Date 2/3/0/ Proposition of the INC.

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Walnut Avenue, 550' E

Garrison Forest Road

4th Election District

3rd Councilmanic District

(3409 Walnut Avenue)

Tanya and Alexander Gordon

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-008-A

* * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an Administrative Variance filed by Tanya and Alexander Gordon, legal owners of that property known as 3409 Walnut Avenue in the Owings Mills area of Baltimore County. The Petitioners herein seek relief from Section 1A00.3.B.3 (R.D.P. Zoning Regulations), to permit lot line setbacks of 30 ft. and 37 ft. in lieu of the required 50 ft. for 2 proposed additions. 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 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 Zoning Commissioner for Baltimore County this day of August, 2001, that a variance from Section 1A00.3.B.3 (R.D.P. Zoning Regulations), to permit lot line setbacks of 30 ft. and 37 ft. in lieu of the required 50 ft. for 2 proposed additions, 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.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:raj

0816 8/3/0/ 1316 May 12/0/



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

Fax: 410-887-3468

August 13, 2001

Mr. & Mrs. Alexander Gordon 3409 Walnut Avenue Owings Mills, Maryland 21117

Re: Petition for Administrative Variance

Case No. 02-008-A

Property: 3409 Walnut Avenue

Dear Mr. & Mrs. Gordon:

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,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure

Census 2000













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3409 Walnut Gve which is presently zoned R.C. 5

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) | A OB, 3, B, 3 (R, D, P, Zowing Redulations) To Permit Lot Line Setbacks of 30 Ft and 37 Ft, in lieu of the Required 50 Ft. For 2 Proposed Additions.

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.

			perjury, that I/we a is the subject of thi	re the legal owner(s) of the is Petition.	property which
Contract Purchaser/L	essee:		Legal Owner(s		
Name - Type or Print			ALEXAN Name - Type or Print	der Gora Cora A. Gordon	ION
Signature			Signature	A Goodan	
Address	<u></u>	Telephone No.	Name - Type or Print	- <i>P</i>	<u> </u>
City	State	Zip Code	Signature		h-410-363-8129
Attorney For Petitione	r:		3409 W	alnut ave	
	<u></u>		Address Owing S M	MILLS MD	Telephone No.
Name - Type or Print			City Y	State	Zip Code
Signature			<u> </u>	to be Contacted:	
Company			Name		
Address 2	- <u>- D</u>	Telephone No	Address		Telephone No.
Can Col	State	Zip Code	City	State	Zip Code
Public Heating having been this day of equipment of Baltimore County a	formally demand the and that the prope	ded and/or found to be at the subject matter of the try be reposted.	required, it is ordered by is petition be set for a public	the Zoning Commissioner of lic hearing, advertised, as requ	Baltimore County, uired by the zoning
			Zoning Com	missioner of Baltimore County	<u>y</u>
CASE NO.	02:008	3 - A Revi	ewed By VL	Date _ 7/0	6/01
REV 9115198			mated Postina Date		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	3409 W	BLNUT a	ve	
	OWINGS	Mills	MD	21117
	City		State	Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardshi	o or practical diffi	culty):		
My eurrently dis	abled	father	1s sche	duled
to have a triple and my mother w	by pass	. Uf TE	io frat	ith us
la next manent	PIVIN	g and	ormer	10
accommodate hi	s nee	eas, su	ien us	eus y
access to the hou	ise w	e nece	d to bu	c1/01
a garage attach e will be beyond 50	ed to	from	the edg	re of
the ocoperty BPS	o we	need to	O-BLEILO	i an
addition, which u	ve wil	I use a	es bivin	g space
for my parents. That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal demand is	filed. Affiant(s) w	•	
describing reg and may be required to provide e	iddiuona: innonna			
Signature		Jany	la Soe	don
		Oldi Sarriso		·
ALEXANDEN GORDON	~	TONYA	A Gor	don
Name - Type or Print		Name - Type or Print		
STATE OF MARYLAND, COUNTY OF BALTIN	ORE, to wit:			
I HEREBY CERTIFY, this 26 day of of Maryland, in and for the County aforesaid per	Me rsonally appeared	2001	before me, a Notar	y Public of the State
Tanya Gordon		or care	der ocitio	n was
the Affiant(s) therein, personally known or satisf law that the matters and facts hereinabove set for	actorily identified orth are true and	to me as such A correct to the best	ffiant(s), and made t of his/her/their kno	oath in due form of wledge and belief.
AC MITAIECC my bond and Natorial Cont				_
AS WITNESS my hand and Notarial Seal	_	~		, , , k , , , , , , , , , , , , , , , ,
6 /26/01	<u>Ov</u>	ma B	caslassi	y
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	My Corr	mission Expires	10,22,07	4

