

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S Maryknoll Road, 1320' W		
centerline of Streamwood Drive	*	DEPUTY ZONING COMMISSIONER
2nd Election District		
2nd Councilmanic District	*	OF BALTIMORE COUNTY
(4518 Maryknoll Road)		
	*	CASE NO. 00-485-A
Doris A. Smith & Carla S. Weaver		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Doris A. Smith & Carla S. Weaver. The variance request is for property located at 4518 Maryknoll Road in the Pikesville area of Baltimore County. Specifically, the Petitioners are requesting permission to construct an addition on the side of her home with a setback of 1.5 ft. from the side property line in lieu of the required 10 ft. and a combined sum of 17 ft. of side yards in lieu of the required 25 ft. The Petition was filed along with a site plan showing a lot size of 11,304 sq. ft., more or less, zoned DR 3.5. The subject property is improved with a one-story dwelling wherein Ms. Smith resides.

The site plan indicates that the Petitioner wishes to add a 12 ft. x 30 ft. garage to the side of her house. Ms. Smith indicates that she wishes to park her automobile out of inclement weather and also in a manner that would provide her with a secure place to park after dark. No neighbor opposes Ms. Smith and her request. However, the Office of Planning, by a comment dated June 14, 2000 strongly opposes the Petitioner's request for the reasons stated within their letter. The Planning Office was asked by this Deputy Zoning Commissioner to reconsider the request and their position. However, even after requesting that they reconsider their position, the Planning

ORDER RECEIVED FOR FILING

Date

7/17/00

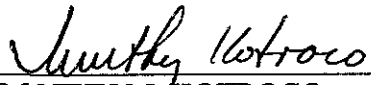
By

[Signature]

Office still opposes Ms. Smith's variance request. Therefore, based on the strong position of the Planning Office, I find that the variance request should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of July, 2000, that the Petitioner's variance request from Sections 1B02.3.B and C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to construct an addition on the side of her home with a setback of 1.5 ft. from the side property line in lieu of the required 10 ft. and a combined sum of 17 ft. of side yards in lieu of the required 25 ft., be and is hereby DENIED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

7/17/00

By

R. G. G. G. G.



Baltimore County
Zoning Commissioner

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

July 17, 2000

Ms. Doris A. Smith
Ms. Carla S. Weaver
4518 Maryknoll Road
Pikesville, Maryland 21208

Re: Petition for Administrative Variance
Case No. 00-485-A
Property: 4518 Maryknoll Road

Dear Ms. Smith & Ms. Weaver:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been denied 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 Department of Permits and Development Management. 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 black ink, which appears to read "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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4518 Maryknoll Rd
which is presently zoned 21208 DR3.5

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) 1802.3.B & C.1; BCL2R, TO PERMIT AN ATTACHED GARAGE TO BE LOCATED WITHIN 1.5 ft. FROM THE SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 10 ft. WITH A COMBINED SUM OF 17 ft. OF SIDE YARDS IN LIEU OF THE REQUIRED 25 ft.

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.

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

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 17 day of May, 2000, 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.

00-485A

Reviewed By

JCM

Date

5-18-00

Estimated Posting Date

5-28

2000 5/15/98

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 4318 Mary Knoll Rd
Address
Prkesville Md - 21209
City State Zip Code

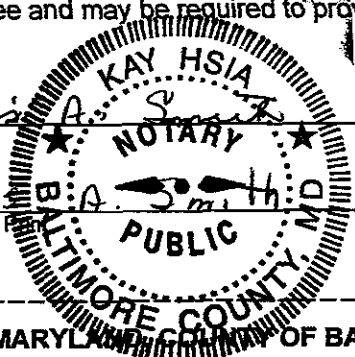
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty): That due to the layout of
the yard, there is no other practical place to build a garage.

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.

