

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Hiss Avenue, 400' E		
centerline of Wendell Avenue	*	DEPUTY ZONING COMMISSIONER
14th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(3507 Hiss Avenue)		
	*	CASE NO. 01-227-A
Robert J. Moore, Sr.		
Petitioner	*	

* * * * *

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 owner of the subject property, Robert J. Moore, Sr. The variance request is for property located at 3507 Hiss Avenue in the Fullerton/Overlea 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 an addition to a single family dwelling to have a rear setback of 26 ft. in lieu of the required 30 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts

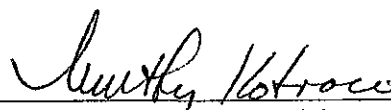
OFFICE OF THE DEPUTY ZONING COMMISSIONER
 DATE 1/18/01
 BY R. J. Jamison

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 Deputy Zoning Commissioner for Baltimore County this 8th day of January, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an addition to a single family dwelling to have a rear setback of 26 ft. in lieu of the required 30 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 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

RECEIVED FOR FILING

1/8/01
R. Jamison



Baltimore County
Zoning Commissioner

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

January 8, 2001

Mr. Robert J. Moore, Sr.
3507 Hiss Avenue
Baltimore, Maryland 21234

Re: Petition for Administrative Variance
Case No. 01-227-A
Property: 3507 Hiss Avenue

Dear Mr. Moore:

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

c: Mr. William Rasinski
5525 E. Joppa Road
Baltimore, MD 21228



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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3507 Hiss Ave.
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) 1802.3.C.1 to allow an

addition to a single family dwelling to have a rear setback of 26' in lieu of the required 30'.

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):

X Robert J. Moore, Sr
Name - Type or Print _____

Robert J. Moore, Sr
Signature _____

Name - Type or Print _____

Signature _____

3507 HISS AVE (410) 786-1800W
Address _____ Telephone No. _____

3507 BALTIMORE MD 21234
City _____ State _____ Zip Code _____

Representative to be Contacted:

William Rasinski
Name _____

5525 E Joppa Rd (410) 335-8878
Address _____ Telephone No. _____

Baltimore MD 21028
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. 01-227A

Reviewed By TAG Date 11-29-00

Estimated Posting Date 12-10-00

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 3507 HISS AVENUE
Address
BALTIMORE, MD, 21234
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):

getting married and need larger bedroom
The bedrooms are small and my son is
in one and we are going to be in the other

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.

Robert Moore, Sr
Signature
Robert Moore, Sr.
Name - Type or Print

Robert Moore, Sr
Signature
Robert Moore, Sr
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2ND day of NOVEMBER, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROBERT T. MOORE SR
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

NOVEMBER 2, 2000
Date

For M. Michael
Notary Public FOR BALTIMORE CITY
My Commission Expires JANUARY 1, 2002

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

3507 HISS AVENUE
Address
BALTIMORE, MD, 21234
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):

getting married and need larger bedrooms
The bedrooms are small and my son is
in one and we are going to be in the other

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 Robert Moore, SR.
Signature
Robert Moore, SR.
Name - Type or Print

✓ Robert Moore, SR.
Signature
Robert Moore, SR.
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2ND day of NOVEMBER, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROBERT J. MOORE, SR.
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

NOVEMBER 2, 2000
Date

For M. Michael
Notary Public FOR BALTIMORE CITY
My Commission Expires JANUARY 1, 2002



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3507 Hiss 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 BOA.3.C.1 to allow an

addition to a single family dwelling to have a rear setback of 26' in lieu of the required 30'.

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

Signature

Name - Type or Print

Signature

Address

City State Zip Code

Representative to be Contacted:

Name

Address

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. 01-227-A

R2U 9/15/98

Reviewed By TAG Date 11-29-00

Estimated Posting Date 12-10-00

Zoning Description for 3507 Hiss Ave

Beginning at a point on the south side of Hiss Ave which is 60 ft wide at the distance of 400 feet East of the centerline of the nearest improved intersecting street Wendell Ave which is 40 feet wide, Being lot 18 in the subdivision of Hall Mark Manor as recorded in Baltimore County Plot Book 28 Folio 54, containing 6050 square feet also known as 3507 Hiss Ave and located in the 14 Election District 6th Councilmanic District.

01-227A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

8552

DATE 11-29-00 ACCOUNT 2001 16150

AMOUNT \$ 50.00

RECEIVED FROM: Eusink's Contracting

FOR: Variance of 257A

3507 Hies Ave

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
11/29/00 11:29 AM 15:00
ISSUED BY: CASHIER
DATE: 11/29/00
RECEIPT NO: 104154
OR ML (3507A)

Amount Tot \$0.00
\$0.00 OK \$0.00
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 01-227-A

Petitioner/Developer: _____

ROBERT J. MOORE

Date of Hearing/Closing: 12-25-00

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 _____

3507 HISS AVE

The sign(s) were posted on 12 / 10 / 00
(Month, Day, Year)

Sincerely,

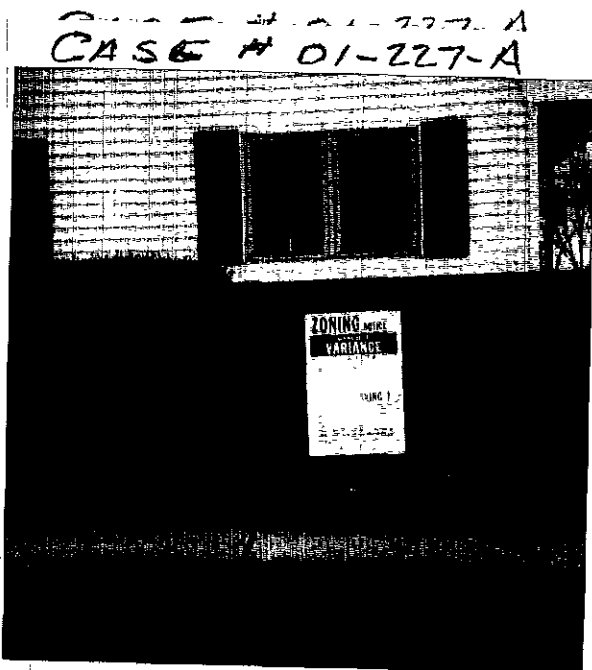
Richard E. Hoffman 12/10/00
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



3507 HISS AVE

POSTED 12/10/00

Richard E. Hoffman 12/10/00

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 01- 227 -AAddress 3507 Hiss AvenueContact Person: Terry Gibson
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11-29-00Posting Date: 12-10-00Closing Date: 12-25-00

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- 227 -AAddress 3507 Hiss AvenuePetitioner's Name Robert J. MooreTelephone (410) 661 7342Posting Date: 12-10-00Closing Date: 12-25-00Wording for Sign: To Permit an addition to a single family dwelling
to have a rear setback of 26' in lieu of the required
30'.

**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: 01-227A

Petitioner: Robert Moore SR

Address or Location: 3507 Hiss Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert Moore SR

Address: 3507 Hiss Ave

Baltimore MD 21234

Telephone Number: 410) 661-7342



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 27, 2000

Robert J. Moore, Sr.
3507 Hiss Avenue
Baltimore, MD 21234

Dear Mr. Moore, Sr.:

RE: Case Number: 01-227-A, 3507 Hiss Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 29, 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. 602
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: William Rasinski, 5525 E. Joppa Road, Baltimore 21228
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 9, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For December 18, 2000
Item Nos. 222, 223, 224, 225, 226, 227,
228, 230, and 232

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

December 20, 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 DECEMBER 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.

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

222, 223, 225, 226, 227, 228, 230, 232,

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *AC/RBS*

DATE: January 18, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of December 11, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
222	3019 Ohio Avenue
223	3017 Ohio Avenue
224	607 Stoney Lane
225	3023 Ohio Avenue
226	3021 Ohio Avenue
227	3507 Hiss Avenue
228	7464 Bradshaw Road
229	6975 Rockfields Road
230	3012A Hernwood Road
232	1807 Suttan Avenue

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 8, 2000

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-227.**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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: 12.8.00

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

RE: Baltimore County
Item No. 227

TAG

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,

Ken 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: 3507 HISS Ave

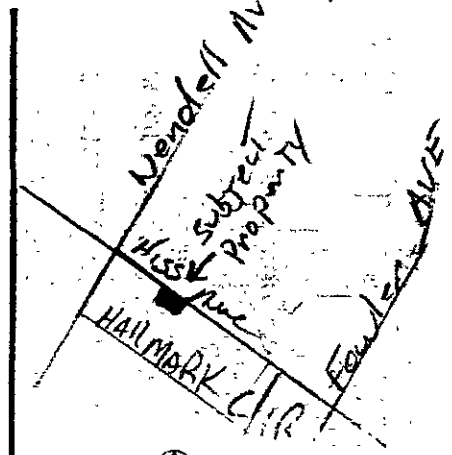
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Hall Mark Manor

plat book # 28, folio # 54, lot # 18, section #

OWNER: Robert J Moore

EXISTING yard from back of house to fence is
38 FT
New Addition will be 22 FT wide and 12 FT deep
That will 56 FT from Addition to the rear fence.
The County wants 30 FT



Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

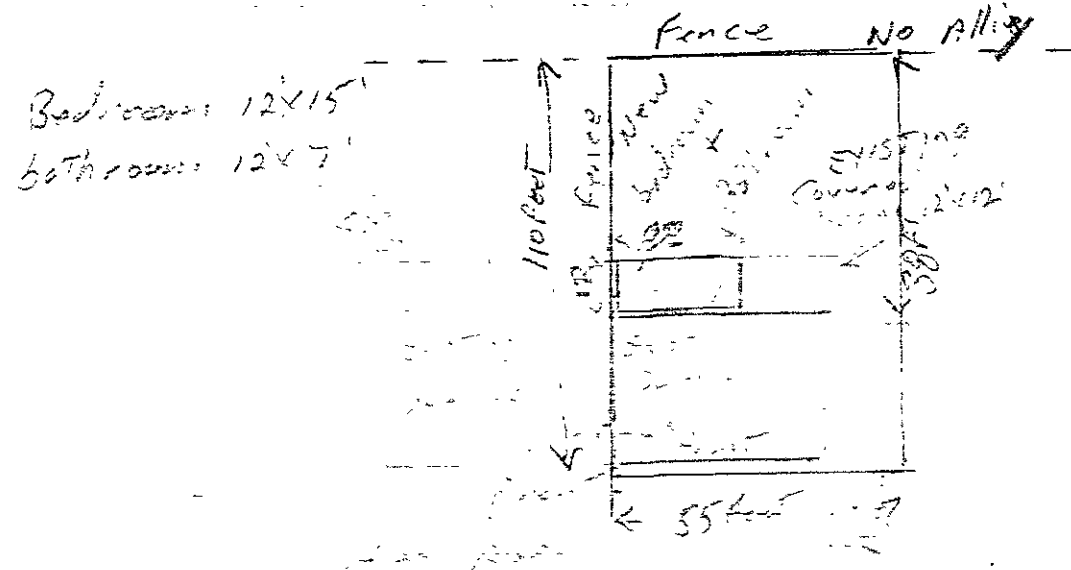
Election District: H46
Councilmanic District: 6th
1"=200' scale map #: N.E. 8-E
Zoning: D.R.-5.5
Lot size: 6050
 acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: TAG ITEM #: 227 CASE #: 01-227A

