

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
S/S Lewis Road, 3005 ft. E
of Fork Road
6709 Lewis Road
11th Election District
6th Councilmanic District
William T. Trivette, Sr., et ux,
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-231-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by William T. Trivette, Sr., and Thelma E. Trivette, his wife, property owners, for that property known as 6709 Lewis Road in the Baldwin Estates subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 15 ft., in lieu of 35 ft., for an attached garage and enclosed breezeway, in an R.C.2. zone. The property and relief sought are more particularly described on Petitioners' plat to accompany the Petition.

The Petitioners 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 Petitioners have 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

ORIGINAL FILED IN BALTIMORE COUNTY

Date

By

1/5/99
J. J. Spahr

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of Jan 1999, that the Petition for a Residential Variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 15 ft., in lieu of 35 ft., for an attached garage and enclosed breezeway, in an R.C.2. zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

RECEIVED
BALTIMORE COUNTY
JAN 15 1999
ZONING DEPARTMENT



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

December 30, 1998

Mr. and Mrs. William T. Trivette, Sr.
6709 Lewis Road
Baldwin, Maryland 21013

RE: Petition for Administrative Variance
Case No. 99-231-A
Property: 6709 Lewis Road

Dear Mr. and Mrs. Trivette:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, 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 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

c: Wendy Francisco
1464 Rock Ridge Road
Jarrettsville, Maryland 21084





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6709 Lewis Rd., Baldwin, MD 21013
which is presently zoned R.C. 2

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) 1A01.3.B.3 to permit a side yard setback of 15 ft. in lieu of the required 35 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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):

William T. Trivette, Sr.
Name - Type or Print _____
Signature William T. Trivette, Sr.
Thelma E. Trivette
Name - Type or Print _____
Signature Thelma E. Trivette
Day + Even.
6709 Lewis Rd. 410-592-8385
Address _____ Telephone No. _____
Baldwin, MD 21013
City _____ State _____ Zip Code _____

Representative to be Contacted:

Wendy Francisco
Name _____ D 410-557-9838
1464 Rock Ridge Rd. E 717-382-9301
Address _____ Telephone No. _____
Jarrattsville, MD 21084
City _____ State _____ Zip Code _____

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

Zoning Commissioner of Baltimore County

CASE NO. 99-231-A

Reviewed By BR Date 12/1/98

REV 9/15/98

Estimated Posting Date 12/13/98

original

Reason for Variance -

Mr. William Trivette, Sr. and wife Thelma Trivette's request for a variance is based on the special needs of Mrs. Trivette, who is wheelchair bound. The Trivette's wish to build a two car garage and an enclosed breezeway adjacent to their existing dwelling. The Trivette residence is on a one acre lot which is zoned R.C.2. The addition of the twenty four foot by twenty four foot garage and ten foot by eighteen foot enclosed breezeway would bring the side of the home within fifteen feet of the side property setback line.

The garage and enclosed breezeway would provide safety and protection from the weather to Mr. & Mrs. Trivette. This addition would allow Mr. Trivette to transport his wife, both of whom are senior citizen's, to doctor appointments and outings with greater ease and more comfort to the disabled Mrs. Trivette.

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 6709 Lewis Road
Address
Baldwin, MD 21013
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):

Mr. William Trivette, Sr. and wife Thelma Trivette's request for a variance is based on the special needs of Mrs. Trivette, who is wheelchair bound. The Trivette's wish to build a two car garage and an enclosed breezeway adjacent to their existing dwelling. The Trivette residence is on a one acre lot which is zoned R.C.2. The addition of the twenty-four foot by twenty-four foot garage and ten foot by eighteen foot enclosed breezeway would bring the side of the home within fifteen feet of the side property setback line.

The garage and enclosed breezeway would provide safety and protection from the weather to Mr. & Mrs. Trivette. This addition would allow Mr. Trivette to transport his wife, both of whom are senior citizen's, to doctor appointments and outings with greater ease and comfort to the disabled Mrs. Trivette.

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

William T. Trivette, Sr.
Signature

William T. Trivette, Sr.
Name - Type or Print

Thelma E. Trivette
Signature

Thelma E. Trivette
Name - Type or Print

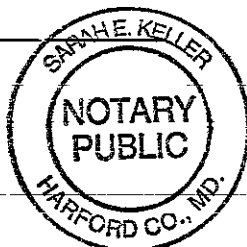
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of November, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

11/25/98
Date



Sarah E. Keller
Notary Public

My Commission Expires 6/1/02

REU 09/15/98

Mr. & Mrs. William Trivette, Sr.
6709 Lewis Road
Baldwin, Md 21013

Zoning Description for 6709 Lewis Road, Baldwin, MD 21013

As recorded in Deed Liber 8256, Folio 609

North 72 degrees 50 minutes East 208.72, South 20 degrees 50 minutes East 209.15, South 72 degrees 50 minutes West 208.72, and North 20 degrees 50 minutes West 209.15 to the place of beginning.

99-231-A #231

4550

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 062390

DATE 10/1/90 ACCOUNT R001 6150
AMOUNT \$ 50.00

RECEIVED FROM: Bela Construction Co.

FOR: Code 010 Administrative variance
6709 Lewis Rd.

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Item # 231

PAID RECEIPT
PROCESS ACTUAL TIME
12/02/1990 12/01/1990 15:02:47
REF #001 CASHIER CLERK DRAMER
5 MISCELLANEOUS CASH RECEIPT
Receipt # 079438
CRND. 062390
50.00 CASH
Baltimore County, Maryland

99-231-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case # 99-231-A
Petitioner/Developer:
(William Trivette)
Date of Hearing/Closing:
(Dec. 28, 1998)

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

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

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 _____
6709 Lewis Road Baldwin, Maryland 21013 _____

The sign(s) were posted on _____ Dec. 11, 1998 _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 99- 231 -AAddress 6709 Lewis Rd.Contact Person: Bruno Rudaitis
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 12/1/98Posting Date: 12/13/98Closing Date: 12/28/98

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)**Petitioner: This Part of the Form is for the Sign Poster Only****USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 99- 231 -AAddress 6709 Lewis Rd.Petitioner's Name TrivetteTelephone 410-592-8385Posting Date: 12/13/98Closing Date: 12/28/98

Wording for Sign: To Permit a side yard setback of 15 ft. in lieu
of the required 35 ft.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood 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 which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 231

Petitioner: William + Thelma Trivette

Location: 6709 Lewis Rd., Baldwin, MD 21013

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mr. William Trivette

ADDRESS: 6709 Lewis Rd., Baldwin, MD 21013

PHONE NUMBER: 410-592-8385

AJ:ggs

(Revised 09/24/96)

99.231-A

#231

Close 12/28/98

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 12/23/98

FROM: R. Bruce Seeley, Project Manager *RB Seeley*
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s:

222
223
225
226
227
228
232
233
234

(23)

Close 12/28/98

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: December 24, 1998

FROM:  Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for December 23, 1998
Item Nos. 222, 223, 224, 225, 226,
227, 228, 229, 231, 232, 233, 234,
and 235

AND

Revised Petitions and Plats for
Case #99-159-XA (8101 Bellona Avenue)

The Bureau of Developer's Plans Review has reviewed the subject
zoning items and revised petitions and plats, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE1223.NOC

AV
12/28

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: December 15, 1998

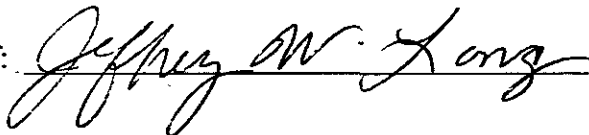
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 218, 220, 223, 224, 225, 226, 227, 228, 231, and 232

If there should be any questions or this office can provide additional information, please
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

December 11, 1998

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 December 14, 1998

Item No.: See Below

Zoning Agenda:

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:

223, 224, 225, 226, 227, 228, 229, 231, 234, and 235

REVIEWER: LT. HERB TAYLOR
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 12.11.96

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 231 BR

Dear Ms Stephens:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

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

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

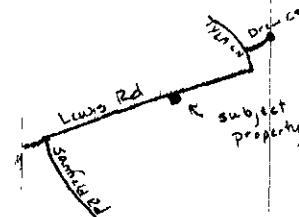
Property Address: 6709 Lewis Rd., Baldwin, Md. 21013

Subdivision name: Baldwin Estates

plat book #, folio#, lot#, section# - Not available

liber: 8256 page:609

owner: William & Thelma Trivette, Sr.



Vicinity Map scale 1"=1000'

Location Information

Election District 11, Councilman District 6

1"-200' scale map#: NE 18-I

1996 Not available

Zoning: R.C. 2

Lot size: 1.0 43.472

acreage square feet

Sewer: Private Water: Private

Chesapeake Bay Critical Area: NO

Prior Zoning Hearings: NO

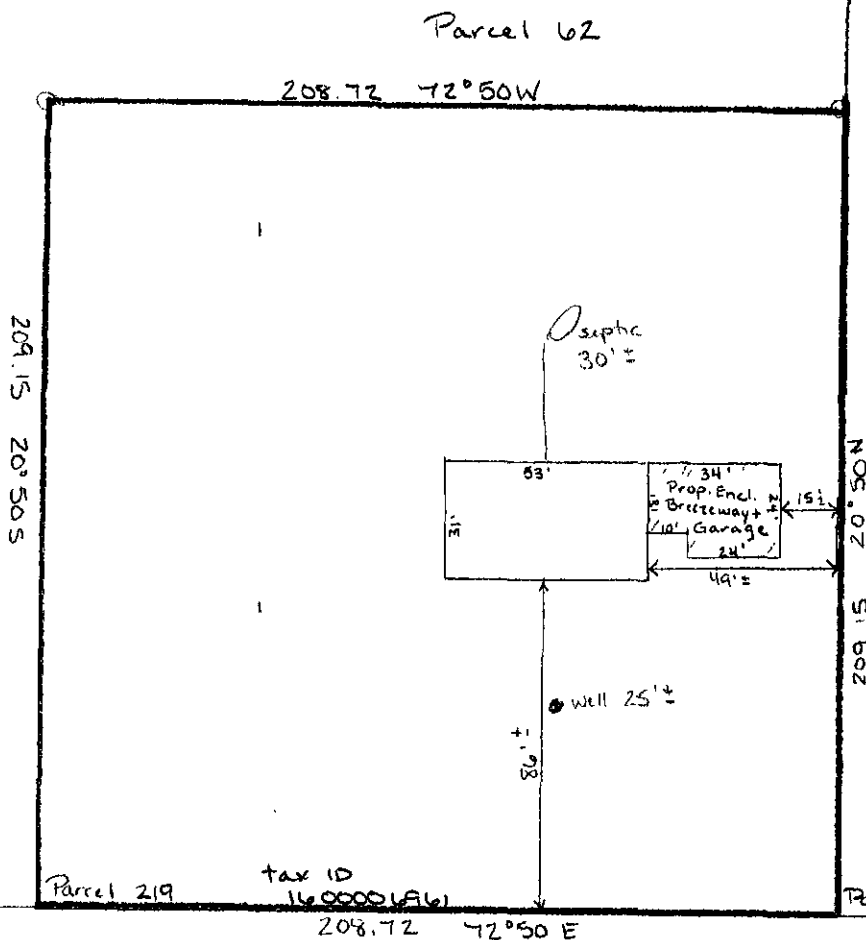
Vacant lot

Red No 1

Baldwin Farms, Inc.

7659/800

Parcel 62



Lewis Road
(32' P/W 50' Right)
Way

Date: 11/30/98 Scale: 1"=50'
Prepared by: Wendy Francisco

Zoning Office USE ONLY		
reviewed by:	Item #1	Case #
BK	231	99-231-A

R. C. 2

99-231-A

#231

R. C. 2

R. C. 2

R. C. 2

R. C. 2

STA. 14

NE 18 I

E 1957,000

E 49,500

This 1992 zoning map is provided in lieu of the 1996 map because it is missing from our files. Zoning lines

MAP HAS BEEN REVISED IN SELECTED AREAS.
GRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
CHART-HORN, INC. BALTIMORE, MD. 21210

~~1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988~~

~~Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88~~

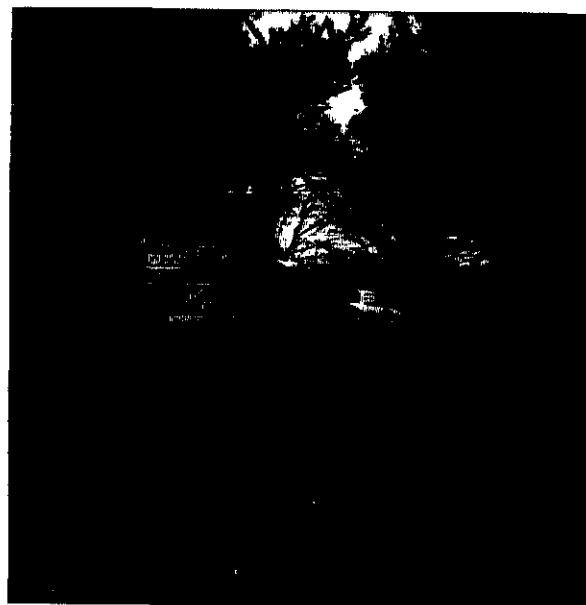
~~Dale T. Voss
Chairman, County Council~~

~~consistent with the 1000 scale map.~~

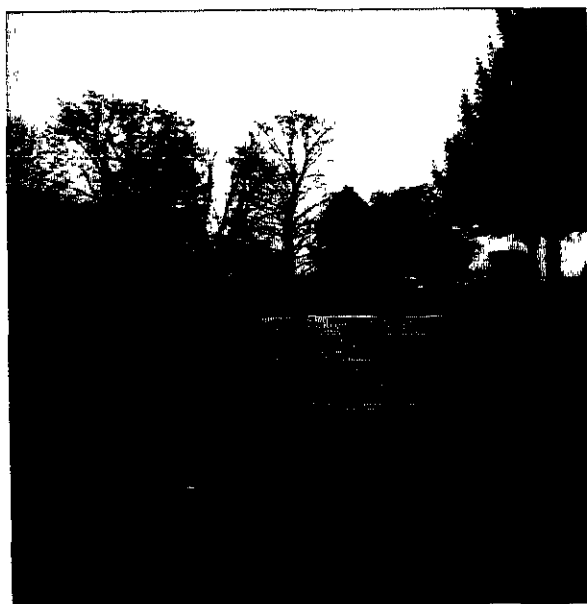
OFF
OF



#231

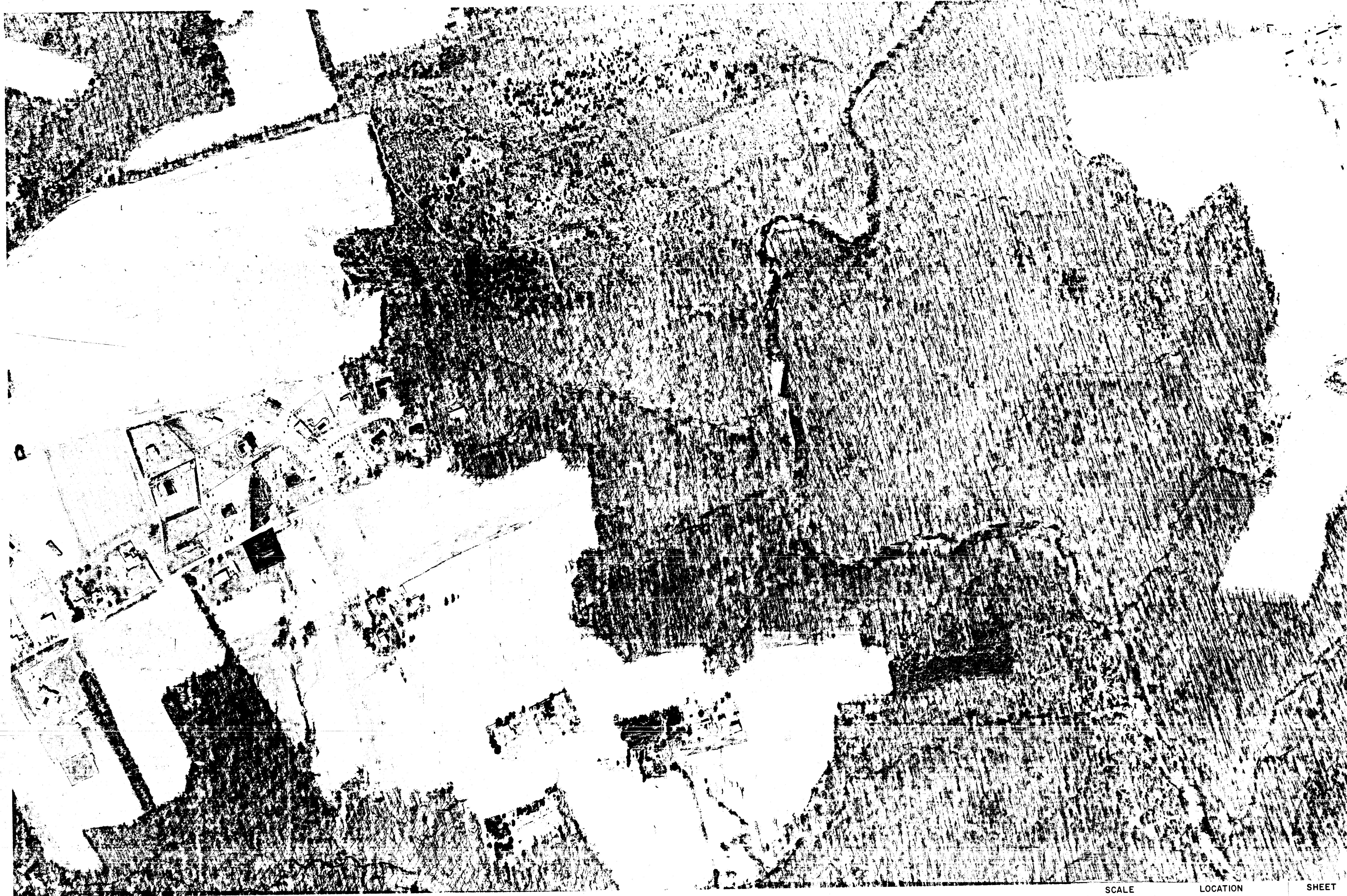


#231



#231

99-231-A



99-231-A

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

#231

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	SOUTHWEST OF	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	RECKORD	18-1