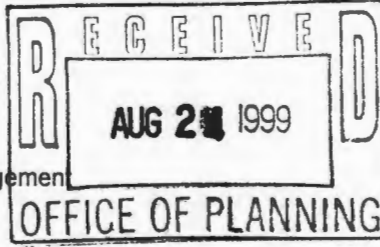


RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
 Attention: Jeffrey Long
 County Courts Building, Room 406
 401 Bosley Avenue
 Towson, MD 21204

Permit or Case No. _____



Residential Processing Fee Paid (\$50.00)
 Accepted by BR
 Date 8/16/99

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

RE: Undersized Lots

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

MINIMUM APPLICANT SUPPLIED INFORMATION:

JONATHAN SCOTT DALLAS 13523 LONG GREEN PIKE 410 817 4600
 Print Name of Applicant Address P.O. BOX 26 BALDWIN MD. Telephone Number
#3613 OAK AVE. Election District 3 Councilmanic District 2 Square Feet 5780
 Lot Address Lot Location: SE side/corner of OAK AVENUE, 366 feet from NE corner of LIBERTY ROAD
 (street) (street)
 Land Owner: REGINALD & MARGARET CREWS Tax Account Number 0304021595
 Address: 3311 CHAPMAN RD. RANDALLSTOWN, MD. Telephone Number (410) 817-4600
21133

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>X</u>	_____
2. Permit Application	_____	<u>X</u>
3. Site Plan	<u>X</u>	_____
Property (3 copies)	<u>X</u>	_____
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	<u>X</u>	_____
4. Building Elevation Drawings (<u>AS BUILT - SAME HS.</u>)	<u>X</u>	_____
5. Photographs (please label all photos clearly)	<u>X</u>	_____
Adjoining Buildings	<u>X</u>	_____
Surrounding Neighborhood	<u>X</u>	_____
6. Current Zoning Classification: <u>D.R. 5.5</u>	_____	_____

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

Approval Disapproval Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: Jeffrey W Long
 for the Director, Office of Planning and Community Conservation

Date: 9/1/99



Baltimore County
Zoning Commissioner

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

October 1, 1999

Ms. Margaret Holiday Crews
3311 Chapman Road
Randallstown, Maryland 21133

Re: Application for Building Permit
For Undersized Lot
Property: 3613 Oak Avenue

Dear Ms. Crews:

Enclosed please find the decision rendered in the above-captioned case. The Application for Building Permit for Undersized Lot has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **069840**

DATE 8/16/99 ACCOUNT R001-6150

AMOUNT \$ 50.00

RECEIVED FROM: J. S. Dallas, Inc.

FOR: Unresized lot approval

CONTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
8/16/1999	8/16/1999	09:22:13
REC W005	CASHIER	HSTE MES DRAWER 5
Dept 5	528 ZONING VERIFICATION	
Receipt #	117512	OFLN
CR NO.	069840	

Receipt Tot 50.00
50.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by Bruno Rudaitis on 8/16/99
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

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

*SUGGESTED POSTING DATE 8/29/99 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 9/12/99 C (B-3 Work Days)

TENTATIVE DECISION DATE 9/15/99 B (A + 30 Days)

*Usually within 15 days of filing.

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

CERTIFICATE OF POSTING

UNDERSIZED LOT

RE: Case No. N/A

Petitioner/Developer: J.S. DALLAS, ET AL

Date of Hearing/Closing: 9/13/99
MON @
5:00 PM

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 # 3613 OAK AVE

The sign(s) were posted on 8/30/99
 (Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/1/99
 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
 (Printed Name)

523 PENNY LANE
 (Address)

HUNT VALLEY, MD. 21030
 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-85
 (Telephone Number)



Post-it* Fax Note	7671	Date	# of pages
To	<u>Z. SCHMIDT</u>	From	<u>O'KEEFE</u>
Co./Dept.	<u>ZONING</u>	Co.	
Phone #		Phone #	<u>512-4621</u>
Fax #	<u>887-3468</u>	Fax #	<u>324-4100</u>

Post-it* Fax Note	7671	Date	# of pages
To	<u>J.S. DALLAS</u>	From	<u>O'KEEFE</u>
Co./Dept.		Co.	
Phone #		Phone #	<u>905-8571</u>
Fax #		Fax #	<u>324-4100</u>



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

2C - FYI

Jim
9/28

September 15, 1999

Mr. Jonathan Scott Dallas
13523 Long Green Pike
P.O. Box 26
Baldwin, MD 21013

Dear Mr. Dallas:

RE: Demand for Public Hearing, Undersized Lot Approval, 3613 Oak Avenue

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand for a public hearing on September 13, 1999 concerning your proposed undersized lot. I regret to inform you that we are withholding approval of your use permit because it has been superseded by a demand for a public hearing, pursuant to Section 304.4. of the Baltimore County Zoning Regulations (BCZR).

As a result of the above, your hearing for the undersized lot approval is scheduled for Monday, September 28, 1999 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:scj

c: Regina & Margaret Crews, 3311 Chapman Road, Randallstown 21133
Laura & Immanuel Jackson, 3615 Oak Avenue, Baltimore 21207



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

September 15, 1999

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P.O. Box 26
Baldwin, MD 21013

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W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:scj

c: Regina & Margaret Crews, 3311 Chapman Road, Randallstown 21133
Laura & Immanuel Jackson, 3615 Oak Avenue, Baltimore 21207



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Jeanne L. Turnock

3700 Koppers St., Baltimore, Md. 2122

Margaret Holiday - crews

3311 Chapman Rd, Randallstown, MD 2113

KEN KARIMIAN

5 JOHNSONS CT. HUNTSVILLE AL 35894

Scott Dallas

J.S. Dallas Inc. 21013
13523 Long Green Pike



IN RE: APPLICATION FOR BUILDING PERMIT
FOR UNDERSIZED LOT

3rd Election District
2nd Councilmanic District
(3613 Oak Avenue)

Margaret Holiday Crews
Landowner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Permit No.:

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner to consider a request for approval of the construction of a single family dwelling on an undersized lot located at 3613 Oak Avenue located in the Lochearn area of Baltimore County. The request for approval was filed by the legal owners of the subject property, Mr. & Mrs. Crews and the contract purchaser, Ken Karimian. The property which is the subject of this request is 50 ft. in width and 115 ft. in depth. The subject property is serviced by public water and sewer and is zoned D.R.5.5.

Appearing at the hearing on behalf of the request were Margaret Holiday Crews, owner of the property, Ken Karimian, contract purchaser, Jean Turnock, real estate broker and Scott Dallas, registered property surveyor. Appearing in opposition to the Petitioner's request was Mr. Immanuel Jackson, adjacent property owner.

Testimony and evidence indicated that the property which is the subject of this request is an unimproved lot located at 3616 Oak Avenue. The subject property is zoned D.R.5.5., a zoning classification which requires a minimum lot area of 6,000 s q. ft. and a minimum lot width of 55 ft.

Notwithstanding these requirements, Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) permits the development of an undersized lot with a single family dwelling in certain cases. In order to qualify for relief pursuant to Section 304, the property owner must demonstrate that the property at issue has been duly recorded either by deed or in a validly

ORDER RECEIVED FOR FILING
Date 10/1/99
By R. Jamerson

approved subdivision prior to March 30, 1955, and that all other requirements of the height and area regulations are satisfied. Furthermore, the property owner must demonstrate that he does not own sufficient land on either side of the lot in question to conform to the width and area requirements contained within these regulations.

In addition to those requirements, the Petitioner is required to post a sign on the subject property providing public notice of their application. Within fifteen (15) days of the sign posting, any occupant or owner of property within 1,000 ft. of the lot may file a written request for a public hearing. In this case, the property was duly posted and a written request for public hearing was received from Mr. Immanuel Jackson who resides at 3615 Oak Avenue. Thus, the matter was scheduled for public hearing.

As set out in Section 304.4 of the B.C.Z.R., this Deputy Zoning Commissioner is required to make a determination as to whether the proposed dwelling to be constructed on the undersized lot is "appropriate". In addition, I must be assured that the Petitioners have met the above-mentioned three (3) requirements, as set out in Section 304.1 of the B.C.Z.R.

The testimony and evidence offered at the hearing clearly demonstrated that Section 304 of the Baltimore County Zoning Regulations has in fact been complied with. The Petitioner has submitted elevation drawings of the house to be constructed on the property to the Office of Planning who has recommended approval of the dwelling to be constructed indicating that the proposed dwelling is compatible with the other houses in the neighborhood. Furthermore, many other houses within this neighborhood are constructed on 50 ft. wide lots. The opposition from Mr. Jackson, the adjacent property owner, was based on a verbal agreement that he had with the owner of the undersized lot. Mr. Jackson indicated that he had an agreement with the owner of the lot to purchase it for \$5,000.00 once he returned from his employment responsibilities in Saudi Arabia.

ORDER RECEIVED FOR FILING

Date

10/1/99

By

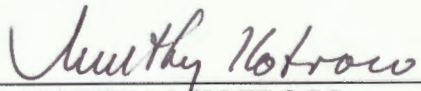
R. Jackson

Mr. Jackson indicated that the sellers of the lot did not live up to their verbal agreement to sell him the property for \$5,000.00.

I indicated at the hearing that I do not have authority to rule upon the issue of this verbal agreement between these parties. The matter before me is only to consider whether the construction of this single family dwelling on this lot would be appropriate. After considering the testimony and evidence offered at the hearing, as well as the position of the Planning Office, I find that the house to be constructed on the undersized lot is in fact appropriate and should therefore be approved.

THEREFORE, IT IS ORDERED this 1st day of October, 1999, by this Deputy Zoning Commissioner for Baltimore County, that the construction of a single family dwelling at the subject property known as 3613 Oak Avenue, in accordance with the exhibits submitted into evidence and pursuant to Section 304.1 of the B.C.Z.R., be and is hereby GRANTED.

IT IS FURTHER ORDRED that any party has the right to file an appeal within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

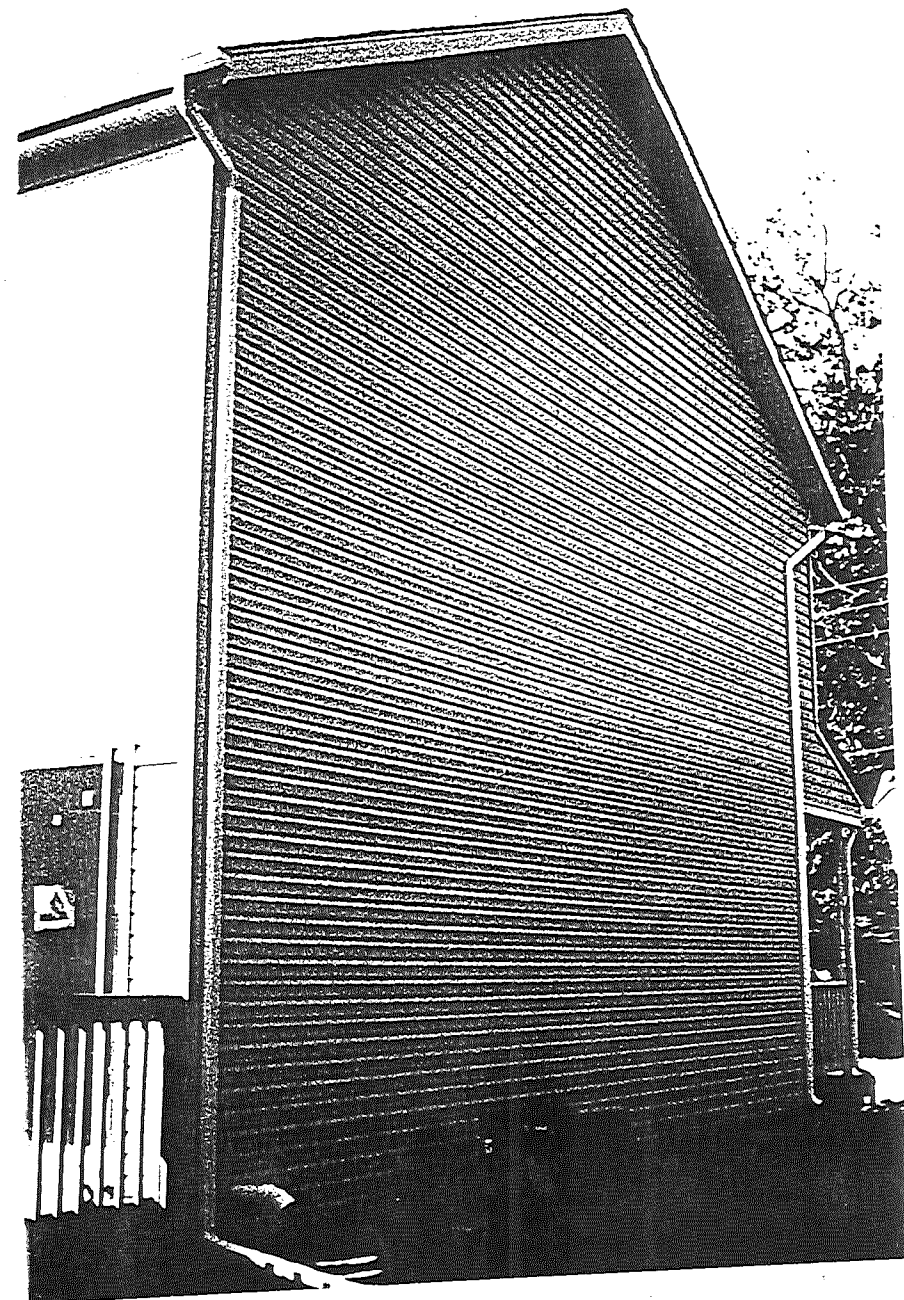
Date

10/1/99

By

J.R. Jackson

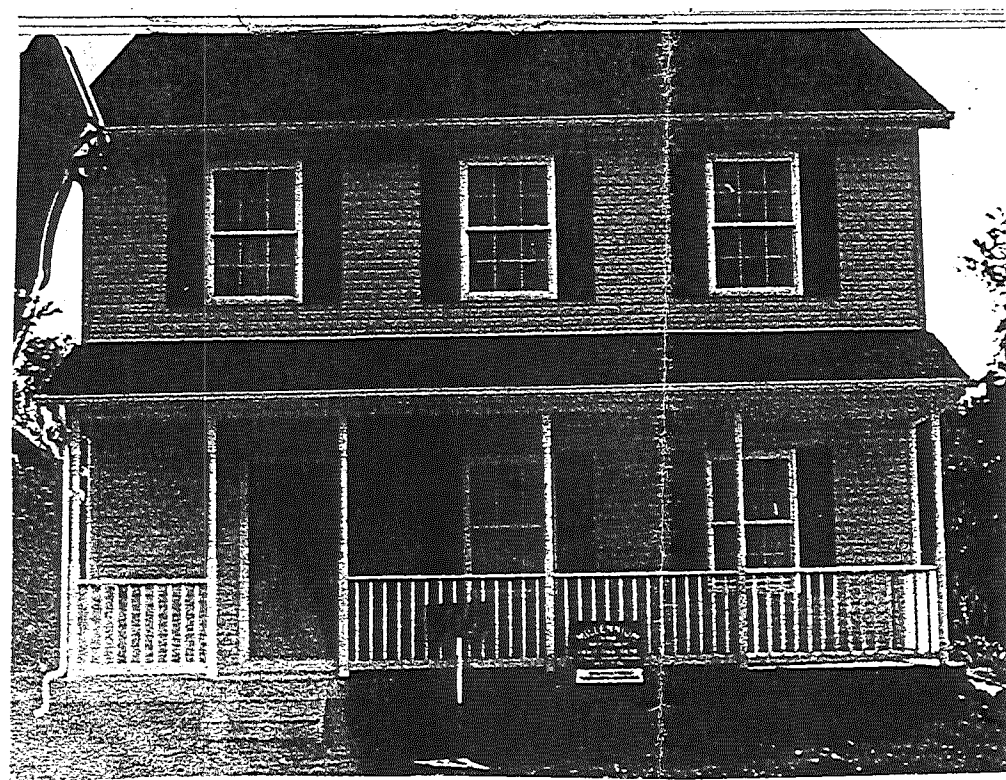
TMK:raj



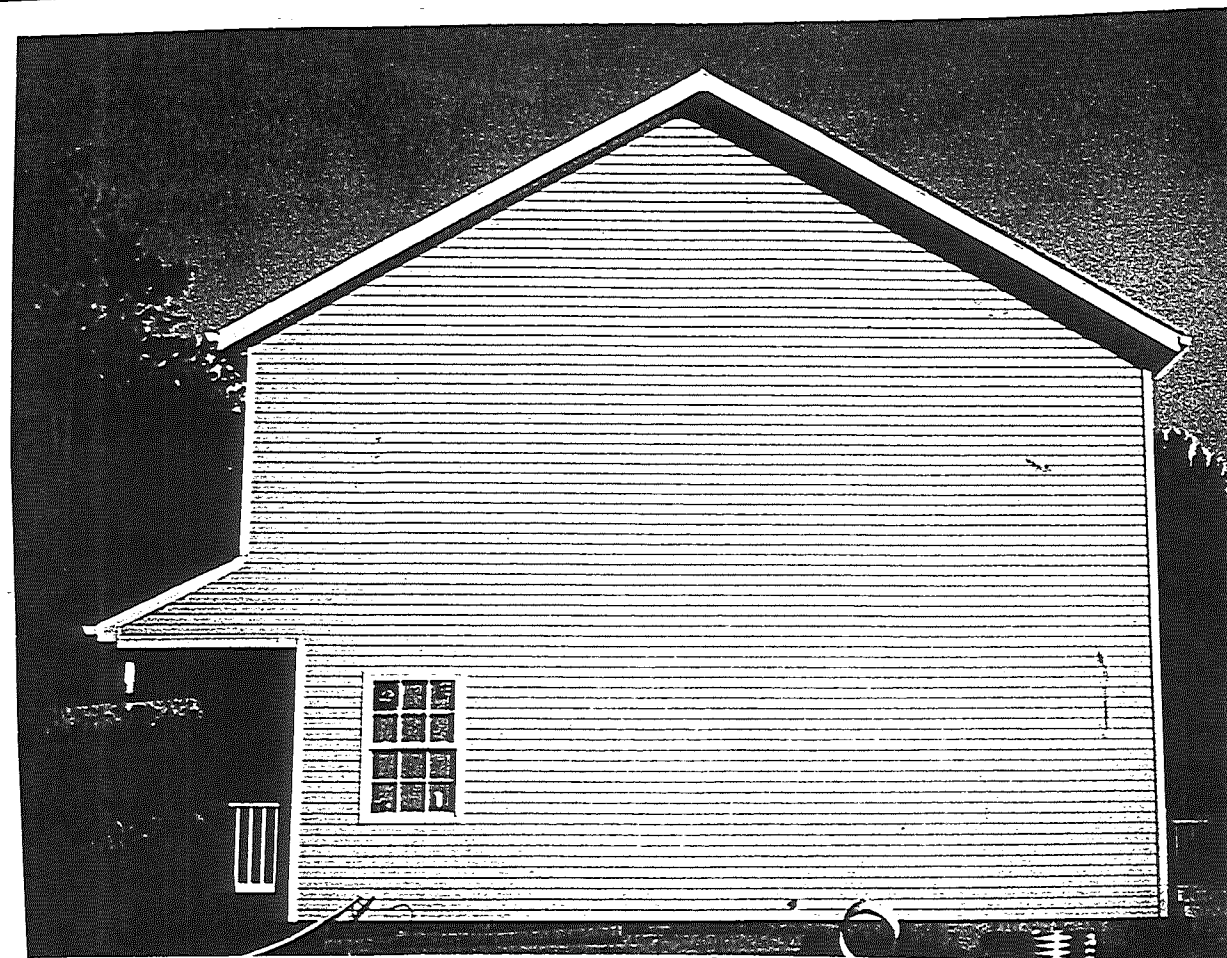
SIDE



REAR



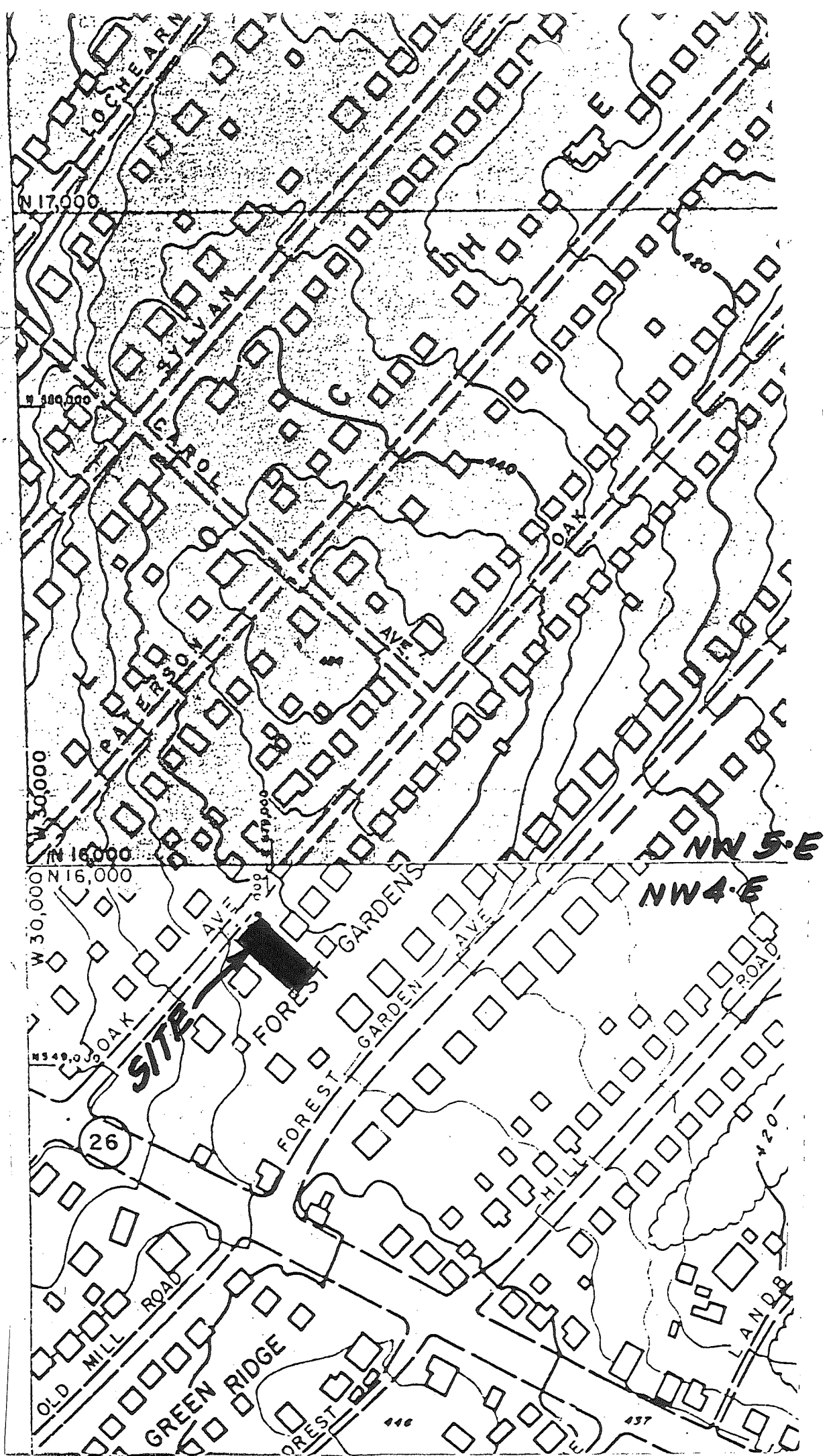
FRONT



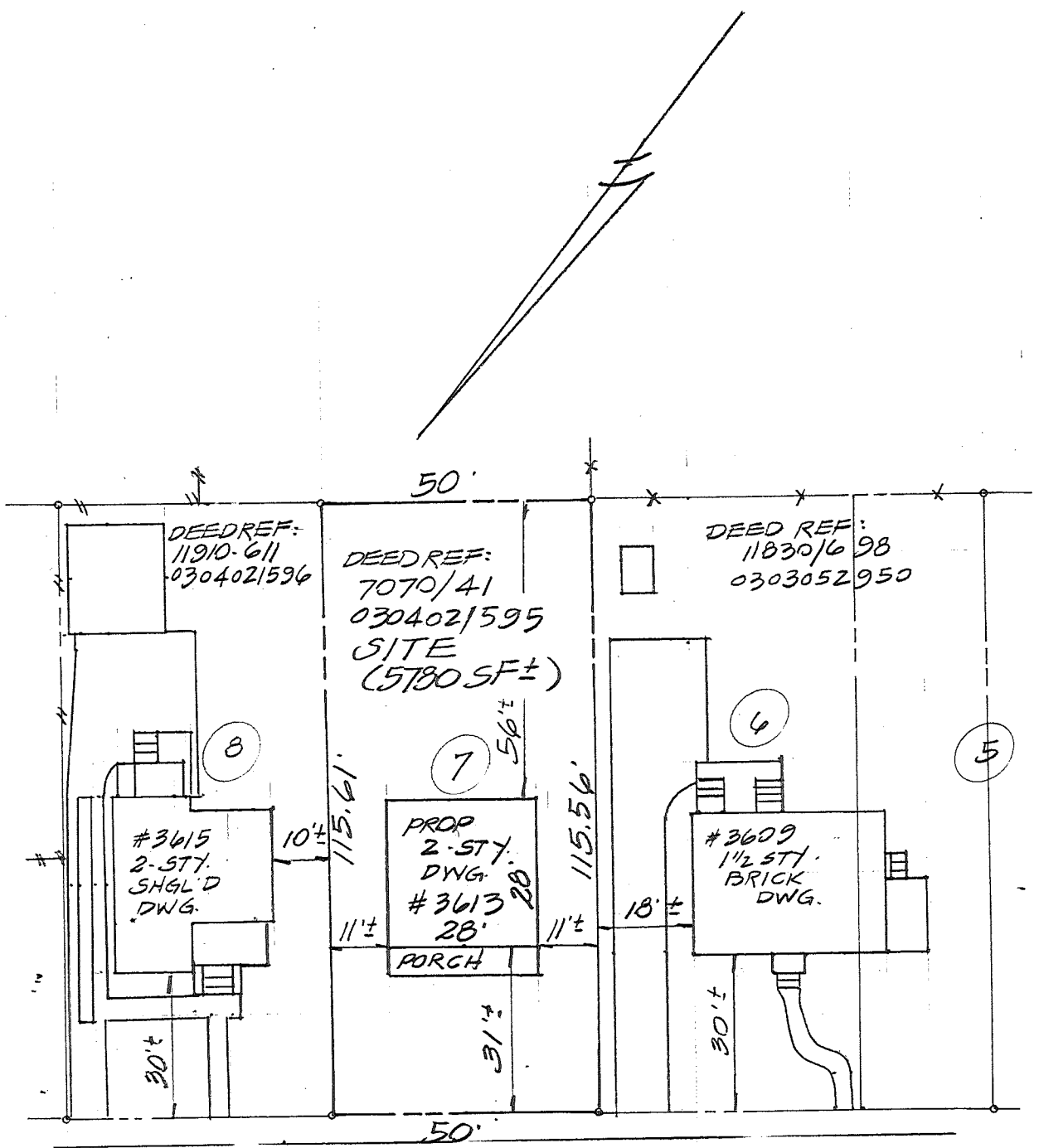
SIDE

UNDERSIZED LOT
3613 OAK AVE.

PROP. DWG. ELEVATIONS
(SAME HS. AS BUILT BY
DEVELOPER IN 1999)



UNDERSIZED LOT #3613 OAK AVE.
 P/O BCBE NW 4-E NW 5-E
 1" = 200' ±



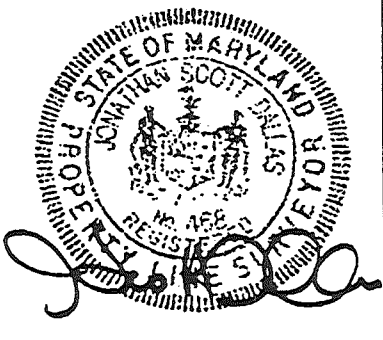
OAK AVENUE (40' WIDE)
PUBLIC WATER & SEWER 30' PAVING.

LOT NO 7 SEC. 1
LOCHEARN (7-153)
3RD DIST. B. CO., MD.

PET. EX. #1

CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM FOUNDATION AT ALL TIMES.

SITE PLAN (UNDERSIZED LOT)



#3613 OAK AVE.

J.S. DALLAS, INC.
Surveying & Engineering
13523 Long Green Pike
Baldwin, MD. 21013
(410) 817-4600

Date: 7-20-99
Scale: 1"=30'
Job Number: 99-805
Drawn By: JSD
Checked By: JSD