IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Rehbaum Avenue, 135 ft. W
centerline of Claridge Avenue
13th Election District
1st Councilmanic District
(4500 Rehbaum Avenue)

Danielle L. & Kenneth R. Lee Petitioners BEFORE THE

* ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-669-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Danielle L. & Kenneth R. Lee. The variance request is for property located at 4500 Rehbaum Avenue in the western area of Baltimore County. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) to be located in the side yard in lieu of the required rear yard. 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 June 25, 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 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.

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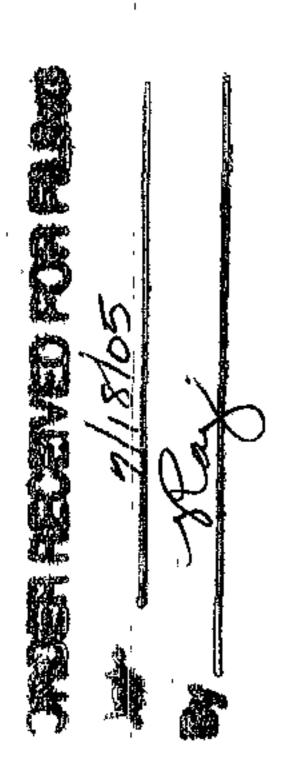
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this day of July, 2005, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) to be located in the side yard in lieu of the required rear yard, 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.

WILLIAM J. WISEMAN, III ZONING COMMISSIONER FOR BALTIMORE COUNTY

WJW,III: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 William J. Wiseman III, Zoning Commissioner

July 18, 2005

Mr. & Mrs. Kenneth R. Lee 4500 Rehbaum Avenue Baltimore, Maryland 21227

> Re: Petition for Administrative Variance Case No. 05-669-A Property: 4500 Rehbaum Avenue

Dear Mr. & Mrs. Lee:

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,

William J. Wiseman, III Zoning Commissioner

WJW,III: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 4500 Rehbaum Ave.
which is presently zoned DR, 5,5

This Petition shall be filed with the Departioner(s) of the property situate in Baltimore C	ounty and wi	nich is describe	ed in the des	scription and	l olat attach	ed hereto and
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made a part hereof, hereby petition for a Varia	ocated	in the	sid+	Yard is	n livu	of the
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required rear yard.	1					
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of the zoning regulations of Baltimore County, of this petition form.	to the zoning	g law of Baltimo	ore County,	for the reas	ons indicate	ed on the back
Property is to be posted and advertised as pre	scribed by th	e zoning regula	ations.			
I, or we, agree to pay expenses of above Variance regulations and restrictions of Baltimore County ad	, advertising, _i opted pursuar	posting, etc. and at to the zoning la	further agree aw for Baltim	e to and are t ore County.	o be bounde	ed by the zoning
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	· .		ardarad by th	no Zoning Com	missioner of	Paltimore County
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racial Baltimore County and that the property be	reposted.	ı				
	•		. <u></u>			<u> </u>
		,	Zoning Comm	issioner of Bal	timore County	
CASE NO. 05-669-A	<u> </u>	eviewed By _	BK	Date	6/16/	05

Estimated Posting Date

Affida Vit in Support of Administrative Variance

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

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.

4500 Repbaum Ave.

Ā	ddress			
ć	Baltimore	Co.	MD. State	21227 Zip Code
That based upon personal knowledge, the following Variance at the above address (indicate hardship of Triangle shape of yard wo make access to the garage of Myself and other property of the garage of Myself and Side yard of the garage of Myself and Myself and Side yard of the garage of Myself and Mys	ng are the facts up or practical difficulty of make	on which I/w Sack of Sossible 5 anow they	e base the request for and almost	for an Administrative convicte and that vehicles of driven thro
Back yards near decks, p 3) A Garase in my side y my neighbors houses and for ther from houses. Also Into my back yard could	wood be o I'm at	e sate	long drive	eway leading ley behind the
houses on Claridge caus	mg cars	to de	ve into	ny Baca Jan
That the Affiant(s) acknowledge(s) that if a form advertising fee and may be required to provide add according to the second signature.	ditional information	•	- 12-12	-
Kenneth R. Lee Name-Type or Print	Nam	Daniell ne - Type or Prin	le L. Lee	
STATE OF MARYLAND, COUNTY OF BALTIMO I HEREBY CERTIFY, this 13 day of fund of Maryland, in and for the County aforesaid, personal Research Research	onally appeared	1. Lee		ry Public of the State
the Affiant(s) herein, personally known or satisfact AS WITNESS my hand and Notarial Seal	orily identified to m	e as such Af	riant(s).	-
MO AALITAERO IIIÀ Haura dina laoratiai opai	Notary Pub	lic	M. Meh.	
REV 10/25/01	IVIŞ ÇUTITIK	221011 111711102	!	

