IN RE:

PETITION FOR VARIANCE

N/S of Park Place, 256' SW of the c/l

Cedar Drive
(6 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. 03-442-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 rear yard setback of 27 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., with a lot area of 4,991 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 Moskunas, 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 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

ORDER RECEIVED FOR THINKS
Date

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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 40, also known as 6 Park Place. At the hearing, the Petitioners submitted an amended site plan and withdrew some of the variances requested. As noted above, the Petitioners originally sought relief to allow a rear yard setback of 27 feet in lieu of the required 30 feet for Lot 40. However, the plan submitted at the hearing shows that the building envelope has been relocated so as to provide the required 30-foot rear setback. Additionally, the Petitioner advised that as a result of a recent survey of the property, it was determined that Lot 40 actually contains 7,400 sq.ft. in area. 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. Thus, variance relief from the minimum lot area requirements is no longer necessary. However, the site plan submitted at the hearing was not certified by a registered professional engineer or land surveyor attesting that the property is in fact 7400 sq.ft. in area. Thus, I will require that a revised plan sealed in accordance with the above be submitted as a condition to any relief granted.

Although variance relief is not required for the lot area or rear yard setback, additional relief is necessary that was not designated in the original Petition or on the site plan. In this regard, it is to be noted that Lot 40 is a roughly triangular shaped parcel, with narrow frontage on Park Place. The width along the front property line is approximately 33 feet; however, the lot widens to approximately 110 feet along the rear. The amended site plan shows that the proposed dwelling will be located 25 feet from the front property line. The width of the proposed dwelling will be 25 feet, and side yard setbacks of 11 feet on the north side and 12 feet on the south side will be provided. Thus, the width of the lot at the front building line will be 49 feet. Section 1B02.3.C.1 requires a minimum lot width of 55 feet. Although the lot is wider than 55 feet at certain locations, the regulations have been construed to require a 55-foot width along the front building line. Thus, variance relief is necessary from that Section to allow a width of 49 feet in lieu of the required 55 feet.

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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. An examination of the site plan shows that the proposed location of the building is appropriate in this instance. Moving the building further to the rear of the lot would necessitate the need for a rear yard variance. Additionally, locating the house where proposed is consistent with other houses in the area. For all of these reasons, I will grant relief to allow a lot width of 49 feet in lieu of the required 55 feet, and find that the variances requested from lot area and rear yard setback requirements are moot. However, as a condition to the relief granted, the Petitioners shall submit an amended site plan that has been sealed by a registered professional engineer or land surveyor which clearly shows that Lot 40 is indeed 7400 sq.ft. in area.

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 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 rear yard setback of 27 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., with a lot area of 4,991 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.
- 2) Prior to the issuance of any permits, Petitioners shall submit a revised site plan that has been sealed/certified by a Professional Engineer or Land Surveyor, which clearly shows that Lot 40 is indeed 7400 sq.ft. in area.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



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,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Mr. Steve Smith cc:

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 Commissione: of Baltimore County

for the property located at #6 Park Place which is presently zoned D.R. 5.5

i/We do solemnly declare and affirm, under the penalties of

is the subject of this Petition.

perjury, that I/we are the legal owner(s) of the property which

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) 1302.3.C.1 TO PERMIT A REAR SETBACK OF 27 FT. IN LIEU OF THE REQUIRED 30 FT. FOR A PROPOSED PWELLING, FOR A AND TO PERMIT INTHE DUELLING-ON A 4,991 SQUARE FT. LOT IN LIEU OF 6,000 SQ FT. AND TO APPRINE AN UNDERSIZED LOT PER SECTION 304 BLZR 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)

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.

<u>Contract Purchaser/Lessee:</u> Legal Owner(s): Power of Attorney, Concetta Barth for Steve Smith Leonard and Helen DiPaula Name - Type or Print Name - Type or Print motta Batt Signature Signature 8008 Solley Road 443-436-3444 Address Telephone No. Name - Type or Print Glen Burnie, MD 21060 City State Zip Code Signature **Attorney For Petitioner:** 782 Powhatan Beach Road 410-360-9814 Address Telephone No. Pasadena, MD 21122 Name - Type or Print City Zip Code State Representative to be Contacted: Signature Concetta Barth Company Name 782 Powhatan Beach Road 410-360-9814 LL Address Telephone No. Address Telephone No. Pasadena, MD 21122 Cky Chy State Zip Code State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING 14R FOR BOTH

HEAR WITH 03-436-A

UNAVAILABLE FOR HEARING

REV 9/15/98

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REASONS FOR PRACTICAL DIFFICULTY FOR LOT 40 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. GRANTING RELIEF WOULD NOT CAUSE INJURY TO THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE.
- 3. STRICT COMPLIANCE WITH THE BALTIMORE COUNTY ZONING REGULATIONS WOULD UNREASONABLY PREVENT THE USE OF THE PROPERTY AS PERMITTED.

