

IN RE: PETITION FOR VARIANCE
N/S Valley View Road, 480' E
of the c/l Hilton Avenue
(1402 Valley View Road)
1st Election District
1st Councilmanic District

Edward A. Libertini, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-232-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 owners of the subject property, Edward A. and Kelly A. M. Libertini, through their attorney, Edwin E. Tillman, Jr., Esquire. The Petitioners seek relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 18 feet in lieu of the maximum permitted 15 feet for an existing shed. 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 were Mr. and Mrs. Edward Libertini, and Edwin Tillman, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of approximately 20,000 sq.ft., zoned D.R.2, and is improved with a single family dwelling and a shed, which is the subject of this request. The Petitioners recently constructed the subject shed after applying for a building permit; however, the final inspection of the structure revealed that its height was 18 feet, 3 feet over the maximum height allowed for accessory structures. Testimony indicated that the new shed was necessary

ORDER RECEIVED FOR FILING

Date 2/12/98

By [Signature]

to replace an old shed which had deteriorated beyond repair and that the new shed is basically the same size as the old shed. However, the new shed has a peaked roof, not a flat roof as the old shed, and as a result, exceeds the 15-foot maximum height restriction. The Petitioners testified that the increase in height will provide greater storage capabilities not available within the dwelling. Furthermore, strict compliance with the height regulations would not only result in removal of the existing shed, but force the Petitioner to construct a longer and wider structure to provide sufficient storage space. In support of their request, the Petitioners submitted letters from their immediately adjoining neighbors which indicate that the new shed is a welcome improvement to the subject property and that they have no objections to the requested variance.

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;
- 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).

ORDER RECEIVED FOR FILING
DATE 2/17/98
BY [Signature]

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance. It was clear from the testimony that strict compliance with the zoning regulations would create a practical difficulty and unreasonable hardship for the Petitioners. Furthermore, the Petitioners' neighbors who would be most affected by this shed have no objections to its height. Thus, it appears that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding locale.

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 17th day of February, 1998 that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 18 feet in lieu of the maximum permitted 15 feet for an existing shed, in accordance with Petitioner's Exhibit 1, 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) The Petitioner shall not allow or cause the subject shed to be converted to a second dwelling unit and/or apartments. The shed shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Use of the shed shall be limited to the storage of the Petitioners' personal items. There shall be no commercial use or activity taking place therein.

ORDER RECEIVED FOR FILING

Date

By

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 Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
date 9/17/98
by [signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

February 17, 1998

Edwin E. Tillman, Jr., Esquire
10320 Little Patuxent Parkway
Columbia, Maryland 21044

RE: PETITION FOR VARIANCE
N/S Valley View Road, 480' E of the c/l Hilton Avenue
(1402 Valley View Road)
1st Election District - 1st Councilmanic District
Edward A. Libertini, et ux - Petitioners
Case No. 98-232-A

Dear Mr. Tillman:

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. & Mrs. Edward A. Libertini
1402 Valley View Avenue, Catonsville, Md. 21228

People's Counsel; Case Files





Petition for ~~Administrative~~ Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1402 Valley View Avenue

which is presently zoned DR2

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) 400.3

VARIANCE TO ALLOW AN 18 FT. HEIGHT IN LIEU OF 15 FT. FOR A DETACHED ACCESSORY

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

Shed as erected would have to be taken down and rebuilt.
Height variation is necessary for storage requirements needed because of insufficient storage space in the dwelling. The increase in height will have less impact on the site as opposed to the other alternative, which is to make the structure longer and wider in order to realize the same amount of storage space. 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

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

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

Edward A. Libertini

(Type or Print Name)

Signature

Signature

Address

Kelly A. M. Libertini

(Type or Print Name)

City

State

Zipcode

Signature

Attorney to Petitioner

Edwin E. Tillman, Jr.

