IN RE: PETITION FOR ADMIN. VARIANCE
N/S California Avenue, 680' W
centerline of Avondale Road
14th Election District
6th Councilmanic District
(3102 California Avenue)

Anne C. & Leroy E. Lang

Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 03-208-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Anne C. and Leroy E. Lang. The variance request is for property located at 3102 California Avenue in the Parkville area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition (sunroom) to have a side yard setback of 3 ft. in lieu of the required 10 ft. 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.

January Januar

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 and day of December, 2002, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition (sunroom) to have a side yard setback of 3 ft. in lieu of the required 10 ft., 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.

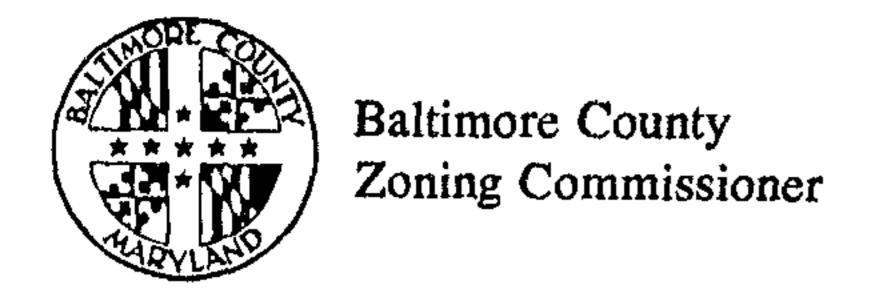
TIMOTHY M. KOTROCO

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

December 2, 2002

Mr. & Mrs. Leroy E. Lang 3102 California Avenue Baltimore, Maryland 21234

Re: Petition for Administrative Variance Case No. 03-208-A

Property: 3102 California Avenue

Dear Mr. & Mrs. Lang:

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,

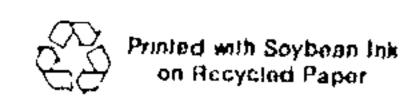
Timothy M. Kotroco

Deputy Zoning Commissioner

luthy Kotroco

TMK:raj Enclosure

c: Gerard Anderson 7034 Golden Ring Road Baltimore, MD 21237





CASE NO. 03-208-A

REV 10/25/01

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 3105 California Auc which is presently zoned D. R 5.5

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) 1307.3.01 (BC212)

TO PERMIT AN EXISTIFIC SINGLE FAMILY DWELLING WITH ADDITION (SUNROOM) TO HAVE A SIDETARD SETBACK OF 3' IN LIEW OF REQUIRED 10'.

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: Legal Owner(s): Name - Type or Print Signature Address Telephone No. City State Zip Code **Attorney For Petitioner:** 410-66 5.8685 Telephone No. 21234 Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. State Zip Code State Zip Code Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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.

Reviewed By <u>LTC</u>

**Estimated Posting Date** 

Zoning Commissioner of Baltimore County

# 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 a	Address		<u></u>
	City	State	Zip Code
That based upon personal knowledge, the forvariance at the above address (indicate hard The house has one of 12' patio noom the side property This is the only reason being the	Iship or practical difficulty as 9 to side	deback. I Awe to de leure us only:	suild the
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide			pay a reposting and
Signature C Lange	<del></del>	Signature Signature	<del></del>
Anne Lang Name - Type or Print		Name - Type of Print	
STATE OF MARYLAND, COUNTY OF BAL	TIMORE, to wit		,
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid,	personally appeared	, <u>2002</u> , before me, a No	tary Public of the State
the Affiant(s) herein, personally known or sat	isfactorily identified t	o me as such Affiant(s).	~ <del>~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~</del>
AS WITNESS my hand and Notarial Seal		0	•,
DELORES A. SCOTT NOTARY PUBLIC STATE OF MARYLAND My Commission Expires November 26, 2005	Notary I	Aelous a . Sca Public	T.
	•	nmission Expires 1//26/	05
REV 10/25/01			

### Zoning description of 3102 California Ave

Beginning at a point on the north side of California Ave. which is 30 ft. wide at the distance of 680 ft. west of the centerline of the nearest improved street Avondale Rd. which is 40 ft. wide. \*being lot # 189,190,191. Map 71, Grid21, Parcel 1139, Group 82, in the subdivision of Ridge Groove as recorded in the Baltimore county Plat Book # 11038, Folio # 613. Containing 35,838.00 sq. ft. Also known as 3102 California Ave. and located in the 14<sup>th</sup> Election District, 12<sup>th</sup> Councilmanic District.

