

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Avenal Road, 285' W
centerline of Clipper Road
15th Election District
7th Councilmanic District
(27 Avenal Road)

Lorraine N. & Jerrod J. Wallace
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-253-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, Lorraine N. and Jerrod J. Wallace. The variance request is for property located at 27 Avenal Road in the eastern 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 residential dwelling with addition to have a side yard setback of 5 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.

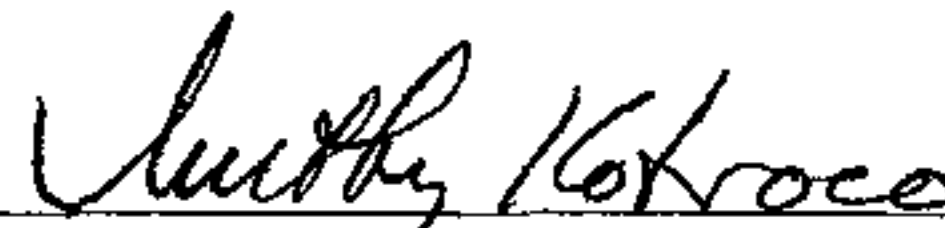
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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.

12/23/02
J. 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 23rd day of December, 2002, that a variance from Section 1B02.3.C.1 of the B.C.Z.R., to permit an existing single-family residential dwelling with addition to have a side yard setback of 5 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

12/23/02




Baltimore County
Zoning Commissioner

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

December 23, 2002

Mr. & Mrs. Jerrod J. Wallace
27 Avenal Road
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 03-253-A
Property: 27 Avenal Road

Dear Mr. & Mrs. Wallace:

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 Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 27 Avenal Rd 21221
which is presently zoned DR 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) 1 B02.3.C.1 (BCZR)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A SIDEYARD SETBACK
OF 5' 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

Name - Type or Print

Signature

Signature

Address

Telephone No.

City

State

Zip Code

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Representative to be Contacted:

Name - Type or Print

Name

Signature

Address

Telephone No.

Company

Address

Telephone No.

City

State

Zip Code

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. 03-253-A

Reviewed By CTM

Date

11/22/02

REV 10/25/01

Estimated Posting Date

12/2/02

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 27 Avenal Rd.
City Baltimore State Md. Zip Code 21221

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):

This variance is needed at 27 Avenal Rd. to allow the completion of an addition. This addition would allow for some much needed space for an expanding family. The existing structure has 1 bathroom, 3 bedrooms, no closets, and the stairway is unsafe for children with both sides open, even with a railing around it. We want to add 2 more bedrooms upstairs, a new staircase, another bathroom, and an updated kitchen with cabinets. The existing site was built in 1943 prior to the existence of zoning regulations and a 10 ft. setback. The house was built with a 5 ft. setback and the addition is built in line with the existing house.

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.

[Signature]
Signature
TERRAD J WALLACE
Name - Type or Print

[Signature]
Signature
Lorraine Wallace
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of Nov., 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Terrod Wallace & Lorraine Wallace

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

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires 8-1-03

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

27 Avenal Rd.
Address
Baltimore Md. 21221
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):

This variance is ^{needed} at 27 Avenal Rd. to allow the completion of an addition. This addition would allow for some much needed space for an expanding family. The existing structure has 1 bathroom, 3 bedrooms, no closets, and the stairway is unsafe for children with both sides open, even with a railing around it. We want to add 2 more bedrooms upstairs, a new staircase, another bathroom, and an updated kitchen with cabinets. The existing site was built in 1943 prior to the existence of zoning regulations and a 10 ft. setback. The house was built with a 5 ft. setback and the addition is built in line with the existing house.

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.

Signature

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of Nov., 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires 9-1-03



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 27 Arenal Rd. 21221
which is presently zoned DR 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) 1 BOZ.3.C.1 (BCZR)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A SIDEYARD SETBACK
OF 5' 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

Name - Type or Print

Signature

Signature

Address Telephone No.

