

IN RE: PETITION FOR VARIANCE

W side of Handy Avenue; 500 feet N of
the c/l of Rich Avenue
1st Election District
1st Councilmanic District
(1010 Handy Avenue)

David Nguyen
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **CASE NO. 2010-0257-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, David Nguyen. Petitioner is requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed single-family dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet. The subject property and requested relief are more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Petitioner David Nguyen and Scott Chilton, Petitioner's building contractor and consultant who has worked with Petitioner on the development of the subject property. There were no Protestant's or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is rectangular in shape and contains 7,500 square feet or 0.172 acre, more or less, zoned D.R. 5.5. The property is located in the Douglas Park Subdivision on the west side of Hand Avenue, north of Baltimore National Pike (U.S. 40) in the Catonsville area of the County. The subject property, known as Lot 137 in the original record plat marked and accepted into evidence as Petitioner's Exhibit 3, is 50 feet wide and 150 feet deep, much like most of the other lots in the Douglas Park subdivision.

ORDER RECEIVED FOR FILING

Date 6-11-10

By pm

It is currently unimproved and only contains sporadic trees and brush as depicted by the photographs of the property marked and accepted into evidence as Exhibits 4A through 4D. Petitioner purchased the property in March 2010 according to the Real Property Data Search printout that was marked and accepted into evidence as Petitioner's Exhibit 6. At this juncture, Petitioner proposes to construct a pre-fabricated modular home of the type shown in the brochure that was marked and accepted into evidence as Petitioner's Exhibit 7. Architectural renderings and elevation drawings prepared by Chesapeake Bay Homes, which were marked and accepted into evidence as Petitioner's Exhibits 8A through 8C, show the two-story, single-family home almost identical to the one Petitioner proposes to construct on the subject property. These drawings show an aesthetically pleasing residence that will obviously be new in appearance, but will also mesh with the surrounding Douglas Park subdivision.

Petitioner requests variance relief due to the subject property having a lot width of 50 feet which is 5 feet less than the required 55 foot lot width for the D.R.5.5 Zone pursuant to Section 1B02.3.C.1 of the B.C.Z.R. Put simply, the current lot width renders the lot unfit for development absent variance relief. Mr. Chilton testified in support of the relief and indicated that a majority of the lots in the Douglas Park subdivision are only 50 feet wide and are clearly intended to be buildable, as shown on the record plat that was marked and accepted into evidence as Petitioner's Exhibit 3. The subdivision was recorded in April 1924, well prior to the adoption of the current zoning regulations which now require a lot width of 55 feet, thus in a sense rendering the subject property nonconforming. Petitioner's building of a single-family residence would be in-fill development as most of the subdivision has already been improved, save for a few other vacant lots. In-fill development is a preferred manner of development due to the fact

ORDER RECEIVED FOR FILING

Date _____ 2

By _____

that water, sewer and other necessary utilities are already accounted for and thus impacts the land and the surrounding neighborhood minimally.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated April 14, 2010 which indicate that Petitioner does not own 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 B.C.Z.R. Additionally, there appears to be several existing undersized lots in the neighborhood. As such, the Planning Office does not oppose the Petitioner's request. If the variance is granted, certain conditions should apply; namely, submitting building elevations for review and approval prior to the issuance of any building permit, and providing landscaping along the public road. The Department of Environmental Protection and Resource Management (DEPRM), the Fire Marshal's Office, and the State Highway Administration (SHA) submitted no negative comments in regard to the requested variance relief.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The property is certainly unique given the age of the record plat that dates back to 1924 and the fact that the majority of the lots in the Douglas Park Subdivision have been developed with a width of 50 feet.

I also find that practical difficulty and undue hardship would befall Petitioner if the requested variance relief were not granted. No matter what improvement would be planned, there is no possible way for Petitioner to comply with the 55 foot minimum lot width required in the D.R.5.5 Zone. Denying the variance request would also inhibit beneficial uses of the

ORDER RECEIVED FOR FILING

Date 6-11-10

By pm

property that are otherwise permitted by the Regulations for Petitioner or any other prospective purchaser of the subject property.

I further find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare. I also find that the variance request meets the requirements of Section 304.1 of the B.C.Z.R., in that the subject lot was duly recorded in a validly approved subdivision prior to March 30, 1955, that all other requirements of the height and area regulations are complied with, and that Petitioner does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 11th day of June, 2010 by this Deputy Zoning Commissioner, that Petitioner's Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed single-family dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. 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 shall be compatible in size, exterior building materials, color and architectural detail as that of the existing dwellings in the area.

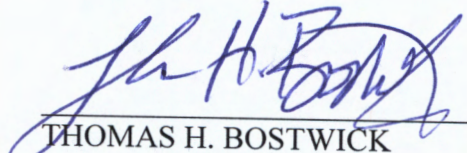
ORDER RECEIVED FOR FILING

Date 6-11-10

By PS

3. Petitioner shall provide landscaping along the public road, if applicable.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 6.11.10

By pm



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 11, 2010

DAVID NGUYEN
22 GLEN WAY
BALTIMORE MD 21236

Re: Petition for Variance
Case No. 2010-0257-A
Property: 1010 Handy Avenue

Dear Mr. Nguyen:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: Scott Chilton, 27 Neptune Drive, Joppa MD 21085



TAX. ACCOUNT # 0103232390

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 1010 HANDY AVE. BALT. 21228
which is presently zoned DR5.5

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 - to permit a proposed

single family dwelling on a lot with a width of 50 feet in lieu of the minimum required 55.

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 discussed 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:

DAVID NGUYEN
Name - Type or Print
David Nguyen
Signature
22 GLEN WAY 410-698-8090
Address Telephone No.
BALTIMORE MD 21236
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Date 6-11-10
By [Signature]
Address Telephone No.
City State Zip Code

ORDER RECEIVED FOR FILING

Case No. 2010-0257-A

REV 9/15/98

Legal Owner(s):

DAVID NGUYEN
Name - Type or Print
David Nguyen
Signature
Name - Type or Print
Signature
22 GLEN WAY 410-698-8090
Address Telephone No.
BALTIMORE MD 21236
City State Zip Code

Representative to be Contacted:

SCOTT CHILTON
Name
27 NEPTUNE DRIVE 410-220-6585
Address Telephone No.
JOPPA MD 21085
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 3/30/10

ZONING DESCRIPTION

Zoning description for: 1010 HANDY AVE., BALTIMORE, MD, 21228

Beginning at a point on the EAST ^{WEST} side of HANDY AVE

which is 40' FEET wide at the distance of 500' FEET NORTHEAST
of the centerline of the nearest improved intersecting street RICH AVE.

which is 40' FEET wide. *Being Lot # 137.

