PETITION FOR VARIANCE RE:

8906 Avenue B; NW/S Avenue B, 220' SW c/line McComas Road

15th Election & 7th Councilmanic Districts

Legal Owner(s): James L. Iman

Contract Purchaser(s): Tim Casey

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-396-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 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 23rd day of March, 2007, a copy of the foregoing Entry of Appearance was mailed Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

MAR 2 3 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



REV 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 8906 Awww B

	which is presently zoned
of the property situate in Baltimore County and which is de:	scribed in the description and plat attached hereto and made a parties of the required 55 ft.
or practical difficulty)	law of Baltimore County, for the following reasons: (indicate hardsh
Property is to be posted and advertised as prescribed by the and the second sec	zoning regulations. , posting, etc. and further agree to and are to be bounded by the zoning to the zoning law for Baltimore County. e do solemnly declare and affirm, under the penalties of live are the legal owner(s) of the property which
Name - Type of Print Casey Signature Colo S. WUFF ST 4035-3587 Address Telephone No. TACHMONS MD 2/23/ City State Zip Code	Legal Owner(s): Name - Type or Print Name - Type or Print Signature Zaol - A
Name - Type or Print Signature Company	Address Telephone No. Bathway MD 21219-2410 City State Zip Code Representative to be Contacted: Site fife Snwying Inc. Name 200 E. Joppa Road Rm WI 41888 9060
Address Telephone No. City State Zip Code	Address Telephone No. Word W. 21286 Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING
Case No	UNAVAILABLE FOR HEARINGBy Date

REASONS TO ACCOMPANY VARIANCE PETITION

1. The property has been held under the same ownership dating back to 1965. The lots are shown on a Record Plat recorded in the Land Records in Plat Book WPC 7, folio 147 dated June 6, 1923.

2. All lots shown on said plat are 50 feet wide and vary in lot depth. Although the present zoning is BM (changed per 1992 Comprehensive Zoning Map) the zoning in place prior to the change and adjacent to

said property is D.R.5.5.

3. The proposed use is within the spirit and intent of BCZR and is consistent with the pattern of development within the community. Granting relief of this request will not adversely affect the general welfare of the neighborhood. On the contrary, the request will be advantageous by lessening the increase flow of traffic due to the existing commercial use of the property.

ZONING DESCRIPTION #8906 AVENUE B

BEGINNING at a point on the northwest side of Avenue B which is 30 feet wide at the distance of 220 feet southwest of the centerline of McComas Road which is 40 feet wide. Being Lot #23, in the subdivision of "Brown Plat" as recorded in Baltimore County Plat Book #7, Folio #147, containing 0.246 acres, more or less. Also known as 8906 Avenue B and located in the 15th Election District, 7th Councilmanic District.

William No. 21175

Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road Suite 101 Towson MD 21286 (410) 828-9060

07-396-A

		B'S VALIDATION
		CASHIII.
ARYLAND GE No. 2	ACCOUNT & GO CO	YELLOW - CUSTOMER
TIMORE COUSELLANEOUS		PINK - AGENCY

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JAMES T. SMITH, JR. County Executive

March 21, 2007
TIMOTHY M. KOTROCO, Director

NOTICE OF ZONING HEARING

Development Management

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: 07-396-A

8906 Avenue B

N/west side of Avenue B, 220 feet s/west of centerline of McComas Road

15th Election District – 7th Councilmanic District

Legal Owners: James Iman

Contract Purchaser: Tim Casey

Variance to permit a lot width of 50 feet in lieu of the required 55 feet.

Hearing: Thursday, May 10, 2007 at 10:00 a.m. in Room 106, County Office Building,

111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: James Iman, 8906 Avenue B, Baltimore 21219
Tim Casey, 610 S. Wolfe Street, Baltimore 21231
Site Rite Surveying, Inc., 200 E. Joppa Road, Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, APRIL 25, 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

Tuesday, April 24, 2007 Issue - Jeffersonian

Please forward billing to:

Timothy Casey 610 S. Wolfe Street Baltimore, MD 21231 410-365-3587

NOTICE OF ZONING HEARING

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CASE NUMBER: 07-396-A

8906 Avenue B

N/west side of Avenue B, 220 feet s/west of centerline of McComas Road 15th Election District – 7th Councilmanic District

Legal Owners: James Iman Contract Purchaser: Tim Casey

Variance to permit a lot width of 50 feet in lieu of the required 55 feet.

Hearing: Thursday, May 10, 2007 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(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

he <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the eneral public/neighboring property owners relative to property which is the subject of in 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 east 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 lue upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

ttem Number or Case Number: 07-396-A	
TOTAL MUNICIPAL OF COOC FRANCES	
Petitioner: Timothy Casey	
Address or Location: 8906 Avenue B	
PLEASE FORWARD ADVERTISING BILL TO: Name: Timothy Casy Address: Bultwore, MD 21231	



Martin O'Malley, Governor Anthony Brown, Lt. Governor

John D. Porcari, Secretary Designate Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 15,2007

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

RE: Baltimore County

Item No. 7-396-A 8906 AVENUE B IMAN 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. 7-396 Å.

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,

A Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 07.396.A

3.12.0

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing: post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 5, 2007

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) 7-395, 7-396 and 7-397- Variance

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, 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.
- 2. Provide landscaping along the public road, if applicable.

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

Prepared By:

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 19, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 26, 2007 Item No. 07-396

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 feet.

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

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

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:cab

cc: File

ZAC-ITEM NO 07-396-03262007.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

March 15, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: March 19, 2007

Item No.: 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 405, 406, 407, 408, 409.

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.

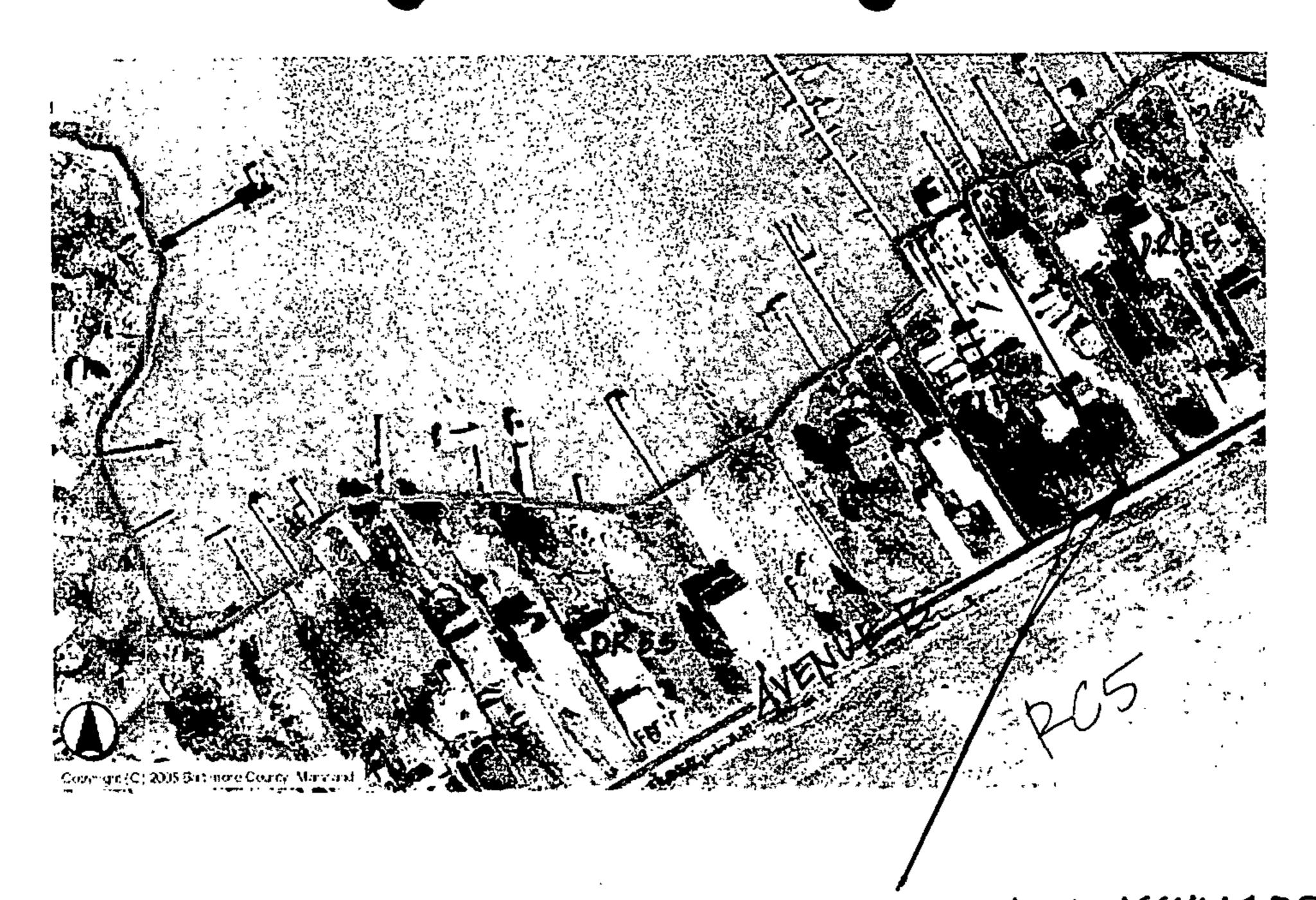
The Fire Marshal's Office has no comments at this time.

Acting Lieutenant Don W. Muddiman Fire Marshal's Office (0)410-887-4880 MS-1102F

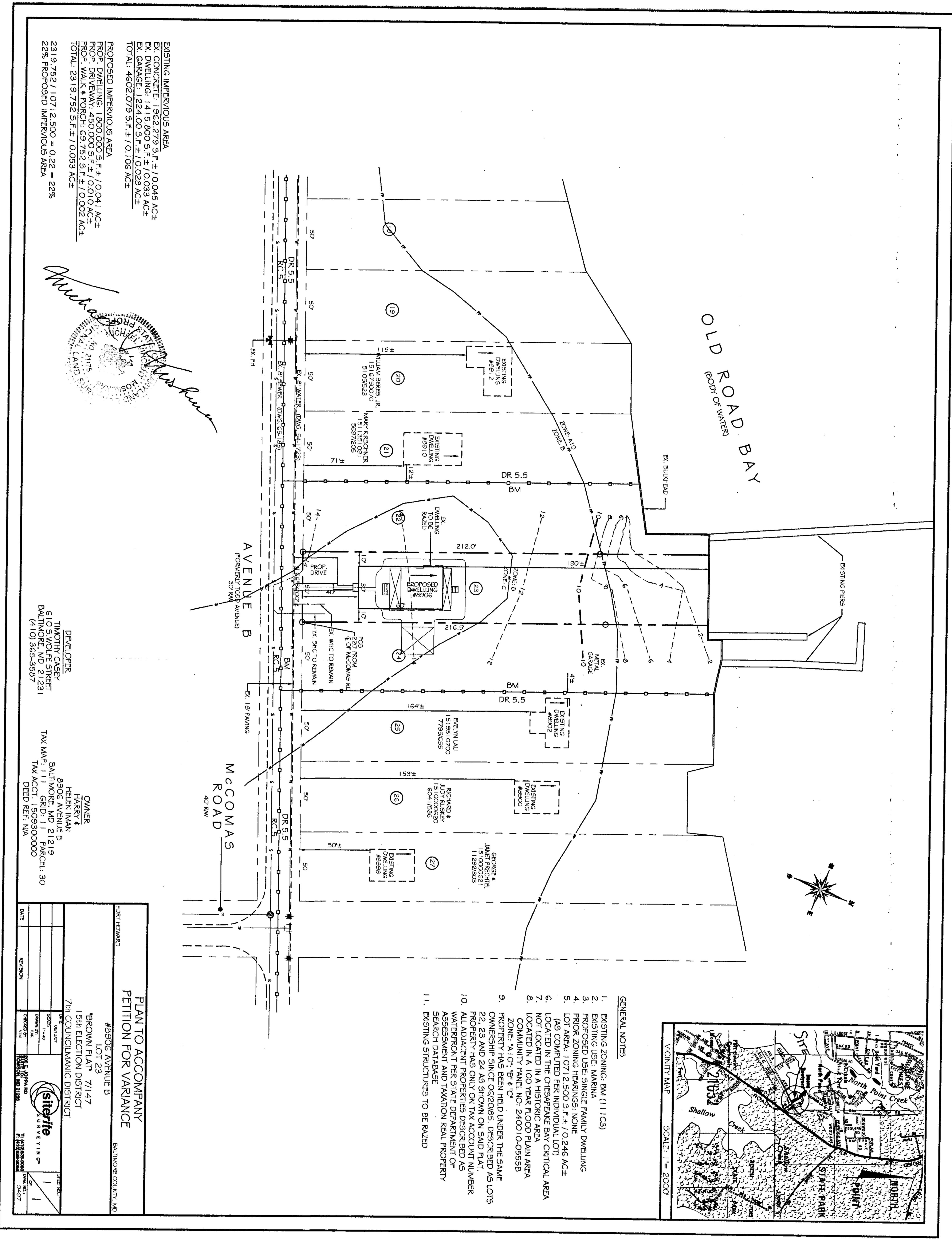
cc: File



Visit the County's Website at www.baltimorecountymd.gov



POB 220'SW MCOMAS RD +8906 Avenue B IIIC3 ED15



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