

IN RE: PETITIONS FOR VARIANCE

S side of Belfast Road, 270' and 220' W of
Vista Lane
8th Election District
3rd Councilmanic District
(37 & 39 Belfast Road)

Estate of Helen Johnson, *Legal Owner*;
Matthew Lidinsky, Personal Representative *
Gary M. Persinger/Lisa M. Piastrelli,
Contract Purchaser *

Petitioners *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NOS. 2012-0108-A &
2012-0109-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of Petitions for Variance filed by Matthew Lidinsky, Personal Representative, on behalf of the Estate of Helen Johnson, legal owner, and Gary M. Persinger and Lisa M. Piastrelli, contract purchasers, of the subject two (2) properties. Since the properties are owned by the same owner and are located adjacent to one another, the two cases were heard contemporaneously. In Case No. 2012-0108-A (Lots 47 and 48 – 37 Belfast Road), the Petitioners request variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing dwelling (with covered screen enclosure on concrete slab to be removed) with a lot width of 50 feet in lieu of the minimum required 55 feet. In Case No. 2012-0109-A (Lot 1 – 39 Belfast Road), Petitioners request similar relief. Specifically, relief is requested from B.C.Z.R. Section 1B02.3C.1 to permit a proposed building with a lot width of 50 feet in lieu of the minimum required 55 feet. The subject properties and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

ORDER RECEIVED FOR FILING

Date 12-21-11

By SMA

Appearing at the requisite public hearing in support of the variance request were Jesse Hannon and Gary Persinger, contract purchaser. Also appearing was Bernadette Moskunas of Site Rite Surveying, Inc., who prepared the site plan for the properties and is assisting the Petitioners in the permitting process. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations (B.C.Z.R.).

Testimony and evidence offered revealed that the subject lots are zoned D.R.5.5 and are located at 37 and 39 Belfast Road in Baltimore County. These two properties are separately described parcels of property contained in a deed dated the 11th day of March 1967. The Petitioners property at #37 Belfast contains an old house which will be razed once this Variance is granted. The other lot, #39 Belfast Road is a vacant lot. Both lots are 50' in width and are in need of variance relief in order for new houses to be built on each lot. The construction of two new houses will be an improvement to the neighborhood. A letter of support was provided by the adjacent property owner residing at #35 Belfast Road.

Having considered the testimony and evidenced offered at the hearing, I am convinced that the requested variances should be granted.

Based on the evidence presented, I find that the variances can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). The requests will not result in any adverse impact as all other houses are constructed on lots of similar size as this development was approved when 50' lots were permissible.

For these reasons, I find that the variance requests satisfy the requirement that they be consistent with the spirit and intent of B.C.Z.R. and not result in injury to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING

Date 12-21-11

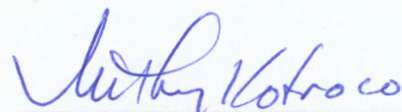
By SMA

Pursuant to the advertisement, posting of the property, 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 Administrative Law Judge for Baltimore County this 21st day of December, 2011 that the Petition for Variance filed in Case No. 2012-0108-A (Lots 47 and 48 – 37 Belfast Road), seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing dwelling (with covered screen enclosure on concrete slab to be removed) with a lot width of 50 feet in lieu of the minimum required 55 feet, be and the same is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 2012-0109-A (Lot 1 – 39 Belfast Road), seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed building with a lot width of 50 feet in lieu of the minimum required 55 feet, be and the same is hereby GRANTED.

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



TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:sma

ORDER RECEIVED FOR FILING

Date 12-21-11

By SMA



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

December 21, 2011

Matthew J. Lidinsky
P. O. Box 42553
Baltimore, MD 21284

RE: Petition For Variance
37 & 39 Belfast Road
Case No. 2012-0108-A and 2012-0109-A

Dear Mr. Lidinsky:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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, Approvals and Inspections at 410-887-3391.

Sincerely,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:sma
Enclosure

c: Gary Persinger, 2216 Midridge Rd., Timonium, MD 21093



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address #37 Belfast Road which is presently zoned D.R.5.5

Deed References: 4732/55 10 Digit Tax Account # 0810047060

Property Owner(s) Printed Name(s) Helen Johnson

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. a **Variance** from Section(s) B02.3.C1, BCZR to permit an existing dwelling (with covered screen enclosure on concrete slab to be removed) with a lot width of 50 feet in lieu of the minimum required 55 feet

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

to be presented at time of hearing

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print Gary Persinger / Lisa Priastrelli
Signature [Signature]
Mailing Address 2216 Midridge Road Timonium MD
City Timonium State MD
Zip Code 21093 Telephone # 410 925-4908 Email Address beach206@yahoo.com

Attorney for Petitioner:

Name- Type or Print
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print Helen Johnson (Estate of) Name #2 - Type or Print Matthew J. Lidinsky
Signature #1 [Signature] Signature #2 [Signature]
Mailing Address P.O. Box 42553 Baltimore MD City Baltimore State MD
Zip Code 21284 Telephone # Email Address n/a

Representative to be contacted:

Name - Type or Print SiteRite Surveying Inc. % Bernadette Moskunas
Signature [Signature]
Mailing Address 200 E. Joppa Road Towson MD City Towson State MD
Zip Code 21286 Telephone # 410 828 9060 Email Address siteriteinc@aol.com

CASE NUMBER 2012-0108-A Filing Date 10/19/2011

ORDER RECEIVED FOR FILING Reviewer JNP

Date 12-21-11

REV. 10/4/11

By SMA

ZONING PROPERTY DESCRIPTION FOR #37 BELFAST ROAD

BEGINNING at a point on the south side of Belfast Road which is 40 feet wide at the district of 270 feet west of the centerline of Vista Lane which is 40 feet wide. Being Lot Nos. 47 and 48, Section G, in the subdivision of "Yorkshire" as recorded in Baltimore County Plat Book No. 7, folio No. 121, containing 7500 square feet. Located in the 8th Election District and 3rd Councilmanic District.



Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road, Suite 101
Towson MD 21286
(410) 828-9060

FILE: Johnson Property Belfast Road\2011 ZONING

2012-0108-A

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

No. **74482**

Date: **10/19/2011**

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					150.00

Total: **150.00**

Rec From: **Cathy M. Persinger**

For: **2 Variances (Held Concurrently) for Helen Johnson**
27 Pellet Road & 39 Pellet Road
2012-0108-A & 2012-0109-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!

PAID RECEIPT

NOV 1 2011 10 19 2011 10 19 2011
 RECEIPT # 74482 10/19/2011
 \$ 150.00
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: 2012-0108-A
Petitioner: Heleen Johnson
Address or Location: #37 Belfast Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gary Persinger
Address: 2216 Midway Road
Timonium, MD 21093
Telephone Number: 410 925-4908

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0108-A

37 Belfast Road
S/side of Belfast Road, 270
feet west of Vista Lane
8th Election District

3rd Councilmanic District
Legal Owner(s): Estate of
Helen Johnson, Matthew
Lidinsky, Personal Rep.
Contract Purchasers: Gary
Persinger & Lisa Piastrelli

Variance: to permit an existing dwelling (with covered screen enclosure on concrete slab to be removed) with a lot width of 50 feet in lieu of the minimum required 55 feet.

Hearing: Tuesday, December 13, 2011, at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT/11/704 Nov. 29 291877

CERTIFICATE OF PUBLICATION

_____ 12/11 _____, 20 11 -

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 11/29, 20 11.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE:CASE NO: 2012-0108-A

PETITIONER/DEVELOPER _____

STEE RITE Surveying INC.

DATE OF HEARING/CLOSING: _____

12/13/11

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

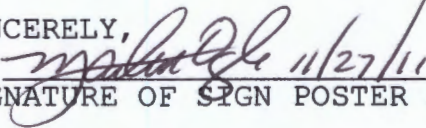
ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 37 BELFAST ROAD

THIS SIGN(S) WERE POSTED ON November 27, 2011
(MONTH, DAY, YEAR)

SINCERELY,

 11/27/11
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2012-0108-A

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

PLACE: ROOM 205 JEFFERSON BUILDING 105
WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: TUESDAY, DECEMBER 13, 2011
AT 10:00 A.M.

REQUEST:

VARIANCE TO PERMIT AN EXISTING DWELLING (WITH
COVERED SCREEN ENCLOSURE ON CONCRETE SLAB TO
BE REMOVED) WITH A LOT WIDTH OF 50 FEET
IN LIEU OF THE MINIMUM REQUIRED 55 FEET

POSTPONEMENTS DUE TO WEATHER AND OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

myalun
11/27/11

11/27/2011

MEMORANDUM

DATE: January 23, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case Nos. 2012-0108-A & 2012-0109-A

The appeal period for the above-referenced cases expired on January 20, 2012. There being no appeal filed, the subject files are ready for return to the Zoning Review Office and are placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 13 2011

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: December 13, 2011

SUBJECT: DEPS Comment for Zoning Item # 2012-0108-A
Address 37 Belfast Road
(Helen Johnson Estate)

Zoning Advisory Committee Meeting of October 31, 2011.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston; Development Coordination*



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 10/19/2011

2012-0108-A

Debra Wiley - ZAC Comments - Distribution Meeting of 10/31

From: Debra Wiley
To: Murray, Curtis; Lanham, Lynn; Kennedy, Dennis; Muddiman, Don; Lykens, Da...
Date: 10/30/2011 2:27 PM
Subject: ZAC Comments - Distribution Meeting of 10/31

Hi there,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision. Thank you.

2012-0108-A - 37 Belfast Road

No hearing date as of 10/28

2012-0109-A - 39 Belfast Road

No hearing date as of 10/28

2012-0110-SPHA - 4800 Deer Park Road

No hearing date as of 10/28

2012-0111-A - 822 Wamper Road

Administrative Variance (Closing Date: 11/14)

2012-0112-A - 100 Lionhead Court

No hearing date as of 10/28

2012-0113-A - 11 Misty Hollow Court

Administrative Variance (Closing Date: 11/21)

2012-0014-A - 906 Chariot Road

Administrative Variance (Closing Date: 11/21)

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

December 5, 2011

Matthew J. Lidinsky
P. O. Box 42553
Baltimore, MD 21284

RE: Case Number 2012-0108-A, 37 Belfast Road

Dear Mr. Lidinsky,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 19, 2011. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Site Rite Surveying, C/O Bernadette Moskunus, 200 E. Joppa Rd., Towson, MD 21204
Gary & Lisa Piastrelli, 2216 Midridge Road, Timonium, MD 21093

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: November 3, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For November 14, 2011
Item Nos. 2012-108, 109, 110, 111, 112, 113
And 114.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11142011 -NO COMMENTS.doc

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-2-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0108A
Variance
Helen Johnson Estate
Matthew J. Lidinsky
37 Belfast Road.

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. 2012-0108-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven D. Foster", is written over a horizontal line.

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 16, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0108-A

37 Belfast Road

S/side of Belfast Road, 270 feet west of Vista Lane

8th Election District – 3rd Councilmanic District

Legal Owners: Estate of Helen Johnson, Matthew Lidinsky, Personal Rep.

Contract Purchasers: Gary Persinger & Lisa Piastrelli

Variance to permit an existing dwelling (with covered screen enclosure on concrete slab to be removed) with a lot width of 50 feet in lieu of the minimum required 55 feet.

Hearing: Tuesday, December 13, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Bernadette Moskunus, 200 E. Joppa Road, Towson 21286
Mr. Persinger, Ms. Piastrelli, 2216 Midridge Road, Timonium 21093
Mr. Matthew Lidinsky, P.O. Box 42553, Baltimore 21284

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 28, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 29, 2011 Issue - Jeffersonian

Please forward billing to:
Gary Persinger
2216 Midrige Road
Timonium, MD 21093

410-925-4908

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0108-A

37 Belfast Road

S/side of Belfast Road, 270 feet west of Vista Lane

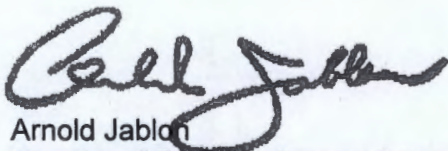
8th Election District – 3rd Councilmanic District

Legal Owners: Estate of Helen Johnson, Matthew Lidinsky, Personal Rep.

Contract Purchasers: Gary Persinger & Lisa Piastrelli

Variance to permit an existing dwelling (with covered screen enclosure on concrete slab to be removed) with a lot width of 50 feet in lieu of the minimum required 55 feet.

Hearing: Tuesday, December 13, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
37 Belfast Rd; S/S Belfast Rd, 270' W of Vista Ln	*	
8 th Election & 3 rd Councilmanic Districts	*	OF ADMINSTRATIVE
Legal Owner(s): Estate of Helen Johnson by	*	
Matthew Lidinsky, P.R.	*	HEARINGS FOR
Contract Purchaser(s): Gary Persinger &	*	
Lisa Piastreli	*	BALTIMORE COUNTY
Petitioner(s)	*	
	*	2012-108-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

