

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Edsworth Avenue, 350' W		
centerline of Goodman Avenue	*	DEPUTY ZONING COMMISSIONER
12th Election District		
7th Councilmanic District	*	OF BALTIMORE COUNTY
(7371 Edsworth Road)		
	*	CASE NO. 00-472-A
Gene & M. Catherine Caldwell		
Petitioners	*	

* * * * *

AMENDED ORDER

This matter came before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Gene and Catherine Caldwell. The Petitioners requested a variance for property located at 7371 Edsworth Road in the Dundalk area of Baltimore County.

WHEREAS, the Petitioners' request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory building with side yard setbacks of 1 ft. on each side in lieu of the required 2.5 ft. required from each side was granted on June 13, 2000.

WHEREAS, the Petitioners inadvertently failed to request all the relief necessary in their Petition for Administrative Variance and now request that I reconsider and grant the following additional relief, as amended:

"A variance from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a setback of 8.6 ft. from the centerline of an abutting alley in lieu of the required 15 ft."

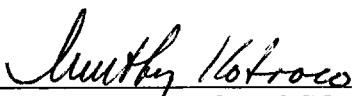
Because the carport is already existing on the property and no changes are proposed and given that this request was a mere omission on the Petitioners' part, I find that the relief should be granted.

ORDER RECEIVED FOR FILING
 Date 6/29/00
 By M. Jamison

After due consideration of this request and based upon the new 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 addition, there was no request for a public hearing and there were no concerns or opposition to the variance voiced by any party. 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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of June, 2000, that the additional request for a variance from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a setback of 8.6 ft. from the centerline of an abutting alley in lieu of the required 15 ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED, that all other terms and conditions of the Order issued June 13, 2000 shall remain in full force and effect.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

6/29/00
By: [Signature]
[Illegible text]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 29, 2000

Dino La Fiandra, Esquire
Law Offices of Peter G. Angelos
Court Towers, Suite 300
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Amended Order
Case No. 00-472-A
Property: 7371 Edsworth Road

Dear Mr. La Fiandra:

Enclosed please find the decision rendered in the above-captioned case. The request to amend and modify my previous Order dated June 13, 2000 has been granted in accordance with the enclosed Amended 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

TMK:raj
Enclosure

C: Julius W. Lichter, Esquire
Mr. & Mrs. Gene Caldwell



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Edsworth Avenue, 350' W
centerline of Goodman Avenue
12th Election District
7th Councilmanic District
(7371 Edsworth Road)

Gene & M. Catherine Caldwell
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-472-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, Gene and Catherine Caldwell. The variance request is for property located at 7371 Edsworth Road in the Dundalk area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory building with side yard setbacks of 1 ft. on each side in lieu of the required 2.5 ft. required from each side. 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

ORIGINAL RECEIVED FOR FILING

Date

6/13/00

By

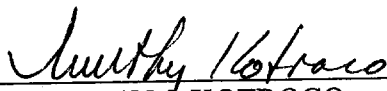
P. J. Jenson

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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of June, 2000, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory building with side yard setbacks of 1 ft. on each side in lieu of the required 2.5 ft. required from each side, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

6/13/00

J.P. Gmest



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June ¹³/₈, 2000

Julius W. Lichter, Esquire
Law Offices of Peter G. Angelos, P.C.
210 W. Pennsylvania Avenue, Suite 300
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No. 00-472-A
Property: 7371 Edsworth Road

Dear Mr. Lichter:

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

TMK:raj
Enclosure

Mr. Gene Caldwell
7371 Edsworth Road
Baltimore, Maryland 21222





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7371 Edsworth Road

which is presently zoned DR10.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 of the BCZR, to permit an accessory building with sideyard setbacks of one (1) foot on each side in lieu of the required two and one half feet (2.5) required from each side. See attachments for reasons.

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:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Julius W. Lichter, Esquire

Name - Type or Print

Signature

Law Offices of Peter G. Angelos, P.C.

Company 210 W. Pennsylvania Avenue

Suite 300

(410) 825-7300

Address

Telephone No.

Towson, Maryland

21204

City

State

Zip Code

Legal Owner(s):

Gene Caldwell

Name - Type or Print

Signature

M. Catherine Caldwell

Name - Type or Print

Signature

7371 Edsworth Road

(410) 285-6036

Address

Telephone No.

Dundalk, Maryland

21222

City

State

Zip Code

Representative to be Contacted:

Julius W. Lichter, Esquire

Name 210 W. Pennsylvania Avenue

Suite 300

(410) 825-7300

Address

Telephone No.

