IN RE: PETITION FOR ADMIN. VARIANCE

NW corner of Grovenhill Road and Braxfield Road 13th Election District 1st Councilmanic District (1018 Grovenhill Road)

Gloria Heise
Petitioner

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2011-0124-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, Gloria Heise for property located at 1018 Grovenhill Road. The variance request is from Section 214 (1955-71 regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed rear addition (patio room) with a rear yard setback of 38 feet in lieu of the required 50 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioners desire to construct a patio room addition measuring 19 feet x 12 feet on an existing concrete slab. Photographs submitted with the Petition clearly illustrate that there are a number of similar patio room additions in the neighborhood.

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 October 10, 2010 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

ORDER RECEIVED FOR FILING

11-4-10

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 ______ day of November, 2010 that a Variance from Section 214 (1955-71 regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed rear addition (patio room) with a rear yard setback of 38 feet in lieu of the required 50 feet is hereby GRANTED, subject to the following:

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

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date_____



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

November 4, 2010

GLORIA HEISE 1018 GROVENHILL ROAD BALTIMORE MD 21221

> Re: Petition for Administrative Variance Case No. 2011-0124-A Property: 1018 Grovenhill Road

Dear Ms. Heise:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

THOMAS H. BOSTWICK Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Dave McMahon, 7110 Golden Ring Road, Baltimore MD 21221

Tax account#1307150840 RIGHT Litition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 1018 Grovehill Rd

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)

which is presently zoned

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

TO PERMIT A PROPOSED REAR ADDITION (PATIO ROOM) WITH A REAR SETBACK OF 38 FT. IN LIEU OF THE REQUIRED 50 FT.

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.

is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Name - Type or Print Address Telephone No. Zip Code Signature City 1018 Grovehill Rd (410)242 - 8334Attorney For Petitioner: Address Telephone No. Baltimore 21227 MD ORDER RECEIVED FOR FILING City State Zip Code Name - Type or Print Representative to be Contacted: Signature Dave McMahon Name Company 7110 Golden Ring Rd (410)780-0062elephone No. Address elephone No. Address BaltimoreZip Code 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,

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.

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CASE NO.	2011	0124 \$	+	Reviewed By	JL	Dat	e 16	01	110
REV 10/25/01		4		Estimated Pos	sting Date _	20 [0/10		

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	1018 Grovehill	Rd.	
ж	Baltimore	MD	21227
	City	State	Zip Code
That based upon personal knowledge, the form Variance at the above address (indicate hards I would like to have a pation (12'x19') on the rear of my haproblem is I can not meet the rear setback of 50ft. This is place I can build the room on being a townhouse we will have the rear property line where 16ft. alley between my lot and nieghbors. this patio room wor unique to the neighborhood. That asking for a rear yard set 38ft. in leiu of the required	chip or practical difficulty): room ome. my required the only the house, e 38ft. to there is a d my uld not be herefore I back of	which I/we base the reque	st for an Administrative
That the Affiant(s) acknowledge(s) that it a advertising fee and may be required to provide Signature	formal demand is filed, As additional information.		to pay a reposting and
Gloria Heise	Carrier Contraction		·· · · · · · · · · · · · · · · · · · ·
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STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:		
of Maryland, in and for the County aforesaid, p		2016 before me, a N	otary Public of the State
the Affiant(s) herein, personally known or satis	sfactorily identified to me as	s such Affiant(s).	, x1 2 v , /
AS WITNESS my hand and Notarial Seal	alee Notan Bublic	nes a Scal	1
	My Commissio	n Expires Nov 27	2013

Zoning Description 1018 Grovehill Rd.

0124

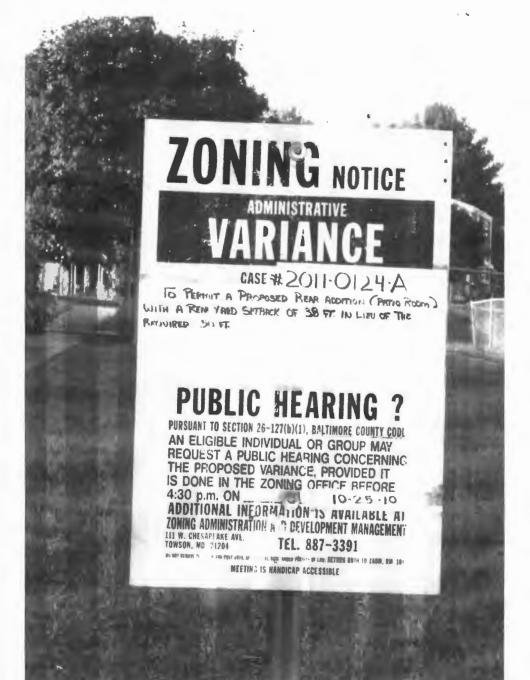
Beginning at the corner of the North side of Grovehill Rd, which intersects with the west side of Braxfield Rd.

*Being lot #12, Block#C Section#1 in the subdivision of Huntsmoor Village North as recorded in the Baltimore county Plat Book #30, Folio #8, containing 4.746.00 SF. Also known as 1012 Grovehill Road. and located in the 1st election district, 13 red Councilmanic District.

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CERTIFICATE OF POSTING

2011-0124-A RE: Case No.: _ Petitioner/Developer: __ Gloria Heise Oct 25 2010 Date of Hearing/Closing: **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: 1018 Grovehill Road October 10 2010 The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) **SSG Robert Black** (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)



BALTIMORE COUNTY DEPA MENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW 10.15

APP HAS HIS ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINIOTRATIVE VARIANCE IN CHIMATICA CHEET AND DATES
Case Number 20 0124-A Address 1018 GROVEHILL RD
Contact Person: Planner, Please Print Your Name Planner, Please Print Your Name
Filing Date: 10/01/10 Posting Date: 10/10/10 Closing Date: 10/25/10
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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.
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 20 - 0174 -A Address 1018 GROVEHILL RD
Petitioner's Name GLORIA HEISE Telephone 410 242 8334
Posting Date: 10/10/10 Closing Date: 16/25/10
Wording for Sign: To Permit A PROPOSED REAR ADDITION (PATIO ROOM) WITH A SETBACK OF 38 FT. IN LIEW OF THE REQUIRED 50 FTI
WITH A SETBACK OF 38 FT. IN LIEW OF THE REQUIRED 50 FTI

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 2011-0124-A
Petitioner: Heise, Glaria
Address or Location: 1018 Grovehill Rd
PLEASE FORWARD ADVERTISING BILL TC
Name: Champion
Name: Champion Address 7110 Golden Ring Rd
Address 7100 Golden Ring Rl Balto Ml 21721
Address 7110 Golden Ring Rd



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 26, 2010

Gloria Heige 1018 Grovehill Rd. Baltimore, MD 21227

Dear: Gloria Heige

RE: Case Number 2011-0124-A, 1018 Grovehill Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 01, 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,

U. Cal Ribal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Dave Ma Mahon; 7110 Golden Ring Rd.; Baltimore, MD 21221



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 19,2010

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

RE:

Baltimore County

Item No. 2011-0124-A 1018 GROVEHILL RD

HELSE 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. 0124-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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE '

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 11-124- 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

DATE: October 25, 2010

OCT 2 7 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 1, 2010

Closing 10/25/10

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 1, 2010

Item Nos. 2011- 124, 133, 135, 136

And 138

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-11012010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 01 2010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

December 1, 2010

SUBJECT:

Zoning Item # 11-124-A

Address

1018 Grovenhill Road

(Heise Property)

Zoning Advisory Committee Meeting of October 18, 2010.

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

Reviewer:

JWL

Date: 12/1/10



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 20, 2010

ATTENTION:

Kristen Mathews ZAC 11/1/2010

PDM Number no's.:

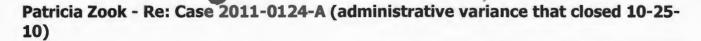
2011-0124-A 2011-0433-A 2011-0135-A 2011-0136-A

2011-0138-A

The fire marshal's office has no comments at this time.

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

cc: File



From:

Dennis Kennedy

To:

Zook, Patricia

Date:

11/3/2010 11:05 AM

Subject: Re: Case 2011-0124-A (administrative variance that closed 10-25-10)

Patti:

The issue we had was with the zoning office not with the item. They delivered the agenda to us on the afternoon of the 25th with the closing date being the 25th! At that time, the zoning office was going to revise the closing date. This has happened many times, as you know, and the zoning office is finally doing something

Anyway, we have no comment on 2011-0124.

Dennis

>>> Patricia Zook 11/3/2010 10:22 AM >>>

Good morning Dennis -

This administrative variance case closed on October 25, 2010, but was not brought to our office until this morning. The Zoning Review Office said that your office had issues/concerns about the variance and they delayed in delivering the file to our office. In reviewing the file, I don't see any comments from your office.

If you don't have any comments, just reply to the e-mail and I'll place it in the file. If you have comments, feel free to fax them to me at 410 887 3468 or e-mail - whatever is easier for you.

CASE NUMBER: 2011-0124-A

1018 Grovenhill Road

Location: NW corner of Grovenhill Road and Braxfield Road.

13th Election District, 1st Councilmanic District

Legal Owner(s): Gloria Heise

Closing Date: 10/25/2010

ADMINISTRATIVE VARIANCE To permit a proposed rear addition (patio room) with a rear yard setback of 38 feet in lieu of the required 50 feet.

As always, thanks for your help, Dennis.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 105 West Chesapeake Avenue, Suite 103 Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Maryland Department of Assessments and Taxation Real Property Data Search (vw2.3) BALTIMORE COUNTY Go Back View Map New Search

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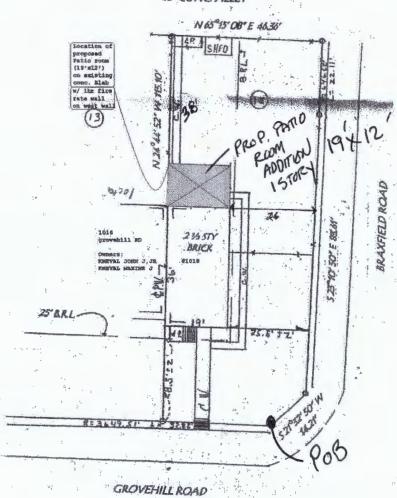
PROPERTY ADDRESS 1018 Grovehill Rd

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

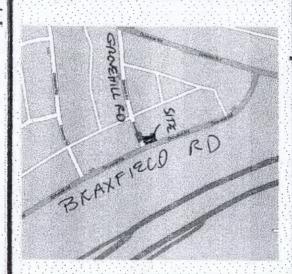
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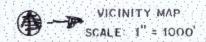
PLAT BOOK # 30 FOLIO # 8 LOT # 12 SECTION # 1
OWNER Gloria Heise

16' CONC ALLEY









LOCATION INFORMATION

ELECTION DISTRICT

1st

COUNCILMANIC DISTRICT

13

1"= 200' SCALE MAP #

108B1

ZONING

DR 10.5

LOT SIZE ACREAGE

4,746 SQUARE FEET

PUBLIC PRIVATE

SEWER

WATER

CHESAPEAKE BAY CRITICAL AREA YES

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY/

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #

JU

2011-0/24-A



Gerard Andersen

SCALE OF DRAWING: 1" = 30'