



KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
*Administrative Law Judge*

April 20, 2015

William Comotto  
1808 Hanford Road  
Baltimore, Maryland 21237

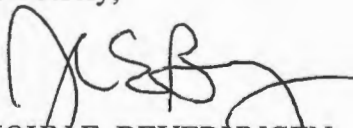
RE: Petition for Variance  
Property: 341 & 339 Nicholson Road  
Case No. 2015-0181-A & 2015-0182-A

Dear Petitioners:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:slh  
Enclosure

c: David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040  
Mike Jenkins, 8680 Magnolia Avenue, Baltimore, Maryland 21128

**IN RE: PETITION FOR VARIANCE**

**(341 Nicholson Road)**

15<sup>th</sup> Election District

7<sup>th</sup> Council District

William J., John L. & Frank Comotto

*Legal Owners*

Jenkins Builder, LLC

*Contract Purchaser*

Petitioners

\*

\*

\*

\*

\*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2015-0181-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of William, John & Frank Comotto, legal owners and Jenkins Builder, LLC, contract purchaser ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1B02.3.C.1 to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new residence. A site plan was marked and admitted as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the request was William Comotto and David Billingsley, whose firm prepared the plan. No Protestants or interested citizens were in attendance. The Petition was advertised and posted as required by the B.C.Z.R. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is approximately 10,000 square feet and is zoned D.R. 5.5. The property is unimproved and is 50' wide, as are nearly all of the lots in the Back River Highlands (Petitioners' Exhibit 4), the plat for which was approved in 1913. Petitioners propose to construct an attractive single family dwelling (a rendering of which was admitted as Exhibit 8) on the lot but require variance relief to do so.

ORDER RECEIVED FOR FILING

Date 4/20/15

By Sen

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

*Trinity Assembly of God v. People's Counsel*, 407 Md. 53, 80 (2008).

Petitioners have met this test. The lot was established by a plat filed in 1913, long before the adoption of the B.C.Z.R. As such the property is unique. Petitioners would experience a practical difficulty if the regulations were strictly interpreted, since they would be unable to construct the new residence at the site. I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

THEREFORE, IT IS ORDERED, this 20<sup>th</sup> day of April, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §1B02.3.C.1 to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new residence, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

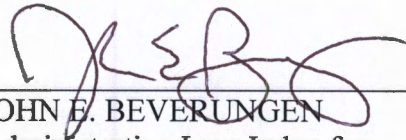
Date

4/20/15

By

Sen

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



JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 4/20/15

By slh





# 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 341 NICHOLSON ROAD which is presently zoned DR 5.5  
 Deed References: L35563 F147 10 Digit Tax Account # 2500012270  
 Property Owner(s) Printed Name(s) FRANK C. COMOTTO, WILLIAM J. COMOTTO AND JOHN L. COMOTTO

(SELECT THE HEARING(S) BY MARKING ☒ 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)

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

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 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:

JENKINS BUILDER, LLC

Name- Type or Print

Signature MICHAEL JENKINS

8680 MAGNOLIA AVE BALTO MD.

Mailing Address City State

21128 (410)530-5844 mikemj@verizon.net

Zip Code Telephone # Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

## Legal Owners (Petitioners):

WILLIAM J. COMOTTO JOHN L. COMOTTO

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1808 HANFORD RD. BALTO. MD.

Mailing Address City State

21237 410-866-4860

Zip Code Telephone # Email Address

## Representative to be contacted:

DAVID BILLINGSLEY

Name- Type or Print

Signature

601 CHARWOOD CT EDGEWOOD MD

Mailing Address City State

21040 (410)675-8719 dwb0203@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2015-0181-A Filing Date 2/19/2015 Do Not Schedule Dates: Reviewer W

## **ZONING DESCRIPTION**

### **341 NICHOLSON ROAD**

Beginning at a point on the south side of Nicholson Road (50 feet wide) at a point westerly 1028 feet from its intersection with the center of Mace Avenue, thence being all of Lot 26 as shown on the plat entitled Back River Highlands recorded among the Baltimore County plat records in Plat Book 4 Folio 64.

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

Being known as 341 Nicholson Road. Located in the 15<sup>TH</sup> Election District, 7<sup>TH</sup> Councilmanic District of Baltimore County, Maryland.

2015-0181-A



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

No. **121508**

Date: **2/19/15**

**PAID RECEIPT**

BUSINESS ACTUAL TIME JRM  
 2/19/2015 2/19/2015 10:12:04 5  
 REF MSGS WALKIN PROS LAR  
 RECEIPT # 784364 2/19/2015 OFLN  
 Dept 5 326 ZONING VERIFICATION  
 CK NO. 121508 111  
 Receipt Tot \$75.00  
 \$225.00 CK 1.00 CA  
 Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|
| 001  | 806  | 0000 |          | 6150            |                  |          |         | 75.00  |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
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|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |

Total: **75.00**

Rec From: **Central D+D Inc**

For: **341 Nicholson Rd**

**2015-0181-A**

**DISTRIBUTION**

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

**CASHIER'S  
 VALIDATION**



501 N. Calvert St., P.O. Box 1377  
Baltimore, Maryland 21278-0001  
tel: 410/332-6000  
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3145469

**Sold To:**

Jenkins Builders - CU00430852  
8680 Magnolia Rd  
Perry Hall, MD 21128

**Bill To:**

Jenkins Builders - CU00430852  
8680 Magnolia Rd  
Perry Hall, MD 21128

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Mar 26, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

**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: # 2015-0181-A**  
341 Nicholson Road  
1028 ft. NW of centerline of Mace Avenue  
17th Election District - 7th Councilmanic District  
Legal Owner(s) William, John & Frank Comotto  
Contract Purchaser/Lessee: Jenkins Builders, LLC

**Variance:** to permit a lot width of 50 ft. in lieu of the required 55 ft. for a new residence.

**Hearing: Thursday, April 16, 2015 at 1:30 p.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.

3/399 March 26 3145469



# CERTIFICATE OF POSTING

Date: MARCH 26, 2015

RE: Project Name: 341 NICHOLSON ROAD  
Case Number /PAI Number: 2015 - 0181-A  
Petitioner/Developer: WILLIAM J. COMOTTO, ETAL  
Date of Hearing/Closing: APRIL 16, 2015

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 341 NICHOLSON ROAD

The sign(s) were posted on MARCH 26, 2015  
(Month, Day, Year)

David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040  
(City, State, Zip Code of Sign Poster)

(410) 679-8719  
(Telephone Number of Sign Poster)





KEVIN KAMENETZ  
County Executive

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

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Legal Owners: William, John & Frank Comotto  
Contract Purchaser/Lessee: Jenkins Builders, LLC

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

Hearing: Thursday, April 16, 2015 at 1:30 p.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: David Billingsley, 601 Charwood Court, Edgewood 21040  
Comotto Residence, 1808 Hanford Road, Baltimore 21237  
Jenkins Builders, LLC, 8680 Magnolia Avenue, Baltimore 21128

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 27, 2015.**
- (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  
Thursday, March 26, 2015 Issue - Jeffersonian

Please forward billing to:  
Jenkins Builders, LLC  
8680 Magnolia Avenue  
Baltimore, MD 21128

410-530-5844

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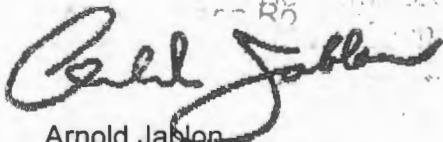
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Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

RE: PETITION FOR VARIANCE \* BEFORE THE OFFICE  
341 Nicholson Road; SW/S Nicholson Road, \*  
1028' NW of the c/line of Mace Avenue \* OF ADMINSTRATIVE  
15<sup>th</sup> Election & 7<sup>th</sup> Councilmanic Districts HEARINGS FOR  
Legal Owner(s): William, John & Frank Comotto\*  
Contract Purchaser(s): Jenkins Builder LLC \* BALTIMORE COUNTY  
Petitioner(s) \*  
\* 2015-181-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

11 01 2015

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 3<sup>rd</sup> day of March, 2015, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, MD 21040, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

## **M E M O R A N D U M**

DATE: May 21, 2015  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2015-0181-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on May 20, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File  
Office of Administrative Hearings



CASE NAME 341 NICHOLSON RD  
CASE NUMBER 2015-0181-A  
DATE 4/16/15

[illegible]

CASE NO. 2015- 0181-A

## CHECKLIST

Comment  
Received

Department

Support/Oppose/  
Conditions/  
Comments/  
No Comment

3/9/15

DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)

N/C

DEPS  
(if not received, date e-mail sent \_\_\_\_\_)

FIRE DEPARTMENT

3/23/15

PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)

no obj

2/25/15

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT Date: 3/26/15

SIGN POSTING Date: 3/26/15

by Billingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: \_\_\_\_\_



KEVIN KAMENETZ  
*County Executive*

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

April 9, 2015

William J Comotto  
Frank C Comotto  
John L Comotto  
1808 Hanford Road  
Baltimore MD 21237

RE: Case Number: 2015-0181 A, Address: 341 Nicholson Road

Dear Sirs:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 19, 2015. 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." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel  
Jenkins Builder LLC, Michael Jenkins, 8680 Magnolia Avenue, Baltimore MD 21128  
David Billingsley, 601 Charwood Court, Edgewood MD 21040



Lawrence J. Hogan, Jr., Governor  
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Acting Secretary  
Melinda B. Peters, Administrator

Date: 2/25/15

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

RE: Baltimore County  
Item No 2015-0181-A  
Variance  
William J. John L. i  
Frank C. Comotto.  
341 Nicholson Road.

Dear Ms. Lewis:

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. 2015-0181-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief  
Development Manager  
Access Management Division

SDF/raz

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon  
Deputy Administrative Officer and  
Director of Permits, Approvals and Inspections

**DATE:** March 23, 2015

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

RECEIVED

MAR 25 2015

**SUBJECT:** 341 Nicholson Road

OFFICE OF ADMINISTRATIVE HEARINGS

**INFORMATION:**

**Item Number:** 15-181 (see 15-182)

**Petitioner:** William J. Comotto & John L. Comotto

**Zoning:** DR 5.5

**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

The Department of Planning (Department) has reviewed the Variance Petition with accompanying site plan to permit a single family dwelling on a lot having a width of 50 feet in lieu of the required 55 feet. The Department has no objection to the grant of the petitioned relief.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-3480.

**Division Chief:**  
AVA/LTM

*Kathy Schleich*

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**DATE:** March 9, 2015

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 2, 2015  
Item No. 2015-0173, 0174, 0175, 0176, 0179, 0180, 0181 and 0182

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\ZAC03022015.doc



3/30/15  
web

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon  
Deputy Administrative Officer and  
Director of Permits, Approvals and Inspections

**DATE:** March 23, 2015

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT:** 341 Nicholson Road

**INFORMATION:**

**Item Number:** 15-181 (see 15-182)

**Petitioner:** William J. Comotto & John L. Comotto

**Zoning:** DR 5.5

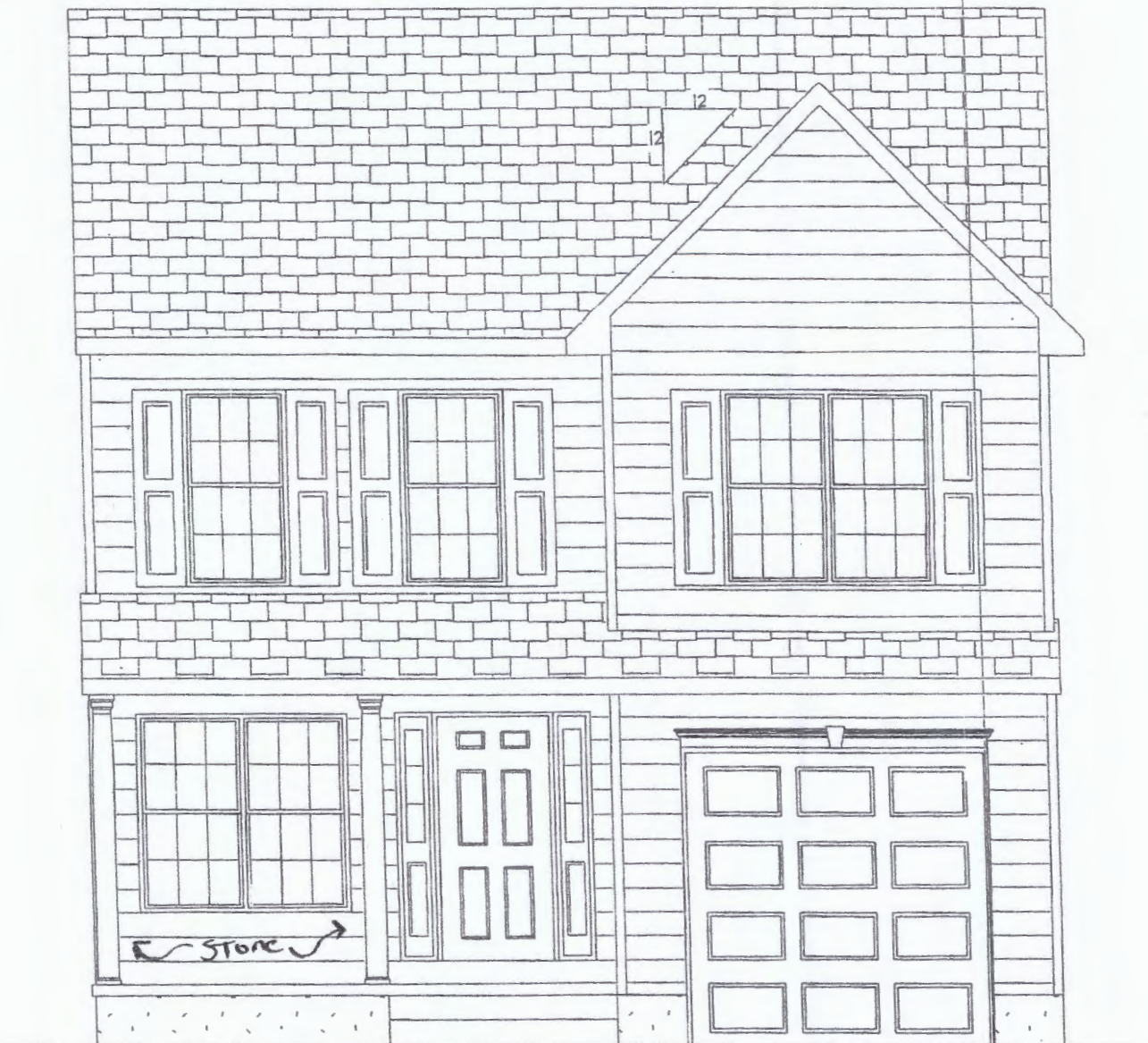
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**Division Chief:** Kathy Schaefer  
AVA/LTM



Front Elevation



Linwood - Model

PETITIONER'S  
EXHIBIT NO. 8





7b



7a



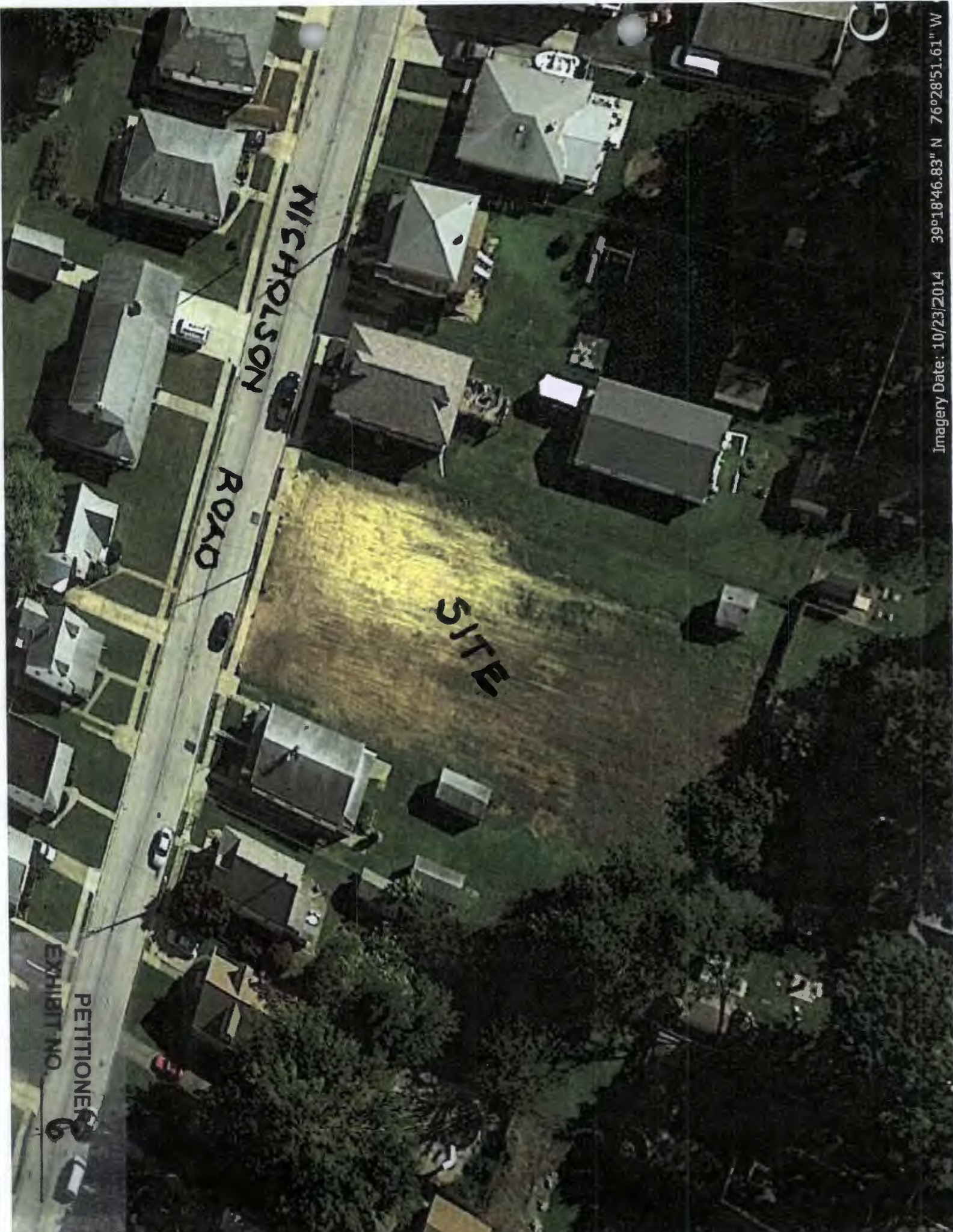


7d



7c





PETITIONER'S  
EXHIBIT NO. 6



Real Property Data Search ( w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

