IN RE: PETITION FOR ADMIN. VARIANCE
SE/Corner Gwynnbrook Avenue and
Pleasant Hill Road
(223 Gwynnbrook Avenue)
4th Election District
3rd Councilmanic District

Ronnie Thode
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-152-A
*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by Ronnie Thode, property owner. The Petitioner seeks relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 25 feet in lieu of the maximum allowed 15 feet for a proposed 28'x40' garage. The subject property and relief sought are more particularly described on the site plan submitted which was 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 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.

ORDER RECEIVED FOR FILING
Date 11/13/97
By

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 _____ day of November, 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 25 feet in lieu of the maximum allowed 15 feet for a proposed 28'x40' 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) The 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) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/13/97
By

Baltimore County
Zoning Commissioner
Office of Planning

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

November 13, 1997

Mr. Ronnie Thode
223 Gwynnbrook Avenue
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SE/Corner Gwynnbrook Avenue and Pleasant Hill Road
(223 Gwynnbrook Avenue)
4th Election District - 3rd Councilmanic District
Ronnie Thode - Petitioner
Case No. 98-152-A

Dear Mr. Thode:

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

Printed with Soybean Ink on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 223 GWYNNBROOK AVE

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) 400.3 TO ALLOW AN ACCESSORY STRUCTURE A Height of 25' IN lieu of the MAXIMUM 15'

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

See AFFIDAVIT

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 penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

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

Legal Owner(s):

x RONNIE T HODE

(Type or Print Name)

Ronnie T Hode

Signature

(Type or Print Name)

Signature

(410) 356-7945

x 223 GWYNNBROOK AVE

Address Phone No

x OWINGS MILLS MD 21117

City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No

ORDER RECEIVED FOR FILING

Date 11/13/97

By

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: CAM DATE: 17Oct97

ESTIMATED POSTING DATE: 26Oct97

Printed with Soybean Ink on Recycled Paper

ITEM #: 152

98-152-A

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 223 GWYNNBROOK AVE
(address)
OWINGS MILLS MD 21117
(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)

NEED EXTRA WINTER STORAGE SPACE, FOR PERSONAL ANTIQUE AUTO, BOAT, & GARDEN EQUIPMENT, AND HOBBY SPACE.

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.

Ronnie T Hode
(signature)
Ronnie T Hode
(type or print name)

(signature)
(type or print name)

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ Carroll, to wit:

I HEREBY CERTIFY, this 16th day of October, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Ronnie Thode

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.

10/16/97
date

Karen B. Miller
NOTARY PUBLIC

My Commission Expires: 1/1/2000

KAREN B. MILLER NOTARY PUBLIC CARROLL CO., MD.

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 223 GWYNNBROOK AVE
(address)
OWINGS MILLS MD 21117
(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)

Need EXTRA winter STORAGE SPACE, FOR PERSONAL ANTIQUE AUTO, BOAT, & GARDEN EQUIPMENT, AND HOBBY SPACE.

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.

Ronnie Thode
(signature)
Ronnie THode
(type or print name)

Ronnie Thode
(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ Carroll, to wit:

I HEREBY CERTIFY, this 16th day of October, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Ronnie Thode

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.

10/16/97
date

Karen B. Miller
NOTARY PUBLIC

My Commission Expires: 1/1/2000

KAREN B. MILLER NOTARY PUBLIC CARROLL CO., MD.

Zoning Description

Beginning at a point on the S.E. intersection of Gwynnbrook Avenue and Pleasant Hill Road, thence the following courses and distances: S.W. along Gwynnbrook Avenue 230 ft., S.E. 272 ft., N.W. 240 ft., thence back to the point of beginning along Pleasant Hill Road N.W. 176 ft., being 223 Gwynnbrook Avenue in the 4th ED 3rd CD. Lot size is 1.25 acre +/-.

98-152-A

152

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.: 152

Petitioner: Ronnie THode

Location: 223 GWYNNBROOK Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RONNIE THode

ADDRESS: 223 GWYNNBROOK Ave
OWINGS Mills Md 21117

PHONE NUMBER: (410) 356-7945
PAGER (410) 806-8473

AJ:ggs

(Revised 09/24/96)

98-152-A

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044443

DATE 17 Oct 97 ACCOUNT R-001-6150

98-152-A

CAM AMOUNT $ 50.00

RECEIVED FROM: Ronnie Thode

FOR: Admin Var

223 Gwynnbrook Ave

DISTRIBUTION
White - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
10/17/1997 10/17/1997 11:22:19
REG MENU CASHIER CLSH CNL DRAWER 1
5 MISCELLANEOUS CASH RECEIPT
Receipt # 026565 CFLin
CR NO. 044443
50.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-152-A

Petitioner/Developer: P. O'KEEFE, AGENT FOR PETITIONER, ETAL

Date of Hearing/Closing: 11/10/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 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 # 223 GWYN BROOK AVE

The sign(s) were posted on 10/24/97
(Month, Day, Year)

Sincerely,

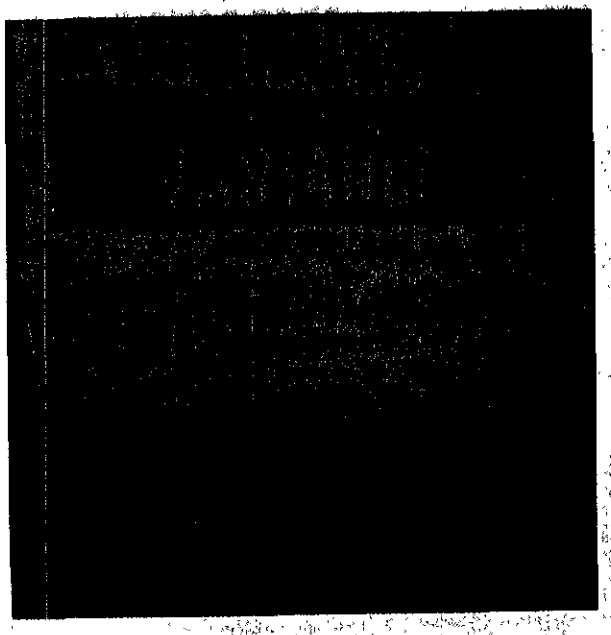
Patrick O'Keefe 10/28/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)

523 Penny Lane
(Address)

Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366 Pager (410) [redacted] 905-8571
(Telephone Number)



98-152-A
#223 GWYNBROOK AVE.
P-10/24/97 CL-11/10/97

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 26 Oct 97.

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 98-152-A

To Allow A GARAGE TO HAVE A Height of 25' in lieu of the MAXIMUM 15'

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 10 Nov 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

9/96
post2.doc

152

Baltimore County
Department of Permits and
Development Management

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

October 30, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-152-A
223 Gwynnbrook Avenue
SEC Gwynnbrook Avenue and Pleasant Hill Road
4th Election District - 3rd Councilmanic District
Legal Owner: Ronnie Thode
Post by Date: 10/26/97
Closing Date: 11/10/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 410-887-3391. 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 a public hearing.

4. In cases that must go to a public hearing (whether due to a neighbor's formal request or by order the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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

c: Ronnie Thode

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

November 5, 1997

Mr. Ronnie Thode
223 Gwynnbrook Avenue
Owings Mills, MD 21117

RE: Item No.: 152
Case No.: 98-152-A
Petitioner: Ronnie Thode

Dear Mr. Thode:

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 October 17, 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 (410-887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

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 10.28.97
Item No. 152 COM

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

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: ___ _____

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct. 27, 1997

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

Item #'s: 137 153
143 162
147
148
152

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: October 31, 1997

FROM: Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for November 3, 1997
Item Nos. 137, 143, 147, 148, 151, 152, 153, & 163

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE1103.NOC

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: October 27, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Item No. 152 - 223 Gwynnbrook Avenue

The Office of Planning does not oppose the request to permit an accessory structure with a height in excess of the permitted 15 feet. However, a condition should be placed in the Order restricting any such future conversion of the accessory structure for dwelling purposes.

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL

C \MSOFFICE\WINWORD\ZAC\NOCOM\152.DOC

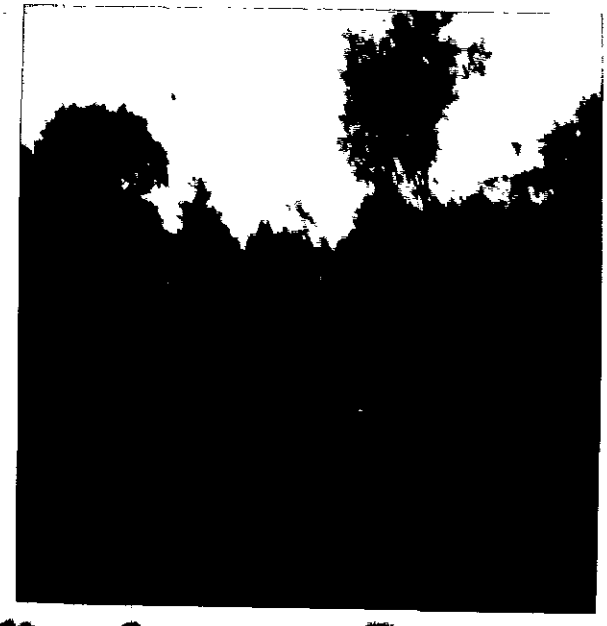
to
Gwen Stephens

Forgot to bring photos to are
meeting with Catherine Milton,
She told me to sent them to you
thanks you
Hope there helpful

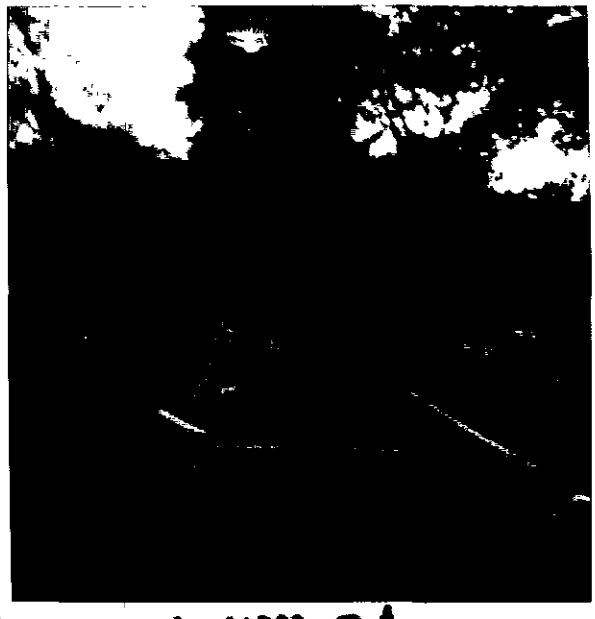
Ronnie Thode (410) 356-7945

item # 152
Case # 98-152-A

27



From Guynnbrook Ave
Looking At site in Rear

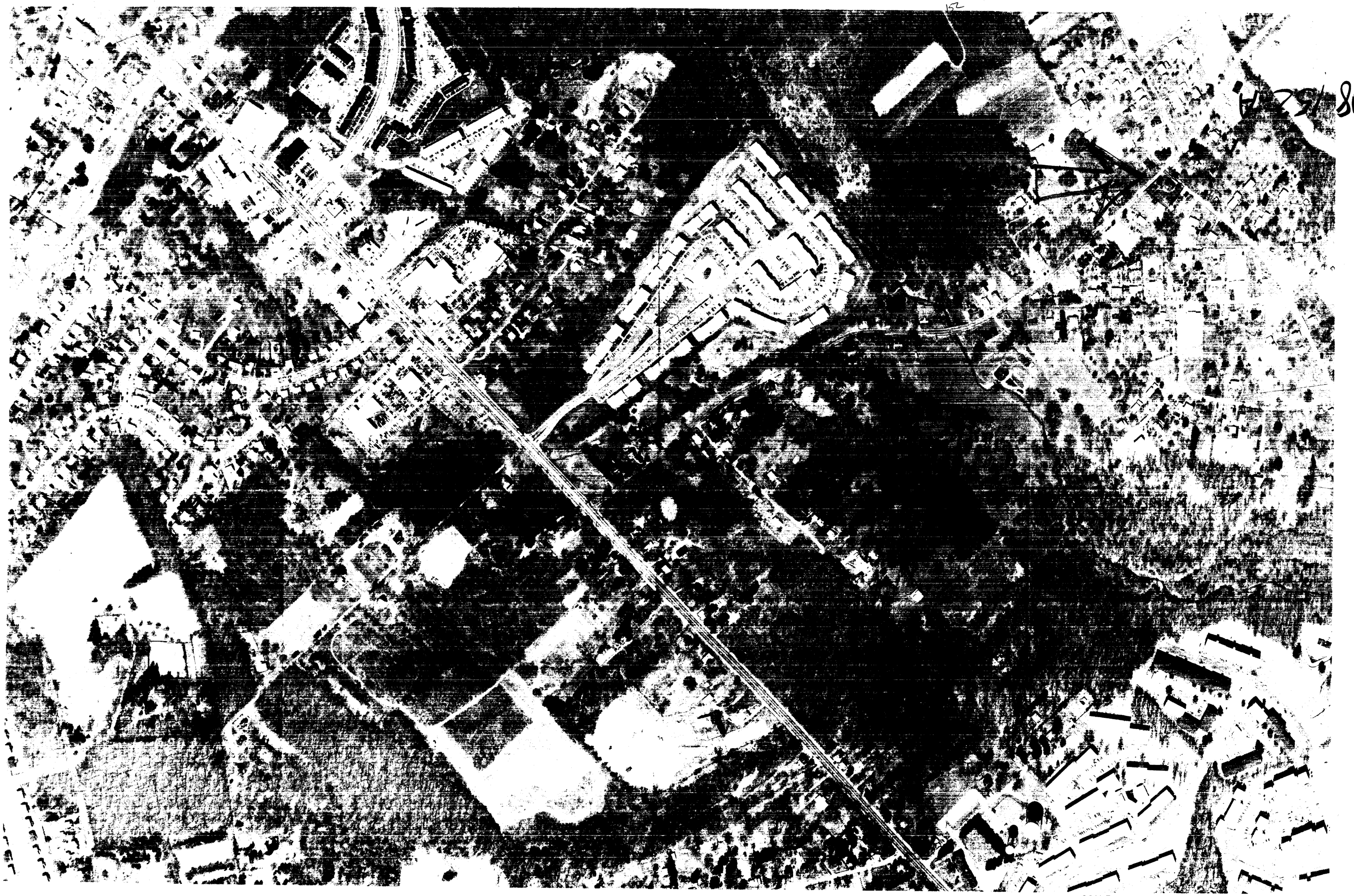


Pleasant Hill Rd
looking At Site

98-152-A

FROM House Looking At Site FAR Rear

WHAT I Like to Build. Like this one down MY Street. Thank You



98-152-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY JANUARY 1986	BELLTOWN	N.W. 13-I

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

98-152-A

1970 Topo

1953 Topo

8.5"

11"

17"

22"

T-NW

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

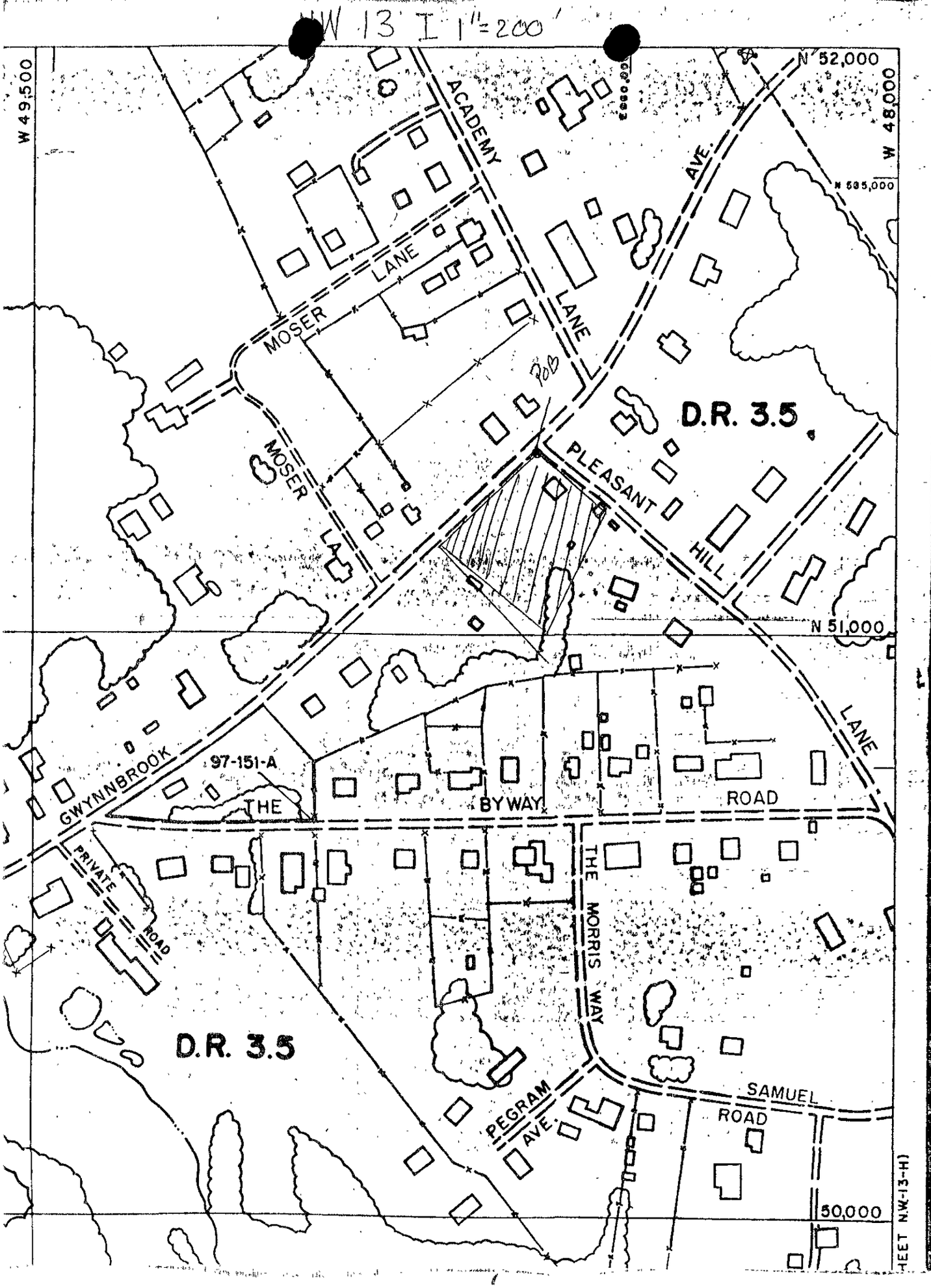
REVISIONS	BY	DATE
Planimetric	MAPS, INC.	4-20-67
Topographic	MAPS, INC.	4-11-70
-	VLK	12/1/83

Topography Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION - PHILADELPHIA, PA.

SCALE	LOCATION	SHEET
1" = 200'	BELLTOWN	N.W. 13-I

DATE OF PHOTOGRAPHY
APRIL 1953

1953 Topo ——— 1970 Topo


NW 13 I 1"=200'
W 49,500
N 52,000
W 48,000
N 535,000
ACADEMY
LANE
MOSER
LANE
MOSER
LA.
POB
D.R. 3.5
PLEASANT
HILL
AVE.
LANE
N 51,000
GWYNNBROOK
97-151-A
THE
BYWAY
ROAD
LANE
PRIVATE
ROAD
THE MORRIS WAY
D.R. 3.5
PEGRAM
AVE.
SAMUEL
ROAD
50,000
FEET N.W.-13-H)

152

98-152-A

Pl. to accompany Petition for Zoning ☒ Variance

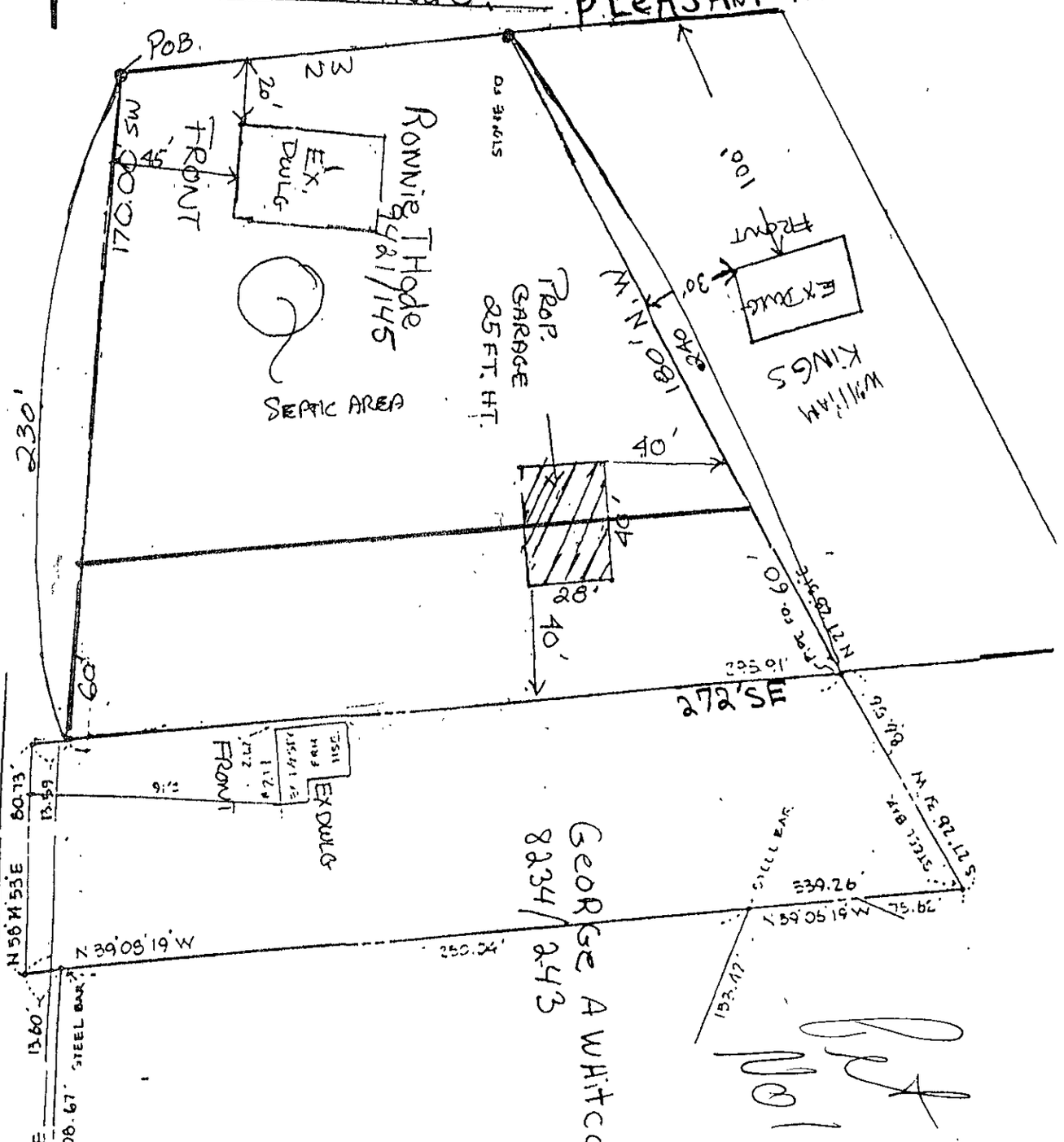
PROPERTY ADDRESS: 223 GWYNNBROOK AVE

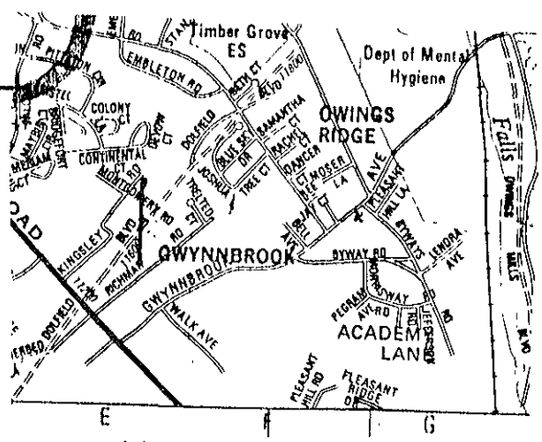
Subdivision name: NA

plat book# —, folio# —, lot# —, section# —

OWNER: Ronnie THode

PLEASANT Hill Rd





OWNER
RONNIE THODE
223 GWYNBROOK AVE
BALTO MD 21117
410 356 7945
TAX ACCT # 04-12-074210
ZONE DR 3.5 MAP. NW 12
LOT SIZE 1.25AC.
PUBLIC WATER PRIV. SEWER
3RD C.D. 4TH ED.
NOT IN FLOOD PLAIN.
NO PRIOR ZONING CASE

SCALE 1"=50'

98-152-A

152