

PETITION FOR ZONING VARIANCE
 19 Evan Way, 10-111, (C-2)
 E. of Park Heights Avenue
 19 Evan Way
 3rd Election District
 Baltimore, MD
 Case No. 92-191-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The petitioners herein request a variance from Section 10A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 50 ft., for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1.

The petitioners, Mrs. Shapiro, appeared and testified. Also appearing was Mr. Wilson, an Architect who has been retained by the property owner for their proposed construction. There were no Protestants present.

The matter originally came before me as a Petition for Residential Variance. Initially, a request for a public hearing was made by a resident of the subject neighborhood, Kevin Luskin. However, before the hearing was held, Mr. Luskin submitted a written statement withdrawing his opposition to the Petition. The matter was then placed back upon the residential variance docket. Subsequently, however, notice of opposition by another Protestant was received by my office. This Protestant, Melvin M. Berner, initially opposed the Petition, however, he has also withdrawn his opposition. Thus, at the hearing, only Mrs. Shapiro and Mr. Wilson appeared and there is no opposition to the Petition.

The Petitioner briefly testified and described her property and proposed improvements. The property is a substantial residential lot located

in the Anton North Subdivision. It is improved by an existing dwelling which features a porch to the rear. The Petitioner testified that she and her husband propose to enclose the existing porch, converting same into an addition. As a result of this construction, the requested variance is required.

There were numerous photographs and exhibits submitted at the hearing. These show the property to be of substantial size and disclose that there will be no adverse effect upon the locale.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 107 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of February, 1992 that a variance from Section 10A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 10 ft., in lieu of the required 50 ft., for a proposed addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

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 30 day 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.

Lawrence F. Schmidt
 LAWRENCE F. SCHMIDT
 Zoning Commissioner
 for Baltimore County

LES/mmm

Suite 113 Courthouse
 400 Washington Avenue
 Towson, MD 21284

February 26, 1992

Mr. and Mrs. Jason Shapiro
 19 Evan Way
 Baltimore, Maryland 21208

RE: Case No. 92-191-A
 Petition for Zoning Variance

Dear Mr. and Mrs. Shapiro:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-1991.

Very truly yours,
Lawrence F. Schmidt
 Lawrence F. Schmidt
 Zoning Commissioner

LES:mnn
 att.

ORDER RECORDED
 DATE 2/27/92 BY [unclear]

COPY TO [unclear]
 [unclear]

ORDER RECORDED
 DATE 2/27/92 BY [unclear]

PETITION FOR RESIDENTIAL VARIANCE
 92-191-A

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 plot attached hereto and made a part hereof, petition for a Variance from Section 10A04.3.B.3 to permit a rear yard setback of 10 ft in lieu of the required 50 ft.

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

Property is to be advertised and/or posted as prescribed by Zoning Regulations.
 I, or us, agree to pay expenses of the above Variance posting and, if necessary, advertising, 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 do solemnly declare and affirm, under the penalty of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
 Jason S. Shapiro
 Linda S. Shapiro
 Jason S. Shapiro
 Linda S. Shapiro

Address:
 19 EVAN WAY
 BALTIMORE MD 21208

Witnessed by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1992, that the subject of this petition is posted on the property on or before the _____ day of _____, 1992.

A PUBLIC HEARING SHALL BE HELD AND NOTICE SHALL BE GIVEN TO THE COMMISSIONER.
 IF AS REQUIRED ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, THE _____ DAY OF _____, 1992, THAT THE APPLICANT OF THIS PETITION TO SUBMIT, AS REQUIRED BY THE ZONING LAW OF BALTIMORE COUNTY, IN TWO COPIES OF WRITTEN STATEMENTS TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY, THAT THE PROPERTY BE APPEALED, AND THAT THE PUBLIC HEARING TO BE HELD BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY ON THIS 10th DAY OF FEBRUARY 1992, BEING HELD IN TOWSON, BALTIMORE COUNTY.

DATE: 2/26/92

AFFIDAVIT
 IN SUPPORT OF RESIDENTIAL ZONING VARIANCE
 92-191-A

The undersigned hereby affirms under the penalty of perjury to the Zoning Commissioner of Baltimore County, as follows:
 That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
 That the Affiant(s) does/they presently reside at 19 Evan Way
 Baltimore, MD 21208

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)
 SEE ATTACHED EXHIBIT A

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Jason S. Shapiro
 JASON S. SHAPIRO
 AFFIRANT (Printed Name)

Linda S. Shapiro
 LINDA S. SHAPIRO
 AFFIRANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
 I HEREBY CERTIFY, this 22nd day of February, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
 JASON S. SHAPIRO

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and each each to the best of my knowledge and belief.
 AS WITNESSED BY HAND AND NOTARIAL SEAL.
 10-21-91
 My Commission Expires: August 1, 1995

EXHIBIT A
 Shapiro House Addition
 Zoning Variance
 9/26/91
 Prepared By: Julie D. Wilson, AIA

92-191-A

- 1) Project Description:
 - a) A new pool is being proposed and is to be located at the rear of the existing house. A sun room/green house is also proposed at the rear of the existing house adjacent to the pool. This addition will involve expanding the existing screen porch by approximately three feet in two directions (see the plat plan). The addition will be enclosed in glass so that it retains an openness similar to a porch structure. Arbors and landscaping are also being proposed to provide screening around the pool.
- 2) Hardship:
 - a) Reasonable Use: A pool and a sun room/green house are permitted uses according to the zoning regulations for RC-5.
 - b) Hardship (peculiar to the property and not the result of the applicants): The rear of the existing house is situated at the existing setback line. The proposed pool is being located at the rear of the existing house in accordance with zoning regulations. Thus the home owner cannot provide for an enclosed sun room adjacent to the pool without obtaining a variance. Existing site conditions prevent the pool and sun room from being located in an alternate location. A majority of the site consists of wetlands, an existing septic area, steep grades, bedrock, and various easements. The wetland area, which consumes 63% of the site, is unique to this property in this subdivision. Considerable attention has been given to the site, so as to locate the pool and sun room with minimal disturbance to the existing landscape features. The existing landscape is vital to the neighborhood because it provides the screening between the surrounding residences.

Zoning Description
 Beginning at a point on the south side of Evan Way which is 60 ft wide at the distance of 1000 ft east of the centerline of the nearest improved intersecting street Park Heights Avenue which is 80 ft of Right of Way wide. *Being Lot(s) #10 in the subdivision of Anton North (Section 1) recorded in Baltimore County Plat Book #54, containing 4.54 acres. Also known as 19 Evan Way and located in the 3rd Election District, 4th Councilmanic District.

92-191-A

ITEM 203

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: November 8, 1991

Posted for: Residential Variance

Petitioner: Jason Shapiro et al

Location of property: 3/8 Evan Way, 1000' (+) E of Park Heights Avenue

Location of Sign: 3/8 Evan Way at entrance to subject property

Remarks: S. J. Grater

Posted by: S. J. Grater Date of return: November 15, 1991

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 12/12 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12 12, 1991.

OWINGS MILLS TIMES,
S. Zeke Orlean
Publisher

\$61.91

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 10/21/91 Account: R-001-6150
Number

REQUEST FOR HEARING
CASE # 92-191-A \$35.00

PETITIONER: SHAPIRO
PROTESTANT: LUSKIN

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

DATE: 1-6-92

Jason and Linda Shapiro
19 Evan Way
Baltimore, Maryland 21208

RE:
CASE NUMBER: 92-191-A
3/8 Evan Way, 1000' (+) E of Park Heights Avenue
19 Evan Way
3rd Election District - 3rd Councilmanic
Petitioner(s): Jason and Linda Shapiro

Dear Petitioner(s):

Please be advised that \$ 86.91 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 115, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jarlow
DIRECTOR

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 12-12-91

Posted for: Variance

Petitioner: Jason and Linda Shapiro

Location of property: 3/8 Evan Way, 1000' (+) E of Park Heights Avenue

Location of Sign: 19 Evan Way

Remarks: S. J. Grater

Posted by: S. J. Grater Date of return: 12-16-91

Number of Signs: 7

CERTIFICATE OF PUBLICATION

TOWSON, MD. 12/12 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/12 1991.

THE JEFFERSONIAN,
S. Zeke Orlean
Publisher

\$61.91

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 92-191-A
Petitioner(s): JASON & LINDA SHAPIRO
Location: 19 EVAN WAY LOT #10

I/We, Kevin Lusk
Name(s) (Print or Print)
() Legal Owners () Residents, of
19 Evan Way
Address
Pikesville MD 21208
City/State/Zip Code

which is located approximately 100 feet from the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

Signature: Kevin Lusk Date: 11/21/91

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 92-191

Account: R 001 6150
Number

Please Make Checks Payable To, Baltimore County

Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-191-A
3/8 Evan Way, 1000' (+) E of Park Heights Avenue
19 Evan Way
3rd Election District - 3rd Councilmanic
Petitioner(s): Jason and Linda Shapiro
HEARING: FRIDAY, JANUARY 3, 1992 at 10:00 a.m.

Variance to permit a rear yard setback of 10 ft. in lieu of the required 50 feet.

Lawrence E. Schmidt
Zoning Commissioner of Baltimore County

cc: Jason and Linda Shapiro
Kevin Lusk

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 January 21, 1992 (410) 887-3353

NOTICE OF POSTPONEMENT AND NEW HEARING DATE

CASE NUMBER: 92-191-A
LOCATION: 19 Evan Way
PETITIONER: Jason and Linda Shapiro

Pursuant to the postponement request of Melvin Berger, Protestant, the hearing of the above matter did not go forward on January 3, 1992.

The hearing has been rescheduled and will be heard as follows:

WEDNESDAY, FEBRUARY 19, 1992 at 9:00 a.m.
ROOM 118, OLD COURTHOUSE, 400 WASHINGTON AVENUE, TOWSON, MD

Lawrence E. Schmidt
Zoning Commissioner
Baltimore County, Maryland

cc: Richard A. Monfred, Esq.
Jason and Linda Shapiro
Melvin Berger

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 November 8, 1991 887-3353

Mr. & Mrs. Jason Shapiro
19 Evan Way
Baltimore, MD 21208

RE: Item No. 203, Case No. 92-191-A
Petitioner: Jason Shapiro, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Shapiro:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: November 8, 1991
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

Your petition has been received and accepted for filing this
18th day of October, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Spivey
James E. Spivey
Chairman,
Zoning Plans Advisory Committee

Petitioner: Jason Shapiro, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 4, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Bertoldi Property, Item No. 172
Koss Property, Item No. 192
Pitts Property, Item No. 193
Welmer Property, Item No. 196
Frey Property, Item No. 197
Goodwin Property, Item No. 198
Pettit Property, Item No. 199
McQuain Property, Item No. 200
Osment Property, Item No. 201
Shapiro Property, Item No. 203
Chaney Property, Item No. 204
Colleran Property, Item No. 207
Fisher Property, Item No. 208
Wilson Property, Item No. 211

In reference to the petitioners' request, the staff offers
no comments.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/rdn

ITMS172/TXTROZ

700 East Joppa Road Suite 901
Towson, MD 21284-5500

(301) 887-4500

NOVEMBER 18, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JASON SHAPIRO
Location: #19 EVAN WAY
Item No.: 203 Zoning Agenda: NOVEMBER 5, 1991

Gentlemen:

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

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Jeffrey Long* Noted and Approved *W. E. Bowling*
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 13, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for November 5, 1991

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 201, 203, 204, 205, 206, 207, 208, and 209.