Towson, Maryland

21204

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 10/13/00 day of October, 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. 00-472-A

Reviewed By SPH

Date 05-12-00

Estimated Posting Date

05-21-00

REV 9/15/98

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 7371 Edsworth Road
Address
Dundalk, Maryland 21222
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):

PLEASE SEE THE ATTACHED, WHICH IS INCORPORATED HEREIN BY REFERENCE

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.

Gene Caldwell
Signature

Gene Caldwell
Name - Type or Print

M. Catherine Caldwell
Signature

M. Catherine Caldwell
Name - Type or Print

STATE OF MARYLAND, COUNTY OF HARFORD, to wit:

I HEREBY CERTIFY, this 11th day of May, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Gene and M. Catherine Caldwell
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

May 11, 2000
Date

Carolyn L. DeShaw
Notary Public

My Commission Expires Carolyn L. DeShaw, Notary Public
Harford County
State of Maryland
My Commission Expires Dec. 1, 2001

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 7371 Edsworth Road
Address
Dundalk, Maryland 21222
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):

PLEASE SEE THE ATTACHED, WHICH IS INCORPORATED HEREIN BY REFERENCE

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.

Gene Caldwell
Signature
Gene Caldwell
Name - Type or Print

M. Catherine Caldwell
Signature
M. Catherine Caldwell
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HARFORD, to wit:

I HEREBY CERTIFY, this 11th day of May, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Gene and M. Catherine Caldwell
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

May 11, 2000
Date

Carolyn L. DeShaw
Notary Public

My Commission Expires Carolyn L. DeShaw, Notary Public
Harford County
State of Maryland
My Commission Expires Dec. 1, 2001



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7371 Edsworth Road
which is presently zoned DR10.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 of the BCZR, to permit an accessory building with sideyard setbacks of one (1) foot on each side in lieu of the required two and one half feet (2.5) required from each side. See attachments for reasons.

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:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Julius W. Lichter, Esquire

Name - Type or Print

Signature

Law Offices of Peter G. Angelos, P.C.

Company 210 W. Pennsylvania Avenue

Suite 300

(410) 825-7300

Address

Telephone No.

Towson, Maryland

21204

City

State

Zip Code

Legal Owner(s):

Gene Caldwell

Name - Type or Print

Signature

M. Catherine Caldwell

Name - Type or Print

Signature

7371 Edsworth Road

(410) 285-6036

Address

Telephone No.

Dundalk, Maryland

21222

City

State

Zip Code

Representative to be Contacted:

Julius W. Lichter, Esquire

Name 210 W. Pennsylvania Avenue

Suite 300

(410) 825-7300

Address

Telephone No.

Towson, Maryland

21204

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

0.

00-472A

Reviewed By

8007

Date

05-12-00

Estimated Posting Date

05-21-00

Petition for Administrative Variance
7371 Edsworth Road

Relief sought

Variance from Section 400.1 of the BCZR to permit an accessory building (carport) in a DR 10.5 zone with a side yard set back of 1 foot from each side property line, in lieu of the required 2 ½ foot setback from each side property line.

Justification for Relief Sought

The property is 18 feet wide. This dimension causes the side yard set back requirement of Section 400.1 to impact disproportionately upon the property, in that it virtually precludes a two-car carport, resulting in a practical difficulty to the property owner. Variance relief from this requirement will alleviate this practical difficulty. The relief sought will not be detrimental to the public health, safety or general welfare, and is within the spirit and intent of the zoning regulations.

00-477-A

Zoning Description for 7371 Edsworth Road

Beginning at a point on the South side of Edsworth Road, which is 60 feet wide, at the distance of 350 feet West of the centerline of the nearest improved intersecting street, Goodman Avenue, which is 60 feet wide. Being Lot number 21, Block C, in the subdivision of Manchester as recorded in Baltimore County Plat Book 22, folio 90, containing 2070 square feet. Also known as 7371 Edsworth Road located in the 12th Election District, 7th Councilmanic District.

00-477A

CERTIFICATE OF POSTING

ADMIN.

RE: Case No.: 00-472-A

Petitioner/Developer: CALDWELL

40 LICHTER/LAFIANDRA

Date of Hearing/Closing: 6/5/00

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

Attention: Ms. Gwendolyn Stephens

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 # 7371 EDSWORTH RD

The sign(s) were posted on

5/21/00
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 5/22/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

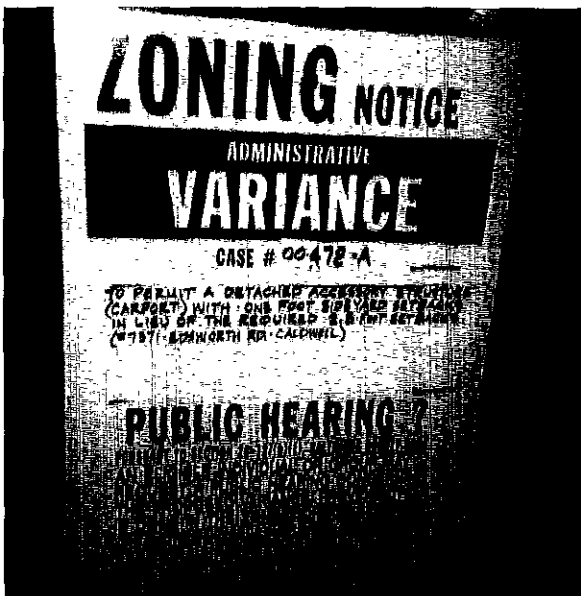
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410 995-8571

(Telephone Number)



00 472-A

DINO LAF

6/5/00

CERTIFICATE OF POSTING

RE: Case No.: 00-472-A

Petitioner/Developer: CALDWELL

% P.G.A.

Date of Hearing/Closing: 6/5/00

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

Attention: Ms. Gwendolyn Stephens

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 # 7371 EDSWORTH RD.

The sign(s) were posted on 5/20/00
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 6/1/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 00-472-A

TO PERMIT A DETACHED ACCESSORY STRUCTURE
(GARAGE) WITH ONE FOOT SIDEYARD SETBACKS
IN LIEU OF THE REQUIRED TWO FOOT SETBACKS
(#7371 EDSWORTH RD. CALDWELL)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 472. -A Address 7173 EDSWORTH RD.
Contact Person: Scott R. Anderson Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 05-12-00 Posting Date: 05-21-00 Closing Date: 06-05-00

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 00- 472 -A Address 7173 EDSWORTH
Petitioner's Name CADWELL/LECHER Telephone 410-825-7300
Posting Date: 05-21-00 Closing Date: 06-05-00
Wording for Sign: To Permit A DETACHED ACCESSORY STRUCTURE
(CARPORT) WITH LEFT SIDE YD SETBACKS IN LIEU OF
THE REQUIRED 2.5 FT. SETBACKS.

00472-A WCR - Revised 7/28/99

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

APPROVED SIGN POSTERS

Stacy Gardner
Shannon-Baum Signs, Inc.
105 Competitive Goals Drive
Eldersburg, MD 21784

Telephone: 410-781-4000
Toll Free: 800-368-2295
Fax: 410-781-4673

Richard Hoffman
904 Dellwood Drive
Fallston, MD 21047

Telephone: 410-879-3122

Garland E. Moore
3225 Ryerson Circle
Baltimore, MD 21227

Telephone: 410-242-4263
Mobile: 410-382-4470

Tom Ogle
325 Nicholson Road
Baltimore, MD 21221

Telephone: 410-687-8405
Mobile: 410-262-8163
Fax: 410-687-4381

Patrick M. O'Keefe, Sr.
523 Penny Lane
Hunt Valley, MD 21030

Telephone: 410-666-5366
Cell: 410-905-8571
Fax: 410-628-2574
410-882-2469

Linda M. Jones
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

Telephone: 410-296-3333
Fax: 410-296-4705

Staff Sergeant Robert A. Black
1508 Leslie Road
Dundalk, MD 21222

Telephone: 410-282-7940
Cell: 410-499-7940
Pager: 410-373-9662
Work: 410-288-3284

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 11/17/99

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-472-A

Petitioner: Gene and Catherine Caldwell

Address or Location: 7371 Edsworth Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gene and Catherine Caldwell

Address: 7371 Edsworth Road

Dundalk, Maryland 21222

Telephone Number: (410) 285-6036

Revised 2/20/98 - SCJ

00-472-A - 16 -

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 081331

DATE 02-12-00 ACCOUNT 2-161000

AMOUNT \$ 50

RECEIVED FROM: GEN. CANTRELL

FOR: TRAVEL
472.

