

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

5/28/03

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 408
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____

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

RE: Undersized Lots

Residential Processing Fee Paid
(\$50.00)Accepted by D. Thompson
Date 5/15/03

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 704 Clover Avenue Election District 15 Councilmanic District X7 Square Feet 6930

Lot Location: N E S W side corner of Clover Avenue 220 feet from N E S W corner of Myrtle Avenue
(street) (street)

Land Owner: Mason Barrow Tax Account Number 1502003190

Address: 704 Myrtle Avenue Baltimore, MD 21221 Telephone Number (410) 574-8733

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?

1. This Recommendation Form (3 copies)

YES

NO

2. Permit Application

3. Site Plan
Property (3 copies)

4. Building Elevation Drawings

5. Photographs (please label all photos clearly)
Adjoining Buildings

Surrounding Neighborhood

6. Current Zoning Classification: D.P. 5.5

TO BE FILLED IN BY THE OFFICE

RECOMMENDATIONS / COMMENTS:



Approval



Disapproval



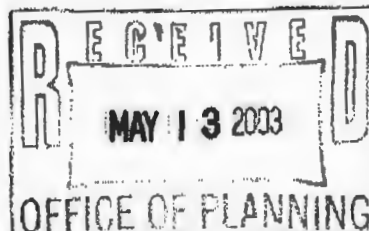
Approval conditioned on required material

Post-It® Fax Note 7671

To <u>Dorinda Thompson</u>	Date <u>5/29/03</u>	# of pages <u>1</u>
Co./Dept. <u>Zoning</u>	From <u>Lynne Lander</u>	
Phone # _____	Co. _____	
Fax # <u>2824</u>	Phone # _____	
	Fax # _____	

Signed by:

for the Director, Office of Planning and Community Conservation



Date:

5/29/2003

Revised 2/05/02

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

05/12/03 13:38; Jelfax #690; Page 2/4
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 DONNA THOMPSON on 5/12/03
(name of planner) Date (A)

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 5/27/03 D (15 Days Before C)

DATE POSTED 5/27/03

HEARING REQUESTED? YES ☐ NO ☐ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 6/6/03 C (B-3 Work Days)

TENTATIVE DECISION DATE 6/11/03 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: #704 CLOVER ROAD

Posted by: Darland E. Shere Date of Posting: 5-27-03
Signature

Number of Signs: 1



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23519

DATE 5/12/03 ACCOUNT 0010066150
AMOUNT \$ 50.⁰⁰

RECEIVED FROM: SITE RITE SURVEYING

FOR: UNDERSIZE LOT APPROVAL

704 CLOVER AVE. BY D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 5, 2003

Mr. Mason Barrow
704 Myrth Avenue
Baltimore, Maryland 21221

RE: Demand for Public Hearing, Undersized Lot Approval, 7 Clover Avenue
15th Election District

Dear Mr. Barrow:

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on May 30, 2003 for a public hearing concerning your proposed undersized lot. I regret to inform you that we are withholding approval of your use permit because it has been superseded by a demand for public hearing (Special Hearing), pursuant to Section 304.4. of the Baltimore County Zoning Regulations (BCZR).

Once the Special Hearing petition forms and plan is filed and accepted in this office, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information. This notification will be published in a local newspaper and you will be billed directly by the Patuxent Publishing.

If you need any further explanation or additional information, please feel free to call me at 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Donna Thompson".

Donna Thompson
Planner II, Zoning Review

DT

Enclosure

Cc: Lynn Lanham, Office of Planning
Site Rite Surveying Inc., 200 E. Joppa Rd., Towson, MD 21286

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





FORMAL DEMAND FOR HEARING

CASE NUMBER: Undersized Lot

Address: 704 Clover Avenue

Petitioner(s): Mason Barrow

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Laurence Ligg & Antoinette Ligg
Name - Type or Print

(☒) Legal Owner OR () Resident of

706 Clover Avenue
Address

Baltimore, Maryland 21221-4706
City State Zip Code

Home: 410-391-2573 Work: 410-895-4190
Telephone Number

which is located approximately 10 feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**

ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

Laurence Ligg 5/30/03
Signature Date

Antoinette Ligg 5/30/03
Signature Date

Revised 9/18/98 - wcr/scj

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23856

DATE 6/3/08 ACCOUNT 0010066150

AMOUNT \$ 50.00

RECEIVED FROM: MRS. LINGE

FOR: DEMAND FOR HEARING 1 COVER IN

(UNDERSIZE LOT)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION



FORMAL DEMAND FOR HEARING

CASE NUMBER: Undersized Lot

Address: 704 Clover Avenue

Petitioner(s): MASON BARROW

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We ELVA SPENCER
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
702 Clover Avenue

Address

Baltimore Md 21221-4706
City State Zip Code

410 687-5604
Telephone Number

which is located approximately Two feet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

Elva D. Spencer
Signature Date 5-30-03
5-30-03

Signature Date
Revised 9/18/98 -wcr/scj

Department of Permits & Development Management
County Office Building
Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Re: Opposition to "Building Permit for an Undersized Lot"
Location: 704 Clover Avenue
Essex, Maryland 21221-4706

Opposition to a "Building Permit for an Undersized Lot" located at 704 Clover Avenue is based on the following:

- 1.) Construction of a single-family dwelling on a lot with a width of 45 feet in lieu of the required 55 feet.
- 2.) Distance between the single-family dwellings.

(The adjacent lot at 702 Clover Avenue has only a 2-foot Side Yard resulting from the house's age and non-existing zoning regulations at the time of construction. The house has existed on the lot for over 70 years.)

IN RE: PETITION FOR VARIANCE
W/S Clover Avenue, 220' NE
of Myrth Avenue
15th Election District
5th Councilmanic District
(704 Clover Avenue)

Mason Barrow
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-031-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Mason Barrow. The variance request involves property located at 704 Clover Avenue. The Petitioner is requesting permission to construct a single-family dwelling on a lot with a width of 45 ft. in lieu of the required 55 ft. and side yard setbacks of 8 ft. and 7 ft. in lieu of the required 10 ft.

Appearing at the hearing on behalf of the variance requests were Vince Moskunas, who prepared the site plan of the property, and Jeff Holt, the contractor interested in constructing this home. Appearing in opposition to the Petitioner's request were adjacent property owners Mr. & Mrs. Lingg and Mr. Jenkins. Mrs. Elva Spencer and her daughter, also adjacent property owners, were not able to make the hearing on time, however did appear after the hearing to note their opposition to the request. I indicated to those neighbors that the decision in this case would be mailed to them just as if they had attended the hearing.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.159 acres of land, more or less, zoned D.R.5.5. The subject property is unimproved at this time. It has been owned by Mason Barrow for a number of years. At this time, Mr. Barrow is interested in selling the property to Mr. Jeffrey Holt who would like to build a single-family dwelling thereon. Mr. Holt proposes to construct a single-family dwelling on the property the size of which requires a variance to allow side yard setbacks of 7 ft. and 8 ft. In

4/13/02
J. Langston

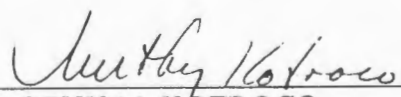
order to proceed with the construction of this size of home on the property, the variance request is necessary.

As stated previously, several neighbors appeared in opposition to the Petitioner's request. These neighbors opposed any variance being granted for a home to be constructed on this lot. They believe the home chosen to be constructed by Mr. Holt is out of character with the other smaller cottage type homes existing on Clover Avenue. They ask that the variances be denied.

After considering the testimony and evidence offered at the hearing, I believe that the variance to allow a house to be constructed on this property with side yard setbacks of 8 ft. and 7 ft. should be denied. It should be noted that the home owned by Elva Spencer, located immediately to the south of the subject unimproved lot is situated a mere 2 ft. from the property line. Mrs. Spencer indicated that her house has existed on her lot for over 70 years. Allowing these variances to be granted will cause an overcrowding of this lot, based on the size and spacing of the other homes located along Clover Avenue. Accordingly, the variances shall be denied.

THEREFORE, IT IS ORDERED this 3rd day of September, 2002, by this Deputy Zoning Commissioner, that the Petitioner's request for variances, to construct a single-family dwelling on a lot with a width of 45 ft. in lieu of the required 55 ft. and side yard setbacks of 8 ft. and 7 ft. in lieu of the required 10 ft., 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

9/3/02
H. J. Janssen
TMK:raj