

IN RE: PETITION FOR VARIANCE
S/S of Wise Ave., 160' w
Of Delmar Avenue
12th Election District
7th Councilmanic District
(89 Wise Avenue)

Glenn Edward Boyd
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-239-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner as a Motion for Reconsideration filed by Tammy L. Sennett, Protestant. The Petitioner originally filed an administrative variance for property located at 89 Wise Avenue in the Dundalk area of Baltimore County. The relief was requested from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a garage with a height of 20 ft. in lieu of the permitted 15 ft. After protest by Ms. Sennett, the case was set for public hearing on January 18, 2006. Evidence and argument was provided by both sides. This Commission issued its Order on January 23, 2006 granting the height variance with restrictions.

On January 26, 2006, Tammy L. Sennett filed a timely Motion for Reconsideration of this Deputy Zoning Commissioner's Order dated January 23, 2006. In addition she filed an amended Motion for Reconsideration on January 26, 2006 disputing certain facts alleged by the Petitioner at the hearing.

Within her Motion, she has raised concerns about the Deputy Zoning Commissioner's discussion of the problems of accessory structures, her reasons for opposing the Petition, her representation of community interests, the Petitioner's admission that the room above the garage would be for more room for his family, her lack of confidence that the restriction of "no heat" in the garage will be affective, the wishes of the neighborhood who oppose the request, and her personal expenses and cost of attending the hearing. In the amended Motion she disputed the

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Date 2-8-09
By [Signature]

Petitioner's testimony that there is a 20 foot high garage across the street and that there is a shed not a garage in the adjoining neighbors yard.

The Motion and Amended Motion were sent to the Petitioner without response from him.

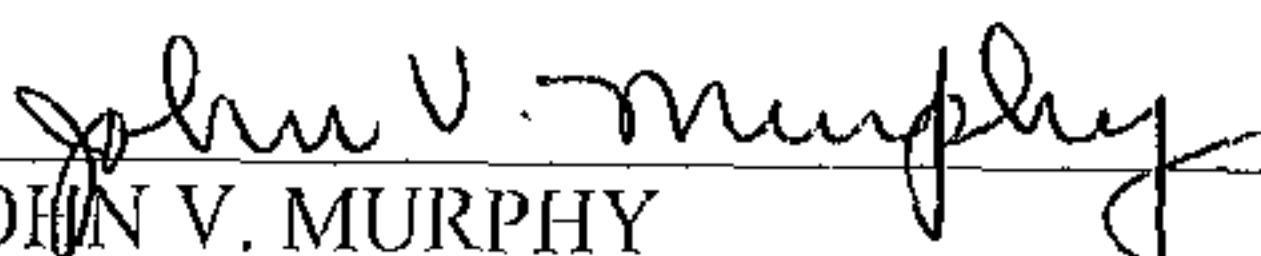
After due consideration of the arguments raised by Ms. Sennett and a further review of my Opinion and Order, I am not persuaded to grant the Motion. I must make my decision on the facts presented at the hearing. The Amended Motion disputes certain parts of the Petitioner's testimony at the hearing which was not presented at the hearing itself. On appeal Ms. Sennett may prevail in the weight of evidence presented to the Board of Appeals. But I can not try the facts of the case again by Motion.

Nor I am I persuaded by the issues raised by Ms Sennett in her initial Motion. I acknowledge her service to the community, but respectfully disagree that popularity or plebisite should be considered in zoning cases. Nor would I be persuaded if the positions were reversed and the Petitioner presented strong evidence that everyone in the community supported his request but the evidence was against the request. As the old saying goes this must be a government of laws and not of men.

THEREFORE, IT IS ORDERED, this 8 day of February, 2006, by this Deputy Zoning Commissioner, that the Motion for Reconsideration and Amended Motion for Reconsideration are hereby DENIED; and,

IT IS FURTHER ORDERED that all of the terms and conditions set forth in the Order issued January 23, 2006 shall remain in full force and effect; and,

Any appeal of this decision shall be made within thirty days of the date of this Order.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 2-8-06
By Dan Dineen



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

February 8, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Tammy L. Sennett
65 Wise Avenue
Baltimore, Maryland 21222

Re: Order on Motion for Reconsideration
Case No. 06-239-A
Property: 89 Wise Avenue

Dear Ms. Sennett:

Enclosed please find the decision rendered in the above-captioned case. The Protestant's Motion for Reconsideration has been denied 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 & 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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:dlw

c: Glenn Edward Boyd, 89 Wise Avenue, Baltimore, Maryland 21222
Code Enforcement
People's Counsel; Case File

Tammy L. Sennett
65 Wise Avenue
Baltimore, Maryland 21222

RECEIVED

FEB 1 2006

ZONING DEPARTMENT

January 27, 2006

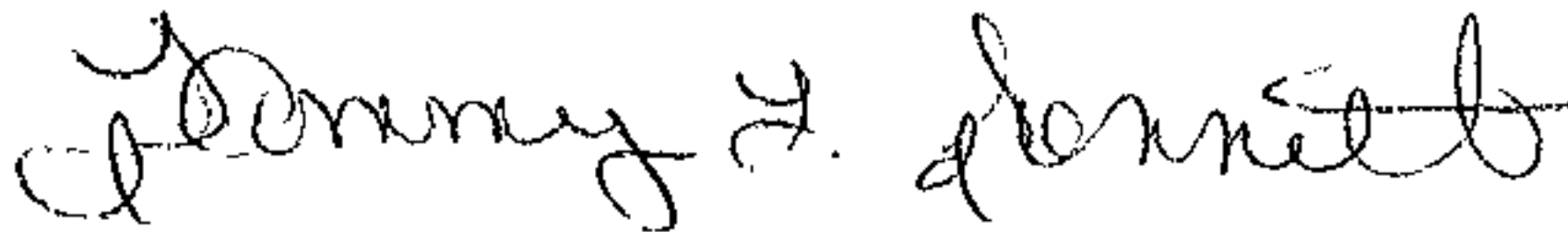
Commissioner Murphy
County Courts Building
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No.: 06-239-A
Property: 89 Wise Avenue

Dear Commissioner Murphy:

Enclosed please find an Addendum to Motion to Reconsider in connection with the above matter.

Very truly yours,



Tammy L. Sennett

cc: Peter Zimmerman
Glenn Boyd

ADDENDUM TO MOTION TO RECONSIDER

Commissioner Murphy:

1. Mr. Boyd stated during his testimony that there was a 20 foot high garage across the street from his property.

This is false. In front of Mr. Boy's property, which is on the Wise Ave. service road, there is a 5 lane road (one of the main road of Dundalk), Wise Avenue, which separates the Inverness Community from the Bear Creek Community; and there is a large plot of land with nothing on it before the community of row homes begin. I took the time this morning to look across the street to see this 20 foot garage. Could not find the 20 foot high garage.

2. Mr. Boyd stated during his testimony that there was a garage in the yard adjacent to the rear of his property. This would be the property owned by Ms. Donna Schroeder who signed a letter stating that she was opposed to the variance, which was submitted as an exhibit.

This is false. This property does not contain a garage. It contains a shed.

*Sincerely,
Tammy Sennett
January 27, 2006*

FAX: 410-887-3468
TO: COMMISSIONER MURPHY
FROM: Tammy Sennett
RE: Case No.: 06-239 (89 Wise Avenue)
DATE: January 26, 2006
PAGES: This fax contains 3 pages (not including the cover page)

This document is being sent by fax and first class mail.

***Should there be a problem with the transmission of this fax, please call me at 410-461-7373 (before 3:00pm). I will not be at this location again until Monday or Tuesday of next week. My home number is 410-282-5450, where you may leave a message.

Thank you.

TAMMY L. SENNETT
65 Wise Avenue
Baltimore, Maryland 21222

RECEIVED

JAN 31 2006

January 26, 2006

ZONING COMMISSIONER

VIA TELEFAX & FIRST CLASS MAIL

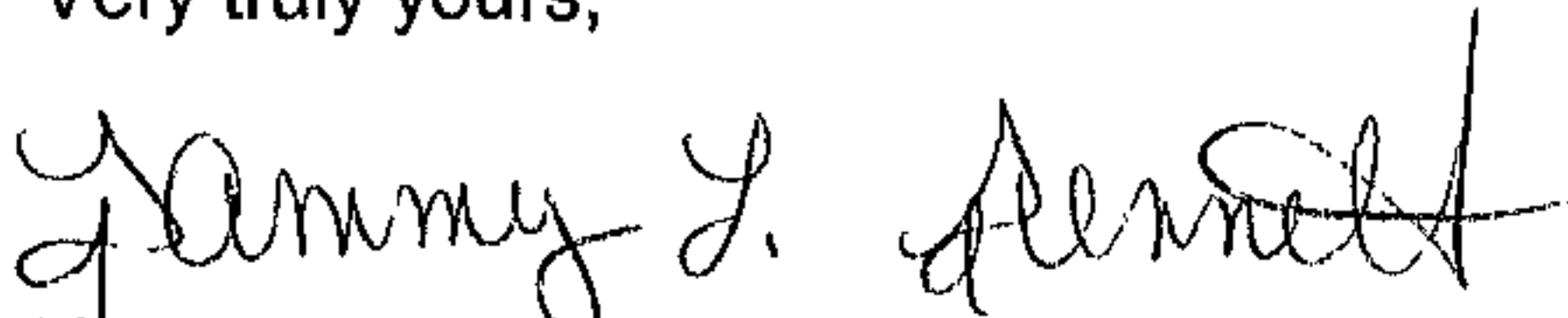
Commissioner Murphy
County Courts Building
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Re: **Petition for Administrative Variance**
Case No.: 06-239-A
Property: 89 Wise Avenue

Dear Commissioner Murphy:

Enclosed please find a Motion for Reconsideration in connection with the above matter.

Very truly yours,


Tammy L. Sennett

cc: Peter Zimmerman, Esq.
Glenn Boyd

MOTION FOR RECONSIDERATION

Re: Case No.: 06-239 (89 Wise Avenue)

Dear Commissioner Murphy:

I would like you to reconsider your decision regarding the above matter. I do not feel your decision represents the Zoning Regulations, evidence or the testimony presented to you during the hearing on January 18, 2006. It seems that you disregarded the Zoning Regulations and the community's wishes.

It is impossible to understand how you could come to your decision. Before the testimony was heard, you gave a speech regarding accessory structures like this being built and how it can create a hardship for the community, as present and/or new homeowners will try to use the property for living space and/or apartments. Why do you state those facts, if you don't intend to incorporate them in making your decision. You have given the Petitioner permission, as a very recent homeowner, to change the character and zoning regulations of our community. Your decision creates a precedent that will allow new homeowners, that buy into our community, to change it. (Will you grant homeowners of this community the variance to have a 20 foot high fence on the property line to block out the view of a 20 foot high accessory structure that you grant?) We live in this community for what it represents, not for what it can be changed into. The Petitioner purchased the property in August and requested the variance in September. He moved into the community purchasing a house that he knew was too small and knowing that he would ask for the variance immediately.

My case was presented with actual Zoning Regulations and testimony regarding the Petitioner's intended use of the additional five feet. You were given precise Zoning Regulation material indicating the legal regulations for the accessory structure; 104 signatures opposing the variance (I can get more); a letter from the homeowner behind/adjacent to the Petitioner opposing the variance; and oral testimony from three homeowners representing the community, who have lived in the community most of their lives.

Mrs. Finiff, Mrs. Kurant and myself did not prepare and attend this hearing because we had nothing better to do. We felt strongly (as well as the neighbors who signed the petition) about the opposition to this variance. We came to represent the wishes of the community, some of them having lived in this community for a long time, unlike the Petitioner. I have a husband and children, but I took the time to speak with the community and get the signatures. I have spent a lot of personal time away from my family regarding this matter. I have had long conversations with all of the homeowners who signed the petition, made numerous telephone calls, researched the Zoning Regulations and drove to Towson.

