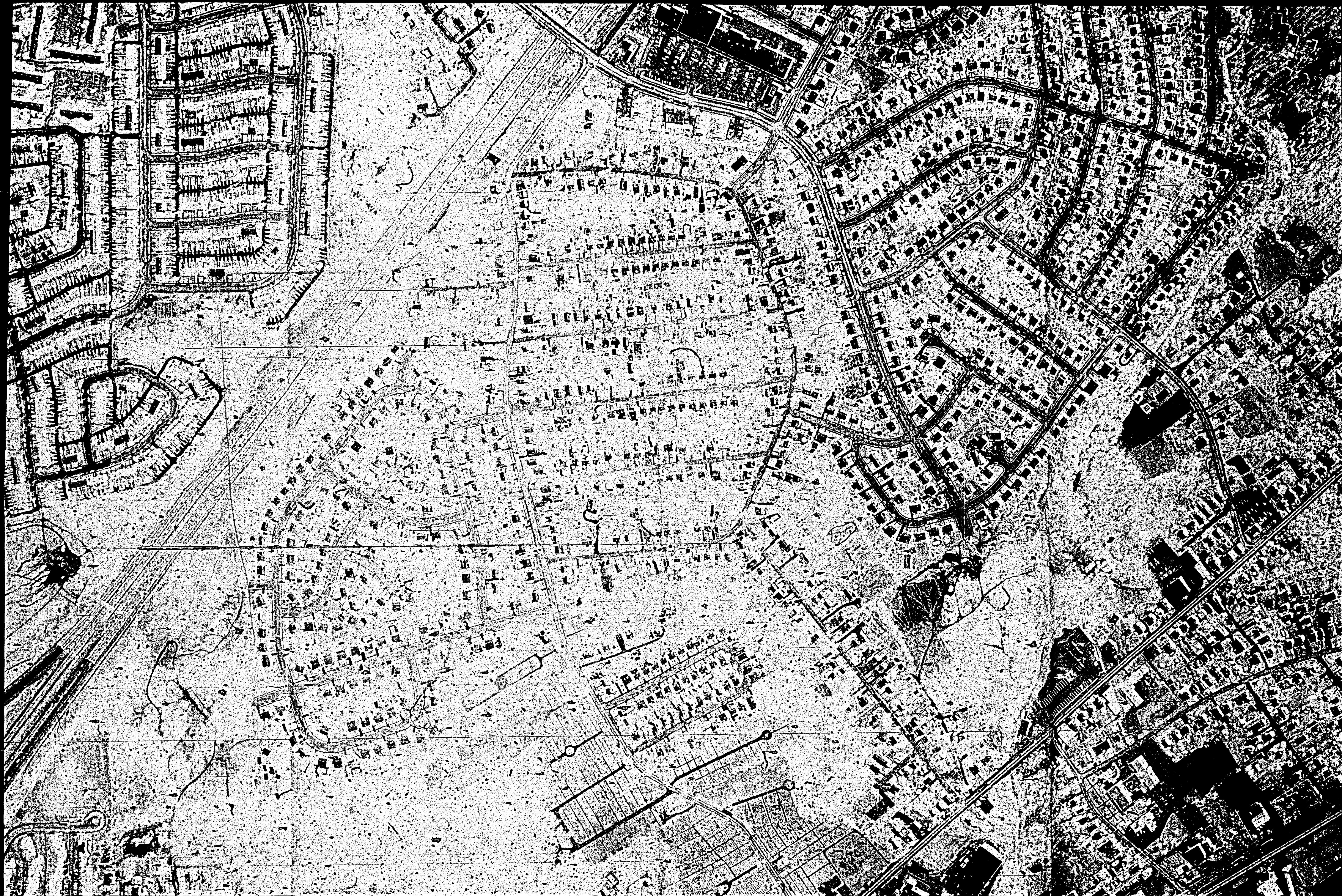


94-496-A

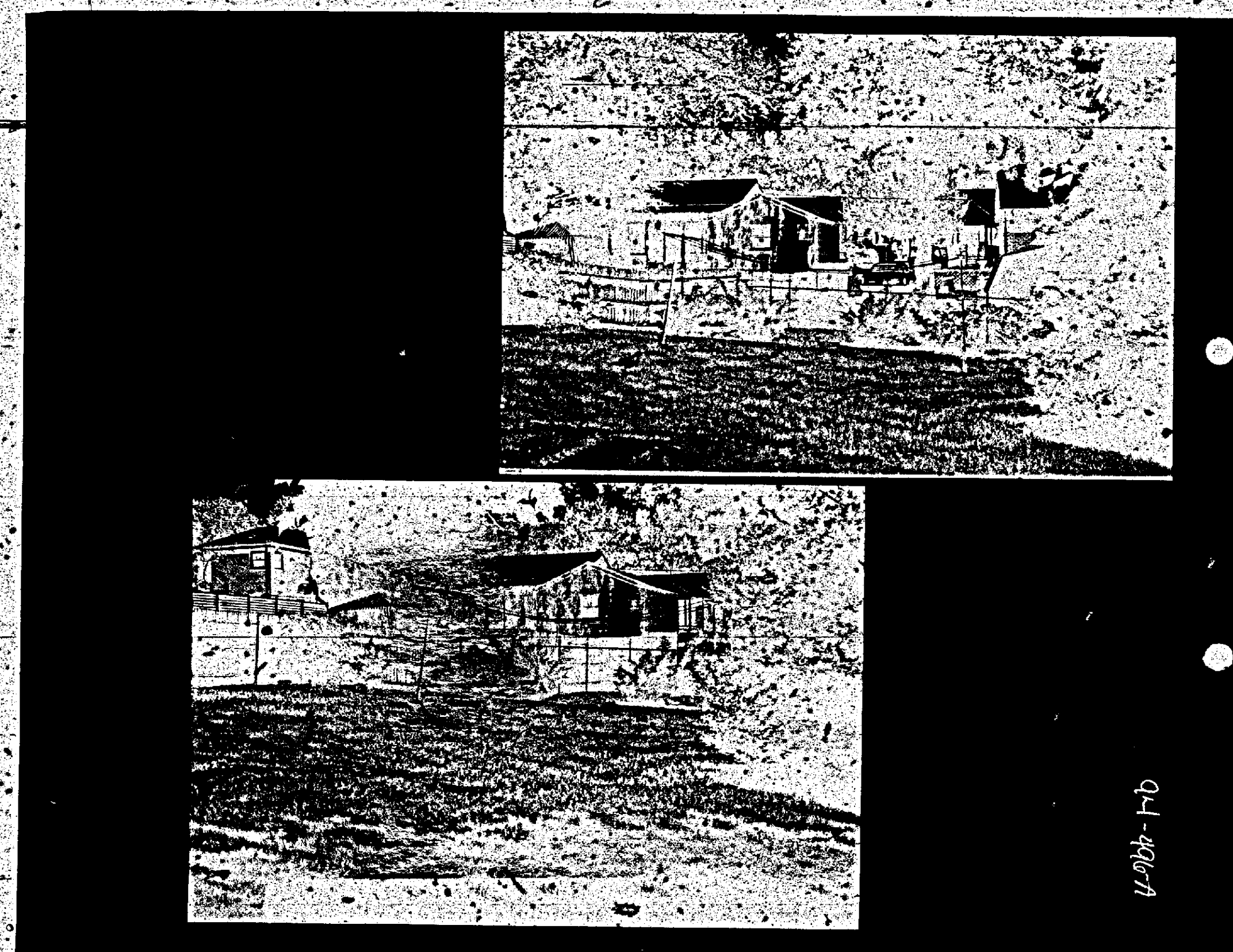
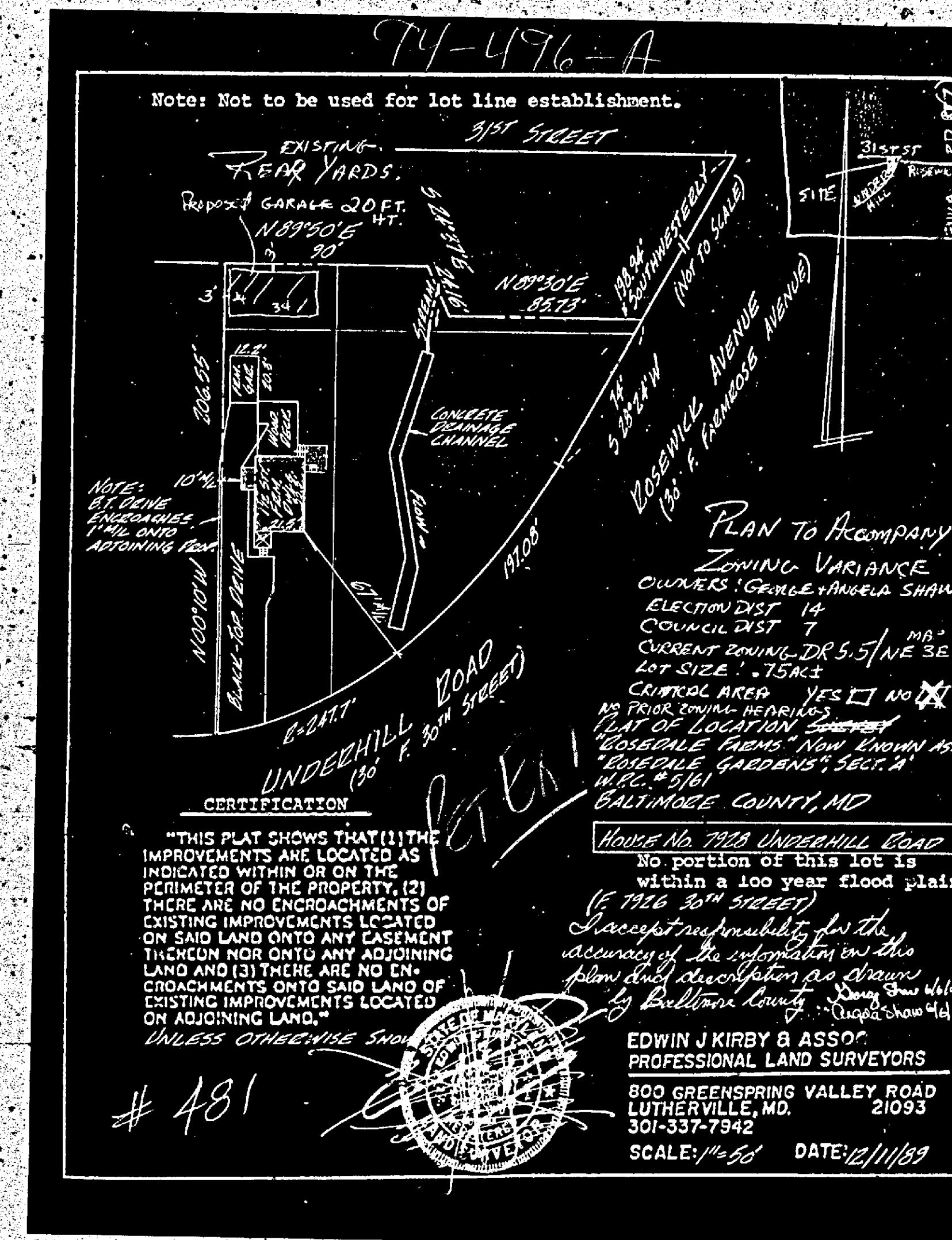


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

#481

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

SCALE	LOCATION	SHEET
1" = 200' ±	ROSEDALE	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986		3-E



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 28, 1994

Mr. and Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

RE: Case No. 94-496-A, Item No. 481
Petition for Administrative Variance
Petitioner: George L. Shaw, Jr., et ux.

Dear Mr. and Mrs. Shaw:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on May 6, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: June 27, 1994

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for June 27, 1994
Item No. 481

The Developers Engineering Section has reviewed the subject zoning item. Baltimore County maintains an 8-inch sanitary sewer located in a 10-foot drainage and utility easement running parallel to and approximately 7 feet from the east property line of the Shaw Property. See the attached print.

RWB:aw

Encl.



Maryland Department of Transportation
State Highway Administration

Secretary
Hal Kassoff
Administrator

6-15-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: K 481 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

DAVID M. KAHSEY, KES INC. CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 16, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 475, 476, 481, 482, 483, 484, 486 and 489.

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 887-3480.

Prepared by:

Division Chief:

PK/JL:lw

ZAC.475/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/16/94

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
DATE: 06/16/94

RE: Property Owners SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

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.

9. The Fire Marshall's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 481, 482, 483, 484, 486, 487, 489, 489 and 491.

RECEIVED
JUN 17 1994
ZADM

REVIEWER: LT. ROBERT E. GAUERWALD
Fire Marshal's Office, PHONE 837-4861, MS-1102F

cc: F318

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

June 29, 1994

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

FROM: J. Lawrence Pilson, Jr.
Development Coordinator, DEPRM

SUBJECT: Zoning Item #481 - Shaw Property
7928 Underhill Road
Zoning Advisory Committee Meeting of June 20, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:EG:sp

SHAW/DEPRM/TXTSBP

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



July 5, 1994

(410) 887-3353

Mr. and Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

RE: Case No. 94-496-A, Item No. 481
Petition for Administrative Variance

Dear Mr. and Mrs. Shaw:

Enclosed are copies of comments received from the Department of Environmental and Resource Management on July 1, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton

Charlotte Minton

Enclosure

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

June 16, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Mr. and Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

Re: CASE NUMBER: 94-496-A (Item 481)
7928 Underhill Road
NW/SE Underhill Road, 198.94' SW of 31st Street
14th Election District - 7th Councilmanic
Petitioner(s): George L. Shaw, Jr., and Angela M. Shaw

Administrative Variance to permit an accessory structure (proposed detached garage) to exceed the ground floor area of the dwelling in size as limited by the definition of an accessory structure with a height of 20 feet in lieu of the maximum permitted 15 feet.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 20, 1994. The closing date (July 5, 1994) 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. They 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 a Baltimore County newspaper. Charges related to the reporting and newspaper 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 \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Printed with Soybean Ink
on Recycled Paper