For Item 211, the lot dimensions shown on the plat
do not agree with Plat Book 14, Folio 11.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: November 20, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famill

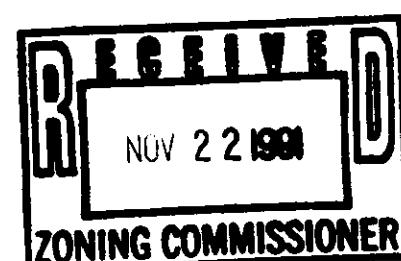
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 5, 1991

This office has no comments for item numbers 201, 203, 204, 205, 206,
207, 208 and 211.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

RJF/lvd



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

January 6, 1992 (410) 887-4386

Richard A. Monfred, Esquire
Equitable Bank Building Tower II
100 South Charles Street
Baltimore, Maryland 21201

RE: Case No. 92-191-A
Jason and Linda Shapiro
Petition for Zoning Variance

Dear Mr. Monfred:

This will follow up our recent telephone conversation regarding the
above matter.

As I indicated, an individual did appear at the hearing of this case
on January 3, 1992. Mr. Melvin Berger of 8605 Park Heights Avenue, Steven-
son, Maryland 21153, appeared and indicated that he was present in opposi-
tion to the Petition. Since there is opposition to your clients' request,
I have ordered that this case be rescheduled for hearing. As we agreed, it
was not necessary for you or your clients to appear on January 3rd, in that
opposition was not envisioned.

You should be receiving notice in due course that the matter has been
reset. However, if you have any questions in the interim, please do not
hesitate to contact me.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

cc: Melvin Berger
cc: Linda and Jason Shapiro
cc: Kevin Luskin

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 8, 1992

Richard A. Monfred, Esquire
Equitable Bank Center Tower II
100 South Charles Street
Baltimore, Maryland 21201

RE: Jason and Linda Shapiro
Case No. 92-191-A

Dear Mr. Monfred:

I am in receipt of your letter dated January 3, 1992.

Indeed, this matter will be reset for a new hearing date. Further, I
did not inquire of the Protestant as to the nature of his objection. Obvi-
ously, I did not want to conduct any ex parte communications, and merely
advised him that, since he had shown an interest in the case, a public
hearing would be set.

I am certain that you will receive notice of the new hearing date
shortly.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

BALTIMORE COUNTY, MARYLAND
Inter-office Correspondence

TO: Memo to the file DATE: January 3, 1992

FROM: Lawrence E. Schmidt
Zoning Commissioner

SUBJECT: Jason and Linda Shapiro

I received a telephone call following up the letter of December
18, 1991 from Richard A. Monfred, Esquire. He represents Jason and Linda
Shapiro regarding case No. 92-191-A. As the letter indicates, the sole
Protestant has apparently withdrawn his opposition and the Shapiros are
going to be out of town. Mr. Monfred was asking that the case either be
postponed or the hearing be cancelled. I told Mr. Monfred that, in view of
the late date of the withdrawal of the opposition, I would keep the case in
on January 3, 1992. It would not be necessary for him, or his clients, to
appear at that time. If no Protestants appear, which is what we expect, I
intend on granting the Petition for Zoning Variance based solely on the
evidence in the file. If some Protestant comes out of the woodwork to ap-
pear, I advised Mr. Monfred that I would reset the case for hearing to a
time when he and his clients would be available.

LES:mmn



NOVEMBER 22, 1991

Jason and Linda Shapiro
19 Evan Way
Baltimore, Maryland 21208

Re: CASE NUMBER: 92-191-A

Dear Petitioners:

A formal REQUEST FOR PUBLIC HEARING has been filed in your case.

As you recall, this matter must now go through the regular hearing process; the property must be reposted and notice of the hearing will be placed in two local newspapers. You will be billed for these advertising costs.

Formal notification of the hearing date will be forwarded to you shortly.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner
Baltimore County, Maryland

cc: Kevin Luskin

Suite 113 Courthouse
100 Washington Avenue
Towson, MD 21284

April 8, 1992

Mr. and Mrs. Jason Shapiro
19 Evan Way
Baltimore, Maryland 21208

RE: Petition for Zoning Variance
Case No. 92-291-A

Dear Mr. and Mrs. Shapiro:

This is to follow up my letter dated February 26, 1992 which attached my Findings of Facts and Conclusions of Law granting a variance for your property at 19 Evan Way.

I have recently been contacted by Ms. Kate Milton, a member of the technical staff in the Office of Zoning Administration. She advises that certain questions have arisen due to your application for a building permit for your proposed construction. Ms. Milton pointed out to me that the Petition for Variance previously filed in this case may be technically flawed. That is, the Petition sought approval to obtain a rear yard setback of 10 ft., in lieu of the required 50 ft., for a proposed addition.

Although the spirit of that request for variance was consistent with your plans, the exact wording of the Petition does not appear to be correct. That is, based upon the close examination of your plans, it appears that the deck and the pool will be 10 ft. from the existing brick wall as opposed to any portion of the house, including the addition. Thus, the variance should have been from Section 301.1.A of the Baltimore County Zoning Regulations governing setbacks which relate to decks and other open projections, as opposed to buildings. The actual variance from Section 301.3.B.3 of the B.C.Z.R. would be 32 ft., in that it appears to be the distance from the addition to the property line.

Mr. and Mrs. Jason Shapiro
19 Evan Way
Baltimore, Maryland 21208
page 2....

In view of these discrepancies, I am attaching a copy of this letter to my Order in the zoning file. Kindly note that this will not affect the variance which was previously granted, or the validly issued permit which you have obtained for construction. The improvements to the property which you have proposed are permissible. I have made this technical correction only to clarify any improper inference which may be suggested by my Order, in the event that you or any subsequent property owner would ever wish to make any additional improvements to the lot or buildings thereon.

Please do not hesitate to contact me if you have any questions regarding this Order.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt

LES:mn
cc: Ms. Kate Milton
Office of Zoning Administration



111 West Chesapeake Avenue
Towson, MD 21284

Jason and Linda Shapiro
19 Evan Way
Baltimore, Maryland 21208

Re: CASE NUMBER: 92-191-A
LOCATION: S/3 Evan Way, 1000' (+/-) E of Park Heights Avenue
19 Evan Way
3rd Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before November 10, 1991. The closing date is November 25, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
LINDA GRASS SHAPIRO 19 Evan Way Balt. 21208
JULIE WILSON 2001 CATHEDRAL ST. BALTIMORE 21201

PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS
Melvin Berger 8605 Park Heights Av. (Starensow) MD 21283

MELVIN M. BERGER
8605 Park Heights Avenue
Stevenson, Maryland 21153

February 11, 1992

Mr. Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County
Courthouse, Suite 113
400 Washington Avenue
Towson, Maryland 21204

Re: Jason and Linda Shapiro
19 Evan Way
Case No.: 92-191-A

Dear Mr. Schmidt:

Please be advised that I hereby withdraw my protest and request for a hearing on the above-captioned matter. I will not appear at the hearing scheduled for Wednesday, February 19, 1992. After satisfying myself that the requested variance will not have any adverse effect whatsoever on the neighborhood, I would like to go on record as fully supporting the requested variance.

If I can be of any further assistance in this matter, please do not hesitate to contact me.

Very truly yours,
Melvin Berger
Melvin M. Berger

cc: Ms. Gwen Stephens
Mr. and Mrs. Jason Shapiro
Richard A. Monfred, Esq.

LAW OFFICES
NEUBERGER, QUINN, GIELEN & RUBIN, P.A.

EQUITABLE BANK CENTER TOWER II
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(410) 332-8510
FAX (410) 332-8584

WRITER'S DIRECT DIAL NO: 1
(410) 332-8513

January 2, 1992

Mr. Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County
Court House, Suite 113
400 Washington Avenue
Towson, Maryland 21204

Re: Jason and Linda Shapiro
19 Evan Way
Case No.: 92-191-A

Dear Mr. Schmidt:

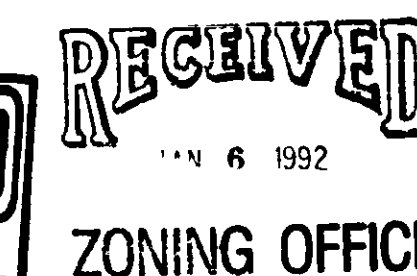
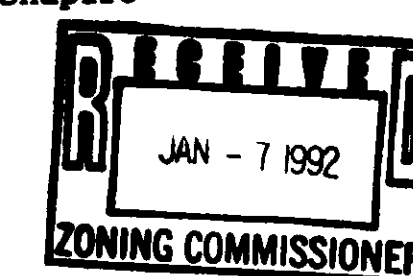
I was informed by your secretary, Marlene Novak, that a protestant did appear at the zoning variance hearing this morning. Ms. Novak further informed me that Gwen Stevens, the Docket Clerk, will set a new date for the hearing. I assume that the protestant will have to bear the costs of reposting the sign.

Please call me at your earliest convenience to explain the nature of the protestant's objection.

Thank you in advance for your help.

Very truly yours,
Richard A. Monfred
Richard A. Monfred

RAM/pw
cc: Ms. Gwen Stevens
Mr. and Mrs. Jason Shapiro
92010306.RAM



LAW OFFICES
NEUBERGER, QUINN, GIELEN & RUBIN, P.A.

EQUITABLE BANK CENTER TOWER II
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(410) 332-8510
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WRITER'S DIRECT DIAL NO: 1
(410) 332-8513

December 27, 1991

Mr. Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County
Court House, Suite 113
400 Washington Avenue
Towson, Maryland 21204

Re: Jason and Linda Shapiro
19 Evan Way
Case No.: 92-191-A

Dear Mr. Schmidt:

This letter is to confirm our telephone conversation yesterday afternoon in which you stated that you will hold the hearing scheduled for January 3, 1992, in case anyone who saw the sign desires to attend the hearing. If no one appears at the hearing, you stated that you will grant the requested variance based on the materials currently in the file. Your further stated that if someone does appear at the hearing to protest the requested variance, you will reschedule the hearing for a date after January 6, 1992.

I will call you after the hearing on January 3, 1992, to ascertain whether anyone appeared to protest my clients' requested variance.

