IN RE: PETITION FOR ADMIN. VARIANCE
W/S Gray Haven Court, 295' S of the c/l
Gray Haven Road
(1622 Gray Haven Court)

12th Election District
7th Council District

Ronald J. Lanham, Sr., et us Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 04-526-A

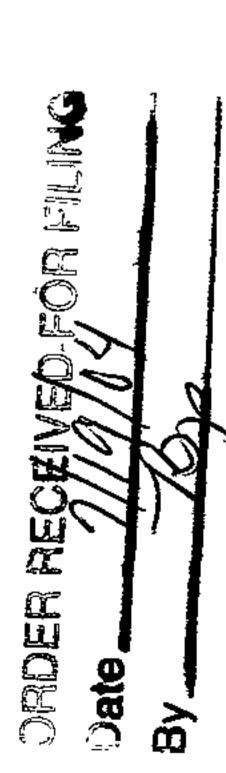
*

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, Ronald J. Lanham, Sr., and his wife, Linda S. Lanham. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (R.G. 214.1.b of the 1955 Regulations) to permit a side yard setback of 3.5 feet and a rear yard setback of 20 feet in lieu of the required 15 feet and 50 feet, respectively, for a proposed 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. 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 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. There were no adverse comments submitted by any County reviewing agency and according to the letters of support contained within the case file, apparently no objection from the affected 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.

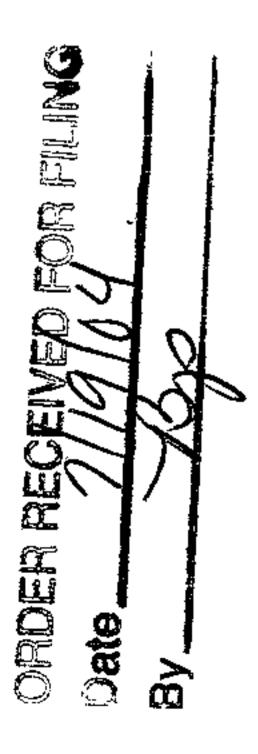
this _____ day of July 2004 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B (R.G. 214.1.b of the 1955 Regulations) to permit a side yard setback of 3.5 feet and a rear yard setback of 20 feet in lieu of the required 15 feet and 50 feet, respectively, for a proposed 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.

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

July 20, 2004

Mr. & Mrs. Ronald J. Lanham, Sr. 1622 Gray Haven Court Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Gray Haven Court, 295' S of the c/l Gray Haven Road
(1622 Gray Haven Court)
12th Election District — 7th Council District
Ronald J. Lanham, Sr., et ux - Petitioners
Case No. 04-526-A

Dear Mr. & Mrs. Lanham:

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,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: Mr. David Emerick

7925 St. Bridget Lane, Baltimore, Md. 21222

People's Counsel; Case File





CADER RECEIVED

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	1622	Gray	haven	ct.	21222
which is					

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) 1002.30. (R.G. 214.16.-1955 REES)

TO PERMIT A SIDE YARD SETBACK OF 3.5-FEET AND A REAR YARD SETBACK OF 20-FEET IN LIEU OF THE REQUIRED IS-FEET AND 50-FEET RESPECTIVELY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare perjury, that I/we are the less the subject of this Petitic	and affirm, under the penalties of egal owner(s) of the property which on.
Contract Purchaser	<u>Lessee:</u>		Legal Owner(s):	
Name - Type or Print			Mr & Ms Lanham Name Type or Print	0 0
Signature	<u></u>		Signature	Yanhan Ku.
Address	······································	Telephone No.	Name - Type or Print	WHAM SR.
City	State	Zip Code	Signature	Lan LINDA S. LANHA
Attorney For Petition	<u> </u>		1622 Gray Haven	ct. 410-284-2742 Telephone No.
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·		Baltimore, MD City	21222 State Zip Code
Signature	-		Representative to be	Contacted:
Company		······································	David Emerick Name	410-913-7901
Address		Telephone No.	7925 St. Bridge	• · · · · ·
City	State	Zip Code	Baltimore, MD City	21222 State Zip Code
A Public Hearing having been this day of day of egulations of Baltimore County		##1 112FF %_12FB###13 E1T#4146#4(411 111	required, it is ordered by the Zon is petition be set for a public hearing	ing Commissioner of Baltimore County, g, advertised, as required by the zoning
167				
	711 ~~ Ki	N.		r of Baltimore County
CASE NO.	アメークので	<u> </u>	ewed By D.THOMPSON	Date 5 13 04
REV 10/25/01		Estin	nated Posting Date	5/23/04

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.

