

IN RE: PETITION FOR VARIANCE

W/S Hannah Avenue, 508' N
centerline of Catana Avenue
13th Election District
1st Councilmanic District
(23 Glenwood Avenue)

Pamela Matthews, *Legal Owner* and
Andy Terrell, *Contract Purchaser*
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-202-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Pamela Matthews and Andy Terrell, contract purchaser. The Petitioner is requesting a variance for property she owns located on Hannah Avenue in the Halethorpe area of Baltimore County. The variance request is from Section 1B02.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed single-family dwelling to have a front yard depth of 25 ft., a rear yard depth of 35 ft. and side yard depth of 7 ft. and a sum of the side yards of 14 ft. in lieu of the required 40 ft., 40 ft., 15 ft. and 10 ft. respectively and to approve an undersized lot.

Appearing at the hearing on behalf of the variance request were Pam Matthews, owner of the property and her husband, David Matthews. Appearing in opposition to the Petitioner's request were Marcus Jackson, adjacent property owner and Donald Hawkins, President of the Halethorpe Civic League. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request is known as Lots 10 & 11, located on the west side of Hannah Avenue in Halethorpe. The subject property is unimproved at this time. Mrs. Matthews testified that the lots in question have been in her family for many years. She does not intend to build a house on this property at this time. She is interested in selling the property to a Mr. Andy Terrell, who intends to

2/6/02
J.R. [Signature]

construct a home thereon. In order to proceed with the construction of a home on this property, the variances are necessary, given that the zoning of the property has been changed to D.R.2.

It should be noted that many houses in this area of Halethorpe were once constructed on lots containing a lot width of 40 ft. The location of the house to be constructed on the lot is shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence at the hearing.

As stated previously, Marcus Jackson, adjacent property owner and Donald Hawkins appeared in opposition to the Petitioner's request. These gentlemen are concerned that the house to be constructed on this narrow lot is too small and out of character with the existing homes in the surrounding community. They are concerned that a house of this nature would quickly lose its value over time and eventually become a detriment to the neighborhood. These gentlemen would like to see this unimproved lot be combined with other property around it to make for a larger lot, thereby accommodating a larger home. However, Mrs. Matthews does not have this option in that she does not own any adjacent property to this lot.

The best case scenario would be for Mrs. Matthews and Mr. Jackson to discuss transferring some property between themselves. Mr. Jackson owns the lots on both sides of Mrs. Matthews' property. In the event the parties could reach an agreement between themselves, then the unimproved lot in question could be made larger, or Mr. Jackson could purchase the property from Mrs. Matthews and add it to his current land holdings. However, at the time of the hearing before me, the parties had not reached an agreement to that effect. Therefore, I must base my decision on the testimony and evidence offered at this time.

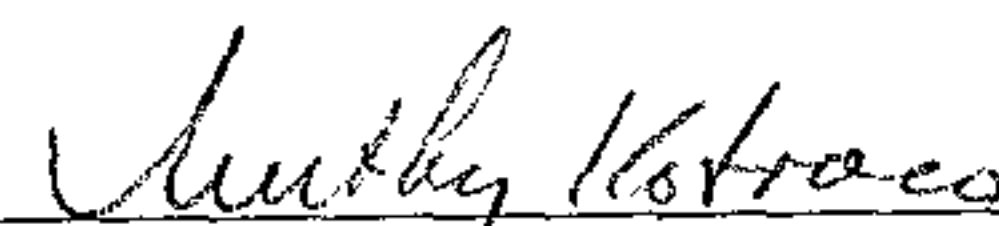
After considering the testimony regarding this variance request, I find that the variances should be granted to allow a house to be constructed on this property. The subject property has been a lot of record for many years. It is serviced by public water and sewer and is not situated within a floodplain. Therefore, I believe it is appropriate for a house to be constructed on this lot

2/6/02
J.R. Emerson

consistent with the site plan submitted into evidence as Petitioners' Exhibit No. 1. It should also be noted that the matter was referred to the Office of Planning, who has reviewed this request and has recommended approval of this variance. However, the Office of Planning does request that the front yard setback be increased to 30 ft. as opposed to the 25 ft. shown on the plan.

THEREFORE, IT IS ORDERED this 6th day of February, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variances from Section 1B02.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed single-family dwelling to have a front yard depth of 25 ft., a rear yard depth of 35 ft. and side yard depth of 7 ft. and a sum of the side yards of 14 ft. in lieu of the required 40 ft., 40 ft., 15 ft. and 10 ft. respectively and to approve an undersized lot, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
2. The Petitioners shall be required to increase the front yard setback to Hannah Avenue to 30 ft. in lieu of the 25 ft. shown. This will lessen the rear yard to a setback of 30 ft.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

2/6/02


IN THE MATTER OF
THE APPLICATION OF
PAMELA MATTHEWS -LEGAL OWNER
FOR VARIANCE ON PROPERTY
LOCATED ON THE W/S HANNAH AVE,
508' N C/L OF CATANA AVENUE
(23 GLENWOOD AVENUE)
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 02-202-A

* * * * *

OPINION

This case comes before the Baltimore County Board of Appeals on a timely appeal brought by the Protestant, Marcus B. Jackson, resulting from a decision by the Deputy Zoning Commissioner to grant the Petition for Variance seeking relief from § 1B02.C.1 of the *Baltimore County Zoning Regulations* (BCZR) to permit a proposed single-family dwelling to have a front yard depth of 25 feet, a rear yard depth of 35 feet, and a side yard depth of 7 feet, and a sum of the side yards of 14 feet in lieu of the required 40 feet, 15 feet and 10 feet respectively.

The Appellant /Protestant, Marcus Jackson, whose property is adjacent to the subject site, appeared *pro se*. The Petitioner, Pamela Matthews, owner of the subject site, was represented by Marc N. Peitersen, Esquire.

The subject property is located on the west side of Hannah Avenue in Halethorpe known as Lots 10 and 11. The subject property is unimproved at this time. Mrs. Matthews testified that the lots in question have been in her family for many years. She does not intend to build a house on this property at this time. She is interested in selling the property to Mr. Andy Terrell who intends to construct a home thereon. On the record, Mrs. Matthews amended her proposal from a 25-foot front setback to a 35-foot setback.

Testimony was given at length that various other lots on the street also were built with the same size lots and also the same types of setbacks that she is requesting. A planning and zoning map identifying the area was entered into evidence (Petitioner's Exhibit #1). She testified that the house that Mr. Terrell wants to build is consistent with the neighborhood. She also testified that nothing was unique with the neighborhood and her lot in particular. All the other lots were also smaller.

Marcus Jackson, adjacent property owner, appeared in opposition to the Petitioner's request. He testified that the house to be constructed on this narrow lot is too small and out of character with the existing homes in the surrounding community. He was concerned that a house of this nature would quickly lose its value over time and eventually become a detriment to the neighborhood. He also entered into evidence photographs showing water runoff and had concerns of construction of this house causing additional water runoff problems.

Section 307 of the BCZR permits granting of a variance upon certain terms and conditions which in pertinent part, in this case, allows a variance where special circumstances or conditions exist that are peculiar to the land that is the subject of the variance request and where strict compliance with the zoning regulations would result in practical difficulty or unreasonable hardship.

The burden to establish special circumstances or conditions was clarified by the Court of Special Appeals in *North v. St. Mary's County*, 99 Md. App. 502 (1994) when Judge Cathell stated: "An applicant for variance bears the burden of overcoming the assumption that the proposed use is unsuited. That is done, if at all, by satisfying fully the doctrines of the statute authorizing the variance." Under the Court of Special Appeals decision in *Cromwell v. Ward*, 102 Md. App. 691, 651 A.2d 424 (1995) which sets forth the legal benchmark under which a variance may be granted, the Board of Appeals hearing the case de novo is given the task of interpreting regulations and statutes where issues are debatable in the light of the law. The first burden on the Petitioner for variance is to prove that the property is unique. This standard must be met before other parts of the variance requirements can be properly considered.

The first prong requires that the land itself of the subject property must be unique from others in the neighborhood to qualify for a variance. The testimony and evidence offered by the Petitioner, Pamela Matthews, herself, is uncontradicted that 23 Glenwood Avenue is not different from the other lots in that neighborhood of Halethorpe Terrace. All of the plats and photographs introduced into evidence establish

that neighboring lots all are 20 feet wide by 100 feet long. All are of similar topography and all are zoned D. R. 2.

After thorough review of the evidence and testimony, the Board finds that the Petitioner has not met the burden as required for a variance under BCZR § 307.1 and the standards of *Cromwell v. Ward*. Therefore, it is the decision of this Board that the requested variance relief from § 1B02.C.3.1 of the BCZR to permit a proposed single-family dwelling to have a front yard depth of 35 feet, a rear yard depth of 35 feet, and a side yard depth of 7 feet shall be denied, and we will so order.

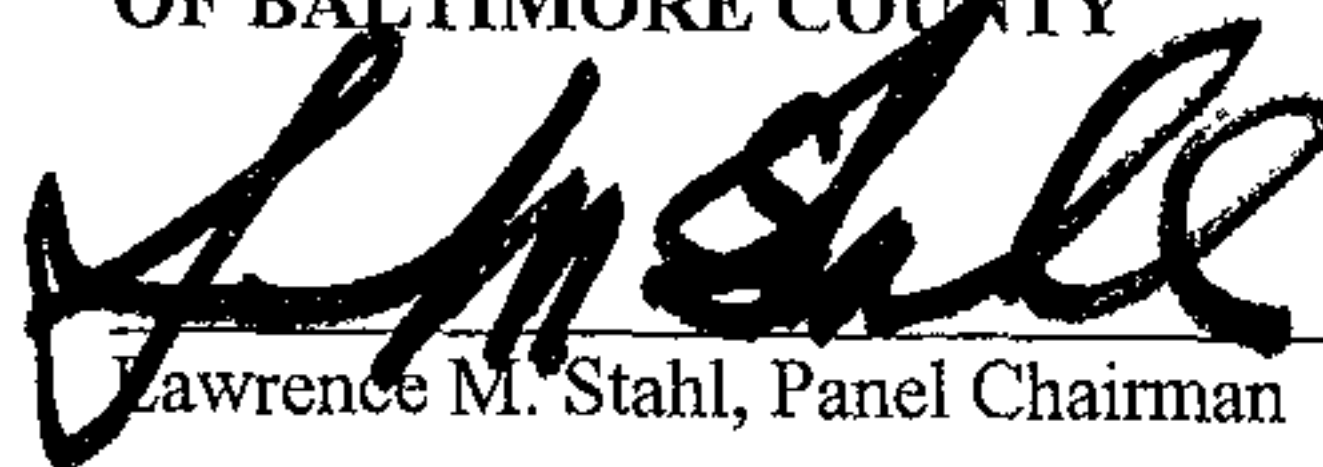
ORDER

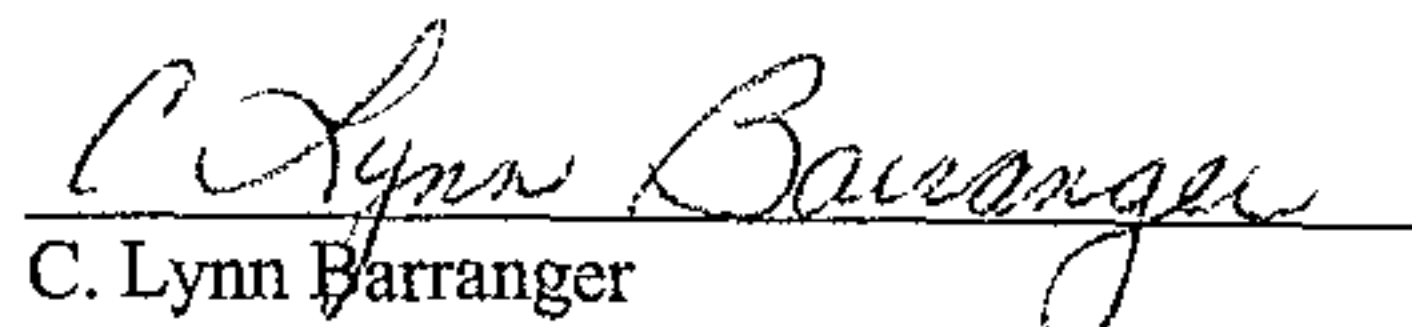
THEREFORE, IT IS THIS 3rd day of December, 2002 by the County Board of Appeals of Baltimore County

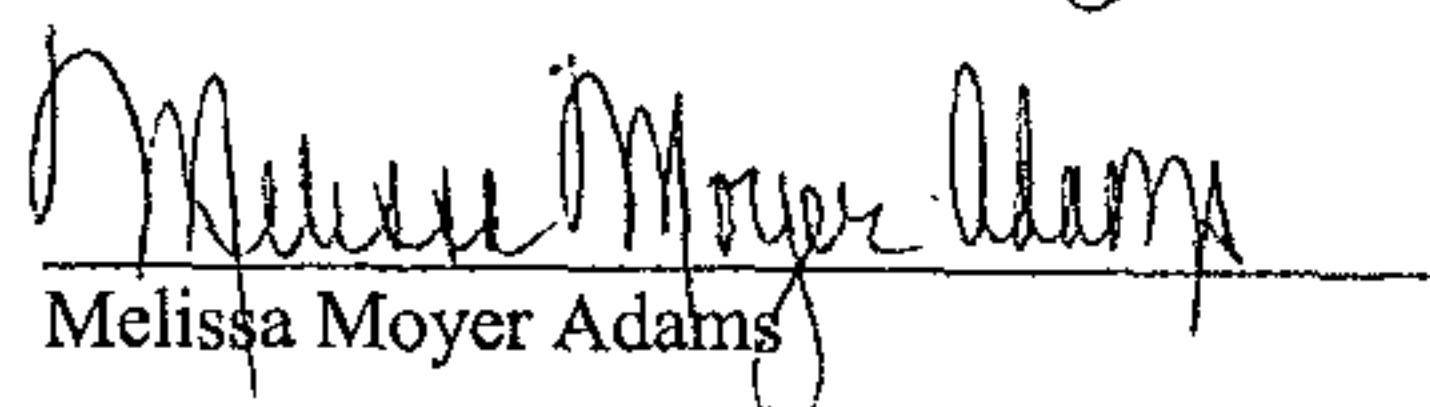
ORDERED that the Petitioner's request for variance seeking relief from § 1B01.C.3.1 of the *Baltimore County Zoning Regulations* to permit a proposed single-family dwelling to have a front yard depth of 35 feet, a rear yard depth of 35 feet, and a side yard depth of 7 feet be and the same is hereby **DENIED**.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence M. Stahl, Panel Chairman


C. Lynn Barranger


Melissa Moyer Adams



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Lots 1 & 12 Hannah Ave. Halethorpe, 21227

which is presently zoned OR 2

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 B.O.Z.C. 1 (B.C.Z.R.) TO PERMIT A PROPOSED SINGLE FAMILY DWELLING TO HAVE A FRONT YARD DEPTH OF 25', REARYARD DEPTH OF 35', SIDEYARD DEPTH OF 7' AND A SUM OF SIDEYARDS OF 14' IN LIEU OF THE REQUIRED 40', 40', 15', 40' RESPECTIVELY AND TO APPROVE AN UNDERSIZED LOT.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

TO BE DISCUSSED AT THE HEARING

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 Andy Terrell
Signature [Signature]
Address 2967 Gillis Falls Road Telephone No 443 829 8890
City Mount Airy State MD. Zip Code 21227

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print Pamela Matthews
Signature [Signature]
Name - Type or Print Pamela Matthews
Signature _____
Address 39 Colony Hill Ct. Telephone No 410 867-3923
City Baltimore State MD Zip Code 21227-2515

Representative to be Contacted:

Name Andy Terrell
Address 2967 Gillis Falls Road Telephone No 443 829 8890
City Mount Airy State MD. Zip Code 21771

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By [Signature] Date 11-15-07

Case No. OR-202-A



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Lots 1 & 1A Hannah Ave. Halethorpe, 21227

which is presently zoned DR 2

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.C.1 (BCZR)

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING TO HAVE A FRONT YARD DEPTH OF 25', REAR YARD DEPTH OF 35', SIDE YARD DEPTH OF 7' AND A SUM OF SIDE YARDS OF 14' IN LIEU OF THE REQUIRED 40', 40', 15' AND 40' RESPECTIVELY AND TO APPROVE AN UNDERSIZED LOT.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons. (indicate hardship or practical difficulty)

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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 Andy Terrell
Signature [Signature]
Address 2967 Gillis Falls Road Telephone No 443 829 8890
City Mount Airy State MD. Zip Code 21227

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print Pamela Matthews
Signature [Signature]
Name - Type or Print Pamela Matthews
Signature _____
Address 39 Colony Hill Ct. Telephone No 410-867-3923
City Baltimore State MD Zip Code 21227-2515

Representative to be Contacted:

Name Andy Terrell
Address 2967 Gillis Falls Road Telephone No 443 829 8890
City Mount Airy State MD. Zip Code 21771

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By JRA Date 11-15-01

Case No. 02-202-A

9/15/98

Zoning Description for Lots 10 - 11 Hanna Ave (1918 Hanna Ave)

Beginning at a point on the West side of Hanna Ave which is ~~36~~³⁰ ft. wide at the distance of 508 ft. North of the centerline of the nearest improved intersecting street Catana Ave which is ~~30~~³⁰ ft. wide. Being Lots # 10 - 11 Block J in the subdivision of Halethorpe Terrace as recorded in Baltimore County Plate Book # 7, Folio # 72 containing 4000 square feet, and located in the 13th Election District, 1st Councilmanic District.

02-202-A

RE: PETITION FOR VARIANCE
Lots 10 and 11 Hannah Avenue, W/S Hannah Ave,
508' N of c/l Catana Ave
13th Election District, 1st Councilmanic

Legal Owner: Pamela Matthews
Contract Purchaser: Andy Terrell
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-202-A

* * * * *

ENTRY OF APPEARANCE

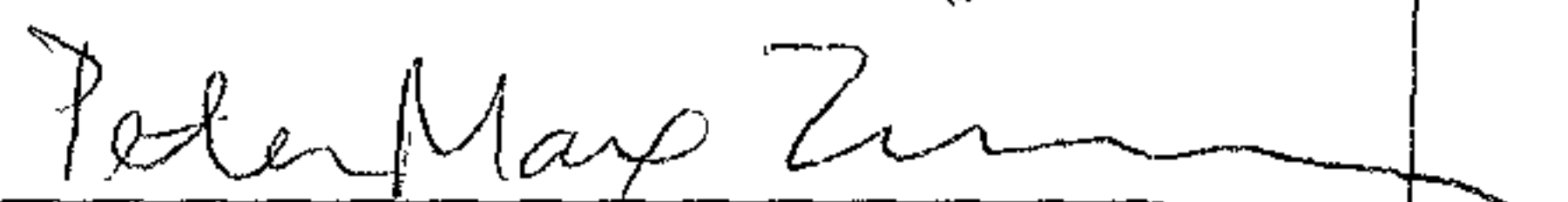
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Pamela Matthews, 39 Colony Hill Court, Baltimore, MD 21227, and to Contract Purchaser Andy Terrell, 2967 Gillis Falls Road, Mount Airy, MD 21227, Petitioners.


PETER MAX ZIMMERMAN

CERTIFICATE OF POSTING

RE: Case No.: 02-202-A

Petitioner/Developer: _____

Andrew Terrell

Date of Hearing/Closing: 2-4-02

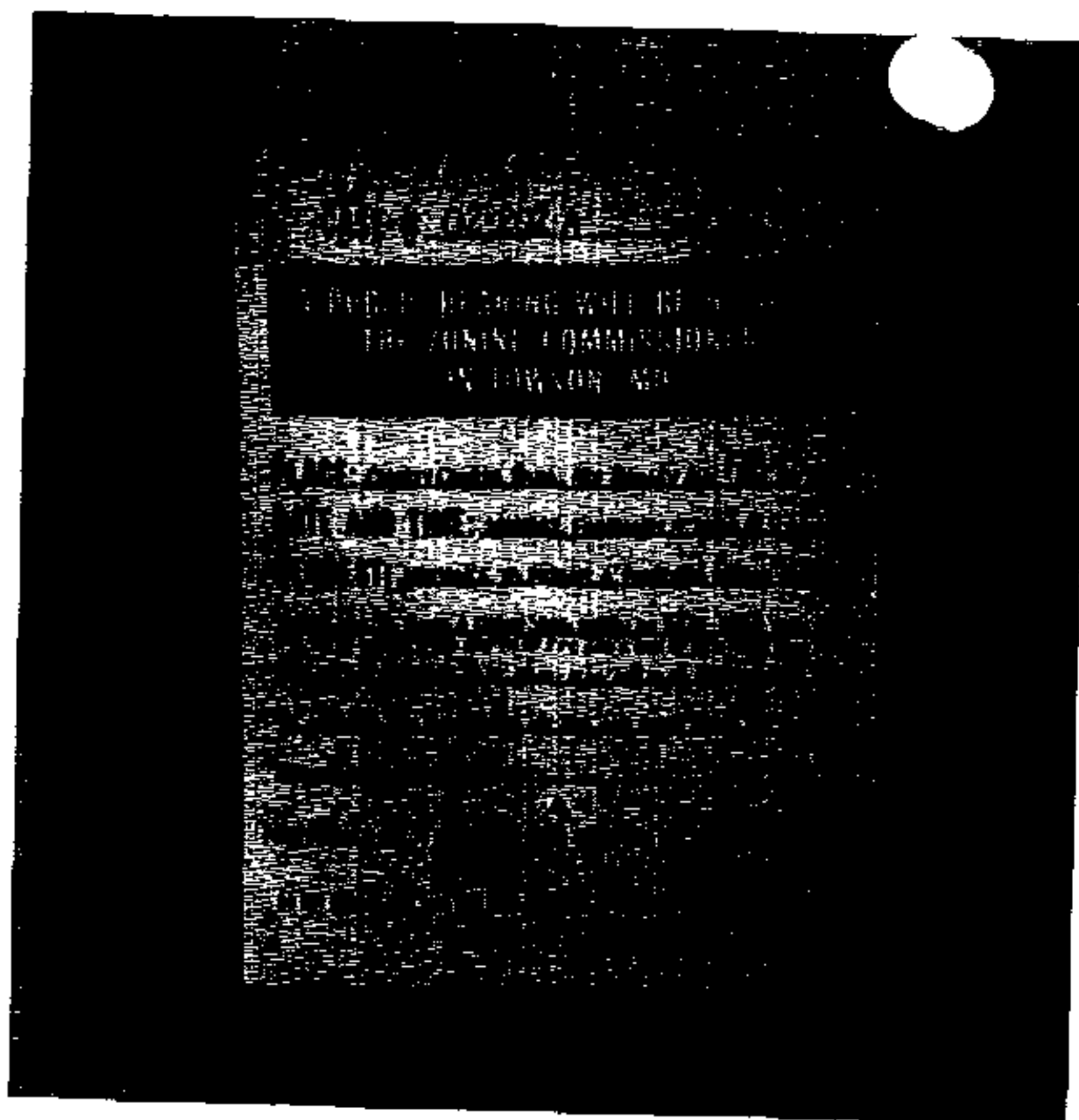
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 Lots 10+11 Hannah Ave
Halethorpe, MD 21227

The sign(s) were posted on January 18, 2002
(Month, Day, Year)



Sincerely,

Stacy Gardner 1/18/02
(Signature of Sign Poster and Date)

Stacy Gardner
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(City, State, Zip Code)

410-781-4000

(Telephone Number)

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

No. 11255

DATE 3-7-02 ACCOUNT 001.006-6150

AMOUNT \$ 210.

RECEIVED FROM: Marius Jackson

FOR: Heating Appeal # 03202

1924 Hancock Ave

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
3/07/2002 3/07/2002 09:35:29

REC 4805 CASHIER RDBS LRB DRAWER 5
DEFN
RECEIPT # 255337

DEPT 5 520 ZONING VERIFICATION
CR NO. 011255

Receipt Tot 210.00
210.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #02-202-A

Lots 10 & 11 Hannah Avenue

W/S Hannah Avenue, 508' N centerline Catana Avenue

13th Election District -- 1st Councilmanic District

Legal Owner(s): Pamela Matthews

Contract Purchaser: Andy Terrell

Variance: to permit a proposed single family dwelling to have a front yard depth of 25 feet, rear yard depth of 35 feet, side yard depth of 7 feet and a sum of side yards of 14 feet in lieu of the required 40 feet, 40 feet, 15 feet and 40 feet respectively, and to approve an undersized lot and any other relief the zoning commissioner deems necessary.

Hearing: Wednesday, January 16, 2002 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/1/631 Jan. 1

C513201

CERTIFICATE OF PUBLICATION

1/3, 2002

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 1/1, 2002.

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

S. Wilkins

LEGAL ADVERTISING



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

December 24, 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: 02-202-A
Lots 10 & 11 Hannah Avenue
W/S Hannah Avenue, 508' N centerline Catana Avenue
13th Election District - 1st Councilmanic District
Legal Owner: Pamela Matthews
Contract Purchaser: Andy Terrell

Variance to permit a proposed single family dwelling to have a front yard depth of 25 feet, rear yard depth of 35 feet, side yard depth of 7 feet and a sum of side yards of 14 feet in lieu of the required 40 feet, 40 feet, 15 feet and 40 feet respectively, and to approve an undersized lot and any other relief the zoning commissioner deems necessary.

HEARING. Wednesday, January 16, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon 692
Director

C: Pamela Matthews, 39 Colony Hill Court, Baltimore 21227
Andy Terrell, 2967 Gillis Falls Road, Mount Airy 21771

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 1, 2002.**
(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.

**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: 02-202-A

Petitioner: PAMELA MATTHEWS

Address or Location: 1918 HANNA AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ANDY TERRELL

Address: 2967 GILLES FARM RD.
MOUNT AIRY MD. 21771.

Telephone Number: 443-839-8890

Revised 2/20/98 - SCJ

02-202-A



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

January 14, 2002

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: 02-202-A
Lots 10 & 11 Hannah Avenue
W/S Hannah Avenue, 508' N centerline Catana Avenue
13th Election District – 1st Councilmanic District
Legal Owner Pamela Matthews
Contract Purchaser: Andy Terrell

Variance to permit a proposed single family dwelling to have a front yard depth of 25 feet, rear yard depth of 35 feet, side yard depth of 7 feet and a sum of side yards of 14 feet in lieu of the required 40 feet, 40 feet, 15 feet and 40 feet respectively, and to approve an undersized lot and any other relief the zoning commissioner deems necessary.

HEARING: Monday, February 4, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon
Director

C: Andy Terrell, 2967 Gillis Falls Road, Mount Airy 21771
Pamela Matthews, 910 Prest Wood Road, Catonsville 21228
Donald Hawkins President, Halethorpe Civic League Inc, 1919 Woodside Avenue,
Baltimore 21227

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 19, 2002.**
(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.



County Board of Appeals of Baltimore County

10 CF

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

June 18, 2002

NOTICE OF ASSIGNMENT

CASE #: 02-202-A

**IN THE MATTER OF: PAMELA MATTHEWS –Legal Owner;
Andy Terrell –Contract Purchaser
23 Glenwood Avenue
13th Election District; 1st Councilmanic District**

2/06/02 –D.Z.C.'s Order in which Petition for Variance was GRANTED.

ASSIGNED FOR:

WEDNESDAY, OCTOBER 2, 2002 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

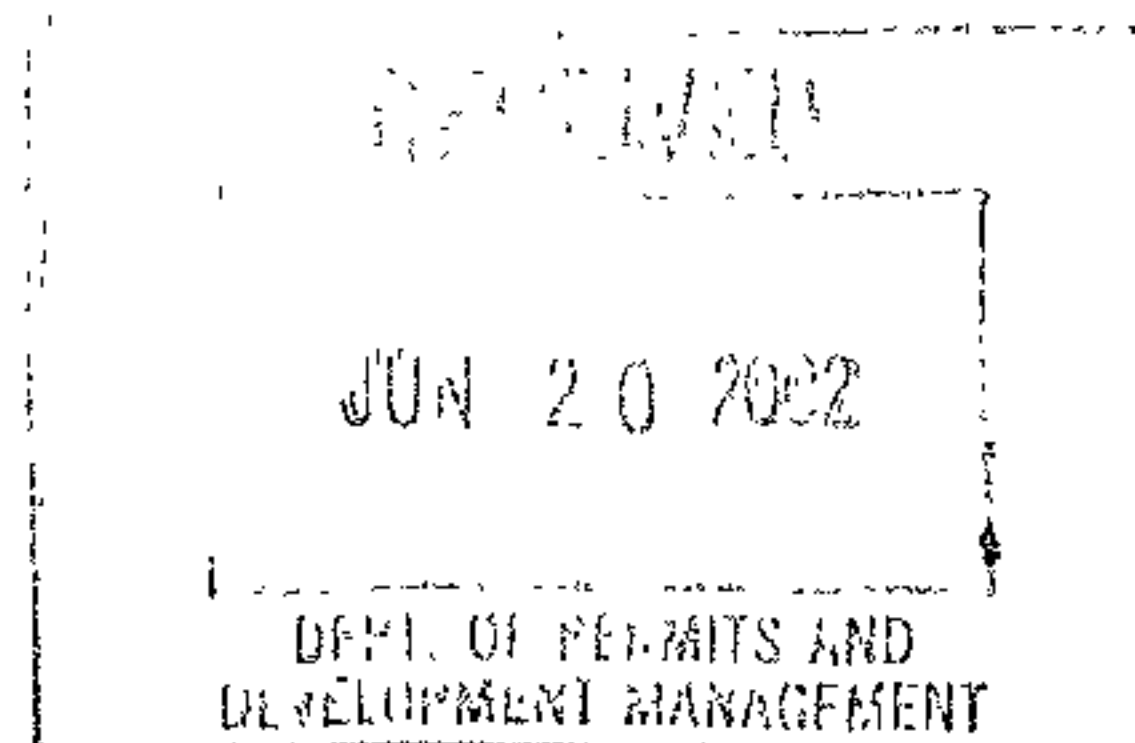
**Kathleen C. Bianco
Administrator**

c: Appellant /Protestant : Marcus B. Jackson

Petitioner /Legal Owner : Pamela Matthews
Petitioner /Contract Purchaser : Andy Terrell

Donald S. Hawkins /Halethorpe Civic League

People's Counsel for Baltimore County
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM





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

February 1, 2002

Pamela Matthews
910 Prest Wood Road
Catonsville MD 21228

Dear Mr. Matthews:

RE: Case Number: 02-202-A, Lots 10 & 11 Hannah Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 15, 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. G D Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Andy Terrell, 2967 Gillis Falls Road, Mount Airy 21227
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 11, 2002

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

SUBJECT: 1918 Hanna Avenue

INFORMATION:

Item Number: 02-202

Petitioner: Pamela Matthews

Zoning: DR 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided that the front yard setback is increased to a minimum of 30 feet in order to accommodate any future road widening.

Prepared by: Maekisha

Section Chief: Jeffrey M. Long

AFK:MAC:



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 2, 2002

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 December 17, 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.

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

200, 201, ~~202~~, 207, 208, 210, 211, 212, 214, 217, AND 218

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** January 11, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For December 24, 2001
Item No. 214

The Bureau of Development Plans Review has reviewed the subject zoning item.

The eight parking spaces along the access to the site shall be eliminated

These type of uses tend to generate a need for a high number of parking spaces; granting the variance will impact the adjacent streets.

The improvements shown along Hammonds Ferry Road are not correct. The road shall be improved along the entire frontage.

RWB:HJO:jib

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. DATE: January 11, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For December 24, 2001
Item Nos. 200, 201, 202, 204, 205, 208,
209, 210, 211, 212, 213, 215, 216, 217,
218, 219, and 220
REVISED January 23, 2002
(Item No. 206 has been removed from
the above items and has been updated.)

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

RWB:HJO:jrb

cc: File



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.31.01

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

RE: Baltimore County
Item No. ~~202~~ JRA

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,

12 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

TO: Director, Office of Planning & Community Conservation
 Attention: Jeffrey Long
 County Courts Building, Room 406
 401 Bosley Avenue
 Towson, MD 21204

 Permit or Case No. 02-202-A

FROM: Arnold Jablon, Director
 Department of Permits & Development Management

RE: Undersized Lots

Residential Processing Fee Paid
 (\$50.00)

Accepted by _____
 Date _____

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant Andy Terrell Address 2967 Gillis Falls Rd, Mt Airy Md. 21771 Telephone Number 443-829-8890

Lot Address (1918) Lots 10-11 Hanna Ave Election District 13 Councilmanic District 1 Square Feet 4,000

Lot Location: N E S W/side/corner of West side of Hanna (street) feet from N E S W corner of 508 North Catoma (street)

Land Owner: Pamela Moore-Matthews Tax Account Number 1313750261

Address: 39 Colony Hill Ct Baltimore Md. Telephone Number 410-869-3928

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application <u>PENDING OUTCOME OF HEARING.</u>	☐	☒
3. Site Plan Property (3 copies)	☒	☐
~~Topo Map (2 copies) available in Room 206, County Office Building (please label site clearly)~~	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly)	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>DR-2</u>		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by _____
 for the Director, Office of Planning and Community Conservation

Date: _____



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

January 14, 2002

Andy Terrell
2967 Gillis Falls Road
Mount Airy MD 21227

Dear Mr. Terrell:

RE: Case Number: 02-202-A, Lots 10 & 11 Hannah Avenue

The above matter, previously scheduled for Wednesday, January 16, 2002 at 11:00 a.m. in Room 407, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon GDZ
Director

AJ: gdz

C: Pamela Matthews, 39 Colony Hill Court, Baltimore 21227
Donald Hawkins President, Halethorpe Civic League Inc, 1919 Woodside Avenue
Baltimore 21227

1/16
PP
No Sign
2/4

APPEAL

Petition For Variance
23 Glenwood Avenue
W/S Hannah Avenue, 508' N centerline of Catana Avenue
13th Election District – 1st Councilmanic District
Pamela Matthews - Legal Owner
Andy Terrell - Contract Purchaser
Case No.: 02-202-A

Petition for Variance (dated 11/15/01)

Zoning Description of Property

Notice of Zoning Hearing (dated 01/14/02)

Certification of Publication (The Jeffersonian issue dated 01/01/02)

Certificate of Posting (dated 01/18/02 posted Stacy Gardner)

Entry of Appearance by People's Counsel (dated 01/07/02)

Petitioner(s) Sign-In Sheet (1 sheet)

Protestant(s) Sign-In Sheet (1 sheet)

Citizen(s) Sign-In Sheet (none)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plat To Accompany Petition For Variance with accompanying picture

Protestants' Exhibits:

None

Miscellaneous (Not Marked as Exhibits):

None

Deputy Zoning Commissioner's Order (dated 02/06/02 - GRANTED)

Notice of Appeal received on March 5, 2002 from Marcus B. Jackson

c: Andy Terrell, 2967 Gillis Falls Road, Mount Airy 21227
Pamela Matthews, 39 Colony Hill Court, Baltimore 21227
People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

Case No. 02-202-A

In the Matter of: Pamela Matthews –Legal Owner; Andy Terrell –C.P.
/Petitioners

VAR –To permit proposed single-family dwelling to have front yd
depth of 25', rear yard depth of 35', and side yard depth of 7' and sum
of side yards of 14' ilo required 40', 40', 15' and 10' respectively, and
to approve undersized lot.

2/06/02 –D.Z.C.'s Order in which Petition for Variance was
GRANTED.

6/18/02 -Notice of Assignment sent to following; assigned for hearing on Wednesday, October 2, 2002 at 10 a.m.:

Marcus B. Jackson
Pamela Matthews
Andy Terrell
Donald S. Hawkins /Halethorpe Civic League
People's Counsel for Baltimore County
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM

10/02/02 – Board convened for hearing (Stahl, Barranger, Adams); concluded hearing; deliberated after brief recess.
Unanimous decision that variance request is DENIED; burden not met by Petitioner; written Opinion and
Order to be issued; appellate period to run from date of written Order.



Baltimore County
Zoning Commissioner

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

February 28, 2002

Mr. Marcus Jackson
1924 Hannah Avenue
Baltimore, MD 21227

Re: Petition for Variance
Case No. 02-202-A
Property: Lots 10 & 11 - Hannah Avenue

Dear Mr. Jackson:

Please allow this letter to acknowledge my receipt of your letter dated February 24, 2002. You indicate in the opening paragraph of your letter that you are providing me notice that you are appealing my decision in this case. Once an appeal is filed, I am divested of jurisdiction over this matter. Later in the body of your letter you indicate that you are asking me to reconsider my granting of the variance in this case and request that I rescind same. I am not inclined to modify or alter my previously issued decision dated February 6, 2002. Therefore, my prior Order shall stand as written.

