

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Avalon Avenue, 320' W
of centerline of Inverness Avenue
12th Election District
7th Councilmanic District
(66 Avalon Avenue)

Thomas F. Hammersla
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-102-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Thomas F. Hammersla, property owner, for that property known as 66 Avalon Avenue in the Inverness area of Baltimore County. The Petitioner herein seeks a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 17 ft. front yard setback in lieu of the required front yard average of 25 ft. for an addition. 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 having filed a Petition for Administrative 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.

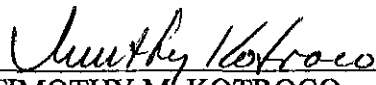
The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy 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.

ADDED TO FILE
Date 10/15/99
By J.R. Gannon

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 Deputy Zoning Commissioner for Baltimore County this 15th day of October, 1999, that a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 17 ft. front yard setback in lieu of the required front yard average of 25 ft. for an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

DATE 10/15/99
BY R. J. [signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October 15, 1999

Mr. Thomas F. Hammersla
66 Avalon Avenue
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 00-102-A
Property: 66 Avalon Avenue

Dear Mr. Hammersla:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

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

66 Avalon Avenue
Address
Baltimore MD 21222
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):

1. This is an existing dwelling and the owner does not have ownership of adjacent properties. The internal floor plan will not allow an addition to the sides of the house.
2. There is a need to expand the living space to accommodate family environment.
3. The rear yard would also need a variance to put the addition on the back of the existing 1 story frame addition. The property to the right of the subject property had an existing porch (8' x 12" approx.) that would be in line with the proposed addition.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Thomas F. Hammersla
Signature

Thomas F. Hammersla
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas F. Hammersla
the Affiant(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

8/25/99
Date

[Signature]
Notary Public

My Commission Expires July R. Ferris, Notary Public

Baltimore County
State of Maryland

My Commission Expires Feb. 1, 2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 66 Avalon Avenue

which is presently zoned D.R.S.5

This Petition shall be filed with the Department of Permits and 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) 303.1 To permit 17' Front yard setback in lieu of the required front yard average of 25'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Thomas F. Hammersla

Name - Type or Print

Signature

Name - Type or Print

Signature

66 Avalon Avenue 410-284-4154

Address

Telephone No.

Baltimore Maryland 21222

City

State

Zip Code

Representative to be Contacted:

Bernadette L. Moskunus

M&H Development Eng.

Name

200 E. Joppa Road Room 101 410 828 9060

Address

Telephone No.

TOWSON, MD 21286

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 09-08-99 day of September that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-102-A

REV 9/15/98

Reviewed By SOB Date 09-08-99

Estimated Posting Date 09-19-99

ZONING DESCRIPTION FOR #66 AVALON AVENUE

BEGINNING at a point on the north side of Avalon Avenue which is 40' wide at the distance of 320' west of the centerline of Inverness Avenue which is 50' wide. Being Lot # 40 in the subdivision of "Inverness" as recorded in Baltimore County Plat Book #13, folio # 27, containing 5,000 square feet. Also known as #66 Avalon Avenue and located in the 12th. Election District, 7th. Councilmanic District.



J. Tilghman Downey, Jr.

*M&H Development Engineers, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060*

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **072211**

DATE Sept. 8, 99

ACCOUNT

R. COO. GISC.

AMOUNT \$

50.00

RECEIVED
FROM:

M&H Development Engineers

FOR:

Administrative Voucher #66 Avalon Ave.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

00-102-A.

PAID RECEIPT

PROCESS ACTUAL TIME
9/08/1999 9/08/1999 10:00:10
REG #002 CASHIER LGHT LSS ORDER
Dept 5 528 ZONING VERIFICATION
Receipt # 100000
CR NO. 072211

Net Tot 50.00
50.00
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 00-102-A
PETITIONER/DEVELOPER:
(Thomas Hammersla)
DATE OF Closing
(Oct. 4, 1999)

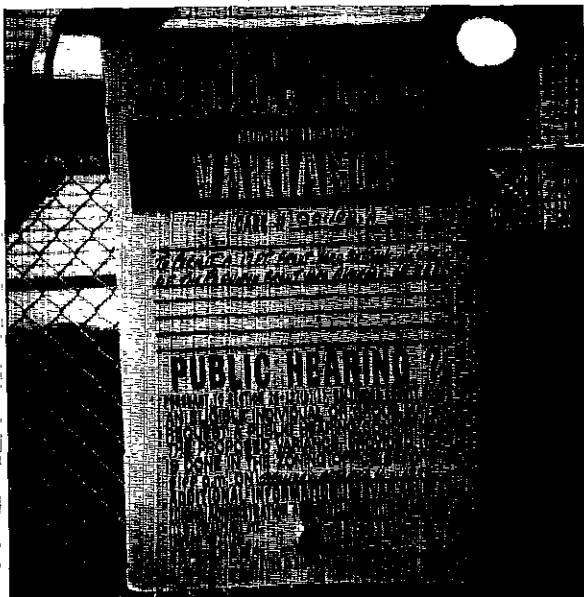
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
66 Avalon Ave. Baltimore, Maryland 21222_____

The sign(s) were posted on _____ 9-17-99 _____
[Month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
[Telephone Number]

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 00 - 102 - A
Petitioner: Thomas Hammersla
Address or Location: 66 Avalon Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Thomas Hammersla
Address: 66 Avalon Avenue
Baltimore MD 21222
Telephone Number: (410) 284-4154

Revised 2/20/98 - SCJ

507 00-102-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 102 -A Address 66 AQUACON AVE

Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 09-08-99 Posting Date: 09-19-99 Closing Date: 10-04-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification 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.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 00- 102 -A Address 66 AQUACON AVE
Petitioner's Name THOMAS HAMMOND Telephone 410-284-4154
Posting Date: 09-19-99 Closing Date: 10-04-99
Wording for Sign: To Permit 17 FT. FRONT YARD SETBACK W/VIEW
OF THE REQUIRED FRONT YARD FOOTCAGE OF 25 FT.



Baltimore County
Department of Permits and
Development Management

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

October 12, 1999

Mr. Thomas Hammersla
66 Avalon Avenue
Baltimore, MD 21222

Dear Mr. Hammersla:

RE: 00-102-A , 66 Avalon Avenue

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

The Zoning Advisory Committee (ZAC), which consists of 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, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



**Baltimore County
Fire Department**

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

October 20, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF October 12, 1999

Item No.: See Below

Dear Ms. Stephens:

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.

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

101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112
114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124
125, 126, 127, 128 and 129

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 837-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND**INTER-OFFICE CORRESPONDENCE**

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

Date: October 7, 1999

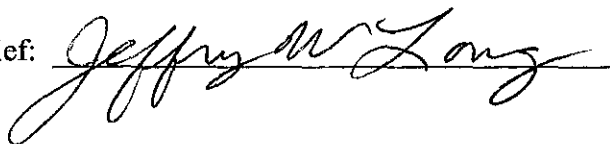
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 102, 106, and 115

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



Maryland Department of Transportation
State Highway Administration

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

Date: 8.25.99

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

RE: Baltimore County
Item No. 102 JRA

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,

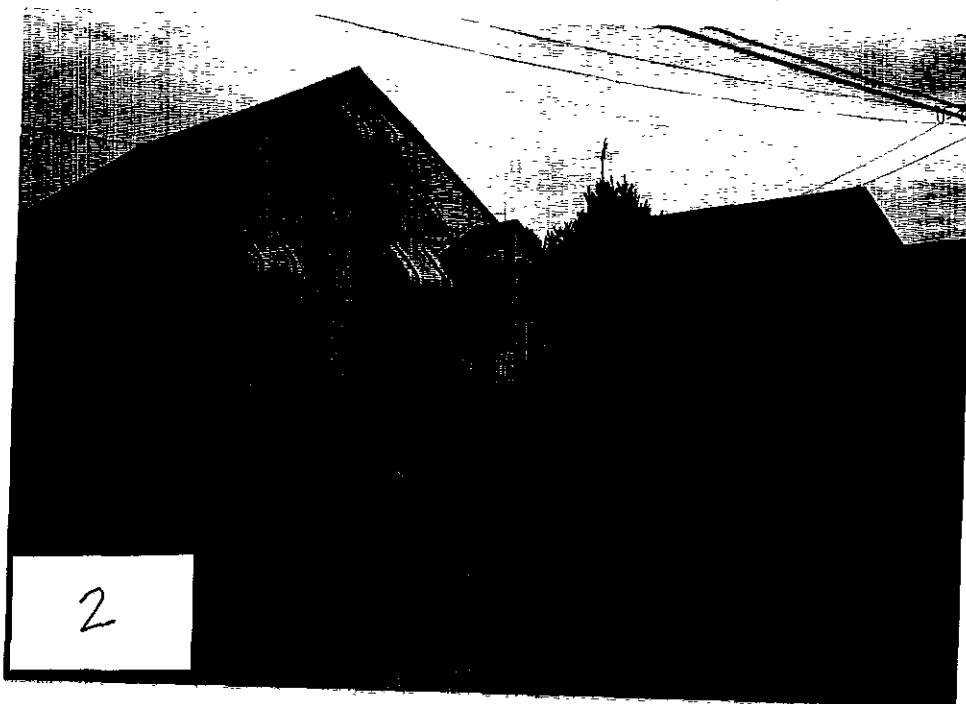
for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

00-102-A



Martin Spatafore 9806 Forge Park Road Perry Hall, MD 21128	Faye Warehime 5005 E. Joppa Road Perry Hall, MD 21128
Al Thompson 9028 Fieldchat Road Baltimore, MD 21236	Fran & Fred Myers 5323 E. Joppa Road Perry Hall, MD 21128
John Kuton 5132 East Joppa Road Perry Hall, MD 21128	John Pyle 5136 E. Joppa Road Perry Hall, MD 21128
Mary Schott 9264 Chapel Road Perry Hall, MD 21128	Don Bollhorst 9638A Belair Road Perry Hall, MD 21128
Marvin Gyr, Jr. 4235 Four Mill Road Baltimore, MD 21236	Barb Martin 9429 Kilbride Court Perry Hall, MD 21128
Jeff Griffin 14 Forge Haven Dr. Perry Hall, MD 21128	Ralph E. Rexroad 7005 Rexroad Dr. Kingsville, MD 21087
Dave Akehurst 11509 Cedar Lane Kingsville, MD 21087	Lena Ward 5001 Forge Road Perry Hall, MD 21128
Clay Stambaugh, III 462 Forge Acre Perry Hall, MD 21128	Rick and Denise Uhrin 5129 New Gerst Lane Perry Hall, MD 21128
Warren & Stennis Bierman 5103 New Gerst Lane Perry Hall, MD 21128	Residents 9710 Perry Farms Drive Perry Hall, MD 21128
Sharon Hall 3219 Forge Road Perry Hall, MD 21128	Ken & Mary Ana Plummer 11734 Hamilton Place Perry Hall, MD 21128
Renee Webster 5201 E Joppa Road Perry Hall, MD 21128	Vivian Anderson 11716 Hamilton Place Perry Hall, MD 21128
Ray Appell 4838 E. Joppa Road Perry Hall, MD 21128	Helen Fringo 9513A Horn Ave. Baltimore, MD 21236 -1523

00-102-A



With no additional questions, Mr. Rascoe adjourned the meeting at 8:45 p.m. after describing the remainder of the development process.

Respectfully submitted,

 Donald T. Rascoe
 Project Manager

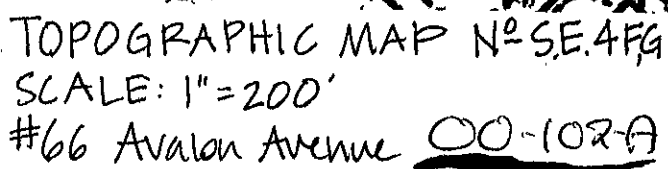
c: Hon. Vince Gardina, County Council, M.S. 2201
 Dev.:
 Eng: Morris & Ritchie, Inc.

Reviewing Agencies: OPZ, PDM, R&P, DPR, DEPRM, EDC, CDC,
 Bd. of Ed., Fire, SHA- Please distribute as necessary within your agency.

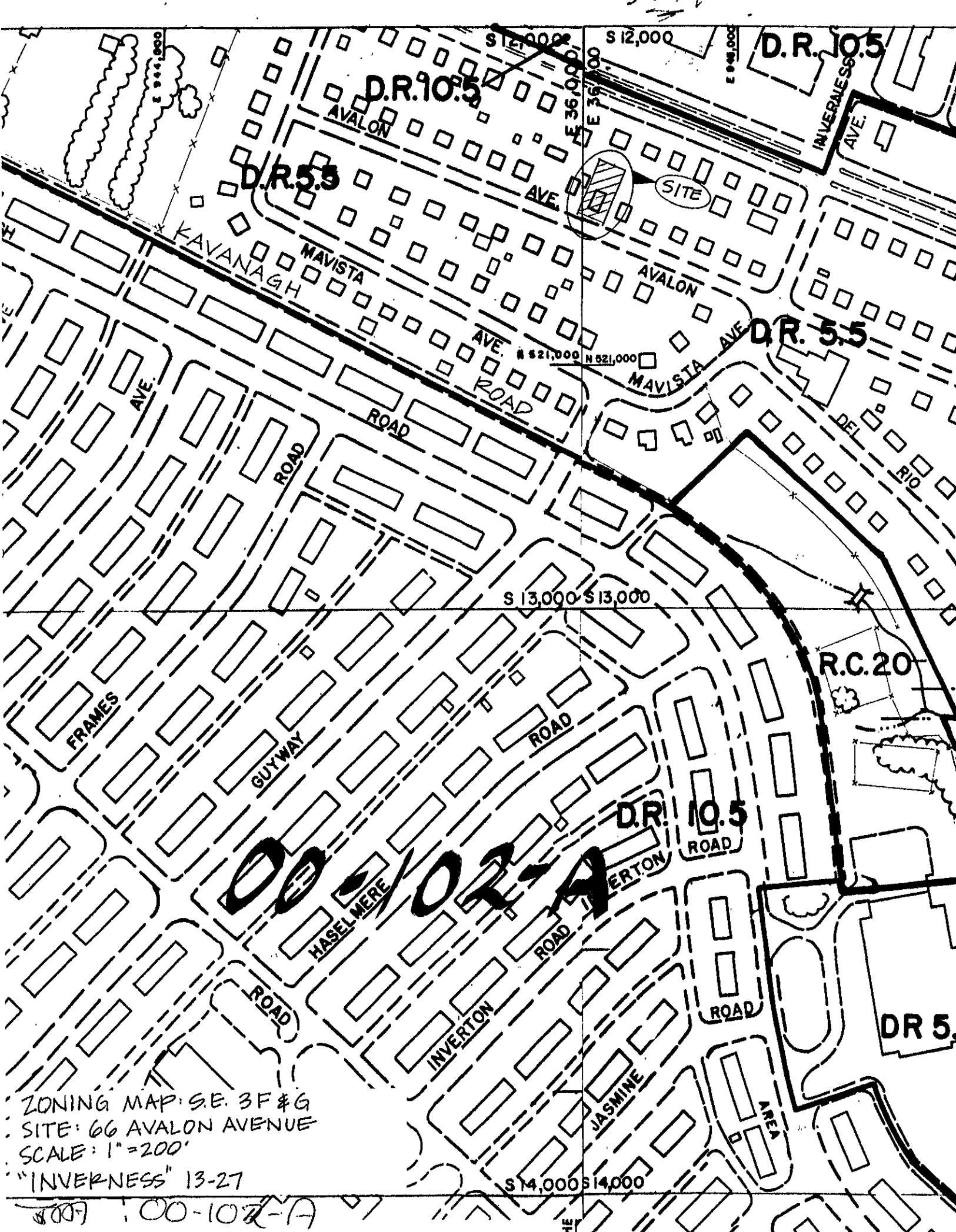
Contact Persons

The following persons will receive a copy of these minutes, a copy of the development plan (when filed) and notification of the time, date and place of the development plan hearing officer.

Rich Malinski 3 Kahl Manor Ct. Perry Hall, MD 21128	Alice Klingenstein 5121 New Gerst Road Perry Hall, MD 21128
Kern Ducote 9137 Cowenton Ave. Perry Hall, MD 21128	Mary Raphael 1137 Beech Drive Baltimore, MD 21220
Tom Van Poppel 9128A Cowenton Ave. Perry Hall, MD 21128	Sally Raphael 408 Arrow Wood Ct. Abington, MD 21009
Betty Day 9222Cornflower Road Baltimore, MD 21236	Connie Hergenroeder 9067 Rexis Ave. Perry Hall, MD 21128
Wayne Linhart 9702 Perry Farms Drive Perry Hall, MD 21128	Walter Greif, Jr. 4532E Joppa Road Perry Hall, MD 21128



TOPOGRAPHIC MAP N^o SE.4FG
SCALE: 1"=200'
#66 Avalon Avenue OO-102-A



ZONING MAP: S.E. 3F & G
SITE: 66 AVALON AVENUE
SCALE: 1"=200'
"INVERNESS" 13-27

00-102-A

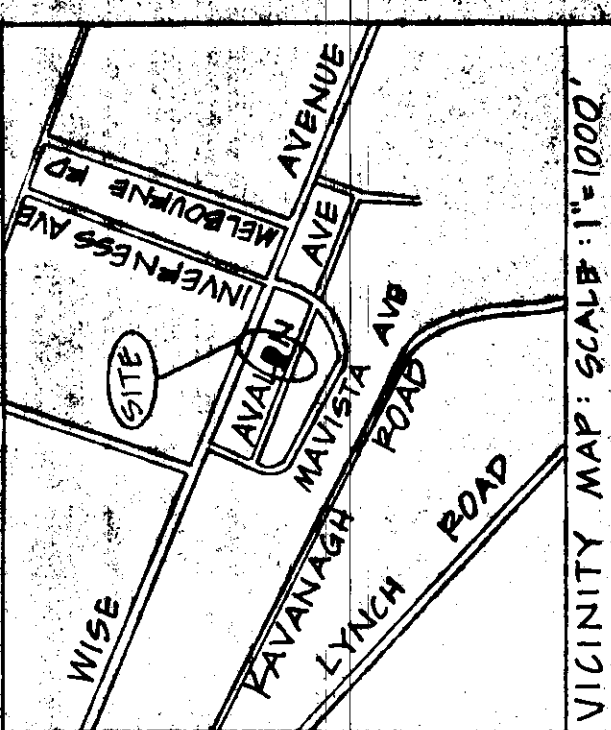


A high-contrast, black and white aerial photograph of a city grid. The image shows a dense pattern of buildings and streets. A label 'SITE' is positioned at the top center, with a line pointing to a circular marker that contains a stylized building icon. In the bottom left corner, there is a white rectangular box containing text. The overall image has a grainy, high-contrast appearance.

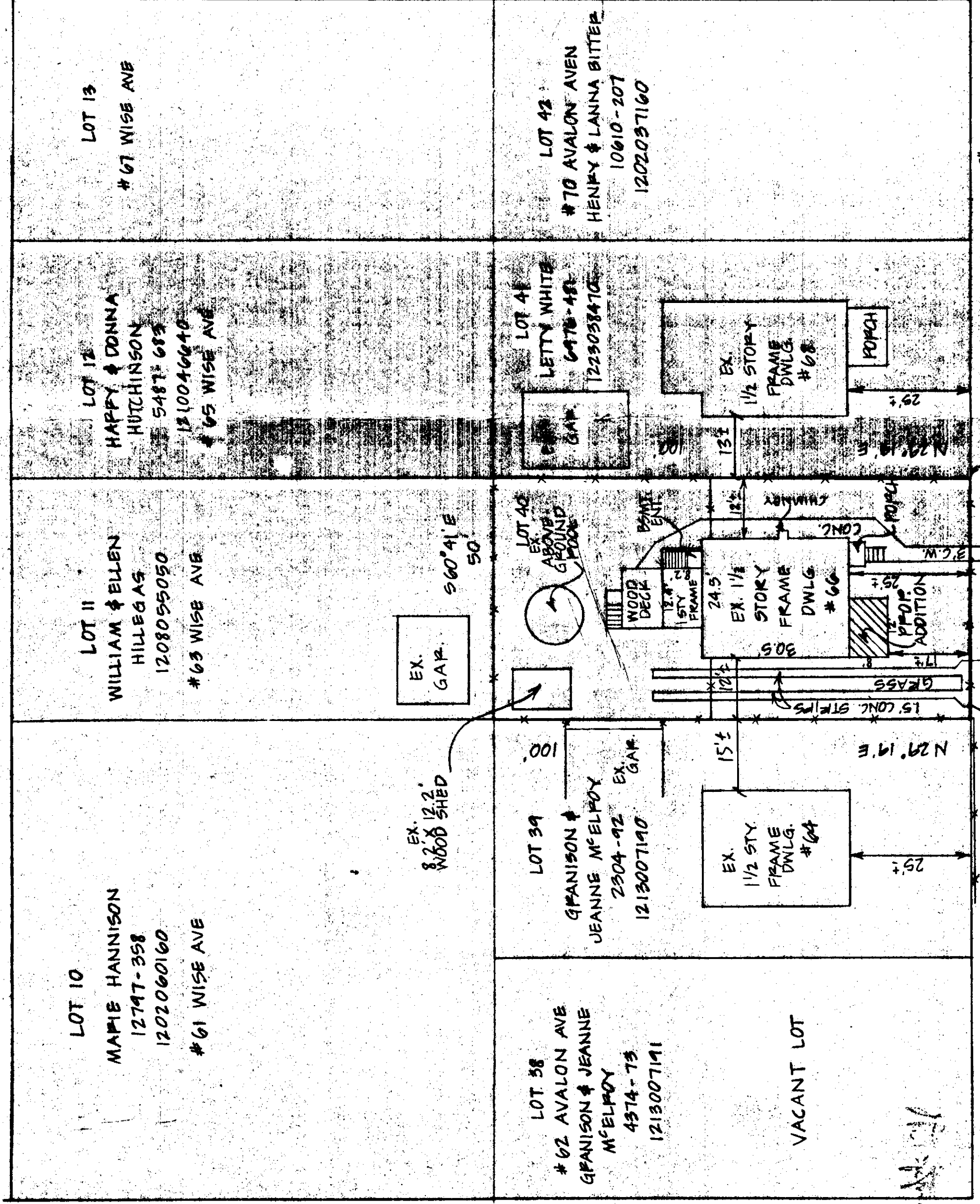
SITE

AERIAL MAP NOSE. 4 F, G
SCALE: 1" = 200'

#66 Avalon Avenue OO-1027



VICINITY MAP: SCALE: 1"=1000'



- GENERAL NOTES:
1. Variance for front yard setback for proposed addition
 2. Existing zoning: Q1, S, S-1
 3. 200' Scale Map: S, S-1, F & G
 4. Proposed Addition size: 8'x12' 1 STORY
 5. Lot size: 5,000 S.F. (0.114 AC.)
 6. Councilman's District: 7
 7. Not located in the Chesapeake Bay Critical Area
 8. Serviced by public water and sewer
 9. Flood Insurance Rate Map
 10. Community Panel No. 240010 04406
 11. Zone: "C"
 12. NOT LOCATED IN FLOODPLAIN



00-102-A

PLAT TO ACCOMPANY PETITION FOR
AN ADMINISTRATIVE VARIANCE

LOT NO. 40

"INVERNESS"

ELECTION DISTRICT NO. 13

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=20'

SEPTEMBER 1, 1999

OWNER: Thomas R. Hammer
66 Avalon Avenue
Baltimore, MD 21225
410-224-4134
Dead End: 1314-709
Tax Map: 104 Grid: F5 P368-225
Tax Ass. No. 120207600

PREPARED BY PLAN:
JAMES D. HANCOCK
ENGINEERS, INC.
300 S. JEFFERSON
ROOM 101
TOWSON, MD 21204
(410) 224-0000

CHAINLINK FENCE: ①
WATER METER: ②
SEWER HOUSE CONN.: ③

PICTURE ①
PICTURE ②
PICTURE ③

ZONING OFFICE USE ONLY
REVIEWED BY: 102
ITEM NO: 00-102-A