

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SE/S Belair Road, 66 ft. +/-
NE of c/l Fuller Road * ZONING COMMISSIONER
7303 Belair Road
14th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
Joseph Katrick, et ux * Case No. 98-192-A
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for a Zoning Variance for the property located at 7303 Belair Road in the Overlea community of Baltimore County. The Petition was filed by Joseph Katrick and Margie Slone-Katrick, property owners. Variance relief is requested from Section 232.3.B of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 2-1/2 ft. in lieu of the required 20 ft., for an existing building abutting a residential zone. Variance relief is also requested from Section 409.4.A of the BCZR to permit a driveway of 14 ft. in width in lieu of the required 20 ft. for two way movements. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were Joseph Katrick and Margie Slone-Katrick, property owners/Petitioners. Also present was Thomas J. Hoff, the Landscape Architect who prepared the site plan. The Petitioners were represented by John B. Gontrum, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence requested was that the subject property is approximately .3 acres in area, zoned B.L. The property has frontage on Belair Road in the Overlea section of Baltimore County, not far from the intersections of Belair Road and Fuller Avenue, and Belair Road and Taylor

ORDER RECORDED
11/17/98
Date *M. G. Grah*
By *M. G. Grah*

Avenue. The property is improved with an existing two story brick building which features an attached wooden deck and concrete pad. To the rear of the site is a frame garage building.

Notwithstanding the commercial zoning of the property (B.L.) the two story brick structure was most recently used for residential purposes. However, the Petitioners have acquired the property with the intent of converting same into a day care center. It is anticipated that 19 children will be enrolled at this facility. The facility will be operated by the Petitioners.

The proposed use appears appropriate and compatible with the surrounding locale. As noted above, the property has frontage on Belair Road, a major thoroughfare in this area of the County. The B.L. zoning of the property permits the proposed use by right and special exception relief is not required. Moreover, the property is bordered to the rear by a large tract owned by Baltimore County and previously used as a school. Although there are residences in the vicinity, there are other commercial uses nearby, including a funeral home up the street.

Variance relief is requested to legitimize two conditions which presently exist. The first is the location of the garage building. The building is located adjacent to the rear property line and is a large structure which can provide parking for up to five vehicles. The Petitioners indicated that they wanted to preserve this building for storage and also to provide parking for employees of the day care facility. Variance relief is requested to allow a 2.5 ft. setback from the rear property line in lieu of the required 20 ft. As noted above, the rear property line is shared with Baltimore County and the school property.

The second relief relates to an existing driveway. Presently, vehicular access to the interior of the site is by way of an existing asphalt

driveway which is shared with the property owner of the adjacent property at 7301 Belair Road. The existing asphalt driveway is 14 ft. in width and leads from Belair Road to a parking area in the rear of the property. Apparently, this shared drive access has worked without a problem for years and the Petitioners indicated that the shared arrangement could continue to be used to accommodate the clients of the day care facility. It was also indicated that a widening of the driveway is not practical. As shown on the site plan, the driveway is abutted on the Petitioners' side by an existing retaining wall which is approximately 3 ft. in height. This wall was built some years ago due to the changing grade on this portion of the property. The elimination of this wall in order to accommodate an expansion of the driveway is neither practical or possible. Thus, the requested variance to allow a 14 ft. width in lieu of the required 20 ft. is proposed. It was also noted that there are no proposed changes to the existing driveway which would require a change to the driveway apron.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. I am persuaded that the Petitioners have satisfied the requirements set forth in Section 307 of the BCZR. The uniqueness of the property is found in its topography and grade change. Moreover, I am persuaded that the Petitioners would suffer a practical difficulty if relief were denied and that the variance can be granted without detrimental impact to surrounding properties.

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

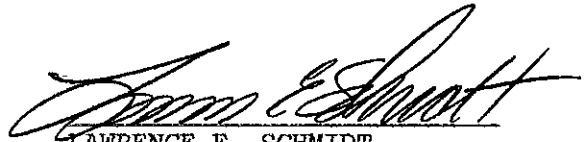
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of January, 1998 that a variance from Section 232.3.B of the Baltimore County Zoning Regulations (BCZR) to permit a rear

ORDERED FOR FILING
Date 1/7/98
By M. Howard

yard setback of 2-1/2 ft., in lieu of the required 20 ft., for an existing building abutting a residential zone, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance relief from Section 409.4.A of the BCZR to permit a driveway of 14 ft. in width, in lieu of the required 20 ft. for two way movements, be and is hereby GRANTED, subject, however, 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. All improvements, intersections, entrances, drainage requirements and construction affecting Belair Road are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.
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/mmh

