6/9/05

RE: PETITION FOR VARIANCE

1199 Wilson Avenue; Corner SE/side Wilson Avenue & NE/side Carroll Street 1st Election & 1st Councilmanic Districts

Legal Owner(s): Nelida B. Miller Reynolds *
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No.: 05-224-A

AMENDED ORDER

Upon review of the Remand Order issued May 17, 2005 by the County Board of Appeals for Baltimore County, the undersigned Zoning Commissioner conducted a hearing on June 1, 2005 after due notice to the parties and considered the revised plan and conditions proposed by the Petitioner, represented by Alex P. Ratych, Prof. L.S.. and Peter Max Zimmerman, People's Counsel for Baltimore County, appeared and noted that the amendments followed review and discussions with his office and area planner Dennis Wertz of the Office of Planning and Zoning. The purpose of the amendments is to help assure compatibility of the proposed dwelling with the surrounding neighborhood.

Under all the circumstances, it appears that an amended order is in the interest of justice, in accord with the public safety, health, and welfare, and consistent with the spirit and intent of the zoning law. Accordingly, it is, this day of June, 2005, Ordered, by the Zoning Commissioner of Baltimore County, that the Order in this case dated January 18, 2005 be, and hereby is, amended.

It is further **Ordered**, that, as amended, the petition for variance from Baltimore County Zoning Regulation Section 1B02.3.C.1 (the "small lot or tract" table) to permit side yard setbacks of 10 feet in lieu of the required 25 feet for a dwelling in the D.R. 5.5 zone, as shown on Petitioner's

revised site plan, Exhibit 1A (revised March 18 and June 1, 2005, be and hereby is **Granted**, subject, in addition, to the following revised restrictions:

- 1) The Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.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, the Petitioner shall submit revised building elevation drawings of the proposed structure to the Office of Planning for review and approval.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Amended Order.
- 4) The dwelling and main door shall front on Wilson Avenue. Accordingly, no doors shall be placed on the sides of the building facing Carroll Street or adjacent to 1201 Wilson Avenue.

5) Landscaping shall be provided, subject to review and approval by the Office of Planning, in conjunction with the review of building elevations for all sides of the building. The building elevation review shall include, among other things, review of window location and size on all sides.

WILLIAM J. WISEMAN, III ZONING COMMISSIONER

FOR BALTIMORE COUNTY

Zoning Commissioner

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



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

June 10, 2005

Ms. Nelida B. Meiller Reynolds 1308 Frederick Road Baltimore, Maryland 21228

RE: PETITION FOR VARIANCE

SE/Corner Wilson Avenue and Carroll Street

(1199 Wilson Avenue)

1st Election District – 1st Council District

Nelida Meiller Reynolds - Petitioner

Case No. 05-224-A

RECEIVED
JUN 1 0 2005

BALTIMORE COUNTY BOARD OF APPEALS

Dear Ms. Reynolds:

Enclosed please find a copy of the decision rendered in the above-captioned matter by Order of Remand issued by the County Board of Appeals for Baltimore County. The Petition for Variance has been granted, as amended, in accordance with the attached Amended 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,

WILLIAM J. WISYMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. Alex Ratych, APR Associates, Inc.

7427 Harford Road, Baltimore, Md. 21234

Office of Planning; Office of People's Counsel; Board of Appeals; Case File



5/11/05

RE: PETITION FOR VARIANCE

1199 Wilson Avenue; Corner SE/side

Wilson Avenue & NE/side Carroll Street

1st Election & 1st Councilmanic Districts

Legal Owner(s): Nelida B. Miller Reynolds *

Petitioner(s)

BEFORE THE

COUNTY BOARD OF APPEALS

FOR

BALTIMORE COUNTY

Case No.: 05-224-A

REMAND ORDER TO ZONING COMMISSIONER

This matter comes before this Board on appeal filed by the People's Counsel for Baltimore County from a decision of the Zoning Commissioner dated January 18, 2005 in which the subject request for variance was approved. On February 16, 2005, People's Counsel filed a timely appeal to this Board.

On April 28, 2005, People's Counsel submitted a Motion for Remand. The purpose of the motion is to afford the Zoning Commissioner the opportunity to consider a revised site plan and specified conditions. The Petitioner appears to be in agreement.

Upon consideration of said request for REMAND, therefore, it is this 17 day of $\frac{7}{4}$ 2005, by the Board of Appeals of Baltimore County

ORDERED that said request be and is hereby GRANTED; and it is further

ORDERED that the above captioned case is REMANDED to the Zoning Commissioner for Baltimore County for proceedings and further review consistent with the purpose stated in the Motion for Remand.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Panel Chairman

Mike Mohler

u/21/05.

RE: PETITION FOR VARIANCE

1199 Wilson Avenue; Corner SE/side Wilson Avenue & NE/side Carroll Street

1st Election & 1st Councilmanic Districts

Legal Owner(s): Nelida B. Miller Reynolds *

Petitioner(s)

BEFORE THE

COUNTY BOARD OF APPEALS

FOR

BALTIMORE COUNTY

Case No.: 05-224-A

MOTION TO REMAND

People's Counsel for Baltimore County moves to remand this case to the Zoning Commissioner, and states as follows:

- 1. People's Counsel appealed the January 18, 2005 approval of a variance in this case.
- 2. Upon further review, and discussions with Petitioner and her representative, Alexander P. Ratych, the parties have agreed on a revised petition, site plan, and additional specific conditions. This is reflected in the attached correspondence.
- 3. People's Counsel is satisfied that approval of the revised petition will be in the public interest.
- 4. The most efficient way to present the revised petition for review is to present it to the Zoning Commissioner, who is familiar with the case.

WHEREFORE, People's Counsel requests that the case be remanded to the Zoning Commissioner for further proceedings consistent with this motion.

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel for Baltimore County

400 Washington Avenue, Room 47

Towson, Maryland 21204

410-887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ____ day of April, 2005, a copy of the foregoing Motion for Remand was sent to Nelida Meiller Reynolds, 1308 Frederick Road, Catonsville, MD 21228 and to APR Associates, Inc, 7427 Harford Road, Baltimore, MD 21234, Representative for Petitioner(s).

