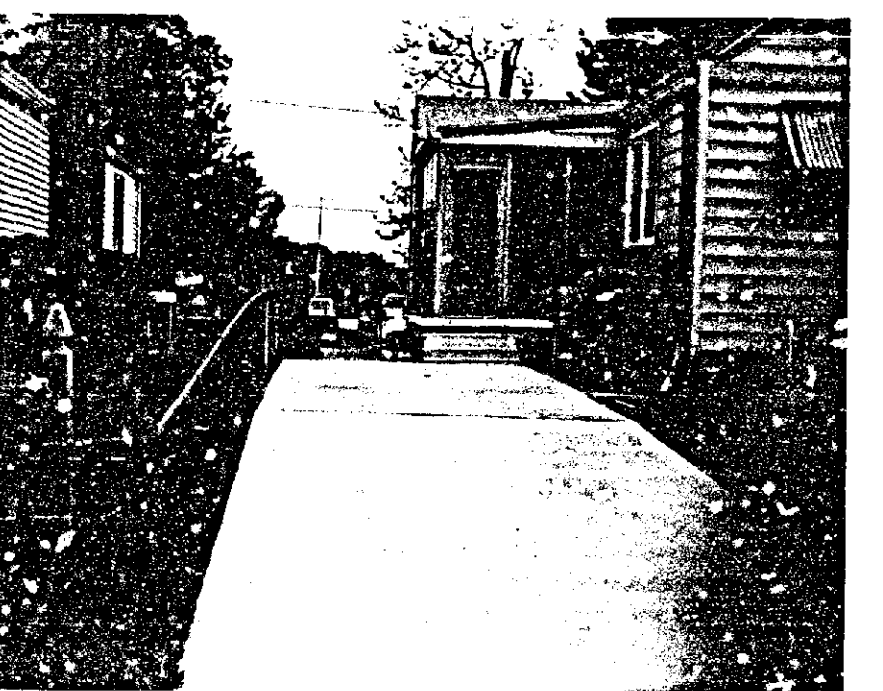
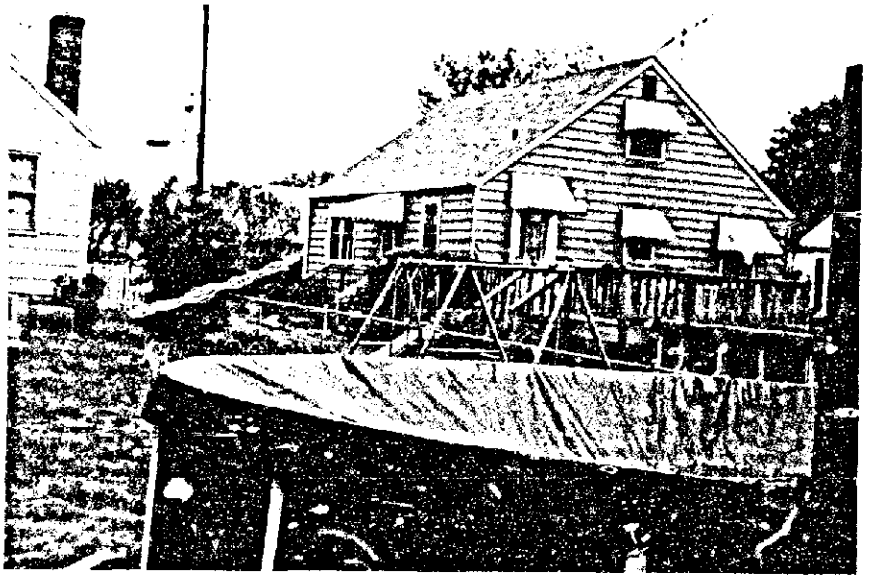
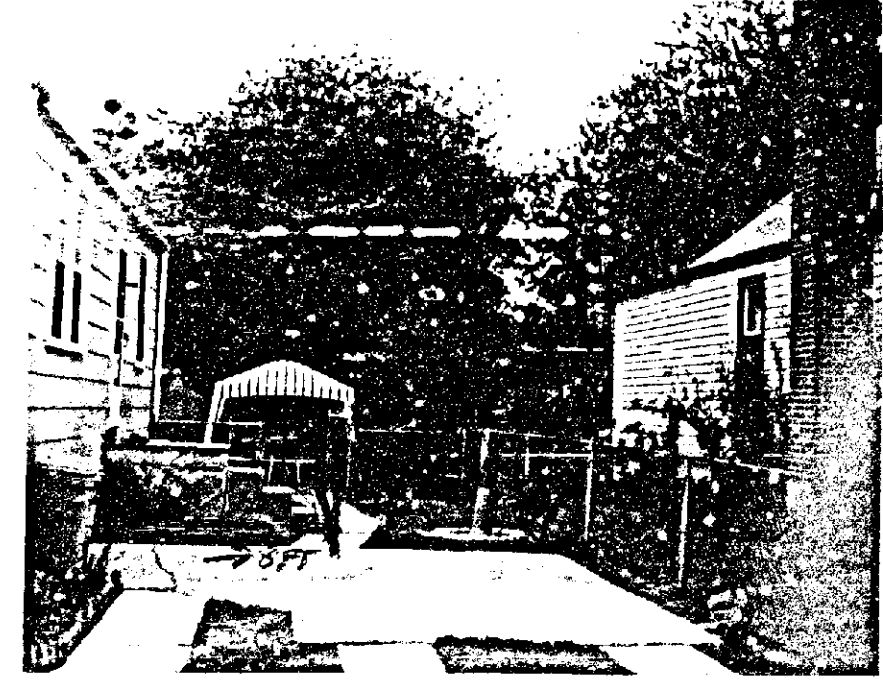


94-472-1



Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 436 MARGARET AVE

Subdivision name: ESSEX
 plat book: 185, page 37, lots 68, sections 2 & 3

OWNER: Raymond & Maria Howaker

94-472-A

Rel No 1

LOT 1 45.47' 18.61'

MARGARET AVE

Scale of Drawing: 1" = 50'

North

date: _____
 prepared by: R.A. Howaker

LOCATION INFORMATION

Election District: 15
 Councilman District: 5
 1"-200' scale map: NE 1-G
 Zoning: D.E.5.5
 Lot size: 0.197 acreage 8,480.5 square feet

SEWER: WATER:
 Chesapeake Bay Critical Area:
 Prior Zoning Hearings: None

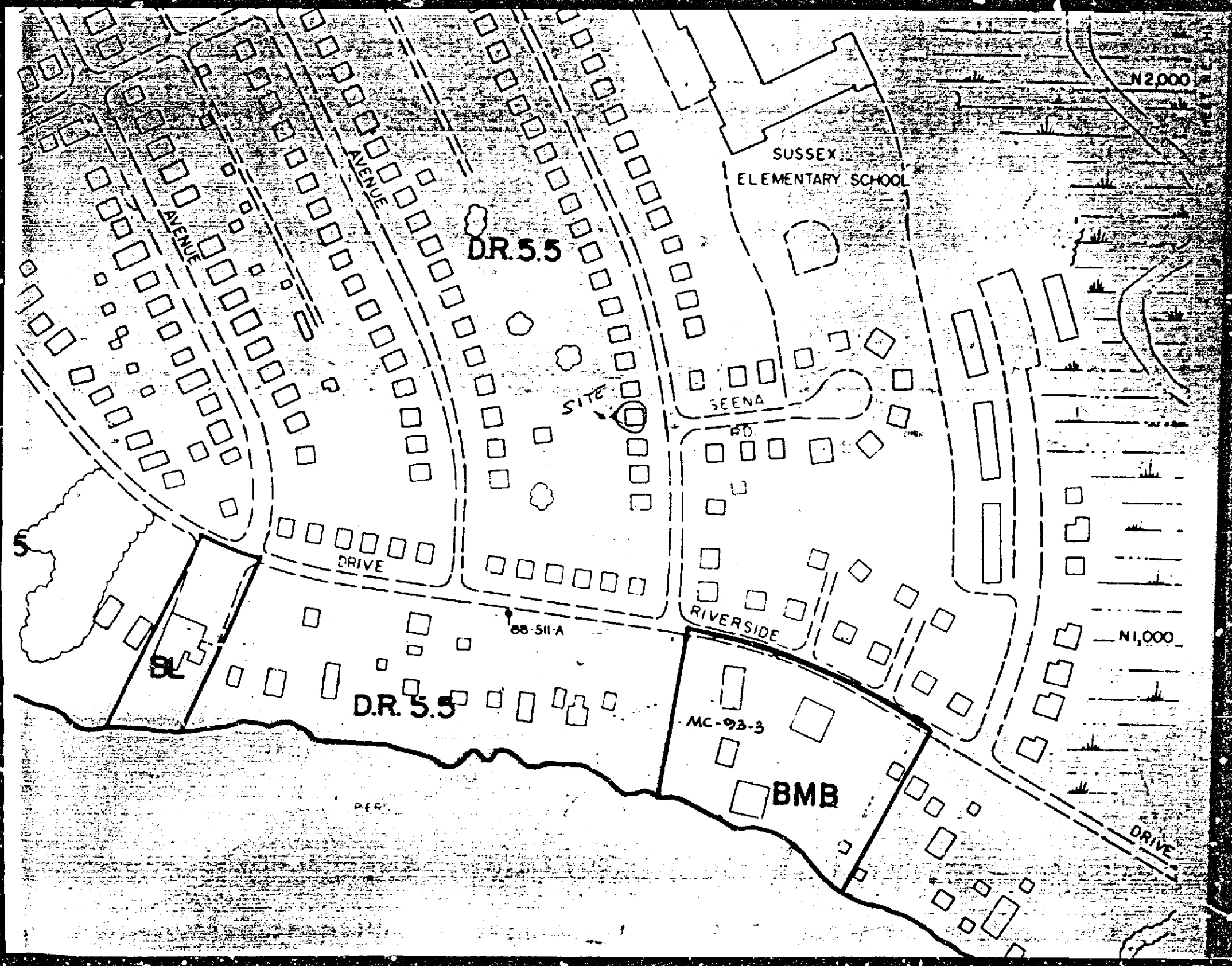
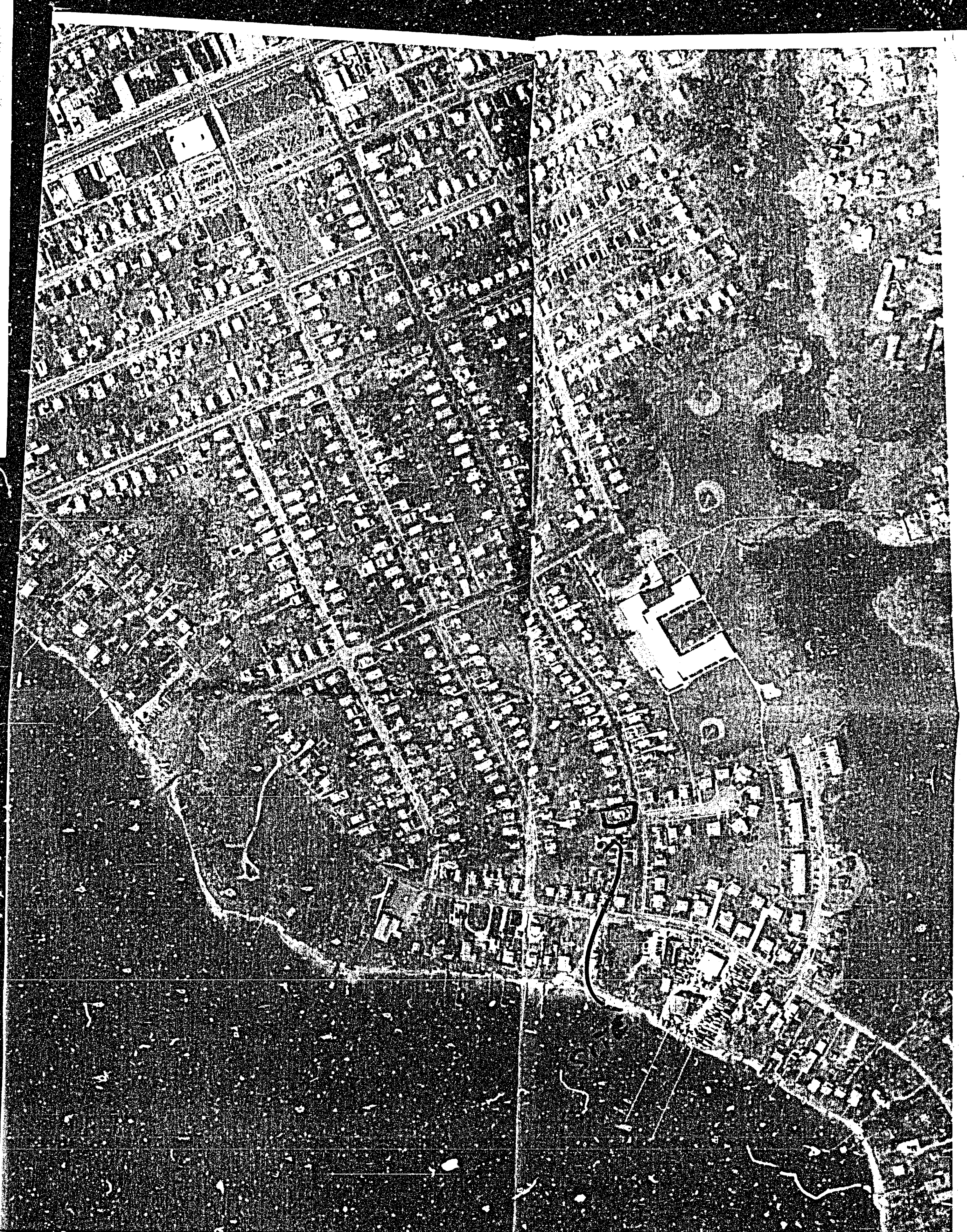
Zoning Office USE ONLY!
 reviewed by: ITEM #: CASE#:
 MPK 461

