

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W/S Illinois Avenue, 100' N		
centerline of Washington Street	*	ZONING COMMISSIONER
13th Election District		
1st Councilmanic District	*	OF BALTIMORE COUNTY
(2923 Illinois Avenue)		
	*	CASE NO. 01-198-A
Emma C. Kernan		
Petitioner	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Emma C. Kernan. The variance request is for property located at 2923 Illinois Avenue in the Baltimore Highlands area of Baltimore County. The Petitioner herein seeks a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 8 ft. for a proposed addition in lieu of the minimum required 10 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts

ORDERED AND FOR FILED
 12/13/00
 R. J. Jernigan

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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of December, 2000, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 8 ft. for a proposed addition in lieu of the minimum required 10 ft., 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 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:raj

ORDER RECEIVED FOR FILING
12-13-00
H. Jensen



Baltimore County
Zoning Commissioner

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

December 13, 2000

Ms. Emm. C. Kernan
3006 Illinois Avenue
Baltimore, MD 21227

Re: Petition for Administrative Variance
Case No. 01-198-A
Property: 2923 Illinois Avenue

Dear Ms. Kernan:

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 black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

c: Ms. Catherine E. Long
2923 Illinois Avenue
Baltimore, MD 21227



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 2923 Illinois Ave
Address
Balto MD 21227
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 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.

Catherine E. Long
Signature
CATHERINE E LONG
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

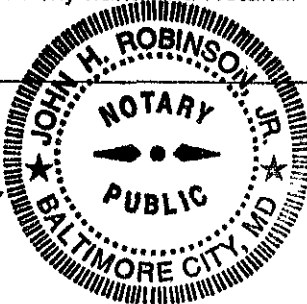
I HEREBY CERTIFY, this 6th day of November 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Catherine Elizabeth Long
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

Date

REV 09/15/98



John H. Robinson Jr.
Notary Public

My Commission Expires

11-6-2000
**MY COMMISSION
EXPIRES: 7-1-02**



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2923 Illinois Ave
which is presently zoned DR-5.5

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) 1 B02.3R.1.

To allow a side yard setback of 8 ft. for a proposed addition in lieu of the minimum required 10 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):

Name - Type or Print EMMA C. KERNAN.

Signature Emma C. Kernan

Name - Type or Print _____

Signature _____

3006 Illinois Ave 410-789-4556
Address Telephone No.

Balto MD 21227
City State Zip Code

Representative to be Contacted:

Catherine E Long
Name

2923 Illinois Ave
Address Telephone No.

Balto MD 21227
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. 01-198-A

Reviewed By [Signature] Date 11-13-00

Estimated Posting Date 11-26-00

REV 9/15/98

Zoning Description for 2923 Illinois Ave

Beginning at a point west side of Illinois Ave which is 50 ft wide at the distance of 100 ft north of the centerline of the nearest improved intersecting street Washington Street which is 50 feet wide. Being Lot # 53 & 54 Block D in the subdivision of Baltimore Highlands as recorded in Baltimore County Plat Book # 2 Folio 379 containing 6250 square feet, Also known as 2923 Illinois Ave and located 13th election District, 1st Councilmanic district.

#198

01-198-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

01-198-A
Pink No. **86757**

DATE 11-13-00 ACCOUNT R 001-6150
AMOUNT \$ 50.00

RECEIVED FROM: Patricia Long

FOR: Resident & Variances Filing Fee
2423 Illinois Ave. (21227)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
FUND 100000 100000 7000
11-14-00 11-17-00 15:34:45
REG 10000 CASHIER NAME MES 000000
CHK 5 520 BOWEN METAL CO. INC
Receipt # 184373
CR 01 86757
Receipt For: 50.00
OK 00.00 00
11-20-00
Baltimore County, Maryland

01-198-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 01-198-A

Petitioner/Developer: _____

EMMA C. KERNAN

Date of Hearing/Closing: 12-11-00

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 _____

2933 ILLINOIS AVENUE

The sign(s) were posted on NOV. 24, 2000
(Month, Day, Year)