The purpose of my writing this letter to you is to advise you that the letter which you sent to my office is not the proper manner for filing an appeal of my decision. If you intend to file an appeal of my decision, you must contact George Zahner at 410-887-3391 who will provide you instructions as to the appropriate method by which to note an appeal of my decision. Keep in mind that you only have 30 days from the date of my Order (February 6, 2002) within which to file your appeal in writing with Mr. Zahner. Therefore, I urge you to proceed expeditiously with the perfecting of this appeal.

If I can be of any further assistance to you in this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj

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



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Zoning Commissioner

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

February 6, 2002

Mrs. Pamela Matthews
910 Prestwood Road
Baltimore, Maryland 21228

Re: Petition for Variance
Case No. 02-202-A
Property: Lots 10 & 11 - Hannah Avenue

Dear Mrs. Matthews:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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 cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



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on Recycled Paper



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

March 7, 2002

Mr. Andy Terrell
2967 Gillis Falls Road
Mount Airy MD 21227

Dear Mr. Terrell:

RE: Case No. 02-202-A, 23 Glenwood Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on March 5, 2002 by Marcus B. Jackson. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", written over a horizontal line.

Arnold Jablon GDZ
Director

AJ: gdz

c: Mr. Donald S Hawkins, c/o Halethorpe Civic League, 1919 Woodside Avenue,
Baltimore 21227
Mr. Marcus Jackson, 1924 Hannah Avenue, Baltimore 21227
Ms. Pamela Matthews, 39 Colony Hill Court, Baltimore 21227
People's Counsel



3/6/02
WCR
Appeal
George
Hendle
3/6/02
WCR

Mr. Arnold Jablon, Director - PDM
Baltimore County Building
111 West Chesapeake Ave., Room 111
Towson, Maryland 21204

1924 Hannah Ave.
Baltimore, Maryland 21227
March 3, 2002

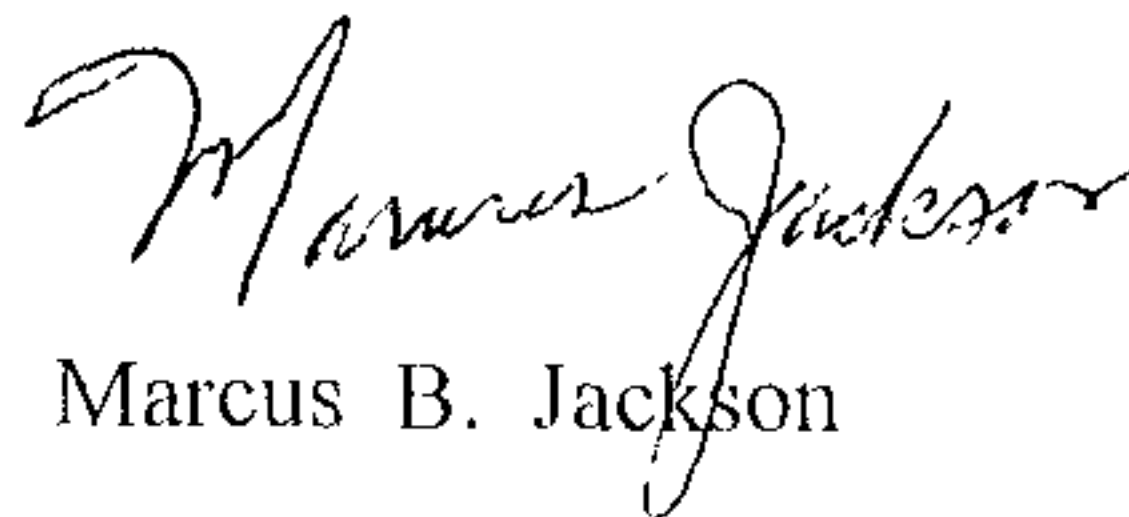
Ref: Case No. 02-202-A, Petition for Variance

Dear Mr. Jablon:

This letter is my request for an appeal in the above mention case. I have enclosed a check for \$210. as instructed. I have also included a copy the letter I wrote to Mr. Timothy M. Kotroco in my discuss upon reading his decision regarding case no. 02-202-A.

Should you have any questions please feel free to contact at home at 410 247-7123 or work I can be reached at 410 381-3113 ext. 287. I shall await your speedy response to this letter. Thank you.

Sincerely,


Marcus B. Jackson

cc:

Mr. & Mrs. Wallace Roos
Mr. Donald S. Hawkins, President
Halethorpe Community Assoc.

Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County
401 Bosley Ave., Suite 405, County Courts Bldg.
Towson, Maryland 21204

1924 Hannah Ave.
Baltimore, Maryland 21227
February 24, 2002

Ref: Case No. 02-202-A, Petition for Variance

Dear Mr. Kotroco:

I am in receipt of your letter dated February 6, 2002, where you notified me that the petition for variance was granted. Please accept this notice that I am appealing your order to grant this variance. Never have I ever seen such an unfair and unjust ruling before. The fact of the matter is that it has the stench of a back room deal.

My neighbor Mr. & Mrs. Wallace Roos and I both have large investments in our homes. I have a \$115,000 mortgage, plus another \$20,000 in improvements to my home. We both have express our displeasure in approving this variance under these conditions. The Halethorpe Community Assoc. has also voiced it's disapproval in this matter. Yet, this variance was granted. There was never a need for the variance in the beginning. There has been five lots for sale all along. The only reason for a variance is so Mrs. Pamela Matthews and Mr. Andy Terrell can enrich their pockets. Mrs. Matthews was offered a 400 % profit over what her father paid for those lots, but that was not good enough she has to have a 4000 % profit. Plus those lots have always been in a flood path. She does not live here and has no intentions of living here. Her Motivation is strictly profit. I live here and have worked hard to bring my property up to it's current value of \$160,000, which was appraised by the bank. Now you have granted them the approval to build a much smaller house on two lots 100'x20' next to my home. Where is the justice in that? I have a total of 18 lots and pay almost \$3000 in property taxes a year. I have a wife and two children that I have plan to raise here. My motivation here is to save and protect my investment.

We have always been for another house on those five lots. We believe that the only way

to build a house of comparable value, is to build one house on all five lots. Anything less than that takes away from the value of my home and Mr. & Mrs. Wallace Roos home.

Therefore, I request along with my neighbor Mr. Wallace Roos, that you rescind your granting of this variance. I shall await your speedy response to this letter. Thank you.

Sincerely,

Marcus B. Jackson

cc:

Mr. & Mrs. Wallace Roos
Mr. Donald S. Hawkins, President
Halethorpe Community Assoc.
Mr. Dutch Ruppertsberger, County Exec.
Mr. Stephen G. Samuel Moxley,
1st. District Councilman

LAW OFFICE
Marc N. Peitersen
1055 Ingleside Avenue
Catonsville, Maryland 21228
(410) 788-2010
Fax (410) 788-2012

October 4, 2002

County Board of Appeals of Baltimore County
Attn: Kathleen C. Bianco, Administrator
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

Re: In The Matter of: Pamela Matthews, 23 Glenwood Avenue,
13th Election District; 1st Councilmanic District
Case No. 02-202-A

To Whom It May Concern:

Please enter my appearance as attorney for Pamela Matthews in the
above-captioned matter. Please forward all notices and decisions to my attention at the
above address.

Very truly yours,



Marc N. Peitersen

MNP/mds

RECEIVED

OCT 07 2002

**BALTIMORE COUNTY
BOARD OF APPEALS**

**BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION**

IN THE MATTER OF: Pamela Matthews – Legal Owner;
Andy Terrell – CP Case No. 02-202-A

DATE : Tuesday, October 2, 2002

BOARD /PANEL : Lawrence M. Stahl (LMS)
C. Lynn Barranger (LB)
Melissa Moyer Adams (MMA)

SECRETARY : Kathleen C Bianco /Administrator

PURPOSE: To deliberate Case No. 02-202-A /Petition for Variance to permit proposed single-family dwelling to have front yd depth of 25', a rear yd depth of 35; and side yd depth of 7', and a sum of the side yards of 14' in lieu of required 40', 40', 15' and 10' respectively; and to approve undersized lot.

Board convened for deliberation after brief recess at conclusion of hearing. Upon explanation of deliberation process, discussed following:

- ◆ 307.1 – variance request; reviewed language of law
 - Uniqueness – 1st prong; special /unusual circumstances
 - *Cromwell v. Ward* – both must exist; but initial is unique; unusual impact on that piece of property
 - Then on to practical difficulty /unusual hardship
 - Read from *Cromwell* – inherent difference not shared; high barrier
- ◆ *North v. St. Mary's County* – also reviewed this case; Applicant bears burden
- ◆ Argument that “others have done it” – other property owners may have done same thing – is not the basis for granting a variance; cited from *Cromwell* as to this argument
 - Other arguments given – no one objected
 - Again discussed purpose of variance and *Cromwell*
 - No evidence of uniqueness
 - Because others have done it does not make it legal
- ◆ CP Terrell was not in attendance at hearing; only property owner
 - Could house have been built differently
 - Could house be built within the law
 - Could not answer these questions since contract purchaser did not attend
- ◆ Change must be made based on the law
- ◆ no evidence to support granting of requested variance

LMS – not unique; need go no further; request is denied

CLB – Nothing in evidence; in fact, there was evidence to contrary; requested denied

MMA – Agrees; not unique; requested variance denied

Upon determination that Petitioner has not met her burden under 307.1 of the BCZR and *Cromwell v. Ward*, the requested variance is denied; written Opinion and Order to be issued by the Board; appellate period to run from date of written Order and not today's date.

NOTE: These minutes, which will become part of the case file, are intended only to indicate for the record that a public deliberation took place this date regarding this zoning case. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by this Board.

Respectfully submitted


Kathleen C. Bianco, Administrator
County Board of Appeals



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

March 7, 2002

Mr. Andy Terrell
2967 Gillis Falls Road
Mount Airy MD 21227

Dear Mr. Terrell:

RE: Case No. 02-202-A, 23 Glenwood Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on March 5, 2002 by Marcus B. Jackson. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

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

Arnold Jablon GDZ
Director

AJ: gdz

c: Mr. Donald S Hawkins, c/o Halethorpe Civic League, 1919 Woodside Avenue,
Baltimore 21227
Mr. Marcus Jackson, 1924 Hannah Avenue, Baltimore 21227
Ms. Pamela Matthews, 39 Colony Hill Court, Baltimore 21227 - New address - see file
People's Counsel



3/6/02
WCH
Appeal
George
Handle
3/6/02
WCH

Mr. Arnold Jablon, Director - PDM
Baltimore County Building
111 West Chesapeake Ave., Room 111
Towson, Maryland 21204

1924 Hannah Ave.
Baltimore, Maryland 21227
March 3, 2002

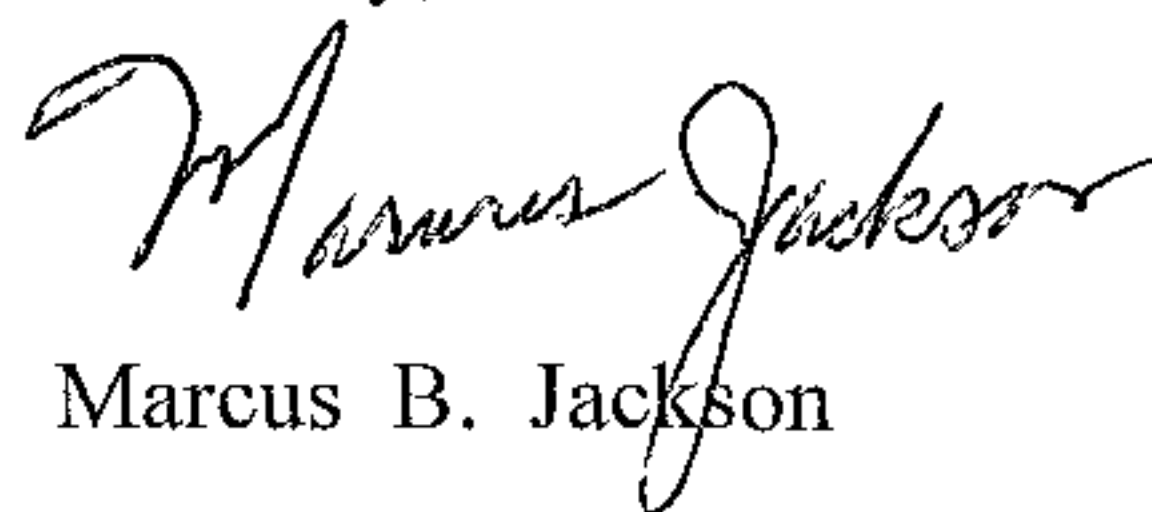
Ref: Case No. 02-202-A, Petition for Variance

Dear Mr. Jablon:

This letter is my request for an appeal in the above mention case. I have enclosed a check for \$210. as instructed. I have also included a copy the letter I wrote to Mr. Timothy M. Kotroco in my discuss upon reading his decision regarding case no. 02-202-A.

