

IN RE: PETITION FOR ADMIN. VARIANCE  
N/S of Lance Avenue, East of centerline  
of Martin Road  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
(958 Lance Avenue)

Herbert and Michele Biermann  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\*  
\* CASE NO. 06-561-A

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Herbert and Michele Biermann. The variance request is for property located at 958 Lance Avenue in the Marlyn Manor subdivision area of Baltimore County. The variance request is from Section 1B02.3A.1 of the Baltimore County Zoning Regulations (B.C.Z.R), "A" Residence Zone, Section III C (1945-55) to permit an addition (carport) with a side yard setback of 1 foot in lieu of the required 7 feet and to permit an open porch with a front yard setback of 17 feet in lieu of the required 25 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that a new open porch is needed because the current porch is falling apart and there are holes in the landing and the stairs. The carport is need to protect the cars and provide shelter in bad weather. The proposed porch is 8 feet x 25 feet in size. The proposed carport is 15 feet x 26 feet in size.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

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6-26-06  
PZ

### 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.”

### Public Hearing Request

This matter is to be decided on the record of the case and not in a public hearing. A letter of protest was received from Robert Vick requesting a public hearing. However the file contains a note to the effect that PDM denied his request for public hearing because he failed to file the required fee.

### Findings of Fact and Conclusions of Law

In addition to the Petition, photographs and Plat to Accompany showing the proposed front and side additions, the Petitioner submitted letters of support from neighbors who apparently live adjacent to or across the street from the Petitioners home. The file also contains a letter of protest from Robert Vick who apparently lives in the neighborhood but several blocks away. Mr. Vick contends that the Petitioner already received a variance in the recent past and does not diverse another. He also indicated that the proposed front porch would block motorist on Martin

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Road from seeing vehicles on Lance Avenue. Finally Mr. Vick contends that the Petitioner has condoned or participated in illegal dumping on a nearby County park.

In regard to prior variances there is nothing in the regulations which prohibits several variances on the same property. As far as blocking the view of motorists, this is a corner lot located at the intersection of Lance Avenue and Martin Road. These situations are controlled by Section 102.5 of the BCZR which specifies that no structure or plant over 3 feet high can be within a triangle with sides of 25 feet along the intersection. Applying this formula to the present case shows no interference by the proposed porch. Finally I do not see what relevance the alleged dumping would have on this request for variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 4, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

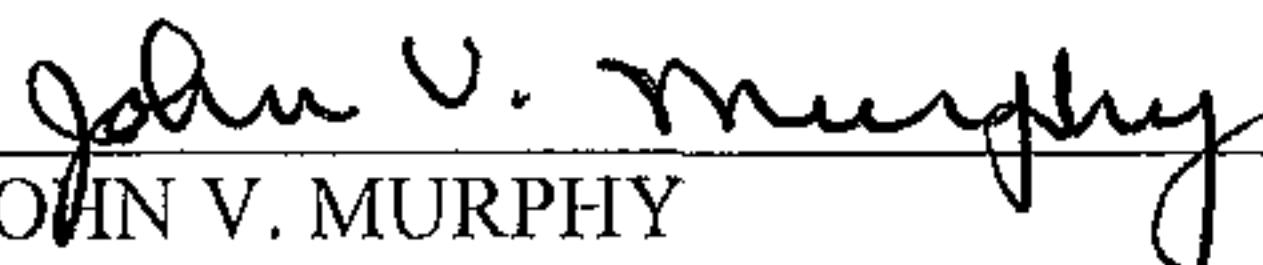
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

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6-26-06  
[Signature]

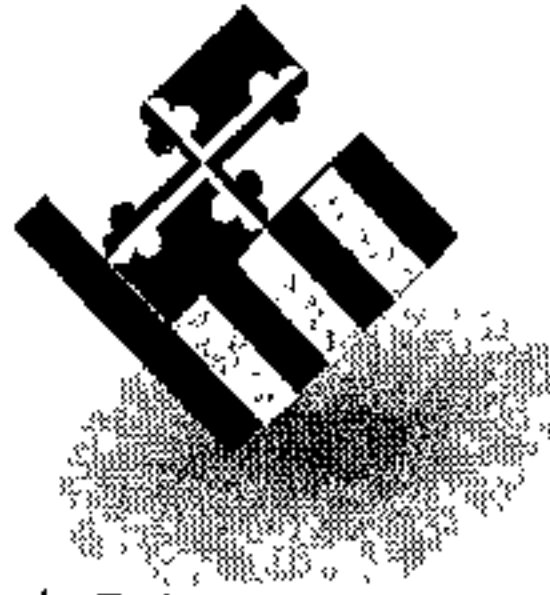
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 26<sup>th</sup> day of June, 2006, that a variance from Section 1B02.3A.1 of the Baltimore County Zoning Regulations (B.C.Z.R), "A" Residence Zone, Section III C (1945-55) to permit an addition (carport) with a side yard setback of 1 foot in lieu of the required 7 feet and to permit an open porch with a front yard setback of 17 feet in lieu of the required 25 feet, be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

JVM:pz



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

June 26, 2006

HERBERT AND MICHELE BIERMANN  
958 LANCE AVENUE  
BALTIMORE MD 21221

Re: Petition for Administrative Variance  
Case No. 06-561-A  
Property: 958 Lance Avenue

Dear Mr. and Mrs. Biermann:

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,

Handwritten signature of John V. Murphy in cursive.

John V. Murphy  
Deputy Zoning Commissioner

JVM:pz  
Enclosure

cc: Robert Vich



CBA

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 958 LANCE AVE.  
which is presently zoned OR-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) 1302.2A.1. (RCZR), "A" RESIDENCE ZONE (1945-SS)  
SECTION III C.

TO PERMIT AN ADDITION (CARPORT) WITH A SIDE YARD SETBACK OF 1-FOOT IN LIEU OF THE REQUIRED 7-FEET AND TO PERMIT AN OPEN PORCH WITH A FRONT YARD SETBACK OF 17-FEET IN LIEU OF THE REQUIRED 25-FEET.

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):

HERBERT BIERMANN  
Name - Type or Print \_\_\_\_\_  
Signature H. Biemann \_\_\_\_\_  
Name - Type or Print Michael Biemann \_\_\_\_\_  
Signature Michael Biemann \_\_\_\_\_  
958 LANCE AVE WORK 410 6618800  
Address \_\_\_\_\_ Telephone No. HOME 410 5746424  
BALTIMORE MD. 21221  
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 \_\_\_\_\_ day of \_\_\_\_\_ 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. 06-561-A

Reviewed By D.T.

Date 5/4/06

Estimated Posting Date 5/14/06

REV 9/15/98

6-26-06

W

# 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 958 LANCE AVE  
Address  
BALTIMORE MD. 21221  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

- ① A NEW PORCH IS NEEDED FOR SAFETY CONDITION, OLD PORCH IS FALLING APART.
- ② TO UP GRADE CONDITION OF THE HOUSE.
- ③ A CARPORT IS NEEDED TO PROTECT THE CARS AND SHELTER IN BAD WEATHER.

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.

Herbert Biemann  
Signature

HERBERT BIERMANN  
Name - Type or Print

Michele Biemann  
Signature

MICHELE BIERMANN  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1 day of May, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

May 1 2006  
Date

Charles H. Lewis  
Notary Public

My Commission Expires MY COMMISSION EXPIRES: 12/12/09

# 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 758 LANCE AVE  
Address  
BALTIMORE MD. 21221  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

- ① A NEW PORCH IS NEEDED FOR SAFETY CONDITION, OLD PORCH IS FALLING APART.
- ② TO UP GRADE CONDITION OF THE HOUSE.
- ③ A CARPORT IS NEEDED TO PROTECT THE CARS AND SHELTER IN BAD ~~WEATHER~~ WEATHER.

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.

Herbert Biemann  
Signature  
HERBERT BIERMANN  
Name - Type or Print

Michele Biemann  
Signature  
MICHELE BIERMANN  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1 day of May, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

May 1, 2006  
Date

Charles E. Lewis  
Notary Public

My Commission Expires MY COMMISSION EXPIRES: 12/12/09

CBCA



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 958 LANCE AVEwhich 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) 1802.3A.1. (BZL), "A" RESIDENCE ZONE (1945-55) SECTION III C.

TO PERMIT AN ADDITION (CARPORT) WITH A SIDE YARD SETBACK OF 1-FOOT IN LIEU OF THE REQUIRED 7-FEET AND TO PERMIT AN OPEN PORCH WITH A FRONT YARD SETBACK OF 17- FEET IN LIEU OF THE REQUIRED 25- FEET.

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):

HERBERT BIERMANN

Name - Type or Print

Signature

Name - Type or Print

Signature

958 LANCE AVE

Address

BALTIMORE

City

MD.

State

21221

Zip Code

WORK 410-661-8800

HOME 410-574-6424

Telephone No.

### 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 day of 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. 06-561-01-11-11-11-11

REV 9/11/08

6-26-06

Reviewed By D.T. Date 5/4/06Estimated Posting Date 5/14/06

ZONING DESCRIPTION FOR 958 LANCE AVE.

BALTIMORE MD. 21221. BEGINNING AT A POINT  
ON THE NORTH SIDE OF LANCE AVE. WHICH IS  
50 FEET WIDE AT THE DISTANCE OF 28 FEET EAST  
OF THE CENTERLINE OF THE NEAREST IMPROVED  
INTERSECTING STREET MARTIN RD. WHICH IS 50 FEET  
WIDE. BEING LOT #10 IN MARLYN MANOR  
AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #19,  
FOLIO # 103 CONTAINING 5160 SQUARE FEET  
ALSO KNOWN AS 958 LANCE AVE. AND LOCATED  
IN THE 15TH ELECTION DISTRICT, 6TH COUNCILMANIC  
DISTRICT.

1-25-06

06-561-A

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 0017

DATE 5/14/02 ACCOUNT 0016046157

AMOUNT \$ 16.00

RECEIVED FROM

FOR

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED BY THE

5/14/02

TO THE BALTIMORE COUNTY

RECEIPT # 0017

FOR THE BALTIMORE COUNTY

OR NO. 0017

AMOUNT \$ 16.00

PAID TO THE BALTIMORE COUNTY

RECEIPT # 0017

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE: Case No: 06-561-A

Petitioner/Developer:  
BIERMANN

Date Of Hearing/Closing: 5/29/06

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

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property  
at 958 LANCE AVE.

This sign(s) were posted on May 13, 2006  
(Month, Day, Year)

Sincerely,

Martin Ogle 5/13/06  
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000674 (1152x864x24b jpeg)



*myantwzgh 5/13/06*

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 06- 561 -A Address 958 LANCE AVE.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 5/4/06 Posting Date: 5/14/06 Closing Date: 5/29/06

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- 561 -A Address 958 LANCE AVE.

Petitioner's Name BIERMANN Telephone 410-574-6424

Posting Date: 5/14/06 Closing Date: 5/29/06

Wording for Sign: To Permit AN ADDITION (CARPORT) WITH A SIDE YARD SETBACK  
OF 1-FOOT IN LIEU OF THE REQUIRED 7- FEET AND TO PERMIT AN OPEN PORCH  
WITH A FRONT YARD SETBACK OF 17- FEET IN LIEU OF THE REQUIRED 25- FEET.

WCR - Revised 6/25/04

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

---

---

**For Newspaper Advertising:**

Item Number or Case Number: 06-561-A  
Petitioner: BIERMANN  
Address or Location: 958 LANCE AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: HERBERT BIERMANN  
Address: 958 LANCE AVE  
BALTIMORE MD. 21221  
Telephone Number: 410-574-6424

Revised 2/20/98 - SCJ

**Department of Permits and  
Development Management**

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



**Baltimore County**

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

May 30, 2006

Herbert Biermann  
Michele Biermann  
958 Lance Avenue  
Baltimore, MD 21221

Dear Mr. and Mrs. Biermann:

RE: Case Number: 06-561-A, 958 Lance Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 4, 2006.

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,

  
W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



## Fire Department

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



## Baltimore County

*James T. Smith, Jr., County Executive*  
*John J. Hohman, Chief*

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

May 16, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15, 2006

Item Numbers: 558 thru 573

561  
Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P. Bosley Jr.  
Fire Marshal's Office  
410-887-4881 (C) 443-829-2946  
MS-1102F

cc: File

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



Printed on Recycled Paper

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 17, 2006

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 22, 2006  
Item Nos. 558, 560, 561, 562, 563, 564,  
565, 566, 567, 568, 571, 572, 573

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-05172006.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 26 2006

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: June 26, 2006

SUBJECT: Zoning Item # 06-561-A  
Address 958 Lance Avenue

Zoning Advisory Committee Meeting of May 15, 2006

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

\_\_\_\_\_ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

\_\_\_\_\_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: G. Shaffer

Date: June 26, 2006

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** May 24, 2006

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

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 6-561- 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 Amy Mantay in the Office of Planning at 410-887-3480.

**Prepared By:**

*Curtis Perry*

**Division Chief:**

*Lynn Graham*

CM/LL

RECEIVED

MAY 26 2006

ZONING COMMISSIONER



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

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

Maryland Department of Transportation

Date: 5.16.02

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

RE: Baltimore County  
Item No. 561 DT

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](mailto:lgredlein@sha.state.md.us)).

Very truly yours,

Steven D. Foster, Chief  
Engineering Access Permits Division

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)

**BALTIMORE COUNTY, MARYLAND**  
**Interoffice Memorandum**

DATE: May 26, 2006

TO: Zoning Commissioner & File

FROM: Donna Thompson, Planner II  
Zoning Review

SUBJECT: Petition for Administrative Variance, Case No. 06-561-A  
958 Lance Ave.  
15th Election District

We just received a letter from a citizen in the neighborhood where the above referenced address is filing for an Administrative Variance. I believe that I spoke with the writer of this letter several days ago and explained to him in order to demand a hearing he would need to pay a \$50.00 fee and must request this prior to the closing date. This individual does not want to pay the fee; therefore, I explained to him that he could still send a letter of opposition, which we would place, in the file.

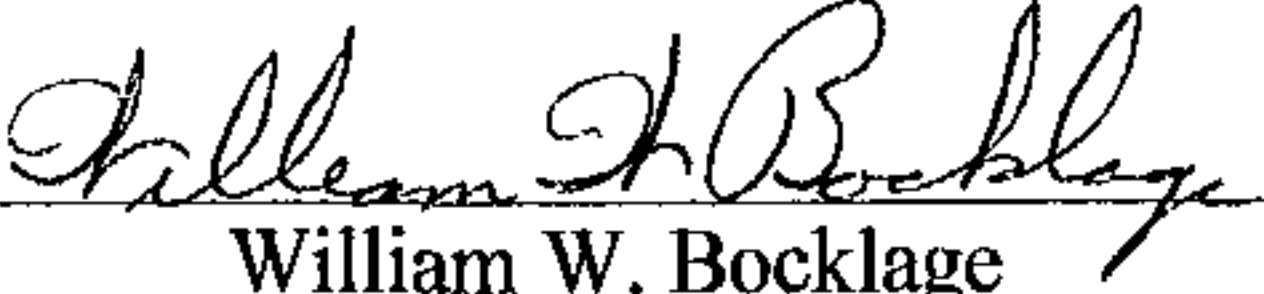
DT

To Whom it May Concern,

We are the residents of 959 Lance Avenue in Baltimore County Maryland. Our neighbors, Michelle and Herbert Biermann wish to build a porch on the front of their house at 958 Lance Avenue.

