

IN RE: PETITION FOR ADMIN. VARIANCE
E/Side of Gwynn Oak Avenue, 0' South
Of Carlynn Avenue
1st Election District
4th Councilmanic District
(1935 Gwynn Oak Avenue)

Pamela Jones
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-191-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 owner of the subject property, Pamela Jones, Petitioner. The variance request is for property located at 1935 Gwynn Oak Avenue in the Woodlawn area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side street set back of 13-feet in lieu of the required 25-feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 14, 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

RECEIVED FOR FILING
Date 11-9-05
By [Signature]

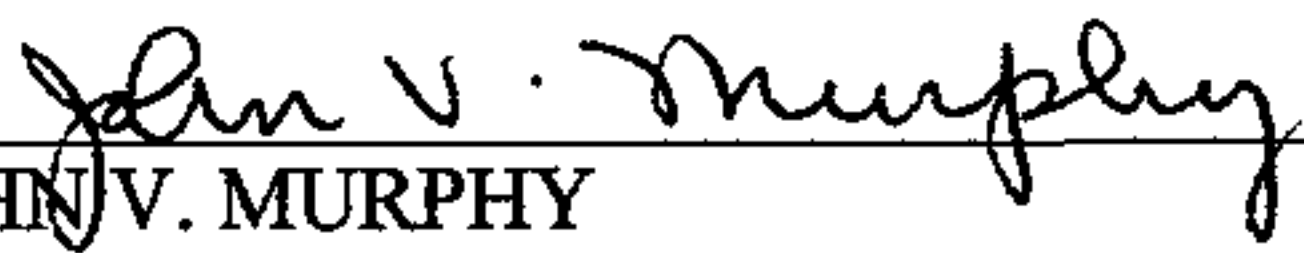
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 9 day of November, 2005, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side street set back of 13-feet in lieu of the required 25-feet, 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:dlw

ORDER RECEIVED FOR FILING
Date 11-9-05
By D. S. Wilson

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

November 8, 2005

Ms. Pamela Jones
1935 Gwynn Oak Avenue
Baltimore, Maryland 21207

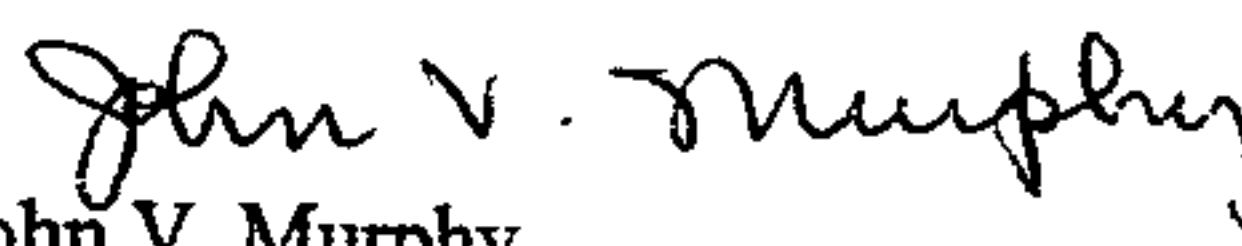
Re: Petition for Administrative Variance
Case No. 06-191-A
Property: 1935 Gwynn Oak Avenue

Dear Ms. Jones:

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
for Baltimore County

JVM:dlw
Enclosure

c: Patio Enclosures, Inc., 224 8th Ave. NW, Glen Burnie, MD 21061, Attn: Greg
People's Counsel; Case File

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



Printed on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

1935 Gwyn Oak Ave.

for the property located at Baltimore, MD 21207

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) 1B02.3.C.1 BC2R

To permit an addition with a side street setback of 13' in lieu of the required 25'

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

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Pamela Jones

Name - Type or Print

Signature

Name - Type or Print

Signature

1935 Gwyn Oak Ave.

Address

Telephone No.

Baltimore, MD 21207

443-804-7067

State

Zip Code

Representative to be Contacted:

Patio Enclosures Inc.. (attn: Greg)

Name

224 8th Ave NW

443-797-0351

Address

Telephone No.

Glen Burnie, MD 21061

City

State

Zip Code

ORDER REFILED
10-4-05
10-16-05
A public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of October, 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

Reviewed By

JF

Date

10-4-05

Estimated Posting Date

10-16-05

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 1935 Gwyn Oak Ave.

Address

Baltimore, MD 21207

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. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce road noise.
4. A place to sit out and not be concerned with the weather, bugs: mosquitos, flies etc...
5. Improve the apperance of the house
6. The restrictive area of the lot does not lend itself to any addition of pratical size without requiring a variance.

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.

X Pamela D. Jones

Signature

Signature

Pamela Jones

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18TH day of August, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PAMELA JONES

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8/18/2005

Date

[Signature]

Notary Public

My Commission Expires

11/1/2005

ZONING DESCRIPTION FOR 1935 GWYN OAK AVE.

***BEGINNING AT A POINT ON THE EAST SIDE OF GWYNN OAK AVE.
WHICH IS 30' WIDE AT THE DISTANCE OF 0' SOUTH OF THE
NEAREST IMPROVED INTERSECTING STREET CARLYNN AVE.
WHICH IS 30' WIDE. BEING LOT # 1 BLOCK A, SECTION ____ IN THE
SUBDIVISION OF CARLYNN HEIGHTS AS RECORDED IN COUNTY
PLAT BOOK # 7 FOLIO # 75, CONTAINING 8,949 SQ'. ALSO KNOWN
AS 1935 GWYNN OAK AVE. LOCATED IN THE 01ST. ELECTION
DISTRICT, 4TH COUNCILMANIC DISTRICT.***

#191

BALTIMORE COUNTY, MARYLAND
 DEPT. OF BUDGET & FINANCE
 MISCELLANEOUS RECEIPT

No. 0315

DATE: 11-15-85

ACCOUNT: 0011-01005-6450

AMOUNT: \$ 6.50

RECEIVED: 10/15/85 - CORP

1705T Gwynn Hall Ave Item # 1011
 Activision, VMD-01-00

DISTRIBUTION
 WHITE: BARBER PINK: AGENCY YELLOW: CUSTOMER

VOID RECEIPT

RECEIVED: 10/15/85
 FOR: 10/15/85
 BY: 10/15/85
 RECEIPT # 25000 10/15/85
 5 100 20000 INVESTIGATION
 BY: 10/15/85
 Receipt Tot: \$65.00
 \$65.00 OK \$1.00 OK
 Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-191-A

Petitioner/Developer: PAMELA JONES

Date of Hearing/Closing: OCT-31, 2005

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Christen Matthews

Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at _____

1935 GWYNNA OAK AVENUE

The sign(s) were posted on _____

OCT 14, 2005

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

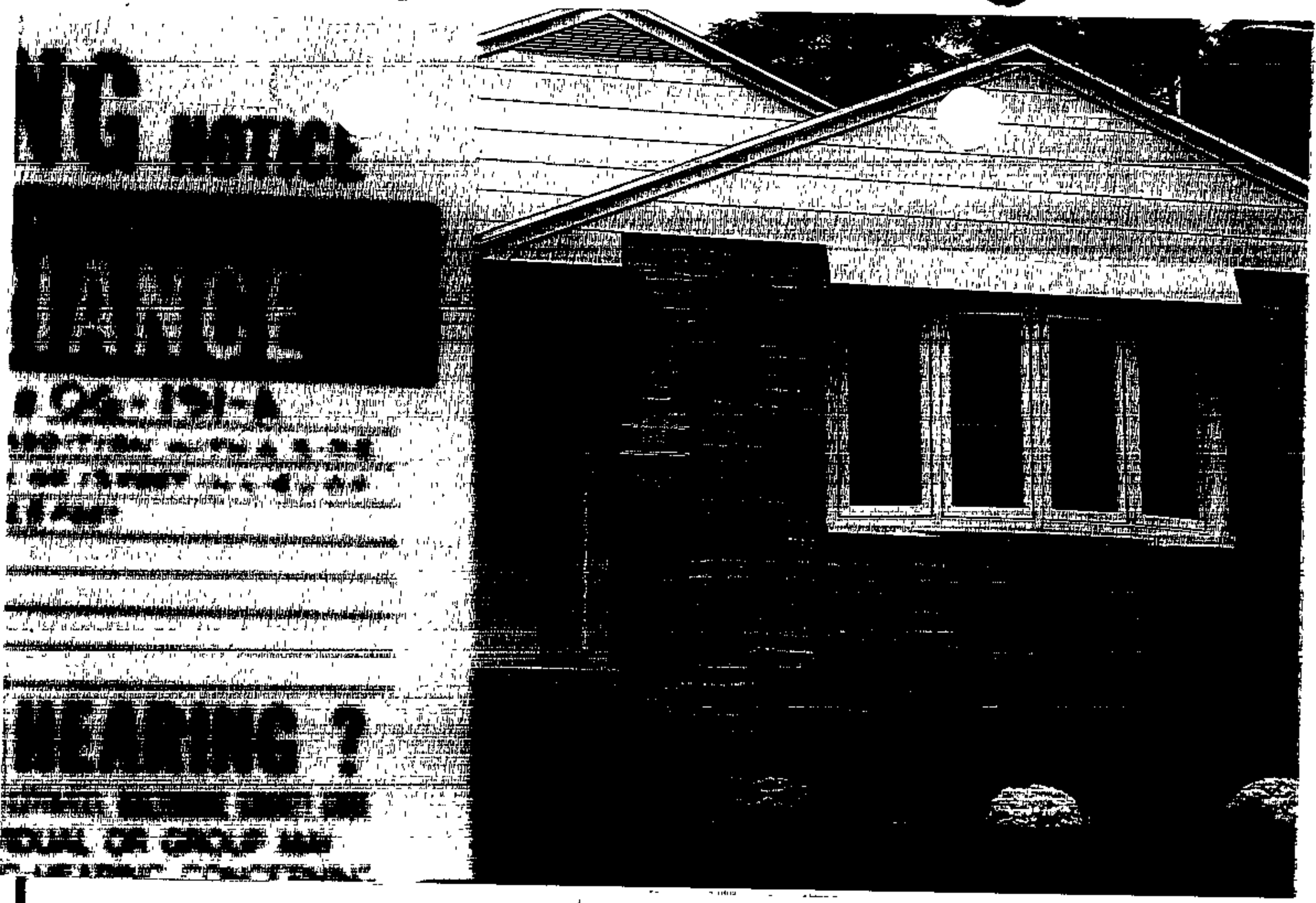
(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 06-191-A
TO PERMIT AN ADDITION WITH A SIDE STREET SETBACK OF 15 FEET IN LIEU OF THE REQUIRED 25 FEET

HEARING ?

AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M.

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 06-191-A

TO PERMIT AN ADDITION WITH A SIDE STREET SETBACK OF 15 FEET IN LIEU OF THE REQUIRED 25 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W. CHESAPEAKE AVE. FOWSON, MD 21204 TEL. 887-3391

DO NOT REMOVE THIS SIGN AND POST HERE AFTER HEARING DATE. VIOLATION OF LAW. RETURN DATE TO ZONING, RM-104 MEETING IS MANDATORY. ACCESSORY

RECEIVED
OCT 17 1996
DEPT. OF ZONING
BALTIMORE COUNTY

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 191 -A Address 1935 GWYN OAK AVE.

Contact Person: JUN FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10-4-05 Posting Date: 10-16-05 Closing Date: 10-31-05

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 06- 191 -A Address 1935 GWYN OAK AVE.
Petitioner's Name PAMELA JONES Telephone 443-804-7067
Posting Date: 10-16-05 Closing Date: 10-31-05
Wording for Sign: To Permit an addition with a side street setback
of 13' in lieu of the required 25'.

WCR - Revised 6/25/04

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: 06-191-A

Petitioner: Pamela Jones

Address or Location: 1935 Gwyn Oak Ave. Baltimore, MD 21207

PLEASE FORWARD ADVERTISING BILL TO:

Name: Patio Enclosures Inc...

Address: 224 8th Ave NW

Glen Burnie, MD 21061

Telephone Number: 443-797-0351

**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

October 31, 2005

Pamela Jones
1935 Gwynn Oak Avenue
Baltimore, Maryland 21207

Dear Ms. Jones:

RE: Case Number: 06-191-A, 1935 Gwynn Oak Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 4, 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
Patio Enclosures, Inc. 224 8th Avenue NW Glen Burnie 21061

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

October 18, 2005

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

ATTENTION: Zoning Review planners

Distribution Meeting of: October 17, 2005

Item No.: 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197
198, 199, 200, 201, 202, 203

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

Pursuant to your request, the referenced plan(s) have been reviewed by this Department and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Acting Lieutenant William F Connolly, Jr.
Fire Marshal's Office
(O) 410-887-4880
MS-1102F

cc: File

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





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

Driven to Excel
State Highway
Administration

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

Maryland Department of Transportation

Date: 10.14.05

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

RE: Baltimore County
Item No. 191 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

INTER-OFFICE CORRESPONDENCE

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

DATE: RECEIVED
October 21, 2005

OCT 25 2005

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

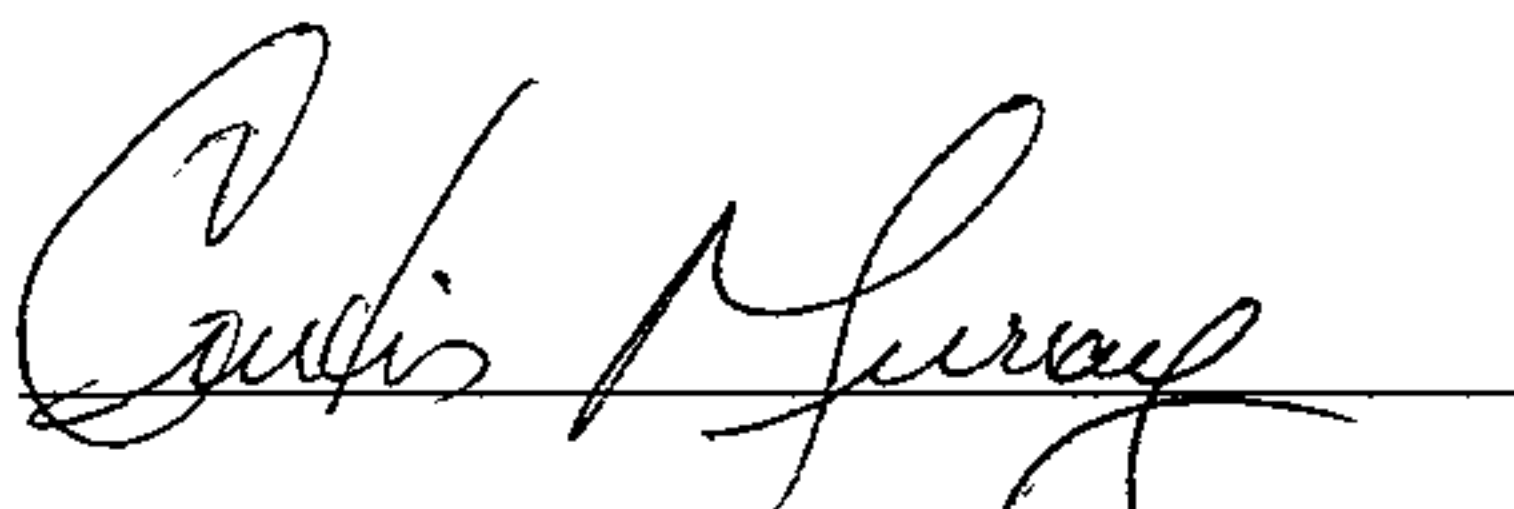
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-191- 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 Dave Green 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
Department of Permits & Development
Management

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2005
Item Nos. 186, 187, 188, 189, 191, 192,
193, 194, 195, 196, 197, 199, 201 and 202

DATE: October 27, 2005

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-10272005.doc

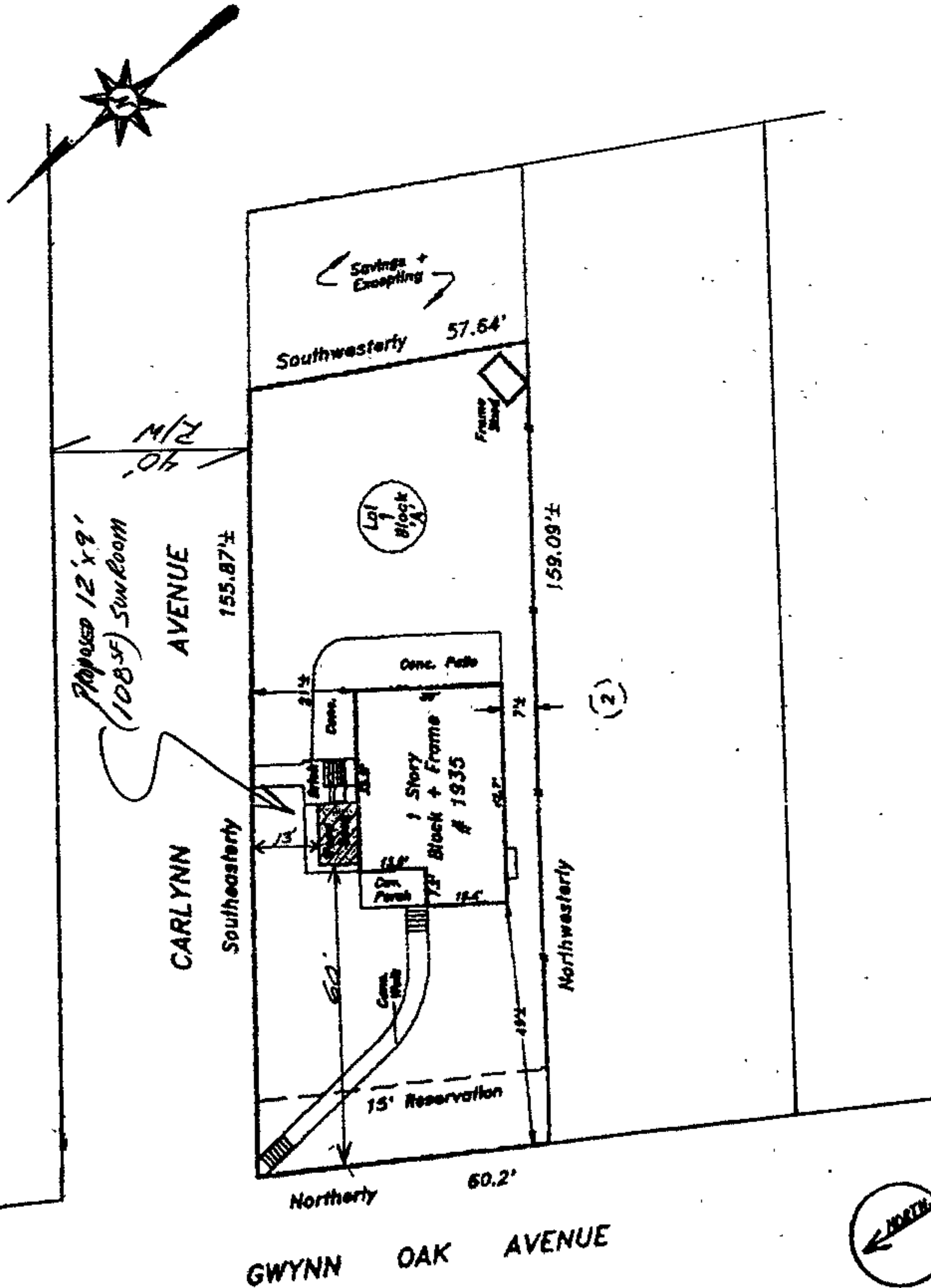
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1235 Gwynn Oak Ave. Balt. 21207 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Carylyn Heights

PLAT BOOK # Z FOLIO # 25 LOT # 1 SECTION #

OWNER PAMELA JONES



PREPARED BY Cassidy A. Falter SCALE OF DRAWING: 1" = 40'



VICINITY MAP
SCALE: 1" = 2,273'

LOCATION INFORMATION

ELECTION DISTRICT 01

COUNCILMANIC DISTRICT 04

1" = 200' SCALE MAP # 088A3

ZONING DR 5.5

LOT SIZE 0.20 ACRES 8,949 SQUARE FEET

SEWER ☒ PUBLIC ☒ PRIVATE

WATER ☒ PUBLIC ☒ PRIVATE

YES ☒ NO ☒

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY/
BUILDING ☐

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY JE ITEM # 191 CASE #

Pax. Ex. 1



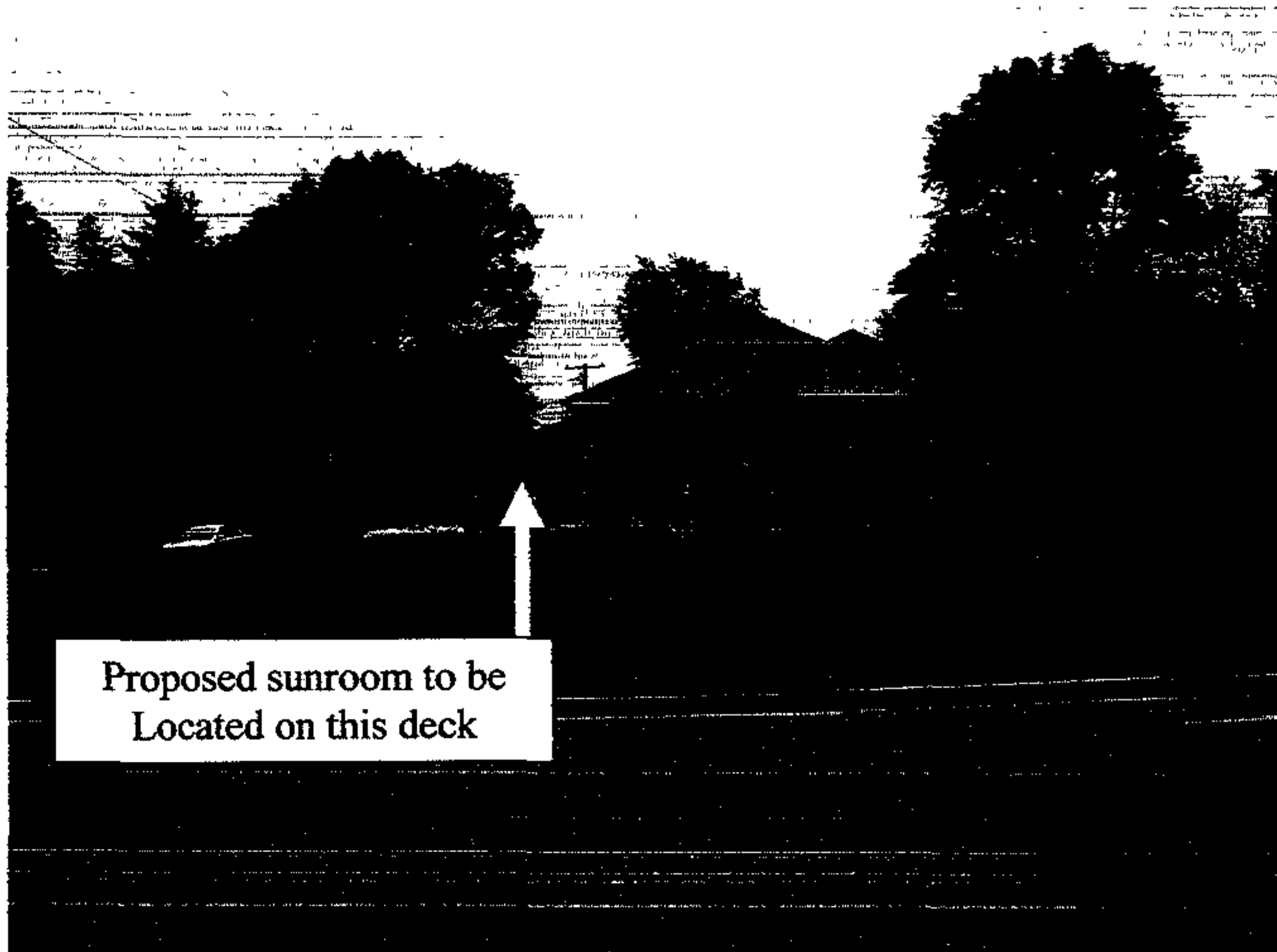
10/3/2005

http://baltimorecounty.com/images/zoning/pixel.gif

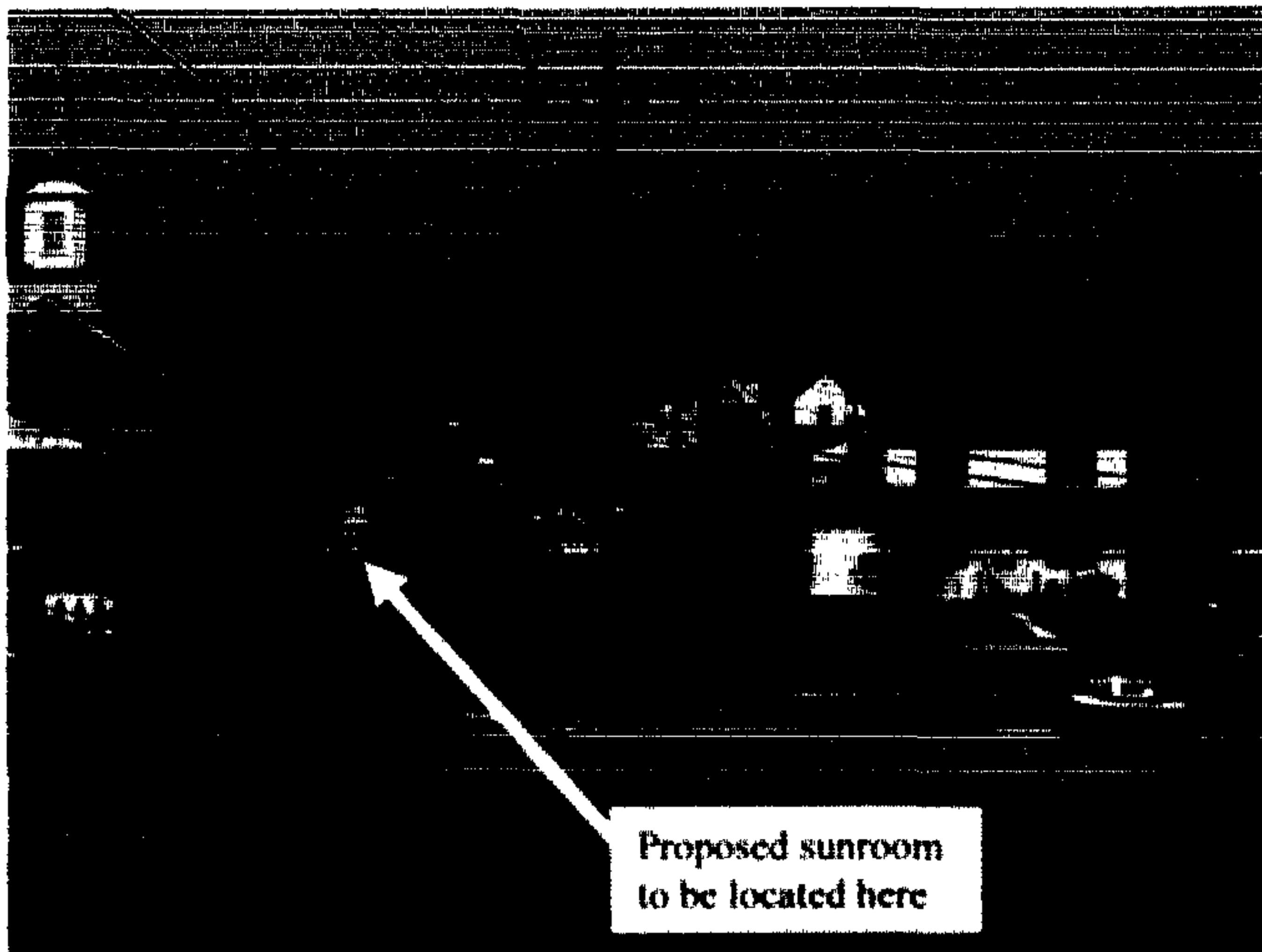
Baltimore County - My Neighborhood

191

Variance Photo's For 1935 Gwynn Oak Ave.



View as seen from intersection of Gwynn Oak Rd. and Kreil St.



View of sunroom area as seen looking down Carylnn Ave.