

IN RE: PETITION FOR VARIANCE

SE side of Todd Avenue; 550 feet SW
of the c/l of Bayside Avenue
15th Election District
7th Councilmanic District
(9321 Todd Avenue)

Thomas J. and Teresa D. Giblin

Legal Owner

Charles S. Wolinski

Contract Purchaser

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
*
* CASE NO. 2011-0071-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 owners of the subject property, Thomas J. and Teresa D. Giblin, and the contract purchaser, Charles S. Wolinski. 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 to be built on a lot with a width of 50 feet in lieu of the required 55 feet. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were the property owner, Teresa D. Giblin, and the contract purchaser, Petitioner Charles S. Wolinski. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular shaped and consists of 6,000 square feet or 0.14 acre, more or less, zoned DR 5.5. The property is located on the southeast side of Todd Avenue, west of North Point Road and Fort Howard Park, in the Fort Howard area of southeastern Baltimore County. The subject property, known as Lots 13 and 14 in the original record plat marked and accepted into evidence as Petitioner's Exhibit 2, is 50

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Date 10-18-10

By PS

feet wide and 120 feet deep, much like most of the other lots in the North Point Terrace subdivision. It is currently unimproved with a mowed and manicured lawn as depicted in the photographs of the property marked and accepted into evidence as Petitioner's Exhibits 4A through 4F. Mrs. Giblin testified that she and her husband have owned the adjacent property to the south that consists of Lots 9 through 12 since 1986, and is improved with their single-family dwelling and pool. They purchased the subject property approximately six years ago. At that time, the property was improved with a small "shore shack" that was in a dilapidated condition. They had the structure removed and have since kept the property vacant as a separate parcel; Ms. Giblin also remarked that she continues to pay a separate water bill for the subject property for its connection to public water and sewer service.

At this juncture, Petitioner Mr. Wolinski desires to purchase the property and construct a two-story home. In order to do so, 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. Petitioner testified in support of the relief and indicated that a majority of the lots in the North Point Terrace subdivision are only 25 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 2. The subdivision was recorded on May 14, 1918, 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 unimproved lots. In-fill development is a preferred manner of development

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Date 10-18-10

By [Signature]

due to the fact 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 September 14, 2010 which indicates that Mr. and Mrs. Giblin own sufficient adjoining land to conform to the minimum width and area requirements and therefore the property does not meet the standards stated in Section 304.1.C of the B.C.Z.R. However, there appear to be several existing undersized lots in the neighborhood. As such, the Planning Office does not oppose the request. If the request is granted, certain conditions shall apply to the proposed dwelling. These conditions include: submit building elevations for review and approval prior to the issuance of any building permit; proposed dwelling shall be compatible in size, exterior materials, color and architectural detail as that of the existing dwellings in the area; provide and landscaping along the public road if applicable. Comments were received from the Department of Environmental Protection and Resource Management dated September 15, 2010 which indicates that development of the property must comply with the Chesapeake Bay Critical Area Regulations. The property is located in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. Lot coverage is limited to 25% (1,500 square feet) and may be increased by 500 square feet (to 2,000 square feet) with mitigation. In addition, the 15% afforestation requirement must be met; this equates to 2 trees. All other LDA regulations will apply to development on this property.

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 1918 and the fact that the majority of the lots in

ORDER RECEIVED FOR FILING

Date 10-18-10

3

By B

the North Point Terrace Subdivision were platted to a width of 25 feet and have been developed with widths 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 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. Although the letter of Section 304.1 of the B.C.Z.R. cannot be met in this instance due to the fact that Mr. and Mrs. Giblin own sufficient adjoining land, in my view, the spirit of that Regulation is achieved as to Petitioner because the two lots that make up the subject property were duly recorded in a validly approved subdivision prior to March 30, 1955, and all other requirements of the height, area, and setback regulations are complied with. It is also noteworthy that the Giblin's purchased the subject property separately, many years after they acquired the adjacent property, and have held the ownership of the subject property independent and apart from the property in which they reside.

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

THEREFORE, IT IS ORDERED this 18th day of October, 2010 by this Deputy Zoning Commissioner that Petitioner's Variance request from Section 1B02.3.C.1 of the

ORDER RECEIVED FOR FILING

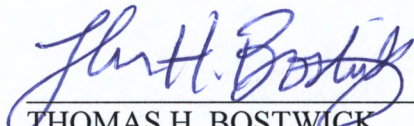
Date 10-18-10

By [Signature]

Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed single-family dwelling to be built on a lot with a width of 50 feet in lieu of the required 55 feet be is hereby **GRANTED**, subject to the following:

1. Petitioner may apply for 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 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. Building elevations shall be submitted 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.
3. Petitioner shall provide landscaping along the public road if applicable.
4. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).
5. The property is located in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. Lot coverage is limited to 25% (1,500 square feet) and may be increased by 500 square feet (to 2,000 square feet) with mitigation. In addition, the 15% afforestation requirement must be met; this equates to 2 trees. All other LDA regulations will apply to development on this property.

