

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Bloomsbury Avenue; 130 feet S
of the c/l of Holmes Avenue
1st Election District
1st Councilmanic District
(300 Bloomsbury Avenue)

Ella Nora Hoerl
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0017-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, Ella Nora Hoerl for property located at 300 Bloomsbury Avenue. The variance request is from Section 1B02.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a one story addition (kitchen extension) on rear of dwelling with a 22 feet rear and 7 feet side setbacks in lieu of the required 30 feet rear and 25 feet side setbacks respectively. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner's existing home was constructed in 1900 and the kitchen is very small.

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 July 26, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

NOT RECORDED FOR FILING

8-13-09
[Signature]

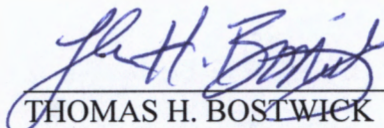
indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, and affidavits submitted provide sufficient facts that comply with the requirements of Section 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 13th day of August, 2009 that a Variance from Section 1B02.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a one story addition (kitchen extension) on rear of dwelling with a 22 feet rear and 7 feet side setbacks in lieu of the required 30 feet rear and 25 feet side setbacks respectively 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

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8.13.09
pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 13, 2009

ELLA NORA HOERL
300 BLOOMSBURY AVENUE
CATONSVILLE MD 21228

Re: Petition for Administrative Variance
Case No. 2010-0017-A
Property: 300 Bloomsbury Avenue

Dear Ms. Hoerl:

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 300 BLOOMSBURY AVE
which is presently zoned DR16, DR2

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) 1 B 02.2 C.1 TO PERMIT

A ONE STORY ADDITION (KITCHEN EXTENSION) ON REAR OF DWELLING
WITH A 22 FEET REAR & 7 FEET SIDE SETBACKS IN LIEU OF
THE REQUIRED 30 FEET REAR & 25 FEET SIDE SETBACKS
RESPECTIVELY.

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

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.

Legal Owner(s):

ELLA NORA HOERL

Name - Type or Print

Signature

Name - Type or Print

Signature

300 Bloomsbury Ave. 410-744-6778

Address

Telephone No.

Catonville, Maryland 21228

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 2010-0017-A

Reviewed By A-TSUI

Date 7/13/2009

REV 10/25/01

Estimated Posting Date 7/26/09-08/10/09

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 300 Bloomsbury Avenue
Address
Catonsville, Maryland 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):

I wish to enlarge the size of my Kitchen because:

1. The width from the counter to the wall is only 26" 12' long.
2. Cannot stand in front of open oven, not enough room. Must stand on either side to put anything in the oven.
3. Space is inadequate for preparing family meals.
4. Limited space can present a safety hazard.
5. Had hip replacement 2 yrs. ago. In future, may plan to put washer + dryer in Kitchen to eliminate basement steps. I am 76 yrs. old.

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.

ELLA NORA HOERL
Signature

ELLA NORA HOERL
Name - Type or Print

ELLA NORA HOERL
Signature

ELLA NORA HOERL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

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

AS WITNESS my hand and Notarial Seal

Vincent F. Ferri
Notary Public

My Commission Expires 8-19-12

ZONING DESCRIPTION

Zoning Description For 300 Bloomsbury Avenue

BEGINNING for the same at a point on the west side of Bloomsbury Avenue and on the second line of the land which by deed date August 9, 1962 and recorded among the Land Records of Baltimore County in Liber WJR No. 4028 folio 608 was conveyed by Francis R. Mitchell and wife to Ernest J. Hesse and wife, said point being situate referring all courses to the true meridian as established by the Baltimore County Metropolitan District, North 6 degrees 51 minutes 36 seconds east 21.90 feet measured along said west side of Bloomsbury Avenue and reversely along a part of said second line of the aforementioned deed from the end thereof, thence leaving said place of beginning and running and binding on said west side of Bloomsbury Avenue and reversely on part of said second line of said hereinmentioned deed north 6 degrees 51 minutes 36 seconds east 73.60 feet, thence leaving said west side of Bloomsbury Avenue and running for new lines of division through the land described in said hereinmentioned deed of which the parcel now being described is a part, the seven following courses and distances, viz: north 83 degrees 33 minutes 00 seconds west 84.78 feet, south 70 degrees 38 minutes 00 seconds west 44.27 feet, south 6 degrees 27 minutes 00 seconds west 44.0 feet, south 83 degrees 33 minutes 00 seconds east 44.95 feet, south 6 degrees 27 minutes 00 seconds west 14.72 feet south 83 degrees 33 minutes 00 seconds east 37.0 feet and south 89 degrees 30 minutes 24 seconds east 42.38 feet to the place of beginning. Property being known as #300 Bloomsbury Avenue. Containing 0.20 acres of land, more or less.

ALSO KNOWN AS 300 BLOOMSBURY AVENUE
AND LOCATED IN THE 1ST ELECTION DISTRICT,
1ST COUNCILMANIC DISTRICT.

2010-0017 A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2000- 0017 -A Address 300 BLOOMSBURY AVE

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 07/13/2009 Posting Date: 7/26/09 Closing Date: 08/10/09

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 2000- 0017 -A Address 300 BLOOMSBURY AVE

Petitioner's Name ELLA NORA HOERL Telephone 410-744-6778

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit A ONE STORY KITCHEN EXTENSION ADDITION ON
REAR OF DWELLING WITH A 22 FEET REAR & 7 FEET SIDE SETBACKS
IN LIEU OF THE REQUIRED 30 FEET REAR & 25 FEET SIDE
SETBACKS RESPECTIVELY.

WCR - Revised 7/7/08

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

No. **43208**

Date: **07/13/09**

PAID RECEIPT

BUSINESS ACTUAL TIME TRK
 7/15/2009 7/13/2009 11:36:36 15

REF USD3 WALKIN RDOS LRB

RECEIPT # 404339 7/13/2009 DFLA

Dep 5 528 ZONING VERIFICATION

CR 40, 043200

Recpt Tot 165.00

165.00 CR 1.00 CB

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000	0000	6150					65-

Total: **65-**

Rec From: **ELLA N. HOERL**

For: **300 BLOOMSBURY AVE**

2010-0017*

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: 2010-0017-A

Petitioner/Developer: _____

Ella Nora Hoerl

Date of Hearing/closing August 10, 2009

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

Attn: Kristin 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, _____
300 Bloomsbury Ave

The sign(s) were posted on _____ July 26, 2009 _____
(Month, Day, Year)

Sincerely,

Robert Black

(Signature of Sign Poster)

July 30, 2009
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE

TO PERMIT A ONE STORY KITCHEN EXTENSION
ADDITION ON REAR OF DWELLING WITH A 22 FEET REAR
6 7 FEET SIDE SETBACK IN LIEU OF THE PERMITTED 30 FEET
REAR & 25 FEET SIDE SETBACKS RESPECTIVELY.

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 IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON 8-10-09
ADDITIONAL INFORMATION

**ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE
TOWSON, MD. 21204
TEL. 887-3391**

TEL. 887-3391

MEETING IS HANDICAP ACCESSIBLE



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 11, 2009

Ella Nora Hoerl
300 Bloomsbury Ave.
Catonsville, MD 21228

Dear: Ella Nora Hoerl

RE: Case Number 2010-0017-A, 300 Bloomsbury Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 13, 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 29, 2009

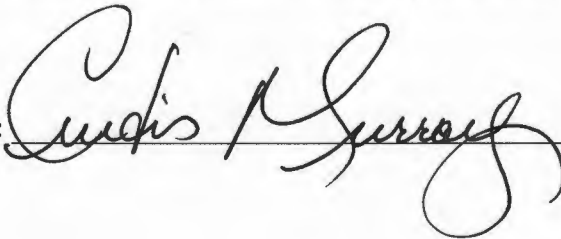
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-017- 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



RECEIVED

JUL 31 2009

ZONING COMMISSIONER

AV
8-10-09
closing

BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence****RECEIVED****SEP 09 2009****ZONING COMMISSIONER**

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 9, 2009
SUBJECT: Zoning Item # 10-017-A
Address 300 Bloomsbury Avenue
(Hoerl Property)

Zoning Advisory Committee Meeting of July 20, 2009

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

Reviewer: JWL

Date: 9/9/09



BALTIMORE COUNTY
M A R Y L A N D

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

July 24, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 20.2009

ItemNumbers:0001,0002,0003,0004,0005,0007,0008,0009,0010,0013,0014,0016,0017,0019

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
INTEROFFICE CORRESPONDENCE

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

DATE: July 27, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For July 27, 2009
Item Nos. 2010-001, 003, 004, 005, 006,
007, 008, 009, 010, 011, 013, 016, 017,
018 and 019

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

DAK:CEN:hta
cc: File
ZAC-072709-NO COMMENTS



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

State Highway
Administration

Beverley K. Swaim-Staley, Acting Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JULY 23, 2009

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

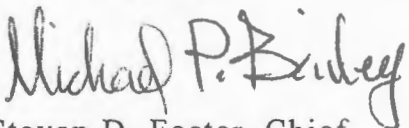
RE: Baltimore County
Item No 2010-0017-A
300 BLOOMSBURY AVE.
HOERL PROPERTY
ADMIN. VARIANCE

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. 2010-0017-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,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



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

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 01 Account Number - 0123351390

Owner Information

Owner Name: HOERL ELLA N **Use:** RESIDENTIAL
Mailing Address: 300 BLOOMSBURY AVE **Principal Residence:** YES
 BALTIMORE MD 21228-5232 **Deed Reference:** 1) /19555/ 64
 2)

Location & Structure Information

Premises Address **Legal Description**
 300 BLOOMSBURY AVE LT WS BLOOMSBURY AV
 300 BLOOMSBURY AVE
 50 SW HOLMES AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
101	14	977						1	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1900	3,480 SF	7,308.00 SF	04

Stories	Basement	Type	Exterior
2 1/2	YES	STANDARD UNIT	WOOD SHINGLE

Value Information

	Base Value	Value As Of	Phase-in Assessments	
		01/01/2007	As Of 07/01/2008	As Of 07/01/2009
Land	42,070	117,070		
Improvements:	140,840	225,360		
Total:	182,910	342,430	289,256	342,430
Preferential Land:	0	0	0	0

Transfer Information

Seller: HOERL MARSHALL P	Date: 02/04/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /19555/ 64	Deed2:
Seller: WHEATLEY ELLA B,ET AL	Date: 06/29/1976	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5649/ 467	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 *





290

298

296

DR 16

0123156530

292

1 CD
101A2

300

0123351390

1 ED SW 4-E 294

303

0106100061

305

0123155180

307

0113754020

309

0108300170

PDM # 010397

311

0102654340

313

0111770310

0103330000

Pt. Bk. 7 Folio 71

315

DR 2

2200007653

MELLOR AVE

BLOOMSBURY AVENUE (304) (PDM File/Project # -)

2200007654

304

2010-0017 A

OWNER: Ella Hoerl

OWNER: Ella Hoerl



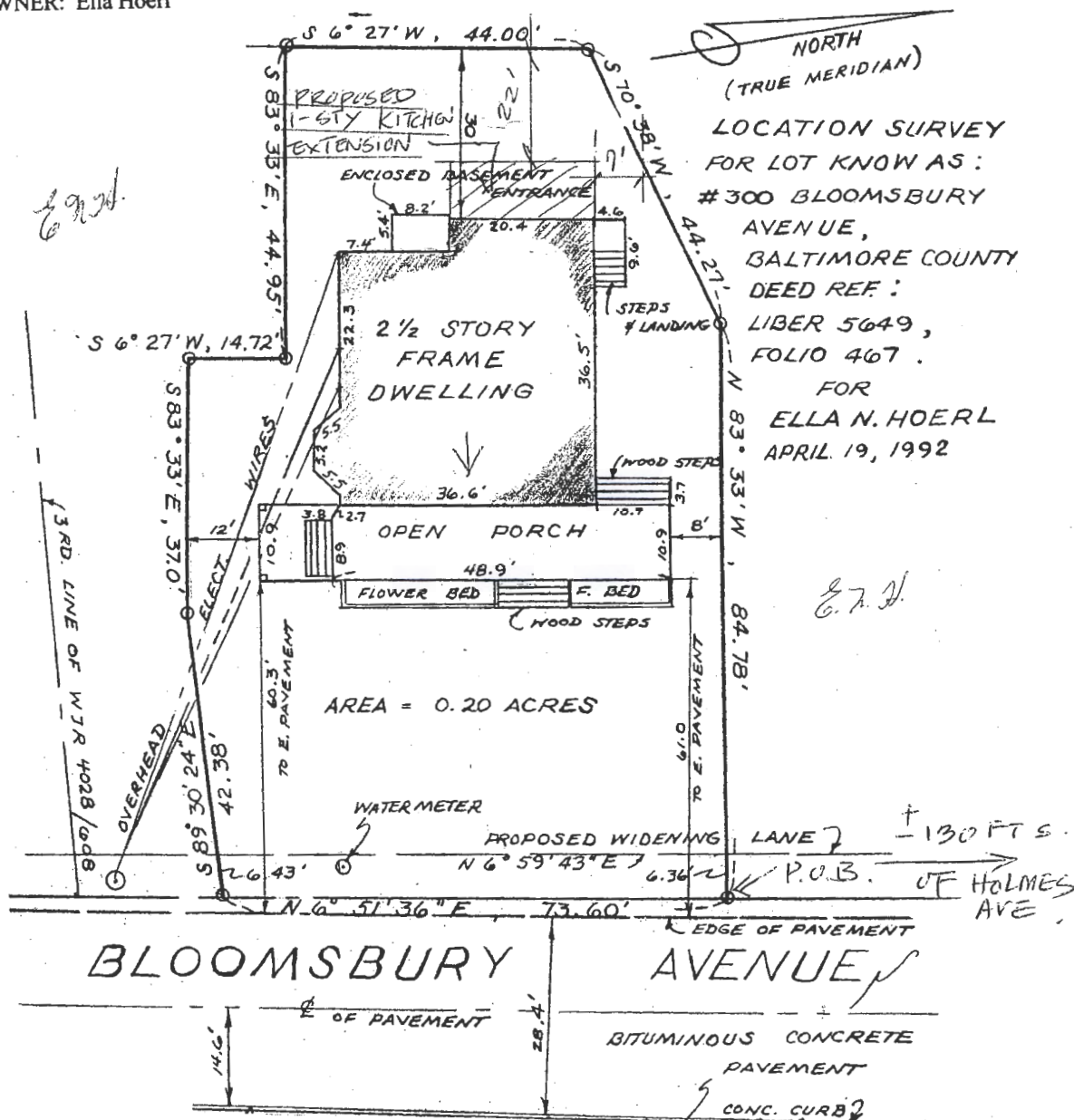
Zoning: DR16, DR2

Scale: 1" = 20'

PLAT TO ACCOMPANY PETITION FOR X VARIANCE

PROPERTY ADDRESS: 300 Bloomsbury Avenue, 21228

OWNER: Ella Hoerl



LOCATION INFORMATION

Election District	1
Councilmanic District	1
1" = 20' Scale Map	NO. 101A2
Zoning:	DR16, DR2
Lot Size	
Acreage	0.20
Square Feet	7,308.00
Sewer	Public X Private
Water	Public X Private
Chesapeake Bay	Yes No X
Critical Area	
100 Year Flood Plain	Yes No X
Historic Property	Yes No X
Building	
Prior Zoning Hearing	No

ZONING OFFICE USE ONLY

Reviewed By **A.T.SUI** Item # **0017** Case# **2010-0017**

VICINITY MAP

Scale 1" = 20'

