1 1/20 POR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Ellis Road, 190' E

Centerline of Stockwell Road

9th Election District

6th Councilmanic District

(2416 Ellis Road)

George and Karen Dressel

**Petitioners** 

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 00-449-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, George and Karen Dressel. The variance request is for property located at 2416 Ellis Road in the Parkville area of Baltimore County. The Petitioners herein seeks a variance from Sections 1B02.3.B and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (carport) with a side yard setback of 2 ft. and a side yard combination of 11.5 ft. in lieu of the required 7 ft. and 17 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative 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 Deputy 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 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.

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.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

June 7, 2000

Mr. & Mrs. George Dressel 2416 Ellis Road Baltimore, Maryland 21234

Re: Petition for Administrative Variance

Case No. 00-449-A Property: 2416 Ellis Road

Dear Mr. & Mrs. Dressel:

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 an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

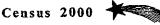
Deputy Zoning Commissioner

Suntay Kotroco

TMK:raj Enclosure

c: Mr. Vincent Delair 1113 Baldwin Mill Road Jarrettsville, MD 21084

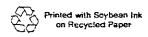














# Petition for Variance

### to the Zoning Commissioner of Baltimore County for the property located at 2416 EUS RD

which is presently zoned

This Petition shall be filed with the Department of Perm owner(s) of the property situate in Baltimore County and white made a part hereof, hereby petition for a Variance from Section	its and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and icon(s)
and a partition of the state of	ich is described in the description and plat attached hereto and tion(s)
permit an open projection (carport)	with a side yard setback of 2ft, and a
side yard combination of 11.5 Ct. in 1.	with a side yard setback of 2ft, and a ien of the required 7ft, and 17ft.
respectively. of the Zoning Regulations of Baltimore County, to the zoning hardship or practical difficulty)	g law of Baltimore County, for the following reasons: (indicate
detaile	d on other side
Property is to be posted and advertised as prescribed by the l, or we, agree to pay expenses of above Variance, advertising, por regulations and restrictions of Baltimore County adopted pursuant	sting etc. and further scree to and are to be hounded by the zoning
	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:	<u>Legal Owner(s):</u>
Name - Type or Print	Name - Type or Print
Signature	Signature Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	2416 EUS RD 668-9110
<b>5</b> 6 .	Address Telephone No.
Name - Type or Print	GALTS NO 21234 City State Zip Code
Name - Type or Print Signature	Representative to be Contacted:
Company	VINCENT DELAIR
Company  Address  Telephone No.	Address Acous MILL RO 410-557-0555 da
State Zip Code	BALTO         MO         21089           City         State         Zip Code
State Zip Gode	OFFICE USE ONLY
Ease No. 10-449- A	ESTIMATED LENGTH OF HEARING
	UNAVAILABLE FOR HEARING
R80 915198	Reviewed By M Date 5/2/62
	Estimated Postine Date 5/14/00

## 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		45 RD	110,010.
mat the Amant(s) does do presently reside at	Address		
	BACTO	n P State	21234 Zip Code
That based upon personal knowledge, the follow	ving are the facts	unon which live hase the requi	·
Variance at the above address (indicate hardshi	p or practical diffic	culty):	sat for all Administrative
THAT OUE TO THE FACT TO	tat our s	IDE PROPERTY LINE	is only
14 FEET FROM THE SIDE OF	OUR DWELL	LING AND OUR DRIVE	eway Runs
ALONG IT 12 FOOT IN WIDT	H, IT LEAD	VES US WITH ONLY	A 2 FOOT
SETBACK AFTER THE ALUMNUM	CARPORT (	S INSTALLED.	
-			
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature	rmal demand is additional informat	filed, Affiant(s) will be required tion.  The signature state of the signature of the signa	2
GEORGE DRESSEL		KAREN ORESSEL	
Name - Type or Print	<del></del>	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	NORE, to wit:		
I HEREBY CERTIFY, this / day of	Ray	, <i>2000</i> , before me, a N	Notary Public of the State
of Maryland, in and for the County aforesaid, pe	rsonally appeared	<del></del>	
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identified	to me as such Affiant(s), and n	nade oath in due form of knowledge and belief
	,	4	· ·
AS WITNESS my hand and Notarial Seal		NOTARY PL NOTARY PL W YOU My Commi	SANDI L. TUNNEY UBLIC STATE OF MARYLAND ssion Expires July 23, 2003
Date	Notary I	a general	
	Mv Con	nmission Expires	
REV 09/15/98	, 500		

# 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

220 09/15/98

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):
THAT OUE TO THE FACT THAT OUR SIDE PROPERTY CINE IS ONLY
14 FEET FROM THE SIDE OF OUR DWELLING AND OUR DRIVEWAY RUNS
ALONG IT 12 FOOT IN WIOTH, IT LEAVES US WITH ONLY A 2 FOOT
SETBACK APTER THE ALUMWUM CARPORT IS INSTALLED.
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.
X Leye Signature Signature
GEORGE ORESSEL KAREN DRESSEL
Name - Type or Print  Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
HEREBY CERTIFY, this day of,,,,,
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 SANDI L TUNNEY
AS WITNESS my hand and Notarial Seal  SANDI L. TUNNEY  NOTARY PUBLIC STATE OF MARYLAND  My Commission Expires July 23, 2003
Date Notary Public
My Commission Expires



# Petition for Variance

### to the Zoning Commissioner of Baltimore County for the property located at 2416 EUS RD

which is presently zoned

			its and Development Manch is described in the describion(s)		
permit an o	beh projection	(carport) wi	th a side yard set	hack of 2 CH	cocky 18
yard combin	ation of 11.5 f	t. in lieu o	t the required 7	ft. and 17 f	t. respectively.
of the Zoning Regulardship or practical	al difficulty)	•	a law of Baltimore County, fo	or the following rea	asons: (indicate
	Letai	iled on of	her side		
I, or we, agree to pay	osted and advertised as expenses of above Varia ictions of Baltimore Count	ance, advertising, po	zoning regulations. sting, etc. and further agree to to the zoning law for Baltimore I/We do solemnly declare perjury, that I/we are the l	County.  and affirm, under the	ne penalties of
Contract Purcha	aser/Lessee:		is the subject of this Petiti	on.	property writer
			GEORGE ORES	561	
Name - Type or Print			Name - Type or Print		
Signature			Signature	<i>Y</i>	
Address		Telephone No.	Name - Type or Print	7 ) //	7
City	State	Zip Code	Signature	Dressel	
Attorney For Pet	titioner:		2416 EUS RI Address	2	668-9110 Telephone No.
Name - Type or Print		<del></del>	<u>City</u>	State	ZID Code
Signature			Representative to b	e Contacted:	
Company			VINCENT DEC	AIR	
Address		Telephone No.	1113 BALDWW A	n/cc 100 410-	Telephone No
City	State	Zip Code	BALTO City	State	21084 Zip Code
			OFFIC	E USE ONLY	
Case No 00	_ 449 _ A		ESTIMATED LENGTH	OF HEARING	
æv 9115198	- 111 /	and the second s	UNAVAILABLE FOR Reviewed By	HEARING Bu Date _	5/2/00
The second of th			Estimated Pas	time Noto	-1.11-

#### ZONING DESCRIPTION FOR 2416 ELLIS RD.

Beginning at a point on the North side of Ellis Rd.

which is 50 feet wide at the distance of 190 feet East

of the centerline of the nearest improved intersecting

street Stockwell Rd. which is 32 feet wide. \*Being Lot

#20, Block --, Section #5 in the subdivision of Woodcroft

as recorded in Baltimore County Plat Book #19, Folio #121,

containing 8,450 square feet. Also known as 2416 Ellis Rd.

and located in the 9th Election District, 6<sup>TH</sup> Councilmanic

District.

00.449.A

SOLO STOMER	PINK - AGENCY YELLOW - CUSTOMER	ANEOUS RECEIPT  S 3 00 ACCOUNT CO.
ACCOUNT (OC)	ACCOUNT \$ 50.0	ACCOUNT ROOF 6/5 0  AMOUNT \$ 50.00  SHEET WAS THE WAS
		No. 081312  Mo. 081312
	2 4449	# 4449 CASHIE

00.449.A

#### **CERTIFICATE OF POSTING**

RE: CASE # 00-449-A
PETITIONER/DEVELOPER
(George Dressel)
DATE OF Closing
( 5-29-00)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

2416 Ellis Road Baltimore, Maryla	and 21234
THE SIGN(S) WERE POSTED ON	5-12-00
	(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

IN THE PROPERTY AND A STATE OF A STATE

Posted at 2416 Ellis Road

### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 00- 449 -A Address 246 Ellis Rd.
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing Date: $\frac{5/2/00}{200}$ Posting Date: $\frac{5/14/00}{200}$ Closing Date: $\frac{5/29/00}{200}$
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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. <b>DEADLINE:</b> 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.
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 00- 449 -A Address 246 Ellis RQ.
Petitioner's Name George & Karen Dressel Telephone 40-668-9118
Posting Date: 5/14/03 Closing Date: 5/29/03
Nording for Sign: To Permit a side yard setback of 2 ft, and a side yard combination of 11,5 ft, in lieu of the required 7 ft, and
combination of 11,5 ft, in lieu of the required 7 ft, and
17 ft. respectively.

### DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

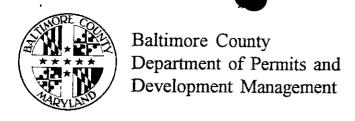
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: 60 - 449 - A
Petitioner: GEORGE + KAREN DRESSEL
Address or Location: 2416 EUUS RO. BAGO RO 21234
PLEASE FORWARD ADVERTISING BILL TO:
Name: AMERICAN DESIGN + BUILD LTD
Address: 1113 BALDWW MILL RD
JARRETEVILLE MO 21084
Teiephone Number: 410 - 557- 0555

Revised 2/20/98 - SCJ



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacg@co.ba.md.us

June 2, 2000

Mr. Vincent Delair 1113 Baldwin Mill Road Baltimore MD 21084

Dear Mr. Delair:

RE: Case Number 00-449-A, 2416 Ellis Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 2, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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.

Sincerely,

W. Carl Richards, Jr./ Zoning Supervisor Zoning Review

WCR:ggs

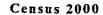
**Enclosures** 















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

May 16, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 15, 2000

Item No.: See Below

Dear Ms. Stephens:

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:

447, 449, 450, 451, 452, 454, 455, 456, 459, 460, 461, 446

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

### **BALTIMORE COUNTY, MARYLAND**

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

**DATE:** July 14, 2000

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 22, 2000

Item Nos. 446, 447, 448, 449, 450, 451, 452, 453, 456, 457, 459, 460, 461

and

Case #99-320-SPHXA

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

RWB:HJO:jrb

cc: File

PN 5/29

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAY I 9

**DATE:** May 19, 2000

**SUBJECT:** 

Zoning Advisory Petition(s): Case 447, 449, 450, 452 and 453.

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC



### Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 5.15.00

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

RE:

**Baltimore County** 

Item No. 449

**B**2

Dear, Ms. Jackson:

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,

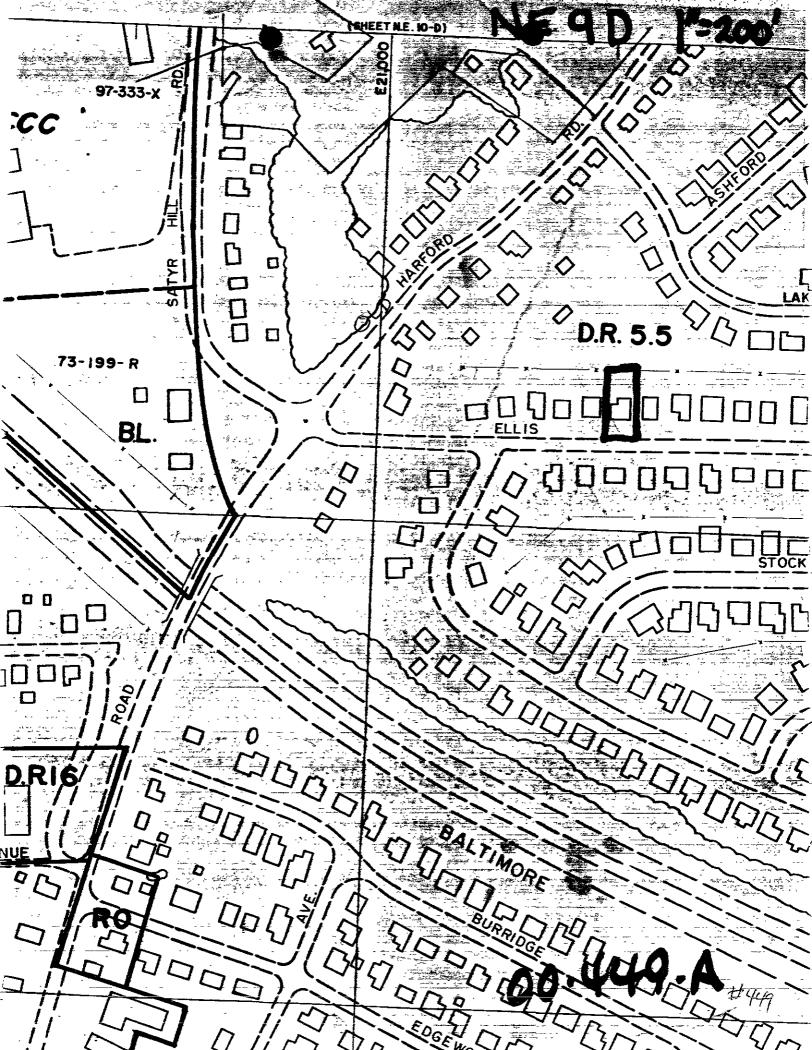
f. J. Doelle Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

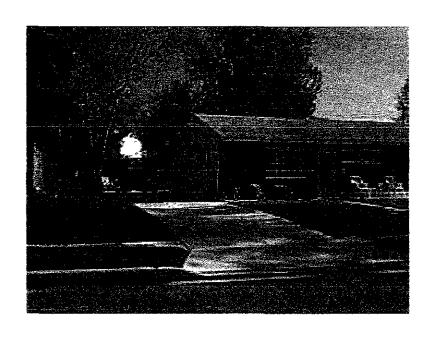
My telephone number is \_

### ZONING HEARING FILE INTERNAL CHECKLIST Zoning Case No. <u>. 00-449-A</u>

Date Completed/Initials	•
5/17/00 scy	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp or front of folder)
N/A	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
N/A 5/17/88 < Cl	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
5/17/88 SG	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

Pet. &. t







00.449-A



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

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