

IN RE: PETITION FOR VARIANCE
N/S 35th Street, 425 feet west of
centerline of Weyburn Avenue
14th Election District
7th Councilmanic District
(7924 35th Street)

Henry and Geraldine Heise
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-549-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Henry A. and Geraldine F. Heise. The Petitioners are requesting variance relief for property located at 7924 35th Street, in the Rosedale Farms subdivision section of the County. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations to permit an 8 foot side yard setback for a replacement house in lieu of the required 10 feet and a lot width of 50 feet in lieu of the required 55 feet.

The property was posted with Notice of Hearing on May 7, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing.

Formal Demand for Hearing

A Formal Demand for Hearing was filed by People's Counsel on May 8, 2006 who indicated that variances for undersized lots require a public hearing.

Thereafter the property was posted with notice of the public hearing date and time on May 22, 2006. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on May 23, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

COPIES RECEIVED FOR FILING
6-8-06
[Signature]

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: None.

Interested Persons

Appearing at the hearing on behalf of the variance request were Michele Miller, and Henry A. Heise, 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 subject property contains 7500 sq. ft., is zoned DR 5.5 and is presently vacant. The Petitioner would like to construct a replacement dwelling on this 50 foot x 150 foot lot. The request for variance arises

COPIES RECEIVED FOR FILED
6806
[Signature]

because the Petitioner owns the lot and home adjoining this lot at 7924 A 35th Street and consequently this lot would not qualify under Section 304 of the BCZR. In addition the Petitioner requests a side yard setback variance.

Testimony and Evidence

Mr. Heise indicated that his family lived in a house on the subject property for many years. The house was originally built in 1941. See exhibit 2 E for a photograph of the house and exhibit 5 A for the SDAT record of the prior house and subject lot. He testified that last year he was granted a permit to build a new home on the lot next door at 7924 A which he also owned. This also is a 50 foot x 150 foot lot. Subsequently he moved his family into the new house which is shown in exhibit 2 C.

Thereafter his daughter, Michelle Miller, expressed interest in moving into the old family home on the subject lot but found the condition so deteriorated and cost so high for rehabilitation that she and her father determined to raze the house replacing it with a modern four bedroom model shown on exhibit 2 B.

Ms. Miller testified that she has three children each of whom needs a bedroom of their own and consequently after extensive search for homes for small lots, found the model shown which happens to be 32 feet wide. As a result the replacement house needs a variance of 2 feet side yard setback. Mr. Heise pointed out that the variance is toward his house and he does not object. He also noted that he did not require a side yard setback variance for his new home next door because his new house is a three bedroom model 30 feet wide.

The Petitioner presented photographs of the community to indicate that the pattern of development of the neighborhood is one house on each 50 foot wide lot. In

SEARCHED FOR FILMS
6-8-06
PZ

Petitioner is similar to this plan so there will be no change to the character of the neighborhood.

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.

THEREFORE, IT IS ORDERED, this 8th day of 2006, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an 8 foot side yard setback for a replacement house in lieu of the required 10 feet and a lot width of 50 feet in lieu of the required 55 feet be and is hereby GRANTED subject to the following conditions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



 JOHN V. MURPHY
 DEPUTY ZONING COMMISSIONER

JVM:pz

SEARCHED
 SERIALIZED
 INDEXED
 FILED
 JUN 8 2006
 BALTIMORE COUNTY



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 8, 2006

HENRY A. HEISE
7924 A 35TH STREET
ROSEDALE MD 21237

Re: Petition for Administrative Variance (formal hearing)
Case No. 06-549-A
Property: 7924 A 35th Street

Dear Mr. Heise:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative 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
for Baltimore County

JVM:pz
Enclosure

c: Michelle L. Miller, 7924 A 35th Street, Rosedale MD 21237



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7924 - 35th Street
which is presently zoned DR5.5

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)

1 B02.3.C.1, BCZR, to permit an eight foot sideyard setback for a replacement house in lieu of the required 12 ft, and a lot width of 50ft. in lieu of the required 55 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Henry A. Heise
Name - Type or Print _____
Henry A. Heise
Signature _____
Geraldine F. Heise
Name - Type or Print _____
Geraldine F. Heise
Signature _____
7924A - 35th Street 410-866-4826
Address _____ Telephone No. _____
Rosedale, MD 21237
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name *SAME*
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-549-A

Reviewed By [Signature] Date 4-27-06

REV 10/25/04 WHEN FILED FOR FILING

Estimated Posting Date 5-7-06

10/25/06

1/16

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7924 A - 35th Street
Address
Rosedale, MD 21237
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The old structure required too many structural repairs as well as improvements in order to sufficiently meet the housing needs. The dwelling was therefore demolished. A new house is to be built on that now vacant lot. In the existing neighborhood, all homes are built on 50' x 150' lots. This is the same size lot for the proposed new dwelling.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Henry A. Heise
Signature
Henry A. Heise
Name - Type or Print

Geraldine F. Heise
Signature
Geraldine F. Heise
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26 day of April, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Henry A. Heise and Geraldine F. Heise
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Doreen L. Lewis
Notary Public

My Commission Expires 4/01/2009

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7924 A - 35th Street
Address
Rosedale, MD 21237
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The old structure required too many structural repairs as well as improvements in order to sufficiently meet the housing needs. The dwelling was therefore demolished. A new house is to be built on that now vacant lot. In the existing neighborhood, all homes are built on 50' x 150' lots. This is the same size lot for the proposed new dwelling.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Henry A. Heise
Signature
Henry A. Heise
Name - Type or Print

Geraldine F. Heise
Signature
Geraldine F. Heise
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26 day of April, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Henry A. Heise AND Geraldine F. Heise
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Diana L. Furr
Notary Public

My Commission Expires 4/01/2009



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7924 - 35th Street
which is presently zoned DRS.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) 1B02.3.C.1, BCZR, TO PERMIT AN EIGHT FOOT SIDEYARD SETBACK FOR A REPLACEMENT HOUSE IN LIEU OF THE REQUIRED 10FT., AND A LOT WIDTH OF 50FT. IN LIEU OF THE REQUIRED 55FT.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Henry A. Heise
Name - Type or Print _____
Henry A. Heise
Signature _____
Geraldine F. Heise
Name - Type or Print _____
Geraldine F. Heise
Signature _____
7924A - 35th Street 410-866-4826
Address _____ Telephone No. _____
Rosedale, MD 21237
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name SAM
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-549-A
REV 10/25/01
6-8-06
db

Reviewed By JUM Date 4-27-06
Estimated Posting Date 5-7-06

Zoning Description

ZONING DESCRIPTION FOR: 7924 35th Street Rosedale, MD 21237

Beginning at a point on the north side of 35th Street which is 22 feet wide at the distance of 425 feet west of the centerline of the nearest improved intersecting street, Weyburn Avenue, which is 50 feet wide. Being Lot #250, Block , Section # in the subdivision of Rosedale Farms as recorded in Baltimore County Plat Book #5, Folio #61, containing 7,500 square feet. Also known as 7924 35th Street and located in the 14th Election District, 7th Councilmanic District.



