IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Lennings Lane, 1315' E
centerline of Hospital Drive
14th Election District
6th Councilmanic District
(9131 Lennings Lane)

Jennifer & Stan Lynch

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* CASE NO. 03-272-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Jennifer and Stan Lynch, the legal owners of the subject property. The variance request is for property located at 9131 Lennings Lane in the eastern area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 5 ft. and a sum of side yards of 22 ft. in lieu of the required 10 ft. and 25 ft. respectively for a proposed garage. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

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compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 2/5/day of January, 2003, that a variance from Section 1B02.3.B of the B.C.Z.R., to permit a side yard setback of 5 ft. and a sum of side yards of 22 ft. in lieu of the required 10 ft. and 25 ft. respectively for a proposed garage, 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

January 21, 2003

Mr. & Mrs. Stan Lynch 9131 Lennings Lane Baltimore, Maryland 21237

Re: Petition for Administrative Variance

Case No. 03-272-A

Property: 9131 Lennings Lane

Dear Mr. & Mrs. Lynch:

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

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

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Muthy 160troco

TMK:raj Enclosure

c: Buck Jones 500 Vogts Lane Baltimore, MD 21221



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

		for the proper	rty located at	9131 LENNI		
			which	n is presently zon	ed DR 3.5	
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required 10						,
of the zoning regulations of this petition form.	of Baltimore Cou	inty, to the zoning	g law of Baltimore	e County, for the rea	asons indicate	ed on the back
roperty is to be posted a or we, agree to pay expense gulations and restrictions of	ses of above Vari	ance, advertising, p	posting, etc. and fi	urther agree to and an	e to be bounde /.	d by the zoning
			perjury, tha	lemnly declare and af it I/we are the legal ov ect of this Petition.	•	7
Contract Purchaser/Le	essee:		<u>Legal Ov</u>	vner(s):		
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;			Name - Type	tan U		
ignature			Signature	JENNIFER LYNCH		
ddress		Telephone No.	Name - Typ	por Print,	CR.	
ity	State	Zip Code	Signature			
ttorney For Petitione	<u>r:</u>			9131 LENNINGS LANE	410-2	207-7144
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ddress &		Talanhana Na	A d dense	500 VOGTS LANE	410-574-933	
		Telephone No.	Address	<u> </u>		Telephone No.
itý j	State	Zip Code	City	BALTIMORE, MD 2	State	Zip Code
Public Hearing having been is day of gulations of Baltimore County a	,that	the subject matter of	oe required, it is or f this petition be set	dered by the Zoning Co for a public hearing, adv	ommissioner of E ertised, as requi	Baltimore County, ed by the zoning
					·	5317.7
The state of the s			Zo	ning Commissioner of B	altimore County	<i>O</i> ,
CASE NO03	-272-A	Re	eviewed By	<u>BR</u> Da	te 12/9/02	<u> </u>
<u> </u>		Es	timated Postin	g Date 12/23	102	

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	af	9131 LENNINGS LANE				
	Address	BALTIMORE	MD	21237		
	City	State		Zip Code		
That based upon personal knowledge, the folio Variance at the above address (indicate hardsh I WISH TO CONSTRUCT A GARAGE ON THE STORE THINGS THAT ARE IMPORTANT TO I MORE ESTATED SENCE TO HAVE THE GAR REAR AND SIDE YARD, WHICH WOULD BE I MAINTAIN A USEABLE REAR YARD FOR MY	ip or practical difficulties west side of My Property and I, But to AGE ATTACHED AND EVENTY SECOND OPTION. BY	ity): ERTY IN ORDER TO HAVE A PL O ALSO PARK OUR VEHICLES IN IN MORE PRACTICAL, THEN TO	ACE TO NO N. I FEEL II PUT IT 3' C	T ONLY F MAKES OFF THE		
	-					
That the Affiant(s) acknowledge(s) that if a formation and may be required to provide advertising fee advertisin	additional information	n. Staul	quired to	pay a reposting and		
Signature	Si	gnature				
JENNIFER LYNCH		STAN LYNCH				
Name - Type or Print	N:	ame - Type or Print				
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfaw that the matters and facts hereinabove set	ersonally appeared of the stactorily identified to	o me as such Affiant(s),	and mad	ary Public of the State de oath in due form of nowledge and belief.		
AS WITNESS my hand and Notarial Seal		vorar gry	Nasz	tiñ		
Date A R	Notary Pu	iblic		AN I. MARTIN STATE OF MARYLAND		

Affida vit 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.

Address

That the Affiant(s) does/do presently reside at

9131 LENNINGS LANE

MD

21237

BALTIMORE

i		City	Sta	е	Zip Code
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That the A	ffiant(s) acknowledge(s) that if a for	mal demand is	filed Affiant(s) will	he required to hav a	renosting and
advertising	fee and may be required to provide a	dditional informa	tion.	1 0	
Donni	fer Daw Rynch		Stal	Nex	<u> </u>
Signature	JENNIFER LYNCH		Signature		
Name - Type			Name - Type or Print	NCP	
					
!	MARYLAND, COUNTY OF BALTIM	·	_		
of Maryland	CERTIFY, this 9 day of 000 day, in and for the County aforesaid, per	sonally appeared	, <i><u>aooa_</u>,</i> b	efore me, a Notary Pu	blic of the State
the Affiant	s) herein, personally known or satisfa	fer du	to me as such Aff	iant(s), and made oath	in due form of
law that the	matters and facts hereinabove set for	rth are true and	correct to the best of	of his/her/their knowled	ge and belief.
AS WITHE	\$\$ my hand and Notarial Seal	^			
	12-9-02	<u>,</u>	vous g	Mastin	
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REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Estimated Posting Date 12/23/02

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of the zoning regulations of Baltimore Co of this petition form.	ounty, to the zoning la	aw of Baitimore	County, for the rea	asons indicat	ed on the back
Property is to be posted and advertised, or we, agree to pay expenses of above Varegulations and restrictions of Baltimore Co.	ariance, advertising, pos	sting, etc. and fur	ther agree to and ar	e to be bound '.	ed by the zoning
		perjury, that	emnly declare and af I/we are the legal ov at of this Petition.		
Contract Purchaser/Lessee:		<u>Legal Ow</u>	ner(s):		
Jame - Type or Brint		Name Tune	STAN LYNCH		
Name - Type or Print		Name - Type	Eas. (, Q		
Signature	<u> </u>	Signature	JENNIFER LYNCH	^	
ddress	Telephone No.	Name - Type	Print /	Inch	
City	Zip Code	Signature		,	
Attorney For Petitioner:		Address	9131 LENNINGS LANE	410	- 207-7/40 Telephone No.
		Audiess	BALTIMORE, MD 2123	7	reiophone 110.
lame - Type or Print	 	City		State	Zip Code
ignature		<u>Represen</u>	tative to be Cor	ntacted:	
			BUCK JONES	•	
ompany		Name	500 VOGTS LANE	410-574-93	37
ddress	Telephone No.	Address		120 27 1 24	Telephone No.
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Public Hearing having been formally demands and day of the gulations of Baltimore County and that the property	hat the subject matter of th	required, it is ord is petition be set fo	iered by the Zoning Cor a public hearing, adv	ommissioner of vertised, as requ	Baltimore County ired/by the zoning
-		7	ing Commissioner of B	altimore County	
-		20 11	mig Commissioner of E	eminore Country	· · · · · · · · · · · · · · · · · · ·

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 9131 LENNINGS LANE.

BEGINNING AT A POINT ON THE SOUTH SIDE OF LENNINGS LANE WHICH IS

60 (SIXTY) FEET WIDE AT THE DISTANCE OF 1315 FEET EAST OF THE

CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET

HOSPITAL DRIVE WHICH IS 60 (SIXTY) FEET WIDE. *BEING LOT #3,

IN THE SUBDIVISION OF WALBECK ACRES

AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 53, FOILIO # 126,

AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 53, FOILIO # 126, CONTAINING 10,240 SQUARE FEET .24 ACRES. ALSO KNOWN AS 9131 LENNINGS LANE AND LOCATED IN THE 14 ELECTION DISTRICT, 6 COUNCILMANIC DISTRICT.

BALTIMORE COUNTY, MAI OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	ACCOUNT	(F) 6/3 (E)	PATO RECEIPT DISTNERS AUTUAL THE 1/09/2002 12/09/2002 10:22:11 HOOK WALKTN KNOW KNW DRAWER GETET I LIBRAL 12/09/2002 UFLN 15 528 YOM WE VENIFICATION
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DISTRIBUTION WHITE CASHIER PINK AGENCY	YELLOW - CUSTOMER		CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.:	73-	27	Z-A
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Petitioner Developer: Lynch

FREESTATE BUCK JONES

Date of Hearing Closing;

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

Attention: Ms. Gwendolyn Stephens / MR. GEORGE ZAHNER

Ladies and Gentlemen:

it* Fax Note Date 7671 Pages From Phone # FAX

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 _#9/3/- LENNINGS LANE

The sign(s) were posted on

(Nionth, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE %

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

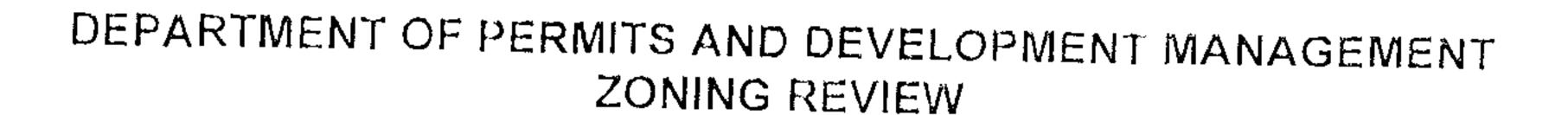
(City, State, Zip Code)

410-666:5366 ; CELL.410.905.8571

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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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 Advertis	<u>sing:</u>	
Item Number or Case Nur	nber: 03.272-4	
Petitioner <u>5TAN</u>	ODENIFER LYNCH	·····
Address or Location	9131 LENNINGS LANE	2/237
PLEASE FORWARD ADV	ERTISING BILL TO	
Name57	TAN LYNCH	
Address	131 LENNINGS LANE	
_	ALT. MD. 2/237	
Telephone Number:	410-207-7144	



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

January 6, 2003

Mr. and Mrs. Stan Lynch 9131 Lennings Lane Baltimore, MD 21237

Dear Mr. and Mrs. Lynch:

RE: Case Number: 03-272-A, 9131 Lennings Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 9, 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

u. Can John De

WCR:rlh

Enclosures

c: People's Counsel
Buck Jones, 500 Vogts Lane, Baltimore 21221



Maryland Department of Transportation State Highway Administration



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 12.30.07

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

RE: Baltimore County

Item No. 272 B2

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

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

December 31, 2002

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

ATTENTION: George Zahner

Distribution Meeting of December 23, 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:

257-290

272

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: January 16, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

11/2/1 13

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-272, & 03-304

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: January 27, 2003

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 December 30, 2002

Item Nos. 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287,

288, 289, and 290

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

December 27, 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, 12/30/02 re: case numbers 03-257-A, 03-258-SPHA, 03-259-SPHA, 03-260-A, 03-261-A, 03-262-A, 03-263-A, 03-264-SPH, 03-265-A, 03-266-XA, 03-267-A, 03-268-A, 03-270-A, 03-271-A, 03-272-A, 03-273-A, 03-274-A, 03-275-A, 03-276-A, 03-277-XA, 03-278-SPH, 03-279-A, 03-280-A, 03-281-SPHA, 03-282-A, 03-283-SPHA, 03-284-A, 03-285-A, 03-286-A, 03-287-A, 03-288-A, 03-289-A, 03-290-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/26/02. The information has been submitted to Mr. 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,

13ana 2 An Jim Matte

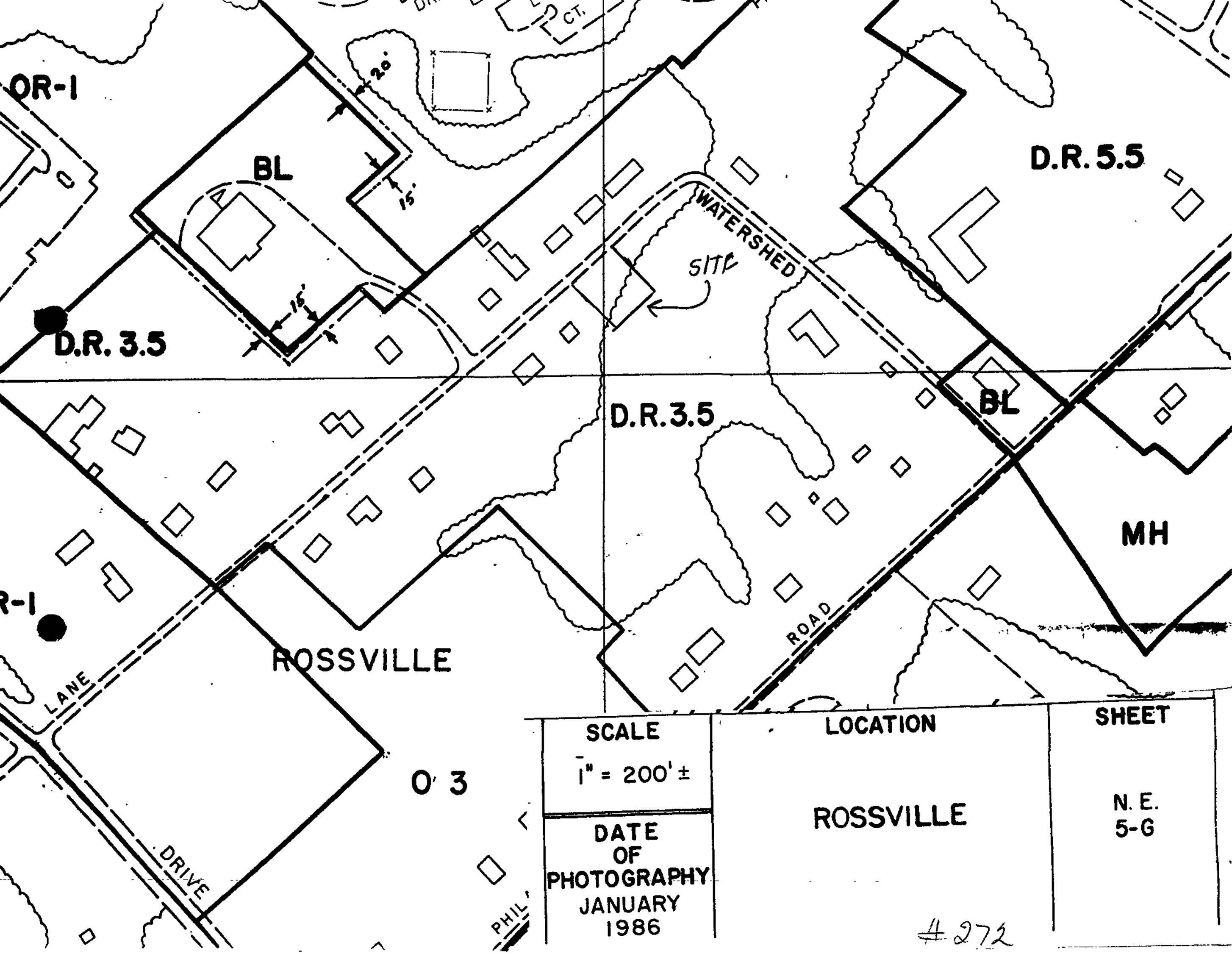
James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup



M. B. B.



LOOKING SOUTH WEST AT NEIGHBORS PROPERTY.



LOOKING NORTH ACROSS STREET FROM HOUSE WITH PROPOSED GARAGE.



LOOKING SOUTH, HOUSE IS TO THE LEFT OF PICTURE. THIS IS THE SIDE OF PROPOSED GARAGE.