

IN RE: PETITION FOR VARIANCE
E/S Hannah Avenue, 30' E Irving Place
13th Election District
1st Councilmanic District
(1951 Hannah Avenue)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-545-A

Clarence Bohn, *Legal Owner* and
Mark Hufnagel, *Contract Purchaser*
Petitioners

* * * * *

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, Clarence Bohn and the contract purchaser, Mark Hufnagel. The Petitioners are requesting a variance for property located at 1951 Hannah Avenue, which property is located in the Halethorpe area of Baltimore County.

Appearing at the hearing on behalf of the variance request were Mark Hufnagel, the contract purchaser of the property and Vincent Moskunas, appearing on behalf of Site Rite Survey, Inc., the surveyors who prepared the site plan of the property. Appearing in opposition to the Petitioners' request was Mr. Donald Hawkins, a representative of the Halethorpe Community Association.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.1836 acres, more or less, zoned DR.2. The subject property is located on the east side of Hannah Avenue, near its intersection with Irving Place. The property is 80 ft. wide and 100 ft. deep and is unimproved at this time. The owner of the property is interested in selling the lot to Mr. Hufnagle, who intends to construct a single-family residence thereon. In order to proceed with the construction of a home on the property, the following variances from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) are necessary: (1) to permit a single family dwelling with a rear yard setback of 39 ft. in lieu of the required 40 ft.; (2) to permit a side yard (interior lot line) setback of 13 ft. in lieu of the required 15 ft.; (3) to allow a

COPIED TO ZONING
Date 8/29/01
BY J.P. [Signature]

sum of side yard setbacks of 28 ft. in lieu of the required 40 ft.; and (4) to permit a single-family dwelling to be constructed on an undersized lot.

As stated previously, Mr. Donald Hawkins, a representative of the Halethorpe Community Association, attended the hearing. Mr. Hawkins regularly appears at hearings before this office on matters involving vacant lots in his community. This area of Baltimore County is well known by this Deputy Zoning Commissioner as a result of the tremendous amount of flooding that occurs in this area during rain events. Halethorpe has an inadequate storm drain system at this time. Mr. Hawkins has worked very diligently over the years to try to remedy the drainage problems associated with his neighborhood. He is very much concerned that the construction of additional homes on vacant lots will contribute to this problem. Furthermore, Mr. Hawkins testified on his own personal knowledge that this particular property is frequently flooded during rain events. There is a small stream nearby which overflows its banks during even minor rain events. It is a common occurrence for this particular vacant lot to be underwater during such times. This was corroborated by two letters received by Kathleen and David Fritz who reside across the street from the subject property. They too assert that the flooding is a problem in this area and that the lot which is the subject of this variance request frequently becomes flooded.

It should also be noted that a letter was submitted by the Department of Public Works which indicates that the proposed lot is located within the 100-year riverine flood plain. Based on the testimony and evidence offered by Mr. Hawkins and the letters of the neighbors across the street, as well as the comment from the Department of Public Works, I find that the variances requested, to allow a home to be constructed on this unimproved lot should be denied at this time.

THEREFORE, IT IS ORDERED this 29th day of August, 2001, by this Deputy Zoning Commissioner, that the request for variances from Section 1B02.3.C.1 of the B.C.Z.R.: (1) to

ORDER RE CEIVED FOR FILING
Date 8/29/01
By K. J. Emerson

permit a single family dwelling with a rear yard setback of 39 ft. in lieu of the required 40 ft.; (2) to permit a side yard (interior lot line) setback of 13 ft. in lieu of the required 15 ft.; (3) to allow a sum of side yard setbacks of 28 ft. in lieu of the required 40 ft.; and (4) to permit a single-family dwelling to be constructed on an undersized lot, be and is hereby DENIED.

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



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDERED FOR FILING
Date 8/29/01
By [Signature]



Baltimore County
Zoning Commissioner

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

August 29, 2001

Vincent Moskunas, P.E.
Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101
Towson, Maryland 21286

Re: Petition for Variance
Case No. 01-545-A
Property: 1951 Hannah Avenue

Dear Mr. Moskunas:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied 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

Copies to:

Mr. Clarence Bohn
206 Paradise Avenue
Catonsville, MD 21228

Mr. Mark Hufnagel
13845 Forsythe Road
Sykesville, MD 21784

Mr. Donald Hawkins
1919 Woodside Avenue
Halethorpe, MD 21227

Mr. & Mrs. David Fritz
1938 Hannah Avenue
Halethorpe, MD 21227



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 151 Hannah Ave.

which is presently zoned D.R.2

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) 1802.3C1 (BCZR) to permit a single family dwelling with a rear yard setback of 39 feet in lieu of the required 40 feet, a side yard (interior lot line) setback of 13 feet in lieu of the required 15 feet, a sum of side yard setbacks of 28 feet in lieu of the required 40 feet, and to permit an undersized lot and any other variances deemed necessary by the Zoning Commissioner of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Property consists of lots of record on plat recorded in 1923 of "Halethorpe Terrace".
2. No contiguous ownership of lots to meet B.C.Z.R. for D.R. 2 zoning.
3. Current zoning requirements restrict the development of the site, thus restricting compatibility w/ neighborhood.

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:

MARK HUENAGEL

Name - Type or Print

Mark Huenagel

Signature

13845 FORSYTHE RD 410-442-0083

Address

STOKESVILLE

City

MD

State

Telephone No.

21284

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

City

State

Telephone No.

Zip Code

Case No. 01-545-A

Legal Owner(s):

CLARENCE BOHN

Name - Type or Print

Clarence M. Bohn

Signature

Name - Type or Print

Signature

204 PARADISE AVE. 410-744-6083

Address

Telephone No.

CATONSVILLE

City

MD

State

21228

Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.
Bernadette L. Moskunas

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 _____

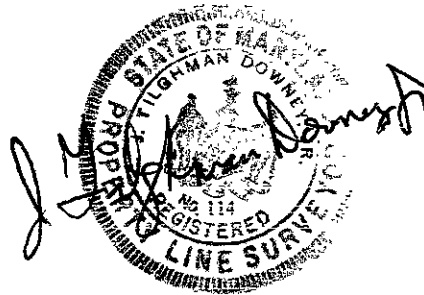
UNAVAILABLE FOR HEARING

Reviewed By JNP

Date 6/28/01

ZONING DESCRIPTION FOR #1951 HANNAH AVENUE

Beginning at a point on the ^{J16}~~west~~^{east} side of Hannah Avenue which is 30 feet wide at the distance of 30 feet east of the centerline of Irving Place which is 30 feet wide. Being lots 14,15,16 and 17, Block "H" in the subdivision of Halethorpe Terrace as recorded in Baltimore County Plat Book # 7, folio 72, containing 8,000 square feet. Also known as #1951 Hannah Avenue and located in the 13th. Election District, 1st. Councilmanic District.



J. Tilghman Downey, Jr.

01-545-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 3340

DATE 6/28/01 ACCOUNT R-001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM: Mark Hufnagel

FOR: Variance (01-545-A)

1951 Hannon Ave.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
6/29/2001	6/28/2001	11:25:15
RE: W304	CASHIER DOL DMD	DRYMER 2
>> RECEIPT # 145209 OFLN		
Debt	5 528 ZONING VERIFICATION	
CR NO.	003340	

Recpt Tot 50.00
50.00 CK .00 CA
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: #01-545-A

1951 Hannah Avenue

E/S Hannah Avenue, 30' E Irving Place

13th Election District - 1st Councilmatic District

Legal Owner(s): Clarence Bohn

Contract Purchaser: Mark Hufnagel

Variance: to permit a single family dwelling with a rear yard setback of 39 feet in lieu of the required 40 feet, a side yard (interior lot line) setback of 13 feet in lieu of the required 15 feet, a sum of side yard setbacks of 28 feet in lieu of the required 50 feet, and to permit an undersized lot and any other variances deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, August 22, 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/8/612 Aug. 7

C486024

CERTIFICATE OF PUBLICATION

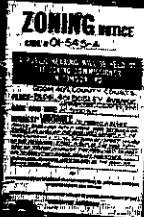
8/9/2001

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 8/7/2001.