#203

DISTRIBUTION WHITE - CASHIER	FOR.	RECEIVED		DATE	BALTIM OFFICE C
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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 10 /20 / 62 ACCOUNT	AMOUNT \$	RECEIVED CLINIC 1	FOR	A - 3-2-	<u>DISTRIBUTION</u> WHITE - CASHIER FINK - AGENCY YELOW - CUSTOMER

# CERTIFICATO OF POSTING

	RE: Case No.: 03.208.7
•	Petitioner/Developer: LE120x 4
	ANNE LANG
	Date of Hearing/Closing: 11/20/02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
•	perjury that the necessary sign(s) required by law ocated at 3102 CACIFORNIA  AVE
The sign(s) were posted on	11/11/02
	(Month, Day, Year)
	Sincerely,
	1/1/02
	(Signature of Sign Poster and Date)
	SSG ROBERT BLACK
	(Printed Name) 1508 Leslie Rd
	(Address)
THE REAL NO. 1	Dumdalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

# 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: <u>03-708-A</u>
Petitioner: Locay & Anne Lane
Petitioner: Lecay & Anne Lane  Address or Location: 2102 California Ave
PLEASE FORWARD ADVERTISING BILL TO:
Name: Champion
Address: 7034 Golden Ring Rd
Balto. Nd. 21237
Telephone Number: 410- 780- 0062

Revised 2/20/98 - SCJ

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

	Case Number 03- 208 -A Address 3102 CALIFORNIA AVE
	Contact Person: LIOYD T. MOXLEY Phone Number: 410-887-3391  Planner, Please Print Your Name
l	Filing Date: 10/30/07 Posting Date: 11/11/07 Closing Date: 11/26/0
}	Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
•	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. <b>DEADLINE:</b> 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.
1	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- 208 -A Address 3io2 CALIFORNIA AUC
•	Petitioner's Name LEROT' ANI-JE CA-JG Telephone 410 665 8685
	Posting Date: 11/11/07 Closing Date: 11/26/02
	Wording for Sign: To Permit AIJ EXISTILLS SINGLE FAMILY
	DWELLING WITH APDITION (SUNROOM) TO HAVE
	A SIDETAND SETBACK OF 3' IN LIEU OF
	THE REQUIRED 10.

# 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	t Address	······································	<del></del>
	City	State	Zip Code
That based upon personal knowledge, the forvariance at the above address (indicate hards  The house has one  GY12' patio noom  the side property  This is the only  reason being the	ship or practical difficult and side of the standard of the st	ulty): leback. IAmel. I leave us only	build the
reason being the	1 ay out a		
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	e additional informati	on.	
Signature C Du		Signature C. Lang	
Anne - Type or Print	<del></del>	Jame - Type of Print	
STATE OF MARYLAND, COUNTY OF BALT	Γ <b>IMORE</b> , to wit:	**	
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, i	personally appeared	्र <u>200 के</u> , before me, a No	tary Public of the State
the Affiant(s) herein, personally known or satisfications.	গ্ৰ sfactorily identified to	me as such Affiant(s).	·
AS WITNESS my hand and Notarial Seal			
DELORES A SCOTT NOTARY PUBLIC STATE OF MARYLAND My Commission Expires November 26, 2005	Notary P	lelous a Scatt	
	My Com	mission Expires /// 24/	25
REV 10/25/01			·



CASE NO. 03-708-A

REV 10/25/01

# Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 3102 California Ave which is presently zoned D. 18.5.5

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) / 130 7.3.0.1 (130212)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH A POIT, ON (SUNROOM) TO HAVE A SIDETARD SETBACK OF 3' IN LIEU OF THE REQUIRED 10'

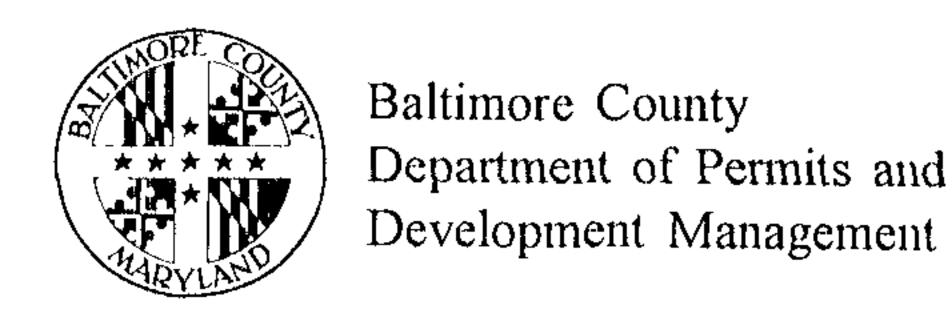
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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: Legal Owner(s): Name - Type or Print Signature Address Telephone No City State Zip Code Attorney For Petitioner: 410-665.8685 Telephone No. Name - Type or Print State Zip Code Representative to be Contacted: Signature Company Address Telephone No *ス 1*2.3フ City Zip Code State 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

Reviewed By \_\_\_\_\_\_ Date \_\_\_\_\_ Date \_\_\_\_\_\_ Date \_\_\_\_\_\_ Date \_\_\_\_\_\_ // //



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

November 25, 2002

Leroy E. Lang Anne Lang 3102 California Avenue Baltimore, MD 21234

Dear Mr. and Mrs. Lang:

RE: Case Number: 03-208-A, 3105 California Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 30, 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,

U. Callibal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel Gerard Anderson, 7034 Golden Ring Road, Baltimore 21237



## Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 11.20.02

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

RE:

**Baltimore County** 

Item No. 208

LTM

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,

1/2

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



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

November 20, 2002

ATTENTION: George Zahner

Property Owner:

Location:

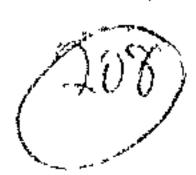
Item No.: ZAC Dist. Meeting of 11/18/2002

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:

203-209, 211-227



REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 25, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

2, 5

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-208 - Administrative Variance

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

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** December 9, 2002

TO: Arnold Jablon, Director

Department of Permits & Development Management

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

Review

SUBJECT: Zoning Advisory Committee Meeting

For November 25, 2002

Item Nos. 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, and 227

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

RWB:CEN:jrb

cc: File



Parris N. Glendening Governor Kathleen Kennedy Townsend Lt. Governor Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

November 21, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, November 25, 2002 re: case numbers 03-2103-A, 03-204-SPHXA, 03-205-A, 03-206-A, 03-207-SPH, 03-208-A, 03-209-A, 03-210-SPHA, 03-211-A, 03-212-A, 03-213-A, 03-227-XA

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 11/20/02. The information has been submitted to Mike Nortrup.

Thank you for your cooperation in this process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup





3102 California Ave Baltimore, MD 21234-4107, US



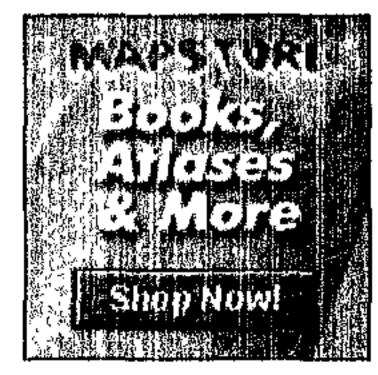
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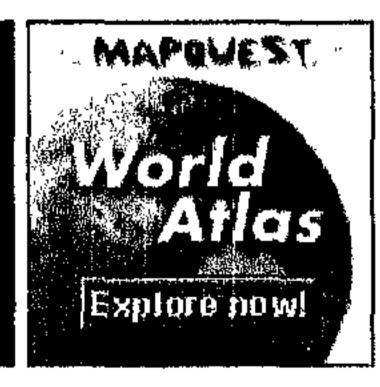
All rights reserved. Use Subject to License/Copyright

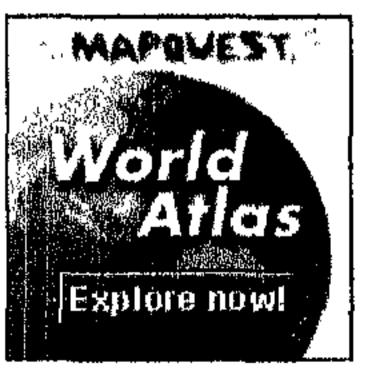
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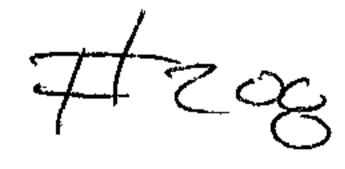


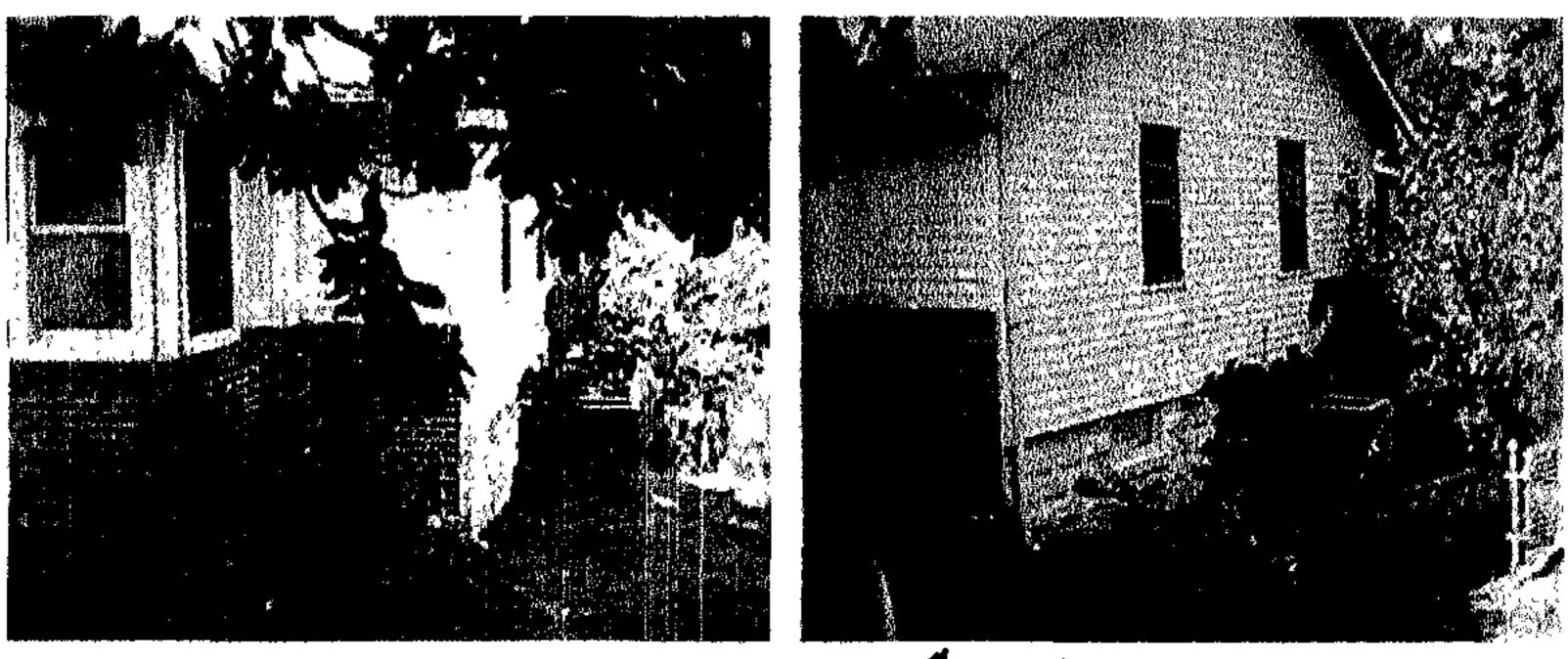






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1 side of 3102 sight of Patio ROOM

# 200





7-1-208

	SUBDIVISION NAME A	ége Grove 0#716 LOT#189 SECTION# erov + Anne	6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION
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SITE SEE DETAIL RIGHT	70 Mobile 1 5, 4, 80.	TO SOLVE TO	ZONING D.R.5.5  LOT SIZE 82 35.838  ACREAGE SQUARE FEET
34 / 100		COSTRAL COS	PUBLIC PRIVATE  SEWER
CALIFORNIA AVE Z5'WIDE 1"= 100	PREPARED BY Geran	CIFORNIA AVE ZS'WIDO	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #