

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
N/S Gladway Road, 250 ft. +/-	* ZONING COMMISSIONER
NE of c/l Bengies Road	
716 Gladway Road	* OF BALTIMORE COUNTY
15th Election District	
5th Councilmanic District	* Case No. 97-574-A
Audrey V. Hawkins, et al	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Audrey V. Hawkins, Mary McCleave, Hattie M. Myers and Henrietta Brown for that property known as 716 Gladway Road in the Middle River area of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1B02.3.C of the Baltimore County Zoning Regulations (BCZR) to allow a 6 ft. 2 inch side setback (house #716) in lieu of the minimum required 10 ft. each for an addition, in a D.R.3.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

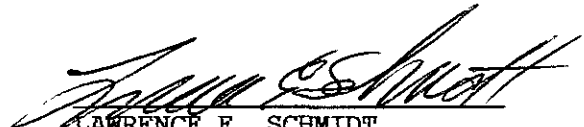
ORDER RECEIVED FOR FILING
 Date 7/18/97
 By [Signature]

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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of July 1997 that a variance from Section 1B02.3.C of the Baltimore County Zoning Regulations (BCZR) to allow a 6 ft. 2 inch side setback (house #716) in lieu of the minimum required 10 ft. each, for an addition, in a D.R.3.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 17, 1997

Ms. Audrey V. Hawkins
Ms. Hattie M. Myers
Mr. Mary McCleave
Ms. Henrietta Brown
716 Gladway Road
Baltimore, Maryland 21220

RE: Petition for Administrative Variance
Case No. 97-574-A
Property: 716 Gladway Road

Dear Ms. Hawkins, Myers, McCleave and Brown:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

716 GLADWAY RD., BALTO., MD. 21220

which is presently zoned

DR 3.5

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)

1B02.3.C. - TO ALLOW A ~~6 FT. SIDE SETBACK (HOUSE #710)~~ AND A 6 FT. 2 IN. SIDE SETBACK (HOUSE #716) IN LIEU OF THE MINIMUM REQUIRED 10 FT. EACH.

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

SEE REVERSE SIDE

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

AUDREY V. HAWKINS

HATTIE M. MYERS

MARY MCCLEAVE

(Type or Print Name)

Signature

HATTIE M. MYERS

DORIS M. MYERS

(Type or Print Name)

Signature

HENRIETTA BROWN

716 GLADWAY RD

Address

(410) 780-3168

Phone No

BALTIMORE

MD. 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted

JOHN ALLENDER
ALLENDER HOME IMPROVEMENT CO.

Name

7113 MINNOW BRANCH RD. (410) 335-3497

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ___ day of ___, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: *JCM*

DATE: 6-19-97

ESTIMATED POSTING DATE: 6-29-97

Printed with Soybean Ink
on Recycled Paper

ITEM #: 574

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 716 GLADWAY RD.
address
BALTIMORE MD. 21220
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)

THE DIFFICULTY IS THE 6.2' SET BACK IN REAR OF HOUSE.

PROPOSED ADDITION IS FOR FURNANCE ROOM 6' 2" SETBACK ALREADY EXISTS
ON LOT AND HAS BEEN 40 YEARS OR MORE.

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.

Hattie M. Myers
(signature)

HATTIE M. MYERS
(type or print name)



AUDREY V. HAWKINS

MARY L. MCCLEAVE
(signature)

DORIS M. MYERS
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of May, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

HENRIETTA BROWN

DORIS M. MYERS

MARY L. MCCLEAVE

HENRIETTA BROWN

03

the Affiants(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 WITNESS my hand and Notarial Seal.

5/8/97
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 4-1-99

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Hattie M. Myers
(signature)
HATTIE M. MYERS
(type or print name)



AUDREY V. HAWKINS Audrey V. Hawkins
(signature)
MARY L. MCCLEAVE Mary L. McCleave
(signature)
DORIS M. MYERS Doris M. Myers
(signature)
HENRIETTA BROWN Henrietta Brown
(signature)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of May, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Hattie M. Myers Audrey V. Hawkins Doris M. Myers Henrietta Brown

the Affiants(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 WITNESS my hand and Notarial Seal.

