IN RE: PETITION FOR ADMIN. VARIANCE S/S Homberg Avenue, 312' NW centerline of North Avenue 15th Election District 6th Councilmanic District (208/210 Homberg Avenue) Linda & William Bafitis *Petitioners*	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-347-A

* * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

As originally filed, this matter came before the Zoning Commissioner as a Petition for Variance for the property located at 208 Homberg Avenue in eastern Baltimore County. The petition was filed by William N. and Linda K. Bafitis, the property owners. The original petition sought variance relief from Section 1B02.3.C of the Baltimore County Zoning Regulations, to allow a side yard setback of 4 ft. in lieu of the required 10 ft.

The matter was set for public hearing on March 17, 2003. On that date, Mr. Bafitis appeared and was represented by J. Neil Lanzi, Esquire. During the course of the hearing, it was determined that Mr. & Mrs. Bafitis owned the subject property, which is improved by a 1½ story frame structure known as 210 Homberg Avenue. The property owned by Mr. & Mrs. Bafitis is actually comprised of two parcels of the original plat for this neighborhood ("Henry Homberg's Subdivision") which was recorded in 1914. Specifically, the Petitioners own part of Lot #26 which is an area that contains 8,000 sq. ft. The Petitioners also own the entirety of Lot #27 which is 10,000 sq. ft. Collectively, the property is 18,000 sq. ft. in area. The property is 90 ft. in width and 200 ft. in depth. As originally platted, each lot in this community was designed with the dimension of 50 ft. x 90 ft. The subject property is zoned D.R.5.5.

4/30/03

Mr. & Mrs. Bafitis propose to raze the single-family dwelling which presently exists on the property. The Petitioners are proposing to redevelop the property with two new single-family dwellings. One dwelling will be located on that 8,000 sq. ft. lot which is part of Lot #26. The dwelling located on that lot will be known as 208 Homberg Avenue. Additionally, the Petitioners propose construction of a new dwelling on Lot #27. That new dwelling will be known as 210 Homberg Avenue. The proposed improvements for the subject property are more particularly shown on the site plan marked as Petitioners' Exhibit No. 3. After the Petitioners' plans were explained at the initial hearing, the Petitioners agreed to file an amended Petition for Variance. As noted above, the original petition sought only relief from Section 1B02.3.C of the Baltimore County Zoning Regulations to request a variance of side yard setback variances of 4 ft. in lieu of the required 10 ft. In the judgment of the undersigned Zoning Commissioner, an Amended Petition for Variance was necessary seeking not only that relief, but relief also to allow a 40 ft. lot in lieu of the required 55 ft. (for Lot #26/208 Homberg Avenue) and to allow a 50 ft. lot width in lieu of the required 55 ft. (for Lot #27/210 Homberg Avenue). Thus, the hearing was continued, the amended petition was filed, and a new sign was posted on the property to advise of the amended petition and new hearing date.

The hearing was reconvened on April 8, 2003. Despite the readvertisement and reposting, no one appeared at the hearing other than Mr. Bafitis and Mr. Lanzi. The testimony and evidence presented was that both proposed lots contain sufficient area under the D.R.5.5 Zoning Regulations. The Petitioners could, by right, subdivide the total property so as to construct two new houses with a front to rear orientation. Under such a scenario, the front lot could be configured so as to maintain a sufficient width and area and no variance relief would be granted. Moreover, the rear lot could be configured in a "L" configuration so as to provide

4/30/03

access and sufficient area and width at the building line. Although such a proposal could be developed by right, such a development would be entirely inconsistent with the neighborhood. Examination of photographs submitted at the hearing show that most all of the houses in the community are on the original 50 ft. lots as plotted. Moreover, a zoning advisory committee comment favorable to the side by side orientation was received from the Office of Planning. Apparently, that office believes that development of this side by side proposal would be more consistent with the existing community and would not be detrimental to the safety or general welfare of the locale.

Upon due consideration of the testimony and evidence presented, I am persuaded to grant relief under the Amended Petition for Variance. The uniqueness associated with these parcels is brought about by the fact that the original subdivision was recorded in 1914, well prior to the adoption of any zoning regulations in Baltimore County. The Petitioners have met the requirements of Section 307 of the Baltimore County Zoning Regulations and I concur with the Office of Planning that side by side orientation of the proposed subdivision is preferable than a front to rear orientation. Again, it is to be noted that the property contains more than sufficient acreage and density to meet area and zoning requirements, and that the proposal is consistent with the existing neighborhood.

Pursuant to the advertising, posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this 30th day of April, 2003, that the Petitioners' Amended Petition for Variance from the Baltimore County Zoning Regulations, to request a variance of side yard setback variances of 4

4/30/03

ft. in lieu of the required 10 ft. and to allow a 40 ft. lot in lieu of the required 55 ft. (for Lot #26/208 Homberg Avenue) and to allow a 50 ft. lot width in lieu of the required 55 ft. (for Lot #27/210 Homberg Avenue), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

4/30/03

Baltimore County
Zoning Commissioner

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

April 30, 2003

J. Neil Lanzi, Esquire
409 Washington Avenue, Suite 617
Towson, Maryland 21204

Re: Petition for Variance
Case No. 03-347-A
Property: 208/210 Homberg Avenue

Dear Mr. Lanzi:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

Mr. & Mrs. William Bafitis
1249 Engleberth Road
Baltimore, Maryland 21221

Printed with Soybean Ink
on Recycled Paper

AMENDED

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 208/210 Homberg 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)

1B02.3C of BCZR;

1) For Lot 26, to allow a 4 foot side yard setback in lieu of 10 feet and a 40 foot lot width in lieu of 55 feet.
2) For Lot 27, to allow a 50 foot lot width in lieu of 55 feet.

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

For reasons to be provided at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

William Bafitis

Name - Type or Print

Signature

Linda Bafitis

Name - Type or Print

Signature

1249 Engleberth Rd — 410-391-3222

Address — Telephone No.

Baltimore, MD 21221

City — State — Zip Code

Attorney For Petitioner:

J. Neil Lanzi

Name - Type or Print

Signature

J. Neil Lanzi, P.A.

Company

409 Washington Ave Ste 617 — 410-296-0686

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

Representative to be Contacted:

J. Neil Lanzi

Name

409 Washington Ave Ste 617 — 410-296-0686

Address — Telephone No.

Towson, MD 21204

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

Case No. 03-347-A

4/30/03 Amended

2802/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 208 Homberg 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)

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) To allow a side yard set back of 4' in lieu of required 10'.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

None
Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

William N. Bafitis
Name - Type or Print

Signature

Linda K. Bafitis
Name - Type or Print

Signature

1249 Engleberth Road — 410-391-2336
Address — Telephone No.

Baltimore — Maryland — 21221
City — State — Zip Code

Representative to be Contacted:

Same As Above
Name

Address — Telephone No.

City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr

UNAVAILABLE FOR HEARING

Reviewed By _____ **Date** 1-28-03

Case No. 03-347-A

REV 9/15/98

Bafitis & Associates, Inc.

ZONING DESCRIPTION
FOR
208 HOMBERG AVENUE
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND 21221

Beginning for same at a point on the Southside of Homberg Avenue, 40 foot wide and 312 feet Northwesterly from the centerline intersection of North Avenue 40 feet wide. Thence leaving Homberg Avenue the following four courses and distances;

1) South 49°-13'-00" West 200.00' to a point;

2) Thence South 40°-47'-00" East 40.00' to a point;

3) Thence North 49°-13'-00" East 200.00' to a point;

4) Thence North 40°-47'-00" West 40.00' to the place of beginning.

Containing 8,000 Square Feet or 0.1837 Ac.

Being known as part of Lot 26 as recorded among the Land Records of Baltimore County, Maryland. Deed Reference: 4462/159.

(Seal)
William N. Bafitis, P.E. Md. Registration #11641

1/20/03
Date

#347

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: #03-347-A
208 Homberg Avenue
S/side Homberg Avenue, 312 northwest of centerline of North Avenue
15th Election District
6th Councilmanic District
Legal Owner(s): William and Linda Baftis
Variance: to permit a side yard setback of 4 feet in lieu of the required 10 feet.
Hearing: Monday, March 17, 2003 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.
2/371 Feb. 27 C589705

CERTIFICATE OF PUBLICATION

2/28/, 2003

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 2/27/, 2003.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Cal No. 20463
03-347-A

DATE 1-28-03 ACCOUNT R-001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: Mr. T. Bates

FOR: Residential Variance Filing Fee
R-208

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
1/29/2003 1/29/2003 10:06:54
REG WAIT WALK-IN DOL DAD DRAWER
RECEIPT # 212770 1/29/2003 01
DEPT 5 528 ZONING VERIFICATION
CR NO. 020463
Recpt Tot $65.00
65.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE. Case No.: 03-347-A

Petitioner/Developer: BAFITIS, LANZI, ETAL

Date of Hearing/Closing: APRIL 8th 2003

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

Reposting ★

ATTENTION: BECKY HART

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 208 HOMBERG

The sign(s) were posted on 3/19/03
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 3/19/03
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

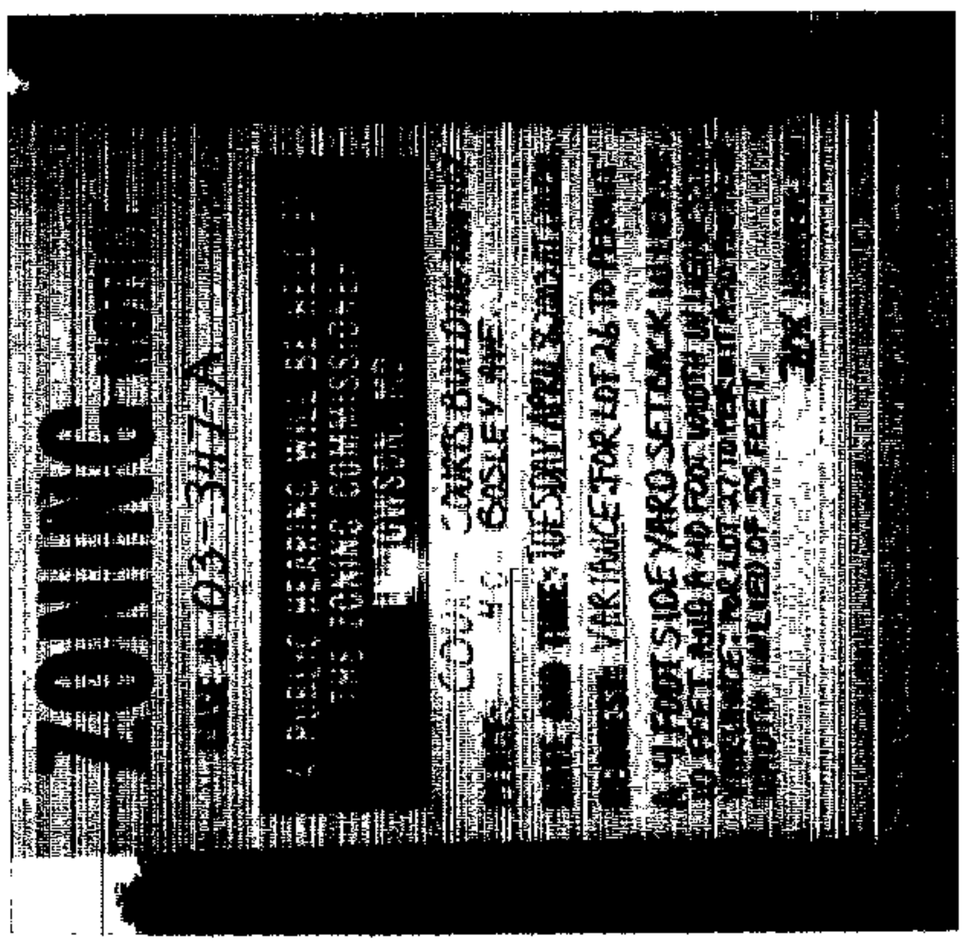
523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-857
(Telephone Number)

208 Homberg Ave

fax brand fax transmittal memo 7671 | # of pages ▸ 1
To PETITIONER FOBIN | From OVERBEE
Co. ZONING COMM. | Co.
Dept. | Phone # 887-3391
Fax # 410-887-3468 | Fax # 666-0919



CERTIFICATE OF POSTING

RE: Case No.: 03-347-A

Petitioner/Developer: William and LINDA BAFITIS

Date of Hearing/Closing: MARCH 17, 2003

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

ATTENTION: BECKY HART

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 208 HOMBERG AVE

The sign(s) were posted on FEBRUARY 26, 2003
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/26/03
(Signature of Sign Poster and Date)

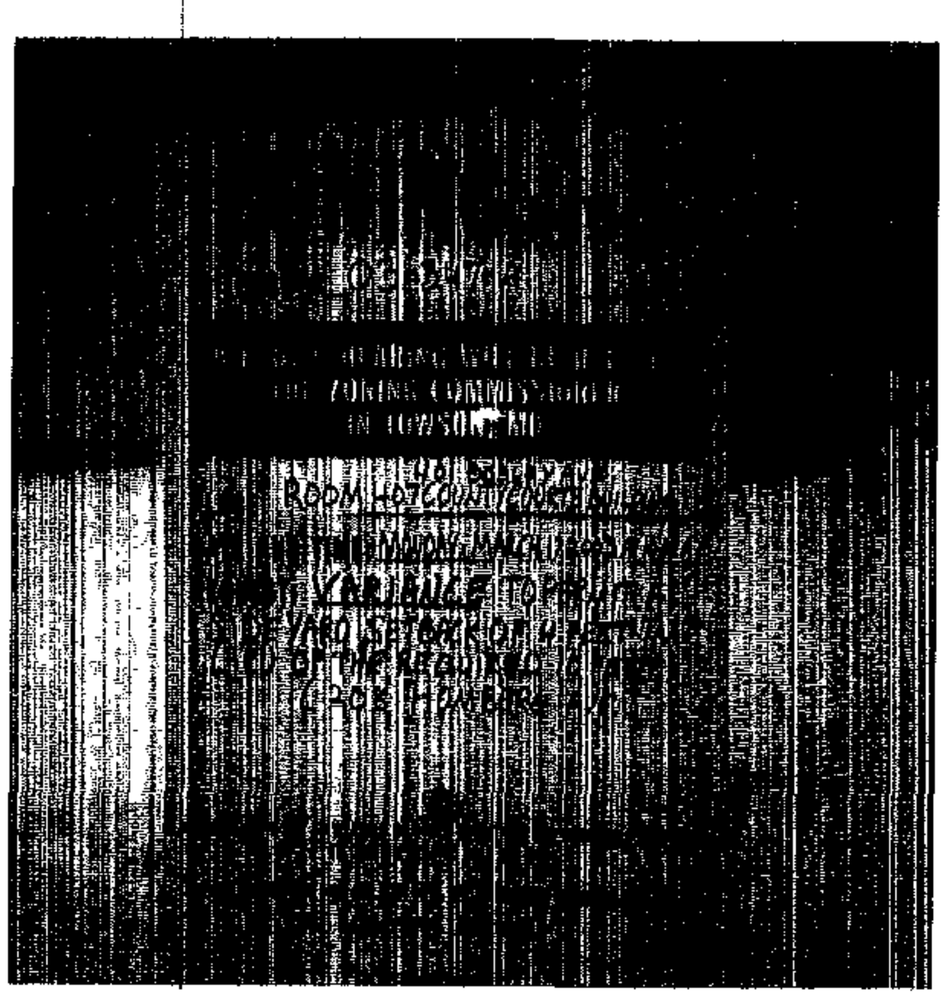
PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

208 HOMBERG AVE.



brand fax transmittal memo 7671 | # of pages ▸ 1

To: PETITIONER ROBIN
Co.: ZONING COMM.
Dept.:
Fax #: 410-887-3468

From: O'KEEFE
Co.:
Phone #: 666-4421
Fax #: 666-0929

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

February 4, 2003

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: 03-347-A
208 Homberg Avenue
S/side Homberg Avenue, 312 northwest of centerline of North Avenue
15th Election District – 6th Councilmanic District
Legal Owner: William and Linda Bafitis

Variance to permit a side yard setback of 4 feet in lieu of the required 10 feet.

Hearings: Monday, March 17, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: William and Linda Bafitis, 1249 Engleberth Road, Baltimore 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN *APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 1, 2003.***
(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.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 27, 2003 Issue - Jeffersonian

Please forward billing to:
Mr. and Mrs. William Bafitis
1249 Engleberth Road
Baltimore, MD 21221

410-391-2336

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: 03-347-A
208 Homberg Avenue
S/side Homberg Avenue, 312 northwest of centerline of North Avenue
15th Election District – 6th Councilmanic District
Legal Owner: William and Linda Bafitis

Variance to permit a side yard setback of 4 feet in lieu of the required 10 feet.

Hearings: Monday, March 17, 2003 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.

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: 03-347-A

Petitioner: Mr + Mrs. Wm. Bafitis

site Address or Location: 208 Homberg Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same

Address: 1249 Engleberth Rd.
Baltimore, Md. 21221

Telephone Number: 410-391-2336

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

March 14, 2003

William N. and Linda Bafitis
1249 Engleberth Road
Baltimore, MD 21221

Dear Mr. and Mrs. Bafitis:

RE: Case Number: 03-347-A, 208 Homberg Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 28, 2003.

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.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

Printed with Soybean Ink
on Recycled Paper

MARYLAND DEPARTMENT OF TRANSPORTATION
Robert L. Ehrlich, Jr., *Governor* • Michael S. Steele, *Lt. Governor* • Trent M. Kittleman, *Acting Secretary*

Date: 2·4·03

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

RE: Baltimore County
Item No. 347 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 (lgredlem@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number/toll-free 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 · *Phone* 410.545.0300 · www.marylandroads.com

Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: February 3, 2003

Item No.: 339-347, 349

Dear Ms. Hart:

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.*

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

cc: File

Baltimore County
Zoning Commissioner

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

March 17, 2003

J. Neil Lanzi, Esquire
409 Washington Avenue, Suite 617
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S Homberg Avenue, 312' NW of the c/l North Avenue
(208 Homberg Avenue)
15th Election District – 6th Council District
William F. Bafitis – Petitioner
Case No. 03-347-A

Dear Mr. Lanzi:

This letter is to confirm that the above-captioned matter was continued in open hearing this date to allow you and your client the opportunity to amend the requested relief. By agreement of all parties present, the matter has been scheduled to reconvene on Tuesday, April 8, 2003 at 1:00 PM in Room 407 of the Circuit Courts Building. It is my understanding that you will arrange to have the property re-posted giving public notice of the amended relief and the reconvened hearing date, time and location. It is also understood that you will bring an amended Petition for Variance with you to the April hearing.

In the meantime, should you have any questions on the subject, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Case File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS | TOT

DATE: March 12, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of February 3, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

343, 345, 347, 350

LD Sign 3/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 11, 2003

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

RECEIVED
FEB 14 2003
ZONING COMMISSIONER

SUBJECT: 208 Homberg Avenue

INFORMATION:

Item Number: 03-347

Petitioner: William Bafits

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit a side yard setback of 4 feet in lieu of the minimum required 10 feet provided building elevations are submitted to this office for review and approval prior to the issuance of any building permits.

Prepared by: Martha Cummings

Section Chief: Kathy Schlosnagle

AFK/LL:MAC:

W:\DEVREV\ZAC\03-347.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 26, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For February 10, 2003
Item Nos. 339, 340, 341, 342, 344,
345, 347, 348, 349, and 350

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

RWB:CEN:jrb

cc: File

RE:	PETITION FOR VARIANCE 208 Homberg Avenue; Sside Homberg Ave 312ft NW ctrline North Avenue 15th Election & 6th Councilmanic District Legal Owners: William N & Linda K Bafitis Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 03-347-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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio
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 10th day of February, 2003, a copy of the foregoing Entry of Appearance was mailed to, William N and Linda K Bafitis, 1249 Engleberth Road, Baltimore, MD 21221, Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Maryland Department of Planning

Audrey E. Scott
Secretary

Florence E. Burian
Deputy Secretary

February 4, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
111 W. Chesapeake Avenue
Room 111, Mail Stop # 1105
Towson MD 21204

Re: **Zoning Advisory Committee Agenda 02/10/03 re: case numbers 03-339-A, 03-340-A, 03-341-A, 03-342-SPHA, 03-343-A, 03-344-SPH, 03-345-A, 03-346-SPH, 03-347-A, 03-348-SPH, 03-349-A, 03-350-XA**

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 02/04/03. 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

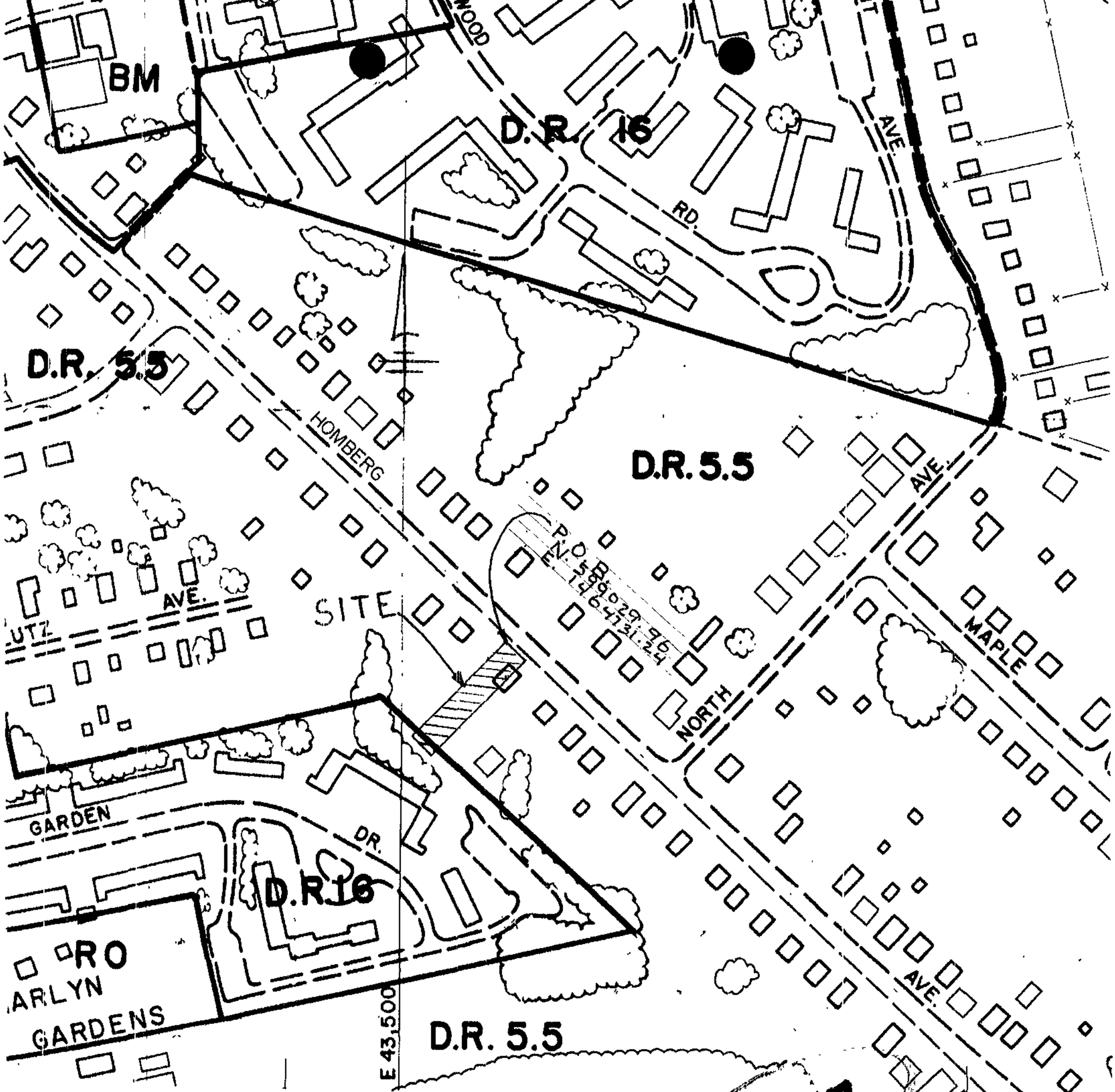
cc: Mike Nortrup

PLEASE PLEASE PRINT CLEARLY

CASE NAME 208/210 Hornberg Ave
CASE NUMBER 03-347-A
DATE 4/8/03

PETITIONER'S SIGN-IN SHEET

NAME	NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Nick Carr	Nick Carr	409 Washington Ave Ste 617	Towson MD 21204	
Bill Bafitis	William Bafitis	1249 Engleberth Rd.	Essex Md. 21221	



2000 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.

