

IN 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])

15<sup>th</sup> Election District

6<sup>th</sup> Council District

James J. Perkowski

*Petitioner*

\*

\*

\*

\*

\*

\*

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case Nos. 2009-0341-A &  
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

ORDER RECEIVED FOR FILING

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,

ORDER RECEIVED FOR FILING

Date

9-15-09

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.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15<sup>th</sup> 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

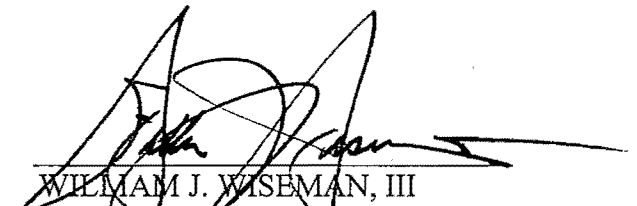
IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 2009-0342-A seeking relief from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a lot with a width of 50 feet, in lieu of the minimum required 55 feet for a new (replacement) single-family dwelling 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.

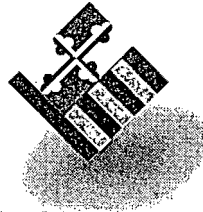
Any appeal of this decision must be made within thirty (30) days of the date of this

Order.

WJW:dlw

  
WILMAN J. WISEMAN, III  
Zoning Commissioner  
of Baltimore County

CASES RECEIVED FOR FILING  
Date 9-15-09  
By [Signature]



**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**

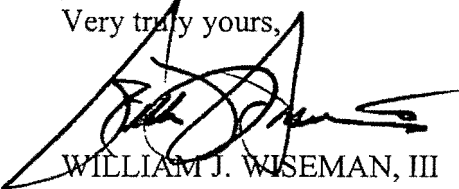
NE/S Maple Avenue, 476' & 526' NW c/line of Homberg Avenue  
**(333 Maple Avenue [Lot 67] & 333A Maple Avenue [Lot 68])**  
15<sup>th</sup> Election District - 6<sup>th</sup> Council District  
James J. Perkowski - *Petitioner*  
**Case Nos. 2009-0341-A & 2009-0342-A**

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 333A 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. 2009-0342-A

## Office Use Only

Estimated Length of Hearing 1/2 hour

Unavailable For Hearing

Reviewed by OF Date 6/30/09

REV 8/20/07

RECEIVED FOR FILING

Date 9-15-09

By [Signature]

## **ZONING DESCRIPTION**

### **333A MAPLE AVENUE**

Beginning at a point on the northeast side of Maple Avenue ( 40 feet wide ), distant 476 feet northwesterly of it's intersection with the center of Homberg Avenue ( 40 feet wide ), thence being all of Lot 68 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 15<sup>TH</sup> Election District, 7<sup>TH</sup> Councilmanic District of Baltimore County, Md.

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

No. **39289**  
 Date: **6/30/09**

**PAID RECEIPT**

BUSINESS ACTUAL TIME MON  
 4/30/2009 7/30/2009 09:37:12 2  
 4/30/2009 7/30/2009 09:37:12 2  
 4/30/2009 7/30/2009 09:37:12 2

| Fund | Dept | Unit | Sub Unit | Rev     | Sub  | Dept | Obj | BS Acct | Amount |
|------|------|------|----------|---------|------|------|-----|---------|--------|
|      |      |      |          | Source/ | Rev/ |      |     |         |        |
| 001  | 506  | 1152 |          | 6137    |      |      |     |         | 65.00  |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |
|      |      |      |          |         |      |      |     |         |        |

Total: **65.00**

Rec From: **Central Drafting**  
 For: **Payment for Vacation**  
**333 A Maple Ave**  
**2009 - 1242 - 6**

**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: # 2009-0342-A**

333A Maple Avenue  
N/east side of Maple Avenue at a distance of 476 ft n/west from centerline of Homberg Avenue  
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 10:00 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 accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

8/390 August 27 209508

# 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 8/27/2009.

- ☒ 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 2009-0342-A

Petitioner/Developer JAMES PERKOWSKI

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 A MAPLE AVE

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

Month, Day, Year

Sincerely,

Martin Ogle 8/25/09  
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: 2009-0342-A

Petitioner: JAMES J. PERKOWSKI

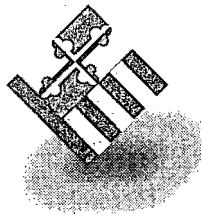
Address or Location: 333A MAPLE AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES J. PERKOWSKI

Address: 333 MAPLE AVE  
BALTO., MD 21221

Telephone Number: (410) 294-7601



**BALTIMORE COUNTY**  
MARYLAND

August 3, 2009

JAMES T. SMITH, JR.  
County Executive

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: 2009-0342-A**

333A Maple Avenue

N/east side of Maple Avenue at a distance of 476 ft n/west from centerline of Homberg Avenue

15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owners: 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 10:00 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 THURSDAY, AUGUST 27, 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  
Thursday, August 27, 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: 2009-0342-A**

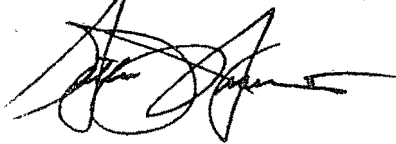
333A Maple Avenue

N/east side of Maple Avenue at a distance of 476 ft n/west from centerline of Homberg Avenue  
15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owners: James Perkowski

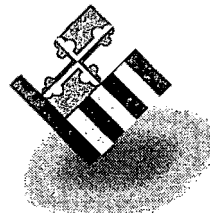
Variance to permit a lot width of 50 feet in lieu of the required 55 feet for a new single family residence.

Hearing: Friday, September 11, 2009 at 10:00 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 2009-0342-A, 333 A 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." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:lnw

Enclosures

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

BLW 9/11  
10AM

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



**RECEIVED**

**SEP 09 2009**

**ZONING COMMISSIONER**

TO: Timothy M. Kotroco  
FROM: Dave Lykens, DEPRM - Development Coordination  
DATE: September 9, 2009  
SUBJECT: Zoning Item # 09-342-A  
Address 333 A 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

JB BW  
9/11  
10 AM

# 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**

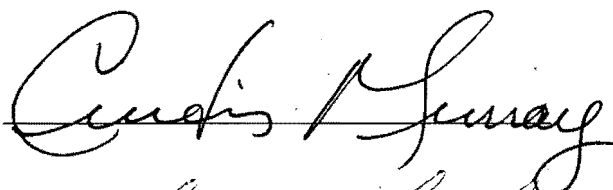
The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing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

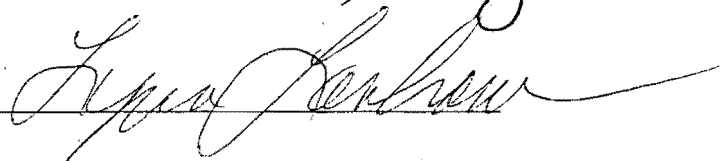
1. Submit building elevations and photographs of houses in the neighborhood to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings 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 2009-0342-A  
333 A MAPLE AVE  
PERKOWSKI PROPERTY  
VARIABLE -

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. 2009-0342-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,

For Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/MB

CASE NAME 333A MAPLE AVE  
CASE NUMBER 2009-342A  
DATE 9/11/09

CASE NAME 333A MAPLE AVE  
CASE NUMBER 2009-342A  
DATE 9/11/09

[illegible]

RE: PETITION FOR VARIANCE \* BEFORE THE  
333A Maple Avenue; NE/S of Maple Avenue, \*  
476' NW c/line of Homberg Avenue \* ZONING COMMISSIONER  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts \*  
Legal Owner(s): James J. Perkowski \* FOR  
Petitioner(s) \* BALTIMORE COUNTY  
\* 09-342-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*

