avenue

Item No.: 317

Zoning Agenda: Meeting of 3/18/86

Gentlemen:

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

- ☐ 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☐ 2. A second means of vehicle access is required for the site.
- ☐ 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- ☐ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 121 "Life Safety Code", 1976 edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and Approved:

Fire Prevention Bureau

/mb



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 634-3180

October 30, 1986

Robert A. Hoffman, Esq.
Cook, Howard, Downes & Tracy
210 Allegheny Ave.
P.O. Box 5517
Towson, Md. 21204

Dear Mr. Hoffman:

Re: Case No. 86-438-A
Joan M. Cox

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

cc: Joan M. Cox
Charles E. Kelley
Richard E. Parker
Thomas Schatz
Herbert O'Connor, III, Esq.
Louise A. Adler
Phyllis C. Friedman
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

Charles E. Kelley
C. E. Kelley, Chief
Building Plans Review

IN THE MATTER OF
THE PETITION OF
JOAN M. COX
FOR VARIANCE ON PROPERTY
LOCATED ON THE N/S OF MAGNOLIA
AVE., 593' E. OF C/L OF LILAC AVE.
(3224 MAGNOLIA AVENUE)
13th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 86-438-A

OPINION

This matter comes before the Board on an appeal from the findings of fact and order of the Deputy Zoning Commissioner dated May 16, 1986. In her Order, the Deputy Zoning Commissioner denied the Petitioner's request for variance, which sought relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR). That Section requires, for dwelling construction, a minimum lot width of 55 feet. In view of the Petitioner's lot width of 50 feet, the requested variance was sought.

Although the merits of the requested variance were contested, the underlying facts are generally not in dispute. The property is located in an older subdivision known as English Consul in southwest Baltimore County. English Consul straddles the Baltimore City/County line and contains many older homes. Although the character of the subdivision has remained essentially the same, there have been increasing inroads of commercial development in the surrounding area.

When the development was originally established circa 1915, many of the lots were created with 25 foot widths. The narrowness of these lots resulted in many property buyers purchasing two (2) or more lots. When houses were then constructed, the neighborhood took a non-uniform appearance containing various sized yards, with widths of 50 feet, 75 feet, 100 feet, and larger yards in 25 foot increments. As the Petitioner pointed out, there are a number of residences presently existing on 50 foot wide lots, some in Baltimore City and others in Baltimore County. Apparently, construction on 50 foot lots in the Baltimore City section of English Consul is not in violation of that

Joan M. Cox
Case No. 86-438-A

Jurisdiction's zoning ordinances. Additionally, the merits of those 50 foot improved lots in Baltimore County, either obtained with or without a Petition for Variance, is not before us.

Turning to the particular petitioned zoning variance, the property was owned, at the time of the petition, by Joan M. Cox. Mrs. Cox owned five (5) lots with a total cumulative width of 125 feet. Constructed on this site is a single family home.

Shortly before filing her petition, the Petitioner entered into a contract for the sale of three (3) lots on which the house was constructed. The purchasers, Mr. and Mrs. Thomas Schatz, took possession of the property on June 5, 1986. During the necessary inspection of this property prior to settlement with the Schatz's, it was determined that major structural repairs were necessary due to insect infestation. Mrs. Cox then retained Charles E. Kelley to accomplish this work, and at least in partial consideration therefore, agreed to transfer her remaining two lots to him. Therefore, Mr. Kelley now owns a 50 foot wide parcel in which he wishes to construct a house. He has therefore continued the pursuit of the petitioned variance.

In support of his petition, Mr. Kelley testified that he intends to construct a home on this site for he and his family, and that said construction will be harmonious with the neighborhood. In view of the other houses in the development on 50 foot lots, Mr. Kelley believes he has met the practical difficulty or undue hardship test as set forth in the BCZR 307. Neighborhood protestants, on the other hand, oppose the variance as creating un-needed congestion and disrupting the harmony of the neighborhood.

Although the identity of the ultimate residents of this proposed house makes no difference regarding the merits of this variance, Mr. Kelley's testimony in this regard strains credibility. This is particularly so in view of Mr. Kelley's occupation (home builder), the circumstances surrounding his

Joan M. Cox
Case No. 86-438-A

acquisition of the property and the fact that the property was deeded from Mrs. Cox to C. E. Kelley Inc. (emphasis added).

In order to grant this variance, the Board must consider the petition by the standards set forth in Section 307 of the BCZR. That Section empowers the Board to grant variances when the Petitioner demonstrates that compliance with the regulation would result in practical difficulty or undue hardship. This standard has been discussed extensively by the Appeals' Courts of this State, chiefly in McLean vs. Soley, 220 Md. 208 (1973) and in Anderson et al. vs. Board of Appeals, et al, 22 MD. App. 28 (1974).

In McLean, which had its origins in Baltimore County, the Court of Appeals considered the identical regulation before use and held that the requirements of practical difficulty or unreasonable hardship are in the disjunctive. That is, the Petitioner need only prove either practical difficulty or undue hardship, but not both. (See Anderson supra, at page 40)

In determining whether the Petitioner sustains these requirements, we will first address the under hardship criteria. As stated in Anderson, to demonstrate undue hardship, the Petitioner must show:

- 1) If he complied with the ordinance he would be unable to secure a reasonable return from or to make any reasonable use of his property, and,
- 2) The difficulties or hardships were peculiar to the property in question and contract with those of other property owners in the same district, and,
- 3) The hardship was not the result of the applicant's own actions.

In our view, the Petitioner does not satisfy these criteria. Particularly, Mr. Kelley acquired this property after the petition was denied by the Deputy Zoning Commissioner. In our view, the hardship, if one exists, was self created. Additionally, the alleged hardship is not unique nor is financial hardship sufficient to justify relief under the standard set forth in Anderson.

Joan M. Cox
Case No. 86-438-A

Failing to satisfy the undue hardship standard, we turn to the practical difficulty test. To paraphrase that standard, as stated in both Anderson & McLean, the Petitioner must show:

- (1) That compliance with the BCZR 1B02.3.C.1 would unreasonably prevent the Petitioner/Owner from using the property for a permitted purpose or would render conformity with the regulation unnecessarily burdensome, and,
- (2) That granting of the variance would not render substantial injustice to the Applicant as well as the other property owners in the district, and,
- (3) That the relief sought can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Consideration of three standards in view of the facts and testimony in this case requires closer scrutiny. Particularly, this Board is troubled that the granting of this variance would cause substantial injustice to the neighborhood. Aesthetics aside, there were legitimate fears expressed by neighboring residents as to traffic congestion and the dangers created while constructing the proposed home. Additionally, the adjoining property owners, Mrs. Schultz and Mr. Parker, testified that the granting of this property would infringe upon the use of their properties, specifically, blocking light and air and disrupting the current scheme of this neighborhood.

Taken as a whole, we are persuaded by the testimony of the Protestants. In our view, the Petitioner has not met his burden sufficiently to justify the granting of a variance from the Zoning Regulations enunciated by the County Council. We therefore believe that the variance should be denied and will so order.