Sincerely,

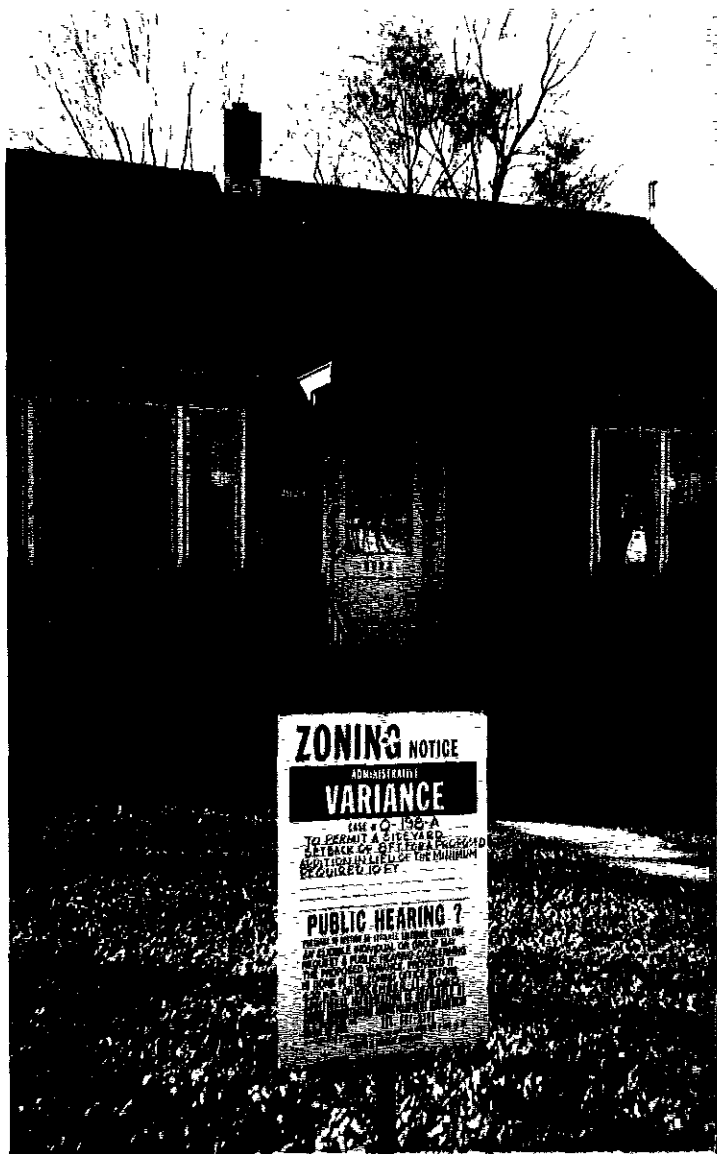
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

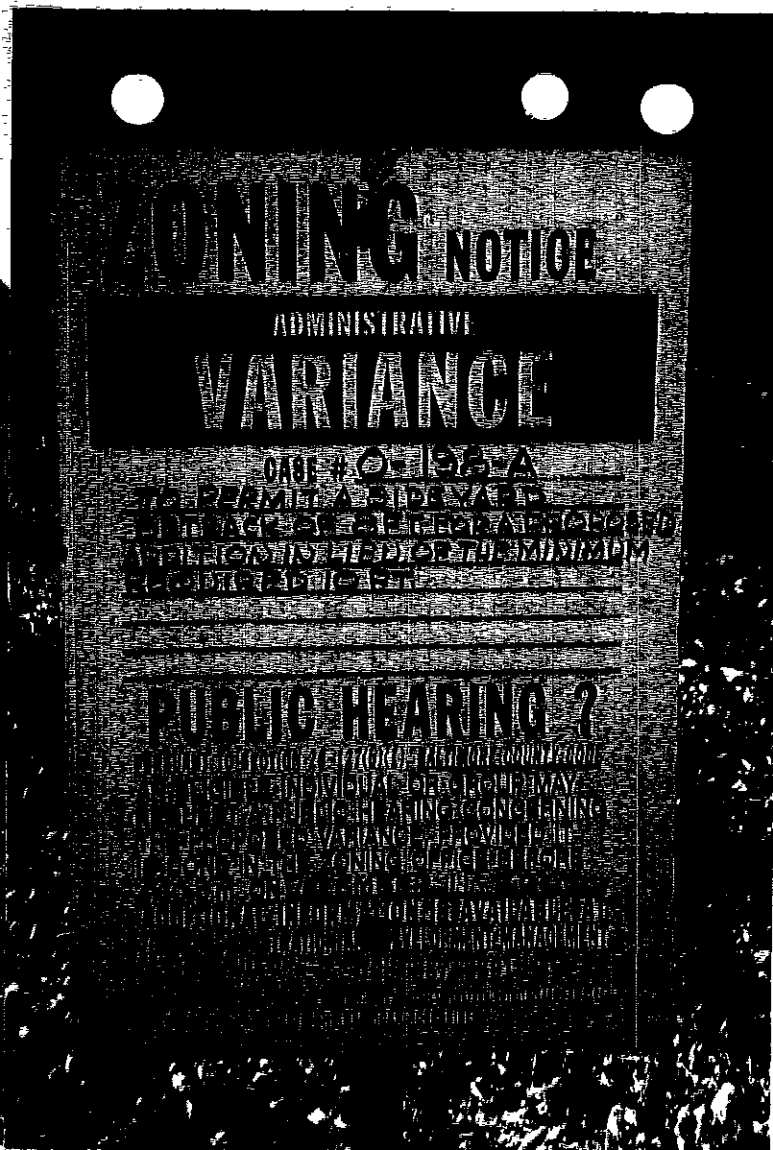
3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # O-150-A
TO PERMIT A SIDEYARD
SETBACK OF OFFERED SECOND
ADDITION IN AREA OF THE MINIMUM
REQUIRED SETBACK
PUBLIC HEARING ?
THE BOARD OF ZONING ADJUSTMENTS
WILL HOLD A PUBLIC HEARING ON
THE PROPOSED VARIANCE AT THE
CITY CLERK'S OFFICE, 100 N. 1ST
ST., SUITE 100, ON MONDAY, NOVEMBER 29, 2000, AT 7:00 P.M.



NOV 29 2000

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: 01-198-A
Petitioner: Emma C. Kennan
Address or Location: 2923 Illinois Ave (21227)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Catherine Lang
Address: 2923 Illinois Ave 21227
Balto, Md.
Telephone Number: (410) 789-5920

Revised 2/20/98 - SCJ

01-198-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 01- 198 -AAddress 2923 Illinois Ave.Contact Person: John Sullivan
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11-13-00Posting Date: 11-26-00Closing Date: 12-11-00

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

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 01- 198 -AAddress 2923 Illinois Ave.Petitioner's Name Emma C. KernanTelephone (410) 789-4556Posting Date: 11-26-00Closing Date: 12-11-00Wording for Sign: To Permit A side yard setback of 8 ft. for a proposed addition in lieu of the minimum required 10 ft.**01-198-A**



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

December 11, 2000

Emma C. Kernan
2923 Illinois Avenue
Baltimore, MD 21227

Dear Ms. Kernan:

RE: Case Number: ~~02-2~~^{1/1}98-A, 2923 Illinois Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 13, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Catherine E. Long, 2923 Illinois Avenue, Baltimore 21227
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For November 27, 2000
Item Nos. 178 (5113 Old Court Road), 180,
181, 182, 183, 184, 185, 186, 187, 188, 189,
191, 192, 193, 194, 195, 196, 198, 199, 201,
and 202

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

November 27, 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 November 20, 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:

179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193,
194, 195, 196, 197, 198, 200, 201, 202, and 203