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 a	t 4500	Renbau	m Ave	
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	City	-	State	Zip Code
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A horse	オノンひ エノ	y cove a		
farther	in and O	ould be	e mistake	nas an alley
leading into my back behind the houses on C	laridge	. causi	ng cars +	o drive 140
my back yard				
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STATE OF MARYLAND, COUNTY OF BAL	TIMORE, to wit	•		
I HEREBY CERTIFY, this/ <u>ろ</u> _ day of of Maryland, in and for the County aforesaid	personally app	eared	<u>2005</u> , before me, a	a Notary Public of the State
Kennetk R. Lee - I	mille	L. Lee	4	······································
the Affiant(s) herein, personally known or sat	tisfactorily identi	fied to me as	such Affiant(s).	
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REV 10/25/01	-	-		



REV 10/25/01



to the Zoning Commissioner of Baltimore County

for the property located at 4500 Rehbaum Ave which is presently zoned DR 515

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structure											
required	rear yar	L.					!				

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 decla perjury, that I/we are the is the subject of this Pe	e legal owner(s) of the	e penalties of property which
Contract Purchaser	/Lessee:		<u>Legal Owner(s):</u>		
			Kenneth R.	Lee	
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Address	······································	Telephone No.	Name - Type or Print	Lee	
City	State	Zip Code	Signature	W- 4	#3-443-463-5
Attorney For Petitio	ner:		4500 Rehbaun	n Aue 4-4	43-872-833
	•		Address	7.05	Telephone No. 2127
Name - Type or Print		 	Baltinore C City	State	Zip Code
Signature		·	Representative to	be Contacted:	
Company		. · - 	Name		· · · · · · · · · · · · · · · · · · ·
Address	<u> </u>	Telephone No.	Address	· 	Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having b this day of regulations of Baltimore Cou	- AlA -	A lla a social and mandance of A	required, it is ordered by the his petition be set for a public h	Zoning Commissioner of earing, advertised, as rec	of Baltimore County, quired by the zoning
			Zoning Commis	sioner of Baltimore Coun	ty
CASE NO.	5-669-A	Rev	iewed By	Date 6/	16/05

Estimated Posting Date 6/26/05

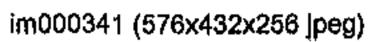
Zoning Description for 4500 Rehbaum Avenue.

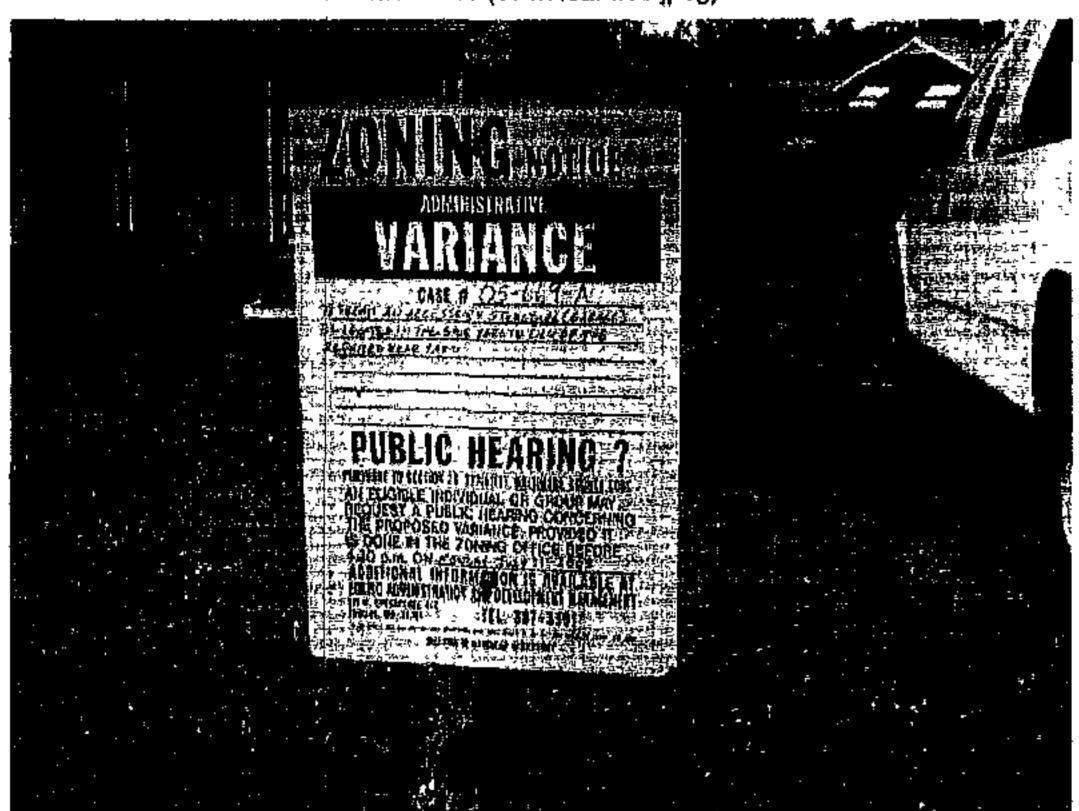
Beginning at a point on the North side of Rehbaum Ave. which is 50' wide at the distance of 135' west of centerline of Claridge Ave. which is 50' wide. Being lot #s 21, 21 ½, and 22 in the subdivision of Halethorpe as recorded in Baltimore County Plat Book #5 folio 40 and as parcel B in the subdivision of Vista Manor as recorded in Plat Book #22 folio 122 containing 13,289 square feet also know as 4500 Rehbaum Ave Baltimore County, Md. 21227. Election District, 1st Council And located in the 1 District.

