

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – S/S Overton Avenue,
755' SE of the c/l Belair Road
(4231 Overton Avenue)
14th Election District
6th Council District

John Candow, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 06-579-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, John Candow, and his wife, Christina Candow. The Petitioners request a special hearing to approve an accessory structure (detached garage) to be larger in area than the existing principle dwelling. In addition, variance relief is requested from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure height of 20 feet in lieu of the maximum allowed 15 feet for the proposed detached garage. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were John and Christina Candow, property owners, and Stew Becker, Contractor. Appearing as interested citizens were Carl F. Herb, President of the Linover Improvement Association. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a narrow, yet deep lot located on the south side of Overton Avenue in Fullerton, just west of the Belair Road/Baltimore Beltway I-695 interchange. The property contains a gross area of 1.07 acres, more or less, zoned D.R.5.5, and is improved with a two-story dwelling, 28' x 38' in dimension and a detached garage. The Petitioners purchased the property in 1998 and have been in the process of making improvements to the existing house and garage since that time. To that end, the Petitioners are desirous of renovating the existing garage to accommodate Mr. Candow's antique car collection,

ORDER RECEIVED FOR FILING
Date 7-12-09
By [Signature]

which includes a 1966 Triumph Motorcycle and 1986 Nissan, and create a workshop for the pursuit of his hobby in automobile restoration and acrylic fabrication. Testimony indicated that the original garage building, which is approximately 27' wide and 14' deep, was expanded over the years with a series of additions to an overall size of 27' x 58'. The Petitioners propose removing two of the additions and remodeling/expanding the original building to a 27' x 53' structure. Building elevation drawings of the proposed structure were submitted into evidence as Petitioner's Exhibit 4. It was indicated that the roof pitch of the new garage has been designed to match that of the existing house and that the increased height will provide additional storage space. In this regard, testimony indicated that while the Petitioners have only one child at the present time, they anticipate their family will grow in the future and they will need more storage space. Due to the fact that the overall size and dimensions of the new garage will be greater than that of the existing dwelling, the requested special hearing and variance relief are necessary.

In support of the proposal, Mr. Candow testified that the proposed improvements are for personal use only and will not be used to support a commercial or business use. He further noted that none of his neighbors, including the immediately adjacent property owner on the affected side, have any objections to his plans, as evidenced by the signed "Petition of Acceptance" submitted into evidence as Petitioner's Exhibit 2.

As noted above, Carl F. Herb, President of the Linover Improvement Association, appeared as an interested citizen. Upon hearing of the Petitioners' plans and reading the Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning, he had no objections to the proposal, provided their suggested conditions on approval be imposed, and believes that it will improve existing conditions on the property.

After due consideration of the testimony and evidence offered, I am persuaded to grant the requested relief. There were no adverse ZAC comments submitted by any County reviewing agency and the neighbors support the proposal. Moreover, it appears that existing conditions on the property will be improved and the Petitioners' efforts to upgrade their home and property will be further enhanced. Finally, I am persuaded that the Petitioners have met the requirements of Section

RECEIVED FOR FILING
Date 7-12-89
By [Signature]

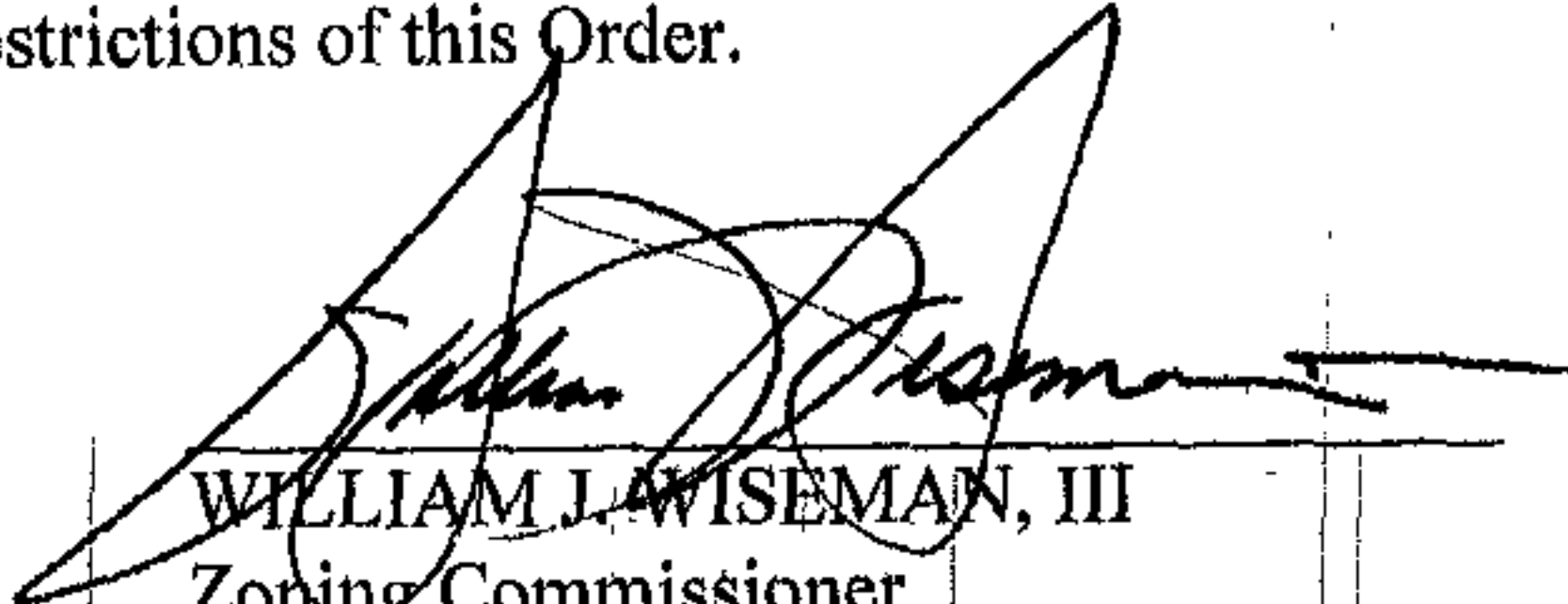
307 of the B.C.Z.R. for relief to be granted and that there will be no detrimental impact to the health, safety and general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions 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 12th day of July 2006 that the Petition for Special Hearing to approve an accessory structure (detached garage) with an area greater than the existing principal dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

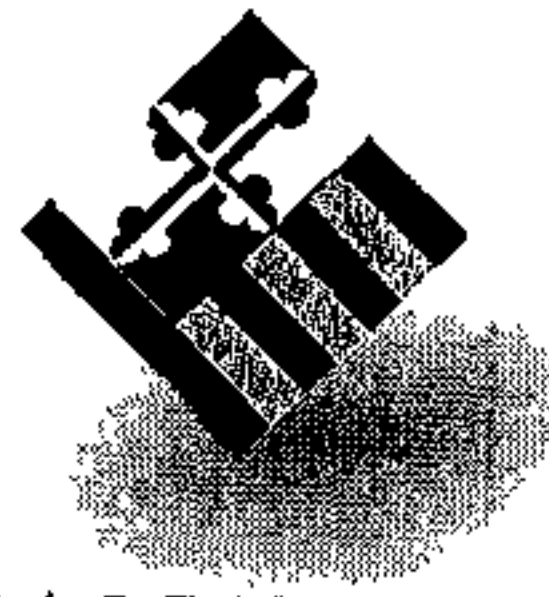
IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum allowed 15 feet for the proposed detached garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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.
- 2) The garage shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioner shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ADDITIONAL COPIES FOR FILING
Date 7-12-06
By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

July 12, 2006

WILLIAM J. WISEMAN, III
Zoning Commissioner

Mr. & Mrs. John Candow
4231 Overton Avenue
Baltimore, Maryland 21236

RE: **PETITIONS FOR SPECIAL HEARING & VARIANCE**
S/S Overton Avenue, 750' SE of the c/l Belair Road
(4231 Overton Avenue)
14th Election District – 6th Council District
John Candow, et ux - Petitioners
Case No. 06-579-SPHA

Dear Mr. & Mrs. Candow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted with restrictions, 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 "William J. Wiseman, III".
WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Stew Becker, 5750 Black Rock Road, Glenville, Pa. 17329
Mr. Carl F. Herb, 121 Lyndale Avenue, Baltimore, Md. 21236
Office of Planning; People's Counsel; Case File



AND VARIANCE

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4231 OVERTON 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

AN ACCESSORY
structure (detached garage) to be larger than the
dwelling

AND

A Variance of S. 400.3 to allow the garage with a
height of 20 ft. in lieu of the maximum permitted 15 ft.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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):

John Candow
Name - Type or Print _____
John Candow
Signature _____
Christina Candow
Name - Type or Print _____
Christina Candow
Signature _____
4231 OVERTON AVE. 410-882-3474
Address _____ Telephone No. _____
BALTIMORE, MD. 21236
City _____ State _____ Zip Code _____

Representative to be Contacted:

SPUR BLUR
Name _____
5750 BLUR ROCK RD. 443-375-7318
Address _____ Telephone No. _____
GLYNNWOOD, PA 17329
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.00 hr.

