

IN RE: PETITIONS FOR VARIANCE	*	BEFORE THE
NE/S Maple Avenue, 476' & 526' NW c/line of		
Homberg Avenue	*	ZONING COMMISSIONER
(333 Maple Avenue [Lot 67] &		
333A Maple Avenue [Lot 68])	*	OF
15 th Election District		
6 th Council District	*	BALTIMORE COUNTY
James J. Perkowski	*	Case Nos. 2009-0341-A &
Petitioner		2009-0342-A
	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by James J. Perkowski, for two (2) adjacent properties known as 333 and 333A Maple Avenue. Since the properties are owned by the same person and are located adjacent to one another, the two cases were heard contemporaneously. In Case No. 2009-0341-A (Lot 67), the Petitioner, requests variance relief from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a buildable lot with a lot width of 50 feet in lieu of the required 55 feet. In Case No. 2009-0342-A (Lot 68), the Petitioner requests similar relief. Specifically, relief is requested from B.C.Z.R. Section 1B02.3C.1 to permit a new (replacement) dwelling on a lot with a lot width of 50 feet in lieu of the minimum required lot width of 55 feet. The subject properties and requested relief are more particularly described on the site plan submitted in each case, which were accepted into evidence and respectively marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were James J. Perkowski, property owner, and David Billingsley of Central Drafting and Design, Inc., the consultant responsible for preparation of the site plans. There were no Protestants or other interested persons present. It is noted that I received confirmation from the adjoining and

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 Date 9-15-09
 By [Signature]

adjacent property owners Douglas Simmons (331 Maple Avenue) and Peter Friedel (335 Maple Avenue), indicating that they do not oppose Petitioner's requested zoning relief.

Testimony and evidence offered revealed that the subject adjacent parcels are located on the northeast side of Maple Avenue, just west of Homberg Avenue in Essex and within the Martin State Airport Restriction Area. The lots are identified as Lots 67 and 68 in the Henry Homberg subdivision, which is an older subdivision that was platted and recorded in the Land Records in 1919, thus prior to the first set of zoning regulations in Baltimore County as shown on Petitioner's Exhibit 4. As is often the case with older subdivisions, many of the lots are undersized and do not meet current area and width requirements. In this regard, each of the subject lots contains a gross area of over 10,000 square feet, more or less, zoned D.R.5.5. James Perkowski (and his father before him) have owned the lots since 1948. Mr. Perkowski, now 61 years of age, has resided at 333 Homberg Avenue all of his life. He now desires to replace the family home built in 1929 with a new and updated single-family dwelling on Lot 68 for his own use. He comes before me seeking relief as set forth above to permit development of Lot 67 with a new single-family dwelling to be occupied by his niece, Rebecca Reynolds. Testimony indicated that both new dwellings would meet all front, side and rear setback requirements. Relief is requested to approve lot widths of 50 feet respectively and to approve the properties as undersized lots (width at building line less than that required by the area regulations) to permit the proposed development. Photographs and real property data search records obtained from the Maryland Department of Assessments and Taxation illustrate the pattern of development and show that the subject properties and surrounding community were built on 50-foot wide lots which is also confirmed by the Office of Planning in its Zoning Advisory Committee (ZAC) comment. Mr. Perkowski, in discussing the pattern of development of the neighborhood,

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Date 9-15-88
BY 23

indicated similar relief was granted by Deputy Zoning Commissioner John V. Murphy by his Order in Case No. 07-011-A for 323 Maple Avenue. He opined that there is little traffic on Maple Avenue as it dead ends at the Deep Creek Elementary School and that allowing this new home to be built will not adversely affect traffic in the community, will not increase residential density beyond that otherwise allowable by the Zoning Regulations as a result of granting this variance as the lot areas exceed the minimum lot area of 6,000 square feet, and finally he noted that the front yard setbacks for both of the proposed houses will be the average of the adjacent houses as required by the regulations.

Testimony offered in support of the requests was that without variance relief, Lots 67 & 68 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 Belvoir Farms v. North* 355 Md. 259 [1999]). Moreover, based on the testimony and evidence presented, the Petitioner is entitled to his variances as he has met the requirements of Section 304 of the B.C.Z.R. (*See Mueller v. People's Counsel for Baltimore County* 177 Md. App. 43 [2007]). In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and, therefore, would meet the spirit and intent of Section 307 for relief to be granted. As indicated, the proposed dwellings will meet all front, side and rear setback requirements and will be situated on the lots consistent with other houses in the community. The only deficiency in both of these instances is the lot width, which is 5 feet shy of the required 55 feet.

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

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Date 9-15-09
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of September 2009, that the Petition for Variance filed in Case No. 2009-0341-A seeking relief from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot with a width of 50 feet in lieu of the minimum required 55 feet for a new single-family residence on Lot 67, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and

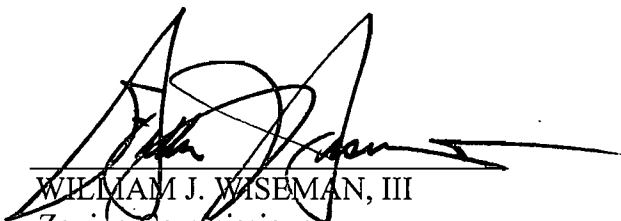
IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 2009-0342-A seeking relief from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot with a width of 50 feet, in lieu of the minimum required 55 feet for a new (replacement) single-family dwelling on Lot 68, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED subject to the following conditions:

1. The Petitioner may apply for his building permits 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 the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. The Petitioner shall submit building elevations to the Office of Planning for review and approval prior to the issuance of any building permit. The proposed dwelling(s) shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
3. Provide landscaping along the public road if consistent with the existing streetscape.

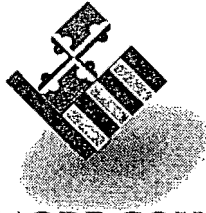
Any appeal of this decision must be made within thirty (30) days of the date of this

Order.

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 9-15-09
By WJW



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

September 15, 2009

WILLIAM J. WISEMAN III
Zoning Commissioner

James J. Perkowski
333 Maple Avenue
Essex, Maryland 21221

RE: PETITIONS FOR VARIANCE

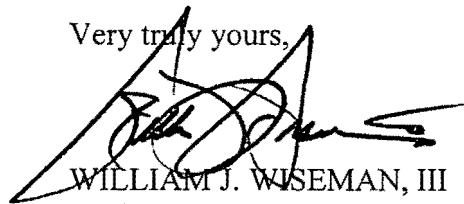
NE/S Maple Avenue, 476' & 526' NW c/line of Homberg Avenue
(333 Maple Avenue [Lot 67] & 333A Maple Avenue [Lot 68])
15th Election District - 6th Council District
James J. Perkowski - *Petitioner*
Case Nos. 2009-0341-A & 2009-0342-A

Dear Mr. Perkowski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance have been granted with conditions, 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,


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: 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 333 MAPLE AVENUE
which is presently zoned DR 5.5

Deed Reference: 11030 1516 Tax Account # 1516150540

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)

1B02-3.C.1 (BCZR) TO PERMIT A LOT WIDTH OF
50 FEET IN LIEU OF THE REQUIRED 55 FEET
FOR A NEW SINGLE FAMILY RESIDENCE

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):

JAMES J. PERKOWSKI

Name - Type or Print

Signature

Name - Type or Print

Signature

333 MAPLE AVENUE (410) 294-7601

Address

Telephone No.

BALTIMORE

MD.

21221

City

State

Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING AND DESIGN, INC.

Name

601 CHARWOOD CT. (410) 679-8719

Address

Telephone No.

EDGEWOOD

MD.

21040

City

State

Zip Code

Case No. 2009-0341-A

Office Use Only

Estimated Length of Hearing ± Hour

Unavailable For Hearing

ORDER RECEIVED FOR FILING

Date 9-15-09

Reviewed by JF

Date 6/30/09

REV 8/20/07

By [Signature]

ZONING DESCRIPTION

333 MAPLE AVENUE

Beginning at a point on the northeast side of Maple Avenue (40 feet wide), distant 526 feet northwesterly of it's intersection with the center of Homberg Avenue (40 feet wide), thence being all of Lot 67 as shown on the plat entitled Homberg recorded among the Baltimore County plat records in Plat Book 5 Folio 78.

Containing 10,000 square feet or 0.230 acre of land, more or less

Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Md.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **39282**

Date: **6/30/17**

PAID RECEIPT

BUSINESS ACTION TIME
 7/30/2019 7/30/2019 09:30:10
 6 45000 60100 1000 1000
 6 50000 60100 1000 1000
 6 50000 60100 1000 1000

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6-1571					65.00

Total: **65.00**

Rec
From:

Central Dis-Paying

For:

Debt Serv. F. V. - 1000000
333 Maple Ave.
55007-1311-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**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: # 2009-0341-A
333 Maple Avenue
N/east side of Maple Ave at
a distance of 526 ft n/west
from the centerline of
Homburg Ave
15th Election District
7th Councilmanic District
Legal Owner: James
Perkowski

Variance: to permit a lot
width of 50 feet in lieu of
the required 55 feet for a
new single / family resi-
dence.

Hearing: Friday, Septem-
ber 11, 2009 at 9:00 a.m.
In Room 104, Jefferson
Building, 105 West Chesa-
peake Avenue, Towson.
21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

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

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

JT 8/864 Aug. 25 209151

CERTIFICATE OF PUBLICATION

8/27, 2009

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 8/25, 2009.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2009-0341-A

Petitioner/Developer JAMES
PE. PKOWSKI

Date Of Hearing/Closing: 9/11/09

**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 penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property at 333 MAPLE AVE.

This sign(s) were posted on August 25, 2009
Month, Day, Year

Month, Day, Year

Sincerely,

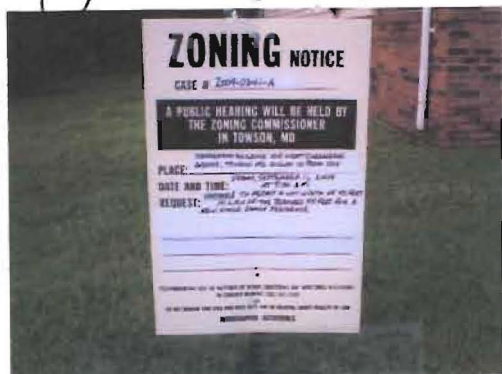
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411



08/25/2009

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.

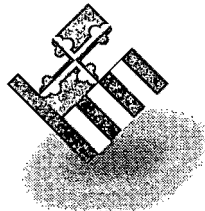
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2009-0341-A
Petitioner: JAMES J. PERKOWSKI
Address or Location: 333 MAPLE AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES J. PERKOWSKI
Address: 333 MAPLE AVE
BALTO., MD 21221
Telephone Number: (410) 294-7601



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
July 31, 2009
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: 2009-0341-A

333 Maple Avenue

N/east side of Maple Ave at a distance of 526 ft n/west from the centerline of Homberg Ave
15th Election District – 7th Councilmanic District

Legal Owner: James Perkowski

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

Hearing: Friday, September 11, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: James Perkowski, 333 Maple Avenue, Baltimore 21221
David Billingsley, Central Drafting & Design, Inc., 601 Charwood Ct., Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 26, 2009.**
- (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, August 25, 2009 Issue - Jeffersonian

Please forward billing to:
James Perkowski
333 Maple Avenue
Baltimore, MD 21221

410-294-7601

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: 2009-0341-A

333 Maple Avenue

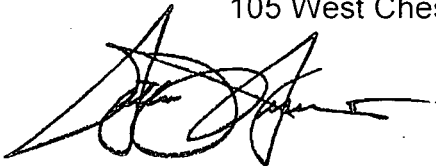
N/east side of Maple Ave at a distance of 526 ft n/west from the centerline of Homberg Ave.

15th Election District – 7th Councilmanic District

Legal Owner: James Perkowski

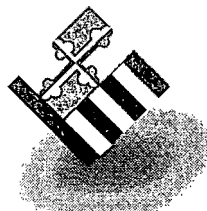
Variance to permit a lot width of 50 feet in lieu of the required 55 feet for a new single family residence.

