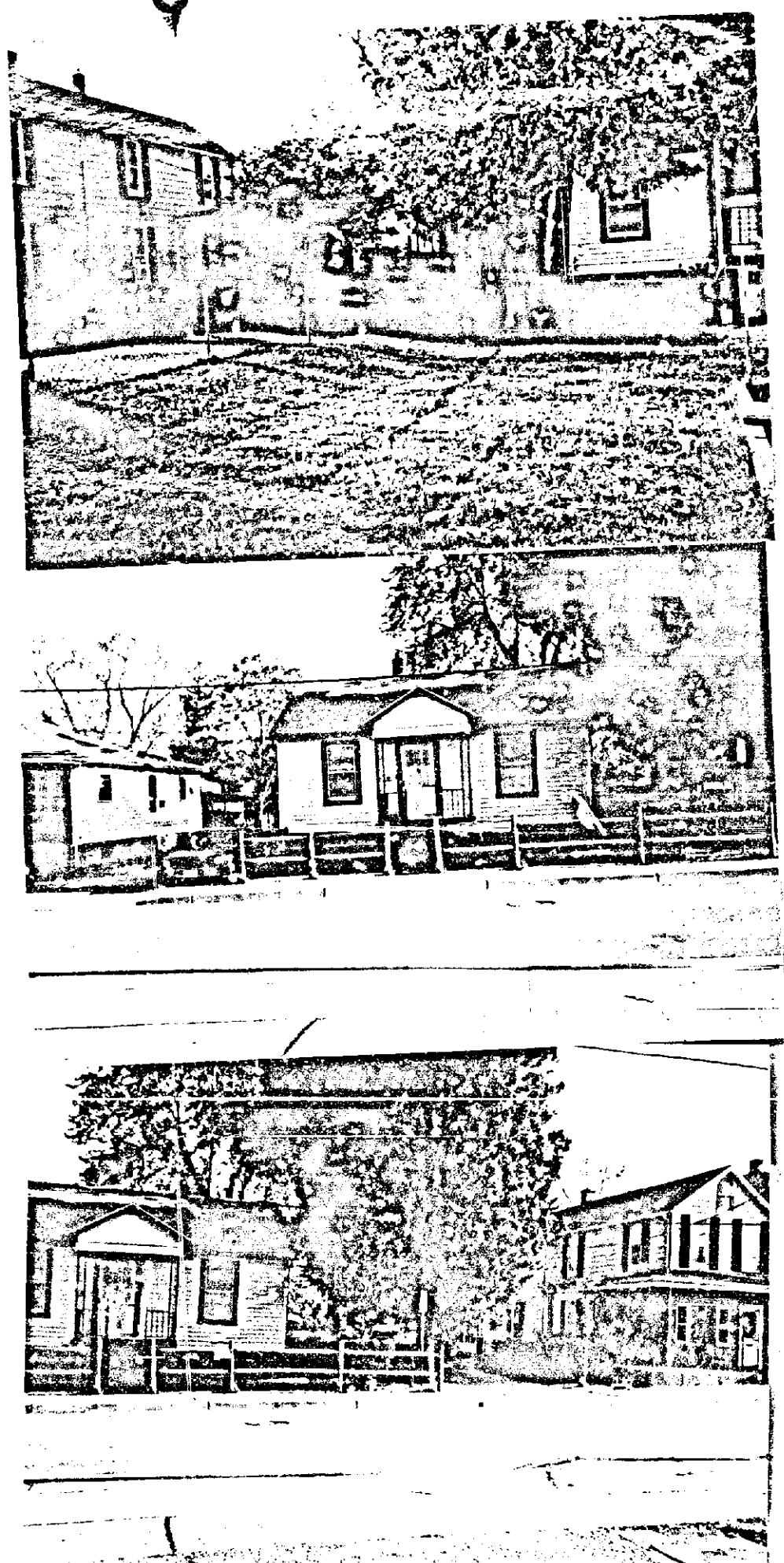
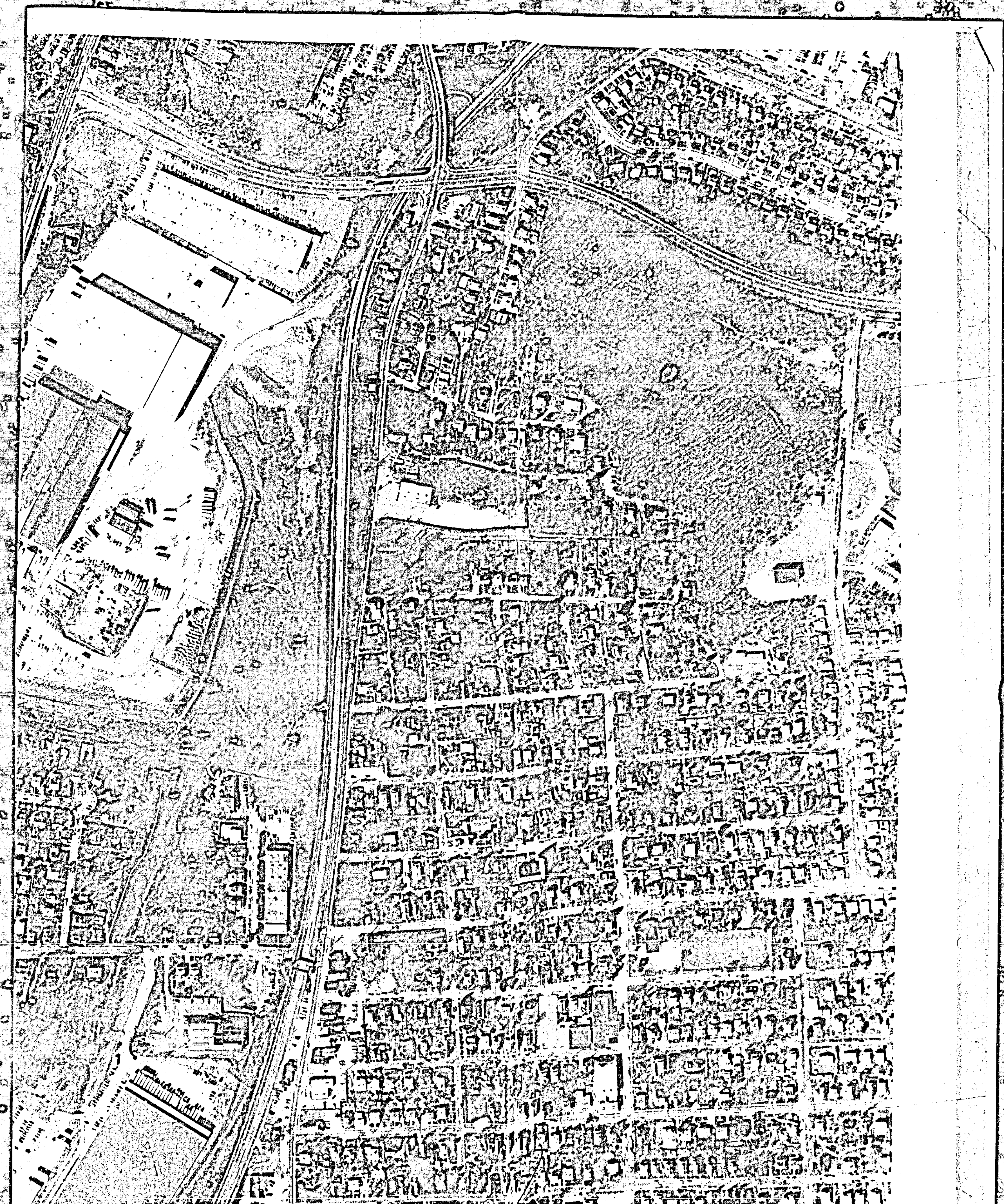
