IN RE: PETITION FOR ADMIN. VARIANCE

S corner of Central Avenue and Hunting Horn Circle 4th Election District 3rd Councilmanic District (418 Central Avenue)

Debora A. and Larry S. Love Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 01-404-A

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, Debora A. and Larry S. Love. The variance request is for property located at 418 Central Avenue in the Reisterstown area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (shed) in a side vard. 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 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 2^{rt} day of May 2001, that a variance from 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached accessory structure (shed) in a side yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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

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TMK:raj

CS SELVED FOR THING



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

Fax: 410-887-3468

May 8, 2001

Mr. & Mrs. Larry S. Love 418 Central Avenue Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 01-404-A

Property: 418 Central Avenue

Dear Mr. & Mrs. Love:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

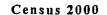
Mustby Hotroco

TMK:raj Enclosure













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	418	Central	Avenue,	21136
whic	h is p	resently zor	red DR 2	

I/We do solemnly declare and affirm, under the penalties of

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) 400-1 To Terming A DE CAUNTO relating to having a shed type structure on the side of a dwelling.

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.

	is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Larry S. Love
Signature	Signature Jone
Address Tolophore N	Debora A. Furman-Love
Address Telephone N	o. Name - Type or Pirit
City State Zip Coo	de Signature
Attorney For Petitioner:	410 Control Avonus
	Address Telephone No.
Larry S. Love	Reisterstown, Maryland 21136
Name - Type of Print	City State Zip Code
man	Representative to be Contacted:
Signature	
Company D 410 631 3110	Name
D 410-631-3110 418 Central Avenue E 410-517-2133	Name (A)
Address Telephone No	Address Telephone No.
Reisterstown, Maryland 21136	Tolephone No.
City State Zip Cod	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.
regulations of Baltimore County and that the property be reposted.	ter of this petition be set for a public hearing, advertised, as required by the zoning
$\widetilde{\Lambda}$ \mathcal{L}	•
11	
2 / / / /	Zoning Commissioner of Baltimore County
CASE NO. <u>01-404-4</u>	Reviewed By TTPA Date 64.04.01
R8V 9115198	Estimated Posting Date 04-15-01

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.

competent to testify thereto in the event that a p	public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	418 Central Avenue
•	Reisterstown, Maryland 21136 City State Zip Code
That based ones are a slive of the control of the c	Zip oddo
Variance at the above address (indicate hardsh	owing are the facts upon which I/we base the request for an Administrative ip or practical difficulty):
** SEE ATTACHED	
ત	
,	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
Lan Im	N 1 brown A Th
Signature	Signature
/	, () ()
Larry S. Love	Debora A. Furman-Love
Name - Type or Print	Name - Type or Print
وي ويت بين سد هن جيد هي بين هن سه هن وي بين بين سد هن هي وي هي بين هي	و بين پيد بيت بيت نظم کين بيد هي ميد ست الحد بين سيد مدد ميد سيد مدد ميد سيد مدد ميد مدد ميد مدد ميد ميد ميد ميد م
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:
I HEREBY CERTIFY, this $\frac{Q}{Q}$ day of $\frac{W}{Q}$ of Maryland, in and for the County aforesaid, per	March, 2001, before me, a Notary Public of the State
Larry S. Love and Debo	ra A. Furman-Love
the Affiant(s) herein, personally known or satisfially that the matters and facts hereinabove set for	factorily identified to me as such Affiant(s), and made oath in due form of orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
March 9, 2001	Notary Public
·	Topin Capito
	My Commission Expires

REV 09/15/98

JERRY P. WARNER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 29, 2003

Petitioner/Owner: Larry S. Love Property: 418 Central Avenue, 21136

Contact: Day 410-631-3110, Evening 410-517-2133

ZONING PETITION ATTACHMENT

Property: 418 Central Avenue, 21136

The Petitioner/property owners do hereby petition the Zoning Commissioner to grant a Zoning Variance and allow the construction of a storage shed on the South East side of the property which will allow housing of equipment, required to maintain the property under County Law. The general proscription against the structure sought creates a practical difficulty in use of this particular property.

The property at issue is a corner lot that is subject to considerable land use restrictions due to building set back limitations and a large drainage and utility easement. Building in the area behind and on the North West Side of the property, but in front of the adjacent house facing Hunting Horn Circle is limited by set back rules. Also, placing a shed in this area would be obtrusive and prove blight to the front of the adjacent house. Taken together, factors arising from County regulation and from the lay of the land create an undue hardship, as compared to properties inside the block or those without a large drainage easement.

This large drainage easement substantially reduces the build-able area of this lot, as does its sloping landscape. The slope of the drainage easement is not centered, thus; during heavy rains water often exceeds the drainage area, further limiting build-able ground beyond the easement. Also, due to the sloping terrain, a structure in this area would need to be elevated to level it off.

Equally important, this house was designed to have a deck attached to the back of the house which will consume at least 12 linear feet into the back yard area over the length of the house. Between the large drainage easement and (future) deck there would be very little space for a shed with sufficient space for walkways and/or access.

At the same time, substantial relief may be granted by building the structure on the South East Side of the property, as proposed. This locale is unobtrusive and would be well hidden by the house and the existing 6-foot fence. This site is large enough to accommodate the proposed shed with an approximate 2-foot space from the house and about 8-feet of space between the fence and shed, allowing adequate egress. An existing concrete pad and walkway at this site will receive good use and make this shed an enhancement to the property value. Thus, public safety and welfare will be secure and substantial relief granted the Petitioners by granting this Petition.

Zoning Description

Zoning Description for 418 Central Avenue, Reisterstown, Maryland 21136.

Beginning at a point on the South corner of Central Avenue which is which about 50 feet wide at the distance of 30 feet the centerline of the nearest improved intersecting street, Hunting Horn Circle which is 50 feet wide.

BEING KNOWN AND DESIGNATED as Lot No. 2, as shown on the Plat entitled "SAGAMORE VILLAGE ADDITION", which plat is recorded among the Land Records of Baltimore County in Plat Book No. 69, folio 117, containing about 9,000 square feet...

Also known as 418 Central Avenue and located in the 4th Election District, 3rd

Councilmatic District.

BALTIMORE CO OFFICE OF BUDGE MISCELLANEOL		0 - 404 No.	9284	PAYHEYIT	RECEIPT TIME
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FOR:	· UAUL (P)	trained to	301 <u>.</u>	÷ .	

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RE. Case No Petitioner/Developer Date of Hearing/Closin

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 # 418 - CENTRAL AVE

The sign(s) were posted on

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

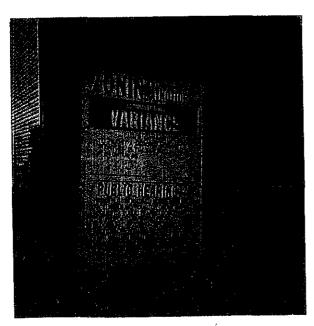
(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571 (Telephone Number)



•	RE: Cas .: 01-404-A
, and the second	Politioner/Developer LOVE, ETAL
	Date of Hearing/Closing. 4/30/0/
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	ADMIU)
Attention: Ms. Gwendolyn Stephens	NETTO
Ladies and Gentlemen.	
This letter is to certify under the penalties of perj were posted conspicuously on the property locat	ed at # 418 CENTRAL AVE
The sign(s) were posted on()	H 15 10 1 Month, Day, Year)
	Sincère!x 4/18/0 Variable M (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)

01-404-A 918 Central

HIIIIIMMANA

4/30

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 News	paper Advertising:
Item Numb	er or Case Number: 01-404-A.
Petitioner:	Larry S. Love + Debut P.F. Love Jouners
	Location: 418 Central Arence, Reisterstown, Md 21136
PLEASE F	ORWARD ADVERTISING BILL TO:
Name:	Larry S. Live
Address: _	418 Central Avenue
	Reiste-stown, Maryland 21136
	Number: 410-631-3110 (0104), (410)517-2133 (evening)

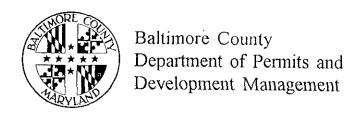
Revised 2/20/98 - SCJ

-16

ADMINISTRATION VARIANCE INFORMATION HEET AND DATES

Case Number 01- 404A: Address 418 Central Aug.
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: CH - O4-O1 Posting Date: O4-15-O1 Closing Date: 4-30 c
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 petitione 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.
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- 404 -A Address 418 CEW CARCHOCE
Petitioner's Name LARRY CODE Telephone 40-631-3110
Posting Date: Closing Date:
Wording for Sign: To Permit A DETACHED ACCESSORY STRUCTURE
IN THE SUDE PARUS

01-404.4



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

April 30, 2001

Debora A & Larry S Love 418 Central Avenue Reisterstown MD 21136

Dear Mr. & Mrs. Love:

RE: Case Number: 01-404-A, 418 Central Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 4, 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. 602 Supervisor, Zoning Review

W. Carl Richard , Is.

WCR: gdz

Enclosures

c: People's Counsel

PN 4/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAY - 4

DATE: May 7, 2001

SUBJECT:

Zoning Advisory Petition(s): Case(s) 01-404

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:

Section Chief:

AFK/IL: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

· ,



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. 404

JRA

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,

1. J. Gredle

In

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

4/30/01 AV

Larry S. Love

418 Central Avenue, Reisterstown, Maryland 21136-1854 Telephone (410) 517-2133

June 7, 2001

JUN 1 1 -

Mr. Timmothy M. Kotroco Deputy Zoning Commissioner Suite 405 County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Re:

Finality of Order

Case No. 01-404-A

Dear Mr. Kotroco:

While the above referenced Petition for Variance was Granted May 8, 2001, I am writing to determine if any appeal has been filed during the 30 day post Order period. I am preparing to begin the project and wanted to determine if it is safe to proceed. Thank you for your cooperation and assistance in this matter.

Sincerely,

Larry / potition

Called 6/11/01 (12:15 P.M.). No appeal filled - -. Safe to proceed. To

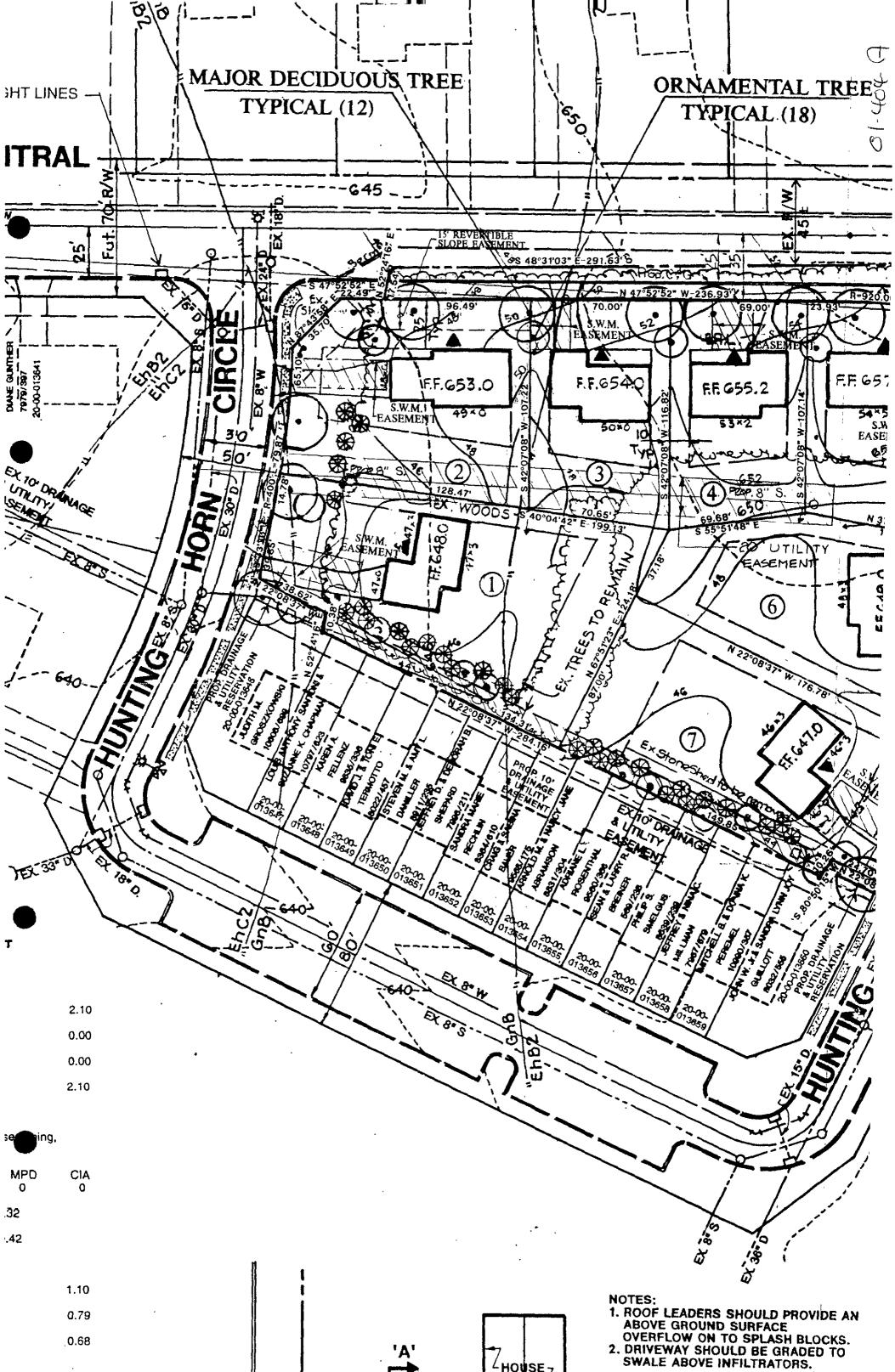
PLAT _AUG_17.1998_10:30AM____GWS__TOWSON etitioner/Owner: Larry S. Love roperty: 418 Central Avenue NOTE: The property shown hereon does not the within any 100 year Flood Qoundary, shown on National Flood insurance Program Flood Insurance Rate Mop for Ballimore County, Maryland, Community Panel Number 240010 0210 8, effective data March 2, 1981, but does the within Zone C (orea of minimal flooding), shown on said map. Contact: O 410-631-3110 E 410-517-2133 HUMING HORM (50 R/M) CIRCLE N 87:43'50" 35.70 CENTRAL SACANORIMATINO CONTRACTOR SOCIAL SOCI * KNE RENEWARDLE SLOOP ENSEMENT. 5 10.31.03. E 70.05. CEANAGE AND CHUTTY EASTMENT 6'force proposed 1019 sned Water Beyond Approx 8 11154 Easement. Subject Property Central pue Bond Ave REFERENCE. VICINITY MOP Pigt dated April 3, 1997 entitled "PLAT OF SAGAMORE VILLAGE ADDITION". recorded among the Pigt Records of Baltimore County, Waryland in Pigt Book S.M. Scale: 1 = 2000 ft 69 folio 117. LOCATION INFORMATION Private SEWER council mate District WATER \Box Election Jistilla Chesquene Bay Chenel D X NM-9-7 1'-200' scale map ! zoning: 2 DR-2 Prior Zoning Hoar Ms None ~/3,000 Lot me 13 LOCATION DRAWING # 418 CENTRAL AVENUE LOT 2 "SAGAMORE VILLAGE ADDITION" Yet. Ex. #1 ELECT. DIST. No. 4 BALTIMORE CO., MD. DATE: AUGUST 14, 1998 SCALE: 1"=30" 01-404-A PN9602 42

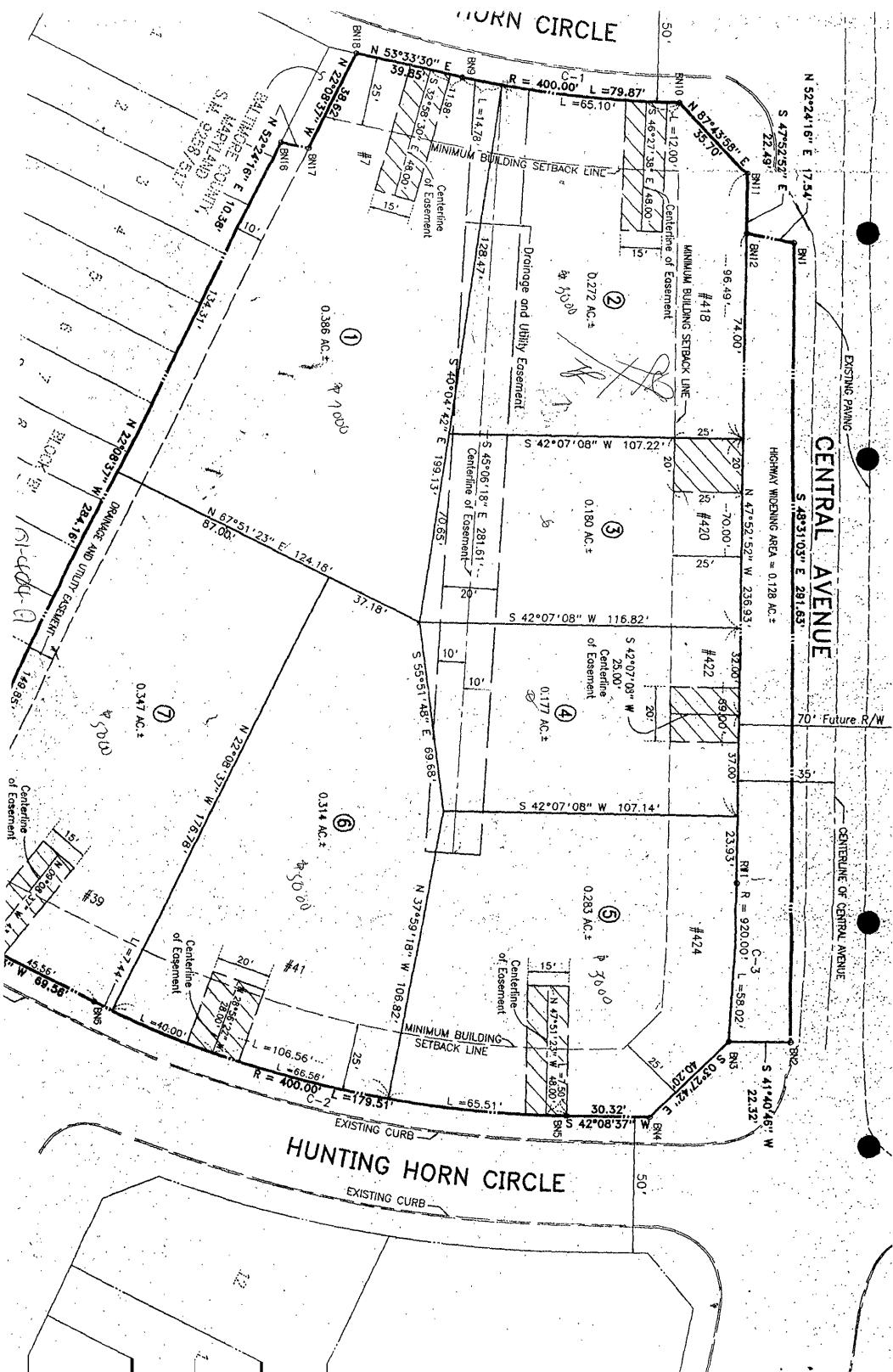
PLAT _AUG. 17. 1998_10:30AM____GWS_TOWSON. etitioner/Owner: Larry S. Love roperty: 418 Central Avenue NOTE: The property shown herean does not lie within any 100 year Contact: O 410-631-3110 Flood Boundary, shown on National Flood Insurance Program Flood Insurance Role Map for Ballimore County, Maryland, Community Panel Number 240010 0210 8, effective data March 2, 1981, but does lie within Zone C (orea of minimal flooding), shown on said map. E 410-517-2133 HUMING HORM (SO, 8)M) CHECK N 87'43'50" 35.70 CEN, RAL SACALOGINAS WOONING SO (S. W. 284C. ACTOR EASCHENT. ORICH STORY CEALART AND CHILTY EASTHEAN 6'fance -orsed 10:9 sned Water Flows Beyond Approx 8' 1"sh Easement. Subject Property Central pre Bond Ave REFERENCE. Plot dated April 3. 1997 entitled "PLAT OF SAGAMORE VILLAGE ADDITION". recorded among the Plat Records of Baltimore County, Maryland in Plat Book S.M. VICINILY MAR Scale: 1 = 2000 ft 68 folio 117 LOCATION INFORMATION Privale SEWER council mate District WATER Phosoporine Bay Critical D 18 NW-6-3 1'-200' STE'C MAP DR-2 Prior Zoning -parms None Zuningi ~/3,000 Lot size 411442 LOCATION DRAWING # 418 CENTRAL AVENUE LOT 2 "SAGAMORE VILLAGE ADDITION" Det. Ex. #1 BALTIMORE CO., MD. ELECT. DIST. No. 4

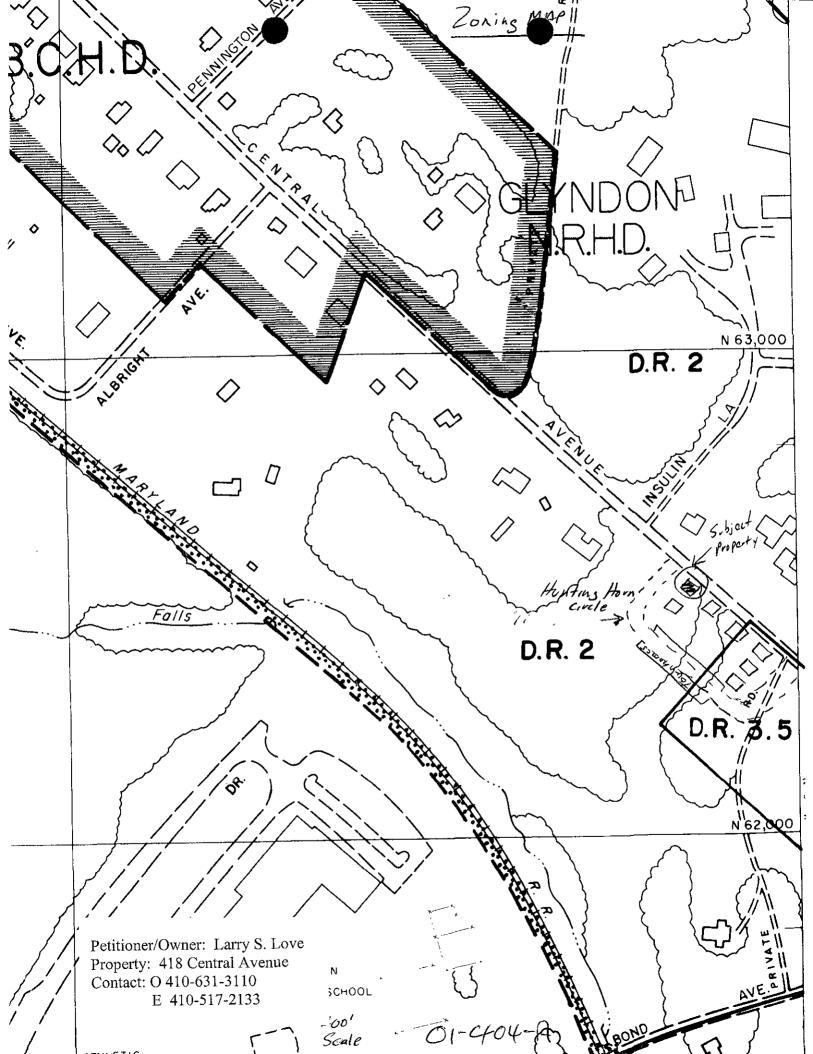
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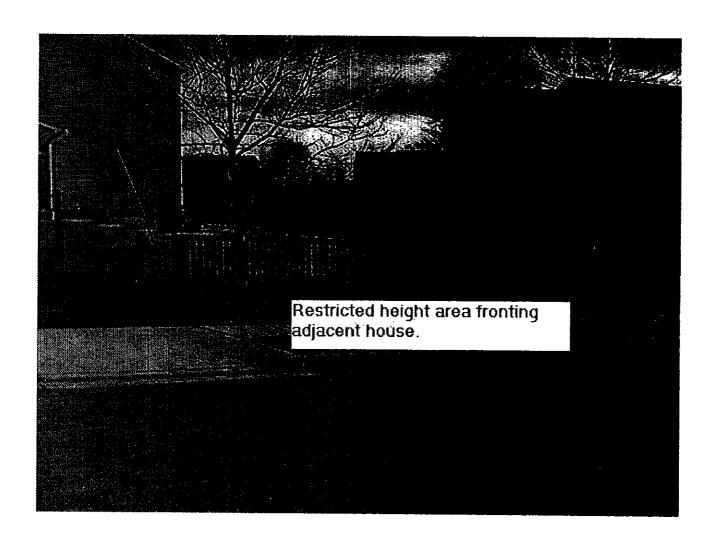
DATE: AUGUST 14, 1998

SCALE: 1"=30"







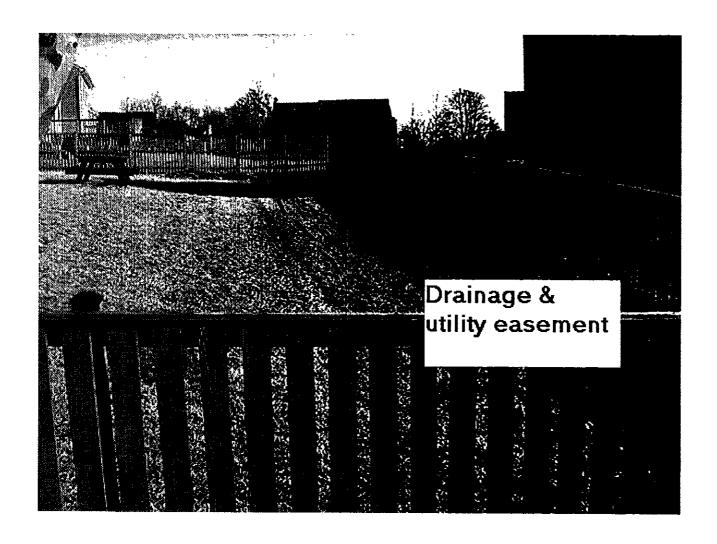


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Petitioner/Owner: Larry S. Love Property: 418 Central Avenue Contact: O 410-631-3110 E 410-517-2133

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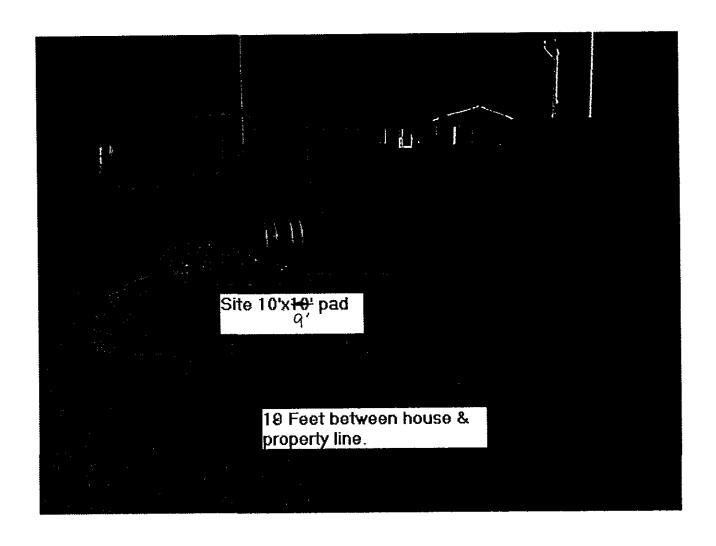
This shows the restrictions on a come let for detailed accessoring structures.



Pink line shows onea beyond the ecrement that plouds during heavy rain.

Petitioner/Owner: Larry S. Love Property: 418 Central Avenue Contact: O 410-631-3110 E 410-517-2133

file://A:\Yard-99.jpg 3/8/2001



Petitioner/Owner: Larry S. Love Property: 418 Central Avenue Contact: O 410-631-3110 E 410-517-2133

3/8/2001

01-4041