

IN RE: PETITIONS FOR VARIANCE
NW/S Marks Avenue, 830' N of
Fullerton Avenue
(7528 & 7530 Marks Avenue)
14th Election District
6th Council District

Real Estate Holding Business, Inc.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. 03-561-A & 03-562-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by the owners of the subject adjacent properties, Real Estate Holding Business, Inc., through its attorney, Ronald A. Decker, Esquire. Since the properties are owned by the same entity and are located adjacent to one another, the two cases were heard contemporaneously.

In Case No. 03-561-A, the Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 70 feet, a net area of 7,594 sq.ft. in lieu of the minimum required 10,000 sq.ft., and a sum of the side yards of 20 feet in lieu of the required 25 feet for a proposed single-family dwelling on the property known as 7528 Marks Avenue. In addition, relief is requested from Section 102.4 of the B.C.Z.R. to allow a lot area of 7,594 sq.ft. in lieu of the minimum required 20,000 sq.ft. when it does not abut a right-of-way at least 30 feet wide; and approval of an undersized lot, pursuant to Section 304, and any other variances deemed necessary by the Zoning Commissioner to develop the property with a single family dwelling.

In Case No. 03-562-A, the Petitioners requested similar relief for the adjacent property known as 7530 Marks Avenue; however, amended their request in open hearing. Specifically, the Petitioners seek relief to permit a lot area of 8,170 sq.ft. in lieu of the minimum required 10,000 sq.ft., a lot width of 50 feet in lieu of the required 70 feet, and a side yard setback of 8 feet in lieu of the required 10 feet for an existing single family dwelling; however, withdrew their request for approval of the property as an undersized lot and for a lot less than 20,000 when it does not abut a

ORDER RECEIVED FOR FILING

Date

By

8/20/03

[Signature]

right-of-way at least 30 feet wide. The two properties at issue and requested relief are more particularly described on the site plan submitted in each case and marked into evidence as Petitioner's Exhibits 1.

Appearing at the requisite public hearing in support of the requests were Charles N. Dontell, Executive Vice President, and John P. Kraus, representatives of Real Estate Holding Business, Inc., property owners, and Ronald A. Decker, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

As noted above, the subject properties are located adjacent to one another on the northwest side of Marks Avenue, just north of Fullerton Avenue and across from the Fullerton Park in the Overlea area of eastern Baltimore County. The properties are also known as Lots 19 and 20 of the "Property of Wm. J. & Jno. Biddison," an older subdivision which was recorded in the Land Records of Baltimore County many years ago, prior to the establishment of current zoning regulations. Thus, many of the lots in this subdivision are undersized and do not meet current width and area requirements. The Petitioners acquired the subject property, along with three other lots which are located further north on Marks Avenue, in 1994. Relief is requested as set forth above to allow development of the vacant lot and to legitimize existing conditions on the other lot.

In Case No. 03-562-A, relief is requested for the property known as 7530 Marks Avenue, which is improved with a single-family dwelling, 18' x 53' in dimension. The property is approximately 50' wide and 170' deep, and contains a gross area of .188 acres, or 8,170 sq.ft., zoned D.R.3.5. As shown on the site plan, the existing dwelling provides a 24-foot setback on the south side and an 8-foot setback to the north. Mr. Becker proffered that although the dwelling meets the required sum of the side yard setbacks, minimum 10-foot side setbacks are required on each side. Moreover, the property is undersized and does not meet current area requirements. Thus, relief is requested to legitimize existing conditions on the property.

In Case No. 03-561-A, relief is requested for the adjacent property known as 7528 Marks Avenue which is currently vacant, however, is proposed for development with a single-family dwelling, 47' x 27.5' in dimension. That property contains .17 acres in area (7,594 sq.ft.)

OFFER FOR SALE FOR FILING
Date 8/20/03
By [Signature]

and is approximately 50'3½" wide and 154' deep. Although the proposed dwelling will provide 10-foot side yard setbacks on each side, or 20 feet total, the minimum required sum of the side yards of 25 feet will not be met. Thus, variance relief is requested.

In addition to the house, the site plan shows that on-site parking will be provided by the construction of a parking pad. In this regard, the Petitioners submitted building elevation drawings of the proposed dwelling to the Office of Planning, which has reviewed and approved same as being consistent with the neighborhood. However, Lynn Lanham, the reviewer for the Office of Planning, recommended that the parking pad be located in the side yard. I will not require that the parking pad be located in the side yard; however, agree that it should be oriented towards the north side of the property in the front yard, and offset from the center of the property. It should also be noted that Marks Avenue currently terminates in front of 7528 Marks Avenue; however, will be extended to accommodate the proposed construction.

In sum, the Petitions as amended shall be granted to permit the proposed development. Thus, the size and location of the existing house shall be legitimized and the new dwelling on the currently vacant lot shall be approved. Both are lots of record that have existed for many years and although each is undersized, they are consistent with others in the community. The proposed dwelling on the vacant lot will be compatible with the neighborhood and the road improvements to Marks Avenue will be appropriate. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and shall therefore be granted.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions 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 20th day of August 2003 that the Petition for Variance filed in Case No. 03-561-A seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 70 feet, a net area of 7,594 sq.ft. in lieu of the minimum required 10,000 sq.ft., a sum of the side yards of 20 feet in lieu of the required 25 feet; and from Section 102.4 of the B.C.Z.R. to allow a lot area of 7,594 sq.ft. in lieu of the minimum required 20,000 sq.ft. when it does not abut a right-of-way at least 30 feet wide, and approval of the subject

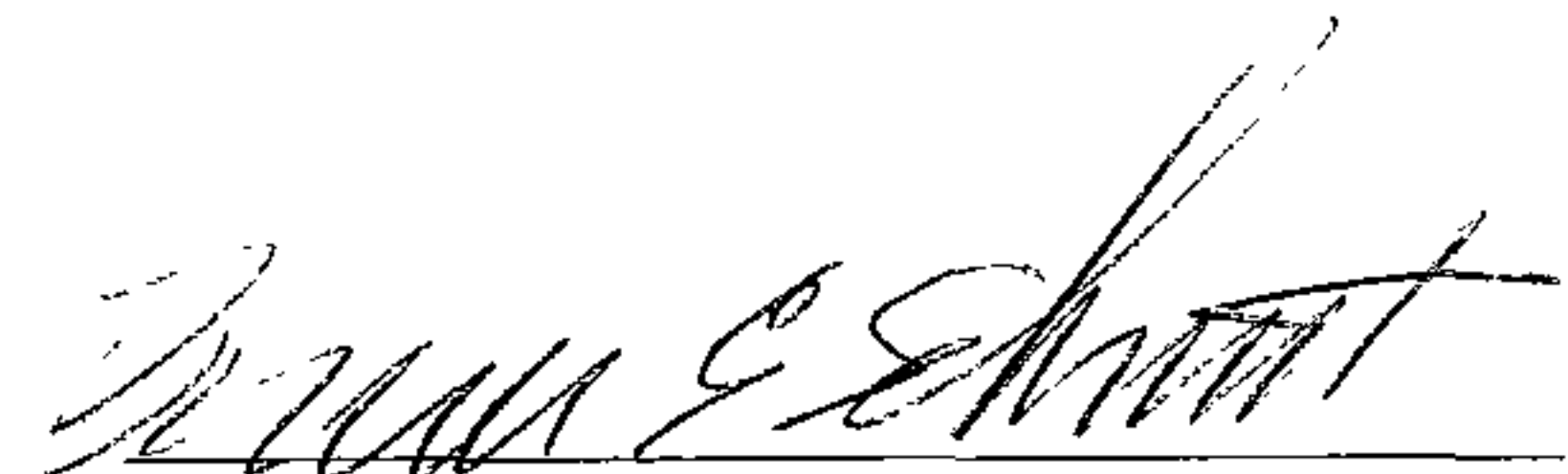
property as an undersized lot, for the proposed single-family dwelling on the property known as 7528 Marks Avenue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their razing/building permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning; however, the proposed parking pad shall be located in the front, north side of the subject property, not in the side yard.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 03-562-A seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot area of 8,170 sq.ft. in lieu of the minimum required 10,000 sq.ft., a lot width of 50 feet in lieu of the required 70 feet, a side yard setback of 8 feet in lieu of the required 10 feet for an existing single family dwelling on the property known as 7530 Marks Avenue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 03-562-A seeking relief from Section 102.4 of the B.C.Z.R. to allow a lot area of 7,594 sq.ft. in lieu of the minimum required 20,000 sq.ft. when it does not abut a right-of-way at least 30 feet wide, and approval of the property known as 7530 Marks Avenue as an undersized lot, pursuant to Section 304 of the B.C.Z.R. be and is hereby DISMISSED.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/28/13
By [Signature]



Baltimore County
Zoning Commissioner

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

August 20, 2003

Ronald A. Decker, Esquire
Moore, Carney, Ryan & Lattanzi
4111 E. Joppa Road
Baltimore, Maryland 21236

RE: PETITIONS FOR VARIANCE
NW/S Marks Avenue, 830' N of Fullerton Avenue
(7528 & 7530 Marks Avenue)
14th Election District – 6th Council District
Real Estate Holding Business, Inc. - Petitioners
Case Nos. 03-561-A & 03-562-A

Dear Mr. Decker:

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 Order.

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

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Charles N. Dontell and John P. Kraus
Real Estate Holding Business, Inc., 7527 Belair Road, Baltimore, Md. 21236
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7528 Marks Avenue (Lot 19)

which is presently zoned D.R. 3.5

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)

SEE ATTACHED

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

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:

Ronald A. Decker

Name - Type or Print

Signature

Moore, Carney, Ryan & Lattanzi, LLC

Company

4111 E. Joppa Road

410-529-4600

Address

Telephone No.

Baltimore, MD

21236

City

State

Zip Code

Legal Owner(s):

Real Estate Holding Business, Inc.

Name - Type or Print

Signature Charles N. Dontell
Signature Charles N. Dontell, Executive Vice President

Name - Type or Print

Signature

7527 Belair Road

410-665-5200

Address

Telephone No.

Baltimore, MD 21236

City

State

Zip Code

Representative to be Contacted:

John P. Krause

Name

7527 Belair Road

410-665-5200

Address

Telephone No.