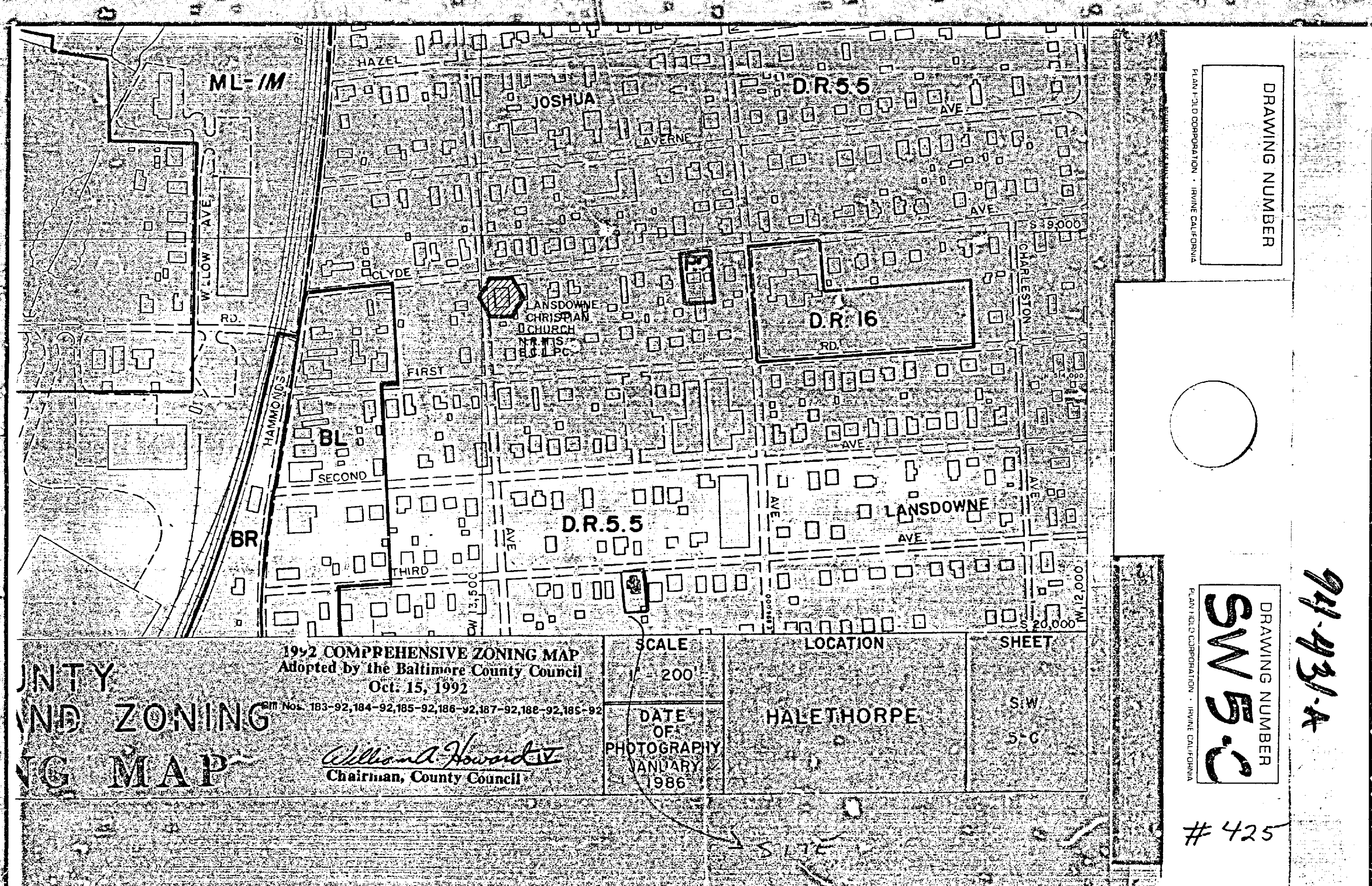