ORDER RECORDED FOR FILING
Date 11/19/98
By mmh



Baltimore County
Zoning Commissioner
Office of Planning

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

January 6, 1998

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

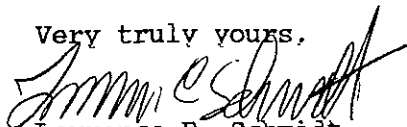
RE: Case No. 98-192-A
Petition for Zoning Variance
Location: 7303 Belair Road
Joseph Katrick, et ux, Petitioners

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

c: Mr. and Mrs. Joseph Katrick
5814 Ebenezer Road
Baltimore, Maryland 21162



THOMAS J. HOFF, INC.
Landscape Architect and Land Development Consultant
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

November 17, 1997

Description of 7303 Belair Road, to Accompany Petition for Zoning Variances

BEGINNING FOR THE SAME at a point in the center of Belair Road (60' R/W) said point being 66 feet more or less northeast of the intersection of the center lines of Belair Road and Fuller Avenue.

Thence leaving the center line of said Belair Road,

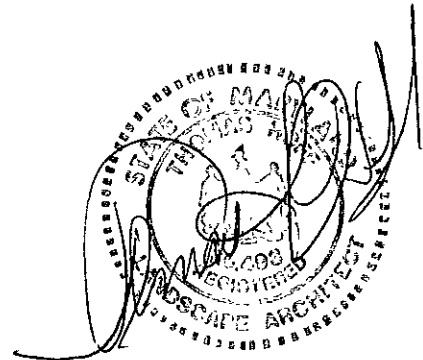
- (1) South 43 degrees 45 minutes East 187.83 feet;
- (2) North 44 degrees 20' minutes East 68.91 feet;
- (3) North 43 degrees 43 minutes West 186.00 feet;

to the center line of Belair Road, thence binding on the center line of Belair Road,

- (4) South 47 degrees 54 minutes West 68.75 feet; to the point of beginning containing 0.3 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.



#192

98-192-A

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: #98-192-A
7303 Belair Road
SE/S Belair Road, 66' +/- NE of
centerline Fuller Road
14th Election District
6th Councilmanic District

Legal Owner(s):
Joseph Katrick & Margie
Slone-Katrick

Variance: to permit a rear
yard abutting a residence zone
of 2.5 feet in lieu of required
20 feet for an existing building
and to permit a driveway of 14
feet in lieu of required 20 feet
for two-way movements.

Hearing: Monday, December
29, 1997 at 9:00 a.m.; Room
407, County Courts Bldg.,
401 Bosley 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 concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

12/058 Dec 11 C194665

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/11, 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 12/11, 1997.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

7303 Belair Road

which is presently zoned B.1

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) Section 232.3B to permit a rear yard abutting a residence zone of 2.5' in lieu of required 20' for an existing building.

Section 409.4A to permit a driveway of 14' in lieu of required 20' for two way movements.

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

Variances allow an existing building pre-dating zoning to remain and existing driveway pre-dating zoning to remain and continue to be used for access.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

John B. Contrum (410) 686-8274

(Type or Print Name)

Signature

814 Eastern Blvd

Address

Phone No.

Baltimore, MD 21221

City

State

Zipcode

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):

Joseph Katrick (410) 335-5632

(Type or Print Name)

Signature

Margie Slone-Katrick

(Type or Print Name)

Signature

5814 Ebenezer Road

Address

Phone No.

Baltimore, MD 21162

City

State

Zipcode

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

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: R.T.

DATE

11-19-97

98-192-A

ITEM# 192

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046719
ITEM # 192

DATE 11-19-97 ACCOUNT R-001-6150

020 - VAR,
AMOUNT \$ 250.00

RECEIVED FROM: GONTROM

FOR: COM. VARIANCE - #7303 BELAIR RD,
Reg. T.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
11/19/1997 11/19/1997 11:40:53
REG #003 CASHIER UNIT ULM DRAWER 3
E MISCELLANEOUS CASH RECEIPT
Receipt # 025050
CR NO. 046719

250.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046719
ITEM # 172

DATE 11-19-97 ACCOUNT R-001-6150

020 - VAR,
AMOUNT \$ 250.00

RECEIVED FROM: GONTROM

FOR: COM. VARIANCE - #7303 BELAIR RD,
Reg. T.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
11/19/1997 11/19/1997 11:40:53
REG #003 CASHIER UNIT ULM DRAWER 3
E MISCELLANEOUS CASH RECEIPT
Receipt # 025050
CR NO. 046719

250.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-192-A

**Petitioner/Developer:
(Joseph Katrick)**

**Date of Hearing/Closing:
(Dec. 29, 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 _____**

____7303 Belair Road Baltimore, Maryland 21206_____

**The sign(s) were posted on _____ Dec. 12, 1997 _____
(Month, Day, Year)**

Sincerely,

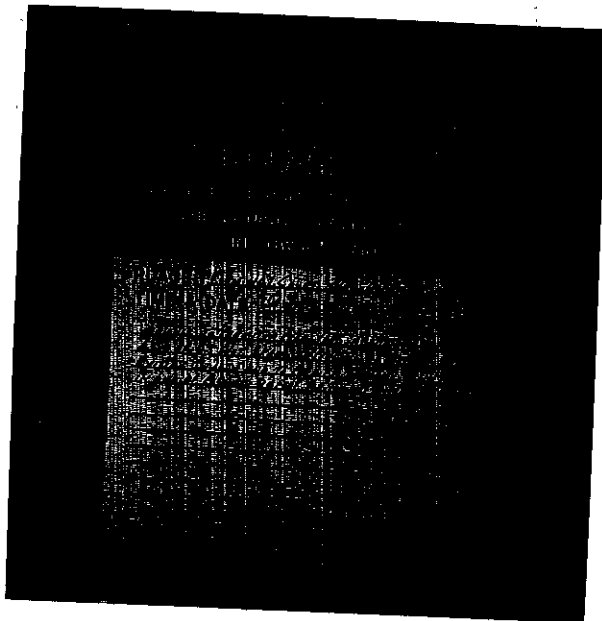

(Signature of Sign Poster & Date)

____Thomas P. Ogle, Sr._____

____325 Nicholson Road_____

____Baltimore, Maryland 21221_____

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



98-192-A

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.: 98-192A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE TO PERMIT REAR YARD ABUTTING A
RESIDENCE ZONE OF 2.5' IN LIEU OF THE REQUIRED 20'
AND A DRIVEWAY OF 14' WIDTH IN LIEU OF REQUIRED 20'
FOR TWO WAY MOVEMENTS.

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

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.: 192

Petitioner: _____

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROMADKA, GONTRUM & McLAUGHLIN

ADDRESS: 814 EASTERN BLVD
ESSEX, MD. 21221

PHONE NUMBER: 410-686-8274

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

November 26, 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: 98-192-A
7303 Belair Road
SE/S Belair Road, 66' +/- NE of centerline Fuller Road
14th Election District - 6th Councilmanic District
Legal Owner: Joseph Katrick & Margie Slone-Katrick

Variance to permit a rear yard abutting a residence zone of 2.5 feet in lieu of required 20 feet for an existing building and to permit a driveway of 14 feet in lieu of required 20 feet for two-way movements.

HEARING: Monday, December 29, 1997 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon". There is a small "305" written below the signature.

Arnold Jablon
Director

c: Joseph & Margie Katrick
John B. Gontrum, Esquire

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 14, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
December 11, 1997 Issue - Jeffersonian

Please forward billing to:

Romadka, Gontrum & McLaughlin 410-686-8274
814 Eastern Boulevard
Essex, MD 21221

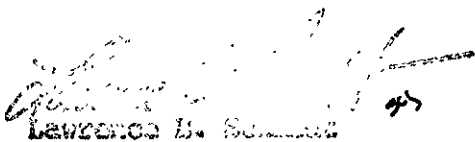
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The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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SE/S Belair Road, 66' +/- NE of centerline Fuller Road
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Variance to permit a rear yard abutting a residence zone of 2.5 feet in lieu of required 20 feet for an existing building and to permit a driveway of 14 feet in lieu of required 20 feet for two-way movements.

HEARING: Monday, December 29, 1997 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue.



Lawrence E. Schmidt

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.



Baltimore County
Department of Permits and
Development Management

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

December 17, 1997

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Item No.: 192
Case No.: 98-192-A
Petitioner: Joseph Katrick, et ux

Dear Mr. Gontrum:

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 November 19, 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, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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

INTEROFFICE CORRESPONDENCE

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

Date: December 8, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for December 8, 1997
 Item No. 192

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Belair Road (Md. Rte. 1) is a State road. 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.

Driveways shall be constructed in accordance with Baltimore County Standards with depressed curb and 7-inch concrete aprons within the right-of-way.