(Type or Print Name)

Address

Phone No

Signature

10320 Little Patuxent Parkway
Columbia, MD 21044

Address 410-884-1166

Phone No

City

State

Zipcode

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: 504

DATE: 12-12-97

Printed with Soybean Ink
on Recycled Paper

ITEM #: 232

ESTIMATED POSTING DATE: _____

98-232-A

ORDER RECEIVED FOR FILING

Date

By

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 1402 Valley View Avenue
address
Catonsville MD 21228
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)

We erected a stick built shed to replace a deteriorated shed on our property
(see photos). Building permit allowed 15 feet for structure height.
Final inspection disclosed new shed is in fact 18 feet in height and not in
compliance. Respectfully we request a variance so as to not have to reconstruct
the new shed. Neighbors at 1400 and 1403 have approved the new shed as a
dramatic improvement.

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.

Edward A. Libertini
(signature)

Edward A. Libertini
(type or print name)



Kelly A. M. Libertini
(signature)

Kelly A. M. Libertini
(type or print name)

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ to wit:

I HEREBY CERTIFY, this 10 day of November, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EDWARD LIBERTINI

KELLY LIBERTINI

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.

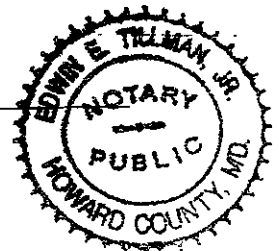
AS WITNESS my hand and Notarial Seal

11/10/97
date

[Signature]
NOTARY PUBLIC

My Commission Expires:

12/1/99



A-SES-8P

ZONING DESCRIPTION FOR 1402 Valley View Road

Beginning at a point on the North side of Valley View Road which is 30 feet wide at the distance of approximately 480 feet of the centerline of the nearest improved intersecting street, being Hilton Avenue, which is 50 feet wide. Being Lot # n/a Block # n/a, Section # n/a, in the subdivision of n/a as recorded in Baltimore County Plat Book #

Folio # , containing square feet.

Metes and Bounds Description per Deed in Land Records

Beginning for the same at a point on the last or the North 65 degrees 54 minutes West 1098 feet and one-half inch line of the Fourth lot of ground described in a Deed dated June 13, 1945, and recorded among the Land Records of Baltimore County, in Liber RJS No. 1390, Folio 417, &c., from Katherine D. Kinlein to Charles W. Davis, at al at the distance of 425.7 feet from the end thereof; and running thence South 24 degrees 6 minutes West 136 feet 6 inches, more or less to the centre of a 30 foot road there laid out; and running thence South 65 degrees 54 minutes East 200 feet binding on said centre of said 30 foot road; leaving said centre of road, and running thence North 24 degrees 6 minutes East 136 feet 6 inches to the first above mentioned North 65 degrees 54 minutes West 1098 feet and one-half inch line, and thence binding along said mentioned North 65 degrees 54 minutes West 200 feet to the place of beginning; together with the right to use said thirty foot road for the purpose of ingress and egress to the said lot of ground above described from Hilton Avenue. The improvements thereon being known as 1402 Valley View Road.

98-232-A
232

BALTIMORE COUNTY, MD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

AND

No.

0469,9

DATE 12-17-97

ACCOUNT

REC-6150

AMOUNT \$

50

RECEIVED

FROM: CIO R. URA.

FOR:

CCIA

50

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

232

98232-A

PAID RECEIPT

PROJECTS ACTION TIME
2/17/1997 12/17/1997 11:00:00
5 MICHAEL BARRY BRY INT BROKER
MICHAEL BARRY BRY INT BROKER
044316
046999
12/17

BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-28-, 1998

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 3 successive weeks, the first publication appearing on 1-28-, 1998

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

A. H. Williams

NOTICE OF HEARING

The Zoning Commission 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 #98-232-A

1402 Valley View Avenue
N/S Valley View Road, 480'

of Hilton Avenue

1st Election District

Legal Description: District

Legal Description: District

Legal Description: District

Legal Description: District

Legal Description: District

Legal Description: District

Legal Description: District

Legal Description: District

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Legal Description: District

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-22, 1998

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 1-22, 1998

THE JEFFERSONIAN,
G. H. Emerson
 LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission 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 #98-232-A
 1402 Valley View Avenue
 (21228)
 W/S Valley View Road, 480' of Hillen Avenue
 1st Election District
 1st Councilmanic District
 Legal Owner(s): Edward A. Libertini & Kelly A.M. Libertini

Variance: To allow an 18-foot height in lieu of 15 feet for a detached accessory.

Hearing: Wednesday, February 11, 1998 at 8:00 a.m., Room 407 County Courts Bldg. 401 County Avenue.

LAWRENCE E. SCHMIDT
 Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for Special accommodations. Please Call (410) 887-8358. (2) For information concerning the Planning Hearing, Please Call (410) 887-8391.

1/27/98 Jan. 22

C202087

CERTIFICATE OF POSTING

RE: Case No.: 98-232-A

Petitioner/Developer: _____

Edward & Kelly Libertini

Date of Hearing/Closing: 1/20/98

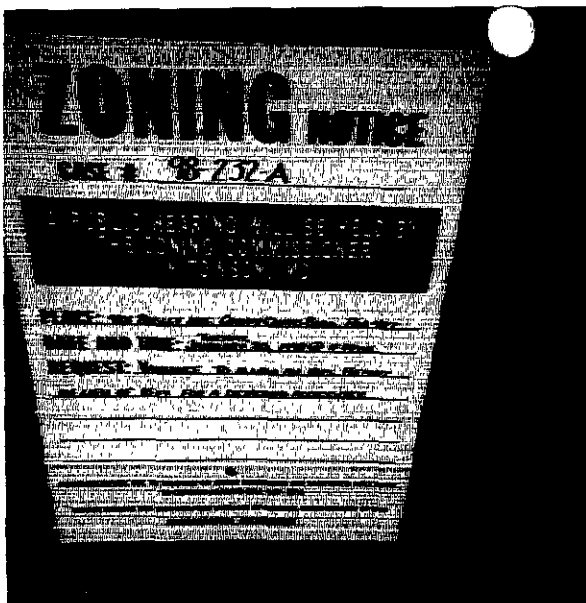
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 1402 VALLEY VIEW AVE.
CATONSVILLE, MD 21226

The sign(s) were posted on JANUARY 2, 1998
(Month, Day, Year)



Sincerely,

Doug Baum

(Signature of Sign Poster and Date)

Doug Baum

(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000

(Telephone Number)

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.: _____

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

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE TO ALLOW A 18 FT. HEIGHT
IN LIEU OF 15 FT. FOR A DETACHED ACCESSORY
STRUCTURE

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

98.232-A 232



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.: 232.

Petitioner: E. A. Libertini

Location: 1402 Valley View Avenue, Catonsville, MD 21228-5848

PLEASE FORWARD ADVERTISING BILL TO:

NAME: E. A. Libertini

ADDRESS: 1402 Valley View Avenue

Catonsville, MD 21228-5848

PHONE NUMBER: 410-788-4718

AJ:ggs

232.
(Revised 09/24/96)

98-232-A

TO: PATUXENT PUBLISHING COMPANY
December 31, 1997 Issue - Jeffersonian

Please forward billing to:

E.A. Libertini 410-788-4718
1402 Valley View Avenue
Catonsville, MD 21228-5848

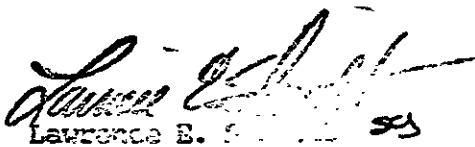
NOTICE OF HEARING

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: 98-232-A
1402 Valley View Avenue
N/S Valley View Road, 480' of Hilton Avenue
1st Election District - 1st Councilmanic District
Legal Owner: Edward A. Libertini & Kelly A.M. Libertini

Variance to allow an 18-foot height in lieu of 15 feet for a detached accessory.

HEARING: Tuesday, January 20, 1998 at 11:00 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 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: 98-232-A
1402 Valley View Avenue
N/S Valley View Road, 480' of Hilton Avenue
1st Election District - 1st Councilmanic District
Legal Owner: Edward A. Libertini & Kelly A.M. Libertini

Variance to allow an 18-foot height in lieu of 15 feet for a detached accessory.

HEARING: Tuesday, January 20, 1998 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Edwin E. Tillman, Jr., Esquire
Kelly & Edward Libertini

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 5, 1998.**
- (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.**





Baltimore County
Department of Permits and
Development Management

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

January 8, 1998

Edwin E. Tillman, Jr., Esquire
Merrill Lynch Building
Suite 410
10320 Little Patuxent Parkway
Columbia, MD 21044

RE: Case Number 98-232-A
Petitioner: Liberrtini
Location: 1402 Valley View Ave.

Dear Mr. Tillman:

The above matter, previously assigned to be heard on January 20, 1998 at 11:00 a.m. has been postponed at your request.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

Very truly yours,


Arnold Jablon
Director

AJ:scj

c: Kelly & Edward Libertini



TO: PATUXENT PUBLISHING COMPANY
January 22, 1998 Issue - Jeffersonian

Please forward billing to:

E.A. Libertini 410-788-4718
1402 Valley View Avenue
Catonsville, MD 21228-5848

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 98-232-A
1402 Valley View Avenue (21228)
N/S Valley View Road, 480' of Hilton Avenue
1st Election District - 1st Councilmanic District
Legal Owner: Edward A. Libertini & Kelly A.M. Libertini

Variance to allow an 18-foot height in lieu of 15 feet for a detached accessory.

HEARING: Wednesday, February 11, 1998 at 9:00 a.m. in Room 407, County Courts
Building, 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 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

January 13, 1998

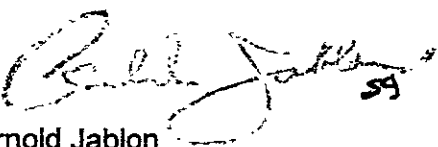
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The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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Variance to allow an 18-foot height in lieu of 15 feet for a detached accessory.

HEARING: Wednesday, February 11, 1998 at 9:00 a.m. in Room 407, County Courts
Building, 401 Bosley Avenue



Arnold Jablon
Director

c: Edwin E. Tillman, Jr., Esquire
Kelly & Edward Libertini

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 27, 1998.**
- (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.





Baltimore County
Department of Permits and
Development Management

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

January 14, 1998

Edwin E. Tillman, Jr., Esquire
10320 Little Patuxent Parkway
Columbia, MD 21044

RE: Item No.: 232
Case No.: 98-232-A
Petitioner: Edward Libertini, et ux

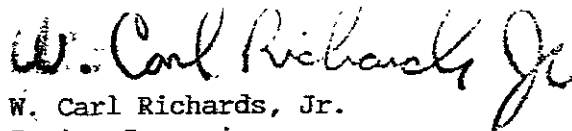
Dear Mr. Tillman:

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 December 17, 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,


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 12.31.97
Item No. 232 (JRA)

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 30, 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. 232, 233, 236, 237, 241, and 242

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

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

TO: PDM

DATE: _____

FROM: R. Bruce Seeley . *RBS/40*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: *Dec 29, 97*

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

Item #'s:

230

232

233

236

240

241

229

RBS:sp

BRUCE2/DEPRM/TXTS8P

Baltimore County Government
Fire Department



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

(410) 887-4500

January 5, 1998

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 December 23, 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.

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

231, 232, 233, 236, 237, and 241

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

cc: File



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: January 6, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
 for January 5, 1998
 Item Nos. 229 (Agenda of 12/29/97),
 230, 231, 232, 233, 235, 236, 237,
 238, 239, 240, 241

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

RWB:HJO:jrb

cc: File

ZONE0105.NOC

RE: PETITION FOR VARIANCE
1402 Valley View Avenue, N/S Valley View
Rd, 480' of Hilton Avenue
1st Election District, 1st Councilmanic

Edward A. & Kelly A.M. Libertini
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-232-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 9th day of January, 1998, a copy of the foregoing Entry of Appearance was mailed to Edwin E. Tillman, Jr., Esq., 10320 Little Patuxent Pkwy., Columbia, MD 21044, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 887-3351
Building Inspection: 887-3953

Plumbing Inspection: 887-3620
Electrical Inspection: 887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.
105028

Name(s) _____
Address 1402 Valley View Ave 21223
Location of Violation (if different than address) _____
Election District 01 Permit No. B301179 Case No. _____
Vehicle License No.: _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ _____
§§ _____
§§ _____

Building Code (BOCA):

§§ Sec 111
§§ _____
§§ _____

Investment Property Act (§7-66):

§§ _____
§§ _____

Plumbing Code (NSPC):

§§ _____
§§ _____

Other: §§ _____

Zoning Regulations:

§§ _____
§§ _____
§§ _____

Livability Code (§18-66):

§§ _____
§§ _____
§§ _____

Electrical Code (NEC):

§§ _____
§§ _____

Dwelling (CABO):

§§ _____
§§ _____

COMMENTS OR OTHER VIOLATIONS:

Constructed shed 18' high - not in
compliance with permit approved 15'
maximum height.
Compliance or variance required

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
11/22/17 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 10/22/17 INSPECTOR: C. J. Portelli

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER
PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE
INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: _____

DATE ISSUED: _____ INSPECTOR: _____

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE.
PLEASE READ CAREFULLY.

98-232-A

VIOLATION SITE

232

December 16, 1997

Zoning Commissioner
of Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

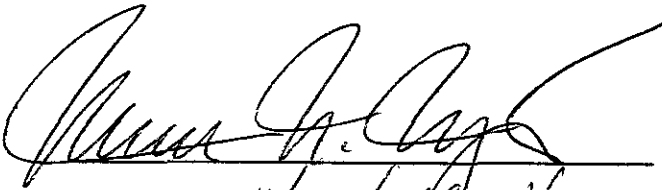
Reference: Edward A. and Kelly A. Libertini
1402 Valley View Avenue
Catonsville, MD 21228
Shed constructed at property

Dear Sir:

We, the undersigned, are the adjacent neighbors to 1402 Valley View Avenue, Catonsville, MD 21228. Our neighbors, Ed and Kelly Libertini have removed the previous shed from the property and replaced it with a much more attractive shed, more in conformity with structures within the neighborhood. We are in favor of the construction of this shed and believe that the shed, as constructed, should be allowed to remain on the Libertini property. The shed as constructed, is a vast improvement from the previous structure and we welcome its addition.

Should you have any questions, please feel free to contact us. We have listed our address and telephone numbers, should you need to contact us.

Sincerely,



Address: 1400 Valley View Ave
Catonsville Md. 21228

Phone: 410.744.8442



Address: 1400 Valley View Ave
Catonsville, Md. 21228

Phone: 410-744-8442 •

98-232-A 237

December 16, 1997

Zoning Commissioner
of Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

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Should you have any questions, please feel free to contact us. We have listed our address and telephone numbers, should you need to contact us.

Sincerely,

Charles J. Koethke
Address: 1402 VALLEY VIEW AVE
CATONSVILLE, MD, 21228
Phone: 410-788-1936

Nancy A. Koethke
Address: (same)
Phone: _____

98-232-²³²A

1/6/98
8
TO SS
LAW OFFICES OF EDWIN E. TILLMAN, JR.

MERRILL LYNCH BUILDING
SUITE 410
10320 LITTLE PATUXENT PARKWAY
COLUMBIA, MARYLAND 21044
(410) 884-1166
fax: (410) 884-1167

January 5, 1998

Arnold Jablon, Director
Baltimore County Department of Permits
and Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Reference: Notice of Hearing
Case Number: 98-232-A, Variance Shed Height
1402 Valley View Avenue

Dear Mr. Jablon:

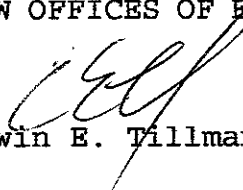
Please be advised that we have received the Notice of Hearing for the above-referenced matter from your office. Unfortunately, Mr. and Mrs. Libertini, the owners of the property and the parties requesting the variance will be out of town on a business trip from January 19 through January 23, 1998 and will be unable to testify on January 20, 1998. Therefore, we are hereby requesting a new Hearing Date.

Please advise as soon as possible a new date for the hearing on the above-referenced matter.

Thank you in advance for your attention to this request.

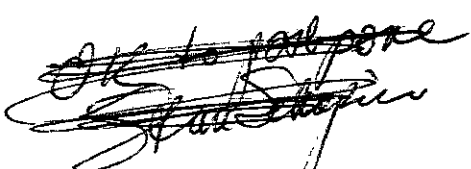
Very truly yours,

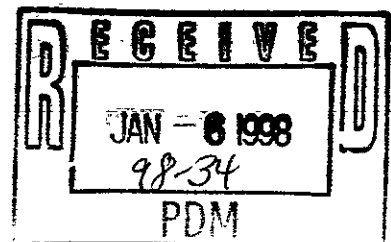
LAW OFFICES OF EDWIN E. TILLMAN, JR.


Edwin E. Tillman, Jr.

EET/lco

cc: Mr. and Mrs. E. Libertini





PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ED LIBERTINI

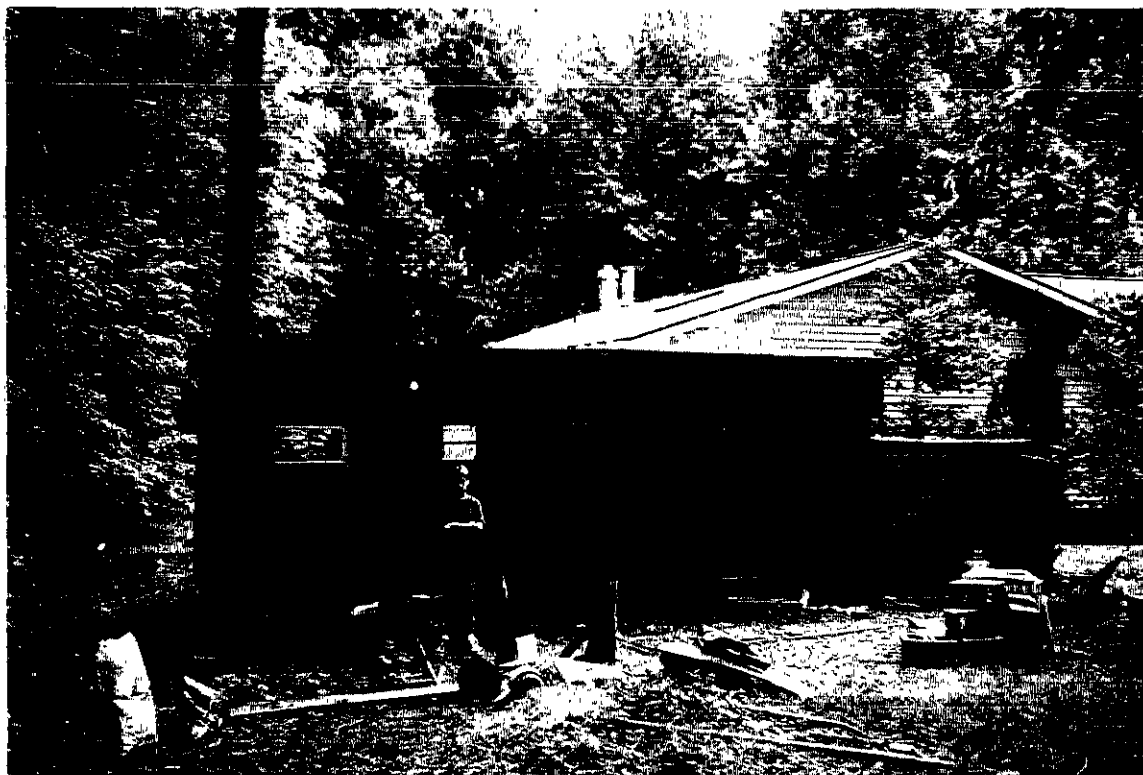
1402 Valley View Ave Centerville ms 31228

KELLY LIBERTINI

" " " " "



OLD SHED



NEW SHED