Hearing: Friday, September 11, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

September 4, 2009

James J. Perkowski
333 Maple Ave.
Baltimore, MD 21221

Dear: James J. Perkowski

RE: Case Number 2009-0341-A, 333 Maple Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 30, 2009. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
David Billingsley; 601 Charwood Ct.; Edgewood, MD 21040

BW 9/11 9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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SEP 09 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 9, 2009

SUBJECT: Zoning Item # 09-341-A
Address 333 Maple Avenue
(Perkowski Property)

Zoning Advisory Committee Meeting of July 6, 2009

 X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL

Date: 9/9/09

FB 13w
9/11
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 23, 2009

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

SUBJECT: Zoning Advisory Petition(s): ~~Case(s) 9-341~~ and 9-342- Variance

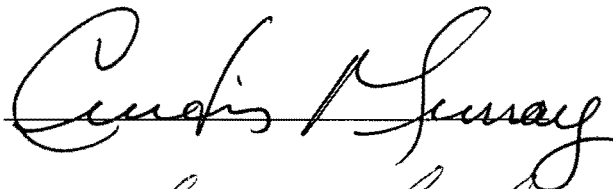
The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing undersized lots in the neighborhood. 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:

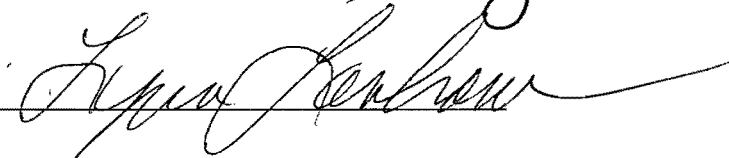
1. Submit building elevations and photographs of houses in the neighborhood to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings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

For further questions or additional information concerning the matters stated herein, please contact John Alexander with the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RECEIVED

JUL 27 2009

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For July 13, 2009
Item Nos. 2009-335, 336, 337, 338,
339, ~~341~~ 342 and 343

DATE: July 14, 2009

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

DAK:CEN:cab
cc: File
ZAC-07132009-NO COMMENTS



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

State Highway
Administration

Beverley K. Swaim-Staley, Acting Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: July 10, 2009

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

RE: Baltimore County
Item No 2009-0341-A
333 MAPLE AVE
PERKOWSKI 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. 2009-0341-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 that reads "Michael P. Bailey".
Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

CASE NAME 333 MAPLE AVE
CASE NUMBER 2009-341A
DATE 9/11/09

CASE NAME 333 MAPLE AVE
CASE NUMBER 2009-341A
DATE 9/11/09

[illegible]

RE: PETITION FOR VARIANCE * BEFORE THE
333 Maple Avenue; NE/S of Maple Avenue, * ZONING COMMISSIONER
526' NW c/line of Homberg Avenue *
15th Election & 6th Councilmanic Districts *
Legal Owner(s): James J. Perkowski * FOR
Petitioner(s) * BALTIMORE COUNTY
* 09-341-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

JUL 09 2009

.....

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 9th day of July, 2009, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

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

Account Identifier: District - 15 Account Number - 1516150540

Owner Information

Owner Name: PERKOWSKI JAMES J **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 333 MAPLE AVE **Deed Reference:** 1) /11030/ 516
 BALTIMORE MD 21221-3748 2)

Location & Structure Information

Premises Address **Legal Description**
 333 MAPLE AVE LT 67,68
 333 MAPLE AV
 HOMBERG

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
97	4	633						3	Plat Ref:	5/ 78

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1929	1,534 SF	20,000.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2009	07/01/2010
Land	65,250	65,250		
Improvements:	120,700	138,720		
Total:	185,950	203,970	191,956	197,962
Preferential Land:	0	0	0	0

Transfer Information

Seller: PERKOWSKI JAMES J	Date: 05/03/1995	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /11030/ 516	Deed2:
Seller: PERKOWSKI JAMES	Date: 03/07/1995	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /10964/ 117	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

