IN RE: PETITION FOR ADMIN. VARIANCE SW/Corner Smith Avenue and Slade Avenue 3rd Election District 2nd Councilmanic District (7522 Slade Avenue)

Yvonne J. Butler

Petitioner

BEFORE THE

ZONING COMMISSIONER *

OF BALTIMORE COUNTY

CASE NO. 03-525-A *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Yvonne J. Butler. The variance request is for property located at 7522 Slade Avenue in the Pikesville area of Baltimore County. The variance request is from Section III.A.2, 1945-53, Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 14 ft. in lieu of the permitted 25 ft. for a proposed The subject property and requested relief are more particularly described on addition. Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner 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 Petitioner has 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 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 Petitioner.

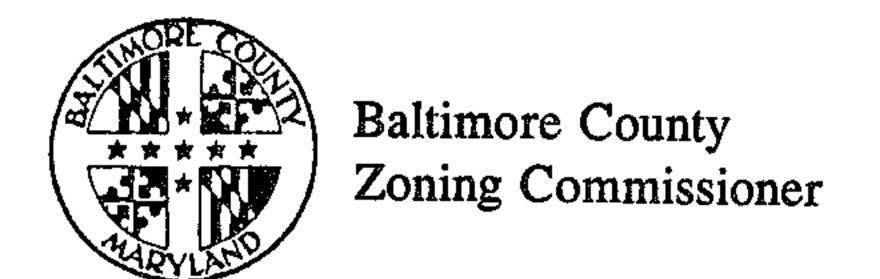
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this day of June, 2003, that a variance from Section III.A.2, 1945-53, Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 14 ft. in lieu of the permitted 25 ft. for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:raj



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

Fax: 410-887-3468

June 4, 2003

Ms. Yvonne J. Butler 7522 Slade Avenue Pikesville, Maryland 21208

Re: Petition for Administrative Variance

Case No. 03-525-A

Property: 7522 Slade Avenue

Dear Ms. Butler:

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,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

| for the property located at | 7522 | S1ade | Avenue | |
|-----------------------------|------|-------|-------------------|--|
| | | | ned <u>DR 5.5</u> | |

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) TIT. A,2, 1945-53 BCZR

TO PERMIT A FRONT YARD SETBACK OF 14 FT. IN LIEU OF 25 FT
(FOR A PROPOSED ADDITION)

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.

CASE NO. 03 525 A

REV 10/25/01

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 Purchase | r/Lessee: | | <u>Legal Owner(s):</u> |
| | | | Yvonne J. Butler |
| Name - Type or Print | | | Name - Type or Print |
| Signature | | | Signature |
| Address | · · · · · · · · · · · · · · · · · · · | Telephone No. | Name - Type or Print |
| City | State | Zip Code | Signature |
| Attorney For Petitic | oner: | | 7522 Slade Avenue (410)602-8411 Address Telephone No |
| Narne - Type or Print | | | Pikesville, MD 21208 City State Zip Code |
| Signature | | | Representative to be Contacted: |
| Company | | | Yvonne J. Butler Name |
| | ·· ··································· | | 7522 Slade Avenue (410)415-5179 Day |
| Address | | Telephone No. | Address Telephone No Pikesville , MD 21208 |
| City | State | Zip Code | City State Zip Code |
| A Public Hearing having behis egulations of Baltimore Cou | | ar me subject matter of t | required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning |
| Job. | | | Zoning Commissioner of Baltimore County |

Reviewed By

Estimated Posting Date ____

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 | | 7522 | S1ade | Avenue | | |
|---|---------|-------|--------|--------|-------|--|
| | Address | | | | | |
| | | Pikes | sville | MD | 21208 | |

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):

I am currently a Foster Parent for the 'ARC of Baltimore. I have in my care two teenagers, a 15 year old male, a 15 year old female and a 3 year old female. I am in the process of adopting the 3 year old female. I have the teenagers in permanent long term foster care, they have been with me since the age of 2 months old. (See Attached)

Our home is a three bedroom rancher, my 3 year old and my 15 year old girls must occupy the same bedroom. The age difference is too great for comfort or emotional stability for my 15 year old who is mentally challenged. My 16 year old male occupies a room alone. I am the occupant of the third bedroom.

