

IN RE: PETITION FOR ADMIN. VARIANCE

N side of Michian Avenue, 250 feet E of
the c/l of Washington Street
13th Election District
1st Councilmanic District
(3007 Michigan Avenue)

David Cain and Christy A. Lynn
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2009-0297-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, David Cain and Christy A. Lynn for property located at 3007 Michigan Avenue. The variance request is from Sections 1B02.3.A.5 and 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (garage) with a 0 foot side setback in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct an attached garage to protect a collector automobile from vandalism and the elements. The next door neighbors, Joseph and Lisa O'Connell, residing at 3009 Michigan Avenue, submitted a letter of support for the variance request dated May 9, 2009.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The Office of Planning has reviewed the request and accompanying site plan and does not oppose the variance request. In their comments dated June 8, 2009, the Planning Office suggested that an agreement should be established with the neighbor that will be mostly impacted by this addition that encroachment of construction and maintenance may occur.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 22, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

~~REMOVED FROM FILE~~
6.11.09
[Signature]

The Petitioners have 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 Petitioners.

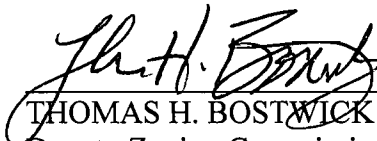
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 11th day of June, 2009 that a variance from Sections 1B02.3.A.5 and 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (garage) with a 0 foot side setback in lieu of the required 10 feet is hereby GRANTED, subject to the following:

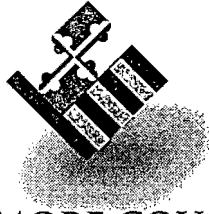
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

THB:pz


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

RECEIVED FOR FILING
6-11-09
pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 11, 2009

DAVID CAIN AND CHRISTY A. LYNN
3007 MICHIGAN AVENUE
BALTIMORE MD 21227

Re: Petition for Administrative Variance
Case No. 2009-0297-A
Property: 3007 Michigan Avenue

Dear Mr. and Mrs. Lynn:

Enclosed please find the decision rendered in the above-captioned case.

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 "Tom H. Bostwick", written over the typed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: A. Murray Slattery, 55 Molitor Road, Elkton MD 21921



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3007 MICHIGAN AVENUE
which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1002.3A.5., 1002.3B. (DCR)

TO PERMIT AN ADDITION (GARAGE) WITH A 0-FOOT SIDE SETBACK
IN LIEU OF THE REQUIRED 10-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

3007 MICHIGAN AVE. 410-312-8097

Address

Telephone No.

BALTO. MD 21227

City

State

Zip Code

Representative to be Contacted:

A. MURRAY SLATTERY

Name

55 MOLITOR ROAD 410-6908274

Address

Telephone No.

ELKTON MD 21921

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2009-0297-A

Reviewed By D.T. Date 5/15/09

REV 10/25/01

Estimated Posting Date 5/24/09

6.11.09

PM

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 3007 MICHIGAN AVENUE
Address
BALTIMORE MD 21227
City State Zip Code

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

We purchase a 65,000.00 Mustang as a car for myself + Family as a coming home present from Iraq. The car needs a Garage to store it as Vondals have tried to break into it. The new Garage will be alarmed. Further my Neighbor put door is further litter attached with the Garage floor. There are several Garage in Neighborhood like this. The Driveway is there as well.

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.

David C. Lynn
Signature
Name - Type or Print

Christy A. Lynn
Signature
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of MAY, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID C. LYNN AND CHRISTY A. LYNN
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Karen S. Dzialowski
Notary Public
My Commission Expires 11/1/12

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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Address
BALTIMORE MO 21227
City State Zip Code

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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.

David C. Lynn
Signature
Name - Type or Print

Christy A. Lynn
Signature
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of MAY, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID C. LYNN AND CHRISTY A. LYNN
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Karen S. Dyalowski
Notary Public
My Commission Expires 11/1/12



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3007 MICHIGAN AVE
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3A.5, 1B02.3B. (BCZR)

TO PERMIT AN ADDITION (GARAGE) WITH A 0-FOOT SIDE SETBACK
IN LIEU OF THE REQUIRED 10-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

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this ___ day of ___ that the subject matter of this petition be set for a public hearing; advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2009-0297-A

Reviewed By D.T.

Date 5/15/09

REV 10/25/01

Estimated Posting Date 5/24/09

6-11-09

ZONING DESCRIPTION FOR 3007 MICHIGAN AVENUE

Beginning on the North side of Michigan Avenue which is 50 feet wide at the distance of 250 feet East of the centerline of the nearest improved intersecting street, Washington Street, which is 50 feet wide. Being Lots 79 and 80, Section 2, in the subdivision of Baltimore Highlands as recorded in the Baltimore County Plat Book 2, Folio 3 containing 6,250 square feet. Also known as 3007 Michigan Avenue and located in the 13th Election District, 1st Councilmanic District.

2009-0397-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 39925

Date: 5/15/09

PAID RECEIPT

BUSINESS ACTUAL TIME
5/15/2009 5/15/2009 09:00:00
G BOKS MALKIN DRL 400
RECEIPT # 005759 5/15/2009
Rpt 5 52H TOWING VERIFICATION
NL 039925
Recpt Tot \$65.00
\$65.00 CL \$65.00 FA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6150						65.00

Total: 65.00

Rec From: RESTORATION LLC

For: 2009-0297-A
3007 MICHIGAN AVE 21027

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 05/26/09

Case Number: 2009-0297-A

Petitioner / Developer: LYNN~MURRY SLATTERY of G.T.L.
REMODELING

Date of Hearing (Closing): JUNE 8, 2009

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:
3007 MICHIGAN AVENUE

The sign(s) were posted on: MAY 22, 2009



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0297 -A Address 3007 MICHIGAN AVE. 21227

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

Filing Date: 5/15/09 Posting Date: 5/24/09 Closing Date: 6/8/09

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- 0297 -A Address 3007 MICHIGAN AVE. 21227

Petitioner's Name LYNN Telephone 443-312-8097
~~706-06-9653~~

Posting Date: 5/24/09 Closing Date: 6/8/09

Wording for Sign: TO PERMIT AN ADDITION (GARAGE) WITH A 0-FOOT^{SIDE} SETBACK
IN LIEU OF THE REQUIRED 10-FOOT.

WCR - Revised 7/7/08

**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: 2009-0297-A

Petitioner: LYNN

Address or Location: 3007 MICHIGAN AVE.

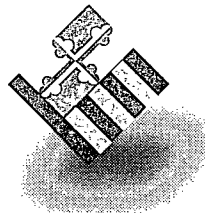
PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. DAVID C. LYNN

Address: 3007 MICHIGAN AVE.

BALTO. MD 21227

Telephone Number: 443-312-8097



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
June 9, 2009

David & Christy Lynn
3007 Michigan Ave.
Baltimore, MD 21227

Dear: David & Christy Lynn

RE: Case Number 2009-0297-A, 3007 Michigan Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 15, 2009. 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
A. Murray Slattery; 55 Molitor Rd.; Elkton, MD 21921

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 8, 2009

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

SUBJECT: 3007 Michigan avenue

RECEIVED

INFORMATION:

Item Number: 9-297

JUN 09 2009

Petitioner: David C. Lynn

ZONING COMMISSIONER

Zoning: DR 5.5

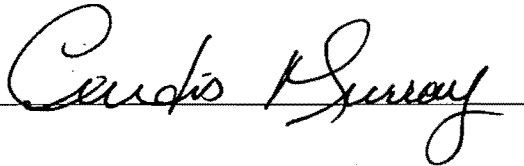
Requested Action: Administrative Variance

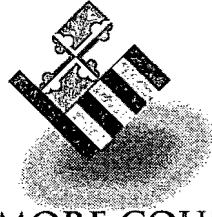
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan and does not oppose the request, however an agreement should be established with the neighbor that will be mostly impacted by this addition that encroachment of construction and maintenance may occur.

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

Prepared by:
AFK/LL: CM





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

June 4, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 26, 2009

Item Numbers 0293, 0294, 0295, 0296, ~~0297~~, 0298, 0299, 0300 and 0301

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 8, 2009

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

SUBJECT: 3007 Michigan avenue

INFORMATION:

Item Number: 9-297

Petitioner: David C. Lynn

Zoning: DR 5.5

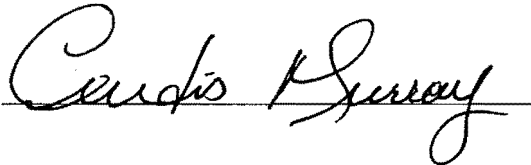
Requested Action: Administrative Variance

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The Office of Planning has reviewed the petitioner's request and accompanying site plan and does not oppose the request, however an agreement should be established with the neighbor that will be mostly impacted by this addition that encroachment of construction and maintenance may occur.

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

Prepared by:
AFK/LL: CM

A handwritten signature in black ink, appearing to read "Curtis B. Gurney", is written over a horizontal line.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: June 4, 2009

SUBJECT: Zoning Item # 09-297-A
Address 3007 Michigan Avenue
(Lynn Property)

Zoning Advisory Committee Meeting of May 26, 2009

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

Reviewer: JWL

Date: 6/4/09

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 June 1, 2009
Item Nos. 2009-293, 294, 295, 296,
297, 298, 299, 300 and 301

DATE: June 1, 2009

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

DAK:CEN:cab
cc: File
ZAC-06012009 -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: JUNE 1, 2009

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

RE: Baltimore County
Item No 2009-0297-A
3007 MICHIGAN AVE
LYNN 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. 2009-0297-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,

For¹ 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



WHITEFORD, TAYLOR & PRESTON L.L.P.

JENNIFER R. BUSSE
DIRECT LINE (410) 832-2077
DIRECT FAX (410) 339-4027
jbusse@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

September 23, 2009

RECEIVED

SEP 24 2009

Maureen Murphy, Chair
Board of Appeals for Baltimore County
Suite 203, Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

ZONING COMMISSIONER

Re: Vincent Farm - PDM No. XV-297
Board of Appeals Case Nos. CBA-10-007 and CBA-10-008

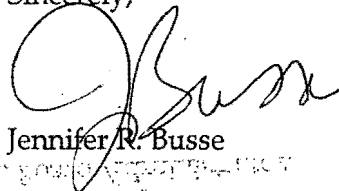
Dear Ms. Murphy:

Please allow this letter to serve as a joint response by both this firm, on behalf of our client, the appellant in CBA-10-008 and respondent in CBA-10-007, and J. Carroll Holzer, on behalf of his clients, the appellants in CBA-10-007 and respondents in CBA-10-008, to the letter dated August 26, 2009 from Theresa R. Shelton, Board Administrator.

We are pleased to inform the Board that the parties have arrived at a conceptual settlement agreement and the details of that are being worked out at this time. Due to the fact that additional processing by Baltimore County Department of Permits & Development Management is necessary before the settlement can be finalized, we are respectfully requesting that the Board withhold scheduling the hearing dates for the above-referenced cases. We will update you as things progress. Thank you for your cooperation to this matter.

We are hopeful that there will be no need for hearings on these appeals, and that the appeals can be dismissed, and therefore we will be working diligently to resolve the issues and again, we will keep you updated in this regard.

Sincerely,



Jennifer R. Busse

cc: The Honorable William J. Wiseman, Esq.
J. Carroll Holzer, Esq.
Iron Horse Properties

412139

Lisa and Joe O'Connell
3009 Michigan Ave
Halethorpe, MD 21227

9 May 2009

To Whom It May Concern:

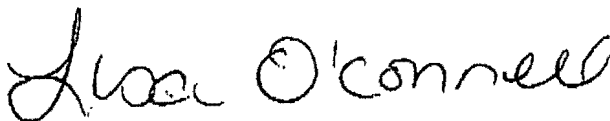
We have been informed of the intentions of our neighbors, David and Christy Lynn, located at 3007 Michigan Ave, to build a garage attached to their home and immediately adjacent to the property line which divides their lot from ours. The purpose of this letter is to indicate that we are not opposed to this plan and to authorize the variance to begin building.

In case there are any questions, we can be reached at 443-306-5753.

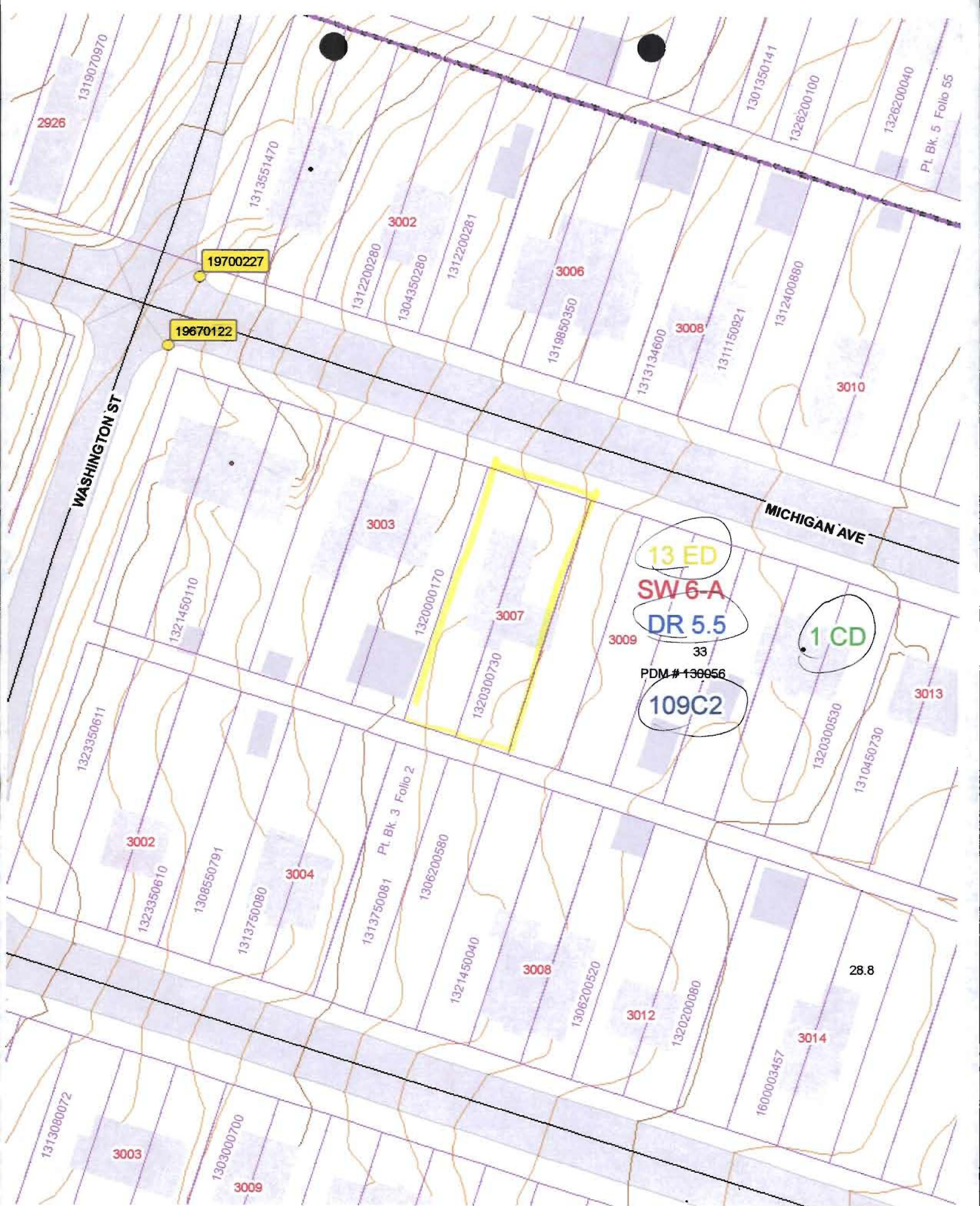
Joe O'Connell
Resident



Lisa O'Connell
Resident



2009-0297-A



2009-0297-A

2009-0297-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw5.1)

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Account Identifier: District - 13 Account Number - 2400013558

Owner Information

Owner Name: LYNN DAVID CAIN
 LYNN CHRISTY A
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3007 MICHIGAN AVE
 BALTIMORE MD 21227-3647
Deed Reference: 1) /27288/ 19
 2)

Location & Structure Information

Premises Address 3007 MICHIGAN AVE
Legal Description .143AC LTS79,80
 3007 MICHIGAN AVE
 BALTIMORE HIGHLANDS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
109	11	386				2	79	1	2	
									Plat Ref:	3/ 2

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2007	1,840 SF	6,250.00 SF	04
Stories 2	Basement YES	Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2008	07/01/2009
Land	36,250	84,250		
Improvements:	199,450	255,380		
Total:	235,700	339,630	304,986	339,630
Preferential Land:	0	0	0	0

Transfer Information

Seller: MCDONALD ERIC	Date: 08/28/2008	Price: \$359,000
Type: IMPROVED ARMS-LENGTH	Deed1: /27288/ 19	Deed2:
Seller: THOMPSON WILLIAM H JR/MARY E	Date: 04/25/2006	Price: \$150,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /23736/ 728	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

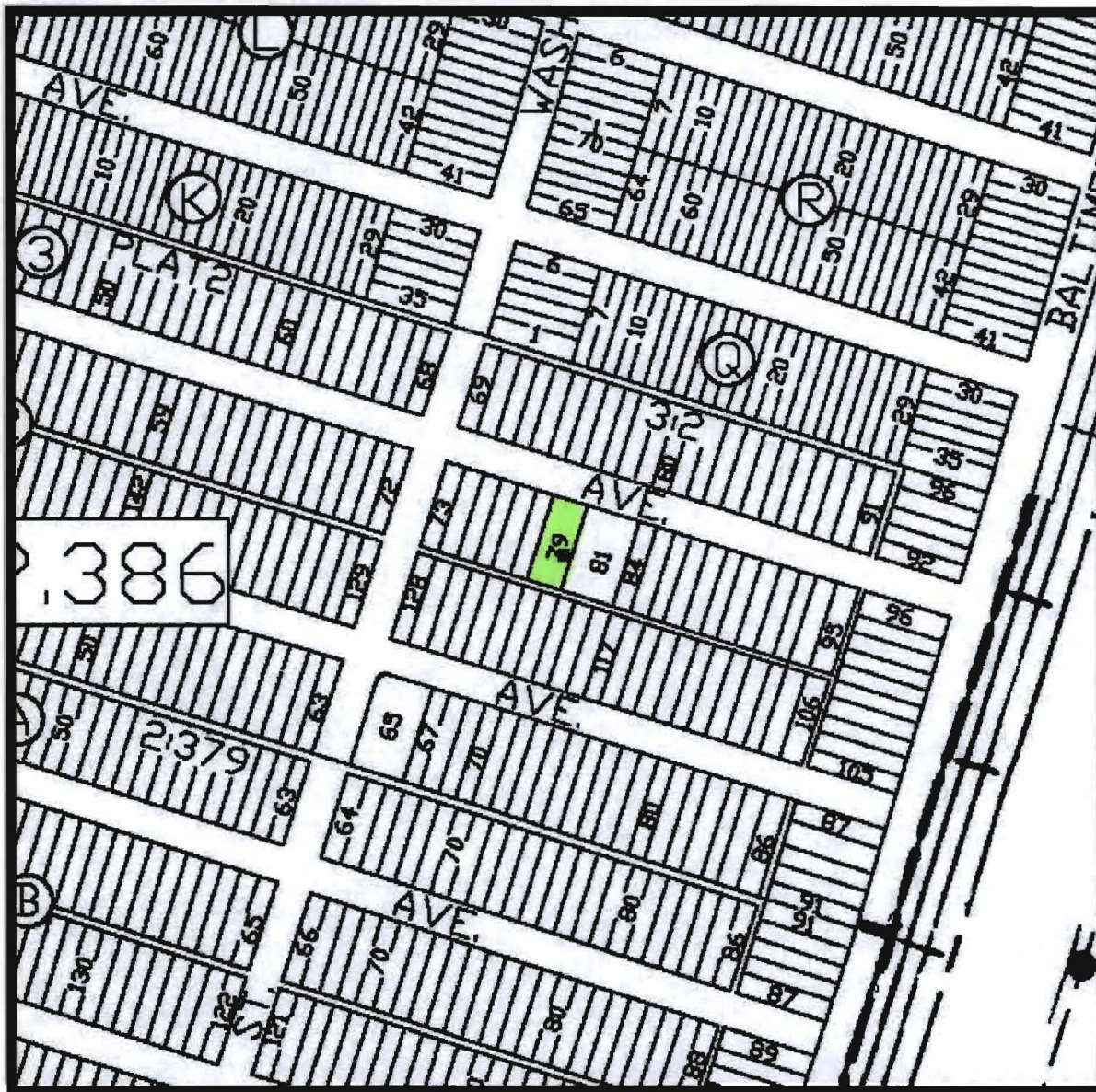
Special Tax Recapture:
 * NONE *



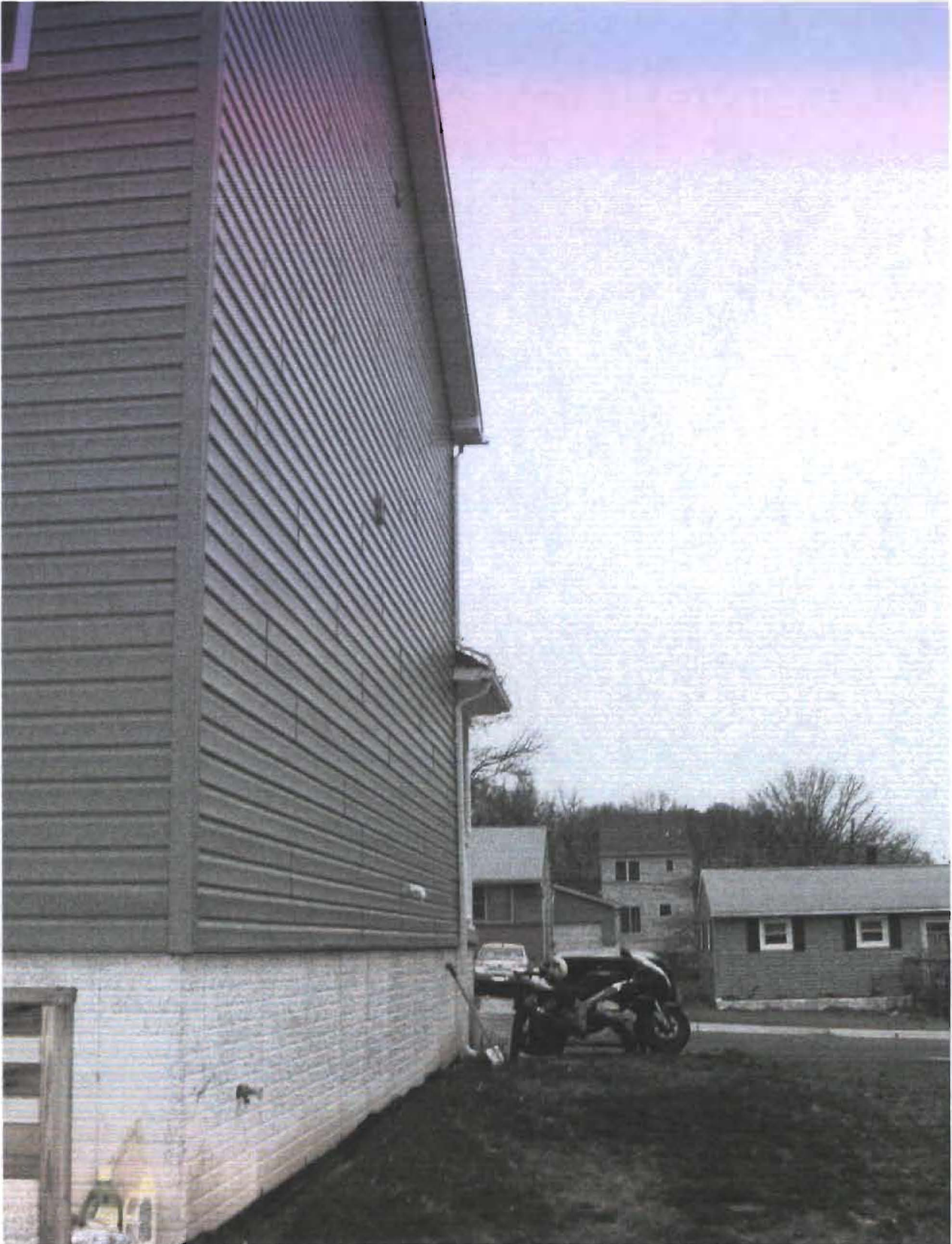
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District - 13 Account Number - 2400013558



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For more information on electronic mapping applications, visit the Maryland Department of Planning web site at
www.mdp.state.md.us/webcom/index.html

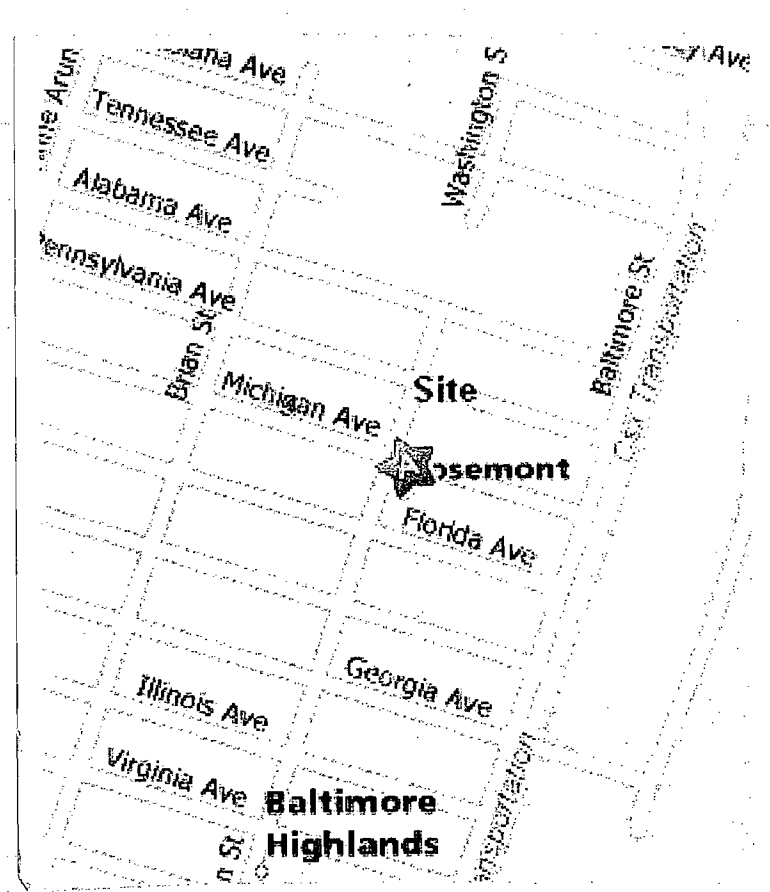






**PLAT TO ACCOMPANY PETITION FOR
ZONING VARIANCE**

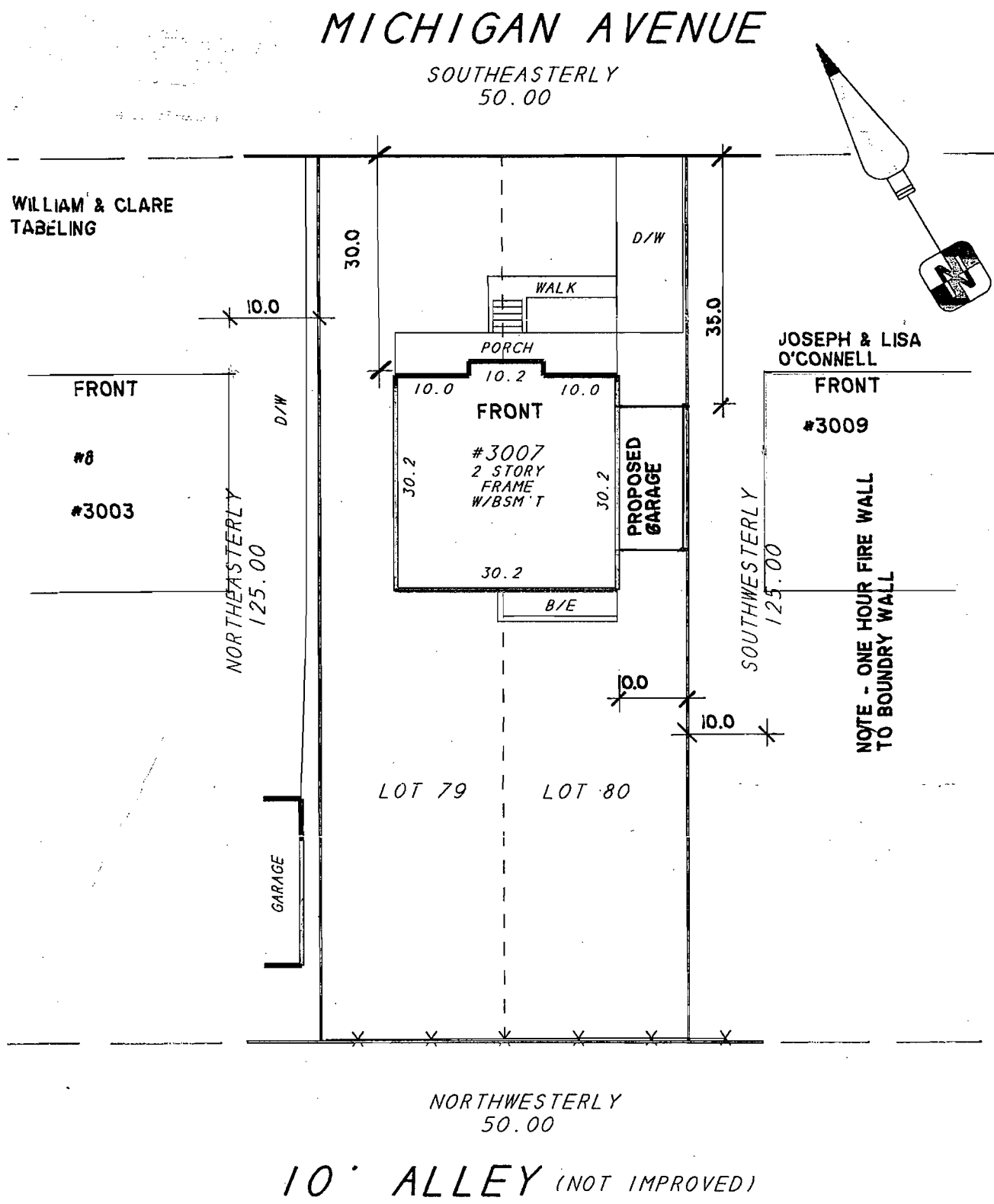
PROPERTY ADDRESS - 3007 MICHIGAN AVENUE
SUBDIVISION NAME - BALTIMORE HIGHLANDS
PLAT # 2 FOLIO # 3 LOT # 79 BLOCK # 2
OWNER: DAVID & CHRISTY LYNN



LOCALITY MAP

LOCATION INFORMATION

ELECTION DISTRICT 13
COUNCILMANIC 1
1"=200' SCALE MAP # 109C2
ZONING - DR 5.5
LOT SIZE 0.14 ACRES 6,250 SQUARE FEET
PUBLIC SEWER
PUBLIC WATER
CHESAPEAKE BAY CRITICAL AREA - NO
100 YEAR FLOOD PLAIN - NO
HISTORIC PROPERTY- NO
PRIOR ZONING HEARING - NONE



SITE PLAN

SCALE ~ 1" = 20'

GTL

G.T.L. REMODELING, INC.
55 Molitor Road
Elkton, Maryland 21921
Office 410-996-9590
Fax 410-620-5880
gtlremodeling@yahoo.com


MHIC NO:123368

Proposed Garage Addition

For Mr & Mrs D. Lynn

At

3007 Michigan Avenue, Baltimore, MD 21227

2009-0297-A