Name - Type or Print

City State Zip Code

Signature

Attorney For Petitioner:

27 Arenal Rd. (410) 391-9281

Address

Telephone No

Name - Type or Print

Balto.

md

21221

Signature

City

State

Zip Code

Company

Representative to be Contacted:

Name

Address

Telephone No.

Address Telephone No.

City State Zip Code

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 11 day of November 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. 03-253-A

Reviewed By LTM Date 11/22/02

REV 10/25/01

Estimated Posting Date 12/2/02

Zoning description for 27 Avenal Rd

beginning at a point on the north side of Avenal Rd
at a distance of 285 Ft $\pm$ ^{WEST} of the centerline of Clipper
Rd. Being Lot #16 Block H of the subdivision of Eastern
Terrace as recorded in Baltimore County Plat Book #12
Folio #119 containing 5,000 sq Ft Also known as 27 Avenal
Rd and located in the 15th Election District 7th Councilmanic
District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 19230

DATE 11/22/02 ACCOUNT 2001 00 6 6 150

AMOUNT \$ 50.00

RECEIVED
FROM:

J. WALLACE

FOR:

03-253-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME

11/25/2002 11/22/2002 10:46:57

REL 4804 WALKIN DOOL DND DRAWER 2

RECEIPT # 203822 11/22/2002 OFLN

DEPT 5 528 ZONING VERIFICATION

CR NO. 019230

Receipt Tot \$50.00

50.00 OK 50.00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-253-A

Petitioner/Developer: JERROD +

LORRAINE WALLACE

Date of Hearing/Closing: 12/17/02

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

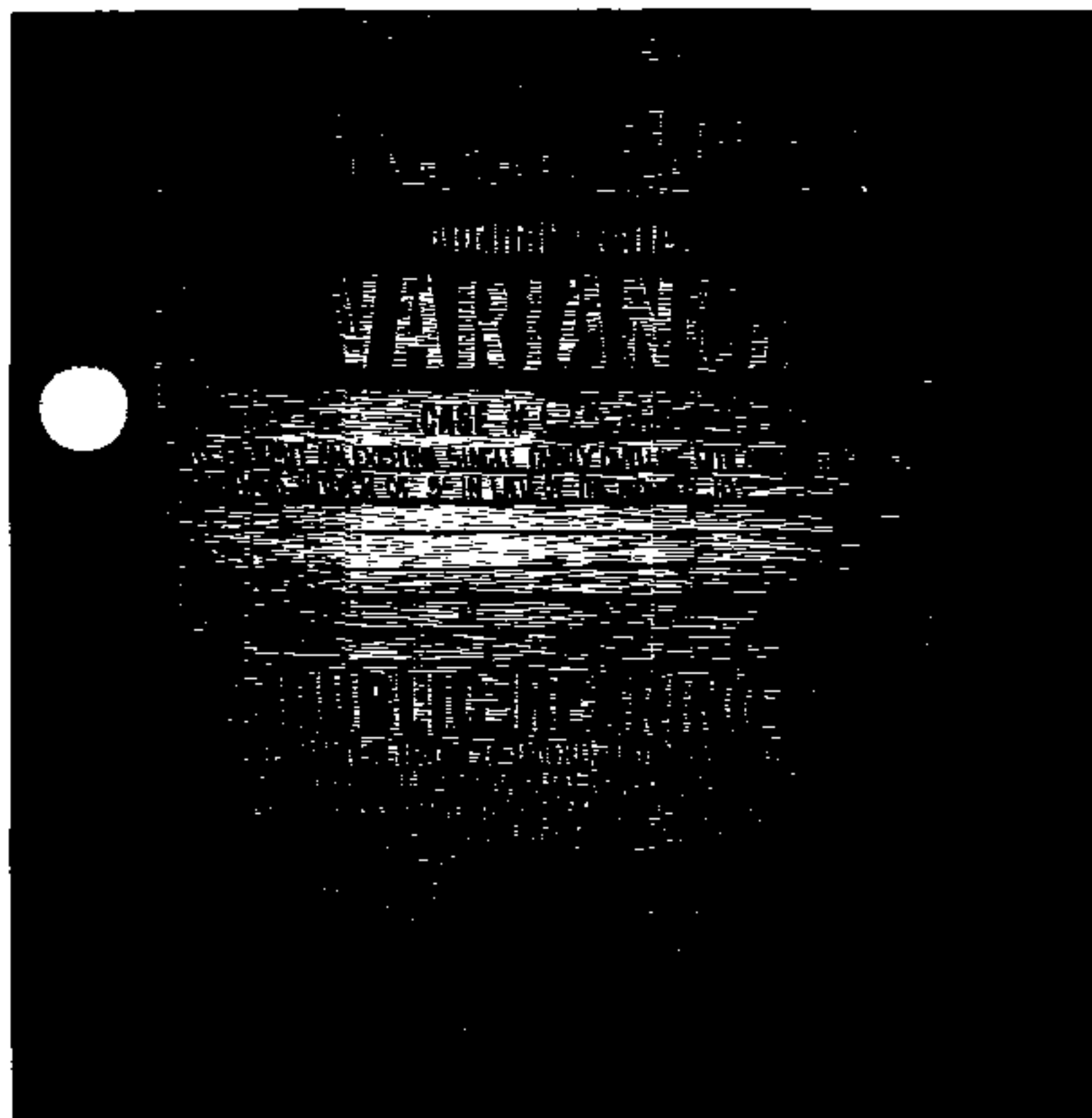
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

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 27 AVENAL RD

The sign(s) were posted on 11/30/02
(Month, Day, Year)

Sincerely,



[Signature] 11/30/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

(Address)

Dundalk, 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 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: 03-253-A

Petitioner: Jennod Wallace

Address or Location: 27 Avenal Rd Baltimore MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennod Wallace

Address: 27 Avenal Rd

Baltimore MD 21221

Telephone Number: (410) 391-9281

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 03- 253 -AAddress 27 AVENUE RD.Contact Person: LYND T. MOXLEY

Phone Number: 410-887-3391

Planner: Please Print your Name

Filing Date: 11/22/02Posting Date: 12/2/02Closing Date: 12/17/02

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.

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 its change and a photograph of the altered sign must be forwarded to this office.

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 253 -AAddress 27 AVENUE RD.Petitioner's Name JERRUD LORRAINE WALLACE Telephone (410) 391-9281Posting Date: 12/2/02Closing Date: 12/17/02Wording for Sign To Permit AN EXISTING SINGLE FAMILY DWELLINGWITH ADDITION TO HAVE A SIDEYARD SETBACK OF
5' IN LIEU OF THE REQUIRED 10'.



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

December 16, 2002

Jerrod J. Wallace
Lorraine N. Wallace
27 Avenal Road
Baltimore, MD 21221

RE: Case Number: 03-253-A, 27 Avenal Road

Dear :

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 22, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

C: People's Counsel

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





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.17.02

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

RE: Baltimore County
Item No. 253

LTM AV

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



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

December 19, 2002

ATTENTION: George Zahner

Distribution Meeting of 12/23/02

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:

253

242-249, 251-269

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley ~~RES~~
DATE: January 24, 2003

SUBJECT: Zoning Item 253
Address 27 Avenal Road (Wallace)

Zoning Advisory Committee Meeting of December 16, 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).

X Additional Comments:

See attachment!

Reviewer: Keith Kelley

Date: January 12, 2002

CBCA Zoning Comments (zoning item #253)

☒ 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%.

One (1) 5-6' tall native deciduous tree must be planted for the addition

Man-made impervious surfaces are limited to 15% for lots greater than 1/2 acre in size.

Man-made impervious surfaces are limited to 25% for lots less than 1/2 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 ___ 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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 23, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-253
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: Mark A. Cunningham

Section Chief: Lynn Lankau

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 17, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 23, 2002
Item Nos. 241, 243, 244, 245, 246, 248,
249, 250, 251, 252, 253, 254, 255, 256,
and 269

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
INTER-OFFICE CORRESPONDENCE

DATE: December 24, 2002

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 253
Legal Owner/Petitioner Wallace, Jerrod & Lorraine
Contract Purchaser: N/A
Property Address: 27 Avenal Rd.
Location Description: N/side Avenal Rd. 285' W of centerline of
Clipper Rd

VIOLATION INFORMATION: Case No. 02-7861
Defendants: Wallace, Jerrod & Lorraine

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
------	---------

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- | | | |
|--------------------------|-----|---|
| ☐ | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| X | 3. | State Tax Assessment printout |
| ☐ | 4. | State Tax Parcel Map (if applicable) |
| ☐ | 5. | MVA Registration printout (if applicable) |
| ☐ | 6. | Deed (if applicable) |
| ☐ | 7. | Lease-Residential or Commercial (if applicable) |
| ☐ | 8. | Photographs including dates taken |
| X | 9. | Correction Notice/Code Violation Notice |
| ☐ | 10. | Citation and Proof of Service (if applicable) |
| ☐ | 11. | Certified Mail Receipt (if applicable) |
| ☐ | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| ☐ | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| ☐ | 14. | Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/hr
C: Code Enforcement Officer

CODE ENFORCEMENT REPORT

DATE: 10/22/02 INTAKE BY: CB CASE #: 02-7861 INSPEC: 15

COMPLAINT LOCATION: 29 AVERAL Rd

ZIP CODE: 21221 DIST: 15

COMPLAINANT NAME: ANONYMOUS PHONE #: (H) _____ (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: 2 STORY ADD WITH NO PERMIT
& SHED WITHOUT PERMIT

IS THIS A RENTAL UNIT? YES _____ NO _____
IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: 10/22/02 2 story add & shed w/out permit & shed
Let Notice w/owner P.O. 11/6/02 H.A.

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 02-7861 Property No. 1523 901760 Zoning:

Name(s): JAY WALLACE
Address: 27 AVERNAL RD
BALTIMORE MD

Violation: Location:

to 2 DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

- R-105.1
① OBTAIN PERMITS FOR ADD & SARE
IN REAR YARD
② OBTAIN ENG CERT FOR FOOTINGS
③ REMOVE ALL TRASH & DEBRIS &
DOG FECE

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 11/6/02 Date Issued: 10/22/02

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Rowe

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: Date Issued:

INSPECTOR:

DATE: 10/22/2002

STANDARD ASSESSMENT INQUIRY (1)

R0110015

TIME: 11:39:09

PROPERTY NO. DIST GROUP CLASS DEC. HISTORIC DEL LOAD DATE
 15 23 591260 15 A-1 04-00 H NO 10/04/02
 WALLACE JERROD J DESC-1.. LAPS
 WALLACE LORRAINE N DESC-2.. EASTERN TERRACE
 27 AVENAL RD PREMISE. 00027 AVENAL RD

000000-0000

BOLTIMORE

MD 21221-7004

FORMER OWNER: FITCH ROBERT LAWRENCE

FCV			PHASED IN		
	PRIOR	PROPOSED		CURR	PRIOR
LAND:	29,000	29,000			
IMPV:	51,250	51,250	TOTAL..	80,250	80,250
TOTL:	80,250	80,250	PREF...	0	0
PREF:	0	0	CURT...	59,250	80,250
CURT:	80,250	80,250	EXEMPT.	0	0
DATE:	06/99	00/00			

---- TAXABLE BASIS ----

FM DATE

03/04 ASSESS:	80,250	08/10/01
02/03 ASSESS:	80,250	05/30/92
01/02 ASSESS:	76,126	06/01/01

ENTER-INQUIRY2 F01-PRINT F04-MENU F05-QUIT F07-CROSS REF

27 Avenal Rd.

ADDITION FRAMED & WEATHER
TIGHT.

ok to apply for Adm. VARIANCE

John M. Althaus

11/19/02



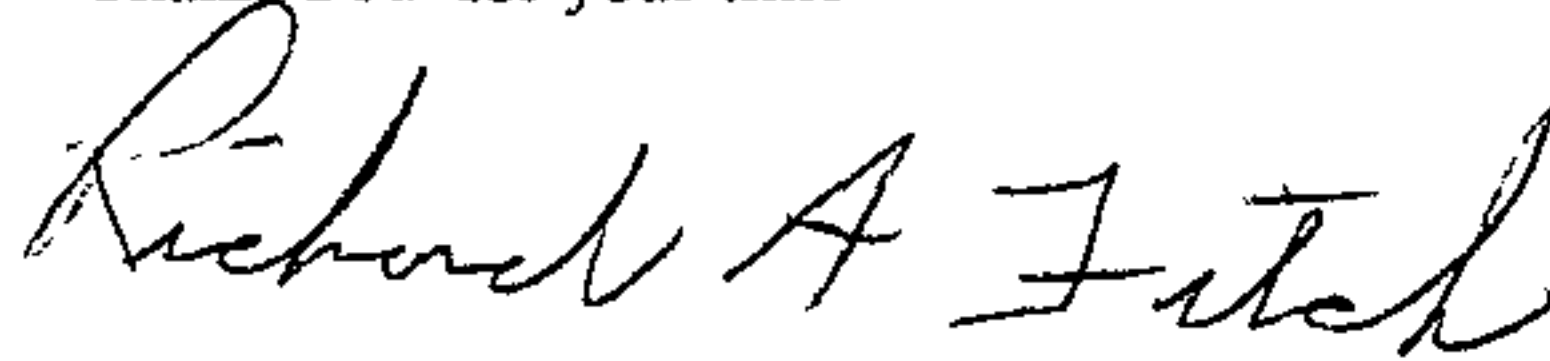
CASE # 03-253-A

Dec 15, 2002

To Whom It May Concern,

I would like it to be known that I have no problem with the addition being built at 27 Avenal Rd. It's been brought to my attention that there is a zoning conflict with the building of the addition. Due to the fact that I'm the most affected by the purposed addition, I wanted it to be known that I have discussed this matter with Mr Wallace at length and the addition is not affecting my living conditions or impeding on my property in any way

Thank You for your time

A handwritten signature in cursive script that reads "Richard A Fitch". The signature is written in dark ink and is positioned below the "Thank You" text.

Richard Fitch
Owner of the property at 25 Avenal Rd
Baltimore, MD 21221



Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary

Mary Abrams
Deputy Secretary

December 20, 2002

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

Re: Zoning Advisory Committee Agenda, 12/23/02 re: case numbers 03-241-SPHXA, 03-242-SPH, 03-243-A, 03-244-A, 03-245-A, 03-246-SPHX, 03-247-A, 03-248-SPHA, 03-249-A, 03-250-SPHXA, 03-251-A, 03-252-A, 03-253-A, 03-254-A, 03-255-SPH, 03-256-A, 03-269-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/19/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review 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

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 27 Avenal Rd

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

SUBDIVISION NAME EASTERN TERRACE

PLAT BOOK # 12 FOLIO # 119 LOT # 16 SECTION # 2

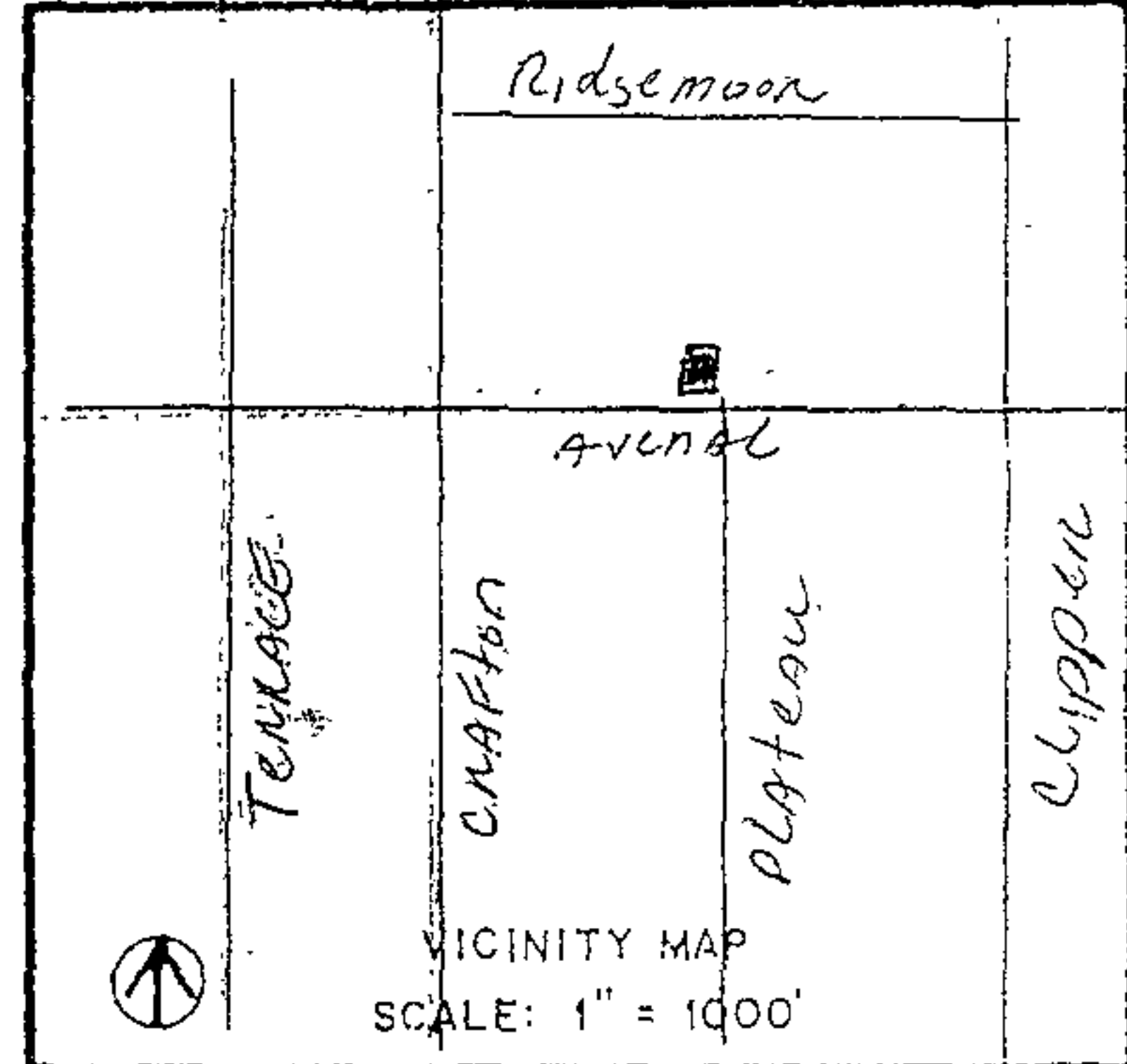
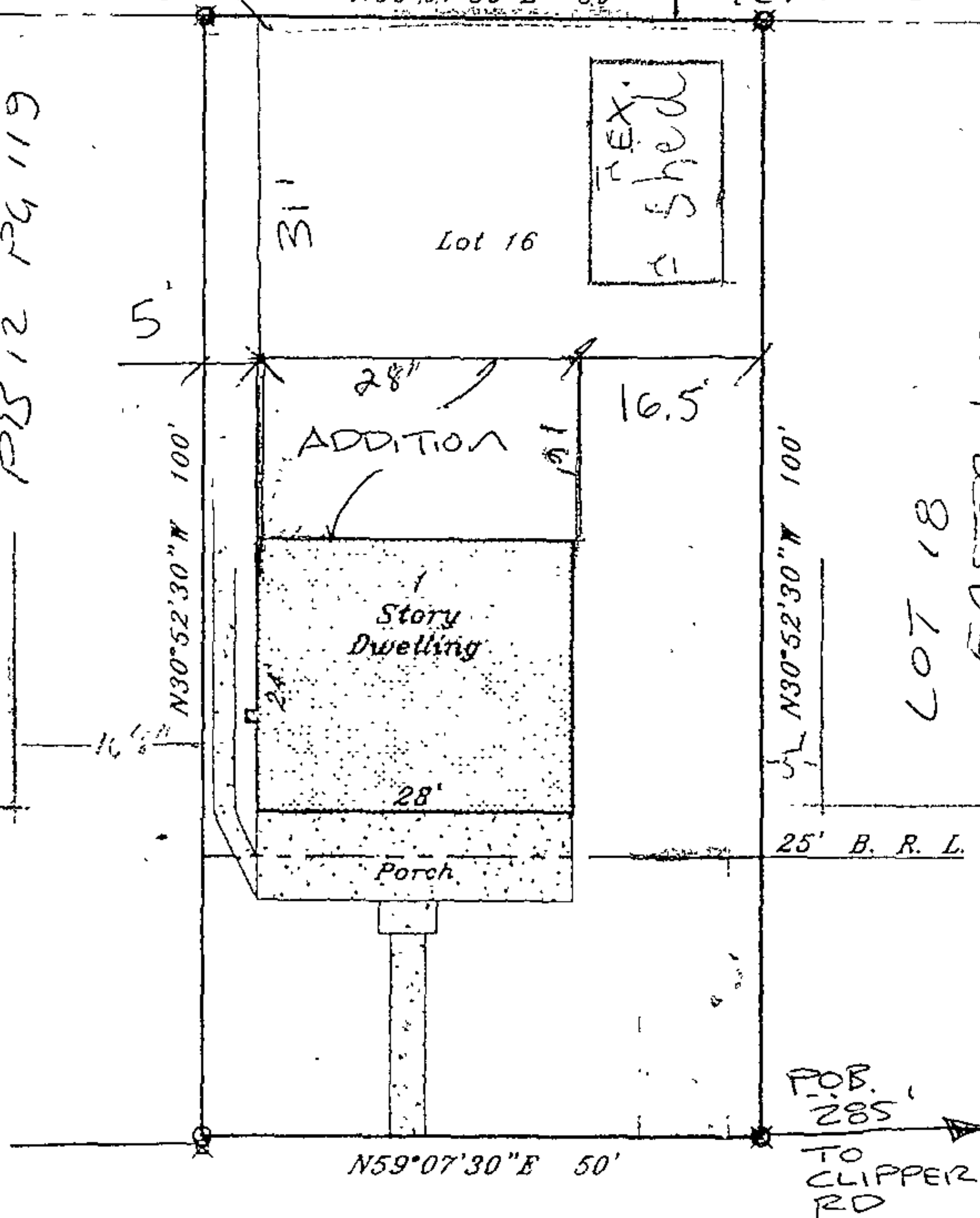
OWNER JENNOD WALLACE

LOT 6 EASTERN TERRACE PB 12 PG 119
N59°07'30"E 50'

LOT 7 PB 12
EASTERN TERRACE
PB 12 PG 119

LOT 17
EASTERN TERRACE
PB 12 PG 119

LOT 18
EASTERN TERRACE
PB 12 PG 119



LOCATION INFORMATION			
ELECTION DISTRICT	<u>15th</u>		
COUNCILMANIC DISTRICT	<u>7th</u>		
1" = 200' SCALE MAP #	<u>NE 1.6</u>		
ZONING	<u>DR 5.5</u>		
LOT SIZE	ACREAGE	<u>5,000</u>	
	SQUARE FEET		
SEWER	PUBLIC ☒	PRIVATE ☐	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	YES ☒	NO ☐	
100 YEAR FLOOD PLAIN	☐	☒	
HISTORIC PROPERTY/ BUILDING	☐	☒	
PRIOR ZONING HEARING	☒		

ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM #	CASE #
<u>CTM</u>	<u>253</u>	

PREPARED BY J. Waller AVENAL ROAD (50' WIDE)
SCALE OF DRAWING: 1" = 20'

Det. R. #1

N 3,000

DR 5.5

EUGENE

$\text{CO}_2 = 1$