#461

Dear Commissioner,

We the undersigned are neighbors living within 1000ft. of the subject property. In signing this letter we are in agreement with the proposed addition. We understand the addition will be a 8ft.x16ft. room to be built onto the side of their home. We do not plan to challenge this petition nor demand a hearing in objection. Below are names and addresses of neighbors on right and left and directly in front of our home.

Francine Fox
 438 Margaret Ave
 Mr & Mrs Walt Stoll 438 Margaret Ave.
 Meri Keffler 400 Margaret Ave.



#461

94-472-A

DRAWING NUMBER

NE 1-G

ORE COUNTY
 ANNING AND ZONING
 GRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	ESSEX #461	N.E. 1-G
DATE OF PHOTOGRAPHY JANUARY 1986		

Item Number: 461
Planner: MSK
Date Filed: 5-25-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the zoning commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the zoning commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

- The following information is missing:
 - Descriptions, including accurate beginning point
 - Actual address of property
 - Zoning
 - Acreage
 - Plats (need 12, only ___ submitted)
 - 200 scale zoning map with property outlined
 - Election district
 - Councilmanic district
 - NZCA section information and/or wording
 - Hardship/practical difficulty information
 - Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
 - Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 - Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - Notary Public's section is incomplete ~~and is incorrect~~
 - ~~and the commission has expired - NEEDS DATE FOR EXPIRATION OF COMMISSION~~

PET-FLAG (TXTSOPH)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 10, 1994

Mr. and Mrs. Raymond C. Honaker
436 Margaret Avenue
Baltimore, Maryland 21221

RE: Case No. 94-472-A, Item No. 461
Petitioner: Raymond C. Honaker, et ux.
Petition for Administrative Variance

Dear Mr. and Mrs. Honaker:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on May 25, 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.

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1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned 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.

Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hal Kassoff
Administrator

6-7-94

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.: 461 (MSK)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access 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 A. KAMSEY, 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, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 7, 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. 428, 439, 446, 457, 458, 461, 466, 467 and 469.

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: Jeffrey W. Long

Division Chief: Pat Keller

PK/JL:lw

ZAC 428/PZONE/ZAC1

Baltimore County Government
Fire Department

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

(410) 887-4500

DATE: 06/06/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owners:

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 457, 458, 461, 462, 463, 464, 466, 467, 468, 469 AND 470.

RECEIVED
JUN 8 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Recycled Ink on Recycled Paper

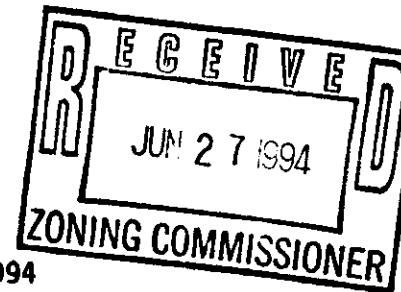
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

June 20, 1994

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

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #461 - Honaker Property
436 Margaret Avenue
Zoning Advisory Committee Meeting of June 6, 1994



The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The proposed project is subject to the Chesapeake Bay Critical Area Regulations. To comply with these regulations:

1. The property shall be planted to provide a tree cover of at least 15%.
2. Total impervious area cannot exceed 25% of the lot.
3. Down spout leaders from new impervious areas (roof top) shall be directed out onto a grassed lawn area away from the building.

JLP:EG:sp

HONAKER/DEPRM/TXTSBP

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 24, 1994

Mr. and Mrs. Raymond C. Honaker
436 Margaret Avenue
Baltimore, Maryland 21221

RE: Case No. 94-472-A, Item No. 461
Petition for Administrative Variance

Dear Mr. and Mrs. Honaker:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on June 24, 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 Recycled Ink on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 3, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Raymond and Maria Honaker
436 Margaret Avenue
Baltimore, Maryland 21221

RE: CASE NUMBER: 94-472-A (Item 461)
436 Margaret Avenue
W/S Margaret Avenue, 25' W of c/l Seneca Road
15th Election District - 5th Councilmanic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made 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 refresher regarding the administrative process.

1) Your property will be posted on or before June 5, 1994. The closing date (June 20, 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 reporting 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
Director

Printed with Recycled Ink on Recycled Paper

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
 W/S Margaret Avenue, 25 ft. N of c/1 Seena Road
 436 Margaret Avenue
 15th Election District
 Raymond C. Honaker, et ux
 Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 94-472-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Raymond C. Honaker and Maria J. Honaker, his wife, for that property known as 436 Margaret Avenue in the Essex section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6 ft. side yard setback, in lieu of 7 ft., for an 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 107.1 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.
 This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), upon completion of their findings. The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

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 27th day of June, 1994 that the Petition for a Zoning Variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6 ft. side yard setback, in lieu of 7 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, 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.
2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT,
 Zoning Commissioner
 for Baltimore County

ORDER RECEIVED FOR FILING
 Date: 6/27/94
 By: [Signature]

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113 Courthouse
 401 Washington Avenue
 Towson, MD 21284

(410) 887-4386

June 21, 1994

Mr. and Mrs. Raymond C. Honaker
 436 Margaret Avenue
 Baltimore, Maryland 21221

RE: Petition for Administrative Variance
 Case No. 94-472-A
 Property: 436 Margaret Avenue

Dear Mr. and Mrs. Honaker:

Enclosed please find the decision rendered in the above captioned case. The Petition for 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 887-1391.

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

LES:mmn
 encl.

Petition for Administrative Variance
 to the Zoning Commissioner of Baltimore County
 for the property located at 436 MARGARET AVENUE
 which is presently zoned DK 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
 The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B (B.C.Z.R. 15th Res. Zon.) to permit a 6' side setback in lieu of 7'.

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 Copy

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 of Baltimore County.

Contact Person Name: _____
 Type or Print Name: _____
 Signature: _____
 Address: _____
 City: _____ State: _____ Zipcode: _____
 Attorney for Petitioner: _____
 Type or Print Name: _____
 Signature: _____
 Address: _____
 City: _____ State: _____ Zipcode: _____

Legal Owner(s)
 Type or Print Name: Raymond C. Honaker
 Signature: Raymond C. Honaker
 Type or Print Name: MARIA J. HONAKER
 Signature: MARIA J. HONAKER
 Address: 436 MARGARET AVENUE
 City: _____ State: _____ Zipcode: _____
 Phone No: (w) 233-4200
 Address: Maryland Honaker 391-6218
 City: _____ State: _____ Zipcode: _____
 Phone No: _____
 Address: _____
 City: _____ State: _____ Zipcode: _____

A Public Hearing having been requested and/or held to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertisement, or required by the Zoning Regulations of Baltimore County, at the next regular or special circulation throughout Baltimore County, and that the property be re-posted.

Zoning Commissioner of Baltimore County

REVIEWED BY: MDR DATE: 5/27/94
 ESTIMATED POSTING DATE: 6/5/94 ITEM # 461

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) advise competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
 That the Affiant(s) does/do presently reside at 436 MARGARET AVENUE
BALTIMORE MD 21221
 City State Zip Code

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)
See Attached sheet

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a re-posting and advertising fee and may be required to provide additional information.
Raymond C. Honaker Maria J. Honaker
 Type or Print Name Type or Print Name
 Signature Signature
 STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
 I HEREBY CERTIFY, this 27 day of JUN, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Raymond C. Honaker, Maria J. Honaker
 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/their knowledge and belief.
 AS WITNESS my hand and Notarial Seal:
5/27/94 [Signature]
 NOTARY PUBLIC
 My Commission Expires: 9/1/97

94-472-A #1

The following are the facts upon which we base our request for a variance.
 The existing kitchen area is very narrow, generally small causing the room to be cramped with only minimal furniture in it. There is only room for a small table and four chairs. One of the chairs has to be kept against the wall when not in use allowing for space to get around the room. When all four chairs are in use and one needs to get up, someone else has to inconveniently get up so that person can get by. So when our family of four sits down to eat we are always reminded of the need for a larger room! Not only are we inconvenienced by the small size of the kitchen but also the side door entrance. This side door is

94-472-A #2

located between the living room and kitchen. The side door is also directly below the stairs to upper level. When the door is open you can not walk into living room from kitchen nor kitchen to living room without closing it. When letting someone out the side door everyone must first enter the kitchen or stand on the steps in order to open the door and exit- very frustrating!
 The proposed addition will not only widened the kitchen; the main dining area so that cooking and dining are much more comfortable, but also eliminate the dreaded side door. By putting addition on the side extending from existing side door we will be creating wider passage between the forementioned rooms.
*Sincerely,
 Raymond C. Honaker*

94-472-A

Beginning on the west side of Margaret Avenue, fifty (50) feet wide, at the distance of twenty-five (25) feet north of the centerline of Seena Road - Being Lot 69 of the subdivision of Essex as recorded in Plat Book 16, Folio 37. Also known as 436 Margaret Avenue containing .194 acres in the 15th Election District.

#461

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

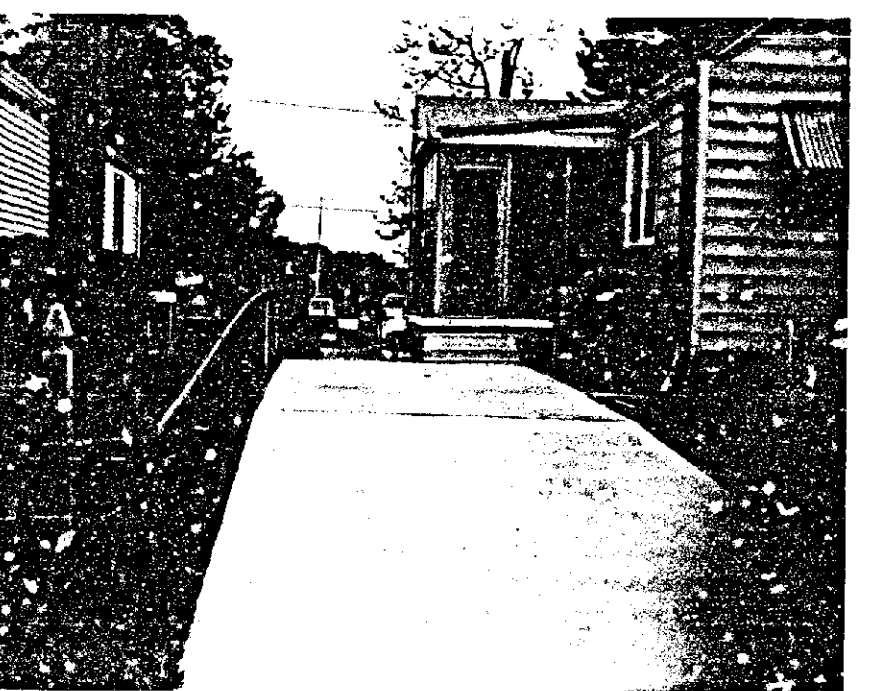
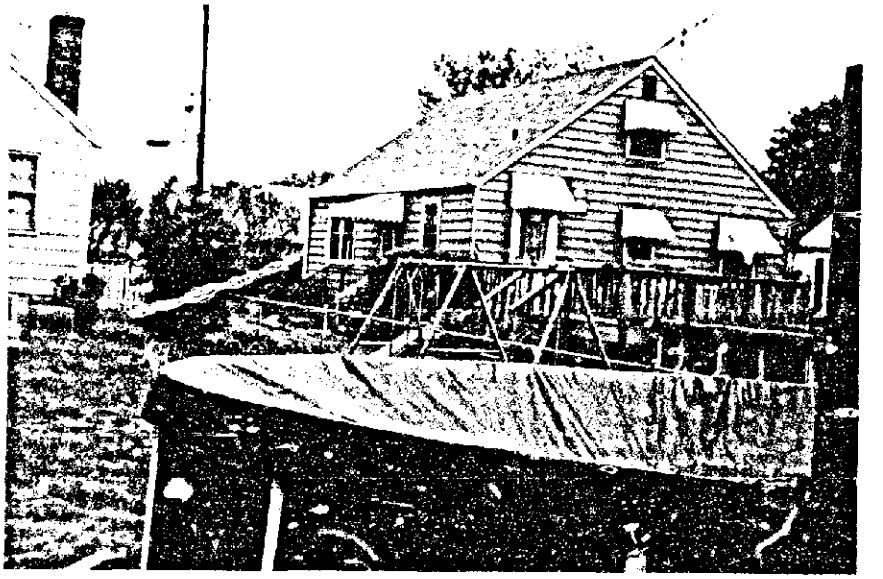
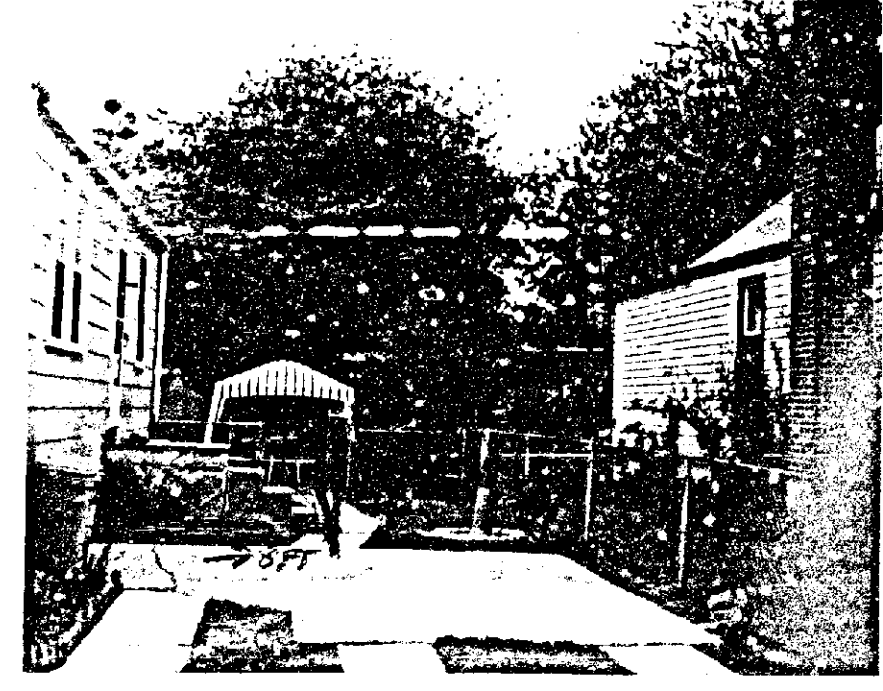
District: 15th Date of Posting: 6/5/94
 Posted for: variance
 Petitioner: Raymond C. Honaker
 Location of property: 436 Margaret Ave. 4/5
 Location of Sign: Along road on property being posted
 Remarks: _____
 Posted by: [Signature] Date of return: 6/10/94
 Number of Signs: 1

receipt
 94-472-A
 Account: R-001-4180
 Number: _____
 Item Number: 461
 Taken In By: [Signature]

