

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Gunforge Road, 46.21' E of the c/l
Gunlyn Road
(9806 Gunforge Road)
11th Election District
5th Council District

Paul G. Bavis, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-135-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Paul G. and Janet L. Bavis. The Petitioners seek relief from Section 1B02.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 21 feet in lieu of the required 30 feet and a street centerline setback of 46 feet in lieu of the required 50 feet for a proposed 25' x 22' garage addition. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

Based upon all of the evidence contained therein, I am persuaded to grant the requested relief. As shown on the site plan, the proposed garage addition will replace/expand an existing

ORDER RECEIVED FOR FILING

Date

By

11/23/03

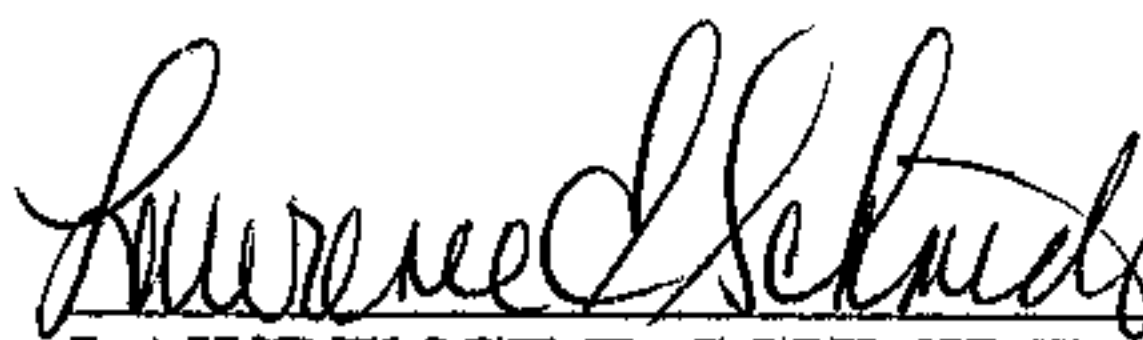
[Signature]

carport structure utilizing essentially the same footprint. There were no adverse comments submitted by any County reviewing agency and apparently no objection from the neighbors. Thus, it appears that relief can be granted without detrimental impact to adjacent properties.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of October 2003 that the Petition for Administrative Variance seeking relief from Section 1B02.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side street setback of 21 feet in lieu of the required 30 feet and a street centerline setback of 46 feet in lieu of the required 50 feet for a proposed 25' x 22' garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any building permits, the Petitioners shall submit building elevation drawings of the proposed garage addition to the Office of Planning for review and approval. Said drawings shall include a description of the proposed building materials and exterior color scheme.
- 3) The garage shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioner shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom facilities.
- 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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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 24, 2003

Mr. & Mrs. Paul G. Bavis
9806 Gunforge Road
Perry Hall, Maryland 21128-9535

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Gunforge Road, 46.21' E of the c/l Gunlyn Road
(9806 Gunforge Road)
11th Election District – 5th Council District
Paul G. Bavis, et ux - Petitioners
Case No. 04-135-A

Dear Mr. & Mrs. Bavis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File

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





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9806 GUNFORD RD
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) 1302.3. BCZR.

to permit an addition (garage) with a side street set back of 21' and a distance of 46' from the centerline of the street in lieu of the required 30' + 50' 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):

PAUL G. BAVIS
Name - Type or Print

Paul G. Bavis
Signature

Janet L. Bavis
Name - Type or Print

Janet L. Bavis
Signature

9806 Gunford Road 4102567529
Address Telephone No.

Perry Hall, Maryland 21128-9535
City State Zip Code

Representative to be Contacted:

PAUL G. BAVIS
Name

9806 Gunford Road 4102567529
Address Telephone No.

Perry Hall Maryland 21128-9535
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, 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. 04-135-A

Reviewed By JRF Date 9-16-03

Estimated Posting Date 9-29-03

ORDER RECEIVED FOR FILING
Date 9/25/03
BY [Signature]

9/25/01

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 9806 Gun Forge Road
City Perry Hall Maryland State 2128-9535 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 propose to add an additional 11' to the existing car-port area and to enclose the entire garage structure. A separate garage would require an additional driveway to the property, increasing the impervious area and add to public drainage run-off; additionally, it would add a drive close to an existing intersection. Configuration of the lot on the corner adds two set backs instead of just one, adding to the reasonableness of the request. Adjacent properties have completed similar additions.

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.