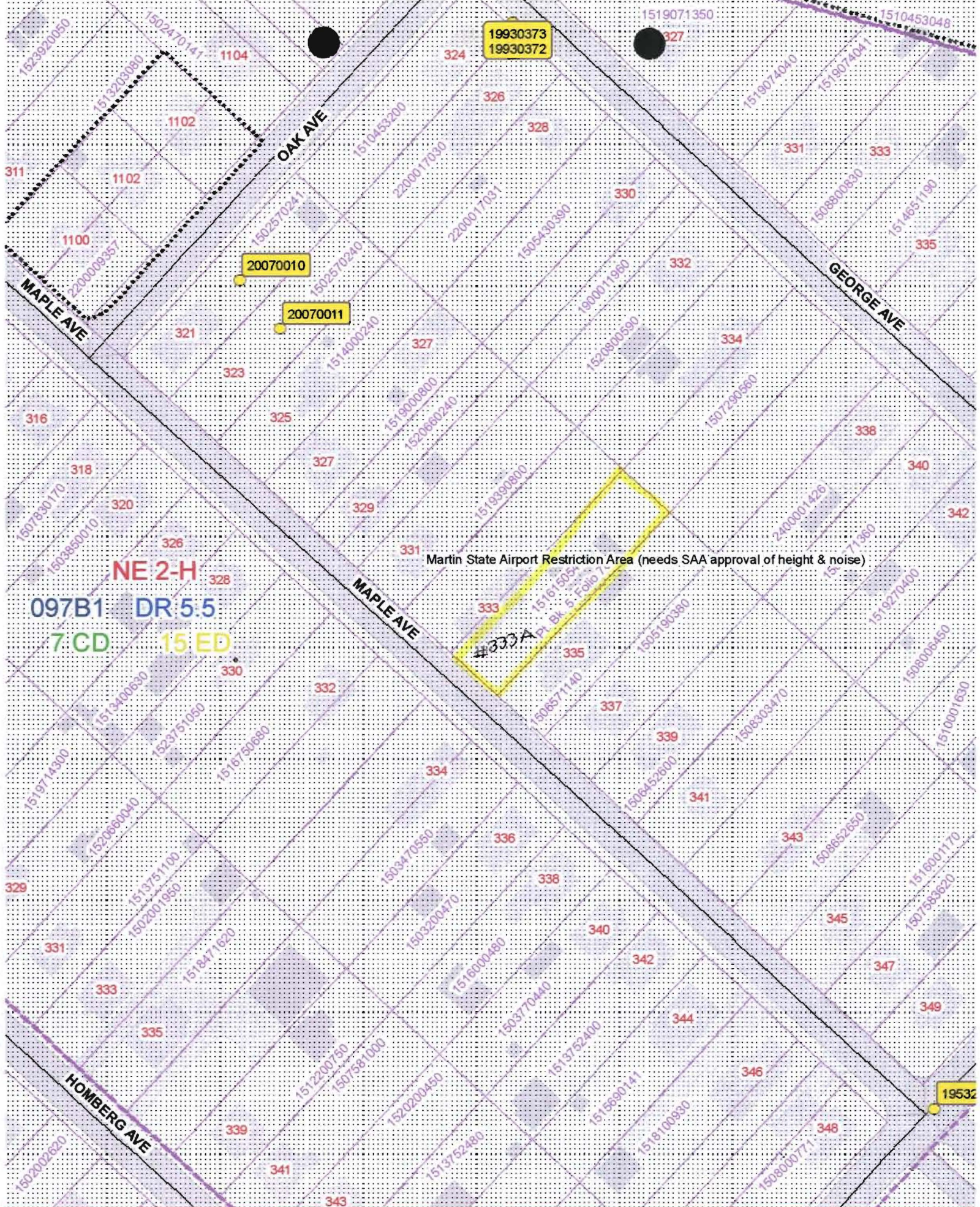
CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9<sup>th</sup> 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



19930373  
19930372

20070010

20070011

Martin State Airport Restriction Area (needs SAA approval of height & noise)