5/25/94
 Honaker - 436 Margaret Avenue
 010 - Zoning Var. (Admin) - \$50.00
 080 - 1 sign posting - \$35.00
 Total - \$85.00

03A03#0080ACCRC
 88 6010121A05-25-94 885.00
 Please Make Checks Payable To: Baltimore County

94-472-1



Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 436 MARGARET AVE see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: ESSEX

plat book: 185 page 37 lots 69 sections 22

OWNER: Raymond & Maria Howaker **94-472-A**

LOT 1 45.47' 18.61'

MARGARET AVE

SEENA

North

date: _____

prepared by: R.A. Howaker scale of Drawing: 1" = 50'

LOCATION INFORMATION

Election District: 15

Councilman District: 5

1"-200' scale map: NE 1-G

Zoning: D.E.5.5

Lot size: 0.197 acreage: 3,480.6 square feet

SEWER: WATER:

Chesapeake Bay Critical Area:

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

MPK 461

Rel No 1

#461

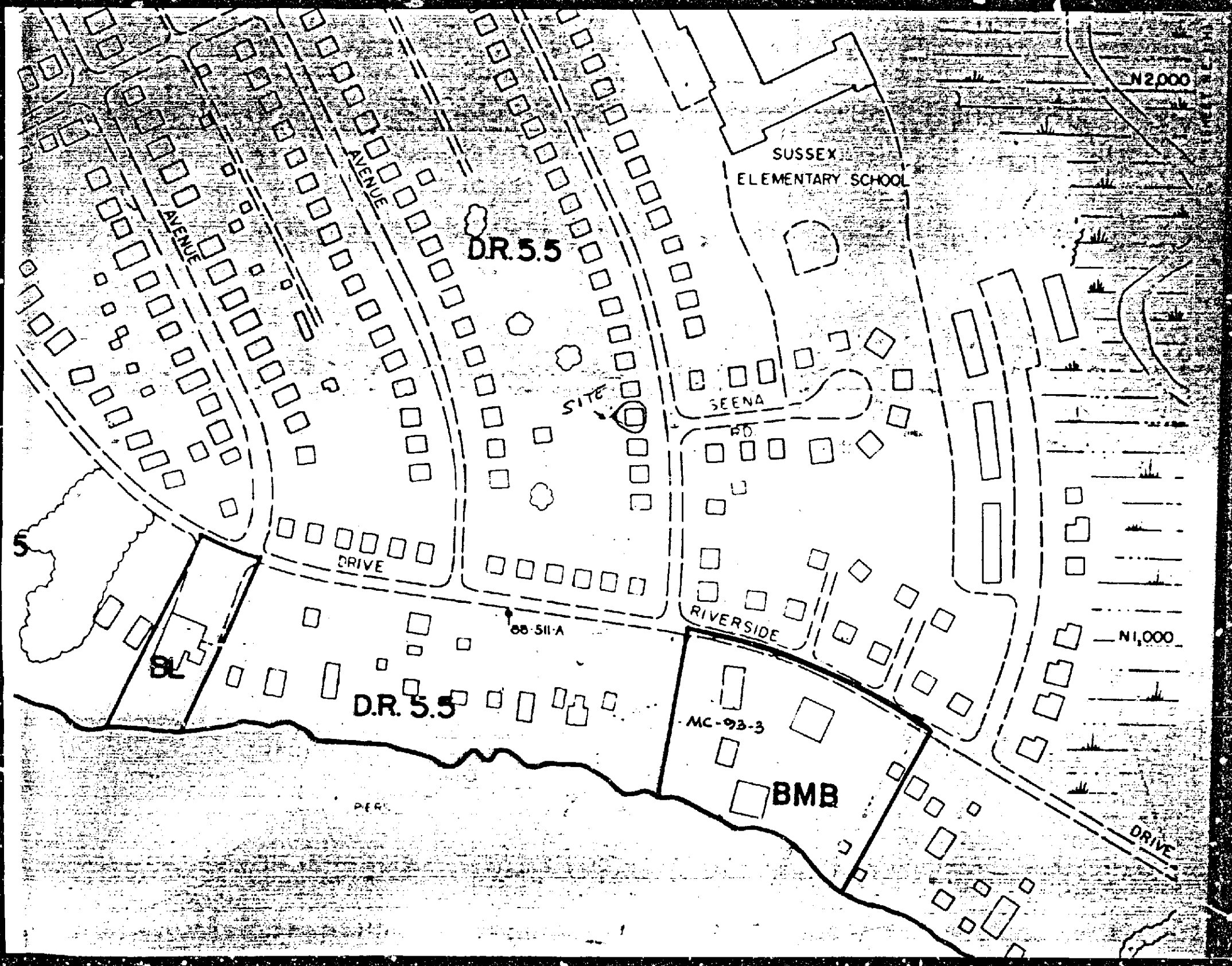
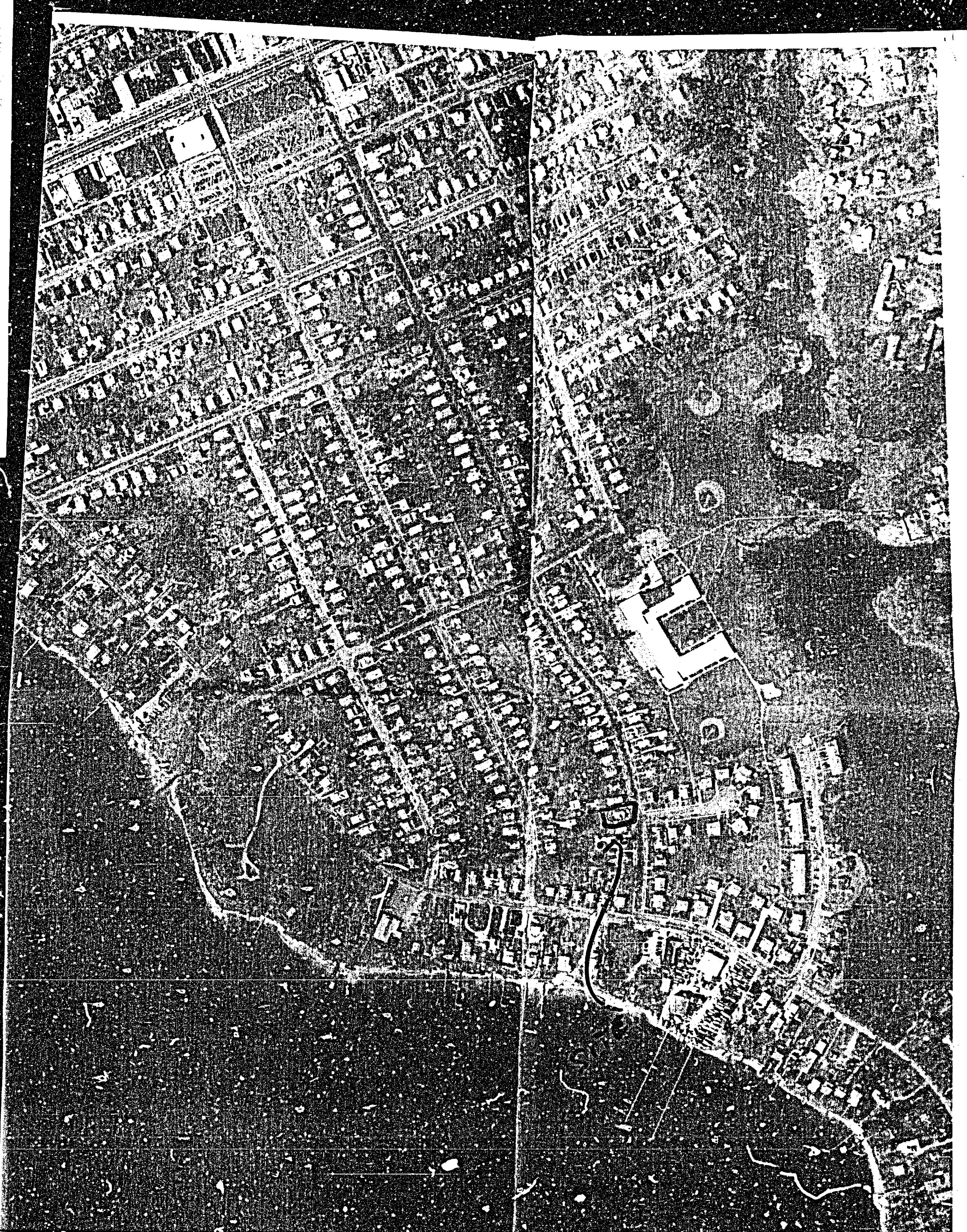
Dear Commissioner,