FORMAL DEMAND FOR HEARING

CASE NUMBER: 06-549-A

Address: 7924 35th Street

Petitioner(s): Henry & Geraldine Heise

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We People's Council for Baltimore County
Name - Type or Print

() Legal Owner OR () Resident of
400 Washington Avenue, Room 47
Address

Towson MD 21204
City State Zip Code

410-887-2188
Telephone Number

which is located approximately _____ feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

Raz Max Commem 5/8/06
Signature Date

Carole S. Demilio 5/9/06
Signature Date

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: # 06-549-A

7924 35th Street
North side of 35th Street, 425 feet west of centerline of Weyburn Avenue
14th Election District — 7th Councilmanic District

Legal Owner(s): Henry & Geraldine Helse

Variance: to permit an eight-foot side yard setback for a replacement house in lieu of the regulated 10 feet and a lot width of 50 feet in lieu of the regulated 55 feet.

Hearing: Thursday, June 8, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 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.
JT 5/726 May 23 96092

CERTIFICATE OF PUBLICATION

5/25/2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/23/2006.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 06-549-A

Petitioner/Developer: HENRY

HEISE

Date of Hearing/Closing: 5-22-06

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

7924 35th STREET

The sign(s) were posted on 5-7-06
(Month, Day, Year)

Sincerely,

Robert Black 5-10-06
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

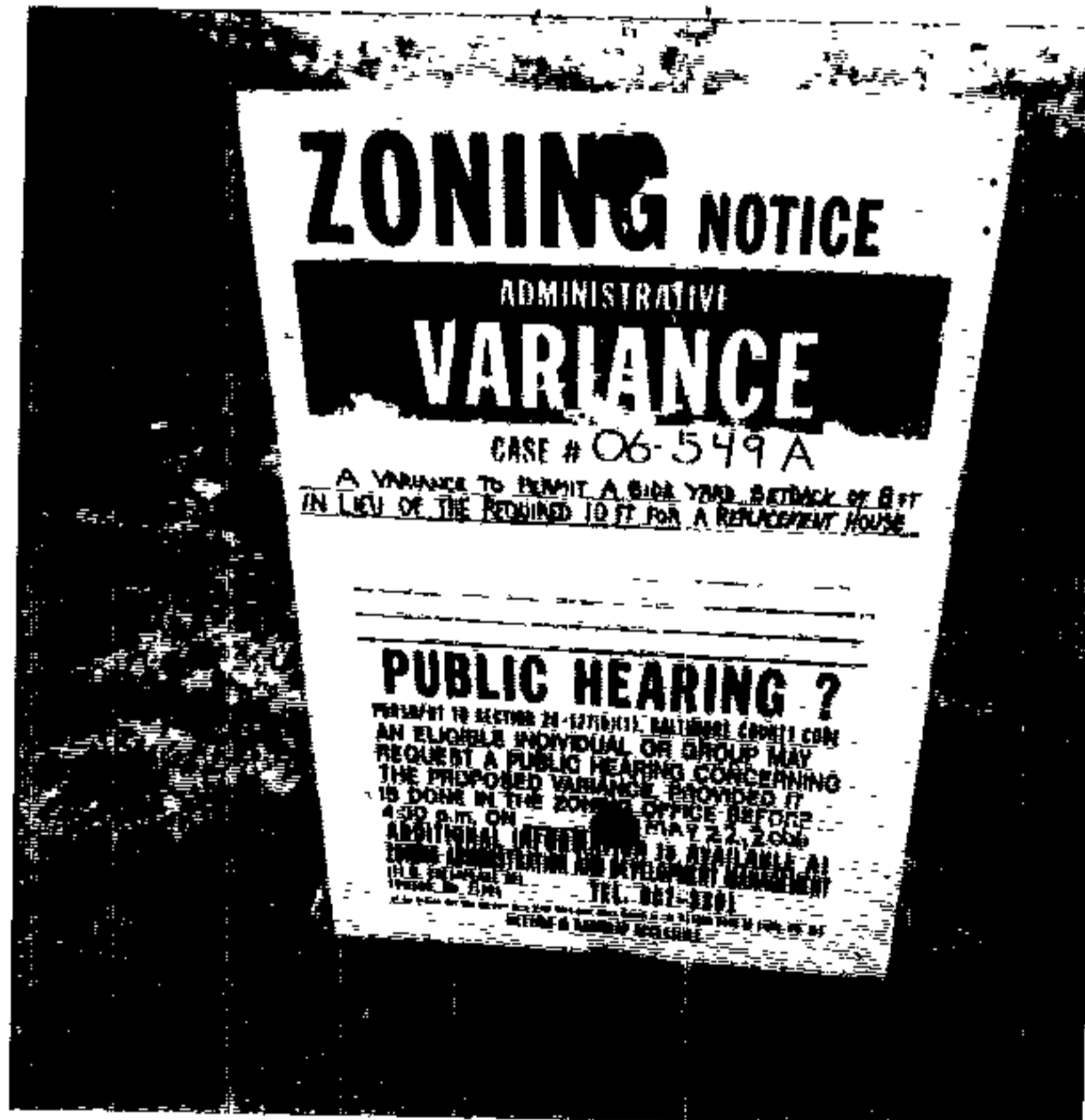
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 06-549-A

Petitioner/Developer: HENRY F. HEISE
GERALDINE HEISE

Date of Hearing/Closing: JUNE 8, 2006

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

7924 35th STREET

The sign(s) were posted on 5-22-06
(Month, Day, Year)

