ORDER RECEIVED FOR FILING
Date 8/13/01
By Tr. Camuath

IN RE: PETITION FOR ADMIN. VARIANCE
SW corner Superior
& Montreal Avenues
9th Election District
6th Councilmanic District
(2825 Superior Avenue)

Karen A. Kansler Petitioner BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-011-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an Administrative Variance filed by Karen A. Kansler, legal owner of that property known as 2825 Superior Avenue in the Cub Hill area of Baltimore County. The Petitioner herein seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 17 ft. for an addition to a single-family dwelling in lieu of the required 25 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the 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 Petitioner.

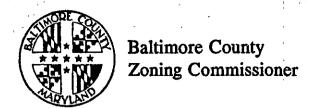
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August, 2001, that a variance from 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 17 ft. for an addition to a single-family dwelling in lieu of the required 25 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:raj



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

August 13, 2001

Mrs. Karen A. Kansler 2825 Superior Avenue Baltimore, Maryland 21234

Re: Petition for Administrative Variance

Case No. 02-011-A

Property: 2825 Superior Avenue

Dear Mrs. Kansler:

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:rai Enclosure

c: Mr. Richard Hannibal 1745 Wycliffe Avenue Baltimore, MD 21234



Printed with Soybean Ink

on Recycled Paper













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

This Petition shall be filed with the Department of Permits and Downer(s) of the property situate in Baltimore County and which is described a part hereof, hereby petition for a Variance from Section(s) front yard setbade of 17 ft, for an line of the veguivel 25 ft, of the zoning regulations of Baltimore County, to the zoning law of Baltinof this petition form. Property is to be posted and advertised as prescribed by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law of Baltimore County adopted pursuant law o	imore County, for the reasons indicated on the back
This Petition shall be filed with the Department of Permits and Downer(s) of the property situate in Baltimore County and which is described a part hereof, hereby petition for a Variance from Section(s) front yard setbade of 17 ft, for an line of the veguivel 25 ft, of the zoning regulations of Baltimore County, to the zoning law of Baltinof this petition form. Property is to be posted and advertised as prescribed by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law of Baltimore County adopted pursuant law o	evelopment Management. The undersigned, legal ribed in the description and plat attached hereto and 302.3.C.1 to permit a add; then to a SFD in imore County, for the reasons indicated on the back gulations.
made a part hereof, hereby petition for a Variance from Section(s) front yard setbade of 17 ft, for an lieu of the required 25 ft, of the zoning regulations of Baltimore County, to the zoning law of Baltimore this petition form. Property is to be posted and advertised as prescribed by the zoning re, or we, agree to pay expenses of above Variance, advertising, posting, etc. egulations and restrictions of Baltimore County adopted pursuant to the zoning law of Baltimore County adopted pursuant to the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law of Baltimore County adopted pursuant to the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law of Baltimore County adopted pursuant law of Baltimore County ad	imore County, for the reasons indicated on the back
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regulations and restrictions of Baltimore County adopted pursuant to the zoning is the Contract Purchaser/Lessee: Legal Signature Live adopted pursuant to the zoning is the Signature Signature Live adopted pursuant to the zoning is the perjuit is the Signature Signature	and further agree to and are to be becomed at his the access.
Contract Purchaser/Lessee: Lega Name - Type or Print Name Signature Signat	
Name - Type or Print Name Signature Signat	do solemnly declare and affirm, under the penalties of y, that I/we are the legal owner(s) of the property which subject of this Petition.
signature Signat	nl Owner(s):
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ddress Telephone No. Name	wenter and
	Type or Print Only 1 cuke
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Attorney For Petitioner: 28 Addres	25 Superior Ave. (w) 410 532-46 Telephone No.
lame - Type or Print Eq.	timore Mary Ignal 21234 State Zip Code
	esentative to be Contacted:
Rica	lavel Hannibal
Mame	4 Wholiffe N/ 4011619
Telephone No. Addres	Telephone No.
State Zip Code City	TIMORE MD 21234
Rublic Hearing having been formally demanded and/or found to be required, it is day of that the subject matter of this petition be dulations of Baltimore County and that the property be reposted	State Zip Códe
and that the property be reposted	—
	is ordered by the Zoning Commissioner of Baltimore County
ASE NO. 62-0/1-A Reviewed By	is ordered by the Zoning Commissioner of Baltimore County

Estimated Posting Date

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 2825 Superior Ave. Address Baltimore Marryland 2/23t State That based upon personal knowledge, the following are the facts upon which I/we base the request for an Admin Variance at the above address (indicate hardship or practical difficulty): I am putting on an addition to existing house in order to invite the conditions and increase value and gestletics of the living Conditions and increase value and gestletics of the	Zip Code istrative
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Admin	strative
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+ hodroom. and additional storage space needed for growing 1	qui,
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various the proposed addition is the best alternative	<i>L</i> T
accomplishes all objectives while minimizing buildi	ng
accomplishes all objectives while minimizing builds toward My neighbors' property. That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting fee and may be required to provide additional information.	ng and
- Tarent-Tanoln	
Signature ,	
Name - Type or Print Kaven A. Kansler Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:	
I HEREBY CERTIFY, this 25 day of, 200 /, before me, a Notary Public of the of Maryland, in and for the County aforesaid, personally appeared	e State
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and b	form of elief.
AS WITNESS my hand and Notarial Seal	
June 25 2001 Junda M. Remon	
Date Notary Public	
My Commission Expires	

REV 09|15|98

JUNE 1, 2002

NOTARY PUBLIC STATE OF MD

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	LYDS Superior Ave.
	Baltimore Mariland 21234
	City State Zip Code
variance at the above address (indicate hards	lowing are the facts upon which I/we base the request for an Administrative thip or practical difficulty):
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improve living condition	ns and increase value and arethetics
of the property. Improve m	ents include a new family/great room
lauger Kitchen bath + be	lition to existing house in ovoler to us and increase value and aesthetics ents include a new family/great room droom; and additional storage spends
heeded for growing Fami	b. No matter how I configure
addition it would re	quive a variance. The proposed additi
is the best alternative.	quive a variance. The proposed addit It accomplishes all objectives
It has been a some to the	toward my neighbors avenerty
while minimizing building	ng toward my neighbors property,
That the Affiant(s) acknowledge(s) that if a	formal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
advertising tee and may be required to provide	e additional information.
	Have France
Signature	Signature
	Karen A. Kansler
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:
I HEREBY CERTIFY, this 25th day of of Maryland, in and for the County aforesaid	2001, before me, a Notary Public of the State
of Maryland, in and for the County aforesaid	ersonally appeared
the Affiant(s) herein, personally known or sati	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 correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
	O_{j} m (2)
Date 25 2001	Notari Diplia
,	Notary Public
	My Commission Expires
REV 09 15 98	MY COMMISSION EXPIRES

JUNE 1, 2002 NOTARY PUBLIC STATE OF MD



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

			which is presently zoned O.R5.5
ie Datition chall be filed	, ' 	, ', '	
ner(s) of the property situ de a part hereof, hereby			Permits and Development Management. The undersigned, lega d which is described in the description and plat attached hereto and Section(s)
			IRO22(III)
yara se	el puole a	; t () t	Ct. for an addition to a SFD in
lieu of the	requir	el 25	-Ct,
ne zoning regulations of I	Baltimore Cou	unty, to the zoni	ning law of Baltimore County, for the reasons indicated on the back
we. adiee to hav exhanses	s ot above Vari	ance adverticing	y the zoning regulations. ng, posting, etc. and further agree to and are to be bounded by the zoning suant 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.
ntract Purchaser/Les	see:		Legal Owner(s):
- Type or Print			Name Type or Pynt
			Signature Signature
ature			
		Telephone No.	Name - Type or Print
ess	State	Telephone No.	Signature Signature Address Address Name - Type or Print (H) 4/0-66/-3 Address Tolonbers No.
orney For Petitioner:	State		Signature (H) 410-66-3 2825 Superior Ave. (w) 410-532-46
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ess Prney For Petitioner: - Type or Print ture any	State	Zip Code Telephone No. Zip Code	Signature Signature Address Signature Address Telephone No. Signature Address Telephone No. Signature Mannibal Name Address Name Address Telephone No.

