

KATHERINE A. KLAUSMEIER County Executive

C. PETE GUTWALD, AICP Director, Department of Permits, Approvals and Inspections

March 13, 2025

RE:

Spirit and Intent Request Zoning Case No. 2008-0459-A 110 Newburg Avenue Tax No. 010758015

Dear M. Robert Belas:

This response refers to your February 26, 2025 letter to Mr. Jeffery Perlow, Chief of Zoning. Your letter requests confirmation that the proposed one-story addition falls within the spirit and the dimensions of the initial hearing. The footprint of 16 ft x 14.5 ft for the newly proposed one-story addition is smaller than the previously approved 24 ft x 25 ft one-story addition. Although the one-story addition was granted it was never constructed. The prior Zoning Case No. 2008-0459-A, for the one-story addition, granted the following:

- 1. A side setback of 4 ft in lieu of 15 ft
- 2. The sum of both side setbacks to be 16.5 ft in lieu of 40 ft
- 3. The accessory structure in the side yard in lieu of the rear.

The newly proposed one-story addition will have the following setbacks:

- 1. A side setback of 4.5 ft in lieu of 15 ft
- 2. The sum of both side setbacks to be 16.5 ft in lieu of 40 ft.

The accessory structure will not be in side yard due to the reduction in the size of the addition.

Please be advised that the documents and your request have been reviewed. Although the approved one-story addition was not constructed, the proposed one-story addition will be smaller than what was granted in the above case. A granted Variance does not expire, however in this case, the setbacks may be increased but not reduced as proposed. Based on the information provided it has been determined that the Zoning Office can confirm that the two-story addition is within the Spirit and Intent (S&I) of the previously approved Zoning Case No. 2008-0459-A.

This letter is strictly limited to the application of the BCZR as applied the S&I request presented in your letter and does not represent verification or approvals for any other Local, State or other Regulations that may apply to this property. The foregoing is merely an informal opinion. It is not an expert or legal opinion, it is not intended to be relied on as expert or legal advice, and it is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

We trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact us at 410-887-3391.

Sincerely,

Christina Frink

Christina Frink Planner II, Zoning Review

25-0189 CF

February 26, 2025

Baltimore County Zoning Review Office County Office Building 111 W Chesapeake Ave, Room #223 or 124 Towson, MD 21204

RE:

Case Number: 2008-0459-A, 110 Newburg Avenue

Petitioner: M. Robert Belas, Jr.

To whom it may concern:

In 2008 I filed a petition for administrative variance to construct a one-story addition to the rear of my home at 110 Newburg Avenue. The variance request was granted, and existing side yard setback dimensions were adopted. I have attached a copy of the Administrative Variance, Case Number: 2008-0459-A, dated May 12, 2008.

Having established what was approved, I will note that I did not build the enclosed addition at that time. Instead, I chose only to replace the exterior deck in-kind which has served me well until now. At this time however, I have the financial means to construct the one-story addition and would like to amend my prior zoning variance.

Please note that this request falls within the spirit of intent from the initial hearing and is well within the dimensions that were formerly approved. The prior addition was approved at 24 feet deep by 25 feet wide and was to be flush with the existing home's sidewall of 4 feet from the property line. The new addition is designed to be 16 feet deep by 14.5 feet wide and will take up a much smaller portion of the yard. Please refer to both the former site plan and the newly revised one that indicates the footprint of the new addition.

If you have any questions, feel free to reach out to me at (410) 215-7650. I will hold off on filing for my building permit until I receive confirmation from your office. Thank you for your cooperation with this matter.

Sincerely,

M. Robert Belas, Jr.

110 Newburg Avenue

Catonsville, MD. 21228

encil: bhelas (a) concast, net

SITE VICINITY MAP N/A FOR SPECIAL HEARING N/A ZONING HEARING PLAN FOR VARIANCE OWNER(S) NAME(S): M. Robert Belas, Jr. ADDRESS: 110 Newburg Ave, SUBDIVISION NAME: Catonsville, MD. LOT #_____ BLOCK # _____ SECTION # _ 10 DIGIT TAX # 0107580150 DEED REFERENCE # PLAT BOOK # 08465 FOLIO # 0465 Dorthedu BO' --Not to Scale Zoning Map # 0101 DR-2 Zoning: _ **Election District:** Council District: Lot Area Acreage: 0.18 Acre Lot Square Feet: 8,037.50 sf Historic (Yes or No): No ONE-STORY ADDITION CBCA (Yes or No): No Flood Plain (Yes or No): No Utility - Mark with (X): Water is: Public: X Private: Sewer is: Public: X Private: Prior Hearing (Yes or No): Y 4110 If (Yes) list Case Number(s) and order result(s) below: 2008-0459-A Approved Violation Case Number(s): Frederich Southerly 50' 50'R/N Prepared By: Mary Weiss, AIA REVISED PLOT PLAN NEWBURG AYELLLE 2/25/2025 North Date: Scale: 1"=30' 30' Mac Pavina