We the undersigned are neighbors living within 1000ft. of the subject property. In signing this letter we are in agreement with the proposed addition. We understand the addition will be a 8ft.x16ft. room to be built onto the side of their home. We do not plan to challenge this petition nor demand a hearing in objection. Below are names and addresses of neighbors on right and left and directly in front of our home.

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438 Margaret Ave

Mr & Mrs Walt Stoll 438 Margaret Ave.

Mavis Keffler 400 Margaret Ave



#461

94-472-A

DRAWING NUMBER

NE 1-G

ORE COUNTY
ANNING AND ZONING
GRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	ESSEX #461	N.E. 1-G
DATE OF PHOTOGRAPHY JANUARY 1986		

Item Number: 461
Planner: MSK
Date Filed: 5-25-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the zoning commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the zoning commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

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 - Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - Notary Public's section is incomplete ~~and is incorrect~~
 - ~~and the commission has expired - NEEDS DATE FOR EXPIRATION OF COMMISSION~~

PET-FLAG (TXTSOPH)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 10, 1994

Mr. and Mrs. Raymond C. Honaker
436 Margaret Avenue
Baltimore, Maryland 21221

RE: Case No. 94-472-A, Item No. 461
Petitioner: Raymond C. Honaker, et ux.
Petition for Administrative Variance

Dear Mr. and Mrs. Honaker:

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Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hal Kassoff
Administrator

6-7-94

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.: 461 (MSK)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access 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 A. KAMSEY, 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, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 7, 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. 428, 439, 446, 457, 458, 461, 466, 467 and 469.

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: Jeffrey W. Long

Division Chief: Pat Keller

PK/JL:lw

ZAC 428/PZONE/ZAC1

Baltimore County Government
Fire Department

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

(410) 887-4500

DATE: 06/06/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1109

RE: Property Owners:

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

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.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 457, 458, 461, 462, 463, 464, 466, 467, 468, 469 AND 470.

RECEIVED
JUN 8 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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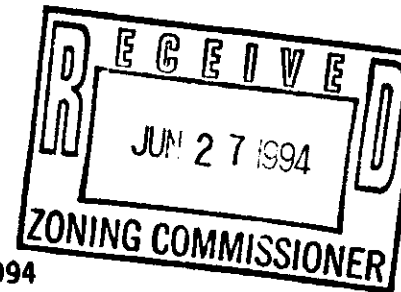
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

June 20, 1994

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

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #461 - Honaker Property
436 Margaret Avenue
Zoning Advisory Committee Meeting of June 6, 1994



The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The proposed project is subject to the Chesapeake Bay Critical Area Regulations. To comply with these regulations:

1. The property shall be planted to provide a tree cover of at least 15%.
2. Total impervious area cannot exceed 25% of the lot.
3. Down spout leaders from new impervious areas (roof top) shall be directed out onto a grassed lawn area away from the building.

JLP:EG:sp

HONAKER/DEPRM/TXTSBP

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 24, 1994

Mr. and Mrs. Raymond C. Honaker
436 Margaret Avenue
Baltimore, Maryland 21221

RE: Case No. 94-472-A, Item No. 461
Petition for Administrative Variance

Dear Mr. and Mrs. Honaker:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on June 24, 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

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111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 3, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Raymond and Maria Honaker
436 Margaret Avenue
Baltimore, Maryland 21221

RE: CASE NUMBER: 94-472-A (Item 461)
436 Margaret Avenue
W/S Margaret Avenue, 25' W of c/l Seneca Road
15th Election District - 5th Councilmanic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made 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 refresher regarding the administrative process.

1) Your property will be posted on or before June 5, 1994. The closing date (June 20, 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 reporting 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
Director

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IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
 W/S Margaret Avenue, 25 ft. N of c/1 Seena Road
 436 Margaret Avenue
 15th Election District
 Raymond C. Honaker, et ux
 Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 94-472-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Raymond C. Honaker and Maria J. Honaker, his wife, for that property known as 436 Margaret Avenue in the Essex section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6 ft. side yard setback, in lieu of 7 ft., for an 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 107.1 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.
 This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), upon completion of their findings. The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

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 27th day of June, 1994 that the Petition for a Zoning Variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6 ft. side yard setback, in lieu of 7 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, 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.
2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT,
 Zoning Commissioner
 for Baltimore County

ORDER RECEIVED FOR FILING
 Date: 6/27/94
 By: [Signature]

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113 Courthouse
 401 Washington Avenue
 Towson, MD 21284

(410) 887-4386

June 21, 1994

Mr. and Mrs. Raymond C. Honaker
 436 Margaret Avenue
 Baltimore, Maryland 21221

RE: Petition for Administrative Variance
 Case No. 94-472-A
 Property: 436 Margaret Avenue

Dear Mr. and Mrs. Honaker:

Enclosed please find the decision rendered in the above captioned case. The Petition for 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 887-1391.

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

LES:mmn
 encl.

Petition for Administrative Variance
 to the Zoning Commissioner of Baltimore County
 for the property located at 436 MARGARET AVENUE
 which is presently zoned DK 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B (B.C.Z.R. "A" Res. Zon.) to permit a 6' side setback in lieu of 7'.

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 Copy

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 of Baltimore County.

Contact Person Name: _____
 Type or Print Name: _____
 Signature: _____
 Address: _____
 City: _____ State: _____ Zipcode: _____
 Attorney for Petitioner: _____
 Type or Print Name: _____
 Signature: _____
 Address: _____
 City: _____ State: _____ Zipcode: _____

Legal Owner(s)
 Type or Print Name: Raymond C. Honaker
 Signature: Raymond C. Honaker
 Type or Print Name: MARIA J. HONAKER
 Signature: MARIA J. HONAKER
 Address: 436 MARGARET AVENUE
 City: _____ State: _____ Zipcode: _____
 Phone No: (w) 233-4200
 Address: Maryland Honaker 391-6218
 City: _____ State: _____ Zipcode: _____
 Phone No: _____
 Address: _____
 City: _____ State: _____ Zipcode: _____

A Public Hearing having been requested and/or held to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertisement, or required by the Zoning Regulations of Baltimore County, at the next regular or special circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: MDR DATE: 5/27/94
 ESTIMATED POSTING DATE: 6/5/94 ITEM # 461

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) advise competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
 That the Affiant(s) does/do presently reside at 436 MARGARET AVENUE
BALTIMORE MD 21221
 City State Zip Code

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)

See Attached sheet

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

Raymond C. Honaker Maria J. Honaker
 Signature Signature
 Type or Print Name Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
 I HEREBY CERTIFY, this 27 day of JUN, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Raymond C. Honaker, Maria J. Honaker
 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/their knowledge and belief.

AS WITNESS my hand and Notarial Seal:
5/27/94 [Signature]
 NOTARY PUBLIC
 My Commission Expires: 9/1/97

94-472-A #1

The following are the facts upon which we base our request for a variance.
 The existing kitchen area is very narrow, generally small causing the room to be cramped with only minimal furniture in it. There is only room for a small table and four chairs. One of the chairs has to be kept against the wall when not in use allowing for space to get around the room. When all four chairs are in use and one needs to get up, someone else has to inconveniently get up so that person can get by. So when our family of four sits down to eat we are always reminded of the need for a larger room! Not only are we inconvenienced by the small size of the kitchen but also the side door entrance. This side door is

94-472-A #2

located between the living room and kitchen. The side door is also directly below the stairs to upper level. When the door is open you can not walk into living room from kitchen nor kitchen to living room without closing it. When letting someone out the side door everyone must first enter the kitchen or stand on the steps in order to open the door and exit- very frustrating!
 The proposed addition will not only widened the kitchen; the main dining area so that cooking and dining are much more comfortable, but also eliminate the dreaded side door. By putting addition on the side extending from existing side door we will be creating wider passage between the forementioned rooms.
*Sincerely,
 Raymond C. Honaker*

94-472-A

Beginning on the west side of Margaret Avenue, fifty (50) feet wide, at the distance of twenty-five (25) feet north of the centerline of Seena Road - Being Lot 69 of the subdivision of Essex as recorded in Plat Book 16, Folio 37. Also known as 436 Margaret Avenue containing .194 acres in the 15th Election District.

#461

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 15th Date of Posting: 6/5/94
 Posted for: variance
 Petitioner: Raymond C. Honaker
 Location of property: 436 Margaret Ave. 436
 Location of Sign: Along road on property being posted
 Remarks: _____
 Posted by: [Signature] Date of return: 6/10/94
 Number of Signs: 1

receipt
 94-472-A
 Account: R-001-4180
 Number: _____
 Item Number: 461
 Taken In By: [Signature]

5/25/94
 Honaker - 436 Margaret Avenue
 010 - Zoning Var. (Admin) - \$50.00
 080 - 1 sign posting - \$35.00
 Total - \$85.00

03A03#0080ACCRC
 88 6010121A05-25-94 885.00
 Please Make Checks Payable To: Baltimore County