Joan M. Cox
Case No. 86-438-A

ORDER

For the reasons set forth in the foregoing Opinion, it is this 30th day of October, 1986, by the County Board of Appeals, ORDERED that the variance petitioned for in this matter, be and is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Lawrence E. Schmidt
Lawrence E. Schmidt

Patricia Phipps
Patricia Phipps

PETITION FOR ZONING VARIANCE * COUNTY BOARD
JOAN COX - C. E. KELLEY, INC. * OF
Petitioners * APPEALS
Case No.: 86-438-A

MEMORANDUM

This Petition concerns 3224 Magnolia Ave. which is known as Lots 855 and 856 of English Consul Estate on a plat recorded among the Land Records of Baltimore City in Plat Book W.P.C. No. 3, Folio 108. Each lot is 25 feet in width. C. E. Kelley, Inc. acquired the property from Joan Cox on July 25, 1986.

A Variance is requested from that portion of Section 1B02.3C.1 of the Baltimore County Zoning Regulations which requires a minimum lot width of 55 feet. Petitioner's lot width is 50 feet and he proposes to build a small home. As will be shown from the evidence, a substantial number of homes in English Consul Estate were built on lots of 50 feet in width. The existence of these homes certainly suggests that any neighborhood harmony will not be impaired by Petitioner's home.

The Zoning Commissioner and, then, the County Board of Appeals have the authority to grant variances from area regulations pursuant to Section 22-26 of the

Baltimore County Code. This provision notes that the authority may be exercised when a proposed use may be accomplished "... in harmony with (the) general purpose and intent of the Zoning Regulations." Practical difficulty or unreasonable hardship has been recognized as the standard for granting a variance. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for this area variance, the Petitioner will show the following:

- (1) Strict compliance with Section 1B02.3C.1 would unreasonably prevent the use of the property for a permitted purpose.
- (2) The granting of this Petition would not render substantial injustice to other property owners in the area.
- (3) The relief for the Petitioner can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

This criteria has been identified and approved in Anderson v. Board of Appeals, 22 Md. App. 28 (1974), see also, Stanley D. Abrams, Guide to Maryland Zoning Decisions, 2 Ed. 1984.

Herbert R. O'Connor, III
HERBERT R. O'CONNOR, III
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204
301-823-4111

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

June 4, 1986

HAND DELIVERED

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

Re: Petition for Variance
Joan M. Cox, Petitioner
Case No.: 86-438-A

Dear Mr. Jablon:

On behalf of Joan M. Cox, Petitioner in the above-referenced case, whose address is 2581 Locksley Road, Melbourn, Florida 32935, please note an appeal of the Order dated May 16, 1986 issued by the Deputy Zoning Commissioner.

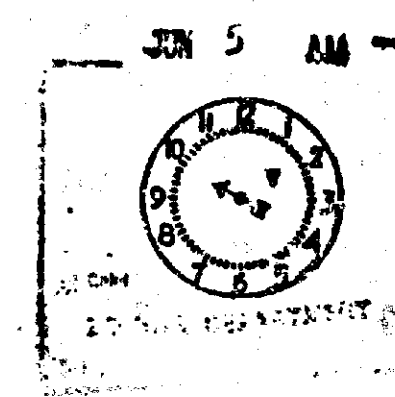
Enclosed is a check in the amount of \$22.00 to cover the fee for the appeal.

Thank you.

Sincerely,
Robert A. Hoffman

RAH:bcs
Enclosure
cc: Charles Kelly
Herbert R. O'Connor, III

JAMES D. C. DOWNES
1808-1878
TELEPHONE
(301) 823-4111
TELECOPIER
(301) 821-0447





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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 16, 1986

Mr. Richard E. Parker
3222 Magnolia Avenue
Baltimore, Maryland 21227

Ms. Louise A. Adler
3218 Magnolia Avenue
Baltimore, Maryland 21227

RE: PETITION FOR ZONING VARIANCE
N/S of Magnolia Ave., 593' E of the c/l of
Lilac Ave. (3224 Magnolia Ave.)
13th Election District
Joan M. Cox - Petitioner
Case No. 86-438-A

Dear Mr. Parker and Ms. Adler:

Please be advised that on June 5, 1986, an appeal was
filed by the Petitioner, Joan M. Cox, from the decision rendered
by the Deputy Zoning Commissioner of Baltimore County in the
above-captioned matter.

You will be notified of the date and time of the appeal
hearing when it is scheduled by the County Board of Appeals.

Sincerely,

Arnold Jablon

No. 021735

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

DATE: 6/20/86 ACCOUNT: R-01-615-000

AMOUNT: \$ 90.00

RECEIVED FROM: Cook, Howard, Downes & Tracy

FOR: APPEAL FEE & SIGN POSTING RE CASE #86-438-A

\$ 150.00 *****9000** \$ 115.00

VALIDATION OR SIGNATURE OF CARRIER

Joan M. Cox
581 Locksley Road
Albourn, Florida 32935

6/24/86 - Notified of appeal hearing scheduled for TUESDAY, OCTOBER 14, 1986 at 10 a.m.

Robert A. Hoffman, Esq.
Ms. Joan M. Cox
Mr. Charles E. Kelley
Mr. Richard E. Parker
Mr. Thomas Schatz
Ms. Louise A. Adler
Phyllis Cole Friedman

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

August 27, 1986

JAMES H. COOK
JOHN S. HOWARD
DAVID S. DOWNES
DANIEL C. TRACY, JR.
JOHN S. ENL, JR.
JOSEPH W. ENL, JR.
HERBERT S. PARKER, JR.
HERBERT S. COOK, JR.
THOMAS L. HUSON
C. GARY KELLEY, JR.
H. KIM HILL, JR.

Edith T. Eisenhart
Administrative Secretary
County Board of Appeals
Room 200
Courthouse
Towson, Maryland 21204

HAND DELIVERED

RE: Case No. 86-438-A
Joan Cox Variance
3224 Magnolia Avenue

Dear Mrs. Eisenhart:

I will be working with Robert A. Hoffman as counsel
for the Petitioner in this matter. Please note your records
accordingly.

Kind regards.

Very truly yours,

Herbert R. O'Connor, III
Herbert R. O'Connor, III

HRO'C:bap

RECEIVED
COUNTY BOARD OF APPEALS
AUG 27 1986

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

October 14, 1986

JAMES H. COOK
JOHN S. HOWARD
DAVID S. DOWNES
DANIEL C. TRACY, JR.
JOHN S. ENL, JR.
JOSEPH W. ENL, JR.
HERBERT S. PARKER, JR.
HERBERT S. COOK, JR.
THOMAS L. HUSON
C. GARY KELLEY, JR.
H. KIM HILL, JR.

William Hackett, Chairman
County Board of Appeals
Third Floor
Old Court House
Towson, Maryland 21204

RE: Variance Petition of Charles Kelly
Case No. 86-438-A

Dear Mr. Hackett:

I enclose the Affidavit of Joan Cox which was received
in my office at 1:25 p.m. today. Please accept this as a
supplemental exhibit.

Very truly yours,

Herbert R. O'Connor, III
Herbert R. O'Connor, III

HRO'C:bap

Enclosure

cc: Peter Max Zimmerman
Charles Kelly
Mr. and Mrs. Richard F. Parker

603 OCT 14 PM 3 07



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180
June 24, 1986

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN
STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-
MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-
ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-438-A

JOAN M. COX

FOR VARIANCE FROM 11802.3.C.1 - LOT WIDTH OF
50' IN LIEU OF 55' FOR LOTS 855 and 856

N/S MAGNOLIA AVENUE 593'
E. OF C/L OF LILAC AVENUE
(3224 MAGNOLIA AVENUE)

13th DISTRICT (5/16/86 - DZC DENIED PETITION)

ASSIGNED FOR: TUESDAY, OCTOBER 14, 1986 at 10 a.m.

cc: Robert A. Hoffman, Esquire Counsel for Petitioner

Ms. Joan M. Cox Petitioner-Appellant

Mr. Charles E. Kelley Contract Purchaser

Mr. Richard E. Parker Protestor

Thomas Schatz Requested Notification

Ms. Louise A. Adler Protestor

Phyllis Cole Friedman People's Counsel

Norman E. Gerber

James G. Hoswell

Arnold Jablon

Jean M. H. Jung

James E. Dyer

Edith T. Eisenhart, Adm. Secretary

NAME ADDRESS

Louise Adler 3218 Magnolia Ave.
Grace Needler 3224 Magnolia Ave.
Ruth Ahlfelott 3227 Magnolia Ave.
Lis Guly 3211 Magnolia Ave.
Amad R. Guly 3215 Magnolia Ave.
Katharina R. Guly 3223 Magnolia Ave.
Timothy L. Adler 3218 Magnolia Ave.
Lloyd C. Schatz 3226 Magnolia Ave.
Richard E. Schatz 3224 Magnolia Ave.
Richard Parker 3222 Magnolia Ave.
Patricia S. Parker 3222 Magnolia Ave.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 13th Date of Posting: June 23, 1986

Posted for: Appeal

Petitioner: Joan M. Cox

Location of property: N/S Magnolia Ave. 593' E of c/l of Lilac Ave.
(3224 Magnolia Ave.)

Location of Sign: In front of subject property at 3224 Magnolia Ave.

Remarks:

Posted by: R.J. Arata Date of return: June 24, 1986

Number of Signs: 1

AFFIDAVIT

I am Joan Cox of 6065 Schofield Drive, Pennsacola,
Florida 32506. I was the owner of 3224 Magnolia Avenue until
I sold it to Charles Kelly in June of 1986.

On approximately three occasions, Mr. or Mrs. Parker
of 3222 Magnolia Avenue offered to purchase the subject
property. The most recent offer was made in April of 1986.

Joan Cox
Joan Cox

NOTARY CERTIFICATE

STATE OF FLORIDA

COUNTY/CITY ESCAMBIA/PENSACOLA

I hereby certify that on the 10th day of October,
1986, before me, the subscriber, a Notary Public of the
State of Florida, in and for the above named County or City,
personally appeared the affiant, Joan Cox, and made oath
in due form of law that the matters and facts set forth
in the foregoing Affidavit are true.

As witness my hand and notarial seal:

Tommy S. McHenry
Notary Public
My Commission Expires November 23, 1987

603 OCT 14 PM 3 07

APRIL 16, 1986

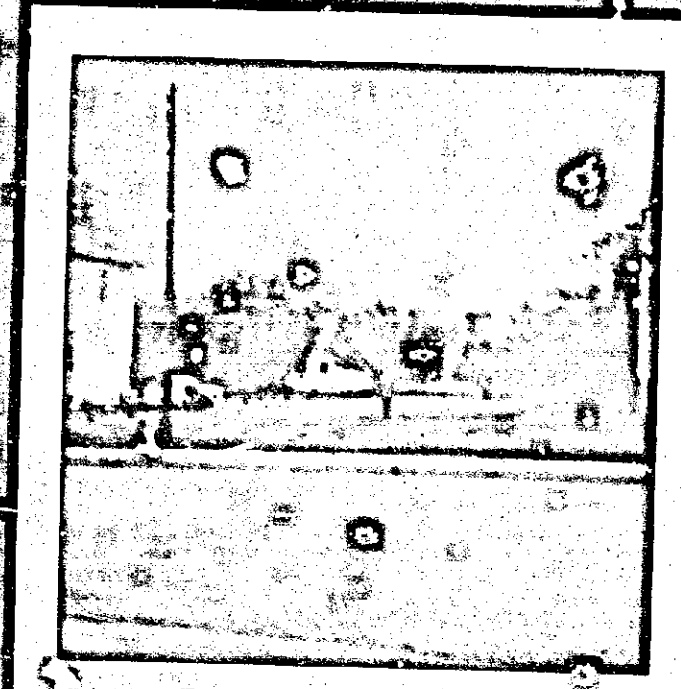
We the undersigned residents of Magnolia Ave.
Baltimore, Md. 21227 wish to protest the petition
for zoning variance regarding lots #855 and 856

NAME	ADDRESS
Richard Park	3222 Magnolia Ave.
Cathie A. Parker	3222 Magnolia Ave.
Mrs. Kate Keller	3223 Magnolia Ave.
Alonah McGarry	3215 Magnolia Ave.
Homer Green	3205 Magnolia Ave.
Jackie Cooper	3227 Magnolia Ave.
Deane Cooper	3229 Magnolia Ave.
Dorothy Hunter	3228 Magnolia Ave.
John Hunter	3227 Magnolia Ave.
Grace Meeder	3227 Magnolia Ave.
Gladys Ahlfeldt	3227 Magnolia Ave.
Judy Nelson	3231 Magnolia Ave.
Linda Krapp	3241 Magnolia Ave.
Ronald J. Welch	3237 Magnolia Ave.
Ruth C. Ahlfeldt	3227 Magnolia Ave.

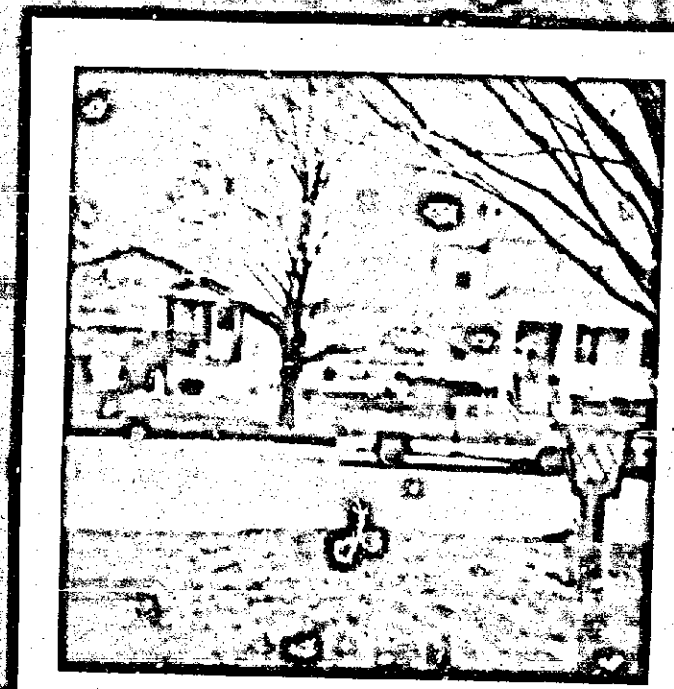
APRIL 16, 1986

We the undersigned residents of Magnolia Ave.
Baltimore, Md. 21227 wish to protest the petition
for zoning variance regarding lots #855 and 856.