RWB:HJO:jrb

cc: File

ZONE1208.192

Baltimore County Government
Fire Department



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

(410) 887-4500

December 10, 1997

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

RE: Property Owner: *See Below*
~~Michael Zullo & Carol T. Zullo~~

Location: DISTRIBUTION MEETING OF December 1, 1997

Item No.: 191, (192), 193, and 199

Zoning Agenda:

Gentlemen:

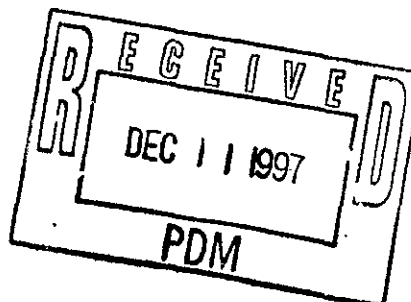
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT F. SAUERWALD

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

cc: File





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
Item No. 192

11/28/97
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: December 2, 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. 191, 192, 195, 197, and 200

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:

Gary L. Kerns

AFK/JL

B A I M O R E C O U N T Y, M A Y L A N D
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Dec 9, 1997

FROM: R. Bruce Seeley *RBS/90*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Dec 1, 1997

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

Item #'s:

191	198
192	199
193	200
194	

RBS:sp

BRUCE2/DEPRM/TXTS8P

RE: PETITION FOR VARIANCE	*	BEFORE THE
7303 Belair Road, SE/S Belair Rd, 66' +/-	*	
NE of centerline Fuller Road	*	ZONING COMMISSIONER
14th Election District, 6th Councilmanic	*	
Joseph Katrick and Margie Slone-Katrick	*	OF BALTIMORE COUNTY
Petitioners	*	CASE NO. 98-192-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 4th day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

