

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Spring Avenue, 480 ft. W
centerline of Monumental Road
13th Election District
1st Councilmanic District
(4222 Spring Avenue)

Mary Angeline Ward
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-183-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Mary Angeline Ward. The variance request is for property located at 4222 Spring Avenue in the western area of Baltimore County. The variance request is from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 18 ft. for an addition in lieu of the required 30 ft. and to amend the Final Development Plan for "Oak Park", Lot #15. The subject property and requested relief are more particularly described on 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

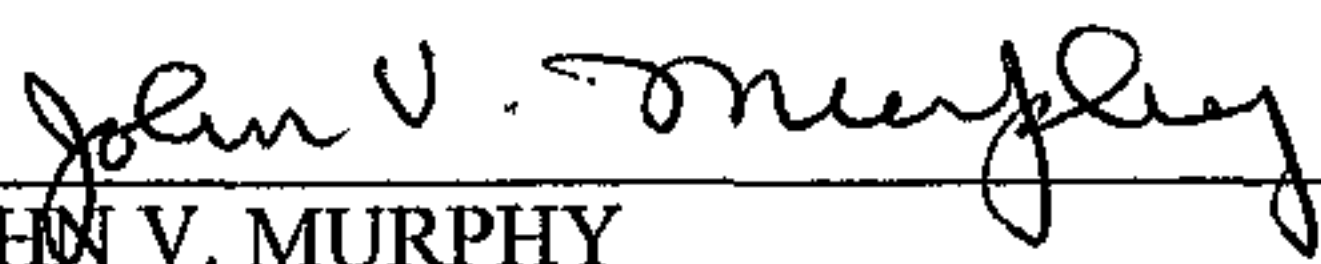
11/5/63
H. J. Jernigan

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 Deputy Zoning Commissioner for Baltimore County, this 5 day of November, 2003, that a variance from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 18 ft. for an addition in lieu of the required 30 ft. and to amend the Final Development Plan for "Oak Park", Lot #15 only, 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.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER
DATE 11/5/03
BY R. Gannon

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

November 5, 2003

Mary Angeline Ward
4222 Spring Avenue
Baltimore, Maryland 21227

Re: Petition for Administrative Variance
Case No. 04-183-A
Property: 4222 Spring Avenue

Dear Ms. Ward:

Enclosed please find the decision rendered in the above-captioned case. The 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 & 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 dark ink, appearing to read "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Derek Edwards
Derek Edward Home Improvement
30 Bellinger Court
Reisterstown, MD 21136

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 4222 Spring Ave
which is presently zoned D.R.2

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) 1802.3A.1. (BCZR)

TO PERMIT A REAR YARD SETBACK OF 18-FEET FOR
AN ADDITION IN LIEU OF THE REQUIRED 30-FEET
AND TO AMEND THE FDP FOR "OAK PARK", LOT 15.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11/5/03 day of November, 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.

Legal Owner(s):

MARY ANGELINE WARD

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

DEREK EDWARDS

Name

Address

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO.

04-183-A

Reviewed By D. THOMPSON

Date

10/9/03

Estimated Posting Date

10/19/03

REV. 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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

4222 Spring Avenue
Address
Baltimore MD 21227
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):

To increase living space

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.

Mary Angeline Ward
Signature

MARY ANGELINE WARD
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8 day of October, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mary Angeline Ward
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Rebecca K. Jorgensen
Notary Public

My Commission Expires 1/1/2007

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 4222 Spring Avenue
Address
Baltimore MD 21227
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):

To increase living space.

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Mary Angeline Ward
Signature
MARY ANGELINE WARD
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8 day of October, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mary Angeline Ward
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Diana K. Jorgensen
Notary Public
My Commission Expires 1/1/2007



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4222 Spring Ave.
which is presently zoned D.R.2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3A.1. (BCZR)

TO PERMIT A REAR YARD SETBACK OF 18-FEET FOR
AN ADDITION IN LIEU OF THE REQUIRED 30-FEET
AND TO AMEND THE FDP FOR "OAK PARK", LOT 15.

