IN RE: PETITION FOR ADMIN. VARIANCE
W/S Woodlawn Avenue, 1250' N
of Arbutus Avenue
1st Election District
1st Councilmanic District
(126 Woodlawn Avenue)

Natalie A. McIntyre & H. Richard Piet Petitioners

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- CASE NO. 02-465-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Natalie A. McIntyre and H. Richard Piet, the legal owners of the subject property. The variance request is for property located at 126 Woodlawn Avenue in the Woodlawn area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) to be located in the front/side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

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

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

5/22/02

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

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of May, 2002, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) to be located in the front/side yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

May 22, 2002

Natalie A. McIntyre H. Richard Piet 126 Woodlawn Avenue Baltimore, Maryland 21207

Re: Petition for Administrative Variance

Case No. 02-465-A

Property: 126 Woodlawn Avenue

Dear Ms. McIntyre & Mr. Piet:

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

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

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

buthy Kotroco

TMK:raj Enclosure

c: Patrick C. Richardson, Jr. 730 W. Padonia Road Cockeysville, MD 21030





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property l	ocated at 126 WUUVLAWN AVE
16. 19. 19. 19. 19. 19. 19. 19. 19. 19. 19	which is presently zoned DR ~3.5
made a part hereof, hereby petition for a Variance from Sect	its and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and cion(s)
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yard in her of the require	to be located in the front/sid
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	ALSO MELT THE FIRE PART PLANT !
of the zoning regulations of Baltimore County, to the zoning of this petition form.	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, por regulations and restrictions of Baltimore County adopted pursuant	osting, etc. and further agree to and are to be bounded by the zoning
	I/We do solemnly declare and affirm, under the penalties of
	perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	12 Poloso PIET
Name - Type or Print	Name - Type or Print
Signature	National A. Mc In Type
Address Telephone No.	Name - Type or Print A MA A A
City State Zip Code	Signature
Attorney For Petitioner:	410 - 247 - 660 Address Telephone No.
Narne - Type or Print	City State Zip Code
M. 151 x M.	Representative to be Contacted:
Signature	PATRICK C. RICHMEDSON JR
Company	Name
Address Telephone No.	730 W. PADONIA RD 410-560-(50) Address Telephone No
City State Zip Code	Cockeysville MD 21030 City State Zip Code
this 3 day of that the subject matter of	e required, it is ordered by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning
redulations of Baltimore County and that the property be reposted.	
A 2	Zoning Commissioner of Bollingers College
	Zoning Commissioner of Baltimore County

regulations of Baltimore County and that the property be reposted.	
2 8	
	Zoning Commissioner of Baltimore County
1010	

CASE NO. _

REV 10/25/01

Estimated Posting Date_

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	126 WOODLAN	NN AVENUE	
	BALTIMORE	MD State	21228 Zip Code
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh	ip or practical difficulty):	Bring Street Contraction	
THE FRONT DOOR FACES THE	SIDE AND THE GAR.	AGE LOCATION I	HEETS
WITH THE EXISTING DRIVEW	ay. The existing	TREES AND TO	POGRAPY
ALSO MAKE THIS THE BEST I	LOCATION		
	A .		district small
1.0			
That the Affiant(s) acknowledge(s) that if a for	ormal demand is filed, Affia	ant(s) will be required	to pay a reposting and
advertising fee and may be required to provide	additional information.		
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Signature Signature	Signature	alu A. M. Ind	je
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STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:		
of Maryland, in and for the County aforesaid, pe	rsonally appeared		otary Public of the State
H. RICHARD PIET & NAT the Affiant(s) herein, personally known or satisfa	ALLE A. MCIA	ITYRE ich Affiant(s).	1.4
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AS WITNESS my hand and Notarial Seal			
	Marca	M Colsi	tta
	Notary Public N 4	NCY G. VOLPIT	TA

