

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Maryland Avenue, 65 ft. S of c/l Raynor Avenue
428 Maryland Avenue
1st Election District
1st Councilmanic District
Stephen G. Swimm, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-447-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft., in lieu of the required 10 ft., for an addition, 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, photographs, 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.

MICROFILMED

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 17th day of June, 1992 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft., in lieu of the required 10 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. 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.

LES:mmn

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 17, 1992

Mr. and Mrs. Stephen G. Swimm
428 Maryland Avenue
Baltimore, Maryland 21228

RE: Petition for Residential Zoning Variance
Case No. 92-447-A

Dear Mr. and Mrs. Swimm:

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,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

MICROFILMED

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located 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.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft. in lieu of the Required 10 ft.

Larger family necessitates more living space. This is the only practical site to place addition due to driveway and kitchen location.

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

I/we agree to pay expenses of the above 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)

(Address)

(City)

(State)

(Zip Code)

(Type or print name)

(Address)

(City)

(State)

(Zip Code)

Legal Owner(s):

Stephen G. Swimm

Stephen G. Swimm

Lynn M. Swimm

Lynn M. Swimm

428 Maryland Ave. 766-8888 (w)

Baltimore MD 21228

City State Zip Code

Address

City State Zip Code

Address

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of June, 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.



ZONING COMMISSIONER OF BALTIMORE COUNTY

RECEIVED BY LG DATE 5/14/92

ESTIMATED POSTING DATE 5/31

ESTIMATED CLOSING DATE

FILE # 477

LG

AFFIDAVIT
IN SUPPORT OF ADMINISTRATIVE VARIANCE 92-447-A

The undersigned hereby affirm 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 that Affiant(s) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) do(es) presently reside at 428 Maryland Ave

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (person, persons, business or premises, etc.)

Larger family necessitates more living space. This is the only practical site to place an addition due to driveway + kitchen location

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

Signature of Affiant(s)
Stephen G. Swimm
Lynn M. Swimm

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of May, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

STEPHEN G. SWIMM LYNN M. SWIMM

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the contents of the foregoing and that the contents and facts hereinbefore set forth are true and correct to the best of their knowledge and belief.

My commission expires: May 13, 1992

Notary Public

My Commission Expires:

JAMES R. SCOTT
NOTARY PUBLIC
STATE OF MARYLAND
MY COMMISSION EXPIRES OCTOBER 1, 1994

MICROFILMED

ZONING DESCRIPTION FOR 428 MARYLAND AVENUE 92-447-A

Beginning at a point on the east side of Maryland Avenue which is 40' wide at the distance of 65' south of the centerline of the nearest improved intersecting street, Raynor Avenue, which is 40' wide. Being lot 3, 4, 5, 6, Block 23 in the subdivision of Catonsville Heights as recorded in Baltimore County Plat Book #WPC-6, Folio #178, containing 9,600 square feet. Also known as 428 Maryland Avenue and located in the 1st Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: May 23, 1992

Posted for: Residential Variance

Petitioner: Stephen G. and Lynn M. Swimm

Location of property: E/S Maryland Avenue, 65' S of c/l Raynor Avenue

Address: 428 Maryland Avenue

Location of Sign: In front of 428 Maryland Avenue

Remarks: S.G. Swimm Date of return: June 5, 1992

Posted by: S.G. Swimm

Number of Signs: 1

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

5/14/92

Account: 8-001-6100

Number

HY200477

PUBLIC HEARING FEES
\$10.00
ZONING VARIANCE FEE
\$50.00
POSTING SIGNS / ADVERTISING
\$35.00
TOTAL: \$95.00

LAST NAME OF OWNER: SWIMM

040480042NCHRC

OR 009114ANDS-14-92

Please Make Checks Payable To Baltimore County

Cashier Validation

receipt

MICROFILMED

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



111 West Chesapeake Avenue
Towson, MD 21204

May 28, 1992

887-3353

Stephen and Lynn Swimm
428 Maryland Avenue
Baltimore, Maryland 21228

Re: CASE NUMBER: 92-447-A

LOCATION: E/S Maryland Avenue, 65' S of c/l Raynor Avenue
428 Maryland Avenue
1st Election District - 1st Councilmanic

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.

1) Your property will be posted on or before May 31, 1992. The closing date is June 15, 1992. 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.

2) 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).

3) 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.

Signature of Lawrence E. Schmidt

Lawrence E. Schmidt

Zoning Commissioner, Baltimore County

MICROFILMED

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

(11) West Chesapeake Avenue
Towson, MD 21204

June 9, 1992

(410) 887-3353

Mr. & Mrs. Stephen G. Swinn
428 Maryland Avenue
Baltimore, MD 21228

RE: Item No. 477, Case No. 92-447-A
Petitioner: Stephen G. Swinn, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Swinn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate that all appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

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

(11) West Chesapeake Avenue
Towson, MD 21204

June 9, 1992

(410) 887-3353

Your petition has been received and accepted for filing this 14th day of May, 1992.

Received By: *Arnold Jablon*
ARNOLD JABLON
DIRECTOR

Petitioner: Stephen G. Swinn, et ux
Petitioner's Attorney:

MICROFILMED

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *Dennis H. Koenig* Date *6/8/92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn			6-1-92 NC
DED DEPRM RP STP TE			
✓ Albert F. And Ann B. Nocar	478		NC
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479		Comment
DED DEPRM RP STP TE			
✓ Robert C. And Sylvia W. Eppig	480		NC
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481		NC
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485		NC
DED DEPRM RP STP TE			
Leon G. McKeny	486		Comment
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487		Comment
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488		NC
DED DEPRM RP STP TE			
Matthew F. Reckenberger, Jr.	490		Comment
DED DEPRM RP STP TE			
✓ Herbert H. And And Betty Rosen	491		NC
DED DEPRM RP STP TE			
Meadows Park Ltd. Prtnrsh Russel Asset Mgt, Inc.	492		Comment
DED DEPRM RP STP TE			

MICROFILMED

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: June 5, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 1, 1992

The Office of Planning and Zoning has no comments on the following petitions:

George S. Nyquist	- Item 474
Stephen G. Swinn	- Item 475
Albert F. Nocar Jr.	- Item 478
Maryland Marine Mfg. Co.	- Item 479
Robert C. Eppig	- Item 480
James R. Porter	- Item 481
Dorothy S. Hunter	- Item 482
St. Lukes Health Ministries	- Item 484
Williams Estates	- Item 487
John M. Jacob	- Item 488
Gene Ensor	- Item 489
Lawrence F. Solomon	- Item 493

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

6.5.92.txt
Petins.txt

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *Rake J. Family* Date *6/8/92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn		NIC	6-1-92
DED DEPRM RP STP TE			
Albert F. And Ann B. Nocar	478	More Time	
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479	More Time	
DED DEPRM RP STP TE			
✓ Robert C. And Sylvia W. Eppig	480	NIC	
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481	NIC	
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485	NIC	
DED DEPRM RP STP TE			
✓ Leon G. McKeny	486	NIC	
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487	NIC	
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488	NIC	
DED DEPRM RP STP TE			
✓ Matthew F. Reckenberger, Jr.	490	NIC	
DED DEPRM RP STP TE			
✓ Herbert H. And And Betty Rosen	491	NIC	
DED DEPRM RP STP TE			
✓ Meadows Park Ltd. Prtnrsh Russel Asset Mgt, Inc.	492	NIC	
DED DEPRM RP STP TE			

MICROFILMED

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *Arnold Jablon* Date *6-8-92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
COUNT 7			
Huntington Development Corporation (Hunting Tweed Drive)	442	Written comments	
DED DEPRM RP STP TE			
COUNT 1			
✓ Stephen G. And Lynn M. Swinn		6-1-92 NO COMMENTS	
DED DEPRM RP STP TE			
Albert F. And Ann B. Nocar	478	In process	
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479	In process	
DED DEPRM RP STP TE			
Robert C. And Sylvia W. Eppig	480	In process	
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481	NO COMMENTS	
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485	NO COMMENTS	
DED DEPRM RP STP TE			
Leon G. McKeny	486	In process	
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487	Written Comments	
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488	NO COMMENTS	
DED DEPRM RP STP TE			
✓ Matthew F. Reckenberger, Jr.	490	NO COMMENTS	
DED DEPRM RP STP TE			

MICROFILMED

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

MAY 27, 1992

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: STEPHEN G. SWINN AND LYNN M. SWINN
Location: 428 MARYLAND AVENUE
Item No.: 477 (LJG) Zoning Agenda: JUNE 1, 1992

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.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Smith* Noted and Approved
Planning Group
Special Inspection Division

JP/KEE

RECEIVED
MAY 29 1992
ZONING OFFICE

MICROFILMED

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *Walter K.* Date *6/8/92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn		No Comment	6-1-92
DED DEPRM RP STP TE			
✓ Albert F. And Ann B. Nocar	478	No Comment	
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479	No Comment	
DED DEPRM RP STP TE			
✓ Robert C. And Sylvia W. Eppig	480	No Comment	
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481	No Comment	
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485	No Comment	
DED DEPRM RP STP TE			
✓ Leon G. McKeny	486	No Comment	
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487	No Comment	
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488	No Comment	
DED DEPRM RP STP TE			
✓ Matthew F. Reckenberger, Jr.	490	No Comment	
DED DEPRM RP STP TE			
✓ Herbert H. And And Betty Rosen	491	No Comment	
DED DEPRM RP STP TE			
✓ Meadows Park Ltd. Prtnrsh Russel Asset Mgt, Inc.	492	No Comment	
DED DEPRM RP STP TE			

MICROFILMED

May 10, 1992

92-447-A

To Whom It May Concern:

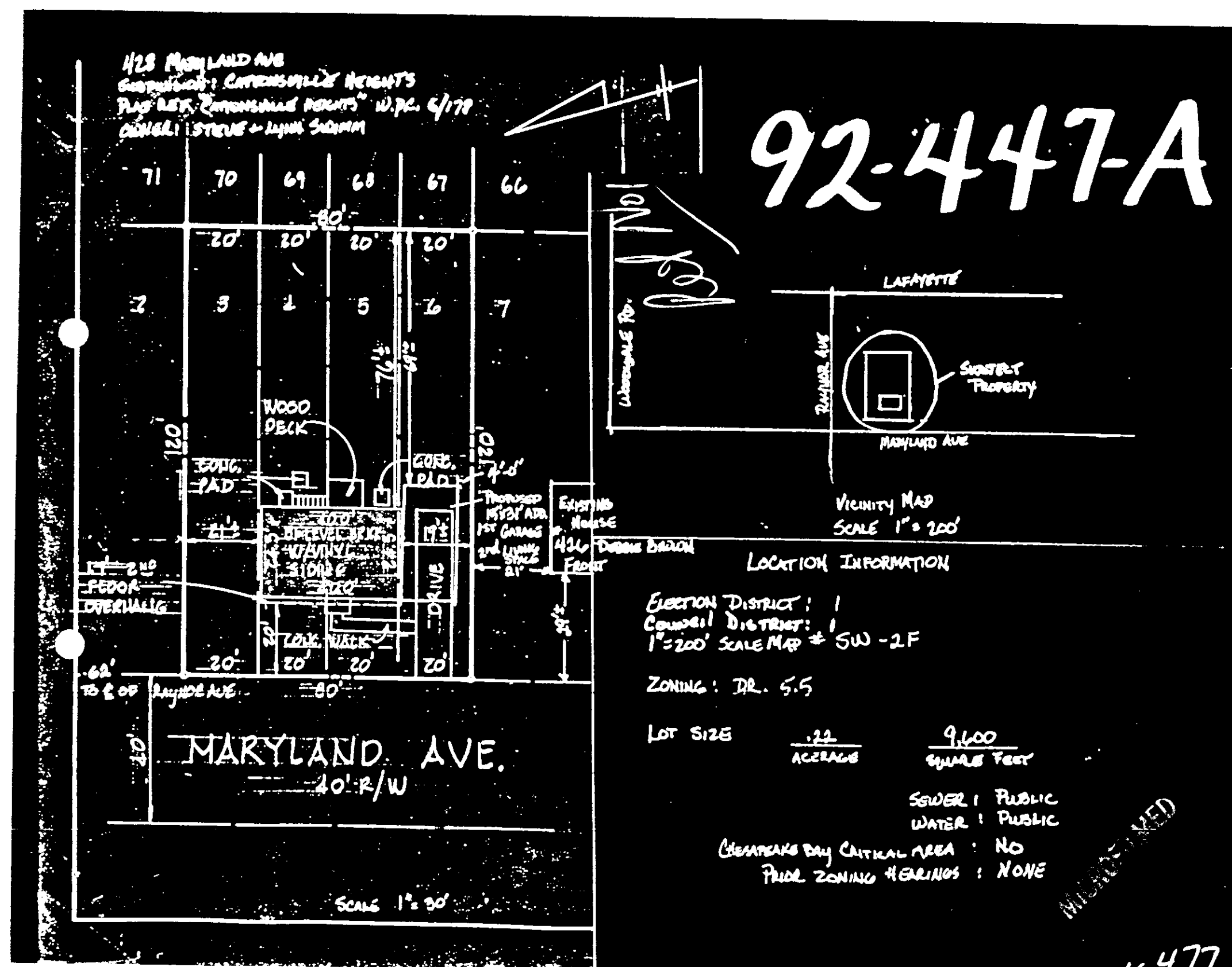
I am aware that my neighbors, Mr. & Mrs. Stephen Smith at 428 Maryland Avenue, Catonsville, Maryland 21228 are planning to put an addition on their house. I am aware that this addition will extend beyond the required 10 foot set-back for our area. The addition is to be approximately 15 feet wide and 31 feet long and be two-stories high. I realize the addition will cause only about a 4 foot set-back from their property line. I am not opposed to this construction and find no reason to object to this addition.

Debby Brown
Debby Brown

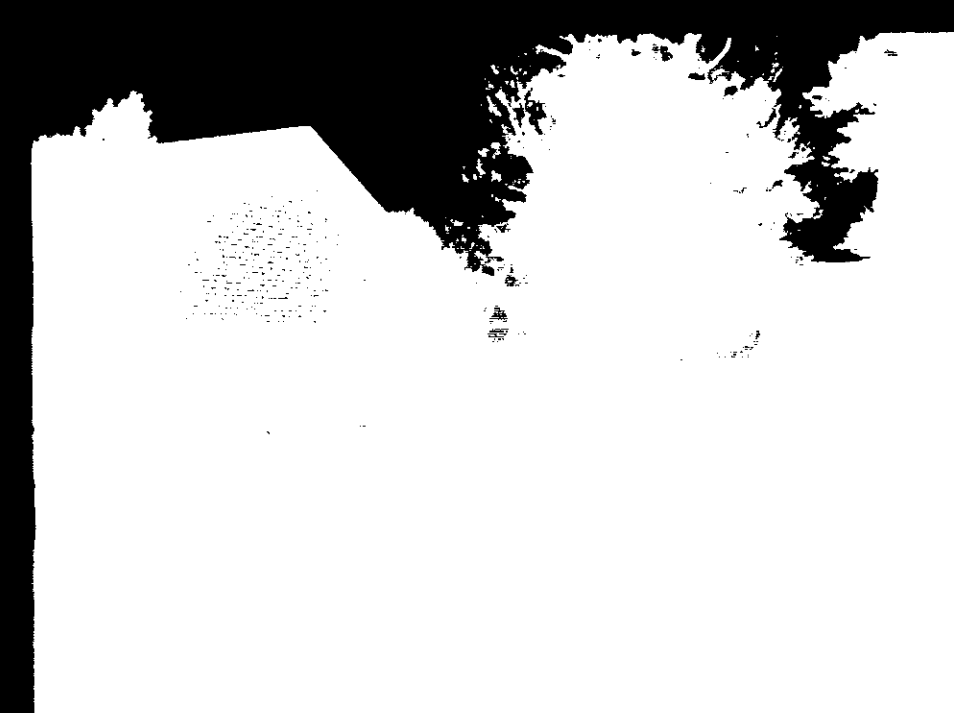
426 Maryland Avenue
Catonsville, Maryland
21228

Shirley J. Boyle
SHIRLEY J. BOYLE
MY COMMISSION EXPIRES
DEC. 1, 1995

Microfilmed



92-447-A

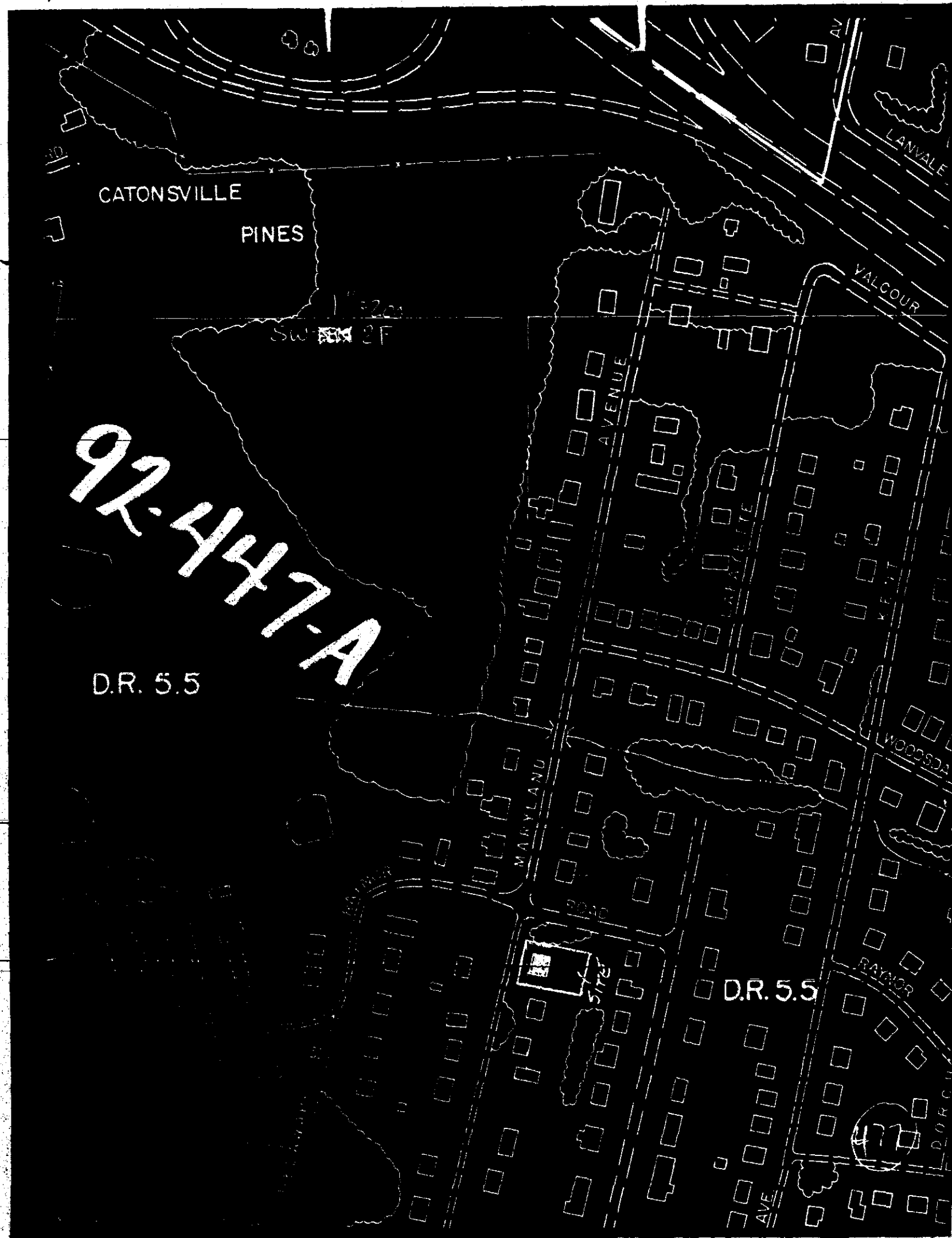


MICROFILMED

92-447-A



MICROFILMED



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200'	92-447-A	SW
DATE	CATONSVILLE	2F
OF		
PHOTOGRAPHY		MICROFILMED
JANUARY		
1986		

477

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Maryland Avenue, 65 ft. S of c/l Raynor Avenue
428 Maryland Avenue
1st Election District
1st Councilmanic District
Stephen G. Swimm, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-447-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft., in lieu of the required 10 ft., for an addition, 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, photographs, 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.

MICROFILMED

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 17th day of June, 1992 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft., in lieu of the required 10 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. 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.

LES:mmm

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 17, 1992

Mr. and Mrs. Stephen G. Swimm
428 Maryland Avenue
Baltimore, Maryland 21228

RE: Petition for Residential Zoning Variance
Case No. 92-447-A

Dear Mr. and Mrs. Swimm:

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,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

MICROFILMED

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located 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.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 ft. in lieu of the Required 10 ft.

Larger family necessitates more living space. This is the only practical site to place addition due to driveway and kitchen location.

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

I/we agree to pay expenses of the above 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)

(Address)

(City)

(State)

(Zip Code)

(Type or print name)

(Address)

(City)

(State)

(Zip Code)

Legal Owner(s):

Stephen G. Swimm

Stephen G. Swimm

Lynn M. Swimm

Lynn M. Swimm

428 Maryland Ave. 766-8888 (w)

Baltimore MD 21228

City State Zip Code

Address

City State Zip Code

Address

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of June, 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be returned.



ZONING COMMISSIONER OF BALTIMORE COUNTY

RECEIVED BY LG DATE 5/14/92

ESTIMATED POSTING DATE 5/31

ESTIMATED CLOSING DATE

FILE # 477

LG

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE 92-447-A

The undersigned hereby affirm 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 that Affiant(s) have competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) do(es) presently reside at 428 Maryland Ave

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (person, persons or parties affected)
Larger family necessitates more living space. This is the only practical site to place an addition due to driveway + kitchen location

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

Signature of Affiant(s)
Stephen G. Swimm
Lynn M. Swimm

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of May, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

STEPHEN G. SWIMM LYNN M. SWIMM

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the contents of the foregoing and the facts hereinbefore set forth are true and correct to the best of his/her knowledge and belief.

My commission expires: May 13, 1992

Notary Public

My Commission Expires:

JAMES R. SCOTT
NOTARY PUBLIC
STATE OF MARYLAND
MY COMMISSION EXPIRES OCTOBER 1, 1994

MICROFILMED

ZONING DESCRIPTION FOR 428 MARYLAND AVENUE 92-447-A

Beginning at a point on the east side of Maryland Avenue which is 40' wide at the distance of 65' south of the centerline of the nearest improved intersecting street, Raynor Avenue, which is 40' wide. Being lot 3, 4, 5, 6, Block 23 in the subdivision of Catonsville Heights as recorded in Baltimore County Plat Book #WPC-6, Folio #178, containing 9,600 square feet. Also known as 428 Maryland Avenue and located in the 1st Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st Date of Posting: May 23, 1992

Posted for: Residential Variance

Petitioner: Stephen G. and Lynn M. Swimm

Location of property: E/S Maryland Avenue, 65' S of c/l Raynor Avenue

Address: 428 Maryland Avenue

Location of Sign: In front of 428 Maryland Avenue

Remarks: S.G. Swimm

Posted by: S.G. Swimm Date of return: June 5, 1992

Number of Signs: 1

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Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

5/14/92

Account: 8-001-6100

Number

HY200477

PUBLIC HEARING FEES
\$10.00
ZONING VARIANCE FEE
\$50.00
POSTING SIGNS / ADVERTISING
\$35.00
TOTAL: \$95.00

LAST NAME OF OWNER: SWIMM

040480042NCHRC

By 009114ANDS-14-92

Please Make Checks Payable To Baltimore County

Cashier Validation

receipt

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111 West Chesapeake Avenue
Towson, MD 21204

May 28, 1992

887-3353

Stephen and Lynn Swimm
428 Maryland Avenue
Baltimore, Maryland 21228

Re: CASE NUMBER: 92-447-A

LOCATION: E/S Maryland Avenue, 65' S of c/l Raynor Avenue

428 Maryland Avenue

1st Election District - 1st Councilmanic

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.

1) Your property will be posted on or before May 31, 1992. The closing date is June 15, 1992. 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.

2) 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).

3) 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.

Signature of Lawrence E. Schmidt

Lawrence E. Schmidt

Zoning Commissioner, Baltimore County

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

(11) West Chesapeake Avenue
Towson, MD 21204

June 9, 1992 (410) 887-3353

Mr. & Mrs. Stephen G. Swinn
428 Maryland Avenue
Baltimore, MD 21228

RE: Item No. 477, Case No. 92-447-A
Petitioner: Stephen G. Swinn, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Swinn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate that all appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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

(11) West Chesapeake Avenue
Towson, MD 21204

June 9, 1992 (410) 887-3353

Your petition has been received and accepted for filing this 14th day of May, 1992.

Received By: *Arnold Jablon*
ARNOLD JABLON
DIRECTOR

Petitioner: Stephen G. Swinn, et ux
Petitioner's Attorney:

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DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *Dennis H. Koenig* Date *6/8/92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn			6-1-92 NC
DED DEPRM RP STP TE			
✓ Albert F. And Ann B. Nocar	478		NC
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479		Comment
DED DEPRM RP STP TE			
✓ Robert C. And Sylvia W. Eppig	480		NC
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481		NC
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485		NC
DED DEPRM RP STP TE			
Leon G. McKeny	486		Comment
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487		Comment
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488		NC
DED DEPRM RP STP TE			
Matthew F. Reckenberger, Jr.	490		Comment
DED DEPRM RP STP TE			
✓ Herbert H. And And Betty Rosen	491		NC
DED DEPRM RP STP TE			
Meadows Park Ltd. Prtnrsh Russel Asset Mgt, Inc.	492		Comment
DED DEPRM RP STP TE			

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BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: June 5, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 1, 1992

The Office of Planning and Zoning has no comments on the following petitions:

George S. Nyquist	- Item 474
Stephen G. Swinn	- Item 475
Albert F. Nocar Jr.	- Item 478
Maryland Marine Mfg. Co.	- Item 479
Robert C. Eppig	- Item 480
James R. Porter	- Item 481
Dorothy S. Hunter	- Item 482
St. Lukes Health Ministries	- Item 484
Williams Estates	- Item 487
John M. Jacob	- Item 488
Gene Ensor	- Item 489
Lawrence F. Solomon	- Item 493

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

6.5.92.txt
Petins.txt

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *Rake J. Family* Date *6/8/92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn		NIC	6-1-92
DED DEPRM RP STP TE			
Albert F. And Ann B. Nocar	478	More Time	
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479	More Time	
DED DEPRM RP STP TE			
✓ Robert C. And Sylvia W. Eppig	480	NIC	
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481	NIC	
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485	NIC	
DED DEPRM RP STP TE			
✓ Leon G. McKeny	486	NIC	
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487	NIC	
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488	NIC	
DED DEPRM RP STP TE			
✓ Matthew F. Reckenberger, Jr.	490	NIC	
DED DEPRM RP STP TE			
✓ Herbert H. And And Betty Rosen	491	NIC	
DED DEPRM RP STP TE			
✓ Meadows Park Ltd. Prtnrsh Russel Asset Mgt, Inc.	492	NIC	
DED DEPRM RP STP TE			

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Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *Arnold Jablon* Date *6-8-92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn			6-1-92 NO COMMENTS
DED DEPRM RP STP TE			
Albert F. And Ann B. Nocar	478	process	
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479	process	
DED DEPRM RP STP TE			
Robert C. And Sylvia W. Eppig	480	process	
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481	NO COMMENTS	
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485	NO COMMENTS	
DED DEPRM RP STP TE			
Leon G. McKeny	486	process	
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487	Written Comments	
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488	NO COMMENTS	
DED DEPRM RP STP TE			
✓ Matthew F. Reckenberger, Jr.	490	NO COMMENTS	
DED DEPRM RP STP TE			

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Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

MAY 27, 1992 (301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: STEPHEN G. SWINN AND LYNN M. SWINN
Location: 428 MARYLAND AVENUE
Item No.: 477 (LJG) Zoning Agenda: JUNE 1, 1992

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.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Smith* Noted and Approved
Planning Group
Special Inspection Division Fire Prevention Bureau

JP/KKK

RECEIVED
MAY 29 1992
ZONING OFFICE

MICROFILMED

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *Walter K.* Date *6/8/92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn		No Comment	6-1-92
DED DEPRM RP STP TE			
✓ Albert F. And Ann B. Nocar	478	No Comment	
DED DEPRM RP STP TE			
Maryland Marine Manufacturing Co., Inc.	479	No Comment	
DED DEPRM RP STP TE			
✓ Robert C. And Sylvia W. Eppig	480	No Comment	
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481	No Comment	
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485	No Comment	
DED DEPRM RP STP TE			
✓ Leon G. McKeny	486	No Comment	
DED DEPRM RP STP TE			
Williams Management Services, Inc.	487	No Comment	
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488	No Comment	
DED DEPRM RP STP TE			
✓ Matthew F. Reckenberger, Jr.	490	No Comment	
DED DEPRM RP STP TE			
✓ Herbert H. And And Betty Rosen	491	No Comment	
DED DEPRM RP STP TE			
✓ Meadows Park Ltd. Prtnrsh Russel Asset Mgt, Inc.	492	No Comment	
DED DEPRM RP STP TE			

MICROFILMED

May 10, 1992

To Whom It May Concern:

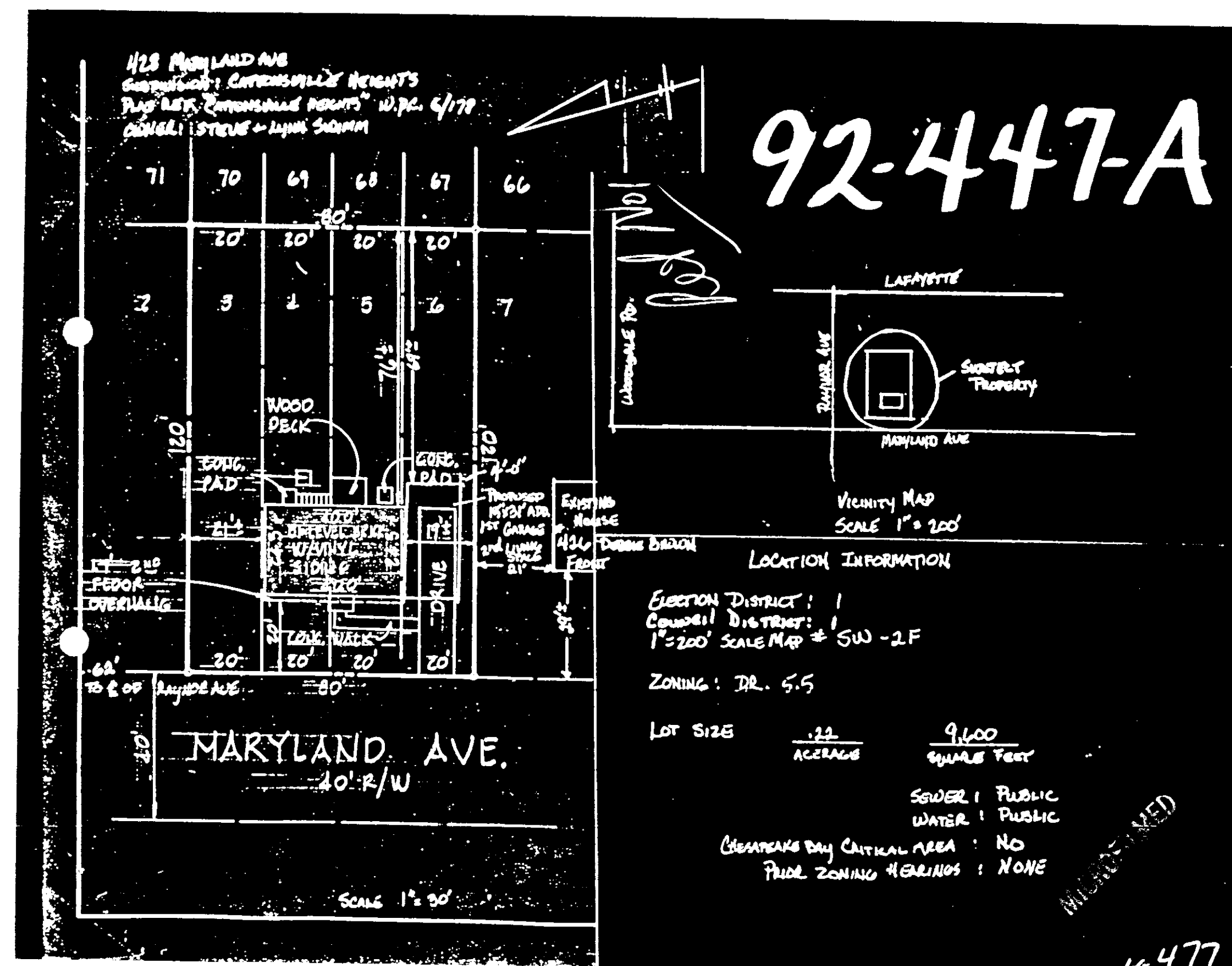
I am aware that my neighbors, Mr. & Mrs. Stephen Smith at 428 Maryland Avenue, Catonsville, Maryland 21228 are planning to put an addition on their house. I am aware that this addition will extend beyond the required 10 foot set-back for our area. The addition is to be approximately 15 feet wide and 31 feet long and be two-stories high. I realize the addition will cause only about a 4 foot set-back from their property line. I am not opposed to this construction and find no reason to object to this addition.

Debby Brown
Debby Brown

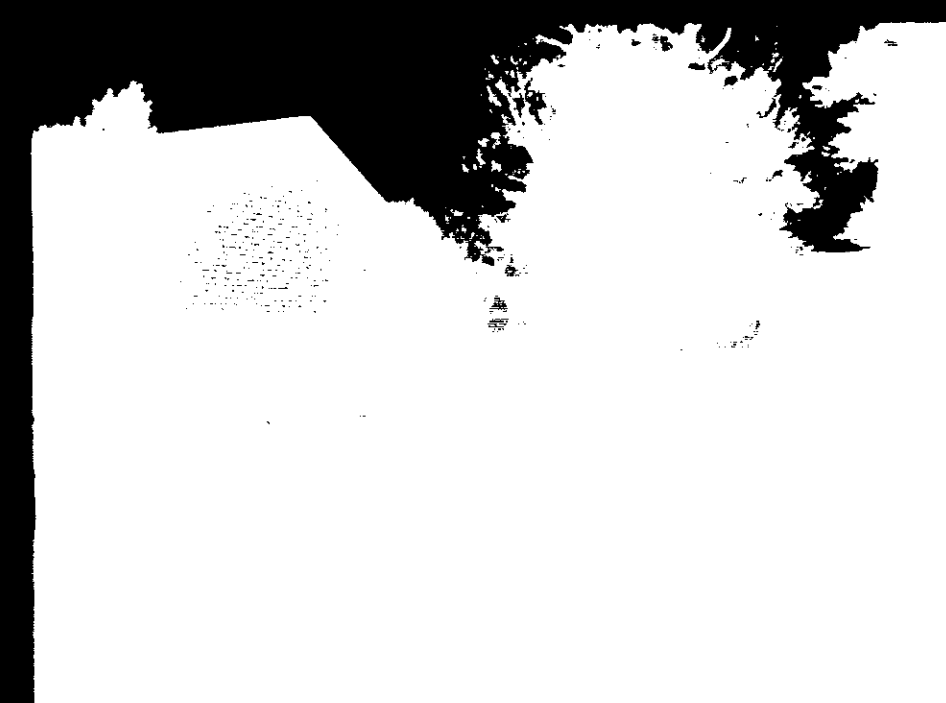
426 Maryland Avenue
Catonsville, Maryland
21228

Shirley J. Boyle
SHIRLEY J. BOYLE
MY COMMISSION EXPIRES
DEC. 1, 1995

Shirley J. Boyle



92-447-A

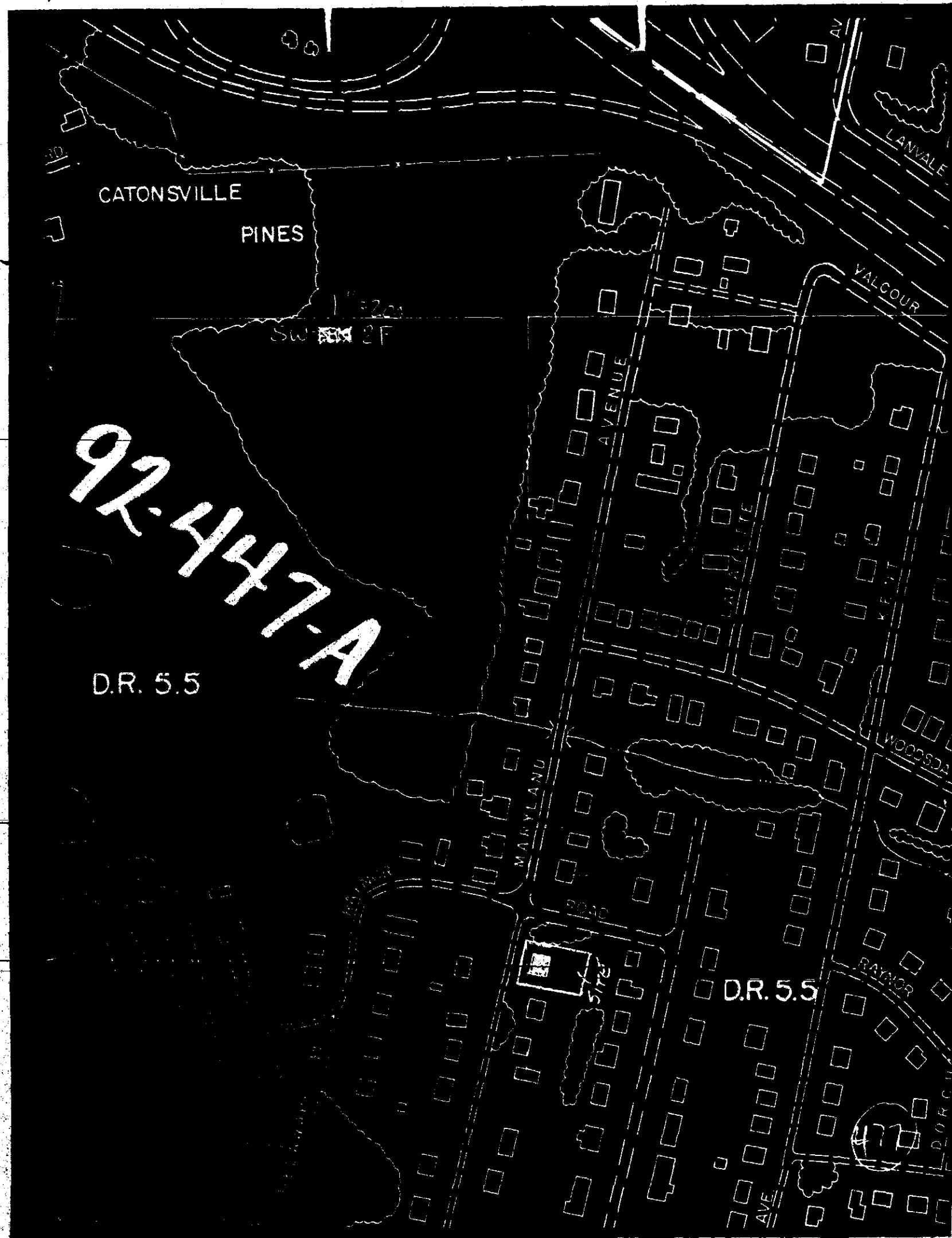


MICROFILMED

92-447-A



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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200'	92-447-A	SW
DATE OF PHOTOGRAPHY	CATONSVILLE	2F
JANUARY 1986		MICROFILMED

477