Peter Max Zimmerman

People's Counsel for Baltimore County

	. ,			· · · · · · · · · · · · · · · · · · ·	1 .			
								•
RE:	PETITION				*	BEFORE '	ГНЕ	
	1199 Wils Wilson Av	venue & N	NE/side Ca	arroll Stre		COUNTY	BOARD OF	APPEALS
	1 st Election Legal Own		lida B. Mi	iller Rey	nolds *	FOR		
			, .	Petitione	er(s) *	BALTIMO	RE COUNT	Y . :
•			*			Case No.:	05-224-A	
*	* *	*	*	* *	*	* *	* *	*
i.		<u>R</u>	EMAND	<u>ORDER</u>	TO ZON	ING COMM	<u>ISSIONER</u>	
Count		•	,					I for Baltimore
•						. •	-	, ,
		ce was ap	proved. C	n rebrua	ary 16, 200	s, reopie's C	bunsel liled a	timely appeal
to this	Board.			,				
	On April 2	28, 2005, 1	People's C	Counsel s	ubmitted a	Motion for R	emand. The p	ourpose of the
motion	n is to afford	d the Zoni	ng Comm	issioner	the opporti	inity to consid	ler a revised s	site plan and
specifi	ed conditio	ns. The P	etitioner a	ppears to	be in agre	ement.		
	Upon cons	sideration	of said re	quest for	REMAND	, therefore, it	is this da	y of,
2005, 1	by the Boar	d of Appe	eals of Bal	timore C	ounty	4		
	ORDERE	D that said	d request l	e and is	hereby GR	ANTED; and	it is further	
	ORDERE	D that the	above cap	otioned c	ase is REM	IANDED to tl	ne Zoning Co	mmissioner for
Baltim	ore County	for proce	edings and	d further	review cor	nsistent with the	he purpose sta	ated in the
Motio	n for Remai	nd.					٠.	
						BOARD OF A		F
			-			•		
						. •		





PETER MAX ZIMMERMAN People's Counsel

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

410-887-2188

Fax: 410-823-4236

CAROLE S. DEMILIO Deputy People's Counsel

April 18, 2005

Alexander P. Ratych, Prof., L.S. APR Associates. Inc 7427 Harford Road Baltimore, MD 21234-7160

Nelida Meiller Revnolds 1308 Frederick Road Baltimore, MD 21228

Re:

Nelida Meiller Revnolds 1199 Wilson Avenue

Case No.: 05-224-A

Dear Mr. Ratych and Ms. Reynolds:

Upon review of the March 18th revised site plan with the Planning Office and Dennis Wertz, area planner, we are in a position to agree, with the following conditions:

- 1. The plan should be revised or redlined to show that the doorway will face Wilson Avenue. This is consistent with the front facing Wilson Avenue as shown on the revised plan;
- The plan may include small windows on side facade adjacent to 1201 2. Wilson Avenue, subject to Planning Office review and approval as part of their approval of building elevations (not necessarily prohibited, as previously suggested); and
- 3. Landscaping will be subject also to review and approval by the Planning Office, generally.

I trust these adjustments will be satisfactory to the Petitioners.

If so, we will ask, with a motion to remand, that the County Board of Appeals send the case back to the Zoning Commissioner for the consideration of an amended order. This amended order would approve the 10 foot side yard setback variances shown on the revised site plan, subject to the November 22, 2004 conditions requested by the Planning Office as adjusted above. We will then prepare the proposed order for review by you, the Petitioners and by the Commissioner. Please reply at your earliest convenience.

Very truly yours,

Peter Max Zimmerman

PMZ/rmw

cc: Dennis Wertz, Planning

Baltimore County, Maryland



PETER MAX ZIMMERMAN

People's Counsel

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

> > April 27, 2005

CAROLE S. DEMILIO
Deputy People's Counsel

Kathleen Bianco, Administrator County Board of Appeals of Baltimore County Old Courthouse, Room 49 400 Washington Avenue Towson, MD 21204 RECEIVED)
APR 2 7 2005

BALTIMORE COUNTY BOARD OF APPEALS

Re:

In the Matter of: Nelida Meiller Reynolds

Case No.: 05-224-A

Dear Ms. Bianco:

Enclosed please find a Motion for Remand for filing with regard the above-referenced case, along with a proposed order.

Thank you for your consideration.

Sincerely,

Peter Max Zimmerman

People's Counsel for Baltimore County

PMZ\rmw Enclosures

cc:

Nelida Meiller Reynolds, Petitioner

Alexander P Ratych, Representative for Petitioner

William J. Wiseman, Zoning Commissioner

1./18/05

IN RE: PETITION FOR VARIANCE

SE/corner Wilson Avenue and

Carroll Street

(1199 Wilson Avenue)

1st Election District

1st Council District

Nelida Meiller Reynolds

Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 05-224-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 owner of the subject property, Nelida Meiller Reynolds. As originally filed, the Petitioner requests variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations, to permit a proposed dwelling with side setbacks of 5 feet (internal) and 10 feet (street side) in lieu of the required 10 feet and 25 feet, respectively, and approval of the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R. The subject property and requested relief are more particularly described on the site

Appearing at the requisite public hearing in support of the request was Dan Reynolds, who appeared on behalf of his wife, Nelida Meiller Reynolds, property owner. Also appearing was Alex Ratych, the Registered Land Surveyor who prepared the site plan for this property. There were no Protestants or other interested persons present.

plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Testimony and evidence offered revealed that the subject property is an unimproved corner lot, located on the southeast side of the intersection of Wilson Avenue and Carroll Street in Catonsville. The property is comprised of two lots, identified as Lots 1 and 2 of the subdivision known as Catonsville Manor, an older community that was recorded in the Land Records of Baltimore County many years ago. As is often the case with older communities, the subject property was laid out prior to the adoption of the first set of zoning regulations in Baltimore County in 1945 and thus, does not meet current development standards. The subject property contains a combined gross area of 4,500 sq.ft., or 0.163 acres, zoned D.R.5.5, and is approximately 45 feet wide and 100 feet deep. The Petitioner is desirous of developing the property with a

ORDER RECEIVED FOR FILING

one-story, ranch-style dwelling. As originally proposed, the dwelling would have a 5-foot setback to the east side property line, and a 10-foot setback to the west side, adjacent to Carroll Street. Variance relief was requested as set forth above, given the narrow width of the property, its small size and corner location. However, a negative Zoning Advisory Committee (ZAC) comment was received from the Office of Planning, in which they recommended a denial of the variance requests. That comment indicates that the building elevation drawings submitted by the Petitioner for that agency's review showed the front of the structure facing Carroll Street and its side facing Wilson Avenue. Given the fact that all of the other dwellings along Wilson Avenue face that road, the Office of Planning felt that the proposed dwelling would be out of character with the neighborhood. That agency also questioned whether the proposed dwelling was appropriate for this site, given its size, lot coverage, orientation and type.

In response to the concerns raised by the Office of Planning, the Petitioner agreed to reduce the width of the house so as to provide a 10-foot setback on both sides of the dwelling. Moreover, the Petitioner agreed, and the site plan submitted shows that the front of the house will be oriented to face Wilson Avenue. However, a variance is still necessary to allow a 10-foot setback from Carroll Street in lieu of the required 25 feet.

The Petitioner also sought approval of the subject property as an undersized lot, pursuant to Section 304. That Section permits the owner of an undersized lot to build a single family detached dwelling thereon without a public hearing if three conditions are met. One of the conditions requires that the applicant not own any adjacent land. In this regard, a review of the site plan shows that the Petitioner also owns. Lots 41 through 44, which are located immediately to the rear of the subject property. Thus, the Petitioner is not entitled to relief pursuant to Section 304.

Based upon the testimony and evidence presented, I find that the Petitioner has met the requirements of Section 307 of the B.C.Z.R. for variance relief to be granted. The uniqueness of the property is its narrow width, its corner location and the fact that same is an older lot of record. In this regard, an examination of the site plan shows that most of the lots in this community are only 20 feet wide. Moreover, the two immediately adjacent properties to the east are 40-foot wide lots that have been developed with single-family dwellings. In fact, those dwellings provide setbacks less than those proposed

here. Thus, it appears that the relief requested is consistent with the neighborhood and will not be detrimental to the health, safety and general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January 2005 that the Petition for Variance seeking relief, as amended, from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations, to permit a side (street) setback of 10 feet in lieu of the required 25 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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, the Petitioners shall submit revised building elevation drawings of the proposed structure to the Office of Planning for review and approval.
- 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 seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations, to permit a proposed dwelling with side setbacks of 5 feet (interior) and 10 feet (street side) in lieu of the required 10 feet and 25 feet, respectively, and approval of the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R., be and is hereby DENIED.

WJW:bjs

_

for Baltimore County

Zoning Commissioner

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



Baltimore County

James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

January 18, 2005

Ms. Nelida B. Meiller Reynolds 1308 Frederick Road Baltimore, Maryland 21228

RE: PETITION FOR VARIANCE
SE/Corner Wilson Avenue and Carroll Street
(1199 Wilson Avenue)

1st Election District – 1st Council District
Nelida Meiller Reynolds - Petitioner
Case No. 05-224-A

Dear Ms. Reynolds:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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.

WILLIAM J. WISEMAN, III Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. Alex Ratych, APR Associates, Inc. 7427 Harford Road, Baltimore, Md. 21274 Office of Planning; People's Counsel; Case File



MOERSITED LOT PALK TO OP THIS DATE JLL

Petition for Variance

MARYLAND	to the Z	Zoning Con	amissioner (of Baltin	nore County
		for the prope	erty located at _//	94 WILSON	AUE
			which is prese		_ , _
This Petition shall be filed of the property situate in B hereof, hereby petition for a	variance from	Section(s) /B01	$\mathcal{A} \cap \mathcal{A} = \mathcal{A} = \mathcal{A}$	R TO DE	OMIT A
PROPOSED DWELL	WE WITH	+ SIDE SETB	ACKS AR FET		TIME) ALLY
PROPOSED DWELLI 10 FT. (STREET SIZ (PER SECTION 30-	E) IN LIE	EVOF 10 FT	AND 25 FT	LINTERIOR RESPECTI	VEIN AND
PER SECTION 30.	FBCZR 7	TO APPROVE AN	IUNDERYIZED L	27	
POUT					
of the Zoning Regulations o or practical difficulty)	f Baltimore Cou	unty, to the zoning law	of Baltimore County, fo	r the following re	easons: (indicate hardship
Property is to be posted and	l advertised as	prescribed by the zon	Amended +	, .	
I, or we, agree to pay expen- regulations and restrictions of I	ses of above Va	ariance, advertising, po	sting, etc. and further ag	ree to and are to County.	be bounded by the zoning
		IAN a da	colombia doclare and offic	m under the near	niting of
	is	perjury, that I/we the subject of this Petiti	solemnly declare and affir are the legal owner(s) of the on.	he property which	altres Oi
Contract Purchaser/Les	see:		Legal Owner(s):		
			National B. Name - Type or Print A. Rynald	teelles Regar	ude !
Name - Type or Print		-2307	Name - Type or Print	0	
Signature			Signature Signature	<u> </u>	
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Petitioner		2,	1308 Frailer Address	sk Rd	410 984 5718 Telephone No.
			Bustinge	MO	2/24/ Zip Code
Name - Type or Print			City	State	· '
Signature			Representative to b		
Company .		play	APR ASSOCIA	TEL, INC.	
			7427 HARFURU Address	1 129	410-499-4312 Telephone No.
		Telephone No.	BALTIMORK	MD	2/234
	State	Zip Code	City	State	Zip Code
RECO		•		CE USE ONLY	,
Case No. 15-	224	A	ESTIMATED LENGTH	OF HEARING	1HR
Ease No. 05-0			UNAVAILABLE FOR Date	HEARING / 0	4



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 199 Wisself Avie which is presently zoned 7855

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 BCZR TO PERMIT A

PROPOSED DUELLING WITH SIDE SETBRCKS OF 5 FT. (INTERIOR SIDE) AND 10 FT. (STREET SIDE) IN LIEU OF 10 FT. AND 25 FT. RESPECTIVELY AND PER SECTION 304 BCZR TO APPROVE 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)

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):		
			Milida B M	eelles Resa	colo
Name - Type or Print			Name - Type or Print A. Ryush		
Signature	· - · · · · · · · · · · · · · · · · · ·		Signature Signature		
Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Name - Type or Print		⊉
City	State	Zip Code	Signature	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
Attorney For Petitio	ner:		1308 Frollers	k Rd	410 9845718
			Address	410	Telephone No.
Name - Type or Print	·····		City Baltman.	State	⊘/ <i>⊋∂</i> ∦ Zip Code
7			Representative to be	Contacted:	
Signature			ADD ALLERINA	رغاد درمیسی	
Company		'	APR ASSOCIA	1kg, 1776.	·
Addition to the second	······································		7427 HARFORD	1211	410-444-4312
Address		Telephone No.	Addroce	MD	Telephone No.
City	State	Zip Code	BALTIMORK City	State	Zip Code
			OFFICE	USE ONLY	_
Case No. <u>25</u>	-224	A	ESTIMATED LENGTH	OF HEARING	HR
			UNAVAILABLE FOR HE	EARING	
REV 9/15/98		Reviewed B	y Date _	11/03/04	 -



224

ZONING DESCRIPTION

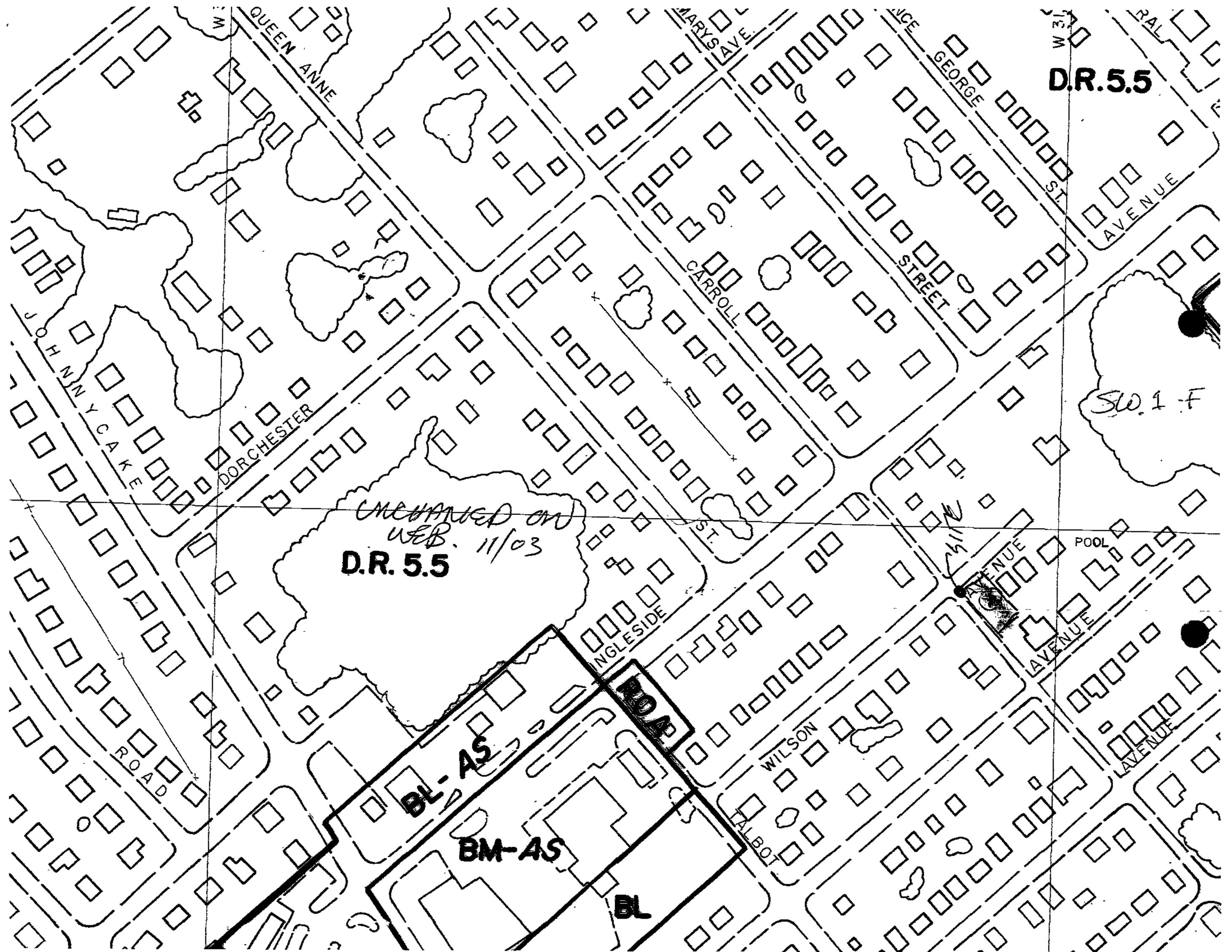
BEGINNING at a point of intersection of the Southeasterly side of Wilson Avenue which is 40 feet wide with the Northeasterly side of Carroll Street which is 40 feet wide.

BEING LOT # 1 and 2, Section # 4 in the subdivision of CATONSVILLE MANOR, Plat No. 4 as recorded in Baltimore County Plat Book 6, Folio # 160, containing 4.500 square feet or 0.163 acres.

ALSO, known as 1199 Wilson Avenue in the First Election district and in the First Councilmanic District.

09-01/04





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: x	5-224	- A	
Petitioner: Nelida B.Rynolds	REYNOLDS		1
Address or Location: 4 1199 WIL	SON AVENUE		•
PLEASE FORWARD ADVERTISING BILL REYNOLDS Name: A Nelida B.Rynolds			
Address: x 1308 Frederick ROAD			
X BALTIMORE	MARYLAND	21228	
Telephone Number: 410 984 5718	8		

MSSEL ANEOUS THE OF BUDGET

A

Ŋ

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 30, 2004 Issue - Jeffersonian

Please forward billing to:

Nelida B. Reynolds 1308 Frederick Road Baltimore, MD 21228

410-984-5718

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: 05-224-A

1199 Wilson Avenue

Corner s/east side of Wilson Avenue and n/east side of Carroll Street

1st Election District – 1st Councilmanic District

Legal Owners: Nelida B. Reynolds

Variance to permit a proposed dwelling with a side setback of 5 feet (interior side) and 1 O feet (street side) in lieu of 10 feet and 25 feet respectively and to approve an undersized lot.

Hearing: Tuesday, December 14, 2004, at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

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.

CERTIFICATE OF POSTING

Petitioner/Developer: NELLOR REYNOLDS
Date of Hearing/Closing: DEC. 14, 2004
the penalties of perjury that the necessary sign(s) required by
ed at #1199 WILSON AVENUE,
STREET
2004 Month, Day, Year)
Sincerely, Darland D. Moore (Signature of Sign Poster and Date) CIARLAND E. MOORE (Printed Name) 3225 RYERSON CIRCLES (Address) DAUTINIORE, MD. 21227

RE: Case No.: 05-224-A

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: #05-224-A 1199 Wilson Avenue

Corner s/east side of Wilson Avenue and n/east side of

Carroll Street 1st Election District — 1st Councilmanic District

Legal Owner(s): Nelida B. Reynolds

Variance: to permit a proposed dwelling with a side setback of 5 feet (interior side) and 10 feet (street side) in lieu of 10 feet and 25 feet respectively and to approve an undersized lot.

Hearing: Tuesday, December 14, 2004 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

WILLIAM WISEMAN

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.

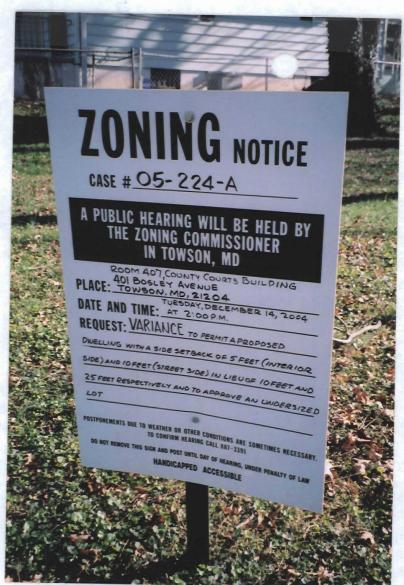
(2) For information concerning the File and/or Hearing,

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

JT 11/816 Nov. 30 , .. .

CERTIFICATE OF PUBLICATION

LEGAL ADVERTISING





APPEAL SIGN POSTING REQUEST

CASE NO.: 05-224-A

NELIDA B. MEILLER REYNOLDS-LEGAL OWNER

1199 WILSON AVENUE

1st ELECTION DISTRICT RECEIVED AT BOARD ON 3/7/2005

APPEALED: 2/16/2005

ATTACHMENT – (Plan to accompany Petition – Petition's Exhibit No.1)

******COMPLETE AND RETURN BELOW INFORMATION******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals 400 Washington Avenue – Room 49

Towson, MD 21204

Attention: Kathleen Bianco

Administrator

CASE NO.: 05-224-A

Petitioner/Developer

NELIDA B. MEILLER REYNOLDS – LEGAL OWNER

This is to certify that the necessary appeal sign was posted conspicuously on the property location at:

1199 WILSON AVENUE

The sign was posted on $3/24$, 2005	
By: Huy Heers (Signature of Sign Poster)		
GARY FREUND		. •
(Printed Name)		

Department of Permits and Development Management

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





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

November 16, 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: 05-224-A

1199 Wilson Avenue

Corner s/east side of Wilson Avenue and n/east side of Carroll Street

1st Election District – 1st Councilmanic District

Legal Owners: Nelida B. Reynolds

<u>Variance</u> to permit a proposed dwelling with a side setback of 5 feet (interior side) and 10 feet (street side) in lieu of 10 feet and 25 feet respectively and to approve an undersized lot.

Hearing: Tuesday, December 14, 2004, at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotloco

Director

TK:klm

C: Nelida Reynolds, 1308 Frederick Road, Baltimore 21228 APR Associates, Inc., 7427 Harford Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 29, 2004.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFF ICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

May 2, 2005

NOTICE OF ASSIGNMENT -DELIBERATION /PEOPLE'S COUNSEL'S MOTION FOR REMAND

IN THE MATTER OF:

NELIDA MEILLER REYNOLDS - Petitioner CASE NO. 05-224-A

NOTE: This special deliberation has been scheduled for the Board's deliberation of the Motion for Remand filed by the Office of People's Counsel on April 27, 2005; and has been assigned for:

DATE AND TIME

TUESDAY, MAY 17, 2005 at 9:00 a.m.

LOCATION

Hearing Room 48, Basement, Old Courthouse

NOTE: This public deliberation will include **no** evidence, testimony, or discussion as to the merits of the case but is scheduled merely to give the Board an opportunity to publicly deliberate, as mandated by statute, the Motion filed in this matter by the Office of People's Counsel. A written Ruling subsequently will be issued by the Board.

Kathleen C. Bianco Administrator

c:

Appellant

: Office of People's Counsel

Petitioner

: Nelida Meiller Reynolds

Alex Ratych, Registered Land Surveyor

William J. Wiseman III /Zoning Commissioner Pat Keller, Planning Director Timothy M. Kotroco, Director /PDM

Copy: 3-5-1

Department of Permits and Development Management

Development Processing County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204





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

December 7, 2004

Nelida B. Miller Reynolds 1308 Frederick Road Baltimore, Maryland 21208

Dear Ms. Reynolds:

RE: Case Number: 05-224-A, 1199 Wilson Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 3, 2004.

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. Cal Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel APR Associates, Inc. 7427 Harford Road Baltimore 21234



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



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 November 16, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 15, 2004

Item No.:

205, 221-226

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

DATE: November 22, 2004

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 November 22, 2004

Item Nos. 205, 221, 222 (224) and 225

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

RWB:CEN:jrb

cc: File



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

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

Maryland Department of Transportation

Date: 11-17-04

Ms. Kristen Matthews Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE:

Baltimore County

Item No(22

しし

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief

1. 1. Godle

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr Ja

DEPRM

DATE:

December 6, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of November 15, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-205

05-221

05-222

05-224

05-225

05-226

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 22, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1199 Wilson Avenue

INFORMATION:

Item Number:

Petitioner:

Nelinda Meiller Rynolds

Zoning:

DR 5.5

Requested Action: Variance/Undersized Lot

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and is of the opinion that the petitioner has not demonstrated that the requirements of Section 304 (Use of Undersized Single-Family Lots) of the BCZR have been met. New dwellings on undersized lots must be appropriate in the context of the neighborhood in which they are to be located. It is questionable whether the proposed new dwelling is appropriate with respect to building size, lot coverage, orientation, and dwelling type.

The applicant is proposing to put a ranch style house on a narrow corner lot. On the elevation drawing that was submitted for review and approval, the front elevation of the rancher has been relabeled in handwriting to be the side elevation. This elevation will have a doorway and face Carroll Street, and will only have a 10-foot setback from the street line. The side of the rancher facing Wilson Avenue (i.e., the narrow dimension of the ranch house) is being called the front elevation. It will have a 29-foot setback from the street line. It is not clear whether this elevation will have a doorway. As such, this office does not support the petitioner's request and recommends that it be DENIED.

This office would not oppose the construction of a dwelling on the subject lot, provided the following conditions are met:

- 1. The proposed dwelling shall be a smaller rancher or 1½-story cottage style dwelling, with a footprint that is comparable to the footprint of the dwelling located at 1201 Daniels Avenue. This lot is an identical corner lot located one block south of the subject property.
- 2. The front of the proposed dwelling shall face Wilson Avenue. No doorways shall be incorporated into the side façade along Carroll Street, however, windows, or dormers are appropriate. This façade shall not be left as a blank wall.
- 3. No doorways or any other opening including windows shall be incorporated into the side façade adjacent 1201 Wilson Avenue.
- 4. Provide landscaping along both rights-of-way.
- 5. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the issuance of any building permits.

For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL:MAC:

RE: PETITION FOR VARIANCE

1199 Wilson Avenue; Corner SE/side Wilson Avenue & NE/side Carroll Street

1st Election & 1st Councilmanic Districts

Legal Owner(s): Nilinda B. Miller Reynolds *

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-224-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.

RECEIVED

NOV 1 8 2004

Pero

PETER MÁX ZIMMERMAN

People's Counsel for Baltimore County

ČAROLE 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 18th day of November, 2004, a copy of the foregoing Entry of Appearance was mailed to, APR Associates, Inc, 7427 Harford Road, Baltimore, MD 21234, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM	
O: Director, Office of Heming a Community Conservation	No. 05-224-A
Attention: Joffrey-Long-REVIEW RANKE THE INTOFIES 12 LOST	
County Courts Building, Room 406 APPLICATION HAS BEEN ADMINISTRATION OF THE STATE O	***************************************
Towson, MD 21204 FAREUMRDED TO O.P. Reside	ntial Processing Fee Paid - (\$50.00)
ROM: Arnold Jablon, Director Department of Permits & Development Management Acceptor	ted by 11
RE: Undersized Lots	
Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recome Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.	ommendations and comments from
	228
Nelida & Daniel P.Reynolds 1308 Frederick Road Baltimo Print Name of Applicant Address	re MD 410 984 5718 Telephone Number
Lot Address 1199 Wilson Avenue Election District 1 Councilmanic District	· · · · · · · · · · · · · · · · · · ·
ot Location: NESW/side/corner of <u>Corner of Wilson Avenuest from NESW corner</u> (street)	rof CARROLL ST (street)
and Owner: same as applicant Tax Account Number_	
Address: Telephone Number (() () () () () () () () () ()
CHECKLIST OF MATERIALS (to be submitted for design review by the Office of Planning and Community Conserva	tion) -
TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT O	NLYI & Jan. 1999
YES NO	
. This Recommendation Form (3 copies)	
l. Permit Application	, ,
S. Site Plan Property (3 copies) WA1√≅D	The state of the s
Topo (2 copies): available in Room 206, County Office Building - (please label site clearly)	
Building Elevation Drawings	
5. Photographs (please label all photos clearly) Adjoining Buildings	· · · · · · · · · · · · · · · · · · ·
Surrounding Neighborhood :	
6. Current Zoning Classification: <u>DR 5.5</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:
	•
	Date:

Page

INTER-OFFICE CORRESPONDENCE
RECOMMENDATIO ORM

11/19/04

TO:

Director, Office of Planning & Community Conservation

Attention: Jeffrey Long

County Courts Building, Room 406

401 Bosley Avenue Towson, MD 21204

FROM: Amold Jablon, Director

Department of Permits & Development Management

RE:

Undersized Lots

Permit or Case No. <u>05 224 A</u> 5

Residential Processing Fee Paid (\$50.00)

Accepted by Date 1103/04

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:

Nelida & Daniel	•	8 Frederick	Road Balti	21228 more MD 4	110 98 Telephone N	4 5718
Lot Address 1199 Wilson	ı Avenue	Election District1	_Councilmanic Distri	ct_1_Square	Feet <u>45</u> (00
Lot Location: N E S W/side/corner of	Corner of V	Wilson Aven	Lifest from NESWo	omer of <u>CAR</u>	POLL S	
Land Owner same as	applicant		_Tax Account Number	1 13752	940	
Address:			Telephone Number			
CHECKLIST OF MATERIALS (to be subm	ltted for design review by the	e Office of Planning a	nd Community Conse	rvation)		1
TO BE FILLED IN BY ZONING REVIEW	the state of the s	The second secon	PROVIDED?	T ONLY!	28 Z	
1. This Recommendation Form (3 copies)	and the second second second	HARL DAR		<u> Pro</u> ac	Z 2	1
2. Permit Application	e e de la company de la co				1.52 or	88
3. Site Plan Property (3 copies) Topo Map (2 copies): available in Room 208, (County Office Building - (please i) Label site clearly)			From 7	Phone #
4. Building Elevation Drawings			<u> </u>		=	
5. Photographs (please label all photos c Adjoining Buildings	early)		<u> </u>		7671	
Surrounding Neighborhood	•		<u> </u>	 ·		14
6, Current Zoning Classification:	DR 5.5		· •		Fax Note	× 38
	TO BE FILLED IN BY	THE OFFICE OF PL	ANNING ONLYI		Post-It*	# "
RECOMMENDATIONS / COMMENTS:			•	,	हैं 👂 🕃	Phone Fax #

Approva

Diggoogga

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

See attached ZAC comments

Rigned by Harder Affects Planning and Dominito Transportation

NOV - 4 2004

OFFICE OF PLANNING

Date: 11/22/04

Revised 2/25/99

DATE: November 22, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1199 Wilson Avenue

INFORMATION:

Item Number:

5-224

Petitioner:

Nelinda Meiller Rynolds

Zoning:

DR 5.5

Requested Action:

Variance/Undersized Lot

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and is of the opinion that the petitioner has not demonstrated that the requirements of Section 304 (Use of Undersized Single-Family Lots) of the BCZR have been met. New dwellings on undersized lots must be appropriate in the context of the neighborhood in which they are to be located. It is questionable whether the proposed new dwelling is appropriate with respect to building size, lot coverage, orientation, and dwelling type.

The applicant is proposing to put a ranch style house on a narrow corner lot. On the elevation drawing that was submitted for review and approval, the front elevation of the rancher has been relabeled in handwriting to be the side elevation. This elevation will have a doorway and face Carroll Street, and will only have a 10-foot setback from the street line. The side of the rancher facing Wilson Avenue (i.e., the narrow dimension of the ranch house) is being called the front elevation. It will have a 29-foot setback from the street line. It is not clear whether this elevation will have a doorway. As such, this office does not support the petitioner's request and recommends that it be **DENIED**.

This office would not oppose the construction of a dwelling on the subject lot, provided the following conditions are met:

- 1. The proposed dwelling shall be a smaller rancher or 1½-story cottage style dwelling, with a footprint that is comparable to the footprint of the dwelling located at 1201 Daniels Avenue. This lot is an identical corner lot located one block south of the subject property.
- 2. The front of the proposed dwelling shall face Wilson Avenue. No doorways shall be incorporated into the side façade along Carroll Street, however, windows, or dormers are appropriate. This façade shall not be left as a blank wall.
- 3. No doorways or any other opening including windows shall be incorporated into the side façade adjacent 1201 Wilson Avenue.
- 4. Provide landscaping along both rights-of-way.
- 5. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the issuance of any building permits.

For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL:MAC:



· 40

Baltimore County, Maryland
OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel

February 16, 2005

CAROLE S. DEMILIO
Deputy People's Counsel

Timothy Kotroco, Director Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, MD 21204

RECEIVED

FEB 1 6 2005

Per.X

Hand-delivered

Re:

PETITION FOR VARIANCE

SE corner Wilson Avenue and Carroll Street

(1199 Wilson Avenue)

1st Election District; 1st Council District Nelida Meiller Reynolds- Petitioners

Case No.: 05-224-A

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated January 18, 2005 by the Baltimore County Zoning Commissioner in the above-entitled case

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours.

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/rmw

cc: Ms. Nelida B. Meiller Reynolds

Department of Permits and Development Management

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



Baltimore County

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

March 4, 2005

Nelida B. Meiller Reynolds 1308 Frederick Road Baltimore, MD 21228

Dear Ms. Reynolds:

RE: Case: 05-224-A, 1199 Wilson Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on February 16, 2005 by People's Counsel of Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely.

Timothy Kotroco Director

Kotroco

TK:klm

c: William Wiseman, Zoning Commissioner Timothy Kotroco, Director of PDM People's Counsel Alex Ratych, APR Associates, Inc., 7427 Harford Rd., Baltimore 21234



APPEAL

Petition for Variance 1199 Wilson Avenue SE corner Wilson Avenue and Carroll Street 1st Election District — 1st Councilmanic District Nelida Meiller Reynolds - Petitioner

Case No.: 05-224-A

Petition for Variance (November 3, 2004)

Zoning Description of Property

/Notice of Zoning Hearing (November 16, 2004)

Certification of Publication (November 30, 2004 – The Jeffersonian)

Certificate of Posting (November 26, 2004) by Garland Moore

Entry of Appearance by People's Counsel (November 18, 2004)

Petitioner(s) Sign-In Sheet - One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit

Revised Site Plan

Protestants' Exhibits

None

Miscellaneous (Not Marked as Exhibit)

Undersized Lot Application

Zoning Commissioner's Order (Variance – GRANTED – Undersized Lot – DENIED – 1/18/05)

√ Notice of Appeal received on February 16, 2005 from Peoples Counsel of Baltimore County

People's Counsel of Baltimore County, MS #2010 Deputy Zoning Commissioner Timothy Kotroco, Director of PDM Nelida Meiller Reynolds, 1308 Frederick Road, Baltimore 21228 Alex Ratych, 7427 Harford Rd., Baltimore 21234

RECEIVED

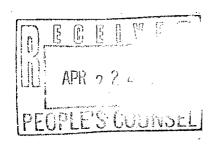
MAR - 7 2005

BALTIMORE COUNTY BOARD OF APPEALS

date sent March 4, 2005, klm

Daniel P. Reynolds Nelida M. Reynolds 1308 Frederick Drive Catonsville, MD 21228

410-984-5718 410-213-8043 (Fax)



April 21, 2005

Peter Max Zimmerman Office of People's Counsel Room 47, Old Courthouse 400 Washington Avenue Towson, Md. 21204

Re: 1199 Wilson Avenue Case No.: 05-224-A

Dear Mr. Zimmerman,

As we discussed today we are agreeable to the conditions as specified in your letter dated April 18, 2005 addressed to Mr. Ratych at APR and Mrs. Reynolds. We have been in contact with our architect as well as the builder to implement these changes. We appreciate your help regarding this.

Sincerely yours,

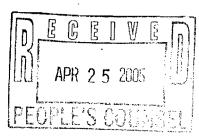
Dan & Welida Reynolds

Cc: Alex Ratych APR

G()

Daniel P. Reynolds Nelida M. Reynolds 1308 Frederick Drive Catonsville, MD 21228

410-984-5718 410-213-8043 (Fax)



April 21, 2005

Peter Max Zimmerman Office of People's Counsel Room 47, Old Courthouse 400 Washington Avenue Towson, Md. 21204

Re: 1199 Wilson Avenue Case No.: 05-224-A

Dear Mr. Zimmerman,

As we discussed today I am agreeable to the conditions as specified in your letter dated April 18, 2005 addressed to Mr. Ratych at APR and myself. I have been in contact with my architect as well as the builder to implement these changes. I appreciate your help regarding this.

Sincerely yours,

Welida Reynolds

Cc: Alex Ratych APR



PETER MAX ZIMMERMAN People's Counsel

213.8043

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

> > CAROLE S. DEMILIO
> > Deputy People's Counsel

April 18, 2005

Alexander P. Ratych, Prof., L.S. APR Associates, Inc 7427 Harford Road Baltimore, MD 21234-7160 Nelida Meiller Reynolds
1308 Frederick Road
Baltimore, MD 21228

Re:

Nelida Meiller Reynolds

1199 Wilson Avenue Case No.: 05-224-A

Dear Mr. Ratych and Ms. Reynolds:

Upon review of the March 18th revised site plan with the Planning Office and Dennis Wertz, area planner, we are in a position to agree, with the following conditions:

min.

The plan should be revised or redlined to show that the doorway will face Wilson Avenue. This is consistent with the front facing Wilson Avenue as shown on the revised plan;

Dr Bar

The plan may include small windows on side facade adjacent to 1201 Wilson Avenue, subject to Planning Office review and approval as part of their approval of building elevations (not necessarily prohibited, as previously suggested); and

or por

3. Landscaping will be subject also to review and approval by the Planning Office, generally.

I trust these adjustments will be satisfactory to the Petitioners.

If so, we will ask, with a motion to remand, that the County Board of Appeals send the case back to the Zoning Commissioner for the consideration of an amended order. This amended order would approve the 10 foot side yard setback variances shown

BOARD OF APPEALS OF BALTIMORE COUNTY REMANDED FILE

IN THE MATTER OF: Nelida Meiller Reynolds

DATE: May 24, 2005

TO:

Bill Wiseman

FROM:

Kathi Bianco

SUBJECT:

Case No. 05-224-A / In the Matter of: Nelida Meiller Reynolds - Legal Owner

Bill:

Attached is the file we discussed this afternoon (Nelida Meiller Reynolds) which was remanded to you by joint request on 5/17/05 (Pete Zimmerman's appeal). You had indicated that you would call Peter re the next step in resolving this.

Call me if you have any questions. And also let me know what happens on this - when a case is remanded to you, we keep it as "active /remanded" in our database.

Thanks.

ƙathi

Attachment

RECEIVED

MAY 2 4 2005

ZONING COMMISSIONER

P_{I}	LEA	SE	PRIN	JT	CL	EARL	.Y
---------	-----	----	------	----	----	------	----

CASE	NAME				
CASE	NUMBI	ERO	25-	55	/-A
DATE					

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
1) gr Handels	1308 Frederich Pil	Caterouille MO 21228	
AUEX RAMINA	3320 RUSHLIFI AUVE	BANTINUEK, 190 ZIZ SE	
·	ROTARH		
		1	
TIELIDA NISILER RES	(NOLI)S 1308 frederick Ro	.	
		· · · · · · · · · · · · · · · · · · ·	
•			
		. \	
	·	·	_
:			
	,		
			. ,

			2011	λ
Case No.:		05-	229	-/-

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	REVISED SITE PLAN	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		,
No. 8		a
No. 9		
No. 10		
No. 11		
No. 12		

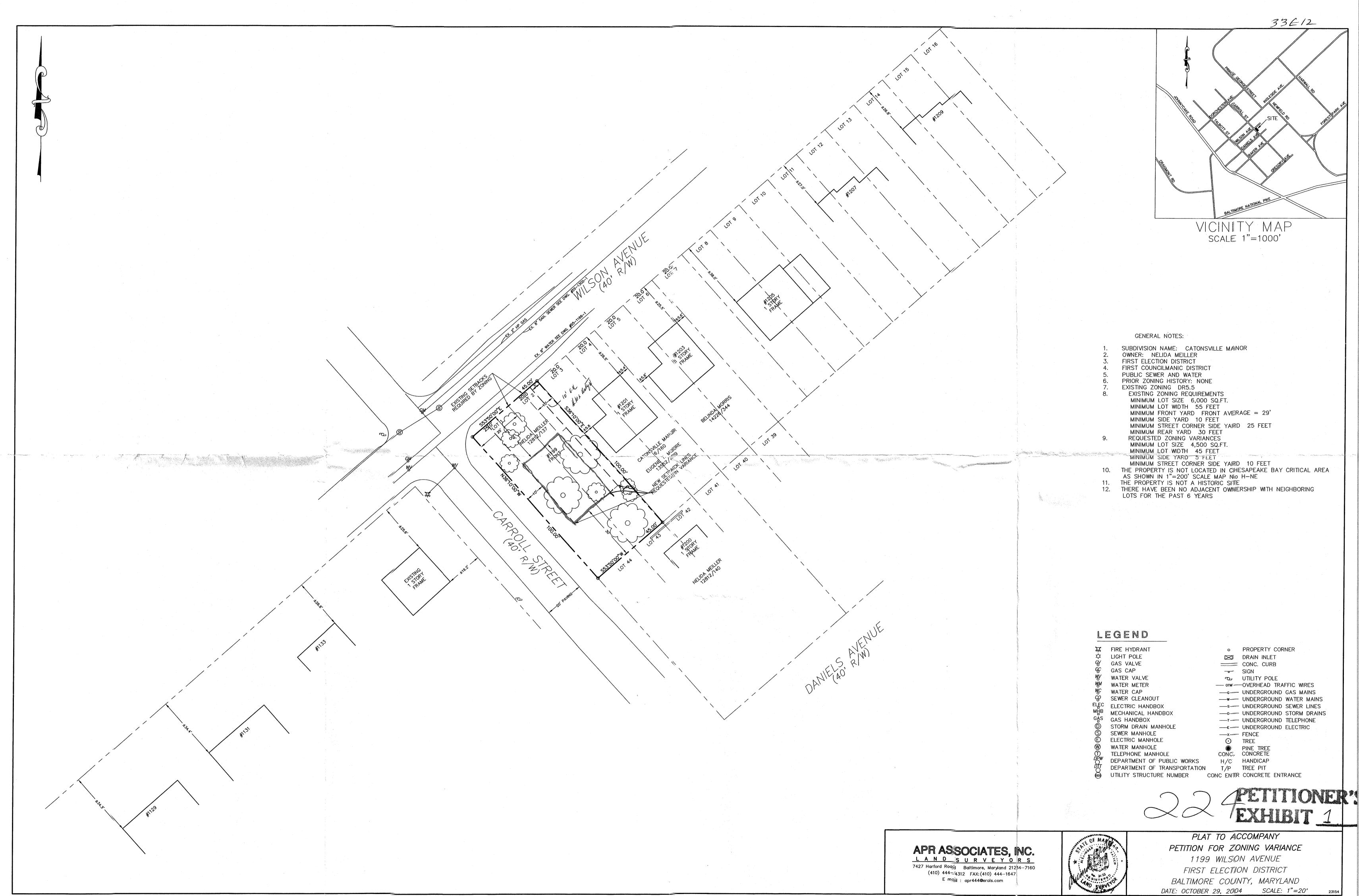
Class NI.	05-224	1-2	}-	-
Case No.:	UJ-AA1	<u> </u>	- 	

Exhibit Sheet

Petitioner/Developer

Protestant

- 		
No. 1	REUSED adding notes	
No. 2		
No. 3		
No. 4		
No. 5	- -	
No. 6	-	
No. 7		
No. 8		
No. 9	-	
No. 10		
No. 11		
No. 12		



\DRAW\3154SP Fri Oct 29 10:32:48

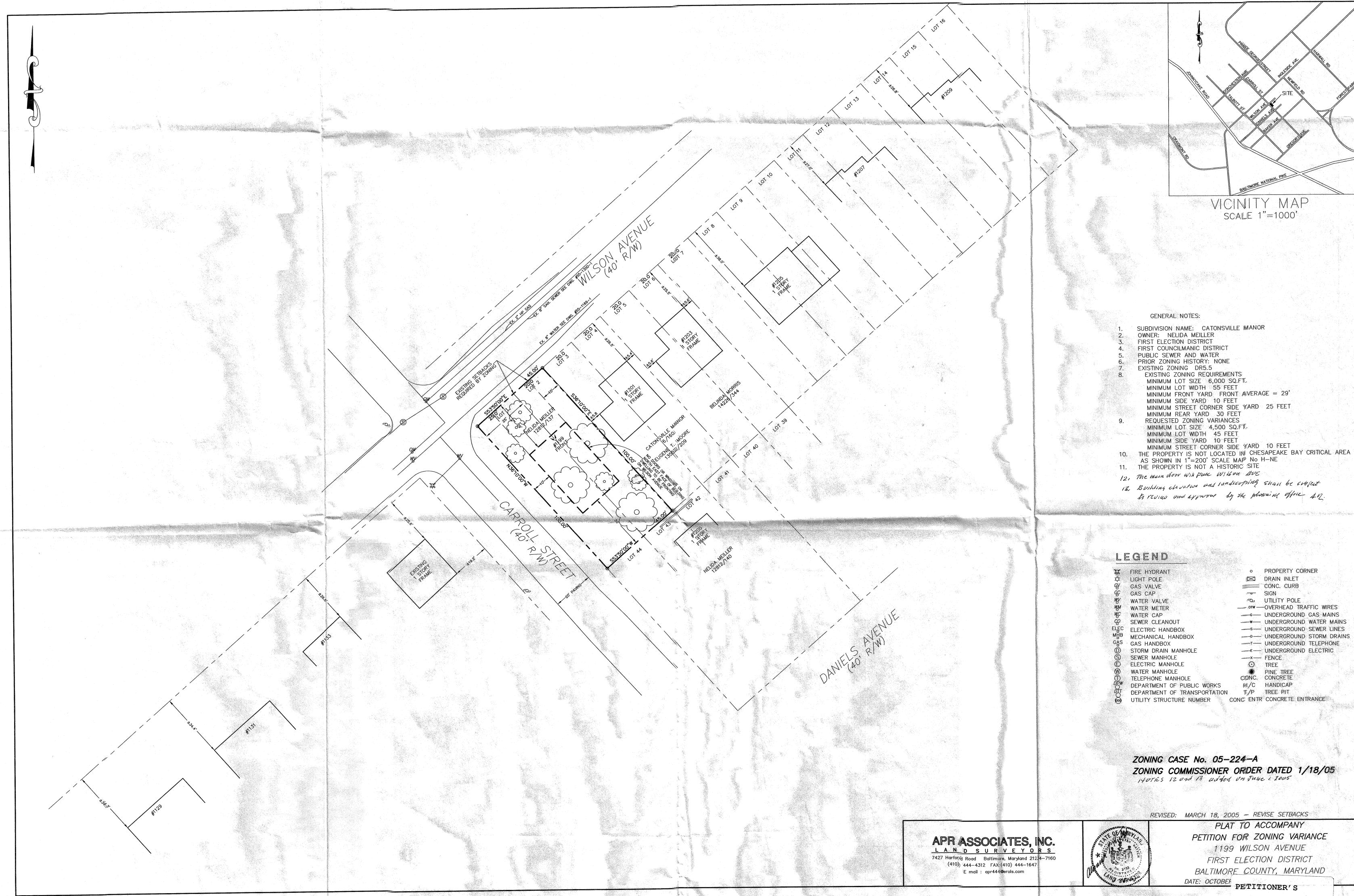




EXHIBIT NO.





AW\3154SP Fri Oct 29 10