

IN RE: PETITION FOR VARIANCE
E/S Goucher Avenue, 243' N
centerline of Spring Avenue
8th Election District
3rd Councilmanic District
(708 Goucher Avenue)

Regina Mitsos
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-193-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Regina Mitsos. The variance request is for property located at 708 Goucher Avenue, which property is zoned DR 5.5. The subject property is unimproved at this time. The Petitioner is requesting a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 15 ft. in lieu of the required 25 ft., in order to construct a dwelling on the subject lot.

Appearing at the hearing on behalf of the variance request were Nicholas Mitsos and Vince Moskunas, appearing on behalf of Site Rite Surveying, Inc. There were no protestants or other persons in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.25 acres, more or less, zoned DR 5.5. The subject property is unimproved and is located at the southeast corner of the intersection of Goucher Avenue and the future Towson Avenue. Towson Avenue is unimproved at this time. The Petitioner is desirous of constructing a single-family dwelling on the subject lot. Because on paper the lot is shown as a corner lot, the variance to allow the side yard setback of 15 ft. in lieu of 25 ft. is being requested. It should be noted that Towson Avenue is unimproved at this time. There are no plans to actually construct Towson Avenue in the future. Therefore, the Petitioner proposes to request a

ORDER RECEIVED FOR FILING

Date

02/8/01

By

R. P. Jamerson

road closing of Towson Avenue, which, if approved, would alleviate the need for this variance. However, the Petitioner is desirous of moving forward at this time with the construction of his home and, therefore, has requested this variance so that he may begin construction.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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

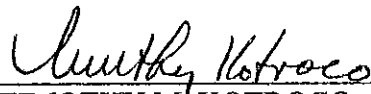
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of 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 this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

COPIES RECEIVED FOR FILING
Date 2/18/01
By: [Signature]

THEREFORE, IT IS ORDERED this 8th day of February, 2001, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 15 ft. in lieu of the required 25 ft., in order to construct a dwelling on the subject lot, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 2/8/01
By R. Johnson



Baltimore County
Zoning Commissioner

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

February ⁸/₇, 2001

Ms. Regina Mitsos
45 Avene Court
Lutherville, Maryland 21093

Re: Petition for Variance
Case No. 01-193-A
Property: 708 Goucher Avenue

Dear Ms. Mitsos:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance 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 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: Vince Moskunus
Site Rite Surveying, Inc.
200 E. Joppa Road, Ste. 101
Towson, MD 21286

★ Census 2000

★ For You, For Baltimore County

★ Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #708 Goucher Avenue

which is presently zoned D.R. 5.5

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 Variance from Section(s) 1 B.O.A. 3.C.1 to allow a side yard setback of 15' in lieu of the required 25'.

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

1. Owns seven buildable lots, because of the forest buffer easements for wetlands the owner only really has three.
2. Towson Avenue will not be extended because of the wetlands. The sideyard should be 10' and not 25' for side street setback.
3. To make two buildable lots out of the three undersized, the width is not wide enough to support the 25' sideyard setback and meet the D.R. 5.5 zoning with the proposed house to Property is to be posted and advertised as prescribed by the zoning regulations. maintain compatibility with the 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. neighborhood.

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):

Regina Mitson

Name - Type or Print

Signature

Name - Type or Print

Signature

45 Arverne Court

(410) 561-0032

Address

Telephone No.

Lutherville, MD 21093

City

State

Zip Code

Representative to be Contacted:

Bernadette L. Moskunas

Site Rite Surveying, Inc.

Name

200 E. Joppa Road, Room 101 (410) 828-9060

Address

Telephone No.

