

IN RE: **PETITION FOR VARIANCE**
S/S Florida Avenue, 185' W
Baltimore Street
(3019 Florida Avenue)
13th Election District
1st Council District

Olen J. Dale, Jr., et ux
Petitioners

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BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2008-0489-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Olen J. Dale, Jr., and his wife, Colleen K. Dale. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback (east side) of 7 feet in lieu of the required 10 feet for an existing dwelling. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Olen Dale, Jr., property owner; Robert Infussi of Expedite, LLC, assisting in the filing process, and David Billingsley of Central Drafting and Design, Inc., the consultant who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence presented disclosed that the subject property is a rectangular shaped parcel located on the south side of Florida Avenue just west from its intersection with the west side of Baltimore Street in the Halethorpe community. The property is known as Lots 81 through 84 of the Baltimore Highlands subdivision, an older subdivision which was recorded in the Land Records of Baltimore County in 1909 well prior to the effective date of the zoning regulations pertinent to this case in 1972. The subject property is 100' wide and 125' deep and contains a gross area of 0.287 acres (12,500 square feet), more or less, zoned D.R.5.5. Those

ORDER RECEIVED FOR FILING
Date 6-23-08
By 123

regulations require a minimum area of 6,000 square feet and a minimum width of 55 feet.

Variance relief is requested as set forth above as when this property was developed and improved with a two-story, single-family dwelling in 1952, the structure was located 7 feet from the common boundary line between Lot 84 and 85. Mr. Dale provided a detailed history, which is supported by the Maryland Department of Assessments and Taxation Real Property Data Search records (Petitioners' Exhibit 2), and the 1953 Baltimore County Sewer Construction Plan (Petitioners' Exhibit 5). He stated that he has owned the property for 42 years. He originally acquired Lots 82, 83 and 84 with the existing home from John McDaniel. He purchased Lot 81 from Annie Kysp and built an accessory garage and carport to the west side of his home. Lots 85 and 86 (east side of the home) were acquired from Mic Bar Co., Inc. and the uncontradicted evidence clearly establishes that there has never been a desire to combine or merge Lots 81 through 84 with Lots 85 and 86. There is no physical evidence that the subject properties were used or consolidated with any other lot to invoke the doctrine of zoning merger as described in *Friends of the Ridge v. Baltimore Gas & Electric Company*, 352 Md. 645 (1999) and *Remes v. Montgomery County*, 387 Md. 52 (2005). But for the east side building face to the common property line, the existing dwelling meets all other front, west side and rear setback requirements. Thus, it appears that the relief requested to legitimize the existing condition is appropriate and consistent with the neighborhood. Testimony offered in support of the request was that without variance relief, the adjacent Lots 83 and 84 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 property (*See Belvoire Farms v. North*, 355 Md. 259 (1999)).¹ In my view, the relief requested will not result in any detriment to the health, 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 sale of Petitioners' adjacent lots will allow for a

¹ The recent (November 2, 2007) Court of Special Appeals decision in *Mueller v. People's Counsel of Baltimore County*, 177 Md. App. 43, 2007 is in accord with this finding. See also B.C.Z.R. Section 103.5D.1. "Each individual lot or parcel of land that was either a lot of record or a record lot on December 1, 1985, may be developed with a single-family dwelling ...".

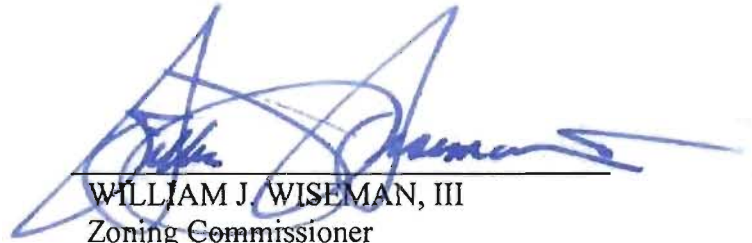
DATE RECEIVED FOR FILING
Date 6-23-08
BY [Signature]

proposed dwelling that 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 this instance is the 7-foot side yard setback, which is 3 feet shy of the required 10 feet, a condition that has existed since at least 1952.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

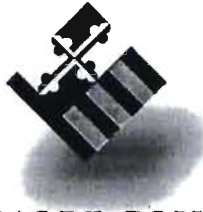
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of June 2008 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback (east side) of 7 feet in lieu of the required 10 feet for an existing dwelling, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED.

Any appeal of this decision shall be taken in accordance with Baltimore County Code Section 32-3-401.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 6-27-08
By [signature]



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 23, 2008

Olen J. Dale, Jr.
Colleen K. Dale
3019 Florida Avenue
Baltimore, Maryland 21237

RE: PETITION FOR VARIANCE

S/S Florida Avenue, 185' W Baltimore Street
(3019 Florida Avenue)
13th Election District - 1st Council District
Olen J. Dale, Jr., et ux -Petitioners
Case No. 2008-0489-A

Dear Mr. and Mrs. Dale:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III".

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Robert Infussi, Expedite, LLC, P.O. Box 1043, Bel Air, MD 21014
David Billingsley, Central Drafting and Design, Inc., 601 Charwood Court,
Edgewood, MD 21040
People's Counsel; File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 3019 FLORIDA AVENUE
which is presently zoned DR-5.5

Deed Reference: 4899 / 410 Tax Account # 1304000930 \$ 31

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

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

TO BE PRESENTED AT 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

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

OLEN J. DALE, JR

Name - Type or Print

Signature

COLLEEN K. DALE

Name - Type or Print

Signature

Colleen K. Dale

3019 FLORIDA AVE (443) 742-7507

Address

Telephone No.

BALTO MD.

21227

City

State

Zip Code

Representative to be Contacted:

ROBERT INFUSI
EXPEDITE, LLC

Name

P.O. BOX 1043 (410) 812-2236

Address

Telephone No.

BEL AIR

MD.

21014

City

State

Zip Code

Case No. 2008-0489-A

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by JNP Date 4/17/08

REV 8/20/07

ORDER RECEIVED FOR FILING

Date 6-23-08

By [Signature]

3019 FLORIDA AVENUE

1B02.3.C.1. TO PERMIT A SIDE YARD SETBACK OF 7 FEET IN LIEU OF THE
REQUIRED 10 FEET FOR AN EXISTING DWELLING.

2008-0489-A

ZONING DESCRIPTION

3019 FLORIDA AVENUE

Beginning at a point on the south side of Florida Avenue (50 feet wide), distant, 185 feet westerly from it's intersection with the west side of Baltimore Street (60 feet wide), thence being all of Lots 81, 82, 83, and 84 Block I as shown on Plat 2, Baltimore Highlands recorded among the Baltimore County land records in Plat Book 3 Folio 2. Containing 12,500 square feet or 0.287 acre of land, more or less.

Being known as 3019 Florida Avenue. Located in the 13TH Election District, 1ST Councilmanic District

2008-0489-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: # 2008-0489-A

3019 Florida Avenue
S/side of Florida Avenue, 185
feet west of Baltimore Street
13th Election District
1st Councilmanic District
Legal Owner(s): Olen J. & Colleen K. Dale, Jr.

Variance: to permit a side yard setback of 7 feet in lieu of the required 10 feet for an existing dwelling.

Hearing: Tuesday, June 17, 2008 at 9:00 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 accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 6/607 June 3 174902

CERTIFICATE OF PUBLICATION

6/5/, 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 6/3/, 2008.

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

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **2080**

Date: **4/17/08**

PAID RECEIPT

INSTRUMENT - ACTUAL TIME DATE

4/08/2008 4/17/2008 10:55:1

REC-006 MARYDN ENCL 1234

RECEIPT # 427574 4/17/2008

NO. 120 JOURNALING VERIFIED/DATE

0127584

Receipt for \$65.00

\$65.00 11 \$6.00

Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
006	006			6150				65.00

Total: **65.00**

Rec From: **Central Printing & Design, Inc.**

For: **Variance-2019 Florida Avenue**
MD-0489-A (ONE)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 2008-0490-A

Petitioner/Developer: BOB
INFUSI

Date Of Hearing/Closing: 4/17/08

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

Attention:

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
at 3019 FLORIDA AVE

This sign(s) were posted on May 31, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 5/31/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



W. J. J. J.
May 31, 2008



W. J. J. J.
May 31, 2008

**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: 2008-0489-A

Petitioner: OLEN J. DALE, JR

Address or Location: 3019 ~~AND LEE~~ FLORIDA AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: OLEN J. DALE, JR

Address: 3019 FLORIDA AVE.

BALTO., MD. 21227

Telephone Number: (443) 742-2502



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

May 13, 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: 2008-0489-A

3019 Florida Avenue

S/side of Florida Avenue, 185 feet west of Baltimore Street

13th Election District – 1st Councilmanic District

Legal Owners: Olen J. & Colleen K. Dale, Jr.

Variance to permit a side yard setback of 7 feet in lieu of the required 10 feet for an existing dwelling.

Hearing: Tuesday, June 17, 2008 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Olen & Colleen Dale, Jr., 3019 Florida Avenue, Baltimore 21227
Robert Infussi, Expedite, LLC, P.O. Box 1043, Bel Air 21014

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 2, 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, June 3, 2008 Issue - Jeffersonian

Please forward billing to:
Olen Dale, Jr.
3019 Florida Avenue
Baltimore, MD 21227

443-742-7502

NOTICE OF ZONING HEARING

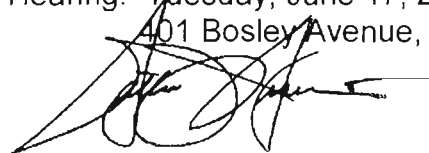
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2008-0489-A

3019 Florida Avenue
S/side of Florida Avenue, 185 feet west of Baltimore Street
13th Election District – 1st Councilmanic District
Legal Owners: Olen J. & Colleen K. Dale, Jr.

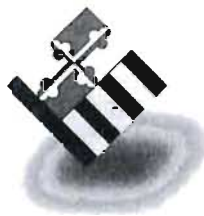
Variance to permit a side yard setback of 7 feet in lieu of the required 10 feet for an existing dwelling.

Hearing: Tuesday, June 17, 2008 at 9:00 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

Olen j. & Colleen K. Dale Jr.
3019 Florida Ave.
Baltimore, MD 21227

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
June 11, 2008

Dear: Olen j. & Colleen K. Dale Jr.

RE: Case Number 2008-0489-A, Address: 3019 Florida Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 17, 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:lnw

Enclosures

c: People's Counsel
Robert Infussi Expedite, LLC, P.O. Box 1043, Belair, MD 21014

BW 6/17
9 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 9, 2008

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

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MAY 12 2008

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-489- 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: Lynne Larkin
CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: June 17, 2008

SUBJECT: Zoning Item # 08-489-A
Address 3019 Florida Avenue
(Dale Property)

Zoning Advisory Committee Meeting of April 28, 2008

- X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
- Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Glenn Shaffer

Date: May 5, 2008

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 1, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For May 5, 2008
Item Nos. 08-489, 490, 491, 492, 493,
494, 495, 496, 497, 498, 499, 500, 501,
502, and 503.

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

DAK:CEN:lrk
cc: File
ZAC-5012008-NO COMMENTS



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

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

Maryland Department of Transportation

Date: April 30, 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. 8-489-A
3019 FLORIDA AVENUE
DALE 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. 8-489-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,

A handwritten signature in black ink, appearing to read "Michael P. Foster", is written over the typed name.

for
Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

RE: PETITION FOR VARIANCE * BEFORE THE
3019 Florida Avenue; S/S Florida Avenue, *
185' W Baltimore Street * ZONING COMMISSIONER
13th Election & 1st Councilmanic Districts *
Legal Owner(s): Colleen & Olen Dale, Jr. * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-489-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.

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

RECEIVED
MAY - 6 2008
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of May, 2008, a copy of the foregoing Entry of Appearance was mailed to Robert Infussi, Expedite, LLC, P.O. Box 1043, Bel Air, MD 21014, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Livingston, Jeffrey
Date: 06/13/08 11:38:24 AM
Subject: DEPRM Comments Needed

Good Morning Jeff,

Bill has two (2) hearings to be heard concurrently on Tuesday, June 17th and we are missing comments. I have attached below the case description(s) as follows:

CASE NUMBER: 8-489-A

3019 Florida Avenue

Location: S side of Florida Avenue, 185 feet W of Baltimore Street.

13th Election District, 1st Councilmanic District

Legal Owner: Colleen K. and Olen J. Dale, Jr.

VARIANCE To permit a side yard setback of 7 feet in lieu of the required 10 feet for an existing dwelling.

Hearing: Tuesday, 6/17/2008 at 9:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson

CASE NUMBER: 8-490-A

3021 Florida Avenue

Location: S side of Florida Avenue, 135 feet W of Baltimore Street.

13th Election District, 1st Councilmanic District

Legal Owner: Colleen K. and Olen J. Dale, Jr.

VARIANCE To permit a lot width of 50 feet in lieu of the required 55 feet for a new dwelling.

Hearing: Tuesday, 6/17/2008 at 10:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson

Thanks and have a great day !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

3019 & 3021
CASE NAME FLORIDA AVE
CASE NUMBER 2008-0489-0490 & 7
DATE 9/17/08

[illegible]

Case No.: 2008-0489-A 3019 FLORIDA AVE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	MD DEPT of ASSESSMENTS AND TAXATION DATA	
No. 3	ZONING MAP - Existing driveway apron - Baltimore Highlands	
No. 4	Baltimore Highlands (1909) Subdivision Plat 1958	
No. 5	County Sewer Construction Plan - 1958	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



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

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

Account Identifier: District - 13 **Account Number -** 1304000930

Owner Information

Owner Name: DALE OLEN J, JR
 DALE COLLEEN K
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 3019 FLORIDA AV
 BALTIMORE MD 21227
Deed Reference: 1) / 4899/ 410
 2)

Location & Structure Information

Premises Address
 FLORIDA AVE

Legal Description

BALTIMORE HIGHLANDS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
109	11	386				1	81	1	2	
									Plat Ref:	3/ 2

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		3,125.00 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	700	700			
Improvements:	0	0			
Total:	700	700	700	700	
Preferential Land:	0	0	0	0	

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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 *

PETITIONER' S

EXHIBIT NO.

2A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3)

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

Account Identifier: District - 13 **Account Number -** 1304000931

Owner Information

Owner Name: DALE OLEN J, JR
 DALE COLLEEN K
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3019 FLORIDA AV
 BALTIMORE MD 21227
Deed Reference: 1) / 4899/ 410
 2)

Location & Structure Information

Premises Address
 3019 FLORIDA AVE

Legal Description

LT 82,83,84
 BALTIMORE HIGHLANDS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
109	11	386				1	82	1	2	
									Plat Ref:	3/ 2

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	1,089 SF	9,375.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2007	07/01/2008
Land	34,740	77,940		
Improvements:	75,730	112,060		
Total:	110,470	190,000	136,980	163,490
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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 *

PETITIONER' S

EXHIBIT NO. 2B



Account Identifier: District - 13 Account Number - 1304000932

Owner Information

Owner Name: DALE OLEN J, JR Use: RESIDENTIAL
DALE COLLEEN K Principal Residence: NO
Mailing Address: 3019 FLORIDA AV Deed Reference: 1) / 4899/ 410
BALTIMORE MD 21227 2)

Location & Structure Information

Premises Address Legal Description
FLORIDA AVE LT 85,86
BALTIMORE HIGHLANDS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
109	11	386				1	85	1	Plat Ref:	3/ 2

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		6,250.00 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	6,250	6,250		
Improvements:	0	0		
Total:	6,250	6,250	6,250	6,250
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

