PETITION FOR VARIANCE RE: 8908 Avenue B; NW/S Avenue B, 270' 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

07-397-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

People's Counsel for Baltimore County



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 8908 Avews B

which is presently zoned _ BM

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)

by petition for a Variance from Section(s)

| BO2.3. C./. to permit a lot width

of 50 ft in lieu of 55 ft the required 55 ft.

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 periury, that I/we are the legal owner(s) of the property which

is the subject of	f this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Nation - Type or Print
Signature Case	Signature
60 5. WOLF 5 5+ 40365-35. Address Telephone N	87 ()
TSALTMONS MD 2/23 City State Zip Cod	<u> </u>
Attorney For Petitioner:	8906 Avenue B
·	Address Baltman MD 21219-2410 Telephone No.
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted: Site Rule Surveying me
Company	200 E. Johns Rd. Rulo1 40828-9060
Address Telephone No	
City State Zip Coo	de City State Zip Code
	OFFICE USE ONLY
Case No. <u>07-397-A</u>	ESTIMATED LENGTH OF HEARING
	UNAVAILABLE FOR HEARINGwed By Date 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 #8908 AVENUE B

BEGINNING at a point on the northwest side of Avenue B which is 30 feet wide at the distance o 270 feet southwest of the centerline of McComas Road which is 40 feet wide. Being Lot #22 in the subdivision of "Brown Plat" as recorded in Baltimore County Plat Book #7, Folio #147, containing 0.236 acres, more or less. Also known as 8908 Avenue B and located in the 15th Election District, 7th Councilmanic District.

Michael V. Moskunas Reg. No. 21175

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

	THE THE THE THE TANK OF THE TA		CASHIER'S VALIDATION		
LAND No. 24.929	MOUNT	W. B. W. C.	LIOW - CUSTOMER		
BALTIMORE COUNTY, MARY OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	RECEIVED FROM:	100 M	WHITE - CASHIER PINK - AGENCY YE		

A SECRETARIA CARALLA PER EN MONOMENTA ANTONIO DE LA CARACTERÍSTICA DE LA

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

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: 07-397-A

8908 Avenue B

N/west side of Avenue B, 270 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 11:00 a.m. in Room 106, County Office Building,

Thesapeake 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.



ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

he <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the leneral 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 lotice 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 due upon receipt and should be remitted directly to the newspaper.

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

	or Case Number: 07-397-A	
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titioner:	Timothy Casey	
drace or l	ocation: 9908 Avenue B	
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	•	
EASE FO	RWARD ADVERTISING BILL TO:	
	RWARD ADVERTISING BILL TO:	
ame:	Timohy Casy	
ame:	Timothy Casy 610 S. Wolfe Strut	
ame:	Timohy Casy	
LEASE FO ame: ddress:	Timothy Casy 610 S. Wolfe Strut	

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 5, 2007

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. 07-397

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 07-397-03262007.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.

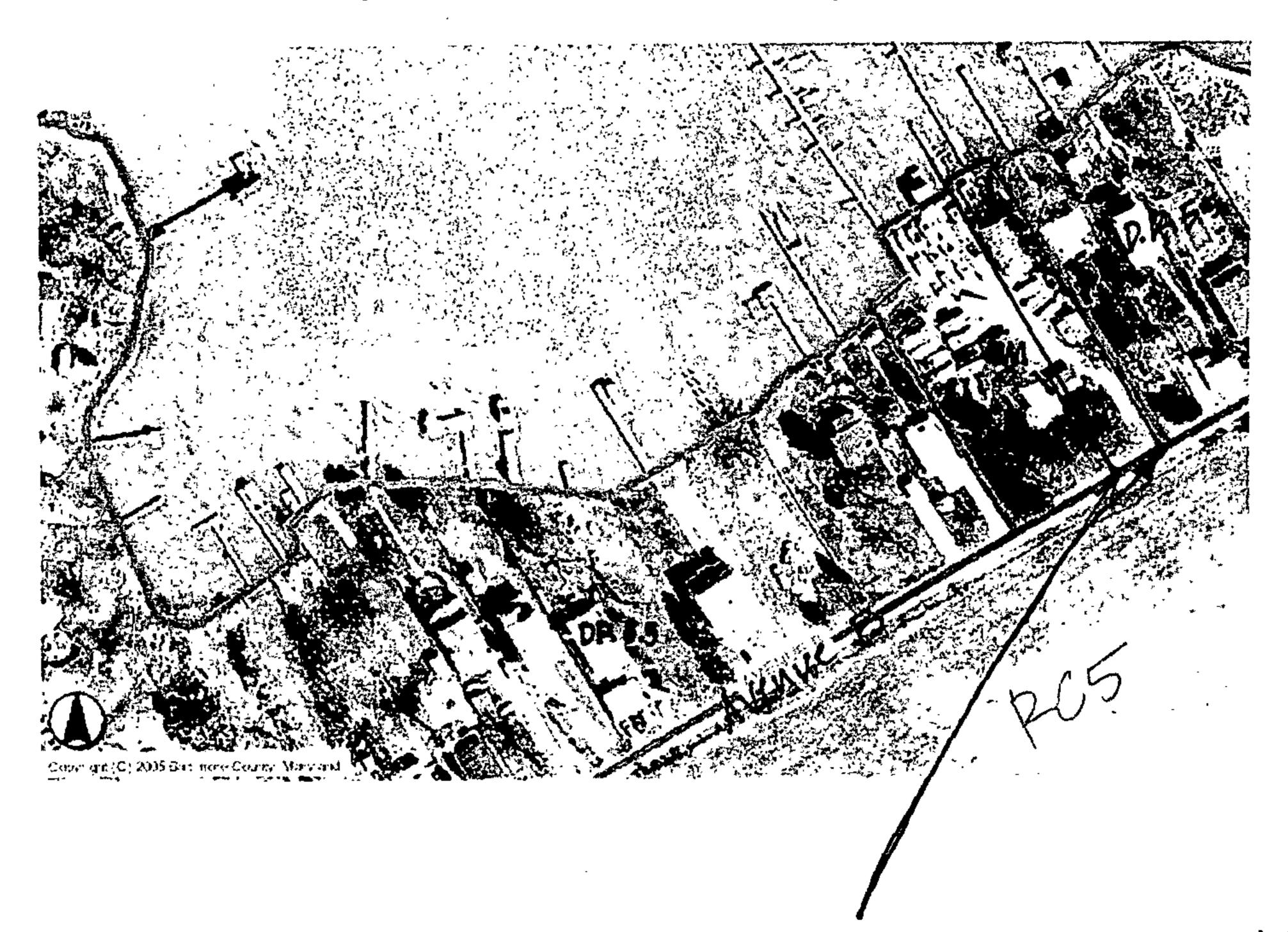
Acting Lieutenant Don W. Muddiman Fire Marshal's Office (0)410-887-4880

MS-1102F

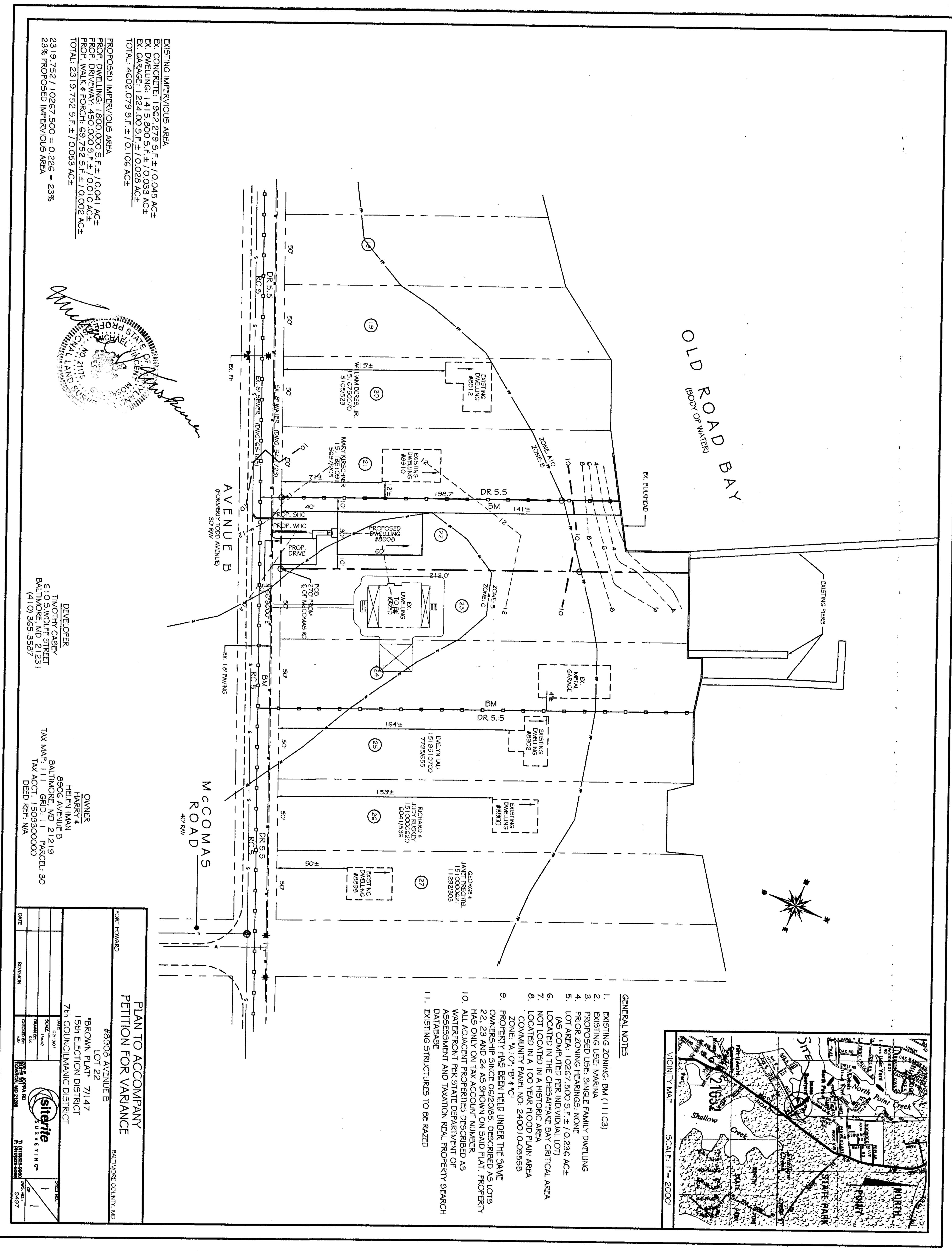
cc: File



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



POB 270' SW MCCOMAS PD #8908 AVUNUE B 111 C3 15th ED



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ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 07.397-A

Date Completed/Initia	$t_{f e}$
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
·	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)



JAMES T. SMITH, JR. County Executive

March 21, 2007 TIMOTHY M. KOTROCO, Director

NOTICE OF ZONING HEARING

Department of Permits and Development Management

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111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

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