

IN RE: PETITION FOR VARIANCE

S/S Lake Avenue, 20' E  
centerline of Actamont Drive  
9th Election District  
4th Councilmanic District  
(1141 & 1143 Lake Avenue)

John P. & Linda C. Roche  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 01-278-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 owners of the subject property, John and Linda Roche. The Petitioners are requesting a variance for properties located at 1141 and 1143 Lake Avenue, in the Mt. Washington area of Baltimore County. The subject properties are zoned DR 5.5.

Appearing at the hearing on behalf of the variance request were John Roche, property owner, Allan Ackerman, Sandy Marenberg, Vince Moskunus, appearing on behalf of Site Rite Surveying, Inc., the surveying firm who prepared the site plan of the property and Rob Hoffman, attorney at law, representing the Petitioners. There were no protestants or other persons in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, is currently proceeding through the minor subdivision process. The owner of the property proposes to subdivide the site into 3 separate residential building lots. In the course of submitting plans for the development, it was determined that the 2 lots which front on Lake Avenue are in need of a variance, based upon the averaging of the setbacks of the other homes along Lake Avenue. Accordingly, the Petitioners have filed this variance to permit front yard setbacks of 22 ft. for Lot 1 and 25 ft. for Lot 2 in lieu of the required 34 ft. The houses as

3/1/01  
J.P. Roche

proposed on the site plan are certainly in keeping with the setbacks of the other homes along this public street.

The Petitioners submitted into evidence as Petitioners' Exhibit 3A and 3B letters of support from the Lake Falls South Community Association and the Cow Hill Washingtonville Historic District, both organizations having no objection to the setbacks for these homes.

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 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.

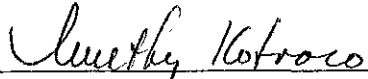
Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

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 Petitioners seek 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 Petitioners, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 1<sup>st</sup> day of March, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 22 ft. for Lot 1 (1143) and 25 ft. for Lot 2 (1141) in lieu of the required front averaged setback of 34 ft. respectively, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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.

  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED FOR FILE  
3/1/01  
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

March 1, 2001

Robert Hoffman, Esquire  
Venable, Baetjer & Howard, LLP  
210 Allegheny Avenue  
Towson, Maryland 21204

Re: Petition for Variance  
Case No. 01-278-A  
Property: 1141 & 1143 Lake Avenue

Dear Mr. Hoffman:

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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure



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](http://www.co.ba.md.us)

Copies to:

Mr. John Roche  
6009 Altamont Place  
Baltimore, MD 21210

Ms. Sandy Marenberg  
11 Chasemount Court  
Baltimore, MD 21209

Mr. Allan Ackerman  
2010 Burdock Road  
Baltimore, MD 21209

Vincent Moskunas, P.E.  
Site Rite Surveying, Inc.  
200 E. Joppa Road  
Towson, MD 21286



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #1141 & #1143 Lake 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) 303.1 (B.C.Z.R.)

TO PERMIT A FRONT YARD SETBACK OF 22' FOR LOT 1 (1143) AND 25' FOR LOT 2 (1141) IN LIEU OF THE REQUIRED FRONT AVERAGED SETBACK OF 34' RESPECTIVELY

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

1. The requirement for the average setback does not allow the property to be developed as allowed by the B.C.Z.R. for the D.R. 5.5 zoning.
2. In the historic area of Falls Road and Lake Avenue the existing houses are close to the R/W along Lake Avenue. To the west from Altamont Place and the east the trend does not continue, thereby increasing the front setback drastically from the normal 25' setback required.
3. This regulation also disrupts the appearance of the proposed historic condition.

Property is 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:

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

Case No. 01-278-A

REV. 9/15/98

## Legal Owner(s):

John P. Roche

Name - Type or Print

Signature

Linda C. Roche

Name - Type or Print

Signature

6009 Altamont Place (410)377-8877

Address

Telephone No.

Baltimore, MD 21210

City

State

Zip Code

## Representative to be Contacted:

Bernadette 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

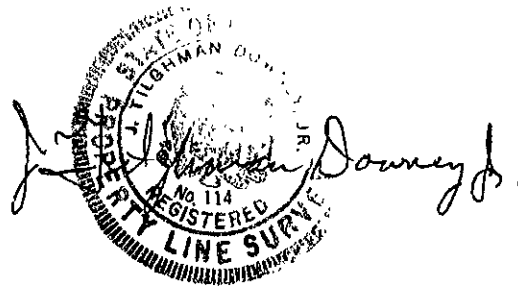
UNAVAILABLE FOR HEARING

Reviewed By CTM/JRF Date 1/12/01

LOT 1

ZONING DESCRIPTION FOR #1143 LAKE AVENUE

BEGINNING at a point on the south side of Lake Avenue, 60 feet wide, at the distance of 20 feet east of Altamont Place which is 40 feet wide; thence running N 74 degrees 36 minutes 40 seconds E, 74.60 feet; thence S 11 degrees 08 minutes 04 seconds E, 83.88 feet; thence S 77 degrees 35 minutes 24 seconds W, 72.01 feet; thence N 12 degrees 51 minutes 20 seconds W, 79.99 feet to the place of beginning. Containing 0.138 acres of land, more or less. Also known as #1143 Lake Avenue and located in the 9th. Election District, 4th. Councilmanic District.