Estimated Posting Date

ZONING DESCRIPTION

ZONING DESCRITION FOR: 2825 Superior Avenue, Baltimore, MD 21234

Beginning at a point on the SW corner of Superior & Montreal Avenues which are 40 ft.

wide. Being Lot# 196, 197 and part of 195

in the subdivision of Harford Farms as recorded in

Baltimore County Plat Book # 5, Folio # 89,

containing 6,669 sq. ft. Also known as 2825 Superior Avenue and

located in the 9th Election District, 6th Councilmanic District.

BALTIMORE COUNTY, MARYLAI OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	, No.	1790	(134 M No Work 1
	50.00	6/5" 2	PAYMENT ACTUAL TIME 17/09/2001 08:36:55 101 M303 CADHIER RBOS LRB DRAMER 16/02/16 17/09/2001 08:36:55 101 M303 CADHIER RBOS LRB DRAMER 16/02/16 16/03
FOR: Zoning admin	raneyor is tration		Recept Tot 50.0 .00 CK 50.00 Baltimore County, Haryland
DISTRIBUTION	ance.		
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S. Carrier

. . .

CERTIFICATE OF OSTING

2825 SUPERIOR AVE.
POSTED 7/22/01

Flushel EASTL 7/22/01

	RE: Case No.: 02-011- A
	Petitioner/Developer:
	KANEN KANSLER
3	Date of Hearing/Closing: 8/06/01
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 perjury that the necessary sign(s) required by law
were posted conspicuously on the proper	ty located at
2825	Superion Aug.
The sign(s) were posted on	7/22/01
	(Month, Day, Year)
SE # 02-011-A	Sincerely,
	(Signature of Sign Poster and Date)
	RICHARO E. HOPEFMAN (Printed Name)
varianci	904 DELLWOOD DR. (Address)
	FALLSTON, MO 21047
	(City, State, Zip Code)
	<u>(410) 879・31ZZ</u> (Telephone Number)
1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	• • • • • • • • • • • • • • • • • • • •

DEPARTMENT F PERMITS AND DEVELOMENT 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.

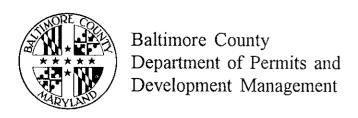
For Newspaper Advertising:
Item Number or Case Number; 02 - 011 - 19
Petitioner: Karen Kansler
Address or Location: 2825 Superior Ave. Baltimore M.D. 216
PLEASE FORWARD ADVERTISING BILL TO:
Name: Kgren Kgnsler
Address: 2825 Superior Ave.
Baltimore Maryland 21234
Telephone Number: 4/0-66/-3743

Revised 2/20/98 - SCJ

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 011 -A Address 2825 Superior Aue.
Contact Person: Braner Please Print Your Name Phone Number: 410-887-3391
Case Number 02- 7/9/01 Posting Date: 2825 Superior Ave. Address 2825 Superior Ave. Phone Number: 410-887-3391 Planner, Please Print Your Name Posting Date: $7/9/01$ Posting Date: $9/9/01$ Closing Date: $9/9/01$
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. <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. <u>DEADLINE</u> : 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 02- 011 -A Address 2825 Superior Aur. Petitioner's Name Karen (Cansler Telephone 410-661-3743 (A) Posting Date: 7/22/01 Closing Date: 8/06/01 Wording for Sign: To Permit a front yard setback (for an addition) of 17 ft. in 11cm of the required 25 ft.
Petitioner's Name Karen (Cansler Telephone 4/0-661-3743 (A
Posting Date: 7/23/01 Closing Date: 8/04/01 410 - 532. 4618 CW
Wording for Sign; To Permit a front yard setback (for an addition) of
17 ft. in Iron of the required 25 ft.



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

August 6, 2001

Karen A Kansler 2825 Superior Avenue Baltimore MD 21234

Dear Ms Kansler:

RE: Case Number: 02-011-A, 2825 Superior Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 9, 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. **GDZ** Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: Richard Hannibal, 1745 Wycliffe Avenue, Baltimore 21234 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

A76

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) 02-006 & 02-011

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

AUG — {

DATE: August 08, 2001



Maryland Department of Transportation State Highway Administration

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

Administrator

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. 011

BR

Dear. Ms. Jackson:

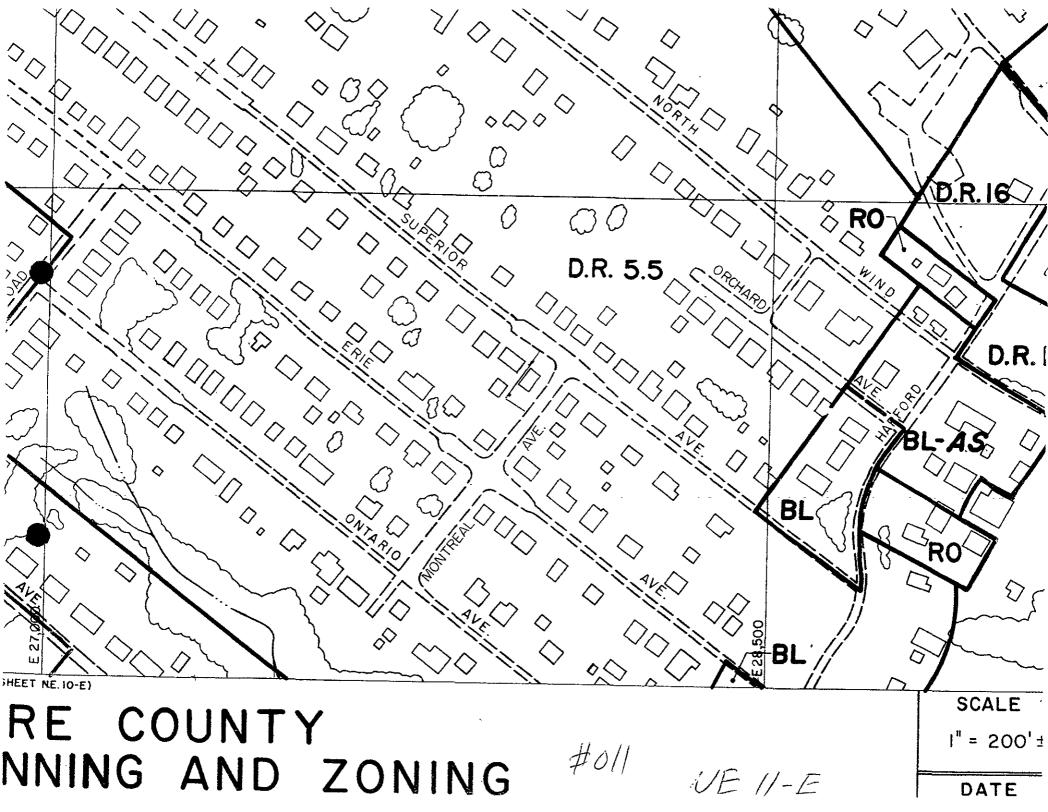
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

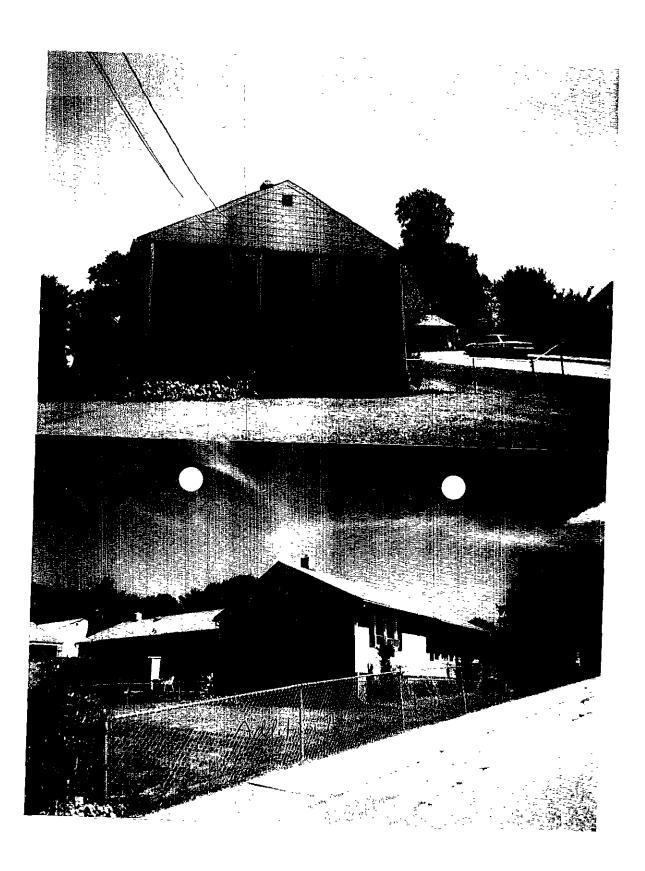
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

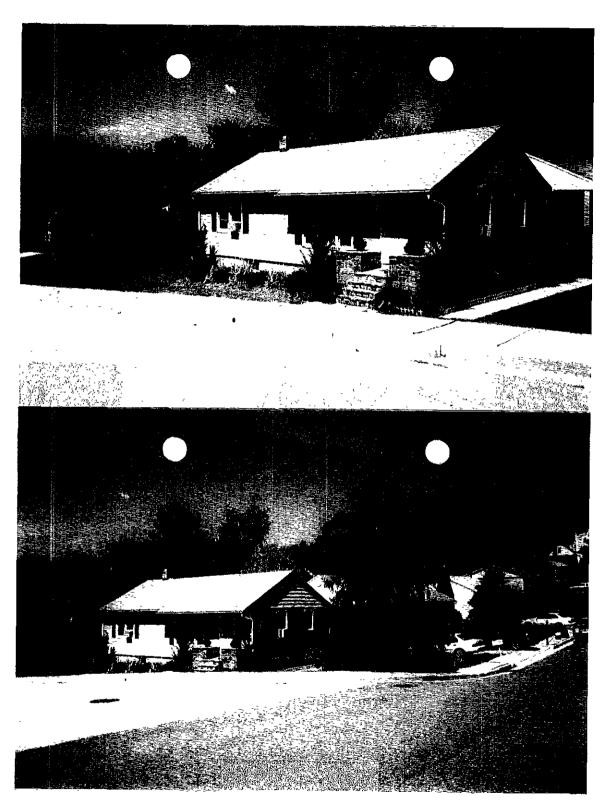
Very truly yours,

f. J. Hoell

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







BN 011 02	prepared by: Reland Hamber Scale of Drawing: 1'= 30
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	Gerome + C
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acreage square feet	
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1200 scale map#:	
District: 9	ি সু লি উঞ্জো
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BONNEAST SPINNE ACRES AND	OWNER: Karry Karslet SupERWR AVE
NTING CUB HILLS	plat book# 5, tollo#89, lot# 197, section#
-	DDRESS: 2825 Superior Ave.
	Plat to accompany Petition for Zoning Nugrian,

