

IN RE: PETITION FOR VARIANCE
SW side Asbury Avenue, 90 feet
SE c/l Vernon Avenue
14th Election District
6th Councilmanic District
(4105 Asbury Avenue)

Daniel Anthony Vitilio
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 07-313-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Daniel Anthony Vitilio. The Petitioner is requesting variance relief for property located at 4105 Asbury Avenue. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (shed) be located in the front/side yards in lieu of the required rear yard.

The matter was originally scheduled for a hearing on March 2, 2007, however the Petitioner failed to make arrangements for the site to be posted with the Notice of Hearing. The case was rescheduled for April 2, 2007.

The property was posted with Notice of Hearing on March 17, 2007 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. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on March 15, 2007 to notify any interested persons of the scheduled hearing date and relief requested.

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

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4-6-07
B3

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 Christopher Crowe, lessee and Daniel Anthony Vitilio, Landlord and Petitioner. Allen Clauser appeared at the hearing in opposition to the request. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject property contains 11,925 square feet zoned DR 5.5 and BL and is improved by the Petitioner's dwelling. Mr. Vitilio indicated that he leases the second floor apartment and the west side yard to Mr. Crowe and the first floor apartment and east side yard and rear yard to another tenant. Mr. Crowe indicated that he needed additional storage space for his motorcycle and so with the Landlord's permission constructed a 8 x 10 foot wooden shed located as shown in exhibit 1. A portion of the shed is located in the front yard and the remaining portion in the side yard. The regulations require the shed to be located in the rear yard.

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P3

Apparently for health reasons he was not able to finish the exterior of the shed for several months as shown in photographs of exhibit 3. Recently he was able to add siding to the shed which now is shown in photographs of exhibit 2.

When asked why the shed could not be placed in the rear yard or at least in the east side yard at the end of the driveway shown on exhibit 1, the Landlord indicated that these areas are rented to the first floor tenant. When asked why the shed could not be at least moved back into the west side yard, the Petitioners produced extensive photographs of the flooding which occurs in that side yard as shown in exhibits 2 and 3. The Petitioners noted that there are several other sheds in similar locations in the neighborhood and that the shed is far enough back from the street not to interfere with the line of sight of neighbors entering onto Asbury Avenue.

At this point in the hearing Mr. Clauser who lives across Asbury Avenue from the subject property indicated that he opposed the location of the shed which he felt would hurt his property value. He accepted that idea that the shed could not be moved into the rear yard but maintained that the shed could be moved into the west side yard and still avoid the flooded area of the yard. He offered to help move the shed and assist the Petitioners in constructing a proper base for the shed of pressure treated lumber and stone. After further discussion the Parties agreed to move the shed back into the west side yard so that the front of the shed is even with the first 4 x 4 which supports the stairs leading to Mr. Crowe's apartment and further agreed that this could be done within 30 days of date of this Order.

Findings of Fact and Conclusions of Law

I find the property unique from a zoning standpoint due to the low lying configuration of the lot which clearly attracts and holds rain water. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Thus the regulations impact this property disproportionately compared to others in the district.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The shed cannot be moved to the rear yard or the east side yard because this is leased to the other tenant. However the shed can be moved to the west side yard out of the front yard and still avoid the low spot which floods in the side yard.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Mr. Clauser is happy if the shed is moved back out of the front yard and into the side yard as agreed. Remarkably he volunteered to assist the Petitioners not only to move the shed but provide some building materials for the base on which the shed will sit.

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.

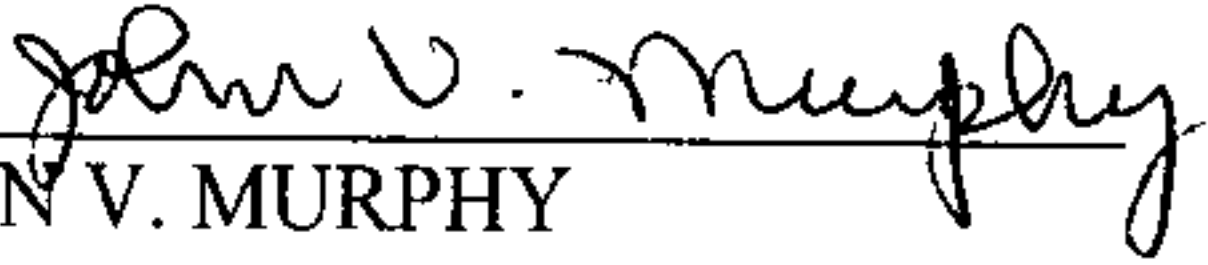
THEREFORE, IT IS ORDERED, this 6th day of April, 2007 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (shed) be located in the side yard in lieu of the required rear yard is hereby GRANTED subject to the following:

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; and,
2. The Petitioner shall move the shed into the west side yard so that the front of the shed is even with the first 4 x 4 support post under the Lessee's stairs leading to his apartment; and,
3. The shed shall be moved within 30 days of the date of this Order; and

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4-6-07
P3

IT IS FURTHER ORDERED that the Petitioner's variance request from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (shed) be located in the front yard in lieu of the required rear yard is hereby DENIED.

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


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 4105 Asbury Ave Nottingham MD
which is presently zoned _____

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)

400.1 to permit an existing accessory structure (shed) be located in the front/side yards in lieu of the required rear yard.

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

Property is to be posted and advertised as prescribed by the zoning regulations.

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

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

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

Legal Owner(s):

Daniel Anthony Vitilio
Name - Type or Print _____
X Daniel Anthony Vitilio
Signature _____
Daniel Anthony Vitilio
Name - Type or Print _____
Daniel Anthony Vitilio
Signature _____
4105 Asbury Ave 410-592-1134
Address Telephone No. _____
Nottingham MD 21226
City State Zip Code

Representative to be Contacted:

Daniel Anthony Vitilio
Name _____
11931 Jerusalem Rd 410-592-1134
Address Telephone No. _____
Kingsville MD 21087
City State Zip Code

OFFICE USE ONLY

Case No. 07-313-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

REV 9/15/98

Reviewed By BA Date 1/9/07

ZONING DESCRIPTION

Zoning Description For 4105 Asbury Avenue

Beginning at a point on the Southwest side of Asbury Avenue, which is 40 feet wide at the distance of 90 ft. southeast of the centerline of the nearest improved intersecting street Vernon Avenue, which is 40 ft. wide. Being Lot # 10 in the subdivision of Northview as recorded in Baltimore County Plat Book #7, Folio# 8, containing 11,925 square feet. Also known as 4105 Asbury Avenue and located in the 14th Election District, 6th Councilmanic District.

**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: # 07-313-A

4105 Asbury Avenue

Southwest side of
Asbury Avenue, 90 feet
s/east of centerline of
Vernon Avenue

14th Election District

6th Councilmanic District

Legal Owner(s): Daniel
Anthony Vitillo

Variance: To permit an existing accessory structure (shed) to be located in the front/side yards in lieu of the required rear yard.

Hearing: Monday, April 2, 2007 at 2:00 p.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) 887-3868.

