

IN RE: PETITION FOR ADMIN. VARIANCE
SW corner of Cross Road and
Florio Drive
11th Election District
5th Councilmanic District
(9532 Cross Road)

Dwayne M. and Deborah A. Wynn
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 07-071

* * * * *

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, Dwayne M. and Deborah A. Wynn. The variance request is for property located at 9532 Cross Road. The variance request is from Sections 1B02.3.A.1 and 259.6 (1996) (Bill 176-1994) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a 15 foot rear setback in lieu of the required 22.5 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to install a deck onto the rear of their house. Space is limited due to the odd shape of their lot and setback requirements. The majority of their property is located on the front side of the house.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Office of Planning dated September 26, 2006, which required that a landscape plan be submitted to the Baltimore County Landscape Architect.

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

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10-17-06
JAC

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."

On September 28, 2006, a letter was sent to the Petitioners advising them of comments received from the Office of Planning. The Petitioners submitted the required landscaping plan on October 11, 2006 and the County's Landscape Architect, E. Avery Harden, approved said plan on October 11, 2006.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 3, 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.

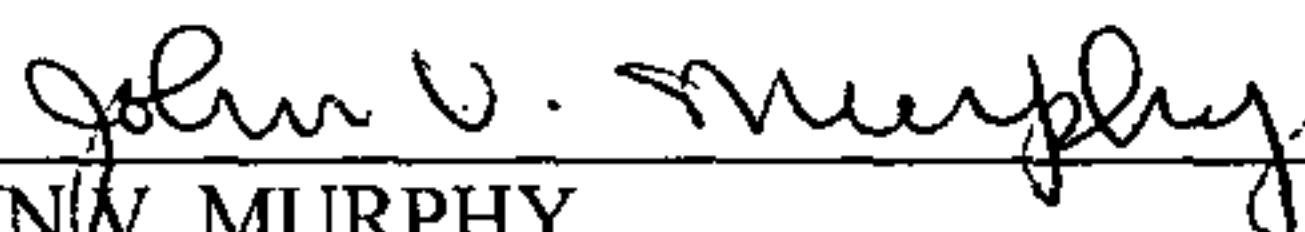
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PS

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 17th day of September, 2006, that a variance from Sections 1B02.3.A.1 and 259.6 (1996) (Bill 176-1994) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a 15 foot rear setback in lieu of the required 22.5 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 W. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

FILED
10-17-06
JVM



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9532 Cross Road
which is presently zoned DR 3.5H

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3A.1., 259.6(1996) (Bill 176-1994)

TO PERMIT AN OPEN PROTECTION (DECK) WITH A 15-FOOT REAR SETBACK IN LIEU OF THE REQUIRED 22.5-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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

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 10-17-06 day of October 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. 07-071-A

Reviewed By D.T. Date 8/25/06

REV 10/25/01 10-17-06

Estimated Posting Date 9/3/06

Affidavit in Support of Administrative Variance

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

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

Address 9532 Cross Road
City Perry Hall State MD Zip Code 21128

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):

Want to install deck on rear of house.
Space limited due to odd shaped lot
and setback requirements. Majority of
the property is located on the front side
of house.

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.

Dwayne M. Wynn
Signature

Dwayne M. Wynn
Name - Type of Print

Deborah A. McElroy Wynn
Signature

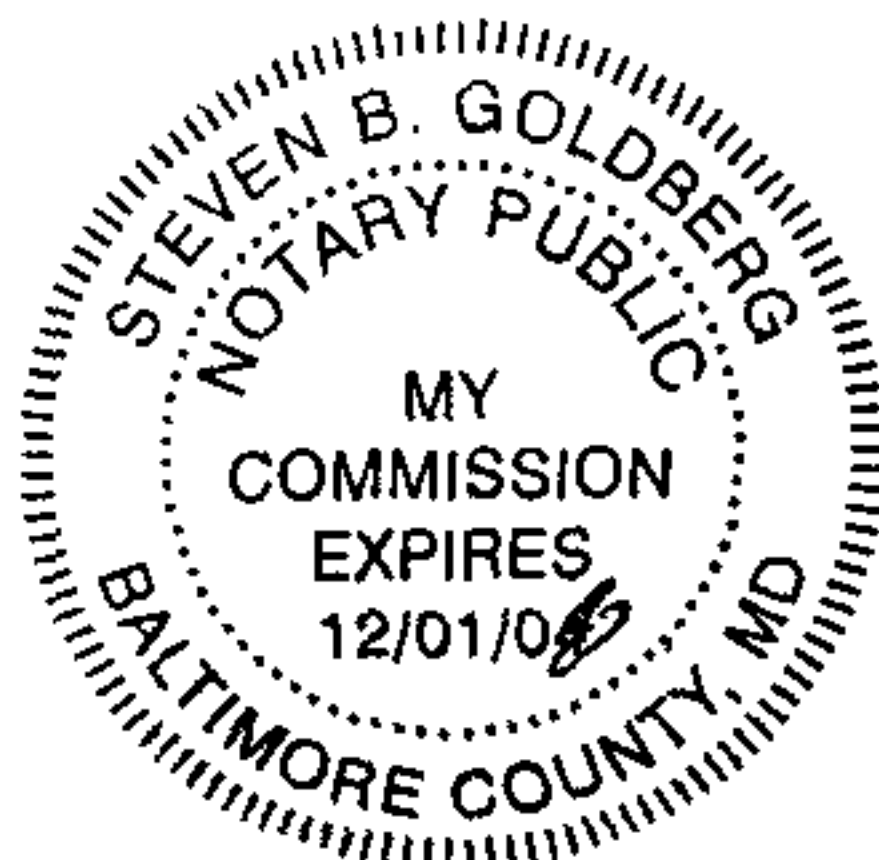
Deborah A. McElroy (Wynn)
Name - Type of Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of AUGUST, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DWAYNE M. WYNN / DEBORAH A. WYNN
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Steven B. Goldberg
Notary Public

My Commission Expires 12/01/06

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

9532 Cross Road
Address
Perry Hall MD 21128
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):

Want to install deck on rear of house..
Space limited due to odd shaped lot and
Set back requirements. Majority of property
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Dwayne M. Wynn
Signature
Dwayne M. Wynn
Name - Type or Print