I testified that the Petitioner, during a conversation with me which you requested I do, repeatedly referred to the space above the garage as a "room" where he could put furniture, ping pong table, etc. In fact, the Petitioner advised that if he did not get his variance, he would use the garage as his "room" instead of parking vehicles in it. (This clearly is against the Zoning Regulations, as you may not build an accessory structure for a living area. The Petitioner's variance request clearly states that he wants the additional footage above the accessory structure for an additional "living area." This is not allowed accordingly to the Zoning Regulations. An accessory structure, residential garage, is to be used as a place to store motor vehicles, which is also indicated in the Zoning Regulations.

I realize in certain matters no one knows what the decision will be. In this case however, due to the testimony and Zoning Regulations, the community felt, as I felt, that it was a clear case that the Zoning Regulations should be upheld and not ignored. In fact, by your decision, you have taken away "my" rights as a homeowner in this community to have the county uphold the Zoning Regulations. Knowing what the Zoning Regulations are, I felt safe knowing that variances like this one would be denied. To be more blunt, Commissioner Murphy, if the Zoning Regulations are ignored, why bother to have them at all. In fact, why not get rid of the Commissioners and just have the Zoning Department just grant all the variances upon request. Better yet, why not just let anyone do whatever they want to do, no matter how it affects any other homeowners. As you can hear, I'm angry. In fact, the few homeowners that I have talked with regarding your decision were honestly shocked and angry.

You made one restriction on your decision. You said no heat. Do you honestly think that will stop the Petitioner from having his living area/room. All he needs to do is use a space heater. I use a space heater in my living room to help with my heating bills.

Commissioner Murphy, as you were making your decision, did you stop to think what you would do if you lived in this community. You have the power to make a decision regarding a community that you do not reside in. Would you have made the same decision if the Petitioner lived behind you. I believe that the wishes of the homeowners, who actually live in the neighborhood, should have had a bearing on your decision, since the homeowners are the community. I know everything that I'm writing seems harsh, but this is very personal for the community and myself. It's not personal for you! You don't live in our community.

I realize I have the right to file an appeal, but unfortunately I can't afford it. That is why I am sending you this Motion for Reconsideration. My weekly budget does not allow for the expense of an appeal and I can't take money out of my savings account to pay for it. (I've been taking money out of my savings to pay for heating bills, my child's braces, etc.). Most of the community is having the same type of monetary hardships. I think the fee for an appeal is outrageous. It seems to me that if the Petitioner only had to pay \$65.00 to request a variance against the Zoning Regulations, the cost should be the same to request an appeal. We are working class people that are trying to make ends meet. We don't make the big bucks.

Commissioner Murphy, I do realize that you have the power to decide whatever and however you want, which you did. I also realize that this is not personal for you, like it is for the community and myself. I do, however, ask that you please, again, review the evidence and testimony that we provided during the hearing, and to review this Motion to Reconsider.

The community and myself ask that you reconsider your decision and deny the Petitioner's variance.

Thank you for your time in this matter.

Sincerely,
Tammy Sennett
January 26, 2006

Tammy S. Sennett
1-26-06

IN RE: PETITION FOR ADMIN. VARIANCE
S/Side of Wise Ave., 160' w
of Delmar Avenue
12th Election District
7th Councilmanic District

(89 Wise Avenue)

Glenn Edward Boyd
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-239-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, Glenn Edward Boyd. The variance request is for property located at 89 Wise Avenue in the Dundalk area of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a garage with a height of 20 ft. in lieu of the permitted 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The property was posted with a notice of the requested variance on November 13, 2005.

This Commission received a letter from Tammy Sennett dated November 26, 2005 expressing concerns as to why this variance should not be granted. The Petitioner was notified of this letter and the matter set in for public hearing on January 18, 2006. Notice to the public of the public hearing was given by publication in the Jeffersonian Newspaper on January 3, 2006 and by reposting of the property on January 2, 2006.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated November 14, 2005, a copy attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
Date 1-23-06
By [Signature]

Interested Persons

Appearing in support of the requested relief was Glenn Boyd, Petitioner. Tammy Sennett, Linda Finiff and Nancy Kurant appeared in opposition to the request.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.”

Preliminary Matter

The Petitioner argued that the letter of protest from Ms. Sennett was not received within the 15 days specified in the Code and therefore should not be considered. He noted that the dated stamp on the letter applied by the Zoning Office indicated that letter was received on November 29, 2005 whereas the 15 days protest period would have expired on November 28, 2005. In response, Ms. Sennett indicated that she faxed the letter to the Zoning Office on November 28, 2005. She sent a hard copy by mail, which apparently did not arrive until November 29, 2005.

Testimony and Evidence

Mr. Boyd indicated that he would like to build a 24 x 24-foot garage on his property. See Petitioner's Exhibit 1 for footprint and Exhibit 2 for first and second floor layout. The first floor of the garage would be used to store his vehicles out of the weather. The second floor would

contain a room, which is the subject of this controversy. The Petitioner testified that he and his family are avid camping and hunting enthusiasts. As such, he needs room to store his camping and hunting equipment and supplies. He indicated that he did not have sufficient room in his home to store this material and so proposes to store them on the second floor of the new garage. He noted that this kind of material has to be spread out to be useful. In addition, he would also like to put up a ping pong table for himself and children in that second floor room which will be large enough to stand up in. He noted that there is a similar garage across the street from his house. He believed that the garage would be a good addition to his home and neighborhood. Ms. Kurant indicated that the homes in this area were built in the 1940's.

Ms. Sennett indicated that she has lived in the neighborhood for the past 30 years and operates as a watchdog against the many problems in this neighborhood among which she listed untagged vehicles, additional dwellings on the same property, etc. She is very much opposed to this variance request because she believes the Petitioner intends to use the second floor room for additional living space. She first cites the Petition filed in this case which indicates same, his testimony that he will install a ping pong table, and his statement to her that he intends to have electricity and heat on the second floor. This would be a very bad precedent for the neighborhood which would encourage residents to have second residences and renters over garages on these very tiny 50 x 100 foot lots. She believes that he can build a family room in the basement of his home to provide the living space he needs. Finally, she noted that the Petitioner bought the property in August and so should have known the property was too small for his family and hobbies. She presented a petition (Exhibit 8) with 104 signatures collected in the neighborhood opposing the variance requests and a letter of protest (Exhibit 7) from the neighbors to the rear of the Petitioner's property who would be most affected by the proposed

garage. She opined that the additional height of the garage would reduce light and air in the immediate area.

In response, the Petitioner denied that he intends to use the second floor room as living space. The room is only in the peak of the roof and so not very large. He plans no kitchen or bathroom facilities. He read the restrictions suggested by the Planning Office regarding not converting the structure to a dwelling or any commercial purpose with which he agrees. He noted that the neighbors behind his home who sent the letter of protest have a garage opposite where he would erect his garage and so cannot be adversely affected by the proposal. Finally, he indicated that he bought the property with the intent to build a garage.

Ms. Kurant and Ms. Finiff expressed concern that the Petitioner would rent out the second floor room which they opposed. They opined that living space does not belong in a garage.

Findings of Fact and Conclusions of Law

Preliminary Matter

The Petitioner argued that the letter of protest from Ms. Sennett was not received within the 15 days specified in the Code and therefore should not be considered. He noted that the dated stamp on the letter applied by the Zoning Office indicated that letter was received on November 29, 2005 whereas the 15 days protest period would have expired on November 28, 2005. In response, Ms. Sennett indicated that she faxed the letter to the Zoning Office on November 28, 2005. She sent a hard copy by mail, which apparently did not arrive until November 29, 2005.

I have no reason to doubt Ms. Sennett's contention that she faxed a copy of the letter of protest to this Commission on November 28, 2005 which was the last day for such notice. Therefore, I find that the letter of protest was timely filed.

Merits Case

According to Petitioner's Exhibit 2, the Petitioner is proposing to build a standard 24 x 24-foot garage with a pitched roof manufactured by the Conestoga Building Company. The second floor room would be approximately 10 feet wide by 24 feet long. The room height would be over 7 feet tall in the center but would quickly slope down to approximately 4 feet. The Conestoga Company surely does not regard this room as living space but rather it is intended for storage. While one can certainly stand up in this room, I do not see how the Petitioner could play ping pong in this room without having a player strike his head against the sloping roof trusts in going for a shot to the side of the table.

However, the protestants are concerned that in spite of assurances to the contrary, the Petitioner will convert the second floor room to living space either for his family or rent out to tenants. While I am sure these are reasonable concerns given the protestant's experience in the neighborhood with other owners and tenants, I have no evidence that the Petitioner is among those uncaring owners or tenants. All I have is the protestant's concerns that such might happen.

It seems to me that the Petitioner has some very good reasons for wanting the extra storage in the second floor room given his camping and hunting hobbies. On the other hand, I do not want the second room to become living space. The Petitioner has agreed that there will not be a kitchen, bathroom, etc. in the garage. However, so as not to tempt the Petitioner, I will also require that no heat be installed in the building. Obviously, the Petitioner will need electricity in the first floor to use the space as a garage and in the second floor to find his equipment.

In regard to the variance request, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The homes are built in the Inverness Annex No. 1 Subdivision which all agree were laid out in the 1940's. This

MADEH RECEIVED FOR FILING
Date 1-23-09
By [Signature]

subdivision occurred much before the DR 5.5 regulations were imposed on this property. As such, I find the property unique in a zoning sense.

I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioner has the bona fide need to store his camping and hunting equipment and supplies which he apparently cannot store in his small home. Residential density is not an issue in this matter.

Finally, I find that with certain conditions the requested variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Those conditions include complying with the Office of Planning comments and also having no heat on the second floor of the garage.

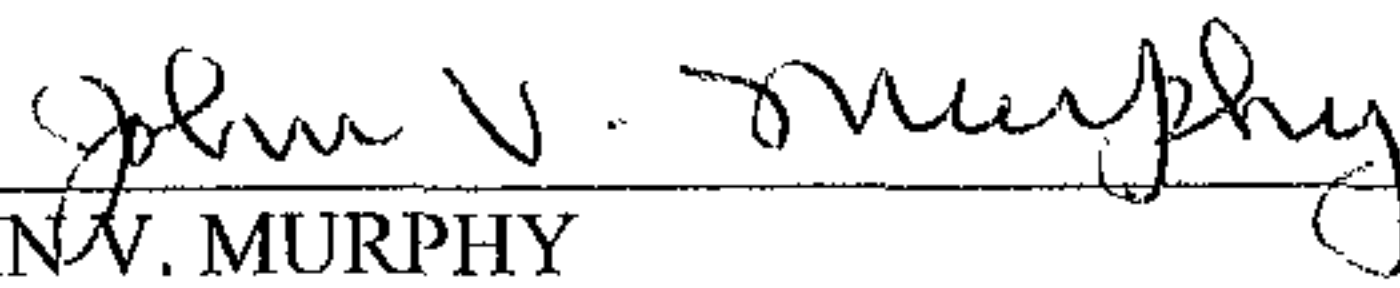
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23 day of January, 2006, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a garage with a height of 20 ft. in lieu of the permitted 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions 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.