| View Map                                            |                                                | View GroundRent Redemption                       |                                  | View GroundRent Registration  |                                    |
|-----------------------------------------------------|------------------------------------------------|--------------------------------------------------|----------------------------------|-------------------------------|------------------------------------|
| <b>Account Identifier:</b>                          |                                                | <b>District - 15 Account Number - 2500012270</b> |                                  |                               |                                    |
| <b>Owner Information</b>                            |                                                |                                                  |                                  |                               |                                    |
| <b>Owner Name:</b>                                  | COMOTTO FRANK C<br>COMOTTO WILLIAM J ET<br>AL  |                                                  | <b>Use:</b>                      | RESIDENTIAL<br>NO             |                                    |
| <b>Mailing Address:</b>                             | 1808 HANFORD RD<br>BALTIMORE MD 21237-<br>1744 |                                                  | <b>Deed Reference:</b>           | /35563/ 00147                 |                                    |
| <b>Location &amp; Structure Information</b>         |                                                |                                                  |                                  |                               |                                    |
| <b>Premises Address:</b>                            |                                                | NICHOLSON RD<br>BALTIMORE 21221-6609             |                                  | <b>Legal Description:</b>     | LT 25<br>230 AC<br>NICHOLSON RD SS |
| <b>Map:</b>                                         | <b>Grid:</b>                                   | <b>Parcel:</b>                                   | <b>Sub District:</b>             | <b>Subdivision:</b>           | <b>Section:</b>                    |
| 0097                                                | 0001                                           | 0364                                             |                                  | 0000                          | E                                  |
|                                                     |                                                |                                                  |                                  |                               | 25                                 |
|                                                     |                                                |                                                  |                                  |                               | 2015                               |
|                                                     |                                                |                                                  |                                  |                               | Assessment Year:                   |
|                                                     |                                                |                                                  |                                  |                               | Plat No:                           |
|                                                     |                                                |                                                  |                                  |                               | Plat Ref:                          |
|                                                     |                                                |                                                  |                                  |                               | 0004/<br>0064                      |
| <b>Special Tax Areas:</b>                           |                                                |                                                  | <b>Town:</b>                     |                               |                                    |
|                                                     |                                                |                                                  | NONE                             |                               |                                    |
| <b>Primary Structure Built</b>                      |                                                |                                                  | <b>Above Grade Enclosed Area</b> | <b>Finished Basement Area</b> | <b>Property Land Area</b>          |
|                                                     |                                                |                                                  |                                  |                               | 10,000 SF                          |
|                                                     |                                                |                                                  |                                  |                               | County Use                         |
|                                                     |                                                |                                                  |                                  |                               | 04                                 |
| <b>Stories</b>                                      | <b>Basement</b>                                | <b>Type</b>                                      | <b>Exterior</b>                  | <b>Full/Half Bath</b>         | <b>Garage</b>                      |
|                                                     |                                                |                                                  |                                  |                               | Last Major Renovation              |
| <b>Value Information</b>                            |                                                |                                                  |                                  |                               |                                    |
|                                                     |                                                | <b>Base Value</b>                                | <b>Value</b>                     | <b>Phase-in Assessments</b>   |                                    |
|                                                     |                                                |                                                  | As of                            | As of                         | As of                              |
|                                                     |                                                |                                                  | 01/01/2015                       | 07/01/2014                    | 07/01/2015                         |
| <b>Land:</b>                                        |                                                | 75,000                                           | 75,000                           |                               |                                    |
| <b>Improvements</b>                                 |                                                | 0                                                | 0                                |                               |                                    |
| <b>Total:</b>                                       |                                                | 75,000                                           | 75,000                           |                               | 75,000                             |
| <b>Preferential Land:</b>                           |                                                | 0                                                |                                  |                               | 0                                  |
| <b>Transfer Information</b>                         |                                                |                                                  |                                  |                               |                                    |
| <b>Seller: COMOTTO FRANK C</b>                      |                                                | <b>Date: 11/14/2014</b>                          |                                  | <b>Price: \$0</b>             |                                    |
| <b>Type: NON-ARMS LENGTH OTHER</b>                  |                                                | <b>Deed1: /35563/ 00147</b>                      |                                  | <b>Deed2:</b>                 |                                    |
| <b>Seller: MARCANTOGNINI CELESTE</b>                |                                                | <b>Date: 06/06/1989</b>                          |                                  | <b>Price: \$100,000</b>       |                                    |
| <b>Type: ARMS LENGTH IMPROVED</b>                   |                                                | <b>Deed1: /08191/ 00702</b>                      |                                  | <b>Deed2:</b>                 |                                    |
| <b>Seller:</b>                                      |                                                | <b>Date:</b>                                     |                                  | <b>Price:</b>                 |                                    |
| <b>Type:</b>                                        |                                                | <b>Deed1:</b>                                    |                                  | <b>Deed2:</b>                 |                                    |
| <b>Exemption Information</b>                        |                                                |                                                  |                                  |                               |                                    |
| <b>Partial Exempt Assessments:</b>                  | <b>Class</b>                                   | <b>07/01/2014</b>                                |                                  | <b>07/01/2015</b>             |                                    |
| <b>County:</b>                                      | 000                                            | 0.00                                             |                                  |                               |                                    |
| <b>State:</b>                                       | 000                                            | 0.00                                             |                                  |                               |                                    |
| <b>Municipal:</b>                                   | 000                                            | 0.00 0.00                                        |                                  | 0.00 0.00                     |                                    |
| <b>Tax Exempt:</b>                                  | <b>Special Tax Recapture:</b>                  |                                                  |                                  |                               |                                    |
| <b>Exempt Class:</b>                                | NONE                                           |                                                  |                                  |                               |                                    |
| <b>Homestead Application Information</b>            |                                                |                                                  |                                  |                               |                                    |
| <b>Homestead Application Status: No Application</b> |                                                |                                                  |                                  |                               |                                    |

PETITIONER'S  
EXHIBIT NO. 2a



Real Property Data Search ( w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