Sincerely,

Robert Black 5-25-06
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

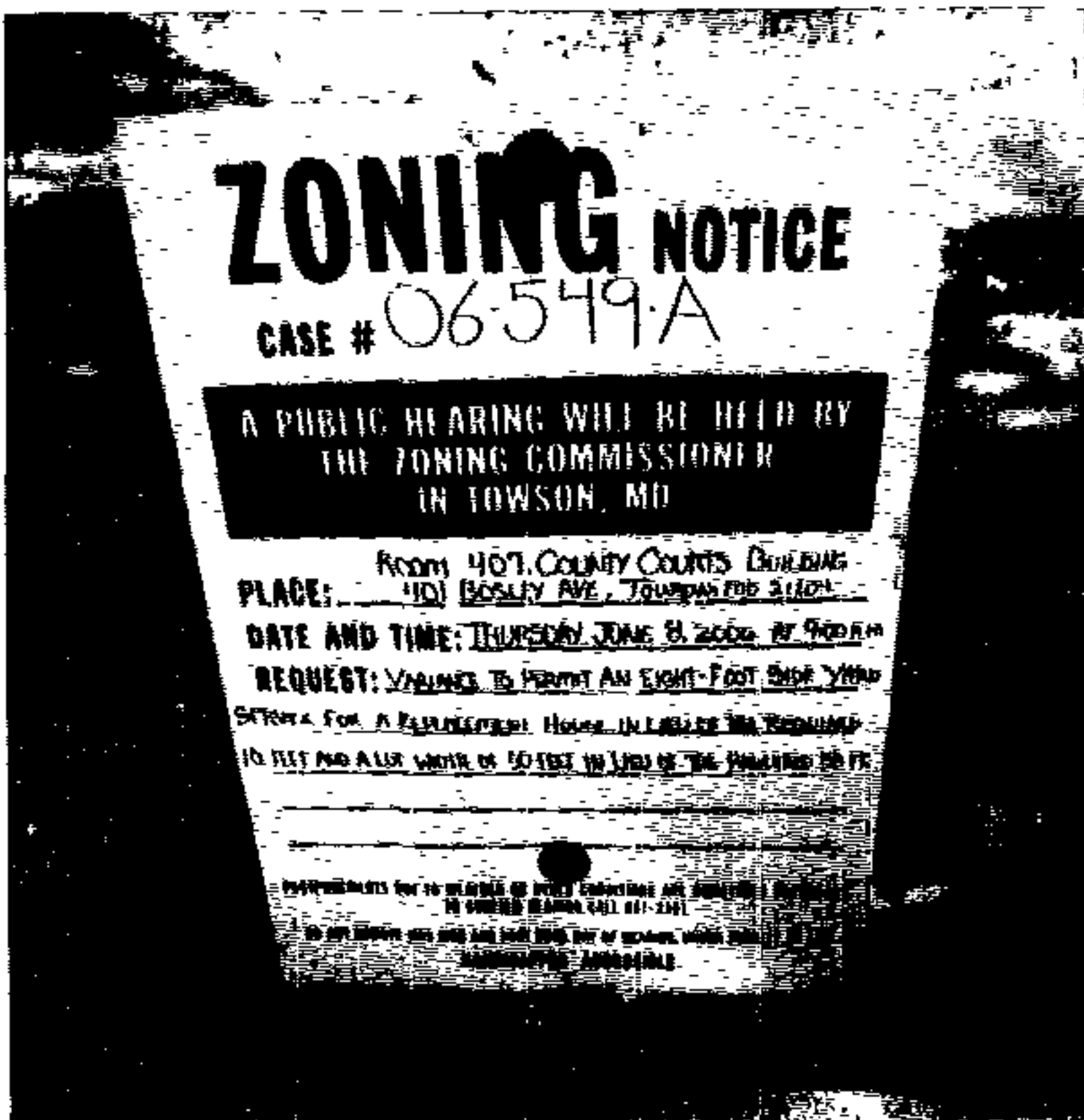
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 23, 2006 Issue - Jeffersonian

Please forward billing to:
Mr. & Mrs. Heise
7924A 35th Street
Rosedale, MD 21237

410-866-4826

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: 06-549-A

7924 35th Street
North side of 35th Street, 425 feet west of centerline of Weyburn Avenue
14th Election District -- 7th Councilmanic District
Legal Owners: Henry & Geraldine Heise

Variance to permit an eight-foot side yard setback for a replacement house in lieu of the required 10 feet and a lot width of 50 feet in lieu of the required 55 feet.

Hearing: Thursday, June 8, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 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.



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

May 10, 2006

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: 06-549-A

7924 35th Street
North side of 35th Street, 425 feet west of centerline of Weyburn Avenue
14th Election District – 7th Councilmanic District
Legal Owners: Henry & Geraldine Heise

Variance to permit an eight-foot side yard setback for a replacement house in lieu of the required 10 feet and a lot width of 50 feet in lieu of the required 55 feet.

Hearing: Thursday, June 8, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Heise, 7924A 35th Street, Rosedale 21237
Peoples Counsel

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 24, 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 Baltimore County Zoning Regulations (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: 549
Petitioner: HENRY Heise
Address or Location: 7924~~0~~ 35TH ST. ROSEDALE, Md. 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Address: SAME

Telephone Number: 410-866-4826

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 549 -A Address 7924 35TH ST.

Contact Person: J. MERLEY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4.27.06 Posting Date: 5.7.06 Closing Date: 5.22.06

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 06- 549 -A Address 7924 35TH ST.
Petitioner's Name HENRY HEISE Telephone 410-886-4826
Posting Date: 5.7.06 Closing Date: 5.22.06
Wording for Sign: A VARIANCE
To Permit A SIDE YARD SETBACK of 8ft.
IN LIEU of THE REQUIRED 10ft. for a
REPLACEMENT HOUSE.

WCR - Revised 6/25/04

**Department of Permits and
Development Management**



Baltimore County

*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

June 1, 2006

Henry A. Heise
Geraldine F. Heise
7924A 35th Street
Rosedale, MD 21237

Dear Mr. and Mrs. Heise:

RE: Case Number: 06-549-A, 7924 35th Street

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 27, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

May 8, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15, 2006

Item Numbers: 537 thru 557

549

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.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 12, 2006

FROM: ^{DM}Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 15, 2006
Item Nos: 441, 537, 538, 539, 540,
542, 544, 547, 548, (549)550, 551,
552, 553, 554, 555, 556, and 557

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-05102006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 17, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-549- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and normally requests 10-foot minimum side yard setbacks.

If the petitioner is able to demonstrate a hardship or practical difficulty, resulting in the Zoning Commissioner granting the variance, the Office of Planning has no objection.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

Division Chief:

Lynn Sanborn

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: 5.5.06

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

RE: Baltimore County
Item No. 549 JCM

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
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com



**Department of Permits and
Development Management**



Baltimore County

*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

May 10, 2006

Henry A. Heise
Geraldine F. Heise
7924A 35th Street
Rosedale, MD 21237

Dear Mr. & Mrs. Heise:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 06-549-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand by the Office of People's Counsel on May 9, 2006.

The hearing has been scheduled, and the notice of public hearing indicating the date, time and location of the hearing is attached. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be advertised with the hearing date, time and location. This notification will be published in the *Jeffersonian* and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact Joe Merrey at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm

C: People's Counsel



RE: PETITION FOR ADMINISTRATIVE
VARIANCE
7924 35th Street; N/S 35th Street, 425' W
c/line of Weyburn Avenue
14th Election & 7th Councilmanic Districts
Legal Owner(s): Henry & Geraldine Heise
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 06-549-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

MAY 09 2006

Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 2006, a copy of the foregoing Entry of Appearance was mailed to, Henry & Geraldine Heise, 7924A 35th Street, Rosedale, MD 21237, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CAROLE S. DEMILIO
Deputy People's Counsel

May 9, 2006

Timothy Kotroco, Director
Permits & Development Management
111 W Chesapeake Avenue
Towson, Maryland 21204

RECEIVED

MAY 09 2006

Per...*KLM*

Re: Henry & Geraldine Heise
7924 35th Street
Case No.: 06-549-A

Dear Mr. Kotroco:

The aforementioned case involves an undersized lot (width) and should be heard as a variance or undersized lot case under BCZR 304. As such, it does not qualify for an "administrative" variance.

It is our experience that undersized lot cases have always required a hearing. As such, please schedule a hearing on this matter so that all issues, including Petitioner's ownership of adjoining parcels, now or at any time, can be addressed. Although a formal demand for hearing should be unnecessary, enclosed is our office's Formal Demand for Hearing along with an Entry of Appearance.

Sincerely,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Henry & Geraldine Heise
William J. Wiseman, Zoning Commissioner
W. Carl Richards, Zoning Supervisor



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

CAROLE S. DEMILIO
Deputy People's Counsel

May 9, 2006

Timothy Kotroco, Director
Permits & Development Management
111 W Chesapeake Avenue
Towson, Maryland 21204

Re: Henry & Geraldine Heise
7924 35th Street
Case No.: 06-549-A

Dear Mr. Kotroco:

To Kristen:
Please set in for a
hearing pursuant to
Mr. Zimmerman's formal
request. Since Mr. Zimmerman
is requesting this hearing, he
is ordered to appear at the
hearing, or his appearance
shall be stricken from
the record.
Tim K.

The aforementioned case involves an undersized lot (width) and should be heard as a variance or undersized lot case under BCZR 304. As such, it does not qualify for an "administrative" variance.

It is our experience that undersized lot cases have always required a hearing. As such, please schedule a hearing on this matter so that all issues, including Petitioner's ownership of adjoining parcels, now or at any time, can be addressed. Although a formal demand for hearing should be unnecessary, enclosed is our office's Formal Demand for Hearing along with an Entry of Appearance.

Sincerely,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Henry & Geraldine Heise
William J. Wiseman, Zoning Commissioner
W. Carl Richards, Zoning Supervisor

Jim 6/8

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

SEE CASE NO: 06-438-A
When preparing an Order
on this case.

[Signature]
CAROLE S. DEMILIO
Deputy People's Counsel

PETER MAX ZIMMERMAN
People's Counsel

May 9, 2006

Timothy Kotroco, Director
Permits & Development Management
111 W Chesapeake Avenue
Towson, Maryland 21204

RECEIVED

MAY 1 2006

Re: Henry & Geraldine Heise
7924 35th Street
Case No.: 06-549-A

ZONING COMMISSIONER

Dear Mr. Kotroco:

The aforementioned case involves an undersized lot (width) and should be heard as a variance or undersized lot case under BCZR 304. As such, it does not qualify for an "administrative" variance.

It is our experience that undersized lot cases have always required a hearing. As such, please schedule a hearing on this matter so that all issues, including Petitioner's ownership of adjoining parcels, now or at any time, can be addressed. Although a formal demand for hearing should be unnecessary, enclosed is our office's Formal Demand for Hearing along with an Entry of Appearance.

Sincerely,

[Signature: Peter Max Zimmerman]

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Henry & Geraldine Heise
✓ William J. Wiseman, Zoning Commissioner
W. Carl Richards, Zoning Supervisor



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

CAROLE S. DEMILIO
Deputy People's Counsel

May 9, 2006

RECEIVED

MAY - 9 2006

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

ZONING COMMISSIONER

Re: Henry & Geraldine Heise - Petitioner
Case Nos: 06-549-A

Dear Mr. Wiseman:

The aforementioned case involves an undersized lot (width) and should be heard as a variance or undersized lot under BCZR 304. As such, it does not qualify for an "administrative" variance.

It is our experience that undersized lot cases have always required a hearing. As such, please schedule a hearing on this matter so that all issues, including Petitioner's ownership of adjoining parcels, now or at any time, can be addressed.

Thank you for your consideration.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Deputy People's Counsel for Baltimore County

PMZ/CSD/rmw

cc: Henry & Geraldine Heise



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

May 19, 2006

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: Henry & Geraldine Heise
7924 35th Street
Case No.: 06-549-A

RECEIVED

MAY 19 2006

ZONING COMMISSION

Dear Mr. Wiseman:

The aforementioned case for variance relief for a side yard setback and undersized lot was filed as an administrative variance. Our office requested a hearing. It has been our experience that a traditional Petition for Variance and/or Special Hearing, and hearing, are required in undersized lot cases.

The "Administrative Special Hearing" process in BCC 32-3-303 does not apply to undersized lot cases for two obvious reasons. First, BCC 32-3-303 (a) (1) states that "the Zoning Commissioner may grant variances from area and height regulations without a public hearing if the variance petition involves an **owner-occupied** lot zoned residential . . ." Clearly, for new construction, whether as a replacement dwelling or on an unimproved lot, the site cannot be "owner-occupied." Second, if owner-occupied, the nature of the relief is limited to minor height and area variances for additions, or new construction of minor accessory structures, such as a garage or shed. The administrative process was never intended to permit construction of a new dwelling that violates the zone's bulk regulations without a hearing.

Additionally, the nature of undersized lot relief requires evidence concerning petitioner's ownership of adjoining property under (i) the doctrine of merger, (ii) requirement of undersized lot statute, BCZR 304.1 (c) that petitioner does not own sufficient adjoining land "to conform to the width and area requirements . . ." and (iii) uniqueness and practical difficulty under variance law. This requires testimony from the parties beyond the cursory information in the Petition and Affidavit in the administrative process.

William J. Wiseman, III, Zoning Commissioner
May 18, 2006
Page2


Moreover, your office has properly required a hearing in these cases in the past, most recently Case No. 06-438-A attached. (It should be noted that even the Office of Community Conservation, who supported the variance in 06-438-A, understood our position that a hearing is appropriate.) It would be patently arbitrary and unfair to apply the hearing requirement inconsistently in undersized lot cases.

For these reasons, our office submits on the record. We trust you will review this case in accordance with the usual standards for undersized lots and variances.

Sincerely,



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Henry & Geraldine Heise

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old
400 Washing
Towson, MD

410-887-
Fax: 410-82
M.



PETER MAX ZIMMERMAN
People's Counsel

To Mr. Wiseman:
I trust that either Mr.
Zimmerman or Ms Samelio
will appear in person on
the hearing date they
requested to make this
argument.

JEMILIO
& Counsel

Director Kotroco
Please advise me as to whether
either appear.

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: Henry & Geraldine Heise
7924 35th Street
Case No.: 06-549-A

MAY 19 2006

*Scheduled
June 8*

Dear Mr. Wiseman:

ZONING COMMISSION

The aforementioned case for variance relief for a side yard setback and undersized lot was filed as an administrative variance. Our office requested a hearing. It has been our experience that a traditional Petition for Variance and/or Special Hearing, and hearing, are required in undersized lot cases.

The "Administrative Special Hearing" process in BCC 32-3-303 does not apply to undersized lot cases for two obvious reasons. First, BCC 32-3-303 (a) (1) states that "the Zoning Commissioner may grant variances from area and height regulations without a public hearing if the variance petition involves an **owner-occupied** lot zoned residential . . ." Clearly, for new construction, whether as a replacement dwelling or on an unimproved lot, the site cannot be "owner-occupied." Second, if owner-occupied, the nature of the relief is limited to minor height and area variances for additions, or new construction of minor accessory structures, such as a garage or shed. The administrative process was never intended to permit construction of a new dwelling that violates the zone's bulk regulations without a hearing.

Additionally, the nature of undersized lot relief requires evidence concerning petitioner's ownership of adjoining property under (i) the doctrine of merger, (ii) requirement of undersized lot statute, BCZR 304.1 (c) that petitioner does not own sufficient adjoining land "to conform to the width and area requirements . . ." and (iii) uniqueness and practical difficulty under variance law. This requires testimony from the parties beyond the cursory information in the Petition and Affidavit in the administrative process.

William J. Wiseman, III, Zoning Commissioner

May 18, 2006

Page 2

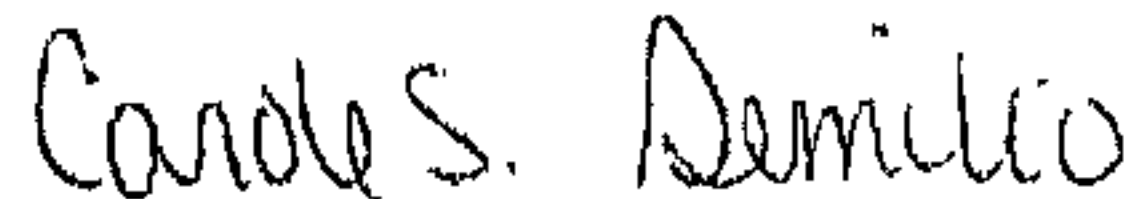
Moreover, your office has properly required a hearing in these cases in the past, most recently Case No. 06-438-A attached. (It should be noted that even the Office of Community Conservation, who supported the variance in 06-438-A, understood our position that a hearing is appropriate.) It would be patently arbitrary and unfair to apply the hearing requirement inconsistently in undersized lot cases.

For these reasons, our office submits on the record. We trust you will review this case in accordance with the usual standards for undersized lots and variances.

Sincerely,



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/mw

cc: Henry & Geraldine Heise

**ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF May 8, 2006
FORMAL OR INFORMAL RESPONSE DUE AT May 15, 2006 MEETING**

RECEIVED

MAY 15 2006

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

ZONING COMMISSIONER

Distribution:

- * Zoning Commissioner's Office (William J. Wiseman); MS #3401
- # PDM, Zoning Review H.O. Hearing File (Kristen Matthews)
- # PDM, Zoning Review DRC/ZAC Meeting File (W. Carl Richards, Jr.)
- * PDM, Code Enforcement (Lisa Henson)
- * PDM, Building Inspection (Karen Hopkins)
- & PDM, Development Plans Review (Dennis Kennedy)
- # Planning Office (Curtis Murray)
- * Recreation and Parks (Jean Tansey); MS #52
- # DEPRM (Jeff Livingston) – 2 copies of each
- & State Highway Administration, Access Permits Division (Kenneth A. McDonald)
- & Fire Department (Lt. Frank Cook) MS #1102F
- * Economic Development Commission, Business Develop. MS #2M07
- * Highways (Tim Burgess); MS #1003
- * Community Conservation (Mary Harvey); MS #1102M
- + People's Counsel (Peter Zimmerman); MS #2010
- * Honorable T. Bryan McIntire, County Council, District 3; MS #2201
- * Nancy Jones/Mike Ruby
- # IF CRITICAL AREA, Maryland Office of Planning (Mike Nortrup)
- # IF FLOODPLAIN, Department of Natural Resources
- # IF FLOODPLAIN, Public Works (David Thomas); MS #1315
- * IF FLOODPLAIN, Permits
- * IF FLOODPLAIN, Code Enforcement (Rick Wisnom)
- # IF ELDERLY HOUSING, Community Development; MS #1102M
- # IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
- # IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder); MS #1102E
- * IF TOWER, Tower Coordinator, c/o OIT; MS #2007

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Matthews.

If you have any questions regarding a particular zoning petition, please contact the Zoning Review planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Item Number: 549 **Case Number:** 6-549-A **Primary Use:** Residential **Reviewer:** JCM

Type: Administrative Variance

Legal Owner: Henry A. Heise and Geraldine F. Heise

Contract Purchaser:

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14th **Councilmanic Dist:** 7th

Property Address: 7924 35th Street

Location: North side of 35th Street, 425 feet west of centerline of Weyburn Avenue.

Existing Zoning: DR - 5.5

Area: 7,500 square feet +/-

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit an eight foot side yard setback for a replacement house in lieu of the required 10 feet and a lot width of 50 feet in lieu of the required 55 feet.

Attorney:

Miscellaneous:

Item Number: 550 **Case Number:** 6-550-A **Primary Use:** Residential **Reviewer:** JCM

Type: Administrative Variance

Legal Owner: Dennis G. Bayer and Mary Bayer

Contract Purchaser:

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11th **Councilmanic Dist:** 5th

Property Address: 4019 Perry Hall Road

Location: West side of Perry Hall Road, 550 feet +/- north of centerline of Belair Road.

Existing Zoning: RC - 2

Area: 3 acres +/-

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit a pole barn accessory building with a maximum height of 20 feet in lieu of 15 feet permitted.

Attorney:

Miscellaneous:

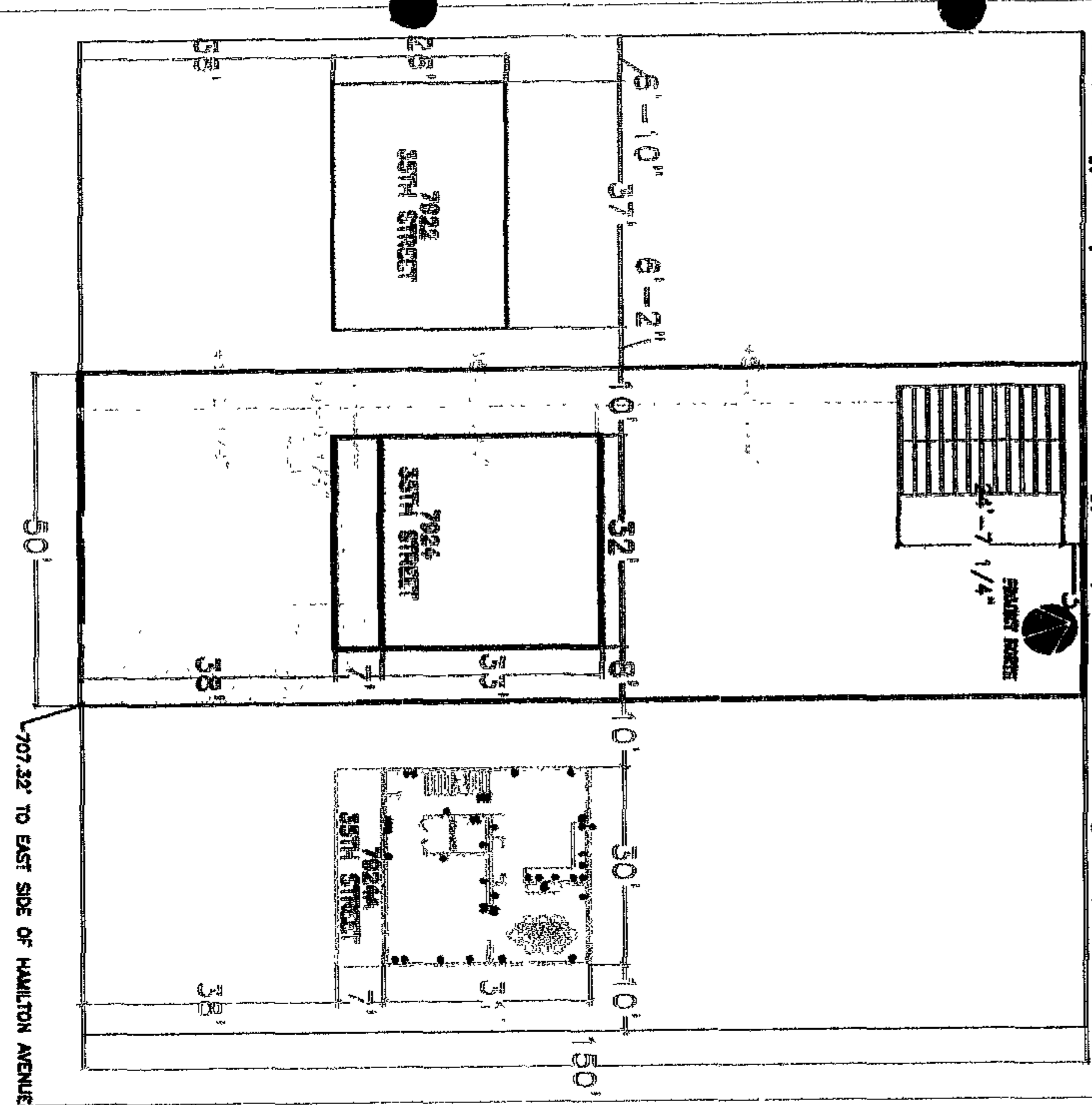
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

PROPERTY ADDRESS: 7924 35TH STREET
 SUBDIVISION NAME: ROSEDALE FARMS
 PLAT BOOK #5 FOLIO #61 LOT #250 SECTION #A

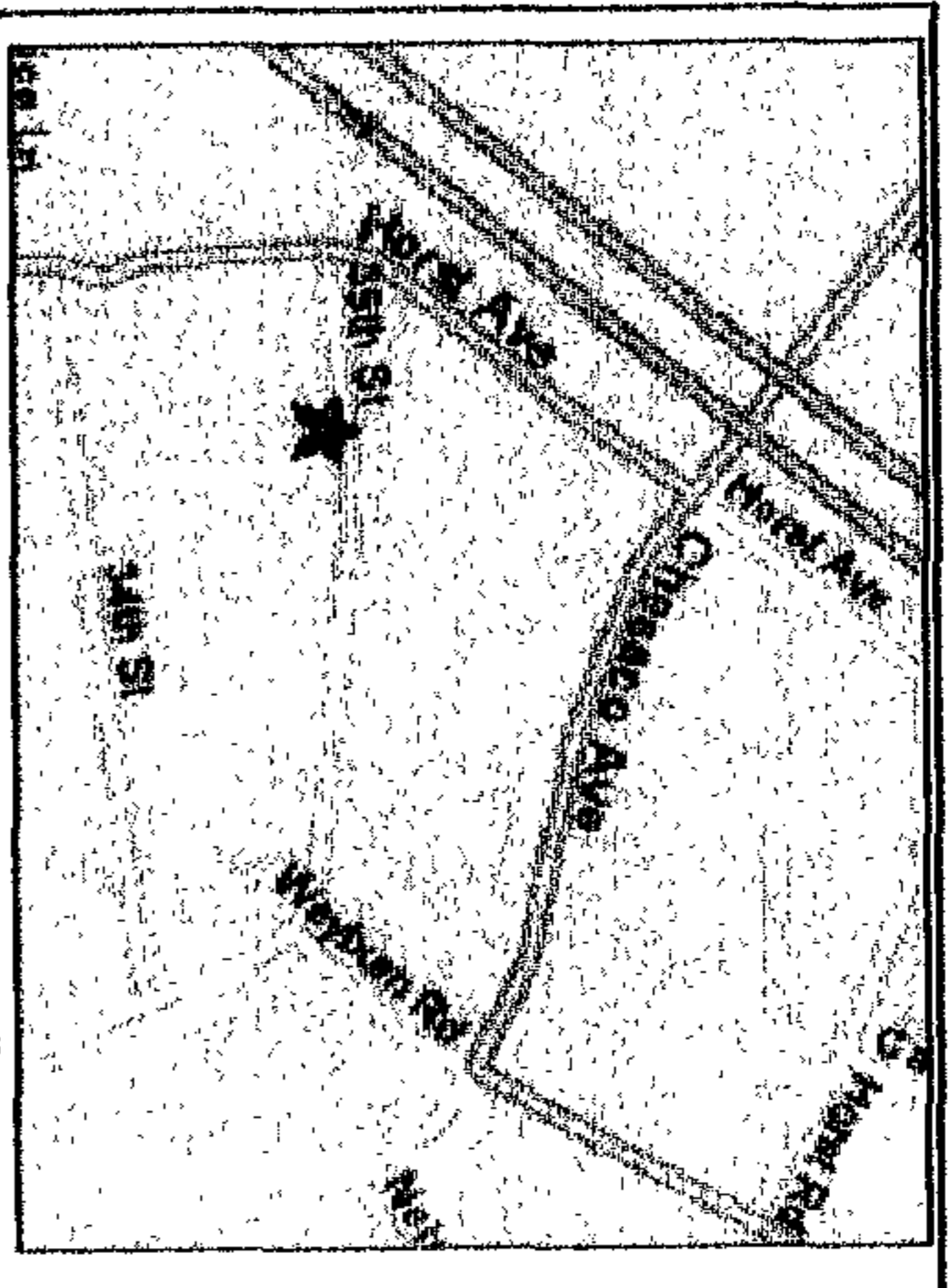
Owner: Raymond & Jean Karpis
 Lot #248
 Account #1419013475
 Deed Ref. #/20816/507

