

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S of School Road		
W of New Avenue	*	DEPUTY ZONING COMMISSIONER
4th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(216 New Avenue)		
	*	CASE NO. 01-075-A
Warren & Judith Ironmonger		
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, Warren and Judith Ironmonger. The variance request is for property located at 216 New Avenue in the Reisterstown area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft. and a side yard combination of 17 ft. in lieu of the required 10 ft. and 25 ft. respectively to construct an attached garage. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners 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 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts

ORDER RECEIVED FOR FILING

Date 9/13/00

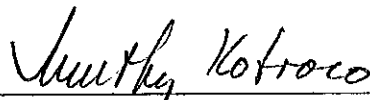
By [Signature]

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 Deputy Zoning Commissioner for Baltimore County this 13th day of September, 2000, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft. and a side yard combination of 17 ft. in lieu of the required 10 ft. and 25 ft. respectively to construct an attached garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 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 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 9/13/00
By J.R. Jameson



Baltimore County
Zoning Commissioner

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

September 13, 2000

Mr. & Mrs. Warren Ironmonger, Jr.
216 New Avenue
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 01-075-A
Property: 216 New Avenue

Dear Mr. & Mrs. Ironmonger:

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 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 cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 216 NEW AVE. REISTERSTOWN, MD. ²¹³⁶
which is presently zoned D.R.-3.5

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) 1302.3.0 to permit a side yard

setback of 2 ft. and a side yard combination of 17 ft. in lieu of the required 10 ft. and 25 ft. respectively.

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

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.

Legal Owner(s):

WARREN R. IRONMOND JR

Name - Type or Print

Signature

JUDITH H. IRONMOND JR

Name - Type or Print

Judith H. Ironmond

Signature

216 NEW AVE (H) 410 526 3654

Address

Telephone No.

REISTERSTOWN MD.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By BR Date 8/16/00

Estimated Posting Date 8/27/00

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 216 NEW AVE
Address
REISTERSTOWN MD 21136
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):

WE ARE REQUESTING RELIEF FROM THE BUILDING ENVELOPE AND BE GRANTED A PERMIT FOR BUILDING A GARAGE ATTACHED TO THE LEFT SIDE OF 216 NEW AVE. PLEASE SEE ARCHITECTURAL PLANS FOR EXACT SPECIFICATIONS. WE HAVE A SURFACE WATER PROBLEM ON THAT SIDE OF OUR HOUSE. THE FOUNDATION AND PROPOSED GARAGE SHOULD ELIMINATE THAT PROBLEM. WE RESIDE AT THE PROPERTY.

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.

Signature

WARREN R. IRONMONGER JR

Name - Type or Print

Signature

Judith H Ironmonger

Name - Type or Print

STATE OF MARYLAND, COUNTY OF CARROLL BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of August, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Warren R. Ironmonger, JR

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

8-15-00
Date

Lola D. McDermott
Notary Public

My Commission Expires LOLA D. McDERMOTT

Notary Public State of Maryland

My Commission Expires: January 18, 2008

EXHIBIT A

BEGINNING FOR THE SAME at an iron pipe set at the southwest corner of Lot 7, Section D, as shown on "Plat of the subdivision of the Lands Now Owned by Carolina Schoegel and Eleanor Schoegel of Baltimore County, Maryland", dated November 8, 1940, and recorded on October 3, 1941, among the Land Records of Baltimore County, Maryland, in Plat Book C.W.B. Jr. 12, folio 115, thence running with and binding on the western line of said lot, as now surveyed by Miller-Bowden Associates, Inc., and referring all bearings of this description to the meridian established by the Baltimore County Metropolitan District,

- 1) North 04 degrees 25 minutes 25 seconds West 100.00 feet to an iron pipe found, thence running with and binding on a portion of the north line of said Lot 7,
- 2) North 88 degrees 44 minutes 50 seconds East 295.00 feet to the proposed west right-of-way line of New Avenue (50 feet wide), thence running with and binding on said proposed right-of-way,
- 3) South 04 degrees 25 minutes 25 seconds East 20.03 feet to a point, thence leaving said right-of-way and running for new lines of division through said lot 7, the two following courses, viz:
- 4) South 88 degrees 44 minutes 50 seconds West 145.00 feet to an iron pin set, and thence
- 5) South 04 degrees 25 minutes 25 seconds East 79.97 feet to an iron pin set on the south line of said lot 7, thence running with and binding on the remaining portion of said line.
- 6) South 88 degrees 44 minutes 50 seconds West 150.00 to the beginning.

Containing 17,877.0 square feet, or 0.410 acres, of land more or less.

The improvements thereon being known as 216 New Avenue, Reisterstown, Maryland 21136.

01-075-A

#075

BALTIMORE COUNTY, MARYLA
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

05253

DATE 8/16/00 ACCOUNT R001-6150

AMOUNT \$ 50.00

RECEIVED FROM: Warren Trust Manager

FOR: cash to zoning variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 075

PAID RECEIPT

PAYMENT	ACTUAL	TIME
07/16/2000	07/16/2000	09:36:00
REC 0504	CASHIER SMYTH SMYTH	DRIVER
Dept 5	520 ZONING VARIATION	
Receipt #	127461	0414
CR NO.	085253	

Recpt Tot 50.00
50.00 OK 50.00
Baltimore County, Maryland

01-075-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADMIN.

RE: Case No.: 01-075-A

Petitioner/Developer: IRONMONGER

Date of Hearing/Closing: 9/11/00

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 #216 NEW AVE.

The sign(s) were posted on 8/26/00
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 8/27/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE

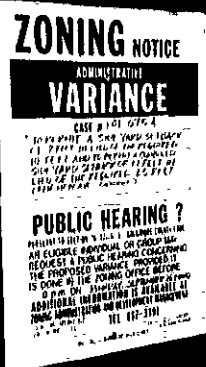
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 01- 075 -A Address 216 New Ave.Contact Person: Bruno Radaitis Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 8/16/00 Posting Date: 8/27/00 Closing Date: 9/11/00

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

- 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.
- 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.
- 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.
- 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 01- 075 -A Address 216 New Ave.Petitioner's Name Warren & Judith Ironmonger Telephone 410 526-3654 H
410 760-7900 WPosting Date: 8/27/00 Closing Date: 9/11/00Wording for Sign: To Permit a side yard setback of 2 ft. in lieu of
the required 10 ft. and to permit a combined side yard setback
of 17 ft. in lieu of the required 25 ft.**01-075-A**

WCR - Revised 6/28/00

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: 01-075-A
Petitioner: WARREN R. IRONMONDER JR
Address or Location: 216 NEW AVE REISTERSTOWN MD- 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: WARREN IRONMONDER JR
Address: 216 NEW AVE
REISTERSTOWN MD 21136
Telephone Number: 410 526 3654

Revised 2/20/98 - SCJ

01-075-A



Baltimore County
Department of Permits and
Development Management

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

September 11, 2000

Mr. & Mrs. Warren R. Ironmonger, Jr.
216 New Avenue
Reisterstown, MD 21136

Dear Mr. & Mrs. Ironmonger, Jr.:

RE: Case Number: 01-075-A, 216 New Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 16, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

G02

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR gdz:

C: People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 3, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For September 18, 2000
Item Nos. 070, 071, 072, 073, 075, 078,
079, 081, 082, 085, 086, 087, 088, 089,
090, 091, 092, 093, 094, 095, 097, 098,
100, 101, 103, and 104.

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

RWB:HJO:jrb

cc: File



September 19, 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 September 11, 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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS REGARDING THE FOLLOWING:

ITEM #'S 070, 071, 072, 073, 074, 075, 079, 080, 081, 082, 083,
084, 085, 086, 087, 088, 089, 092, 093, 094, 095, 097,
098, 099, 100, 101, 102, 103, AND 104

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, 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: September 11, 2000

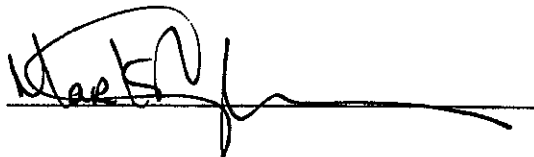
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-073, 01-074, 01-075, 01-082, 01-087,
and 01-103.

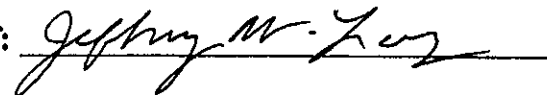
The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

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

Date: 10-2-00

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

RE: Baltimore County
Item No. 075 BR

Dear Ms. Jackson:

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,

Kr 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

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

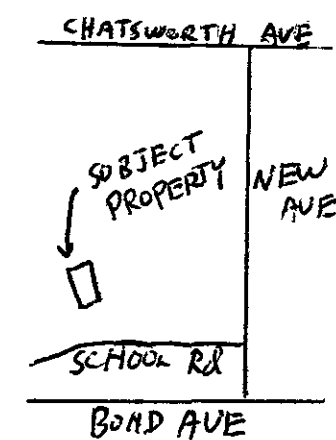
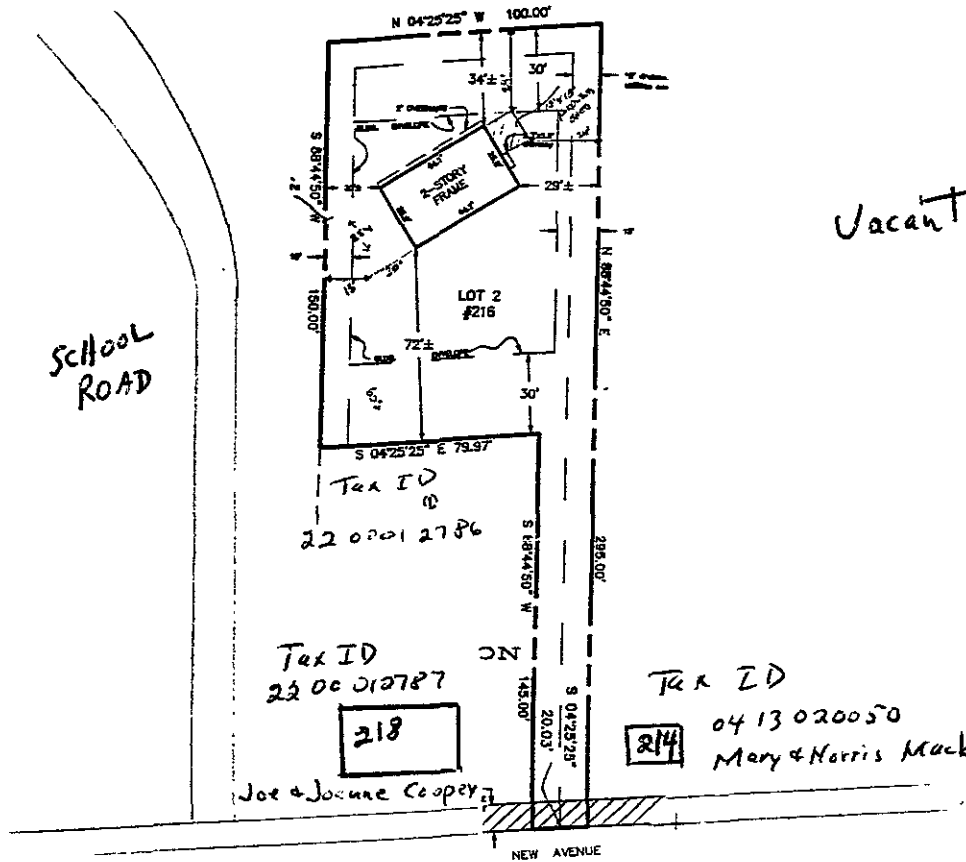
PROPERTY ADDRESS: 216 NEW AVE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: JAMIE M. JOHNSON PROPERTY

plat book # 12, folio # 115, lot # 2, section # _____

OWNER: WARREN & JUDITH IRONMONGER JR.



LOCATION INFORMATION

Election District: 4

Councilmanic District: 3

1"=200 scale map #: NW16J

Zoning: D.R.-3.5

Lot size: 0.410 17,877
acres square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

Bh

075

01-075-A



North

date: 8-15-00

prepared by: WARREN IRONMONGER JR.

Scale of Drawing: 1" = 60'

01-075-A

Ret. Ex. #

(SHEET NW-16)

REISTERSTOWN

REISTERSTOWN

N.R.H.D.

ALL SAINTS CHURCH

B.C.E.P.C.
(Prelim)

CHATSWORTH

127

D.R. 3.5

BR

MON

CARNIVAL

GROUNDS

NEW

TEACHERS

BASE BALL PARK

RO

BL

BR

D.R. 3.5

JACOB

CHATSWORTH
SCHOOL

D.R. 3.5

AVE.

CT.

LEE

BOND

AVE.

WOLF AVE

SAINT
LUKES
METH
CHURCH

01-075-A

NW 16 - J

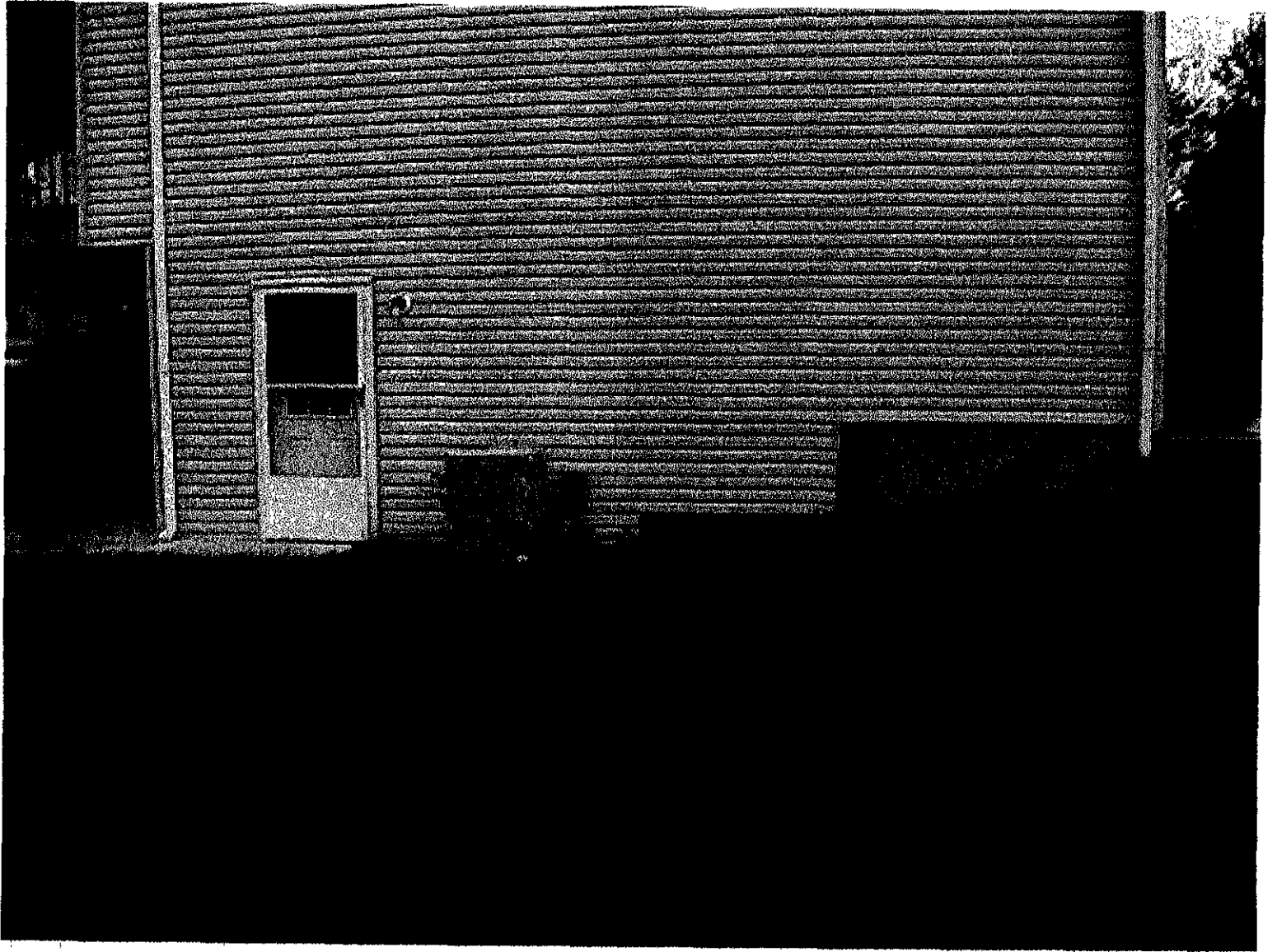
#075

1996 COMPREHENSIVE ZC



01-075-A

#075



01-075-A

#075



01-075-A

#075



01-075-A

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	REISTERSTOWN GLYNDON	N.W. 16-J
DATE OF PHOTOGRAPHY JANUARY 1986		