

IN RE: **PETITION FOR ADMIN. VARIANCE**
SW/Corner Magnolia Avenue and
Winans Avenue
(4617 Magnolia Avenue)
13th Election District
1st Council District

Michael F. Reilly, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 06-247-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Michael F. Reilly, and his wife, Charlene M. Reilly. The Petitioners seek relief from Section 427.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6-foot high fence adjacent to the front yard of an adjoining property in lieu of the maximum allowed height of 3.5 feet. The subject property and requested relief are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

Based upon the evidence contained therein, I am persuaded that strict compliance

ORDER RECEIVED FOR FILING

Date

By

12/2/05

Top

with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners. Variance relief is necessary due to the property's corner location and the location of the existing swimming pool. As shown on the site plan, the pool is located in the rear, southeastern corner of the yard in close proximity to Winans Avenue and the adjacent neighbor's home. Obviously, the fence is necessary for safety and privacy considerations. Moreover, the fence will be setback 14 feet from Winans Avenue, nearly in line with the front wall of the adjacent dwelling. Thus, it will not interfere with the line of sight for vehicles entering or exiting that property or traveling along that roadway. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and none of the neighbors voiced any opposition to the request. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of December 2005 that the Petition for Administrative Variance seeking relief from Section 427.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6-foot high fence adjacent to the front yard of an adjoining property in lieu of the maximum allowed height of 3.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WJW:bjs


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4617 FLAGNOLIA AVE
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)

6 FT. PRIVACY FENCE TO BE BUILT ADJACENT TO A NEIGHBOR'S FRONT YARD
427 B. 3. TO PERMIT A

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

If a Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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):

MICHAEL F. REILLY

Name - Type or Print

Michael F. Reilly

Signature

CHARLENE M. REILLY

Name - Type or Print

Charlene M. Reilly

Signature

4617 MAGNOLIA AVE 410-242-6034

Address

Telephone No.

BALTIMORE MD. 21227

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO.

06-247-A

Reviewed By SIF

Date

11-04-05

Estimated Posting Date

11-13-05

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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

4617 MAGNOLIA AVE
Address
BALTIMORE MD 21227-4443
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):

OUR BACKYARD PRIVACY FENCE (6' TALL) BACKS UP TO FRONT YARD OF LOT # 290. THE FENCE WILL BE LOCATED APPROXIMATELY 11' FROM DWELLING ON LOT # 290.

OUR PRIVACY HAS BEEN PROVIDED BY A HEDGE THAT IS DETRIMENTAL AND WILL BE REPLACED BY THE FENCE.

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.

Michael F. Reilly
Signature

MICHAEL F. REILLY
Name - Type or Print

Charlene M. Reilly
Signature

CHARLENE M. REILLY
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of November, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael F. Reilly & Charlene M. Reilly
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Don H. Wynn
Notary Public

My Commission Expires 7/2/08

No. 02067

D-247-99

ACCOUNT

100

\$ **AMOUNT**

6

RECEIVED
FROM: _____

[illegible]

FOR:

Geographical

11-12-1964

THE

Figure 1

100

[illegible]

100

THE

100

THE UNIVERSITY OF CHICAGO

THE

11

100

[illegible]

$\frac{1}{\sqrt{2}}$

11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
84

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

1

— 1 —

1

1. $\mathcal{H}_1$ is a Hilbert space.

 $\frac{1}{\sqrt{2}}$

1. *Introduction*

1

1

100

$$e_N = \frac{1}{N} \sum_{i=1}^N e_i$$

1

10

100

1

1

10

1
1
1
1
1
1
1

1

OFFER

2

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-247-A

Petitioner/Developer: MICHAEL F

R. CHARLENE REILLY

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}

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: _____

4617 MAGNOLIA AVE

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

Sincerely,

Robert Black 11-15-05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

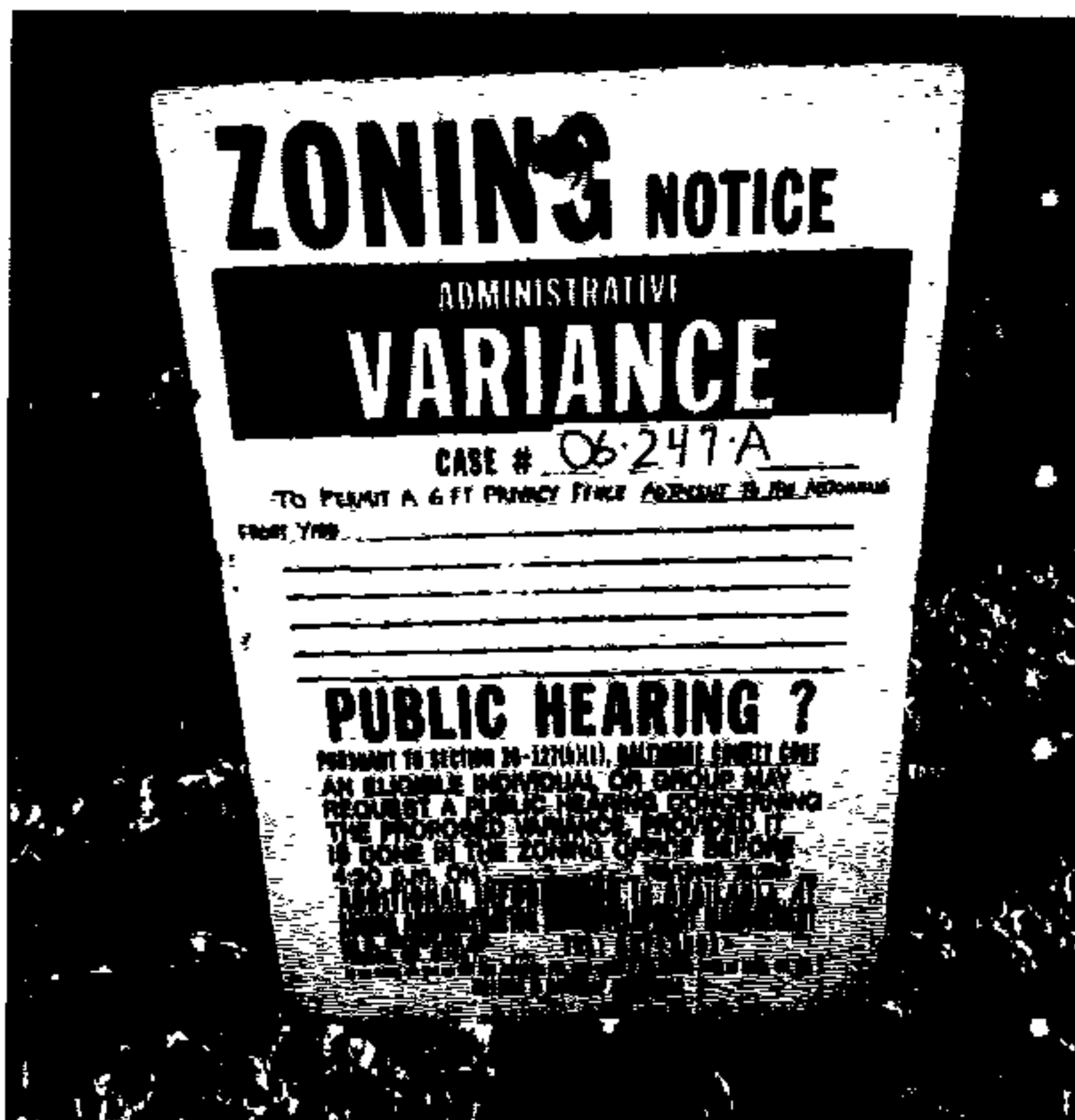
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



4617 MAGNOLIA AVE

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/neighborhood 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 06-247-A
Petitioner MR & MRS MICHAEL F. REILLY
Address or Location 4617 MAGNOLIA AVE BALTO, MD 21227

PLEASE FORWARD ADVERTISING BILL TO

Name: MICHAEL REILLY
Address 4617 MAGNOLIA AVE
BALTO, MD, 21227

Telephone Number 410-242-6034

06-247-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 247 -A Address 4617 MAGNOLIA AVE.

Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11-04-05 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- 247 -A Address 4617 MAGNOLIA AVE

Petitioner's Name MICHAEL S. CHARLTON Telephone 410 242-6038

Posting Date: 11-13-05 Closing Date: 11-28-05

Wording for Sign: To Permit A 6 FT Privacy Fence Adjacent To
the Adjacent Property

WCR - Revised 6/25/04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4617 MAGNOLIA AVE
which is presently zoned DR2.S.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) 1427.B.3. - 60 Feet Min.

60 FT. Privacy Fence to be built adjacent to a Neighbors' Front Yard

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

MICHAEL F. REILLY

Name - Type or Print

Michael F. Reilly

Signature

CHARLENE M. REILLY

Name - Type or Print

Charlene M. Reilly

Signature

4617 MAGNOLIA AVE 410-242-6034

Address

Telephone No.

BALTIMORE MD.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11 day of 04, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-247-A

Reviewed By SJD Date 11-04-05

REV 10/25/01

Estimated Posting Date 11-13-05

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

4617 MAGNOLIA AVE
Address
BALTIMORE MD 21227-4443
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):

OUR BACKYARD PRIVACY FENCE (6' TALL) BACKS UP TO FRONT YARD OF LOT # 290. THE FENCE WILL BE LOCATED APPROXIMATELY 11' FROM DWELLING ON LOT # 290.

OUR PRIVACY HAS BEEN PROVIDED BY A HEDGE THAT IS DETERIORATING AND WILL BE REPLACED BY THE FENCE

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.

Michael F. Reilly
Signature

MICHAEL F. REILLY
Name - Type or Print

Charlene M. Reilly
Signature

CHARLENE M. REILLY
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of November, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael F. Reilly & Charlene M. Reilly
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Paul N. Wynn
Notary Public

My Commission Expires 7/2/08

**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

Michael F. Reilly
Charlene M. Reilly
4617 Magnolia Avenue
Baltimore, Maryland 21227

Dear Mr. and Mrs. Reilly:

RE: Case Number: 06-247-A, 4617 Magnolia Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



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

RE: Baltimore County
Item No. 247

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

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 15, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: November 7, 2005

Item No.: 243, 244, 245, 246, 247, 248, 249.

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 23, 2005

NOV 30 2005

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

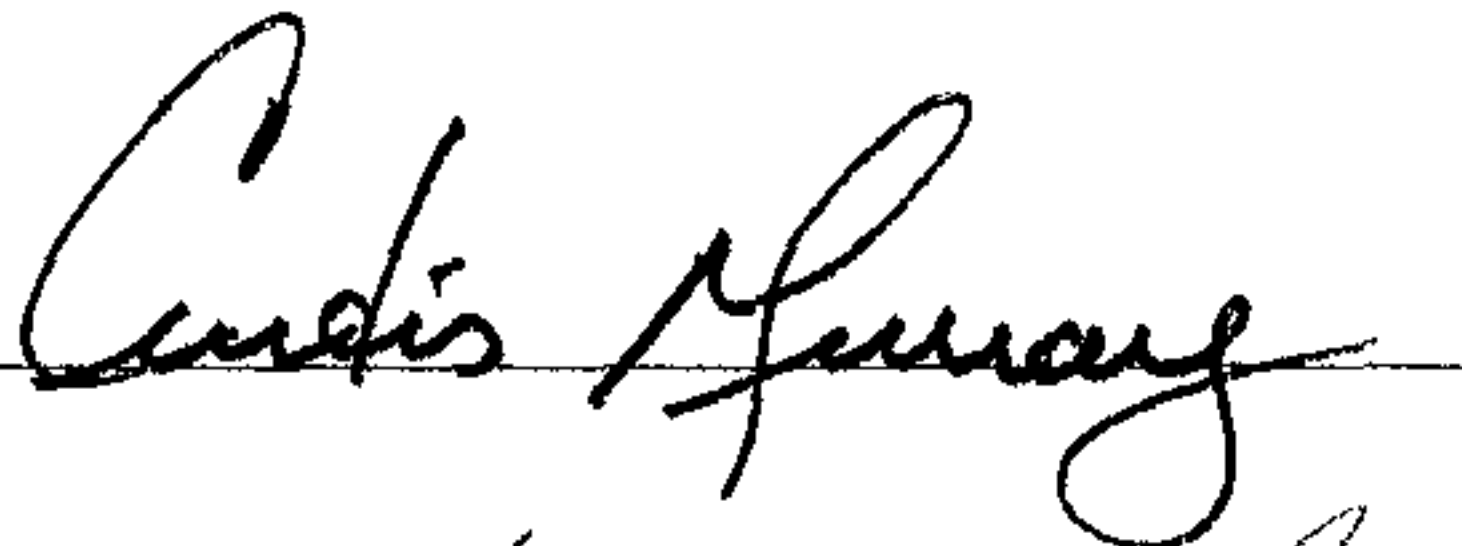
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-247- Administrative Variance**

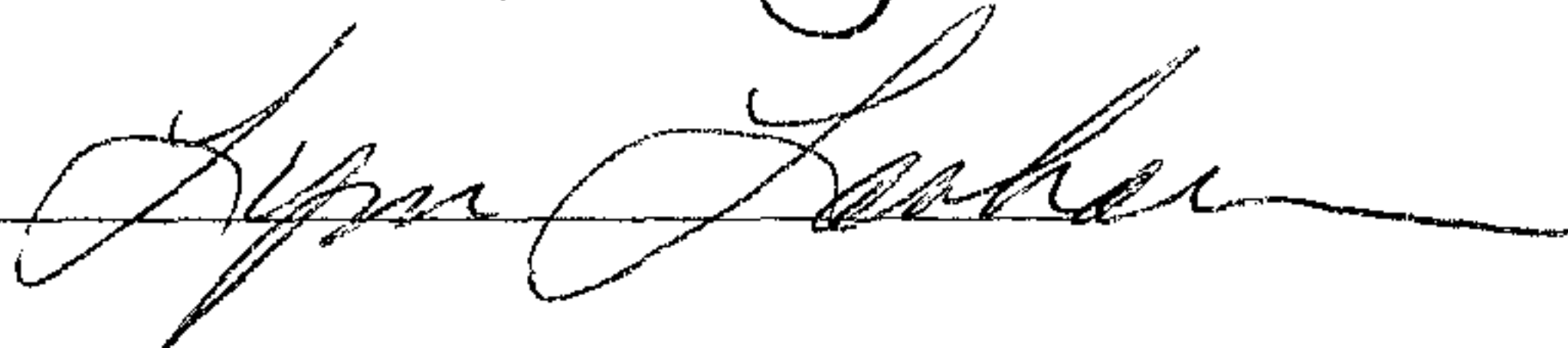
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 23, 2005

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 14, 2005
Item No. 247

RECEIVED
NOV 29 2005
ZONING COMMISSIONER

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The proposed fence cannot interfere with the line of sight.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 247-11232005.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 2, 2005

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. & Mrs. Michael F. Reilly
4617 Magnolia Avenue
Baltimore, Maryland 21227

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
SW/Corner Magnolia Avenue and Winans Avenue
(4617 Magnolia Avenue)
13th Election District -- 1st Council District
Michael F. Reilly, et ux - Petitioners
Case No. 06-247-A

Dear Mr. & Mrs. Reilly:

~~Enclosed please find a copy of the decision rendered in the above-captioned~~
matter. The Petition for Administrative Variance has been granted, in accordance with
the attached Order.

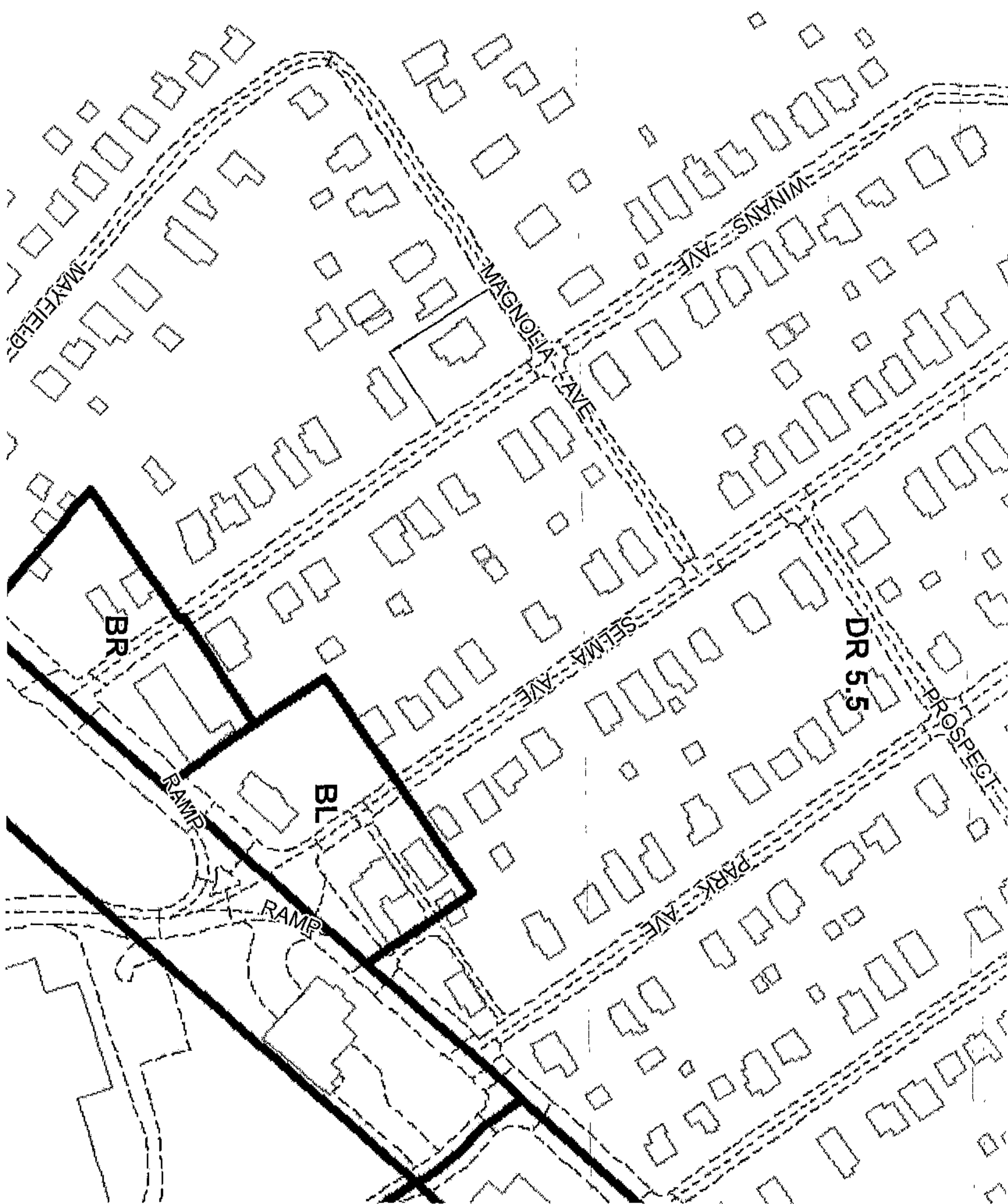
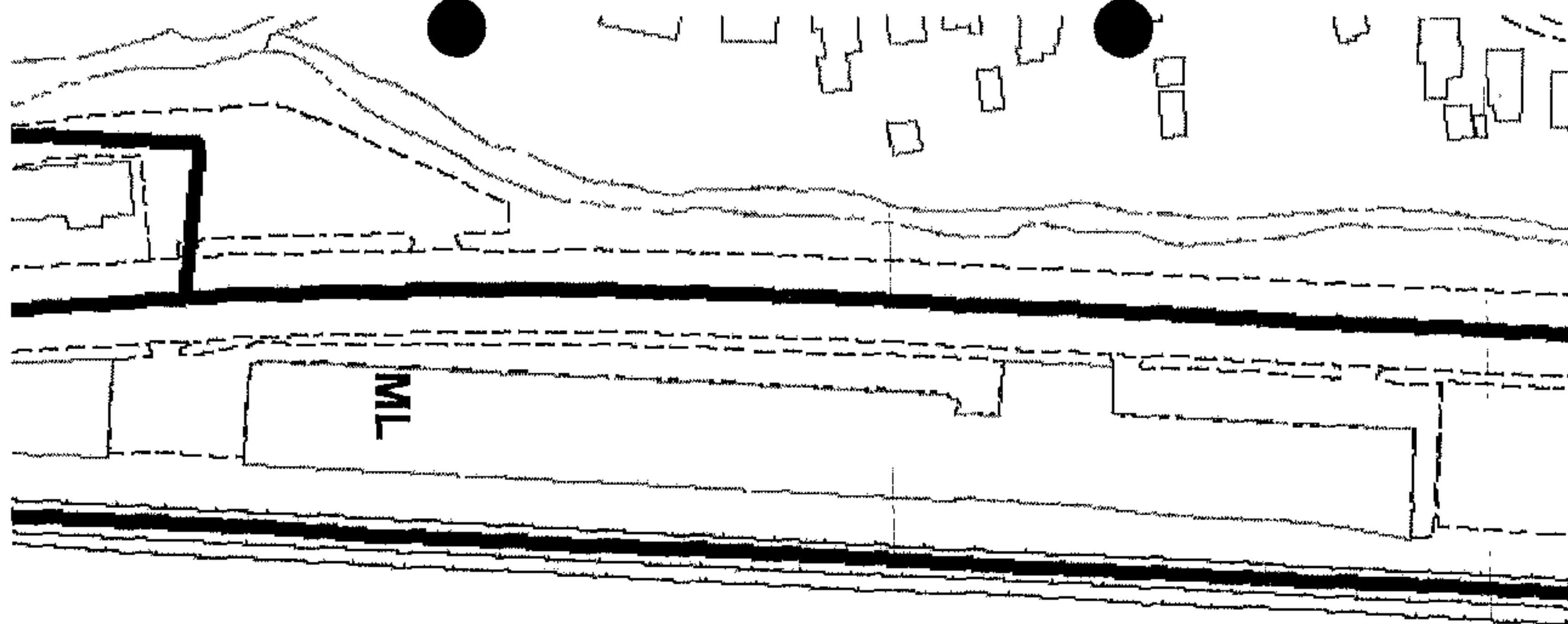
In the event any party finds the decision rendered is unfavorable, any party
may file an appeal to the County Board of Appeals within thirty (30) days of the date of
this Order. For further information on filing an appeal, please contact the Department of
Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. J. Wiseman III".
WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: People's Counsel; Case File



06-247-A

108-C-2

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 4617 MAGNOLIA AVENUE

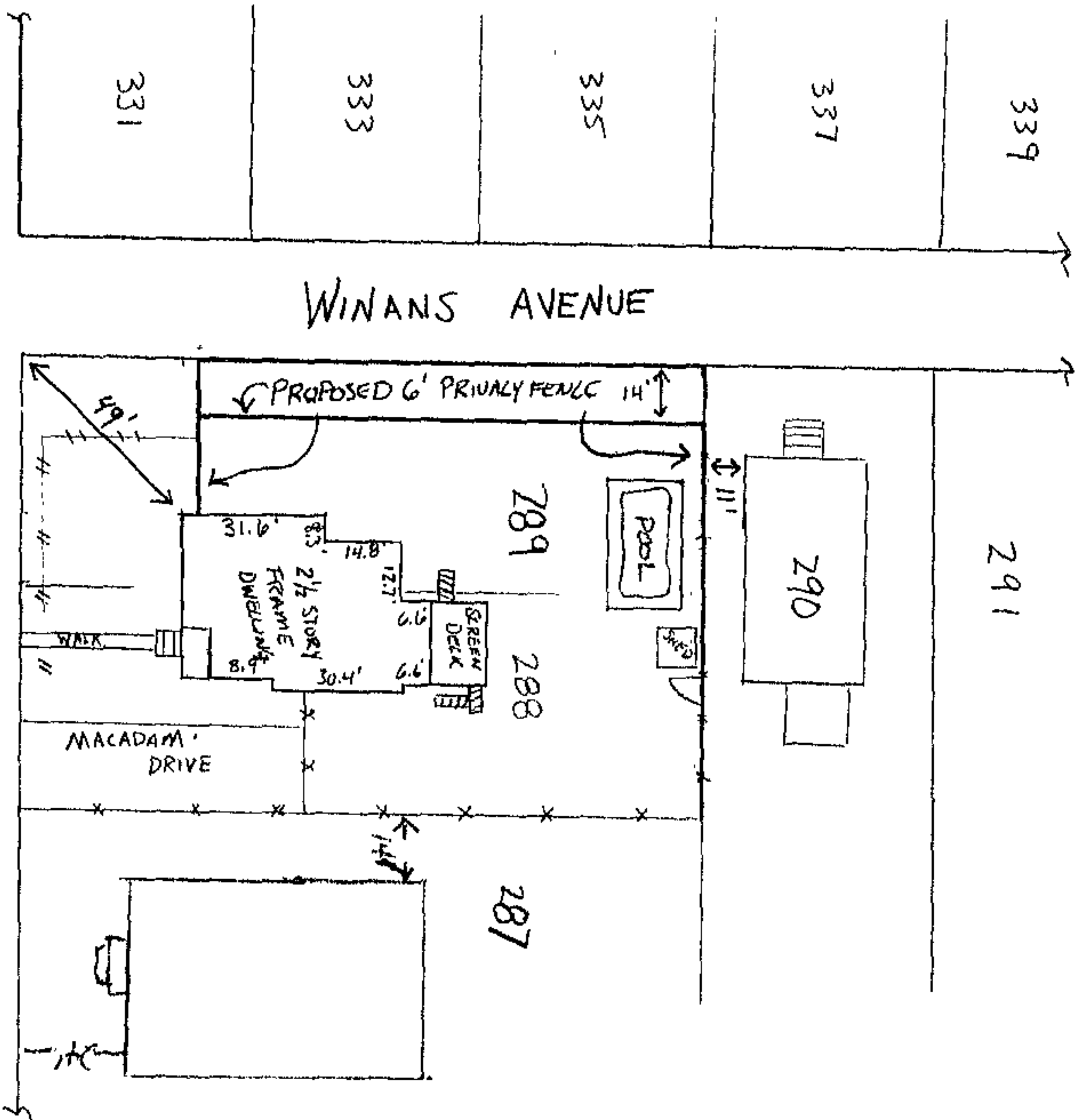
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME HALETHORPE *

PLAT BOOK # 1 FOLIO # 60 LOT # 288 SECTION # 289

OWNER MICHAEL F. REILLY

* PLAN OF THE SUBDIVISIONS OF THE HALL AND SMITH FARMS

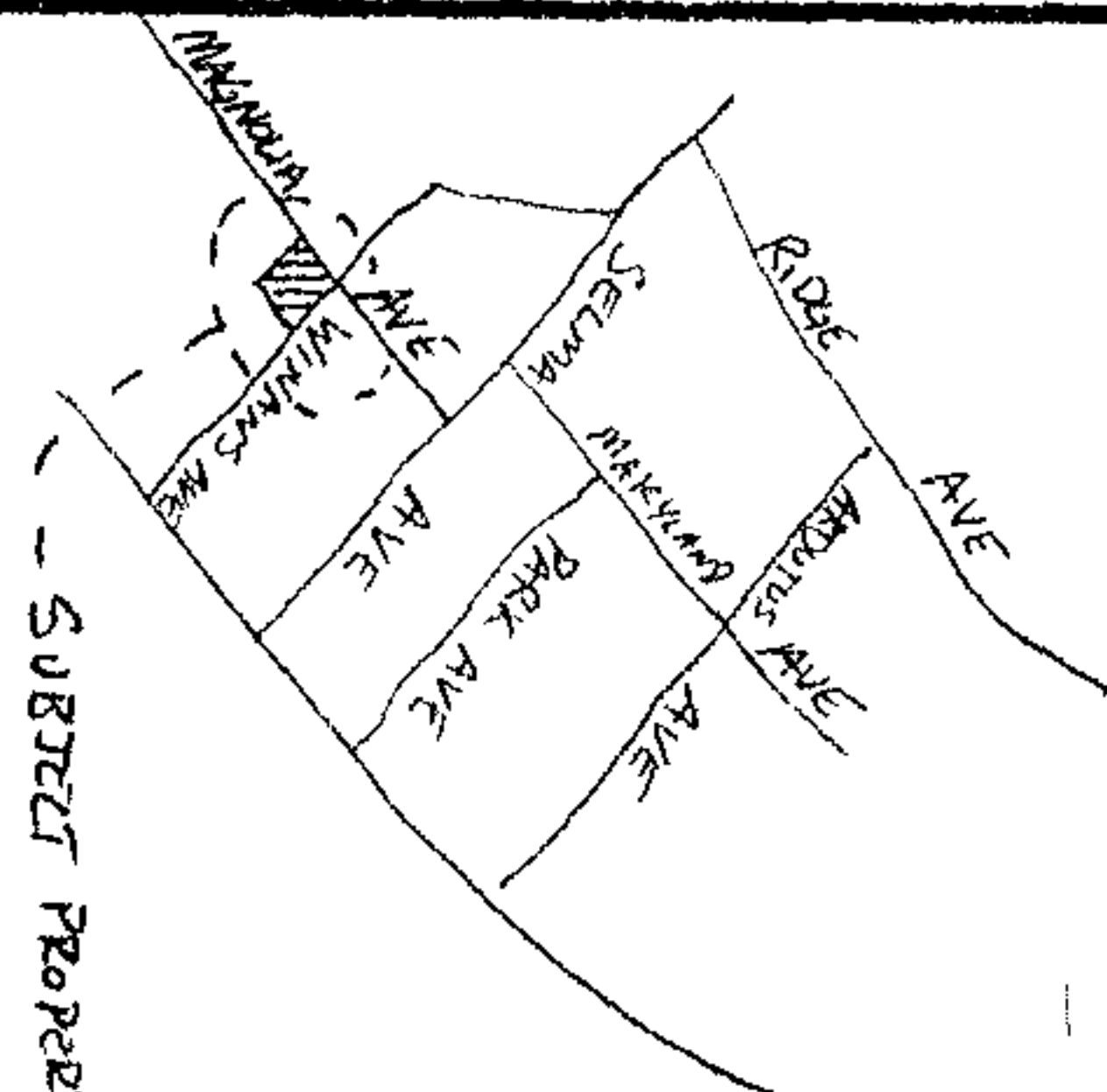


PREPARED BY DEG

SCALE OF DRAWING: 1" = 50'



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 13

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # 108-C-2

ZONING DR.SS

LOT SIZE 15,000

ACREAGE 15,000 SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY / BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

8007

06.247.7



11/15/2024
11/15/2024

REILLY
4617 MAGNOLIA AVE
BALTO, MD 21227

Fence will replace existing hedge as
shown

OG 247-17



TOP

NEW FENCE WILL REPLACE OLD
FENCE + HEDGE

Reilly
4617 MAGNOLIA AVE
BALTO, MD.

Looking out on Winans Ave from yard

OG 2047-A



NEW FENCE WILL REPLACE EXISTING
FENCE ON DECK

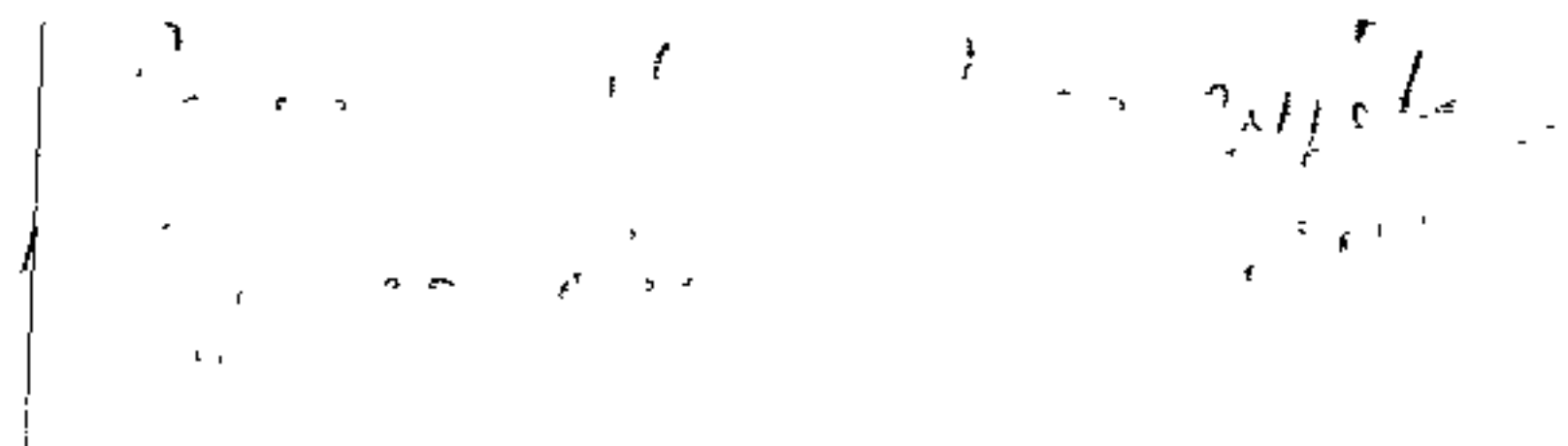
REILLY
4617 MAGNOLIA AVE
BALTO, MD. 21227

existing deck + fence facing
1806 Winans Ave.

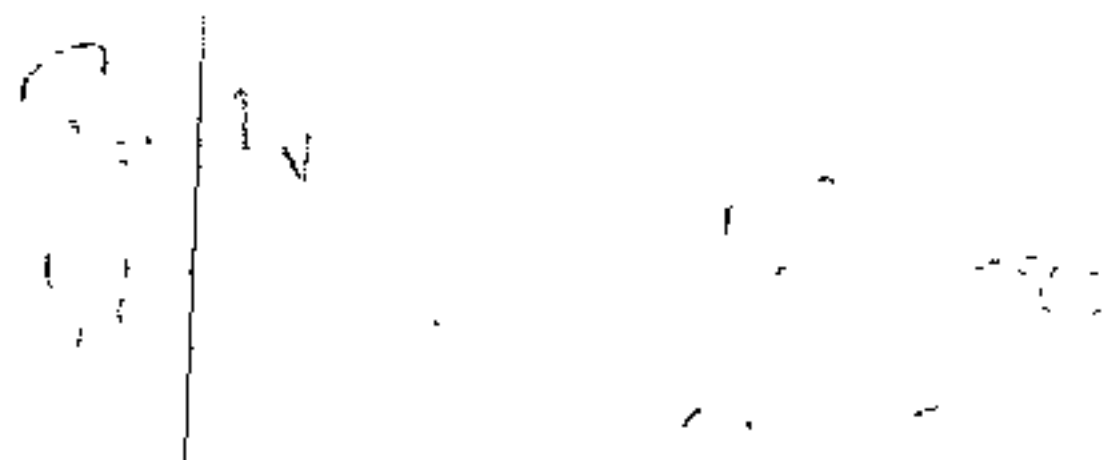
06-247-A



fence will replace existing
hedge as shown



Looking out onto Winans Ave



Reilly

4617 Magnolia Ave

21227 CG-247-A

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 4617 MAGNOLIA AVENUE HALETHORPE, MARYLAND 21227

Beginning at a point on the South side of Magnolia Avenue which is twenty (20) feet wide at the distance of thirty five (35) feet west of the centerline of the nearest improved intersecting street Winans Avenue which is twenty (20) feet wide. Being Lot # 288-289 in the subdivision of Halethorpe as recorded in the Baltimore County Plat Book #1, Folio 60 containing 15,000 square feet. Also known as 4617 Magnolia Avenue and located in the thirteenth (13) Election District, 1st Councilman District.

06247-A