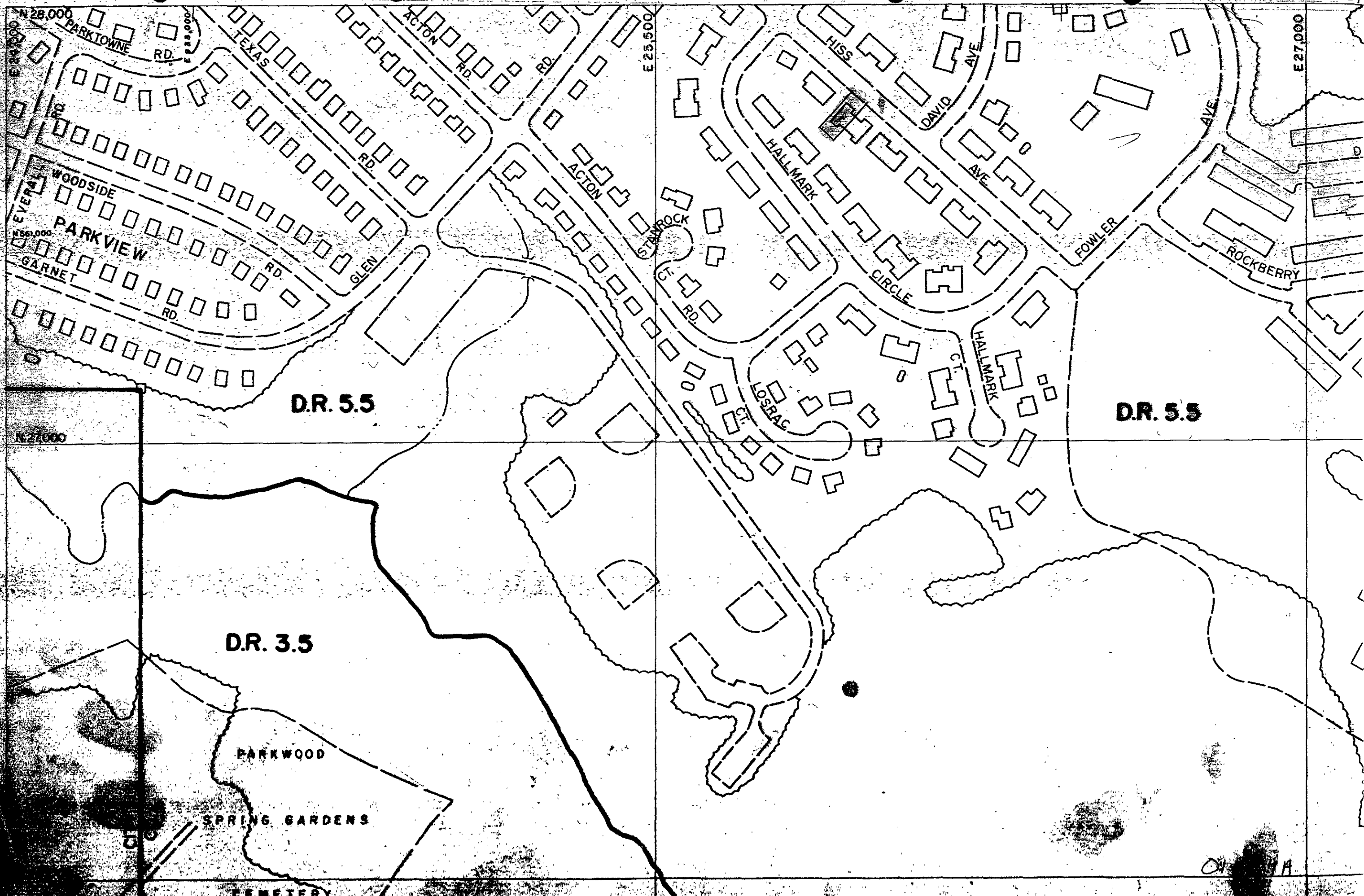


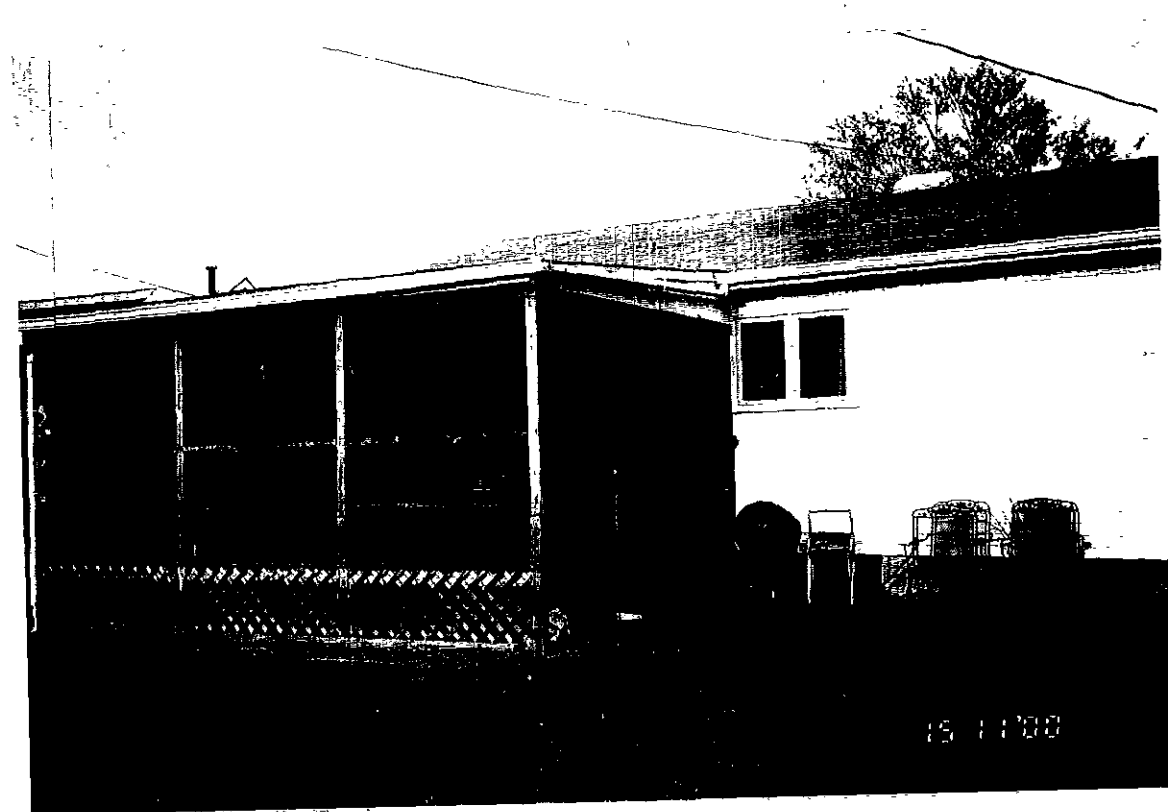
date:
prepared by: Scale of Drawing: 1"= 50'