94-431-A



Comments on Reverse Side of Pictures.



BALTIMORE COUNTY ZONING AND ZONING MAP

SCALE 1" = 200' ±	LOCATION HALETHORPE	SHEET SW #425
DATE OF PHOTOGRAPHY JANUARY 1986	94-431-A	

Zoning Plans Advisory Committee Comments
Mr. and Mrs. Leonard D. Walls
Date: May 23, 1994
Page 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.
- Attorneys, engineers and applicants 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 forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cmh

20

Baltimore County Government
Office of Zoning Administration
and Development Management

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

May 23, 1994

Mr. and Mrs. Leonard D. Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: Case No. 94-431-A, Item No. 425
Petition for Administrative Variance

Dear Mr. and Mrs. Walls:

Enclosed are copies of comments received from the Office of Planning and Zoning on May 23, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 23, 1994
Office of Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 23, 1994
Item No. 425

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the Landscape Manual. The focus will be on the residential buffer.

RNB:sw



Maryland Department of Transportation
State Highway Administration

O. James Lightizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 425 (1994)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not affect a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for DAVID W. HARVEY, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/17/94

Arnold Jablon,
Director
County Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP 1100

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Drawn by: SEE BELOW

Goal Items:

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.

B. The Fire Protection Division has no comments at this time. III REFERENCE TO THE FOLLOWING ITEM NUMBERS: 415, 416, 417, 418, 419, 420, 421, 422, 425.

RECEIVED
MAY 18 1994
ZADM

REVIEWER: LT. ROBERT P. GAMBOLD
Fire Marshal Office, PHONE 197-4981, RS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 18, 1994
Zoning Administration and
Development Management

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 401, 403, 408, 413, 415, 416, 417, 418, 419, 421, 422, 425 and 426.

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 887-3480.

Prepared by:

Division Chief:

PK/JL:lw

ZAC.401/PZONE/ZAC1

94-431-A

Baltimore County Government
Office of Zoning Administration
and Development Management

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

MAY 12, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Katherine and Leonard Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: CASE NUMBER: 94-431-A (Item 425)
123 Third Avenue
575 Third Avenue, 330' W of 471 Washington Avenue
13th Election District - 1st Councilmatic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3321. This notice also serves as a rebuttal regarding the administrative process.

1) Your property will be posted on or before May 16, 1994. The closing date (May 31, 1994) 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. They 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.

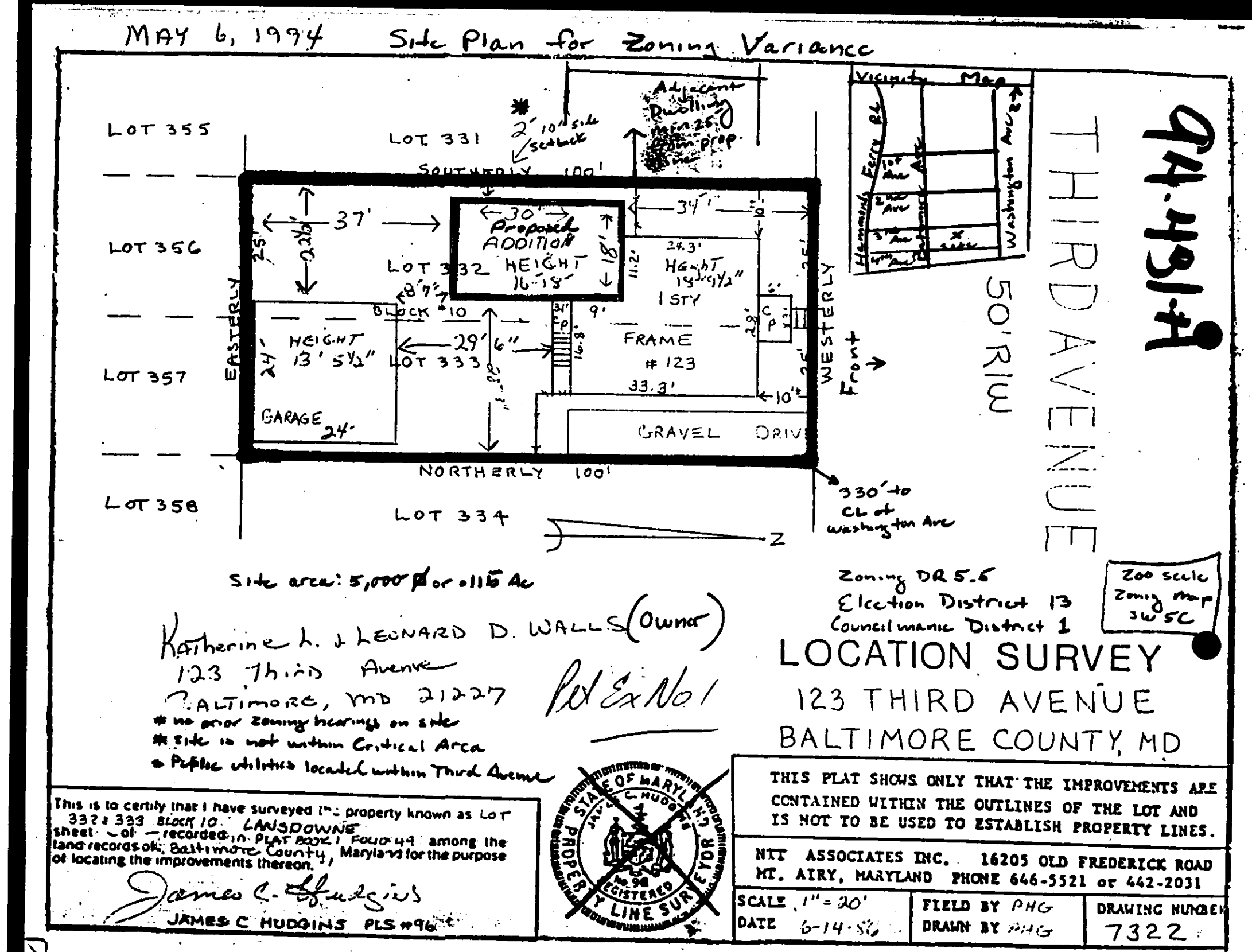
2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

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 \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

Printed with Soybean Ink
on Recycled Paper



IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE S/S Third Avenue, 330 ft. W of c/1 Washington Avenue 123 Third Avenue 13th Election District Katherine L. Walls, et al Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 94-431-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Katherine L. Walls and Leonard Dean Walls for that property located at 123 Third Avenue in the Lansdowne section of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft. 10", in lieu of the required 10 ft., for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26 127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of June, 1994 that the Petition for a Zoning Variance from Section 1B02.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft. 10", in lieu of the required 10 ft., for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The 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.

ORDER RECEIVED FOR FILING
Date: 5/15/94
By: [Signature]

LES:mmm

[Signature]
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
410 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 6, 1994

Mrs. Katherine L. Walls
Mr. Leonard Dean Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: Petition for Administrative Zoning Variance
Case No. 94-431-A
Property: 123 Third Avenue

Dear Mrs. and Mr. Walls:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative 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 887-3391.

Very truly yours,

[Signature]
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County
for the property located at 123 Third Avenue, Baltimore, 21227
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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(s) 1B02.3.A to permit a 2'10" side setback in lieu of 10'.

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

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.

Contract Purchaser/Leasee
Type or Print Name: Katherine Louise Walls
Signature: [Signature]
Address: 123 Third Avenue 21227
City: Baltimore State: MD Zip Code: 21227
Attorney for Petitioner
Type or Print Name: Leonard Dean Walls
Address: 123 Third Avenue 21227
City: Baltimore State: MD Zip Code: 21227

A Public Hearing having been requested and/or held to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this 6th day of June, 1994, that the subject matter of this petition be set for a public hearing, to be held on the 13th day of June, 1994, at 7:00 p.m. in the Zoning Commission Hearing Room, 111 West Chesapeake Avenue, Towson, Maryland. The hearing shall be held at the residence of the petitioner, if the property be so requested.

REVIEWED BY: MDK DATE: 5/1/94
ESTIMATED POSTING DATE: 5/15/94
Zoning Commissioner of Baltimore County
ITEM #: 425

94-431-A

Beginning on the south side of Third Avenue, 50 feet wide, at the distance of 330 feet west of the centerline of Washington Avenue, being Lots 332 and 333 of Block 10 of the "Lansdowne" subdivision, Plat Book 1, Folio 49. Also known as 123 Third Avenue containing .115 acres in the 13th Election District.

#425

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: 5/6/94
Posted for: Variance
Petitioner: Katherine L. Walls & Leonard D. Walls
Location of property: 123 Third Ave., #2
Location of Sign: 123 Third Ave., #2
Remarks:
Posted by: [Signature] Date of return: 5/11/94
Number of Signs: 1

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties 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 that Affiant(s) are competent to testify thereon on the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does do presently reside at: 123 THIRD Avenue
Baltimore, MD 21227

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Our existing house is much too small for our needs. For instance closets are too small, only have two small bedrooms and one small bathroom. We do not have room for improvement in basement. Ceiling is too low. Our daughter is crying and we are in desperate need of room now let alone when the baby comes.

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

[Signatures of Leonard D. Walls and Katherine L. Walls]

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 11th day of May, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Leonard D. Walls & Katherine L. Walls

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal: 4/1/94

[Notary Seal]
My Commission Expires: 11/1/96

Baltimore County Government
Office of Zoning, Administration and Development Management

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

May 23, 1994

Mr. and Mrs. Leonard D. Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: Case No. 94-431-A, Item No. 425
Petitioner: Leonard D. Walls, et ux.
Petition for Administrative Variance

Dear Mr. and Mrs. Walls:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on May 6, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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 preliminary review by zoning personnel.

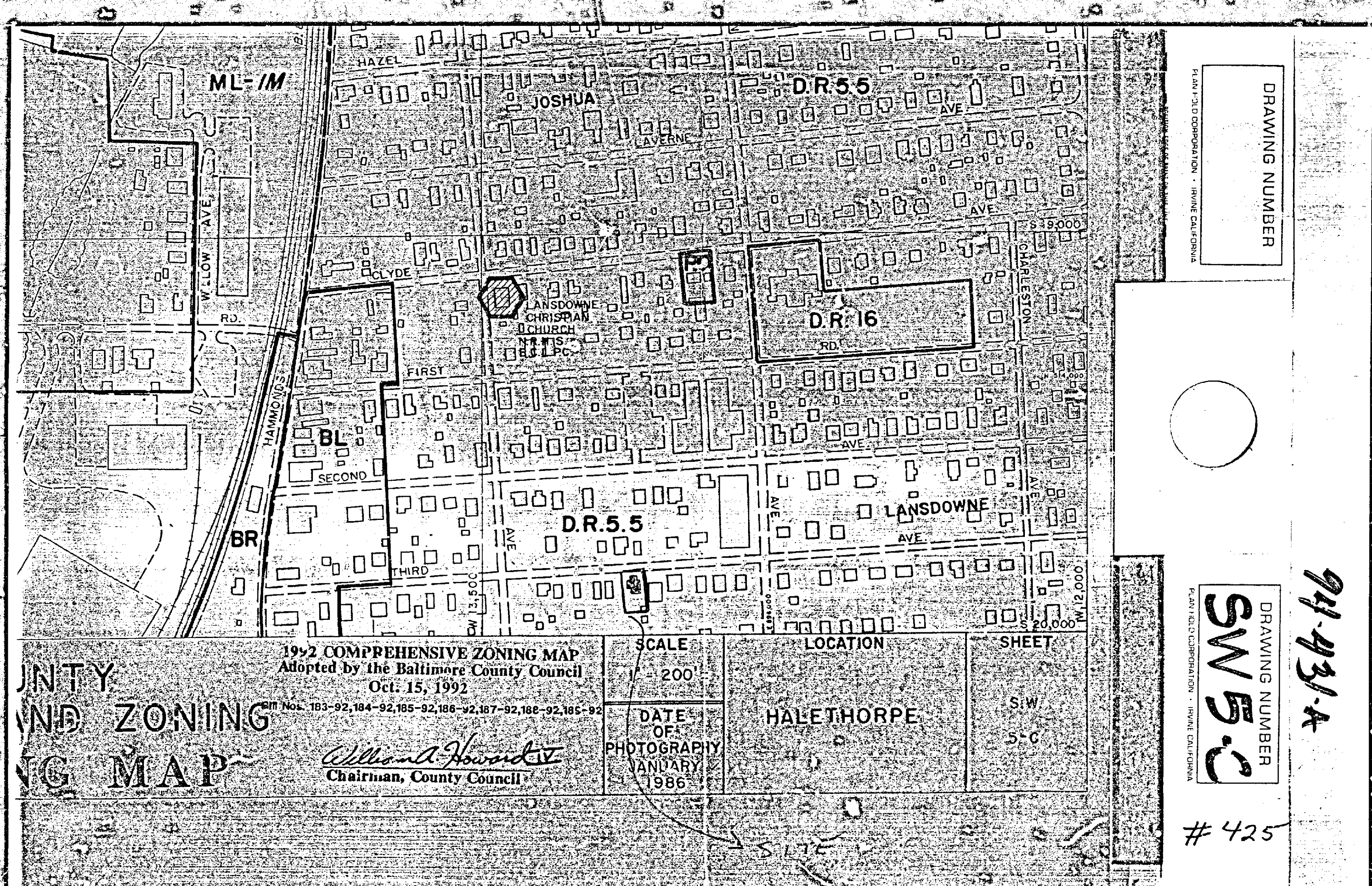
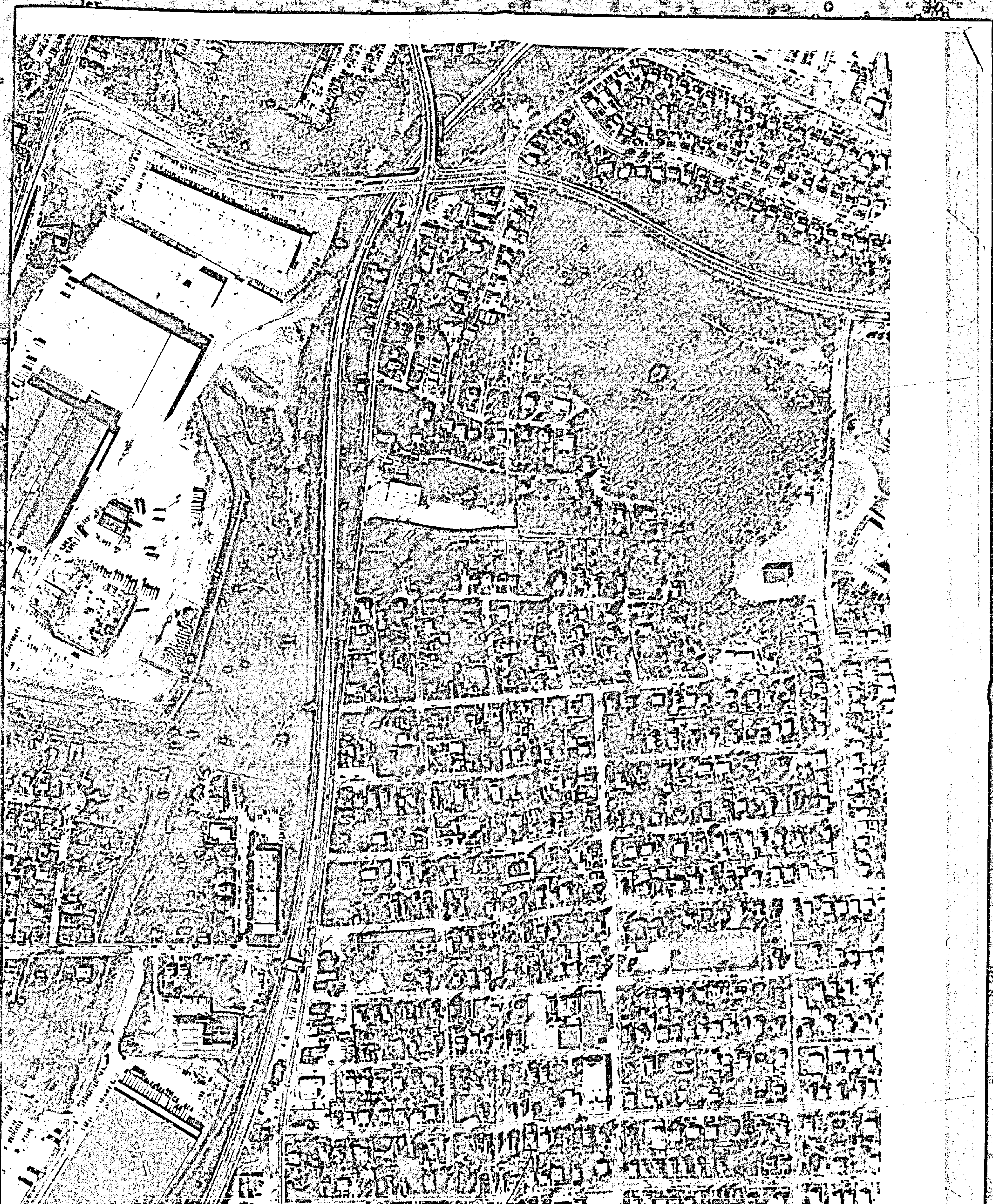
