

IN RE: PETITION FOR VARIANCE
SW/Corner Walnut Avenue and
Ash Avenue
(122 Walnut Avenue)
12th Election District
7th Council District

Howard E. Winston
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-132-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Howard E. Winston, and the Contract Purchaser, Cheryl Chavis. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width at the front building line of 48 feet in lieu of the required 55 feet, and from Section 304 of the B.C.Z.R. to approve the subject property as an undersized lot with any other variances deemed necessary by the Zoning Commissioner to permit development with a single family dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Cheryl Chavis, Contract Purchaser. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the southwest corner of the intersection of Walnut Avenue and Ash Avenue in the Turners Station subdivision in eastern Baltimore County. The property consists of a gross area of 4,320 sq.ft., more or less, zoned D.R.5.5 and is presently improved with a dwelling, which is approximately 70 to 80 years of age. The dwelling is in poor condition and has been vacant for several years. Ms. Chavis has contracted to purchase the property and proposes razing the existing structure and constructing a new dwelling in its place. The proposed building envelope as shown on the site plan indicates that the new dwelling will be 16 feet wide and 45 feet deep, and will feature a rear porch. The site plan also shows that all front, side and rear yard setback requirements will be

ORDER RECEIVED FOR FILING

Date

By

met; however, due to the narrow width of the parcel, the requested variance relief from lot width requirements is necessary. In the alternative, relief is requested to approve the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R.

As noted above, the subject property is located in the subdivision of Turners Station, a long-established community in Dundalk that was subdivided and recorded many years ago, prior to the adoption of the first set of zoning regulations in Baltimore County. The property is actually comprised of two lots identified as Lots 20 and 21 of the Plat of Turner (Turners Station), and each lot is 24 feet wide. Obviously, strict compliance with current requirements would render this parcel undevelopable. Testimony indicated that the proposed dwelling will actually be an improvement to the area and is consistent with the character of other houses in the neighborhood.

The Petitioner submitted building elevation drawings of the proposed dwelling to the Office of Planning which has reviewed and approved same. Moreover, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency; however, the Bureau of Development Plans Review sets forth certain conditions relative to construction in the floodplain. Thus, those conditions shall be imposed upon the grant of the relief. Ms. Chavis indicated that she has spoken to her neighbors, all of who support the proposed improvements to the property.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. In my judgment, the Petitioner meets the requirements for variance relief, given the age and existing use of the property. I concur that the proposal represents an upgrade for the community as well as an improvement to the property. However, as a condition upon the relief granted, the proposed dwelling shall be constructed substantially in accordance with the building elevation drawings approved by the Office of Planning. Moreover, the proposed improvements shall comply with the ZAC comments submitted by the Development Plans Review Division of DPDM relative to construction in a floodplain. Additionally, as noted therein, the house should be set back so as not to interfere with sight lines for traffic on either Walnut Avenue or Ash Avenue. In this regard, Ms. Chavis indicated that the new house will be situated a further distance from Ash Avenue than the

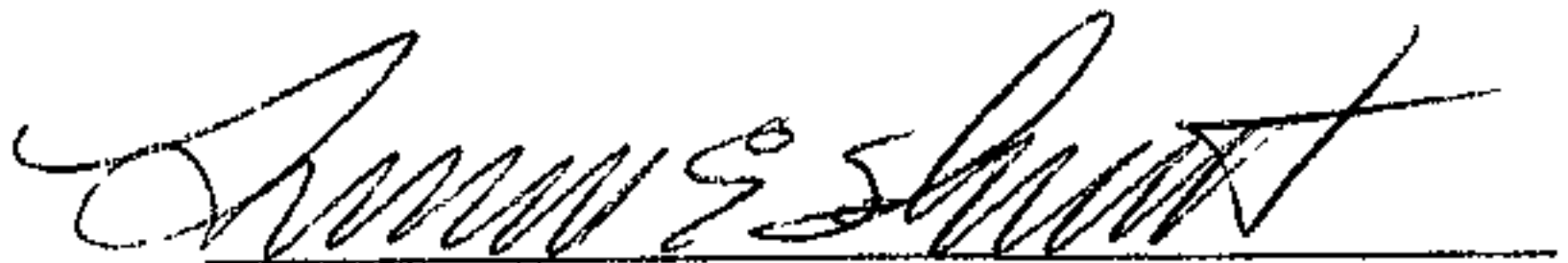
existing dwelling and thus, should actually improve sight lines. I believe that the location of the building envelope as shown on the site plan is appropriate.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

4th THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of December, 2002 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width at the front building line of 48 feet in lieu of the required 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings submitted to and approved by the Office of Planning.
- 3) The proposed construction shall be in compliance with the ZAC comments submitted by the Bureau of Development Plans Review dated October 22, 2002, a copy of which is attached hereto and made a part hereof.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 304 of the B.C.Z.R. to approve the subject property as an undersized lot with any other variances deemed necessary by the Zoning Commissioner to permit development with a single family dwelling, be and is hereby DISMISSED AS MOOT.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 12/4/02

By [Signature]



Baltimore County
Zoning Commissioner

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

December 3, 2002

Mr. Howard E. Winston
404 Oakton Way
Abingdon, Maryland 21009

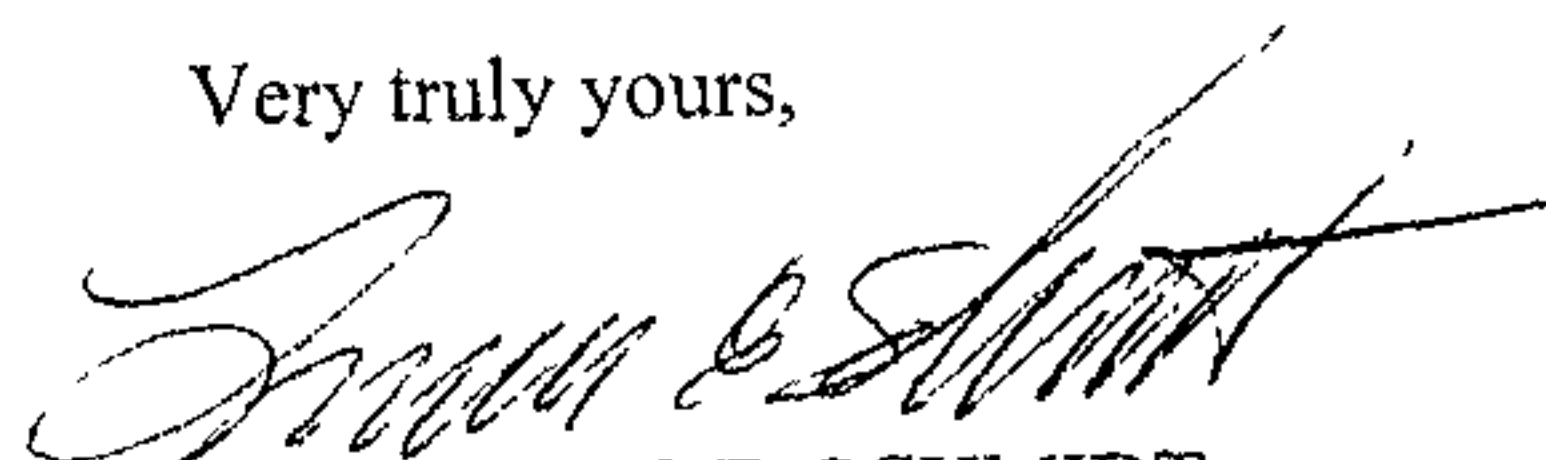
RE: PETITION FOR VARIANCE
SW/Corner Walnut Avenue and Ash Avenue
(122 Walnut Avenue)
12th Election District – 7th Council District
Howard E. Winston, Owner; Cheryl Chavis, Contract Purchaser - Petitioners
Case No. 03-132-A

Dear Mr. Winston:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Cheryl Chavis
P.O. Box 630, Fallston, Md. 21047
Mr. L. Gerald Wolff, L. G. Wolff Associates, Inc.
10 W. Pennsylvania Avenue, Bel Air, Md. 21014
Development Plans Review Div., DPDM; Office of Planning; People's Counsel; Case/File

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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 122 Walnut Avenue

which is presently zoned DR 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) 1B02.3.C.1 BCZR and Section 304 to permit a lot width at front building line of 48 feet in lieu of the required 55 feet and to approve an undersize lot with 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)

Lots of record are 24 ft. each., therefore this parcel, Lots 20 & 21 exist at 48 ft.

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:

Cheryl Chavis

Name - Type or Print

Signature

P.O. Box 630

410-557-9870

Address

Fallston

MD

Telephone No.

21047

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 03-132-A

Legal Owner(s):

Howard E. Winston

Name - Type or Print

Signature

Name - Type or Print

Signature

404 Oakton Way

Address

Abingdon

MD

Telephone No.

21009

City

State

Zip Code

Representative to be Contacted:

L. Gerald Wolff, President

L. G. Wolff Associates, Inc.

Name

10 W. Pennsylvania Avenue

410-879-3966

Address

Bel Air

MD

Telephone No.

21014

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hrs

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 9-17-02

ORDER RECORDED FOR
FILED
Date 9/15/02
By [Signature]

Zoning Description

ZONING DESCRIPTION FOR #122 WALNUT AVENUE

Beginning at a point on the southerly side of Walnut Avenue, 30 ft. wide, southeasterly 48 ft. to a point on the westerly side of Ash Avenue, 25 ft. wide, thence southwesterly 90 ft., thence northwesterly 48 ft. along the northerly side of a 10 ft. alley, thence northeasterly 90 ft. to the beginning. Containing 4320 s.f. of land, being known as lots 20 and 21, shown on plat of TURNER subdivision recorded among the land records of Baltimore County in Plat Book 4, Folio 158. Also known as #122 Walnut Avenue, located in the 12th Election District, 7th Councilmanic District.

Metropolitan Regional Information Systems, Inc.

Page: 1
Date: 08/08/02

Tax ID#: 04121223054980

** PUBLIC RECORD **

Tax ID#: 04121223054980 County: BC
PROPERTY ADDRESS: 122 WALNUT AVE., DUNDALK, MD 21222-6139 Legal Subdiv/Neighborhood: TURNERS
OWNER: HOWARD E WINSTON, Phone # () Abs Owner: N
MAIL ADDRESS: 122 WALNUT AVE., BALTIMORE, MD 21222-6139
LEGAL DESCRIPTION: IMPSLT 20 21 SS WALNUT AVE TURNERS PLAT
Mag/Dist #: 12 Lot: 20 Block/Square: Tax Map:
Elec Dist: 12 Legal Unit #: Grid: 5 Map: 110
Section: Blk Suffix: Subdiv Ph: Addl Parcel Flag/#: /
Map Suffix: Suffix: Parcel: 31 Sub-Parcel:
TOTAL TAX BILL: \$636 State/County Tax: \$585 City Tax: Tax Levy Yr: 2001
Front Foot Fee: Spec Tax Assmt: \$52 Refuse: Tax Rate: 1.20
Tax Class: Homestead/Exempt Status: Exempt Class: 000 Mult. Class:
ASSESSMENT
Year Assessed Total Tax Value Land Improvement Land Use Taxable Assessment
1999 \$50,400 \$16,320 \$34,080 \$ State: \$
Previous \$48,762 \$12,320 \$33,170 \$ Municipal: \$
Early \$18,850 \$12,320 \$30,730 \$ City: \$
DEED Deed Liber: 5610 Deed Folio: 548 Deed Type:
Transfer Date Price Grantor Grantee
13-FEB-1976 \$0 GREEN MAMIE WINSTON HOWARD E

PROPERTY DESCRIPTION

Year Built: 1924 Zoning: Census Trct/Blk: 421300/2 Irregular Lot:
Square Feet: 4,320 Acreage: 0.10 Land Use: Residential Quality/Grade: ECONOMY
Property Class: R Plat Liber/Folio: 4/158 Property Card:
Prop Use: RESIDENTIAL

STRUCTURE DESCRIPTION

	Section 1	Section 2	Section 3	Section 4	Section 5
Construction					
Story	2	1			
Area	1,280	54			
Ext Wall: Shingle - Abestos		Roofing: Shingle - Composite		Foundation:	
Stories: 2	Units: 1	Style:			
Total Building Area:		Living Area: 1,334		Base Sq Ft: 694	Year Remodeled: 1924
FAMILY UNIT		Porch Type: ENCLOSED PORCH		Sq Ft: 170	Model/Unit Type: SINGLE
Rooms:	Bsmt Type:	Fireplaces:			Garage Type:
Bedrooms:	Bsmt Tot Sq Ft: 0	Fireplace Type:			Garage Sq Ft:
Full Baths: 1	Bsmt Fin Sq Ft:	Attic Type:			Gar Constr:
Half Baths: 0	Bsmt Unfin Sq Ft:	Attic Sq Ft:			Garage Spaces:
Baths: 1	Air Cond:				
Gas:	Heat: Forced Air	Sewer: PUBLIC	Fuel:		
Electric:	Water: PUBLIC	Underground:	Walls:		

130

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Page No. 14524
4-2-1-2-7

DATE 7-17-02 ACCOUNT F 001-006-6150

AMOUNT \$ 50.00

RECEIVED
FROM:

Ed. Wharf Coburn

FOR:

209 1st St. Vm. Ave. + 1st
102 1st St. Vm. Ave.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED

7/17/02

4/17/02

4/17/02

4/17/02

4/17/02

4/17/02

4/17/02

4/17/02

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: #03-132 A
122 Walnut Avenue
Southwest corner Walnut Ave and Ash St.
12th Election District
7th Councilmanic District
Legal Owner(s): Howard E. Winston

Variance: to permit a lot width at front building line of 48 feet in lieu of the required 55 feet and to approve an undersize lot with any other variances deemed by the Zoning Commissioner.

Hearing: Tuesday, October 22, 2002 at 10:00 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/10/678 Oct. 8 CS67623

CERTIFICATE OF PUBLICATION

10/10/2002

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 10/8/2002.

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

S. Wilkins

LEGAL ADVERTISING

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 #03-132-A

122 Walnut Avenue

Southwest corner Walnut Avenue and Ash Street

12th Election District - 7th Councilmanic District

Legal Owner(s): Howard E. Winston

Contract Purchaser: Cheryl H. Davis

Variance: to permit a lot width at front building line of 48 feet in lieu of the required 55 feet and to approve an undivided lot with any other variances deemed by the Zoning Commissioner

Hearing: Wednesday, November 13, 2002 at 10:00 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.

JL 10/23/02 29 1377 482

CERTIFICATE OF PUBLICATION

10/31, 2002

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 10/29/2002.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 03-182-A

Petitioner/Developer: CHERYL H.

CHAVIS

Date of Hearing/Closing: 11/13/02

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 122 WALNUT AVE

The sign(s) were posted on 10/27/02
(Month, Day, Year)

Sincerely,

[Signature] 10/27/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

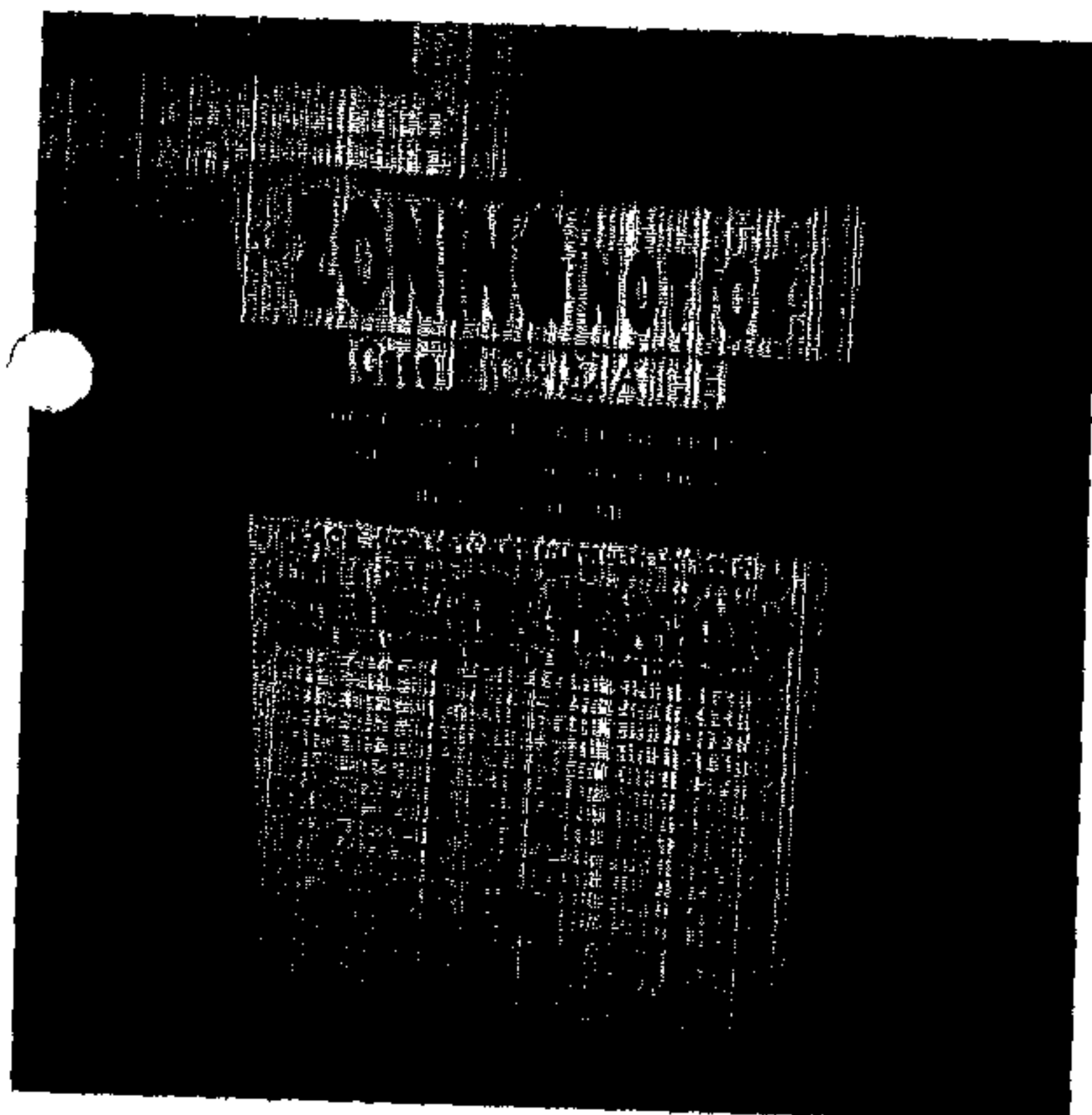
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RE: PETITION FOR VARIANCE.
122 Walnut Ave. SW corner Walnut
Ave. and Ash St.
12th Election District 7th Councilmanic
District
Legal Owner: Howard E. Winston
Contract Pur. Cheryl Chavis
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 03-132-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 2nd day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to L. Gerald Wolff, President, L.G.WOLFF ASSOCIATES, INC., 10 West Pennsylvania Avenue, Bel Air, MD 21014 Representative for Petitioner(s).


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday October 8, 2002 Issue – Jeffersonian

Please forward billing to:
Cheryl Chavis
P.O. Box 630
Fallston, MD 21047

410-557-9870

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: 03-132 A
122 Walnut Avenue
Southwest corner Walnut Ave. and Ash St.
Election District 12th - Councilmanic District 7th
Legal Owner: Howard E. Winston

VARIANCE to permit a lot width at front building line of 48 feet in lieu of the required 55 feet and to approve an undersize lot with any other variances deemed by the Zoning Commissioner.