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

J. Wilkinson

LEGAL ADVERTISING



ZONING NOTICE

CASE #01-545-A

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

ROOM 407, COUNTY COURTS
PLACE BLDG., 401 BOSLEY AVENUE
WEDNESDAY, AUGUST 22, 2001
DATE AND TIME: AT 9:00 A.M.

REQUEST: VARIANCE

TO PERMIT A SINGLE
FAMILY DWELLING WITH A REAR YARD SETBACK OF
35 FEET IN LIEU OF THE REQUIRED 40 FEET, A SIDE
YARD (INTERIOR LOT LINE) SETBACK OF 13 FEET IN LIEU
OF THE REQUIRED 15 FEET, A SUM OF SIDE YARD SET-
BACK OF 28 FEET IN LIEU OF THE REQUIRED 50 FEET
AND TO PERMIT AN UNDERSIZED LOT AND OTHER
VARIANCES DEEMED NECESSARY BY THE ZONING
COMMISSIONER

ZONING NOTICE

CASE #01-545-A

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THE ZONING COMMISSIONER
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ROOM 407, COUNTY COURTS
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BACK OF 28 FEET IN LIEU OF THE REQUIRED 50 FEET
AND TO PERMIT AN UNDERSIZED LOT AND OTHER
VARIANCES DEEMED NECESSARY BY THE ZONING
COMMISSIONER

CERTIFICATE OF POSTING

RE: Case No.: 01-545-A

Petitioner/Developer: _____

MARK HUENAGEL

Date of Hearing/Closing: AUG. 22, 2001

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 _____

1951 HANNAH AVE.

The sign(s) were posted on AUG. 6, 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)

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: 01-545-A
Petitioner: Mark Hufnagel / Clarence Bohn
Address or Location: #1951 Hannah Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mark Hufnagel
Address: 13845 Forsythe Rd.
Sykesville, MD 21784
Telephone Number: (410) 442-0083

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 7, 2001 Issue – Jeffersonian

Please forward billing to:
Mark Hufnagel
13845 Forsythe Road
Sykesville MD 21784

410 442-0083

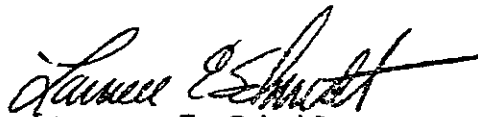
NOTICE OF ZONING HEARING

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: 01-545-A
1951 Hannah Avenue
E/S Hannah Avenue, 30' E Irving Place
13th Election District – 1st Councilmanic District
Legal Owner Clarence Bohn
Contract Purchaser: Mark Hufnagel

Variance to permit a single family dwelling with a rear yard setback of 39 feet in lieu of the required 40 feet, a side yard (interior lot line) setback of 13 feet in lieu of the required 15 feet, a sum of side yard setbacks of 28 feet in lieu of the required 50 feet, and to permit an undersized lot and any other variances deemed necessary by the Zoning Commissioner.

HEARING: Wednesday, August 22, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDS
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

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

July 20, 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: 01-545-A
1951 Hannah Avenue
E/S Hannah Avenue, 30' E Irving Place
13th Election District – 1st Councilmanic District
Legal Owner Clarence Bohn
Contract Purchaser: Mark Hufnagel

Variance to permit a single family dwelling with a rear yard setback of 39 feet in lieu of the required 40 feet, a side yard (interior lot line) setback of 13 feet in lieu of the required 15 feet, a sum of side yard setbacks of 28 feet in lieu of the required 50 feet, and to permit an undersized lot and any other variances deemed necessary by the Zoning Commissioner.

HEARING: Wednesday, August 22, 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".

Arnold Jablon 602
Director

C: Clarence Bohn, 206 Paradise Avenue, Catonsville 21223
Mark Hufnagel, 13845 Forsythe Road, Sykesville 21784
Bernadette L Moskinas, Site Rite Surveying Inc, 200 E Joppa Rd, Rm 101,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 7, 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

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

August 17, 2001

Clarence Bohn
206 Paradise Avenue
Catonsville MD 21228

Dear Mr. Bohn:

RE: Case Number: 01-545-A, 1951 Hannah Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 28, 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. 692
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Mark Hufnagel, 13845 Forsythe Road, Sykesville 21784
Bernadette L Moskinas, 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: August 7, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For July 23, 2001
Item No: 545

The Bureau of Development Plans Review has reviewed the subject zoning item.

This proposed lot is located in a 100-year riverine flood plain as established by *Baltimore County Department of Public Works*.

The developer must provide field run elevations and contours on his plan and determine the location of the 100-year flood plain in the area.

The building setback lines will be established per the *Storm Drain Design Manual Plate D-19* and the first floor elevation will be one foot above the maximum flood level of the 100-year storm.

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 24, 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 July 16, 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:

527, 528, 529, 531, 533, 534, 535, 536, 539, 540, 541, 542, 543,
545, 548, 550, and 551

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



Jim
8/22

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 20, 2001

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

JUL 20 2001

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-545

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. Lee

AFK/JL.MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7-23-01

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

RE: Baltimore County
Item No. 545

JNP

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,

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

RE: PETITION FOR VARIANCE
1951 Hannah Avenue, E/S Hannah Ave,
30' E of Irving Place
13th Election District, 1st Councilmanic

Legal Owner: Clarence Bohn
Contract Purchaser: Mark Hufnagel
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-545-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 7th day of August, 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

INTER-OFFICE COORDINATION
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-545-A

7/18/01

Residential Processing Fee Paid
(\$50.00)

Accepted by JNP
Date 6/28/01

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

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Site Rite Surveying, Inc. 200 E. Joppa Road Room 101 Towson, MD 21286 (410) 828-9060
Print Name of Applicant Address Telephone Number

Lot Address 1951 Hannah Ave. Election District 13 Councilmanic District 1 Square Feet 8000

Lot Location: N/E S W side/corner of 1951 Hannah Ave. 30 feet from N/E S W corner of Irving Place
(street) (street)

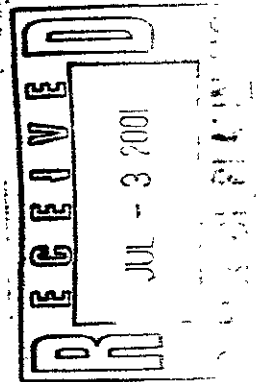
Land Owner: Clarence Bohn Tax Account Number 132350070 1302652090

Address: 206 Paradise Avenue Catonsville, MD 21228 Telephone Number (410) 744-6083

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan	☒	☐
Property (3 copies)	☒	☐
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly)	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>D.R. 2</u>		

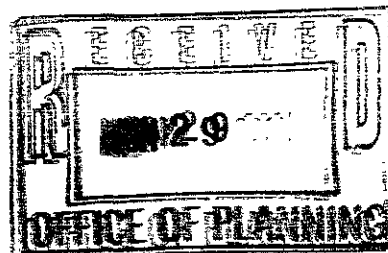


TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

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

Signed by: Jeffrey M. Long
for the Director, Office of Planning and Community Conservation



Date: 7/20/2001

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

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

The application for your proposed Building Permit application has been reviewed and is accepted for filing by _____ on _____ Date (A)
(name of planner)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

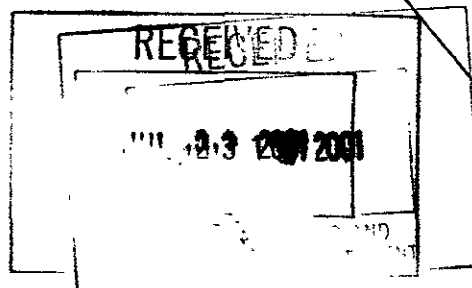
CERTIFICATE OF POSTING

District: _____

Location of Property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____



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 situated 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	53	FT. (1949 Hannah Avenue)
C	55	FT. (1953 Hannah Avenue)
D	-	FT.
E	32	FT. (1937 Hannah Avenue)
F	-	FT.
TOTAL (140) ÷ (3) = 47*		

of dwellings

REQUIRED FRONT SETBACK (averaged)

* (32 FEET FROM RIGHT-OF-WAY)

NORMAL REQUIRED SETBACKS

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

Mark Hufnagel

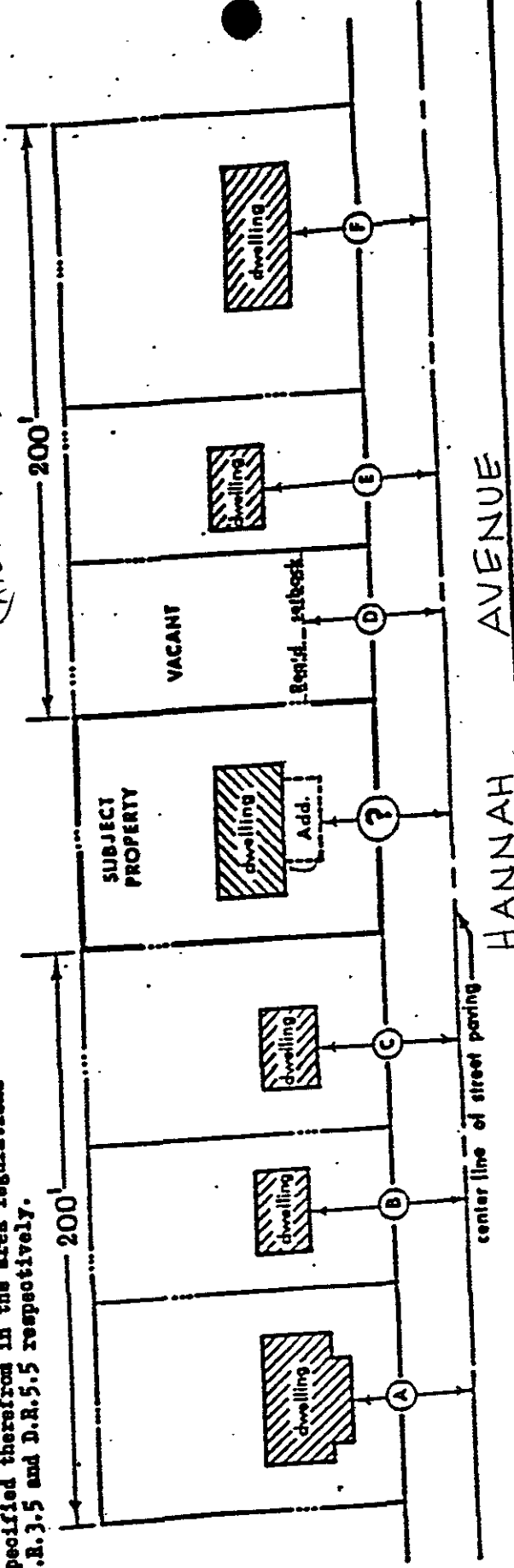
applicant's name

1951 Hannah Avenue

building address

JUNE 27, 01

date



center line of street paving

HANNAH AVENUE

(30' R/W)

01-545-A

1951 HANNA AVE

11/14/02

- > CURRENT ZONED DR 2
- > SITE WAS SUBJECT OF ZONING CASE NO 01-454-A
- > SITE WAS DENIED VARIANCE REQ. AND UNDERSIZED LOT BY DEP. Z. C. ON 8/29/01 AS PART OF THAT CASE THE O.P. RECOMMENDED APPROVAL OF THE U.SIZED LOT (7/20/01)
- > ON 3/4/02 ZONING APPROVED A BUILDING PERMIT APP (APPARENTLY IN ERROR) BASED ON REPRESENTATIONS MADE BY APPLICANT. COPY OF BLDG PERMIT SITE PLAN NOT AVAILABLE
- > 8/8/02 PERMIT SUSPENDED PER JRR
- > 9/23/02 SECOND APPLICATION FOR U.SIZED LOT FILED
- > 10/10/02 O.P. RECOMMENDS DISAPPROVAL OF U.SIZED LOT
- > SUBSEQUENT TO DISAPPROVAL VERBAL RECOMMENDATION FROM OFFICE OF ZONING REVIEW TO AGENT FOR OWNER (SITE RITE SURVEYING) TO FILE FOR SPECIAL HEARING FOR APPROVAL OF UNDERSIZED LOT.

ATTACHED ARE CONCERNED FILES LET ME KNOW IF ANY FURTHER INFO/ACTION REQUIRED AND WHEN FILES NEED RETURNED

LLOYD

WATER DRWG. _____
SEWER DRWG: _____

WATER CONTRACT #: _____
SEWER CONTRACT#: _____

FEE (if applicable):
(see remarks)

[illegible]

TIME: 14:24:08 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 04/11/2002
DATE: 11/14/2002 APPROVALS DETAIL SCREEN PLR 15:28:10

PERMIT #: B475100

AGENCY	DATE	CODE	COMMENTS
-----	-----	----	-----
BLD PLAN	02/22/2002	01	JOS VENTURINA
SEDI CTL	04/05/2002	01	SC-04-05-02 MG
ZONING	03/04/2002	01	BR <u>01-545A</u> DENIED8/29/0;SIDE SETBACK OK
PUB SERV	03/04/2002	01	BR MEETS BB 8/7/01 REQS./SH
ENVRMNT	03/08/2002	01	EIR-03-08-02 MSK
PERMITS	04/11/2002	01	DAS

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

CLEAR - MENU

TIME: 14:28:33
DATE: 11/14/2002

AUTOMATED PERMIT TRACKING SYSTEM
BUILDING DETAIL 2

LAST UPDATE 02/20/2002
PLR 09:24:26

PERMIT #: B475100

BUILDING SIZE

LOT SIZE AND SETBACKS

FLOOR: 2733

SIZE: 0040.00 X 0100.00

WIDTH: 39'

FRONT STREET:

GARBAGE DISP: Y

DEPTH: 27'

SIDE STREET:

POWDER ROOMS: 1

HEIGHT: 34'10

FRONT SETB: 32

BATHROOMS: 3

STORIES: 2&BA

SIDE SETB: 18/19 ?

KITCHENS:

SIDE STR SETB:

LOT NOS: 14

REAR SETB: 40

CORNER LOT: N

ZONING INFORMATION

ASSESSMENTS

DISTRICT:

BLOCK:

LAND: 0004000.00

PETITION:

SECTION:

IMPROVEMENTS: 0000000.00

DATE:

LIBER: 000

TOTAL ASS.:

MAP:

FOLIO: 072

CLASS: 04

PLANNING INFORMATION

MSTR PLAN AREA:

SUBSEWER:

CRIT AREA:

PASSWORD:

ENTER - NEXT DETAIL

PF2 - APPROVALS

PF7 - PREV. SCREEN

PF9 - SAVE

PF1 - GENERAL PERMIT

PF3 - INSPECTIONS

PF8 - NEXT SCREEN

CLEAR - MENU

TIME: 14:28:00 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/12/2002
DATE: 11/14/2002 GENERAL PERMIT APPLICATION DATA PLC 08:23:44

PERMIT #: B475100 PROPERTY ADDRESS
RECEIPT #: A444990 1951 HANNAH AVE
CONTROL #: NR SUBDIV: HALETHORPE TERRACE
XREF #: B475100 TAX ACCOUNT #: 1302652090 DISTRICT/PRECINCT 13 01
OWNERS INFORMATION (LAST, FIRST)

FEE: 154.00 NAME: BOHN, CLARENCE M.
PAID: 154.00 ADDR: 206 PARADISE AVE., 21228
PAID BY: APPL

DATES

APPLICANT INFORMATION

APPLIED: 02/07/2002 NAME: MARK HUFNAGEL

ISSUED: 04/11/2002 COMPANY:

OCCPNY: ADDR1: 13845 FORSYTHE RD.

ADDR2: SYKESVILLE, MD 21784

INSPECTOR: 13R PHONE #: 410-902-4691 LICENSE #: MHBR1293

NOTES: KRA/VLC PERMIT SUSPENDED BY JRR PER ZONING 8/8/02

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 14:28:21 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 02/20/2002
DATE: 11/14/2002 BUILDING DETAIL 1 PLR 09:24:26

DRC#

PERMIT # B475100 PLANS: CONST 2 PLOT 7 PLAT 0 DATA 0 EL 1 PL 1

TENANT

BUILDING CODE: CONTR: PATAPSCO HOMES, INC.

IMPRV 1 ENGNR:

USE 01 SELLR:

FOUNDATION BASE WORK: CONSTRUCT SFD W/3 BEDROOMS.

3 1 39'X27'X34'10"=2733SF ALSO USING TAX ACCT

CONSTRUC FUEL SEWAGE WATER #13-23-500770. WITH A 6'X10' SIDE DECK.

2 1 1E 1E

CENTRAL AIR 1

ESTIMATED COST

110,000.00 PROPOSED USE: SFD

OWNERSHIP: 1 EXISTING USE: VACANT

RESIDENTIAL CAT: 1

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:

1 FAMILY BEDROOMS: 3 PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

August 6, 2001

jk
8/22
AUG - 8

Mr. Kotroco, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Room 405
Towson, MD 21204

Re: Case #01545/A
1951 Hannah Avenue, Baltimore, MD 21227

Dear Commissioner Kotroco:

We are expressing our concerns with regards to the case mentioned above. We are asking that you do **NOT** approve the request to build on the under sized lots known as 1951 Hannah Avenue, Baltimore, MD 21227. First of all we believe the lots are under sized and not large enough for a private residence.

In addition, there are environmental issues with regards to water run-off and drainage in this area. It has been determined a **Flood** area. We have lived across the street from this property since 1987. Whenever there are heavy rains and/or a steady rain this area becomes saturated.

There is a stream near this property. During the last year we have seen this stream raise up on to this property and the yard of 1937 Hannah Avenue, which is the property adjacent to 1951 Hannah.

Hannah Avenue is pitched so the rain runs across and collects on this side of the road at the lots known as 1951 Hannah. In addition to the water run-off, gravel and debris spreads across the road and collects. On January 19, 2001, during a minor rainstorm, a vehicle slid on the run-off, knocked down our mailbox and stopped after hitting a tree in our front yard. The vehicle was totaled and all four passengers went to the hospital.

It is our understanding this land was in a flood zone and no building permits would be issued. Any additional construction in this area would only intensify the drainage problem. We asked that you **NOT GIVE YOUR APPROVAL**.

Sincerely,



Kathleen E. Dix-Fritz and
David W. Fritz
1938 Hannah Avenue
Halethorpe, MD 21227-4514

Certified Mail #P455 813 750

Case Number 01-545-A

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

Case Number

01-545-A

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET

[illegible]

VICINITY MAP
SCALE: 1"=500'

Map labels: RIDGE RD, WASHINGTON AVENUE, DOUGLAS AVENUE, WASHINGTON AVENUE, SPENCER AVE, IRVING PLACE, HANNAH AVE, SITE.

SCALE: 1"=500'

1. EXISTING ZONING: DR. 2
2. LOT SIZE: 6000 SQUARE FEET
0.1836 ACRES/-
3. ZOO SCALE MAP: S106D
4. PUBLIC WATER AND SEWER
5. EXISTING USE: VACANT
PROPOSED USE: SINGLE FAMILY DWELLING
6. NOT LOCATED IN THE CHESTNUT DRIVE CRITICAL AREA
7. NOT LOCATED IN FLOODPLAIN AREA
8. NO OTHER ZONING VIOLATIONS
9. EX. MAP: 106 DATED 12. 1968. PAGE: 144
10. NO CONTIGUOUS LAND OWNERSHIP
11. COMMUNITY PANEL NO. 240010 0390B
ZONE: "C"
12. NOT IN A HISTORIC DISTRICT.

THE

SCALE: 1" = 30'
JUNE 22, 2001

JUNE 22 2007
8539

ZONING OFFICE USE ONLY

REVIEWED BY:	ITEM #:	CASE #

JNP 545 01-545

200 E. Joplin Road
Stell Dunning Room 101

THE

三、

#1024

DWLG

MARCUS JACKSON
1304000280
15089/532

DEX. MM
(TYPE)

HANNAH

(2人)

EX. 8th WATER (92-1192)

EX.FH

(30' p/w)

ENDING OF
PAYING PLACE

AVENUE

(18' PAVING

PAYING

7

LEAVING PLACE (30 P/W)

DAVID FRITZ
1318100412, 100413 & 100414

#1938

EX. DWLG

OWNER: CLARENCE BROWN
306 PEARCE AVENUE
CATERSVILLE, MD 21229
(410)744-6000

0303-1101

(40744-6066)