Should you have any questions please feel free to contact at home at 410 247-7123 or work I can be reached at 410 381-3113 ext. 287. I shall await your speedy response to this letter. Thank you.

Sincerely,


Marcus B. Jackson

cc:

Mr. & Mrs. Wallace Roos
Mr. Donald S. Hawkins, President
Halethorpe Community Assoc.

3/12/02

~~Dear~~
To Whom It May Concern,

This is the 5th time that I have tried
to change my address. Please change my
address.

Case No 02-202-A

old address: 39 Colony Hill Court
Baltimore, Md. 21227

NEW ADDRESS:
910 Prestwood Rd
CATONSVILLE, Md 21228

Thank you in this matter.

Pamela Moore Matthews

02 MAR 16 PM 12:10

1-16-02

TO

ANDY

301 829 8055

1-14

Talked in Andy
Terrell sign not
posted told him
I had to postpone
and reschedule

Ang

PLEASE PRINT CLEARLY

~~CITIZEN~~ SIGN-IN SHEET

#02-202-A

PETITIONER

NAME

ADDRESS

Pamela Moore - Matthews
DAVID L. Matthews

910 Prestwood Rd.
910 Prestwood Rd.
51228



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

#02-202-A

Protestants

NAME

ADDRESS

DONALD S. HANKINS
Pres. Habitat for Humanity

1919 WOODSIDE AVE
HALL HARBOR MD 21227

Marcus Joe Koon

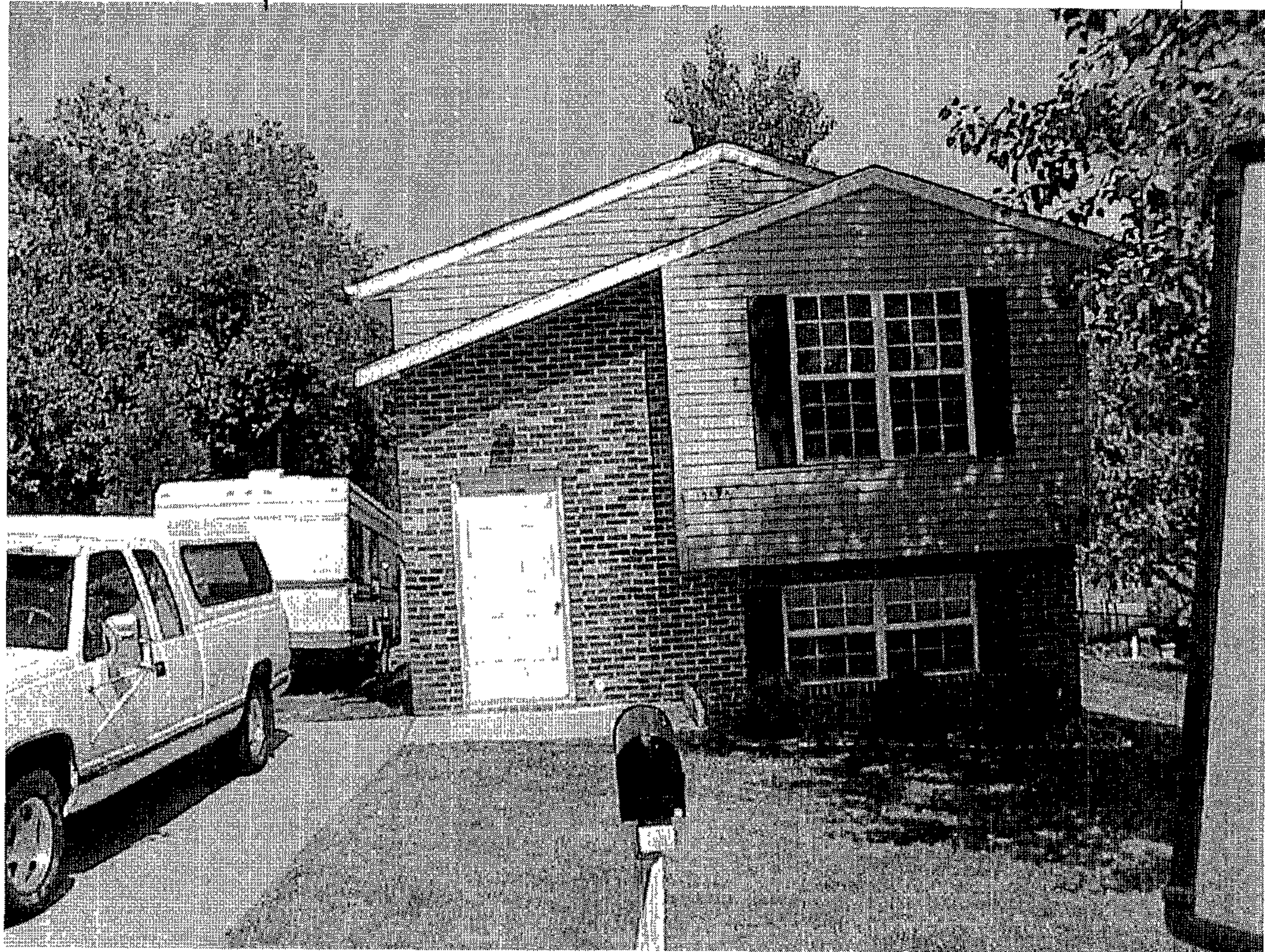
1924 Hannah Ave
Next door 21227



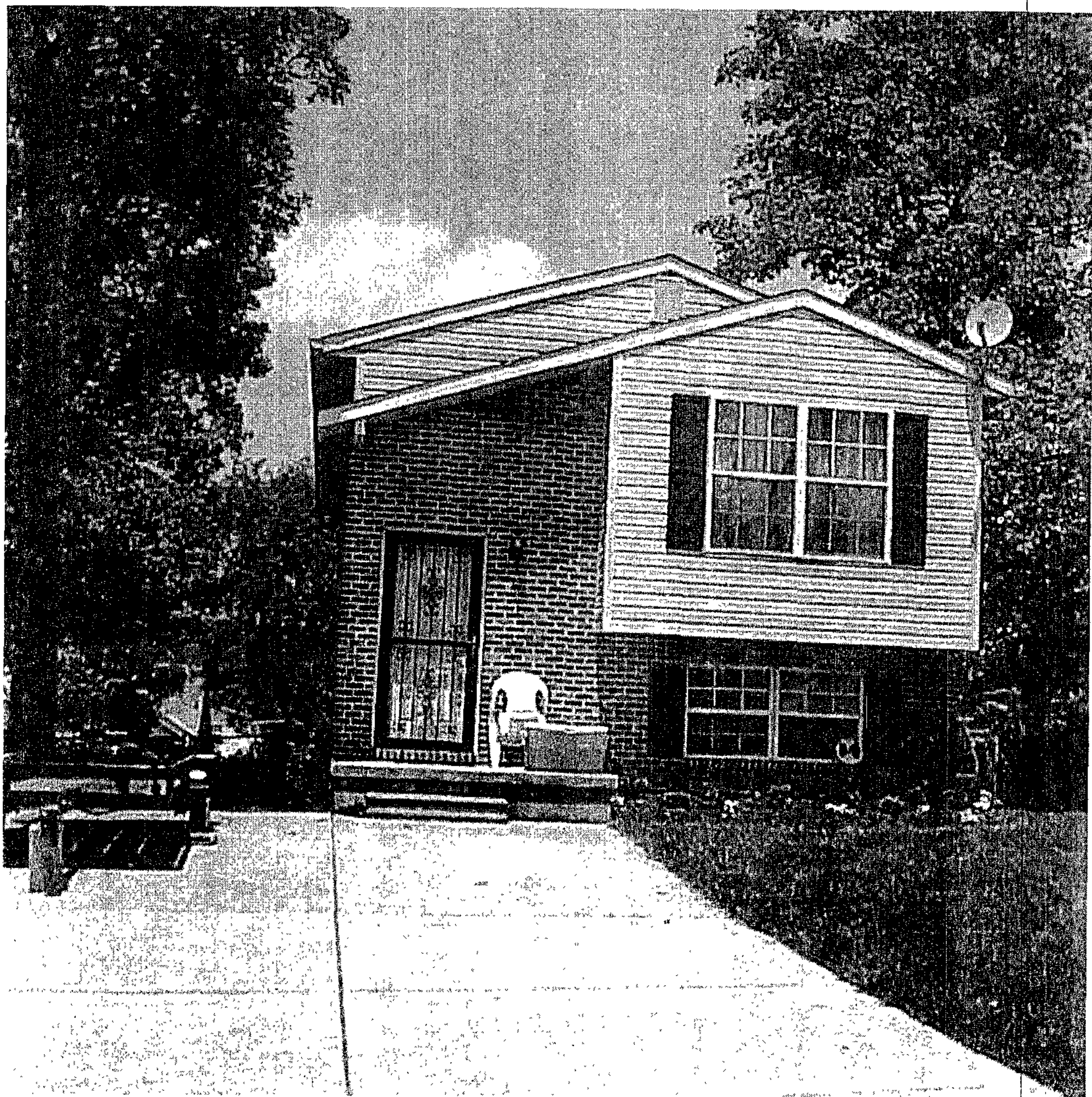
A DSCN06 BUILDINGS



Proposed Elevation



170 Scrum Building







A D S O M E S U C C I N G S



AD SOME BUILDINGS





02-202-A.

PROPERTY ADDRESS: Lot 10-11 Hanna Ave

Subdivision name: Halethorpe Terrace

Plat book # 7, folios 72, 101-101, sections J

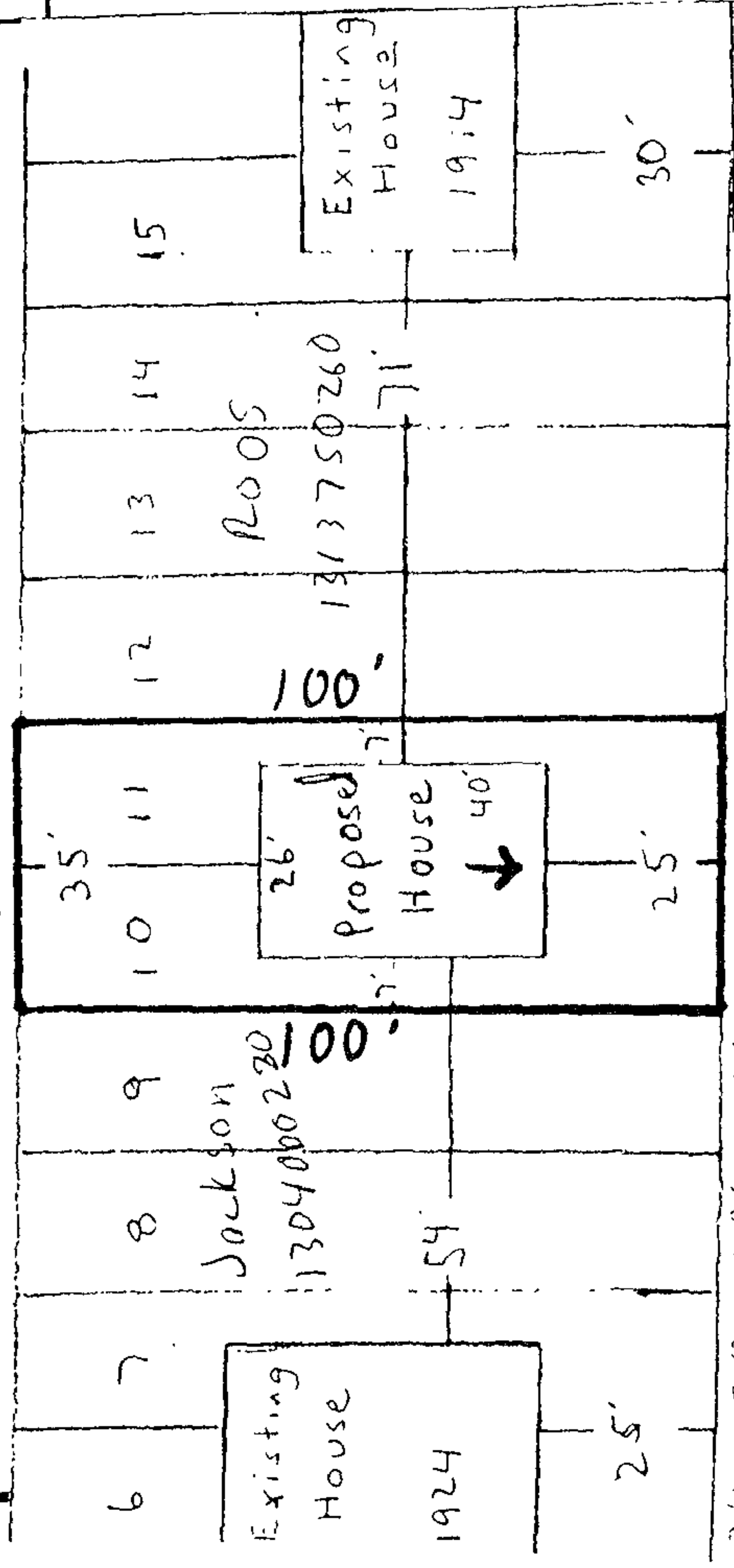
OWNER: Pamela Matthews

Commercial
Use

508' to Catanna Ave

1" = 30'

40'

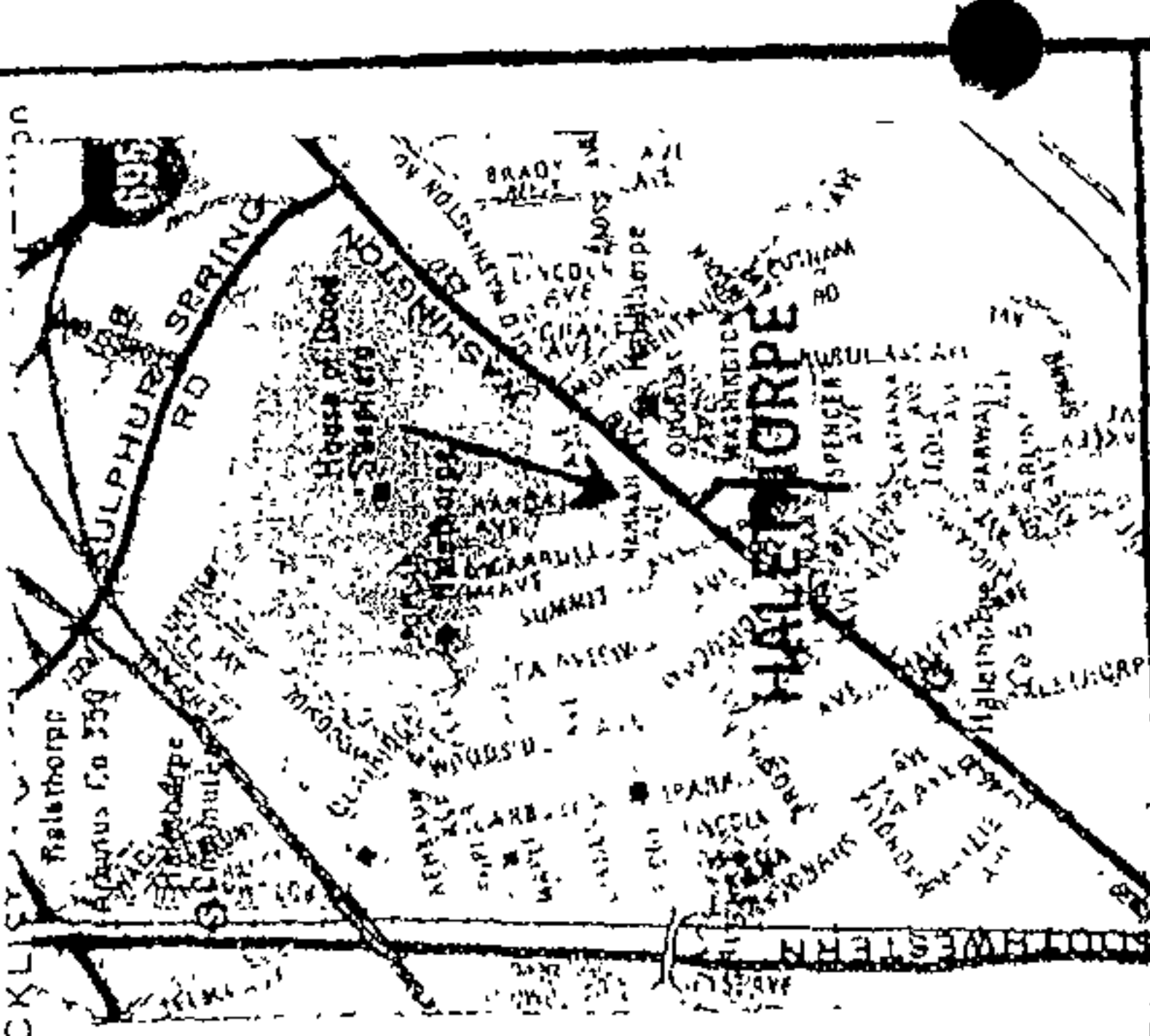


40'

HANNA AVE

2-D

30' wide



LOCATION INFORMATION

Election District 13

Councilmanic District First

1"-200 scale map. SW, ED

Zoning DK2

Lot size 0.095 acreage 4,000 square feet

SEWER. ☒ PUBLIC ☐ PRIVATE
WATER. ☒ PUBLIC ☐ PRIVATE
Chesapeake Bay Critical Area. ☐ ☒

Prior Zoning Hearings.

NONE

Zoning Office USE ONLY!

reviewed by: ITEM # CASE #

JDD

02-202A

Plat to accompany Petition for Zoning [X] Variance

PROPERTY ADDRESS: Lot 10-11 Hanna Ave

Subdivision name: Halethorpe Terrace

Plat book # 72, folio 10-11, section J

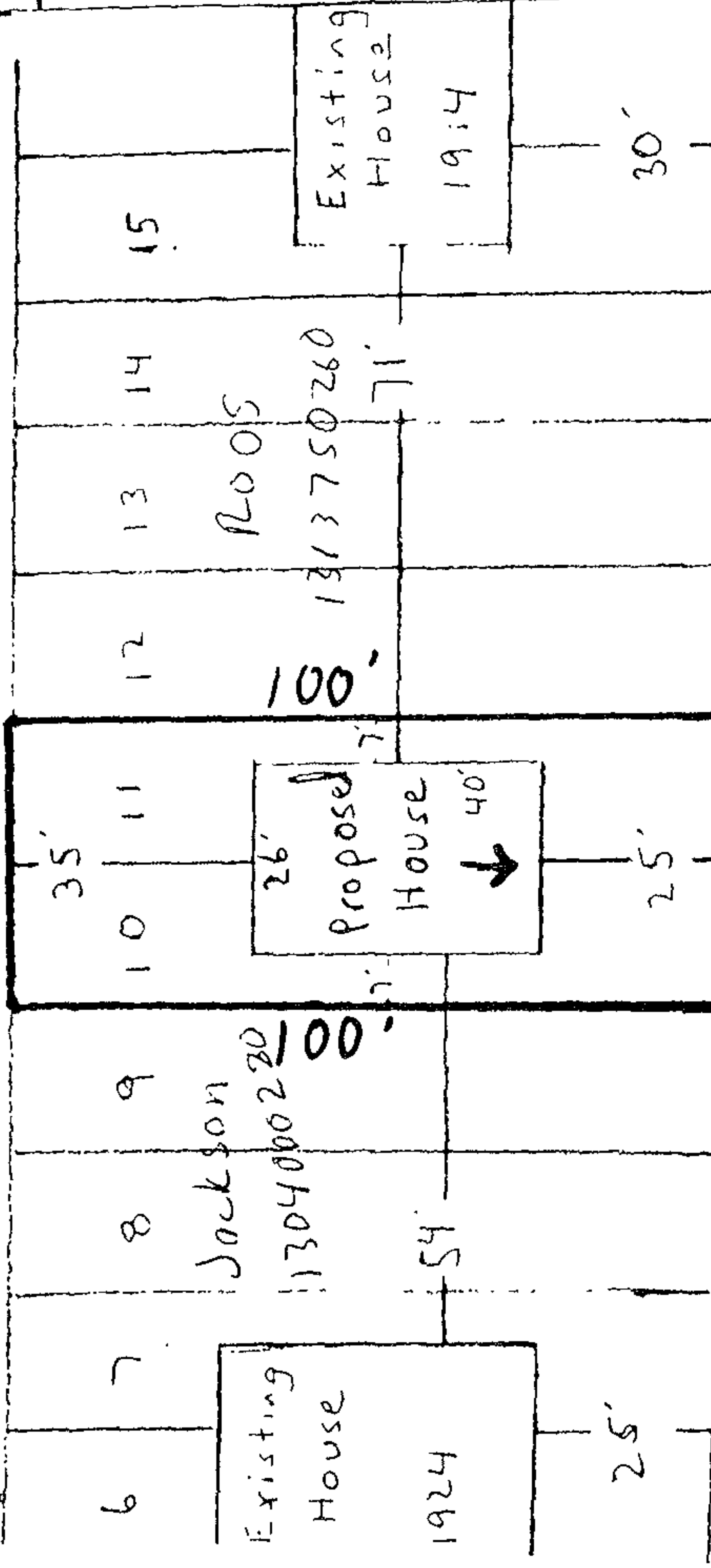
OWNER: Pamela Matthews

Commercial
USE

508' to Catanna Ave

1" = 30'

40'

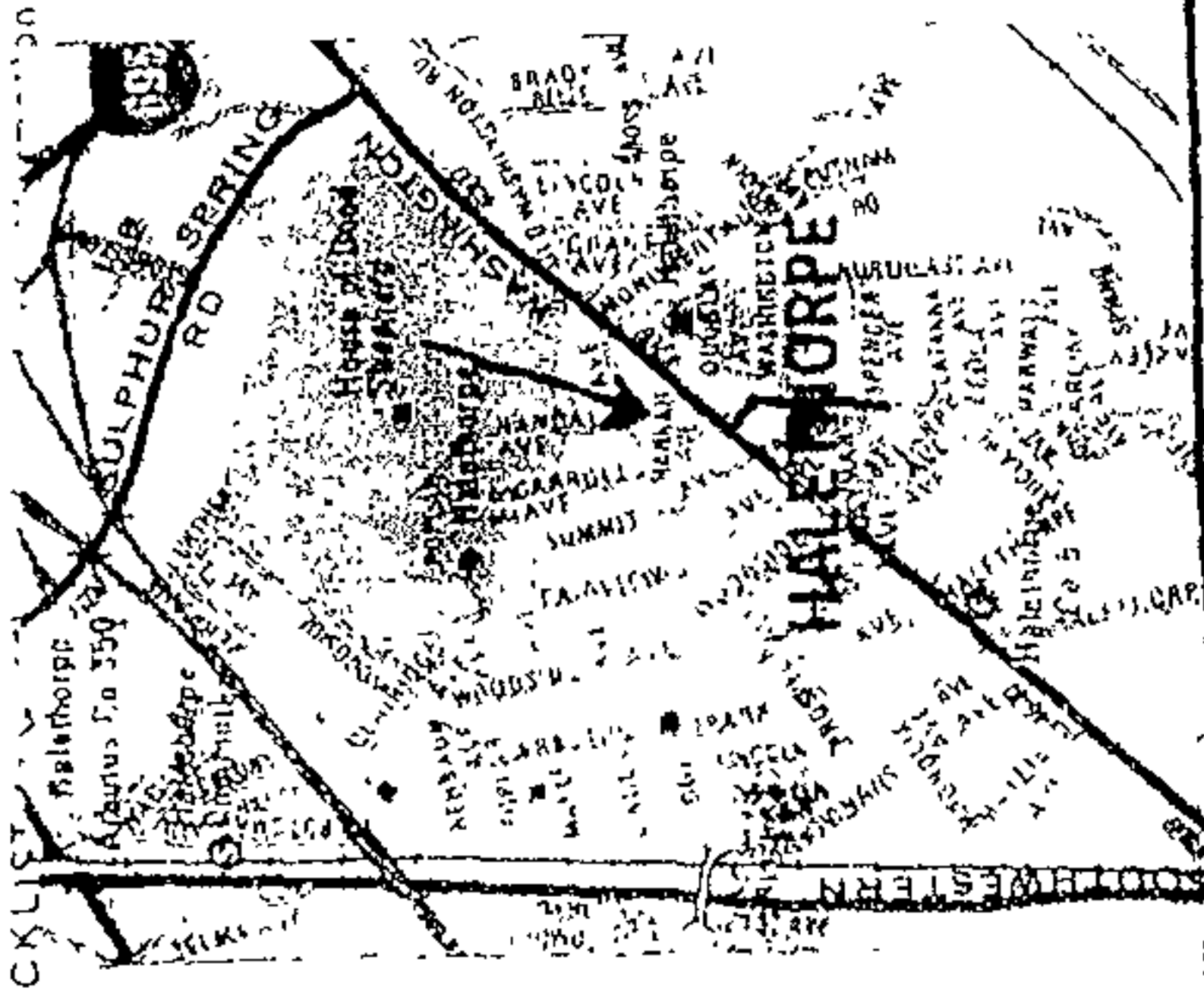


40'

HANNA AVE

2-D

30' WIDE



LOCATION INFORMATION

Election District 13

Councilmanic District First

1" = 200 scale map. SW, ED

Zoning DK2

Lot size .095 acreage 4,000 square feet

SEWER ☒ PUBLIC ☐
WATER ☒ PUBLIC ☐
Chesapeake Bay Critical Area ☐

Prior Zoning Hearings

NONE

Zoning Office USE ONLY!

reviewed by: ITEM CASE#

ESB

02-202A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: Lot 10+11 Hanna Ave

see pages 5 & 6 of the CHECKLIST

Subdivision name: Halethorpe Terrace

Plat book # 7 folio # 72 lot # 10+11 section # J

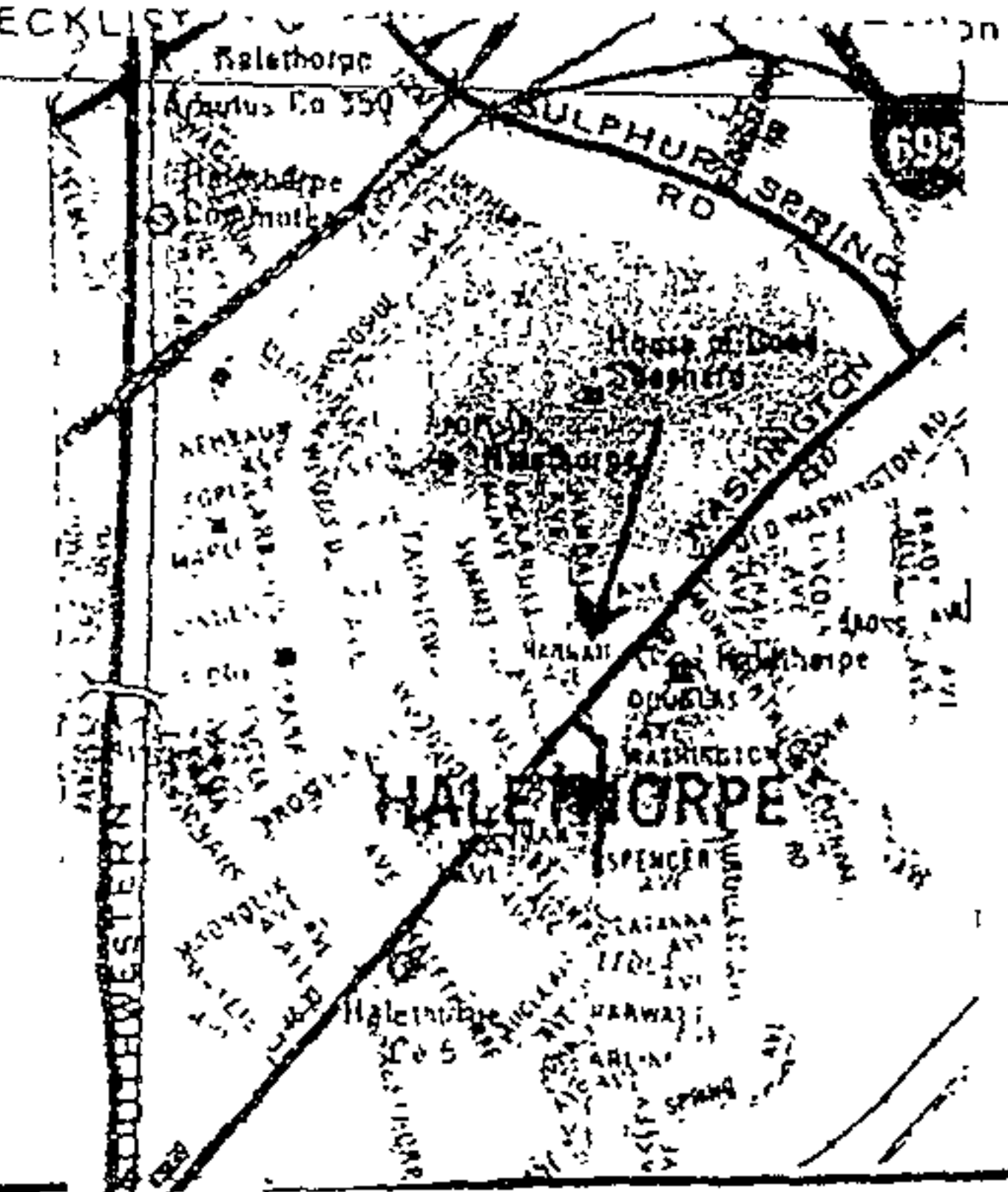
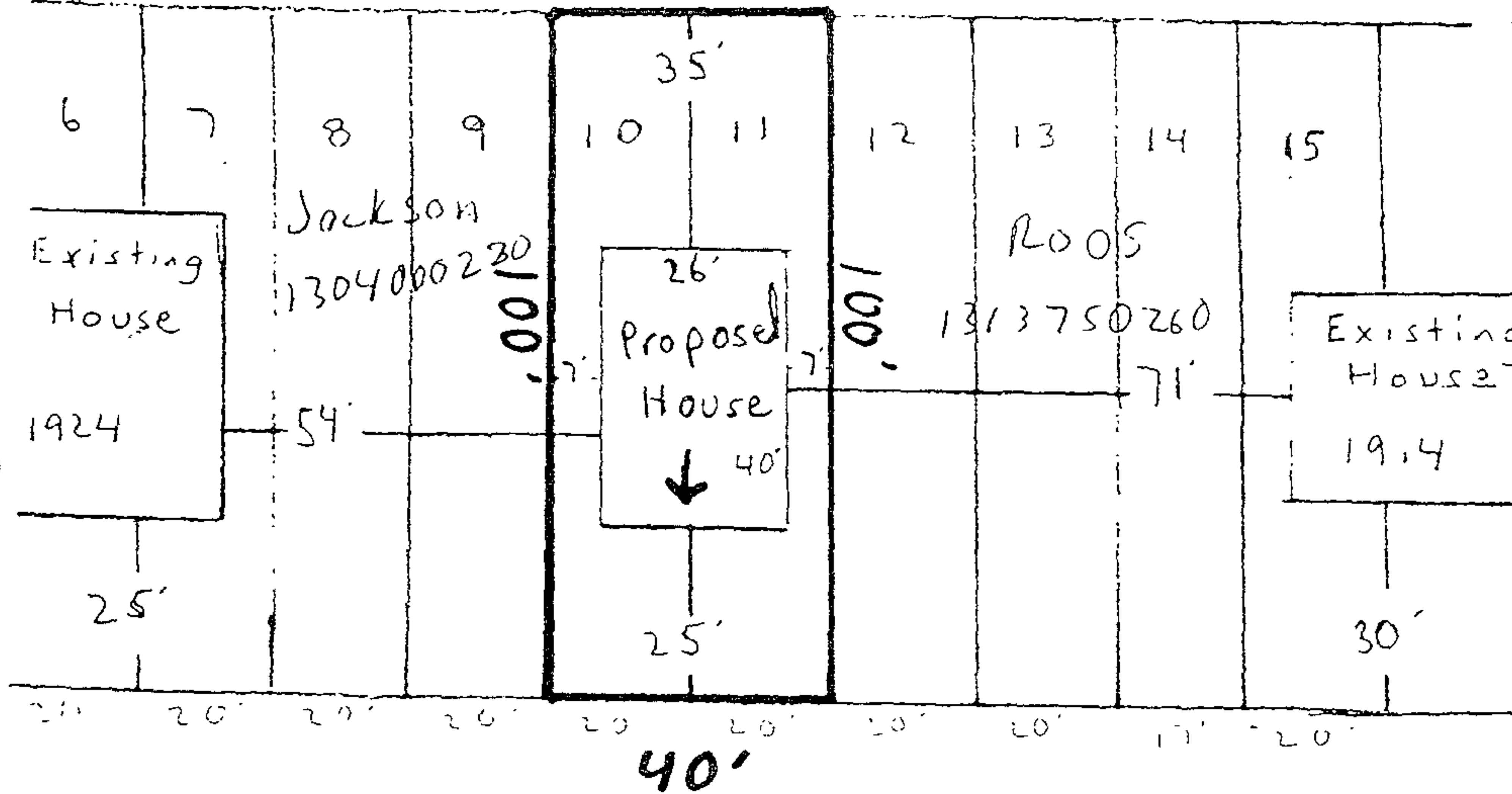
OWNER: Pamela Matthews

Commercial USE

← 508' to Catanna Ave

1" = 30'

40'



LOCATION INFORMATION

Election District 13
 Councilmanic District First
 1"=200 scale map # SW, ED
 Zoning DK2
 Lot size .095 4,000
 acreage square feet

SEWER ☒ ☐
 WATER ☒ ☐

Chesapeake Bay Critical Area ☐ ☒
 Prior Zoning Hearings NONE

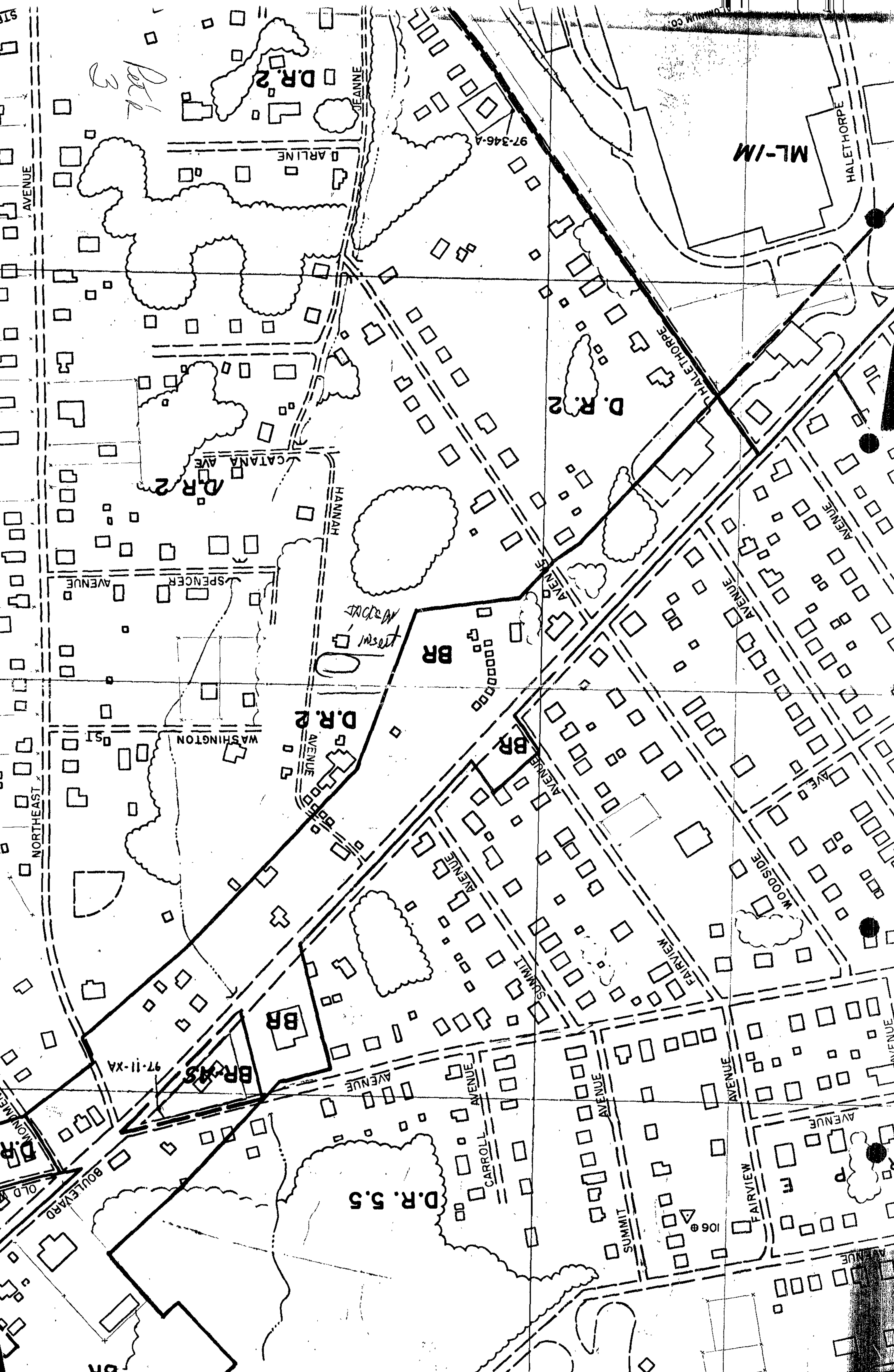
Zoning Office USE ONLY!

reviewed by: STH ITEM # 022027 CASE # 022027

2-D HANNA AVE
 30' WIDE

for #1

Ref Ex #1



Listing Summary

Address	Lot SF	Year Built
• HANNAH AVE	4,000	0
• HANNAH AVE	4,000	0
• HANNAH AVE	4,000	0
• HANNAH AVE	3,200	0
• HANNAH AVE	4,000	0
• HANNAH AVE	4,000	0
• HANNAH AVE	4,000	0
• HANNAH AVE	4,000	0
• HANNAH AVE	285	0
• HANNAH AVE	4,000	0
• HANNAH AVE	4,050	0
• HANNAH AVE	4,000	0
• HANNAH AVE	15,120	0
• HANNAH AVE	4,000	0
• HANNAH AVE	4,000	0
• HANNAH AVE	1,425	0
• HANNAH AVE	990	0
• HANNAH AVE	3,216	0
• HANNAH AVE	1,496	0
• HANNAH AVE	1,892	0
• HANNAH AVE	6,480	0
• HANNAH AVE	4,000	0
• HANNAH AVE	2,000	0
• HANNAH AVE	5,652	0
• 809 HANNAH AVE	4,792	1915
• 1909 A HANNAH AVE	5,600	1988
• 1911 HANNAH AVE	6,600	1950
• 1914 HANNAH AVE	13,227	1982
• 1924 HANNAH AVE	6,100	1954
• 1934 HANNAH AVE	4,000	1980
• 1937 HANNAH AVE	4,700	1935
• 1938 HANNAH AVE	2,058	1980
• 1945 HANNAH AVE	5,148	1994
• 1949 HANNAH AVE	4,000	1980

*For info
Gladys L. Ortiz
Harrisburg, Pa*

But

Listing Summary

<u>Address</u>	<u>Lot SF</u>	<u>Year Built</u>
1953 HANNAH AVE	2,000	0
1953 HANNAH AVE	4,000	1980

Instantants 1a-1c (3)
" 29-2i (9)

12 photographs

02-202-14

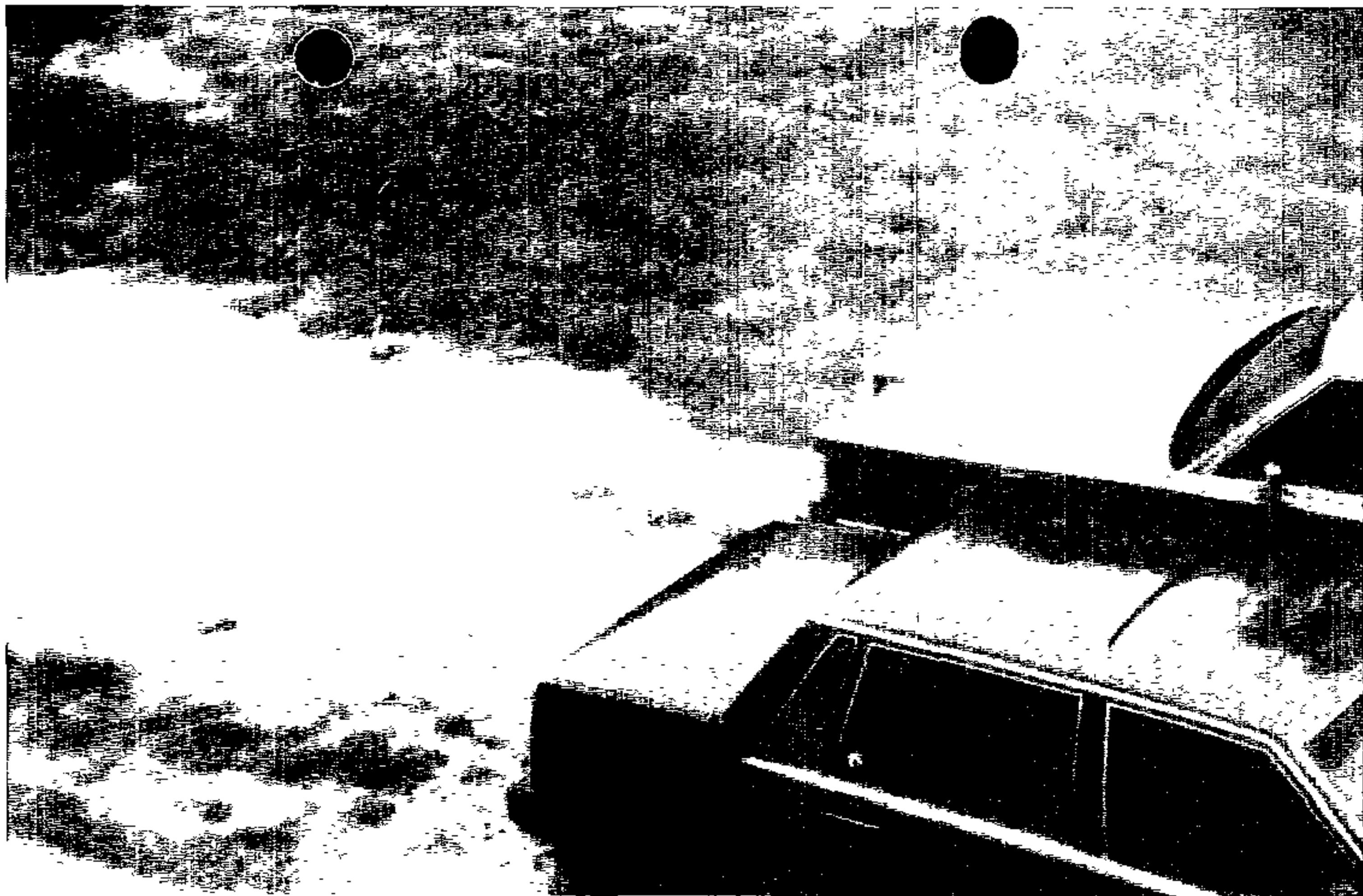
MaxHeuer











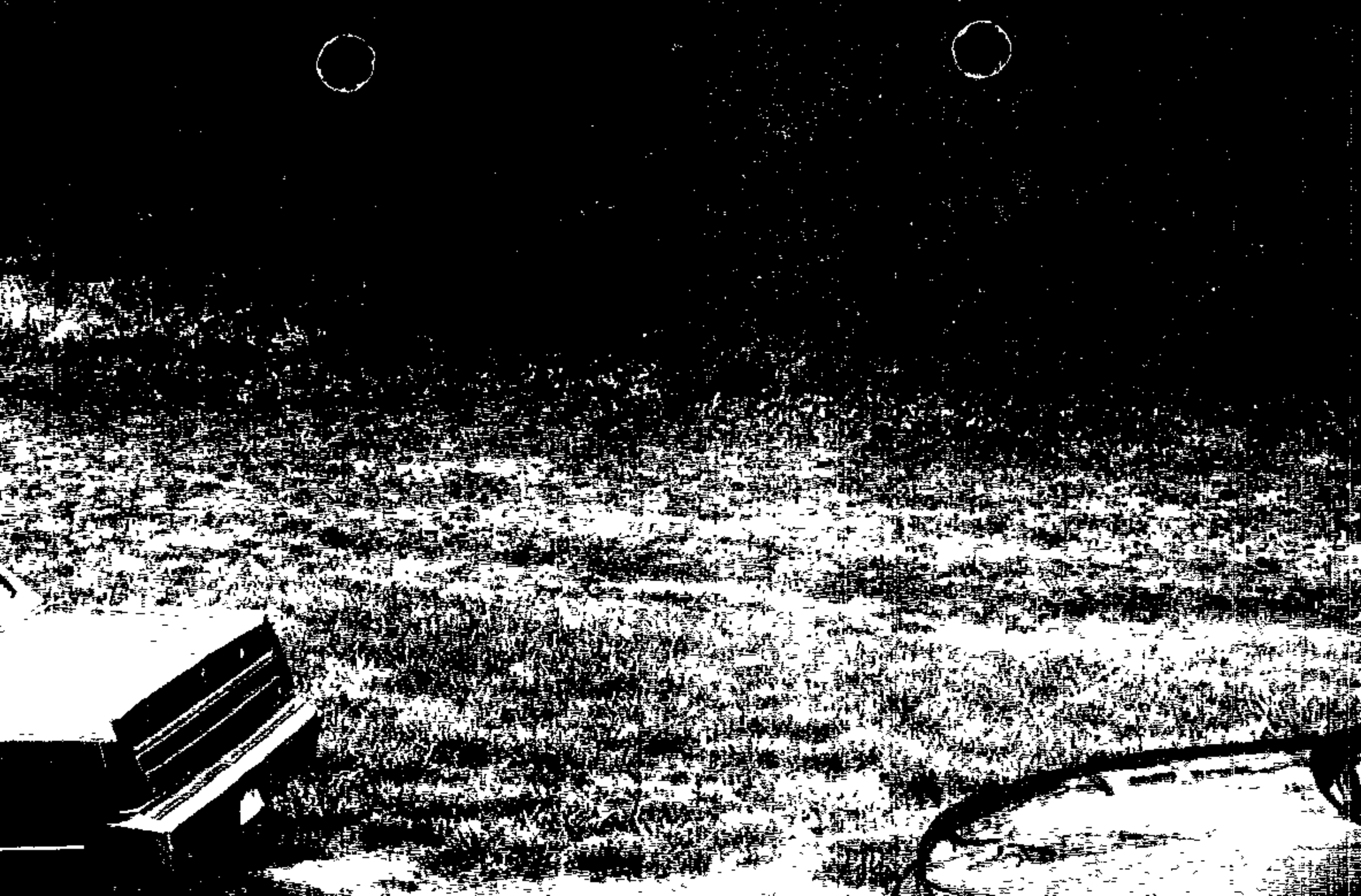














Copies to:

- Mr. Donald S. Hawkins, President
c/o Halethorpe Civic League
- Hon. Dutch Ruppersberger, County Executive
- Hon. Stephen G. Samuel Moxley

Copies to:

Mr. Andy Terrell
2967 Gillis Falls Road
Mount Airy, MD 21227

Mr. Marcus Jackson
1924 Hannah Avenue
Baltimore, MD 21227

Mr. Donald S. Hawkins, President
c/o Halethorpe Civic League
1919 Woodside Avenue
Baltimore, MD 21227