#333A

19532

NE 2-H

DR 5.5

097B1  
7 CD

15 ED

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<br>- Aerial Photo                      |  |
| No. 6  | POTENTIAL to RESOLVE<br>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**

**333A MAPLE AVENUE  
CASE NO. 2009-0342-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



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

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:  |       |
|-----|------|--------|--------------|-------------|---------|-------|-----|-----------------|-----------|-------|
| 97  | 4    | 633    |              |             |         |       |     | 3               | 2         |       |
|     |      |        |              |             |         |       |     |                 | 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<br>01/01/2009        | As Of<br>07/01/2008 | As Of<br>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 | 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 | 07/01/2008 | 07/01/2009 |
|----------------------------|-------|------------|------------|
| County                     | 000   | 0          | 0          |
| State                      | 000   | 0          | 0          |
| Municipal                  | 000   | 0          | 0          |

Tax Exempt: NO  
Exempt Class:

Special Tax Recapture:  
\* NONE \*

PETITIONER'S

EXHIBIT NO.

2

011030.516

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

RETURN TO: CHESAPEAKE TITLE GROUP  
106 N. Marilyn 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/~~successors~~ 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.

PETITIONER'S

EXHIBIT NO. 3

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

*SP* 5-3-95  
By Date

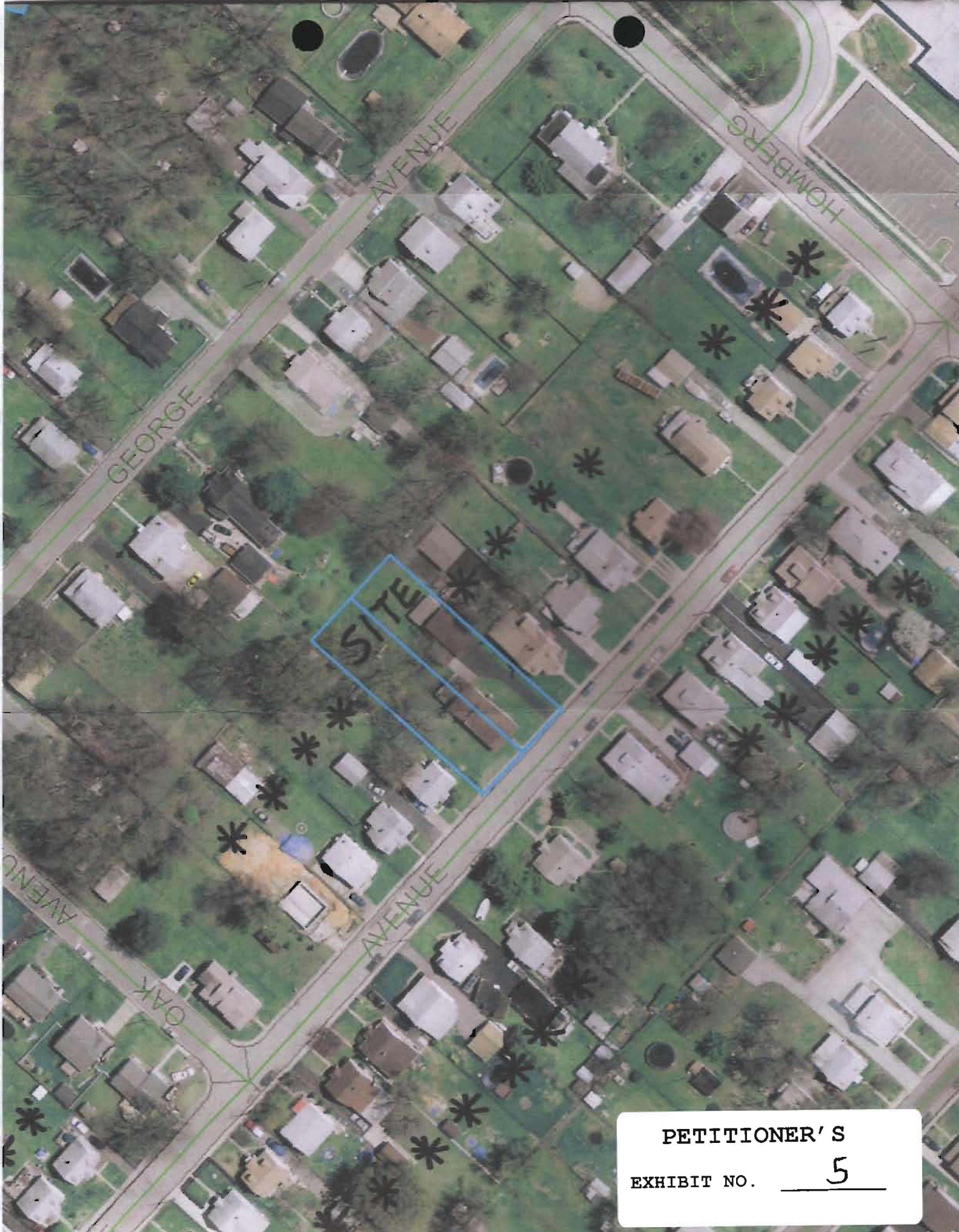
BALTIMORE COUNTY DISCLOSURE  
03/03/2005

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE *SP* DATE 5-3-95

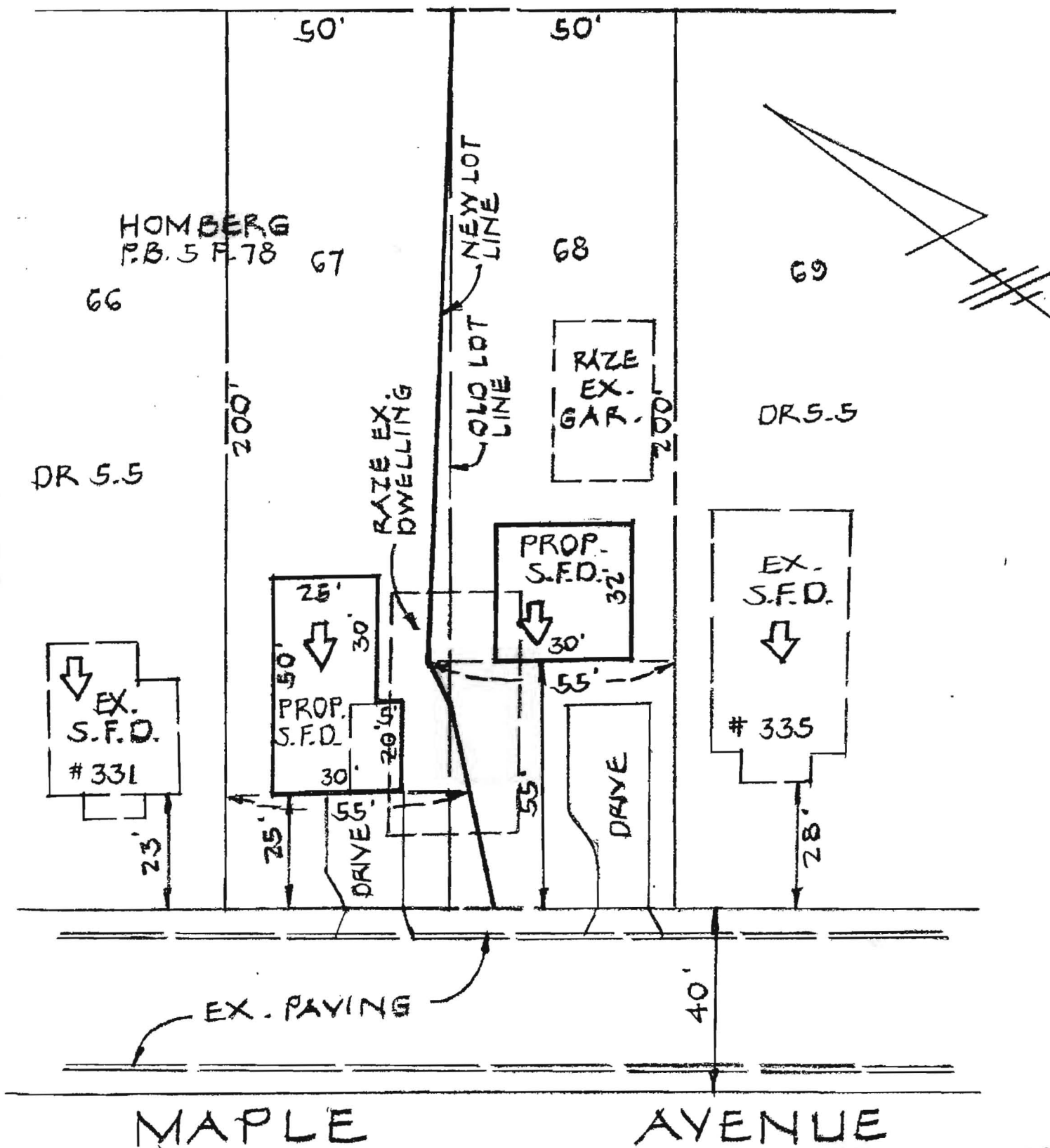
Book SM 11030, p. 0816. Printed 09/06/2009. Online

Date 5/3/95



PETITIONER'S

EXHIBIT NO. 5



PETITIONER'S  
EXHIBIT NO. 6

LOT LINE ADJUSTMENT



7b



7a



7c



7d

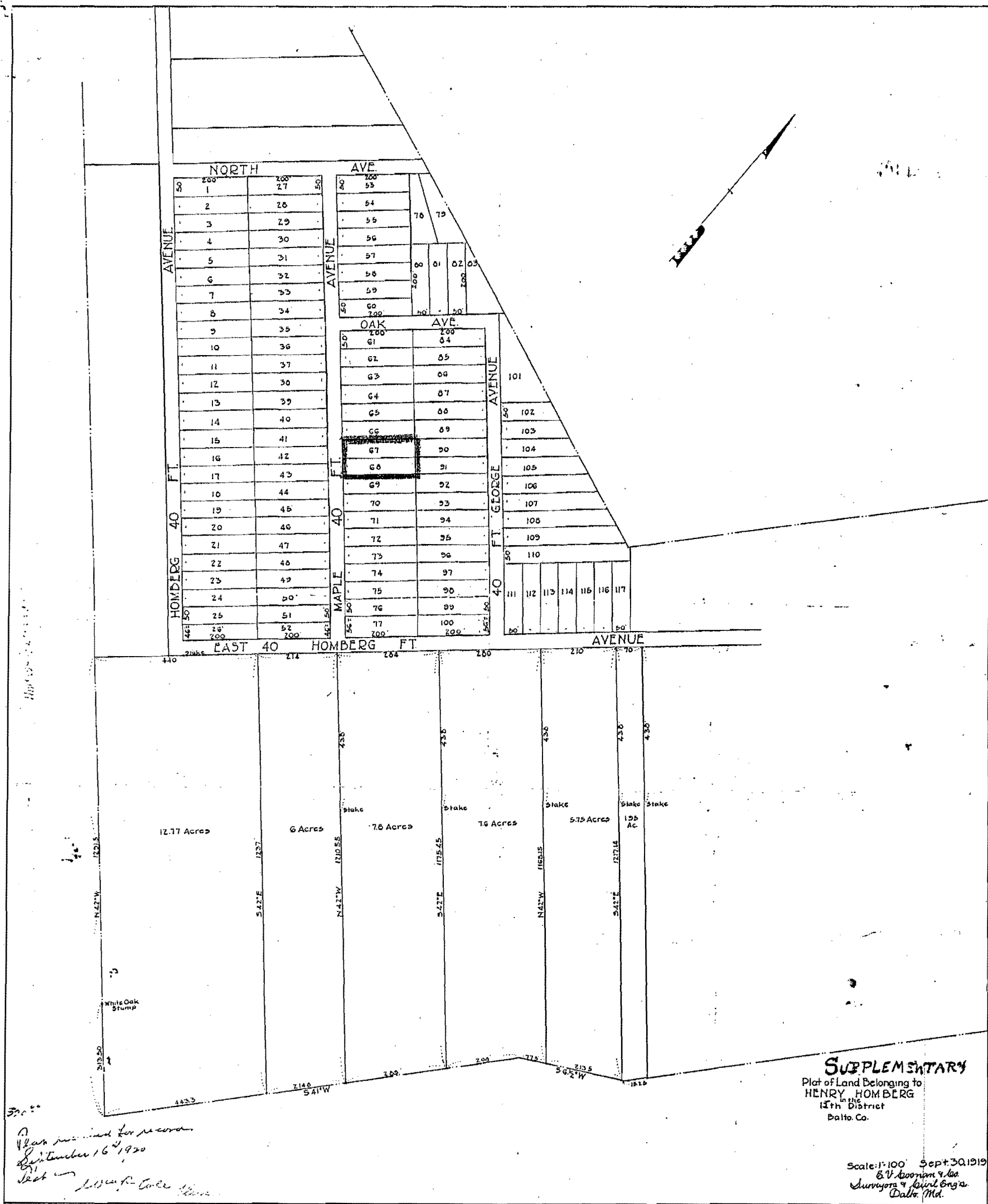


7e



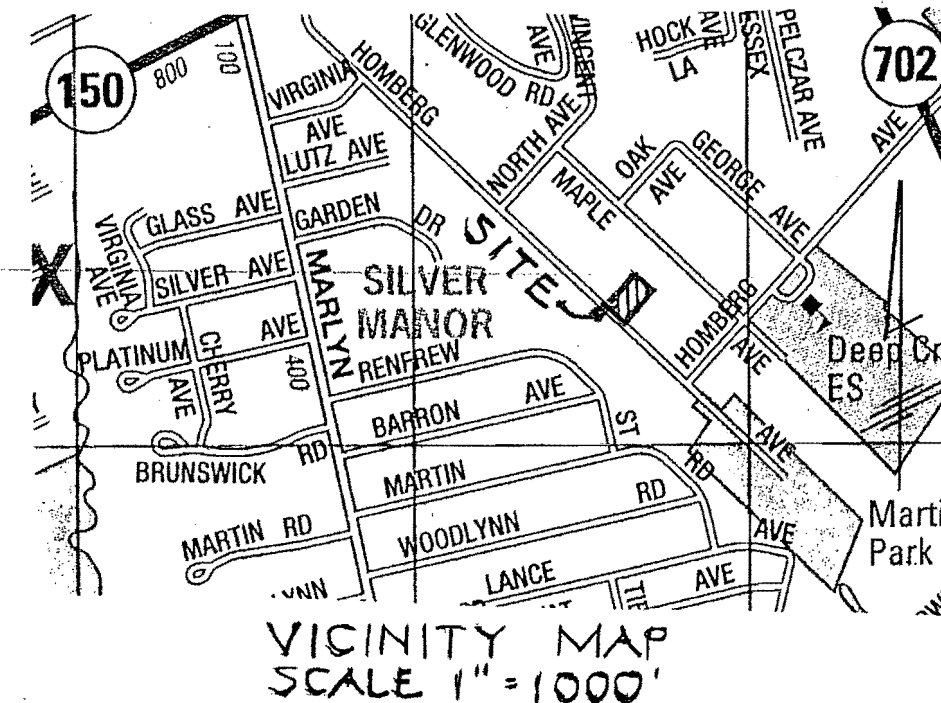
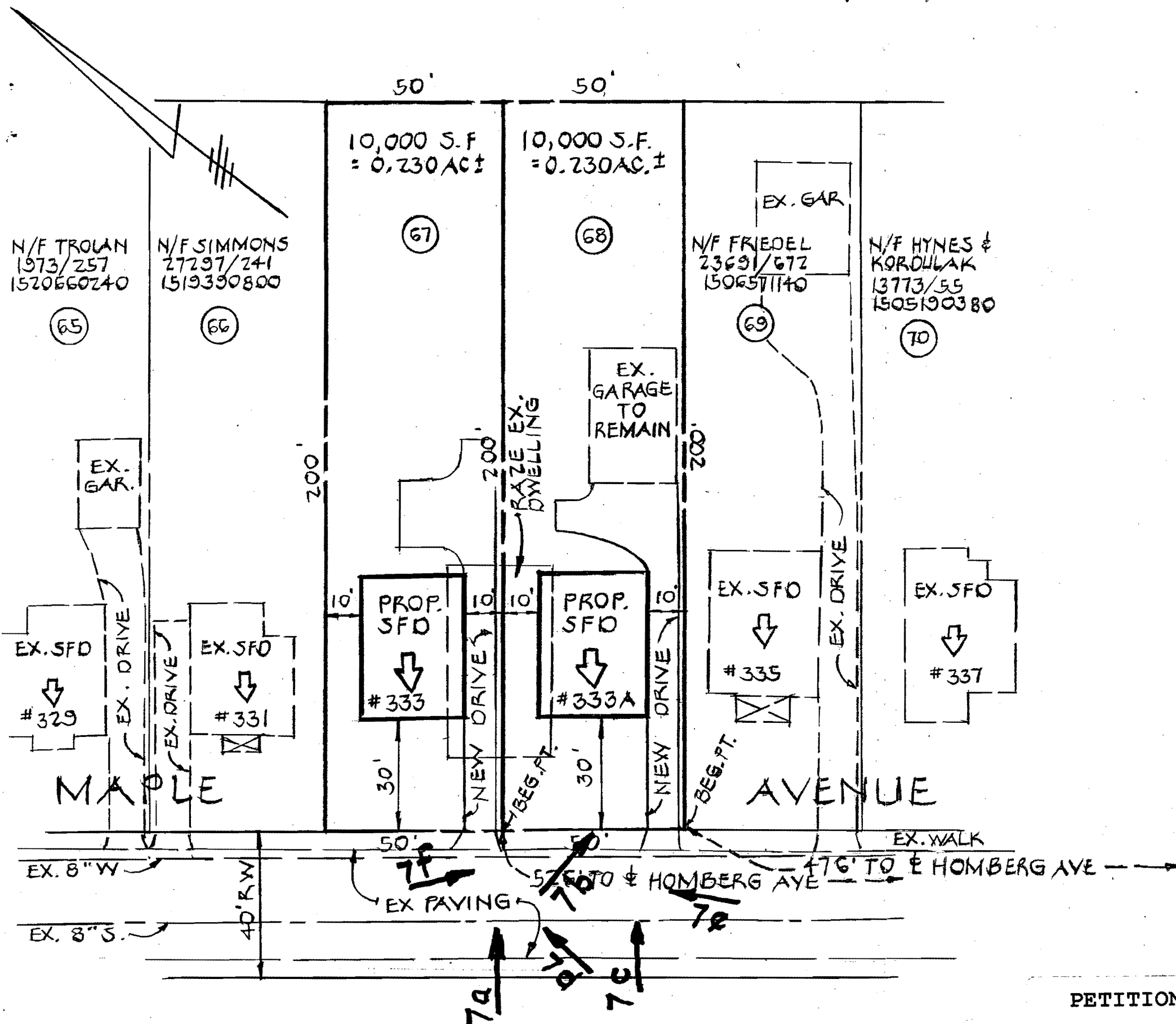
7f





P.B 5 F 78  
SEPT. 16, 1920

PETITIONER'S  
EXHIBIT NO. 4



#### 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

## PHOTOS

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

PETITIONER'S

EXHIBIT NO.

7