



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,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

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

(339 Nicholson Road)

15th Election District

7th 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. 2015-0182-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 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

den

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 20th 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.

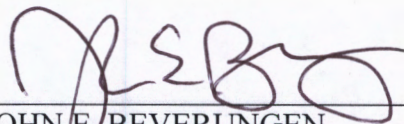
The relief granted herein shall be subject to the following:

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 SLN

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 339 NICHOLSON ROAD which is presently zoned DR 5.5
 Deed References: L35563 F143 10 Digit Tax Account # 2500012271
 Property Owner(s) Printed Name(s) FRANK C. COMOTTO, WILLIAM J. COMOTTO AND JOHN L. COMOTTO

(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. X a Variance from Section(s)

1 B02.3.C.1 (B02R) 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 mikemmm1@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

Name #1 - Type or Print

Signature #1

1808 HANFORD RD. BALTO. MD.

Mailing Address City State

21237 410-866-4860

Zip Code Telephone # Email Address

FRANK C. COMOTTO

Frank C. Comotto

JOHN L. COMOTTO

Name #2 - Type or Print

Signature #2

Representative to be contacted:

DAVID BILLINGSLEY

Name- Type or Print

Signature

601 CHARWOOD CT EDGEWOOD MD

Mailing Address City State

21040 (410)679-8719 dwb0209@yahoo.com

Zip Code Telephone # Email Address

CASE NUMBER 2015-0182-A Filing Date 2/19/15

Do Not Schedule Dates: Reviewer JS

ZONING DESCRIPTION

339 NICHOLSON ROAD

Beginning at a point on the south side of Nicholson Road (50 feet wide) at a point westerly 1078 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 339 Nicholson Road. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Maryland.

2015-0182-A

PAID RECEIPT

Date: 2/9/15

BUSINESS ACTUAL TIME DRG
2/19/2015 2/19/2015 10:12:16 5

REC 4805 WALKIN FBIS LRB
RECEIPT 78466 2/19/2015

Act 5 528 ZONING VERIFICATION
CF NO. 121509

Recpt Tot. 175.00
125.00 CR 1.00 CR
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

Total: \$ 75.00

Rec From: CENTAL D + D

For: 2015-0182-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

MEMORANDUM

DATE: May 21, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0182-A – Appeal Period Expired

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 339 HICKOLSON RD
CASE NUMBER 2015-0182-A
DATE 4/16/15

[illegible]

CASE NO. 2015- 0182-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: _____

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2015-0182-A
Property Address: 339 NICHOLSON RD.
Property Description: LOT 26 BACK RIVER HIGHLANDS

Legal Owners (Petitioners): COMOTTO
Contract Purchaser/Lessee: JENKINS BUILDERS LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: JENKINS BUILDERS LLC
Company/Firm (if applicable): _____
Address: 8680 MAGNOLIA AVE
BALTO. MD 21128

Telephone Number: (410) 530-5844

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
339 Nicholson Road; SW/S Nicholson Road,		
1078' NW of the c/line of Mace Avenue	*	OF ADMINSTRATIVE
15 th Election & 7 th Councilmanic Districts		
Legal Owner(s): William, John & Frank Comotto*		HEARINGS FOR
Contract Purchaser(s): Jenkins Builder LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-182-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

03 2015

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 3rd 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

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

NOTICE OF ZONING HEARING

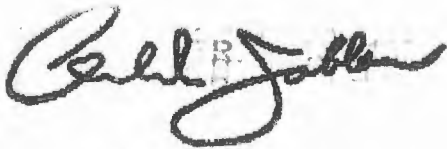
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0182-A

339 Nicholson Road
S/s Nicholson Road, 1078 ft. from intersection with Mace Avenue
15th Election District – 7th Councilmanic District
Legal Owners: William, Frank & John Comotto

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 2:30 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 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.



KEVIN KAMENETZ
County Executive
March 12, 2015

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

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:

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339 Nicholson Road
S/s Nicholson Road, 1078 ft. from intersection with Mace Avenue
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105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Jenkins Builders, LLC, 8680 Magnolia Avenue, Baltimore 21128
Comotto Residence, 1808 Harford Road, Baltimore 21237
David Billingsley, 601 Charwood Court, Edgewood 21040

- 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.

CERTIFICATE OF POSTING

Date: MARCH 26, 2015

RE: Project Name: 339 NICHOLSON ROAD
Case Number /PAI Number: 2015 - 0182-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 _____
339 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)





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 3146808

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: # 2015-0182-A

339 Nicholson Road
S/s Nicholson Road, 1078 ft. from intersection with Mace Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s) William, John & Frank Comotto

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 2:30 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.

3/400 March 26

3146808



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: 2015-0182 A, Address: 339 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, reading "W. Carl Richards, Jr." in a cursive 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



Maryland Department of Transportation

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 2015-0182-A

variance
William J. John L. & Frank C.
Comotto
339 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. 2015-0182-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,

A handwritten signature in dark ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Development Manager
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: ^{DAK} 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

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

SUBJECT: 339 Nicholson Road

MAR 25 2015

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

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

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: Katry Schleich
AVA/LTM

3/30/15
1028

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: 339 Nicholson Road

INFORMATION:

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

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.

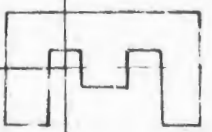
Division Chief: Katry Schleich
AVA/LTM

Edward V. Coonley & Co.
Surveyors & Civil Engineers
Bellevue, Ill.
Singer 102-4102 Jett. 1011.

Louis	32	321
Dobihal	31	"
Wlodzislaw	30	325
Nawawielski	29	"
	28	"
Leonard	27	"
Adomeyko	26	333
Elmer L. Bena	25	333-A
Georg L. Atkinson	24	335
Clyde Wise	23	337
Raymond Wood	22	337-A
Ferdinand Illion	21	339
Lillian V. Griffen	20	341
Daniel M. Huber	18	345
Walter H. Holland	17	347
Victor	16	34

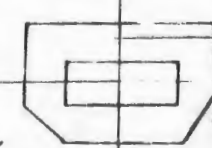
1" = 100'

Wanda	32	320
Albert J. Spangler	31	322
Rolph E. Minitor	30	322 1/2
Wanda B. Petro	29	324
Albert Hallman	28	326
Frank Coxon	27	328
H. Clyde Merchant Jr.	26	330
Thomas B. Simmons	25	334
Sophia E. Jinski	24	336
Louis Jones	23	340-A
	22	340-A
Carmelo F. Giro	21	342
Joseph E. Hunt	20	344
Mary M. Hoye	19	346
Mary Moffitt	18	348
Henrietta Younger	17	350



John Danini

Wazniewsky	34	325
Arthur G. Manabergs Jr.	33	327
Jesse B. Conway	32	329
William B. Robertson	31	331
John Ernst	30	333
Herbert H. Wilson	29	335
Rose M. Bratcher	28	337
Rudolph L. Knepp	27	337 1/2
Jacob S. Stout	26	339
Roy Decker	25	342
Vittorino Pierorazio	24	345
Celeste Morcanognini	23	347
Frank C. Comotto	22	349
George Haas	21	351
William F. Brewer	20	353



Maria Evangelisti

Jake E. Rogers

Steven Balint

Harvey G. Bernard

Gerard Mc Neal

Lawrence Brandenburg

Frederick A. Boatwright

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

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

PETITIONER'S
EXHIBIT NO. 26

Baltimore County

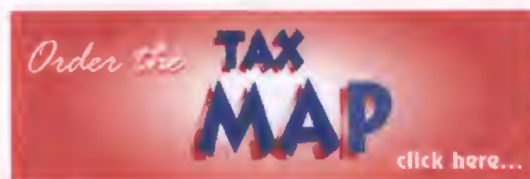
New Search (<http://sdat.resiusa.org/RealProperty>)District: **15** Account Number: **1518470440**

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>).