EXISTING Dwelling
38 FT X 40 FT
Wide Deep

Det. Ex. #1

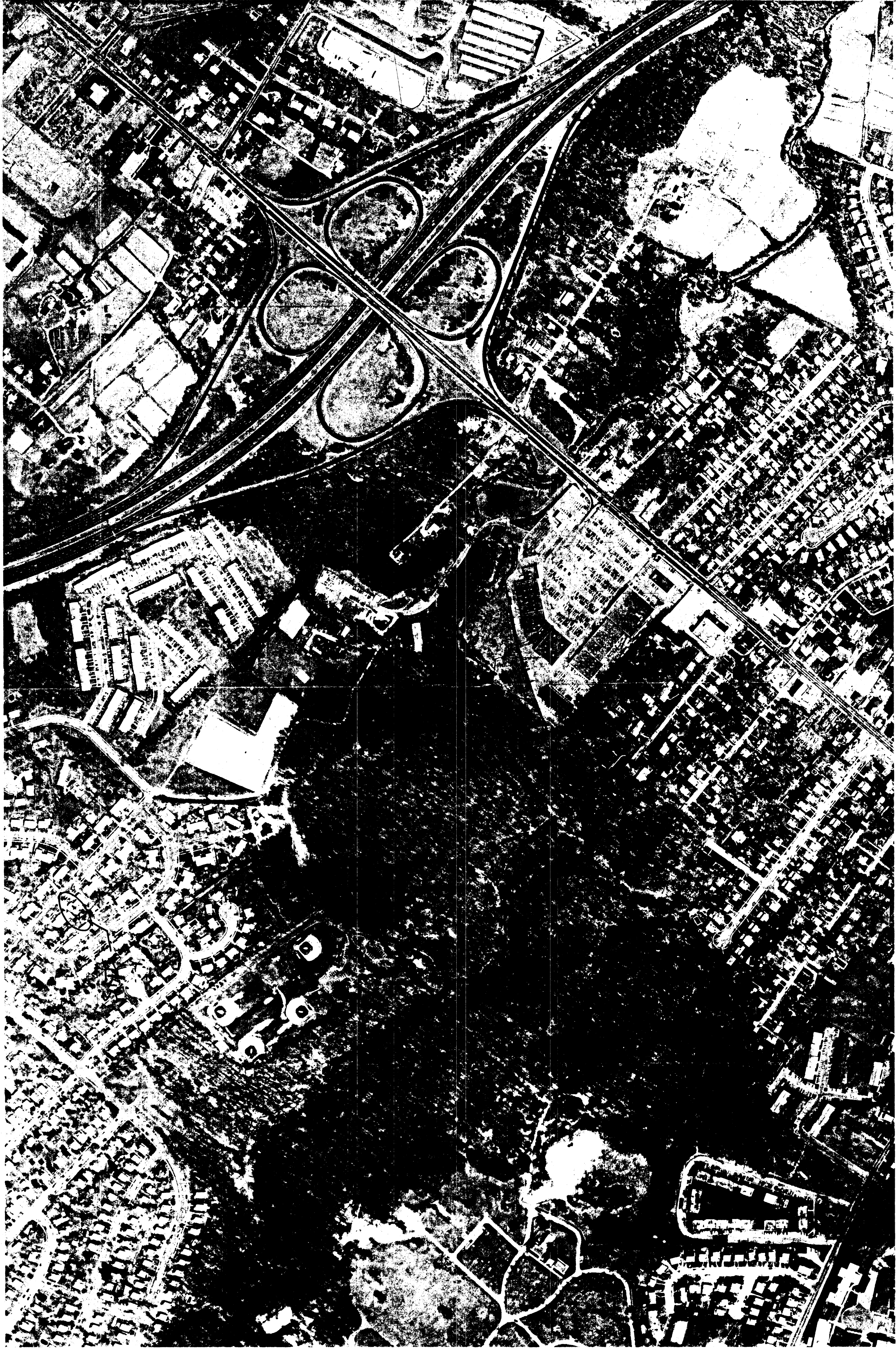
NE 7E





Rear Yard Refusal Addition

01-227A



SCALE		LOCATION	SHEET
1" = 200' ±		FULLERTON OVERLEA	N.E. 7-E
DATE OF PHOTOGRAPHY JANUARY 1986			

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP