

IN RE: PETITION FOR VARIANCE
NW/S Linhigh Avenue, 170' E of
the c/l of Henry Avenue
(200 Linhigh Avenue)
14th Election District
6th Councilmanic District

Terry J. Gillespie
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-15-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 owner of the subject property, Terry J. Gillespie. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, and to approve the property as an undersized lot. 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 Vincent J. Moskunus, Professional Engineer with M & H Development Engineers, Inc., the consulting firm which prepared the site plan for this property, and Jennifer A. Agulano, a representative of Dakota Homes, Inc. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 0.16 acres, more or less, zoned D.R.5.5., and is presently unimproved. The property is also known as Lots 603 and 604 of Linhigh, an older community in Overlea which was established many years ago with 25-foot wide lots. The Petitioner is desirous of developing the property with a single family dwelling; however, due to its narrow width and small

ORDER RECEIVED FOR FILING

Date

By

size, the requested variance relief is necessary in order to proceed with the proposed improvements.

Pursuant to Section 304.2 of the B.C.Z.R., the Petitioner has submitted elevation drawings of the proposed dwelling to the Office of Planning for review and approval that the proposed dwelling will be compatible with the surrounding neighborhood. The Office of Planning has recommended approval of the proposed dwelling and supports the requested variance, subject to certain conditions as set forth in their Zoning Plans Advisory Committee (ZAC) comments dated July 29, 1998. Specifically, the Office of Planning has requested that the front elevation of the dwelling be finished in red brick and that any garage to be built not be attached to the dwelling. The Petitioner has agreed to these conditions and indicated that he has no intention of constructing a garage on the property. Thus, it appears that the relief requested should be granted.

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.

ORDER RECEIVED FOR FILING
9/13/98
BY

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28
(1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on 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 15th day of September, 1998 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, and to approve the property as an undersized lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 front elevation of the proposed dwelling shall be finished in red brick.

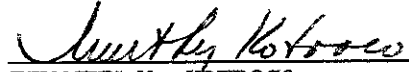
ORDER RECEIVED FOR FILING

Date 9/15/98

By [Signature]

3) Any garage to be built on the property shall be a detached, accessory structure, located in the rear yard with access from the alley behind the property. In no event shall any garage be attached to the dwelling.

4) When applying for any building permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/13/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

September 15, 1998

Mr. Terry J. Gillespie
202 Linhigh Avenue
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
NW/S Linhigh Avenue, 170' E of the c/l of Henry Avenue
(200 Linhigh Avenue)
14th Election District - 6th Councilmanic District
Terry J. Gillespie - Petitioner
Case No. 99-15-A

Dear Mr. Gillespie:

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. Vincent J. Moskunas, M & H Development Engineers, Inc.
200 E. Joppa Road, Room 101, Towson, Md. 21286

Ms. Jennifer A. Agulano, Dakota Homes, Inc.
3600 Putty Hill Avenue, Baltimore, Md. 21234

People's Counsel; Case Files





Baltimore County
Zoning Commissioner
Office of Planning

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

August 4, 1998

Mr. Terry J. Gillespie
202 Linhigh Avenue
Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/S Linhigh Avenue, 220' E of the c/l of Henry Avenue
(202 Linhigh Avenue)
14th Election District - 6th Councilmanic District
Terry J. Gillespie - Petitioner
Case No. 99-12-A

Dear Mr. Gillespie:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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 Permits 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. Vincent Moskunas, M & H Development Engineers, Inc.
200 E. Joppa Road, Room 101, Towson, Md. 21286

People's Counsel

File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #200 Linhigh Avenue

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1

To allow a 50' wide lot in lieu of the required 55' lot and an undersized lot.

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

This is an old established development with 50' lots (two 25' lots).

And issues to be discussed at time of hearing.

Two separate deeds exist for the properties owned (#200 and #202 Linhigh Ave.)

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:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

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

Legal Owner(s):

Terry J. Gillespie

(Type or Print Name)

Signature

(Type or Print Name)

Signature

202 Linhigh Avenue

(410)663-4699

Address

Phone No.

Baltimore, MD 21236

City State Zipcode

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

M&H Development Engineers, Inc.

Vincent J. Moskunus

Name

200 E. Joppa Road, Room 101

(410)828-9060

Address Towson, MD 21286

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: SPH DATE 7-8-98

1 S.

Printed with Soybean Ink
on Recycled Paper

99-15-A

ORDER RECEIVED FOR FILING

Date

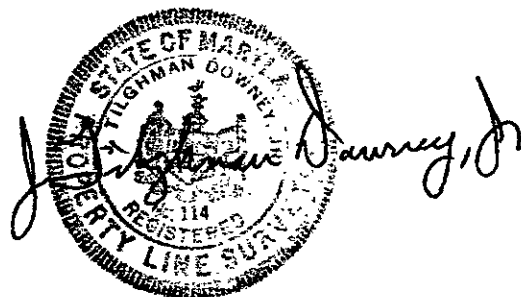
By

M. & H. DEVELOPMENT ENGINEERS, INC.

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

ZONING DESCRIPTION FOR #200 Linhigh Avenue

BEGINNING at a point on the west side of Linhigh Avenue which is a 40' right-of-way width at the distance of 170' east of the centerline of Henry Avenue which is 40' wide. Being Lot #'s 603 & 604 in the subdivision of Linhigh as recorded in Baltimore County Plat Book #7, folio #81, containing 7250 square feet. Also known as #200 Linhigh Avenue and located in the 14th. Election District, 6th. Councilmanic District.



J. Tilghman Downey, Jr.

99-15-A

15

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Item 15
No. 056186

DATE 7-8-98 ACCOUNT R-001-GISC

AMOUNT \$ 50⁰⁰

RECEIVED FROM: M & H Dev. Eng. ch N° 7186
OIO-RPS-VAZ 750
UNDESIZED LOT. 250

FOR: TOTAL \$500

PAID RECEIPT

PROCESS	ACTUAL	TIME
7/08/1998	7/08/1998	14:54:30
REP 4804	CASHIER KNCH KCM	DRUMER
5 MISCELLANEOUS CASH RECEIPT		
Receipt #	057315	05/11
CR NO.	056186	

50.00 CHECK
Baltimore County, Maryland

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

507. 99-15-A

CASHIER'S VALIDATION

**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: #99-15-A
200 Linhigh Avenue
W/S Linhigh Avenue, 170' E of
centerline Henry Avenue
14th Election District
6th Councilmanic District

Legal Owner(s):

Terry J. Gillespie
Variance: to allow a 50-foot
wide lot in lieu of the required
55 feet and an undersized lot.
Hearing: Monday, August
24, 1998 at 2:00 p.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) 887-3391.

8/025 Aug. 6 c248830

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/6/, 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 8/6/, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case # 99-15-A
Petitioner/Developer:
(Terry J. Gillespie)
Date of Hearing/Closing:
(August 24, 1998)

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 _____

200 Linhigh Avenue Baltimore, Maryland 21236 _____

The sign(s) were posted on _____ August 9, 1998 _____
(Month, Day, Year)

Sincerely,

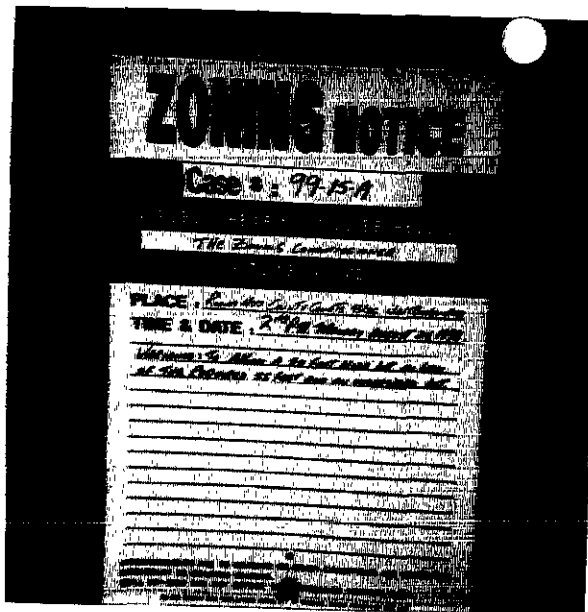

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



CERTIFICATE OF POSTING

RE: Case # 99-12-A
 Petitioner/Developer:
 (Terry Gillespie)
 Date of Hearing/Closing:
 (August 3, 1998)

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 _____

202 Linhigh Ave. Baltimore, Maryland 21236 _____

The sign(s) were posted on _____ July 17, 1998 _____
 (Month, Day, Year)

Sincerely,

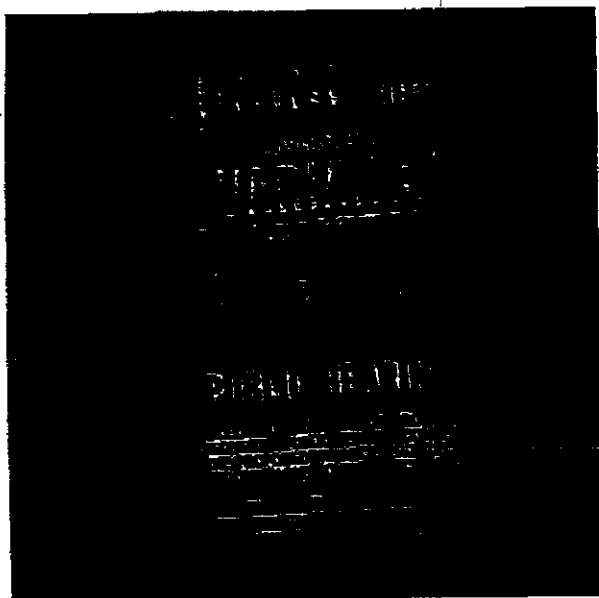

 (Signature of Sign Poster & Date)

 Thomas P. Ogle, Sr.

 325 Nicholson Road

 Baltimore, Maryland 21221

 (410)-687-8485
 (Telephone Number)



Post-it® Fax Note 7671		Date 7-17-98	# of pages 1
To M2 H Devel.	From Tom Ogle		
Co./Dept.	Co.		
Phone # 410-828-9060	Phone # 410-687-8485		
Fax # 410-828-9066	Fax # 410-687-4381		



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.: 15

Petitioner: Terry J. Gillespie

Location: #200 Linhigh Avenue (lots 603 & 604)

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Don Aquilano

ADDRESS: 3118 Northwind Road
Baltimore, MD 21234

PHONE NUMBER: 443-250-1144

AJ:ggs

(Revised 09/24/96)

99-15-A
15

99-15-A

RE: PETITION FOR VARIANCE
200 Linhigh Avenue, W/S Linhigh Ave,
170' E of c/l Henry Ave
14th Election District, 6th Councilmanic

Legal Owners: Terry J. Gillespie

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-15-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 of 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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of July, 1998, a copy of the foregoing Entry of Appearance was mailed to Vincent J. Moskunas, M & H Development Eng., Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99 12 -A Address 202 Linhigh Ave.
Contact Person: J. Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 7/07/98 Posting Date: 7/19 Closing Date: 8/3

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99 12 -A Address 202 Linhigh Ave
Posting Date: 7/19 Closing Date: 8-3-98
Wording for Sign: To Permit a Sideyard setback of 8 ft. in lieu of
the minimum required 10 ft. and a lot width of 50 ft. in
lieu of the minimum required 55 ft.



Baltimore County
Department of Permits and
Development Management

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

July 22, 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: 99-15-A
200 Linhigh Avenue
W/S Linhigh Avenue, 170' E of centerline Henry Avenue
14th Election District – 6th Councilmanic District
Legal Owner: Terry J. Gillespie

Variance to allow a 50-foot wide lot in lieu of the required 55 feet and an undersized lot.

HEARING: Monday, August 24, 1998 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon" with a small "SL" or similar mark below it.

Arnold Jablon
Director

c: Terry J. Gillespie
M&H Development Engineers, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 9, 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.**



TO: PATUXENT PUBLISHING COMPANY
August 6, 1998 Issue - Jeffersonian

Please forward billing to:

Don Aquilano
3118 Northwind Road
Baltimore, MD 21234

443-250-1144

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: 99-15-A
200 Linhigh Avenue
W/S Linhigh Avenue, 170' E of centerline Henry Avenue
14th Election District -- 6th Councilmanic District
Legal Owner: Terry J. Gillespie

Variance to allow a 50-foot wide lot in lieu of the required 55 feet and an undersized lot.

HEARING: Monday, August 24, 1998 at 2:00 p.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.

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.: 99-15-A

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

PLACE: 200 LINDA HILL FIVE

DATE AND TIME: _____

REQUEST: TO PERMIT A 50 FT. WIDE LOT IN LIGW OF
55 FT IN A DR. S.S. ZONE.

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

August 19, 1998

Mr. Vincent J. Moskunas
M & H Development Engineers, Inc.
200 E. Joppa Road, Room 101
Towson, MD 21286

RE: Item No.: 15
Case No.: 99-15-A
Location: 200 Linhigh Avenue

Dear Mr. Moskunas:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 8, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: July 31, 1998

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for July 27, 1998
Item Nos. 011, 012, 013, 014, (015)
016, 017, and 018

Case Number 98-473-X (7501 Oakleigh Road

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

July 27, 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 JULY 20, 1998

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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

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

018, 012, 013, 014, (015) AND 016

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
and Development Management

DATE: July 29, 1998

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

SUBJECT: 200 Linhigh Avenue

INFORMATION

Item Number: 15

Petitioner: Terry J. Gillespie

Zoning: DR 5.5

Requested Action: Variance

Summary of Recommendations:

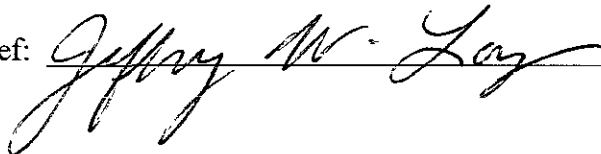
The Office of Planning supports the subject request providing that the following conditions are met:

- 1) No garage will be attached to or be part of the dwelling. If a garage is constructed, it should be a detached accessory building in the rear yard with access from the alley; and
- 2) The front elevation of the dwelling is finished in red brick.

These conditions should be noted on the plat and elevation drawings accompanying this request.

If there should be any questions or if additional information is needed, please contact Dennis Wertz at 410-887-3480.

Section Chief:



AFK/JL

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

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

B _____
Permit Number

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 & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Farm J. Gillespie 202 Linhigh Ave. 410-663-4699
Print Name of Applicant Address Telephone Number

☐ Lot Address 200 LINHIGH AVENUE Election District 14 Council District 6 Square Feet 7,250

Lot Location N: SW side / corner of Linhigh Ave. 170' feet from N/E S W corner of Henny Ave.
(street) (street)

Lead Owner [Signature] GERRY J. GILLESPIE Tax Account Number 1413076851

Address 202 LINHIGH AVE. Telephone Number 1413076851
BALTO, MD. 21236

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application <u>Pending Hearing</u>	☐	☒
3. Site Plan		
Property (3 copies)	☒	☐
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	☒	☐
4. Building Elevation Drawings <u>Submitted 7-15</u>	☐	☒
5. Photographs (please label all photos clearly)		
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐

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

Accepted by _____
ZADAM

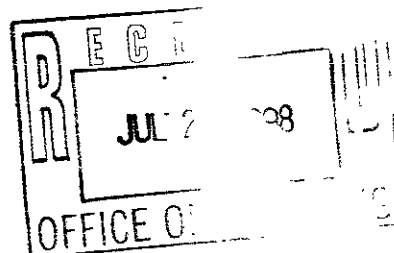
Date _____

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

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

*See attached Zoning
Advisory Committee comment
on Item Number 15 (dated
7/29/98).*



Signed by [Signature]
for the Director, Office of Planning & Community Conservation

Date: 7/29/98

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

TO: POM

FROM: R. Bruce Seeley *RBS/98*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: *July 20, 98*

DATE: *7/22/98*

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

Item #'s: 12

13

14

15

RBS:sp

BRUCEZ/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

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

RE: Baltimore County 7-17-94
Item No. 015 JRA

Dear Ms. Stephens:

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.

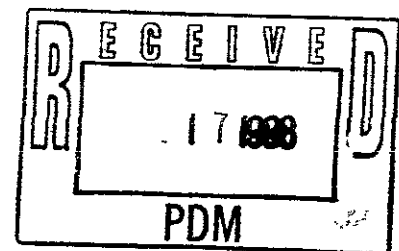
Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Gredlein
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

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

MEN. DEV. INC.
VINCENT J. MESKUNAS

200 E. JOPPA RD
TOWSON MD, 21286

DAKOTA HOMES INC
JENNIFER A ADOLAND

3600 POTTY HOLE AVE



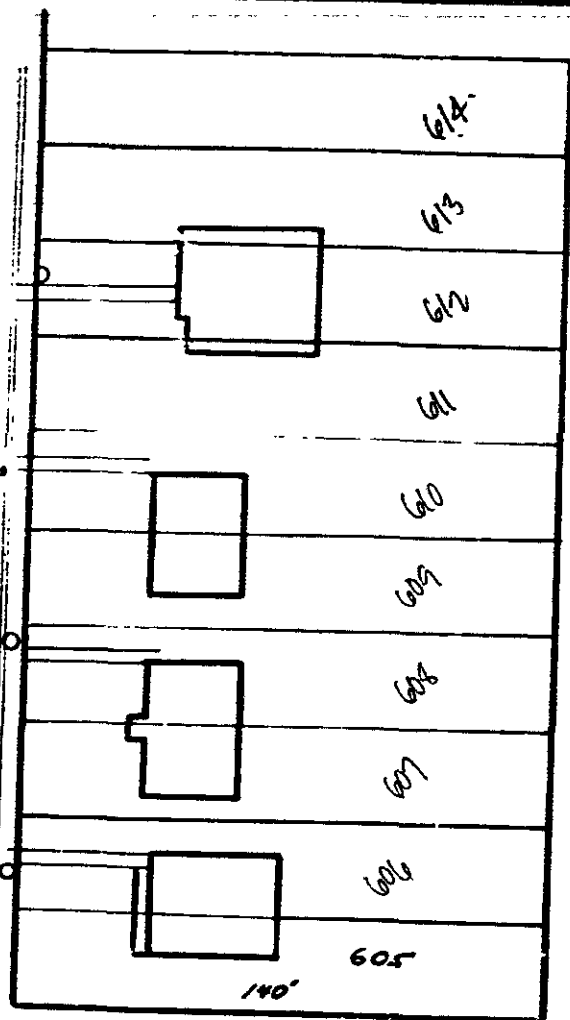
8" SAN. SEWER
BALTO. CO. RECORDS.

48-634

APPROVED 10/48.

28000

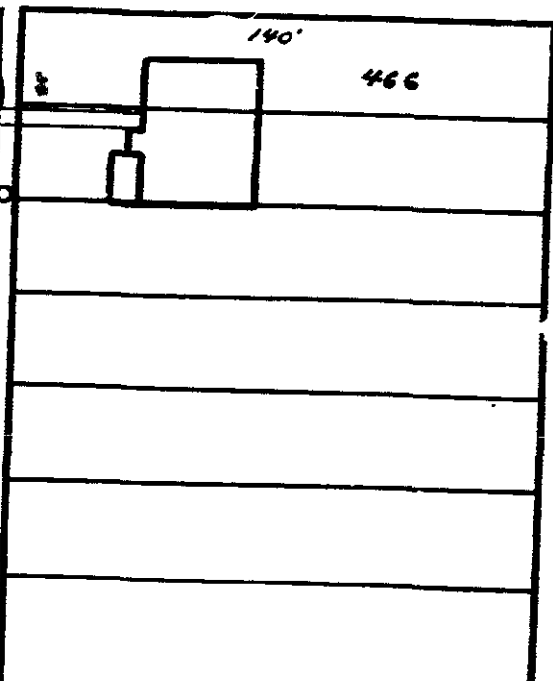
AVENUE



LINHIGH								
14 SEPT 1928	28 DEC, 1929							
Chas. H. Baker W.H.M. 657-375	Harold H. Harris L.M. 834-381	Leroy Shanklin JWB 1093-10	Ed. A. Jenowitz TBS 1650-70	Ira. TBS				
604	603	602	601	600	599	598	597	596
SITE #200	99-12-A ADMINISTRATIVE VARIANCE APPROVED							
25'	25'	25'	25'	25'	25'	25'	25'	25'

EA.
2346

HENRY



LINHIGH								
25'	25'	25'	25'	25'	25'	25'	25'	25'
467	468	469	470	471	472	473	474	475
Henry E. Stueb TBS 1667-37				Henry K. Kelt WPC 577-577		Frank J. Morsy JWB 1583-118		
25'	25'	25'	25'	25'	25'	25'	25'	25'

SUBD'N

45

E 281500

25
E

MARION AVE.

