

IN RE: PETITION FOR VARIANCE

S side of Edmondson Avenue,
160 feet W of Forest Avenue
1st Election District
1st Councilmanic District
(515 Edmondson Avenue)

Tim Prevatt
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **CASE NO. 08-429-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Tim Prevatt. Petitioner is requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an existing accessory building (garage) in the side yard in lieu of the allowed rear yard. The subject property and requested relief are more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 3.

This matter was originally scheduled on May 20, 2008 at 10:00 AM in Room 407 of the County Courts Building. At that time, Zoning Commissioner William J. Wiseman, III opened the hearing and verified that the property had been properly posted on May 5, 2008 and published in *The Jeffersonian* on May 6, 2008. There were no Protestants or other interested persons in attendance at the hearing. Commissioner Wiseman received several exhibits in support of the variance request, which will be discussed below; however, due to unforeseen circumstances, Petitioner was unable to attend that original hearing and the case was continued and rescheduled to July 1, 2008 at 9:00 AM in Room 104 of the Jefferson Building, 105 West Chesapeake Avenue.

Appearing at the requisite public hearing in support of the variance request was Petitioner Tim Prevatt and Joseph L. Larson of Spellman Larson & Associates, Inc., the professional

RECEIVED FOR FILING

7.10.08

JB

engineer who prepared the site plan. There were no Protestants or other interested parties at the hearing.

Testimony and evidence offered revealed that the subject property is an irregular-shaped property containing 0.28 acre, more or less, and zoned R.O. and D.R.3.5. It is located on the south side of Edmondson Avenue, just west of the Interstate-695 Beltway in the Catonsville area of Baltimore County. The property is improved with Petitioner's two-story single-family dwelling and a garage located in the side yard to the east of the dwelling. The rear of the property is encumbered with a forest buffer easement.

The subject property is part of a larger parcel that includes the adjacent property at 128 Forest Avenue. This property is located at the corner of Edmondson Avenue and Forest Avenue and consists of approximately .56 acre also zoned R.O. and D.R.3.5. It is also improved with an existing 1½-story single-family dwelling with access from both Forest Avenue and Edmondson Avenue. As originally platted and deeded, the lot line for these two properties splits the properties horizontally -- roughly along the zoning line, running east-west. Unfortunately, however, the property located mostly in the D.R. zone to the south is virtually unbuildable due to significant environmental constraints in that entire area -- stemming from a forest buffer and existing stream running along the length of the entire parcel. In 2004, Petitioner requested an environmental variance from the Department of Environmental Protection and Resource Management (DEPRM) for relief from the forest buffer requirements, as shown on the site plan accompanying that request which was marked and accepted into evidence at this hearing as Petitioner's Exhibit 1. Mr. Larson, Petitioner's engineer, indicated the variance was granted.

Thereafter, Petitioner approached the County's Development Review Committee (DRC) in order to request a lot line adjustment for the properties. As shown on the Plat to Accompany DRC

~~RECEIVED FOR FILING~~
7.10.05
Bj

Request (revised February 20, 2008) that was marked and accepted into evidence as Petitioner's Exhibit 2, Petitioner requested that the new lot line (shown as a red line on the plat) split the properties vertically, running north-south between the two properties. As part of the new lot line adjustment, the existing garage, which has existed as an accessory structure to the dwelling on 128 Forest Avenue, would now be located on the property and be an accessory structure to the newer dwelling on 515 Edmondson Avenue. Before making a determination as to the lot line adjustment request, Mr. Larson indicated the DRC referred him to the Zoning office in order to request variance relief because the garage would be located in the side yard of 515 Edmondson Avenue instead of the required rear yard. As such, Petitioner is before this Commission requesting variance relief from Section 400.1 of the B.C.Z.R.

