

IN RE: PETITION FOR ADMIN. VARIANCE

W side of Pleasant Valley Drive, 260
feet S of Chesworth Road
1st Election District
1st Councilmanic District
(1314 Pleasant Valley Drive)

Laureen R. Penn
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2012-0103-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, Laureen R. Penn. The variance request is from Section 208.3 (1955-1971) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed garage addition to be built with a sum of side yard setbacks of 20 feet in lieu of the required 25 feet on the lot. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a garage addition measuring 12 feet x 24 feet.

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 23, 2011, 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 indicate that the requested variance would adversely affect the health, safety or general welfare of

ORDER RECEIVED FOR FILING

Date 1-18-12

By 192

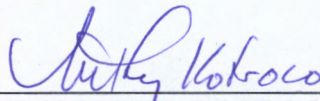
the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the 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 Administrative Law Judge for Baltimore County, this 18th day of January, 2012 that a Variance from Section 208.3 (1955-1971) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed garage addition to be built with a sum of side yard setbacks of 20 feet in lieu of the required 25 feet on the lot, be and 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.


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 1-18-12

By 19W



KEVIN KAMENETZ
County Executive

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

January 18, 2012

LAUREEN R. PENN
1314 PLEASANT VALLEY DRIVE
BALTIMORE MD 21228

Re: Petition for Administrative Variance
Case No. 2012-0103-A
Property: 1314 Pleasant Valley Drive

Dear Ms. Penn:

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, Approvals and Inspections an appeal within thirty (30) days from the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

c: Allan Langer, 1316 Pleasant Valley Drive, Baltimore MD 21228

ORIGINAL KEEP IN FILE

APPHAS POSTING
SHEET & POSTERS LIST



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 1314 Pleasant Valley Drive

which is presently zoned DR 3.5

Deed Reference: 27339/272 Tax Account # 0107410521

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) 208.3 (1955-1971 BCZR)

TO PERMIT A PROPOSED GARAGE ADDITION TO BE BUILT WITH A SUM OF SIDE YARD SETBACKS OF 20 FT. IN LIEU OF THE REQUIRED 25 FT. ON THE LOT.

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):

Laureen Penn

Name - Type or Print

Signature

Name - Type or Print

Signature

1314 Pleasant Valley Dr.

443-220-3312

Address

Balto

MD

Telephone No.

21228

City

State

Zip Code

Representative to be Contacted:

Meghan Cunningham

Name

540 46th St.

410-913-2558

Address

Balto

MD

Telephone No.

21224

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 15 day of 11-12 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.

Zoning Commissioner of Baltimore County

Case No. 2012-0103-A

Reviewed By JC

Date 11/11/11

Estimated Posting Date 10/23/11

● PRACTICAL HARDSHIP & ● DIFFICULTY
ATTACHMENT 1314 PLEASANT VALLEY DR.

The way that the houses were built doesn't leave room to construct a reasonably sized garage. The law would limit it to 7 feet in width, which is not possible to fit an average size vechical. The house has a wet basement and no attic space, which limits storage space.

0103

ZONING PROPERTY DESCRIPTION FOR 1314 PLEASANT VALLEY DRIVE

Beginning at a point on the ^{WEST} ~~east~~ side of Pleasant Valley Drive which is 60ft wide
at the distance of ^{260' SOUTH} ~~260' west~~ of the centerline of the nearest improved
intersecting street ~~Pleasant Valley Drive~~ ^{CHESWORTH RD.} which is 60 ft wide.

Being Lot # 11, Block C, Section # 1 in the Subdivision Woodbridge Valley as
recorded in Baltimore County Plat Book # 33, Folio # 111 containing 8,800
square feet. Located in the 1 Election District and 1 Council District.

