ORDER RECEIVED FOR FILING
Date 1/24/0/

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Hammond Avenue at

SEC 2<sup>nd</sup> Avenue

4th Election District

3rd Councilmanic District

(115 Hammond Avenue)

Nancy and David Glaser

Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 01-540-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Nancy and David Glaser, legal owners of that property known as 115 Hammond Avenue in the Reisterstown area of Baltimore County. The Petitioners herein seek relief from Section 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 16 ft. in lieu of the required 22.5 ft. for an open projection (deck). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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 Add of July, 2001, that a variance from Section 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 16 ft. in lieu of the required 22.5 ft. for an open projection (deck), 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

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/8//8/
Ey 7. Chross



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

Fax: 410-887-3468

July 24, 2001

Mr. & Mrs. David Glaser 115 Hammond Avenue Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 01-540-A

Property: 115 Hammond Avenue

Dear Mr. & Mrs. Glaser:

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** 

buthy lotrow

TMK:raj Enclosure

c: SJR Contracting 124 Spruce Woods Court Abingdon, MD 21009



# Petition for Administrative Variance

# to the Zoning Commissioner of Baltimore County

for the property	y located at 115 Hammond Ave
in the property	which is presently zoned DR. 3.5.
This Petition shall be filed with the Department of Permi owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section	ch is described in the description and plat attached hereto a
Made a part hereof, hereby petition for a Variance from Section Sectio	LUE REQUIRED 22.5 FT. FOR AN
and the second of the second o	out to be bisserve County for the receiping indicated on the ha
of the zoning regulations of Baltimore County, to the zoning la of this petition form.	aw of Baitimore County, for the reasons indicated on the ba
Property is to be posted and advertised as prescribed by the l, or we, agree to pay expenses of above Variance, advertising, postegulations and restrictions of Baltimore County adopted pursuant to	sting, etc. and further agree to and are to be bounded by the zon
	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:	Legal Owner(s):
DAVID GLASER  Namer Type or Print	Name - Type or Printy  M. Gara
Signature 15 HAMMOND AVE 410-526-6232 Address Telephone No.	Signature  Nancy Glaser  Nancy - Type of Print
REISTERSTOWN MD 2/136 City State Zip Code	Glancy (Clase). Signature
Attorney For Petitioner:	Address Town MD 21136
Name - Type or Print	City State Zip Co
Signature	Representative to be Contacted:
	SJR Confracting
Company Address Telephone No.	Name 124 Spruce Woods Ct 4/0- Address Telephone N
18	Abingdin MD 21000 City State Zip Coo
City State Zip Code	Only .
A Public Hearing having been formally demanded and/or found to be this day of that the subject matter of the requiations of Baltimore County and that the property be reposted.	e required, It is ordered by the Zoning Commissioner of Baltimore Cou his petition be set for a public hearing, advertised, as required by the zon
	Zoning Commissioner of Baltimore County
	riewed By Soll-1 Date Of 220
	07.0(-0(

# 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	115 HAMMOND	AVE	
	EISTERSTOWN	MD State	2/13 C Zip Code
That based upon personal knowledge, the following a Variance at the above address (indicate hardship or personal knowledge).	are the facts upon which I/we	base the request for	an Administrative
Ve are asking by this permit t	or an apen-au	A. h. h	
	ecreal wieds ///	A A A A A A A A A A A A A A A A A A A	. 1
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rom these dock with a gate	- 111 All All	r -1 11 - 1	Viewing this,
rom these dose when such as	- 01/1 0/11/0 020	children fo	be free
from these dogs when such an	occassion arises.		
In addition, my wife and older different grasses. A doct will	st child suffer	from allergies	related to
o home with	alleviate much	Dr Wal In	
Finally, our neighborhood has have noticed deep feces in languerous to young alillies as	a large popula	tim of deer	during the year
announce to ke deep teces in	our yard, and	feel this con	ld be
injuries in the angle continuen as a	newitty residence		
That the Affiant(s) acknowledge(s) that if a formal of advertising fee and may be required to provide addition	demand is filed, Affiant(s) which information.	/III be required to pay	a reposting and
D. 1 m	(10 "		
Panl Dlam Signature	Signature Signature	llacer-	
DAVID GLASER	Nancy G		
DAVID GLASER Name - Type or Print	Name - Type or Print	· · · · · · · · · · · · · · · · · · ·	
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STATE OF MARYLAND, COUNTY OF BALTIMORE,			
I HEREBY CERTIFY, this 20 day of June of Maryland, in and for the County aforesaid, personall	v anneared	before me, a Notary F	ublic of the State
and the state of t	) appeared		
the Affiant(s) herein, personally known or satisfactorily law that the matters and facts hereinabove set forth and	y identified to me as such A a true and correct to the bes	ffiant(s), and made oa	ith in due form of edge and belief.
		Λ	
AS WITNESS my hand and Notarial Seal			
6/20/01.	Klnnore	Lettron .	
Date / /	Notary Public	Notary Public, Baltimore ( My Commission Expires F	County, Maryland Schmary 21, 2014
	My Commission Expires		

# 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	/ / S / Address	JAMMONE	) Ave	
		RSTOWN	MD_	2/136
That based upon personal knowledge, the followariance at the above address (indicate hards)	owing are the facts	s upon which I/w	e base the request	for an Administrative
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to play outside Safely in a	1 101461400	artice, Oh	oecassin,	We have dag
in our neighborhood that I We believe a deck with a from these does when such	run loose	from the	ir yards. I	in Viewing the
we perieve a deel with a	gate will	allow or	ar children	to be Loss
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different grasses A doctor	oldest chil	d safter	from allergi	es related to
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Finally, our neighborhood  I have noticed does feces  donaerous to young alithus	has a lai	rge Popula	tim of deep	- during the
I have noticed deer feces	s in our y	ard and	Sool this	odd be
dangerous to young children	as a heal	th issue		VIII DC-
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide	formal demand is additional informat	filed, Affiant(s) vion.	will be required to	pay a reposting and
Da D Wans		la.		
Signature		Signature		
DAVID GLASER		Mancy KY Signature Nancy 6	'laser·	
Name - Type or Print		Name - Type or Prin		<del></del>
9				
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:	<i></i>		
I HEREBY CERTIFY, this 20th day of 5 of Maryland, in and for the County aforesaid, pe		, 2001	before me, a Notai	y Public of the State
of Maryland, in and for the County aforesaid, pe	ersonally appeared		, boloro mo, a motal	y r abno or the otate
the Affiant(s) herein, personally known or satis	sfactorily 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 c	correct to the bes	st of his/her/their kno	wledge and belief.
AS WITNESS my hand and Notarial Seal		/	/	
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Data 6/20/01		nnne Teto	lus	
Date / /	Notary\®	<del></del>	Notary Public, Baltimo My Commission Expire	ře County Manda
-	My Com	mission Expires	wy Commission Expire	s February 21, 2004

REV 09/15/98



REV 9115198

## **Petition for Administrative Variance**

### to the Zoning Commissioner of Baltimore County

for the property located at 115 Hammond	Ave	
which is presently zoned	DR.	3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301. 1A to Permit A REAL

SET BACK OF 16 FT IN LIEU OF THE REQUIRED 22.5 FT FOR

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:	Legal Owner(s):
DAVID GLASER Name-Type or Print DIMI DUST Signature 115 HAMMOND AVIS 410-526-6232 Address Telephone No.  REISTERSTOWN MD 21136 City State Zip Code  Attorney For Petitioner:	DAVID GLASEVE  Name-Type or Print  Signature  Nancy Glaser  Name - Type or Print  Mancy KHlaser  Signature  115 HAMMOND AVE 410-526-6232  Address  Telephone No.
Name - Type or Print	REISTERSTOWN MD 21136 City State Zip Code
Signature	Representative to be Contacted:  SJR Confracting  Name  (10)
Address Telephone No.	Address Abingdon MD 21009
ity State Zip Code	City State Zip Code
Public Hearing having been formally demanded and/or found to be reposed in that the subject matter of this egulations of Baltimore County and that the property be reposted.	equired, it is ordered by the Zoning Commissioner of Baltimore County, petition be set for a public hearing, advertised, as required by the zoning  Zoning Commissioner of Baltimore County

Estimated Posting Date

### **ZONING DESCRIPTION**

Zoning description for 115 Hammond Avenue.

Beginning at a point on the south side of Hammond Avenue which is 56 feet wide at the distance of 169 feet east of the centerline of the nearest improved intersecting street 2<sup>ND</sup> Avenue which is 30 feet wide. Being lot # 17 block—section—in the subdivision of Donoforio property as recorded in Baltimore County Plat Book # 70, Folio # 69, containing 5098 square feet. Also known as 115 Hammond Avenue and located in the 4<sup>th</sup>, Election District, 63 Councilmanic District.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE No. 3319	DATE DECEME
OFFICE OF BUDGET & FINANCE No. 3319 MISCELLANEOUS RECEIPT	PAYMENT ACTUAL TIME
DATE 06- 22:01 ACCOUNT R 006 001:6150	6/25/2001 6/22/2001 15:34:00 REL WS02 CACHIER SWAT SWAT DRAWER 2
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# CERTIFICATE OF POSTING

	RE: Case No.: <u>01-540-A</u>
	Petitioner/Developer:
	David Glaser
	Date of Hearing/Closing: 7-16-01
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 perwere posted conspicuously on the property local Reisterstown, MD 21136  The sign(s) were posted on	ated at 115 Hammond Avenue
	(Month, Day, Year)
VAPUANCE	Sincerely,  (Signature of Sign Poster and Date)  Shannon Baum Stens Inc.  105 COMPETITIVE GOALS DR.  ELDERSBURG, MD. 21784  (City, State, Zip Code)
	410-781-40CC
	(Telephone Number)

JUL 6 2001 DEAL OF Leb. 12 B

# 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.

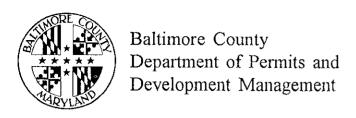
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 01.540-A
Petitioner: David + Nancy Glaser
Petitioner: David + Nancy Glaser  Address or Location: 115 Hammond Ave Bg MD 21135
PLEASE FORWARD ADVERTISING BILL TO:
Name: David + Nancy Glase
Address: 115 Hammond Ave
By m0 21/36
Telephone Number: (410) 526-6232

Revised 2/20/98 - SCJ

## **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 01- 540 -A Address 115 Hammoup Ro				
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391				
Filing Date: OG ZZ OI Posting Date: O7-OI-OI Closing Date: O7-160				
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. <b>POSTING/COST:</b> 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. <b>DEADLINE:</b> 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- 540 -A Address 115 - Ammout Ro				
Petitioner's Name <u>GLASCR</u> Telephone <u>4(0-526-6232</u>				
Posting Date: <u>07-0(-0)</u> Closing Date: <u>07-(6-0)</u>				
Wording for Sign: To Permit A REAR GAND SETEBBEK OF 1GFT. IN LIEW OF 22,5FT FON ANIOPEN DECK.				
,				



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

July 18, 2001

Nancy & David Glaser 115 Hammond Avenue Reisterstown MD 21136

Dear Mr. & Mrs. Glaser:

RE: Case Number: 01-540-A, 115 Hammond Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 22, 2001.

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

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

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

Very truly yours,

W. Carl Richards, Jr.

ک لایا

Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

**Enclosures** 

C: SJR Contracting, 124 Spruce Woods Court, Abingdon 21009 People's Counsel

Irle alexander

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 2, 2001

Department of Permits & Development Mgmt.

FROM:

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 23, 2001

Item Nos. 485, 527, 528, 529, 530, 532, 534, 536, 537, 540, 541, 542, 543, 544,

546, 547, 548, 549, and 550

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

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

July 24, 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 July 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:

527, 528, 529, 531, 533, 534, 535, 536, 539, 540, 541, 542, 543, 545, 548, 550, and 551

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

cc: File

Alle

### 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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-527, 01-530, 01-536, 01-537, 01-540,

01-541, and 01-543

**DATE:** July 23, 200

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/JL:MAC



### Maryland Department of Transportation State Highway Administration

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

Date: 7. 23.61

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

RE:

**Baltimore County** 

Item No. 540

JEA

Administrator

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. Bredh

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

DAVID GLASER \$10-526-6232 115 Hammond Ave Reisterstown, MD 2/136 CASE # 01-540-A June 25, 2001

Nancy and David Glaser of 115 Hammond Ave Reisterstown, MD are seeking a permit to build an outside open projection (14' x 19' deck) in our backyard. This deck will come to within 16' of our rear property line. We are asking our direct neighbors to sign below stating you understand our request and have no objections.

(	Harry Llints	•	
Name	Betty J. Centis	Phone 40-833-0825	
		N RUSTURSTOWN MD 71136	
Name _	Kobert toe (ct. )? Majne R. Catle	Phone 410833-3224	
Address	109 Hammond Ave	Reisterstoun, MD 21134	
Name _	Daniel A. Sottys	Phone 526-6852 526-6852	2
Address	113 Hammond Ave	Risterstam, MIS 21136	
Name _	Kent del Carmen	Phone 410-526-9955	
Address	s 111 Hammond Ave	Reisterstown MD 21136	