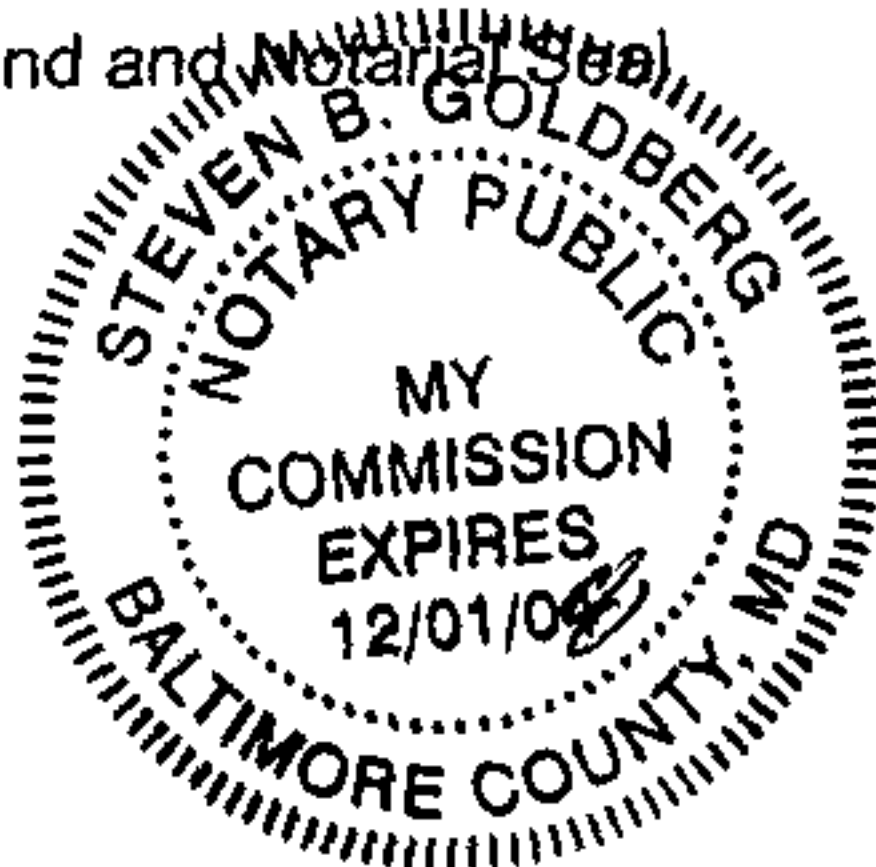
Deborah A. McElroy Wynn
Signature
Deborah A. (McElroy) Wynn
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of AUGUST, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

OF MARYLAND DWAYNE M WYNN / DEBORAH A WYNN
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Steven B. Goldberg
Notary Public
My Commission Expires 12/01/08



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9532 Cross Road

which is presently zoned DR 3.5H

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3A.1., 259.6 (1996) (BILL 176-1994)

TO PERMIT AN OPEN PROTECTION (DECK) WITH A 15-FOOT REAR
SETBACK IN LIEU OF THE REQUIRED 22.5- 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):

Dwayne M. Wynn

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

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 10/25/01 day of October, 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. 07-071-A

Reviewed By D.T. Date 8/25/06

REV 10/25/01 FILED

Estimated Posting Date 9/3/06

10-17-06
pb

Zoning Description for 9532 Cross Road

Beginning at a point on the southwest corner of Cross Road having a 60-foot right-of-way and Florio Drive having a 50-foot right-of-way. Being Lot #1 in the subdivision known as the "Florio Property" as recorded in Plat Book #74, Folio #84 containing 7.062 square feet. Also known as 9532 Cross Road and located in the 11th Election District and 5th Councilman District.

07-071-A

BAKIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 9970

DATE

2/25/06

ACCOUNT

0010011150

AMOUNT \$

65.00

RECEIVED
FROM:

DIANNE L. KIN

FOR:

ITEM# 071 07-091-A

9532 Gross Rpt D THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

THIS RECEIPT

IS VALID FOR THE

PERIOD 02/25/06 TO 02/25/06

FOR THE YEAR 02/25/06

FOR THE YEAR 02/25/06

FOR THE YEAR 02/25/06

FOR THE YEAR 02/25/06

FOR THE YEAR 02/25/06

FOR THE YEAR 02/25/06

FOR THE YEAR 02/25/06

CERTIFICATE OF POSTING

RE: Case No.: 07-071-A

Petitioner/Developer: _____

WYNN

Date of Hearing/Closing: 9/18/06

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

Attention: KRISTEN MATTHEWS

Ladies and Gentlemen:

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

9532 CROSS RD

The sign(s) were posted on _____

9/3/06

(Month, Day, Year)

Sincerely,

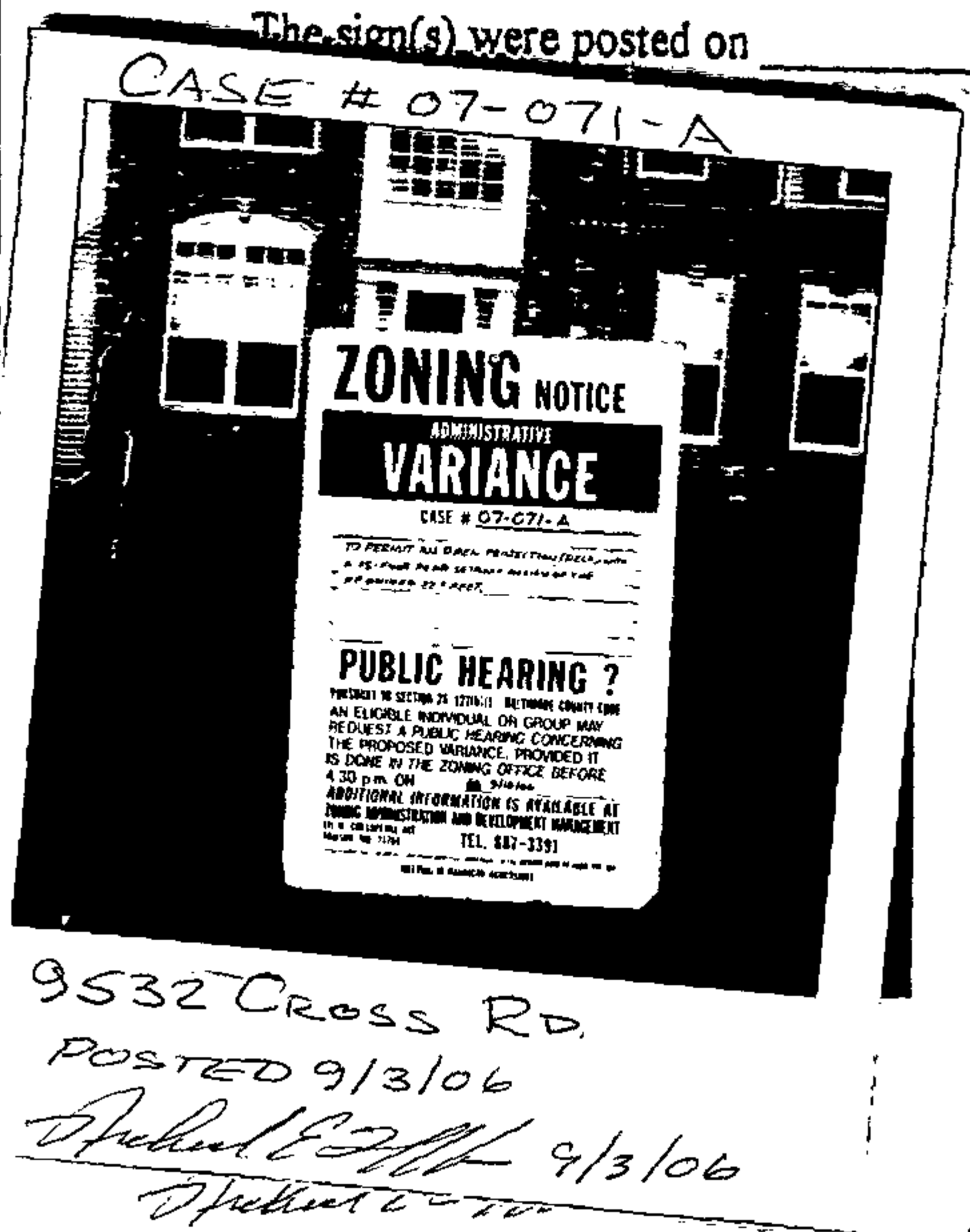
Richard E. Hoffman 9/3/06
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-⁷ 071 -A Address 9532 CROSS RD.

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

Filing Date: 8/25/06 Posting Date: 9/3/06 Closing Date: 9/18/06

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 06-⁷ 071 -A Address 9532 CROSS RD.
Petitioner's Name WYNN Telephone 410-248-2161 (4)
Posting Date: 9/3/06 Closing Date: 9/18/06
Wording for Sign: To Permit AN OPEN PROTECTION (DECK) WITH A 15-FOOT
REAR SETBACK IN LIEU OF THE REQUIRED 22.5- 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 07-071-A

Petitioner WYNN

Address or Location 9532 CROSS RD.

PLEASE FORWARD ADVERTISING BILL TO

Name MR. + MRS. DWAYNE M. WYNN

Address 9532 CROSS RD.

PERRY HALL, MD 21128

Telephone Number 410-248-2161



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

September 18, 2006

Dwayne M. Wynn
Deborah A. (McElny) Wynn
9532 Cross Road
Perry Hall, MD 21128

Dear Mr. and Mrs. Wynn:

RE: Case Number: 07-071-A, 9532 Cross Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 25, 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,

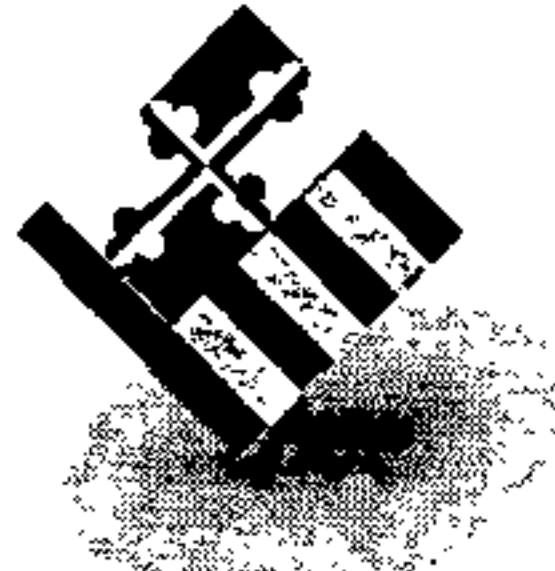
A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

October 17, 2006

DWAYNE M. AND DEBORAH A. WYNN
9532 CROSS ROAD
PERRY HALL MD 21128

Re: Petition for Administrative Variance
Case No. 07-071-A
Property: 9521 Cross Road

Dear Mr. and Mrs. Wynn:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

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10-17-06

P3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 26, 2006

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

SUBJECT: 9532 Cross Road

INFORMATION:

Item Number: 7-071

Petitioner: Dwayne M. Wynn

Zoning: DR 3.5H

Requested Action: Administrative Variance

RECEIVED

SEP 27 2006

ZONING COMMISSIONER

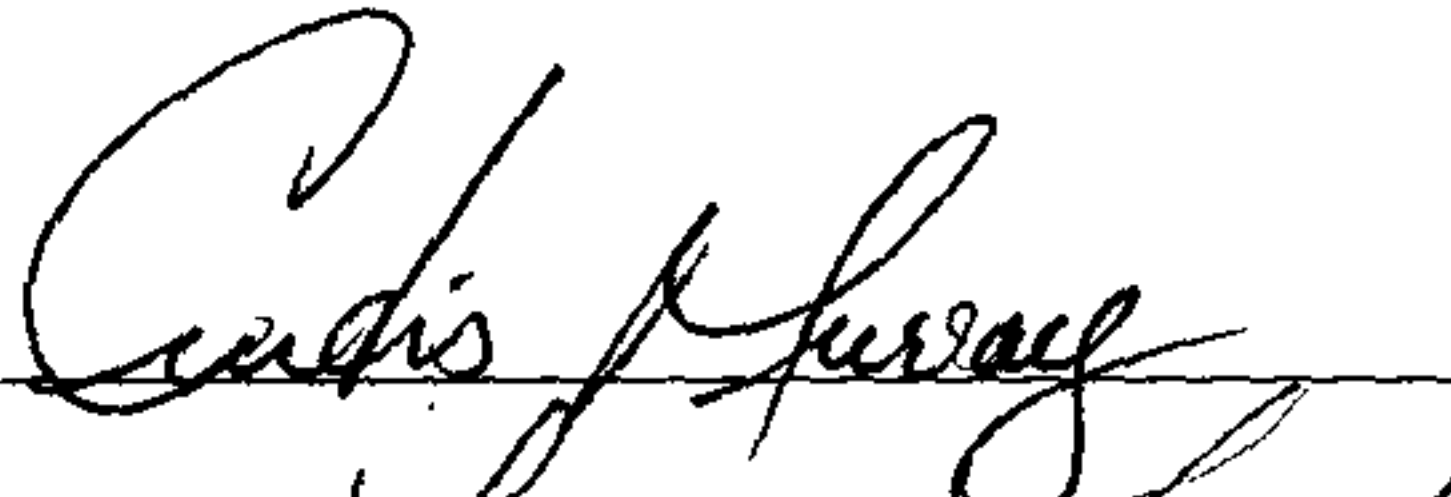
SUMMARY OF RECOMMENDATIONS:

Upon field inspection of the subject property, the Office of Planning has concerns that the proposed open projection deck will be visible from direct view from Florio Drive. While there is a row of vegetative plantings (viburnum) between the rear yard and the public right of way, the Office of Planning is not convinced that these plantings will screen the proposed open projection deck from the public roadway and pedestrian walkway.

