

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
SE/Cor. of the intersection of Osage	*	DEPUTY ZONING COMMISSIONER
and Gateview Roads	*	
8th Election District	*	OF BALTIMORE COUNTY
3rd Councilmanic District	*	
(10922 Gateview Road)	*	CASE NO. 02-152-A
Susan E. & Gary S. Grill	*	
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Susan E. and Gary S. Grill, the legal owners of the subject property. The variance request is for property located at 10922 Gateview Road in the Cockeysville area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B & C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 5 ft. in lieu of the required 15 ft. for a garage. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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

ORDER REC'D - 12/14/01

Date 12/14/01

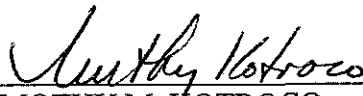
By R. P. Jensen

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of December, 2001, that a variance from Section 1B02.3.B & C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 5 ft. in lieu of the required 15 ft. for a garage, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RE: ZONING
Date 12/4/01
By R. Gannon



Baltimore County
Zoning Commissioner

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

December 4, 2001

Mr. & Mrs. Gary S. Grill
10922 Gateview Road
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 02-152-A
Property: 10922 Gateview Road

Dear Mr. & Mrs. Grill:

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,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10922 Gateview Rd
which is presently zoned DR2

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) 1 B02.3.B + C.1; BCZR, to permit a sideyard setback of 5ft. in lieu of the required 15ft. for a garage.

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):

GARY S. GRILL
Name - Type or Print

Signature
SUSAN E. GRILL
Name - Type or Print

Signature
10922 Gateview Rd
Address
Cockeysville MD
City State Zip Code
21030

Representative to be Contacted:

Susan Grill Home: 410-
Name 667-4630
10922 Gateview Rd Work: 410-
Address 252-1192
Cockeysville MD Telephone No.
City State Zip Code 21030

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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. 02-152A

Reviewed By JCM Date 10-12-01

Estimated Posting Date 10-21-01

ORDER RECEIVED FOR FILING
DATE 12/4/01
BY [Signature]

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 10922 Gateview Road
Address
Cockeysville MD 21030
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):

In order to allow sufficient floor and storage space for a workbench, power tools, Lawnmower, ladders, garden tools, bicycles and sports equipment, we are requesting approval for an additional 4 feet of width on a garage which will be constructed within 5 feet of our neighbor's property line (instead of the zoning regulation of 10 feet). The closet which is presently being used for storage of these items will be converted into a mudroom to allow access from the garage into the family room of the house.

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.

Gary S. Grill
Signature
GARY S. GRILL
Name - Type or Print

Susan E. Grill
Signature
SUSAN E. GRILL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of September 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Gary S. Grill and Susan E. Grill
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

9/13/01
Date

[Signature]
Notary Public
My Commission Expires 6-1-2002

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.

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City State Zip Code

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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.

Gary S. Grill
Signature
GARY S. GRILL
Name - Type or Print

Susan E. Grill
Signature
SUSAN E. GRILL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of September, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Gary S. Grill and Susan E. Grill
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

9/13/01
Date

[Signature]
Notary Public
My Commission Expires 6-1-2002



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10922 Gateview Rd
which is presently zoned DR2

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) BO2.3.B + C.1; BCZR, to permit a sideyard setback of 5 ft. in lieu of the required 15 ft. for a garage.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

Name - Type or Print

GARY S. GRILL

Name - Type or Print

Signature

Signature

SUSAN E. GRILL

Name - Type or Print

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Signature

10922 Gateview Rd #410-667-4630

Address

Telephone No.

Cockeysville MD

21030

City

State

Zip Code

Representative to be Contacted:

Susan Grill

Name

10922 Gateview Rd

W-410-252-1192

Address

Telephone No.

Cockeysville MD

21030

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. 02-152A

Reviewed By JCM Date 10.12.01

Estimated Posting Date 10.21.01

Zoning Description for 10922 Gateview Road

Beginning at a point on the West side of Gateview Road which is 50 feet wide. The nearest improved intersecting street is Osage Road which is 50 feet wide. It is located on the South West corner of Osage and Gateview Roads.

Being Lot #2, Block D, Section #2 in the subdivision of Sherwood Hills as recorded on OTG #32, Folio #40 containing 18,655 square feet. Also known as 10922 Gateview Road, and located in the 8th Election District, 3rd Councilman District.

#02-152-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

0000

DATE 10-12-01 ACCOUNT 01-06-6150

AMOUNT \$ 30.00

RECEIVED FROM: G. GRILL 11922 CAV

FOR: (CIC) AD VAR.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTION TIME
07/15/2001 10/12/2001 14:21:17

PER MCM CASHIER JPTC JAP DRAWER 1
RECEIPT # 007727 OPEN

Doc # 1 500 ZONING VERIFICATION
CR # 000641

Perpt Tot 50.00
50.00 BY CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

 RE: Case No. 02-152-A

 Petitioner/Developer GRILL, ETAL

 Date of Hearing/Closing 11/5/01

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

Attention: Ms. Gwendolyn Stephens/
MR. GEORGE ZAHNER

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 + 10922 GATEVIEW RD

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 10/17/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



02-152-A
10922 GATEVIEW RD
GRILL

11/5/01



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.: 152

Petitioner: Gary + Susan Grill

Location: 10922 Gateview Road 21030

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Gary Grill

ADDRESS: 10922 Gateview Road
Cockeysville MD 21030

PHONE NUMBER: 410-667-4630 / 10-410-522-2483

252-1192

AJ:ggs

(Revised 09/24/96)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 152 -A

Address 10922 GATEVIEW RD.

Contact Person: J. Mene
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10.12.01

Posting Date: 10.21.01

Closing Date: 11.5.01

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. **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. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 152 -A

Address 10922 GATEVIEW RD.

Petitioner's Name GARY GRILL

Telephone 410-~~322-2422~~ 252-1192

Posting Date: 10.21.01

Closing Date: 11.5.01

Wording for Sign: A VARIANCE
To Permit TO PERMIT A SIDEYARD SETBACK OF
5ft. IN LIEU OF THE REQUIRED 15ft. for
AN ATTACHED GARAGE.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director **DATE:** December 20, 2001
Department of Permits & Development Mgmt.

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

SUBJECT: Zoning Advisory Committee Meeting
For December 3, 2001
Item Nos.* 151, ~~152~~ 155, 157, 161, 164,
165, 167, 168, 170, 171, 172, 173, 174,
and 175

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

*Items number 153 and 154 were not designated.

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

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

December 10, 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 November 26, 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:

151, ~~152~~, 155, 156, 157, 159, 161, 164, 165, 166, 167, 168, 169,
170, 171, 172, 173, 174, and 175

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

cc: File

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 30, 2001

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

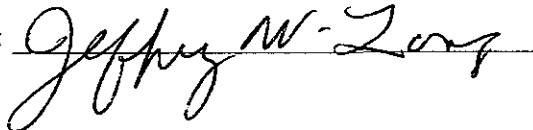
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-152, 02- 155 & 02-169

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.2.01

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

RE: Baltimore County
Item No. [REDACTED]

JCM

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

Very truly yours,

for 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

September 13, 2001

I, Dorothy Galdun, own and
reside in the adjacent property,
10920 Gateview Road. I do NOT
have any objections to Gary and
Susan Grill building their garage
5 feet from my property line.

Dorothy Galdun

G-13-01

152

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

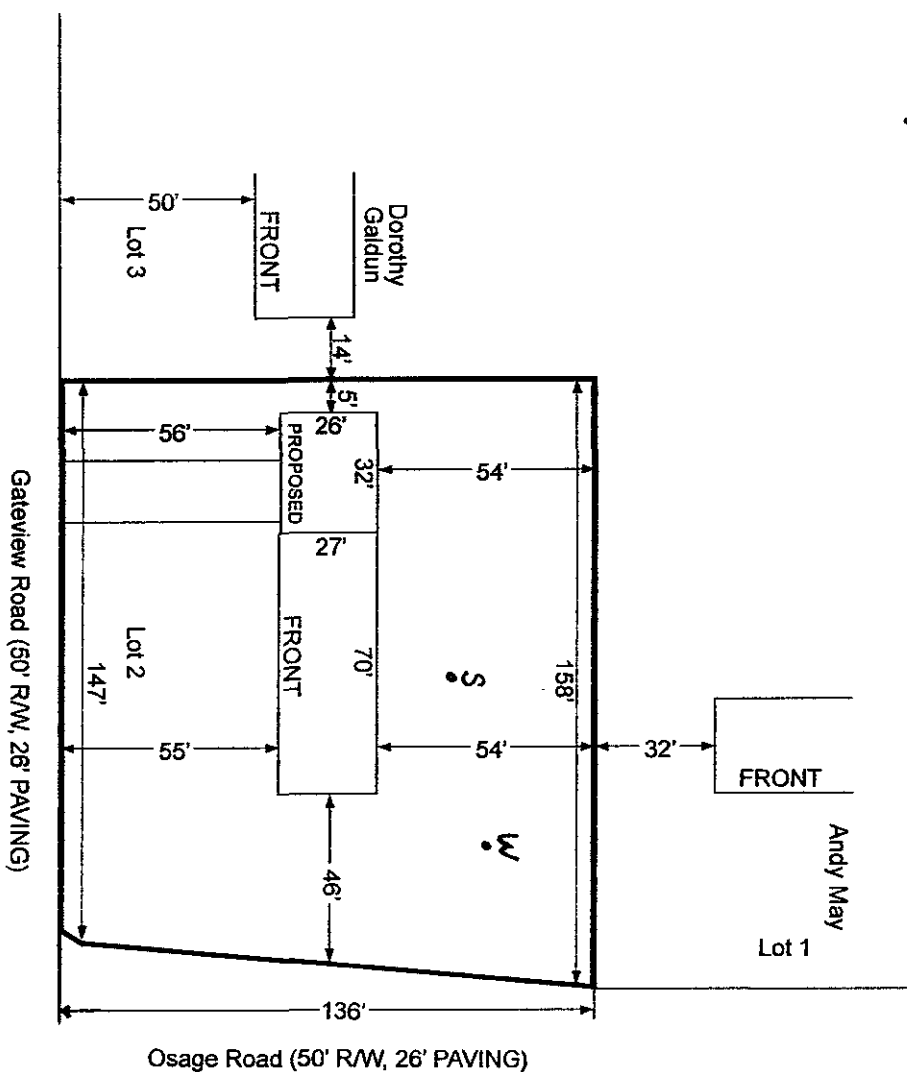
PROPERTY ADDRESS: 10922 Gateview Road

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Sherwood Hills

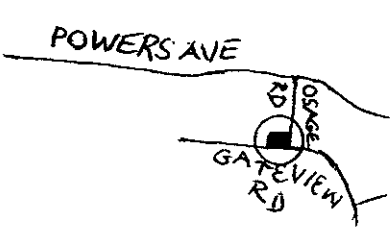
plat book # 32, folio # 40, lot # 2, section # 2

OWNER: Gary + Susan Grill



North
Date: 10/5/01
prepared by: GS

Scale of Drawing: 1" = 50'



Vicinity Map
Scale: 1" = 1000

LOCATION INFORMATION

Election District: 8

Councilmanic District: 3

1:200 scale map: NW 18-A

Zoning: DR2

Lot size: .48 20,240 square feet

OWNER: GRILL

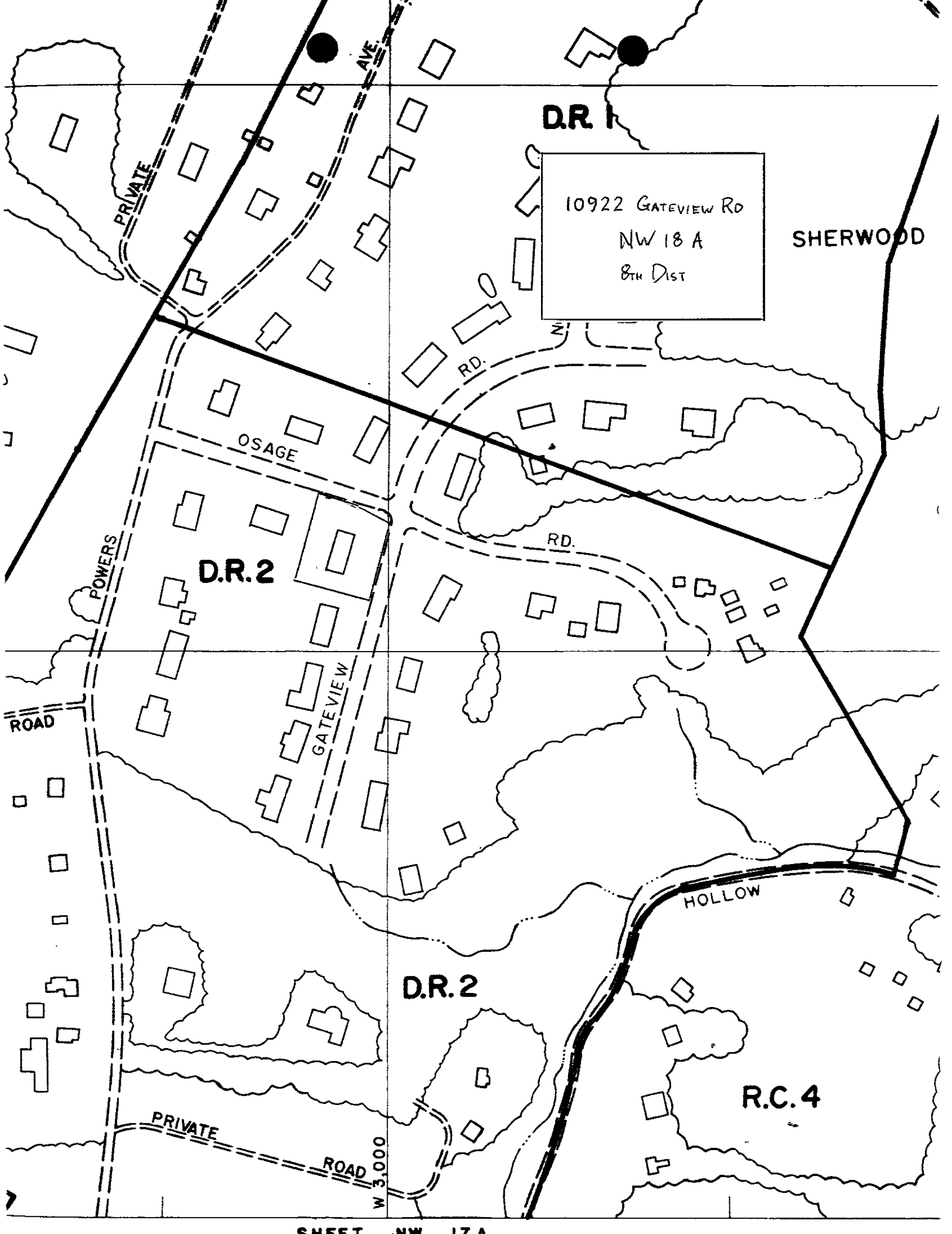
SEWER ☐ PUBLIC ☒ PRIVATE ☒
WATER: ☐ ☒
Chesapeake Bay Critical Area: ☐ ☒
Prior Zoning Hearings: none

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

GS 1524

Pet. #4 #1



D.R. 1

10922 GATEVIEW RD
NW 18 A
8TH DIST

SHERWOOD

D.R. 2

D.R. 2

R.C. 4

HOLLOW

PRIVATE

AVE.

OSAGE

RD.

RD.

GATEVIEW

POWERS

ROAD

PRIVATE

ROAD

W 3,000



adjoining property owner
adjacent to proposed
garage

152



Near to front view of
adjoining property line

152 ✓



Automobiles show
location of garage

152



adjoining property owner
adjacent to proposed
garage

152



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE

1" = 200' ±

LOCATION

COCKEYSVILLE

ASHLAND

SHEET

N W

18-A

DATE
OF
PHOTOGRAPHY

JANUARY
1986