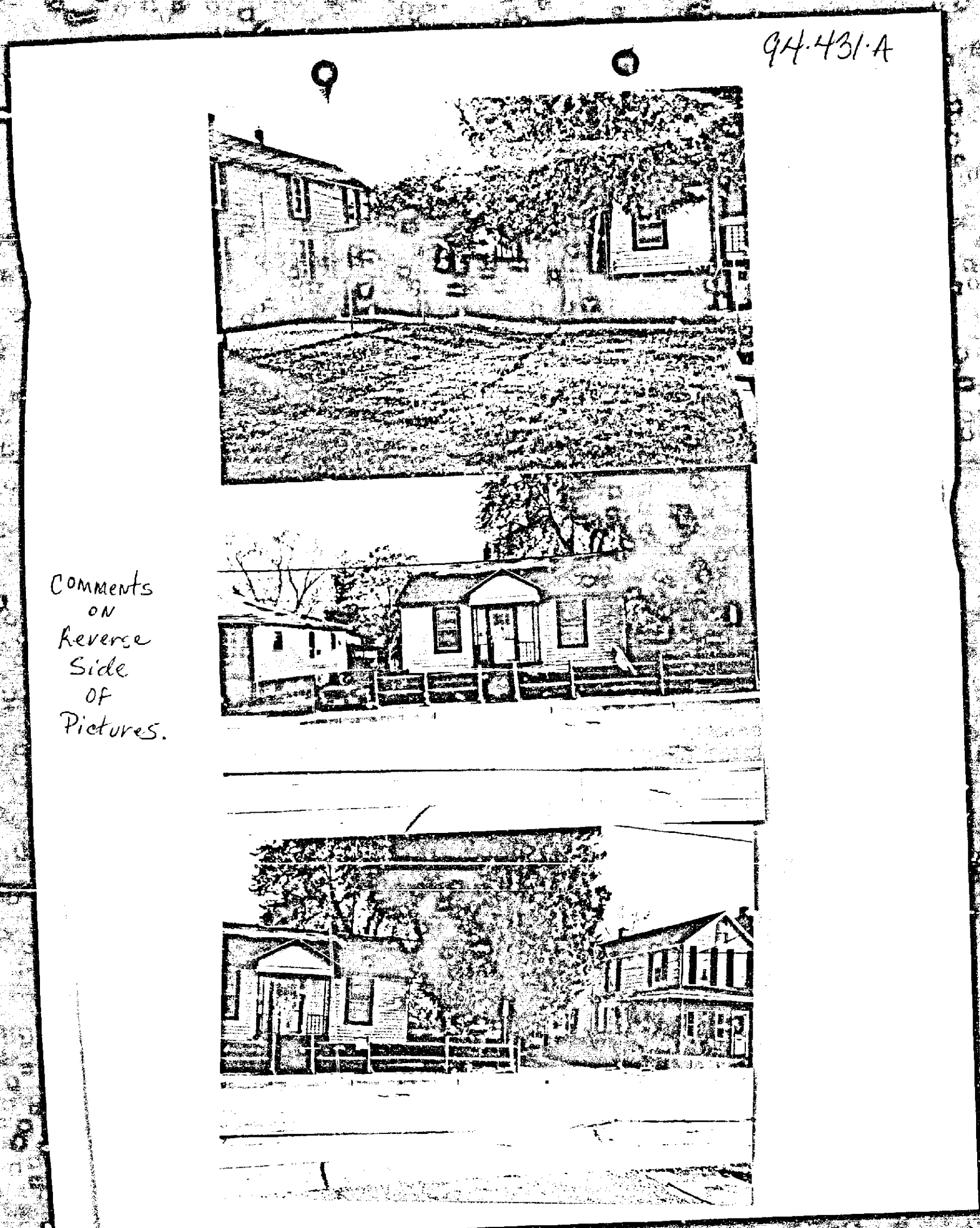
94-431-A receipt

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-4180
Number:
Taken In By: MDK
Item Number: 425

5/6/94

Walls, Leonard and Katherine -
123 Third Avenue
010 - Zoning Variance - Rec lot - \$ 50.00
050 - 1 sign (Admin) - \$ 35.00
Total - \$ 85.00

06A028016791CHRC
PA 0010142AN05-06-94 \$85.00
Please Make Checks Payable to Baltimore County



BALTIMORE COUNTY
ZONING AND ZONING
GRAPHIC MAP

SCALE 1" = 200' ±	LOCATION HALETHORPE	SHEET S.W. 5-C #425
DATE OF PHOTOGRAPHY JANUARY 1986	94-431-A	

Zoning Plans Advisory Committee Comments
Mr. and Mrs. Leonard D. Walls
Date: May 23, 1994
Page 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.
- Attorneys, engineers and applicants 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 forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 23, 1994

(410) 887-3353

Mr. and Mrs. Leonard D. Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: Case No. 94-431-A, Item No. 425
Petition for Administrative Variance

Dear Mr. and Mrs. Walls:

Enclosed are copies of comments received from the Office of Planning and Zoning on May 23, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 23, 1994
Office of Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 23, 1994
Item No. 425

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the Landscape Manual. The focus will be on the residential buffer.

RNB:sw

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 12, 1994

(410) 887-3353

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Katherine and Leonard Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: CASE NUMBER: 94-431-A (Item 425)
123 Third Avenue
575 Third Avenue, 330' W of 471 Washington Avenue
13th Election District - 1st Councilmatic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a referee regarding the administrative process.

1) Your property will be posted on or before May 16, 1994. The closing date (May 31, 1994) 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. They 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 a Baltimore County newspaper. Charges related to the reposting and newspaper 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 \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/17/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
1045 West Baltimore
Towson, MD 21286
MAIL STOP 1100

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Drawn by: SEE BELOW

Goal/Notes:

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.

B. The Fire Department has no comments at this time. III REFERENCE TO THE FOLLOWING ITEM NUMBERS: 415, 416, 417, 418, 419, 420, 421, 422, 425.

RECEIVED
MAY 18 1994
ZADM

REVIEWER: LT. ROBERT P. GAMBOLD
Fire Marshal Office, PHONE 197-4981, RS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 18, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 401, 403, 408, 413, 415, 416, 417, 418, 419, 421, 422, 425 and 426.

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 887-3480.

Prepared by:

Division Chief:

PK/JL:lw

ZAC.401/PZONE/ZAC1

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on Recycled Paper

Maryland Department of Transportation
State Highway Administration

O. James Lightizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 425 (1994)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not affect a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
Bob Small
for DAVID W. HANSEN, ACTING CHIEF
John Costabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 12, 1994

(410) 887-3353

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Katherine and Leonard Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: CASE NUMBER: 94-431-A (Item 425)
123 Third Avenue
575 Third Avenue, 330' W of 471 Washington Avenue
13th Election District - 1st Councilmatic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a referee regarding the administrative process.

1) Your property will be posted on or before May 16, 1994. The closing date (May 31, 1994) 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. They 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.

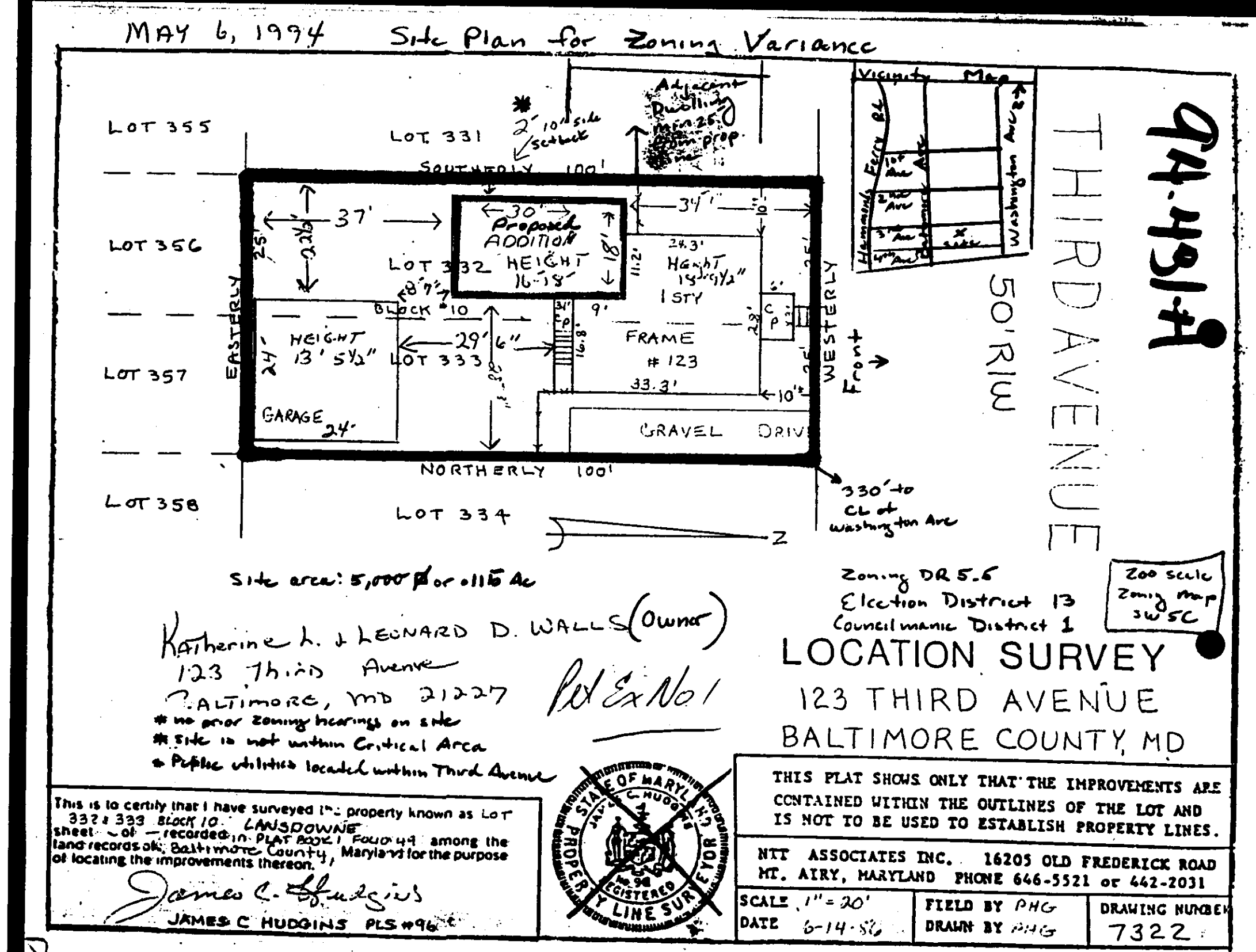
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Arnold Jablon
Arnold Jablon
Director

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on Recycled Paper



IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE S/S Third Avenue, 330 ft. W of c/1 Washington Avenue 123 Third Avenue 13th Election District Katherine L. Walls, et al Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 94-431-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Katherine L. Walls and Leonard Dean Walls for that property located at 123 Third Avenue in the Lansdowne section of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft. 10", in lieu of the required 10 ft., for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26 127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of June, 1994 that the Petition for a Zoning Variance from Section 1B02.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft. 10", in lieu of the required 10 ft., for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The 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.

ORDER RECEIVED FOR FILING
Date: 6/10/94
By: [Signature]

LES:mmm

[Signature]
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 6, 1994

Mrs. Katherine L. Walls
Mr. Leonard Dean Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: Petition for Administrative Zoning Variance
Case No. 94-431-A
Property: 123 Third Avenue

Dear Mrs. and Mr. Walls:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative 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 887-3391.

Very truly yours,

[Signature]
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County
for the property located at 123 Third Avenue, Baltimore, 21227
which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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 Sections 1302.3.A to permit a 2'10" side setback in lieu of 10'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
See Reverse side for Hardships.

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.

Contract Purchaser/Leasee: [Blank]
Type or Print Name: [Blank]
Signature: [Blank]
Address: [Blank]
City: [Blank] State: [Blank] Zip Code: [Blank]
Attorney for Petitioner: [Blank]
Type or Print Name: [Blank]
Address: [Blank]
City: [Blank] State: [Blank] Zip Code: [Blank]
Address: [Blank] Phone No: [Blank]
City: [Blank] State: [Blank] Zip Code: [Blank] Address: [Blank] Phone No: [Blank]

Legal Owner(s):
Type or Print Name: Katherine Louise Walls
Signature: [Signature]
Type or Print Name: LEONARD DEAN WALLS
Signature: [Signature]
Type or Print Name: Leonard Dean Walls
Address: 123 Third Avenue 21227
Baltimore, MD 21227
City: Baltimore, MD 21227
Name: [Blank] Address: [Blank] Phone No: [Blank]
City: [Blank] State: [Blank] Zip Code: [Blank] Address: [Blank] Phone No: [Blank]

REVIEWED BY: [Signature] DATE: 5/1/94
ESTIMATED POSTING DATE: 5/15/94
Printed with Soybean Ink on Recycled Paper
ITEM #: 425

94-431-A

Beginning on the south side of Third Avenue, 50 feet wide, at the distance of 330 feet west of the centerline of Washington Avenue being Lots 332 and 333 of Block 10 of the "Lansdowne" subdivision, Plat Book 1, Folio 49. Also known as 123 Third Avenue containing .115 acres in the 13th Election District.

#425

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties 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 that Affiant(s) are competent to testify thereon in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/d presently reside at: 123 THIRD Avenue
Baltimore, MD 21227

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Our existing house is much too small for our needs. For instance closets are too small, only have two small bedrooms and one small bathroom. We do not have room for improvement in basement. Ceiling is too low. Our daughter is crying and we are in desperate need of room now let alone when the baby comes.

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

[Signatures of Leonard D. Walls and Katherine L. Walls]

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of MAY, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Leonard D. Walls & Katherine L. Walls

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal: 4/1/94

[Notary Seal]
My Commission Expires: 11/1/96

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 94-431-A
Towson, Maryland

District: 13th Date of Posting: 5/6/94
Posted for: Variance
Petitioner: Katherine L. Walls & Leonard D. Walls
Location of property: 123 Third Avenue, #2
Location of Sign: 123 Third Avenue, #2
Remarks: [Blank]
Posted by: [Signature] Date of return: 5/11/94
Number of Signs: 1

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21286

Account: R-001-4180
Number: [Blank]
Taken In By: [Signature]
Item Number: 425

5/6/94
Walls, Leonard and Katherine -
123 Third Avenue
010 - Zoning Variance - Rec lot - \$ 50.00
050 - 1 sign (Admin) - \$ 35.00
Total - \$ 85.00

06A028016791CHRC
PA 0010142AN05-06-94
\$85.00
Please Make Checks Payable to Baltimore County

Baltimore County Government
Office of Zoning, Administration
and Development Management

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

May 23, 1994

Mr. and Mrs. Leonard D. Walls
123 Third Avenue
Baltimore, Maryland 21227

RE: Case No. 94-431-A, Item No. 425
Petitioner: Leonard D. Walls, et ux.
Petition for Administrative Variance

Dear Mr. and Mrs. Walls:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on May 6, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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 preliminary review by zoning personnel.