

IN RE: PETITION FOR VARIANCE
NE/S Henry Avenue, 39.5'E of
the c/l of Marion Avenue
(32 Henry Avenue)
14th Election District
6th Councilmanic District

Christopher M. Liberto
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-114-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Christopher M. Liberto. The Petitioner seeks relief from Section 400.1.d.2 (Permits and Development Management Policy Manual) and Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear property line setback of 10 feet in lieu of the required 25 feet for a proposed accessory structure (detached garage). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Christopher Liberto, owner of the property. Appearing in opposition to the Petitioner's request were several residents from the surrounding community, including Ronald Hughes, who resides immediately behind the subject property at 205 Marion Avenue.

Testimony and evidence offered revealed that the subject property is a rectangularly shaped parcel consisting of approximately 10,360 sq.ft., zoned D.R.5.5., and is improved with a 1.5 story single family dwelling. The property fronts on Henry Avenue and abuts Marion Avenue to the rear. The Petitioner is desirous of constructing a 16' x 22' detached garage to

ORDER RECEIVED FOR FILING

Date 11/24/98

By [Signature]

the rear of his property as shown on Petitioner's Exhibit 1 and utilizing access from Marion Avenue. The Petitioner's property is unique in that it is located between two intersecting streets and a curb cut currently exists in the curb and gutter along Marion Avenue to provide access to the rear of the subject property.

Mr. Ronald Hughes testified that he and several of the other residents who appeared at the hearing met with Mr. Liberto prior to the hearing date. Mr. Hughes testified that they met at the property and staked out the area where they believed the proposed garage should be located. However, the terminology on the Petition filed and the site plan submitted raised concern about the actual location for the proposed garage. Mr. Hughes entered into evidence as Protestants Exhibit 1 photographs of the property showing where the stakes were placed and the agreed upon location for the proposed garage. At the hearing, I asked that actual measurements be taken to show the distance from the curb to the proposed garage. Those measurements are reflected in a diagram submitted to this office by Mr. Hughes and marked as Exhibit A. Therefore, the granting of the relief requested shall be conditioned upon the Petitioner constructing the proposed garage in the location shown in Exhibit A, a copy of which is attached hereto and made a part hereof.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

ORDER RECOMMENDED FOR FILING
Date: 11/24/10
By: [Signature]

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28
(1974).

After considering all of the testimony and evidence offered at the hearing, and the agreement reached between the neighbors and the Petitioner, I am persuaded to grant the requested variance. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of November, 1997 that the Petition for Variance seeking relief from Sections 400.1.d.2 (Permits and Development Management Policy Manual) and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear property line setback of 10 feet in lieu of the required 25 feet for a proposed accessory structure (detached garage), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

ORDER RECEIVED FOR FILING

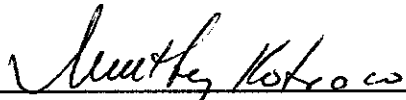
Date

By

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) The proposed garage shall be constructed in the staked area shown in the photographs marked into evidence as Protestant's Exhibit 1, and as shown on attached Exhibit A. Any variation in the location of the proposed garage will result in the issuance of a stop work order by the Department of Permits and Development Management (DPDM).

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.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR ATTORNEYS

Date

By



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

November 26, 1997

Mr. Christopher M. Liberto
32 Henry Avenue
Baltimore, Maryland 21236

RE: PETITION FOR VARIANCE
NE/S Henry Avenue, 89.5'E of the c/l of Marion Avenue
(32 Henry Avenue)
14th Election District - 6th Councilmanic District
Christopher M. Liberto - Petitioner
Case No. 98-114-A

Dear Mr. Liberto:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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 cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Ronald M. Hughes
205 Marion Avenue, Baltimore, Md. 21236

People's Counsel; Case Files



Baltimore County
Department of Permits and
Development Management

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

October 16, 1997

Christopher Liberto
32 Henry Avenue
Baltimore, MD 21236

Re: CASE NUMBER: 98-114-A
32 Henry Avenue
NE/S Henry Avenue, 89.5' E of c/l Marion Avenue
14th Election District - 6th Councilmanic
Legal Owner(s): Christopher M. Liberto

Dear Petitioners:

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

As informed at the time of filing your petition, it now becomes necessary to run notice of the hearing in a newspaper of general circulation. This office will place the newspaper advertising on your behalf. Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

A copy of the Notice of Hearing will be forwarded to you shortly. Upon receipt of same, you must contact one of the sign posting vendors, in order to have a new sign posted.

If you have any questions concerning this letter, you may contact Gwen Stephens at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", written over a circular stamp.

ARNOLD JABLON, DIRECTOR



REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 98-114-A

Petitioner(s): _____

Location: 32 HENRY AV

I/WE, RONALD G. HUGHES
Name(s) (TYPE OR PRINT)

(☒) Legal Owners () Residents, of

205 MARION AVE
Address

BALTO. Md 21236 410
City/State/Zip Code Phone
882-0762

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

R. Hughes 10-15-97
Signature Date

Signature Date



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

32 Henry Avenue

which is presently zoned

DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SECT. 400.1.1.2 (PDM POLICY MANUAL & SEC. 1802.3.C.1 (BCZR) VARIANCE TO ALLOW A DETACHED GARAGE SETBACK OF 10 FT. IN LIEU OF THE REQUIRED 25 FT

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

see back side

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)

Christopher M. Liberto

(Type or Print Name)

Signature

(Type or Print Name)

Signature

32 Henry Avenue 410-882-8696

Address

Phone No

Baltimore Maryland 21236

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

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: R.T.

DATE: 9-25-97

ESTIMATED POSTING DATE: 10-5-97



Printed with Soybean Ink
on Recycled Paper

ITEM #:

114

ORDER RECEIVED FOR FILING

Date: 11-24-97

By: [Signature]

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 32 Henry Ave
address
Baltimore Maryland 21236
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)

- ① No access to backyard from front yard. Only access to back of property is via the back entrance.
- ② Potential fire hazard, considering that next door neighbor's garage is approximately 6'1/2' away from property.
- ③ Maximize utilization of existing property.

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.

Christopher M. Liberto
(signature)
Christopher M. Liberto
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit

I HEREBY CERTIFY, this 17 day of SEPTEMBER, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND

the Affiants(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

9/17/97
date

Rinda C. Garrett
NOTARY PUBLIC

My Commission Expires.

8/2/97

Zoning Description for 32 Henry Avenue.

Beginning at a point on the northeast side of Henry Avenue which is 50 feet wide at the distance of 140' $\pm$ northwest of the centerline of the nearest improved intersecting street Marion Avenue, which is 50' wide. Being lot 754 + P. 755 Block 0 Section 0 in the subdivision of Linkhigh, as recorded in Baltimore County Plat Book # Liber 7 Folio # 81, containing 10,360 square feet. Also known as 32 Henry Avenue and located in the 14th Election District, 6th Councilmanic District.

114

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than * ~~9-15-97~~ 10-5-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE**ADMINISTRATIVE
VARIANCE**Case No.: 98-114-A

VARIANCE TO ALLOW A DETACHED GARAGE
SETBACK OF 10 FT. IN LIEU OF THE REQUIRED
25 FT.

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

*

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW**HANDICAPPED ACCESSIBLE**

Sect. 400.1.d.2 (PDM Policy Manual) &
Sect. 1802.3.C.1 (BCZR)



Baltimore County
Department of Permits and
Development Management

98-114-A
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 (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.: 114

Petitioner: Christopher Liberto

Location: 32 Henry Ave Balto MD 21236

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Christopher Liberto

ADDRESS: 32 Henry Ave Balto MD 21236

PHONE NUMBER: (410) 882-8696

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

October 6, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-114-A

32 Henry Avenue

NE/S Henry Avenue, 89.5' E of c/l Marion Avenue

14th Election District - 6th Councilmanic

Legal Owner(s): Christopher M. Liberto

Post by Date: 10/05/97

Closing Date: 10/20/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, 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: Christopher M. Liberto



BALTIMORE COUNTY, MARYL D
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044267

DATE 10-15-97 ACCOUNT 72-001-6150

AMOUNT \$ 40.00

RECEIVED FROM: Ronald S. Hughes

FOR: Request for Hearing
Case # 98-114 A

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
10/16/1997 10/15/1997 14:07:22
REV US01 CASHIER CLIN CM DRUMER 1
5 MISCELLANEOUS CASH RECEIPT
Receipt # 026087
CR NO. 044267

40.00 CASH
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYL D
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044471

DATE 9-25-97 ACCOUNT 72-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: C. L. HENRY

FOR: 322 HENRY AVE.
701-644-1144
98-114 A R.T.

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
9/25/1997 9/23/1997 11:33:42
REV US02 CASHIER JRIC JOR DRUMER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 015236
CR NO. 044471

50.00 CASH
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 23, 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 Oct. 23, 1997.

THE JEFFERSONIAN,

A. Henrich

LEGAL AD. - TOWSON

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 certified herein as follows:

Case No. 114-A
132 Henry Avenue
NE/S Henry Avenue, 88.5' E of
of Marlon Avenue
14th Election District
6th Councilmanic
Legal Owner(s)
Christopher M. Liberto

Variance: to allow a detached garage setback of 10 feet in lieu of the required 25 feet

Hearing: Friday, November 7, 1997 at 10:00 a.m. in Room 106 County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call (410) 887-3353. (2) For information concerning the Fee and/or Hearing, Please Call (410) 887-3351.

10/403 Oct. 23 C184284

CERTIFICATE OF POSTING

RE: Case No.: # 98-114-A
Petitioner/Developer:
(Christopher LiBerto)
Date of Hearing/Closing:
(Nov. 7, 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 Gentleman:

**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 _____**

____ 32 Henry Avenue Baltimore Maryland 21236 _____

**The sign(s) were posted on _____ Oct. 23, 1997 _____
(Month, Day, Year)**

Sincerely,

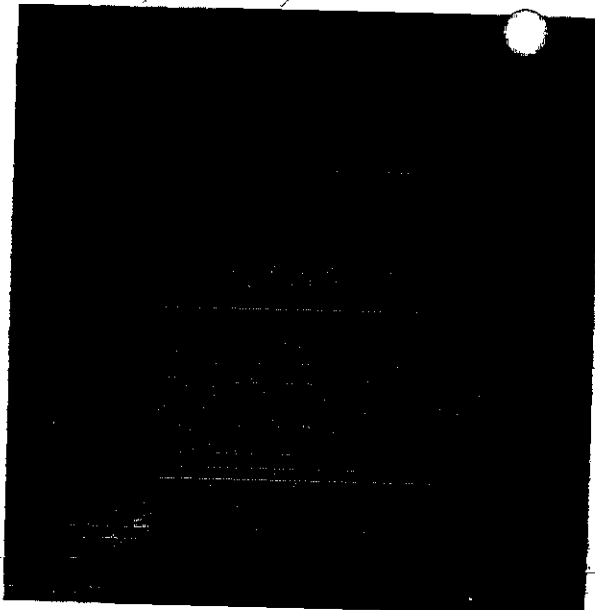

(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

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



98-114-A

CERTIFICATE OF POSTING

RE: Case No.: # 98-114-A

Petitioner/Developer:

(Christopher LiBerto)

Date of Hearing/Closing:

(Oct. 28, 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 Gentleman:

**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 _____**

____ 32 Henry Ave. Baltimore Maryland 21236 _____

**The sign(s) were posted on _____ Oct. 5, 1997 _____
(Month, Day, Year)**

Sincerely,

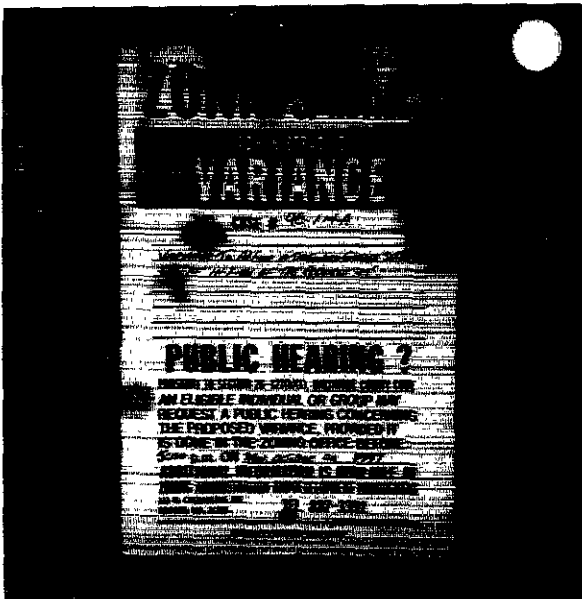

(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

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



98-114-A



Baltimore County
Department of Permits and
Development Management

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

October 17, 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: 98-114-A
32 Henry Avenue
NE/S Henry Avenue, 89.5' E of c/l Marion Avenue
14th Election District - 6th Councilmanic
Legal Owner(s): Christopher M. Liberto

Variance to allow a detached garage setback of 10 feet in lieu of the required 25 feet.

HEARING: FRIDAY, NOVEMBER 7, 1997 at 10:00 a.m. in Room 106 County Office Building, 111 W. Chesapeake Avenue.

Arnold Jablon
Director

cc: Christopher Liberto
Ronald Hughes

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 23, 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.



TO: PUTUXENT PUBLISHING COMPANY
October 23, 1997 Issue - Jeffersonian

Please forward billing to:

Christopher Liberto
32 Henry Avenue
Baltimore, Maryland 21236
410-882-8696

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: 98-114-A
32 Henry Avenue
NE/S Henry Avenue, 89.5' E of c/l Marion Avenue
14th Election District - 6th Councilmanic
Legal Owner(s): Christopher M. Liberto

Variance to allow a detached garage setback of 10 feet in lieu of the required 25 feet.

HEARING: FRIDAY, NOVEMBER 7, 1997 at 10:00 a.m. in Room 106 County Office Building, 111 W. Chesapeake Avenue.

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

October 17, 1997

Mr. Christopher M. Liberto
32 Henry Avenue
Baltimore, MD 21236

RE: Item No.: 114
Case No.: 98-114-A
Petitioner: Christopher Liberto

Dear Mr. Liberto:

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 25, 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 (410-887-3391).

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

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 10-3-91
Item No. 114 RT

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,

for 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
Dept. of Permits & Development Management

DATE: October 8, 1997

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

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 109, 110, 111, 113, 114, 116, 117, 118, and 119

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Sam L. Keller

AFK/JL

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

TO: PDM

DATE: 10/7/97

FROM: R. Bruce Seeley *RBS/sp*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct. 6, 1997

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

Item #'s: 109 118
111 119
112
114
115

RBS:sp

BRUCE2/DEPRM/TXTS8P



Tom K 10/17/97

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

October 14, 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 October 6, 1997

Item No.: 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.

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

108, 109, 110, 111, 114, 116, 117, 118, 119

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 15, 1997

FROM: *RWB* Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for October 14, 1997
Item Nos. 108, 109, 111, 112, 113,
114, 115, 118, and 119

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

November 5, 1997

Baltimore County
Department of Permits & Development Management

RE: Case #98-114-A

This petition is in response to zoning variance applied for at the property of 32 Hanry Avenue, Baltimore, MD 21236. The following signers are against the variance allowing construction of a garage within 6' of property line for these reasons:

- A) Construction of a garage facing Marion Avenue will be inconsistent with existing structures on the block.
- B) There should be sufficient property to complete the project within county zoning guidelines of 25' from property line.

Name

Address

1. Ronald M. Hughes 205 Marion Ave
2. Edna Super 205 Marion Ave.
3. Maralyn Luciani 207 Marion Ave.
4. Louis Rock & Marjorie Rock 209 Marion Ave
5. Joseph Pusateri + Mildred Pusateri 211 Marion Ave
6. Kathy Popelarski 213 Marion Ave
7. Bill Camper 213 Marion Ave
8. Carol O'Chale 217 Marion Ave
9. John D O'Tool Jr - 217 Marion Ave
10. Willard G. Fisher 203 MARION AVE

November 5, 1997

Baltimore County
Department of Permits & Development Management

RE: Case #98-114-A

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- A) Construction of a garage facing Marion Avenue will be inconsistent with existing structures on the block.
- B) There should be sufficient property to complete the project within county zoning guidelines of 25' from property line.

Name

Address

1. Richard J. Lipton 203 Marion Ave
2. Charles J. Schissler 210 Marion Ave
3. Joe & Louise 210 Marion Ave
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

98-114-A



SOUTH SIDE ELEV.

#114

98-114-A



REAR ELEV.

#114

98-114-A



FRONT ELEV.

