FOR FILING ORDER REC

IN RE: PETITION FOR VARIANCE SW/S Park Drive, 104' W of the c/l

> Bauernschmidt Drive (2204 Park Drive) 15th Election District 5th Council District

> Gary Galloway, et ux **Petitioners**

- BEFORE THE
- ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 02-347-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Gary and Kathleen Galloway. The Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 70 feet; to allow a sum of the side yards of 20 feet in lieu of the required 25 feet; and a lot area of 8,000 sq.ft. in lieu of the minimum required 10,000 sq.ft.; and, from Section 304 of the B.C.Z.R. to approve the subject property as an undersized lot and any other variances as may be deemed necessary or required by the Zoning Commissioner to allow development with a single family dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite hearing in support of the request were Gary and Kathleen Galloway, property owners, Vincent Moskunas, the consultant who prepared the site plan for this property, and Jeff Holt, Contractor. There were no Protestants or other interested persons present.

The public hearing in this case was held in conjunction with the hearing in another matter (Case No. 02-346-A) in which variance relief was considered for adjacent Lots 112 and 113 of Bauernschmidt Manor, also known as 2200 Park Drive. A separate Order was issued in that case. The subject case relates to Lot 114. As noted in the companion case, the Petitioners own three adjacent lots of record, namely Lots 112, 113 and 114, in the waterfront community known as Bauernschmidt Manor. As is the case with many older communities in Baltimore County,

Bauernschmidt Manor was platted and recorded in the Land Records of Baltimore County prior to the adoption of the zoning regulations. Thus, many of the lots are undersized or lack sufficient width to meet current requirements. Moreover, in that this property is located on the water, additional environmental regulations and Chesapeake Bay Critical Areas legislation need be met for development to occur. Thus, a series of variances have been requested in order to proceed as proposed.

As noted in companion Case No. 02-346-A, Lots 112 and 113 are collectively improved with a single family dwelling, which has been the Petitioners' residence for many years. Lot 114 is improved with a garage, which has been historically used as an accessory structure to the existing dwelling on the adjacent property. The Petitioners proposed razing the garage and constructing a new single family dwelling in its place. As shown on the site plan, the proposed dwelling will be a ranch-style with one floor on a building envelope 52' x 32' in dimension. It was indicated that the old dwelling will remain as it exists and be occupied by Mr. Galloway's father, who is elderly. The family believes that the elder Mr. Galloway should live close by and in a one-story dwelling. Given the relatively small size of the existing building, it was decided to relocate him to the old structure and Mr. & Mrs. Galloway will reside in the new dwelling.

At the hearing, Mr. Moskunas identified another variance. Apparently, during discussions with the Department of Environmental Protection and Resource Management (DEPRM), the Petitioners were advised that the new dwelling need maintain the maximum distance from the house to the bulkhead and water. In this regard, an amended site plan was submitted into evidence as Petitioner's Exhibit 2, which shows a 96-foot setback from the rear building wall to the bulkhead. I am appreciative of DEPRM's concerns and the need to abide by the Chesapeake Bay Critical Areas regulations. Obviously, the protection of the Bay and its tributaries is a paramount public concern. However, to locate the building such a distance from the bulkhead creates an adverse impact insofar as certain Planning/Zoning issues. Specifically, Section 303.1 of the B.C.Z.R. requires that the setback of the house from the street be consistent with the average setback of adjacent houses within 200 feet of either side of the subject property.

ORDER FRED TO FILING Date.

The Section further provides that the maximum setback be 50 feet. In this case, relocating the house closer to the front of the lot will result in a setback of only 30 feet from the centerline of Park Drive. Thus, a variance from Section 303.1 of the B.C.Z.R. was requested at the hearing to allow a 30-foot setback to the centerline of Park Drive in lieu of the required 50 feet.

In my view, requiring a 30-foot setback to Park Drive creates adverse impacts upon development of this property. First, the house will be located far closer to the road than any of the other houses in this block and thus, present an inconsistent pattern of development along this road. Secondly, moving the house so close to the road will diminish the owners' enjoyment and view from the rear of the building. With the house so close to Park Drive, the Petitioners will be unable to view the river from the back of their house, owing to the location of the adjacent dwelling at 2206 Park Drive. Obviously, the chief attribute of this property is its waterfront location, which would be significantly diminished by locating the house so far from the river. Finally, it is to be noted that the existing garage is located but 59 feet from the rear (waterfront) property line. As noted above, DEPRM requests that the house be located 96 feet from the bulkhead, a significant distance further back than the existing garage. Given the fact that the garage has existed at that location for many years, there is little justification for requiring the setback DEPRM requests.

Therefore, in consideration of all of the testimony and evidence presented, I am persuaded to grant relief to allow a 40-foot setback to the centerline of Park Drive. That is, the house shall be shifted 10 feet closer to the water. This will still allow for an 86-foot setback from the bulkhead, which is a distance significantly greater than the existing garage and the neighboring property at 2206 Park Drive. I trust that DEPRM will accept this compromise and that it is an appropriate resolution to this issue. Both the zoning and environmentally required setbacks will be modified; however, one will not be preserved to the significant detriment of the other. With this modification, the Petition for Variance shall be granted.

Subsequent to the hearing, this Zoning Commissioner received notification that DEPRM agreed to the modified relief granted above and the Petitioners submitted a revised site plan incorporating same. That plan has been marked as Petitioner's Exhibit 1A and has been

ORDER RECEWED FOR FILING

Bate

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incorporated into the case file. It is also to be noted that the Office of Planning supports the variance requests in this case. The Petitioners also indicated that they have discussed their proposal with their neighbors and that there is no opposition. I will also require compliance with Federal Floodplain regulations and Chesapeake Bay Critical Areas regulations.

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

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Chesapeake Bay Critical Areas regulations and the Federal Flood Insurance guidelines.
- 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.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

IN THE MATTER OF BEFORE THE THE APPLICATION OF GARY D. AND KATHLEEN M. GALLOWAY -COUNTY BOARD OF APPEALS LEGAL OWNERS FOR VARIANCE ON PROPERTY LOCATED ON THE SW/S PARK @ DISTANCE OF OF 104' W C/L BAUERNSCHMIDT DRIVE (2204 PARK DRIVE) (Case No. 02-347-A) BALTIMORE COUNTY AND FOR VARIANCE ON PROPERTY LOCATED ON Case No. 02-347-A and SW/S PARK @ DISTANCE OF 20' W C/L Case No. 02-346-A BAUERNSCHMIDT DRIVE (2200 PARK DRIVE) (Case No. 02-346-A) 15th Election District 5th Councilmanic District

ORDER OF DISMISSAL OF PETITION (02-347-A) and DISMISSAL OF APPEAL (02-346-A)

The subject cases came to the Board on appeals filed by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, from the decisions of the Zoning Commissioner dated April 24, 2002 in Case No. 02-347-A and Case No. 02-346-A in which the requested relief was granted with restriction.

WHEREAS, the Board is in receipt of a letter of withdrawal of Petition for Variance dated August 1, 2002, filed in Case No. 02-347-A by J. Neil Lanzi, Esquire, Counsel for Gary D and Kathleen M.

'Galloway, Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, the Board is in receipt of letter of withdrawal of appeal dated August 1, 2002, filed in Case No. 02-346-A by Carole S. Demilio, Deputy People's Counsel for Baltimore County, (a copy of which is also attached hereto and made a part hereof); and

WHEREAS, Mr. Lanzi on behalf of Petitioners requests that the Petition for Variance filed in Case No. 02-347-A for the property known as 2204 Park Drive be withdrawn as of August 1, 2002, for reasons as stated therein,; and

WHEREAS, Ms. Demilio, Deputy People's Counsel, requests that, in consideration of the withdrawal of the Petition for Variance in Case No 02-347-A, the appeal filed in Case No. 02-346-A be withdrawn as of August 1, 2002;

In the Matter of: Gary D. and Kathleen M. Galloway <u>Case No. 02-347-A / Dismissal of Petition; Case No. 02-346-A / Dismissal of Appeal</u>

IT IS THEREFORE. this Sth day of Appeals of Baltimore County

ORDERED that said Petition for Variance filed in Case No. 02-347-A for the property known as 2204 Park Drive be and the same is WITHDRAWN AND DISMISSED pursuant to the attached letter of withdrawal, causing the appeal filed in Case No. 02-347-A to become moot; and it is further

ORDERED that the decision of the Zoning Commissioner in Case No. 02-347-A (2204 Park Drive), including any and all relief granted to Petitioners therein, is rendered null and void; and it is further

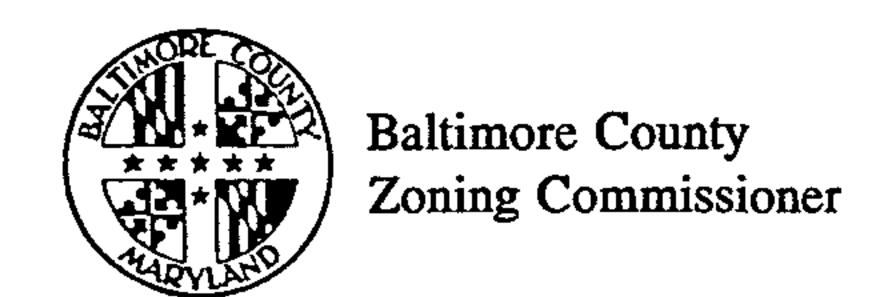
ORDERED that the appeal filed in Case No 02-346-A for the property known as 2200 Park Drive be and the same is hereby WITHDRAWN AND DISMISSED, allowing the ruling of the Zoning Commissioner in Case No. 02-346-A (2200 Park Drive) to stand as a final Order

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles Marks, Chairman

Lawrence M. Stahl

C. Lynn Barranger



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

Fax: 410-887-3468

April 23, 2002

Mr. & Mrs. Gary Galloway 2200 Park Drive Baltimore, Maryland 21221

RE: PETITIONS FOR VARIANCE SW/S Park Drive, 20' & 104' W of the Bauernschmidt Drive (2200 & 2204 Park Drive) 15th Election District – 5th Council District Gary Galloway, et ux - Petitioners Cases Nos. 02-346-A & 02-347-A

Dear Mr. & Mrs. Galloway:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Variance have been granted, in accordance with the attached Orders.

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

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Vincent Moskunas, Site Rite Surveying, Inc. 200 E. Joppa Road, Room 101, Towson, Md. 21286 Chesapeake Bay Critical Areas Commission, 1804 West Street, Suite 100, Annapolis, Md. 21401

DEPRM; Bureau of Development Plans Review; People's Counsel; Case/File



Petition for ariance

to the Zoning Commissioner of Baltimore County

for the property located at 2204 Park Drwc

which is presently zoned 2.2.3.5

	This Petition sha	ll be filed with the D	Department of Per	mits and Developn	nent Management. Th	e undersigned, legal
	owner(s) of the pro	operty situate in Baltin	nore County and w	/hich is described in	the description and plat	attached hereto and
→.	, made a part hereo	f, hereby petition for a	a Variance from Se	ection(s) /BOZ.	3.C.I BCZR +	304 BCZR
10 0	ition it mmn. Sim	1 OT STOWNWAS	ot put in li	ev of the real	wid 15' To allo	W a lot minth
HT.	on the figures at the	required 10.	10 Kilow al	ot area of 80	ou st in new ot	the reasured
10.1	100 SF. And to a	pprove an undu	sized lot per	section 304	and to approve	and other
,	a working Zoning Regi	ulations of Baltimore	County, to the zon	ing law of Baltimore	County, for the following	g reasons: (indicate
	Barachia ar bracha	Al Aiddia: Ilb./\ Y				•
1. 40	t of record on plat	- of "Bauwnschu	mat Manor r	econoud in 1940.	let maths are p	eauminant uj

50' widths; lot muths as minimal as 25' frontage

2. Relief regrested is in harmony W/ the general spirit and intent of BCZP

3. Strict compliance W/ BCZR would result in undue restrictions for the intended paramited use of the lot.

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.

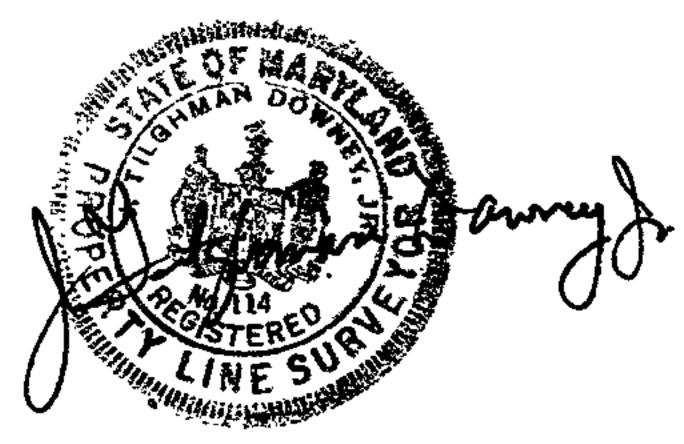
		I/We do solemnly declare and affirm, under the penalties perjury, that I/we are the legal owner(s) of the property wis the subject of this Petition.
Contract Purchase	er/Lessee:	<u>Legal Owner(s):</u>
		GARY D. GALLOWAY
Name - Type or Print		Name - Type or Print Dallouan Jallouan
Signature		Signature KATHLEEU M. GALLOWAY
Address	Telephone No.	Name - Type or Print) // L
City	State Zip Code	Signature Signature
Attorney For Petiti		2200 PARK DRIVE 4003
<u> </u>		Address
Name - Type or Print		ESSEX MD. 2/2 City State Zig
Mane - Type of Finit		- City
Signature	· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted: Bernadutal Moskumus
		Site Rute Surveying Inc.
Company		Name 200 E. Johna Road Room 101 41082
Address	Telephone No.	Address Telephor
		Towson, MD 21286
T y	State Zip Code	City State Zip
3 1		OFFICE USE ONLY
\! U		ESTIMATED LENGTH OF HEARING
02-	211- A	
No02-	341-A	UNAVAILABLE FOR HEARING Date 2/20/

SCA FLOST PLANT

UNDERS12E LOTE

ZONING DESCRIPTION FOR #2204 PARK DRIVE

Beginning at a point on the southwest side of Park Drive which is 20 feet wide at the distance of 104 feet west of the centerline of Bauernschmidt Drive which is 40 feet wide. Being Lot No. 114, Block "G" in the subdivision of "Bauernschmidt Manor" as recorded in Baltimore County Plat Book No. 12, Folio No. 81, containing 8,000 S.F. Also known as #2204 Park Drive and located in the 15th. Election District, 5th. Councilmanic District.



J. Tilghman Downey, Jr.

E OF ZONING HEARING

nissioner of Baltimore County, by ng Act and Regulations of Baltimore blic hearing in <u>Towson</u>, <u>Maryland</u> on therein as follows:

distance of 104' W centerline

/e.

ct - 5th Councilmanic District
thleen & Gary Galloway
total sum of side yards at 20 feet in

25 feet; to allow a lot width of 50 feet
d 70 feet; to allow a lot area of 8000
the required 10,000 square feet and
rsized lot and to approve any other
cessary by zoning commissioner.

ril 12, 2002 at 11:00 a.m. in Room
Building, 401 Bosley Avenue.

r for Baltimore County
gs are Handicapped Accessible; for
ions Please Contact the Zoning Com(410) 887-4386.
n concerning the File and/or Hearing,
leview Office at (410) 887-3391.

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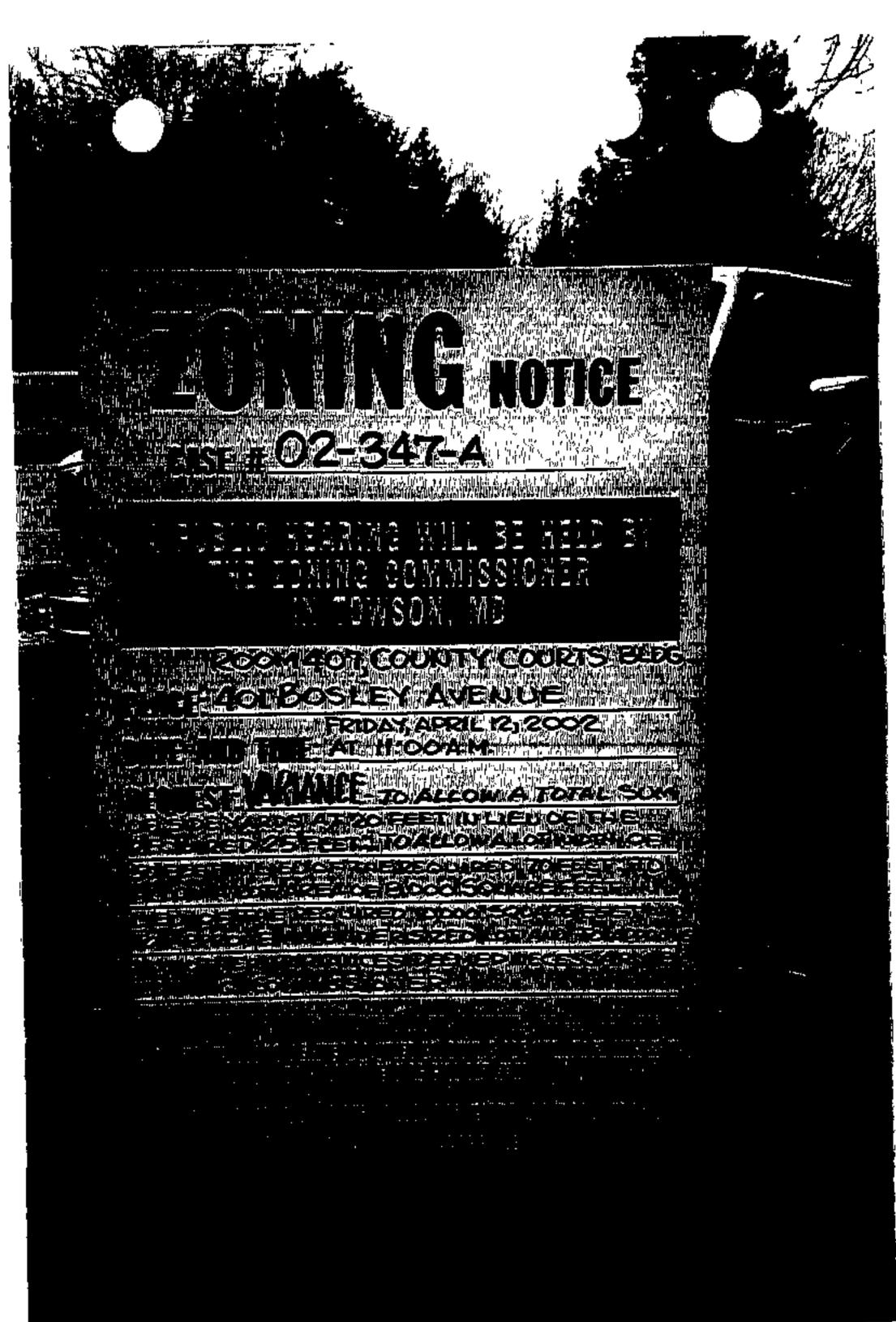
CERTIFICATE OF PUBLICA

328,2002
THIS IS TO CERTIFY, that the annexed advertisemen
in the following weekly newspaper published in Baltimor
once in each ofsuccessive weeks, the first publications
on 326 , 2002 .
The Jeffer ionian
☐ Arbutus Tunes
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LECAL ADVERTI

A STATE OF THE STA Herri iot 55.0) Herri Of. Heltinie County, Haryland 在一位11届。 12/20/2007。16/54/59。 18/34/18 近隔 18/6 18/34/59。 5 军员 海阳的 医界压角形的 虹色药 "S VALIDATION 11,13,13 CASHIER 為信報告 ·利用。 Š 40125 900-Š. C YELLOW - CUSTOMER . ₩| ACCOUNT_ MARYLAND **AMOUNT** OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT Builo/8 Port Varionce The state of the s PINK - AGENCY BALTIMORE COUNTY, 2-20-02-204 DISTRIBUTION WHITE - CASHIER RECEIVED FROM: DATE FOR:





CERTIFICATE OPPOSTING

	RE: Case No.: OLOGO IN
	Petitioner/Developer:
	KATHLEEN & CARY GAROWAY
	Date of Hearing/Closing: 4-12-02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
adies and Gentlemen:	
his letter is to certify under the penalti	es of perjury that the necessary sign(s) required by law
vere posted conspicuously on the prope	erty located at
2200	4 PARK DRIVE
	•
he sign(s) were posted on/	MAR. 25, 2002
——————————————————————————————————————	(Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster and Date)
	GARLAND E, MOORE (Printed Name)
	3225 RYERSONI CIRCLE (Address)
•	BACTIMORE, MD, 21227 (City, State, Zip Code)
	(410) 242-4263 (Telephone Number)

APPEAL SIGN POSTING REQUEST

CASE NO. 02-346-A

GARY AND KATHLEEN GALLOWAY Legal Owners

2200 Park Drive SW/S Park @ distance of 20' W centerline Bauernschmidt Drive

15th Election District

Appealed: 05/17/02

Attachment – (Plat to accompany Petition - Petitioner's Exhibit No.1)

POSTED @ 2200 PARK DR.
6/21/02
CAT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

Item Num	ber or Case Number02-347-A	
Petitioner	Gan Gallowan	
Address o	or Location: 2204 Park Drive	
DIEVSEI		
Name:	FORWARD ADVERTISING BILL TO: Gay Galloway 2200 Park Drive Baltimor, MD 21221	

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 26, 2002 Issue – Jeffersonian

Please forward billing to:

Gary Galloway 2200 Park Drive Baltimore MD 21221

410 283-3499

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: 02-347-A

2204 Park Drive

SW/S Park Drive @ distance of 104' W centerline Bauernschmidt Drive

15th Election District – 5th Councilmanic District

Legal Owner: Kathleen & Gary Galloway

<u>Variance</u> to allow a total sum of side yards at 20 feet in lieu of the required 25 feet; to allow a lot width of 50 feet in lieu of the required 70 feet; to allow a lot area of 8000 square feet in lieu of the required 10,000 square feet and to approve an undersized lot and to approve any other variances deemed necessary by zoning commissioner.

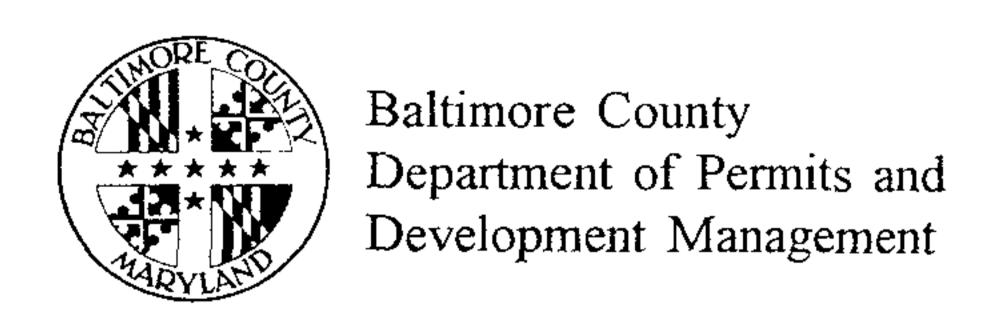
HEARING: Wednesday, April 10, 2002 at 2:00 p.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

Fax: 410-887-5708

March 6, 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:

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Wednesday, April 10, 2002 at 2:00 p.m. in Room 407, County Courts Building,

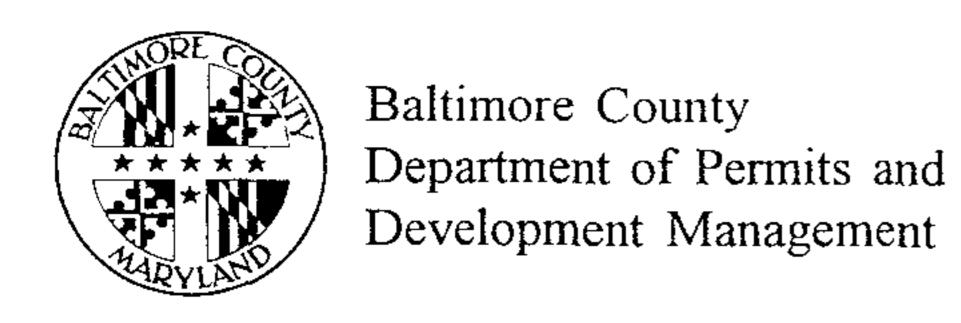
401 Bosley Avenue

Arnold Jablon Director

C: Kathleen & Gary Galloway, 2200 Park Drive, Baltimore 21221 Bernadette L Moskunas, Site Rite Surveying Inc, 200 E Joppa Road, Room 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 26, 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.



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

Fax: 410-887-5708

March 8, 2002

NOTICE OF ZONING HEARING

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CASE NUMBER: 02-347-A

2204 Park Drive

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15th Election District – 5th Councilmanic District

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HEARING: Friday, April 12, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401

Bosley Avenue

Arnold Jablon 602
Director

C: Kathleen & Gary Galloway, 2200 Park Drive, Baltimore 21221
Bernadette L Moskunas, Site Rite Surveying Inc, 200 E Joppa Road, Room 101,
Towson 21286

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- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, March 26, 2002 Issue - Jeffersonian

Please forward billing to:

Gary Galloway 2200 Park Drive Baltimore MD 21221 410 283-3499

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: 02-347-A

2204 Park Drive

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15th Election District – 5th Councilmanic District

Legal Owner: Kathleen & Gary Galloway

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HEARING:

Friday, April 12, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401

Bosley Avenue

LAWRENCE E. SCHMIDT 607 ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



County Board of Appeals of Baltimore County

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

July 10, 2002

FINAL NOTICE OF CONFIRMATION & ASSIGNMENT

CASE #: 02-347-A

IN THE MATTER OF: GARY D. AND KATHLEEN M. GALLOWAY -Legal Owners

2204 Park Drive

15th Election District; 5th Councilmanic District

4/24/02 -Z.C.'s Order in which Petition for Variance was GRANTED with

restrictions. (§ 304 variance /undersized lot)

and

CASE #: 02-346-A

IN THE MATTER OF: GARY D. AND KATHLEEN M. GALLOWAY \ Legal Owners

2200 Park Drive

15th Election District; 5th Councilmanic District 4/24/02 – Z.C. Order in which Petition for Variance was GRANTED.

As indicated in the prior Notice of Postponement, the purpose of this Final Notice is to confirm the final hearing date of the two dates (7/31/02 and 8/08/02) being held in this matter upon notice from Counsel for Petitioner as to availability; the final date has been confirmed; and the hearing has been

ASSIGNED FOR:

THURSDAY, AUGUST 8, 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

: Office of People's Counsel

Counsel for Petitioners

: J. Neil Lanzi, Esquire

Petitioners

: Gary D. and Kathleen M. Galloway

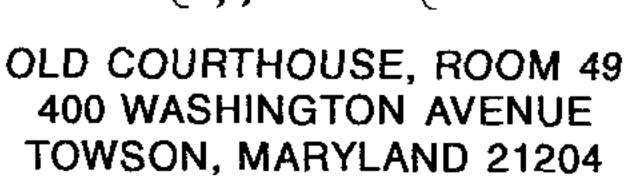
Bernadette L. Moskunas /Site Rite Surveying, Inc.

Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Jeffrey Long /Planning
Arnold Jablon, Director /PDM

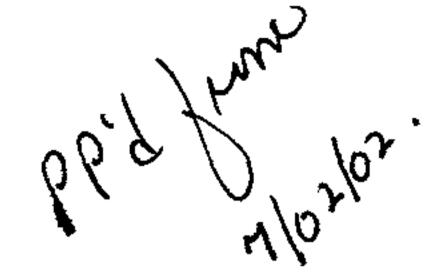




County Board of Appeals of Baltimore County



410-887-3180 FAX: 410-887-3182



Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

May 23, 2002

NOTICE OF ASSIGNMENT

CASE #: 02-347-A

IN THE MATTER OF: GARY D. AND KATHLEEN M. GALLOWAY -Legal Owners

2204 Park Drive

15th Election District; 5th Councilmanic District

4/24/02 -Z.C.'s Order in which Petition for Variance was GRANTED with restrictions. (§ 304 variance /undersized lot)

and

CASE #: 02-346-A

IN THE MATTER OF: GARY D. AND KATHLEEN M.

GALLOWAY – Legal Owners

2200 Park Drive

15th Election District; 5th Councilmanic District

4/24/02 – Z.C. Order in which Petition for Variance was GRANTED.

ASSIGNED FOR:

TUESDAY, JULY 2, 2002 at 1:00 p.m. / Day #1

WEDNESDAY, JULY 31, 2002 at 10:00 a.m. /Day #2 if needed

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

: Office of People's Counsel

Petitioners

: Gary D. and Kathleen M. Galloway

Bernadette L. Moskunas /Site Rite Surveying, Inc.

Lawrence E. Schmidt /Zoning Commissioner Pat Keller, Planning Director Jeffrey Long /Planning Arnold Jablon, Director /PDM





County Board of Appeals of Baltimore County

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 21, 2002

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 02-347-A

IN THE MATTER OF: GARY D. AND KATHLEEN M.

GALLOWAY\Legal Owners

2204 Park Drive

15th Election District; 5th Councilmanic District

4/24/02 –Z.C.'s Order in which Petition for Variance was GRANTED with restrictions. (§ 304 variance /undersized lot)

and

CASE #: 02-346-A

IN THE MATTER OF: GARY D. AND KATHLEEN M.

GALLOWAY - Legal Owners

2200 Park Drive

15th Election District; 5th Councilmanic District

4/24/02 – Z.C. Order in which Petition for Variance was GRANTED.

which was assigned for hearing on 7/02/02 has been **POSTPONED** at the request of the Office of People's Counsel, with agreement by Counsel for Petitioners; and has been

REASSIGNED FOR:

WEDNESDAY, JULY 31, 2002 at 10,00 a.m. **

** OR IN ALTERNATIVE --THURSDAY, AUGUST 8, 2002 at 10:00 a.m. — final notice to be sent within 10 days confirming 7/31/02 OR 8/08/02.

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

: Office of People's Counsel

Counsel for Petitioners

: J. Neil Lanzi, Esquire

Petitioners

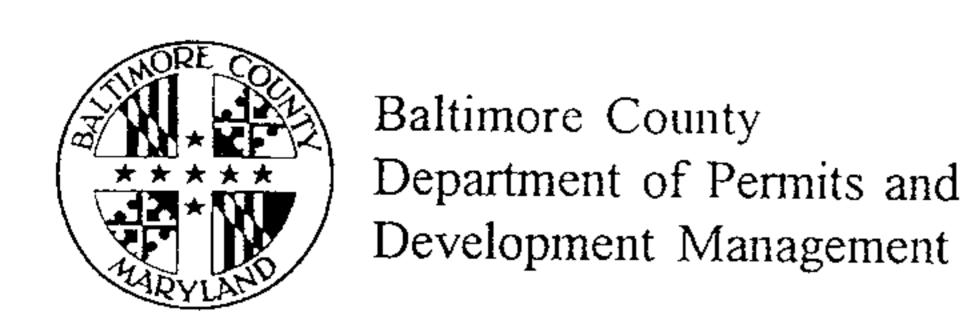
: Gary D. and Kathleen M. Galloway

Bernadette L. Moskunas /Site Rite Surveying, Inc.

Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Jeffrey Long /Planning
Amold Jablon, Director /PDM



Printed with Soybean Arnold Jablon, Director /PDM on Recycled Paper



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

April 5, 2002

Mr. & Mrs. Gary D Galloway 2200 Park Drive Baltimore MD 21221

Dear Mr. & Mrs. Galloway:

RE: Case Number: 02-347-A, 2204 Park Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 20, 2002.

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. 602 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Ms. Bernadette L Moskunas, Site Rite Surveying Inc, 200 E Joppa Road, Room 101, Towson 21286
People's Counsel



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

February 28, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF March 4, 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments regarding the following item #'s.

331, 334, 335, 337, 339, 340, 341, 342, 343, 345, 346, (347), 348, 349,

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

cc: File



Parris N. Glendening Governor John D. Porcari Secretary

Parker F. Williams Administrator

3.1.02 Date:

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

RE:

Baltimore County

Item No. 347

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,

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley & 15 ^T
DATE:	March 27, 2002
SUBJECT:	Zoning Item 347 Address 2204 Park Drive
Zoning	Advisory Committee Meeting of March 4, 2002
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management request ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Section 14-331 through 14-350 of the Baltimore County Code).
<u> </u>	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
<u>X</u>	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
	Additional Comments:

Reviewer: Keith Kelley Date: March 27, 2002

Sem! 4/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 6, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2204 Park Drive

INFORMATION:

Item Number:

02-347

Petitioner:

Gary D. Galloway

Zoning:

DR 3.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request germane to the subject undersized lot.

Prepared by:

Section Chief: Earl Menn

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 1, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for *March 4, 2002* Item No. 347

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

The flood protection elevation for this site is 10.4 feet.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

In accordance with Bill No. 18-90, Section 26-276, filling within a flood plain is prohibited.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential development.

The building engineer shall require a permit for this project.

Building shall be designed and adequately anchored to prevent floatation, collapse or lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with requirements of BOCA International Building Code adopted by the County.

RWB:HJO:cab

cc: File

ZAC-3-4-2002-ITEM NO 347-04012002.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 1, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for *March 4, 2002* Item No. 347

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

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RWB:HJO:cab

cc: File

ZAC-3-4-2002-ITEM NO 347-04012002.doc

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

October 8, 2002

TO:

Arnold Jablon, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton Board of Appeals

SUBJECT:

CLOSED APPEAL CASE FILES

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	PDM FILE NUMBER	<u>NAME</u>	LOCATION
02-346-A	02-346-A	Gary and Kathleen	2204 Park Drive
02- 3 47-A	02-347-A	Galloway	
02-321-SPH	02-321-SPH	Robert Babcock, Bob Cat	233 Cockeysville Road
02-322-A	02-322-A	Properties, LLC	
02-109-SPHXA	02-109 - SPHXA	Virginia E Smith, Trust Linda Smith Mulhern, Augustus W Smith, Owners	2444 York Road

Attachment: SUBJECT FILE(S) ATTACHED

RE: PETITION FORVARIANCE 2204 Park Drive, SW/S Park Dr, 104' W of c/l Bauernschmidt Dr 15th Election District, 5th Councilmanic

Legal Owner: Gary & Kathleen Galloway Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 02-347-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

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47 400 Washington Avenue

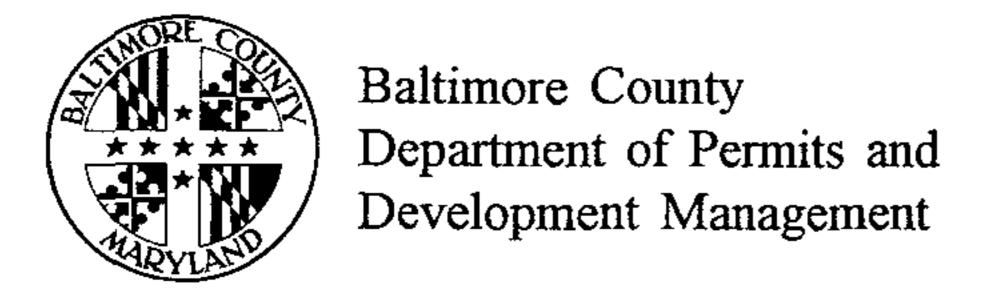
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Bernadette L. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioners.

Peter Max ZIMMERMAN



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

May 20, 2002

Gary and Kathleen Galloway 2200 Park Drive Baltimore, Maryland 21286

RE: Case No. <u>02-347-A</u>, <u>2204 Park Drive</u>

Please be advised that an appeal of the above-referenced case was filed in this office on 5/17/02, 2002 by Peter Max Zimmerman, People's Counsel for Baltimore County. 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,

Arnold Jablon Director

AJ:rjc

C: Bernadette L. Moskunas, Site Rite Surveying Inc., 200 E. Joppa Road Room 101 Towson, MD 21286 People's Counsel

APPEAL

Petition for Variance
2204 Park Drive
SW/S Park @ distance of 104' W centerline Bauernschmidt Drive
15th Election District – 5th Councilmanic
Gary D. and Kathleen M. Galloway
Case No.: 02-347-A

Petition for Variance (02/20/02)

Zoning Description of Property

Notice of Zoning Hearing (04/12/02)

Certification of Publication (The Jeffersonian issue 3/26/02)

Certificate of Posting (3/25/02 posted Garland E. Moore)

Entry of Appearance by People's Counsel (3/6/02)

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

Protestant(s) Sign-In Sheet (None

Citizen(s) Sign-In Sheet (None)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

- 1. (Plat to accompany Petition for Variance 12/81)
- 2. (Plat to accompany Petition for Variance 12/81 Revision)

Protestants' Exhibits: (None)

Miscellaneous (Not Marked as Exhibits (None)

Zoning Commissioner (dated 4/24/02 -GRANTED with Restrictions)

Notice of Appeal received on 5/17/02 from Peter Max Zimmerman, People's Counsel for Baltimore County

C: Bernadette L. Moskunas Site Rite Surveying Inc. 200 E. Joppa Road Room 101 Towson MD 21286.
People's Counsel of Baltimore County, MS #2010
Lawrence E. Schmidt Zoning Commissioner

Arnold Jablon, Director of PDM

date sent: 5/20/02 rjc

Case No. 02-347-A

In the Matter of: Gary D. and Kathleen M. Galloway –Legal Owners /Petitioners (2204 Park Drive)

VAR -§ 304 /undersized lot and § 1B02.3.C.1 /setbacks

4/24/02 –Z.C.'s Order in which Petition for Variance was GRANTED with restrictions.

AND Case No. 02-346-A

VAR (2200 Park Drive) - Front yard setbacks for existing dwelling

4/24/02 – Z.C.'s Order in which variance request was GRANTED.

5/23/02 -Notice of Assignment sent to following; assigned for hearing on Tuesday, July 2, 2002 at 1:00 p.m. /Day #1; and Wednesday, July 31, 2002 at 10:00 a.m. for Day #2, if needed:

Office of People's Counsel
Gary D. and Kathleen M. Galloway
Bernadette L. Moskunas /Site Rite Surveying, Inc.
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Jeffrey Long /Planning
Arnold Jablon, Director /PDM

- 6/18/02 Letter from C. Demilio requesting postponement of 7/02/02 hearing due to schedule conflict. T/C to Petitioners; Ms. Galloway will get back to us; considering retaining counsel for this matter. Matter scheduled for two dates § 304 carries mandated timeframe for hearing to begin; 7/31/02, next date on Board's schedule, fell outside of that timeframe; hence 7/02/02 was assigned for ½ day. Without objection by the parties, postponement may be granted to 7/31/02 date. Awaiting further call from Petitioner or Petitioner's counsel.
- 6/1902 T/C w/N. Lanzi, Esquire to enter appearance on behalf of Petitioners; does not object to postponement from 7/02/02; waives timeframe to 7/31/02 date. However, at this time, has conflict with 7/31/02 date; confirmed with Ms. Demilio and Mr. Lanzi their availability on 8/08/02; will send notice advising that 7/02/02 has been pulled; that 7/31/02 is still on, with 8/08/02 being held as possible alternative to 7/31/02. Final notice of hearing date to be sent within 10 days of postponement notice.
- 6/20/02 Letter of appearance from Mr. Lanzi; confirming above conversation re 7/02/02 hearing.
- 6/21/02 Notice of PP and Reassignment sent to parties, with letter to explain that 8/08/02 will be held pending final confirmation from Mr. Lanzi regarding his availability on 7/31/02. Final Notice to be sent within 10 days of today's date.
- 7/05/02 Letter from Neil Lanzi, Esquire confirming that he will be unavailable on 7/31/02; will hear this matter on 8/08/02; Final Notice of Confirmation and Assignment sent to parties; case assigned to latter date being held per prior notice; that being Thursday, August 8, 2002 at 10:00 a.m. The date of 7/31/02 has been pulled.

J. NEIL LANZI, P.A.

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

COLUMBIA

E-Mail: lanzılaw@cs.com

July 31, 2002

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

*Also Admitted in District of Columbia

Sent Via Facsimile: 410-887-3182

and Regular Mail

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

> In the Matter of Gary D. and Kathleen M. Galloway Re:

> > Case No.: 02-347-A (2204 Park Drive) Case No.: 02-346-A (2200 Park Drive)

Dear Ms. Bianco:

This letter is to confirm our telephone conversation today regarding the above referenced appeals presently scheduled for hearing on Thursday, August 8, 2002. You may now pull these two cases from the schedule on August 8, 2002 for the reasons which follow.

First, on behalf of Gary D. and Kathleen M. Galloway. I am hereby withdrawing without prejudice, the Petition for Variance previously filed and approved on April 24, 2002 by the Zoning Commissioner for Baltimore County in Case No. 02-347-A for the property known as 2204 Park Drive. Obviously, the appeal of that case thus becomes moot.

Second, in speaking with Carole Demilio, Esquire today, it is my understanding the Office of People's Counsel will in turn withdraw its appeal of the Petition for Variance previously filed and approved on April 24, 2002 by the Zoning Commissioner in Case No. 02-346-A for the property known as 2200 Park Drive. Thus in that case the ruling of the Zoning Commissioner dated April 24, 2002 will stand.

Kathleen C. Bianco, Administrator July 31, 2002 Page Two

Finally, it is my understanding the appeals sign will be removed from the Galloway property upon the removal of these cases from your docket. Thank you for all of your cooperation and patience in the scheduling of these appeals. Should you require anything further please do not hesitate to contact me.

Very truly yours,

9 V 1 D Y1012

J. Neil Lanzi

JNL\mal

cc:

Office of People's Counsel Site Rite Surveying, Inc. Kathleen and Gary Galloway



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN People's Counsel

August 1, 2002

CAROLE S. DEMILIO
Deputy People's Counsel

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

Re: In the Matter of Gary D. and Kathleen M. Galloway

Case No: 02-347-A (2204 Park Drive) Case No: 02-346-A (2200 Park Drive)

Dear Ms. Bianco:

I am in receipt of Mr. Lanzi's letter to you of July 31st. He is correct in his depiction of the status of these cases.

In consideration of his withdrawing the Petition for Variance in Case No. 02-347-A, we will dismiss our appeal of the variance in Case No. 02-346-A, as we believe it will not be in the public interest to pursue it.

Very truly yours,

Carole S. DeMilio

Deputy People's Counsel for Baltimore County

.. ER-OFFICE CORRESPONDENCE RECOMMENDATION FOR

TO:	Director, Office of Planning & Community Conservation Attention: Jeffrey Long	Pen	Permit or Case No. 02-347-/3			
	County Courts Building, Room 406					
	401 Bosley Avenue		*****			
	Towson, MD 21204		Residential Proc	_ ,		
FROM:	Arnold Jablon, Director		(\$00.0	•, <u>!</u>		
	Department of Permits & Development Management		Accepted by	JRF		
RE:	Undersized Lots		Date	20102		
Durenant	to Section 204 0 /Delkinson County 7: 10 December 201	<u> </u>		··-·-·-·-·····························		
the Office	to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 199 of Planning and Community Conservation prior to this office's approval of a dw	2, this office is rec velling permit.	questing recommendat	tions and comments from		
MINIMU	MAPPLICANT SUPPLIED INFORMATION: BOYNAGUTO L. MOSKUNAJ					
	Print Name of Applicant July 100 E. Joppa Pond Ro	our 101 Tou	150n, MD 2129	36 40 828-906 Telephone Number		
	•	15 Councilman	nic District 5 Squa	re Feet <u>8000</u>		
Lot Loca	tion: NESWiside/corner of Park Drive (street)	feet from N E	Sw corner of Bav	conschmidt Dro (street)		
Land Ow	ner: Gary and Kathlun Galloway	Tax Account	Number 15224	• '		
Address:	2200 Park Drive Baltimore, MO 21221		Number (410) 23			
CHECKLIS	ST OF MATERIALS (to be submitted for design review by the Office of Planni	ng and Community	y Conservation)			
TO BE	FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELO		SEMENT ONLY!			
1. This Re	commendation Form (3 copies)	YES	NO			
2. Permit	Application	•				
3. Site Pla Proper	n ty (3 copies)					
Торо М	ap (2 copies): available in Room 206, County Office Building - (please label site clearly)					
4. Building	Elevation Drawings					
	aphs (please label all photos clearly) Buildings			•		
Surround	ing Neighborhood					
6. Current	Zoning Classification: D. R. 3.5					
· ————————————————————————————————————	TO BE FILLED IN BY THE OFFICE OF	PLANNING ONLY	†			
RECOMMEN	DATIONS / COMMENTS:					
^	pproval Disapproval Approval conditioned on required modification	ons of the application	to conform with the follow	wing recommendations		
	•					
Signed by:			Date			
for	r the Director, Office of Planning and Community Conservation					

SCHEDULED DATES CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMITAPPLICATION PURSUART TO SECTION 304.2

Department of Permits and Development Management (PDM) County Office Building 111 West Chesapeake Avevnue Towson, Maryland 21204

filing by	application has been reviewed an on	d is accepted for
(name of planner)	Date	(A)
A sign indicating the proposed building must be podecision can be rendered. The cost of filing is \$5 current fees prior to filing the application.	osted on the property for fifteen (1 50.00. This fee is subject to char	5) days before a nge. Confirm all
In the absence of a request for public hearing du expected within approximately four weeks. Howeve then the decision shall only be rendered after the recommendation.	er, if a valid demand is received by	decision can be the closing date.
*SUGGESTED POSTING DATE	D (15 Days E	Before C)
DATE POSTED		
HEARING REQUESTED? YES NO D	ATE	
CLOSING DAY (LAST DAY FOR HEARING DEMAN	D) C (B-:	3 Work Days)
TENTATIVE DECISION DAT	EB (A	+ 30 Days)
*Usually within 15 days of filing		
CERTIFICATE OF POSTING		
District:		
Location of Property:		
Posted by:Signature	Date of Posting:	
Number of Signs:		

Site Rite Surveying, Inc.

DIRECT CORRESPONDENCE TO:

101 SHELL BUILDING 200 EAST JOPPA ROAD TOWSON, MARYLAND 21286 .410-828-9060

FAX: 410-828-9066

	•		MÌS 810	
Lawy Schwidt.			rww	SUBJECT, LOCACIO
ATTENTION:			··· <u>-</u> · · · · · · · · · · · · · · · · · · ·	
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QUANTITY	DRAWING	REVISION	LATEST DATE	DESCRIPTION AND/OR TITLE
2				reused plans par Hearing comments.
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RANSMITT	ED AS IND REEMENT	DICATED .	BELOW:	
	OUR REQUE	ST.		APPROVED - DWG(S).
	OUR INFORM			APPROVED AS NOTED - DWG(S)
☐ FOR AP	PROVAL			PLEASE RESUBMIT - DWG(S).
☐ FQR CC	MMENT			
COP	Y(S) OF _			SENT TO
COPY(S) OF			<u> </u>	SENT TO
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EMARKS: _	· 		· <u>-</u>	
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RY TRULY			- + -	
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ENT BY:		Uh	<u> </u>	DATE:

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FOR

TO:	Director, Office of Planning & Community Conservation Attention: Jeffrey Long County Courts Building, Room 406 401 Bosley Avenue	Pe	Permit or Case No. <u>02-347-4</u>			
	Towson, MD 21204		Residential Processing Fee Paid			
FROM:	Amoid Jablon, Director Department of Permits & Development Management		(\$50.00)			
RE:	Undersized Lots		Accepted by JRF Date 2/20/02			
Pursuant	to Section 304.2 (Baltimore County Zenine Deculation).					
the Office	to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 199 of Planning and Community Conservation prior to this office's approval of a dv	92, this office is re welling permit.	questing recommendations and comments from			
MINIMU	MAPPLICANT SUPPLIED INFORMATION:					
	Print Name of Applicant J. Mr. 200 E. Joppa Pond Roman Name of Applicant	our 101 Tov	NSON, MD 21286 410 828-906 Telephone Number			
	Lot Address 2204 Park DNVCElection Distric	15 Councilma	nic District 5 Square Feet 8000			
Lot Local	tion: NESW side/corner of Park Drive 104	1	ESW corner of Bavernschmidt DW			
Land Ow	ner: Gay and Kathleen Galloway		t Number 1522450222			
	2200 Park Drive Baltimore, MO 21221		Number (410) 238-3499			
CHECKLIS	ST OF MATERIALS (to be submitted for design review by the Office of Planni					
	FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVEL					
		PRO\	/IDED?			
1. This Re	commendation Form (3 copies)	YES	NO			
2. Permit A	Application					
3. Site Plan Propert	n ty (3 copies)					
Торо Ма	ap (2 copies): available in Room 206, County Office Building - (please label site clearly)					
	Elevation Drawings					
5. Photogra Adjoining	aphs (please label all photos clearly) Buildings					
Surroundis	ng Neighborhood					
6. Current Z	Zoning Classification: D. R. 3.5					
	TO BE FILLED IN BY THE OFFICE OF	PLANNING ONLY!				
RECOMMEND	MONS / COMMENTS:					
Ap	proval Disapproval Approval conditioned on required modification	ns of the application	to conform with the following recommendations			
1	$(\Lambda \cap \Lambda)$					

TO:

for the Director, Office of Planning and Community Conservation

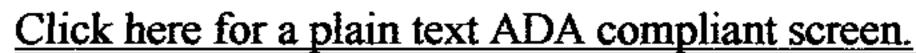
Revised 2/25/99

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMADAPPLICATION PURSUART TO SECTION 304.2

Department of Permits and Development Management (PDM) **County Office Building** 111 West Chesapeake Avevnue Towson, Maryland 21204

The application for your proposed Building Per filing by		en reviewed and	is accepted for
(name of planner)	on	Date	(A)
A sign indicating the proposed building must be decision can be rendered. The cost of filing is current fees prior to filing the application.	posted on the proper \$50.00. This fee is	ty for fifteen (15) subject to chang	days before a e. Confirm al
In the absence of a request for public hearing expected within approximately four weeks. How then the decision shall only be rendered after the	ever if a valid demand	lis received by th	ecision can be le closing date
*SUGGESTED POSTING DATE	• 	_ D (15 Days Bet	fore C)
DATE POSTED			
HEARING REQUESTED? YES NO	- DATE		
CLOSING DAY (LAST DAY FOR HEARING DEN	IAND)	C (B-3 \	Nork Days)
TENTATIVE DECISION I	DATE	B (A +	30 Days)
*Usually within 15 days of filing			
CERTIFICATE OF POSTING			· ** ** ** ** ** **
District:			
Location of Property:	······································	<u> </u>	<u></u>
Posted by:Signature	Date of Posting:		•
Number of Signs:			
FE	B 2 1 2002		Revised 2/25/99





2200 PARK DR



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search**

Account Identifier:

District - 15 Account Number - 1522450220

Owner Information

Owner Name:

Mailing Address:

GALLOWAY GARY DUANE

GALLOWAY KATHLEEN MARY

RESIDENTIAL

Principal Residence:

Use:

NO

Deed Reference:

1) /13143/ 678

BALTIMORE MD 21221-1728

Location & Structure Information

G

Premises Address

Zoning

Legal Description

PARK DR

BAUERNSCHMIDT MANOR

Parcel Grid Map 35 98 8

Subdivision Section

WATERFRONT

Block Plat No: Lot Group 112 82 Plat Ref:

12/81

Special Tax Areas

Ad Valorem Tax Class

Town

Enclosed Area

County Use

0000

Primary Structure Built

8,060.00 SF

Property Land Area

34

Stories

Basement

Type

Exterior

Value Information

Value Base **Value** As Of 01/01/2000 Phase-in Assessments As Of 07/01/2001

As Of 07/01/2002

Land: Improvements: Total:

Preferential Land:

24,760 24,760 24,760 24,760

24,760

24,760

Transfer Information

Seller: **VOJIK RICHARD JOHN** Date:

09/11/1998

07/01/2002

\$179,550 Price:

MULT ACCTS ARMS-LENGTH Type: Seller:

VOJIK RICHARD J MULT ACCTS ARMS-LENGTH **Deed1:** /11621/ 250 06/05/1996 Date: **Deed1:** / 2591/ 100

Price: \$0 Deed2:

Deed2:

Seller: Type:

Type:

Date: Deed1: Price: Deed2:

Exemption Information

07/01/2001 Code Partial Exempt Assessments 000 County State 000 000 Municipal

Tax Exempt: **Exempt Class:** NO

Special Tax Recapture:

* NONE *





OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> (410) 887-2188 May 17, 2002

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR VARIANCE
2204 Park Drive, SW/S Park Dr
104' W of c/l Bauernschmidt Dr,
15th Election Dist., 5th Councilmanic
Gary & Kathleen Galloway, Petitioners

Case No.: 02-347-A

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated April 24, 2002 of the Baltimore County Deputy Zoning Commissioner in the above-entitled cases.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf

By

GDZ

cc: Bernadette L. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, Representative for Petitioner

Gary & Kathleen Galloway, 2200 Park Drive, Baltimore, MD 21221

Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

People's Counsel

June 18, 2002

CAROLE S. DEMILIO
Deputy People's Counsel

Ms. Kathleen C. Bianco
Legal Administrator
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

Hand-delivered

Re: Petition for Variance

2204 Park Drive

Case No. 02-347-A and

2200 Park Drive

Case No. 02-346-A

15th Election District, 5th Councilmanic

GARY D. AND KATHLEEN M. GALLOWAY, Petitioners

CBA Hearing Dates: 7/02/02, 1:00 p.m./Day #1 and 7/31/02, 10:00 a.m., Day #2

Dear Ms. Bianco:

Due to schedule conflicts on July 2, 2002, I find it necessary to request a postponement of the above hearing scheduled for day one on July 2nd. However, I will be available on July 31, 2002, which is assigned as the second hearing day in this matter, and anticipate that this hearing should take no more than one full day.

Thank you for your consideration.

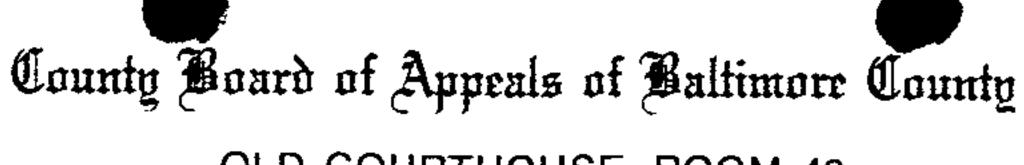
Very truly yours,

Carole S. Demilio

Deputy People's Counsel

CSD/pah

cc: Gary D. and Kathleen M. Galloway, 2200 Park Drive, Baltimore, MD 21286





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

June 21, 2002

J. Neil Lanzi, Esquire Mercantile Building, Suite 617 409 Washington Avenue Towson, MD 21204

Carole S. Demilio
Deputy People's Counsel
for Baltimore County
400 Washington Avenue, Rm 47
Towson, MD 21204

RE: In the Matter of: Gary D. and Kathleen M. Galloway
Case No. 02-347-A and Case No. 02-346-A
Postponement and Reassignment of Hearing Dates

Dear Counsel:

This letter will confirm that the subject matter has been postponed from the assigned hearing date of July 2, 2002, as requested by Ms. Demilio and agreed to by Mr. Lanzi.

At this time, July 31, 2002 is still being held on the Board's schedule. In addition, I am also holding the date of August 8, 2002, as agreed, pending final confirmation by Mr. Lanzi as to his availability on July 31, 2002. When final confirmation of the hearing date for this matter has been confirmed, an Amended Notice will be sent indicating the assigned hearing date of either July 31st or August 8th.

Thank you for holding both of these dates on your respective calendars pending final notice within the next 10 to 14 days.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Kathleen C. Bianco

Administrator

c: Gary D. and Kathleen M. Galloway
Bernadette L. Moskunas /Site Rite Surveying, Inc.
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Jeffrey Long /Planning
Arnold Jablon, Director /PDM

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

COLUMBIA
Suite 420, Parkside Bldg
10500 Little Patuzent Parkway

Columbia, Maryland 21044-3563

Reply to Towson

*Also Admitted in District of Columbia

July 3, 2002

Sent Via Facsimile: 410-887-3182

and Regular Mail

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

Re: In the Matter of Gary D. and Kathleen M. Galloway

Case No.: 02-347-A and 02-346-A

Dear Ms. Bianco:

Thank you for your letter of June 21, 2002 and the Board's willingness to retain July 31, 2002 on the Board's schedule. This letter is to confirm that I will not be available on July 31, 2002 due to a previously scheduled vacation outside the State of Maryland. It is my understanding the Board will continue to hold the date of August 8, 2002 as the only hearing date for this matter.

Thank you again for your cooperation.

Very truly yours,

J. Neil Lanzi

JNL\mal

cc:

Office of People's Counsel
Site Rite Surveying, Inc.
Kathleen and Gary Galloway



J. NEIL LANZI, P.A.

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 **409 WASHINGTON AVENUE** TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

COLUMBIA Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

E-Mail: lanzilaw@cs.com

*Also Admitted in District of Columbia

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

June 20, 2002

Hand-Delivered

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

> In the Matter of Gary D. and Kathleen M. Galloway Re:

> > Case No.: 02-347-A and 02-346-A

Dear Ms. Bianco:

This letter is in follow up to our telephone conversation yesterday regarding the above referenced appeal. I have now been retained by Kathleen and Gary Galloway, Petitioners below in this appeal. It is my understanding this case has been scheduled for hearing on Tuesday, July 2, 2002 at 1:00 p.m., Wednesday, July 31, 2002 at 10:00 a.m. and a third date has been scheduled for Monday, August 8, 2002 at 10:00 a.m. It is my understanding that People's Counsel has a conflict with the July 2 date and my clients do not have an objection to the cancellation of the hearing set for July 2 thus leaving in the July 31 and August 8 hearing dates.

Thank you for your cooperation.

Very truly yours,

J. Neil Lanzi

JNL\mal

Office of People's Counsel cc:

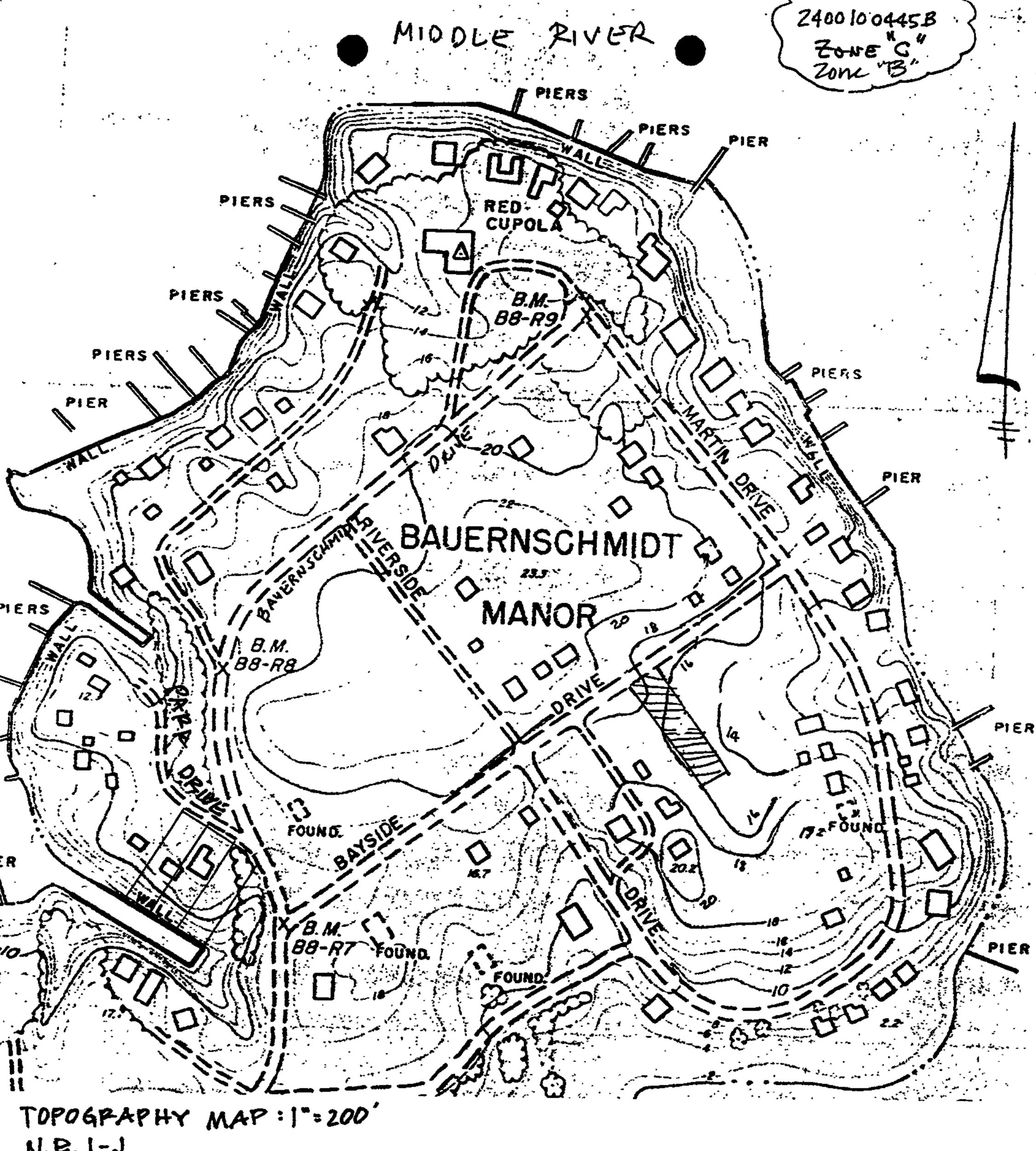
Site Rite Surveying, Inc.

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PLEASE PRINT CLEARLY

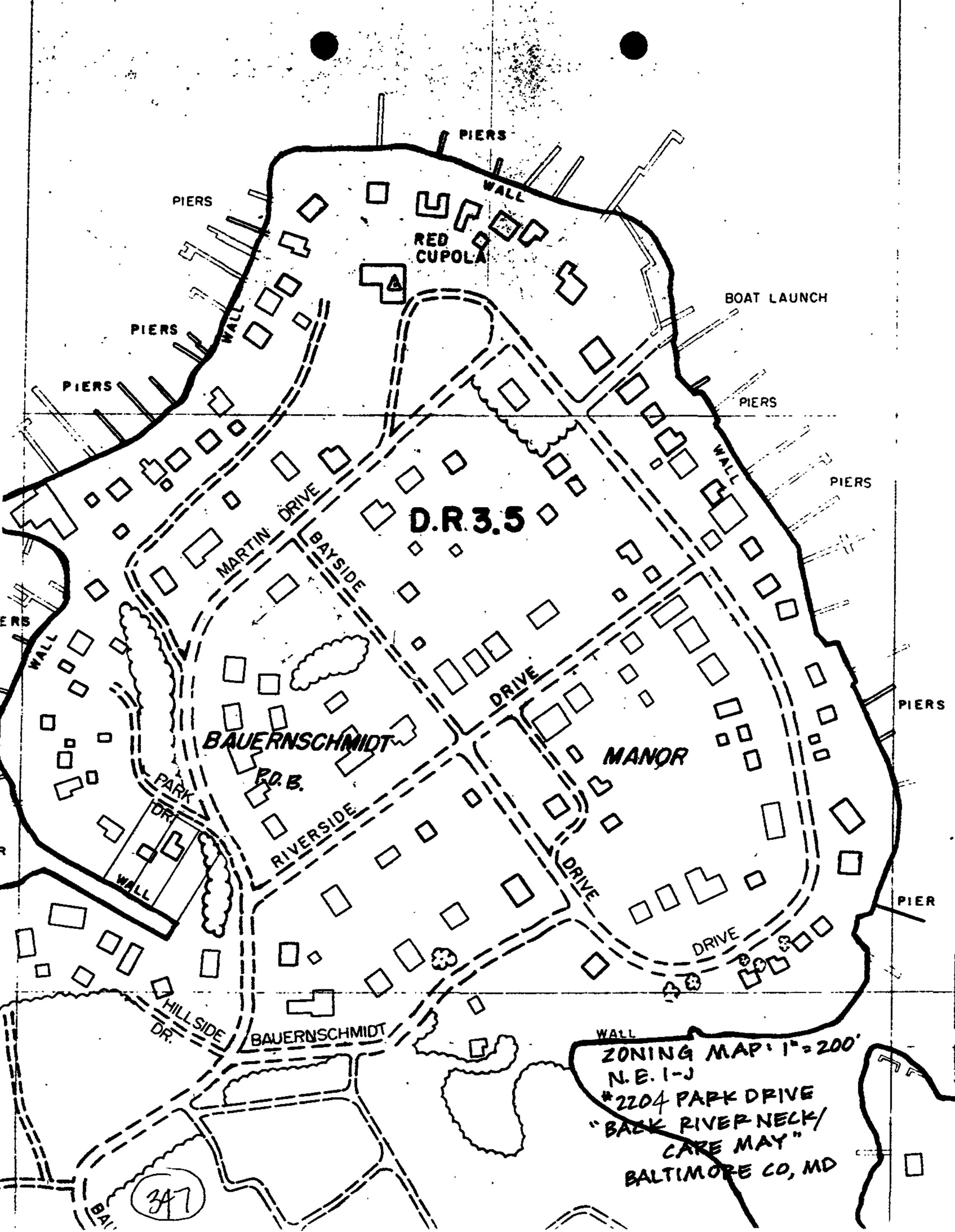
PETITIONER(S) SIGN-IN SHEET

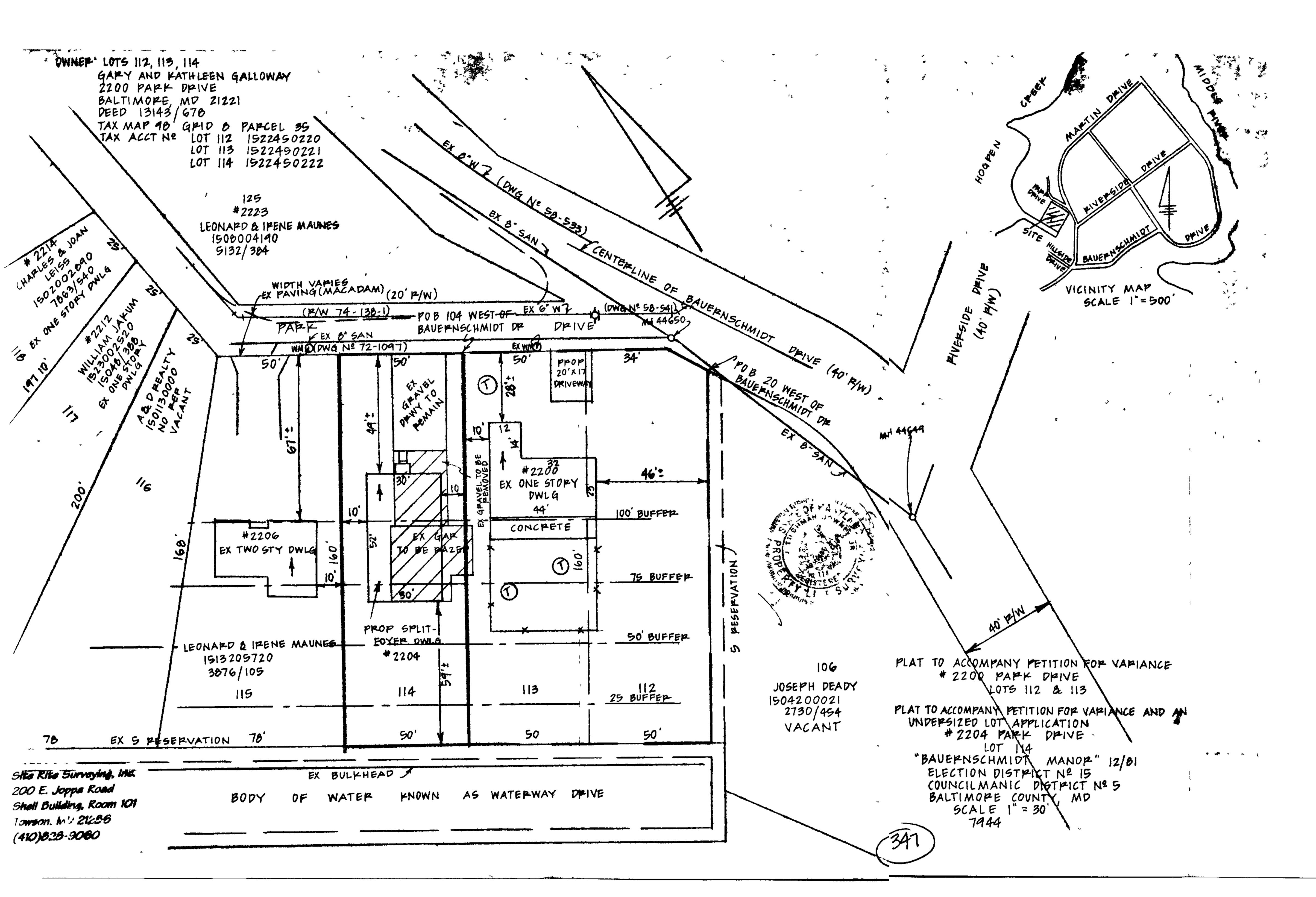
NAME	ADDRESS
SITE RITE SURVEYING. VINGENT MOSKYNAS	ADDRESS TOWSON, MO. 2004-JOPPA Rd. 21286
TNGENT TOSIZUNAS	
Jachlun Ballowan	2200 Park D. Bub 21236
CARY D. GALLOWAY	2200 PARK. DR. 21221
JEPF HOUT	2309 RIVORSINO DR 2623/
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TOPOGRAPHY MAP: 1"= 200 N.B. 1-J #2204 PAPK DRIVE

"BACK RIVER NECK/ CAPE MAY" BALTIMORE CO, MO





GENERAL NOTES

- 1 EXISTING ZONING DR 35
- 2 200 SCALE MAP NE 1-J
- 3 LOT SIZE FOR 112 AND 113 16,000 S F OR 0 367 ACRES+/-LOT SIZE FOR 114 8 000 S F OR 0 184 ACRES+/-
- 4 PUBLIC WATER AND SEWER
- 5. NOT LOCATED IN HISTORIC AREA
- 6 LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
- 7 I OCATED IN THE 100 YEAR FLOODPLAIN AREA
- 8 COMMUNITY PANEL MAP 240010 0445C
- ZONE "B" 'C'
- 9 EXISTING USE LOTS 112 AND 113 SINGLE FAMILY DWELLING TO REMAIN EXISTING USE LOT 114 EXISTING GARAGE AND PORTION OF GRAVEL DRIVEWAY TO BE REMOVED
- 10 PROPOSED USE LOTS 112 AND 113 SINGLE FAMILY DWELLING (EXISTING)
 PROPOSED USE LOT 114 SINGLE FAMILY DWELLING
- 11 ALLOWABLE IMPERVIOUS AREA FOR LOTS 112 AND 113 (25%) = 4 000 S F ALLOWABLE IMPERVIOUS AREA FOR LOT 114 (25%) = 2.000 S F
- 12 ALI DOWNSPOUTS SHALL DISCHARGE RAINWATER ACROSS THE LAWN (NOT TOWARDS THE RIVER)
- 13 MUST HAVE A MINIMUM OF 15% TREE COVERAGE
- " TREES SHALL REMAIN OR BE ESTABLISHED BY U & O
- " ANY TREE REMOVED FROM 100 FOOT BUFFER ZONE SHALL BE REPLACED ON A ONE TO ONE BASIS
- * EXISTING TREES SHOWN AS (T)
- 14 EXISTING IMPERVIOUS AREA FOR LOTS 112 AND 113 REMAINS
 UNDER THE ALLOWABLE 25%
- 15. PROPOSED IMPERVIOUS AREA FOR LOT 114
 PROP DWLG 1560 S F
 PROP CONC PORCH 24 S F
 EX GRAVEL DRWY 880 S.F.
 TOTAL 2464 S F

SITE PLAN TO BE USED IN JETERMINING FRONT YARD DEPTHS IN RESILENCE ZONES WHEN THE DMEDIATE ADJOINING LOTS AIRE NOT DEPROVED Reference - Section 303. 1 Baltimore Coupity Zoning Regulations

303.1 -In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the everage depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 somes, 50 feet in D.R. 3.5 somes and 40 feet in D.R. 5.5 somes. In ho case, nonever, small nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

Α_	38	FT.				
B	74	FT.				
C	72'	FT. ,		•		
D_	70'	FR.				
E _	95'	PR.				
F_		FI.	_	_		
TOTAL (349) ÷	(5		FOURED I	K
		•			(2401000	-4)

CASE & 02-347-A

GARY É KATHLETIN GALLOUAY.

Opplicant's nome

2204 PARK DRIVE

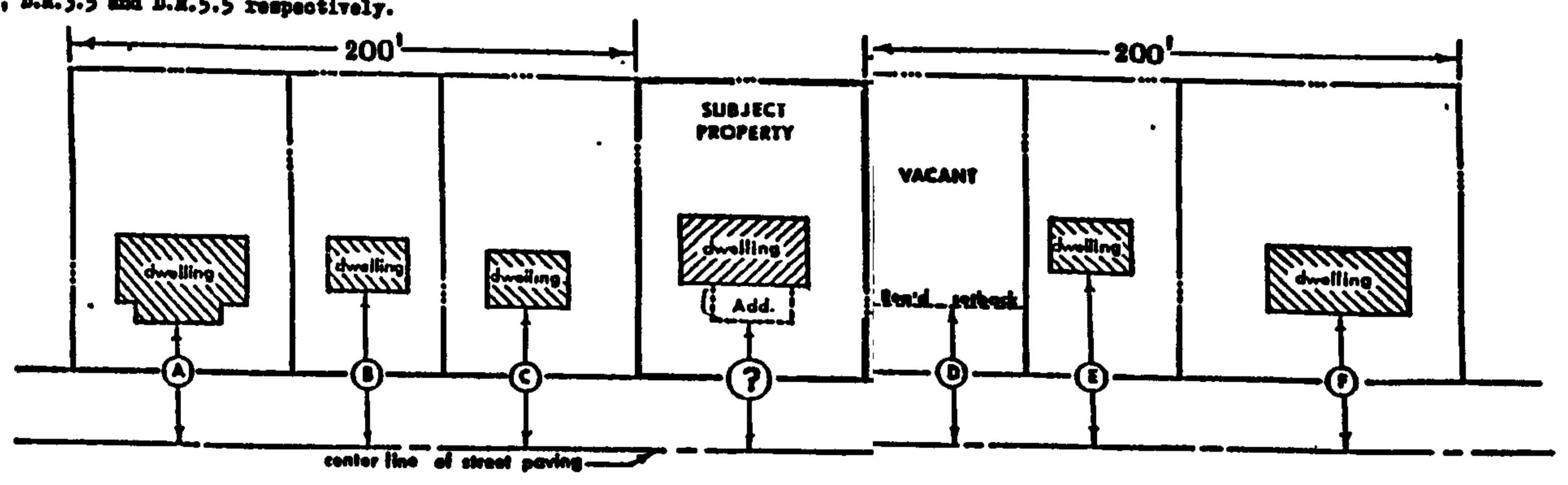
building address

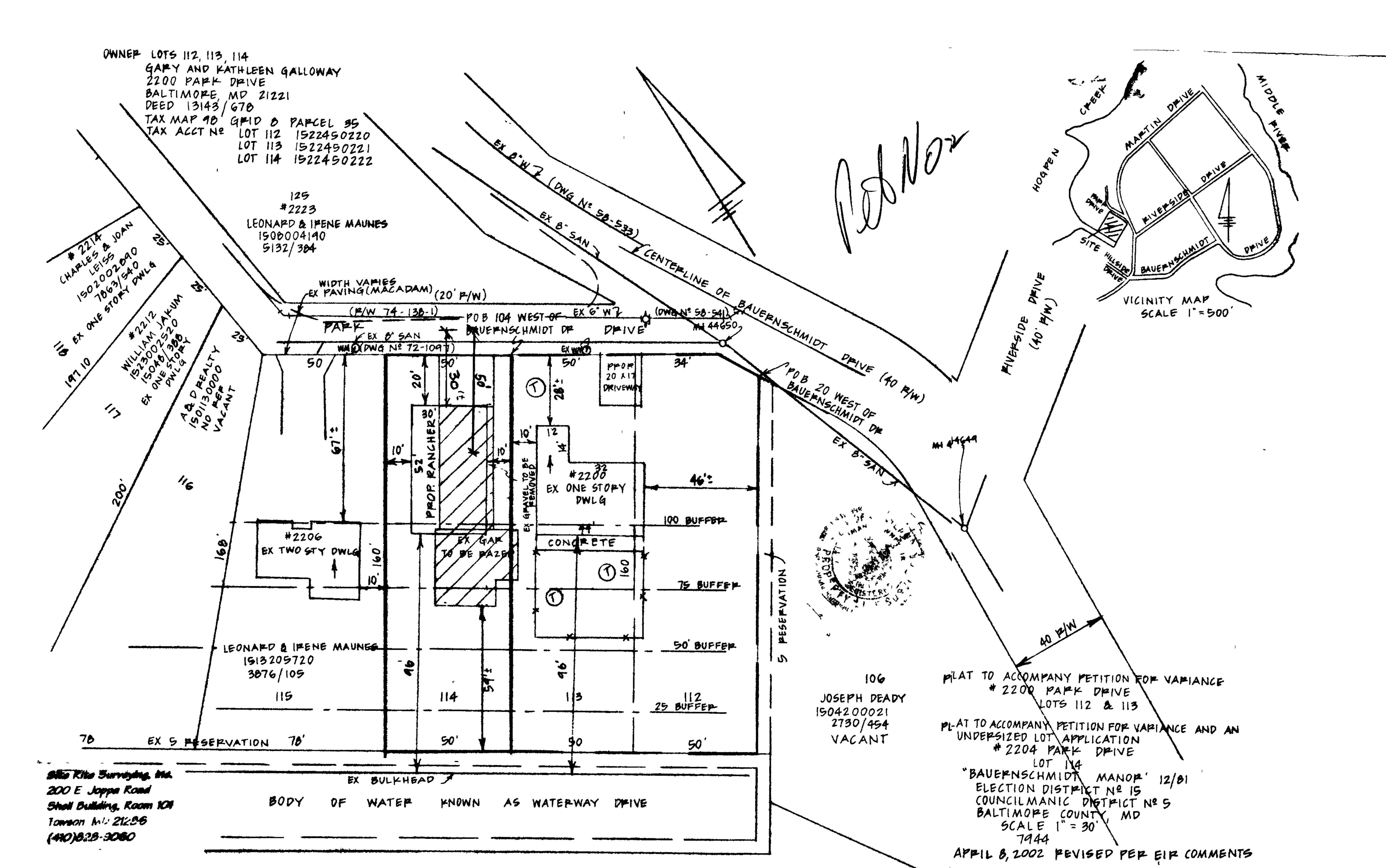
4/11/02

NORMAL REQUIRED SETRACIS

D.R.2 - 65 ft. D.R.3.5- 55 ft.

D.R.5.5- 50 ft.





GENERAL NOTES

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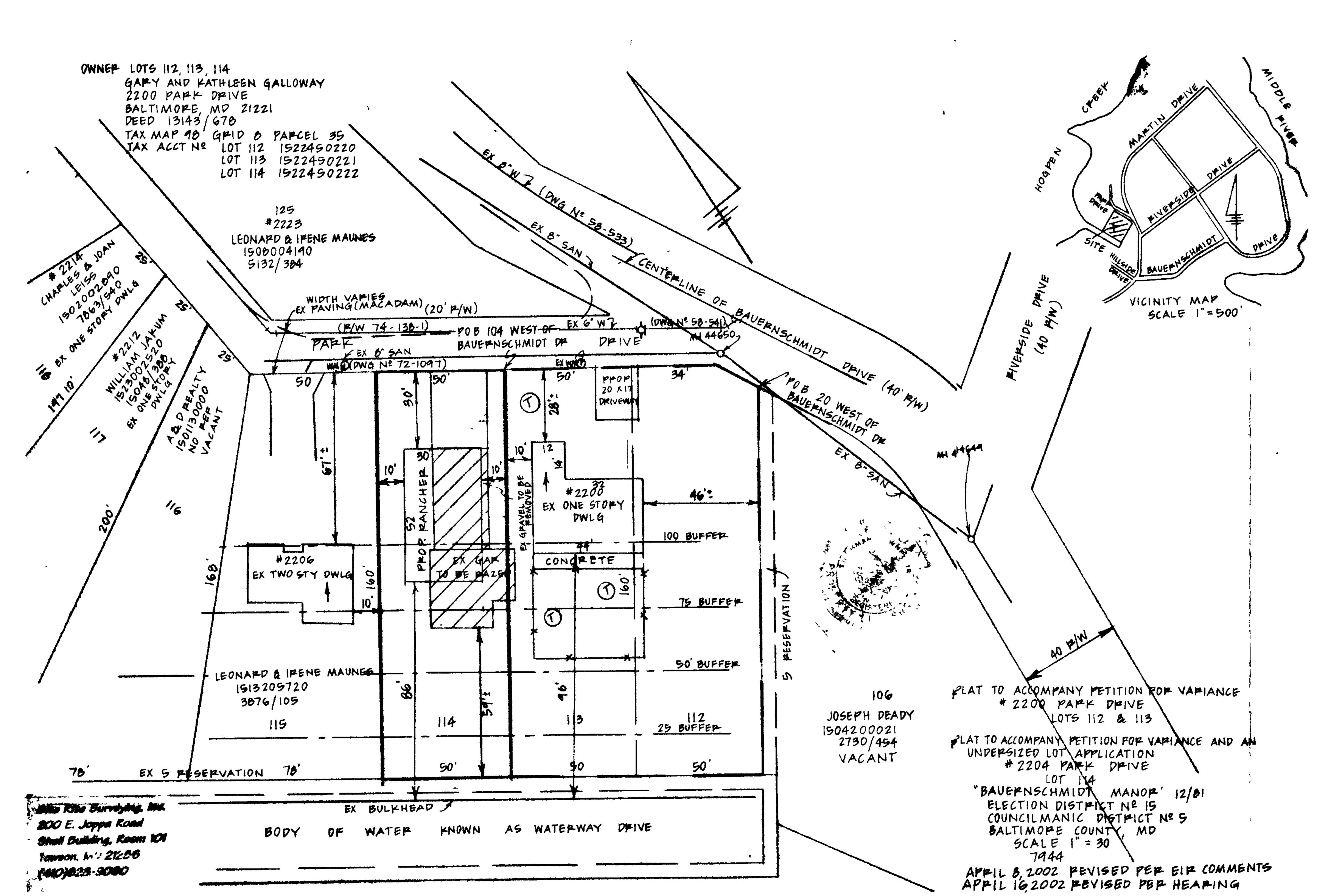
**

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- 14 EXISTING IMPERVIOUS AREA FOR LOTS 112 AND 113 REMAINS UNDER THE ALLOWABLE 25%
- 15 PROPOSED IMPERVIOUS AREA FOR LOT 114 PROP DWLG 1560 5 F

PROP CONC PORCH 24 SF

EX GRAVEL DRWY 400 SF

10TAL 1984 SF



GENERAL NOTES

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- 2 200 SCALE MAP NE 1-J
- 3 LOT SIZE FOR 112 AND 113 16 000 S F OR 0 367 ACRES+/-LOT SIZE FOR 114 8 000 S F OR 0 184 ACRES+/-

AND THE PERSON OF THE PERSON O

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PROP DWLG 1560 SF

PROP CONC PORCH 24 5 F

EX GRAVEL DRWY 4005F

TOTAL 1984 SF

APR 1 7 2002

Par. th