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 5-12-06

UNDER RECEIVED FOR FILING

Date 5-12-06

By REV 9/15/98

Case No. 06-579 SPHA

ZONING DESCRIPTION FOR 4231 Overton Ave
(address)

Beginning at a point on the South side of
(north, south, east or west)

OVERTON AVE which is 30 ft.
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 750 ft. South east of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Belair Rd
(name of street)

which is _____ wide. *Being Lot # 8,
(number of feet of right-of-way width)

Block —, Section # — in the subdivision of OVERTON
(name of subdivision)

as recorded in Baltimore County Plat Book # 2, Folio # 0331,

containing 1.07 AC ±. Also known as 4231 OVERTON AVE
(square feet or acres) (property address)

and located in the 14th Election District, 6th Councilmanic District.

579

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: #06-578-SPHA

4231 Overton Avenue

Southside of Overton Avenue, 750' Southeast of centerline of Belair Road

14th Election District — 6th Councilmanic District

Legal Owner(s): John & Christina Candow

Special Hearing: to permit an accessory structure (detached garage) to be larger than the dwelling. **Variance:** to permit the garage with a height of 20 feet in lieu of the maximum permitted 15 feet.

Hearing: Thursday, July 6, 2006 at 10:00 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 6/706 June 20

99370

CERTIFICATE OF PUBLICATION

6/22/2006

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 6/20/2006.

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

J. Wilkinson

LEGAL ADVERTISING

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

Disc No. 3290

06 579 SPHA

DATE 5-12-06 ACCOUNT R-001-006-6150

AMOUNT \$ 130.00

RECEIVED FROM MR. S.R.B. Design Build

\$ 65.00 \$ 65.00

FOR: Residential Special Hearing & Verminc

Apr 4231 Overton Ave

PAID RECEIPT

RECEIVED BY ONE

5/15/2006 5:12:00 PM

RECEIVED BY ONE

5/15/2006 5:12:00 PM

RECEIVED BY ONE

5/15/2006 5:12:00 PM

RECEIVED BY ONE

5/15/2006 5:12:00 PM

RECEIVED BY ONE

5/15/2006 5:12:00 PM

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

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: 06-579 SPHA
Petitioner: JOHN CANDOW
Address or ^{site}Location: 4231 DVERTON AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same
Address: BALTO, 21236
Telephone Number: 410-882-3474

Revised 7/11/05 - SCJ

CERTIFICATE OF POSTING

RE: Case No.: 06-579-3PHA

Petitioner/Developer: JOHN +

CHRISTINA CANDOW

Date of Hearing/Closing: JULY 6, 2006

**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: _____

4231 OVERTON AVE

The sign(s) were posted on

6-19-06
(Month, Day, Year)

Sincerely,

Robert Blase
(Signature of Sign Poster)

6-20-06
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

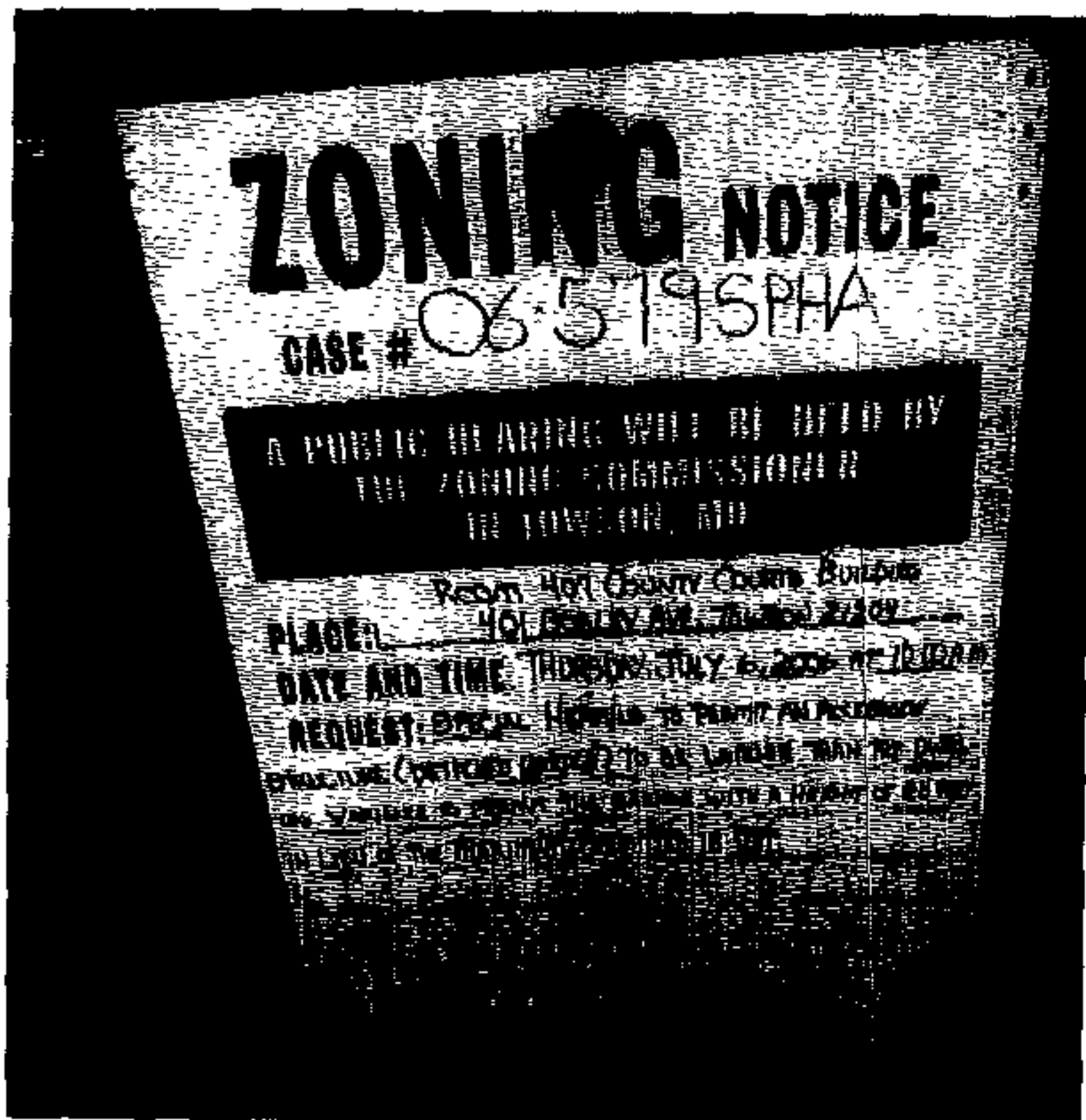
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**Department of Permits and
Development Management**

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 23, 2006

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: 06-579-SPHA

4231 Overton Avenue

Southside of Overton Avenue, 750' Southeast of centerline of Belair Road

14th Election District – 6th Councilmanic District

Legal Owners: John & Christina Candow

Special Hearing to permit an accessory structure (detached garage) to be larger than the dwelling. Variance to permit the garage with a height of 20 feet in lieu of the maximum permitted 15 feet.

Hearing: Thursday, July 6, 2006 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: John & Christina Candow, 4231 Overton Avenue, Baltimore 21236
Stew Becker, 5750 Black Rock Road, Glenville PA 17329

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 21, 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.

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



TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 20, 2006 Issue - Jeffersonian

Please forward billing to:
John Candow
4231 Overton Avenue
Baltimore, MD 21236

410-882-3474

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: 06-579-SPHA

4231 Overton Avenue
Southside of Overton Avenue, 750' Southeast of centerline of Belair Road
14th Election District – 6th Councilmanic District
Legal Owners: John & Christina Candow

Special Hearing to permit an accessory structure (detached garage) to be larger than the dwelling. Variance to permit the garage with a height of 20 feet in lieu of the maximum permitted 15 feet.

Hearing: Thursday, July 6, 2006 at 10:00 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.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

June 30, 2006

John Candow
Christina Candow
4231 Overton Ave.
Baltimore, MD 21236

Dear: Mr. & Mrs. Candow,

RE: Case Number: 06-579-SPHA, 4231 Overton Ave.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 12, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:sma

Enclosures

c: People's Counsel
Steve Becker 5750 Blair Rock Rd. Glenville, MD 17329

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 5, 2006

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

SUBJECT: 6-579 – Special Hearing and Variance

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 and to allow an accessory structure to be larger than the dwelling 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 Laurie Hay at 410-887-3480.

Section Chief:



AFK/LL:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 25, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 30, 2006
Item No. 569, 570, 574, 575, 576, 577,
578, 579, 583, 584, 586, and 588

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-05252006.doc



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

State Highway
Administration

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

Maryland Department of Transportation

Date: 5.19.06

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

RE: Baltimore County
Item No. 579 JJS

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
4231 Overton Avenue; S/S Overton Avenue, * ZONING COMMISSIONER
750' SE c/line Belair Road *
14th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): John & Christina Candow *
Petitioner(s) * BALTIMORE COUNTY
* 06-579-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of May, 2006, a copy of the foregoing Entry of Appearance was mailed John & Christina Candow, 4231 Overton Avenue, Baltimore, MD 21236, Petitioner(s).

