

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
NE/corner Wade Avenue & Fairview Avenue,
790.5' E of the c/l Frederick Road * ZONING COMMISSIONER
(27 Wade Avenue)
1st Election District * OF BALTIMORE COUNTY
1st Council District *
James L. Scannell, et ux * Case No. 02-035-A
Petitioners *

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

WHEREAS, this matter came before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, James L. and Mary N. Scannell, on behalf of their son, Dennis Scannell, who actually resides on the property. The Petitioners sought relief from Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to have a building footprint larger than the existing principal structure (residence). The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. However, at the request of several of the Petitioners' neighbors, the matter was scheduled for a hearing on September 27, 2001.

Mr. & Mrs. Scannell appeared at the hearing, as did their son, Dennis Scannell and Madeline Heflin, who also resides on the property, and Eva May Busse, the adjacent property owner. Appearing as Protestants in the matter were Robert A. Patterson and Elizabeth A. Brady who reside across Fairview Avenue from the subject property.

At the hearing, the Protestants objected to the overall size of the proposed structure and expressed concern over its potential use. In response to those concerns, the Petitioner reduced the size of the garage and agreed to limit its use to the storage of personal vehicles and household items.

ORDER RECEIVED FOR FILING
Date 11/1/01
By [Signature]

By Order dated October 11, 2001, I granted the requested relief, as modified, subject to certain terms and conditions. To the extent applicable, the Findings of Fact and Conclusions of Law contained therein are adopted herein.

Subsequent to the issuance of said Order, Dennis Scannell attempted to obtain the building permit for the garage; however, was denied same due to a discrepancy between the site plan filed with the Petition and the site plan filed with the permit application. Specifically, the permit application indicated a proposed height for the garage of 21 feet, which exceeds that allowed by the B.C.Z.R. Section 400.3 of the B.C.Z.R. limits the height of an accessory structure to a maximum 15 feet. Moreover, in that there was no request for variance from the height limitations under the Petition filed in the instant case, Mr. Scannell requested assistance from the undersigned Zoning Commissioner to resolve this issue.

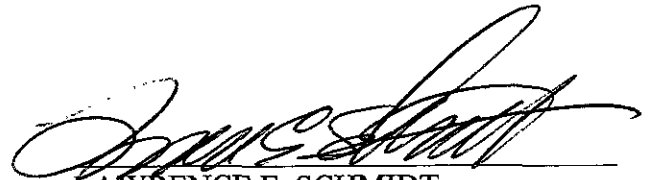
Under the circumstances, I considered Mr. Scannell's request as a Motion for Reconsideration and by letter dated October 22, 2001, notified the Protestants of the Petitioner's Motion. Moreover, I requested that the Protestants advise me in writing as to whether they had any objections to Mr. Scannell's proposal after which I would make a ruling on his request.

By letter dated October 26, 2001, Mr. Patterson and Ms. Brady indicated their consent to permit the proposed accessory building to have a height of 21 feet, provided there is strict compliance with the provisions of my prior Order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12 day of November, 2001 that the Order issued October 11, 2001 shall be amended to grant a variance from Section 400.3 of the B.C.Z.R. to permit an accessory structure height of 21 feet in lieu of the maximum allowed 15 feet for the proposed garage, and as such, the Motion for Reconsideration filed in the above-captioned matter be and is hereby GRANTED.

IT IS FURTHER ORDERED that all of the terms and conditions imposed in the Order issued on October 11, 2001 shall remain in full force effect. Additionally, the Petitioner shall be required to permit, upon reasonable notice, inspection of the accessory structure by a

representative of the Code Enforcement Division of the Department of Permits and Development Management, to insure compliance with the terms and conditions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Dennis Scannell, 27 Wade Avenue, Catonsville, Md. 21228
Mr. & Mrs. James L. Scannell, 116½ Smithwood Avenue, Catonsville, Md. 21228
Mr. Robert Patterson & Ms. Elizabeth Brady, 3 Fairview Avenue, Catonsville, Md. 21228
People's Counsel; Case File

ORDER RECEIVED FOR FILING
Date 11/1/01
By [Signature]



Baltimore County
Zoning Commissioner

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

October 22, 2001

Mr. Dennis Scannell
27 Wade Avenue
Catonsville, Md. 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
(27 Wade Avenue)
Case No. 02-035-A

Dear Mr. Scannell:

Reference is made to your recent telephone inquiry concerning the above-captioned matter. Pursuant to the Petition for Variance filed in this case, relief was requested to allow the proposed garage to have a building footprint larger than the existing dwelling. The site plan submitted showed a one-story garage, 34' x 60' in dimension, was proposed. Due to the concerns expressed at the hearing by some of your neighbors that the garage was too large, you reduced the size of the structure to 30' x 56' in dimension. By Order issued October 11, 2001, I granted the amended relief, subject to certain terms and conditions.

I understand that you recently applied for a building permit and that you were denied same in that the site plan submitted shows a proposed building height of 21 feet, which exceeds the 15-foot height limitations set forth in Section 400.3 of the B.C.Z.R. You have therefore requested that I amend my decision to include variance relief for a height of 21 feet in lieu of the 15 feet allowed.

Rule 2K of the Zoning Commissioner's Rules of Policy and Procedure allows the Zoning Commissioner to reconsider any decision within thirty (30) days of the date of such decision. Thus, I shall consider your request as a Motion for Reconsideration. However, prior to making a ruling on your request, I am forwarding a copy of this letter to the Protestants, with the request that they advise me, in writing, within ten (10) days of the date hereof, if they have any objections. Upon receipt of their written comment, I will issue a decision on the Motion. Any relief granted will remain subject to the terms and conditions imposed by the original Order.

In the meantime, please contact me should you have any further questions in this regard.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. James L. Scannell, 116½ Smithwood Avenue, Catonsville, Md. 21228
Mr. Robert Patterson & Ms. Elizabeth Brady, 3 Fairview Avenue, Catonsville, Md. 21228
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
NE/corner Wade Avenue & Fairview Avenue,
790.5' E of the c/l Frederick Road * ZONING COMMISSIONER
(27 Wade Avenue)
1st Election District * OF BALTIMORE COUNTY
1st Council District *
James L. Scannell, et ux * Case No. 02-035-A
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, James L. and Mary N. Scannell. The Petitioners seek relief from Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to have a building footprint larger than the existing principal structure (residence). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. In this case, the Petitioners applied for an administrative variance on or about July 19, 2001. On July 29, 2001, the property was duly posted and advertised giving public notice of the requested relief. Under the Code, any property owner residing within 1,000 feet of the property in question can request a public hearing within 15 days of the sign posting, if that person objects to the relief requested. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner, upon review of the case file, can schedule the matter for a hearing. By letter dated August 8, 2001, a number of individuals who reside in the area, including Robert A. Patterson and Elizabeth A. Brady, submitted a formal request for public hearing and the matter was scheduled for a hearing on September 27, 2001.

ORDER RECEIVED FOR FILING

Date

By

Appearing at the hearing in support of the request were James L. and Mary N. Scannell, property owners, their son, Dennis Scannell, who resides on the subject property, Madeline Heflin, who also resides on the subject property, and Eva May Busse, the adjacent, most affected property owner. Appearing as Protestants in the matter were Robert A. Patterson and Elizabeth A. Brady who reside across Fairview Avenue from the subject property.

Testimony and evidence offered revealed that the subject property is located on the northeast corner of Fairview Avenue and Wade Avenue, just south of Frederick Road in Catonsville. The property consists of a gross area of 1.25 acres, zoned D.R.5.5, and is improved with a two-story single family dwelling, which fronts on Wade Avenue. Testimony indicated that the Petitioners have owned the property for 20 years and although they no longer reside on the property, their son, Dennis, has resided thereon for the past 18 years. Apparently, Dennis Scannell recently made efforts to rehabilitate and improve the property. Testimony indicated that two dilapidated buildings, described as a garage and chicken coop, were recently razed. Photographs submitted at the hearing show that those buildings were in disrepair and unsightly. Mr. Scannell proposes constructing a 34' x 60' garage to the rear of the dwelling, with access proposed via a driveway from Fairview Avenue. Mr. Scannell indicated that the garage is necessary to store tractors and mowers used to maintain the property and that he was made aware of the fact that the building cannot be used for business purposes. Although he works in construction, he indicated that he does not keep construction equipment on the property and that the garage will not be used for those purposes. Mr. Scannell further indicated that the house is small and that more storage space is needed for household items. He also stated that the garage would not be any bigger than the combined area of the old garage and chicken coop, which used to exist on the property.

Ms. Busse, who resides on the adjacent property, appeared in support of the request. She indicated that Mr. Scannell has recently made a number of improvements that have upgraded the appearance of the property. Moreover, she believes that the proposed garage is appropriate.

Mr. Patterson and Ms. Brady have resided across from the subject property for the past 9 years. They believe that the proposed garage is too large. They also expressed concern about the

location of the driveway that will serve the garage. As shown on the plan, the driveway will access the interior of the property from Fairview Avenue; however, at the hearing, Mr. Scannell indicated that the driveway could be relocated to access Wade Avenue. This satisfied one of the concerns of Mr. Patterson and Ms. Brady. The Petitioner also indicated at the hearing that the size of the proposed garage could be reduced to 30' x 56', slightly smaller than originally proposed.

Based upon the testimony and evidence presented, I am persuaded that the Petition for Variance should be granted with certain restrictions. The dwelling does have a small footprint and limited capacity for storage. Additionally, the proposed garage will not be larger than the two buildings that have been razed. Certainly, the garage will be aesthetically more pleasing than those buildings. Based upon the testimony and evidence offered, I am persuaded that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. and that relief should be granted. However, in granting the relief, I will impose certain conditions and restrictions. First, the building cannot be used as a second dwelling unit or for apartments. Secondly, as noted at the hearing, the property is zoned D.R.5.5. Thus, the garage can only be used as an accessory to the existing dwelling and not for any business purposes, either storage or active business operations. Third, the garage will be limited to a footprint of 30' x 56' which the Petitioner indicated would be of sufficient size for his purposes. Finally, driveway access to the garage will be by way of Wade Avenue, not Fairview Avenue. Thus, there will be no entrance to the site from Fairview Avenue.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of October, 2001 that the Petition for Administrative Variance seeking relief from Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to have a building footprint larger than the existing principal structure (residence), be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware

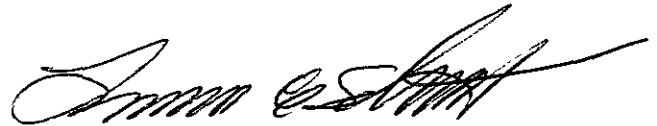
ORDER RECEIVED FOR FILING

Date 10/11/01

By [Signature]

that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) The relief granted herein is limited to a 30' x 56' garage, with access thereto via a driveway entrance from Wade Avenue. There shall be no access to the site from Fairview Avenue. The Petitioner shall submit a revised site plan reflecting the reduced size of the proposed structure and relocated driveway entrance, for inclusion in the case file, prior to the issuance of any permits.
- 3) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 4) The garage can only be used as an accessory structure to the existing dwelling. It cannot be used for any business purposes, either storage or active business operations.
- 5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER FILED FOR FILING
Date 10/11/01
By [Signature]



Baltimore County
Zoning Commissioner

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

October 9, 2001

Mr. & Mrs. James L. Scannell
116½ Smithwood Avenue
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/Corner Wade Avenue & Fairview Avenue, 790.5' E of the c/l Frederick Road
(27 Wade Avenue)
1st Election District – 1st Council District
James L. Scannell, et ux - Petitioners
Case No. 02-035-A

Dear Mr. & Mrs. Scannell:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Dennis Scannell, 27 Wade Avenue, Catonsville, Md. 21228
Mr. Robert A. Patterson, 3 Fairview Avenue, Catonsville, Md. 21228
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 27 Wade Ave 21228
which is presently zoned DR 5.5

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) ~~400~~ (BCZR) 101

~~Want to build a 30' x 56' x 16' 1680 sq. ft. 2 car garage~~

~~on rear property~~ TO PERMIT AN ACCESSORY BUILDING (GARAGE) TO HAVE A BUILDING FOOTPRINT LARGER THAN THE EXISTING PRINCIPAL STRUCTURE (RESIDENCE)

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

JAMES L. SCANNELL
Name - Type or Print

Signature

MARY N. SCANNELL
Name - Type or Print

Signature

116 1/2 Smithwood Ave 410-744-1555
Address Telephone No.

