

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
& VARIANCE		
NW corner of Joann Drive and Subet Road	*	DEPUTY ZONING
(3420 Joann Drive)		
2 nd Election District	*	COMMISSIONER
4 th Councilmanic District		
Shunia Eaton	*	FOR BALTIMORE COUNTY
<i>Legal Owner & Petitioner</i>	*	Case No. 07-557-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Shunia Eaton. The Special Hearing request was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve the conversion of an accessory structure (shed) into in-law quarters. The Variance request is from Sections 400.1, 1B01.2.c.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 400.1.d(2) of the Zoning Commissioner's Policy Manual (Z.C.P.M.) to permit an accessory structure (shed) with a three-foot setback to the street right-of-way and to be located in the third of the lot closest to the side street in lieu of the required 15-feet and third of the lot farthest from the side street. A description and layout of the subject property and requested relief are more particularly described on the site plan marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested relief was Petitioner Shunia Eaton. Appearing as interested citizens were Linda Simmons of 3506 Joann Drive, Alice McKinney of 3419 Joann Drive, and Kathleen Styles of 3418 Joann Drive.

Testimony and evidence offered by Petitioner revealed that the subject property is a rectangular-shaped parcel consisting of approximately 15,008 square feet, or .344 acre, more or less, and zoned D.R.5.5. The property is situated on a corner lot, at the northeast corner of Joann

ORDER RECEIVED FOR FILED
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 By

Drive and Subet Road in the Randallstown area of Baltimore County. The property is improved with a split-level framed dwelling approximately 44 feet wide by 32 feet deep, fronting Joann Drive.

Petitioner indicated she purchased the property in 2000. She is currently employed at Northwest Hospital as a Cardiac Sonographer, performing ultrasounds and sonograms of the heart in the Cardiology Department. Petitioner has worked at the hospital for the last eight years. Petitioner currently lives at the subject property with her five children ranging in ages from three to 18. During the past year, Petitioner discussed with her mother having her mother come to live with her at the subject property. Petitioner explained that her mother lives in Pensacola, FL, and that her mother's health is in decline. However, Petitioner's mother did not wish to reside in the home with all of the children. She preferred a place of her own. As a result, Petitioner decided to place an in-law quarters in the back of her property.

Unfortunately, here is where Petitioner runs into significant difficulty. In so doing, Petitioner put the proverbial cart before the horse. Petitioner's backyard area beyond the back of her home is approximately 60 feet wide by 100 feet deep. During the past winter, in February 2007, Petitioner hired a contractor to pour a rectangular concrete slab in her backyard on the side nearest Subet Road. In March 2007, she purchased twin sheds, approximately 12 feet wide by 24 feet long and hired workers to combine the two sections and install the shed on the concrete slab, making for an accessory structure 12 feet wide by 48 feet long. Petitioner then hired additional workers to perform plumbing and electrical work, as well as carpentry, in order to convert the shed into living quarters for her mother. Petitioner estimates that she has spent approximately \$60,000.00 thus far on the project, though it also appears Petitioner never sought the necessary zoning relief in order to undertake such a project, nor did she obtain any of the building permits necessary to perform such work.

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At this juncture, Petitioner desires to convert the structure into in-law quarters for her mother, as well as variance relief from the setback and placement requirements of the zoning regulations.

It should be noted that the Zoning Advisory Committee (ZAC) comment was received from the Office of Planning dated July 18, 2007. The comment indicates that the Office has reviewed the request and the site plan, and recommends denial of Petitioner's request. The comment states that Petitioner has proposed to convert an accessory structure into an in-law suite (quarters). However, the site plan shows a proposed structure therefore a conversion is not to be made, as the structure as proposed is not pre-existing. The comments further states that this is an established community with single-family, detached dwellings and the approval of a separate in-law apartment is not desirable and could compromise the character of the neighborhood.

In regard to the requested special hearing, I find that there is insufficient evidence to allow the relief requested. Essentially, Petitioner wishes to erect a one-story, single family dwelling consisting of almost 600 square feet for her mother, where Petitioner already has a primary, single-family dwelling erected on the property. To compound the difficulty, Petitioner has placed the new structure on the side of her yard nearest to the closest side street, Subet Road. I find that the requested relief is not within the spirit and intent of the D.R.5.5 regulations, and that the proposed structure will adversely affect the community, based on the sheer size of the structure, as well as its proximity to Subet Road. It is also noteworthy that this neighborhood is a mature, established community of well-maintained, single-family detached homes. I agree with the Planning Office that allowing a structure of this size and for this purpose is not desirable for the area and would likely compromise the character of the neighborhood. Hence, the request for special hearing relief shall be denied.

PLANNING RECEIVED FOR REVIEW
8-23-07
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In regard to the requests for variance relief, such relief can be granted only if the requirements contained in Section 307 of the B.C.Z.R. are met. This section states that the Zoning Commissioner may grant variances:

... 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 of Baltimore County would result in practical difficulty or unreasonable hardship.

As stated in *Cromwell v. Ward*, 102 Md.App. 691, 721, 651 A.2d 424, 439 (1995):

... the law in Maryland and in Baltimore County under its charter and ordinance remains as it has always been -- a property's peculiar characteristic or unusual circumstances relating only and uniquely to that property must exist in conjunction with the ordinance's more severe impact on the specific property because of the property's uniqueness before any consideration will be given to whether practical difficulty or unnecessary hardship exists.

The Court also noted that the unnecessary hardship could not be self-inflicted or as the result of a petitioner's own actions.

Considering all the testimony and evidence presented, I do not find that special circumstances or conditions exist that are peculiar to the land or structure which are the subject of the variance requests. I also do not find the property unique in a zoning sense. Although it is therefore unnecessary to consider whether practical difficulty or unreasonable hardship exists, I note that Petitioner stated that she has already expended approximately \$60,000.00 on her shed conversion project, and that she has done so in order to move her mother from Florida, due to her ill health. While I am completely understanding of Petitioner's intentions and am equally sympathetic to her situation, I must also give deference to the zoning regulations and the relevant case law, as well as view the entire matter on the whole, looking at the potential impact on the community in general, and adjacent neighbors in particular, if the variance were granted. To that extent, I do not believe the requested relief can be granted without resulting in injury to the public health, safety and general welfare.

ORDER RECEIVED FOR FILING

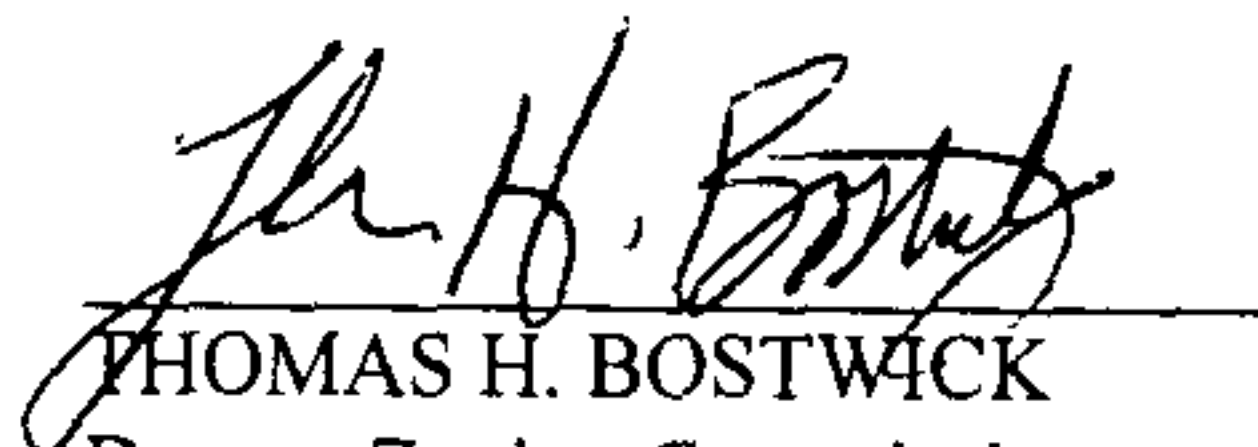
8-23-07

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing and variance requests should be denied.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23rd day of August, 2007, that Petitioner's request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations to approve the conversion of an accessory structure (shed) into in-law quarters is hereby DENIED, and;

IT IS FURTHER ORDERED, that Petitioner's request for Variance relief from Sections 400.1, 1B01.2.c.1.b of the Baltimore County Zoning Regulations and Section 400.1.d(2) of the Zoning Commissioner's Policy Manual to permit an accessory structure (shed) with a three-foot setback to the street right-of-way and to be located in the third of the lot closest to the side street, in lieu of the required 15-feet and third of the lot farthest from the side street, is hereby DENIED.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING
8-23-07
PS

IN THE MATTER OF
THE APPLICATION OF
SHUNIA EATON -LEGAL OWNER/
PETITIONER FOR VARIANCE ON
PROPERTY LOCATED ON THE NW/COR
OF JOANN DRIVE AND SUBET ROAD
(3429 JOANN DRIVE)

2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 07-557-SPHA

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Shunia Eaton, Petitioner, from a decision of the Deputy Zoning Commissioner dated August 23, 2007, in which the requested zoning relief was denied.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed via facsimile on March 12, 2008, by Shunia Eaton, Petitioner /Appellant (a copy of which is attached hereto and made a part hereof); and

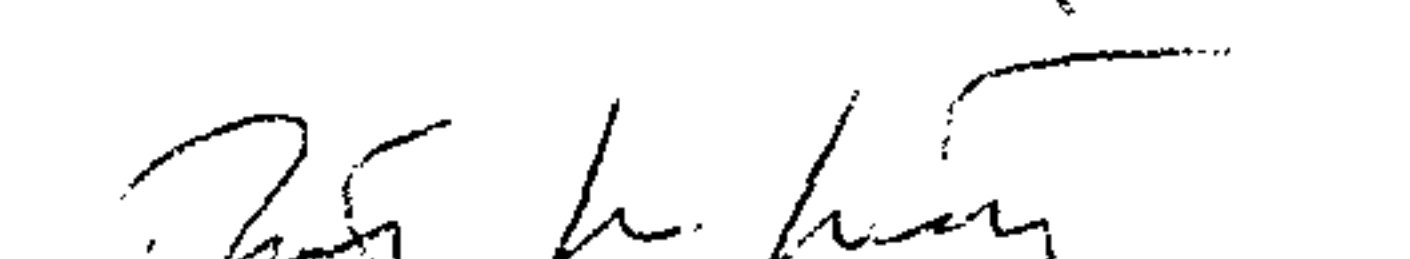
WHEREAS, said Petitioner /Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of March 12, 2008,

IT IS ORDERED this 12th day of March, 2008 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 07-557-SPHA be and the same is hereby **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Edward W. Crizer, Jr., Chairman


Lawrence S. Wescott


Robert W. Witt



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3420 JO ANN DR.
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

THE CONVERSION OF AN ACCESSORY STRUCTURE (SHED)
INTO IN-LAW QUARTERS.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

3420 JO ANN DRIVE
Address

410-419-7563
Telephone No.

BALTIMORE, MD 21244-2921
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 07-557-SPHA

Reviewed By D.T. Date 6/12/07

REV 9/15/98

JOAN RECEIVED FOR FILING

8-23-07

06



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 3420 JO ANN DR
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 (BCZR) + 400.1. d(2)(ZCPM)
1201.2c.1.b. (BCZR)

To permit an accessory structure (shed) with a 3-foot setback to the street right-of-way and to be located in the third of the lot closest to the side street in lieu of the required 15-feet and third of the lot farthest from the side street.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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

3420 JO ANN DRIVE 410-419-7563
Address Telephone No.

BALTIMORE, MD 21244-2921
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

Case No. 07-557-CAVA

REV 9/13/98

9.23.01

Br:

Reviewed By

UNAVAILABLE FOR HEARING

Date 6/12/07

Shunna L. Eaton
(only)

Shunna Eaton

6/7/07

ANNIE G. SPAIN
Notary Public, Anne Arundel Co., Maryland
My Commission Expires 6/12/07

EXHIBIT A

0019391 615

ALL THAT piece, parcel, or tract of land situate in the 2nd Election District of Baltimore County, Maryland, on the Northwest side of Jo Ann Drive, and the Southwest side of Subet Road; shown as Lot 3 on the Minor Subdivision Plan 98125M, 8025 Subet Road, and being more particularly described as follows:

BEGINNING for the same at a point on the Northwest side of Jo Ann Drive, 50 feet wide, said point being distant North 40 degrees 05 minutes 50 seconds East, 180.00 feet from the division line of Lot 26 and Lot "A" improved, as shown on the Plat of Meadow Dale, Dated March 14, 1954 and recorded among the Land Records of Baltimore County, Maryland in Plat Book G.L.B. 20 folio 5. Thence, as now surveyed with reference to the Baltimore County Metropolitan District, the following six courses and distance; (1) for a new line of division, running parallel to Subet Road, 50 feet wide, as shown on the aforementioned Plat of Meadow Dale, North 50 degrees 13 minutes 20 seconds West, 197.18 feet to the Southeast side of Wild Cherry Road, 50 feet wide, as shown on the aforementioned Plat of Meadow Dale, thence, (2) binding on part of the South East side of said Wild Cherry Road, North 39 degrees 46 minutes 40 seconds East, 48.00 feet, to the point of curvature of the return curve to the aforementioned Subet Road, thence (3) Leaving said Wild Cherry Road, by a curve to the right having a radius of 30.00 feet, an arc length of 47.12 feet, and a chord of North 84 degrees 46 minutes 40 seconds East, 42.42 feet, to the Southwest side of said Subet Road, thence, (4) binding of part of said Southwest side of Subet Road, South 50 Degrees 13 minutes 20 seconds East, 137.45 feet to the point of curvature of the return curve to the North West side of the aforementioned Joann Drive, thence, (5) leaving said Subet Road, by a curve to the right having a radius of 30.00 feet, an arc length of 47.29 feet, and a chord of South 05 degrees 03 minutes 45 seconds East, 42.54 feet to the Northwest side of said Jo Ann Drive, thence, (6) binding on part of the Northwest side of said Jo Ann Drive, South 40 degrees 05 minutes 50 seconds West, 47.84 feet to the place of beginning. Containing 0.3444 acres of land, more or less.

The improvements thereon being known as 3420 Joann Drive.

Tax ID# 23-00-007338

07-557-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 27998

DATE 6/13/07

ACCOUNT 0010062150

AMOUNT \$ 130.00

RECEIVED FROM: SHONIA EATON

FOR: ITEM # 557 107-557 - SPHA

3450 JORDAN DR D. THOMPSON

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
6/18/2007 6/14/2007 14:14:00 4
RECEIPT # 576109 6/14/2007 DFLA
DATE 5 528 2007/06/14 VERIFICATION
CR NO. 027998

Receipt Tot \$130.00
\$130.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

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: # 07-557-SPHA

3420 Joann Drive
N/west corner of Joann Drive and Sublet Road
2nd Election District-4th Councilmanic District

Legal Owner(s): Shunia Eaton

Special Hearing: to approve the conversion of an accessory structure (shed) into in-law quarters. **Variance:** to permit an accessory structure (shed) with a 3-foot setback to the street right-of-way and to be located in the third of the lot closest to the side street in lieu of the required 15 feet an third of the lot farthest from the side street.

Hearing: Wednesday, August 22, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 8/008 Aug. 7 144493

CERTIFICATE OF PUBLICATION

8/9/2007

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 8/7/2007.

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

S. Wilkinson

LEGAL ADVERTISING

MCKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Estate Development

DATE: Aug. 09, 2007

TO: Baltimore County, Zoning

RE: Case No. : 07-557-SPHA

3420 Joann Road

MAI : Job No. : SP-018

ATTENTION: Mrs. Kristen Matthews

☒ (X) We are submitting

☐ () We are returning

☐ () We are forwarding

☐ () Herewith

☐ () Under separate cover

No.	Description
1	Certificate Of Posting
2	Photos

☒ (X) For processing

☐ () For your use

☐ () For your review

☐ () Please call when ready

☐ () Please return to this office

☐ () In accordance with your request

Remarks:

For further information, please contact the writer at this office.

RECEIVED

AUG 14 2007

cc: File

Very truly yours,

Mckee & Associates, Inc.

William D. Gulick, Jr.

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Date: Aug. 09, 2007
MAI Job No :SP-018

Attention: Ms Kristen Matthews
RE:Case Number : 07-557-SPHA

Petitioner/Developer: Shunia Eaton

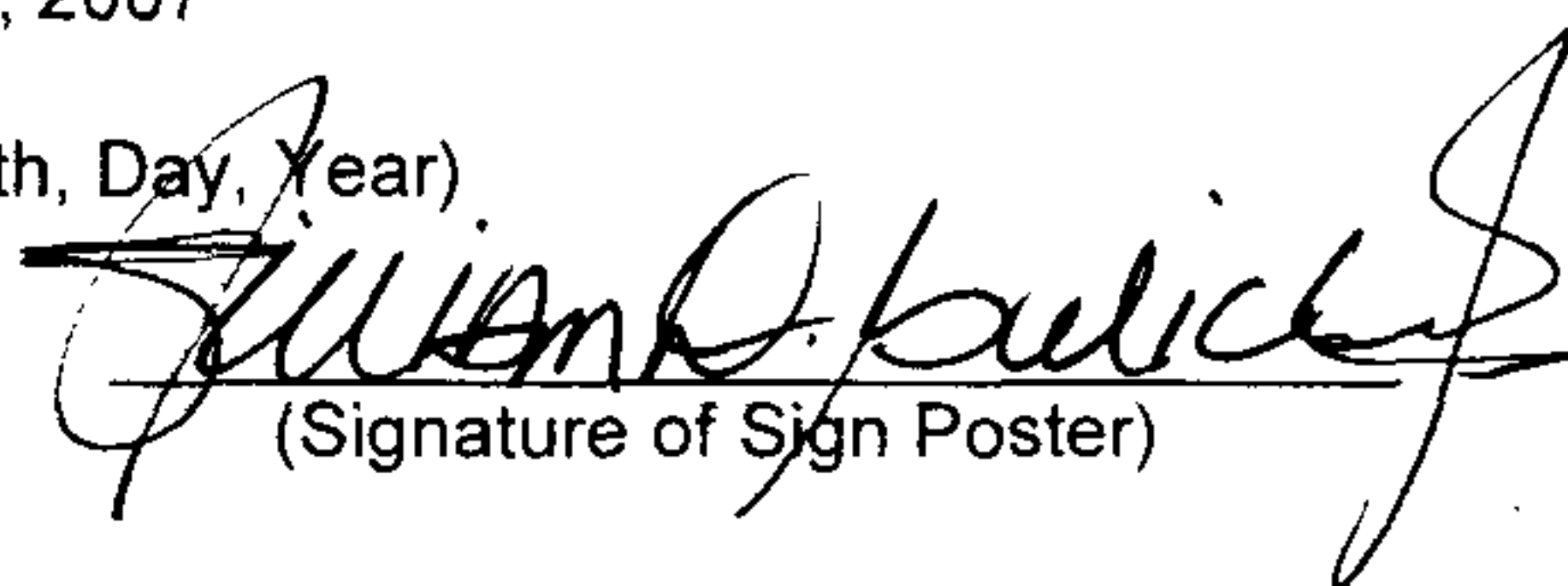
Date of Hearing/Closing: Wednesday, August 22, 2007 at 9:00 am

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 3420 Joann Drive

The sign(s) were posted on

Aug. 01, 2007

(Month, Day, Year)


(Signature of Sign Poster)

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.
5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

SEE
**ATTACH PHOTOGRAPH
OF
SIGN POSTED ON
PROPERTY**

ZONING NOTICE

CASE # 07-557-SPHA

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

COUNTY COURTS BUILDING ROOM 407
401 BOSLEY AVENUE
PLACE: TOWSON, MD 21204

WEDNESDAY
DATE AND TIME: AUG. 22, 2007 @ 9:00 AM

REQUEST: SPECIAL HEARING:

TO APPROVE THE CONVERSION OF AN ACCESSORY
STRUCTURE (SHED) INTO IN-LAW QUARTERS.

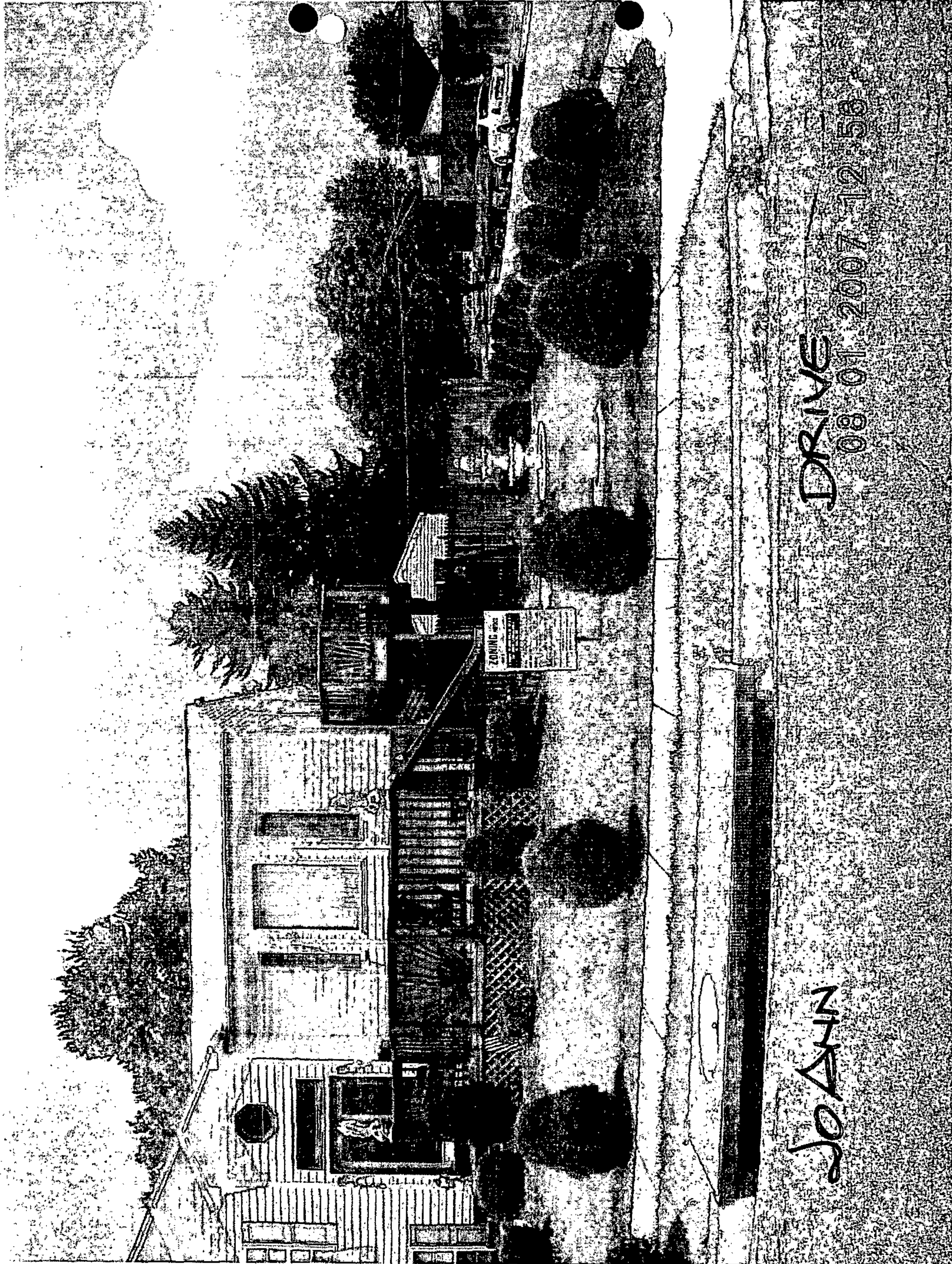
VARIANCE: TO PERMIT AN ACCESSORY STRUCTURE
(SHED) WITH A 3-FOOT SETBACK TO THE STREET RIGHT-OF-WAY
AND TO BE LOCATED IN THE THIRD OF THE LOT CLOSEST TO
THE SIDE STREET IN LIEU OF THE REQUIRED 15 FEET
AND THIRD OF THE LOT FARTHEST FROM THE
SIDE STREET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. UNDER PENALTY OF LAW.

HANDICAPPED ACCESSIBLE

08-01-2007 12:54



JOAN

DRIVE

08-01-2007 12:58



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

July 2, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 07-557-SPHA

3420 Joann Drive

N/west corner of Joann Drive and Sublet Road

2nd Election District – 4th Councilmanic District

Legal Owner: Shunia Eaton

Special Hearing to approve the conversion of an accessory structure (shed) into in-law quarters.
Variance to permit an accessory structure (shed) with a 3-foot setback to the street right-of-way and to be located in the third of the lot closest to the side street in lieu of the required 15 feet and a third of the lot farthest from the side street.

Hearing: Wednesday, August 22, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Shunia Eaton, 3420 Joann Drive, Baltimore 21244-2921

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 7, 2007.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 7, 2007 Issue - Jeffersonian

Please forward billing to:
Shunia Eaton
3420 Joann Drive
Baltimore, MD 21244-2921

410-419-7563

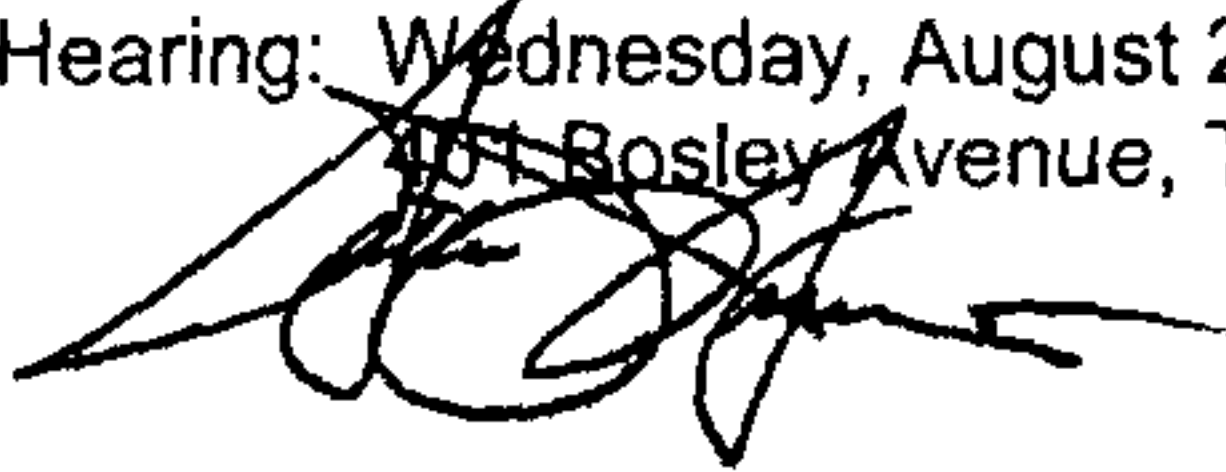
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3420 Joann Drive
N/west corner of Joann Drive and Sublet Road
2nd Election District – 4th Councilmanic District
Legal Owner: Shunia Eaton

Special Hearing to approve the conversion of an accessory structure (shed) into in-law quarters. Variance to permit an accessory structure (shed) with a 3-foot setback to the street right-of-way and to be located in the third of the lot closest to the side street in lieu of the required 15 feet an third of the lot farthest from the side street.

Hearing: Wednesday, August 22, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

**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: 07-557-SPHA
Petitioner: EATON
Address or Location: 3420 JOAN DRIVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: MS. SHUNIA EATON
Address: 3420 JOAN DRIVE
BALTO. MD 21244-2921

Telephone Number: 410-419-7563

Revised 2/20/98 - SCJ



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 14, 2007

Shunia Eaton
3420 Jo Ann Drive
Baltimore, MD 21244-2921

Dear Ms. Eaton:

RE: Case Number: 07-557-SPHA, 3420 Jo Ann Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 12, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

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

July 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 25, 2007

551
Item Number: 555 through 572

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





Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JUNE 25, 2007

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

RE: Baltimore County
Item No. 7-557-SPHA
3420 JOANN DRIVE
EATON PROPERTY
VARIANCE
SPECIAL HEARING

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. ~~7-557-SPHA~~

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,


Steven D. Foster, Chief
Engineering Access Permits
Division

For¹

SDF/MB

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 27, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For July 2, 2007
Item Nos. 07-521, 555, 557, 558, 559, 560,
561, 562, 563, 564, 565, 566, 567, 568, 569,
570, 571, and 572

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-06272007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 18, 2007

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

SUBJECT: 3420 Jo Ann Drive

INFORMATION:

Item Number: 7-557

Petitioner: Shunia Eaton

Zoning: DR 5.5

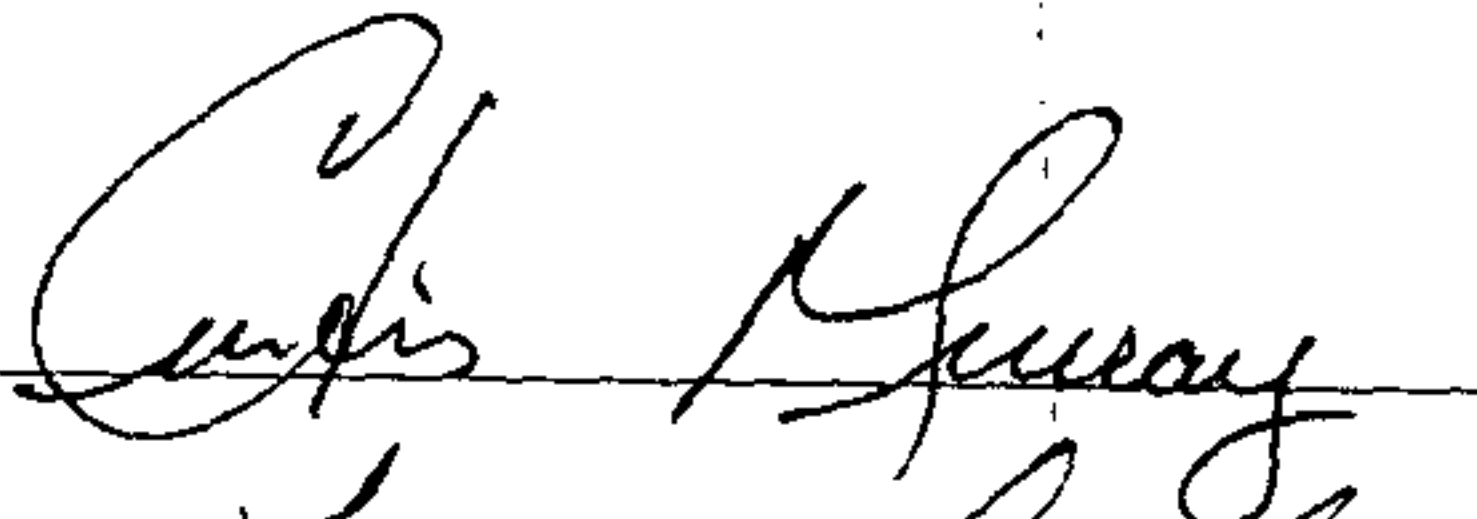
Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The Office of Planning recommends denial of the petitioner's request. The applicant has proposed to convert an accessory structure into an in-law suite (quarters). The site plan shows a proposed structure therefore a conversion is not to be made, as the structure is proposed not pre-existing. Furthermore, this is an established community with single-family detached dwellings and the approval of a separate in-law apartment is not desirable and could compromise the character of the neighborhood.

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

Reviewed by:



Division Chief:
AFK/LL: CM





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
October 22, 2007
Department of Permits and
Development Management

Shunia Eaton
3420 Joann Drive
Baltimore, MD 21244

Dear Ms. Eaton:

RE: Case: 07-557-SPHA, 3420 Joann Drive

Please be advised that this office received your appeal of the above-referenced case on August 28, 2007. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,
Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Linda Simmons, 3506 Joann Drive, Windsor Mill 21244
Alice McKinney, 3419 Joann Drive, Windsor Mill 21244
Kathleen Styles, 3418 Joann Drive, Windsor Mill 21244

Shumir EATON

August 28, 2007

3420 JOANN DRIVE

BALTIMORE, MD. 21244

CASE NO. 07-557-SPHA

Property - 3420 JOANN DRIVE

Wish to Appeal decision by the
ZONING Commission on the above case
Case # 07-557-SPHA

RECEIVED

AUG 28 2007

Per *[Signature]*



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
October 22, 2007
Department of Permits and
Development Management

Shunia Eaton
3420 Joann Drive
Baltimore, MD 21244

Dear Ms. Eaton:

RE: Case: 07-557-SPHA, 3420 Joann Drive

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If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Linda Simmons, 3506 Joann Drive, Windsor Mill 21244
Alice McKinney, 3419 Joann Drive, Windsor Mill 21244
Kathleen Styles, 3418 Joann Drive, Windsor Mill 21244

Shunia Eaton
3420 Jo Ann Drive
Baltimore, MD 21244
410-419-7563

Kathleen Bianco
Board of Appeals
105 W. Chesapeake Ave.
Suite 203
Towson, MD 21204

Dear Kathleen Bianco:

Thank you for calling me today and my sincere thank you for all your help. Per our conversation I will not be needing to file an appeal for Case # 07-557-SPHA. I have obtained a Permit therefore the appeal is not necessary. I am currently in the process of obtaining a refund. Thank you for all your help.

Sincerely,


Shunia Eaton

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
3420 Joann Drive; NW corner of Joann Drive * ZONING COMMISSIONER
and Sublet Road *
2nd Election & 4th Councilmanic Districts * FOR
Legal Owner(s): Shunia Eaton *
Petitioner(s) * BALTIMORE COUNTY
* 07-557-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 3rd day of July, 2007, a copy of the foregoing Entry of Appearance was mailed Shunia Eaton, 3420 Joann Drive, Baltimore, MD 21244, Petitioner(s).

RECEIVED

JUL - 3 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]

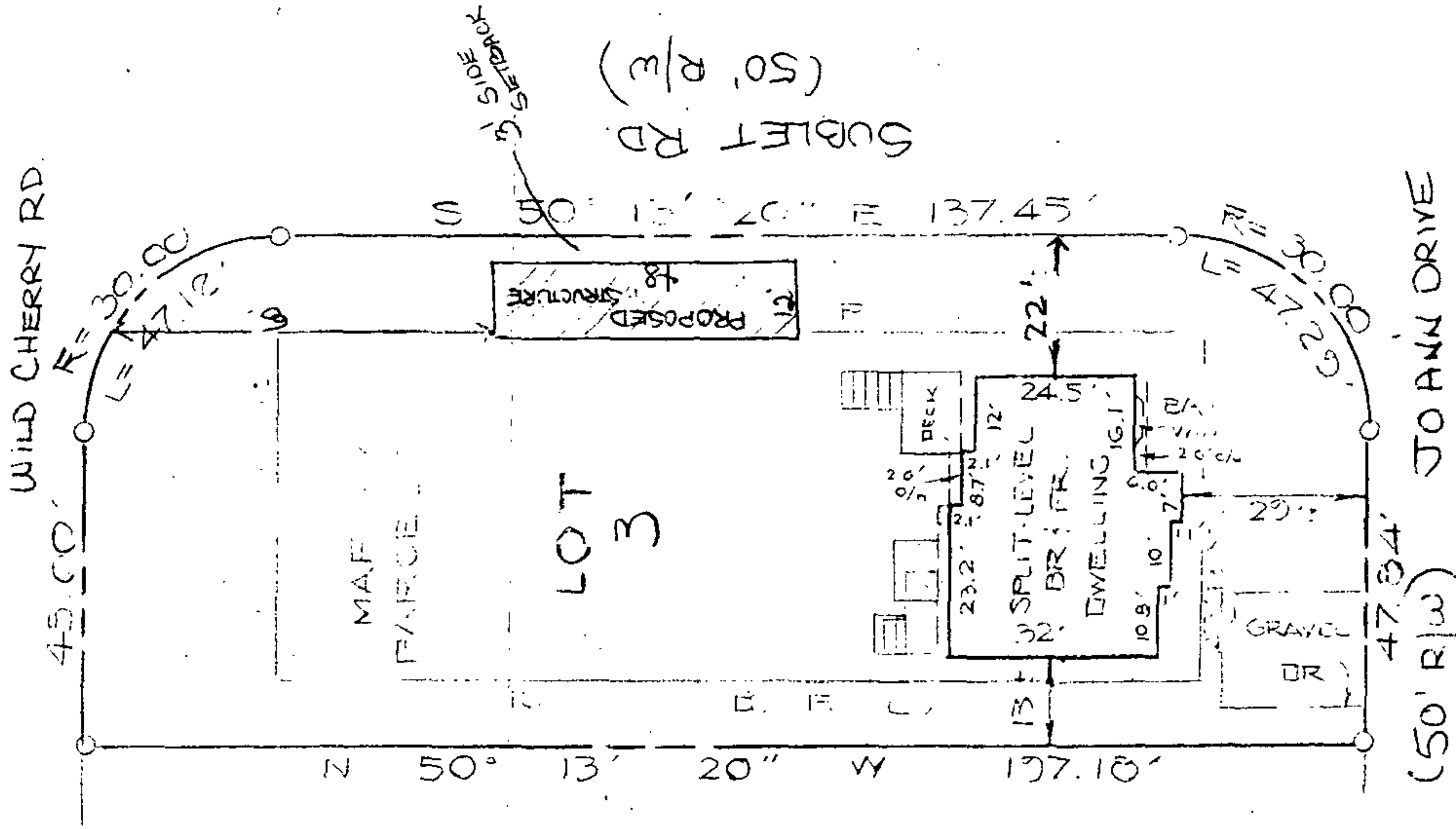
DATE _____

E-MAIL

11 11 11

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

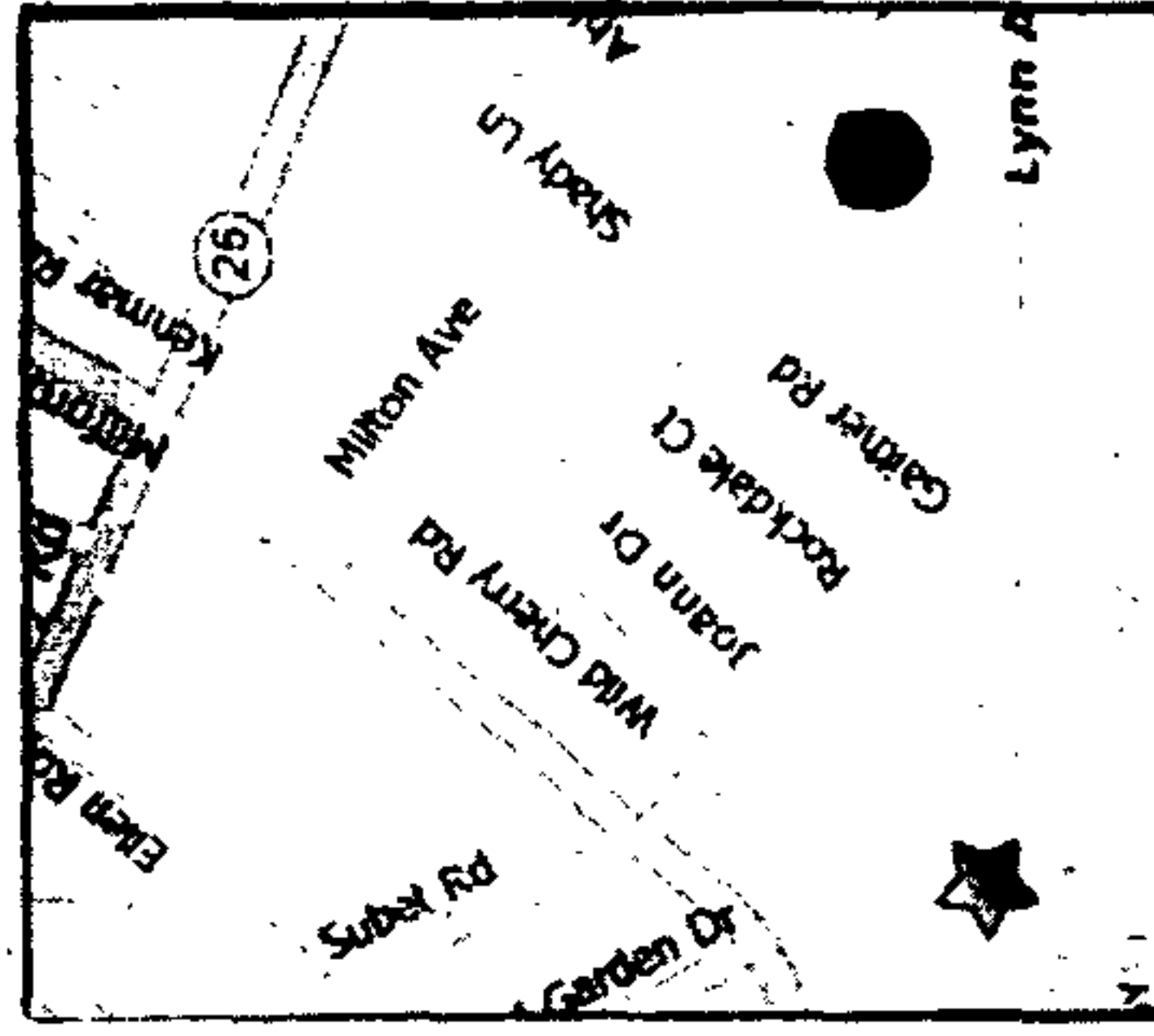
PROPERTY ADDRESS 3420 JOANN DR.
 SUBDIVISION NAME MEADOW DALE
 PLAT BOOK # 20 FOLIO # 5 LOT # 3 SECTION #
 OWNER Shunia Eaton



PETITIONER'S

EXHIBIT NO. 1

1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT 2
 COUNCILMANIC DISTRICT 4
 1" = 200' SCALE MAP # 07703
 ZONING DR 5.5

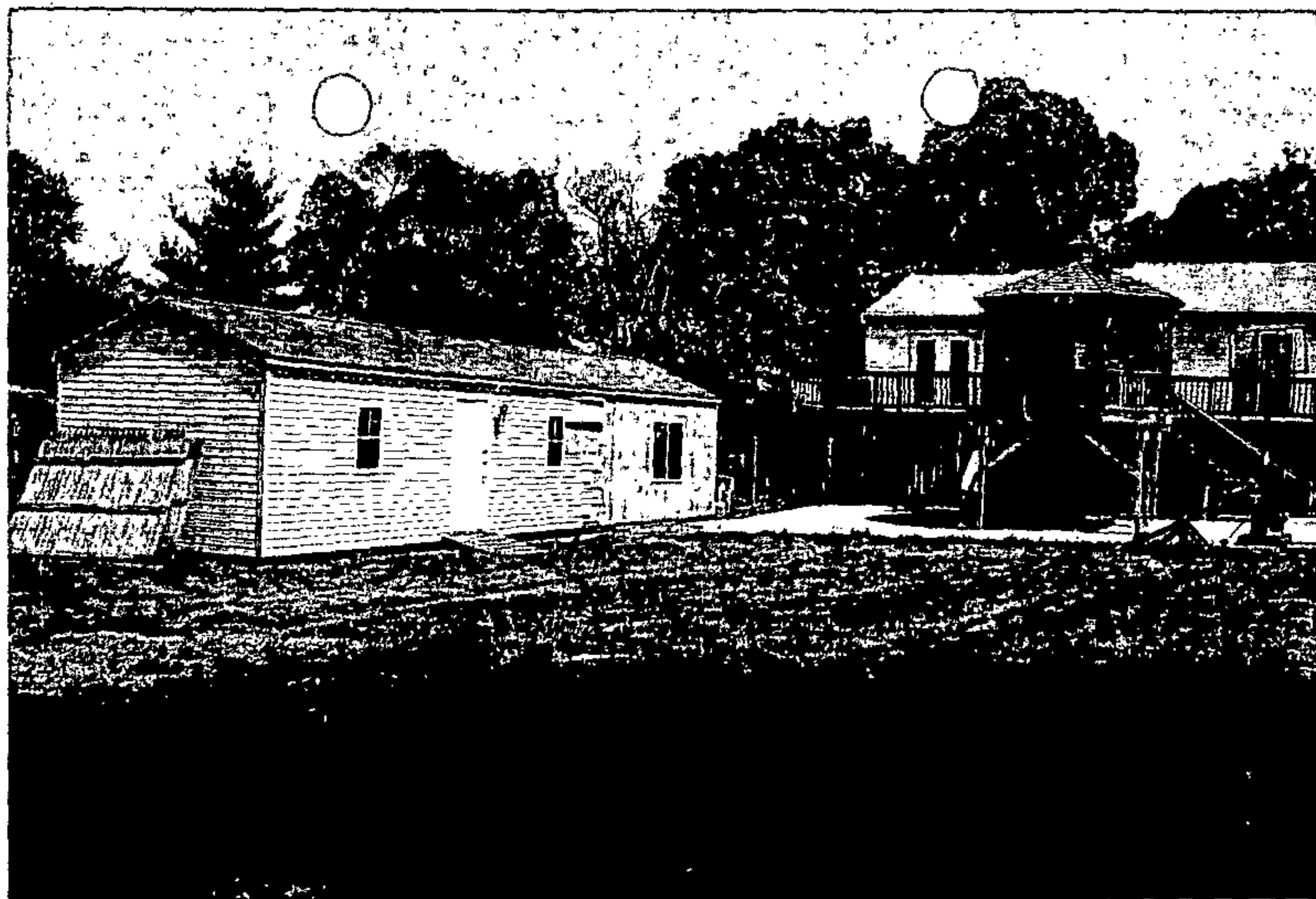
LOT SIZE .344 ACRES 15,008.00 SQUARE FEET

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 ☒ YES ☒ NO

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # CASE #

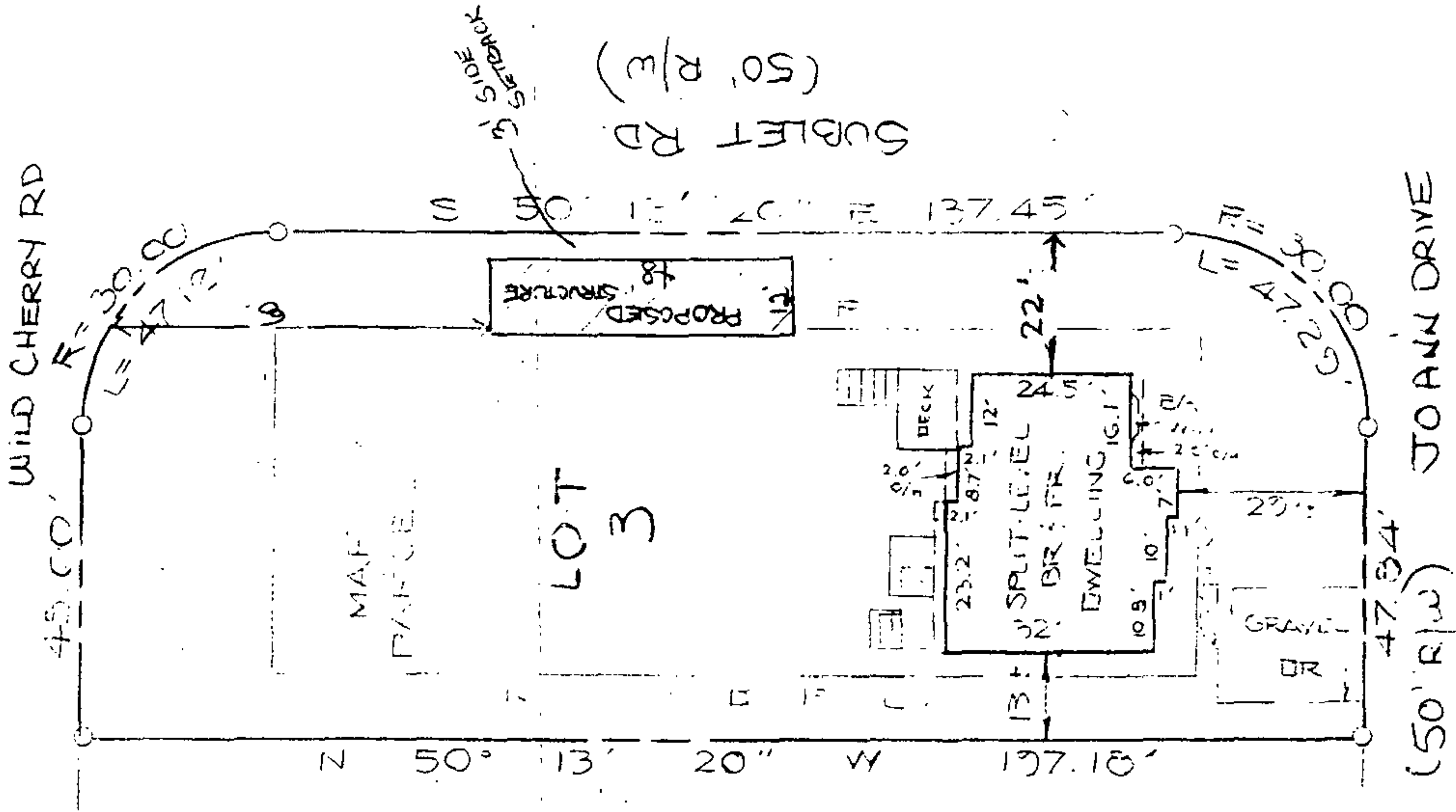
D.T. 557 | 07-557594





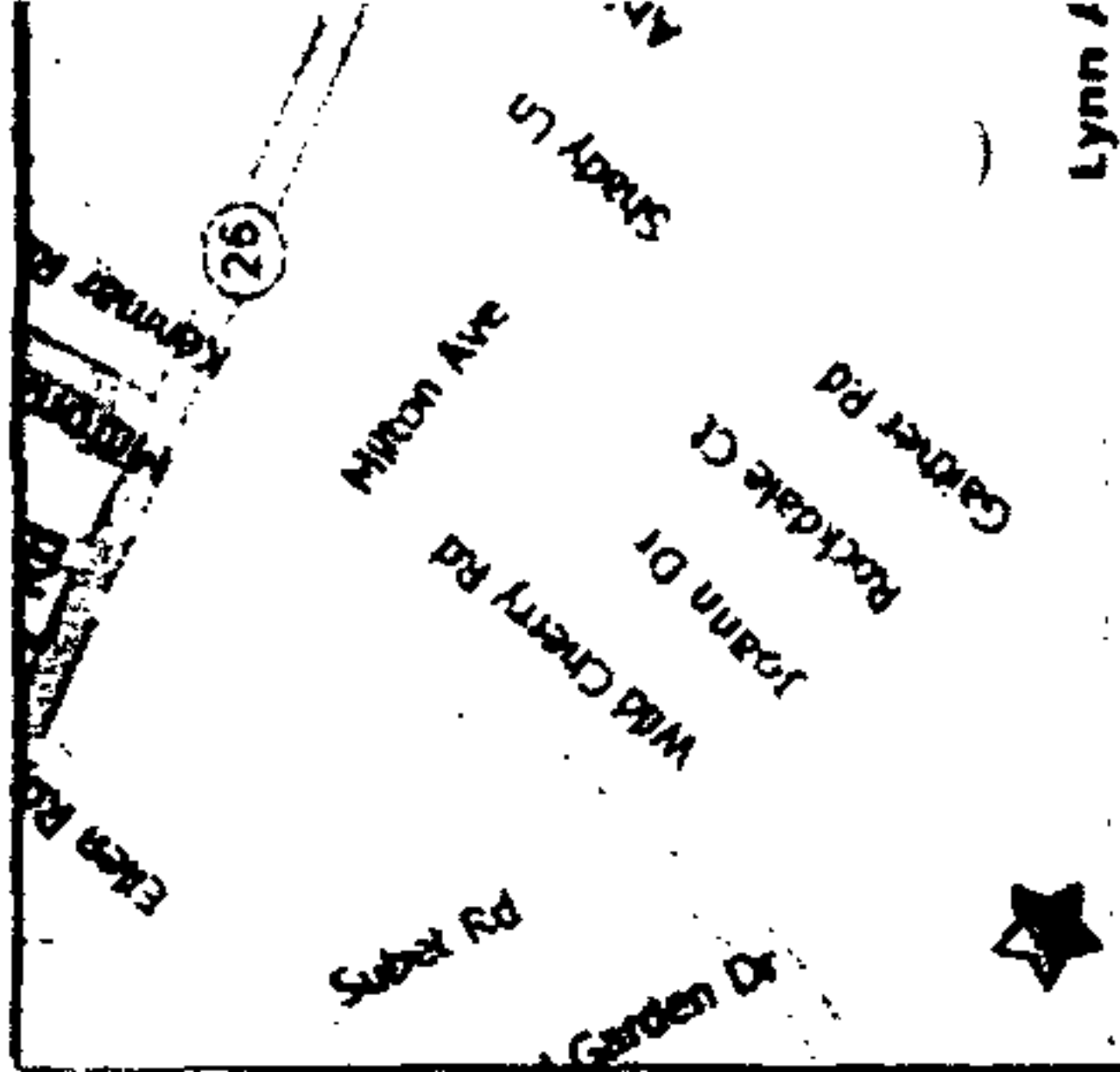
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 3420 JOANN DR.
 SUBDIVISION NAME MEADOW DALE
 PLAT BOOK # 20 FOLIO # 5 LOT # 3 SECTION #
 OWNER Shunia Eaton



PETITIONER'S
 EXHIBIT NO. 1

1" = 30'



LOCATION INFORMATION	
ELECTION DISTRICT	2
COUNCILMANIC DISTRICT	4
1" = 200' SCALE MAP #	077C3
ZONING	DR 5.5
LOT SIZE	0.344
ACREAGE	15,008.00
SQUARE FEET	
SEWER	☒ PUBLIC ☐ PRIVATE
WATER	☒ ☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐ NO ☒
100 YEAR FLOOD PLAIN	☐ ☒
HISTORIC PROPERTY/BUILDING	☐ ☒
PRIOR ZONING HEARING	☐ ☒
ZONING OFFICE USE ONLY	
REVIEWED BY	ITEM #
DT.	557
	09-55759

EXHIBIT A

0019391 615

ALL THAT piece, parcel, or tract of land situate in the 2nd Election District of Baltimore County, Maryland, on the Northwest side of Jo Ann Drive, and the Southwest side of Subet Road; shown as Lot 3 on the Minor Subdivision Plan 98125M, 8025 Subet Road, and being more particularly described as follows:

BEGINNING for the same at a point on the Northwest side of Jo Ann Drive, 50 feet wide, said point being distant North 40 degrees 05 minutes 50 seconds East, 180.00 feet from the division line of Lot 26 and Lot "A" improved, as shown on the Plat of Meadow Dale, Dated March 14, 1954 and recorded among the Land Records of Baltimore County, Maryland in Plat Book G.L.B. 20 folio 5. Thence, as now surveyed with reference to the Baltimore County Metropolitan District, the following six courses and distance; (1) for a new line of division, running parallel to Subet Road, 50 feet wide, as shown on the aforementioned Plat of Meadow Dale, North 50 degrees 13 minutes 20 seconds West, 197.18 feet to the Southeast side of Wild Cherry Road, 50 feet wide, as shown on the aforementioned Plat of Meadow Dale, thence, (2) binding on part of the South East side of said Wild Cherry Road, North 39 degrees 46 minutes 40 seconds East, 48.00 feet, to the point of curvature of the return curve to the aforementioned Subet Road, thence (3) Leaving said Wild Cherry Road, by a curve to the right having a radius of 30.00 feet, an arc length of 47.12 feet, and a chord of North 84 degrees 46 minutes 40 seconds East, 42.42 feet, to the Southwest side of said Subet Road, thence, (4) binding of part of said Southwest side of Subet Road, South 50 Degrees 13 minutes 20 seconds East, 137.45 feet to the point of curvature of the return curve to the North West side of the aforementioned Joann Drive, thence, (5) leaving said Subet Road, by a curve to the right having a radius of 30.00 feet, an arc length of 47.29 feet, and a chord of South 05 degrees 03 minutes 45 seconds East, 42.54 feet to the Northwest side of said Jo Ann Drive, thence, (6) binding on part of the Northwest side of said Jo Ann Drive, South 40 degrees 05 minutes 50 seconds West, 47.84 feet to the place of beginning. Containing 0.3444 acres of land, more or less.

The improvements thereon being known as 3420 Joann Drive.

Tax ID# 23-00-007338

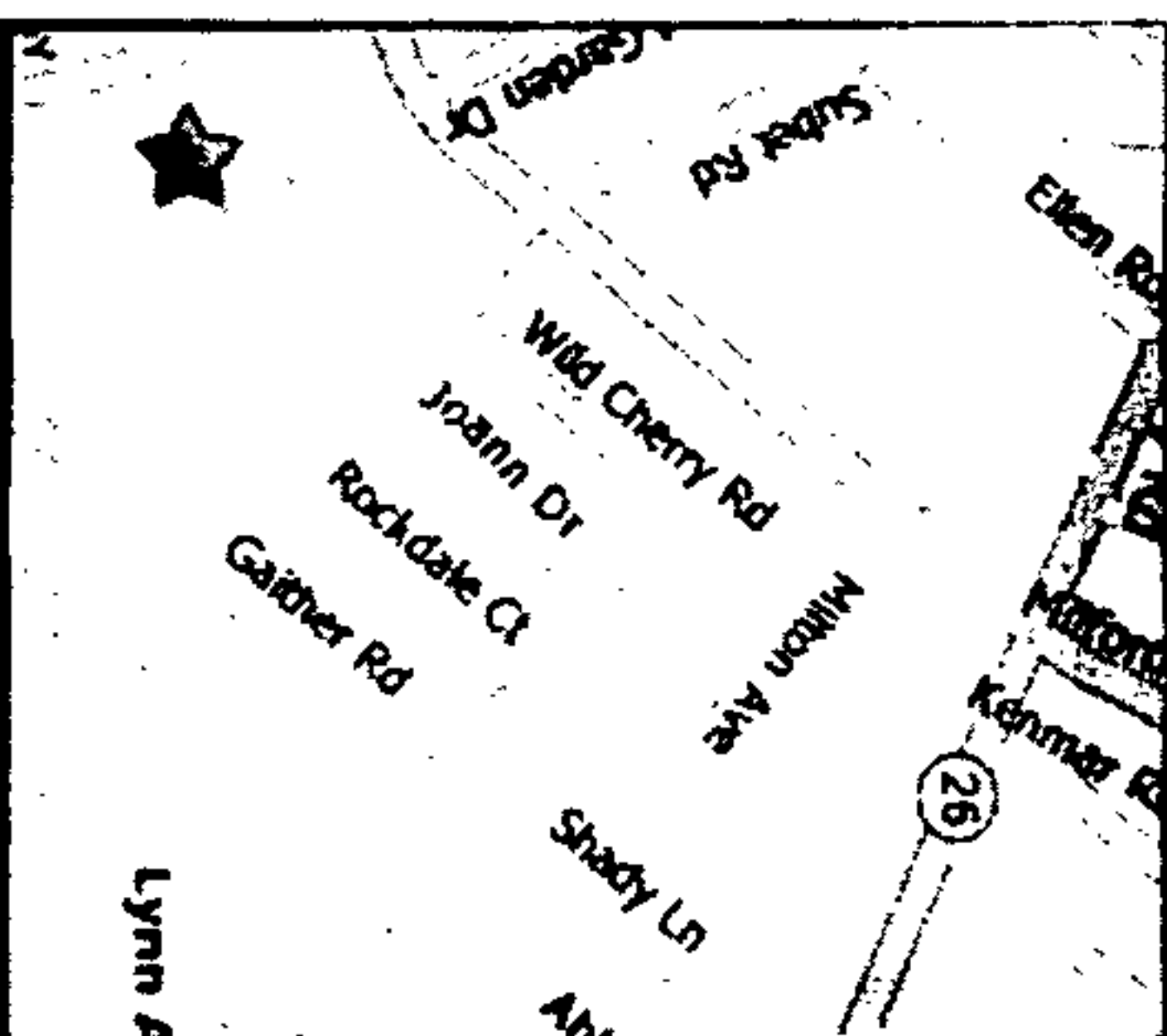
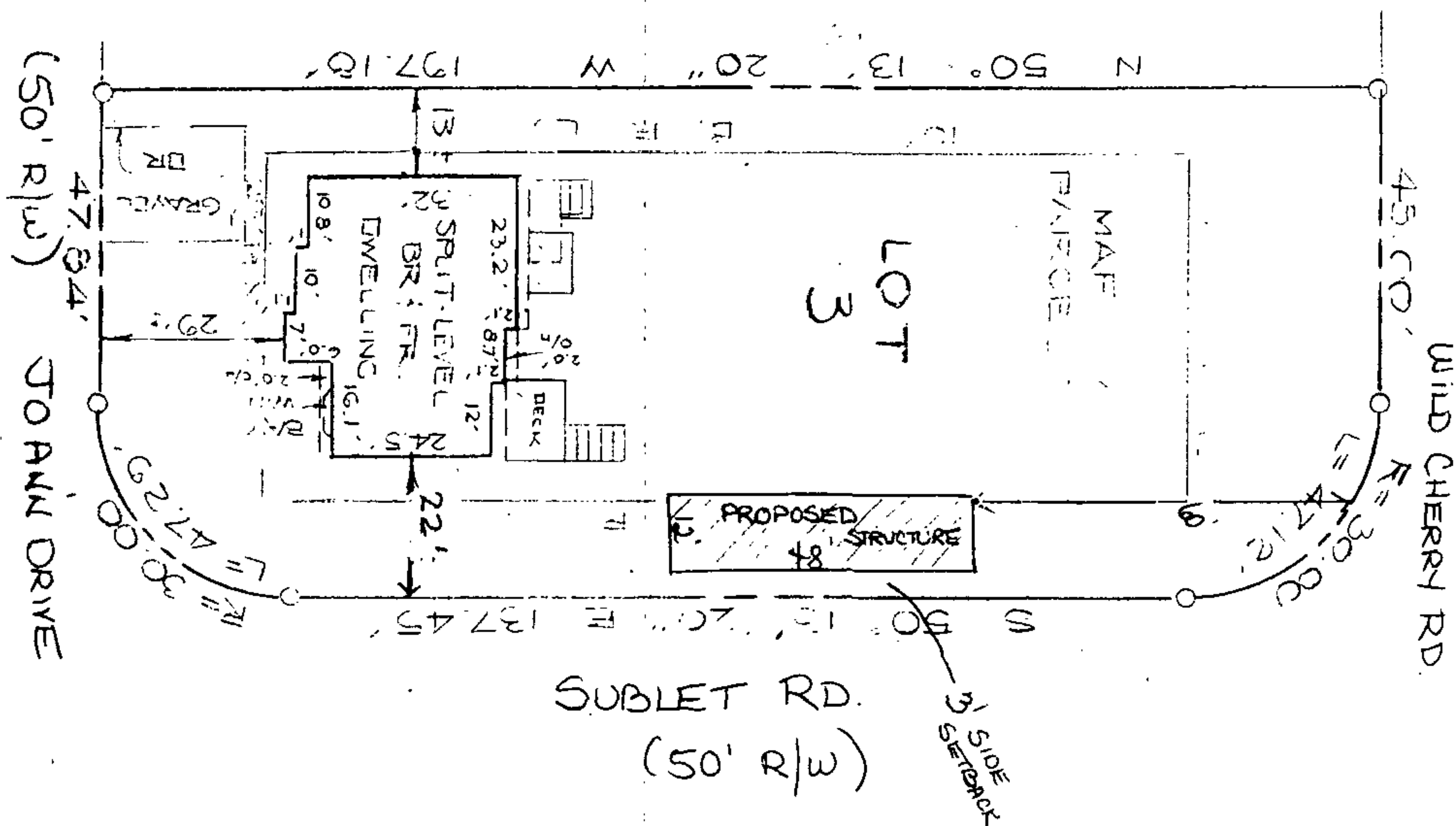
07-557-SPHA

☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 3420 JOANN DR

SUBDIVISION NAME MEADOW DALE

PLAT BOOK # 20 FOLIO # 5 LOT # 3 SECTION #
OWNER Shunja Eaton



LOCATION INFORMATION

ELECTION DISTRICT 2

COUNCILMANIC DISTRICT 4

1"=200' SCALE MAP # 077C3

DR.S.S

LOT SIZE .344
15,000.00

ADREAGE

Solidate Fleet

PUBLIC PRIVATE

SEWERS

WATER

**CHEESAPEAKE BAY
CRITICAL AREA**

100 YEAR FLOOD PLAIN

☐ ☒

MISSION STATEMENT

□
,
☒

PRIOR ZONING HEARING

1988

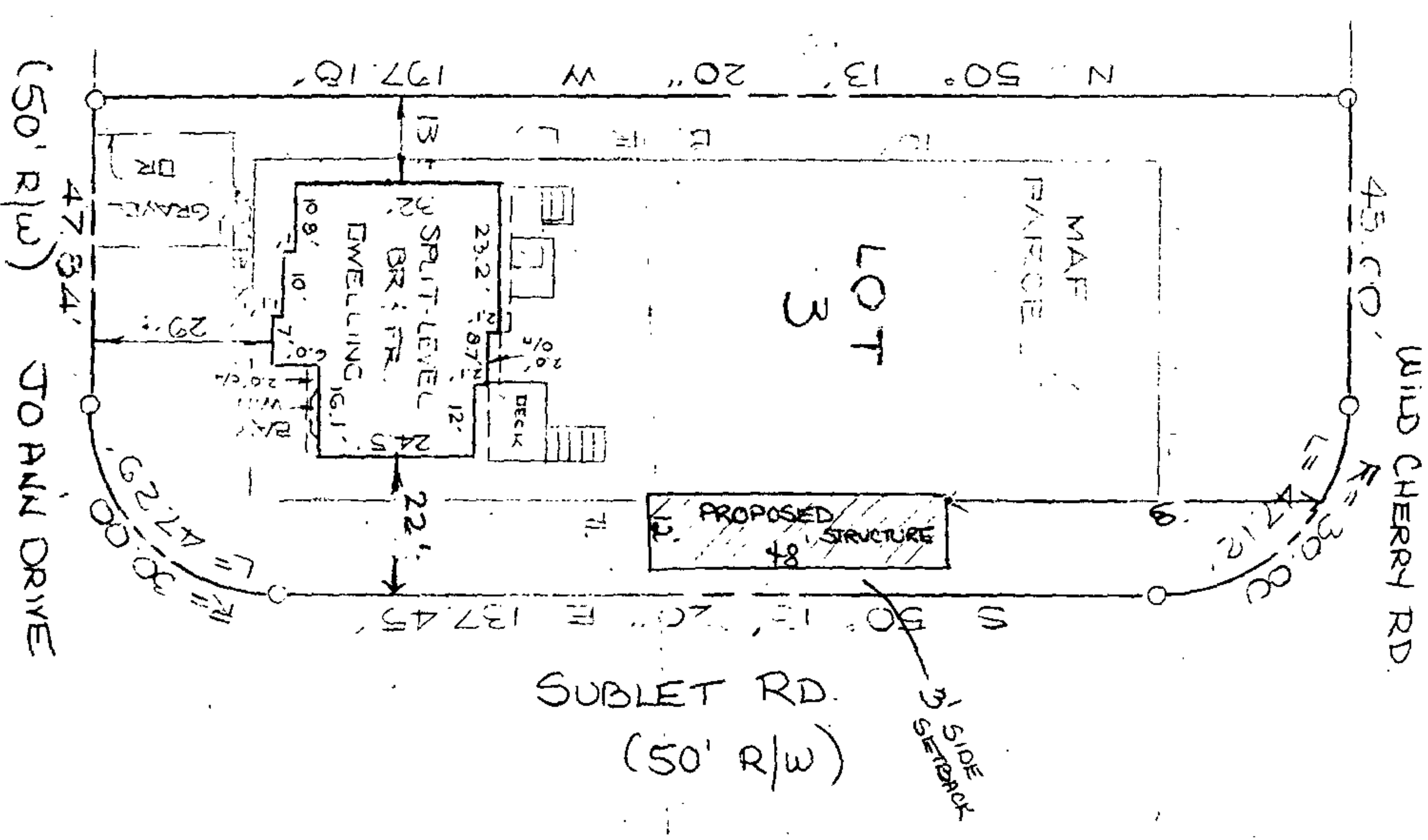
ZONING OFFICE USE ONLY:
REVIEWED BY ITEM # CASE #

D.T. 557

07-557-5941

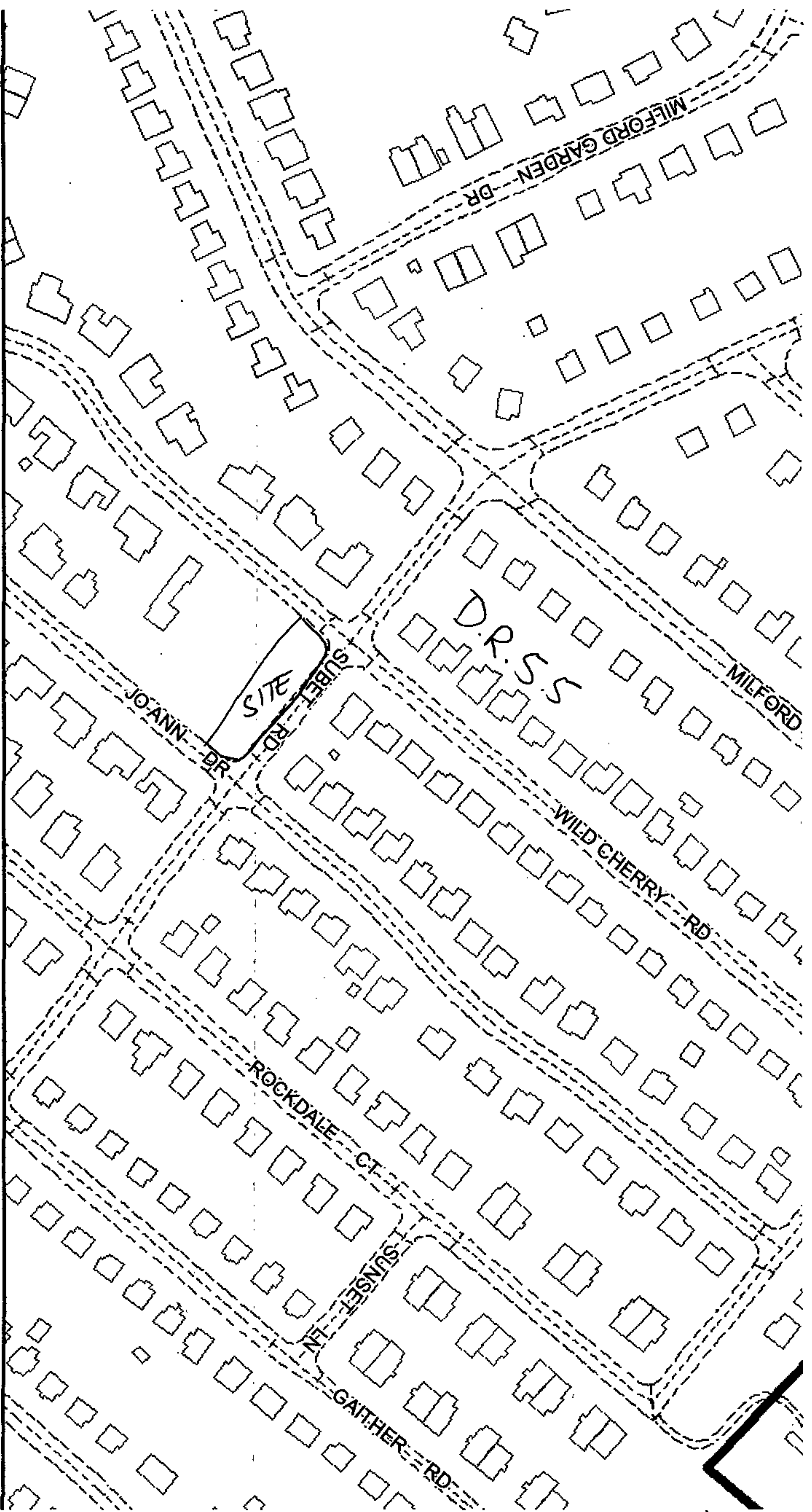
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 3420 JOANN DR.
 SUBDIVISION NAME MEADOW DALE
 PLAT BOOK # 20 FOLIO # 5 LOT # 3 SECTION # 3
 OWNER Shunia Eaton



1" = 30'

LOCATION INFORMATION ELECTION DISTRICT <u>2</u> COUNCILMANIC DISTRICT <u>4</u> 1" = 200' SCALE MAP # <u>077C3</u> ZONING <u>DR 5.5</u> LOT SIZE <u>.344</u> ACRES <u>15,408.00</u> SQUARE FEET		PUBLIC ☒ PRIVATE ☐ SEWER ☒ WATER ☒
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO 100 YEAR FLOOD PLAIN ☐ YES ☒ NO HISTORIC PROPERTY / BUILDING ☐ YES ☒ NO PRIOR ZONING HEARING ☒ YES ☐ NO		ZONING OFFICE USE ONLY REVIEWED BY <u>DT.</u> ITEM # <u>557</u> CASE # <u>01-55714</u>



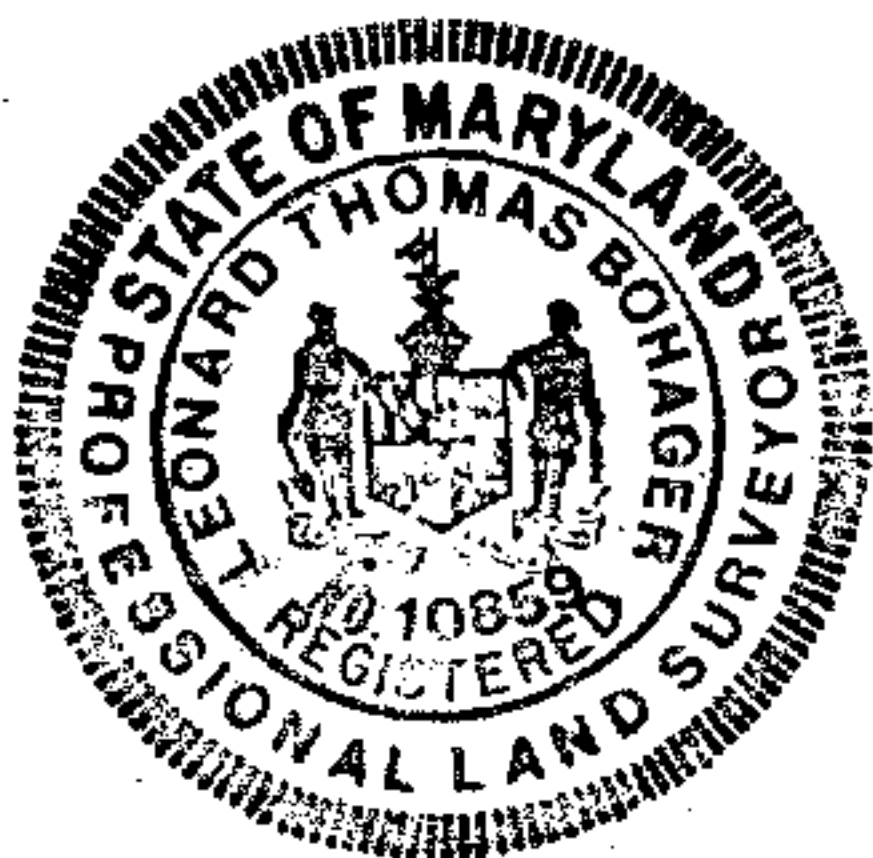
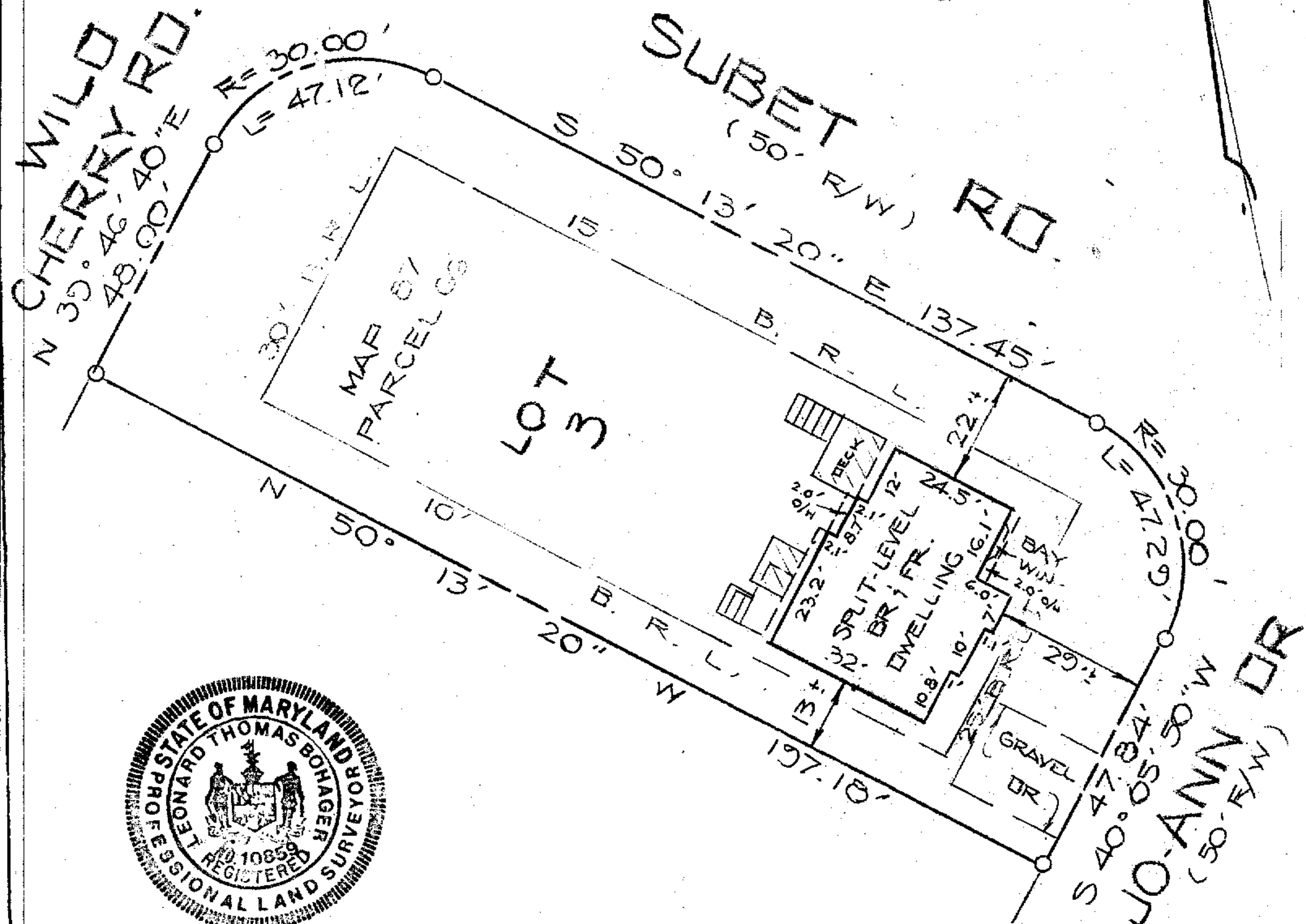
Legend

B:

07-557-SPHA

NOTE: ACCURACY OF APPARENT
SETBACK DISTANCES ARE 1'±

MINOR sub #
98-125-M



REFERENCE:
PROPERTY DESCRIBED IN A DEED
DATED: JAN. 24, 2000 AND RECORDED
AMONG THE LAND RECORDS OF BALTO
CO. MD. IN DEED LIBER 14302 PAGE 695

THIS IS TO CERTIFY THAT WE HAVE LOCATED THE
IMPROVEMENTS AS SHOWN ACCORDING TO THE
REGULATIONS GOVERNING THE MARYLAND STANDARDS
OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS;
EFFECTIVE DATE MARCH 1, 1995.

- NOTE: (A) THIS PLAT IS NOT INTENDED FOR USE IN ESTABLISHING
PROPERTY LINES AND DOES NOT CONSTITUTE A
BOUNDARY SURVEY.
- (B) THIS PLAT IS OF BENEFIT TO THE 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 RE-
FINANCING.
- (C) THIS PLAT SHOULD NOT BE RELIED UPON FOR THE
ESTABLISHMENT OR LOCATION OF FENCES, GARAGES,
BUILDINGS OR OTHER EXISTING OR FUTURE
IMPROVEMENTS.

NOTE: THIS PROPERTY DOES NOT LIE WITHIN
THE LIMITS OF A FLOOD HAZARD AREA
AS DELINEATED ON THE MAPS OF THE
NATIONAL FLOOD INSURANCE PROGRAM.
MAP NUMBER: 2400100360B

Leonard T. Bonager
REGISTERED NO. 10859

3-2-01
DATE



W. DUVALL & ASSOCIATES, INC.
ENGINEERS, SURVEYORS, LAND PLANNERS
530 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
(410) 563-9571

LOCATION CERTIFICATION OF
3420 JOANN DRIVE

2ND ELEC. DIST. BALTO. CO., MD.
REVISED 2-27-01
SCALE: 1" = 30' ALIG 28, 2000
FILE NO. E-17233-00

LC # 3591



Randallstown MD
US

Notes:

Only text visible within note field will print.

CHANGE IS:
A NEW EXPERIENCE

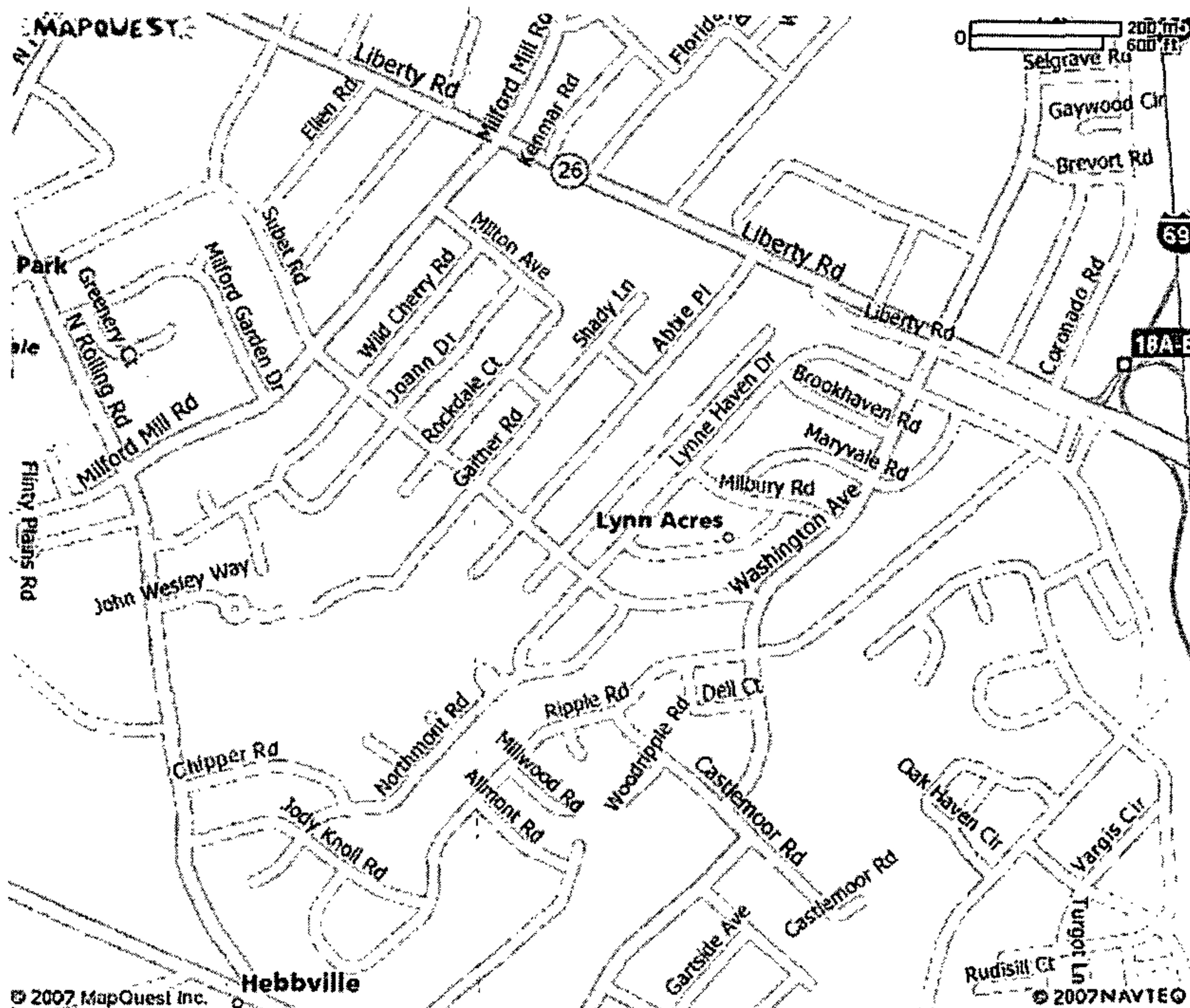


- ▶ HEALTHIER MENUS
- ▶ SIGNATURE COCKTAILS
- ▶ HBO™ AND MP3s
- ▶ DELTA.COM/CHANGE

SEE MORE CHANGES

delta.com/change

DELTA



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0208653050
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WILD CHERRY

0207000230

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0218720240

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3502

0216550510

SUBET

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2-ED4 CD

077C3
DR 5.5
NW 5-G

0213401490

PB/FOLIO
020005

* SITE

JO ANN

SUBET

3501
0202851240

RC

JO ANN

0202654340-3421

P.D.M
020035