Chairman, County Council

347

BA
OFFICE O

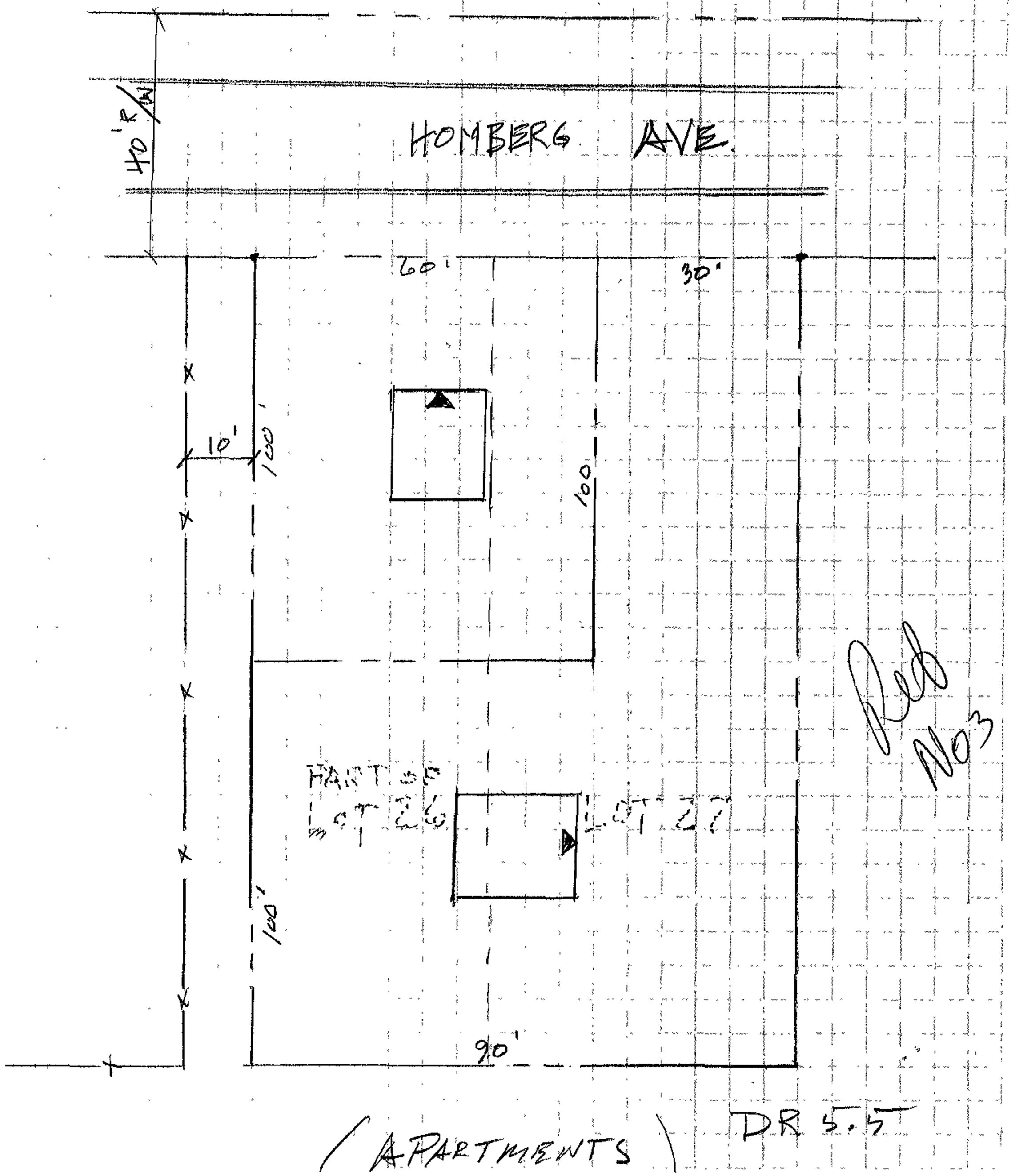
SCALE	LOCATION	SHEET
1" = 200'±	STEMMERS RUN BACK RIVER NECK	N. E. 2-H
DATE OF PHOTOGRAPHY JANUARY 1986		

Bafitis & Associates, Inc.
Baltimore, MD

JOB 210 HOMBERG AVE. COMPUTED BY WNB DATE 11/27/02

DESCRIPTION LOT LINE ADJUSTMENT CHECKED BY _____ DATE _____

SHEET 1 OF 1



No 3

ZONING NOTICE

CASE # 03-347-A

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

PLACE: COUNTY COURTS BUILDING ROOM 407
401 BOSLEY AVE.

DATE AND TIME: TUESDAY, APRIL 8, 2003 AT 1:00 PM.

REQUEST: VARIANCE: FOR LOT 26 TO PERMIT A 4 FOOT SIDE YARD SETBACK IN LIEU OF 10 FEET AND A 40 FOOT WIDTH IN LIEU OF 55 FEET. VARIANCE: FOR LOT 27 TO PERMIT A 50 FOOT LOT WIDTH IN LIEU OF 55 FEET.

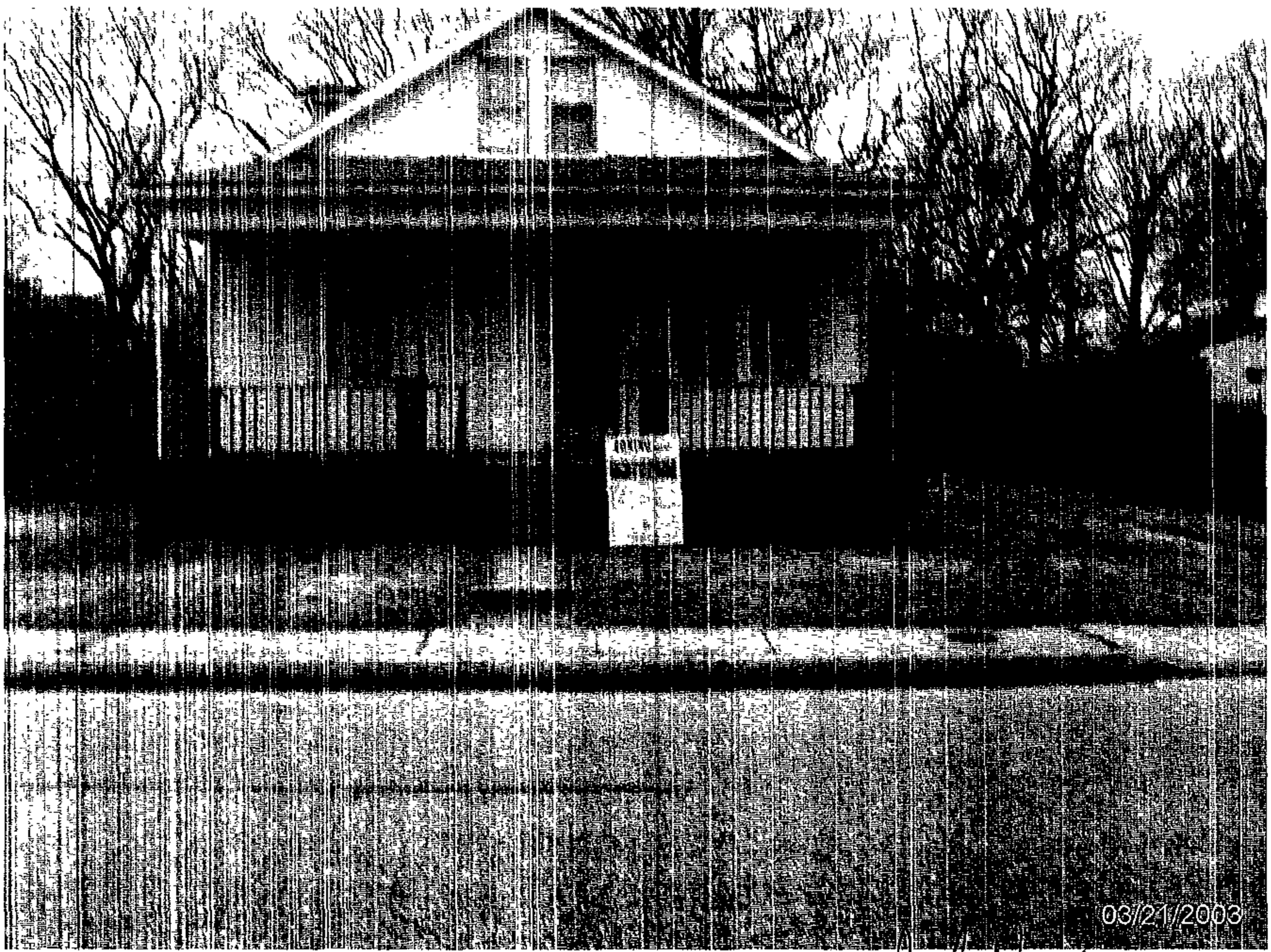
208 HOMBERG AVE.

PROCEEDINGS CAN BE DELAYED DUE TO WEATHER OR OTHER CONDITIONS AND SOMETIMES NECESSARY TO CONTINUE HEARING. CALL ART 3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE PM 01

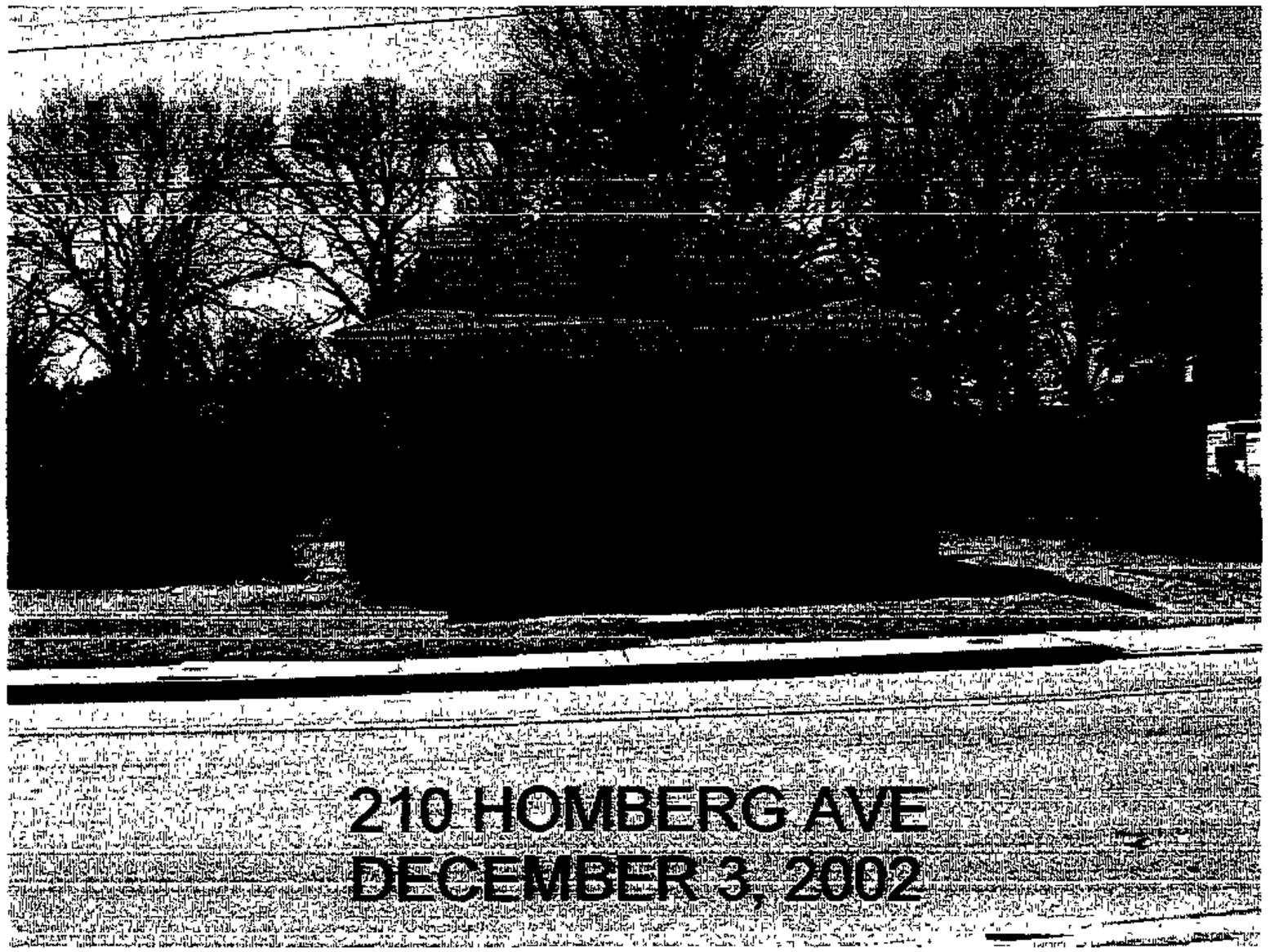
03/21/2003

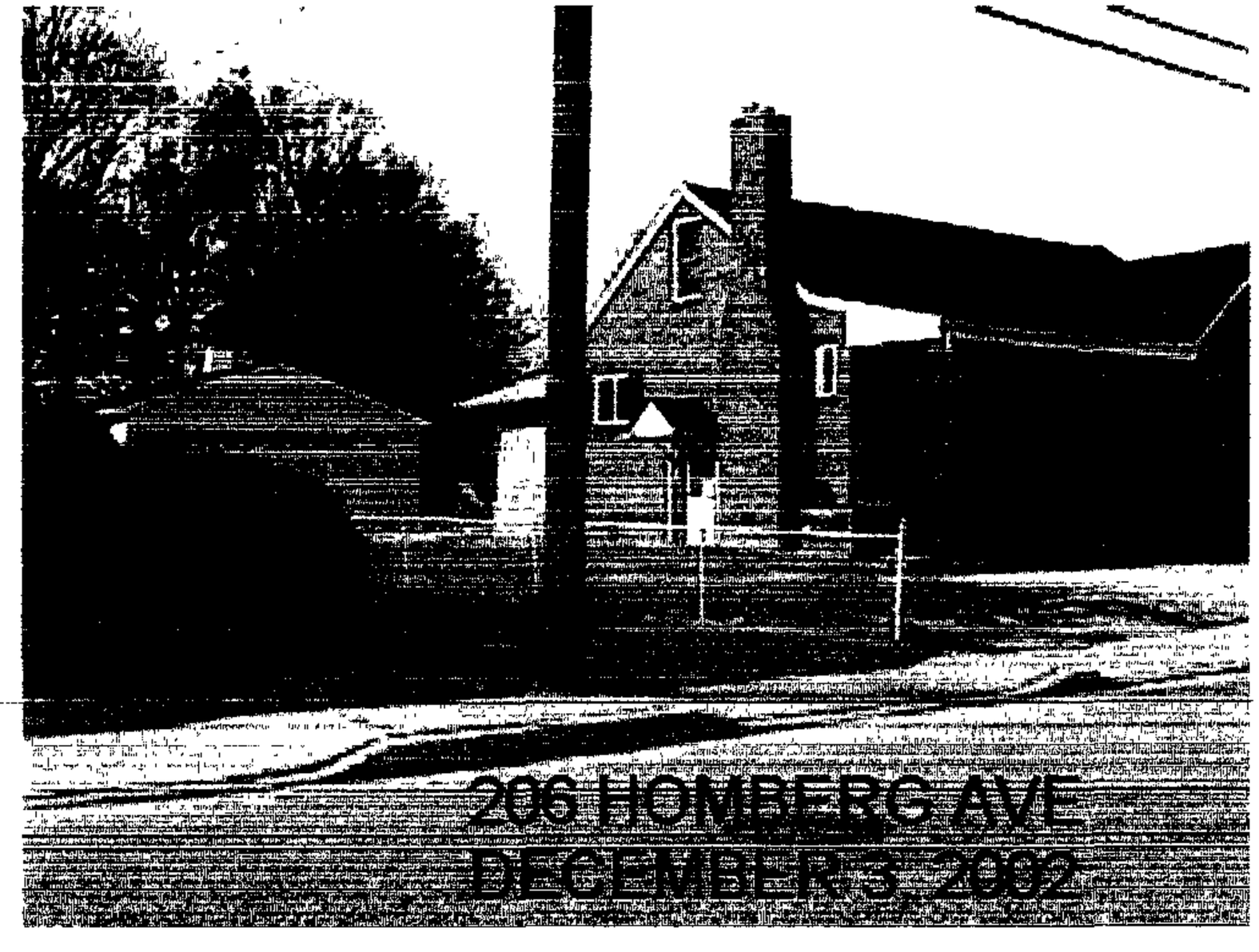


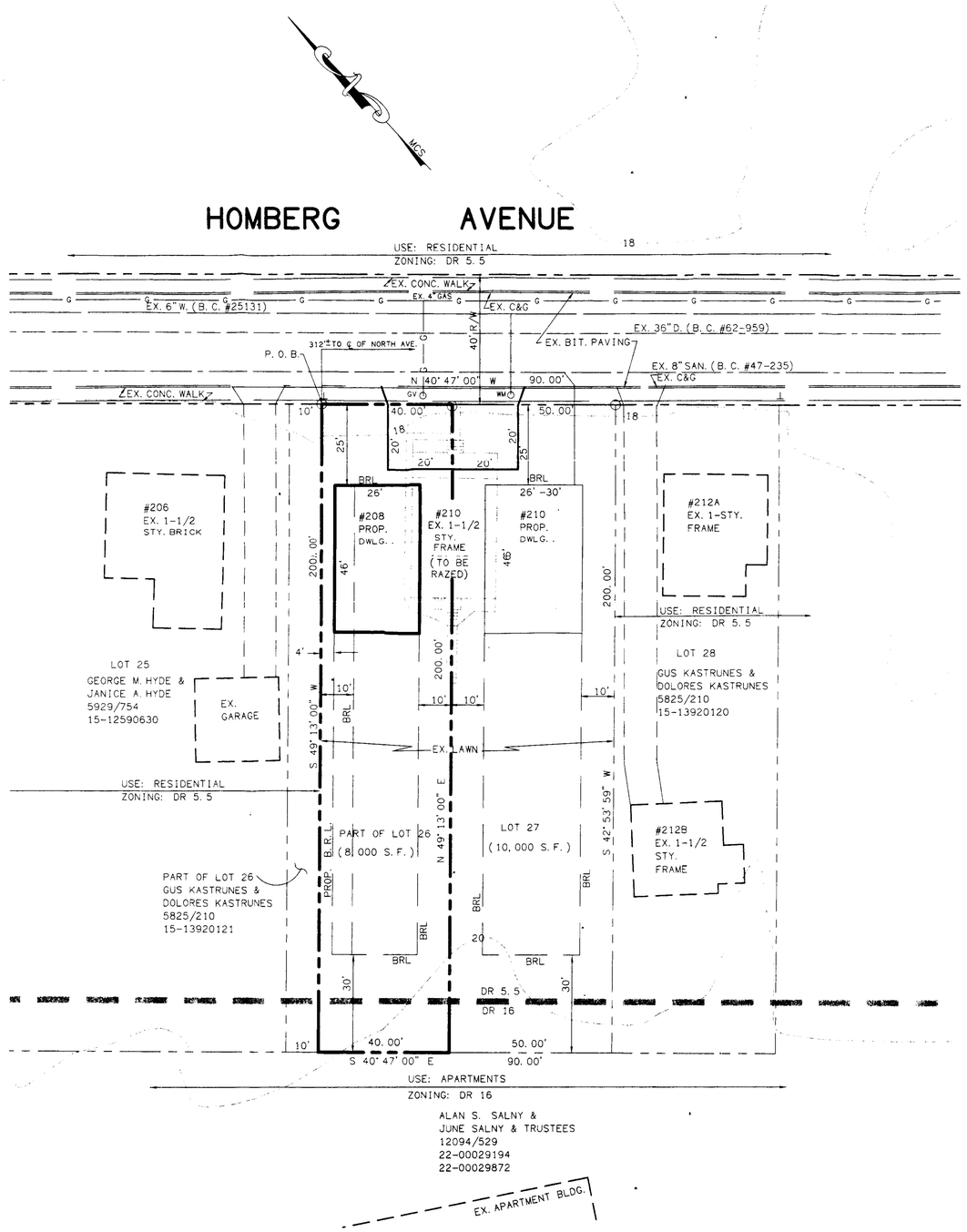
03/21/2003

Pd 164

GA


210 HOMBERG AVE
DECEMBER 3, 2002


206 HOMBERG AVE
DECEMBER 3, 2002



NOTES

1. THIS SITE IS SERVED BY EXISTING PUBLIC WATER AND SEWER.
2. THERE ARE NO KNOWN ZONING CASES FOR THIS SITE.
3. THIS SITE IS NOT SITUATED WITHIN THE CHESAPEAKE BAY CRITICAL AREAS.

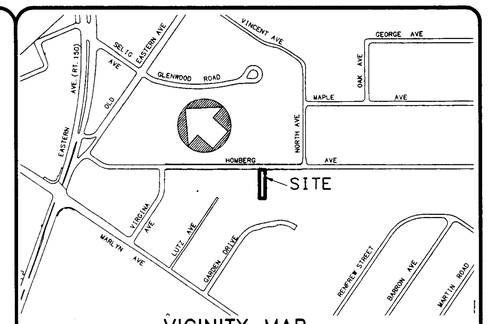
ZONING REQUEST

△1 PART OF LOT 26:

1. TO ALLOW A UNDERSIZED LOT OF FORTY(40')WIDE IN LIEU OF THE REQUIRED FIFTY FIVE(55')WIDE UNDER SECTION 304.1 A OF THE B.C.Z.R.
2. VARIANCE TO PREMIT A SIDE YARD SETBACK OF FOUR (4') FEET IN LIEU OF THE REQUIRED TEN (10') FEET SETBACK UNDER SECTION 1B02.3 C OF THE B.C.Z.R.

△1 LOT 27:

1. TO ALLOW A UNDERSIZED LOT OF FIFTY(50')WIDE IN LIEU OF THE REQUIRED FIFTY FIVE(55')WIDE UNDER SECTION 304.1 A OF THE B.C.Z.R.



VICINITY MAP
(SCALE: 1" = 500')

SITE DATA

1) OWNER: WILLIAM N. BAFITIS & LINDA K. BAFITIS
#1249 ENGLEBERTH ROAD
BALTIMORE, MARYLAND 21221
(410) 391-2336
2) DEED REF: 17298/740 △1
△1 3) PLAT REF: 06/124
4) TAX ACC. NO.: 15-12202820
5) TAX MAP: 97 PARCEL: 815 LOT 27 & PART OF LOT 26
6) ELECTION DISTRICT: 15TH
7) CONCILMANIC DISTRICT: 6TH
8) REGIONAL PLANNING DISTRICT: 328
9) CENSUS TRACT: 4507
10) EXISTING ZONING IS DR 5.5
11) ZONING MAP: N.E. 2-H
12) SITE AREA: PART OF LOT 26 8,000 S.F. OR 0.184 AC.
△1 LOT 27 10,000 S.F. OR 0.229 AC.
13) USE: EXISTING: RESIDENTIAL
PROPOSED: RESIDENTIAL

Bafitis & Associates, Inc.
1249 Engleberth Rd. Baltimore, MD 21221
William N. Bafitis, P.E.
PRESIDENT
Civil Engineers/Land Planners
SURVEYORS
(410) 391-2336

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR #208 AND #210 HOMBERG AVENUE

15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

STATE OF MARYLAND
WILLIAM NORMAN BAFITIS
No. 11641
REGISTERED
PROFESSIONAL ENGINEER

WILLIAM N. BAFITIS,P.E.

1 1/27/03

SHEET 1 OF 1

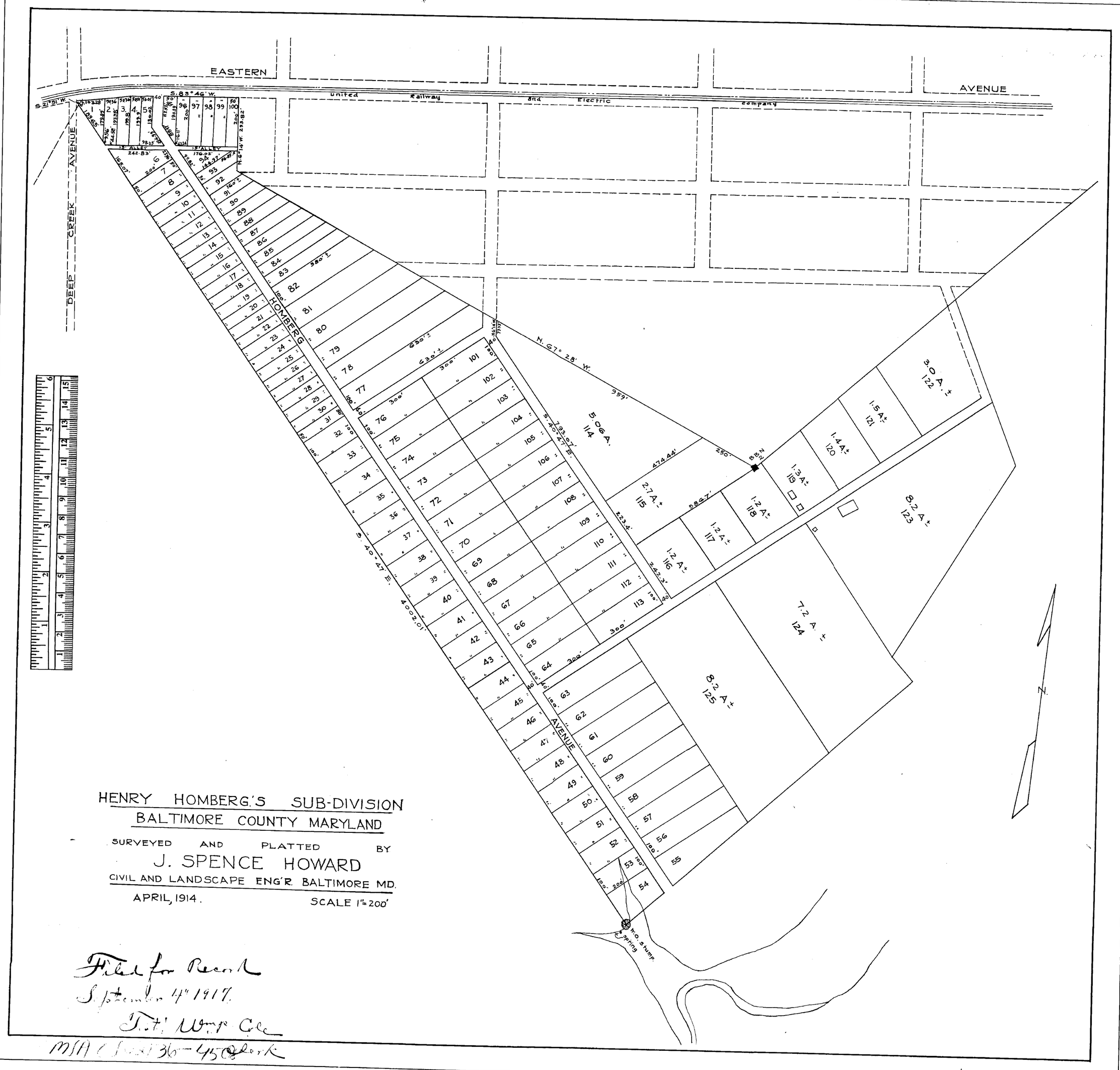
SCALE: 1" = 20'

JOB ORDER NO: 20237

DATE: 01/27/03

NO.	REVISIONS	DATE
△1	ZONING COMISSIONER'S REQUEST AS PER HEARING COMMENTS 03/17/03.	03/19/03

c:\20237\BASE-1 Thu Mar 27 10:08:37 2003



HENRY HOMBERG'S SUB-DIVISION
BALTIMORE COUNTY MARYLAND

SURVEYED AND PLATTED BY
J. SPENCE HOWARD
CIVIL AND LANDSCAPE ENG'R. BALTIMORE MD.

APRIL, 1914. SCALE 1" = 200'

Filed for Record
September 4th 1917.
T. H. Wm. Cole
Clerk

MSA C 2136-4508