AVE.

AVE.

AVE.

HENRY

SITE

LINHIGH

LINHIGH

ALBERTA

97-161-A

N.E. 6-E
D.R. 3.5
OVERLEA

SCALE: 1" = 200'
ZONING MAP
LINHIGH AVENUE

LESLIE

ELINOR

99-15A

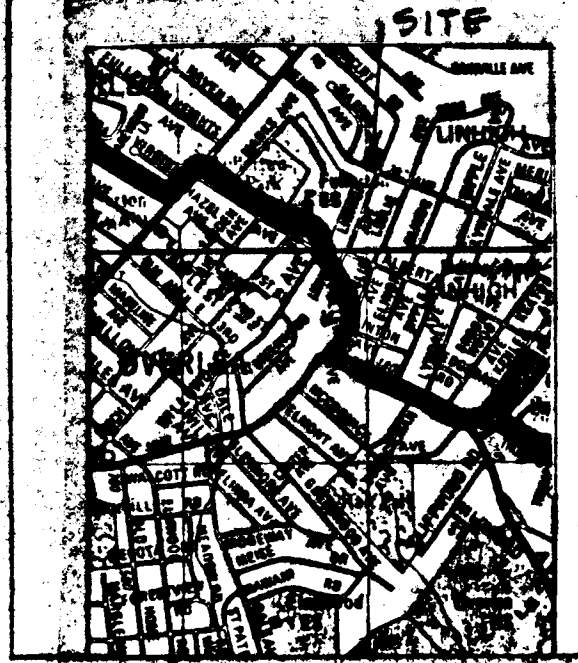
15



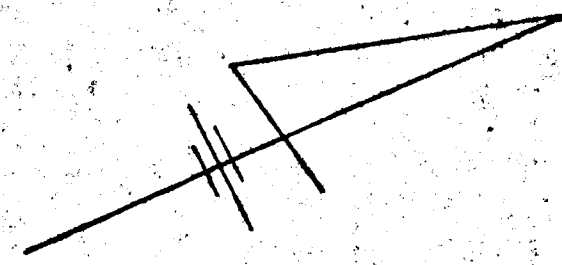
-photographs

Case 99-15-A

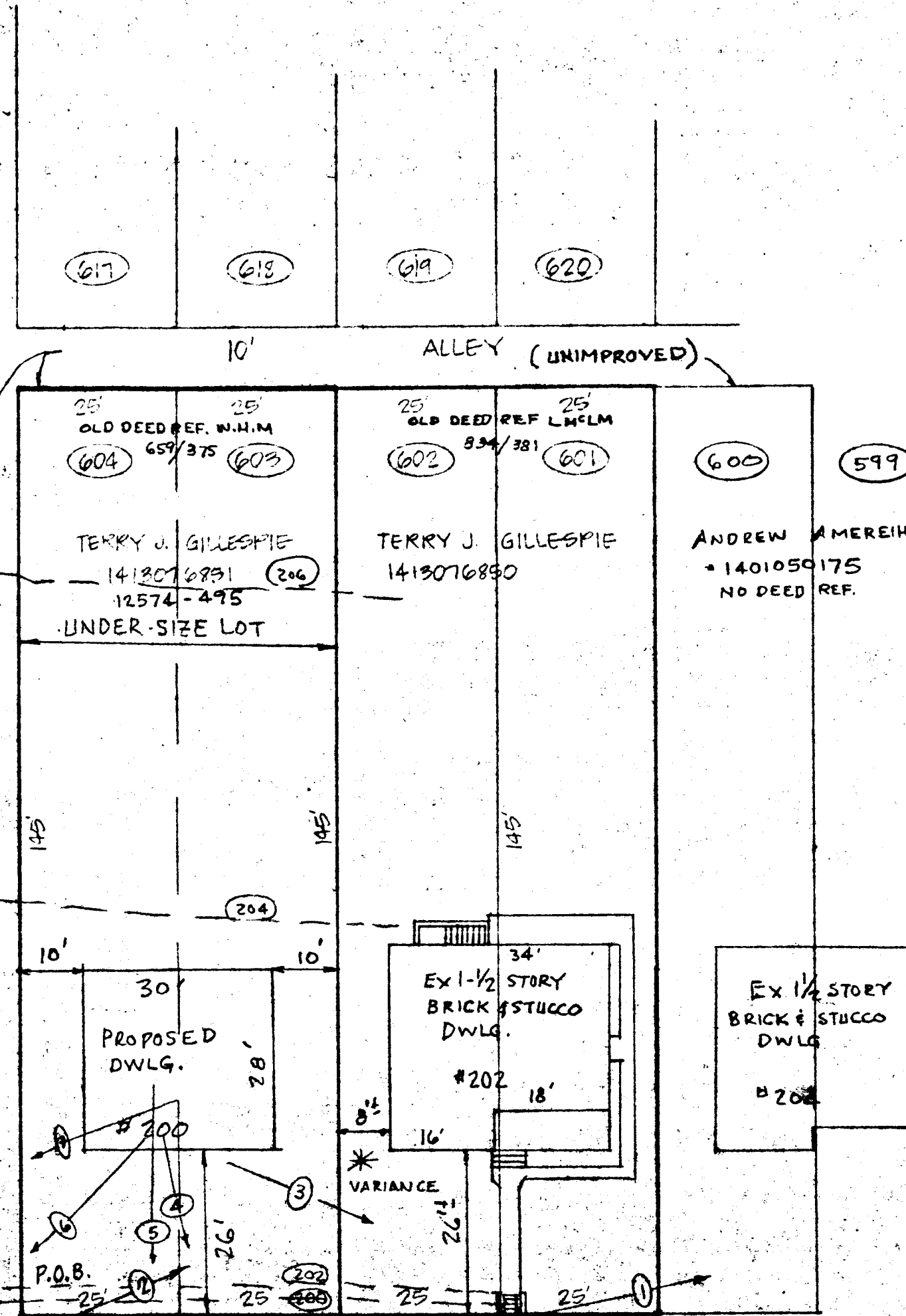
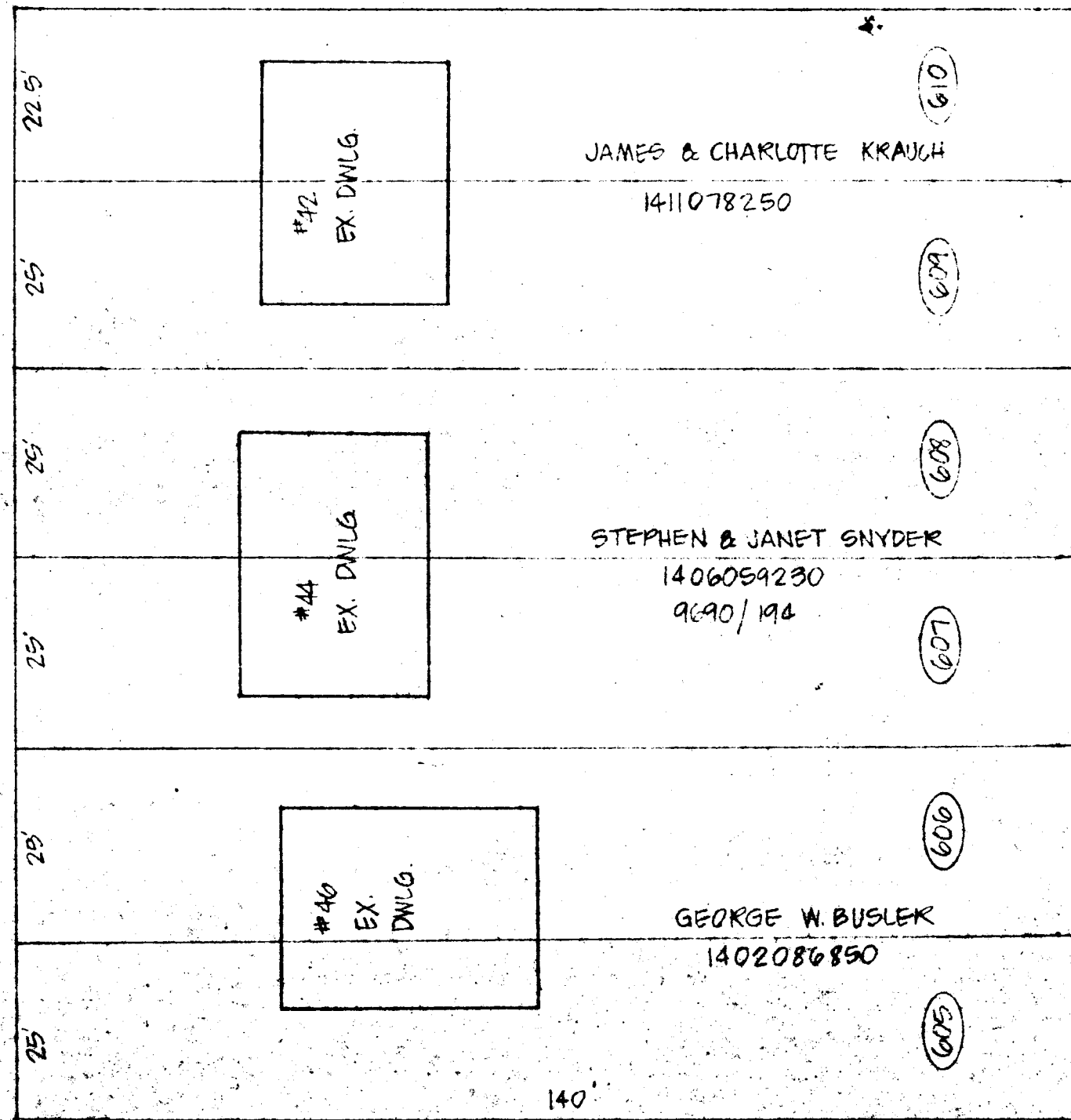




VICINITY MAP
SCALE: 1"=2000'



HENRY AVENUE
(40' R/W)



- LOCATION INFORMATION**
1. ZONING: D.R. 5.5
 2. 1"=200' SCALE MAP: N.E. 6-E
 3. COUNCILMANIC DISTRICT: 6
 4. LOT SIZE: 7,250 S.F. ; 0.16 ACRE ±
 5. SEWER & WATER: PUBLIC
 6. NOT LOCATED IN CHESAPEAKE BAY CRITICAL AREA
 7. NO PRIOR ZONING HEARINGS.
 8. NO STREAMS, STORMWATER MANAGEMENT SYSTEMS, DRAINAGE OR FIRE SYSTEMS WITHIN 50' OF THIS PROPERTY.
 9. NO 100 YEAR FLOODPLAIN LOCATED ON THIS SITE. COMMUNITY PANEL NO 240010 0410 B ZONE 'C'.
 10. EXISTING USE: VACANT (LOT 603 & 604)
 11. PROPOSED USE: SINGLE FAMILY DWELLING.
 12. EXISTING USE: EX. DWLG. (LOT 602 & 601)
 13. PROPOSED USE: RETAIN EXIST. DWLG.

PLAT TO ACCOMPANY ADMINISTRATIVE VARIANCE

*202 LINHIGH AVENUE
LOT NOS 601 & 602
AND VARIANCE FOR
UNDERSIZE LOT

*200 LINHIGH AVENUE
LOT NOS. 603 & 604
"LINHIGH" (7-81)

ELECTION DISTRICT NO 14
BALTIMORE CO., MD
SCALE: 1"=20'
JUNE 23, 1998

OWNER: TERRY J. GILLESPIE
* 202 LINHIGH AVENUE
BALTIMORE, MARYLAND 21236

LEGEND

EXISTING TWO (2) CONTOURS (200) ———

DIRECTION OF PICTURES ———> ———>

NUMBER ———> DIRECTION

MDH DEVELOPMENT ENGINEERS, INC.
380 East Apple Road
Room 101, Shell Building
Towson, Maryland
410-286-9060



PETITIONER'S EXHIBIT 1

98-8064

99-15-A