

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S of Hopewell Avenue, 110' from		
centerline of Halley Road	*	DEPUTY ZONING COMMISSIONER
15th Election District		
7th Councilmanic District	*	OF BALTIMORE COUNTY
(1511 Hopewell Avenue)		
	*	CASE NO. 02-175-A
Shirley Brown		
Petitioner	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Shirley Brown. The variance request is for property located at 1511 Hopewell Avenue, in the Essex area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.)(1958), to permit an addition with a front yard setback of 22 ft. in lieu of the required 25 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

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

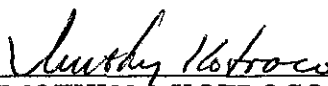
The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public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

CADEN ALLEN FOR FILING
 Date 12/30/11
 By R. J. J. J.

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 3rd day of December, 2001, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.)(1958), to permit an addition with a front yard setback of 22 ft. in lieu of the required 25 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
DATE 12/12/01
BY R. J. J. J.



Baltimore County
Zoning Commissioner

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

December 3, 2001

Ms. Shirley Brown
1511 Hopewell Avenue
Essex, Maryland 21221

Re: Petition for Administrative Variance
Case No. 02-175-A
Property: 1511 Hopewell Avenue

Dear Ms. Brown:

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 black ink, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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 1511 HOPEWELL AVE
which is presently zoned DR-10.5 (RG)

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) (1802.3.B BC2R C1958)

TO Permit an addition with a front yard setback of 22 feet
in lieu of the required 25 feet.

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 _____

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.

Legal Owner(s):

SHIRLEY BROWN
Name - Type or Print _____

Shirley Brown
Signature _____

SHIRLEY BROWN
Name - Type or Print _____

Shirley Brown
Signature _____

1511 HOPEWELL AVE 410-687-9883
Address _____ Telephone No. _____

BOSSEX MD 21221
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Zoning Commissioner of Baltimore County

Reviewed By JRA Date 10/31/01

Estimated Posting Date 11-11-01

CASE NO. 02-175-A

RECEIVED 9/15/98

Date

By

By

ORDER RECEIVED FOR FILING
12/3/01
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 1511 HOPEWELL AVE
Address
ESSEX MD 21221
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):

I NEED TO ENCLOSE THE EXISTING THE FRONT PORCH AS A SUN-ROOM, AT THE SAME TIME MY KIDS CAN USE IT AS A PLAYING AREA. I HAVE A NEW FAMILY AND I CAN NOT AFFORD TO MOVE A BIGGER PLACE AT THIS TIME. THAT IS WHY I WENT TO USED THE FRONT PORCH 14' X 8' X 15', I THINK THIS CAN HELP ME FOR EXTRA SPACE.

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.

Shirley Brown
Signature

Shirley Brown
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of October, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

Oct. 23, 2001
Date

Shirley J. Brown
Notary Public
My Commission Expires 3/1/03

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 1511 HOPEWELL AVE

Address

ESSEX

MD

21221

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):

I NEED TO ENCLOSE THE EXISTING THE FRONT PORCH AS A SUN ROOM, AT THE SAME TIME MY KIDS CAN USE IT AS A PLAYING AREA. I HAVE A NEW FAMILY AND I CAN NOT AFFORD TO MOVE A BIGGER PLACE AT THIS TIME. THAT IS WHY I WENT TO USED THE FRONT PORCH 14' X 8' X 15', I THINK THIS CAN HELP ME FOR EXTRA SPACE.

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Shirley Brown

Signature

Shirley Brown

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of OCTOBER, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

Oct. 23, 2001

Date

Notary Public

My Commission Expires

3/1/03



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1511 HOPEWELL AVE
which is presently zoned DR-105 (R4)

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) (1802.3.B BCZR C1958)
TO Permit an addition with a front yard setback of 22 feet
in lieu of the required 25 feet.

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 _____

A Public Hearing having been formally demanded this _____ day of _____ and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, regulations of Baltimore County and that the property be subject matter of this petition be set for a public hearing, advertised, as required by the zoning be reposted.

Legal Owner(s):

SHIRLEY BROWN
Name - Type or Print _____
Signature Shirley Brown _____
SHIRLEY BROWN
Name - Type or Print _____
Signature Shirley Brown _____
1511 HOPEWELL AVE 410-687-9583
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Zoning Commissioner of Baltimore County

CASE NO. 02-175-A

REV 9/15/98

Reviewed By JRA Date 10-31-01

Estimated Posting Date 11-11-01

ZONING DESCRIPTION

ZONING DESCRIPTION 1511 HOPEWELL AVE
(address)

Beginning at a point on the SOUTH side of
(north, south, east, or west)

1511 HOPEWELL AVE which is 60 FT
Name of street on which property front) (number of feet of right-of-way width)

Wide at the distance of 110 Feet WEST of the
(number of feet) (north, south, east or west)

Centerline of the nearest improved intersecting street HALLEY ROAD
Name of street

Which is 60 FT wide. Being lot # 12,
(number of feet of right-of-way width)

Block — section # D in the subdivision of County Ridge
(Name of subdivision)

As recorded in Baltimore County Plat Book # 24, folio # 136,

Containing 4228.29. Also known as 1511 HOPEWELL AVE.
(square feet or acres) (property address)

And located in the 15 Election district, 7 Councilmanic District.

02-175-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 0771

DATE 10-31-01 ACCOUNT 001-000-0150
AMOUNT \$ 50.00

RECEIVED FROM: Shirley L. Allen
1511 Horseshell Ave. ITEM # 175
FOR: 01 - VARIANCE TAKEN BY: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE POSTING

RE: Case No.: 02-175-A

Petitioner/Developer: _____

SHIRLEY BROWN

Date of Hearing/Closing: 11/26/01

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

Attention: Ms. Gwendolyn Stephens

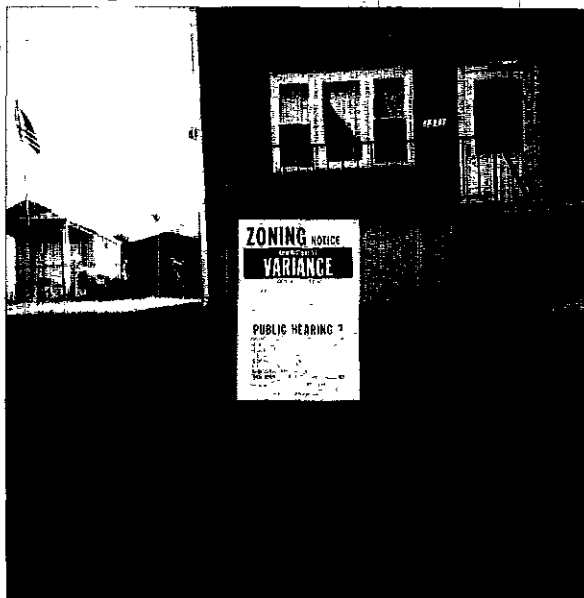
Ladies and Gentlemen:

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 _____

1511 HOPEWELL AVE

The sign(s) were posted on 11/9/01
(Month, Day, Year)

CASE # 02-175-A



Sincerely,

Richard E. Hoffman 11/9/01
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

1511 HOPEWELL AVE.
POSTED 11/9/01

Richard E. Hoffman 11/9/01

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 02-175-A
Petitioner: SHIRLEY D. BROWN
Address or Location: 1511 HOPEWELL AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: SHIRLEY D. BROWN
Address: 1511 HOPEWELL AVE
ESSEX MD 21221
Telephone Number: 410 687 9583

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 175 -A

Address 1511 HOPEWELL AVE

Contact Person: JUN R. FERNANDO

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10-31-01

Posting Date: 11-11-01

Closing Date: 11-26-01

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- 175 -A

Address 1511 HOPEWELL AVE.

Petitioner's Name Shirley Brown

Telephone 410-687-9583

Posting Date: 11-11-01

Closing Date: 11-26-01

Wording for Sign: To Permit an addition with a front yard setback of 22 feet in lieu of the required 25 feet.

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



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on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

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

Date: 12.3.01

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

RE: Baltimore County
Item No. ~~175~~

JRF

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,

lv

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

My telephone number is _____

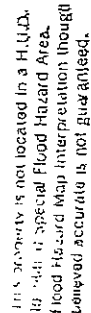
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

-15-

see pages 5 & 6 of the CHECK ST for additional required information

OWNER: SHIRLEY DUA BROWN

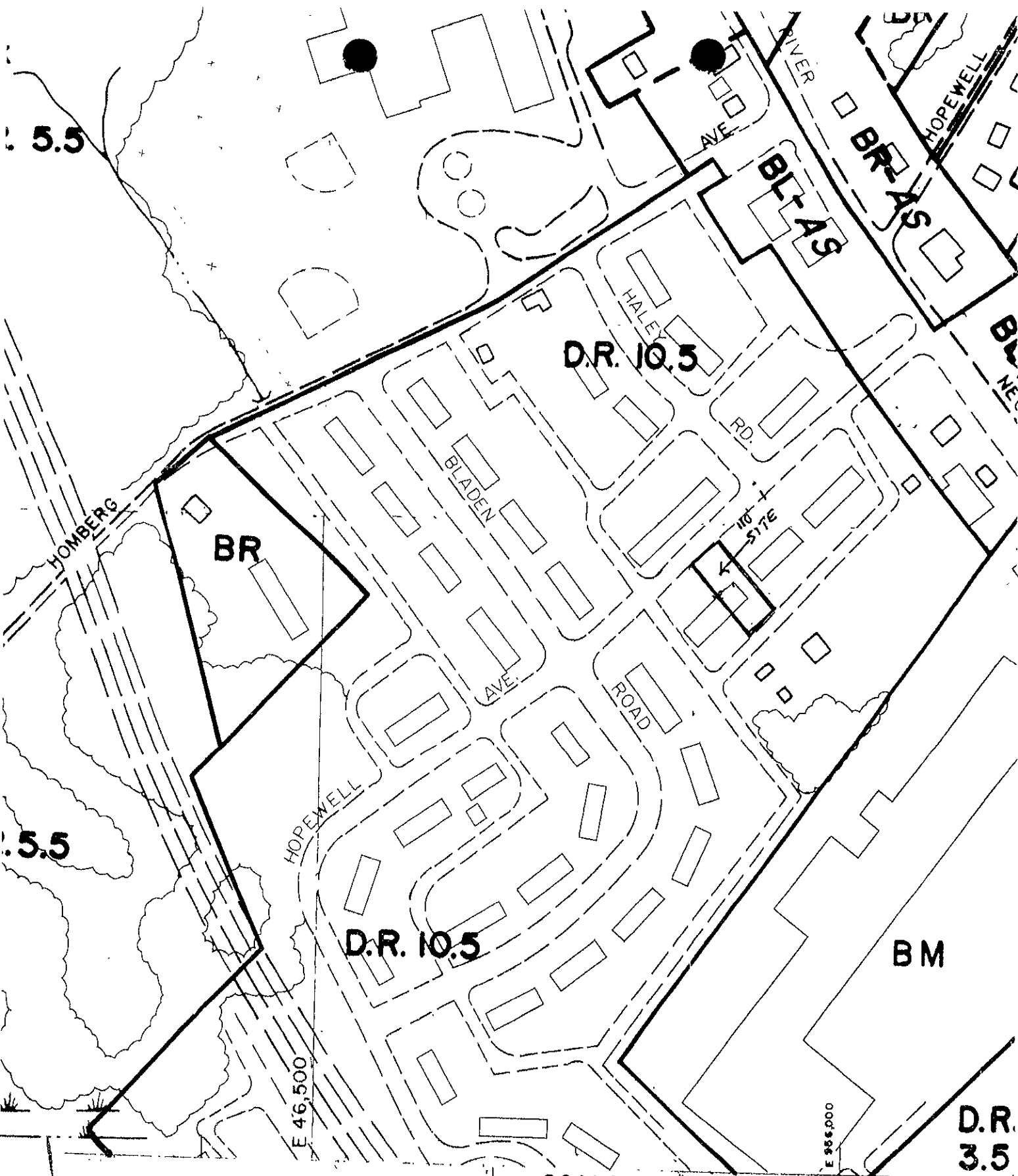


prepared by: SB

Scale of Drawing: 1" = 30 feet



02-175-A



SCALE

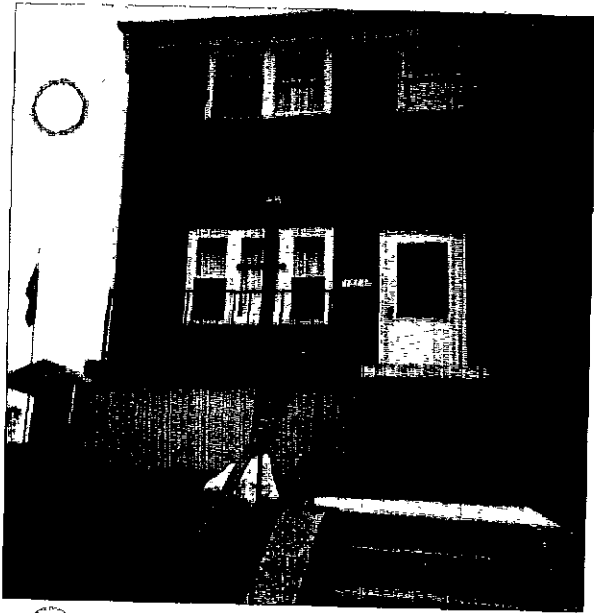
1" = 200' ±

DATE
OF
PHOTOGRAPHY

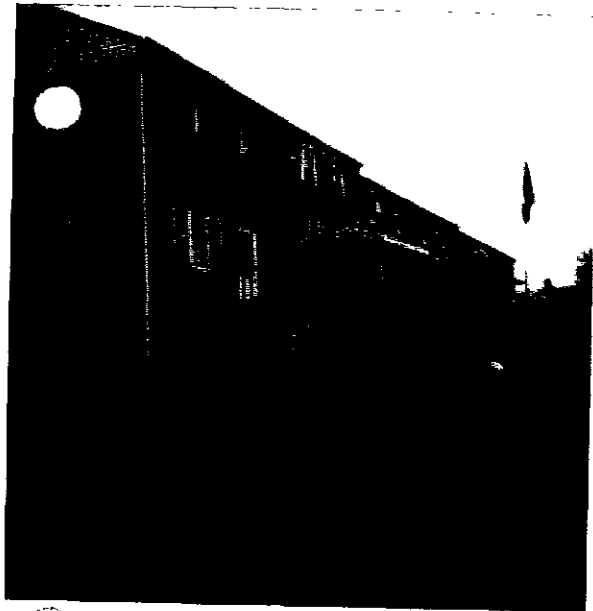
LOCATION

STEMMERS RUN
BACK RIVER NECH

NE 2 H
1" = 200'



Front yard
proposed porch enclosure



Front yard
Proposed enclosure

