IN RE: PETITION FOR ADMIN. VARIANCE

NE/Corner Rockwell Avenue and

Westside Boulevard (2405 Rockwell Avenue) 13th Election District 1st Councilmanic District

Bonnie L. Crawford

Petitioner

* BEFORE THE

* ZONING COMMISSIONER

OF BALTIMORE COUNTY

* Case No. 97-539-A

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* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 2405 Rockwell Avenue, located in the vicinity of Westchester Avenue in Catonsville. The Petition was filed by the owner of the property, Bonnie L. Crawford. The Petitioner seeks relief from Section 427 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing fence located in the rear and side yard of a lot which adjoins the front yard of another lot to have a height of 6 feet in lieu of the maximum permitted 42 inches. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence 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 variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient

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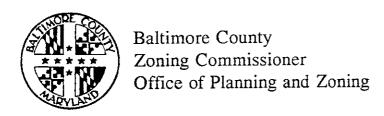
facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 Zoning Commissioner for Baltimore County this 21 day of June, 1997 that the Petition for Administrative Variance seeking relief from Section 427 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing fence located in the rear and side yard of a lot which adjoins the front yard of another lot, to have a height of 6 feet in lieu of the maximum permitted 42 inches, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the requisite thirty (30) day appeal period which commences from the date of this Order. If for any reason an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LES:bjs

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County



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

June 27, 1997

Ms. Bonnie L. Crawford 2405 Rockwell Avenue Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE

NE/Corner Rockwell Avenue and Westside Boulevard

(2405 Rockwell Avenue)

13th Election District - 1st Councilmanic District

Bonnie L. Crawford - Petitioner

Case No. 97-539-A

Dear Ms. Crawford:

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,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: People's Counsel

File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2405 Rockwell Avenue, Catonsville, MD, 21228

which is presently zoned

DR 5.5

97-539-1

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) 427

To allow an existing fence with a height of 6 ft. in lieu of the required 42 ins. erected in the rear and side yard of a lot which adjoins the front yard of another lot.

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

6' lattice fence, built according to approved permit, would be cost prohibitive to reconfigure at 42"

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

			I/We do solemnly declare and affirm, under the pe legal owner(s) of the property which is the subject of	nalties of perjury, that I/we are the fithis Petition	
Contract Purchaser/Lessee			Legal Owner(s)		
			Bonnie L. Crawford		
(Type or Print Name)			(Type or Pyritt Name)	10	
Signature			Signature Sha	Joseph	
Address			(Type or Print Name)	<u> </u>	
Cyty	State	Zipcode	Signature	10-14-	
Attorney for Petitioner				410-455-9116	(H)
			2495 Rockwell Avenue	410-290-5760	
(Type or Print Name)			Address	Phone No	
			Catonsville, MD	21228	
Signature	, ₁₉		City Name, Address and phone number of representative	ate Zipcode to be contacted	
Address	Phone No.		Name	· · · · · · · · · · · · · · · · · · ·	
City	State	Zipcode	Address	Phone No	
A Public Hearing having been	requested and/or found to be	required it is orde	red by the Zoning Commissioner of Baltimare County, **	nis day of 19	_
that the subject matter of this p	petition be set for a public hear are County, and that the prop	ung, advertised, a	s required by the Zaning Regulations of Battimore Cour	nty, in two newspapers of genero	2l

EN MECENYED FOR FI

EVIEWED BY JPF DATE 5-3

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Zoning Commissioner of Saltimore County

Affidavit in support of 97-539-A Administrative Variance

2405 Rockwell Avenue,

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	address			
	Catonsville	MD State	21 228 Zip Code	
That based upon personal knowledge, the following Variance at the above address: (indicate hardship	llowing are the facts upon which I/	we base the reques	t for an Administrative	
1. At the time of filing	for a permit, all pe	<u>ertinent in</u>	formation as reque	sted was
reviewed by the Baltin	nore County Dept. of	Permits &	<u>Licenses.</u>	
2. There was no attempt of at the property that w	······································			
3. A permit was issued, a	and the fence was co	nstructed a	according to specif	fications
4. The fence has been in objections have been in by neighbors). 5. It would be cost prohimated to provide additional information.	ibitive to reconfigu	ors (see at	tached documents s	signed
Bonnie L. Crawford	\	/pe or print name)		
STATE OF MARYLAND, COUNTY OF BA I HEREBY CERTIFY, this 23 day of Maryland, in and for the County aforesaid	of May .19	97_, before me	, a Notary Public of the State	
the Affiants(s) herein, personally known or sthat the matters and facts hereinabove set for AS WITNESS my hand and Notarial Seal.	satisfactorily identified to me as su orth are true and correct to the bes	t Of this/her/then Ki	lowledge and bester.	
May 23, 1997 date	NOTARY PUBLIC My Commission	Expires: Jan	Jungg wary 23, 1999	Ę,

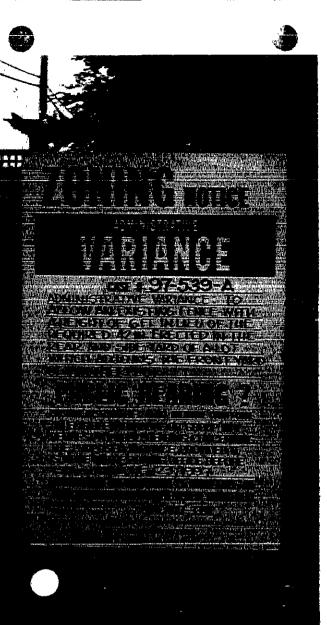
ZONING DESCRIPTION

97-539-A

ONING DESCRIPTION FOR 2405 Rockwell Avenue
eginning at a point on theside of
Rockwell Avenue which is 60 feet
vide at the distance of
enterline of the nearest improved intersecting street <u>Westside Boulevard</u>
hich is wide. Being Lot # _14,
llock, Sectionin the subdivision of <u>Ridgewell Manor</u>
s recorded in Baltimore County Plat Book # <u>O.T.G. 30</u> , Folio # <u>145</u> ,
ontaining .20 acres (8,840,5F). Also known as 2405 Rockwell Avenue
and located in the 11th Election District.

L	RECEIVED BONALLE CRAINFORD OI - VARIANCE FOR: 2405 ROCKYNGII Avc. Toky by IRE	PALTIMORE COUNTY, MARYLAND FICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE 5.30.97 ACCOUNT E-001.615.000
CASHIER'S VALIDATION	Fallings Courty Mary Jung	HILD HEIET TO TO TO THE PROPERTY OF THE PROPER

RE	E: Case No.: <u>97-539-A</u>
•	Petitioner/Developer:
	BONNIEL CRAWFORD
	Date of Hearing/Closing: 6-23-97
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	-
Ladies and Gentlemen:	
This letter is to certify under the penalties of perjur	y that the necessary sign(s) required by law
were posted conspicuously on the property located	at
2405 ROCKWOULD	
CATONSVILLE MD.	71228
The sign(s) were posted on $6-7-$	•
(Mc	onth, Day, Year)
	Sincerely,
	(Signature of Sign Poster and Date)
	CTAPLAND E. MOORE (Printed Name)
POINT DE LE	3725 RYERSONI CINCLE (Address) PACTIMONE, MD. 2177) (City, State, Zip Code) (410) 247-4763 (Telephone Number)







STV Incorporated

2 1 Governor's Court Baltimore, Maryland 21244-2722 (410) 944-9112 fax:(410) 298-2794

ZONING DESCRIPTION
EASTERN WASTE INDUSTRIES, INC.
WEST SIDE OF HALETHORPE FARMS ROAD
HALETHORPE, BALTIMORE COUNTY, MARYLAND

Beginning at a point along the west side of Halethorpe Farms Road, which is 40 feet wide, being distant South 09°31'04" West 747.0 feet from the centerline of Washington Boulevard, U.S. Route No. 1, which is 60 feet wide. Thence running with and binding on said west side of Halethorpe Farms Road as follows:

- 1. South 09°31'04" East 679 03 feet to a point thence,
- 2. South 80°28'56" West 10.05 feet to a point on said west side of Halethorpe Farms Road, which is a variable width right of way, thence along same, the two following courses and distances:
- 3. By a curve to the right having a radius of 31/.97 feet, an arc length of 97.54 feet, said curve being subtended by a chord bearing South 01°33'10" East 97.23 feet to a point thence,
- 4. South 06°10'30" West 41.21 feet to a point, thence leaving said Halethorpe Farms Road and running the three following courses and distances:
- 5. South 80°28'56" West 325.3'3 feet to a point thence
- 6. North 09°31'04" West 81/5.00 feet to a point thence,
- 7. North 80°28'56" East 360.00 feet to the place of beginning as recorded in Deed Liber S.M. No. 7939, Folio 730.

Containing 290,410 square feet of 6.667 acres of land, also known as No. 1910 Halethorpe Farms Road, located in Halethorpe, Thirteenth (13th) Election District.

NAJA

STV INCORPORATED

Mark A. Riddle

MD Professional Land Surveyor No. 10899

Ма̀у 20, 1997

ngineers/Architects/Planner CAo nsAtt Ction Manage



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 heighboring property owners relative to property which is the sub an upcoming zoning heart. 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.

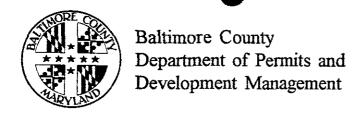
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

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

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: <u>539</u>
Petitioner: BONNIE L CRAWFORD
LOCATION: 2405 ROCKWELL AVE CATORSVILLE MDZIDZ
PLEASE FORWARD ADVERTISING BILL TO:
NAME: DONNIE L. CRAWFORD
ADDRESS: 2405 Rockwell AUE
CATOMS VILLE MD 21228
PHONE NUMBER: 410-455-9116
AJ:ggs (Revised 09/24/96)

Printed with Sovbean ink

	prepared by: Scale of Drawing: 1°=
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	North date:
y meanings.	
<u>m</u>	
SEWER: X WATER: X	
\rightarrow	
Lot size:	
scale map#	
nanic District:	
Election District:	
North scale: 1'=1000'	
	OWNER: ,tollo#,lot#,section#
	Subdivision name:
LE of the CHECKLIST for additional required information	PROPERTY ADDRESS:
	Socomposition for Zoning Wo



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

June 6, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-539-A
2405 Rockwell Avenue

S/S Rockwell Avenue, 70' E of c/l Westside Boulevard
Election District - Councilmanic District
Legal Owner(s): Bonnie L. Crawford
Post by Date: 06/08/97
Closing Date: 06/23/97

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.

- 1) 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.

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

Arnold Jablon Director

cc: Bonnie Crawford



97-539-A

In approximately two weeks, you will see a Baltimore County Zoning Variance sign posted in my yard at 2405 Rockwell Avenue. This is because I was served with a Uniform Code Violation by a Baltimore County Zoning Inspector. The issue is the height of my fence at my rear property line. The citation states that the fence should not exceed 42"at my rear property line because it adjoins the front yard of my adjacent neighbor on Westside Avenue. I would like you to know that before the fence was constructed, I applied for, and was issued a permit to build a 6' high lattice fence, exactly where it was built. The posting of the sign is a required procedure when applying for a variance. This variance will allow me to retain my fence as built. I would appreciate it, if you would sign the statement below. I will be taking this to the Baltimore County Department of Zoning on Friday, May 30th for review.

Thank you for your assistance in this matter.

Bonnie Crawford

have no objection. Signature	5/24/97 Date
ANA Westade Blvd. Address	
Comments (optional) I live across the street from	n the Aughbor's
house; the fence does not offerd me.	

I understand the purpose of the Zoning Variance application at 2504 Rockwell Avenue, and I

97-539-A

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Bonnie Crawford

I understand the purpose of the Zoning Variance a	· =	cwell Avenue, and I
have no objection. Make 4. Com Signature	nelly	5/27/97 Date
402 Westide Blod Address	BALTO. Md.	21228
Comments (optional) 1 have no	problem w	Att face

97-539-A

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Bonnie Crawford

I understand the purpose of the Zoning Variance application at 2504 Re	ockwell Avenue, and I
have no objection Signature Understand	5/\27/97 Date
400 WESTSIBE BLUD CATONSVIL	Lt MD
Address	21228
Comments (optional) FEWER DOESN'T BROTH	KN ME.

97-539-A

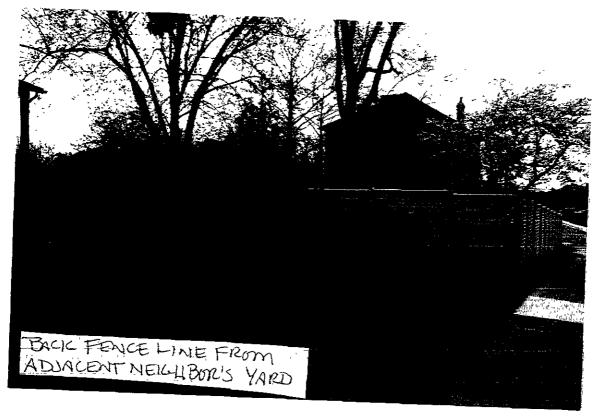
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Bonnie Crawford

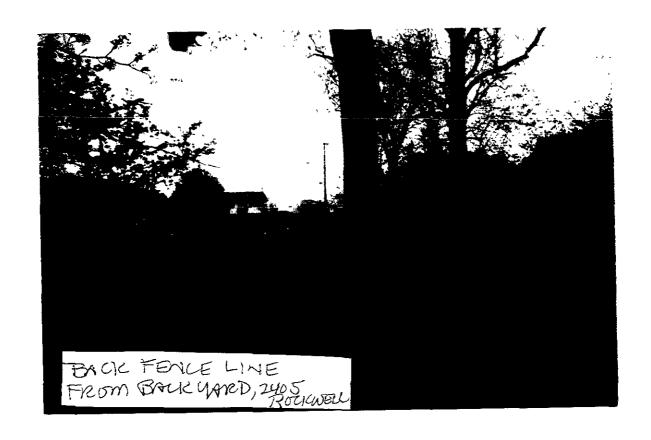
I understand the purpose of the Zoning Variance application at 2504 Re	ockwell Avenue, and I
have no objection. Signature	3/25/94 Date
Address Destar Brus	
Comments (optional) 40 Establish	



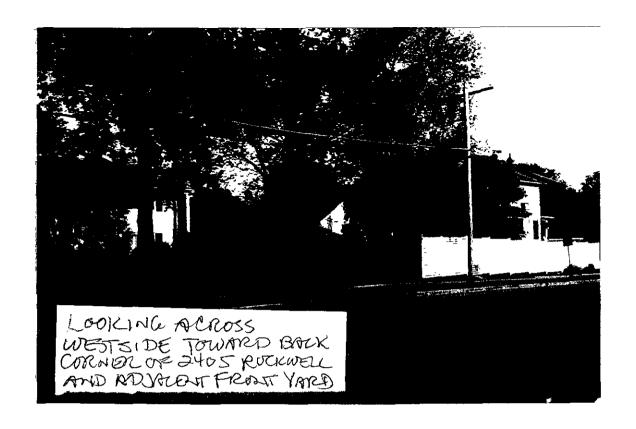


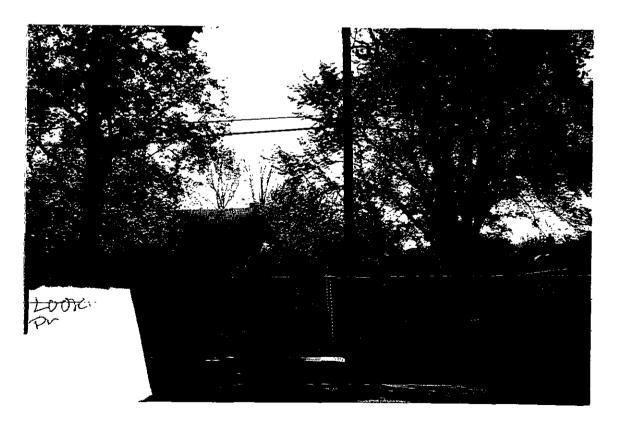


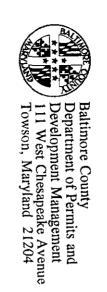












ITEM# 539)
PICTURES

Printed with Soybean Ink