Thank you for your cooperation in this matter.

Very truly yours,
Richard A. Monfred
Richard A. Monfred

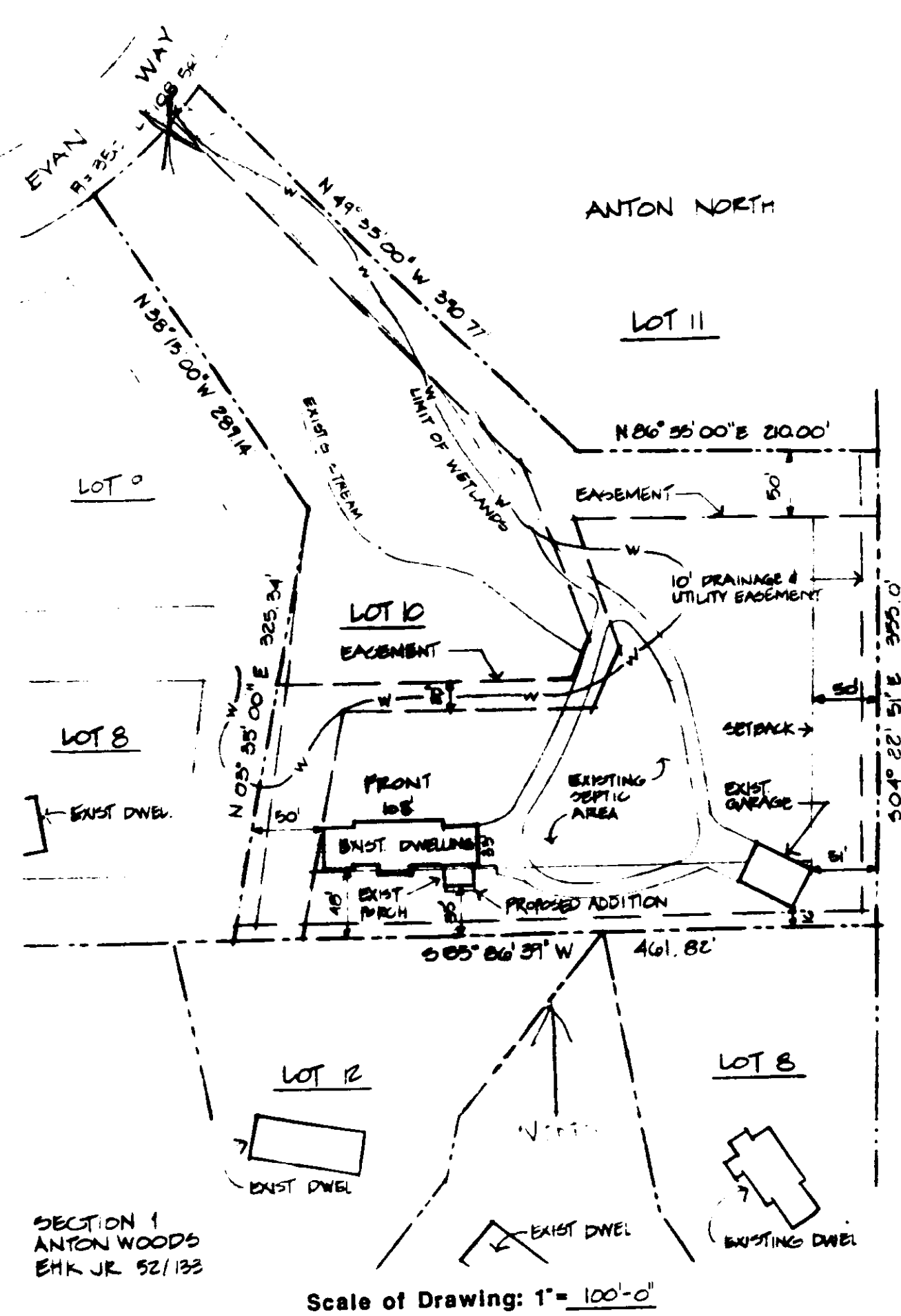
RAM/pw
Mr. and Mrs. Jason Shapiro
9112704.RAM

92-191-A

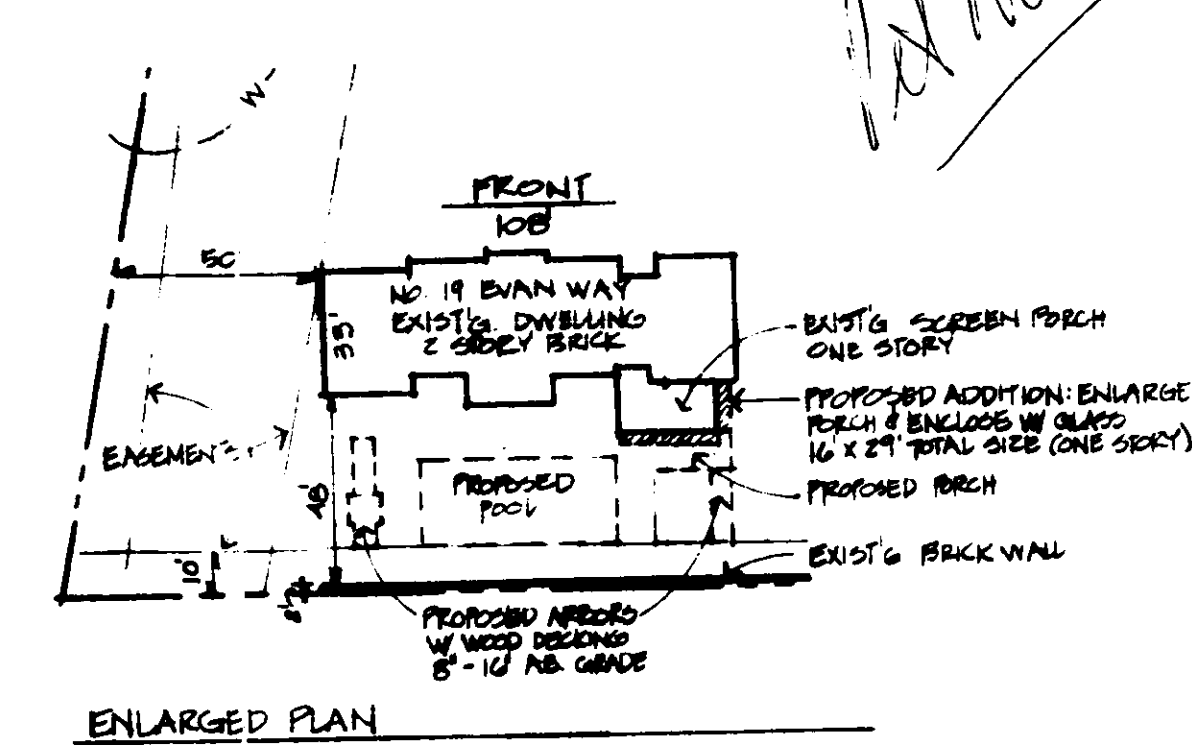
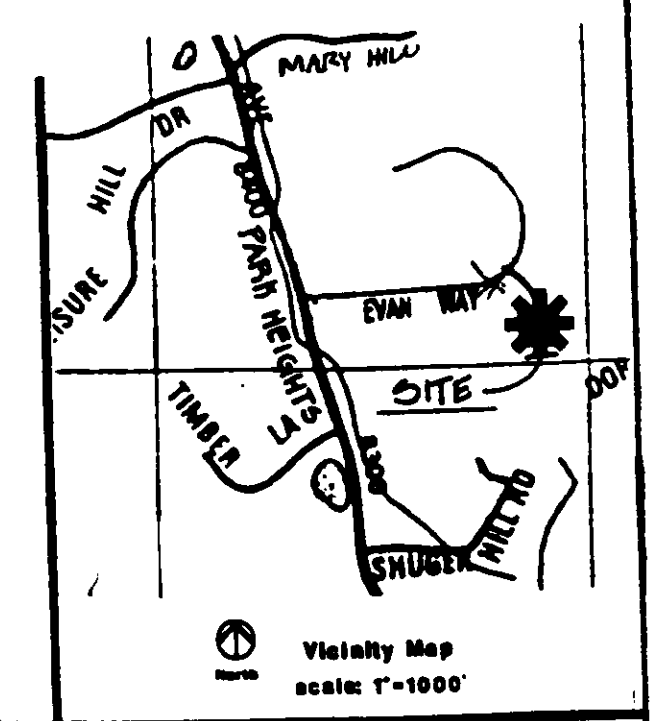
92-191-A

92-191-A

Plat to accompany Petition for Zoning Variance Special Hearing



PROPERTY ADDRESS: 19 EVAN WAY
Subdivision name: ANTON NORTH
plat book # 54, folio 10, section 1
OWNER: JASON S. / LINDA G SHAPIRO
see pages 5 & 6 of the CHECKLIST for additional required information



Scale of Drawing: 1"=50'-0"

92-191-A

LOCATION INFORMATION
Councilmanic District: 28th ELECTION DIST.
Election District: 28th ELECTION DISTRICT
1"=200' scale map: NW 10-F
Zoning: RC-5
Lot size: 4.54 acres 197,762 square feet
Sewer:
Water:
Chesapeake Bay Critical Area:
Prior Zoning Hearings: 88-395A
North
date: 9/25/91
prepared by: JDW
Zoning Office USE ONLY
reviewed by: ITEM #: CASE:
DAG 203



Standing at driveway area and looking west toward existing house and existing porch and proposed pool area.



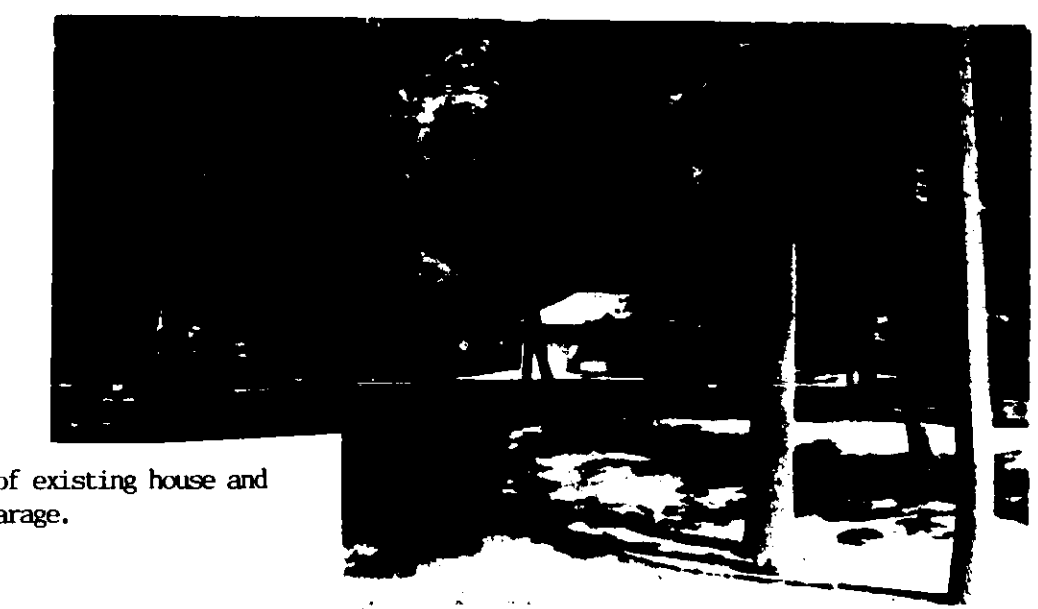
Standing at existing garage and looking west toward existing house and proposed pool area.



