

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Hammond Avenue, 195.5' W
centerline of 2nd Avenue
4th Election District
3rd Councilmanic District
(113 Hammond Avenue)

Mary L. & Daniel A. Soltys
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-108-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Mary L. and Daniel A. Soltys, legal owners, of that property known as 113 Hammond Avenue in the Reisterstown area of Baltimore County. The Petitioners herein seek relief from Section 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 16 ft. in lieu of the required 22.5 ft. for an open projection (deck). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

COPIES RETURNED FOR FILING

Date 10/10/02
By R. Gannon

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 10th day of October, 2002, that a variance from Section 301.1A of the B.C.Z.R., to permit a rear yard setback of 16 ft. in lieu of the required 22.5 ft. for an open projection (deck), 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

10/10/02
R. J. Johnson



Baltimore County
Zoning Commissioner

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

October 10, 2002

Mr. & Mrs. Daniel A. Soltys
113 Hammond Avenue
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 03-108-A
Property: 113 Hammond Avenue

Dear Mr. & Mrs. Soltys:

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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



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on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 113 Hammond Ave
which is presently zoned DR-3.5

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) 301.1 A - To Permit A Rear Yard
SETBACK OF 16 FT IN LIEU OF THE REQUIRED 22.5 FT. FOR AN OPEN PROJECTION
(DECK).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

Representative to be Contacted:

Name

Address

City

Telephone No.

Zip Code

Telephone No.

Zip Code

If Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 03-108-A

Reviewed By SM Date 09-05-02

Estimated Posting Date 09-16-02

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

Address 113 Hammond Ave.
City Reisterstown State MD Zip Code 21136

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):

Please see attached

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.

Daniel A. Soltys

Signature

Daniel A. Soltys

Name - Type or Print

Mary L. Soltys

Signature

Mary L. Soltys

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of August, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Daniel and Mary Soltys

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

AS WITNESS my hand and Notarial Seal



Tiffany N. Hales

Notary Public

My Commission Expires

9/1/02

Affidavit in support of Administrative Variance

We are in need of a secure and protected play area for small children and would like to build a 12' x 18' open air deck to accommodate this need. There are large dogs in our neighborhood that frequently "escape" from their fenced-in yard and roam the neighborhood. Two of the dogs in particular are not friendly. Additionally, the adjacent woods behind our community are home to many deer that make their way into the backyards of our neighborhood. Therefore, an enclosed area extending from our rear door would provide the security and protection needed while enabling appropriate supervision of children.

In our community, 3 other homes are situated such that they can build a deck to just a depth of 7.5 feet; one such home (115 Hammond Ave.) has been approved for this variance and built a deck with a depth of 14 feet (see photos). The Case Number for their variance was 01-540-A. All of the remaining homes in our community have more property in their backyard and are not constrained by the current zoning provisions.

To build a deck with only a 7.5 foot depth would create insufficient space for a play area for children while at the same time would be inappropriately small for the décor of our neighborhood community. (There is an area at the back of our house which does not extend to the 30' setback line but we are not able to reposition the deck in that space because there is no access from the house to that spot (see photos). The interior layout of the house requires that the deck be in the proposed area.)

Granting relief to this zoning provision would fall well within the spirit of the ordinance and would not negatively impact the public safety and welfare of the community. I have spoken with each of our neighbors and none has expressed any concern or objection to our proposed plans (please see attached letters from the community residents).

03-108 A

Zoning Description

Beginning at a point on the South side of Hammond Avenue which is 55' wide at the distance of approximately 195.5' West of the centerline of the nearest improved intersecting street 2nd Avenue.

Being Lot #16 in the subdivision of Donofrio Property as recorded in Baltimore County Plat Book #70, Folio #69, containing 5,005 square feet. Also known as 113 Hammond Avenue and located in the 4 Election District, 3 Councilman District.

03-108A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

03-108A

No. 10004

DATE 09 05 02 ACCOUNT REC 1000-610

AMOUNT \$ 50

RECEIVED FROM: DANIEL L. SOLTY

FOR: Daniel L. Solty

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
9/05/2002 9/05/2002 11:25:08

REG 4505 WALKIN RDOS LRD DRAWER 5

RECEIPT # 291793 9/05/2002 OFLN

DEPT 5 520 ZONING VERIFICATION

CR NO. 016864

Receipt Tot \$50.00

50.00 CR .00 CR

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

DMIN.

RE: Case No.:

03-107-A

Petitioner/Developer:

SANTO, ETAL

MATZ / MR KEE

Date of Hearing/Closing:

10/1/02

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

Attention:

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 # 113-HAMMOND AVE

The sign(s) were posted on

9/13/02

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/18/02

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

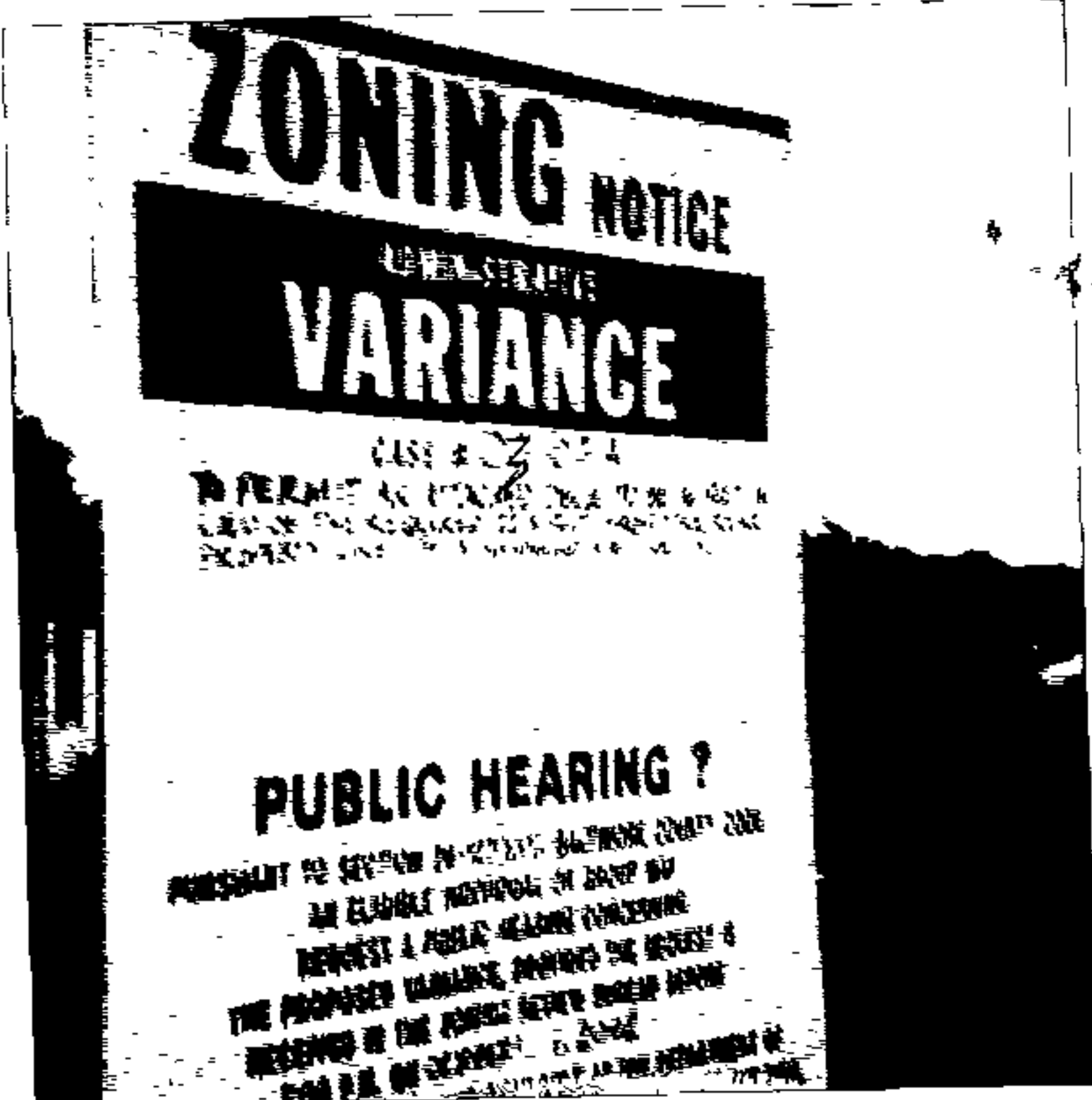
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)

# of pages	Date	From	Co.	Phone #	Fax #
7671		ROBIN	ZONING		887-3468



03-107-A
#113-HAMMOND AVE

10/1/02

#03-107-A is
10807 #10807
(#10807)
SHOULD BE
SOLTY'S (03-10807)

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: 03-108-A

Petitioner: Daniel A. Soltyz

Address or Location: 113 Hammond Ave. Reisterstown, MD 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: Daniel A. Soltyz

Address: 113 Hammond Ave.
Reisterstown, MD 21136

Telephone Number: 410-526-6852

Revised 2/20/98 - SCJ

03-108-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 108 -A Address 113 Hammond Ave
Contact Person: John K Alexander Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 09.05.02 Posting Date: 9.16.02 Closing Date: 10-1-02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 107 -A Address 113 Hammond Ave.
Petitioner's Name DANIEL S. HANCOCK Telephone 410-526-6857
Posting Date: 9.16.02 Closing Date: 10-1-02
Wording for Sign: To Permit AN ATTACHED DECK TO BE 16 FT
IN LIEU OF 22.5 FT. FROM THE REAR PROPERTY LINE.

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

113 Hammond Ave.
Address
Reisterstown MD 21136
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):

Please see attached.

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.

Daniel A. Soltyz
Signature

Daniel A. Soltyz
Name - Type or Print

Mary L. Soltyz
Signature

Mary L. Soltyz
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of August, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Tiffany N. Hales
Notary Public

My Commission Expires 9/1/06



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 113 HAMMONDS AVE
which is presently zoned DR. 3.5

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) 301.1 A. TO PERMIT A REAR
YARD. SETBACK OF 16 FT. IN LIEU OF THE REQUIRED 22.5 FT. FOR AN
OPEN PROTECTION (DECK).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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 _____

Legal Owner(s):

Daniel A. Soltys
Name - Type or Print _____

Signature _____

Mary L. Soltys
Name - Type or Print _____

Signature _____

113 Hammond Ave. 410-526-6852
Address _____ Telephone No. _____

Reisterstown MD 21136
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 03-108-A

Reviewed By SM Date 09-05-07

Estimated Posting Date 09-16-07



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

September 30, 2002

Mr. & Mrs. Daniel Soltys
113 Hammond Avenue
Reisterstown, MD 21136

Dear Mr. & Mrs. Soltys

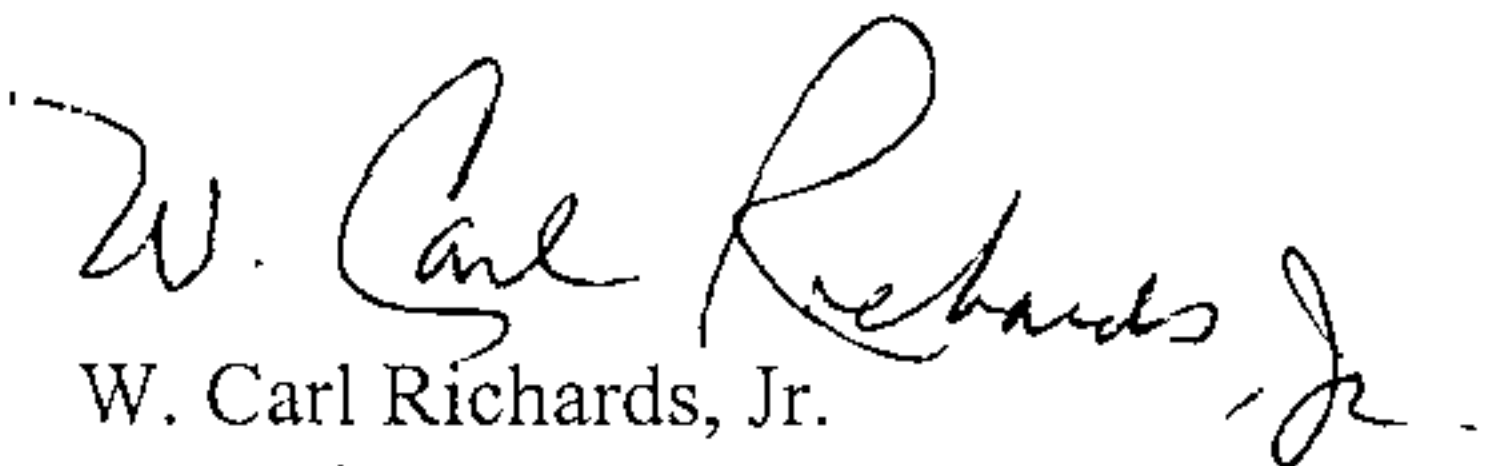
RE: Case Number: 03-108-A, 113 Hammond Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 04, 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

WCR: rjc
Enclosures

c People's Counsel

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on Recycled Paper



Baltimore County
Fire Department

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

September 16, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 108
103-115

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

cc: File

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 21, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For September 16, 2002
Item Nos. 103, 104, 105, 107, 108, 109,
110, 111, 112, 114, and 115

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

RWB:CEN:jrb

cc: File

10/01
AV

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/TGT*

DATE: October 7, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of September 9, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

105, 108, 109, 110-115

ANS
10/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 18, 2002

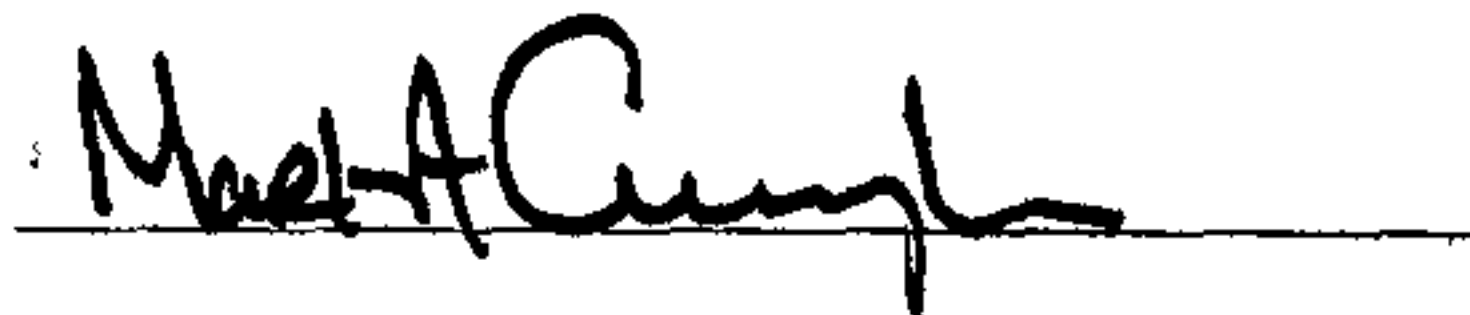
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SEP 18 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-108, & 03-110

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: 9.16.02

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

RE: Baltimore County
Item No. 108 JRA

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

1- 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

Jeffrey and Teri Rinehart
105 Hammond Ave.
Reisterstown, MD 21136

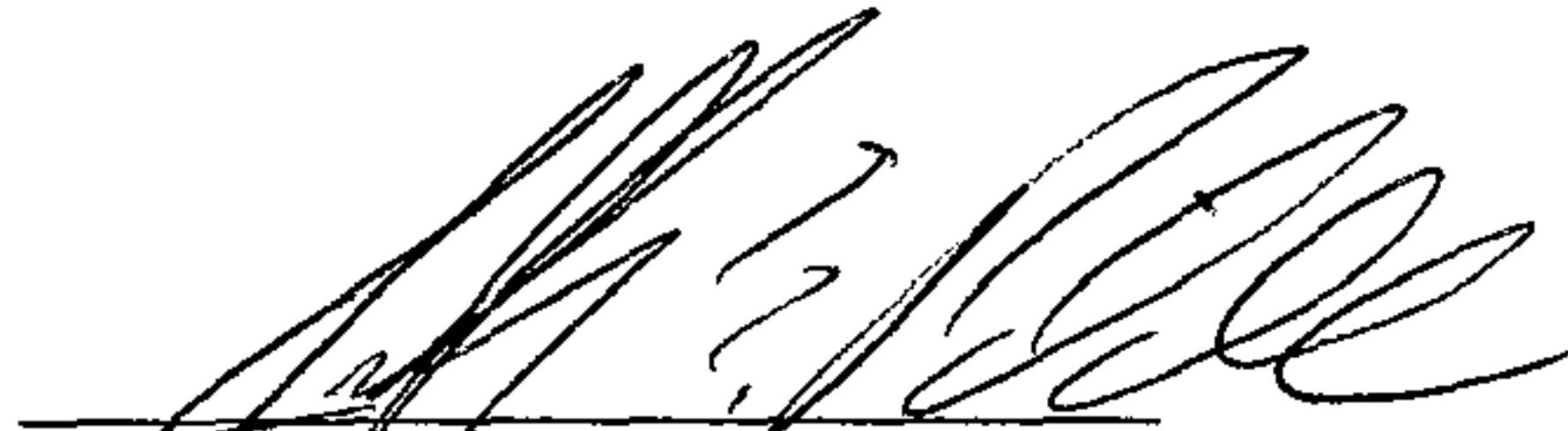
August 26, 2002

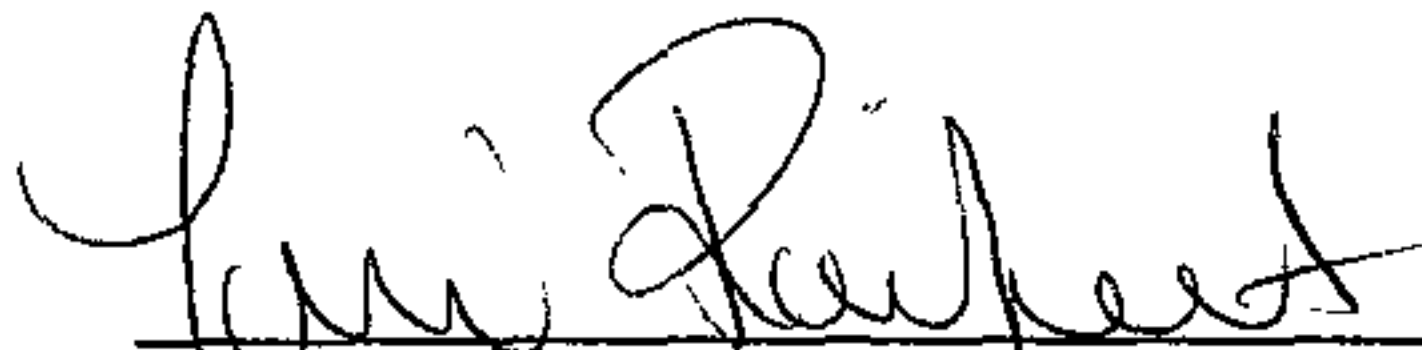
Zoning Review
Dept. of Permits and Development Management
Attn: Zoning Commissioner
111 West Chesapeake Ave. Room 111
Towson, MD 21204

To Whom It May Concern:

We are aware of and have no objections to the proposed addition of an open-air deck by
Dan and Mary Soltys of 113 Hammond Ave.

Sincerely,



Jeffrey Rinehart

Terri Rinehart

03-108-A

RAYMOND AND DIANE ODWYER
107 Hammond Ave.
Reisterstown, MD 21136

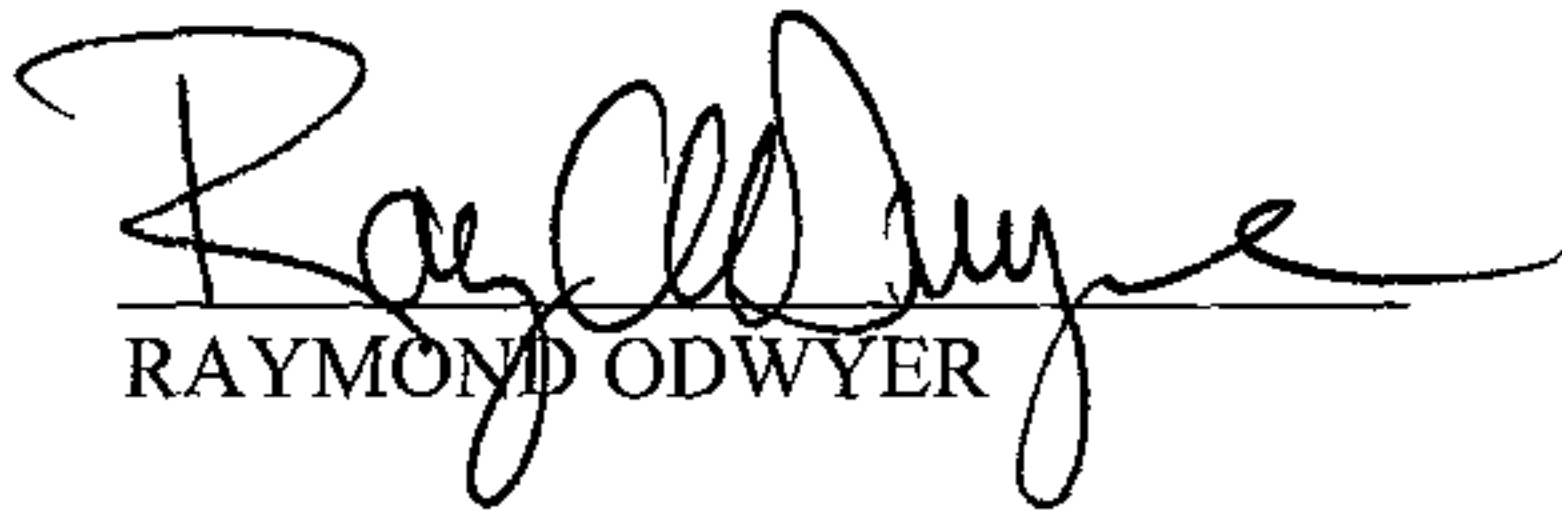
August 26, 2002

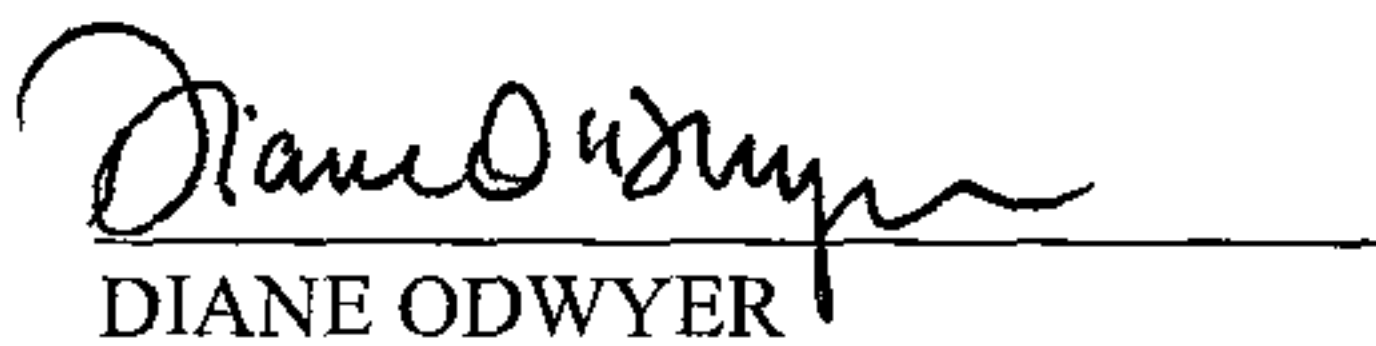
Zoning Review
Dept. of Permits and Development Management
Attn: Zoning Commissioner
111 West Chesapeake Ave. Room 111
Towson, MD 21204

To Whom It May Concern:

We are aware of and have no objections to the proposed addition of an open-air deck by
Dan and Mary Soltys of 113 Hammond Ave.

Sincerely,


RAYMOND ODWYER


DIANE ODWYER

03-108-A

Robert and Maxine Catlin
109 Hammond Ave.
Reisterstown, MD 21136

August 26, 2002

Zoning Review
Dept. of Permits and Development Management
Attn: Zoning Commissioner
111 West Chesapeake Ave. Room 111
Towson, MD 21204

To Whom It May Concern:

We are aware of and have no objections to the proposed addition of an open-air deck by Dan and Mary Soltys of 113 Hammond Ave.

Sincerely,


Robert Catlin


Maxine Catlin

03-108-A

Kent and Tracey Del Carmen
111 Hammond Ave.
Reisterstown, MD 21136

August 26, 2002

Zoning Review
Dept. of Permits and Development Management
Attn: Zoning Commissioner
111 West Chesapeake Ave. Room 111
Towson, MD 21204

To Whom It May Concern:

We are aware of and have no objections to the proposed addition of an open-air deck by
Dan and Mary Soltys of 113 Hammond Ave.

Sincerely,


Kent Del Carmen


Tracey Del Carmen

03-108-A

03-108-A

David and Nancy Glaser
115 Hammond Ave.
Reisterstown, MD 21136

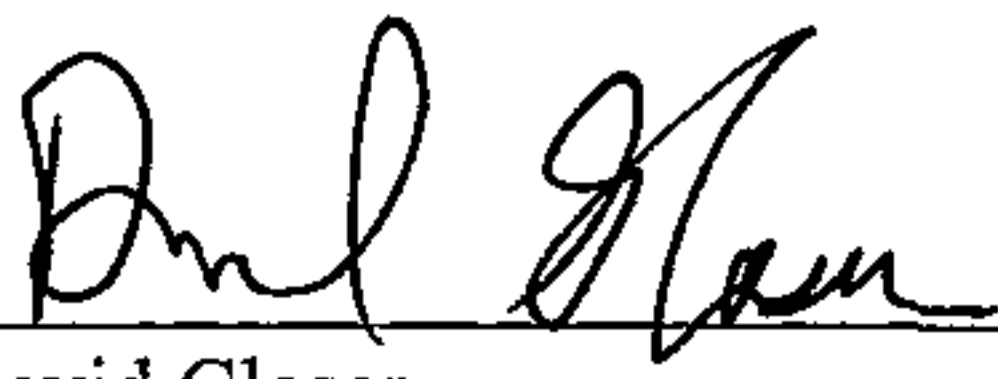
August 26, 2002

Zoning Review
Dept. of Permits and Development Management
Attn: Zoning Commissioner
111 West Chesapeake Ave. Room 111
Towson, MD 21204

To Whom It May Concern:

We are aware of and have no objections to the proposed addition of an open-air deck by Dan and Mary Soltys of 113 Hammond Ave.

Sincerely,



David Glaser



Nancy Glaser

03-108-A



Baltimore County
Zoning Commissioner

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

July 24, 2001

Mr. & Mrs. David Glaser
115 Hammond Avenue
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 01-540-A
Property: 115 Hammond Avenue

Dear Mr. & Mrs. Glaser:

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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: SJR Contracting
124 Spruce Woods Court
Abingdon, MD 21009

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

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Hammond Avenue at
SEC 2nd Avenue
4th Election District
3rd Councilmanic District
(115 Hammond Avenue)

Nancy and David Glaser
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-540-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Nancy and David Glaser, legal owners of that property known as 115 Hammond Avenue in the Reisterstown area of Baltimore County. The Petitioners herein seek relief from Section 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 16 ft. in lieu of the required 22.5 ft. for an open projection (deck). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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.

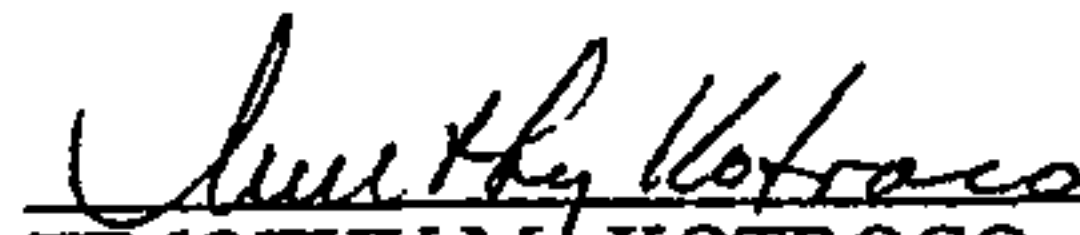
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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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 24th day of July, 2001, that a variance from Section 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 16 ft. in lieu of the required 22.5 ft. for an open projection (deck), 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

03-108-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

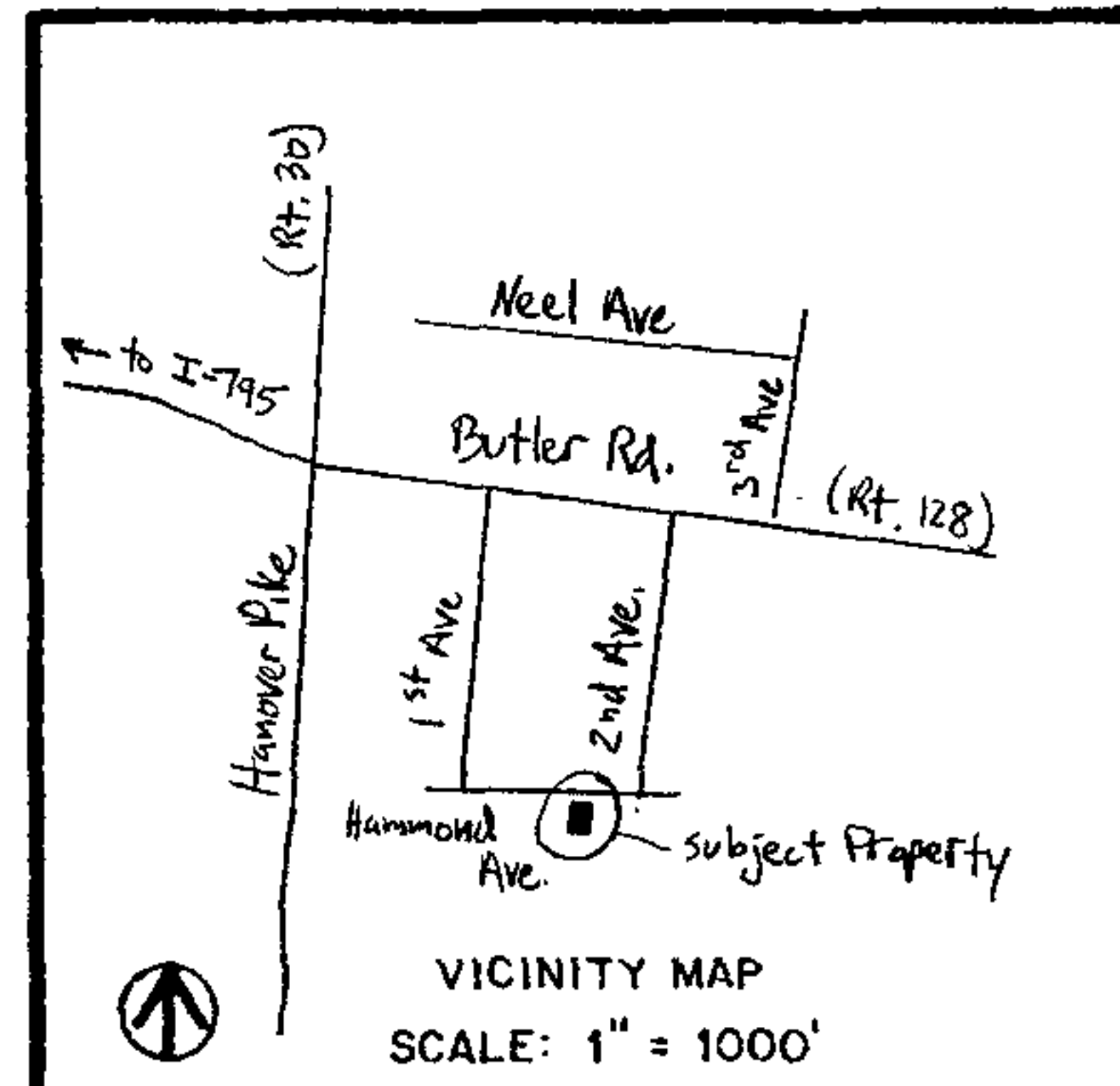
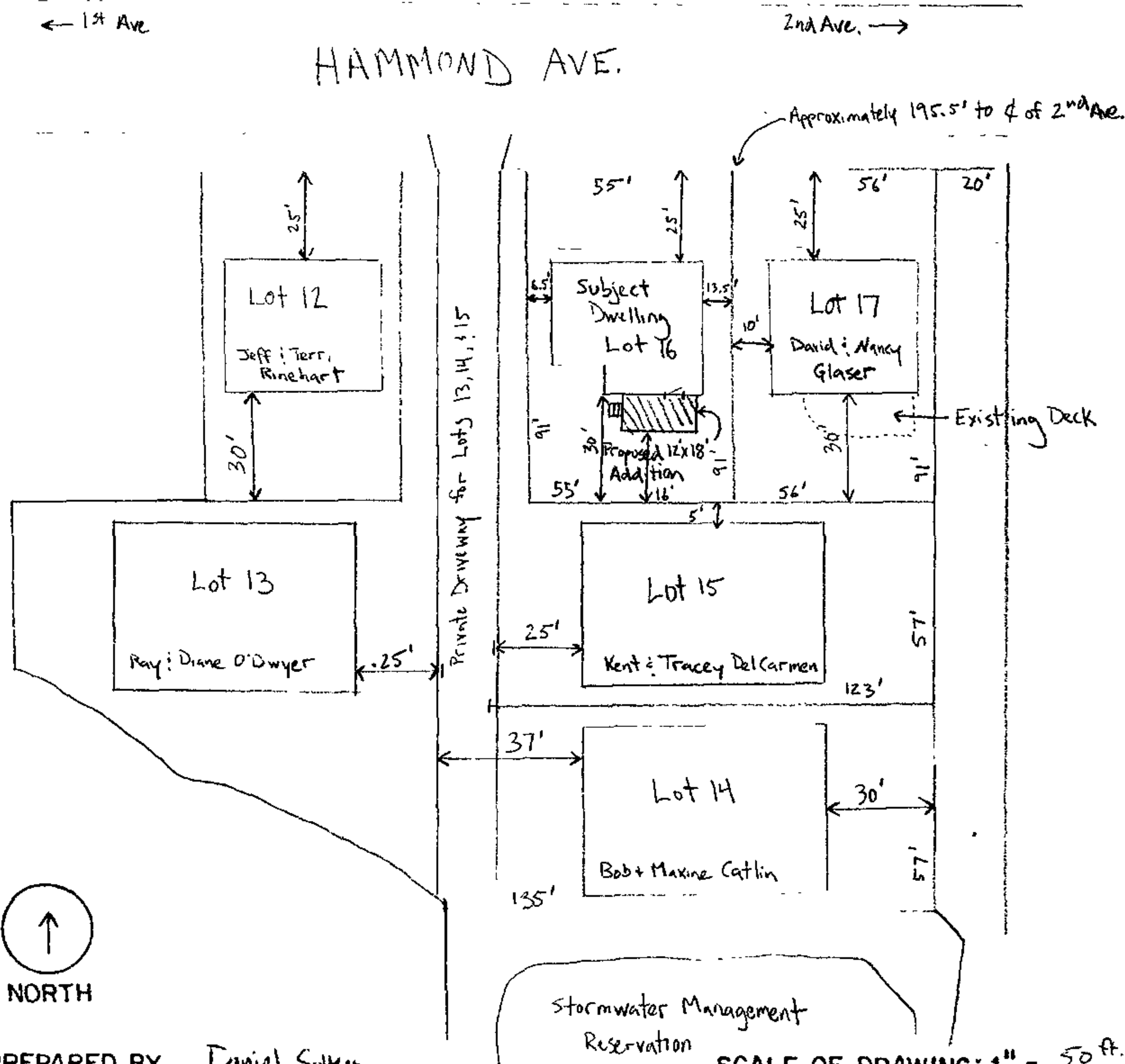
PROPERTY ADDRESS 113 Hammond Ave.

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

SUBDIVISION NAME Donofrio Property

PLAT BOOK # 70 FOLIO # 69 LOT # 16 SECTION # —

OWNER Daniel and Mary Soltys



LOCATION INFORMATION

ELECTION DISTRICT 4

COUNCILMANIC DISTRICT 3

1"=200' SCALE MAP # NW 16-J

ZONING DR-3.5

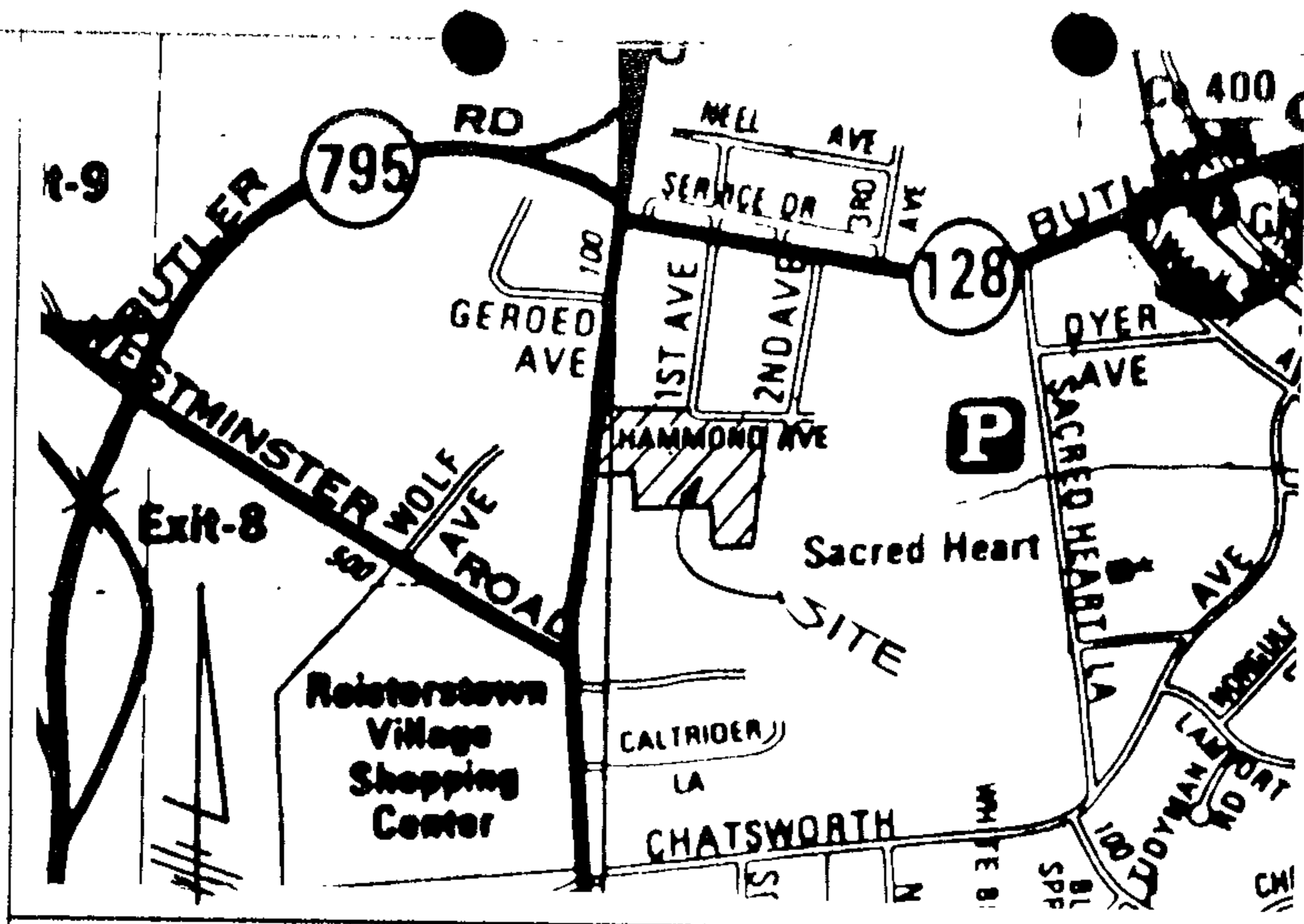
LOT SIZE 0.115 5,005
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	<u>None</u>	

ZONING OFFICE USE ONLY
REVIEWED BY SOJ ITEM # 03-108-A CASE #

PREPARED BY Daniel Soltys

SCALE OF DRAWING: 1" = 50 ft.



VICINITY MAP
SCALE: 1"=1000'

NOTES

1. ALL LOTS ARE FOR SALE.
2. DISTURBANCE OF OPEN SPACE WILL NOT BE PERMITTED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.
3. A FINAL LANDSCAPE PLAN SHALL BE APPROVED PRIOR TO ISSUANCE OF A GRADING PERMIT OR BUILDING PERMIT.
4. A.D.T. = 17 LOTS X 10.5 = 179
5. THIS FINAL DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.
6. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THIS ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
7. THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAYS OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY THE OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO THE INSTALLATION OF STREET CURBS.
8. THIS DEVELOPMENT PLAN COMPLIES WITH THE HEARING OFFICER'S ORDER AND DEVELOPMENT PLAN APPROVED AUGUST 26, 1997
9. REFUSE TO BE COLLECTED BY BALTIMORE COUNTY WITHIN THE PUBLIC RIGHT-OF-WAY.
10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR

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(= 1.5 OR 3.5)

7/4
AVENUE

AVENUE

SECRET

DRAINAGE AND
UTILITY EASE

#119
CURTIS
10517-743

STORMWATER
MANAGEMENT
RESERVATION
0.530 AC ±

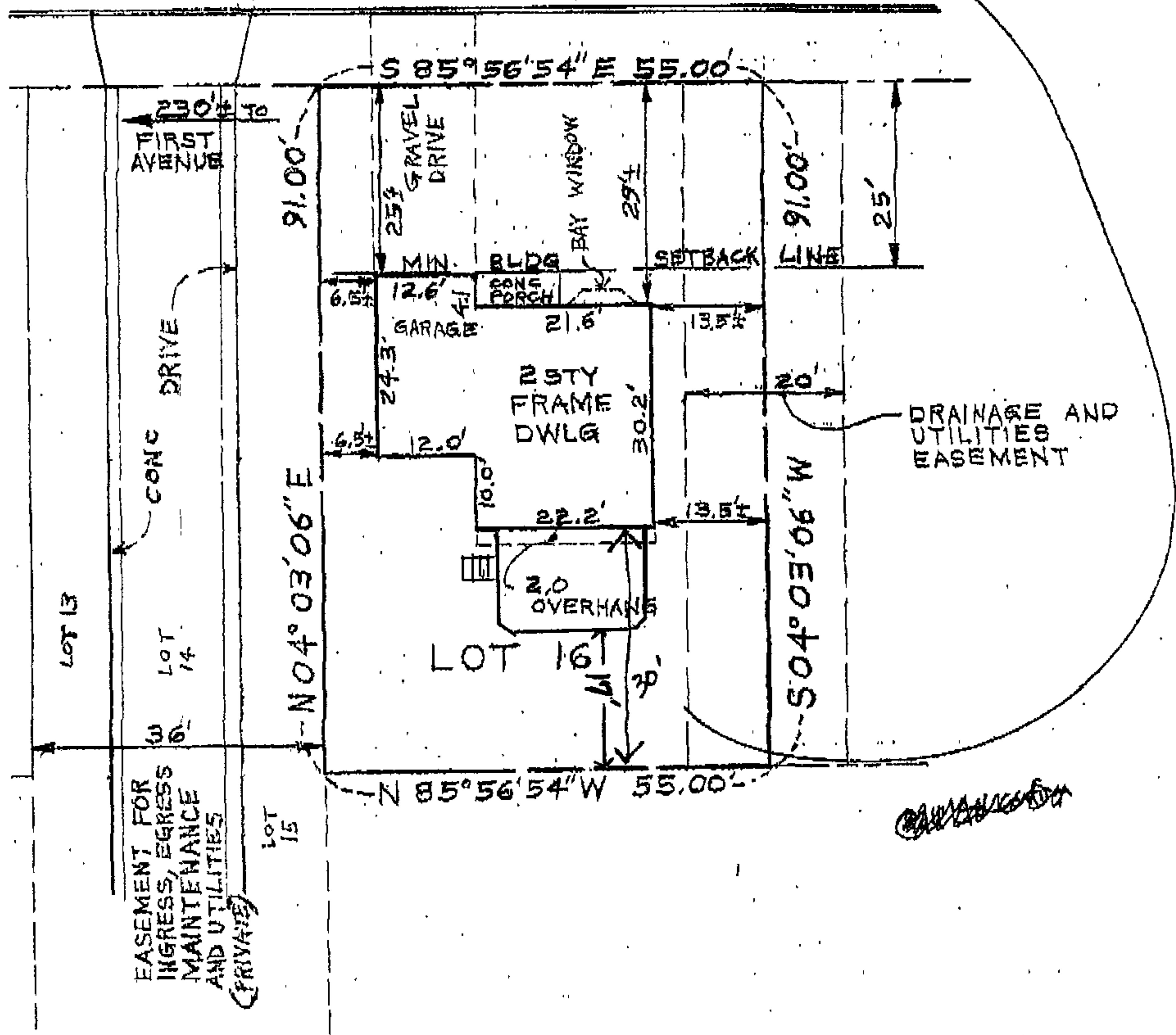
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N 59,500

LOCATION DRAWING

113 HAMMOND AVENUE
LIBER: 14656. FOLIO: 560
LOT 16
DONOFRIO PROPERTY
IV-509
PLAT BOOK: 70 PAGE: 69
ELECTION DISTRICT 4-CB
BALTIMORE COUNTY, MD.

HAMMOND AVENUE

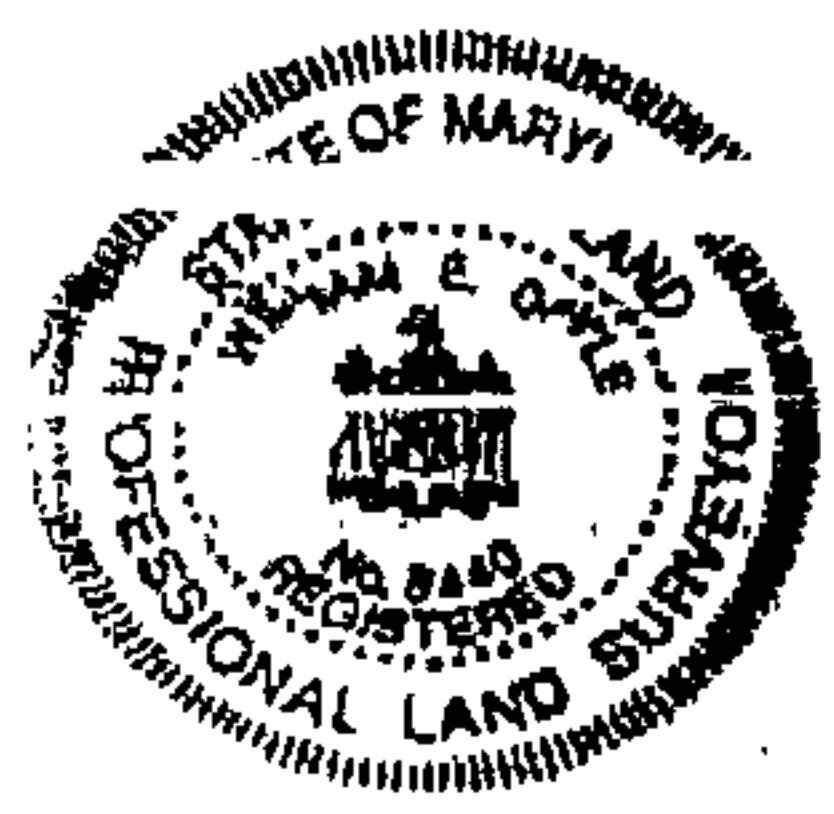


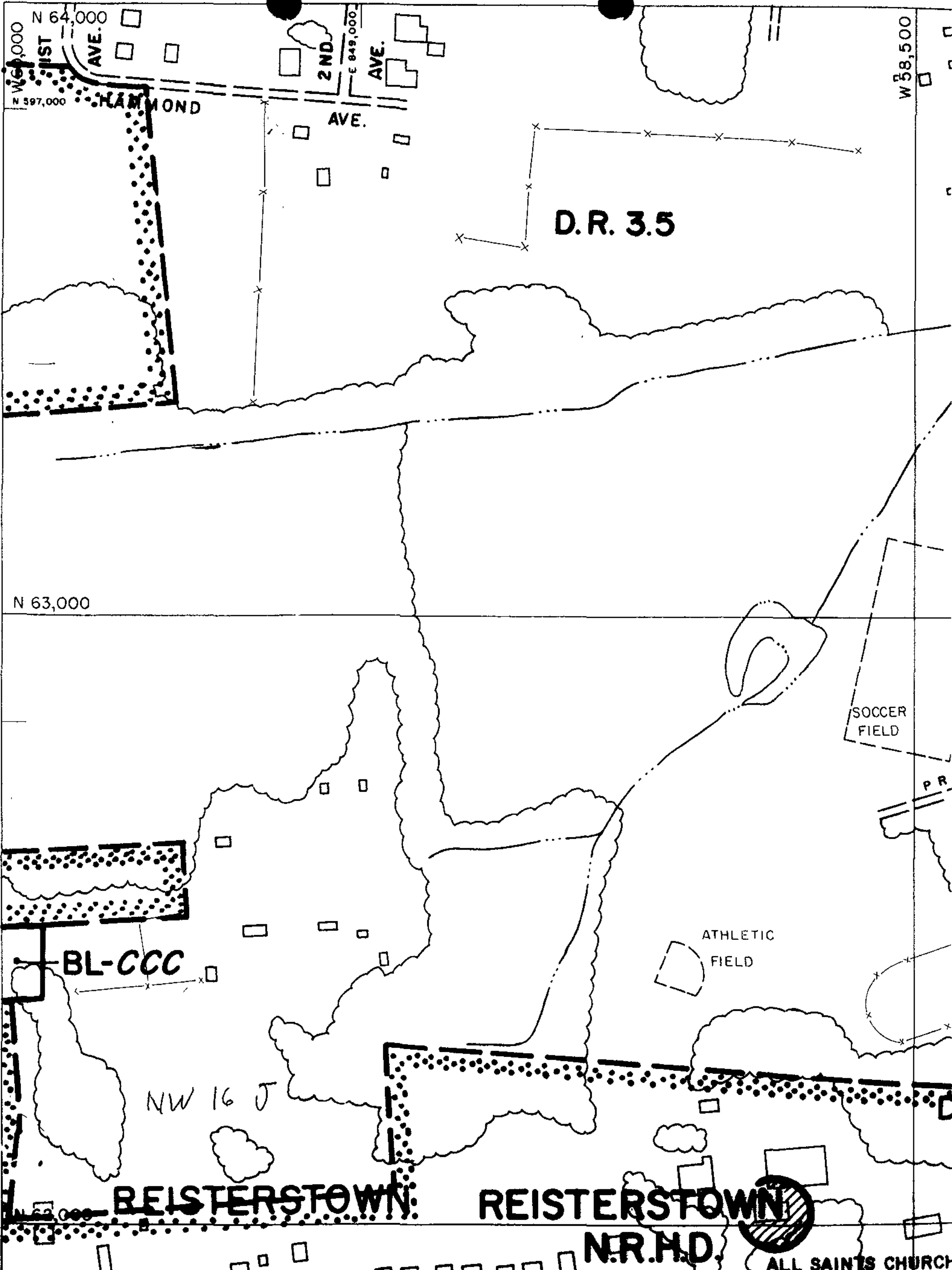
THIS IS TO CERTIFY THAT THIS
HOUSE DOES NOT LIE WITHIN A

FLOOD PLAIN UNLESS SHOWN HEREON

SURVEYOR'S CERTIFICATE

The undersigned, a registered surveyor in the state of Maryland, does hereby certify that he is the surveyor who prepared this plat, and said plat has been prepared in compliance with the Code of Maryland Regulations Subtitle 13 Board for Professional Land Surveyors 09.13.06, covering the minimum standards of practice insofar as the same concerns the making of the plat and/or setting of the markers.





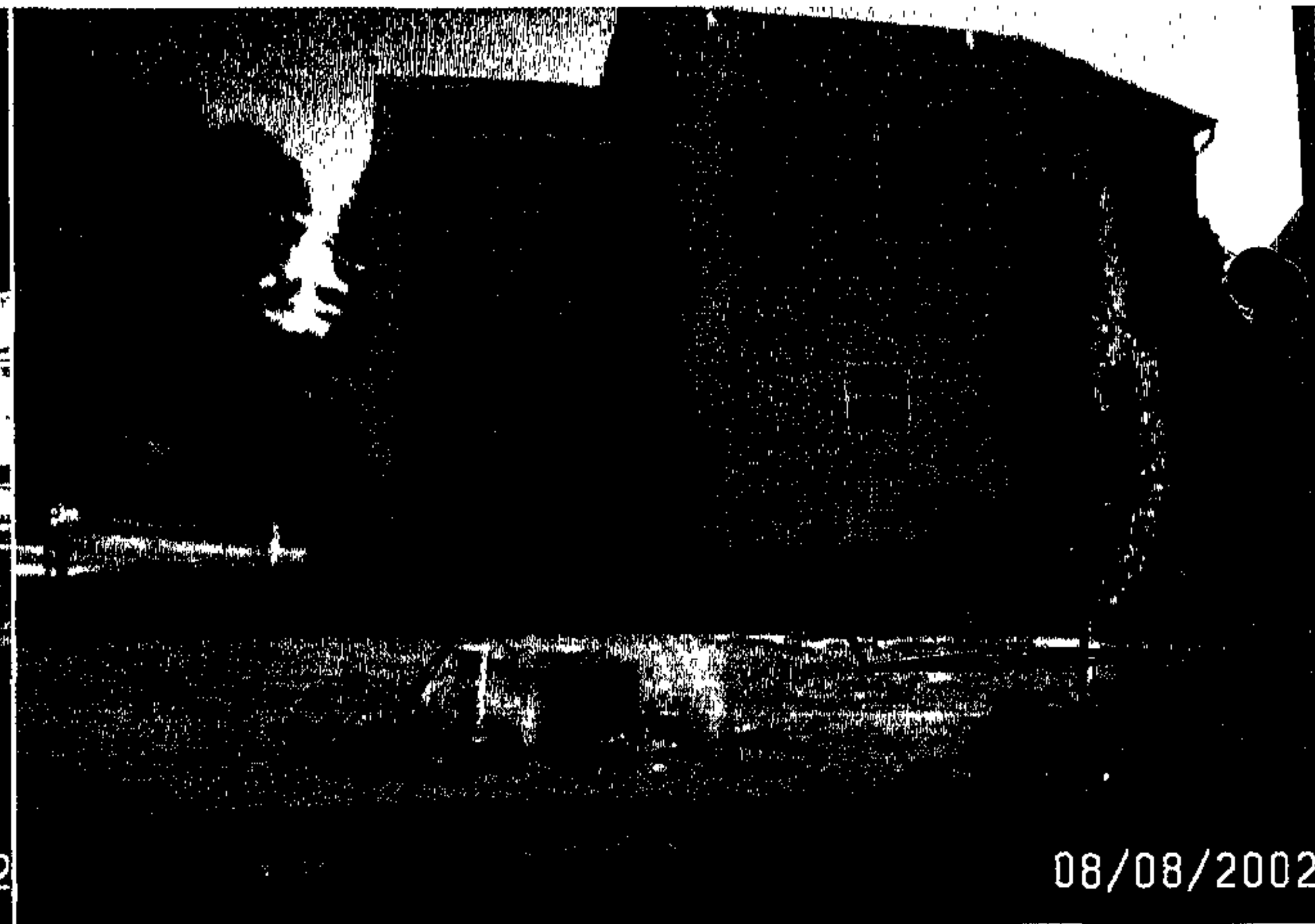
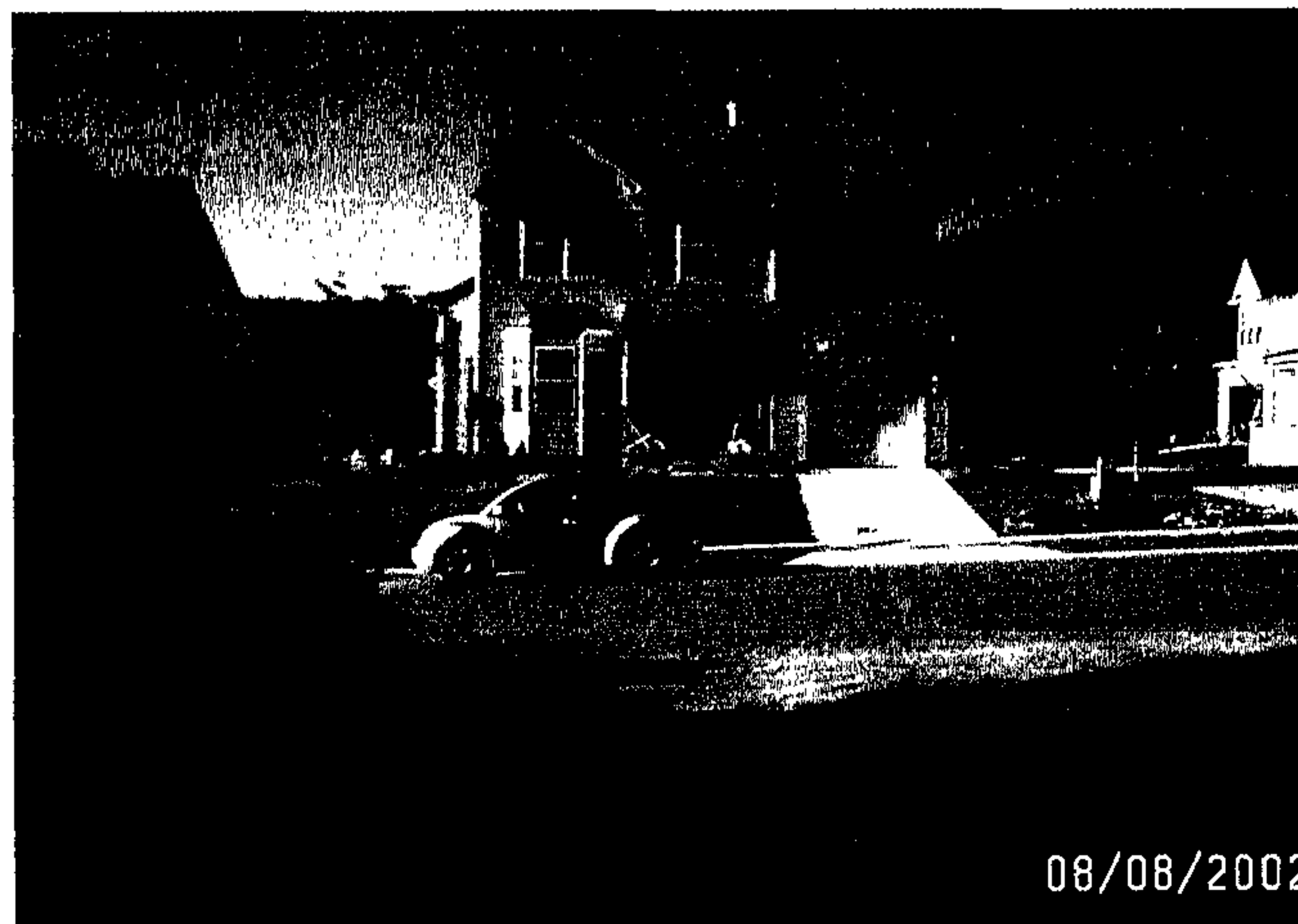
Rear Door is here — Deck for 115 Hammond Ave neighbor



Proposed location for Deck



Proposed location for Deck



This area is not accessible from house

Rear Door is behind tree

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