My Commission Expires

9/1/04

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

REV 10/25/01

126 WOODLAWN

	BALTIMOR	E	State	21228 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ving are the facts or practical diffic	upon which I/v ulty):	we base the request for	or an Administrative
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That the Affiant(s) acknowledge(s) that if a for	mal demand is f	iled Affiant(s)	will be required to b	ev a reposting and
advertising fee and may be required to provide ac	dditional information	Matalie	A. M. Shayre	sy a repositing and
Name - Type or Print		NATAL 18 lame - Type or Pri	E A- MCINTY	re
STATE OF MARYLAND, COUNTY OF BALTIMO	ORE, to wit:			
HEREBY CERTIFY, this 12 TH day of Afford Maryland, in and for the County aforesaid, personal day of Afford Maryland, in and for the County aforesaid, personal day of Afford Maryland Afford Maryland Mar	PRIL sonally appeared	. 2002	<u>-</u> , before me, a Not ar y	Public of the State
H. RICHARD PIET & NATA the Affiant(s) herein, personally known or satisfact	CIE A. MC	TNTYRE me as such A	ffiant(s)	
AS WITNESS my hand and Notarial Seal	22002			
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			s 9/1/04	



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 126 WOODLAWN AVE

2. V. 34684 20.	which is presently zoned $\mathcal{DR}^{-3.5}$
owner(s) of the property situate in Baltimore County and w made a part hereof, hereby petition for a Variance from Se	mits and Development Management. The undersigned, legal thich is described in the description and plat attached hereto and action(s)
accessory structure (detac	had garage to be located in to
front/side yard in lieu of	had garage to be located in to the reprined reanyard
Aboyelede, and South right	THE SELECTION TO POSTURE SELECTION
	1007 + 3 1201 BN CH SHIP SHIP
of the zoning regulations of Baltimore County, to the zoning of this petition form.	g law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the l, or we, agree to pay expenses of above Variance, advertising, regulations and restrictions of Baltimore County adopted pursuant	posting, etc. and further agree to and are to be bounded by the zoning
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	11 0 1 0 :~
Name - Type or Print	Name - Type or Print
Signature	Signature D. McInque
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	410-747-66
	Address Telephone No.
Name - Type or Print	City State Zip Code
	Representative to be Contacted:
Signature	PATRICK C. RICHMEDSON JR
Company	730 W. PADONIA RD 410-560-150
Address Telephone No.	Address Telephone No.
City State Zip Code	City State Zip Code
	be required, it is ordered by the Zoning Commissioner of Baltimore County,
this day of that the subject matter or regulations of Baltimore County and that the property be reposted.	of this petition be set for a public hearing, advertised, as required by the zoning
White Like a see a control of the con-	As it was
	Zoning Commissioner of Baltimore County
CASE NO. 02 - 465 -A R	eviewed By Alla Date 4-23-02
CASE NU.	eviewed By Date

Estimated Posting Date 5-06

730 W. Padonia Road, Suite 101 Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

ZONING DESCRIPTION H. RICHARD PIET AND NATALIE A. MCINTYRE PROPERTY 126 WOODLAWN AVENUE 1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point in the rear line of the Lots 250 feet deep which front on the Easterly side of Arbutus Avenue, said point of beginning being distant Northerly 139.5 feet from the stone which marks the Northeasterly corner of the now or former E.H. Welbourne residence lot and also distant Southerly 15 feet from the Westerly end of the division line between lots J and K as shown on the Plat hereinafter mentioned, thence running parallel to the said division line North 81 degrees 00 minutes 00 seconds East 259.20 feet, to a point in the Southwesterly line of Woodlawn Avenue and continuing the same course 21.80 feet to the center of said avenue; and thence along the center line of Woodlawn Avenue by a curve to the right with a radius of 500 feet a distance of 116.93 feet, having a chord of South 25 degrees 15 minutes 15 seconds East 116.66 feet; thence leaving said centerline and running for a course of South 81 degrees 00 minutes 00 seconds West 20.29 feet to the west side of Woodlawn Avenue; thence continuing along the same course a distance of 293.39 feet on the Westernmost line of Lot I as shown on the Plat hereinafter mentioned; thence binding on the said westernmost line of lots I and J North 9 degrees 00 minutes 00 seconds East 112.00 feet to the place of beginning.

Being the Northernmost 52 feet of Lot I and the Southernmost 60 feet of Lot J as shown on the Plat entitled "Eden Terrace Woodlawn Avenue Revised" dated December 26, 1926, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 8, folio 71.

Containing 0.7168 acres of land, more or less.

465

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

OLA No. 13317

MISCELLANEOUS RECEIPT	BUSINESS ACTUAL TIME
DATE 4-23.02 ACCOUNT P 00/- 06-6150 AMOUNT \$ 50.00	723/2002 4/23/2002 09:41:21 REG MS02 MALKEN JEVA JEE DRAWER 2 >>9CEIPT # 198452 4/23/2002 OFLM DOP 5 528 ZONGG VERTFICATION CR 10. 013311
RECEIVED Related Delhasten	Recet Tot \$50.00 50.00 CK .00 CA Raltimore County, Maryland
FOR: End WOOdlawn AVE	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

CETIFICATE OF POSTING

RE: Case No.: 02-465-A

Petitioner/Developer: PIET

P. RICHARDSON

Date of Hearing Closing: 5/21/07

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

Attention: Man & mondely in Exceptions & GEORGE ZAHNER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 126 - WOODLAWN AVE

Sincerely

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE

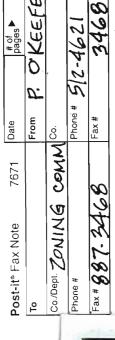
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366; CELL-410.905-8571

(Telephone Number)





#126-WOODLAWN AVE (PIET) 5/21/02

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

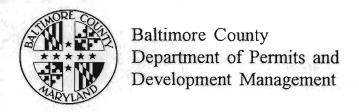
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Item Number or Case Number: 02 - 465 - A
Petitioner: Richard Piet
Address or Location: 126 Wood (awn Arc (21207)
PLEASE FORWARD ADVERTISING BILL TO:
Name: Fatrate Richard Piet
Address:Same
Teiephone Number: 410 -747 - 6600

ADMINISTRATIVE PRIANCE INFORMATION SHEET AND DATES

Case	Number	02-	465	-A	Addre	ess _	126	W	ood 1	iwn	AVE	, ,
Conta	ict Perso	n:	Joh	n SUII er, Please Prin	t Your Name			_	Phone N	√umbe	r: 410-	887-3391
Filing	Date: _	4-	23-02		Posting Da	te: <u>5</u>	-06-0	2 	Clo	sing D	ate: 5	-2/-02
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2.	a forma	al rec	The closing quest for a public hear	public he	aring. Plea	ase u	nderstar	nd th	nat ever	n if the	1,000 f ere is r	eet to file no formal
3.	commis order th (typicall	sione nat th y with	fter the closer. He may ne matter b nin 7 to 10 d ill go to publ	: (a) grai e set in days of th	nt the reque for a public e closing da	ested hear te) as	relief; (bring. Yes to whe	o) de ou v ther	eny the will rece the peti	reques vive wr ition ha	ited reli itten no is been	ief; or (c) otification granted,
4.	(whether commission change)	er du sione d givi certi	PUBLIC HE e to a neiger), notification of the	hbor's for on will b the hear	rmal request e forwarded ng date, tim	st or led to you	by orde /ou. Th d location	r of he s n. A	the zon ign on is when	ning or the pr the sig	r deput operty yn was	ty zoning must be originally
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			465									
Petitio	ner's Na	me _	H. KIL	hard,	Piet		-	Tel	ephone	410	-747	-6600
Postir	ng Date:		5-06 -	02		Clos	sing Dat	te: _	5-3	2/ -	<i>d</i> Z	
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Development Processing County Office Building 111 West Chesapeake Avenue Towson; Maryland 21204 pdmlandacq@co.ba.md.us

May 20, 2002

Mr. H. Richard Piet Ms. Natalie A. McIntire 126 Woodlawn Avenue Baltimore, MD 21207

Dear Mr. Piet and Ms. McIntire:

RE: Case Number: 02-465-A, 126 Woodlawn Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 23, 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.

Supervisor, Zoning Review

W. Carl Bichards /rlh

WCR:rlh

Enclosures

c: Patrick C. Richardson, Jr. 730 W. Padonia Ave. Cockeysville, MD 21030

People's Counsel



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

May 7,2002

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 May 6, 2002

Item No.: See Below

Dear Mr. Zahner:

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

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

460-462, 464-468, 470 & 471

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 29, 2002

Department of Permits & Development

Management

FROM:

A Robert W. Bowling

DBureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for May 6, 2002

Item No. 460, 461, 462, 463, 464, 465, 466, 467, 468, 469

and 471

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

RWB:CEN Cc: file

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley 233 \ Tot

DATE:

June 6, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of May 6, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

460,462,465-469,471

P7 20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: May 13, 2002

ZOMING COMA ... THER

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-465, 02-467, and 02-468

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

Prepared by:

Section Chief:

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 5.2.01

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

RE: Baltimore County

Item No. 465

215

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.

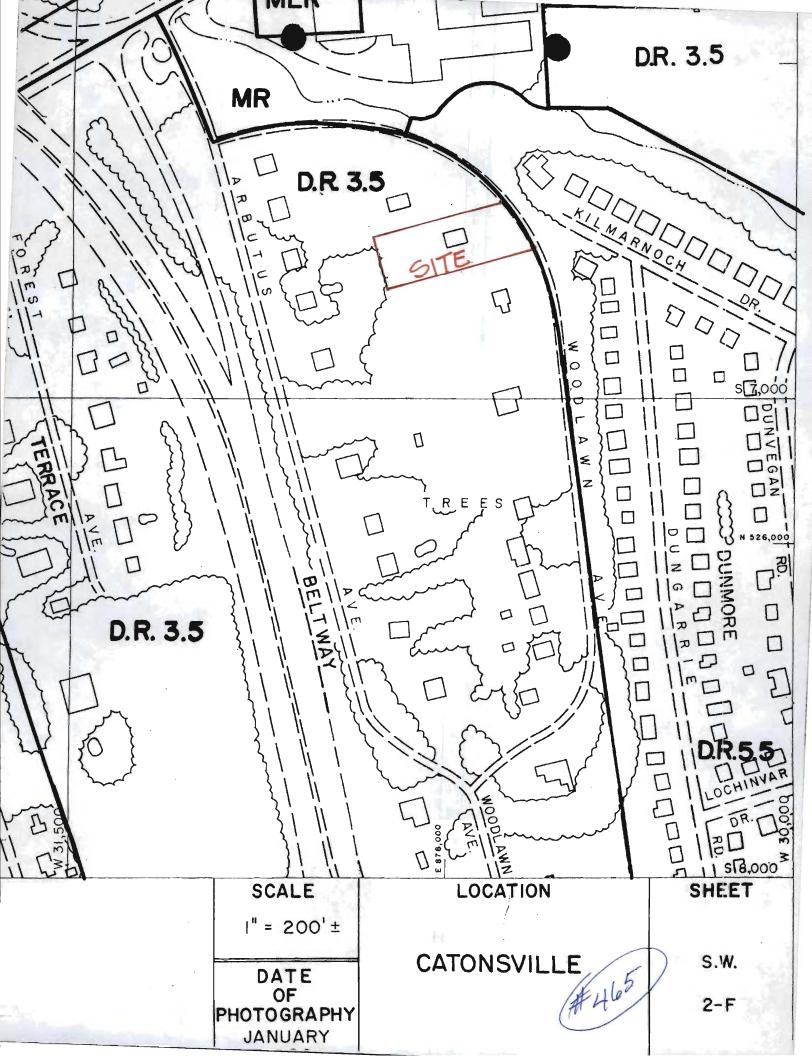
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1~

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

1. J. Gredh



profosal e

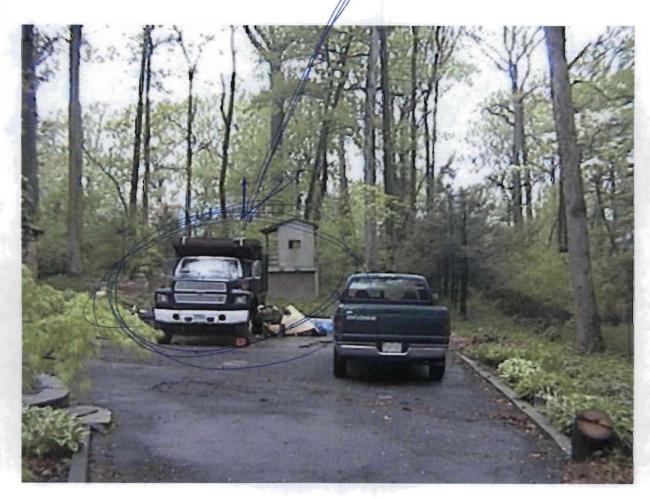


Photo taken - Looking West

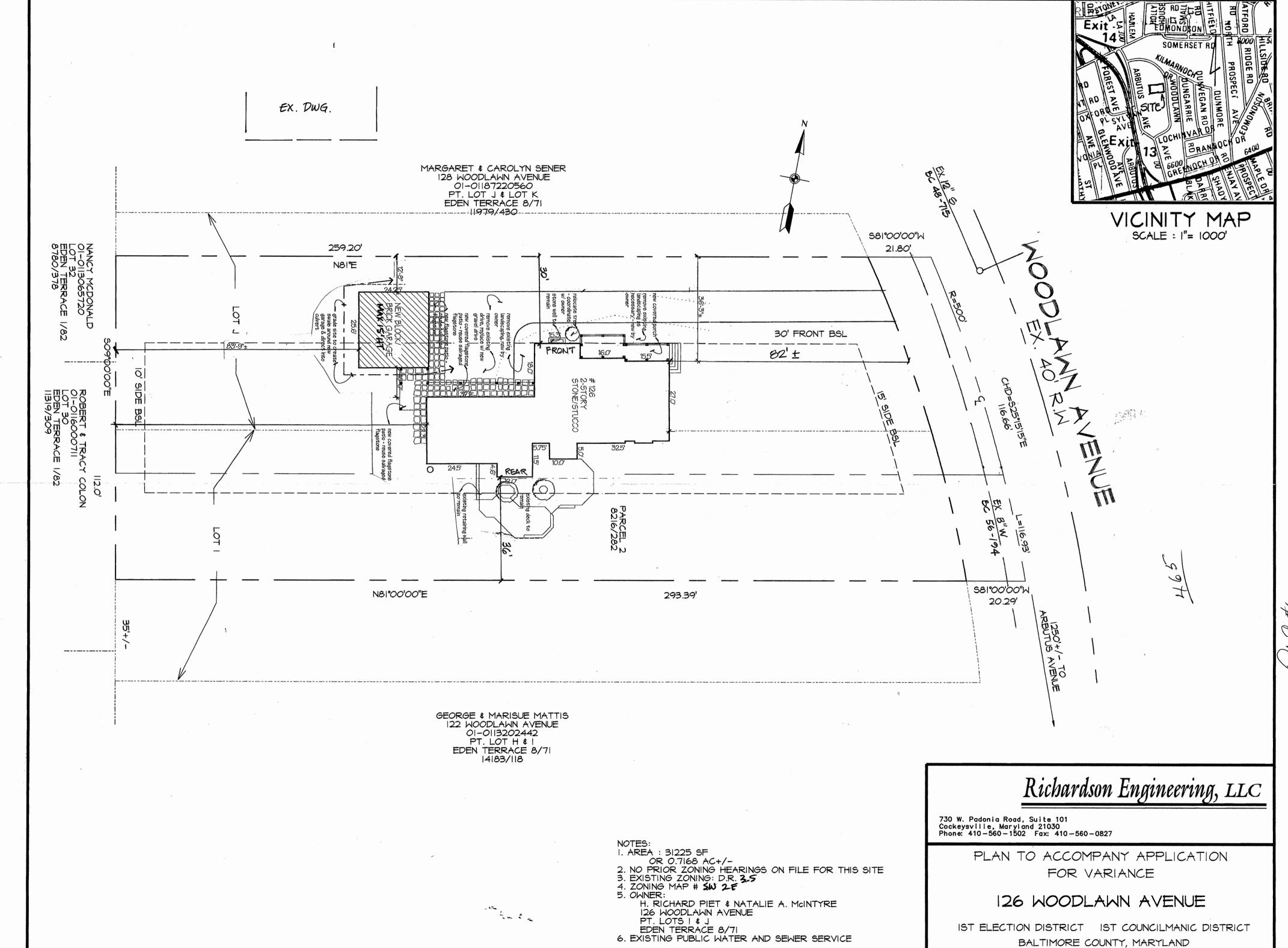
465

Proposede



Photo Taken - Looking NORHH.

165



SCALE : 1"= 20"

DATE: APRIL 2002

RENG JOB NO.: 02030