THOMAS J. HOFF

406 W. PENNSYLVANIA AVE. 21204.

JOSEPH KATRICK

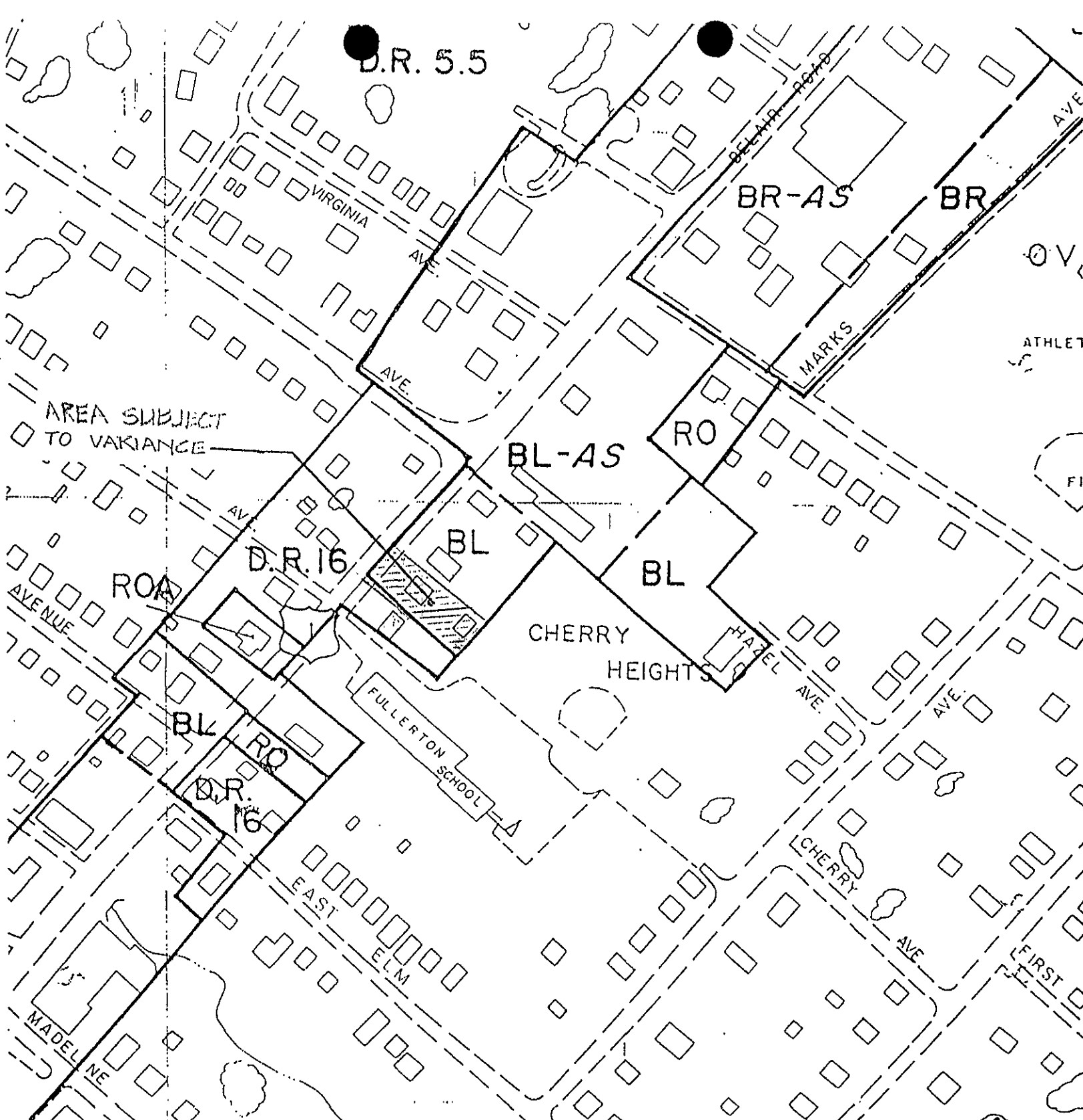
5814 EBENEZER RD. WHITEMARSH 21162

Margie L. Luma Katrick

5814 EBENEZER RD. WHITEMARSH 21162



D.R. 5.5



SCALE

1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

OVERLEA

ITEM # 192

SHEET

N.E.

6-E

98-192-A

ITEM # 192

DRIVEWAY COVENANT

LIBER 4303 PAGE 359

THIS AGREEMENT, made this 25th day of April, in the year

one thousand nine hundred sixty-four, by and between J. DAVID LASSAHN and EMELIE A. LASSAHN, his wife, of 7303 Belair Road, Baltimore County, Maryland, parties of the first part; and THELMA DUNN, HAROLD E. DUNN, and MABEL E. DUNN, his wife, of 7301 Belair Road, Baltimore County, Maryland, parties of the second part;

WHEREAS the parties of the first part are owners of a fee simple tract of land on the southeast side of Belair Road, which is more particularly described in a deed dated January 6, 1926, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 628, folio 517; and

WHEREAS the parties of the second part are owners of a fee simple tract of land situate, lying on said road and being westerly and immediately adjacent to the lot of land of said parties of the first part, under and by virtue of a deed dated even date herewith and recorded or intended to be recorded among the Land Records of Baltimore County immediately prior hereto from Alice M. Lassahn, widow to said parties of the second part; see also deed dated October 9, 1934, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr., No. 940, folio 283 from Mary G. Winters, unmarried, to Elmer F. Lassahn and Alice M. Lassahn, his wife, (the said Elmer F. Lassahn is now deceased); and

WHEREAS, there is situate a right of way or driveway along the southeast edge of the Belair Road at the curb thereof, and continuing toward the rear of said properties for a distance of 80 feet, more or less, the same being 13 feet, more or less, wide; the center line thereof being the dividing line between said properties; and

WHEREAS, it is the intention of the parties of the second part to increase the width of said right of way along their property so as to comply

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with the requirements of the State Roads Commission, making a total width of 24 feet at Belair Road and extend the same along their property toward the rear line at such widths and to such distances as necessary.

NOW THIS INDENTURE WITNESSETH, that in consideration of the sum of One (\$1.00) Dollar paid by the parties hereto to the other, the receipt whereof is hereby acknowledged, the parties of the first part hereby grant unto the parties of the second part, their heirs and assigns, their heirs and assigns, and the said parties of the second part hereby grant unto the parties of the first part, their heirs and assigns, as follows:

FULL and free right and liberty for them, or any of them, their tenants, servants, visitors, and licensees, in common with all others having the like right, at all times hereafter, with or without automobiles or vehicles, for all purposes connected with the use and enjoyment of said land of the parties hereto, or any of them, for whatever purpose the said lands may be from time to time lawfully used and enjoyed, to pass and repass along the said driveway, or right of way, for the purpose of ingress and egress to and from the said Belair Road to the said respective premises, with the exception, however, that no automobile or vehicle shall be parked temporarily or permanently on or along said driveway or right of way as now situate or widened from the said Belair Road to a depth 60 feet from said Belair Road.

TO HAVE AND TO HOLD the said right of way or easement hereby granted by the parties hereto, each to the other, their heirs and assigns, as appurtenant to said land of the parties of the first and second parts.

IN WITNESS WHEREOF the parties hereto have set their hands and seals the day and year first above written.

TEST:

PHYLLIS J. SMITH

J. David Lassahn

Emilie A. Lassahn