5/8/97
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 9-7-99



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

716 GLADWAY RD. BALTO., MD. 21220

which is presently zoned

DR 3.5

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

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1B02.3.C. - TO ALLOW A ~~6 FT. SIDE SETBACK (HOUSE #710) AND 7A~~ 6 FT. 2 IN. SIDE SETBACK (HOUSE #716) IN LIEU OF THE MINIMUM REQUIRED 10 FT. EACH.

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

SEE REVERSE SIDE

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

AUDREY V. HAWKINS

HATTIE M. MYERS

MARY L. MCCLEAVE

(Type or Print Name)

Signature

HATTIE M. MYERS

DORIS M. MYERS

(Type or Print Name)

Signature

HENRIETTA BROWN

716 GLADWAY RD.

Address

(410) 682-8533 Bus

(410) 780-3168 Home

Phone No

BALTIMORE

MD.

21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted

JOHN ALLENDER

ALLENDER HOME IMPROVEMENT CO.

Name

7113 MINNOW BRANCH

(410) 335-3497

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JCM

DATE: 6-19-97

ESTIMATED POSTING DATE: 6-29-97

Printed with Soybean Ink
on Recycled Paper

ITEM #: 574

ZONING DESCRIPTION FOR 716 Gladway Road
(address)

Beginning at a point on the West side of
(north, south, east or west)
Gladway Road which is 30'
name of street on which property fronts (number of feet of right-of-way width)
wide at the distance of 350' North / East of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Bengies Road
(name of street)
which is 40' wide. *Being Lot #
(number of feet of right-of-way width)
Block , Section # in the subdivision of
(name of subdivision)
as recorded in Baltimore County Plat Book # , Folio # ,
containing 1-1/100 acres. Also known as 716 Gladway Road
(square feet or acres) (property address)
and located in the #15th Election District, 5th Councilmanic District.

574

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

038115

DATE 6-19-97 ACCOUNT 2001-61522

AMOUNT \$ 50.00

RECEIVED FROM: Hattie Myers 716 Gladway Rd.

(010) Ad. VAR.

FOR:

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT
PROCESS ACTUAL TIME
6/19/1997 6/19/1997 14:58:50
REG #001 CASHIER CLUM CML DRAMER I
MISCELLANEOUS CASH RECEIPT
Receipt # 015821
CR NO. 038115
\$50.00 CASH
Baltimore County, Maryland
OFLN

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case # 97-574-A

Petitioner/Developer:
(Hattie Myers)

Date of Posting/Closing:
(July 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 penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____
716 Gladway Road Baltimore, Maryland 21220 _____

The sign(s) were posted on _____ Jun. 27, 1997 _____
(Month, Day, Year)

Sincerely,

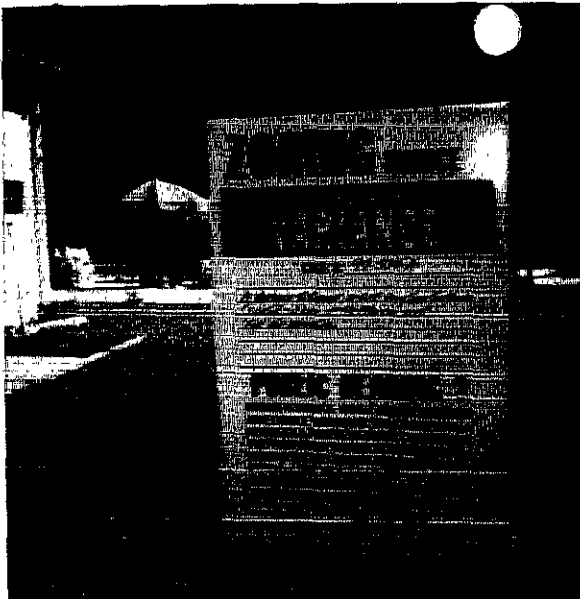

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



97-574-A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than

* 6-29-97

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

ZONING NOTICE**ADMINISTRATIVE
VARIANCE****Case No.:** 97-574-A

A VARIANCE TO PERMIT A 6ft. 2in. SIDE
SETBACK (EXISTING) IN LIEU OF THE
REQUIRED 10ft. FOR AN ADDITION.

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE ,
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**

*

7-14-97

**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

July 2, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-574-A

716 Gladway Road

N/S Gladway Road, 250' +/- NE of c/l Bengies Road

15th Election District - 5th Councilmanic

Post by Date: 06/29/97

Closing Date: 07/14/97

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.

- 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.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, 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

cc: Hattie M. Myers, et al
Allender Home Improvement Co.



Baltimore County Government
Fire Department



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

(410) 887-4500

July 2, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 10, 1997

Item No.: SEE BELOW

Zoning Agency:

Comments:

Permitts to you review the plans and zoning use been
submitted by this Bureau and the comments to it is applicable and
required to be included in the distribution of the final plans for
the property.

6. The Fire Marshal's Office has no comment at this time
IN REFERENCE TO THE FOLLOWING ITEM NUMBER:

564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 987-4821, 95-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

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 7-1-97
Item No. 574 JCM

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,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 7/10/97

FROM: R. Bruce Seeley *RBS/SP*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: June 30, 97

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

Item #'s:	566	577
	567	578
	568	
	569	
	570	
	571	
	574	
	575	

RBS:sp

BRUCE2/DEPRM/TXTS8P

HARRY M. MYERS
716 Gladway Rd.

Vicinity Map

Martin Blvd. turn left
to Riverton Road turn
right to Dorton Rd. turn
left to Wampler Rd.
Bear right to Bengies
Road and then bear left
to Gladway Rd.

District # 15
C-D. 5TH
ZONING DR 3.5
ZONING MAP. NES-I

~~1.1 ACRES~~
1.1 ACRES

VACANT FIELD Public Water ~~AD SEPTIC~~
SEPTIC

OWNERS:

AUDREY HAWKINS
HATTIE MYERS
DORIS MYERS
HENRIETTA BROWN
MARY MCCLEAVE

Zone - DR. 3.5

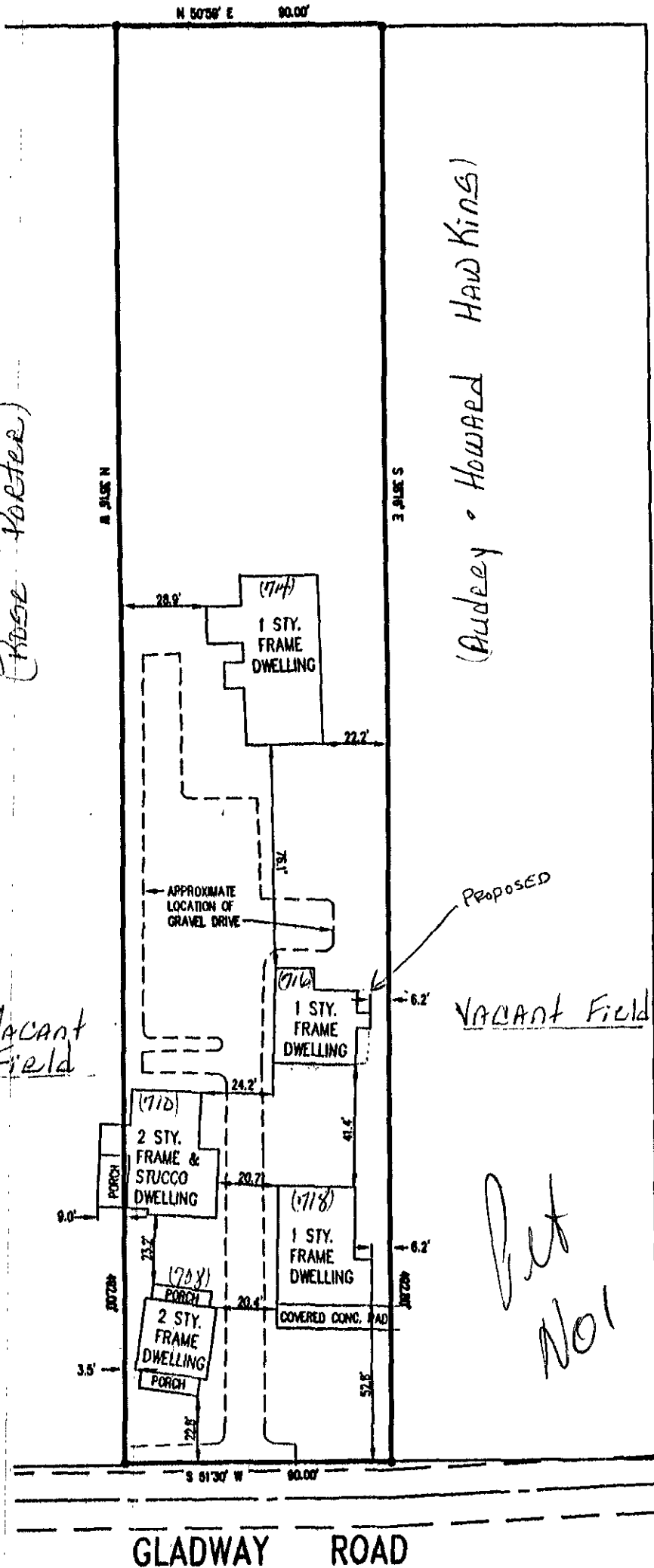
(Rose Porter)

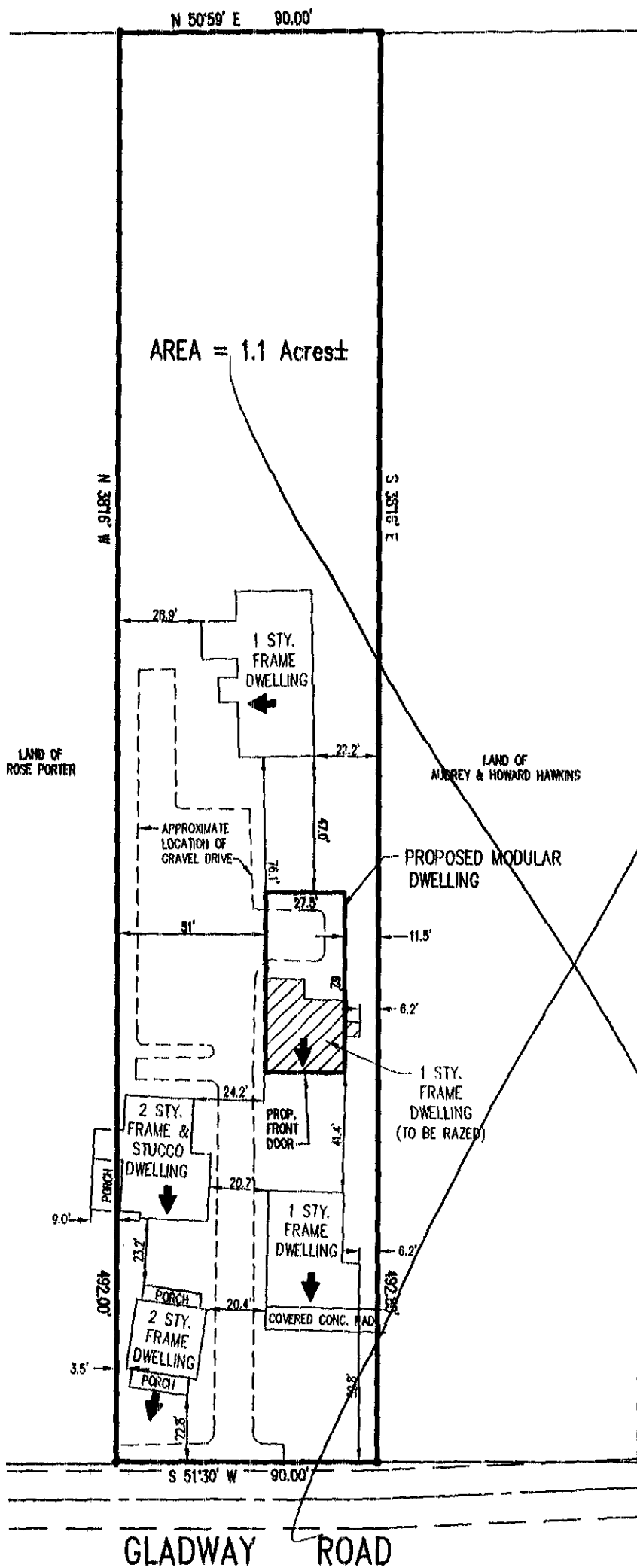
(Audrey - Howard Hawkins)

VACANT FIELD

VACANT FIELD

Put
No!



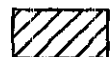


NOTE: THIS PLAN AMENDS PREVIOUSLY APPROVED PLAN IN ZONING CASE 97-574-A, GRANTED FOR A 6.2' SIDE SETBACK FOR A PROPOSED REPLACEMENT DWELLING.

LOT SIZE REQUIRED:

5 DWELLINGS @ 10,000 S.F. = 50,000 S.F.
ACTUAL LOT SIZE = 47,916 S.F.

NOT IN CBCA



EXISTING DWELLING AS APPROVED IN CASE # 97-574-A FOR A 6.2' SIDE SETBACK

OK

RECORDED: 6932/468

ZONED: D.R. 3.5

SHEET 1 OF 2

SITE PLAN
LAND OF

AUDREY HAWKINS, et al
708 GLADWAY ROAD
MIDDLE RIVER, MD 21220

15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

K.L.S. CONSULTANTS, INC.

ENGINEERS AND SURVEYORS
102 NORTH MAIN STREET
BEL AIR, MARYLAND 21014
(410) 838-1441

DATE

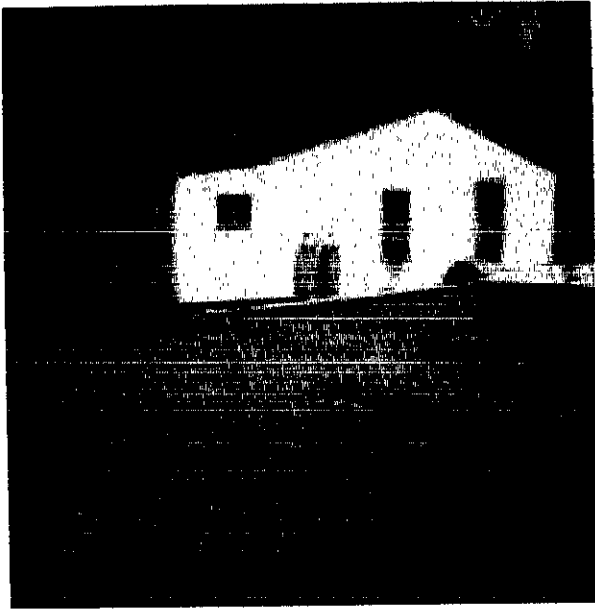
SEPT 1997

SCALE

1" = 50'

FILE NO.

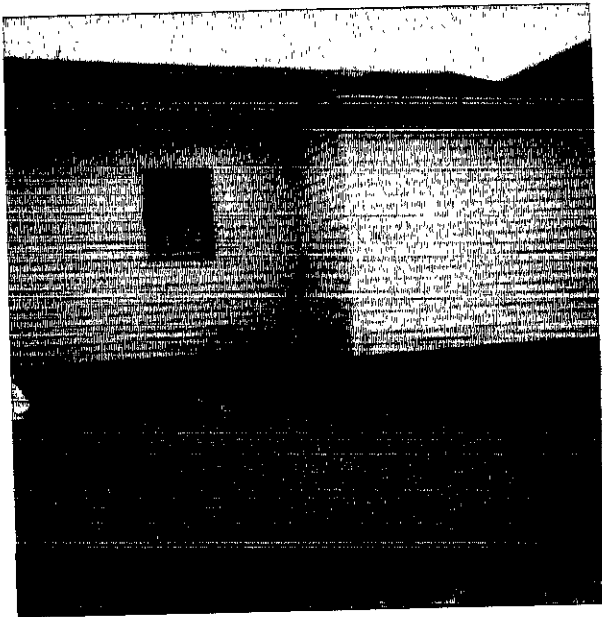
8845-94



FRONT of HOUSE



BACK of HOUSE



Left Side