

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Glenmore Avenue; 55 feet N
of Midvale Avenue
1st Election District
1st Councilmanic District
(240 Glenmore Avenue)

David B. Kellerman
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2011-0029-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, David B. Kellerman for property located at 240 Glenmore 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 addition with a setback of 7 feet in lieu of the required 10 feet to side lot line. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a rear addition measuring 24 feet x 13 feet in size. The existing dwelling at 927 square feet is too small for the family of five and the addition will provide much needed living space. The addition will actually be set in one foot from the left side wall of the house. The dwelling was constructed in 1938.

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 30, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 8.18.10

By 82

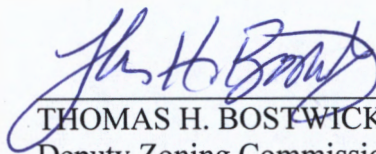
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and 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 18th day of August, 2010 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition with a setback of 7 feet in lieu of the required 10 feet to side lot line is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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

ORDER RECEIVED FOR FILING

Date

8.18.10



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 18, 2010

DAVID B. KELLERMAN
240 GLENMORE AVENUE
CATONSVILLE MD 21228

Re: Petition for Administrative Variance
Case No. 2011-0029-A
Property: 240 Glenmore Avenue

Dear Mr. Kellerman:

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 "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Michael Burton, 1208 Light Street, Baltimore MD 21230

ORIGINAL KEEP IN FILE

TAX. ACCOUNT # 0111907645



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 240 GLENMORE AVE
which is presently zoned DR S.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) 1B02.3.C.1 (BCZR) TO

PERMIT A PROPOSED ADDITION WITH A SETBACK OF 7 FT. IN
LIEU OF THE REQUIRED 10 FT TO SIDE LOT LINE

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

Date

Telephone No.

City

BY

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

240 GLENMORE AVE

413-463-7453

Address

Telephone No.

CATONSVILLE

MD

21228

City

State

Zip Code

Representative to be Contacted:

MICHAEL BURTON

Name

1208 LIGHT ST.

410 962-8800

Address

Telephone No.

BALTIMORE

MD

21230

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 8-18-10 day of August 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. 2011 0029 A

Reviewed By JL

Date 7/22/10

REV 10/25/01

Estimated Posting Date 8/01/10

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

240 GLENMORE AVE
Address
CATONSVILLE 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):

OWNER DESIRES TO BUILD REAR ADDITION TO PROVIDE ADEQUATE LIVING SPACE FOR HIS FAMILY OF FIVE LIVING IN A VERY SMALL EXISTING RESIDENCE. ADDITION TO BE SET IN 1'-0" FROM EXISTING RESIDENCE, DUE TO EXISTING INTERNAL LAYOUT, NEED 7'-0" SETBACK RELIEF FROM SIDE YARD.

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 Kell

Signature

Signature

DAVID KELLERMAN

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of July, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

David Kell

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

6/3/13

0029

ZONING DESCRIPTION for 240 Glenmore Ave

07-16-10

Beginning at a point on the East side of Glenmore Ave which is 40' wide at a distance of 55' north of the centerline of the nearest improved intersecting street Midvale Ave which is 40' wide. Being lot # 19, Block , Section # in the subdivision of Glenmore Heights as recorded in Baltimore County Plat Book # 12, Folio # 56, containing 6,950 Sq. Ft. Also know as 240 Glenmore Ave and located in the 1 Election District, 1 Councilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009-0029-A Address 240 GLENMORE AVE
Contact Person: John Kellerman Phone Number: 410-887-3391
Filing Date: 7/22/10 Posting Date: 8/01/10 Closing Date: 8/16/10

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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 2009-0029-A Address 240 GLENMORE AVE
Petitioner's Name KELLERMAN Telephone 410 463 7453
Posting Date: 8/01/10 Closing Date: _____
Wording for Sign: To Permit A PROPOSED ADDITION WITH A 7 FT. SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10 FT

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: 0029

Petitioner: KELLERMAN

Address or Location: 240 GLENMORE AVE

→ PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID KELLERMAN

Address: 240 GLENMORE AVE

CATONSVILLE, MD 21228

Telephone Number: 443.463.7453

Revised 7/11/05 - SCJ

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

No. 1029

Date: 7/2/89

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				

Total:

Rec
From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No 2011-0029-A

Petitioner/Developer KEELERMAN

Date Of Hearing/Closing: 8/16/10

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 240 GLENMORE AVE

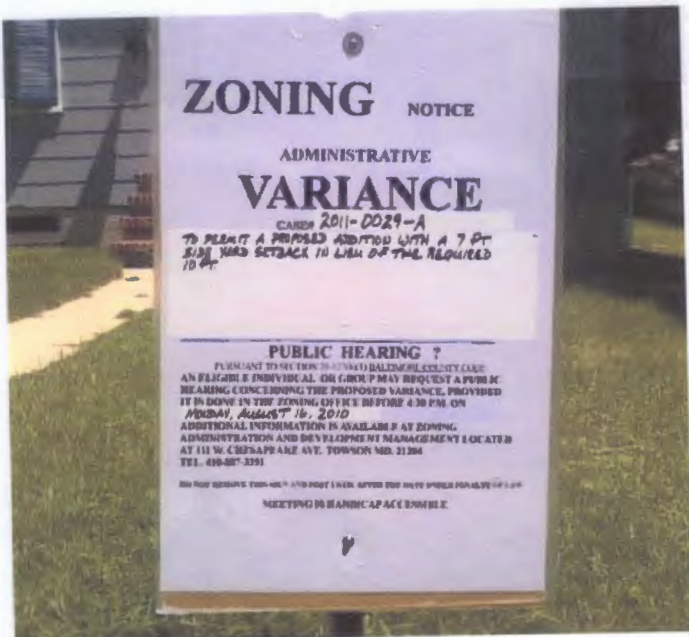
This sign(s) were posted on July 30, 2010

Month, Day, Year

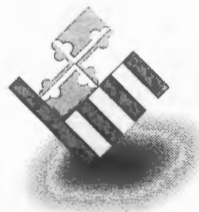
Sincerely,

Martin Ogle 7/30/10
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411



Martin Ogle 7/30/10



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 16, 2010

David Kellerman
240 Glenmore Ave.
Catonsville, MD 21228

Dear: David Kellerman

RE: Case Number 2011-0029-A, 240 Glenmore 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 22, 2010. 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
Michael Burton; 1208 Light St.; Baltimore, MD 21230

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 9, 2010

RECEIVED

AUG 11 2010

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

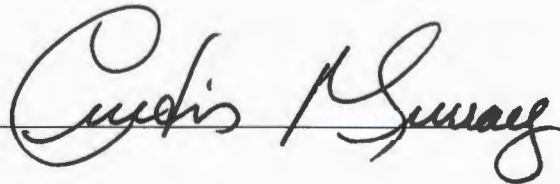
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-029- 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

FROM: Dennis A. ^{DAK}Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For August 16, 2010
Item Nos. 2007-352, 2011- 029, 030,
031, 033, 034, 035, 036, 042, 043,
044 and 045

DATE: August 5, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08162010 -NO COMMENTS.doc



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 5, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 2, 2010

Item No.: **Administrative Variance:** 2011-0029A -- 0031A

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

Comments:

The Fire Marshal's Office has no comments at this time.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

cc: File



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

July 20, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 2, 2010

Item No.: **Administrative Variance:** 2011-0029A – 0031A

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

Comments:

The Fire Marshal's Office has no comments at this time.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

cc: File

AV
8-16-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 07 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 7, 2010
SUBJECT: Zoning Item # 11-029-A
Address 240 Glenmore Avenue
(Kellerman Property)

Zoning Advisory Committee Meeting of August 2, 2010

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

Reviewer: JWL Date: 9/7/10



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: ~~August~~ 6, 2010

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

RE: Baltimore County
Item No. 2011-0029-A
240 GLENMORE AVE.
KELLERMAN 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. 2011-0029-A.

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

Very truly yours,

A handwritten signature in black ink that reads "Michael P. Bailey".