IN RE: PETITION FOR ADMIN. VARIANCE
NW/4 Underhill Road, 198.94'
SW of 31st Street
(7928 Underhill Road)
14th Election District
7th Councilmanic District
George L. Shaw, Jr., et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-496-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 7928 Underhill Road. The Petition was filed by the owners of the property, George L. Shaw, Jr., and Angela M. Shaw. The Petitioners seek relief from Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (detached garage) to exceed the ground floor area of the dwelling in size and to permit a height for said structure of 20 feet in lieu of the maximum permitted 15 feet. The property and relief sought are more particularly described on the site plan submitted into evidence as 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 11th day of July, 1994 that the Petition for Administrative Variance seeking relief from Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (detached garage) to exceed the ground floor area of the dwelling in size and to permit a height for said structure of 20 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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 relief granted herein shall be rescinded.
- 2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the property to insure compliance with this Order. In the event it becomes necessary to do so as a result of a complaint.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

- 2 -
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Administration
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 11, 1994

Mr. & Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/4 Underhill Road, 198.94' SW of 31st Street
(7928 Underhill Road)
14th Election District - 7th Councilmanic District
George L. Shaw, Jr., et ux - Petitioners
Case No. 94-496-A

Dear Mr. & Mrs. Shaw:

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 the Zoning Administration Office at 887-1291.

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

cc: People's Counsel
✓ File

ORDER RECEIVED FOR FILING
Date 7/11/94
By [Signature]

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 7928 Underhill Rd

which is presently zoned DR 5.5
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached to this petition, hereby petition for a Variance from Section(s) 101 and 400.3 (B.C.Z.R.) of the Ground Floor Area of the dwelling in size as limited by the regulation of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
Need garage roof higher than proposed height of 15 ft. for storage above due to small 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.

Who do solemnly declare and affirm, under the penalties of perjury, that they are the legal owner(s) of the property which is the subject of this petition?
(Legal Owner)
George L. Shaw, Jr.
Angela M. Shaw
Type or Print Name
Signature
Address
City State Zipcode
Name, Address and phone number of representative, if so contacted
Name Address Phone No

A Public Hearing having been requested and/or held to be required, the undersigned, the Zoning Commissioner of Baltimore County, this 11th day of July, 1994, after having read the petition and after having heard the testimony of the parties, do hereby order that the petition be granted, in accordance with the zoning regulations of Baltimore County, and that the property be rezoned.

REVIEWED: [Signature] DATE: 5/6/94
ESTIMATED POSTING DATE: 5/15/94
ITEM #: 481

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) were 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 7928 Underhill Rd
Baltimore, MD 21237

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)

The building will block the view.
I have informed all involved neighbors, they have no problem.

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

George L. Shaw Jr.
Angela M. Shaw

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
I HEREBY CERTIFY, this 11th day of June, 1994, before me, a Notary Public of the State of Maryland, as and for the County aforesaid, personally appeared
George L. Shaw Jr. and Angela M. Shaw

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 WITNESSES my hand and Notarial Seal.
6-4-94
My Commission Expires: 6-97

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 7928 Underhill Rd
Election District 14 Councilmanic District 7
Beginning at a point on the Northwest side of Underhill Rd 30 ft (street on which property fronts) which is 20 ft wide (number of feet of right-of-way width) wide at a distance of 198.94 ft S.W. of the centerline of the nearest improved intersecting street 31st St (name of street) which is 30 ft wide. *Being Lot # N/A (number of feet of right-of-way width).
Block N/A, Section 'A' in the subdivision of Rosedale Gardens as recorded in Baltimore County Plat Book # 5, Folio # 61, containing .75 Acres (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 88° 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 14
Posted for: Variance
Petitioner: George L. Shaw Jr. & Angela M. Shaw
Location of property: 7928 Underhill Rd, N/A, SW of 31st St
Location of Sign: 7928 Underhill Rd, N/A, SW of 31st St
Remarks:
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 6/19/94
Date of return: 6/23/94

Baltimore County Government
Zoning Administration & Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6180

Number: 481

Date: 5/6/94

Res Var filing Code 010 50.00
1 Sign Posting Code 080 35.00
TOTAL \$ 85.00

OWNERS: SHAW
LOC 7928 UNDERHILL RD.

Please Make Checks Payable To Baltimore County
026H2ED242H1CHRC
06/01/1103AM06-06-94 \$85.00

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 481

Petitioner: George & Angela Shaw

Location: 7928 Underhill Rd. 21237

PLEASE FORWARD ADVERTISING BILL TO:

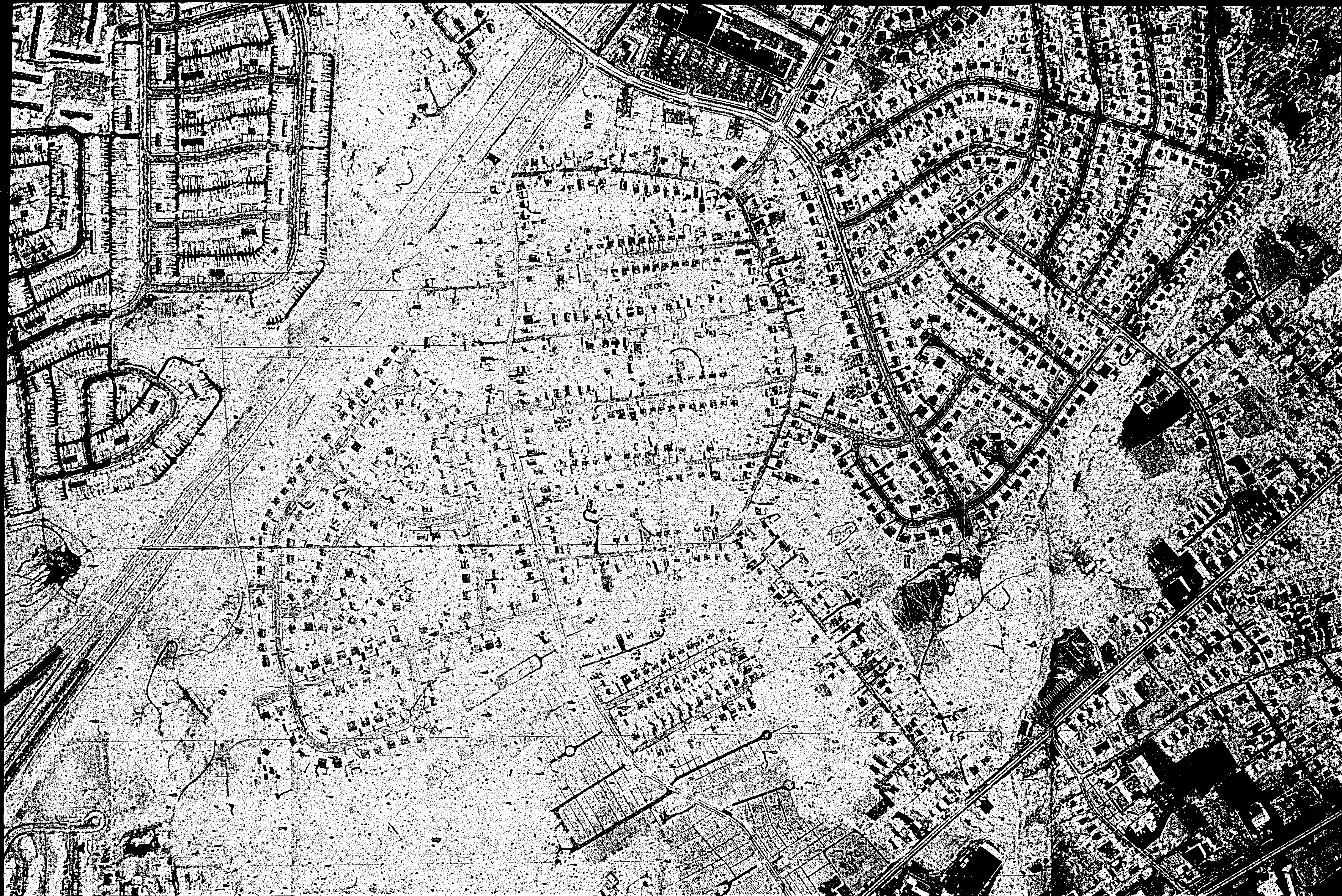
NAME: SAME

ADDRESS:

* PHONE NUMBER: 410 946-6463

*MUST BE SUPPLIED

94-496-A

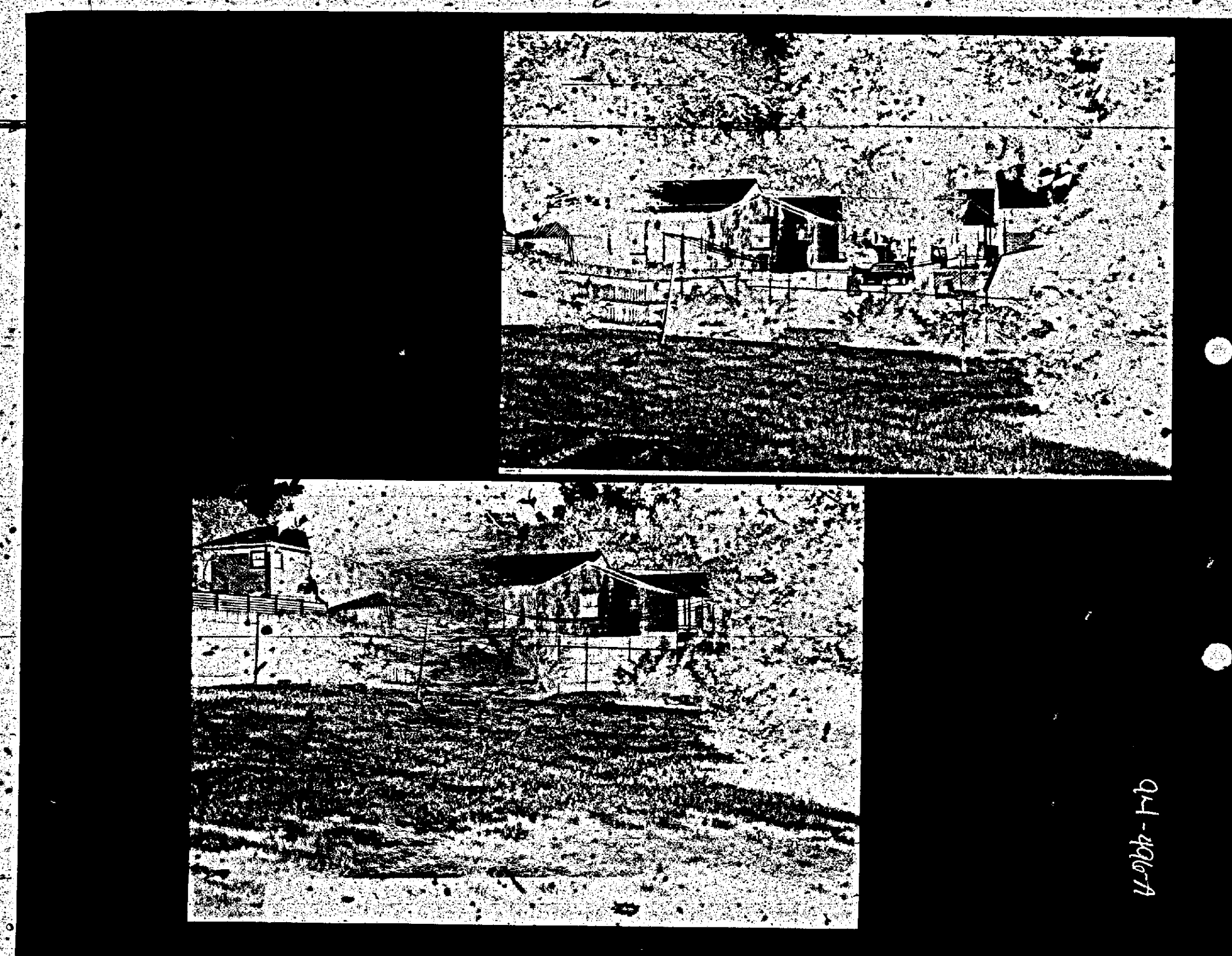
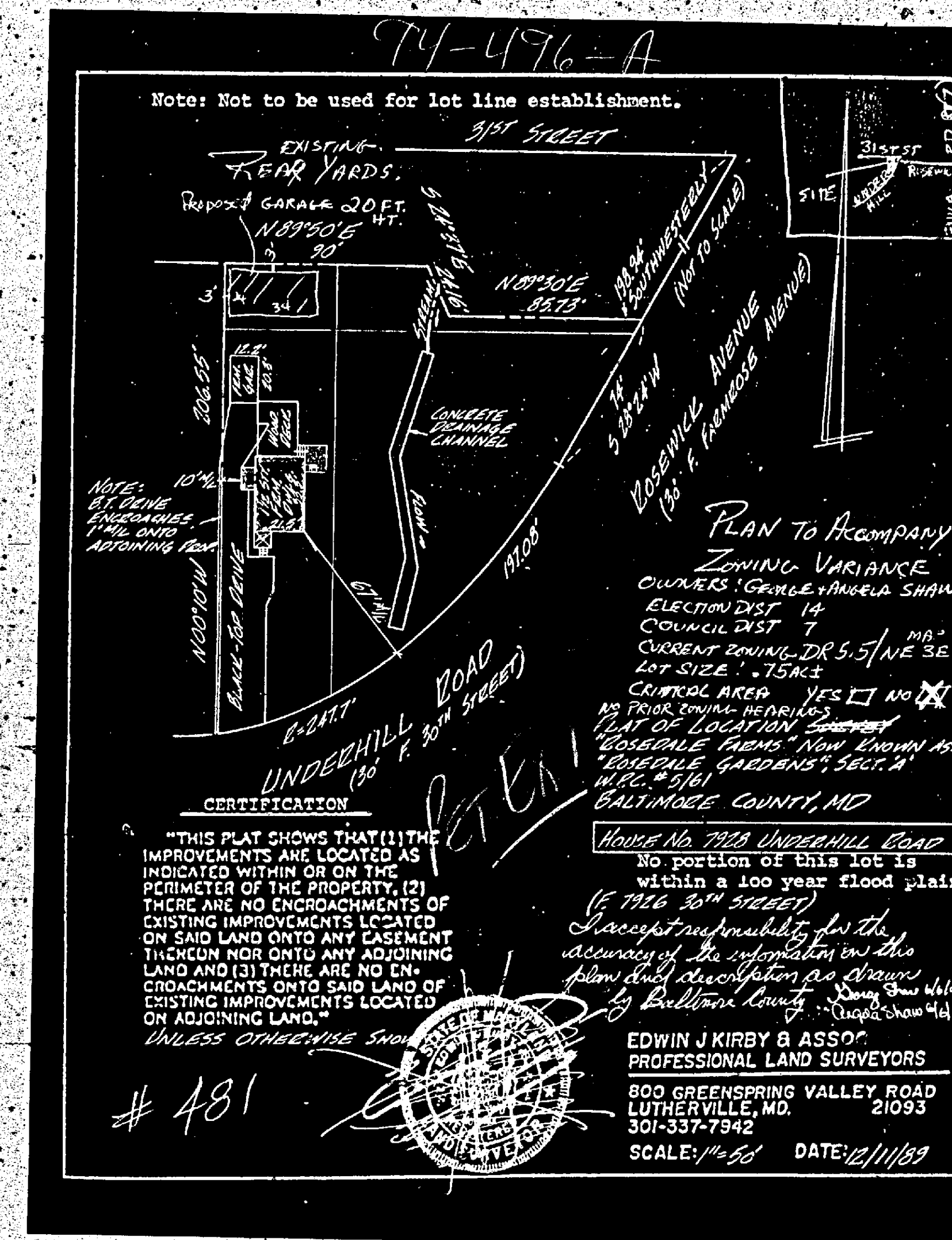


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

#481

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

SCALE	LOCATION	SHEET
1" = 200' ±	ROSEDALE	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986		3-E



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 28, 1994

Mr. and Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

RE: Case No. 94-496-A, Item No. 481
Petition for Administrative Variance
Petitioner: George L. Shaw, Jr., et ux.

Dear Mr. and Mrs. Shaw:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on May 6, 1994 and scheduled for a hearing accordingly. Any attached comments from a 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.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: June 27, 1994

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for June 27, 1994
Item No. 481

The Developers Engineering Section has reviewed the subject zoning item. Baltimore County maintains an 8-inch sanitary sewer located in a 10-foot drainage and utility easement running parallel to and approximately 7 feet from the east property line of the Shaw Property. See the attached print.

RWB:aw

Encl.



Maryland Department of Transportation
State Highway Administration

Secretary
Hal Kassoff
Administrator

6-15-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: K 481 (JLL)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

DAVID M. KAHSEY, R.C. M.C. C.N.I.P.
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 16, 1994

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 475, 476, 481, 482, 483, 484, 486 and 489.

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 887-3480.

Prepared by: Jeffrey M. Long
Division Chief: Pat Keller

PK/JL:lw

ZAC.475/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/16/94

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
DATE: 06/16/94

RE: Property Owners SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

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.

9. The Fire Marshall's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 481, 482, 483, 484, 486, 487, 489, 489 and 491.

RECEIVED
JUN 17 1994
ZADM

REVIEWER: LT. ROBERT F. GAUERWALD
Fire Marshal's Office, PHONE 837-4861, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

June 29, 1994

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

FROM: J. Lawrence Pilson, Jr.
Development Coordinator, DEPRM

SUBJECT: Zoning Item #481 - Shaw Property
7928 Underhill Road
Zoning Advisory Committee Meeting of June 20, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:EG:sp

SHAW/DEPRM/TXTSBP

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



July 5, 1994

(410) 887-3353

Mr. and Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

RE: Case No. 94-496-A, Item No. 481
Petition for Administrative Variance

Dear Mr. and Mrs. Shaw:

Enclosed are copies of comments received from the Department of Environmental and Resource Management on July 1, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

June 16, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Mr. and Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

RE: CASE NUMBER: 94-496-A (Item 481)
7928 Underhill Road
14th Election District - 7th Councilmanic
Petitioner(s): George L. Shaw, Jr., and Angela M. Shaw

Administrative Variance to permit an accessory structure (proposed detached garage) to exceed the ground floor area of the dwelling in size as limited by the definition of an accessory structure with a height of 20 feet in lieu of the maximum permitted 15 feet.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 20, 1994. The closing date (July 5, 1994) 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. They 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 a Baltimore County newspaper. Charges related to the repeating and newspaper 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 \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Printed with Soybean Ink
on Recycled Paper

IN RE: PETITION FOR ADMIN. VARIANCE
NW/4 Underhill Road, 198.94'
SW of 31st Street
(7928 Underhill Road)
14th Election District
7th Councilmanic District
George L. Shaw, Jr., et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-496-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 7928 Underhill Road. The Petition was filed by the owners of the property, George L. Shaw, Jr., and Angela M. Shaw. The Petitioners seek relief from Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (detached garage) to exceed the ground floor area of the dwelling in size and to permit a height for said structure of 20 feet in lieu of the maximum permitted 15 feet. The property and relief sought are more particularly described on the site plan submitted into evidence as 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 11th day of July, 1994 that the Petition for Administrative Variance seeking relief from Sections 101 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (detached garage) to exceed the ground floor area of the dwelling in size and to permit a height for said structure of 20 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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 relief granted herein shall be rescinded.
- 2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the property to insure compliance with this Order. In the event it becomes necessary to do so as a result of a complaint.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

- 2 -
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 11, 1994

Mr. & Mrs. George L. Shaw, Jr.
7928 Underhill Road
Baltimore, Maryland 21237

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/4 Underhill Road, 198.94' SW of 31st Street
(7928 Underhill Road)
14th Election District - 7th Councilmanic District
George L. Shaw, Jr., et ux - Petitioners
Case No. 94-496-A

Dear Mr. & Mrs. Shaw:

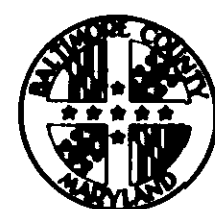
Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

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 the Zoning Administration Office at 887-1291.

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

cc: People's Counsel
✓ File

ORDER RECEIVED FOR FILING
Date 7/11/94
By [Signature]



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 7928 Underhill Rd

which is presently zoned DR 5.5
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached to this petition, hereby petition for a Variance from Section(s) 101 and 400.3 (B.C.Z.R.) of the Ground Floor Area of the dwelling in size as limited by the regulation of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
Need garage roof higher than proposed height of 15 ft. for storage above due to small 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.

Who do solemnly declare and affirm, under the penalties of perjury, that they are the legal owner(s) of the property which is the subject of this petition?
(Legal Owner)
George L. Shaw, Jr.
Angela M. Shaw
Type or Print Name
Signature
Address
City State Zipcode
Name Address and phone number of representative to be contacted
7928 Underhill Rd
Towson, MD 21237
Name Address and phone number of representative to be contacted

ORDER RECEIVED FOR FILING
Date 7/11/94
By [Signature]

REVIEWED: [Signature] DATE 5/6/94
ESTIMATED POSTING DATE 5/15/94

Item # 481

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) were 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 7928 Underhill Rd
Baltimore, MD 21237

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)

The building will block the view.
I have informed all involved neighbors, they have no problem.

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

George L. Shaw Jr.
Angela M. Shaw

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
I HEREBY CERTIFY, the 11th day of June, 1994, before me, a Notary Public of the State of Maryland, as and for the County aforesaid, personally appeared
George L. Shaw Jr. and Angela M. Shaw

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 WITNESSES my hand and Notarial Seal.
6-4-94
My Commission Expires: 6-97

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

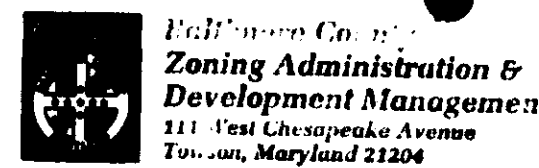
ZONING DESCRIPTION FOR 7928 Underhill Rd
Election District 14 Councilmanic District 7
Beginning at a point on the Northwest side of Underhill Rd 30 ft (street on which property fronts) which is 20 ft wide (number of feet of right-of-way width) wide at a distance of 198.94 ft S.W. of the centerline of the nearest improved intersecting street 31st St (name of street) which is 30 ft wide. *Being Lot # N/A, Block N/A, Section 'A' in the subdivision of Rosedale Gardens as recorded in Baltimore County Plat Book # 5, Folio # 61, containing .75 Acres (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 13' E. 321.1 ft., S. 18° 27' E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 88° 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 14
Posted for: Variance
Petitioner: George L. Shaw Jr. & Angela M. Shaw
Location of property: 7928 Underhill Rd, NW/4, SW/4, 31st St
Location of Sign: 7928 Underhill Rd, NW/4, SW/4, 31st St
Remarks:
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 6/19/94
Date of return: 6/23/94



Date 5/6/94

Account: R-001-6180

Number 481

Res Var filing Code 010 50.00
1 Sign Posting Code 080 35.00
TOTAL \$ 85.00

OWNERS: SHAW
LOC 7928 UNDERHILL RD.

Please Make Checks Payable To Baltimore County
026H2ED242H1CHRC
06/01/1030M06-06-94 \$85.00

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 481

Petitioner: George & Angela Shaw

Location: 7928 Underhill Rd. 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS:

* PHONE NUMBER: 410 946-6463

*MUST BE SUPPLIED