Towson, MD 21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By TAG

Date 11/8/00

ZONING DESCRIPTION FOR #708 GOUCHER AVENUE

Beginning at a point on the east side of Goucher Avenue which is 40 feet wide at the distance of 243 feet north of the centerline of Spring Avenue which is 40 feet wide. Being Lot #14 and part of Lot #15, Block "R" in the subdivision of "Luther-Villa" as recorded in Baltimore County Plat Book #7, folio #128, containing 0.25 acres, more or less. Also known as #708 Goucher Avenue and located in the 8th. Election District, 3rd. Councilmanic District.



J. Tilghman Downey, Jr.
J. Tilghman Downey, Jr.

*Site Rite Surveying, Inc.
200 E. Joppa Road
Suite 101
Towson, MD 21286
(410)828-9060*

01-193A

BALTIMORE COUNTY, MD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 2677

DATE 11-7-00

ACCOUNT

K001 6150

AMOUNT

\$ 50.00

RECEIVED FROM:

Seating 11/1/00

FOR:

Vorlice 468 Council Ave

CI-1434

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Paid 11/7/00

PAID

11/7/00

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11/7/00

PAID TO: BALTIMORE COUNTY, MD
CASHIER: [Signature]
DATE: 11/7/00
AMOUNT: \$50.00

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 01-193-A
PETITIONER/DEVELOPER
(Regina Mitsos)
DATE OF Closing HEARING
(1-31-01)

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

708 Goucher Avenue Baltimore, Maryland 21093_____

THE SIGN(S) WERE POSTED ON_____ 12-29-00_____
(MONTH, DAY, YEAR)

SINCERELY,

Thomas P. Ogle Sr. / ego 12/29/00
(SIGNATURE OF SIGN POSTER & DATE)

_____THOMAS P. OGLE SR._____

_____325 NICHOLSON ROAD_____

_____BALTIMORE, MARYLAND 21221_____

_____410-687-8405_____
(TELEPHONE NUMBER)

NOTICE OF ZONING
HEARINGS

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

Case: 401-193-A
708 Goucher Avenue
E/S Goucher Avenue, 243' N
of centerline Spring Avenue
8th Election District
3rd Councilmanic District
Legal Owner(s): Regina
Missos
Variance: to allow a side
yard setback of 15 feet in
lieu of the required 25 feet.
Hearing: Wednesday,
January 31, 2001 at 10:00
a.m. in Room 407, County
Courts Building, 401 Bos-
ley 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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.
JTM/705 Jan. 16 C444780

CERTIFICATE OF PUBLICATION

TOWSON, MD, 1/18/2001

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published in
Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 1/16/2001.

THE JEFFERSONIAN,
J. William Smith

LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE # 01-193-A
PETITIONER/DEVELOPER
(Regina Mitsos)
DATE OF Hearing
(1-4-01)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

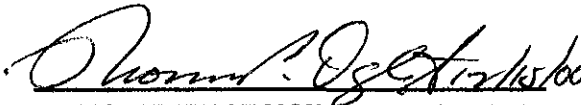
LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

708 Goucher Avenue Baltimore , Maryland 21093_____

THE SIGN(S) WERE POSTED ON_____ 12-15-00_____
(MONTH, DAY, YEAR)