Paul G. Bavis
Signature

Paul G. Bavis
Name - Type or Print

Janet L. Bavis
Signature

JANET L. BAVIS
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of September, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland Paul G. Bavis & Janet L. Bavis
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Joan Maria Stachewicz
Notary Public

My Commission Expires January 2006

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 9806 Gun Forge Road
City Perry Hall State Maryland Zip Code 21128-9535

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 propose to add an additional 11' to the existing car-port area and to enclose the entire garage structure. A separate garage would require an additional driveway to the property, increasing the impervious area and add to public drainage run-off; additionally, it would add a drive close to an existing intersection. Configuration of the lot on the corner adds two set backs instead of just one, adding to the reasonableness of the request. Adjacent properties have completed similar additions.

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.

Paul G. Bavis
Signature

Paul G. Bavis
Name - Type or Print

Janet L. Bavis
Signature

JANET L. BAVIS
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of September, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland, Paul G. Bavis & Janet L. Bavis
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Joan Marie Stackman
Notary Public

My Commission Expires January, 2006



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9806 GUNFORGE RD
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) 1802.3.B B2R.

to permit an addition (garage) with a side street setback of 21' and a distance of 46' from the centerline of the street in lieu of the required 30' & 55' 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:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address

Telephone No.

City

State

Zip Code

Name - Type or Print

Signature

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

9806 Gunforge Road 410 256-7529
Address Telephone No.

Perry Hall Maryland 21128-9535
City State Zip Code

Representative to be Contacted:

PAUL G. BAVIS
Name

9806 Gunforge Road 410 256 7529
Address Telephone No.

Perry Hall Maryland 21128-9535
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 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

CASE NO. 04-135-A

Reviewed By JR Date 9-16-03

REV 10/25/01

Estimated Posting Date 9-29-03

L.G. WOLFF ASSOCIATES, INC.
Land Surveying - Planning - Design
10 W. Pennsylvania Avenue
Bel Air, Maryland 21014
(410) 838-4543 Fax

Bel Air
(410) 838-0888

Baltimore
(410) 879-3966

September 16, 2003

ZONING DESCRIPTION for 9806 Gunlyn Road.

Beginning at a point on the northerly side of Gunforge Road with a right-of-way width of 50 feet wide at the distance of 46.21 feet east of the center of Gunlyn Road which is 50 feet wide. Being Lot #1, Block C, Plat One in the subdivision of Gunpowder Estates as recorded in the Baltimore County Plat Book W.J.R. 27, Folio 111, containing 0.2614 acres. Also known as 9806 Gunlyn Road and located in the Eleventh Election District, 5th Councilmanic District.

135

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **29382**

DATE **9-16-03**

ACCOUNT **001-006-6150**

AMOUNT \$ **65.00**

RECEIVED FROM: **Bavlis**

FOR: **9806 Gunforge Rd.**
Admin. Variance

Item # 135
Taken by: JEF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME DAY

9/17/2003 9/16/2003 15:37:43 1

REC NO. 029382

RECEIPT # 156814 9/16/2003 OFU

Net 5 528 ZIMING VERIFICATION

CR NO. 029382

Receipt Tot \$65.00

.00 OK 65.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 04-135-A

Petitioner/Developer: PAUL

BAVIS

Date of Hearing/Closing: 10-14-03

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

ATTN: Becky Hart {(410) 887-3394}

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:

9806 GUNFORGE RD

The sign(s) were posted on

9/27/03
(Month, Day, Year)

Sincerely,

[Signature]
(Signature of Sign Poster)

9/27/03
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

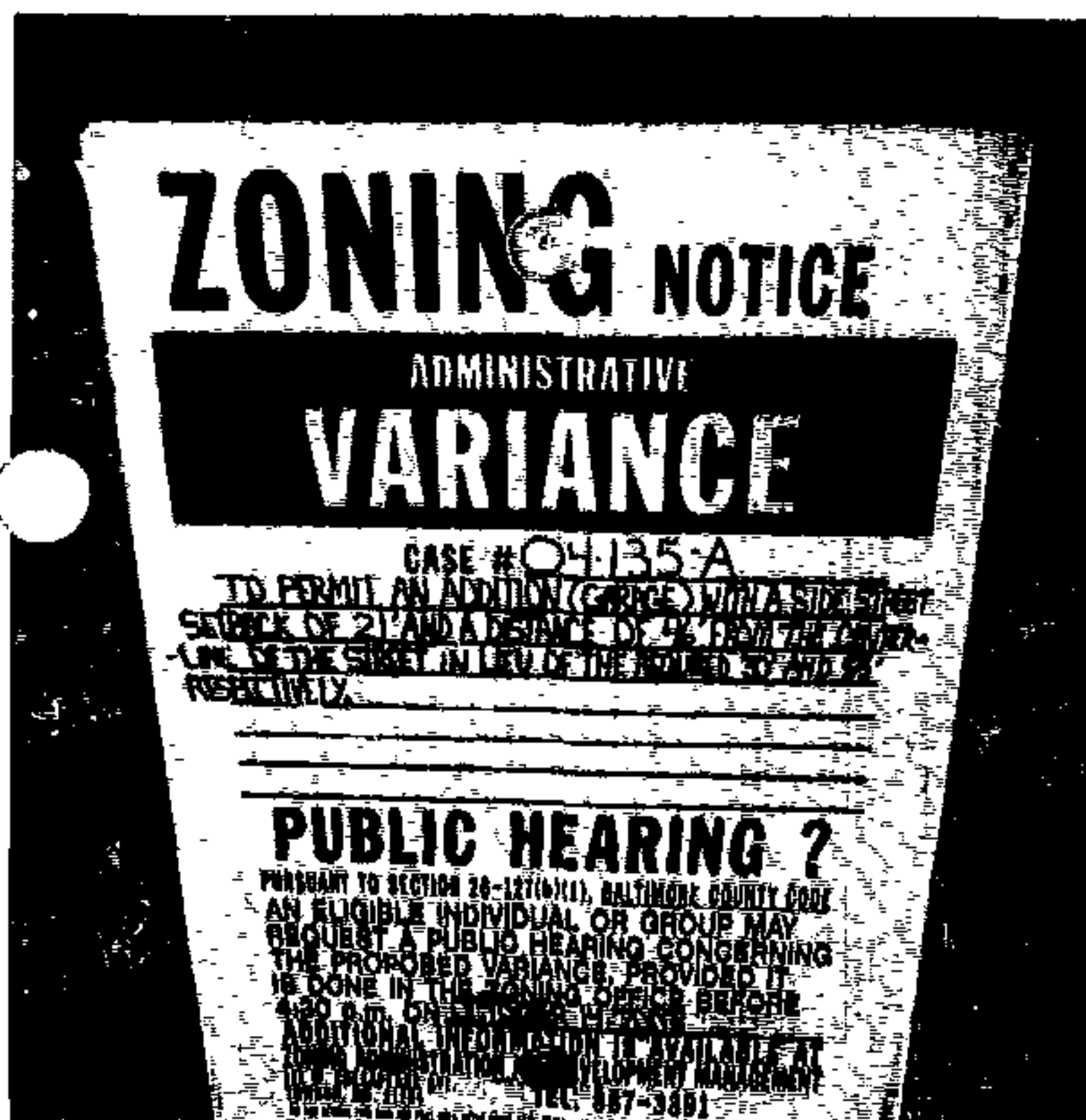
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ⁰⁴~~03~~ 135 -A Address 9806 GUNFORGE RD
Contact Person: Jun R. Fernando Phone Number: 410-887-3391
Planner Please Print Your Name

Filing Date: 9-16-03 Posting Date: 9-29-03 Closing Date: 10-14-03

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.

Don't Ask, Don't Tell

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number ⁰⁴~~03~~ 135 -A Address 9806 GUNFORGE RD
Petitioner's Name PAUL BAYIS Telephone 410-256-7529

Posting Date: 9-29-03 Closing Date: 10-14-03

Wording for Sign: To Permit an addition (garage) with a side street setback
of 21' and a distance of 46' from the centerline of the street
in lieu of the required 30' and 55', respectively.

**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: 04-135-A

Petitioner: Paul G. Bavis

Address or Location: 9806 Gunforge Road Perry Hall, MD 21128-9535

PLEASE FORWARD ADVERTISING BILL TO:

Name: Paul G. Bavis

Address: 9806 Gunforge Road
Perry Hall MD, 21128-9535

Telephone Number: 410-256-7529

**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

October 14, 2003

Paul Bavis
Janet Bavis
9806 Gunforge Road
Perry Hall, MD 21128-9535

Dear Mr. and Mrs. Bavis:

RE: Case Number: 04-135-A, 9806 Gunforge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 16, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel





**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

October 7, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 7, 2003

Item No.: 130 - ¹³⁵141, 143, 144, 147 - 150

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*

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10.7.03

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

RE: Baltimore County
Item No. 135 JRF

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,

K - Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 14, 2003

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

RECEIVED

OCT 17 2003

SUBJECT: 9806 Gunforge Road

INFORMATION:

Item Number: 04-135

Petitioner: Paul G. Bavis

Zoning: DR 3.5

Requested Action: Administrative Variance

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning visited the subject site and is concerned that the proposed garage will be incompatible with the residential character of the area. The petitioner should submit elevation drawings (including a description of the proposed building materials and exterior color scheme) to this office for review and approval.

In addition, should the petitioner's request be granted, a restriction should be placed in the order prohibiting such uses as automobile detailing. The petitioner should also be required to rid the side yard of the subject property from all debris prior to the issuance of any building permit.

Prepared by:



Section Chief:

AFK/LL:MAC:



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 21, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For October 13, 2003
Item Nos. 130, 131, 132, 133, 134, 135,
138, 139, 142, 143, 145, 146, 149, and 150

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

RWB:CEN:jrb

cc: File



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

To File
YMK

August 1, 2005

David K. Gildea, Esquire
Joseph R. Woolman, Esquire
Gildea, LLC
300 E. Lombard Street -- Suite 1440
Baltimore, MD 21202-3228

RE: Circuit Court Civil Action No. 3-C-05-007755
Petition for Judicial Review
Miller-Tipper Property
Board of Appeals Case No.: CBA-05-111 & CBA-04-135

Dear Messrs. Gildea and Woolman:

Notice is hereby given, in accordance with the Maryland Rules, that a Petition for Judicial Review was filed on July 15, 2005 in the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter. Any party wishing to oppose the petition must file a response within 30 days after the date of this letter, pursuant to the Maryland Rules.

Please note that any documents filed in this matter, including, but not limited to, any other Petition for Judicial Review, must be filed under Civil Action No. 3-C-05-007755.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Linda B. Fliegel
Legal Secretary

/lb
Enclosure

c: William J. Wiseman, Esq./Zon. Comm
Arnold F. Keller, III, Dir., Office of Planning
Peter M. Zimmerman, Esq.
People's Counsel for Baltimore County
Carole Demilio, Deputy/People's Counsel





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

February 25, 2004

Paul G. Bavis
9806 Gun Forge Road
Perry Hall, Maryland 21128

Dear Mr. Bavis,

RE: Spirit and Intent Letter
9806 Gun Forge Road
11th Election District
Hearing Case # 04-135-A

Please be advised that after careful consideration, the Department of Permits and Development Management, Zoning Review Section, has determined that your proposal to change the garage addition from 25' x 22' to 24' x 24' meets the spirit and intent of zoning case number 04-135-A, since there is no changes in setbacks and would not need additional variance relief.

Please be advised that this approval is contingent upon all restrictions under zoning case number 04-135-A and Baltimore County Department requirements being met.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need any further information or have any questions, please do not hesitate to contact me 410-887-3391.

Very truly yours,


Jun Fernando
Planner II
Zoning Review

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



Printed with Soybean Ink
on Recycled Paper

Paul G. Davis
9806 Gunforge Rd.
Perry Hall, MD 21128

Dear Mr. Davis:

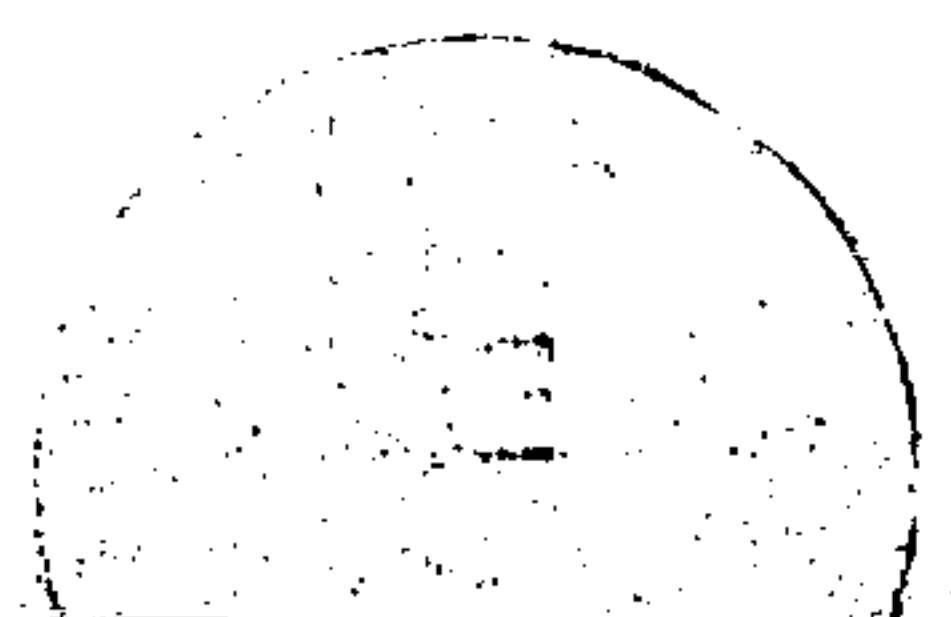
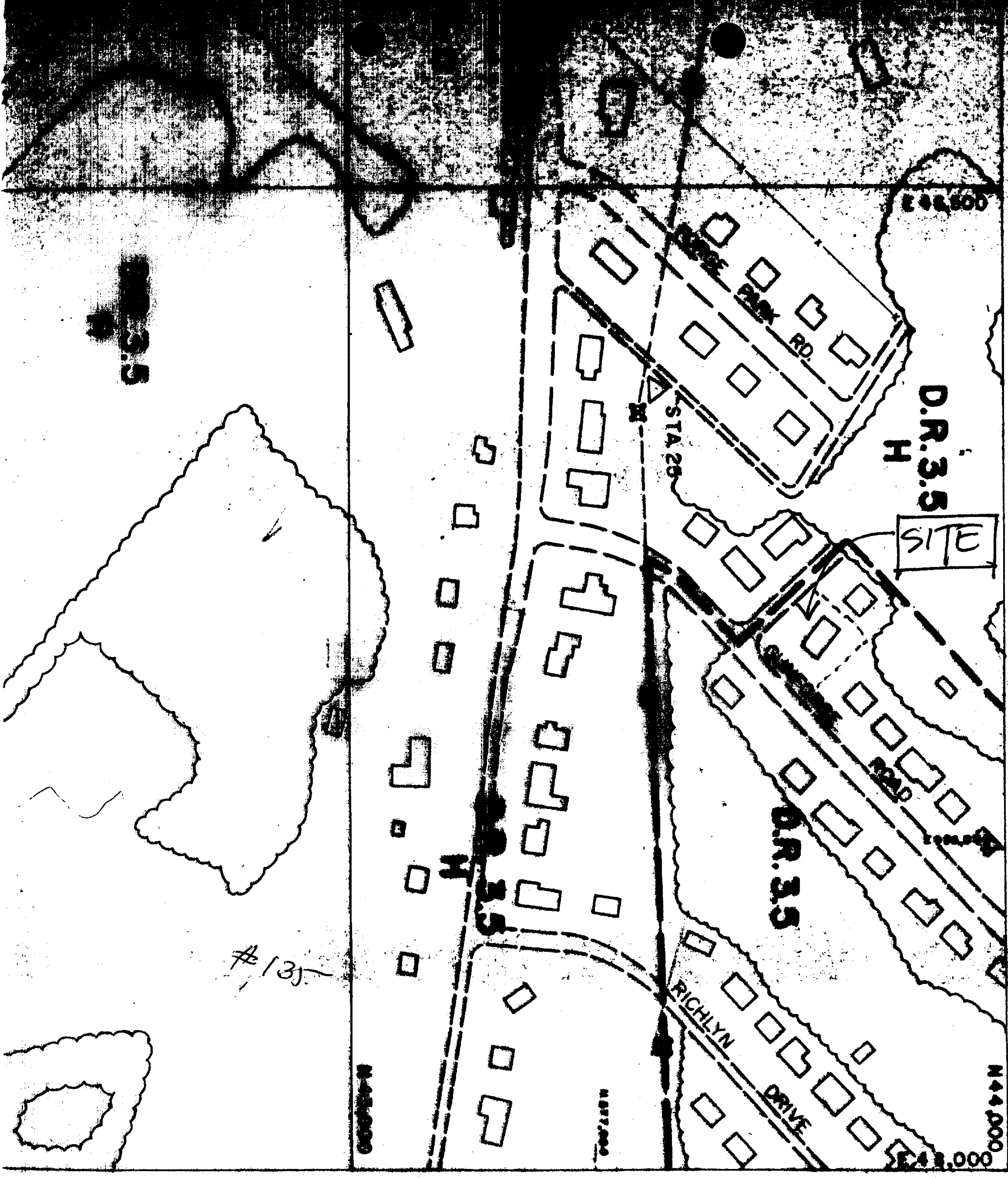
RE: Spirit & Intent Letter
9806 Gunforge Rd.
11/12 E.D.
Hearing Case # 04-135-A

Please be advised that after careful consideration, the Department of Permits and Development Management, Zoning Review Section, has determined that your proposed to change ~~the~~ ~~garage~~ ^{the} garage addition from 25' x 22' to 24' x 24' without ~~any~~ ^{changes} on the ~~approved~~ setbacks from the above referenced ~~case number~~ meets the spirit and intent of zoning case number 04-135-A, since there is no changes in setbacks and would not need additional variance relief. ~~It~~

Please be advised that this approval is contingent upon all restrictions under zoning case #04-135-A and Baltimore County departments requirements being met.

I trust that

VTJ/
JRF
PIL
ZR



RE PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

LOCATION INFORMATION:

ELECTION DISTRICT: 11th PUBLIC WATER: YES
 COUNCILMANIC DISTRICT: 3rd PUBLIC SEWAGE: YES
 1" = 200' MAP: NE 11 4 CHESA. BAY CRITICAL: NO
 ZONING: D. R. 3.5 100 YEAR FLOOD PLN: NO
 LOT SIZE: AC = .2614 HISTORIC PROPERTY: NO
 SF = 11,388 PRIOR ZONING: N/A

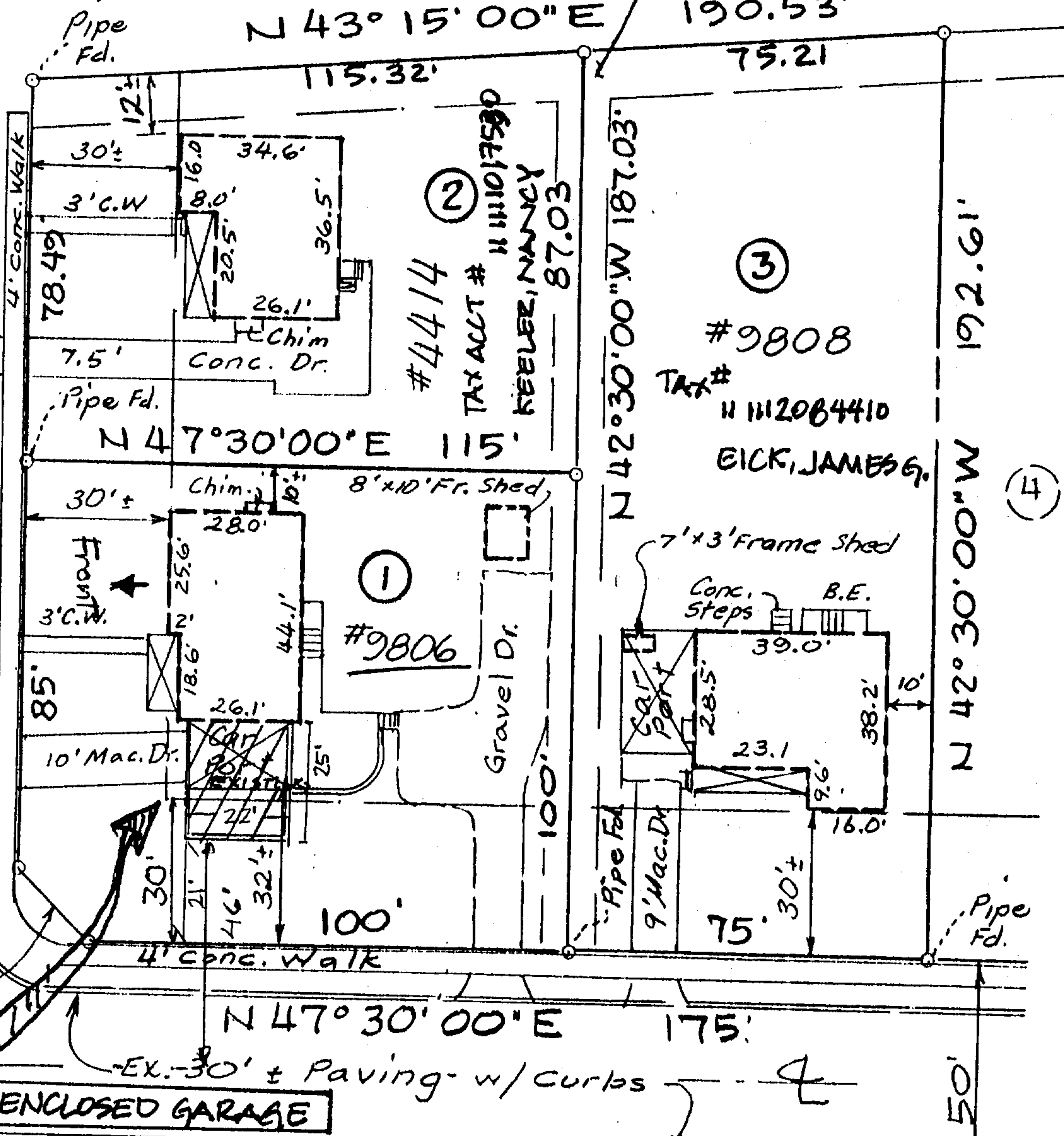
10 ft. Drainage & Utility Easement

PLAT BOOK WJR # 27 FOLIO III

Gunlyn Road

EX. 30' ± Paving w/ Curbs

N 42° 30' 00" W 163.49'



Gunforge Road

9806 = Act # 11 1105061350

NOTES: DAVIS, PAUL G.
 DAVIS, JANET L.

- The three dwellings shown are all 1 Story Brick Dwellings.
- The minimum building setback for Gunforge and Gunlyn Roads is 30'.

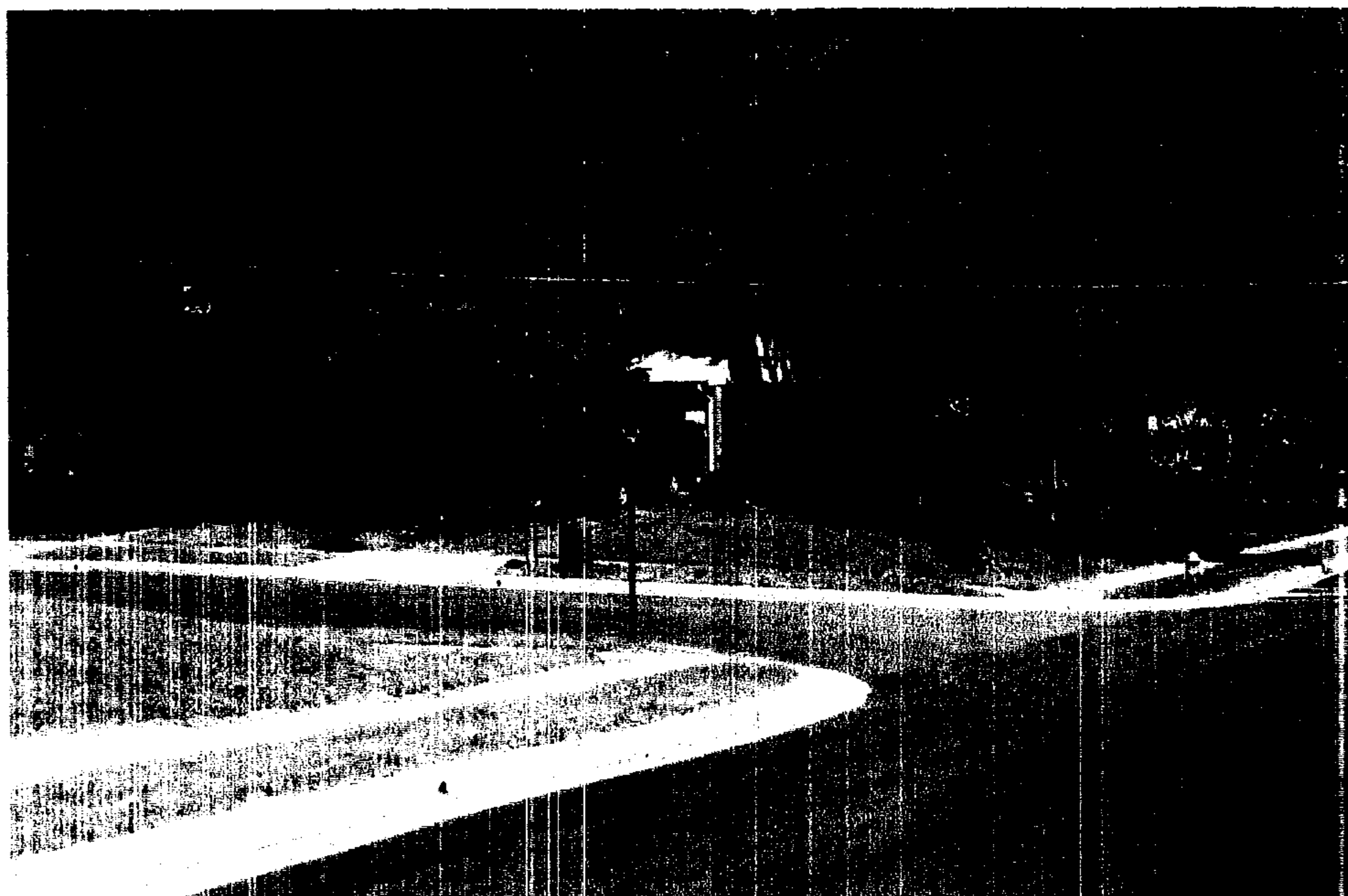
DRAWN BY: LGW
 SCALE 1" = 40'
 LOT # 1

SUBJECT PROPERTY

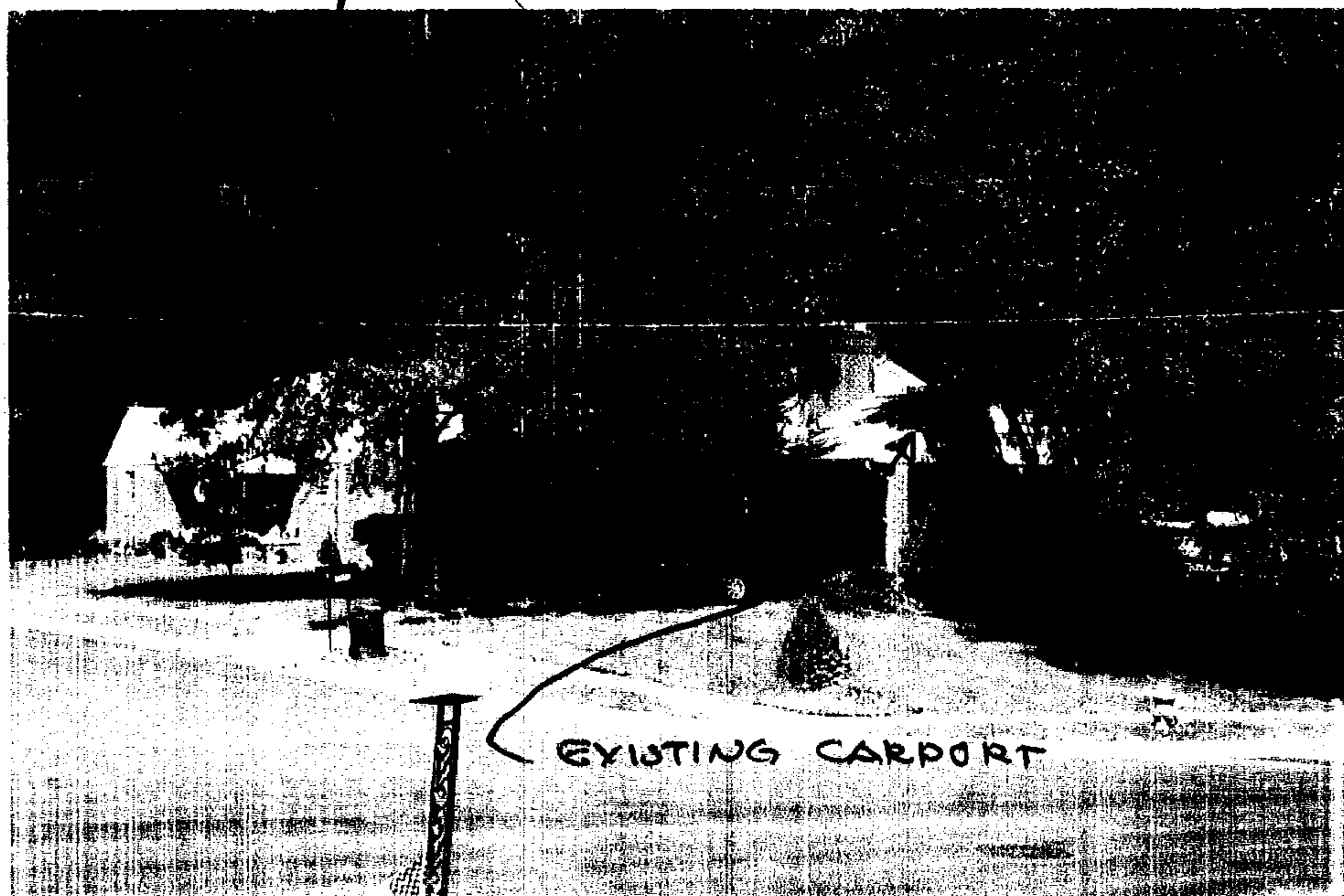
GUNFORGE RD

FORGE RD

ITEM # 135
 TAKEN BY JF



view of property North East



view of property North

135-