ORDER RECEIVED FOR THE SEASON OF THE SEASON

IN RE: PETITION FOR ADMIN. VARIANCE NW/Corner of Glyntree Garth E of Bonton Court

4th Election District
2nd Councilmanic District

(2 Glyntree Garth)

Cathy & Earl Fenwick

Petitioners

BEFORE THE

* ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-207-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Cathy and Earl Fenwick. The variance request is for property located at 2 Glyntree Garth in the Reisterstown area of Baltimore County. The variance request is from Section 1B02.3.B (1B01.2.C.4, Bill No. 100, 1970) of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 25 ft. for a proposed addition in lieu of the minimum required 30 ft. and to amend the latest approved final development plan for projection of same outside the building envelope. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners 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 Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this Aday of December, 2003, that a variance from Section 1B02.3.B (1B01.2.C.4, Bill No. 100, 1970) of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 25 ft. for a proposed addition in lieu of the minimum required 30 ft. and to amend the latest approved final development plan for projection of same outside the building envelope, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:raj

STORE CHOCKET

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

December 2, 2003

Mr. & Mrs. Earl L. Fenwick 2 Glyntree Garth Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 04-207-A

Property: 2 Glyntree Garth

Dear Mr. & Mrs. Fenwick:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Lawrence E. Schmidt

Zoning Commissioner

LES:raj
Enclosure



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



REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2 Glyntree Gar	rth 21136	
which is presently zone	ed DR 3.5	-

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

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) | BOZ, 3, B(1Bo), ZCH, Bill H100, 1820)

proposed addition in lieb of the minimum required 30 p.

AND to amend the latest approved Final Development Plan for projection of same outside the building envelope

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.

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): Earl Lee Fenwick Name - Type or Print Name - Type of Print Signature Sonature 6 Cathy Nixon Fenwick Address Telephone No. Name Type or Print Cource City State Zip Code Signature Attorney For Petitioner: 2 Glyntree Garth Address Telephone No. 410-393-2863 Riesterstown, MD 21136 Name - Type or Print City State Zip Code Representative to be Contacted: Signature Patio Enclosures Inc.. (attn: Greg) Company Name 224 8th Ave NW 443-797-0351 Address Telephone No. Address Telephone No. Glen Burnie, MD 21061 City 😜 State Zip Code City State ZIp Code A Public Heating having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 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.

Reviewed By

Estimated Posting Date

Affidavit in Support of Administrative Variance

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

competent to testify thereto in the eventithat	a public hearing is scheduled in the future with regard there	eto.
That the Affiant(s) does/do presently reside a	at . 2 Glyntree Garth	
- i - i i i	Address Riesterstown, MD 21136	
į į	City	Zip Code
That based upon personal knowledge, the following Variance at the above address (Indicate hard	ollowing are the facts upon which I/we base the request for iship or practical difficulty):	•
1. This area lends itself to the utilization interruption or major alterations to the p	າ of existing facilities and land without present floor plan patterns.	
2. Insulate and reduce heating bills.		
3. Reduce road noise.		-
4. A place to sit out and not be concerned etc	ned with the weather, bugs: mosquitos, flies	
5. Improve the apperance of the house		
6. The restrictive area of the lot does no variance.	ot lend itself to any addition of pratical size without re	equiring a
advertising fee and may be required to provide	formal demand is filed, Affiant(s) will be required to pay le additional information. **Electric Tenur Company of the Company	-
Signaturé /	Signature	
Earl Lee Fenwick	Cathy Nixon Fenwick	
Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTI		
HEREBY CERTIFY, this LOTH day of State of Maryland, in and for the County afores	said, personally appeared, 2003, before me, a Nota	ry Public of the
Enry Car Frank & CA	THE DIXON FERNACK	1
the Affiant(s) herein, personally known or satisf aw that the matters and facts hereinabove set	isfactorily identified to me as such Affiant(s), and made oat t forth are true and correct to the best of his/her/their knowle	h in due form of edge and belief.
		*
AS WITNESS my hand and Notarial Seal	$\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}$	ئ. ب
10/14/03	COMME WAR	' <u>አ</u> '
Date	Notary Public	**************************************
	My Commission Expires	

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.

•	,	is the resident in the retail with regard there	7 . 0.
That the Afflant(s) does/do presently reside at	2 Glyntree C	3arth	r -
	Address Riesterstow	n, MD 21136	<u> </u>
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (Indicate hardsh	wing are the fa	acts upon which I/we base the request for a	an Administrativ
1. This area lends itself to the utilization of interruption or major alterations to the pre-	of existing factors	ilities and land without an patterns.	i *
2. Insulate and reduce heating bills.			
3. Reduce road noise.			
4. A place to sit out and not be concerned etc	d with the we	ather, bugs: mosquitos, flies	
5. Improve the apperance of the house			
6. The restrictive area of the lot does not l variance.	lend itself to	any addition of pratical size without re	quiring a
			i
that the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	mal demand is additional information	s filed, Affiant(s) will be required to pay mation.	a reposting and
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signature /		(Signature /	
Earl Lee Fenwick		Cathy Nixon Fenwick	
lame - Type or Print	Name -	Type or Print	,
TATE OF MARYLAND, COUNTY OF BALTIM	LORE, t o wit:		
HEREBY CERTIFY, this County aforesal	id. personally a	beared, 1000 before me, a Notai	ry Public of the
EATER LECTER WICK & C	ATAY DIX	ON FENOUCK	- ·
he Affiant(s) herein, personally known or satisfa aw that the matters and facts hereinabove set fo	ctorily identifie	d to me as such Affiant(s), and made oat	n in due form of dge and belief.
$A_{i}^{(i)}$. A_{i}	1900m/2		•
S WITNESS my hand and Notarial Seal		a (1) M/4	
18/(U/03	- 7		·



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	2 Glyntree Garth	21136
which	is presently zoned	DR 3.5

This Petition shall be filed with the Downer(s) of the property situate in Ball and made a part hereof, hereby petition	Department of i timore County a n for a Variance	Permits and Development Management. The undersigned, legand which is described in the description and plat attached here from Section(s) / B 02,3,13 (B0/2,64 B//4100,1970
		and setback of 25th for a
proposed addition	in lieu	A the minimum required 30 ft.
	rne iu	i car as particular to
for projection &	Same a	stade the building envelope
	1	zoning law of Baltimore County, for the reasons indicated on th
Property is to be posted and advertised I, or we, agree to pay expenses of above Va regulations and restrictions of Baltimore Cor	arianca advorticir	by the zoning regulations. Ig, posting, etc. and further agree to and are to be bounded by the zoning suant 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	<u> </u>	Name - Type or Print / / / / / / / / / / / / / / / / / / /
		-XAI / ESTEN
Signature	- 	Signature
Address	Telephone No.	- Cathy Nixon Fenwick
	i diahitotia (40'	Name - Type or Print - Xally / 10 - Jana C
State	Zip Code	Signature
Attorney For Petitioner;		2 Glyntree Garth
-	1	Address Telephone No.
lame - Type or Print	<u> </u>	Riesterstown, MD 21136 410-393-2863
onto - type of Fillife	i i	City State Zip Code
ignature	<u> </u>	Representative to be Contacted:
	•	- Patio Enclosures Inc (attn: Greg)
ompany	i	Name
	; p ij 1 ijig veze 1 ji 1 ji	224 8th Ave NW 443-797-0351
ddress	Telephone No.	Address Glen Burnie, MD 21061
lty State	Zlp Code	City State Zip Code
Public Hearing having been formally demanded day of that the second Deltimore County and that the property be reposted	ed and/or found to subject matter of this	be required, it is ordered by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning regulations

	Zoning Commissioner of Baltimore County
CASE NO. 04-207-4	Reviewed By 1816 10-27-03
REV 9/15/98	Estimated Posting Data 11-09-03

ZONING DESCRIPTION FOR 2 GLYNTREE GARTH

BEGINNING AT A POINT ON THE SOUTH SIDE OF GLYNTREE

GARTH WHICH IS 50' WIDE AT THE DISTANCE OF 0' EAST OF THE

NEAREST IMPROVED INTERSECTING STREET, OWINGS MILLS RD.

WHICH IS 50'WIDE. BEING LOT # 1 BLOCK B, SECTION 1 IN THE

SUBDIVISION OF BONITA AS RECORDED N COUNTY PLAT

BOOK # 41, FOLIO # 136, CONTAINING 8160 SQ'. ALSO KNOWN AS

2 GLYNTREE GARTH LOCATED IN THE 04TH ELECTION DISTRICT,

201

			HOE VED		
					STOCK STOCK
				Nocoun.	
	ACIENCA YATIONA CUSTOMER				
•					

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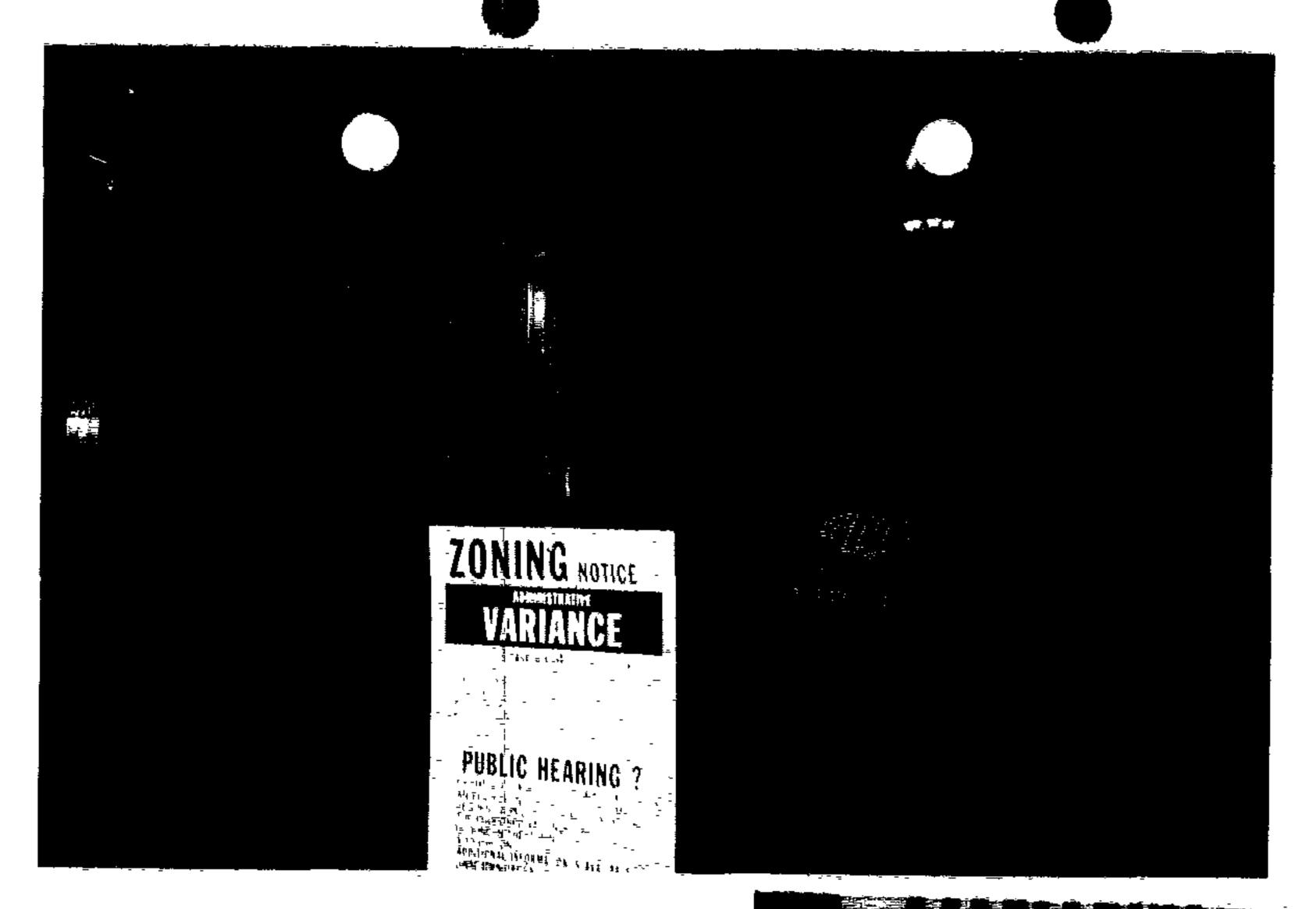
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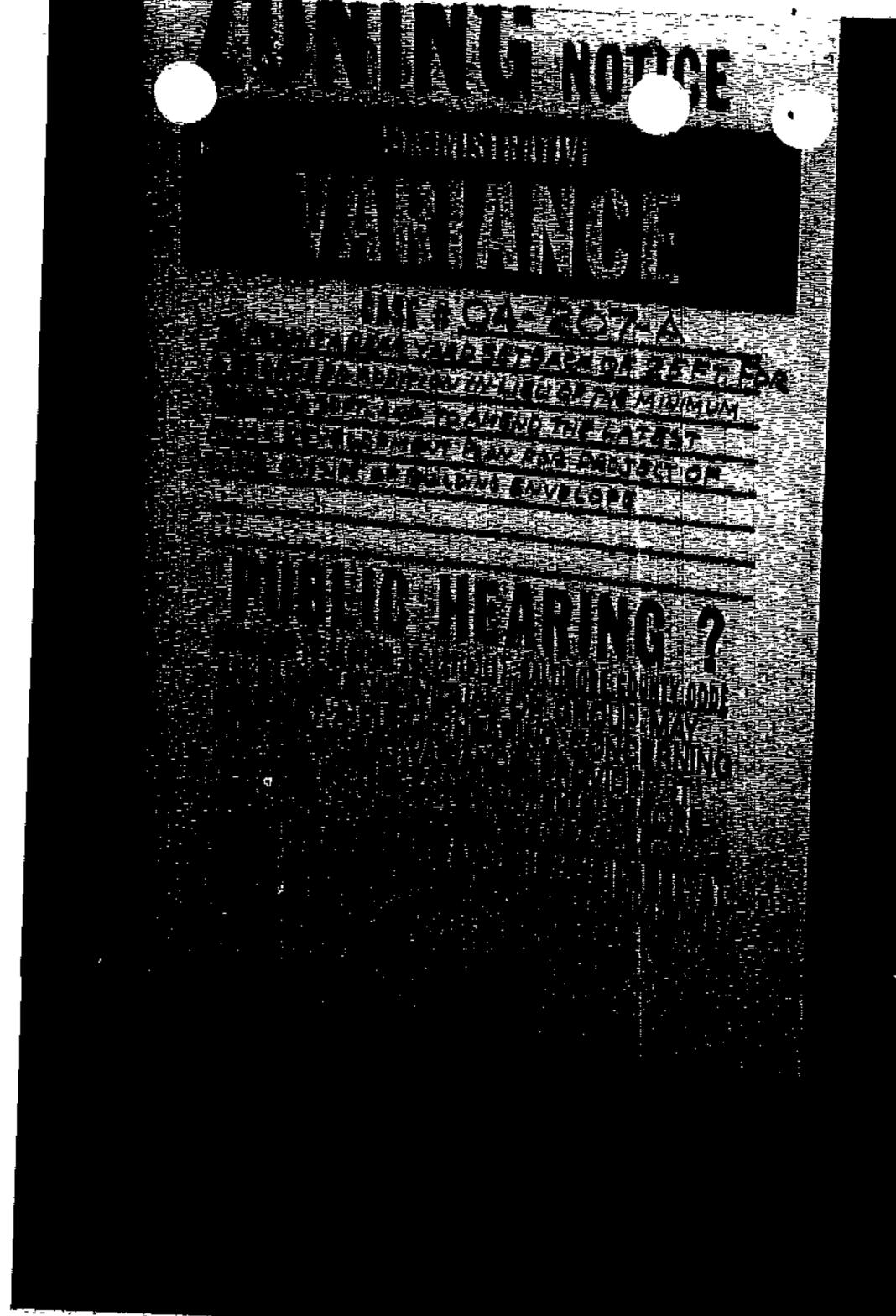
CERTIFICATE OF POSTING.

•	Date of Hearing/Closing: 1000000
altimore County Department of ermits and Development Management ounty Office Building, Room 111 11 West Chesapeake Avenue owson, MD 21204	
Mention: BECKY HART	•
adies and Gentlemen: This letter is to e	ertify under the penalties of perjury that the necessary sign(s) required by
iw were posted conspicuously on the pr	roperty located at # 2 CILYNTREE CHRTH
1. · · · · · · · · · · · · · · · · · · ·	• · · · · · · · · · · · · · · · · · ·
•)
The sign(s) were posted on $\frac{1}{2}$	/. 7, 2003 (Month, Day, Year)
	Sincerely,
	Signature of Sign Poster and Date)
	GARLANDE, WOORS (Printed Name)
	3225 RYERSON CIRCLES (Address)
· · · · · · · · · · · · · · · · · · ·	PAUTINIARE, MD. 21227 (City, State, Zip Code)
•	(Telephone Number)
•	

RE: Case No.: 04-205-A

Petitioner/Developer: EARLEREUICE





ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	. 04	207	-A Addr	ess 2 6/yn	tree Gart	4
Conta	ct Perso	n:	John Planner	Sullivan Please Print Your Name	***************************************	Phone Number:	410-887-3391
Filing	Date: _	10.	27-03		ite: <u>//-09-03</u>	Closing Da	te: 11-24-03
Any c throug	ontact r h the co	made ontact	with this off person (plan	ice regarding the ner) using the case	status of the adr number.	ninistrative varia	ince should be
1.	reverse repostir is agair	e side ng mu n resp	of this form) st be done o onsible for a	and the petitioner and the petitioner and the petitioner all lines of the signal associated costs posting date noted.	is responsible for gn posters on the The zoning not	all printing/post approved list artice sign must be	ing costs. Any do not he petitioner on the
2.	a forma	al req	uest for a p	date is the deadline ublic hearing. Ple	ase understand t	that even if the	,000 feet to file re is no formal
3.	commis order the (typical)	ssione hat th ly with	r. He may: e matter be in 7 to 10 da	ng date, the file w (a) grant the requ set in for a publi sys of the closing do hearing. The orde	ested relief; (b) d c hearing You ate) as to whether	leny the request will receive writer the petition has	ed relief; or (c) ten notification been granted.
4	(whether commission change)	er due ssione d givii , certif	e to a neight), notification	RING AND REPOS bor's formal reque on will be forwarde the hearing date, tires s change and a pho	st or by order order or state of the stand location.	f the zoning or sign on the pro	deputy zoning perty must be n was originally
	•		•	.Detain Along	Dotted Line		!
Petitio	oner: T	his Pa	art of the Fo	rm is for the Sign	Poster Only	*** ******* ******	***************************************
		•	USE THE	ADMINISTRATIVE	VARIANCE SIGN	FORMAT	•
Case	Number	0#	207 -	A Address	2 Glyntre	ec Garth	
			Earl Fo	,	L.	•	393-2863
			11-09-			11-24	
Wordi	ing for S	iign: _	To Permit	a rear yard.		_	
ad	d. tron	19	he's gry	the minimum	required 3	of AN	D 10
_Qn	rend	th	e lates	to minimum Approved Final D	evelopmen	+ Plan for	n project
oA	Sam	e 0	DWY SIDE	the build.	ng envelop	مرح و	
					Z *	W/CF	3 - Revised 8/28/00

DEPARTMENT OF ERMITS AND DEVELOPENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:	i '
Item Number or Case Number: 04-207-4	
Petitioner: Fenwick, Earl & Cathy	i .
Address or Location: 2 Glyntree Garth, Reisterstown, MD 21136	
•	
PLEASE FORWARD ADVERTISING BILL TO:	1
Name: _ Patio Enclosures Inc	
Address: 224 8th Ave NW	
Glen Burnie, MD 21061	1 1
	; ;
Telephone Number: <u>443-797-0351</u>	



Baltimore County Department of Permits and Development Management

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

November 24, 2003

Earl Lee Fenwick Cathy Nixon Fenwick 2 Glyntree Garth Reisterstown, MD 21136

Dear Mr. and Mrs. Fenwick:

RE: Case Number: 04-207-A, 2 Glyntree Garth

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 27, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards Ir

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel Patio Enclosures, Inc., 224 8th Avenue, NW, Glen Burnie 21061



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

November 12, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 10, 2003

Item No.:

207-210, 213-219

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



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

November 5, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 3, 2003

Item No.:

195, 197-211

Dear Ms. Hart:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: // 17 . 77 3

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

RE: **Baltimore County**

> Item No. 207 772

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case 04-206 and 04-207

Administrative Variance

DATE: November 10, 2003

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.

Section Chief:

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 21, 2003

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

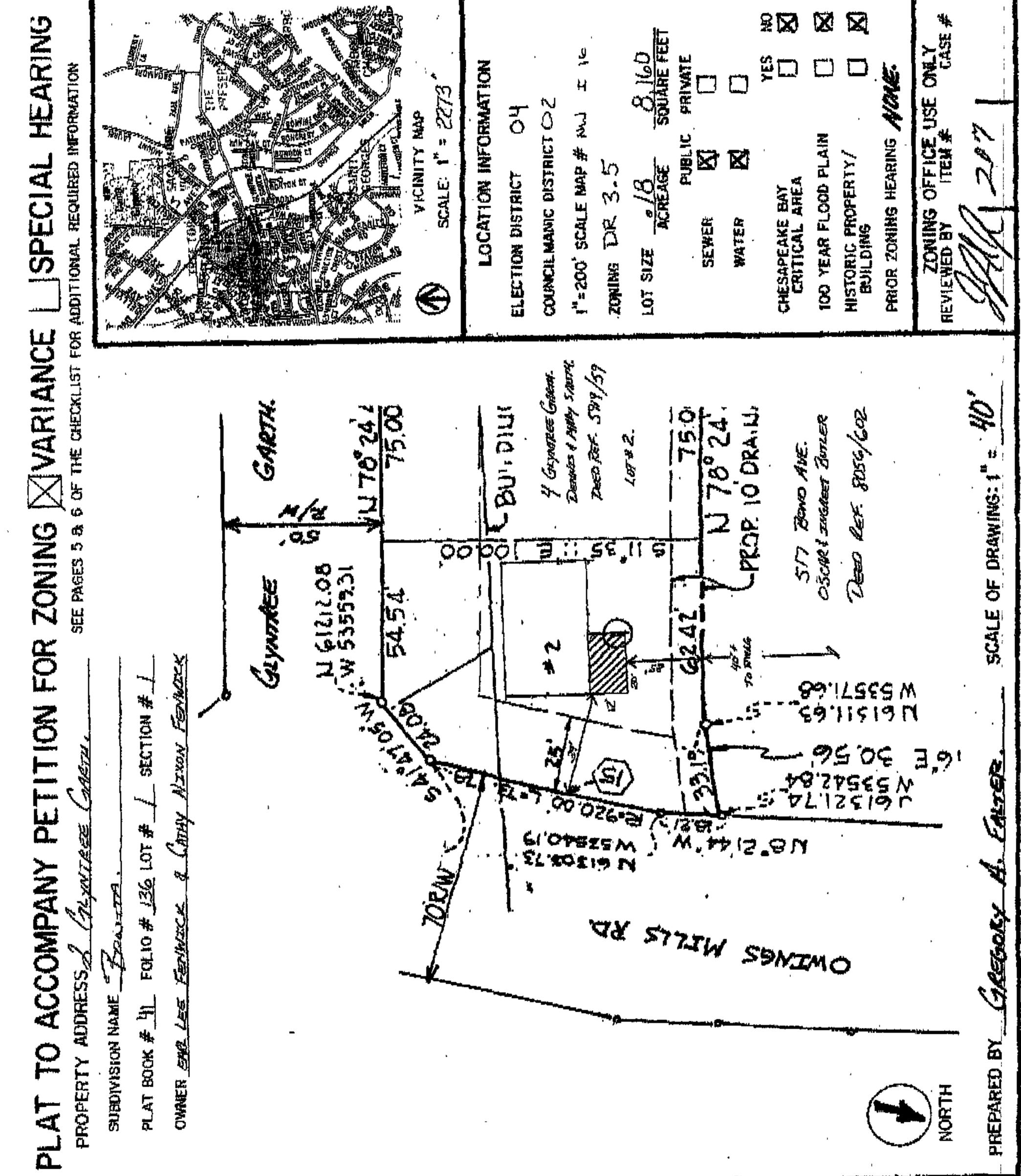
For November 17, 2003

Item Nos. 207, 208, 209, 210, 212, 213, 214, 216, 217, 218, and 219

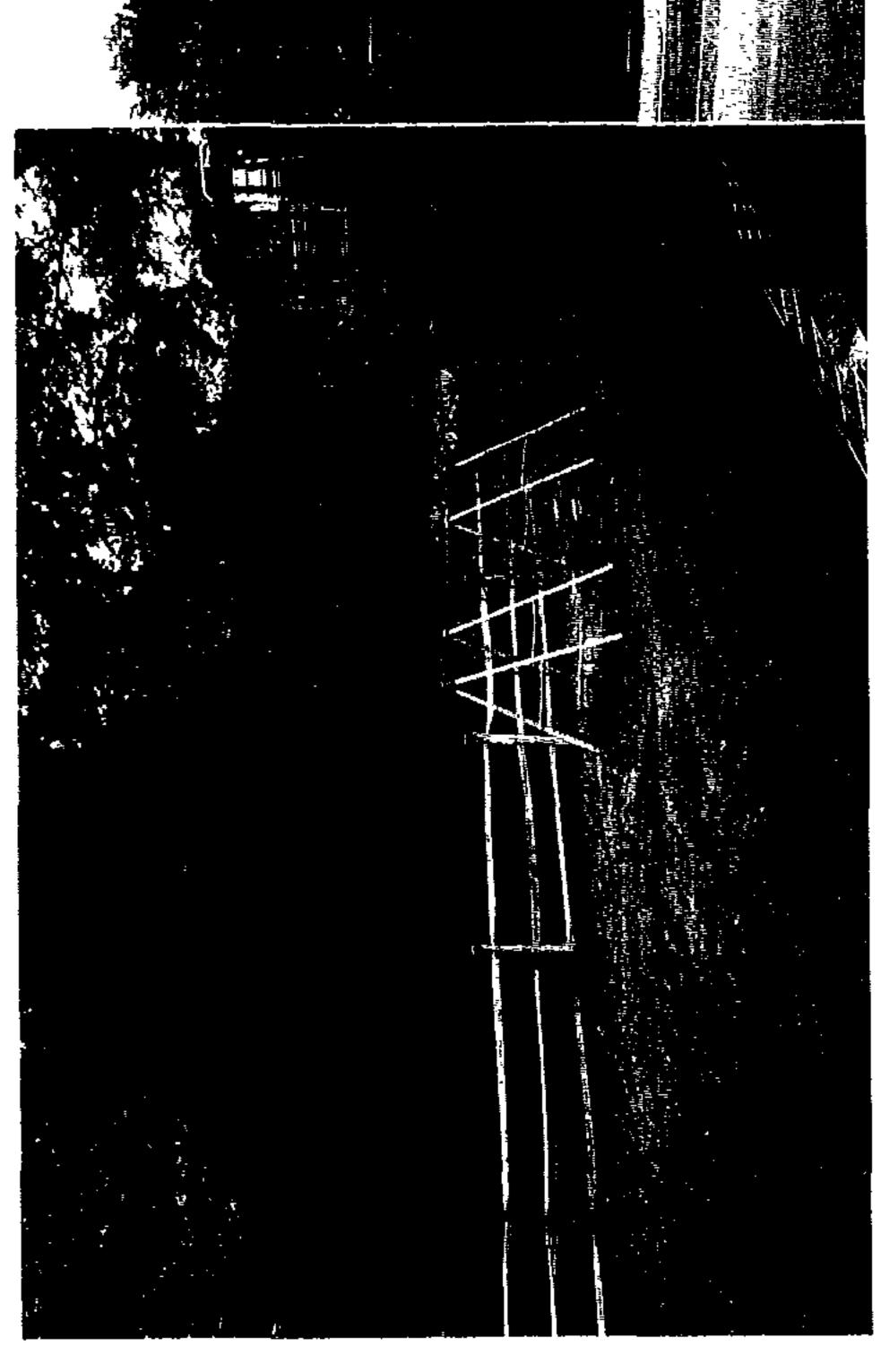
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File



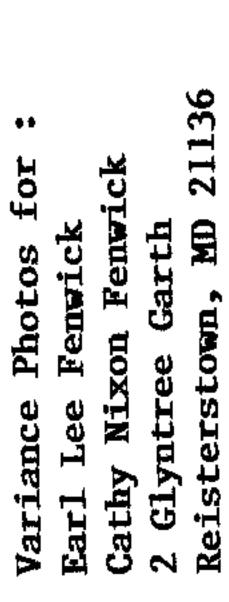
14. B. 4





the o£ corner the from seen View of Rear yard

Viev dwelling





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