

IN RE: PETITION FOR VARIANCE

S side of Greenapple Court; 640 feet
S of the c/l of Lawnwood Circle
2nd Election District
4th Council District
(25 Greenapple Court)

Malcolm A. Curry
Petitioner

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2012-0046-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by the legal owner of the property, Malcolm A. Curry. The Petitioner is requesting Variance relief under Baltimore County Zoning Regulations ("B.C.Z.R.") Sections 432A.1.C.1 and 432A.1.C.2 to permit parking in the front yard (as opposed to the required side or rear yard) with a setback of 6 feet and 7 feet from the property lines in lieu of the required 10 feet setbacks. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1. The property is a single family dwelling in the Windsor Mill area, as shown on Exhibit 2.

Appearing at the public hearing in support of the variance request were Petitioners Malcolm A. and Anita Curry and Joseph L. Larson, who is assisting the Petitioner in the permitting process. A neighbor, Theresa Forest, also attended the hearing. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief. In addition, the file contains no letters of opposition and/or

ORDER RECEIVED FOR FILING

Date 10-27-11
By SMA-

protest, and Ms. Forest indicated she attended the hearing because she was "curious" about the process, but did not oppose the request.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested 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.

The Petitioners plan to operate a 4-bed assisted living facility on the premises, although at this point they have not yet secured the requisite permits and approvals from Baltimore County and the State of Maryland. The dwelling sits on an approximate 7,000 sq. foot lot, and is at the bottom end of a cul-de-sac. As such, the lot is pie shaped, and differs from the dimensions of adjoining lots. In addition, the Petitioners cannot access the rear of the lot to provide parking, given the orientation of the dwelling on the uniquely shaped lot, and the narrow side yard areas which could not accommodate a driveway.

I further find that the granting of the relief as set forth herein can be accomplished without injury to the public health, safety, and general welfare. Therefore, in all manner and form, I find that the variance can be granted in accordance with the requirements of Section 307 of the B.C.Z.R. as articulated in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

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

THEREFORE, IT IS ORDERED, this 27 day of October, 2011 by this

ORDER RECEIVED FOR FILING

Date 10-27-11

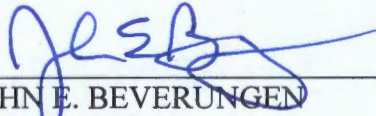
By SMA

Administrative Law Judge that Petitioner's Variance request from Baltimore County Zoning Regulations ("B.C.Z.R.") Sections 432A.1.C.1 and 432A.1.C.2 to permit parking in the front yard with a setback of 6 feet and 7 feet from the property lines in lieu of the required 10 feet setbacks, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for his building permit and may be granted same upon receipt of this Order, however the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioner will 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.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

ORDER RECEIVED FOR FILING

Date 10-27-11

By SMA



KEVIN KAMENETZ
County Executive

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

October 26, 2011

MALCOLM A. CURRY
3212 TAMERON WOODS CIRCLE
BALTIMORE MD 21244

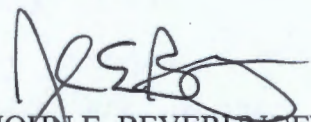
RE: Petition for Variance
Case No.: 2012-0046-A
Property: 25 Greenapple Court

Dear Mr. Curry:

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.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure

c: Theresa Forrest, 20 Greenapple Court



TAX MAP # 1900005483

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 25 Greenapple Court
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

REFER TO ATTACHED SHEET

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

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):

MALCOLM A. CURRY
Name - Type or Print _____

Malcolm A. Curry
Signature _____

Name - Type or Print _____

Signature _____

3212 Tameron Woods Cir. 410-922-2253
Address _____ Telephone No. _____

Baltimore MD 21244-1160
City _____ State _____ Zip Code _____

Representative to be Contacted:

Joseph L. Larson
Name _____

222 Bosley Ave. Ste. B-3
Address _____ Telephone No. _____

Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By RA Date 8/18/11

ORDER RECEIVED FOR FILING
Case No. 25122

Date 10-27-11

REV 9/15/98

By SMA

Section 432A.1.C.1 and 432A.1.C.2 to permit parking with a setback of 6 ft. and 7 ft. from the property lines in the front yard in lieu of the required 10 ft. and 10 ft. in the side or rear yards, only.

BOGART TECHNICAL CONSULTANTS LLC

222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
Tel (410) 823-3535 / Fax (410) 825-5215

**LEGAL DESCRIPTION
TO ACCOMPANY ZONING VARIANCE PETITION
25 Greenapple Court**

Beginning for the same on the South side of Greenapple Court (50 feet wide) within the cul-de-sac having a radius of 50 feet, at a distance of 640 feet more or less from Lawnwood Circle, and running thence from the south side of Greenapple Court along the division line between Lots 30 and 31 as shown on the Second Amended Plat of Lawnwood, Section 1, recorded among the Land Records of Baltimore County in Plat Book 53 Folio 121, South 24° 53' 50" East 86.07 feet to a point on the division line between Lots 30 and 49 on said Lawnwood Plat; thence along said division line South 51° 39' 25" West 77.69 feet, and thence leaving said division line and continuing the two following courses and distances: North 38° 29' 10" West 53.15 feet; thence North 18° 03' 10" East 85.00 feet to a point on the south side of Greenapple Court; thence running along the south side of Greenapple Court by a curve to the left, with a radius of 50 feet an arc length of 32.47 feet to the place of beginning.

Subject property being known 25 Greenapple Court and also further identified as Lot 30, on the Second Amended Plat of Lawnwood, Section 1, recorded among the Land Records of Baltimore County in Plat Book 53 Folio 121.

Said property containing 7,037 sq. ft. of land more or less.

February 10, 2011

0046

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0046-A

25 Greenapple Court
S/s Greenapple Court, 640
feet south of centerline of
Lawnwood Circle
2nd Election District
4th Councilmanic District
Legal Owner(s): Malcolm
Curry

Variance: to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Thursday, September 22, 2011 at 1:30 p.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT 09/611 Sept. 6 285580

CERTIFICATE OF PUBLICATION

9/8, 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 9/6, 2011.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 09/18/2011

Case Number: 2012-0046-A

Petitioner / Developer: MALCOLM CURRY~JOSEPH LARSON

Date of Hearing (Closing): OCTOBER 6, 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:
25 GREENAPPLE COURT

The sign(s) were posted on: SEPTEMBER 18, 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)

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2012-0046-A

25 Greenapple Court

S/s Greenapple Court, 640 feet south of centerline of Lawnwood Circle

2nd Election District — 4th Councilmanic District

Legal Owner(s): Malcolm Curry

Variance: to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Tuesday, October 25, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 10/628 October 11 288126

CERTIFICATE OF PUBLICATION

10/13/2011

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 10/11/2011.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/03/2011

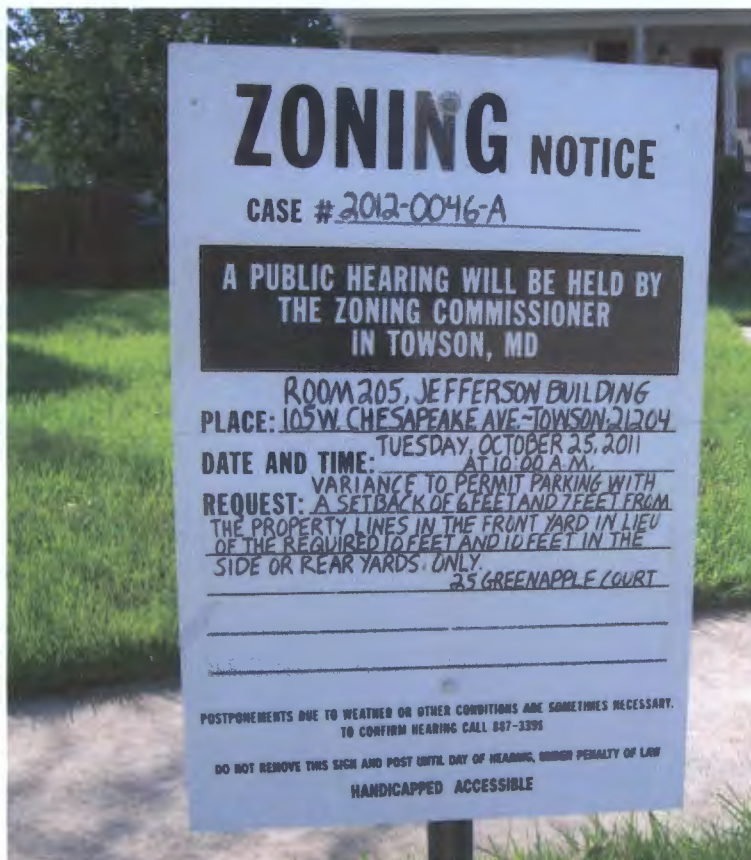
Case Number: 2012-0046-A

Petitioner / Developer: MALCOLM CURRY~JOSEPH LARSON of
BOGART TECHNICAL

Date of Hearing (Closing): OCTOBER 25, 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:
25 GREENAPPLE COURT

The sign(s) were posted on: **SEPTEMBER 30, 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)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 6, 2011 Issue - Jeffersonian

Please forward billing to:
Malcolm Curry
3212 Tameron Woods Circle
Baltimore, MD 21244-1160

410-922-2253

NOTICE OF ZONING HEARING

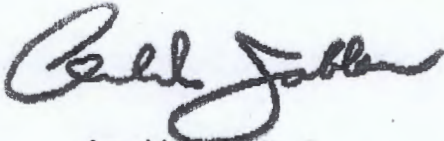
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2012-0046-A

25 Greenapple Court
S/s Greenapple Court, 640 feet south of centerline of Lawnwood Circle
2nd Election District – 4th Councilmanic District
Legal Owners: Malcolm Curry

Variance to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Thursday, September 22, 2011 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

August 31, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0046-A

25 Greenapple Court

S/s Greenapple Court, 640 feet south of centerline of Lawnwood Circle

2nd Election District – 4th Councilmanic District

Legal Owners: Malcolm Curry

Variance to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Thursday, September 22, 2011 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a faint circular stamp.

Arnold Jablon
Director

AJ:kl

C: Malcolm Curry, 3212 Tameron Woods Circle, Baltimore 21244
Joseph Larson, 222 Bosley Avenue, Ste. B-3, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 7, 2011.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 20, 2011 Issue - Jeffersonian

Please forward billing to:

Malcolm Curry
3212 Tameron Woods Circle
Baltimore, MD 21244-1160

410-922-2253

NOTICE OF ZONING HEARING

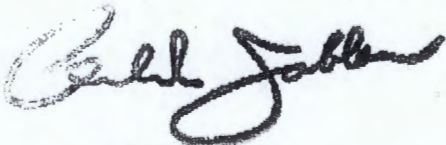
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2012-0046-A

25 Greenapple Court
S/s Greenapple Court, 640 feet south of centerline of Lawnwood Circle
2nd Election District – 4th Councilmanic District
Legal Owners: Malcolm Curry

Variance to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Thursday, October 6, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

September 14, 2011

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0046-A

25 Greenapple Court

S/s Greenapple Court, 640 feet south of centerline of Lawnwood Circle

2nd Election District – 4th Councilmanic District

Legal Owners: Malcolm Curry

Variance to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Thursday, October 6, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Malcolm Curry, 3212 Tameron Woods Circle, Baltimore 21244
Joseph Larson, 222 Bosley Avenue, Ste. B-3, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED, SEPTEMBER 21, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 11, 2011 Issue - Jeffersonian

Please forward billing to:
Malcolm Curry
3212 Tameron Woods Circle
Baltimore, MD 21244-1160

410-922-2253

NOTICE OF ZONING HEARING

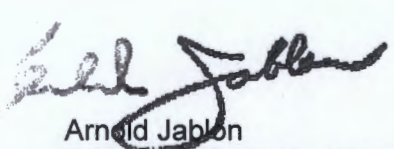
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2012-0046-A

25 Greenapple Court
S/s Greenapple Court, 640 feet south of centerline of Lawnwood Circle
2nd Election District – 4th Councilmanic District
Legal Owners: Malcolm Curry

Variance to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Tuesday, October 25, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

September 28, 2011

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0046-A

25 Greenapple Court

S/s Greenapple Court, 640 feet south of centerline of Lawnwood Circle

2nd Election District – 4th Councilmanic District

Legal Owners: Malcolm Curry

Variance to permit parking with a setback of 6 feet and 7 feet from the property lines in the front yard in lieu of the required 10 feet and 10 feet in the side or rear yards, only.

Hearing: Tuesday, October 25, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Malcolm Curry, 3212 Tameron Woods Circle, Baltimore 21244
Joseph Larson, 222 Bosley Avenue, Ste. B-3, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 10, 2011.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (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/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: 2012-0046-A

Petitioner: Malcolm A. Curry

Address or Location: 25 Greenapple Court

PLEASE FORWARD ADVERTISING BILL TO:

Name: Malcolm A. Curry

Address: 3212 Tameron Woods Circle

Baltimore, MD 21244-1160

Telephone Number: 410-922-2253

Revised 7/11/05 - SCJ



#0046

Case No.: 2012-0046-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Plan	
No. 2	Photo	
No. 3		



No. 10		
No. 11		
No. 12		



KEVIN KAMENETZ
County Executive

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

September 14, 2011

Malcolm A. Curry
3212 Tameron Woods Circle
Baltimore, MD 21244-1160

RE: Case Number 2012-0046-A, 25 Greenapple Court

Dear Mr. Curry,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 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.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Joseph L. Larson, 222 Bosley Avenue, Suite B-3, Towson, MD 21204



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 25, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **August 29, 2011**

Item No.:

Administrative Variance: 2012-0045A, 2012-0047A – 0048A

Variance: 2012-0046A, 2012-0049-SPHA

Special Hearing: 2012-0049-SPHA – 0050-SPHA

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

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8-24-11

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

RE: Baltimore County
Item No. 2012-0046-A
Variance
Malcolm A. Curry
25 Greenapple Court.

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. 2012-0046-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,

A handwritten signature in purple ink, appearing to read "Richard Zeller", is written over the typed name "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov

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 September 06, 2011
Item Nos. 2012-046, 047, 048, 049, 050
And 051.

DATE: September 2, 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-09122011 -NO COMMENTS.doc

RE: PETITION FOR VARIANCE
25 Greenapple Court; S/S Greenapple Court,
640' S of c/line Lawnwood Circle
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Malcolm Curry
Petitioner(s)

* BEFORE THE
* ADMINISTRATIVE LAW
* JUDGE FOR
* BALTIMORE COUNTY
* 2012-046-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.

RECEIVED

AUG 29 2011

.....

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2011, a copy of the foregoing Entry of Appearance was mailed to Joseph Larson, 222 Bosley Avenue, Suite B-3, Towson, Maryland 21204, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BOGART TECHNICAL CONSULTANTS LLC

408 Allegheny Avenue
Towson, Maryland 21204

September 27, 2011

Ms. Kristen Lewis, Supervisor
Office of Zoning
Baltimore County

Re: 25 Greenapple Ct.
Case No. 2012-0046-A

Dear Kristen:

Pursuant to our discussion on Friday last, I am herein respectfully requesting a re-scheduling of the Zoning Hearing for 25 Greenapple Ct. Unfortunately my client will be out of town on vacation on the date of the Hearing and unable to attend.

Once the new Notice is ready please call me at 410-823-3535 or 410-830-2299 and I will pick up the new Notice.

I apologize for the disruption to your scheduling and the unfortunate inconvenience but our unavailability has been unavoidable.

I sincerely appreciate your kind cooperation and indulgence.

Respectfully,

Joseph L. Larson

JLL:ceh
cc: Anita Curry

Possible set for November —

BOGART TECHNICAL CONSULTANTS
Towson, Maryland

Ms. Kristen Lewis, Supervisor
Office of Zoning
Baltimore County

Re: 25 Green apple Ct.
Case No. 2012-0046-A

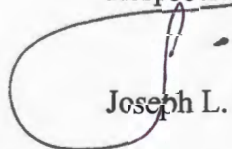
Dear Kristen:

Pursuant to our discussion of last week I am herein respectfully requesting a re-scheduling of the Zoning Hearing for 25 Greenapple Ct. Unfortunately due to the relocation of my offices I did not receive the Zoning Notice in time to have the property posted by the deadline date.

Once the new Notice is ready please call me at 410-823-3535 or 410-830-2299 and I will pick up the new Notice.

I sincerely appreciate your kind cooperation and indulgence.

Respectfully,



Joseph L. Larson

JLL:ceh
cc: Anita Curry

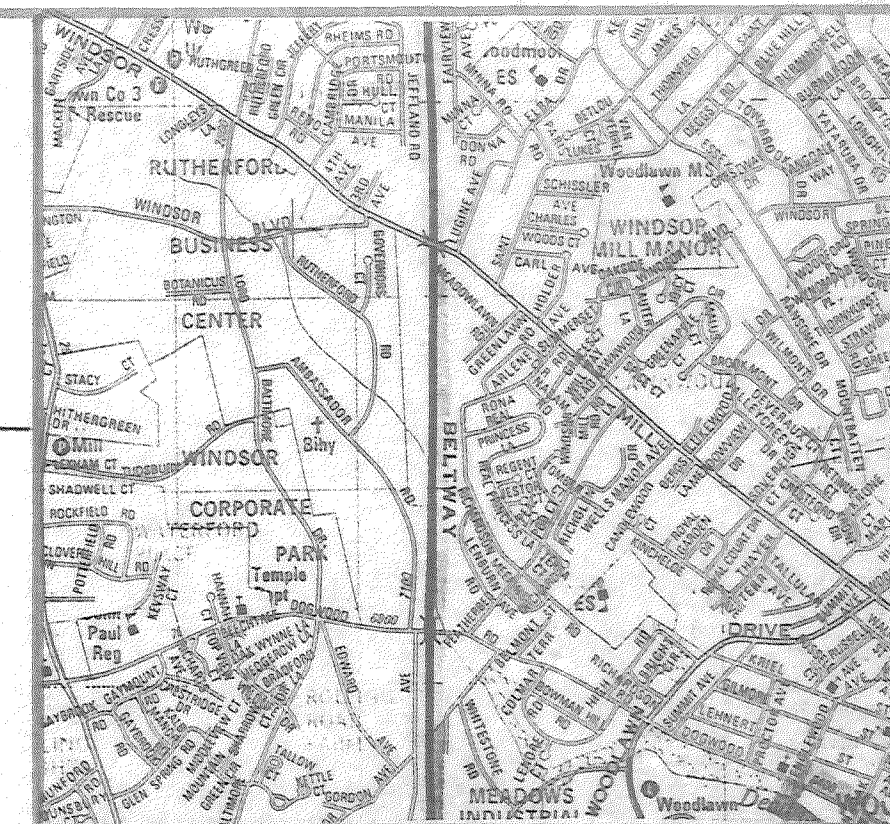
Rec'd
9/14/11
KL

GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIALS, ENDANGERED SPECIES HABITATS, OR HISTORIC BUILDINGS OR LANDMARKS ON THE SUBJECT SITE.
2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
3. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT SITE.
4. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
5. THE SUBJECT PROPERTY HAS NO ZONING HISTORY.

OWNED

MALCOLM A. CURRY
3212 TAMERON WOODS CIRCLE
WINDSOR MILL, MD. 21244
410-440-6047



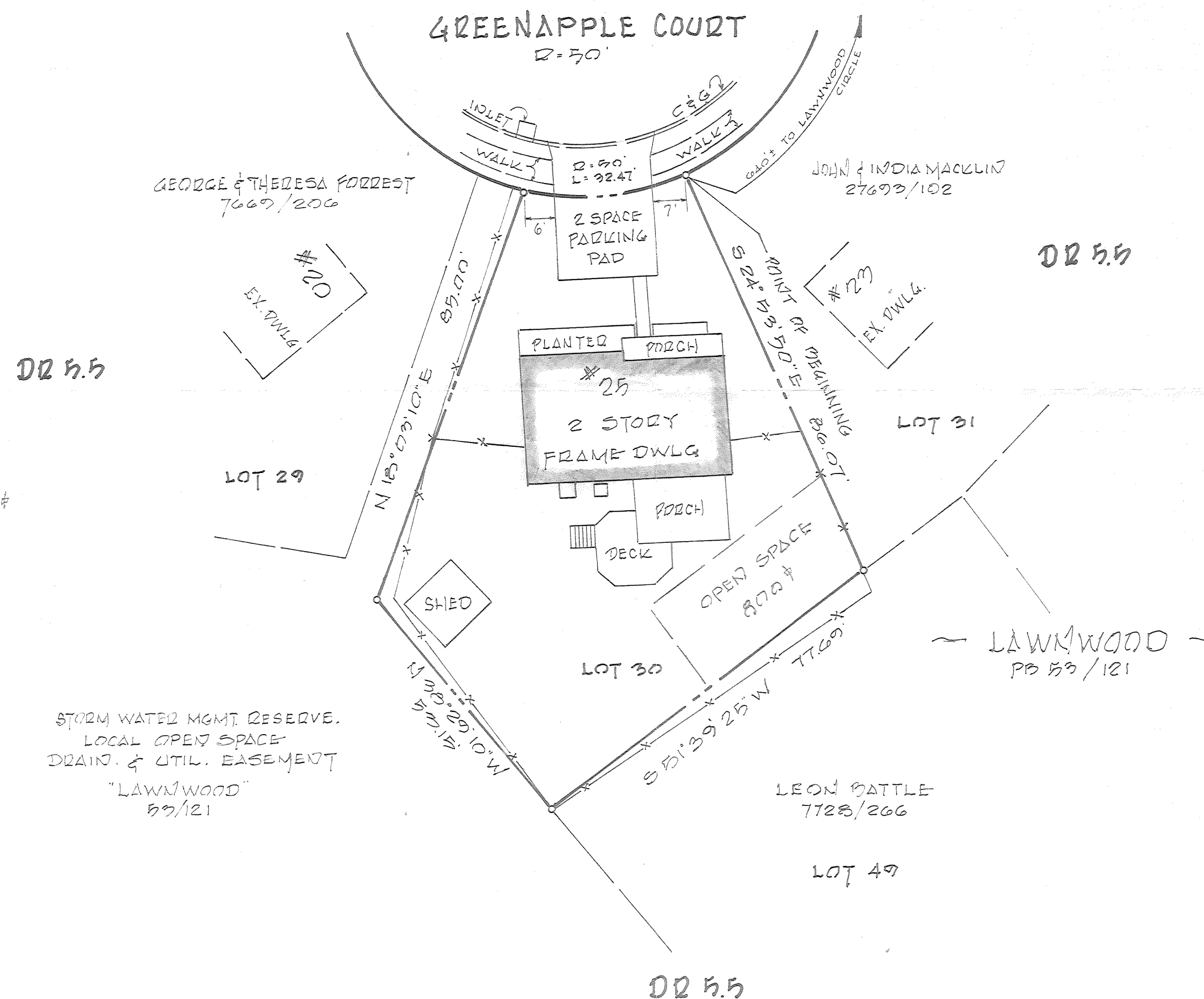
VICINITY MAP - SCALE: 1"=2000'

SITE DATA

AREA OF TRACT ——— (7,037 SQ. FT.)
EXIST. ZONING ——— DRB.5
COUNCILMANIC DISTRICT ——— 4th
ZONING MAP ——— OAB02
DEED REFERENCE ——— 11179/323
TAX MAP/GRID/PARCEL ——— 88/13/153
TAX ACCOUNT NO. ——— 1900005483
EXISTING USE ——— RESIDENTIAL
PROPOSED USE ——— RES & ALF
(ALF: 4 BEDS)
PLAT REFERENCE ——— PG 53 FOLIO 121

OPEN SPACE CALCULATION

LOT AREA = 7,037 SQ. FT.
OPEN SPACE REQ. = 10% OF LOT AREA = 704 #
OPEN SPACE PROV. = 800 SQ. FT.



**BOGART TECHNICAL
CONSULTANTS LLC**

222 Bosley Avenue B-3
Towson, Maryland 21204
410-823-3535

PARKING EVALUATION

ASST. LIV. PAC. = 1 SPACE PER 3 BEDS
PARKING REQ. = 4 BEDS = 2 SPACES
PARKING PROV. = 2 SPACES
PARKING AREA TO BE DUSTLESS, DURABLE & STRIPED

PLAT TO ACCOMPANY
ZONING PETITION
CURRY PROPERTY

25 GREENAPPLE COURT
2ND ELECT. DIST. BALTO. CO. MD.
SCALE: 1" = 20' MAR. 29, 2011

#

#0046