Permits, Approvals and Inspections

111 W CHESAPEAKE AVE TOWSON, MD 21204 4108873353 WWW.BALTIMORECOUNTYMD.GO

Cashier: Jason S. 26-Feb-2025 11:40:18A

Transaction 102758 1 Revised Peition

\$20.00

Documents

Total

\$20.00

CREDIT CARD SALE VISA 7400

\$20.00

Retain this copy for statement validation

Station: Permit Processing - Mini

26-Feb-2025 11:40:24A \$20.00 | Method: EMV VISA CREDIT

XXXXXXXXXXXXX7400

ROBERT BELAS

Reference ID: 505700577228

Auth ID: 00751C MID: ******2995 AID: A0000000031010 AthNtwkNm: VISA SIGNATURE

Clover ID: ZJ0QXCVX4TRJE Payment QFH6PP04W0YV2

Clover Privacy Policy https://clover.com/privacy IN RE: PETITION FOR ADMIN. VARIANCE *

W side Newburg Avenue, 158 feet N c/l

Payson Avenue

1st Election District

1st Councilmanic District

(110 Newburg Avenue)

Michael Robert Belas, Jr.

Petitioner

BEFORE THE

DEPUTY ZONING

* COMMISSIONER

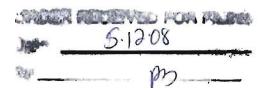
* FOR BALTIMORE COUNTY

* Case No. 08-459-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Michael Robert Belas, Jr. for property located at 110 Newburg Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet, a sum of side yards of 16.5 feet, and an accessory structure (garage), which will be in the side yard after the addition is constructed, in lieu of the required 15 feet, 40 feet, and rear yard, respectively. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner needs additional living space and proposes to remove an old wooden deck attached to the rear of the home and construct a closed, insulated living space extension to the first floor over the footprint currently covered by the deck. The home was built in 1938 and lies 4 feet (building to property line) from the north facing property line. The addition is 24 feet deep and will be flush with the existing home's sidewall of 4 feet from the property line.

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.



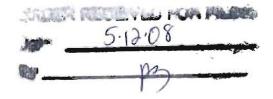
The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on April 9, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of May, 2008 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet, a sum of side yards of 16.5 feet, and an accessory structure (garage), which will be in the side yard after the addition is constructed, in lieu of the required 15 feet, 40 feet, and rear yard, respectively is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



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

Petition for Administrative Variance



REV 7/20/07

to the Zoning Commissioner of Baltimore County for the property

located at 110 Newburg Avenue, Catonsville, MD 21228

which is presently zoned DR-2

Deed Reference: 8465 / 465 Tax Account # 0107580150

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 a Hacked

I/We do solemnly declare and affirm, under the penalties of

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

I, or we, agree to pay expenses of above Administrative 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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser/Lessee: Michael Robert Belas, Jr N/A Name - Type or Print Signature Address Telephone No. Name - Type or Print City State Zip Code Signature 410-215-7650 110 Newburg Avenue Attorney For Petitioner: Address Telephone No. MD 21228 Catonsville none Zip Code State Name - Type or Print City Representative to be Contacted: Signature same Name Company Telephone No. Address Address Telephone No. Zip Code City State City State Zip Code A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County Reviewed By BK Date 4/2/03 Case No. 2008 - 045

Estimated Posting Date _____4/13/08

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

110 Newburg Avenue

•		
Address Catonsville	MD	21228
City	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Due to aging and ill parents, I am in need of additional living space. I propose to remove an old wooden deck attached to the rear of my house and construct a closed, insulated living space extension to the first floor over the footprint currently covered by the deck. My house, built in 1938, lies 4 feet (building-to-property line) from the north-facing property line. Strict compliance with setback requirements would unreasonably prevent the construction or render the resulting addition unusable for its intended purpose. I request permission to build this addition following the original stone foundation at 4 feet building-to-property line distance for an additional 24 feet, as described in the "Plat accompanying petition for zoning variance".

advertising fee and may be required to provide additional	al information.
Signature Babut Below, Jr	Signature
Michael Robert Belas, Jr.	
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to	o wit:
I HEREBY CERTIFY, this 23th day of March	, 2008 , before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, personally	appeared
the Affiant(s) herein, personally known or satisfactorily in	dentified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	Katherine S. Ashong Notary Public
	My Commission Expires

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and

1B02.3.C.1 to permit a side yard setback of 4 ft., a sum of side yards of 16.5 ft., and an accessory structure (garage), which will be in side the side yard after the addition is constructed, in lieu of the required 15 ft., 40 ft., and rear yard, respectively.