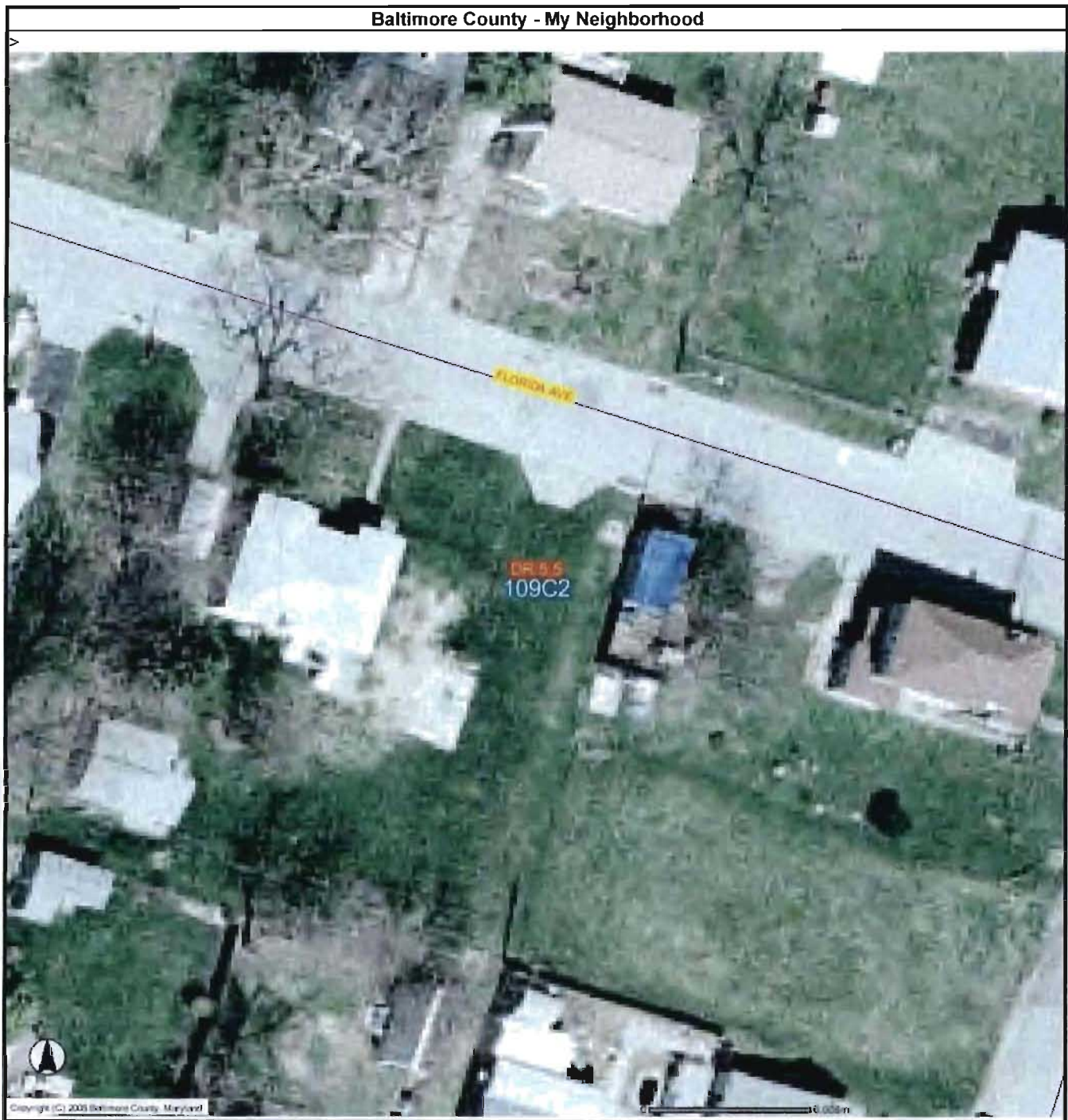
Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

PETITIONER' S

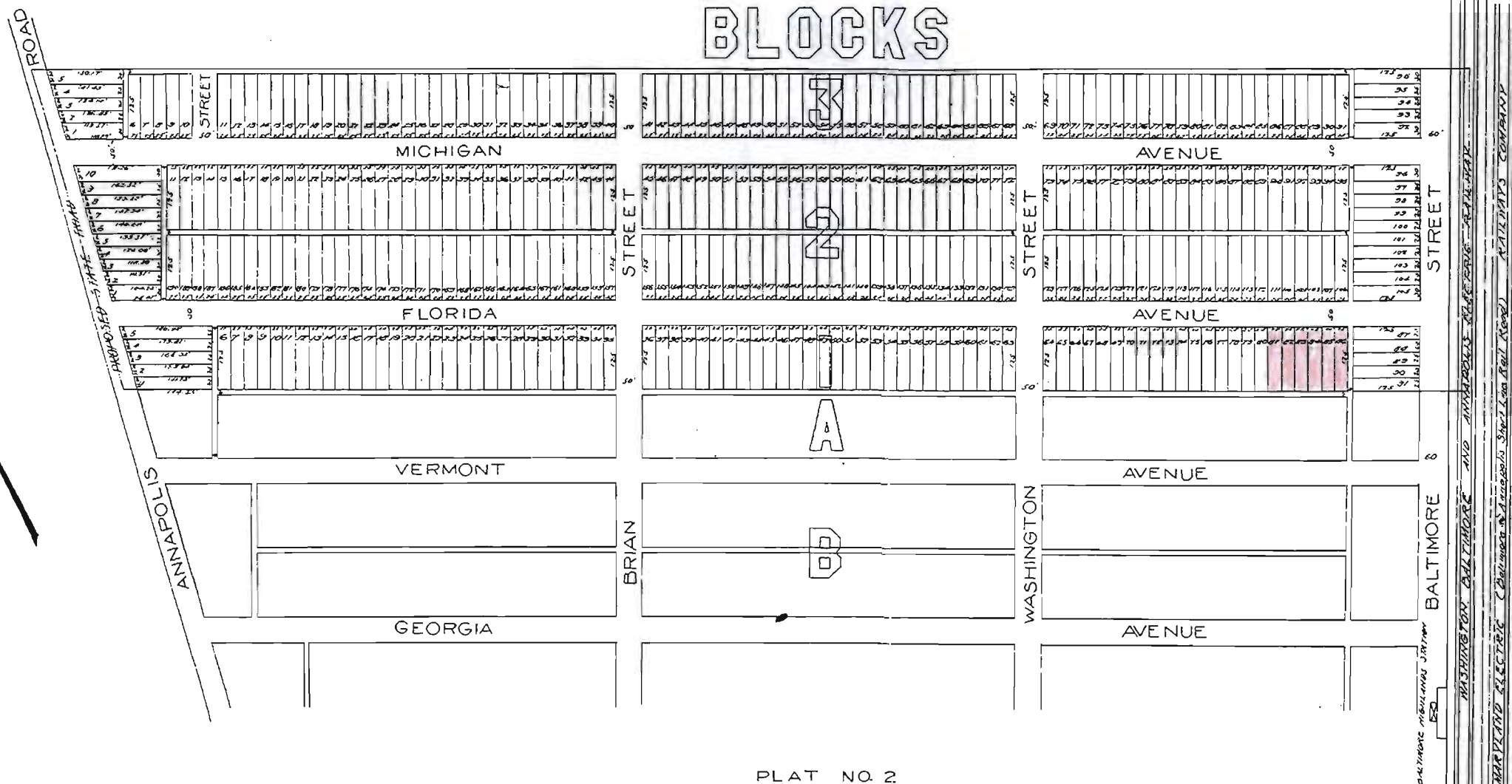
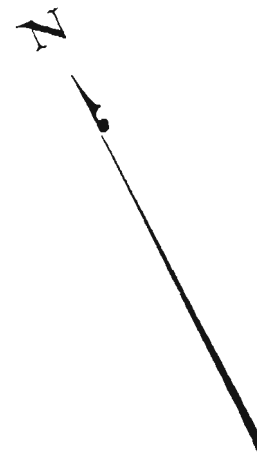
EXHIBIT NO. 2C



PETITIONER' S

EXHIBIT NO. 3

Scale of Feet
0 10 20 30 40 50 60 70 80 90 100
0 10 20 30 40 50 60 70 80 90 100
0 10 20 30 40 50 60 70 80 90 100



BALTIMORE HIGHLANDS REALTY CO., INC.
WALTER C PIPER,
President
OFFICE:-
AMERICAN BUILDING,
BALTIMORE & SOUTH STS.,
BALTIMORE, MD.

BALTIMORE HIGHLANDS

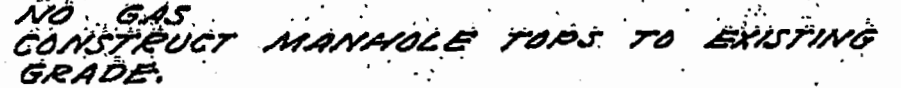
Scale 1"=100' May 3-1909
J. B. Sullivan & Co.
Surveyors & Civil Engrs
Baltimore, Md.
Note: - Plat No. 2. Being the lots platted and
numbered in Blocks 1, 2 & 3

Filed Nov 6 1909
J. B. Sullivan & Co.

PETITIONER'S

EXHIBIT NO.

4



LOCATION APPROVED
June 3 53
J. L. Thomas Jr.

GEORGE WILLIAM STEPHENS, JUNIOR
AND ASSOCIATES
Engineers
TOWSON 4, MARYLAND

SCALE
AS SHOWN

KEY SHEET C-NE.

359 S