SINCERELY,

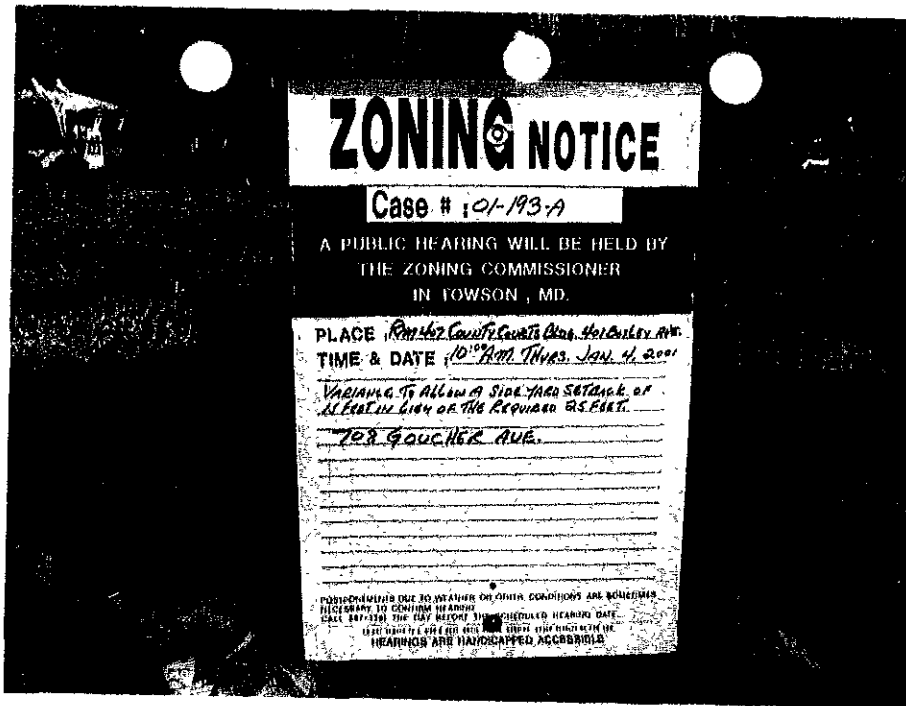

(SIGNATURE OF SIGN POSTER & DATE)

_____THOMAS P. OGLE SR._____

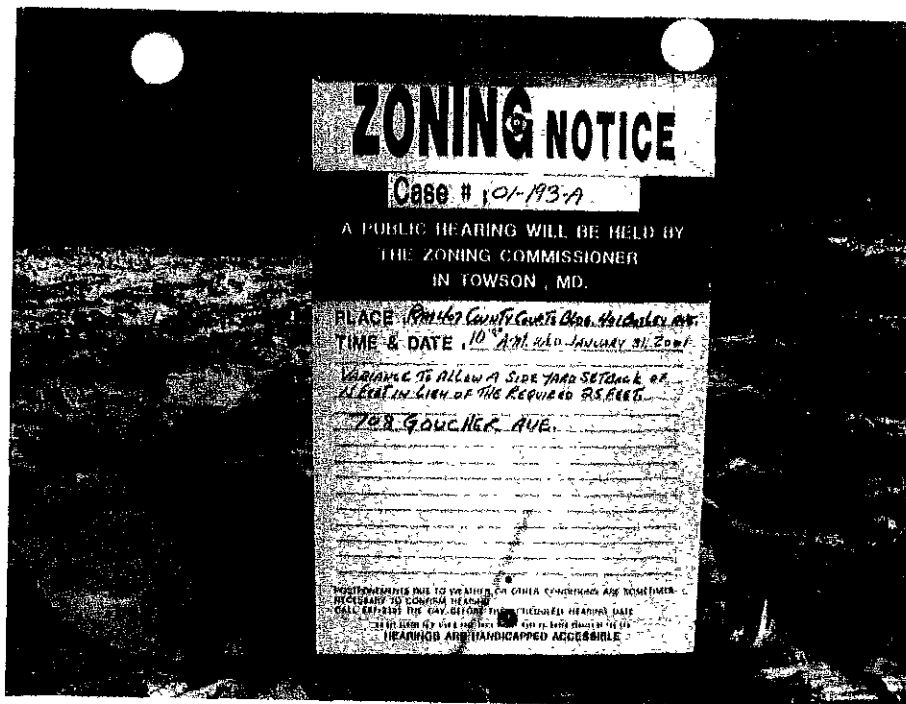
_____325 NICHOLSON ROAD_____

_____BALTIMORE, MARYLAND 21221_____

_____410-687-8405_____
(TELEPHONE NUMBER)



708 Goucher Ave.



708 Goucher Ave.

RE: PETITION FOR VARIANCE
708 Goucher Avenue, E/S Goucher Ave,
243' N of c/I Spring Ave
8th Election District, 3rd Councilmanic