ZONING DESCRIPTION FOR #6 PARK PLACE

BEGINNING AT A POINT ON THE NORTH SIDE OF PARK PLACE WHICH IS 40 FEET WIDE AT THE DISTANCE OF 256 FEET SOUTHWEST OF THE CENTERLINE OF CEDAR DRIVE WHICH IS 50 FEET WIDE. BEING LOT NO. 40 IN THE SUBDIVISION OF "LARCHMONT" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK NO. 12, FOLIO NO. 85, CONTAINING 4,991 S.F. ALSO KNOWN AS #6 PARK PLACE AND LOCATED IN THE 1ST. ELECTION DISTRICT,

M. COUNCILMANIC DISTRICT.

J. TILGHMAN DOWNEY, JR.

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

NOTICE OF ZONING REARING

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

Case: #03-442-A

6 Park Place

Nyside Park Place. 256 feet southwest of centerline Cetar Drive 1st Election District — 2nd Councilmanic District Legal Owner(s): Concetta Barth for Leonard & Henry DiPaula Contract Purchaser: Sleve Smith

Variance: to permit a rear yard setback of 27 feet in lieu of the required 30 for a proposed dwelling of 6,000 square feet. To approve an undersized lot and any other variances deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, May 28, 2003 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Battimore County

Zoning Commissioner for Battimore 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 5/679 May 13

JT 5/679 May 13

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5/15/,2003

hat the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, once in each of G

₩ The Jeffersonian

Arbutus Times

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Towson Times

Owings Mills Times

Reporter NE Booster,

North County News

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LEGAL ADVERTISING

DISTRIBUTION
WHITE - CASHIER RECEIVED FROM: FOR: OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT BALTIMORE COUNTY, MARYLAND W PINK - AGENCY AMOUNT \$ ACCOUNT_ YELLOW - CUSTOMER

SHIER'S VALIDATION

CERTIFICATE OF POSTING

Baltimore County Department of

Permits and Development Management

County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•
Attention:	
F .	ider the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property le	ocated at #6 PANIZ PLACE
The sign(s) were posted on $JUJJ$	25,7003
	(Month, Day, Year)
	Sincerely,
	Signature of Sign Poster and Date)
•	GARLANDE, Moors (Printed Name)
	3225 RYERSON CIRCLES (Address)
	PAUTINIARE, MD. 21227 (City, State, Zip Code)
	(Telephone Number)

RE: Case No.: 03-4472-A

Petitioner/Developer: STUVE SIVITH

Date of Hearing/ Closing: AUGUST 11, 7003



CASE # 03-442-A

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

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DATE AND TIME: At 11 ON A M

REQUEST: VARIANCE TO PERMIT A REAL e fire for the first that the line we willing to here were being being being bette finde better ein feine alle TO A DESIGNATION OF A STREET, AND A STREET, PARE ALLEGISTA AVEINABLE DE DILLAMORE

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CERTIFICATE OF POSTING

Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, MD 21204	
Attention:	
adies and Gentlemen: This letter is to certify under	the penalties of perjury that the necessary sign(s) required by
aw were posted conspicuously on the property loca	ted at # CO PARK PUBCE
·	<u></u>
The sign(s) were posted on JUNG 7	0, 7003 Month, Day, Year)
	Sincerely, Signature of Sign Poster and Date) GARLAND E. MOORE (Printed Name) 3225 RYERSON CIRCLES (Address) DAUTIMORE, MD. 21227 (City, State, Zip Code) C410) 242-4263 (Telephone Number)

RE: Case No.: 03-442-4

Petitioner/Developer: STOVE SMITH

Date of Hearing/Closing: Juy 7, 2003



CASE # 03-442-A

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

ROOM 407, COUNTY COURTS BLDG.

PLACE: 401 BOSLEY AVENUE

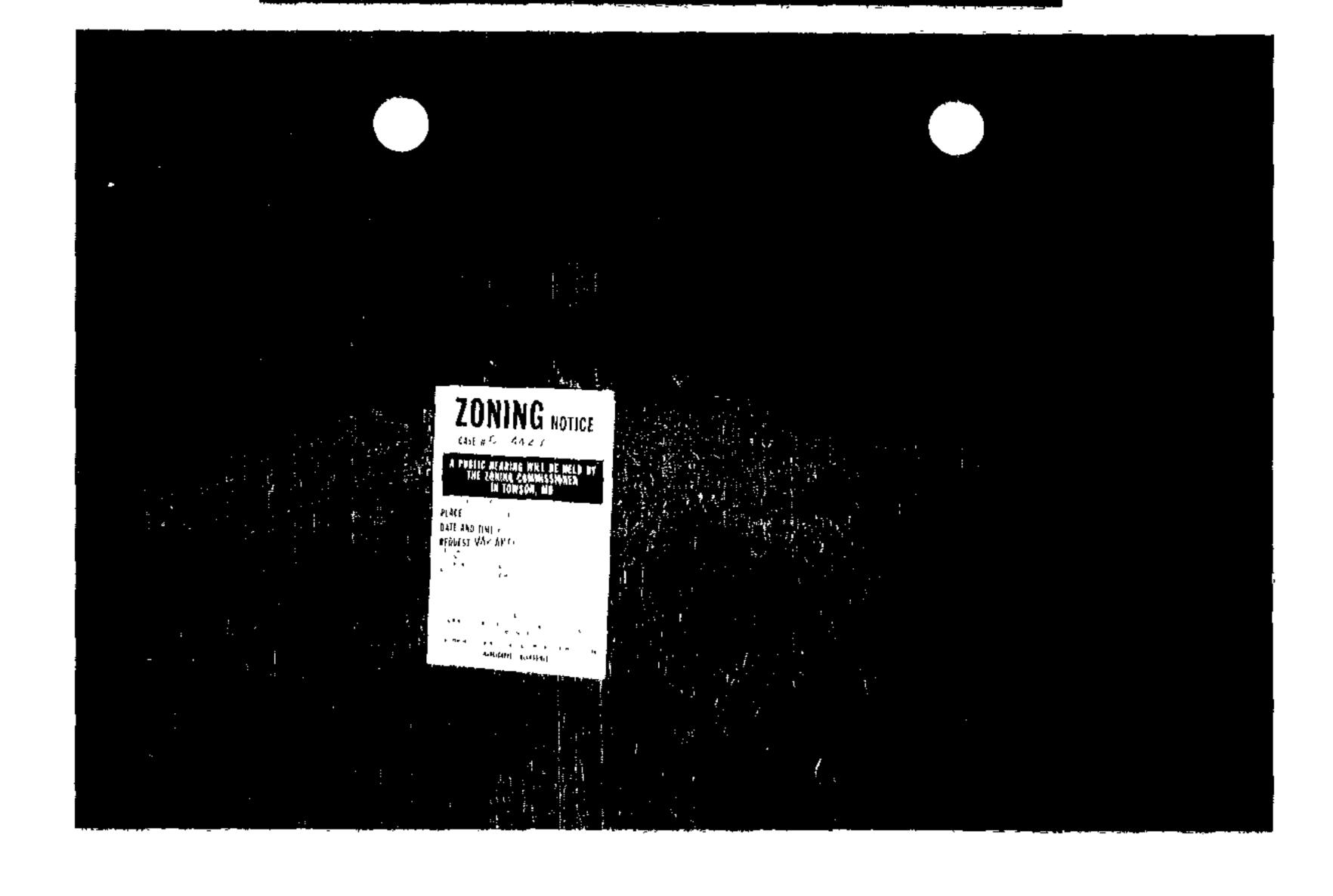
MONDAY, JULY 7, 2003

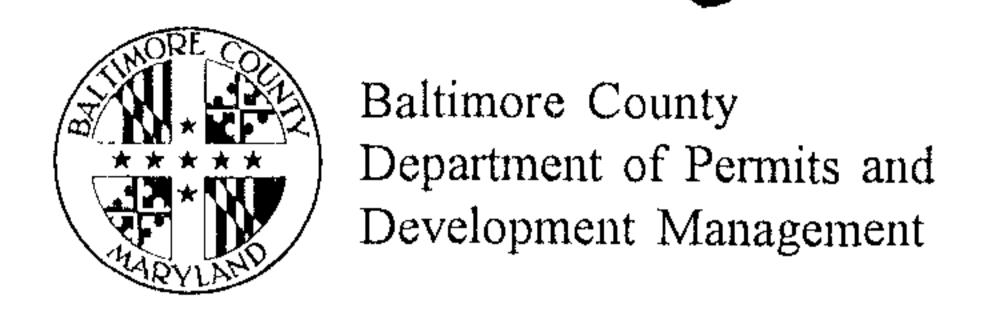
DATE AND TIME: AT 10'00 AM.

REQUEST: VARIANCE TO PERMIT A REAR SETBACK OF 27 FEET IN LIEU OF THE REQUIRED SO FEET FOR A PROPOSED DWELLING OF GLOOD SQUARE FEET. TO APPROVE AN UNDERSIZED LOT AND ANY CITHER VARIANCES DEEMED HELESSONY BY THE ZONING COMMISSIONER.