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 10-18-10

By B



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 18, 2010

THOMAS J. AND TERESA D. GIBLIN
9321 TODD AVENUE
FORT HOWARD MD 21052

Re: Petition for Variance
Case No. 2011-0071-A
Property: 9321 Todd Avenue

Dear Mr. and Mrs. Giblin:

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.

Sincerely,

Handwritten signature of Thomas H. Bostwick.
THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB/pz

Enclosure

c: Charles S. Wolinski, 9019 Cuckhold Point Road, Sparrows Point MD 21209

TAX. ACCOUNT # 1519320190

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 9321 Todd Ave
which is presently zoned DR 5.5

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) 1B.02.3.C.1 - to permit a proposed single

family dwelling to be built on a lot with a width of 50 feet in lieu of the 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:

Charles Wolinski
Name - Type or Print
Charles Wolinski
Signature
9019 Cuckold Point Rd 443-850-9431
Address Telephone No.
Sparrows Point MD 21219
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Date 10-18-10
Address By [Signature] Telephone No.
City State Zip Code

ORDER RECEIVED FOR FILING
10-18-10

Legal Owner(s):

Teresa Gublin
Name - Type or Print
Teresa Gublin
Signature
Thomas Gublin
Name - Type or Print
Thomas J Gublin
Signature
9321 Todd Ave
Address Telephone No.
Fort Howard MD 21052
City State Zip Code

Representative to be Contacted:

Charles Wolinski
Name
9019 Cuckold Point Rd 443-850-9431
Address Telephone No.
Sparrows Point MD 21219
City State Zip Code

OFFICE USE ONLY

Case No. 2011-0071-A

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 8/17/10

No. 59324

Date: 8/17

PAID RECEIPT

BUSINESS	ACTUAL	TIME	PRO
8/18/2010	8/17/2010	10:22:37	5

RECEIPT # 074829 8/17/2010 OFLW

9. 528 ZOWING VERIFICATION

EX 10. 031324

Recpt Tot	185.00
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445.00 CH 8.00 CH

Baltimore County, Maryland

[illegible]

Total: 100

Rec
From: C. Wol. sk.

