IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE

ES of Gunview Road 138 ft. N of the c/l of Klausmier Road

9503 Cunview Road 11th Election District 5th Councilmanic District

Orlan Cowan, et ux

Petitioners

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 98-377-A

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Orlan Cowan and Patricia C. Cowan, his wife, property owners, for that property known as 9503 Gunview Road in the Perry Hall section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1802.3.8 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 8 ft., in lieu of the required 10 ft., 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



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 \_\_\_\_\_\_ day of May 1998 that the Petition for a Zoning Variance from Section 1802.3.B of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 8 ft., in lieu of the required 10 ft., 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.

LES:mmn

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County



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

May 6, 1998

Mr. and Mrs. Orlan Cowan 9503 Gunview Road Baltimore, Maryland 21236

> RE: Petition for Administrative Variance Case No. 98-377-A Property: 9503 Gunview Road

Dear Mr. and Mrs. Cowan:

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 traly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

c: Melvin Stefanowicz 19 Faraday Drive Timonium, Maryland 21093

### Petitish for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at

9503 GUNVIEW RD.

which is presently zoned

This Petition shall be filled with the Dept. of Permits & 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) 1802.3,8,8CZR, TO PERMIT A SIDE MARO SETBACK OF BIT. IN LIEM OF THE RECUIRED LOTT. FOR AN ADDITION.

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.

			I/We do solamnly 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			Legal Owner(s).
(Tupe or Print Name)		The same of the same same same same same same same sam	Orlan Cowan (Type of Print Name)  × Orlan Cowan)
Signature	, , , , , , , , , , , , , , , , , , ,		Signature
Address			Patricia C. Cowan (Type or Pant Name)
City	State	Zipcode	Signature Cowan
Attorney for Petitioner.			
(Type or Print Name)			9503 Gunview Rd. 410-256-4758 Address Phone No
Signature			Baltimore, MD 21236 City State Zipcode Name, Address and phone number of representative to be contacted
Address	Phone No.	,	Melvin Stefanowicz
City	State	Zipcode	19 Faraday Dr. 410-252-6464 Address Phone No 21093
			red by the Joning Commissioner of Baltimore County, this

ESTIMATED POSTING DATE:

circulation throughout Baltimore County, and that the property be reposted

Printed with Saybean Ink on Recycled Paper

Joning Commissioner of Baltimore County

## 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	9503 Gunview	Rd.		
	Baltimore,	MD	21236	
	City	State	Zip Code	
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or		/we base the request	for an Administrative	
We request a side yard	setback of 8	feet in 1:	ieu of the	
required 10 feet to al	low the constr	uction of	a 14' X 28'	
one story addition to	accommodate ar	elderly	parent who red	quires
care. The addition ca	n not be built	on the Se	outh side of	
the house because of t				
sub-surface rock that	would be prohi	bitive to	remove.	
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may be required to provide additional information of the companies of print name)  May be required to provide additional information of the companies of print name)		Patricia Patricia Patricia Pper or print name)	C. Cowan	
STATE OF MARYLAND, COUNTY OF BALT				
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, po		98, before me.	Notary Public of the State	
orlan Cowan	and Port	ricia C	. Cowan	
the Affiants(s) herein, personally known or satis that the matters and facts hereinabove set forth	factorily identified to me as su are true and correct to the bes	ch Affiantt(s), and m it of his/her/their kno	ade oath in due form of law	
AS WITNESS my hand and Notarial Seal.	,	2		
4/4/98	NOTARY PUBLIC	chard	C. Minie,	h.
	My Commission	Expires:	U	
JARD C. MINO		05/3	0/200/	
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	Baltimore,	M D	21236 Zip Code	
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We request a side yar	d setback of 8	feet in 1:	ieu of the	
required 10 feet to a	llow the const	ruction of	a 14' X 28'	
one story addition to	accommodate a	n elderly	parent who red	quires
care. The addition c	an not be buil	t on the Se	outh side of	
the house because of	the topogropy	and the ex:	istence of	
sub-surface rock that	would be prob	ibitive to	remove.	
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			,	
x Orlan Cowan (signature) Orlan Cowan (type of print name) STATE OF MARYLAND, COUNTY OF BAL 1 HEREBY CERTIFY, this 4th day of of Maryland, in and for the County aforesaid, g	personally appeared		C. Cowan  C. Cowan  Notary Public of the State  Cowan	
the Affiants(s) herein, personally known or sat that the matters and facts hereinabove set forth AS WITNESS my hand and Notarial Seal.	isfactorily identified to me as	such Allianii(s), and m		
21/4/98	NOTARY PUB	LIC ,	nuire, fr.	
NOTAR PUBLIC	. 13 * 15	n Expires: 05/3	30/2001	





### Petitish for Administrative Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at

9503 GUNVIEW RD.

which is presently zoned

D.R.-3.5

This Petition shall be filed with the Dept. of Permits & Pevelopment 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) 1802.3.8; 8CZP, TO PERMIT A SIDEMARD SETBACK OF 8ft. IN LIEU OF THE REQUIRED 10ft. FOR AN ADDITION.

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See reverse side.

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I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this patition, 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:			Legal Owner(s):
(Type of Print Name)	**************************************		Orlan Cowan (Type of Print Name)
(19pe of remercians)			- Onlan Couvan
Signature			Signature
Address			Patricia C. Cowan (Type of Pfint Name)
*			* Patricia C. Cowan
City	State	Zipcode	Signature
Attorney for Petitioner:			
(Type or Print Name)			9503 Gunview Rd. 410-256-4758 Address Phone No.
			Baltimore, MD 21236
Signature			Name, Address and phone number of representative to be contacted
	and the second s	-	Melvin Stefanowicz
Address	Phone	NO.	19 Faraday Dr. 410-252-6464
City	State	Zipcode	19 Faraday Dr. 410-252-6464 Address Phone No. Timonium, MD 21093
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A fublic Hearing having been that the subject matter of this p circulation throughout Ballimo	petition be set for a pub	slic hearing , adverlised, o	wed by the Joning Commissioner of Baltimore County, this day of 19 or required by the Joning Regulations of Baltimore County, in two newspapers of general
_		_	¿ Laning Commissioner at Baltimore County
C III.	CL. a.	1 H	30.)



ESTIMATED POSTING DATE: 4.19.98



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#### ZONING DESCRIPTION

#### ZONING DESCRIPTION FOR 9503 Gunview Rd. 21236

#### CERTIFICATE OF POSTING

RE: Case No. 98-377-A Petitioner/Developer: (Orlan Cowan) Date of Haming/Closing: (May 4, 1998)

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 Gentleman:** 

100

This letter is to certify under the penalties of perjury that the necessary sign(s) required by	
aw were posted conspicuously on the property located at	
503 Gunview Road Baltimore, Maryland 21236	
The sign(s) were posted onApr. 17, 1998(Month, Day, Year)	
(Month, Day, Year)	



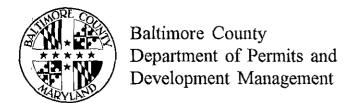
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(signature of signaxoster & Date)
Thomas P. Ogle, Sr
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325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405
(Telephone Number)

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### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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

May 4, 1998

Mr. and Mrs. Orlan Cowan 9503 Gunview Road Baltimore, MD 21236

RE: Item Number: 377

Case Number: 98-377-A Petitioner: Orlan Cowan, et ux

Dear Mr. and Mrs. Cowan:

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 April 9, 1998.

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 Joyce Watson in the zoning office (887-3391).

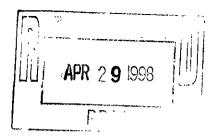
Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

WCR:scj

Enclosures





Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

April 24, 1998

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 APRIL 20, 1998

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

372, 373, 374, 375, 377 and 378

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

## ALTIMORE COUNTY, MARYLAND

# DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

## INTER-OFFICE CORRESPONDENCE

TO:

POM

DATE:

FROM:

R. Bruce Seeley ROSS

DEPRM

SUBJECT:

Zoning Advisory Committee Mesting Date: Carl 20

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

Item #'s:

37/ 372 373

RBS:sp

BRUCE2/DEPRM/TXTSBP



#### Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

David L. Winstead Secretary

Parker F. Williams Administrator

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

RE: Baltimore County 4.20.98 Item No.

377 JCM

Dear Ms. Stephens:

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 or by E-mail at (Igredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

f. f. Doelle

Ronald Burns, Chief

**Engineering Access Permits** 

Division

LG

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

**DATE**: April 17, 1998

Department of Permits

and Development Management

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

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 372, 373, 374, 375, 377, and 378

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Division Chief:

AFK/JL

98-375

378

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373

374

#### Baltimore County Government Department of Permits and Development Management



111 West Chesapeake Avenue Towson, Md. 21204

(410) 887-3335

March 23, 1998

Orlan Cowan

9503 Gunview Road
Baltimore, MD 21236

RE: Cowan Property 9503 Gunview Road DRC Number 03028D, Dist. 11C5

Dear Mr. Cowan:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland and as provided in Section 602 (d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on March 2, 1998, and made the following recommendations:

The DRC has determined that your project meets the requirements of limited exemption under Section 26-171 ( $\Lambda$ ) (9).

Orlan Cowan Cowan Property March 23, 1998 Page 2

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 23rd day of March 1998, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

Arnold Jablon Director

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AJ:DTR:dak

c: Bruce Seeley Joyce Watson File GLANEW DOLL SO

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AUGUST 1972

EDWARD V. COONAN & CO.

OIVIL ENGINEERS & CURLETONS

1209 E 36 TH ST

BAI TIMORE: " MARYLAND

71216

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to another required information		y Hall Gardens Joseph 31 Section 1-A	Subu
Special Hearing	ariance S	Plat to accompany Petition for Zoning X Varia PROPERTY ADDRESS: 9503 Gunview Rd. 21236 See pages 5 & 6	PRO

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