Baltimore

MD

21236

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 HR

UNAVAILABLE FOR HEARING 7/23, 8/12

Reviewed By JL Date 5/29/03

OP FILE SEW

ORDER RECEIVED FOR FILING

Date

By

Case No. 03 561 A

RE 9/15/98

SET WITH 562

ZONING DESCRIPTION FOR 7528 MARKS AVENUE

BEGINNING at a point on the north side of Marks Avenue which is 25 feet wide at the distance of 830 feet Northeast of the centerline of the nearest improved intersecting street Fullerton Avenue which is thirty feet wide. Being Lot #19 in the subdivision of "Property of Wm. J. & Jno. S. Biddison" as recorded in the Baltimore County Plat Book J.W.S. No. 2, folio 390, containing 7,594 square feet (0.17 acres) more or less. Known as 7528 Marks Avenue and located in the 14th Election District, 6th Councilmanic District.

Being a portion of the property described in a Deed dated March 31, 1994 from Fullerton Federal Savings Assn. to Real Estate Holding Business, Inc. and recorded among the Land Records of Baltimore county in Liber S.M. No. 10449, folio 478.

561

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 22235

561 JV

DATE 5/29/03 ACCOUNT 001 006 6150

AMOUNT \$ 130.00

RECEIVED FROM: FULLERTON FEDERAL S+L

FOR: RES VAR + UNDERSIZED LOT

7528 MARKS AVE.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE 5/29/2003

TIME 15:02:35

REF: 001 006 6150

DEPT: 5 520 ZONING VERIFICATION

CR: 02295

RECEIPT # 15940

Receipt Tot

200.00

CR

Baltimore County, Maryland

CASHIER'S VALIDATION

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: #03-561-A

7528 Marks Avenue

N/side of Marks Avenue, 830 feet east of Fullerton Avenue

14th Election District - 6th Councilmanic District

Legal Owner(s): Real Estate Holding Business, Inc.

Variance: to permit Net Lot Area 7,594 square feet for proposal dwelling in lieu of the required 10,000 square feet. To permit lot width of 50 feet in lieu of the required 70 feet. To permit sum of side yards of 20 feet in lieu of 25 feet. To permit a lot 7,594 square feet in lieu of the required 20,000 square feet when it does not abut a right-of-way at least 30 feet wide. To approve an undersize lot. To permit such other variances as may be required.

Hearing: Tuesday, August 5, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 7/778 July 22

0616537

CERTIFICATE OF PUBLICATION

7/24, 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 7/22, 2003.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. **03-561-A**
Petitioner/Developer:
Charles N. Dontell, Jr.
Hearing Date: **8/5/03**

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

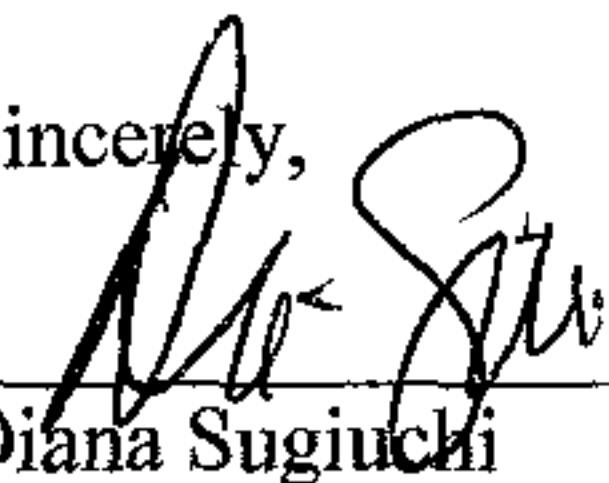
Attention: Ms. Becky Hart:

Ladies and Gentlemen:

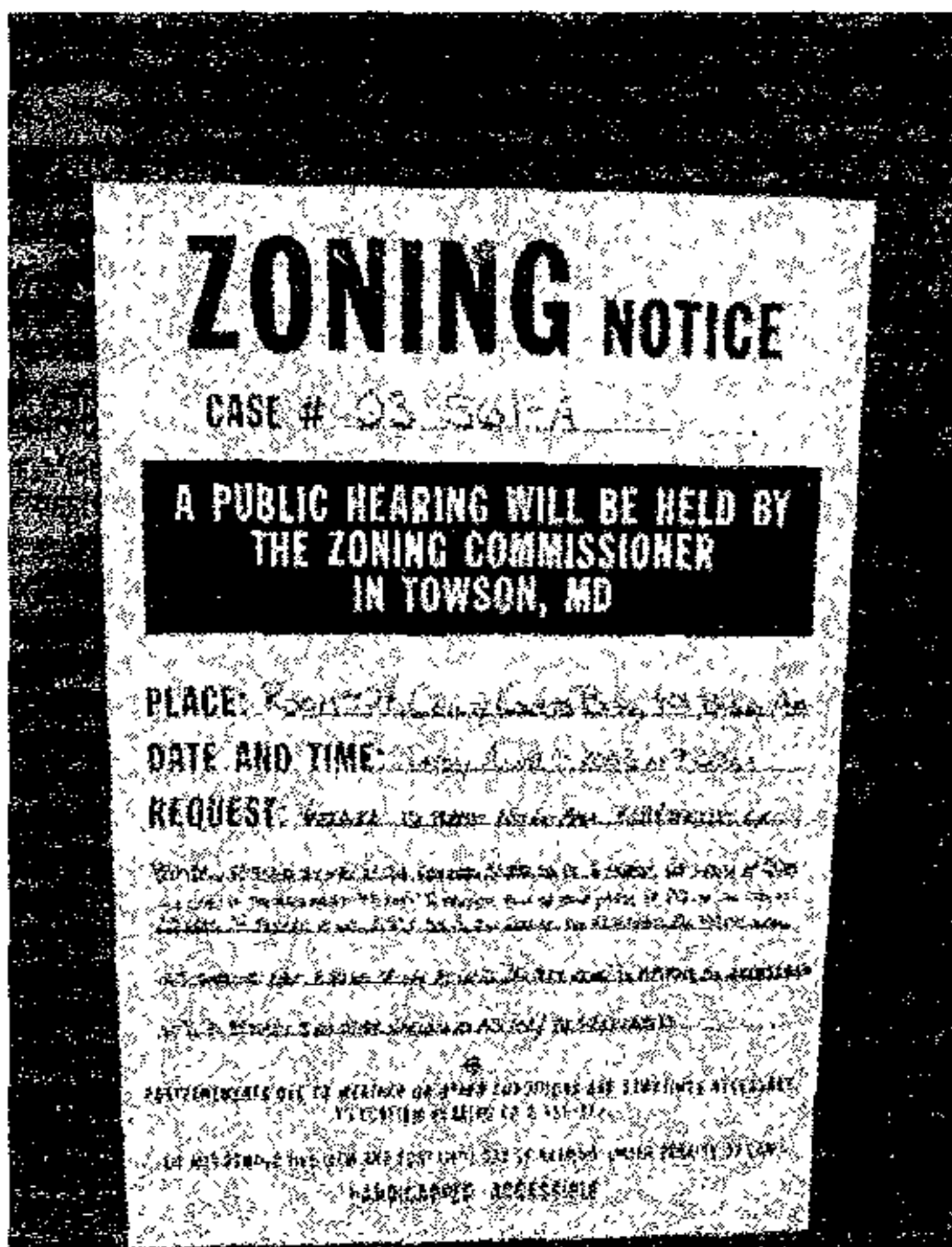
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located **7528 Marks Ave.**

The sign(s) were posted on **7/21/03**.

Sincerely,



Diana Sugiuchi
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668





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 9, 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: 03-561-A

7528 Marks Avenue

N/side of Marks Avenue, 830 feet east of Fullerton Avenue

14th Election District – 6th Councilmanic District

Legal Owner: Real Estate Holding Business, Inc.

Variance to permit Net Lot Area 7,594 square feet for proposal dwelling in lieu of the required 10, 000 square feet. To permit lot width of 50 feet in lieu of the required 70 feet. To permit sum of side yards of 20 feet in lieu of 25 feet. To permit a lot 7, 594 square feet in lieu of the required 20, 000 square feet when it does not abut a right-of-way at least 30 feet wide. To approve an undersize lot. To permit such other variances as may be required.

Hearings: Tuesday, August 5, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Director

TK:klm

C: Ronald A. Decker, Moore, Carney, Ryan & Lattanzi, LLC, 4111 E. Joppa Rd., Baltimore 21236
Charles Dontell, Real Estate Holding Business, Inc., 7527 Belair Rd., Baltimore 21236
John P. Krause, 7527 Belair Rd., Baltimore 21236

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



TO: PATUXENT PUBLISHING COMPANY
Thursday, July 17, 2003 Issue - Jeffersonian

Please forward billing to:

Mr. Charles Dontell
Real Estate Holding Business, Inc.
7527 Belair Road
Baltimore, MD 21236

410-665-5200

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: 03-561-A

7528 Marks Avenue

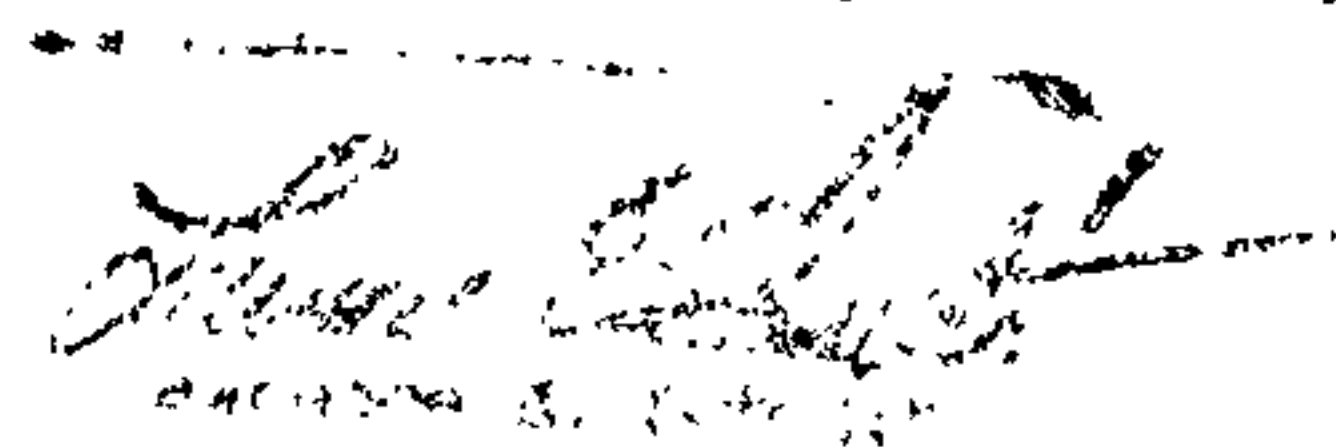
N/side of Marks Avenue, 830 feet east of Fullerton Avenue

14th Election District – 6th Councilmanic District

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Hearings: Tuesday, August 5, 2003 at 9:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

June 9, 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: 03-521-A

7528 Marks Avenue

N/side of Marks Avenue, 830 feet east of Fullerton Avenue

14th Election District – 6th Councilmanic District

Legal Owner: Charles N. Dontell, Jr.

