

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Dennis Avenue, 450' N
of Rider Avenue
8th Election District
2nd Councilmanic District
(1613 Dennis Avenue)

Natalie & Thomas Gabler
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-607-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Natalie and Thomas Gabler, the legal owners of the subject property. The variance request is for property located at 1613 Dennis Avenue in the Towson area of Baltimore County. The Petitioners herein seek a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) to be located 1 ft. from the rear property line and to have a height of 21 ft. in lieu of the permitted 2 ½ ft. and 15 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

Upon review of the petition certain questions arose regarding the basis for the request for location of the proposed garage one foot from the rear property line and the request for a two-story garage rather than the one-story garage envisioned by the Zoning Regulations. The property is zoned D.R.3.5. These questions were presented to the Petitioners by letter dated August 6, 2003. The written response to these questions was received from the Petitioners on September 16, 2003 which is now part of the file. Their response included an extensive survey of neighbors' opinion regarding the proposal who, with rare exception, were not opposed to the

10/29/03
R. J. Gannon

requested relief. The Petitioners also supplied additional photographs indicating that the style of the proposed garage was compatible with the neighborhood. Finally, the Petitioners noted the reason for the rear yard setback was to avoid a blind spot and having to mow a strip behind the garage.

I find the arguments and documentation regarding the height variance to be persuasive in that there are special circumstances or conditions peculiar to the land or structure and further find that strict compliance with the Zoning Regulations would result in practical difficulty and/or unreasonable hardship. Consequently, I will approve this variance request.

However, I do not find similar compelling justification regarding the request for a one foot rear yard setback. The zoning code only requires a 2 ½ ft. setback and in view of the distance to the home, there is little reason the Petitioners cannot comply with the law by locating their new garage 2 ½ ft. from the rear property line. The Petitioners will have to mow the strip and have the same blind spot regardless, with or without this variance. Consequently, I will deny the rear yard setback variance.

In addition, the Petitioners must be in compliance with the requirements set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning dated July 14, 2003, a copy of which is attached hereto and made a part hereof.

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.

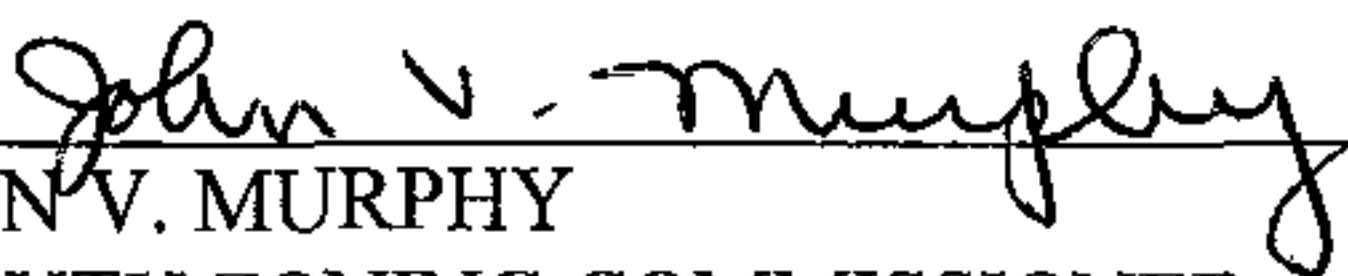
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 29 day of October, 2003, that the request for variance from Section 400.1 of the

10/29/03
R. Johnson

B.C.Z.R., to permit an accessory structure (garage) to be located 1 ft. from the rear property line in lieu of the permitted 2 ½ ft. is hereby, DENIED.

IT IS FURTHER ORDERED, that the Petitioners' request for a two-story garage with a height of 21 ft. in lieu of the permitted 15 ft., 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. Compliance with the recommendations made by the Office of Planning dated July 14, 2003.
3. The Petitioners or subsequent owners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

10/29/03
JP. [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

October 27, 2003

Mr. & Mrs. Thomas Gabler
1613 Dennis Avenue
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No. 03-607-A
Property: 1613 Dennis Avenue

Dear Mr. & Mrs. Gabler:

Enclosed please find the decision rendered in the above-captioned case.

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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Visit the County's Website at www.baltimorecountyonline.info



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 1613 DENNIS AVE
City TOWSON State MD Zip Code 21204

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):

WE WOULD LIKE A HEIGHT VARIANCE FOR THE GARAGE TO HAVE
A SECOND FLOOR AREA TO STORE OUR ITEMS, ARE HOUSE
DOES NOT HAVE A BASEMENT, A CRAWLSPACE OR AN ATTIC.
FOR A GROWING 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.

Thomas Gabler
Signature

THOMAS GABLER
Name - Type or Print

+ Natalie Gabler
Signature

+ Natalie Gabler
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of June 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

of Maryland Baltimore County NATALIE & THOMAS GABLER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Teresa Zerkow
Notary Public

My Commission Expires 4/2004



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1613 DENNIS AVE.

which is presently zoned D.R. 3.5

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) 400.1, 400.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) TO BE LOCATED ONE FOOT FROM THE REAR PROPERTY LINE AND TO HAVE A HEIGHT OF 21-FEET IN LIEU OF THE PERMITTED 2 1/2 FEET AND 15-FEET RESPECTIVELY.

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):

THOMAS E GABLER
Name - Type or Print

Signature

Natalie Gabler
Name - Type or Print

Signature

1613 DENNIS AVE
Address

410 823 0509
Telephone No

TOWSON
City

MD
State

21204
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 10/25/03 day of October, 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

SE NO. 03-607-A

REV 10/25/01

Reviewed By D. THOMPSON Date 6/30/03

Estimated Posting Date 7/13/03

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 1613 DENNIS AVE
Address
TOWSON MD 21204
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):

WE WOULD LIKE A HEIGHT VARIANCE FOR THE GARAGE
TO HAVE A SECON FLOOR AREA TO STORE OUR ITEMS,
ARE HOUSE DOES NOT HAVE A BASEMENT, A CRAWLSPACE
FOR AN ATTIC FOR A GROWING 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.

Thomas E Gabler
Signature
THOMAS E GABLER
Name - Type or Print

Natalie Gabler
Signature
Natalie Gabler
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of June, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

of Maryland Baltimore County NATALIE + THOMAS GABLER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Teresa Jenkins
Notary Public
My Commission Expires 4/2004



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1613 DENNIS AVE.

which is presently zoned D.R. 3.5

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) 400.1, 400.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) TO BE LOCATED
ONE FOOT FROM THE REAR PROPERTY LINE AND TO HAVE A HEIGHT
OF 21-FEET IN LIEU OF THE PERMITTED 2 1/2- FEET AND 15- FEET
RESPECTIVELY.

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

410 823 0509
Telephone No.

City

MD
State

21204
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. 03-607-A

Reviewed By D. THOMPSON Date 6/30/03

REV 10/25/01

Estimated Posting Date 7/13/03

Zoning Description for 1613 Dennis Avenue

Beginning at a point on the west side of Dennis Avenue which has a 50 foot right-of-way at a distance of ⁴⁵⁰~~45~~ feet of the centerline of Rider Avenue. Being Lot#17 in the subdivision of "Spring Valley" as recorded in Baltimore County Plat Book #17, Folio #6 containing 14,550 square feet. Also known as 1613 Dennis Avenue and located in the 8th Election District, 2nd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23878

DATE

6/30/03

ACCOUNT

001 0066150

AMOUNT \$

65.00

RECEIVED
FROM:

THOMAS GABLER

FOR:

ITEM #607

03-607-A

(ADM VAR)

1613 DENNIS AVE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DEPT
6/30/2003	6/30/2003	10:31:41	2

EDW002 WALKIN JLVG JEE
RECEIPT # 277749 6/30/2003 DEFLN

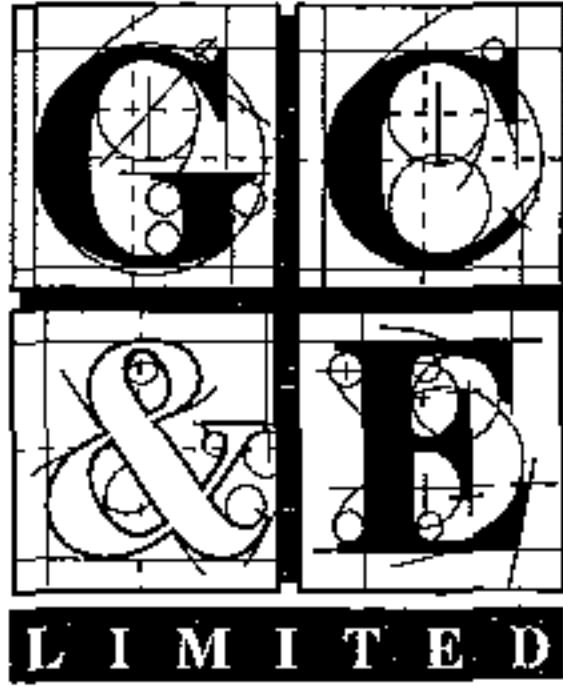
DEPT 5 528 ZONING VERIFICATION
CR NO. 023878

Receipt Tot \$65.00

65.00 CR .00 CA

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 # 03-607-A
PETITIONER/DEVELOPER:
Thomas A. Gabler
DATE OF HEARING:
N/A

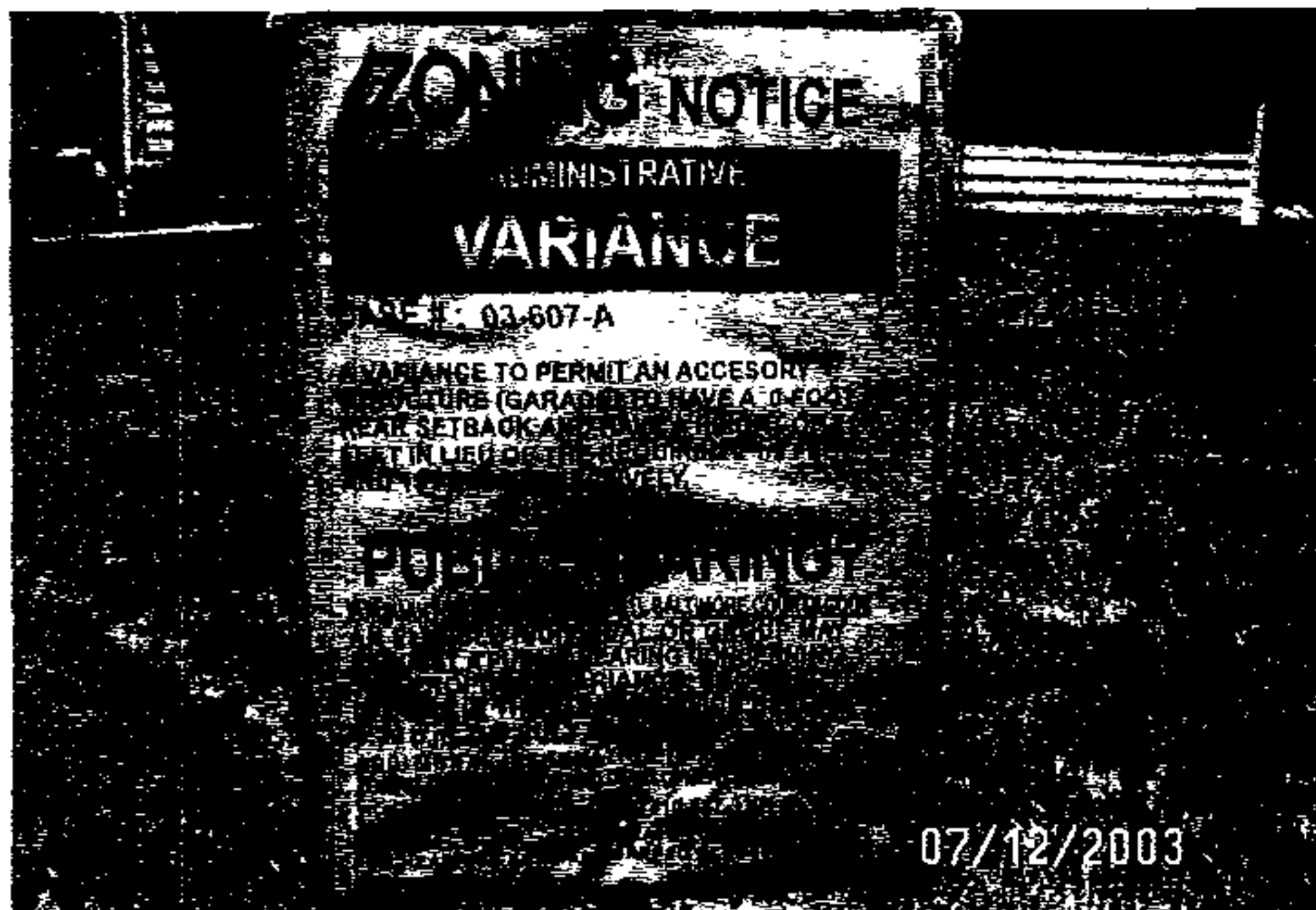
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

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:
1613 Dennis Avenue



POSTED ON : July 11, 2003

DATE:
July 14, 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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 03- 607 -AAddress 1613 DENNIS AVEContact Person: DONNA THOMPSON
Planner Please Print Your Name

Phone Number. 410-887-3391

Filing Date: 6/30/03Posting Date: 7/13/03Closing Date: 7/28/03

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.

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 607 -AAddress 1613 DENNIS AVEPetitioner's Name GABLER

Telephone _____

Posting Date: 7/13/03Closing Date: 7/28/03

Wording for Sign To Permit AN ACCESSORY STRUCTURE (GARAGE) TO HAVE
A 0-FOOT REAR SETBACK AND HAVE A HEIGHT OF 21-FEET IN
LIEU OF THE REQUIRED 2 1/2- FEET AND 15- FEET RESPECTIVELY.



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

July 28, 2003

Thomas Gabler
Natalie Gabler
1613 Dennis Avenue
Towson MD 21204

Dear Mr. and Mrs. Gabler:

RE: Case Number: 03-607-A, 1613 Dennis Avenue

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

July 2, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: July 7, 2003

Item No.: ⁶⁰⁷ 602-610

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: 7.7.03

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

RE: Baltimore County
Item No. 607 DT

Dear Ms. Hart:

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *RS/TBT*

DATE: August 14, 2003

SUBJECT: Zoning Item 607
Address 1613 Dennis Avenue

RECEIVED
OCT 24 2003
ZONING COMMISSIONER

Zoning Advisory Committee Meeting of July 7, 2003

- ☐ 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.
- ☒ 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).
 - ☐ 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).

Additional Comments:

The proposed garage may encroach the floodplain off of Roland Run which would not be allowed by county or state regulations without a variance and waterway construction permit.

Reviewer: Brian Lindley

Date: August 14, 2003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: July 14, 2003

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

SUBJECT: 1613 Dennis Avenue

INFORMATION:

Item Number: 03-607

Petitioner: Thomas E. Gabler

Zoning: DR 3.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided building elevations are submitted to this office for review and approval prior to the issuance of any building permits. In addition, indicate any change in the existing driveway that will result from the construction of the proposed accessory structure.

