

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Overbrook Road, 100' W
centerline Pinehurst Road
9th Election District
5th Councilmanic District
(136 Overbrook Road)

Michele A. & Gregory L. Rowland
Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 03-385-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Michele and Gregory Rowland. The Petitioners are requesting variance relief for their property located at 136 Overbrook Road in the Rodgers Forge area of Baltimore County. The variance request is to allow a rear yard setback of 29 ft. in lieu of the required 50 ft. for a replacement deck.

Appearing at the hearing on behalf of the variance request were Greg Rowland, owner of the property and Ms. Jean Duvall, a representative of the Rodgers Forge Community, Inc. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, is an inside-of-group townhouse dwelling located at 136 Overbrook Road. The owners of the property are interested in replacing an old wooden deck which is attached to the rear of their home. They hope to replace that deck with a new structure, the dimensions of which are 14 ft. in width and 12 ft. in depth. In order to replace the old deck, the variance request is necessary.

As stated previously, Ms. Jean Duvall, representing the Rodgers Forge Community Association, appeared at the hearing. Ms. Duvall supports the Petitioners' request for variance so long as certain conditions and restrictions are imposed upon these property owners. Those conditions and restrictions shall be incorporated at the end of this Order.

4/15/03
R. J. JENSEN

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

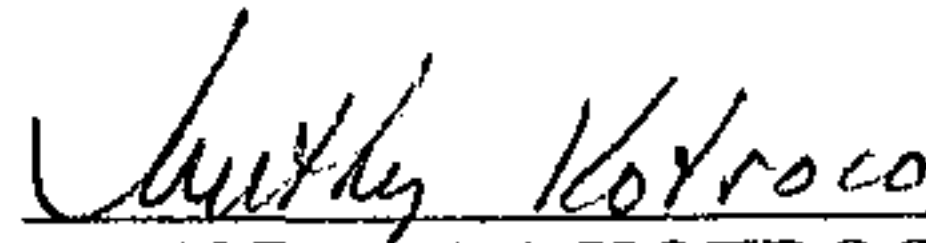
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 15th day of April, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations, to allow a rear yard setback of 29 ft. in lieu of the

4/15/03
D. J. Anderson

required 50 ft. for a replacement deck, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
2. The deck to be constructed to the rear of the Petitioners' home shall remain an open projection. That is, this Petitioner or any subsequent owner of the property shall be prohibited from enclosing the deck in any fashion, either above or below the structure.
3. The Petitioners shall be required to install rodent wire with gravel under the deck as agreed to with the community association.
4. The Petitioners shall be permitted to install a set of steps coming from the deck to the ground on the side of the deck in question so long as the steps do not protrude any further into the rear yard than the deck itself.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

4/15/03
A. J. Jenson



Baltimore County
Zoning Commissioner

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

April 15, 2003

Mr. & Mrs. Gregory L. Rowland
136 Overbrook Road
Baltimore, Maryland 21212

Re: Petition for Administrative Variance
Case No. 03-385-A
Property: 136 Overbrook Road

Dear Mr. & Mrs. Rowland:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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 136 Overbrook Road
which is presently zoned DR 10.5

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)

1B02.3.c.1 to permit a rear
yard setback of 29 ft. in lieu of the required 50 ft. for
a replacement 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 Telephone No.

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. 03-385-A

Reviewed By BN Date 2/21/03

Estimated Posting Date 3/2/03

REV 10/25/01

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 136 Overbrook Road
City Baltimore State MD Zip Code 21212

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):

Reasons for an Administrative Variance.

1. We are replacing an existing deck.
2. Our back yard is 41 feet

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

Signature Gregory L Rowland
Name - Type or Print Gregory L. Rowland

Signature Michelle A Rowland
Name - Type or Print Michelle A. Rowland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of February, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Margaret E. Hoogerwerf
Notary Public

My Commission Expires

MARGARET E. HOOGERWERF
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 24, 2004

Affidavit in Support of Administrative Variance

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Signature Gregory L. Rowland
Name - Type or Print Gregory L. Rowland

Signature Michelle A. Rowland
Name - Type or Print Michelle A. Rowland

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

AS WITNESS my hand and Notarial Seal

Signature Margaret E. Mollerwerf
Notary Public
My Commission Expires October 24, 2004
MARGARET E. MOLLERWERF
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 24, 2004



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 136 Overbrook Road
which is presently zoned OR 10.5

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)

1B02.3.c.1 to permit a rear
yard setback of 29 ft. in lieu of the required 50 ft. for
a replacement 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.

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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

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No

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 03 day of March, 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. 03-385-A

Reviewed By BK Date 2/21/03

REV 10/25/01

Estimated Posting Date 3/2/03

ZONING DESCRIPTION FOR 136 OVERBROOK ROAD

Beginning at a point on the North side of Overbrook^{Rd.} which is 37 feet wide at the distance of 100 feet West of the centerline of the nearest improved intersecting street Pinehurst^{Rd.} which is 40 feet wide. In the subdivision of Rodgers Forge containing 1881 square feet. Also known as 136 Overbrook Road and located in the 9 Election District, 5 Councilmanic District.

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #03-385-A

136 Overbrook Road
N/Side Overbrook Road 100
feet with centerline Pine-
hurst Road

9th Election District

5th Councilmanic District
Legal Owner(s): Gregory L.
and Michele A. Rowland

Administrative Variance: to
permit a rear yard setback
of 29 feet in lieu of the re-
quired 50 feet for a re-
placement deck.

**Hearing: Friday, April 11,
2003 at 9:00 a.m. in Room
407, County Courts Build-
ing, 401 Basile Avenue.**

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing Contact the Zoning
Review Office at (410) 887-
3391.

3/387 Mar. 27 C594632

CERTIFICATE OF PUBLICATION

3/27/2003

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 3/27/2003.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. McKinnon

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 20117

PAID RECEIPT

DATE 3/17/03 ACCOUNT 001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM: Jean Russell

FOR: 03-385-A

Warrant Formal Demand for Hearing

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

BUSINESS	ACTUAL	TIME	DRW
3/17/2003	3/17/2003	12:07:31	4
REG	WS06	WALKIN	KNOW KXM
OR	CEIPT N 141611	3/17/2003	OFFLN
Dep	5	FOR ZONING VERIFICATION	
CR	000117		
Recpt Tot		\$50.00	
50.00	OK	.00	CA
Baltimore County, Maryland			

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 22370

DATE 2/20/03 ACCOUNT REC-1-02-6150

AMOUNT \$ 65.00

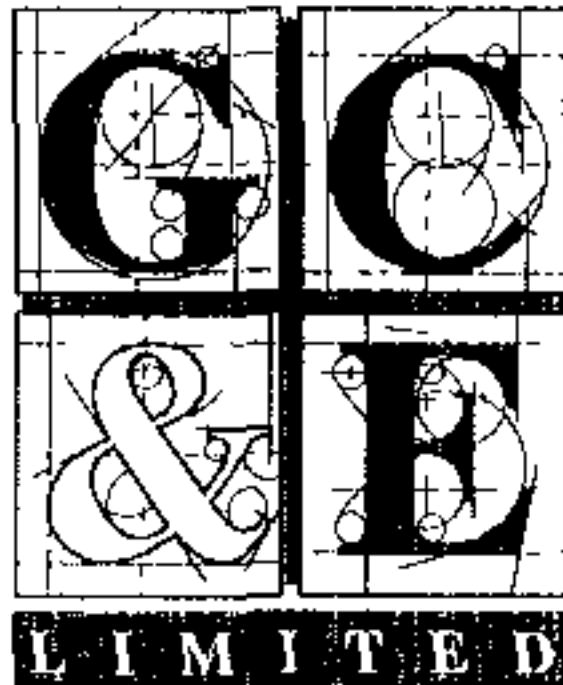
RECEIVED FROM: Gregory Rowland

FOR: Unsubsidized for name

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
John # 385

PAYD RECEIPT
BUSINESS ACTUAL TIME
2/21/2003 2/20/2003 15:03:02
REQ 12306 WALTON KATH KVM DRAWER 4
X-RECEIPT # 13527 2/21/2003 OFL
Dept 5 508 ZONING VERIFICATION
CR NO. 022310
Receipt Tot \$65.00
65.00 OK .00 OA
Baltimore County, Maryland

CASHIER'S VALIDATION



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286

Phone (410) 823-4470 • Fax (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-385-A

PETITIONER/DEVELOPER:

Gregory L. & Michele A. Rowland

DATE OF HEARING:

April 11, 2003

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

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

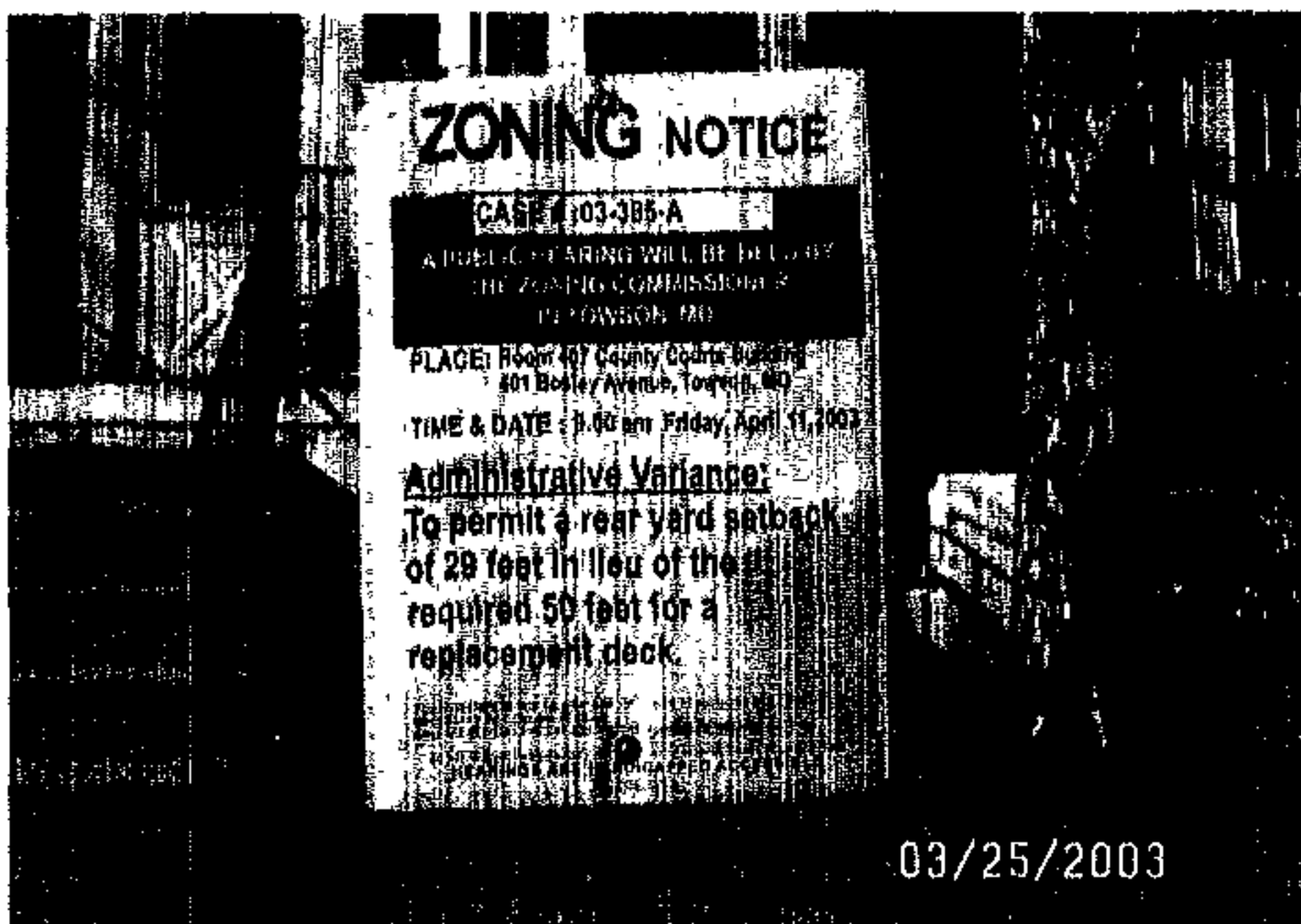
LOCATION:
136 Overbrook Road

DATE:
March 27, 2003

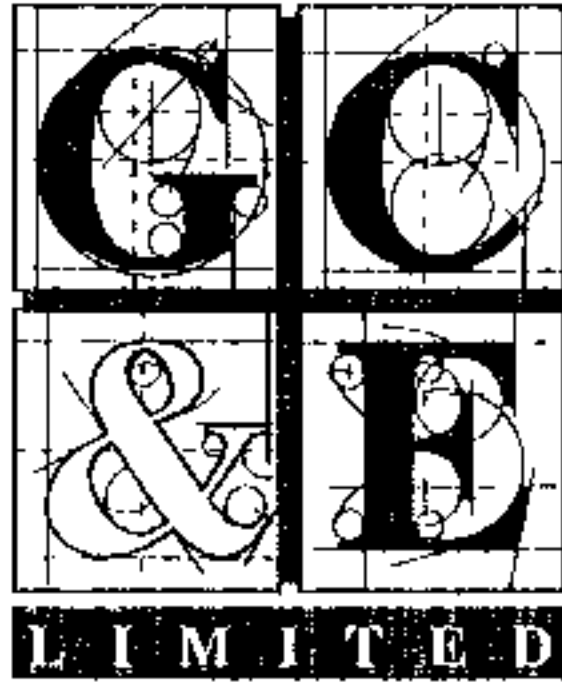
SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX



POSTED ON: March 25, 2003



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-385-A
PETITIONER/DEVELOPER:
Gregory, & Michelle Rowland
DATE OF HEARING:
N/A

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

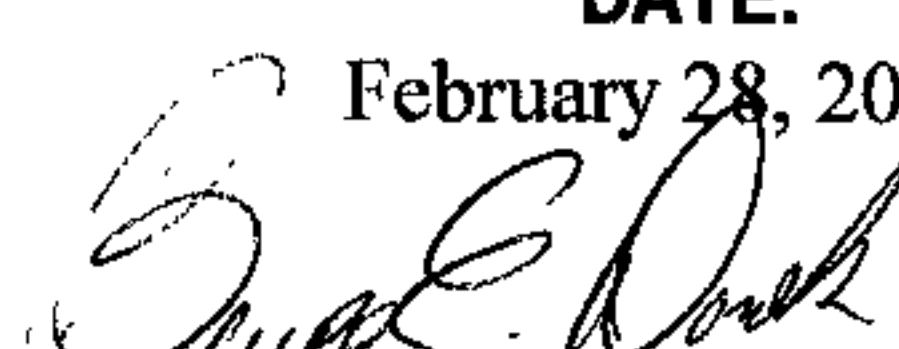
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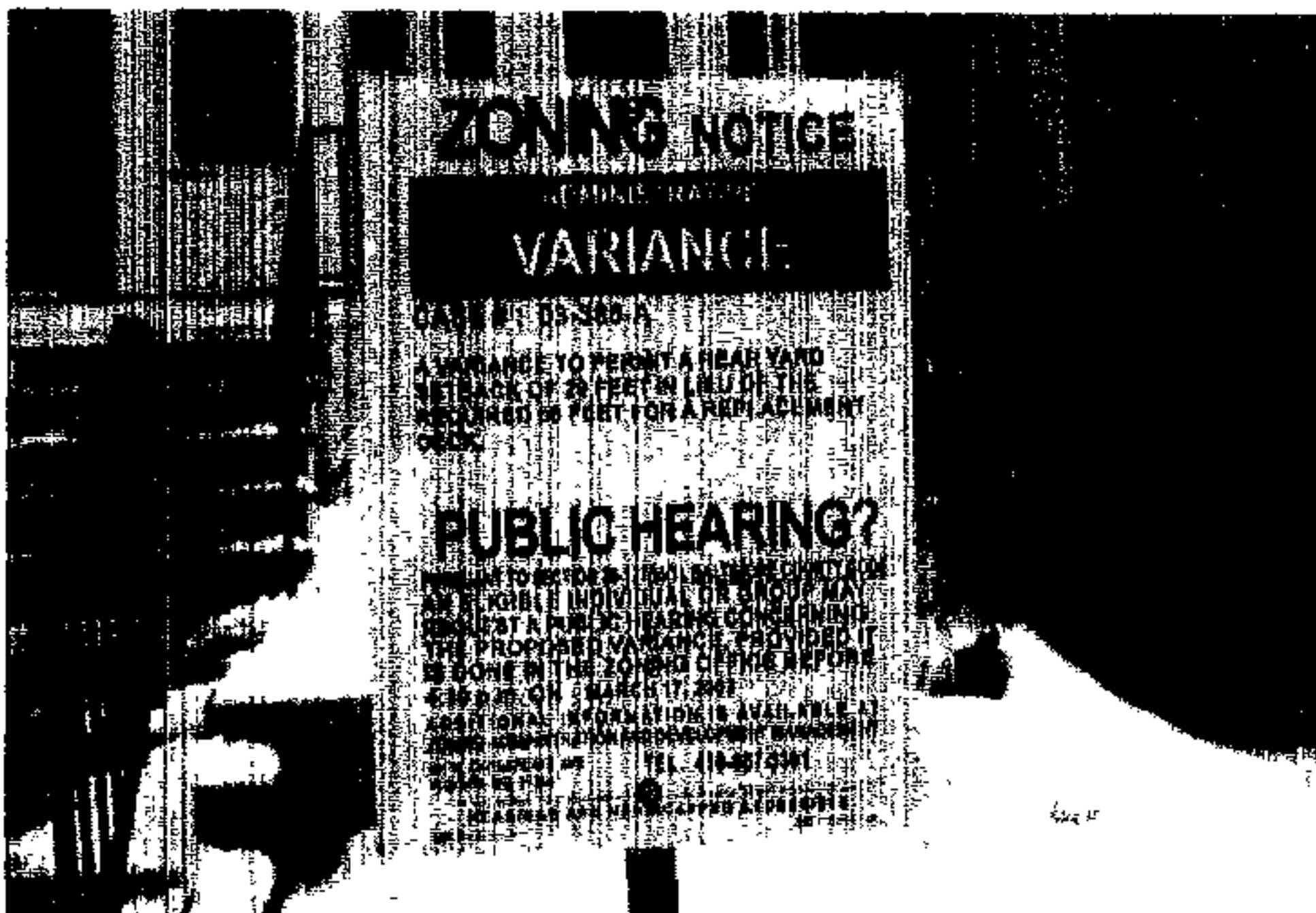
LOCATION:
136 Overbrook Avenue

DATE:
February 28, 2003


SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSON TOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX



POSTED ON : February 27, 2003



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

March 17, 2003

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 03-385-A

136 Overbrook Road

N/side Overbrook Road 100 feet with centerline Pinehurst Road

9th Election District -- 5th Election District

Legal Owners: Gregory L. and Michele A. Rowland

Administrative Variance to permit a rear yard setback of 29 feet in lieu of the required 50 feet for a replacement deck.

Hearings: Friday, April 11, 2003 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:rlh

C: Gregory and Michele Rowland, 136 Overbrook Road, Baltimore 21212
Ms. Jeane Duvall, 227 Murdock Road, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 27, 2003.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

7072



TO: PATUXENT PUBLISHING COMPANY
Thursday, March 27, 2003 Issue - Jeffersonian

Please forward billing to:
Gregory Rowland
136 Overbrook Road
Baltimore, MD 21212

410-377-4846

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 03-385-A

136 Overbrook Road
N/side Overbrook Road 100 feet with centerline Pinehurst Road
9th Election District – 5th Election District
Legal Owners: Gregory L. and Michele A. Rowland

Administrative Variance to permit a rear yard setback of 29 feet in lieu of the required 50 feet for a replacement deck.

Hearings: Friday, April 11, 2003 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 03-385-A
Petitioner: Gregory L. Rowland
Address or Location: 136 Overbrook Rd. Baltimore, MD 21212

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gregory L. Rowland
Address: 136 Overbrook Road
Baltimore, MD 21212
Telephone Number: (410) 377-4846

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 03- 385 -A Address 136 Overbrook Rd.Contact Person: Bruno Rudatis Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 2/20/03 Posting Date: 3/2/03 Closing Date: 3/17/03

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- 385 -A Address 136 Overbrook Rd.Petitioner's Name Gregory & Michelle Rowland Telephone 410-377-4846Posting Date: 3/2/03 Closing Date: 3/17/03Wording for Sign: To Permit a rear yard setback of 29 ft. in lieu of the
required 50 ft. for a replacement deck.

WCR - Revised 6/28/00



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

April 4, 2003

Gregory L. and Michele A. Rowland
136 Overbrook Road
Baltimore, MD 21212

Dear Mr. and Mrs. Rowland:

RE: Case Number: 03-385-A, 136 Overbrook Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 2, 2003.

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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

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





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

March 17, 2003

Mr. and Mrs. Gregory Rowland
136 Overbrook Road
Baltimore, MD 21212

Dear Mr. and Mrs. Rowland:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 03-385-A

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on for a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:rlh

C: Ms. Jean Duvall, 227 Murdock Road, Baltimore 21212

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



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on Recycled Paper



**Baltimore County
Fire Department**

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 11, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 10, 2003

Item No.: ³⁸⁵ 384 - 395

Dear Ms. Hart:

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.

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

cc: File





MARYLAND DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., *Governor* • Michael S. Steele, *Lt. Governor* • Trent M. Kittleman, *Acting Secretary*

Date: 3.11.03

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

RE: Baltimore County
Item No. 385 BR

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/toll-free 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 • Phone 410 545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 13, 2003

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

SUBJECT: 136 Overbrook Road

INFORMATION:

Item Number: 03-385

Petitioner: Gregory L. Rowland

Zoning: DR 10.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit a rear yard setback of 29 feet in lieu of the minimum required 50 feet.

Prepared by: Mark A. Cunniff

Section Chief: Arnold F. Keller

AFK/LL:MAC:

RECEIVED

MAR 17 2003

ZONING COMMISSIONER

JK AV
Hearing
Demanded
4/11

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 14, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For March 17, 2003
Item Nos. 384, ~~385~~, 388, 389, 393,
394, and 395

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

RWB:CEN:jrb

cc. File



FORMAL DEMAND FOR HEARING

CASE NUMBER: 03-385A

Address: 136 Overbrook

Petitioner(s): Gregory L. Rowland

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

IN We Rogers Forge Comm Assoc
Name - Type of Print

() Legal Owner OR (☒) Resident of

417 DUNNICK RD
Address

BALT. MD 21212
City State Zip Code

410-377-4541 - J.K. DUNNICK
Telephone Number

410-377-2618. M. Tillman Pres.
which is located approximately _____ feet from the

property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

Jean K. Dunnick 3/12/03
Signature Date
227 MURDOCK RD
BALT. MD 21212

Signature
Revised 9/18/98 - wcr/scj

Date

The Rodgers Forge Community, Inc.

AN ORGANIZATION OF THE RESIDENTS OF RODGERS FORGE
BALTIMORE, MD. 21212

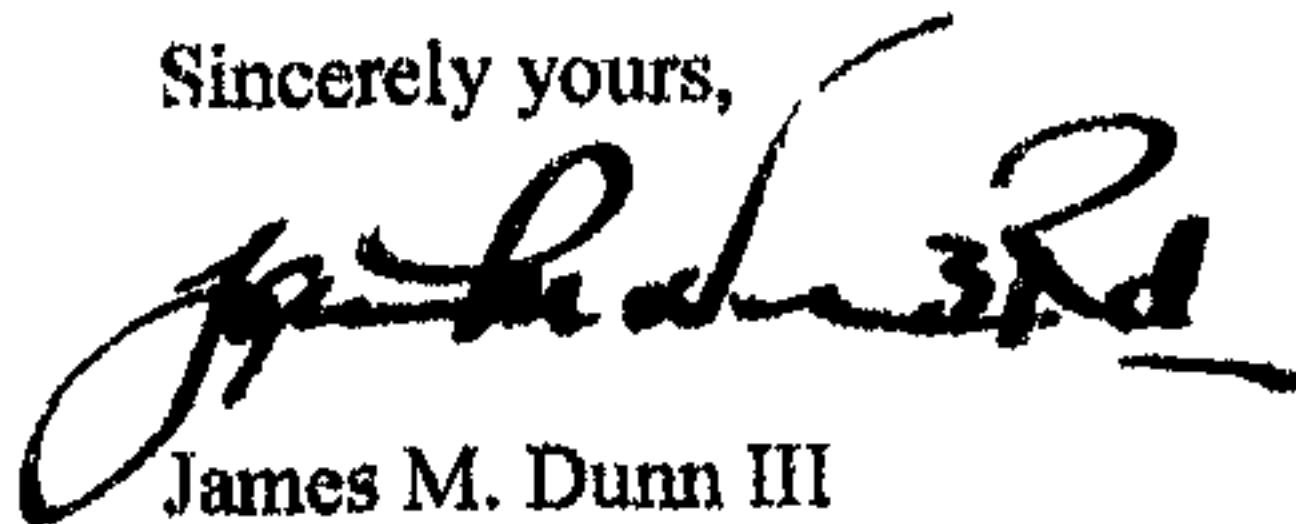
March 14, 2003

Mr. Arnold Jablon
Director
Office of Zoning
Towson, Maryland 21204

Dear Sir:

The Rodgers Forge Community Association requests a formal hearing before the Zoning Commissioner regarding Case # 03-385 A. Our intention is to be present as a participant for clarification purposes.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James M. Dunn III". The signature is stylized with a large, sweeping initial "J" and a long, horizontal stroke extending to the right.

James M. Dunn III
Corresponding Secretary
168 Stanmore Road
Baltimore, Maryland 21212

The Rodgers Forge Community, Inc.

AN ORGANIZATION OF THE RESIDENTS OF RODGERS FORGE
BALTIMORE, MD. 21212

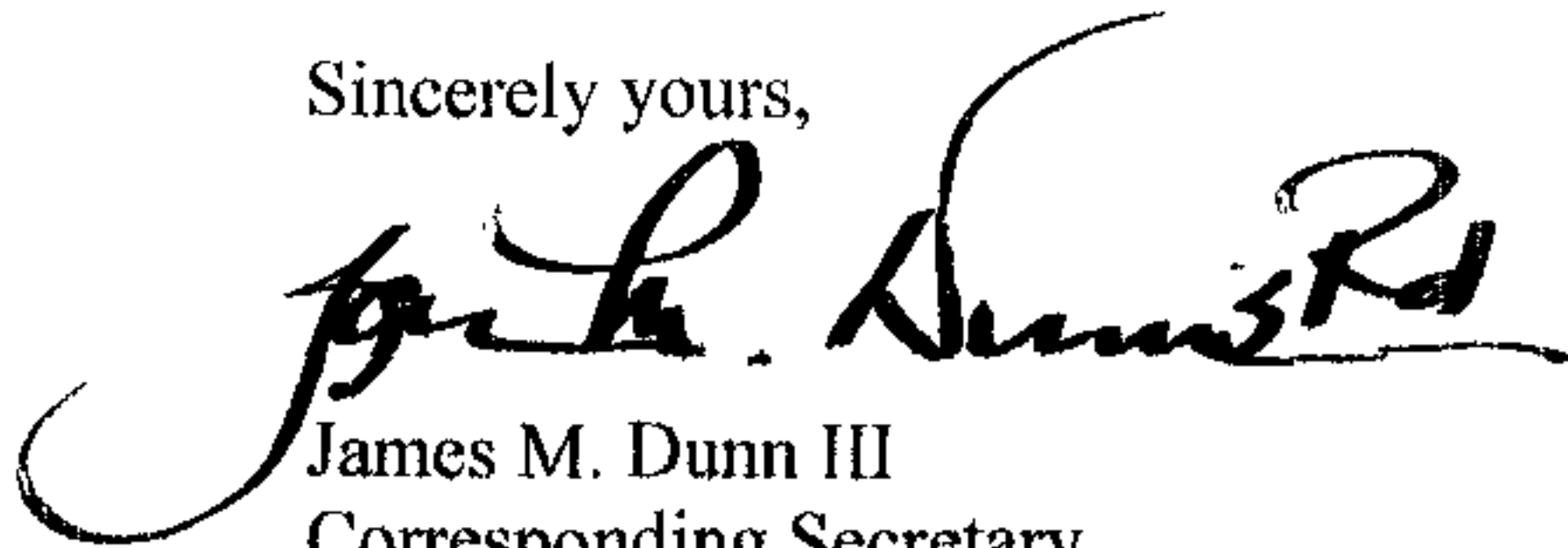
April 9, 2003

Office of the Zoning Commissioner
Towson, Maryland 21204

To whom it may concern:

The Rodgers Forge Community Association authorizes Jean M. Duvall to represent the Rodgers Forge Community, Inc. before the Zoning Commissioner regarding Case # 03-385 A.

Sincerely yours,



James M. Dunn III
Corresponding Secretary
168 Stanmore Road
Baltimore, Maryland 21212

*Fax Order to Jean Duvall
377-4606*

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

MDP
Maryland Department of Planning

Audrey E. Scott
Secretary

Florence E. Burton
Deputy Secretary

March 12, 2003

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

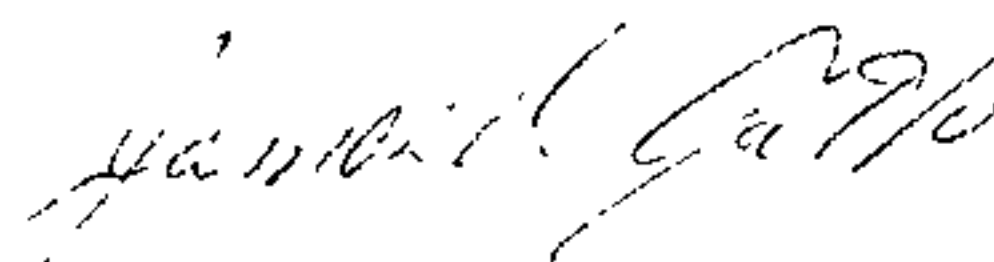
Re: **Zoning Advisory Committee Agenda, 03-17-03 regarding case numbers: 03-384-A, 03-385-A, 03-387-A, 03-388-SPH, 03-389-A, 03-390-SPH, 03-391-A, 03-392-SPHA, 03-393-SPHA, 03-394-A, 03-395-A**

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/11/03. 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: MikeNortrup

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

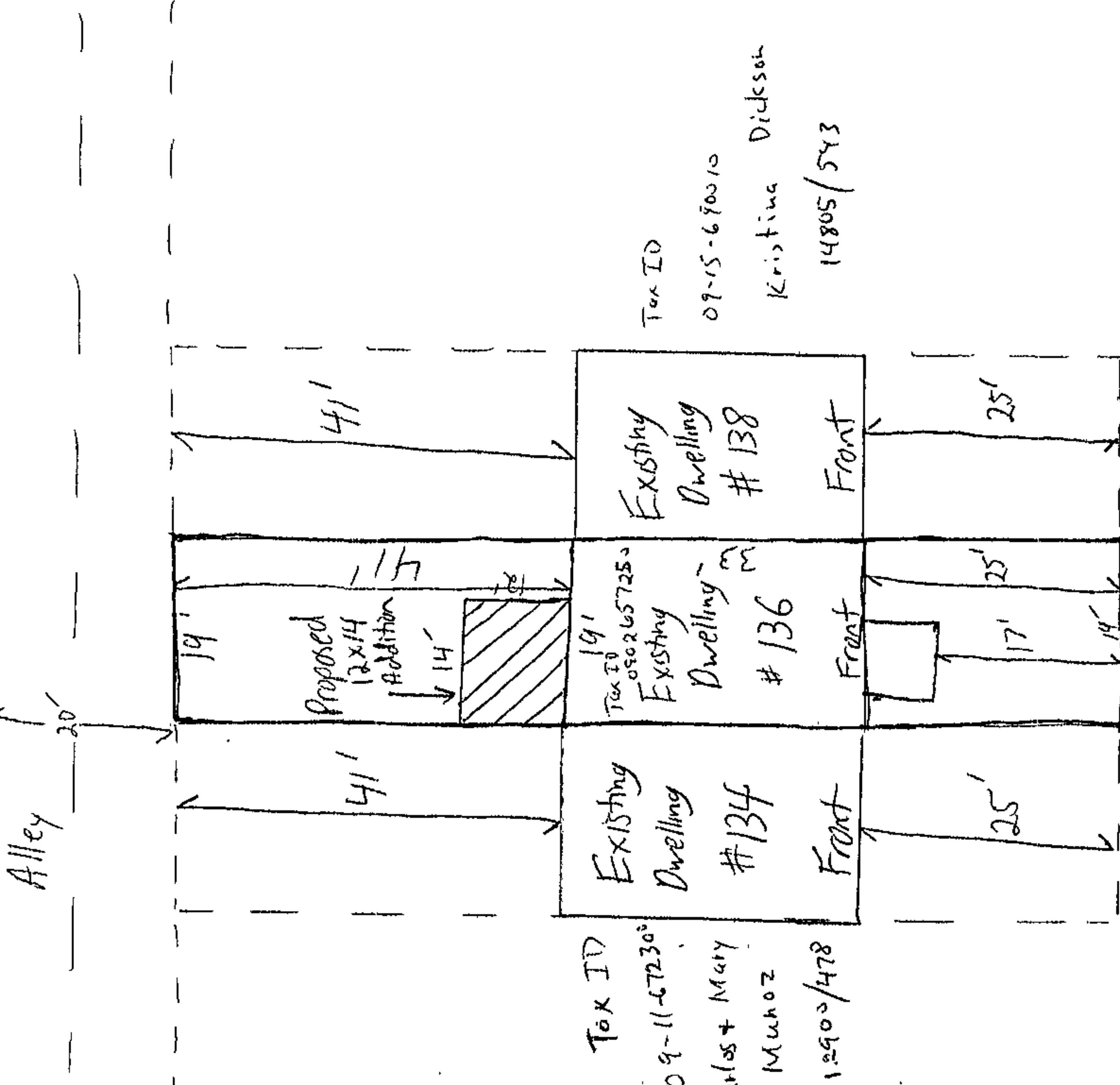
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 136 Overbrook Road

SUBDIVISION NAME Rodgers Forge

PLAT BOOK # FOLIO # LOT # SECTION #

OWNER Gregory + Michele Rowland



Put. Ex. #1



NORTH

PREPARED BY Gregory Rowland Sidewalk 7' (Paving) Overbrook Road (37' SCALE OF DRAWING: 1" = 20')

Stevenson Ln. 0 Subject Property Pinehurst Overbrook Road YORK RD. VICINITY MAP SCALE: 1" = 1000'	
LOCATION INFORMATION ELECTION DISTRICT <u>9</u> COUNCILMANIC DISTRICT <u>5</u> 1" = 200' SCALE MAP # <u>NE 8A</u> ZONING <u>DR 10.5</u> LOT SIZE <u>1881</u> ACREAGE <u> </u> SQUARE FEET <u> </u> SEWER ☒ PUBLIC ☒ PRIVATE ☐ WATER ☒ ☐ YES ☐ NO ☒ CHESAPEAKE BAY CRITICAL AREA ☐ ☒ 100 YEAR FLOOD PLAIN ☐ ☒ HISTORIC PROPERTY / BUILDING ☐ ☒ PRIOR ZONING HEARING ☐ ☒	
ZONING OFFICE USE ONLY REVIEWED BY <u>BR</u> ITEM # <u>385</u>	CASE # <u>03-385-A</u>

[illegible]

