

IN RE: PETITION FOR VARIANCE
N/S of Park Place, 284' SW of the c/l
Cedar Drive
(8 Park Place)
1st Election District
4th Council District

Leonard & Helen DiPaula, Owners,
c/o Concetta Barth;

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-436-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 owners of the subject property, Leonard and Helen DiPaula, through Concetta Barth, Power of Attorney, and the Contract Purchaser, Steve Smith. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 15 feet in lieu of the required 25 feet, a rear yard setback of 24 feet in lieu of the required 30 feet, approval of the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R., and a lot area of 4,592 sq.ft. in lieu of the required 6,000 sq.ft., and any other variances deemed necessary by the Zoning Commissioner for a proposed 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 Steve Smith, Contract Purchaser, and Vincent Moskunus, on behalf of Site Rite Surveying, Inc., the consultants who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the Petitioners own two adjacent, unimproved parcels, known as 6 and 8 Park Place, in the community of Gwynns Falls. The properties are also known respectively as Lots 39 and 40 of Larchmont, an older subdivision that was recorded in 1940, well prior to the adoption of zoning regulations in Baltimore County. A copy of the plat for Larchmont was submitted into evidence as Petitioner's Exhibit 2. Lot 39

ORDER RECEIVED FOR FILING

Date 9/18/03

By [Signature]

contains approximately 4,592 sq.ft., more or less, zoned D.R.5.5 and Lot 40, approximately 4,991 sq.ft., also zoned D.R.5.5. The Petitioners are desirous of developing both parcels with a single-family dwelling; however, variance relief is necessary due to the unusual shape and small size of the properties. Separate Petitions were filed due to the unique characteristics associated with each parcel; however, since the properties are owned by the same people and are adjacent to one another, the two cases were heard contemporaneously.

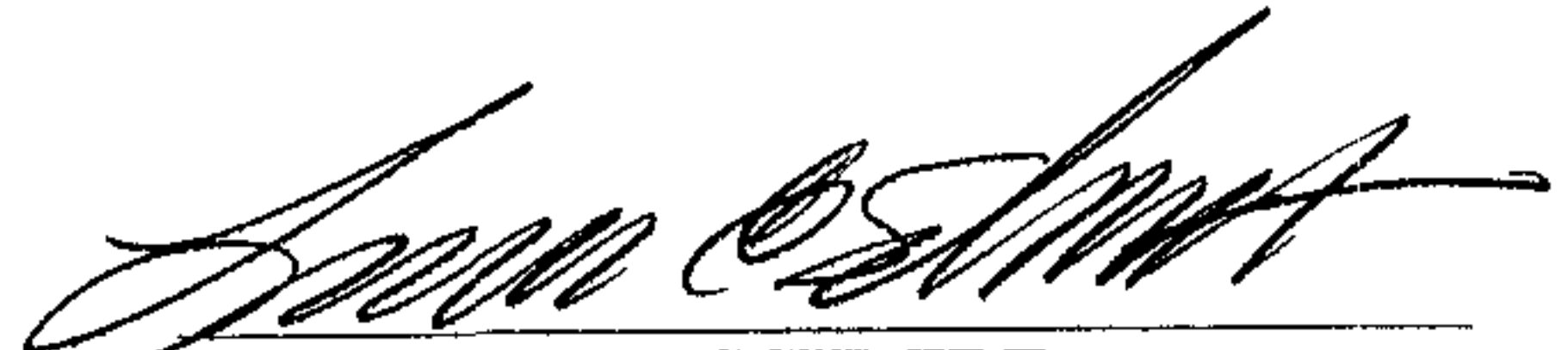
In the instant case, relief is requested for Lot 39, also known as 6 Park Place. In this regard, Lot 36 is a roughly triangular shaped parcel located on the northwest corner of the intersection of Park Place and Hillside Road. Due to the unique shape of the lot, the width along the front property line is approximately 64 feet; however, it widens to approximately 100 feet along the rear. The site plan shows that the proposed dwelling will be located 15 feet from the front property line in lieu of the required front average of 25 feet, and side yard setbacks of 10 feet on the north side and 28 feet on the south side will be provided. Thus, variance relief is requested from front and rear setback requirements. In addition, the minimum lot area required for a D.R.5.5 zoned lot, pursuant to Section 1B02.3.C.1 of the B.C.Z.R., is 6,000 sq.ft. The total lot area of the subject lot is 4,991 sq.ft. Thus, variance relief is necessary from the lot area requirements. It is to be noted that this lot is located with frontage immediately adjacent to two paper streets; Hillside Path to the rear and the improved part of Park Place ends at the property's frontage. Therefore, the lot appears larger in the field in that the property line is at the right-of-way for these two streets.

Based upon the testimony and evidence present, I am persuaded to grant relief. As noted above, the subdivision of Larchmont was laid out prior to the adoption of zoning regulations in Baltimore County and thus, many of the lots lack sufficient width and area. The location of the building envelope and proposed dwelling are consistent with others in the community and it is clear that there will be no detrimental impact to adjacent properties if relief is granted. Moreover, strict compliance with the zoning regulations would be unreasonable and result in a practical difficulty for the Petitioners. For all of these reasons, the relief requested will be granted.