| View Map                                            |                 | View GroundRent Redemption                       |                               | View GroundRent Registration                                  |                                     |
|-----------------------------------------------------|-----------------|--------------------------------------------------|-------------------------------|---------------------------------------------------------------|-------------------------------------|
| <b>Account Identifier:</b>                          |                 | <b>District - 15 Account Number - 2500012271</b> |                               |                                                               |                                     |
| Owner Information                                   |                 |                                                  |                               |                                                               |                                     |
| <b>Owner Name:</b>                                  |                 | COMOTTO FRANK C<br>COMOTTO WILLIAM J ET<br>AL    |                               | <b>Use:</b><br>Principal Residence:                           | RESIDENTIAL<br>NO                   |
| <b>Mailing Address:</b>                             |                 | 1808 HANFORD RD<br>BALTIMORE MD 21237-<br>1744   |                               | <b>Deed Reference:</b>                                        | /35563/ 00143                       |
| Location & Structure Information                    |                 |                                                  |                               |                                                               |                                     |
| <b>Premises Address:</b>                            |                 | NICHOLSON RD<br>BALTIMORE 21221-6609             |                               | <b>Legal Description:</b>                                     | LT 26<br>.230 AC<br>NICHOLSON RD SS |
| <b>Map:</b>                                         | <b>Grid:</b>    | <b>Parcel:</b>                                   | <b>Sub District:</b>          | <b>Subdivision:</b>                                           | <b>Section:</b>                     |
| 0097                                                | 0001            | 0364                                             |                               | 0000                                                          | E                                   |
|                                                     |                 |                                                  |                               | <b>Block:</b>                                                 | <b>Lot:</b>                         |
|                                                     |                 |                                                  |                               |                                                               | 26                                  |
|                                                     |                 |                                                  |                               | <b>Assessment Year:</b>                                       | <b>Plat No:</b>                     |
|                                                     |                 |                                                  |                               | 2015                                                          |                                     |
|                                                     |                 |                                                  |                               | <b>Plat Ref:</b>                                              | <b>0004/0064</b>                    |
| <b>Special Tax Areas:</b>                           |                 |                                                  |                               | <b>Town:</b>                                                  | NONE                                |
|                                                     |                 |                                                  |                               | <b>Ad Valorem:</b>                                            |                                     |
|                                                     |                 |                                                  |                               | <b>Tax Class:</b>                                             |                                     |
| <b>Primary Structure Built</b>                      |                 | <b>Above Grade Enclosed Area</b>                 |                               | <b>Finished Basement Area</b>                                 | <b>Property Land Area</b>           |
|                                                     |                 |                                                  |                               |                                                               | 10,000 SF                           |
|                                                     |                 |                                                  |                               |                                                               | <b>County Use</b>                   |
|                                                     |                 |                                                  |                               |                                                               | 04                                  |
| <b>Stories</b>                                      | <b>Basement</b> | <b>Type</b>                                      | <b>Exterior</b>               | <b>Full/Half Bath</b>                                         | <b>Garage</b>                       |
|                                                     |                 |                                                  |                               |                                                               |                                     |
| Value Information                                   |                 |                                                  |                               |                                                               |                                     |
|                                                     |                 | <b>Base Value</b>                                | <b>Value As of 01/01/2015</b> | <b>Phase-in Assessments As of 07/01/2014 As of 07/01/2015</b> |                                     |
| <b>Land:</b>                                        |                 | 75,000                                           | 75,000                        |                                                               |                                     |
| <b>Improvements</b>                                 |                 | 0                                                | 0                             |                                                               |                                     |
| <b>Total:</b>                                       |                 | 75,000                                           | 75,000                        | 75,000                                                        |                                     |
| <b>Preferential Land:</b>                           |                 | 0                                                |                               | 0                                                             |                                     |
| Transfer Information                                |                 |                                                  |                               |                                                               |                                     |
| <b>Seller: COMOTTO FRANK C</b>                      |                 | <b>Date: 11/14/2014</b>                          |                               | <b>Price: \$0</b>                                             |                                     |
| <b>Type: NON-ARMS LENGTH OTHER</b>                  |                 | <b>Deed1: /35563/ 00143</b>                      |                               | <b>Deed2:</b>                                                 |                                     |
| <b>Seller: MARCANTOGNINI CELESTE</b>                |                 | <b>Date: 06/06/1989</b>                          |                               | <b>Price: \$100,000</b>                                       |                                     |
| <b>Type: ARMS LENGTH IMPROVED</b>                   |                 | <b>Deed1: /08191/ 00702</b>                      |                               | <b>Deed2:</b>                                                 |                                     |
| <b>Seller:</b>                                      |                 | <b>Date:</b>                                     |                               | <b>Price:</b>                                                 |                                     |
| <b>Type:</b>                                        |                 | <b>Deed1:</b>                                    |                               | <b>Deed2:</b>                                                 |                                     |
| Exemption Information                               |                 |                                                  |                               |                                                               |                                     |
| <b>Partial Exempt Assessments:</b>                  |                 | <b>Class</b>                                     | <b>07/01/2014</b>             | <b>07/01/2015</b>                                             |                                     |
| <b>County:</b>                                      |                 | 000                                              | 0.00                          |                                                               |                                     |
| <b>State:</b>                                       |                 | 000                                              | 0.00                          |                                                               |                                     |
| <b>Municipal:</b>                                   |                 | 000                                              | 0.00 0.00                     | 0.00 0.00                                                     |                                     |
| <b>Tax Exempt:</b>                                  |                 | <b>Special Tax Recapture:</b>                    |                               |                                                               |                                     |
| <b>Exempt Class:</b>                                |                 | NONE                                             |                               |                                                               |                                     |
| Homestead Application Information                   |                 |                                                  |                               |                                                               |                                     |
| <b>Homestead Application Status: No Application</b> |                 |                                                  |                               |                                                               |                                     |

PETITIONER'S  
EXHIBIT NO. 26

## Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **15** Account Number: **1518470440**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml) (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



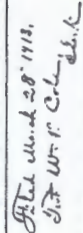
(<http://imsweb05.mdp.state.md.us/website/mosp/>)

Loading... Please Wait. Loading... Please Wait. -->

PETITIONER'S  
EXHIBIT NO. 3



**THE UNIVERSITY OF CHICAGO**



## BACK RIVER HIGHLANDS.

[illegible]

| SHOE LOTS | AREA |
|-----------|------|
| 10001     | 0.00 |
| 10002     | 0.00 |
| 10003     | 0.00 |
| 10004     | 0.00 |
| 10005     | 0.00 |
| 10006     | 0.00 |
| 10007     | 0.00 |
| 10008     | 0.00 |
| 10009     | 0.00 |
| 10010     | 0.00 |
| 10011     | 0.00 |
| 10012     | 0.00 |
| 10013     | 0.00 |
| 10014     | 0.00 |
| 10015     | 0.00 |
| 10016     | 0.00 |
| 10017     | 0.00 |
| 10018     | 0.00 |
| 10019     | 0.00 |
| 10020     | 0.00 |
| 10021     | 0.00 |
| 10022     | 0.00 |
| 10023     | 0.00 |
| 10024     | 0.00 |
| 10025     | 0.00 |
| 10026     | 0.00 |
| 10027     | 0.00 |
| 10028     | 0.00 |
| 10029     | 0.00 |
| 10030     | 0.00 |
| 10031     | 0.00 |
| 10032     | 0.00 |
| 10033     | 0.00 |
| 10034     | 0.00 |
| 10035     | 0.00 |
| 10036     | 0.00 |
| 10037     | 0.00 |
| 10038     | 0.00 |
| 10039     | 0.00 |
| 10040     | 0.00 |
| 10041     | 0.00 |
| 10042     | 0.00 |
| 10043     | 0.00 |
| 10044     | 0.00 |
| 10045     | 0.00 |
| 10046     | 0.00 |
| 10047     | 0.00 |
| 10048     | 0.00 |
| 10049     | 0.00 |
| 10050     | 0.00 |
| 10051     | 0.00 |
| 10052     | 0.00 |
| 10053     | 0.00 |
| 10054     | 0.00 |
| 10055     | 0.00 |
| 10056     | 0.00 |
| 10057     | 0.00 |
| 10058     | 0.00 |
| 10059     | 0.00 |
| 10060     | 0.00 |
| 10061     | 0.00 |
| 10062     | 0.00 |
| 10063     | 0.00 |
| 10064     | 0.00 |
| 10065     | 0.00 |
| 10066     | 0.00 |
| 10067     | 0.00 |
| 10068     | 0.00 |
| 10069     | 0.00 |
| 10070     | 0.00 |
| 10071     | 0.00 |
| 10072     | 0.00 |
| 10073     | 0.00 |
| 10074     | 0.00 |
| 10075     | 0.00 |
| 10076     | 0.00 |
| 10077     | 0.00 |
| 10078     | 0.00 |
| 10079     | 0.00 |
| 10080     | 0.00 |
| 10081     | 0.00 |
| 10082     | 0.00 |
| 10083     | 0.00 |
| 10084     | 0.00 |
| 10085     | 0.00 |
| 10086     | 0.00 |
| 10087     | 0.00 |
| 10088     | 0.00 |
| 10089     | 0.00 |
| 10090     | 0.00 |
| 10091     | 0.00 |
| 10092     | 0.00 |
| 10093     | 0.00 |
| 10094     | 0.00 |
| 10095     | 0.00 |
| 10096     | 0.00 |
| 10097     | 0.00 |
| 10098     | 0.00 |
| 10099     | 0.00 |
| 10100     | 0.00 |

→ DOUGLAS & SON ←  
REAL ESTATE AGENTS  
216 MUNSEY Building  
Baltimore Md.

Edward V. Goetz & Co.  
Surveyors & Civil Engineers.  
Baltimore Md.  
Phone BR-4008 Jany.-1941.



TIMOTHY P. KNEPP  
ATTORNEY AT LAW  
106 NORTH MARLYN AVE.  
P.O. BOX 34019  
BALTIMORE, MD 21221

DEED  
NO TITLE SEARCH

THIS DEED, Made this 8<sup>th</sup> day of Nov, in the year two thousand and fourteen by and between Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the first part, Grantors and Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the second part, Grantees.

-Witnesseth -

That for and in consideration of the sum of no dollars the said, Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the first part, Grantors, do hereby grant and convey unto the said Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the second part, Grantees, as tenants in common, not as joint tenants their personal representatives and assigns, in fee simple, all that lot of ground situated, lying and being in the Baltimore County, State of Maryland, and described as follows:

**Being Lot 25 in Section E on the Plat of Back River Highlands** duly recorded among the Land Records of Baltimore County in Plat Book W. P. C. No. 4 folio 64, etc.

The improvements thereon being known as 339 Nicholson Road.

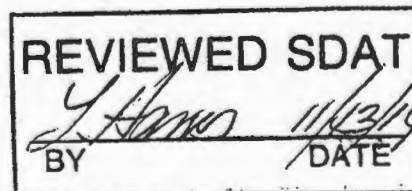
**Being** the same lot and parcel ground which by Deed dated June 1<sup>st</sup>, 1989 and recorded among the Land records of Baltimore, County in Liber 8191, Folio 702, was granted and conveyed by Celeste Marcantognini and Lucy Comotto unto Frank C. Comotto, William J. Comotto and John L. Comotto.

Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

To Have and To Hold the said lot of ground and promises unto the Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the second part, Grantees as tenants in common, not as joint tenants their personal representatives and assigns, in fee simple.

And the said parties of the first part hereby covenants that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed and that they will execute such further assurances of the same as may be requisite.

PETITIONER'S  
EXHIBIT NO. 5a



TIMOTHY P. KNEPP  
ATTORNEY AT LAW  
106 NORTH MARLYN AVE.  
P.O. BOX 34019  
BALTIMORE, MD 21221

DEED  
NO TITLE SEARCH

THIS DEED, Made this 9<sup>th</sup> day of Nov., in the year two thousand and fourteen by and between Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the first part, Grantors and Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the second part, Grantees.

-Witnesseth -

That for and in consideration of the sum of no dollars the said, Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the first part, Grantors, do hereby grant and convey unto the said Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the second part, Grantees, as tenants in common, not as joint tenants their personal representatives and assigns, in fee simple, all that lot of ground situated, lying and being in the Baltimore County, State of Maryland, and described as follows;

Being Lot 26 in Section E on the Plat of Back River Highlands duly recorded among the Land Records of Baltimore County in Plat Book W. P. C. No. 4 folio 64, etc.

The improvements thereon being known as 339 Nicholson Road.

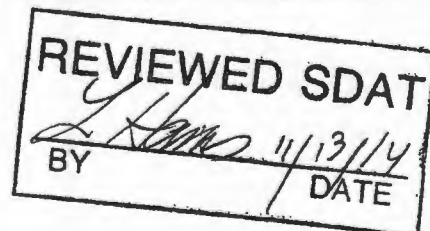
Being the same lot and parcel ground which by Deed dated June 1<sup>st</sup>, 1989 and recorded among the Land records of Baltimore, County in Liber 8191, Folio 702, was granted and conveyed by Celeste Marcantognini and Lucy Comotto unto Frank C. Comotto, William J. Comotto and John L. Comotto.

Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

To Have and To Hold the said lot of ground and promises unto the Frank C. Comotto, William J. Comotto and John L. Comotto, parties of the second part, Grantees as tenants in common, not as joint tenants their personal representatives and assigns, in fee simple.

And the said parties of the first part hereby covenants that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed and that they will execute such further assurances of the same as may be requisite.

PETITIONER'S  
EXHIBIT NO. 5b





**PETITIONER'S EXHIBITS**  
**341 NICHOLSON ROAD**  
**CASE NO. 2015-0181-A**

SEN  
4-20-15

PW  
5-21-15

**1. PLAT TO ACCOMPANY PETITION DATED FEBRUARY 7, 2015 (NO CHANGES)**

**2a & 2b. SDAT REAL PROPERTY DATA SEARCH**

**3. PORTION OF TAX MAP 0097**

**4. PLAT OF BACK RIVER HIGHLANDS**

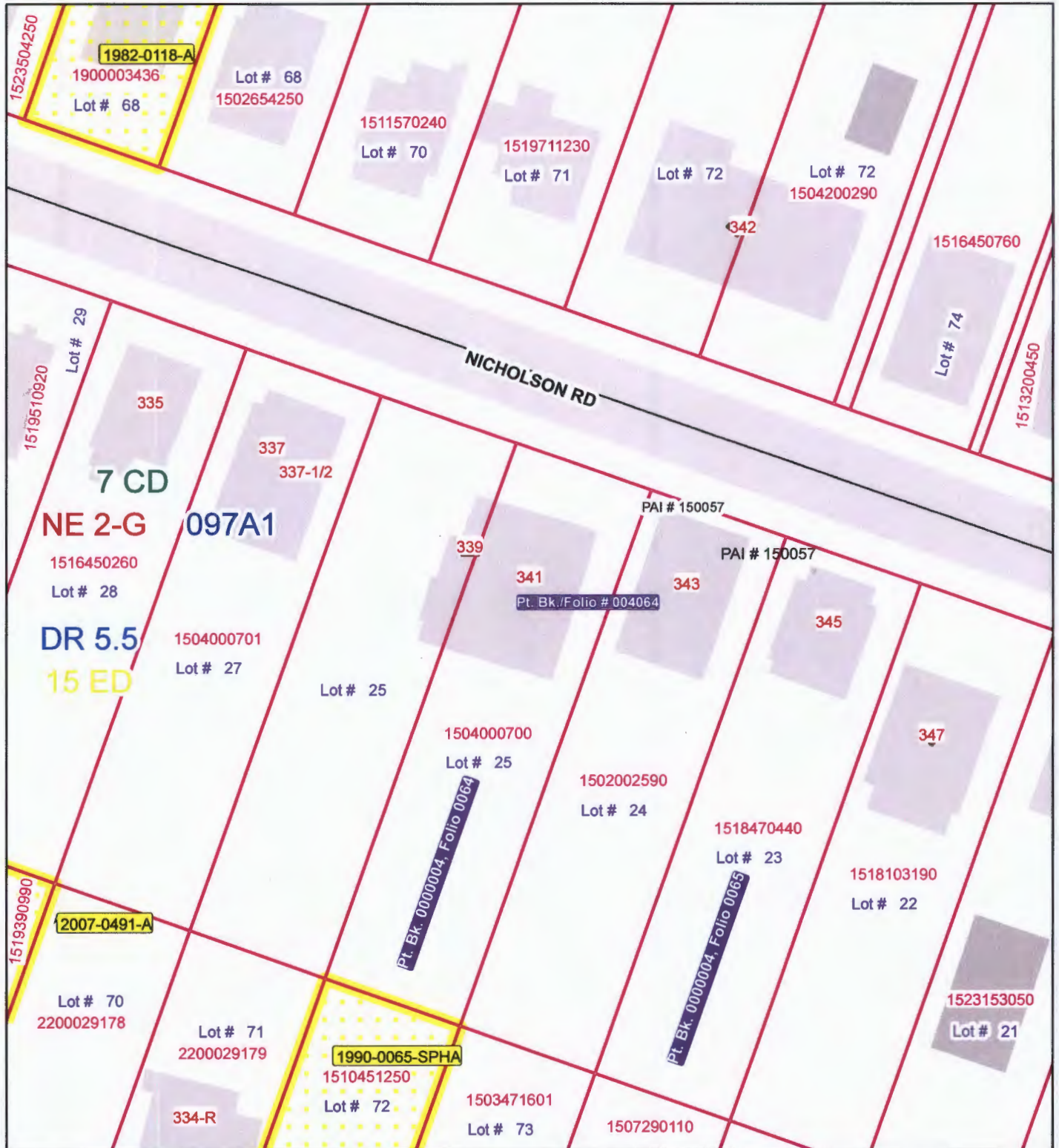
**5a & 5b. DEEDS OF RECORD**

**6. AERIAL PHOTO**

**7a – 7d. PHOTOS**

**8. BUILDING ELEVATION**

# 341 Nicholson Road 2015-0181-A



Publication Date: 2/19/2015



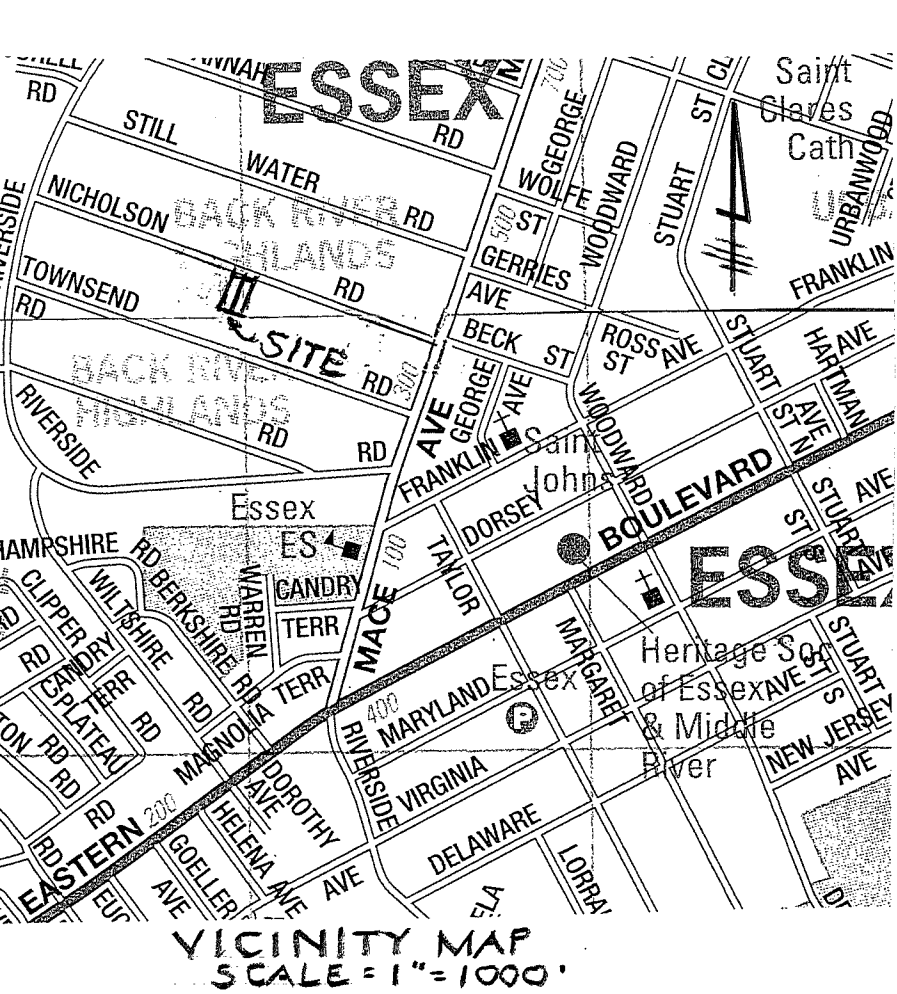
Publication Agency: Permits, Approvals & Inspections  
 Projection/Datum: Maryland State Plane,  
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet





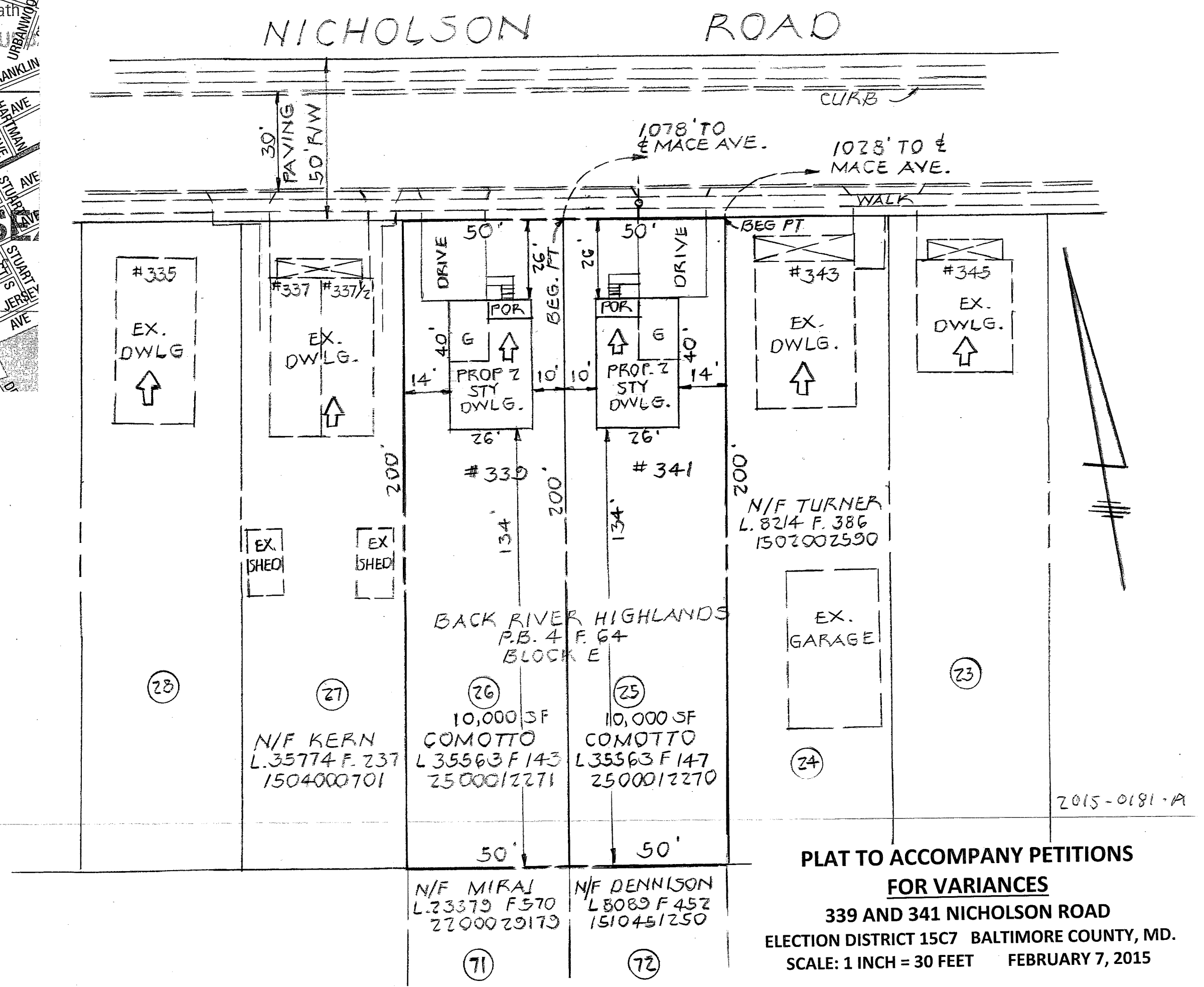
- NOTES**
1. ZONING.....DR 5.5 (MAP NO. 097A1)
  2. PUBLIC WATER AND SEWER
  3. SITE IS NOT LOCATED IN CBCA OR 100 YEAR FLOOD ZONE
  4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
  5. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST

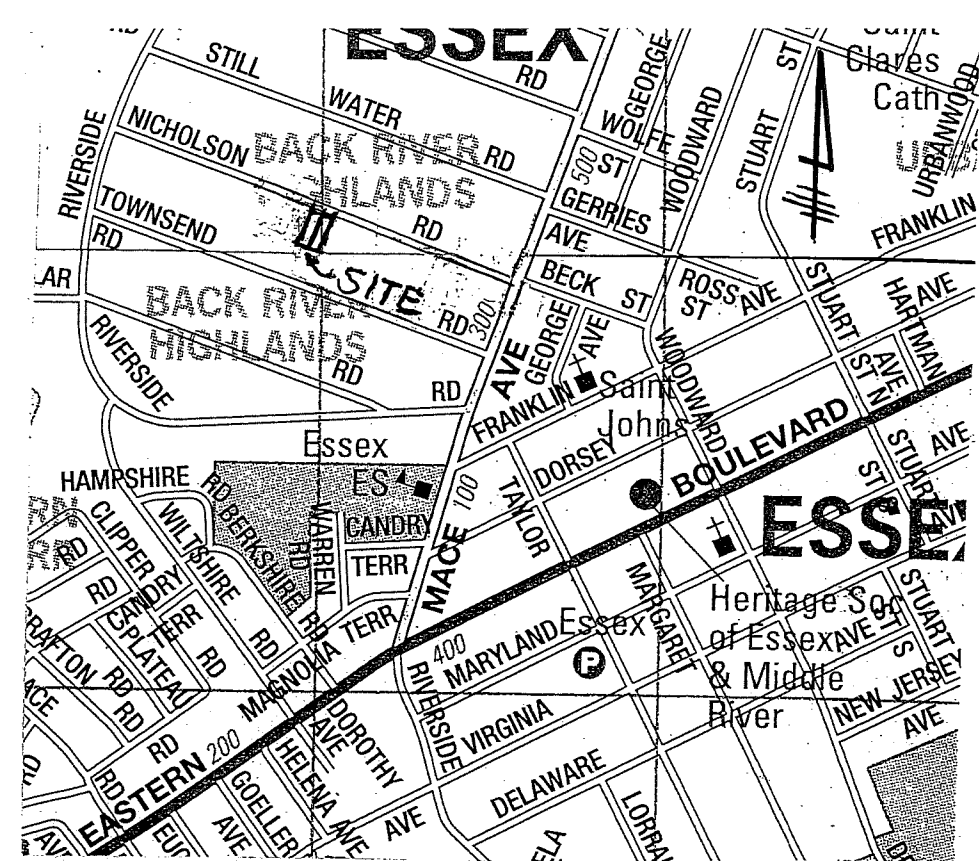
**OWNERS**  
FRANK C., WILLIAM J., AND JOHN L. COMOTTO  
1808 HANFORD ROAD  
BALTO., MD. 21237

**DEED REFERENCES:** 339 NICHOLSON RD L. 35563 F.143  
341 NICHOLSON RD L.35563 F.147  
**ACCOUNT NOS:** 339 NICHOLSON RD 2500012271  
341 NICHOLSON RD 2500012270

**CONTRACT PURCHASER**  
JENKINS BUILDERS LLC  
8680 MAGNOLIA AVENUE  
BALTO., MD. 21128 (410)530-5844

CENTRAL DRAFTING & DESIGN, INC.  
601 CHARWOOD COURT  
EDGEWOOD, MD 21040  
(410) 679-8719





VICINITY MAP  
SCALE = 1" = 1000'

#### NOTES

1. ZONING.....DR 5.5 (MAP NO. 097A1)
2. PUBLIC WATER AND SEWER
3. SITE IS NOT LOCATED IN CBCA OR 100 YEAR FLOOD ZONE
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS
5. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS EXIST

#### OWNERS

FRANK C., WILLIAM J., AND JOHN L. COMOTTO  
1808 HANFORD ROAD  
BALTO., MD. 21237

DEED REFERENCES: 339 NICHOLSON RD L. 35563 F.143  
341 NICHOLSON RD L.35563 F.147

ACCOUNT NOS: 339 NICHOLSON RD 2500012271  
341 NICHOLSON RD 2500012270

#### CONTRACT PURCHASER

JENKINS BUILDERS LLC  
8680 MAGNOLIA AVENUE  
BALTO., MD. 21128 (410)530-5844

CENTRAL DRAFTING & DESIGN, INC.  
601 CHARWOOD COURT  
EDGEWOOD, MD 21040  
(410) 679-8719

