IN RE: PETITION FOR ADMIN. VARIANCE
NW/corner of the intersection
of Link Avenue & June Road
13th Election District
1st Councilmanic District
(5532 Link Avenue)

Brenda Cross & Arthur A. George Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-004-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Brenda Cross and Arthur A. George, the legal owners of the subject property. The variance request is for property located at 5532 Link Avenue in the western 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 permit an accessory structure (garage) to be located in the third portion of the rear yard closest to a public road in lieu of the required third portion farthest from a public road. 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

SAN SOR ROBERT BURGERS OF THE FIRST STATE OF THE PROPERTY OF T

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 Aday of August, 2002, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) to be located in the third portion of the rear yard closest to a public road in lieu of the required third portion farthest from a public road 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.

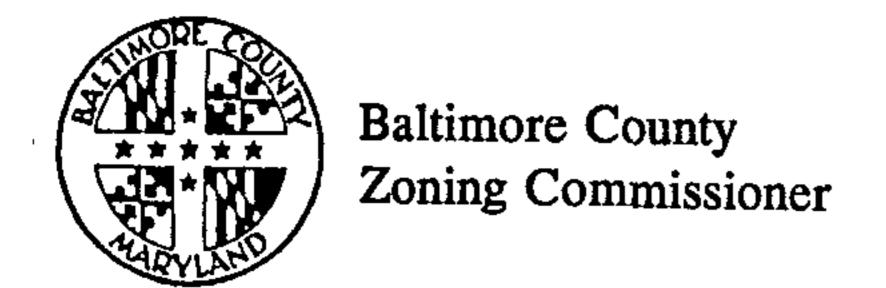
TIMŌTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

The state of the s



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

Fax: 410-887-3468

August 5, 2002

Ms. Brenda Cross Mr. Arthur A. George 5532 Link Avenue Baltimore, Maryland 21227

> Re: Petition for Administrative Variance Case No. 03-004-A Property: 5532 Link Avenue

Dear Ms. Cross & Mr. George:

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

Muthy llotroco

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	for the proper	rty located a	t <u>553</u>	2 Link /	Jue.
	-			zoned <u>D. R</u>	
This Petition shall be filed with owner(s) of the property situate in made a part hereof, hereby petition structure (garage) closest to a publicar their remains	be located in	the third	partion of the reg	rmit an a ef the rear	yard
of the zoning regulations of Baltimo of this petition form. Property is to be posted and advert I, or we, agree to pay expenses of aboregulations and restrictions of Baltimor	tised as prescribed by	the zoning regu	ulations.		
		perjury,	solemnly declare that I/we are the ubject of this Petit	e and affirm, under the legal owner(s) of the lion.	ne penalties of property which
Contract Purchaser/Lessee:		<u>Legal</u>	Owner(s):	•	
Name - Type or Print		- Bren	da Cross Type or Print		<u> </u>
Signature	· · · · · · · · · · · · · · · · · · ·	Signatur	e Cr	6-Y2	· · · · · · · · · · · · · · · · · · ·
Address	Telephone No.	- Arth	ype or Print	Hare i	<u> </u>
City	ite Zip Code	Signatur	e e	1 car	
Attorney For Petitioner:		Address	Link Ave	0 (410)	242-1138 Telephone No.
Name - Type or Print	······································	Balt:	imore	Md State	21227
Signature	<u> </u>	•	sentative to b	e Contacted:	Zip Code
		_	r A. George		·
Company		Name	T & 1	(/10)	0/0 1120
	Telephone No.	Address	Link Ave	(410)	242-1138 Telephone No.
City Sta	te Zin Codo	Balti	more	Md	21227
	,p,u,u	,		State	Zip Code
A Public Hearing having been formally of this bay of Englishions of Baltimore County and that the CASE NO.	property be reposted.	Reviewed By	Set for a public fieal	ner of Baltimore Count	luired by the zoning
REV 10/25/01	 	, _		_ Date/2/	
O O O		Estimated Pos	ting Date	7/15/02	

Affidavita 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 A	Affiant(s)	does/do	presentiv	reside	a
				, ,	-

 5532
 LINK AVE

 Address
 Address

 BALTIMORE
 MD
 2/227

 City
 State
 Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Our plan is to enlarge the existing garage from 12 foot wide by 18 foot long to 29 foot wide by 22 foot long in order to make it more useful. We understand according to Baltimore County zoning that the problem is extending the front of the existing garage as well as the front of the addition 4 foot closer to June Road which is the side street of the property. June Road begins at Carville Ave, across Link Ave across Willys Rd and ends at the walking bridge over the stream. Currently the front of the garage is set back 10.6 feet from the property line and the proposed addition will reduce that to 6.6 feet. The existing garage is barely large enough to get one car inside. With the garage door closed there is no room to work on a car as the front bumper is touching the front wall of the building. In order to perform any maintenance on the car it must be backed part way out of the garage. We are requesting a variance to allow the building set back to be 6.6 feet.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Breekees Course Cour

Brenda Cross	- Kutur Ullur
Signature	Signature
Brenda Cross	Arthur A. George

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of June, , 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Brenda Cross Arthur A George the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Mosp Mocarboushi
Notary Public

My Commission Expires 6-9-2003

Affidavith 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

5532 LINK AVE

Address

BALTIMORE MD 2/227

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Our plan is to enlarge the existing garage from 12 foot wide by 18 foot long to 29 foot wide by 22 foot long in order to make it more useful. We understand according to Baltimore County zoning that the problem is extending the front of the existing garage as well as the front of the addition 4 foot closer to June Road which is the side street of the property. June Road begins at Carville Ave, across Link Ave across Willys Rd and ends at the walking bridge over the stream. Currently the front of the garage is set back 10.6 feet from the property line and the proposed addition will reduce that to 6.6 feet. The existing garage is barely large enough to get one car inside. With the garage door closed there is no room to work on a car as the front bumper is touching the front wall of the building. In order to perform any maintenance on the car it must be backed part way out of the garage. We are requesting a variance to allow the building set back to be 6.6 feet.

Signature

Brenda Cross

Arthur A. George

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of June , 2002 , before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Brenda Cross Arthur A George

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

1 Nowakawski

My Commission Expires __ 6-9-2003

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

REV 10/25/01

AS WITNESS my hand and Notarial Seal



Petitic for Administrative Variance

to the Zoning Commissioner of Baltimore County

	for	the property l	ocated at5532	2 Link A	lue,
			which is presently	zoned D.R	. ~5.5
This Petition shall be owner(s) of the proper made a part hereof, he	e filed with the Derty situate in Baltimo	partment of Permore County and white	its and Development Mana ch is described in the descri	agement. The unoption and plat attac	dersigned, legal thed hereto and
Structure	(garage)	be located	ch is described in the description(s) 400.1 for property of the third p	ermit an a ortion of th	e really
Closes, 4	o a public	toad in	lieu of the regi	uited third	1 portion
farthes	t removed	from a	public road.		
of the zoning regulatio of this petition form.	ns of Baltimore Co	unty, to the zoning	law of Baltimore County, for	the reasons indicat	led on the back
Property is to be poste i, or we, agree to pay ex- regulations and restriction	Denses of above vari	ance advertising no	zoning regulations. sting, etc. and further agree to to the zoning law for Baltimore	and are to be bound County.	ed by the zoning
			I/We do solemnly declare perjury, that I/we are the least the subject of this Petitic	egal owner(s) of the I	∍ penalties of property which
<u>Contract Purchase</u>	r/Lessee:		Legal Owner(s):	1	
Name - Type or Print	<u></u>		Name Type or Print		
Signature		·	Signature ()	7	
Address	<u> </u>	Telephone No.	Arthur A. George Name Type of Print	10//	
City	State	Zip Code	Signature T	year	
Attorney For Petitic	ner:		5532 Link Ave	0(410) 2	242-1138
			Address		Telephone No.
Varne - Type or Print			Baltimore City	Md State	21227.
,			Representative to be		Zip Code
ignature			_	ountauteu.	
ompany			Arthur A. George Name		
ddress		Talankaa ka	5532 Link Ave	(410) 2	242-1138
		Telephone No.	Address		Telephone No.
ity	State	Zip Code	Baltimore City	Md State	21227 Zip Code
Public Hearing having bails day of gulations of Baltimore Cour	een formally demande that nty and that the property	d and/or found to be the subject matter of the be reposted.	required, it is ordered by the Zor is petition be set for a public heard	ning Commission of I	
			Zonina Commission	er of Baltimore County	·
CASE NO	3-004-A	Rev	iewed By	,	/o2_
REV 10/25/01			mated Posting Date	7/15/02	<u> </u>

ZONING DESCRIPTION FOR 5532 LINK AVE

The property is located at the northwest corner of the intersection of Link Ave and June Rd. Link Ave has a right-of-way of 50 feet, while June Rd has a right-of-way of 30 feet. The property is known as Lot # 60, in the subdivision of Sulphur Spring Terrace Plat 2, Plat Book 7, Folio #193, containing 6250 square feet. Also known as 5532 Link Ave and located in the 13th Election District, 1st Councilmanic District.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE No. 145/3	
MISCELLANEOUS RECEIPT ACCOUNT COOL C. 6/5 REL	### 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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RECEIVED CONTROL OF THE PROPERTY OF THE PROPER	
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CERTIFICATE OPOSTING

	RE: Case No.: 03-004-1
	Petitioner/Developer:
	ARTHUR GEORGE
	Date of Hearing/Closing: 7/30/02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204 MR. GEORGE SAHWER Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the property	of perjury that the necessary sign(s) required by law y located at
The sign(s) were posted on	7/15/02 (Month, Day, Year)
ZONING ROTICE APPRINCIPATIVE LE - 03-004-6 TO AFFORD AN A COLORED AND JO ADVANCED AND LOSS OF THE STATE AND	Sincerely, Sincerely, Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) GOA DELLWOOD DR. (Address) FALLS TON, MO 21047 (City, State, Zip Code)

5532 LINIK AVE.
POSTED 7/15/02
FARALESPE 7/15/07

ZONING REVIEW

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

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Contact Persor		Bruus 1 anner, Please Print Yo	Quaitis ur Name	<u>s</u>	Phone Nu	ımber: 410-8	387-3391
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a forma	I request for	ing date is the a public hearing a proc	ng. Please	understand	that even	if there is n	et to file o formal
commiss order th (typically	sioner. He matter at the matter within 7 to 1	losing date, the ay: (a) grant to be set in for of the cubic hearing.	the requeste a public he losing date)	ed relief; (b) earing. You as to whethe	deny the re will receiv	equested relieve re written no	ef; or (c) etification
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

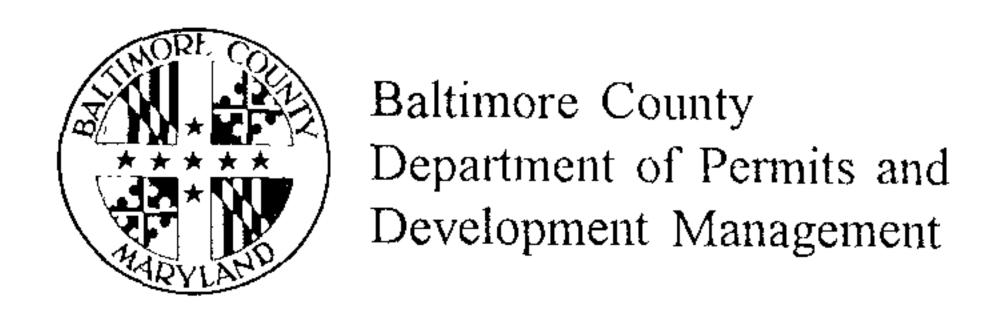
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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 Number or Case Number:	03-004	<u>- A</u>	
Petitioner: ARTHUR,	A. GEORGE		
Address or Location: 55.32		BALTIMORE MD	2/22
PLEASE FORWARD ADVERTIS			
Name: ARTHUR A.	GEORGE		
Address: <u>5532 LINK</u> BALTIMORR	AVE		
21,-	Mx 2/277		
DAL/IMBRE	10000	·····	

Revised 2/20/98 - SCJ



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

July 29, 2002

Brenda Cross
Arthur A George
5532 Link Avenue
Baltimore MD 21227

Dear Ms. Cross & Mr. George:

RE: Case Number: 03-004-A, 5532 Link Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 2, 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 Richard, Jr.

W. Carl Richards, Jr. らうし Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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

July 18,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 15, 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: 583; 001-005; 007+008; 010-013; 015



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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: August 5, 2002

TO: Arnold Jablon, Director

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For July 22, 2002

Item Nos. 583, 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 015,

and 016

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RB TLT

DATE:

July 22, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 15, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

583, 001-008, 011, 014, 016

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 17, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-001, (3-004), & 03-016

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.

Section Chief: The Ministry William Chief:



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 7.16.02

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

RE: Baltimore County

Item No. 04

乃て

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. I. Hoelle.

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



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 7.16.03

Baltimore County

Item No. 224

RE:

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear. Ms. Hart:

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.

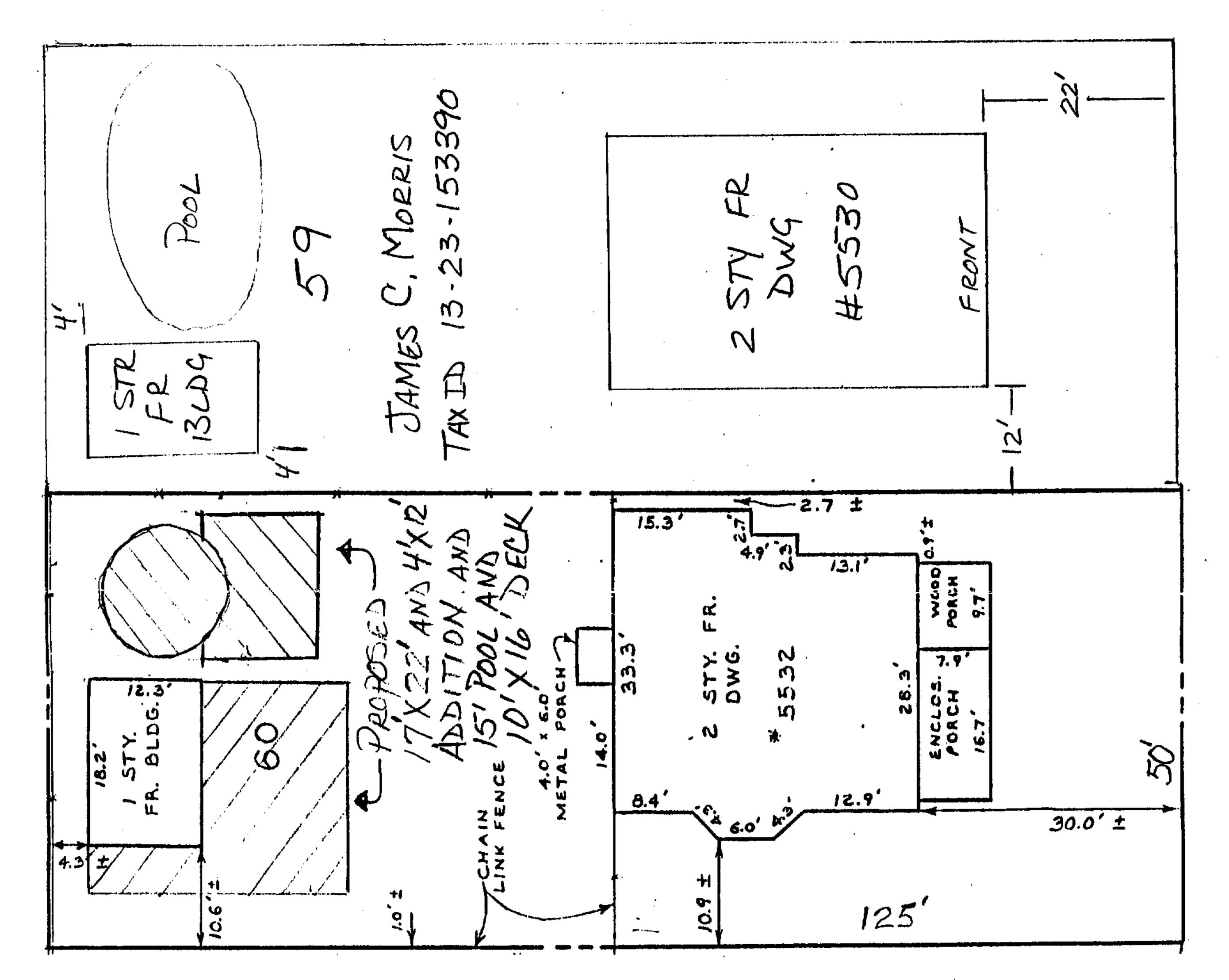
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Very truly yours,

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

LOT # GO SECTION #

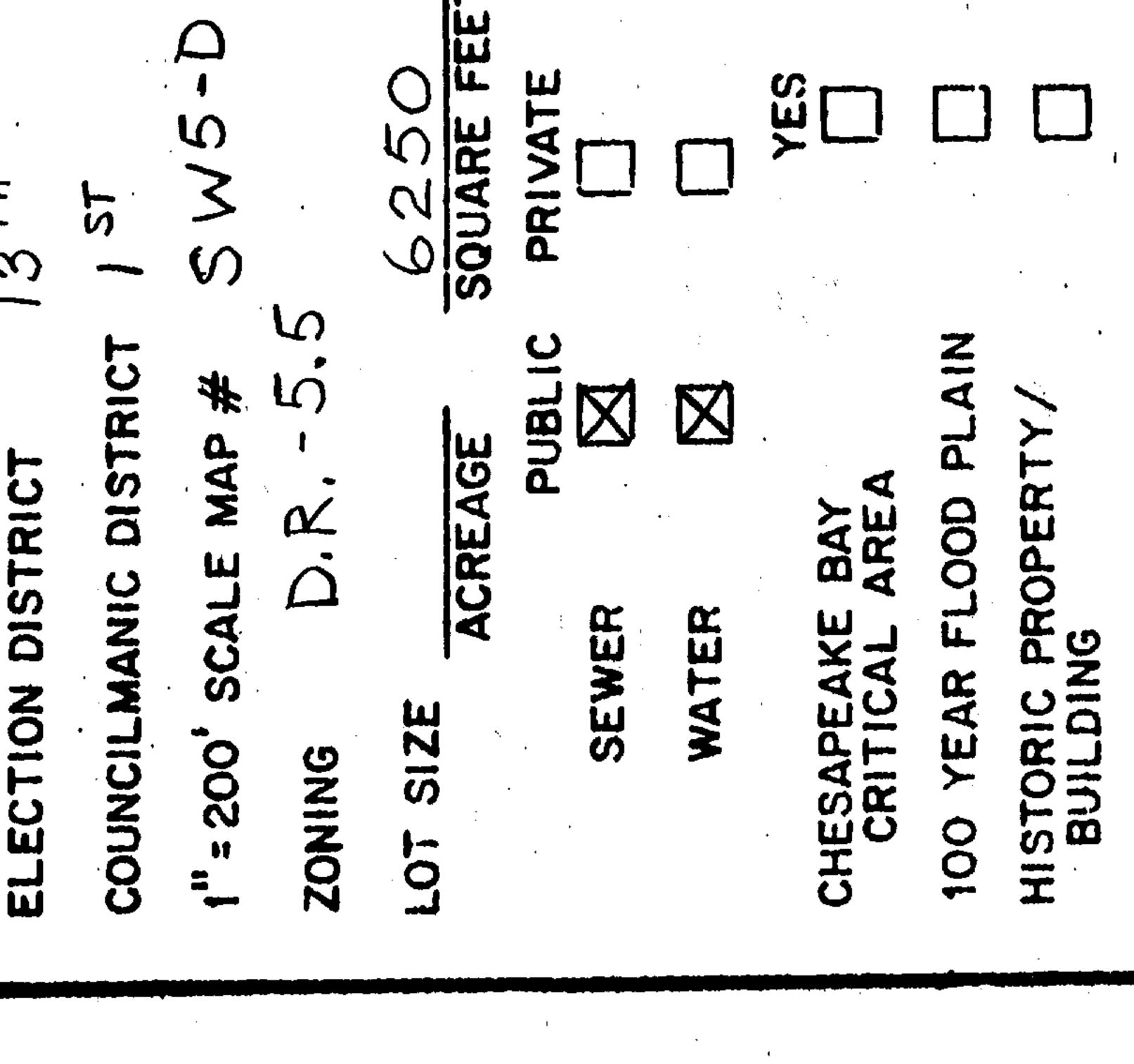
JOHN AND ARTHUR A. GEORGE



100

SCALE

OCATION



INK AVE 50' WIDE