J. Tilghman Downey, Jr.

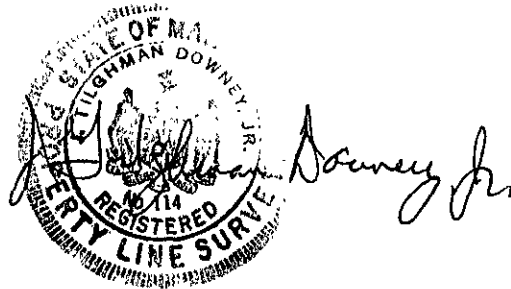
#278

01-278-A

LOT 2

ZONING DESCRIPTION FOR #1141 LAKE AVENUE

BEGINNING at a point on the south side of Lake Avenue, 60 feet wide at the distance of 95 feet east of Altamont Place which is 40 feet wide; thence running N 74 degrees 36 minutes 40 seconds E, 55.00 feet; thence S 10 degrees 35 minutes 20 seconds E, 111.29 feet; thence S 03 degrees 20 minutes 20 seconds E, 36.33 feet; thence S 83 degrees 11 minutes 40 seconds W, 19.39 feet; thence N 12 degrees 24 minutes 36 seconds W, 58.50 feet; thence S 77 degrees 35 minutes 24 seconds W, 28.24 feet and thence S 11 degrees 08 minutes 04 seconds E, 83.88 feet to the place of beginning. Containing 0.139 acres of land, more or less. Also known as #1141 Lake Avenue and located in the 9th. Election District, 4th. Councilmanic District.



J. Tilghman Downey, Jr.

#278

01-278-A

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. **90618**

DATE 1-12-01 ACCOUNT R-001-6150  
AMOUNT \$ 100.50

RECEIVED FROM: Maisenberg Enterprises, Inc.  
1141 & 1143 Lake Ave ITEM # 278  
FOR: 51 Variances Taken by: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL FINE  
1/16/2001 1/12/2001 15:30:05

REQ NO:3 CASHIER LUEL LYM ORANGE 3

DATE 5 589 ZONING VERIFICATION

RECEIPT # 163119

CR NO. 090618

RECEIPT #

100.50

100.00 OK

00.00

Baltimore County, Maryland

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: #01-278-A

1141 & 1143 Lake Avenue

S/S Lake Avenue, 20' E of centerline Actamont Drive

9th Election District - 4th Councilmanic District

Legal Owner(s): Linda C. & John P. Roche

**Variance:** to permit a front yard setback of 22 feet for Lot 1 (1143 Lake Avenue) and 25 feet for lot 2 (1141 Lake Avenue) in lieu of the required front average setback of 34 feet, respectively.

**Hearing:** Wednesday, February 28, 2001 at 9:00 a.m. in Room 407, County Courts 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

JT 2/6/99 Feb. 13

C450138

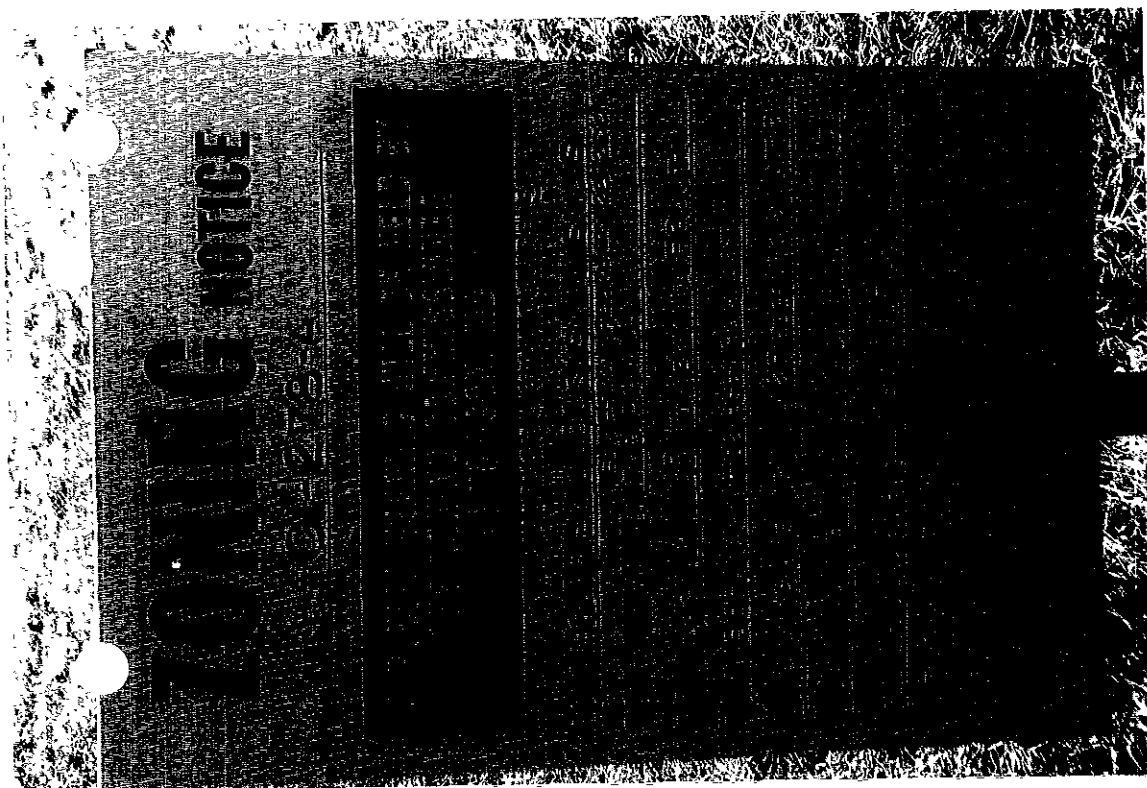
## CERTIFICATE OF PUBLICATION

TOWSON, MD, 2/15/, 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 2/13/, 2001.

THE JEFFERSONIAN,  
*J. Wilkinson*

LEGAL ADVERTISING



# CERTIFICATE OF POSTING

RE: Case No.: 01-278-A

Petitioner/Developer: \_\_\_\_\_

LINDA C. & JOHN P. ROGHE

Date of Hearing/Closing: 2-28-01

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 \_\_\_\_\_

#1141 & #1143 LAKE AVE.

The sign(s) were posted on FEB. 12, 2001  
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

RE: PETITION FOR VARIANCE  
1141 & 1143 Lake Avenue, S/S Lake Ave,  
20' E of c/l Actamont Dr  
9th Election District, 4th Councilmanic

Legal Owner: John P. & Linda C. Roche  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 01-278-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 31st day of January, 2001 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

January 24, 2001

## 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: 01-278-A  
1141 & 1143 Lake Avenue  
S/S Lake Avenue, 20' E of centerline Actamont Drive  
9<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owners: Linda C. & John P. Roche

Variance to permit a front yard setback of 22 feet for Lot 1 (1143 Lake Avenue) and 25 feet for lot 2 (1141 Lake Avenue) in lieu of the required front average setback of 34 feet, respectively.

HEARING: Wednesday, February 28, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon". Below the signature is the handwritten number "632".

Arnold Jablon  
Director

C: Linda C & John P Roche, 6009 Altamont Place, Baltimore 21210  
Bernadette 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, FEBRUARY 13, 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.



TO: PATUXENT PUBLISHING COMPANY  
Tuesday, February 13, 2001 Issue – Jeffersonian

Please forward billing to:

Marvenberg Enterprises Inc  
11 Chasemount Court  
Baltimore MD 21209

410 485-5405

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## 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: 01-278-A

1141 & 1143 Lake Avenue

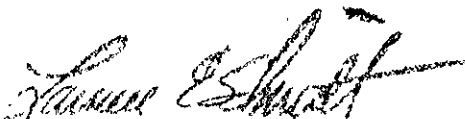
S/S Lake Avenue, 20' E of centerline Actamont Drive

9<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District

Legal Owners: Linda C. & John P. Roche

Variance to permit a front yard setback of 22 feet for Lot 1 (1143 Lake Avenue) and 25 feet for lot 2 (1141 Lake Avenue) in lieu of the required front average setback of 34 feet, respectively.

HEARING: Wednesday, February 28, 2001 at 9:00 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.

**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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 01-278-A  
Petitioner: ~~Marvinberg Enterprises Inc.~~ John and Linda Roche  
Address or Location: #1141 Lake Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Marvinberg Enterprises Inc.  
Address: 11 Chase Mount Court  
Balto. MD 21209  
Telephone Number: (410) 485-3405



Baltimore County  
Department of Permits and  
Development Management

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

February 23, 2001

Linda C & John P Roche  
6009 Altamont Place  
Baltimore MD 21210

Dear Mr. & Mrs. Roche:

RE: Case Number: 01-278-A, 1141 & 1143 Lake Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 12, 2001.

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. GDZ  
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Bernadette Moskunas, 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:** March 12, 2001

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For January 29, 2001  
Item Nos. 270, 273, 274, 275, 276,  
277, and 278

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

January 31, 2001

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 January 22, 2001

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:

270, 273, 274, 275, 276, 277, and 278

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

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB/RS*

DATE: January 30, 2001

SUBJECT: Zoning Petitions  
Zoning Advisory Committee Meeting of January 22, 2001

DEPRM has no comments for the following zoning petitions:

| Item # | Address                      |
|--------|------------------------------|
| 271    | 600 Middle River Road        |
| 272    | 1102 Hart Road               |
| 273    | 602 Fuselage Avenue          |
| 274    | 120 Sanford Avenue           |
| 276    | 7439 Prince Georges Road     |
| 277    | 6624 Baltimore National Pike |
| 278    | 1141 & 1143 Lake Avenue      |

*Jim  
2/28*

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** January 30, 2001

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

JAN 30

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 01-278.

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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 W. Long

AFK/JL:MAC



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 1.24.01

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

RE: Baltimore County  
Item No. 278

LTM/JR

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



Page 3A  
EXHIBIT "C"



# LAKE FALLS SOUTH COMMUNITY ASSOCIATION

C/O Meme Thomas  
6117 Stanton Avenue  
Baltimore, Maryland  
21210

memethomas@earthscapedesign.com  
Home: 410.435.8048  
Fax: 509.463.4973  
Office: 410.435.0838

January 22, 2001

Mr. Sandy Marenburg  
11 Chase Mount Court  
Baltimore, Maryland  
21209

Greetings,

It was my pleasure speaking with you in regards to your new subdivision at the corner of W. Lake Avenue and Altamont Place.

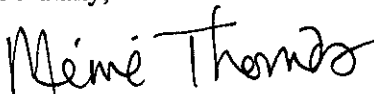
The Lake Falls South Community Association (LFSCA), sincerely appreciate MEI's efforts in working with Mr. Wayne Neild (Historic Architectural Site Consultant) to insure that the three houses in the proposed minor subdivision are historically sensitive infill within the proposed Cow Hill - Washingtonville Historic District.

As you know, LFSCA takes great pride in our communities history and cultural heritage. The narrative of the various life styles within this historic rural mill village is illustrated through the houses, and their location.

LFSCA is not opposed to the minor subdivision nor requested set back variance as mentioned by Sandy Marenburg that are needed to site the houses on the proposed mentioned lots in order to conform with the rhythm of the existing houses located East of Altamont Place and South on W. Lake Avenue.

LFSCA encourages MEI to continue to communicate with Mr. Neild to insure materials specified for the proposed buildings and architectural styles compliment the houses and their surrounding.

Cordially,



Meme Thomas, MLA, AASLA  
Lake Falls South Community Association, President  
Cow Hill - Washingtonville Historic District, Executive Director

cc: Lauri Hay, Baltimore County Dept. of Planning



## Cow-Hill Washingtonville Historic District

Mrs. Meme A. Thomas  
6117 Stanton Avenue  
Baltimore, Maryland  
21210

CowHillWashingtonville@netscape.net  
410-435-8048

January 22, 2001

Mr. Sandy Marenburg  
11 Chase Mount Court  
Baltimore, Maryland  
21209

Greetings,

It was my pleasure speaking with you regarding the new subdivision infill project at the corner of W. Lake Avenue and Altamont Place.

The community of the proposed Cow Hill - Washingtonville Historic District sincerely appreciates MEI's efforts in collaborating with Mr. Wayne Neild (Cow Hill - Washingtonville's Historic Architectural Site Consultant) to insure that the three houses within the proposed minor subdivision are historically sensitive infill.

As you know, the District residents take great pride in their community's history and cultural heritage. This is best explained in the various architectural styles and periods seen adjacent to the proposed minor subdivision site.

Should MEI continue to communicate and work with Mr. Neild on this proposed minor subdivision, the Cow Hill - Washingtonville Historic District will not oppose the minor subdivision request for averaging the set back variance needed to accurately and sensitively provide historic-like infill housing. It is our position, based upon discussions with Mr. Sandy Marenburg and our own observations, that averaging for the set backs is appropriate in order for the proposed location of the houses to conform with the existing rhythm of the houses located both to the East of Altamont Place and the South on W. Lake Avenue.

We would encourage MEI and Baltimore County Planning Department, Zoning and Plan Review to continue their communications as the proposed plan proceeds.

Finally, to further our efforts in regards to insuring that the proposed architectural styles and building materials compliment the houses and their surroundings, we hereby request that a list of materials and samples (upon request) be submitted to Mr. Neild as soon as available.

The proposed Cow Hill - Washingtonville Historic District looks forward to yet another complimenting subdivision to our historic community.

Cordially,

*Meme Thomas*  
Meme Thomas, MLA, AASLA

Cow Hill - Washingtonville Historic District, Executive Director

cc: Lauri Hay

Ref & 3B  
EXHIBIT "C-1"

**SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES**  
**WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED**  
 Reference - Section 303.1 Baltimore County Zoning Regulations

303.1 —In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

A \_\_\_\_\_ FT.  
 B \_\_\_\_\_ FT.  
 C \_\_\_\_\_ FT.  
 D \_\_\_\_\_ FT.  
 E \_\_\_\_\_ FT.  
 F \_\_\_\_\_ FT.

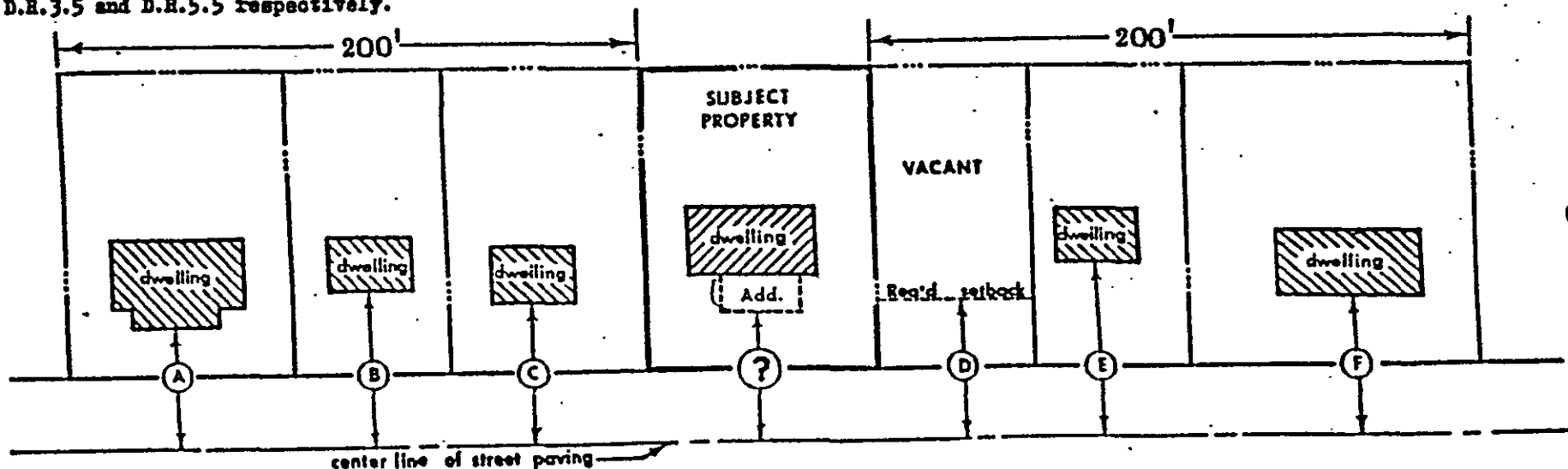
$$\text{TOTAL (384)} \div (6) = \boxed{64}$$

\* of dwellings      REQUIRED FRONT SETBACK (averaged)

BAX ROCHER  
 applicant's name  
114151143 LAKE AVE  
 building address  
 \_\_\_\_\_  
 date

**NORMAL REQUIRED SETBACKS**

D.R.2 - 65 ft.  
 D.R.3.5- 55 ft.  
 D.R.5.5- 50 ft.



**SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES**  
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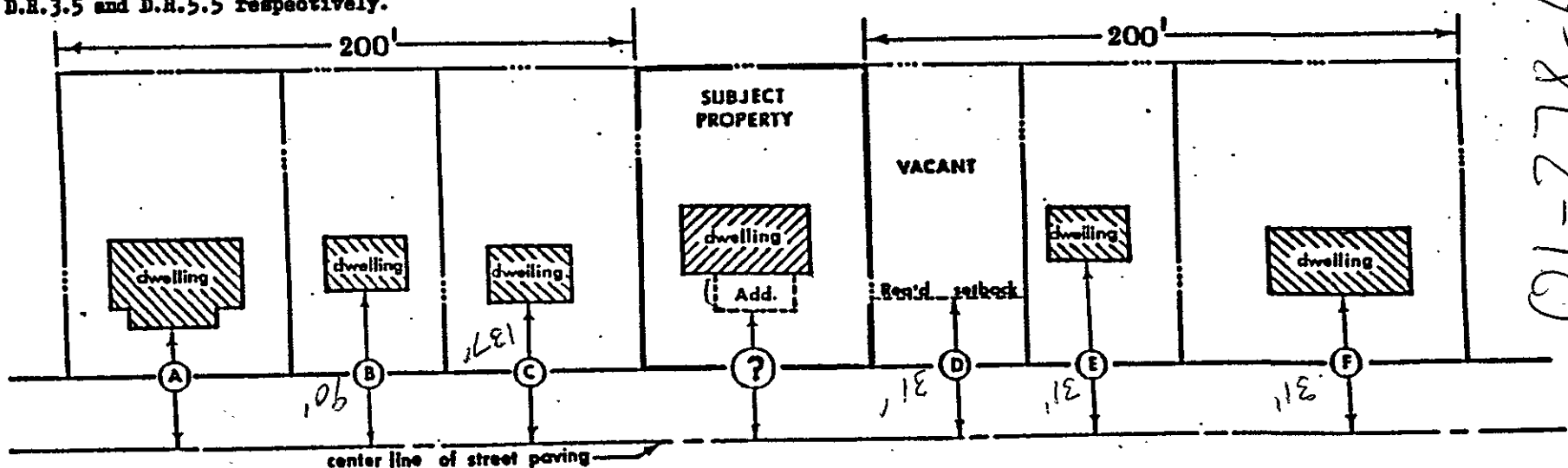
|   |          |     |
|---|----------|-----|
| A | OVER 200 | FT. |
| B | 90       | FT. |
| C | 137      | FT. |
| D | 31       | FT. |
| E | 31       | FT. |
| F | 31       | FT. |

TOTAL ( 320 ) ÷ ( 5 ) = 64'

# of dwellings      REQUIRED FRONT SETBACK (averaged)

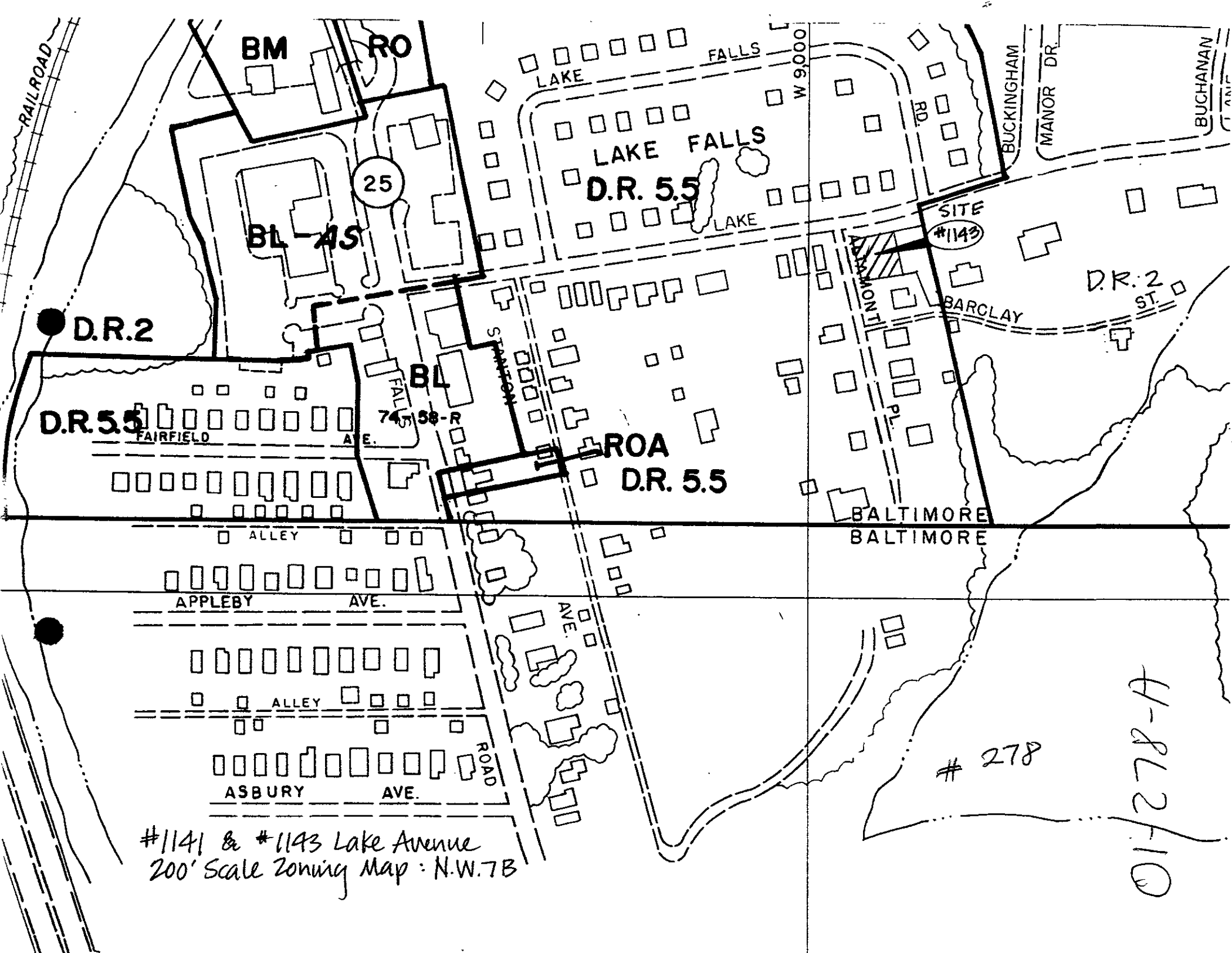
SITE RITE SURVEYING, INC.  
 applicant's name  
1141 LAKE AVE.  
 building address  
1-05-01  
 date

**NORMAL REQUIRED SETBACKS**  
 D.R.2 - 65 ft.  
 D.R.3.5- 55 ft.  
 D.R.5.5- 50 ft.



#278

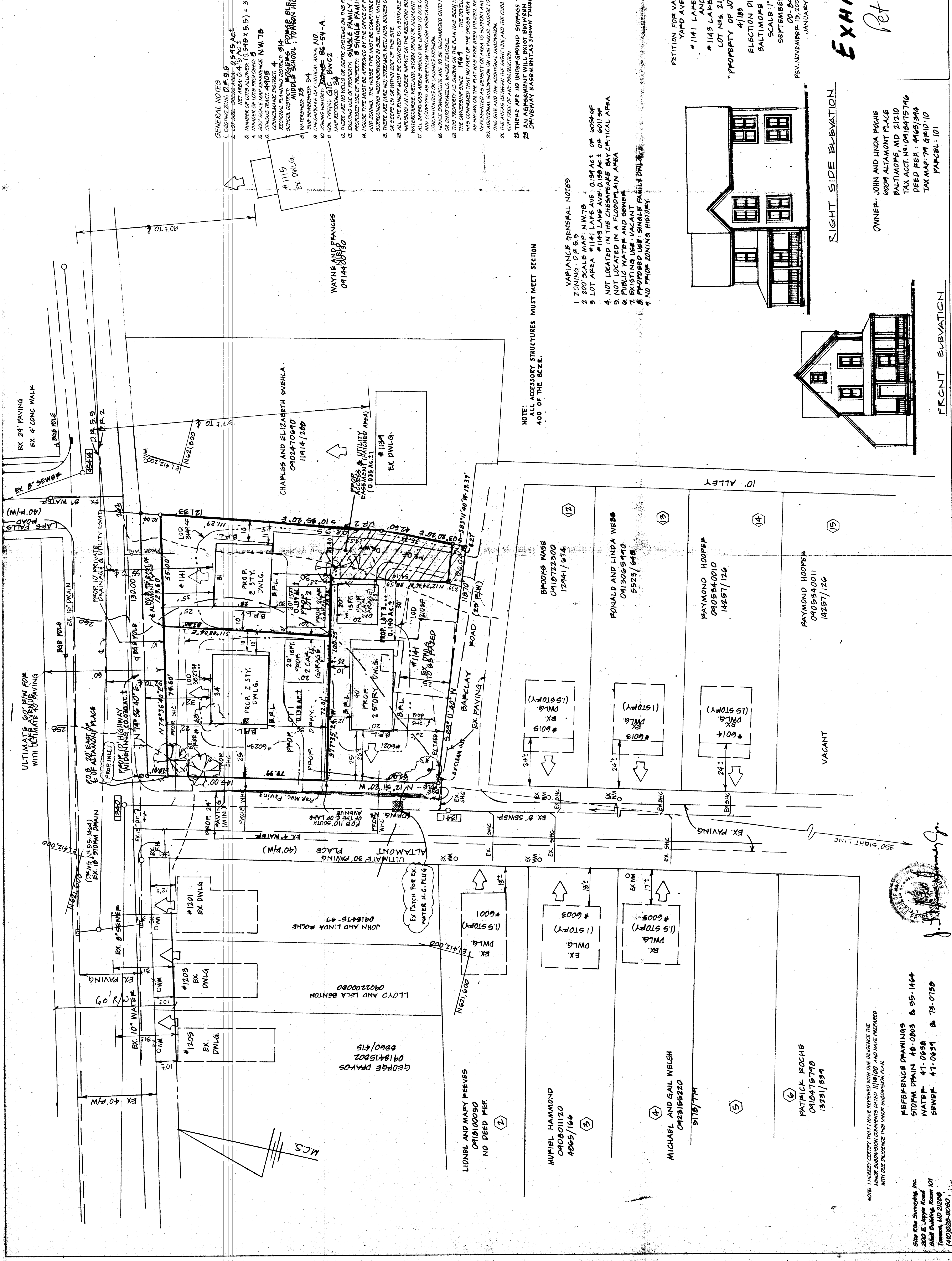
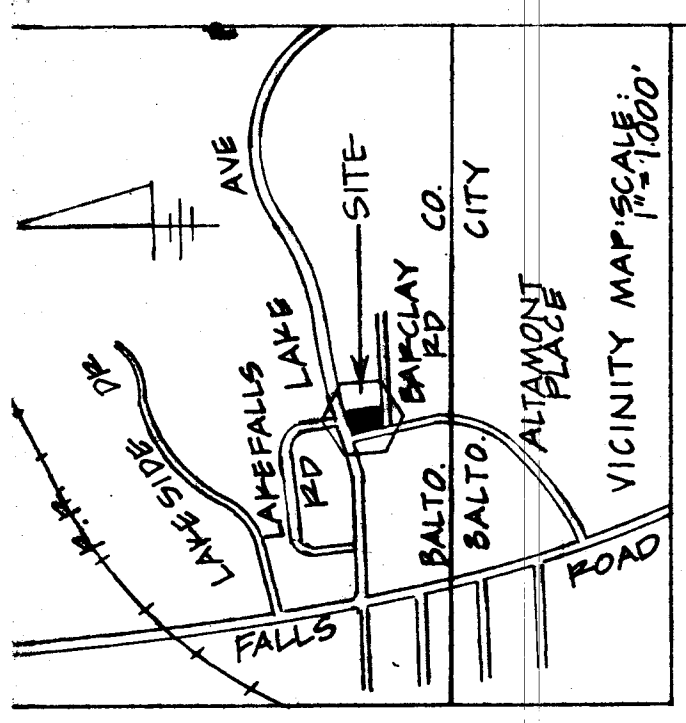
4-812-10



#1141 & #1143 Lake Avenue  
200' Scale Zoning Map: N.W.7B

# 278

A-822-10

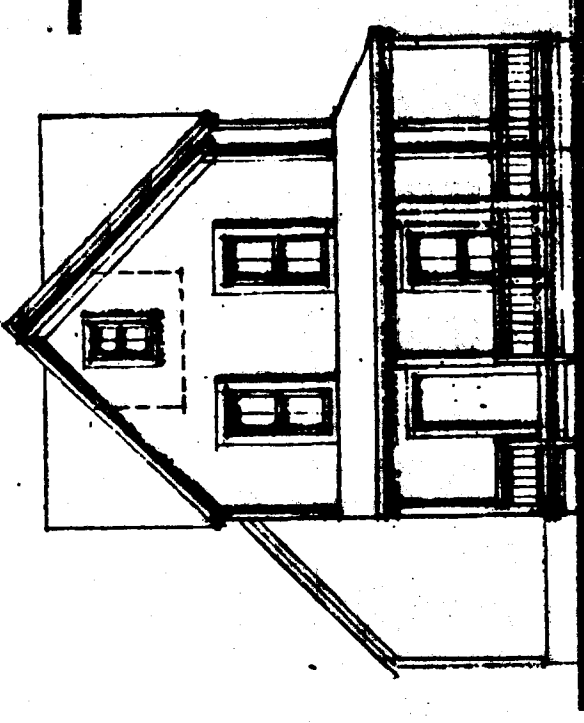
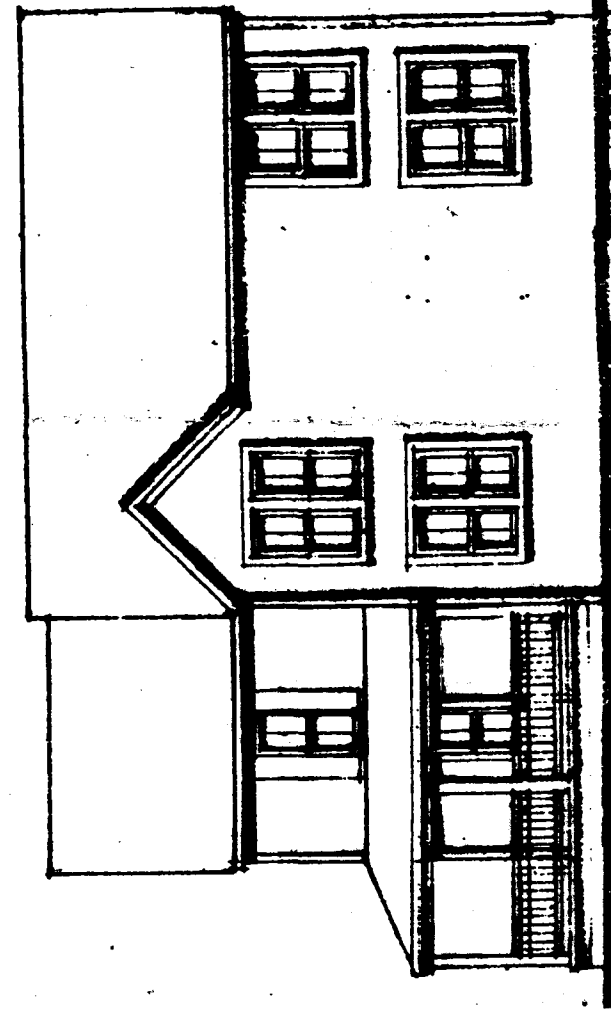


GENERAL NOTES  
1. EXISTING ZONE: DP 5.5  
2. LOT SIZE: 0.945 AC.  
3. NUMBER OF LOTS: 1  
4. NUMBER OF LOTS: 1  
5. 200' SCALE MAP REFERENCE: N.W. 7B  
6. CENSUS TRACT: 4405  
7. REGIONAL PLANNING DISTRICT: 4  
8. SCHOOL DISTRICT: 1  
9. CHESAPEAKE BAY CRITICAL AREA: NO  
10. ZONING HISTORY: DP 5.5, BNC2  
11. SOIL TYPE(S): GIC, BNC2  
12. THERE ARE NO HELD OR SETBACKS ON THIS PROPERTY.  
13. THERE ARE NO HELD OR SETBACKS ON THIS PROPERTY.  
14. HOUSE TYPE MUST BE APPROVED BY THE OFFICE OF PLANNING AND ZONING. THE HOUSE TYPE MUST BE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD IN SIZE, HEIGHT, MATERIALS, AND STYLE.  
15. THERE ARE (ARE NO) STREAMS, WETLANDS, BODIES OF WATER, SPRINGS OR SEEPS ON OR WITHIN 200' OF THIS SITE.  
16. THE SITE MUST BE DESIGNED TO PROVIDE A SUITABLE OFFICIAL WATERSHED AND ADEQUATE IMPACT ON THE RECEIVING BODY OF WATER.  
17. ALL INTERIORS SHOULD BE LIMITED TO 30% OF CLEARED AREA AND CONVEYED AS SHEETFLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATING OR CAUSING EROSION.  
18. HOUSE DOWNSPUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS.  
19. THE OWNER SHALL MAINTAIN A RECORD OF ALL UTILITIES.  
20. THE OWNER SHALL MAINTAIN A RECORD OF ALL UTILITIES.  
21. THE OWNER SHALL MAINTAIN A RECORD OF ALL UTILITIES.  
22. THERE ARE NO UNDERGROUND STORAGE TANKS ON THIS PROPERTY.  
23. AN AGREEMENT WILL EXIST BETWEEN LOTS 2 AND 3 TO UTILIZE THE PROPOSED DRIVEWAY EASEMENT AS SHOWN THUSLY.

VARIANCE GENERAL NOTES  
1. ZONING: DP 5.5  
2. 200' SCALE MAP: N.W. 7B  
3. LOT AREA: 0.945 AC. OR 65,456 SF  
4. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA  
5. NOT LOCATED IN A FLOODPLAIN AREA  
6. PUBLIC WATER AND SEWER  
7. EXISTING USE: VACANT  
8. PROPOSED USE: SINGLE FAMILY DWLG.  
9. NO PRIOR ZONING HISTORY

NOTE:  
ALL ACCESSORY STRUCTURES MUST MEET SECTION 400 OF THE BCZC.

PETITION FOR VARIANCE FOR FRONT YARD AVERAGE SETBACK  
\* 1141 LAKE AVENUE (52' IN LIEU OF 64')  
\* 1143 LAKE AVENUE (55' IN LIEU OF 64')  
LOT NOS. 21, 22, 23  
PROPERTY OF JOHN WATSON, JR.  
4/183  
ELECTION DISTRICT N-9  
BALTIMORE COUNTY, MD  
SCALE: 1" = 20'  
SEPTEMBER 9, 2000  
00-8419  
REV. NOVEMBER 19, 2000 PER COMMENTS REV. 01-09-01  
JANUARY 10, 2001



RIGHT SIDE ELEVATION

FRONT ELEVATION

OWNER: JOHN AND LINDA ROCHE  
6009 ALAMOUNT PLACE  
BALTIMORE, MD 21210  
TAX ACCT. NO.: 0918475746  
DEED REF.: 4168/544  
TAX MAP: 74 610-10  
PARCEL: 101

NOTE: I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE MINOR SUBDIVISION COMMENTS DATED 11/19/00 AND HAVE PREPARED THIS DUE DILIGENCE THIS MINOR SUBDIVISION PLAN.

REFERENCE DRAWINGS  
STOPMA DRAIN 48-0805 & 55-1464  
WATER 47-0638  
SEWER 47-0639 & 73-0759

PATRICK ROCHE  
0918475746  
13231/339

MICHAEL AND GAIL WELSH  
0923155220  
5178/774

MURIEL HAMMOND  
0908011120  
4865/166

LIONEL AND MARY MEEVES  
0918100050  
NO DEED REF.

GEORGE DRAKOS  
0918475746  
8860/475

LLOYD AND LELA BENTON  
0902200080

JOHN AND LINDA ROCHE  
0918475746

EX. 10" WATER

EX. 40' P/W

EX. 10" WATER

EX. 10" WATER

EX. 10" WATER

EX. 10" WATER

EX. 10" WATER