Kay Hsia
Signature
Dennis A. Smith
Name - Type or Print

Signature

Name - Type or Print



STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

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

4/19/00
Date

Kay Hsia
Notary Public

My Commission Expires 1/28/04

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 X 4518 Maryknoll Rd
Address
X Pikesville Md - 21208
City State Zip Code

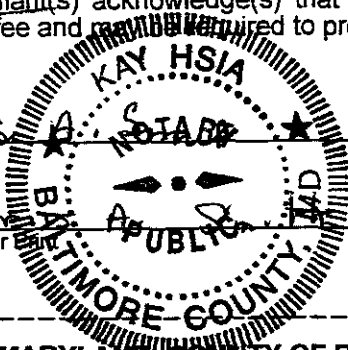
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty): that due to the layout of the yard, there is no other practical place to build a garage.

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.

X [Signature]
Signature
X [Name]
Name - Type or Print

Signature

Name - Type or Print



STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

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

4/19/00
Date

[Signature]
Notary Public
My Commission Expires 1/28/04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4518 Maryknoll Rd
which is presently zoned 21358 DR3.5

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) BOJ.3, BFC.1; B2ER, to permit an attached garage to be located within 15 ft. from the side property line in lieu of the required 10 ft. with a combined sum of 17 ft. of side yards in lieu of the required 25 ft.

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):

Doris Anderson Smith
Name - Type or Print _____
Doris A. Smith
Signature _____
CARLA SMITH WEAVER
Name - Type or Print _____
Carla Smith Weaver
Signature _____ (412)
4518 Maryknoll Rd 602-8845
Address _____ Telephone No. _____
Pikesville Md - 21208
City _____ State _____ Zip Code _____

Representative to be Contacted:

Frank Ambrosio
Name _____
2610 W. Woodwell Rd 410-285-1946
Address _____ Telephone No. _____
Hydro Md 21222
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 _____ day of _____ 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. 00-485A Reviewed By JMM Date 5-18-00
REB 9/15/98 Estimated Posting Date 5-28

Zoning Description For 4518 Maryknoll Rd.

Beginning at a point on the NORTH
side of Maryknoll Rd which is 40 feet
wide at the distance of 1320 feet West
of the centerline of the nearest improved
intersecting street Streamwood Dr. which
is 40 feet wide & Being Lot # 26, Block -
Section # 4 in the subdivision of Old Court
Estates as recorded in Baltimore County
Plat Book # 26, Folio # 45, containing
11,357.28 sq. ft. Also known as 4518 Maryknoll Rd
and located in the 2 Election District, 2
Councilmanic District.

485

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **081342**

DATE 5-18-00 ACCOUNT 2001-6150

AMOUNT \$ 50.00

RECEIVED FROM: D. Smith 4515 Monapke 1113

FOR: (010) Ad. Vng.

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Long

PAID RECEIPT

PAYMENT ACTUAL TIME
 5/19/2000 5/18/2000 14:32:01
 REG 0003 CASHIER LML LMA DRAWER 3
 Dept 5 520 ZONTING VERIFICATION
 Receipt # 123518
 CR NO. 081362

Receipt Tot 150.00
 50.00 TX 100.00
 Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CAS 200-185-A
PETITIONER/DEVELOPER
(Doris Smith)
DATE OF Closing
(6-12-00)

**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
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

4518 Maryknoll Road Baltimore, Maryland 21208_____

THE SIGN(S) WERE POSTED ON_____ **5-26-00** _____
(MONTH, DAY, YEAR)

SINCERELY,

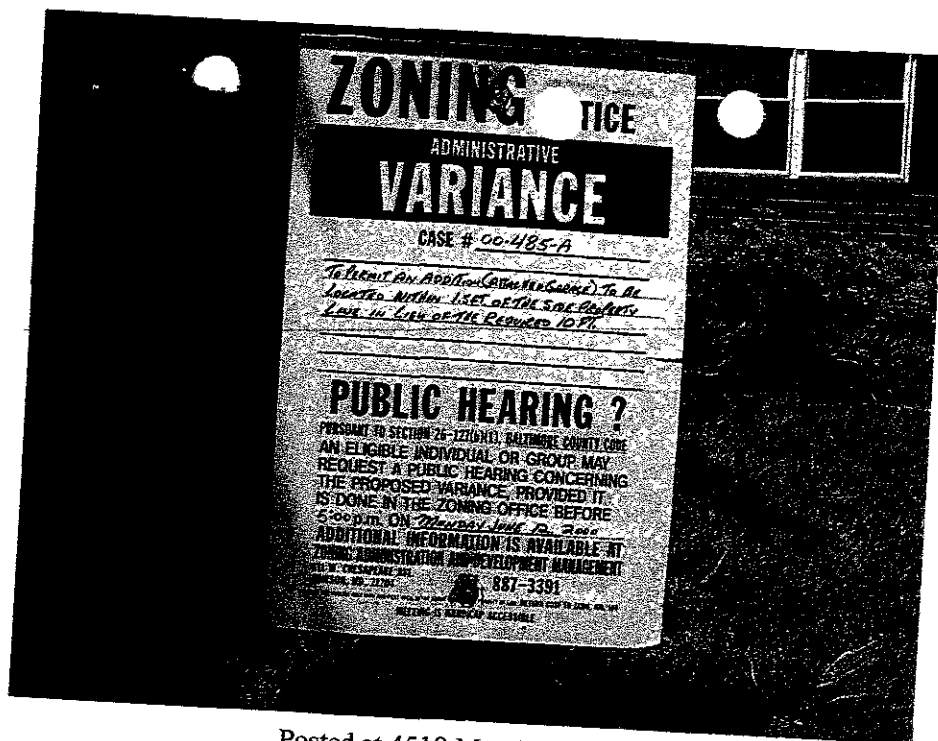

(SIGNATURE OF SIGN POSTER & DATE)

_____ **THOMAS P. OGLE SR.** _____

_____ **325 NICHOLSON ROAD** _____

_____ **BALTIMORE, MARYLAND 21221** _____

_____ **410-687-8405** _____
(TELEPHONE NUMBER)



Posted at 4518 Maryknoll Road

**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: 485

Petitioner: DORIS SMITH

Address or Location: 4518 MARYKNOLL RD. BALTO-MD. 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: Same

Telephone Number: (410) 602-8845

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 485 -A Address 4518 MARY KNOLL RD.

Contact Person: J. Menn Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5.18.00 Posting Date: 5.28 Closing Date: 6.12

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- 485 -A Address 4518 MARY KNOLL RD.
Petitioner's Name DORIS SMITH Telephone (410) 602-8845
Posting Date: 5.28 Closing Date: 6.12
Wording for Sign: A VARIANCE
TO PERMIT AN ADDITION (ATTACHED GARAGE)
TO BE LOCATED WITH 1.5 ft. of the
SIDE PROPERTY LINE IN LIEU OF THE REQUIRED



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 14, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 5, 2000
Item Nos. 477, 478, 479, 480, 481, 482,
483, 485, 486, 487, and 488

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

June 2, 2000

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 May 29, 2000

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.

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

477, 478, 479, 480, 482, 483, 485, 487, and 488

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 14, 2000

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

SUBJECT: 4518 Maryknoll Road

INFORMATION:

Item Number: 485

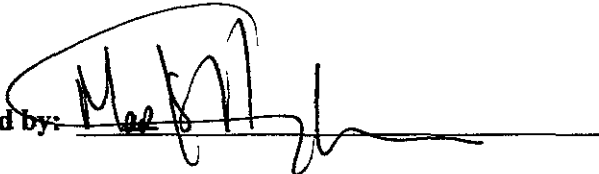
Petitioner: Doris Anderson Smith

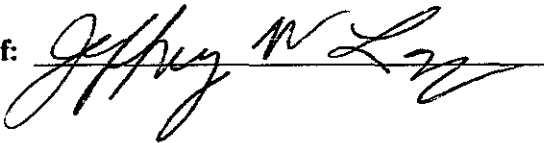
Zoning: D.R. 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the variance to an attached garage to be located 1.5 feet from the side property line in lieu of the required 10 feet, and a sum of 17 feet of side yard in lieu of the required 25 feet. This office has determined that granting a variance of this magnitude will interfere with the development pattern of the neighborhood.