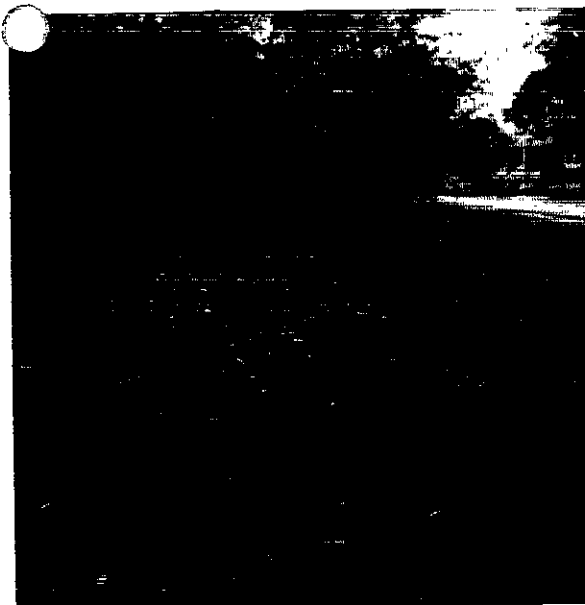
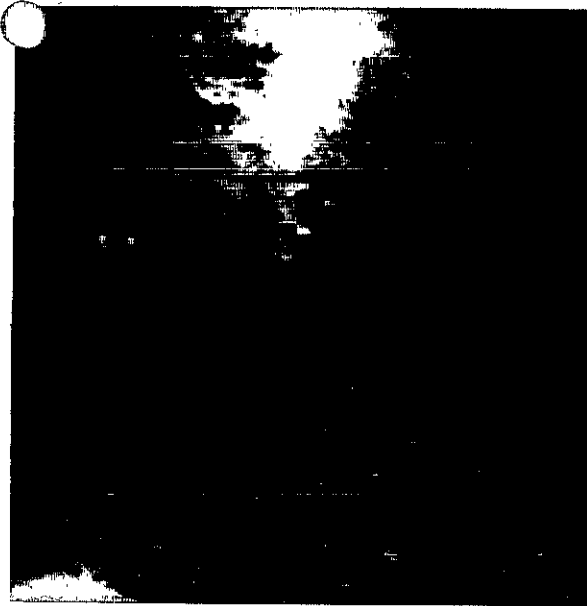
#114

98-114-A



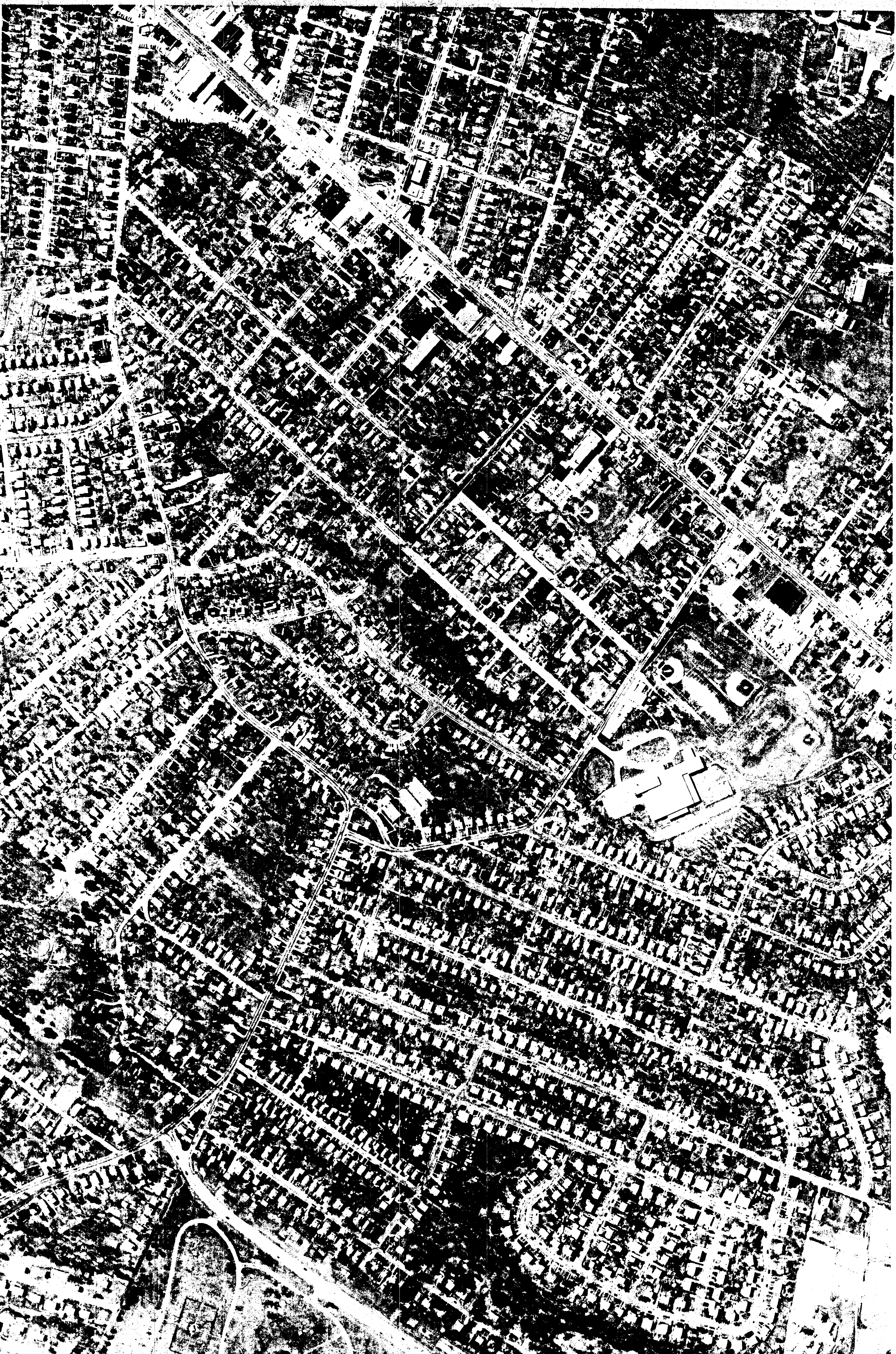
NORTH SIDE ELEV.