Standing north east of the house, looking south west toward existing house and rear property line.



Standing at south west corner of house and looking east toward existing garage and existing landscape.



Standing at south east corner of existing house and looking east toward existing garage.



Standing at south west side of house; looking east at existing house and porch (proposed pool area).

LAW OFFICES
NEUBERGER, QUINN, GIelen & RUBIN, P.A.

EQUITABLE BANK CENTER TOWER II
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
410-332-8800
FAX 410-332-8884

WRITER'S DIRECT DIAL NO.:
(410) 332-8513

December 18, 1991

Mr. Arnold Jablon
Director
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Jason and Linda Shapiro
19 Evan Way
CASE No.: 92-191-A

Dear Mr. Jablon:
Please be advised that I represent Mr. and Mrs. Shapiro in connection with their request for a setback variance.

Kevin Luskin, a neighbor of the Shapiros, filed a request for a hearing in this matter. After satisfying himself that the Shapiros' variance request will not in any way adversely affect any of the Shapiros' neighbors or the neighborhood, Mr. Luskin withdrew his request for a hearing by letter to your office dated December 16, 1991.

Mr. Luskin's request for a hearing was the only protest filed. As a result, we request that you issue an order that a hearing is no longer necessary in this matter.

In the event you determine that a hearing must still be held, we request that the hearing be rescheduled for a date on or after January 6, 1992, because the Shapiros will not be in town on the scheduled hearing date (January 3, 1992).



Department of Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

To Whom It May Concern:

Please withdraw my request for a hearing on 19 Evan Way, Mr. Jason Shapiro's residence.

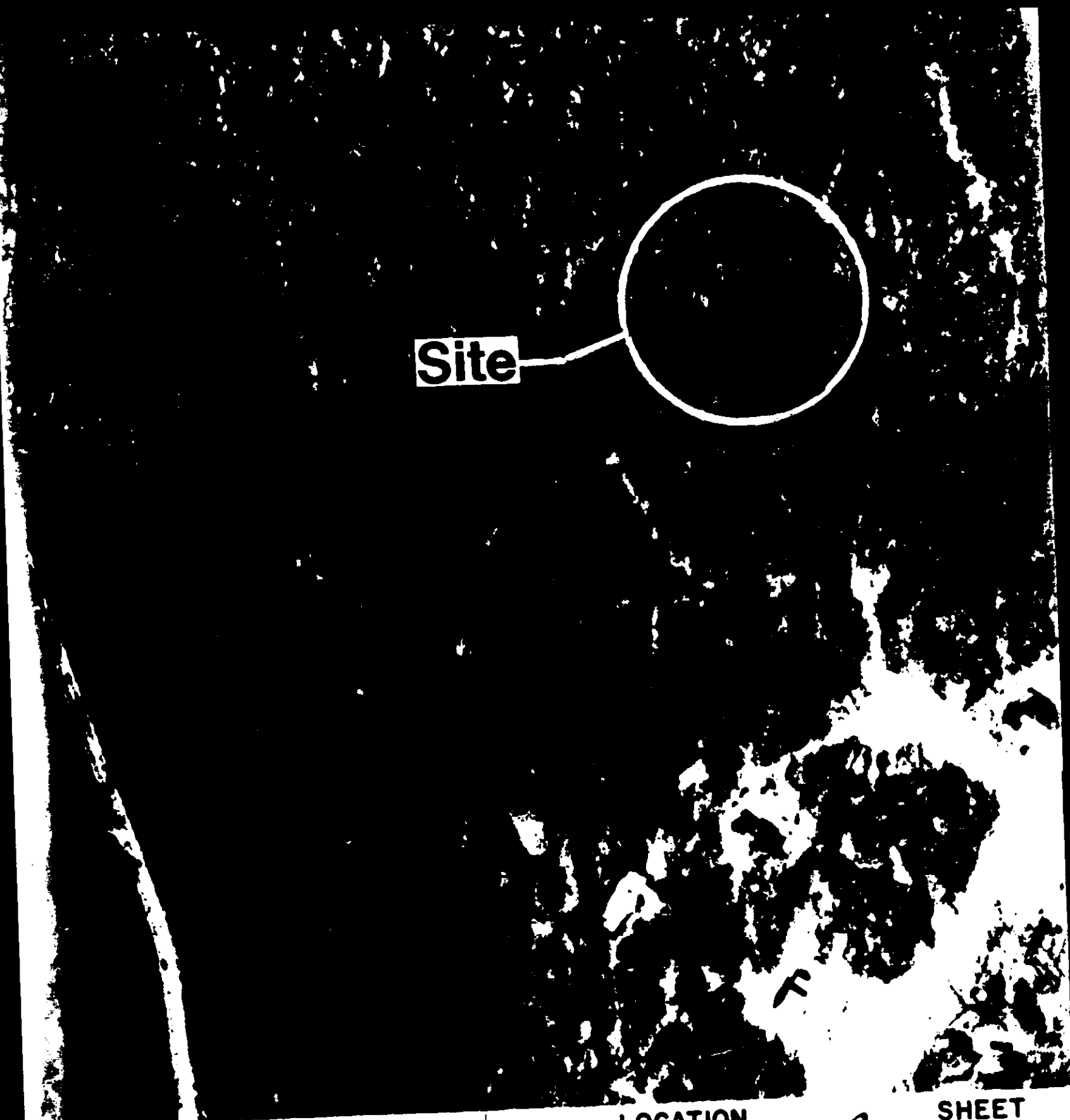
Thank you in advance for your kind attention.

Sincerely,
Kevin Luskin Jr.
Kevin Luskin

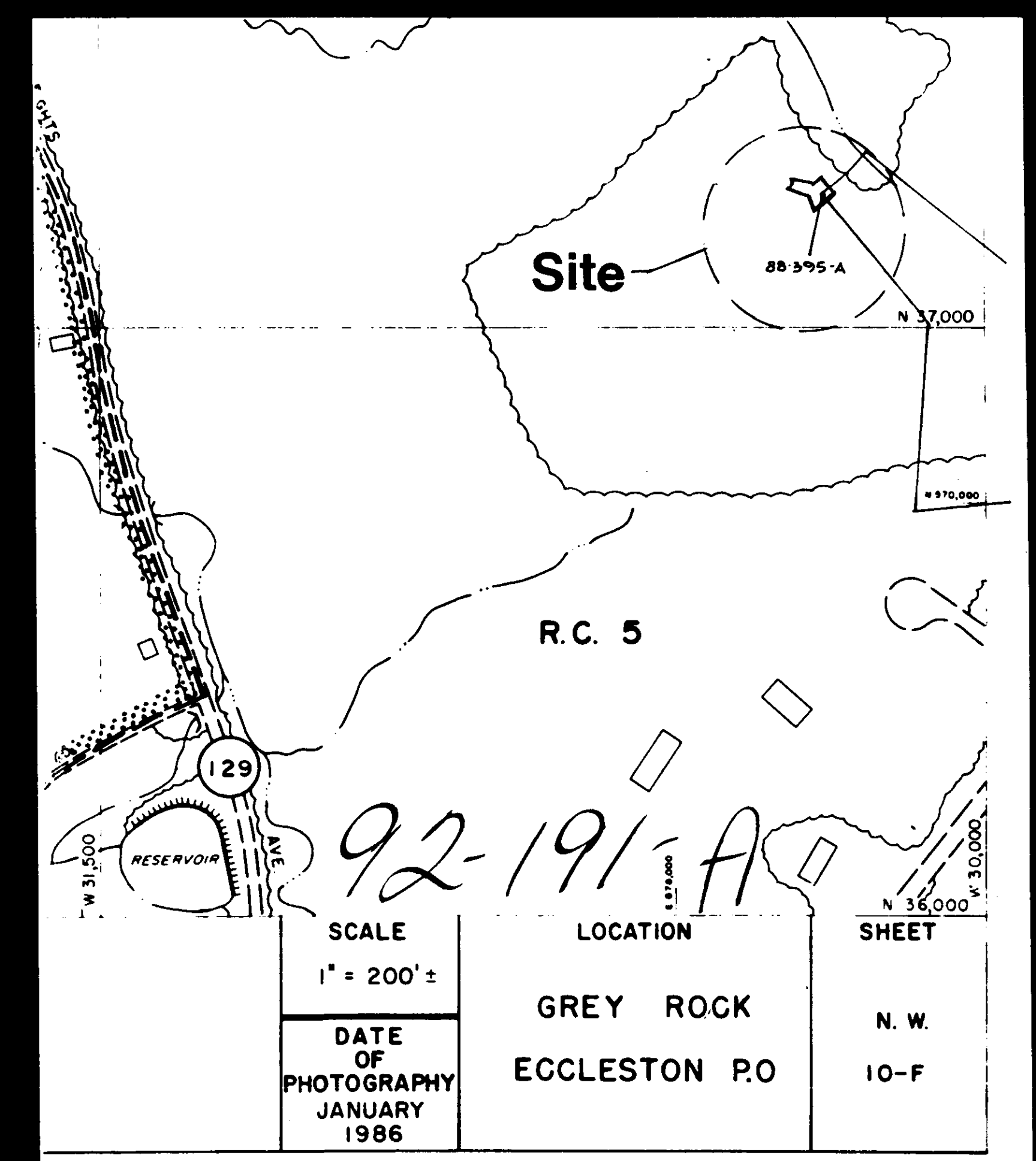
KL/jks
cc: Jason Shapiro

RECEIVED
DEC 18 1991
ZONING OFFICE

LUSKIN'S INC. 1125 CROWWELL BRIDGE RD. • TOWSON, MARYLAND 21286 • BALT. (301) 339-5456 • FAX NO. (301) 832-8244



SCALE
1" = 200' ±
DATE OF PHOTOGRAPHY
JANUARY 1986
LOCATION
92-191-A
GREY ROCK
ECCLESTON P.O.
ITEM 203
SHEET
N.W.
10-F



SCALE
1" = 200' ±
DATE OF PHOTOGRAPHY
JANUARY 1986
LOCATION
GREY ROCK
ECCLESTON P.O.
SHEET
N.W.
10-F

ITEM 203