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.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of September 2003 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 front yard setback of 15 feet in lieu of the required 25 feet, a rear yard setback of 24 feet in lieu of the required 30 feet, approval of the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R., and a lot area of 4,592 sq.ft. in lieu of the required 6,000 sq.ft., and any other variances deemed necessary by the Zoning Commissioner for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 9/18/03
By [Signature]



**Baltimore County
Zoning Commissioner**

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

September 17, 2003

Ms. Concetta Barth
782 Powhatan Beach Road
Pasadena, Maryland 21122

RE: PETITIONS FOR VARIANCE
N/S Park Place, 256' and 284' SW of the c/l Cedar Drive
(6 & 8 Park Place)
1st Election District -- 4th Council District
Leonard and Helen DiPaula, Owners; Steve Smith, Contract Purchaser - Petitioners
Case Nos. 03-436-A and 03-442-A

Dear Ms. Barth:

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

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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Steve Smith
8008 Solley Road, Glen Burnie, Md. 21060
Mr. Vincent Moskunas, Site Rite Surveying, 200 E. Joppa Road, #101, Towson, Md. 21286
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 8 Park Place

which is presently zoned D.R. 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 (B.C.Z.R.) To permit a proposed dwelling, to have a front yard setback of 15' and a rear yard setback of 24' in lieu of the required 25' and 30', respectively, to be situated on a lot having an area of 4592 S.F. in lieu of the required 6000 S.F. and to approve an undersized lot per section 304 (B.C.Z.R.) and to approve 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)

For reasons see attached sheet.

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:

Steve Smith

Name - Type or Print

Signature

8008 Solley Road

443-463-3444

Address

Telephone No.

Glen Burnie, MD 21060

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Power of Attorney

Concetta Barth for Leonard & Helen DiPaula

Name - Type or Print

Signature

Name - Type or Print

Signature

782 Powhatan Beach Road

410-360-9814

Address

Telephone No.

Pasadena, MD 21122

State

Zip Code

Representative to be Contacted:

Concetta Barth

Name

782 Powhatan Beach Road

410-360-9814

Address

Telephone No.

Pasadena, MD 21122

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Reviewed By LIM

Date 3/20/03

Case No. 03-436-A

ORDER RECEIVED FOR FILING

Date

By

**REASONS FOR PRACTICAL DIFFICULTY FOR LOT 39 PARK PLACE
PETITION FOR VARIANCE**

- 1. THE SUBJECT PROPERTY IS AND HAS BEEN A LOT OF RECORD ON A PLAT ENTITLED "LARCHMONT" RECORDED 12/85 SINCE 1940.**
- 2. THE CONFIGURATION OF THE LOT HINDERS COMPLIANCE WITH THE BALTIMORE COUNTY ZONING REGULATIONS; THUS, STRICT COMPLIANCE WITH SUCH REGULATIONS WOULD UNREASONABLY PREVENT THE USE OF THE PROPERTY AS PERMITTED.**
- 3. THE RELIEF BEING REQUESTED IS IN STRICT HARMONY WITH THE SPIRIT AND INTENT OF THE BALTIMORE COUNTY ZONING REGULATIONS.**

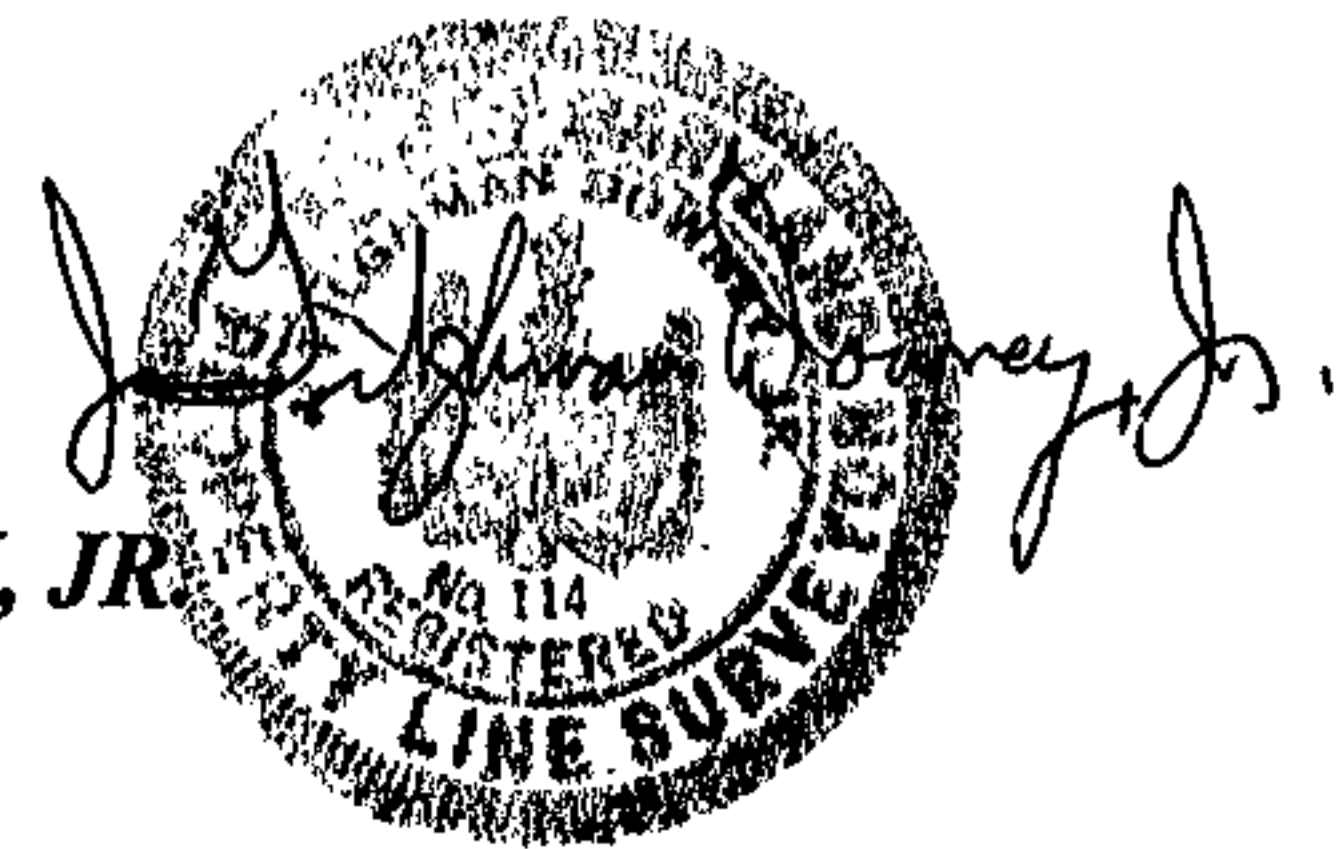
#436

ZONING DESCRIPTION FOR #8 PARK PLACE

BEGINNING AT A POINT ON THE NORTH SIDE OF PARK PLACE WHICH IS 40 FEET WIDE AT THE DISTANCE OF 284 FEET SOUTHWEST OF THE CENTERLINE OF CEDAR DRIVE WHICH IS 50 FEET WIDE. BEING LOT NO. 39 IN THE SUBDIVISION OF "LARCHMONT" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK NO. 12, FOLIO NO. 85, CONTAINING 4,592 S.F. ALSO KNOWN AS #8 PARK PLACE AND LOCATED IN THE 1ST. ELECTION DISTRICT, 2ND. COUNCILMANIC DISTRICT.

4TH

J. TILGHMAN DOWNEY, JR.



**SITE RITE SURVEYING, INC.
200 E. JOPPA ROAD
SUITE 101
TOWSON, MD 21286
(410)828-9060**

436

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: #03-436-A

8 Park Place

Westside Park Place, 284 feet southwest of centerline Cedar Drive

1st Election District - 4th Councilmanic District

Legal Owner(s): Power of Attorney, Concetta Barth for

Leonard & Henry DiPaula

Contract Purchaser: Steve Smith

Variance: to permit a proposed dwelling to have a front yard setback of 15 feet and a rear yard setback of 24 feet in lieu of the required 5 feet and 30 feet to be situated on a lot have an area of 4,592 square feet in lieu of the required 6,000 square feet. To approve an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner

Hearing: Wednesday, May 28, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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 5/6/03 May 13

CS03636

CERTIFICATE OF PUBLICATION

5/15/, 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 5/13/, 2003.

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

P. M. Williams

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
SCCELLANEOUS RECEIPT

No. 22349

DATE 12/15/07 ACCOUNT 1000 1000 150

AMOUNT \$ 115.00

RECEIVED FROM: 1000 1000 150

FOR: VOLUNTEER - U/S LOT

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

03-436-A

TIME RECEIVED

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Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-436-A

Petitioner/Developer: STEVE SMITH

Date of Hearing/ Closing: AUGUST 11, 2003

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

Attention:

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 # 8 PARK PLACE

The sign(s) were posted on JULY 25, 2003
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BAUTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

CASE # C3-436-A

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

10011 COURT
AVENUE
TOWSON, MD 21204
DATE: AUGUST 11, 2003
TIME: 10:00 AM.

FOR A PROPOSED
RETRACT OF
RETRACT OF TARGET IN L&L
RETRACT OF SITUATED
RETRACT OF SITUATED

10011 COURT
AVENUE
TOWSON, MD 21204

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ZONING NOTICE

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

PLACE
DATE AND TIME
REQUEST VIA CITY

THOMAS M. JONES
10011 COURT
TOWSON, MD 21204
RETRACT OF SITUATED

CERTIFICATE OF POSTING

RE: Case No.: 03-436-A

Petitioner/Developer: STEVE SMITH

Date of Hearing/ Closing: JULY 7, 2003

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

Attention:

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 # 8 PARK PLACE

The sign(s) were posted on

JUNE 20, 2003

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

ZONING NOTICE

CASE # 03-436-A

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

ROOM 407, COUNTY COURTS BUILDING
401 BOSLEY AVENUE
TOWSON, MD 21204

DATE AND TIME: MONDAY, JULY 7, 2003
AT 9:00 A.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED
DOWELLING TO HAVE A FRONT YARD SETBACK OF
15 FEET AND A REAR YARD SETBACK OF 24 FEET IN LIEU
OF THE REQUIRED 5 FEET AND 30 FEET TO BE SITUATED
ON A LOT HAVING AN AREA OF 4,592 SQUARE FEET IN
LIEU OF THE REQUIRED 6,000 SQUARE FEET TO
APPROXIMATELY 10,000 SQUARE FEET TO
APPROXIMATELY 10,000 SQUARE FEET TO
THE ZONING COMMISSIONER.

COMMENTS OR TO HEARING OR OTHER CONDITIONS ARE LIMITED NECESSARY,
TO CANCEL HEARING CALL 447-3391
HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 03-436-A

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

PLACE
DATE AND TIME
REQUEST VARIANCE

HANDICAPPED ACCESSIBLE



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

June 17, 2003

CORRECTED 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: 03-436-A

8 Park Place

N/side of Park Place, 284 feet southwest of centerline of Cedar Drive

1st Election District – 4th Councilmanic District

Legal Owner: Power of Attorney, Concetta Barth for Leonard and Helen DiPaula

Contract Purchaser: Steve Smith

Variance to permit a proposed dwelling to have a front yard setback of 15 feet and a rear yard setback of 24 feet in lieu of the required 5 feet and 30 feet to be situated on a lot having an area of 4,592 square feet in lieu of the required 6,000 square feet. To approve an undersize lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearings: Monday, August 11, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

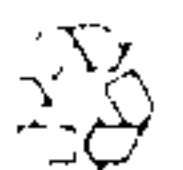
A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Concetta Barth for Leonard and Helen DiPaula, 782 Powhatan Beach Rd., Pasadena 21122
Steve Smith, 8008 Solley Road, Glen Burnie 21060

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 26, 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.





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

May 28, 2003

CORRECTED 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: 03-436-A

8 Park Place

N/side of Park Place, 284 feet southwest of centerline of Cedar Drive

1st Election District – 4th Councilmanic District

Legal Owner: Power of Attorney, Concetta Barth for Leonard and Helen DiPaula

Contract Purchaser: Steve Smith

Variance to permit a proposed dwelling to have a front yard setback of 15 feet and a rear yard setback of 24 feet in lieu of the required 5 feet and 30 feet to be situated on a lot having an area of 4,592 square feet in lieu of the required 6,000 square feet. To approve an undersize lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearings: Monday, July 7, 2003 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon
Director

AJ:klm

C: Concetta Barth for Leonard and Helen DiPaula, 782 Powhatan Beach Road, Pasadena 21122
Steve Smith, 8008 Solley Road, Glen Burnie 21060

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 21, 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.



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

April 1, 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: 03-436-A

8 Park Place

N/side Park Place, 284 feet southwest of centerline Cedar Drive

1st Election District – 4th Councilmanic District

Legal Owner: Power of Attorney, Concetta Barth for Leonard & Henry DiPaula

Contract Purchaser: Steve Smith

Variance to permit a proposed dwelling to have a front yard setback of 15 feet and a rear yard setback of 24 feet in lieu of the required 5 feet and 30 feet to be situated on a lot having an area of 4,592 square feet in lieu of the required 6,000 square feet. To approve an undersize lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearings: Wednesday, May 28, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

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

Arnold Jablon
Director

AJ:rlh

C: Power of Attorney, Concetta Barth for Leonard and Helen DiPaula, 782 Powhatan Beach Road, Pasadena 21122
Steve Smith, 8008 Solley Road, Glen Burnie 21060

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 13, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 13, 2003 Issue - Jeffersonian

Please forward billing to:
Steve Smith
8008 Solley Road
Glen Burnie, MD 21060

410-439-3183

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: 03-436-A

8 Park Place

N/side Park Place, 284 feet southwest of centerline Cedar Drive

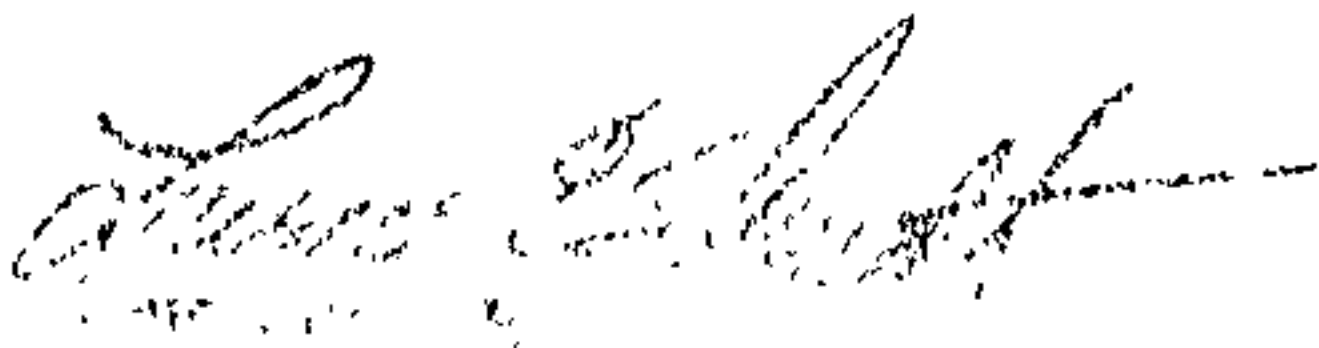
1st Election District – 4th Councilmanic District

Legal Owner: Power of Attorney, Concetta Barth for Leonard & Henry DiPaula

Contract Purchaser: Steve Smith

Variance to permit a proposed dwelling to have a front yard setback of 15 feet and a rear yard setback of 24 feet in lieu of the required 5 feet and 30 feet to be situated on a lot having an area of 4,592 square feet in lieu of the required 6,000 square feet. To approve an undersize lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearings: Wednesday, May 28, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue



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: 03-436-A
Petitioner: Steve Smith
Address or Location: #8 Park Place

PLEASE FORWARD ADVERTISING BILL TO:

Name: Steve Smith
Address: 8008 Solley Road
Glen Burnie, MD 21060
Telephone Number: 410-439-3183



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

August 8, 2003

Concetta Barth for Leonard and Helen DiPaula
782 Powhatan Beach Road
Pasadena, MD 21122

Dear Ms. Barth:

RE: Case Number: 03-436-A, 8 Park Place

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 20, 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Steve Smith, 8008 Solley Road, Glen Burnie 21060

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

May 23, 2003

Concetta Barth for Leonard and Helen Dipaula
782 Powhatan Beach Road
Pasadena, MD 21122

Dear Ms. Barth:

RE: Case Number: 03-436-A, 8 Park Place

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 20, 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Steve Smith, 8008 Solley Road, Glen Burnie 21060

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





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

June 17, 2003

Concetta Barth
Power of Attorney for Leonard and Helen DiPaula
782 Powhatan Beach Road
Pasadena, MD 21122

Dear Ms. Barth:

RE: Case Number: 03-436-A, 8 Park Place

The above matter, previously scheduled for Monday, July 7, 2003, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. 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 the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Steve Smith, 8008 Solley Road, Glen Burnie 21060



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

May 28, 2003

Concetta Barth
Power of Attorney for Leonard and Helen DiPaula
782 Powhatan Beach Road
Pasadena, MD 21122

Dear Ms. Barth:

RE: Case Number: 03-436-A, 8 Park Place

The above matter, previously scheduled for Wednesday, May 28, 2003, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. 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 the notice of the original hearing date, as quickly as possible after you have been notified, 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".

Arnold Jablon
Director

AJ:klm

C: Steve Smith, 8008 Solley Road, Glen Burnie 21060



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.1.03

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

RE: Baltimore County
Item No. 436 LTM

Dear Ms. Hart:

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/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

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

April 1, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 31, 2003

Item No.: 431 - 438, ⁴³⁶ 441 - 444

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.

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

cc: File

5/28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 9, 2003

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

SUBJECT: 8 Park Place

INFORMATION:

Item Number: 03-436

Petitioner: Steve Smith

Zoning: DR 5.5

Requested Action: Variance

RECEIVED

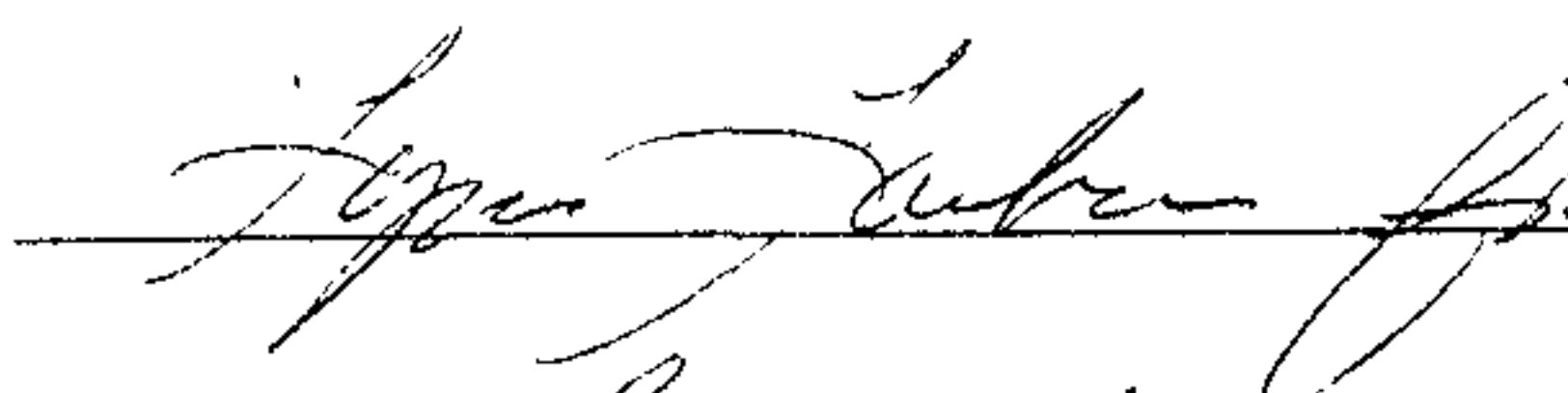
APR 18 2003

ZONING COMMISSIONER

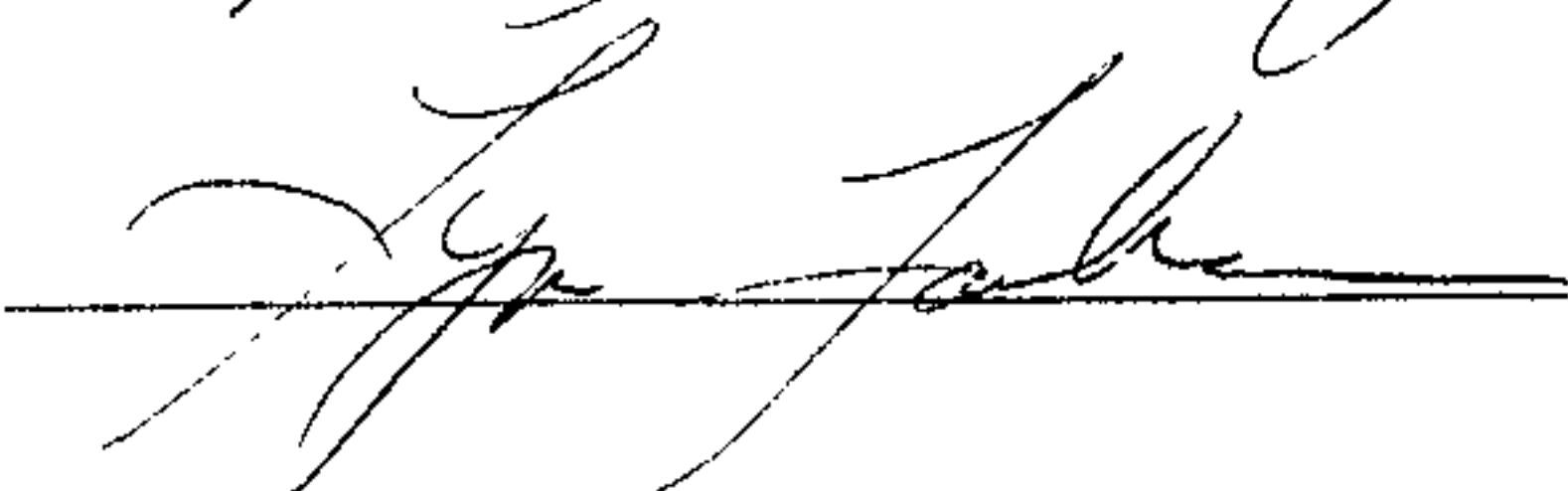
SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the petitioner's request be denied. The petitioner is also the owner of 6 park Place, which is adjacent to the subject lot.

Prepared by:

 Mark C. Cunningham

Section Chief:
AFK/LL:MAC:



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 21, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For April 7, 2003
Item Nos. 431, 432, 433, 435, (436),
437, 438, 439, 440, 441, 442, 443,
and 444

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

RWB:CEN:jrb

cc: File

INTER-OFFICE CORRESPONDENCE
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. 03-436-A

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

RE: Undersized LotsResidential Processing Fee Paid
(\$50.00)Accepted by LTW
Date 3/20/03

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 200 E. Joppa Road Room 101 Towson, MD 21206 410 828-7060
Print Name of Applicant Address Telephone Number
Lot Address #8 Park Place Election District 1 Councilmanic District 24th Square Feet 4592
Lot Location: NE S W side/corner of Park Place 284' feet from NE SW corner of Cedar Drive
(street) (street)
Land Owner: Leonard and Helen DiPaula, POA Concetta Barah Tax Account Number 0119270811
Address: 782 Powhatan Beach Road Pasadena, MD Telephone Number 410, 360-9814
2122

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)	☒	☐
Topographic (4 copies) - submit to Room 304, County Office Building - please label site clearly	<u>N/A</u>	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>D.R. S.S</u>		

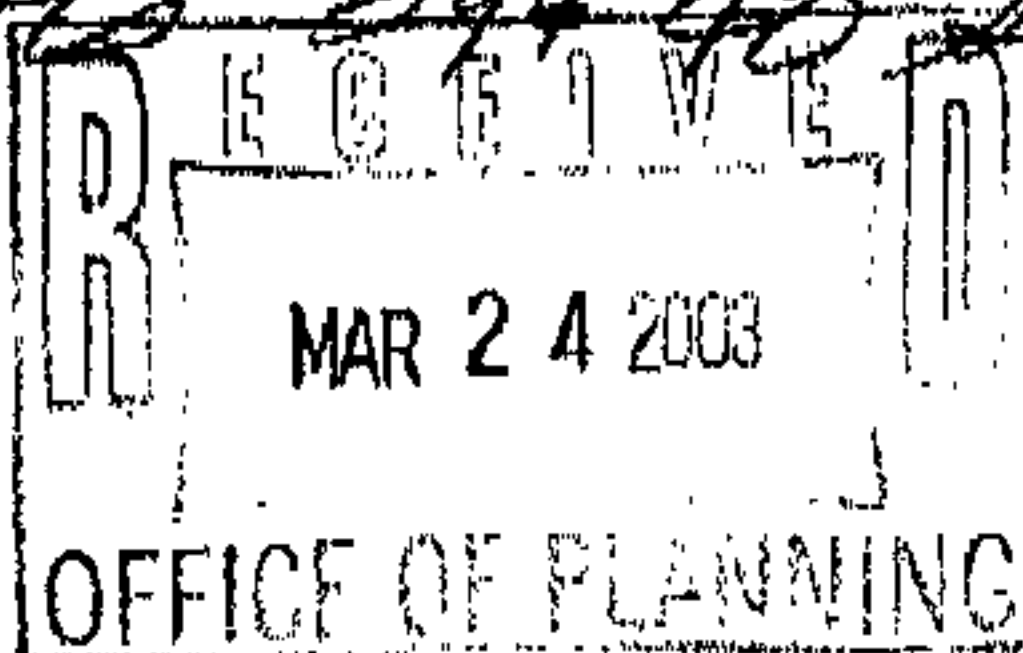
TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

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

The application does not meet Section 304.1.c of the BCZR. Photos 399-400 should be combined

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

Date: 4/3/03

RE: PETITION FOR VARIANCE	*	BEFORE THE
8 Park Place; N/side Park Place, 284' SW		
c/line Cedar Drive	*	ZONING COMMISSIONER
1 st Election & 4 th Councilmanic Districts		
Legal Owner(s): Power of Attorney Concetta*		FOR
Barth for Leonard & Helen DiPaula		
Contract Purchaser(s): Steve Smith	*	BALTIMORE COUNTY
Petitioner(s)		
	*	03-436-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 2nd day of April, 2003, a copy of the foregoing Entry of Appearance was mailed to, Concetta Berth, 782 Powhatan Beach Road, Pasadena, MD 21122, Representative for Petitioner(s).

RECEIVED Peter Max Zimmerman
APR 02 2003 PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per... bh

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENTS: That I, Leonard H. Di Paula Jr., have made, established and appointed Conetta Barth, my true and lawful Attorney-in-Fact, for me and in my name, place and stead and for my use and benefit to sell, contract for the sale, bargain, exchange, convey, repair, maintain, manage, insure, rent, release, hypothecate, to endorse any checks, sign any settlement documents in connection with any settlement on the hereinafter described property, execute and deliver any deed of conveyance, and in any way or matter whatsoever, in my said Attorney-in-Fact's sole discretion deal with my real property described as: to the same extent and manner as I, myself, might or could do.

I grant to my said Attorney-in-Fact full power and authority to do and perform all and every act and thing whatsoever requisite, necessary and proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that my said Attorney-in-Fact, or substitute, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

This instrument is to be construed and interpreted as a Limited Power of Attorney for the purpose of selling and conveying all my interests in the real property described above.

The authority herein granted to my said Attorney-in-Fact to exercise any and all of the rights and powers stated above shall commence on the 12 day of Dec, 2002 and such powers and authority shall remain in full force and effect thereafter until settlement of the herein-above described property or June 30, 2003 which ever shall occur first.

THIS POWER OF ATTORNEY SHALL NOT BE AFFECTED BY MY DISABILITY, WHETHER IT BE PHYSICAL OR MENTAL, AND THE RIGHTS, POWERS AND AUTHORITY OF MY SAID ATTORNEY-IN-FACT SHALL BE EXERCISABLE NOTWITHSTANDING ANY DISABILITY I MAY HEREAFTER SUFFER.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12 day of Dec, 2002

WITNESS:

Linda S. Radomsky

Leonard H. Di Paula Jr. (SEAL)

Helen R. Di Paula (Printed)

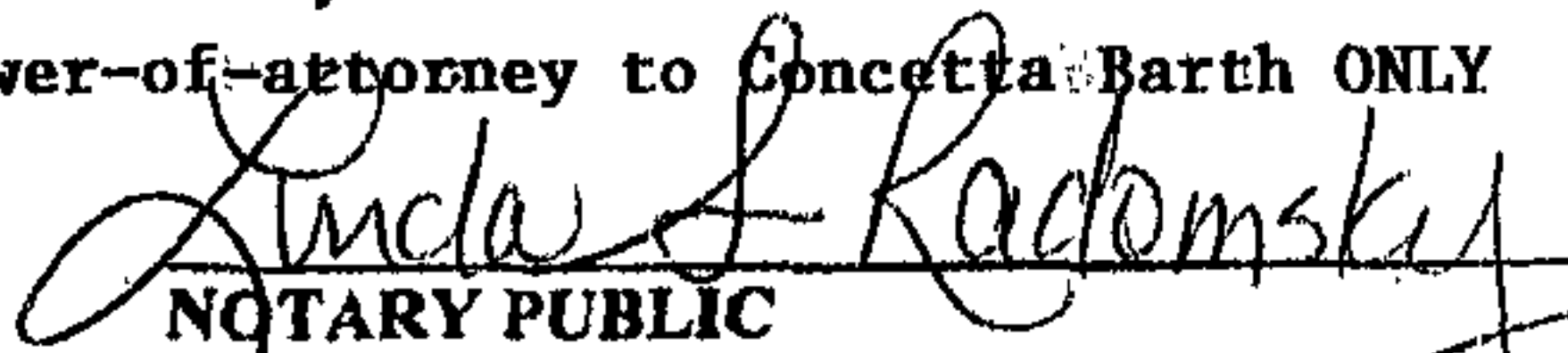
STATE OF : Maryland

COUNTY OF : Baltimore

I HEREBY CERTIFY that on this 12th day of Dec, 2003 before me, the undersigned Notary, personally appeared Leonard DiPaula & Helen known to me (or satisfactorily proven) to be the person whose names is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

For Limited power-of-attorney to Concetta Barth ONLY


NOTARY PUBLIC
My commission expires: March 22, 2005

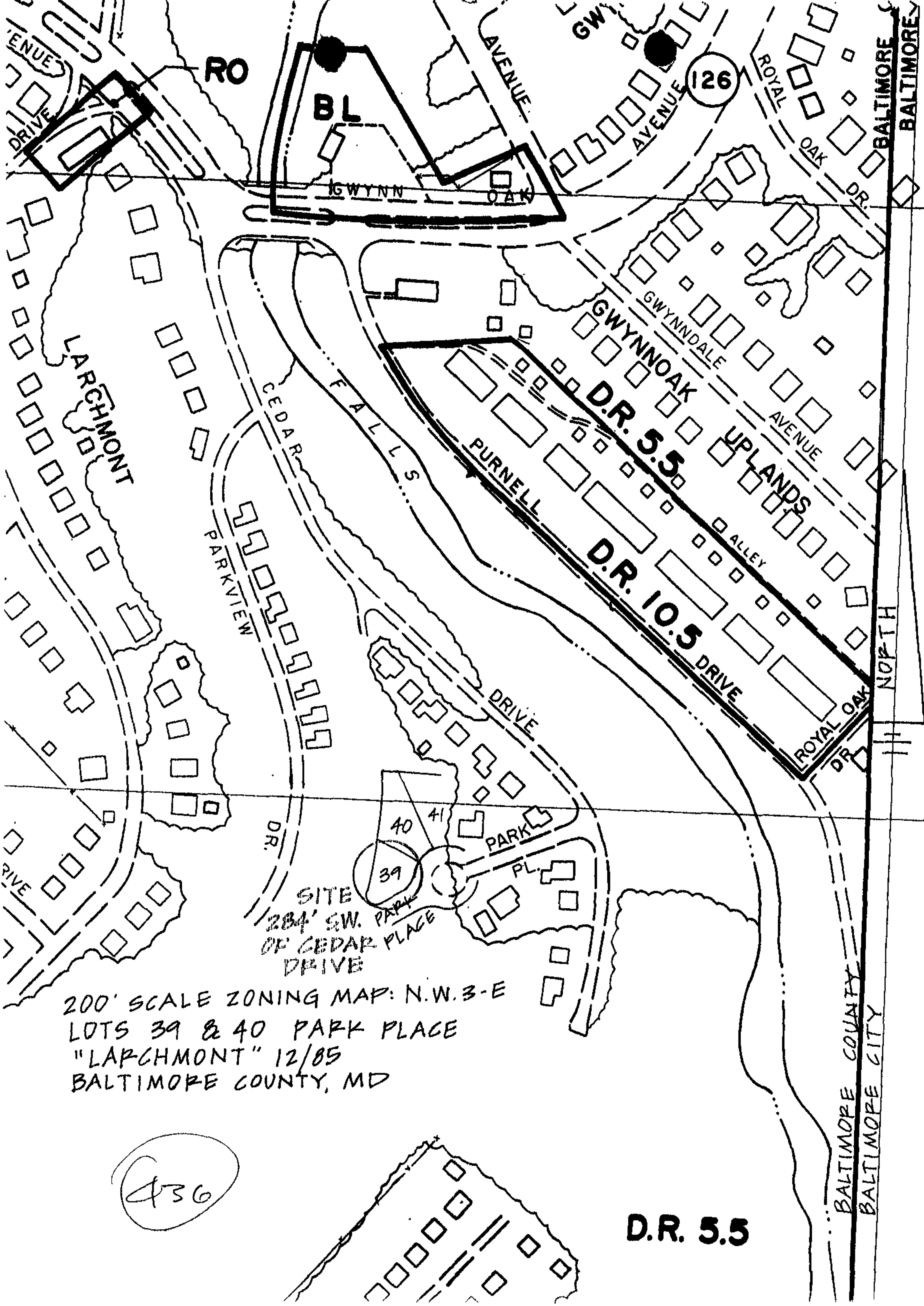
Re. 03-436-A
03-442-A
Note to file -

This case was pp. from
a hearing date of 5/28/03
due to failure to post.

Mrs Baith (daughter of elderly
property owner) didn't get
notified & appeared. She indicated
her parents are selling property
to Mr Smith (builder). I told
her she does not have to appear
next time in that she has no other
info to provide other than that
M/M Paula are selling to Smith.

LS

5/28/03
Zoning Commissioner



200' SCALE ZONING MAP: N.W. 3-E
LOTS 39 & 40 PARK PLACE
"LARCHMONT" 12/85
BALTIMORE COUNTY, MD

436

D.R. 5.5



#5



#5



#3



#3



#2



#2



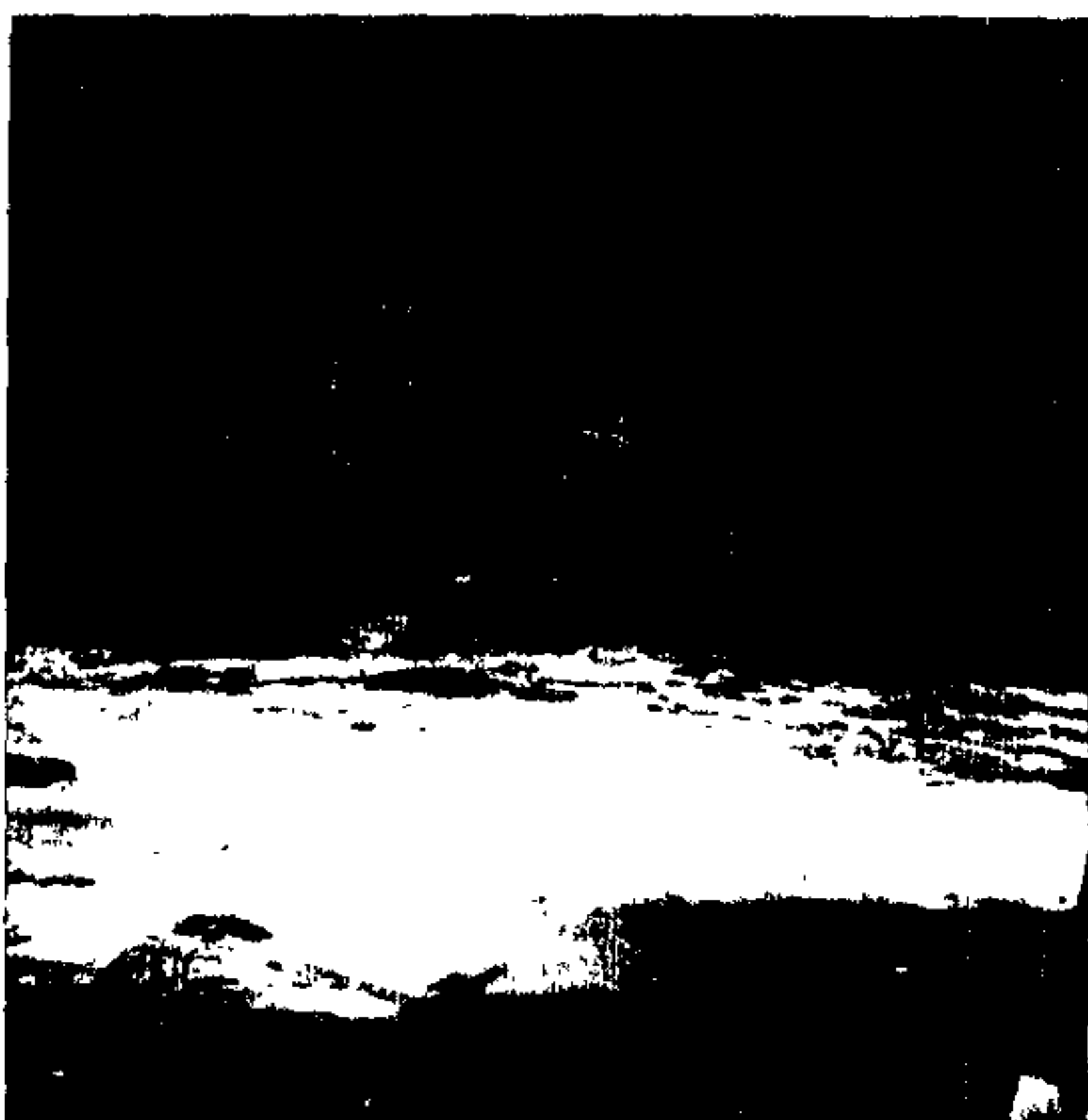
Lot #41



Lot #41



Lot 40



Lot 39

