

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

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

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



Zoning Commissioner of
Baltimore County

AJ/srl

cc: Mr. & Mrs. John Rizzo

People's Counsel

ORDER RECEIVED FOR FILING

Date

March 10, 1987

By

Andrea P. Lavery

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

194
87-309-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3C.1 to permit lot widths of 50 feet in lieu of the required 55 feet and a side street setback of 12 feet in lieu of the required 25 feet for Lot no. 325.

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

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

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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

MAP	NE 2 E
	4B
E. D.	15
DATE	6/18/87
200	
1000	
DP	

N 5375
129,390

Contract Purchaser:

HENRY W. LONG, JR.
(Type or Print Name)
Henry W. Long
Signature
1912 Middleborough Rd.
Address
Balto. 21221 Md. (687-8762)
City and State

Legal Owner(s):

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

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

1003 ROSEDALE AVE. 687-2929
Address Phone No.
BALTIMORE, MD 21237
City and State

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

Attorney's Telephone No.: _____

Address Phone No.

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

of December, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of January, 1987, at 9:30 o'clock P.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

Exhibit "C"

MICROFILMED

ORDER RECEIVED FOR FILING

Date March 10, 1987

By [Signature]

194
87-309-A

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 1802.3C.1 to permit lot widths of 50 feet in lieu of the required 55 feet and a side street setback of 12 feet in lieu of the required 25 feet for lot no. 225.

MAP 11223
AB
E.D. 15
DATE 1/15/87
200
1000

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
1. Existing lot is 50 feet wide
 2. All lots in Rosedale Terrace are 50 feet wide
 3. Unless variance is approved, this property must stay unimproved

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

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

Contract Purchaser: Henry W. Rizzo
(Type or Print Name)
Henry W. Rizzo
Signature
1103 Rosedale Ave. Baltimore, Md. 21204
Address
Baltimore, Md. 21204
City and State

Legal Owner(s): JOHN RIZZO
(Type or Print Name)
John Rizzo
Signature
FRANCES A. RIZZO
(Type or Print Name)
Frances A. Rizzo
Signature

Attorney for Petitioner: 1003 ROSEDALE AVE. 687-2929
(Type or Print Name) Address Phone No.
BALTIMORE, MD. 21204
City and State
Signature
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address
City and State
Name
Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of December, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 19th day of January, 1987, at 9:30 o'clock P.M.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
To: Zoning Commissioner Date: January 21, 1987

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

SUBJECT: Zoning Petitions No. 87-309-A and 87-313-A

There are no comprehensive factors requiring comment on these petitions.

Norman E. Gerber, AICP, Director

NEG:JGH:sib

**BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204**

December 3, 1986

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 194 Zoning Advisory Committee Meeting are as follows:
Property Owner: John Rizzo, et ux
Location: NW/C Rosedale Avenue and Oakdale Avenue
District: 15th.

APPLICABLE RULES AND ORDINANCES

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.B.S.I. #17-1 - 1980) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
4. 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.
5. All Use Groups except R-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. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built 20' or more interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1104.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. 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 construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. 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. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to the _____ or to Mixed Use. See Section 312 of the Building Code.
9. The proposed project appears to be located in a Flood Plain, Tidal/Waterside. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
10. Comments:
11. 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 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Blumkin
Blt. C. E. Blumkin, Chief
Building Plans Review

L/27/86

1/26/87

CASE NO. 87-309-A

Case had to be postponed due to snow fall. Decision made by Commissioner Jablon not to charge people anymore advertising costs. Only reposting of new signs with new hearing date and time to be done.

B. du Bois

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 20, 1987

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

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. John Rizzo
1003 Rosedale Avenue
Baltimore, Maryland 21207

RE: Item No. 194 - Case No. 87-309-A
Petitioner: John Rizzo, et ux
Petition for Zoning Variance

Dear Mr. Rizzo:

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, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211**

NORMAN E. GERBER
DIRECTOR

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

January 19, 1987

Re: Zoning Advisory Meeting of November 25, 1986
Item # 194
Property Owner: John Rizzo, et al
Location: NW/C ROSEDALE AVE. & OAKDALE 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 forward 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.
- ☐ 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.
- ☐ Parking calculations must be 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 22-98 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 Bill 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 Bill 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:

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell

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

STEPHEN E. COLLINS
DIRECTOR

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 189, 191, 196, 197, 198, and 199.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

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

PAUL H. REINCKE
CHIEF

November 24, 1986

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

RE: Property Owner: John Rizzo, et ux

Location: NW/C Rosedale Avenue and Oakdale Avenue

Item No.: 194

Zoning Agenda: Meeting of 11/25/86

Comments:

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. 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.

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

Noted and Approved:

John F. O'Neill
Fire Prevention Bureau

/mb

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 1-9-87
Posted for: VARIANCE
Petitioner: JOHN RIZZO
Location of property: 1001 - 1003 ROSEDALE AVE.
Location of Signs: FRONT OF 1001 ROSEDALE AVE.
Remarks: _____
Posted by: 66P Date of return: 1-9-87
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 2/17/87
Posted for: Variance
Petitioner: John Rizzo, et al
Location of property: NW Corner Rose Dale & Oakdale Ave.
1001 + 1003 Rose Dale Ave.
Location of Signs: Facing Rose Dale Ave. approx. 20' E. of T-10 & Way
on property of Petitioner
Remarks: _____
Posted by: W. H. Hester Date of return: 2/24/87
Number of Signs: 1

87-309-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
10th day of December, 1986.

Petitioner John Rizzo, et al
Petitioner's Attorney _____

ARNOLD JABLON
Zoning Commissioner

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 8, 1987

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
January 8, 1987.

THE JEFFERSONIAN,

Susan Shender Direct

Publisher

Cost of Advertising

27.50

PETITION FOR
ZONING VARIANCE
15th Election District
Case No. 87-309-A

LOCATION: Northwest Corner of
Rose Dale Avenue and Oakdale
Avenue (1001 and 1003 Rose Dale
Avenue)
DATE AND TIME: Monday, Janu-
ary 26, 1987, at 9:30 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

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

Petition for Zoning Variance to
permit lot widths of 50 feet in lieu of
the required 55 feet and a side street
setback of 12 feet in lieu of the re-
quired 25 feet for Lot No. 325.

Being the property of John Rizzo,
et al, as shown on plat plan filed
with the Zoning Office.

In the event that this Petition is
granted, a building permit may be
issued within the thirty (30) day ap-
peal period. The Zoning Commis-
sioner will, however, entertain any
request for a stay of the issuance of
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
1079 Jan. 8

PETITION FOR ZONING VARIANCE
15th Election District
Case No. 87-309-A

LOCATION: Northwest Corner of
Rose Dale Avenue and Oakdale Ave-
nue (1001 and 1003 Rose Dale Ave-
nue)

DATE AND TIME: Monday, January
26, 1987, at 9:30 a.m.

PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson, Mary-
land

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

Petition for Zoning Variance to
permit lot widths of 50 feet in lieu of
the required 55 feet and a side
street setback of 12 feet in lieu of
the required 25 feet for Lot No.
325.

Being the property of John Rizzo,
et al, as shown on plat plan 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 Commis-
sioner 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

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

January 9, 1987

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of Zoning Hearings -
P.O.#84282 - REQ. #L98240 - 82 lines @ \$32.80.

was inserted in **The Dundalk Eagle** a weekly news-
paper published in Baltimore County, Maryland, once a week
for one successive weeks before the
9th day of January 1987; that is to say,
the same was inserted in the issues of Jan. 8, 1987

Kimbel Publication, Inc.
per Publisher.

By K.E. Delli

9/11/87