CADER RECEIVED FOR FILING

IN RE: PETITION FOR VARIANCE

East side of Shady Nook Avenue, 170' &

225' southeast of Paradise Avenue

1st Election District

1st Councilmanic District

(400 & 402 Shady Nook Avenue)

Dawn E. Hoffman and Sauter &

Lloyd Companies, LLC,

Legal Owners/Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NOS. 06-301-A & 06-302-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

*

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject properties, Dawn E. Hoffman and Sauter & Lloyd Companies, LLC, located in the Catonsville portion of Baltimore County.

In both cases, the variance requests are pursuant to Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Case No. 06-301-A is to permit a lot width of 47 feet in lieu of the required 55-ft. for an existing dwelling. Case No. 06-302-A is to permit a lot width of 50 ft. in lieu of the required 55 ft. for a proposed dwelling.

Notice of both hearings were given to the public by posting the properties with notice of the hearing date and time on January 7, 2006 and by publication in "The Jeffersonian" newspaper on January 5, 2006.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received by the Office of Planning dated January 11, 2006, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request were Dawn E. Hoffman and Ronald Lloyd from Sauter & Lloyd Companies, LLC, Petitioners. Lawrence M. Hammond, Esquire

represented the Petitioners. Angela Pfeifer, Charles Papale, Darlene Papale and Ruby Cunningham appeared at the hearing in opposition to the requested variances. Peter Max Zimmerman, People's Counsel, entered his appearance in this case.

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, offstreet 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."

Testimony and Evidence

By agreement, the testimony and evidence in both cases applies to each case. These cases involve two (2) adjacent lots, which contain 7,125-sq. ft. or .163 acres and 7,500-sq. ft. or .172 acres and are zoned DR 5.5. Mr. Hammond indicated that these are Lots 11 and 13 of the Craigie Burn subdivision, which was recorded in the land records in 1923. See Petitioner's Exhibit 4. He noted that Lot 11 is 47 ft. wide and Lot 13 is 50 ft. wide, while the DR 5.5 regulations require 55 ft. lot width. Lot 11 is improved by an existing home now owned by Ms. Hoffman, which was built in 1926. Lot 13 is presently vacant but the Petitioner would like to build a new single family dwelling as shown in Petitioner's Exhibit 2 on the lot. The new dwelling would meet all DR 5.5 regulations except lot width. The same request applies to Ms. Hoffman's home on Lot 11 except that the State

Highway Administration purchased 3 ft. of the lot some time ago for access to the door in the sound barrier along this portion of the Beltway.

Mr. Hammond noted that these same two (2) lots were the subjects of Case No. 04-264-A that the Petitioner dismissed after the public hearing. He opined that bringing the case back once again did not violate the 6-year rule set out in Section 304 of the Zoning Commissioner's Policy Manual. He submitted photographs of other homes in the neighborhood and indicated that the new home on Lot 13 would be compatible with the community. In support of that contention, he agreed with submitting plans and elevations to the Planning Office for review as indicated on their comment dated January 11, 2006.

He admitted that these two (2) lots were in common ownership prior to the sale of Lot 13 to Ms. Hoffman by the Petitioner. However, he denied that the doctrine of zoning merger applied to this situation as Lot 13 has never been improved, was not used to support the house on Lot 11 nor was Lot 13 used even for parking for Lot 11. He also noted that the two (2) lots have always been separately assessed for real estate tax purposes.

In response to a question, he explained that his client paid for the request by Ms. Hoffman for the variance for her property knowing the Zoning Office would require this property to be brought up to date as well. Ms. Hoffman who purchased her property (Lot 11) from the Petitioner supported the Petitioner's requests.

Mr. Papale argued against the request to allow a new home on Lot 13. He noted the prior case and the ruling by the Deputy Zoning Commissioner that this matter could not be revisited for six (6) years under the Zoning Commissioner's Policy Manual. He also indicated that he wanted the testimony and evidence in the prior case to apply to this hearing noting the extensive petition previously submitted. He mentioned the two day care facilities at the end of this very narrow dead end street which produces a lot of traffic. He observed that there are no curbs or sidewalks on this

street, and that there have been problems with drainage and water in the area. He opined that another house would make these problems worse. Darlene Papale supported her husband's concerns.

Ms. Pfeifer, who is the Papale's daughter, observed that the day care centers are near the end of the street so that any houses built near the start, as the proposed house will impact the neighborhood. She questioned what guarantee would there be to the Petitioner's proffer to build a cape cod stick-built house on Lot 13.

Finally, the Petitioner noted that the pattern of development of this immediate neighborhood was primarily one (1) home on each 50-ft. lot. He estimated that 60 to 70 % of homes on this street are on single lots. He admitted the pattern is less dense in the neighborhoods to the north.

Findings of Fact and Conclusions of Law

I have no evidence before me that these two (2) lots were merged from a zoning standpoint under the zoning merger doctrine. Mr. Hammond proffered that Lot 13 was not used to support the house on Lot 11. Mr. Papale did not dispute this allegation.

In regard to the issue of the six-year rule, Mr. Hammond points out that he has not requested approval of an undersized lot under Section 304 of the B.C.Z.R. as had been done in the prior case. Therefore, the six-year rule, which is given in the Zoning Commissioner's Policy Manual under Section 304, does not apply. He also argued that this rule does not apply by analogy to this case because the purpose of the rule is to prevent unscrupulous property owners from skirting the law by putting adjacent properties in different names. Here, he points out the Petitioner rehabbed the Hoffman home, sold it openly to Ms. Hoffman, who attended the hearing, and wants to build on the adjacent lot. Mr. Papale argues the six-year rule was promised at the last hearing and should apply here.

I agree with Mr. Hammond. This is a full variance hearing, not the modified administrative procedure envisioned under Section 304. There is no request this time for approval of an undersized lot under Section 304. While it may have been relevant in the prior hearing, it is not here.

In regard to the requested variances, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. These lots were created and recorded long before the DR regulations were imposed on the property. Consequently, I find the properties unique in a zoning sense as they are affected differently from lots created after the regulations were imposed.

I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Neither Ms. Hoffman nor the Petitioner can obtain more property on either side to meet the regulations. The Petitioner cannot build the proposed homes unless relief is given.

Density is not an issue as the lot size meets the DR 5.5 area regulations.

The most difficult question is whether the proposed home will have an adverse impact on the community. It is apparent from the evidence presented that the pattern on development is primarily one (1) house on each 50-ft. lot at least in this immediate vicinity. The street surely has parking problems, traffic problems, storm water problems, etc. as described by the Papale family. My problem is whether one (1) more house will somehow increase these problems so significantly that the variances should be denied.

Considering all the testimony and evidence, I find that these variances 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. I am not saying that there will be absolutely no impact. But I do not see that the impact will be so significant that the Petitioner's

should lose its right to use Lot 13 in a manner given by right in the regulations, that is, erect a single family dwelling.

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 Petitioner, I find that the Petitioner's variance request should be granted.

IT IS FURTHER ORDERED that the Petitioners' request in Case No. 06-302-A pursuant to Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot width of 50 ft. in lieu of the required 55 ft. for a proposed dwelling, be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

- 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, and
- 2. The Petitioner's shall comply with the ZAC comments from the Office of Planning dated January 11, 2006, a copy attached hereto and made a part hereof.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

OHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

FOER RECEIVED



JAMES T. SMITH, JR.
County Executive

January 31, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Lawrence M. Hammond, Esq. 465 Main Street Reisterstown, Maryland 21136

> Re: Petitions for Variance Case Nos. 06-301-A & 06-302-A Property: 400 & 402 Shady Nook Avenue

Dear Mr. Hammond:

Enclosed please find the decision rendered in the above-captioned case. The petition for Variance has been granted with restrictions 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

for Baltimore County

JVM:dlw Enclosure

c: Dawn E. Hoffman, 400 Shady Nook Avenue, Catonsville, MD 21228 Ronald Lloyd, 8773 Stonehouse Drive, Ellicott City, MD 21043 Angela Pfeifer, 6419 Old Highgate, Elkridge, MD 21075 Charles and Darlene L. Papale, 401 Shady Nook Avenue, Catonsville, MD 21228 Ruby Cunningham, 401 Shady Nook Avenue, Catonsville, MD 21228 People's Counsel; 228 File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 400 Shady Nook Avenue which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 BCZR to permit a lot width of 47 feet in lieu of the required 55 ft. together with any other variances deemed necessary. by the Zoning Commissioner for an existing dwelling.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The property is known and designated as Lot 11 as shown on the plat "Craigie Burn", which plat is recorded among the Land Records of Baltimore County in Plat Book 7, folio 4 (1923) is pre-existing and non-conforming.

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):		
Name - Type or Print		Davin E. Hoffmar Name - Type or Print	10.	
Signature		A PUX TO	How	<u>, , , , , , , , , , , , , , , , , , , </u>
Address	Telephone No.	Name - Type or Print	RAMO -	
City Attorney For Petitioner:	tate Zip Code	Signature 400 Shady Nook	Avenue	<u></u>
Lawrence M. Hammond		Address Baltimore, MD	21228	Telephone No.
Name - Pepe or Print		City	State	Zip Code
gnature		Representative to b	e Contacted:	
Hammond & Hammond,	LLC	Lawrence M. Ha	mmond	
FOR \$69, 465 Main St		Name 465 Main St.	410-833-7576	
odres erstown	MD 21136	Address Reisterstown, L		Telephone No.
孟 コン !	ate Zip Code	City	State	Zip Code
3~1		OFFIC	E USE ONLY	
06.30/	- A	ESTIMATED LENGTH	OF HEARING	
FLALL AND STATE OF THE PARTY OF	Reviewed By	UNAVAILABLE FOR H	EARING	# - p-11

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 400 SHADY NOOK AVENUE

Beginning at a point on the East side of Shady Nook Avenue which is Twenty-four (24') feet wide at the distance of One Hundred Seventy (170') feet southeast of the centerline of the nearest improved intersecting street Paradise Avenue which is Twenty-four (24') feet wide. Being part of Lot #11 as shown on the Plat of Craigie Burn, which plat is recorded among the Land Records of Baltimore County in Plat Book No. 7, folio 4, containing 7,125 square feet. The improvements thereon being known and designated as 400 Shady Nook Avenue, being located in the 1st Election District and 1st Councilmanic District of Baltimore County.

RE COUNTY, MARYLAND BUDGET & FNANCE	No.		
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-301×A	N. M.		
R PINK AGENCY YELLOW - CUSTON		CASHIER'S	VALIDATION

MOTICE OF ZOURING HEARING

The Zoning Commissioner of Battimore County, by authority of the Zoning Act and Regulations of Battimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #06-301-A

400 Shady Nook Avenue East side of Shady Nook Avenue, 170 feet southeast of Paradise Avenue

1st Election District — 1st Councilmanic District

Legal Owner(s): Dawn E. Hoffman

Variance: to permit a lot width of 47 feet in lieu of the required 55 feet and to obtain any other variances deemed necessary by the Zoning Commissioner for an existing dwelling.

Hearing: Monday, January 23, 2006 at 18:80 a.m. in Room 497, County Courts Building, 401 Bosley Ave-nue, Towson, MD 21204.

WILLIAM J. WISEMAN, III

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.

1/013 January 5

CERTIFICATE OF PUBLICATION

16,200
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
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilkings-
LEGAL ADVERTISING

ATTENTION: KRISTEN MATTHEWS

DATE: 1/09/06

Case Number: 06-301-A

Petitioner/Developer: SAUTER & LLOYD COMPANIES, LLC

Date of Hearing (Closing): 01/23/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted

conspicuously on the property located at: 400 SHADY NOOK AVENUE

The sign(s) were posted on: 1/07/06



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley Maryland 21030

(City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 5, 2006 Issue - Jeffersonian

Please forward billing to:

Ronald Sauter & Ronald Lloyd P.O. Box 1496 Ellicott City, MD 21041

410-467-2007/410-984-6776

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: 06-301-A

400 Shady Nook Avenue

East side of Shady Nook Avenue, 170 feet southeast of Paradise Avenue

1st Election District – 1st Councilmanic District

Legal Owner: Dawn E. Hoffman

Variance to permit a lot width of 47 feet in lieu of the required 55 feet and to obtain any other variances deemed necessary by the Zoning Commissioner for an existing dwelling.

Hearing: Monday, January 23, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

WILLIAM J. WISEMAN III

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

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

December 19, 2005

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: 06-301-A

400 Shady Nook Avenue

East side of Shady Nook Avenue, 170 feet southeast of Paradise Avenue

1st Election District – 1st Councilmanic District

Legal Owner: Dawn E. Hoffman

Variance to permit a lot width of 47 feet in lieu of the required 55 feet and to obtain any other variances deemed necessary by the Zoning Commissioner for an existing dwelling.

Hearing: Monday, January 23, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco Director

with Rotoco

TK:klm

C: Lawrence Hammond, P.O. Box 569, 465 Main Street, Reisterstown 21136 Dawn Hoffman, 400 Shady Nook Avenue, Baltimore 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 7, 2006.

- (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.

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 06 - 301-A
Petitioner Down Hoffman
Address or Location. 400 Shapy ANOK AVE.
PLEASE FORWARD ADVERTISING BILL TO
Name. Ronald Sauter : Ronald Lloyd
Address P.O. BOX 1496 Ellicott City
Maryland 21041
Telephone Number (40)467-2007 (40)734-6776

Department of Permits and Development Management

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



Baltimore County

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

January 23, 2006

Lawrence M. Hammond Hammond & Hammond P.O. Box 569 465 Main Street Reisterstown, Maryland 21136

Dear Mr. Hammond:

RE: Case Number: 06-301-A, 400 Shady Nook Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 12, 2005.

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.

U. Callibrate De

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Dawn E. Hoffman 400 Shady Nook Avenue Baltimore 21228



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 December 19, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of

Item No. 267, 286, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304 and 305

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

The Fire Department has no comments at this time.

If you have any questions contact my office.

Acting Lt. Warren T. Moffitt Fire Marshal's Office 410-887-4880 MS-1102F

Cc:file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 21, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 19, 2005

Item Nos. 267, 286, 295, 296, 298, 299,

301,302, 303, 304, and 305

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

DAK:CEN:clw cc: File

ZAC-NO COMMENTS-12212005 doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 11, 2006

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-301 and 5-302 Variance(s)

The Office of Planning has reviewed the subject request and has determined that the petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does meet the standards stated in Section 304.1.C of the BCZR. There appears to be several existing undersized lots in the neighborhood. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

- 1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
- A plan that shows the location of all off-street parking. The required off- street parking spaces shall be provided in the side or rear yard. Parking in the front of the dwelling shall be prohibited.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz with the Office of Planning at 410-887-3480.

Prepared By.

Division Chief:

CM/LL



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

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

Maryland Department of Transportation

Date: 12.14.65

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

RE:

Baltimore County

Item No. 30

MP

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

J. J. Hall

Engineering Access Permits Division

RE: PETITION FOR VARIANCE
400 Shady Nook Avenue; E/S Shady Nook
Avenue, 170' SE Paradise Avenue
1st Election & 1st Councilmanic Districts
Legal Owner(s): Dawn E. Hoffman
Petitioner(s)

* BEFORE THE

ZONING COMMISSIONER

* FOR

BALTIMORE COUNTY

* 06-301-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 and all 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 20th day of December, 2005, a copy of the foregoing Entry of Appearance was mailed to, Lawrence Hammond, Esquire, 465 Main Street, Reisterstown, MD 21136, Attorney for Petitioner(s).

RECEIVED

DEC 202005

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Immerman

Per....-

06-301-A HEARING Σ M 区 PRIOR ZONING HEARING OU-DOUGH-A REVIEWED BY STEM# CASE * SQUARE FEET 1135° PETITION FOR ZONING X VARIANCE SPECIAL HEAR PRIVATE LOCATION INFORMATION 10182 = 1000' Shody VICINITY MAP COUNCIL MANIC DISTRICT 100 YEAR FLOOD PLAIN 1" = 200' SCALE MAP # X ELECTION DISTRICT A MISTORIC PROPERTY/ BUILDING ACMEAGE SCALE: Bridise CHESAPEAKE BAY CRITICAL AREA ZONING DAS.S SEVER WATER 1 1 1 LOT SIZE Frednck Existing **十つ記** 4 Helen Seatrase L 15 the Contract 野井 50, 50, 1' Pared 44 圆 OF DRAWING: 20 **他NOE** SCALE NOOK Z 467 9 + 4 SECTION Peradise. の下人口 ACCOMPANY ADDRESS HOO Show 9 158 ধ لل 695 **5** 50 5 170 Trunt PREPARED PARADISE AVENUE (علان تعد مصدوع)

14

-21-

IN RE: PETITION FOR VARIANCE

E/S of Shady Nook Avenue, 175 ft. Lot #11

SE centerline of Paradise Avenue

1st Election District

1st Councilmanic District

(400 Shady Nook Avenue)

Sauter & Lloyd Companies, L.L.C.

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-264-A

ORDER OF DISMISSAL

*

*

WHEREAS, this matter came before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Sauter & Lloyd Companies, L.L.C. The variance request involved property located at 400 Shady Nook Avenue in the Catonsville area of Baltimore County. The Petitioner requested a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot width of 47 ft. in lieu of the required 55 ft.

WHEREAS, a hearing was held in this matter on February 11, 2004. Thereafter, a facsimile was received in this office on February 20, 2004 from Petitioner's attorney, Nancy Haas, Esquire notifying this office that the Petitioner "hereby withdraws the Zoning Variance in Case No. 04-264-A".

IT IS THEREFORE, ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23 day of February, 2004, that the hereinabove Petition for Variance, be and is hereby WITHDRAWN and DISMISSED, without prejudice; and

IT IS FURTHER ORDERED, that in any future petition for approval of this property as an undersized lot, the zoning history shall contain a notation that the "six year rule" of Section 304 of the Zoning Commissioners Policy Manual may apply to this lot

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

DATE_	•	CASE NAME
	NUMBER	VAME
	R	

CITIZEN'S SIGN-IN SHEET

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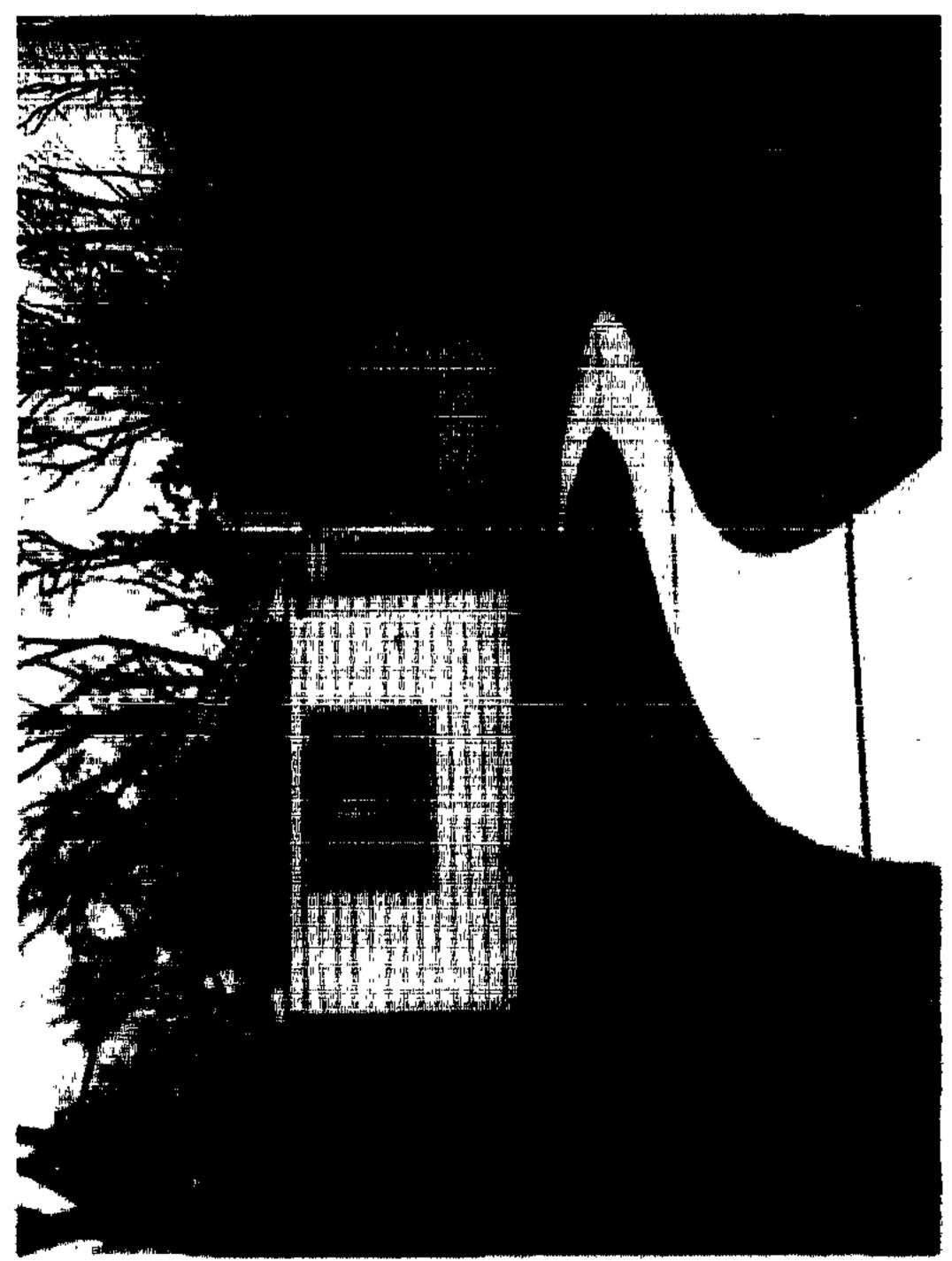


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