Legal Owner: Regina Mitsos
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-193-A

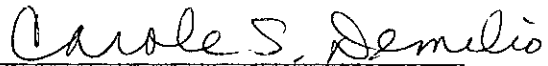
* * * * *

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 28th day of November, 2000 a copy of the foregoing Entry of Appearance was mailed to Bernadette L. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, 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

December 26, 2000

RESCHEDULE NOTICE OF ZONING HEARING

Due to that the Patuxent Publishing did not get the Notice of Zoning Hearing set-up in the newspaper Case Number 01-193-A will be rescheduled again. 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: 01-193-A
708 Goucher Avenue
E/S Goucher Avenue, 243' N of centerline Spring Avenue
8th Election District – 3rd Councilmanic District
Legal Owner: Regina Mitsos

Variance to allow a side yard setback of 15 feet in lieu of the required 25 feet.

HEARING: Wednesday, January 31, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in dark ink, appearing to read "Arnold Jablon", with the initials "JVL" written below it.

Arnold Jablon
Director

C: Regina Mitsos, 45 Arverne Court, Lutherville 21093
Bernadette L. Moskunus, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 16, 2001.**
(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.





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

November 28, 2000

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: 01-193-A
708 Goucher Avenue
E/S Goucher Avenue, 243' N of centerline Spring Avenue
8th Election District – 3rd Councilmanic District
Legal Owner: Regina Mitsos

Variance to allow a side yard setback of 15 feet in lieu of the required 25 feet.

HEARING: Thursday, January 4, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon". Below the signature, the initials "GDZ" are printed.

GDZ

Arnold Jablon
Director

C: Regina Mitsos, 45 Arverne Court, Lutherville 21093
Bernadette L. Moskunus, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 18, 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.

George call Sue @ X3513

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 19, 2000 Issue – Jeffersonian

Please forward billing to:

Mr. & Mrs. Nick Mitsos

410 561-0032

45 Arverne Court

Lutherville-Timonium, MD 21093

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: 01-193-A

708 Goucher Avenue

E/S Goucher Avenue, 243' N of centerline Spring Avenue

8th Election District – 3rd Councilmanic District

Legal Owner: Regina Mitsos

Variance to allow a side yard setback of 15 feet in lieu of the required 25 feet.

HEARING: Thursday, January 4, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

GDZ

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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 16, 2001 Issue – Jeffersonian

Please forward billing to:

Mr. & Mrs. Nick Mitsos
45 Arverne Court
Lutherville-Timonium, MD 21093

410 561-0032

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: 01-193-A

708 Goucher Avenue

E/S Goucher Avenue, 243' N of centerline Spring Avenue

8th Election District – 3rd Councilmanic District

Legal Owner: Regina Mitsos

Variance to allow a side yard setback of 15 feet in lieu of the required 25 feet.

HEARING: Wednesday, January 31, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

022

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/neighbor 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: 01-193A

Petitioner: Mr. Nick Mitsos

Address or Location: #708 Goucher Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. and Mrs. Nick Mitsos

Address: 45 Arverne Court

Lutherville-Timonium, MD 21093

Telephone Number: (410) 561-0032

Revised 2/20/98 - SCJ

01-193-A-SPH



Baltimore County
Department of Permits and
Development Management

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

January 26, 2001

Regina Mitsos
45 Arverne Court
Lutherville MD 21093

Dear Ms. Mitsos:

RE: Case Number: 01-193-A, 708 Goucher Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 8, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. 622
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Bernadette L Moskunus, Site Rite Surveying Inc, 200 E. Joppa Road Room 101,
Towson 21286
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: November 29, 2000

FROM: *Rwb* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 27, 2000
Item Nos. 178 (5113 Old Court Road), 180,
181, 182, 183, 184, 185, 186, 187, 188, 189,
191, 192, 193, 194, 195, 196, 198, 199, 201,
and 202