Address

1622 Gray Haven ct.

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

Bā	ltimore,		21222	
City			State	Zip Code
That based upon personal knowledge, the following a Variance at the above address (indicate hardship or p	are the facts ractical diffici	upon which I/we uty):	e base the request for a	ın Administrative
Im requesting Administration Vari Construction of of a single one some addition will be for the mot sick and by having the mother live easer for Ms, Lanham to take care from doctors and hospital for Kem and needs someone to be at the hofor day care persons to have a planer mother.	ance at tory add tory add her of Ling in the to can be to can be at the top can be a	the above ition to to inda Lanha he addition mother and ents. The mother and the mother and the for her	he side of the m. The Mother is would make transportation other has limited. This will give	home. is very se life n to and ted founds ve a place
That the Affiant(s) acknowledge(s) that if a formal advertising fee and may be required to provide additional signature. Signature J. LAWHAM; SR. Name - Type or Print	nal informatio	n. Fire a	s. Janhan	a reposting and
STATE OF MARYLAND, COUNTY OF BALTIMORE,				
I HEREBY CERTIFY, this /2 day of MAY of Maryland, in and for the County aforesaid, personal	y appeared		before me, a Notary Pu	
the Affiant(s) herein, personally known or satisfactorily	identified to r	ne as such Affia	int(s).	S. LANHAM
AS WITNESS my hand and Notarial Seal	Notary Pul	estun E	Christine E. Bock Notary Public, Baltimore Cou My Commission Expires Aug Buck	nty, Maryland just 15, 2004
	My Commi	ission Expires _	8-15-2004	
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	1622 Gray Address	Haven c	<u> </u>	
	Baltimore City	, Md	21222 State	Zip Code
That based upon personal knowledge, the follow	ring are the facts	s upon which		•
Variance at the above address (indicate hardship	or practical diffi	culty):		
Im requesting Administration V Construction of a single one so This addition will be for the sick and by having the mother easer for Ms, Lanham to take confrom Doctots and Hospital for and needs someone to be at the for day care persons to have a her mother.	tory additant mother of living in are of her Kemo tream home to continuous to continuo	ion to the Linda Landithe additional terms of the landing the landing the landing terms. The landing terms of the	he side of the hondham. The mother tion, it would make and transportation mother has limited ber. This will gi	is very ke life n to and ted founds ve a place
That the Affiant(s) acknowledge(s) that if a form advertising fee and may be required to provide advertising fee.	ditional informat	Filed, Affiant(sion.	will be required to pay	a reposting and
RONALIS J. LANHAM Se. Name-Type or Print		المرير Vame - Type or P	SA S. LANHAM	
STATE OF MARYLAND, COUNTY OF BALTIMO	•			
i HEREBY CERTIFY, this /2 day of of Maryland, in and for the County aforesaid, person	_		_, before me, a Notary Pu ر کو. ی کا مانک کا کا کا	
the Affiant(s) herein, personally known or satisfactor	orily identified to	me as such A	(こた、メ エルジA ユ : Affiant(s).	LARINAL
AS WITNESS my hand and Notarial Seal	Notary Pr	ishur iblic	Notary Public, Baltimore Commission Expires	ock ounty, Maryland lugust 15, 2004
	My Comr	nission Expire	s	004
REV 10/25/01				



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	1622 G	Gray	haven	ct.	21222
which is					

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) 1002.36. (R.6. 314.16.-1955 REGS)

TO PERMIT A SIDE YARD SETBACK OF 3.5-FEET AND A REAR YARD SETBACK OF 20-FEET IN LIEU OF THE REQUIRED IS-FEET AND 50-FEET RESPECTIVELY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/	Lessee:		<u>Legal Owner(s):</u>
Name - Type or Print		<u> </u>	Mr & Ms Lanham Name Type or Print
Signature	······································	<u> </u>	Signature X RUNALD J. LANHAM, SR.
Address	······································	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature S. Jankon LINDA S. LANH.
Attorney For Petition	<u>er:</u>		1622 Gray Haven ct. 410-284-2742 Address Telephone No.
Name - Type or Print	· ·		Baltimore, MD 21222 City State Zip Code
Signature			Representative to be Contacted:
Company	······································		David Emerick Name 41913-7901
Address		Telephone No.	7925 St. Bridget La. 410-477-4269 Address Telephone No.
City	State	Zip Code	Baltimore, MD 21222 City State Zip Code
A Public Hearing having bee this day of regulations of Baltimore County	_ 520	OL UN: SIBETT III III II	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning
			Zoning Commissioner of Baltimore County
CASE NO	-526-A	Revi	iewed By D. THOMPSON Date 51304
REV 10/25/01			mated Posting Date 5 23 04
			, i

Zoning Description for 1622 Gray Haven Court

Beginning at a point on the west side of Gray Haven Court which has a 60-Foot right-of-way at a distance of 295-feet south of the centerline of Gray Haven Road. Being Lot #35 in the subdivision known as "Gray Haven" as Recorded in Baltimore County Plat Book #24, Folio #104 containing 3,393 Square feet. Also known as 1622 Gray Haven Court and located in the 12th Election District, 7th Councilmanic District.

	and the second of the second o		in and the second of the secon	2	2 50 3
XIII				5	
			المرابع المراب المرابع المرابع		₽ ⊙ •
•	2 6	1		o Ž	
A Company of the Comp					89
	- +				
X L	5	5			23
3				8	ž 🗲
			I was a series of the second o	Manager of and	23
			ا آفاده کا بی ده تم نصور می از این اینگهریزین این از این از این از این این از این این این از این از این از این این از این		m 5
					2
2				The market was some of a state of the same	
2					
				R	
			8		5
					need to be a second
	Sirilian to a th				
				BEE	
			* # B		
3					
S				255	
5				貫気量言	
Z			33		

CERTIFICATE OF POSTING

	RE: Case No.: 04-526-A
	Petitioner/Developer: LANHAM
	Date of Hearing/Closing: 6/7/04
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-3394}	
Ladies and Gentlemen:	;
This letter is to certify under the penalties of perj posted conspicuously on the property located at:	jury that the necessary sign(s) required by law were
1622 G	BAY HAVEN CT
	5/23/04 (Month, Day, Year)
	Robert Black 5/23/04 (Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
A MANAGE AND A MANAGE AND A STATE OF THE STA	(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

·
Case Number 04- 526 -A Address 1622 GRAY HAVEN CT.
Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Filing Date: 5/13/04 Posting Date: 5/23/04 Closing Date: 4/1/04
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. <u>DEADLINE</u> : 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.
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- 526 -A Address 622 GRAN HAVEN CT
Petitioner's Name <u>LANHAM</u> Telephone 410-284-2742
Posting Date: 523 04 Closing Date: 6704
Wording for Sign: To Permit A SIDE YARD SETBACK OF 3.5-FEET AND A
REAR YARD SETBACK OF 20-FEET IN LIEU OF THE REQUIRED
15-FEET AND 50-FEET RESPECTIVELY

Department of Permissian 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

June 7, 2004

Mr. and Mrs. Lanham 1622 Gray Haven Court Baltimore, Maryland 21222

Dear Mr. and Mrs. Lanham:

RE: Case Number:04-526-A, 1622 Gray Haven Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 13, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

David Emerick 7925 St. Bridget Lane Baltimore 21222



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



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

May 27, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 1, 2004

Item No.:

526, 530-532, 534-537, 539

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.

6. 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: July 1, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 8, 2004

Item Nos 526, 531, 532, 533, 534,

536, 537, 538, and 539

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 DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr Jo

DATE:

June 16, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 24, 2004

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

04-526 04-530

0.60

04-531

04-532

04-534

04-535

04-538

04-539

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr JW

DATE:

June 16, 2004

RECEIVED

JUN 1 6 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of JUNE 1, 2004

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

04-526

04-530

04-531

04-532

04-534

04-535

04-538 04-539

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: June 8, 2004

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

RECEIVED

JUL 1 5 2004

SUBJECT:

Zoning Advisory Petition(s): Case 4-526

JWNG COMMSC

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.

MAC/LL



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.2.64

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

RE:

Baltimore County

Item No. 524

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

1. 1. Hiell

la Whom It Hay Concern :

This is in reference to the parance meeded for MR. + Mes. Fanham of 1622 Gray Haven Ct. Balts. MD 21222, to do The addition to their home.

We have no problem with this project and feel that it will enhance the value of the neighborhood.

" Jesse Atherton 11625 a reef Horan et 4102828446

2. Julia A Harrison 1617 Anay Haven Ct. 410 285-5098

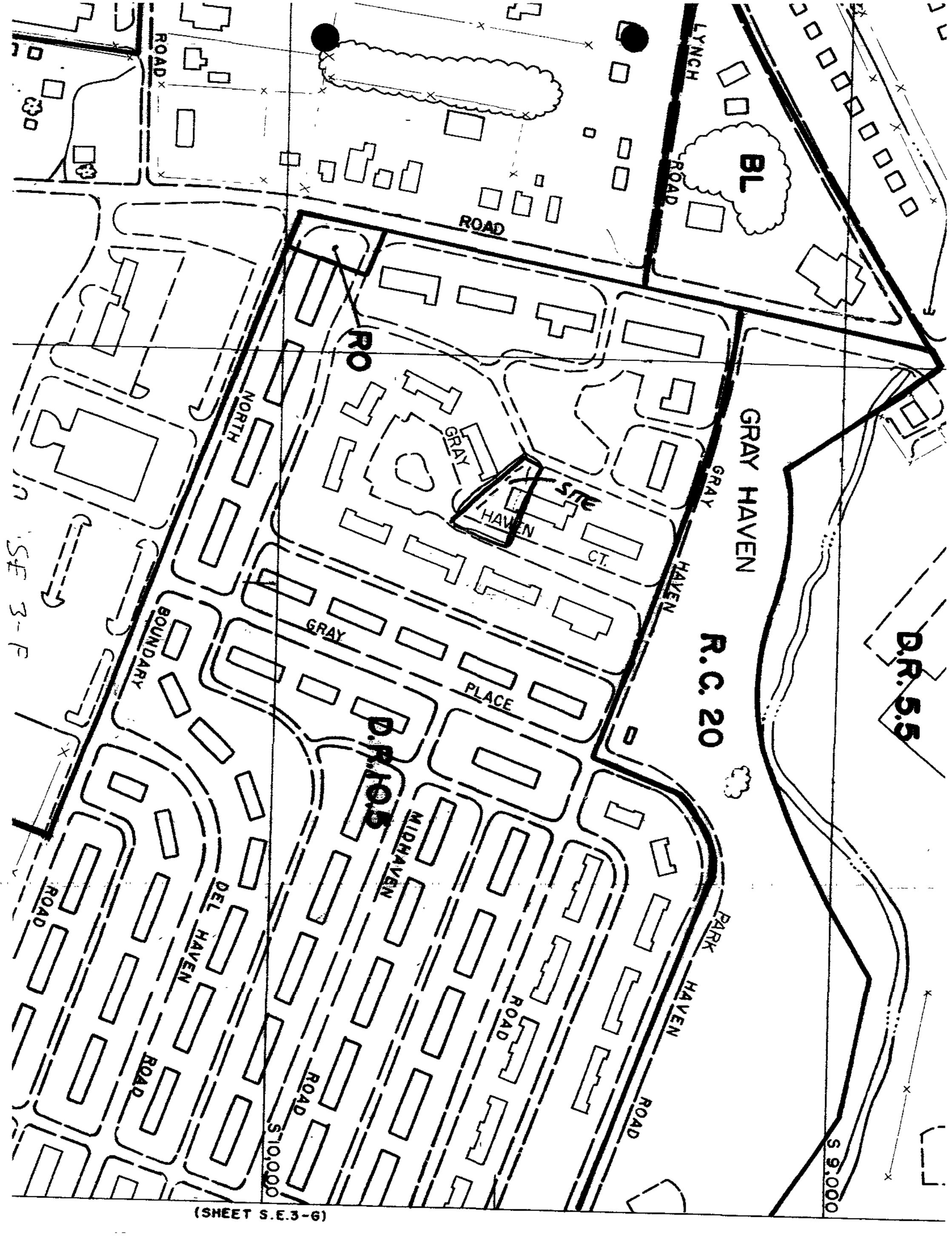
3. Joan Caskly 1624 Gray Haven Cr 410-285-8720

4. Landa L. Ceneta 1618 Mray Haven Ct. 410-282-2732

5.

D BY DAVID EMERICE SCALE OF DRAWING: 1" = 20		3.57	Se Se Trave ** Chair **	PROPERTY ADDRESS 16.22 GRAY HAVEN CT SEE PAGES 5 & 6 OF THE CHECKLIST FO SUBDIVISION NAME GRAY HAVEN CT SEE PAGES 5 & 6 OF THE CHECKLIST FO SUBDIVISION # 2 FOLIO # 14.0 OWNER 47.7.4 3, 6 M/HAM OWNER 47.7 4 M/HAM OWNER 4
REVIEWED BY ITEM * CASE *	BAY REA OD PLAIN HEARING	STRIC STRIC STRIC STRIC	SCALE: 1" = 1000 GRAY DL	

Set W#/



The control of the co The first short of the state of

1622 GRAN HAVEN CT



1622 GRAY HAVEN CT.

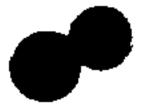


FRONT OF

1622 GRAY HAVEN CT.





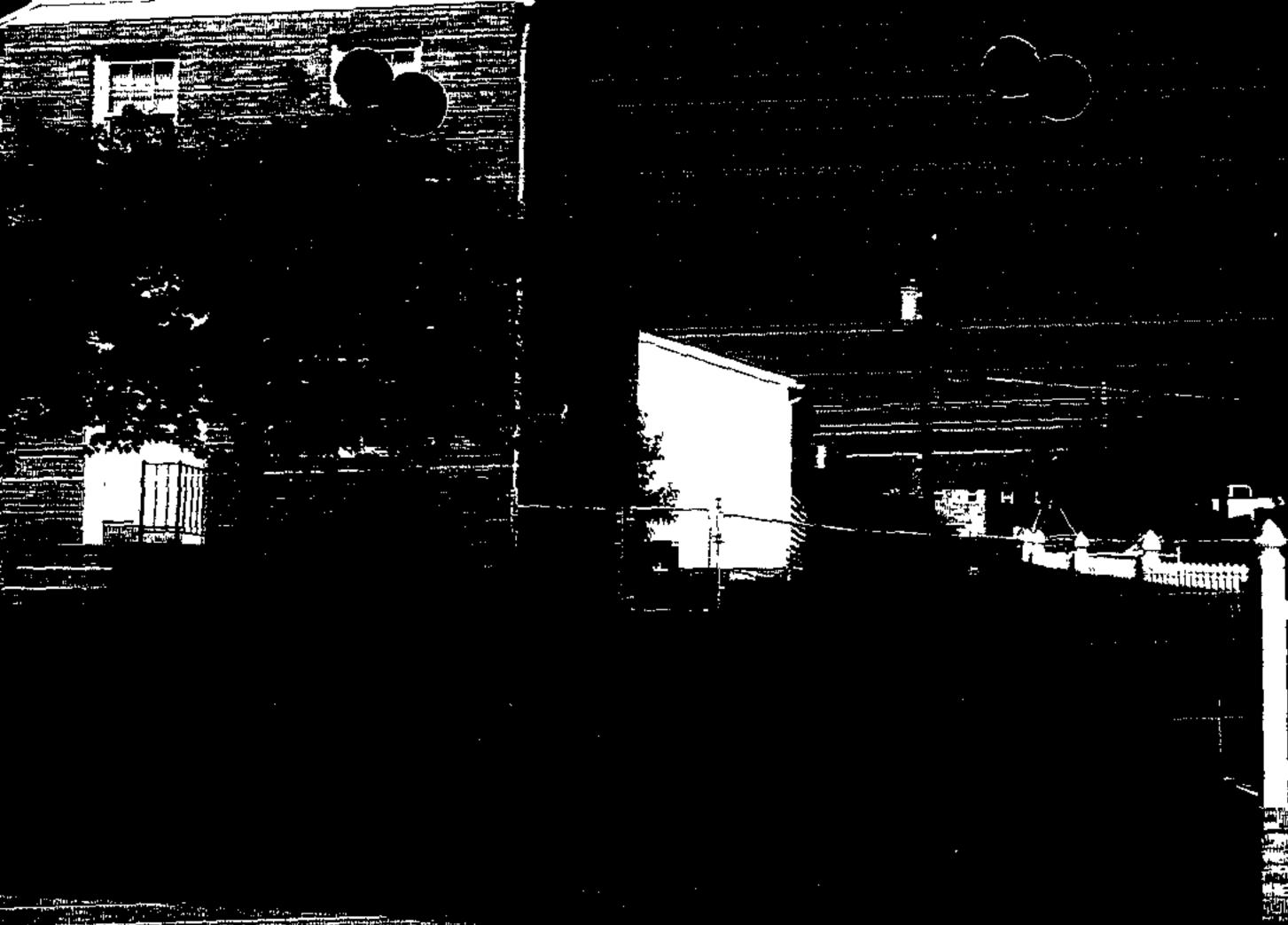


LOOKING AT ADJOINING PROP. @ 1624 GRAY HAVEN GT.





1622 GRAY HAVEN CT.



REAR OF 1622 GRAN HAVEN CT.



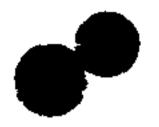




ADDITION AT LOCATION IN SAME AREA.







ADDITION AT LOCATION IN SAME AREA