FORFER MEANING CALL SAT 3301

HAMOICAPPED ACCESSIBLE





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: 03-442-A

6 Park Place

N/side of Park Place, 256 feet southwest of centerline of Cedar Drive

1st Election District – 2nd Councilmanic District

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

Contract Purchaser: Steve Smith

<u>Variance</u> to permit a rear setback of 27 feet in lieu of the required 30 feet for a proposed dwelling of 6,000 square feet. To approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

Hearings:

Monday, August 11, 2003 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

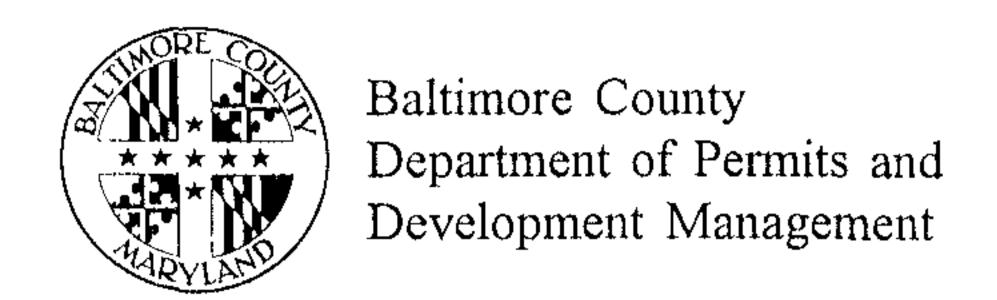
Director

TK:klm

C: Concetta Barth, 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, 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.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353 Fax: 410-887-5708

4. . 00 . 0000

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: 03-442-A

6 Park Place

N/side of Park Place, 256 feet southwest of centerline of Cedar Drive

1st Election District – 2nd Councilmanic District

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

Contract Purchaser: Steve Smith

<u>Variance</u> to permit a rear setback of 27 feet in lieu of the required 30 feet for a proposed dwelling of 6,000 square feet. To approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

Hearings: Monday, July 7, 2003 at 10:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Arnold Jablon

Director

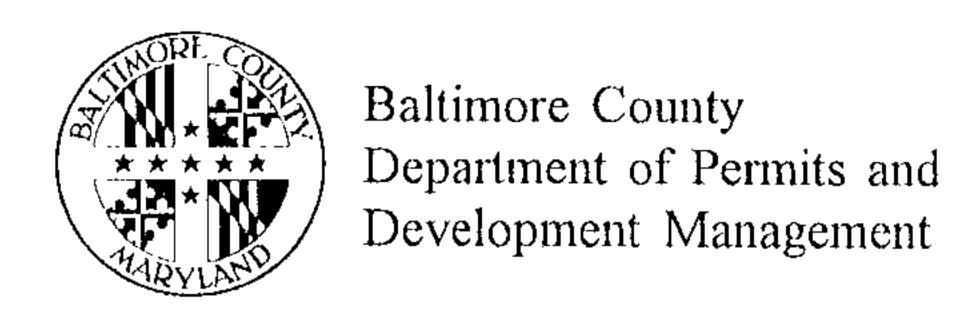
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C: Concetta Barth, 782 Powhatan Beach Road, Pasadena 21122 Steve Smith, 8008 Solley Road, Glen Burnie 21060

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.



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: 03-442A

6 Park Place

N/side Park Place, 256 feet southwest of centerline Cedar Drive

1st Election District – 2nd Councilmanic District

Legal Owner: Concetta Barth for Leonard & Henry DiPaula

Contract Purchaser: Steve Smith

<u>Variance</u> to permit a rear setback of 27 feet in lieu of the required 30 feet for a proposed dwelling of 6,000 square feet. To approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

Hearings: Wednesday, May 28, 2003 at 10:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

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: 03-442A

6 Park Place

N/side Park Place, 256 feet southwest of centerline Cedar Drive

1st Election District – 2nd Councilmanic District

Legal Owner: Concetta Barth for Leonard & Henry DiPaula

Contract Purchaser: Steve Smith

<u>Variance</u> to permit a rear setback of 27 feet in lieu of the required 30 feet for a proposed dwelling of 6,000 square feet. To approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

Hearings: Wednesday, May 28, 2003 at 10:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

LAWRENCE E. SCHMIDT

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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

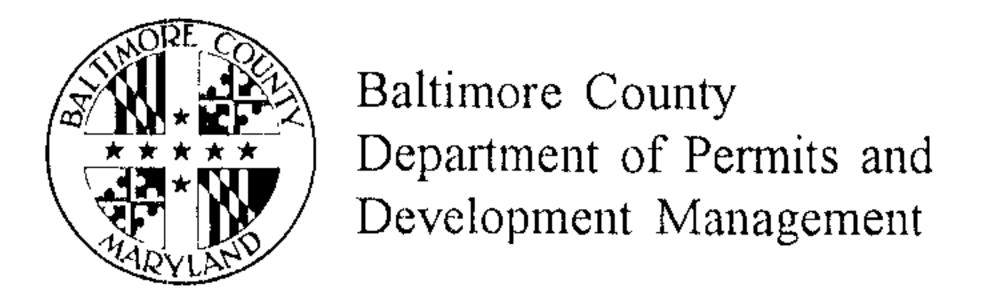
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 03-447-A
Petitioner: Standard DIPAULA
Address or Location: #6 Park Place
PLEASE FORWARD ADVERTISING BILL TO: Name: Stwo Swift
Name: 51000 5000 (V)
Address: BOOOD SOUW KORA
Address: BOOB Solley Road Glen Burnie, Mb 2660
Telephone Number: (410)439-3183



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

August 8, 2003

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

Dear Ms. Barth:

RE: Case Number: 03-442-A, 6 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 25, 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,

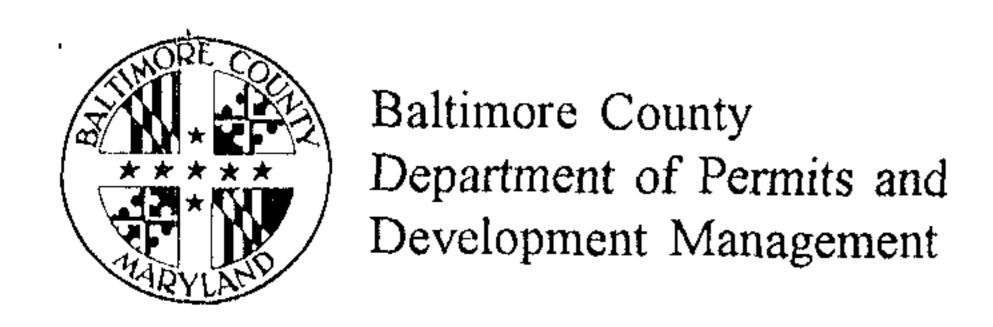
W. Carl Richards, Jr. Supervisor, Zoning Review

U. Callaball

WCR:klm

Enclosures

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



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: 03-442-A, 6 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 25, 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,

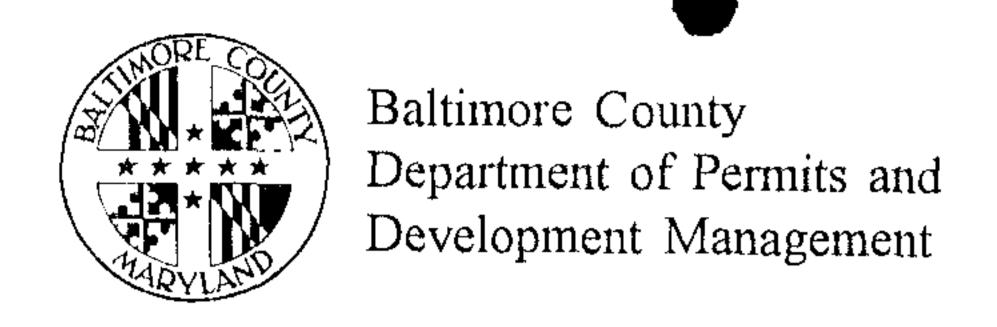
W. Carl Richards, Jr. Supervisor, Zoning Review

U. Carl Robal D

WCR:klm

Enclosures

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



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: 03-442-A, 6 Park Place

The above matter, previously scheduled for Wednesday, 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).

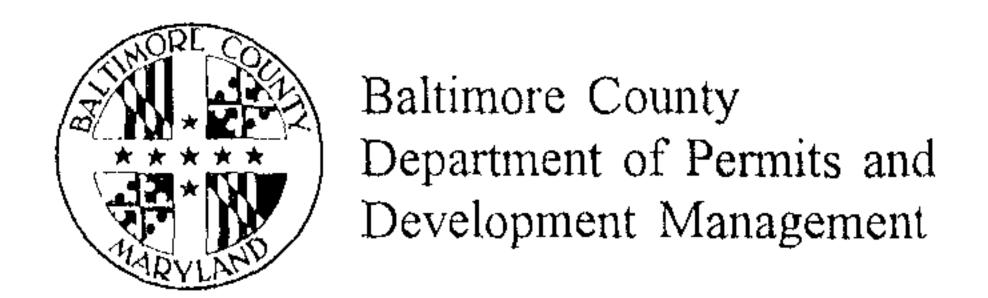
Very truly yours,

Timothy Kotroco

Director

TK:klm

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



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: 03-442-A, 6 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.