Prepared by:

Martha Cunningham

Section Chief:
AFK/LL:MAC:

Lynn Lanham

RECEIVED

JUL 15 2003

ZONING COMMISSIONER

10/29/03
R. Spenser

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 8, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For July 14, 2003
Item Nos. 602, 603, 604, 605, 606,
607, 608, 609, and 610

RECEIVED

OCT 24 2003

ZONING COMMISSIONER

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

RWB:CEN:jrb

cc: File



Baltimore County
Zoning Commissioner

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

RECEIVED

SEP 16 2003

ZONING COMMISSIONER

*Natalie & Tom's
response to this letter.
Natalie Gabler*

August 6, 2003

Mr. & Mrs. Thomas Gabler
1613 Dennis Avenue
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No. 03-607-A
Property: 1613 Dennis Avenue

Dear Mr. & Mrs. Gabler:

I was given your requested administrative variance to review and noticed that you asked for relief from the regulations to locate a new garage one foot from the rear property line instead of 2 ½ ft. as required by the regulations. I see from your sketch plan that there is fifty feet between your home and the proposed structure. (I cannot imagine why you need the garage 50 ft. from the house as opposed to 48.5 ft. which would not require a variance. There was no justification for the request in the file. Rather than simply deny the request, I ask you to provide your reason for the request in writing.) *

More importantly, your request also asks for a variance from the height regulations for the garage to allow a two-story structure. While I understand the need for more storage space for a growing family, (I am concerned that the new garage might be the only two-story structure in the neighborhood) and as such appear out of proportion to the overall look of the area. I say this having only a few photographs you have provided which indicate the homes are single-story.

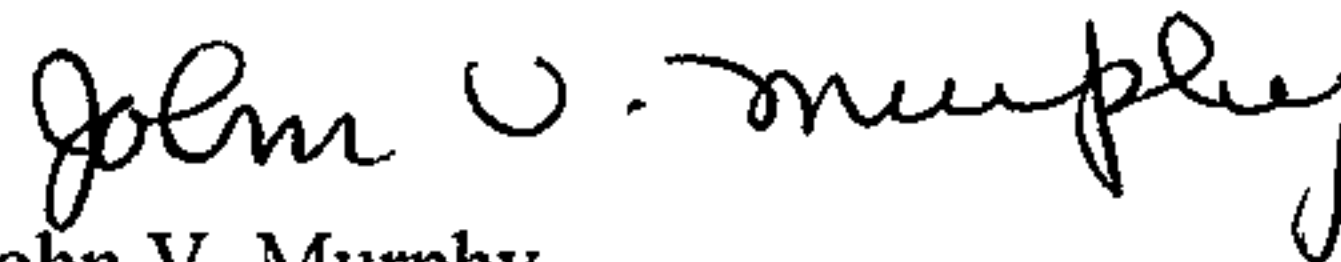
Rather than deny this request, I wanted to provide you the opportunity to respond to the questions I have posed regarding the variance relief you have requested. In the alternative, if you get your adjacent neighbors to agree in writing to your proposed garage, as originally requested, and send their signed letters to me, I will reconsider your petition and grant the relief requested.

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

Re: Case No. 03-607-A
Mr. & Mrs. Thomas Gabler
August 6, 2003
Page -Two-

I will wait to hear from you before proceeding with a decision in this matter. In the meantime, Should you have any questions regarding this matter, please feel free to contact my office at 410-887-3868.

Very truly yours,



John V. Murphy
Deputy Zoning Commissioner

JVM:raj

September 16, 2003

We have talked to all our neighbors concerning our garage and the variance that we are seeking. Tom and I provided a form letter for our neighbors to sign. Below is a summation of what we have provide you concerning the opinion of our neighbors and the style that we have picked to match the neighborhood.

- 1600 Mr & Mrs Russell Wolf out of town until Sept 22, they will sign when they return
- 1603 Mike & Alison Fronk signed
- 1605 Mrs Virginia Armetta signed
- 1606 Mark & Patti Coulson signed
- 1607 Bill & Jane Love signed
- 1609 Ida Camanella did not want to get involved, but wished us well on our garage
- 1610 Pat & George Tragesaer signed
- 1611 Joe & Dorothy Canale*
- 1613 Natalie & Tom Gabler signed
- 1614 Mr & Mrs Herb Valentine signed
- 1615 Bill & Britt Schroeter signed
- 1616 Jack Millard owner did not respond either way, house is rented to a foster care woman
- 1617 Mark & Cindy Debouver signed
- 1619 Stephanie & Mike Schwemmer signed

*Original owners Joe & Dorothy Canale are deceased. Bob Canale, their son, we assume owns the property now and his daughter Terri Canale is renting the property from him. Bob and Terri Canale were very upset vocally when we had our property surveyed (by a licensed surveyor). The previous owner to our property had put up a fence...the fence suddenly became the dividing line between the properties. When we bought the property and checked the yard footage we were missing 5' of yard. When the surveyor finished the missing 5' was found located between the Canale's house and ours. Terri questioned what a surveyor was...by what authority did he have the right to mark the stakes...and why did she have to accept his findings. She was vehement about the fact that she did not have to accept the property line.

✍ Highlighted addresses show Dennis Ave neighbors who already have second floors...I have also included pictures.

Tom & Natalie Gabler

* The Variance for the back of the garage is to avoid a blind spot in our yard and having to mow that strip of ground.

Natalie Gabler

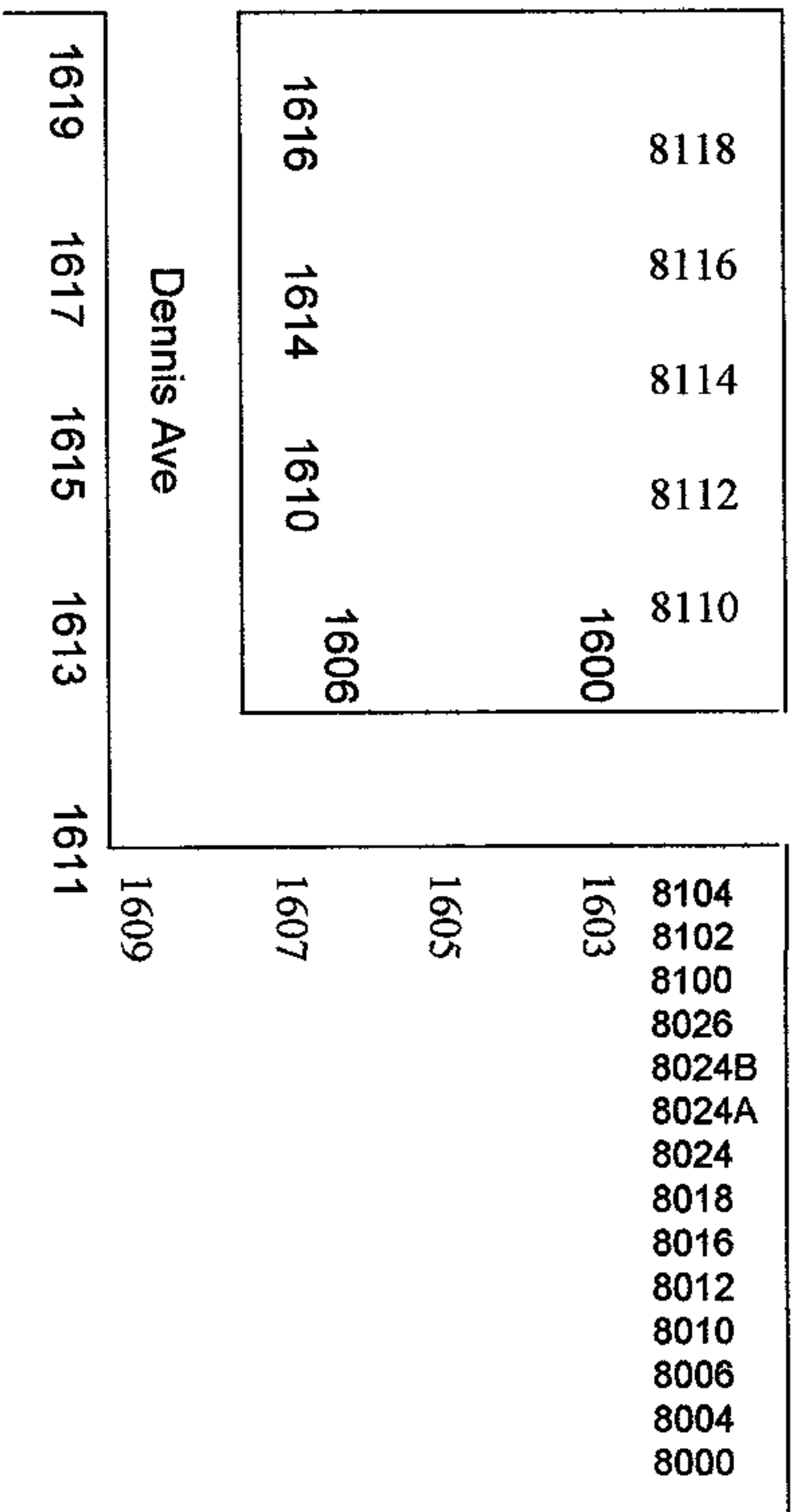
Case # 03-607-A Petition for Administrative Variance
 Natalie & Tom Gabler
 1613 Dennis Ave