0103

Case No.: 2012-0103-A

Exhibit Sheet

19w 1/18/12

2/21/12
ps

Petitioner/Developer

Protestant

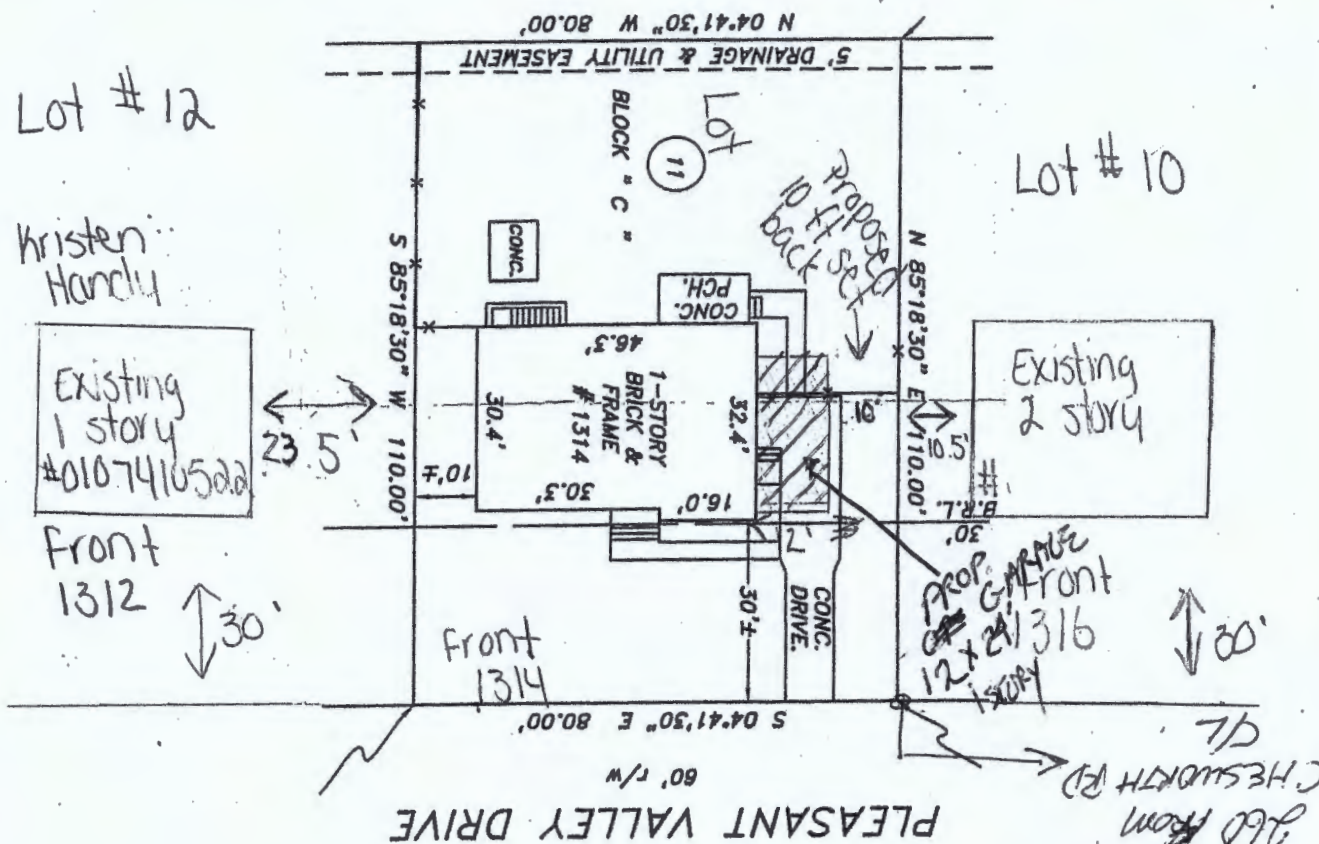
No. 1	<i>Six Pean</i>	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 1314 Pleasant Valley Dr. OWNER(S) NAME(S) Laureen Penn

SUBDIVISION NAME Woodbridge Valley LOT # 11 BLOCK # C SECTION # 1

PLAT BOOK # 33 FOLIO # 111 10 DIGIT TAX # 0107410521 DEED REF. # 27339/00272



2012-0103-A

PLAN DRAWN BY Meghan Cunningham DATE 10/7/11 SCALE: 1 INCH = 30 FEET

CHESWORTH ROAD
PLEASANT VALLEY DRIVE

MAP IS NOT TO SCALE
ZONING MAP# 094C2
SITE ZONED DR 3.5
ELECTION DISTRICT 1
COUNCIL DISTRICT 1
LOT AREA ACREAGE .21
OR SQUARE FEET 8,800
HISTORIC? no
IN CBCA? no
IN FLOOD PLAIN? no
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE
SEWER IS:
PUBLIC X PRIVATE
PRIOR HEARING? no
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

(Pet. Ex. 1) 150 1-18-12

**NOTICE OF ZONING
HEARING**

The Administrative Law Judge 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: # 2012-0103-A
1314 Pleasant Valley Drive
W/side of Pleasant Valley
Drive, 260 feet (+/-) south of
Chesworth Road
1st Election District
1st Councilmanic District
Legal Owner(s): Laureen
Penn

Variance: to permit a proposed garage addition to be built with a sum of side yard setbacks of 20 feet in lieu of the required 25 foot on the lot.

Hearing: Tuesday, January 17, 2012 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 01/611 January 3 293953

Ad. Hearing
Jan 11/12

CERTIFICATE OF PUBLICATION

1/5/ 2012

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 1/3/ 2012.

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

S. Wilkinson

LEGAL ADVERTISING

December 14, 2011

Dear Whom it may concern,

I am writing to inform you that I was unable to get the sign with the court date posted 15 days before the hearing. I am asking that you please reschedule our court date. The case number is 2012-0103-A property address 1314 Pleasant Valley Drive. I was asked to let you know what dates wouldn't work for me and they are January 1st through the 14th anytime after that is good. Thank you for your time.

Sincerely,

Laureen Penn

CERTIFICATE OF POSTING

*Hearing
1/17/12*

2012-0103-A

RE: Case No.: _____

Petitioner/Developer: _____

Laureen Penn

January 17, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

1314 Pleasant Valley Drive

January 2, 2012

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

January 2, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



Mr. Allan Langer
1316 Pleasant Valley Drive
Baltimore, MD 21228

December 30, 2011

Mr. Arnold Jablon
Director
Permits, Approval and Inspections
111 West Chesapeake Avenue
Towson, MD 21204

Re: Case Number 2012-0103-A

Dear Mr. Jablon:

On October 27, 2011, I submitted a request for a judge to reject my neighbor's petition for a variance. Since that time, I have discussed the scope of the project with my neighbor, Laureen Penn. I now understand the size of the garage she wants, and I am no longer opposed to Ms. Penn building an attached garage (12 feet x 24 feet) on her property at 1314 Pleasant Valley Drive.

For these reasons, I would like to withdraw my request to reject the variance Ms. Penn requested. As I am no longer opposed, I would also like you to cancel the hearing scheduled in this case for January 17, 2012 and allow Ms. Penn to proceed.

Thank you for your kind attention to my concerns.

Sincerely,

Allan Langer

Allan Langer

cc : Laureen Penn

1/4/12
To XP
please follow thru
J

Ernesto 1/5/12
Take care of.
Carl

**NOTICE OF ZONING
HEARING**

The Administrative Law Judge 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: # 2012-0103-A
1314 Pleasant Valley Drive
W/side of Pleasant Valley Drive, 260 feet (+/-) south of Chesworth Road
1st Election District
1st Councilmanic District
Legal Owner(s): Laureen Penn
Variance: to permit a proposed garage addition to be built with a sum of side yard setbacks of 20 feet in lieu of the required 25 foot on the lot.
Hearing: Wednesday, December 21, 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.

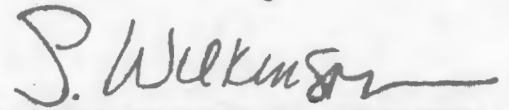
JT-12/600 Dec. 6 292274

CERTIFICATE OF PUBLICATION

12/8/2011

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 12/6/2011.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0103-A

RE: Case No.: _____

Petitioner/Developer: _____

Laureen Penn

November 7, 2011

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

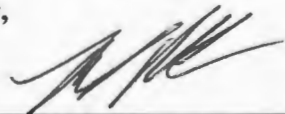
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1314 Pleasant Valley Drive

October 23, 2011

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,



October 24, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

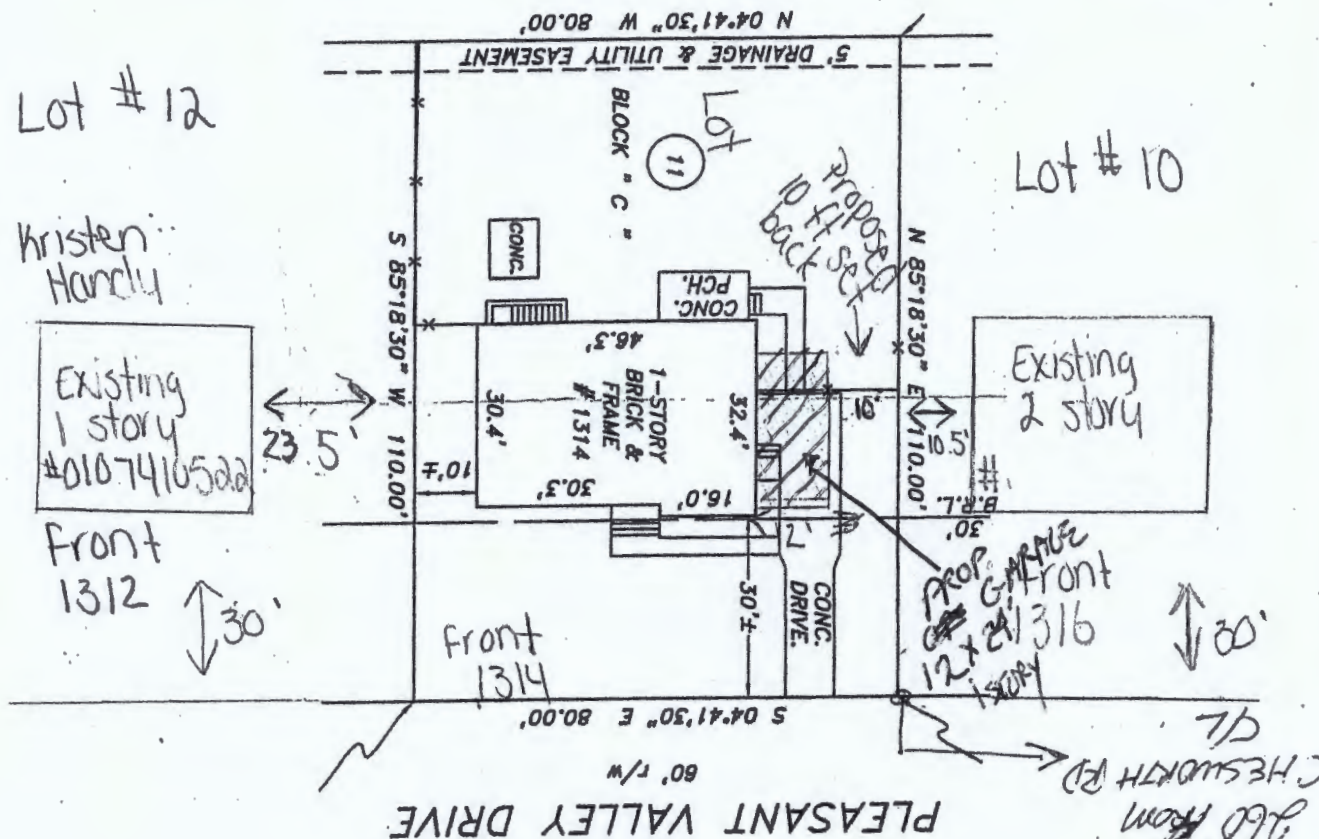


ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)

ADDRESS 1314 Pleasant Valley Dr. OWNER(S) NAME(S) Laureen Penn

SUBDIVISION NAME Woodbridge Valley LOT # 11 BLOCK # C SECTION # 1

PLAT BOOK # 33 FOLIO # 111 10 DIGIT TAX # 0107410521 DEED REF. # 27339/00272



2012-0103-A

PLAN DRAWN BY Meghan Cunningham DATE 10/7/11 SCALE: 1 INCH = 30 FEET

DATE, VICTOR & TAYLOR

Chesworth Road

Pleasant Valley Drive

MAP IS NOT TO SCALE
ZONING MAP# 094C2
SITE ZONED DR 3.5
ELECTION DISTRICT 1
COUNCIL DISTRICT 1
LOT AREA ACREAGE .21
OR SQUARE FEET 8,800
HISTORIC? no
IN CBCA? no
IN FLOOD PLAIN? no
UTILITIES? MARK WITH X
WATER IS:
PUBLIC ☒ PRIVATE
SEWER IS:
PUBLIC ☒ PRIVATE
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO: