

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Glenwood Avenue, 837 feet S
of the c/l of Fredrick Road
1st Election District
1st Councilmanic District
(35 Glenwood Avenue)

Doris Roeder
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2009-0053-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Doris Roeder for property located at 35 Glenwood Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed one story addition with a rear setback of 26 feet in lieu of the required 30 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner wishes to construct a 12 foot deep sunroom with new stairs to the basement. The existing stairs are too narrow and steep for the homeowner. The new sunroom and new access to the basement will ensure that the homeowner has safe access to the basement and rear yard.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 28, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

NOTED FOR FILE
9-22-08
9-22-08 [signature]

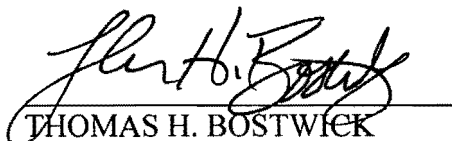
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and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

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 2nd day of September, 2008 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed one story addition with a rear setback of 26 feet in lieu of the required 30 feet is hereby GRANTED, subject to the following:

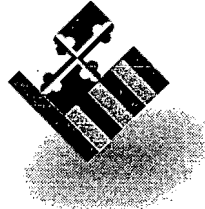
1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner 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.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

~~RECEIVED FOR FILE~~
9-22-08

BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 22, 2008

DORIS ROEDER
35 GLENWOOD AVENUE
CATONSVILLE MD 21228

Re: Petition for Administrative Variance
Case No. 2009-0053-A
Property: 35 Glenwood Avenue

Dear Ms. Roeder:

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 black ink, appearing to read "Th. H. Bostwick", written over a horizontal line.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Matthew Graves, 3718 Old Hanover Road, Westminster MD 21158



Administrative Variance Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 35 Glenwood Ave, Catonsville, MD 21228
which is presently zoned DR 5.5

Deed Reference: 2663711 Tax Account # 0113203260

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)

1B02.3.C.1

To permit a proposed one story addition with a rear setback of 26-feet in lieu of the required 30-feet.

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):

Donis Roeder
Name - Type or Print

Donis Roeder
Signature

Name - Type or Print

Signature

35 Glenwood Avenue 410-747-9102
Address Telephone No.

Catonsville MD 21228
City State Zip Code

Representative to be Contacted:

Matthew Graves
Name

3718 Old Henover Rd 410-596-4751
Address Telephone No.

Westminster MD 21158
City State Zip Code

Case No. 2009-0053-A

REV 8/20/07

RECEIVED FOR FILE

9-22-08

M

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by TW

Date 8/22/08

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 35 Glenwood Avenue
Address
Catonville MD 21228
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):

currently setback would only allow an 8' sunroom and ~~and~~ I would like to build a 12' sunroom with new stairs to the basement. Existing basement stairs are only 30" wide w/ 9" risers and 8" treads, (Current code is 8 1/4" risers and 9 1/4" treads). These are very steep for H.O. The only place to put new steps is the rear of the house and we need 12' to put new steps to basement and a new access door to the rear yard. Homeowner needs safe access to the basement for her laundry.

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.

Signature _____

Signature _____

Name - Type or Print _____

Name - Type or Print _____

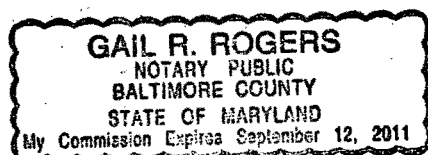
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of August, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Doris Roeder

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



[Signature]
Notary Public

My Commission Expires 08/12/08

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.

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City State Zip Code

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Signature _____

Signature _____

Name - Type or Print _____

Name - Type or Print _____

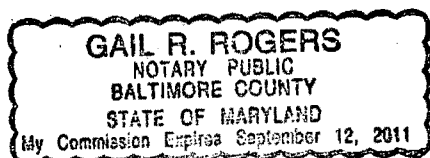
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of August, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Doris Roeder

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Notary Public

My Commission Expires 08/12/08

ZONING DESCRIPTION FOR 35 Glenwood Avenue Catonsville, MD 21228
(address)

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

Glenwood Ave which is 50' 7"
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 437' of the
(number of feet) (north, south, east or west)

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

which is 60' 7" wide. *Being Lot # 23 & 29
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of East Catonsville
(name of subdivision)

as recorded in Baltimore County Plat Book # 1, Folio # 215,

containing .171 Also known as 35
(square feet or acres) (property address)

and located in the 1 Election District, 1 Councilmanic District.

2009-0053-A

CERTIFICATE OF POSTING

RE: Case No.: 2009-0053-A

Petitioner/Developer: _____

Doris J. Roeder

Date of Hearing/Closing: Sept. 15, 08

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

ATTN: **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: _____

35 Glenwood Ave.

The sign(s) were posted on Aug. 31, 2008
(Month, Day, Year)

Sincerely,

Robert Black Sept 2, 08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

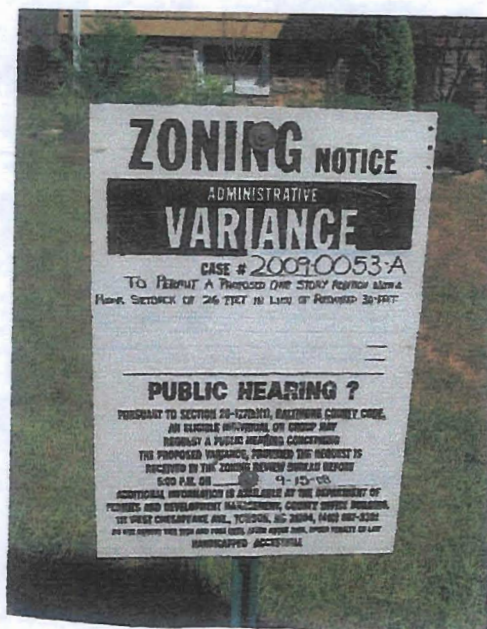
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2009-0053-A

TO PERMIT A PROPOSED ONE STORY ADDITION WITH A
REAR SETBACK OF 26 FEET IN LIEU OF REQUIRED 30 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

5:00 P.M. ON 9-15-08

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0053 -A Address 35 Glenwood Ave

Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/22/08 Posting Date: 8/31/08 Closing Date: 9/15/08

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, usually within 10 days of the closing date if all County agencies' comments are received, 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

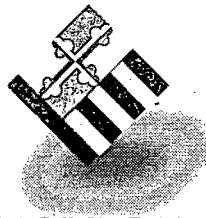
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0053 -A Address 35 Glenwood Ave
Petitioner's Name Doris J. Roeder Telephone 410-747-9102
Posting Date: 8/31/08 Closing Date: 9/15/08

Wording for Sign:

To permit a proposed one story addition with a rear setback of 26-feet in lieu of the required 30-feet.

WCR - Revised 7/7/08



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 15, 2008

Doris Roeder
35 Glenwood Ave.
Catonsville, MD 21224

Dear: Doris Roeder

RE: Case Number 2009-0053-A, 35 Glenwood Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 22, 2008. 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Matthew Groves, 3718 Old Hanover Rd., Westminster, MD 21158

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 12, 2008

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

RECEIVED
SEP 16 2008

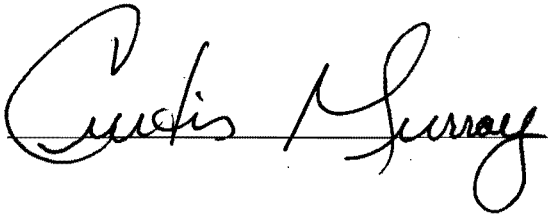
BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-053- Administrative Variance**

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

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

Prepared By:
CM/LL



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 28, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For September 9, 2008
Item Nos. 09-0051, 0052, 0053, 0054,
0055, 0056, 0057

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:lrk
cc: File
ZAC-08282008-NO COMMENTS



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: Sept. 8, 2008

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

RE: Baltimore County
Item No 2009-0053-A
35 GLENWOOD AVE.
ROEDER PROPERTY
ADMIN. VARIANCE

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. 2009-0053-A.

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,

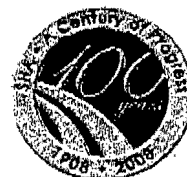
Fo^a Steven D. Foster, Chief
Engineering Access Permits
Division

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



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

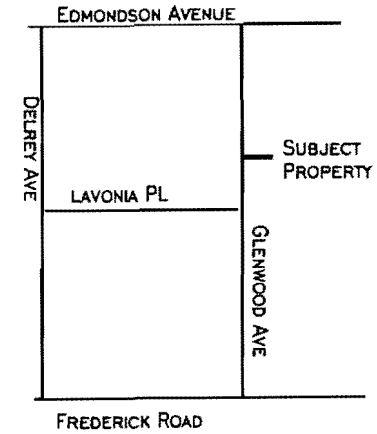
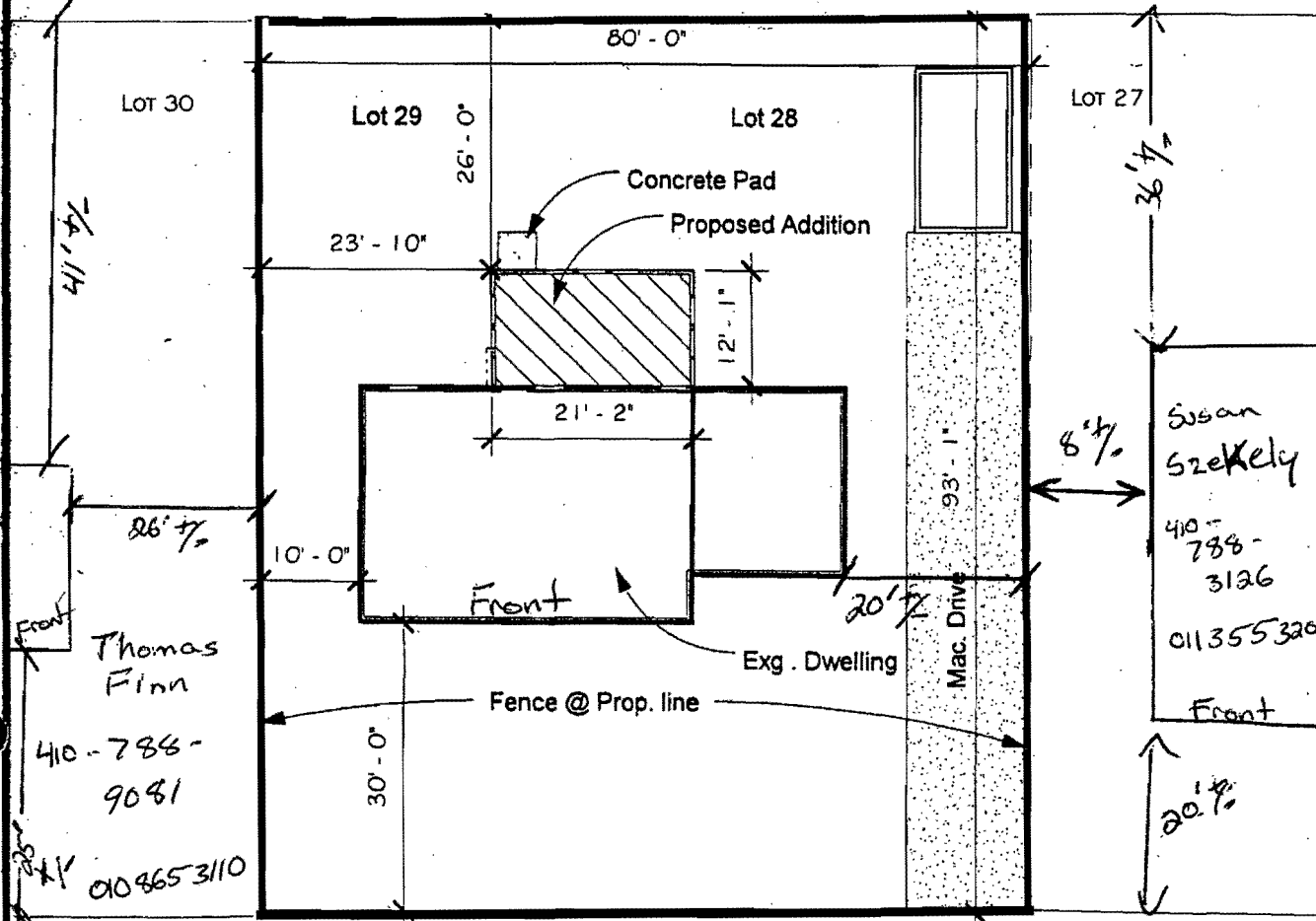
PROPERTY ADDRESS 35 GLENWOOD AVE

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

SUBDIVISION NAME EAST CATONSVILLE

PLAT BOOK # 1 FOLIO # 215 LOT # 28 SECTION # 29

OWNER DORIS ROEDER



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 1st
COUNCILMANIC DISTRICT 1st
1" = 200' SCALE MAP # 101A1
ZONING DR 5.5
LOT SIZE .171 ACRES 7,440 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

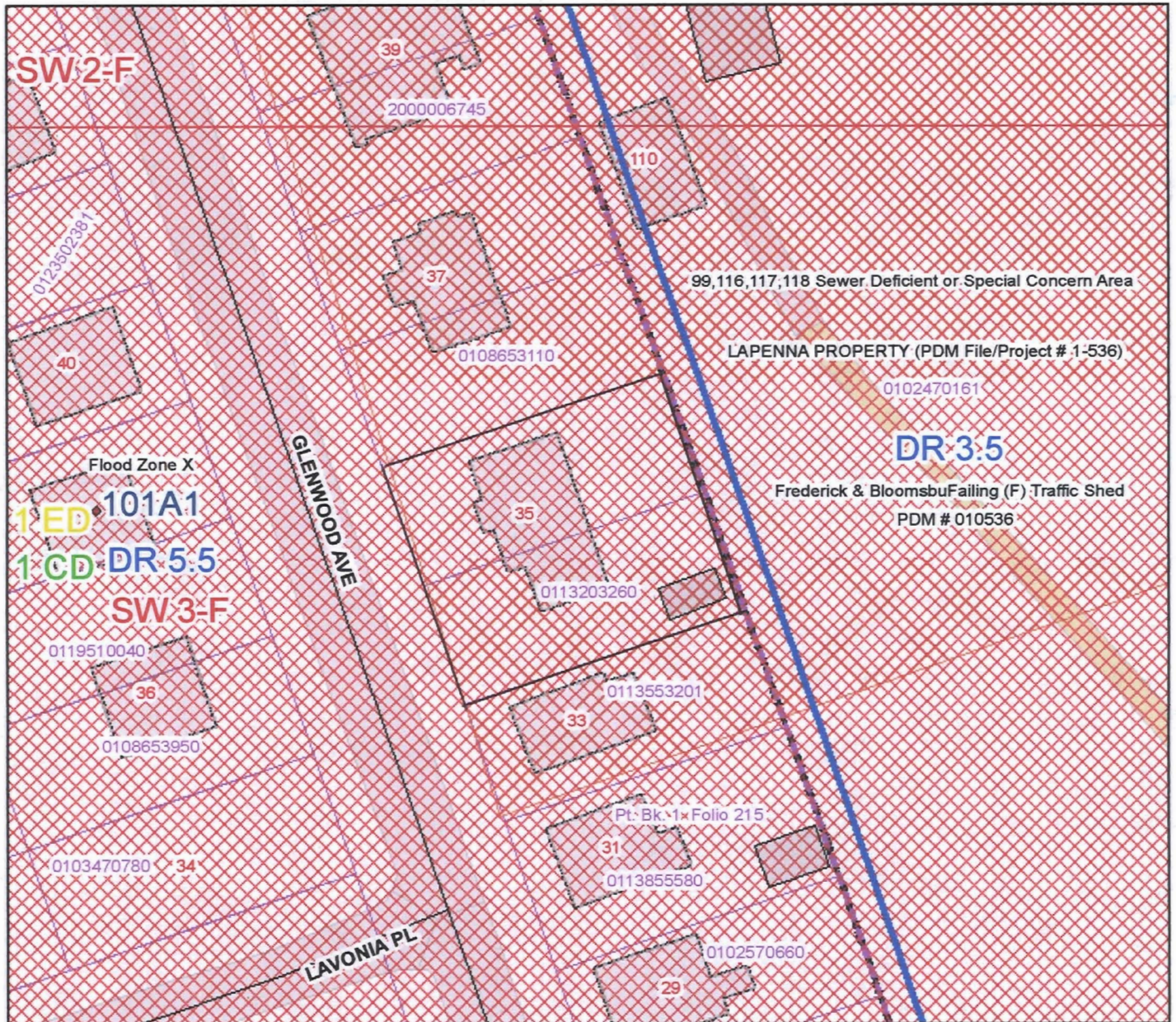
REVIEWED BY ITEM # CASE #

2009 0053-A

PREPARED BY DEAN ROBERT CAMLIN ARCHITECT & ASSOC.

SCALE OF DRAWING: 1" = 20'

35 Glenwood Avenue



2009-0053-A



Publication Date: August 21, 2008
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



50 0 50 Feet
 1 inch equals 50 feet



Rear of 35 Glenwood

2009-0053-~~4~~



Front of B5 Glenwood

2009-0053-A



Front of 35 Glenwood

2009-0053-A



Front of 35 Glenwood

2009 - 0053 - A