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

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: December 1, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of November 20, 2000

DEPRM has no comments for the following zoning petitions (page 2 of 2):

197	1812 Cottage Lane
198	2923 Illinois Avenue
199	6422 Baltimore National Pike
200	Fields of Stevenson
202	10037, 10039, 10101, 10105 Harford Road
203	1005 Handy Avenue

AV
12/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

21

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

DATE: November 27, 2000

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-198.**

The Office of Planning has reviewed the above referenced case(s) 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: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

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

Date: 11.27.00

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

RE: Baltimore County
Item No. 198 (JJS)

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,

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

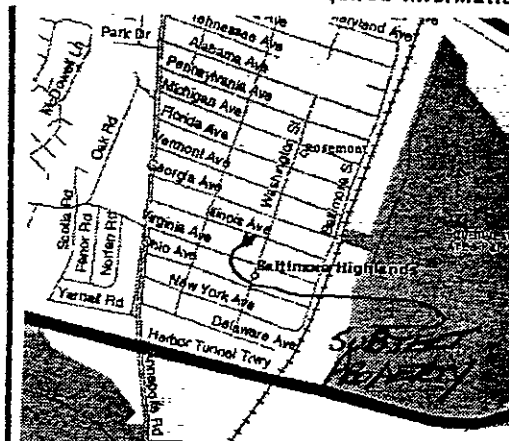
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2923 ILLINOIS AVENUE

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

Subdivision name: BALTO. HIGHLANDS
 LIBERTY S. plat book # 2, folio # 379, lot # 53, 54, section # D

OWNER: EMMA C KERNAN



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 13th
 Councilmanic District: 1st
 1"=200 scale map: SW, 6-B
 Zoning: DR-5.5
 Lot size: 0.14 6250
 acreage square feet

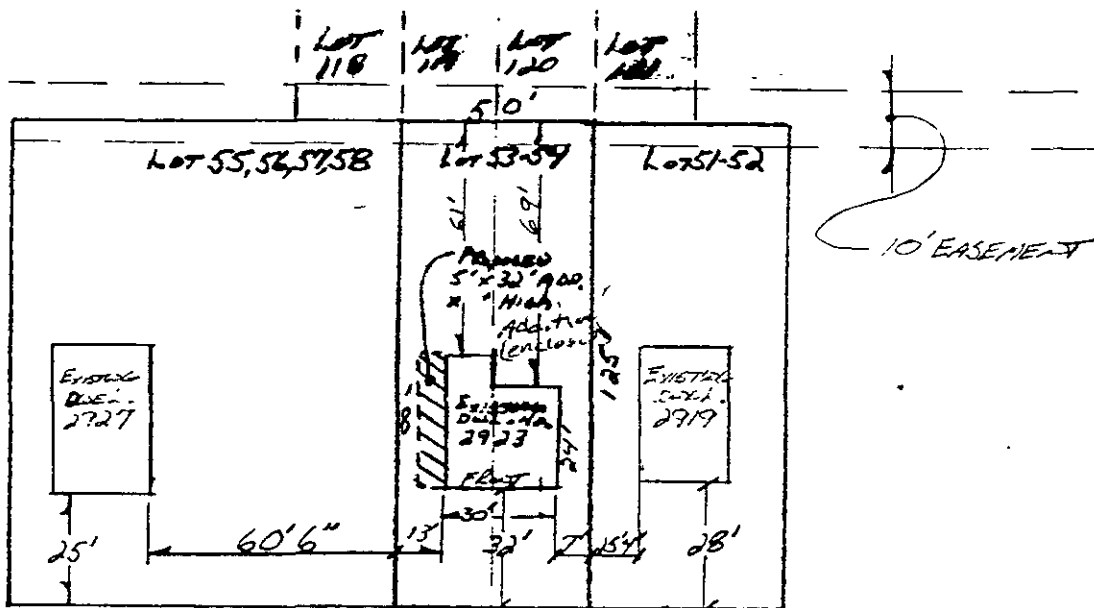
SEWER: ☒ public ☐ private
 WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: N/A

Zoning Office USE ONLY!

reviewed by: 22 ITEM #: 198 CASE #:



← 100' to Washington St. ILLINOIS AVE. (50' RW, 16' PARKING)

WASHINGTON ST. (50' R/W, 16' PARKING)

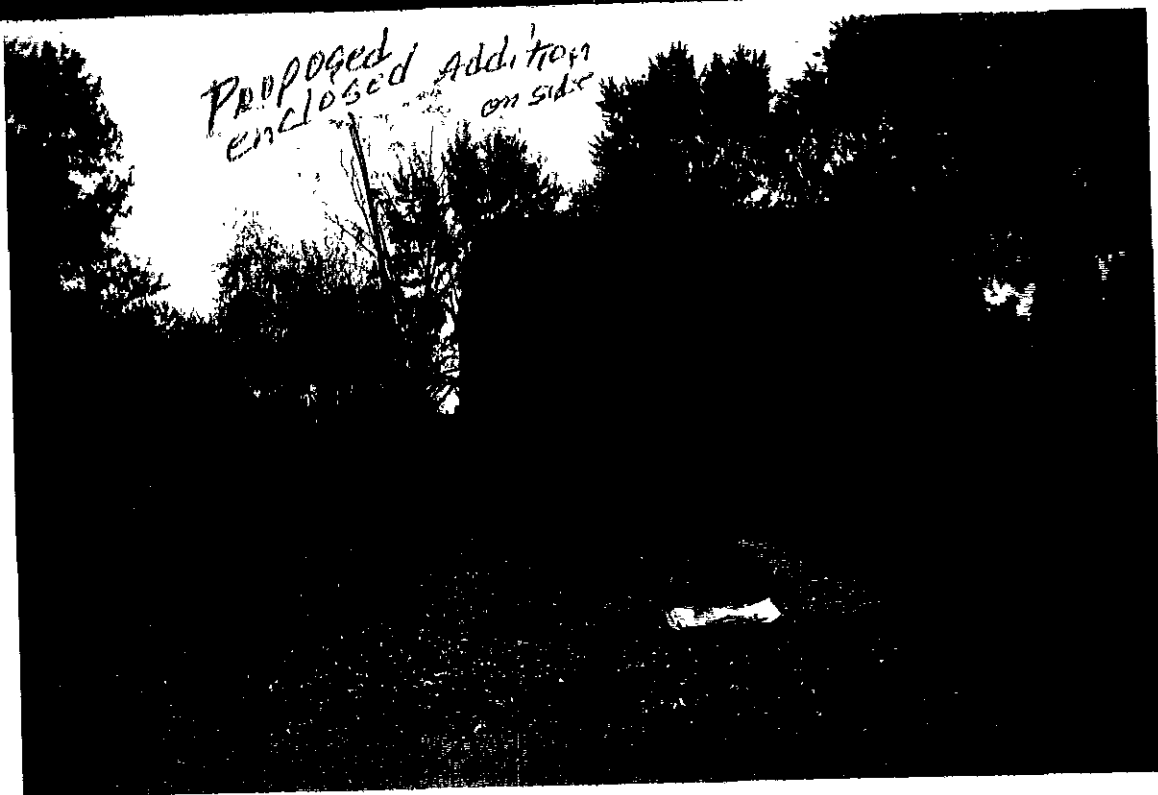
North

date: _____
 prepared by: _____

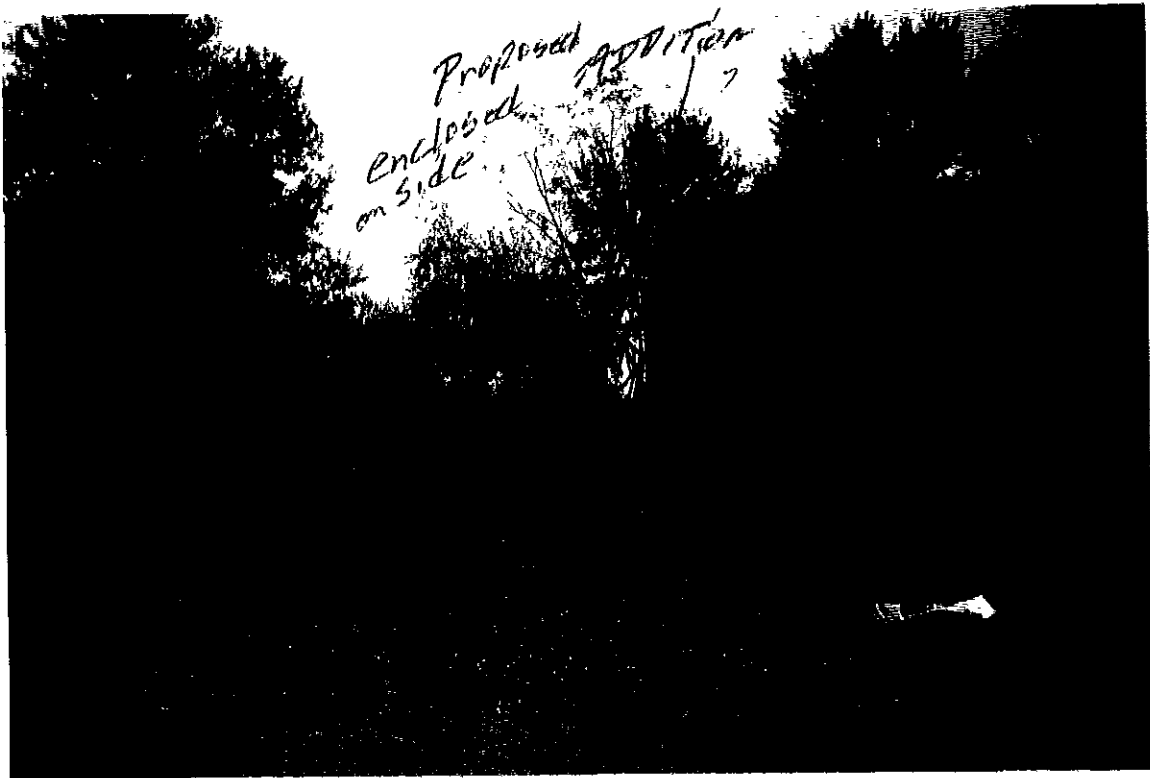
Scale of Drawing: 1"= 50'