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	3409 W	abnut a	·ve	
	OWING.	Mills	MD	21117
	City		State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	io or practical diff	iculty)-		
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and my mother n for permanent	Pivin	o da	forde R	. 40
accommodate hi	c net	eds su	ieh as	easy
access to the hos	use w	e need	d to be	esla
a parage attach	ed to	the ho	use, n	hich
will be Beyond 50	feet	from	the ell	dan
the property als	ve wil	lux a	es bivin	g space
for my parents.	,		0	,
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ermal demand is additional information	filed, Affiant(s) vation.	vill be required to	pay a reposting and
Signature		Tany	la Jos	don
Signature		Signature		
ALEXANDEN GORDO		TanyA	A Gor	
Name - Type or Print		Name - Type or Print	:	
STATE OF MARYLAND, COUNTY OF BALTIN	NORE, to wit:			•
I HEREBY CERTIFY, this 26 ft day of of Maryland, in and for the County aforesaid, pe	LNE_rsonally appeare	2001	before me, a Nota	ry Public of the State
Tanya A Cordon	-	HUKUU	ack sore	cou sair
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	factorily identified orth are true and	to me as such A correct to the bes	uffiant(s), and made t of his/her/their kno	oath in due form of owledge and belief.
AS WITNESS my hand and Notarial Seal				
6/26/01 Date	\mathcal{Q}_{ν}	ina Be	aslassk	4
Date /	Notary	Public	(7
	My Con	nmission Expires	10.22.0	2

REU 09/15/98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3409 Walnut ave which is presently zoned

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) /A.003.B.3. (RDP zowing Regulation) TO PERMIT LOT LINE SETBACKS OF 30FT. and 37FT. IN LIEU OF The Required SOFT. FOR 2 PROPOSED ADDITIONS.

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 solemate perjury, that I/w is the subject o	nly declare and affirm, under we are the legal owner(s) of the of this Petition.	the penalties of he property which
Contract Purchaser	/Lessee:		Legal Owne		
Name - Type or Print				ANDER GOR	
Signature			Signature	A. Gordon	
Address	`	Telephone No.	Name - Type or F	2rint	
City	State	Zip Code	Signature	ga secon	h-410-362-8129
Attorney For Petition	ner:		3409 1	Walnut ave	W-410-454-3139
			8 4 3	MILLS MD	
Name - Type or Print			City	State	Zip Code
Signature				tive to be Contacted:	-
Company			Name		
Address	-	Telephone No.	Address	-	Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having betting day of regulations of Baltimore Count	en formally demand tha ty and that the proper	ed and/or found to be t the subject matter of y be reposted.	ous pennon de sei foi a	d by the Zoning Commissioner public hearing, advertised, as re Commissioner of Baltimore Cour	equired by the zoning
CASE NO	0 - 0-0		/ ,		7 /
CASE NO.	02-008	-A Rev	riewed By <u>V</u> L	Date	06/01
REV 915/98		Est	imated Postina Do	rte 7/15/01	,

008

ZONING DESCRIPTION

Zoning Description 3409 Walnut Que (address)							
(address)							
Beginning at a point on the South side of (north, south, east or west)							
Walnut are which is WARIABLE DISTANCE							
name of street on which property fronts (number of feet of right-of-way width)							
wide at the distance of 550 FT, EAST of the (number of feet) (north, south, east or west)							
centerline of the nearest improved interesting street GARISON TOREST RD, (name of street)							
which is wide. Being Lot # wide. Being Lot # /2							
Block, Section # B in the subdivision of TinBerFIEW in the (name of subdivision) valley							
as recorded in Baltimore County Plat Book # 37, Folio # 150,							
containing 1.003 AC, ±. Also known as 3409 WAL NOT AVE (square feet or acres) (property address)							
and located in the 4 TH Election District 3RD. Councilmanic District.							

					3	śŕ
BALTIMORE COUNTY, MAI OFFICE OF BUDGET & FINANCE		No.	3335	ו מנסק	ELEIPT	14, 1
MISCELLANEOUS RECEIPT	Z1 Y4		9000	PAYMENT	ACTUAL I	TINE
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DATE 7/06/01	ACCOUNT OOL O	06 61	50 1		HIER NSTE N	
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RECEIVED MR. (-OXI)	on/			50.00	: CK ire County, i	.00 .
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DISTRIBUTION				, ,		
WHITE - CASHIER PINK - AGENCY	YELLOW - CUSTOMER			CAS	HIER'S VALI	DATION

.

CERTIFICATE OF POSTING

RE: Case No.:	02-00	8-4
	Pevelopen	
Date of He	idas/Ciesins	7/30/01

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

•	ite Fax Note	£	7871	Care			# Of b	-
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Pho	" " " 1 43 BE			Phone	# -	Ĉ		
Fax	887-346	28		Fax #	<u> </u>	3 4	24-3	10

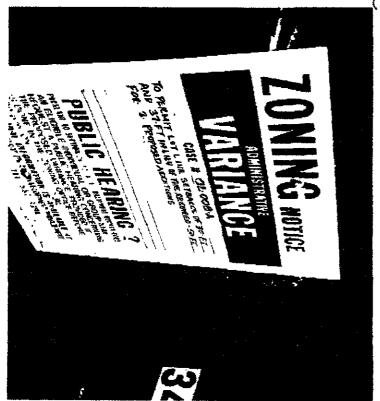
Ladies and Gentlemen:

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 #3409

The sign(s) were posted on _

(Month, Day, Year)

Sincerely,



(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)

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.

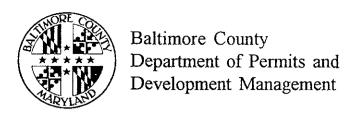
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:	
Item Number or Case Number: 02 008 A Petitioner: Abexander's Tanya Gordon Address or Location: 3409 Walnut ave	
Address or Location: 3409 Walnut ave	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Alexander Gordon	
Address: 3409 Wabnut Que	
avings neills, MD 21117	
Address: 3409 Wabnut Que Ovings Mills, MD 21117 Telephone Number: 410-363-8129	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 01-008 -A Address 3409 WALNUT AVE,						
001.10	ct Person: John LEWIS, Planner, Please Print Your Name Planner, Please Print Your Name Phone Number: 410-887-3391						
Filing	Date: 7 06 01 Posting Date: 7 15 0 Closing Date: 7 30 01						
Any o	contact made with this office regarding the status of the administrative variance should be gh the contact person (planner) using the case number.						
1.	<u>POSTING/COST:</u> 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)						
Petitio	oner: This Part of the Form is for the Sign Poster Only						
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT						
Case N	Number 02-008 -A Address 3409 WALNUT AVE,						
Case Number 02-008 -A Address 3409 WALNUT AVE. Petitioner's Name JOHN LEWIS. Telephone 410 363-8129							
Posting Date: $\frac{7/15/0}{}$ Closing Date: $\frac{7/30/0}{}$							
Nording for Sign: To Permit LOT LINE SETBACKS OF 30 FT. AND 37 FT. IN							
LIEU OF THE REQUIRED FOFT FOR 2 PROPOSED ADDITIONS,							



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

August 1, 2001

Tanya A & Alexander Gordon 3409 Walnut Avenue Owings Mills MD 21117

Dear Mr. & Mrs. Gordon:

RE: Case Number: 02-008-A, 3409 Walnut Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 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. 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)	410-887-5859
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. Gマス Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

C: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: August 20, 2001

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 6, 2001

Item Nos. 514, 001, 002, 003, 005, 006, 007, 008, 010, 011, 012, and 015

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

August 7, 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 30, 2001

Item No.: See Below

Dear Ms. Stephens:

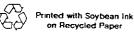
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, and 015

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 07, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Say L. Kern

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-514, 02 001, 02-002, 02-008, 02-010,

and 02-012

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.