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

3/255 Mar 15 127963

CERTIFICATE OF PUBLICATION

3/15/2007

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 3/15/2007.

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

J. Wilkinson

LEGAL ADVERTISING

**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: # 07-313-A

4105 Asbury Avenue
Southwest side of Asbury Avenue, 90 feet s/east of centerline of Vernon Avenue

14th Election District
6th Councilmanic District
Legal Owner(s): Daniel Anthony Vitillo

Variance: to permit an existing accessory structure (shed) to be located in the front/side yards in lieu of the required rear yard.

Hearing: Friday, March 2, 2007 at 11:00 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) 887-3868.

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

2/24/07 Feb. 15 124988

CERTIFICATE OF PUBLICATION

2/15/2007

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 2/15/2007.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 28091

DATE 1/9/07 ACCOUNT REPAIRS - 206-6150

AMOUNT \$ 65.00

RECEIVED FROM: Cash

FOR: Zona by Vantage

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

1/20/07 313

PAID RECEIPT

BUSINESS ACTUAL TIME BBA

1/10/2007 1/09/2007 14:53:21 1

REQ NO. 001 BAKIM JRIC JER

>> RECEIPT # 316192 1/09/2007 OFLA

Dept. 5 530 BAKIM VERIFICATION

CR NO. 023771

Receipt Tot. \$65.00

\$65.00 CR \$65.00 CR

Baltimore County, Maryland

CASHIER'S VALIDATION

RECEIVED

APR -5 2007

ZONING COMMISSIONER

CERTIFICATE OF POSTING

RE: Case No.: 07-313-A

Petitioner/Developer: DANIEL

ANTHONY VITILIO

Date of Hearing/Closing: 4-2-07

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:

4105 ASHBURY AVE

The sign(s) were posted on 3-17-07
(Month, Day, Year)

Sincerely,

Robert Black 3-19-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

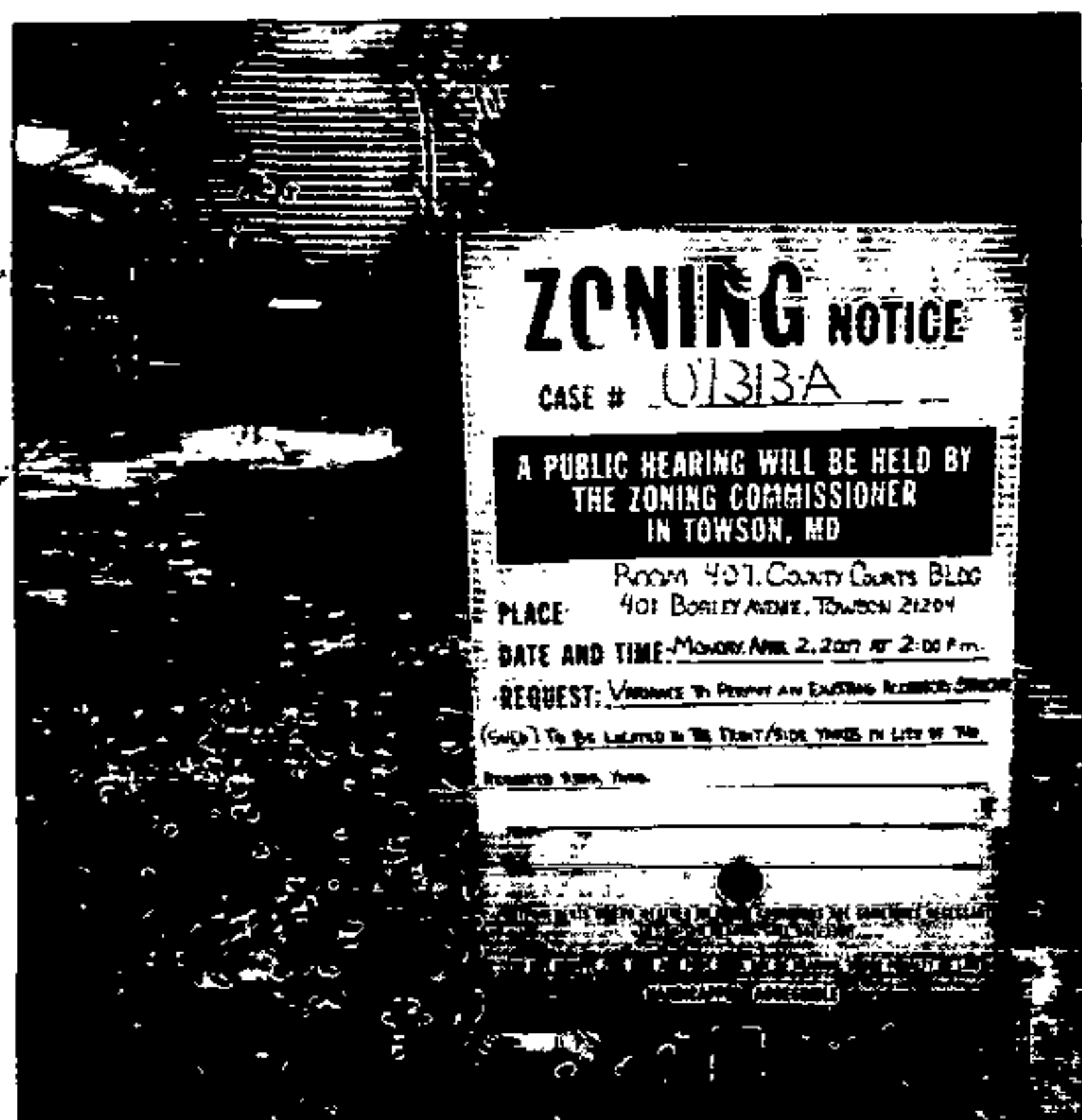
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)







BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

February 1, 2007
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 07-313-A

4105 Asbury Avenue

Southwest side of Asbury Avenue, 90 feet s/east of centerline of Vernon Avenue

14th Election District – 6th Councilmanic District

Legal Owner: Daniel Anthony Vitilio

Variance to permit an existing accessory structure (shed) to be located in the front/side yards in lieu of the required rear yard.

Hearing: Friday, March 2, 2007 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: Daniel Anthony Vitilio, 11921 Jerusalem Road, Kingsville 21087

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 15, 2007.

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 15, 2007 Issue - Jeffersonian

Please forward billing to:
Christopher Crowe
4105 Asbury Avenue
Baltimore, MD 21236

443-324-9156

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: 07-313-A

4105 Asbury Avenue

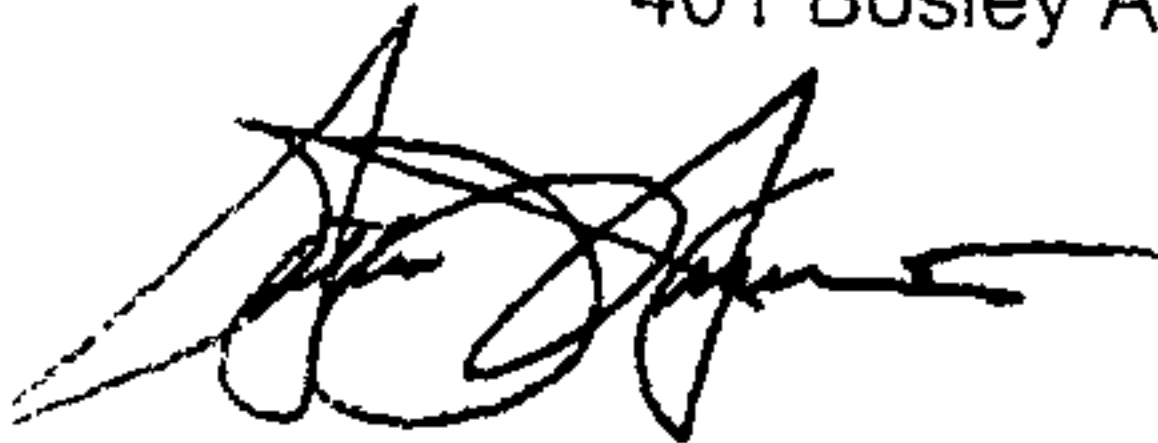
Southwest side of Asbury Avenue, 90 feet s/east of centerline of Vernon Avenue

14th Election District – 6th Councilmanic District

Legal Owner: Daniel Anthony Vitilio

Variance to permit an existing accessory structure (shed) to be located in the front/side yards in lieu of the required rear yard.

Hearing: Friday, March 2, 2007 at 11:00 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.

**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: 07-313-A
Petitioner: x CHRISTOPHER A. CROWE
Address or Location: 4105 ASBURY AVE BALTO. MD. 21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHRISTOPHER A. CROWE
Address: 4105 ASBURY AVE
BALTO. MD. 21236

Telephone Number: 443-324-9156



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

February 22, 2007

Daniel Anthony Vitilio
4105 Asbury Avenue
Nottingham, MD 21236

Dear Mr. Vitilio:

RE: Case Number: 07-313-A, 4105 Asbury Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 9, 2007.

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
David Anthony Vitilio 11921 Jerusalem Road Kingsville 21087

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 6, 2007

TO: Kristen Matthews
Dept. of Permits & Development Mgmt.

FROM: Patricia Zook, Secretary to
John V. Murphy, Deputy Zoning Commissioner

RE: Petition for Variance
Case No. 07-313-A

The file is being returned to Permits & Development Management for safekeeping. The Petitioner needs to repost and readvertise for a hearing. The on-site posting was not done for the scheduled hearing on Friday, March 2, 2006. Therefore, the hearing was not held.

Thank you for your attention and cooperation in this matter.

From: Patricia Zook
To: Matthews, Kristen
Date: 3/6/2007 3:08:18 PM
Subject: Case No. 07-313-A (hearing to be scheduled; posting wasn't done)

Hi Kristen -

Please see the attached memo. Andrea just picked up the case file.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 6, 2007

TO: Kristen Matthews
Dept. of Permits & Development Mgmt.

FROM: Patricia Zook, Secretary to
John V. Murphy, Deputy Zoning Commissioner

RE: Petition for Variance
Case No. 07-313-A

The file is being returned to Permits & Development Management for safekeeping. The Petitioner needs to repost and readvertise for a hearing. The on-site posting was not done for the scheduled hearing on Friday, March 2, 2006. Therefore, the hearing was not held.

Thank you for your attention and cooperation in this matter.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 24, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For January 29, 2007
Item Nos. 07- 260,304, 307, 309, 310,
311, 312, 313, 314, 315, 317, 318, 319,
320, and 321

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-01222007.doc

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

January 26, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 22, 2007

Item Number: 304 and 307 through 321

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



Printed on Recycled Paper



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

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

Maryland Department of Transportation

Date: JANUARY 23, 2007

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

RE: Baltimore County
Item No. 7-313-A
4104 ASBURY AVENUE
VITULO PROPERTY
VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-313-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 12, 2007

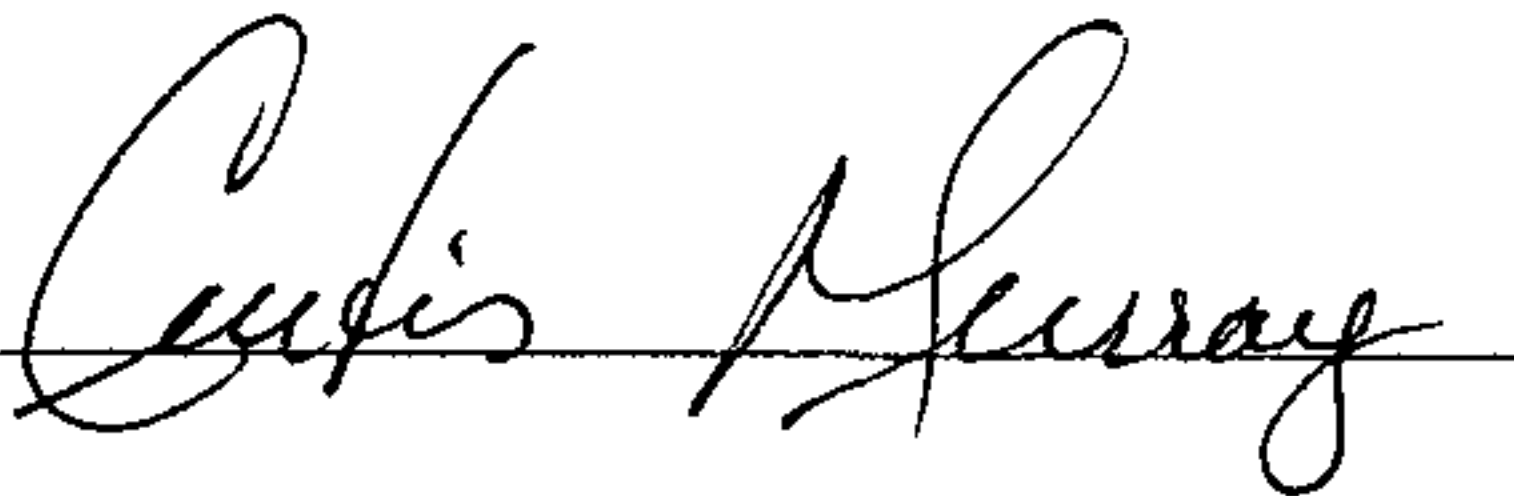
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 07-313- Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:



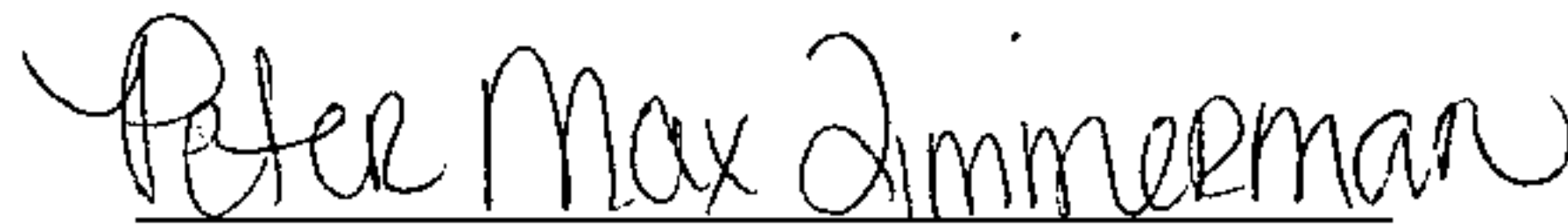
CM/LL

RE: PETITION FOR VARIANCE * BEFORE THE
4104 Asbury Avenue; SW/S Asbury Avenue *
90' SE c/line Vernon Avenue * ZONING COMMISSIONER
14th Election & 6th Councilmanic Districts *
Legal Owner(s): Daniel A. Vitilio * FOR
Petitioner(s) * BALTIMORE COUNTY
* 07-313-A

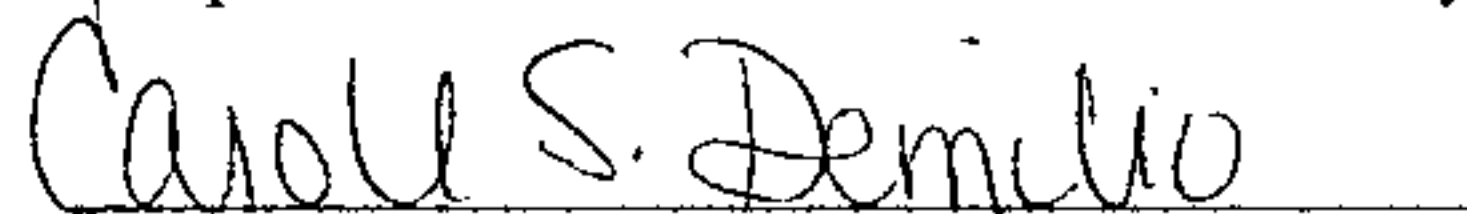
* * * * *

ENTRY OF APPEARANCE

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



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of January, 2007, a copy of the foregoing Entry of Appearance was mailed to Daniel Vitilio, 11921 Jerusalem Road, Kingsville, MD 21087, Petitioner(s).

RECEIVED

JAN 30 2007

Per.....



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 6, 2007

DANIEL ANTHONY VITILIO
11931 JERUSALEM ROAD
KINGSVILLE MD 21087

Re: Petition for Variance
Case No. 07-313-A
Property: 4105 Asbury Avenue

Dear Mr. Vitilio:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in cursive script that reads "John V. Murphy / ypz".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Christopher Crowe, 4105 Asbury Avenue, Nottingham MD 21036
Allen Clauser, 4106 Asbury Avenue, Nottingham MD 21036

DATE 4/2/07

E-MAIL

NAME	ADDRESS	CITY, STATE, ZIP
Allen Clauser	4106 Asbury Ave	Balt Md. 21236

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

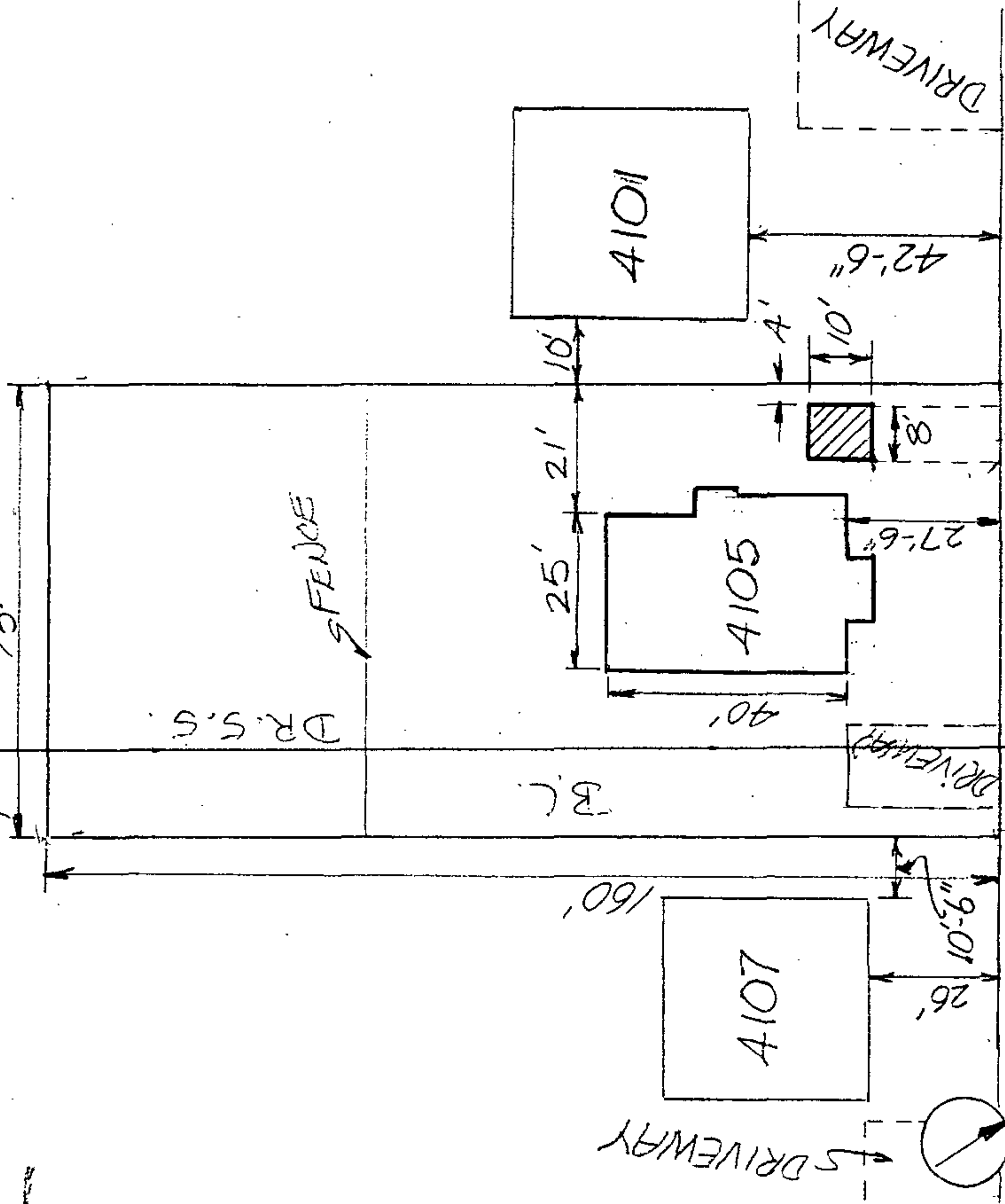
PROPERTY ADDRESS 4105 ASBURY AVE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Northview

