SERVICE FOR FURS

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Willow Avenue, 182 ft. E
centerline of Roldrew Avenue
9th Election District
2nd Councilmanic District
(1705 Willow Avenue)

Shelley L. Heyer & Randall C. Slaysman Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 05-092-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 owners of the subject property, Shelley L. Heyer and Randall C. Slaysman. The variance request is for property located at 1705 Willow Avenue in the Towson area of Baltimore County. The variance request is from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 7 ft. in lieu of the required 10 ft. and to permit an open projection addition with a front yard setback of 14 ft. in lieu of the required 18.75 ft. 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 on August 28, 2004, 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 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

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 Deputy Zoning Commissioner for Baltimore County, this <u>32</u> day of September, 2004, that a variance from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 7 ft. in lieu of the required 10 ft. and to permit an open projection addition with a front yard setback of 14 ft. in lieu of the required 18.75 ft., 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;

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

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

September 22, 2004

Ms. Shelley L. Heyer Mr. Randall C. Slaysman 1705 Willow Avenue Towson, Maryland 21204

Re: Petition for Administrative Variance Case No. 05-092-A

Property: 1705 Willow Avenue

Dear Ms. Heyer & Mr. Slaysman:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



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	1705	Willow	Avenue	Balto, MD 21204
which is	s prese	ntly zon	ed <u>DR55</u>	,

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

perjury, that I/we are the legal owner(s) of the property which

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) (BUZ.3.C./ AND 301.1 BCZR.

To permit an addition with a side yard setback of 7' in lieu

of the required 10'. And to permit an open projection addition with a front yard setback of 14' in lieu of the required 18.75'

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.

If 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.

			is the subject of	of this Petition.	, , ,
Contract Purchase	r/Lessee:		Legal Own	er(s):	
Name - Type or Print		<u> </u>	Randall Name Type or	C. Slaysman	······································
Signature	· · · · · · · · · · · · · · · · · · ·		Signature	U 2 Cayon	
Address			Sheller		- n
Audiess		Telephone No.	Name - Type or	Print	
City	State	Zip Code	Signature	eg creger	
Attorney For Petitic	oner:		1705	Willow Avenue	410.337.0688
			Address	44.	Telephone No.
Name - Type or Print		······································	<u>City</u>		d 21204
TIETH TYPE OF THE				Øtate	Zip Code
Signature	· ····································	<u></u>	Representa	tive to be Contacted:	WORK: 410:325:862 RANDALL
			SAM	WE AS ABOVE	MODILE
Company			Name	\	
Address	<u> </u>	Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having bethis	een formally demand	ed and/or found to be	required, it is order	ed by the Zoning Commissione	r of Baltimore County,
this day of regulations of Baltimore Cou	inty and that the proper	ty be reposted.	ills bennon be set for i	a public hearing, advertised, as	required by the zoning
3 30					
			Zoning	Commissioner of Baltimore Co	untv
C CHAIN A L	<u> </u>	AT .	-	_	
CASE NO. 05	- 0 1 2 - 7	- \ Rev	lewed By	<u> </u>	14104
REV 10/25/01		Est	mated Posting D	ate 8/29/0	4

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.

Zip Code

Address

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

f n	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): would like to excelled the zoning regulations on our house in order to square the existing sides already fall into this area by two feet since (as built before this regulation. The addition would allow us to have space on our floor to put a stair case to lead up to a second floor. Our family consists of 2 lts, a daughter and a son. We only have two bedrooms and one both rooms now, adding this extra space it will allow stairs, a third bedroom and second both adding this extra space it will allow stairs, a third bedroom and second both
DY S	n for our growing family. We would like to enlarge the front porch to allow n for our growing family. We would like to enlarge the front porch to the front ce to use. Right now the porch is just big enough to get us up to the front r. We would like to put a couple chairs on the porch since we are losing patio to the addition. Hearger porch would also be nicer on a larger house.
	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.
	Roulall C. Storpman. Signature Signature
	Randall C. Slaysman Shelley L Hedjer Name - Type or Print Name - Type or Print
	STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
	I HEREBY CERTIFY, this
	the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
	AS WITNESS my hand and Notarial Seal Notary Public Notary Public
	My Commission Expires
	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		illow Ave	mul.		<u></u>
	Address Bully	nixe	MD	21204	Zip Code
That based upon personal knowledge, the folio	City wing are the	faicte unon wi	State		•
That based upon personal knowledge, the followards variance at the above address (indicate hardship)	p or practical	difficulty):	1011 1/110 00	a har a d	to consequente
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and ason. We only have two ked	YTTTYMS ALL	ad one	bathroo	ru now, i	3vadding this
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	additional info	rmation.	0.0		
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Signature (,) Copmin		Signature	wy	voyo	<u> </u>
Randy C. SIAYSMAN		Sh	Plen	1. Her	e C
Name - Type or Print	··· -	Name - Typ	oe or Print		
		•			
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:		<i></i>		
I HEREBY CERTIFY, thisday of of Maryland, in and for the County aforesaid, pe		<u></u>	2004 be	fore me. a Not	ary Public of the State
					`.
the Affiant(s) herein, personally known or satisfa	actorily identif	ed to me as s	uch Afflant	<i>(s).</i>	54945MAL)
AS WITNESS my hand and Notarial Seal			 		
AC MITTERS III HAIR AND NOTAL OCAL		10)			
	Kint		Me)(J		/

My Commission Expires __

REV 10/25/01



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1705 Willow Avenue Balto, MD 21204 which is presently zoned DR 5.5.

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302.3.C. 1 AND 301.1 BCZR
To Permit an addition with a Side yard setback of 7' in liver of the required 10'. And to permit an open projection addition with a front yard setback of 14' in liver the required 18.75'.

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 Pur	chaser/Lessee:		<u>Legal Owner(s):</u>	
Nome Two at Ba	; ;	<u></u>	Randall C. Slaysman wk# 410.325.862	20
Name - Type or Pri	TIK '		Name Type or Print Slausmin	
Signature	· · · · · · · · · · · · · · · · · · ·		Signature	
Address		Telephone No.	Name - Type or Print	
*			Strelley Lever	
City	State	ZIp Code	Signature	
Attorney For	Petitioner:		1705 Willow Avenue 410.337.0688 Address Telephone No.	
			Address Baltimore MD 21204	
Name - Type or Prin	nt	· · · · · · · · · · · · · · · · · · ·	City State Zip Code	
Signature		· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted:	
Olgitature	•		same as above	
Company	· · · · · · · · · · · · · · · · · · ·		Name	
Address	i 	Telephone No.	Address Telephone No.	
City	State	Zip Code	City State Zip Code	
A Public Hearing I this day of regulations of Baltin	having been formally demand the nore County and that the proper	ded and/or found to at the subject matter ty be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County, or of this petition be set for a public hearing, advertised, as required by the zoning	
, , , , , , , , , , , , , , , , , , ,		-y so ropostou.		
		1 1	Zoning Commissioner of Baltimore County	
CASE NO.	05-092-A		c/101/01	
		· · · · · · · · · · · · · · · · · · ·	Reviewed By Date Date	
REV 10/25/01	·	` `	Estimated Posting Date お/ ユウ / ひょ	

Beginning at a point on the South side of Willow Avenue Which 15 17 feet wide at the distance of 182 feet East of the centerline of the nearest improved interseting Street Roldrew Avenue which is 17 feet wide. Recorded among the Land Records of Baltimore County in Plat Book among the Land Records of Baltimore County in Plat Book WPC No. 7, Folio 33 containing 5490.00547. [126033 2005] Also Known WPC No. 7, Folio 33 containing 5490.00547. [126033 2005] Also Known as 1705 Willow Avenue and located in the 9th Election District, 2 council manic District.

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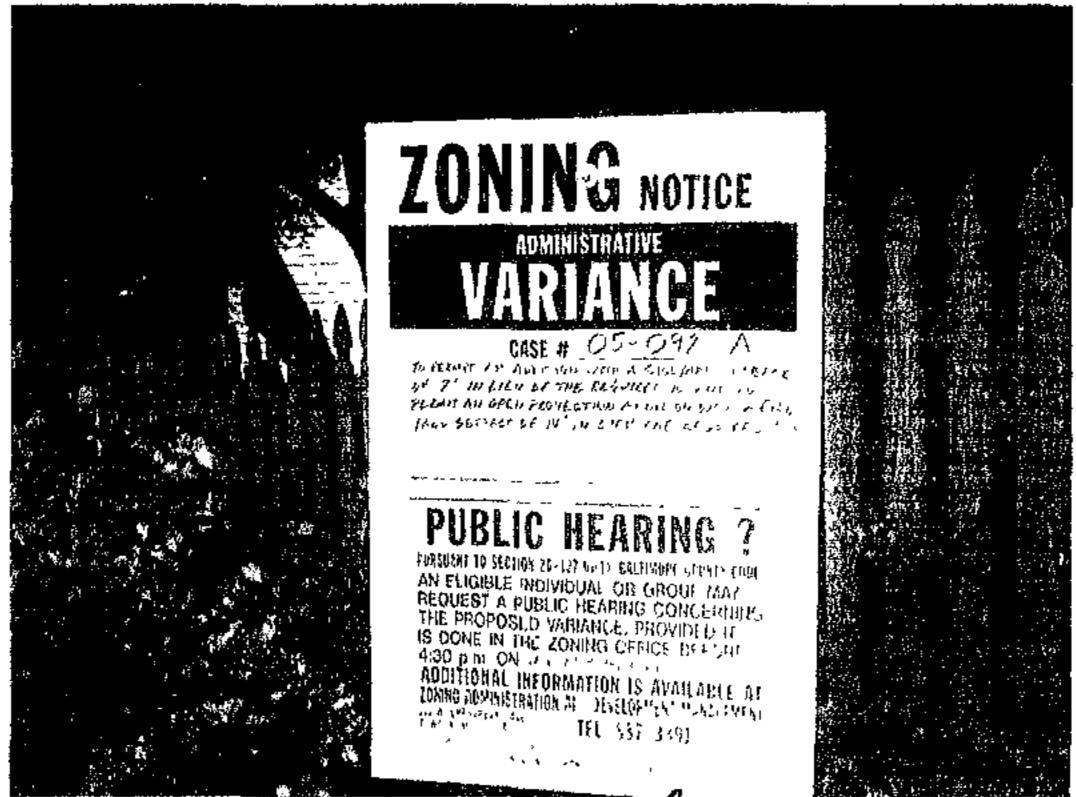
Certificate Of Posting

RE: Case NO.: 05-092 - A

Petitioner/Developer: SHE LLEY
ZANDICC SCAYSMAN

Date of Hearing/Closing: 9/13/04
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204
Attention:
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 at
This sign(s) were posted on August 28, 2004.
This sign(s) were posted on August 28, 2004. (Month, Day, Year)
Sincerely, (Signature of Sign Poster and Date) Martin Ogle (Printed Name)
5016 Castlestone Drive
(Address) Balto,MD 21237
(City,State,Zip Code)
(410)-933-9470
(Phone Number)

ım000065 (1152x864x256 jpeg)



Mackin El 8/28/04

DEPARTMENT OF PERMITS AND DEVELOPMENT 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:
Item Number or Case Number 05-092-A
Petitioner: Randall C Slaysman / Shelley L. Heyer
Address or Location: 1705 Willow Avenue Butto. MD 21204
PLEASE FORWARD ADVERTISING BILL TC
Name. Shelley L. Heyer
Address 1705 Willow Avenue
Baltimore MD 21204
,
Telephone Number: 410.337.0688

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 092 -A Address 1705 WILLOW AVE.
Contact Person: J.FERNANDO Planner Please Print Your Name Phone Number: 410-887-3391
A MANUAL ELIGISA LIMIT LONG MANUAL
Filing Date: 8-18-04 Posting Date: 8-29-04 Closing Date: 9-13-04
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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 05- 092 -A Address 1705 WILLOW AVE. 21204
Petitioner's Name Randall Slaysman & Shelley Heyer Telephone 410-337-0688
Posting Date: 8-29-04 Closing Date: 9-13-04
Wording for Sign: To Permit an addition with a side of the side of
in the reastred in And to
in lieu of the required 10' And to permit an open projection addition with a front yard schook of 14' in lieu the required 18.75'

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

September 13, 2004

Randall C. Slaysman Shelley L. Heyer 1705 Willow Avenue Baltimore, Maryland 21204

Dear Mr. Slaysman and Ms. Heyer:

RE: Case Number: 05-092-A, 1705 Willow Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 18, 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,
U. Call Rillal

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

August 27, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: August 30, 2004

Item No.:

091 (092

094-100

Pursuant to your request, the referenced plan(s) have been reviewed 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



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

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

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

Maryland Department of Transportation

Date:

8.27.04

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

RE:

Baltimore County

Item No. 092

1尺千

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,

Steven D. Foster, Acting Chief Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: September 21, 2004

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(s) 5-092

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:

Division Chief:

MAC/LL

AV 13

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr (Jo

DATE:

September 14, 2004

RECEIVED

SEP 1 4 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 30, 2004

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

05-092

04-094

04-095

04-096

04-097

04-098

04-099

04-100

Reviewers:

Sue Farinetti, Dave Lykens

CASE # 05-092-A

8-18-04

I have seen the proposed site plans for the additions at 1705 Willow Avenue and have no objections with the addition.

Conson Mo. E1204

Peace wolf 1707 No-longen Epists
Town sewn in 1973.

Lathfu

CASE #05-092-A

8-18-04

I have seen the proposed site plans for the additions at 1705 Willow Avenue and have no objections with this addition.

Mary Brune Bush 1703 Willow Ave. Towson Ma., 21204