The Bureau of Development Plans Review has reviewed the subject zoning items, 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

November 27, 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 November 20, 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:

179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193,
194, 195, 196, 197, 198, 200, 201, 202, and 203

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 *RBS*
DATE: December 1, 2000
SUBJECT: Zoning Item #193
708 Goucher Avenue

Zoning Advisory Committee Meeting of November 20, 2000

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Reviewer: Mike Kulis

Date: December 1, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

13

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

DATE: December 13, 2000

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-193**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey M. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

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

Date: 11-27-00

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

RE: Baltimore County
Item No. 193 (TA4)

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,

K 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



Baltimore County
Department of Environmental Protection
and Resource Management

Post-It® Fax Note 7671		Date	# of pages 2
To Bob Bowland	From MIKE KUBS		
Co./Dept.	Co.		
Phone #	Phone #		
Fax #	Fax #		

October 2, 2000

Mr. Nicholas Mitsos
45 Arverne Court
Timonium, Maryland 21093

Re: 708 Goucher Avenue
Building Permit # B427183

Dear Mr. Mitsos:

Environmental Impact Review staff of this Department have reviewed the above-referenced submittal and offer the following comments:

1. A site inspection revealed that lots # 14 through # 16, inclusive, do not contain wetlands or streams. However, the lots on the western side of the right-of-way (# 19 - # 22, inclusive) are located within wetlands and a one-hundred (100) year floodplain. Additionally, a tributary to Roland Run, a Use I (Recreational) waterway bisects these four lots, rendering them unbuildable. According to Section 14-341(b) of the Baltimore County Code, the minimum riparian buffer setback shall be seventy-five (75) feet from the centerline of the stream, and twenty-five (25) feet from the outer limits of the wetland or floodplain, whichever is greater. While the proposed dwelling and lots # 14-16 are outside of the aforementioned riparian buffer, the proposed 20' wide access road is within the buffer [hereafter referred to as a Forest Buffer Easement (FBE)], which is an area of non-disturbance.
2. When reviewing a proposal, local, state and federal agencies strive to avoid allowing impacts to the resources. However, if impacts are unavoidable, regulators seek to minimize impacts to the greatest extent possible. Therefore, in accordance with Section 14-342(b)(1) of the Code, we must find an alternative that suites your need for access while providing the least disturbance to the FBE and associated streams, wetlands and floodplains. Staff believe that the aforementioned is accomplished by modifying your proposal in the following fashion. Goucher Avenue may be extended to the northern edge of lot # 16 and may encompass the full forty (40) foot width of the right-of-way, thereby providing a "T" turn-around. The driveway and any utilities that will serve your residence shall be extended along the easternmost (farthest uphill) portion of the remaining right-of-way.
3. A review of the files within our office for this subdivision reveals that one of the previous property owners, Mr. Bernard S. Lee, was informed of the aforementioned in October of 1991 (Attachment "A"). Additionally, information in the files shows that representatives of the Baltimore County Department of Public Works were willing to waive a portion of their requirements, in conjunction with DEPRM recommendations (Attachment "B"). Lastly, in response to a violation and resulting enforcement action, the resources were delineated and a restoration planting plan was submitted (Attachment "C").

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

4. Prior to building permit approval, the attached plan (labeled Exhibit "A") and associated Forest Buffer Easement Protective Covenants (Attachment "D") must be recorded in the Land Records of Baltimore County. A copy of the receipt of recordation (fee is approximately \$ 22.00) must be provided to this office. Please fill in the blanks on the attached Intake Sheet (Attachment "E") and then follow the recordation procedure on Attachment "F".
5. Note that it is the intent of this Department to approve this permit subject to the above conditions. The Division of Permits and Licenses of the Department of Permits and Development Management (PDM) may require you to submit a revised plot plan and/or building permit. Please sign the statement on the following page and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of permits for this project. Any further changes to site layout may also require submittal of revised plans and an amended building permit.
6. Please note that the plot plan submitted with the building permit application does not coincide with the plan submitted to the Bureau of Development Plans Review of PDM. Staff strongly recommend that you revisit the issue of the lot line adjustment. It is our understanding that the current configuration of lot # 16 {fifty (50) foot width} renders it unbuildable. Furthermore a zoning variance for the undersized lot may not be viewed favorably, due to a self -- inflicted hardship.