8223
 8217
 8215
 8213
 8211
 8209
 8207
 8205
 8203
 8201
 8123
 8121
 8119
 8117
 8115
 8113
 8111
 8109
 8107
 8105
 8103
 8025
 8023
 8021
 8017
 8015
 8003
 8001

Rider Ave

8210
 8208
 8206
 8204
 8202
 8200

Essex Farm Rd



The marked houses have second floors

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

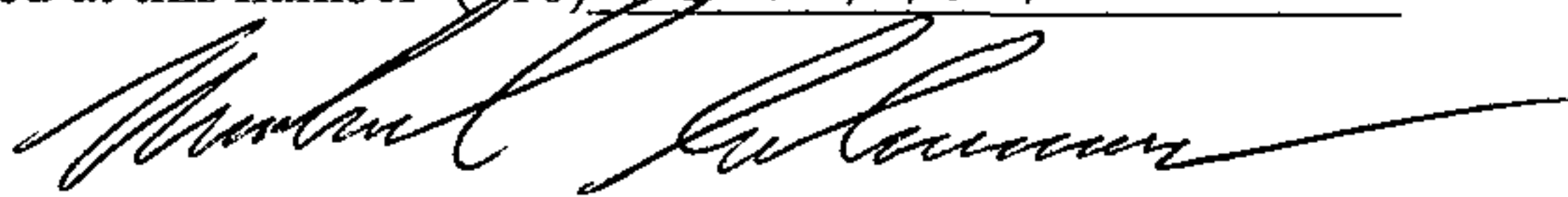
Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name Stephanie Schwemmer

The homeowner of 1619 Dennis Ave

I can be contacted at this number (410) 832-1457



Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name

Mark DeBorner

The homeowner of

1617

Dennis Ave

I can be contacted at this number (410)

825 7586

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name

The homeowner of

1615 Dennis Ave

I can be contacted at this number (410) 828 4755

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name

Marilyn Valentine

The homeowner of

1614

Dennis Ave

I can be contacted at this number (410)

321-6174

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name Pat Grager

The homeowner of 1610 Dennis Ave

I can be contacted at this number (410) 828-4191

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name

Bill York

The homeowner of

1607

Dennis Ave

21204

I can be contacted at this number (410)

821-9455

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name Mark & Patti Coulson P.A. Flowers Coulson

The homeowner of 1606 Dennis Ave

I can be contacted at this number (410) 825-6361

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name

Virginia Armetta

The homeowner of

1605 Dennis Ave

I can be contacted at this number (410)

828-9455

Baltimore County Variance
September 2, 2003

Property: 1613 Dennis Ave, Towson, MD 21204
Owners: Tom & Natalie Gabler

Variance on height regulation of new garage construction.

I am a neighbor of Tom & Natalie Gabler, I am not against them building a taller garage to accommodate a second floor to be used as storage. The garage will incorporate the same style as already built on Dennis Ave...i.e. the roof section will be the second story.

Neighbor's name Michael Frank

The homeowner of 1603 Dennis Ave

I can be contacted at this number (410) 337 2882

Baltimore County Zoning

June 27, 2003

Re: A height variance

Thomas & Natalie Gabler
1613 Dennis Ave, Baltimore, MD 21204
410.823.0509

We bought our house 2 years ago the style of our house was called "Honeymoon Cottage" when first built 58 years ago. For a family of 4 it is what we refer to as cozy. The house does not have a basement, a crawlspace for an attic, and 4 single closets to hold our clothes, linens, etc.. When we bought the house the kitchen had just an aisle to walk through, no sitting area...most of the space was taken up by the furnace, hot water heater, washer and dryer. To make an eat-in kitchen we had to build a utility room in the existing garage to move all the appliances and furnace into. So the original single car garage has been divided into a utility and furnace room.

We would like a height variance for the garage to be able to have a second floor area to store our seasonal items, and all the collectibles that one saves over the course of a families lifetime...(we call this prime stuff...some call it other names).

Sincerely
Tom & Natalie Gabler

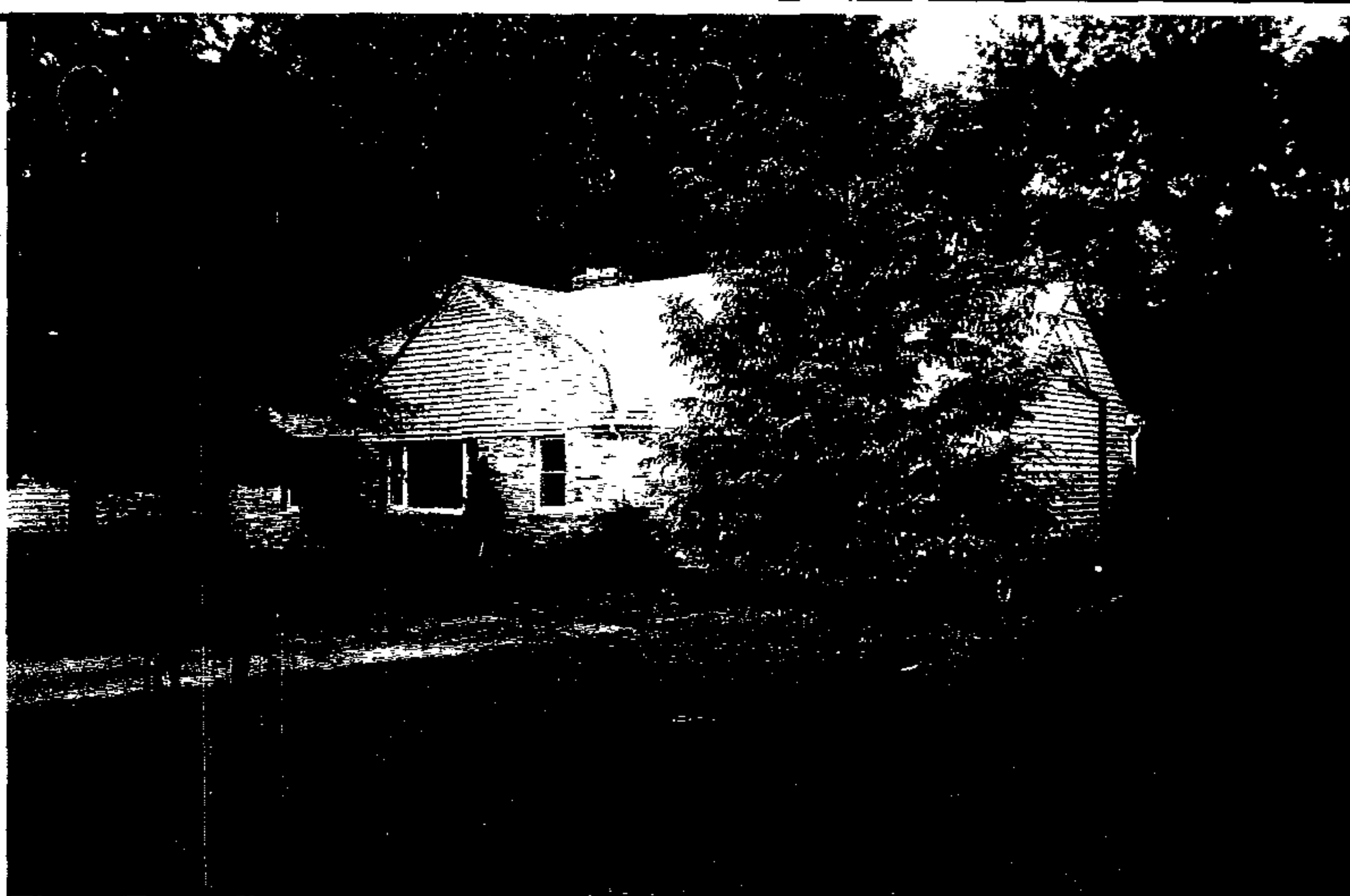
03-607-A



Right side

03-607-A

1615
Dennis Ave



1614
Dennis Ave



1616
Dennis
ave



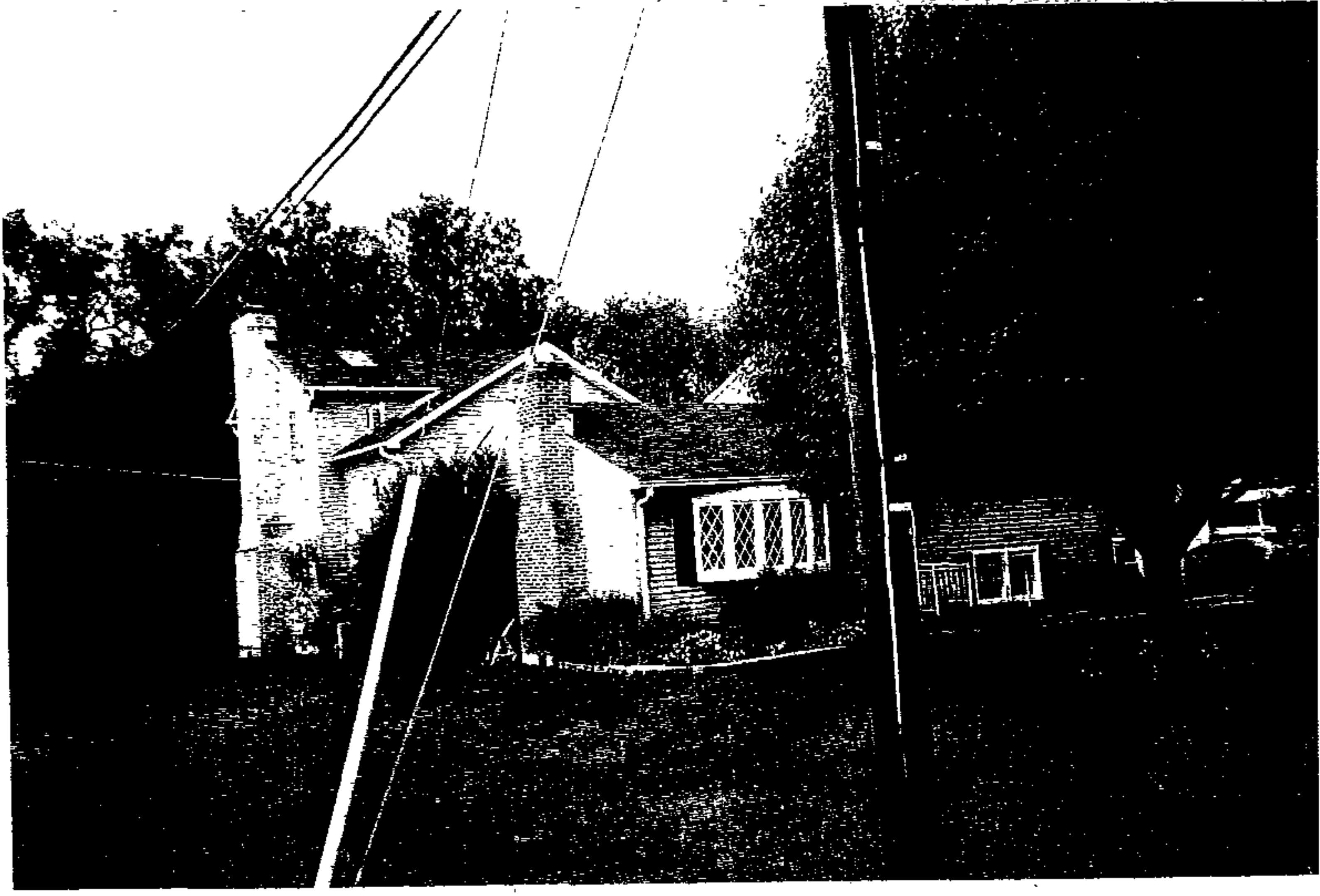
1614
Dennis
ave



1606
Dennis Ave



1605
Dennis Ave



8114
Piedmont



8119
Piedmont



811 1/2
Rosedale Ave



8110
Rosedale Ave



1600
Dennis
Cave



8707
Rider Ave



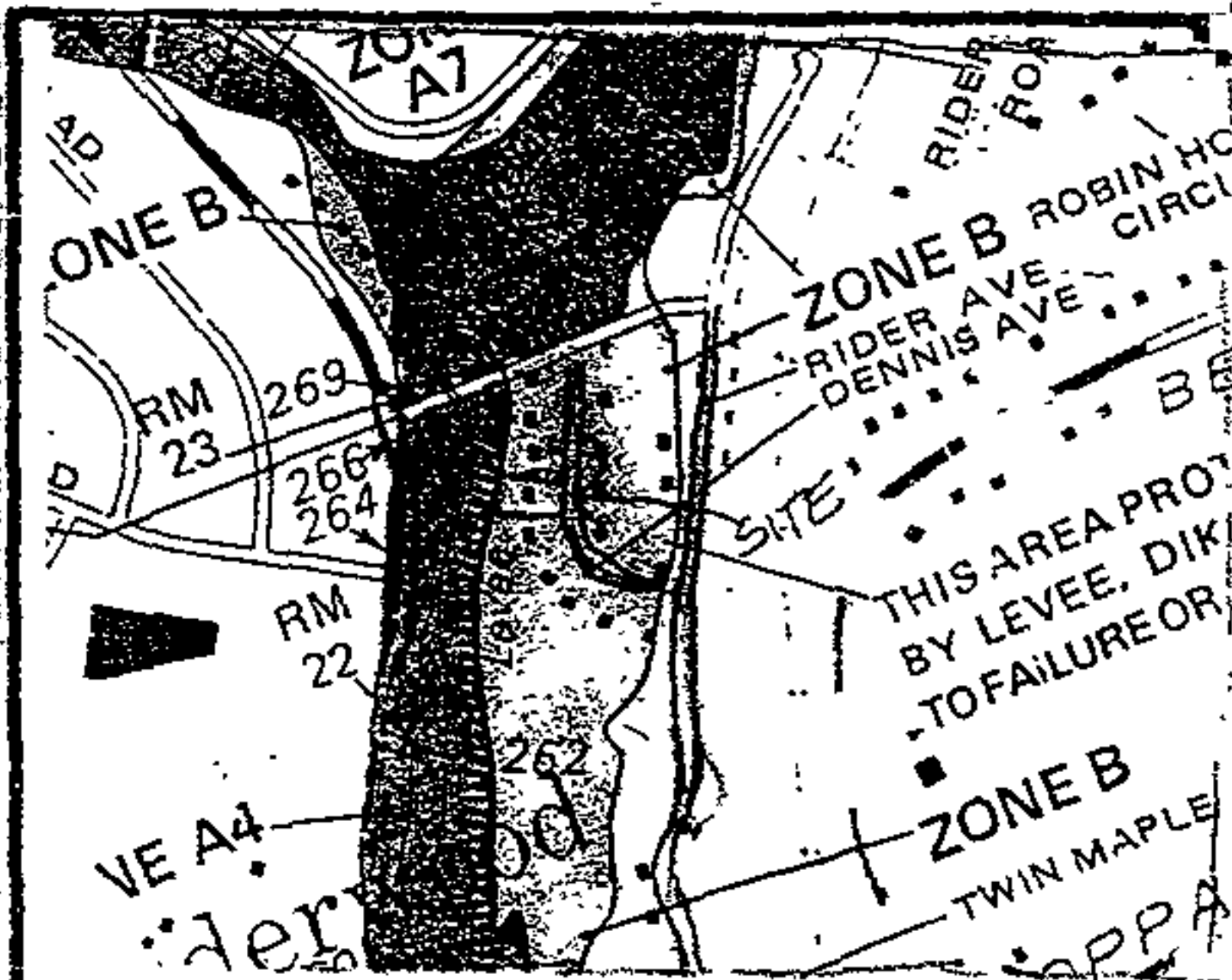
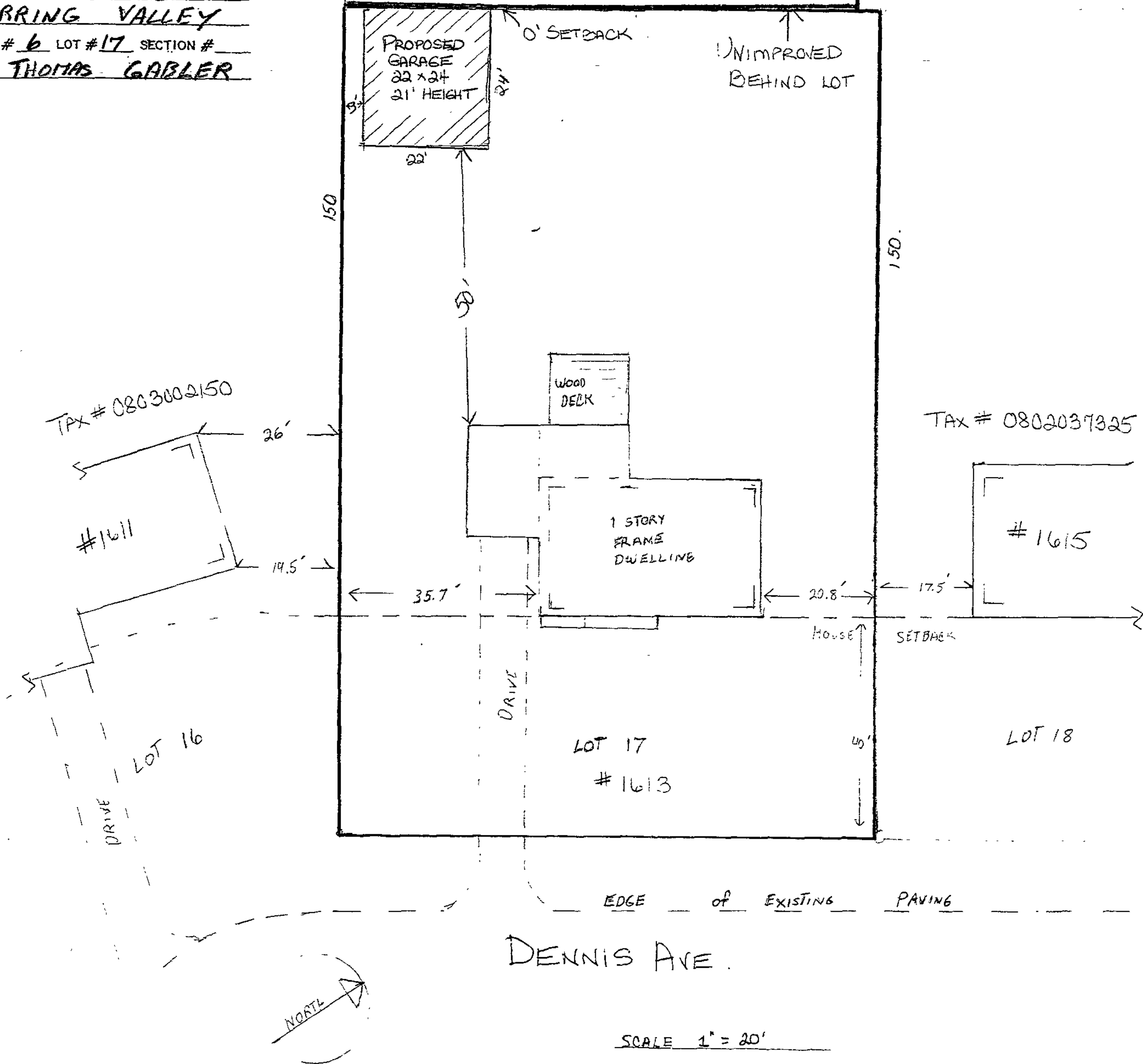


03-607-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1613 DENNIS AVE
SUBDIVISION NAME SPRING VALLEY
PLAT BOOK # 17 FOLIO # 6 LOT # 17 SECTION #
OWNER MR + MISS THOMAS GABLER

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



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 8TH
COUNCILMANIC DISTRICT 2ND
1" = 200' SCALE MAP # HW 11B
ZONING DR 3.5
LOT SIZE 0.33 14550
ACREAGE SQUARE FEET

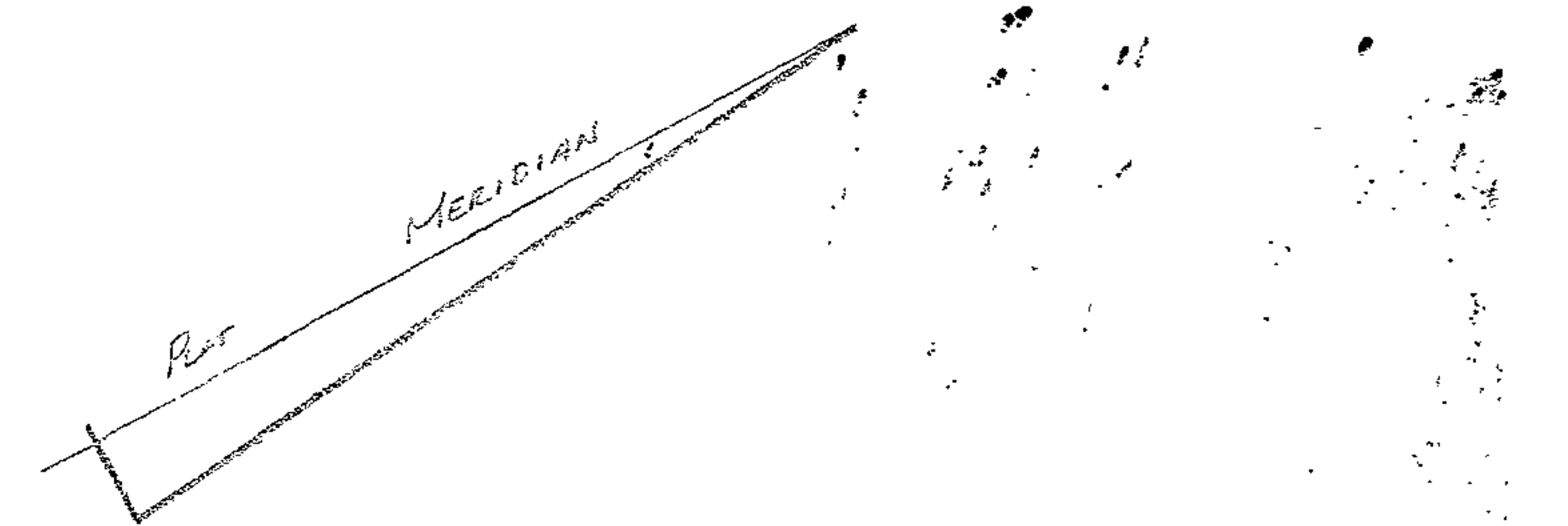
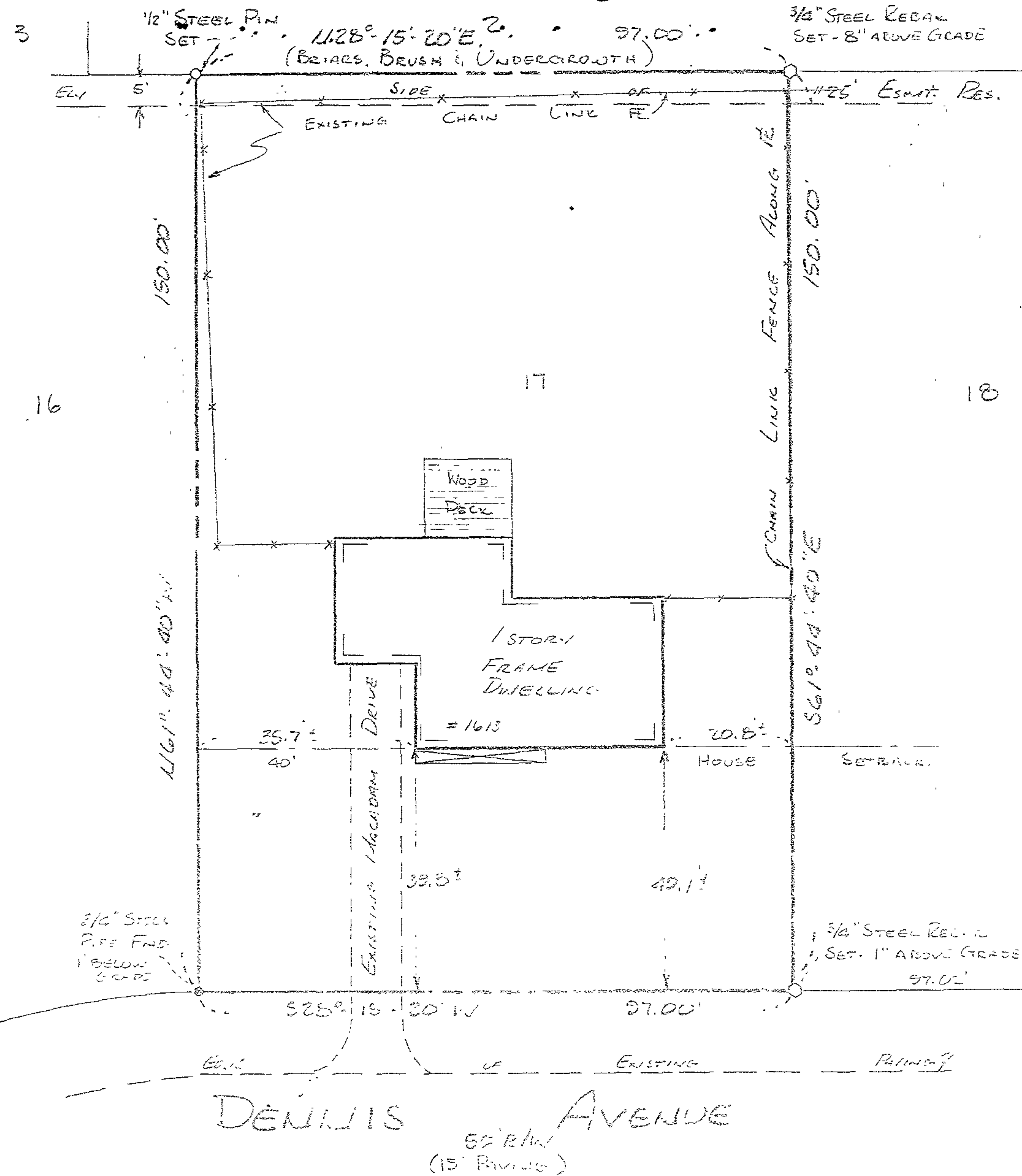
	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒

PRIOR ZONING HEARING NONE

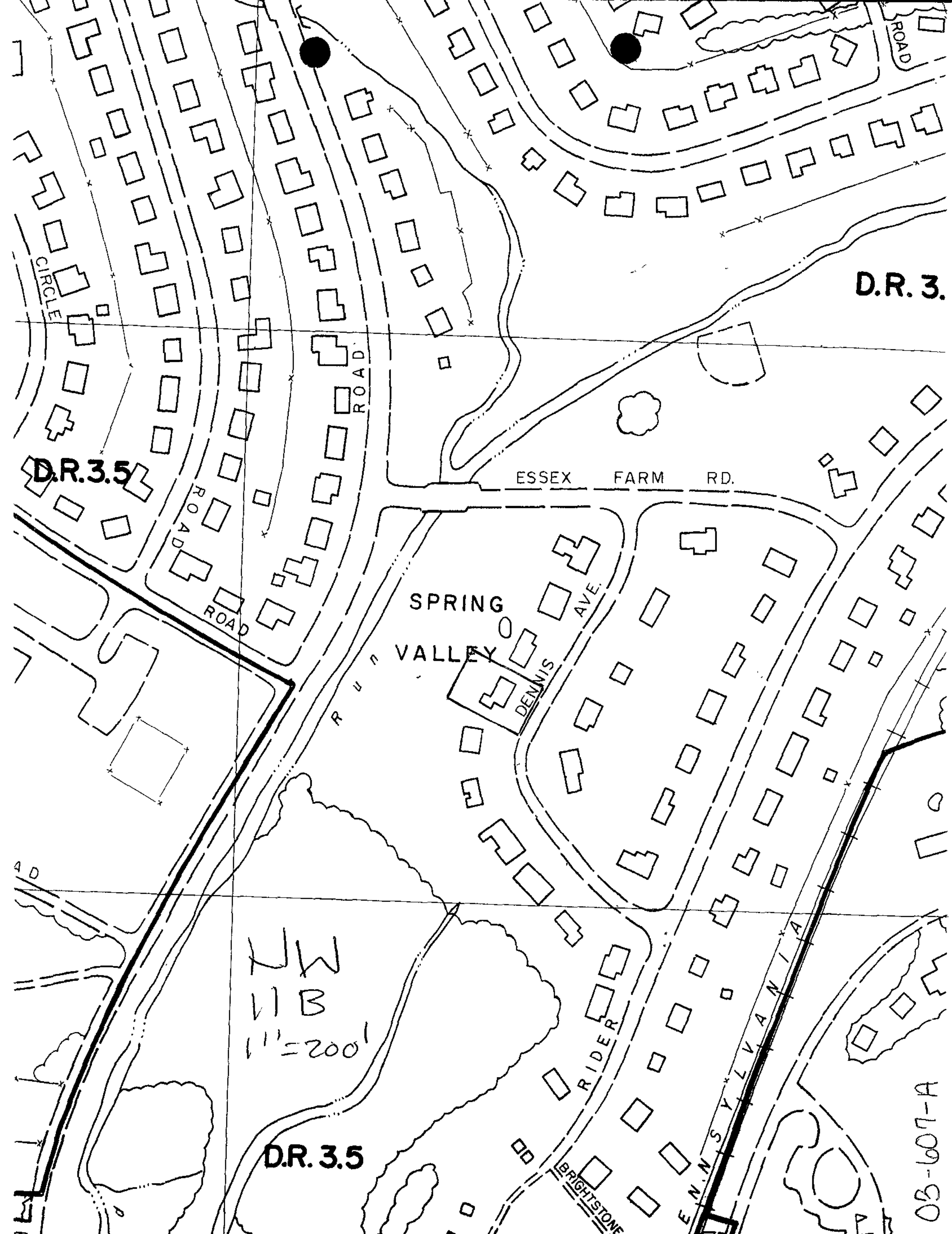
ZONING OFFICE USE ONLY
REVIEWED BY D. THOMPSON ITEM # 607 CASE # 03-607-A

Pet. Ex #1



PLAT OF A SURVEY OF
No 1613 DENNIS AVENUE
LOT No 17
PLAT OF
SPRING VALLEY
REF: PB No 17 FOLIO 6

SCALE 1" = 20'	DATE Dec 17, 2002
J. FINLEY RANSONE & ASSOCIATES Registered Land Surveyors	
P.O. Box 10160 Towson, Maryland 21285-0160 Phone: (410) 666-7448 Fax: (410) 666-0373	
J. GABLER, L.S.	FB 8B-141

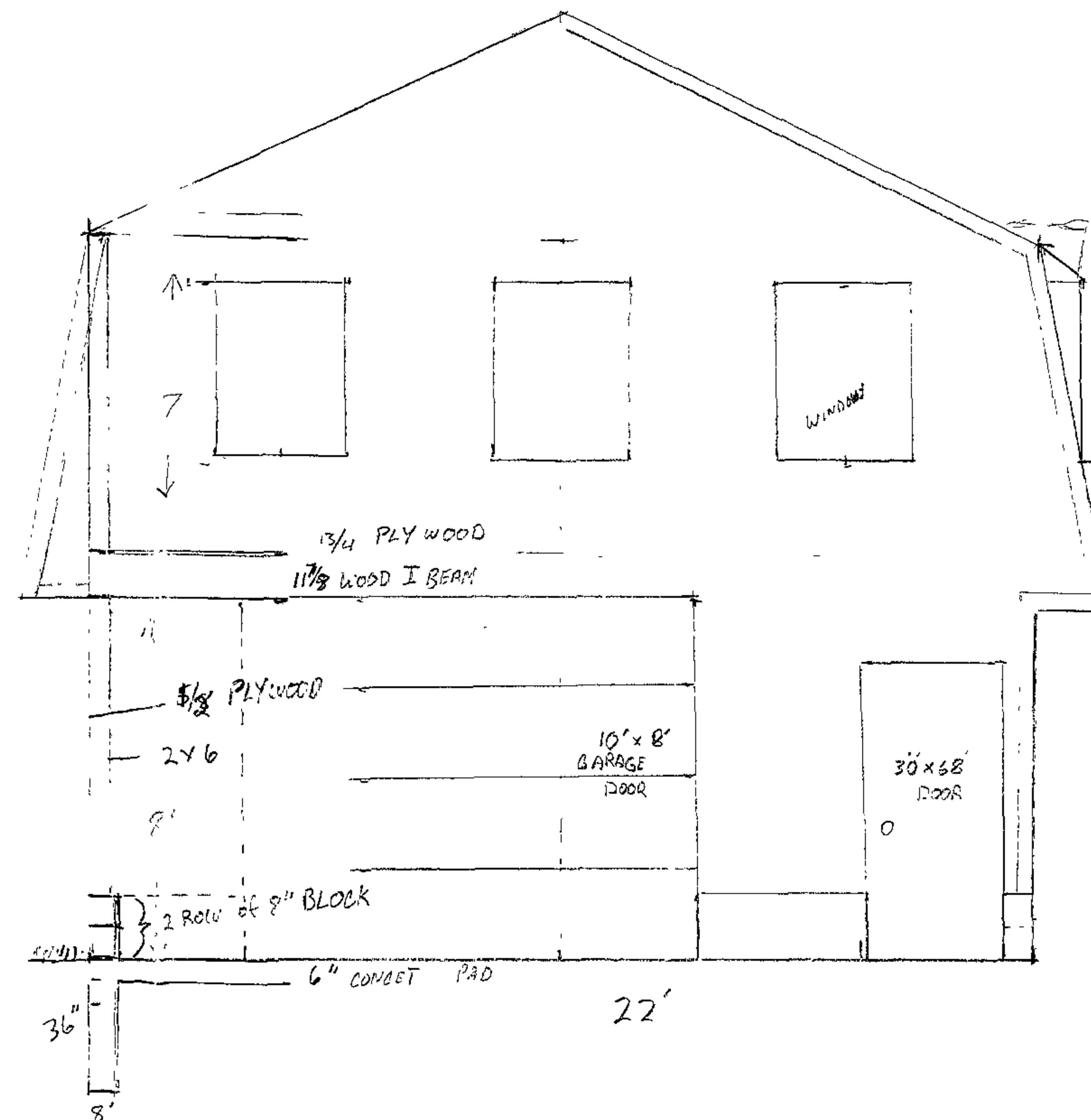
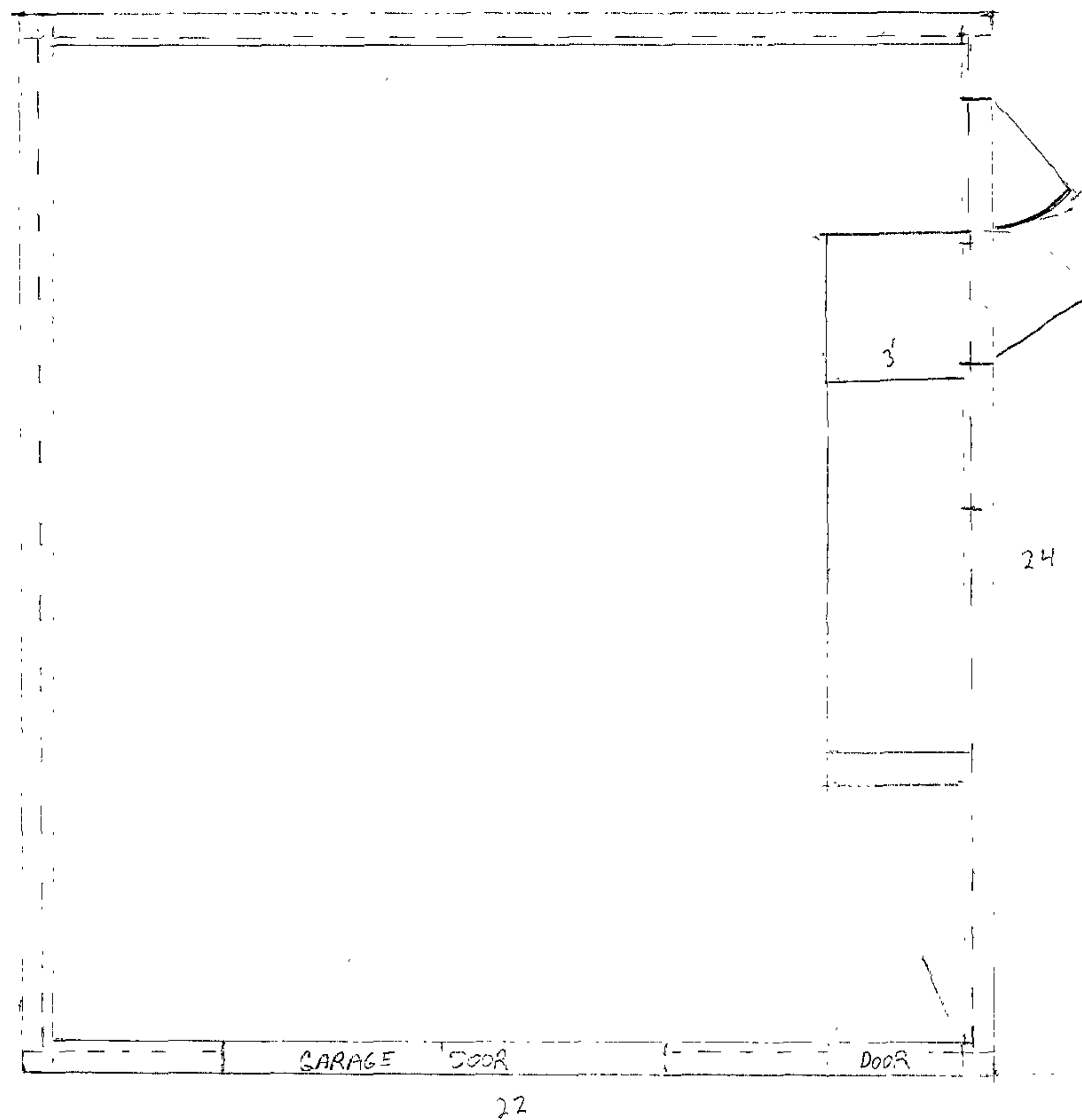


03-607-A

GABLER

1613 DENNIS AVE

TOWSON MD 21204



03-607-A