NOV 01 2011

CERTIFICATE OF SERVICE

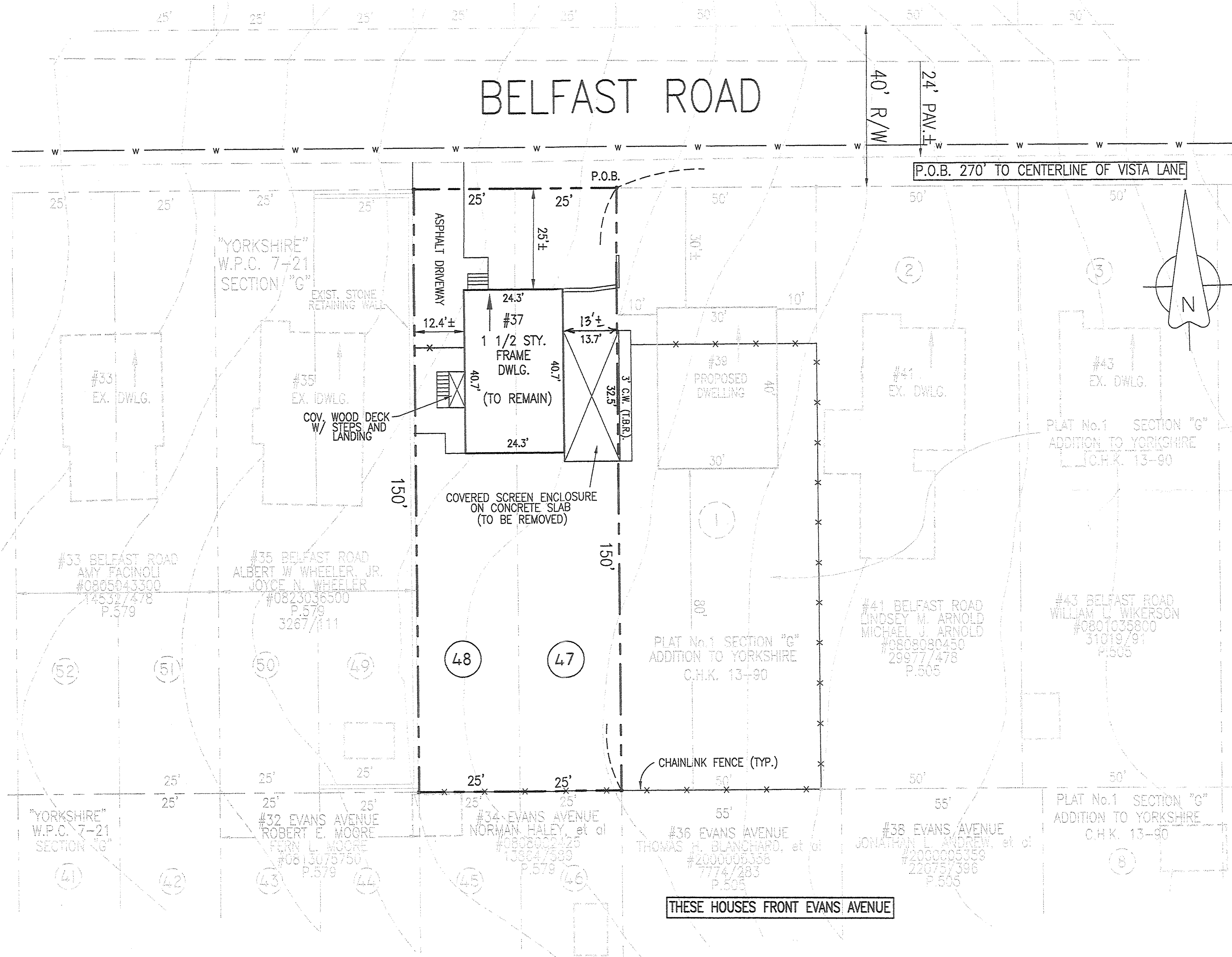
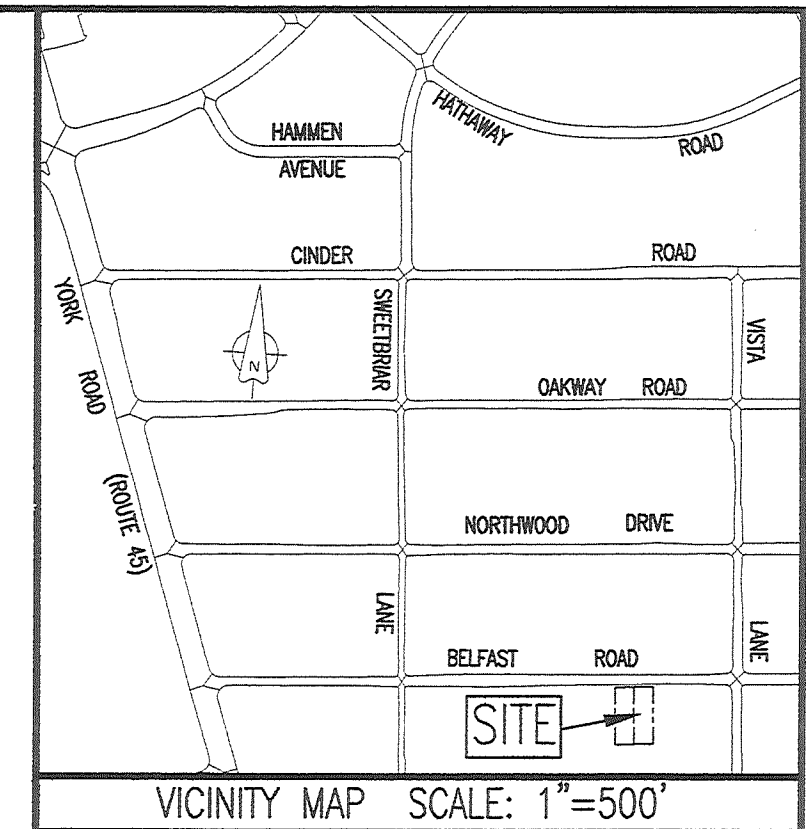
I HEREBY CERTIFY that on this 1st day of November, 2011, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, 200 East Joppa Road, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 37 & 39 Belfast Road
CASE NUMBER 2012-0108-A & 2012-
DATE 12/13/2011 009-A

[illegible]



GENERAL NOTES

1. ZONING MAP No.: 060C1
2. ZONING: D.R. 5.5
3. EXISTING USE: SINGLE FAMILY DWELLING (SFD)
PROPOSED USE: SFD
4. LOT AREA: 7500 S.F.± / 0.172 AC.±
5. THIS LOT IS NOT LOCATED IN AN HISTORIC DISTRICT.
6. THIS PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. THIS PROPERTY IS NOT LOCATED IN THE 100 YEAR FLOODPLAIN.
8. THERE IS NO PRIOR ZONING HEARING.
9. THIS PROPERTY IS SERVICED BY PUBLIC SEWER AND WATER.
10. RECORD PLAT IS DATED OCTOBER 1921.