MISCELLANEOUS OFFICE OF BUDGET BALTIMORE C

CERTIFICATE OF POSTING

	RE: Case No: 05-449-1
;	Petitioner/Developer:
	KENNETH LEE
	Date Of Hearing/Closing: 7/11/05
Baltimore County Department of Permits and Development Manager County Office Building, Room 111 111 West Chesapeake Avenue	
Attention:	
Ladies and Gentlemen:	
sign(s) required by law were posted	enalties of perjury that the necessary d conspicuously on the property <i>EHBAUM AUE</i>
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	·
	Month, Day, Year) Sincerely, Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court Address Balto. Md 21220 (443-629 3411)





Martin 4/25/05





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 COS', & ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 05-669-A
Petitioner: Kenneth R. Lee
Address or Location: 4500 Rehbaum Ave. Balto. Co. MD. 21227
PLEASE FORWARD ADVERTISING BILL TO:
Name: Kenneth R. Lee
Address: 4500 Rebbaum Ave
Baltinoie Co. MD. 21227

Telephone Number: 443-872-8337

Revised 2/20/98 - SCJ

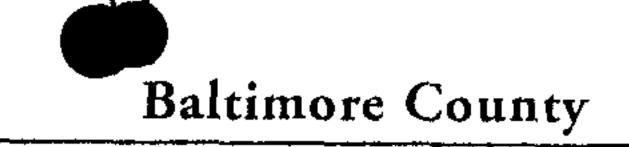
ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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·			- , , ,	g Date:		Closing Date:	7/11/05
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2.	DEADLINE: a formal request for a	The closing of uest for a public hearing	late is the dead blic hearing. I, the process is	line for an Please un not comp	occupant or olderstand that lete on the clo	owner within 1,000 t even if there is osing date.	feet to file no formal
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4.	POSSIBLE P (whether due commissioner changed givin	to a neighbor), notification	or's formal required will be forwarded	OSTING: juest or binded to you	In cases that y order of th ou. The sign	must go to a public zoning or depute on the property when the sign was disign must be for	lic hearing uty zoning / must be
***************	·		ı	ng Dotted Line)			
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	lumber 05- ler's Name	669 -A		4500	Rehba	um Ave,	,
Postin	g Date:	6/26/05	-	Closic	elep	hone <u>443 - 4</u> 7/11/05-	63-5901
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Department of Permits and Development Management

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





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

July 11, 2005

Kenneth R. Lee Danielle L. Lee 4500 Rehbaum Avenue Baltimore, Maryland 21227

Dear Mr. and Mrs. Lee:

RE: Case Number: 05-669-A, 4500 Rehbaum Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 16, 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.

U. Callille Jours, Callille D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel

Fire Department

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





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

June 28, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: June 20, 2005

Item No.: 621, 662-666, 668-678

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.

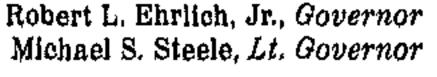
1. The Fire Marshal's Office has no comments at this time.

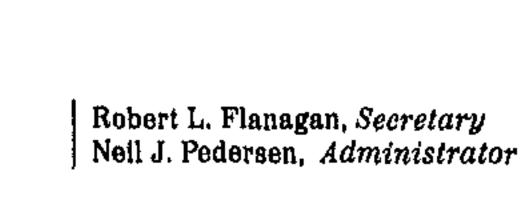
Lt J.D.Mezick Fire Marshal's Office 410-887-5178 MS-1102F

cc: File









Maryland Department of Transportation

Date: 6.27.05

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

RE:

Baltimore County Item No. 449

BPR

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

1. 1. Hall

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: June 29, 2005 RECEIVED

JUN 3 0 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-669- 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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 5, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

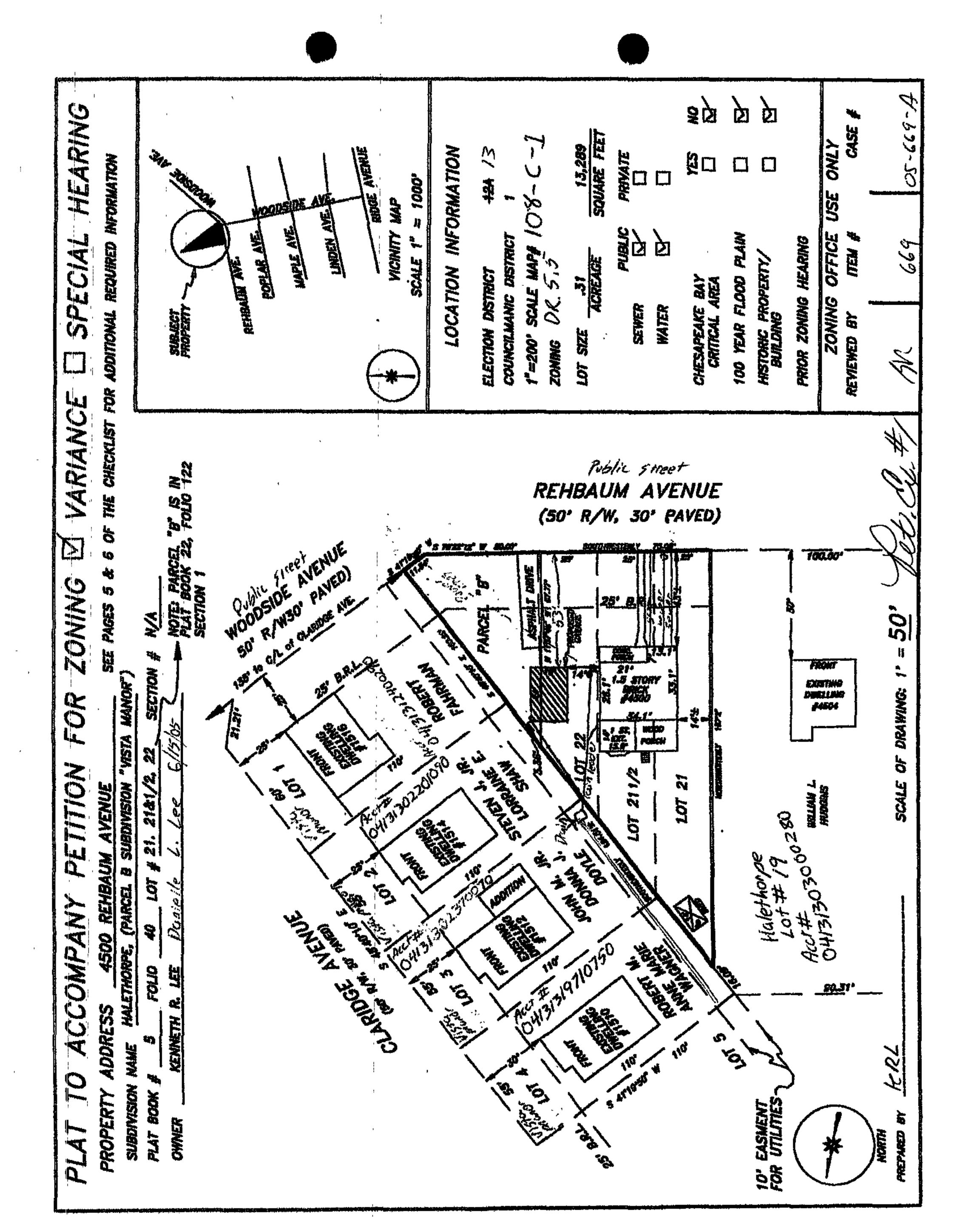
For June 30, 2005

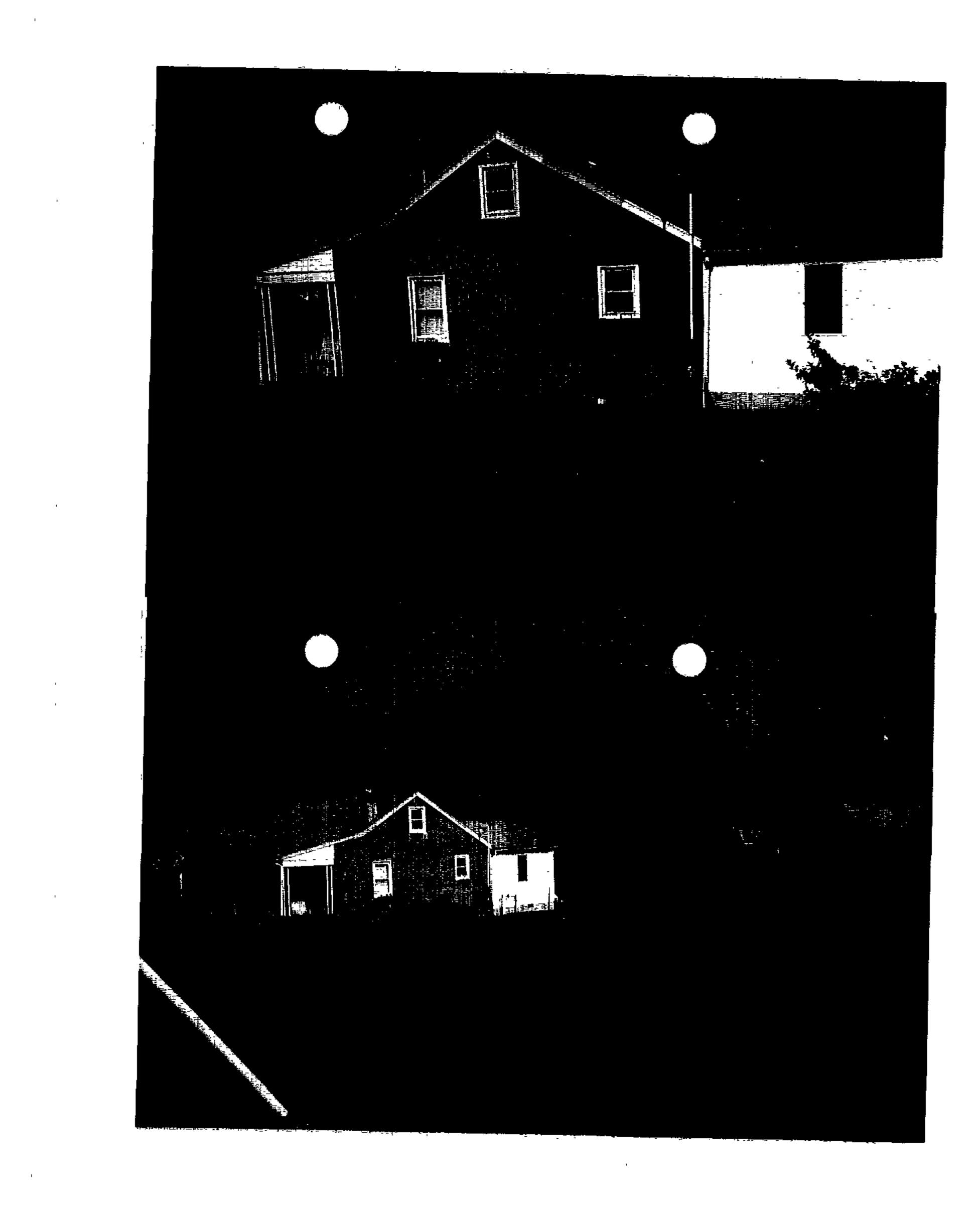
Item Nos. 664, 666, 667, 668 (669) 670, 671,673, 674, 676, 677, and 678

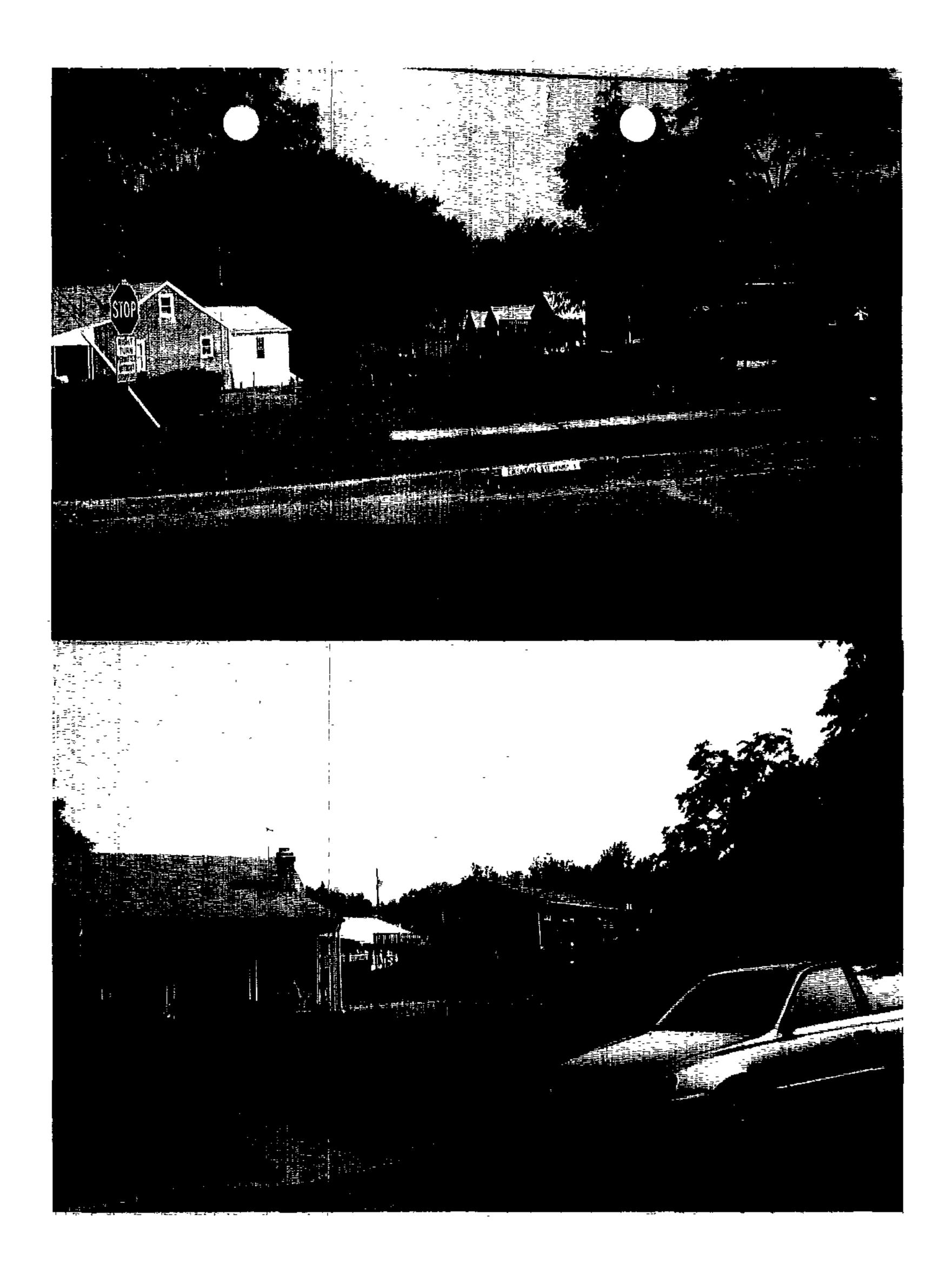
The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.


