IN RE: PETITION FOR ADMIN. VARIANCE

E/S Janellen Drive, 348.52 ft. S of The c/l of Keyser Road 3rd Election District 2nd Councilmanic District 3307 Janellen Drive Naomi B. Ginsberg Petitioner

- BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 99-296-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Naomi B. Ginsberg, property owner, for that property known as 3307 Janellen Drive in the Glenmar subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 205.3 and 205.1 of the Baltimore County Zoning Regulations (BCZR), to allow a side yard setback of 6 ft. and a front yard setback of 30 ft., in lieu of the required 15 ft. and 40 ft. respectively, and to amend the variance and plan in case No. 99-14-A, for an attached 2 car garage. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner has 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 Petitioner has filed the supporting affidavits 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 Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, 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 March, 1999 that the Petition for an Administrative Variance from Sections 205.3 and 205.1 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 6 ft. and a front yard setback of 30 ft., in lieu of the required 15 ft. and 40 ft. respectively, and to amend the variance and plan in case No. 99-14-A, for an attached 2 car garage, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

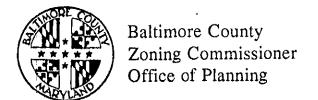
1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner 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





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

March 4, 1999

Mrs. Naomi B. Ginsberg 3307 Janellen Drive Pikesville, Maryland 21208

RE: Petition for an Administrative Variance

Case No. 99-296-A

Location: 3307 Janellen Drive

Dear Mrs. Ginsberg:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, 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 from 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 AC-410-887-3391.

Very truly yours

Lawrence E. Schmidt Zoning Commissioner

LES:mmn
Encl.
Copy:
Mr. David Buschman
1530 Everlea Road
Marriottsville, Maryland 21104



REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	for the property	y located at 3307 JANELLEN DRIVE
		which is presently zoned DR-2
This Petition shall be filed with the owner(s) of the property situate in B made a part hereof, hereby petition	ne Department of Permi altimore County and whic for a Variance from Section	its and Development Management. The undersigned, legath is described in the description and plat attached hereto and on(s) 205. 3 AND 205. BCZR (1958 REGS)
TO PERMIT A SIDE YARD SETT	BACK OF 6 FT. AI	ND A FRONT YARD SETBACK OF 30 FT,
N LIEU OF THE REQUIRED	D 15 FT. AND 40	PFT, RESPECTIVELY AND TO AMEND THE
MARIANCE AND PLAN IN	CASE# 49-14-	A '
of the zoning regulations of Baltimor of this petition form.	e County, to the zoning la	aw of Baltimore County, for the reasons indicated on the bac
Property is to be posted and advertis I, or we, agree to pay expenses of abov regulations and restrictions of Baltimore	re Variance, advertising, pos	sting, etc. and further agree to and are to be bounded by the zoning
,		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):
		NAOMI BOCHES GMSBERG
Name - Type or Print		Name Type or Print Roches Timberg
Signature		Signature
Address	Telephone No.	Name - Type or Print
City State	e Zip Code	Signature
Attorney For Petitioner:		3307 JANELIEN DRIVE 410-486-20
·		Address Telephone No. PIKESVILLE, MD 21208
Name - Type or Print		City State Zip Code
		Representative to be Contacted:
Signature	•	DAVID BUSCHMAN
Company		Name
		1530 EVERLEA ROAD 410-442-2818
Address	Telephone No.	Address Telephone No. MARRIOTTSVILLE, MD 21104
City State	Zip Code	City State Zip Code
A Public Hearing having been formally de this day of regulations of Baltimore County and that the p	that the subject matter of thi	required, it is ordered by the Zoning Commissioner of Baltimore County is petition be set for a public hearing, advertised, as required by the zoning
00-100	-4	Zoning Commissioner of Baltimore County
case no. <u>99-296</u>	71 Revie	ewed By Date

Estimated Posting Date _

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.

•	0000 7115		ar regard traceto.
That the Affiant(s) does/do presently reside at		ELIEN DRIVE	
	Address PIKESVIL	LE MD	21208
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts of the properties with the properties of the pr	upon which I/we base ulty):	the request for an Administrative
The present front and side build a 2 car garage that I would like	•	•	llow adequate space for
I request that a 30' FRO and a 6' SIDE SET BA			•
This relief will permit the space	e needed to constru	uct a new attached 2	car garage on my home.
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature NAOMI BOCHES GINSBERG	Signal information	ed, Affiant(s) will be in. gnature	required to pay a reposting and
HEREBY CERTIFY, this day of f Maryland, in and for the County aforesaid, per	h	, <u>1994</u> , before	me, a Notary Public of the State
ne Affiant(s) herein, personally known or satisfa aw that the matters and facts hereinabove set fo	actorily identified to orth are true and cor	me as such Affiant(s rect to the best of his/), and made oath in due form of ner/their knowledge and belief.
S WITNESS my hand and Notarial Seal	4	a k	· -
Pate //	Notary Pub My Commi	olic ssion Expires /	106/00

REV 09/15/98

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	3307	JANELLE	EN DRIVE	
· · · · · · · · · · · · · · · · · · ·	Address	SVILLE	MD	21208
-	City	J 1 1 111111	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	wing are the ip or practical	facts upon v difficulty):	which I/we base	the request for an Administrativ
The present front and side build a 2 car garage that I would like	_		my lot do not a	llow adequate space for
I request that a 30' FRO and a 6' SIDE SET BA				•
This relief will permit the space	needed to c	onstruct a	new attached 2	car garage on my home.
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature NAOMI BOCHES GINSBERG	rmal demand additional info	l is filed, Af rmation. Signature		required to pay a reposting and
Name - Type or Print		Name - Ty	ype or Print	
HEREBY CERTIFY, this day of) sonally appea	fied to me a	s such Affiant/s	me, a Notary Public of the State), and made oath in due form of her/their knowledge and belief.
Date 7 7 9		ry Public Commission	Exires XX	Lap lava

REV 09/15/98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

		for the pro	perty located at	t <u>3307 JANE</u>	CLLEN D	RIVE
			whi	ich is presently z	oned	DR-2
This Petition shall be f owner(s) of the property made a part hereof, here	filed with the Depsituate in Baltimo eby petition for a V	partment of P ore County and variance from :	rermits and Development (e) which is describe Section(s)	elopment Manage ed in the description	ment. The on and plat	e undersigned, lega attached hereto and (1418 RECS)
TO PERMIT A	SIDE YAR	OSETB.	OCK OF 67	ET AND A F	POLLY V	ADD CETANO
OF 30 FT. IN	VLIEU OF	THE DE	DUIRED 11	ST AIN W	nory p	1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/
AND TO AM	END THE	VARIAN	KINDO 13	DIANTIN	HI. KE	SPECTIVELY
7) 14 9 90 0 11 12		V - 2 10 22 24	CUMU	FUNN IN	CAS &	# 99-14-4
of the zoning regulations of this petition form.	of Baltimore Cou	inty, to the zon	ing law of Baltimo	ore County, for the	reasons ir	ndicated on the back
Property is to be posted I, or we, agree to pay experegulations and restrictions	nses of above Varia	ance, advertisin	a, postina, etc. and	I further agree to and	d are to be l unty.	oounded by the zoning
			perjury, t	solemnly declare and hat I/we are the lega bject of this Petition.	al owner(s) c	der the penalties of of the property which
Contract Purchaser/L	Lessee:		<u>Legal (</u>	Owner(s):		
			N	AOMI BOCHES	GINSK	BERG
Name - Type or Print			Name - Ty	/pe or Print	<u> </u>	a Quera
Signature	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	Signature			7
Address		Telephone No.	Name - Ty	pe or Print		
City	State	Zip Code	Signature			
Attorney For Petition	er:		3307	JANELLEN DR	(IVE	410-486-204
			Address	CUTTIE MD C	21200	Telephone No.
Name - Type or Print			City	SVILLE, MD 2	State	Zip Code
			Repres	entative to be C	ontactec	<u>(:</u>
Signature			-	D BUSCHMAN		
Company			Name) DOGOTIMAN		
Address		Tolonhana Ma		EVERLEA ROA	D	410-442-2818
Addiess		Telephone No.	Address MARRI	COTTSVILLE,	MD	Telephone No. 21104
City	State	Zip Code			State	Zip Code
A Public Hearing having bee			o be required, it is	ordered by the Zoning	Commission	ner of Baltimore County,
this day of regulations of Baltimore County	and that the property	the subject matter be reposted.	r or this petition be se	et for a public hearing,	advertised, a	s required by the zoning
20	201	Λ		Zoning Commissioner o	of Baltimore C	County
CASE NO. 47	-296-	<u>M</u>	Reviewed By		Date	
REV 9115198			Estimated Posti	ing Date		

3 DC

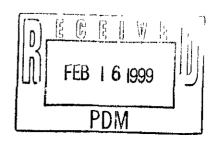
Zoning Description For: 3307 Janellen Drive

plat entitled "Resubdivision of sections 3 & 4, Glenmar" which plat is recorded among street Keyser Road which is 60'-0" wide. *Being Lot No. 13, Block D, as shown on the distance of 348.52 feet South of the centerline of the nearest improved intersecting the land records of Baltimore County, Maryland in plat book G.L.B. No. 25, Folio 3; Beginning at a point on the East side of Janellen Drive which is 50'-0" wide at the containing .55AC. Also known as 3307 Janellen Drive and located in the 3rd Election

CERTIFICATE F POSTING

	RE: Case No.: 99-296-A
	Petitioner/Developer:
	NAOMI GINSBERG
	Date of Hearing/Closing: 3-1-99
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:	·
The sign(s) were posted onFEB.	12, 1999
	(Month, Day, Year)
	Sincerely, Calcula De Vocal (Signature of Sign Poster and Date) CARLAND E. MOORE (Printed Name) 3225 RYERSON (CINCLE (Address) PACTIMONE, Mp. 2122) (City, State, Zip Code)
	(Telephone Number)

DATE 2/3/99 ACCOUNT & SOLO AMOUNT \$ 50.00	PATD DECETATION TIME PROCESS ACTUAL TIME 2/04/1999 2/03/1999 15:53:10 REV WSO1 CASHIER CLUM CML DRAWER 1 5 MISCELLANDUS CASH RELEIPT REVELLAT # 098429 OFLN CR NO. 063096
RECEIVED GINSBERG	Baltimore County, Maryland
FOR: Rolling 99.296-	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION







BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 9	9- 20	7 / -A	A	ddress	330	1-lane	llen Dr.	
	ct Person:	——————————————————————————————————————	140	Pewis		, (ber: 410-887-3	3391
			Planner, Pleas	e Print Your Name Posting	Date: <u></u>			Date: 3/1/	
Any c	ontact ma	ade with	this office		e status	of the adm		variance should	
1.	reverse s reposting is again i	ide of thi must be responsib	s form) and done only b le for all as	I the petition by one of the sociated cos	er is responding to the sign posture of the si	ponsible for sters on the zoning notic	all printing/papproved lis ce sign mus	pproved list (on posting costs. It and the petition of be visible on through the clos	Any oner the
2.	a formal	request :	for a public	is the deadl hearing. F he process is	Please u	nderstand ti	nat even if	nin 1,000 feet to there is no for e.	file mal
3.	commissi order that (typically	oner. He t the ma within 7 t	e may: (a) itter be set o 10 davs o	grant the re in for a pu	quested blic hea date) as	relief; (b) de ring. You v s to whether	eny the requivible receive the the petition	or deputy zon uested relief; on written notifica has been gran Class mail.	r (c) ation
4 .	(whether commissi changed	due to a oner), no giving no ertification	a neighbor's stification wi tice of the h	s formal req ill be forwar earing date,	uest or ded to y time and	by order of you. The s I location. A	the zoning sign on the as when the	to a public hea or deputy zon property must sign was origir ust be forwarde	ning t be nally
				(Detach Alo	ng Dotted Lin	e)			
Petitic	oner: This	Part of	the Form is	for the Sig	n Poster	Only			
		USE	THE ADM	INISTRATIV	E VARIA	NCE SIGN	FORMAT		
Case I	Number 9	9-29	6 -A	Address	33	07 Ja	nellen	1 Dr.	
Petitio	ner's Nam	e <i>Na</i>	ami Gi	noberg		Te	lephone 4	96 2047	
Postir	ng Date:	2/19	199		Clos	sing Date: _	3/1/9	19	
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

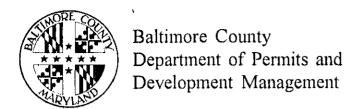
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 99-296-A Petitioner: NAOMI BOCHES GINSBERG
Address or Location: 3307 JANEUEN DRIVE PIKESVIUE MO 21208
PLEASE FORWARD ADVERTISING BILL TO:
Name: NAOMI BOCHES GINSBERG
Address: 3367 JANELLEN DRIVE - PIKES VILLE, MO 21208
Telephone Number: 410 - 486 - 2047



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 1, 1999

Mr. David Buschman 1530 Everlea Road Marriottsville, MD 21104

RE: Case No.: 99-296-A

Petitioner: Naomi Boches Ginsberg Location: 3307 Janellen Drive

Dear Mr. Buschman:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 4, 1999.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

W. Carl Juchards Ja/ pl

Zoning Review

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: February 16, 1999

TO: Arnold Jablon, Director Department of Permits

and Development Management

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

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 292, 295 (296) and 299

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 2.16.99

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

RE: Baltimore County

Item No. 236

JLL

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P. J. Hardle

Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development Management

DATE: 2/25/99

FROM:

R. Bruce Seeley, Project Manager [101]

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: 2/15/99

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

300

301 302

303

290 Item #'s: 291 292 293 294

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 23, 1999

Department of Permits & Development

Management

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

SUBJECT: Zoning Advisory Committee Meeting

for February 22, 1999

Items Nos. 291, 292, 293, 294, 295, 296, 300, 301, 303 and Case No. 99-280-X

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

RWB:HJO:cab

cc: File

ZONE0222.NOC



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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 FEBRUARY 15, 1999

Item No.: SEE BELOW Zoning Agenda:

Sentlemen:

Durcuant 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.

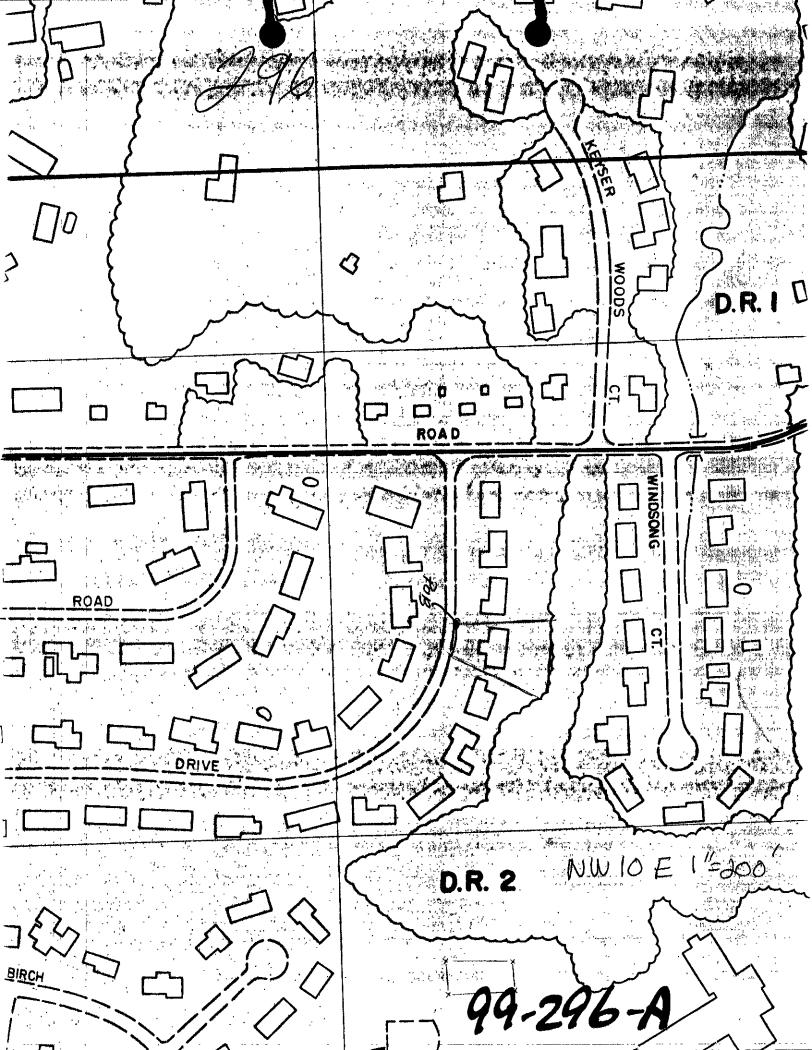
8. The Fire Marshal's Office has no comments at this time in reference to the following item numbers:

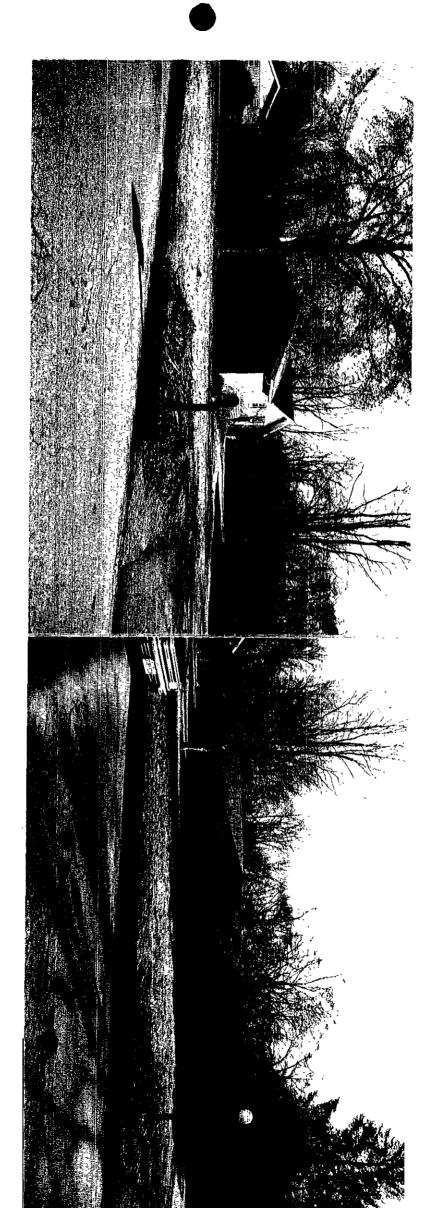
291, 292, 293, 294, 295, 296) 297, 299, 300, AND 303

REVIEWER: LT. ROBERT P. SAUERWALD

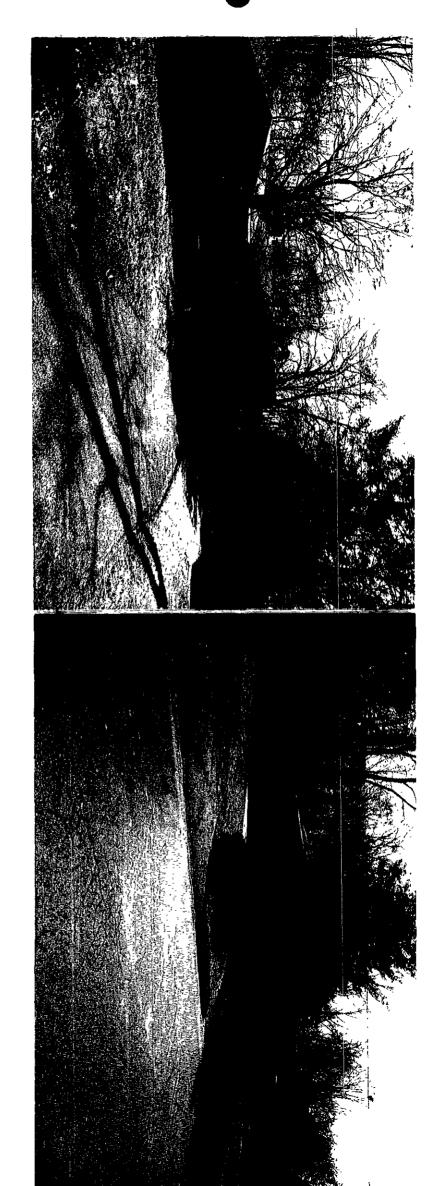
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





99.296-A



94.296-A



Et it

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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

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