

IN RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
NE/S Oella Avenue, 50' N
centerline of Mary Jo Way
1st Election District
1st Councilmanic District
(530 Oella Avenue)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-433-SPHA

Charles Wagandt, Legal Owner
Bonnie & Steven Peterson, Contract Purchaser
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, Charles Wagandt and contract purchasers, Bonnie and Steven Peterson. The special hearing request is for property located at 530 Oella Avenue, which property is zoned DR 3.5. The Petitioners are requesting a special hearing pursuant to Sections 26-171, 26-172(b), 26-203(c)(8) and 26-278 of the Baltimore County Code in order to construct a new dwelling on their property. In addition, variances are being requested for that new dwelling as follows: (1) from Section 1B01.2.C.3 (V.B.9) to permit a building to street centerline 40 ft. in lieu of the required 50 ft; (2) from Section 1B01.2.C.2a to permit window to tract boundary 32 ft. in lieu of the required 35 ft.; (3) from Section V.B.6.a to permit a window to street R/W 22 ft. in lieu of the required 25 ft.; (4) from Section V.B.9 to permit building to street R/W 22 ft. in lieu of the required 25 ft.; (5) and to amend the partial Final Development Plan of Oella, Sites 5 and 6, Lot 1.

Appearing at the hearing on behalf of the special hearing and variance requests were Steven Peterson, contract purchaser and Richard Matz, professional engineer with Colbert, Matz and Rosenfelt. There were no protestants in attendance.

CACER RECEIVED FOR FILING

DATE

6/21/00

BY

J.R. Peterson

Testimony and evidence indicated that the property, which is the subject of this request, consists of 0.7489 acres, more or less, zoned DR 3.5. The subject property is unimproved at this time. The Petitioners are interested in constructing a single family dwelling on the property and due to the many site constraints affecting the property, such as wetlands, steep slopes and irregular shape of the property, the variances, as previously stated, are necessary in order for the house to be constructed. Furthermore, a special hearing is necessary given that the property whereupon the Petitioners intend to construct their house is located within the Oella N.R.H.D. The request to construct the dwelling on the property has been reviewed by the Office of Planning. They recommend that the Petitioners' variance request and special hearing be granted so long as the Peterson's construct a house in keeping with the elevation drawings submitted to the Planning Office on May 5, 2000. Mr. Peterson indicated at the hearing that he has every intention of constructing the house as was shown to the Planning Office.

A description of the property contained within the case file indicates that the property consists of 0.7489 acres, more or less, and is zoned DR 3.5. The information submitted is persuasive to a finding that the proposed construction is consistent with the character and historic features of the neighborhood and will not be inappropriate. There is no evidence in the file to indicate that the requested waiver would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. Moreover, the relief requested complies with the requirements of the Baltimore County Zoning Regulations and should therefore be approved.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208

ORDER RECEIVED FOR FILING
Date 6/21/00
By H. Jameson

(1973). To prove practical difficulty for an area variance, the Petitioners 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).

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 property which is the subject of this request 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 relief 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 these petitions held, and after considering the testimony and evidence offered by the Petitioners, as well as the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, I find that the Petitioners' special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED this 21st day of June, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for special hearing pursuant to Sections 26-171, 26-172(b), 26-203(c)(8) and 26-278 of the Baltimore County Code in order to construct a new

ORDER REQUESTED FOR FILING
Date 6/21/00
By R. J. Jernigan

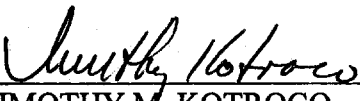
dwelling on their property, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioners shall be required to construct a dwelling in keeping with the elevation drawings submitted to the Planning Office on May 5, 2000.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED, that the variances being requested for the new dwelling:

(1) from Section 1B01.2.C.3 (V.B.9) to permit a building to street centerline 40 ft. in lieu of the required 50 ft; (2) from Section 1B01.2.C.2a to permit window to tract boundary 32 ft. in lieu of the required 35 ft.; (3) from Section V.B.6.a to permit a window to street R/W 22 ft. in lieu of the required 25 ft.; (4) from Section V.B.9 to permit building to street R/W 22 ft. in lieu of the required 25 ft.; (5) and to amend the partial Final Development Plan of Oella, Sites 5 and 6, Lot 1, be and are hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

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

June 21, 2000

Mr. & Mrs. Steven R. Peterson
1202 Biddle Place
Catonsville, Maryland 21228

Re: Petitions for Special Hearing & Variances
Case No. 00-433-SPHA
Property: 530 Oella Avenue

Dear Mr. & Mrs. Peterson:

Enclosed please find the decision rendered in the above-captioned case. The Petitions for Special Hearing and Variances have 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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Charles Wagandt
803 Oella Avenue
Ellicott City, MD 21043

Mr. Richard E. Matz, P.E.
Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, MD 21209





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 530 Oella Avenue
which is presently zoned D.R.-35

This Petition shall be filed with the Department of Permits and 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A waiver pursuant to Sections 26-171, 26-172(b), BCC of Section 26-203(C)(8) and Section 26-278, to construct a new single-family dwelling.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Steven R. Peterson
Name - Type or Print Steven R. Peterson
Signature _____
Bonnie E. Peterson
Name - Type or Print Bonnie E. Peterson
Signature _____
1202 Biddle Place 410-744-6407
Address Telephone No.
Catonsville MD 21228
City State Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.
Colbert Matz Rosenfelt, Inc.
Name Richard E. Matz, P.E. 410-484-2757
2835 Smith Avenue Ste. G 410-653-3028 day
Address Telephone No.
Baltimore MD 21209
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BH Date 5/17/00

Case No. 00-433-SPHA

By REH 9/15/98

ORDER RECEIVED FOR FILING



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 530 Oella Avenue

which is presently zoned D.R.-35

This Petition shall be filed with the Department of Permits and 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 of thereof, hereby petition for the Variance from Section(s)

To permit

1B01.2.C.3 (V.B.9) Building to Street centerline 40 ft. in lieu of required 50 ft.; 1B01.2.C.2a Window to Tract Boundary 32 ft. in lieu of 35 ft. required; V.B.6.a Window to Street R/W 22 ft. in lieu of 25 ft. required; V.B.9 Building to Street R/W 22 ft. in lieu of 25 ft. required; and to amend the partial Final Development Plan of Oella Site 5 and 6, Lot 1.

and

Of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicated hardship or practical difficulty)

The uniqueness and peculiarity of the properties causes the zoning provisions to impact disproportionately upon the properties. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the properties' uniqueness.

Property to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc and further agree to and are to be bounded 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:

Steven R. Peterson

Bonnie E. Peterson

Name - Type or Print

Signature

1202 Biddle Place

410-744-6407

Address.

Telephone No.

Catonsville,

MD 21228

City

State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State Zip Code

Legal Owner(s):

Charles L. Wagandt

Name - Type or Print

Signature

Name - Type or Print

Signature

803 Oella Avenue

410 323-4065

Address.

410-465-1700

Telephone No.

Ellicott City

MD 21043

City

State Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.

Colbert Matz Rosenfelt, Inc.

Name

202 410 484-8757

2835 Smith Avenue, Suite G.

day 410-653-3838

Address

Telephone No.

Baltimore

MD 21209

City

State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

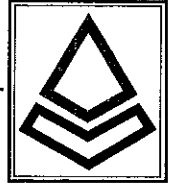
UNAVAILABLE FOR HEARING _____

Reviewed By BR Date 4/17/00

Case No. 00-433-SPHA

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



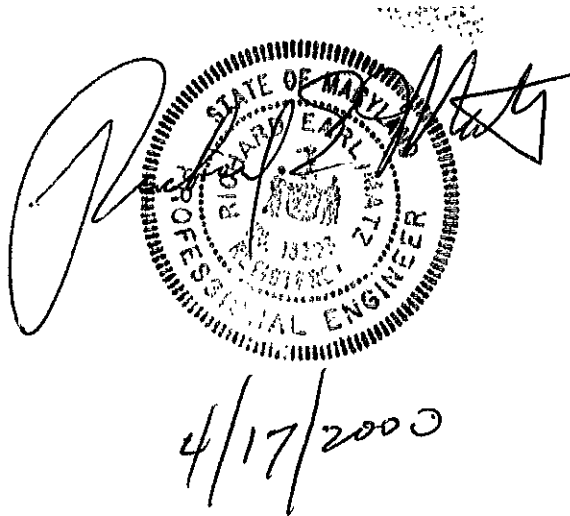
ZONING DESCRIPTION

BEGINNING AT A POINT AT THE INTERSECTION OF OELLA AVENUE, WHICH IS 40 FEET WIDE, AND RACE ROAD, A PRIVATE ROAD, AT A DISTANCE OF 50 FEET OF CENTERLINE OF MARY JOE WAY, WHICH IS 40 FEET WIDE, BEING LOT 1, AT THE NORTHEAST CORNER OF THAT INTERSECTION IN THE SUBDIVISION OF RACE ROAD – OELLA RECORDED IN BALTIMORE COUNTY PLAT BOOK 65 FOLIO 130.

CONTAINING 36,621 SQUARE FEET OR 0.75 ACRES.

ALSO KNOWN AS 530 OELLA AVENUE, LOCATED IN THE FIRST ELECTION DISTRICT.

J:\2000047DES.DOC



00-433-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 080893

DATE 5/17/00 ACCOUNT KC-6150

AMOUNT \$ 50.00

RECEIVED FROM: Cashier's Office - Baltimore County, Md.

FOR: Item #433

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item #433

PAID RECEIPT

PAYMENT	ACTUAL	TIME
5/18/2000	5/17/2000	15:34:41
REG 4004	CASHIER	SWT SWM DRAPER
Dept 5	F28	BOOKING VERIFICATION
Receipt #	117128	OFF
CR NO.	080893	

Receipt Tot 50.00
SP/00 OK (0) OK
Baltimore County, Maryland

00-433-SPHA

CASHIER'S VALIDATION

00-433-2648
00-433-00

No. 080834

RECEIVED FROM: John J. ...

FOR: Chief of Police, Los Angeles, California

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-07-2001 BY SP-6 BTJ/KJS

00.433 ★
SPHA

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: 00-433-SPHA

530 Oella Avenue

NE/S Oella Avenue, 50' N of centerline Mary Jo Way

1st Election District - 1st Councilmanic District

Legal Owner(s): Charles L. Wagandt

Contract Purchaser: Bonnie E. & Steven R. Peterson

Special Hearing: to approve a waiver pursuant to Sections 26-171, 26-172(b), BCC of Section 26-203(C)(8) and Section 26-278 to construct a new single-family dwelling. **Variance:** to permit a building to street centerline of 40 feet in lieu of the required 50 feet, window to tract boundary of 32 feet in lieu of 35 feet, window to street right-of-way of 22 feet in lieu of 25 feet, building to street right-of-way of 22 feet in lieu of 25 feet, and to amend the partial Final Development Plan of Oella Site 5 and 6, Lot 1.

Hearing: Monday, June 19, 2000 at 9:00 a.m. in Room 407, County Office Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/029 June 1

C395306

CERTIFICATE OF PUBLICATION

6/1/, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/1/, 2000.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 00-433-SPHA

Petitioner/Developer: WAGANDT, ETAL
% MATZ

Date of Hearing/Closing: 6/19/00

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 #530-DELLA AVE

The sign(s) were posted on 6/3/00
(Month, Day, Year)

Sincerely,

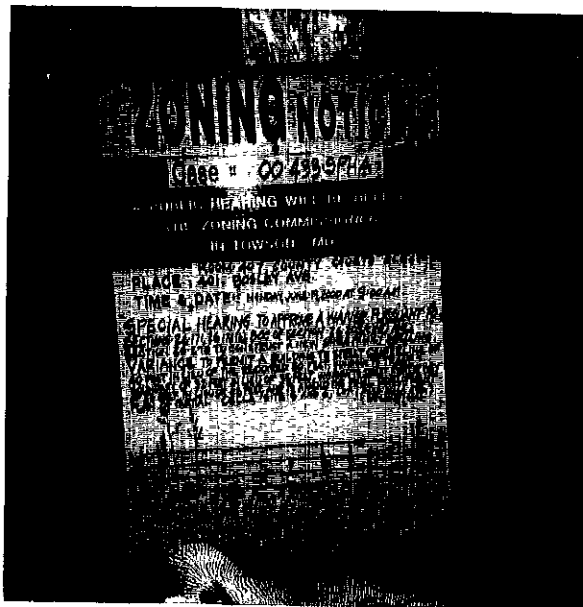
Patrick M. O'Keefe 6/6/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

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

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



00-433

RE: PETITION FOR VARIANCE
530 Oella Avenue, NE/S Oella Ave,
50' N of c/l Mary Jo Way
1st Election District, 1st Councilmanic

Legal Owner: Charles L. Wagandt
Contract Purchaser: Steven R. & Bonnie Peterson
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-433-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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 27th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Richard E. Matz, Colbert, Matz Rosenfelt, Inc., 2835 G Smith Avenue, Baltimore, MD 21209, representative for Petitioners.



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 23, 2000

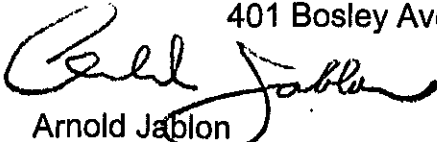
NOTICE OF ZONING HEARING

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CASE NUMBER: 00-433-SPHA
530 Oella Avenue
NE/S Oella Avenue, 50' N of centerline Mary Jo Way
1st Election District – 1st Councilmanic District
Legal Owner: Charles L. Wagandt
Contract Purchaser: Bonnie E. & Steven R. Peterson

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), BCC of Section 26-203(C)(8) and Section 26-278 to construct a new single-family dwelling. Variance to permit a building to street centerline of 40 feet in lieu of the required 50 feet, window to tract boundary of 32 feet in lieu of 35 feet, window to street right-of-way of 22 feet in lieu of 25 feet, building to street right-of-way of 22 feet in lieu of 25 feet, and to amend the partial Final Development Plan of Oella Site 5 and 6, Lot 1.

HEARING: Monday, June 19, 2000 at 9:00 a.m. in Room 407, County Office Building, 401 Bosley Avenue


Arnold Jablon
Director

C: Charles Wagandt, 803 Oella Avenue, Ellicott City 21043
Bonnie & Steven Peterson, 1202 Biddle Place, Catonsville 21228
Colbert Matz Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 1, 2000.**
(2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
(3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Thursday, June 1, 2000 Issue – Jeffersonian

Please forward billing to:

Steve & Bonnie Peterson
C/o Portract Homes, LLC
18104 Little Brooke Drive
Olney MD

301-570-6640

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: 00-433-SPHA

530 Oella Avenue

NE/S Oella Avenue, 50' N of centerline Mary Jo Way

1st Election District – 1st Councilmanic District

Legal Owner: Charles L. Wagandt

Contract Purchaser: Bonnie E. & Steven R. Peterson

Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), BCC of Section 26-203(C)(8) and Section 26-278 to construct a new single-family dwelling. Variance to permit a building to street centerline of 40 feet in lieu of the required 50 feet, window to tract boundary of 32 feet in lieu of 35 feet, window to street right-of-way of 22 feet in lieu of 25 feet, building to street right-of-way of 22 feet in lieu of 25 feet, and to amend the partial Final Development Plan of Oella Site 5 and 6, Lot 1.

HEARING: Monday, June 19, 2000 at 9:00 a.m. in Room 407, County Office Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-433-4 SPHA
Petitioner: Charles Wagandt
Address or Location: 803 Oella Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEVE + BONNER PETERSON
Address: c/o Portner Homes, LLC.
13104 Little Brooke Drive, Olney, MD 20855
Telephone Number: 301-570-6640



Baltimore County
Fire Department

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

May 1, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 17, 2000

Item No.: See Below

Dear Ms. Stephens:

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:

433, 434, 435, 436, 437, 439, 440,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *AC/RBS*

DATE: May 23, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of May 1, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
433	530 Oella Avenue
434	3814 Thoroughbred Lane
435	1731 Circle Road
436	3102 Granite Road
439	8603 Manorfield Road
440	1811 North Rolling Road
411	23 Mansez Drive

Jerin
6/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 9, 2000

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

SUBJECT: 530 Oella Ave.

INFORMATION:

MAY - 8

Item Number: 433

Petitioner: Steven R. Peterson and Bonnie E. Peterson

Zoning: DR 3.5

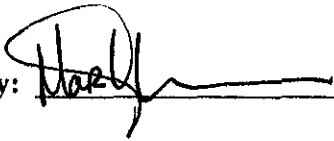
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

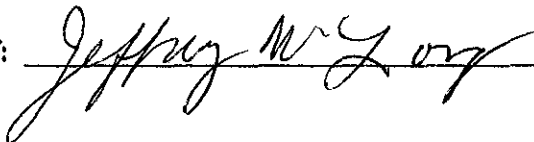
* * The Office of Planning supports the request to construct a building with a street centerline setback of 40 feet in lieu of the required 50 feet; a window to street R/W setback of 22 feet in lieu of the required 25 feet; a building to street R/W setback of 22 feet in lieu of the required 25 feet; and to amend the partial Final Development Plan of Oella Site 5 and 6, lot 1, provided that the proposed architecture is in keeping with the elevation drawings submitted to this office on May 5, 2000.

The subject property is within the Oella N.R.H.D.

Prepared by:



Section Chief:



AFK: MAC:



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 5.1.00

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

RE: Baltimore County
Item No. 433 BR

RECEIVED MAY 05 2000

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-433-SPHA

Date Completed/Initials

5/23/00 scj

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

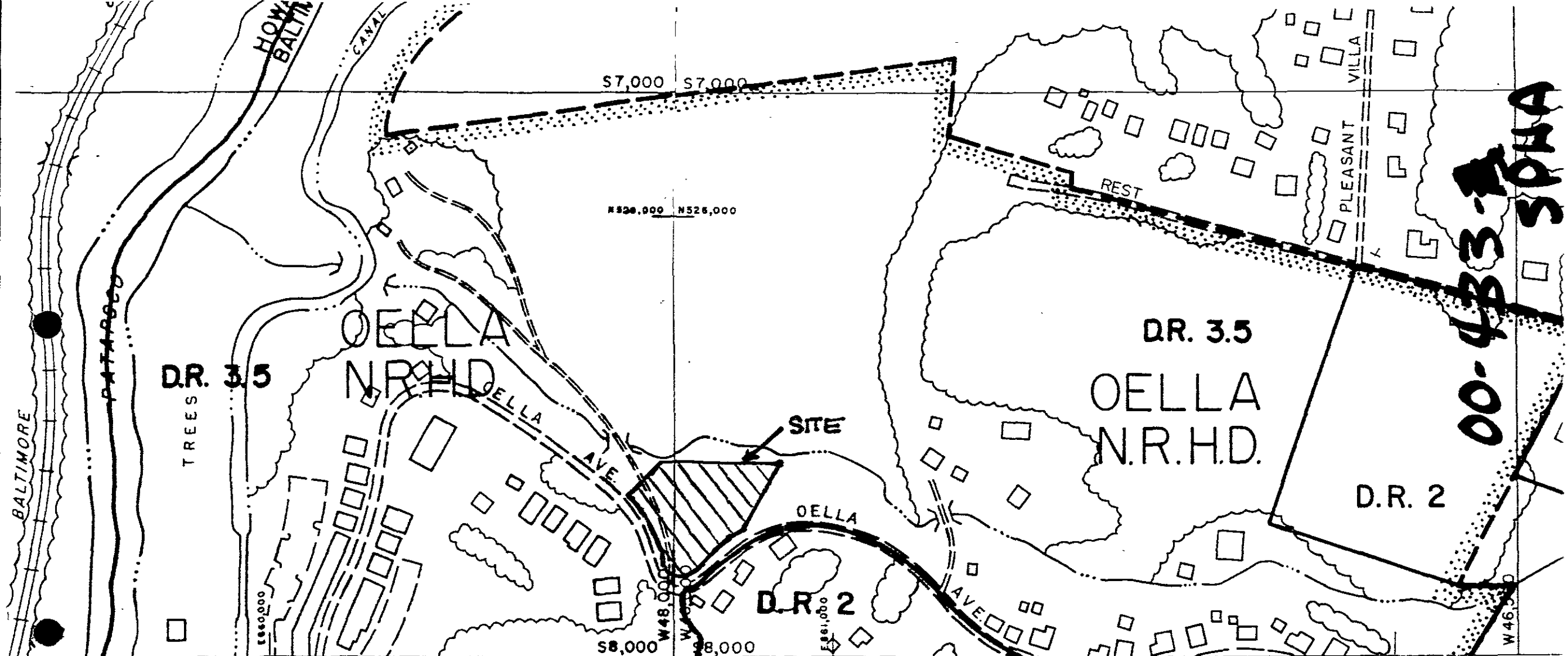
RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

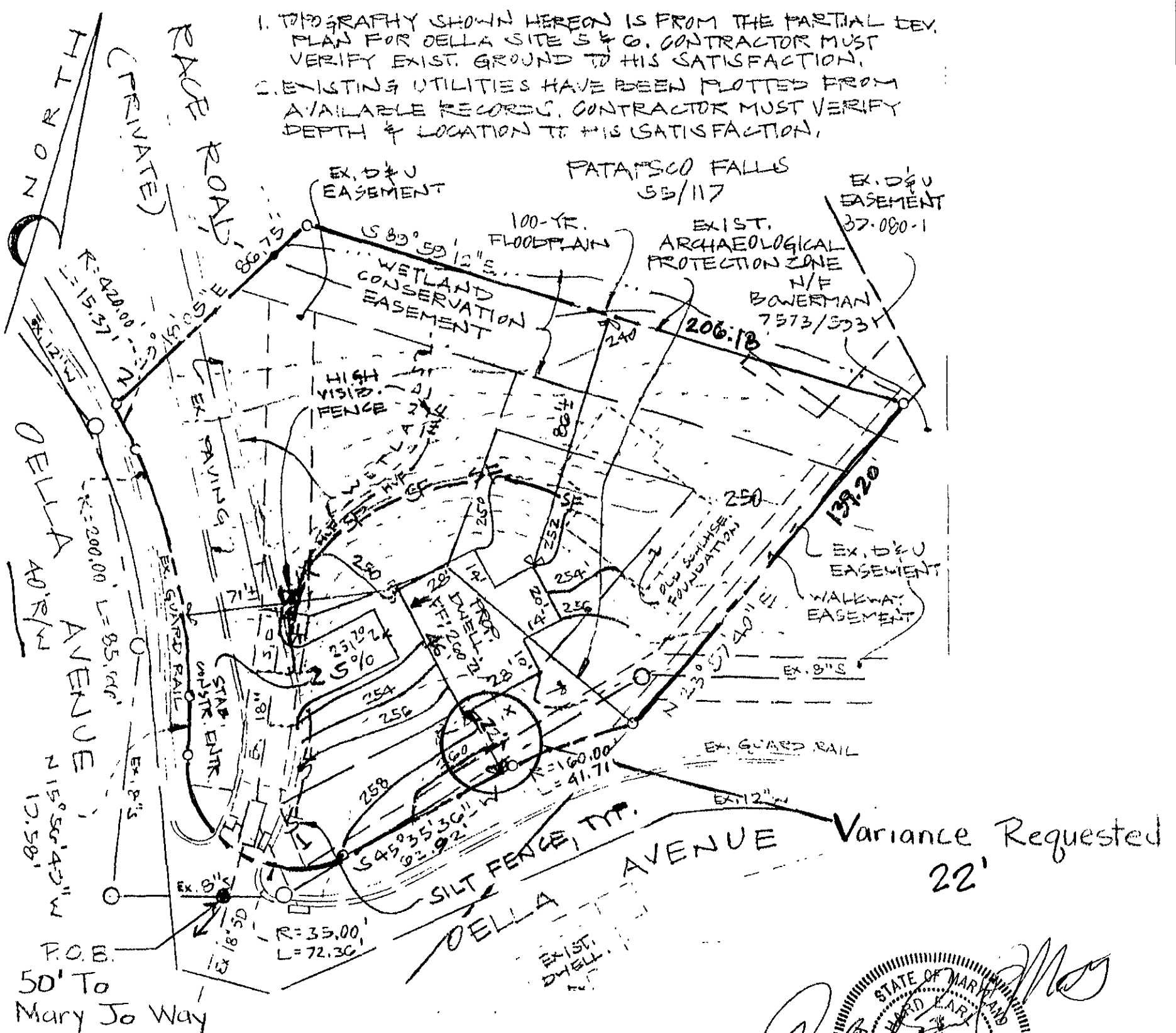
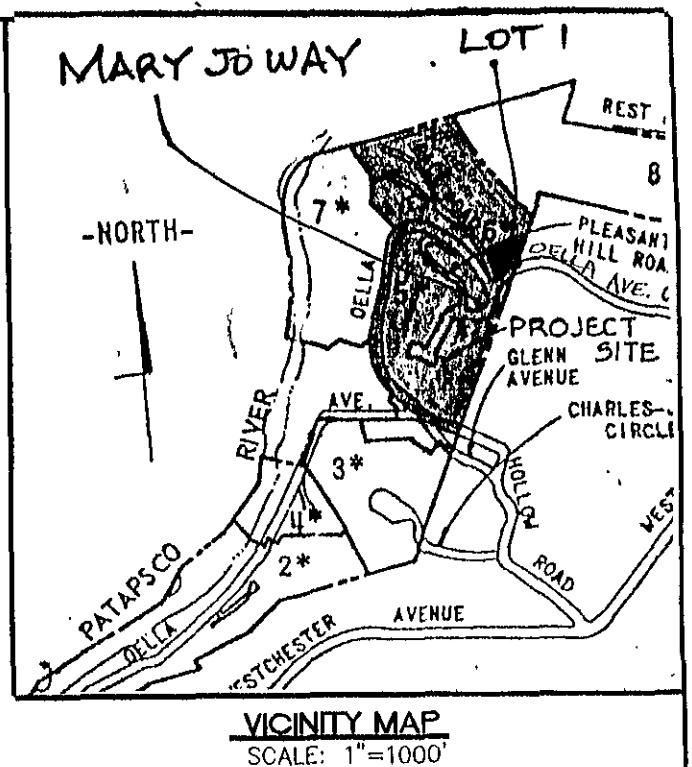
FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



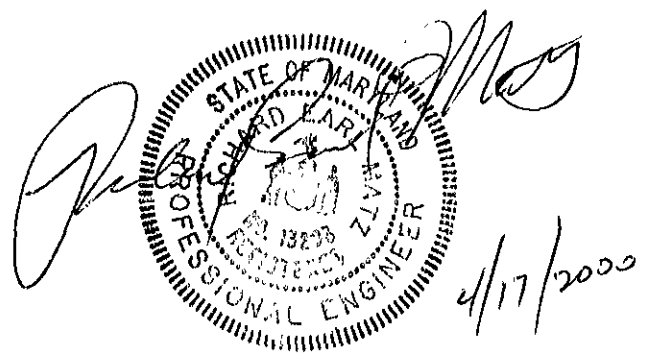
SCALE 1" = 200' ±	LOCATION	SHEET	H - NW	H - NE	1996 COMPREHENSIVE ZONING MAP ADOPTED by THE BALTIMORE COUNTY BOARD OF OCTOBER 8, 1996 Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96
DATE OF PHOTOGRAPHY JANUARY 1986	OELLA	S.W. 2-I	S.W. 2-H	THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210	<i>Kevin Kame</i> Chairman, County Board

GENERAL NOTES:

1. PREPARER OF PLAN: COLBERT MATZ ROSENFELT, INC.
2835 SMITH AVENUE SUITE G
BALTIMORE, MD. 21043
(410) 653-3838
2. OWNER: CHARLES L. WAGNANT
803 OELLA AVENUE
BALTIMORE, MD. 21043
(410) 323-4065
3. EXISTING ZONING: D.R. 3.5
4. COUNCILMANIC DISTRICT: 1 **ELECTION DISTRICT 1**
5. PUBLIC WATER AND SEWERAGE IS AVAILABLE
AND WILL BE PROVIDED TO THE SITE.
THERE ARE NO PROPOSED WELL OR SEPTIC AREAS ON THE SITE.
6. THERE ARE NO KNOWN CRITICAL AREAS, ENDANGERED, SPECIES HABITATS,
HISTORIC BUILDINGS, UNDERGROUND TANKS, OR HAZARDOUS MATERIALS
ON THE SITE. AN ARCHEOLOGICAL PROTECTION ZONE IS SHOWN ON THE PLAN.
7. PROPERTY REFERENCE: TAX ACCOUNT NO. 2200018399
8. AREA LOT #1: 32,621.4 SQ.FT., 0.7489 AC.



Ret. Ex. #1



Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



00-433-594A

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
530 OELLA AVENUE

PLAT OF RACE ROAD - OELLA
EHK, JR PLAT BOOK 55 FOLIO 69
LOT 1 - THE PROPERTY OF
CHARLES L. WAGANDT

ELECTION DISTRICT NO. 1
BALTIMORE COUNTY, MD

DATE: APRIL 17, 2000

SCALE: 1" = 40'