In support of the variance request, Petitioner submitted the site plan that was marked and accepted into evidence as Petitioner's Exhibit 3, which shows the property lines for the subject property (including the proposed lot line on the east side of the property) and the inclusion of the existing garage. It also shows the existing environmental constraints on the property, including the forest buffer easement and stream, which take up the majority of the rear yard. Mr. Larson indicated these environmental constraints existed on the two properties as originally platted, and the situation has only marginally improved from the existing lot line to the proposed lot line adjustment. In addition, Mr. Larson indicated that it would be impractical to locate the lot line so that the existing garage would remain as part of the 128 Forest Avenue property instead of part of the subject property because the topography of the subject property from Edmondson Avenue slopes downward. This condition would make it very difficult to cut in a driveway that would lead to the rear of the subject property and unnecessarily increase the area of impervious surfaces.

STUDY RECEIVED FOR PLANNING
7.10.08
pm

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Considering of all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. In particular, the split zoning of the property, the environmental constraints on the property, and the unusual horizontal lot line between the subject property and 128 Forest Avenue as originally platted contributes to the uniqueness of the property. I further find that the imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning district.

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. Thus, I find that this variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R, as established in *Cromwell v. Ward*, 102 Md.App. 691 (1995).

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance requests should be granted.

THEREFORE, IT IS ORDERED this 10th day of July, 2008 by this Deputy Zoning Commissioner, that Petitioner's variance request from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an existing accessory building (garage) in the side yard in lieu of the allowed rear yard be and is hereby GRANTED. The relief granted herein shall be subject to the following:

RECEIVED FOR FILING

JEP 7-10-08
27

1. 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, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING
7-10-08
m



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

July 10, 2008

TIM PREVATT
128 FOREST AVENUE
BALTIMORE MD 21228

Re: Petition for Variance
Case No. 08-429-A
Property: 515 Edmondson Avenue

Dear Mr. Prevatt:

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 black ink, appearing to read "Th H Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Joseph L. Larson, Spellman, Larson & Associates Inc., 222 Bosley Avenue Suite B-3,
Towson MD 21204



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 515 Edmondson Avenue
which is presently zoned RO & 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) 400.1

To allow an ^{accessory} building in the sideyard in lieu of the allowed 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)

A complete and detailed argument will be presented at the Hearing.

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

Legal Owner(s):

Name - Type or Print Tim Prevatt
Signature [Signature]
Name - Type or Print NA
Signature NA
Address 128 Forest Avenue Telephone No. 410-744-6999
City Baltimore State MD Zip Code 21228

Representative to be Contacted:

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

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

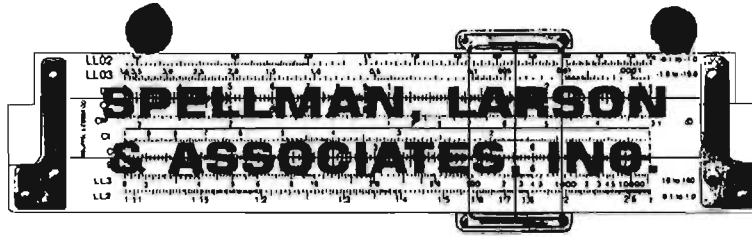
UNAVAILABLE FOR HEARING _____

Case No. 08-429-A

REV 9/15/98

Reviewed By OT

Date 3/13/08



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
PART OF LOT NO. 48 AS SHOWN ON THE PLAT OF EDEN TERRACE
PLAT BOOK J.W.S. NO. 1, FOLIO 82
515 EDMONDSON AVENUE

BEGINNING for the same at an iron pipe and cap heretofore set on the southwesternmost corner of all that land which by deed dated April 25, 2000 and recorded among the Land Records of Baltimore County in Liber No. 14446, Folio 021 was conveyed by Joseph D. Neighoff, trustee unto Timonth Prevatt, said point being also on the westernmost outline of Lot No. 48 as shown on the Plat of Eden Terrace recorded among the Land Records of Baltimore County in Plat Book J.W.S. No.1, Folio 82 and running thence as now surveyed and binding on said outline in part and on the westernmost outline of the above mentioned conveyance from Neighoff unto Prevatt and with courses referred to Maryland State Grid (1) north 18 degrees 47 minutes 55 seconds west 107.97 feet to an iron pipe and cap set on the southeasternmost right of way line of Edmondson Avenue seventy (70) feet wide as shown on Baltimore County Right of Way Plat No. 55-228E and thence binding on said right of way (2) north 60 degrees 27 minutes 15 seconds east 98.32 feet to an iron bar and cap, thence leaving Edmondson Avenue and running for lines of division (3) south 18 degrees 47 minutes 55 seconds east 67.88 feet to an iron bar and cap (4) south 01 degrees 42 minutes 20 seconds west 66.61 feet thence (5) south 74 degrees 18 minutes 05 seconds west 73.37 feet to the place of beginning.

CONTAINING 0.28 acres of land more or less.

BEING a part of the above mentioned conveyance from Neighoff unto Prevatt. The above described lot being an adjustment of the lot lines of the two parcels described in the above conveyance.

February 20, 2008

File#D02200801

08-429-A

**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: #08-429-A

515 Edmonson Avenue
S/side of Edmonson Avenue, 160 feet west of Forest Avenue

1st Election District
1st Councilmanic District
Legal Owner(s): Tim Prevatt

Variance: to allow an accessory building in the side yard in lieu of the allowed rear yard.

Hearing: Tuesday, May 20, 2008 at 10:00 a.m. in Room 407, County Courts Building, 401 Bostey Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

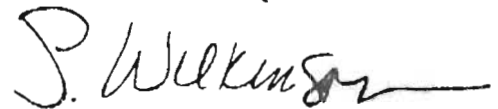
JT 5/6/07 May 6 172333

CERTIFICATE OF PUBLICATION

5/8/, 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 5/6/, 2008.

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



LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **11187**

PAID RECEIPT

Date:

3/13/08

BUSINESS ACTUAL TIME DRD
 3/13/2008 3/17/2008 09:48:35 1

REG # 01 WALKIN JRIC HR
 >>RECEIPT # 367434 3/12/2008 OFLA

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			W50				65.00

Total:

65.00

Rec

From:

SPELLMAN LARSON & ASSOC INC

For:

08-429-A 515 EDMONDSON AVE

D. THOMPSON

5 520 ZONING VERIFICATION

011187

Recpt Tot 465.00

465.00 CR 1.00 CR

Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 08-429-A

Petitioner/Developer: TIM PREVATT

Date of Hearing/Closing: MAY 20, 2008

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

Attention: **Christen Matthews**

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 _____

515 EDMONDSON AVE.

The sign(s) were posted on MAY 5, 2008
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

CASE # 08-429-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407 COUNTY GOVTS BUILDING
401 BOSTON AVENUE
TOWSON, MD 21204
MAY 20, 2008



CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 05/08/08

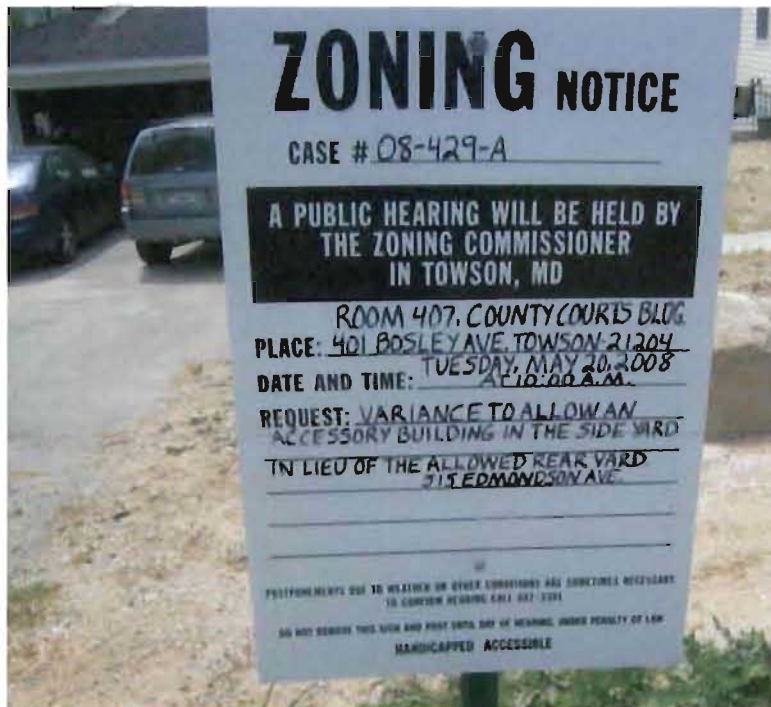
Case Number: 08-429-A

Petitioner / Developer: TIM PREVATT~JOSPEH LARSON

Date of Hearing (Closing): MAY 20, 2008

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

The sign(s) were posted on: 05/05/08



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

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: 08-429-A
Petitioner: PREVATT
Address or Location: 515 EDMONDSON AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. TIM PREVATT
Address: 128 FOREST AVE.
BALTO. MD 21228

Telephone Number: 410-744-6999

Revised 7/11/05 - SCJ



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

April 1, 2008
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: 08-429-A

515 Edmondson Avenue
S/side of Edmondson Avenue, 160 feet west of Forest Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Tim Prevatt

Variance to allow an accessory building in the side yard in lieu of the allowed rear yard.

Hearing: Tuesday, May 20, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Tim Prevatt, 128 Forest Avenue, Baltimore 21228
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 MONDAY, MAY 5, 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
Tuesday, May 6, 2008 Issue - Jeffersonian

Please forward billing to:
Tim Prevatt
128 Forest Avenue
Baltimore, MD 21228

410-744-6999

NOTICE OF ZONING HEARING

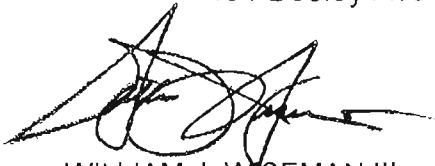
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-429-A

515 Edmondson Avenue
S/side of Edmondson Avenue, 160 feet west of Forest Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Tim Prevatt

Variance to allow an accessory building in the side yard in lieu of the allowed rear yard.

Hearing: Tuesday, May 20, 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

May 15, 2008

Tim Preyatt
128 Forest Ave.
Baltimore, MD 21228

Dear Tim Preyatt

RE: Case Number:2008-0429-A , Address

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 13, 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 Ave. Ste. B-3, Towson, MD 21204

BW 5/20
10 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 27, 2008

RECEIVED
APR 01 2008

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

BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-429- 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 Dennis Wertz in the Office of Planning at 410-887-3480.

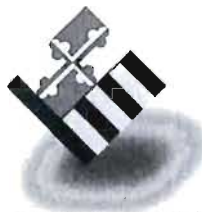
Prepared By:

Curtis Murray

Division Chief:

John L. Latham

CM/LL



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 26, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 24, 2008

Item Number: 418,419,420,421,422,423,424,426,427,428,429,430,431,432,433,434
and 435

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

INTEROFFICE CORRESPONDENCE

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

DATE: April 1, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For March 31, 2008
Item Nos. 08-401, 418, 419, 420, 421, 422,
426, 427, 428, 429, 430, 431, 432, 433, 434,
435, 438, 439, and 440

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-03282008.doc



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

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

Maryland Department of Transportation

Date: MARCH 24, 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. B-429-A
515 EDMONDSON AVENUE
PREVATT 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. B-429-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,

Michael P. Bailey

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: File

DATE: May 23, 2008

FROM: William J. Wiseman, III
Zoning Commissioner



SUBJECT: Petition for Variance
S/S Edmondson Avenue, 169' W of Forest Avenue
515 Edmondson Avenue)
1st Election District, 1st Council District
Case No. 08-429-A

Mr. Larson appeared on behalf of his client, Tim Prevatt, and placed on the record three (3) exhibits:

- (1) A variance from forest buffer regulations to allow a new single-family dwelling on the northwest side of the newly configured lot. This exhibit also notes the two original lots of record.
- (2) Exhibit 2 - the DRC plat wherein a lot line adjustment was requested.
- (3) Exhibit 3 - the site plan which was offered for approval in this variance request.

There were no Protestants or other interested persons and these three (3) exhibits were offered into evidence; however, the case will be continued to allow a convenient date to have Mr. Prevatt come in and provide the necessary testimony in order to meet Section 307 requirements before relief can be granted. This case should be rescheduled to my (Bill's) calendar.

WJW:dlw

C: Kristen Matthews

RE: PETITION FOR VARIANCE
515 Edmondson Avenue; S/S Edmondson
Avenue, 160' W of Forest Avenue
1st Election & 1st Councilmanic Districts
Legal Owner(s): Tim Prevatt
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 08-429-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 24 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 24th 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

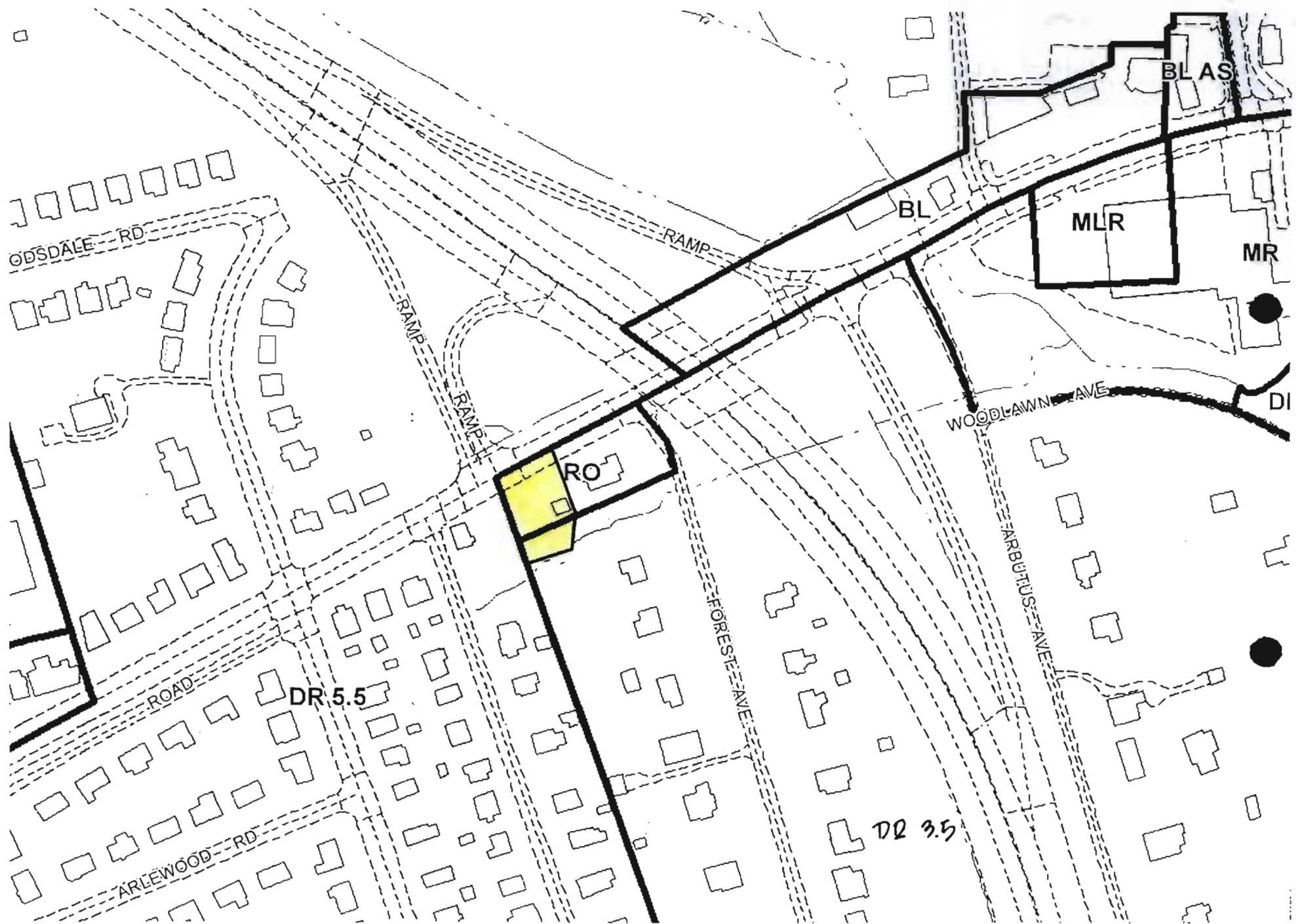
PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 08-429-A
DATE 7-1-08

[illegible]

ZONING MAP ~ 101A1 - SCALE 1"=200'



08-429-A

TIMOTHY PREVATT
128 FOREST AVENUE
BALTIMORE, MD 21228

EDMONDSON AVENUE

FOREST AVENUE

SCALE 1" = 1000'

TOTAL SITE AREA	0.84 ACY-
TAX ACCOUNT NO.	0113400830
	0102470491
TAX MAP / GRID / PARCEL	101 2 1216
DEED REFERENCE	14496 ~ 21
COUNCILMANIC DIST.	1ST

PROPOSED LOTS

STREAM NOTE

THE EXISTING STREAM IS AN ORDER 1, AND
USE 1 STREAM TRIBUTARY TO MAIDEN CHOICE RUN.

PETITIONER' S

EXHIBIT NO. 1

PLAT TO ACCOMPANY VARIANCE
128 FOREST AVENUE

PREVATT PROPERTY

15th ELECTION DISTRICT

BALTIMORE CO., MD

SCALE: 1" = 20'

AUGUST 9, 2004
REV. DEC. 6, 2004

**SPELLMAN, LARSON
& ASSOCIATES, INC.**
CIVIL ENGINEERS AND LAND SURVEYOR
SUITE 406, JEFFERSON BUILDING
TOWSON, MARYLAND 21204
PHONE: 410-823-3535
FAX: 410-825-5215

204081

OWNER INFORMATION

TIM PREVATT
128 FOREST AVENUE
BALTIMORE, MD. 21228
410 744-6999

SITE DATA

AREA OF TOTAL SITE= 0.876 AC. (6055)
TAX I.D. NO. 0113400830
0102470441
EXIST. ZONING RO & DR. 3.1
EXIST. USE RESIDENTIAL

EDMONDSON

AVENUE

FOREST

AVENUE

EXIST. DWLG.
#515
EDMONDSON AVE.
PORCH

EXIST.
GARAGE

EXIST. 1/2 STY. DWLG.
#128
FOREST AVE.

EXIST. DRIVEWAY

EXIST.
PAVING

S 74° 18' 05" W 68.87'

S 74° 18' 05" W 179.30'

40' R/W

PETITIONER'S

EXHIBIT NO. 2

PLAT TO ACCOMPANY
DRC REQUEST

515 EDMONDSON AVENUE
128 FOREST AVENUE
PREVATT PROPERTY

1ST ELECTION DISTRICT BALTIMORE COUNTY

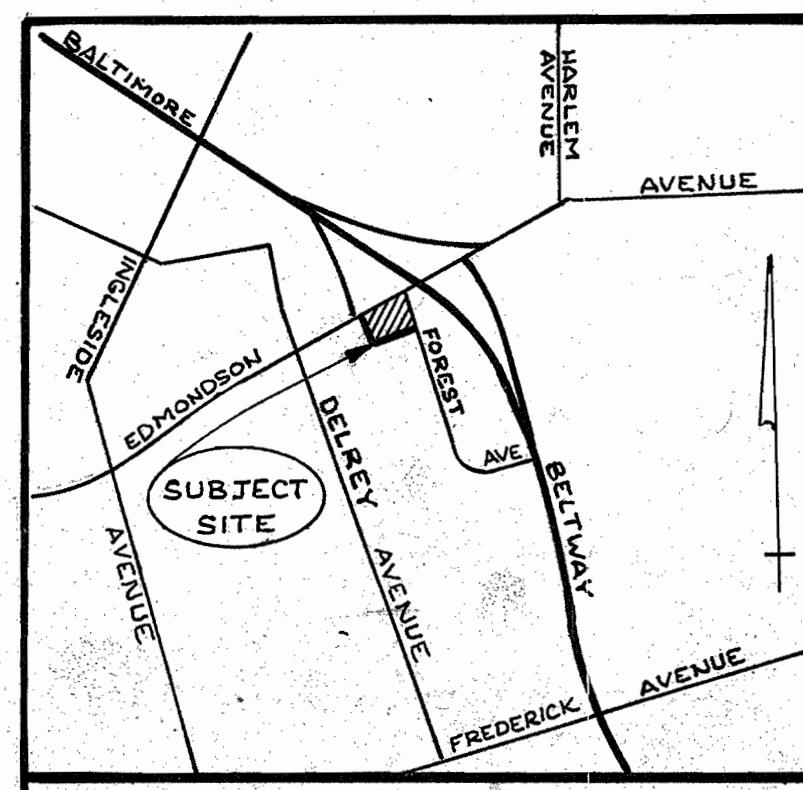
1ST COUNCILMANIC DISTRICT

SCALE: 1" = 20'

AUGUST 23, 2007

REV. FEB. 20, 2008

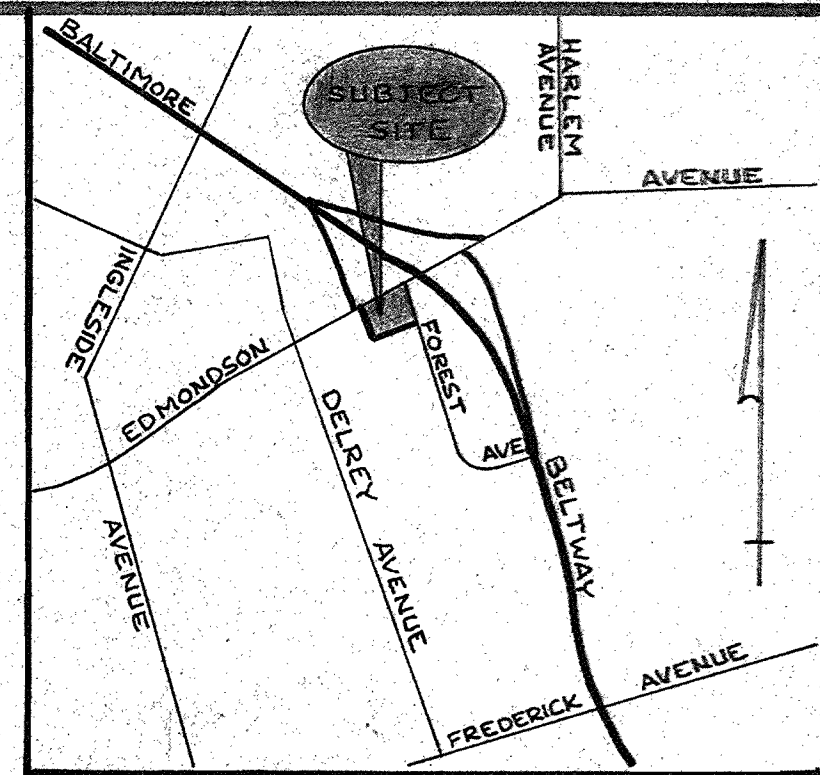
SPELLMAN, LARSON
& ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
PHONE: 410-823-3535
FAX: 410-825-5215



VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

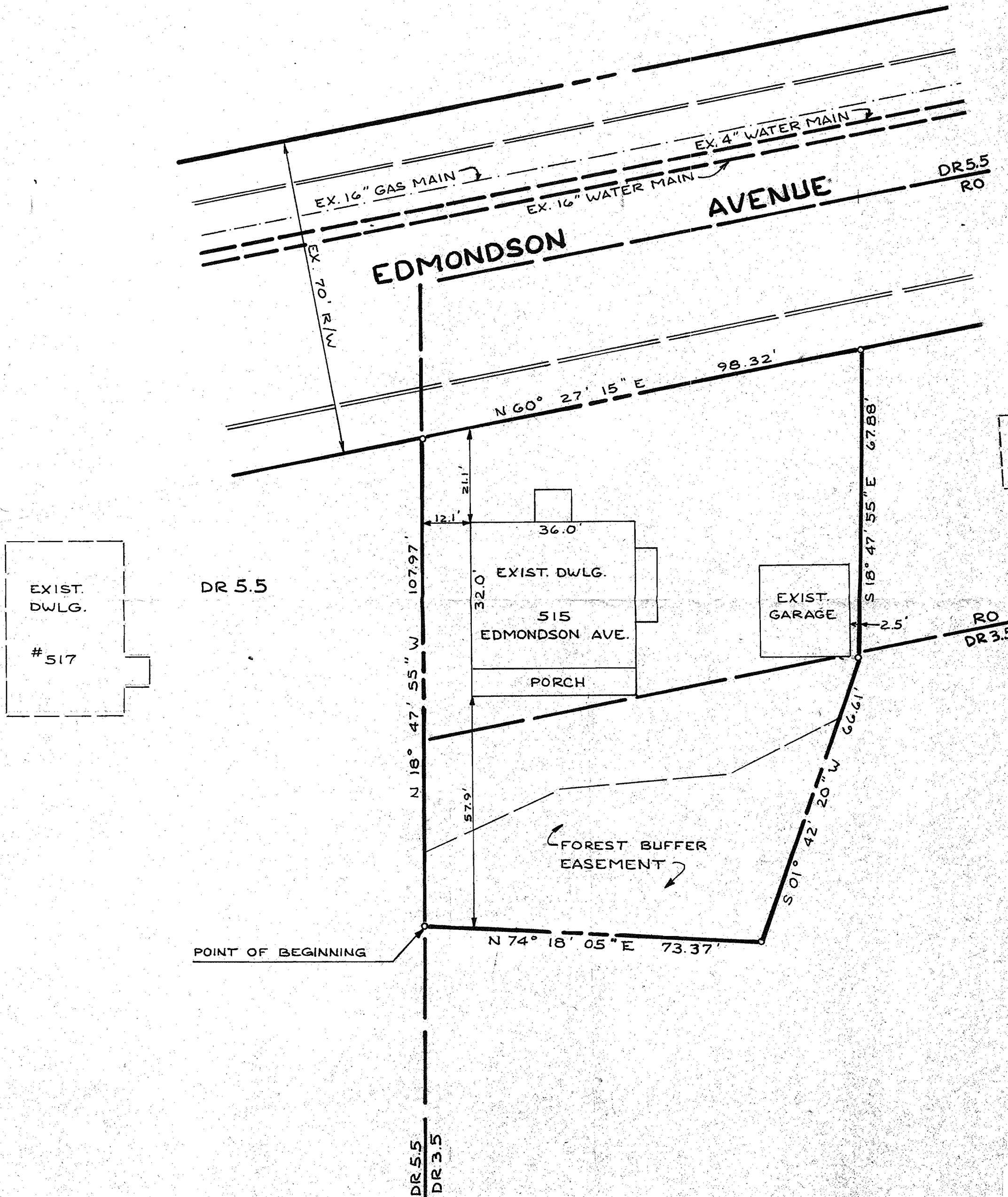
1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIALS, ENDANGERED SPECIES HABITATS, OR HISTORIC BUILDINGS OR LANDMARKS ON THE SUBJECT SITE.
2. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT PROPERTY.
3. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
4. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY.



VICINITY MAP
SCALE: 1" = 1000'

SITE DATA

SITE AREA - GROSS	0.28 AC +/-
EXIST. ZONING	RO & DR 3.5
COUNCILMANIC DISTRICT	1ST
ZONING MAP	101A1
DEED REFERENCE	24074/647
TAX MAP/GRID/PARCEL	101/2/1216
TAX ACCOUNT NO.	2500000339



PETITIONER'S

EXHIBIT NO. 3

DRC NOTE

(LOT LINE ADJUSTMENT)

REFER TO DRC PROJECT NO. 100907A, WHICH IS BEING HELD IN ABEYANCE PENDING THE OUTCOME OF THE ZONING HEARING.

**PLAT TO ACCOMPANY
ZONING PETITION**

515 EDMONDSON AVENUE

**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

OWNER INFORMATION

TIM PREVATT
128 FOREST AVENUE
BALTIMORE, MD 21228
410-744-6999

PLAT OF EDEN TERRACE
PART OF LOT 48
PLAT BOOK 1 FOLIO 82

1ST ELECTION DISTRICT BALTIMORE COUNTY

SCALE: 1" = 20' FEBRUARY 20, 2008
REV FEB 25, 2008