Owner: Henry & Geraldine Helms
 Lot #250
 Account #1413001990
 Deed Ref. #/23998/55

Owner: Henry & Geraldine Helms
 Lot #251
 Account #1419062990
 Deed Ref. #/20021/536



PREPARED BY: HENRY A. HEISE SCALE OF DRAWING: 1"=30'



MAP#89 GRID#16 PARCEL#596

LOCATION INFORMATION

ELECTION DISTRICT: 14
 COUNCILMANIC DISTRICT: 7
 1" = 200' SCALE MAP # 089B2
 ZONING DRS.5
 LOT SIZE

	ACREAGE	7500 SQUARE FEET
SEWER WATER	PUBLIC <input checked="" type="checkbox"/> PRIVATE <input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
CHESAPEAKE BAY CRITICAL AREA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
100 YEAR FLOOD PLAIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HISTORIC PROPERTY/BUILDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PRIOR ZONING HEARING	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

Handwritten initials and numbers: R, #1

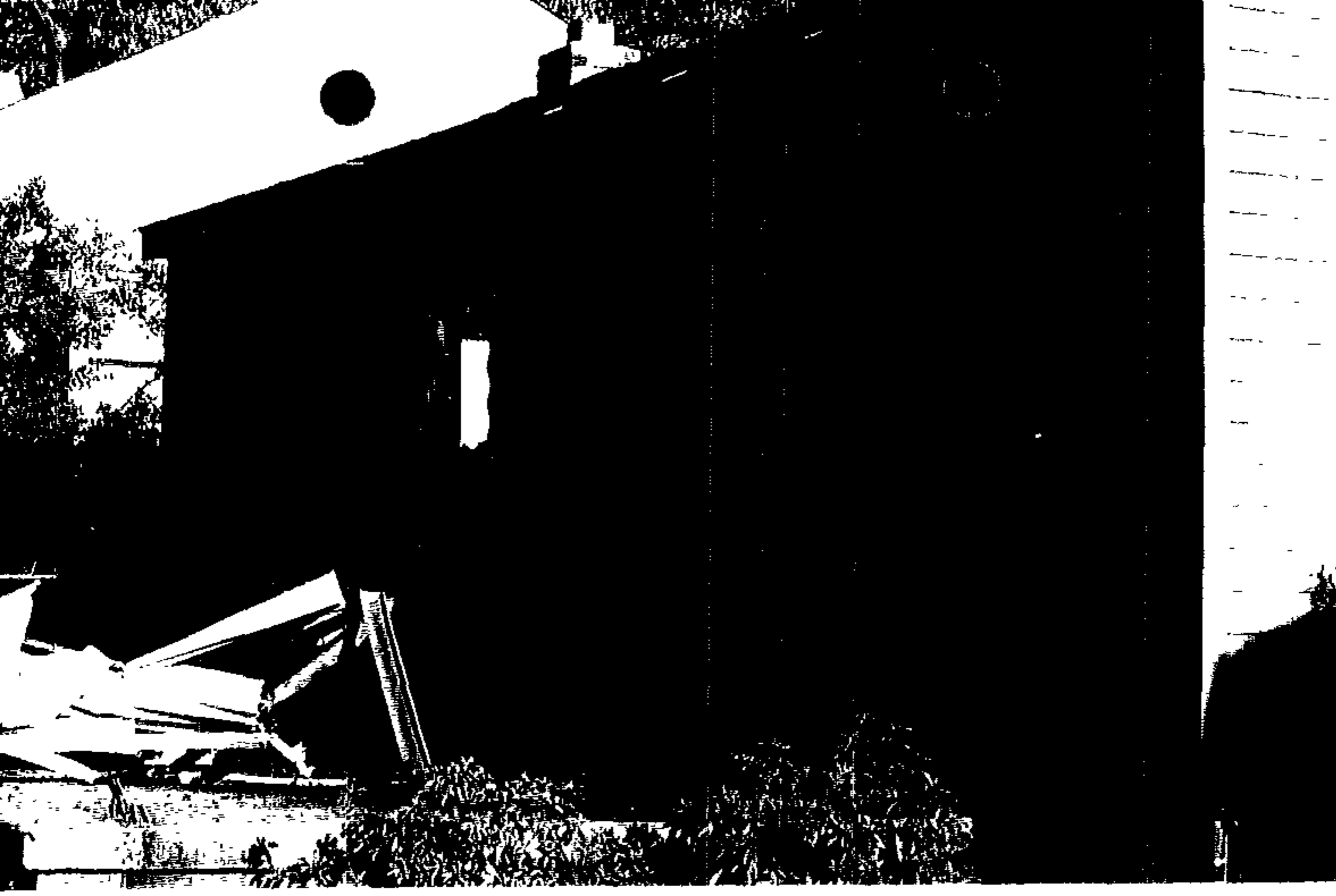


Zoning Commissioner
Office of Planning
401 Bosley Avenue, Suite 405
County Courts Building
Towson, Maryland, 21204

pictures

2A
2B

Return Service Requested



7924 - 35th Street

Old dwelling before demolition.

~~22~~



7922 - 35th Street

(House on left of proposed
new dwelling.)

2
D



7924 - A 35th Street

(House on right of proposed
new dwelling)

22



Proposed new structure
to be located at 7924-35th Street

128



7924- 35th Street

Demolished empty lot for
proposed new dwelling

DR



3A





3B






3C



[Click here for a plain text ADA compliant screen](#)

 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
---	--

Account Identifier: District - 14 Account Number - 1413001990

Owner Information

Owner Name:	HEISE HENRY A HEISE GERALDINE F	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	7924 35TH ST BALTIMORE MD 21237-1410	Deed Reference:	1) /23586/ 55 2)

Location & Structure Information

Premises Address 7924 E 35TH ST	Legal Description 7924 E 35TH ST ROSEDALE FARMS
---	--

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
89	16	596			A		250	3	5/ 61

Special Tax Areas	Town Ad Valorem Tax Class	Enclosed Area 936 SF	Property Land Area 7,500.00 SF	County Use 04
Primary Structure Built 1941				
Stories 1	Basement YES		Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments	
			As Of 07/01/2005	As Of 07/01/2006
Land:	14,250	35,370		
Improvements:	53,740	64,510		
Total:	67,990	99,880	67,990	78,620
Preferential Land:	0	0	0	0

Transfer Information

Seller: MILLER MICHELLE LYNN	Date: 03/27/2006	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /23586/ 55	Deed2:
Seller: HEISE HENRY A	Date: 07/26/2005	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /22244/ 206	Deed2:
Seller: MCCALLISTER C C	Date: 09/01/1971	Price: \$15,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 5214/ 298	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

Det 5 A

[Click here for a plain text ADA compliant screen](#)

 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
---	--

Account Identifier: District - 14 Account Number - 1419052980

Owner Information

Owner Name:	HEISE HENRY A HEISE GERALDINE F	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	7924A 35TH ST BALTIMORE MD 21237-1410	Deed Reference:	1) /20021/ 536 2)

Location & Structure Information

Premises Address 7924 A 35TH ST	Legal Description 7924 A 35TH ST ROSEDALE FARMS
---	--

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
89	16	596			A		251	3	5/ 61

Special Tax Areas	Town Ad Valorem Tax Class
--------------------------	----------------------------------

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2005	1,980 SF	7,500.00 SF	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments	
			As Of 07/01/2005	As Of 07/01/2006
Land:	28,500	70,750		
Improvements:	146,870	216,300		
Total:	175,370	287,050	175,370	212,596
Preferential Land:	0	0	0	0

Transfer Information

Seller: SMITH DOLORES J	Date: 05/07/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /20021/ 536	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:** * NONE *

DJB
5/8

[Click here for a plain text ADA compliant screen.](#)

 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
---	--

Account Identifier: District - 14 Account Number - 1419013475

Owner Information

Owner Name:	KEMPA RAYMOND J KEMPA JEAN E	Use:	RESIDENTIAL
Mailing Address:	7922 35TH ST BALTIMORE MD 21237-1410	Principal Residence:	YES
		Deed Reference:	1) /20816/ 507 2)

Location & Structure Information

Premises Address 7922 35TH ST	Legal Description 7922 35TH ST ROSEDALE FARMS
---	--

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
89	16	596			A		249	3		5/ 61

Special Tax Areas	Town Ad Valorem Tax Class	Enclosed Area	Property Land Area	County Use
Primary Structure Built		972 SF	7,500.00 SF	04
1952				
Stories	Basement	Type		Exterior
1	NO	STANDARD UNIT		SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments	
			As Of 07/01/2005	As Of 07/01/2006
Land:	28,500	70,750		
Improvements:	52,320	62,730		
Total:	80,820	133,480	80,820	98,373
Preferential Land:	0	0	0	0

Transfer Information

Seller: KEMPA RAYMOND J	Date: 10/13/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /20816/ 507	Deed2:
Seller: SCHAFFER DOROTHY N	Date: 09/17/1997	Price: \$70,000
Type: IMPROVED ARMS-LENGTH	Deed1: /12389/ 63	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

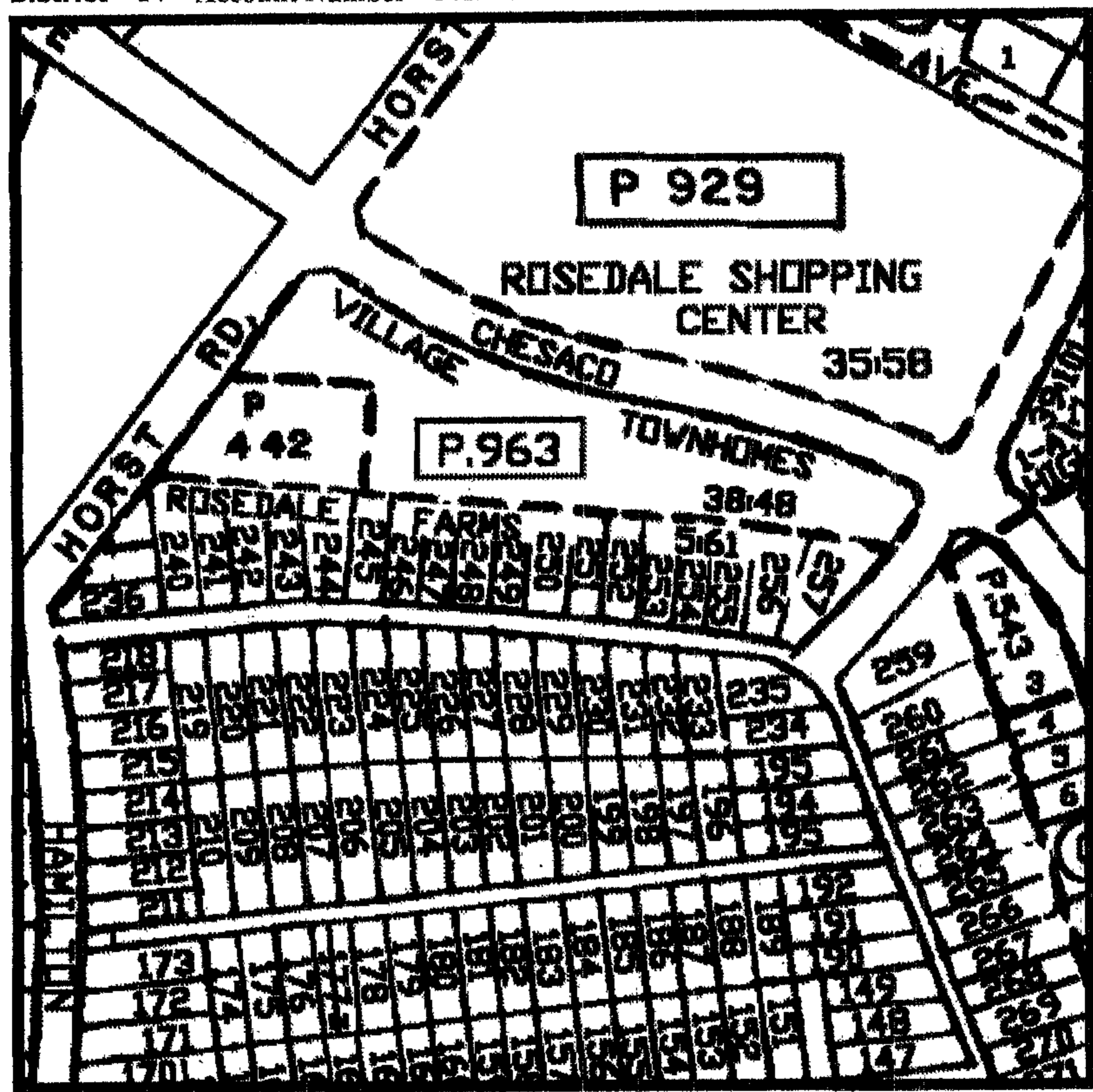
Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:**

Exempt Class: * NONE *

	Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search
--	---	---

District - 14 Account Number - 1413001990



Property maps provided courtesy of the Maryland Department of Planning ©2004.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site
 at www.mdp.state.md.us/webcom/index.html

Baltimore County - My Neighborhood

