

IN RE: **PETITIONS FOR VARIANCE**

W/S New Avenue, 247' & 293' S c/line of
Bond Avenue

(306 & 308 New Avenue)

4th Election District

3rd Council District

Mary A. Beard & Edie E. Beard

Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
* **Case Nos. 08-392-A & 08-393-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by Mary A. Beard, and her sister, Edie E. Beard, for two (2) adjacent properties known as 306 and 308 New Avenue. Since the properties are owned by related family members and are located adjacent to one another, the two cases were heard contemporaneously. In Case No. 08-392-A (306 New Avenue), the Petitioner, Mary A. Beard, as originally filed, requests variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot width of 45 feet for proposed Lot 1, in lieu of the required 70 feet. In Case No. 08-393-A (308 New Avenue), Petitioner, Edie E. Beard, requests similar relief. Specifically, relief is requested from B.C.Z.R. Section 1B02.3.C.1 to permit a lot width of 51 feet for proposed Lot 2, in lieu of the minimum required lot width of 70 feet. At the outset of the hearing, however, Petitioners amended their petitions asking to include the approval of the subject properties as undersized lots, pursuant to Section 304 of the B.C.Z.R. The subject properties and requested relief are more particularly described on the site plan submitted in each case, which were accepted into evidence and respectively marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Mary A. and Edie E. Beard, property owners, Joseph L. Larson, a principal with Spellman, Larson &

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Date 4-28-08
By [Signature]

Associates, Inc., the consultants who prepared the site plans. There were no Protestants or other interested persons present. It is noted that I received confirmation from the adjoining and adjacent property owner, Edith Hawkins, indicating that she does not oppose Petitioners' requested zoning relief.

An appreciation of the properties past history and use is relevant and is briefly outlined. The Petitioner, Mary A. Beard, filed a petition for special hearing and variance in Case No. 07-025-SPHA requesting a determination that the subject lots had not merged and to permit a lot width of 44 feet and other setbacks. By his Order, Deputy Zoning Commissioner John V. Murphy denied the relief requested on September 7, 2006 finding in part that the Petitioner's father, John O. Beard, who held the lots under common ownership prior to his death on September 18, 2003, had merged the lots as that doctrine is discussed in the seminal case of *Remes v. Montgomery County*, 387 Md. 52 (2005). He instructed the Petitioner on the need to establish an internal common lot line between the lots from which new construction can be varied through the resubdivision process.

The Petitioners now come with this new approach as they are processing the minor subdivision (Case No. 06-132M) and seek the relief as set forth above to permit development of the property with a new one-story single-family dwelling on proposed Lot 1 as shown on Petitioners' Exhibit 1.

Testimony and evidence offered revealed that the subject adjacent parcels are located on the west side of New Avenue (aka Wolfe Avenue) south of Bond Avenue in Reisterstown. The lots are identified as Lots 13 and 14 on the plat of subdivision of the Jacob W. Wolfe property, which is an older subdivision that was platted and recorded in the Land Records prior to 1945, thus prior to the first set of zoning regulations in Baltimore County. As is often the case with

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older subdivisions, many of the lots are undersized and do not meet current area and width requirements. In this regard, each of the subject lots contains a gross area of over 10,000 square feet (Lot 13 – proposed Lot 1 will be 45'6" wide x 225' deep and contain 10,125 square feet; Lot 14 – proposed Lot 2 will be 51.6' wide x 220' deep and contain 11,267 square feet), more or less, zoned D.R.3.5. John O. Beard had owned both lots since March 29, 1950. Following his death, the Petitioners acquired ownership under his will and planned to improve the lots with new single-family dwellings in which they will reside. Testimony indicated that these new dwellings will meet all front, side and rear setback requirements. Relief is requested to approve lot widths of 45 feet and 51 feet respectively and to approve the properties as undersized lots (width at building line less than that required by the area regulations) to permit the proposed development. Photographs and real property data search records obtained from the Maryland Department of Assessments and Taxation illustrate the pattern of development and show that the subject properties and surrounding community were built on 48-foot wide lots which is also confirmed by the Office of Planning in its Zoning Advisory Committee (ZAC) comment. Thus, it appears with the resubdivision applied for in December 2006 pending only the approval of the instant petitions the relief requested is appropriate and consistent with the neighborhood. Testimony offered in support of the requests was that without variance relief, the lots could not be developed. Obviously, strict compliance with the regulations would create a hardship as the zoning regulations result in a denial of a reasonable and sufficient use of the properties (*See Belvoir Farms v. North* 355 Md. 259 [1999]). Moreover, based on the testimony and evidence presented, the Petitioners are entitled to their variances as they have met the requirements of Section 304 of the B.C.Z.R. (*See Mueller v. People's Counsel for Baltimore County* 177 Md. App. 43 [2007]). In my view, the relief requested will not result in any detriment to the health,