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

0029



FRONT VIEW LOOKING NORTH

000 - D5

FRONT VIEW

000 - H5

FRONT VIEW LOOKING EAST

000 - M5



REAR VIEW LOOKING SOUTH

000 - D10

REAR VIEW

000 - H10

REAR VIEW LOOKING WEST

000 - M10

UDG
ARCHITECTURE

PROJECT NUMBER
1031
PROJECT NAME
240 GLENMORE AVE

OWNER/ DEVELOPER
DAVID KELLERMAN
240 GLENMORE AVE
CATONSVILLE, MD 21228

DESIGN TEAM
Urban Design Group,
1308 LIGHT STREET
BALTIMORE, MD 21230
TEL: 410.962.8800
FAX: 410.962.8801

SEAL

ISSUED FOR
10048 DATE
05-05-00

SHEET TITLE
EXISTING PHOTOS

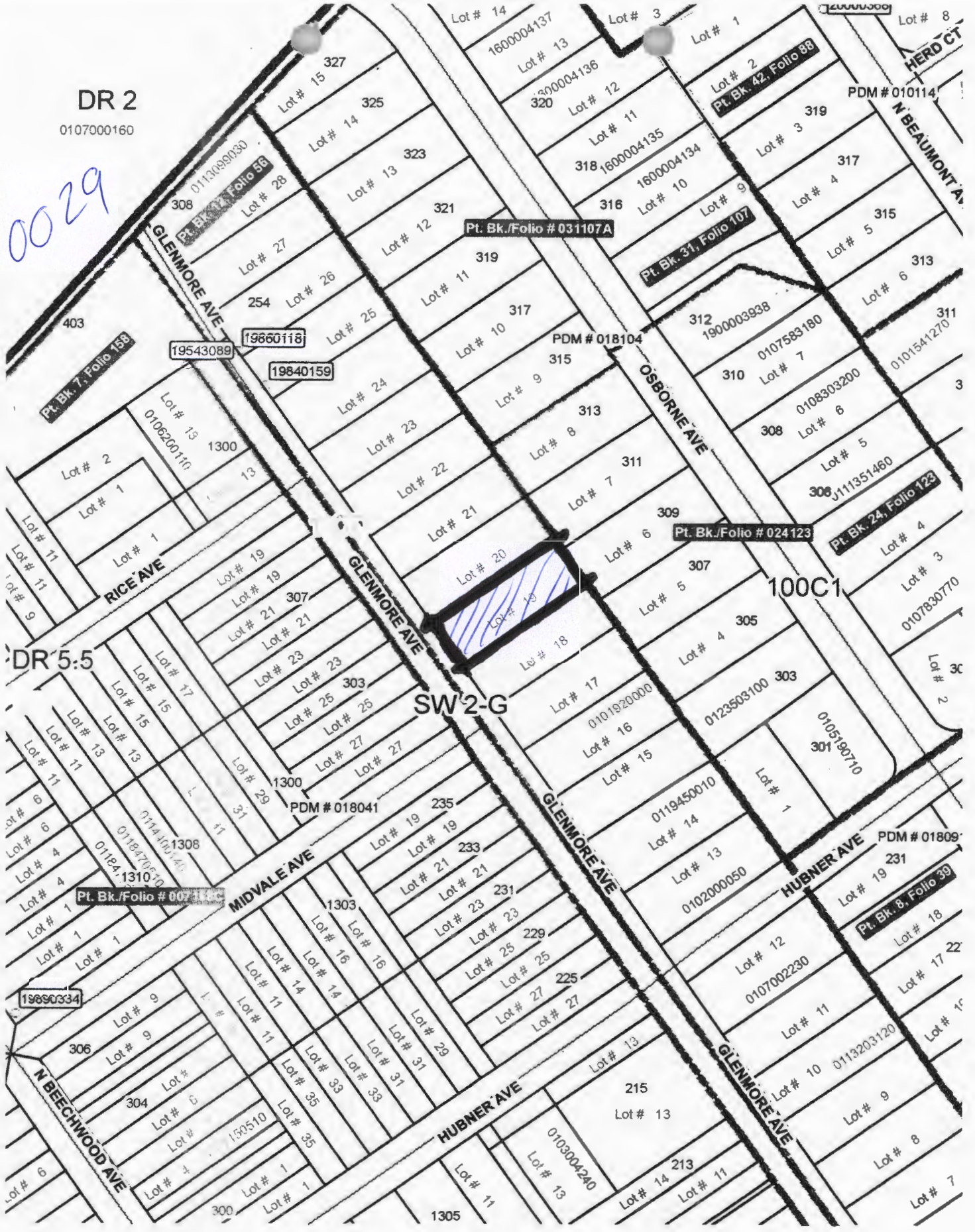
SCALE
SHEET NUMBER

A-1

DR 2

0107000160

0029



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

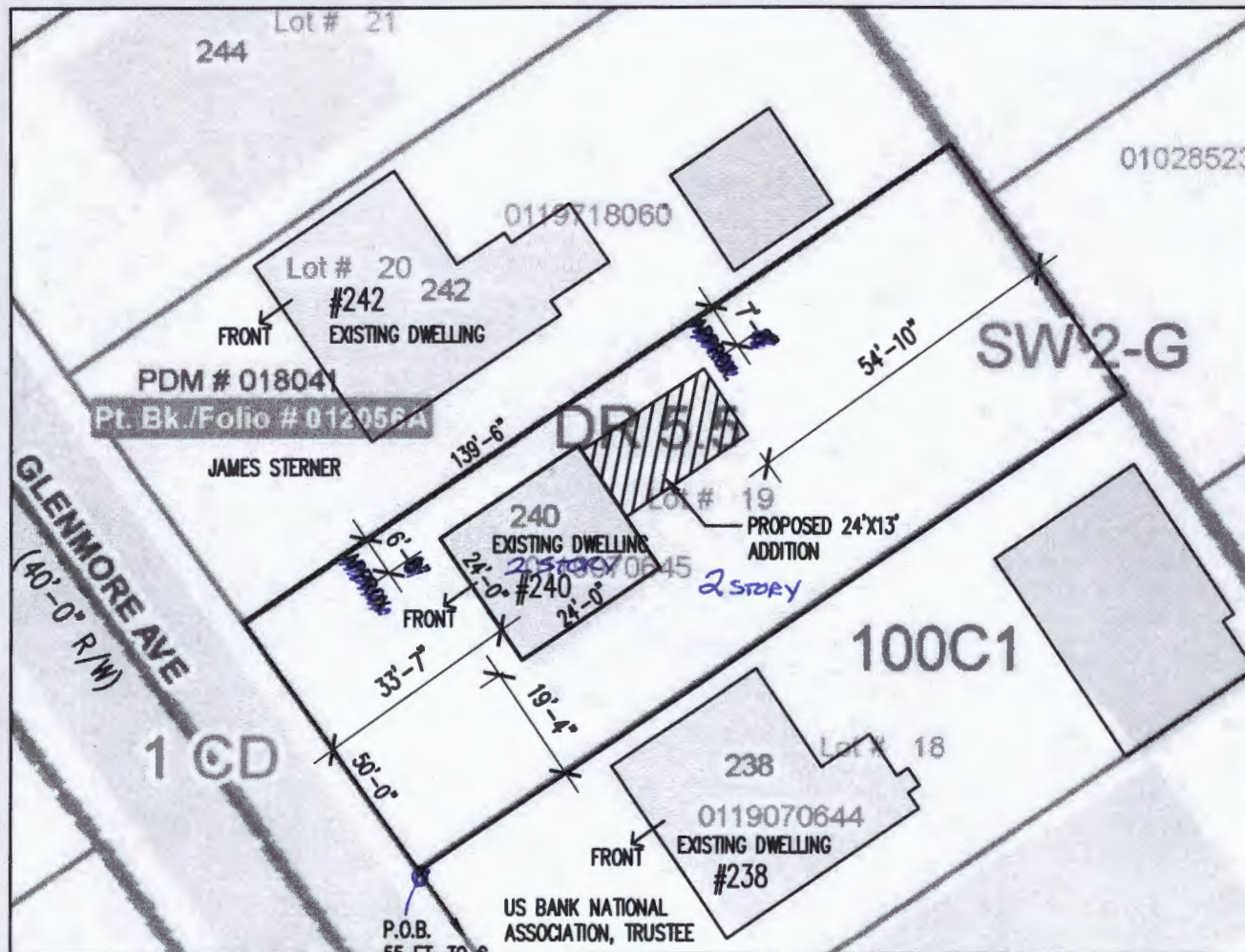
PROPERTY ADDRESS 240 GLENMORE AVE

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

SUBDIVISION NAME GLENMORE HEIGHTS

PLAT BOOK # 12 FOLIO # 56 LOT # 19 SECTION #

OWNER DAVID KELLERMAN



NORTH

PREPARED BY EVB

SCALE OF DRAWING: 1" = 30'-0"



VICINITY MAP

SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # 100 C 1

ZONING DR 5.5

LOT SIZE .160 6,950
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

JL 2011-0029-A