If you have any questions regarding this correspondence, please contact me at 410-887-3980.

Very truly yours,

Michael S. Kulis

Michael S. Kulis, NRS
Environmental Impact Review

Attachments

C. Mr. Robert W. Bowling

I/we agree to the above conditions to bring my/our property into compliance with Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. Furthermore, I/we acknowledge that there shall be no clearing, construction or disturbance of vegetation within the Forest Buffer Easement, except that permitted by DEPRM

Property Owner

Date

Property Owner

Date

It's brand fax transmittal memo 7871		# of pages 1
To	NICK MATSOS	From P. O'KEEFE
Co.		Co.
Dept.		Phone # 512-4621
Fax # 410-559-9999		Fax #

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

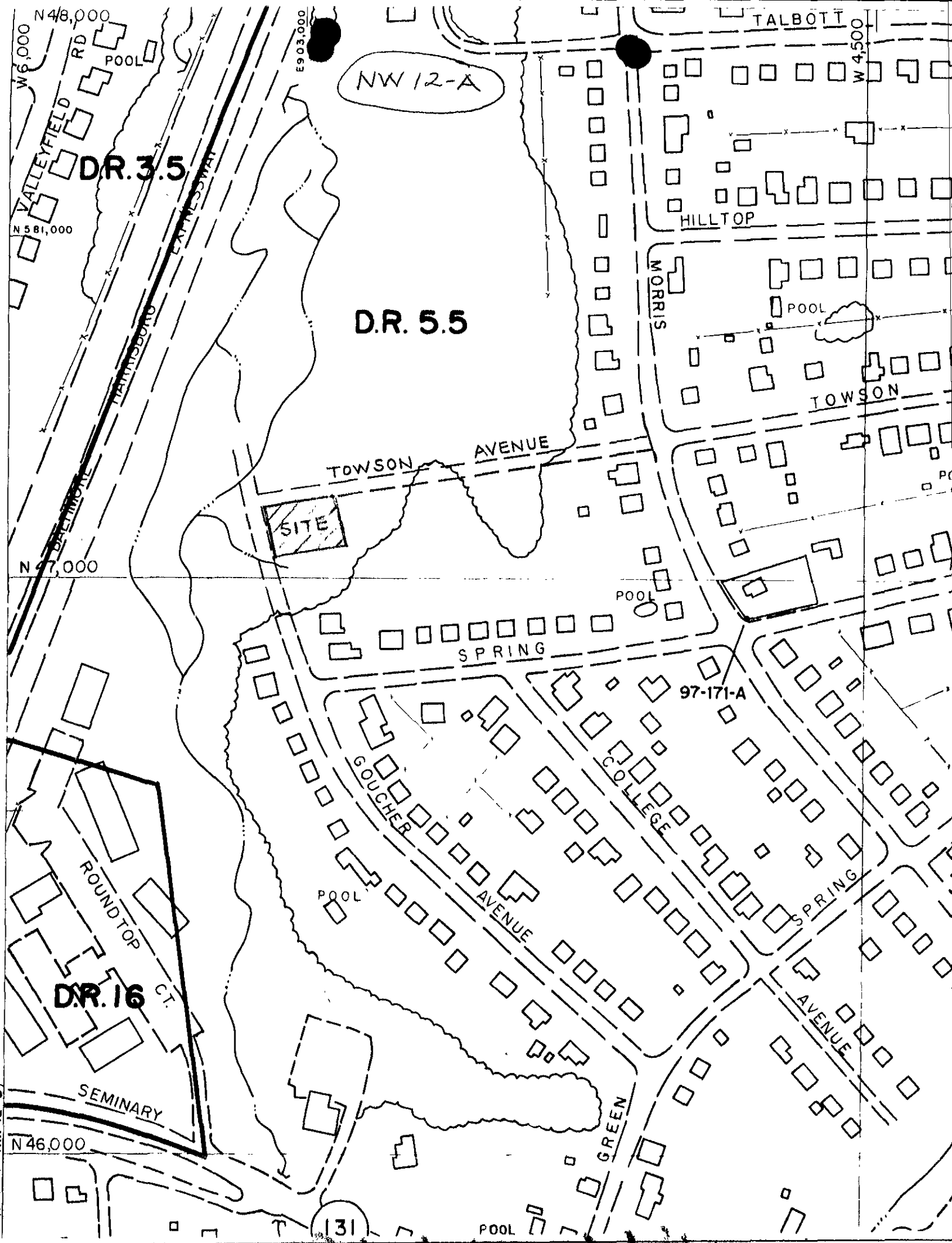
SITE RITE SURVEYING - INC.
VINCENT MOSKOWAS

200. E. JOPPA ROAD. 21286

NICHOLAS MITOS

45 ARVORNE CT 21093





SCALE

1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

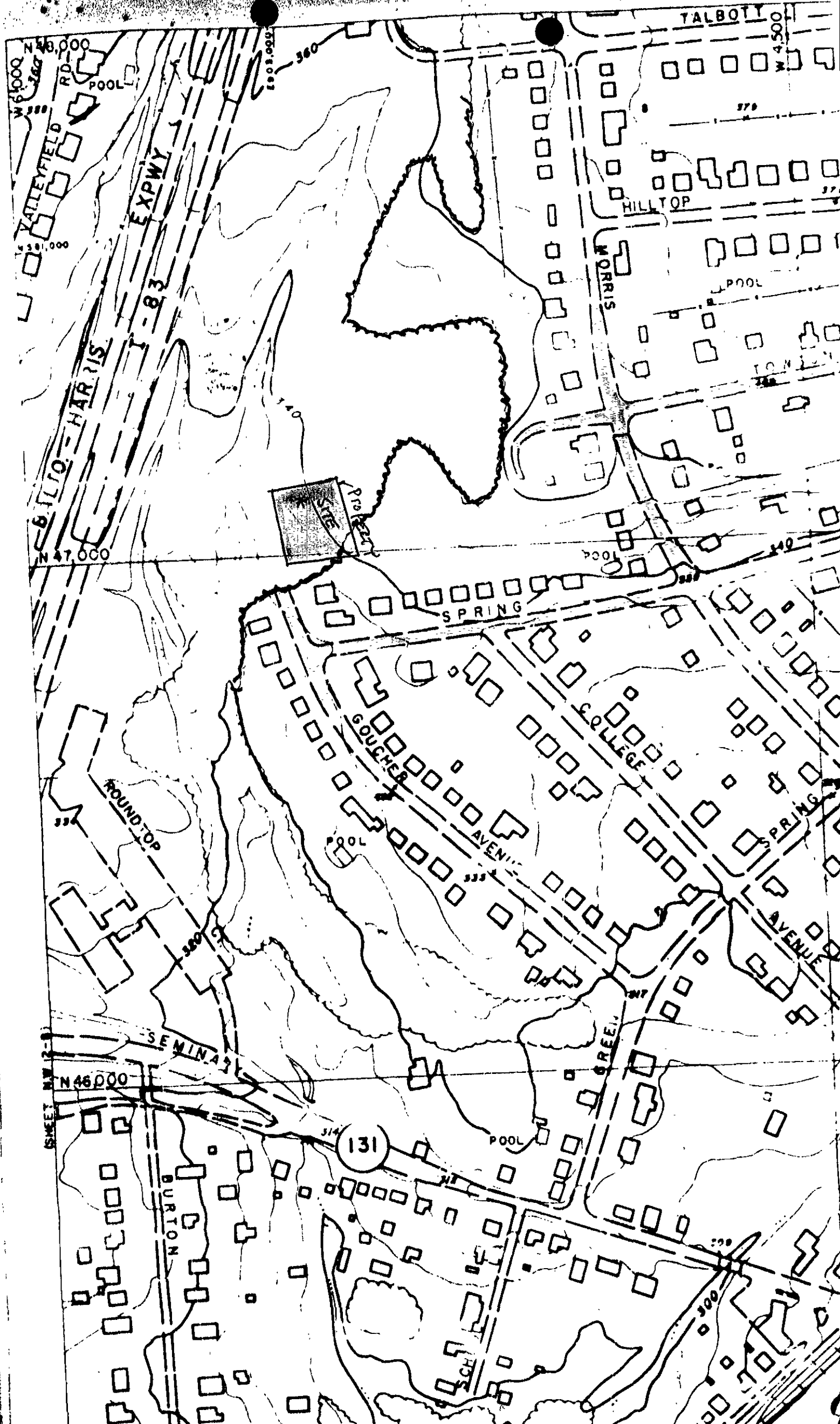
LUTHERVILLE

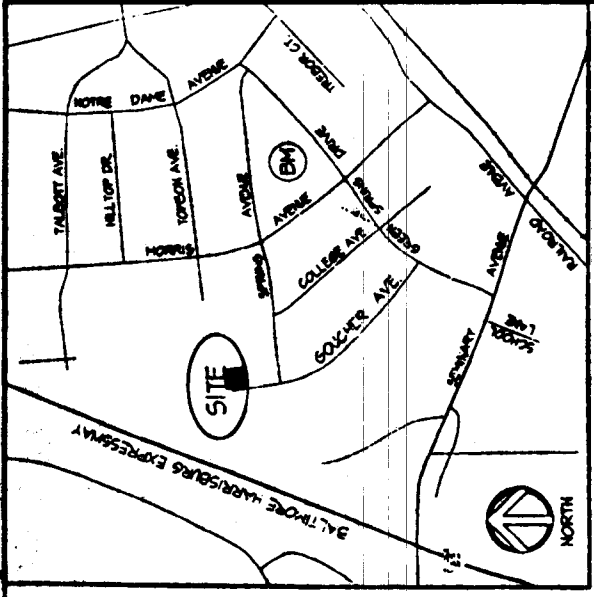
SHEET

N.W.

12 - A

01-193A





Vicinity Map

LOCATION INFORMATION

1. ELECTION DISTRICT 8
2. COUNCILMANIC DISTRICT 3
3. 1" = 200' SCALE MAP # NW-12 A
4. ZONING: D.R. 5.5
5. LOT SIZE: 0.25 ACRES 10,812.9 SQUARE FEET
6. PUBLIC SEWER = YES
7. PUBLIC WATER = YES
8. THIS PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
9. BUILDING PERMIT # B-427183

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
708 GOUCHER AVENUE
LOT 14 & PART OF LOT 15 ~ SECT. R
PLAT NO. 1 "LUTHER-VILLA"
P.B. 7, FOLIO 128
8TH ELECTION DISTRICT
BALTIMORE CO, MD. 10/27/00
SCALE: 1" = 30'

Ref Ex #1

OWNER
REGINA A. MITSOS
45 ARVERNE COURT
LUTHERVILLE, MD. 21093
(410) 561-0032



Site Rita Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410) 228-9080

#8440

ZONING OFFICE USE ONLY!		
REVIEWED BY:	ITEM #	CASE #
TAG	193	01-193 #