AFK/JL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary

Parker F. Williams

Date: 8.6.01

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

RE: Baltimore County

Item No. 008 JL

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.

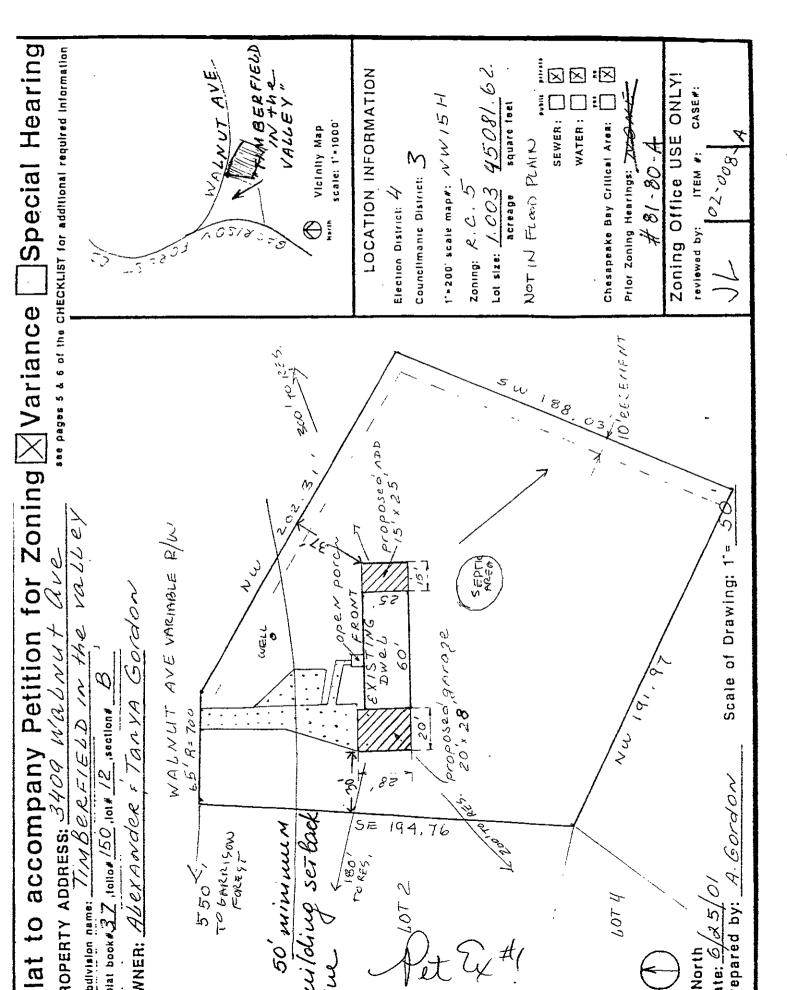
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

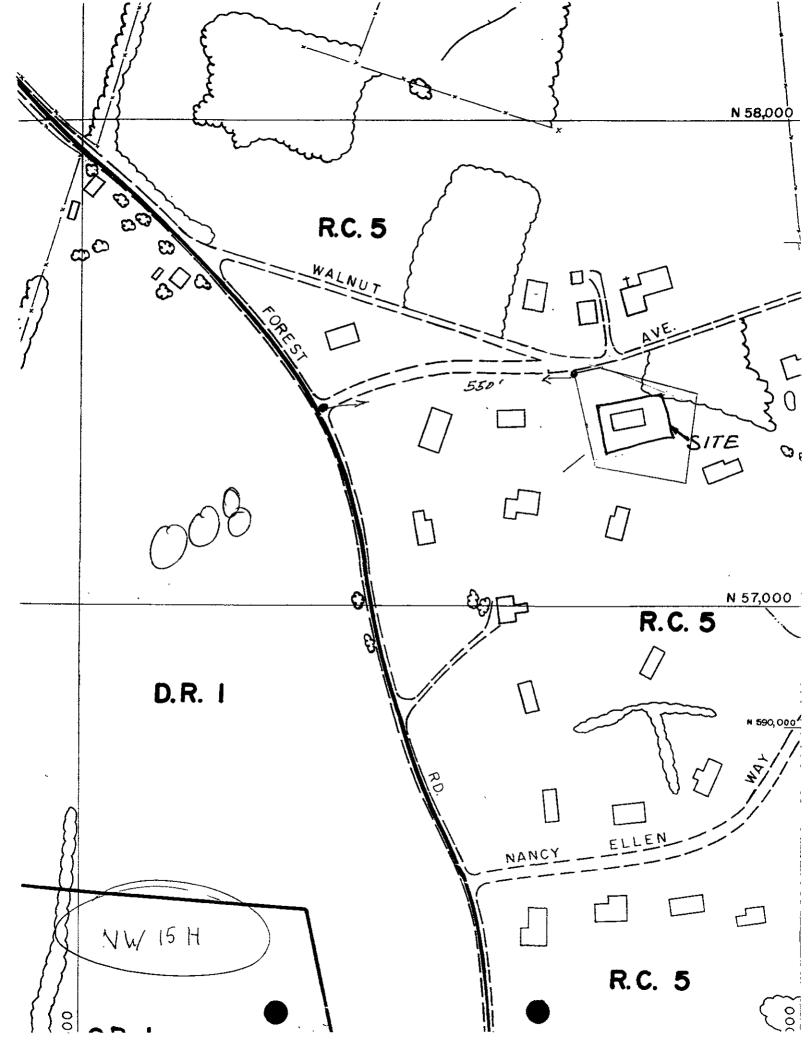
Very truly yours,

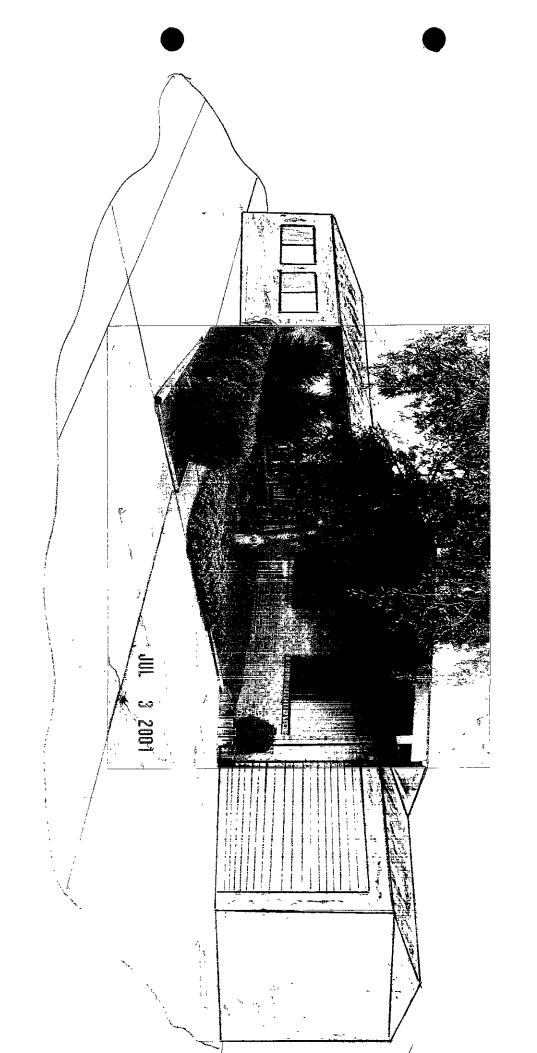
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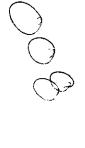
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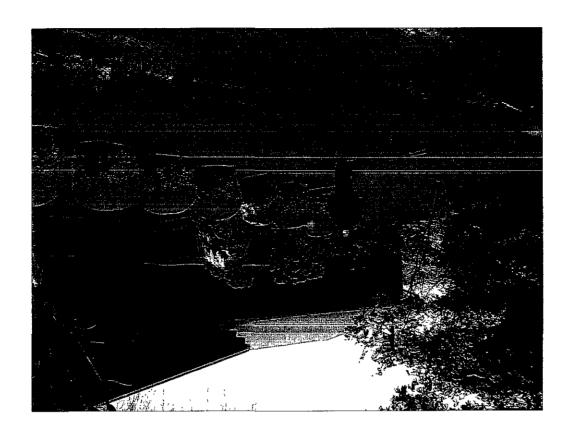
Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

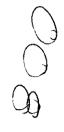
















OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP