

IN RE: **PETITION FOR VARIANCE**

S/S Florida Avenue, 135' W

Baltimore Street

(3021 Florida Avenue)

13th Election District

1st Council District

Olen J. Dale, Jr., et ux, *Legal Owners*

George Harriss, *Contract Purchaser*

Petitioners

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BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2008-0490-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 legal owners of the subject properties, Olen J. Dale, Jr., and his wife, Colleen K. Dale, and the contract purchaser, George Harriss, for two (2) adjacent properties known as 3021 Florida Avenue (Lots 85 and 86). The Petitioner originally filed a request for variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a combined lot width of 50 feet in lieu of the required 55 feet for a new dwelling. At the outset of the hearing, however, Petitioners amended their petition asking to include the approval of the subject properties as an undersized lot, pursuant to Section 304 of the B.C.Z.R. 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; George Harriss, contract purchaser; 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 85

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

and 86 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. As is often the case with older subdivisions, many of the lots do not meet the current area and/or width requirements. In this regard, the subject property is 50' wide and 125' deep and contains a gross area of 0.143 acres (6,250 square feet), more or less, zoned D.R.5.5. Thus, the subject lot is undersized by today's standards as it does not meet the current width requirement.

Variance relief is requested as set forth above to allow the development of the subject property with a two-story, single-family dwelling 30' wide and 28' deep. Mr. Dale desires to sell his adjacent lots to George Harriss, whose new home will face Florida Avenue and will meet all front, side and rear setback requirements. Relief is requested to approve a lot width of 50 feet and to approve the property as an undersized lot (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 combined 25'-wide lots which is also confirmed by the Office of Planning in its Zoning Advisory Committee (ZAC) comment and the 1953 Baltimore County Sewer Construction Plan (Petitioners' Exhibit 5). There is no physical evidence that the subject properties were used or consolidated with any other lot to invoke the doctrine of 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). Moreover, the uncontradicted evidence clearly establishes that there has never been a desire to combine or merge the several parcels (Lots 81 through 84 – Tax Account Nos. 130400930 and 130400931) with Lots 85 and 86 – Tax Account No. 130400932). In this regard, 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 initially

By _____
Date 9-23-08
1503
ORIGINAL FILED FOR FILING

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 other than mowing the grass on these vacant lots, there has never been a desire to build or merge these as accessory uses to the family home or property.

Testimony offered in support of the request was that without variance relief Lots 85 and 86 could not be developed. Obviously, strict compliance with the regulations would create a hardship as the zoning regulations would result in a denial of a reasonable and sufficient use of the property. *See Belvoir v. North*, 355 Md. 259 (1999). Moreover, based on the testimony and evidence presented, the Petitioners are entitled to the variance as they have met the requirements of Section 304 of the B.C.Z.R. (*See Mueller v. People's Counsel of Baltimore County*, 177 Md. App. 43, 2006). 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, if applicable, meet the spirit and intent of the Section 307 for relief to be granted. The proposed dwelling will meet all front, side and rear setback requirements and will be situated on the lots consistent with other houses in the community. Building elevations will be reviewed by the Office of Planning and approved prior to the issuance of any building permits. The only deficiency here is the lot width, of an old lot of record, which is 5 feet shy of the required 55 feet.

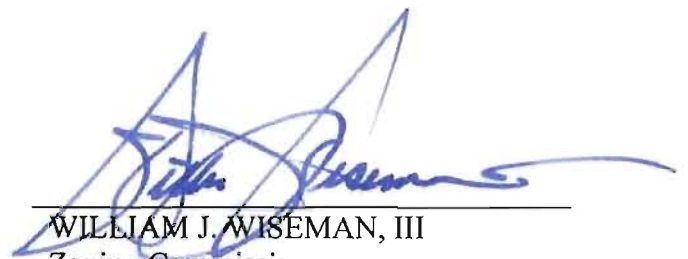
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

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 Sections 1B02.3C.1 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet for a new dwelling and approval of the subject property as an undersized lot, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

AG
Date 6-23-08
RECEIVED FOR FILING

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners 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, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Prior to the issuance of any permits, however, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval to assure compatibility with the size and materials and architectural detail with the existing dwellings in the area.
3. Prior to the issuance of a use and occupancy permit, landscaping shall be provided along the public road.

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

RECEIVED FOR FILING
Date 6-23-08
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, 135' W Baltimore Street
(3021 Florida Avenue)

13th Election District - 1st Council District

Olen J. Dale, Jr., et ux, *Legal Owners*; George Harriss,
Contract Purchaser - Petitioners

Case No. 2008-0490-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 with restrictions, 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", written over a circular stamp.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: George Harriss, 1203 Dorsey Road, Glen Burnie, MD 21061
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; Office of Planning; File



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 3021 FLORIDA AVENUE
which is presently zoned DR 5.5

Deed Reference: 4899 / 410 Tax Account # 1304000932

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

Olen J. Dale Jr.

Signature

COLLEEN K. DALE

Name - Type or Print

Colleen K. Dale

Signature

3019 FLORIDA AVE (443) 742-7502

Address

BALTO MD.

City

State

Telephone No.

21227

Zip Code

Representative to be Contacted:

ROBERT INFUSI
EXPEDITE, LLC

Name

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

Address

BEL AIR

MD.

City

State

Telephone No.

21014

Zip Code

Case No. 2008-0490-A

Office Use Only

Estimated Length of Hearing _____
If Available For Hearing _____

Reviewed by JNP

Date 4/17/08

REV 8/20/07

ORDER RECEIVED FOR FILING
Date 6-23-08
By [Signature]

3021 FLORIDA AVENUE

1B02.3.C.1. TO PERMIT A LOT WIDTH OF 50 FEET IN LIEU OF THE
REQUIRED 55 FEET FOR AN NEW DWELLING.

2008-0490-A

ZONING DESCRIPTION

3021 FLORIDA AVENUE

Beginning at a point on the south side of Florida Avenue (50 feet wide), distant 135 feet westerly from it's intersection with the west side of Baltimore Street (60 feet wide), thence being all of Lots 85 and 86 Block I as shown on Plat 2, Baltimore Highlands recorded among the Baltimore County land records in Plat Book 3 Folio 2. Containing 6,250 square feet or 0.143 acre of land, more or less.

Being known as 3021 Florida Avenue. Located in the 13TH Election District, 1ST Councilmanic District

2008-0490-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: # 2008-0490-A
3021 Florida Avenue
S/side of Florida Avenue, 135
feet west of Baltimore Street
13th Election District
1st Councilmanic District
Legal Owner(s): Olen & Col-
leen Dale, Jr.
Variance: to permit a lot width
of 50 feet in lieu of the required
55 feet for a new dwelling.
Hearing: Tuesday, June 17,
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 accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-3868.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

JT 6/08 June 3 174904

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. **12081**

Date: 4/17/08

PAID RECEIPT

ISSUES ACTUAL TIME DAY
 4/18/2008 4/17/2008 10:33:11
 WALKER JOHN YON
 RECEIPT # 422873 4/17/2008 06:14
 5. 528 ZONING VERIFICATION
 012000
 Dept Tot 145.00
 4137.30 CR 4.00 CR
 Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	076			6150				65.00
Total:								65.00

Rec
 From: Central Drafting & Design, Inc.
 For: Variance - 3021 Florida Avenue
2008-0490-A (PALE)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

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: 2008-0490-A
Petitioner: OLEN J. DALE, JR
Address or Location: ~~3019 FLORIDA AVE~~ 3021 FLORIDA AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: OLEN J. DALE, JR
Address: 3019 FLORIDA AVE
BALTO, MD 21227
Telephone Number: 443-742-7502

Revised 2/20/98 - SCJ



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: 2008-0490-A

3021 Florida Avenue

S/side of Florida Avenue, 135 feet west of Baltimore Street

13th Election District – 1st Councilmanic District

Legal Owners: Olen & Colleen Dale, Jr,

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

Hearing: Tuesday, June 17, 2008 at 10:00 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, 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: 2008-0490-A

3021 Florida Avenue
S/side of Florida Avenue, 135 feet west of Baltimore Street
13th Election District – 1st Councilmanic District
Legal Owners: Olen & Colleen Dale, Jr,

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

Hearing: Tuesday, June 17, 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

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 2008-0490-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
10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 9, 2008

RECEIVED
MAY 12 2008

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

BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 8-490- Variance**

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements. However, there appears to be several existing undersized lots in the neighborhood, and therefore the standards stated in Section 304.1.C of the BCZR should be applicable to the subject property. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road.

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:

Alma Tucker

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 # 08-490-A
Address 3021 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

State Highway
Administration

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. 8-490-A
3021 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. 8-490-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,

Fo1 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
3021 Florida Avenue; S/S Florida Avenue, *
135' W Baltimore Street * ZONING COMMISSIONER
13th Election & 1st Councilmanic Districts *
Legal Owner(s): Colleen & Olen Dale, Jr. * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-490-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 2005-0489-0490-9
DATE 6/17/08

[illegible]

Case No.: 2008-0490-A

3021 FLORIDA AVE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Md Dept. of Assessments and Taxation Data	
No. 3	ZONING MAP denoting existing drive apron	
No. 4	County - 1958 Sewer Construction Plan	
No. 5	Belto. Highlands Plat	
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:	2
109	11	386				1	81	1	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.

ZA



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

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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



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
 Real Property Data Search (2007 vw4.3)

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Account Identifier: District - 13 **Account Number -** 1304000932

Owner Information

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

Location & Structure Information

Premises Address
 FLORIDA AVE

Legal Description
 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

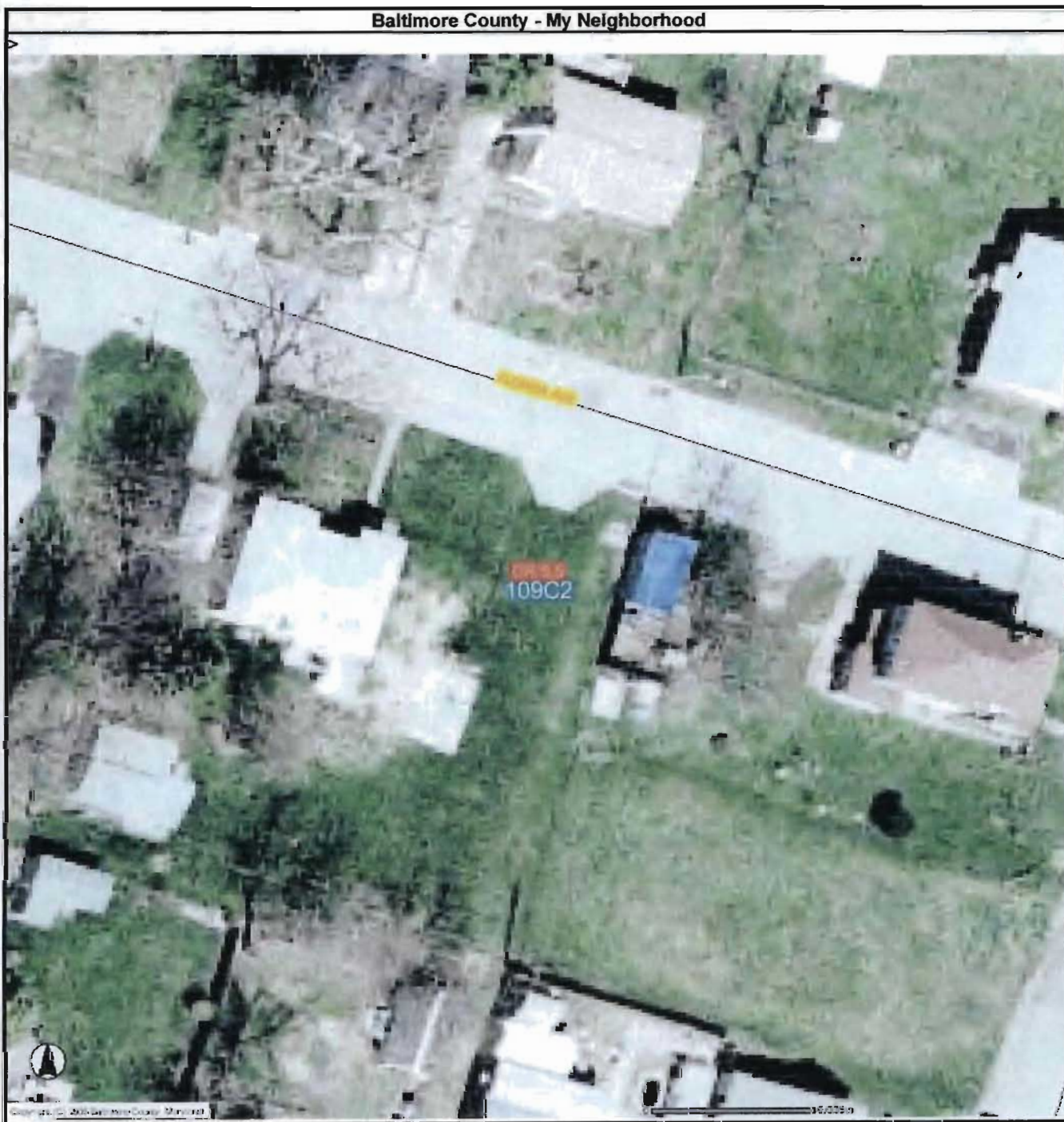
Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER' S

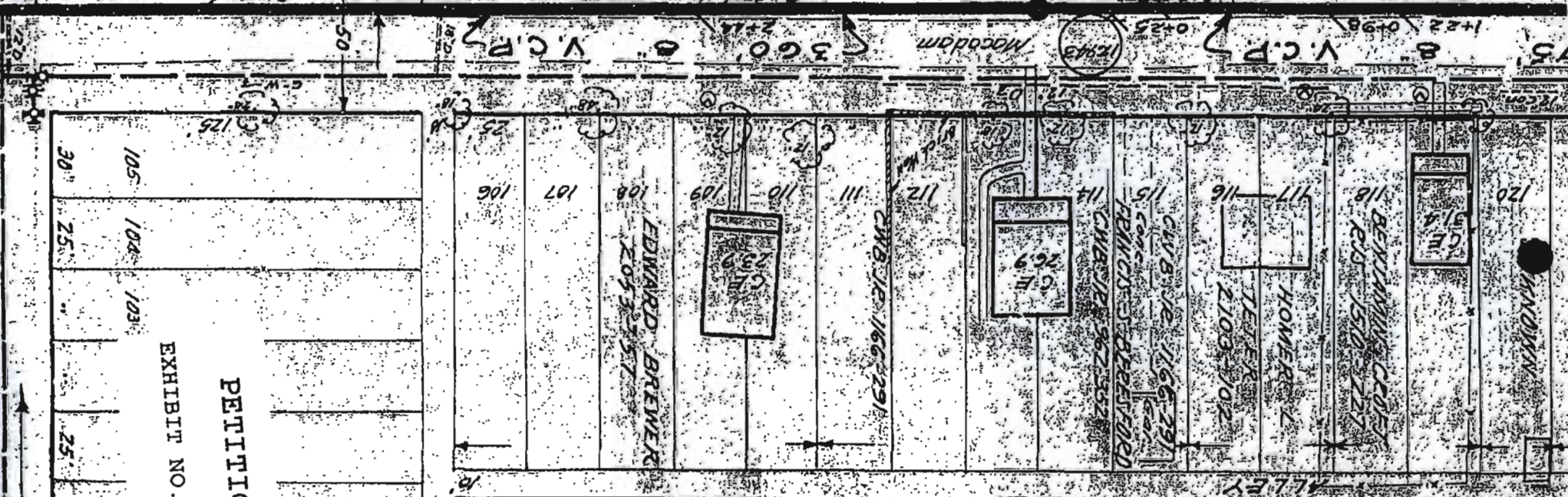
EXHIBIT NO. 2C

Baltimore County - My Neighborhood

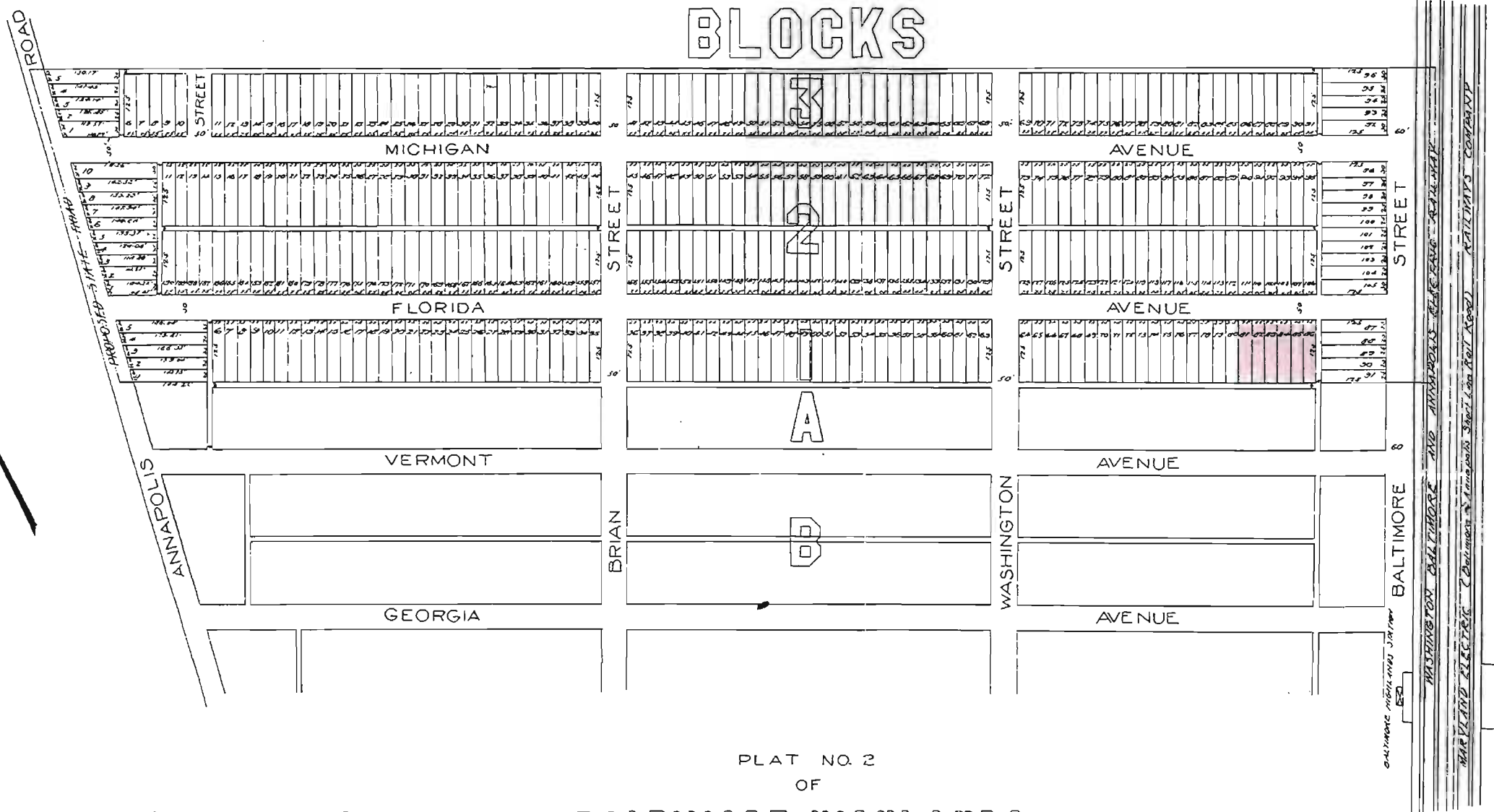


PETITIONER' S

EXHIBIT NO. 3



PETITIONER'S
EXHIBIT NO. 5



PLAT NO. 2
OF

BALTIMORE HIGHLANDS

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

Scale 1"=100' May 5, 1909
R. B. Baskin & Co.
Surveyors & Civil Engrs
Baltimore, Md.
Note: Plat No. 2. Being the 1st, 2nd, 3rd and
numbered in Blocks 1, 2 & 3

1st of Nov 6 1909
L. H. P.

PETITIONER'S

EXHIBIT NO. 4