CATONSVILLE MD 21228
City State Zip Code

Representative to be Contacted:

MARY N. SCANNELL
Name

116 1/2 Smithwood Ave 410-744-1555
Address Telephone No.

CATONSVILLE MD 21228
City State 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, this ___ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-035-A

REV 9/15/98

Reviewed By LTM Date 7/19/01

Estimated Posting Date 7/29/01

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.

That the Affiant(s) does/do presently reside at 116 1/2 Smithwood Ave
Address
Croftsville Md 21238
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty): it is the intention of the Affiant to tear down the current garage & replace it with a larger building to meet current needs for the property. The new building of 30x56x16 is restricted by the 30x3 dimensions of the main house. The design of the current house (over 100 yrs old) does not allow for a breezeway type construction to attach the building to the current house. It would be cost prohibitive to increase the dimensions of the main house to allow for a larger out building.

The option of two smaller buildings to meet the required space would not be functionally sound.

The current storage area does not allow for the storing of my vehicles lawn cutting & other equipment to maintain the property. Besides being subjected to weather, thefts have occurred. This variance will allow me to build the most economically feasible building to protect my vehicles & equipment without undue hardship. This building should not detract from the neighborhood nor impact the health, welfare & general safety of the area. The size of the lot should easily accommodate this building.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

James L. Scannell
Signature
JAMES L. SCANNELL
Name - Type or Print

Mary N. Scannell
Signature
MARY N. SCANNELL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of July, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

James L. Scannell and Mary N. Scannell
the Affiant(s) herein, personally known or satisfactorily 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

July 18, 2001
Date

Lu Hecht
Notary Public

My Commission Expires 11/1/02

BEGINNING AT A POINT ON THE
EAST SIDE OF WADE AVE 790.5' ±
SOUTHEAST OF FREDERICK ROAD
AS RECORDED IN DEED LIBER 6719
FOLIO 684

and described as follows, that is to say:

Beginning for the same at a stake standing in the first line of that lot of ground which by deed dated the 17th day of June 1867 and recorded among the Land Records of Baltimore County in Liber JHL No. 54 folio 225 etc was conveyed by George W. Lawrence and others to Joseph P. Fusting said point being located at the distance of seven hundred and ninety feet and six inches southerly from the south side of the Frederick Turnpike Road and running thence binding on Lot No. 3 south seventy-five degrees west three hundred and four feet and nine inches to Mariposa Lane thence binding on the east side of said lane south eleven and a half degrees east one hundred and seventy-two feet to the centre of a thirty foot avenue there situate thence north seventy-six and a half degrees east in the centre of said avenue with the use thereof in common with others three hundred and ten and a half feet to intersect the above referred to first line of the land conveyed as aforesaid to Joseph P. Fusting and thence binding reversely on said line north fourteen and three-quarters degrees west one hundred and eighty-one feet to the place of beginning containing one and a quarter acres of land.

A/35-

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

4061

DATE 7/19/01 ACCOUNT 12001 006 6130

AMOUNT \$ 50.00

RECEIVED FROM: MADELINE HILFLIN

FOR: VARIANCE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
7/19/2001	7/19/2001	11:58:12
MS02	CASHIER SWAT SWM	DRAMER 2
RECEIPT # 180296		DFLN
Dept 5	528 ZONING VERIFICATION	
CF/D. 004061		

Recpt Tot	50.00
50.00	OK
	.00 CA
Baltimore County, Maryland	

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

4142

DATE 8-14-01 ACCOUNT R001-006-6150
AMOUNT \$ 40.00

RECEIVED FROM: ROBERT PATTERSON

FOR: DEMAND FOR FORMAL HEARING
MARY & JAMES SCANNELL
CASE 02-035 27 WADE AVE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
8/15/2001	8/14/2001	15:19:58
REG MS01	CASHIER JRIC JMR	DRAMER 1
>> RECEIPT # 058161 OFLN		
Dept	5 528 ZONING VERIFICATION	
CR #	004142	

Receipt Tot 40.00
40.00 DT

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARINGS**

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

Case #02-035-A
27 Wade Avenue
E/S Wade Avenue, 790' SE
Frederick Road
1st Election District
1st Councilmanic District
Legal Owner(s): Mary N. &
James L. Scannell

Administrative Variance: to permit an accessory building (garage) to have a building footprint larger than the existing principal structure (residence).

Hearing: Thursday, September 13, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/8/790 Aug. 28 C490688

CERTIFICATE OF PUBLICATION

8/30/2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/28/2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-035-A

Petitioner/Developer: JAMES L

SCANNELL

Date of Hearing/Closing: 8/13/01

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 property located at 27 WADE AVE

The sign(s) were posted on JULY 29, 01
(Month, Day, Year)

Sincerely,

[Signature] 7/29/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

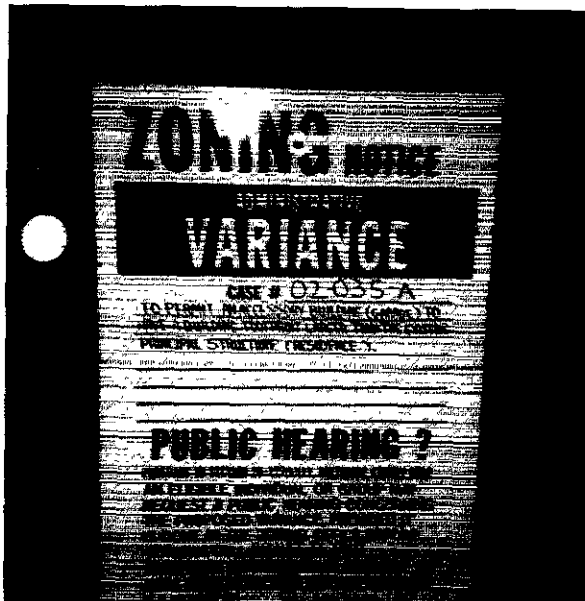
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 02-035-A

Petitioner/Developer: MARY N +

JAMES L. SCANNELL

Date of Hearing/Closing: SEPT 13, 2001

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 27 WADE AVE

The sign(s) were posted on AUGUST 29, 2001
(Month, Day, Year)

Sincerely,

[Signature] 8/29/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

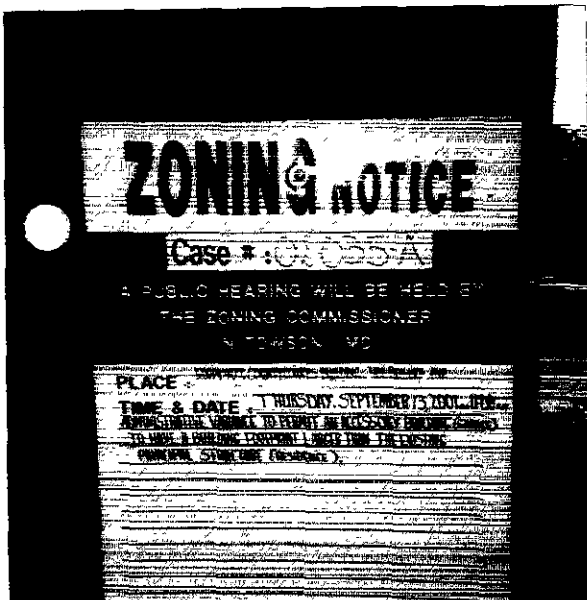
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

Date: _____

9/7/01

RE: Case Number _____

02-035A

Petitioner: _____

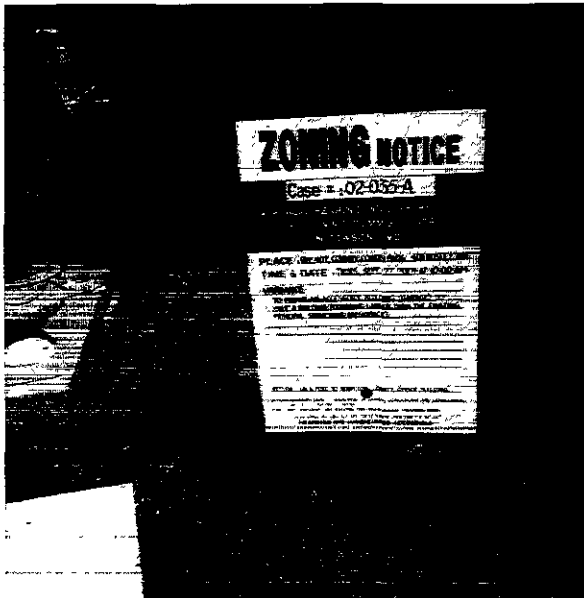
Date of Hearing: _____

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

The sign(s) were posted on _____

9/7/01

(Month, Day, Year)



(Signature of Sign Poster)

ORIGINAL SIGNED BY
LEONARD J. WASILEWSKI
Gary Freund

(Printed Name of Sign Poster)

Balto. Co. Code Enforcement

(Street Address of Sign Poster)

Towson, MD 21204

(City, State, Zip Code of Sign Poster)

02-035A

2:17 9/6/02

EP/04
LW/04



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 02-035-A

Petitioner: James L & Mary N Scanwell

Location: 27 Wade Ave BALD 21228 MD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Madeline Heflin

ADDRESS: 27 Wade Ave

Catonsville mo 21228

PHONE NUMBER: 410-788-7987

AJ:ggs

(Revised 09/24/96)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 02- 035 -AAddress 27 WADE AVEContact Person: LOYD T. MOXLEY

Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 7/19/01Posting Date: 7/29/01Closing Date: 8/13/01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- I HAVE RECEIVED POSTING INFO*
- 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 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.
 - 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.
 - 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 FORMATCase Number 02- 035 -AAddress 27 WADE AVE.Petitioner's Name JAMES L. SCANNELLTelephone 410 744-1555Posting Date: 7/29/01Closing Date: 8/13/01

Wording for Sign: To Permit AN ACCESSORY BUILDING (GARAGE)
TO HAVE A BUILDING FOOTPRINT LARGER THAN THE
EXISTING PRINCIPAL STRUCTURE (RESIDENCE)

WCR - Revised 6/28/00

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 28, 2001 Issue – Jeffersonian

Please forward billing to:
Madeline Heflin
27 Wade Avenue
Catonsville MD 21228

410 788-7987

NOTICE OF ZONING HEARING

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

CASE NUMBER: 02-035-A
27 Wade Avenue
E/S Wade Avenue, 790' SE Frederick Road
1st Election District – 1st Councilmanic District
Legal Owners: Mary N & James L Scannell

Administrative Variance to permit an accessory building (garage) to have a building footprint larger than the existing principal structure (residence).

HEARING: Thursday, September 13, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *ESD*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 17, 2001

NOTICE OF ZONING HEARING

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

CASE NUMBER: 02-035-A
27 Wade Avenue
E/S Wade Avenue, 790' SE Frederick Road
1st Election District – 1st Councilmanic District
Legal Owners: Mary N & James L Scannell

Administrative Variance to permit an accessory building (garage) to have a building footprint larger than the existing principal structure (residence).

HEARING: Thursday, September 13, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon *GDZ*
Director

C: Mary N & James L Scannell, 116 ½ Smithwood Avenue, Catonsville 21228
Robert Patterson Jr, 3 Fairview Avenue, Catonsville 21228
Bessie Flood, 4 Fairview Avenue, Catonsville 21228
Ann Wright, 28 Wade Avenue, Catonsville 21228
Darlene & Eva Holmes, 2 Fairview Avenue, Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 29, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 30, 2001

NOTICE OF ZONING HEARING

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

CASE NUMBER: 02-035-A
27 Wade Avenue
E/S Wade Avenue, 790' SE Frederick Road
1st Election District – 1st Councilmanic District
Legal Owners: Mary N & James L Scannell

Administrative Variance to permit an accessory building (garage) to have a building footprint larger than the existing principal structure (residence).

HEARING: Thursday, September 27, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon *CDZ*
Director

C: Mary N & James L Scannell, 116 ½ Smithwood Avenue, Catonsville 21228
Robert Patterson Jr, 3 Fairview Avenue, Catonsville 21228
Bessie Flood, 4 Fairview Avenue, Catonsville 21228
Ann Wright, 28 Wade Avenue, Catonsville 21228
Darlene & Eva Holmes, 2 Fairview Avenue, Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 12, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 21, 2001

Mary N & James L Scannell
116 1/2 Smithwood Avenue
Catonsville MD 21228

Dear Mr. & Mrs. Scannell:

RE: Case Number: 02-035-A, 27 Wade Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 29, 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.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Robert Patterson Jr, 3 Fairview Avenue, Catonsville 21228
Bessie Flood, 4 Fairview Avenue, Catonsville 21228
Darlene & Eva Holmes, 2 Fairview Avenue, Catonsville 21228
People's Counsel



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
Recycled Paper

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: September 6, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 13, 2001
Item Nos. 018, 019, 021, 022, 023, 025,
026, 028, 029, 030, 031, 032, 033,
035¹/₂ and 057

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

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

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

~~August~~ 14, 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 August 6, 2001

Item No.:

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.

The Fire Marshal's Office has no comments regarding the item numbers:

018, 022, 023, 025, 026, 028, 029, 030, 033, 034, and 035

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

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

Jim
9/13
PO
9/27

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: August 24, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 27 Wade Avenue

AUG 27

INFORMATION:

Item Number: 02-035

Petitioner: James L. Scannell

Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request providing the proposed garage is not used for dwelling purposes.

Prepared by: Maek A. Cunningham

Section Chief: Jeffrey W. G.
AFK:MAC:



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: *8.10.01*

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

RE: Baltimore County
Item No. *035* *LTM*

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,

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

8/10/01
8

3 Fairview Avenue
Catonsville, MD 21228
(410) 788-1753
28 August 2001

George Zahner
Baltimore County Department of Permits and Development Management
Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Case Number 02-035-A

Dear Mr. Zahner,

I received a notice of the hearing date of 13 September 2001 at 1100 on the subject case. I can not make that date due to a conflict at work. If possible, I would like to change the hearing date. Other dates NOT open on my calendar include:

August 20-25
September 29 - October 8
October 15 - 20

I spoke with your administrative specialist regarding the fee for changing the date and she indicated there is no fee.

Thank you for your assistance in this matter.

Sincerely,



R. A. (Rob) Patterson, Jr.



Baltimore County
Department of Permits and
Development Management

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

August 16, 2001

Mary N & James L Scannell
116 1/2 Smithwood Avenue
Catonsville MD 21228

Dear Mr. & Mrs. Scannell

RE: Demand for Public Hearing, Administrative Variance, Case Number: 02-035-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on August 10, 2001 for a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G02
Supervisor
Zoning Review

WCR: gdz

C: Robert Patterson Jr, 3 Fairview Avenue, Baltimore 21228
Bessie Flood, 4 Fairview Avenue, Baltimore 21228
Ann Wright, 28 Wade Avenue, Baltimore 21228
Darlene & Eva Holmes, 2 Fairview Avenue, Baltimore 21228





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 30, 2001

Robert A Patterson Jr
3 Fairview Avenue
Catonsville MD 21228

Dear Mr. Patterson:

RE: Case Number: 02-035-A, 27 Wade Avenue

The above matter, previously scheduled for Thursday, September 13, 2001 at 11:00 a.m. in Room 407, County Courts Building, has been postponed at your request. The hearing has been **rescheduled for Thursday, September 27, 2001 at 10:00 a.m. in room 407, County Courts Building.**

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon GJZ
Director

AJ:

C: Mary N & James L Scannell, 116 ½ Smithwood Avenue, Catonsville 21228

November 2, 2001

Mr. Lawrence Schmidt
Suite 405 County Courts Bldg.
401 Bosley Avenue
Towson Maryland 21204

*Issues
been resolved,
Please
file
JCB*

Dear Mr. Schmidt,

Upon receiving your letter of Oct. 22, 2001 Case #02-035-A I felt compelled to respond stating the reasons for the six foot height difference between the 15 ft. that is allowed and the 21ft. That I am asking for.

1. The 6ft difference is not to expand the size of the building it is only for aesthetic reasons. The building has to have a 14ft door height to allow me to get a fishing boat on a trailer in and out of the building to winterize it, scrap the bottom etc. With a 15ft height limit I would not be able to put a A Framed roof on the building, I would be forced to put a flat roof on it.

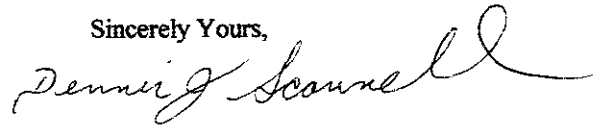
2. The reasons for a A Framed roof is to trim the building out to match the house. Shingles Rain Spouts, soffit fascia ect. Blending it into a residential setting, as opposed to a flat roof which would make the building look commercial which I am trying not to do.

3. In a neighborhood with a average roof peak of 40+ feet a 21 foot roof peak would not look out of place or obstruct anyone's view in anyway. Even though it will cost more to put a pitched roof on the building, in fairness to the 99% of my neighbors who supported the variance I feel that it is my responsibility to make the building look as good as possible.

In closing I would like to apologize for any inconvenience this height issue has caused, for some reason at the procedures and at the beginning a 15ft limitation was never brought up. If it had I would have included the 21ft in the original request for variance. In fact the only time the height issue came up was at the variance hearing at which time it was thought that the limit was 25ft. I would also like to state that after I received your letter I tried to contact the Patterson's (the one neighbor who complained) to explain the six foot difference, but they would not answer the door. I do not know if they are going to object to the six foot difference or not but I felt that they should know that although six foot is not that much it will make a big difference on how the building will look.

Again I thank you for your time and look forward to hearing from you soon.

Sincerely Yours,



Dennis Scannell

To the Zoning Commissioner of Baltimore County:

We appreciate the opportunity to address you regarding the proposed accessory building (referred to below as "garage") proposed for construction and existing residence at 27 Wade Avenue 21228. Several important relevant points include:

1. The proposed garage is aesthetically too large relative to the residence;
2. The proposed garage location is up high and will stand out relative to surrounding residences;
3. There is no apparent need for such a large garage;
4. The male resident (who has worked in construction and tree/limb removal) stated that once the garage is up he can use it for any purpose he desires;
5. Several times since (at least) September 1992, commercial/business vehicles, equipment, and property were stored at 27 Wade in violation of zoning codes;
6. Some of those commercial vehicles left the property each morning at approximately 6 am producing noise levels sufficient to wake nearby neighbors;
7. Recently, business vehicles (three from Underground Inc., Ellicott City, for the past three months) were stored on the property;

Based on the above exterior evidence that a business is currently being operated from the property and the previous behavior of the residents of 27 Wade, we believe that the proposed garage will be used for profit-producing commercial purposes regardless of zoning regulations or the publicly stated purpose of the existing residents. Several important relevant facts regarding the residence at 27 Wade Avenue include:

8. Existing residence at 27 Wade not maintained; its condition since (at least) September 1992 has only degenerated, is in violation of maintenance codes, and includes: faded, peeling, and chipping paint, siding off, broken windows, and exterior doors off hinges;

We are concerned that both the condition of the existing residence and the existence of the proposed accessory building will reduce local property values. It is unclear why the residents are considering the additional structure given the poor condition of the existing residence. If funds are available for a garage for personal use, those funds should first be used to bring the residence up to legal standards. We recommend that the proposed zoning variance be refused on those grounds. We do support a residential-sized garage for residential purposes (such as storing lawn care and other residential-use items presently left out in the open).

9. However, if the proposed accessory structure is allowed the conditions of building should be:

- A. it should be restricted from any and all commercial use, including storage / parking of a commercial vehicle or equipment, a service garage, kennel, and other applicable portions of Sections 101 and 431 of the Baltimore County Zoning Regulations relating to commercial or business use;
- B. it should meet all applicable building codes and be well-maintained;
- C. the driveway should enter/exit via Wade Avenue to reduce the visual and noise impact on residents of Fairview Avenue;
- D. the A-weighted noise level should not exceed 60 dBA (light traffic at 30 m) at the property line between the hours of 8 am and 8 pm;
- E. the A-weighted noise level should not exceed 50 dBA (quiet residential -- nighttime) at the property line between the hours of 8 pm and 8 am;
- F. it should be blend in with surroundings, possibly by extensive landscaping around building.

Name	Signature	Date	Address
ROBERT A. PATTERSON JR.	Robert A. Patterson Jr.	9/26/01	3 FAIRVIEW AVE CATONSVILLE, MD 21228
Elizabeth Brady	Elizabeth Brady	9/27/01	3 Fairview Ave Catonsville, MD 21228
Bessie J. Love	Bessie J. Love	9/27/01	3 Fairview Ave Catonsville, Md. 21228
Eva Holmes	Eva Holmes	9/27/01	2 Fairview Ave. Catonsville, Md.
Darlene Holmes	Darlene Holmes		2 Fairview Ave. Catonsville Md. 21228

Eva Holmes 9/27/01

8/10/01
WCH
8/8/01
8

TO: Mr. Arnold Jablow (zoning commission)
Director - Dept PDM
111 West Chesapeake avenue
Room 111
Towson, MD 21204

Dear Mr Jablow,

This is a formal request for a hearing on Zoning case # 02-035A . Mr. James L. Scannell (owner) of property at 27 Wade Avenue Catonsville MD 21228 who wants to build an approximately 1680 square foot accessory structure next to his approximately 900 square foot house. We feel it is necessary to have a hearing and will present reasons at the hearing for objecting that the accessory structure be built.

Sincerely,

Mr. Robert Patterson Jr.

3 Fairview avenue

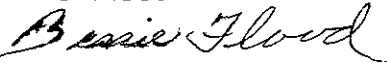
Catonsville, MD

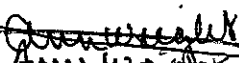
 8/8/01

Mrs. Flood

4 Fairview Avenue

Catonsville, MD



~~ 8/8/01~~

~~28 Wade Ave~~

~~Catonsville~~



DARLENE HOLMES 8/8/01

2 FAIRVIEW AVE.

CATONSVILLE

Eva Holmes 8/8/01 2 Fairview Ave. Catonsville, Md.

THIS IS A NOTE FOR GEORGE Zahner

8/9/01

Dear George, The following dates are NOT good for a hearing because of vacation and business out of town. *Also could you please make it for 9am in the morning.*

The weeks of : August 20 thru August 25 2001
September 29 thru October 8th
October 15 thru October 20

Thank you very much

Sincerely,

Robert Patterson

P.S. Will you please send me a receipt for the \$40.00

Fax: 410 887 3468

Elizabeth Brady & Robert Patterson
3 Fairview Avenue
Catonsville, MD 21228

Mr. Lawrence E. Schmidt
Zoning Commissioner
For Baltimore County
Suite 405 County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

26

RE: PETITION FOR ADMINISTRATIVE VARIANCE
(27 Wade Avenue, Catonsville MD)
Case No. 02-035-A

Dear Mr. Schmidt,

Robert Patterson and myself do agree to allow Dennis Scannell (James L. and Mary Scannell) to have the accessory building to be 21 feet in height.

Sincerely,


Elizabeth Brady

565995 JT

11/20/95
G
TO JT

20 November 1995

Mr. Arnold Jablon
Director of Permits
111 W. Chesapeake Avenue
Towson, MD 21204

Mr. Jablon:

The purpose of this letter is to outline possible zoning violations on Fairview Avenue near the corner with Wade Avenue in Catonsville. My neighbors and I are regularly awakened at 6:30 am by loud, industrial-sized commercial trucks leaving the makeshift parking lot on the residential plot at 27 Wade Avenue, across from our homes. This has been occurring for over a year.

The commercial trucks are part of the ASPLUNDH tree-cutting fleet. They completely obscure the view of the resident at 4 Fairview and are an eyesore to all of Fairview. The trucks are also often parked on Wade Avenue, impeding traffic flow beyond the level that residential vehicles normally would. Various undesirable activities occur due to the presence of these commercial vehicles on our streets. Rocks have been transferred loudly between trucks early in the morning. Various persons from outside our neighborhood wander in early in the morning to meet and go to work in the vehicles, as if this residential location is a satellite of the parent company. The trucks present a number of dangers to our neighborhood residents. The trucks are not fenced in, allowing any of the number of under-supervised children in the area to play on and around these large industrial vehicles. The narrow street compounds the passage of these wide and heavy vehicles, presenting a danger to the cars parked on Fairview.

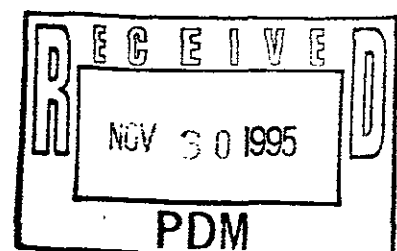
We would like to have the trucks removed and the parking lot and street cleaned up to return the neighborhood's residential character. I have enclosed a photograph of the ASPLUNDH trucks for your reference. We appreciate your cooperation in this matter.

Sincerely,

Concerned Residents

enc.

314/1



8-7-01

I Have No objection. to Dennis.
Scannell building a 30x56 garage
at 27 Wade Ave. Catonsville MD
21228

Dennis Scannell
Eva May Basse

I reside at 25 Wade Ave
Catonsville MD 21228
410-788-4992

Case # 02-035



Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Joseph T. O'Melia
 Administrative Clerk

February 23, 1996

FROM: Baltimore County, Maryland

RE: Request for Trial

CASE NO. 96-211

LOCATION OF VIOLATION: 27 Wade Avenue
 Baltimore, Maryland 21228

DEFENDANT: James L. Scannell and Mary N. Scannell
 Tenants By Entireties

ADDRESS: 116 1/2 Smithwood Avenue
 Baltimore, Maryland 21228

In accordance with the established procedures, enclosed please find the Citation referenced above with the specified zoning violation(s).

As you will note, the witnesses and counsel in the above referenced case are listed below:

COUNTY WITNESSES

Craig McGraw
Code Enforcement Section
Code Enforcement Inspector

COUNSEL

Lee S. Thomson, Esquire
Office of Law
Council for Baltimore County

/hek

Enclosure

c: Virginia W. Barnhart, Esquire
County Attorney
Office of Law

CODE ENFORCEMENT REPORT

NCF

DATE: 8/14/01 INTAKE BY: LETTER CASE #: 01-5544 INSPEC: 7COMPLAINT LOCATION: 27 WADE AVEZIP CODE: 21228 DIST: _____COMPLAINANT NAME: ANONYMOUS PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: UNLICENSED VEHICLE
LARGE ROLLS OF WIREIS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____
OWNER/TENANT INFORMATION: _____TAX ACCOUNT #: 0119 070090 ZONING: _____INSPECTION: 8/15/01 130 WORMTHE ASSIGNED WROTE VIOLATION FOR W/ST TRUCK
CONTRACTOR'S STANDING YARDREINSPECTION: 0/0 9/30/01

REINSPECTION: _____

REINSPECTION: _____



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 01-5544	Property No. 01-19-070-090	Zoning: OR
-------------------------------------	--------------------------------------	----------------------

Name(s): **JAMES A. SCANNALL**
MARY N. SCANNALL

Address: **116 1/2 SMITHSON AVE MD 21228**

Violation Location: **27 WADE AVE**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

B.C.C. 101, 102, 113 AND 428

①

**REMOVE OR TAG ALL UNLICENSED
AND/OR INOPERATIVE MOTOR VEHICLES**

② **Remove Large Pallets or Wreck**

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 9/16/01	Date Issued: 8/15/01
------------------------------	-----------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **E. J. R. S. S. S.**

INSPECTOR: **[Signature]**

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: 10/01	Date Issued: 8/15/01
------------------------------	-----------------------------

INSPECTOR: _____

AGENCY _____



Baltimore County
Department of Permits and
Development Management

Code Inspection and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 01-5544	Property No. 01-19-070-090	Zoning: DR.5.5
-------------------------------------	--------------------------------------	--------------------------

Name(s): **JAMES L. / MARY H. SCANNELL**

Address: **116 1/2 SMITHWOOD AVE MD 21228**

Violation Location: **87 WOOD RUX**

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

B.C.C. 101.1102.1, 1301.18 428

①

REMOVAL ON TAG VEHICLE

LICENSE # 98G751 30 DAYS

② B.C.C. 18-77-C 18-77 C, 7

**FLAKING OR DETRIORATED PAINT
ON THE EXTERIOR SURFACE REMOVE
AND REPAINT OR COVER 90 DAYS**

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 10/25/01	Date Issued: 9/25/01
----------------------------------	--------------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **LEO CRISTO S.**

INSPECTOR: **[Signature]**

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: 10/25	Date Issued: 10/25/01
---------------------------------	---------------------------------

INSPECTOR: _____

AGENCY



Baltimore County
Department of Permits and Development Management
Bureau of Code Enforcement
111 West Chesapeake Avenue
Towson, Maryland 21204

CODE VIOLATION NOTICE

NAME: JAMES M. SCANNELL

DATE: 12-15-95

ADDRESS: 116 SMITHWOOD AVE

CITY-ZIP: BAID MD 21229-4946

RE: Case No. 96 3021

LOCATION: 27 WADE AVE
DISTRICT: 1

Dear PROPERTY OWNER:

In accordance with the Baltimore County Code, Article IV, Section 402. (d), an inspection was conducted of the above location, zoned _____. This inspection revealed violation(s) according to the following code(s):

☒ Baltimore County Zoning Regulations (BCZR), Section 102.1.

_____ Building Code of Baltimore County, Maryland, Section 102.1.

_____ Livability Code, Baltimore County, Section 18-68.

_____ Other _____

The following correction(s) is/are required:

REMOVE THE COMMERCIAL VEHICLES

The above violation(s) must be corrected on or before JAN 15 1996 or further legal action will proceed, in which you may be subject to a civil penalty. Should you need further clarification, please contact

Craig McShaw Code Inspector, at (410) 887- 3351

SERVE ON THE FOLLOWING RESIDENT AGENT/CORPORATE OFFICER (IF APPLICABLE):

BALTIMORE COUNTY, MARYLAND
CITATION FOR CIVIL ZONING VIOLATION
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

CITATION NO. 91-

ACK
96-211

NAME OF PERSON(S) CHARGED: JAMES L & MARY N SCANVELL
CURRENT ADDRESS IN FULL: 116 SMITHWOOD AVE BALTO MD 21228

OWNER ☒ OR OCCUPANT () RELATED CITATIONS :

IT IS FORMALLY CHARGED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY THAT THE ABOVE NAMED PERSON(S) DID VIOLATE THE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS AS FOLLOWS:

SECTION NUMBER(S) VIOLATED: R1 "COMMERCIAL VEHICLE" 1021 1BC11A 431

NATURE OF VIOLATION: USE OF PROPERTY ZONED TO COMMIT THE FOLLOWING: DR 5.5

1. STORAGE OF A COMMERCIAL VEHICLE ON A RESIDENTIAL LOT

LOCATION AND DATE(S) OF VIOLATION:

12-14-95 1-18-96 27 WADE AVE BALTO 21228

TO RESPOND TO THE ABOVE CHARGE(S) LODGED AGAINST YOU, YOU MUST CHOOSE ONE OF THE OPTIONS BELOW:

1) YOU MAY PAY A FINE OF \$ (\$ FOR EACH ADDITIONAL DAY) BY CHECK OR MONEY ORDER PAYABLE TO THE DIRECTOR OF FINANCE, BALTIMORE COUNTY, MARYLAND, BY RETURNING A COPY OF THIS FORM ALONG WITH PAYMENT TO: DIRECTOR OF FINANCE, 1ST FLOOR, COURT HOUSE, TOWSON, MD 21204. THE PENALTY MUST BE PAID ON OR BEFORE THE DAY OF , 1991.

402 702

2). YOU MAY ELECT TO STAND TRIAL IN THE DISTRICT COURT OF MARYLAND. TO DO THIS, YOU MUST NOTIFY THE BALTIMORE COUNTY ZONING COMMISSIONER BY FILLING IN THE ATTACHED PORTION OF THIS CITATION AND RETURNING IT TO THE ZONING COMMISSIONER'S OFFICE AT LEAST FIVE (5) DAYS BEFORE THE PAYMENT DUE DATE AS SET FORTH IN THE FINE PAYMENT SECTION ABOVE. THE DISTRICT COURT WILL NOTIFY YOU OF THE DATE AND TIME OF TRIAL.

IF THE FINE REMAINS UNPAID AT THE EXPIRATION OF THE THIRTY-FIVE (35) DAYS FROM THE DATE OF THE CITATION , THE ZONING COMMISSIONER MAY REQUEST ADJUDICATION OF THE CASE IN DISTRICT COURT, AT WHICH TIME THE PERSON IS LIABLE FOR AN ADDITIONAL FINE NOT TO EXCEED TWICE THE ORIGINAL FINE. IF YOU FAIL TO APPEAR AT THE TRIAL, A BENCH WARRANT WILL BE ISSUED FOR YOUR ARREST.

I DO SOLEMNLY AFFIRM THAT THE CONTENTS STATED ABOVE ARE CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DATE

OFFICE OF ZONING ADMINISTRATION REPRESENTATIVE

BASED ON THE STATEMENT OF , THIS CITATION IS HEREBY ISSUED THIS DAY OF , 1991.

DIRECTOR OF ZONING ADMINISTRATION

ACKNOWLEDGEMENT

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS CITATION AND HEREBY PROMISE TO PAY THE FINE OR REQUEST A TRIAL DATE AS REQUIRED BY LAW. I UNDERSTAND THAT THE ACCEPTANCE OF THIS CITATION IS NOT AN ADMISSION OF GUILT.

DATE

SIGNATURE

BALTIMORE COUNTY, MARYLAND
CITATION FOR CIVIL ZONING VIOLATION
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

CITATION NO. 96-211

NAME OF PERSON(S) CHARGED: JAMES L. SCANNELL AND MARY N. SCANNELL, TENANTS BY ENTIRETIES

CURRENT ADDRESS IN FULL: 116 SMITHWOOD AVENUE BALTIMORE, MARYLAND 21228

OWNER (X) OR OCCUPANT () RELATED CITATIONS :

IT IS FORMALLY CHARGED BY BALTIMORE COUNTY THAT THE ABOVE NAMED PERSON(S) DID VIOLATE THE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS AND/OR THE BALTIMORE COUNTY CODE AS FOLLOWS:

SECTION NUMBER(S) VIOLATED: 101 "COMMERCIAL VEHICLE"; 102.1; 1B01.1A; 431

NATURE OF VIOLATION: USE OF PROPERTY ZONED D.R.5.5 TO COMMIT THE FOLLOWING:

STORAGE OF A COMMERCIAL VEHICLE ON A RESIDENTIAL LOT

LOCATION AND DATE(S) OF VIOLATION: 27 WADE AVENUE BALTIMORE, MARYLAND 21228
DECEMBER 14, 1995 AND JANUARY 18, 1996

TO RESPOND TO THE ABOVE CHARGE(S) LODGED AGAINST YOU, YOU MUST CHOOSE ONE OF THE OPTIONS BELOW:

1) YOU MAY PAY A FINE OF \$400 (\$200 FOR EACH ADDITIONAL DAY) BY CHECK OR MONEY ORDER PAYABLE TO THE DIRECTOR OF FINANCE, BALTIMORE COUNTY, MARYLAND, BY RETURNING A COPY OF THIS FORM ALONG WITH PAYMENT TO: DIRECTOR OF FINANCE, 1ST FLOOR, COURT HOUSE, TOWSON, MD 21204. THE PENALTY MUST BE PAID ON OR BEFORE THE 13TH DAY OF FEBRUARY, 1996.

2). YOU MAY ELECT TO STAND TRIAL IN THE DISTRICT COURT OF MARYLAND. TO DO THIS, YOU MUST NOTIFY THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT BY FILLING IN THE ATTACHED PORTION OF THIS CITATION AND RETURNING IT TO THE ZONING ADMINISTRATION OFFICE AT LEAST FIVE (5) DAYS BEFORE THE PAYMENT DUE DATE AS SET FORTH IN THE FINE PAYMENT SECTION ABOVE. THE DISTRICT COURT WILL NOTIFY YOU OF THE DATE AND TIME OF TRIAL.

IF THE FINE REMAINS UNPAID AT THE EXPIRATION OF THE THIRTY-FIVE (35) DAYS FROM THE DATE OF THE CITATION, THE ZONING ADMINISTRATOR MAY REQUEST ADJUDICATION OF THE CASE IN DISTRICT COURT, AT WHICH TIME THE PERSON IS LIABLE FOR AN ADDITIONAL FINE NOT TO EXCEED TWICE THE ORIGINAL FINE. IF YOU FAIL TO APPEAR AT THE TRIAL, A BENCH WARRANT WILL BE ISSUED FOR YOUR ARREST.

I DO SOLEMNLY AFFIRM THAT THE CONTENTS STATED ABOVE ARE CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

1-24-96

DATE

Craig McGraw
OFFICE OF CODE ENFORCEMENT REPRESENTATIVE

BASED ON THE STATEMENT OF CRAIG MCGRAW, THIS CITATION IS HEREBY ISSUED THIS 24TH DAY OF JANUARY, 1996.

[Signature]
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

ACKNOWLEDGEMENT

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS CITATION AND HEREBY PROMISE TO PAY THE FINE OR REQUEST A TRIAL DATE AS REQUIRED BY LAW. I UNDERSTAND THAT THE ACCEPTANCE OF THIS CITATION IS NOT AN ADMISSION OF GUILT.

DATE

SIGNATURE

Case Number 02-035-A

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

James I Scannell
MARY N Scannell
DENNIS SCANNELL
Madeline Heflin
EVA MAY Busse

116 1/2 Smithwood Ave 21228
116 1/2 Smithwood Ave 21228
~~116 1/2~~ 27 WADE AVE 21228
27 Wade Ave 21228
25 Wade Ave 21228

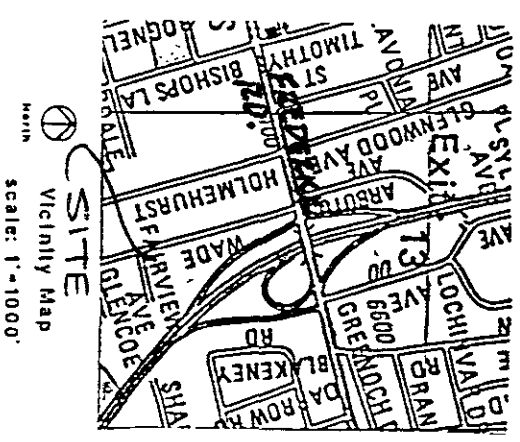
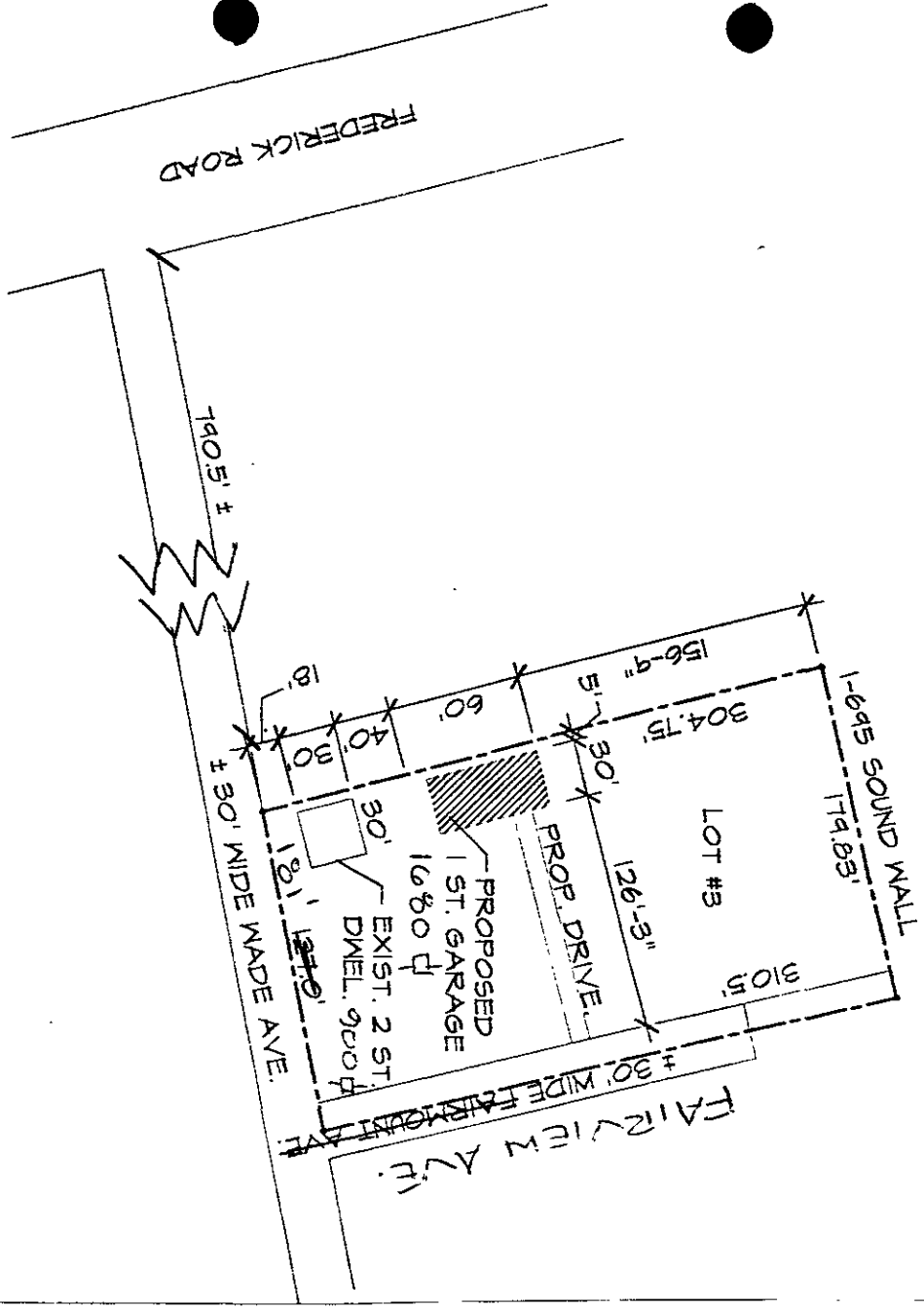


PROPERTY ADDRESS: 27 WIDE AVE.

plat book # 7H-54, folio # 255, lot # 3, section # _____

OWNER: James L. SCANAWELL

play book #774-56 1011# 255 1st # 3 section #



LOCATION INFORMATION

Election District:

Councilman's District: 5

1"=200' scale map: SM 3E

Zoning: D-15-2.2

acreage square foot

SEWER:

WATER:

Chesapeake Bay Critical Area:

LONG HEARING
LOVE

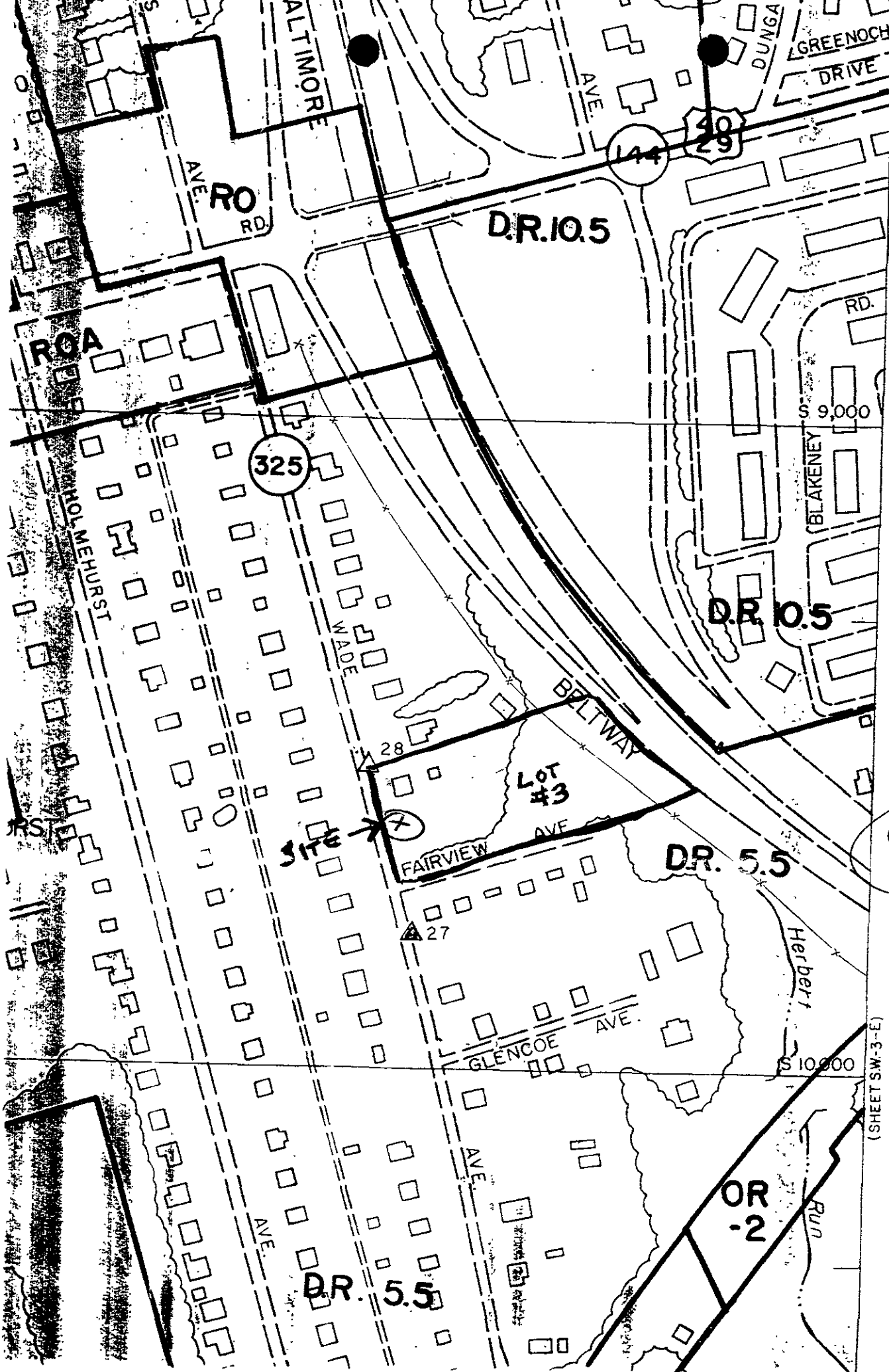
Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:

LTN

WY

035A

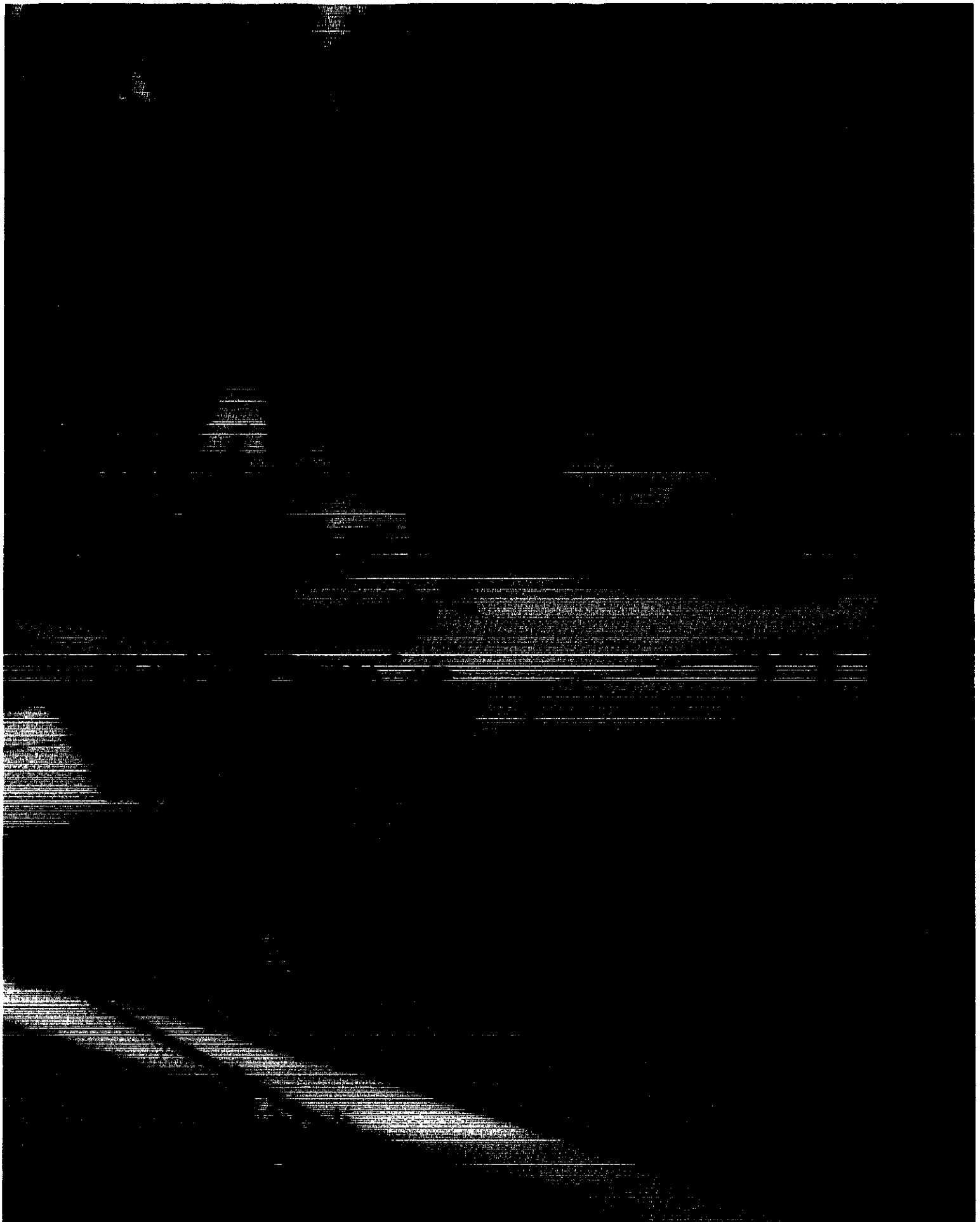


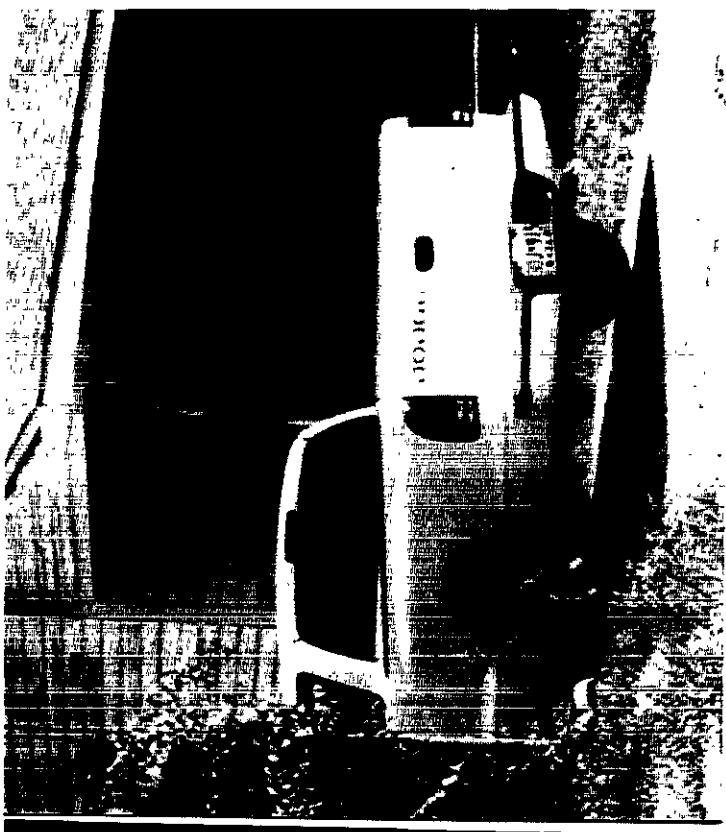
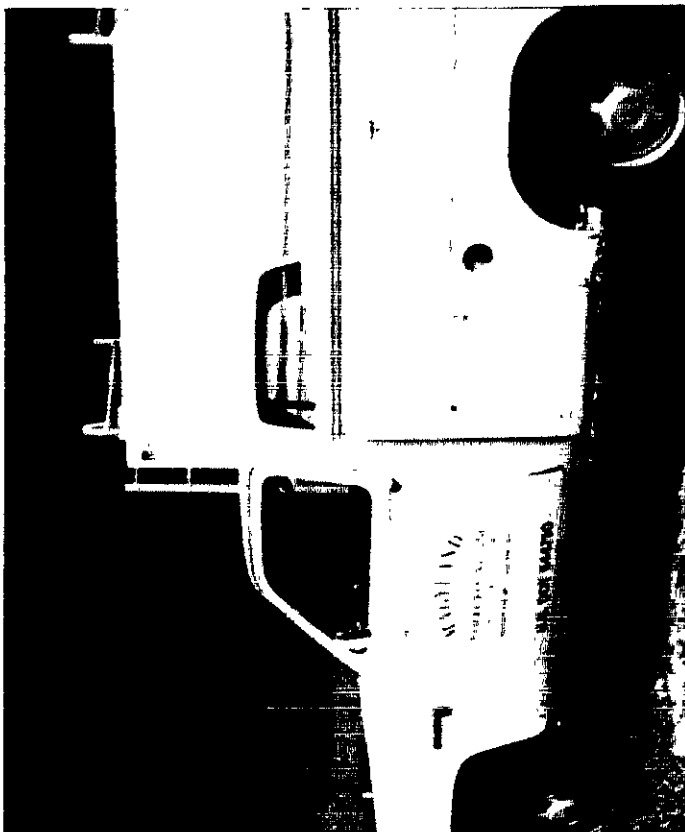
1" = 200'

ADC
May 41 F 3

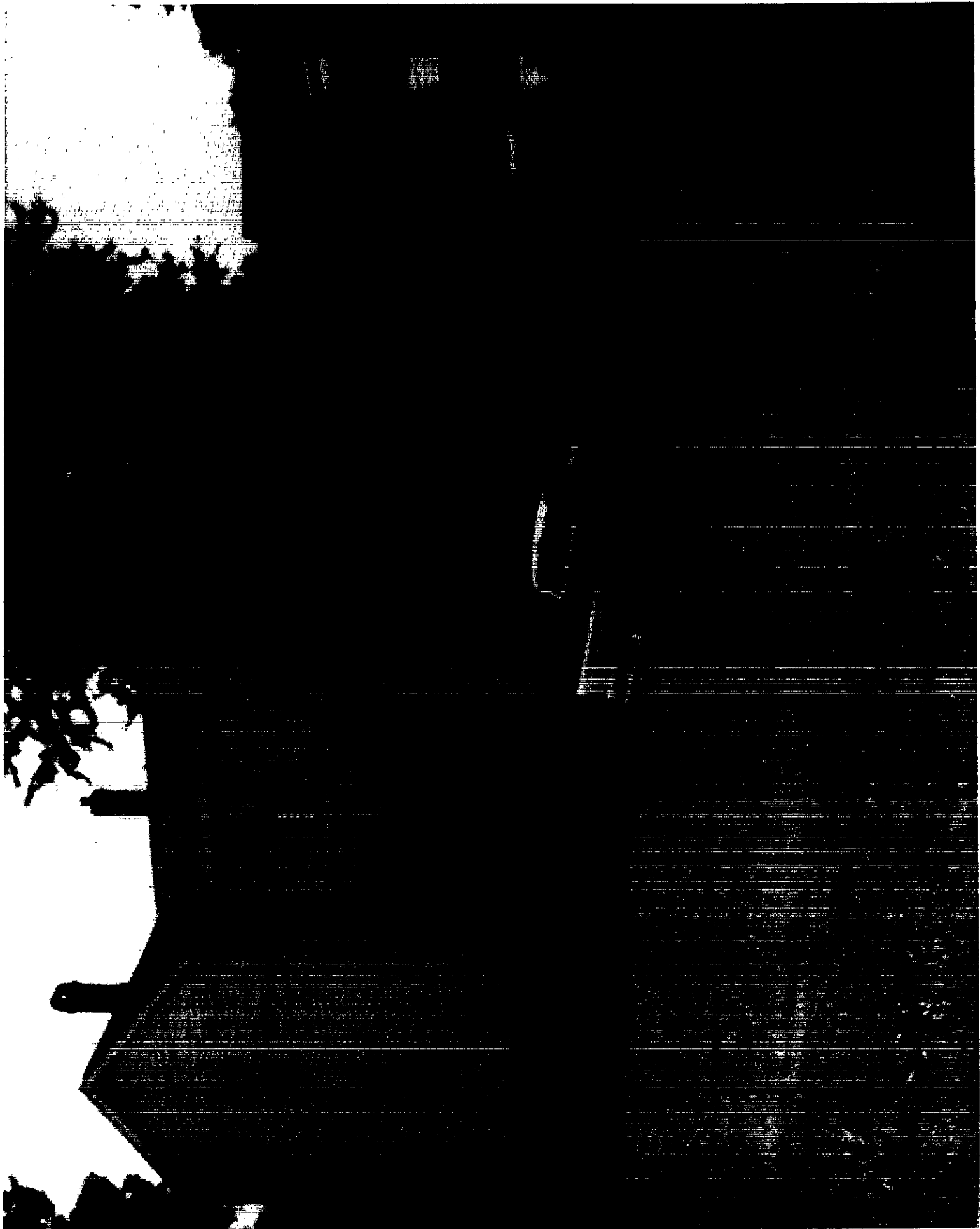
02-035-A

3



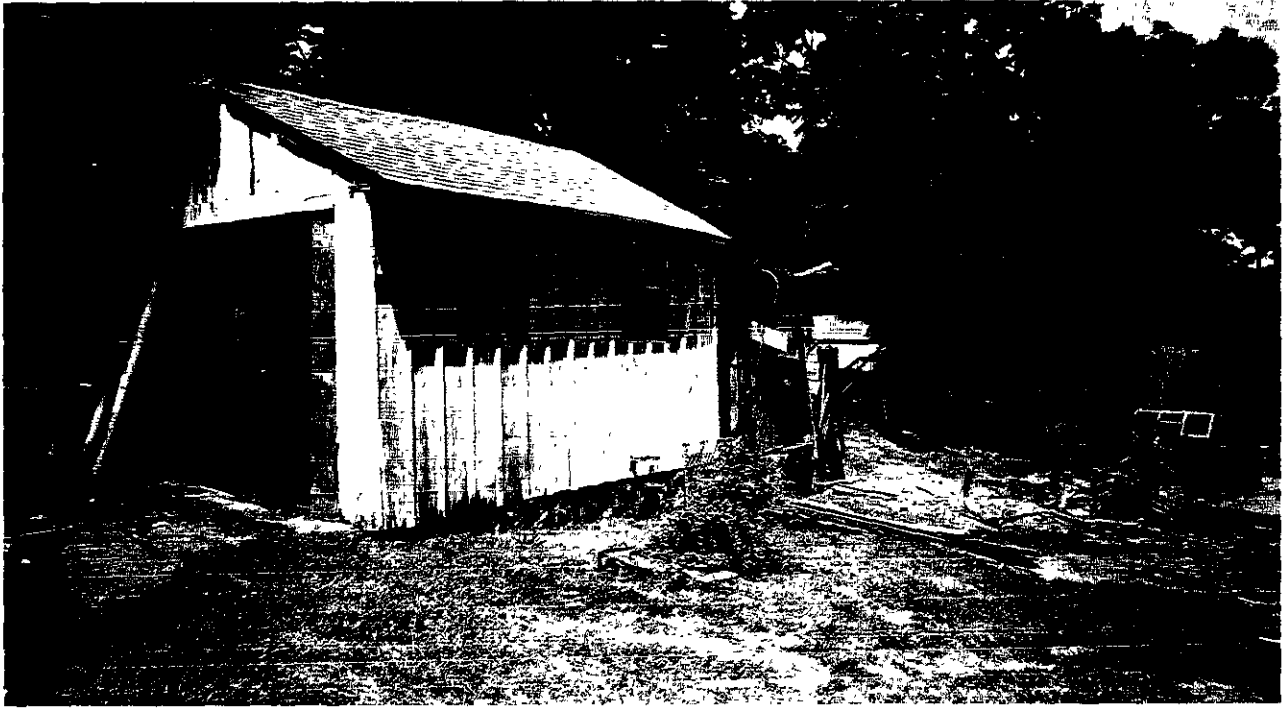


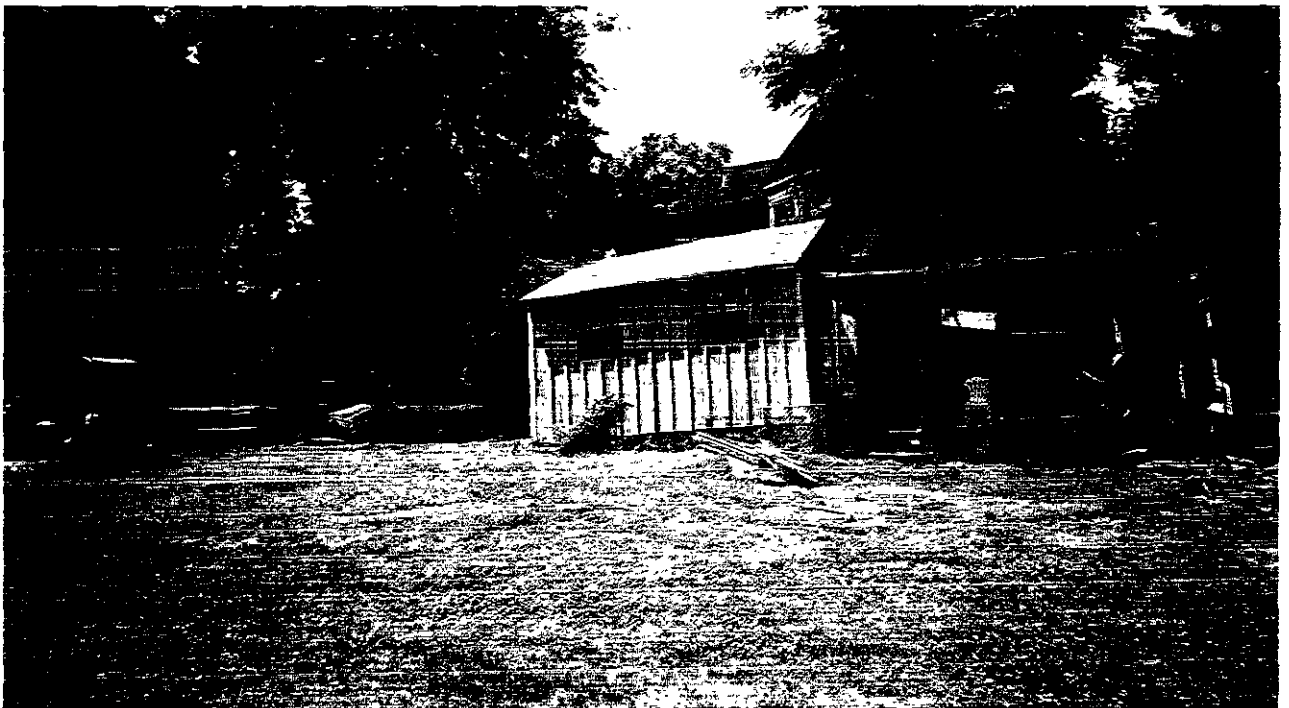
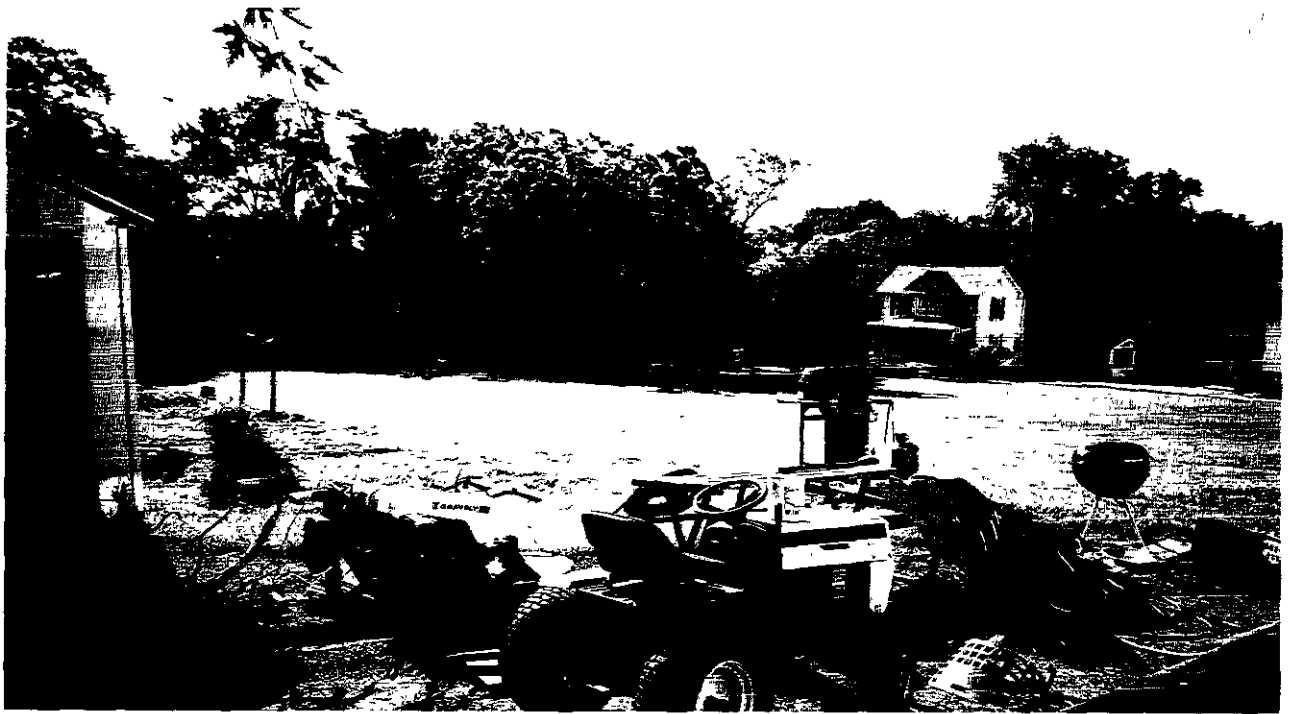


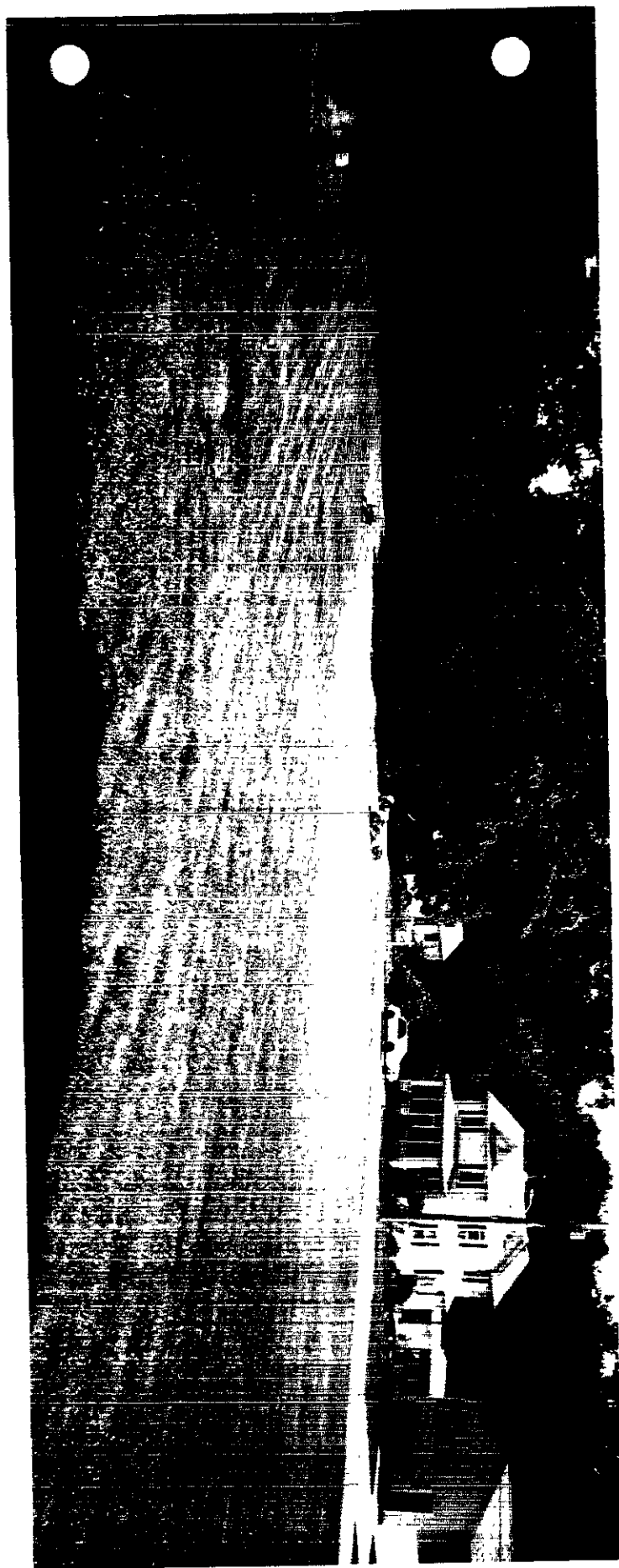


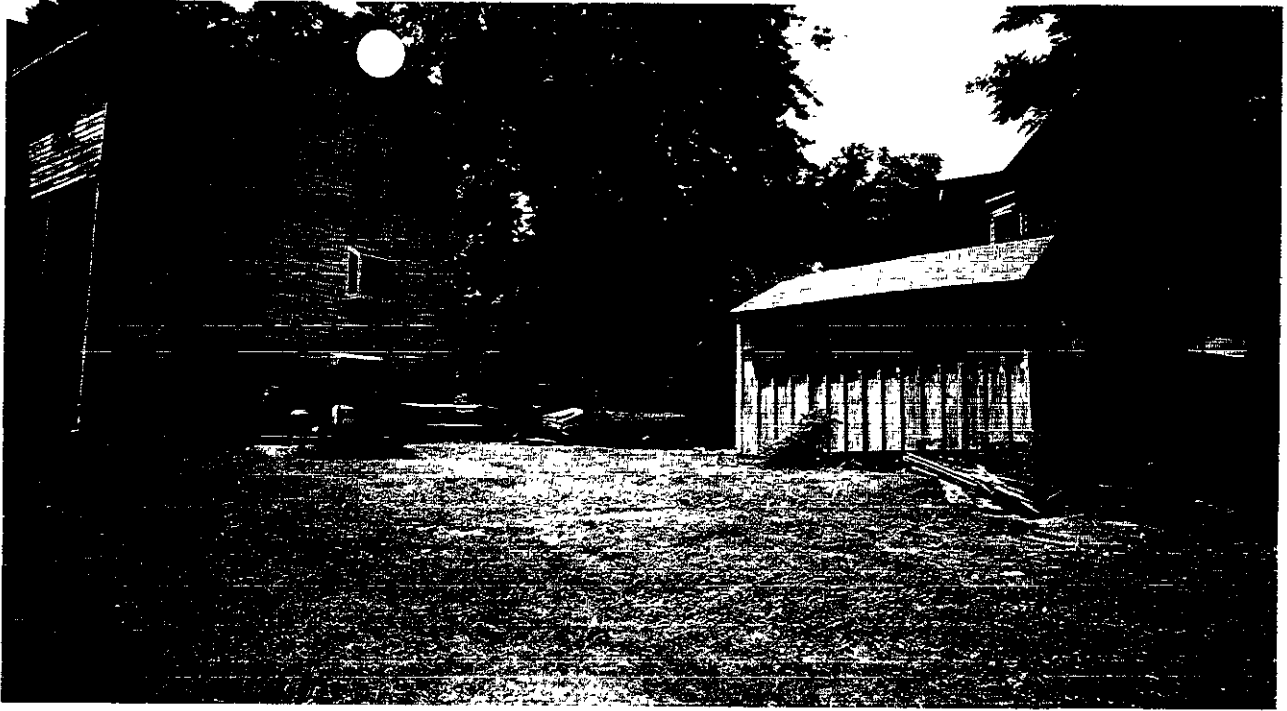


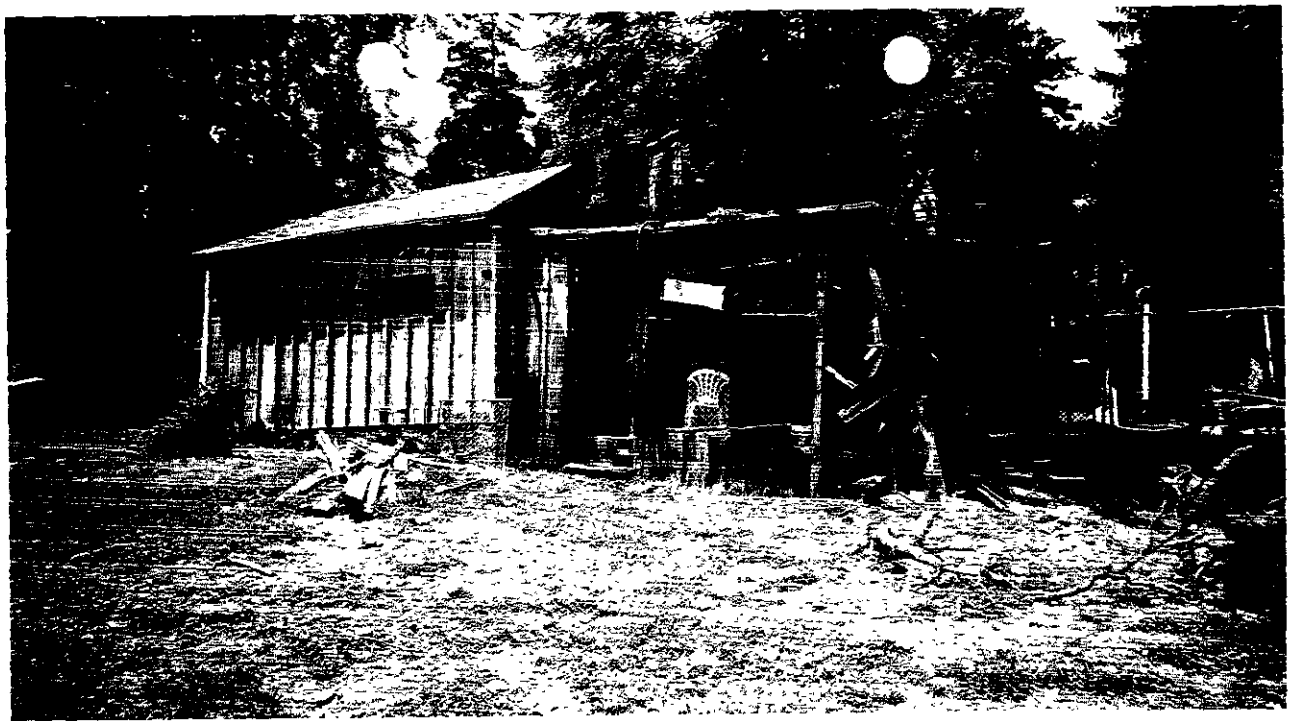
photographs
#12-035-A

















ERITZ CAMERA

INDEX PRINT

ID 926-469
01 07 10~01.07.14





PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CATONSVILLE	SW 3-F
DATE OF PHOTOGRAPHY JANUARY 1986	#35	