#114



Prot. Ex #1

U-411-86



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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

SCALE	LOCATION	SHEET
1" = 200' ±	Item # 114	NE
DATE OF PHOTOGRAPHY JANUARY 1986	OVERLEA	6-E



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

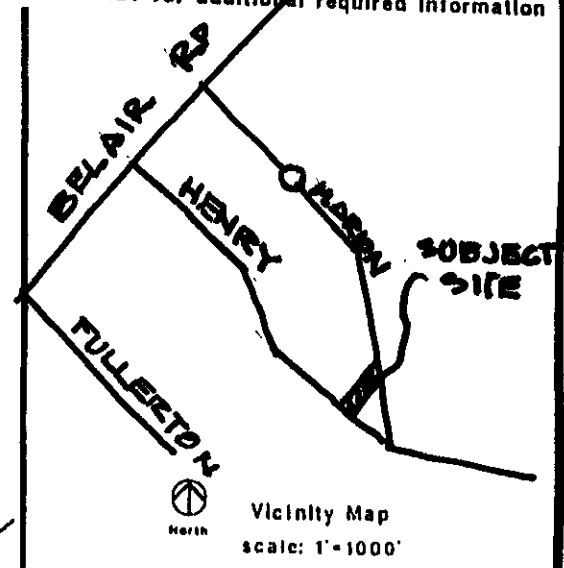
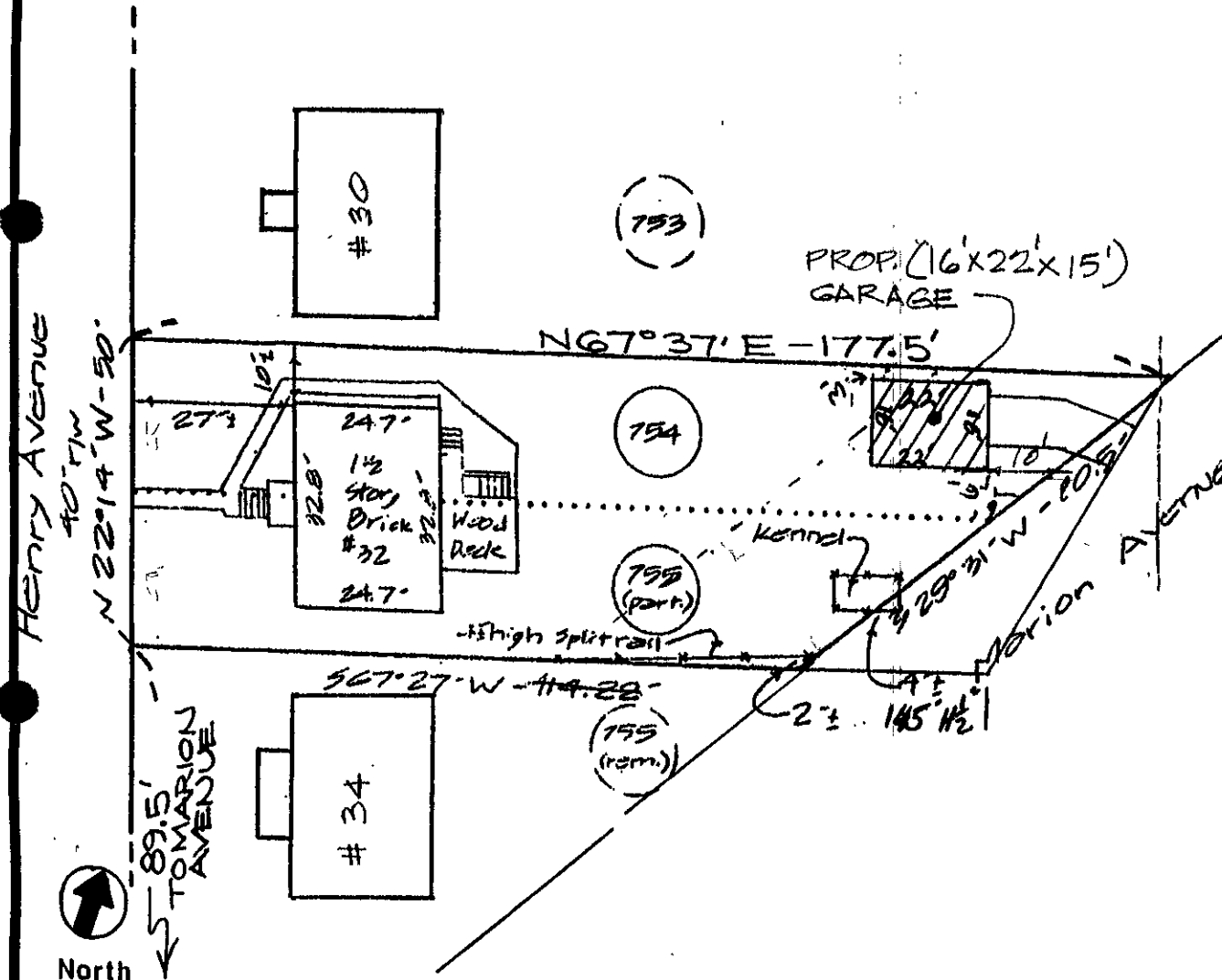
PROPERTY ADDRESS: 32 HENRY AVENUE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LINHIGH

plat book # 7, folio # 81, lot # 734, section #

OWNER: Christopher Liberato



LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

1" = 200 scale map: **NE C-E**

Zoning: DR 5.5

Lot size: 10360
acres square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

R.T.

114

North
date: 7/18/97

prepared by: MFE

Scale of Drawing: 1" = 30'

Petition to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 32 HENRY AVENUE

Subdivision name: LINHIGH

plat book# 7, folios 81, lot# 734, section#

OWNER: Christopher Libardo

ORDER RECEIVED FOR FILING

Date: 11/26/97

By: [Signature]

see pages 5 & 6 of the CHECKLIST for additional required information

Henry Avenue

N 22°14' W - 50'

Nov 26 '97 10:33AM

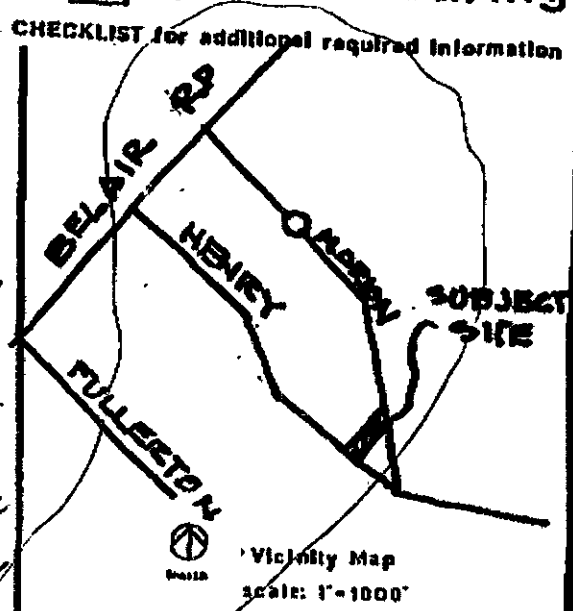
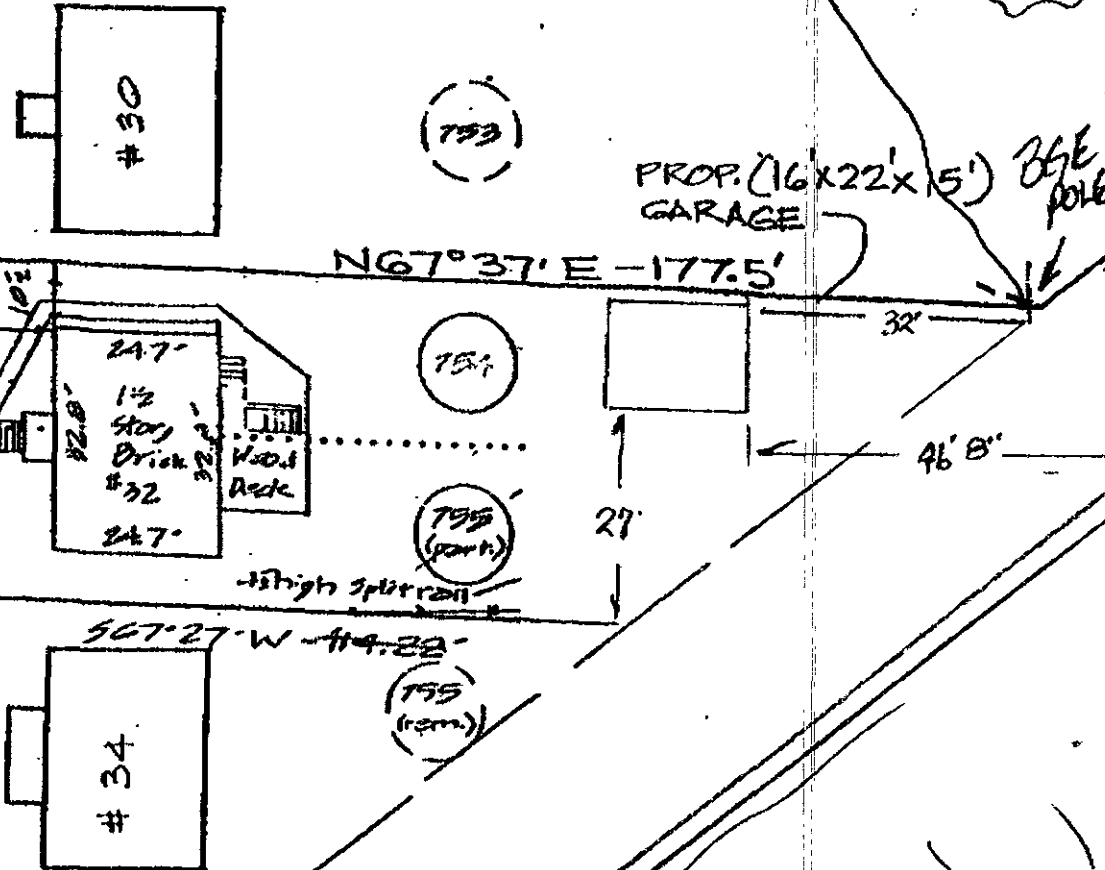


North

date: 7/18/97

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LOCATION INFORMATION

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 Sanction District: 6
 1"=200 scale map: HEC-E
 Zoning: DR 5.5
 Lot size: 10360
 acres square feet

SEWER: ☒ public ☐ private
 WATER: ☒ public ☐ private
 Chesapeake Bay Critical Area: ☐ ☒

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

R.T. 114

Exhibit 1