PETITIONER'S
EXHIBIT NO. 1

SITERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060



OWNER
HELEN JOHNSON
P.O. BOX 42553
BALTIMORE, MARYLAND
TAX ACCT. NO.: 0810047060/0810047080
TAX MAP: 60 GRID: 12 PARCEL: 579 & 505
DEED REFERENCE: 4732/55

CONTRACT PURCHASER
GARY PERSINGER
LISA PIARELLI
2216 MIDRIDGE ROAD
TIMONUM, MARYLAND 21093
(410) 925-4908

ZONING HEARING PLAN FOR VARIANCE

"JOHNSON PROPERTY"

#37 BELFAST ROAD

LOT 47 AND LOT 48

"YORKSHIRE"

SECTION "G" W.P.C. 7/21

8TH ELECTION DISTRICT C3

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30' 20"

OCTOBER 7, 2011

#10015

2012-0108-A

Job 9893

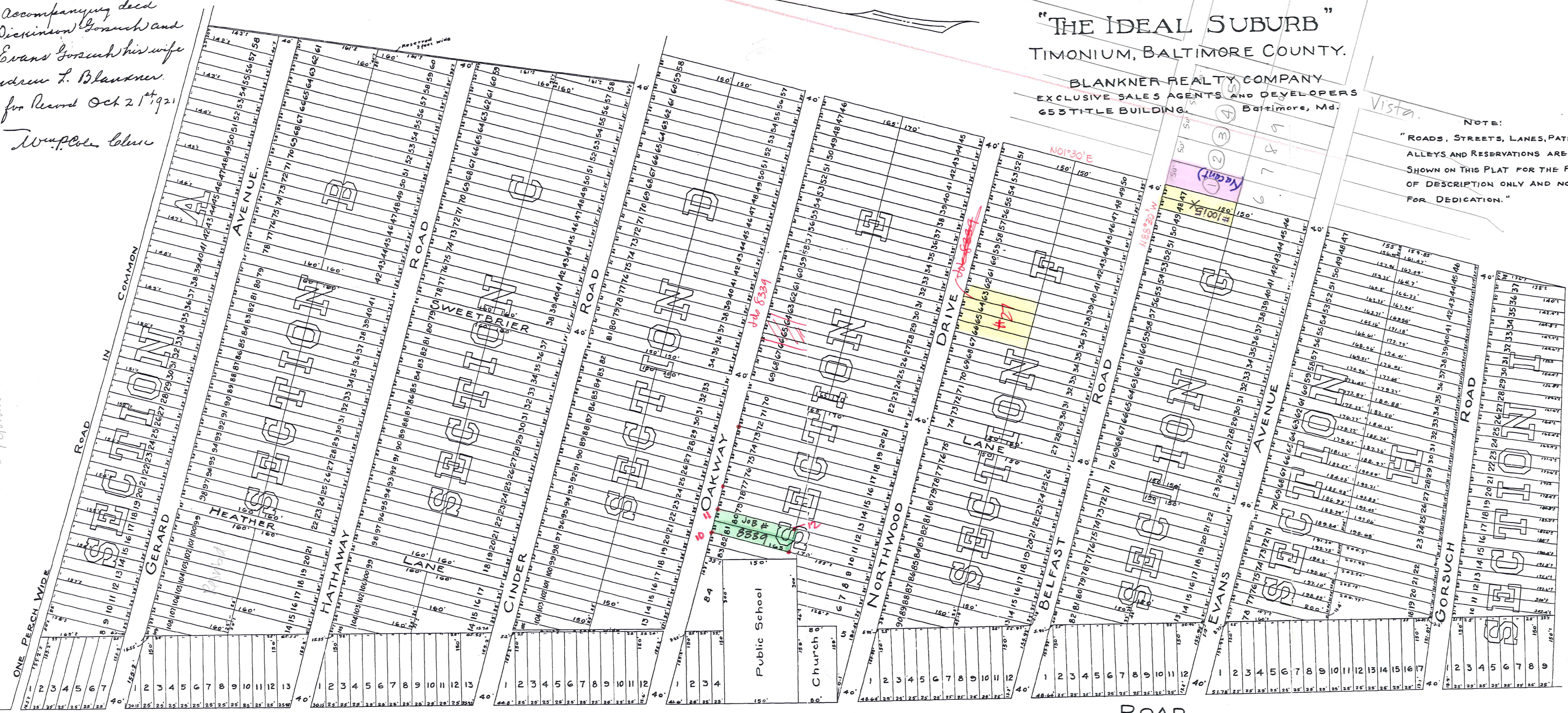
YORKSHIRE

"THE IDEAL SUBURB"
TIMONIUM, BALTIMORE COUNTY.

BLANKNER REALTY COMPANY
EXCLUSIVE SALES AGENTS AND DEVELOPERS
653 TITLE BUILDING, Baltimore, Md.

NOTE:
"ROADS, STREETS, LANES, PATHS,
ALLEYS AND RESERVATIONS ARE
SHOWN ON THIS PLAT FOR THE PURPOSE
OF DESCRIPTION ONLY AND NOT
FOR DEDICATION."

Plat accompanying deed
from Dickinson Gorsuch and
Irene Evans Gorsuch his wife
to Andrew L. Blankner.
Filed for Record Oct 21st 1921
Test Wm. P. Cole Clerk



PETITIONER'S
EXHIBIT NO. 2



This Deed, Made this 16th day of March

in the year one thousand nine hundred and sixty-seven, by and between

✓EARLE R. NUSSBAUM and ✓ETTA M. NUSSBAUM, his wife,

of Baltimore County, in the State of Maryland, parties, of the first part, and

✓THOMAS S. JOHNSON and ✓HELEN A. JOHNSON, his wife, parties

of the second part.

Witnesseth, that in consideration of the sum of Five Dollars and other good and valuable considerations the receipt whereof is hereby acknowledged,

the said Earle R. Nussbaum and Etta M. Nussbaum, his wife,

do hereby grant and convey unto the said Thomas S. Johnson and Helen A. Johnson, his wife, as tenants by entireties, their

heirs and assigns,

in fee simple, all those two lot(s) of ground, situate, lying and being in

Baltimore County, State of Maryland, and described as follows, that is to say:—

Beginning for the first thereof and being known and designated as Lots Nos. 47 and 48 Section G, as shown on Plat of Yorkshire, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 21.

BEGINNING for the second thereof and being known and designated as Lot No. 1 in Block C on the Plat of the Addition to Yorkshire, which said Plat is duly recorded among the Land Records of Baltimore County in Plat Book C.H.K. No. 13, folio 90.

The improvements thereon being known as No. 37 Belfast Road.

SUBJECT to restrictions as set forth in two deeds; (1) dated October 28, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1163, folio 123 from Dickinson Gorsuch and wife to William P. Bolton and wife, and; (2) dated July 18, 1944 and recorded among the Land Records aforesaid in Liber R.J.S. No. 1349, folio 163 from Dickinson Gorsuch and wife to Margaret Hennessy.

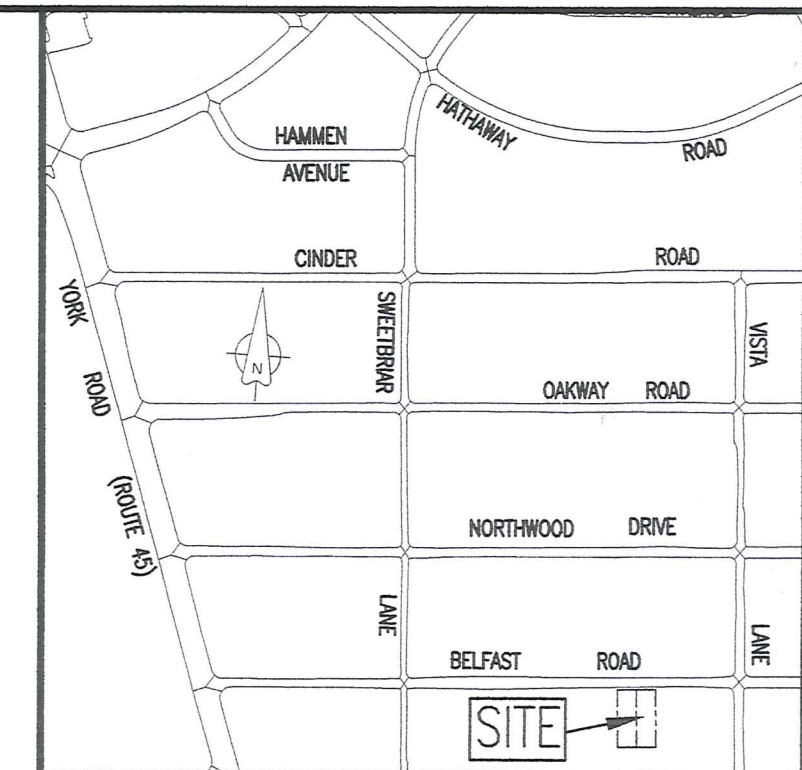
BEING the same property which by deed dated July 27, 1965 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4500, folio 32 from Clyde H. Hastings and wife to Earle R. Nussbaum and wife.