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.

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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):

MARY ANGELINE WARD

Name - Type or Print

Mary Angeline Ward

Signature

Name - Type or Print

Signature

4222 Spring Avenue W (410) 761-2499
H (410) 247-0450

Address Telephone No.

Baltimore MD 21227

City State Zip Code

Representative to be Contacted:

DEREK EDWARDS

DEREK EDWARDS HOME IMPROVEMENT

Name

30 BELLINGER CT. 410-526-9856

Address Telephone No.

REISTERSTOWN MD 21136

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. 04-183-A

Reviewed By D. THOMPSON Date 10/9/03

REV 10/25/01

Estimated Posting Date 10/19/03

Zoning Description

**4222 Spring Ave.
Halethorpe, MD 21227**

Beginning at a point on the north side of Spring Avenue which is 65 feet wide at the distance of 480 feet west of the centerline of the nearest improved intersecting street, Monumental Road, which is 40 feet wide. As recorded in Liber 63, Folio 45 N.87 55'09"W, S.28 33'17"W in the subdivision of Oak Park containing 6034 square feet. Also known as 4222 Spring Avenue Halethorpe, MD 21227 and located in the 13th Election District.

04-183-A

BALEMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 25548

DATE

10/19/03

ACCOUNT

001006150

AMOUNT

\$

65.00

RECEIVED FROM

DEREK EDWARDS Home Improvement

FOR

ITEM # 183 04-183-A

4422 SPRING AVE B1 DONNA THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED ACTION

TIME 10:11

10/19/2003 10:09/2003 10:11/07

5

RECEIVED ACTION

10/19/2003 10:09/2003 10:11/07

5

RECEIVED ACTION

10/19/2003 10:09/2003 10:11/07

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10/19/2003 10:09/2003 10:11/07

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RECEIVED ACTION

10/19/2003 10:09/2003 10:11/07

5

CASHIER'S VALIDATION

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 04-183-A

TO PERMIT A REAR YARD SETBACK OF
18 FEET FOR AN ADDITION IN LIEU OF THE
REQUIRED 30 FEET AND TO AMEND
THE FDR FOR "OAK PARK" LOT 15

PUBLIC HEARING ?

PRESENT TO SECTION 24-111(1), BIRMINGHAM COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON 10 NOVEMBER 2003

REQUIREMENT: VARIATION IS WITHIN THE
ZONING DISTRICT AND IS WITHIN THE
ZONING DISTRICT AND IS WITHIN THE
ZONING DISTRICT

TEL: 562-3391

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CERTIFICATE OF POSTING

RE: Case No.: 04-183-A

Petitioner/Developer: MARY ANN WARD

Date of Hearing/ Closing: NOV. 3, 2003

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

Attention: BECKY 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 # 4222 SPRING AVE.

The sign(s) were posted on OCT. 17, 2003
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ⁰⁴~~03~~ 183 -A Address 4222 SPRING AVE.

Contact Person: DONNA THOMPSON Phone Number 410-887-3391
Planner Please Print Your Name

Filing Date: 10/9/03 Posting Date: 10/19/03 Closing Date: 11/3/03

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.

Do Not Alter; Delete

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number ⁰⁴~~03~~ 183 -A Address 4222 SPRING AVE.
Petitioner's Name WARD Telephone 410-247-0450

Posting Date: 10/19/03 Closing Date: 11/3/03

Wording for Sign. To Permit A REAR YARD SETBACK OF 18-FEET FOR
AN ADDITION IN LIEU OF THE REQUIRED 30-FEET
AND TO AMEND THE FDP FOR "OAK PARK", LOT 15.

**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*

November 3, 2003

Mary Angeline Ward
4222 Spring Avenue
Baltimore, MD 21227

Dear Ms. Ward:

RE: Case Number: 04-183-A, 4222 Spring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 3, 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
Derek Edwards, 30 Bellinger Court, Reisterstown 21136

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





**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 27, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: October 27, 2003

Item No.: 183-194

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





State Highway
Administration

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11.28.03

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

RE: Baltimore County
Item No. 183 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 1 800.201.7165 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

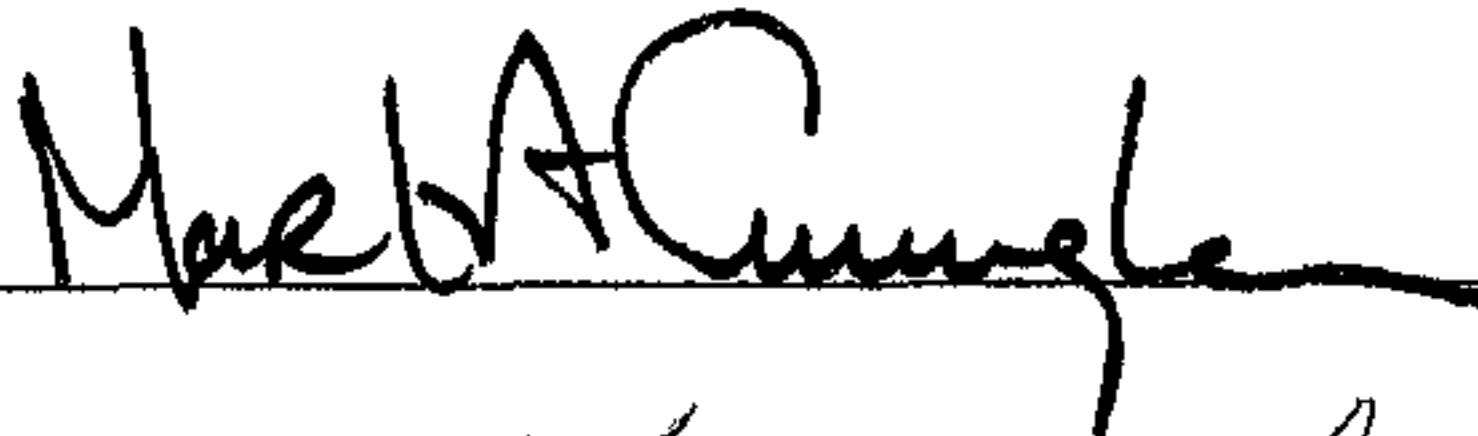
DATE: October 28, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case 04-175 and 183**
Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By:



Section Chief:



AFK/LL

RECEIVED

NOV 1 2003

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 13, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For November 3, 2003
Items Nos. 183, 184, 185, 186, 187,
188, 189, 190, 191, 192, 193, and 194

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

RWB:CEN:jrb

cc: File

S 22,000

D.R. 2

SITE

MONUMENTAL

SW 60

ML-1M

AVE.

OAK
TARK

PRIVATE

RD.

RD.