Block _____, Section # _____ in the subdivision of DOUGLAS PARK

as recorded in Baltimore County Plat Book # 7, Folio # 170,

containing 7500 SQ FT. Also known as 1010 HANDY AVE.

and located in the 1ST Election District, 1ST Councilmanic District.

Item #0257

**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: 2010 - 0257 - A
Petitioner: David Nguyen
Address or Location: 1010 Handy Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: Scott Kilton
Address: 27 Neptune Dr
Joppa MD
21085
Telephone Number: 443 220 6585

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

No. 62203

Date: _____

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		0170					

Total: _____

Rec
From: _____

For: _____

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: # 2010-0257-A

1010 Handy Avenue
W/side of Handy Avenue,
500 feet +/- north of the
centerline of Rich Avenue
1st Election District
1st Councilmanic District
Legal Owner: David Nguyen
Variance: to permit a pro-
posed single family dwelling
on a lot with a width of 50
feet in lieu of the minimum
required 55 feet.

**Hearing: Friday, May 14,
2010 at 10:00 a.m. in
Room 104, Jefferson
Building, 105 West Ches-
apeake 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.

4/2022 April 29 238104

CERTIFICATE OF PUBLICATION

4/29/, 2010

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 4/29/, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

+--CERTIFICATE OF POSTING

2010-0257-A

RE: Case No.: _____

Petitioner/Developer: _____
David Nguyen

_____ May 14 2010
Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristin Matthews

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____
1010 Handy Avenue

_____ April 29 2010
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black 5/1 /10
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2010-0257-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

Room 104 JEFFERSON BUILDING 21204
105 WEST CHESAPEAKE AVENUE TOWSON

PLACE:

DATE AND TIME: FRIDAY, MAY 14, 2010 AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED SINGLE

FAMILY DWELLING ON A LOT WITH A WIDTH OF 50 FEET IN LIEU
OF THE MINIMUM REQUIRED 55 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
April 15, 2010

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: 2010-0257-A

1010 Handy Avenue

W/side of Handy Avenue, 500 feet +/- north of the centerline of Rich Avenue

1st Election District – 1st Councilmanic District

Legal Owner: David Nguyen

Variance to permit a proposed single family dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet.

Hearing: Friday, May 14, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: David Nguyen, 22 Glen Way, Baltimore 21236
Scott Chilton, 27 Neptune Drive, Joppa 21085

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 29, 2010.**
- (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, April 29, 2010 Issue - Jeffersonian

Please forward billing to:
Scott Chilton
27 Neptune Drive
Joppa, MD 21085

443-220-6585

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: 2010-0257-A

1010 Handy Avenue

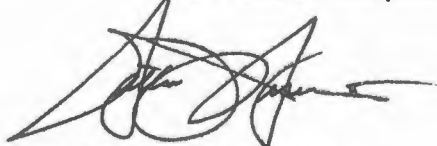
W/side of Handy Avenue, 500 feet +/- north of the centerline of Rich Avenue

1st Election District – 1st Councilmanic District

Legal Owner: David Nguyen

Variance to permit a proposed single family dwelling on a lot with a width of 50 feet in lieu of the minimum required 55 feet.

Hearing: Friday, May 14, 2010 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

May 5, 2010

David Nguyen
22 Glen Way
Baltimore, MD 21236

Dear: David Nguyen

RE: Case Number 2010-0257-A, 1010 Handy Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 30, 2010. 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 that reads "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
Scott Chilton; 27 Neptune Dr.; Joppa, MD 21085

TB 5/14
10am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 30 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: April 30, 2010
SUBJECT: Zoning Item # 10-257-A
Address 1010 Handy Avenue
(Nguyen Property)

Zoning Advisory Committee Meeting of April 5, 2010.

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

Reviewer: JWL

Date: 4/30/10

TB 5/14
10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 14, 2010

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-257- Variance**

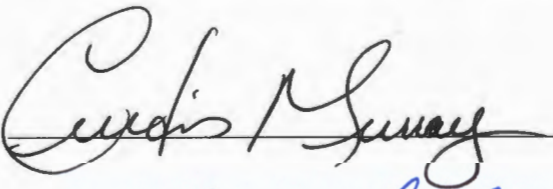
The Office of Planning has reviewed the subject request and has determined that the petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. Additionally, there appears to be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

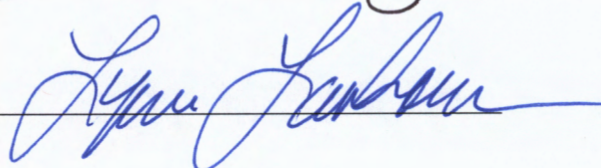
1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the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

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

Prepared By:



Division Chief:



CM/LL

RECEIVED

APR 16 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For April 19, 2010
Item Nos. 2010-251, 252, 253, 255,
256, 257, 258 and 260

DATE: April 8, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04192010 -NO COMMENTS.doc



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 19, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 19, 2010

Item Numbers: 0250 through ²⁵⁷ 0260

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: April 12, 2010

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

RE: Baltimore County
Item No. 2010-0257-A
1010 HANDY AVENUE
NGUYEN 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. 2010-0257-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 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". The signature is written in a cursive, flowing style.

For¹ 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.sha.maryland.gov

RE: PETITION FOR VARIANCE * BEFORE THE
1010 Handy Avenue; W/S Handy Avenue, * ZONING COMMISSIONER
500' N of c/line of Rich Avenue *
1st Election & 1st Councilmanic Districts * FOR
Legal Owner(s): David Nguyen *
Petitioner(s) * BALTIMORE COUNTY
* 10-257-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.

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

APR 12 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of April, 2010, a copy of the foregoing Entry of Appearance was mailed to Scott Chilton, 27 Neptune Drive, Joppa, MD 21085, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CLEARLY

CASE NAME 1010 HANDY ASK
CASE NUMBER 2010-0257-A
DATE MAY 14, 2010 10 AM

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.: 2010-0257-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Zoning map	
No. 3	Record Plat, 1924	
No. 4 A-D	Photographs	
No. 5	mapquest satellite map	
No. 6	Real Property Data Search 1010 Handy Ave.	
No. 7	Patternbook for modular Home	
No. 8 A-C	Architectural Renderings by Cresapeake Bay Homes	
No. 9		
No. 10		
No. 11		
No. 12		

PETITIONER'S

EXHIBIT NO.

4A-D



A



B



C



D

**MAPQUEST.**

Sorry! When printing directly from the browser your directions or map may not print correctly. For best results, try clicking the Printer-Friendly button.

**1010 Handy Ave**

Catonsville, MD 21228-2817



Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest.

PETITIONER'S**EXHIBIT NO.**5



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

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

Account Identifier: District - 01 Account Number - 0103232390

Owner Information

Owner Name: NGUYEN DAVID **Use:** RESIDENTIAL
Mailing Address: 22 GLEN WAY **Principal Residence:** NO
 BALTIMORE MD 21236-5307 **Deed Reference:** 1) /29273/ 208
 2)

Location & Structure Information

Premises Address **Legal Description**
 HANDY AVE DOUGLAS PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
94	24	96					137	1	Plat Ref: 7/ 170

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		7,500.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2010	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	69,000	69,000		
Improvements:	0	0		
Total:	69,000	69,000	69,000	69,000
Preferential Land:	0	0	0	0

Transfer Information

Seller: CHRISTIAN CARL	Date: 03/12/2010	Price: \$57,500
Type: UNIMPROVED ARMS-LENGTH	Deed1: /29273/ 208	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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 *

PETITIONER'S

EXHIBIT NO. 6



COASTAL CHARM WITH ROOM TO RELAX

©2008 Excel

PETITIONER'S

EXHIBIT NO.

7

The southern, coastal design of the Sandstone home plan makes it the perfect choice for relaxed seaside or lakeside living. Designed to fit most narrow lots, with the option of moving the two-car garage to the side, the Sandstone features 4 bedrooms, with a first-floor master, and 3½ baths,

including one with "Jack and Jill" amenities. A separate loft/media area is ideal for relaxing. The professionally designed kitchen comes with a separate cooktop and oven. And, of course, Excel Homes offers hundreds of customization options and upgrades to give you the home of your dreams.

PLAN SANDSTONE

1st Floor = 1320

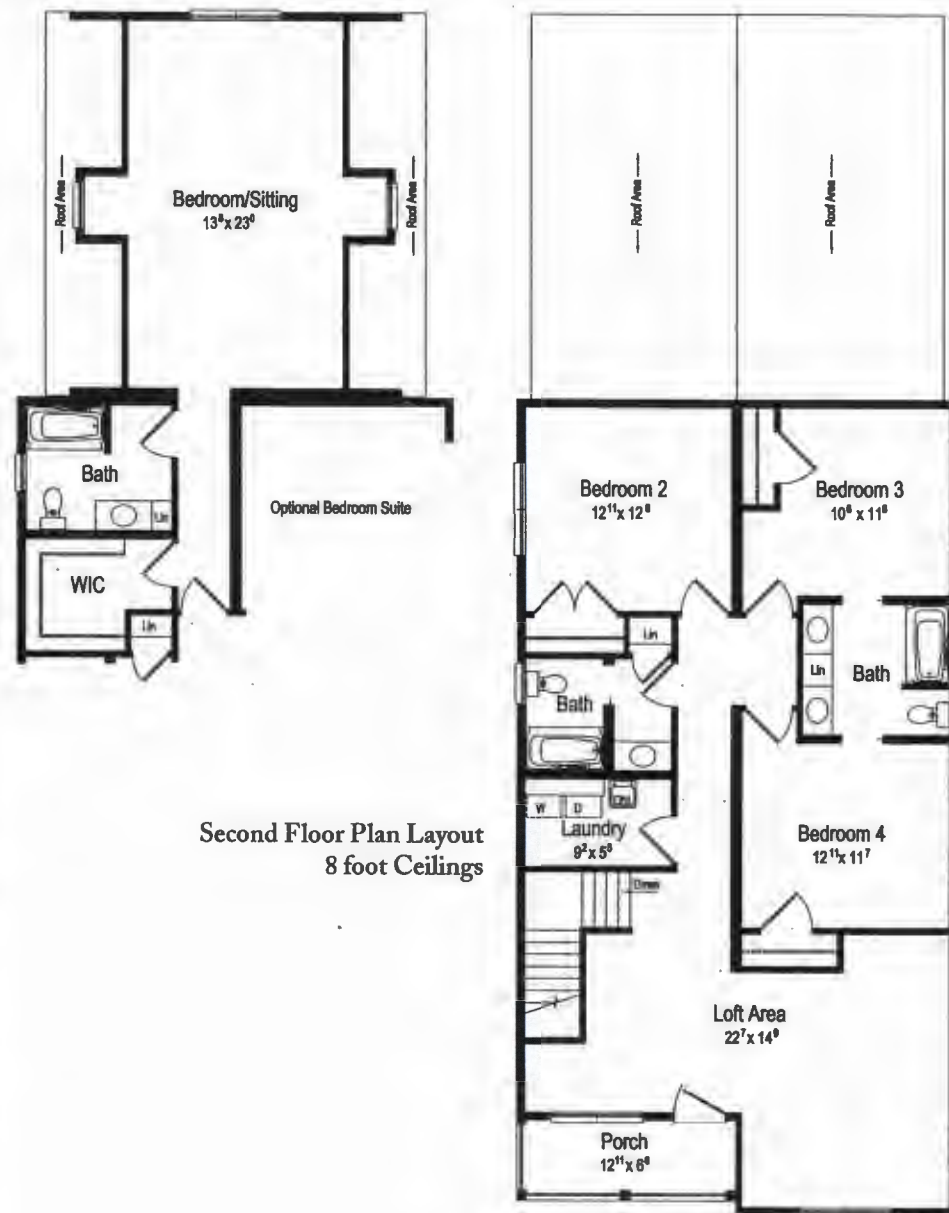
2nd Floor = 1320

Total = 2640 S.F.

First Floor Plan Layout
9 foot Ceilings



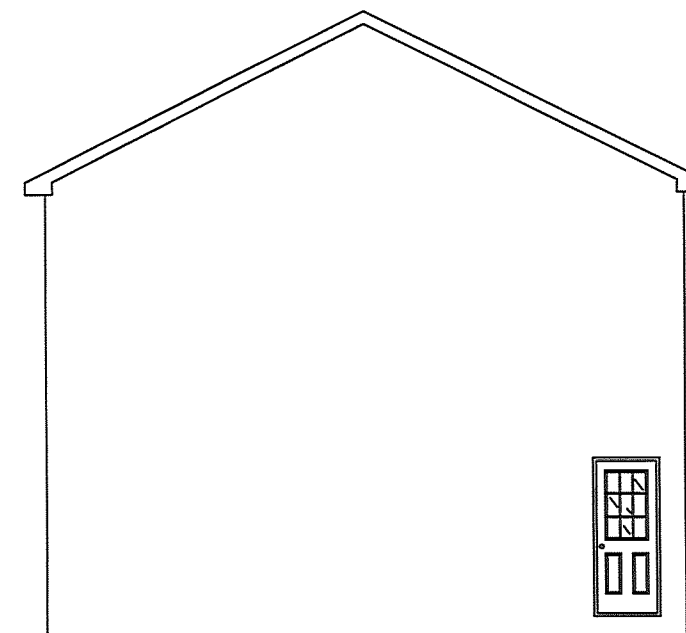
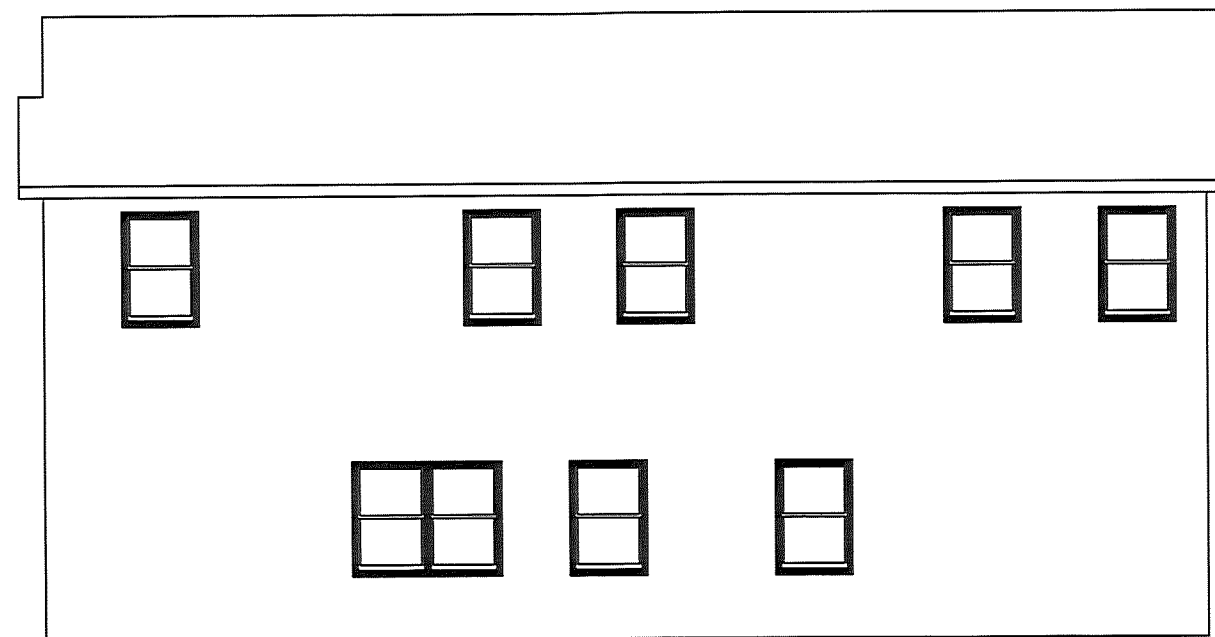
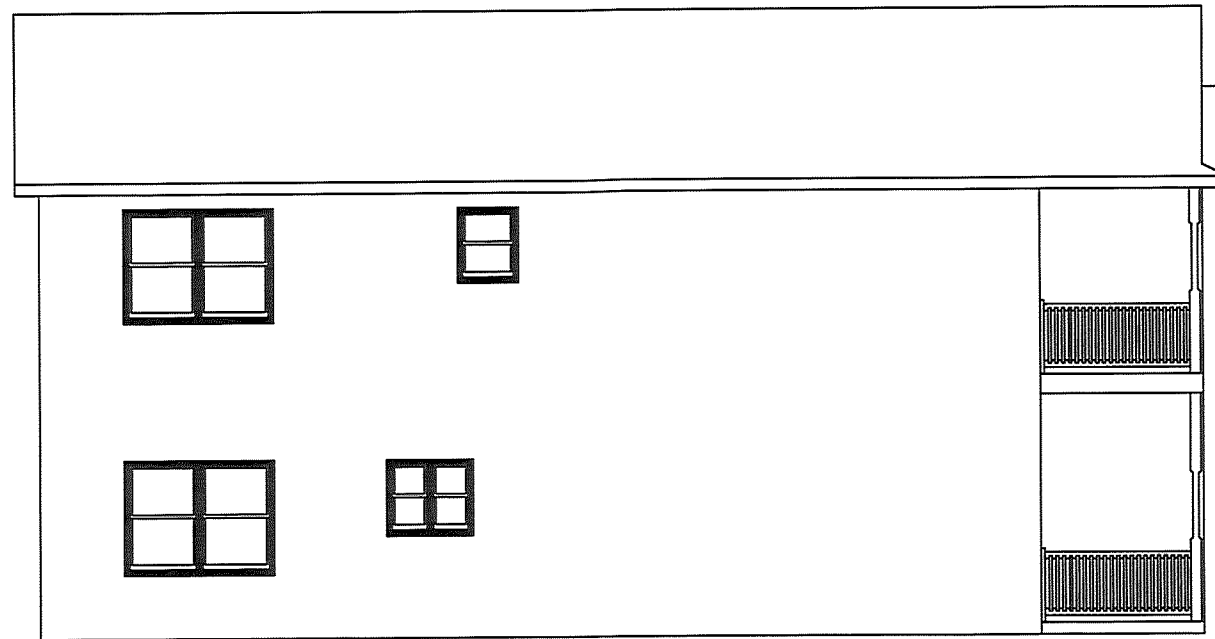
Second Floor Plan Layout
8 foot Ceilings



Excel Homes, LLC.
excelhomes.com

excel
HOMES

See what Excel can do.

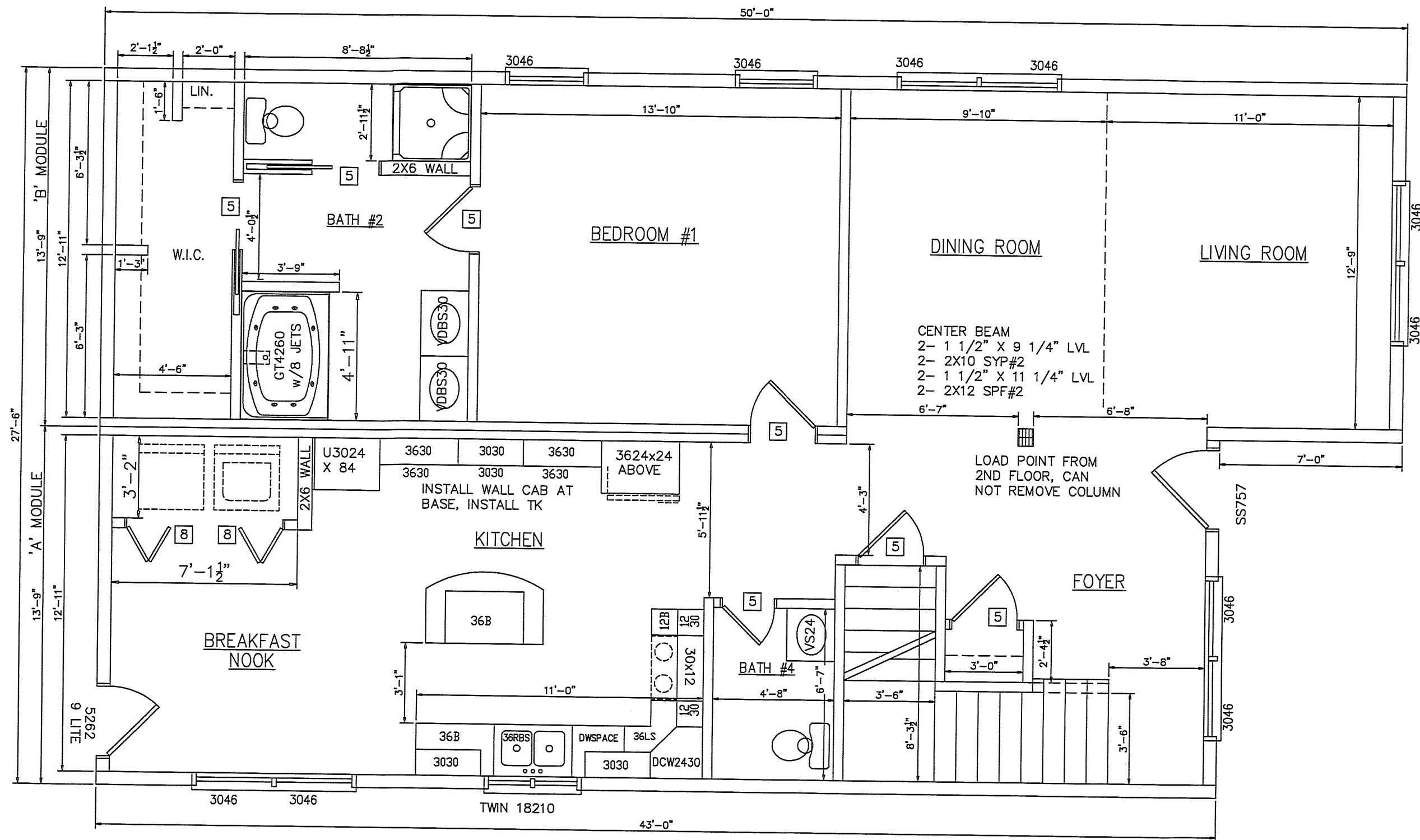


/1-ELEVAT

PETITIONER' S

EXHIBIT NO.

[illegible]



- NOTES:**
- 2 X 10 FLOOR SYSTEM
 - 2 X 6 EXTERIOR WALLS
 - 9'-0" CEILINGS
 - INSTALL BOOTS/REG
 - 6/12 TRUSS ROOF SYSTEM