The Office of Planning recommends that the petitioner submit a detailed summary and plan showing the exact species and location of plantings along the subject property to the Baltimore County Landscape Architect. Should the County Landscape Architect find that the existing plant species would not screen the proposed deck from Florio Drive, the petitioner shall submit a detailed landscaping plan that addresses the concerns stated herein. Once these actions are taken, the Office of Planning will support the petitioner's request.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For September 11, 2006
Item Nos. 07-071, 072, 073, 074, 075, 076, 077,
078, 085, 086, 087, 090, 091 and 092

DATE: September 11, 2006

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- 09082006.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 9/7/2006

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

RE: Baltimore County
Item No. 071
WYNN PROPERTY
VARIANCE #7-71A

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 071.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

September 28, 2006

DWAYNE M. AND DEBORAH A. WYNN
9532 CROSS ROAD
PERRY HALL MD 21128

Re: Petition for Administrative Variance
Case No. 07-071-A
Property: 9532 Cross Road

Dear Mr. and Mrs. Wynn:

Your request for Administrative Variance has been given to me for review. Upon my review of your file, it came to my attention that the Zoning Advisory Committee (ZAC) comment prepared by the Office of Planning does not support your request. That office will require that you submit a detailed summary and landscape plan to the Baltimore County Landscape Architect. I am enclosing a copy of this ZAC comment for your review.

Please respond to me in writing at your earliest convenience if you have any objections to the Planning Office requirements. If so, I will schedule a public hearing on this matter.

Thank you for your attention and cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Kevin Gambrill, Office of Planning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 26, 2006

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

SUBJECT: 9532 Cross Road

INFORMATION:

Item Number: 7-071

Petitioner: Dwayne M. Wynn

Zoning: DR 3.5H

Requested Action: Administrative Variance

RECEIVED

SEP 27 2006

ZONING COMMISSIONER

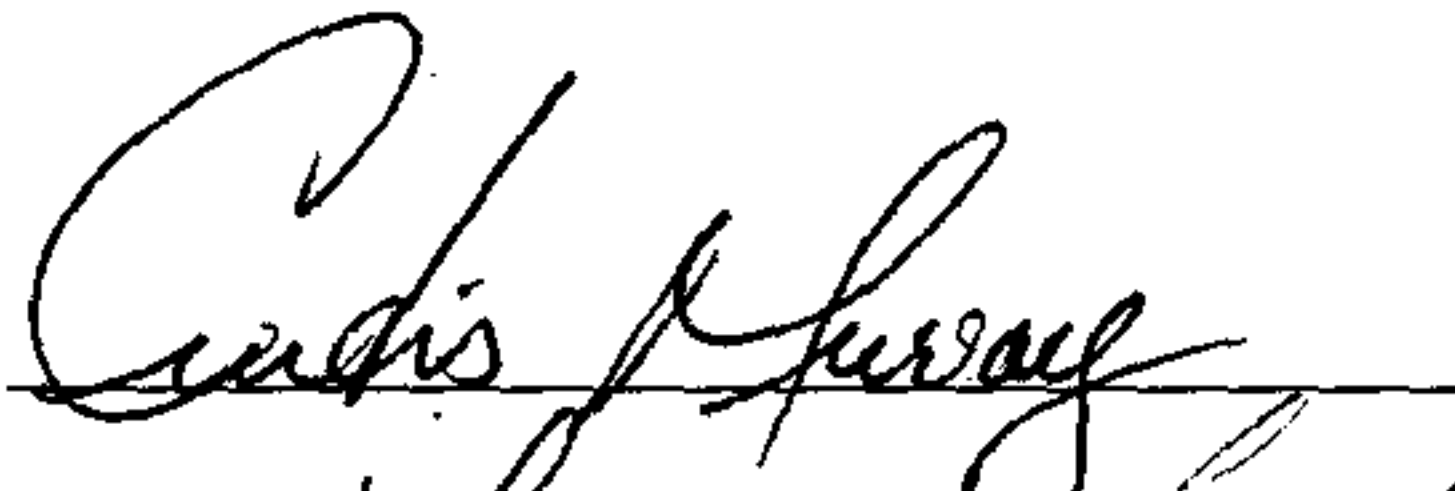
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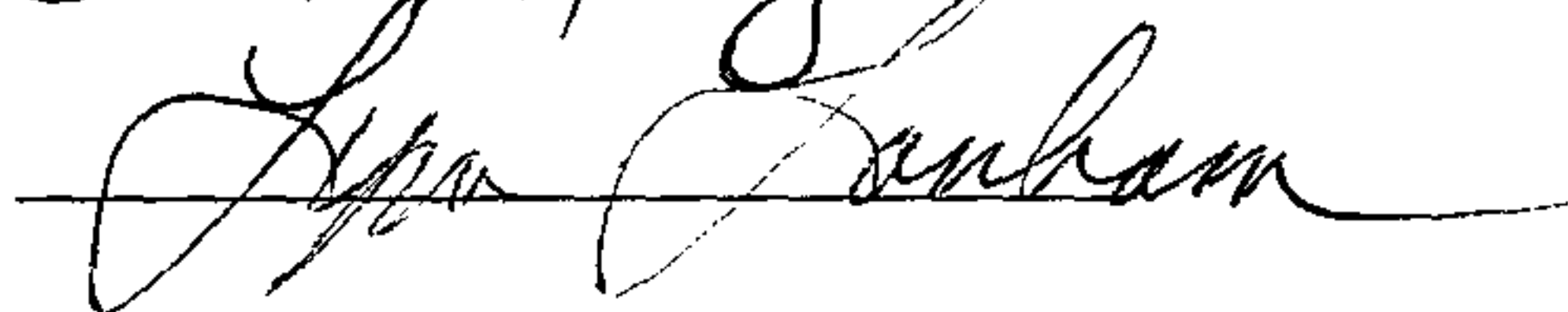
The Office of Planning recommends that the petitioner submit a detailed summary and plan showing the exact species and location of plantings along the subject property to the Baltimore County Landscape Architect. Should the County Landscape Architect find that the existing plant species would not screen the proposed deck from Florio Drive, the petitioner shall submit a detailed landscaping plan that addresses the concerns stated herein. Once these actions are taken, the Office of Planning will support the petitioner's request.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



October 11, 2006

RECEIVED

OCT 13 2006

Mr. Avery Harden
Room 119
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

ZONING COMMISSIONER

Re: Case No. 07-071-A

Property: 9532 Cross Road
Perry Hall, MD 21128
Petitioners: Dwayne M. & Deborah A. Wynn

Dear Mr. Harden,

Per our telephone conversation on Tuesday, October 10th, I am sending you the information you requested. This includes pictures and a diagram of the existing plantings at our proposed deck location.

The Office of Planning has expressed concerns over whether the existing plantings will adequately screen the proposed deck from Florio Drive and the pedestrian walkway. That office has stated they will support our request pending your review and recommendation.

If you need any further information please contact me at (Home) 410-248-2161 or (Cell) 443-604-7911.

Thank you for your time and help in this matter.

Sincerely,

Deborah Wynn

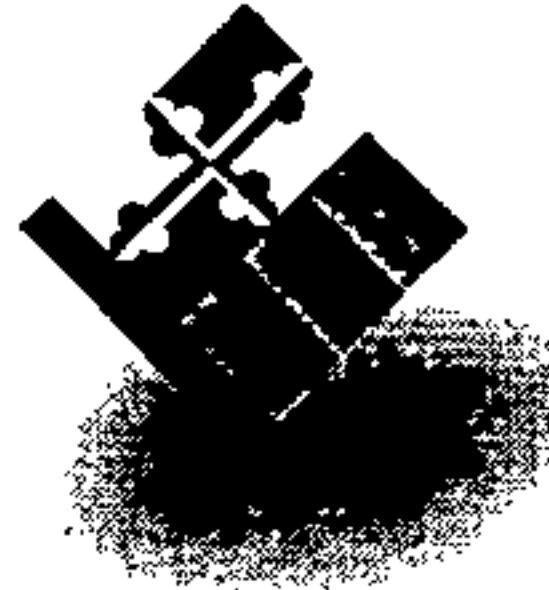
Deborah Wynn

BALTIMORE COUNTY
DEPT. OF PERMITS & DEV. MGMT.
LANDSCAPE PLAN APPROVED

E. Avery Harden

E. Avery Harden
County Landscape Architect

Date: 10-11-06



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

September 28, 2006

DWAYNE M. AND DEBORAH A. WYNN
9532 CROSS ROAD
PERRY HALL MD 21128

Re: Petition for Administrative Variance
Case No. 07-071-A
Property: 9532 Cross Road

Dear Mr. and Mrs. Wynn:

Your request for Administrative Variance has been given to me for review. Upon my review of your file, it came to my attention that the Zoning Advisory Committee (ZAC) comment prepared by the Office of Planning does not support your request. That office will require that you submit a detailed summary and landscape plan to the Baltimore County Landscape Architect. I am enclosing a copy of this ZAC comment for your review.

Please respond to me in writing at your earliest convenience if you have any objections to the Planning Office requirements. If so, I will schedule a public hearing on this matter.

Thank you for your attention and cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Kevin Gambrill, Office of Planning

NOTE:

1. THIS LOCATION DRAWING (1) IS OF THE BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING.
 (2) THIS DRAWING IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS OR OTHER EXISTING OR FUTURE IMPROVEMENTS.
 (3) THIS DRAWING DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.

2. THIS PROPERTY LIES WITHIN FLOOD ZONE "C", AREAS OF MINIMAL FLOODING, AS SHOWN ON FIRM MAP No. 240010 0290 B, DATED MARCH 2, 1981.

BALTIMORE COUNTY
 DEPT. OF PERMITS & DEV. MGMT.
 LANDSCAPE PLAN APPROVED

E. Avery Harden Date: CROSS ROAD
 County Landscape Architect

FINAL CERTIFICATION

of
 Lot #1

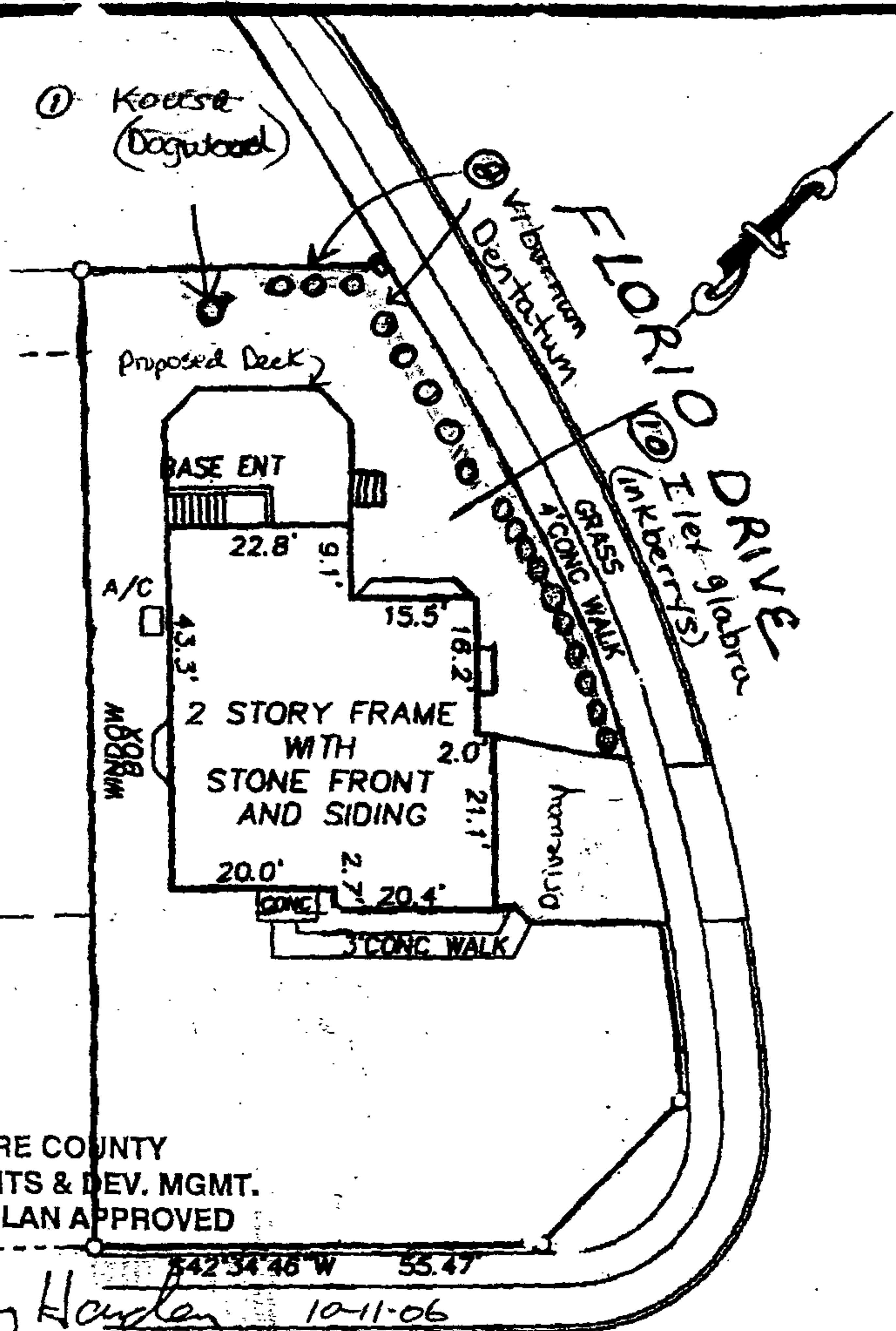
Subdivision Plat Of
FLORIO PROPERTY

Plat Book S.M. No. 74/B4
 Elect. Dist. 1, Baltimore Co., MD.



ENGINEERS & SURVEYOR'S
 10 NORTH PARK DRIVE
 HUNT VALLEY, MD 21030
 (410) 318-7000

APPLICATION NO.	TITLE CO.	Drawn BY	Checked BY	SCALE	DATE	JOB NO.
		Fleig	Grim	1" = 20'	9/14/04	01-03019-A3



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 26, 2006

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

SUBJECT: 9532 Cross Road

INFORMATION:

Item Number: 7-071

Petitioner: Dwayne M. Wynn

Zoning: DR 3.5H

Requested Action: Administrative Variance

RECEIVED

SEP 27 2006

ZONING COMMISSION

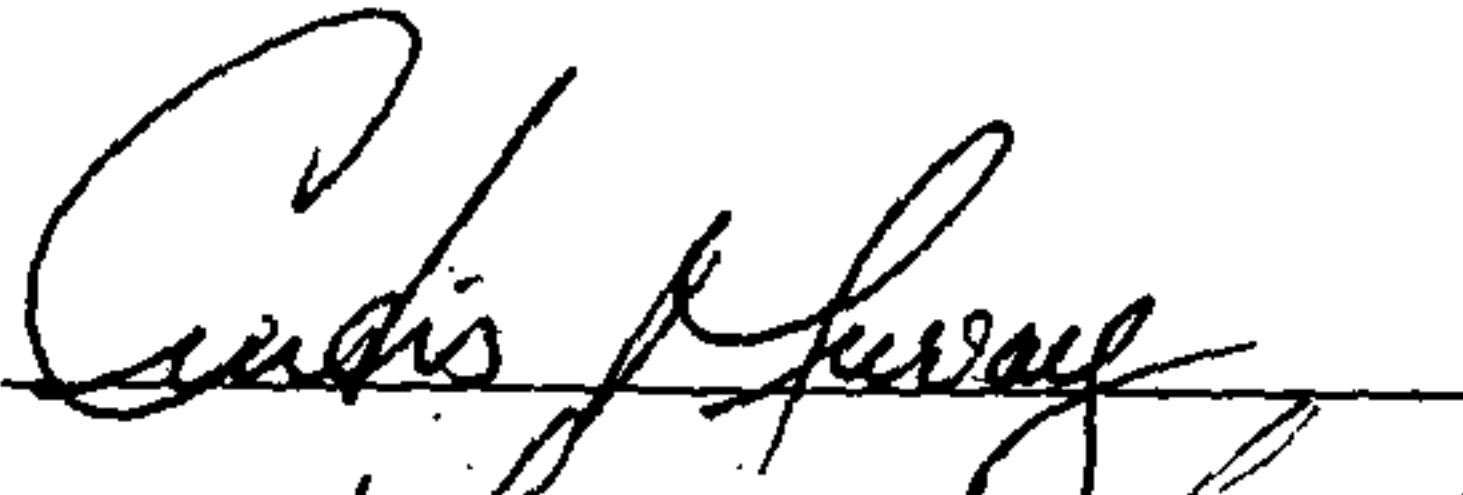
SUMMARY OF RECOMMENDATIONS:

Upon field inspection of the subject property, the Office of Planning has concerns that the proposed open projection deck will be visible from direct view from Florio Drive. While there is a row of vegetative plantings (viburnum) between the rear yard and the public right of way, the Office of Planning is not convinced that these plantings will screen the proposed open projection deck from the public roadway and pedestrian walkway.

The Office of Planning recommends that the petitioner submit a detailed summary and plan showing the exact species and location of plantings along the subject property to the Baltimore County Landscape Architect. Should the County Landscape Architect find that the existing plant species would not screen the proposed deck from Florio Drive, the petitioner shall submit a detailed landscaping plan that addresses the concerns stated herein. Once these actions are taken, the Office of Planning will support the petitioner's request.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



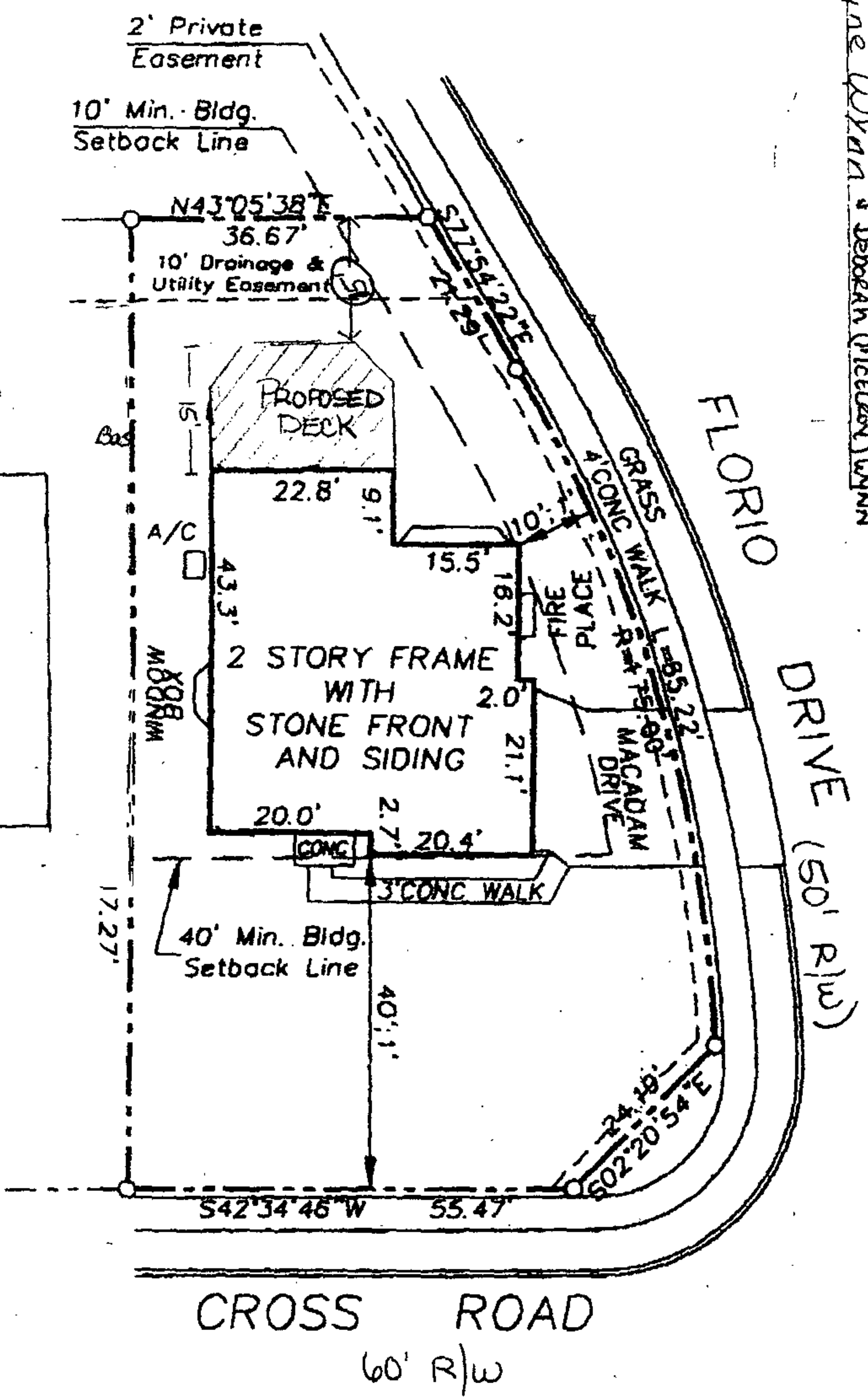
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9532 Cross Road SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Florio Property

PLAT BOOK # 74 FOLIO # 84 LOT # 1 SECTION # 1

OWNER Dwayne Wynn & Deborah (McLenn) Wynn



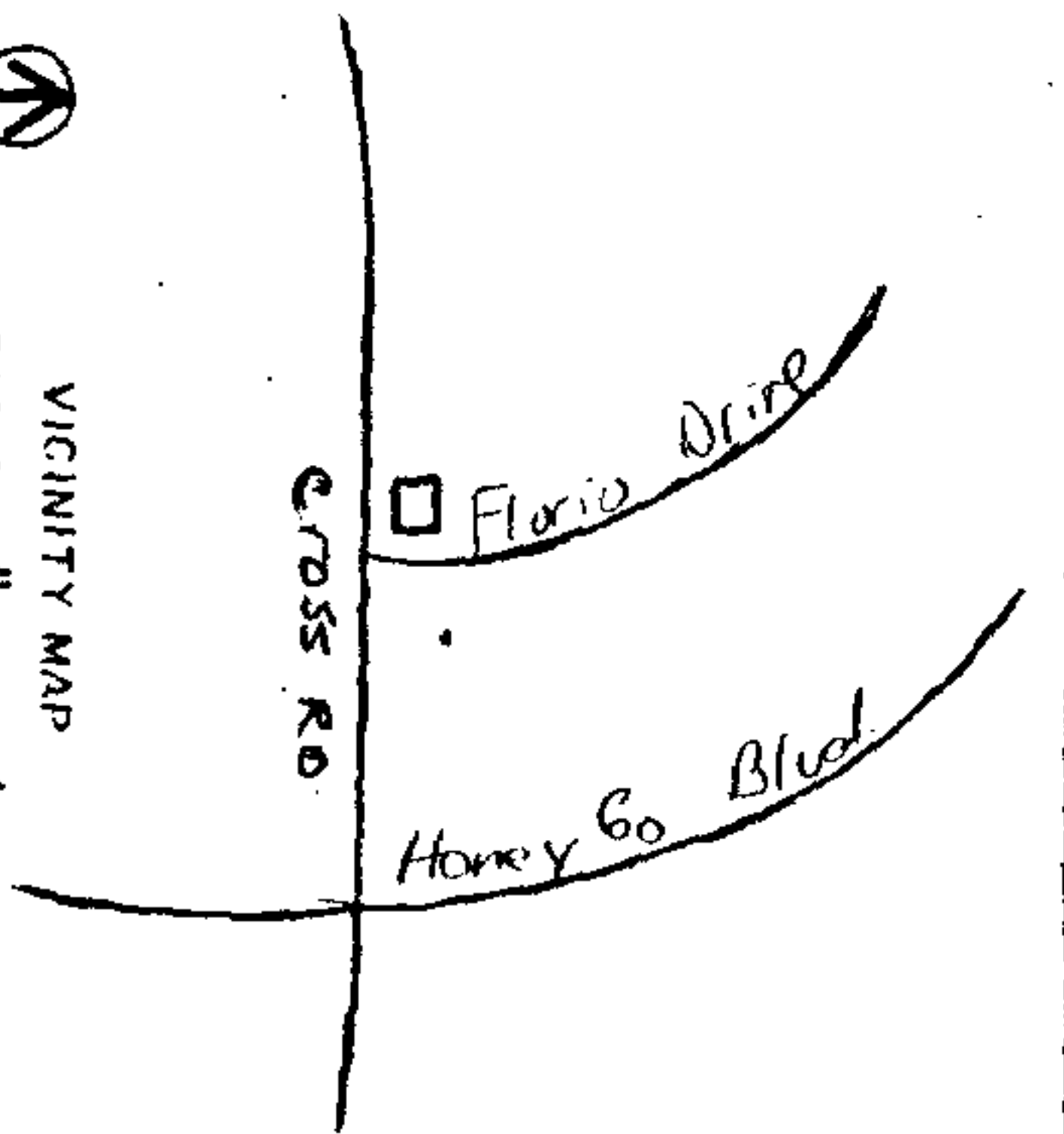
Gorham, Steven C.
Gallagher, Sharon A
2400000136

Existing Dwelling
9530 Cross Rd
Front Lot #2

1" = 20'



VICINITY MAP
SCALE: 1" = 1000'



LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 072B1

ZONING DR 3.5H

LOT SIZE 0.1621

ACREAGE 7062 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

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 #

D.T. 071 07-071-A

07281

DR 3.5 H

DR 10.5

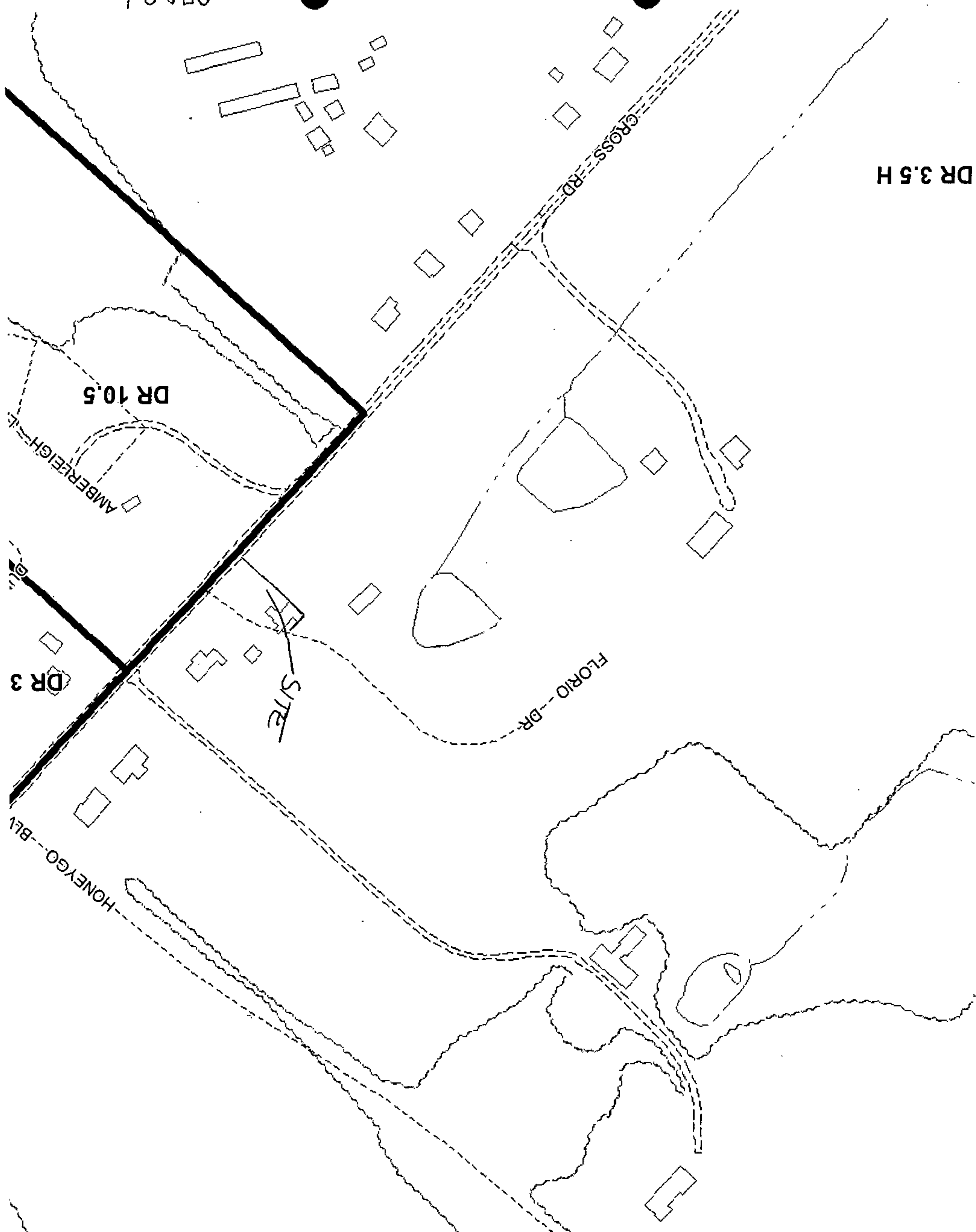
AMBEREIGH

DR 3

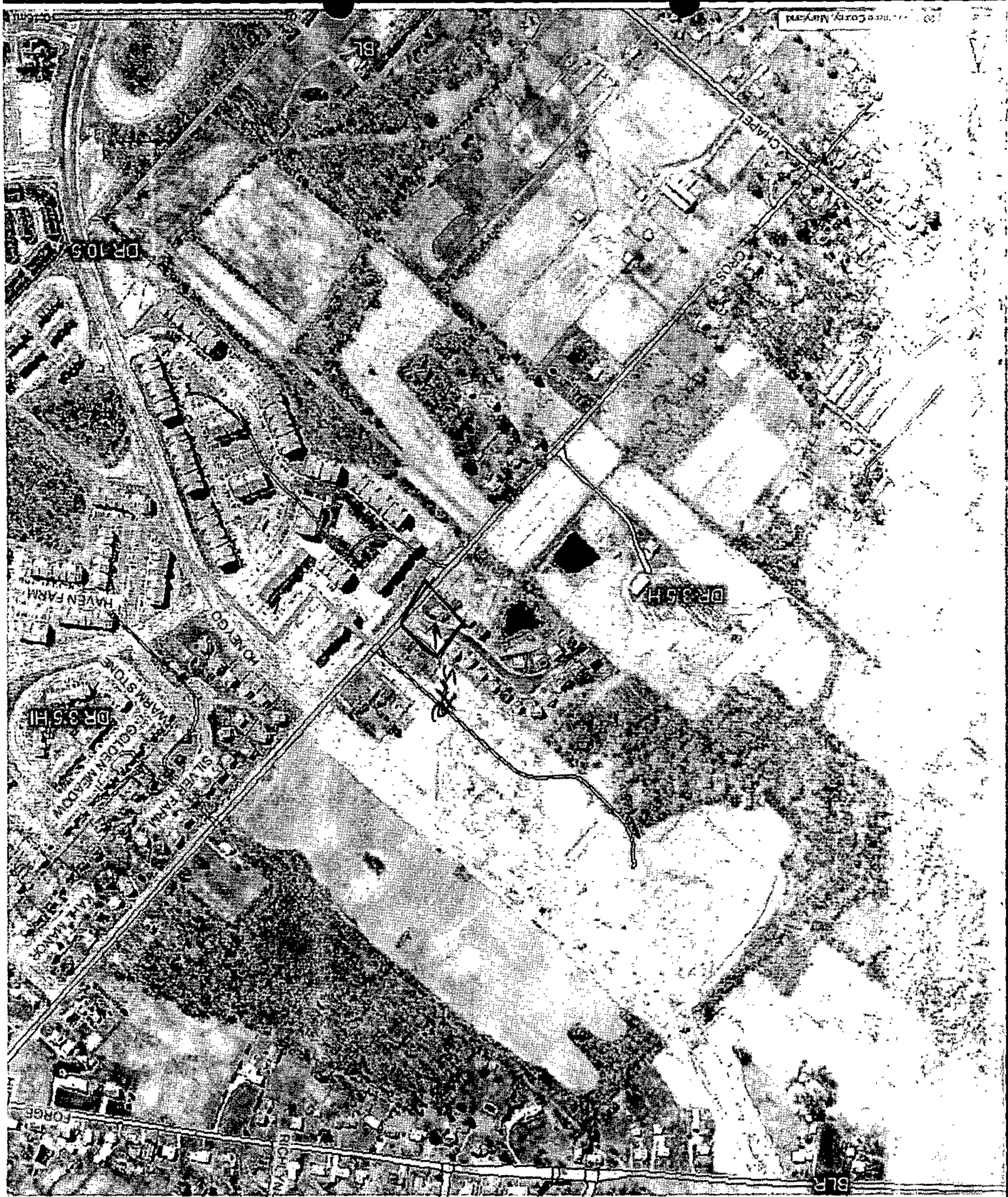
SITE

FLORIO DR

HONEYGO BLV



Baltimore County - My Neighborhood





07-071-A



07-071-A



07-071-A