2. The Petitioners must be in compliance with the ZAC comments submitted by the Office of Planning dated December 30, 2005 as follows: The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities. The accessory structure shall not be used for commercial purposes. A copy of the ZAC comment is attached hereto and made a part hereof.
3. The garage shall have no heat.
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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 1-23-06
By Debra W. King



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 23, 2006

Glenn Edward Boyd
89 Wise Avenue
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 06-239-A
Property: 89 Wise Avenue

Dear Mr. Boyd:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted with restrictions 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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Tammy Sennett, 65 Wise Avenue, Baltimore, MD 21222
Linda Finiff, 31 Mavista Avenue, Baltimore, MD 21222
Nancy Kurant, 33 Mavista Avenue, Baltimore, MD 21222
People's Counsel/~~Case File~~

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

December 1, 2005

Glenn Edward Boyd
89 Wise Avenue
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 06-239-A
Property: 89 Wise Avenue

Dear Mr. Boyd:

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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: People's Counsel; Code Enforcement; Case File

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 89 WISE Ave.
which is presently zoned DR5.5

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) 400.3; BC22, TO PERMIT

A GARAGE WITH A HEIGHT OF 20 ft. IN LIEU OF THE PERMITTED 15 ft.

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

After public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10 day of June, 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.

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

Zoning Commissioner of Baltimore County

Reviewed By JCM

Date 11/1/05

Estimated Posting Date

CASE NO. 06-239-A

REV 10/25/01

ORDER RECEIVED FOR FILING

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

87 W. 52 Ave
Address
Baltimore MD 21222
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):

- Existing house has a small living room.
 - Would like to create a recreational living space for my family.
- On street parking is limited.
 - Have three licensed drivers living at this residence.
 - Own multiple licensed vehicles.

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.

Glenn Edward Boyd
Signature

Glenn Edward Boyd
Name - Type or Print

Signature

Name - Type or Print

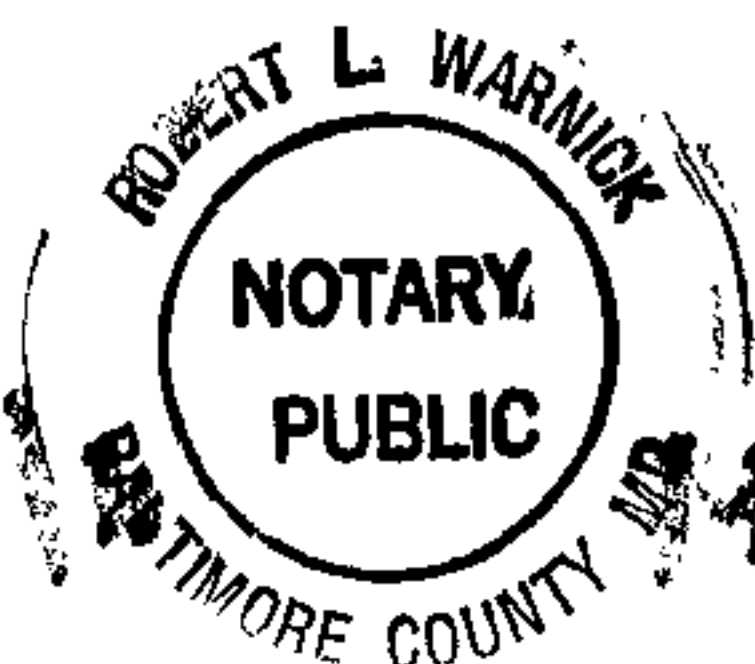
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of September, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND, BA. Co. GLENN BOYD

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

AS WITNESS my hand and Notarial Seal



Robert L. Warnick
Notary Public

My Commission Expires 4/6/7

ZONING DESCRIPTION FOR 89 Wise Ave.

Beginning at a point on the South side of
Wise Ave. ^{40ft.} wide at the distance of 160ft.
West of the nearest improved intersecting
street Delmar Ave.

*Being Lot # 24, Block ---, Sect # --- in
the subdivision of Inverness (Annex) as
recorded in Baltimore County Plat Book #
13, Folio # 27, containing 5000 sq ft.. Also
known as 89 Wise Ave. an located in the
12th Election District, 7th Councilmanic
District.

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #06-239-A

89 Wise Avenue
S/west side of Wise Avenue, 160 feet west of Delmar Avenue
12th Election District
7th Councilmanic District
Legal Owner(s):

Glenn Edward Boyd

Variance: to permit a garage with a height of 20 feet in lieu of the permitted 15 feet.

Hearing: Wednesday, January 18, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/1/621 Jan 3 79715

CERTIFICATE OF PUBLICATION

1/6/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/3/, 2006.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

No.

AMOUNT \$ 65.⁰⁰

FOR: Ad. Var.

DISTRIBUTION **PINK - AGENCY** **YELLOW - CUSTOMER**

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CASHIER'S VALIDATION

CERTIFICATE OF POSTINGRE: Case No.: 06-238-APetitioner/Developer: GLENNBOYDDate of Hearing/Closing: 11-28-05

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

ATTN: Kristen Matthews ((410) 887-3394)

Ladies and Gentlemen:

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

89 WISE AVE

The sign(s) were posted on

11-13-05

(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)11-18-05
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ATTENTION - DEBBIE

CERTIFICATE OF POSTING

RE: Case No.: 06-239-A

Petitioner/Developer: GLENN

Boyd

Date of Hearing/Closing: 11-28-05

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

ATTN: Kristen Matthews {(410) 887-3394}

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The sign(s) were posted on 11-13-05
(Month, Day, Year)

Sincerely,

Robert Black 11-18-05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

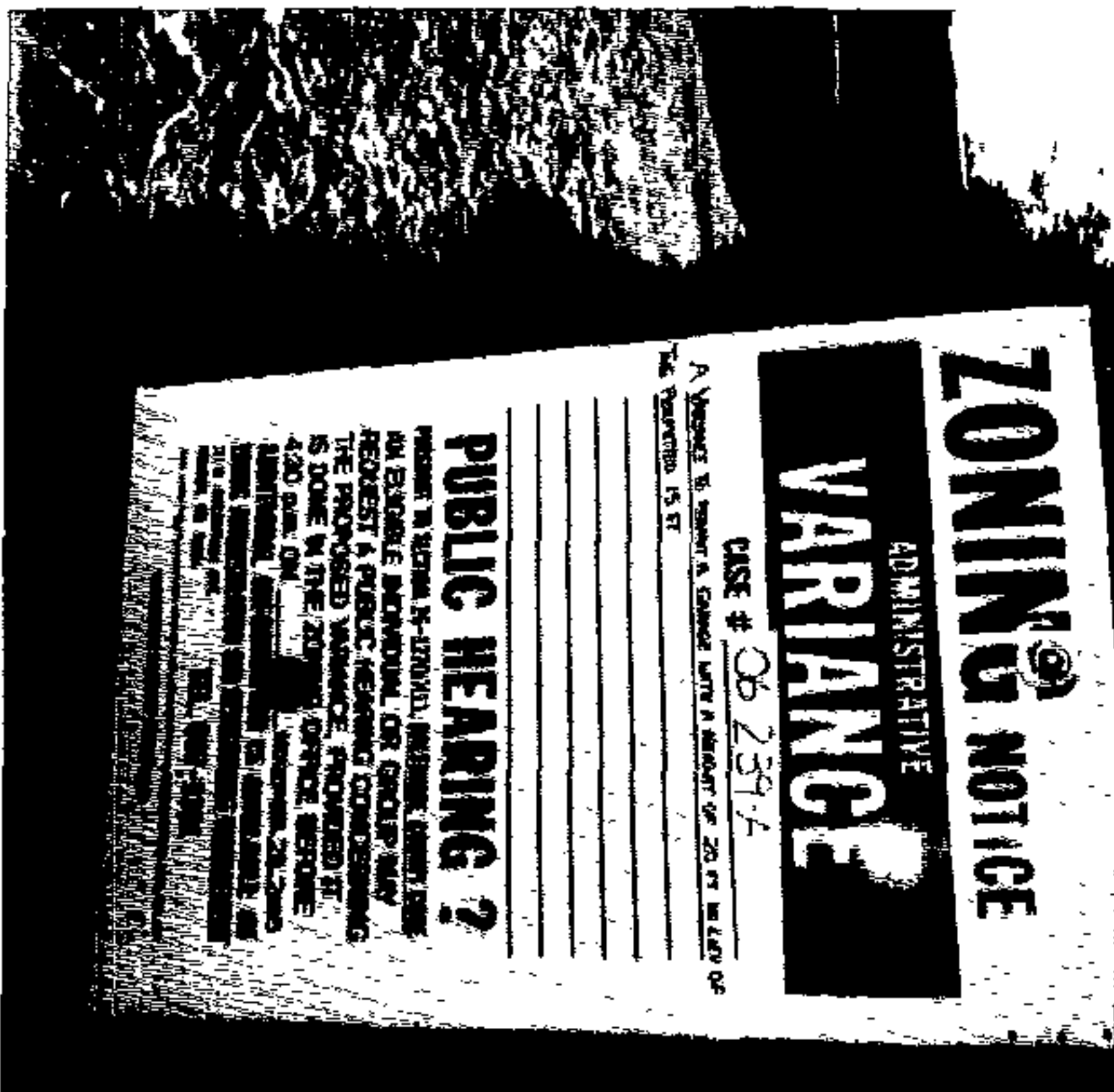
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: 239
Petitioner: GLENN BOYD
Address or Location: 89 WISE AVE., BALD., MD. 21222

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Address: SAME

Telephone Number: 410-285-3298

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 239 -A

Address 89 WISE AVE.

Contact Person: J. MERRY
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11-1-05

Posting Date: 11-13-05

Closing Date: 11-28-05

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- 239 -A

Address 89 WISE AVE.

Petitioner's Name GLENN BOYD

Telephone 410-285-3298

Posting Date: 11-13-05

Closing Date: 11-28-05

Wording for Sign: A VARIANCE
To Permit A GARAGE WITH A ~~MAX~~ Height of
20ft. IN LIEU of The PERMITTED 15ft.

WCR - Revised 6/25/04

December 16, 2005

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-239-A

89 Wise Avenue

S/west side of Wise Avenue, 160 feet west of Delmar Avenue

12th Election District – 7th Councilmanic District

Legal Owner: Glenn Edward Boyd

Variance to permit a garage with a height of 20 feet in lieu of the permitted 15 feet.

Hearing: Wednesday, January 18, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Glenn Edward Boyd, 89 Wise Avenue, Baltimore 21222
Tammy Sennett, 65 Wise Avenue, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 3, 2006**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

December 16, 2005

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-239-A

89 Wise Avenue

S/west side of Wise Avenue, 160 feet west of Delmar Avenue

12th Election District – 7th Councilmanic District

Legal Owner: Glenn Edward Boyd

Variance to permit a garage with a height of 20 feet in lieu of the permitted 15 feet.

Hearing: Wednesday, January 18, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Glenn Edward Boyd, 89 Wise Avenue, Baltimore 21222
Tammy Sennett, 65 Wise Avenue, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 3, 2006**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 3, 2006 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

410-887-3353

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-239-A

89 Wise Avenue

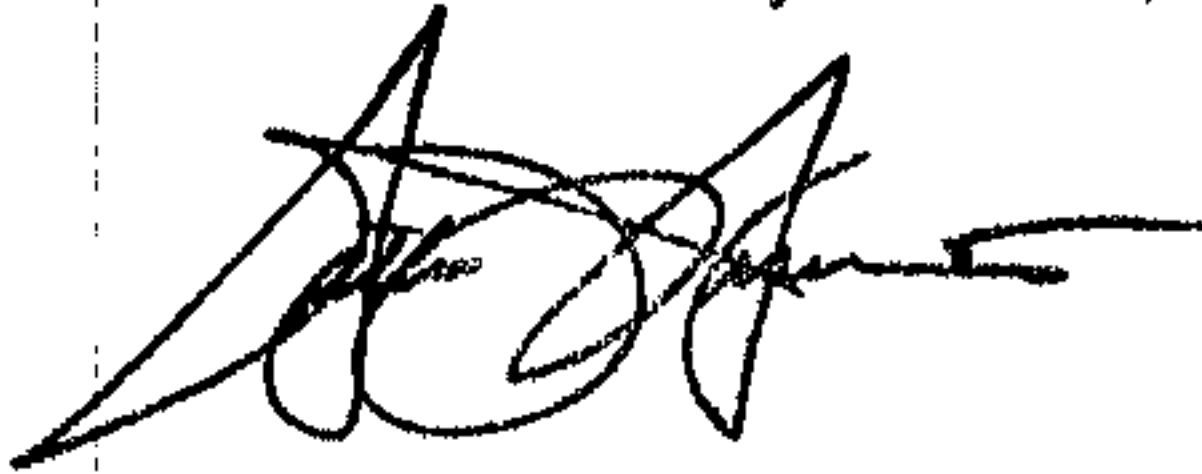
S/west side of Wise Avenue, 160 feet west of Delmar Avenue

12th Election District – 7th Councilmanic District

Legal Owner: Glenn Edward Boyd

Variance to permit a garage with a height of 20 feet in lieu of the permitted 15 feet.

Hearing: Wednesday, January 18, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 89 Wise Ave
which is presently zoned DRS.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) 400.3; BCZR TO PERMIT A

GARAGE WITH A HEIGHT OF 20ft IN LIEU OF THE
PERMITTED 15ft.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 13 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.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 1-23

Reviewed By Date

Estimated Posting Date

REV 10/25/01

UNDER RECEIVED FOR FILING
Date 1-23-02
By [Signature]

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

Address 89 Wise Ave
City Balto State MD Zip Code 21222

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):

- Existing house has a small living room.
 - would like to create a recreational living space for my family.
- On street parking is limited.
 - Have three licensed drivers living at this residence
 - Own multiple licensed vehicles

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.

Signature Glenn E Boyd

Signature

Name - Type or Print Glenn Edward Boyd

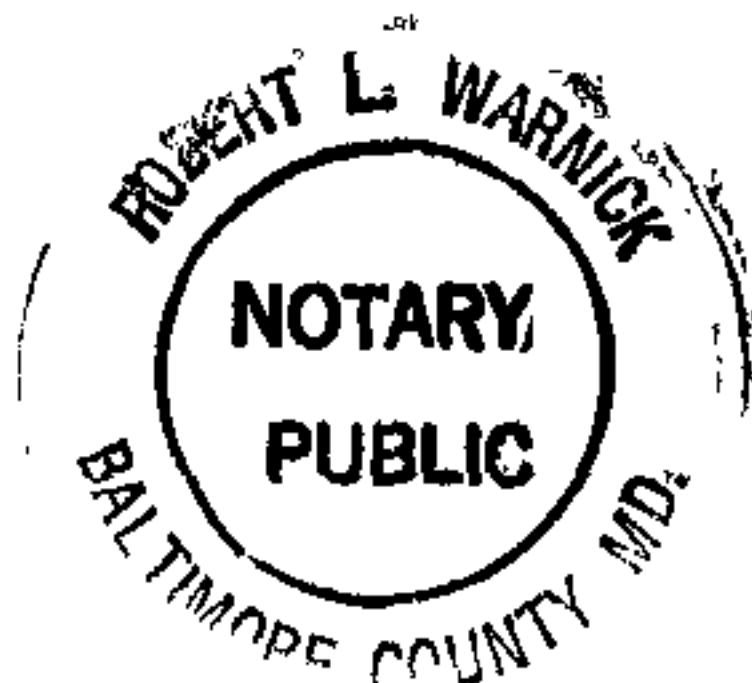
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of September, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND, BA. Co. GLENN BOYD
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Signature Robert L. Warnick
Notary Public

My Commission Expires 4/07

**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*

November 28, 2005

Glenn Edward Boyd
89 Wise Avenue
Baltimore, Maryland 21222

Dear Mr. Boyd

RE: Case Number: 06-239-A, 89 Wise Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 1, 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, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 14, 2005

RECEIVED

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

NOV 15 2005

SUBJECT: 6-239 – Administrative Variance

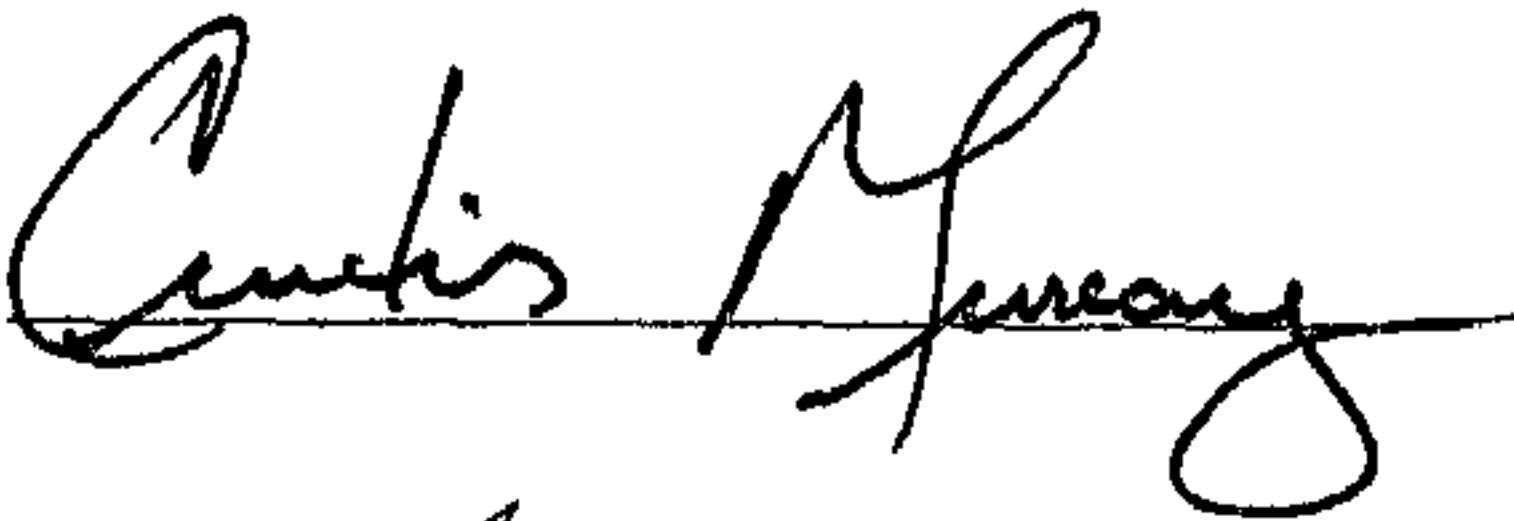
ZONING COMMISSIONER

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 20 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Amy Mantay at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL: CM

COUCH RECEIVED FOR FILING
Date 1-23-06
By [Signature]



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

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

Maryland Department of Transportation

Date: 11.15.05

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

RE: Baltimore County
Item No. 235 JCM

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

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

November 9, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: October 31, 2005

Item No.: 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 233, 234,
235, 236, 237, 238, 239, 241 and 242

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.

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 16, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For November 7, 2005
Item Nos. 223, 224, 225, 227, 228, 233,
234, 235, 236, 238, (239,)

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-11162005.doc

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

December 1, 2005

Glenn Edward Boyd
89 Wise Avenue
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 06-239-A
Property: 89 Wise Avenue

Dear Mr. Boyd:

Your request for Administrative Variance has been given to me for review. First, I am forwarding a letter of concern from Ms. Sennett, which we received on November 29, 2005. Ordinarily I would simply set this matter in for public hearing given Ms. Sennett's letter. However, I've received the attached comment from the Office of Planning, which ordinarily I incorporate into my Order for accessory buildings greater than 15 feet. You will note that the accessory building is not to be used as a residence. One of the reasons you give in support of your request is that you need more living space. I was not sure what use you plan for the garage beyond parking vehicles.

I am writing today to ask if you and Ms. Sennett, by copy of this letter, would let me know if I should schedule a public hearing on this request, if you can clarify your request and/or if you and Ms. Sennett can agree on your request.

Please let me know your thoughts in writing at your convenience. Please send the other person a copy of any correspondence you send to me.

Very truly yours,

A handwritten signature in black ink that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Ms. Tammy Sennett, 65 Wise Avenue, Dundalk, MD 21222

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



**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*

December 16, 2005

Glenn Edward Boyd
89 Wise Avenue
Baltimore, MD 21222

Dear Mr. Boyd:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 06-239-A

This letter is to inform you that after review of this particular case, the deputy-zoning commissioner has requested that this case be scheduled for a public hearing.

The hearing has been scheduled, and the notice of public hearing indicating the date, time and location of the hearing is attached. This notice will also contain the date that the sign must be reposted with the hearing information, which will be done by this office.

The property must be advertised with the hearing date, time and location. This notification will be published in the Jeffersonian and the billing will be handled by this office through Patuxent Publishing for this at no charge to you.

If you need any further explanation or additional information, please feel free to contact Joe Merrey at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a series of horizontal lines.

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm

C: Tammy Sennett, 65 Wise Avenue, Baltimore 21222

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



To: Zoning Commissioner

11-26-05

Re: 06239-A

I'm sorry that this fax comes on the last day, but I have been sick for over a week. I would like you to take in consideration the following information.

I live at 65 Wise Avenue, and I am concerned about this request for a variance. Regulations are put in effect for a purpose and if anyone can get a variance and change the regulations, what good are they.

I know that many of the houses surrounding said residence, there are elderly people who probably do not understand that they have a say in this matter, that there is even a way to try and stop it and they probably do not have the \$50.00 to request a hearing.

If this residence is allowed to build an additional 5 feet above the allowed amount, this would set a precedent for other residents to do the same. If the garage is built with the additional 5 feet, then if the building is not kept up and becomes an eye sore, then the neighbors have to look at this eye sore an additional 5 feet. (I'm sure the surrounding neighbors would not be allowed to build a 20 foot fence on the property line so that they would not have to look at it.

Rules are there for a reason. Who is to say that this resident will even stay in this home. Why does he need the additional 5 feet? Is he going to run some kind of business out of the garage that is not permitted.

If I had not been sick, I could have had the time to go around the community and get many signatures that are opposed to letting this variance happen. I also have family members and close friends in the community that would strongly oppose this variance.

Please take this information under advisement. Regulations are there to protect all the neighbors. I'm sure if I were to request a variance, I would be denied.

Tammy Sennett
65 Wise Avenue

RECEIVED

NOV 29 2005

ZONING COMMISSIONER

My name is Tammy Sennett and I represent the Community where the property in this case is located.

The community is a small, tight-knit community, in which quite a few owners have resided for many years.

My husband and I both grew up in this community and live in the community. We have lived in this community for more than 30 years.

My mother and Ms. Kurant, with me today, still reside in the community.

I am here to advise you that the community opposes the variance for the additional 5 feet, over the allowed 15 feet.

D

Would you set in
06-239 A for public
hearing

Kristen - 12/7/05

Can you schedule this
for public hearing before
Jack.

Thanks.

Dee

Wed.
Jan. 18, 2006
@ 9:00 am



Baltimore County
Department of Permits and
Development Management
Zoning
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Return Service Requested

240
VTF

605-05-05241 740212P58715702

4301 Annapolis, LLC
4301 Annapolis Road
Baltimore, MD 21227

NIXIE 212 1 06 05/10/06

NOT DELIVERABLE TO SENDER
UNABLE TO FORWARD

BC: 21204460236 *0492-03943-10-26

CAUTION: 2021 4602

|||||

CASE NAME 06-239-A
CASE NUMBER _____
DATE 11/8/06

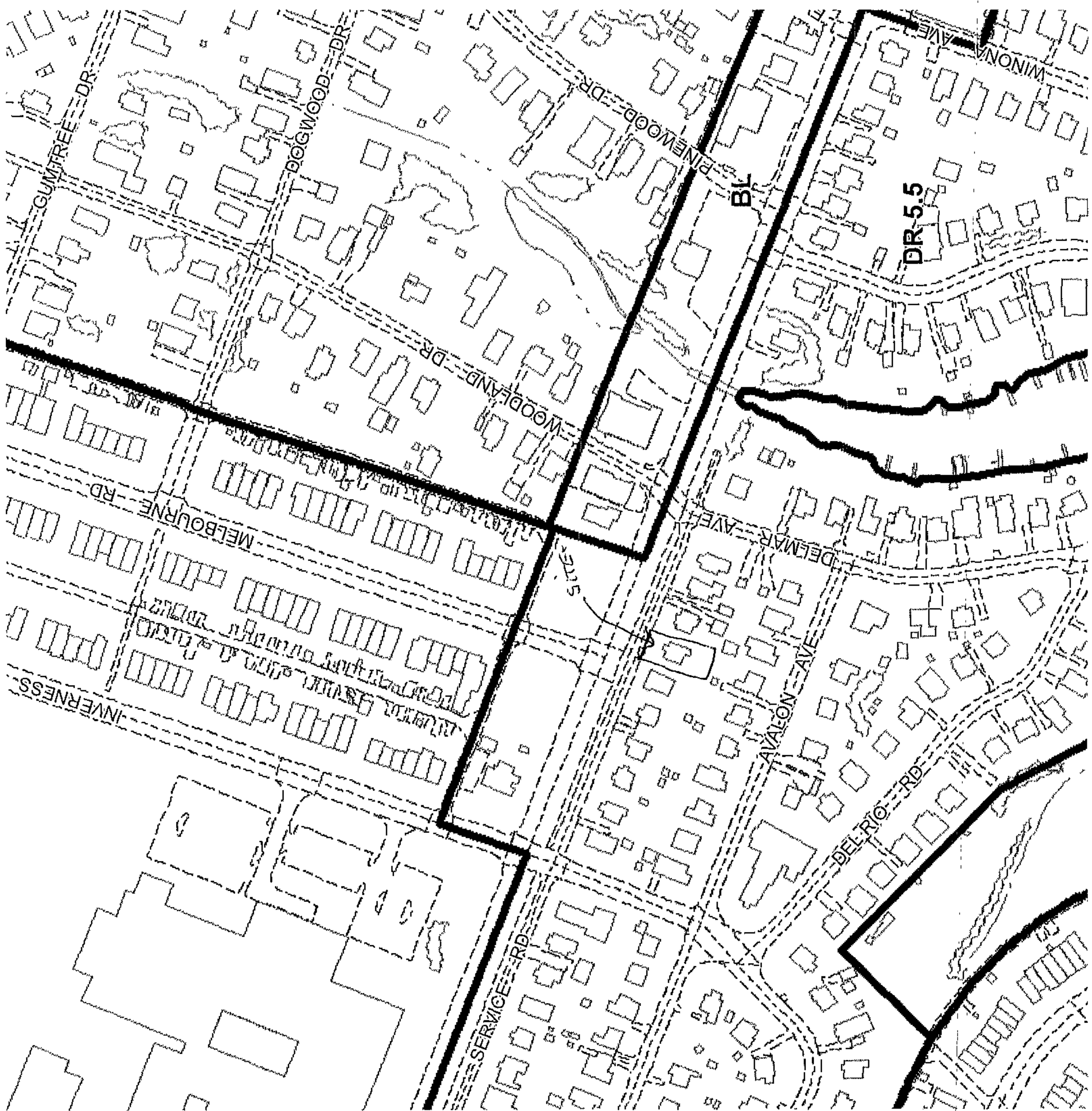
CITIZEN'S SIGN-IN SHEET

[illegible]

CASE NAME Administrative
CASE NUMBER 06-239-17
DATE Jan 18 2006

PETITIONER'S SIGN-IN SHEET

[illegible]



MAP: 104A2

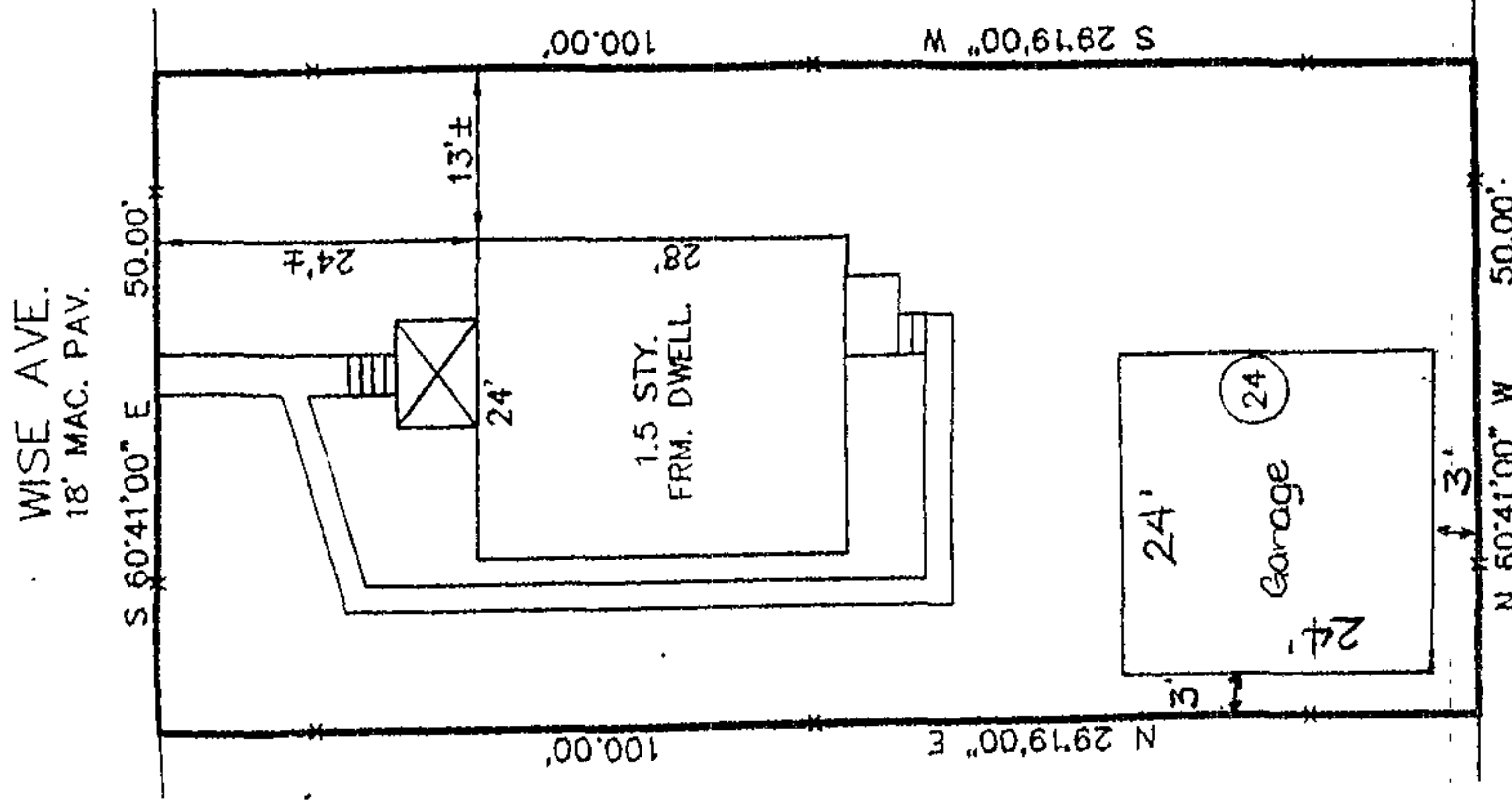
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Inverness Annex No. 1

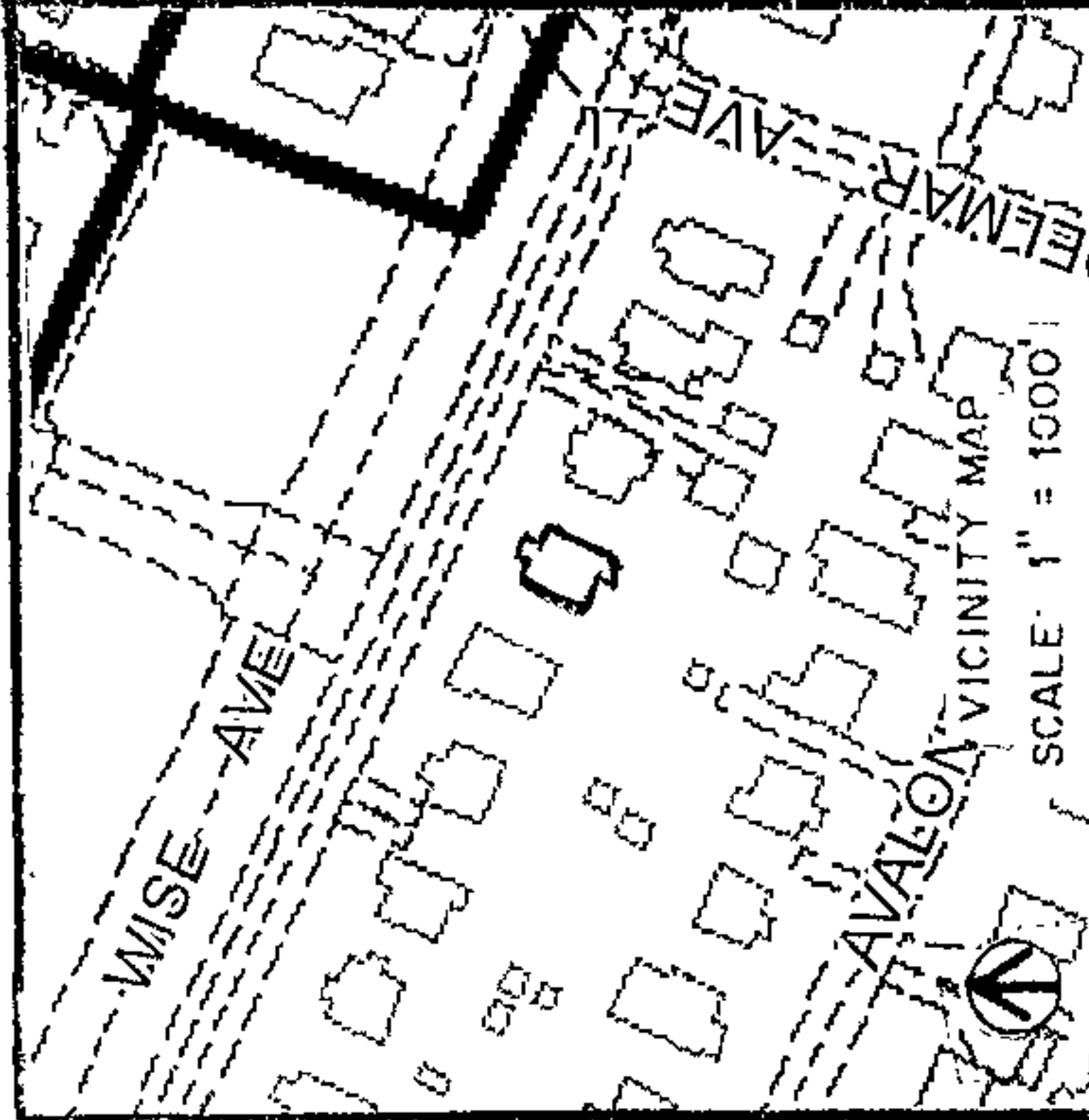
PLAT BOOK # 13 FOLIO # 27 LOT # 24 SECTION #

OWNER Glenn E. Boyd



NORTH

PREPARED BY Jeanne Boyd



LOCATION INFORMATION

ELECTION DISTRICT 12
COUNCILMANIC DISTRICT 7

1"=200' SCALE MAP # 104A2

ZONING DR 5.5

LOT SIZE
ACREAGE
5,000.
SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE ☐

WATER: ☒ ☐

CHESAPEAKE BAY, VIRGINIA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/
BUILDING

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0538
DESTINATION TEL # 4108875708
DESTINATION ID
ST TIME 28/11 09:39
TIME USE 00'30
PAGES SENT 1
RESULT OK

To: Zoning Commissioner

11-26-05

Re: 06239-A

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Tammy Sennett
65 Wise Avenue

PJW #1
~~XXXXXXXXXX~~

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Tammy Sennett
65 Wise Avenue

DET #1

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

89 Wise Ave
Address
Balto MD 21222
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):

- Existing house has a small living room.
 - Would like to create a recreational living space for my family.
- On street parking is limited.
 - Have three licensed drivers living at this residence
 - Own multiple licensed vehicles

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.

Glenn E. Boyd
Signature

Glenn Edward Boyd
Name - Type or Print

Signature

Name - Type or Print

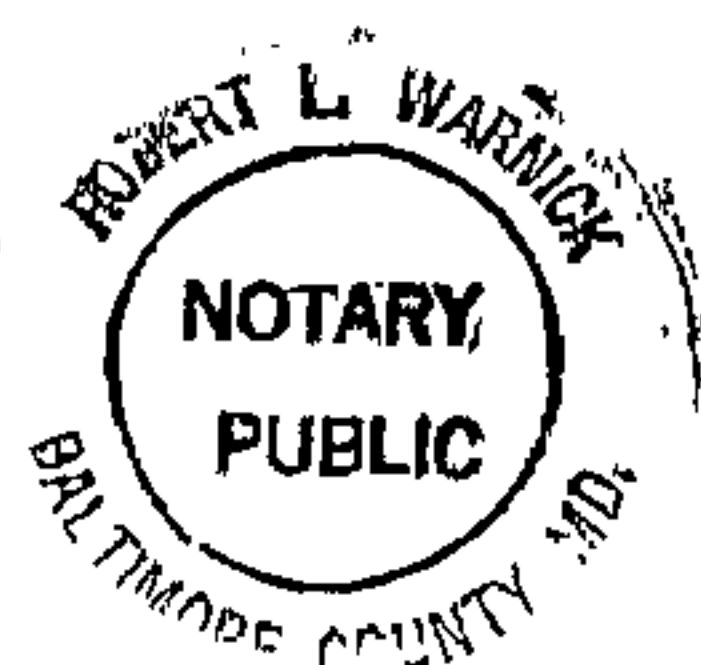
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of September, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND, BA. Co. GLENN BOYD

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

AS WITNESS my hand and Notarial Seal



REV 10/25/01

Robert L. Warnick
Notary Public

My Commission Expires 4/07

PROTESTANT'S

EXHIBIT NO. 1

EXHIBIT 1A

As you can see from Exhibit 1, the reasons for Mr. Boyd's request for the variance are:

1. additional living space for his family because his living room is small.

living space is not an allowed use for the accessory structure

2. 3 licensed drivers and multi-licensed vehicles.

90% of the community has the same situation, including myself, and I also live across from Patapsco Senior High School and Center for the Arts where I constantly deal with parking problems.

3 licensed drivers and multi-licensed vehicles has nothing to do with Mr. Boyd's request for the additional 5 feet, and should have no bearing on the variance decision.

If Mr. Boyd has a standard legal garage with the height of 15 feet, in combination with the driveway and public street parking in front of his home, he will be able to park 7-8 vehicles (2 in the garage, 3 in the driveway and 2-3 on the public street in front of his house). I believe that will provide more than enough parking.

PROTESTANT' S

EXHIBIT NO.

1A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 14, 2005

RECEIVED

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

NOV 15 2005

SUBJECT: 6-239 – Administrative Variance

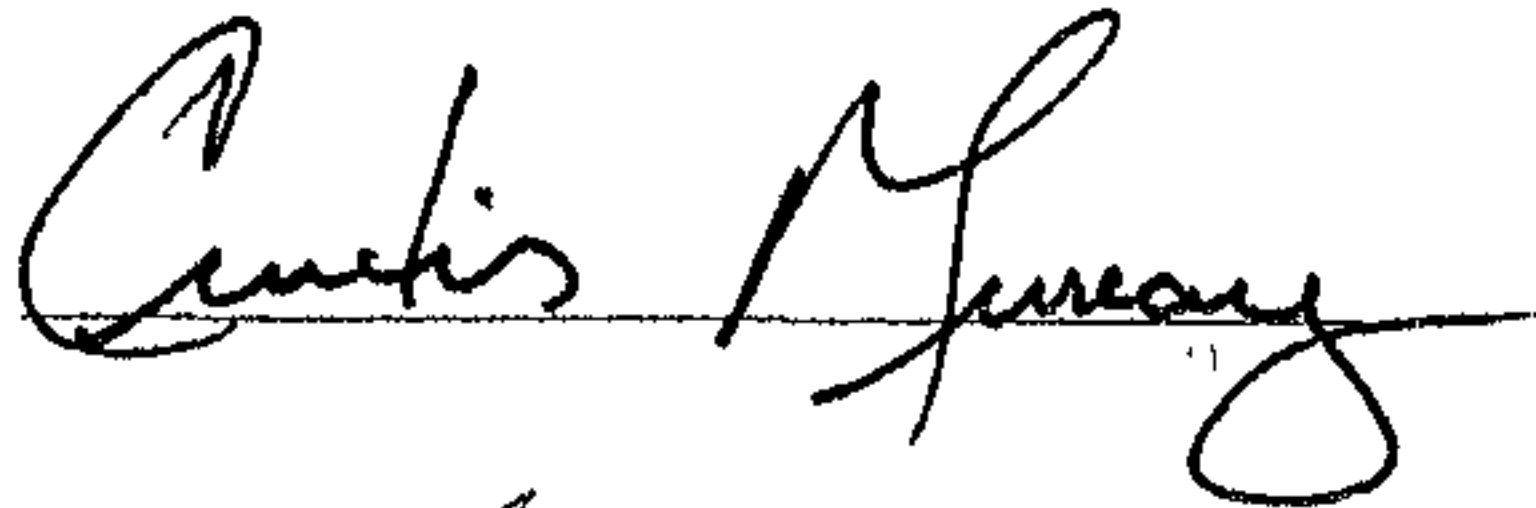
ZONING COMMISSIONER

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 20 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Amy Mantay at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL: CM

Exhibit 2A

This exhibit represents an inter-office memo from Arnold Keller to Timothy Kotroco, wherein it is stated that:

"The structure shall not contain...living area...."

this condition is pretty self-explanatory
no living area

PROTESTANT' S

EXHIBIT NO. 2A

BALTIMORE COUNTY ZONING REGULATIONS 1998 Edition, v14 Updated 09-10-2005

THE REGULATIONS

ARTICLE 1, GENERAL PROVISIONS

Section 101, Definitions [BCZR 1955]

GARAGE , COMMUNITY -- A structure or series of structures for the storage of automobiles of residents of the neighborhood, and not used for making repairs.

GARAGE , RESIDENTIAL -- An accessory building, portion of a main building or building attached thereto used for storage of private motor vehicles. [Bill No. 70-1988]

GARAGE , SERVICE -- A garage , other than a residential garage , where motor-driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale.

GARDEN CENTER -- A place of business where garden related products, horticultural materials or produce are sold to the retail customer. A garden center may include a nursery or controlled environment structures. [Bill No. 41-1992]

GOLF COURSE -- A tract of land laid out for at least nine holes for playing golf, and improved with tees, greens, fairways and hazards, facilities for collecting fees, storing golf equipment for rental or limited sale and storing equipment for maintenance of the golf course. Golf course includes snack stands and a restaurant with seating for no more than 50 persons. Golf course does not include catering facilities, nor any other facilities for entertainment or recreation. [Bill Nos. 73-2000; 74-2000]

GROSS LEASABLE AREA (GLA) -- The total floor area of a building for which the tenant pays rent and which is designed for the tenant's occupancy and exclusive use. Gross leasable area does not include public or common areas which are not leasable to individual tenants, e.g., enclosed pedestrian concourses in shopping malls. [Bill No. 26-1988]

GROUP CHILD CARE CENTER -- A building or structure wherein care, protection and supervision is provided for part or all of a day, on a regular schedule, at least twice a week to at least nine children, including children of the adult provider (see Section 424). [Bill Nos. 47-1985; 7-1991]

GROUP CHILD CARE CENTER, CLASS A -- A group child care center wherein group child care is provided for no more than 12 children at one time. [Bill No. 47-1985]

GROUP CHILD CARE CENTER, CLASS B -- A group child care center wherein group child care is provided for more than 12 children. [Bill No. 47-1985]

GROUP HOUSE -- A group of not less than three attached dwelling units which have been constructed together in a lateral row surrounded by yard space, each dwelling unit separated from another by a party wall. Group houses include townhouse apartment buildings, group-house apartment buildings, back-to-back group houses and other groups of at least three attached dwellings. A group house does not include a duplex or semidetached dwelling. A single-family group house refers to any one dwelling within the attached group. [Bill Nos. 102-1970; 2-1992]

GROUP HOUSE, BACK-TO-BACK -- A group house which is attached to two or more other dwelling units by a side and rear party wall. [Bill No. 2-1992]

HELICOPTER -- Any rotary-wing aircraft which depends principally for its support and motion in the air on the lift generated by one or more power-driven rotors rotating on substantially vertical axes. [Bill No. 85-1967]

HELICOPTER OPERATION -- A landing and takeoff by a helicopter. [Bill No. 85-1967]

HELIPORT, TYPE I -- Any area of land, water or structural surface which meets the design standards of the Federal Aviation Agency and has been authorized for helicopter operations by helicopter carriers certified by the Federal Aviation Agency. [Bill No. 85-1967]

PROTESTANT'S

3

EXHIBIT NO.

Exhibit 3A

According to the Baltimore County Zoning Regulations
Article 1, General Provisions
Section 101

An accessory structure residential garage is used for storage of private motor vehicles.

You can not build an accessory structure for additional living space.
You can not build on to, or above the accessory structure for additional living space.

PROTESTANT' S

EXHIBIT NO. 3A

BALTIMORE COUNTY ZONING REGULATIONS 1998 Edition, v14 Updated 09-10-2005

THE REGULATIONS

ARTICLE 4, SPECIAL REGULATIONS

Section 400, Accessory Buildings in Residence Zones [BCZR 1955; Bill No. 27-1963]

Section 400 , Accessory Buildings in Residence Zones [BCZR 1955; Bill No. 27-1963]

400.1 Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40% thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50% of such third. In no case shall they be located less than 21/2 feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building.

400.2 Accessory buildings, including parking pads, shall be set back not less than 15 feet from the center line of any alley on which the lot abuts. [Bill No. 2-1992]

400.3 The height of accessory buildings, except as noted in Section 300 shall not exceed 15 feet.

Section 401, Cemeteries [BCZR 1955]

The Zoning Commissioner or the Board of Appeals, on appeal, may require a minimum setback from any property line for any building, structure, grave or place of temporary or permanent burial, and may require such walls, fences and/or planting of shrubbery, trees or vines as may be reasonable and proper to afford adequate screening.

Section 402, Conversion of Dwellings [BCZR 1955]

For residential use:

402.1 The converted dwelling must be located on a lot that will meet the dimensional requirements shown in the schedule which follows.

402.2 Separate cooking facilities and a separate bathroom shall be provided for each family unit.

**CONVERSION OF ONE-FAMILY DWELLINGS
MINIMUM DIMENSIONS**

Zone	Width of Lot in Feet at Front Building Line			Lot Area In Square Feet		Side Yards	
	Semi-Detac Duplex ¹	Each Add. hed ¹	Each Add. Fam.	Two Families	Each Add. Family	Min. For One	Sum of Both
D.R.1	175	175	25	50,00			
			50				C
D.R.2	125	125	25	25,00			
			35				C

PROTESTANT'S

EXHIBIT NO. 4

Exhibit 4A

According to the Baltimore County Zoning Regulations
Article 4, Special Regulations
Section 400 (400.3)

"The height of accessory buildings...shall not exceed 15 feet"

This is the regulation, plain and simple. Regulations are put in place for a purpose. A group of zoning officials decided that the reasonable height of an accessory building (i.e. residential garage) would be a height of 15 feet.

It was not a guess or a whim, but a calculated process performed by the county. The same process that you uphold through your position as Commissioner.

PROTESTANT'S

EXHIBIT NO. 4A

Zoning Commission

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

December 1, 2005

Glenn Edward Boyd
89 Wise Avenue
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 06-239-A
Property: 89 Wise Avenue

Dear Mr. Boyd:

Your request for Administrative Variance has been given to me for review. First, I am forwarding a letter of concern from Ms. Sennett, which we received on November 29, 2005. Ordinarily I would simply set this matter in for public hearing given Ms. Sennett's letter. However, I've received the attached comment from the Office of Planning, which ordinarily I incorporate into my Order for accessory buildings greater than 15 feet. You will note that the accessory building is not to be used as a residence. One of the reasons you give in support of your request is that you need more living space. I was not sure what use you plan for the garage beyond parking vehicles.

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Please let me know your thoughts in writing at your convenience. Please send the other person a copy of any correspondence you send to me.

Very truly yours,

A handwritten signature in black ink that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Ms. Tammy Sennett, 65

PROTESTANT'S

Visit the Co

EXHIBIT NO.

5

tyonline.info



Exhibit 5A

A few days after receiving this letter (Exhibit 5) from Deputy Zoning Commissioner Murphy, I called his office and asked if this letter requested that I have a conversation with Mr. Boyd regarding this matter. I was told yes, but that if I did not feel comfortable about it, I could just write more of my concerns and send them to Commissioner Murphy.

I decided to go down and speak with Mr. Boyd.

My conversation with Mr. Boyd lasted about an hour. During that conversation, Mr. Boyd repeatedly explained that he needed the additional height so that he could have an "additional room" since his living room was small.

He continually talked about his family's activities as if that were some essential excuse to have his "additional room." I continued to advise him that his family's activities did not have any bearing on the variance, nor would the community change their mind about opposing the variance. He described how in this "additional room" he would put furniture, ping-pong table, etc. He also advised that it would have electricity and heat.

During this conversation, I asked Mr. Boyd if he had a basement. He told me yes. I asked him, "why don't you create a family room right here in the house." He answered, "I don't want to." I replied, "well, the community doesn't want you to build a 20 foot high garage."

After about an hour, I told him I had to go and I would call him the next day. I called him the next day and informed him that I spoke with some community members and that they still opposed the variance. I also advised him that the hearing would take place.

PROTESTANT'S

EXHIBIT NO. 5A

EXHIBIT 6

In addition, I would like to add:

I have an 18 year old son. If we had a room and/or living space above a garage, he would most definitely want to live out there. He would not care that it did not have a bathroom or kitchen facilities. As long as it had electricity and heat, he would love it. He knows he would have the house right there for all his needs.

Mr. Boyd has two children. Both over the age of 16. (one may already be out of school). If you allow him to have his variance, at least one of his children will eventually be living above the garage in the future.

Once the accessory structure is built, it's built. If he is made to build it within the regulations of 15 feet, we should not have to worry about someone living in it. If he is allowed to build it with the additional 5 feet, then it exists, and the battle of its use begins.

An accessory building of 24x24x20 ft in height could be situated as: 10 feet high for the garage with a room/living area of 24x24x10 feet high. That is a very large room/living space and could also be portioned into 2 separate living areas. Plumbing, appliances, etc. could be added to this room/living area without the knowledge of the community.

Mr. Boyd will not be the last owner of the property, whether it be next year or 30 years from now. Therefore, a prospective owner could look at the property with a "living area" idea in mind, even if the prospective owner is aware of the zoning regulations.

PROTESTANT' S

EXHIBIT NO. 6

EXHIBIT 6A

(I have valid reasons for representing my community. I myself live next to a zoning nightmare. A long time ago my uncle owned the house I now live in. He was young and naive and believed the older gentlemen next door to him when he said he was allowed to build onto his home. This neighbor knew politicians and advised that he was allowed to have this addition. My uncle did not know about the zoning regulations and believed him. Not only did he build the addition, but he had 2 additional illegal gas & electric meters installed. (I had them removed through zoning).

It exists!

The problem I face today (as well as my uncle did later on) was that they tried to rent out parts of the home as apartments. This property is zoned as a "single-family dwelling" and only has a lot size of 50x100. I continually have to deal with the situation of each new owner or existing owner trying to use the property as more than a single-family dwelling. The house is larger than the usual cape cod dwelling in the community, and therefore requires more money to maintain it.

I am not a prejudice person, your honor, but since I have moved back into the community in this home, I have had a continual problem with owners from Peru, etc. having more than one family trying to reside on the property. Including a year of it being used for a Peruvian half-way house for men.

Once it exists, it exists. Then the headache begins as the present owner or future owners use the accessory structure in an unallowable way. It will happen because the community has affordable cape-cod houses and homeowners are moving in and trying to change the community. They want to buy these homes and request variances to enlarge the house to meet their needs, instead of purchasing a home that fits their needs.

EXHIBIT 6B

Mr. Boyd purchased the property in Aug. 2005. He requested this variance in Sept. 2005. It seems to me that Mr. Boyd purchased this property knowing that he wanted more living space and would request this variance.

Mr. Boyd should have purchased a property to accommodate his needs. Instead, he purchased this property, expecting that the community would change to his needs.

You buy a property that fits your needs, you don't expect a community to change to your needs.

Re: 89 Wise Avenue
Case No.: 06-239-A

January 17, 2006

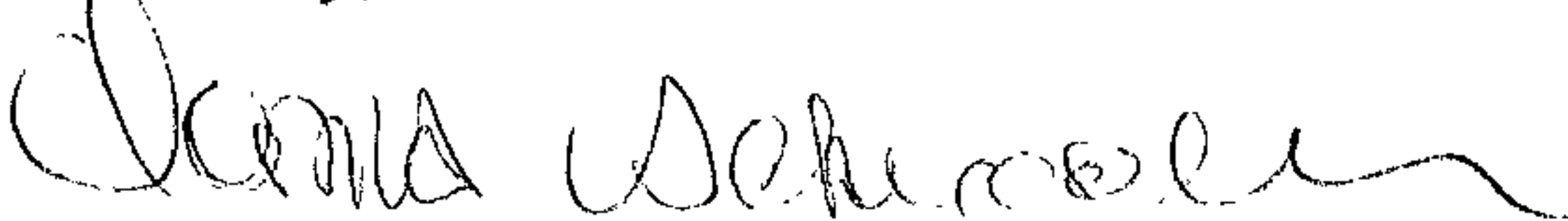
Hi,

My name is Donna Schroeder. I live directly behind 89 Wise Avenue. In fact, my rear property line touches the rear property line of Mr. Boyd's. I am unable to attend the hearing in connection to this matter, but I want my opposition to be noted.

I absolutely oppose the variance for the additional 5 feet. The accessory structure should not be allowed to exist over the regulation height of 15 feet.

My opposition should definitely be considered in this matter, since the accessory building will only be 2½ feet from my property line.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donna Schroeder", with a long horizontal flourish extending to the right.

Donna Schroeder

PROTESTANT'S

EXHIBIT NO. 7

Exhibit 8

Signed petitions from the community.

With the weather, people working, yards with dogs and my own personal life, I had to get a few signatures at a time.

I have 104 signatures as of today.

PROTESTANT' S

EXHIBIT NO. 8
6 pages

CASE NO.: 06-239-A (89 Wise Avenue)

THE SURROUNDING COMMUNITY OPPOSES THE PETITIONERS VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH THE ADDITIONAL HEIGHT OF FIVE FEET OVER THE PERMITTED/LEGAL 15 FEET MAXIMUM.

Vanessa Shelton

85 Wise Ave

Eric Leach

85 Wise Ave

Marion Mather

85 Wise Ave

Anna A Lee

90 Avalon Ave

Joseph Lee

90 Avalon Ave

Jonda Truff

31 Marista Ave

Robert Truff

31 Marista Ave

William Bennett

605 Wise Ave

Edward J. Bennett

605 Wise Ave

Doug Seeger

85 Wise Ave

Franco Aron

80 Avalon Ave

Bob S

500 Avalon Ave

Amelia Jones

52 Marista Ave

John Johnson

92 Avalon Ave

Wendy Johnson

92 Avalon Ave

Jennifer Johnson

92 Avalon Ave

Bob Johnson

94 Avalon Ave

Donna Johnson

96 Avalon Ave

Christine Smith

98 Avalon Ave

Barry Groscup

93 Avalon Ave

Mary Dietrich

60 Marista Ave

Bud Dietrich

60 Marista Ave

CASE NO. 06-239-A (89 Wido Avenue)

THE SURROUNDING COMMUNITY OPPOSES THE PETITIONERS VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH THE ADDITIONAL HEIGHT OF FIVE FEET OVER THE PERMITTED/LEGAL 15 FEET MAXIMUM.

Laura Adams	93 Avalon Ave
Mike McClain	93 Avalon Ave
Brian Wood	89 Avalon Ave
Flaine Wood	89 Avalon Ave
Margaret Carey	58 Mavesta Ave
Annita Tidwell	62 Mavesta Ave
George & Elva Kaps	51 Mavesta Ave
Edward J. Kapski	1 Mavesta Ave
Mary A. Bapko	1 Mavesta Ave
M. Kapski	3 Mavista Ave
Alan Bapko	311 Mavista Ave
DAVID HUCK	7 MAVISTA AVE
Victory Huck	7 MAVISTA AVE
Fern Blackburn	9 Mavesta Ave
J.D. Smith	57 Del Rio Rd
Mary T Smith	57 DEL RIO Rd
Lois Hardin	61 Del Rio Rd
Shirley Wild	58 Del Rio Rd
Randy Wild	58 Del Rio Rd
Angela Harner	58 Del Rio Rd
XAVIER BISIN	24 WINONA AVENUE

CASE NO. 08-239-A (89 Wide Avenue)

THE SURROUNDING COMMUNITY OPPOSES THE PETITIONERS VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH THE ADDITIONAL HEIGHT OF FIVE FEET OVER THE PERMITTED/LEGAL 15 FEET MAXIMUM.

Marie Brooks	65 Del Rio Rd
Margaret Pratt	63 Del Rio Rd
Steven Pratt Sr	63 Del Rio Rd
Chardine Pratt	63 Del Rio Rd
Steven Pratt Jr	63 Del Rio Rd
Angie Annece	63 Del Rio Rd
Brian Allen	53 Del Rio Rd
Lanny Dicks	53 Del Rio Rd
Eric H. H. H.	53 Del Rio Rd
Nancy Boett	74 Mavista Avenue
Claude Boett	74 Mavista Avenue
Jeff Boett	74 Mavista Avenue
Tom Pfeiffer	5 Mavista Ave
Charles Pfeiffer	5 Mavista Ave
David C. Kearney	21 Mavista Ave.
Marcella H. Kearney	21 Mavista Ave.
Kathy Kearney	19 Mavista Ave
L. L.	19 Mavista Ave
Yvonne B. B.	54 Mavista Ave
D. D.	56 Mavista Ave
Michael M. M.	56 Mavista Ave

CASE NO.: 06-239-A (89 Wise Avenue)

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J. M. L.

Dawn M. L.

Steve Kurent

Nancy Kurent

J. Kurent

Elaine Kurent

Wendell Medley

Karen L. L.

Steve M. L.

Daniel L. Mimmack

Gennie K. Mimmack

Diane H. Hymen

Mary L. Rokey

Charles B. Rokey

Theresa Merritt

Scott Merritt

Carla Jarrell

Moah W. Jarrell

J. Baker

Ronna A. Baker

Mildred Sanders

27 Navista Ave

29 Navista Ave

33 Navista Ave

35 Navista Ave

39 Navista Ave.

39 Navista Ave.

48 Navista Ave.

41 Navista Ave.

41 Navista Ave.

70 ALAVISTA AVE

70 NAVISTA AVE

45 Navista Ave

72 Navista Ave

72 Navista Ave

25 Navista Avenue

25 Navista Avenue

25 Navista Avenue

25 Navista Avenue

17 Navista Ave

17 NAVIST AVE.

45 Wise Ave.

CASE NO. 06-239-A (89 Wise Avenue)

THE SURROUNDING COMMUNITY OPPOSES THE PETITIONERS VARIANCE TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH THE ADDITIONAL HEIGHT OF FIVE FEET OVER THE PERMITTED/LEGAL 15 FEET MAXIMUM.

Gregory Lilly	59 Wise Ave
Betty Lilly	59 Wise Ave
Luella L. Stricklin	59 Wise Ave
Frances Pietrogallo	83 Wise Ave
Sammy Rankin	98 Avalon Ave
Edward Lee Moore	74 Avalon Ave.
Anna M. Beckman	67 Avalon Ave
Jon D. W. Atk	68 AVALON AVE
Lee J. Stiles	68 AVALON AVE
Bob Robinette	65 Avalon Ave
Brenda Stokeman	66 Avalon Ave
Wm D. Ch. A	75 Wise Ave
Lisa & Steve Pizarro	86 Avalon Ave.
Patricia Tyree	88 Avalon Ave
Larry Rice	88 Avalon Ave
W. W. Sellers	107 Delmar Ave
W. L. Sellers	107 Delmar Ave
Cyril Kaufman	77 Wise Avenue

Wise Ave.

Avadon

Main St

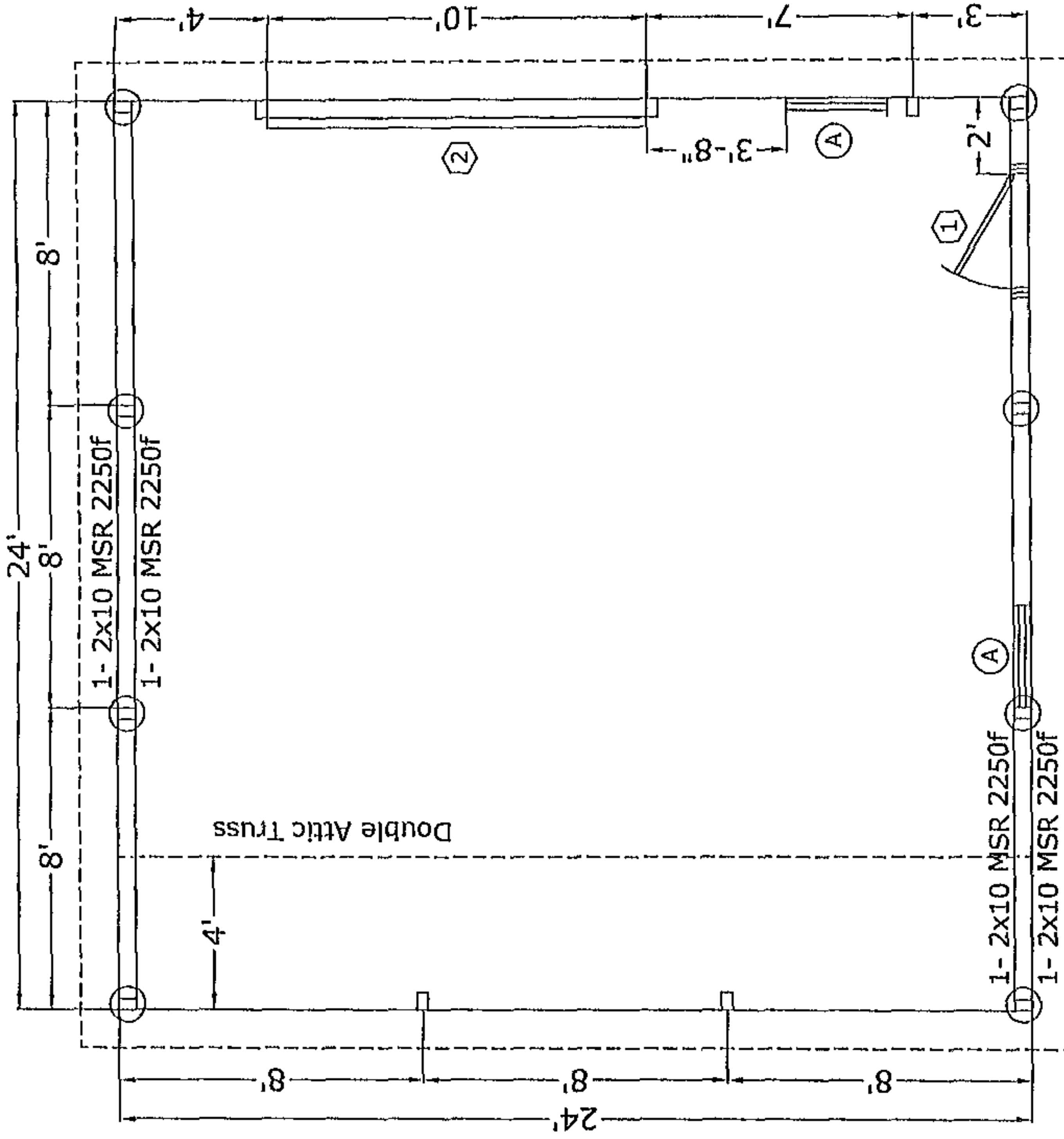
Wise Ave.

Avadon

Del Rio

Delmar

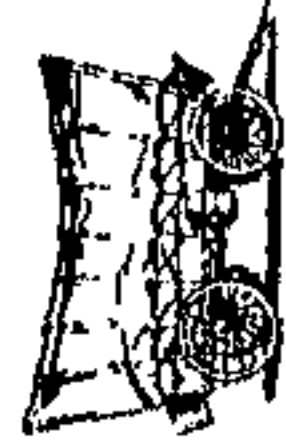
Page # 1



- 24' Attic Truss, 10 1/2" o.h., 10/12 Pitch, 24" o.c., 35-7-10 Load
- Bottom Chord Ties As Per Truss Manufacturer
- 10'-4" Inside Height
- (A) (4) 2838 S.H. Windows (One in Each Gable Top)
- (1) 3068 RHIS 6-Panel Service Door
- (1) 10x8 F.C.II Overhead Doors w/ Dutch Corners
- Ridge Cap w/ Versa Vent RX-10
- 12" Gable Overhang
- Vinyl Siding
- All Footers 18" $\emptyset$ x 8" Wet-Pour Concrete, Except:
- $\bigcirc$ = 20" $\emptyset$ x 10"
- 3-Ply 2x6 Glulam PT Posts

2 #203

C.B. Structures, Inc. producers of



CONESTOGA
Buildings

202 Orlan Road, New Holland, PA 17557

1-800-544-9464

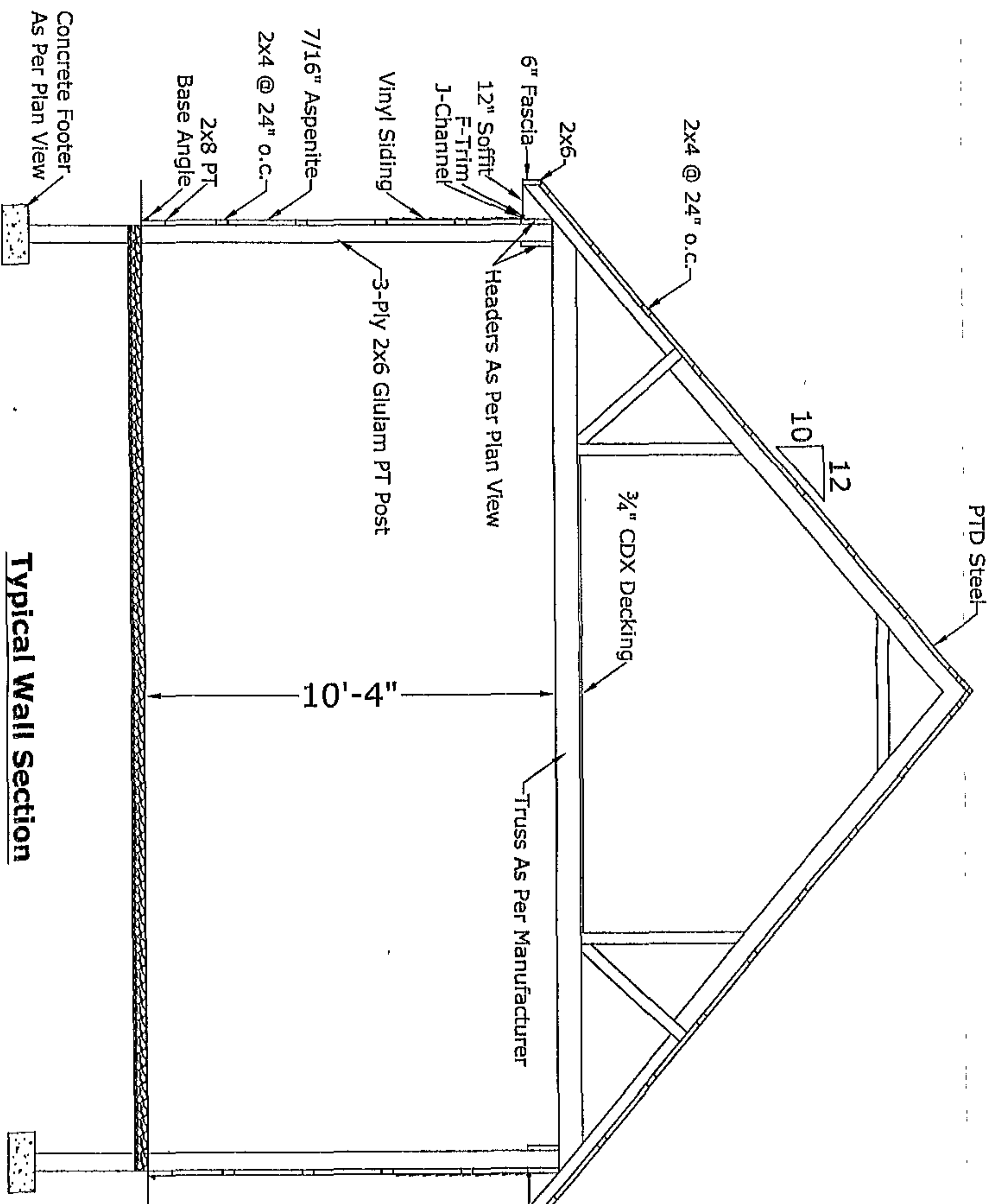
NAME Glenn Boyd

89 Wise Avenue

Dundalk, MD 21222

SCALE 1/4" = 1'-0" SIZE 24x24x10'4"

SHEET 1 OF 2 DATE 31 August 2005



Typical Wall Section



C B Structures, Inc. producers of
CONESTOGA
Buildings
 202 Orlan Road in New Holland, PA 17557
1-800-544-9464

NAME Glenn Boyd

89 Wise Avenue

Dundalk, MD 21222

SCALE No Scale SIZE 24x24x10'4"

SHEET 2 OF 2 DATE 31 August 2005

**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*

January 16, 2006

Glenn Edward Boyd
89 Wise Avenue
Baltimore, Maryland 21222

Dear Mr. Boyd

RE: Case Number: 06-239-A, 89 Wise Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 1, 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, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