NAME	ADDRESS
Norma B. Smith	3234 Magnolia Ave.
Donald, Sally, Susan	3236 Magnolia Ave.
Susan, Mary, & Liz	3249 Magnolia Ave.
Patricia, Joe	3251 Magnolia Ave.
Stoggeski, Robert	3257 Magnolia Ave.
Catherine C. Papp	3247 Magnolia Ave.
Raymond W. Papp	3247 Magnolia Ave.
Kim Alexander	4448 Annapolis Rd.
Carol Welch	3233 Magnolia Ave.
Bernard & Norma	
Robert W. Gardner	3232 Magnolia Avenue
Claire C. Gardner	3232 Magnolia Ave.
Margie Diffitt	3201 Magnolia Ave.
Darroll Dixon	3201 Magnolia Ave.
Darlene E. Rogers	3235 Magnolia Ave.
Glen L. Myers	" "



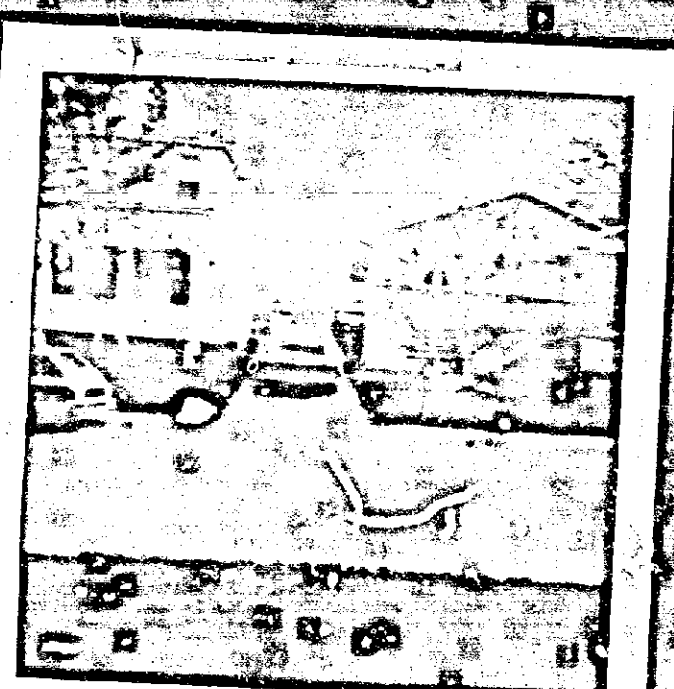
DISTANCE BETWEEN TWO OLDER HOMES



ANOTHER VARIANCE ALLOWED LESS THAN 10 FT BETWEEN HOUSES



VARIANCE ALLOWED FOR HOUSE ON LEFT



VARIANCE ALLOWED FOR HOUSE ON RIGHT - DRIVEWAY RIGHT AGAINST OLDER HOUSE



STANDING 7 FT OFF MY PROPERTY LINE



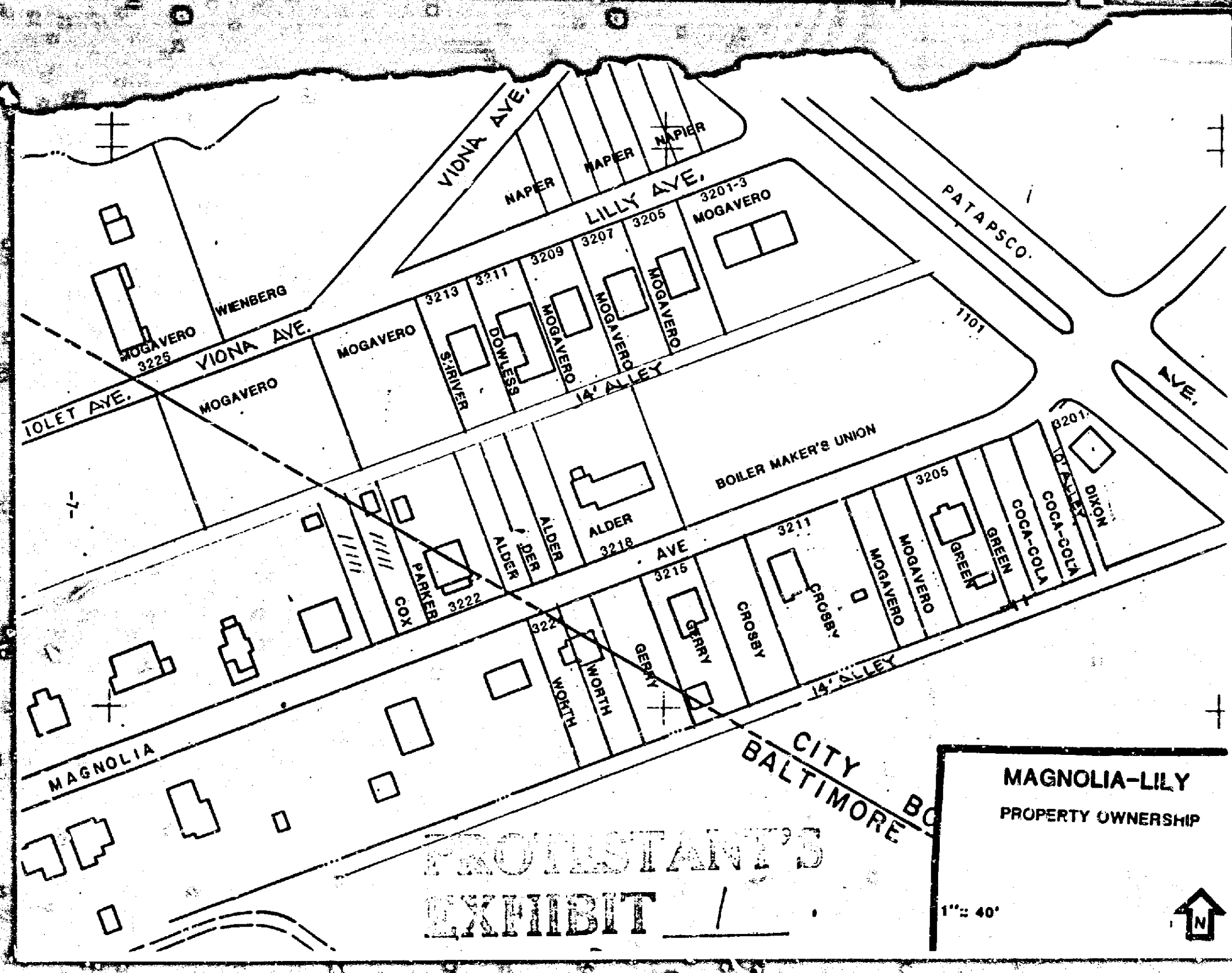
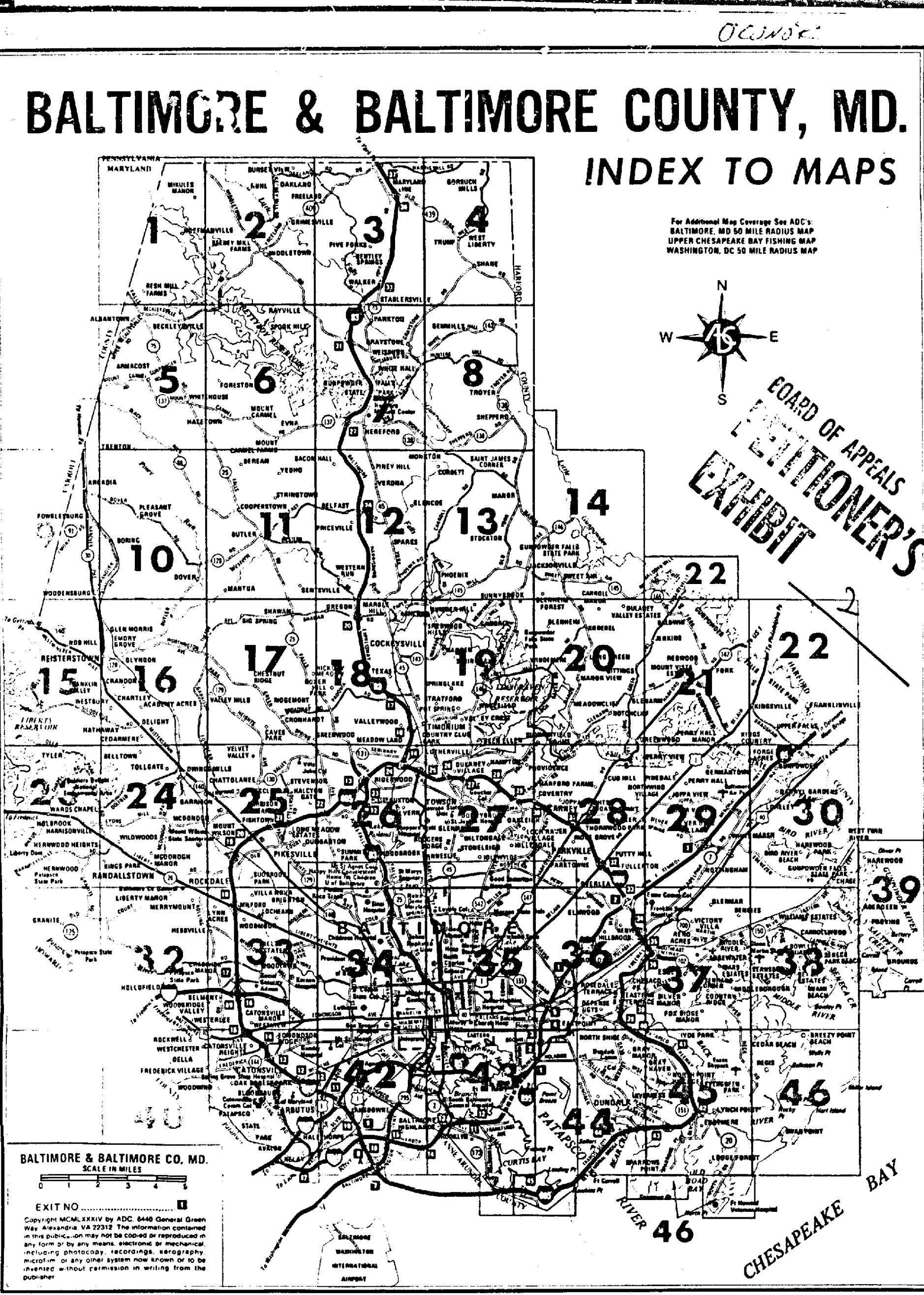
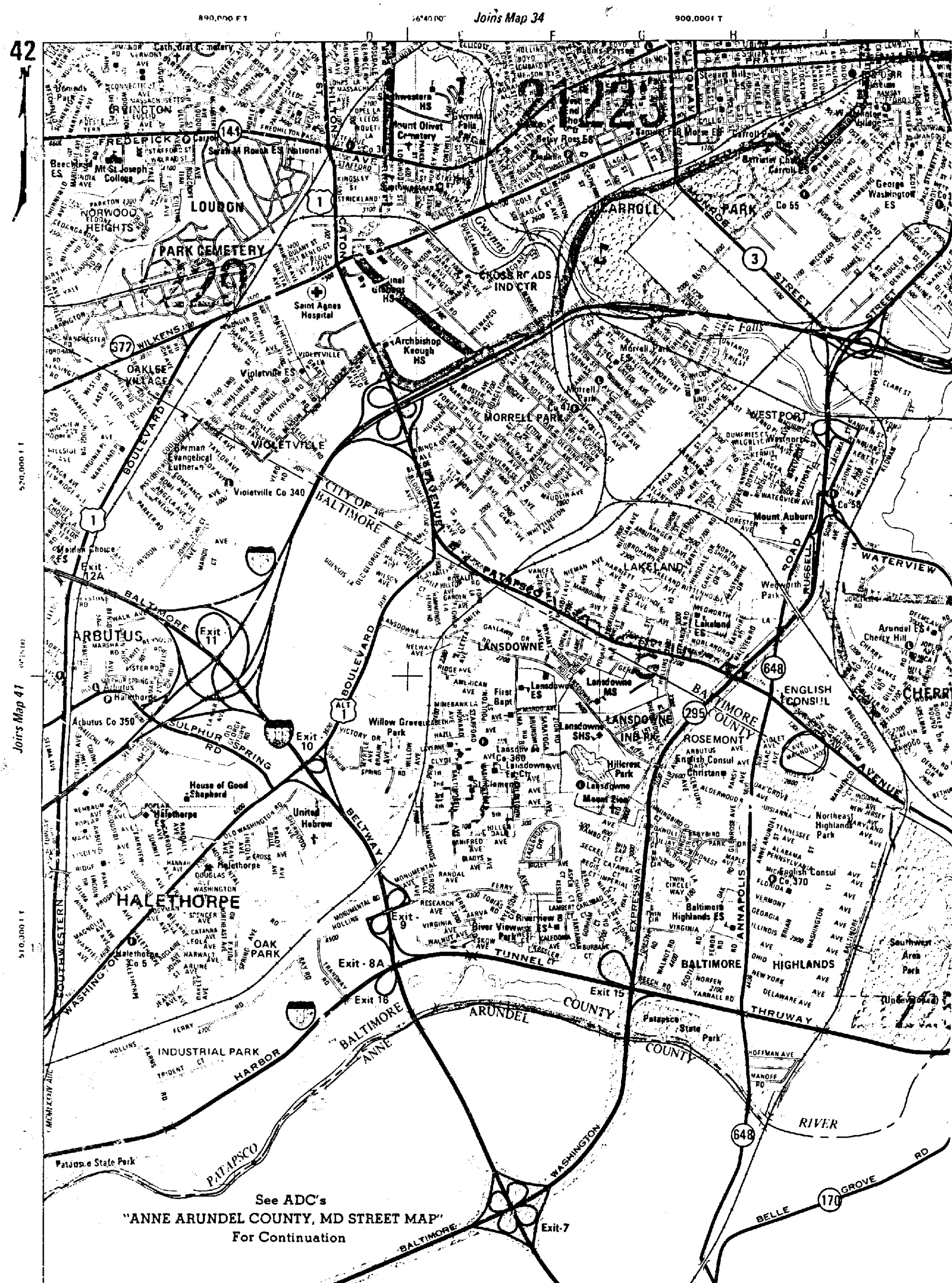
SHOWS LOT DISTANCE ACROSS MY PROPERTY ON RIGHT



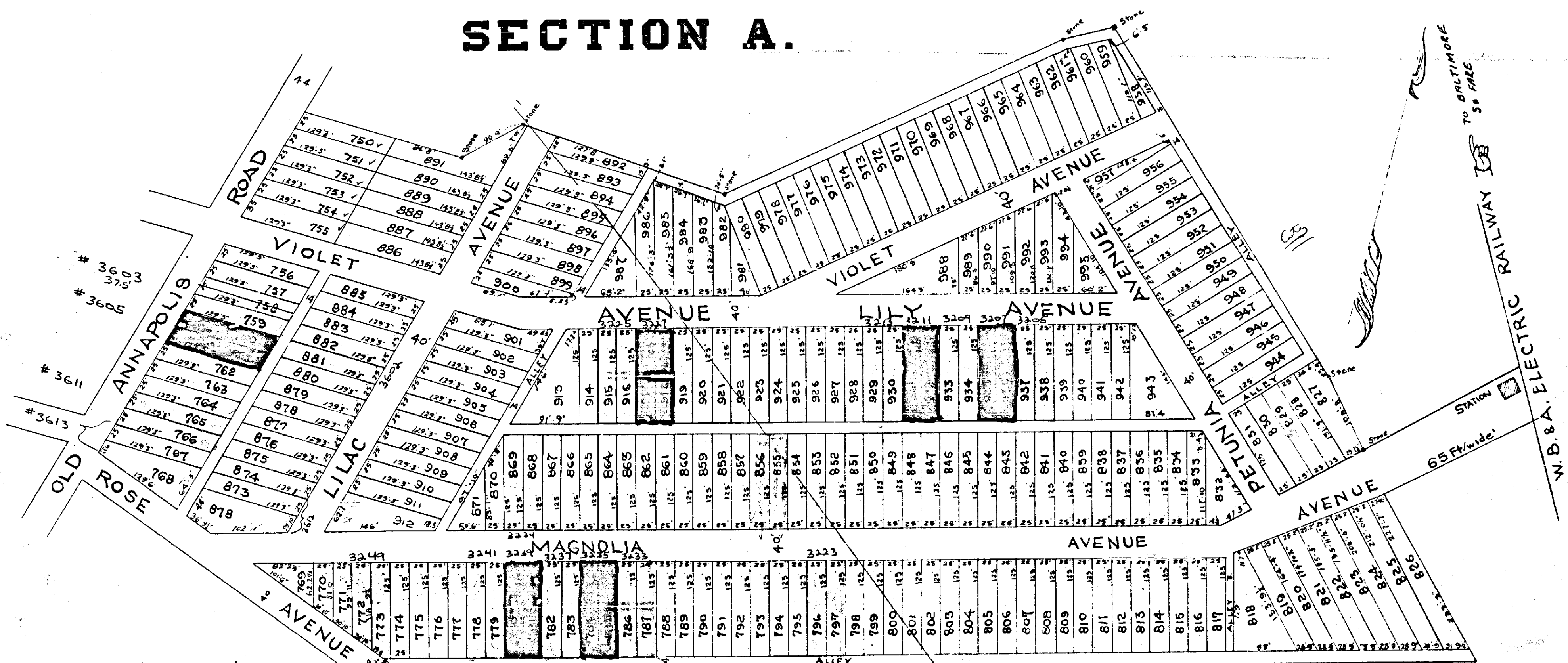
SHOWS 50 FT DISTANCE FROM ME TO FAR RIGHT DRIVEWAY MARKER - STANDING 12 FT FROM HOUSE ON LEFT



DISTANCE BETWEEN 2 OLDER HOMES - 25 FOOT GARAGE IN BACKGROUND



Plot of Part of
SECTION A.

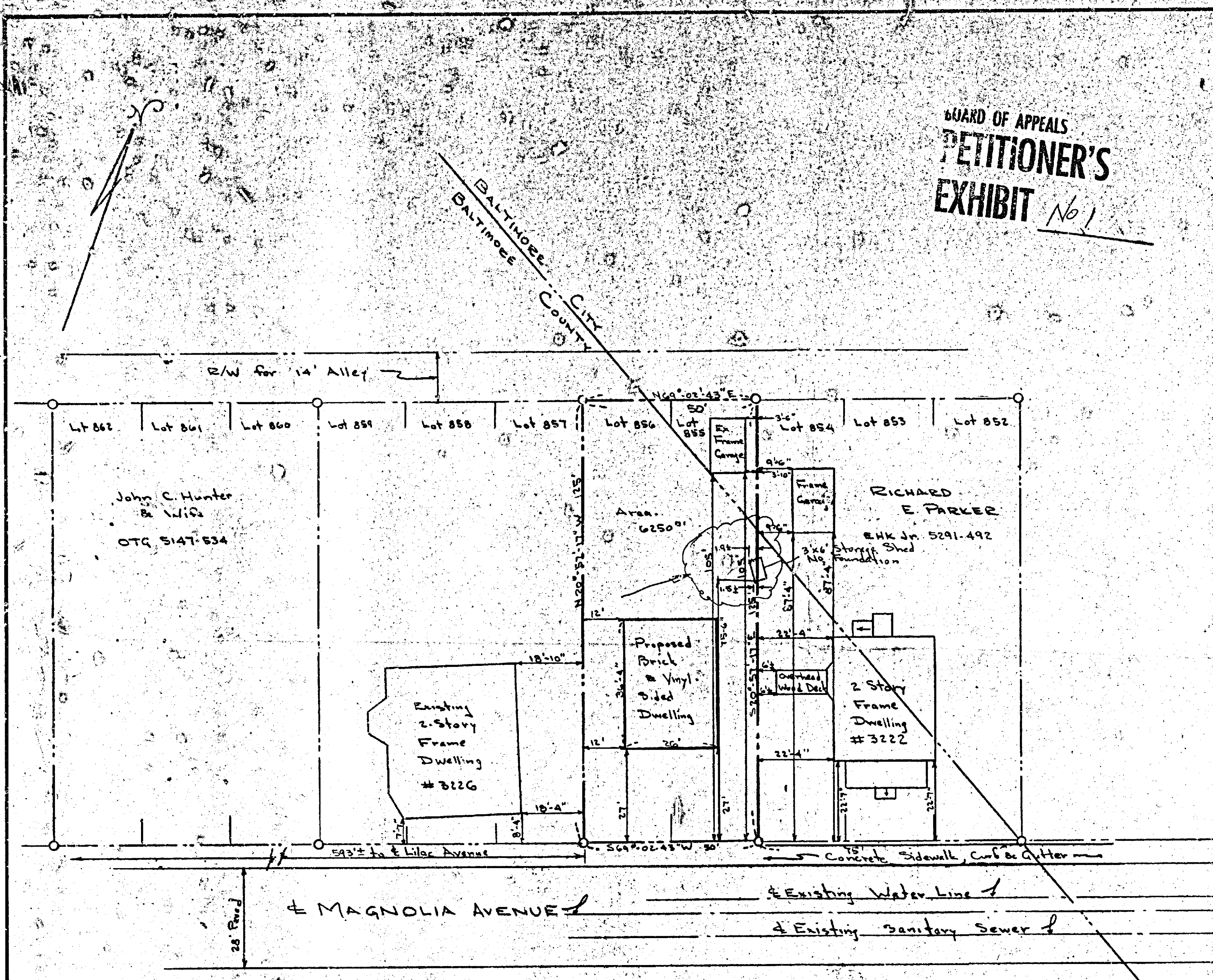


Geo. H. Disney
Engineer - Surveyor
Streets, alleys and Roadways designated on this plat are apportioned not designated to public use
Chas. J. Hull - 211 McCalumet. Baltimore Md.

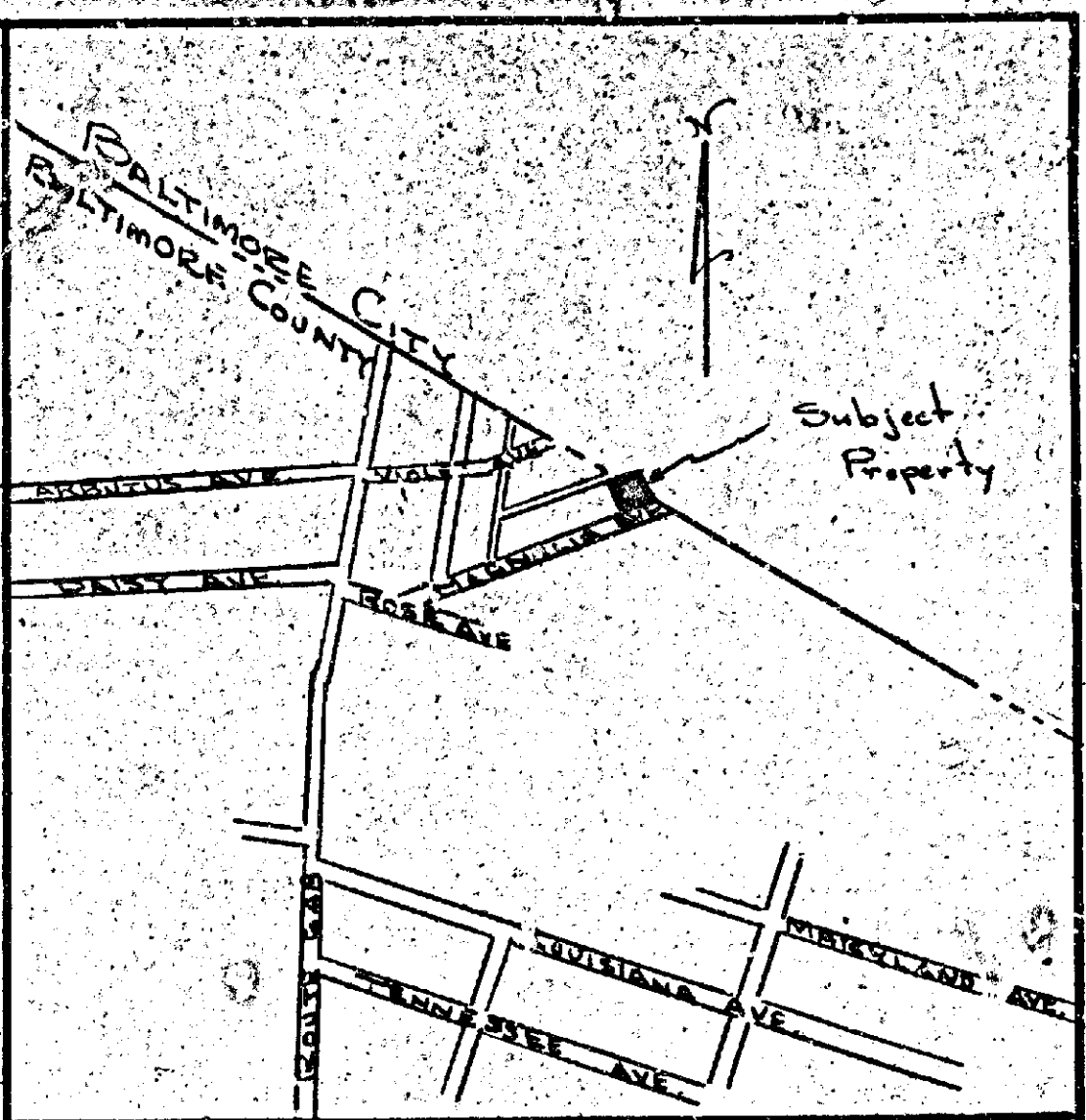
ENGLISH CONSUL ESTATE

Filed November 17/1910
Test: M. W. Cole
Clark

BOARD OF APPEALS
PETITIONER'S
EXHIBIT
No 4



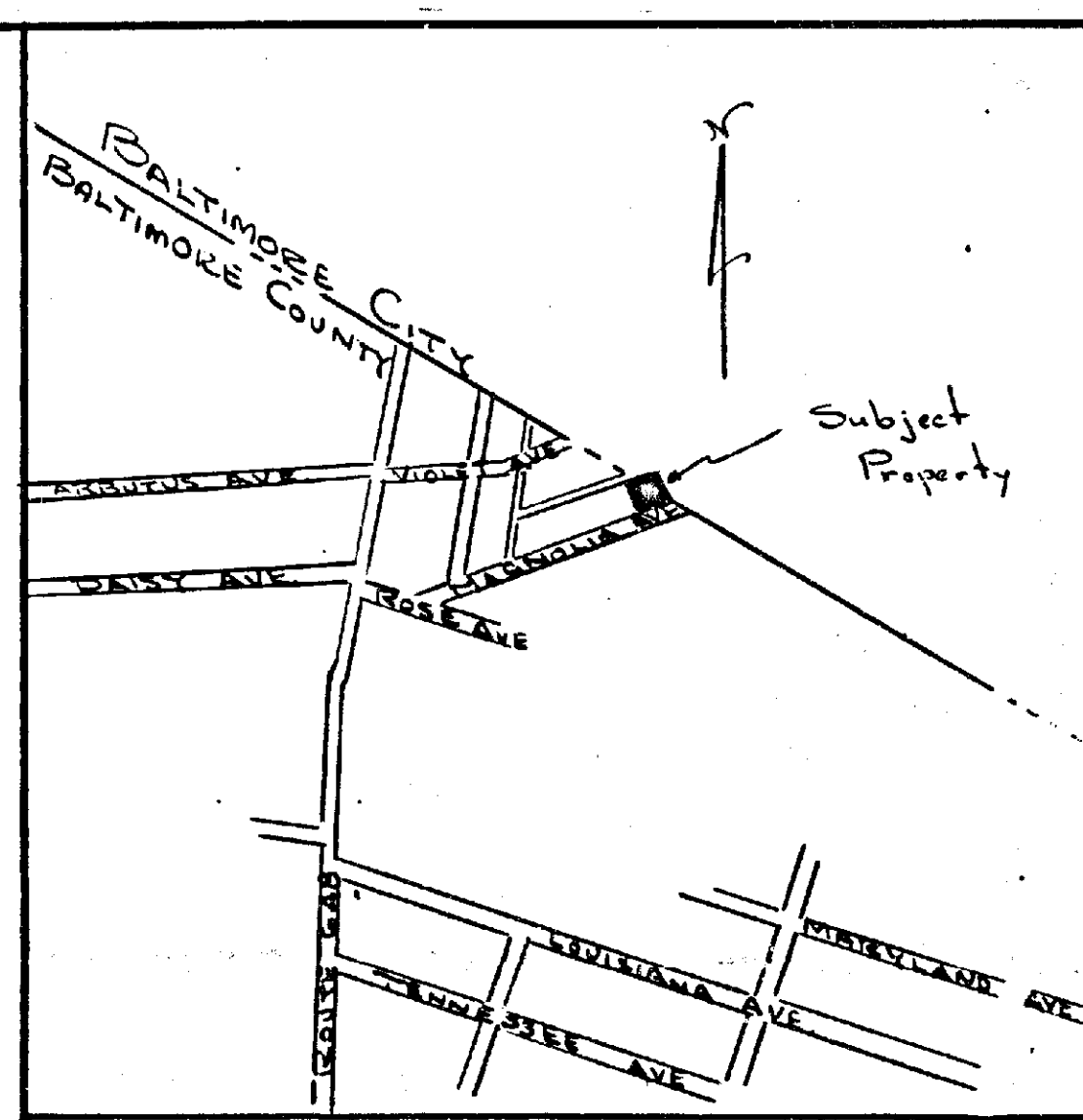
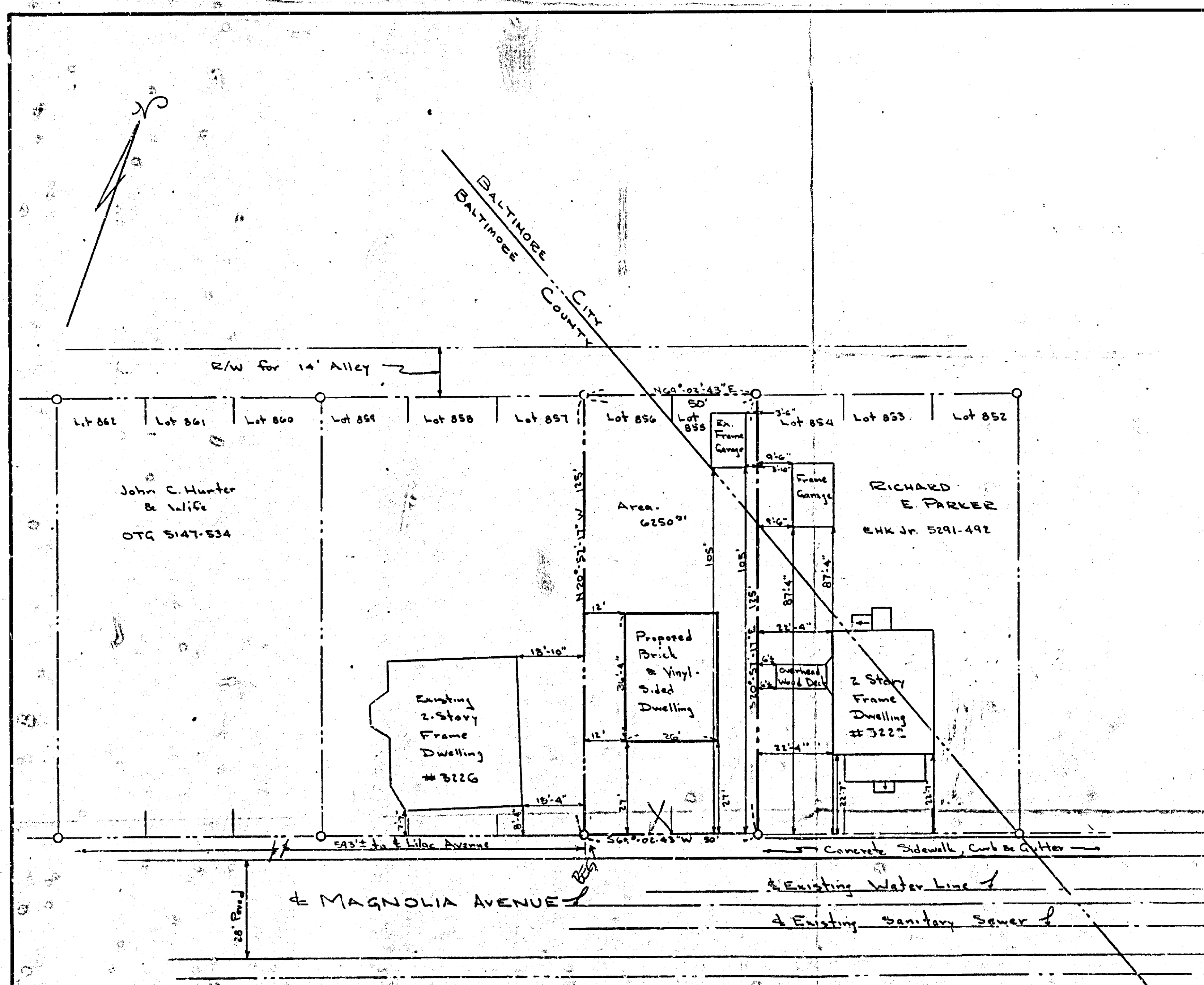
BOARD OF APPEALS
PETITIONER'S
EXHIBIT No. 1



VICINITY MAP
Scale: 1"=600'

For: Charles E. Kelley
Election District 13

APPROVED, BALTIMORE COUNTY PLANNING BOARD		APPROVED, DEPUTY STATE & COUNTY HEALTH OFFICER		APPROVED, COUNTY ROADS ENGINEER		PLAT FOR ZONING VARIANCE FOR LOT WIDTH OF 50'. LOTS 855 & 856 SECTION 'A' ENGLISH CONSUL ESTATE WPC 3-108 2.4.86 LEWIS & SELBY LAND SURVEYORS 1205 HILLSHIRE ROAD BALTIMORE, MARYLAND 21222 Scale: 1"=20' DRAWN BY: mcl CHECKED: J.D.
DIRECTOR DATE	OFFICER DATE	ENGINEER DATE	SURVEYORS CERTIFICATE: I, MILTON C. LEWIS a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill #459, Chapter 1016 of the Acts of 1945 and subsequent amendatory acts. <i>Milton C. Lewis</i> 2.15.86 REGISTERED LAND SURVEYOR NO. 9433 DATE			
NOTE: STREETS and/or ROADS shown hereon and mention thereof in deeds are for purposes of description only and the same are not intended to be dedicated to public use. The fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached their heirs and assigns.		NOTE: COORDINATES and BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations.		OWNERS CERTIFICATE: The requirements of Section 3-106 Article 21 of the Annotated Code of Maryland, 1973 Edition as far as they relate to the preparation of this plat have been complied with. OWNER: DATE:		



VICINITY MAP
Scale: 1"=600'

For: Charles E. Kelley
Election District 13

PETITIONER'S
EXHIBIT 1

APPROVED, BALTIMORE COUNTY PLANNING BOARD		APPROVED, DEPUTY STATE & COUNTY HEALTH OFFICER		APPROVED, COUNTY ROADS ENGINEER		PLAT FOR ZONING VARIANCE FOR LOT WIDTH OF 50'. LOTS 855 & 856 SECTION 'A' ENGLISH CONSUL ESTATE WPC 3-108 2.4.86 LEWIS & SELBY LAND SURVEYORS 1205 HILLSHIRE ROAD BALTIMORE, MARYLAND 21222 Scale: 1"=20' DRAWN BY: mcl CHECKED: J.D.
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NOTE: STREETS and/or ROADS shown hereon and mention thereof in deeds are for purposes of description only and the same are not intended to be dedicated to public use. The fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached their heirs and assigns.		NOTE: COORDINATES and BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations.		OWNERS CERTIFICATE: The requirements of Section 3-106 Article 21 of the Annotated Code of Maryland, 1973 Edition as far as they relate to the preparation of this plat have been complied with. OWNER: DATE:		