DAK:CEN:clw cc: File

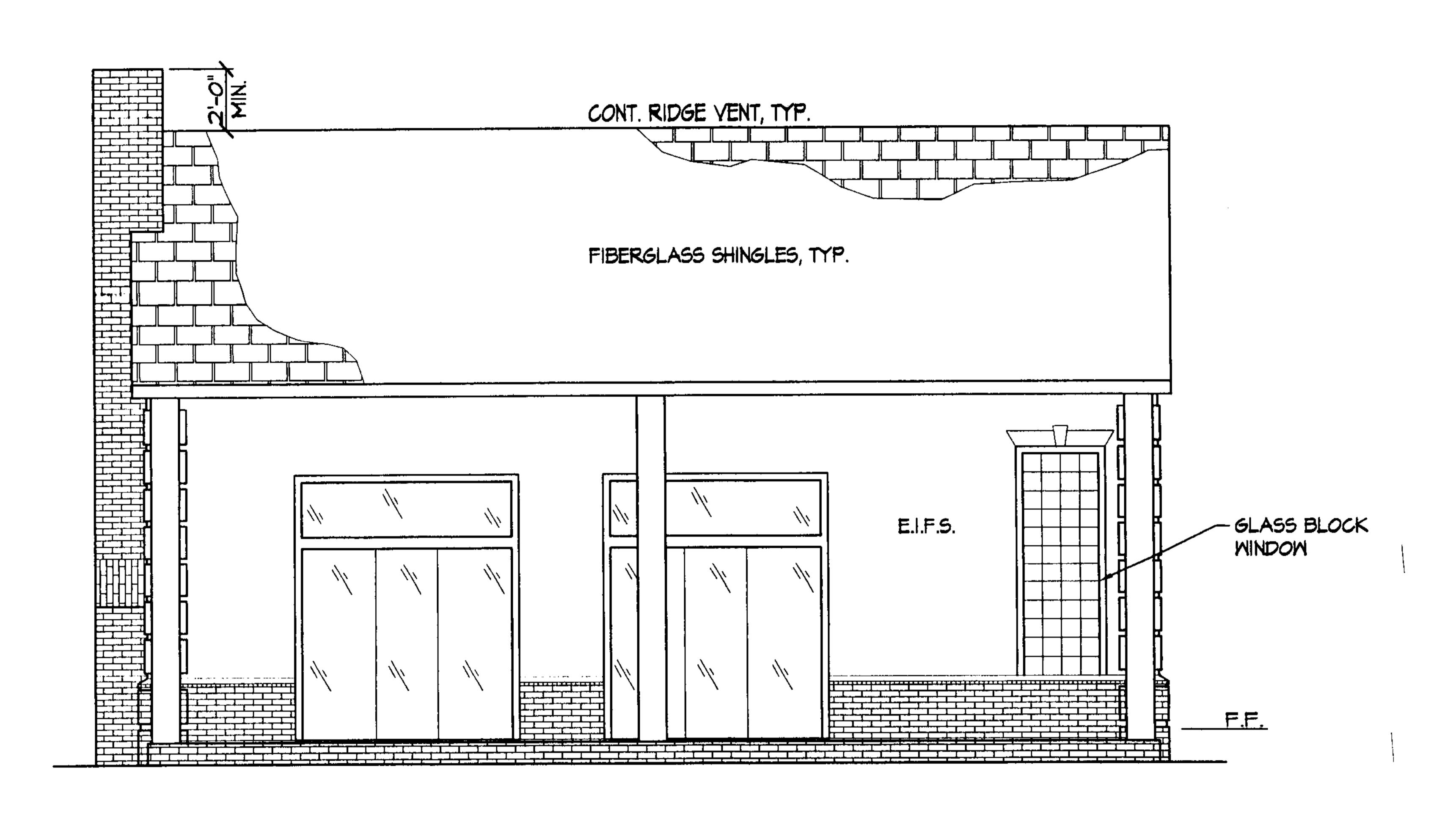
ZAC-NO COMMENTS-07052005.doc

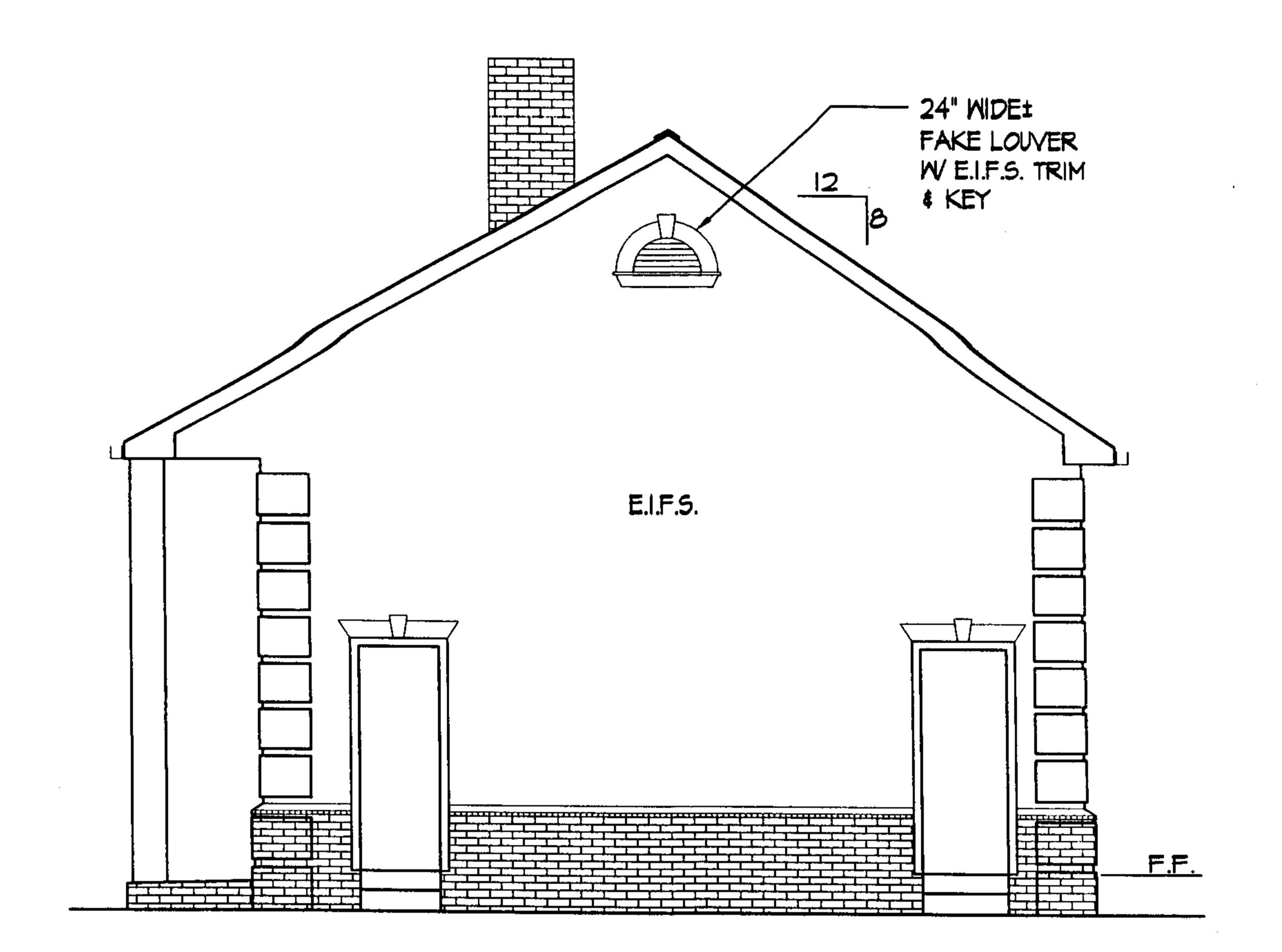






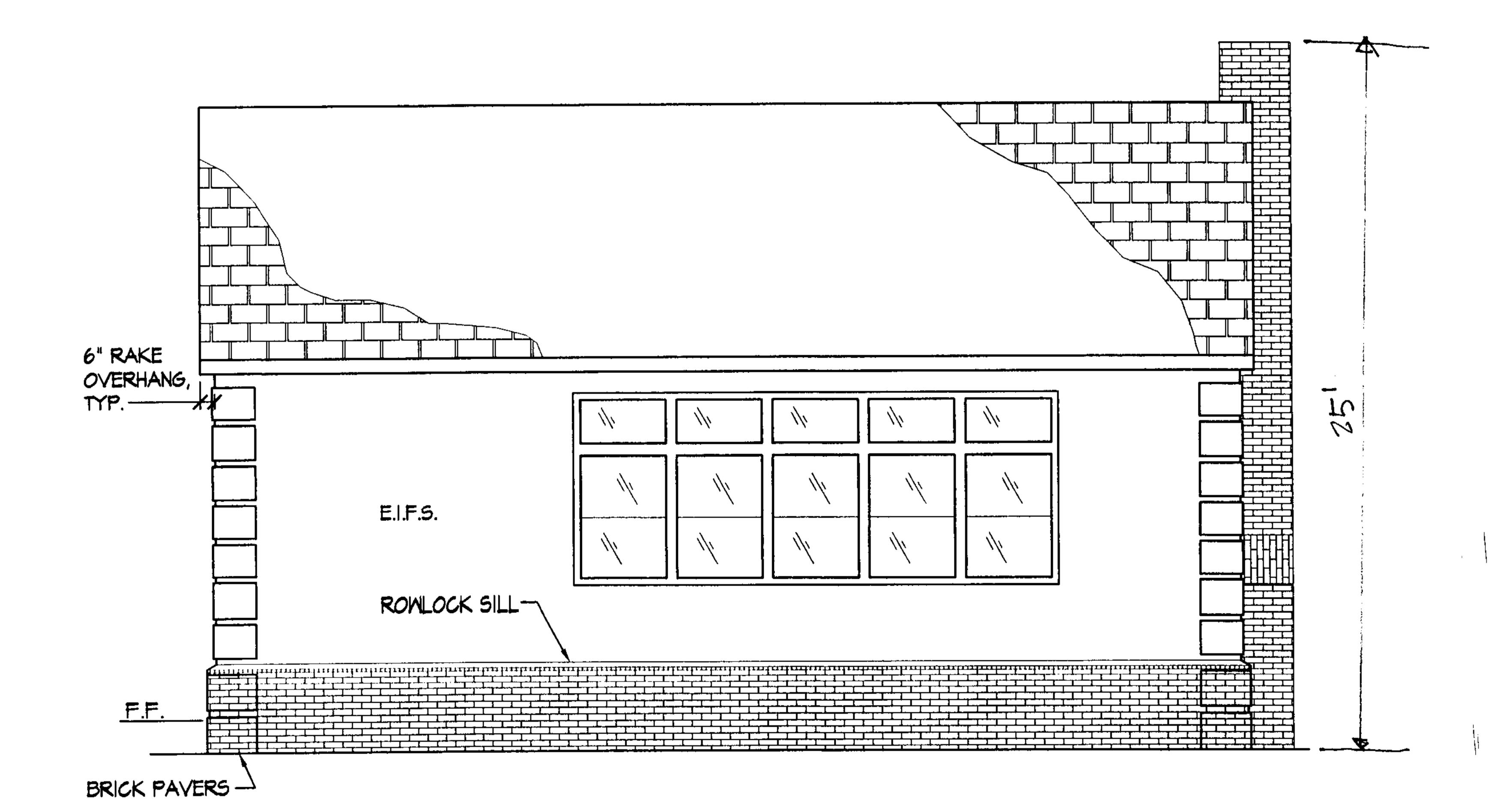


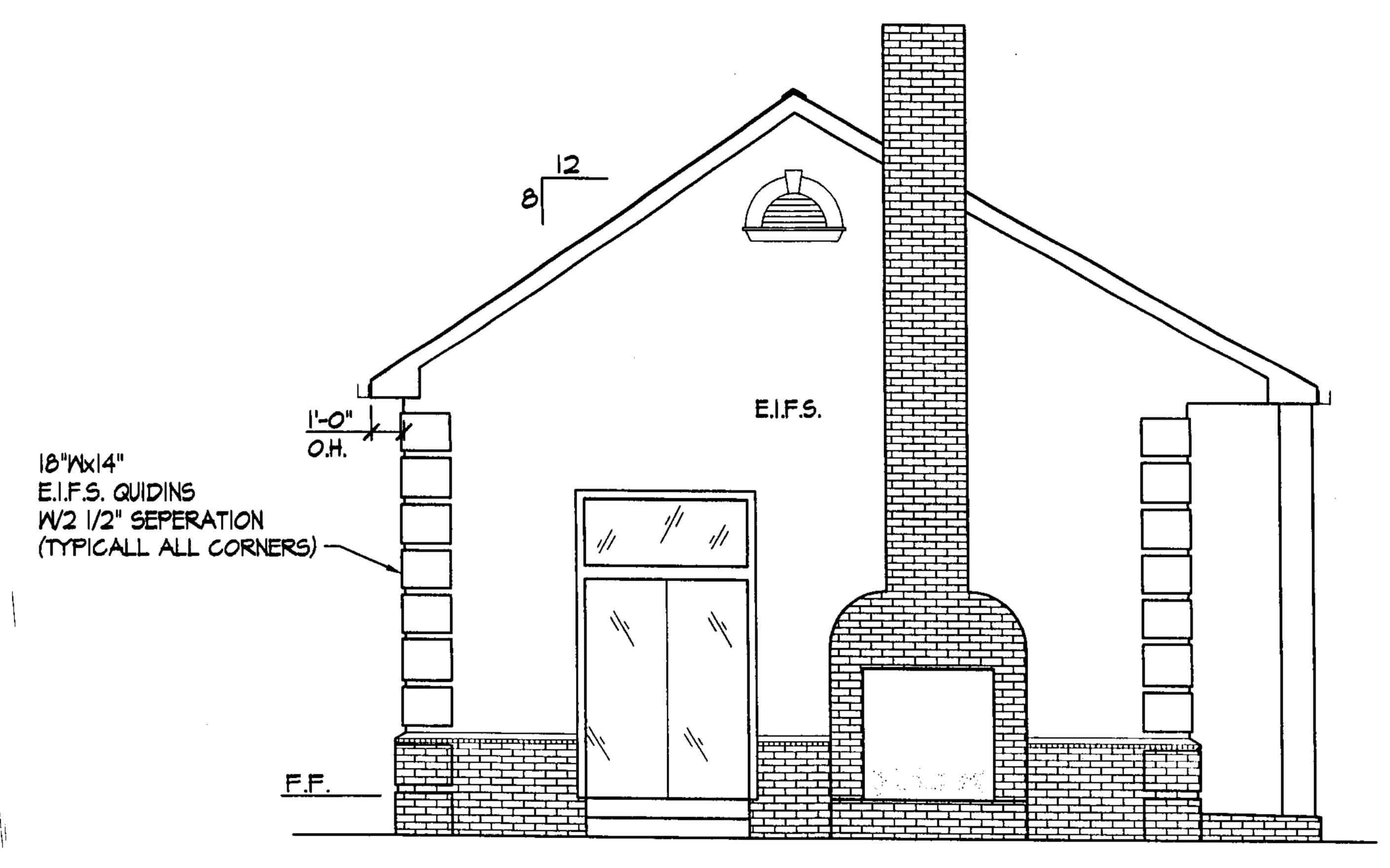




SOUTH ELEVATION SCALE: 1/4" = 1'-0"







3 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

WEST ELEVATION

SCALE: 1/4" = 1'-0"



1/21/05 PERMIT SE

SHT. 2

O5

OF 2

SCALE: 1/4" = 1'
JOB NO.: 0400

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