

IN RE: PETITIONS FOR VARIANCE - NW/Cor. * BEFORE THE
Cherwin Avenue and Birdwood Place
(13116 and 13118 Cherwin Avenue) * DEPUTY ZONING COMMISSIONER
15th Election District
5th Councilmanic District * OF BALTIMORE COUNTY

Thomas A. Hahn and * Case Nos. 98-127-A
Lillie H. Hentz, Trustees and 98-128-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of combined Petitions for Variance for the adjoining water-front properties known as 13116 and 13118 Cherwin Avenue, located in the Twin River Beach community in southeastern Baltimore County. The Petitions were filed by Thomas A. Hahn and Lillie H. Hentz, Trustees of the subject property. In Case No. 98-127-A, the Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet and a minimum side yard setback of 1 foot in lieu of the required 10 feet for an existing dwelling at 13116 Cherwin Avenue. In Case No. 98-128-A, the Petitioners seek similar relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling, to be known as 13118 Cherwin Avenue, and approval of the property as an undersized lot, pursuant to Section 304 of the B.C.Z.R. The subject properties and relief requested are more particularly described on the site plan submitted with each Petition, identified respectively as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Thomas A. Hahn and Lillie H. Hentz, Trustees of the subject property, Charles Hentz, and Paul Lee, Professional Engineer, who prepared the site plan for

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Date

By

these properties. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the two properties identified above have been in the ownership of the Hentz family for many decades and that Thomas Hahn and Lillie Hentz are the Trustees for the owner, who now resides in an assisted living facility. The Petitioners have filed the instant Petitions in an effort to prepare the two subject properties for sale in the event it becomes necessary to do so. The property known as 13116 Cherwin Avenue consists of a gross area of 12,500 sq.ft., zoned D.R. 5.5 and is improved with a 1.5 story dwelling and a detached garage. Testimony indicated that the dwelling on the property was constructed in 1926. In 1945, the owner of the property purchased the adjacent property, known as 13118 Cherwin Avenue, by separate deed. The owner has owned and maintained that parcel as an unimproved lot since that time. In order to offer the properties for individual sale, however, the requested variances are necessary to legitimize existing conditions.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), to minimize any effects the proposed development might have on the Bay and its tributaries. As of the date of this Order, DEPRM had not completed its review of this project. Therefore, the relief granted herein shall be conditioned upon Petitioner's compliance with any recommendations made by DEPRM upon completion of their review.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

ORDER RECOMMENDED BY THE
11/24/97
Date

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;
- 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 due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject properties and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to these particular parcels. 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 these Petitions held, and for the reasons given above, the requested relief should be granted.

THEREFORE IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of November, 1997 that the Petition for Variance filed in Case No. 98-127-A seeking relief from Section 1B02.3.C.1

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Date 11/24/97
By Jep

of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet and a minimum side yard setback of 1 foot in lieu of the required 10 feet for an existing dwelling at 13116 Cherwin Avenue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

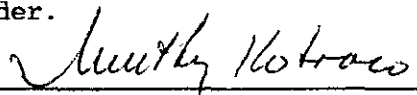
IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 98-128-A seeking relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling, to be known as 13118 Cherwin Avenue, in accordance with Petitioner's Exhibit 1, and approval of the property as an undersized lot, pursuant to Section 304 of the B.C.Z.R., be and is hereby GRANTED, 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 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) Compliance with the Zoning Plans Advisory Committee (ZAC) comments submitted by the Bureau of Developer's Plans Review, dated October 20, 1997, a copy of which is attached hereto and made a part hereof. In addition, Petitioners shall comply with any recommendations made by DEPRM upon completion of their review.

3) Prior to the issuance of any building permits for the proposed dwelling at 13118 Cherwin Avenue, elevation drawings of the dwelling intended to be constructed shall be submitted to the Office of Planning to insure that the proposed dwelling is compatible with other houses in the surrounding neighborhood.

4) 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



Baltimore County
Zoning Commissioner
Office of Planning

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

November 24, 1997

Mr. Thomas Hahn
13116 Cherwin Road
Baltimore, Maryland 21220

RE: PETITIONS FOR VARIANCE
NW/Corner Cherwin Avenue and Birdwood Place
(13116 and 13118 Cherwin Avenue)
15th Election District - 5th Councilmanic District
Thomas A. Hahn and Lillie H. Hentz, Trustees
Case Nos. 98-127-A and 98-128-A

Dear Mr. Hahn:

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 cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Lillie H. Hentz
8820 Walther Boulevard, Apt. 3608, Baltimore, Md. 21234

Mr. Paul Lee
304 W. Pennsylvania Avenue, Towson, Md. 21204

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case Files



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

#13118 CHERWIN 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) 1B02.3C1 To permit a min. lot width of 50' in lieu of the required 55' (a variance of 5'), and to approve an undersize lot pursuant to Section 304 of the BCZR.

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

To be addressed at hearing.

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

Contact Purchaser/Lessee Engineer:

Paul Lee Engineering, Inc.

(Type or Print Name)

Signature

304 W. Pennsylvania Avenue

Address

Towson, Maryland 21204

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

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

Legal Owner(s)

Thomas A. Hahn, Trustee

(Type or Print Name)

Signature

Lillie H. Hentz, Trustee

(Type or Print Name)

Signature

8820 Walther Blvd.
Apt. 3608 (410) 663-4939

Address

Phone No

Baltimore, Maryland 21234

City

State

Zipcode

Name, Address and phone number or representative to be contacted

Paul Lee Engineering, Inc.

Name

304 W. Pennsylvania Ave. (410) 821-5941
Towson, Maryland 21204

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: mtk DATE 10/2/97

4 schedule w/ #127



Printed with Soybean Ink on Recycled Paper

ORDER RECEIVED FOR FILING

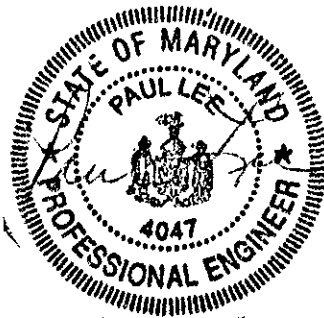
Date

By

*Paul Lee, P.E.**Paul Lee Engineering Inc.**301 W. Pennsylvania Ave.**Towson, Maryland 21204**410-821-5944*DESCRIPTION#13118 CHERWIN AVENUEELECTION DISTRICT 15 BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the west side of Cherwin Avenue, said point also being located S 23°01'00" W - 65 feet⁺ from the center of Birdwood Avenue; thence leaving leaving said west side of Cherwin Avenue (1) N 66°59'00" W - 250 feet, thence (2) N 23°01'00" E 25 feet, thence (3) S 66°59'00" E - 50 feet, thence (4) N 23°01'00" E - 25 feet and (5) S 66°59'00" E - 200 feet to the west side of Cherwin Avenue, the running with and binding on said west side of Cherwin Avenue (6) S 23°01'00" W 50 feet to the point of beginning.

Containing 11,250 s.f. of land more or less.



#128

J.O. 97-029

9/8/97

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:

Item # 128

ZONING NOTICE

Case No.: 98-128-A

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

PLACE: *

DATE AND TIME: *

REQUEST: variance to permit a 50 ft lot width in lieu
of 55 ft. and approve on undersized lot pursuant
to Section 304 of the BCZR

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



Baltimore County
Department of Permits and
Development Management

98-128-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.: 128

Petitioner: Thomas A Hahn

Location: 13118 Cherwin Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Lillic Hentz

ADDRESS: 8820 Waltham Blvd, Apt. 3608
Bethesda, MD. 21234

PHONE NUMBER: (410) 663-4939

AJ:ggs

(Revised 09/24/96)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044425

DATE 10/2/97 ACCOUNT 01-615
Item: 128
By: msr

AMOUNT \$ 50.00

RECEIVED FROM: Hemke, Charles - 13118 Charwin Ave

FOR: 010-Rcs Var. - \$ 50.00

PAID RECEIPT
PAIDERS ACTUAL TIME
10/02/1997 10/02/1997 10:05:03
REF: 0001 CASHIER CLERK ONL DRIVER
5 MISCELLANEOUS CASH RECEIPT
Receipt # 024036
CR. NO. 044425
50.00 CHECK: PM
Baltimore County, Maryland

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
98-128-A
CASHIER'S VALIDATION

98-128-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 16, 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. 16, 1997.

THE JEFFERSONIAN,

A. Henricson

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 identified herein as follows:

Case #98-128-A
13118 Cherwin Avenue
W/S Cherwin Avenue, 65 S of
Birdwood Avenue
15th Election District
5th Councilmanic
Legal Owner(s):

Thomas A. Hahn, Trustee
and Lillie H. Hentz, Trustee
Variance: to permit a minimum lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot.

Hearing: Monday, November 3, 1997, at 2:00 p.m. in Room 407 Courts Bldg., 401 Busley 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 file and/or hearing, Please Call (410) 887-3391

10/274 Oct. 16 C181893

CERTIFICATE OF POSTING

RE: Case No.: # 98-128-A
Petitioner/Developer:
(Lillie Hentz)
Date of Hearing/Closing:
(Nov. 3, 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 _____**

_13118 Cherwin Ave. Baltimore Maryland 21220_____

The sign(s) were posted on _____ Oct. 17, 1997 _____
(Month, Day, Year)

Sincerely,

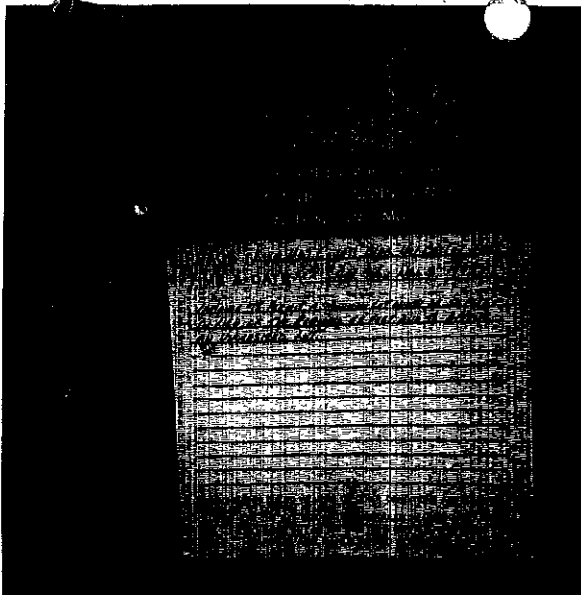

(Signature of Sign-Poster & Date)

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

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



98-128-A



Baltimore County
Department of Permits and
Development Management

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

October 10, 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: 98-128-A
13118 Cherwin Avenue
W/S Cherwin Avenue, 65' S of Birdwood Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas A. Hahn, Trustee and Lillie H. Hentz, Trustee

Variance to permit a minimum lot width of 50 feet in lieu of the required 55 feet and to approve an undersized lot.

HEARING: MONDAY, NOVEMBER 3, 1997 at 2:00 p.m. in Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a faint, larger signature.

Arnold Jablon
Director

cc: Thomas Hahn and Lillie H. Hentz
Paul Lee Engineering, Inc.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 19, 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 16, 1997 Issue - Jeffersonian

Please forward billing to:

Lillie Hentz
8820 Walter Boulevard, #3608
Baltimore, MD 21234
410-663-4939

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: 98-128-A
13118 Cherwin Avenue
W/S Cherwin Avenue, 65' S of Birdwood Avenue
15th Election District - 5th Councilmanic
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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 29, 1997

Mr. Thomas Hahn & Ms. Lillie Hentz
8820 Walther Boulevard, Apt. 3608
Baltimore, MD 21234

RE: Item No.: 128
Case No.: 98-128-A
Petitioner: Thomas Hahn, et al

Dear Mr. Hahn & Ms. Hentz:

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 October 2, 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 dark ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 20, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
for October 20, 1997
Item No. 128

The Bureau of Developer's Plans Review has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation is 11.2 feet for this site.

RWB:HJO:jrb

cc: File

ORDER RECEIVED FOR FILING

Date

By

ZONE1020.128

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: October 20, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for October 20, 1997
 Item No. 128

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In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation is 11.2 feet for this site.

RWB:HJO:jrb

cc: File

ZONE1020.128



Baltimore County
Fire Department

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

October 16, 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 14, 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:

120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130
and 131

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1105F
File



RE: PETITION FOR VARIANCE
13118 Cherwin Avenue, W/S Cherwin Ave,
65' S of Birdwood Avenue
15th Election District, 5th Councilmanic
Thomas Hahn, and Lillie Hentz, Trustees
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-128-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 29th day of October, 1997, a copy of the foregoing Entry of Appearance was mailed to Paul Lee Engineering, Inc., 304 W. Pennsylvania Avenue, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

98-128-A

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B n/a
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ PAUL LEE ENGR, INC. 304 W. PENNSYLVANIA AVE. (410) 821-5741
Print Name of Applicant Address Telephone Number

☐ Lot Address 13118 CHERWIN AVE Election District 15 Council District 5 Square Feet 11,250 S.F.
Lot Location: W side / corner of CHERWIN AVE. 0 feet from the S-W corner of BIRDWOOD AVE.
(street) (street)

Land Owner THOMAS A. HAHN & LILLIE H. HENTZ, TRUSTEES Tax Account Number 15-08-002241

Address APT. 3608-8820 WALTHER BLVD. Telephone Number (410) 663-4939
BALTIMORE, MD. 21234

☐ **CHECKLIST OF MATERIALS:** (to be submitted for design review by the Office of Planning and Zoning)
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan	☒	☐
Property (3 copies)	☒	☐
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	☒	☐
4. Building Elevation Drawings	☐	☒
5. Photographs (please label all photos clearly)	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by MDL
ZADM

Date 10/2/97 *

* w/ Zoning
Varianc 98-128-A

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

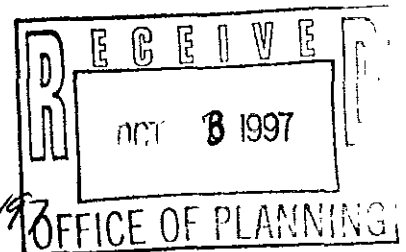
RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☒ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Building elevations should be submitted as part of the building permit application

Signed by: Ervin McDaniel
for the Director, Office of Planning & Zoning

Date: 10/9/97



SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by _____ on _____ Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

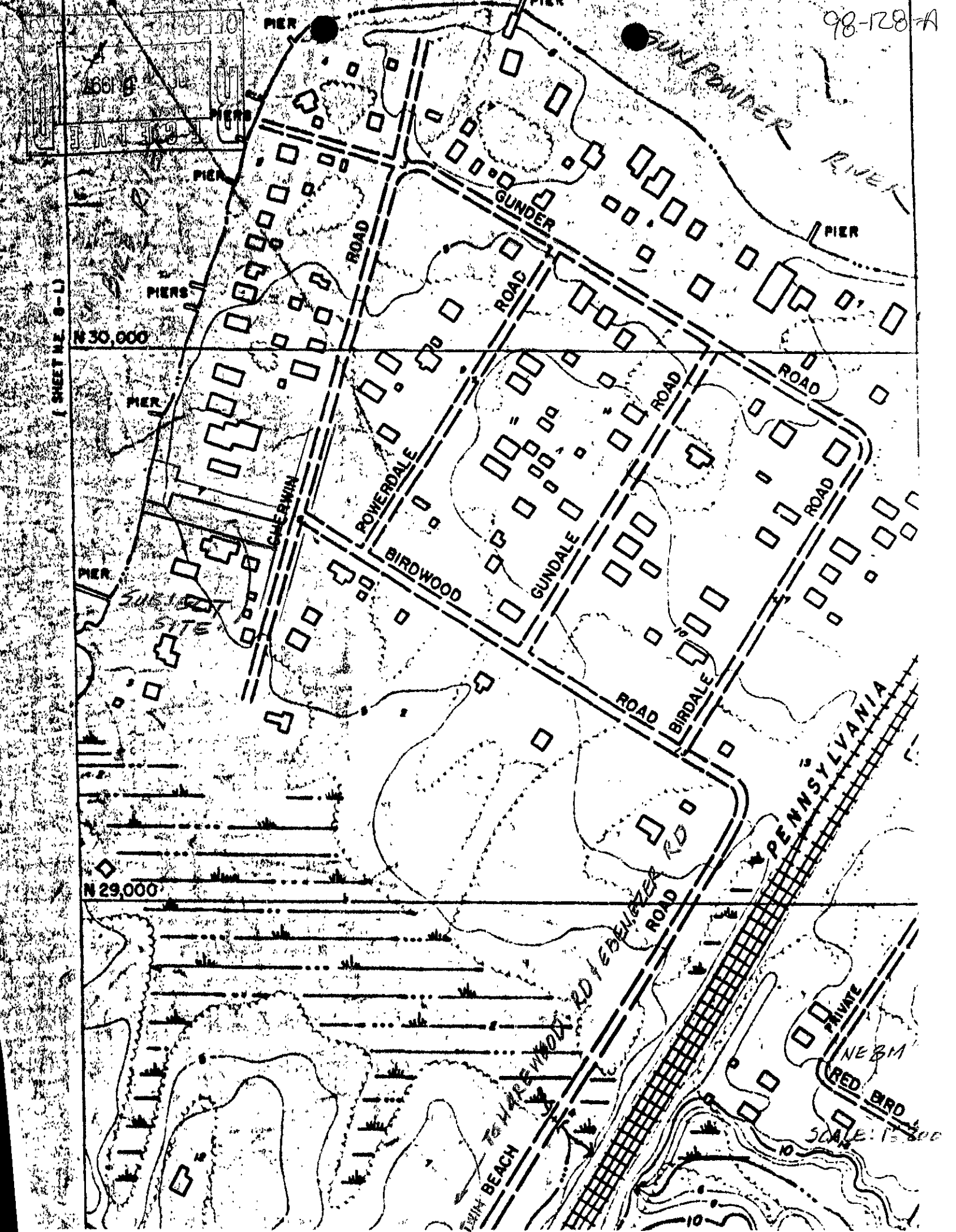
Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

CK/UNDER.LOT (TXTSOPH)

* sign posted
w/ variance

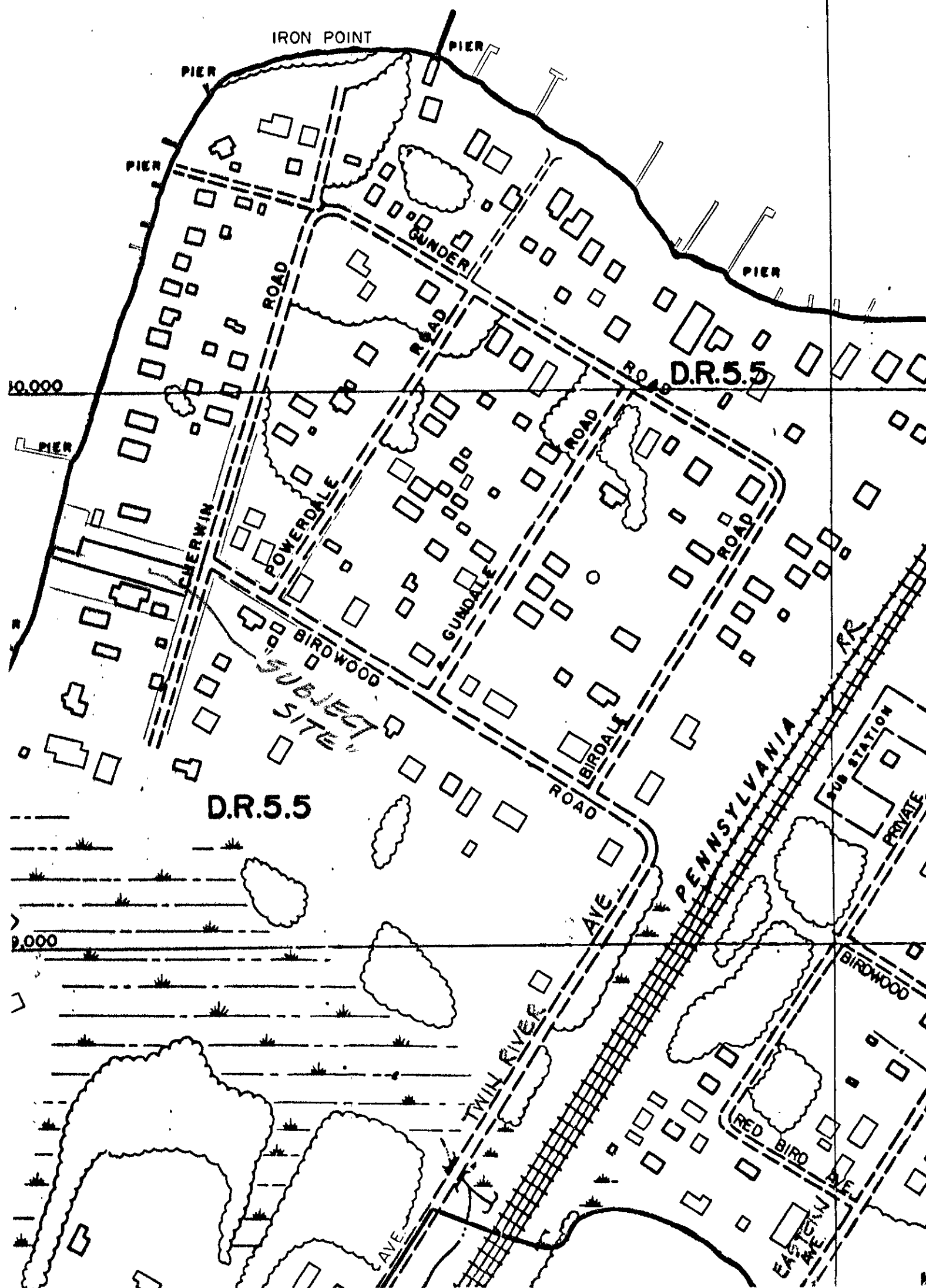


BIRD

RIVER

1,000

SCALE: 1"=200'



#1



CHERWIN

AVE

#2



3



#4



SHEET 1 OF 4

98-128-A



CHERWIN AVE.

PHOTO'S

1311B CHERWIN AVE
(SEE PLAT FOR PHOTO LOCATIONS)

98-128-A

SHEET 4 OF 4

#9



#10



#11



#12



98-128-A

#5



#6



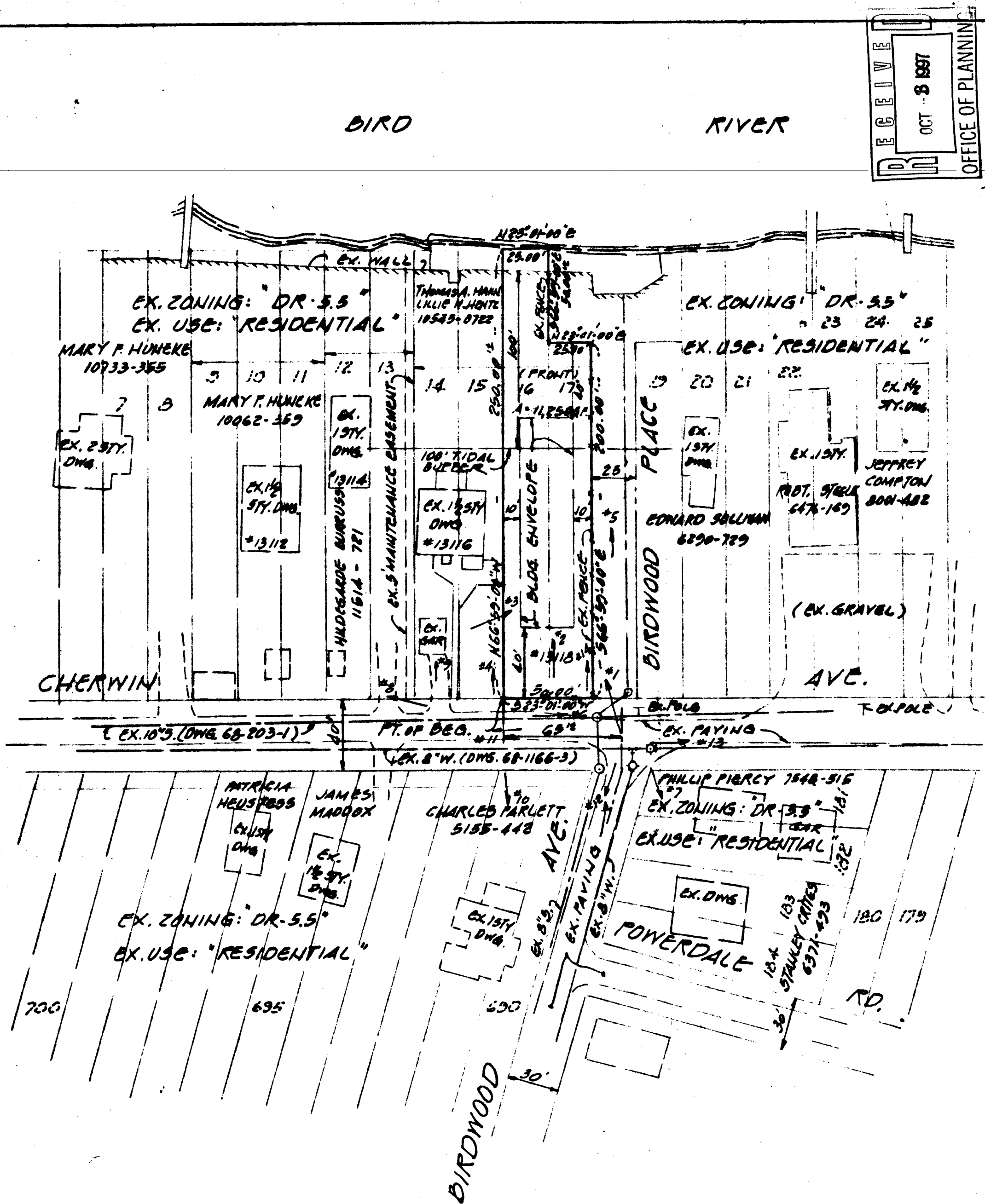
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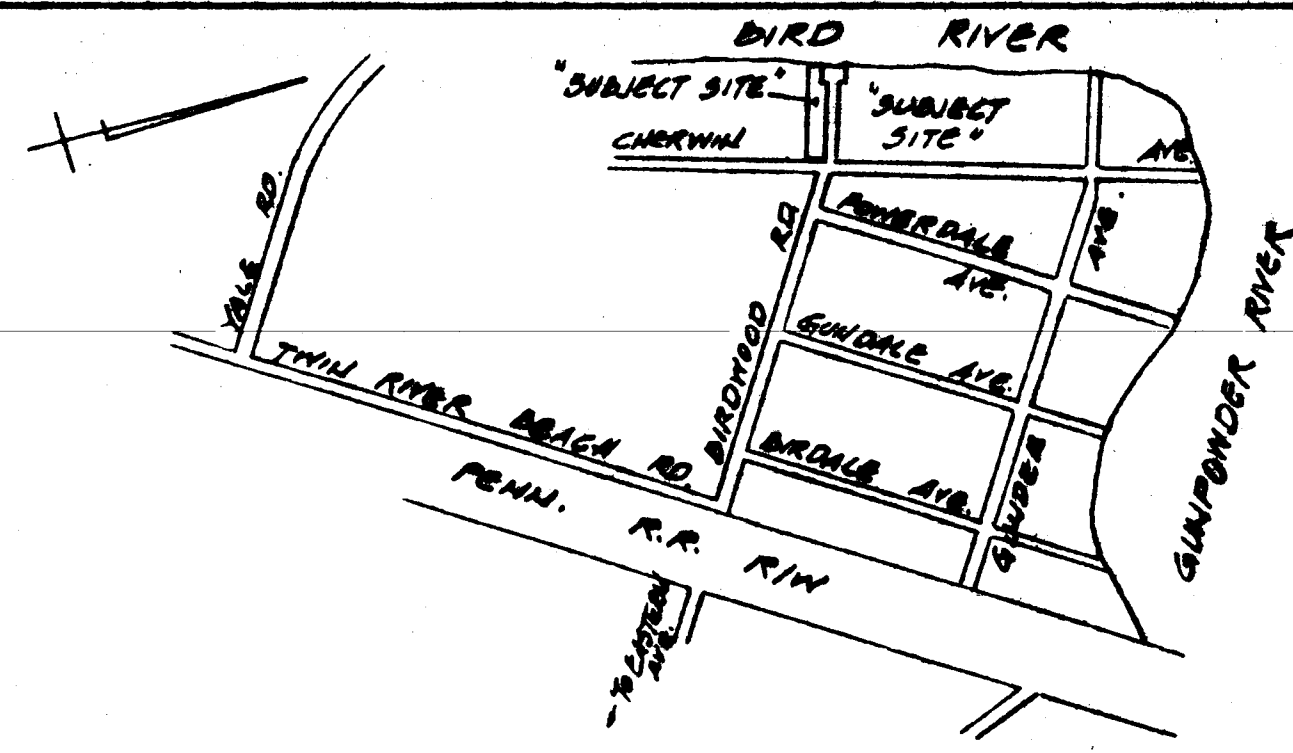
#8



98-128-A



RECEIVED
OCT - 8 1997
OFFICE OF PLANNING



GENERAL NOTES:

1. AREA OF PROPERTY = 11,250 S.F.
2. EXISTING ZONING OF PROPERTY = "DR-5.5"
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY = "DR-5.5"
5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
6. PROPERTY LOCATED IN CRITICAL AREA (BIRD RIVER)
7. LOTS RECORDED ON PLAT OF SECTION A, "TWIN RIVER BEACH," L.M.C.M. 9-33.
8. PROPERTY SERVED BY PUBLIC WATER AND SEWER.
9. PETITIONER REQUESTING A VARIANCE TO SECTION 1802.3C1 OF THE BCZR TO PERMIT A MIN. LOT WIDTH OF 50' IN LIEU OF THE REQUIRED 55'. (A VARIANCE OF 5'). AND TO APPROVE AN UNDERSIZE LOT PURSUANT TO SECTION 1802.3C1 OF THE BCZR.

PHOTO LOCATION - 9/14-97

PLAT TO ACCOMPANY PETITION

FOR

VARIANCE

***13118 CHERWIN AVENUE**

ELECT. DIST. 15

BALTIMORE COUNTY, MD.

SCALE: 1"=50'

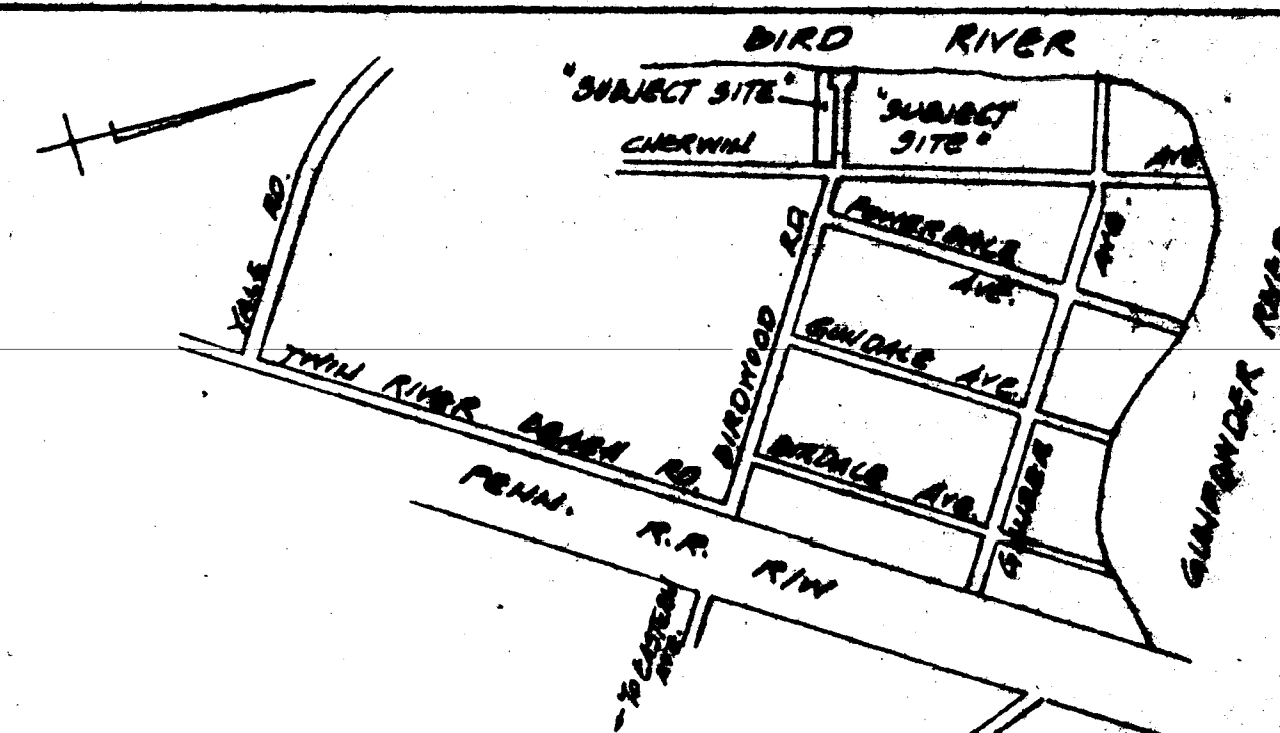
SEPT. 24, 1997

OWNER:
 THOMAS A. HAHN &
 LILLIE H. HENTZ, TRUSTEES
 APT. 3608 - 8820 WALTER BLVD.
 BALTIMORE, MARYLAND 21234
 PROP. # 15-08-002241
 DEED: 10937-0461

RECEIVED
OCT - 8 1997
OFFICE OF PLANNING

PAUL LEE ENGINEERING, INC.
 304 W. PENNSYLVANIA AVE.
 TOWSON, MARYLAND 21204





GENERAL NOTES:

1. AREA OF PROPERTY = "R50.0.F.1"
2. EXISTING ZONING OF PROPERTY = "DR.5.5"
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY = "DR.5.5"
5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
6. PROPERTY LOCATED IN CRITICAL AREA (BIRD RIVER)
7. LOTS RECORDED ON PLAT OF SECTION A, TWIN RIVER BEACH, "L.M. 9-33."
8. PROPERTY SERVED BY PUBLIC WATER AND SEWER.
9. PETITIONER REQUESTING A VARIANCE TO SECTION 1002.3C1 OF THE BCCR TO PERMIT A MIN. LOT WIDTH OF 50' IN LIEU OF THE REQUIRED 55' (A VARIANCE OF 5'), AND TO APPROVE AN UNDERLIEG LOT PURSUANT TO SECTION 30X OF THE BCCR.

**PETITIONER'S
EXHIBIT 1**

PLAT TO ACCOMPANY PETITION
FOR

VARIANCE
*13118 CHERWIN AVENUE

ELECT. DIST. 13

BALTIMORE COUNTY, MD.

SCALE: 1"=50'

SEPT. 15, 1997

PAUL LEE ENGINEERING, INC.

304 W. PENNSYLVANIA AVE.

TOWSON, MARYLAND 21204

SHEET COVER

72-1084

OWNER :

THOMAS A. HAHN &
• LILLIE H. HENTZ, TRUSTEES
APT. 3608 - 8820 WALTHER BLVD.
BALTIMORE, MARYLAND 21234
PROP. # 15-08-002241
DEED: 10537-0461