Variance to permit Net Lot Area 7,594 square feet for proposal dwelling in lieu of the required 10, 000 square feet. To permit lot width of 50 feet in lieu of the required 70 feet. To permit sum of side yards of 20 feet in lieu of 25 feet. To permit a lot 7, 594 square feet in lieu of the required 20, 000 square feet when it does not abut a right-of-way at least 30 feet wide. To approve an undersize lot. To permit such other variances as may be required.

Hearings: Tuesday, August 5, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Director

TK:klm

C: Ronald A. Decker, Moore, Carney, Ryan & Lattanzi, LLC, 4111 E. Joppa Rd., Baltimore 21236
Charles Dontell, Real Estate Holding Business, Inc., 7527 Belair Rd., Baltimore 21236
John P. Krause, 7527 Belair Rd., Baltimore 21236

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



TO: PATUXENT PUBLISHING COMPANY
Thursday, July 17, 2003 Issue - Jeffersonian

Please forward billing to:

Mr. Charles Dontell
Real Estate Holding Business, Inc.
7527 Belair Road
Baltimore, MD 21236

410-665-5200

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: 03-521-A

7528 Marks Avenue

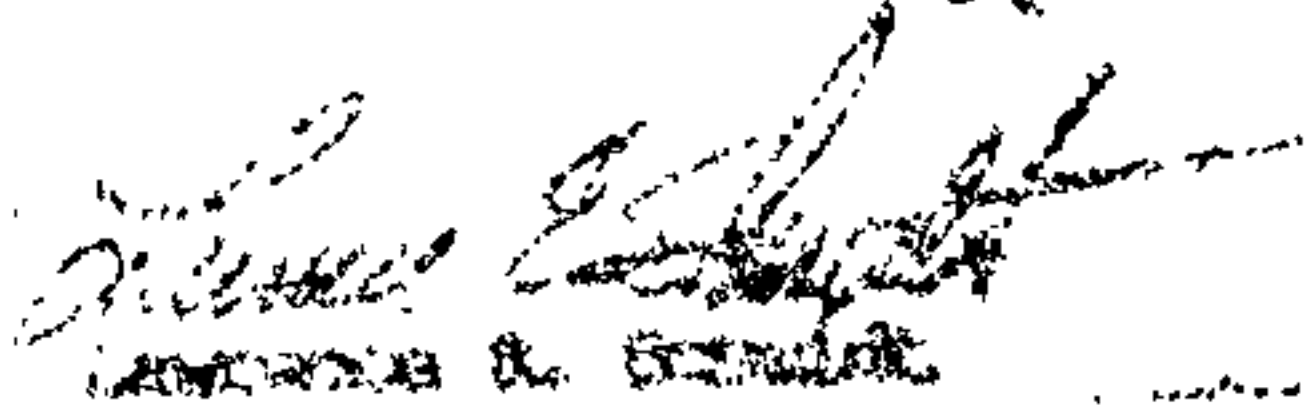
N/side of Marks Avenue, 830 feet east of Fullerton Avenue

14th Election District – 6th Councilmanic District

Legal Owner: Charles N. Dontell, Jr.

Variance to permit Net Lot Area 7,594 square feet for proposal dwelling in lieu of the required 10, 000 square feet. To permit lot width of 50 feet in lieu of the required 70 feet. To permit sum of side yards of 20 feet in lieu of 25 feet. To permit a lot 7, 594 square feet in lieu of the required 20, 000 square feet when it does not abut a right-of-way at least 30 feet wide. To approve an undersize lot. To permit such other variances as may be required.

Hearings: Tuesday, August 5, 2003 at 9:00 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 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/neighborhood 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: 03-561-A
Petitioner: Real Estate Holding Business, Inc.
Address or Location: 7528 Marks Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. Charles Dontell, Vice Pres.
Address: Real Estate Holding Business, Inc.
7527 Belair Road
Baltimore MD 21236
Telephone Number: 410-665-5200

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

August 1, 2003

Ronald A. Decker
Moore, Carney, Ryan & Lattanzi, LLC
4111 E. Joppa Road
Baltimore, MD 21236

Dear Mr. Decker:

RE: Case Number: 03-561-A, 7528 Marks Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 29, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Real Estate Holding Business, Charles Dontell, Exec. V.P., 7527 Belair Road,
Baltimore 21236
John Krause, 7527 Belair Road, Baltimore 21236

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





Baltimore County
Fire Department

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

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

June 10, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: June 9, 2003

Item No.: 558, ⁵⁶560-569

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

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.6.03

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

RE: Baltimore County
Item No. 561 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

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

8/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 13, 2003

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-561 and 03-562

RECEIVED
JUN 13 2003
ZONING COMMISSIONER

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: June 23, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For June 16, 2003
Item Nos. 559, 560, 561, 562, 563,
564, 565, 566, 567, 568, and 569

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

OUT IN ZONING CASE FILE

Permit or Case No.

03-561-A

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

Residential Processing Fee Paid
(\$50.00)Accepted by SL
Date 5/29/03

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

RE: Undersized Lots

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

MINIMUM APPLICANT SUPPLIED INFORMATION

Real Estate Holding Business, Inc. 7527 Belair Road, Baltimore, MD 21236 410-666-5200
Print Name of Applicant Address Telephone Number

7528
Lot Address 7528 Marks Avenue (Lot 19 only) Section District 14 Councilmanic District 6 Square Feet 7,594

Lot Location: NE S W side/corner of Marks Avenue Approx. 830 feet from NE S W corner of Fullerton Avenue
(street) (street)

Land Owner: Real Estate Holding Business, Inc. Tax Account Number 04 14 14

Address: 7527 Belair Road, Baltimore, MD 21236 Telephone Number (410) 666

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

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

1. This Recommendation Form (3 copies)

YES

NO

2. Permit Application

3. Site Plan
Property (3 copies)

4. Building Elevation Drawings

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

Surrounding Neighborhood

6. Current Zoning Classification: D.R. 3.5

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:



Approval



Disapproval

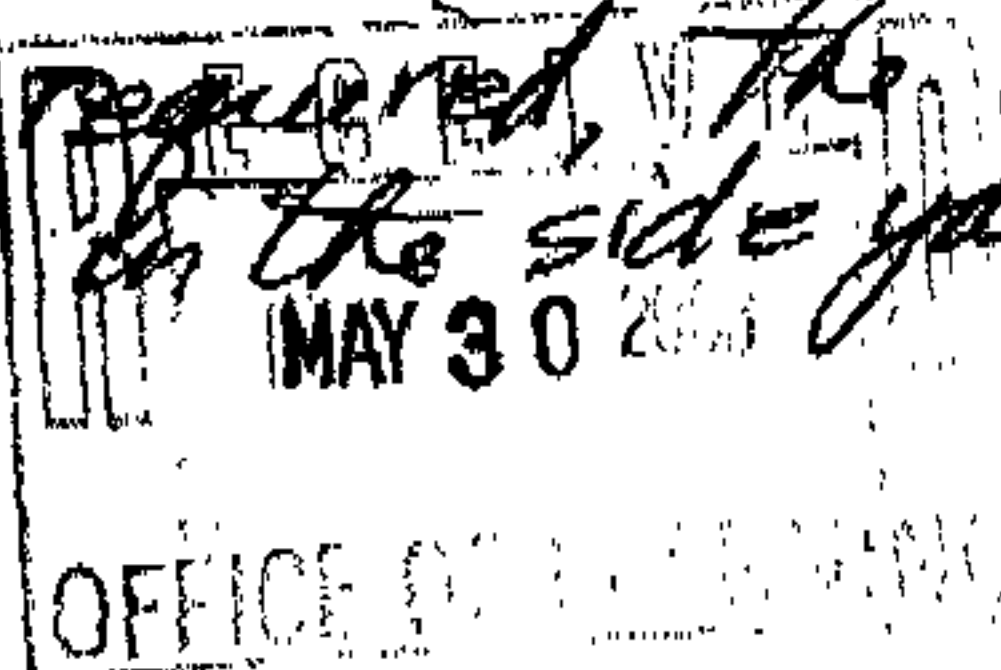


Approval conditioned on required modifications of the application to conform with the following recommendations:

If off-street parking is required, the driveway & parking should be located in the side yard.

Signed by

for the Director, Office of Planning and Community Conservation



Date:

6/13/03

Revised 2/05/02

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

RE: PETITION FOR VARIANCE * BEFORE THE
7538 Marks Avenue; Nside Marks Avenue, *
830' E of Fullerton Avenue * ZONING COMMISSIONER
14th Election & 6th Councilmanic Districts
Legal Owner(s): Charles N. Dontell, Exe VP * FOR
Real Estate Holding Business, Inc
Petitioner(s) * BALTIMORE COUNTY
* 03-561-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 17th day of June, 2003, a copy of the foregoing Entry of Appearance was mailed to, John P Krause, 7527 Belair Road, Baltimore, MD 21236 and to Ronald Decker, Esquire, Moore, Carney, Ryan & Lattanzi, LLC, 4111 E Joppa Road, Baltimore, MD 21236, Attorney for Petitioner(s).

RECEIVED

JUN 17 2003

Per...*bh*.....

Peter Max Zimmerman

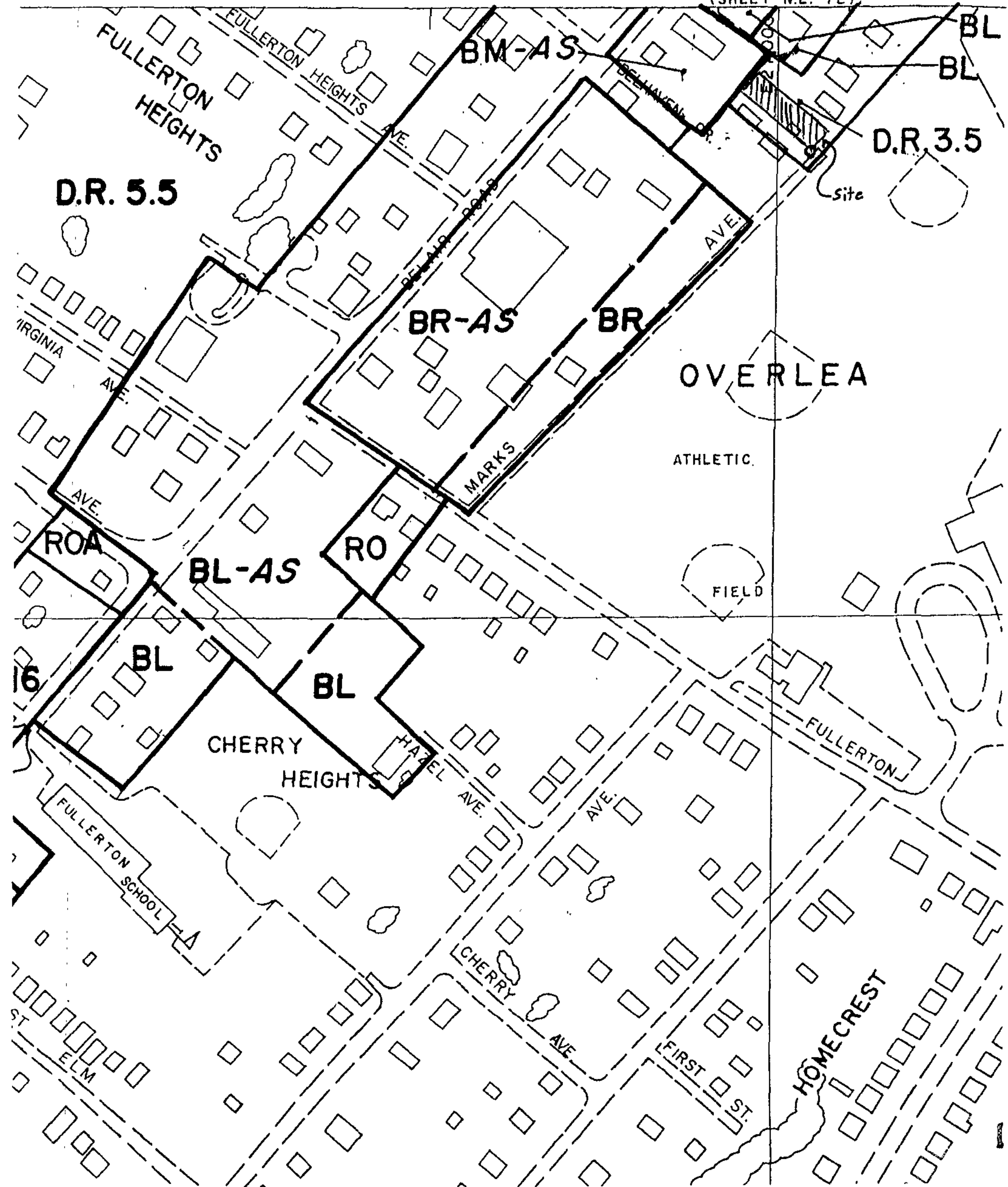
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 03-561-A & 03-562A
DATE 8/5/03

[illegible]

NE GE 1" = 200' # 561

(SHEET N.E. 7E)



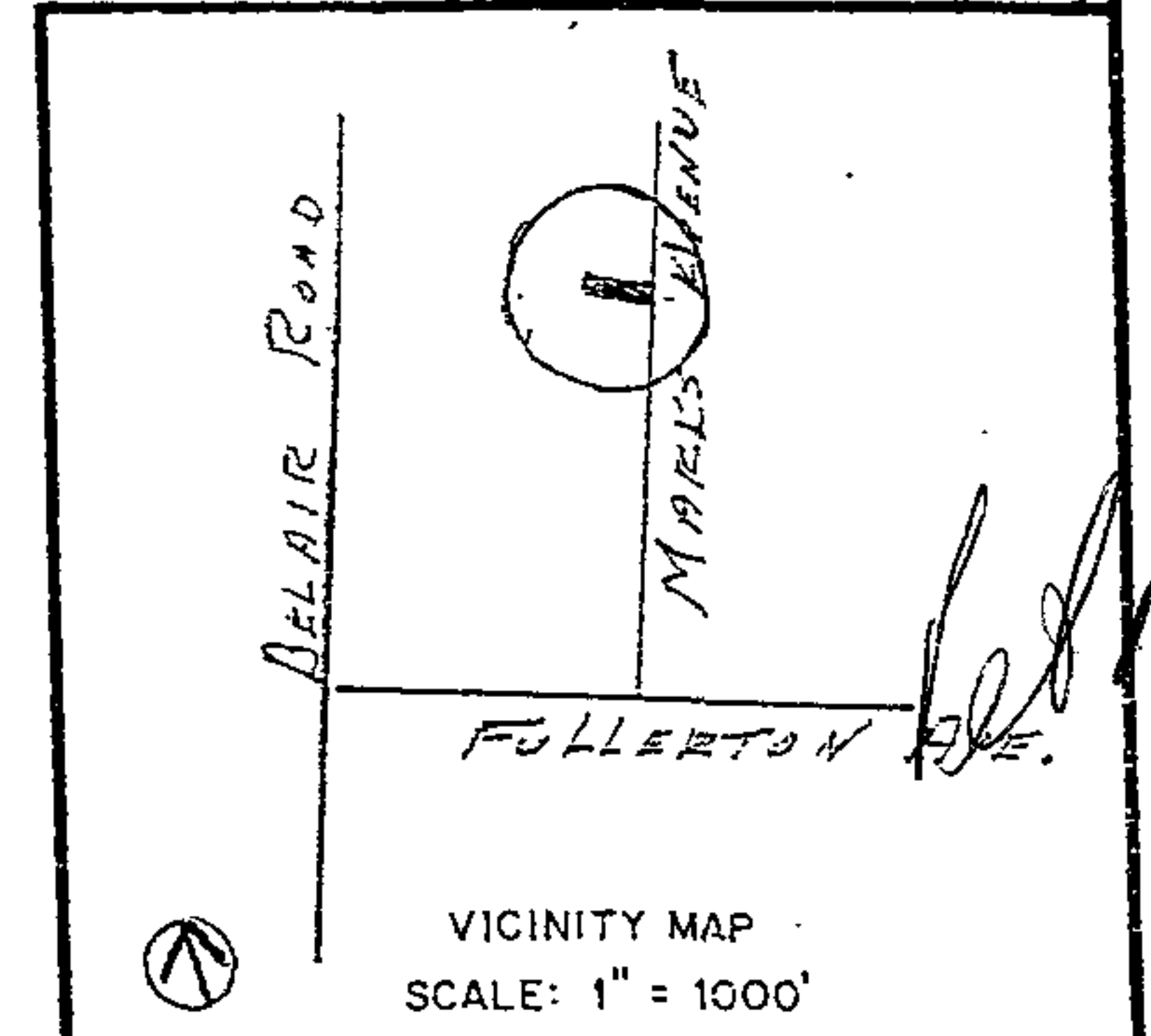
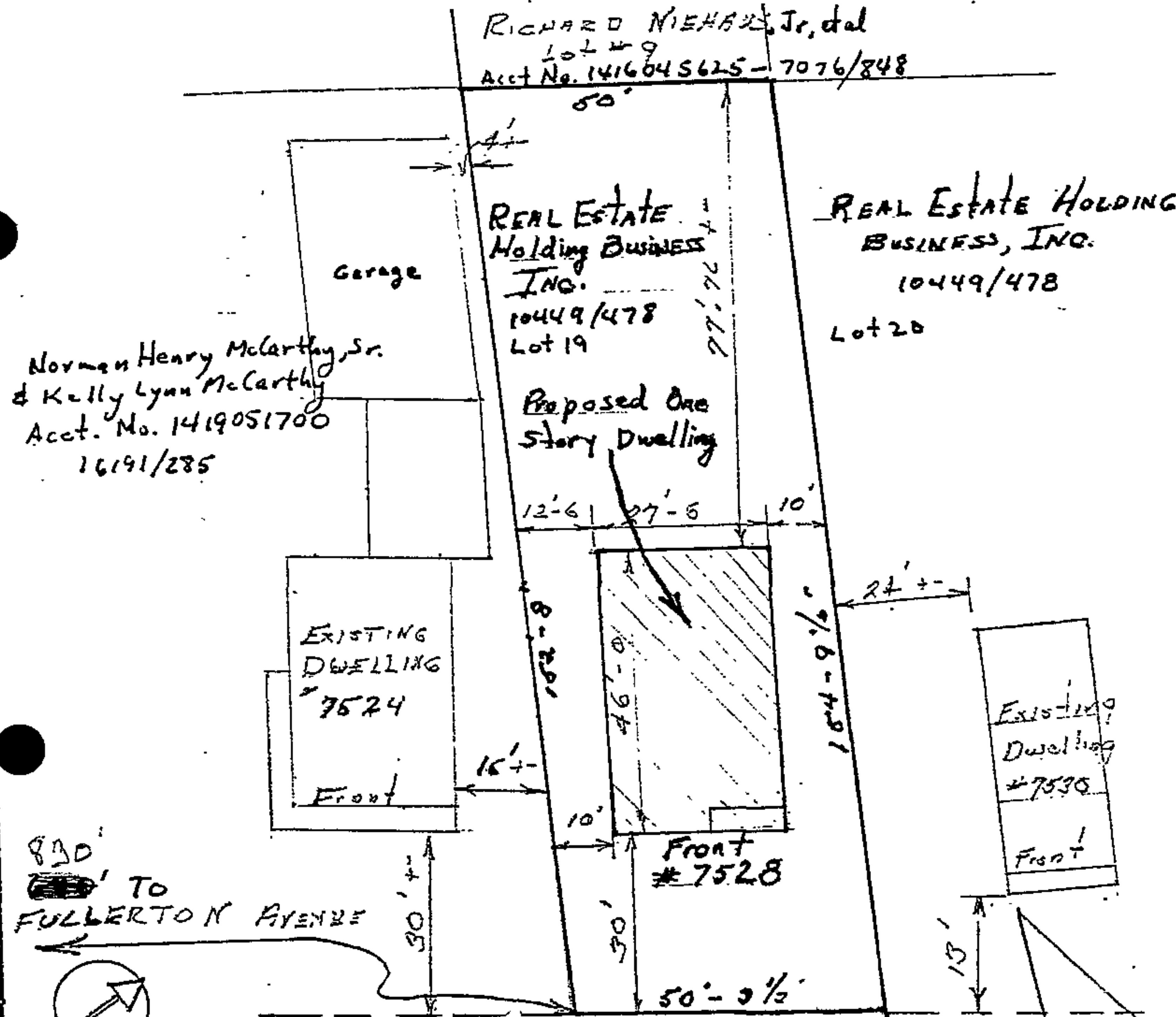
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 7528 MARKS Ave. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Property of Wm. J. & Jno. S. Biddison

PLAT BOOK # 2 FOLIO # 390 LOT # 19 SECTION # Acct No. 1408065650

OWNER REAL ESTATE HOLDING BUSINESS, INC.



LOCATION INFORMATION

ELECTION DISTRICT - 14TH

COUNCILMANIC DISTRICT - 6TH

1" = 200' SCALE MAP # NE 6 E

ZONING - DR-3.5

LOT SIZE .17 AC ± 7594
ACREAGE SQUARE FEET

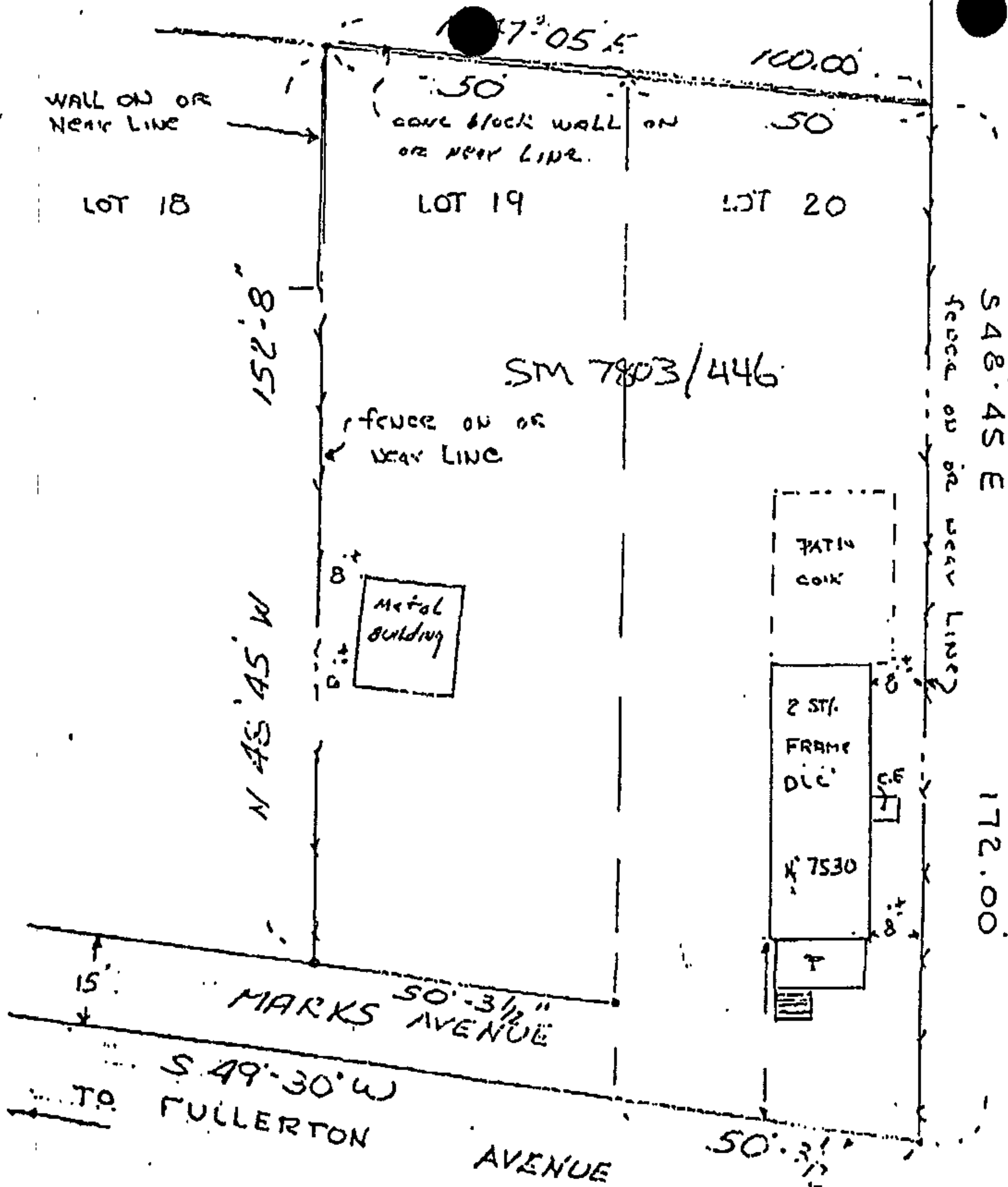
	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	☐	☐

ZONING OFFICE USE ONLY

REVIEWED BY JV ITEM # 561 CASE #

PREPARED BY S.P.K.



HOUSE LOCATION
N^o 7530 MARKS AVENUE
LOTS 19 & 20
PLAT OF PROPERTY OF
WILLIAM J. & JOHN S. BIRDSON
PLATBOOK J.W.S. N^o 2 fol. 370
BALTIMORE COUNTY, MARYLAND

I HAVE SURVEYED THE ABOVE PLATTED
PROPERTY FOR THE PURPOSE OF LOCATING
THE BUILDINGS AS SHOWN HEREON

William B. Wood.

THE INFORMATION ON THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS INDICATED HEREON ARE CONTAINED WITHIN THE OUTLINES OF THE LOT UPON WHICH THEY ARE ERECTED, AND IS NOT TO BE CONSTRUED AS AN ESTABLISHMENT OF PROPERTY LINES.



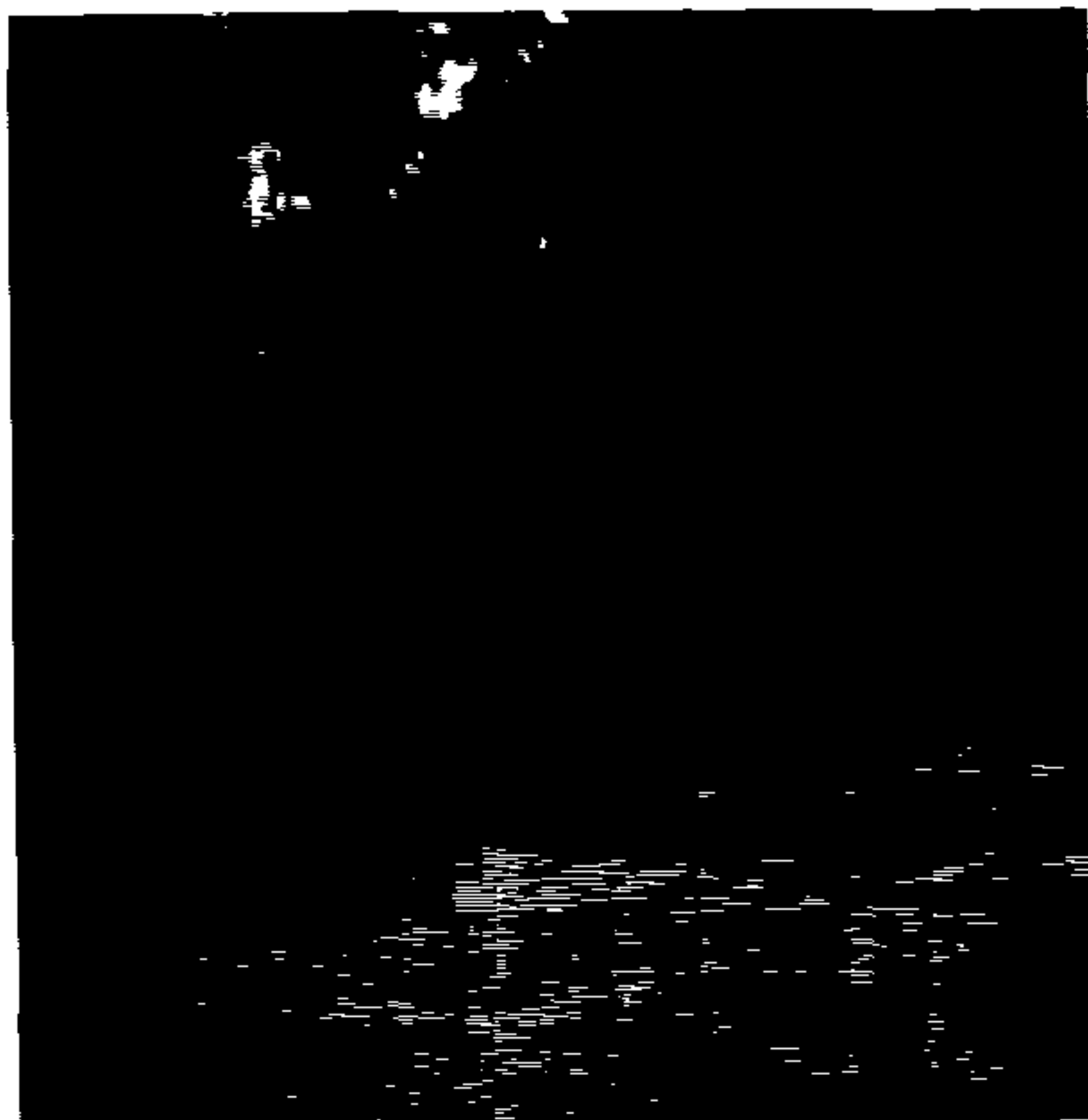
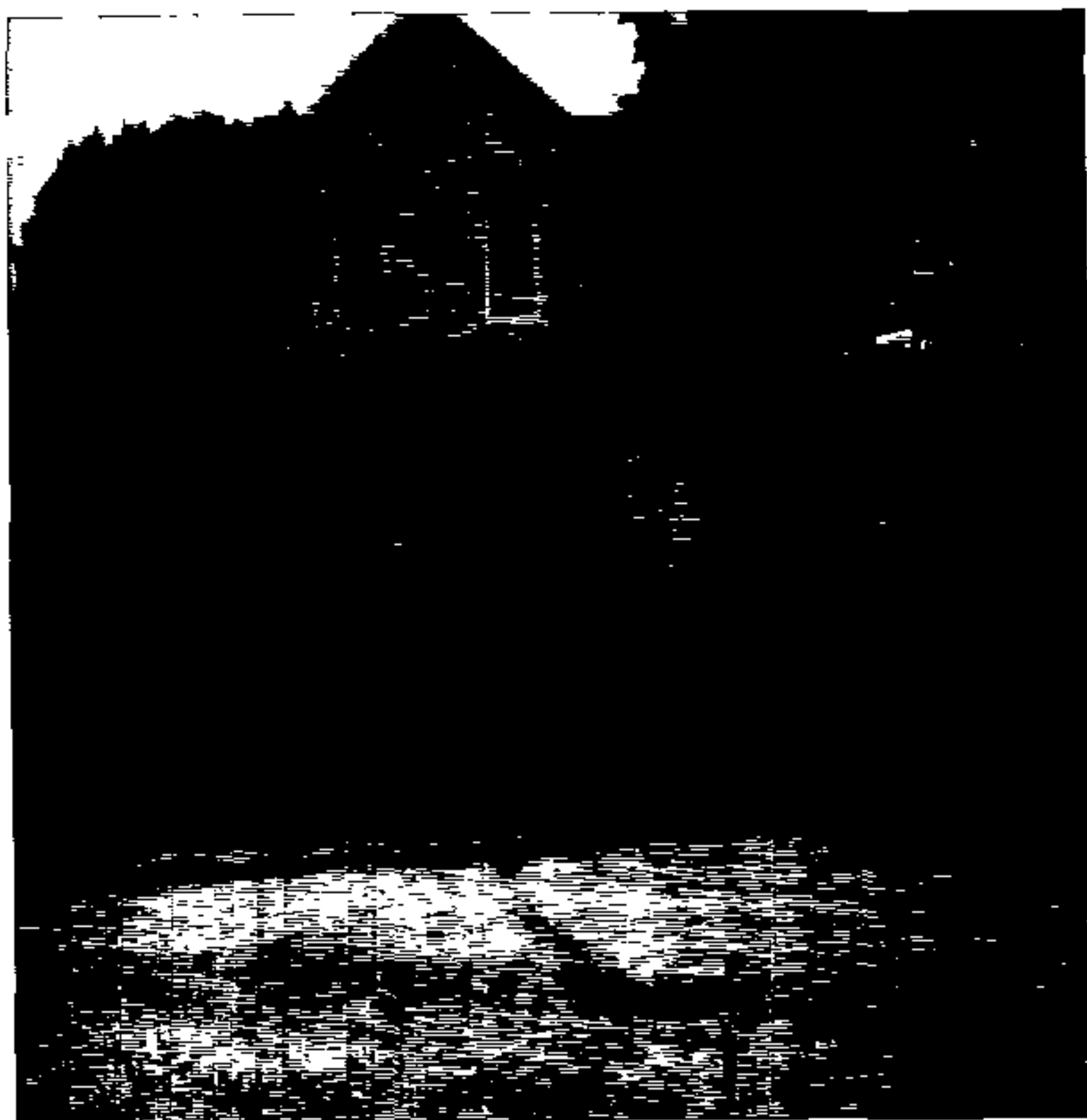
SCALE: 1" = 30' DATE: Feb 11, 1953

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 Delaware Avenue
TOWSON, MARYLAND 21204

EXHIBIT C

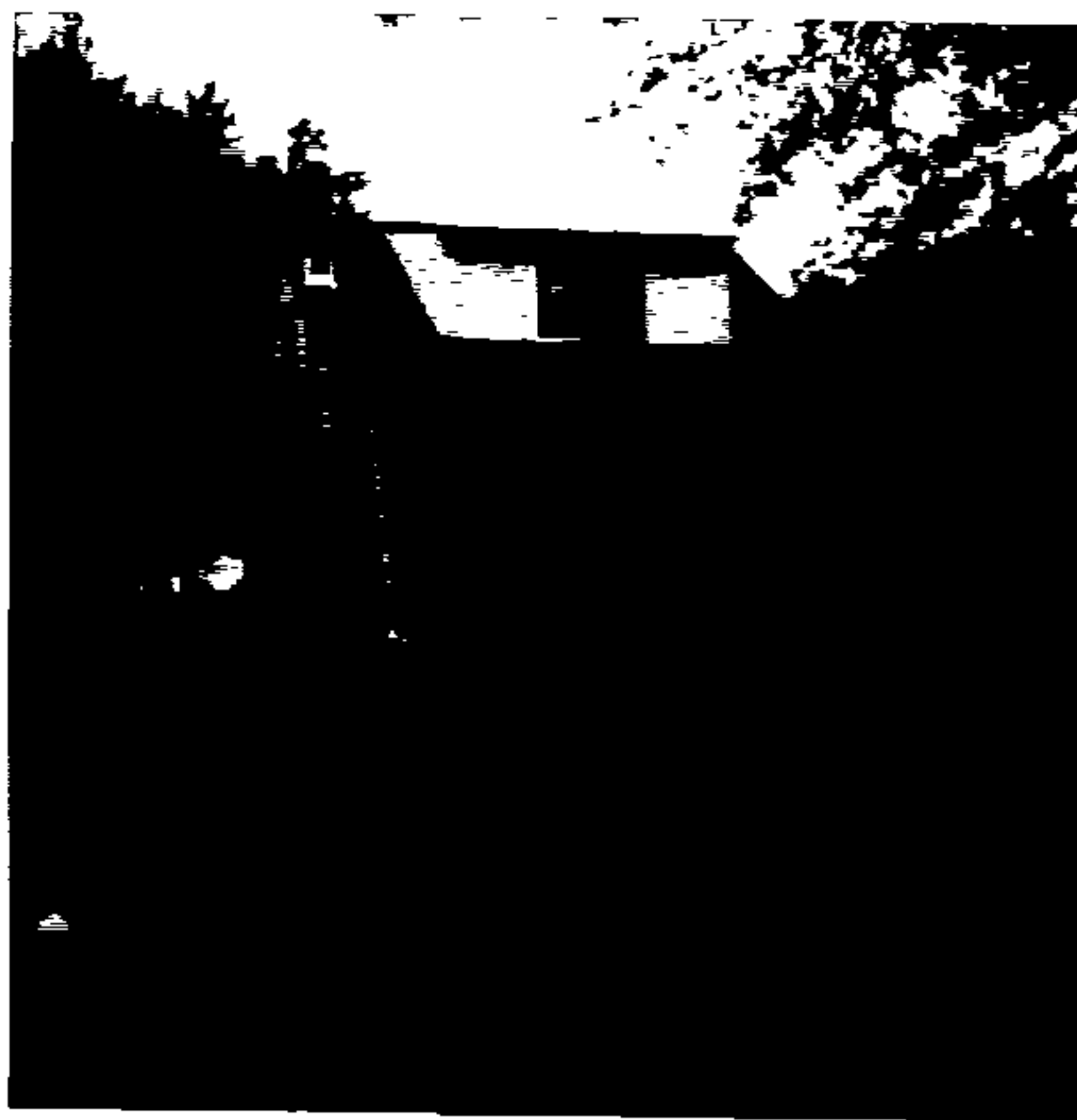
led 3.

Ref No 4



Lot #18 7526 Marks Ave

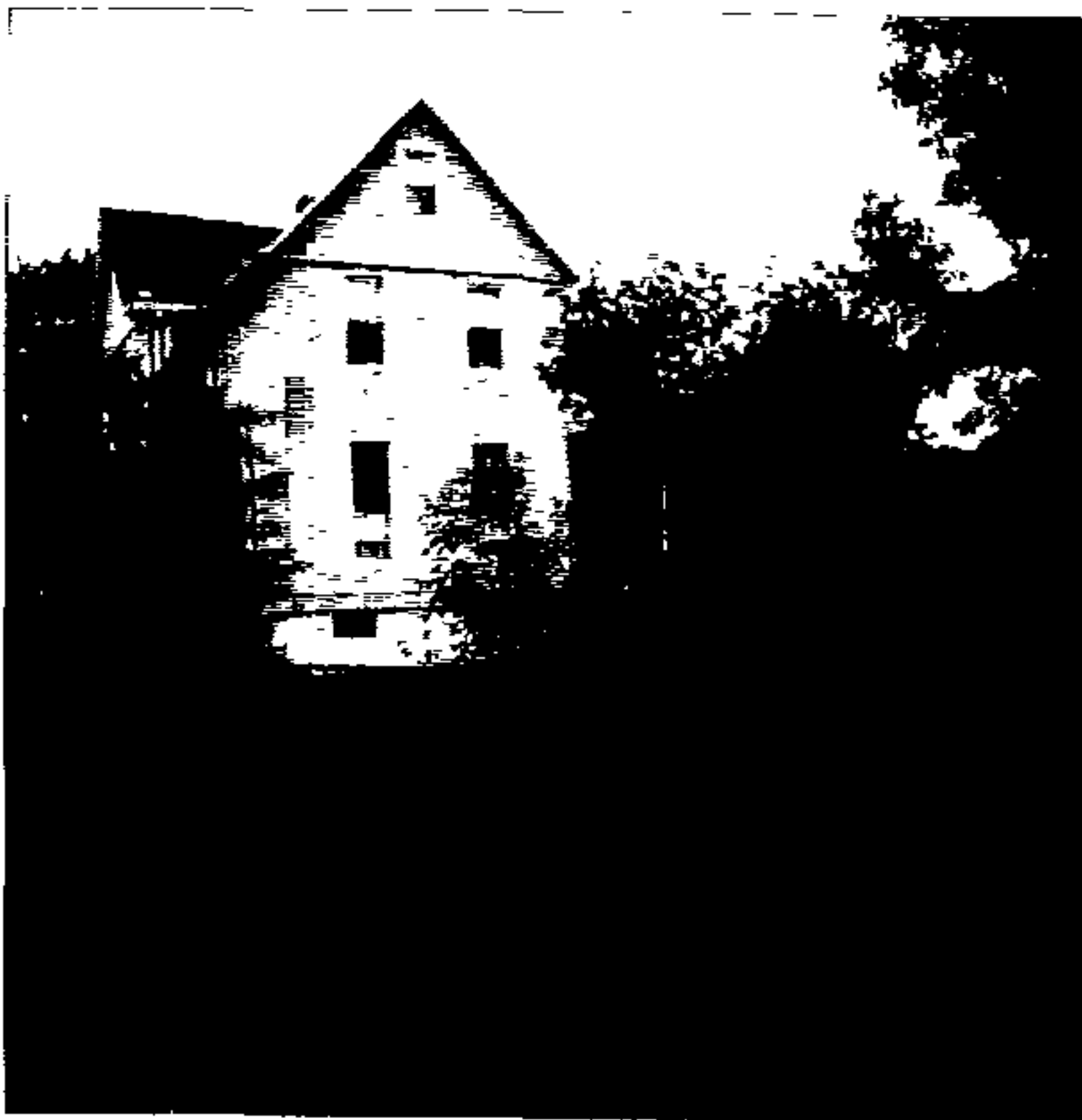
7528 MARKS Ave



7530 MARKS Ave
Subject Property

7532 MARKS Ave

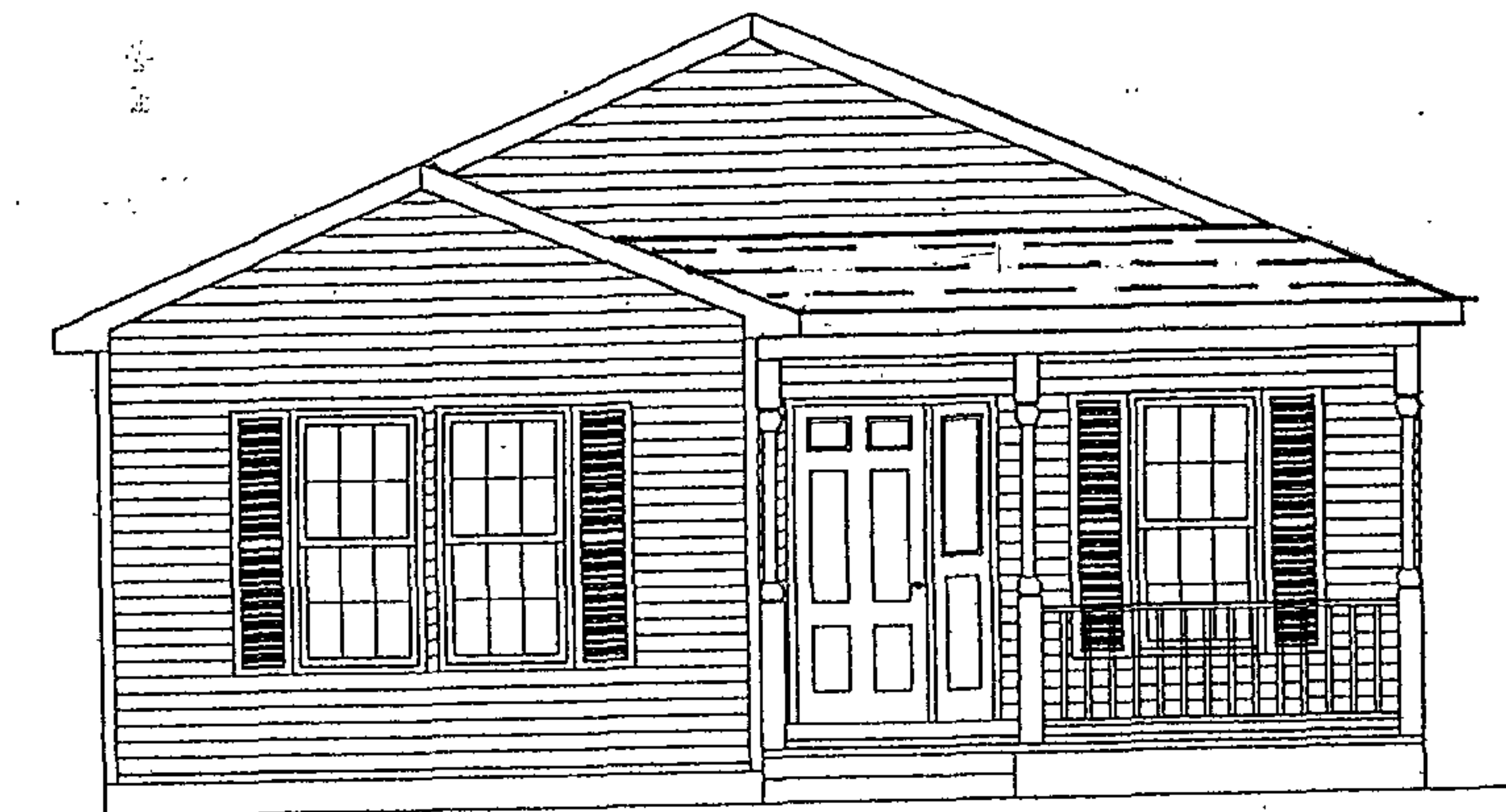
Ref No 4



7534 MARKS AVE



7538 MARKS AVE



FRONT ELEVATION

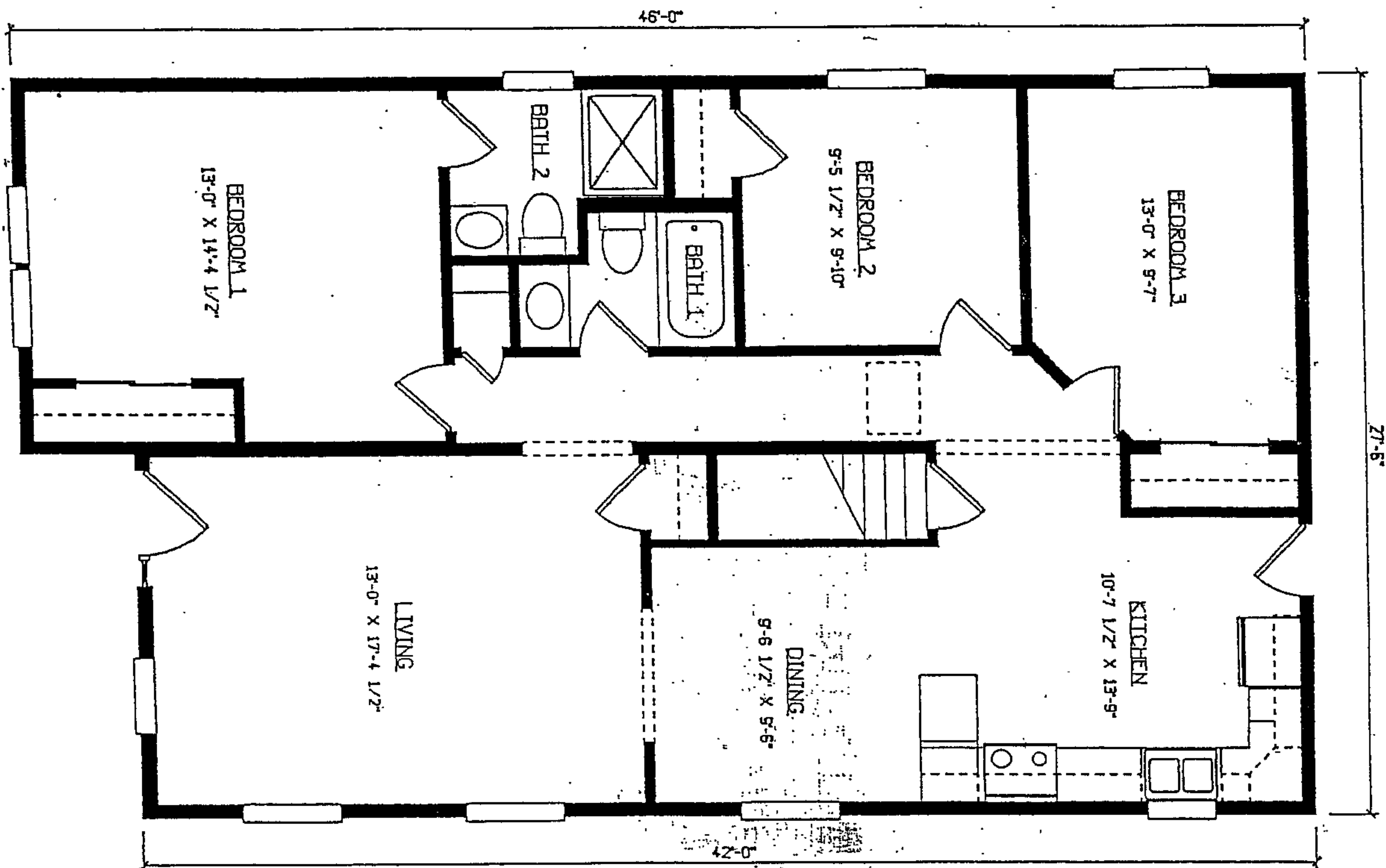
SCALE - 3/16" = 1'-0"

the Salem

Red No 95

Plan No. 925 * 1210 sq. ft.
27'6" x 42'/46' Three Bedrooms * One Full
and One Three Quarter Bath

Porch Railing, Roof,
and Floor Not Included
Will be built on site.



FIRST FLOOR PLAN

SCALE - 3/16" = 1'-0"



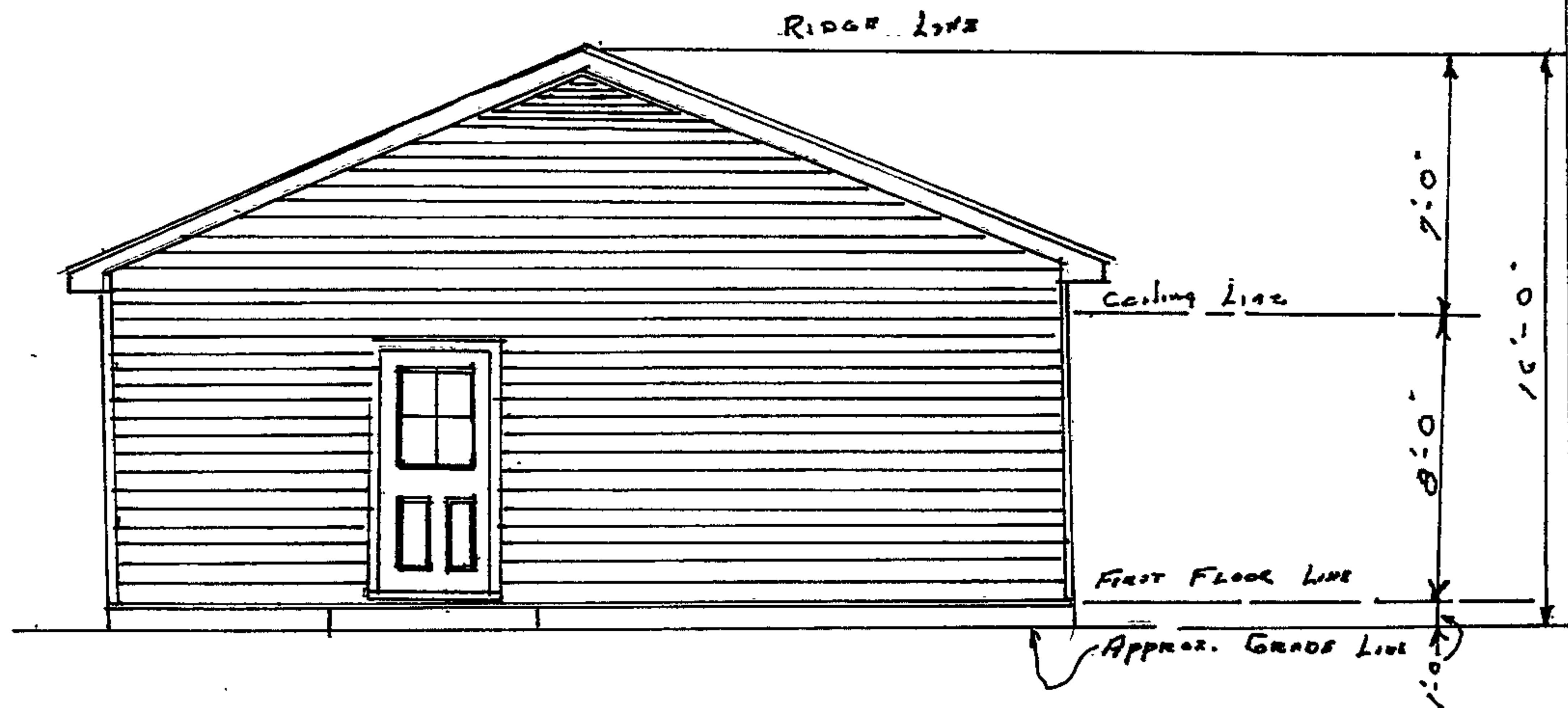
RIGHT SIDE ELEVATION

SCALE - 3/16" = 1'-0"



LEFT SIDE ELEVATION

SCALE - 3/16" = 1'-0"



REAR ELEVATION

SCALE - 3/16" = 1'-0"

ADDITION TO PETITION FOR VARIANCE

REAL ESTATE HOLDING BUSINESS, INC.

