IN RE: PETITION FOR ADMIN. VARIANCE
NW/S Red Lion Road, 2200' NE
of the c/l of Stevens Road

(11322 Red Lion Road) 11th Election District 5th Councilmanic District

Roger W. Gilliam, et ux Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* Case No. 97-403-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 11322 Red Lion Road, located in the vicinity of Pulaski Highway in White Marsh. The Petition was filed by the owners of the property, Roger W. and Diane M. Gilliam. The Petitioners seek relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 18 feet in lieu of the maximum permitted 15 feet for a proposed 42' x 30' garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. 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 surrounding community and should therefore be granted. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners. In the opinion of the Deputy Zoning Commissioner,

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the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R.

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 day of April, 1997 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 18 feet in lieu of the maximum permitted 15 feet for a proposed 42' x 30' garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

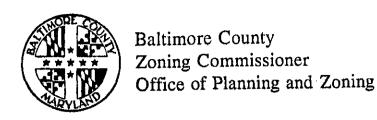
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The proposed garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

April 21, 1997

Mr. & Mrs. Roger W. Gilliam 11322 Red Lion Road White Marsh, Maryland 21162

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/S Red Lion Road, 2200 NE of the c/l of Stevens Road
(11322 Red Lion Road)
11th Election District - 5th Councilmanic District
Roger W. Gilliam, et ux - Petitioners
Case No. 97-403-A

Dear Mr. & Mrs. Gilliam:

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 Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

luntly Kotroco

for Baltimore County

TMK:bjs

cc: People's Counsel

File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

11322 Red him Rd white Harsh which is presently zoned DR 3.5

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

Zoning Commissioner of Baltimore County

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400. 3 to permit a detached garage height of 18 in lieu of 15.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) We have plans to purchase an RV and need a higher ceiling to accommodate it in the garage.

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.

			legal owner(s) of the property which is the subject of this retition	η,
Contract Purchaser/Lessee:			Legal Owner(s):	
(Type or Print Name)			Mager W. Gilliam	<u> </u>
(11/10 of 1 title (10)10)			Roger W. Millian	^
Signature	····	 	Signature	_1
Address			Diane MG//Ian. (Type or Print Name)	
City St	tate	Zipcode	Diane m. Millian	<u> </u>
Attorney for Petitioner:				
(Type or Print Name)			Address	335-2781 Phone No.
·				U2 Zipcode
Signature	. ,		City State Name, Address and phone number of representative to be con	
		, 		
Address	Phone No.		Name	
City	State	Zipcode .	Address	hone No.
		···	<u></u>	

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Ballimore County, in two newspapers of general

Printed with Soybean Ink on Recycled Paper

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Ballimore County, this

circulation throughout Baltimore County, and that the property be reposted.

ESTIMATED POSTING DATE: 3/36/47

SEE RECEIVED FOR FLAN

Affidavit in support of Administrative Variance

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

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) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at 1/322 RedLion Rd
white Marsh md 21162 City State Zip Code
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)
A standard is roof height of the garage
will only allow for a 8' ceiling height.
Because of the height of the RV locing
nearly 7. The 8 ceiling will not allow
For the RVS hood to be tully raised.
or for the vebicle to be jacked up in
Case of repairs.
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.
De la Company de requires to province administration of the company of the compan
(signature)
type or print name) (type or print name) (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
1 HEREBY CERTIFY, this 19 day of Maryland, in and for the County aforesaid, personally appeared, 1997, before me, a Notary Public of the State
Roger W. Gilliam + Diane M. Gilliam
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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.
3-19-97 (Reformer Kreiner Notary Public
My Commission Expires: $2 - 2 = 2 = 9 = 8$

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1/322 Red Lion Rd. White Warsh which is presently zoned DR 3.5

This	Petitlo	n shall	be fi			& Development M	
				 h 246	 	N	

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

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

hereto and made a part hereof, hereby petition for a Variance from Section(s)
400.3 +6 permit a detached garage neight of 18 in hear of 15.

practical difficulty)	have	plans to	3 purchase an R.V. and
need a	higher	ceiling	to accommodate it in
The gara		1	
I, or we, agree to pay exp	enses of above V	ariance advertising, p	ped by Zoning Regulations. County adopted pursuant to the Zoning Law for Baltimore County.
		,	iWe do solemnly declare and affirm, under the panalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lesses:			Legal Owner(a):
(Type or Print Name)			(Type of Print Jame)
Signature	 		Bignature
Address		· · · · · · · · · · · · · · · · · · ·	(Type or Print Name)
City	State	Zipcode	Bignature m. Mellean.
Attorney for Petitioner:			11322 Red Lion Rd. 335-2781
(Type or Print Name)		, , , , , , , , , , , , , , , , , , ,	Address Phone No.
Signature			City State Zipcode Name, Address and phone number of representative to be contacted.
Address	Phone	No.	Name
City	State	Zipcode	. Address Phone No.
A Public Hearing having been re that the subject matter of this pe circulation throughout Bailimon	etillon be set for a pul	olic hearing , advertised, a	red by the Zoning Commissioner of Baltimore County, thisday of





Printed with Soybean Ink on Recycled Paper

HEM #:_403

Beginning on the northwest sile of Red Lion Road at the Solistance of 2200 A. northeast of the centerline of Stevens Road. Being a lot recorded by deed containing . 363 acros. Also known as 11322 Red Lion Shood was located within the 11th Election District, 5th Councilmence District.

#403

BALTIMORE CO	OUNTY, MARYLAND	No.	028
OFFICE OF FINAT	NCE-REVENUE DIVISION IS CASH RECEIPT		
DATE 3/14/		B1-615	
By: 000		one of the	
Iten: 40	3 AMOUN	T \$ 50.00	
	Res Voi.		Citi
FOR:	Res voice		
	03A91#030 BA COO3:4	2MICHRC -0PM03- <u>19-97</u>	\$50.00
	VALIDATION OR SIG	NATURE OF CASHIER	
RIBUTION WHITE CASHIER PINK	IGENCY YELLOW - CUSTOMER		

CERTIFICATE OF POSTING

RE: Case # 97-403-A

Petitioner/Developer: (Roger Gilliam) Date of Hearing/Closing: (April 14, 1997)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the pen	altics of perjury that the necessary sign(s) required by law
were posted conspicuously on the pr	roperty located at
11322 Red Lion Road Baltimor	re, Maryland 21262
The sign(s) were posted on	March 28, 1997 (Month, Day, Year)



Sincerely,

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

(Printed Name)

325 Nicholson Road

(Address)

Baltimore, Maryland 21221

(410)-687-8405

(Telephone Number)

97-403-A

*PLANNEDS FILL IN THE POSTING AND CLOSING ATES.

403

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than $\frac{* 3/30/97}{}$

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE ADMINISTRATIVE VARIANCE Case No.: 97-403 to point a distance garage hory by of 18' in lieu of 15'

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

* April 14, 1997

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

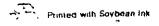
Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

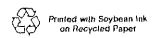
This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

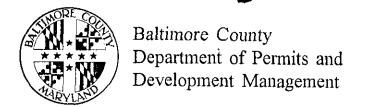
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 403
Petitioner: Roger W. Gilliam Location: 11322 Rel Livin Road
Location: 11322 Rel Livin Roal
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Roger U. Gilliam
ADDRESS: 11372 Rcl Lion Roal
White Morsh, MOZII6Z
PHONE NUMBER: (410) 335-2781
AJ:ggs (Revised 09/24/96)







Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 15, 1997

Mr. and Mrs. Roger Gilliam 11322 Red Lion Road White Marsh, MD 21162

> Item No.: 403 RE:

> > Case No.: 97-403-A

Petitioner: Roger Gilliam, et ux

Dear Mr. and Mrs. Gilliam:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 20, 1997.

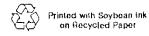
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

incerety, College & W. Carl Richards, Jr.

Zoning Supervisor

WCR/re Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 4, 1997

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: 11322 Red Lion Road

INFORMATION:	
Item Number:	403
Petitioner:	Gilliam Property
Property Size:	
Zoning:	DR 3.5
Requested Action:	Administrative Variance
Hearing Date:	

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, a condition should be placed in the order restricting the use of the accessory structure for storage purposes only.

Uppy M' Las Cary L. Lens

Prepared by:

Division Chief:

AFK/JL: rdn

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley.

Permits and Development Review

SUBJECT: Zoning Advisory Committee
Meeting Date: March 31

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 4.1.97

item No. 403

MJK

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. J. Gredh for Ronald Burns, Chief

Engineering Access Permits

Division

LG

Baltimore County Government Fire Department



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

(410) 887-4500

DATE: 10/07/96

Arnold Jablon, Pirector
Toming Administration and Ocyclopment Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

PC: Property Duner: SEE BELOW

Locations DISTRIBUTION MEETING OF April 17, 1907

ILOM NO.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the reterenced 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.

8. The Fire Marshal's Office has no comments at thus time, IN REFFRENCE TO THE FOLLOWING ITEM NUMBERO:

PEVIEWER: IT. ROBERT P. GAUERWALD
Fire Marshal Office, FHONE 867 (R81, Ms. 1100F)
For Fire



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 7, 1997

Department of Permits & Development

Management

FROM!

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for April 7, 1997

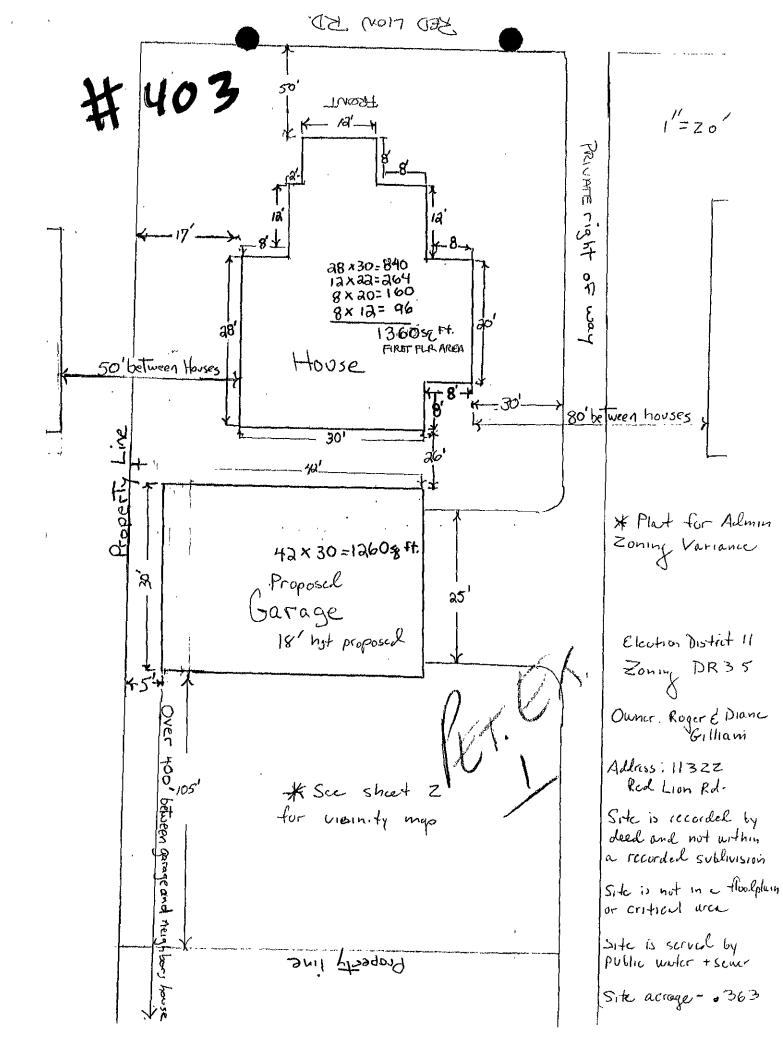
Item Nos. 402 (403,) 404, 405, 406, 407, 408 and 386

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE407.NOC



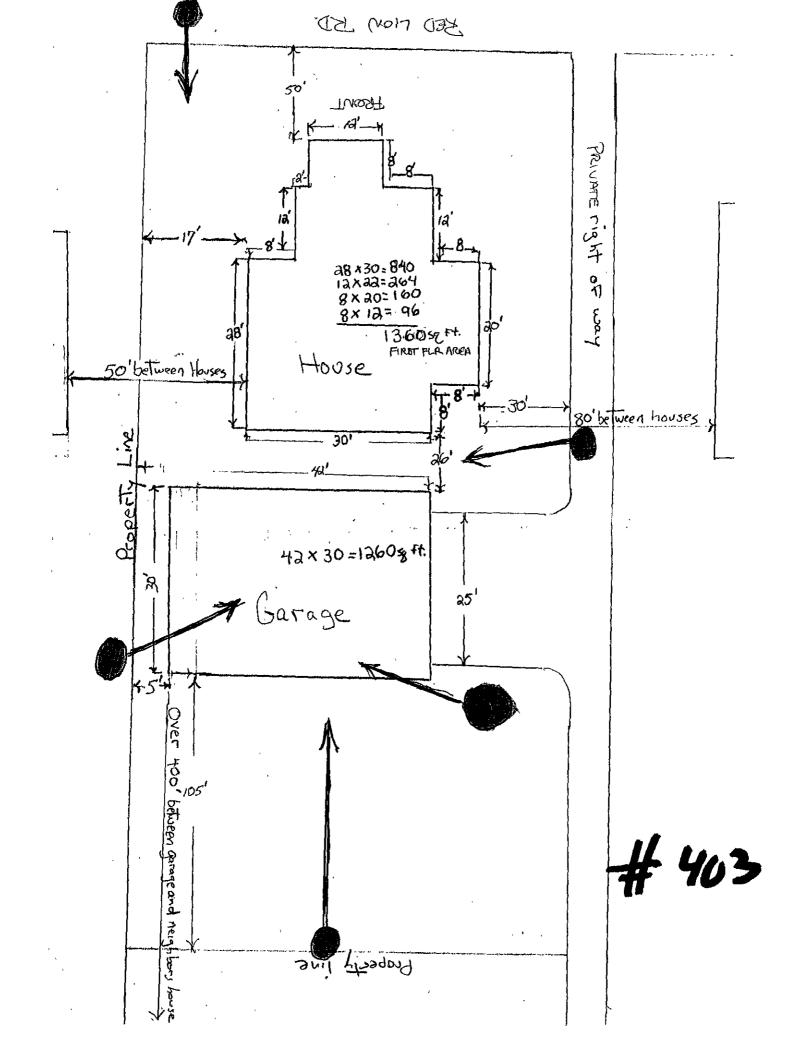
· LIBER 5 8 0 7 PAGE 5 1 6 CHARLE RIGHTY THE WARRING District 11 Washing Scala: 1" = 50 Balanca of Property now our WHENDID THE DIE ?

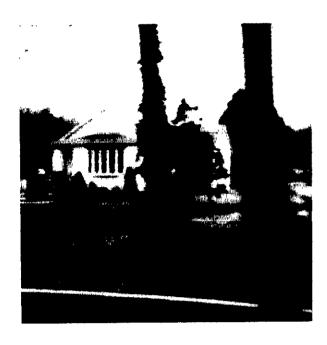
WHENDID THE DIE?

SEL-OR FEMORRY ORWITATONER?

SEL-OR FEMORRY ORWITATONER? By Elizabeth (Lunia 320-29, 2/16/03. 310:29 OVERSED OR DISTANCE 1:03-437 J. Bruce 3901- 276 V Turner 10/12/61 Balland (.664 acs.). (363 a 23 A) X D) TH 1 4/2 A 55 1. ६ २०

photographs 97-403-A

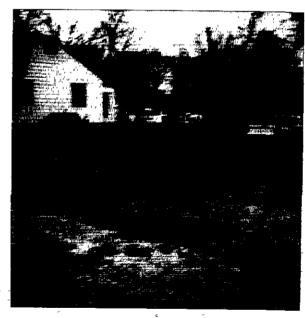




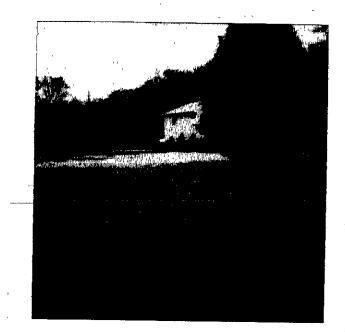




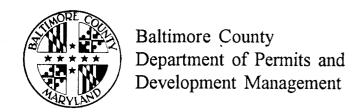












Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 28, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-403-A
11322 Red Lion Road
NW/S Red Lion Road, 2200' NE of c/l Stevens Road
11th Election District - 5th Councilmanic
Legal Owner(s): Roger W. and Diane M. Gilliam
Post by Date: 3/30/97
Closing Date: 4/14/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

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

Arnold Jablon

Director

cc: Roger and Diane Gilliam

able



rinted with Soybean Ink on Recycled Paper