

IN RE: PETITIONS FOR VARIANCE	* BEFORE THE
NW/S Harford Road, 85' and 134.50' SW	* ZONING COMMISSIONER
of the c/l of Alverta Avenue	* OF BALTIMORE COUNTY
(9822 and 9824 Harford Road)	* Case Nos. 97-344-A & 97-345-A
9th Election District	
6th Councilmanic District	
Santo DiFatta, et ux	
Petitioners	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as combined Petitions for Variance for the adjoining properties known as 9822 and 9824 Harford Road, located in the vicinity of Alverta Avenue in Parkville. The Petitions were filed by the owners of the property, Santo and Stephanie DiFatta. In Case No. 97-344-A, the Petitioners seek relief from Sections 304.1 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 49.5 feet in lieu of the required 55 feet for a proposed dwelling on the property known as 9822 Harford Road. In Case No. 97-345-A, similar relief is sought from Sections 304.1 and 1B02.3.C.1 of the B.C.Z.R. for a lot width of 49.5 feet in lieu of the required 55 feet, and side yard setbacks of 8 feet each in lieu of the required 10 feet for an existing dwelling on the property known as 9824 Harford Road. The subject properties and relief sought are more particularly described on the respective site plans filed in each case which were accepted and marked into evidence as Petitioners' Exhibits 1.

Appearing at the hearing on behalf of the Petitions were Santo DiFatta, property owner, and Vincent J. Moskunus, Professional Engineer with M & H Development Engineering, Inc., who prepared the site plans in each case. Appearing as a Protestant in the matter was Kenneth Erdman, the adjoining property owner who resides at 9820 Harford Road.

ORDER RECEIVED FOR FILING

Date

By

Testimony and evidence offered revealed that the properties which are the subject of these requests are adjoining lots, located in an older subdivision known as Erdmanor, which existed as far back as 1947, prior to the adoption of the B.C.Z.R. Both lots are identical in size and configuration, with frontage on Harford Road of 49.5 feet each, and a depth of 187 feet. The property, known as 9824 Harford Road, is improved with a one and one-half story frame dwelling and detached concrete block garage. The property known as 9822 Harford Road is presently unimproved, but for a macadam driveway which has been traditionally used by the owners of 9824 Harford Road to access the garage.

The Petitioners seek relief to approve the utilization of each lot for a single family dwelling, irrespective of the narrowness of each lot. That is, the B.C.Z.R. requires that the lot be a minimum width of 55 feet in the D.R. 5.5 zones. Although the lots contain sufficient acreage, (9,900 sq.ft. each, well above the 6,000 sq.ft. minimum) the lots fall short of the 55-foot width requirement by approximately 5.5 feet.

Testimony from the Petitioner and his expert witness was that the proposed dwelling at 9822 Harford Road would be appropriate for the neighborhood and not inconsistent with the use of similarly sized lots nearby. The Petitioners noted that there are apartments in the area and that the property immediately across from the subject site is improved with a church. Thus, it is argued that construction of a single family dwelling on the property is an appropriate use for this site. Although the Protestant, Mr. Erdman, did not offer extensive testimony, he apparently objects to the construction of a dwelling on an otherwise vacant lot.

Clearly, the Petitioner is not entitled to relief pursuant to Section 304 of the B.C.Z.R. That Section allows a property owner to

construct a single family dwelling on an undersized lot, or a lot of insufficient width, by right, under certain circumstances. The Petitioner is ineligible for relief under that Section in that adjoining properties, which collectively meet the width requirement, are owned by him. Thus, a variance, pursuant to Section 307, from the requirements of Section 1B02.3.C.1 of the B.C.Z.R., is required.

An adverse comment to the request was received from the Office of Planning. That agency believes that relief should not be granted and that the lot known as 9822 Harford Road should not be improved. I am appreciative of their comment, and in many respects, agree therewith. However, as Mr. Moskunas pointed out, the Petitioner could build a second dwelling without variance relief. Specifically, an exhibit was presented showing a proposed subdivision of the lots wherein the existing dwelling would remain and a new lot would be carved from the rear portion of both lots. Vehicular access to a public street by the newly created lot would be either by way of easement or panhandle driveway. Under this proposed configuration, a new dwelling could be constructed on what has been heretofore used as the entire rear yard of the dwelling known as 9824 Harford Road. As noted above, the lots each contain sufficient area to support a dwelling and the property lines could be adjusted so that all setback requirements are met.

However, that alternate proposal, in my judgment, results in a greater detriment than the proposal presented herein. That is, I believe it is more appropriate to allow the construction of a single family dwelling on each lot within the present lot lines, than the alternate subdivision.

Based on the testimony and evidence presented, I will therefore grant the Petition for Variance to permit a lot width of 49.5 feet in lieu

ORDER RECEIVED FOR FILING
5/29/67
SPC
JF

of the required 55 feet to allow construction of a single family dwelling on the property known as 9822 Harford Road. Furthermore, the existing dwelling at 9824 Harford Road, due to its orientation on the lot, does not meet the side yard setback requirements. Thus, a variance shall be granted to permit side yard setbacks of 8-feet in lieu of the required 10 feet for the dwelling known as 9824 Harford Road, as shown on the site plan. Notwithstanding the granting of this relief, same shall be conditioned. Specifically, I shall require the Petitioner to submit building elevation plans for the dwelling to be constructed at 9822 Harford Road to the Office of Planning for review and approval, to assure that the proposed dwelling is compatible with the surrounding neighborhood.

It should be noted that the Office of Planning suggested that additional conditions and limitations be imposed upon the granting of any relief. Specifically, their comment suggests that additional arrangements be made to provide off-street parking for both the existing and proposed dwellings. Their comment states no basis why such a requirement should be imposed. I decline to impose this condition as a requirement; however, if the Petitioner desires to construct a shared driveway or provide other means of off-street parking for these lots, this Order shall not be considered a prohibition against same.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the requested variances shall be granted.

5/29/97
WJL
WJL
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of May, 1997 that the Petition for Variance filed in Case No. 97-344-A seeking relief from Sections 304.1 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width

of 49.5 feet in lieu of the required 55 feet for a proposed dwelling on the property known as 9822 Harford Road, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 97-345-A, seeking similar relief from Sections 304.1 and 1B02.3. C.1 of the B.C.Z.R. to permit a lot width of 49.5 feet in lieu of the required 55 feet, and side yard setbacks of 8 feet each in lieu of the required 10 feet for an existing dwelling on the property known as 9824 Harford Road, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that all of the relief granted herein is subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioner shall submit building elevation plans for the proposed dwelling to be constructed on 9822 Harford Road to the Office of Planning for review and approval to assure that the proposed dwelling is compatible with the surrounding neighborhood.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

JADER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 29, 1997

Mr. & Mrs. Santo DiFatta
8829 Avondale Road
Baltimore, Maryland 21234

RE: PETITIONS FOR VARIANCE
NW/S Harford Road, 85' and 134.50' SW of the c/l of Alverta Avenue
(9822 and 9824 Harford Road)
9th Election District - 6th Councilmanic District
Santo DiFatta, et ux - Petitioners
Case Nos. 97-344-A & 97-345-A

Dear Mr. & Mrs. DiFatta:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Vincent J. Moskunas, M & H Development Engineering
200 E. Joppa Road, Towson, Md. 21286

Mr. Kenneth Erdman
9820 Harford Road, Baltimore, Md. 21234

People's Counsel; Case Files



RE: PETITION FOR VARIANCE
9824 Harford Road, NW/S Harford Road,
134.50+/- SW of c/l Alverta Avenue
9th Election District, 6th Councilmanic

Santo and Stephanie DiFatta
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-345-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of March, 1997, a copy of the foregoing Entry of Appearance was mailed to M & H Dev. Eng., 200 E. Joppa Road, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9824 Hawford Rd.