For: Zoning hearing - case # 2011-0071-A

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

**CASHIER'S
VALIDATION**

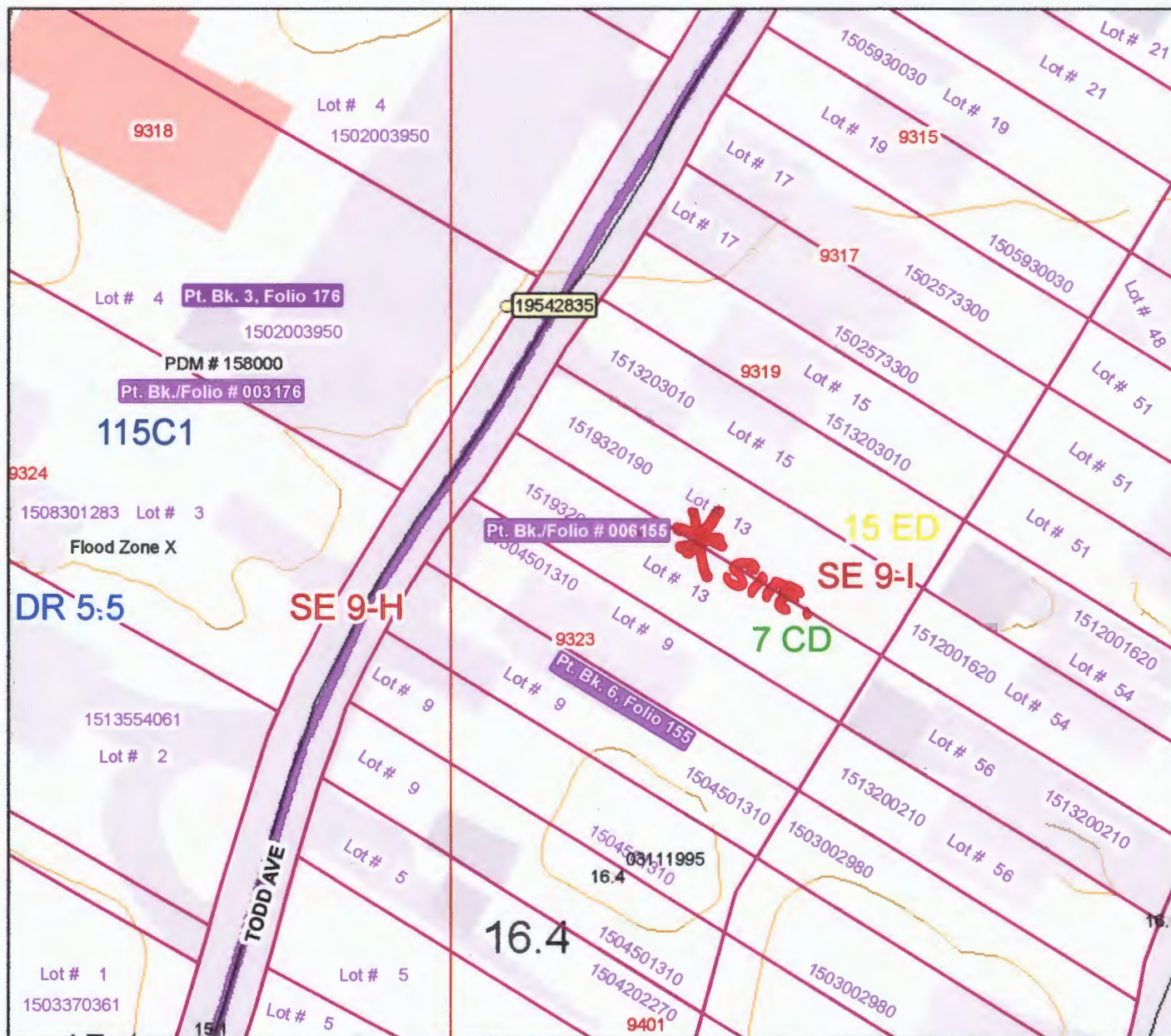
Zoning Description

Zoning Description for ----- 9321 Todd Ave. Fort Howard Maryland 21052

Beginning at a point on the southeaster most side of Todd Avenue. which is 40 feet +or – wide at the distance of 550 feet +or – southwesterly of the center line of Bayside Avenue which is 50 Feet wide. *Being Lots #13-14, Block C, , in the subdivision of North Point Terrace as recorded in Baltimore County Plat Book#6. Folio#155 containing 0.14 acres or 6000 square feet, Also know as 9321 Todd Avenue and located in the 15 Election District, 7 Councilmanic. District.

Item # 0071

#487



Publication Date: July 26, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



A horizontal scale bar with markings at 0, 50, and 100 feet. The bar is divided into two segments: a black segment from 0 to 50 feet and a white segment from 50 to 100 feet. The word "Feet" is written at the right end of the bar.

1 inch = 50 feet

Item #0071

Case No.: _____

2011-0071-A

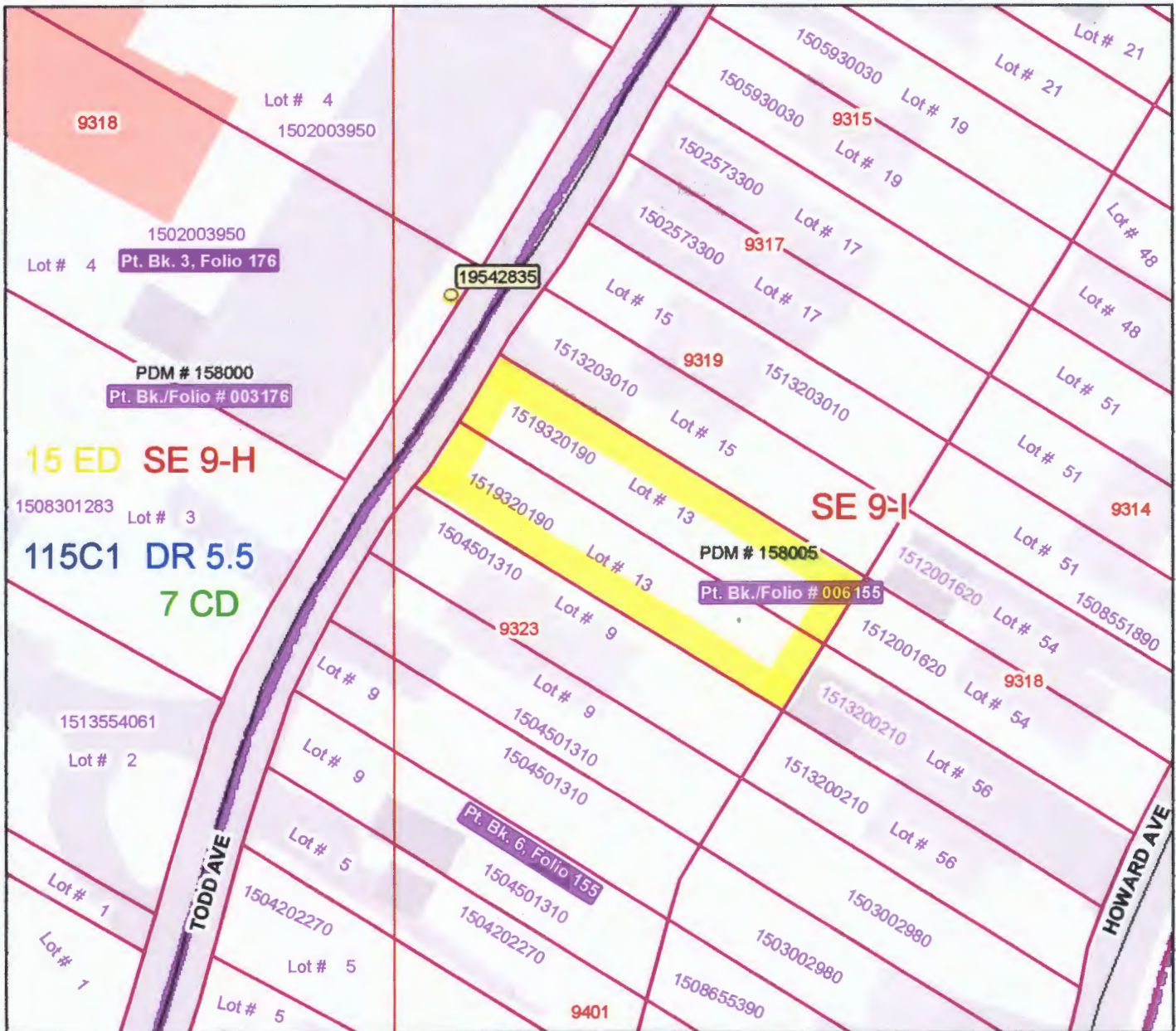
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	original record plat	
No. 3	zoning map	
No. 4	photos of property	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

9321 Todd Avenue



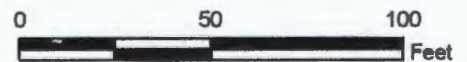
PETITIONER'S

EXHIBIT NO.

3



Publication Date: August 17, 2010
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 50 feet

Item #0071



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1e)

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

Account Identifier: District - 15 Account Number - 1519320190

Owner Information

Owner Name:	GIBLIN THOMAS J GIBLIN TERESA D	Use:	RESIDENTIAL
Mailing Address:	9321 TODD AVE PO BOX 152 FORT HOWARD MD 21052-0152	Principal Residence:	NO
		Deed Reference:	1) /20582/ 476 2)

Location & Structure Information

Premises Address	Legal Description
9321 TODD AVE	LT 13,14 9321 TODD AVE NORTH POINT TERRACE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
115	11	21			C		13	3	Plat Ref: 6/ 155

Special Tax Areas

Town

Ad Valorem

Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		6,000.00 SF	04

Stories	Basement	Type	Exterior
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Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	54,000	54,000		
Improvements:	0	0		
Total:	54,000	54,000	54,000	54,000
Preferential Land:	0	0	0	0

Transfer Information

Seller: AVERELLA KIMBERLY S	Date: 08/23/2004	Price: \$70,000
Type: NOT ARMS-LENGTH	Deed1: /20582/ 476	Deed2:
Seller: SHEROW CLAUDE S	Date: 04/16/2001	Price: \$35,000
Type: NOT ARMS-LENGTH	Deed1: /15121/ 575	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO

Exempt Class:

Special Tax Recapture:

* NONE *

Item #0071

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

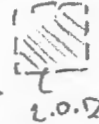
PROPERTY ADDRESS 9321 TODD AVE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME NORTH POINT TERRACE

PLAT BOOK # 6 FOLIO # 155 LOT # 1314 SECTION # C

OWNER THOMAS/TERESA GIBLIN

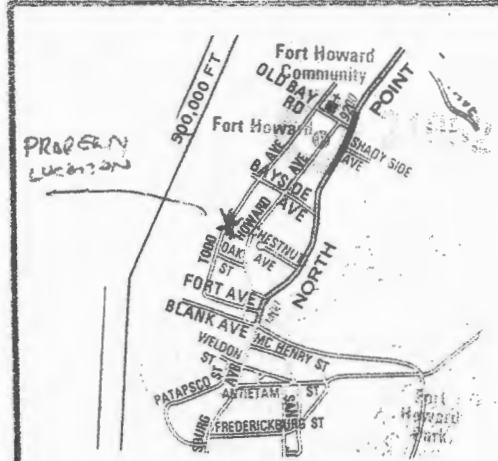
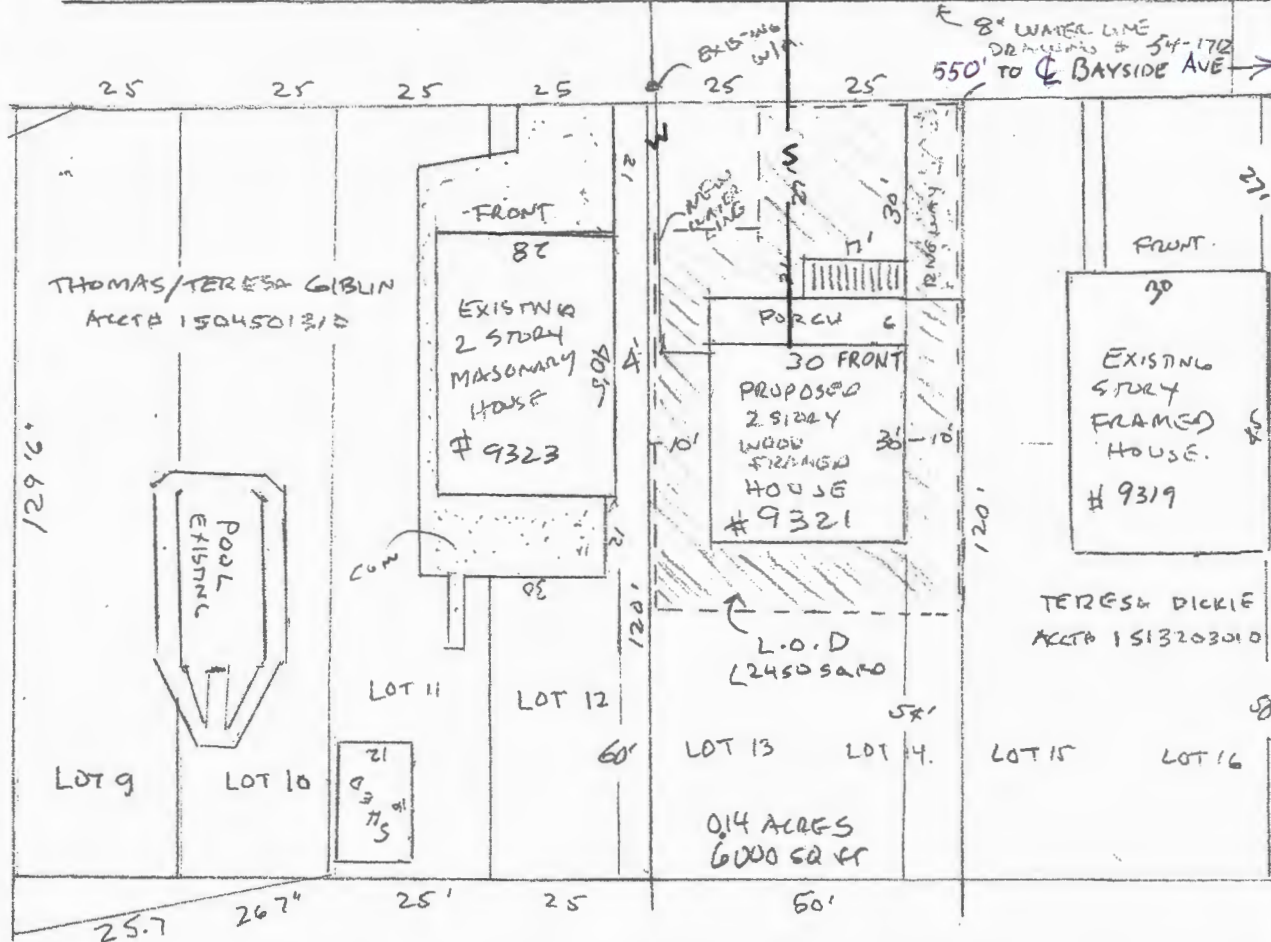


8" SEWAGE LINE
DRAWING # 65-178 TODD AVE 40' R/W
SEWAGE TO BAYSIDE AVE

CENTER LINE

WATCH

8" WATER LINE
DRAWING # 54-172
550' TO BAYSIDE AVE



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT	15 TH
COUNCILMANIC DISTRICT	7 TH
1" = 200' SCALE MAP #	11501
ZONING	DRS.6
LOT SIZE	0.14 ACRES 6000 SQUARE FEET
SEWER	☒ PUBLIC ☐ PRIVATE
EXISTING WATER	☒ ☐
CHESAPEAKE BAY CRITICAL AREA	YES ☒ NO ☐
100 YEAR FLOOD PLAIN	☐ YES ☒ NO
HISTORIC PROPERTY/ BUILDING	☐ YES ☒ NO
PRIOR ZONING HEARING	NO

ZONING OFFICE USE ONLY

REVIEWED BY [Signature] ITEM # 2011-0071-A CASE # 2011-0071-A

PREPARED BY T. LEWIS / LEWIS DESIGN GROUP

SCALE OF DRAWING: 1" = 30'

12 copies

Patricia Zook - Case 2011-0071-A - hearing is Friday, 10/15/2010 - comments needed

From: Patricia Zook
To: Livingston, Jeffrey; Murray, Curtis
Date: 10/8/2010 10:04 AM
Subject: Case 2011-0071-A - hearing is Friday, 10/15/2010 - comments needed
CC: Bostwick, Thomas

Gentlemen -

The below-described case is scheduled for a hearing on Friday, 10/15/2010 and we need comments from your office.

CASE NUMBER: 2011-0071-A

9321 Todd Avenue

Location: SE side of Todd Avenue; 550 feet SW of the c/l of Bayside Avenue.

15th Election District, 7th Councilmanic District

Legal Owner: Teresa and Thomas Giblin

Contract Purchaser: Charles Woliuski

VARIANCE To permit a proposed single family dwelling to be built on a lot with a width of 50 feet in lieu of the required 55.

Hearing: Friday, 10/15/2010 at 2:00:00 PM, County Office Building, 111 West Chesapeake Avenue, Room 106, Towson, MD 21204

Thank you for your assistance.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov



PETITIONER'S

EXHIBIT NO. 4A-F











Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1)
BALTIMORE COUNTY

2011-0071-A

Account Identifier:

District - 15 Account Number - 1519320190

Owner Information

Owner Name:	GIBLIN THOMAS J GIBLIN TERESA D	Use:	RESIDENTIAL
Mailing Address:	9321 TODD AVE PO BOX 152 FORT HOWARD MD 21052-0152	Principal Residence:	NO
		Deed Reference:	1) /20582/ 476 2)

Location & Structure Information

Premises Address	Legal Description
9321 TODD AVE	LT 13,14 9321 TODD AVE NORTH POINT TERRACE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area
115	11	21			C		13	3

	Town
Special Tax Areas	Ad Valorem
	Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	Co
0000		6,000.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2010 As Of 07/01/2011	
Land	54,000	54,000		
Improvements:	0	0		
Total:	54,000	54,000	54,000	54,000
Preferential Land:	0	0	0	0

Transfer Information

Seller:	AVERELLA KIMBERLY S	Date:	08/23/2004	Price:
Type:	NOT ARMS-LENGTH	Deed1:	/20582/ 476	Deed2:
Seller:	SHEROW CLAUDE S	Date:	04/16/2001	Price:
Type:	NOT ARMS-LENGTH	Deed1:	/15121/ 575	Deed2:
Seller:		Date:		Price:
Type:		Deed1:		Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>8-26-10</u>	DEVELOPMENT PLANS REVIEW	<u>nc</u>
<u>9-15-10</u>	DEPRM (if not received, date e-mail sent <u>10-8-10</u>)	<u>Conditions</u>
<u>8-25-10</u>	FIRE DEPARTMENT	<u>nc</u>
<u>9-14-10</u>	PLANNING (if not received, date e-mail sent <u>10-8-10</u>)	<u>2 conditions</u>
<u>8-25-10</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>9-30-10</u>	
SIGN POSTING	Date: <u>9-30-10</u> <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

TB 10/15 2PM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 14, 2010

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-071- Variance**

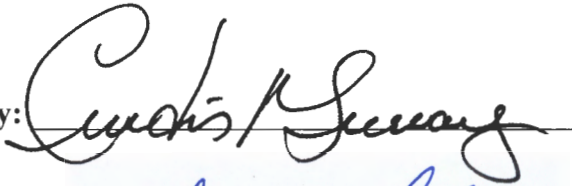
The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing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

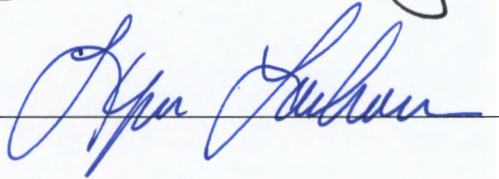
1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the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

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

Prepared By:



Division Chief:



CM/LL

RECEIVED

SEP 17 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

OCT 12 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 15, 2010

SUBJECT: Zoning Item # 11-071-A
Address 9321 Todd Avenue
(Woliuski Property)

Zoning Advisory Committee Meeting of August 23, 2010

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

The property is located in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area. Lot coverage is limited to 25% (1,500 square feet) and may be increased by 500 square feet (to 2,000 square feet) with mitigation. In addition, the 15% afforestation requirement must be met; this equates to 2 trees. All other LDA regulations will apply to development on this property.

Reviewer: Adriene Metzbower

Date: 9/2/2010



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

October 6, 2010

Teresa & Thomas Giblin
9321 Todd Ave
Fort Howard, MD 21052

Dear: Teresa & Thomas Giblin

RE: Case Number 2011-0071-A, 9321 Todd Ave

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Charles Woliwski; 9019 Cuckold Point Rd.; Sparrows Point, MD 21219



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 25, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 23, 2010

Item No.:

Administrative Variance: 2011-0039A, 0059A, 0062A - 0064A, 0067A, 0069A, 0070A, 0072A

Variance: 2011-0037A, 0038A, 0040A, 0041A, 0046A, 0058XA, 0059A, 0065A, 0066A, 0068A, 0071A

Special Exception: 2011-0058XA

Special Hearing: 2011-0061SPH

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop 1102

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 14, 2010

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-071- Variance**

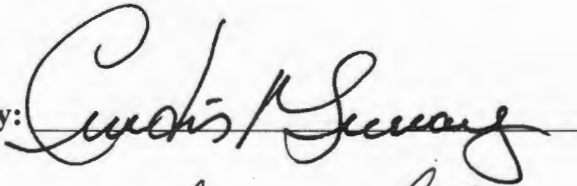
The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing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

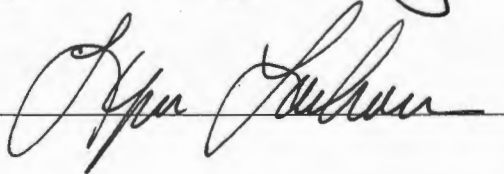
1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the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

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

Prepared By:



Division Chief:



CM/LL





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 25, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 23, 2010

Item No.:

Administrative Variance: 2011-0039A, 0059A, 0062A - 0064A, 0067A, 0069A, 0070A, 0072A

Variance: 2011-0037A, 0038A, 0040A, 0041A, 0046A, 0058XA, 0059A, 0065A, 0066A, 0068A, 0071A

Special Exception: 2011-0058XA

Special Hearing: 2011-0061SPH

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop 1102

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 26, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For September 6, 2010
Item Nos. 2011- 037, 038, 039, 040,
041, 046, 059, 060, 061, 062, 063,
064, 066, 067, 069, 070 and 071

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-09062010 -NO COMMENTS.doc



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: August 25, 2010

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

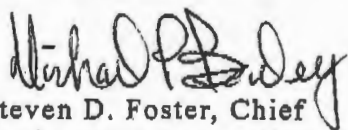
RE: Baltimore County
Item No. 2011-0071A
9321 TODD AVENUE
GIBLIN PROPERTY
VARIANCE

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. 2011-0071-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,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

**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: # 2011-0071-A
9321 Todd Avenue
S/east side of Todd Avenue,
550 feet s/west of center-
line of Bayside Avenue
15th Election District
7th Councilmanic District
Legal Owner(s): Teresa &
Thomas Giblin
Contract Purchaser:
Charles Wollinski

Variance: to permit a pro-
posed single family dwelling
to be built on a lot with a
width of 50 feet in lieu of
the required 55 feet.

Hearing: Friday, October
15, 2010 at 2:00 p.m. in
Room 106, County Office
Building, 111 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.

9/473 Sept 30 255879

CERTIFICATE OF PUBLICATION

9/30, 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 9/30, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE * BEFORE THE
9321 Todd Avenue; SE/S Todd Avenue, * ZONING COMMISSIONER
550' SW of c/line Bayside Avenue *
15th Election & 7th Councilmanic Districts * FOR
Legal Owner(s): Teresa & Thomas Giblin *
Contract Purchaser(s): Charles Wolinski * BALTIMORE COUNTY
Petitioner(s) *
* 2011-071-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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of August, 2010, a copy of the foregoing Entry of Appearance was mailed to Charles Wolinski, 9019 Cuckold Point Road, Sparrows Point, MD 21219, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

AUG 27 2010

CERTIFICATE OF POSTING

2011-0071-A

RE: Case No.: _____

Petitioner/Developer: _____
Charles Wolinski

Oct. 15, 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: _____

9321 Todd Avenue

September 30 2010
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black October 1 2010
(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)



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development
September 24, 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: 2011-0071-A

9321 Todd Avenue

S/east side of Todd Avenue, 550 feet s/west of centerline of Bayside Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Teresa & Thomas Giblin

Contract Purchaser: Charles Wolinski

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

Hearing: Friday, October 15, 2010 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Charles Wolinski, 9019 Cuckold Point Road, Sparrows Point 21219
Mr. & Mrs. Giblin, 9321 Todd Avenue, Fort Howard 21052

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., SEPTEMBER 30, 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, September 30, 2010 Issue - Jeffersonian

Please forward billing to:

Charles Wolinski
9019 Cuckold Point Road
Sparrows Point, MD 21219

443-850-9431

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: 2011-0071-A

9321 Todd Avenue

S/east side of Todd Avenue, 550 feet s/west of centerline of Bayside Avenue

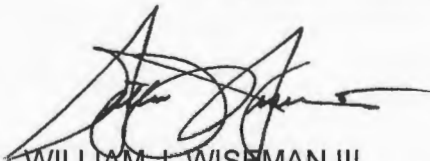
15th Election District – 7th Councilmanic District

Legal Owners: Teresa & Thomas Giblin

Contract Purchaser: Charles Wolinski

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

Hearing: Friday, October 15, 2010 at 2:00 p.m. in Room 106, County Office Building,
111 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.

**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: 2011-0071-A

Petitioner: Charles Wolinski

Address or Location: 9321 Todd Ave. Ft. Howard Md 21052

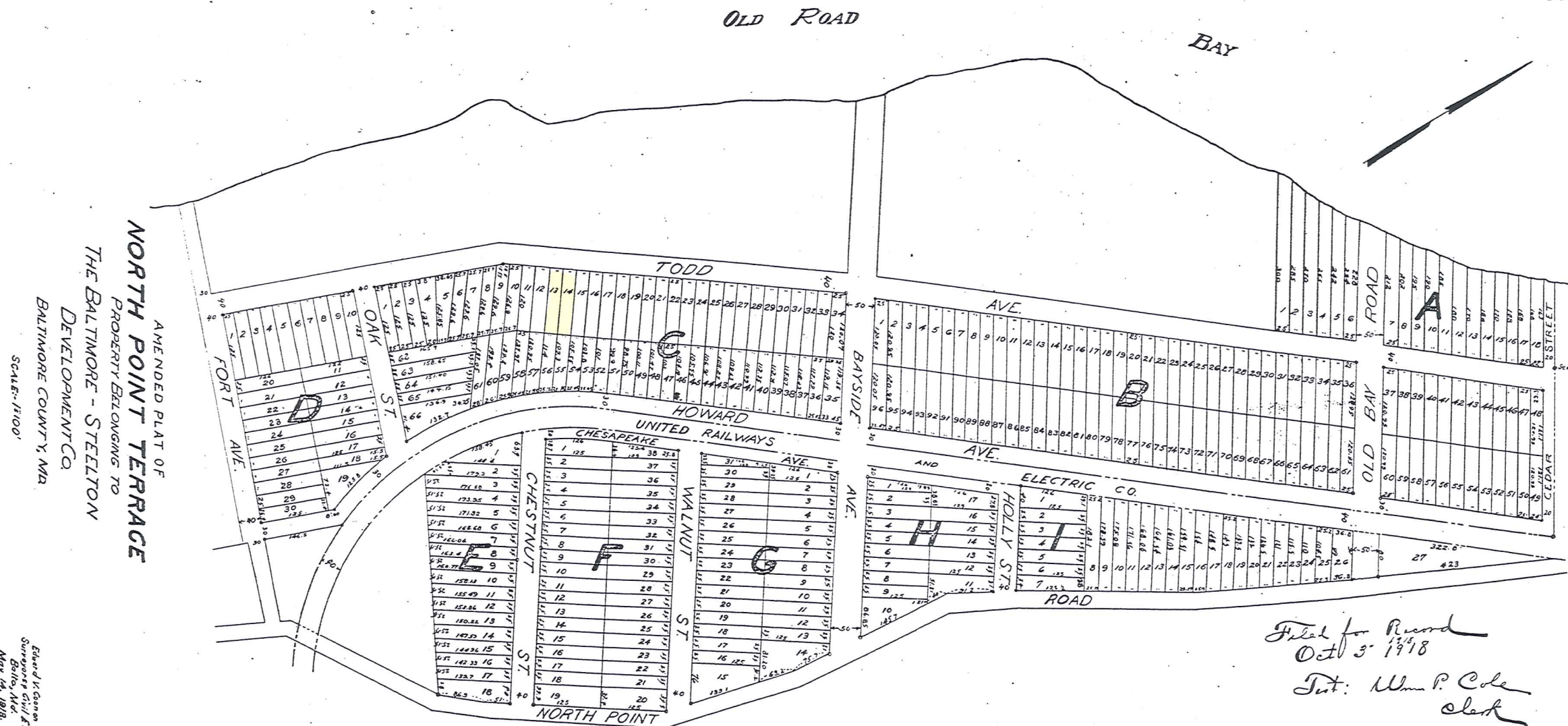
PLEASE FORWARD ADVERTISING BILL TO:

Name: Charles Wolinski

Address: 9019 Cockold Point Road

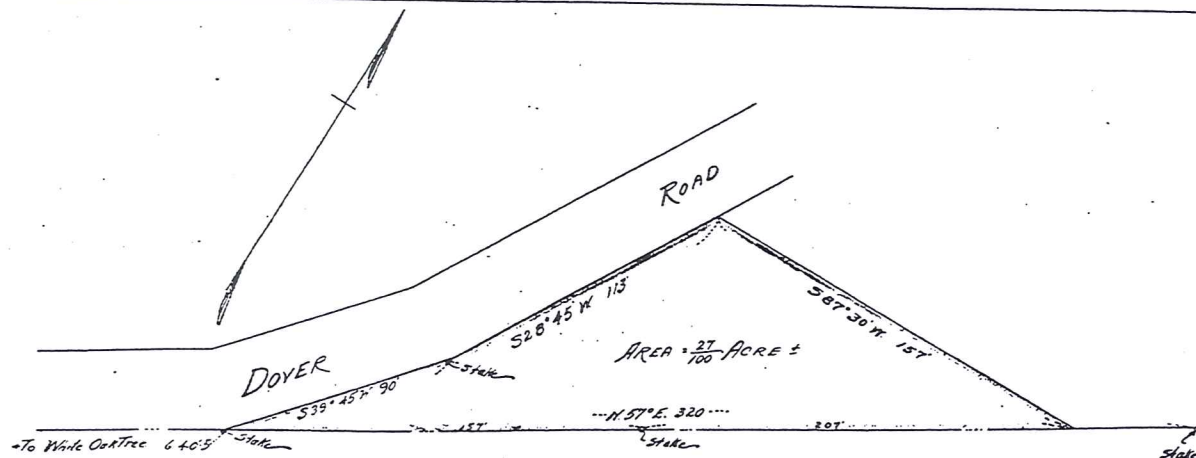
Sparrows Point Maryland 21219

Telephone Number: 443-850-9431



AMENDED PLAT OF
NORTH POINT TERRACE
PROPERTY BELONGING TO
THE BALTIMORE - STEELTON
DEVELOPMENT CO.
BALTIMORE COUNTY, MD
SCALE: 1"=100'

Filed for Record
Oct 3 1918
Jest: Wm P. Cole
clerk



1105
Set as compensating deed filed for record
from Edgar A. Smith owner to Virginia S. Caples
deed for same March 2, 1920 at 4:15 P.M.
Jest: William P. Cole clerk

Scale: 30 Feet to one inch
William Whitely
County Surveyor for Baltimore
Towson, Md. Feb 27, 1920

Item #0071