IN RE: PETITION FOR ADMIN. VARIANCE

S/S Dovefield Road, 220' E centerline of Likens Road 11th Election District 5th Councilmanic District

(29 Dovefield Road)

Patricia & Paul Janowiak Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 02-130-A

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Patricia and Paul Janowiak, legal owners of that property known as 29 Dovefield Road in the Perry Hall area of Baltimore County. The Petitioners herein seek relief from Sections 1B01.2.c.1.b and 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 16 ft. in lieu of the required 30 ft. for an open projection (deck) and to amend the second amended Final Development Plan. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R.

TOTAL TOTAL

would result in practical difficulty and/or unreasonable hardship upon the Petitioners. In addition, this office has checked with the most affected neighbor and they are not opposed to this addition.

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.

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

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

November 7, 2001

Mr. & Mrs. Paul Janowiak 29 Dovefield Road Perry Hall, Maryland 21128

Re: Petition for Administrative Variance

Case No. 02-130-A

Property: 29 Dovefield Road

Dear Mr. & Mrs. Janowiak:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



CASE NO.

REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Reviewed By BR Date 9/35/01

Estimated Posting Date $\frac{\sqrt{6/7/6}}{}$

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made a part hereor, hereby petition for a	variance from Secti	on(s) 1 Bol. 2.	c. l.h and	301, 1A +
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for an open projection	n (deck)	and to amer	id the secu	ind amend
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Contract Purchaser/Lessee:		Legal Owner(s)		
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Public Hearing having been formally demands is day of that gulations of Baltimore County and that the property	y be reposted.	Paman as series a public		required by the zoning
		Zoning Comm	nissioner of Baltimore Co	unty

02-130-A

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	1 Dovefield Road
Address A	Saltimore Maryland 21128
City	State Zip Code
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STATE OF MARYLAND, COUNTY OF BALTIMORE, to will have a second to the county aforesaid, personally appropriate the Affiant(s) herein, personally known or satisfactorily ideal law that the matters and facts hereinabove set forth are true.	beared , Door, before me, a Notary Public of the State
AS WITNESS my hand and Notarial Seal 7 7 7 7 Date No.	otary Plublic
М	y Commission Expires
REV 09115198	<u>, </u>

Affidavit in Support of Administrative Variance

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	That the Affiant(s) does/do presently reside at	29	Dovefin	eld Road	7		
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REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Name - Type or Print Signature Address City Attorney For Peter Name - Type or Print Signature Company Address	State	Telephone No. Zip Code	Name Type or Print Signature Name Type or Print Signature	TEICO ROOC State	Telephone No.
Name - Type or Print Signature Address City Attorney For Petr	State	<u> </u>	Name Type or Print Signature Signature Address City	Janowich Howak Helch Road MD 2112 State	Telephone No. 3.8
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I. or we, agree to pay	sted and advertised as p expenses of above Varian ctions of Baltimore County	ice advertising no	zoning regulations. sting, etc. and further agree to the zoning law for Baltimo	to and are to be bound are County.	ded by the zoning
of the zoning regula of this petition form.	ations of Baltimore Coun	ty, to the zoning I	aw of Baltimore County, t	or the reasons indica	ated on the back
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This Petition shall	be filed with the Depa	artment of Perm	its and Development M.		·
	j	tor the propert	y located at <u>QQ</u> which is prese		R 5.5

Estimated Posting Date

Zoning Description Zoning Description For 29 Dovefield Road. Beginning it a point on the South side of Dovefield Rd. which is 50 ft. wide at a distance of 220 ft. East of the centerline of the heavest improved intersecting street Likens Road which is 50 ft. wide. Being Lot #5 in the subdivision of Dovefield as recorded in Baltimore County Plat Book #72, Folio # 112, containing 6,159 square ft, Also Known as 29 Dovefield Rd. and located in the 11th Election District, 5th Councilmanic Pistrict, #130

BALTIMORE COUNTY, MARYLANS OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	5684	PAID RELEASE
DATE 7/36/C/ ACCOUNT 6		<u> </u>	FORMAL ACTIVE (TWO OCENTION) OCENTION OCCUPANTS OF THE USE OF THE
RECEIVED / January		,	kord his 190.00 100.00 Ck .00 CA Baltimore County, Maryland
FOR: Zunny Caliabie	PY FUL	Charles In	
		 	

CERTIFICATE POSTING

<u> </u>	RE: Case No.: 02-130-A
	Petitioner/Developer:
	PAUL JANOWIAK
	Date of Hearing/Closing: 10/22/01
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 perj were posted conspicuously on the property locat	
The sign(s) were posted on	10/7/01
(1	Month, Day, Year)
CASE # 02-130-A	Sincerely, Sincerely, (Signature of Sign Poster and Date)
ZONING NOTICE VARIANCE PUBLIC HEARING?	RICHARO E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TON, MO 21047 (City, State, Zip Code)
	(Telephone Number)
29 DOVEFIELD RD.	

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:		
Petitioner: PAUL DANGUIAR	0-A	
Address or Location: 29 Poweriels 12AB	BALTE. MD	21178
PLEASE FORWARD ADVERTISING BILL TO:		
Address: 29 Door Fle / POAD		
Telephone Number: 410.248-2128		
relephone Number:		~

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 130 -A Address 39 Dovefield Rd.
Contact Person: Bryno Rudaitis Phone Number: 410-887-3391
Filing Date: $9/26/61$ Posting Date: $10/7/61$ Closing Date: $10/3/61$
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. 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.
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- 130 -A Address 29 Dovefield Rd.
Petitioner's Name Part & Paul Janowiak Telephone 410 - 598 - 4 30
Posting Date: $ \delta /7/\delta $ Closing Date: $ \delta /22/\delta $
Wording for Sign: To Permit a rear yard setback of 16 ft. in lieu of the
required 30 tt. tor in open projection (deck) and to amounthe
Second amended Final Development Plan.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 26, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 5, 2001

Item Nos. 121, 123, 124, 125, 126, 127, 128, 129, 131, 133, 134, 135, 162,

and 163

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

October 30, 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 October 29, 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.

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

121, 122, 123, 124, 125, 126, 127, 128, 130, 133, 134, 135, and 163

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

10/22

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

- 5

DATE: November 1, 2001

SUBJECT:

29 Dovefield Road

INFORMATION:

Item Number:

02-130

Petitioner:

Patricia Janowiak

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the subject request. However, this office is of the opinion that the Zoning Commissioner should be aware of the fact that the petitioner's rear yard faces a panhandle lot. Potentially the neighbor's bedroom could be right next to the proposed deck. Taking into consideration the petitioner's statement regarding entertaining guests (see petitioner's comments), the neighbor's peaceful enjoyment of his property could be impacted.

Prepared by:

Section Chief:

AFK:MAC:



Maryland Department of Transportation State Highway Administration

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

Administrator

Date: 120.29.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

Baltimore County

Item No. 130

BR

Dear. Mr. Zahner:

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 (Igredlein@sha.state.md.us).

Very truly yours,

1. 1. soll

1-

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

To Whom It May Concern:

		o reside at 29 Dovefield Rd	
variance to build a de	ck 12 ft. by 28 ft.	I do not have any objection	s to the construction of
this deck.	1	17	

Signature: Carp Loukant for
Address: 32 Aug Field Role

To Whom It May Concern:

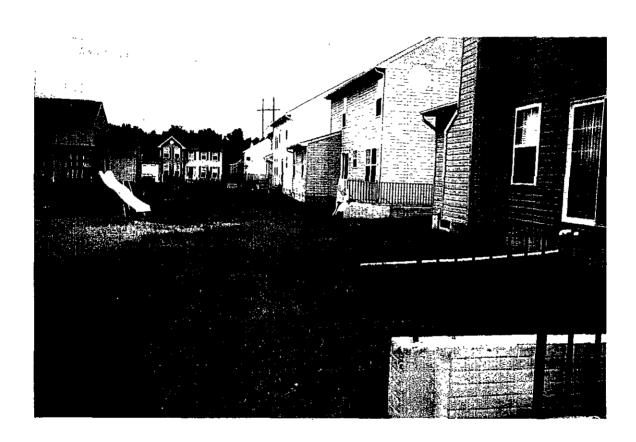
Paul and Patricia Janowiak, who reside at 29 Dovefield Rd., are applying for a variance to build a deck 12 ft. by 28 ft. I do not have any objections to the construction of this deck.

Signature:

Address: 3/ DOVEFIED (CA)
PERRY HALL, MD. 2112

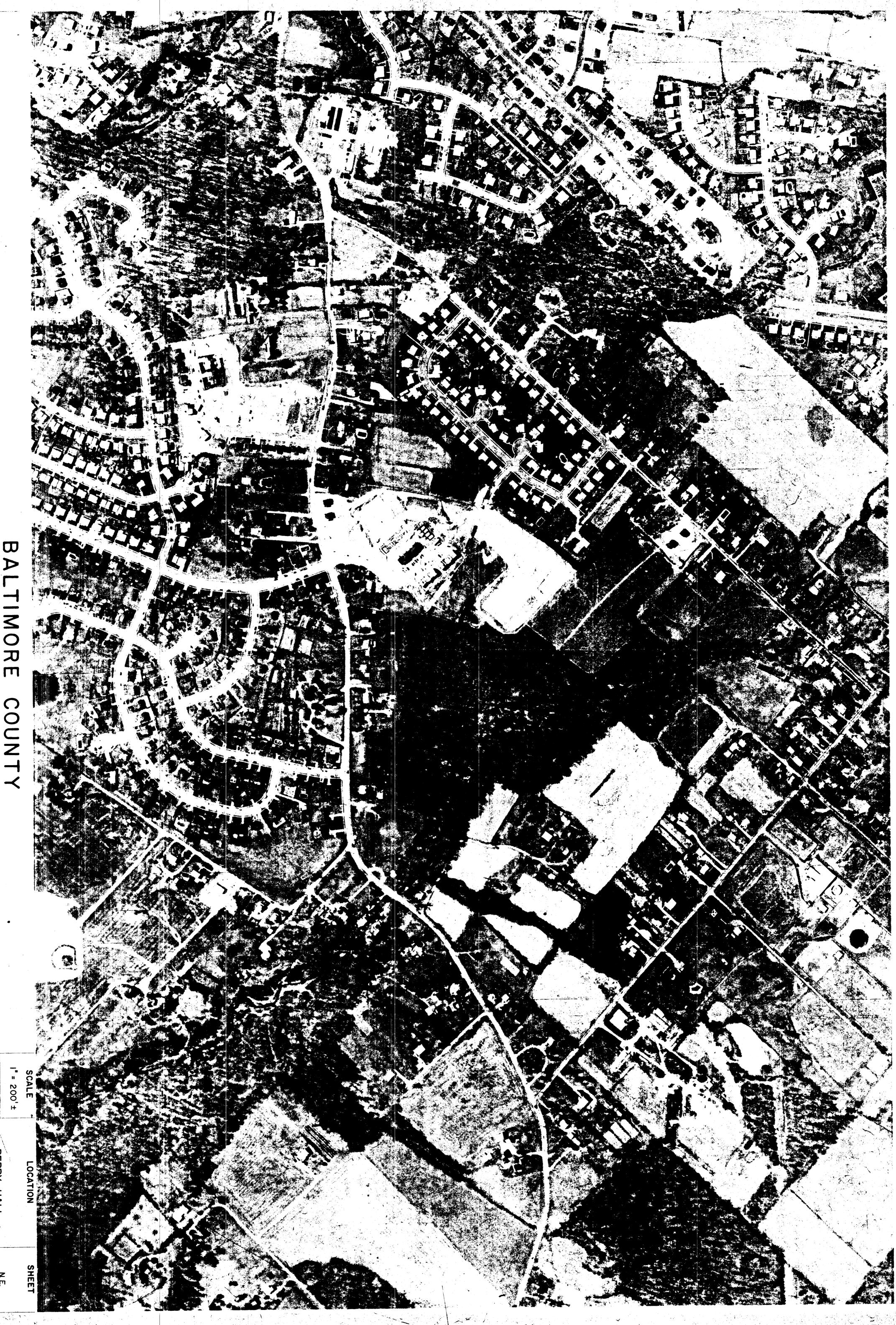
- Re. E. 4





NE 10 H





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