01-198-A

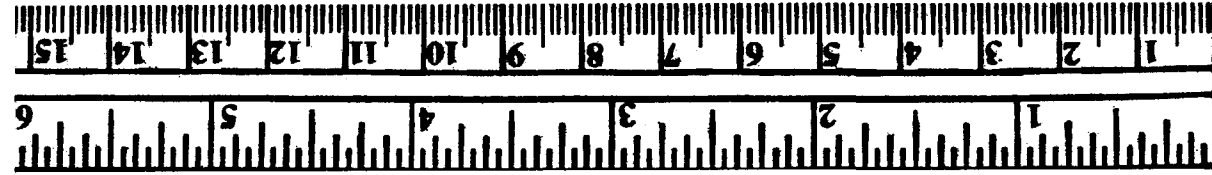
101



01-198-A



01-198-A

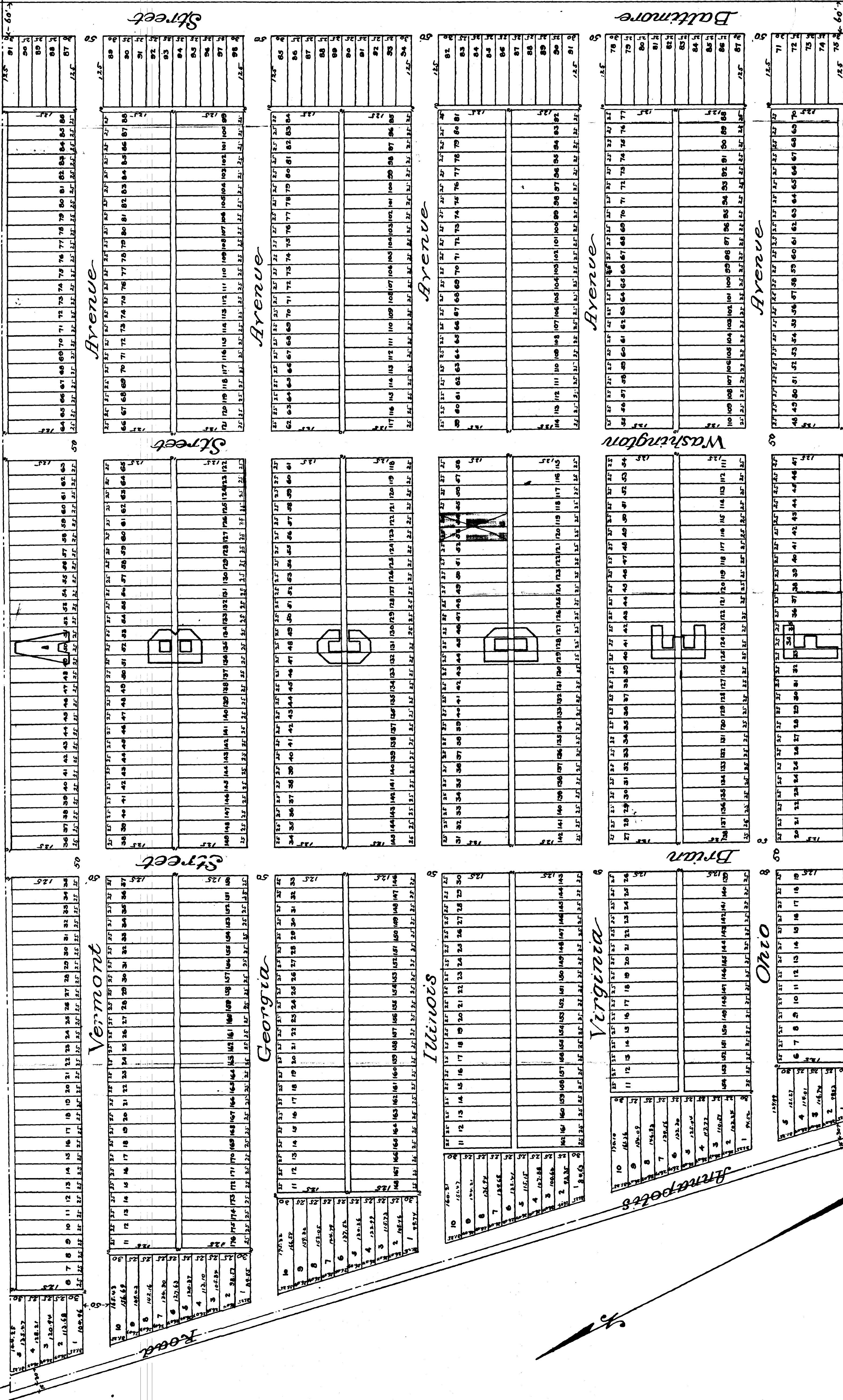


PLAT OF BALTIMORE HIGHLANDS

Filed with Clerk from
Joseph M. Ryan & Co.
to
Baltimore Highlands
Ready & Company
Dec. 8th 1908
C. Goulding & Co.
Surveyors & Civil Engineers
December 7-1908
J. M. Ryan & Co.
MSA CSD 2736-5245

Scale 1 inch = 100 feet

Washington, Baltimore, and Annapolis Electric Railway



01-198-A



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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	MONUMENTAL BALTIMORE HIGHLANDS	S.W. 6-8
DATE OF PHOTOGRAPHY JANUARY 1986		01-198-A

198