IN RE: PETITION FOR VARIANCE

S/S Inwood Avenue, 20' SW of the c/l

Ashton Valley Way

(7505 Inwood Avenue)

1st Election District

1st Council District

Jeffrey Winns, et ux

Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 01-383-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Jeffrey and Jacqueline Winns. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit front and rear dwelling setbacks of 39 feet each in lieu of the required 40 feet for a proposed dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Jeffrey and Jacqueline Winns, property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is located on the south side of Inwood Avenue, west of Johnnycake Road, not far from the Patapsco Valley State Park in Catonsville. The property is part of an overall tract known as the Hawkland Property, which was subdivided to create two lots, pursuant to minor subdivision approval in May 2000. The subject parcel, known as Lot 1 of the Hawkland Property, consists of a gross area of .5178 acres, more or less, zoned D.R.2, and is unimproved. The Petitioners propose to develop the property with a two-story, single family dwelling featuring an attached garage, as shown on Petitioner's Exhibit 1. The house will be oriented to face a common panhandle driveway which leads from the Hawkland property out to Inwood Avenue. Testimony offered at the hearing indicated that the subject property is unique by virtue of a slight taper and the dimensions of the lot

which reduce its width on that side facing Inwood Road. As a result, a slight variance is needed to allow a 39-foot setback for the front and rear yards in lieu of the required 40 feet. Mr. Winns further indicated that he wishes to construct a 10-foot deep deck on the rear of the dwelling and requested variance relief as might be necessary to accommodate same.

Based upon the testimony and evidence offered, I am persuaded that the Petitioners have met their burden under Section 307 of the B.C.Z.R. The property is unique by virtue of the way it tapers as described above. The variance sought is very minor, only 1 foot for both the front and the rear yard. I find that the Petitioners would suffer an unreasonable hardship if relief were denied and that there will be no adverse impact on adjacent properties. No one appeared in opposition to the request and there were no adverse comments submitted by any Baltimore County reviewing agency. Thus, it appears that the requested relief can be granted without detriment to the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June, 2001 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front and rear dwelling setback of 39 feet each in lieu of the required 40 feet each for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bis

ORDER RECEIVED FOR FILING



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

June 1, 2001 Fax: 410-887-3468

Mr. & Mrs. Jeffrey Winns 1321 N. Carey Street Baltimore, Maryland 21217

RE: PETITION FOR VARIANCE

S/S Inwood Avenue, 20' SW of the c/l Ashton Valley Way

(7505 Inwood Avenue)

1st Election District – 1st Council District

Jeffrey Winns, et ux - Petitioners

Case No. 01-383-A

Dear Mr. & Mrs. Winns:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

c: People's Counsel; Case File



Petition for Variance

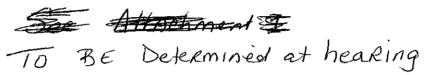
to the Zoning Commissioner of Baltimore County

for the property located at 7505 Inwood Ave

which is presently zoned DR 2

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) 1BO 2.3.C.1 to permit a front and rear dwelling Setback of 39ft, in Lieuw of the Required 40 ft. Respectively

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)



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: .egal Owner(s): Name - Type or Print Signature Address Telephone No City State Zip Code Attorney For Petitioner: elephone No. BA/FMOK Name - Type or Print City Representative to be Contacted: Signature Company Name Telephone No. Address Telephone No. Address ity State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 0/383 UNAVAILABLE FOR HEARING Reviewed By _ Date <u>406</u> RE**(1**9/15/98

Zoning Description

7505 Inwood Avenue
Lot 1 of Minor Sub-Division of
The Hawkland Properties

ZONING DESCRIPTION FOR: 7505 Inwood Avenue

Beginning at a point on the south side of Inwood Road a 50ft.

Right of way at a distance of 20ft. Southwest of the intersection of the centerlines of Inwood Road and Ashton Valley Way. Then N81°50′06″, E105.54′, S07°20′26″, E288.74′; then 108.37′ 198.92′ NW80°46′21″, E116.10′; N09°13′39″, E214.05′ back to the point of beginning. Lot size .5178Ac. (22,555) Square feet of land, more or less. Property is known as 7505 Inwood Avenue, which is in the 1th Election District, 1st Councilmanic District.

Hul Hul

NOTICE OF ZONING HEARING

The Zoning Commissioner, of Baltimore County, by Mauthority of Mile Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #.01-383- A
7505 Intwood Avenue
S/S Intwood
S

12111

CERTIFICATE OF PUBLICATION

53,2001
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on <u>5</u> [3 ,20 <u>0</u>].
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Willing LEGAL ADVERTISING
LEGAL ADVERTISING

BALTIMORE COUN OFFICE OF BUDGET & MISCELLANEOUS	FINANCE	L 383	No.	92941	PA	LUID SECETA	TIME	
PATE 4/06/01	ACCOUNT_	مرسير	06 6	150	FEG WEST CE SOME CE Dept: CR NO.	KK CABHIER DE IPT II 136097 5 629 ZUNING	001 09:37:00 OL IND DRAWER	OLI
RECEIVED /VIA/	AMOUNT	\$ 50		, P	CH NOS	Destroit	1.00 T. 1.00	00 IA
FOR RV	=161416-							

CERTIFICATE OF POSTING

e dollar .

	RE: Case No.: 01-383-A
	Petitioner/Developer:
	JACQUELINE PO JEFFREY WINNS
	Date of Hearing/Closing: 5/110)
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:	
were posted conspicuously on the property I	A
The sign(s) were posted on	(Month, Day, Year)
CASE# 01-383-A	Sincerely,
	(Signature of Sign Poster and Date)
	RICHARD E. HOFFMAN (Printed Name)
The state of the s	GO4 DELLWOOD DR. (Address) FALLS TON, MO 21047
	(City, State, Zip Code) (410) 879-3122 (Telephone Number)
7505 NWOOD AUE POSTED 5/4/01 Ofulul 80/11/5/4/01	·

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 01-383-A
Petitioner: JEFFRET WINNS & JACQUELINE P. WINNS
Address or Location: 7505 INWOOD AVE
PLEASE FORWARD ADVERTISING BILL TO: Name: LEFEREY EVINNS & JACQUELINE P. WINIALS
Address: 1321 N. CAREY 8+
BALTIMORE MD 21217
Telephone Number: 4/10-383-644/

TO: PATUXENT PUBLISHING COMPANY

Thursday, May 3, 2001 Issue - Jeffersonian

Please forward billing to:

Jeffrey Winns

1321 N Carey Street Baltimore MD 21217 410 383-6441

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-383-A
7505 Inwood Avenue
S/S Inwood Avenue, 20' SW of centerline Ashton Valley Way
1st Election District — 1st Councilmanic District
Legal Owners: Jacqueline P & Jeffrey Winns

<u>Variance</u> to permit a front and rear dwelling setback of 39 feet in lieu of the required 40 feet.

HEARING:

Monday, May 21, 2001 at 9:00 a.m. in Room 407, County Courts Building,

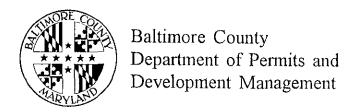
401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GD Z_ ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

April 17, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-383-A 7505 Inwood Avenue S/S Inwood Avenue, 20' SW of centerline Ashton Valley Way 1st Election District – 1st Councilmanic District Legal Owners: Jacqueline P & Jeffrey Winns

<u>Variance</u> to permit a front and rear dwelling setback of 39 feet in lieu of the required 40 feet.

HEARING: Monday, May 21, 2001 at 9:00 a.m. in Room 407, County Courts Building,

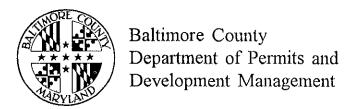
401 Bosley Avenue

Arnold Jablon Gn⁻² Director

C: Jacqueline P & Jeffrey Winns, 1321 N Carey Street, Baltimore 21217

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 5, 2001.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

May 18, 2001

Jacqueline P & Jeffrey Winns 1321 N Carey Street Baltimore MD 21217

Dear Mr. & Mrs. Winns:

RE: Case Number: 01-383-A, 7505 Inwood Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 6, 2001.

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. GDこ Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: People's Counsel

Printed with Soybean Ink

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 17, 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-383, 01-398, 01-399, 01-405 & 01-409

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: Made A Canada

Section Chief: Jeffrey W. Long

AFK/JL:MAC



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

April 17, 2001

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 April 16, 2001

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:

379, 383, 395, 396, 397, 398, 399, 400, 402, 404, 405, 406, 407, 409, and 411

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 15, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 23, 2001

Item Nos. 383, 395, 396, 397, 398, 399, 400, 402, 404, 405, 406, 407, 408, 409,

410, and 411

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

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 4 . 12 . 01

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

RE: Baltimore County

Item No. 383 JLL

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,

/ J. Holl

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

RE: PETITION FOR VARIANCE 7505 Inwood Avenue, S/S Inwood Ave, 20' SW of c/l Ashton Valley Way 1st Election District, 1st Councilmanic

Legal Owner: Jeffrey & Jacqueline Winns Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- Case No. 01-383-A

* * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

eter Max Cimmernan

S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

Old Courtnouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owners Jeffrey & Jacqueline Winns, 1321 N. Carey Street, Baltimore, MD 21217, Petitioners.

Peter Maro Zinnem PETER MAX ZIMMERMAN

