

IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Naygall Road; 1,025 feet SE
of the c/l of Glen Mill Road
11th Election District
5th Councilmanic District
(9101 Naygall Road)

Melissa Ann and Carl H. Crenshaw, III
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2011-0338-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Melissa Ann and Carl H. Crenshaw, III for property located at 9101 Naygall Road. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an open projection (deck) with a 15 feet rear setback in lieu of the required 22.5 feet, and to amend the latest Final Development Plan of Glen Mill Estates, Lot 3 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a deck measuring 15 feet x 25 feet. Sliding glass doors lead out to the proposed deck area. A deck smaller than proposed would not be of sufficient size to allow the Petitioners to have a table, chairs and a grill on the deck. Petitioners would be unable to enjoy reasonable use of the property, suffering further practical difficulty. The rear of the property contains dense tree cover.

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 Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 29, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date

6-23-11

By

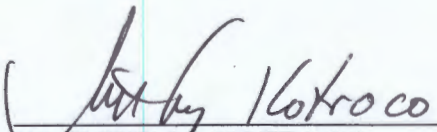
The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, 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 Administrative Law Judge for Baltimore County, this 23rd day of June, 2011 that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an open projection (deck) with a 15 feet rear setback in lieu of the required 22.5 feet, and to amend the latest Final Development Plan of Glen Mill Estates, Lot 3 only be and is hereby GRANTED, subject to the following:

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.

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date 6-23-11

2

By [Signature]

KEVIN KAMENETZ
County Executive



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

June 23, 2011

MELISSA ANN AND CARL H. CRENSHAW, III
9101 NAYGALL ROAD
PARKVILLE MD 21234

Re: Petition for Administrative Variance
Case No. 2011-0338-A
Property: 9101 Naygall Road

Dear Mr. and Mrs. Crenshaw:

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 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 contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property

located at 9101 Naygall Rd

which is presently zoned DR 5.5

Deed Reference: L3538/324 Tax Account # 2000 01 1776

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) 1802.3B. (BCZR)

TO PERMIT AN OPEN PROTECTION (DECK) WITH A 15-FOOT REAR SETBACK IN LIEU OF THE REQUIRED 22.5-FOOT AND TO AMEND THE LATEST F.D.P. FOR "GLEN MILL ESTATES", LOT 3 ONLY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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):

Carl H Crenshaw III

Name - Type or Print

Signature

Melissa Crenshaw

Name - Type or Print

Signature

9101 Naygall Rd 410256-3708

Address

Telephone No.

Parkville MD 21234

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

MICKIE ANTOINE WIGGINS
BALTIMORE COUNTY
PUBLIC

Zoning Commissioner of Baltimore County

Case No. 2011-0338-A

Reviewed By D.T. Date 5/18/11

Estimated Posting Date 5/29/11

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 own and reside at 9101 Naygall Rd
Address number Road or Street name
and that this address is the subject of this variance request as required by law.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate the hardship or practical difficulty; attach an additional sheet if needed)

Currently we have a family and would like to add a deck. The 1st floor has a door exiting the house + 8ft deck would not meet our needs.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Signature

Carl H. Crenshaw III

Name- print or type

Signature

Melissa Crenshaw

Melissa Crenshaw

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 5th day of May, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Carl H. Crenshaw III and Melissa Crenshaw
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Name of Notary Public

09-26-2013
Commission expires

PLACE SEAL HERE:

MICKVIE ANTOINE WIGGINS
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXPIRES 09/26/13

Zoning Description for:

9101 Naygall Rd

Beginning at a point on the Northeast side of Naygall Rd. which is 50' wide at the distance of 1025 feet southeast of the centerline of the nearest improved intersecting street Glen Mill Rd which is 50' wide. Being Lot #3 in the subdivision of Glen Mill Estates as recorded in Baltimore County Plat Book#64, Folio# 82 containing 12,589 sq. ft. Also known as 9101 Naygall Rd. and located in the 11th Election District, 5th Councilmanic District.

2011-0338-A

No. 69057

Date: 5/18/11

PAID RECEIPT

DATE: 11/14/88

18 2011 2 11 11:46:05

平 漢 南 北 史 記 卷 之 一

EGIPT # 235477 5.18.2011 1812

† See index, P. 115, 116

商 22-001

Sept 19 1991

8400-00-17

1993 February 10, 1993 March 10, 1993

Total: 140

MELISSA CRENSHAW

201-0538-A

9101 NAYALL RD.

E. THOMPSON

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/31/2011

Case Number: 2011-0338-A

Petitioner / Developer: CRENSHAW

Date of Hearing (Closing): JUNE 13, 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:
9101 NAYGALL ROAD

The sign(s) were posted on: MAY 29, 2011



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)

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0338 -A Address 9101 NAYGALL RD.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/18/11 Posting Date: 5/29/11 Closing Date: 6/13/11

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2011- 0338 -A Address 9101 NAYGALL RD.

Petitioner's Name CRENSHAW Telephone 410-256-3708

Posting Date: 5/29/11 Closing Date: 6/13/11

Wording for Sign: TO PERMIT AN OPEN PROJECTION (DECK) WITH A 15-FOOT REAR
SETBACK IN LIEU OF THE REQUIRED 22.5-FOOT AND TO AMEND
THE LATEST F.D.P. FOR "GLEN MILL ESTATES", LOT 3 ONLY.

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2011-0338-A

Petitioner: CRENSHAW

Address or Location: 9101 NAYGALL RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MS. MELISSA CRENSHAW

Address: 9101 NAYGALL RD.

PARKVILLE, MD 21234

Telephone Number: 410-256-3708



KEVIN KAMENETZ
County Executive

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

June 6, 2010

Mr. & Mrs. Crenshaw, III
9101 Naygall Road
Parkville, MD 21234

RE: Case Number 2011-0338 A, 9101 Naygall Road

Dear Ms. Groves,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 18, 2011. 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:mcn

Enclosures

c: People's Counsel



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: 5-31-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2011-0338-A
Administrative Variance
Carl & Melissa Crenshaw, III
9101 Naygail Road.

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. 2011-0338-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/rz



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

May 26, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **May 30, 2011**

Item No.:

Special Hearing: 2011-0311-SPHA, 2011-0342-SPHA.

Administrative Variance: 2011-0336A, 2011-0338A.

Variance: 2011-0311-SPHA, 2011-0337A, 2011-0341A, 2011-0342-SPHA, 2011-0343A.

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2011
Item Nos. 2011-336, 337, 338, 341, 342,
And 343.

DATE: May 31, 2011

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06132011 -NO COMMENTS.doc

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

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:**District - 11 Account Number - 2000011776****Owner Information**

Owner Name: CRENSHAW CARL H 3RD
CRENSHAW MELISSA ANN
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 9101 NAYGALL RD
BALTIMORE MD 21234-1313
Deed Reference: 1) /13538/ 00374
2)

Location & Structure Information

Premises Address
9101 NAYGALL RD
0-0000
Legal Description
.289 AC
9101 NAYGALL RD
GLEN MILL ESTATES

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0072	0007	0175		0000			3	3	Plat Ref: 0064/0082

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1989	1,980 SF	12,589 SF	04

Stories	Basement	Type	Exterior
2.000000	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	93,140	111,140		
Improvements:	190,630	191,050		
Total:	283,770	302,190	296,050	302,190
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
MORTGAGE GUARANTY	02/19/1999	\$163,000
Type: ARMS LENGTH IMPROVED	Deed1: /13538/ 00374	Deed2:
Seller: FEDERAL HOME LOAN	Date: 01/09/1998	Price: \$104,100
Type: NON-ARMS LENGTH OTHER	Deed1: /12597/ 00711	Deed2:
Seller: SPRUILL RONALD E	Date: 08/26/1997	Price: \$104,100
Type: NON-ARMS LENGTH OTHER	Deed1: /12349/ 00694	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00
Tax Exempt:	Special Tax Recapture:		
Exempt Class:	* NONE *		

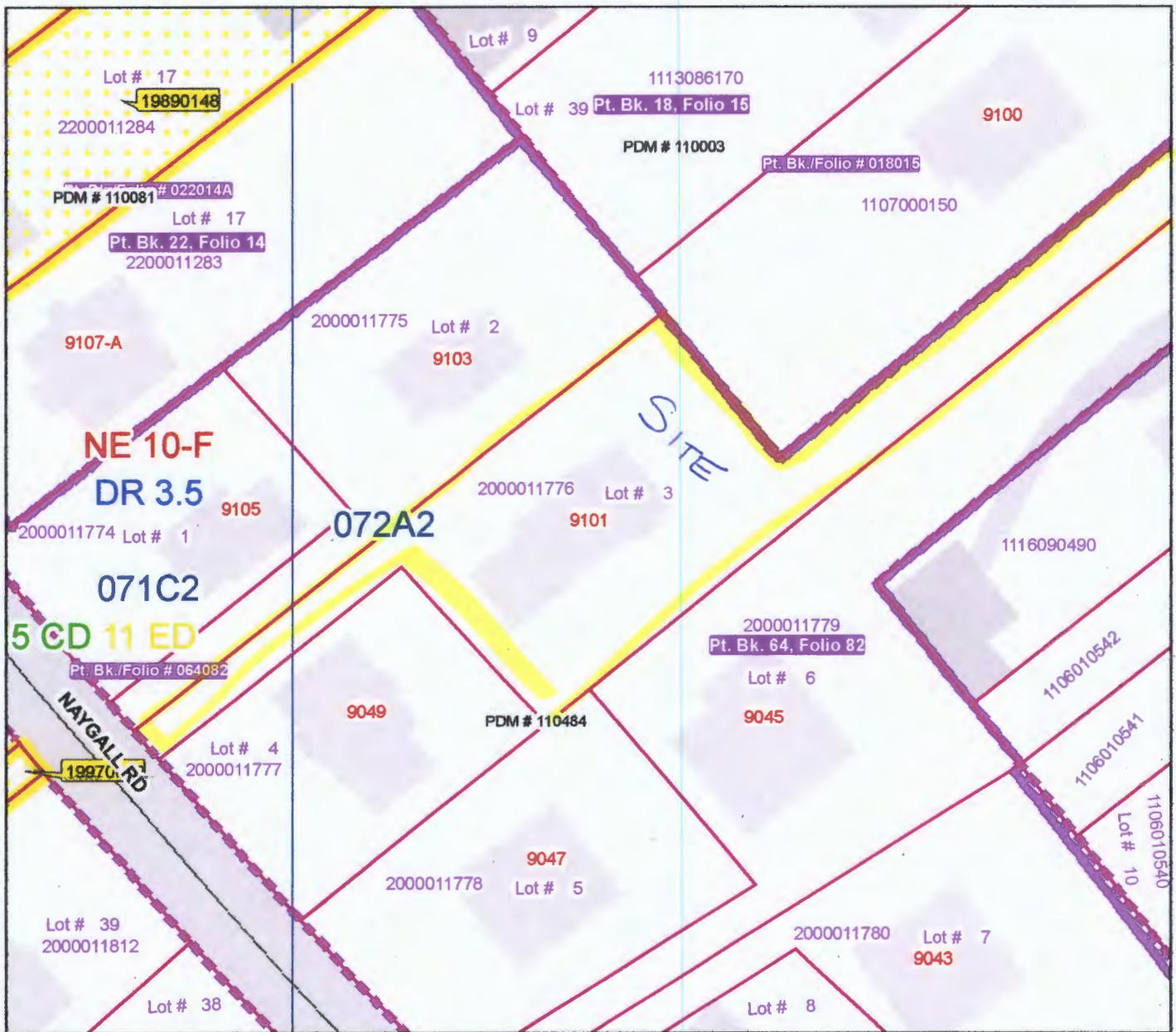


2011-0338-A



2011-0338-A

9101 Naygall Road



Publication Date: May 18, 2011
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 50 100 Feet

1 inch = 50 feet

2011-0338-A

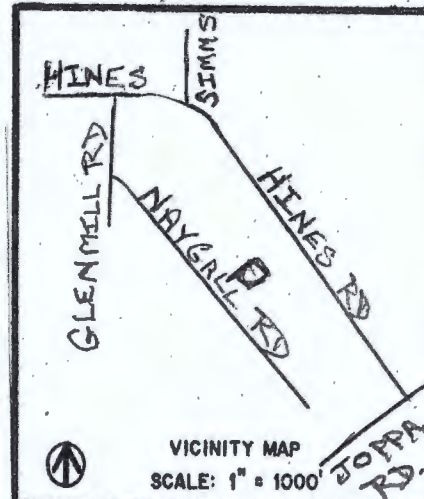
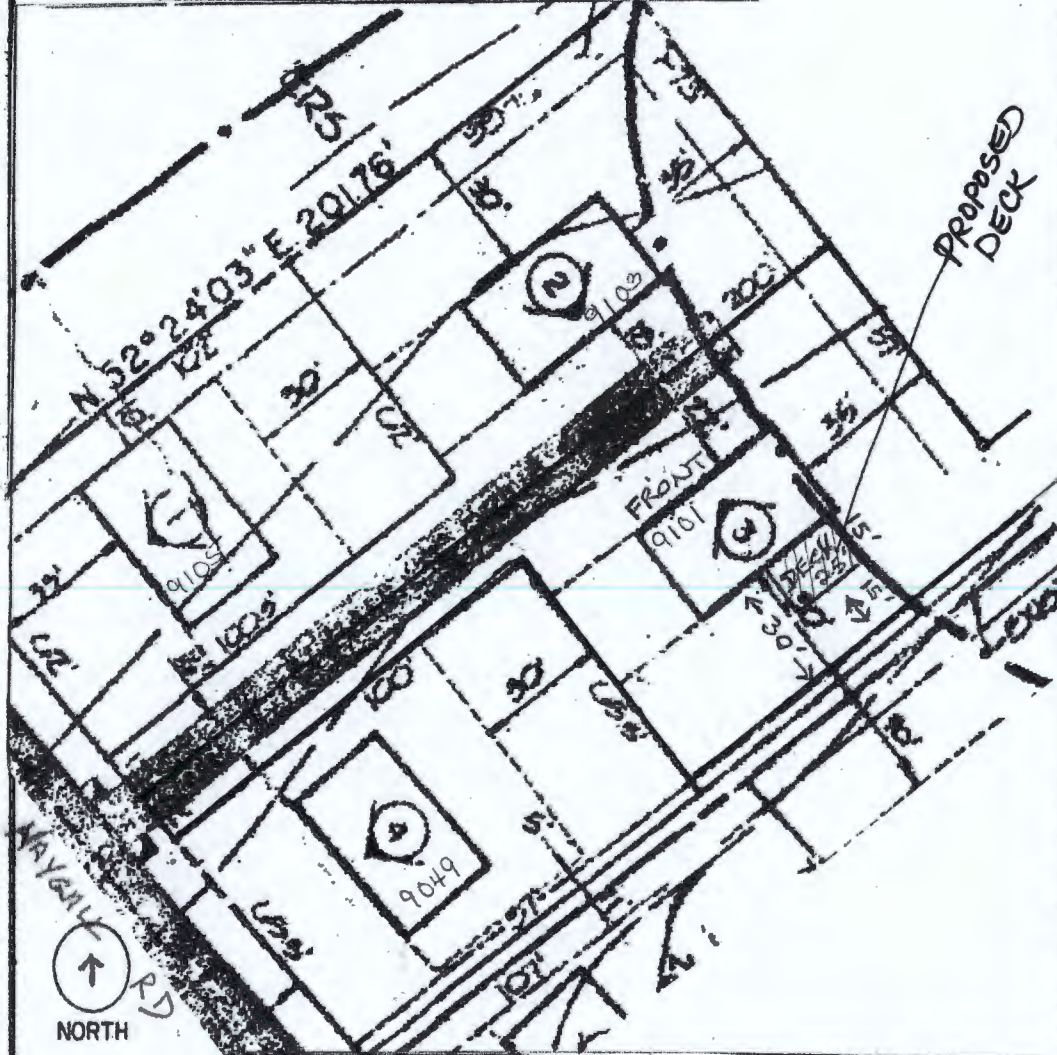
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9101 NAYGALL ROAD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME GLEN MILL ESTATES

PLAT BOOK # 64 FOLIO # 82 LOT # 3 SECTION #

OWNER CARL and MELISSA CRENSHAW



LOCATION INFORMATION

ELECTION DISTRICT 11TH

COUNCILMANIC DISTRICT 5TH

1" = 200' SCALE MAP # 072 A2

ZONING DR 3.5

LOT SIZE 12,589
ACREAGE 0.288 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN YES ☐ NO ☒

HISTORIC PROPERTY/BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D.T. 338 2011-0208-A

PREPARED BY SCALE OF DRAWING: 1" = 50

-15-