

IN RE: PETITION FOR ADMIN. VARIANCE
W/S of Maple Avenue, 675 ft. S
centerline of Frederick Road
1st Election District
1st Councilmanic District
(12-B Maple Avenue)

Jennifer L. & William F. Grubb
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* CASE NO. 05-367-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, Jennifer L. and William F. Grubb. The variance request is for property located at 12-B Maple Avenue in the Catonsville area of Baltimore County. The variance request is from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), §V.B.5.b of the CMDP, to permit an addition with a side yard setback of 10 ft. in lieu of the required 30 ft. from building to tract boundary. 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 February 5, 2005, 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 32-3-303 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

ORDER RECEIVED FOR FILING

3/3/05

Ray

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 3 day of March, 2005, that a variance from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), §V.B.5.b of the CMDP, to permit an addition with a side yard setback of 10 ft. in lieu of the required 30 ft. from building to tract boundary, 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

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3/3/05
Ray

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
William J. Wiseman III, Zoning Commissioner

March 3, 2005

Mr. & Mrs. William F. Grubb
12-B Maple Avenue
Catonsville, Maryland 21228

Re: Petition for Administrative Variance
Case No. 05-367-A
Property: 12-B Maple Avenue

Dear Mr. & Mrs. Grubb

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,

A handwritten signature in cursive script, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 123 Maple Ave
which is presently zoned DR3.5

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) 504 BCZR V.B.5.6 CMOP

To permit an addition with a side yard setback of 10' in lieu of the required 30' from building to tract boundary.

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):

William F Grubb
Name - Type or Print

William F Grubb
Signature

Jennifer L. Grubb
Name - Type or Print

William F Grubb
Signature

123 Maple Ave 410-788-6006
Address Telephone No.

Catonsville MD 21228
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 3/3/05 day of March, 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. 05-367-A

REV 10/25/01

Reviewed By JF Date 1/24/05

Estimated Posting Date 2/6/05

RECEIVED FOR FILING
3/3/05

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

12 B Maple Ave
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. Add 8'x14' room and 16'x24' garage for house
2. additional room is needed for family - currently four and planning for more kids
3. garage is needed for storage and car

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.

William F Grubb
Signature

William F Grubb
Name - Type or Print

Jennifer Grubb
Signature

Jennifer Grubb
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of January, 2005 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Jane Arundel
Notary Public

My Commission Expires Jul 17, 2008

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 123 Maple Ave
Address
Cuttersville 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. Add 8'x14' Room and 16'x24' garage for house
2. additional Room is needed for family - currently four and planning more kids
3. garage is needed for storage and car

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.

William F Grubb
Signature

William F Grubb
Name - Type or Print

Jennifer Grubb
Signature

Jennifer Grubb
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of January, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Melita Alexander
Notary Public

My Commission Expires June 17, 2008



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 123 Maple Ave
which is presently zoned DR 3.5

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) 504 BCZR V.B. 56 CMAP

To permit an addition with a side yard setback of 10' in lieu of the required 30' from building to tract boundary

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 15 day of January, 2005, 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. 05-347 A

Reviewed By JF Date 1/24/05

Estimated Posting Date 2/6/05

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - **DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"**. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 12B MAPLE AVE
(address)

Beginning at a point on the WEST side of
(north, south, east or west)

MAPLE AVE which is 40 feet
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 675 feet SOUTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street FREDERICK ROAD
(name of street)

which is 60 feet wide. *Being Lot # 2
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of HUNTER PROPERTY
(name of subdivision)

as recorded in Baltimore County Plat Book # 49, Folio # 137,

containing 1.1 acres. Also known as 12B Maple Ave
(square feet or acres) (property address)

and located in the 1 Election District, 1 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

367

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

NO. 441317

DATE 1-24-05

ACCOUNT 006-0000-0150

AMOUNT \$ 65.00

RECEIVED FROM William Gubb

128 Maple Ave.
Adonia, Virginia

INVEST#367

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

QUOTES: 4/24/04 THE
1/25/2005 1/25/2005 1/25/2005

5-228 6/24/04 1/25/2005

5-228 6/24/04 1/25/2005

5-228 6/24/04 1/25/2005

5-228 6/24/04 1/25/2005

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. : 05-367-A

Petitioner/Developer: WILLIAM

JENNIFER GRUBB

Date of Hearing/Closing: 2/21/05

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

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 12 B MAPLE AVENUE

This sign(s) were posted on February 5, 2005
(Month, Day Year)

Sincerely,

Martin Ogle 2/5/05
(Signature of Sign Poster and Date)

Martin Ogle

Sign Poster

5016 Castlestone Drive

Address

Balto. Md 21237

(443-629-3411)

im000205 (1152x864x24b jpeg)



Master 2/5/05

**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: 05-367-A
Petitioner: William Grubb
Address or Location: 12 B Maple Ave, Catonsville MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: William Grubb
Address: 12 B Maple Ave
Catonsville MD 21228
Telephone Number: 410-788-6006

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 367 -A

Address 12 B Maple Ave

Contact Person: Jun R. Fernandez

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 1/24/05

Posting Date: 2/6/05

Closing Date: 2/21/05

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 05- 367 -A

Address 12 B Maple Ave

Petitioner's Name William & Jennifer Grubb

Telephone 410-788-6006

Posting Date: 2/6/05

Closing Date: 2/21/05

Wording for Sign: To Permit an addition with a side yard setback of
10' in lieu of the required 30' from building to tract boundary.

**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*

February 21, 2005

William F. Grubb
Jennifer L. Grubb
12 B Maple Avenue
Catonsville, Maryland 21228

Dear Mr. and Mrs. Grubb:

RE: Case Number: 05-367-A, 12 B Maple Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 24, 2005.

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 written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

January 28, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: 226,360-364,366-367

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.

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

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

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



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

Maryland Department of Transportation

Date: 1.25.05

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

RE: Baltimore County
Item No. 367 JRF

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, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. *JDO*
DATE: February 25, 2005
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of February 7, 2005

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

05-371

05-373

05-374

05-375

05-377

05-366

05-367

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: February 1, 2005

RECEIVED

FEB - 1 2005

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-364 and 5-367**
Administrative Variances

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

Mark A. Cunningham

Division Chief:

John L. Lohman

MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 9, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For February 7, 2005
Item Nos. 360, 361, 363, 365, 366, 367

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

RWB:CEN:cp

cc: File

Mrs Gladys Mae Tj' th
12A Maple Av.
Catonsville MD 21228-5570

1/30/05

Dear Mr. Kotroco,

This note is in regards
to Jennifer and Bill Grubb's
request for a petition to
build an addition on their
property which is 12B Maple
Ave.

My husband and I wish
to let you be advised that we
are stating our approval
of their request.

Sincerely,

Gladys M. Tittsworth



February 2, 2005

Mr. Timothy Kotroco
Director – PDM
Room 111
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Case No. 05-367-A

Dear Mr. Kotroco,

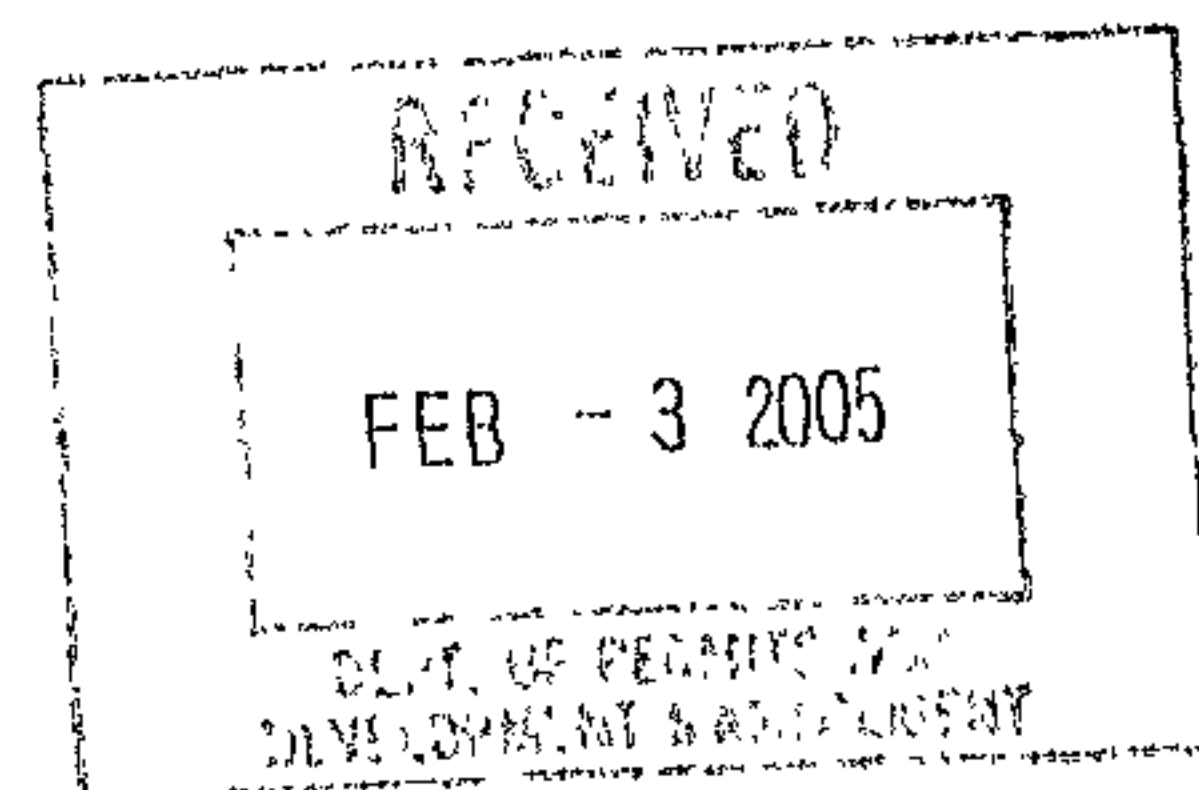
I am writing in reference to the case number cited above in which my neighbors at 12B Maple Avenue, William and Jennifer Grubb have filed for an administrative variance in order to build a garage and foyer/mud room addition.

I am the owner of 14 Maple Avenue; the property located immediately south of the residence at 12B Maple Avenue. I have spoken with Bill Grubb regarding his intent to build and the need for this variance. The purpose of this letter is to state my desire that the variance requested by Bill & Jennifer Grubb is approved by your office.

Thank you for your attention to this matter. I can be reached at 410-744-3202 should you have any questions.

Best regards,


Jerry Kerr





367



01/22/2005

128 Maple Ave,
Catsville

367

N →



128 Maple Ave, Catsville

N →

01/22/2005



128 Maple Ave, Cotterville

N→

01/22/2005