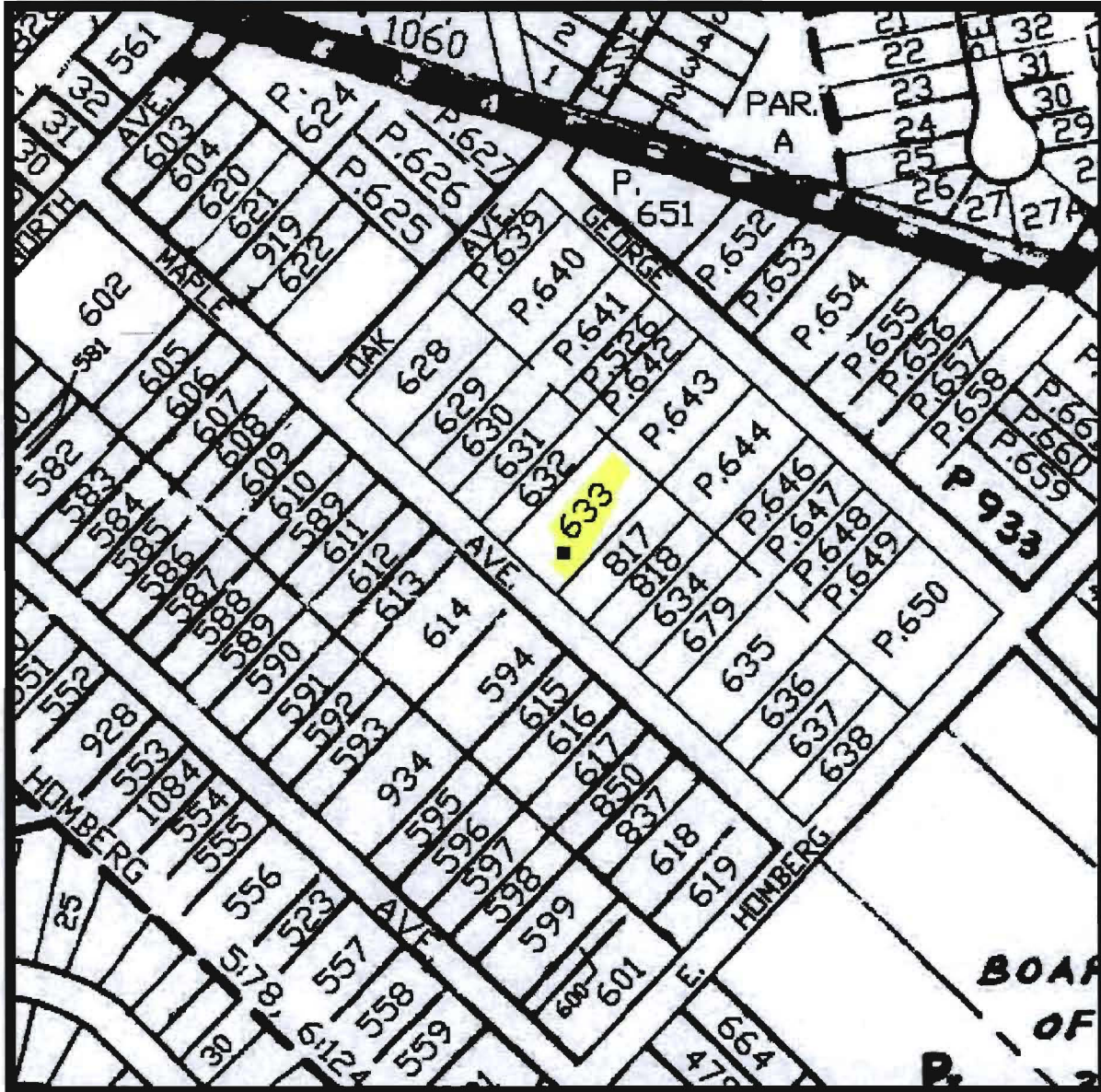
Special Tax Recapture:
 * NONE *



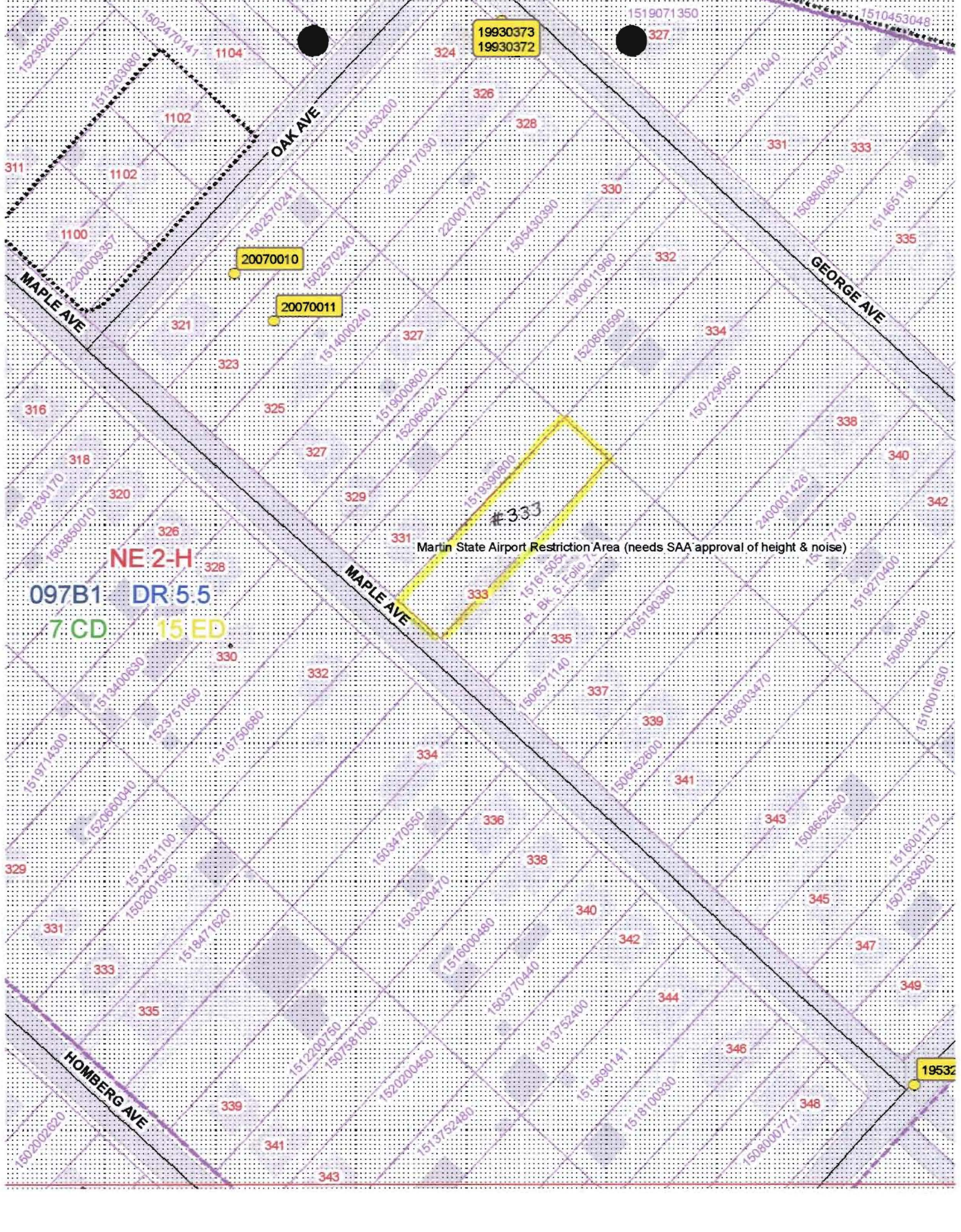
**Maryland Department of Assessments
and Taxation
BALTIMORE COUNTY
Real Property Data Search**

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

District - 15 Account Number - 1516150540



Property maps provided courtesy of the Maryland Department of Planning ©2008.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html



Case No.: 2009-0341-A i 2009-0342-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	Real Property Data Sheet	
No. 3	DEED - Lots OF RECORD	
No. 4	SUB DIVISION PLAT	
No. 5	Pattern of Development - Aerial Photo	
No. 6	POTENTIAL to RESOLVE 50' DEFICIENCY THRU 2 LOT - LINE ADJ.	
No. 7	Photo's of Existing Conditions.	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S EXHIBITS

**333 MAPLE AVENUE
CASE NO. 2009-0341-A**

1. PLAT TO ACCOMPANY PETITION DATED JUNE 17, 2009 (NO CHANGES)
2. SDAT REAL PROPERTY DATA SEARCH
3. COPY OF DEED OF RECORD
4. COPY OF SUBDIVISION PLAT OF LANDS BELONGING TO HENRY HOMBERG P.B. 5 F. 78 RECORDED SEPTEMBER 16, 1920
5. COPY OF AERIAL PHOTO OF NEIGHBORHOOD
6. COPY OF PLAN SHOWING LOT LINE ADJUSTMENT
- 7a THRU 7f. PHOTOS

Account Identifier: District - 15 Account Number - 1516150540

Owner Information

Owner Name: PERKOWSKI JAMES J Mailing Address: 333 MAPLE AVE BALTIMORE MD 21221-3748	Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1) /11030/ 516 2)
--	---

Location & Structure Information

Premises Address 333 MAPLE AVE	Legal Description LT 67,68 333 MAPLE AV HOMBERG
--	---

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
97	4	633						3	Plat Ref:	5/ 78

Special Tax Areas	Town Ad Valorem Tax Class
--------------------------	---------------------------------

Primary Structure Built 1929	Enclosed Area 1,534 SF	Property Land Area 20,000.00 SF	County Use 04
Stories 1 1/2	Basement YES	Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2008	07/01/2009
Land	65,250	65,250		
Improvements:	120,700	138,720		
Total:	185,950	203,970	185,950	191,956
Preferential Land:	0	0	0	0

Transfer Information

Seller: PERKOWSKI JAMES J Type: NOT ARMS-LENGTH	Date: 05/03/1995 Deed1: /11030/ 516	Price: \$0 Deed2:
Seller: PERKOWSKI JAMES Type: NOT ARMS-LENGTH	Date: 03/07/1995 Deed1: /10964/ 117	Price: \$0 Deed2:
Seller: Type:	Date: Deed1:	Price: Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO Exempt Class:	Special Tax Recapture: * NONE *
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PETITIONER' S

EXHIBIT NO. 2

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM
PROPERTY ID #1516150540

RETURN TO: CHESAPEAKE TITLE GROUP
106 N. Marlyn Avenue
Baltimore, Md 21221

This Deed, MADE THIS 26th day of April

in the year one thousand nine hundred and Ninety-Five by and between

JAMES J. PERKOWSKI and IRENE S. SEWELL, brother and sister

of Baltimore County, State of Maryland, parties
JAMES J. PERKOWSKI, party

of the first part. and

of the second part.

WITNESSETH, That in consideration of the sum of -ZERO-

the said parties of the first part

do grant and convey to the said party of the second part, his

heirs
personal representatives/~~executors~~ and assigns, in fee simple, all

that lot of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

BEING KNOWN and designated as Lots No. 67 and 68, as shown on a Plat entitled "Supplementary Plat of Land belonging to Henry Hamberg", which Plat is recorded among the Land Records of Baltimore County in Plat Book Liber W.P.C. 5, folio 78. The improvements thereon being known as 333 Maple Avenue.

Being the same lot of ground described in a Deed dated January 24, 1995 and recorded among the Land Records of Baltimore County in Liber SM 10964, folio 117, which was granted and conveyed by JAMES PERKOWSKI and MARY PERKOWSKI, his wife unto JAMES J. PERKOWSKI and IRENE S. SEWELL.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

JP 5-3-95
By Date

PETITIONER'S

EXHIBIT NO. 3

BALTIMORE COUNTY CLERK
03/03/2005

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE *JP* DATE *5-3-95*

Book SM 11030, p. 0816. Printed 09/08/2009. Online

Date *5/3/95*



PETITIONER'S

EXHIBIT NO.

5

HOMBERG
P.B. 5 H-78
66 67

DR 5.5

50'

200'

RAZE EX.
DWELLING

50'

OLD LOT
LINE

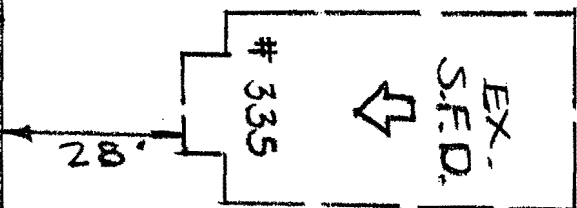
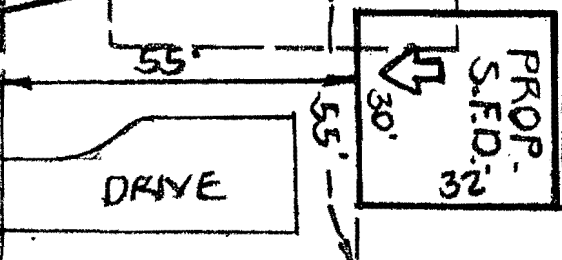
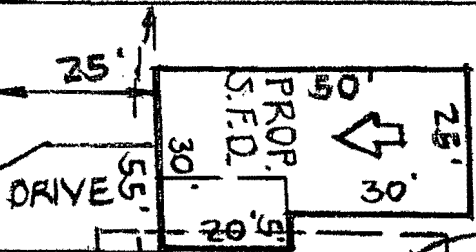
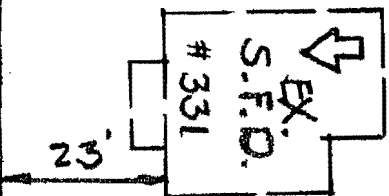
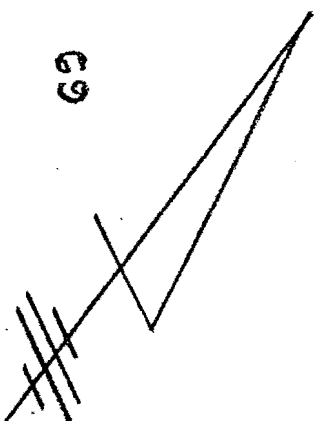
NEW LOT
LINE

68

RAZE
EX.
GAR.
200'

DR 5.5

69



EX. PAVING

40'

MAPLE

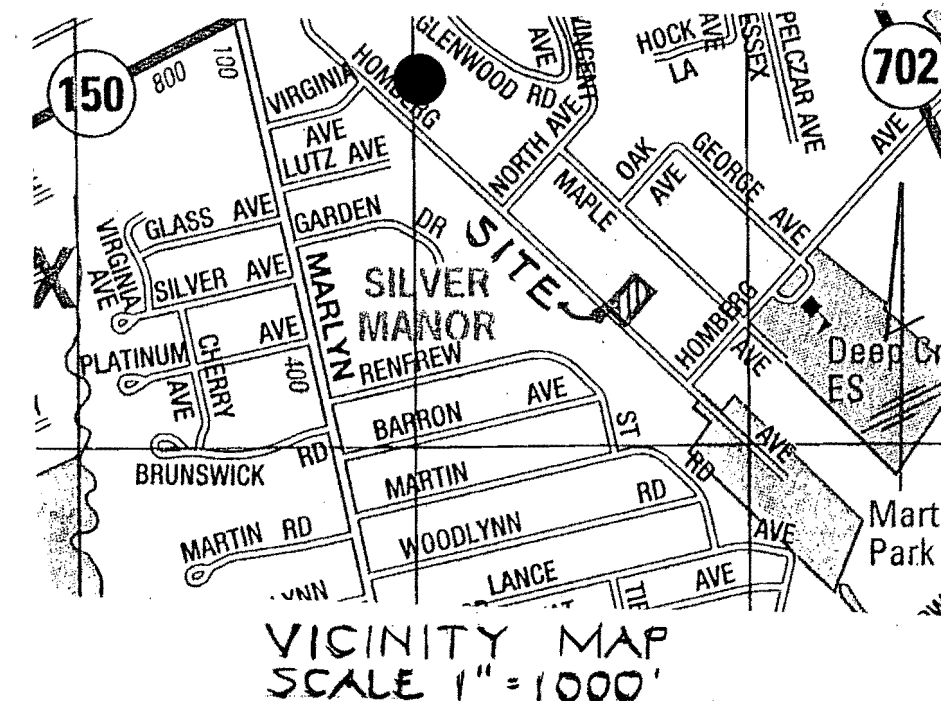
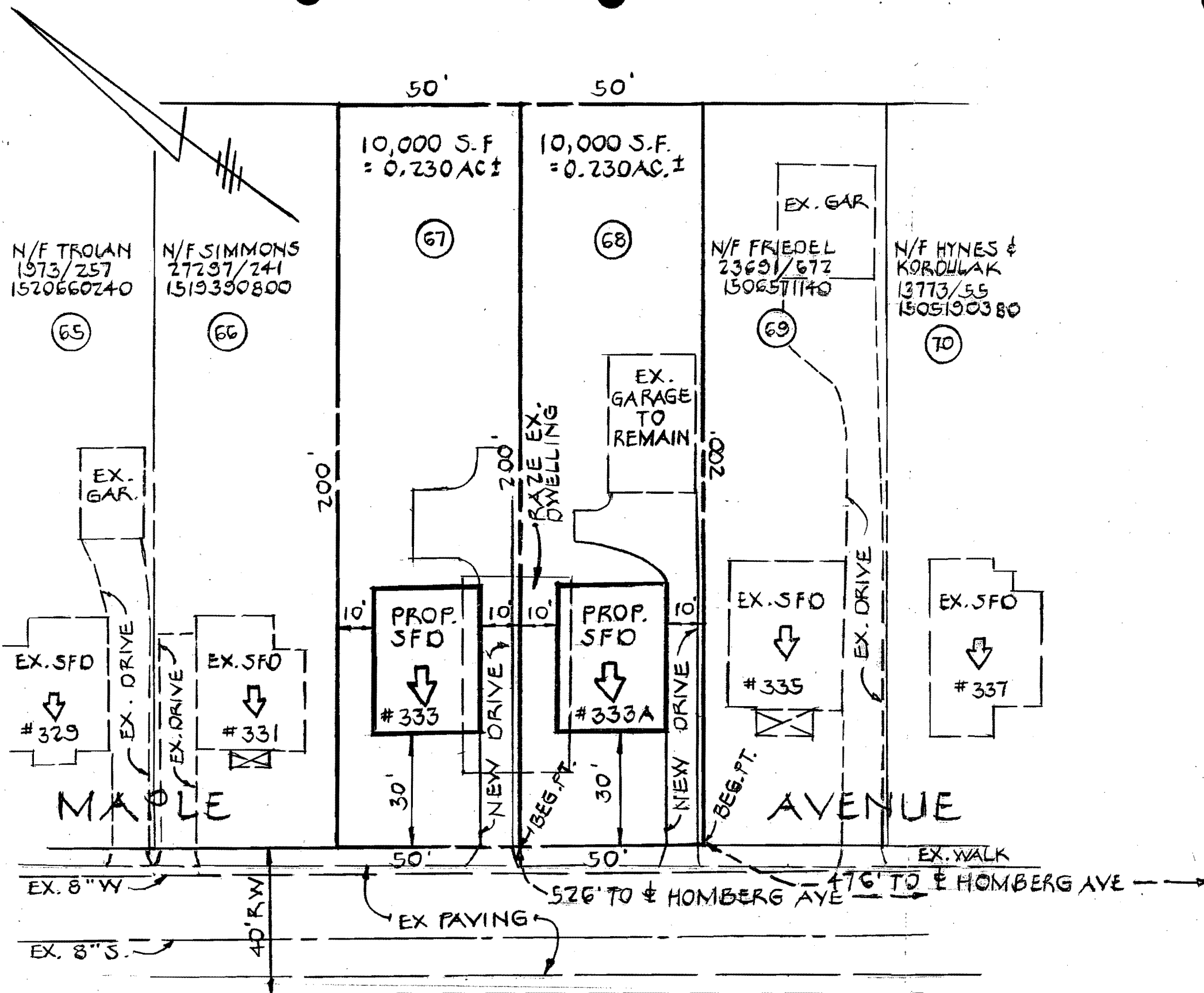
AVENUE

PETITIONER'S

EXHIBIT NO.

6

LOT LINE ADJUSTMENT



NOTES

1. ZONING.....DR 5.5 (MAP 097B1)
2. AREA OF 333 MAPLE AVENUE.....10,000 SF = 0.230 ACRE
AREA OF 333A MAPLE AVENUE....10,000 SF = 0.230 ACRE
3. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA OR 100 YEAR FLOOD PLAIN
4. PUBLIC WATER AND SEWER IS EXISTING
5. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN
6. TO THE PREPARERS KNOWLEDGE, NOT CRITICAL AREAS, HISTORIC STRUCTURES OR UNDERGROUND FUEL STORAGE TANKS EXIST

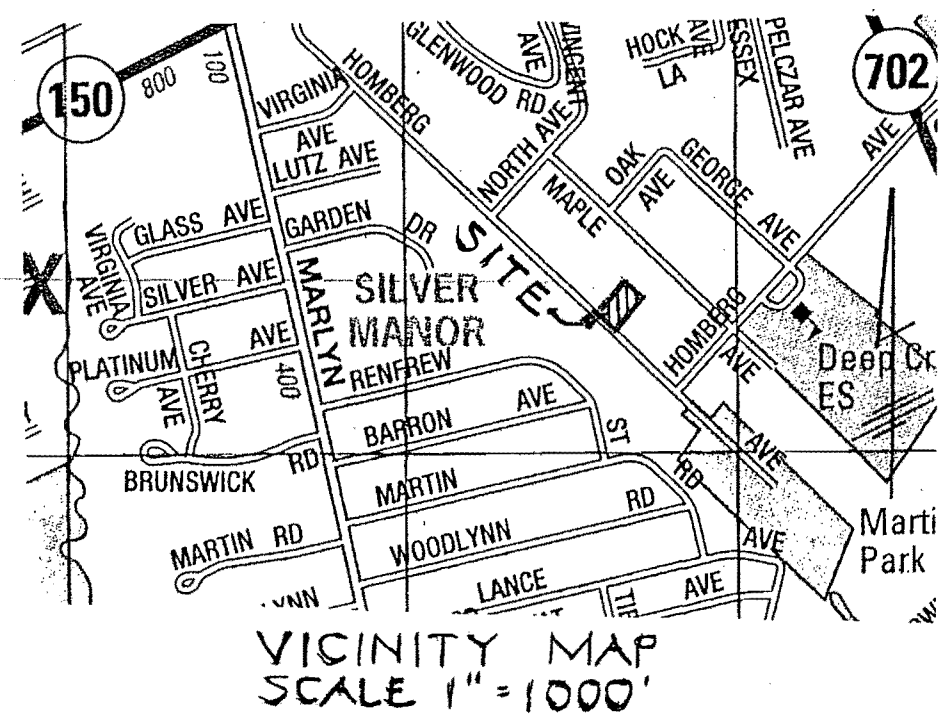
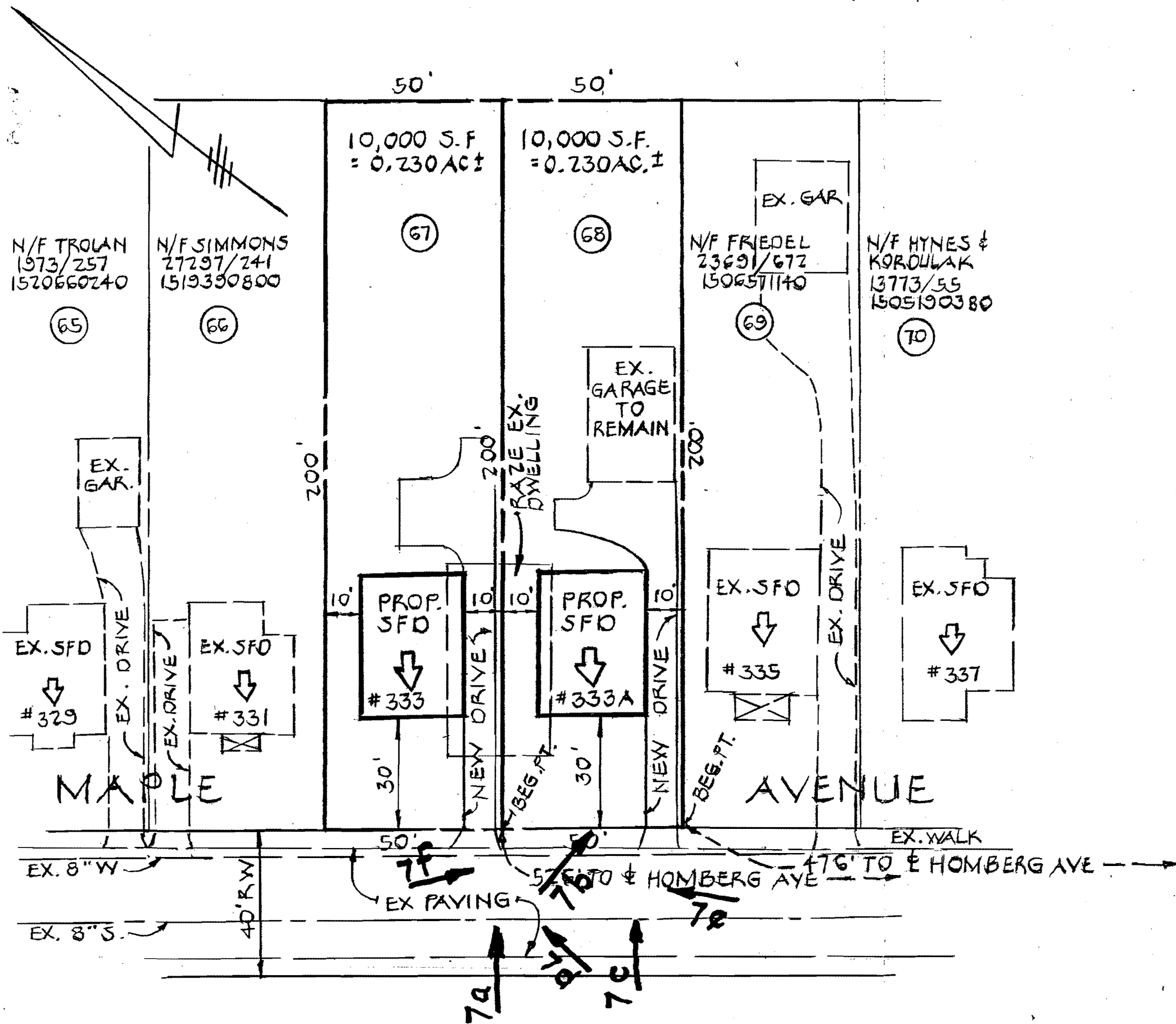
OWNER

JAMES J. PERKOWSKI
333 MAPLE AVENUE
BALTIMORE, MD. 21221
DEED REF: L.11030 F.516
PROPERTY NO. 1516150540

PETITIONER'S

EXHIBIT NO. 1

**PLAT TO ACCOMPANY PETITION
FOR VARIANCES
333 AND 333A MAPLE AVENUE
LOTS 67 AND 68 HOMBERG P.B. 5 F. 78
ELECTION DISTRICT 15C7
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET JUNE 17, 2009**



NOTES

1. ZONING.....DR 5.5 (MAP 097B1)
2. AREA OF 333 MAPLE AVENUE.....10,000 SF = 0.230 ACRE
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OWNER

JAMES J. PERKOWSKI
333 MAPLE AVENUE
BALTIMORE, MD. 21221
DEED REF: L.11030 E.516

PETITIONER'S

EXHIBIT NO.

7a-7e

PHOTOS

PLAT TO ACCOMPANY PETITION
FOR VARIANCES
333 AND 333A MAPLE AVENUE
LOTS 67 AND 68 HOMBERG P.B. 5 F. 78
ELECTION DISTRICT 15C7
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET JUNE 17, 2009



7e

7f



7d

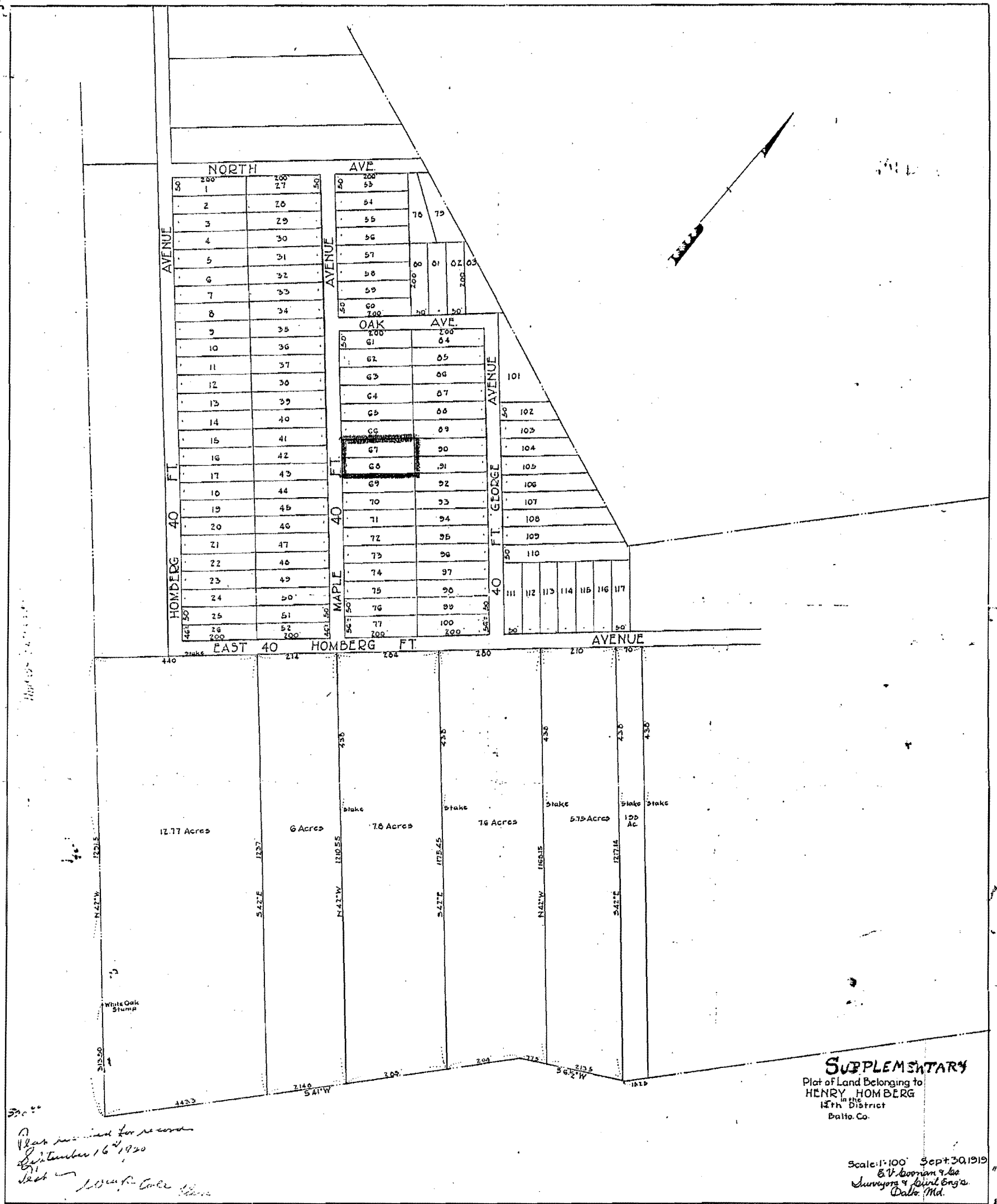


7b

7c



7a



P.B 5 F 78
SEPT. 16, 1920

PETITIONER'S
EXHIBIT NO. A