

IN RE: PETITION FOR VARIANCE
W/S Galloway Road, 1050' N
centerline of Cold Spring Road
15th Election District
5th Councilmanic District
(Lot 43, Galloway Road)

Robert C. & Frances T. Hall
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-515-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Robert and Frances Hall. The Petitioners are requesting a variance for property they own known as Lot 43, Galloway Road, which property is zoned R.C.5. The variance request is from Sections 1A04.3.B.1 & 2 and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a dwelling to be constructed on a lot with an area of 0.237 acres and containing a front yard setback of 65 ft. to the street center line and side yard setbacks of 10 ft. each in lieu of the minimum required 1 acre, 25 ft. and 50 ft. respectively and to approve an undersized lot.

Appearing at the hearing on behalf of the variance request were Robert and Frances Hall. Albert Rode, appeared as an interested citizen. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.237 acres of land, more or less, zoned R.C.5. The subject property is an unimproved waterfront lot located on Galloway Road in the Bowley's Quarters area of Baltimore County. The property owners, Mr. and Mrs. Hall, have owned the property for the past 18 years. They are now desirous of constructing a single-family residential dwelling on their property. In order to proceed with the construction of their home the variance request is necessary.

ORDER RECEIVED FILING

Date

7/16/02

By

R. J. Jenson

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

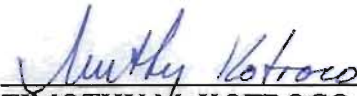
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 16th day of July, 2002, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 1A04.3.B.1 & 2 and 304 of the B.C.Z.R., to permit a dwelling to be constructed on a lot with an area of 0.237 acres and

containing a front yard setback of 65 ft. to the street center line and side yard setbacks of 10 ft. each in lieu of the minimum required 1 acre, 25 ft. and 50 ft. respectively and to approve an undersized lot, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 7/16/02
By R. J. [signature]



Baltimore County
Zoning Commissioner

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

July 16, 2002

Mr. & Mrs. Robert C. Hall
8626 Schroeder Avenue
Baltimore, Maryland 21236

Re: Petition for Variance
Case No. 02-515-A
Property: Lot 43, Galloway Road

Dear Mr. & Mrs. Hall:

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

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

Very truly yours,

A handwritten signature in black ink, which appears to read "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Albert E Rode Jr CPA
Rode & Armstrong PA
100 West Road Ste 416
Towson, MD 21204

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



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Lot 43, Galloway Rd.

which is presently zoned RC5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.1+2, 304 to permit a

dwelling on a lot with an area of .237 acre, a front setback of 65 ft to the street centerline, and side setbacks of 10 ft each in lieu of the minimum required 1.0 acre, 75 ft and 50 ft each respectively and to approve an undersize lot per sect. 304 with any other Variances deemed necessary by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) WE ARE TRYING TO GET OUR PROPERTY REZONED FOR SEWERAGE CONNECTION, WHICH WILL BE PUT IN NEXT YEAR.

WE HAVE WATER, ELECTRIC & TAXES

AS A RETIRED CITIZEN ITS A HARDSHIP TO KEEP UP

BOTH PROPERTIES

WE WOULD LIKE TO BUILD A HOME BECAUSE WE HAVE

1/3 OF THE PROPERTY TO MAINTAIN

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 02-515-A

REV 9/15/98

Legal Owner(s):

ROBERT C. HALL

Name - Type or Print

Signature

FRANCES T. HALL

Name - Type or Print

Signature

8628 SCHROEDER AVE 410-256-0528

Address

Telephone No.

BALTIMORE MD. 21236

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hr

UNAVAILABLE FOR HEARING

Reviewed By: [Signature] Date 5-17-02

DT/SP

ORDER RECEIVED FOR FILING

Date

By

ZONING DESCRIPTION

ZONING DESCRIPTION FOR Lot #43 Galloway Road

Beginning at a point on the west side of
Galloway Road which is 30 feet wide
at the distance of ~~1050~~ feet north of the
centerline of the nearest improved intersection
street Cold Spring Road, which is 30 feet wide
*Being Lot #43 in the subdivision of Bowley's
Quarters, Plat 1 as recorded in Baltimore County
plat book #7, Folio #43 containing 10,350 square feet
Also known as Lot #43 Galloway Road and located in
the 15 Election District 5 Councilmanic District

515

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 13304
02-515-A

DATE 5-17-02 ACCOUNT R-001-006-6150
AMOUNT \$ 50.00

RECEIVED
FROM:

Mrs. M. Hall

FOR:

Residential Variance Filing Fee
LOT 43 Calloway Rd. W5, 1650 N &
of Cold Spring Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
5/17/2002 5/17/2002 10:37:36

REG WS04 WALKIN DEOL DND DRAWER 2
>>RECEIPT # 182932 5/17/2002 OFLN
Dept 5 520 ZONING VERIFICATION
CR ID. 013304

Recpt Tot \$50.00
.00 CK 50.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-515-A

Lot 43, Galloway Road

W/side Galloway Road, 1,050 feet north of center line of Cold Spring Road

15th Election District - 5th Councilmanic District

Legal Owner(s): Robert C. Hall and Frances T. Hall

Variance: to permit a dwelling on a lot with an area of .237 acres, a front setback of 65 feet to the street centerline, and side setbacks of 10 feet each in lieu of the minimum required 1.0 acre, 25 feet and 50 feet each respectively, and to approve an undersized lot.

Hearing: Friday, July 12, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/24/02 June 27

C547186

CERTIFICATE OF PUBLICATION

6/28/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/27/, 2002.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-515-A

Petitioner/Developer: _____

ROBERT & FRANCES HALL

Date of Hearing/Closing: 7/12/02

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

Attention: MR. GEORGE SAHNER
~~Ms. Swendelyn Stephens~~

Ladies and Gentlemen:

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

LOT 43, GALLOWAY ROAD

The sign(s) were posted on 6/21/02
(Month, Day, Year)

Sincerely,

Richard E. Hoffman 6/21/02
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

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

(410) 879-3122
(Telephone Number)



LOT 43, GALLOWAY RD.
POSTED 6/21/02
Richard E. Hoffman 6/21/02

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 02-515-A

Petitioner: Robert C. Hall

Address or Location: West side Galloway Rd, 1050' N of & Cold Spring Rd LOT 43, (Bowleys Quarters Plat 1)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert C. Hall

Address: 8628 Schroeder Ave.

Baltimore, Md, 21236

Telephone Number: 410-256-0528

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 27, 2002 Issue – Jeffersonian

Please forward billing to:
Robert C. Hall
8628 Schroeder Avenue
Baltimore, MD 21236

410-256-0528

NOTICE OF ZONING HEARING

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CASE NUMBER: 02-515-A

Lot 43, Galloway Road

W/side Galloway Road, 1,050 feet north of center line of Cold Spring Road

15th Election District – 5th Councilmanic District

Legal Owner: Robert C. Hall and Frances T. Hall

Variance to permit a dwelling on a lot with an area of .237 acres, a front setback of 65 feet to the street centerline, and side setbacks of 10 feet each in lieu of the minimum required 1.0 acre, 25 feet and 50 feet each respectively, and to approve an undersized lot.

HEARING: Friday, July 12, 2002 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

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.



Baltimore County
Department of Permits and
Development Management

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

June 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:

CASE NUMBER: 02-515-A

Lot 43, Galloway Road

W/side Galloway Road, 1,050 feet north of center line of Cold Spring Road

15th Election District – 5th Councilmanic District

Legal Owner: Robert C. Hall and Frances T. Hall

Variance to permit a dwelling on a lot with an area of .237 acres, a front setback of 65 feet to the street centerline, and side setbacks of 10 feet each in lieu of the minimum required 1.0 acre, 25 feet and 50 feet each respectively, and to approve an undersized lot.

HEARING: Friday, July 12, 2002 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

Arnold Jablon
Director

C: Robert and Frances Hall, 8628 Schroeder Avenue, Baltimore 21236

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 27, 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.

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



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS Lot 43 Galloway Road

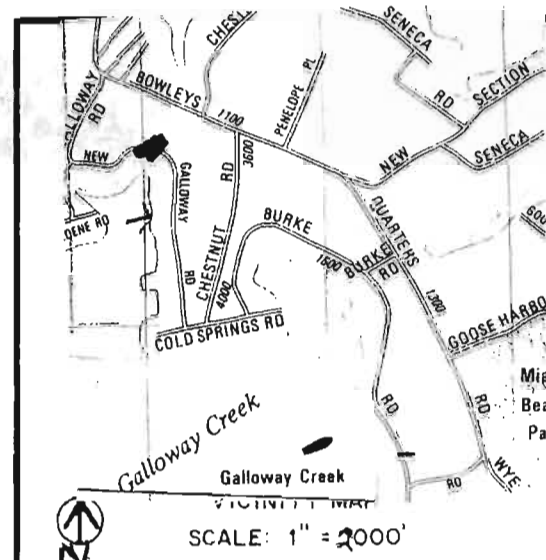
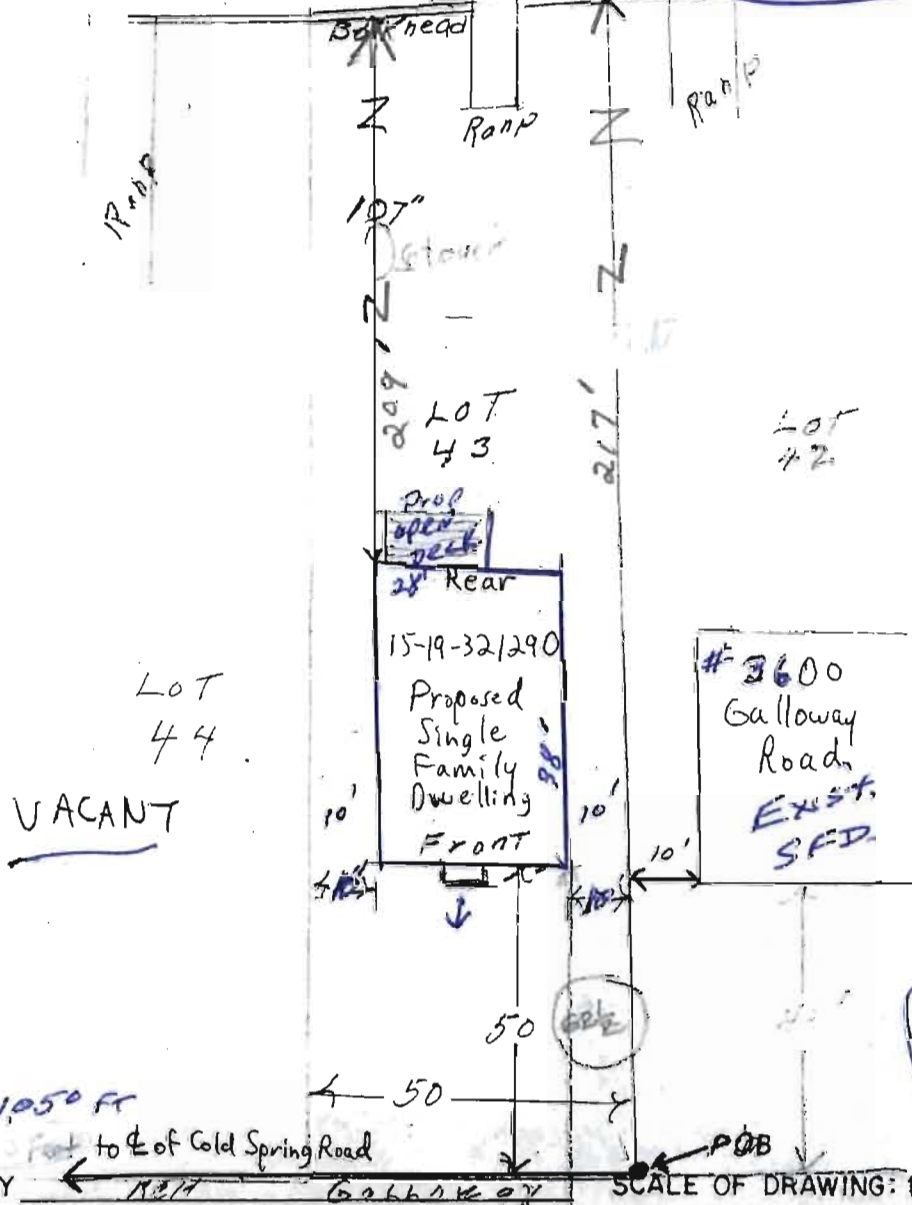
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Bowley's Quarter, Plat 1

PLAT BOOK # 7 FOLIO # 12 LOT # 43 SECTION #

OWNER Robert O Hall & Frances T Hall

Waterfront



LOCATION INFORMATION

ELECTION DISTRICT 15
 COUNCILMANIC DISTRICT 5
 1" = 200' SCALE MAP # NE 2-K NE 2-K
 ZONING RC-5
 LOT SIZE .237 10,350
 ACREAGE SQUARE FEET
 SEWER ☐ PUBLIC ☒ PRIVATE
 WATER ☒ PUBLIC ☐ PRIVATE
 CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO
 100 YEAR FLOOD PLAIN ☒ YES ☐ NO
 HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
 PRIOR ZONING HEARING N/A

ZONING OFFICE USE ONLY
 REVIEWED BY SP/DT ITEM # 515 CASE #

PREPARED BY REH

SCALE OF DRAWING: 1" = 30'

GALLOWAY ROAD (30' R/W, 25' PAVING)



Baltimore County
Department of Permits and
Development Management

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

July 5, 2002

Mr. & Mrs. Robert C Hall
8628 Schroeder Avenue
Baltimore MD 21236

Dear Mr. & Mrs. Hall:

RE: Case Number: 02-515-A, Lot 43, Galloway Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 17, 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. GDR
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



Baltimore County
Fire Department

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

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

May 30, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 3, 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:

515

511-519, 521-523

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

cc: File

Sign
7/12

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** July 10, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2002
Item No. 515

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

The flood elevation protection for the site is 11.2 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 (*commercial*) development.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS/TLT*
DATE: July 15, 2002
SUBJECT: Zoning Item 515
Address Lot 43 Galloway Road

Zoning Advisory Committee Meeting of June 3, 2002

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following 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 (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X 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:

See the attached copy

Reviewer: Keith Kelley

Date: July 9, 2002

CBCA Zoning Comments (zoning item # 55)

☒ The property is located within the Limited Development Area (LDA), ~~or Resource Conservation Area (RCA), or Intensely Developed Area (IDA)~~ of the Chesapeake Bay Critical Area (CBCA).

☐ This proposal must use best management practices, which reduce pollutant loadings by 10%.

☐ Man-made impervious surfaces are limited to 15% for lots greater than ½ acre in size.

☒ Man-made impervious surfaces are limited to 25% for lots less than ½ acre in size.

☒ Mitigation is required if exceeding the 25% impervious surface limit. Impervious surfaces are limited to ~~25% of the lot & 500 square feet or~~ 31.25% of the lot. Otherwise, a Critical Area Administrative Variance (CAAV) is required.

☐ If permitted development on a property currently exceeds impervious surface limits, that percentage may be maintained during redevelopment of the property.

☒ 15% forest must be established or maintained. This equates to 3 trees for a lot of this size.

☒ Any tree removed in the buffer for this structure must be replaced on a 1:1 basis.

☒ All downspouts must discharge rainwater runoff across a pervious surface such as a lawn.

☒ The lot is in a Buffer Management Area (BMA). Mitigation (planting trees, removing impervious area, or paying a fee-in-lieu) is required for the placement of the proposed structure within 100' of tidal waters.

☒ If the lot is unimproved, then the proposed dwelling cannot go any closer to the water than the neighboring dwelling farthest away from the water.

☐ If the lot is improved, then the proposed dwelling can go as close to the water as the existing dwelling.

☐ A Critical Area Administrative Variance (CAAV) is required for the placement of the proposed structure within 100' of tidal waters, tidal wetlands, stream, or within 25' of non-tidal wetlands.

☐ A Critical Area Administrative Variance (CAAV) is required since the proposed principal structure cannot honor the required 35' residential building setback or 25' commercial building setback from the 25' or 100' buffer.

June
7/12

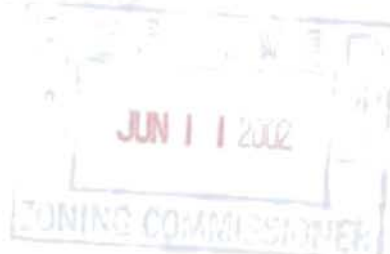
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 7, 2002

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



SUBJECT: Lot 43, Galloway Road

INFORMATION:

Item Number: 02-515

Petitioner: Robert C. Hall

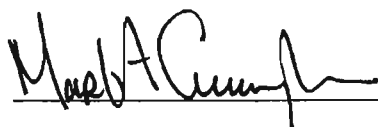
Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow a dwelling on a lot with an area of .237 acres, a front yard setback of 65 feet to the street center line, and side yard setbacks of 10 feet in lieu of the minimum required 1.0 acre, 75 feet and 50 feet respectively. This office also supports the request to approve and undersized lot per Section 304, and any other variances deemed necessary by the Zoning Commissioner.

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: 5.28.02

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

RE: Baltimore County
Item No. 515 JJS

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

My telephone number is _____

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

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

RE: PETITION FOR VARIANCE
Lot 43, Galloway Road, W/S Galloway Rd,
1050' N of c/l Cold Spring Rd
15th Election District, 5th Councilmanic

Legal Owner: Robert C. and Frances T. Hall
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-515-A

* * * * *

ENTRY OF APPEARANCE

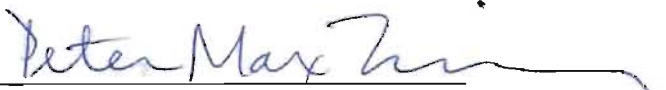
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation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


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Robert C. and Frances T. Hall, 8628 Schroeder Avenue, Baltimore, MD 21236, Petitioners.


PETER MAX ZIMMERMAN



December 8, 2004

Jack Grimmel
1506 North Bend Road
Jarrettsville, MD 21084

Dear Mr. Grimmel

RE: 3540 Galloway Road
Spirit and Intent Case No. 02-515-A
15th Election District

Your letter, dated December 4, 2004, has been referred to me for reply. After careful review of the materials included with the letter and the zoning records for this property the following has been determined.

The order put forth by the Deputy Zoning Commissioner in the above referenced zoning case is very specific in the relief granted. Provided that the proposed construction maintains the 65' separation to the **centerline** of Galloway Road and side yard property line setbacks of 10' the proposed construction is considered to be within the "*spirit and intent*" of said order. It appears to this reviewer that providing a 65' setback to the **centerline** of a road having a 30' right of way width will in fact leave a setback to the property line of 50'.

You may contact Mr. Douglas A. Swam of the Bureau of Building Permit Processing to obtain information on how to revise your building permit application to reflect a **street centerline setback of 65'** and a **front property line setback of 50'**. You should also present a copy of this letter at the time the revised application is presented to Zoning Review for sign off.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd T. Moxley", is written over a horizontal line.

Lloyd T. Moxley
Planner II, Zoning Review

LTM



**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

December 20, 2004

Jack Grimmel
1506 North Bend Road
Jarrettsville, MD 21084

Dear Mr. Grimmel

RE: 3540 Galloway Road
Spirit and Intent Case No. 02-515-A
15th Election District

Subsequent to our meeting and discussions with Mr. Timothy Kotroco, Director of Permits and Development Management for Baltimore County the following has been determined.

The construction of a single family dwelling having setbacks of 10' to the side property lines, 53.5' to the centerline of Galloway Road and 38.5' to the front property line is considered to be **within** the "*spirit and intent*" of the decision and order in the above referenced case. You must present a copy of this letter at the time of building permit application.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd T. Moxley".

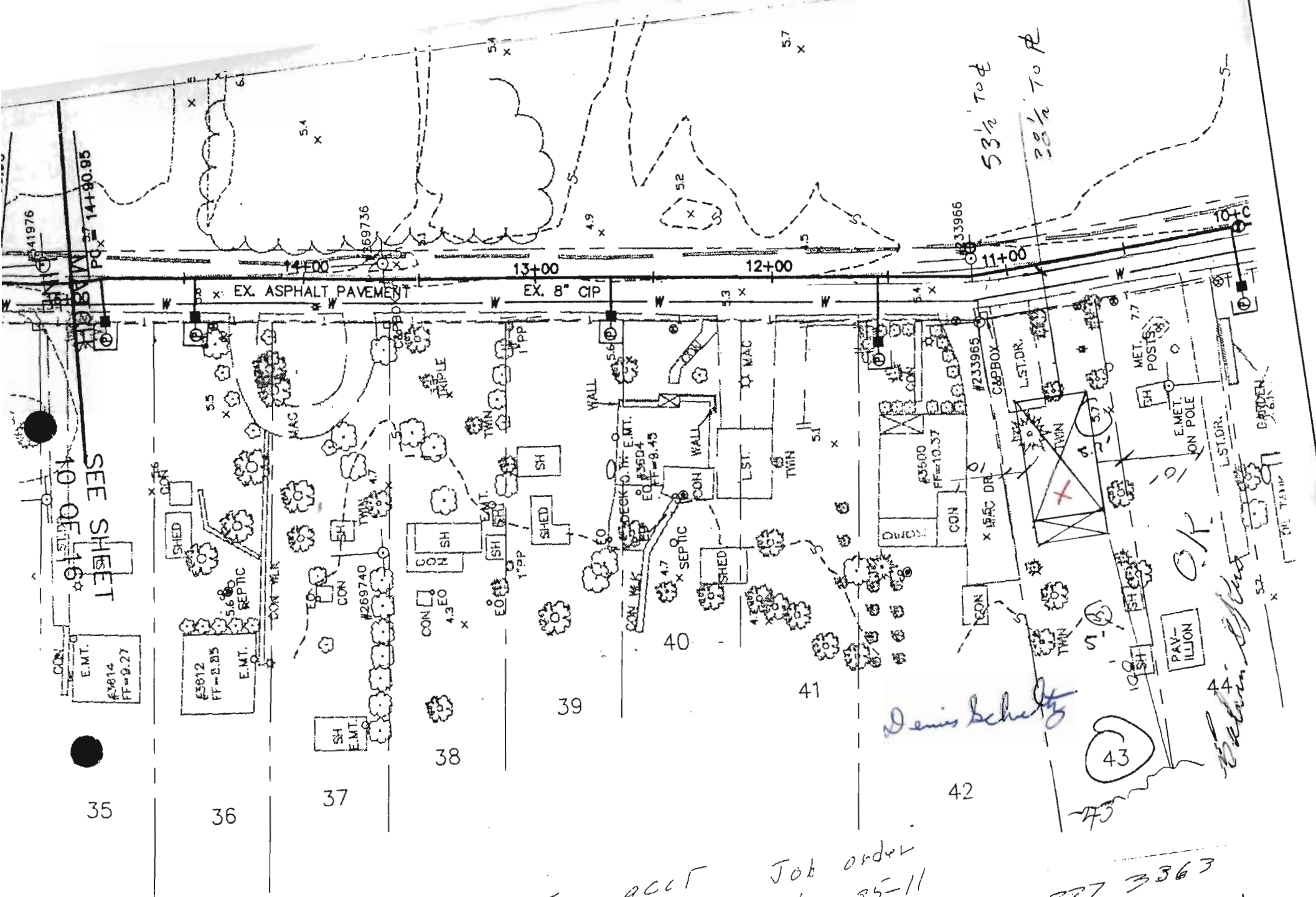
Lloyd T. Moxley
Planner II, Zoning Review

LTM

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Galloway Rd



Galloway Rd



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QUARTERS

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R.C.5

PIER

CHESTNUT

QUARTERS

BL

R.C.20

GALLOWAY

ROAD

ROAD

PIER

PIERS

ROAD WALL

OAKDENE

R.C.5

WALL

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PIER

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SCALE

LOCATION