

IN RE: PETITION FOR VARIANCE
SW/S Linwood Avenue, 822.4' SE
C/line of Harford Road
(3029 Linwood Avenue)
14th Election District
6th Council District

Pamela Ann Felix
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
ZONING COMMISSIONER
Case No. 2011-0119-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Pamela Ann Felix. The Petitioner requests a variance pursuant to Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an existing attached carport in the side yard with the setback of 1 foot in lieu of the required 7.5 feet. The subject property and requested relief are more particularly described on the site plan submitted which were accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Pamela Felix, property owner. There were no Protestants nor were there any interested persons present; however, it is to be noted that this matter is the subject of an active violation (Code Enforcement Citation No. CO-83452) and a copy of the Code Enforcement Correction Notice was made a part of the zoning hearing file. A resolution of the violation case is pending the outcome of this variance request.

Testimony and evidence offered disclosed that the subject property is a rectangular shaped parcel located on the southwest side of Linwood Avenue between Harford Road and Wilson Avenue in Parkville. The property, recognized as Lots 130 and 131 in the subdivision

ORDER RECEIVED FOR FILING

Date

11-26-10

By

123

known as Linwood, is 50' wide x 150' deep containing an area of 0.1722 acres or 7,500 square feet zoned D.R.5.5. The property is improved with a 1-½ story, single-family dwelling built in 1928 and a detached garage in the rear yard approximately 14' wide x 33' long. At issue in this case is an attached carport, 14' wide x 17' deep, constructed by the Petitioner on the south side of her home.¹ Ms. Felix has resided at 3029 Linwood Avenue for over 32 years and the open projection carport was added recently by her son to allow the enhanced use of entering the home from the side and rear doors instead of climbing the 13 or so steps that lead from Linwood Avenue to the front door. The carport shields the Petitioner from rain and snow. Ms. Felix testified as to the practical difficulty and unreasonable hardship she has endured using the front entrance given her complicated medical history. She suffers health problems and physical limitations caused by lumbar and cervical disc disease and surgeries she has undergone at G.B.M.C. since 1995. She states that the detached garage has historically been used for storage and no longer functions for parking a car inside.

Ms. Felix testified that she placed the carport in its present location for the reasons indicated above and was not aware of any County restriction that would prevent her from doing so. To a certain extent, I am sympathetic to Ms. Felix's plight. A search of the Zoning Commissioner's records reveals several variances applied for and granted for similar relief² but many of the carports depicted in the photographs, Petitioner's Exhibit 4, have been erected over time and have been done so in disregard of zoning regulations. Ms. Felix testified that all her

¹ A carport such as this and others in the neighborhood shown on the photographic exhibits submitted as Petitioner's Exhibit 4 is a reasonable accessory use to a residence. See *Belvoir Farms v. North* 355 Md. 259 (1999) and *White v. North*, 356 Md. 31 (1999).

² In April 1995, a nearby residence at 3217 Woodside Avenue received a variance to allow a side yard setback of zero (0) feet in lieu of the required six (6) feet for a proposed carport in Case No. 95-326-A. Likewise, in Case No. 01-536-A involving 7713 Wilson Avenue, the property owner obtained a variance to construct an addition with a side yard setback of three (3) feet in lieu of the required ten (10) feet.

neighbors, even the most affected and who can actually see the structure from their properties (including Gregory Kump who initially contacted Code Enforcement), have no objection and have signed letters of support. See Petitioner's Exhibit 7. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. Thus, it appears that relief can be granted without detrimental impact to adjacent properties of the surrounding locale. After due consideration of the testimony and evidence presented, I am persuaded to grant the variance. I find that strict compliance with the regulations would be unduly burdensome and that the Petitioner would suffer a practical difficulty and unreasonable hardship. However, as a condition of approval, I will require removal of the carport at such time as the property is sold or Ms. Felix no longer resides on the property.

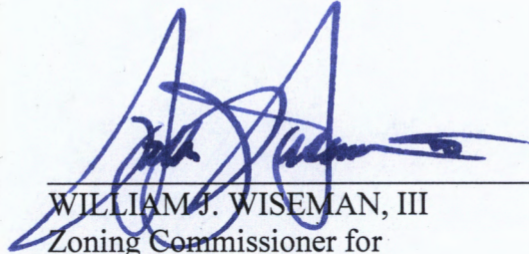
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the amended relief requested shall be granted with conditions.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of November 2010 that the Petition for Variance seeking relief from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an existing attached carport in the side yard with the setback of 1 foot in lieu of the required 7.5 feet, in accordance with Petitioner's Exhibit 1, be and the same is hereby granted; subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. The carport shall remain open on the three (3) exposed sides and shall not be enclosed at any time.

3. The temporary variance relief granted to the Petitioner herein is personal in nature, limited in duration, and shall not run with the land so as to inure to the benefit of any subsequent property lessee or owner. To assure the current and future use of the subject property, the Petitioner will, within sixty (60) days of the date hereof, record in the Land Records of Baltimore County a Covenant to the Deed for her property (in the form attached) restricting the use of the property.
4. The carport shall be removed upon Ms. Felix's death, if she should reside elsewhere, or if the property is sold.
5. A copy of the recorded Covenant shall be submitted to the Department of Permits and Development Management (DPDM) for inclusion in the case file.
6. The decision in this case is not a legal precedent that may be cited as such in any other zoning case.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).


WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date 11-26-10
By DLW

COVENANT AND DECLARATION OF UNDERSTANDING

Whereas, in a Petition for Variance before the Zoning Commissioner of Baltimore County, Case No. 2011-0119-A, Pamela Ann Felix, the Petitioner, requested permission to maintain an open projection (attached carport) with a one (1) foot side yard setback in lieu of the minimum 7.5 feet required by the regulations, and the Zoning Commissioner, by Order, dated November 26, 2010, granted the request providing the following covenant be added to her Deed, which Deed was recorded in the Land Records of Baltimore County, at Liber 16580, Folio 13.

Pamela Ann Felix hereby covenants that the attached carport on the south side of the property shall be removed from its present location or relocated to the rear of the property upon her death, the sale of the property or if she resides elsewhere, whichever occurs first. No subsequent purchaser shall be allowed to maintain the existence of the carport.

As witness our hands and seals this _____ day of December 2010.

_____(SEAL)
Pamela Ann Felix

(State of Maryland

To wit

County of Baltimore)

I HEREBY CERTIFY THAT ON THIS _____ day of _____, 2010, before me a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Pamela Ann Felix, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledge that she executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal:

NOTARY PUBLIC

My Commission Expires:



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 26, 2010

Pamela Ann Felix
3029 Linwood Avenue
Baltimore, Maryland 21234

RE: **PETITION FOR VARIANCE**
SW/S Linwood Avenue, 822.4' SE c/line of Harford Road
(3029 Linwood Avenue)
14th Election District - 6th Council District
Pamela Ann Felix – Petitioner
Case No. 2011-0119-A

Dear Ms. Felix:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bill Wiseman", with a long horizontal stroke extending to the right.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: People's Counsel; Lewis Mayer, Division of Code Inspections and Enforcement, DPDM; File



Petition for Variance

to the **Zoning Commissioner of Baltimore County** for the property located at 3029 Linwood Avenue, Parkville, Baltimore County, Maryland 21234

which is presently zoned DR 5.5

Deed Reference: 5974 / 6 Tax Account # 1419011675

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) 301.1 BCZR

To allow an existing attached carport in the side yard with the setback of 1' in lieu of the required 7.5'

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

To be presented at Hearing - Thank you

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):

Pamela Ann Felix

Name - Type or Print

Signature

Name - Type or Print

Signature

3029 Linwood Avenue [H 410.882.7244 &W 410.435.5700]

Address

Telephone No.

Baltimore County

Maryland

21234

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Case No. 2011-0119-A

ORDER RECEIVED FOR FILING

REV 8/20/07

Date 11-26-10

By [Signature]

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by JP Date 9/28/10

ZONING DESCRIPTION FOR 3029 Linwood Avenue, Baltimore, MD 21234

Beginning at a point on the south west side of Linwood Avenue which is 30 feet wide at the distance of 822.4 feet of the centerline of the nearest improved intersecting street Harford Road which is 60 feet wide. Being Lot #130 and Lot # 131, in the subdivision of Linwood as recorded in Baltimore County Plat Book W.P.C. 6, Folio 161 and Baltimore County Land Records Liber 5974, Folio 161 containing 7,500 square feet. Also known as 3029 Linwood Avenue and located in the 14th Election District, 6 Councilmanic District.

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

No. **59392**

Date: **9/28/10**

PAID RECEIPT

BUSINESS ACTUAL TIME DRG
 9/28/2010 9/28/2010 09:18:49 1

REC NSDI WALKIN RIF JRP
 RECEIPT # 973494 9/28/2010 DEFL

Dept 5 528 ZOOING REPERATION
 CP NO. 059392

Recpt Tot 165.00
 165.00 CE 4.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	506	0000		6150				65.00

Total: **65.00**

Rec From: **Pamela Felix**

For: **Petition for Variance**
3027 Linwood Ave,

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2011-0119-A
3029 Linwood Avenue
S/West side of Linwood Ave. at the distance of 822.4 feet s/east of the centerline of Harford Rd.
14th Election District
6th Councilmanic District
Legal Owner(s):

Pamela Ann Felix
Variance: to allow an existing attached carport in the side yard with the setback of 1 feet in lieu of the required 7.5 feet.

Hearing: Monday, November 22, 2010 at 9:00 a.m.
In Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

11/022 Nov. 4 259751

CERTIFICATE OF PUBLICATION

11/4/, 2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/4/, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 11/05/10

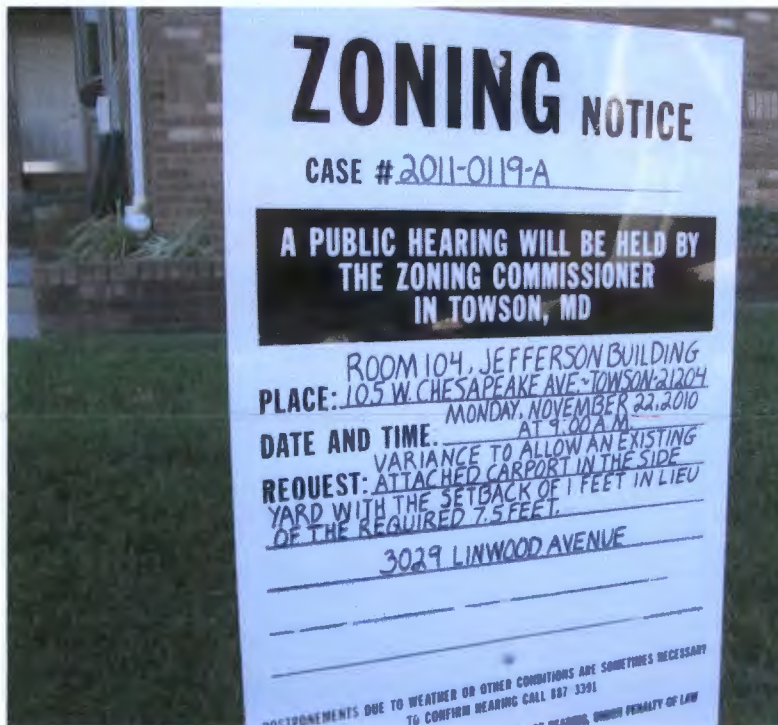
Case Number: 2011-0119-A

Petitioner / Developer: PAMELA FELIX

Date of Hearing (Closing): NOVEMBER 22, 2010

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:
3029 LINWOOD AVENUE

The sign(s) were posted on: NOVEMBER 2, 2010



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)

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 2011-0119-A
Petitioner: PAMELA A. FELIX
Address or Location: 3029 LINWOOD AVE., BALTO., MD
21234

PLEASE FORWARD ADVERTISING BILL TO

Name: PAMELA A. FELIX
Address: 3029 LINWOOD AVENUE
BALTIMORE, MD 21234

Telephone Number: H 410 882 7244
W 410 435 5700



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

October 15, 2010

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0119-A

3029 Linwood Avenue

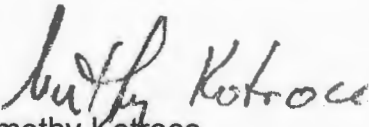
S/west side of Linwood Ave. at the distance of 822.4 feet s/east of the centerline of Harford Rd.

14th Election District – 6th Councilmanic District

Legal Owners: Pamela Ann Felix

Variance to allow an existing attached carport in the side yard with the setback of 1 feet in lieu of the required 7.5 feet.

Hearing: Monday, November 22, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Timothy Kotroco
Director

TK:kl

C: Pamela Felix, 3029 Linwood Avenue, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, NOVEMBER 6, 2010**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 4, 2010 Issue - Jeffersonian

Please forward billing to:
Pamela Felix
3029 Linwood Avenue
Baltimore, MD 21234

410-435-5700

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0119-A

3029 Linwood Avenue

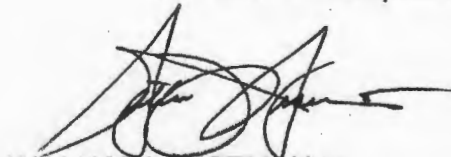
S/west side of Linwood Ave. at the distance of 822.4 feet s/east of the centerline of Harford Rd.

14th Election District – 6th Councilmanic District

Legal Owners: Pamela Ann Felix

Variance to allow an existing attached carport in the side yard with the setback of 1 feet in lieu of the required 7.5 feet.

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105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



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

November 18, 2010

Pamela Ann Felix
3029 Linwood Avenue
Baltimore, Maryland 21234

Dear Ms. Felix:

RE: 2011-0119A 3029 Linwood Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 28, 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 dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: People's Counsel



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

October 4, 2010

ATTENTION: Kristen Mathews
ZAC Agenda Oct. 18, 2010

The Baltimore County Fire Department has no comments on the following case numbers:

2011-0102-A	Kingston Park La.
2011-0103-SPHA	Harrison Ave.
2011-0106-A	Valleyfield Rd.
2011-0107-SPHA	Emmanuel Ct.
2011-0108-A	Locust Ave.
2011-0110-A	Woodland Dr.
2011-0111-A	Monaghan Ct.
2011-0112-SPHA	Oakleigh Rd.
2011-0113-A	Stoney Batter Rd.
2011-0114-A	New Section Rd.
2011-0115-SPH	Hanover Pike
2011-0116-A	Meandering Dr.
2011-0117-A	Cockeys Mill Rd.
2011-0118-A	Cedarside Dr.
2011-0119-A	Linwood Ave.
2011-0120-A	Sue Grove Rd.
2011-0121	Burnbrae Rd.
2011-0122-A	Mt. Carmel Rd.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 7, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For October 18, 2010
Item Nos. 2011- 103, 106, 107, 108,
109, 110, 111, 112, 113, 115, 116,
117, 118, 119, 120, 121 and 122

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-10182010 -NO COMMENTS.doc



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 15, 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. 2011-0119-A
3029 LINWOOD AVE
FELIX PROPERTY
VARIABLE -

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. 2011-0119-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,

For 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.sha.maryland.gov

BW 11/22 7AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 18, 2010

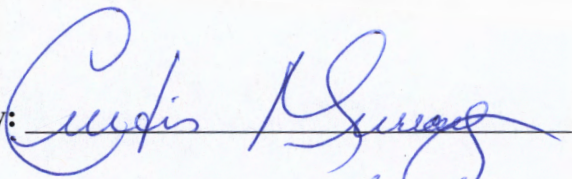
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-119- Variance**

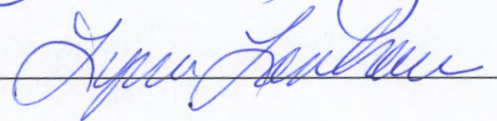
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:
CM/LL



RECEIVED

OCT 19 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 26, 2010
SUBJECT: Zoning Item # 11-119-A
Address 3029 Linwood Avenue
(Felix Property)

RECEIVED

OCT 26 2010

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of October 4, 2010.

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

Reviewer: JWL Date: 10/26/10



Baltimore County
Department of Permits and
Development Management

Code Inspections and
County Office Building
111 West Chesapeake
Towson, MD 21204

WHEN READY FOR REINSPECTION CALL:

- ☒ BUILDING.....410-887-4638
☐ PLUMBING.....410-887-4638
☐ ELECTRICAL..... 410-887-4638

REV 5/07

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection:

Electrical Inspection:

410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CO 83452	Property No. 1419011675	Zoning FA 121912
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Name(s):

PAMELA FELIX

Address:

3029 LINWOOD AVE. BALTO. MD 21234

Violation

Location:

3029 LINWOOD AVE

21234

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Devel. Code 38-2-304; IRC 105.1-109.1

FAILURE TO OBTAIN BUILDING PERMIT
FOR CARPORT ON SIDE OF HOUSE

FAILURE TO OBTAIN REQUIRED INSPECTIONS

OBTAIN BUILDING PERMIT FOR CARPORT
OBTAIN ALL REQUIRED INSPECTIONS

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE:

9/16/10

DATE ISSUED:

8/30/10

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

Lew Mayer

INSPECTOR:

Lew Mayer

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE:

9/16/10

DATE ISSUED:

8/30/10

INSPECTOR:

Lew Mayer / Lew Mayer

Rev. 7/09

VIOLATION SITE

NOTICE TO DEFENDANT

If you fail to comply with applicable requirement of County Code or other code, regulation or standard cited on the reverse side, a Code Enforcement Citation will be issued which may subject you to (1) the imposition of a civil penalty, (2) a requirement to reimburse the County for fees or costs incurred to correct any violation and/or (3) reasonable conditions as to the time and manner of the correction of any violation.



Baltimore County
Department of Permits and
Development Management

Code Inspections and
County Office Building
111 West Chesapeake
Towson, MD 21204

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. CO 83452	Property No. 1419011675	Zoning FA 121912
-------------------------------	----------------------------	---------------------

Name(s): PAMELA FELIX

Address: 3029 LINWOOD AVE. BALTO. MD 21234

Violation Location: 3029 LINWOOD AVE 21234

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

Do - County Code 35-2-304; 1 RC 105.1-109.1

FAILURE TO OBTAIN BUILDING PERMIT
FOR CARPORT ON SIDE OF HOUSE

FAILURE TO OBTAIN REQUIRED INSPECTIONS

OBTAIN BUILDING PERMIT FOR CARPORT
OBTAIN ALL REQUIRED INSPECTIONS

INSPECTION
BALTIMORE COUNTY

DEPARTMENT OF PERMITS AND
DEVELOPMENT MANAGEMENT

Date: Inspector:

DISAPPROVED

- ☐ Incomplete Installation
☒ Violation
☒ See Attached Correction Notice

WHEN READY FOR REINSPECTION CALL:

- ☒ BUILDING.....410-887-4638
☐ PLUMBING.....410-887-4638
☐ ELECTRICAL.....410-887-4638

REV 5/07

RE: PETITION FOR VARIANCE
3029 Linwood Avenue; SW/S Linwood
Avenue, 822.4' SE c/line of Harford Road
14th Election & 6th Councilmanic Districts
Legal Owner(s): Pamela Ann Felix
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 2011-119-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

OCT 12 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of October, 2010, a copy of the foregoing Entry of Appearance was mailed to Pamela Felix, 3029 Linwood Avenue, Baltimore, MD 21234, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.: 2011-0119-A 3029 LINWOOD AVENUE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2 8 Photos	SUBJECT PROPERTY EXISTING CONDITION PHOTOS	
No. 3 14 Photos	FRONT VIEW OF 3029 LINWOOD AVE	
No. 4 5 Photos	OTHER CAR PORTS IN IMMEDIATE AREA	
No. 5 8 Photos	EVEN SIDE OF STREET LINWOOD AVE	
No. 6 18 Photos	ODD NUMBERED SIDE OF LINWOOD AVE	
No. 7	Neighborhood SUPPORT	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

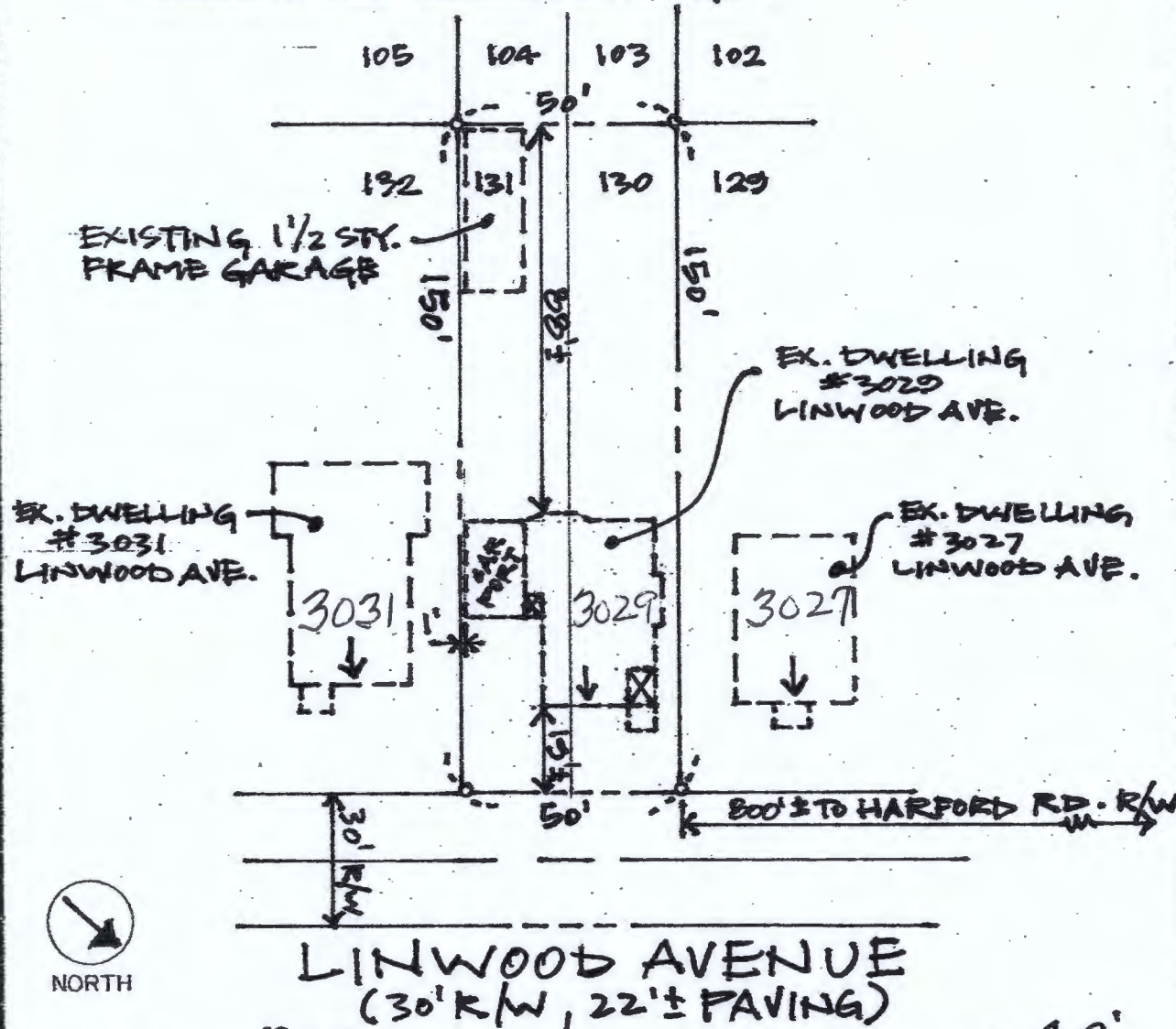
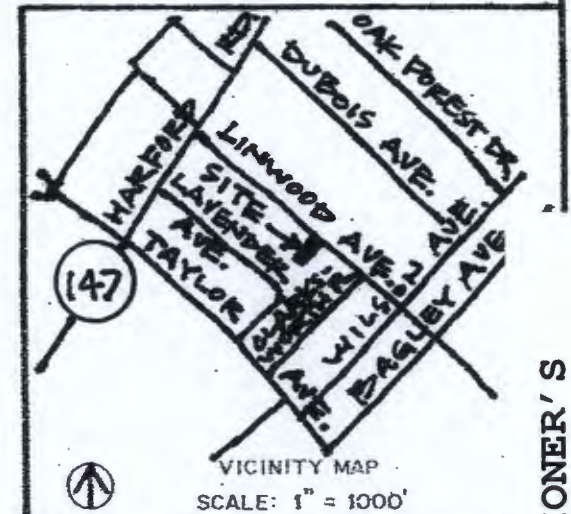
PROPERTY ADDRESS 3029 LINWOOD AVENUE

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

SUBDIVISION NAME "LINWOOD"

PLAT BOOK # 6 FOLIO # 161 LOT # 131 SECTION # N/A

OWNER PAMELA A. FELIX (16580/13)



LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 6

1" = 200' SCALE. MAP # OBIA1 (G)

ZONING DR 5.5

LOT SIZE 0.1722 7500
ACREAGE SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ ☐

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

ZONING OFFICE USE ONLY

REVIEWED BY JF ITEM # 119 CASE #

PREPARED BY P.A.F.

SCALE OF DRAWING: 1" = 40'

PETITIONER'S

EXHIBIT NO. 1



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1e)

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

Account Identifier: District - 14 Account Number - 1419011675

Owner Information

Owner Name: FELIX PAMELA A **Use:** RESIDENTIAL
Mailing Address: 3029 LINWOOD AVE **Principal Residence:** YES
 BALTIMORE MD 21234-5820 **Deed Reference:** 1) /16580/ 13
 2)

Location & Structure Information

Premises Address
 3029 LINWOOD AVE

Legal Description
 LT 130-131
 263 W CLARKSWORTH PL
 LINWOOD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
81	2	682					130	3	Plat Ref: 6/ 161

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1928	1,620 SF	7,500.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2009	07/01/2010	07/01/2011	
Land	61,500	73,500			
Improvements:	128,440	140,750			
Total:	189,940	214,250	206,146	214,250	
Preferential Land:	0	0	0	0	

Transfer Information

Seller:	Date:	Price:
FELIX JAMES D	06/28/2002	\$0
Type: NOT ARMS-LENGTH	Deed1: /16580/ 13	Deed2:
SCHNEIDER HOWARD A	12/27/1978	\$39,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5974/ 161	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

Exhibit 2

3031 Linwood Ave

3029 Linwood Avenue
Backyard view



3029 Linwood Avenue
Backyard view



3031 Linwood Ave



Exhibit 2



Exhibit 2



3029 Linwood Avenue
Backyard view



3031 Linwood Ave

3029 Linwood Avenue
Backyard view

3031 Linwood Ave

3024 Linwood



3029 Linwood Avenue
Backyard view





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

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

Account Identifier: District - 14 Account Number - 1419011675

Owner Information

Owner Name: FELIX PAMELA A Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3029 LINWOOD AVE Deed Reference: 1) /16580/ 13
BALTIMORE MD 21234-5820 2)

Location & Structure Information

Premises Address
3029 LINWOOD AVE

Legal Description
LT 130-131
263 W CLARKSWORTH PL
LINWOOD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
81	2	882					130	3	Plat Ref: 6/ 181

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1928	1,620 SF	7,500.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2009	Phase-In Assessments As Of 07/01/2010 As Of 07/01/2011	
Land	61,500	73,500		
Improvements:	128,440	140,750		
Total:	189,940	214,250	206,148	214,250
Preferential Land:	0	0	0	0

Transfer Information

Seller:	FELIX JAMES D	Date:	06/28/2002	Price:	\$0
Type:	NOT ARMS-LENGTH	Deed1:	/16580/ 13	Deed2:	
Seller:	SCHNEIDER HOWARD A	Date:	12/27/1978	Price:	\$39,000
Type:	IMPROVED ARMS-LENGTH	Deed1:	/ 5974/ 181	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

Exhibit 3

Exhibit 3

3029 Linwood Ave

3031 Linwood Ave





3029 Linwood Ave



3031 Linwood Ave











3031 Linwood Ave

3029 Linwood Ave



3029 Linwood Ave

3031 Linwood Ave



3029 Linwood Ave



3027 Linwood Ave





ZONING NOTICE
This property is located in the R-100 Single-Family Residential Zoning District. The proposed use of the property is for a single-family residence. The proposed use is consistent with the zoning district's intent. The property owner is responsible for obtaining all necessary permits and approvals from the local government. The property owner is also responsible for maintaining the property in accordance with the zoning district's requirements. The property owner is also responsible for paying all applicable taxes and fees. The property owner is also responsible for obtaining all necessary insurance coverage. The property owner is also responsible for obtaining all necessary permits and approvals from the local government. The property owner is also responsible for maintaining the property in accordance with the zoning district's requirements. The property owner is also responsible for paying all applicable taxes and fees. The property owner is also responsible for obtaining all necessary insurance coverage.

3027 Linwood Ave

3029 Linwood Ave

3031 Linwood Ave



3029 Linwood Ave

3025 Linwood Ave

3023 Linwood Ave

ZONING MAP
LINWOOD AVE
3029-3023



ZONING NOTICE

CASE #2011-0119-A

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

ROOM 104, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. TOWSON, 21204
DATE AND TIME: MONDAY, NOVEMBER 22, 2010
AT 9:00 A.M.
REQUEST: VARIANCE TO ALLOW AN EXISTING
ATTACHED CARPORT IN THE SIDE
YARD WITH THE SETBACK OF 1 FEET IN LIEU
OF THE REQUIRED 7.5 FEET.

3029 LINWOOD AVENUE

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

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

Exhibit 4

AV
95-326-A
See order











Exhibit 5

3020 Linwood Ave

3018 Linwood Ave

3016 Linwood Ave



3020 Linwood Ave

3018 Linwood Ave

3016 Linwood Ave

3014 Linwood Ave



3020 Linwood Ave

3022 Linwood Ave

3024 Linwood Ave



3024 Linwood Ave

3026 Linwood Ave

3028 Linwood Ave



3018 Linwood

3027 Linwood

3020 Linwood Ave

3029 Linwood

3022 Linwood Ave



3024 Linwood Ave

3026 Linwood Ave

3028 Linwood Ave





3024 Linwood

3031 Linwood

3022 Linwood Ave

3027
Linwood

3020 Linwood Ave

3016 Linwood Ave



Exhibit 6

3029 Linwood Ave

3027 Linwood Ave

3025 Linwood Ave



3027 Linwood Ave

3029 Linwood Ave



3029 Linwood Ave



3027 Linwood Ave



3027 Linwood Ave

3025 Linwood Ave

3023 Linwood Ave



3027 Linwood Ave

3023 Linwood Ave

3021 Linwood Ave

3019 Linwood Ave

3017 Linwood Ave



3023 Linwood Ave

3025 Linwood Ave



3023 Linwood Ave

3023



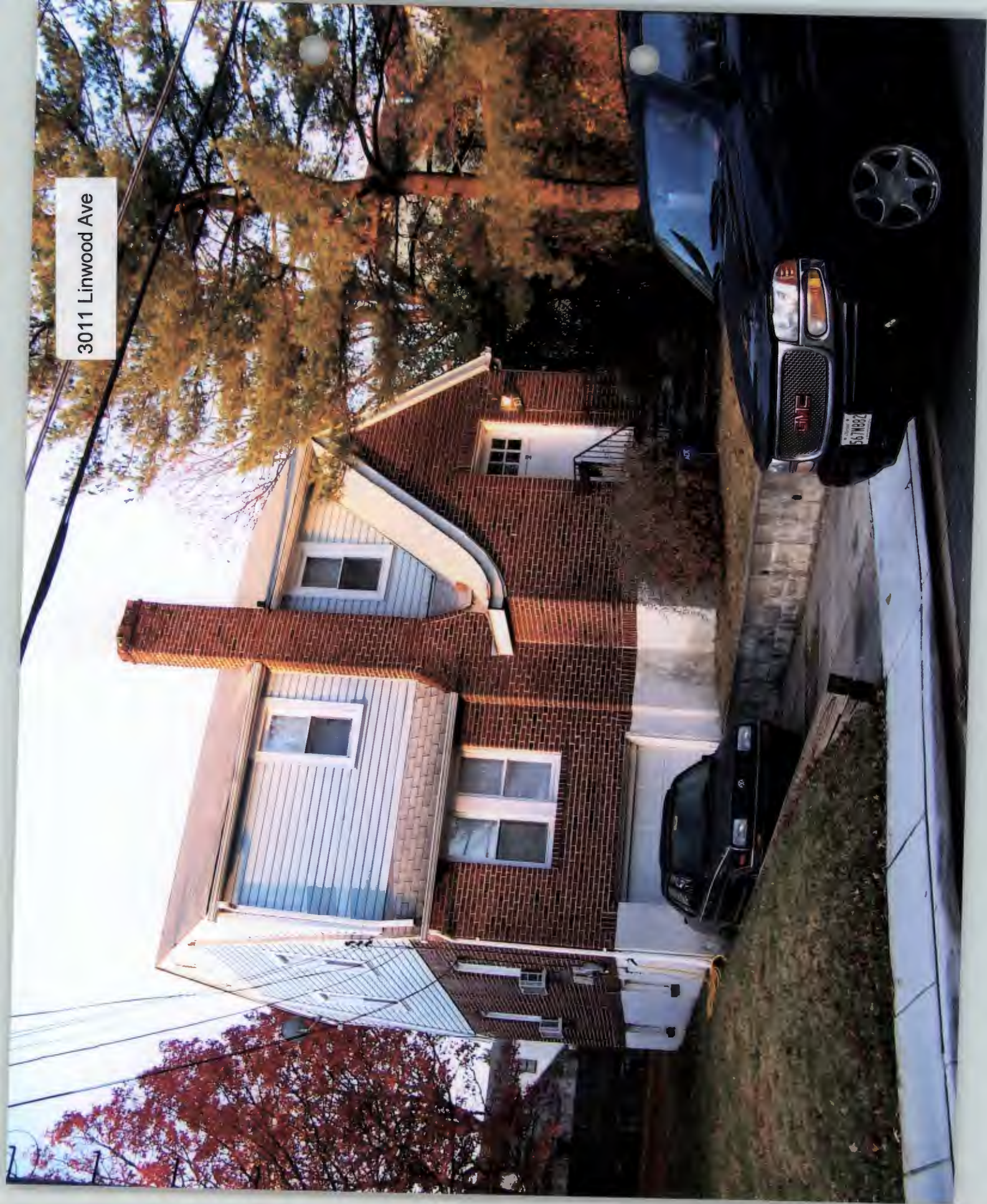
3017 Linwood Ave





3015 Linwood Ave

3011 Linwood Ave



3029 Linwood Ave

3031 Linwood Ave

3033 Linwood Ave

3035 Linwood Ave

3037 Linwood Ave

3039 Linwood



3031 Linwood Ave



3029 Linwood Ave



3029 Linwood Ave

3031 Linwood Ave



3033 Linwood Ave

3031 Linwood Ave

3029 Linwood Ave



3031 Linwood Ave

3033 Linwood Ave

3035 Linwood Ave



3035 Linwood Ave

3037 Linwood Ave

3039 Linwood Ave



3037 Linwood Ave



3035 Linwood Ave



3039 Linwood Ave

3037 Linwood Ave



Exhibit 7

3029 Linwood Avenue - Parkville, Baltimore County, MD 21234	
House #	Signature status - ALL SIGNATURES NOTARIZED
	√ = signature obtained - no objection to carport
3000	√
3001	no such #
3002	√
3003	√
3004	√
3005	vacant - for sale
3006	OK'd without signature
3007	√
3008	√
3009	√
3010	not home
3011	√
3012	not home
3013	not home
3014	vacant - for sale
3015	√
3016	√
3017	√
3018	√
3019	√
3020	out of country in Germany - tenant signed
3021	√
3022	√
3023	√
3024	√
3025	√
3026	vacant - for sale
3027	√
3028	√
3029	my property
3030	√
3031	√
3032	√
3033	√
3034	vacant - for sale
3035	√
3036	90+ yrs - didn't want to disturb him
3037	√
3038	not home
3039	√

September 2, 2010

State of Maryland - Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

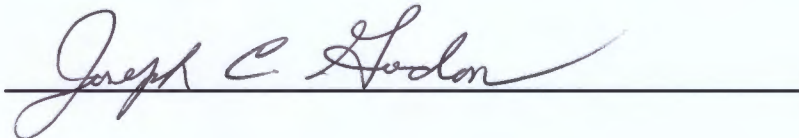
To Whom It May Concern:

The carport constructed on Pamela Felix's property at 3029 Linwood Avenue, Parkville, Baltimore County, Maryland 21234, which has been recently constructed and is sitting next to our property, is completely acceptable to us, as is. We are placing our approval in writing that we do not object to her carport.