I am asking you to please take into consideration the above facts and realize the necessity for the addition of more LIVING space for my family.

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 Juttus | Signature |
|---|--|
| Yvonne J. Butler Name - Type or Print | Name - Type or Print |
| STATE OF MARYLAND, COUNTY OF BALTIMORE to I HEREBY CERTIFY, this | 3003 before me, a Notary Public of the State |
| the Affiant(s) herein, personally known or satisfactorily ide | entified to me as such Affiant(s). |
| AS WITNESS my hand and Notarial Seal | |

My Commission Expires

Motary Public

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 | | 7522 Slade Avenue | | | | | |
|--|------------------------------|---|---------|---------------------|-------------------|--|--|
| | Address | Pikesville, | MD | 21208 | | | |
| , and the state of | City | ······································ | State | | Zip Code | | |
| That based upon personal knowledge, the followariance at the above address (indicate hardsh | wing are this ip or praction | he facts upon which I/w cal difficulty): | ve base | e the request for a | ın Administrative | | |

I am currently a Foster Parent for The ARC of Baltimore. I have in my care two teenagers, a 16 year old male, a 15 year old female and a 3 year old

female. I am in the process of adopting the 3 year old female. I have the teeninlong term permanent foster care, they have been with me since age 2 months
old. (See Attached).

Our home is a three bedroom rancher, my 3year old and my 15 year old girls must occupy the same bedroom. The age difference is too great for comfort or emotional stability for my 15 year old, who is mentally challenged. My 16 year old male occupies a room alone. I am the occupant of the third bedroom.

I am asking you to please take into consideration the above facts and realizes our need for the addition of more LIVING space for our family

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.

| Monne & Butler Signature | Signature |
|---|--|
| Yvonne J. Butler | |
| Name - Type or Print | Name - Type or Print |
| STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 5 day of day of day of day of | 203, before me, a Notary Public of the State |
| 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

REV 10/25/01



REV 10/25/01

Petition for Administrative Variance

for the property located at 7522 Slade Avenue

to the Zoning Commissioner of Baltimore County

| | which is presently zoned <u>DQ 5.5</u> |
|---|--|
| This Petition shall be filed with the Department of Permit owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section | h is described in the description and plat attached hereto and on(s) 1117 ・ 人・2」 1945 - 53 130元(2 |
| TO PERMIT A FRONT YARD | SET BACK OF 14 FT. IN LIEU OF |
| ZS FT. (FOR A DROPOSED ADD | 17104) |
| of the zoning regulations of Baltimore County, to the zoning la of this petition form. | w of Baltimore County, for the reasons indicated on the back |
| Property is to be posted and advertised as prescribed by the z I, or we, agree to pay expenses of above Variance, advertising, postegulations and restrictions of Baltimore County adopted pursuant to | ting, etc. and further agree to and are to be bounded by the zoning |
| | 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): |
| | Yvonne J. Butler |
| Name - Type or Print | Name - Type or Print Muller Signature Signature |
| Signature | 1) W |
| Address Telephone No. | Name - Type or Print |
| City State Zip Code | Signature |
| Attorney For Petitioner: | 7522 Slade Avenue Address Telephone No Pikesville, MD 21208 |
| Name - Type or Print | City State Zip Code |
| | Representative to be Contacted: |
| Signature | Yvonne J. Butler |
| Company | Name |
| "Addresse | 7522 Slade Avenue (410)415-5179 Da |
| Address Telephone No. | Address Telephone No. Pikesville, Md 21208 |
| City State Zip Code | City State Zip Code |
| A Public Hearing having been formally demanded and/or found to be reposted. A Public Hearing having been formally demanded and/or found to be reposted this that the subject matter of this regulations of Baltimore County and that the property be reposted. | required, it is ordered by the Zoning Commissioner of Baltimore County, is petition be set for a public hearing, advertised, as required by the zoning |
| CASE NO. <u>03 525 A</u> Revie | Zoning Commissioner of Baltimore County ewed By Date 5 06 03 |

Estimated Posting Date ____5

April 29, 2003

To Whom It May Concern:

,I live at

My name is tather abell
3383 Smul ave

Ms. Yvonne Butler has made me aware that she is proposing

to build an addition to her home to accommodate her children and has ask me If I object to this construction

I have no objection to Ms. Butler building an addition on her home.

Thank you for your consideration in this matter.

| BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT | HILL RULLIT |
|---|---|
| DATE 5/06/03 ACCOUNT 00/0066/50 AMOUNT \$ 65.00 | THE REPORT OF THE TEN THE STATE OF THE TEN THE SERVICE OF THE TEN THE |
| RECEIVED Buttan | Receil int \$65.00 (5.00) CK .00 CA Hali impre County, Waryland |
| FOR: Res. Vanames 7522 SLATTE AVE. | |
| DISTRIBUTION | CASHIER'S VALIDATION |

YELLOW - CUSTOMER

PINK - AGENCY

WHITE - CASHIER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

| | RE: Case No.: 03 525-A |
|---|---|
| , | Petitioner/Developer: VONUE |
| | BUTLER |
| | Date of Hearing/Closing: $6/2/0$ |
| Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204 | |
| TTN: Becky Hart {(410) 887-3394} | |
| adies and Gentlemen: | > |
| his letter is to certify under the penalties of perjosted conspicuously on the property located at: | ury that the necessary sign(s) required by law were |
| 7522 SLA | ······································ |
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| he cian(c) were nected on | E/ / / / / 2 i |
| he sign(s) were posted on(| 5/17/03 Month, Day, Year) |
| | Sincerely, ~ |
| | |
| | (Signature of Sign Poster) (Date) |
| | SSG Robert Black |
| | |
| | (Print Name) |
| | (Print Name) 1508 Leslie Road |
| | |
| | 1508 Leslie Road |
| | 1508 Leslie Road (Address) |
| | (Address) Dundalk, Maryland 21222 |

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.

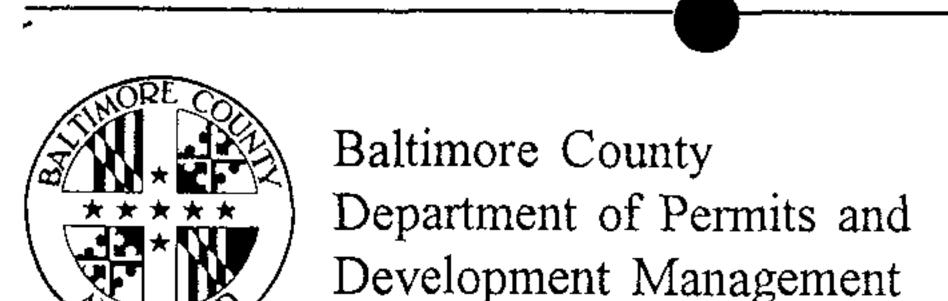
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

| For Newspaper A | ase Number: 03 535 A |
|-----------------|--|
| | ine J. Buther |
| | on: 2522 Slade Ave |
| | RD ADVERTISING BILL TO: |
| Name: Yvonn | e J Buthen |
| Address: 252 | 2 Slade Ave |
| | ville, MD. 21208 |
| Telephone Numbe | er: 410-415-5179 (Day) 410-602-8411(night) |

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

| Case | Number | 03- | | 3525 | -A | | Address | <u>75</u> | 22 5 | SCA | 08 A | UEI | | |
|-------------|---------------------------------------|----------------------------------|------------------------|---------------------------------|-----------------------------------|---------------------------------------|--------------------------------|---|--------------------------------|-----------------------------|------------------------------|-------------------------------|----------------------|--|
| Conta | ct Perso | n: 📐 | JOH | | | S Print Your Na | me | | <u>.</u> | Pho | ne Nu | mber: - | 410 | -887-3391 |
| Filing | Date: _ | 5/0 | 26 | 03 | | Postin | g Date: | 5/18 | 303 | • | Closir | ng Date |): <u> </u> | 6/02/09 |
| Any o | ontact nh the co | nade ntact | with pers | this o | ffice re nner) us | garding sing the | the stat | tus of mber. | the ad | minis | trative | varian | ce | should be |
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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

June 2, 2003

Yvonne J. Butler 7522 Slade Avenue Pikesville MD 21208

Dear Ms. Butler:

RE: Case Number: 03-525-A, 7522 Slade Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 6, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

U. Callahal.

WCR:klm

Enclosures

c: People's Counsel



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 May 12, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: May 12, 2003-

Item No.:

512, 514-516, 518-526, 528-531

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.

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

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.5.03

Item No.

Baltimore County

RE:

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear. Ms. Hart:

٠.

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

BALTIMORE COUNTY, MARYLAND INTER-OFFICE

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

7522 Slade Avenue

INFORMATION:

Item Number:

03-525

JUN 1 6 2003

RECEIVED

DATE: May 3, 2003

Petitioner:

Yvonne J. Butler

Zoning:

DR 5.5

Requested Action: Administrative Variance ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the proposed dwelling is constructed in accordance with the elevation drawings submitted to this office.

Section Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 23, 2002

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 19, 2003

Item Nos. 512, 514, 515, 516, 517, 518, 520, 521, 522, 524, 525, 526, 527, 528, 529, 530, and 531

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

RWB:CEN:jrb

cc: File

Foster Parent of the Month-April 2003

Congratulations to Yvonne Butler, winner of Foster Parent of the Month for April! Ms. Butler has been working with The Arc as a foster parent for over eleven years. She deserves the foster parent recognition award because of her great dedication to the children she serves. Ms. Butler, while working full time to keep her business a success, is caring for three children. There is an energetic three year old and two mentally challenged but strong willed teenagers. With her no fuss and determined attitude she has

created a fun and nurturing household.

It is enjoyable to hear Ms. Butler talk about the children as she focuses on their strengths, accomplishments and the positive attributes they add to the family. Wanting the best for them, she provides opportunities for their emotional, social, and academic growth. She strives to make their lives as fulfilling as possible by providing fun activities, trips, structure, chores, and lots of love. She shows great respect for their individuality and continues to challenge

their abilities, thus leading to increased development and independence.

The children are doing well in school, volunteering in community organizations and soon will participate in extracurricular activities. They have received eye surgeries, braces, feeding therapy, and much more. They are delightful children with positive self-esteems due to the great love expressed in the Butler home. Thank you Ms. Butler for doing such a wonderful job. Your hard work deserves to be recognized!

STAR Award -March 2003

Congratulations to Beth Lopez, winner of the S.T.A.R. Award for the month of March! Beth has earned recognition for her unwavering caring, dedication, and support above and beyond the call of duty for all of her children and families. This past month, Beth has relentlessly worked through several extremely challenging situations. She has devoted an overwhelming amount of time

and energy into her work, resolving a series of crisis that have occurred for her children. During this time, she has remained both professional and compassionate. She is involved not only in the foster home, but also in the hospitals, schools, and court to advocate for her children no matter what hour of the day or night. Beth is truly not just an amazing social worker, but an incredible person. She works from

the heart to serve her children and families and The Arc is blessed to have a social worker with such determination on our team. Thank you Beth for all you do. You are a gift to the profession of social work.

Congratulations also to Christy Wasilenko-Ajayi, who was also nominated for the S.T.A.R. Award this month.

Also, thanks to all the foster parents who participated in the nominations. If you would like to nominate an Arc employee for this month, please complete the enclosed form and return it to the Arc of Baltimore by May 12.

5

April 29, 2003

5

To Whom It May Concern:

My name is Bette Beechdahl, I live at 1525 Alade and


Ms. Yvonne Butler has made me aware that she is proposing

to build an addition to her home to accommodate her children and has ask me If I object to this construction

I have no objection to Ms. Butler building an addition on her home.

Thank you for your consideration in this matter.

NW8E



SPECIAL
TIONAL REQUIRED N CE