S 23,000

D.R. 2

N 510,000

04-183-A

ML-1M

FERRY

HOLLINS

ROAD

MH-

5,500

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

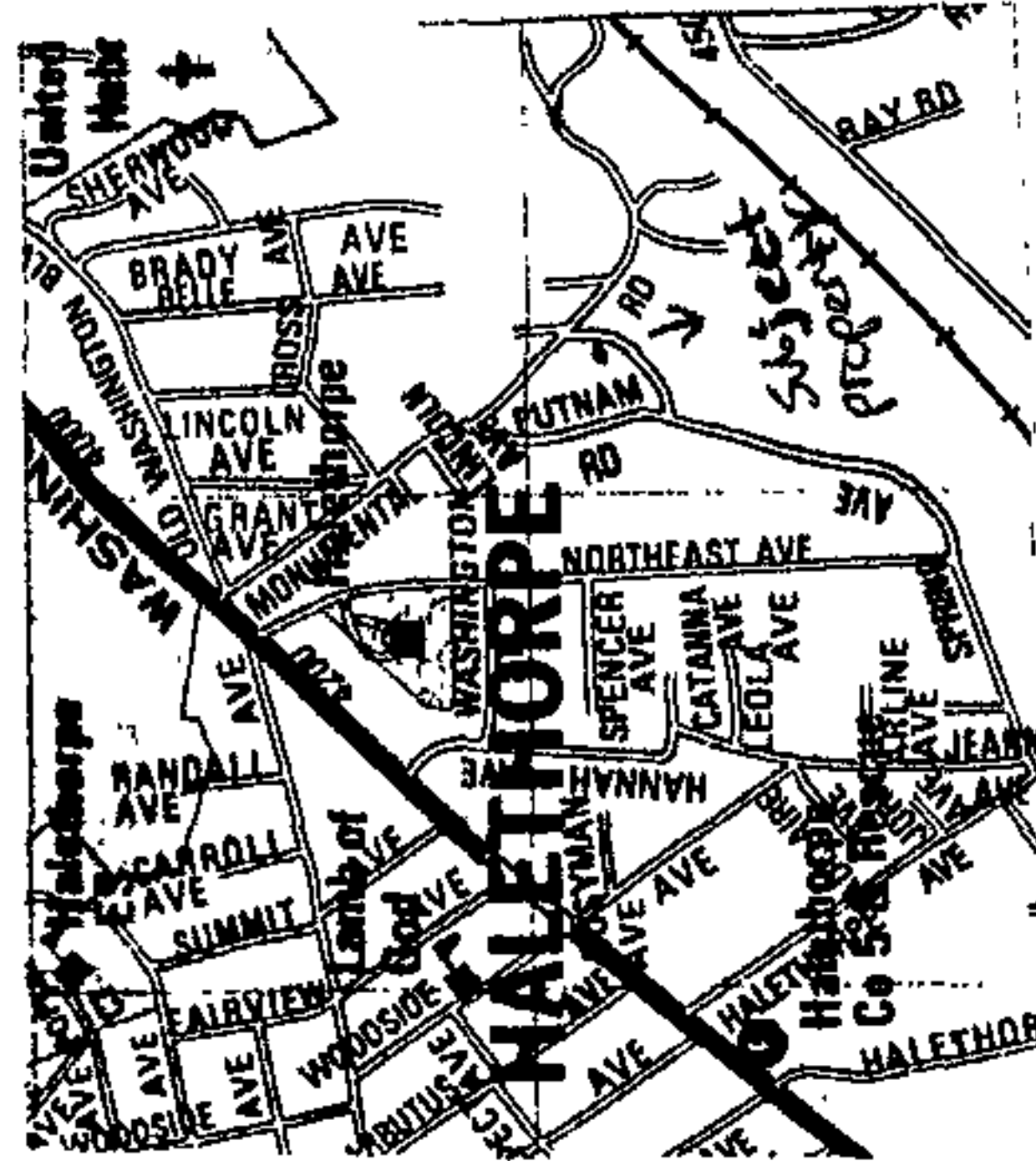
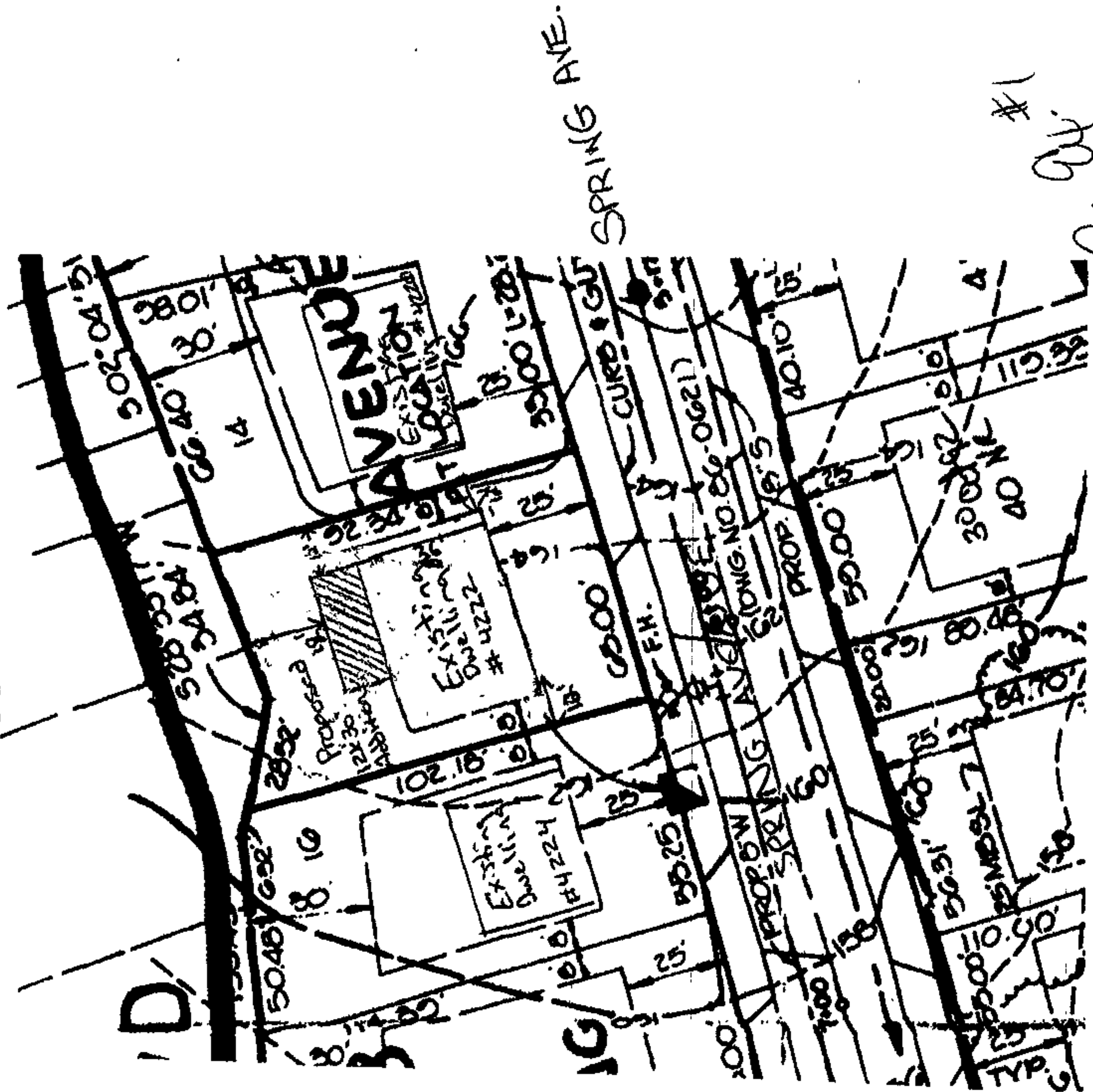
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 4222 Spring Avenue

SUBDIVISION NAME Oak Park

PLAT BOOK # 62 FOLIO # 45 LOT # 15 SECTION # 1

OWNER Mary Angeline Ward



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 13

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # S.W. 6C

ZONING D.R. 2

LOT SIZE 6034 SQUARE FEET

ACREAGE 0.138

PUBLIC ☒ PRIVATE ☐

SEWER ☒

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY / BUILDING ☐

PRIOR ZONING HEARING ☐

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY Due SCALE OF DRAWING: 1" = 50'

D. Thompson | 183 | OH-183-A