DESCRIPTION OF PROPERTY

ZONING DESCRIPTION FOR 110 Newburg Avenue, Catonsville, MD 21228

Beginning at a point on the west side of Newburg Avenue which is 50 feet at the distance of 158 ft north of the centerline of the nearest improved intersecting street Payson Avenue which is 21 feet wide. As recorded in Deed Liber 8465, Folio # 465, and include the measurements and directions for the same on the West side of Newburg Avenue at the Southeast corner, which place of beginning is designed to be 1278 feet Southerly from the South side of the Frederick Turnpike Road, running thence Westerly parallel with the Northernmost outline of the whole tract of ground, thence Northerly 50 feet to the Northernmost outline aforesaid, and thence Easterly binding on said Northernmost outline 160 feet 9 inches to the place of beginning containing 8,037.5 ft² (0.18 acre).

Also known as No. 110 Newburg Avenue and located in the 1st Election District, 1_s+ Councilmanic District.

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CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 04/14/08

Case Number: 08-0459-A

Petitioner / Developer: M. ROBERT BELAS Date of Hearing (Closing): APRIL 28, 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: _110 NEWBURG AVENUE

The sign(s) were posted on: 04/09/08



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)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 08-	0459	-A	Address _	110	Newburg	Aur.
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Filing	Date:					Closing Date	
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3.	commissione order that the (typically with	er. He may: ne matter be nin 7 to 10 da	(a) grant the set in for a sys of the clo	e requested a public hea osing date) as	relief; (b) de ring. You w s to whether	the zoning or d ny the requested vill receive writte the petition has b ou by First Class	relief; or (c) n notification been granted,
4.	(whether du- commissione changed givi	e to a neigh er), notificatio ng notice of t	bor's formal n will be fo he hearing d	request or rwarded to late, time and	by order of you. The si d location. A	at must go to a p the zoning or do gn on the prope s when the sign we red sign must be	eputy zoning erty must be was originally
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	Ct., 40ft.						
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Number or Case Number:	2008-0459-A
Petitioner: M. Robert Belas	5
Address or Location: 110 Newbu-	g Ave, Catonsville, MD 21228
PLEASE FORWARD ADVERTISING BIL	L TO:
Name: M Robert Belas	
Address: 110 Newburg Ave	
Catonsville, MD:	21228



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

April 28, 2008

Michael Robert Belas, Jr. 110 Newburg Avenue Catonsville, MD 21228

Dear Mr. Belas:

RE: Case Number: 2008-0459-A, 110 Newburg Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of **Zoning** Review, Department of Permits and Development Management (PDM) on April 2, 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,
U. Call Ribal

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



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

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

Maryland Department of Transportation

Date: APRIL 14,2008

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

RE: Baltimore County

HEMBURG AVENUE.

BELAS PROPERTY
ADMINISTRATIVE YATTANOOF

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. 2-455-1

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, Chie

Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 16, 2008

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 21, 2008

Item Nos. 08-450, 451, 452, 453, 454, 456, 457, 458, 459, 460, 462, 463, 464,

465, 466, 468, 469.

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:lrk

cc: File

Recent Photographs of 110 Newburg Avenue, Catonsville, MD 21228







From Newburg Avenue Facing West





From Rear of the House Facing East

Patricia Zook - 2 admin. variances need Planning comments

From:

Patricia Zook

To:

Murray, Curtis

Date:

5/8/2008 9:50 AM

Subject: 2 admin. variances need Planning comments

CC:

Bostwick, Thomas

Good morning Curtis -

We need Planning comments for two administrative variance cases:

08-459-A, located at 110 Newburg Avenue, closed 4-28-08 08-452-A, located at 8621 Old Harford Road, closed 4-28-08

Thanks.

Patti Zook **Baltimore County** Office of the Zoning Commissioner **County Courts Building** 401 Bosley Avenue, Room 405 Towson MD 21204 410-887-3868 pzook@baltimorecountymd.gov

Exempt Class:



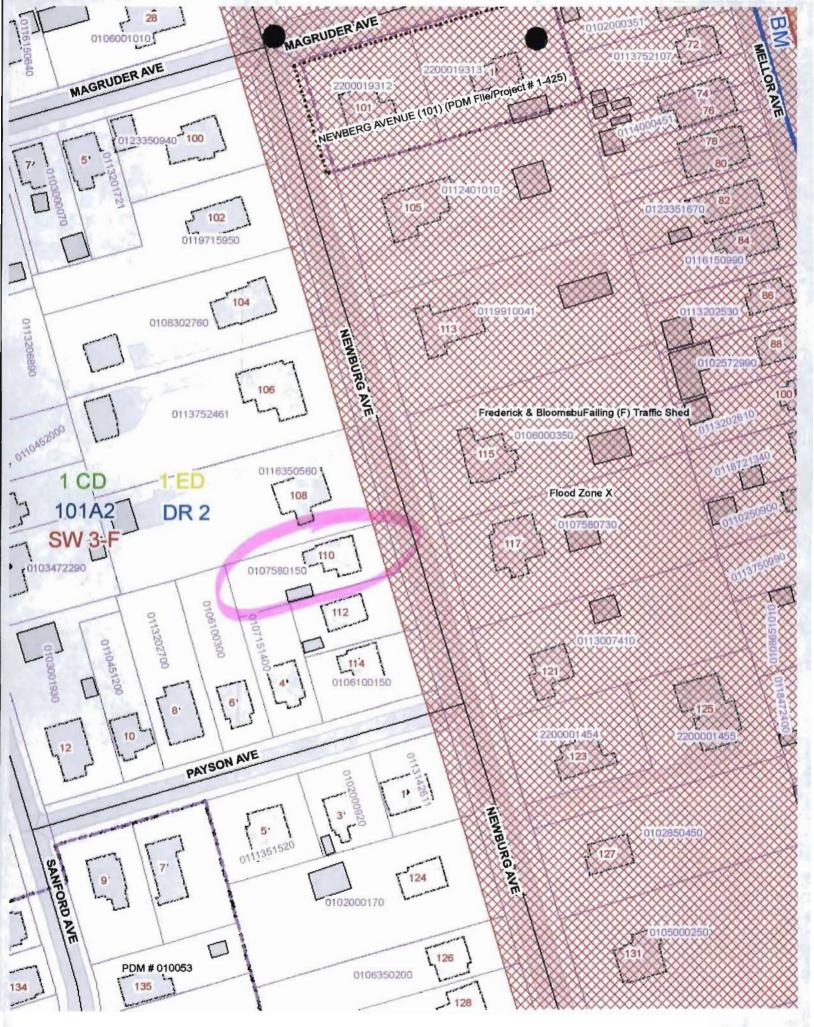
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* NONE *



#0459



PLAT TO ACCOMPANY PETITION FOR ZONING

VARIANCE

SPECIAL HEARING

PROPERTY ADDRESS:

110 Newburg Avenue

SUBDIVISION NAME:

Catonsville, MD 21228

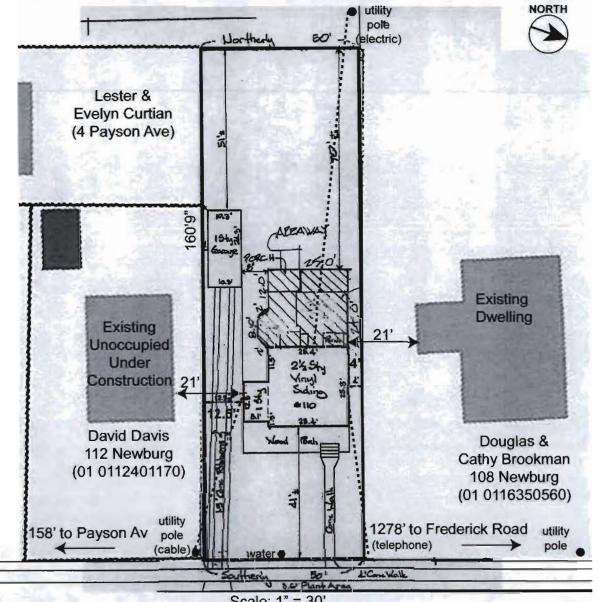
DEED REF: LIBER 08465

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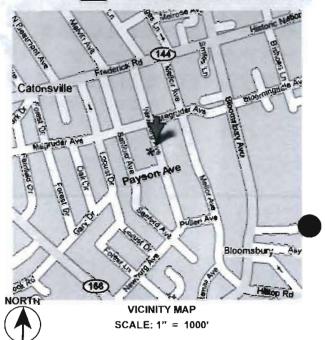
OWNER: Michael Robert Belas, Jr. (listed as M. Robert Belas, Jr.)



Scale: 1" = 30'

PREPARED BY: M. ROBERT BELAS, JR.

DATE: MARCH 21, 2008



LOCATION INFORMATION

ELECTION DISTRICT: 1st COUNCILMANIC DISTRICT: 1

1" = 200' SCALE MAP #: 101A2

ZONING: DR-2

0.18 8,037.50 LOT SIZE: SQUARE FEET ACREAGE **PUBLIC** PRIVATE X SEWER X WATER YES NO X CHESAPEAKE BAY CRITICAL AREA X

100 YEAR FLOOD PLAIN HISTORIC PROPERTY/BUILDING

PRIOR ZONING HEARING

X

ZONING OFFICE USE ONLY

REVIEWED BY

ITEM#

CASE#

X

0459