



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 19, 2011

Donald G. Hafner, Jr.
94 Kentway
Baltimore, Maryland 21222

Dear Mr. Hafner:

RE: Case Number 2011-0182 Address 94 Kentway

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 15, 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
Geoffrey Schultz – McKee & Associates 5 Shawn Rd. Hunt Valley Md. 21030

JTB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: January 19, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 94 Kentway

RECEIVED

INFORMATION:

Item Number: 11-182

JAN 24 2011

Petitioner: Donald G. Hafner

ZONING COMMISSIONER

Zoning: DR 5.5

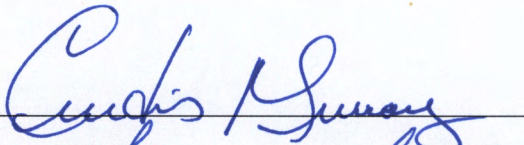
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The subject structure is a well-maintained windowless clapboard shed that is under roof. The existing structure is partially obscured by a 6-foot high fence. Nonetheless, the structure is characteristic of other accessory rear yard structures in the neighborhood. As such, the Office of Planning does not oppose the petitioner's request provided the adjacent neighbors do not have objection to the subject request.

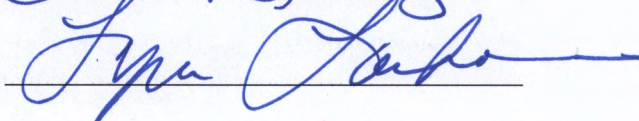
For further information concerning the matters stated here in, please contact John Alexander at 410-887-3480.

Prepared by:



Division Chief:

JM/LL: CM





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

State Highway
Administration

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

Maryland Department of Transportation

Date: DEC. 3, 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 2011-0182-A
9A KENTWAY
HAFNER PROPERTY
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. 2011-0182-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Access Management Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410-545-0300 • www.marylandroads.com

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 December 13, 2010
Item Nos. 2011- 152, 180, 182, 183,
184, 185, 186, 187 and 188

DATE: December 9, 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-12132010 -NO COMMENTS.doc

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

December 09, 2010

ATTENTION: Kristen Mathews
ZAC 12-6-2010

Case Number(s): 2011-0152-SPHA
2011-0180-A
2011-0181-A
2011-0182-A
2011-0183-SPH
2011-0184-A
2011-0185-SPH
2011-0186-A
2011-0187-A
2011-0188-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

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



Printed on Recycled Paper

RE: PETITION FOR VARIANCE
94 Kentway; N/S Kentway, 200'
NE of Liberty Parkway
12th Election & 7th Councilmanic Districts
Legal Owner(s): Donald Hafner
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 2011-182-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

DEC 08 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Geoffrey C. Schultz, McKee & Associates, 5 Shawan Road, Suite 1, Cockeysville, MD 21030, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Patricia Zook - Hearings on Friday, January 28 - need comments

From: Patricia Zook
To: Murray, Curtis
Date: 1/24/2011 10:49 AM
Subject: Hearings on Friday, January 28 - need comments
CC: Beverungen, John

Good morning Curtis -

The following two cases are scheduled for hearings on Friday, January 28 and we need Planning comments:

2011-0182-A
2011-0175-A

Thanks for your help.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

2011-0182-A

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: December 13, 2010

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Glenn Berry, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 2011-0182-A
Legal Owner/Petitioner: Hafner, Donald, G., Jr.
Contract Purchaser: N/A
Property Address: 94 Kentway
Location Description:

VIIOLATION INFORMATION: Case No. 2011-0182-A
Defendants: Hafner, Donald, G., Jr.

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Lewis Mayer	Bldg. Inspections M.S. 1009

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

AGB/lm
C: Code Enforcement Officer

DATE: 12/10/2010

STANDARD ASSESSMENT INQUIRY (1)

TIME: 13:04:26

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 02 006080	12	3-0	04-00	H	NO		11/03/10
HAFNER DONALD G, JR				DESC-1.. IMPS.06 AC			
				DESC-2.. DUNDALK			
94 KENTWAY				PREMISE. 00094		KENTWAY	

00000-0000

BALTIMORE

MD 21222-4407 FORMER OWNER: HAFNER DONALD G JR

----- FCV -----		----- PHASED IN -----				
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	38,000	38,000		FCV	ASSESS	ASSESS
IMPV:	67,920	100,170	TOTAL..	138,170	138,170	127,420
TOTL:	105,920	138,170	PREF...	0	0	0
PREF:	0	0	CURT...	138,170	138,170	127,420
CURT:	105,920	138,170	EXEMPT.		0	0
DATE:	08/05	09/08				

----	TAXABLE BASIS	----	FM DATE
	ASSESS:	138,170	08/16/10
	ASSESS:	127,420	
	ASSESS:	0	

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
11 West Chesapeake Avenue
Towson, MD 21204

12

OFFICE HOURS: 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection:

410-887-3620

Electrical Inspection:

410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Complaint Case No.	Permit No.	Issued
CO 0086292	1502006080	FA 286345

Name(s): DONALD G. HAFNER JR

Address: 94 KENTWAY BALTIMORE MD 21222

Violation Location: 94 KENTWAY 21222

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
Balt. County Code 35-2301, 304 International Residential
Code 105.1-109.1

FAILURE TO OBTAIN BUILDING PERMIT FOR
ADDITION ON REAR OF HOUSE
FAILURE TO OBTAIN REQUIRED INSPECTIONS

OBTAIN BUILDING PERMIT FOR ADDITION
ON REAR OF HOUSE
OBTAIN ALL REQUIRED INSPECTIONS
PROVIDE 1 HOUR FIRE-RATED WALL AT
SIDES

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

ON OR BEFORE:	DATE ISSUED:
---------------	--------------

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

INSPECTOR:

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:	DATE ISSUED:
---------------	--------------

INSPECTOR: Lew Mayer Lewis Mayer

Rev. 7/09

AGENCY

CODE ENFORCEMENT REPORT

DATE: 10/26/10 INTAKE BY: Hopkins, K CASE #: CO0086292 INSPEC: FA0286245

COMPLAINT LOCATION: 94 Kentway

ZIP CODE: 21222 DIST: _____

COMPLAINANT NAME: Tracey Lloyd PHONE #: (H) 443-447-3208 (W) _____

ADDRESS: _____ ZIP CODE: _____

PROBLEM: ldg porch (enclosed) w/o permit

IS THIS A RENTAL UNIT? YES _____ NO _____
 IF YES, IS THIS SECTION 8? YES _____ NO _____
 OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: 10/27/10 - Visited Site. Issued A S.W.O For New Addition Being Built w/o Permit. Left A Voice Mail For Complainant On Action Taken R/c 11/10/10 Jan KN

11/9/10 Owner Applying For Variance On 11/15/10 - R/c 11/17/10 Jan

REINSPECTION: TV
11/17/10 Owner Applied For Variance. Case # 2011-0182A. R/c 11/18/11 For Variance Hearing Date Jan

REINSPECTION: _____

REINSPECTION: _____

COPY

ML

Envision [LWASILEW EnvPDMPPro - BCGSQLV]

File Edit Applications Reports Tools Setup Window Help

Complaint [FA0286245 - PDM 1202006080]

Owner Name and Address
HAFNER DONALD G, JR

Facility Name and Address
PDM 1202006080
94 KENTWAY
DUNDALK MD 21222

Facility ID FA0286245 ... PDM 1202006080

Record ID CO0086292

Site Location 94 KENTWAY

Drag a column header here to group by that column

Record ID	Cited On	Code	Description	Cited By	Location Description	Comply By	Is Violation	Complied On	Degree	Points	Building	Flo
IV0045005	10/27/10	BI0001	IBC Violation	Lewis Maye		11/17/10	Y		V	0		

Contact Information Location Financial Referral Dates/Agencies GIS User-Defined Fields Daily Activities Violations Invoices

Zoning Folder Codes & Regs GroupWise Tax Maps

2008 ZONING CLASSIFICA... Internet Explorer Taxpayer Services

start Zoning_Counter_GIS... Envision 11:01 AM

2011-018224

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

Account Identifier:

District - 12 Account Number - 1202006080

Owner Information

Owner Name:	HAFNER DONALD G,JR	Use:	RESIDE
		Principal Residence:	YES
Mailing Address:	94 KENTWAY BALTIMORE MD 21222-4407	Deed Reference:	1) /1944 2)

Location & Structure Information

Premises Address	Legal Description
94 KENTWAY	.06 AC 94 KENTWAY DUNDALK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat N.
103	16	504				5	32	3	Plat R.

Special Tax Areas

Town Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County
1943	1,080 SF	2,641.00 SF	04

Stories	Basement	Type	Exterior
2	YES	END UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	38,000	38,000		
Improvements:	67,920	100,170		
Total:	105,920	138,170	127,420	138,170
Preferential Land:	0	0	0	0

Transfer Information

Seller:	HAFNER DONALD G JR	Date:	01/14/2004	Price:	\$0
Type:	NOT ARMS-LENGTH	Deed1:	/19441/ 498	Deed2:	
Seller:	DODSON RAYMOND E,JR	Date:	05/06/1997	Price:	\$7
Type:	IMPROVED ARMS-LENGTH	Deed1:	/12256/ 1	Deed2:	
Seller:	BANDS LEWIS T	Date:	04/08/1992	Price:	\$7
Type:	IMPROVED ARMS-LENGTH	Deed1:	/ 9127/ 686	Deed2:	

Exemption Information

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

Tax Exempt: NO

Exempt Class:

Special Tax Recapture:

* NONE *

CASE NAME _____
CASE NUMBER 2011-182A
DATE 1-28-11

[illegible]

IN RE: PETITION FOR VARIANCE
N side of Kentway, 200 feet NE of
Liberty Parkway
12th Election District
7th Councilmanic District
(94 Kentway)

Donald G. Hafner
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **CASE NO. 2011-0182-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Office of Administrative Hearings for consideration of a Petition for Variance filed by the legal owner of the subject property, Donald G. Hafner. Petitioner is requesting Variance relief from Section 1B02.3.C.1 (D.R. 5.5) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a rear yard setback of 5 feet in lieu of the minimum required 30 feet; and from Section 400.1 of the B.C.Z.R. to allow an accessory structure (existing frame shed) to be located in the side yard in lieu of the required rear yard location, and to allow an accessory structure (existing frame shed) to be setback 0.5 feet from a side property line in lieu of the required 2.5 feet minimum setback. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioner Donald G. Hafner and Geoffrey Schultz with McKee & Associates, the professional land surveyor who prepared the site plan.

It should be noted that this matter came before me as a result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management¹. A Code Inspections and Enforcement Correction Notice was issued to Petitioner on October 27,

¹ Case No: CO-0086292 and 0086792

ORDER RECEIVED FOR FILING

Date 1-31-11

By ps

2010 for not obtaining a permit for the addition to the rear of the dwelling and failure to obtain the required inspections. Petitioner testified that he hired a contractor from the *Dundalk Eagle* to complete this addition, and later learned he was not MHIC licensed and therefore could not obtain the requisite permits as promised. Hence, Petitioner filed the instant request for a variance to rectify the defects noted in the Correction Notice.

Testimony and evidence offered revealed that the subject property is rectangular in shape, contains 2,641 square feet, is improved with an existing two story end unit brick duplex, an existing one story brick garage (converted to living space) a one story frame addition (under construction), deck and the subject frame shed.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated January 19, 2011 which indicate that the subject structure is a well-maintained windowless clapboard shed that is under roof. The existing structure is partially obscured by a 6 foot high fence. Nonetheless, the structure is characteristic of other accessory rear yard structures in the neighborhood. As such, the Planning Office does not oppose the Petitioner's request provided the adjacent neighbors have no objection. Petitioner testified that both of his adjoining neighbors support his request, and he advised that he chose the color of siding for the project based on his neighbors' preference.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner. Specifically, the existing home is located on a small lot, and only the rear yard is suitable for an expansion to accommodate the Petitioner's growing family of five children. Petitioner testified

ORDER RECEIVED FOR FILING

Date 1-31-11 2

By js

the additional space (approximately 260 square feet) would be for a "game room" to allow the children some room to spread out and play, which is not possible in the existing dwelling, which contains only 1,080 square feet of living space. The property is unique in that the proposed addition will adjoin the existing brick garage, causing it to be considered part of the main dwelling and subject to certain setback requirements, driving the need for variance relief.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 31 day of January, 2011 by this Administrative Law Judge that Petitioner's Variance request from Section 1B02.3.C.1 (D.R. 5.5) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a rear yard setback of 5 feet in lieu of the minimum required 30 feet; and from Section 400.1 of the B.C.Z.R. to allow an accessory structure (existing frame shed) to be located in the side yard in lieu of the required rear yard location, and to allow an accessory structure (existing frame shed) to be setback 0.5 feet from a side property line in lieu of the required 2.5 feet minimum setback, be and is hereby GRANTED, subject to the following:

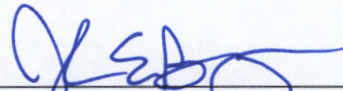
1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The one story addition, which is the subject of this variance case, shall not be used for human habitation or contain any living quarters.

ORDER RECEIVED FOR FILING

Date 1-31-11 3

By rs

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/pz

ORDER RECEIVED FOR FILING

Date 1-31-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

January 31, 2011

DONALD G. HAFNER
94 KENTWAY
BALTIMORE MD 21222

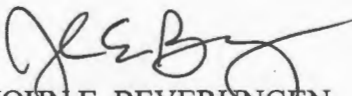
Re: Petition for Variance
Case No. 2011-0182-A
Property: 94 Kentway

Dear Mr. Hafner:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

THB:pz

Enclosure

c: Geoffrey Schultz, McKee & Associates, 5 Shawan Road, Hunt Valley MD 21030



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 94 Kentway
which is presently zoned D.R.- 5.5

Deed Reference: 19441 / 498 Tax Account # 1202006080

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. (D.R.- 5.5) to allow a rear yard setback of 5 feet in-lieu-of the minimum required 30 feet and Section 400.1 to allow an accessory structure (existing frame shed) to be located in the side yard in-lieu-of the required rear yard location and to allow an accessory structure (existing frame shed) to be setback 0.5 feet from a side property line in-lieu-of the required 2.5 foot minimum setback.

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

For reasons to be presented at hearing.

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):

Donald G. Hafner, Jr.

Name - Type or Print _____

Signature Donald G. Hafner Jr _____

Name - Type or Print _____

Signature _____

94 Kentway 410-984-5351

Address _____ Telephone No. _____

Baltimore MD 21222

City _____ State _____ Zip Code _____

Representative to be Contacted:

Geoffrey Schultz - McKee & Associates

Name _____

5 Shawan Road 410-527-1555

Address _____ Telephone No. _____

Hunt Valley MD 21030

City _____ State _____ Zip Code _____

Case No. 2011-0182-A

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by JMP Date 11/15/2010

REV 8/20/07 ORDER RECEIVED FOR FILING

Date 1-31-11

By [Signature]

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

Zoning Description of
94 Kentway
12TH. Election District
7th Councilmanic District
Baltimore County, MD



Beginning at a point on the North side of Kentway (40 foot wide right-of-way),
said point being 200 feet northeast of the center of Liberty Parkway and being known and
designated as Lot 32 – Resubdivision of Part of Block 4 and Part of Block 5 – Plat No.
4- Dundalk in Plat Book 12 Page 118.

Containing 2642 square feet or 0.061 acres as recorded in Deed Liber 19441
Folio 498.

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

No. **61121**

Date: **11/15/2010**

PAID RECEIPT

BUSINESS ACTUAL TIME DFN
 1/16/2010 11/15/2010 11:15:14 5

REP: M503 WALKIN RODS LTD

>>> RECEIPT # 490712 11/15/2010 DFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				65.00

Dept 5 528 ZONING VERIFICATION

NO. 061121

Recpt Tot \$45.00

\$65.00 CK \$4.00 CA

Baltimore County, Maryland

Total: **65.00**

Rec: **Donald G. Hatner, Jr.**

For: **Variance - 94 Kentway**
2011-0123-A (Hatner)

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: # 2011-0182-A

94 Kentway

N/side of Kentway, 200' northeast of Liberty Parkway

12th Election District - 7th Councilmanic District

Legal Owner(s): Donald Hafner

Variance: to allow a rear yard setback of 5 feet in lieu of the minimum required 30 feet and Section 400.1 to allow an accessory structure (existing frame shed) to be located in the side yard in lieu of the required rear yard location and allow an accessory structure (existing frame shed) to be setback 0.5 feet from a side property line in lieu of the required 2.5 foot minimum setback.

Hearing: Friday, January 28, 2011 at 11:00 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.

1/080 Jan. 13

264697

CERTIFICATE OF PUBLICATION

1/13/, 2011

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 1/13/, 2011.

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

J. Wilkins

LEGAL ADVERTISING

Jan
1-21-11

CERTIFICATE OF POSTING

Department of PIA
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

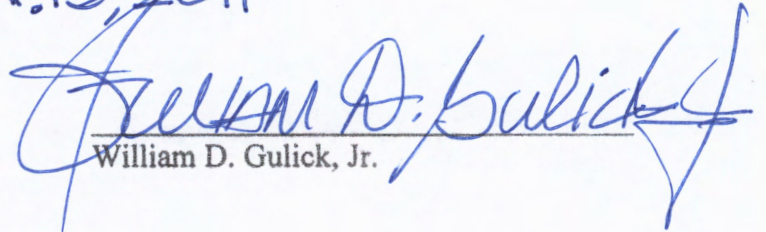
Date: JAN. 13, 2011

Attention: ZONING OFFICE
MS. KRISTEN LEWIS

Re: Case Number: 2011-0182-A
Petitioner/Developer: DONALD HAFNER
Date of Hearing/Closing: JAN. 28, 2011

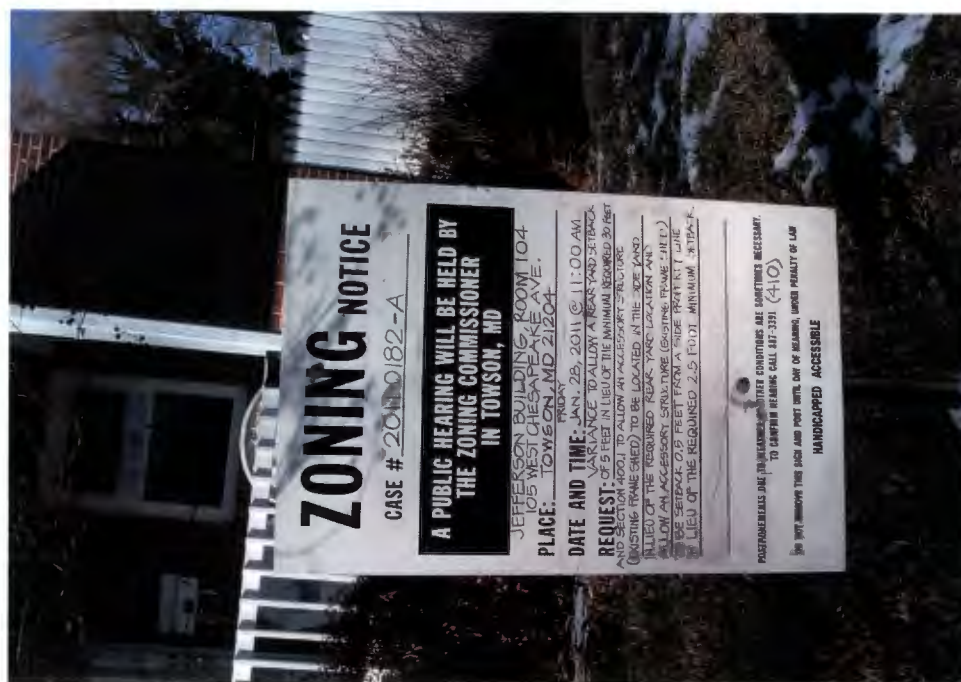
This is to certify under the penalties of perjury that the necessary sign (s) required by law were posted conspicuously on the property located at: 94 KENTWAY

The sign (s) were posted on: JAN. 13, 2011


William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

SEE ATTACHED PHOTOS



TO: PATUXENT PUBLISHING COMPANY
Thursday, January 13, 2011 Issue - Jeffersonian

Please forward billing to:
Donald Hafner, Jr.
94 Kentway
Baltimore, MD 21222

410-984-5351

NOTICE OF ZONING HEARING

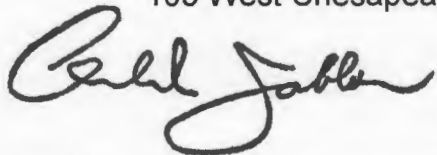
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CASE NUMBER: 2011-0182-A

94 Kentway
N/side of Kentway, 200' northeast of Liberty Parkway
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Legal Owners: Donald Hafner

Variance to allow a rear yard setback of 5 feet in lieu of the minimum required 30 feet and Section 400.1 to allow an accessory structure (existing frame shed) to be located in the side yard in lieu of the required rear yard location and allow an accessory structure (existing frame shed) to be setback 0.5 feet from a side property line in lieu of the required 2.5 foot minimum setback.

Hearing: Friday, January 28, 2011 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon, Director
Department of Permits, Approvals and Inspections of 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
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development
~~January 3, 2011~~

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Donald Hafner, Jr., 94 Kentway, Baltimore 21222
Geoffrey Schultz, McKee & Associates, Inc., 5 Shawan Road., Hunt Valley 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 13, 2011.**
- (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.

**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/neighbor 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.

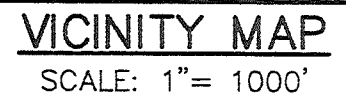
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2011-0182-A
Petitioner: DONALD G. HAFNER, JR.
Address or Location: 94 KENTWAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: DONALD HAFNER, JR.
Address: 94 KENTWAY
BALTO. MD 21222
Telephone Number: 410-984-5351



THE PROPERTY AS SHOWN HEREON
HAS BEEN HELD IN-TACT SINCE
JUNE, 1941 (PLAT 12/118)

NO STREAMS OR STORMWATER MANAGEMENT SYSTEMS
ON OR WITHIN 50 FEET OF THE PROPERTY.

DRAWN BY: JMB	CHECKED BY: GCS	JOB No.: 10-120
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