

IN RE: PETITION FOR ADMIN. VARIANCE
NE/S Locust Drive, 697.7' SE of the c/l
Frederick Road
(31 Locust Drive)
1st Election District
1st Council District

Richard W. Robertson, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-390-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, Richard W. Robertson, and his wife, Mary Bahr-Robertson. The Petitioners seek relief from Sections 104.3 and 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition that expands the exiting nonconforming structure by 94% in lieu of the maximum allowed 25%, and a side yard setback of 8 feet in lieu of the required 15 feet, and a side yard setback sum of 18 feet in lieu of the required 40 feet for a D.R.2 zoned lot. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code. That Section 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 Zoning Commissioner determined that relief from a nonconforming use requirement (Section 104) cannot be granted through the administrative variance process and

ORDER RECEIVED FOR FILING

Date 4/19/04
By [Signature]

the matter was referred to the Department of Permits and Development Management (DPDM) to schedule for a public hearing. Subsequently, a call was received from Calvin Boone, a representative for the Petitioners, after which the Zoning Commissioner determined that the Petition should be amended to eliminate the nonconforming use requirement.

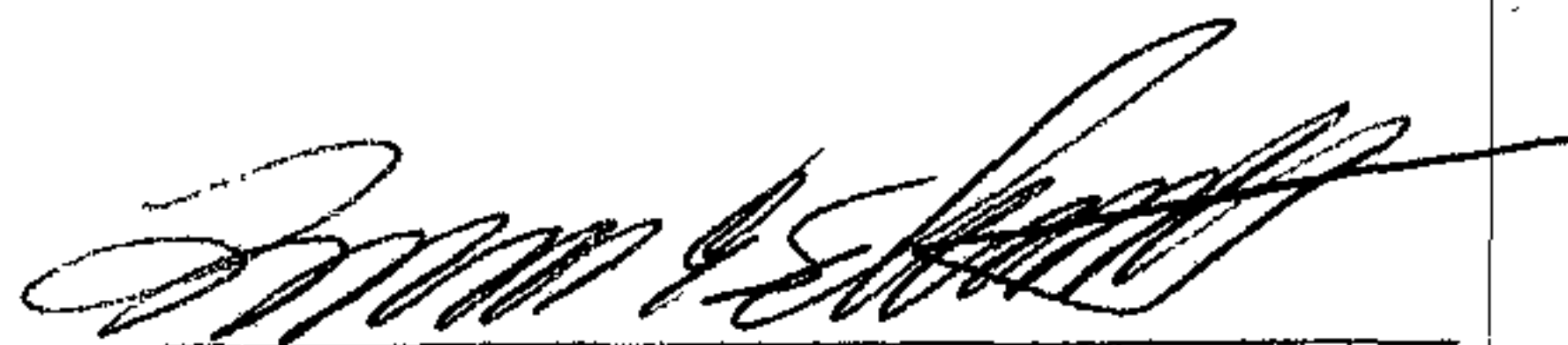
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. That information, including signed statements of support from adjacent property owners, is sufficient to support a finding that the relief requested meets the spirit and intent of Section 307.1 of the B.C.Z.R. and will not result in any detriment to the health, safety and general welfare of the surrounding locale. The site plan indicates that the proposed addition will be a two-story structure, approximately 32' wide by 18' deep, and located to the rear of the existing dwelling. It was indicated that the proposed addition is needed to provide living space for this growing family. It is also to be noted that the Petitioners submitted signed statements from the adjacent property owners on both sides indicating that they have no objections to the proposal. Moreover, there were no adverse comments submitted by any County reviewing agency. For all of these reasons, I am persuaded to grant the variance.

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 19th day of April 2004 that the Petition for Administrative Variance seeking relief (as amended) from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 8 feet in lieu of the required 15 feet, and a side yard setback sum of 18 feet in lieu of the required 40 feet for D.R.2 zoned land, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 104.3 of the B.C.Z.R. to allow an addition that expands the exiting nonconforming structure by 94% in lieu of the maximum allowed 25%, be and is hereby DISMISSED AS MOOT.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

4/19/04

By

100

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

April 19, 2004

Mr. & Mrs. Richard W. Robertson
31 Locust Drive
Baltimore, Maryland 21228

RE: PETITION FOR VARIANCE
NE/S Locust Drive, 697.7' SE of the c/l Frederick Road
(31 Locust Drive)
1st Election District – 1st Council District
Richard W. Robertson, et ux - Petitioners
Case No. 04-367-A

Dear Mr. & Mrs. Robertson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for 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: Mr. Calvin Boone
506 Acorn Court, Mt. Airy, Md. 21771
Ms. Anne L. Bowen, 29 Locust Drive, Catonsville, Md. 21228
Mr. & Mrs. Edward L. Cramer, 33 Locust Drive, Catonsville, Md. 21228
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 31 Locust Drive
which is presently zoned DR2

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) 104.341 B.O.C. 3C.18 ^{PERMITS AND DEVELOPMENT}

THAT EXTENDS THE EXISTING NON-CONFORMING STRUCTURE
BY 94% IN LIEU OF THE REQUIRED 25% AND A SIDE YARD
 setback of 8 FT. IN LIEU OF 15 FT. ON ONE SIDE AND A SUMMIT
 18 FT. IN LIEU OF 40 FT. IN A DR.2 ZONE.

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):

Richard W. Robertson
Name - Type or Print _____
Richard Robertson
Signature _____
MARY BAHN-ROBERTSON
Name - Type or Print _____
Mary Bahn-Robertson
Signature _____
31 LOCUST DR 410-788-5511
Address _____ Telephone No. _____
CATONSVILLE MD 21228
City _____ State _____ Zip Code _____

Representative to be Contacted:

Calvin Boone
Name _____
506 Acorn Ct 410-984-5045
Address _____ Telephone No. _____
Mt Airy MD 21271
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. 04-390-A

Reviewed By STO Date 07-24-04

Estimated Posting Date 03-07-04

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 31 LOCUST DRIVE
City CATONSVILLE State MD Zip Code 21228

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):

- ① Small lot (50' width)
- ② Can't meet side yard setbacks of 15' & total of 40' for DR2 Zoning
- ③ This addition is to add space for a growing family, Master Bedroom & Family Room

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 K. Bahr-Robertson
Signature
MARY K. BAHR-ROBERTSON
Name - Type or Print

Richard W. Robertson
Signature
RICHARD W. ROBERTSON
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of February, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Esther Shoeb
Notary Public
My Commission Expires 4-1-04

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

31 LOCUST DRIVE
Address
CATONSVILLE MD 21228
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):

- ① Small lot (50' width)
- ② Can't meet side yard setbacks of 15' $\frac{1}{2}$ total of 40' for DR2 Zoning
- ③ This addition is to add space for a growing family. Master Bedroom & Family Room

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 K. Bahr-Robertson
Signature
MARY K. BAHR-ROBERTSON
Name - Type or Print

Richard W. Robertson
Signature
RICHARD W. ROBERTSON
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of February, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Esther Shoch
Notary Public

My Commission Expires 4-1-04



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 31 Locust Drive
which is presently zoned DR 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) 104.3 & 104.3C, 104.3D of the Zoning Ordinance of Baltimore County.

THAT EXTENDS THE EXISTING NOW-CONFORMING STRUCTURE
BY 94% IN LIEU OF THE REQUIRED 25% AND A SIDE YARD.
SETBACK OF 8 FT. IN LIEU OF 15 FT. ON ONE SIDE AND A SUM OF
18 FT. IN LIEU OF 40 FT. IN A DR. 2 ZONE.

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):

Richard W. Robertson

Name - Type or Print

Richard W. Robertson

Signature

MARY BAHK-ROBERTSON

Name - Type or Print

Mary Bahr-Robertson

Signature

31 LOCUST DR

Address

CATONSVILLE

City

MD

State

410-788-5511

Telephone No.

21228

Zip Code

Representative to be Contacted:

Calvin Boone

Name

506 Acorn Ct

Address

Mt Airy

City

410-984-5045

Telephone No.

MD

State

21271

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By 8007

Date 07-24-04

Estimated Posting Date 03-07-04

CASE NO. 04-390-A

REV 10/25/01

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 24 day of July, 2004, 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 DESCRIPTION FOR 31 Locust Drive, Catonsville Md.

Beginning at a point on the northeast side of Locust Drive which is 34 feet wide at the distance of 697 feet and 7-1/2 inches southeasterly of the centerline of the nearest improved intersecting street Frederick Road which is 50 feet and 6 inches wide.

Being lot # 285, block 300, section # B in the subdivision of Locust Drive

Extension/Powers of Locust as recorded in Baltimore County Plat Book # 10, Folio # 109, containing 6,800 square feet. Also known as 31 Locust Drive and located in the 1st Election District, 1st Councilmanic District.

**Submitted by: Richard and Mary Robertson
 31 Locust Drive
 Catonsville, Maryland 21228
 410 788-5517**

04-390.A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 29937

04-390-17

DATE

02-24-04

ACCOUNT

R-001-006-6150

AMOUNT

\$

65.00

RECEIVED
FROM:

Calvin J. Beane

FOR:

31 Leicast Hdr. Recs (and Add'l Inc.)

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

507

PAID RECEIPT

BUSINESS ACTION TIME

2/23/2004 2/24/2004 15:24:19

RECEIVED BY: MIC. JHE

RECEIVED BY: 2/24/2004

RECEIVED BY: 07/18

RECEIVED BY: 02/27/04

RECEIVED BY: 04/01/04

RECEIVED BY: 04/01/04

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RECEIVED BY: 04/01/04

RECEIVED BY: 04/01/04

CASHIER'S VALIDATION

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 04-390-A

TO PERMIT EXTENSION OF NON-CONFORMING
SIDEWALL BY 04% AND SIDE YARD
SETBACKS OF 8 FEET AND SUM OF 15 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 23-12(N)(1), DISTRICT COURT CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
6:30 PM ON

WEDNESDAY, MARCH 22, 2004

THE ZONING OFFICE IS AVAILABLE AT

111 891-7391

111 891-7391

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 04-390-A

TO PERMIT EXTENSION OF NON-CONFORMING
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6:30 PM ON

WEDNESDAY, MARCH 22, 2004

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111 891-7391

111 891-7391

CERTIFICATE OF POSTING

RE: Case No.: 04-390-A

Petitioner/Developer: RICK & MARY ROBERTSON

Date of Hearing/ Closing: MAR. 22, 2004

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 #31 LOCUST AVENUE

The sign(s) were posted on

MARCH 4, 2004

(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)

RECEIVED

MAR 5 2004

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04-390 -A

Address #30 Locust Ave

Contact Person: JOHN R. ALEXANDER
Planner Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 02-24-04

Posting Date: 03-07-04

Closing Date: 03-22-04

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.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 04-390 -A

Address #30 Locust Ave.

Petitioner's Name RICKS, MARY ROBERTSON

Telephone 410-788-551

Posting Date: 03-07-04

Closing Date: 03-22-04

Wording for Sign: To Permit EXTENSION OF NON-CONFORMING SIDEWALK
BY 94% & SIDE YARD SETBACKS OF 8 FT. & SUM OF
18 FT.

**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: _____

Petitioner: Rick & Mary Robertson

Address or Location: 31 Locust Ave Catonsville Md 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: Calvin Boone

Address: 506 Acorn Ct
Mt Airy Md 21771

Telephone Number: 410-984-5045

Revised 2/20/98 - SCJ

04-390-17

**Department of Permits
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

March 22, 2004

Richard W. Robertson
Mary Bahr-Robertson
31 Locust Drive
Catonsville, Maryland 21228

Dear Mr. and Mrs. Robertson:

RE: Case Number: 04-390-A, 31 Locust Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 24, 2004.

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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "W" and a cursive "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Calvin Boone 506 Acorn Court Mt. Airy 21771

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

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 9, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 9, 2004

Item No.: 361, 364, ~~390~~ 395, 397 & 398

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.

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: 3.5.04

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

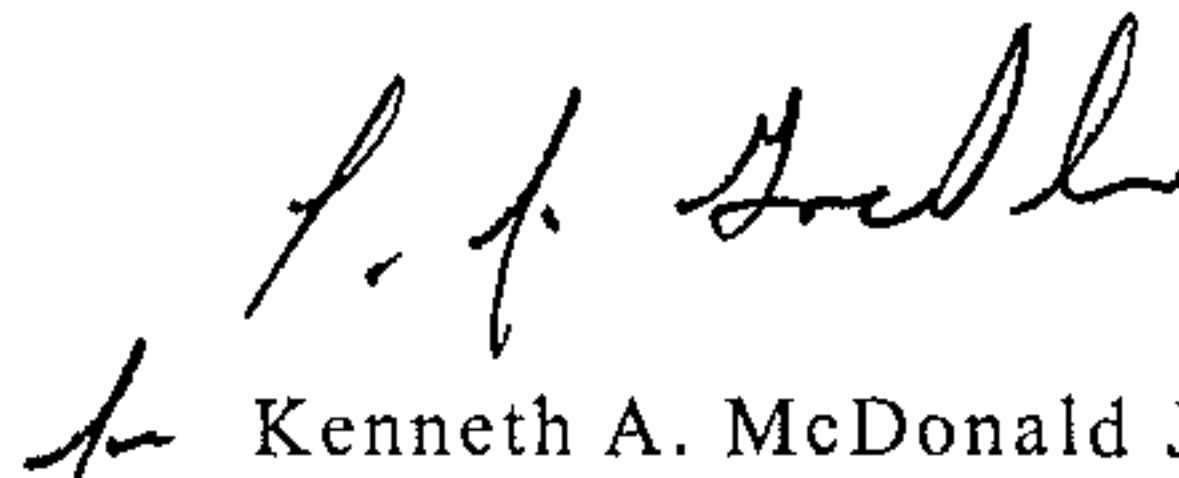
RE: Baltimore County
Item No. 390 JRA

Dear Ms. Matthews:

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 *RMS*

DATE: April 5, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-361

04-390

04-391

04-393

04-395

04-396

04-397

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 10, 2004

RECEIVED

MAR 11 2004

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case 4-364 and 4-390 -- 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:

Mark A. Cunningham

Section Chief:

[Signature]

AFK/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 16, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For March 15, 2004
Item Nos. 364, 390, 391, 392, 393,
394, 395, 396, and 397

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

TO: Kristen Matthews
Dept. of Permits & Development Mgmt.

DATE: April 6, 2004

FROM: Robin Jameson, Secretary to
 John V. Murphy
Deputy Zoning Commissioner

SUBJECT: Petitions for Administrative Variance
Case No. 04-342-A (8008 Highpoint Road – Wolfe) 2/23/04 closing
Case No. 03-490-A (31 Locust Drive – Robertson) 3/22/04 closing

Attached please find two administrative variance files that Larry Schmidt has requested hearings be scheduled for in the not too distant future.

It would be appreciated if you would have Dave Duvall prepare "Notice of Hearing" signs for each and have Gary Freund post the properties.

Thank you for your attention and cooperation in this matter.

:raj

RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
VARIANCE *
31 Locust Drive; NE/side Locust Drive, * ZONING COMMISSIONER
697' SE of c/line of Frderick Road *
1st Election & 1st Councilmanic Districts * FOR
Legal Owner(s): Richard W. & Mary *
Bahr-Robertson * BALTIMORE COUNTY
Petitioner(s) *
04-390-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to, Calvin Boone, 506 Acorn Court, Mount Airy, MD 21771, Representative for Petitioner(s).

RECEIVED

MAR 09 2004

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Robert/Ed -

Section 26-127 of the Code allows the ZC to grant admin. variances up a public hearing.

Admin. variances can be granted from "right" & "area" requirements.

I do not think they can get a variance from a non conforming use requirement (Section 104 of the BCZM) through the Admin. variance process.

Set m for Kang

LE

3-29-04

To: Larry Schmidt
410 887-3468

From: Richard W. Robertson
Mary K. Bahr-Robertson
31 Locust Drive
Catonsville, Maryland 21228
410 788-5517
CASE # 04-390-A

Re: Required letter from neighbors bordering our property to
satisfy requirement for construction permit

I have no objection to the petition filed at 31 Locust Drive for an administrative variance. The petition is for an 8 Foot set back to the side of 29 Locust Drive and a 10 foot set back to the side of 33 Locust Drive.



Anne L. Bowen
29 Locust Drive
Catonsville MD 21228

To: Larry Schmidt
410 887-3468

From: Richard W. Robertson
Mary K. Bahr-Robertson
31 Locust Drive
Catonsville, Maryland 21228
410 788-5517
CASE # 04 - 390 - A

Re: Required letter from neighbors bordering our property to
satisfy requirement for construction permit

We have no objection to the petition filed at 31 Locust Drive for an administrative variance. The petition is for an 8 Foot set back to the side of 29 Locust Drive and a 10 foot set back to the side of 33 Locust Drive.

Edward L. Cramer
Edward L. Cramer
33 Locust Drive
Catonsville MD 21228

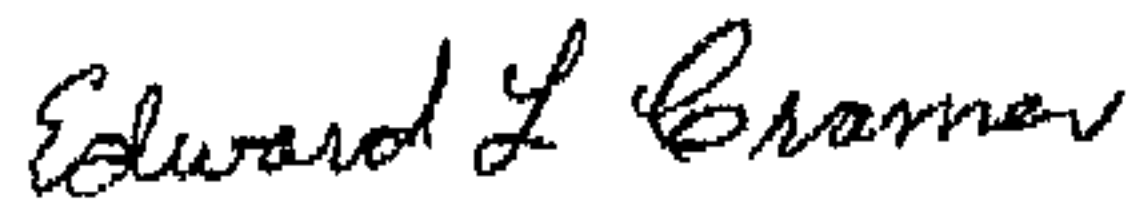
Mary S. Cramer
Mary S. Cramer
33 Locust Drive
Catonsville MD 21228

Case # 04-390-A
31 Locust Drive
Catonsville MD 21228

I (we) have no objection to the petition filed at 31 Locust Drive for an administrative variance. The petition is for an 8 Foot set back to the side of 29 Locust Drive and a 10 foot set back to the side of 33 Locust Drive.



Anne L. Bowen
29 Locust Drive
Catonsville MD 21228



Edward L. Cramer
33 Locust Drive
Catonsville MD 21228



Mary S. Cramer
33 Locust Drive
Catonsville MD 21228

D.R. 2

CATONSVILLE
METHODIST
CHURCH

D.R. 5.5

RO

FREDRICK

RO

BL
43

RO

D.R. 2

BEAUMONT AVE.

PARK

SUMMIT

LOCUST

SANFORD

D.R. 2

AVE.

NEWBURG

OAK

DRIVE

PAYSON

AVE

04-390-A

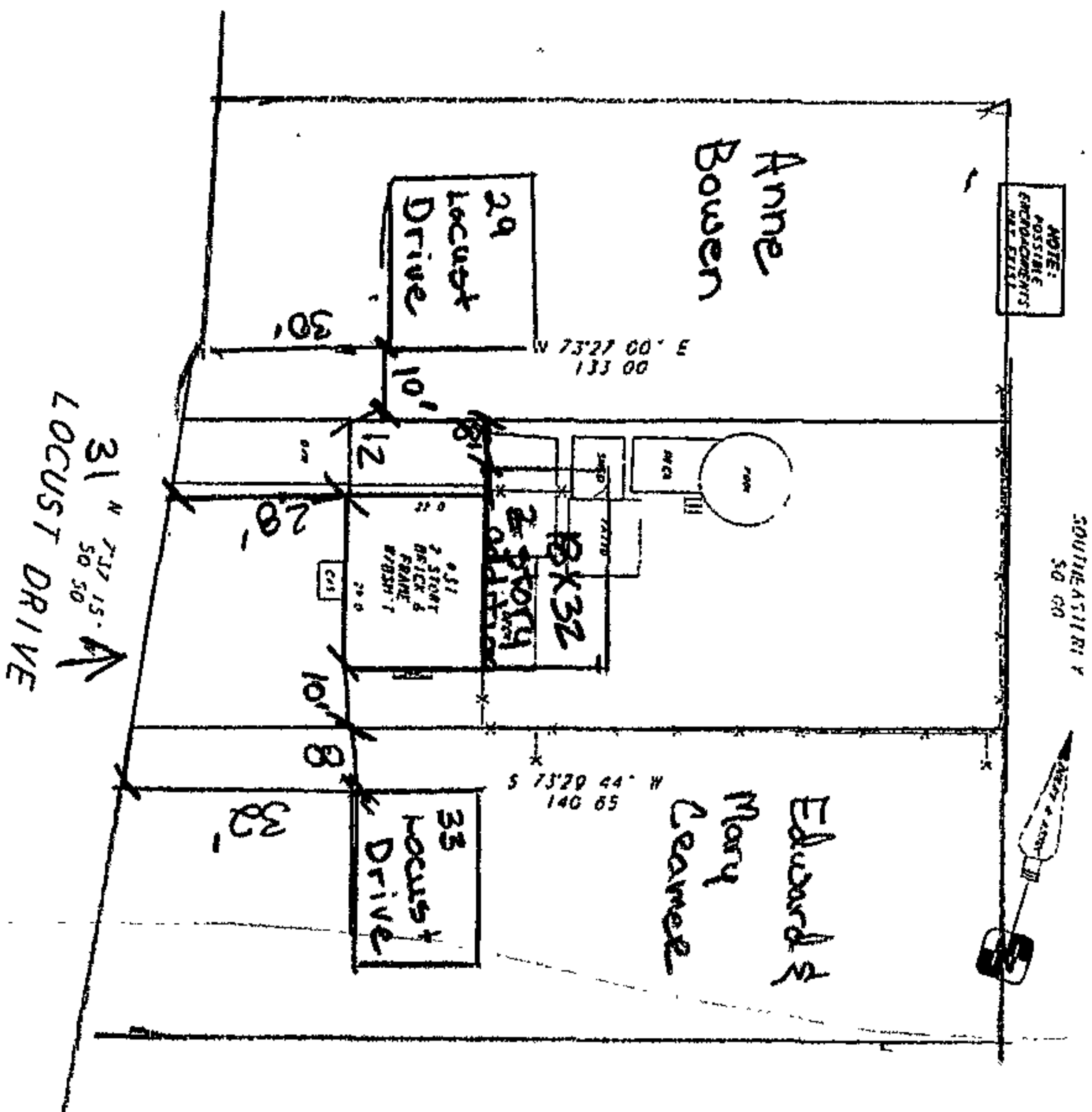
PROPERTY ADDRESS 31 Locust + Drive

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

SUBDIVISION NAME Locust Drive Extension

PLAY BOOK # 10 FOLIO # 189 LOT # 2 SECTION #

OWNER Richard & Mary Robert Robertson



NORTH



PREPARED BY

Calvin Boone

SCALE OF DRAWING: 1" = 40'

N Rolling Rd
 S Rolling Rd
 Frederick Rd
 Locust Drive
 695

VICINITY MAP
 SCALE: 1" = 1000'

LOCATION INFORMATION
 ELECTION DISTRICT 1ST
 COUNCILMANIC DISTRICT 1ST
 1"=200' SCALE MAP # SW3F
 ZONING OR2

LOT SIZE 1.158 ACRES 6875 SQUARE FEET
 ACREAGE
 PUBLIC PRIVATE
 SEWER ☒ ☐
 WATER ☒ ☐

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

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # CASE #
 SJM 02.24.04



29 Locust Drive on left
31 Locust Drive on
Right

04-390-A



Rear of property @
addition
29 Locust on Right

04-390-A



Rear of property
@ addition
33 Locust on left

04-390-A



31 Locust Drive
Subject property

04-390-A

04-390-A

Center for Integrative Medicine

The University of Maryland ~ School of Medicine
Kernan Mansion, James L. Kernan Hospital
2200 Kernan Drive, Baltimore, Maryland 21207-6697
(410)448-6871 Voice (410)448-6875 Fax
Website: www.compmed.umm.edu

Please deliver the following pages

TO: LARRY SCHMIDT

Fax: 410 887-3468

From: MARY BARR-ROBERTSON
Rick Robertson
CALVIN BOONE

Date:

4/16/04

Number of pages including cover: 4

RE:

CASE# 04-390-A