ORDER FOR REVIEW FOR FILING
Date 4-28-08
By DS

safety and general welfare of the surrounding locale and, therefore, would meet the spirit and intent of Section 307 for relief to be granted. The proposed dwellings will meet all front, side and rear setback requirements and will be situated on the lots consistent with other houses in the community. The only deficiency in both of these instances is the lot width, which is approximately 20 feet shy of the required 70 feet.

Pursuant to the resubdivision of the property, the advertisement, posting of the properties and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of April 2008, that the Petition for Variance filed in Case No. 08-392-A, seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed buildable lot with a width of 45 feet in lieu of the minimum required 70 feet, and approval of the subject property (Lot 1) as an undersized lot, pursuant to Section 304 of the B.C.Z.R., for a proposed dwelling to be known as 306 New Avenue, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 08-393-A seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed buildable lot with a width of 51 feet, in lieu of the minimum required 70 feet, and approval of the subject property (Lot 2) as an undersized lot, pursuant to Section 304 of the B.C.Z.R., for a proposed dwelling to be known as 308 New Avenue, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED subject to the following conditions:

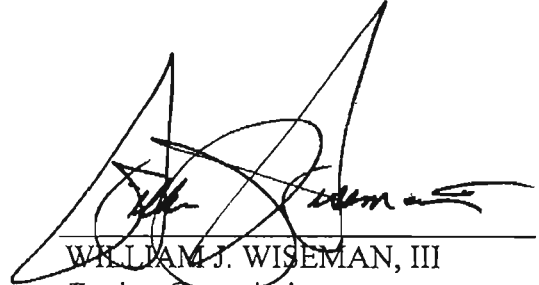
1. ADVISORY: This Order allows lot widths of 45 and 51 feet respectively for the creation of proposed Lots 1 and 2 but does not address the proposed resubdivision. The Petitioners resubdivision proposal to create the proposed Lots

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Date A-28-08
By [Signature]

1 and 2 must be submitted to the Development Review Committee for consideration and completion.

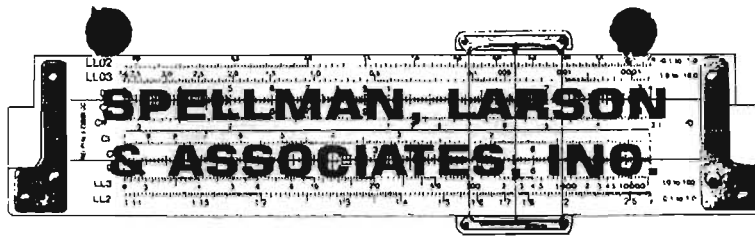
2. Prior to the issuance of any permits, the Petitioner(s) shall submit building elevation drawings of the proposed dwelling(s) to the Office of Planning for review and approval to ensure that the proposed house is compatible with existing homes in the area. Said elevations and architectural drawings shall include the detached garage, if any, and show parking on the side or the rear of the lot.
3. The Petitioner(s) may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner(s) are hereby made aware that proceeding at this time is at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

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



WILLIAM J. WISEMAN, III
Zoning Commissioner
of Baltimore County

COPY RECEIVED FOR FILING
Date 4-28-08
By [signature]



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

**LEGAL DESCRIPTION TO ACCOMPANY ZONING PETITION
308 NEW AVENUE-PROPOSED LOT NO. 2
4TH ELECTION DISTRICT
BALTIMORE COUNTY**

BEGINNING for the same at a point on the west side of New Avenue (Wolf Avenue) said point being 293 feet more or less southerly from the center line of Bond Avenue and continuing along the west side of New Avenue south 6 degrees 38 minutes 39 seconds west 52.00 feet to a point on the west side of New Avenue and thence continuing for a line of division north 89 degrees 48 minutes 39 seconds west 216.00 feet thence continuing north 00 degrees 12 minutes 39 seconds east 51.60 feet thence south 89 degrees 48 minutes 39 seconds east 220.87 feet to the place of beginning.

SAID property also being known as part of Lot No. 14 and part of Lot No.15 on the Plat of Subdivision of the Jacob W. Wolf Property recorded among the Land Records of Baltimore County in Plat Book 7, Folio 79 and containing 0.26 acres of land more or less.

February 4, 2008



#393



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 308 New Avenue
which is presently zoned DR 3.5

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)

SEE ATTACHED SHEET

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

Complete testimony will be provided at the Zoning Hearing explaining the reasons for the Variance.

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 NA
Signature NA
Address NA Telephone No. NA
City NA State NA Zip Code NA

Attorney For Petitioner:

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

Legal Owner(s):

Name - Type or Print _____
Signature Edie Beard
Name - Type or Print Edie Beard
Signature _____
306 New Avenue 410-833-2146
Address Telephone No.
Reisterstown MD 21136
City State Zip Code

Representative to be Contacted:

Joseph L. Larson
Name _____
222 Bosley Ave. Ste. B-3 410-823-3535
Address Telephone No.
Towson MD 21204
City State Zip Code

OFFICE USE ONLY

Case No. 08-383-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

REV 9/15/98

ORDER RECEIVED FOR PLANS

Date 4-28-08

Reviewed By [Signature]

Date 2/25/08

308 NEW AVENUE
Variance from Section 1 B02.3.C.1 of the BCZR

To allow a lot width of 51' for Proposed Lot No. 2 in lieu of the required 70'.

**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: #08-393-A

306 New Avenue
W/side of New Avenue, 293
feet south centerline of
Bond Avenue

4th Election District
3rd Councilmanic District
Legal Owner: Edie Beard

Variance: to allow a lot
width of 51 feet for Pro-
posed Lot No. 2 in lieu of
the required 70 feet.

Hearing: Friday, April 18,
2008 at 10:00 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 accommoda-
tions Please Contact the
Zoning Commissioner's Of-
fice at (410) 887-3868.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zon-
ing Review Office at (410)
887-3391.

4/010 Apr. 3 168881

CERTIFICATE OF PUBLICATION

4/3, 2008

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 4/3, 2008.

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

J. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **1130**

Date: **12/25/08**

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6153				100.00

Total: **100.00**

Rec

From: **County Clerk**

For: **County Clerk**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

Item #

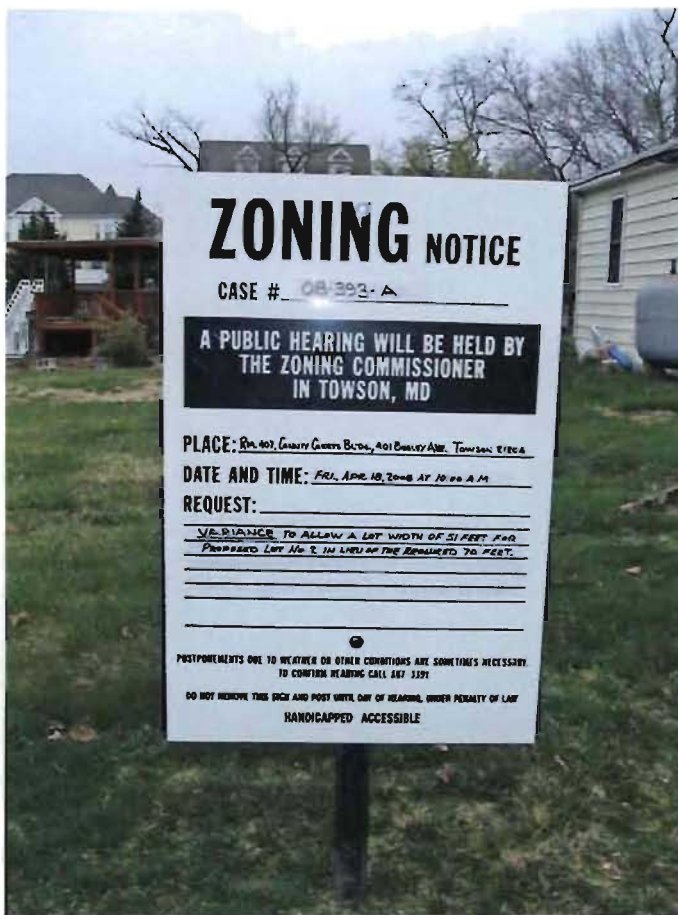
Certificate of Posting
Photograph Attachment

Re: 08-393-A

Petitioner/Developer: _____

Edie Beard

Date of Hearing/Closing: 4/18/08



308 New Ave.

Posting Date: 4/3/08

Certificate of Posting

RE: Case NO. 08-393-A

Petitioner/Developer _____

Edie Beard

Date of Hearing/Closing 4/18/08

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

Attention:

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

308 New Ave,

The sign(s) were posted on 4/3/08
(Month, Day, Year)

Sincerely,



(Signature of sign Poster and date)

Richard E. Hoffman

(Printed Name)

904 Dellwood Drive

(Address)

Fallston, Md. 21047

(City, State, Zip Code)

410-879-3122

(Telephone Number)

See Attached
Photograph

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: 08-393-A

Petitioner: Edie Beard

Address or Location: 308 New Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Edie Beard

Address: 308 New Avenue

Reisterstown MD 21136

Telephone Number: 410-837-2146



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY KOTROCO, Director
March 1, 2008
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: 08-393-A

308 New Avenue

W/side of New Avenue, 293 feet south of centerline of Bond Avenue

4th Election District – 3rd Councilmanic District

Legal Owners: Edie Beard

Variance to allow a lot width of 51 feet for Proposed Lot No. 2 in lieu of the required 70 feet.

Hearing: Friday, April 18, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Edie Beard, 306 New Avenue, Reisterstown 21136
Joseph Larson, 222 Bosley Avenue, Ste. B-3, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 3, 2008.**
- (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, April 3, 2008 Issue - Jeffersonian

Please forward billing to:
Edie Beard
306 New Avenue
Reisterstown, MD 21136

410-833-2146

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: 08-393-A

308 New Avenue
W/side of New Avenue, 293 feet south of centerline of Bond Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: Edie Beard

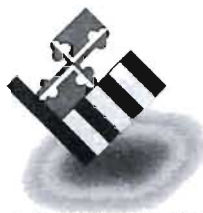
Variance to allow a lot width of 51 feet for Proposed Lot No. 2 in lieu of the required 70 feet.

Hearing: Friday, April 18, 2008 at 10:00 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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

April 9, 2008

Edie Beard
306 New Avenue
Reisterstown, MD 21136

Dear Ms. Beard:

RE: Case Number: 08-393-A, 308 New Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 25, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Joseph L. Larson 222 Bosley Avenue, Suite B-3 Towson 21204



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

State Highway
Administration

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

Maryland Department of Transportation

Date: MARCH 4, 2008

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

RE: Baltimore County
Item No. 8-393-A
308 NEW AVENUE
BEARD 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. 8-393-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,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

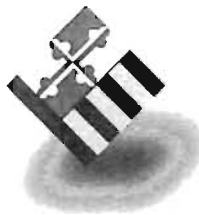
DATE: March 5, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For March 10, 2008
Item Nos. 08-377, 384, 387, 388,
389, 390, 391, 392, 393, 394, 395, 396,
397, and 398

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-03052008.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 10, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 3, 2008

Item Number: 377,384,385,386,387,388,389,390,391,392,393,395,396,397,398,399

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C)443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 1, 2008

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

SUBJECT: 306 New Avenue

INFORMATION:

Item Number: 8-392 and 8-393

Petitioner: Mary Beard (8-392) and Edie Beard (8-393)

Zoning: DR 3.5

Requested Action: Variance

The petitioner requests a variance from Section 1B02.3.C.1 of the BCZR, to allow a lot width of 45 feet in lieu of the required 70 feet.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not object to the requested variance to allow a lot width of 45 feet in lieu of the required 70 feet, since this is an older community with similar types of smaller narrower lots. This property was subject to a special hearing and variance 07-025, both were denied.