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

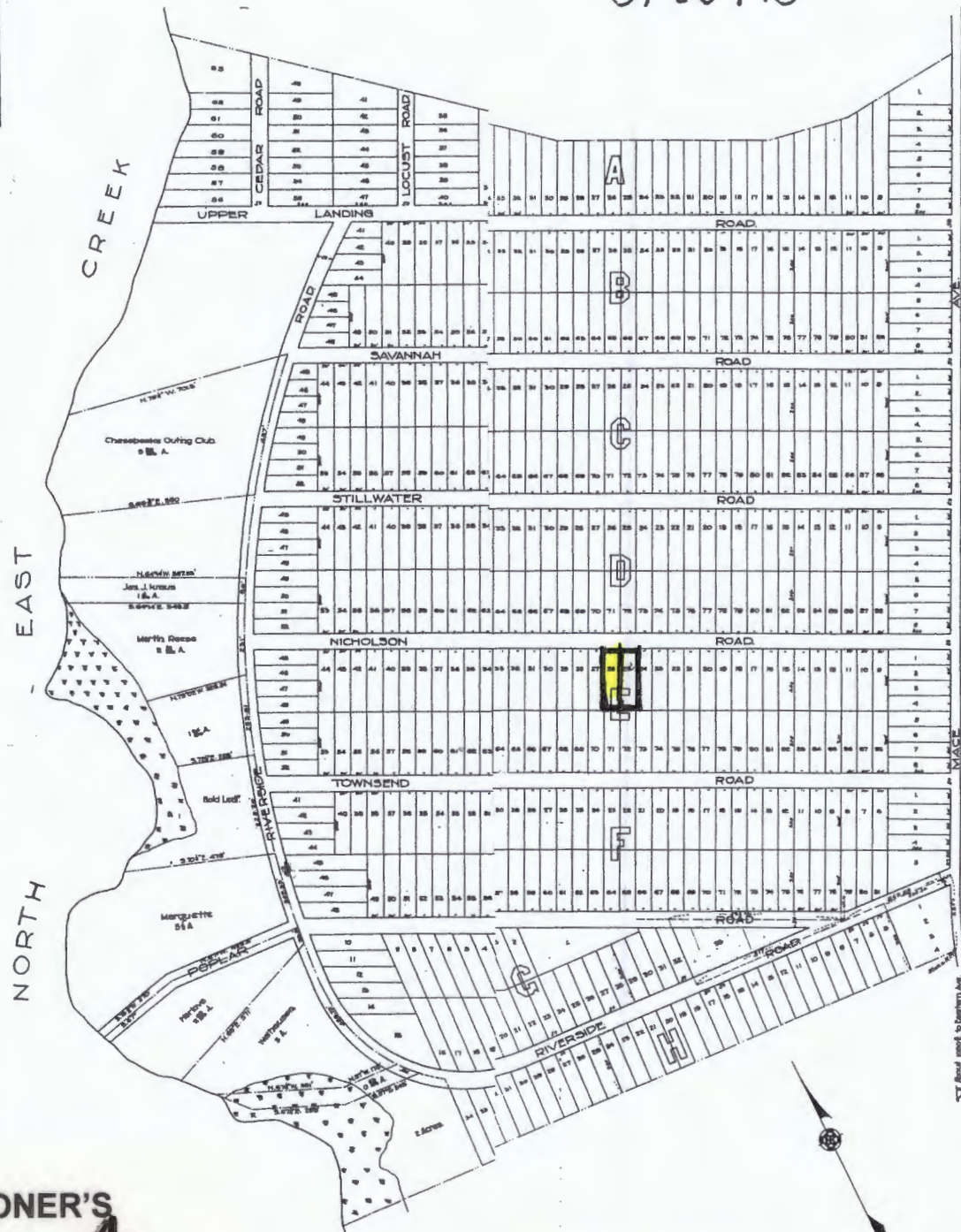
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

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

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

PETITIONER'S
EXHIBIT NO. 3

3/28/13



28. 1913.
 Dr. W. F. Coleman.

PETITIONER'S
EXHIBIT NO. 4

BACK RIVER HIGHLANDS.

[illegible][illegible]

→ DOUGLAS & SON ←
REAL ESTATE AGENTS
1215 MULHESY BUILDING
Baltimore Md.

Edward V. Gagnier & Co.
Surveyors & Civil Engineers
Baltimore Md.
Route 12-400 E. Jct. 1911.

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 8th 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.

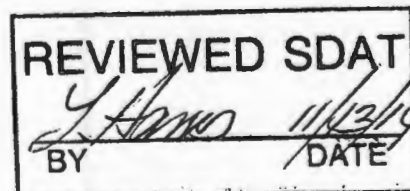
Being the same lot and parcel ground which by Deed dated June 1st, 1989 and recorded among the Land records of Baltimore, County in Liber 8191, Folio 702, was granted and conveyed by Celeste Marcantognini and Lucy Comotto unto Frank C. Comotto, William J. Comotto and John L. Comotto.

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
108 NORTH MARLYN AVE.
P.O. BOX 34019
BALTIMORE, MD 21221

DEED
NO TITLE SEARCH

THIS DEED, Made this 8th 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.

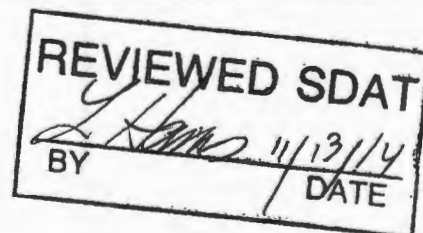
Being the same lot and parcel ground which by Deed dated June 1st, 1989 and recorded among the Land records of Baltimore, County in Liber 8191, Folio 702, was granted and conveyed by Celeste Marcantognini and Lucy Comotto unto Frank C. Comotto, William J. Comotto and John L. Comotto.

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





PETITIONERS

EXHIBIT NO.

