

IN RE: PETITION FOR ADMIN. VARIANCE
 RE: Corner Alter Street and
 Chisolm Drive
 (6725 Alter Street)
 3rd Election District
 2nd Councilmanic District
 Glenda L. Mosley
 Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 93-51-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Glenda L. Mosley. The Petitioner requests relief from Section 427.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence with a height of 6 feet in the rear yard (adjoining a neighboring front and side yard) with a rear yard setback of 6 feet in lieu of the minimum required 30 feet, in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for 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 variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy 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 B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of September, 1992 that the Petition for Administrative Variance requesting relief from Section 427.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence with a height of 6 feet in the rear yard (adjoining a neighboring front and side yard) with a rear yard setback of 6 feet in lieu of the minimum required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 relief granted shall be rescinded and the Petitioner would be required to file a new Petition.

Timothy M. Kotroco
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
 Date 9/10/92
 By [Signature]

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113 Courthouse
 400 Washington Avenue
 Towson, MD 21204

(410) 887-4386

September 20, 1992

Ms. Glenda L. Mosley
 6725 Alter Street
 Baltimore, Maryland 21207

RE: PETITION FOR ADMINISTRATIVE VARIANCE
 NE/Corner Alter Street and Chisolm Drive
 (6725 Alter Street)
 3rd Election District - 2nd Councilmanic District
 Glenda L. Mosley - Petitioner
 Case No. 93-51-A

Dear Ms. Mosley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
Timothy M. Kotroco
 TIMOTHY M. KOTROCO
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bjs

cc: People's Counsel

[Signature]



Petition for Administrative Variance
 to the Zoning Commissioner of Baltimore County

for the property located at 6725 Alter St
 which is presently zoned RM-10

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property, situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

427.B To allow a 6 ft. in height fence in the rear yard (adjoining a neighboring front & side yard) with a 6 ft. setback in lieu of the minimum required 30 ft. setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

This request is made in light of the fact that Mr. Mosley is a single head of household seeking the necessary security and privacy not otherwise afforded by this corner lot dwelling. Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above Variance advertising, posting, etc. 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.

ORDER RECEIVED FOR FILING
 Date 9/10/92
 By [Signature]

Legal Name: Glenda L. Mosley
 Type of Petitioner: Individual
 Signature: [Signature]
 Address: 6725 Alter St. 489-9200 (M)
Baltimore, Md. 21207
 Name: Same as Above

REVIEWED BY: [Signature] DATE: 8-14-92
 FORWARD POSTING DATE: 8-30-92

ITEM #: 36

Affidavit in support of Administrative Variance

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 that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do so presently reside at: 6725 Alter St
Chisolm Drive
Baltimore, MD 21207

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: (Indicate hardship or practical difficulty)

This request is made in light of the fact that Mrs. Mosley is a single head of household seeking the necessary security and privacy not otherwise afforded by this corner lot dwelling.

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.

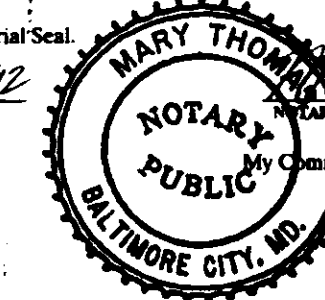
Glenda L. Mosley
 Signature
 Type of Affiant Name: Individual

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

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

the Affiant(s) herein, personally known/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:



Mary Thomas
 Notary Public
 Commission Expires: July 5, 1995

93-51-A

6725 Alter St
 Zoning Description

Beginning at a point at the northeast corner of Alter St. & Chisolm Dr. Being lot no. 27 Sect 2 in the Subdivision of Dalton as recorded in Baltimore County Plat Book 21 folio 70 containing 0.19 ac. Also known as 6725 Alter St. and located in the 3rd Election District.

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 3rd Date of Posting: 8/18/92
 Posted for: Notice
 Petitioner: Glenda L. Mosley
 Location of property: 6725 Alter St.
 Location of Signs: Facing intersection of Mount Vernon St. & 6725 Alter St.
 Remark: None
 Posted by: [Signature] Date of return: 8/18/92
 Number of Signs: 1

Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21286

93-51-A 56 receipt

MR. Stan Graves
 Residential Variance (Administrative)
 Filing Fee - \$50.00
 Sign + Posting 35.00
 \$ 85.00
 For Glenda Mosley Property
 6725 Alter St. (21207)

Please Make Checks Payable To: Baltimore County
 OR CO101054M08-14-92 \$85.00

Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21286

93-51-A receipt

8/14/92 199300056

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IRL)	1 X	\$50.00
080 - POSTING SIGNS / ADVERTISING	1 X	\$35.00
TOTAL:		\$85.00

LAST NAME OF OWNER: MOSLEY

Please Make Checks Payable To: Baltimore County

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

111 West Chesapeake Avenue
 Towson, MD 21204

RE: CASE NUMBER: 93-51-A
 LOCATION: REC Alter Street and Chisolm Drive
 6725 Alter Street
 3rd Election District - 2nd 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 reminder regarding the administrative process.

- 1) Your property will be posted on or before August 30, 1992. The closing date is September 14, 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.

Lawrence E. Schardt
 Lawrence E. Schardt
 Zoning Commissioner, Baltimore County

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

111 West Chesapeake Avenue
Towson, MD 21284

September 14, 1992 (410) 887-3353

Ms. Glenda L. Mosley
6725 Alter Street
Baltimore, MD 21207

RE: Item No. 56, Case No. 93-51-A
Petitioner: Glenda L. Mosley
Petition for Administrative Variance

Dear Ms. Mosley:

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 the 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.

79-28 52
4442 210

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

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

DATE: September 4, 1992

SUBJECT: Mosley Property

INFORMATION:
Item Number: 56

Petitioner: Glenda L. Mosley

Property Size: 0.19 acres

Zoning: DR 5.5

Requested Action: Administrative Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:
This petitioner is seeking an administrative variance to allow a 6 foot high fence in the rear yard with a 6 foot setback in lieu of the minimum required 30 foot setback.

The Office of Planning and Zoning has no comment on the petitioner's request, however, the fence along Chisolm Drive should be screened.

Prepared by: Francis McDaniel
Division Chief: Francis McDaniel
FM/PK/RMcD:prh

56.ZAC/ZAC1

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

111 West Chesapeake Avenue
Towson, MD 21284

(410) 887-3353

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

Arnold Jablon
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Glenda L. Mosley
Petitioner's Attorney:

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature _____ Date _____

File Number	Waiver Number	Zoning Issue	Meeting Date
James Enterprises	48	M/T	8-24-92
White Marsh Joint Venture	49	N/C	
Salvo Realty, Inc.	50	M/T	
Robert T. and Lorri A. Burgess	51	W/C	
Chester L. and Virginia J. Farley	52	N/C	
Mark Allan Claypoole	53	W/C	
Ritz Enterprises	55	W/C	
Glenda L. Mosley	56	N/C	
Etta E. Plonden and Joan and Garland Arrington	57	N/C	

COUNT 20
FINAL TOTALS
COUNT 21
*** END OF REPORT ***

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: August 31, 1992

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
For August 31, 1992
Item No. 56

The Developer's Engineering Division has reviewed the subject zoning form. If this variance is granted, we recommend the enclosed fence specifications be used.

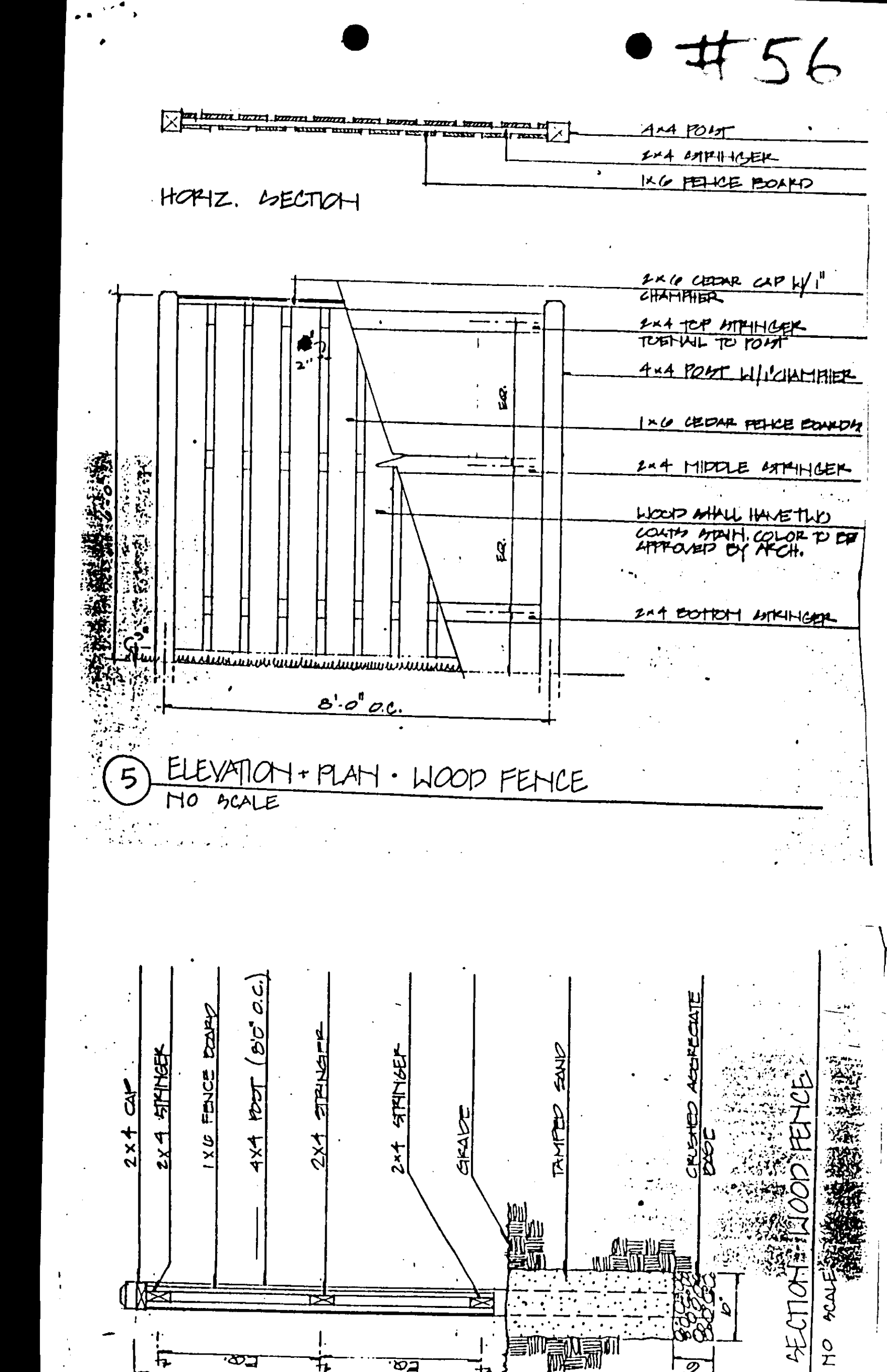
Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developer's Engineering Division

BWB DAK:s
Encl.

RECEIVED
SEP 1 1992
ZONING OFFICE

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature _____ Date 8-31-92

File Number	Waiver Number	Zoning Issue	Meeting Date
James And Linda Heier	35		8-24-92
Allan L. Snyder Et. Al.	36		
Salvo Auto Parts	37		
Adela M. Lombardi And Florence Kungky	38		
Robert E. And Cynthia A. Lyons	43		
Michael E. Turley	47		
James Enterprises	48		
White Marsh Joint Venture	49		
Salvo Realty, Inc.	50		
Chester L. And Virginia J. Farley	52		
Ritz Enterprises	55		
Glenda L. Mosley	56		



Baltimore County Government
Fire Department

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

AUGUST 24, 1992 (410) 887-4500

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

RE: Property Owner: GLENDA L. MOSLEY
Location: #6725 ALTER STREET
Item No.: #56 (JJS) Zoning Agenda: AUGUST 24, 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: Pat Keller Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

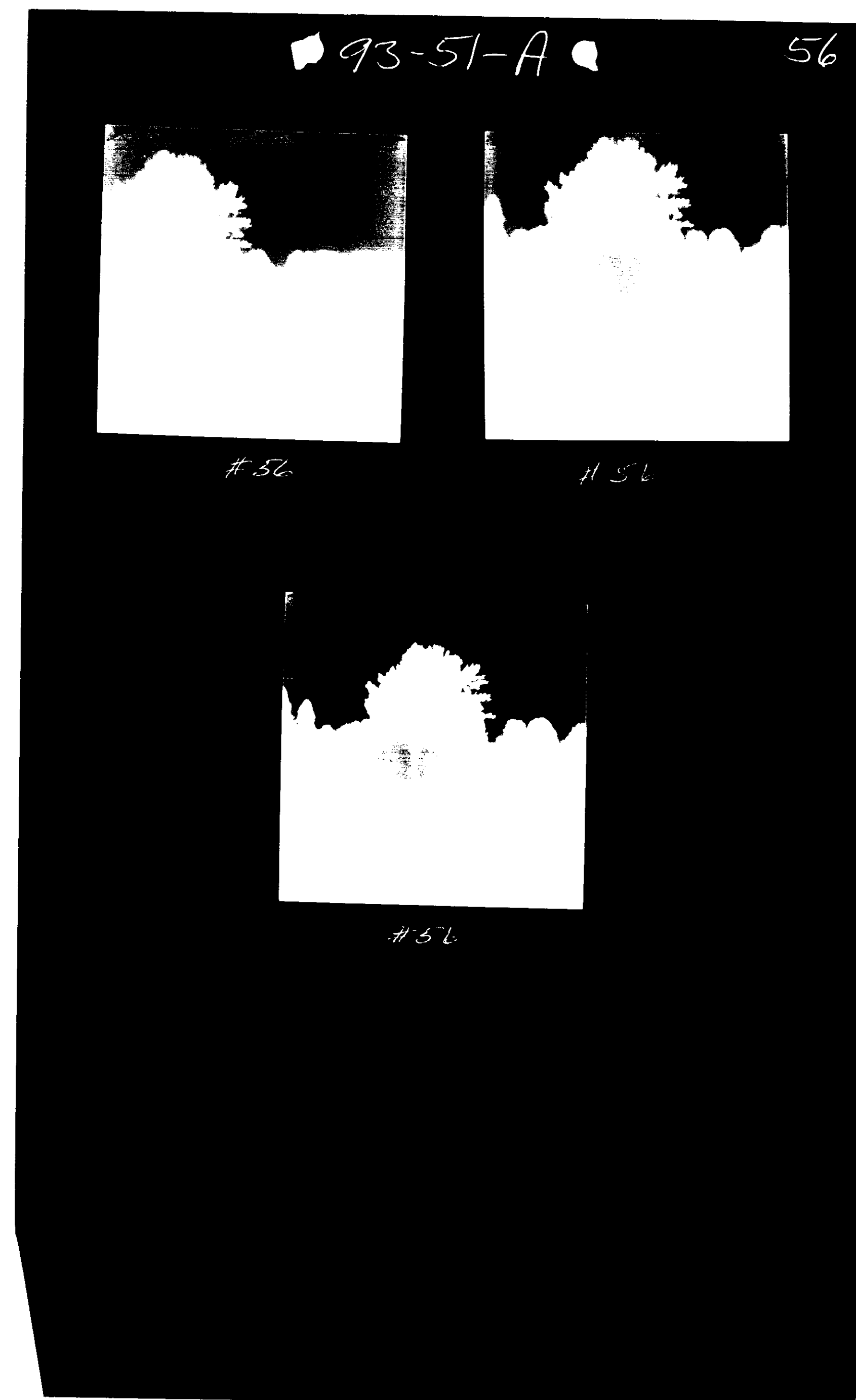
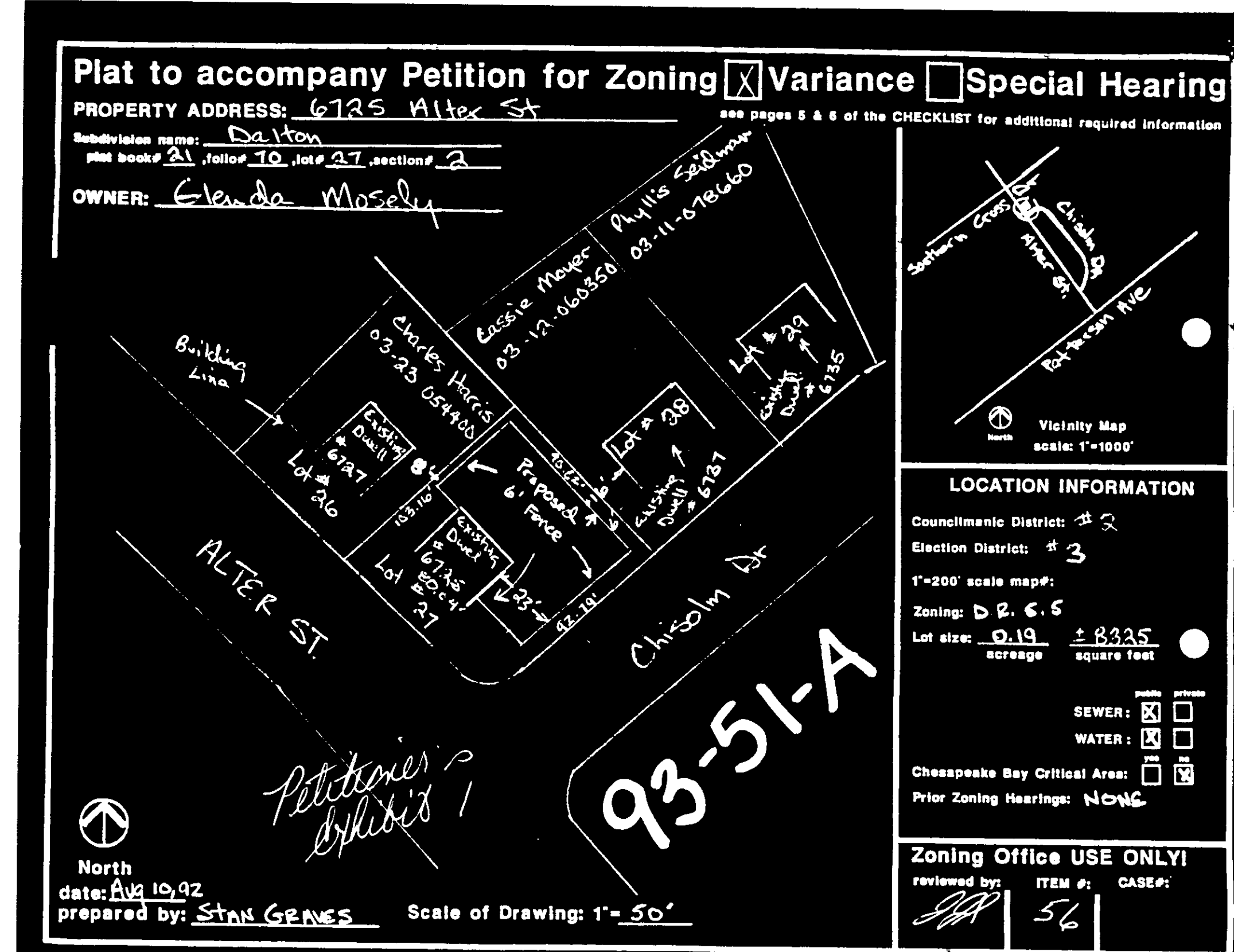
JP/KEK

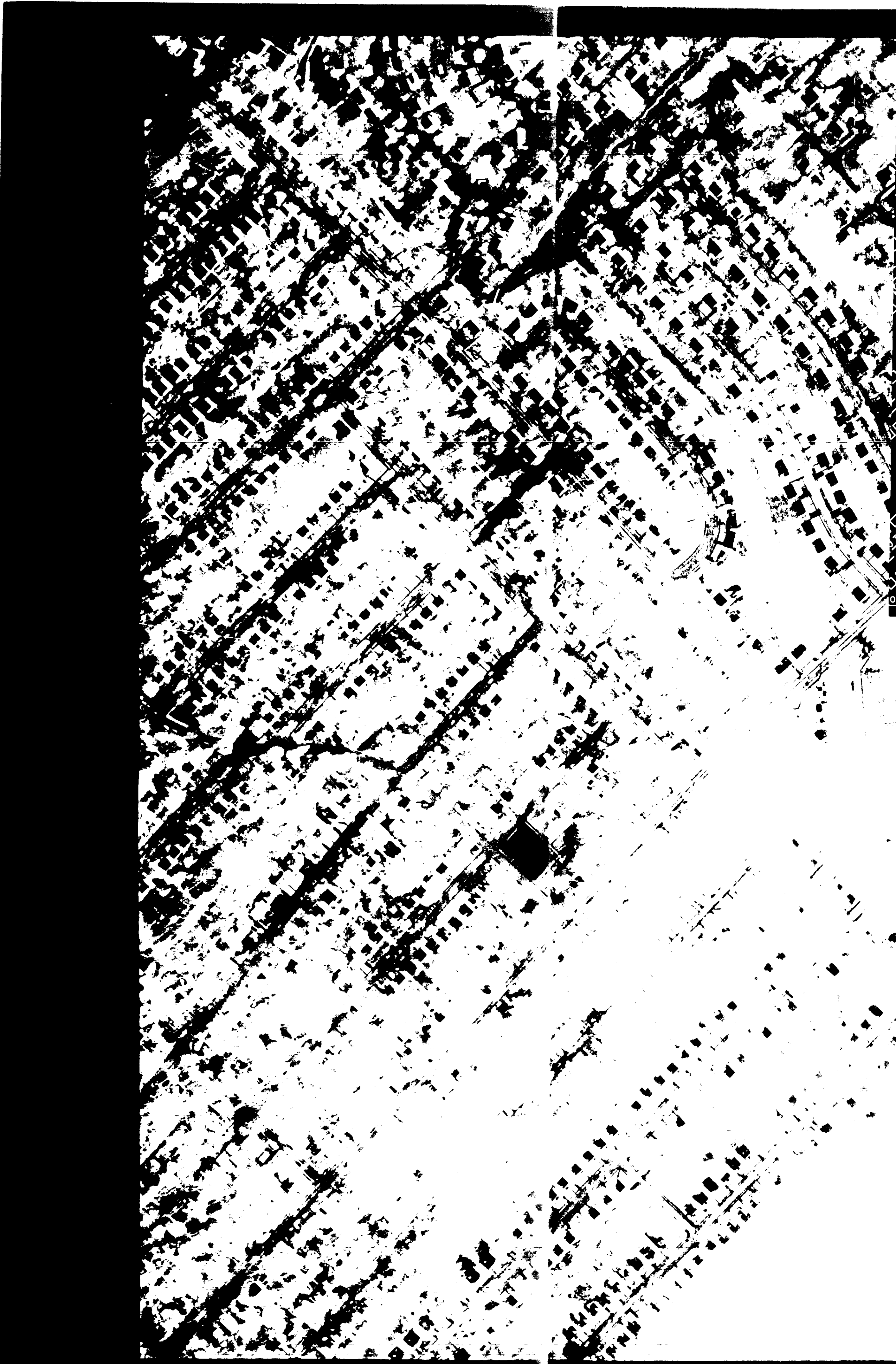
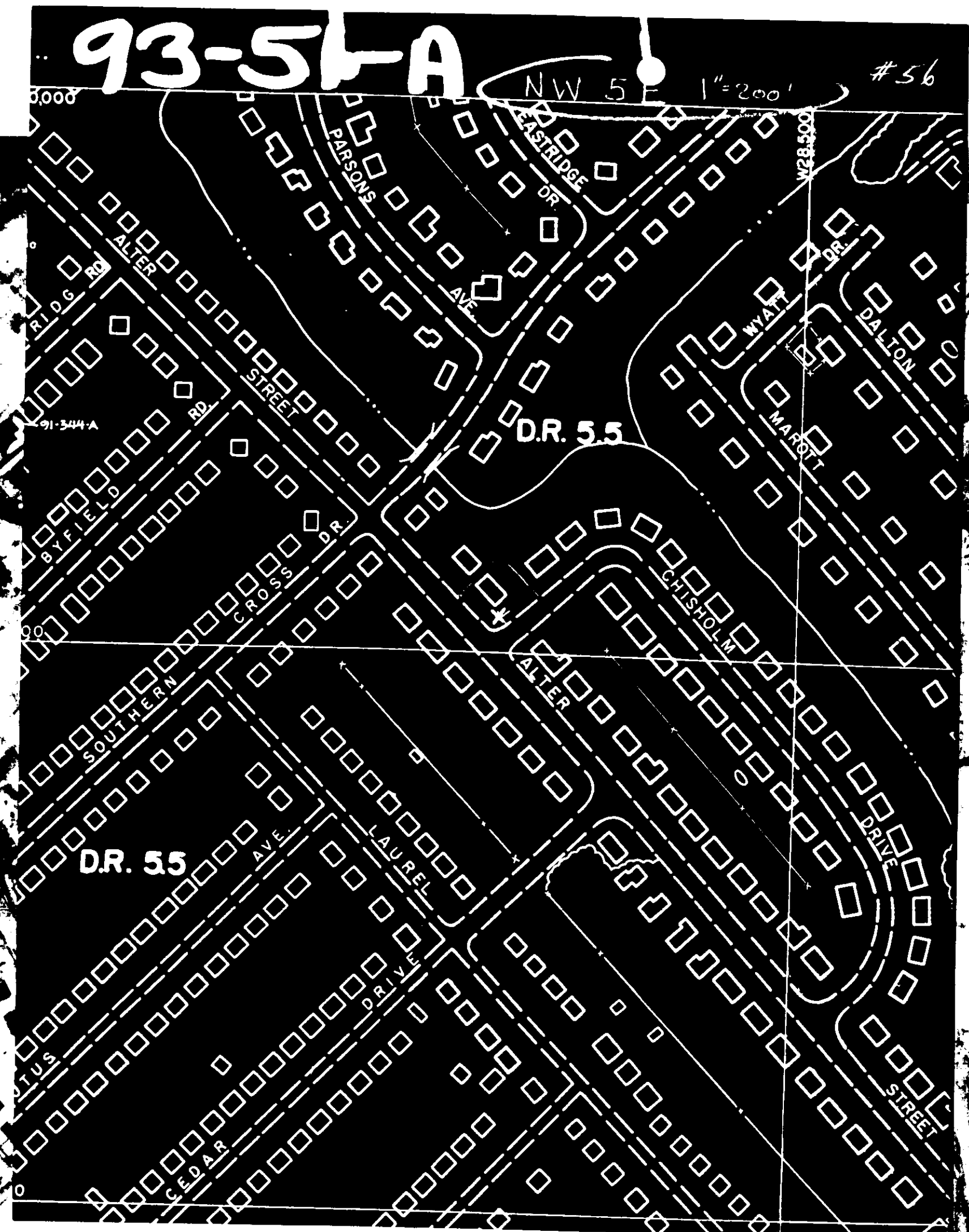
Department of Recreation and Parks
 Development Review Committee
 Authorized signature: [Signature] Date: 8/31/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Glenda L. Mosley			
DED DEPRM RP STP 1E	36	No Comment	8-24-92
DED DEPRM RP STP 1E	37	No Comment	

Etta E. Plonden and Joan and Garland Arrington

COUNT 20
 FINAL TOTALS
 COUNT 26
 *** END OF REPORT ***





#56
A-15-36
93-51-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LOCHEARN BRIGHTON	N.W. 5-E
DATE OF PHOTOGRAPHY 1986		

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