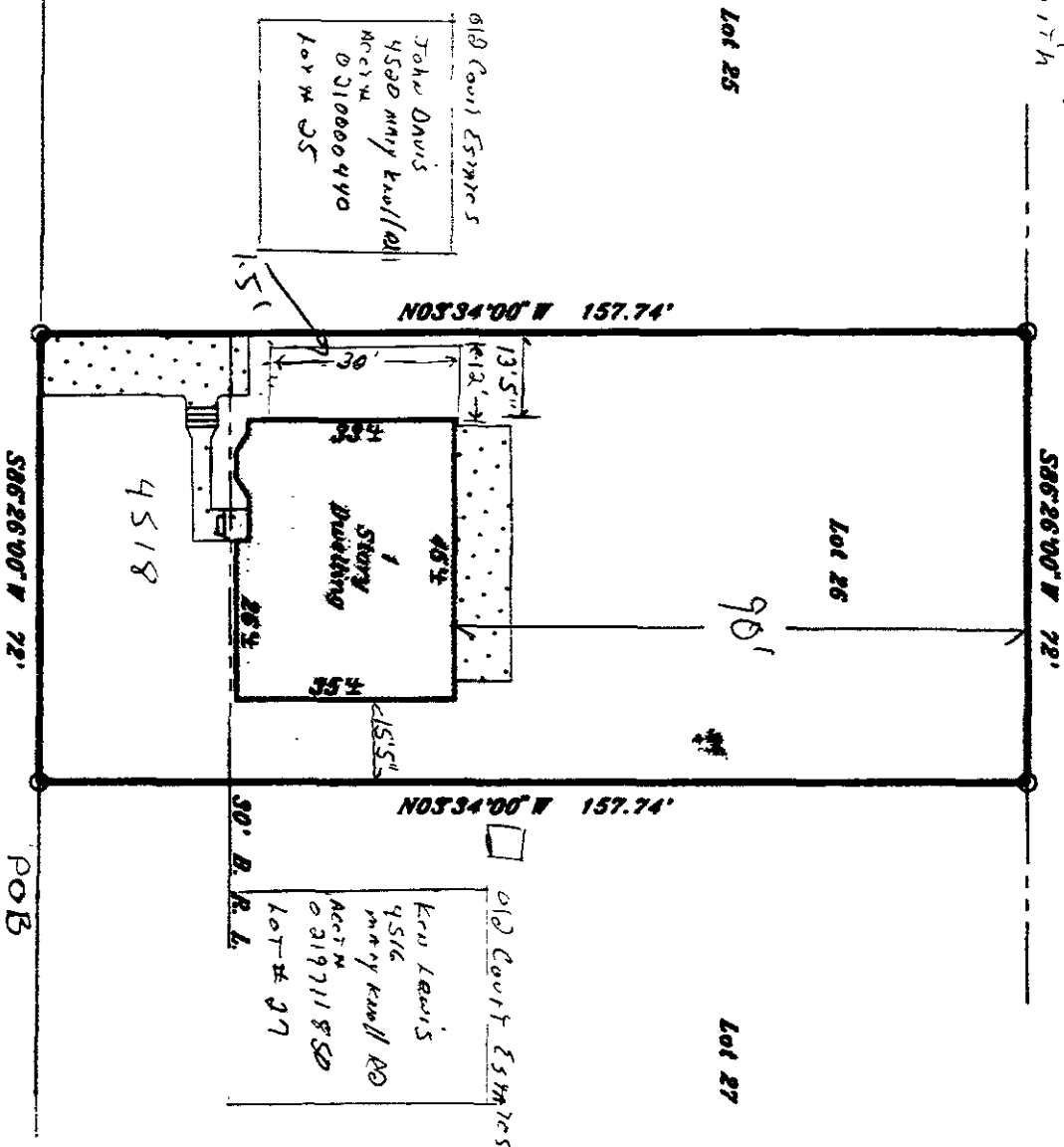
Prepared by: 

Section Chief: 

AFK:MAC:

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
 4518 MARYKNOLL RD
 Subdivision name: OLD COURT ESTATES
 Plat Book # 26 Folio 45 Lot # 26 Section 14
 Owner: DOUGLAS A. SMITH

Lot Number: 26
 Block/Section: H
 Plat Reference: Book: 26 Page: 45
 Title of Plat: Old Court Estates, Section IV



Location Information

Election Dist: 2
 Councilmanic Dist: 2

1" = 200' sc. map

NW 76

Zoning: DR3.5

Lot Size: 1.472

Area: 59.622

Utility: Sewer: Public
 Water: Public
 ERE AREA, NO
 PRIOR zoning hearing: NONE

Zoning Office

Reviewed by: J. M. CASE#

SW 485

Property lies in Flood Zone

Platting
 The surveyor only
 is a lender or a
 not in connection
 with the establishment
 of the establishment
 or buildings or
 structures. The plat
 identifies the plat
 identification of
 the plat of title or
 the approximate
 in relation to the
 property known as

Plat # 24-1

12/12/95

variation

21204

Scale 1" = 30'

113010BC

Prepared by: EJA

Scale 1" = 30'

MARYKNOLL ROAD

Streamwood Dr.

POB 1300' to

S86°26'00" W 72'

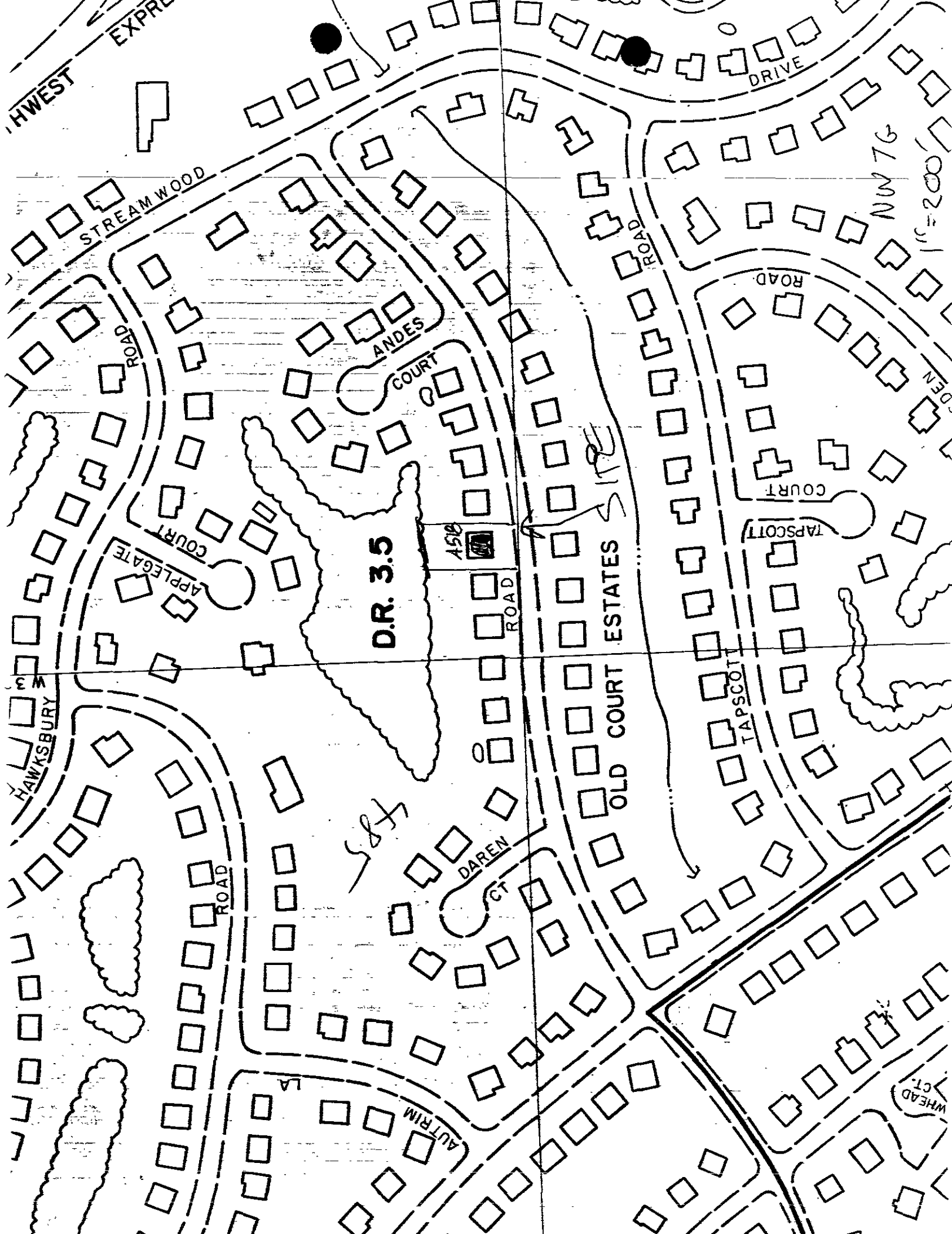
N03°34'00" W 157.74'

N03°34'00" W 157.74'

30' B. R. L.

OLD COURT ESTATES
 KENNEDY
 4516
 MARYKNOLL RD
 ACRES
 0.319711850
 LOT # 27

OLD COURT ESTATES
 JOHN DAVIS
 4500 MARYKNOLL RD
 ACRES
 0.310000440
 LOT # 25



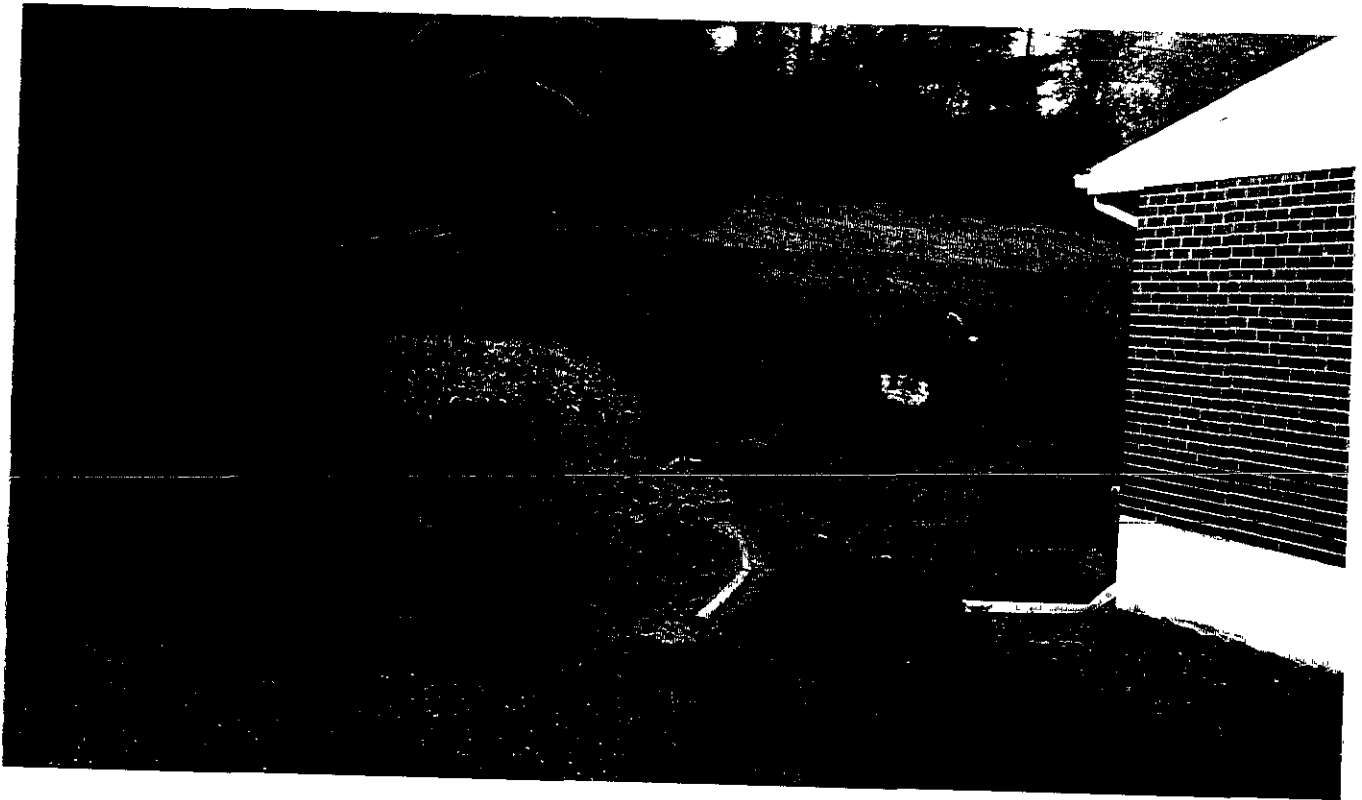


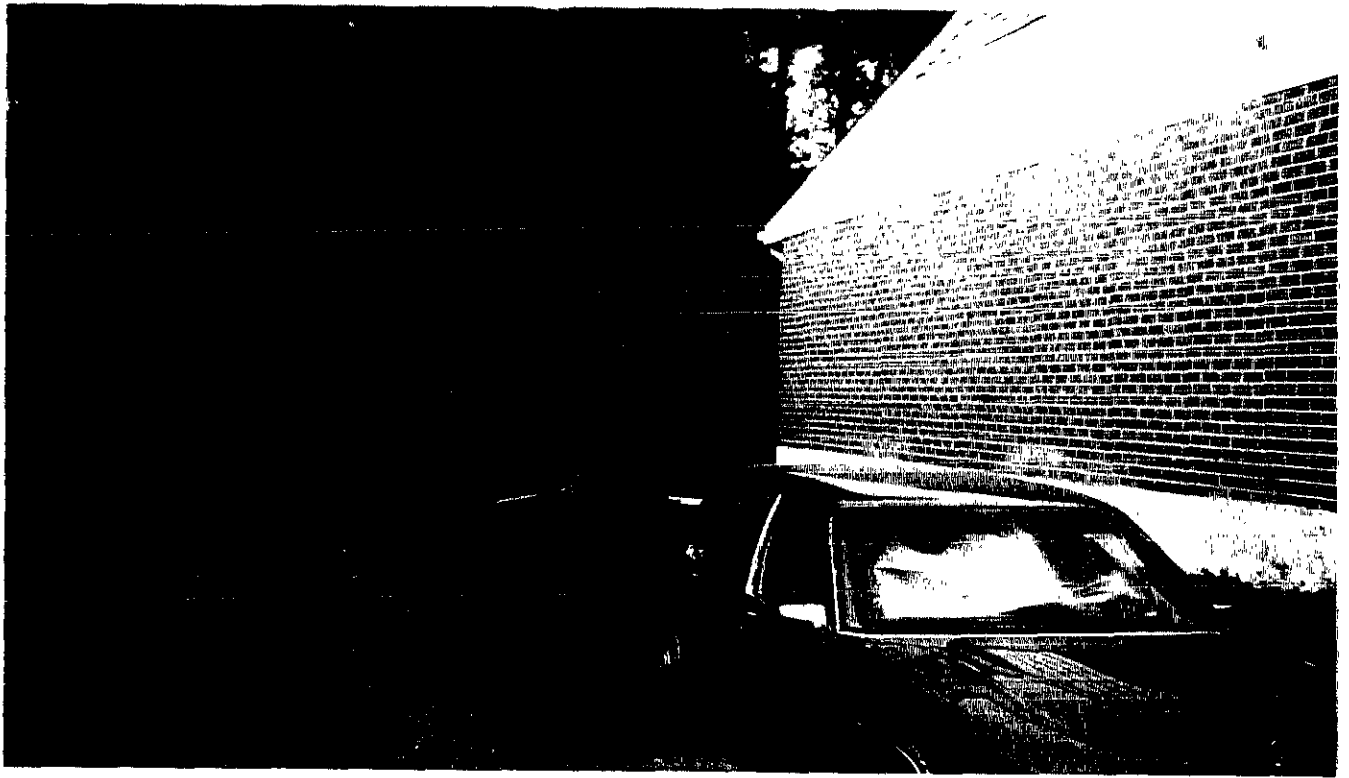
Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

Photographs
#00-485-A

Census 2000







485



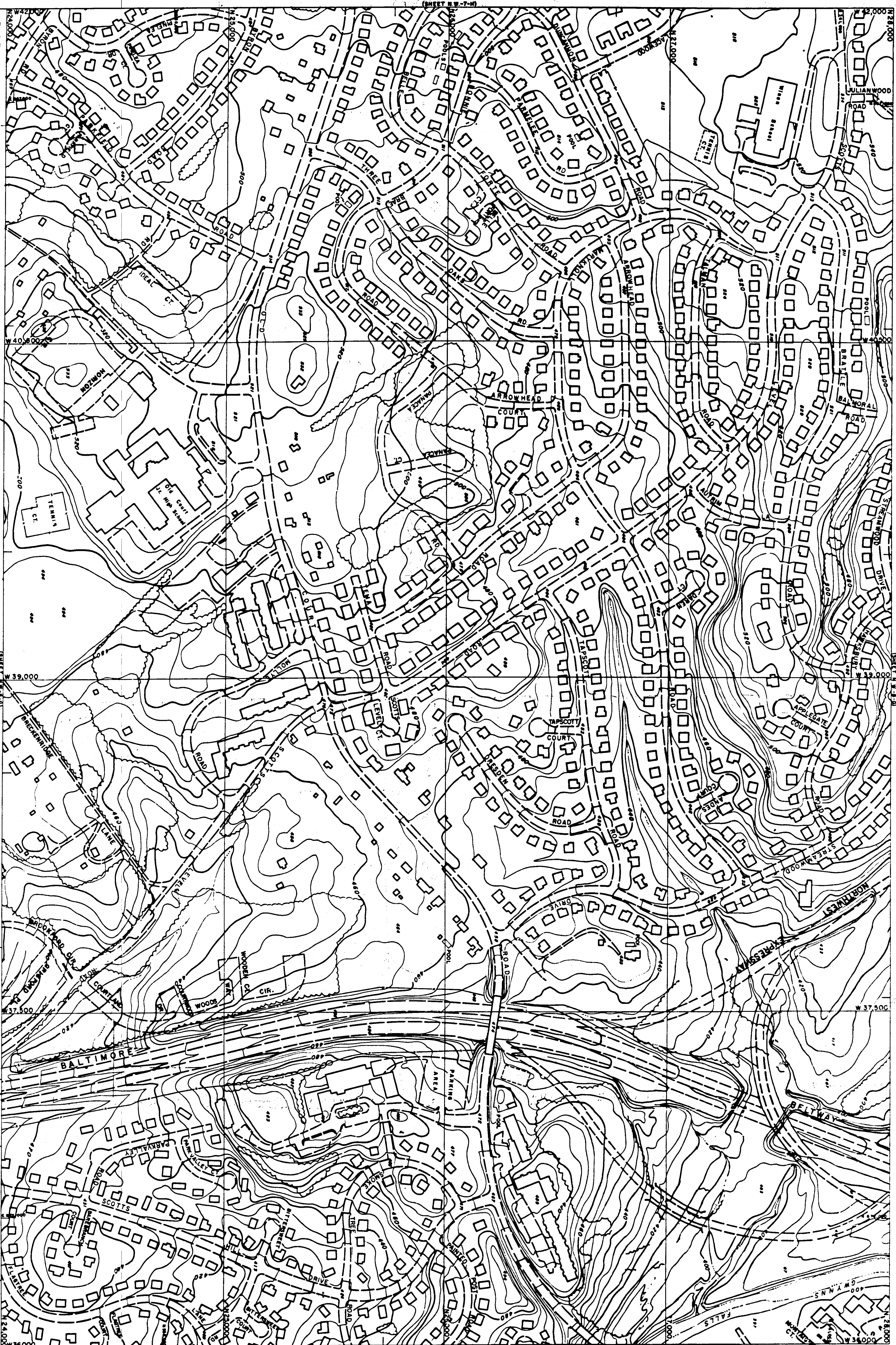
LOCATION		SHEET
PIKESVILLE AREA		N.W. 7-G

SCALE	DATE OF PHOTOGRAPHY
1" = 200' ±	JANUARY 1986

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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

MICROFILMED



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	PIKESVILLE AREA	N.W. 7-G
Maps Inc.	4-11-70			
Topography AERO SERVICE CORPORATION - PHILADELPHIA, PA.	3/25/75	DATE OF PHOTOGRAPHY APRIL, 1953		