6



7b



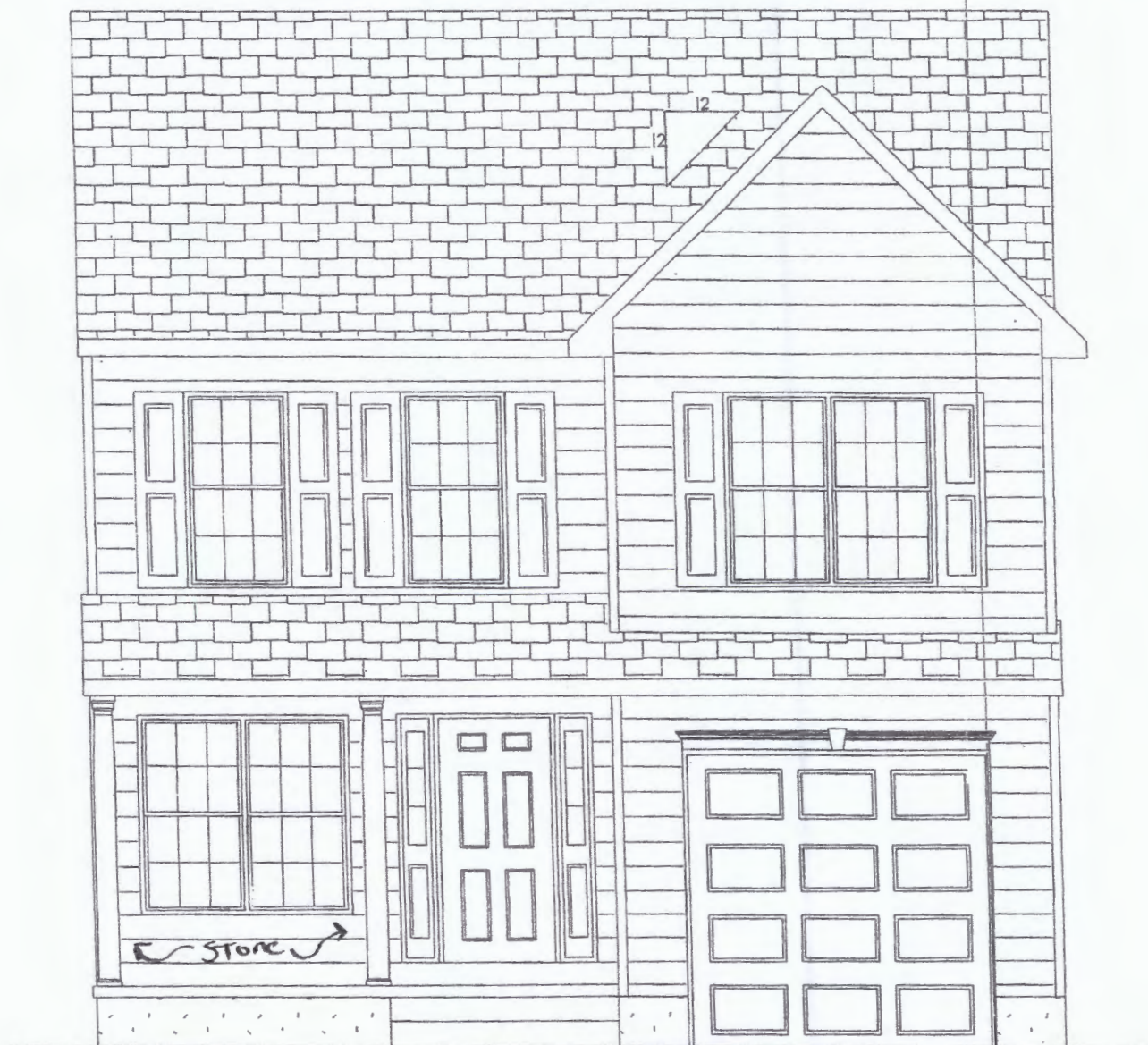
7a



7d



7c



Front Elevation



Linwood - Model

PETITIONER'S
EXHIBIT NO. 8

PETITIONER'S EXHIBITS
339 NICHOLSON ROAD
CASE NO. 2015-0182-A

SEN
2-20-15

DW
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

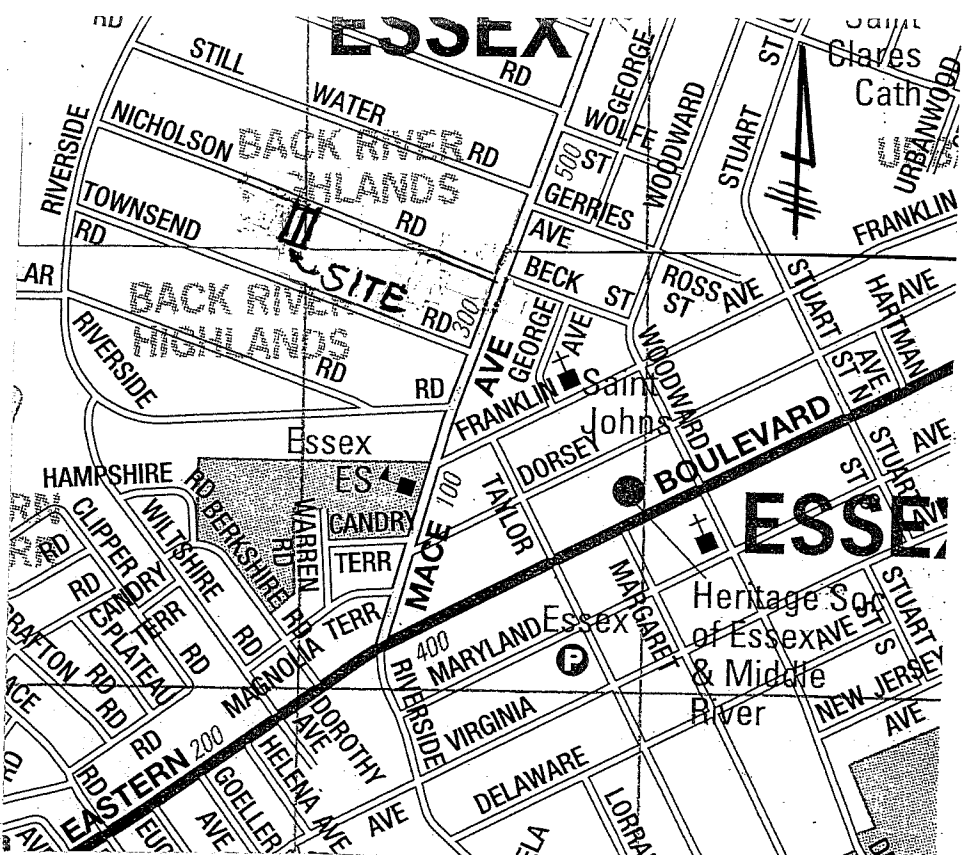
Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

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

PETITIONER'S
EXHIBIT NO. 2a



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

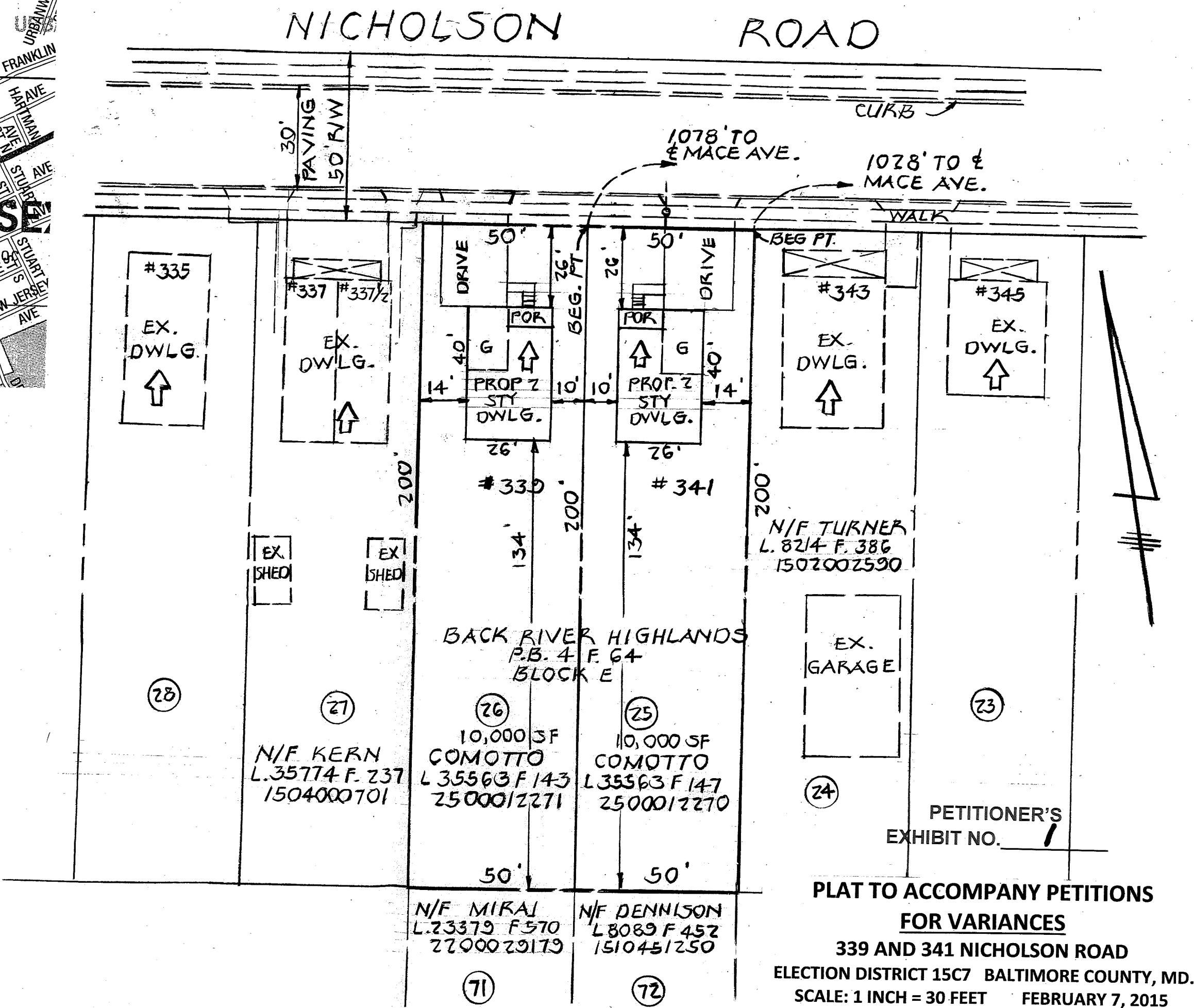
FRANK C., WILLIAM J., AND JOHN L. COMOTTO
1808 HANFORD ROAD
BALTO., MD. 21237

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

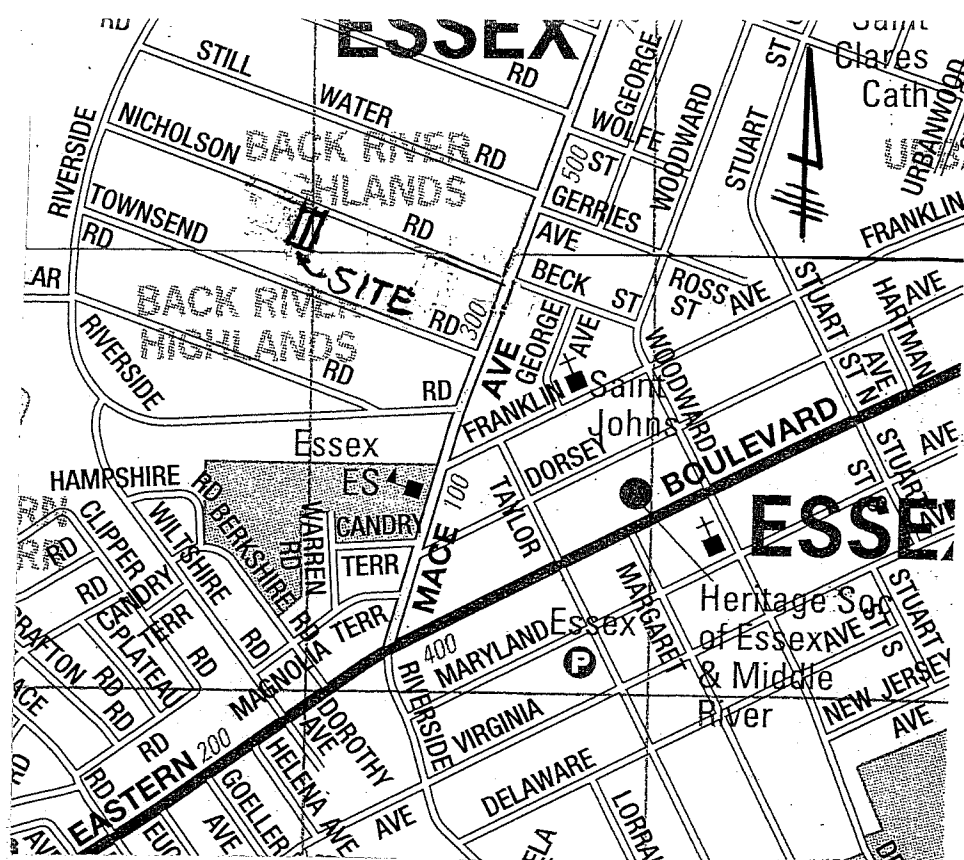
JENKINS BUILDERS LLC
8680 MAGNOLIA AVENUE
BALTO., MD. 21128 (410)530-5844

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



**PLAT TO ACCOMPANY PETITIONS
FOR VARIANCES**

339 AND 341 NICHOLSON ROAD
ELECTION DISTRICT 15C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET FEBRUARY 7, 2015



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