Within the zoning order the zoning commissioner directed that the subdivision process separate the lots. Subdivision was applied for in December of 2006 and is still pending approval.

The last set of comments on the minor subdivision from October 2007 stated that the applicant must petition for variance and or setback deficiencies and be granted for the same prior to approval by this office.

The following comment must be addresses prior to approval:

- Submit building elevations and architectures with a detached garage if any and parking on the side or the rear of the lot.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Reviewed by:

Division Chief:
AFK/LL: CM

RE: PETITION FOR VARIANCE
308 New Cut Road; W/S New Avenue,
293' S c/line of Bond Avenue
4th Election & 3rd Councilmanic Districts
Legal Owner(s): Edie Beard
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 08-393-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

MAR 11 2008

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to Joseph Larson, 222 Bosley Avenue, Suite B-3, Towson, Maryland 21204, Representative for Petitioner(s).

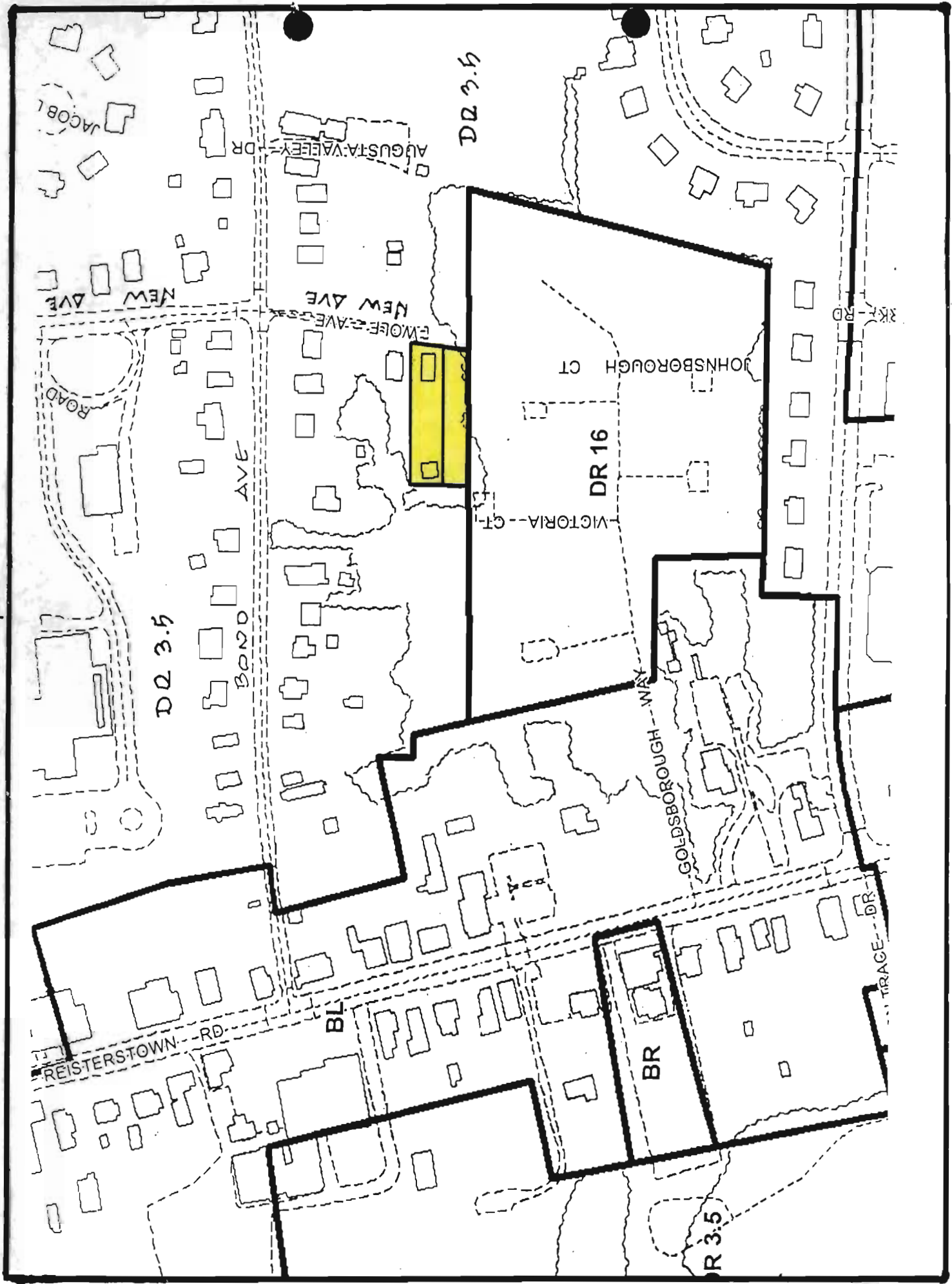
Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 306 NEW AVE
CASE NUMBER 08-392A
DATE 4.18.08

[illegible]

ZONING MAP 04802



SCALE: 1" = 200'



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 04 **Account Number -** 0402020900

Owner Information

Owner Name: BEARD EDIE E **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 14 MIDDLE GROVE CT E **Deed Reference:** 1) /24886/ 47
 WESTMINSTER MD 21157-5322 2)

Location & Structure Information

Premises Address **Legal Description**
 NEW AVE LT 14 PT LT 15
 REISTERSTOWN 21136 JACOB W WOLFE PLAT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
48	17	519					14	1	Plat Ref: 7/ 79

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		11,412.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2007	07/01/2008
Land	36,850	85,350		
Improvements:	0	0		
Total:	36,850	85,350	53,016	69,182
Preferential Land:	0	0	0	0

Transfer Information

Seller: BEARD JOHN O	Date: 12/07/2006	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /24886/ 47	Deed2:
Seller: BEARD JOHN E	Date: 10/06/1980	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 6213/ 564	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

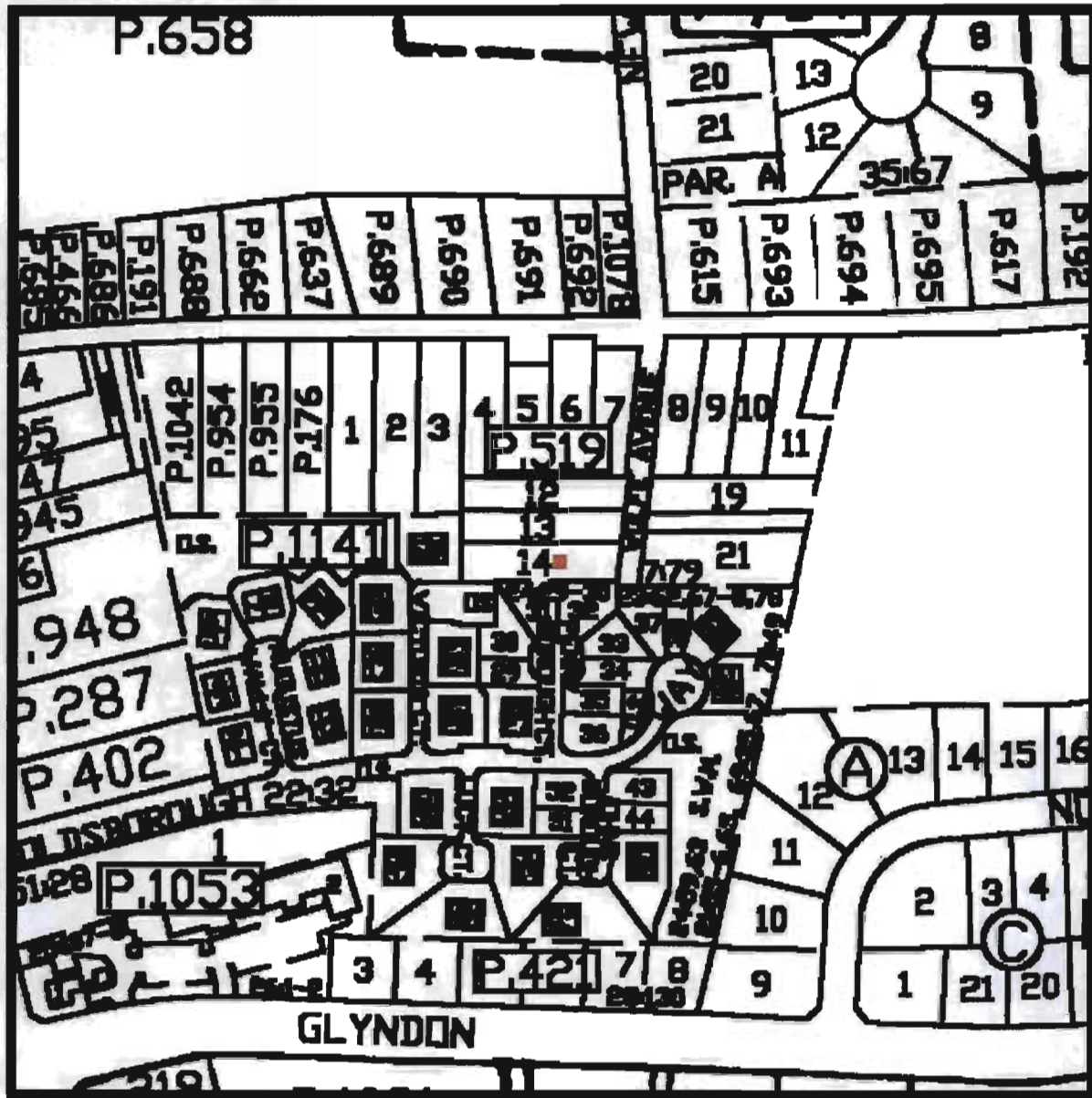
Special Tax Recapture:
 * NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 04 Account Number - 0402020900



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/tax_mos.htm

Case No.: 08-393-A 308 NEW AVE.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

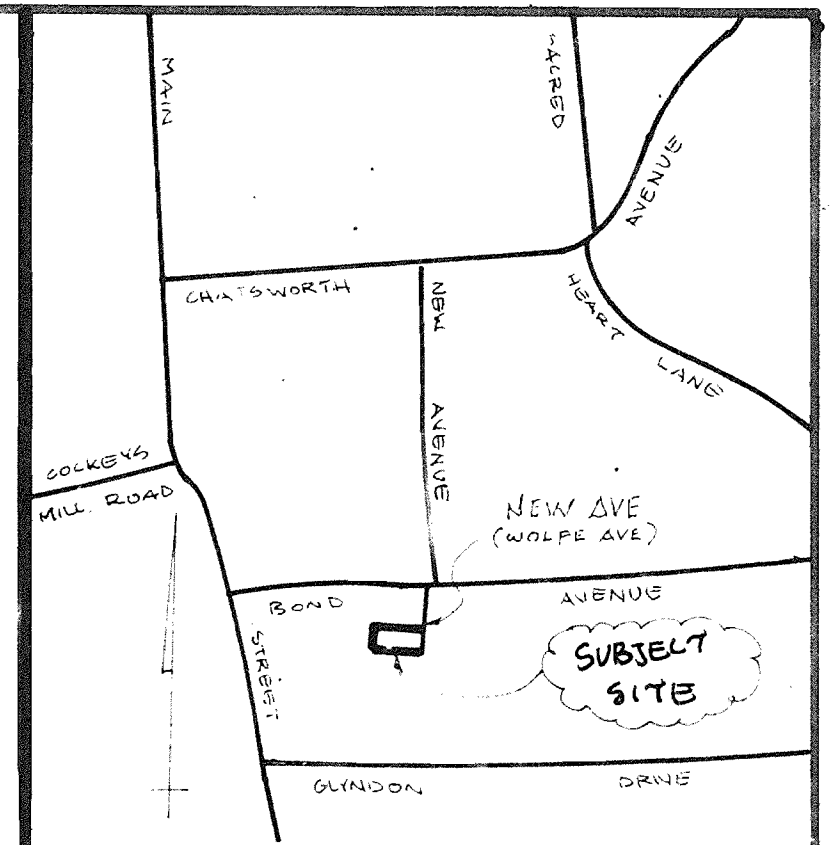
GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, CRITICAL AREAS, HAZARDOUS MATERIALS, ENDANGERED SPECIES HABITATS, OR HISTORIC BUILDINGS ON THE SUBJECT SITE.
2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
3. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT SITE.
4. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
5. THE SITE DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN.

OWNER INFORMATION

JOHN OLIVER BEARD
306 NEW AVENUE
REISTERSTOWN, MD. 21136

EDIE E. BEARD
14 MIDDLE GROVE CT E
WESTMINSTER, MD. 21157



VICINITY MAP

SCALE: 1" = 1000'

SITE DATA

ZONING MAP	048C/2
COUNCILMANIC DISTRICT	3RD
EX. ZONING	DR 3.5
TAX MAP/GRID/PARCEL	48/17/519
UTILITIES	PUBLIC - WATER PUBLIC - SEWER

PROPERTY IDENTIFICATION

PROP. LOT 1 (LOT 13 - PB 7 FOLIO 79)
PART OF LOT 14
SITE AREA (10,125⁺) = 0.23 AC⁺
TAX ACCOUNT NO. 0402020875
DEED REFERENCE 6182/28

PROP. LOT 2 (LOT 14 - PB 7 FOLIO 79)
PART OF LOT 15
SITE AREA (11,269⁺) = 0.26 AC⁺
TAX ACCOUNT NO. 0402020900
DEED REFERENCE 24886/47.

ZONING HISTORY

CASE NO. 07-025-SPHA
AT A ZONING HEARING ON SEPT 6, 2006 THE PETITION FOR SPECIAL HEARING TO ALLOW THAT LOTS NO. 13 & 14 WERE NOT MERGED WAS DENIED. WITHIN THE ZONING ORDER THE ZONING COMMISSIONER DIRECTED THAT THE LOTS BE SEPERATED BY THE SUBDIVISION PROCESS. UPON SUBDIVISION APPROVAL ANY REQUISITE VARIANCE RELIEF WILL BE APPLIED FOR AT THAT TIME.

PETITIONER'S

EXHIBIT NO. 1

REFER TO MINOR SUB. NO. 06-132M

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
PHONE: 410-823-3535
FAX: 410-825-5215

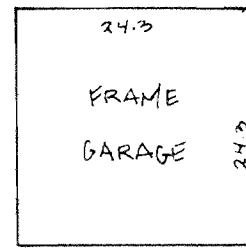
GOLDSBOROUGH MANOR
SM 70-49

CHERRY E. SMITH
13788-608
TAX NO. 0412020611

DR16
DR3.5

DR3.5

N 00° 12' 39" E 92.2'
51.6' 45.6'



PROP LOT 2

PROP LOT 1

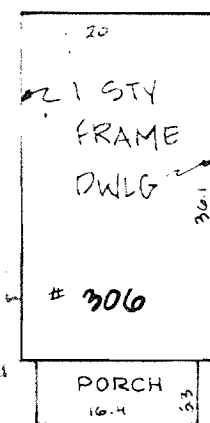
LOT 14

LOT 13

LOT 12

DR16

DR 3.5



#7008

#7006

POINT OF BEGINNING

247' 7" TO
BOND AVENUE

FUTURE
50' R/W

EX 8" SANITARY

WATER METER

EX 8" WATER MAIN

EX PAVING

EXIST
30' R/W

NEW AVENUE
(WOLFE AVE)

DR 3.5

PLAT TO ACCOMPANY
ZONING PETITION

#7006 & 7008 NEW AVE.

4TH DISTRICT BALTIMORE CO., MD
SCALE: 1" = 20' FEBRUARY 4, 2008
REV. FEB 8, 2008