97-345-A

which is presently zoned OR 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) 304.1 & 1802.3.C.1, BC2R,

To PERMIT A LOT WIDTH OF 49.5' IN LIEU OF THE REQUIRED 55' AND A SIDEYARD SETBACKS OF 8' IN LIEU OF THE REQUIRED 10' EXISTING

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate ~~ownership~~ practical difficulty)

1. ORIGINAL DIMENSION OF PROPERTY IS 99' THE DENSITY ALLOWS TWO (2) LOTS. DIVIDING THE ORIGINAL LOT IN HALF THE LOT WIDTH CAN ONLY BE 49.5' FOR EACH LOT. A PANHANDLE WOULD WORK, PLANNING WOULD SAY IT IS NOT COMPATABLE.
2. ORIGINAL RECORDED PLAT WAS 56 LOTS LAYOUT AT 50', WE CAN ONLY ACCOMMODATE 49.5' BECAUSE OF OWNERSHIP.
3. SIDEYARD VARIANCE FOR EXISTING HOUSE # 9824 THE RIGHT SIDEYARD SETBACK IS EXISTING AT 8' IN LIEU OF 10'. BECAUSE OF LOT WIDTH AND EXISTING ORIENTATION THE LEFT REAR SIDEYARD BECOMES 8' IN LIEU OF 10'. TO SLIDE THE LEFT HAND PROPERTY LINE HELPS THE SIDEYARD BUT REDUCES THE PROPOSED LOT WIDTH AT #9822. IT IS BETTER TO HAVE BOTH LOTS THE SAME WIDTH TO BE COMPATABLE WITH THE RECORDED PLAT.

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:

Legal Owner(s):

(Type or Print Name)

Santo DiFatta
(Type or Print Name)

Signature

Signature

Address

Stephanie DiFatta
(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner:

(Type or Print Name)

8829 Avondale Avenue

661-2507

Address

Phone No

Baltimore, MD 21234

City

State

Zipcode

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

SAME AS ABOVE
Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JLM DATE 2-18-97

345

ORDER RECEIVED FOR FILING

Date

By



Printed with Soybean Ink
on Recycled Paper



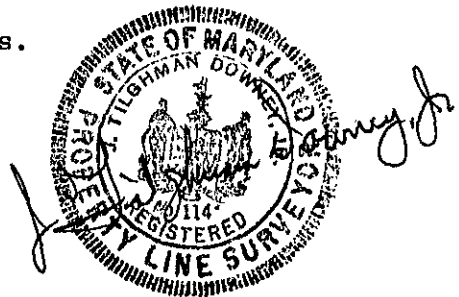
97-345-A

FEBRUARY 3, 1997

ZONING DESCRIPTION FOR
#9824 HARFORD ROAD
BALTIMORE COUNTY, MD

BEGINNING at a point being measured as 134.50 feet northeasterly from the intersection of the centerline of Alverta Avenue, 30' right-of-way, and the northwest side of Harford Road, 40' right-of-way; thence N 47° W, 199.50 feet; thence N 34° 29' E, 49.49 feet; thence S 47° E, 200.00 feet; thence binding S 36° W, 49.50 feet to the Point of Beginning. Being part of that tract of parcel of land as recorded in Deed Liber 9727, folio 144.

Containing 0.2 of an acre, more or less.



J. Tilghman Downey, Jr.

345

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #97-345-A

9824 Harford Road
NWMS - Harford Road,
134.50 +/- SW of cf America
Avenue

9th Election District

6th Councilmanic
Legal Owner(s):

Sandra DeFazio and Stephanie
DeFazio

Variance: to permit a lot
width of 49.5 feet in lieu of the
required 55 feet for a single
family dwelling.

Hearing: Tuesday, April 1,
1997 at 9:00 a.m. in Rm.
118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Call 887-3353.
(2) For information concern-
ing the file and/or Hearing,
Please Call 887-3391.

3/03/97 March 6 C124382

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/6, 1997

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 3/6, 1997.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

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

No.

032653

DATE 2-19-97 ACCOUNT Pool 6158

AMOUNT \$ 50.00

RECEIVED
FROM: S. DIFATTA

VAA (010)

FOR:

03A9140051NICHRC

EA 0010:29AM02-10-97

250.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Jim

CERTIFICATE OF POSTING

RE: Case No.: 97-345-A

Petitioner/Developer:
(Santo DiFatta)
Date of Hearing/Closing:
(April 1, 1997)

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____**

_____ 9824 Harford Road Baltimore, Maryland 21234 _____

**The sign(s) were posted on _____ March 14, 1997 _____
(Month, Day, Year)**

Sincerely,

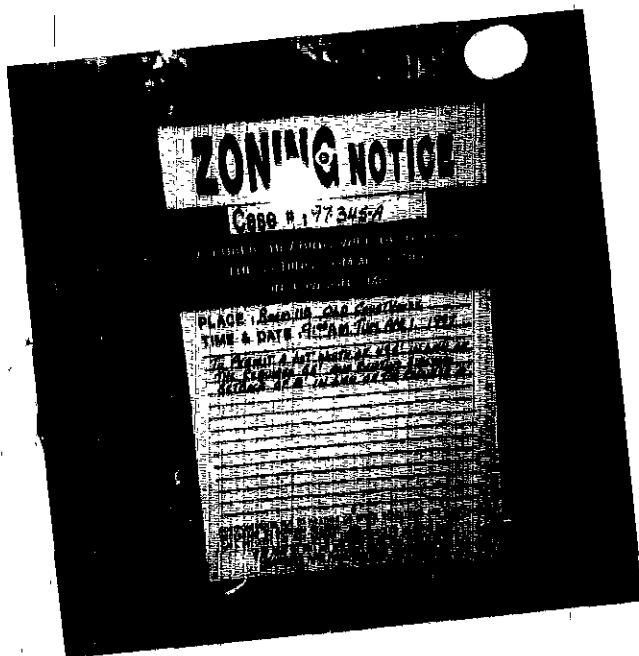
Thomas P. Ogle, Sr. 3/14/97
(Signature of Sign Poster & Date)

**_____ Thomas P. Ogle, Sr. _____
(Printed Name)**

**_____ 325 Nicholson Road _____
(Address)**

_____ Baltimore, Maryland 21221 _____

**_____ (410)-687-8405 _____
(Telephone Number)**



97-345-A



Baltimore County
Department of Permits and
Development Management

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

97-345-A

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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 345

Petitioner: Santo and Stephanie DiFatta

Location: 5824 Harford Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Santo and Stephanie DiFatta

ADDRESS: 8829 Arundale Road
Balto. MD. 21234

PHONE NUMBER: 661-2507

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-345-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: To permit a lot width of 49.5' in
lieu of the required 55' and existing
sidelyard setbacks of 8' in lieu of
the required 10'.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
March 6, 1997 Issue - Jeffersonian

Please forward billing to:

Santo and Stephanie DiFatta
8829 Avondale Road
Baltimore, MD 21234
661-2507

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-345-A
9824 Harford Road
NW/S Harford Road, 134.50' +/- SW of c/l Alverta Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Santo DiFatta and Stephanie DiFatta

Variance to permit a lot width of 49.5 feet in lieu of the required 55 feet for a single family dwelling.

HEARING: TUESDAY, APRIL 1, 1997 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

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

February 28, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-345-A
9824 Harford Road
NW/S Harford Road, 134.50' +/- SW of c/l Alverta Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Santo DiFatta and Stephanie DiFatta

Variance to permit a lot width of 49.5 feet in lieu of the required 55 feet for a single family dwelling.

HEARING: TUESDAY, APRIL 1, 1997 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly distinguishable.

Arnold Jablon
Director

cc: Santo and Stephanie DiFatta
M & H Dev. Eng.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MARCH 17, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

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

March 27, 1997

Mr. and Mrs. Santo DiFatta
8829 Avondale Avenue
Baltimore, MD 21234

RE: Item No.: 345
Case No.: 97-345-A
Petitioner: Santo DiFatta, et ux

Dear Mr. and Mrs. DiFatta:

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 February 18, 1997.

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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 3.4.97
Item No. 345 JCM

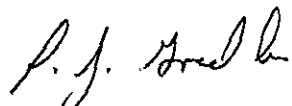
Dear Ms. Eubanks:

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


Ronald Burns, Chief
Engineering Access Permits
Division

LG

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
Department of Permits and Development Management

DATE: March 11, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 9822 & 9824 Harford Rd.

INFORMATION:

Item Number: 344 & 345
Petitioner: DiFatta Property
Property Size
Zoning: DR 5.5
Requested Action:
Hearing Date:

SUMMARY OF RECOMMENDATIONS:

This proposal should be denied for the following reasons:

1. Both lots are under the same ownership and both lots are undersized.
2. Driveway access to #9824 is provided via #9822. Also, #9822 is used for off-street parking for #9824. There is only 1 off-street parking space on #9824.

If this request is granted, the following conditions should be met:

1. An additional off-street parking space should be provided in the rear yard of #9824.
2. At least two off-street parking spaces should be provided in the rear yard of #9822
3. The existing parking area in the front yard of #9822 should be removed.
4. The existing macadam drive is in poor condition and should be resurfaced.

Prepared by:

Dennis Wertz

Division Chief:

Gary L. Kerns

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 10, 1997

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for March 10, 1997
 Item Nos. 344 & 345

The Development Plans Review Division has reviewed the subject zoning items. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

RWB:HJO:jrb

cc: File

ZONE310.344

Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: March 4, 1997

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

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF MARCH 3, 1997

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

344, 345, 346, 348, 349, 350, 351, and 352

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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

TO: PDM

DATE: _____

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 3, 1997

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

344

345

346

347

348

350

352

RBS:sp

BRUCE2/DEPRM/TXTS8P

PETITION PROBLEMS

#344 --- JCM

1. Sign form is incomplete.

#345 --- JCM

1. Sign form is incomplete.

#347 --- MJK

1. Sign form is incomplete.

#348 --- CAM

1. Acreage on folder says ".67" - .67 what???
2. Notary section is incomplete.

ZONING MAP
CARNEY N.E. 10-E
SCALE: 1"=200'
9024 HARFORD RD.

D.R. 5.5

BL

147

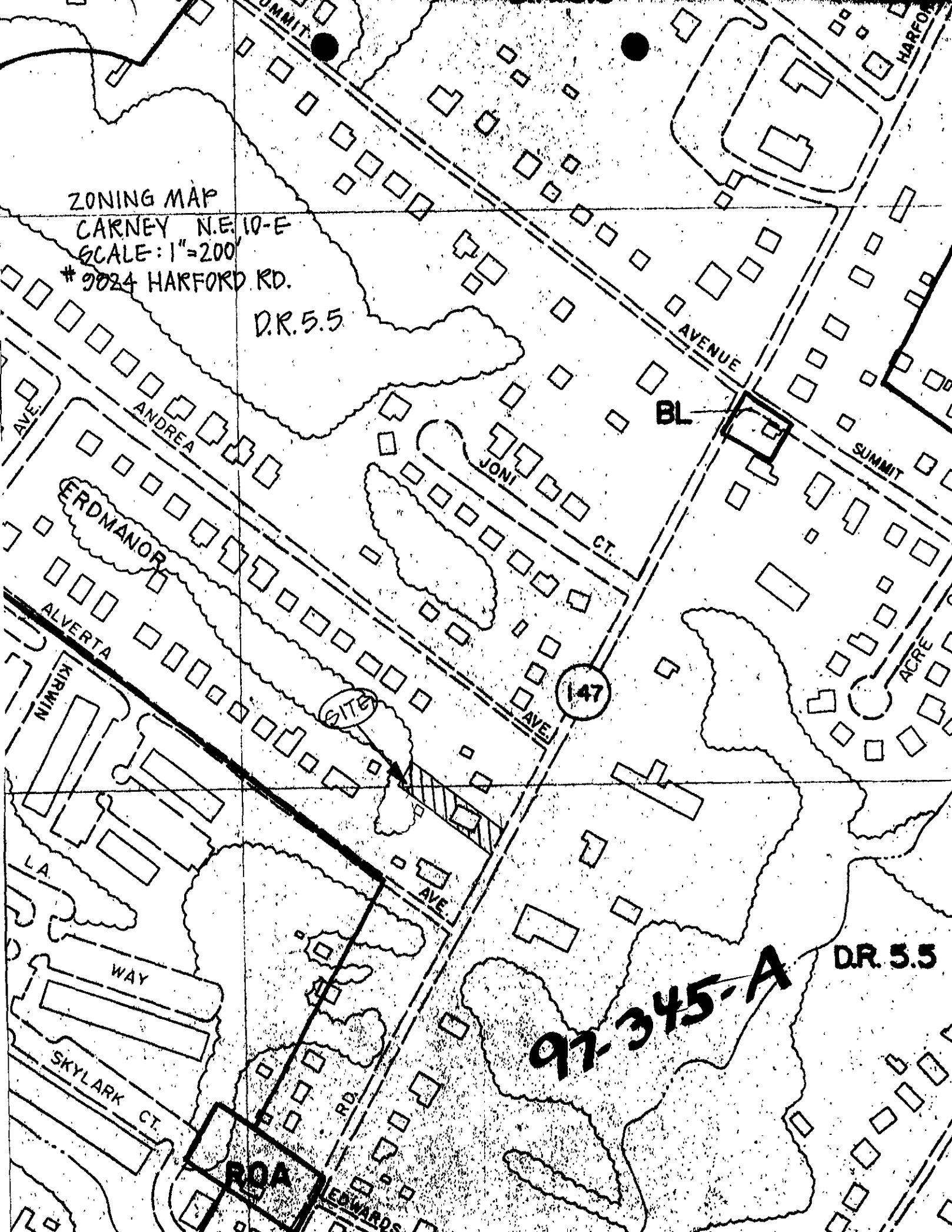
916

97-345-A

DR. 5.5

90A

EDWARDS



BALTIMORE CO, MD
 SCALE: 1"=50'
 JANUARY 29, 1997

"ERDMANOR"

PLAT TO ACCOMPANY PETITION FOR ZONING
 VARIANCE FOR LOT WIDTH & SIDE-YARD SETBACK
 #9824 HARFORD ROAD

W&H DEVELOPMENT
 ENGINEERS, INC.

200 East Joppa Road
 Room 101, Shell Building
 Towson, Maryland
 828-9060

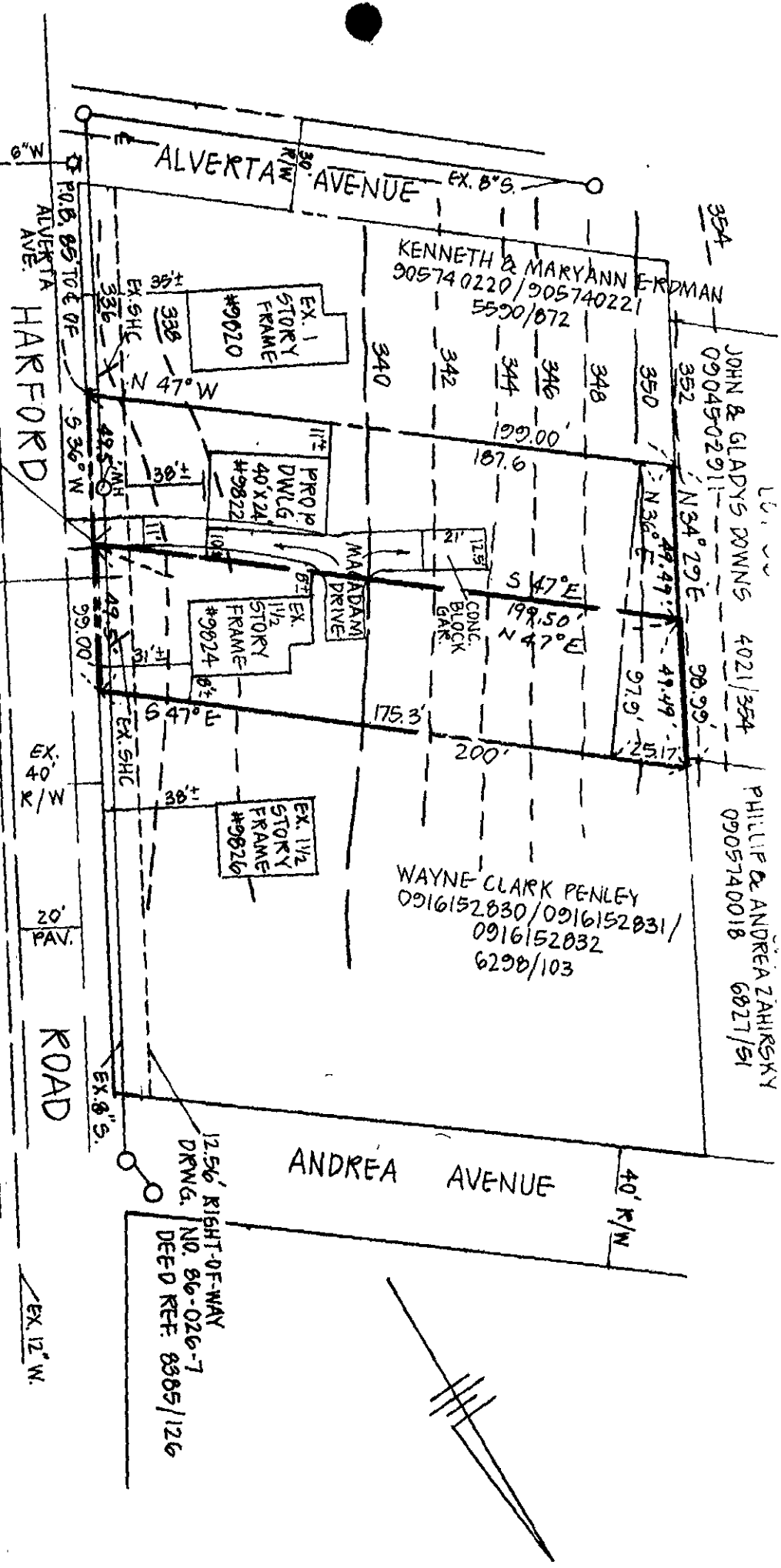
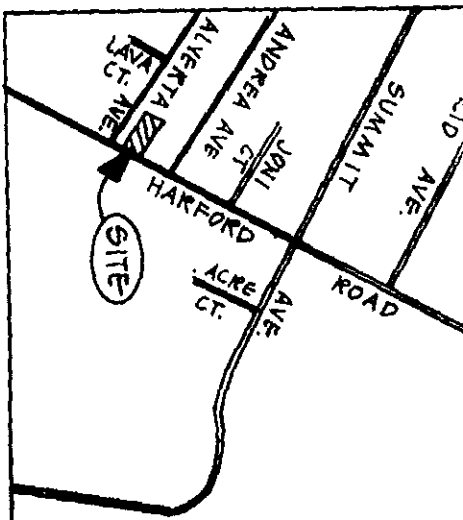


97.345-A

OWNER: SANTO & STEPHANIE DIFATTA
 8029 AVONDALE ROAD
 BALTIMORE, MD 21234
 TAX ACCT NO.: 0908006410
 DEED REF: 9727/144
 TAX MAP: 71
 GRID: 10 PARCEL: 1426

COUNCILMANIC DISTRICT: 6
 ELECTION DISTRICT: 9
 1"=200' SCALE MAP: N.E. 10-E
 ZONING: DR 5.5
 LOT SIZE: 0.20 ± : ACREAGE
 9900 : SQ. FT.
 SEWER: PUBLIC
 WATER: PUBLIC
 CHESAPEAKE BAY CRITICAL AREA
 NO
 PRIOR ZONING HEARING: NONE

VICINITY MAP
 SCALE: 1"=1000'



ZONING OFFICE USE ONLY
 REVIEWED BY: ITEM # CASE #

97.345-A