We have no objection at all to the construction of this porch. In fact, we believe it would enhance the look of the neighborhood. We can be reached at 410-687-2497 if there are any questions or if verification to this letter is needed.

Sincerely

  
\_\_\_\_\_  
William W. Bocklage  
04/15/06

  
\_\_\_\_\_  
Karen L. Bocklage  
04/15/06

06-561-A

Richard D. Feit  
982 Martin Rd.  
Baltimore MD. 21221

To Whom It May Concern:

I am writing this letter in regard to the property located at 958 Lance Ave. It is my understanding that the owners, Mr. & Mrs. Herbert J. Biermann wish to build an addition to their home and may need to apply for a zoning variance. This property is adjacent to mine.

I have no objections to the addition they are planning. I wholeheartedly endorse this improvement to their property.

Sincerely,

Richard D. Feit



06-561-A

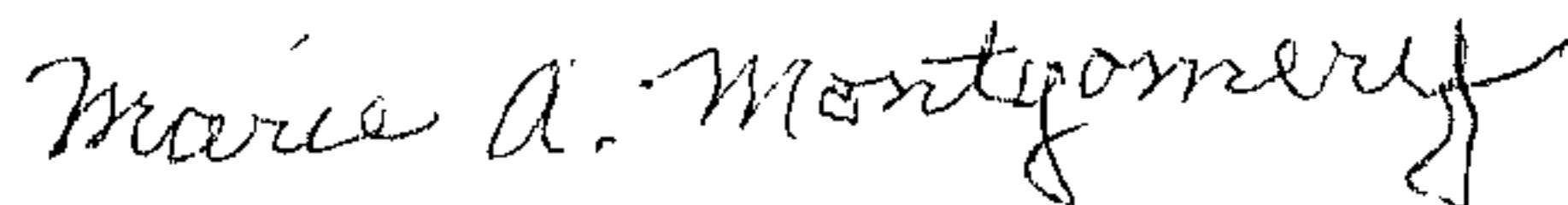
April 24, 2004

Marie A. Montgomery  
957 Lance Avenue  
Essex, Maryland 21221  
410-686-7445

To Whom It May Concern:

Herb Bierman has talked to me of his plans to build an **extension** to his house at 958 Lance Avenue. He asked me if I had any problems with his concept and I told him I would have **no** objection to his desire to enlarge his house. Herb and his wife have been good neighbors for many years. This is the least I could do.

Sincerely,

A handwritten signature in cursive script that reads "Marie A. Montgomery". The signature is written in dark ink and is positioned above the printed name.

Marie A. Montgomery

TRANSMISSION VERIFICATION REPORT

TIME : 05/26/2006 09:04  
NAME : ZONING  
FAX : 4108873048  
TEL :  
SER. # : BROB4J281084

|              |             |
|--------------|-------------|
| DATE, TIME   | 05/26 09:03 |
| FAX NO./NAME | 94106639529 |
| DURATION     | 00:00:39    |
| PAGE(S)      | 02          |
| RESULT       | OK          |
| MODE         | STANDARD    |
|              | ECM         |

943 Martin Road  
Essex, MD 21221

May 24, 2006

Timothy Kotroco, Director,  
Permits & Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204

Dear Director:

This is a request for a hearing on case #06-561-A. The property is in my neighborhood and I am requesting the hearing for three reasons: (1) The owners of this property already were allowed a zoning variance on the side of the house (The present proposed variance is in front). (2) This variance will further obstruct motorists' view of the road. (3) Most important, the owners do not deserve special consideration because this property is near a park entrance at which the owners have condoned and/or participated in illegal dumping.

This property, 958 Lance Avenue, Essex, MD 21221, had an addition built recently on the side of the house. There is no sidewalk on the side, and pedestrians must walk in the street or in the grass near this addition. I walk by there often on my way to the park. How many variances do these people desire?

To: Planner who  
5/25/06 ucr

D. J.

Cherry  
5-29

\* Demand no \$ submitted

943 Martin Road  
Essex, MD 21221

May 24, 2006

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This property, 958 Lance Avenue, Essex, MD 21221, had an addition built recently on the side of the house. There is no sidewalk on the side, and pedestrians must walk in the street or in the grass near this addition. I walk by there often on my way to the park. How many variances do these people desire?

Since the side addition adds to the obstruction of the intersection, the proposed variance in the front will only add to that obstruction. The proposed car port will be both aesthetically unpleasant and functionally unnecessary since the property already has a large garage. I have nearly been hit more than once driving through that intersection by drivers coming around the corner from Lance Avenue. I have recently called the Zoning Commission about evergreen trees on the opposite corner and hope to have them removed. Please do not allow more development at 958 Lance Avenue as well.

The owners of the property in question, as well as the other residents of the block near the south entrance of Martindale Park should not get special consideration because they have been bad neighbors and bad citizens. There is a chronic dumping problem there which has been allowed by all of the residents within sight of the entrance. After my repeated complaints, local police have investigated and patrolled the area. The dumping has been reduced, but I was told by the

To: Planner who  
5/25/06 ucr

Dx

Cherry  
5-29

X Demand no \$ submitted

investigating officer about the lack of cooperation from the residents on that block. Why give special zoning consideration to people who support illegal activities? Martindale Park is not a dump site, but the residents of this block use it as one. The asphalt trail into the park is covered by debris which keeps rain water from draining properly, making mud cover the trail. Cinder blocks, concrete, lumber and yard waste abound. I have a right to live in a decent neighborhood. Unfortunately, I obey the law but residents near the park entrance do not.

How would you feel if it were your neighborhood? Should people be allowed to skirt the law for their selfish desires--then use the law at their convenience? Must they build up their property, yet trash the neighborhood at large? Please do not reward bad citizenship with special considerations. These people have cost me a lot of grief and time. I feel I have rights as a resident of this neighborhood also.

Sincerely,  
Robert Vick

cc: Officer William Ayres III, Precinct 11 Outreach

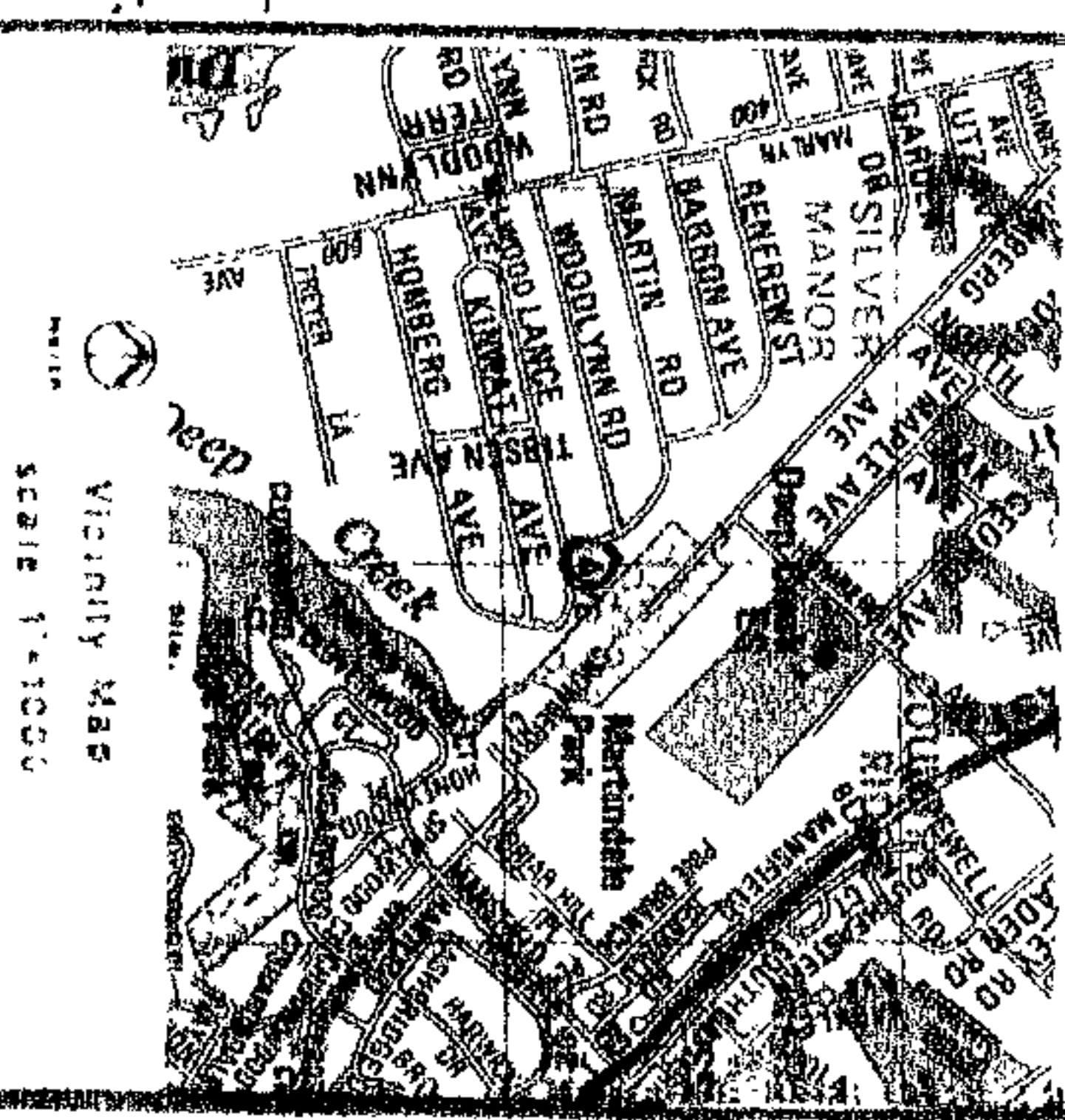
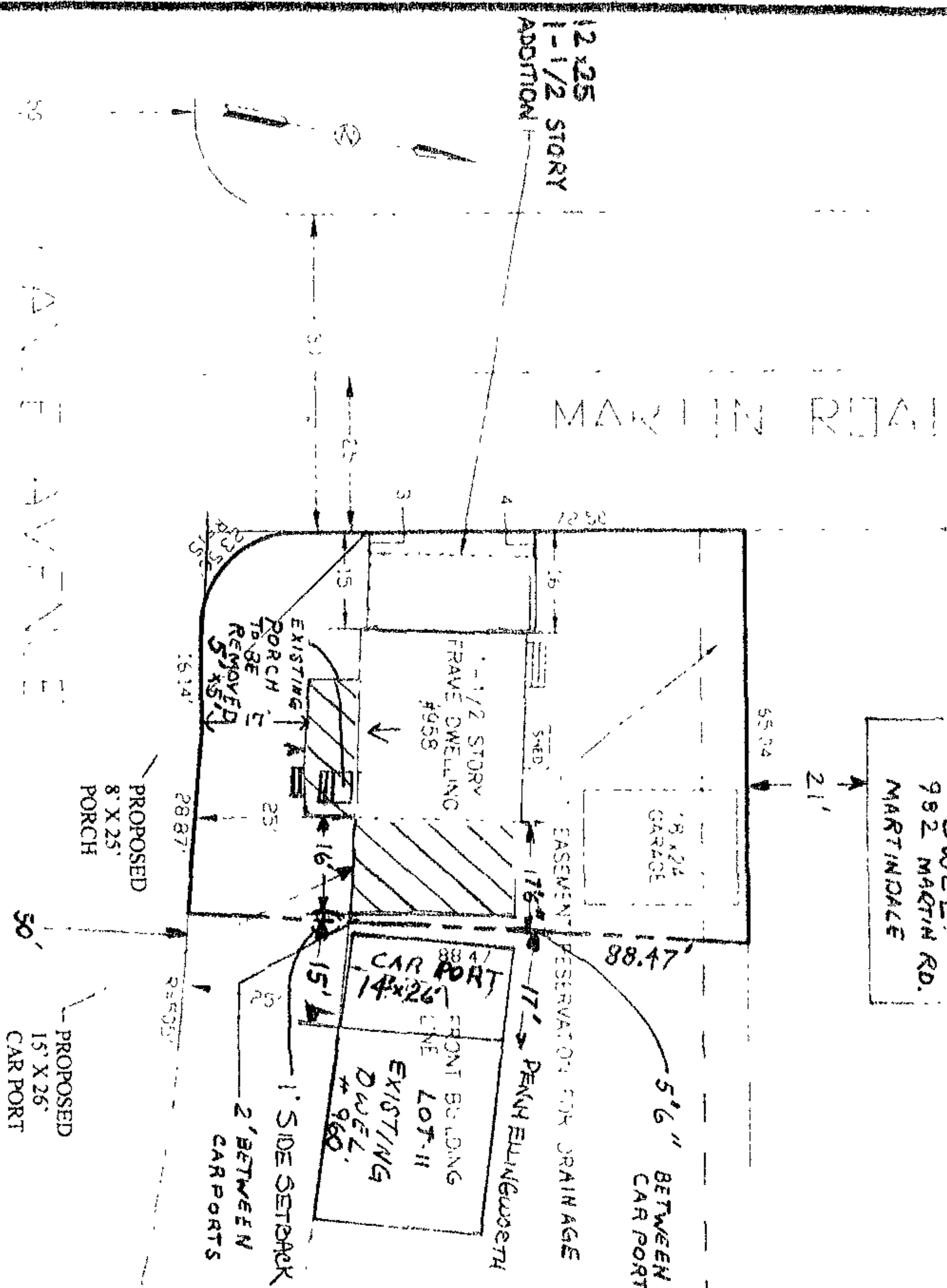
See pages 3 & 4 of the CHECKLIST for additional information required in connection

Subdivision name. MARLYN MANOR

part done 19 , follow 103 , join 10 , section

OWNER: HERBERT & MICHELE BIERMAN

EXISTING  
DUELL  
982 MARTIN RD.  
MARTINDALE



## LOCATION INFORMATION

Electoral District: 6  
Constituency District: 6

1-200 scale map 097B

DR 5.5  
0.11

[illegible]

|          | DATE                                | BY                       |
|----------|-------------------------------------|--------------------------|
| SEWER    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| WATER    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| CO. AREA | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

# Chesapeake Bay Critical Areas Prior Listing Meetings

CASE # 04 - 488 - A

Zoning Office USE ONLY:

REMARKS BY ITEM 6. CASE.

date: 5-1-06  
prepared by: HUG

State of Delaw. 30



# **More County** **Planning and Zoning** **Map**

|       |       |       |       |       |
|-------|-------|-------|-------|-------|
| 089C3 | 090A3 | 090B3 | 090C3 | 091A3 |
| 096C1 | 097A1 | 097B1 | 097C1 | 098A1 |
| 096C2 | 097A2 | 097B2 | 097C2 | 098A2 |

097B1



06-561-A