HEARING: : Tuesday 10-22-02 at 10:00 am in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 29, 2002 Issue – Jeffersonian

Please forward billing to:

Cheryl Chavis
P.O. Box 630
Fallston, MD 21047

410-557-9870

NOTICE OF ZONING HEARING

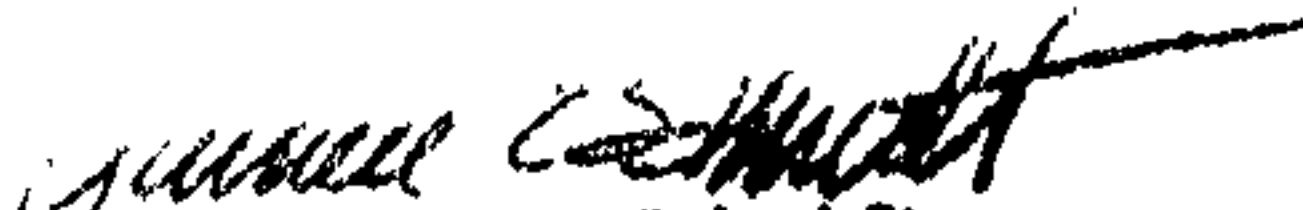
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 03-132-A

122 Walnut Avenue
Southwest corner Walnut Avenue and Ash Street
12th Election District – 7th Councilmanic District
Legal Owner: Howard E. Winston
Contract Purchaser: Cheryl H. Davis

VARIANCE to permit a lot width at front building line of 48 feet in lieu of the required 55 feet and to approve an undersized lot with any other variances deemed by the Zoning Commissioner.

HEARING: Wednesday, November 13, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

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

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us
September 25, 2002

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: 03-132 A
122 Walnut Avenue
Southwest corner Walnut Ave. and Ash St.
Election District 12th - Councilmanic District 7th
Legal Owner: Howard E. Winston

VARIANCE to permit a lot width at front building line of 48 feet in lieu of the required 55 feet and to approve an undersize lot with any other variances deemed by the Zoning Commissioner.

HEARING: Tuesday 10-22-02 at 10:00 am in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

Cc: Howard S. Winston, 404 Oakton Way, Abingdon, MD 21009
L. Gerald Wolff, President, L.G. Wolff Associates, Inc.
10 West Pennsylvania Avenue Bel Air MD 21014
Cheryl Chavis, P.O. Box 630 Fallston, MD 21047

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Monday October 7, 2002.**
(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.

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





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

October 4, 2002

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: 03-132-A

122 Walnut Avenue
Southwest corner Walnut Avenue and Ash Street
12th Election District – 7th Councilmanic District
Legal Owner: Howard E. Winston
Contract Purchaser: Cheryl H. Davis

VARIANCE to permit a lot width at front building line of 48 feet in lieu of the required 55 feet and to approve an undersized lot with any other variances deemed by the Zoning Commissioner.

HEARING: Wednesday, November 13, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

C: Howard E. Winston, 404 Oakton Way, Abingdon 21009
L. Gerald Wolff, President, L.G. Wolff Associates, Inc., 10 W. Pennsylvania Avenue,
Bel Air 21014
Cheryl H. Chavis, P.O. Box 630, Fallston 21047

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 29, 2002.**
(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.

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



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: 03-132-A
Petitioner: Howard E. Winston
Address or Location ^{site} 122 Walnut Ave (21222)

PLEASE FORWARD ADVERTISING BILL TO:

Name Ms. Cheryl Chevis
Address P.O. Box 630
Fallston, Md. 21047
Telephone Number 410-557-9870

Revised 2/20/98 - SCJ



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

October 17, 2002

Howard E. Winston
404 Oakton Way
Abingdon, MD 21009

Dear Mr. Winston:

RE: Case Number: 03-132-A, 122 Walnut Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 17, 2002.

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.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: L. G. Wolff, President, L. G. Associates, Inc., 10 W. Pennsylvania Avenue,
Bel Air 21014
Cheryl Chavis, P.O. Box 630, Fallston 21047
People's Counsel

*03-132-A Comments
(10-17-02)*

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





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

November 8, 2002

Howard E. Winston
404 Oakton Way
Abingdon, MD 21009

Dear Mr. Winston:

RE: Case Number: 03-132-A, 122 Walnut Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 17, 2002.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: L. G. Wolff, President, L. G. Associates, Inc., 10 W. Pennsylvania Avenue, Bel Air 21014
Cheryl Chavis, P.O. Box 630, Fallston 21047
People's Counsel

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





Baltimore County
Fire Department

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

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

Dear Mr. Zahner:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: (132)

131-146

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

RECEIVED

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 22, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For October 7, 2002
Item No. 132

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

The flood protection elevation for this site is 10.4 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the floodplain elevation in all construction.

In accordance with *Bill No. 18-90, Section 26-276*, filling within a floodplain is prohibited.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

Building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. Inter. Building Code adopted by the county.

The proposed house shall **not** interfere with the lines of sight.

RWB:CEN:jrb

cc: File

ZAC-10-7-2002-ITEM 132-10222002

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RB/TBT

DATE: October 23, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of September 30, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

132-138, 143-146

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 2, 2002

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

41-3805

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-132, & 03-144, & 03-145**

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:

John J. Perham

AFK/LL:MAC

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

VARIANCE
 Permit or Case No. 03-132-A

10/3/02

Residential Processing Fee Paid
 (\$50.00)

Accepted by _____
 Date _____

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

Undersized Lots

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

MUM APPLICANT SUPPLIED INFORMATION:

Cheryl Chavis

P.O. Box 630, Fallston, Md. 21047

410-557-9870

Print Name of Applicant

Address

Telephone Number

Lot Address 122 Walnut Ave.

Election District 12

Councilmanic District 7

Square Feet 4320

Location: N E S W side/corner of S Side Walnut Ave.

(street)

feet from N E S W corner of W Side Ash Ave.

(corner lot)

(street)

Owner Howard Winston

Tax Account Number 04121223054980

Address: 404 Oakton Way, Abingdon, Md. 21009

Telephone Number (410) 557-9870

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

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

Recommendation Form (3 copies)

YES

NO

Permit Application

Plan
 Copy (3 copies)

So Map (2 copies): available in Room 206, County Office Building - (please label site clearly)

Building Elevation Drawings

Photographs (please label all photos clearly)
 Existing Buildings

Surrounding Neighborhood

Current Zoning Classification: DR-5.5

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☒ Approval

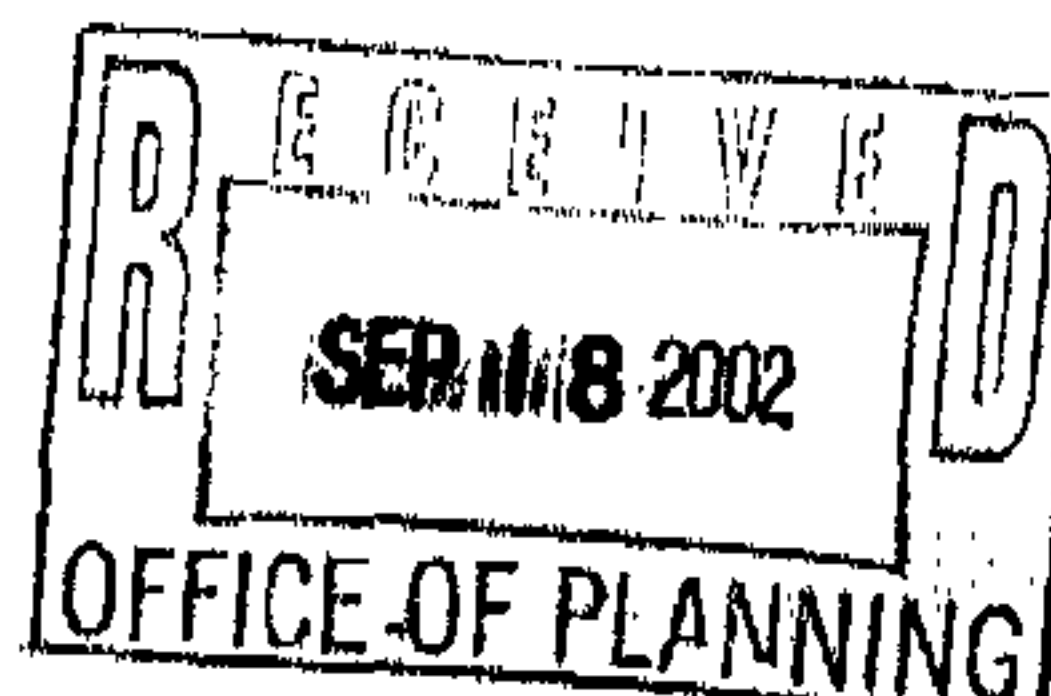


Disapproval



Approval conditioned on required modifications of the application to conform with the following

for the Director, Office of Planning and Community Conservation



Date: 9/27/02

Revised 2/25/99

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

Date	9/27/02	# of pages	1
From	John Lewis	Co.	PLANNING
Phone #	3480	Phone #	2824
Fax #		Fax #	

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 9-17-02 on John Sullivan (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 9-26-02 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-11-02 C (B-3 Work Days)

TENTATIVE DECISION DATE 10-17-02 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: _____

Director of Planning & Community Conservation
Attn: [redacted] Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 03-132-0

Residential Processing Fee Paid
(\$50.00)

Accepted by JJS
Date 9-17-02

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

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:

Print Name of Applicant Cheryl Chavis Address P.O. Box 630, Fallston, Md. 21047 Telephone Number 410-557-9870

Lot Address 122 Walnut Ave. Election District 12 Councilmanic District 7 Square Feet 4320

Location: N E S W side/corner of S Side Walnut Ave. (street) feet from N E S W corner of W Side Ash Ave. (street) (corner lot)

Owner Howard Winston Tax Account Number 04121223054980

Address: 404 Oakton Way, Abingdon, Md. 21009 Telephone Number (410) 557-9870

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
Two Recommendation Form (3 copies)	☒	☐
Permit Application	☐	☒
Site Plan	☒	☐
Property (3 copies)	☐	☒
Two Maps (2 copies) available in Room 206 County Office Building - (please label site clearly)	☒	☐
Building Elevation Drawings	☒	☐
Photographs (please label all photos clearly)	☒	☐
Surrounding Buildings	☒	☐
Surrounding Neighborhood	☒	☐

FOR
205
FILE

Current Zoning Classification: DR-55

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:

By _____
or the Director, Office of Planning and Community Conservation

Date: _____

Revised 2/25/99

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.1.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 132 JJS

Dear Mr. Zahner:

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



Maryland Department of Planning

*Parris N. Glendening
Governor*

*Kathleen Kennedy Townsend
Lt. Governor*

*Roy W. Kienitz
Secretary*

*Mary Abrams
Deputy Secretary*

September 27, 2002

Mr. George Zahner
Baltimore County Dept. of Permits and Development Management
111 West Chesapeake Avenue
Room 111, Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 10/7/02 re: case numbers 03-131-A, 03-132-A, 03-133-SPHXA, 03-134-A, 03-135-A, 03-136-SPH, 03-137-SPHA, 03-138-SPH, 03-139-SPH, 03-140-A, 03-141-A, 03-142-SPHA, 03-143-SPHA, 03-144-A, 03-145-A, 03-146-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 9/26/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup



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

October 4, 2002

Cheryl H. Chavis
P.O. Box 630
Fallston, MD 21047

Dear Ms. Chavis:

RE: Case Number 03-132-A

The above matter, previously scheduled for Tuesday, October 22, 2002, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:rlh

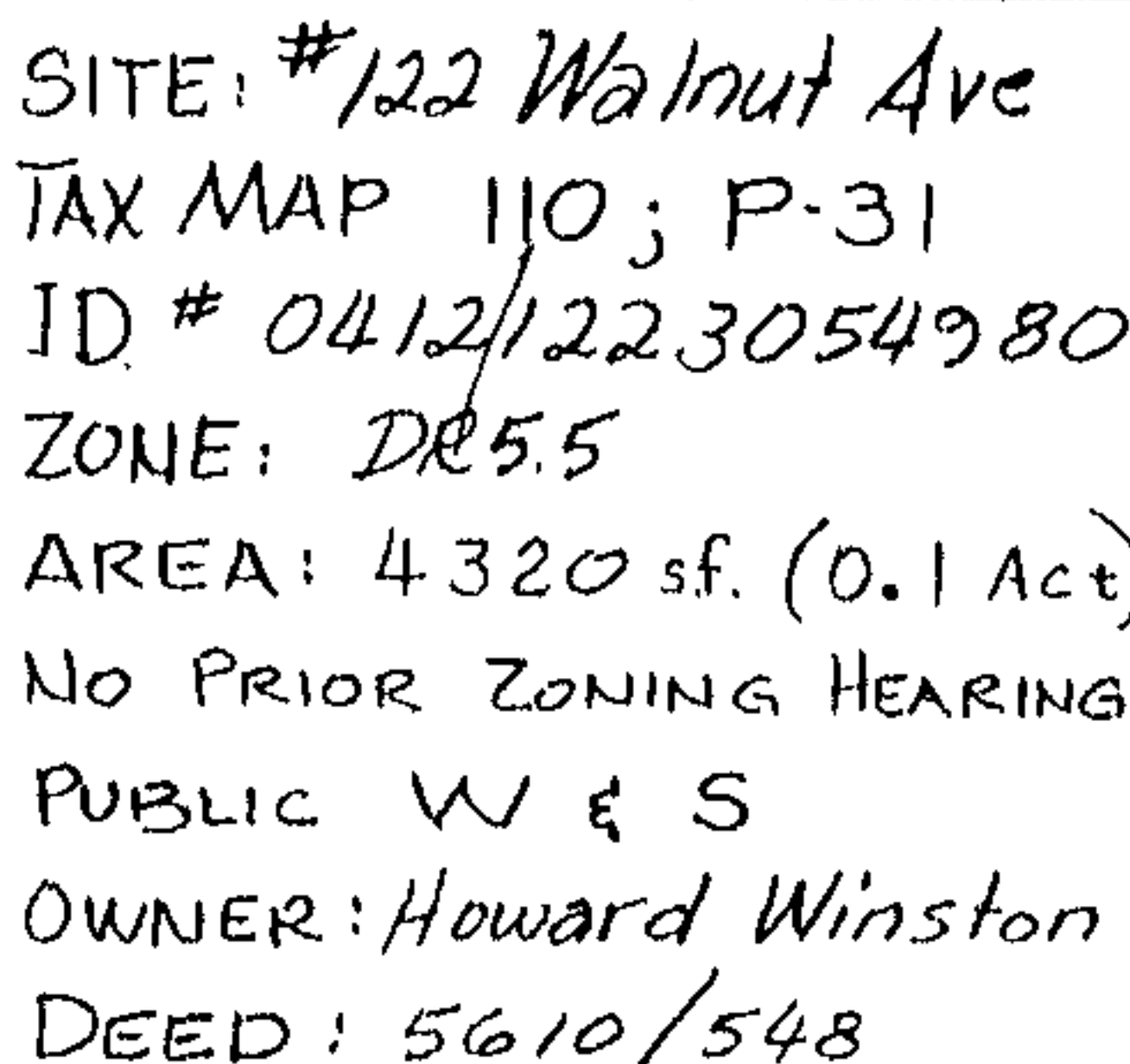
C: Howard E. Winston, 404 Oakton Way, Abingdon 21009
L. Gerald Wolff, President, L. G. Wolff Associates, Inc., 10 W. Pennsylvania
Avenue, Bel Air 21014



[illegible]

+ 8^{10} Denotes
Prop. Spol

The lot shown hereon is within Zone B as shown
on FIRM Map Community Panel No. 240010 0535 B



Plat 4 - 158
12th Election District
Baltimore County,
Maryland

File 088-02

RAPID MEMO

JTS

10/3/02
JTS

CHERYL H. CHAVIS

P.O. BOX 630

FALLSTON, MD 21047

410-557-9870

TO: Mr. Arnold Jablon, Zoning of Baltimore City
111 St. Chesapeake Ave Room 111
Baltimore, Md 21204

DATE: 9-30-02
SUBJECT: Re: Case # 03-1324.
122 Walnut Ave.

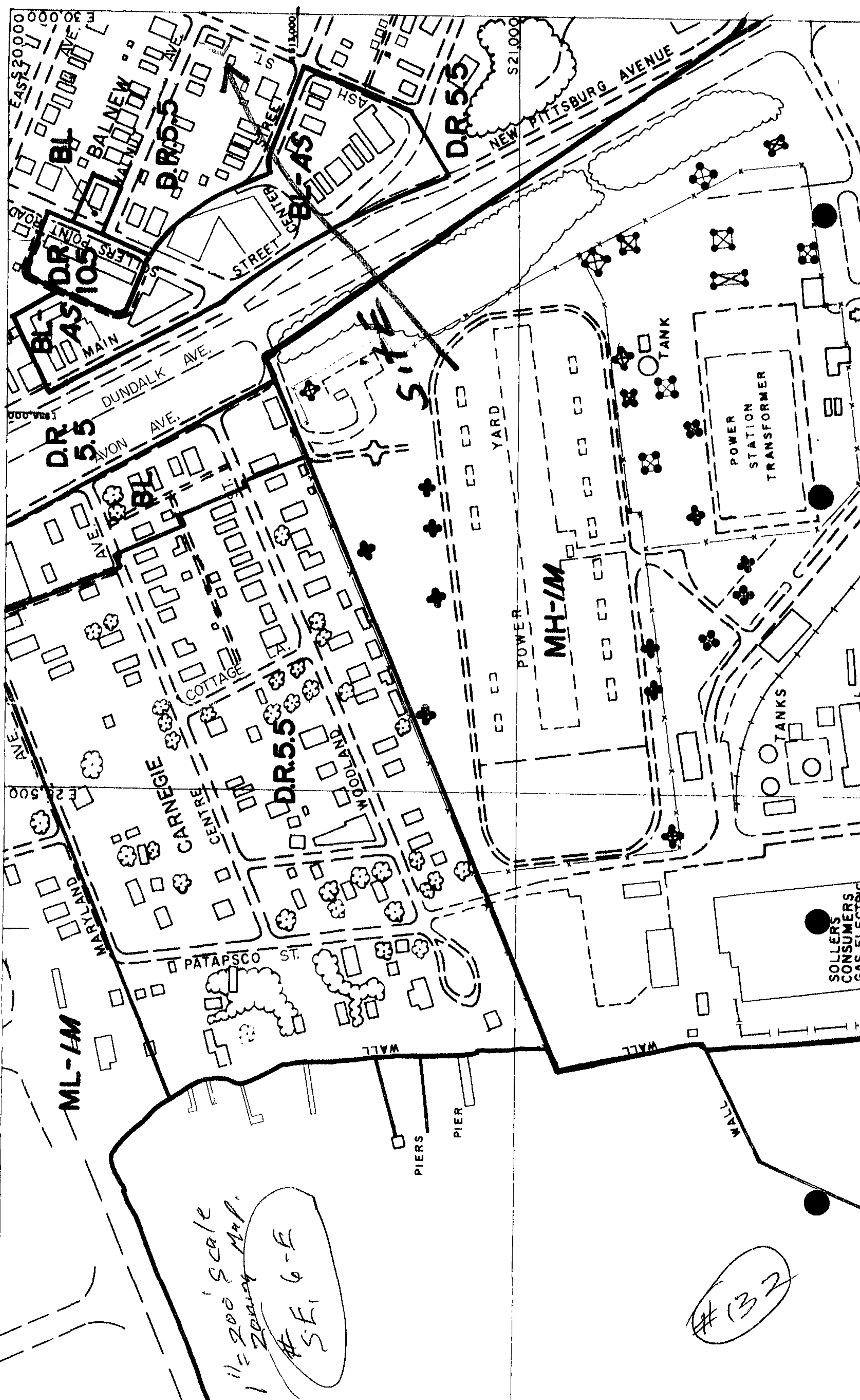
Upon receiving the "Notice of Zoning Hearing" regarding the above captioned property, I hereby request a date change for this hearing due to the fact that I will be out of the Country from October 19 thru October 26, 2002.

I would appreciate your prompt attention to my request to re-schedule this hearing.

Thanking you in advance.

Cheryl H. Chavis

RECEIVED	
02-4037	
OCT 2 2002	
DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT	



11 = 200' scale
1 = 200' map.
S.F. 6-6

#132







