

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
S/S Second Avenue, 250 ft. E
of c/l of Charleston Avenue
323 Second Avenue
13th Election District
1st Councilmanic District
William F. King, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-121-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by William F. King, Jr. and Rena A. King, his wife, for that property known as 323 Second Avenue in the Lansdowne section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft., in lieu of the required 7.5 ft. setback, for an open projection (deck) in a D.R.5.5 zone. The property and relief sought are 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

ORDER RECEIVED FOR FILING

Date 10/27/96
By M. Spoad

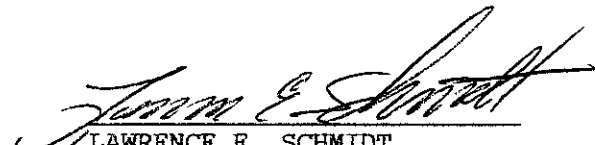
[Handwritten signature]

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 23rd day of October, 1995 that the Petition for a Zoning Variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft., in lieu of the required 7.5 ft. setback, for an open projection (deck) in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 10/23/95
By M. Spard



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 323 SECOND AVE BALTIMORE 21227
which is presently zoned _____

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) 301.1A - To Allow A Six Yard Setback of 3 FT. in lieu of the required 7.5 FT setback for an open projection (DECK) in A D.U.S. Zone.

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

wish to construct attached deck which will extend to three (3) feet from property line SEE ATTACHES

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

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

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City

Name, Address and phone number of representative to be contacted. :

Name

Address

WILLIAM E. KING JR

W. E. King Jr

RENA A. KING

Rena A. King

(W) 410-767-1057

323 SECOND AVE 410-536-5831

BALTIMORE MD 21227

A Public Hearing having been requested and/or found 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, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: SMJ

DATE

9-19-95

ESTIMATED POSTING DATE

10-1-95



Printed with Soybean Ink on Recycled Paper

ITEM #:

125-

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) 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/do presently reside at 323 SECOND AVE
address
BALTIMORE MD 21227
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)

I (WE) wish to construct an attached
deck to the residence. THE only
possible portion of the property to
place this deck would be on the west
side of the house. I (We) would like
it to be at least 9 (nine) ft wide.
We only have 12 (twelve) ft from the
location of the house to the property line

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.

W E King Jr
(signature)
WILLIAM E KING JR
(type or print name)



Rena A. King
(signature)
RENA A. KING
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of Sept., 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William E. King, Jr and Rena A King

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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.

9/19/95
date

Maureen A. Amsel
NOTARY PUBLIC

My Commission Expires: 2/10/96



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-121-A

District 130 Date of Posting 9/29/95

Posted for: Variance

Petitioner: Wm. King + Rena King

Location of property: 323 Second Ave

Location of Sign: Facing roadway on property being zoned

Remarks: _____

Posted by W. King Date of return: 10/6/95
Signature

Number of Signs: 1



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

No.

96-121

3102

DATE 9-19-95 ACCOUNT R-001-0100

AMOUNT \$ 85⁰⁰

RECEIVED FROM:

William "Rena" King 323 Second Fl
BROOKFIELD RD

010 POS CAR 0
OSC 15100 35

FOR:

Term 85

RECEIVED BY: [Signature] DATE: 9/19/95

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

[Signature] # 175



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 125 Petitioner: William E. King, Jr.

Location: 323 Second Ave - Baltimore 21227

PLEASE FORWARD ADVERTISING BILL TO:

NAME: William E. King Jr

ADDRESS: 323 Second Ave

Baltimore MD 21227

PHONE NUMBER: 410-536-5831

#125



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 2, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-121-A (Item 125)
323 Second Avenue
S/S Second Avenue, 250' E of c/l Charleston Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): William E. King, Jr. and Rena A. King

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 October 1, 1995. The closing date (October 16, 1995) 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
Director

cc: William and Rena King

RECEIVED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 12, 1995

William E. King, Jr.
Rena A. King
323 Second Avenue
Baltimore, MD 21227

RE: Item No.: 125
Case No.: 96-121-A
Petitioner: Wm. E. King, et ux

Dear Mr. and Mrs. King:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

10-2-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 125 (JRA)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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 Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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
Permits and Development
Management

DATE: October 4, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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

Item Nos. 123, 124, 125, 126, 131, 136, 137, 138, 140, 142, 143, and 144.

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:

Carol Kerns

PK/JL

PETITION PROBLEMS

#124 — JCM

1. No section number or wording on petition form. Variance for what???

#125 — JRA

1. No zoning indicated on petition form.

#126 — JRA

1. Notary section is incomplete.

#127 — JRA

1. Need title of person signing for legal owner.
2. Need authorization for person signing for legal owner.

#132 — MJK

1. Plat says legal owner is "Frederick Villa Associates, Limited Partnership". Petition says legal owner is "Henry Reitberger". Which is correct??

Item # 125

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Administrative Variance
William & Rena King
323 Second Avenue
Baltimore, MD 21227

To whom it may concern:

I, Kimberly LaBarre, purchaser of the property west of
Mr. & Mrs. King's residence (321 Second Avenue), have no objection to
the construction of a deck which will be attached to the west side of their
dwelling and extend to three (3) feet of our property line.

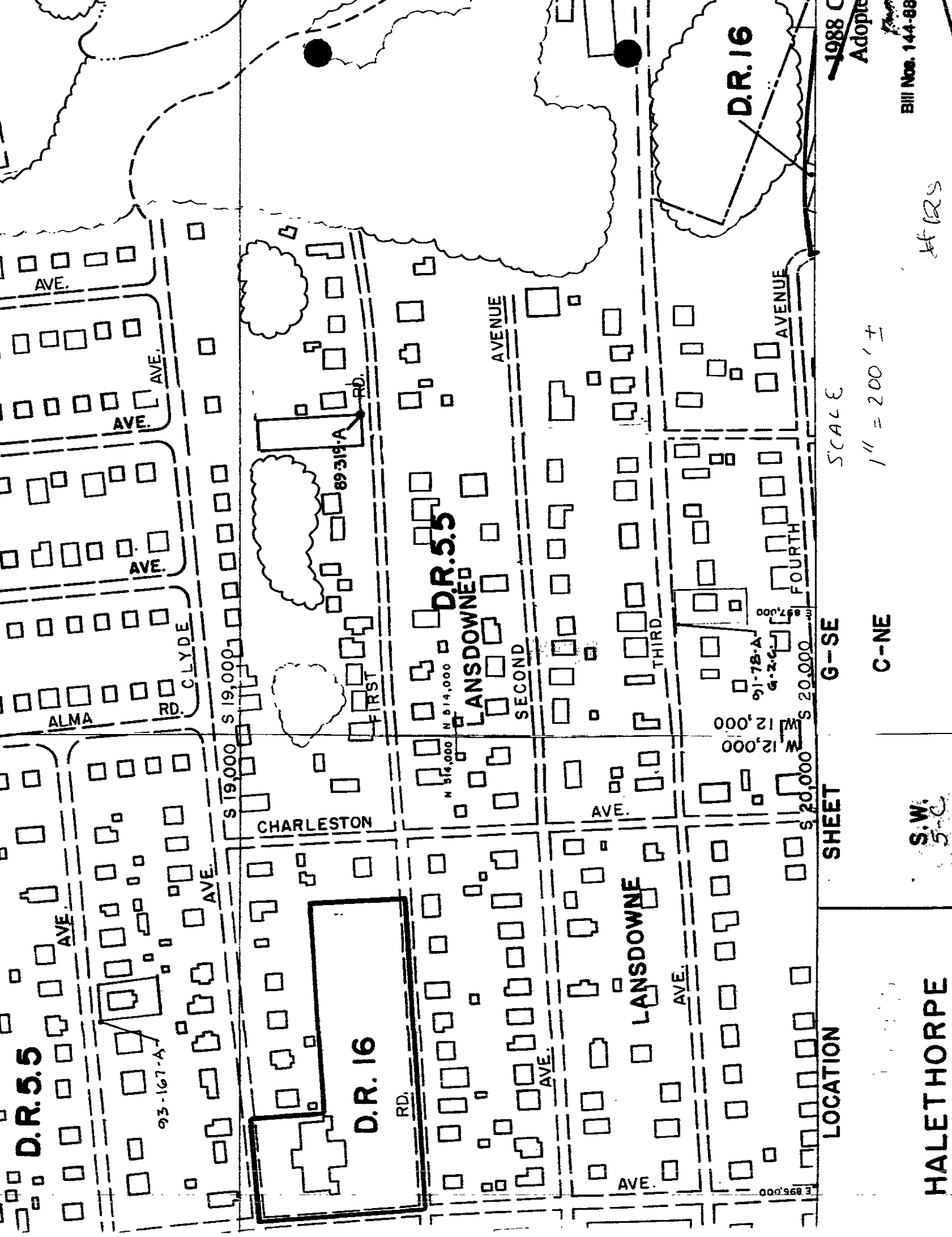
Respectfully submitted,


Kimberly LaBarre

RECEIVED

SEP 21 1995

ZADM



D.R. 5.5

93-167-A

D.R. 16

D.R. 5.5

D.R. 16

AVE.

AVE.

AVE.

ALMA

RD. CLYDE

S 19,000

CHARLESTON

RD. 89-319-A

N 314,000

LANSDOWNE

SECOND AVENUE

AVE.

LANSDOWNE

AVE.

THIRD

W 12,000

91-78-A

6-2-6

FOURTH

W 12,000

S 20,000

SHEET

G-SE

SCALE

1" = 200'

C-NE

LOCATION

S.W.

HALETHORPE

1988 C
Adopted

Bill Nos. 144-88

1/2 S

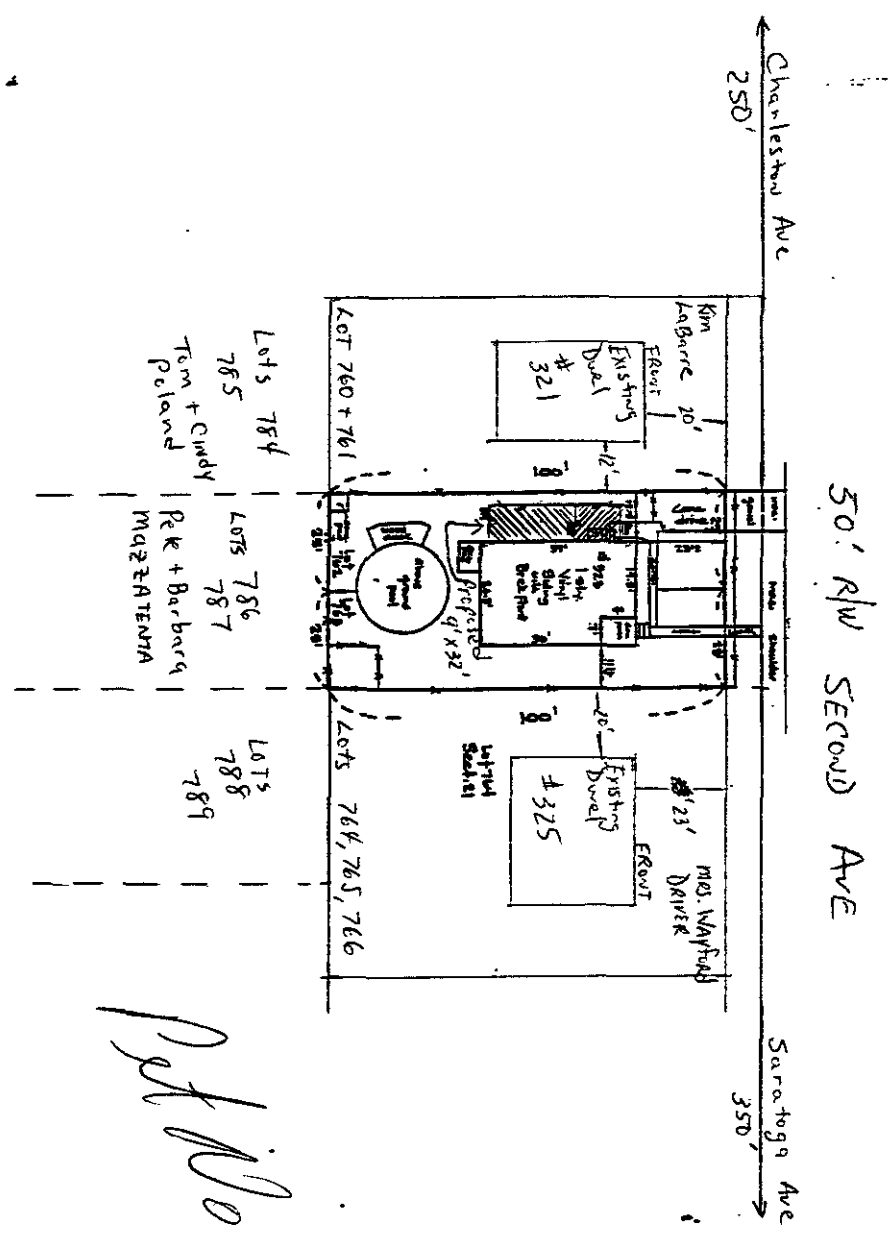
Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 323 SECOND AVE 21227 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LAUSDOWNE

plat book# folio# lot# 763 section# 21

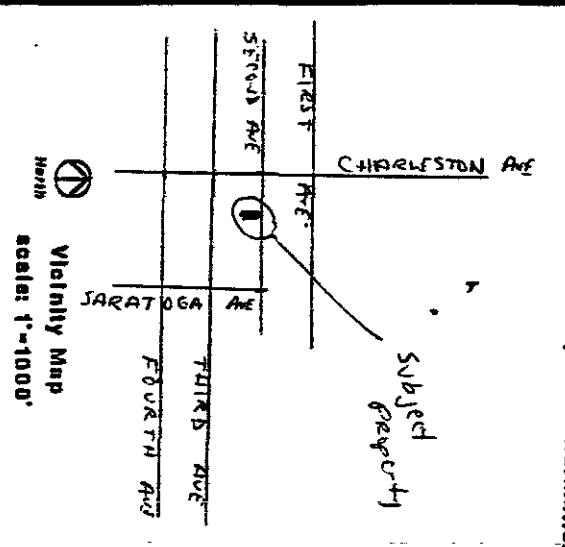
OWNER: WILLIAM E + RENA A KING



Plat No 1

North
date: 5/16/95
prepared by: W E KING

Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District: 13H
Councilmanic District: C-1

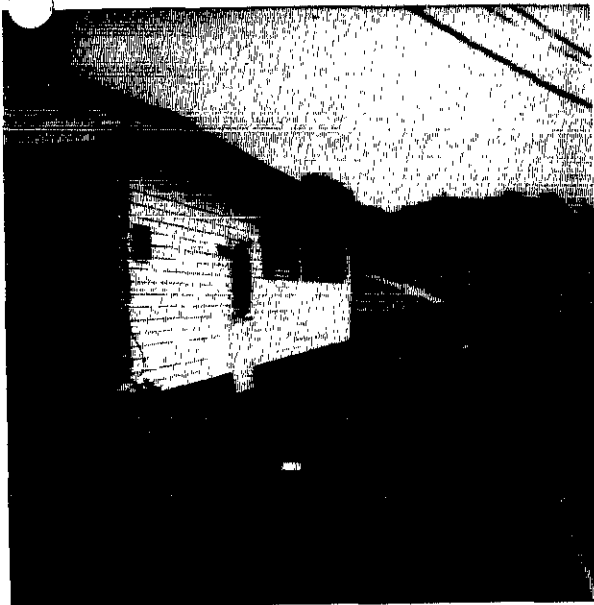
1"=200' scale map#: SW S-B
Zoning: DESS

Lot size: 0.115 acreage 5000 square feet

Chesapeake Bay Critical Areas: YES NONE
Prior Zoning Hearings: YES NONE

Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:
503 125



View to Proposed Site
From Front of House
125-



View to Proposed Site
From Rear of House
125-



From Rear Yard -
Neighboring House on
Left. 125-

(1)

Reasons for having deck at the proposed location

- the only place in the yard for which there is adequate space for the deck would be the rear of the home but the problems are
 1. a pool which consumes a large area of the yard
 2. No 1st floor exit to rear of the home
 3. the basement entrance which is in the rear of the home is at a low level in the yard and could be hindered by placing a deck there and also would limit the size of a deck
- the place we would like to place the deck has a side door entrance which is convenient to the kitchen (in the front of the house) for cookout purposes. The door is also compatible with the main level.

(2)

- the slope of the property also makes placing a deck elsewhere more burdensome in constructing it.
- have discussed with neighbor my plans to construct deck - She had no opposition - Will get Affidavit from her and send in.
- ~~Also~~ Additionally a deck in the rear of the house would present security problems, making access to bedroom windows probable and undetectable by other neighbors

ZONING DESCRIPTION FOR 323 SECOND AVENUE, BALTIMORE, MD 21227

Beginning at a point on the south side of Second Avenue which is 50 feet wide at the distance of 250 feet east of the centerline of the nearest improved intersecting street Charleston Avenue which is 50 feet wide. Being lots number 762 and 763, Section number 21 in the subdivision of Lansdowne as recorded in the Baltimore County Plat Book number—J.W.S. 1, Folio number 49, containing 5000 square feet. also known as SAME and located in the 13th Election District, C-1 Councilmanic District.

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
 323 Second Avenue, 250 ft. E of C/I of Charleston Avenue
 323 Second Avenue
 13th Election District
 1st Councilmanic District
 William F. King, Jr., et ux
 Petitioners

* BEFORE THE
 * ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 96-121-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by William F. King, Jr. and Rena A. King, his wife, for that property known as 323 Second Avenue in the Lansdowne section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft., in lieu of the required 7.5 ft. setback, for an open projection (deck) in a D.R.5.5 zone. The property and relief sought are 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 23rd day of October, 1995 that the Petition for a Zoning Variance from Section 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft., in lieu of the required 7.5 ft. setback, for an open projection (deck) in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

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.

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

LES:mmh

ORDER RECEIVED FOR FILING
 Date 10/23/95
 By [Signature]

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 323 Second Ave Baltimore 21227 which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owners 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 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 3 ft., in lieu of the required 7.5 ft. setback, for an open projection (deck) in a D.R.5.5 zone.

I wish to request attached deck which will extend to three (3) feet from property line See Diagram

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

I do not 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.

Legal Owners:
 Type or Print Name: WILLIAM E. KING JR
 Signature: [Signature]
 Address: 323 SECOND AVE BALTIMORE MD 21227
 City: BALTIMORE MD 21227
 State: MD
 Zip Code: 21227

Legal Owners:
 Type or Print Name: RENA A KING
 Signature: [Signature]
 Address: 323 SECOND AVE BALTIMORE MD 21227
 City: BALTIMORE MD 21227
 State: MD
 Zip Code: 21227

Printed with Soybean Ink on Recycled Paper
 ITEM # 125

Affidavit in support of Administrative Variance

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 that 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/do presently reside at 323 Second Ave 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: (include reverse or practical difficulty)
 I (We) wish to construct an attached deck to the residence. The only possible portion of the property to place this deck would be on the west side of the house. I (We) would like it to be at least 9 (nine) ft wide. We only have 12 (twelve) ft from the front of the house to the property line.

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.

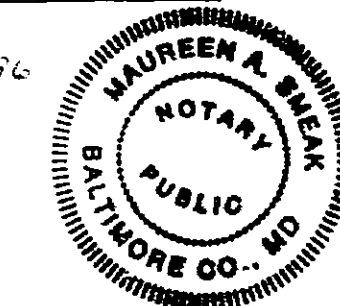
William F. King Jr
 WILLIAM F. KING JR
 Signature
 Type or Print Name: RENA A KING
 Signature: [Signature]

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of Oct, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William F. King Jr and Rena A King
 WILLIAM F. KING JR and RENA A KING
 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 hereinbefore set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal:
 9/19/95
 My Commission Expires: 2/10/96



ZONING DESCRIPTION FOR 323 SECOND AVENUE, BALTIMORE, MD 21227

Beginning at a point on the south side of Second Avenue which is 50 feet wide at the distance of 250 feet east of the centerline of the nearest improved intersecting street Charleston Avenue which is 50 feet wide. Being lots number 762 and 763, Section number 21 in the subdivision of Lansdowne as recorded in the Baltimore County Plat Book number - J.W.S. 1, Folio number 49, containing 5000 square feet, also known as SAME and located in the 13th Election District, C-1 Councilmanic District.

Reasons for having deck at the proposed location

- the only place in the yard for which there is adequate space for the deck would be the rear of the home but the problems are
 1. a pool which consumes a large area of the yard
 2. no 1st floor exit to rear of the home
 3. the basement entrance which is in the rear of the home is at a low level in the yard and could be hindered by placing a deck there and also would limit the size of a deck
- the place we would like to place the deck has a side door entrance which is convenient to the kitchen (in the front of the house) for lookout purposes. The door is also compatible with the main level # 125

(2)
 - the slope of the property also makes placing a deck elsewhere more burdensome in constructing it

- have discussed with neighbors my plans to construct deck - she had no objections - will get Affidavit from her and send in

- Additionally a deck in the rear of the house would present security problems, making access to bedroom windows probable and undetectable by other neighbors

125

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 13th Date of Posting: 9/21/95
 Posted for: Variance
 Petitioner: William F. King Jr
 Location of property: 323 Second Ave
 Location of Signs: Placed regularly on property being zoned
 Remark: [Blank]
 Posted by: [Signature] Date of return: 10/15/95
 Number of Signs: 1

Baltimore County Department of Permits and Development Management
 Development Processing County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21284

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:
 Item No.: 125 Petitioner: William F. King Jr
 Location: 323 Second Ave Baltimore 21227

PLEASE FORWARD ADVERTISING BILL TO:
 NAME: William F. King Jr
 ADDRESS: 323 Second Ave
 Baltimore MD 21227
 PHONE NUMBER: 410-536-5831

125



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 7, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-121-4 (Item 125)
323 Second Avenue
S/S Second Avenue, 250' E of c/l Charleston Avenue
15th Election District - 1st Councilmanic
Legal Owner(s): William E. King, Jr. and Rena A. King

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 October 1, 1995. The closing date (October 16, 1995) 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 reported 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.

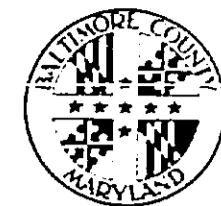
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon

Arnold Jablon
Director

cc: William and Rena King

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 12, 1995

William E. King, Jr.
Rena A. King
323 Second Avenue
Baltimore, MD 21227

RE: Item No.: 125
Case No.: 96-121-A
Petitioner: Wm. E. King, et ux

Dear Mr. and Mrs. King:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioners, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

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

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 125 (JKA)

10-9-95

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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 Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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
Permits and Development
Management

DATE: October 4, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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

Item Nos. 123, 124, 125, 126, 131, 136, 137, 138, 140, 142, 143, and 144.

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: *Caryl Kern*

PK/JL

ITEM123/PZONE/ZAC1

PETITION PROBLEMS

#124 -- JCM

1. No section number or wording on petition form. Variance for what???

#125 -- JRA

1. No zoning indicated on petition form.

#126 -- JRA

1. Notary section is incomplete.

#127 -- JRA

1. Need title of person signing for legal owner.
2. Need authorization for person signing for legal owner.

#132 -- MJK

1. Plat says legal owner is "Frederick Villa Associates, Limited Partnership".
Petition says legal owner is "Henry Reitberger". Which is correct???

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Administrative Variance
William & Rena King
323 Second Avenue
Baltimore, MD 21227

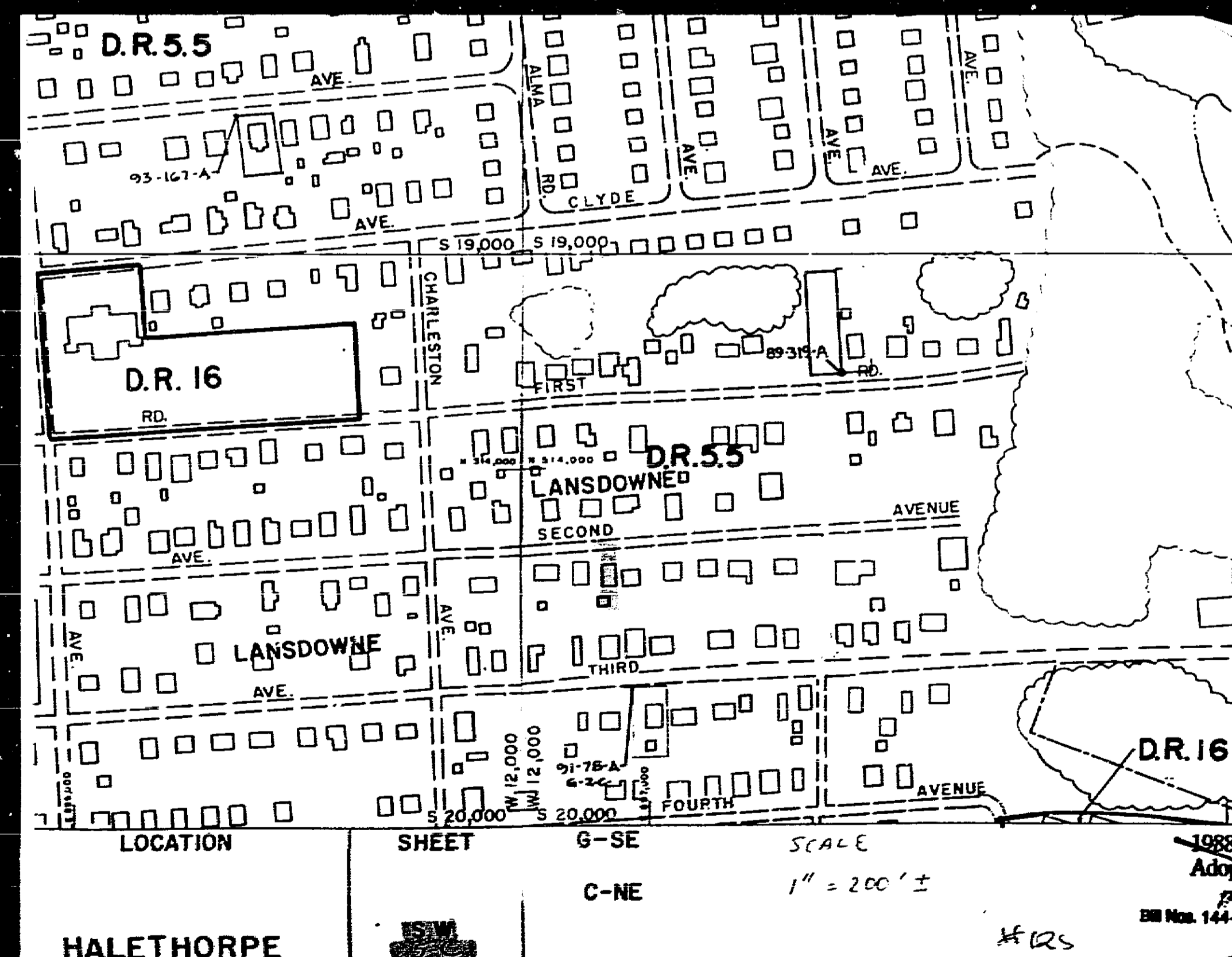
To whom it may concern:

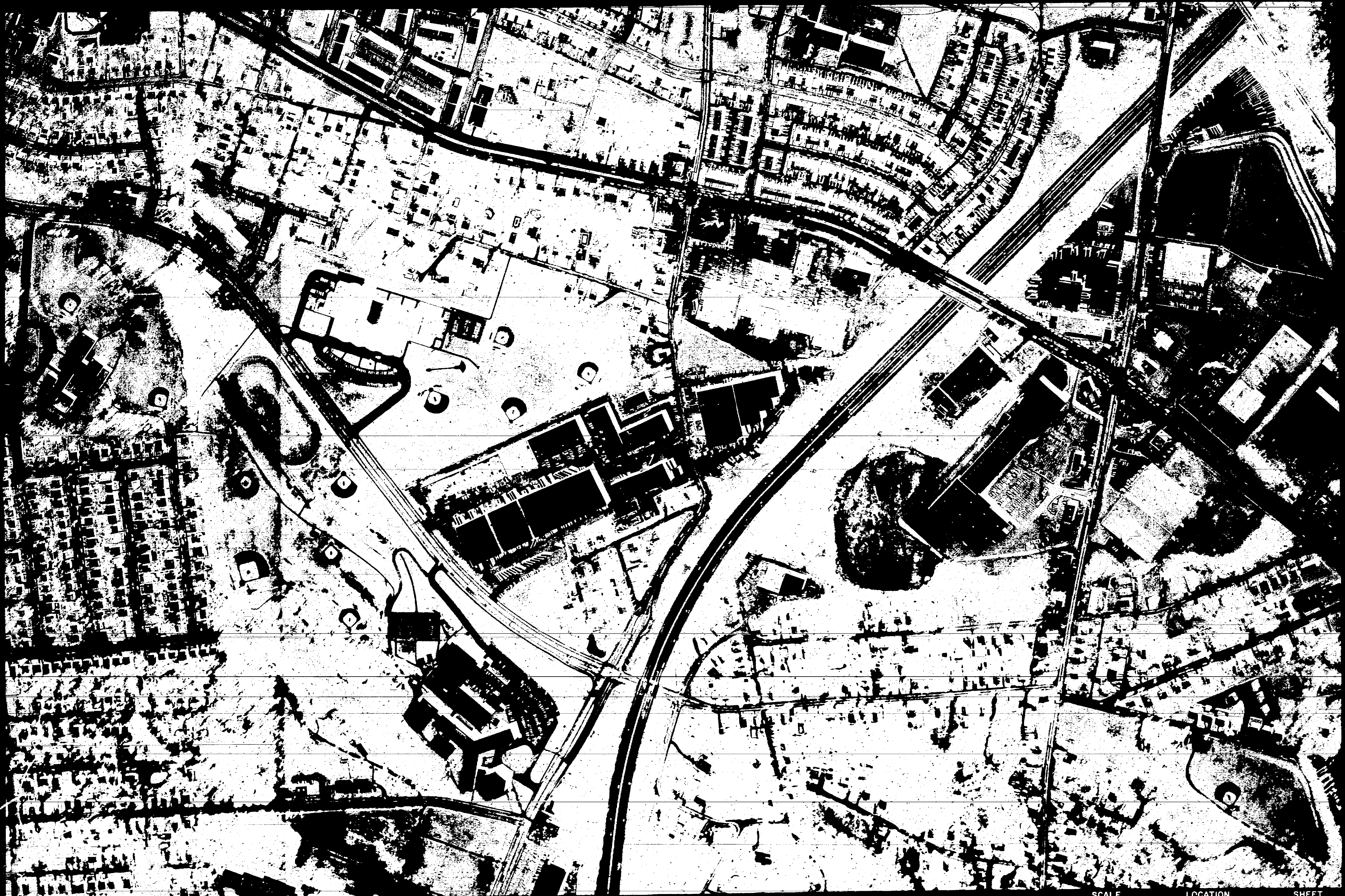
I, *Kimberly LaBarre*, purchaser of the property west of Mr. & Mrs. King's residence (321 Second Avenue), have no objection to the construction of a deck which will be attached to the west side of their dwelling and extend to three (3) feet of our property line.

Respectfully submitted,

Kimberly LaBarre
Kimberly LaBarre

RECEIVED
SEP 21 1995
ZADM





#125

PREPARED BY AIR PHOTOGRAPHS, INC.
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LANS DOWNE	S.W. 5-B
DATE OF PHOTOGRAPHY		
JANUARY 1986		