- Variances are requested from BCZR No. 1B02.3C1 to permit:
 - a) Net Lot Area of 7,594 square feet in lieu of the required 10,000 square feet.
 - b) Lot width of 50 feet in lieu of the required 70 feet.
 - c) Sum of side yards of 20 feet in lieu of 25 feet.
- Variance is requested from BZCR No. 102.4 to permit a lot of 7,594 square feet in lieu of the required 20,000 square feet when it does not abut a right-of-way at least 30 feet wide.
- Approval of an undersized lot is requested.
- Such other variances as may be required.

ORDER RECEIVED FOR FILING

Date

By

8/20/13

GP

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. 03-561-A

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

RE: Undersized Lots

Residential Processing Fee Paid
(\$50.00)

Accepted by JL
Date 5/29/03

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.

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Print Name of Applicant Address Telephone Number

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Lot Location: NE S W/side/corner of Marks Avenue Approx. 830 feet from NE S W corner of Fullerton Avenue
(street) (street)

Land Owner: Real Estate Holding Business, Inc. Tax Account Number 04 14 1408065650

Address: 7527 Belair Road, Baltimore, MD 21236 Telephone Number (410) 665-5200

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!

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>D.R. 3.5</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 recommendations:

Signed by _____
for the Director, Office of Planning and Community Conservation

Date: _____

Revised 2/05/02

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

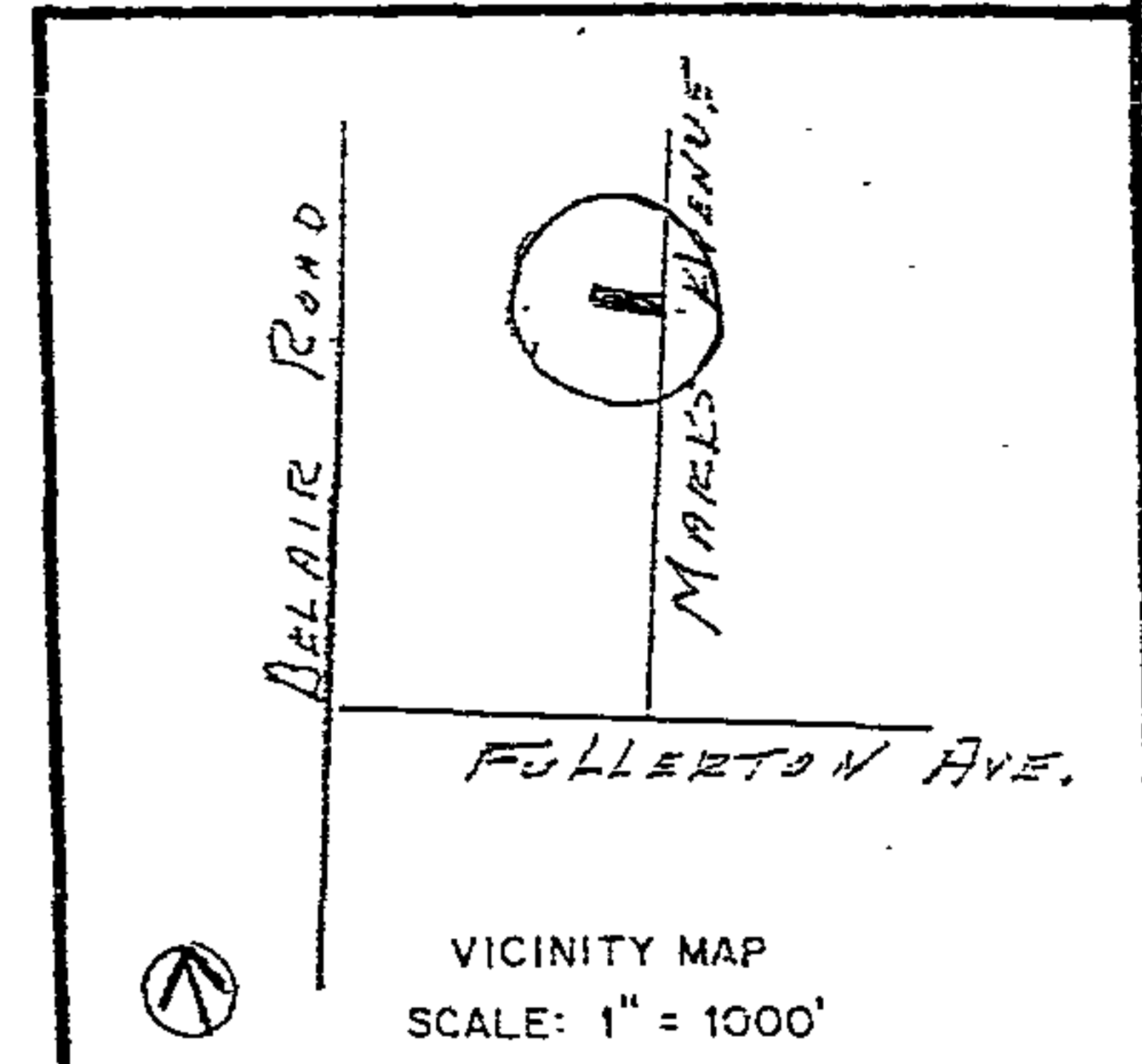
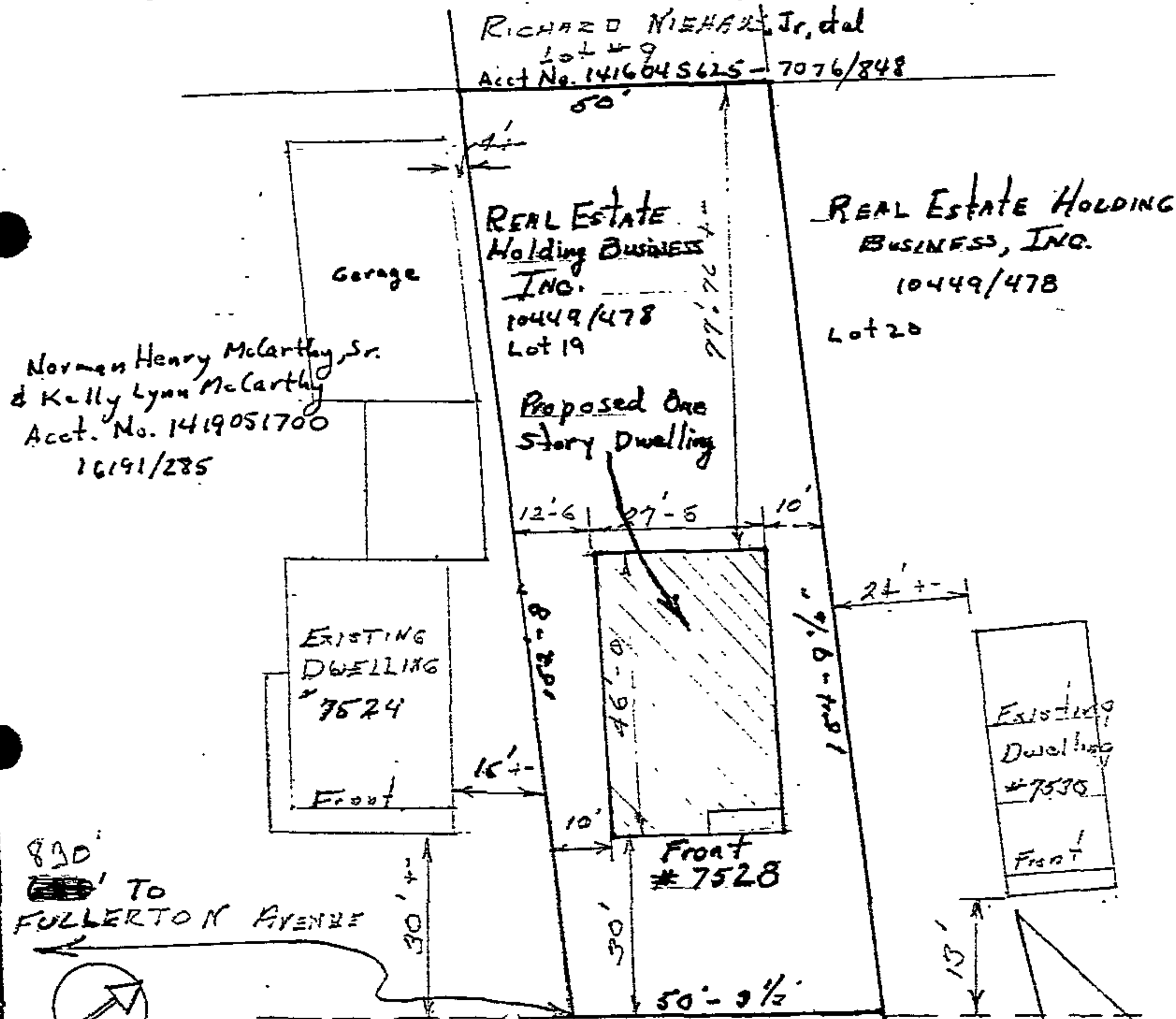
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HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	☐	☐

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

PREPARED BY S.D.K.