IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE
SW/S Woodside Avenue, 100 ft. NW of c/l Avondale Road
3217 Woodside Avenue
14th Election District
6th Councilmanic District
Bruno A. Commodari
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-326-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Bruno A. Commodari for that property known as 3217 Woodside Avenue in the Amberly subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 1B02.3.B and 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the required 6 ft., for a proposed carport, and to permit a setback of 1 ft. in lieu of the required 2.5 ft. for an existing shed, respectively. All as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, 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 26-127 (b)(1) 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 Zoning Commissioner, 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 Zoning Commissioner for Baltimore County this 22nd day of April, 1995 that the Petition for a Zoning Variance from Section 1B02.3.B and 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the required 6 ft., for a proposed carport, and to permit a setback of 1 ft. in lieu of the required 2.5 ft. for an existing shed, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.

2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 20, 1995

Mr. Bruno A. Commodari
3217 Woodside Avenue
Baltimore, Maryland 21234

RE: Petition for Administrative Zoning Variance
Case No. 95-326-A
Property: 3217 Woodside Avenue

Dear Mr. Commodari:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3217 Woodside Avenue
address

Balto., Md. 21234
City State Zip Code

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 hardship or practical difficulty)

Acarport is needed to protect our cars from the elements (rain, snow, wind,sun, etc.), and to provide a covered outside play area for our daughter. Due to the topography of our rear yard and the location of existing accessory structures, the proposed location is the only practical one. At the present time, a driveway exists here and extends to an existing sidewall located on the property line. Our proposal is to construct the posts on the wall. A similar request (Case #79-41-A) was granted for the property directly across the street from our house.

****

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Bruno A. Commodari
(signature)

BRUNO A. COMMODARI
(type or print name)

(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

BRUNO A Commodari

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

3/13/95
date

NOTARY PUBLIC

My Commission Expires: 4/22/95

A request to legalize of the existing shed is also included.
In view of the above, we respectfully request that the variances be granted, and unreasonable hardship and practical difficulty would result if they were not granted.

Petition for Administrative Variance

95-326-A

to the Zoning Commissioner of Baltimore County

for the property located at 3217 Woodside Avenue

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & 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) 1B02.3B (211.3 + 301.1)

to permit a side yard setback of 0' in lieu of the required 6'

for a proposed carport. Section 400.1 to permit a setback of 1' in lieu of the required 2.5' for an existing shed.

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

SEE BACK

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

BRUNO A. COMMODARI

(Type or Print Name)

Bruno A. Commodari

Signature

(Type or Print Name)

Signature

3217 Woodside Avenue 661-2465

Address Phone No

Balto., Md. 21234

City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: mjk DATE: 3/23/95

ESTIMATED POSTING DATE: 4/2/95

Printed with Soybean Ink on Recycled Paper

MICROFILMED ITEM # 325

95-326-A

VARIANCE DESCRIPTION

Located on the southwest side of Woodside Avenue approximately 100' northwest of the centerline of Avondale Road and known as lot 11 as shown on the Plat of Amberly, which is recorded in the land records of Baltimore County in liber 27 folio 25. Also known as 3217 Woodside Avenue.

#325

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 93-326-A

Towson, Maryland

District 14th Date of Posting 4/1/95

Posted for: Variance

Petitioner: Bruno A. Commodari

Location of property: 3217 Woodside Ave, SW/S

Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by W. Stevens Date of return: 4/7/95

Signature

Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-326-A

Account: R-001-6150

Number

Date 3/23/95

Item: 325

Taken By: DMK

Commodari Bruno — 3217 Woodside Ave

010- Res Var. (Admin) — $50.00

080- 1 sign posting — $35.00

Total — $85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 325

Petitioner: Bruno A. Commodari

Location: 3217 Woodside Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Bruno A. Commodari

ADDRESS: 3217 Woodside Avenue

Balto. MD. 21234

PHONE NUMBER: 661-2465

AJ:ggs

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 30, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-326-A (Item 325)
3217 Woodside Avenue
SW/S Woodside Avenue, 100' NW of c/l Avondale Road
14th Election District - 6th Councilmanic
Legal Owner: Bruno A. Commodari

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 2, 1995. The closing date (April 17, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a $60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Bruno A. Commodari

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 10, 1995

Mr. Bruno A. Commodari
3217 Woodside Avenue
Baltimore, Maryland 21234

RE: Item No.: 325
Case No.: 95-326-A
Petitioner: B. A. Commodari

Dear Mr. Commodari:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 23, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 4, 1995

SUBJECT: 3217 Woodside Avenue

INFORMATION:

Item Number: 325

Petitioner: Bruno Commodari

Property Size:

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit 1) a side yard setback of 0' in lieu of the required 6', and 2) a setback of 1' in lieu of the required 2.5' for an existing shed.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/04/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 3, 1995.

Item No.: SEE BELOW Zoning Agenda: SEE BELOW

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 321, 322, 323, 324, 325, 326 & 327.

RECEIVED
APR 6 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-31-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: #325 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: April 10, 1995

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 10, 1995
Items 322, 323, 324, 325, 326, and 327

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

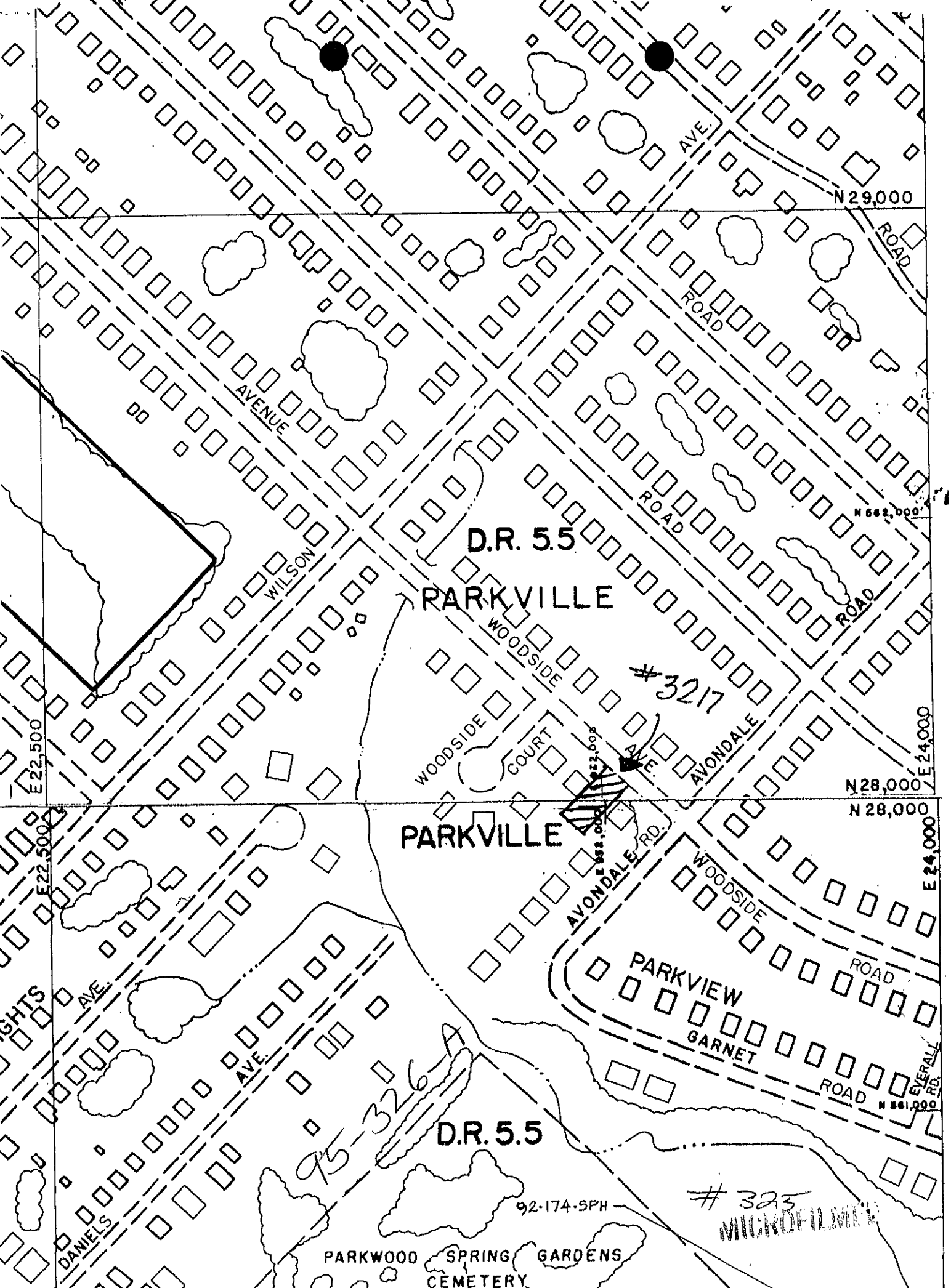
RWB:sw

95-326-A 3/30/95

To Whom It May Concern,

It has been brought to our knowledge that Mr & Mrs Commisiani will be putting up a car port on the side of their home. We have no objection in their doing so.

John A. Harding
&
Eleanor Harding
H/O 3219 WOODSIDE AVE
ADJACENT TO 3217 WOODSIDE AVE


N 29,000
AVE.
ROAD
ROAD
AVENUE
WILSON
D.R. 5.5
PARKVILLE
WOODSIDE
ROAD
ROAD
N 662,000'
#3217
WOODSIDE
COURT
AVE.
AVONDALE
E 22,500
E 24,000
N 28,000
N 28,000
PARKVILLE
AVONDALE RD.
WOODSIDE
E 22,500
E 24,000
PARKVIEW
ROAD
GARNET
ROAD
EVERALL RD.
N 661,000
AVE.
AVE.
95-326-A
D.R. 5.5
92-174-SPH
#325
MICROFILMED
DANIELS
PARKWOOD SPRING GARDENS
CEMETERY

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3217 WOODSIDE AVE.

see pages 5 & 6 of the CHECKLIST for additional required information

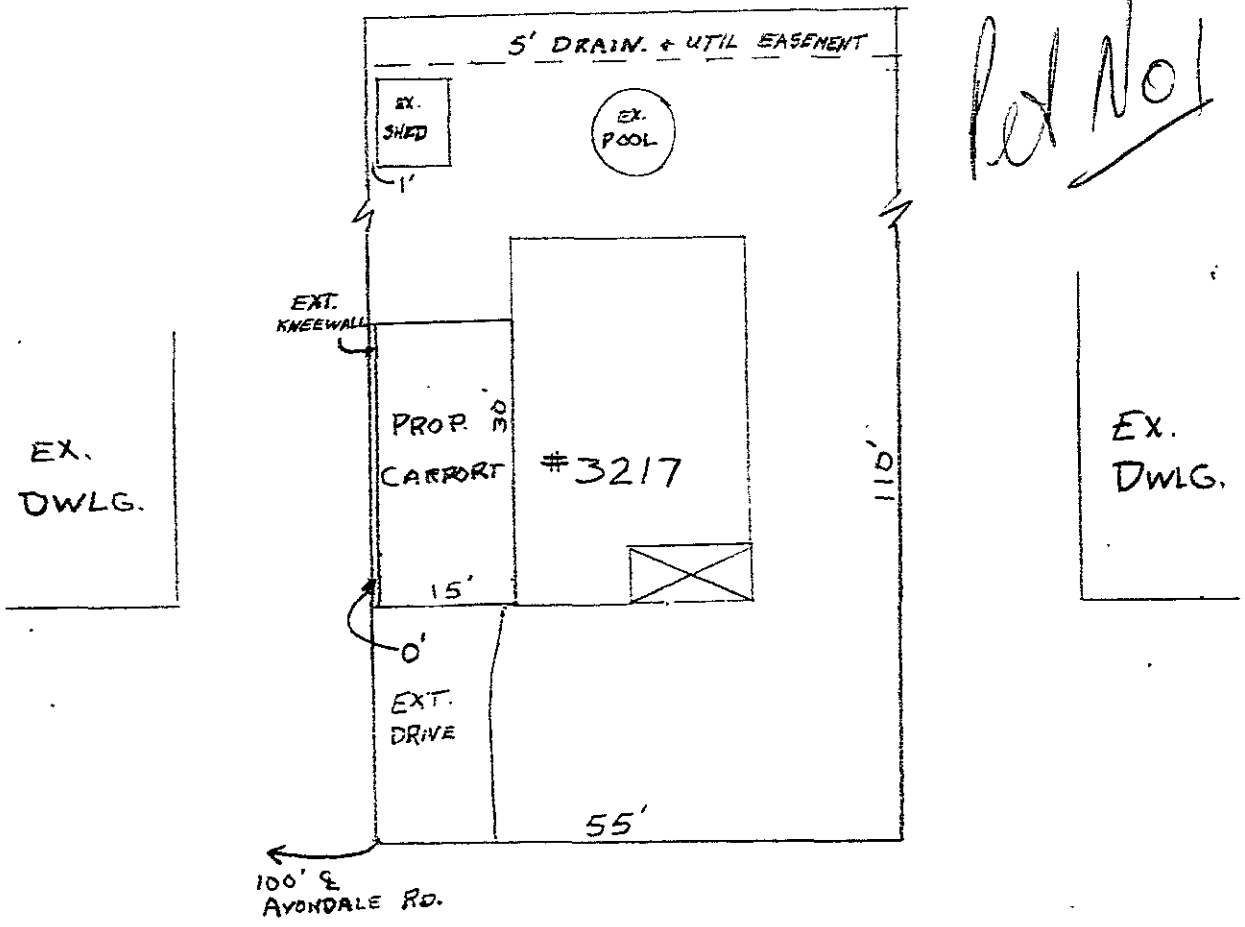
Subdivision name: AMBERLY

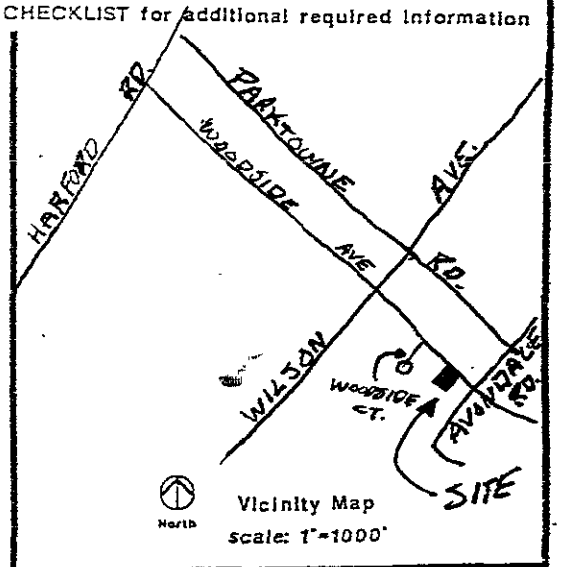
plat book# 27, folio# 25, lot# 11, section# ____

OWNER: BRUNO A. COMMODARI

95-326-A

Lot No 1





LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

1"=200' scale map#: NE 7-8D

Zoning: D.R. 5.5

Lot size: .14 acreage / 6050 square feet

	public	private
SEWER:	☒	☐
WATER:	☒	☐

	yes	no
Chesapeake Bay Critical Area:	☐	☒

Prior Zoning Hearings: ____

WOODSIDE AVE.

North

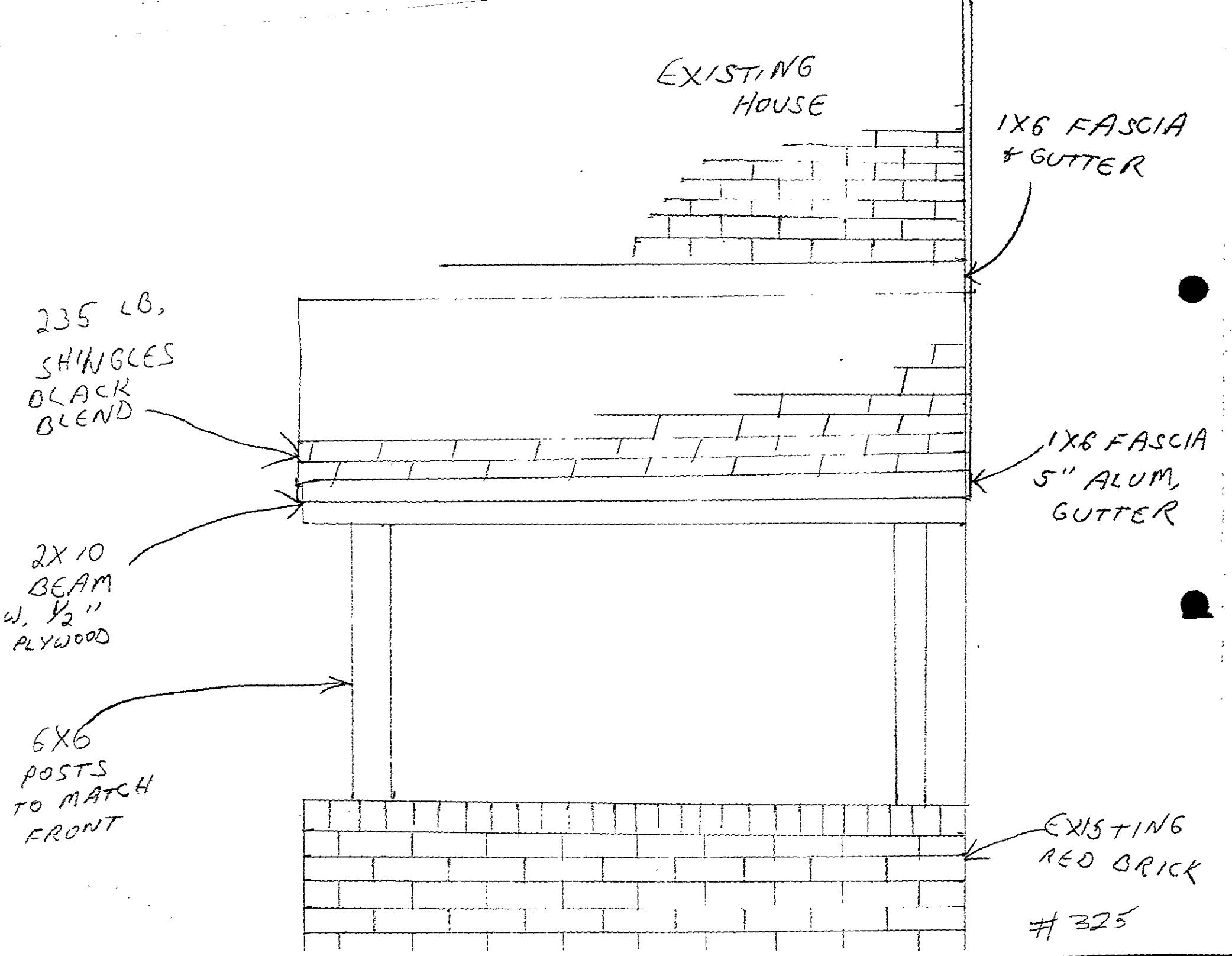
date: 3/22/95

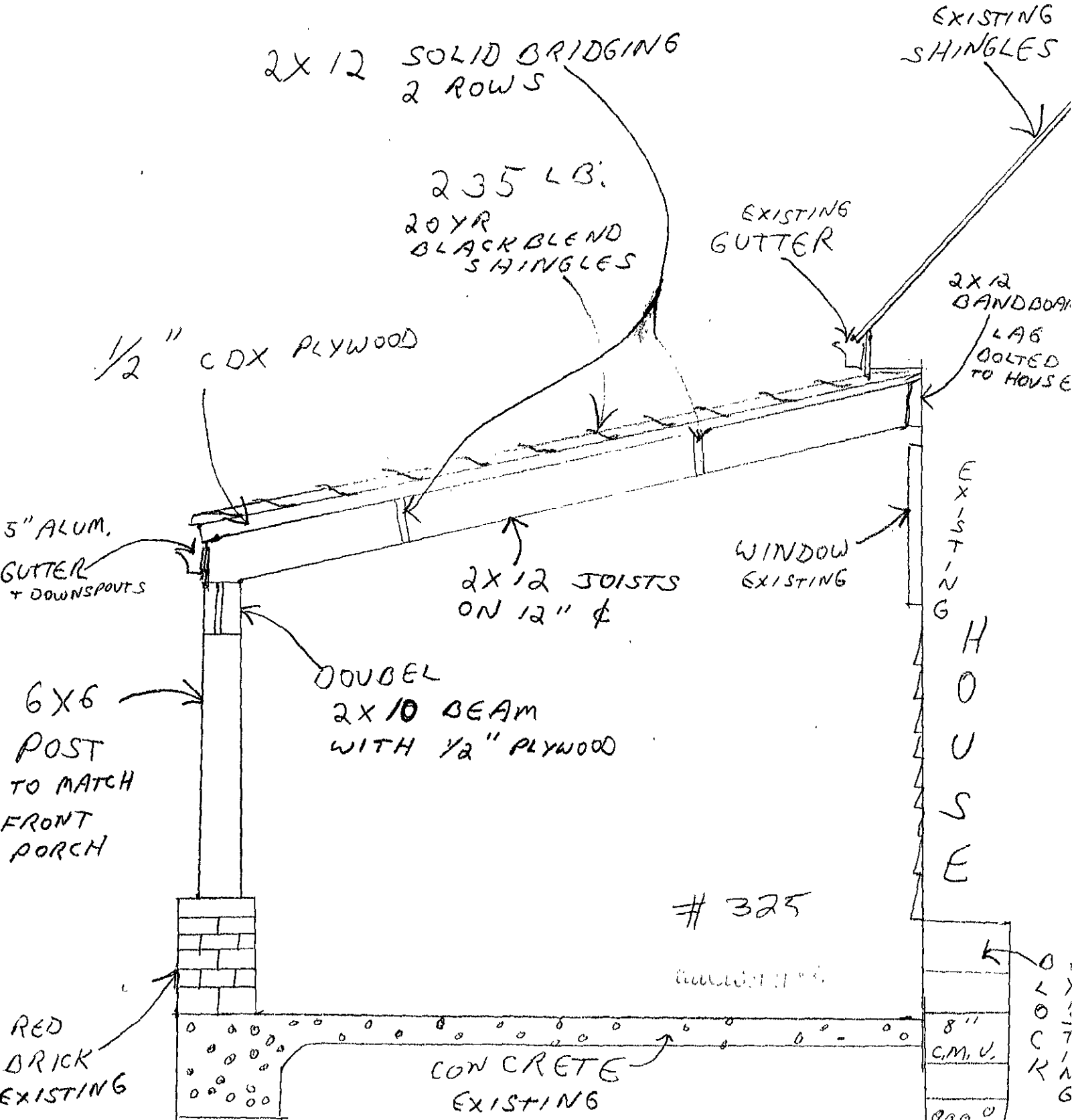
prepared by: NBC

Scale of Drawing: 1"= 20'

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
MDK	325	

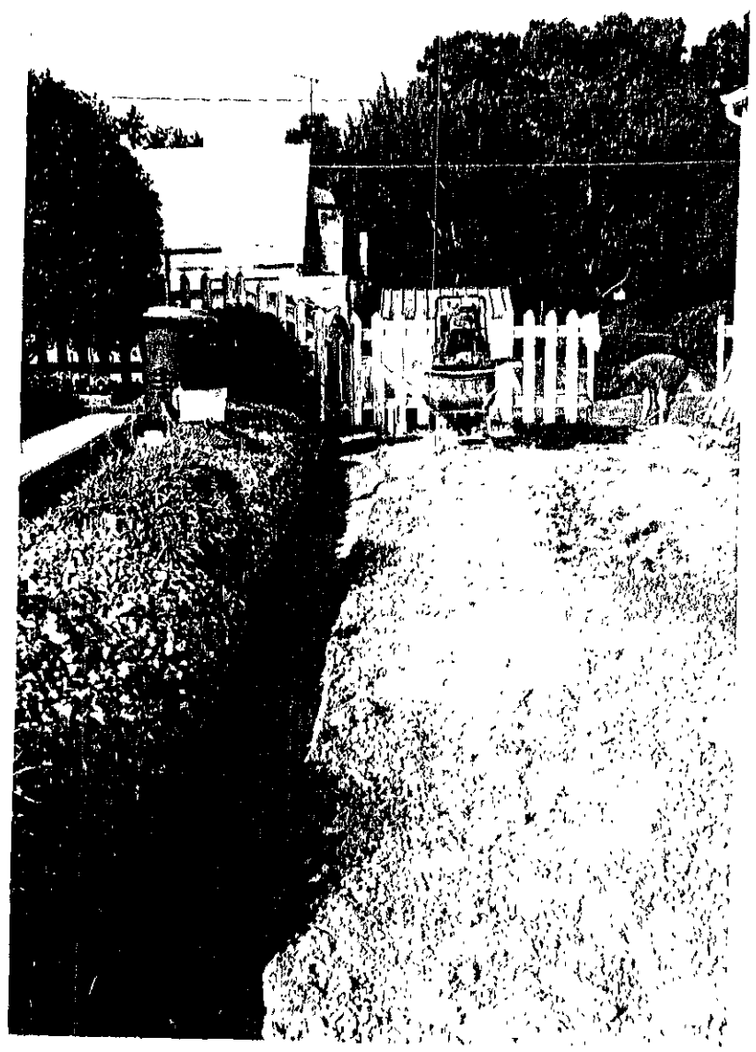

EXISTING HOUSE
1X6 FASCIA & GUTTER
235 LB. SHINGLES BLACK BLEND
1X6 FASCIA 5" ALUM. GUTTER
2X10 BEAM W. 1/2" PLYWOOD
6X6 POSTS TO MATCH FRONT
EXISTING RED BRICK
#325


2X 12 SOLID BRIDGING
2 ROWS
EXISTING
SHINGLES
235 LB.
20YR
BLACKBLEND
SHINGLES
EXISTING
GUTTER
2X12
BANDBOAR
LAG
BOLTED
TO HOUSE
1/2" CDX PLYWOOD
5" ALUM.
GUTTER
+ DOWNSPOUTS
2X 12 JOISTS
ON 12" ¢
WINDOW
EXISTING
EXISTING
HOUSE
DOUBEL
2X 10 BEAM
WITH 1/2" PLYWOOD
6X6
POST
TO MATCH
FRONT
PORCH
325
RED
BRICK
EXISTING
CONCRETE
EXISTING
8"
C.M.U.
BLOCK

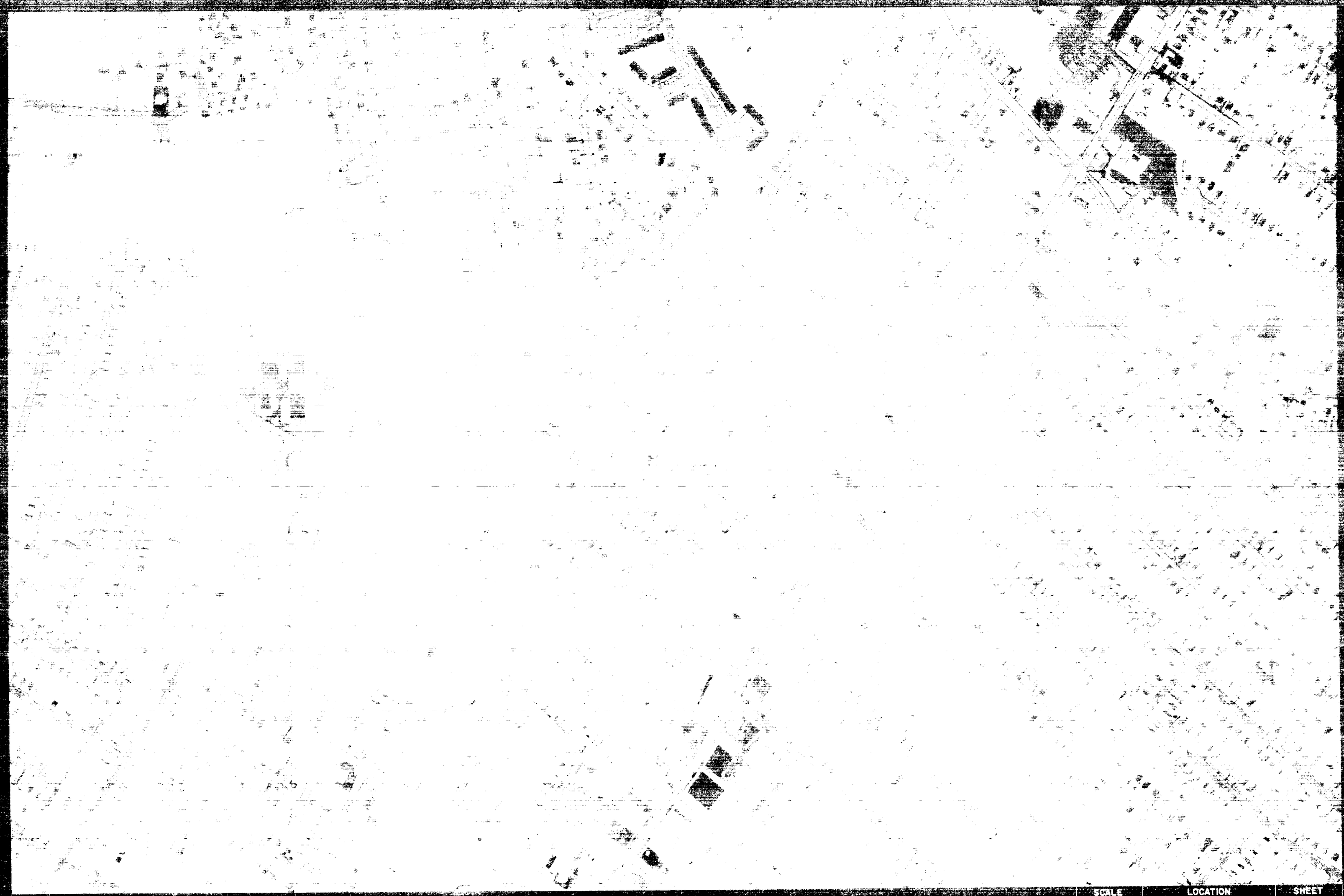
75-326-A

#3217

#3218 WOODSIDE
CASE #79-41-A



5 - 326 - H



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	PARKVILLE	N.E. 8-D
DATE OF PHOTOGRAPHY JANUARY 1986		

MICROFILMED

#325

05324

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Woodside Avenue, 100 ft. NW of c/l Avondale Road
3217 Woodside Avenue
14th Election District
6th Councilmanic District
Bruno A. Commodari
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-326-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Bruno A. Commodari for that property known as 3217 Woodside Avenue in the Amberly subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 1B02.3.B and 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the required 6 ft., for a proposed carport, and to permit a setback of 1 ft. in lieu of the required 2.5 ft. for an existing shed, respectively. All as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, 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 26-127 (b)(1) 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 Zoning Commissioner, 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

CERTIFICATE OF PUBLICATION/POSTING
Date 4/7/95
Baltimore County Zoning Commissioner
Office of Planning and Zoning

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 Zoning Commissioner for Baltimore County this 7th day of April, 1995 that the Petition for a Zoning Variance from Section 1B02.3.B and 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 0 ft., in lieu of the required 6 ft., for a proposed carport, and to permit a setback of 1 ft. in lieu of the required 2.5 ft. for an existing shed, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.

2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 20, 1995

Mr. Bruno A. Commodari
3217 Woodside Avenue
Baltimore, Maryland 21234

RE: Petition for Administrative Zoning Variance
Case No. 95-326-A
Property: 3217 Woodside Avenue

Dear Mr. Commodari:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

Printed with Soybean Ink on Recycled Paper

Petition for Administrative Variance

95-326-A

to the Zoning Commissioner of Baltimore County

for the property located at 3217 Woodside Avenue
which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & 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) 1B02.3B (211.3 + 301.1) to permit a side yard setback of 0' in lieu of the required 6' for a proposed carport. Section 400.1 to permit a setback of 1' in lieu of the required 2.5' for an existing shed.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE BACK

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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: (Type or Print Name) ____ Signature ____ Address ____ City ____ State ____ Zipcode ____

Attorney for Petitioner: (Type or Print Name) ____ Signature ____ Address ____ Phone No. ____ City ____ State ____ Zipcode ____

Legal Owner(s): (Type or Print Name) BRUNO A. COMMODARI Signature Bruno A Commodari

(Type or Print Name) ____ Signature ____

Address: 3217 Woodside Avenue Phone No: 661-2465
City: Balto., Md. State: ____ Zipcode: 21234

Name, Address and phone number of representative to be contacted: Name ____ Address ____ Phone No. ____

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19__, that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JWR DATE 3/13/95
ESTIMATED POSTING DATE: 4/2/95

Printed with Soybean Ink on Recycled Paper

ITEM #: 325

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3217 Woodside Avenue
Address
Balto., Md. 21234
City State Zip Code

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 hardship or practical difficulty)

A carport is needed to protect our cars from the elements (rain, snow, wind, sun, etc.), and to provide a covered outside play area for our daughter. Due to the topography of our rear yard and the location of existing accessory structures, the proposed location is the only practical one. At the present time, a driveway exists here and extends to an existing sidewall located on the property line. Our proposal is to construct the posts on the wall. A similar request (Case #79-414-A) was granted for the property directly across the street from our house.

****

That Affiant(s) understand(s) that if a petition is filed, Affiant(s) shall be required to pay a reposting and advertising fee and may be required to provide additional information.

(Signature) Bruno A Commodari
BRUNO A. COMMODARI
Type or print name

(Signature) ____
(Type or print name) ____

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Bruno A Commodari,

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3/13/95
Date

NOTARY PUBLIC

My Commission Expires: 4/22/98

A request to legalize of the existing shed is also included.
In view of the above, we respectfully request that the variances be granted, and unreasonable hardship and practical difficulty would result if they were not granted.

95-326-A

VARIANCE DESCRIPTION

Located on the southwest side of Woodside Avenue approximately 100' northwest of the centerline of Avondale Road and known as lot 11 as shown on the Plat of Amberly, which is recorded in the land records of Baltimore County in liber 27 folio 25. Also known as 3217 Woodside Avenue.

#325

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 95-326-A
Towson, Maryland

District 14th Date of Posting 4/1/95
Posted for: Variance
Petitioner: Bruno A. Commodari
Location of property: 3217 Woodside Ave, SW/S
Location of Signs: Facing road way on property being posted
Remarks:
Posted by Signature Date of return: 4/7/95
Number of Signs: 1

Baltimore County Government
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Md. 21204

receipt
95-326

Account: R-001-6150

Date 3/20/95
Number
Item: 325
Total: $85.00

Commodari, Bruno — 3217 Woodside Ave
010 - Res Var (Admin) — $50.00
020 - Sign posting — $35.00
Total — $85.00

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 325
Petitioner: Bruno A. Commodari
Location: 3217 Woodside Avenue
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Bruno A. Commodari
ADDRESS: 3217 Woodside Avenue
Balto. MD 21234
PHONE NUMBER: 661-2465

AJ:ggs

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 30, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-326-A (Item 325)
3217 Woodside Avenue
SW/S Woodside Avenue, 100' NW of c/l Avondale Road
14th Election District - 6th Councilmanic
Legal Owner: Bruno A. Commodari

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 2, 1995. The closing date (April 17, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a $50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Bruno A. Commodari

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 10, 1995

Mr. Bruno A. Commodari
3217 Woodside Avenue
Baltimore, Maryland 21234

RE: Item No.: 325
Case No.: 95-326-A
Petitioner: B. A. Commodari

Dear Mr. Commodari:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 23, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 4, 1995

SUBJECT: 3217 Woodside Avenue

INFORMATION:

Item Number: 325

Petitioner: Bruno Commodari

Property Size:

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Variance to permit 1) a side yard setback of 0' in lieu of the required 6', and 2) a setback of 1' in lieu of the required 2.5' for an existing shed.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: Jeffrey W. Long

Division Chief: Carl Richards

PK/JL

ITEM325/PZONE/ZAC1 Pg. 1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/04/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 2, 1995.

Item No.: SEE BELOW Zoning Agenda: SEE BELOW

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 321, 322, 323, 324, 325, 326 & 327.

RECEIVED
APR 6 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-31-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: # 325 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 10, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 10, 1995
Items 322, 323, 324, 325, 326, and 327

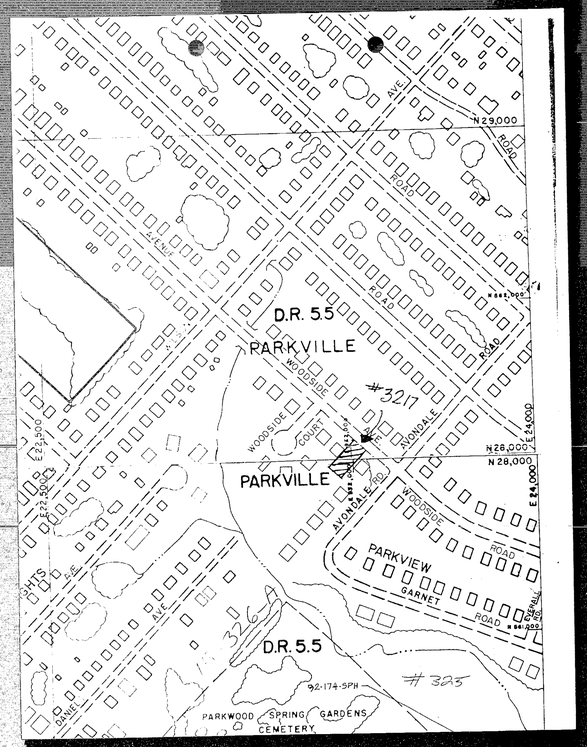
The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

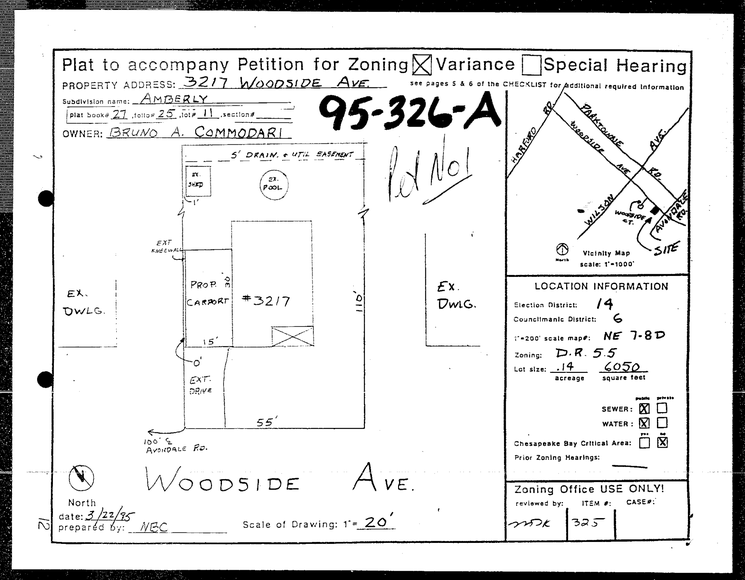
RWB:sw

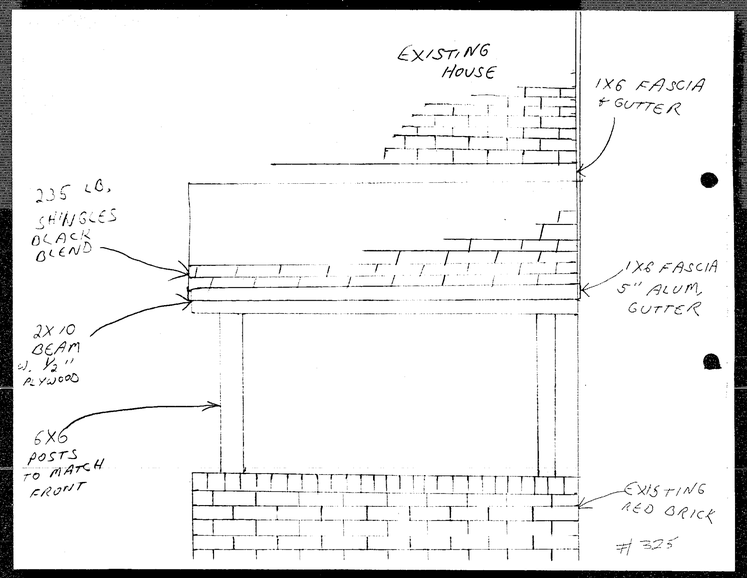
95-326-A 3/31/95

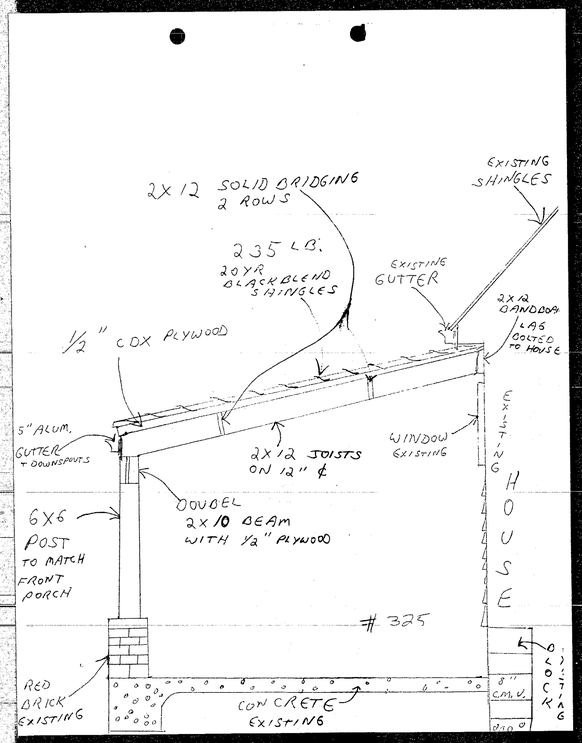
To Whom It May Concern,
It has been brought to our knowledge that Mr & Mrs Commodari will be putting up a car port on the side of their home. We have no objection in the zoning of it.

John A Harding
Eileen Harding
H/O 3219 Woodside Ave
ADJACENT TO 3217 WOODSIDE AVE







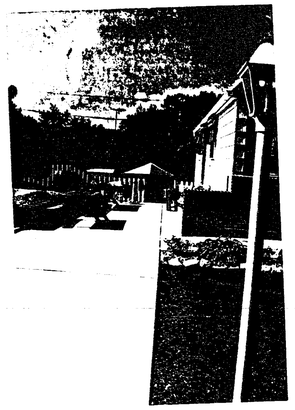


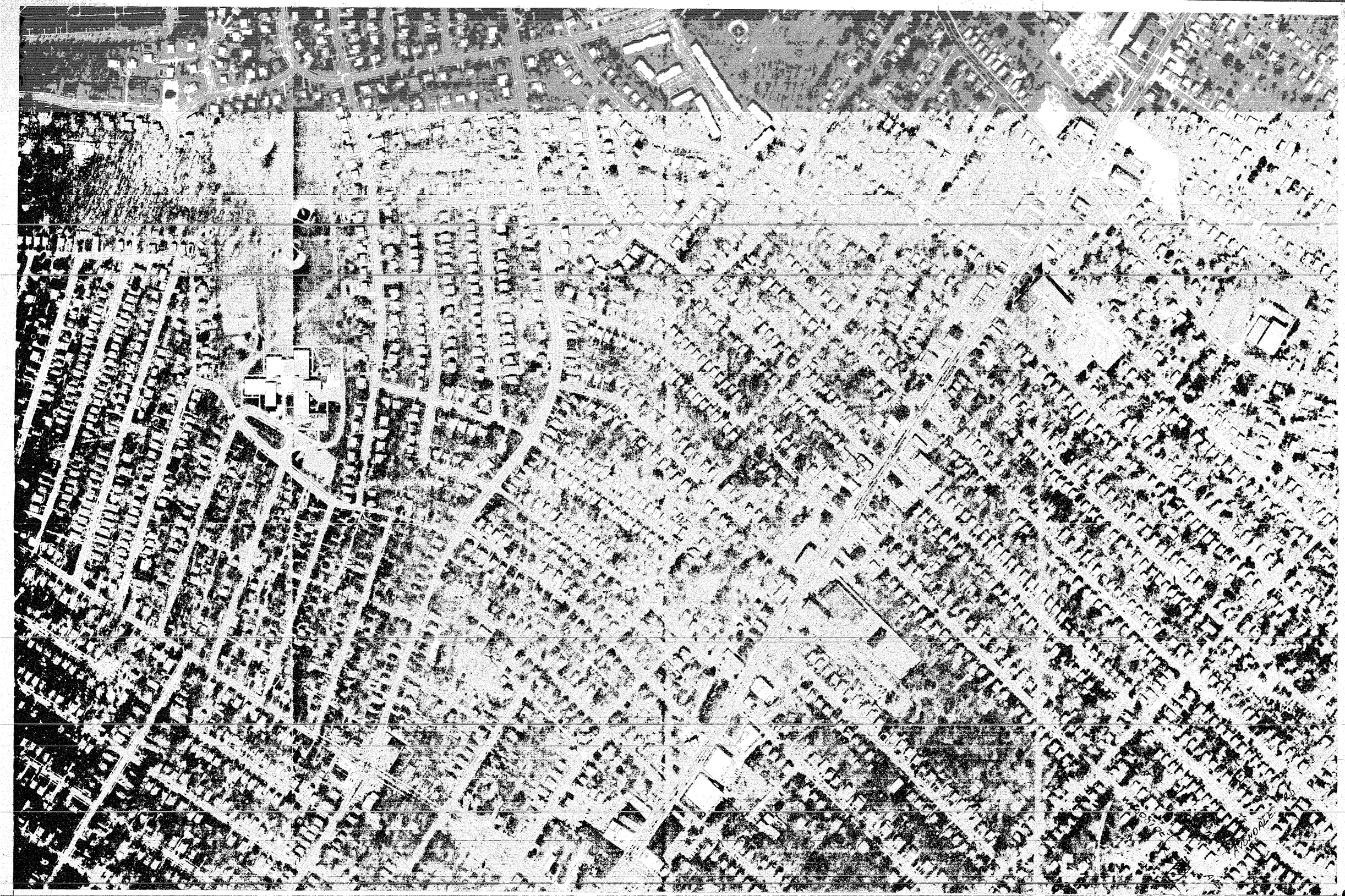
95-326-A

#3217

#3218 WOODSIDE
CASE #79-41-A

95-326-A





95-326-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'±	PARKVILLE	N.E. 8-D
DATE OF PHOTOGRAPHY JANUARY 1986		#325

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401