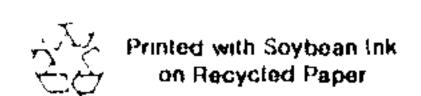
Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with 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,

Arnold ไว้ส์ชีโดก 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 Nell J. Pederson, 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. 442

JL

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



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

April 1, 2002

County Office Building, Room 111 Mail Stop #1105

111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Rebecca Hart

Distribution Meeting of: March 31, 2003

Item No.: 431 - 438, 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

JJ 28

DATE: April 9, 2003

RECEIVED

APR 1 0 2003
ZOWNG COMMSSION

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

FROM:

6 Park Place

INFORMATION:

Item Number:

03-442

Petitioner:

Steve Smith

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the petitioner's request be denied. The petitioner is also the owner of 8 Park Place, which is adjacent to the subject lot.

Prepared by:

Section Chief:

AFK/LL:MAC:

Sul Sandan

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 21, 2003

Department of Permits & Development Management

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

IN I BY-UTTICE CURRESPONDEM RECOMMENDATION FORM

Director, Office of Planning & Community Conservation Attention: Just Land Land County Courts Building, Room 408 TO:

401 Bosley Avenue Towson, MD 21204

FROM: Arnold Jablon, Director

Department of Permits & Development Management

RE:

Undersized Lots

Residential Processing Fee Paid (\$50.00)

Accepted by Date _

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendate of Planning and Community Conservation prior to this office's process of Planning and Community Conservation prior to this office's process of a deciling requesting recommendation.	dations and comments from
the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit. MINIMUM APPLICANT SUPPLIED INFORMATION:	•
A A A A A A A A A A A A A A A A A A A	
Print Name of Applicant way in a 100 8 Juppa Poad Room (1) Towson, mil 212	Telephone Number
Lot Address # PWG-PLAQ Election District Councilmanic District X 39	uare Feet 4491
Lot Location (NE's Weidercomer of PWV Place 1960) feet from NES Womer of Commercial Comm	edar Duve
ANNO JOHN TON TON TON TON TON TON TON TON TON TO	270813
Address: 182 Pawhatan Buch Foad Payadeur MD Telephone Number (400)	360-9814
CHECKLIST OF MATERIALS (to be submitted for design review by the Office of Planning and Community Conservation)	
TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!	
PROVIDED? 1. This Recommendation Form (3 copies)	
2. Permit Application	
3. Site Plan	
Property (3 copies)	
- Total Marie Cooples : and Table in Stone Stone Sound Office Subdiving (a least a label a least than 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
4. Building Elevation Drawings	BESE
5. Photographs (please label all photos clearly) Adjoining Buildings	
Surrounding Neighborhood	
©. Current Zoning Classification: D. P. 5.5	
TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!	
	# 3 #
RECOMMENDATIONS / COMMENTS:	2 C C E E E
Approval Approval conditioned on required modifications of the application to conform with the	n.
The application does not meet feld	con 304.1.C
of the BORR, Colo 394 40 ARMAL	de.
1 Commed In 19 19 19 19 19 19 19 19 19 19 19 19 19	-1. /.
Signed by	4/3/03
tel the Sirector, Office of Planning and Community Conservation	
OFFICE OF FRANKS.	Revised 2/25/99

RE: PETITION FOR VARIANCE

6 Park Place; N/side Park Place, 256' SW

Cedar Drive

1st Election & 2nd Councilmanic Districts

Legal Owner(s): Power of Attorney, Concetta*

Berth for Leonard & Helen DiPaula

Contract Purchaser(s): Steve Smith

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 03-442-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

CARÔLE 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 ____ day of April, 2003, a copy of the foregoing Entry of Appearance was mailed to, Concetta Berth, 782 Powhaten Beach Road, Pasadena, MD 21122, Representative for Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

APR 0 2 2003

Per. bh

& X.

LIMITED POWER OF ATTORNEY

known all men by these presents: That I would be have made, established and appointed to be 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-ir jet to exercise any and all of the rights and powers stated above shall commence on the 16. day of 12. 2002 and such powers and authority shall remain in full force and effect thereafter until Settlement of the herein-above described property or 10. 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 1/2 day of 1/2 0, 200 3

WITNESS:

Helon & Di Paufa (Printed

STATE OF

Maryland

COUNTY OF

Baltimore

I HEREBY CERTIFY that on this 12th day of <u>Dec</u>, 2003 before me, the undersigned Notary, personally appeared <u>Leonard DiPaula & Helen</u> 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 scal.

For Limited power-of-attorney to Concetta Barth ONLY

NOTARY PUBLIC

My commission expires: March 22, 2005

M. 03-436-A Note to fulle -This case was p.p. from
A heaving date of 5/28/03 Lue to failer to post. Ms Buth laughter gelderly Monety owney | bledm & get notified & appeared. The indicated No parents are selling juguetty to M Smith (builder) I told hen I she does not have to expean ned time in Het she has noutler ento to movedo deles Hon That M/M It have no selling to Smith. 3/18/03 Zoning Commissionen

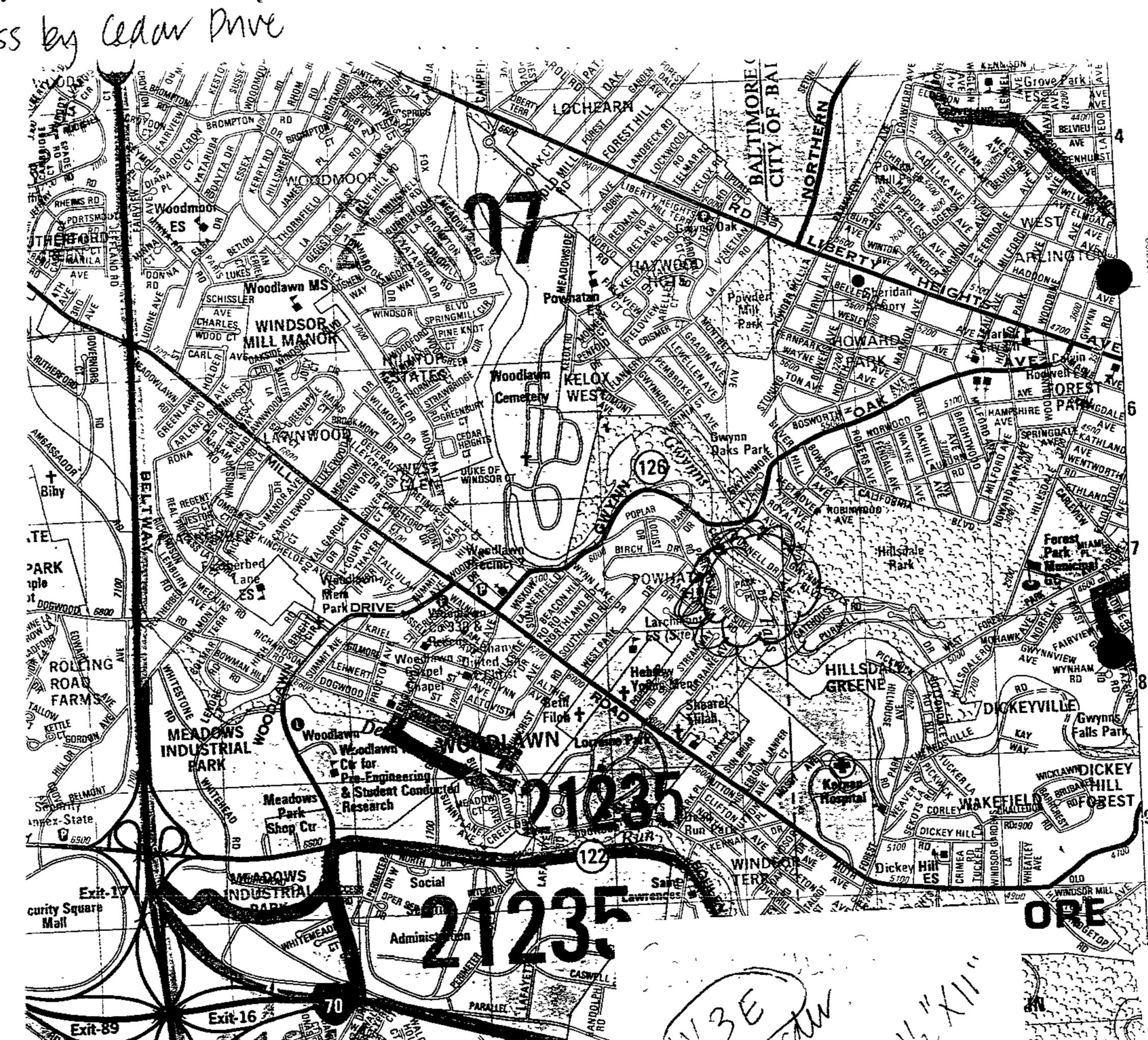