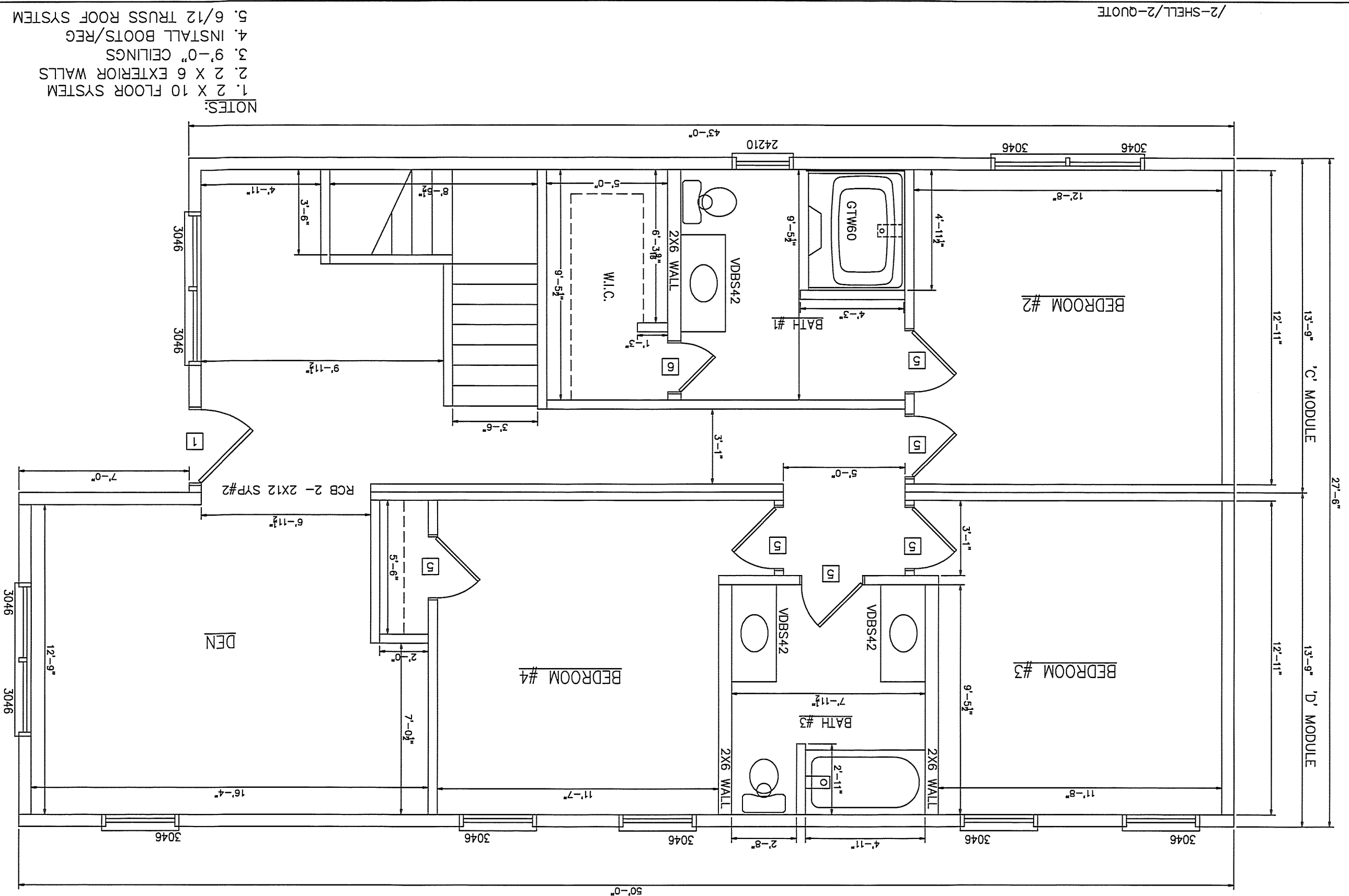
1-SHELL /1-QUOTE

SERIAL #	REVISIONS	DATE
BY		

DATE	REVISIONS	DATE

MST
 modular structures of pa, inc.
 modular structures of pa, inc.
 1810 North Old Trail
 Selangor, PA 17370
 (717) 743-2012

BUILDER	Chesapeake Bay Homes
MODEL	Karrington
DRAWING	1ST FLOOR PLAN LAYOUT
SHEET	



- NOTES:
- 1. 2 X 10 FLOOR SYSTEM
 - 2. 2 X 6 EXTERIOR WALLS
 - 3. 9'-0" CEILINGS
 - 4. INSTALL BOOTS/REG
 - 5. 6/12 TRUSS ROOF SYSTEM

/2-SHELL/2-QUOTE

MODEL:Karrington

DRAWING:2ND. FLOOR PLAN LAYOUT

SHEET:

BUILDER:Chesapeake Bay Homes

RETAIL:Coltara LLC, Frederick, MD, Baltimore County

SALES PERSON:Jason B.

MD

STATE

SALES PERSON

BUILER:Chesapeake Bay Homes

RETAIL:Coltara LLC, Frederick, MD, Baltimore County

SALES PERSON:Jason B.

MD

STATE

SALES PERSON

BY:*

REVISIONS:*

DATE:*

DATE:3/22/10

SCALE:1/4"

TRACKING #:10-0032

DATE:3/22/10

SCALE:1/4"

TRACKING #:10-0032

SERIAL #

REVISIONS

DATE

DATE:3/22/10

SCALE:1/4"

TRACKING #:10-0032

DATE:3/22/10

SCALE:1/4"

TRACKING #:10-0032

DOUGLAS PARK

This is a detailed street map of a section of St. Louis, Missouri, showing a grid of streets and numbered lots. The map includes streets such as Avenue, Ruby, Pearl, Road, Alexander, Handy, Rich, Cummings, and Old Frederick. Lots are numbered, with lot 137 highlighted in yellow. A large white rectangular area is labeled 'J.W. Rich'.

Streets and Directions:

- Avenue:** Runs vertically through the center of the map.
- Ruby:** Runs horizontally at the top.
- Pearl:** Runs horizontally below Ruby.
- Road:** Runs horizontally below Pearl.
- Alexander:** Runs vertically on the right side.
- Handy:** Runs vertically on the left side.
- Rich:** Runs horizontally at the bottom.
- Cummings:** Runs vertically on the far left.
- Old Frederick:** Runs horizontally at the very bottom.

Lot Numbers and Features:

- Top Section (Ruby/Pearl):** Lots are numbered 118-129 on the left and 117-120 on the right.
- Middle Section (Road):** Lots are numbered 104-109 on the left and 88-94 on the right.
- Bottom Section (Rich):** Lots are numbered 32-39 on the left and 21-24 on the right.
- Right Side (Alexander):** Lots are numbered 71-76 on the left and 17-20 on the right.
- Left Side (Handy/Cummings):** Lots are numbered 33-39 on the right and 1-12 on the left.

Highlighted Features:

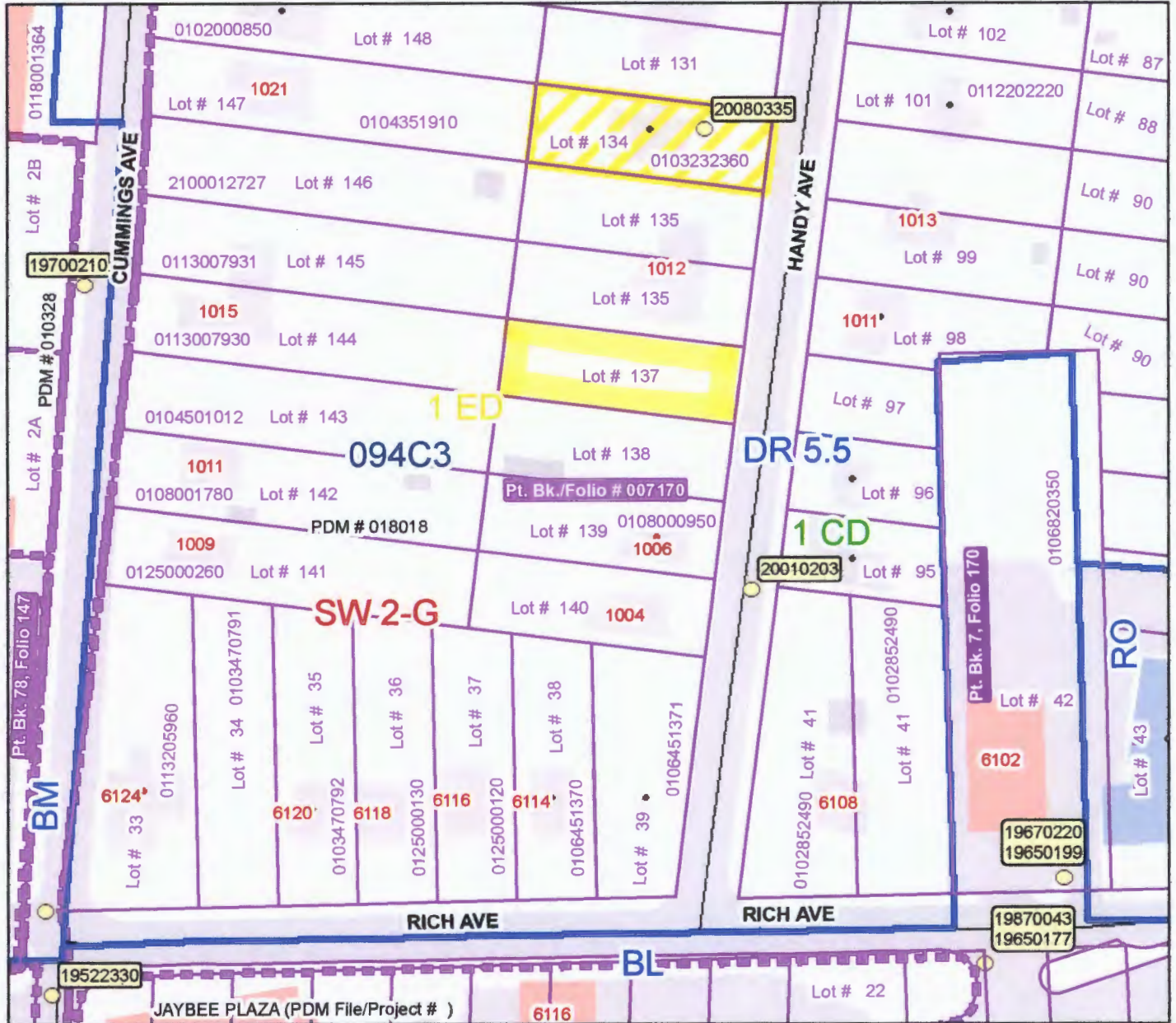
- Lot 137:** Highlighted in yellow, located between Pearl and Road, on the left side of Avenue.
- J.W. Rich:** A large white rectangular area located between Road and Alexander, on the right side of Avenue.



Item #0257

REG
COU
COU
USE
DUPL
GIFT

1010 Handy Avenue, Lot #137, Douglas Park

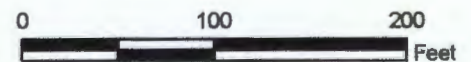


PETITIONER' S

EXHIBIT NO.



Publication Date: March 30, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

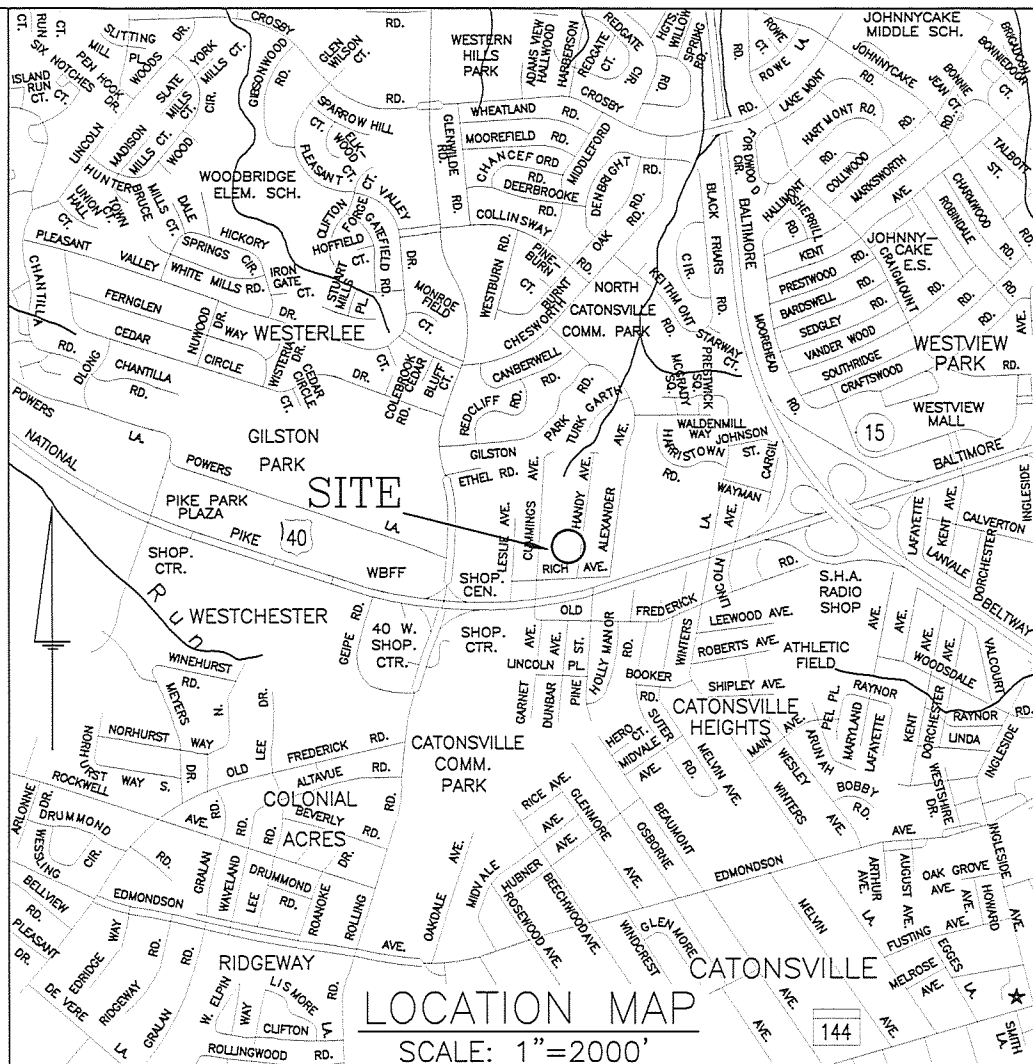
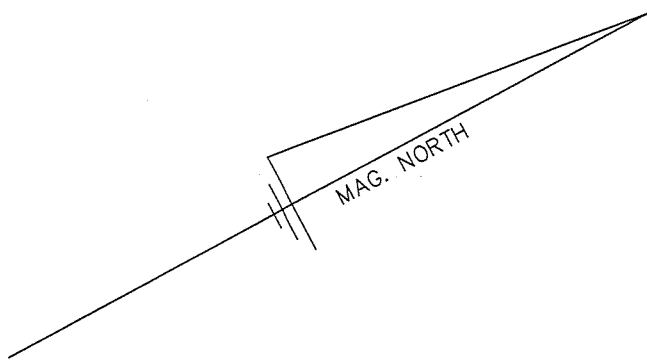


1 inch = 100 feet

Item # 0257

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS - #1010 HANDY AVENUE
SUBDIVISION NAME - DOUGLAS PARK
PLAT BOOK 7 FOLIO 170 LOT 137
OWNER: CARL & GLORIA CHRISTIAN
TAX NO. 01-03-232390
DEED REF. 4868/241

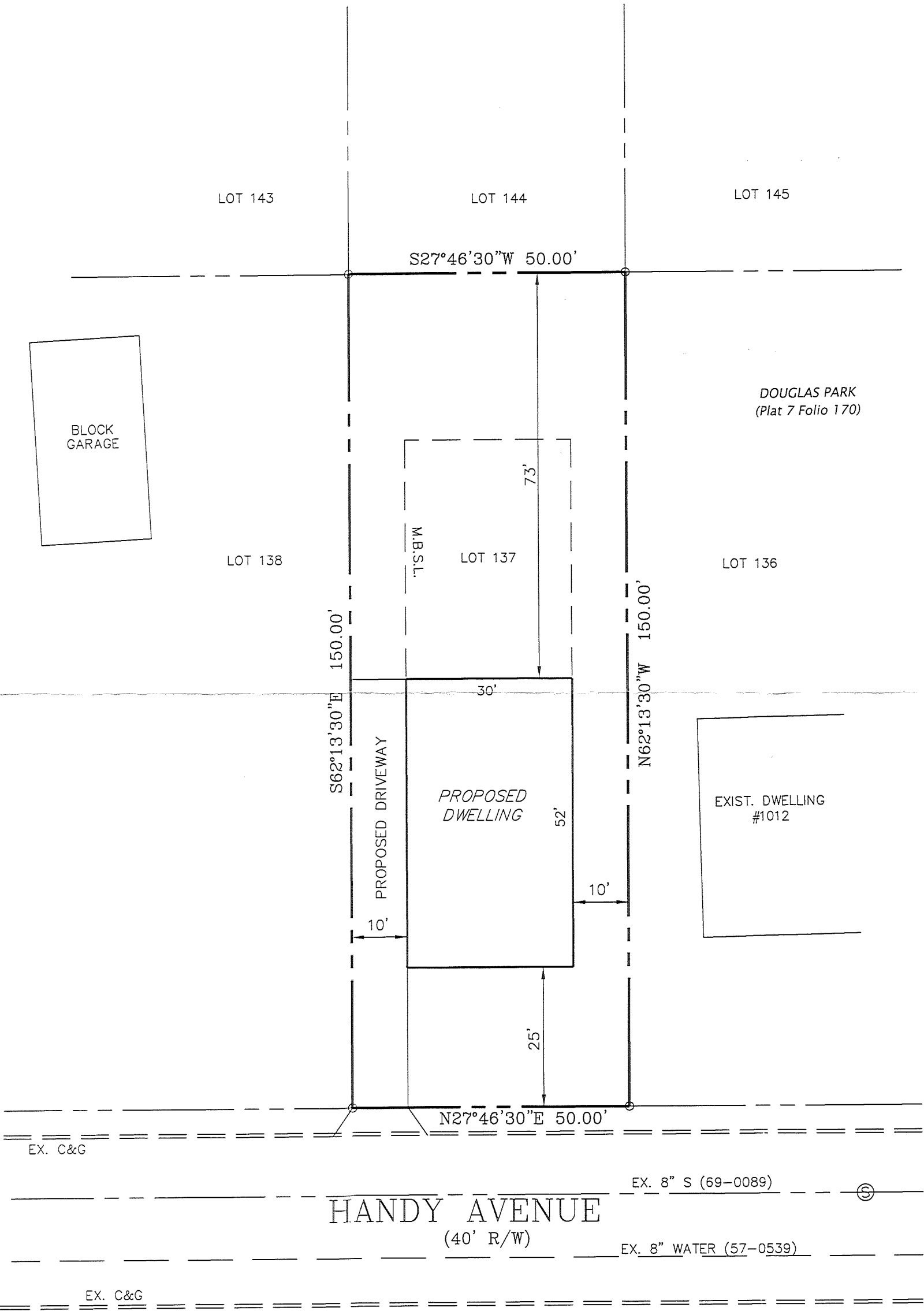


LOCATION INFORMATION

ELECTION DISTRICT	1st
COUNCILMANIC DISTRICT	1st
1"=200 SCALE MAP	#094C3
ZONING	DR-5.5
LOT SIZE	0.172 ACRES
	7,500 SQUARE FEET
SEWER	☒ PUBLIC
WATER	☒ PUBLIC
CHESAPEAKE BAY CRITICAL AREA	☐ YES ☒ NO
100 YEAR FLOOD PLAIN	☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING	☐ YES ☒ NO
ZONING HISTORY	NONE

ZONING OFFICE USE ONLY

REVIEWED BY:	ITEM #	CASE #



PETITIONER'S

EXHIBIT NO. 1

Signature of Leonard G. Buerhaus

#2010-0257-A

I, LEONARD G. BUERHAUS, THE SURVEYOR WHOSE SEAL AND SIGNATURE IS FIXED ON THIS SURVEY PLAT EITHER PERSONALLY PREPARED THE BOUNDARY SURVEY OR WAS IN RESPONSIBLE CHARGE OVER ITS PRODUCTION AND THE SURVEYING WORK REFLECTED IN IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 09.13.06 OF THE ANNOTATED CODE OF MARYLAND. THIS SURVEY IS FOR THE EXCLUSIVE USE OF CARL & GLORIA CHRISTIAN. THERE ARE NO VISIBLE ENCROACHMENTS ACROSS PROPERTY LINES EXCEPT WHERE SHOWN.

LEONARD G. BUERHAUS, REGISTERED PROPERTY LINE SURVEYOR #349

LGB SURVEYS LLC
9432 BELLHALL DRIVE
NOTTINGHAM MD. 21236
410-256-3135

Minimum Building Setback (DR 5.5)
FRONT: 25'
SIDE: 10'
REAR: 30'
MAX. BUILDING HEIGHT: 50'

#1010 HANDY AVENUE

1ST. ELECTION DIST.
1ST. COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1"=20' - DATE: MARCH 17, 2010