

IN RE: PETITION FOR SPECIAL HEARING

W/S 49th Street, 145' S
centerline of Fait Avenue
12th Election District
7th Councilmanic District
(544 South 49th Street)

Kim B. & Martin J. Werner, Jr.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-340-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Kim B. and Martin J. Werner, Jr. The Petitioners are requesting a special hearing for property located at 544 South 49th Street, located in the Colgate area of Baltimore County. The subject property is zoned DR 5.5. The special hearing request is pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve the construction of a garage on a vacant lot.

Appearing at the hearing on behalf of the special hearing request was Martin Werner, Jr., owner of the property. Appearing in opposition to the Petitioners' request were Michael and Sharon Feist, Patricia Bishoff, and Teresa DeHoff, nearby property owners.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 0.2175 acres, more or less, zoned DR 5.5. The subject property is unimproved at this time. The lot is situated on 49th Street in the Colgate area of Baltimore County. The subject property is immediately adjacent to the property whereupon the Petitioner and his wife reside. The site plan submitted into evidence depicts that Mr. Werner currently owns a house located at 545 South 48th Street. The house is shown on the site plan. Immediately to the rear and lot whereupon his house sits exists a vacant lot. Recently, Mr. Werner had an opportunity to purchase the subject property. He purchased the property and now proposes to

ORDER RECEIVED FOR FILING

Date 5/23/01

R. Jameson

construct a 30 ft. x 40 ft. garage on the subject lot. The lot in question is to be used at this time in conjunction with his existing lot whereupon his house is situated. Therefore, the special hearing request is simply to approve the construction of a garage on a lot which is adjacent to the lot upon which Mr. Werner's house is situated, but is otherwise unimproved. In order to proceed with the construction of the garage, a special hearing is necessary.

As mentioned previously, several residents from the surrounding community appeared in opposition to Mr. Werner's request. The citizens indicated at the hearing that 49th Street is not a valid street at all and is part of the Harbor View Park. Photographs submitted into evidence, as well as the testimony of these neighbors demonstrated that 49th Street at this location is not paved with macadam. Furthermore, there are posts situated at the ends of 49th street that prohibit any motor vehicle from traveling on this area of 49th Street. Apparently, there was never a need for the County to improve 49th Street at this location, in that it services no other properties but for this particular lot which Mr. Werner purchased. In fact, a photograph demonstrates that 49th Street is actually posted with a sign indicating that it is part of Harbor View Park and that the use of motor driven vehicles is strictly prohibited. However, Mr. Werner testified that when he checked with employees of Baltimore County, he was advised that 49th street is actually a public street and not part of the park itself.

After the hearing, I inquired of the Department of Recreation and Parks as to the status of 49th Street at this location. Representatives of Recreation and Parks indicated that 49th Street at the area which is the subject of this hearing is not part of Harbor View Park and is in fact a valid public street. Therefore, Mr. Werner has full use of 49th Street in its unpaved condition to access his vacant lot. He intends to do so while constructing this particular garage. However, after the garage is constructed, he intends to access the garage through his existing property over his

existing driveway. Therefore, the use of 49th Street will be limited to the time during which construction of the garage takes place. Thereafter, Mr. Werner intends to access the garage through his existing property.

After considering the testimony and evidence offered at the hearing, as well as the opposition testimony of the neighbors who appeared at the hearing, I find that the special hearing request to allow Mr. Werner to construct a garage on his property shall be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

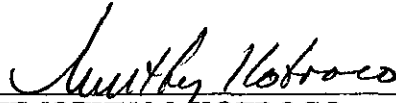
Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of May, 2001, that the Petitioners' Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve the construction of a garage on a vacant lot, be and is hereby GRANTED, subject, however, to the following restrictions:

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.