PETITIONER'S

EXHIBIT NO.

3

BELFAST ROAD



GENERAL NOTES

1. ZONING MAP No.: 060C1
2. ZONING: D.R. 5.5
3. EXISTING USE: VACANT
PROPOSED USE: SINGLE FAMILY DWELLING
4. LOT AREA: 7500 S.F.± / 0.172 AC.±
5. THIS LOT IS NOT LOCATED IN AN HISTORIC DISTRICT.
6. THIS PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. THIS PROPERTY IS NOT LOCATED IN THE 100 YEAR FLOODPLAIN.
8. THERE IS NO PRIOR ZONING HEARING.
9. THIS PROPERTY IS SERVICED BY PUBLIC SEWER AND WATER.
10. RECORD PLAT IS DATED JUNE 1944.

PETITIONER'S

EXHIBIT NO. 4

OWNER

HELEN JOHNSON
P.O. BOX 42553
BALTIMORE, MARYLAND
TAX ACCT. NO.: 0810047060/0810047080
TAX MAP: 60 GRID: 12 PARCEL: 579 & 505
DEED REFERENCE: 4732/55

CONTRACT PURCHASER

GARY PERSINGER
LISA PIASTRELLI
2216 MIDRIDGE ROAD
TIMONIUM, MARYLAND 21093
(410) 925-4908

ZONING HEARING PLAN FOR VARIANCE

"JOHNSON PROPERTY"

#39 BELFAST ROAD

LOT-1

"ADDITION TO YORKSHIRE"

PLAT NO. 1 SECTION "G" C.H.K. 13/90

8TH ELECTION DISTRICT C3

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30'

OCTOBER 7, 2011

#10015

SITERITE
SURVEYING INC.
200 E. JOPPA ROAD
SHELL BUILDING, SUITE 101
TOWSON, MD. 21286
410-828-9060

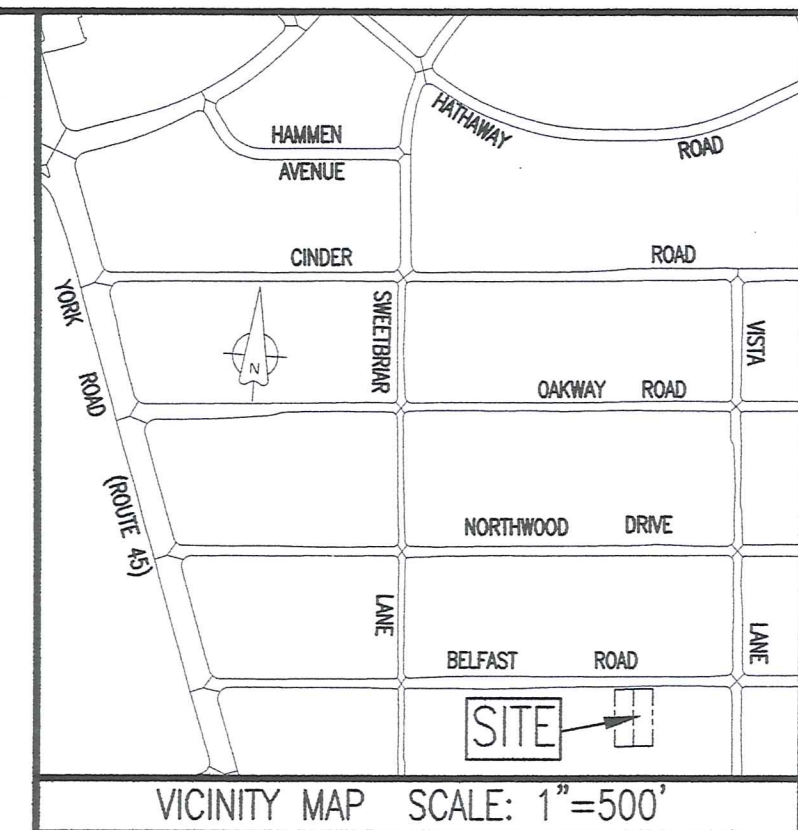


We do not object to the petition for a zoning variance at #35 & #37 Belfast Rd. DWLG.
C.M.
J.W.

EXISTING ENCLOSURE & SLAB
(TO BE REMOVED)

PLAT No. 1 SECTION "G"
ADDITION TO YORKSHIRE
C.H.K. 13-90

THESE HOUSES FRONT EVANS AVENUE



GENERAL NOTES

1. ZONING MAP No.: 060C1
2. ZONING: D.R. 5.5
3. EXISTING USE: SINGLE FAMILY DWELLING (SFD)
PROPOSED USE: SFD
4. LOT AREA: 7500 S.F.± / 0.172 AC.±
5. THIS LOT IS NOT LOCATED IN AN HISTORIC DISTRICT.
6. THIS PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. THIS PROPERTY IS NOT LOCATED IN THE 100 YEAR FLOODPLAIN.
8. THERE IS NO PRIOR ZONING HEARING.
9. THIS PROPERTY IS SERVICED BY PUBLIC SEWER AND WATER.
10. RECORD PLAT IS DATED OCTOBER 1921.

ZONING HEARING PLAN FOR VARIANCE

"JOHNSON PROPERTY"

#37 BELFAST ROAD

LOT 47 AND LOT 48

"YORKSHIRE"

SECTION "G" W.P.C. 7/21

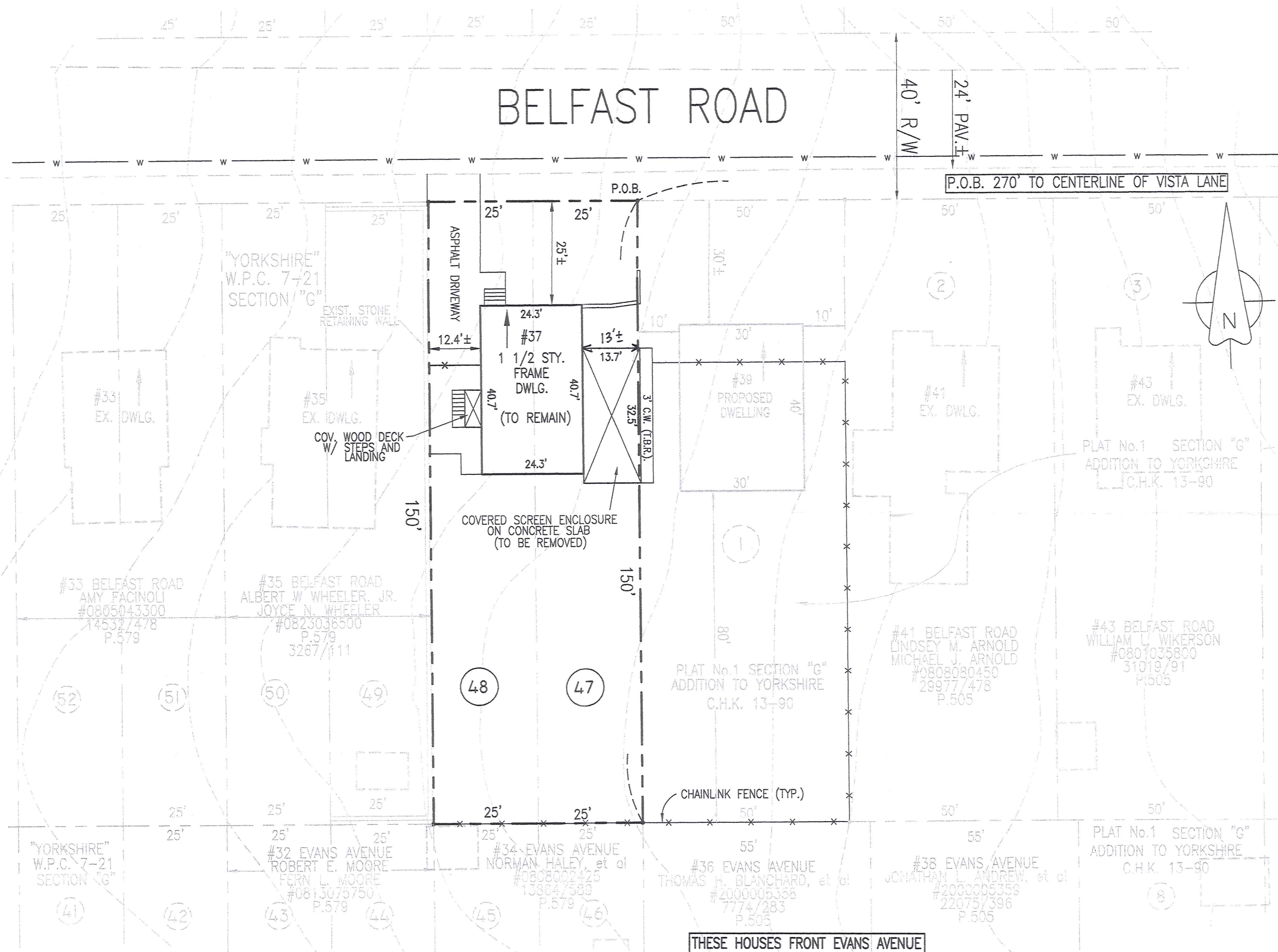
8TH ELECTION DISTRICT C3
BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30'-20'

OCTOBER 7, 2011

#10015

BELFAST ROAD



PETITIONER'S

EXHIBIT NO.

OWNER

HELEN JOHNSON
P.O. BOX 42553
BALTIMORE, MARYLAND
TAX ACCT. NO.: 0810047060/0810047080
TAX MAP: 60 GRID: 12 PARCEL: 579 & 505
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