PLAT BOOK # 2 FOLIO # 8 LOT # 10 SECTION # N/A

OWNER Daniel Anthony Vignolo

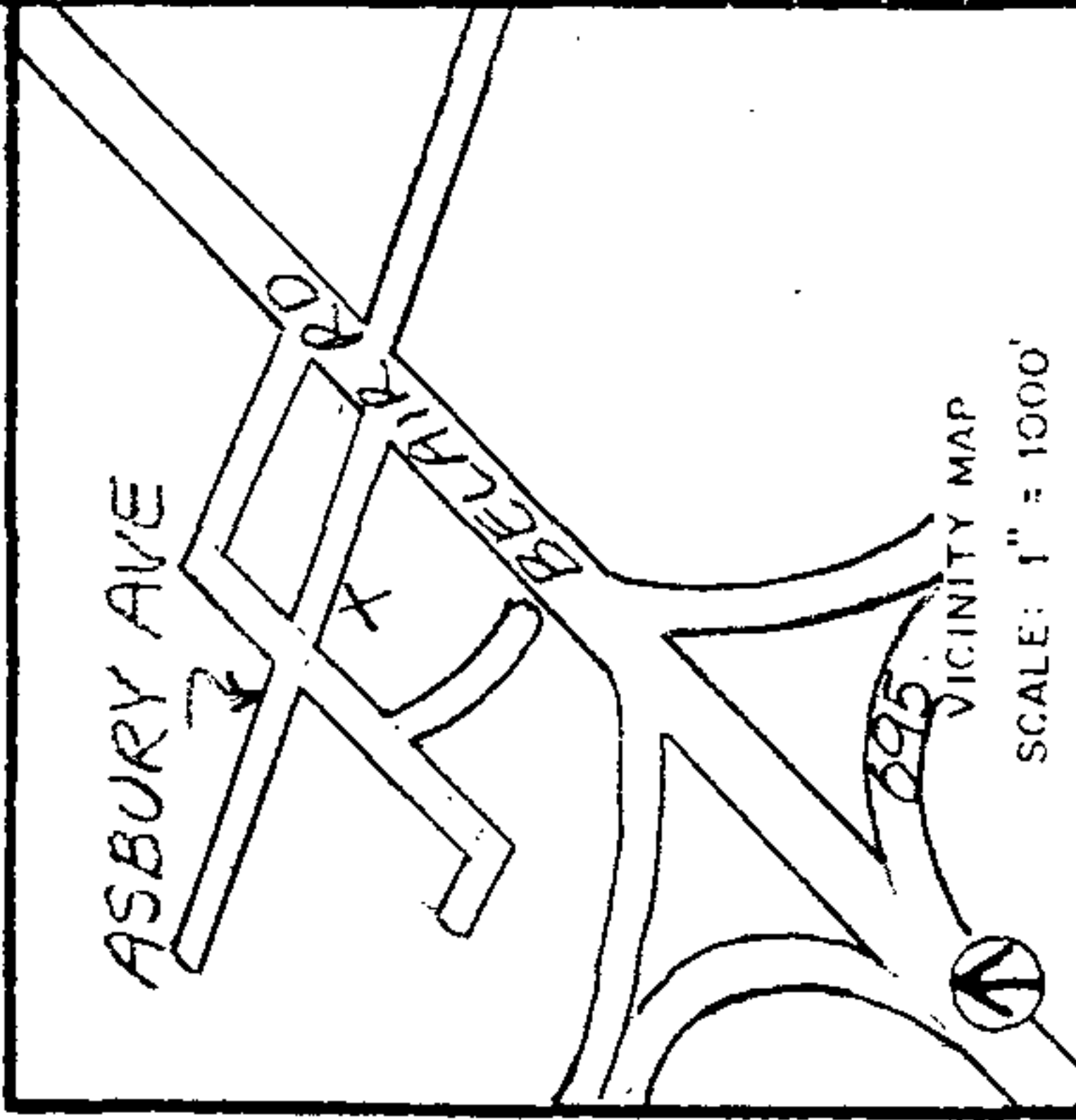


NORTH

ASBURY AVE.

PREPARED BY C.A.C.

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 6

1"=200' SCALE MAP # 081B-1

ZONING DR.S.S. & BC

LOT SIZE .28 ACRES 11,925 SQUARE FEET

SEWER ☒ PUBLIC ☒ PRIVATE ☐

WATER ☒

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

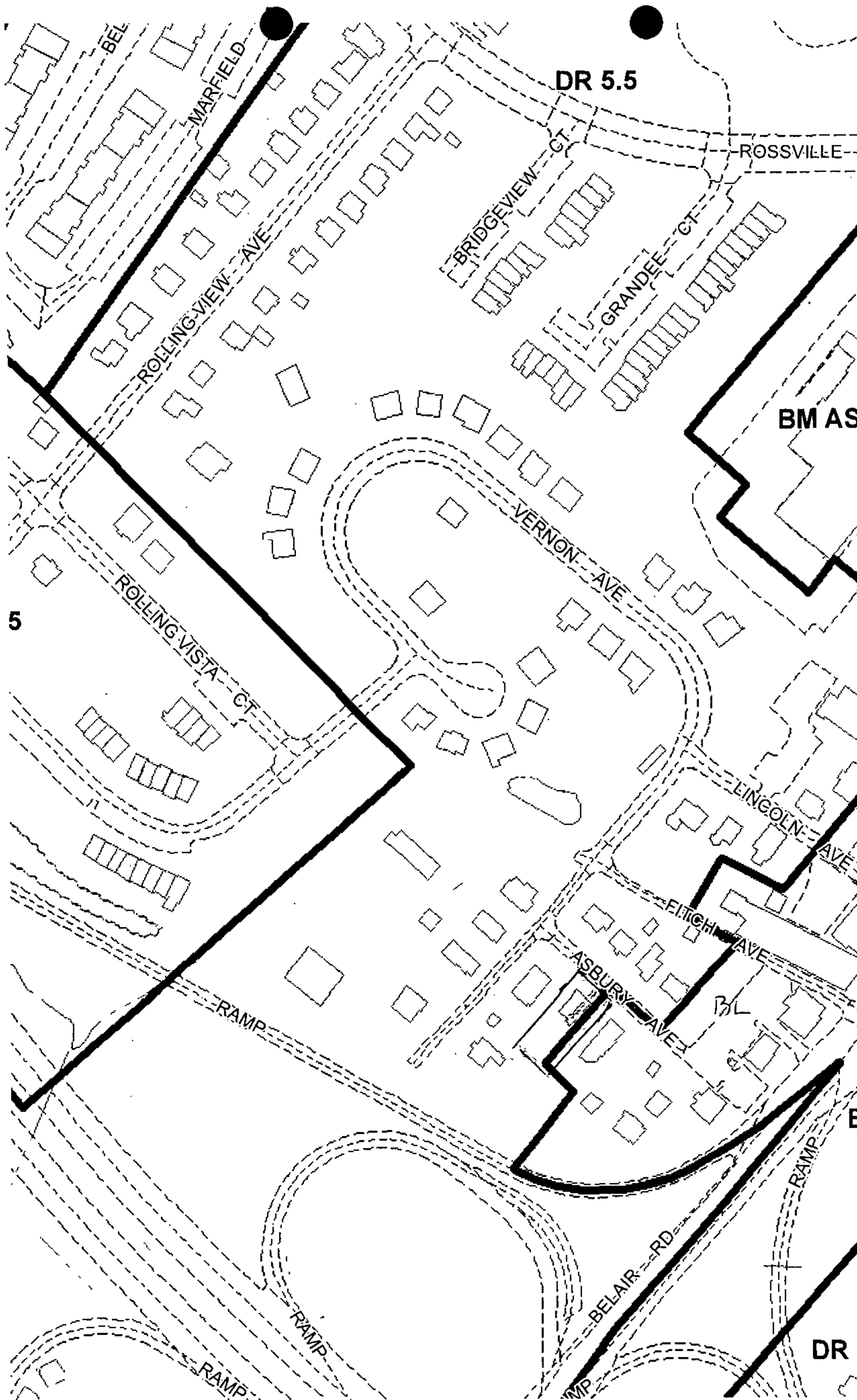
100 YEAR FLOOD PLAIN YES ☐ NO ☒

HISTORIC PROPERTY / BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING Violation

ZONING OFFICE USE ONLY
REVIEWED BY gh ITEM # 313 CASE # 07-313-AP

ZONING
MAP
#08131



#313

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

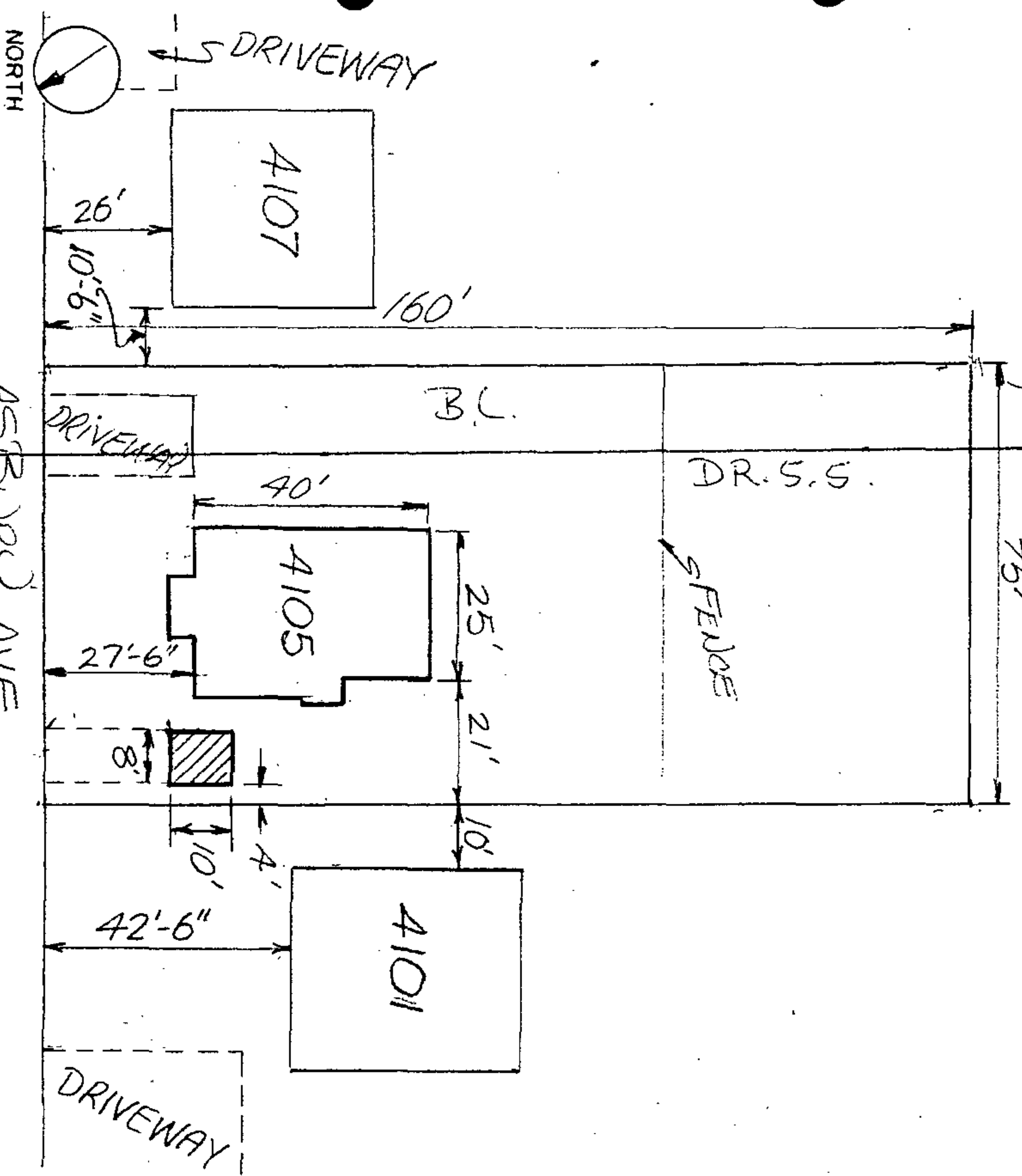
PROPERTY ADDRESS 4105 ASBURY AVE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Northview

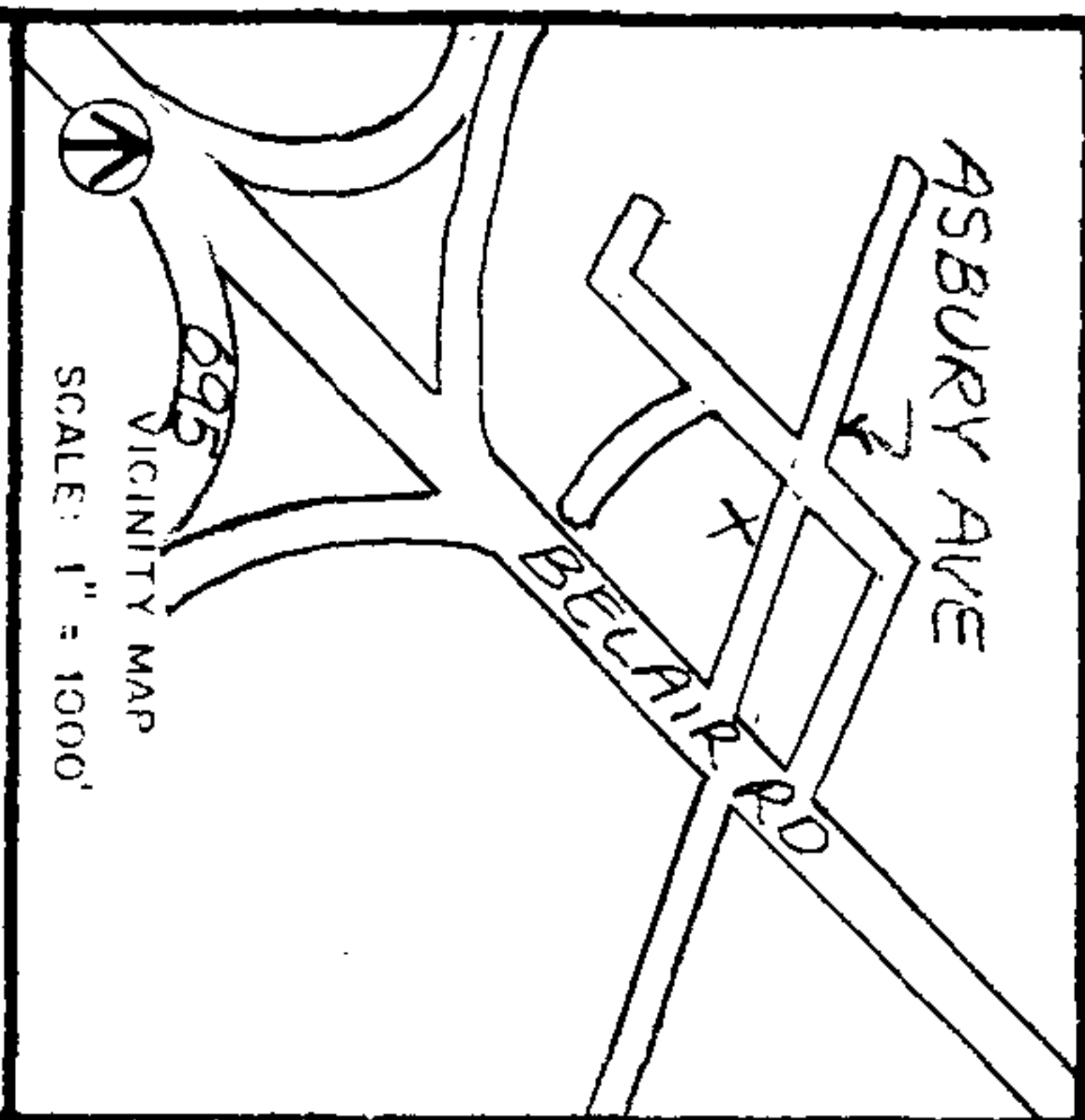
PLAT BOOK # 7 FOLIO # 8 LOT # 10 SECTION # 201A

OWNER Daniel Anthony Vitale



PREPARED BY C.A.C.

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT 4

COUNCILMANIC DISTRICT C

1" = 200' SCALE MAP # 081 B-1

ZONING DR.S.S. & B.C.

LOT SIZE .28 ACRES 11,935 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

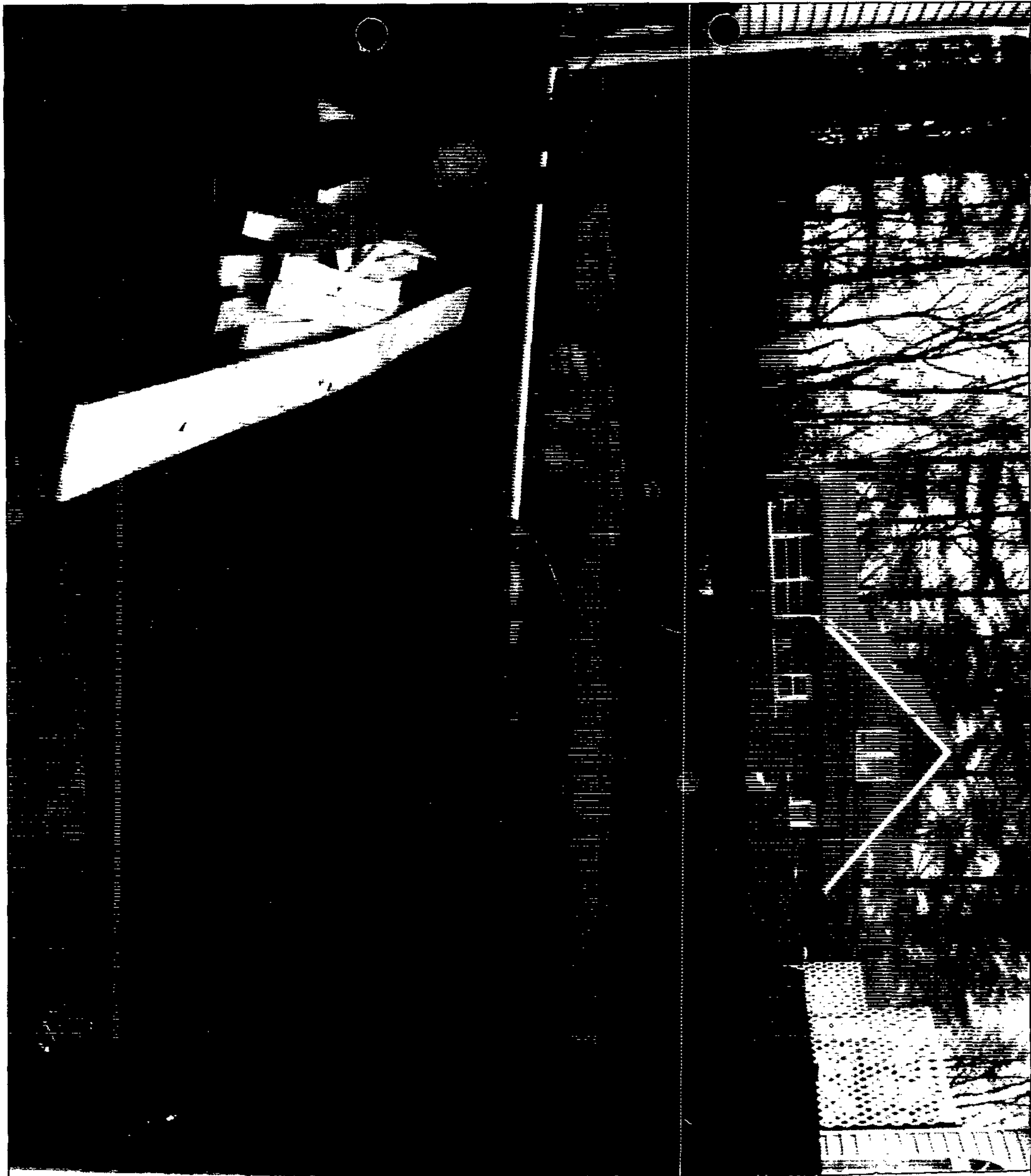
100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/ BUILDING ☐ ☒

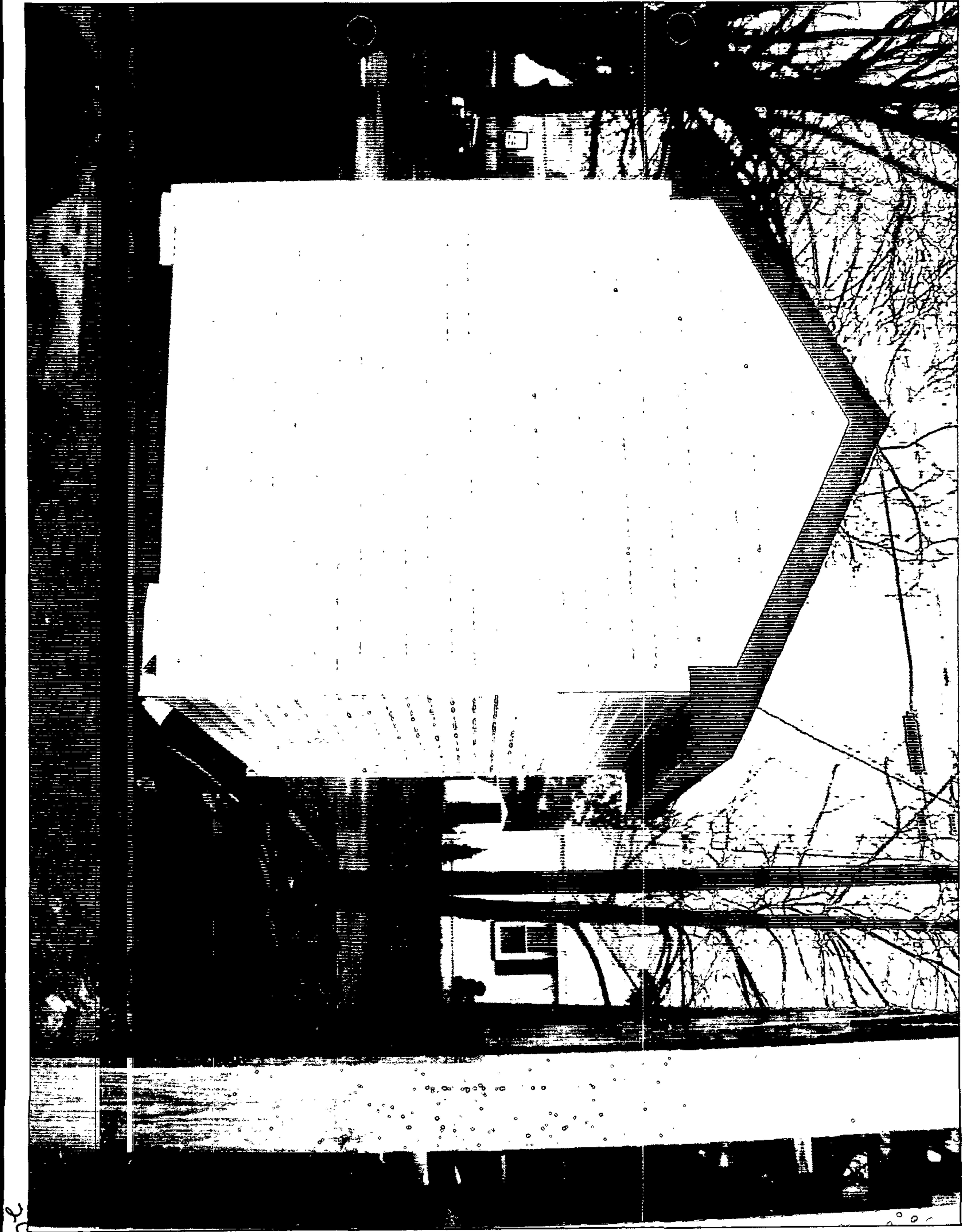
PRIOR ZONING HEARING Violation

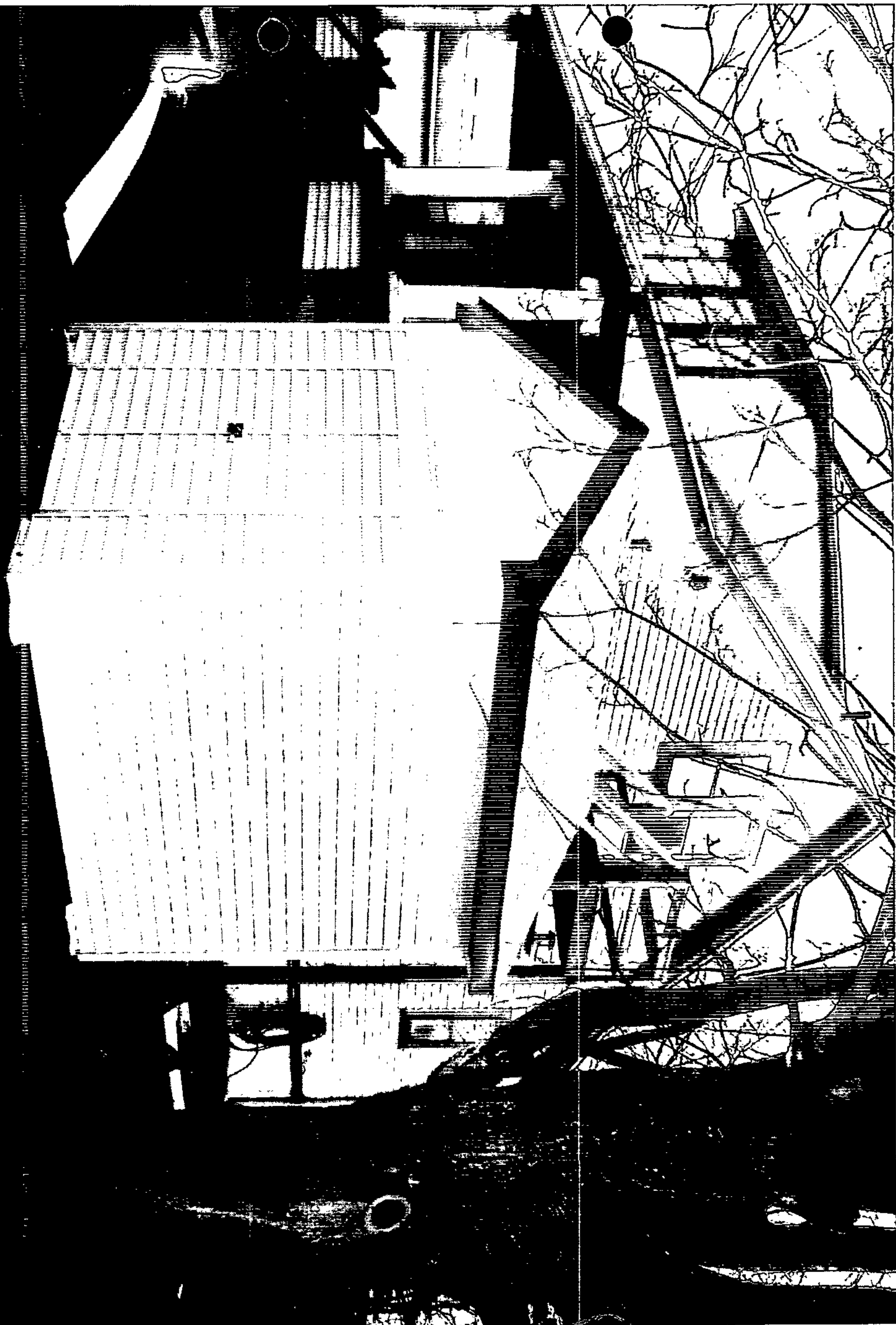
ZONING OFFICE USE ONLY

REVIEWED BY AK ITEM # 313 CASE # 07-313-A



Handwritten notes at the bottom of the page, including the word "S.E." on the left and several lines of illegible text.





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