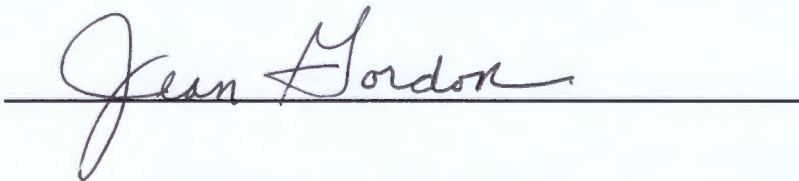
We are the property owners directly next door to Pamela Felix. Her concrete driveway and carport lies in between our house and her house. Our property street address is 3031 Linwood Avenue, Parkville, Baltimore County, Maryland 21234

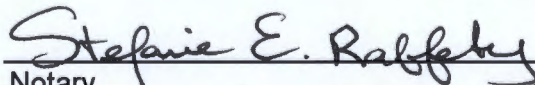
The carport is located at the back rear side of the house, from the back side porch/door to the back rear end of the house. It is covering an existing concrete driveway that runs from the front sidewalk to the garage. It about 14 feet wide and 17 feet long.

Joseph Gordon



Jean Gordon




Notary
Exp. 9/17/2013 MD - Howard County

September 2, 2010

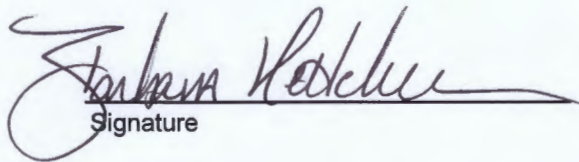
State of Maryland - Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

To Whom It May Concern:

The carport constructed on Pamela Felix's property at 3029 Linwood Avenue, Parkville, Baltimore County, Maryland 21234, is completely acceptable to me, as is. I do not object to her carport whatsoever.

I am a homeowner whose property is immediately surrounding 3029 Linwood Avenue, either on the same side of the street or across the street. My exact address is written below. Thank you

Pamela Felix's carport sits to the back rear side of the house, from the back side porch/door to the back rear end of the house, covering the long time existing concrete driveway [that runs from the front sidewalk to the garage]. The carport is about 14 feet wide by 17 feet long.


Signature

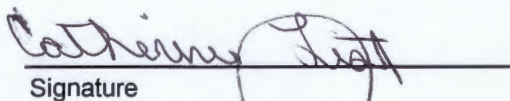
Barbara Hettchen
Printed Name

3018 Linwood Ave.
Street #


Signature

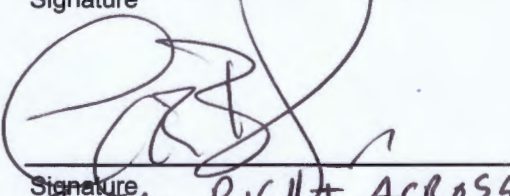
JOHN F. KIRKPATRICK
Printed Name

3025 Linwood Ave.
Street #


Signature

Catherine List
Printed Name

3027 Linwood Ave.
Street #

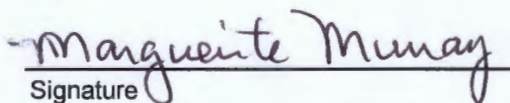

Signature

LAWRENCE R. BIRMINGHAM
Printed Name

3022 Linwood Ave.
Street #

I AM RIGHT ACROSS
THE STREET BECAUSE

USE OF THE WAY THE #1'S RUN.


Signature

Marguerite Murray
Printed Name

3023 Linwood Ave.
Street #

Mary E. Gordon
Commission Expires Feb. 8, 2013



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3d)

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

Account Identifier: District - 14 Account Number - 1419011675

Owner Information

Owner Name: FELIX PAMELA A **Use:** RESIDENTIAL
Mailing Address: 3029 LINWOOD AVE **Principal Residence:** YES
 BALTIMORE MD 21234-5820 **Deed Reference:** 1) /16580/ 13
 2)

Location & Structure Information

Premises Address **Legal Description**
 3029 LINWOOD AVE LT 130-131
 263 W CLARKSWORTH PL
 LINWOOD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
81	2	682					130	3	Plat Ref: 6/ 161

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1928	1,620 SF	7,500.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2009	07/01/2010	07/01/2011	
Land	61,500	73,500			
Improvements:	128,440	140,750			
Total:	189,940	214,250	206,146	214,250	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: FELIX JAMES D	Date: 06/28/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16580/ 13	Deed2:
Seller: SCHNEIDER HOWARD A	Date: 12/27/1978	Price: \$39,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5974/ 161	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Wilson Avenue, 240' W
Centerline of Linwood Avenue
14th Election District
6th Councilmanic District
(7713 Wilson Avenue)

Mindy M. & Bryant M. King
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-536-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Mindy and Bryant King, legal owners of that property known as 7713 Wilson Avenue in the Parkville area of Baltimore County. The Petitioners herein seek relief from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 3 ft. in lieu of the required 10 ft. in a DR 5.5 zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) 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 ____ day of July, 2001, that a variance from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 3 ft. in lieu of the required 10 ft. in a DR 5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 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.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE
SW/S Woodside Avenue, 100 ft. NW * ZONING COMMISSIONER
of c/l Avondale Road
3217 Woodside Avenue * OF BALTIMORE COUNTY
14th Election District
6th Councilmanic District * Case No. 95-326-A
Bruno A. Commodari
Petitioner
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Bruno A. Commodari for that property known as 3217 Woodside Avenue in the Amberly subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 1B02.3.B and 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the required 6 ft., for a proposed carport, and to permit a setback of 1 ft. in lieu of the required 2.5 ft. for an existing shed, respectively. All as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, 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 26-127 (b)(1) 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 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

ORDER RECEIVED FOR FILING

Date

By

APPROVED

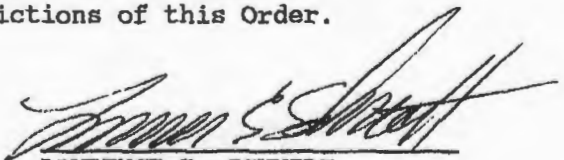
upon the Petitioner.

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 Zoning Commissioner for Baltimore County this 22nd day of April, 1995 that the Petition for a Zoning Variance from Section 1B02.3.B and 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the required 6 ft., for a proposed carport, and to permit a setback of 1 ft. in lieu of the required 2.5 ft. for an existing shed, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES:mmn


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER FOR FILING
4/27/95

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1)
BALTIMORE COUNTY

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

Account Identifier:

District - 14 Account Number - 1419011675

Owner Information

Owner Name: FELIX PAMELA A Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3029 LINWOOD AVE Deed Reference: 1) /16580/ 13
BALTIMORE MD 21234-5820 2)

Location & Structure Information

Premises Address Legal Description
3029 LINWOOD AVE LT 130-131
263 W CLARKSWORTH PL
LINWOOD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
81	2	682					130	3	
									Plat Ref: 6/ 161

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1928	1,620 SF	7,500.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	61,500	73,500		
Improvements:	128,440	140,750		
Total:	189,940	214,250	206,146	214,250
Preferential Land:	0	0	0	0

Transfer Information

Seller:	FELIX JAMES D	Date:	06/28/2002	Price:	\$0
Type:	NOT ARMS-LENGTH	Deed1:	/16580/ 13	Deed2:	
Seller:	SCHNEIDER HOWARD A	Date:	12/27/1978	Price:	\$39,000
Type:	IMPROVED ARMS-LENGTH	Deed1:	/ 5974/ 161	Deed2:	

Seller:
Type:**Date:**
Deed1:**Price:**
Deed2:**Exemption Information**

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

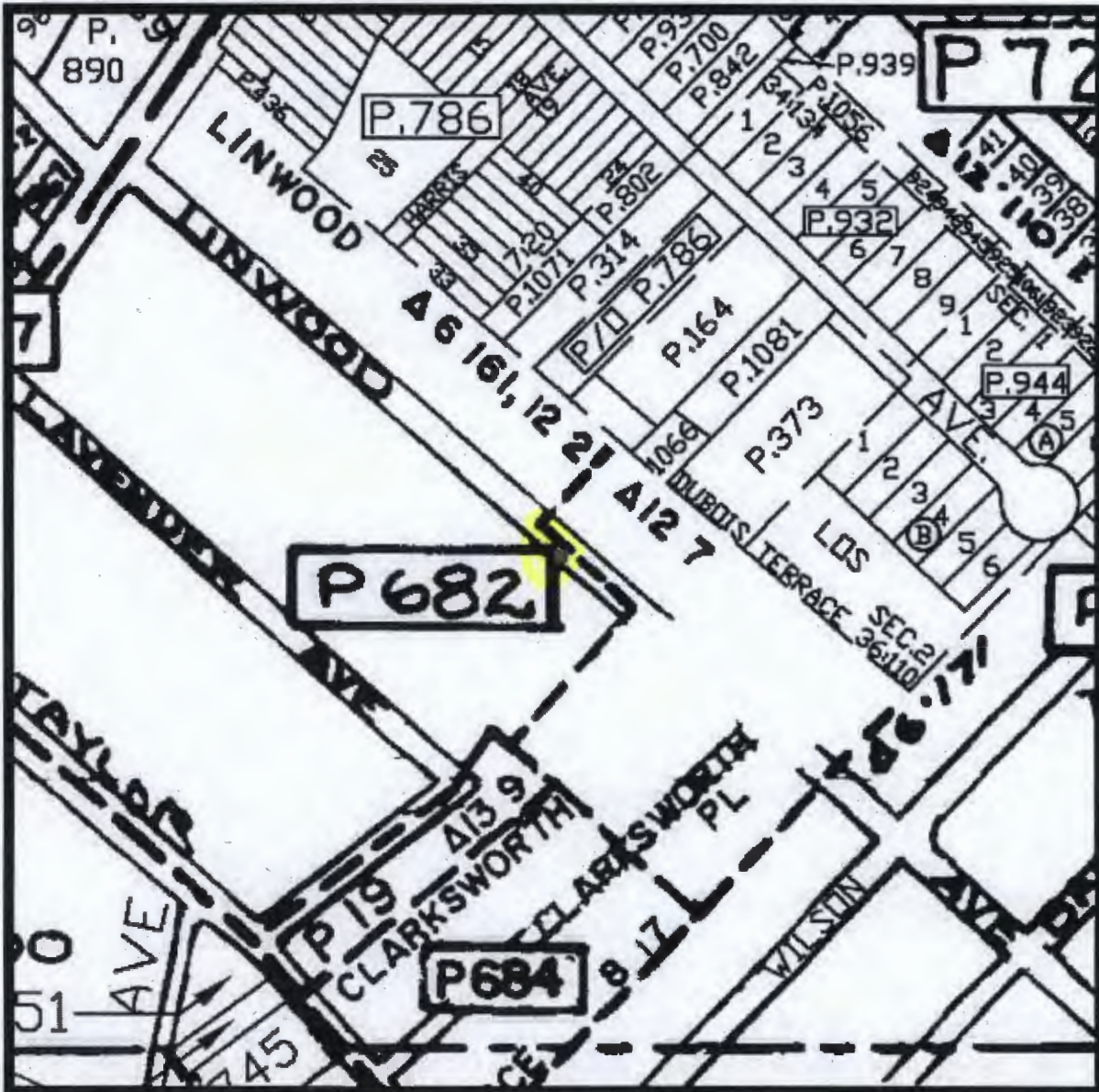
Tax Exempt: NO
Exempt Class:**Special Tax Recapture:**
* NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 14 Account Number - 1419011675



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

Microsoft Access

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ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID
(SEARCH ON THIS FIELD): 20110119 Case Type Prefix: Case Year: 2011 Case Number: 0119 Case Type Suffix: A Existing Use: Residential

Legal Owners/Petitioner
(SEARCH ON THIS FIELD): Pamela Ann Ffelix

House/St. Number:	House/Street Number Range:	House/St. No. Suffix:	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suf. Type:	Suffix Dir.:	Suite/Apt./Unit Number:
3029					Linwood	Ave		

Property Description (SEARCH ON THIS FIELD):
South west side of Linwood Avenue at the distance of 822.4 feet south east of the centerline of Harford Road.

Existing Zoning Classification: DR-5.5 Area: 7,500 Square Feet Election District: 14th Councilmanic District: 6th

Critical Area: NO Floodplain: NO Historic Area: NO Prior Zoning Cases:

Violation Cases: CO-83452 Concurrent Cases:

Tax Account ID: Deed Liber #: Deed Folio #: Miscellaneous Notes:

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: 22292 of 26209

Form View

start No... QV... Mic... SD... Mic... 12:42 PM

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ZONING CASE HISTORY DATABASE (1939 - PRESENT)

1.)	1419011675	1.)	5974	/	6	
2.)		2.)		/		
3.)		3.)		/		

Contract Purchaser:

Attorney:

Petition Reviewer: Petition Reviewer 2: Petition Filing Date:

Day of Week: Hearing Date: Hearing Time: Hearing Location:

Closing Date: Commissioner Hearing Continued From: Commissioner Hearing Rescheduled From: Formal Request For Hearing:

Case Number:

Petition Type # 1:

Petition Request # 1:

Record: of 26209

Form View

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Microsoft Access

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ZONING CASE HISTORY DATABASE (1939 - PRESENT)

200 Foot Scale Map Reference:		Existing Use:	Residential	
		Proposed Use:		
		Existing Zoning Classification:	DR-5.5	North/South Coordinate:
1000 Foot Scale Map Reference:		Requested Zoning Classification:		East/West Coordinate:
		Existing District:		Census Tract:
		Requested District:		

Commissioner Case Number: 2011 0119 A	Circuit Court Case Number:
Zon. Comm. or Dep. Zon. Comm?	Circuit Court Filing Date:
Commissioner Order Date:	Circuit Court Decision Date:
Commissioner Decision:	Circuit Court Decision:
Commissioner Order Restrictions?	MD Court of Special Appeals Filing Date:

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: of 26209

Form View

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PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

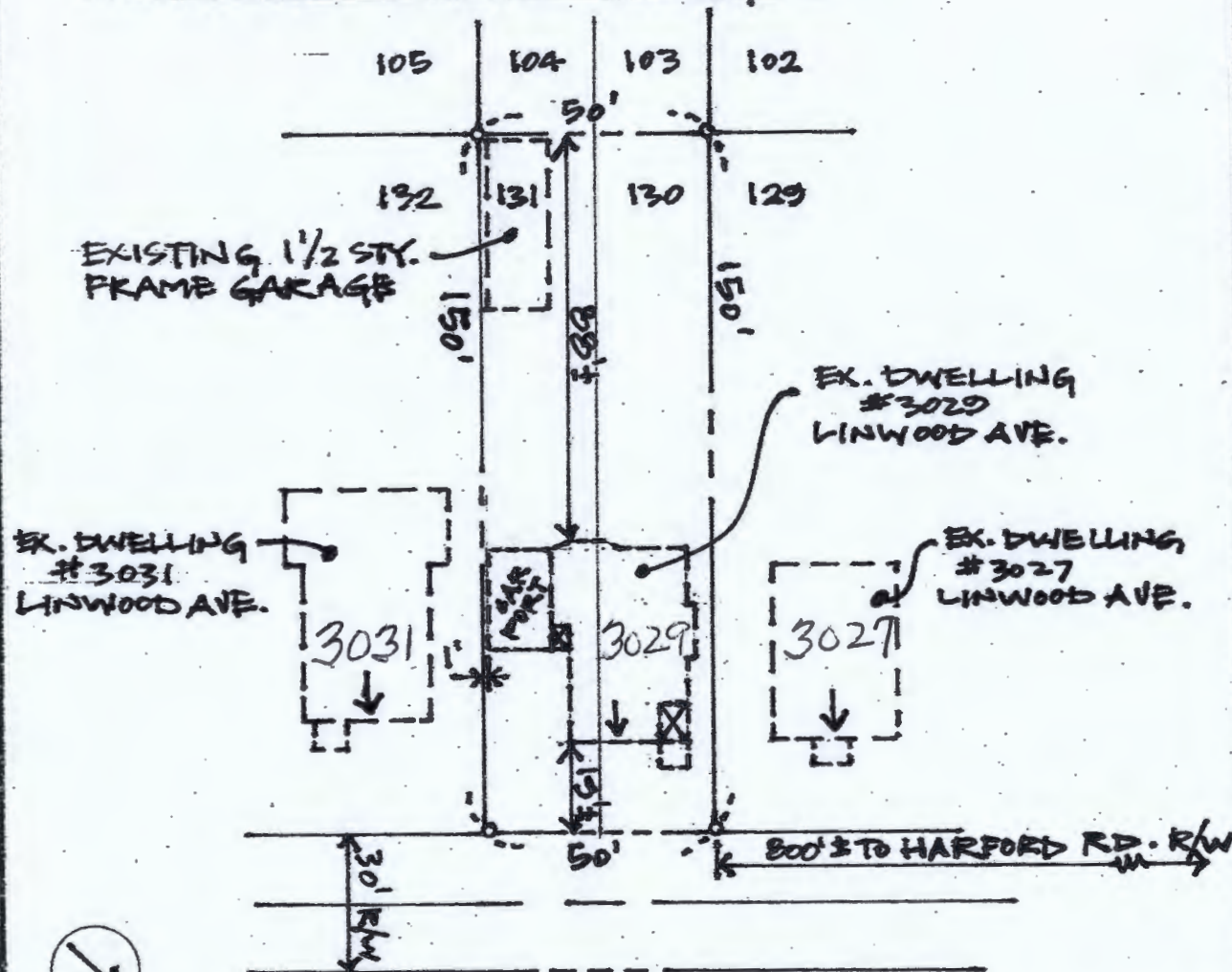
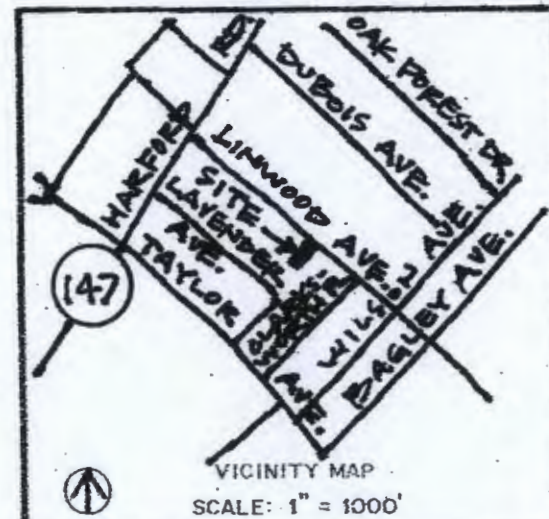
PROPERTY ADDRESS 3029 LINWOOD AVENUE

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

SUBDIVISION NAME "LINWOOD"

PLAT BOOK # 6 FOLIO # 161 LOT # 131 SECTION # N/A

OWNER PAMELA A. FELIX (16580/13)



LINWOOD AVENUE
(30' R/W, 22' ± PAVING)

PREPARED BY P.A.F.

SCALE OF DRAWING: 1" = 40'

LOCATION INFORMATION			
ELECTION DISTRICT	14		
COUNCILMANIC DISTRICT	6		
1" = 200' SCALE MAP #	CBIA1 (GIS)		
ZONING	DR 5.5		
LOT SIZE	0.1722	7500	
	ACREAGE	SQUARE FEET	
		PUBLIC	PRIVATE
SEWER	☒	☐	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA		YES	NO
100 YEAR FLOOD PLAIN		☐	☒
HISTORIC PROPERTY/BUILDING		☐	☒
PRIOR ZONING HEARING			☒

ZONING OFFICE USE ONLY
REVIEWED BY JF ITEM # 119 CASE #

Instrument Intake Sheet
County Clerk's Office, State Department of
County Finance Office Only
Note: All Copies Must Be Legible

(Take Form is Attached)

Age	☒ Other	☐ Other
proved Sale	☐ Multiple Accounts	☐ Not an Arms-
Length /2/	Arms-Length /3/	Length Sale /9/

Space Reserved for Circuit Court Clerk Record

Circuit Court for
BALTIMORE COUNTY
Clerk of the Court
JILL L. ENSOR
COUNTY COURTS BUILDING
401 BOULEVARD, P.O. BOX 6754
JACKSON, MD 21205-6754
(410) 387-2661

Transaction Block: 3330

DATE: FEB 20

CONVEYANCE/DY LMS

AMOUNT

20.00

RECORDING FEE 20

20.00

SUBTOTAL:

40.00

TOTAL CHARGES:

40.00

PAYMENTS

CHECK

40.00

TOTAL TENDERED:

40.00

CASHIER: CR REG A 0645

REG A 6117

Date: Dec 29, 2010 Time: 11:16 AM

Description of
Property
SDAT requires
submission of all
applicable information.
A maximum of 40
characters will be
indexed in accordance
with the priority cited in
Real Property Article
Section 3-104(g)(3)(i).

Subdivision Name		Lot (3a)		Block (3b)		Sect/AR (3c)		Plat Ref.		SqFt/Acreage (4)		Var. LOG ☐ (5)	
Location/Address of Property Being Conveyed (2)													
Other Property Identifiers (if applicable)													
Water Meter Account No.													
Residential ☐ or Non-Residential ☐ Fee Simple ☐ or Ground Rent ☐ Amount:													
Partial Conveyance? ☐ Yes ☐ No Description/Amt. of SqFt/Acreage Transferred:													

If Partial Conveyance, List Improvements Conveyed:

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
Patricia Ann Felix	

Doc. 1 - Owner(s) of Record, if Different from Grantor(s)

Doc. 2 - Owner(s) of Record, if Different from Grantor(s)

Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)

New Owner's (Grantee) Mailing Address

Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

Name: Patricia Ann Felix	☐ Return to Contact Person
Firm:	☐ Hold for Pickup
Address: 11111 Moreland Ave	☐ Return Address Provided
Phone: (410) 387-2661	

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

Assessment Information	Yes ☐ No ☐	Will the property being conveyed be the grantee's principal residence?	Yes ☐ No ☐	Does transfer include personal property? If yes, identify:
Assessment Information	Yes ☐ No ☐	Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).	Yes ☐ No ☐	

Assessment Use Only - Do Not Write Below This Line

Transfer Number:	20	Date Received:	20	Deed Reference:	Whole	Part	Tran. Process Verification
Year	20	Map	Grid	Sub	Block		
Land		Zoning	Use	Parcel	Lot		
Buildings		Town Cd.	Ex. St.	Ex. Cd.	Occ. Cd.		
Total							

REMARKS: