

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE

3/5 Greenridge Road, 200 ft. W of c/l Greenridge Court
9 Greenridge Road
9th Election District
4th Councilmanic District

Michael M. Gimbel, et al
Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 92-41-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B (1801.2.C.4., 9/19/70) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 23 ft. rear yard setback (addition) in lieu of the minimum 30 ft. and to amend the Final Development Plan of McMullen's Green (First Amended), as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of Sept. 1991 that the Petition for a Zoning Variance from Section 1802.3.B (1801.2.C.4., 9/19/70) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 23 ft. rear yard setback (addition) in lieu of the minimum 30 ft. and to amend the Final Development Plan of McMullen's Green (First Amended), in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

ORDER RECEIVED FOR FILING
Date 9/13/91
By [Signature]

[Signature]
G. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mm

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.B. (1801.2.C.4., 9/19/70) --- To permit a 23 foot rear yard setback in lieu of the minimum 30 feet and to amend the Final Development Plan of McMullen's Green.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (indicate hardship or practical difficulty)

- This room addition is needed to expand size of home to accommodate family needs and growth.
- Addition will provide more privacy for all neighbors.
- Addition to be on back deck to avoid existing trees.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/We are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

Michael M. Gimbel

(Type or Print Name)

Signature

Patricia A. Gaffney

(Type or Print Name)

Signature

(H) 494-9307

9 Greenridge Road (W) 887-3828

Address

Lutherville, MD 21093

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

City/State/Zip Code

ORDERED by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___, that the subject matter of this petition be posted on the property on or before the ___ day of ___, 19___.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County.

REVIEWED BY: [Signature] DATE: 9/13/91



ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE
92-41-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9 Greenridge Road
Lutherville, MD 21093 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

This request is being made to allow for a room addition in order to allow for additional space which will be needed for future family growth. The addition needs to be on the back of the house because the side of the house will interfere with existing trees.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
AFFIANT (Handwritten Signature)
Michael M. Gimbel
AFFIANT (Printed Name)



[Signature]
AFFIANT (Handwritten Signature)
Patricia A. Gaffney
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of August, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Michael M. Gimbel and Patricia A. Gaffney

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/1/91

DATE

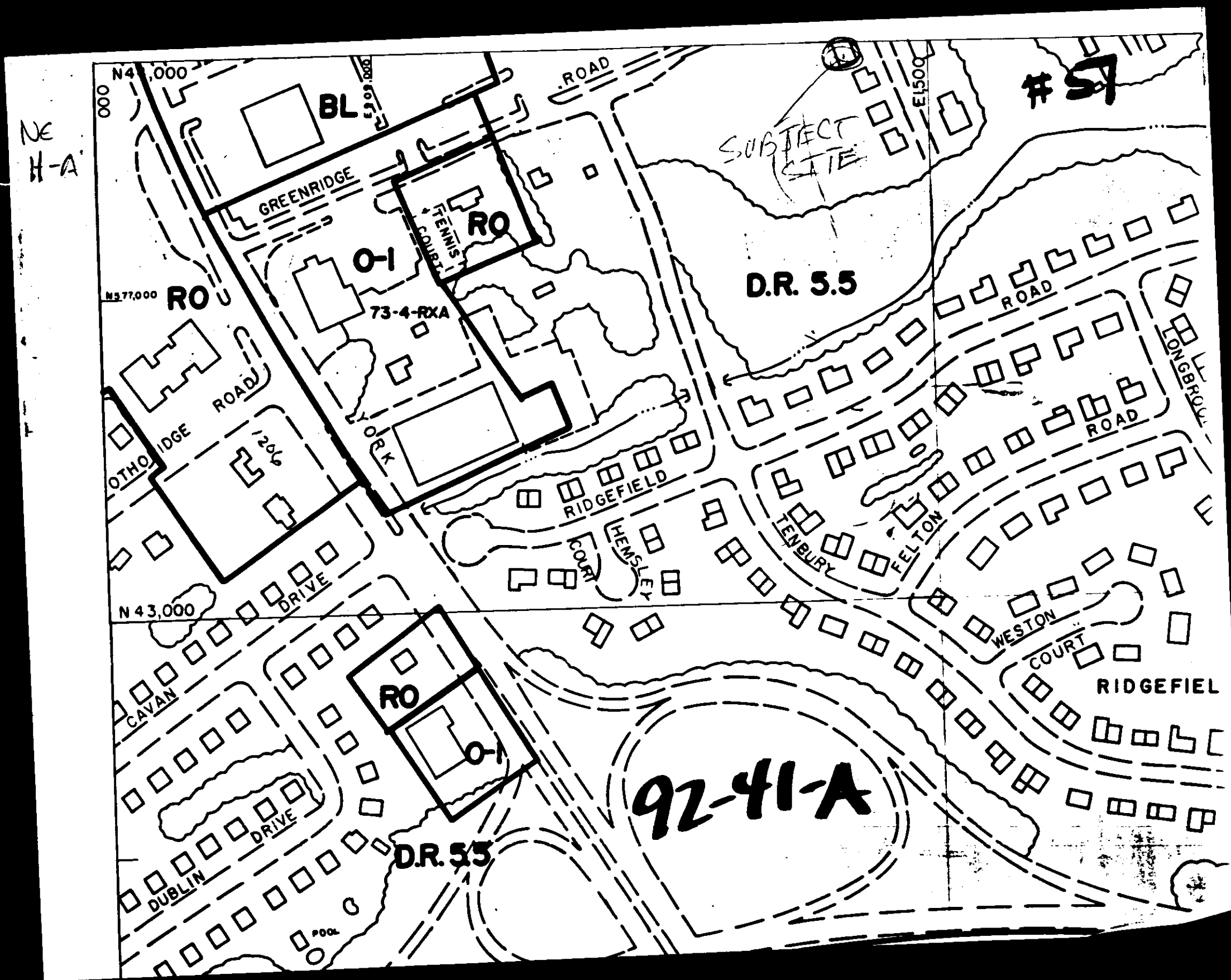
[Signature]
NOTARY PUBLIC

My Commission Expires: Feb. 1, 1995

92-41-A

Zoning Description

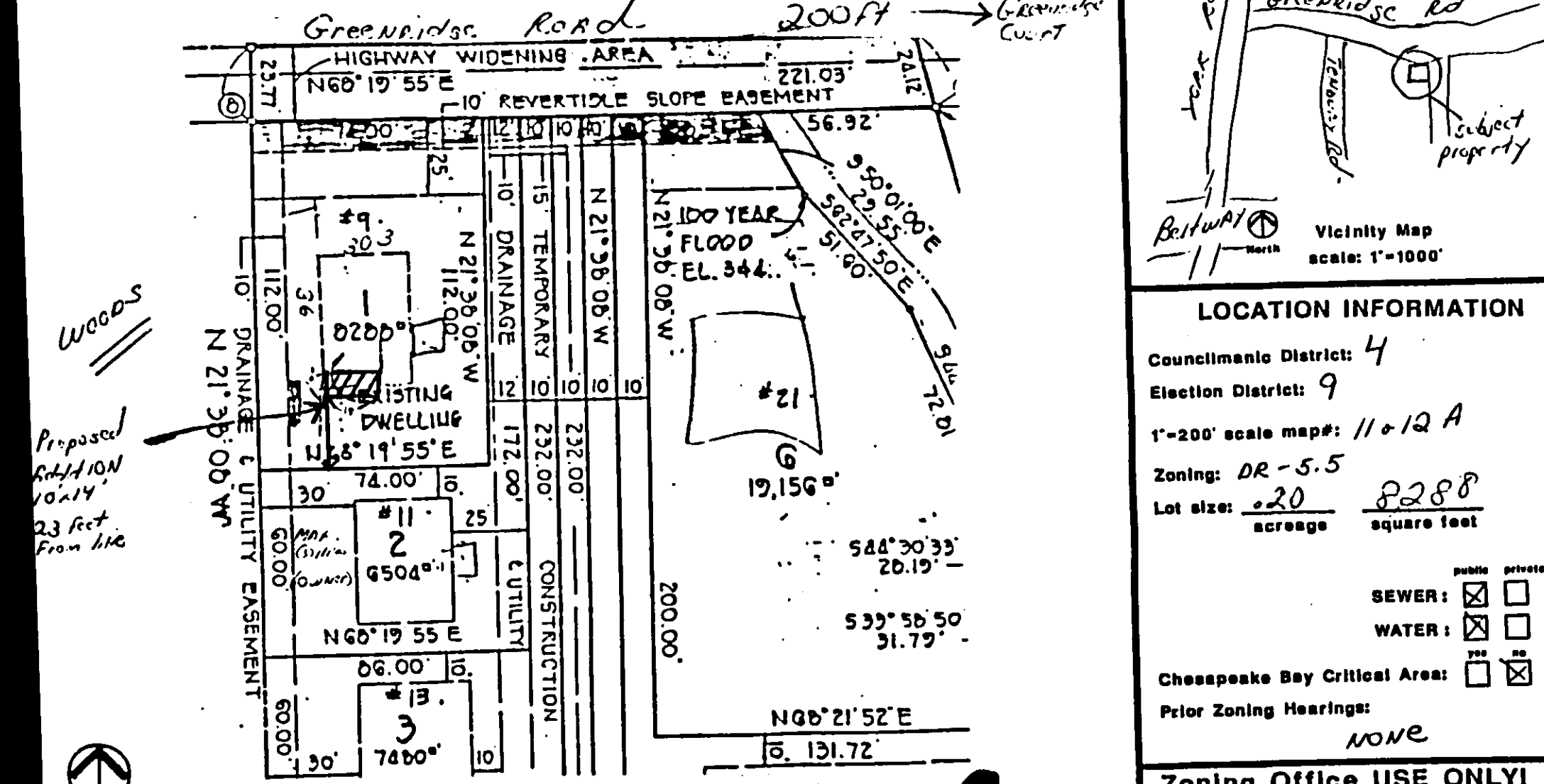
Beginning at a point on the south side of Greenridge Road which is 50 ft wide at the distance of 200 ft west of the centerline of the nearest improved intersecting street Greenridge Court. *Being Lot(s) #1 in the subdivision of McMullen's Green recorded in Baltimore County, Liber #48, Folio #101, containing .20 acres. Also known as 9 Greenridge Road and located in the 9th Election District, 4th Councilmanic District.



Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 9 Greenridge Rd see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: McMullen's Green
plat book # 58, folio # 101, section # 1
OWNER: Michael M. Gimbel Patricia Gaffney



LOCATION INFORMATION

Councilmanic District: 4
Election District: 9
1"=200' scale map: 11012 A
Zoning: DR-5.5
Lot size: 220 x 228.8
acres square feet
SEWER:
WATER:
Chesapeake Bay Critical Area:
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 51 CASE#:

North
date: 9/1/91
prepared by: MC

92-41-A
Scale of Drawing: 1"=50'

#51



92-41-A



Send your comments to my office by 8/20/91 (over)

Baltimore County Government
Office of Zoning Administration and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21201 887-3353

August 20, 1991

Mr. & Mrs. Michael M. Gimbel
9 Greenridge Road
Lutherville, MD 21093

RE: Item No. 51, Case No. 92-41-A
Petitioner: Michael M. Gimbel, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Gimbel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

111 West Chesapeake Avenue
Towson, MD 21201 887-3353

County Council of Baltimore County
Court House, Towson, Maryland 21204
(301) 887-3196
Fax (301) 887-5791

September 3, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

Attached please find a copy of Resolution 56-91 concerning the public disclosure of Michael M. Gimbel an employee of the Baltimore County Office of Substance Abuse. Mr. Gimbel intends to file a request for a zoning variance for an addition to his existing home located in Lutherville in the Fourth Councilmanic District of Baltimore County.

This resolution was unanimously approved by the County Council at their meeting on Tuesday, September 3, 1991 and is being forwarded to you for appropriate action.

Sincerely,
Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosure
R5691/DAP/TJP
cc: Michael Gimbel

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21201 887-3353

September 10, 1991

Mr. Michael Gimbel
Ms. Patricia A. Gaffney
9 Greenridge Road
Lutherville, Maryland 21093

RE: Petition for Residential Zoning Variance
Case No. 92-41-A

Dear Mr. Gimbel and Ms. Gaffney:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:am
encl.
cc: Peoples Counsel

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: August 16, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Stephen E. Weber

Z.A.C. MEETING DATE: August 13, 1991

This office has no comments for items number 29, 38, 47, 48, 50 and 51.

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/lvd

Baltimore County Government
Office of Zoning Administration and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21201 887-3353

August 20, 1991

Your petition has been received and accepted for filing this 2nd day of August, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
James E. Dyer
James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Michael M. Gimbel, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 16, 1991

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Walker Property, Item No. 505
Parsons Property, Item No. 9
Donovan Property, Item No. 10
Wolf Property, Item No. 17
Pearson Property, Item No. 19
Stiller Property, Item No. 22
Felts Property, Item No. 24
Welch Property, Item No. 25
Faulkner Property, Item No. 27
McJilton Property, Item No. 32
Horne Property, Item No. 33
Elsnic Property, Item No. 38
Mugrage Property, Item No. 39
Copeland Property, Item No. 42
Eckert Property, Item No. 44
Hartel Property, Item No. 50
Gimbel/Gaffney Property, Item No. 51 ✓

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat
NUMEROUS.ITW/ZAC1

Rec'd 8/20/91

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21201 5500 (301) 887-1500

AUGUST 9, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21201

RE: Property Owner: MICHAEL M. GIMBEL AND PATRICIA A. GAFFNEY
Location: 9 GREENRIDGE ROAD
Item No.: 51 Zoning Agenda: AUGUST 13, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1998 edition prior to occupancy.

REVIEWER: *Jeffrey Long* Moted and Approved: *Jeffrey Long*
Special Inspection Division Fire Prevention Bureau

JL/REY

12-11-91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 20, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for August 13, 1991

The Developer's Engineering Division has reviewed the subject zoning items and we have no comments for Items 29, 38, 50 and 51.

For Item 49, a County Review Group Meeting is required.

For Items 46 and 47, the previous County Review Group Comments are still applicable.

Robert W. Bowling/DAK
ROBERT W. BOWLING, P.E., Chief
Developer's Engineering Division

RWB:c

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

11 West Chesapeake Avenue
Towson, MD 21286

August 8, 1991

Michael and Patricia Gaffney
9 Greenridge Road
Lutherville, MD 21093

COPY

Re: CASE NUMBER: 92-41-A
LOCATION: S/S Greenridge Road, 200' W of c/j Greenridge Court
9 Greenridge Road

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

- Your property will be posted on or before August 18, 1991. The closing date is September 3, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).
- Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,
13/
G. G. Stephens
(301) 887-3391

#51

92-41-A

This is to verify that I/we have seen and approved the attached plans for the sunroom addition to be constructed on the rear deck of 9 Greenridge Road.

#1 Greenridge Road _____ Signature _____ date _____

#3 Greenridge Road _____ Signature _____ date _____

#5 Greenridge Road _____ Signature _____ date _____

#7 Greenridge Road _____ Signature _____ date _____

#9 Greenridge Road _____ Signature _____ date _____

#11 Greenridge Road _____ Signature _____ date _____

Petitioners exhibit 2



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th
Date of Posting: 8/14/91

Posted for: Variance
Petitioner: Michael M. Gimbel & Patricia A. Gimbel
Location of property: S/S Greenridge Rd., 200' W of Greenridge Ct.
Location of Signs: Facing Greenridge Rd., adjacent to front yard
On property of: P. Gaffney
Remarks: 1 sign
Posted by: M. Stephens
Date of return: 8/21/91
Number of Signs: 1

#51

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Hon. Douglas B. Riley
Chairman, Baltimore County Council

FROM: Michael M. Gimbel, Director
Office of Substance Abuse

DATE: July 30, 1991

SUBJ: Zoning Resolution

92-41-A

Enclosed is the Council Resolution which needs to be voted on by the County Council regarding my filing for a variance for a room addition at my home.

I would appreciate it if you could have this introduced as soon as possible.

Thanks in advance.

Encl: