

IN RE: PETITION FOR VARIANCE
N/S Pulaski Highway, 25' W of the c/l
O'Dell Avenue
(7216 & 7218 Pulaski Highway)
14th Election District
7th Councilmanic District

Russell Mirabile and
Nancy M. Leiter - Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-347-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Russell Mirabile and Nancy M. Leiter. The Petitioners seek relief from Sections 238.1 and 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 21 feet in lieu of the required 30 feet, and a front yard setback of 35 feet in lieu of the required 50 feet and utilization of an existing foundation (foot print). The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the request were Russell Mirabile and Nancy Leiter, property owners, Vincent J. Moskunus, the engineer who prepared the site plan for this property, and Richard J. Reinhardt, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

An examination of the site plan discloses that the subject property is an irregular shaped parcel comprised of two lots, consisting of a combined gross area of 0.296 acres, more or less, zoned B.R. The property is located on the northwest corner of the intersection of Pulaski Highway and O'Dell Avenue in Rosedale, and is bisected by the Baltimore City/Baltimore County line. Vehicular access to the site is by way of a curb cut on both Pulaski Highway and O'Dell Avenue. The property is presently improved with a two story dwelling; however, the Petitioners propose to

raze this structure and replace same with a one-story storage building, utilizing the footprint of the

ORDER RECEIVED FOR FILING

Date

By

existing dwelling. The new building will be slightly larger than the original structure, and the area that was originally used as an open porch will be closed off and made a portion of the interior of the new structure.

Mr. Moskunas testified that the foundation of the existing dwelling is sound from an engineering standpoint and the location of the structure on the property is appropriate. Thus, he opined that the utilization of the existing foundation and reconstruction of the building would not cause any detrimental impact to surrounding properties. In this regard, the area is largely commercial in character; however, public housing owned by the Housing Authority of Baltimore City immediately abuts the property. Moreover, the property is zoned for business use (B.R., Business/Commercial).

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. The uniqueness of the property is found in its unusual shape and the fact that same is bisected by the Baltimore City/Baltimore County line. These factors render strict conformance with the requirements of Sections 238.1 and 238.2 unduly burdensome. Moreover, it is clear that the use of the existing foundation and construction of a new building will represent an upgrade to the property and neighborhood. Photographs of the site show that the existing building has deteriorated and the new structure will no doubt be an improvement to the property. For all of these reasons I am persuaded to grant the Petition for Variance.

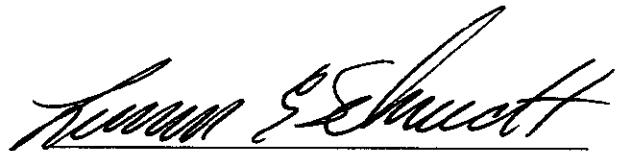
As noted above, there were no Protestants present and no adverse Zoning Plans Advisory Committee (ZAC) comments submitted by any Baltimore County reviewing agency. However, a comment was received from the Developer's Plans Review Division of the Department of Permits and Development Management (DPDM) which suggested that the entrance to the site from O'Dell Avenue be closed. Normally, that agency objects to any entrance to commercial property within 100 feet of an intersection. This entrance lies within 100 feet of the intersection of O'Dell Avenue and Pulaski Highway. Although that policy normally has merit, the situation in this case is different. O'Dell Avenue terminates shortly beyond the property's boundary. Clearly, O'Dell Avenue generates no traffic, but for users of this property. For that reason, I will not

require any amendment to the site plan or relocation of the access point from O'Dell Avenue. In the unlikely event O'Dell Avenue were to be extended or connected, this issue could be revisited.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of August, 1999 that the Petition for Variance seeking relief from Sections 238.1 and 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 21 feet in lieu of the required 30 feet, and a front yard setback of 35 feet in lieu of the required 50 feet for use of an existing foundation (foot print), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 8/16/99
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 16, 1999

Richard J. Reinhardt, Esquire
220 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
NW/Corner Pulaski Highway and O'Dell Avenue
(7216 & 7218 Pulaski Highway)
14th Election District - 7th Councilmanic District
Russell Mirabile & Nancy M. Leiter - Petitioners
Case No. 98-347-A

Dear Mr. Reinhardt:

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 black ink, reading "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Russell Mirabile & Ms. Nancy M. Leiter
7934 Oakdale Avenue, Baltimore, Md. 21237
Mr. Vincent J. Moskunas, M & H Development Engineers, Inc.
200 E. Joppa Road, Towson, Md. 21286
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 7216 & 7218 PULASKI HIGHWAY

which is presently zoned R.R.

This Petition shall be filed with the Department of Permits & 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) FOR SET BACK REQUIREMENTS AND USE OF EXISTING FOUNDATION (FOOT PRINT)

238.1 - 238.2 PERMIT A SIDE YARD SET BACK OF 21.' ± AND FRONT YARD SET BACK OF 35' ± IN LIEU OF REQUIRED 30' AND 50' RESPECTIVELY.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) THE PROPERTY IS UNIQUE AS TO LOCATION, CONFIGURATION, VEHICLE ACCESS, SIZE AND UTILITY ACCESS. PRESENT FOUNDATION CAN BE USED FOR NEW STRUCTURE PER ENGINEER REPORT. PRESENTLY, ALL UTILITIES ARE IN PLACE TO THE EXISTING STRUCTURE, MOVEMENT OF LOCATION WILL CREATE HARDSHIP FOR VEHICLE ACCESS, UTILITY HOOK UP AND CONFIGURATION ON PROPERTY. PETITIONER DESIRES WAIVER AND ALLOW USE OF UTILITY FOUNDATION APPROVED BY ENGINEER.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

RICHARD J. REINHARDT

(Type or Print Name)

Signature

220 BOSLEY AVENUE

(410) 823-1095

Address

Phone No.

TOWSON, MARYLAND 21204

City

State

Zipcode

Legal Owner(s):

RUSSELL MIRABILE

(Type or Print Name)

Signature

NANCY M. LEITER

(Type or Print Name)

Signature

7934 OAKDALE AVENUE

(410) 780-5488 #

Address

Phone No

BALTIMORE, MD 21237

City

State

Zipcode

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

RICHARD J. REINHARDT

Name

220 BOSLEY AVENUE

(410) 823-1095

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: RR

DATE 3/20/98

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

98-347-A

347

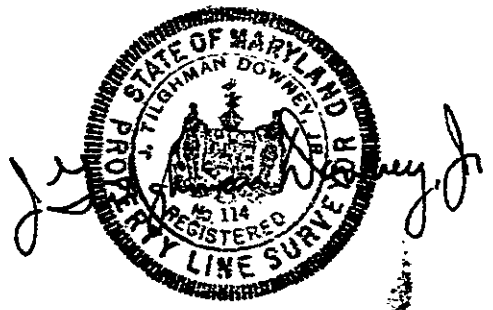
M. & H. DEVELOPMENT ENGINEERS, INC.

200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21286

February 10, 1998

ZONING DESCRIPTION FOR #7216 Pulaski Highway

Beginning at a point on the north side of Pulaski Highway which has a varying right-of-way at the distance of 25' west of the centerline of the nearest improved intersecting street O'Dell Avenue which is 50' wide. As recorded in Deed Liber 7290 folio 682 and beginning S 48° 48' 13" W, 109.78 feet; thence N 41° 11' 47" W, 44 feet±; thence running along the Baltimore County and Baltimore City Boundary Line, 128.5 feet±; thence N 61° 25' E, 58 feet±; thence S 27° 40' E, 131.15 feet to the Point of Beginning. Containing 0.266 of an acre, more or less.



J. Tilghman Downey, Jr.

48-347-A

Ad No
B

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 7787

DATE 3/20/98 ACCOUNT 0001-6150

AMOUNT \$ 250.00

RECEIVED FROM: Russell Minib, Jr.

FOR: 010 Various

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

5-10-98 387

PAD RECEIPT
DATE 3/20/98 TIME 15:25:00
BY 0001 OTHER CLERK NAME BRADLEY
FOR MISCELLANEOUS RECEIPT
RECEIVED BY 0004
PR 01 007887
\$250.00 CASH
Baltimore County, Maryland

CASHIER'S VALIDATION

08.24.98

**NOTICE OF ZONING
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 #98-847-A
7216 & 7218 Pulaski Highway
N of Pulaski Highway, 25' W of
O'Dell Avenue

15th Election District
7th Courthouse District
Legal Owner(s):

Russell Mirable & Nancy M.
Latta

Variance to permit a side
yard setback of 21' (-/-) feet
and front yard setback of 35'
(+/-) feet in lieu of the required
30 feet and 50 feet, respec-
tively.

Hearing: Tuesday, May 12,
1998 at 11:00 a.m. in 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) 887-3381.

4/389 April 23

C223021

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/23/, 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 4/23/, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

INVOICE

823-1095

114696

SOLD TO RICHARD J. REINHARDT		SHIP TO FROM: GARLAND E. MOORE			
ADDRESS 220 BOSLEY AVE		ADDRESS 3225 RYERSON CIRCLE			
CITY, STATE, ZIP TOWSON MD. 21204		CITY, STATE, ZIP BALTIMORE, MD. 21227			
CUSTOMER ORDER NO.	SALESMAN	TERMS	F.O.B.		
			DATE 4-29-98		
ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
		ZONING APPEAL SIGN			
		POSTING, CERTIFICATION			
		AND PHOTOGRAPHS			
		# 7216 & 7218 PULASKI HIGHWAY			
					\$ 65.00

CERTIFICATE OF POSTING

RE: Case No.: 98-347-A

Petitioner/Developer: _____

RUSSELL MIRABILE AND
NANCY M. LEITER

Date of Hearing/Closing: MAY 12, 1998

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

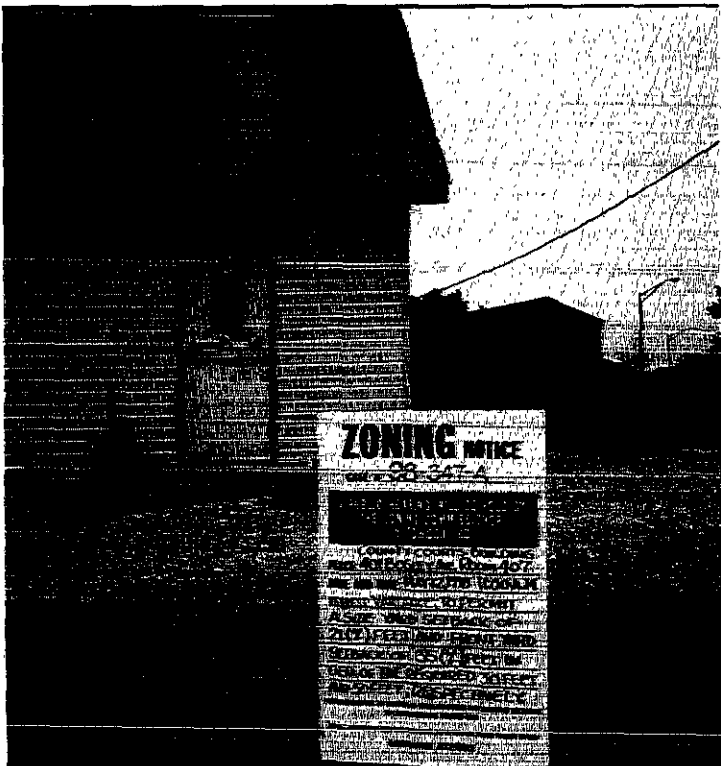
Attention: Ms. Gwendolyn Stephens

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 _____

7216 & 7218 PULASKI HIGHWAY

The sign(s) were posted on APRIL 29, 1998
(Month, Day, Year)



Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 98-347-A

Petitioner/Developer: _____

MR. RUSSELL MIRABILE

Date of Hearing/Closing: JULY 27, 1999

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

Ad 1B

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 _____

7216 - # 7218 PULASKI HIGHWAY

The sign(s) were posted on JULY 9TH 1999
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

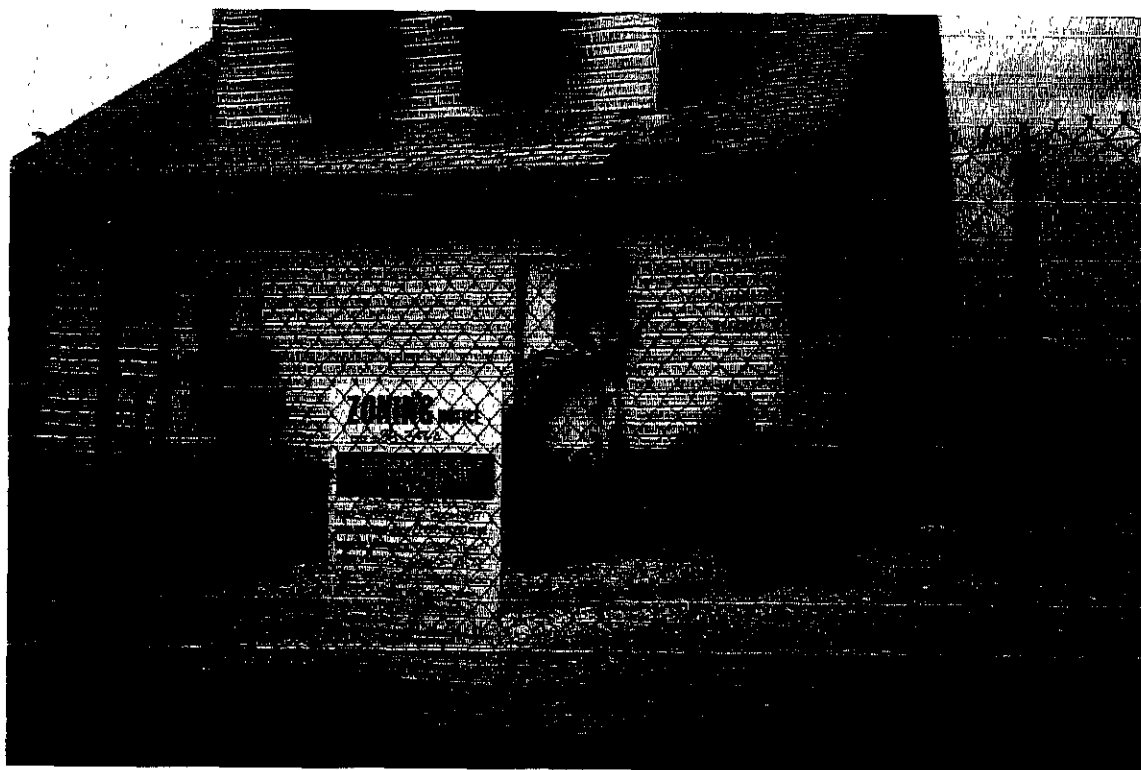
GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

*YOUR
COPY*



ZONING NOTICE

CASE # 08-347-A

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

COUNTY COURTS BUILDING
PLACE 401 BOSLEY AVE ROOM 407

DATE AND TIME MAY 12, 1998 11:00 A.M.

REQUEST VARIANCE, TO PERMIT

A SIDE YARD SETBACK OF

21 (1/2) FEET AND FRONT YARD

SETBACK OF 35 (1/2) FEET IN

Lieu OF THE REQUIRED 30 FEET

AND 50 FEET, RESPECTIVELY

RECOMMENDATION: ONE TO DENY OR OTHER COMMENTS ARE COMPLETED NECESSARY
TO CONSIDER HEARING CALL 410-336-3300

ON THE ABOVE THIS SIGN AND POST WILL BE REMOVED, UNDER PENALTY OF A FINE

UNIMPAVED ACCESSIBLE

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.: 98-347-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE FOR SET BACK REQUIREMENT
AND USE OF EXISTING FOUNDATION
238.1-238.2 - PERMIT A SIDE YARD SET BACK OF 21' ±
AND FRONT YARD SET BACK OF 35' ± IN LIEU OF
REQUIRED 30' AND 50' RESPECTIVELY

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.: 347

Petitioner: RUSSELL MIRABILE AND NANCY HEITER

Location: 7216 & 7218 PULASKI HIGHWAY

PLEASE FORWARD ADVERTISING BILL TO:

NAME: LAW OFFICES OF RICHARD T. REINHARDT

ADDRESS: 320 BOSLEY AVENUE

TOWSON, MD 21204

PHONE NUMBER: (410) 823-1095

AJ:ggs

98-347-A
Revised 03/24/96

TO: PATUXENT PUBLISHING COMPANY
April 23, 1998 Issue - Jeffersonian

Please forward billing to:

Law Offices of Richard T. Reinhardt 410-823-1095
220 Bosley Avenue
Towson, MD 21204

NOTICE OF ZONING 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: 98-347-A
7216 & 7218 Pulaski Highway
N of Pulaski Highway, 25' W of O'Dell Avenue
15th Election District - 7th Councilmanic District
Legal Owner: Russell Mirabile & Nancy M. Leiter

Variance to permit a side yard setback of 21 (+/-) feet and front yard setback of 35 (+/-) feet in lieu of the required 30 feet and 50 feet, respectively.

HEARING: Tuesday, May 12, 1998 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

50
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

March 25, 1998

NOTICE OF ZONING 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: 98-347-A
7216 & 7218 Pulaski Highway
N of Pulaski Highway, 25' W of O'Dell Avenue
15th Election District - 7th Councilmanic District
Legal Owner: Russell Mirabile & Nancy M. Leiter

Variance to permit a side yard setback of 21 (+/-) feet and front yard setback of 35 (+/-) feet in lieu of the required 30 feet and 50 feet, respectively.

HEARING: Tuesday, May 12, 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: Richard J. Reinhardt
Nancy Leiter & Russell Mirabile

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 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
Fire Department

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

April 13, 1998

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

RE: Property Owner: RUSSELL MIRABILE AND NANCY M. LEITER

Location: DISTRIBUTION MEETING OF March 30, 1998

Item No.: 347 AND CASE #98-336-SPHXA Zoning Agenda:

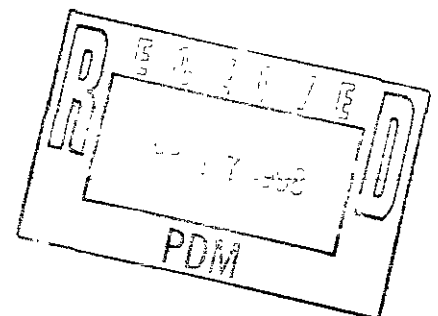
Gentlemen:

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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", 1994 edition prior to occupancy.

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: April 8, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
for April 6, 1998
Item No. 347

The Bureau of Developer's Plans Review has reviewed the subject zoning item. This proposal is subject to the Landscape Manual.

The proposed access off Odell Avenue shall be at least 100 feet from the edge of Pulaski Highway.

RWB:HJO:jrb

cc: File

ZONE0406.347

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 3, 1998

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

SUBJECT: Zoning Advisory Petitions

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

Item No. 320, 347, 356, 357, 358, and 360

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 3-30-91 ✓
Item No. 347 BR

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

R. J. Burns
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
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

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

DATE: 3/30/92

SUBJECT: Zoning Advisory Committee
Meeting Date: March 30, 92

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

Item #'s:

337

338

339

341

342

443

344

345

347

RBS:sp

BRUCE2/DEPRM/TXTS8P

RE: PETITION FOR VARIANCE
7216 & 7218 Pulaski Highway,
N/S Pulaski Hwy., 25' W of O'Dell Ave.
15th Election District, 7th Councilmanic

Russell Mirabile and Nancy Leiter
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-347-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 15th day of April, 1998, a copy of the foregoing Entry of Appearance was mailed to Richard J. Reinhardt, Esq., 220 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

Hillbrook-Camelot

IMPROVEMENT ASSOCIATION

P.O. Box 9501

Rosedale, Maryland 21237

10:23 hrs. Tuesday, 12 May, 1998

Zoning Commissioner of Baltimore County
400 Washington Avenue
Towson, Maryland 21204

Re: 98-347-A

Dear Commissioner:

We understand the a postponement of the hearing scheduled for 12 May, 1998 at 11:00 am for case 98-347-A, has been requested by Mr. Reinhardt. We have no objection to the requested postponement of the scheduled hearing. However we would object to any action requested by the petitioners other than a postponement.

G. Gary Adams
President,
Hillbrook-Camelot Improvement Association

May 17, 1999

Mr. Garland E. Moore
3225 Ryerson Circle
Baltimore, Maryland 21227

Re: Zoning Appeal Sign Posting
Case No.: 89-347-A
7216-7218 Pulaski Highway

Dear Mr. Garland:

The above case was postponed and has now been re-scheduled for June 7, 1999 at 9:00 am, per the attached notice. I am enclosing a photo of the last posting and would appreciate your promptly preparing the sign and posting the property as soon as possible in order to comply with the notice requirement. Enclosed with this request is the check in the amount of \$65.00.

Please forward the receipt and verification of posting as soon as possible. Should you have any questions please contact me at the office.

Very truly yours,

Richard J. Reinhardt

RJR/amp
Enc. Photo, notice & check
Cc: Mr. Russell Mirabile

LAW OFFICES
RICHARD J. REINHARDT
ATTORNEY AND COUNSELOR AT LAW
220 BOSLEY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE: 410-823-1095
FAX: 410-823-0208
May 27, 1999

OF COUNSEL
FRANK C. DIGIORGIO

Baltimore County Office of Zoning
Commissioner Lawrence Schmidt
County Courts Building
401 Bosley Avenue, Fourth Floor
Towson, Maryland 21204

Re: Case No.: 98-347-A
Variance to Permit Side Yard Setback

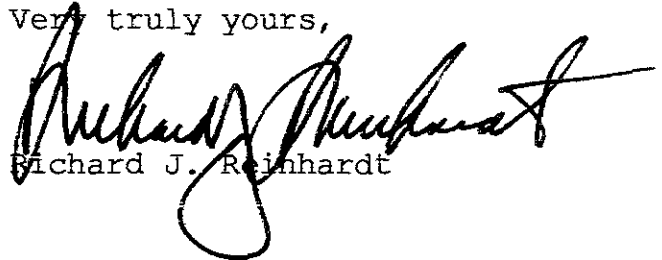
Dear Commissioner Schmidt:

This letter serves as a follow-up to my telephone conference with your office concerning the above case, which was set for a hearing on June 7, 1999. As I advised the services of Garland E. Moore was requested for the preparation and posting of the property in question. This was done on May 17, 1999, per the attached letter. Unfortunately Mr. Moore was out of town and when he returned he could not prepare and post the property within the time required.

Base upon this event, which was beyond my control I have requested from your office that the case be postponed and reset. It is my understanding that it will be assigned a new date, however when the case is set please schedule it so I will have sufficient time to have Mr. Moore prepare the signs and have the property posted.

Thanking you once again for your consideration in this matter.

Very truly yours,



Richard J. Reinhardt

RJR/amp
Enc. Letter
Cc: Mr. Russell Mirabile

JUN - 1



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 23, 1999

Richard J. Reinhardt, Esquire
220 Bosley Avenue
Towson, MD 21204

Dear Mr. Reinhardt:

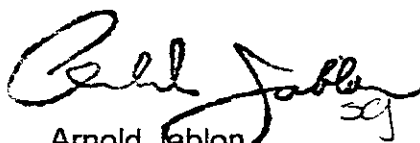
RE: Case Number 98-347-A, 7216 & 7218 Pulaski Highway

The above matter, previously assigned to be heard on June 7, 1999 has been **rescheduled for Tuesday, July 27, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,


Arnold Jablon
Director

AJ:scj

C: Russell Mirabile & Nancy Leiter
Hillbrook-Camelot Improvement Association

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

LAW OFFICES
RICHARD J. REINHARDT
ATTORNEY AND COUNSELOR AT LAW
220 BOSLEY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 410-823-1095
FAX: 410-823-0208

OF COUNSEL
FRANK C. DIGIORGIO

5/6/98
J. Roy

May 4, 1998

Baltimore County Office of Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

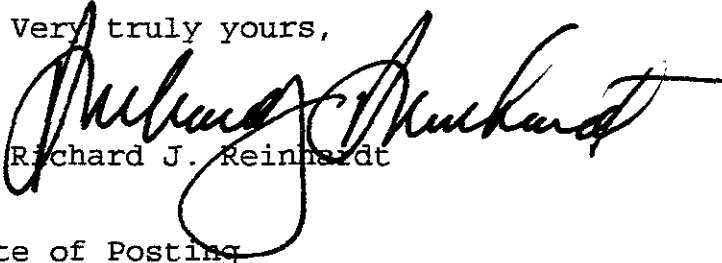
RE: Zoning Variance
Case No.: 98-347-A

Gentlemen:

We are enclosing a copy of the Certificate of Posting and photocopies of photographs of the posting of the property for the file. The original documents will be submitted at the time of the hearing in order to establish compliance with notice.

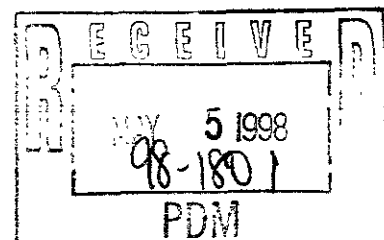
Should your office need or desire any additional information please feel free to contact the office.

Very truly yours,



Richard J. Reinhardt

RJR/kad
enc: Copy of Certificate of Posting
Copies of Photographs
cc : Mr. Russell Mirabile



LAW OFFICES
RICHARD J. REINHARDT
ATTORNEY AND COUNSELOR AT LAW
220 BOSLEY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 410-823-1095
FAX: 410-823-0208

OF COUNSEL
FRANK C. DIGIORGIO

May 11, 1998

HAND CARRIED

Baltimore County Office of Zoning
Honorable Timothy Kotroco
401 Bosley Avenue
Towson, Maryland 21204

RE: Petitioners: Nancy M. Leiter
Russell Mirabile
Case No. : 98-347-A

Dear Commissioner Kotroco:

The above captioned case is set for hearing on a Request for Variance on Tuesday, May 12, 1998, at 11:00 a.m. At this time I am requesting that the above matter be continued as the husband of the Petitioner, Nancy M. Leiter, suffered a massive stroke on Sunday, May 10, 1998, and is in critical condition at Franklin Square Hospital which prevents Ms. Leiter from being able to testify at the hearing. Ms. Leiter is a necessary witness to the proceedings.

Accordingly, we request that the postponement be granted.

Very truly yours,


Richard J. Reinhardt

RJR/kad

cc: The Honorable Stanley J. Schapiro

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Russell Mirabito

P.O. Box 72162 BALTO. Co MD

Nancy Leiter

P.O. Box 72162 BALTO. Co MD
21237

M&H DEV ENG, INC.

VINCENT J MOSKUNAS

200 E. JOPPA Rd. Towson MD. 21286

RICHARD V. REINHART, ESQ

220 Basky AVE. Towson, Md 21204





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 29, 1999

1A

Richard J. Reinhardt, Esquire
220 Bosley Avenue
Towson, MD 21204

Dear Mr. Reinhardt:

RE: Case Number 99-347-A, 7216 & 7218 Pulaski Highway

The above matter, previously assigned to be heard on May 12, 1998 has been **rescheduled for Monday, June 7, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

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

Arnold Jablon
Director

AJ:scj

C: Nancy Leiter & Russell Mirabile
Hillbrook-Camelot Improvement Assoc.

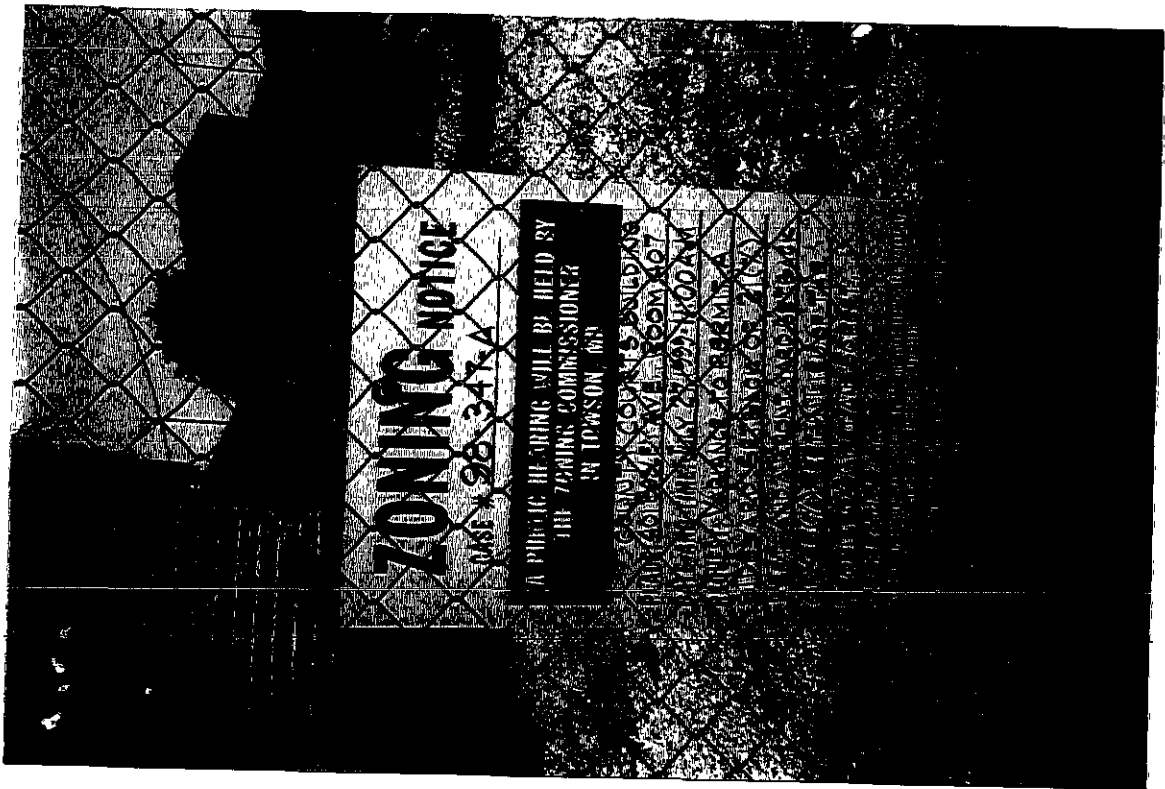
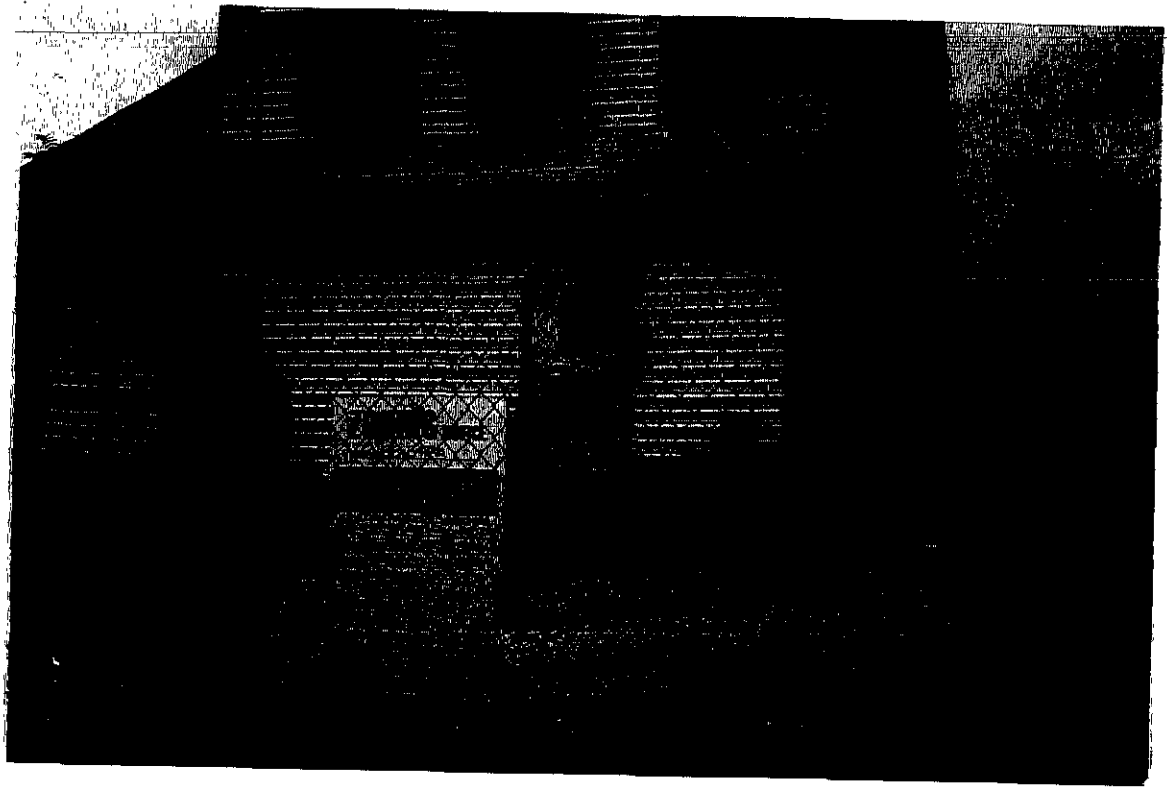
Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Petitioner's
Exhibits 4A-
4E

photographs
98-347-A





4(e)



4D



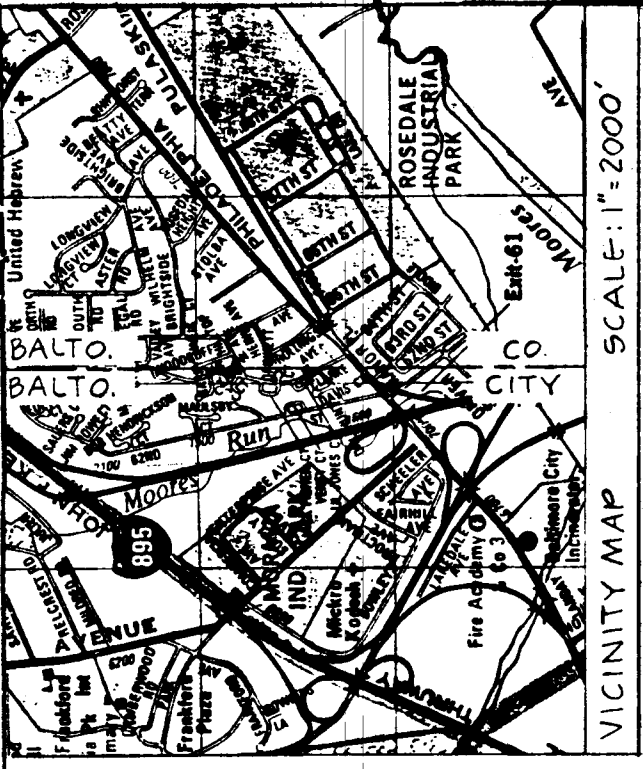
4A



4C



46

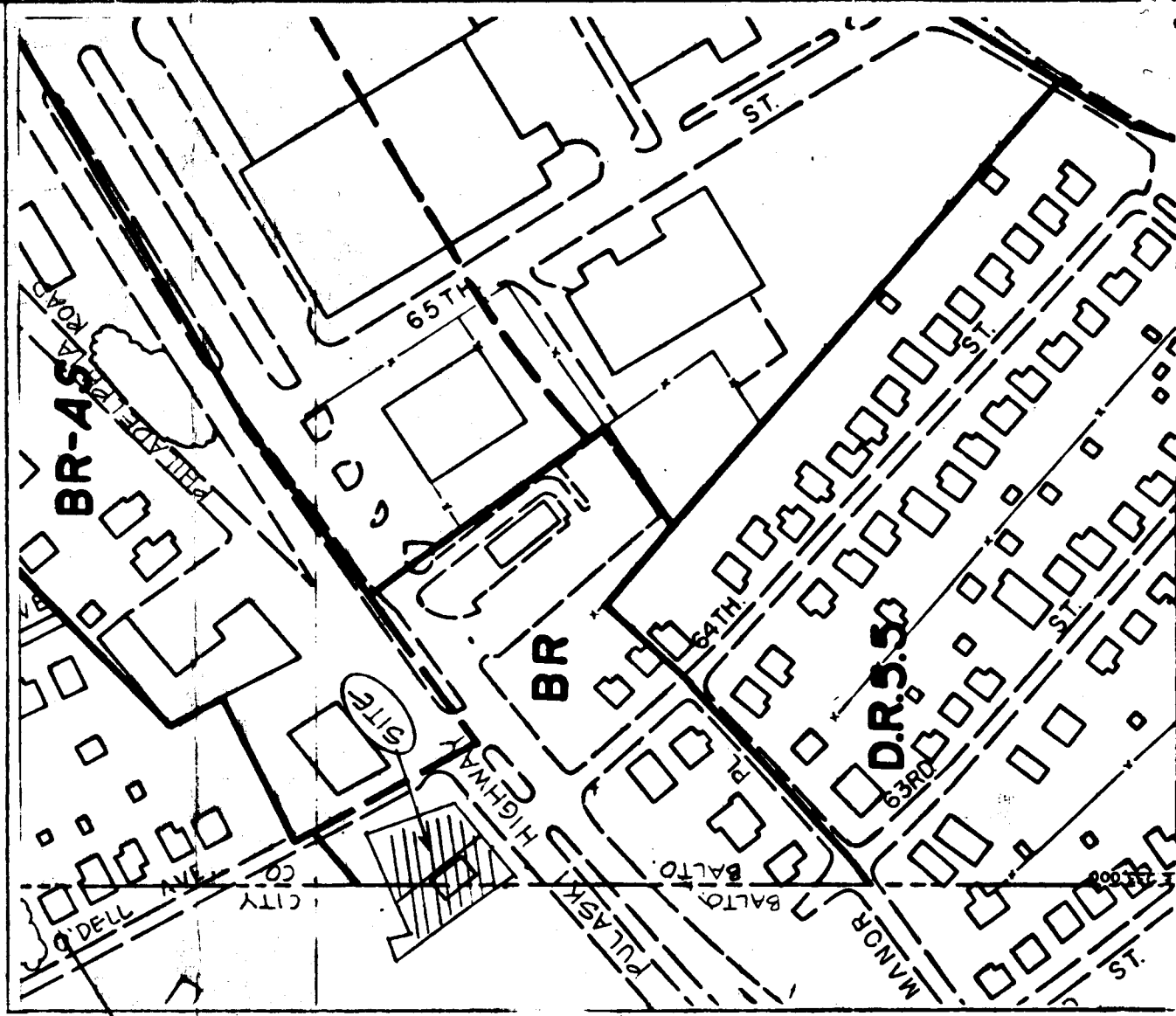


VICINITY MAP SCALE: 1"=2000'

LOCATION INFORMATION

- 1 GROSS AREA: 0.236 AC ±
- 2 NET AREA: 0.206 AC ±
- 3 ZONING MAP REFERENCE: NE 2-E
- 4 RAZING PERMIT NO: B315224
- 5 EXISTING PERMIT NO: B315224
- 6 CHESAPEAKE BAY CRITICAL AREA: NO
- 7 REQUIRED PARKING SPACES: 2 SPACES
- OFFICE: 64 SQ FT (3.35 SF/1000 SF = .211) = 1 SP
- STORAGE: 1 EMPLOYEE = 1 SP
- PARKING SPACES PROVIDED: 3

ZONING MAP

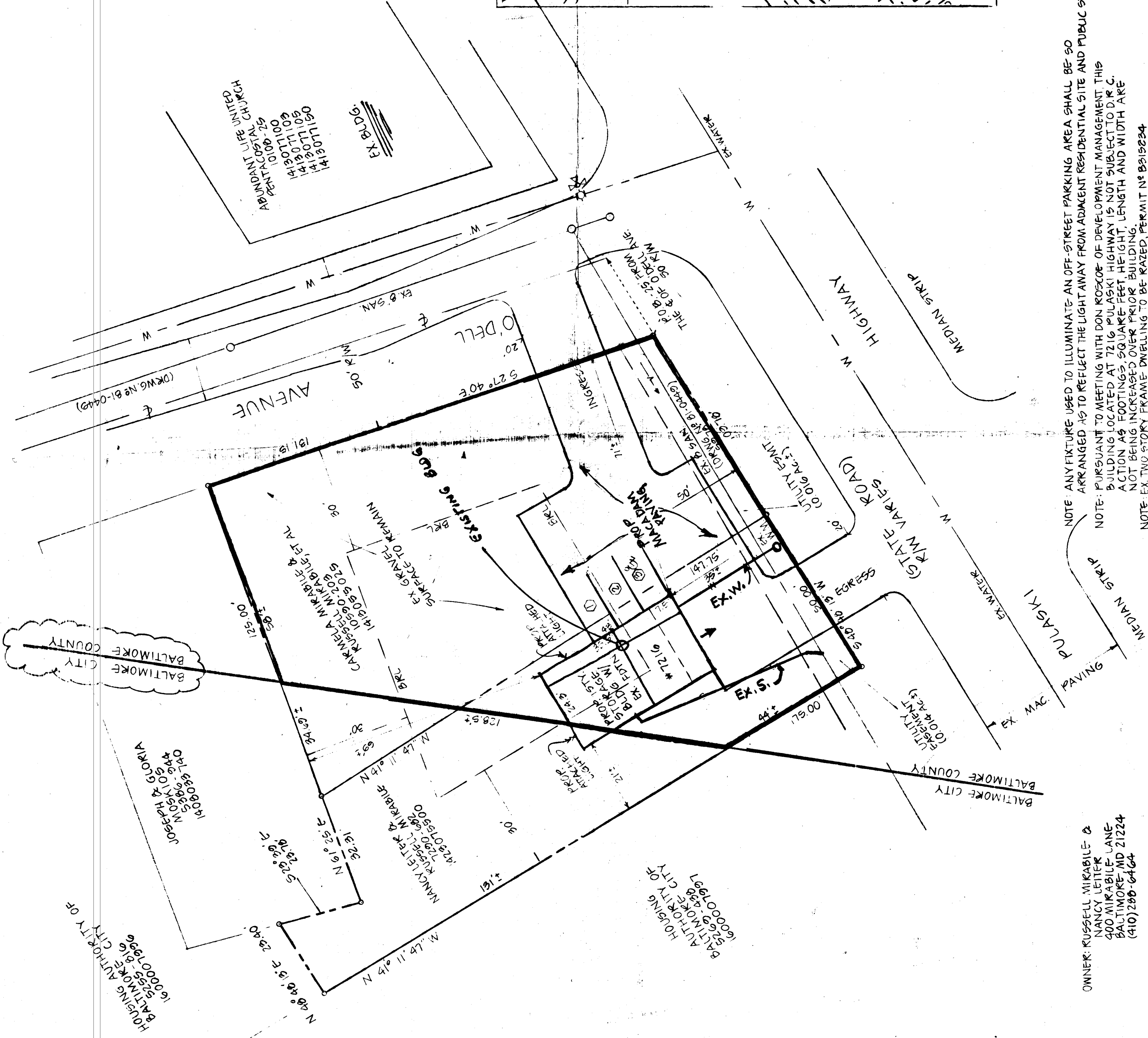


PLAN TO ACCOMPANY APPLICATION FOR FRONT & SIDEYARD VARIANCE

* 7216 & * 7218 PULASKI HIGHWAY
TAX MAP '96 GRID: 3 PARCEL: 468 & 13
ELECTION DISTRICT: 14
COUNCILMANIC DISTRICT: 13
BALTIMORE CO. MD
SCALE: 1"=20'
FEBRUARY 9, 1998

John

97-1990



NOTE: ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREET.

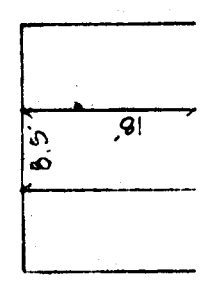
NOTE: PURSUANT TO MEETING WITH DON ROSKOR OF DEVELOPMENT MANAGEMENT, THIS BUILDING LOCATED AT 7216 PULASKI HIGHWAY IS NOT SUBJECT TO D.R.C. ACTION AS FOOTINGS, SQUARE FEET, HEIGHT, LENGTH AND WIDTH ARE NOT BEING INCREASED OVER PRIOR BUILDING.

NOTE: EX. TWO STORY FRAME DWELLING TO BE RAZED PERMIT NO: B315224

NOTE: STANDARD LANDSCAPING AND SCREENING WILL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 26.20.3 OF THE BALTIMORE COUNTY CODE.

OWNER: RUSSELL MIRABILE &
NANCY LETTER
400 MIRABILE LANE
BALTIMORE MD 21224
(410) 269-6464

PARKING SPACE (TYP)



SCALE: 1"=20'

William D. ...

M&H DEVELOPMENT ENGINEERS, INC.
200 East Joppa Road
Room 101 Shell Building
Towson, Maryland
21204-2008