PLEASE PRINT CLEARLY

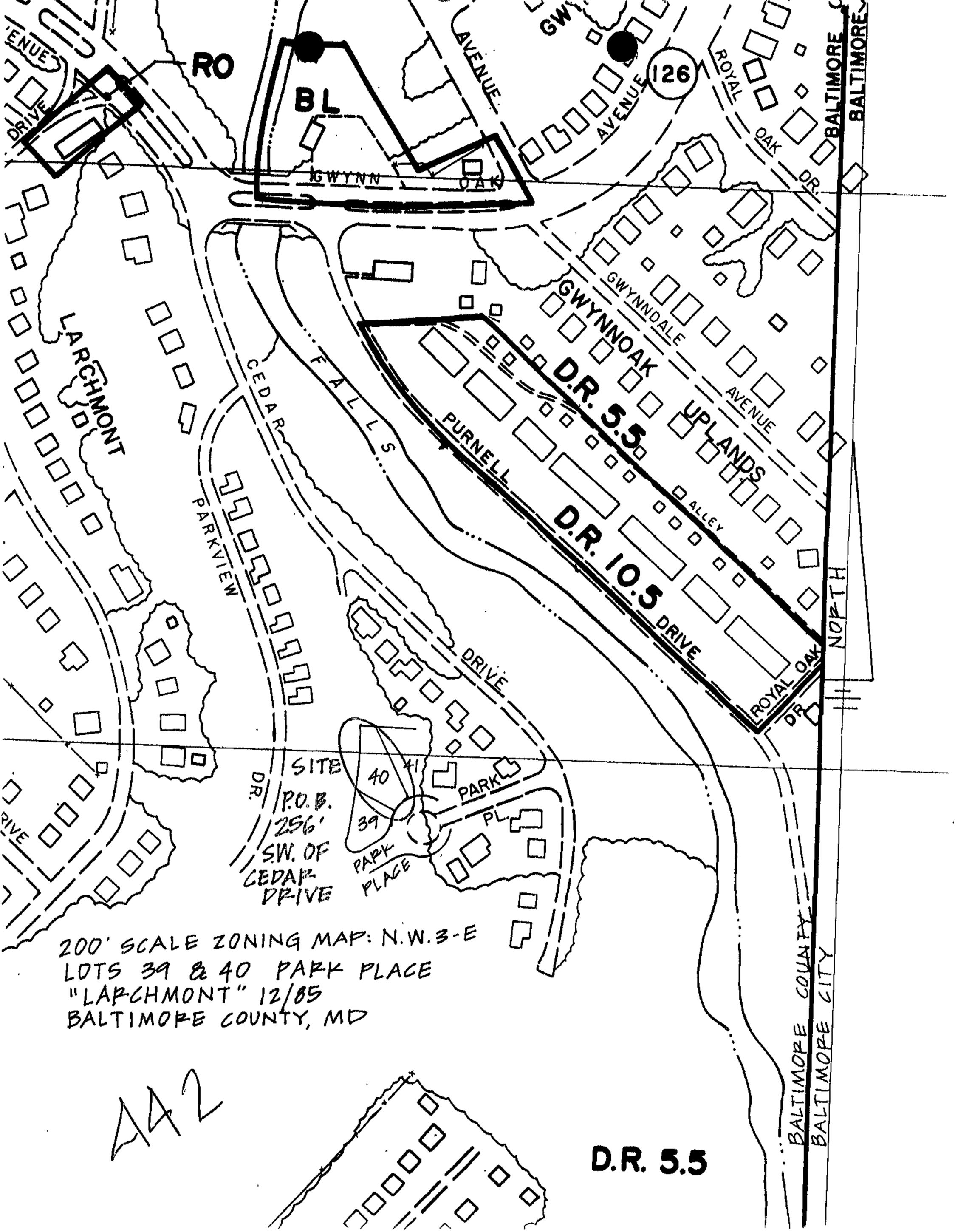
CASE NAME 03-456-A
CASE NAME 03-442-A CASE NUMBER & PARK PLACE CASE NUMBER & PARK PLACE CASE NUMBER
DATE 8-11-03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
SITE RITE SURVEYING, INC. VINCENT MOSKURIAS STEVE SAITH	TOOE, JOHNA Pol. 8008 SOLLEY Kd	TOUSON MO ZIZEG	VIR MVM@KOL-Con
STEVE SAITH	8 008 SOLLEY Kd	TRUSON MO ZIZEG GLENBURNIE ZIOGO	
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Gawland,
This is not a thru street.
Need to access by Cedar Drive







#5



#5



LAHAI