RECEIVED
MAY 22 2006
Per *Ken*

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DATE _____

E-MAIL

[illegible]

DATE _____

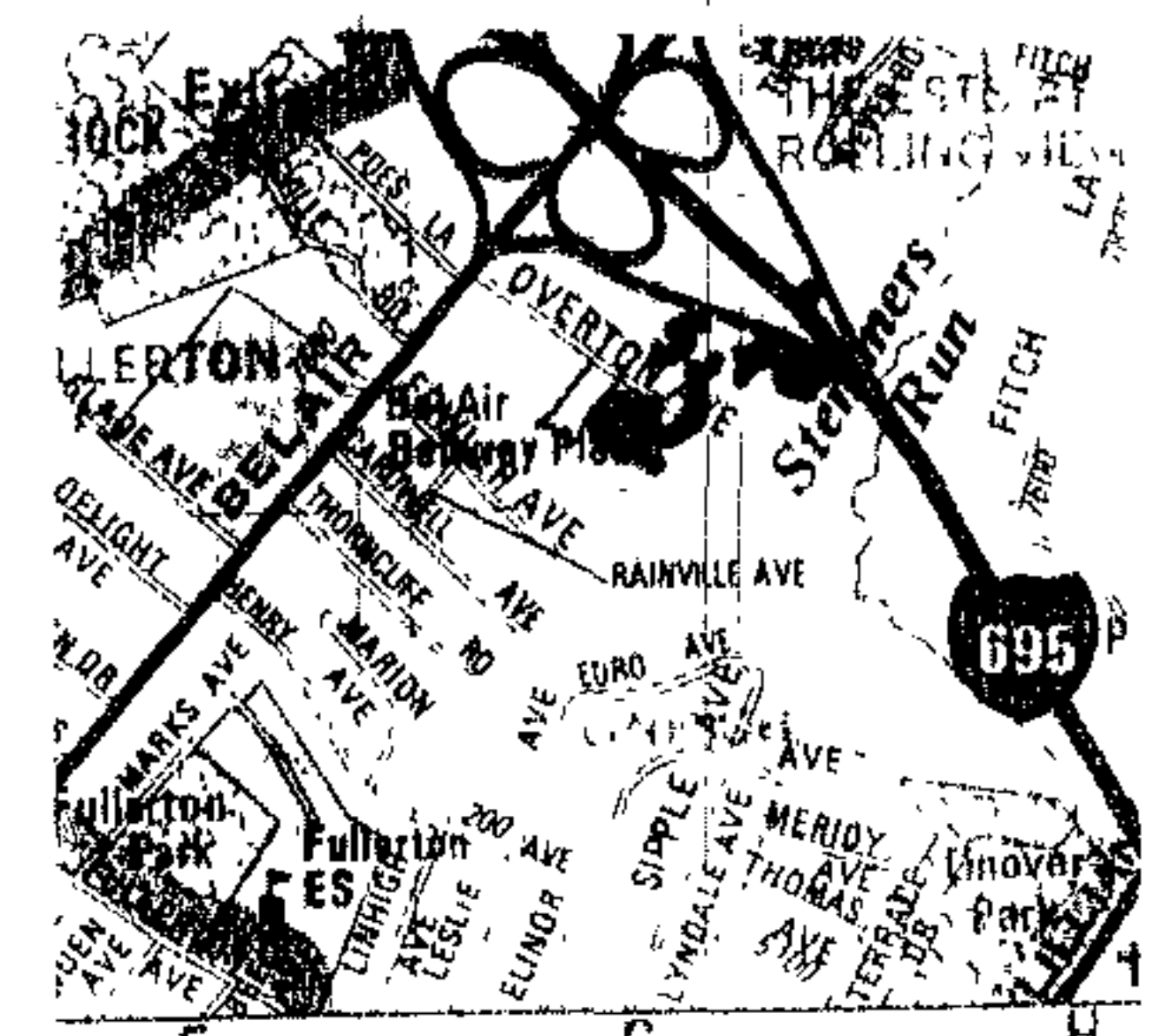
Handwritten:

[illegible]

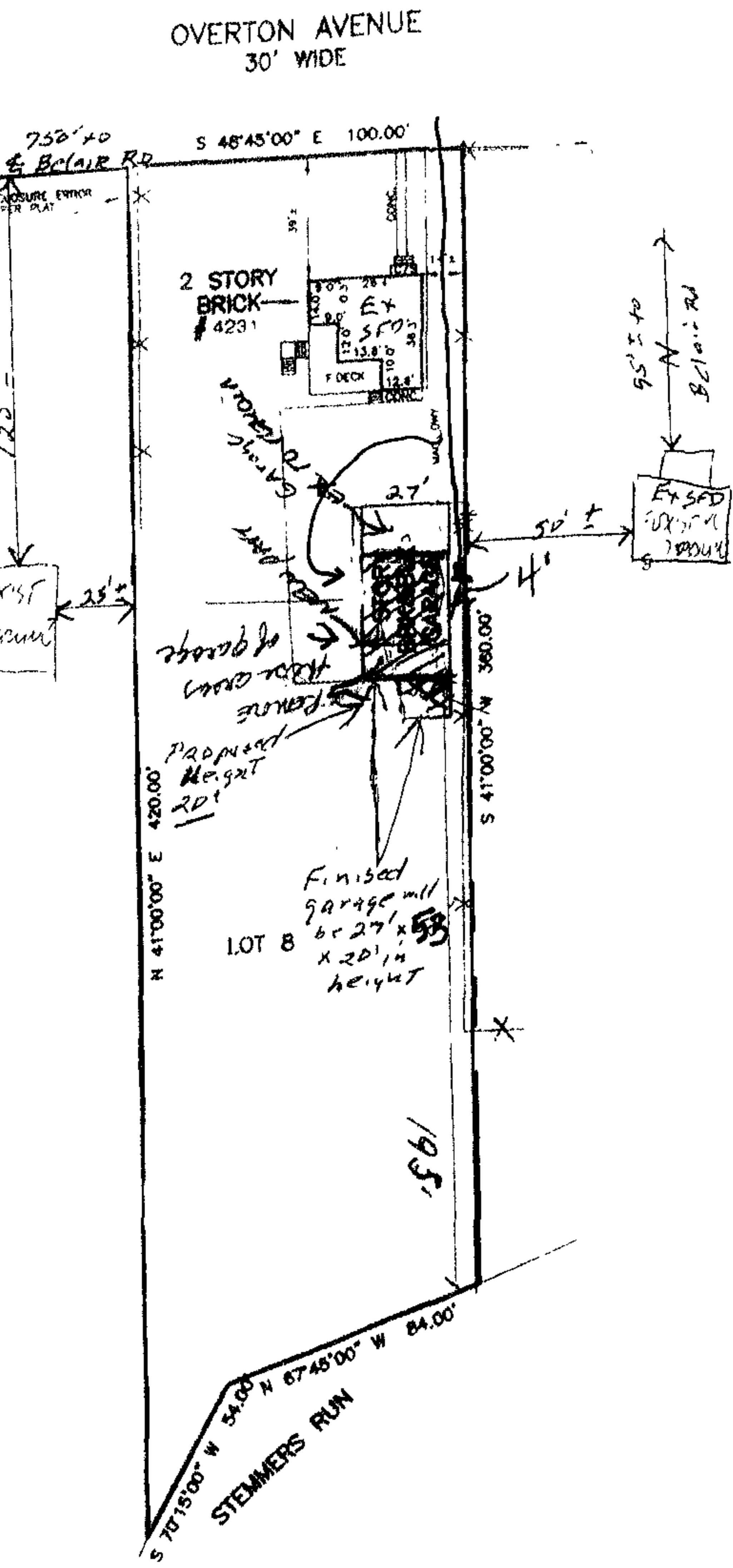
SPECIAL
HEARING

TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE

PROPERTY ADDRESS 4231 OVERTON AVE
 SECTION NAME OVERTON
 BOOK # 2 FOLIO # 33 LOT # 8 SECTION # -
10th and 6th Street Canyon



36 VICINITY MAP



LOCATION INFORMATION

ELECTION DISTRICT	14
COUNCILMANIC DISTRICT	6
1"=200' SCALE MAP #	081B2
ZONING	DR-5.5
LOT SIZE	1.07
ACREAGE	46,609 ±
SQUARE FEET	
SEWER	☒ PUBLIC ☐ PRIVATE
WATER	☒ PUBLIC ☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA	YES ☐ NO ☒
100 YEAR FLOOD PLAIN	☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING	☐ YES ☒ NO
PRIOR ZONING HEARING	

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
<i>JPR</i>	579	

29180

Scale: 1 in = 60'

Pet. NO 1.

Zoning MAP #081B2



#579

Case No.:

06-579-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan (Revised)	
No. 2	Neighbouring Support	
No. 3	Collectively Exhibit Photo's Existing Condition.	
No. 4	Garage Elevations	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Stew Becker - Representative

(SIGN IN SHEETS – OPPORTUNITY TO SIGN) - (RECORDER)

Good Morning – My name is Bill Wiseman, I am the Zoning Commissioner for Baltimore County and I've been assigned to hear your case pursuant to Art. 32 of the Baltimore County Code. **THESE PROCEEDINGS ARE BEING RECORDED**

FOR THE RECORD, THIS IS A PUBLIC HEARING ON case number 06-579 SPHA

This is a Petition for ☒ Variance
☒ Special Hearing
☐ Special Exception

filed by John & Christina Candow for property located at
4231 OVERTON AVE and zoned DR 5.5

"Read language from file"

The Code requires that notice of today's hearings be provided to neighbors and interested parties by the posting of a sign on the property for at least 15 days prior to the hearing. The sign was posted 6-19-06 by Bob Black, an approved sign poster and shows the time, date, place and subject matter of the hearing.

The Code further requires that notice be placed in a newspaper of general circulation, in this case the Jeffersonian, and the file contains the requisite certification of publication.

I THEREFORE FIND THAT THE POSTING AND NOTICE REQUIREMENTS HAVE BEEN SATISFIED

IF ATTORNEYS PRESENT, HAVE THEM IDENTIFY THEMSELVES; ASK IF THERE ARE ANY PRELIMINARY MATTERS

LOOK AROUND ROOM – AND ASK – IS ANYONE HERE APPEARING IN OPPOSITION TO THE REQUEST?

NO PROTESTANTS: For the record, no one is here in opposition to the request. Mr./Ms. _____, since there is no opposition, if you want to make AN **INFORMAL PROFFER** of the *testimony* and *evidence*, you're welcome to do so.

IF PROTESTANTS: This is your opportunity to come forward and have a seat at the table. You will be able to see and hear better, so come forward and I have a sign-in sheet here for you to sign so that we can mail you a copy of the decision in this case.

EXPLAIN PROCESS:

First the owner of the property will have an opportunity to present testimony and evidence regarding the _____ request for the property at _____.

Listen carefully, if you have any questions that you want to ask of any witness who testifies, I'll give you an opportunity to do so.

Once Petitioner is finished putting forward their testimony, and you've had an opportunity to ask questions, you will be given an opportunity to present testimony and evidence for me to consider in this _____ request. I'll tell you when it's appropriate to ask questions and when it's appropriate to testify – help you along as we proceed.

PRESENT CASE

SWEAR WITNESS – NAME AND ADDRESS – HAVE A SEAT

All right Mr./Ms. _____, please proceed with your case:

TO PROTESTANTS: Do you have any questions about the testimony that Mr./Ms. _____ just gave? I don't want to hear any testimony from you at this point, but if you would like to ask him/her any questions go ahead.

CLOSE OF PETIONERS CASE: This is your opportunity to tell me why you might be opposed to this _____. Where do you live? How long have you lived there? What is it about the _____ that bothers you/or what would you like to tell me about this case.

CONCLUSION: ALRIGHT – THANK YOU. THIS WILL CONCLUDE THE MATTER. THANK YOU FOR ATTENDING

I'm not prepared to make a decision here and now.

I want some time to think about the evidence presented – might want to look at the property

Hopefully, within a few weeks, I'll issue a written decision in the case

If you do not like my decision, YOU HAVE A RIGHT TO APPEAL TO THE Board of Appeals. This must be done within 30 days from date of my Order.

PETITION OF ACCEPTANCE
GARAGE REMODEL
4231 OVERTON AVE.

The signatures on this petition dated 6-19-06 represent all neighbors surrounding the property at 4231 Overton Ave in Baltimore County who accept the plans for the new garage. They are aware that the plans require variances for the height and size of the new design and do not feel that there will be any problems resulting in the construction of this design.

signature

address

signature

address

signature

address

signature

address

signature

address

signature

address

signature

address

signature

address

signature

address

signature

address

PETITIONER'S

EXHIBIT NO.

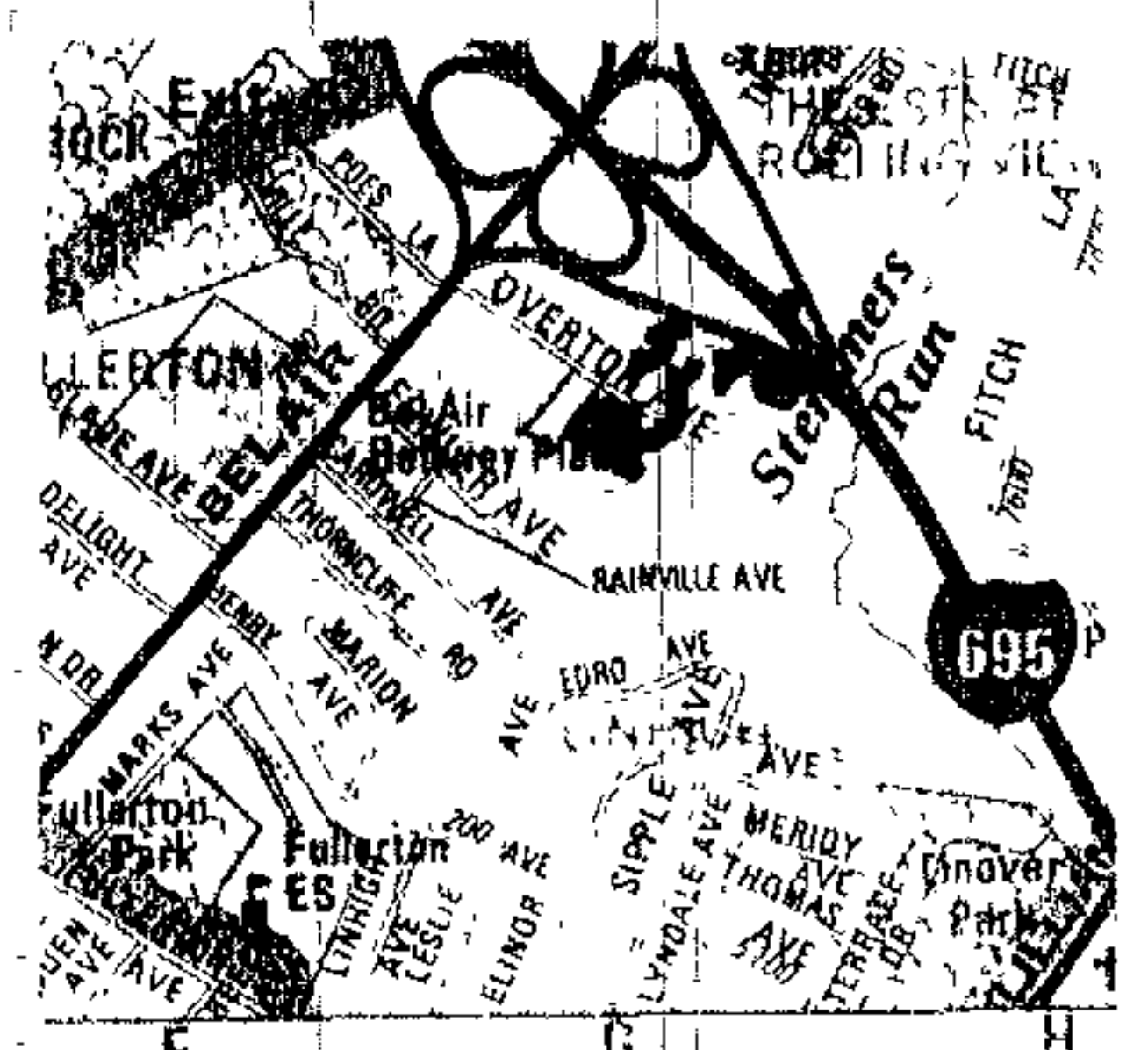
2

} adjacent neighbor

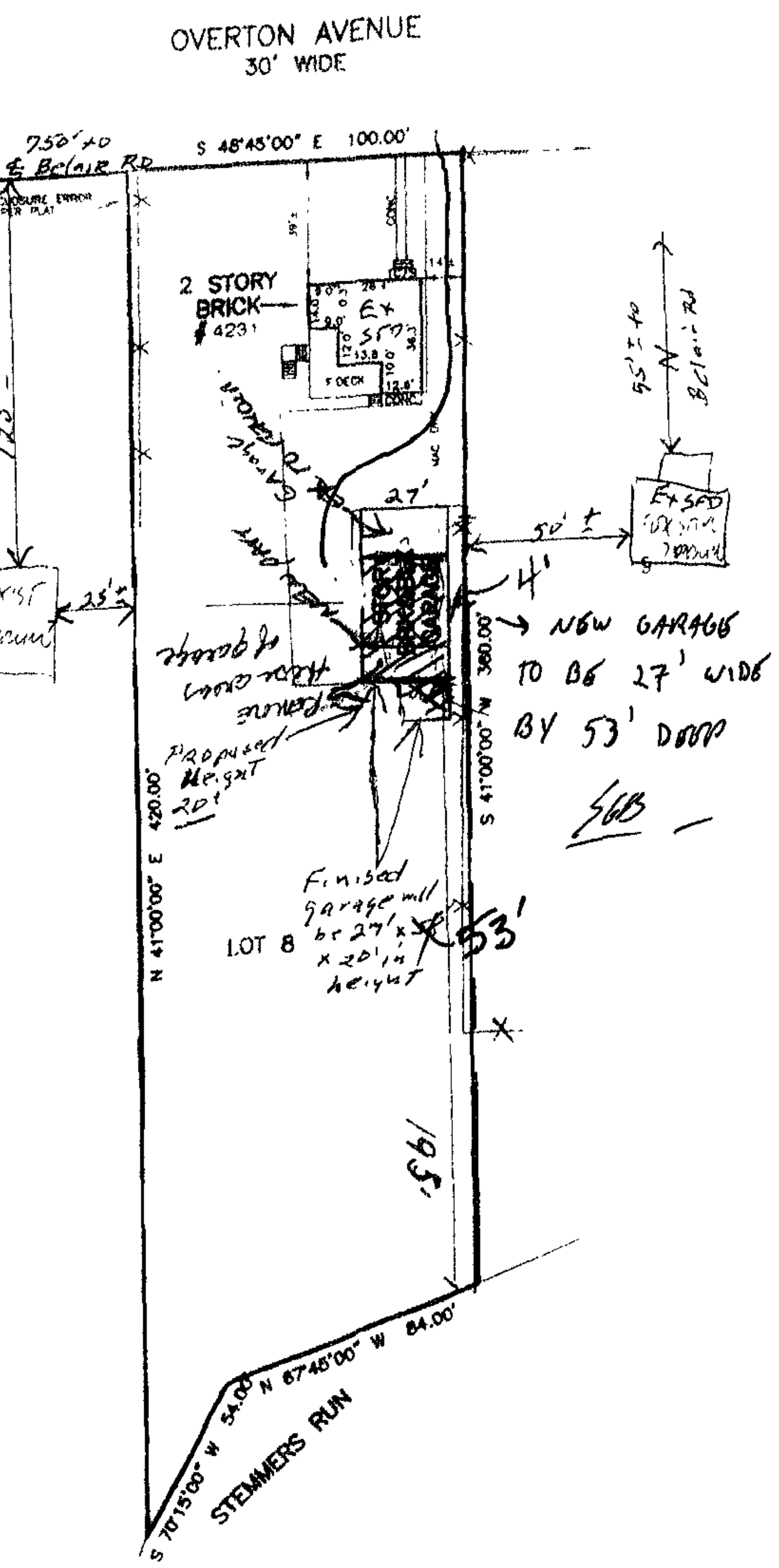
SPECIAL HEARING

TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE

PROPERTY ADDRESS 4231 OVERTON AVE
 PARCEL NAME OVERTON
 BLOCK # 2 FOLIO # 33 / LOT # 8 SECTION # -
10th and 6th 1/2 mile canyon



36 VICINITY MAP



LOCATION INFORMATION

ELECTION DISTRICT 14
 COUNCILMANIC DISTRICT 6
 1" = 200' SCALE MAP # 081B2
 ZONING DR-5.5
 LOT SIZE 1.07 ACRES 46,609 ± SQUARE FEET

	PUBLIC	PRIVATE	YES	N
SEWER	☒	☐	☐	☐
WATER	☒	☐	☐	☐
CHESAPEAKE BAY CRITICAL AREA	☐	☐	☐	☐
100 YEAR FLOOD PLAIN	☐	☐	☐	☐
HISTORIC PROPERTY / BUILDING	☐	☐	☐	☐

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY [Signature] ITEM # 579 CASE #

Scale: 1 in = 60'

PETITIONER'S

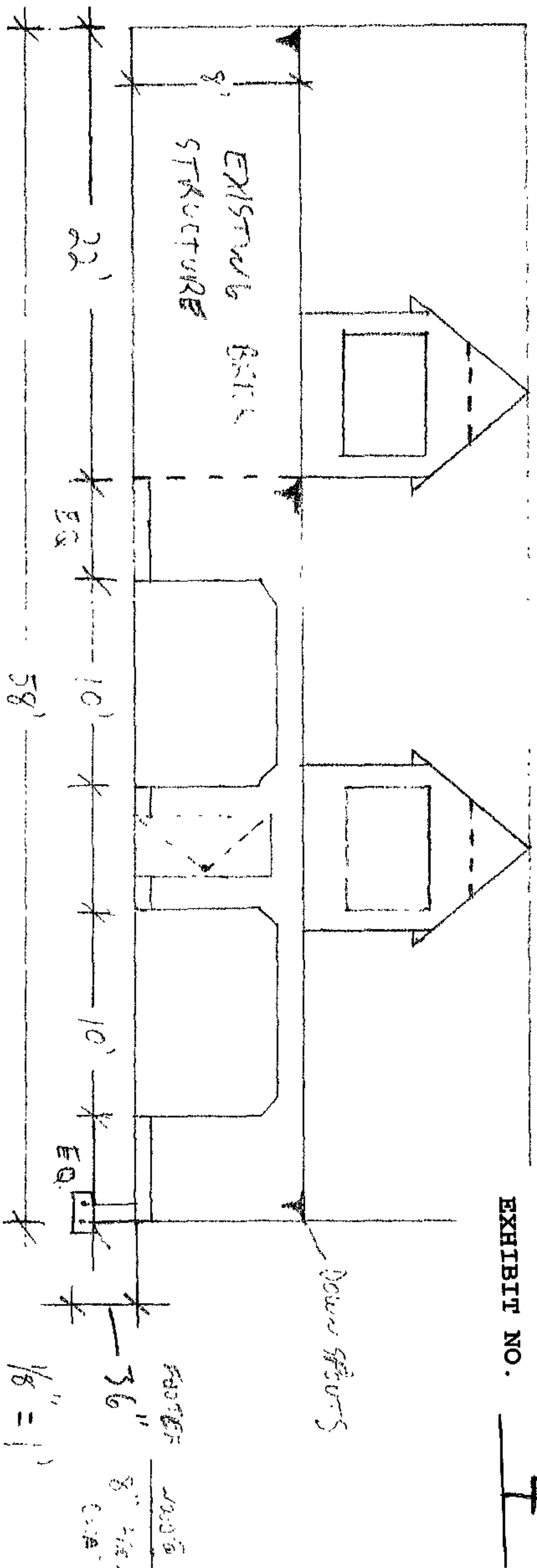
EXHIBIT NO. 1

100

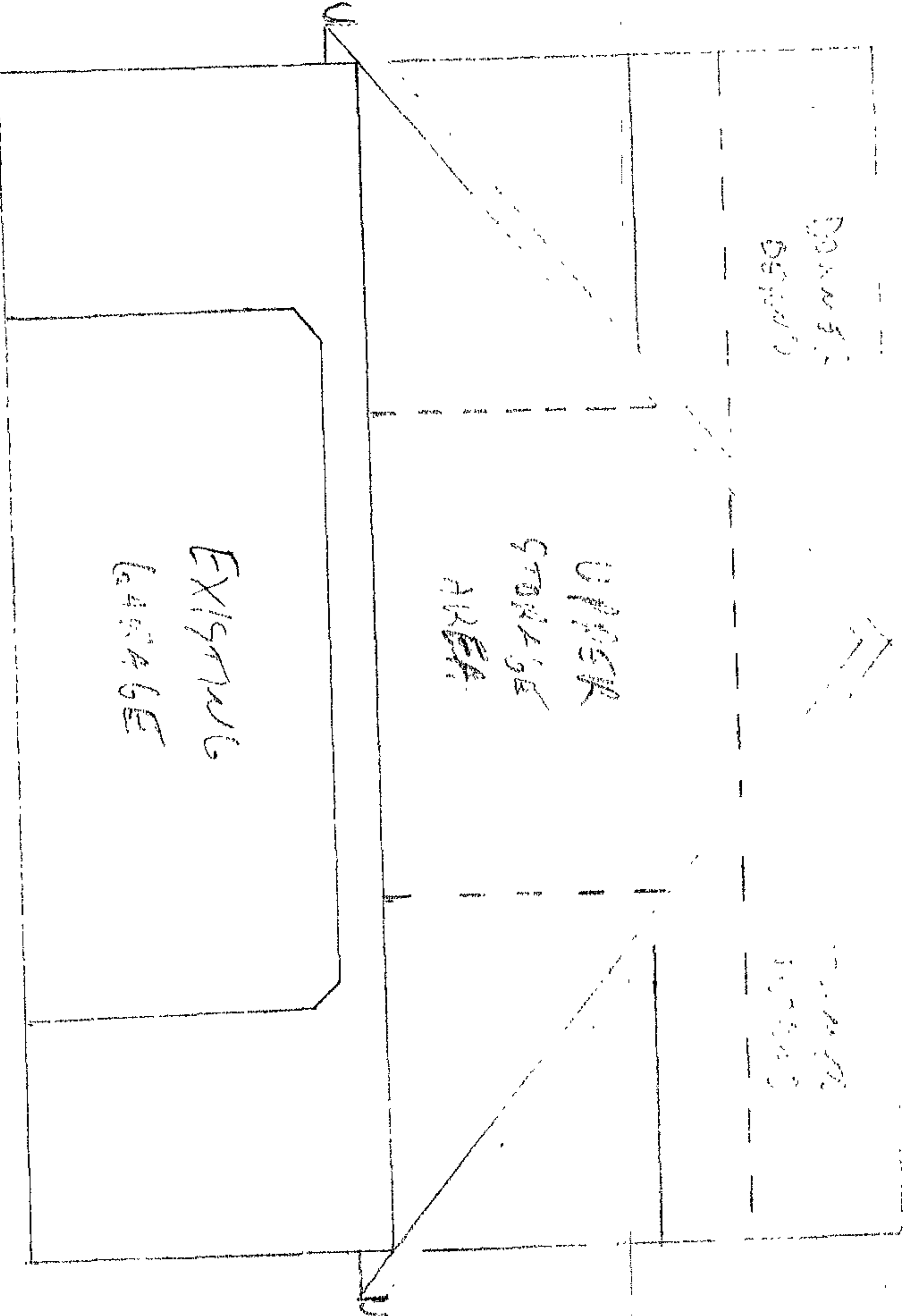
† 2 †

EXHIBIT NO.

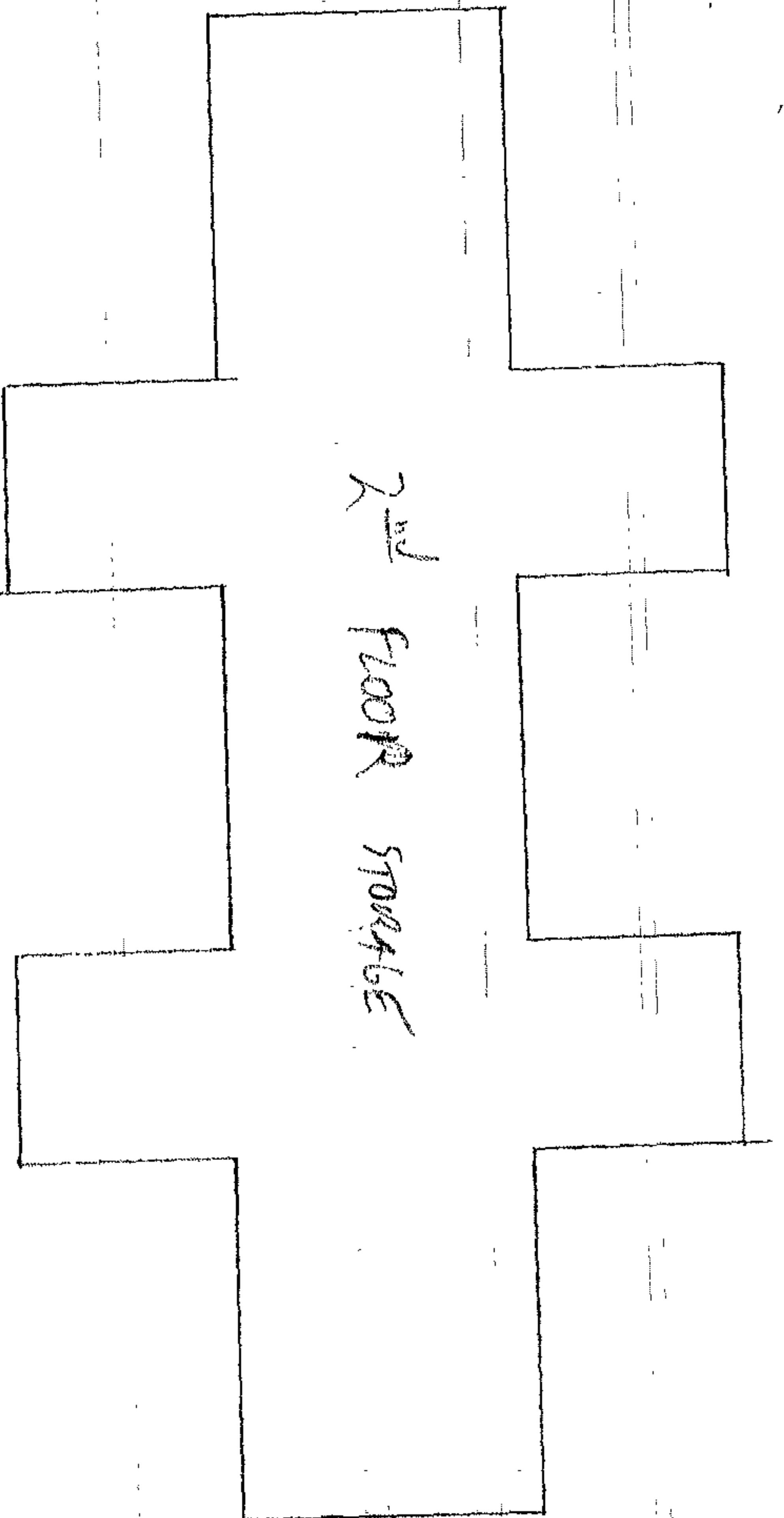
4



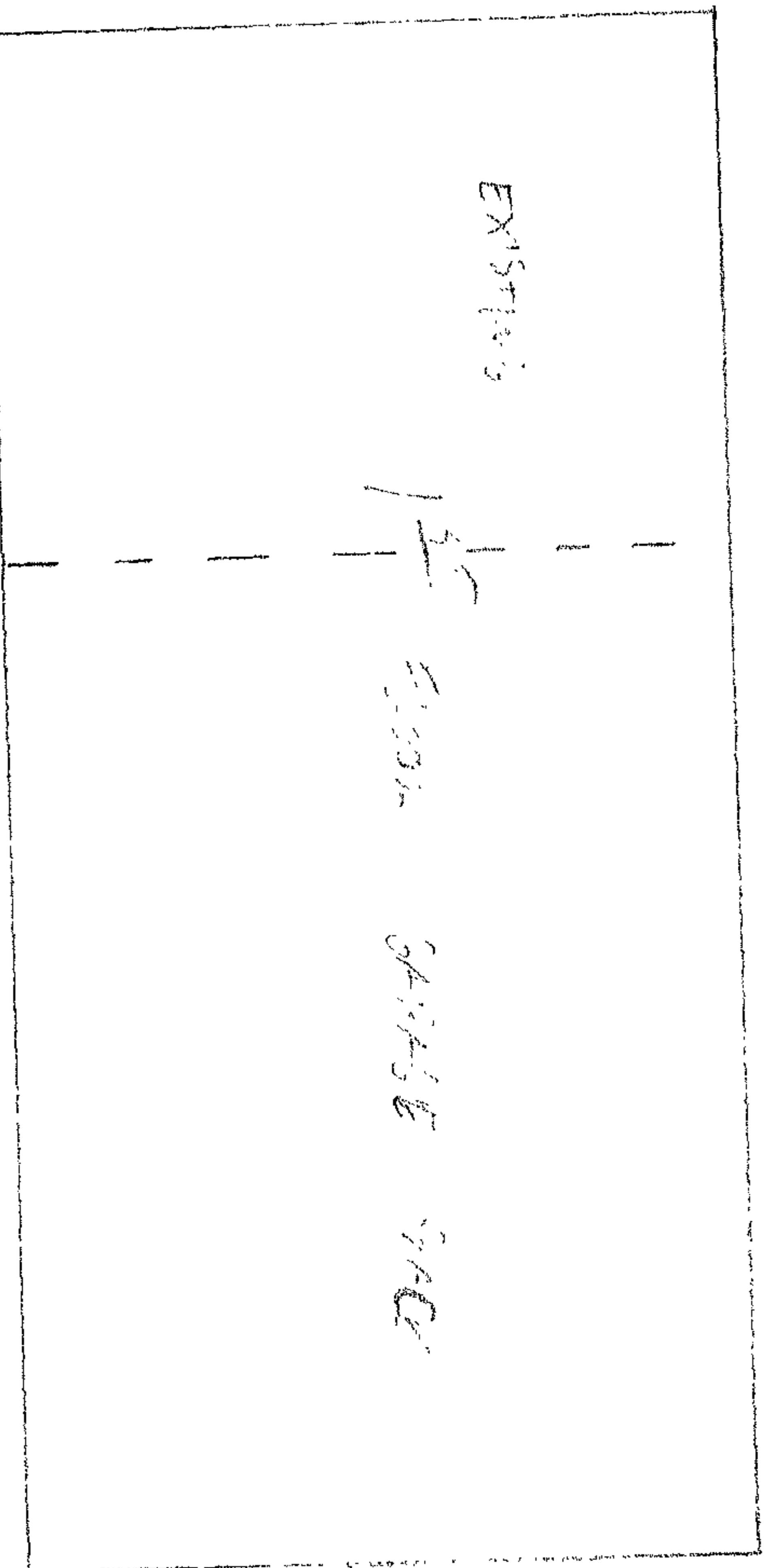
APPROXIMATE



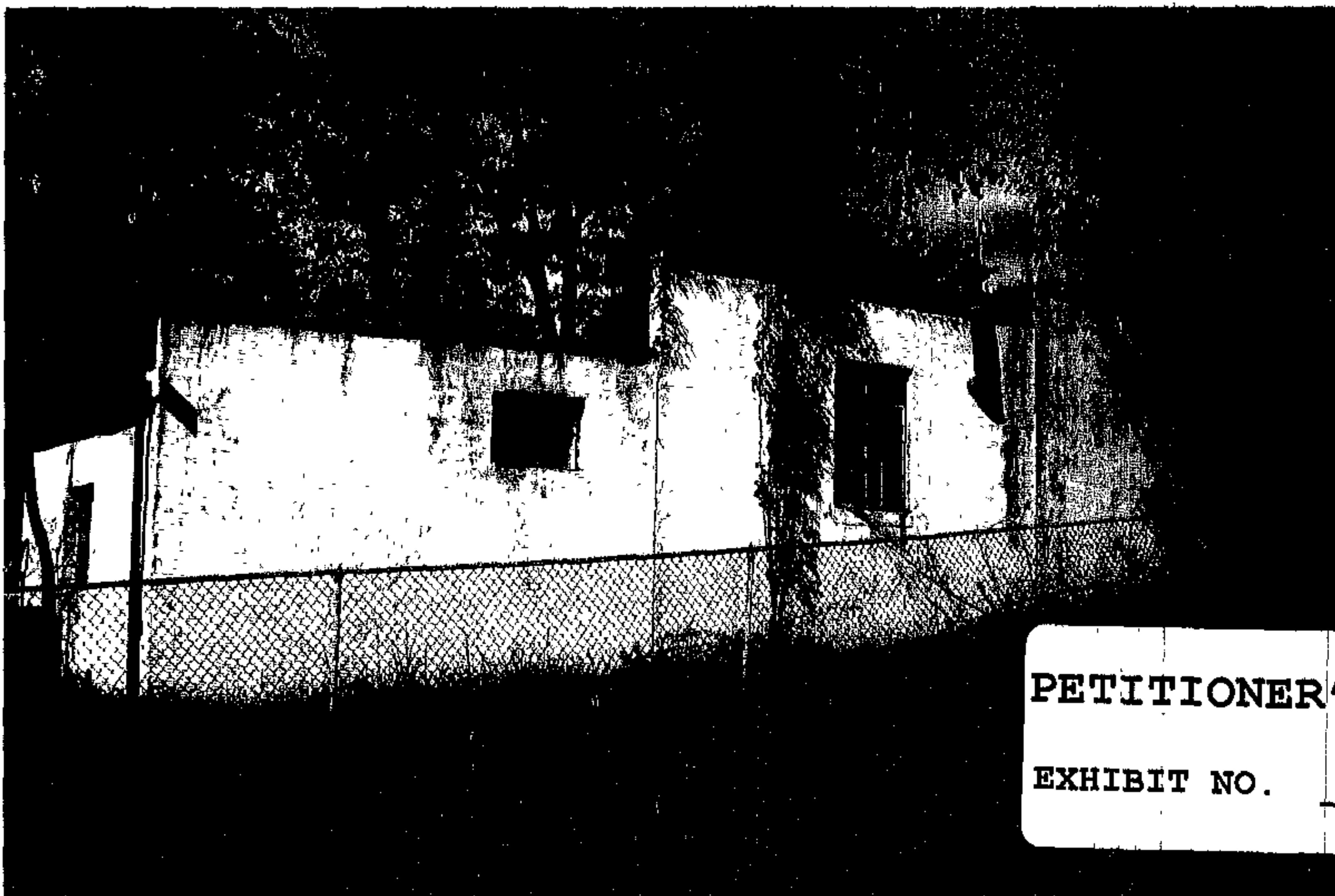
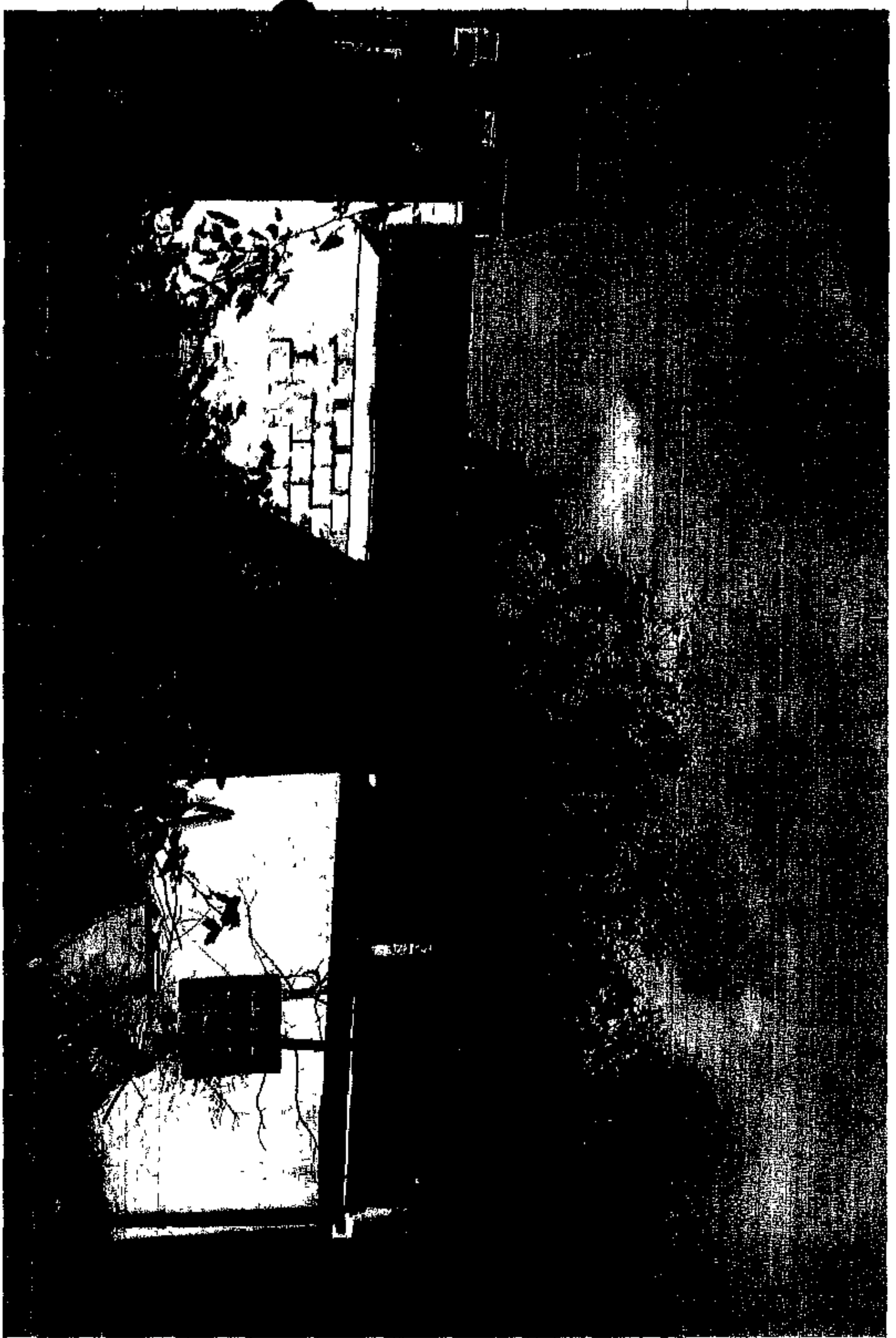
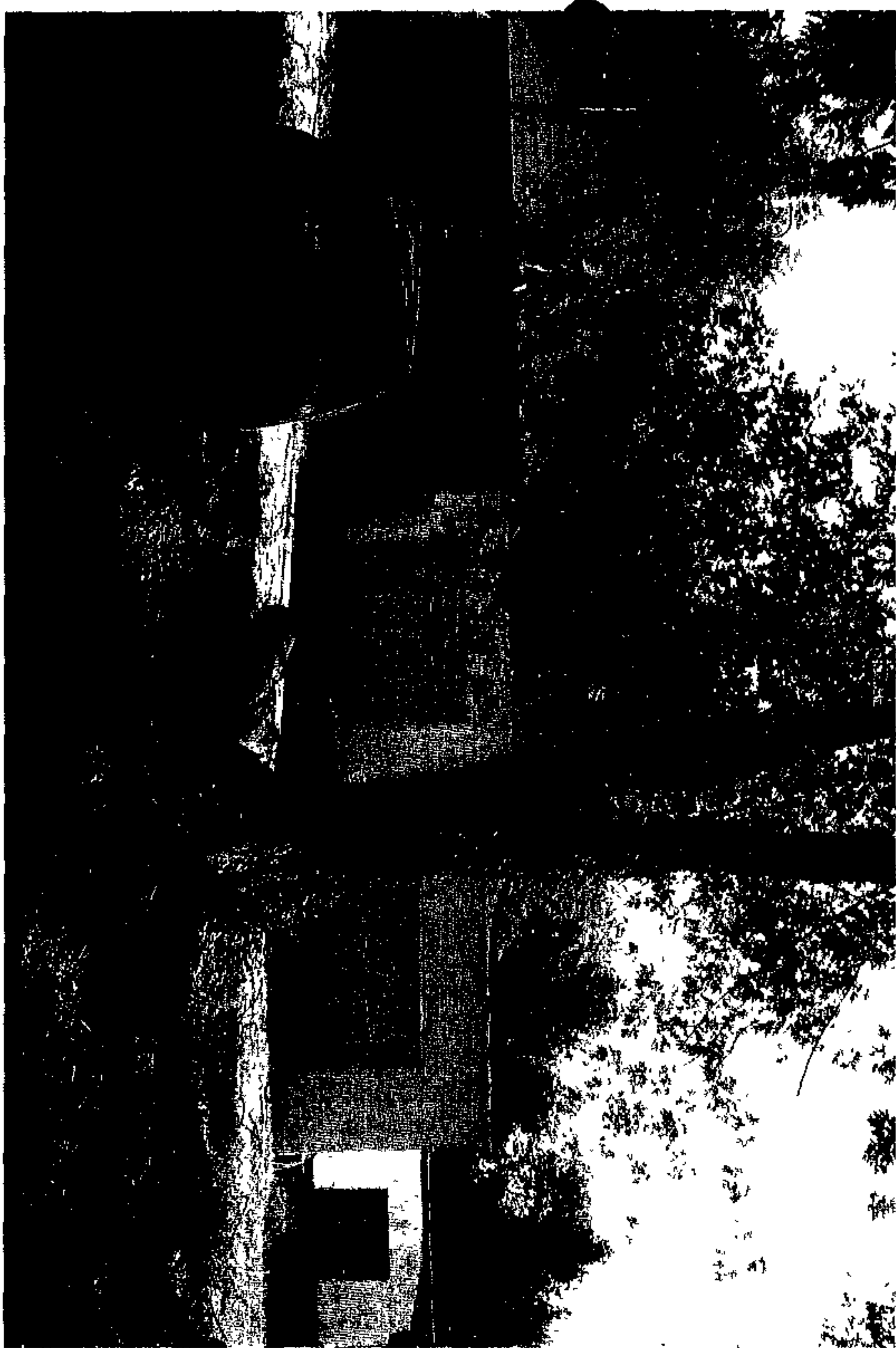
1/4 = 1



$$\frac{1}{8} = 1'$$



$$\frac{1}{8} = 1'$$



PETITIONER'S

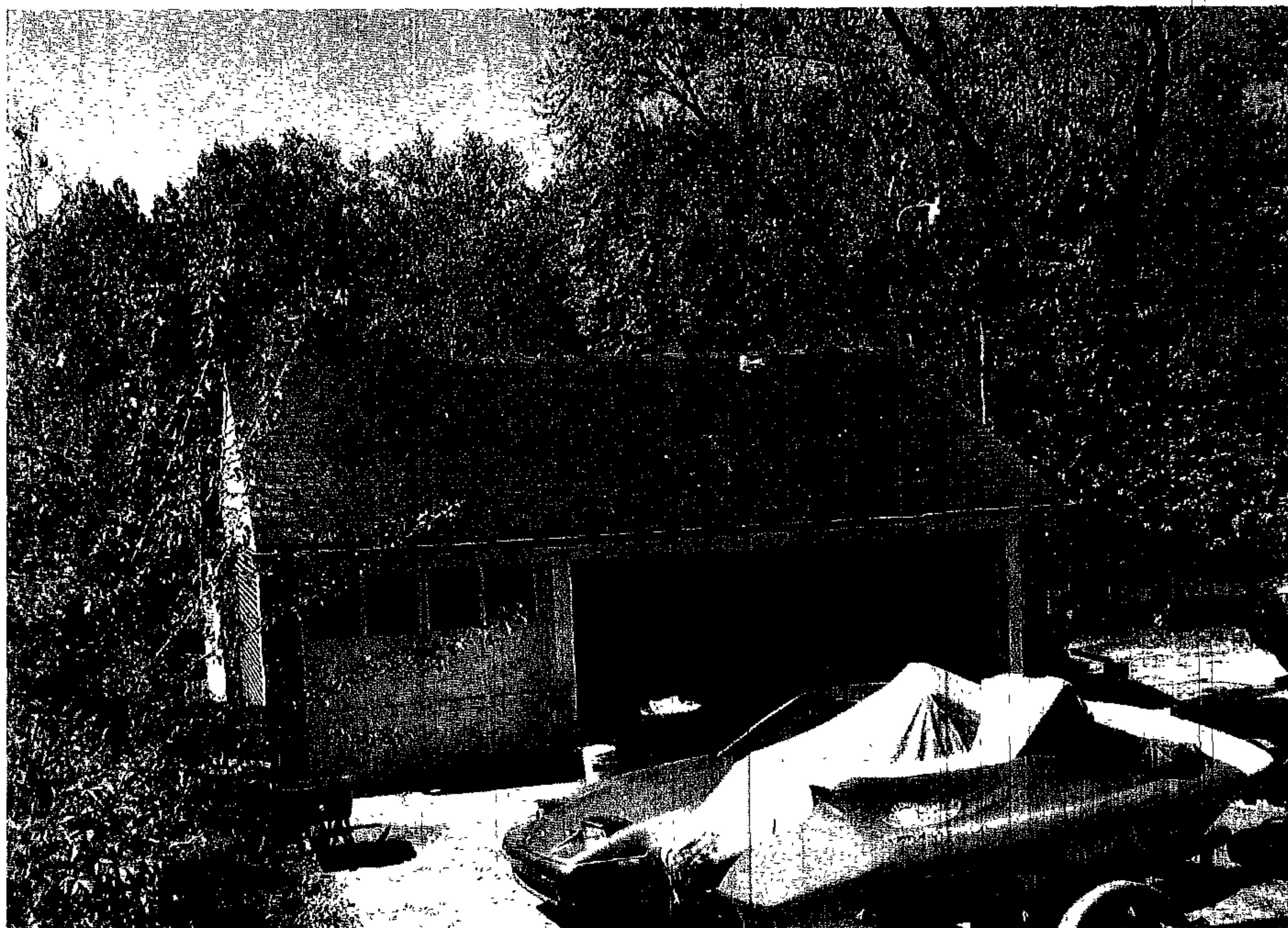
EXHIBIT NO.

3

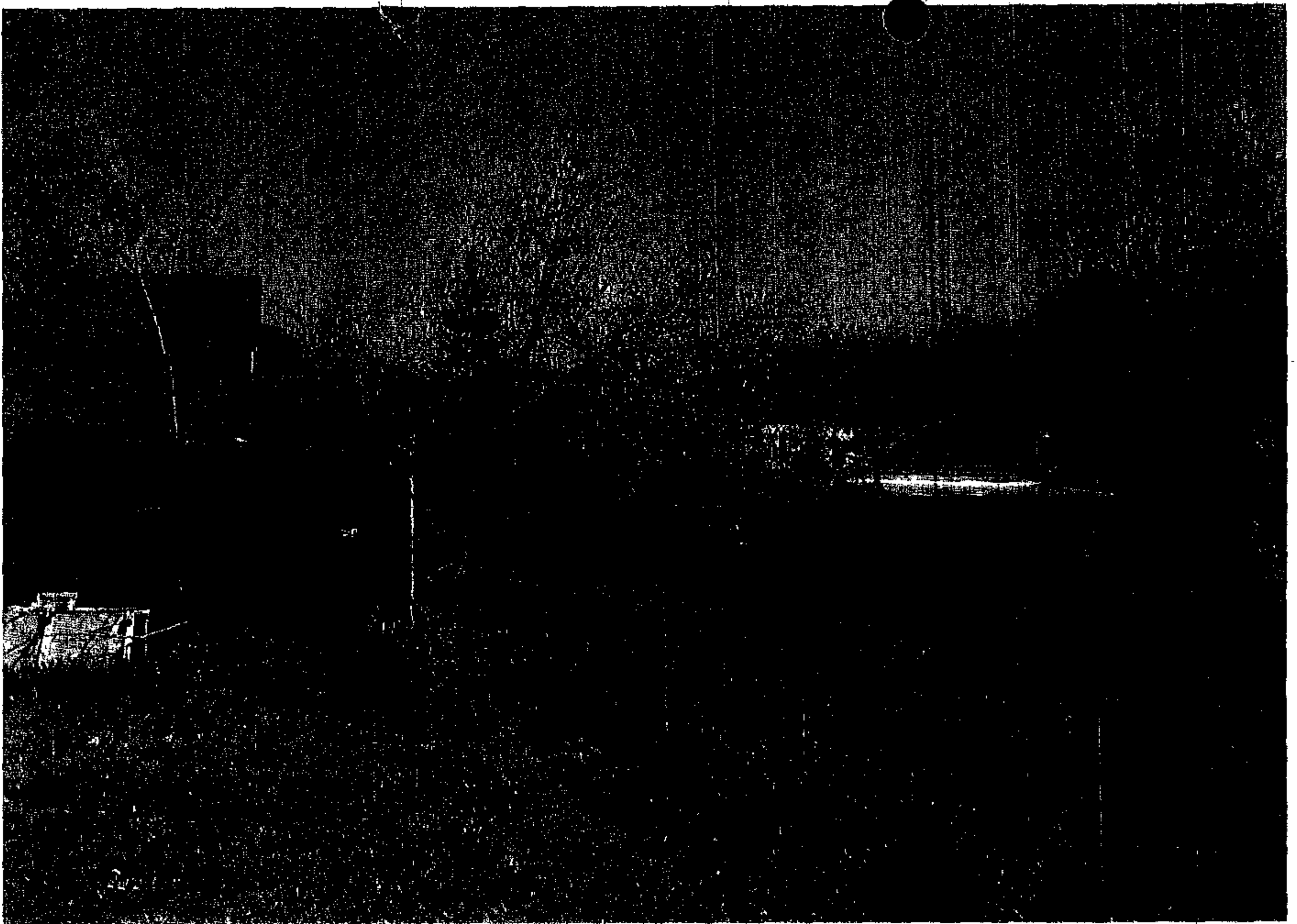


garage

SFD
4231



#579



ject
garage

Rear
Yard

#579