ORDER RECEIVED FOR FILING
Date 5/23/01
By J.P. O'Connell

2. The Petitioners shall be permitted to utilize 49th Street during the time that the garage is being constructed. They have an absolute legal right to use 49th Street for access to this lot. However, as Mr. Werner mentioned at the hearing, he shall use all efforts after the construction of the garage is completed to access the subject garage through his existing property which fronts on 48th Street.
3. The Petitioners shall be required to install rain gutters and downspouts so as to channel any and all storm water runoff from the roof of the garage out to either 48th Street or 49th Street. None of the additional storm water runoff shall be permitted to drain onto any adjacent property owners' property. The Petitioners shall be permitted to utilize the subject garage for residential purposes only and shall not be permitted to operate any type of commercial business from within the subject garage.
4. Any and all lighting associated with the subject garage shall not be allowed to reflect into the homes of adjacent property owners.
5. The perimeter of the subject garage shall be landscaped in appropriate fashion, so as to soften the impact of this structure from adjacent properties.
6. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

5/23/01

By





Baltimore County
Zoning Commissioner

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

May 23, 2001

Mr. & Mrs. Martin J. Werner, Jr.
545 South 48th Street
Baltimore, Maryland 21224

Re: Petition for Special Hearing
Case No. 01-340-SPH
Property: 544 South 49th Street

Dear Mr. & Mrs. Werner:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing 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

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

Copies to:

Mr. & Mrs. Michael Feist
7300 Fait Avenue
Baltimore, MD 21224

Ms. Patricia Bishoff
7207 Woodrow Avenue
Baltimore, MD 21224

Ms. Teresa DeHoff
7209 Woodrow Avenue
Baltimore, MD 21224



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 544 SOUTH 49TH STREET
which is presently zoned DC S.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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

AN ACCESSORY STRUCTURE ON A VACANT LOT
(GARAGE)

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:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address

Telephone No

City

State

Zip Code

Name - Type or Print

Signature

Attorney For Petitioner:

545 S. 48TH ST. 410.288.1858

Address

Telephone No

Name - Type or Print

BALTO.

MD.

21224

City

State

Zip Code

Signature

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By CTM Date 2/23/01

ORDER RECEIVED FOR FILING

Date 5/23/01
By R. J. Jernigan

Case No. 01-340-SPL

REV 9/15/98

**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: #01-340-SPH
544 South 49th Street
W/S 49th Street, 145' S of
centerline Falt Avenue
12th Election District
7th Councilmanic District
Legal Owner(s): Kim B. &
Martin J. Werner, Jr.

Special Hearing: to approve an accessory structure (garage) on a vacant lot.

Hearing: Wednesday, April 11, 2001 at 11:00 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/3/760 Mar. 27 C458951

CERTIFICATE OF PUBLICATION

3/29/, 2001

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 3/27/, 2001.

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

S. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 91792

DATE 2/23/01 ACCOUNT 001 006 6150

AMOUNT \$ 50.00

RECEIVED FROM: MARTIN WERNER

FOR: CIO VARIANCE

01-340-SPH

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
2/26/2001 2/23/2001 15:27:14
REG 1001 CASHIER JRIC JMR DRAWER 1
RECEIPT # 034495 OFLN
Dep 5 500 ZONING VERIFICATION
CR NO. 091732

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

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 01-340-SPH

Petitioner/Developer: Kim B +

MARTIN J. WERNER JR

Date of Hearing/Closing: 4/11/01

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 544 SOUTH 49th STREET

The sign(s) were posted on MARCH, 27, 2001
(Month, Day, Year)

Sincerely,

[Signature] 3/27/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

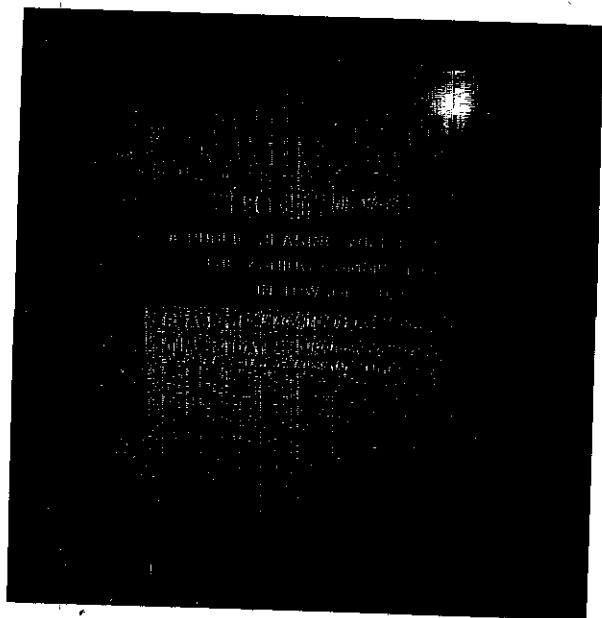
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: 01-340-SPM
Petitioner: MARTIN + KIM Werner
Address or Location: 544 SOUTH 49TH STREET BALTO., Md. 21224

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARTIN Werner
Address: 545 SOUTH 48TH STREET
BALTO., Md. 21224
Telephone Number: 410-288-1858

Revised 2/20/98 - SCJ

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: _____

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



North

date: _____ prepared by: _____ Scale of Drawing: 1" = _____



Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1" = 200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

SEWER: ☐ public ☐ private

WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



Baltimore County
Department of Permits and
Development Management

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

March 7, 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: 01-340-SPH
544 South 49th Street
W/S 49th Street, 145' S of centerline Fait Avenue
12th Election District – 7th Councilmanic District
Legal Owners: Kim B & Martin J Werner Jr

Special Hearing to approve an accessory structure (garage) on a vacant lot.

HEARING: Wednesday, April 11, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon", with the initials "CJZ" written below it.

Arnold Jablon
Director

C: Kim B & Martin J Werner Jr, 545 S 48th Street, Baltimore 21224

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 27, 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, March 27, 2001 Issue – Jeffersonian

Please forward billing to:
Martin Werner
545 South 48th Street
Baltimore MD 21224

410 288-1858

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: 01-340-SPH
544 South 49th Street
W/S 49th Street, 145' S of centerline Fait Avenue
12th Election District – 7th Councilmanic District
Legal Owners: Kim B & Martin J Werner Jr

Special Hearing to approve an accessory structure (garage) on a vacant lot.

HEARING: Wednesday, April 11, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

G22

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.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

April 6, 2001

Kim B & Martin June Werner Jr
545 S 48th Street
Baltimore MD 21224

Dear Mr. & Mrs. Werner:

RE: Case Number: 01-340-SPH, 544 South 49th Street

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 23, 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: People's Counsel



Sepe
4/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 12, 2001

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

SUBJECT: 544 South 49th Street

INFORMATION:

Item Number: 01-340

Petitioner: Martin J. Werner, Jr.

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has determined that this request is for a "Use Variance," as there is no principle structure currently located on the subject lot. As such, this office opposes the request.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long
AFK:MAC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 12, 2001

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

SUBJECT: 544 South 49th Street

INFORMATION:

Item Number: 01-340

Petitioner: Martin J. Werner, Jr.

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has determined that this request is for a "Use Variance," as there is no principle structure currently located on the subject lot. As such, this office opposes the request.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long
AFK:MAC:



Baltimore County
Fire Department

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

March 14, 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 March 5, 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:

332, 333, 334, 335, 336, 338, 339, 340, and 341

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

cc: File

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 19, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For March 12, 2001
Item Nos. 332, 334, 335, 337, 340 and
341

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3 7 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. 340 LTM

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: March 19, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of March 5, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
333	5936 Clayton Avenue
334	5934 Clayton Avenue
340	544 South 49 th Street
341	9308 Snyder Lane

RE: PETITION FOR SPECIAL HEARING
544 S. 49th Street, W/S 49th St,
145' S of c/l Fait Ave
12th Election District, 7th Councilmanic

Legal Owner: Martin J. & Kim B. Werner, Jr.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-340-SPH

* * * * *

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 14th day of March, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owners Martin J. & Kim B. Werner, Jr., 545 S. 48th Street, Baltimore, MD 21224, Petitioners.



PETER MAX ZIMMERMAN

From: Patrick McDougall
To: Kotroco, Timothy
Date: 5/23/01 8:17AM
Subject: 49th Street/Harborview Park "Road" Access Issue

Mr. Kotroco,

I gave your office a call the other week, during which I informed you of Lois Bergman's findings regarding the "paper road" status of 49th Street adjacent to Harborview Park in Dundalk (your case #01-340-SPH 544 S. 49th. Street). As there is some local opposition to the opening of the road right-of-way for access to the subject property, Bob Bendler has asked that I attain a copy of your judgement on the case. If this is available, we'd be appreciative if you could either fax a copy to the Department (Rec & Parks) at 410-825-3305, or send it via inter-office mail to my attention at mail stop 52. Thanks for your time and consideration.

Pat

Patrick McDougall, Planner II
Baltimore County Recreation and Parks
301 Washington Avenue
Towson, Maryland 21204
(410) 887-3822 Fax (410) 825-3305

**Copy of decision rendered in Case No. 01-340-SPH sent to Pat McDougall,
Dept. Recreation & Parks on 5/23/01.

RAJ

SE. 2E

~~D.R.10.5~~

WOODROW AVE.



site

HUDSON HEIGHTS

FAIT

AVENUE

BL

46 in

D.R.5.5

WILSON

STREET

47TH STREET.

D.RIO-5

48th

STREET

BL

49th

STREET

D.R. 5.5

50th

STREET

BL

BLAS

D.R.16

COURT PLEASANT



AVE

D.R.5.5

01-340-SP4

#340

STREET

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

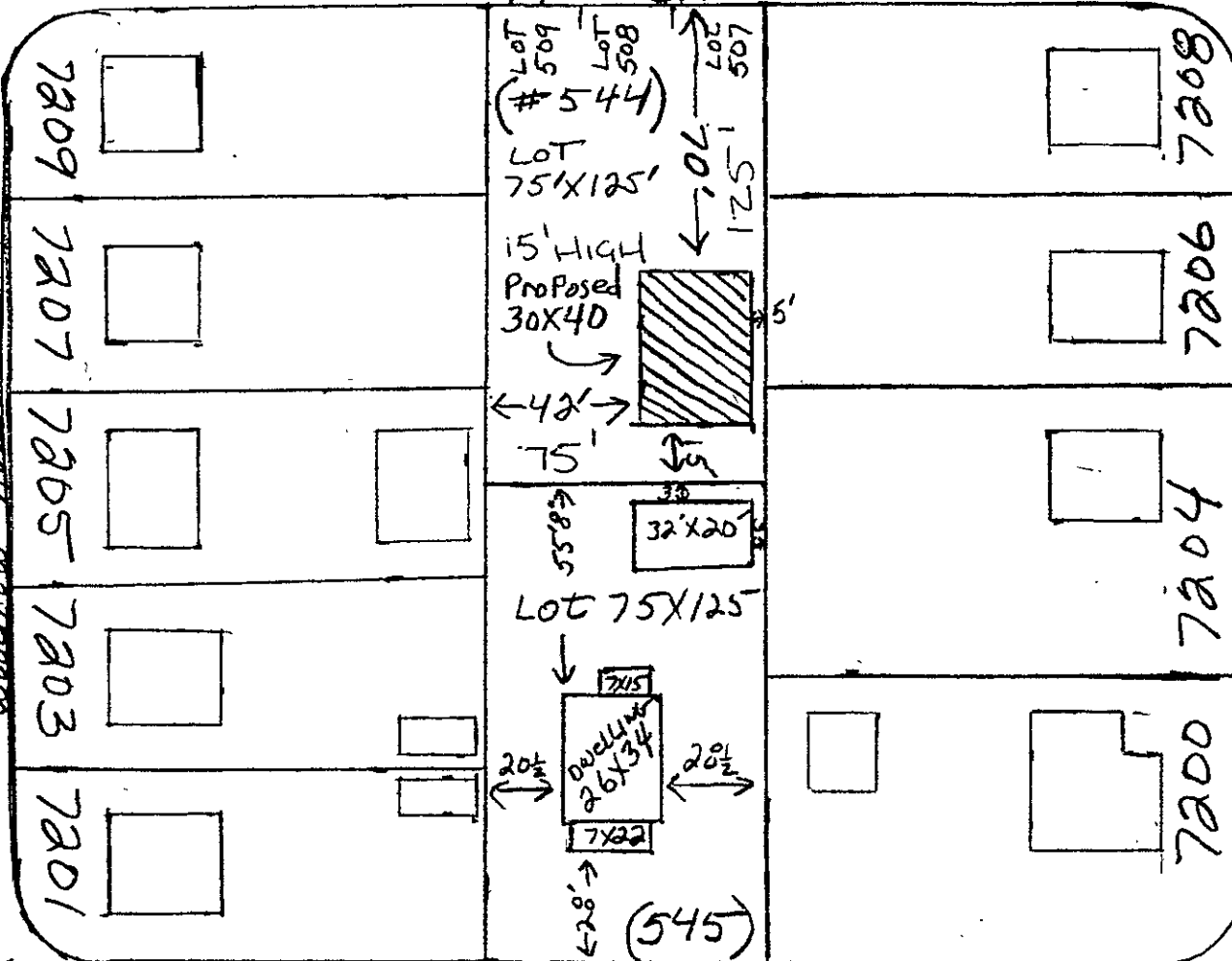
PROPERTY ADDRESS: 544 South 49TH Street see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HARBOR VIEW

plat book # 5, folio # 80, lot # , section #

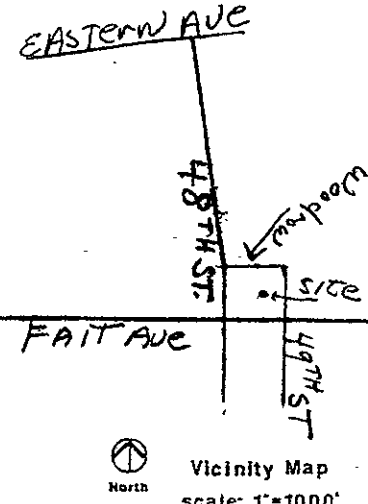
OWNER: MARTIN + KIM WERNER

49TH STREET (50' WIDE)



48TH STREET (50' WIDE)

Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District: 12
 Councilmanic District: 7
 1"=200' scale map #: SE 2 E
 Zoning: DR-S-5
 Lot size: 0.2175 acreage 9375 square feet

SEWER: ☒ public ☐ private
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: none

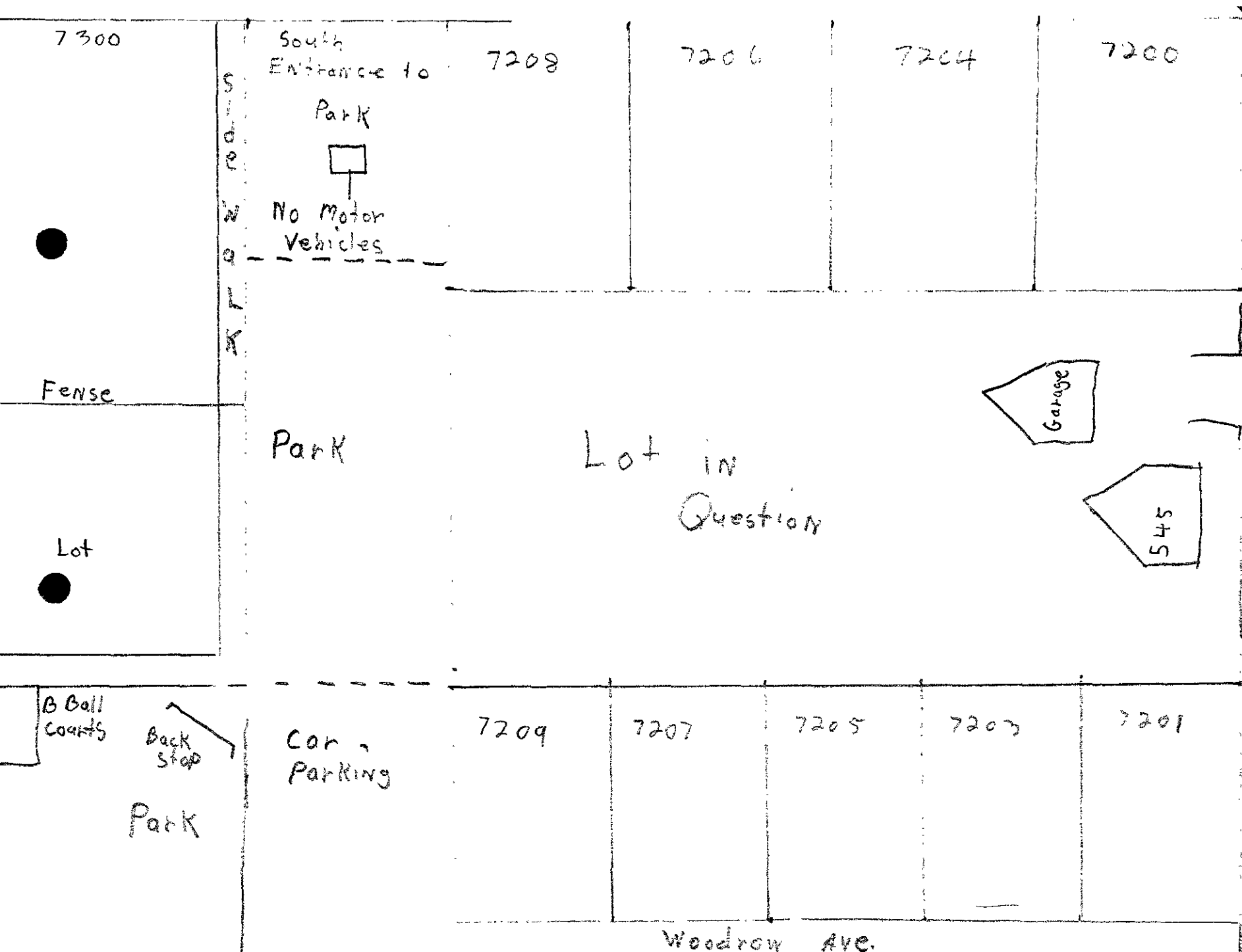
Zoning Office USE ONLY!

reviewed by: CTM ITEM #: 340 CASE #: 01 340 SPH

Rel. Ex #1

East Ave

Plot Lx #1



48th street

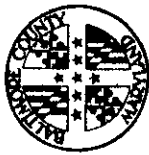
Zoning Description

for 544 s. 49th street

Beginning at a point on the West side of 49th st. which is 50 feet wide at the distance of 145 feet ~~South~~ of the centerline of the nearest improved intersecting street, Fait Ave. which is 40 feet wide. Being lots #507/508/509, in the subdivision of Harbor View as recored in Baltimore County Plat Book #5, Folio # 80, containing 9,375 square feet. Also known as 544 South 49th street and located in the 12th Election District, 7th Councilmanic District.

NORTH

#390

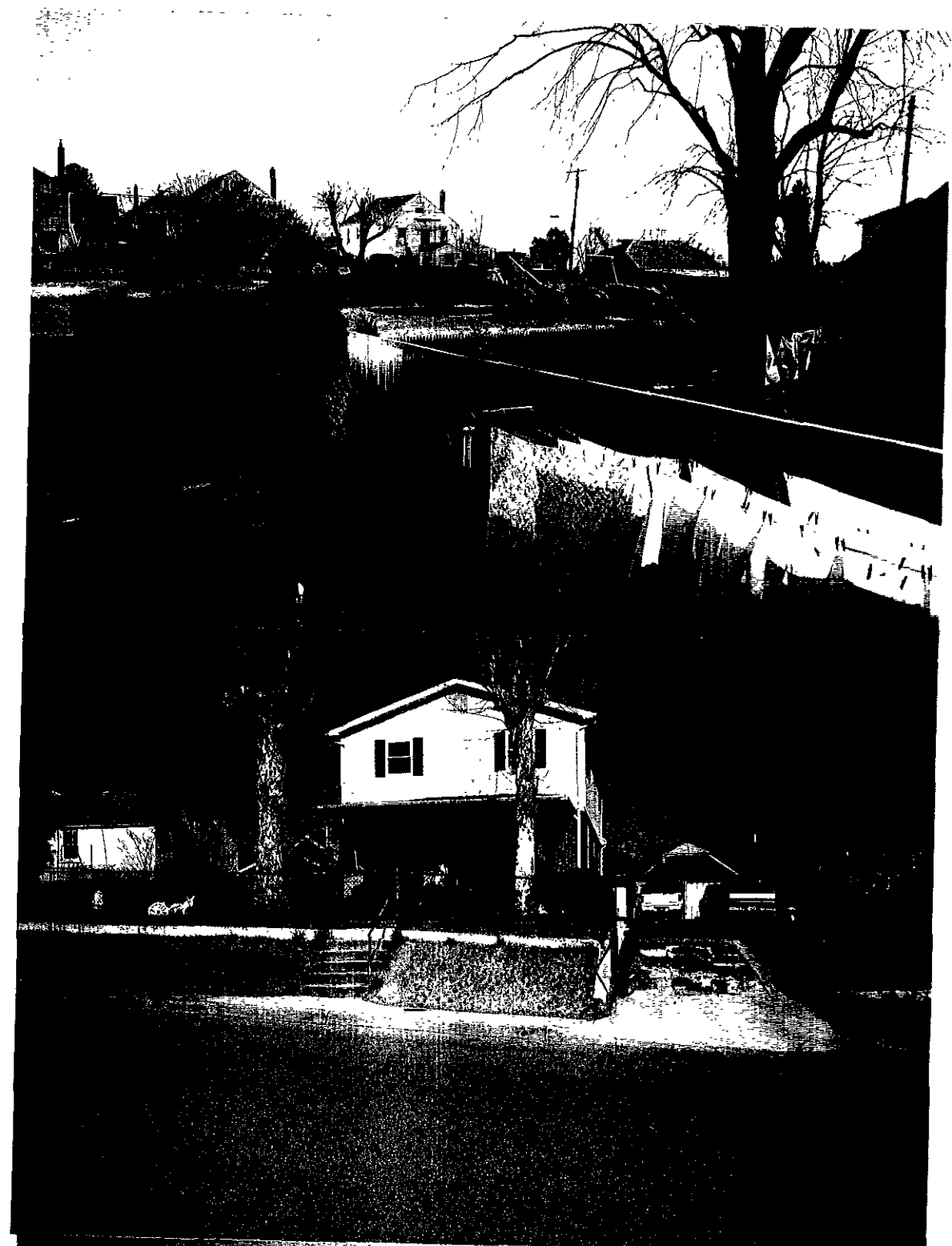


Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Photographs
#01-340-SPH

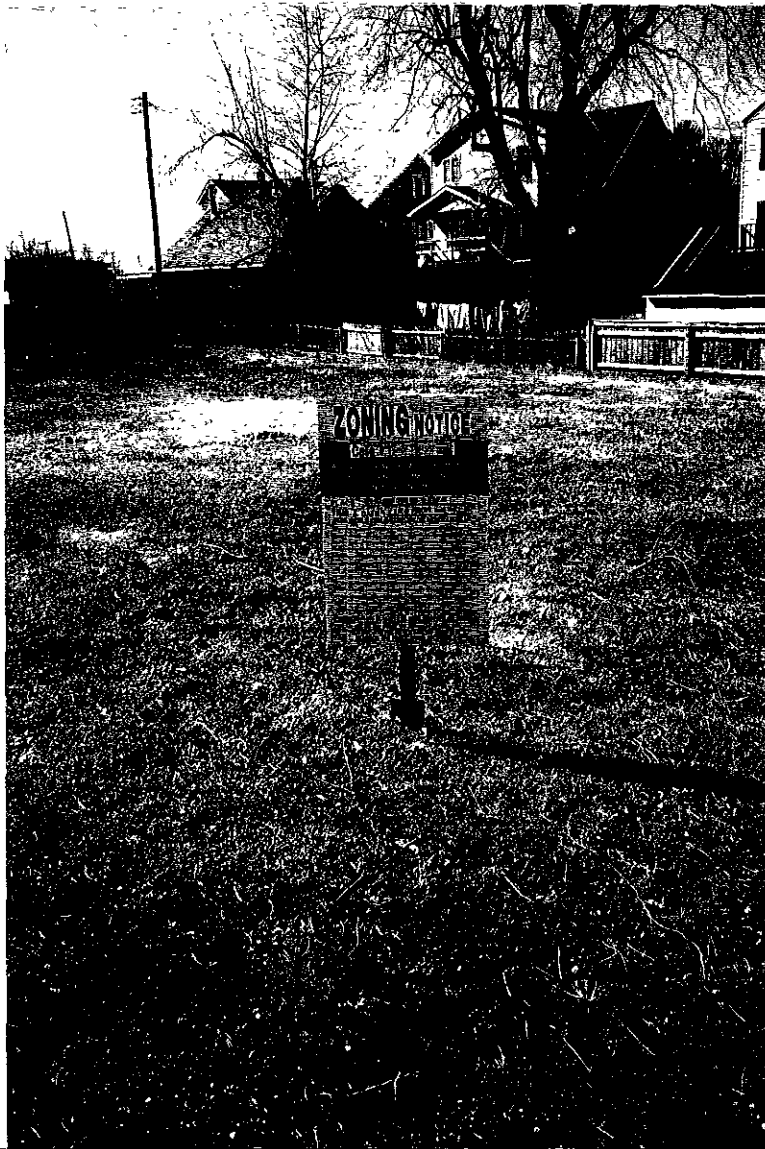


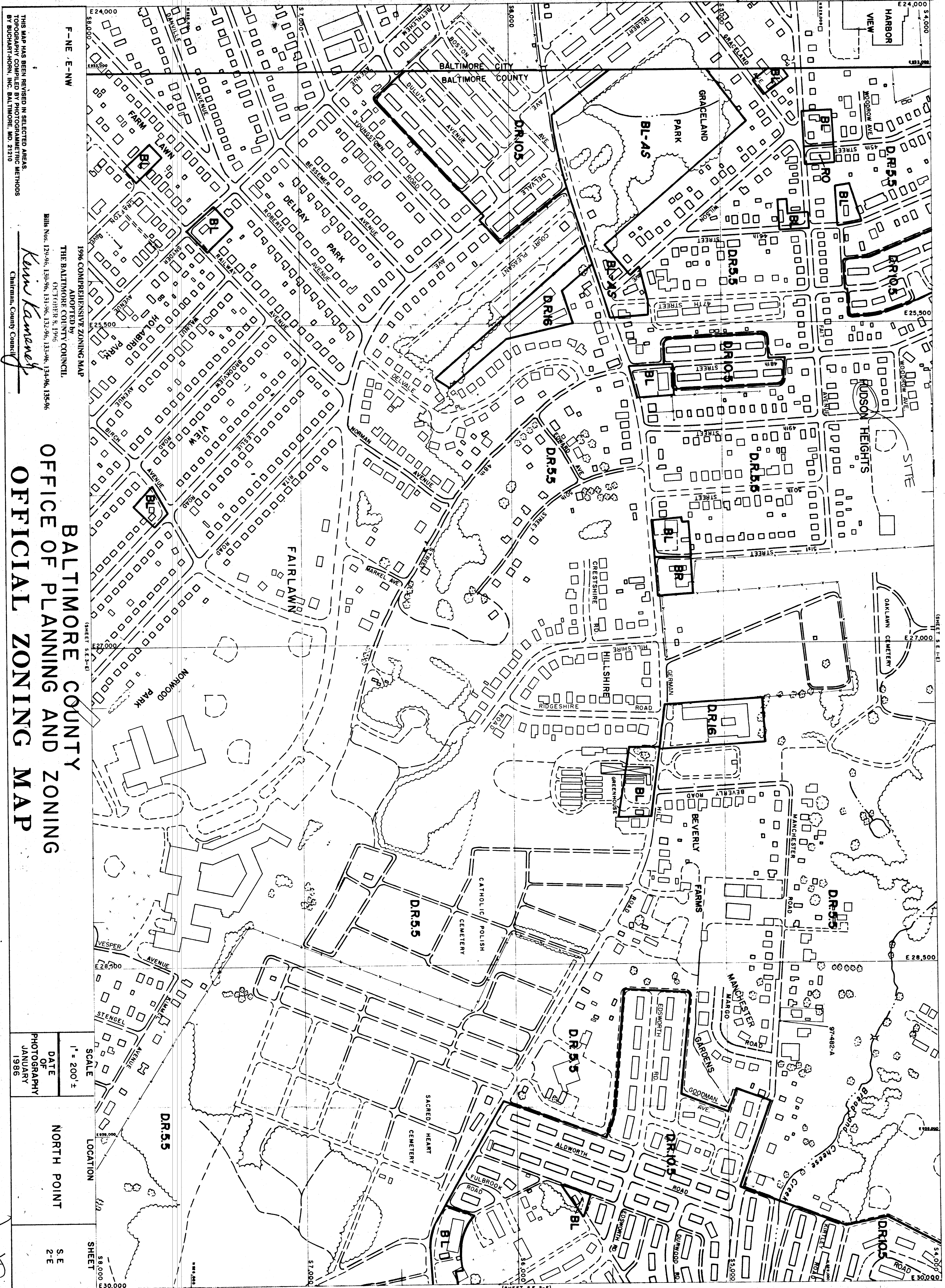












THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
ON OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kenn Kamensky
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION NORTH POINT	SHEET S E 2-E
DATE OF PHOTOGRAPHY JANUARY 1986		

01-340-SR11
7280