IN RE: PETITION FOR VARIANCE
N/S of Martin Drive, 425 ft. NE
centerline of Bauernschmidt Drive
15th Election District
6th Councilmanic District
(2318 Martin Drive)

M. Joyce & Joseph L. Eiben Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 04-293-A

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners, M. Joyce and Joseph L. Eiben. The Petitioners are requesting variance relief for property located at 2318 Martin Drive in the "Bauernschmidt Manor" subdivision of Baltimore County. The variance request is from Sections 1B02.3.C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 9 ft. in lieu of the required 10 ft.; a sum of side yards of 23 ft. in lieu of the required 25 ft.; and a rear yard of 17 ft. in lieu of the required 30 ft.; and to approve the proposed dwelling on an undersized lot.

The property was posted with Notice of Hearing on February 13, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on February 12, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in

residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated January 13, 2004 stating that the Petitioners must comply with the Chesapeake Bay Critical Area Regulations, a copy of which is attached hereto and made a part hereof. A ZAC comment was also received from the Bureau of Development Plans Review dated February 2, 2004 setting forth several federal and county code requirements the Petitioners must comply with for this project.

Interested Persons

Appearing at the hearing on behalf of the variance request was Vincent Moskunas, representative of Site Rite Surveying Inc, the firm who prepared the site plan and Joseph Eiben, the Petitioner. No Protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 7,809 sq. ft., more or less, zoned D.R.3.5. The subject property fronts on Hog Pen Creek and its rear yard lies on Martin Drive. Mr. Moskunas proffered that the

property is a lot of record in the Bauerschmidt Manor subdivision since 1940. This was much before the DR 3.5 zoning regulations was imposed on the property. The owner would like to enlarge the existing home to a more livable size and add a two-car garage on the Martin Drive side of the home. To do this he will utilize much of the present footprint plus add to the building towards the water. He has spoken to the neighbors and they do not oppose his improvements. Also, the Planning Office originally requested relocating the addition but after consultation and explanation, that office has no comment.

Findings of fact and conclusions of law

In regard to what was requested in terms of variance, I find that there are special circumstances or conditions existing, that are peculiar to the land or structure, which is the subject of the variance request. The subdivision was recorded in the 1940's much before the DR 3.5 regulations were imposed. The requests for variance are very modest. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. I also find that such a variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

ORDER RECEIVED FOR FILING

One 3/3/6/4

One 1/3/6/4

One

yard of 17 ft. in lieu of the required 30 ft.; and to approve the proposed dwelling on an undersized lot, for a proposed dwelling, be and it is hereby GRANTED.

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;
- 2. The Petitioners must comply with the recommendations made by DEPRM in their ZAC comment dated January 13, 2004, a copy of which is attached hereto and made a part hereof.
- 3. The Petitioners must comply with the recommendations made by the Bureau of Development Plans Review dated February 2, 2004, a copy of which is attached hereto and made a part hereof.
- 4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

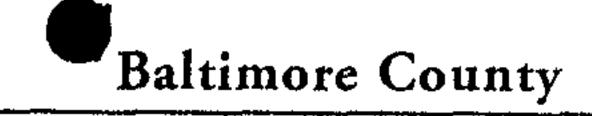
FOR BALTIMORE COUNTY

JVM:raj

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468





James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

March 3, 2004

Mr. & Mrs. Joseph L. Eiben 1015 Valewood Road Towson, Maryland 21286

Re: Petition for Variance
Case No. 04-293-A
Property: 2318 Martin Drive

Dear Mr. & Mrs. Eiben:

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

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

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Site Rite Surveying, Inc. 200 E. Joppa Road, Room 101 Towson, MD 21286



Visit the County's Website at www.baltimorecountyonline.info



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #23/8 Mavin Duve which is presently zoned D. 2.3.5

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) | B02. C. 1 & 304 B.C. 2. P.; To permit a sidurand subsect of 9 ft. In liw of the regumed 10 ft; a sum of sidurands of 23 ft in liw of the regumed 26 ft and a man yand of 17 ft. In liw of the required 30 ft. and to approve the proposed dwlling on an undersized lot.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) (1) Has been a lot of record as shown on Plat of "Bauernschmidt Manor" since August 28, 1940. The lot widths within the specific Block are 57'. (2) There is no contiguous ownership in which the B.C.Z.R. can be met. (3) No increase in residential density beyond that allowed, granting relief will not cause injury to the community's safety or welfare.

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:

Legal Owner(s):

Signature Address Telephone No.	Signature JOSEPH L EIBEN Name - Type or Print Signature LO15 VALEWOOD RP 410 821 606 Address Telephone No TOW/SON MO 21286 State Zip Code
City State Zip Code Attorney For Petitioner: Name - Type or Print City	Signature LO15 VALEWOOD RD 410821 606 Address Telephone No TOWISON MD 21286 State Zip Code
Attorney For Petitioner: Name - Type or Print City	1015 VALEWOOD RD 410821 606 Address Telephone No TOWISON MD 21286 State Zip Code
Attorney For Petitioner: Name - Type or Print City	1015 VALEWOOD RD 410821 606 Address Telephone No TOWISON MD 21286 State Zip Code
	TOWISON MO 21286 State Zip Code
Company Address Telephone No.	Sife Rife Surveying Inc. Name 200 E. Joppa Pond Room 101 Alo 828- Address Telephone No. TOWSON, MD 21286
State Zip Code State N. OH - 393 - A Reviewed By	City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING OTHOMPSon Date 1017 03

ZONING DESCRIPTION FOR #2318 MARTIN DRIVE

BEGINNING at a point on the north side of Martin Drive which is 20 feet wide at the distance of 425 feet northeast of the centerline of Bauernschmidt Drive which is 40 feet wide. Being Lot #130, Block H, in the subdivision of "Bauernschmidt Manor" as recorded in Baltimore County Plat Book #12, Folio #81, containing 7,809 S.F. Also known as #2318 Martin Drive and located in the 15th Election District, 6th Councilmanic District.



Michael V. Moskunas

SITE RITE SURVEYING, INC. 200 East Joppa Road Towson MD 21286

BALTIMORE CO OFFICE OF BUDG	OUNTY, MARYLAND	2-73 No. 3	0565		And the second s
MISCELLANEO DATE	US RECEIPT	rocca		ALTIA SEARCAN SOCYTIVAL LONGVIIVS MILL LINA SOCIA	H
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DISTRIBUTION WHITE - CASHIER	PINK - AGENCY YELLOW - CL	ISTOMER		CASHIER'S VAL	IDATION

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: #04-293-A
2318 Martin Drive
N/side of Martin Drive, 425 feet n/east of centerline of Bauernschmidt Drive

N/side of Martin Drive, 425 feet n/east of centerline of Bauernschmidt Drive 15th Election District - 6th Councilmanic District Legal Owner(s): M. Joyce and Joseph Elbeh Variance: to permit a sideyard setback of 9 feet in Neu of the required 10 feet; a sum of sideyard of 23 feet in Neu of the required 25 feet and a rear yard of 17 feet in Neu of the required 30 feet and to approve the proposed dwelling on an undersized lot.

Hearing: Tuesday, March 2, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zohing 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.

Contact the Zoning Review Office at (410) 887-3391.

C648977

CERTIFICATE OF PUBLICATION

2/2, 2004
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on <u>allal</u> ,2004.
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

LEGAL ADVERTISING

THE PROPERTY OF THE PARTY OF TH



CERTIFICATE OF POSTING

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: 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 locate	ed at #2318 MARTIN DRIVE
The sign(s) were posted on FEB. 13 (N	Sincerely, Sincerely, Signature of Sign Poster and Date) CARLAND E. MOOR5 (Printed Name)
	3225 RYERSON CIRCLES (Address) BAUTIMORE, MD. 21227
	(City, State, Zip Code) (C4(0) 242-4263 (Telephone Number)

RE: Case No.: 04 - 293-A

Petitioner/Developer: M. Joyce & Joseph EIBEN

Date of Hearing/ Closing: MAR. Z, ZOOC

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 12, 2004 Issue - Jeffersonian

Please forward billing to:

Joseph Eiben 1015 Valewood Road

Towson, MD 21286

410-821-6069

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: 04-293-A

2318 Martin Drive

N/side of Martin Drive, 425 feet n/east of centerline of Bauernschmidt Drive

15th Election District – 6th Councilmanic District

Legal Owners: M. Joyce and Joseph Eiben

<u>Variance</u> to permit a sideyard setback of 9 feet in lieu of the required 10 fee; a sum of sideyard of 23 feet in lieu of the required 25 feet and a rear yard of 17 feet in lieu of the required 30 feet and to approve the proposed dwelling on a undersized lot.

Hearing: Tuesday, March 2, 2004, at 11:00 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



James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

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

January 15, 2004

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: 04-293-A

2318 Martin Drive

N/side of Martin Drive, 425 feet n/east of centerline of Bauernschmidt Drive

15th Election District – 6th Councilmanic District

Legal Owners: M. Joyce and Joseph Eiben

<u>Variance</u> to permit a sideyard setback of 9 feet in lieu of the required 10 fee; a sum of sideyard of 23 feet in lieu of the required 25 feet and a rear yard of 17 feet in lieu of the required 30 feet and to approve the proposed dwelling on a undersized lot.

Hearing: Tuesday, March 2, 2004, at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: M. Joyce and Joseph Eiben, 1015 Valewood Road, Towson 21286 Site Rite Surveying, Inc., 200 E. Joppa Road, Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 16, 2004.

- (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.



Visit the County's Website at www.baltimorecountyonline.info

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

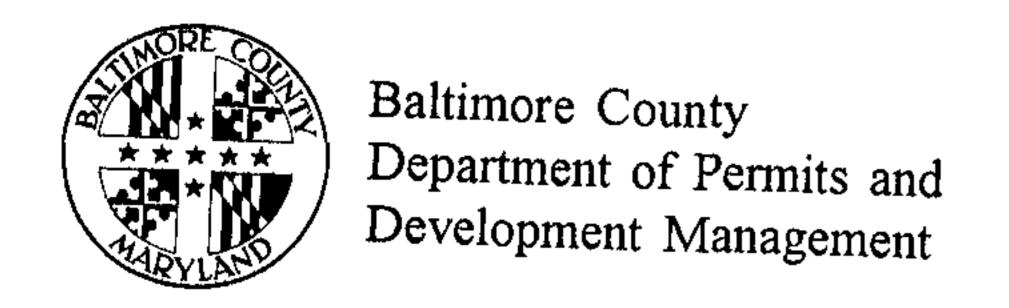
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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:	293
Petitioner: Joseph Elben	, <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>
Address or Location: 2318	Martin Duve
PLEASE FORWARD ADVERTI Name: Joseph Eiben Address: 1015 Valewood	
Towson, Mp Telephone Number: 410	2(286 821-6069



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

February 25, 2004

M. Joyce Eiben 1015 Valewood Road Towson, Maryland 21286

Dear Ms. Eiben:

RE: Case Number:04-293-A, 2318 Martin Drive

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

U. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:clb

Enclosures

c: People's Counsel

Site Rite Surveying, Inc. 200 E. Joppa Road Rm. 101 Towson 21286



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

January 5, 2004

ATTENTION: Rebecca Hart

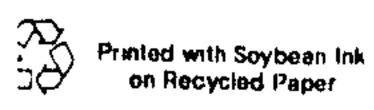
Distribution Meeting of: December 29, 2003 393

Item No.: 280-285, 287-299

6. 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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 5, 2004

Item No. 293

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

DATE: February 2, 2004

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

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

RWB:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Tim Kotroco									
FROM:	R. Bruce Seel	ey M/15								
DATE:	January 13, 2004									
SUBJECT:	Zoning Item Address	# 04-293 2318 Martin Drive Eiben Property								
Zoning	g Advisory Con	nmittee Meeting of December 29, 2003								
	•	nvironmental Protection and Resource Management has no ve-referenced zoning item.								
		nvironmental Protection and Resource Management offers nts on the above-referenced zoning item:								
	Protection of	of the property must comply with the Regulations for the Water Quality, Streams, Wetlands and Floodplains (Sections the 14-350 of the Baltimore County Code).								
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).									
<u>X</u>	Critical Area I	of this property must comply with the Chesapeake Bay Regulations (Sections 26-436 through 26-461, and other the Baltimore County Code).								
Additio	onal Comments	S:								

Reviewer: Keith Kelley Date: January 2, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

JAN 2 7 2004

DATE: January 27, 2004

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZOWNG COMMISSIONER Zoning Advisory Petition(s): Case 04-293 – REVISED COMMENTS **SUBJECT:**

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.

AFK/LL

0;

INTER-OFFICE CORRESPONDENCE

TQ:

Timothy M. Kotroco, Director

DATE: January 5, 2004

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2318 Martin Drive

INFORMATION:

Item Number:

04-293

Petitioner:

M. Joyce Eiben

Zoning:

DR 3.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request, provided the proposed home (#2418 Martin Drive) is repositioned so that the front façade (facing Hogpen Creek) is on-line with the front façade of the existing dwelling at #2316 Martin Drive.

Prepared by:

Cantian Obj. C.

AFK/LL:MAC:



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

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

MARY AND DEPARTHENT OF TRANSPORTATION

Date: 1.7.04

Item No.

Baltimore County

293

RE:

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

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

RE: PETITION FOR VARIANCE * BEFORE THE

2318 Martin Drive; N/side Martin Drive,
425' NE c/line Bauernschmidt Drive *

15th Election & 6th Councilmanic Districts Legal Owner(s): M Joyce & Joseph L Eiben *

Petitioner(s)

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 04-293-A

* * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of January, 2004, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Rm 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

JAN 05 2004

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per....

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

O:	Director, Office of Planning & Community Conservation Attention: Jeffrey Long County Courts Building, Room 406	Permit or Case NoQH-293-A
	401 Bosley Avenue Towson, MD 21204	
ROM:	Arnold Jablon, Director	Residential Processing Fea Poid (\$50.00)
	Department of Permits & Development Management	Accepted by D. THOMPSON
#1 #1	Undersized Lots	Accepted by D. THOMPSON Date 12 17 03
suant Office	to Section 304.2 (Battlmore County Zoning Regulations) effective June 2 of Planning and Community Conservation prior to this office's approval	25, 1992, this office is requesting recommendations and comments from of a dwelling permit.
UMIN	M APPLICANT SUPPLIED INFORMATION:	
•	SITC RITC Surveying Me. 200 B. Joppa P.	1941 Room 101 Towson, MD 21286 468289060
	Lol Address 2318 Martin DriveElection	District 15 Councilmanic District 6 Square Feet 7809
Loca	Ilion: (NE's Wiside/corner of Mayn DNW (street)	125 feet from NES W corner of BAVEVUS Churid + DNK
nd Ow	mer: Joseph and Joyu Eilben	
dress:	1015 Valewood Poad Towson, MD 2128	
ECKĻ	ST OF MATERIALS (to be submitted for design review by the Office of	
	FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND I	
		PROVIDED?
'∃is Re	ecommendation Form (3 copies)	YES NO
'armit	Application	111 111 111 111 111 111 111 111 111 11
o te Pl a Prope	nty (3 copies)	
uildin	g Elevation Drawings	
i rotog Adjoinin	raphs (please label all photos clearly) ng Buildings	· ·
HILLOUGH	ding Neighborhood	Post-It® Fax Note 7671 Date / /p/s/c/1 # of > 7
urrent	Zoning Classification: D. P. 3.5	To Donus Monroon From Giaca Canda
· 	TO BE FILLED IN BY THE OF	Phone # Phone # 2000
OMME	NDATIONS / COMMENTS:	Fax # 2824 Fax #
	Approval Disapproval Approval conditioned on required	modifications of the application to conform with the tollowing a success
PLE	LASE PELOCATE PROPOSED HOME	(# 2418 MARTINI DRIVE) SO THAT
***	THE FRONT FACADR (FACADR HOGE	EN CREEK TO THE LINE AND SET BACK
	THE FRONT FACABLE OF # 1844	
,		
yd tı	or the Director, Office of Planning and Commenty Conservation	DEC 1 9 2003
	SEE ATTACHED	TEICL OF PLANNING
	went of 11the the	A Commence of the Commence of

Revised 2/05/02

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

ZONING HEARING FILE INTERNAL CHECKLIST Zoning Case No. <u>04-293-A</u>

<u>Date Comple</u>	<u>ted/Initials</u>
--------------------	---------------------

<u>Date Completed/Initials</u>	
1-15-04	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
2/25/34	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet) 2/12/04 ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

on Tuesday morning)

PLEASE PRINT CLEARLY

CASE NAME 2318 MARTIN DEIVE CASE NUMBER 04-293-A DATE MARCH 2, 2004

PETITIONER'S SIGN-IN SHEET

E- MAIL	JJEIBEN @ AOL.COM	VIM MVM @ A 6L. Com										
CITY, STATE, ZIP	TOWSON, MD 21286	TOWEN, 40. 21286										
ADDRESS	1015 UALEWOOD RD	200 E. JOPPA R.D.					-					
NAME	L. EIBEN	VINCENT J. MOSKUNDS										



Baltimore County Zoning Commissioner Office of Planning Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204

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