D
W. - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
FUND: 000000
PROJECT: 000000
RECEIPT NO. 000000
DATE: 02-12-00
AMOUNT: \$ 50.00
CASHIER: [Signature]
RECEIPT TOTAL: \$ 50.00
BALANCE: \$ 0.00

CASHIER'S VALIDATION



Baltimore County
Department of Permits and
Development Management

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

June 5, 2000

Attorney Julius W. Licher
Law Offices Peter G. Angelos, P.C.
210 W. Pennsylvania Ave., Suite 300
Towson MD 21204

Dear Attorney Licher:

RE: Case Number 00-472-A , 7371 Edsworth Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 12, 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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 14, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 29, 2000
Item Nos. 463, 464, 466, 467, 468, 469,
470, 471, 472, 473, 474, 475, and 476

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: June 1, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of May 22, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
463	6035 Harristown Road
464	6701 Maxalea Road
466	7329 Hughes Avenue
468	19 Cody Avenue
470	204 Parkwood Road
472	7371 Edsworth Road
474	6425 Baltimore National Pike
475	5401 East Drive

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 19, 2000

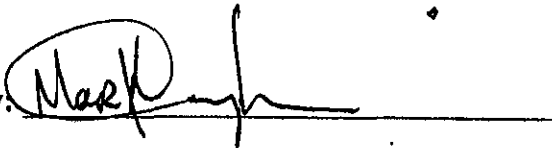
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 467, 470, 472 and 476.

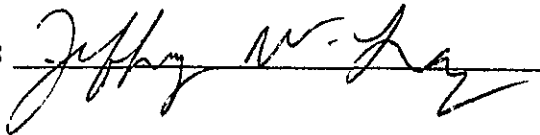
The Office of Planning has reviewed the above referenced case and has no comments to offer.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 19, 2000

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

SUBJECT: Zoning Advisory Petition(s): Case 470 and 472.

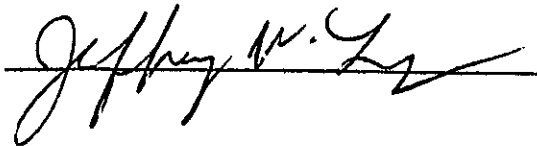
The Office of Planning has reviewed the above referenced case and has no comments to offer.

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: 5.22.00

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

RE: Baltimore County
Item No. 472

JRA

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,

for Kenneth A. McDonald Jr., 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

LAW OFFICES
PETER G. ANGELOS
A PROFESSIONAL CORPORATION
COURT TOWERS, SUITE 300
210 W PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
410-825-7300 FAX # 410-296-2541

JUN 28

Dino C. La Fiandra

OTHER OFFICES

NEW YORK, NEW YORK
PHILADELPHIA, PENNSYLVANIA
HARRISBURG, PENNSYLVANIA
PITTSBURGH, PENNSYLVANIA
BETHLEHEM, PENNSYLVANIA
WILMINGTON, DELAWARE
KNOXVILLE, TENNESSEE

June 27, 2000

VIA FACSIMILE 410-887-3468 & U.S. MAIL

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No. 00-472-A
7371 Edsworth Road

Dear Mr. Kotroco:

Julius W. Lichter and I represent the petitioners in the above referenced case, Mr. & Mrs. Gene Caldwell. I have your "Findings of Fact and Conclusions of Law" which was issued on June 13, 2000, administratively granting the relief which the petition requests. It has come to my attention that the petition inadvertently failed to request all the relief necessary. Therefore, I respectfully request that you reconsider to grant the relief in its entirety, as amended.

The administrative variance was requested to legitimize an existing carport in the rear yard of 7371 Edsworth Road. The petition requested variance relief from BCZR § 400.1 for side setbacks of 1.0 feet in lieu of 2.5 feet. This relief was granted. However, the petition failed to request a variance from § 400.2 which requires a fifteen foot setback for accessory buildings from the centerline of any alley upon which the lot abuts. The carport, which is entirely on the petitioner's property and does not encroach upon the alley right-of-way, is setback only 8.6 feet from the centerline of the 16 foot alley behind the lot. Accordingly, additional relief is needed in the form of a variance from § 400.2 for a setback of 8.6 feet from the centerline of an alley abutting the lot in lieu of the required setback of 15 feet. The petition omitted to request this relief.

Under these circumstances, a modification of the June 13, 2000 Order to grant additionally a variance from § 400.2 for a setback of 8.6 feet from the centerline of an abutting alley in lieu of the 15 feet required is not detrimental to the public health, safety or general welfare and is warranted to correct this oversight. Accordingly, I respectfully request that you reconsider the Petition for Administrative Variance in accordance with the amendment proposed herein.

In deciding this request, please be mindful that the property has already been posted as

ONE CHARLES CENTER
100 N. CHARLES STREET
BALTIMORE, MD 21201-3612
410-649-2000
(800) 252-6622
FAX 410-659-2101, 81-82

UNION PARK CENTER
5305 HARFORD ROAD
BALTIMORE, MD 21214-1846
410-426-3200
(800) 492-3240
FAX 410-426-1269

STEELWORKERS' HALL
640 DUNDALK AVENUE
BALTIMORE, MD 21224-2997
410-633-8100
FAX 410-633-0480

CENTERPARK II
SUITE 315
4061 POWDER MILL ROAD
BELTSVILLE, MD 20705-3149
(800) 537-8261
FAX 301-937-5738

63 HENDERSON AVENUE
CUMBERLAND, MD 21502-2452
301-759-2700
FAX 301-759-2703

201 S. CLEVELAND AVENUE
HAGERSTOWN, MD 21740-5745
301-739-4000
FAX 301-739-3848

LAW OFFICES

PETER G. ANGELOS

Mr. Timothy M. Kotroco, Deputy Zoning Commissioner

June 27, 2000

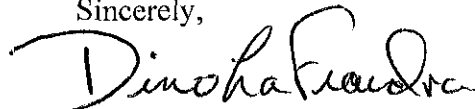
Page 2.

required by the zoning regulations, there was no request for a public hearing, and there were no concerns or opposition to the variance voiced by any party, public or private. Furthermore, there was a request for a similar administrative variance by an adjacent property owner (7373 Edsworth Road), for relief from § 400.2 for an eight foot setback from the centerline of the alley in lieu of the required fifteen feet, which also elicited no request for a public hearing, concerns, or opposition.

Lastly, the Bureau of Code Enforcement eagerly anticipates the petitioner in this case receiving a building permit for this carport, so that it may close its investigation into the carports on this property and the neighboring property; accordingly, time is of the essence in receiving this relief.

I am enclosing the original Plan to Accompany Request for Administrative Variance, as well as an amended plan, for your comparison. Should you have any questions, please contact me. Once again, the petitioner would like to act forthwith in obtaining a building permit for the existing carport, and thus, your immediate attention to this matter would be greatly appreciated.

Sincerely,


Dino La Fiandra

cc: Julius W. Lichter, Esquire
Mr. & Mrs. Gene Caldwell

PER: A. JABLON,

ADMIN. JAGUENCE.

O.K. w/ Pending
Violation Notice.


(Rick Wisnom.)

00-472-A

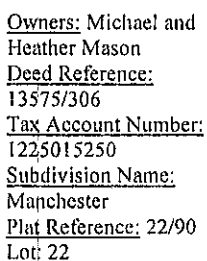
4

Area: 0.048 Acres / 2070 square feet

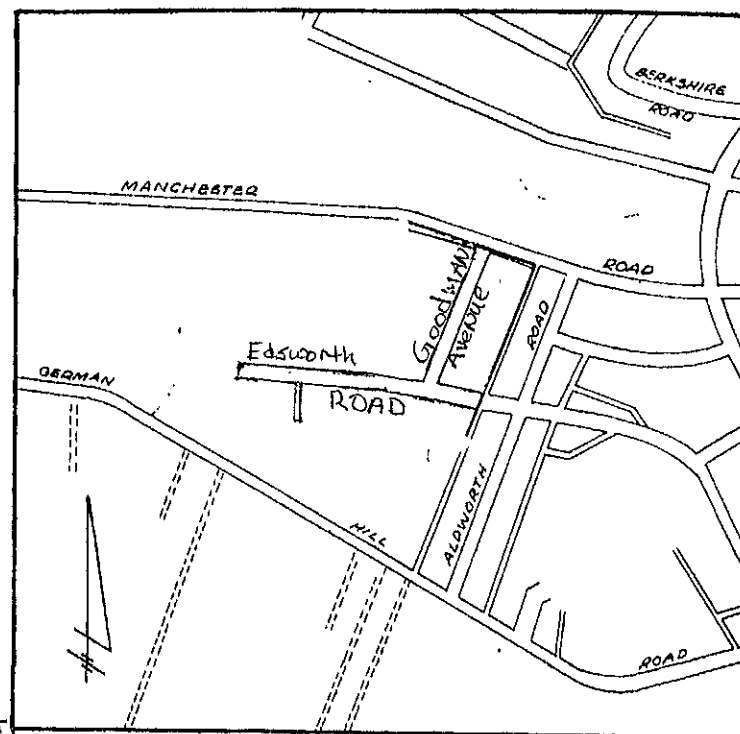
Zone: DR 10.5

Not in C-B-C-A

Scale: 1' = 20"



Owners: Debra Ann
Bosak
Deed Reference:
13950/467
Tax Account Number:
1223038050
Subdivision Name:
Manchester
Plat Reference: 22/90
Lot: 20

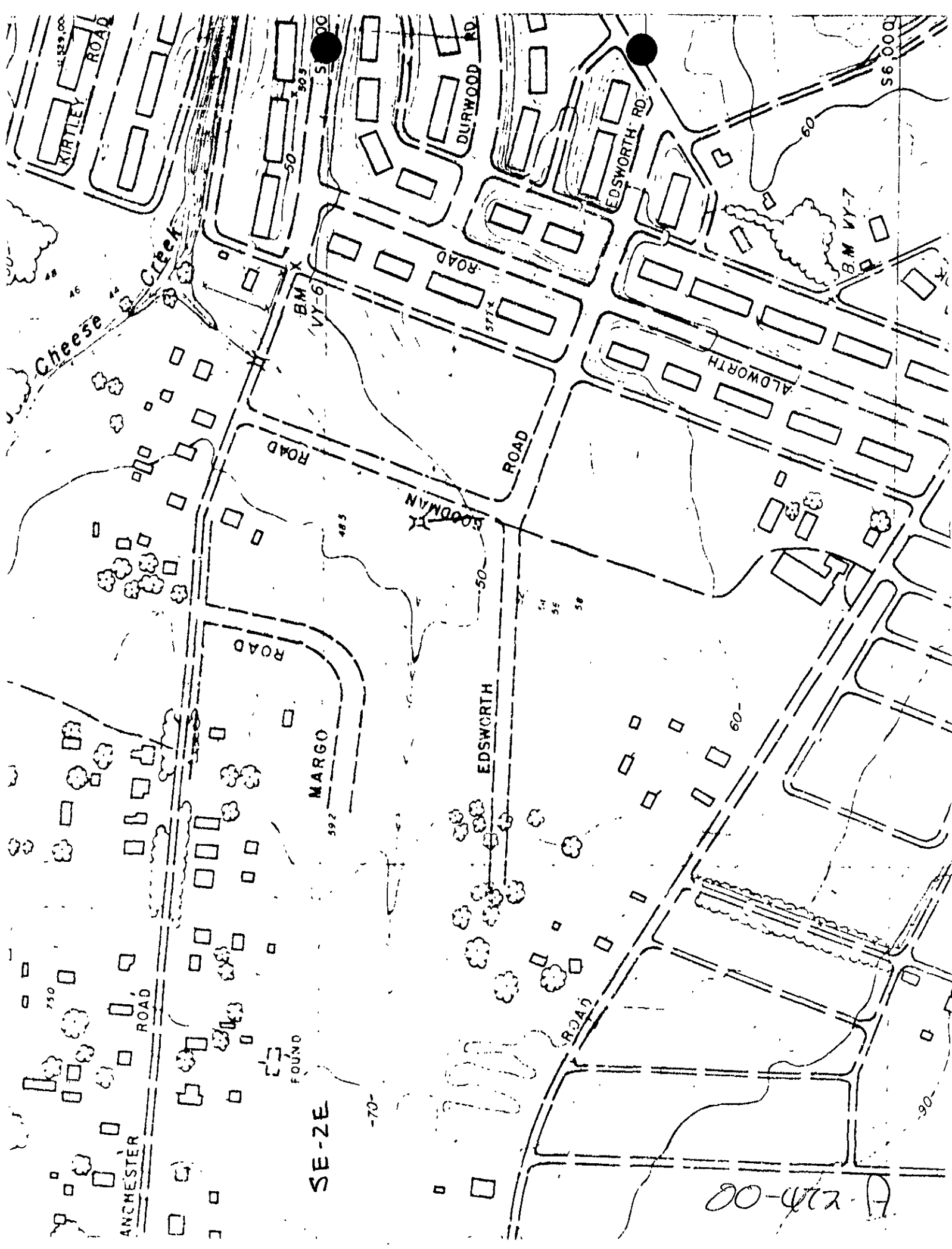


VICINITY MAP
Scale: 1" = 500'

Relief sought: Variance from Section 400.1 of the BCZR to permit an accessory building (carport) in a DR 10.5 zone with a side yard set back of 1 foot from each side property line, in lieu of the required 2 ½ foot setback from each side property line.

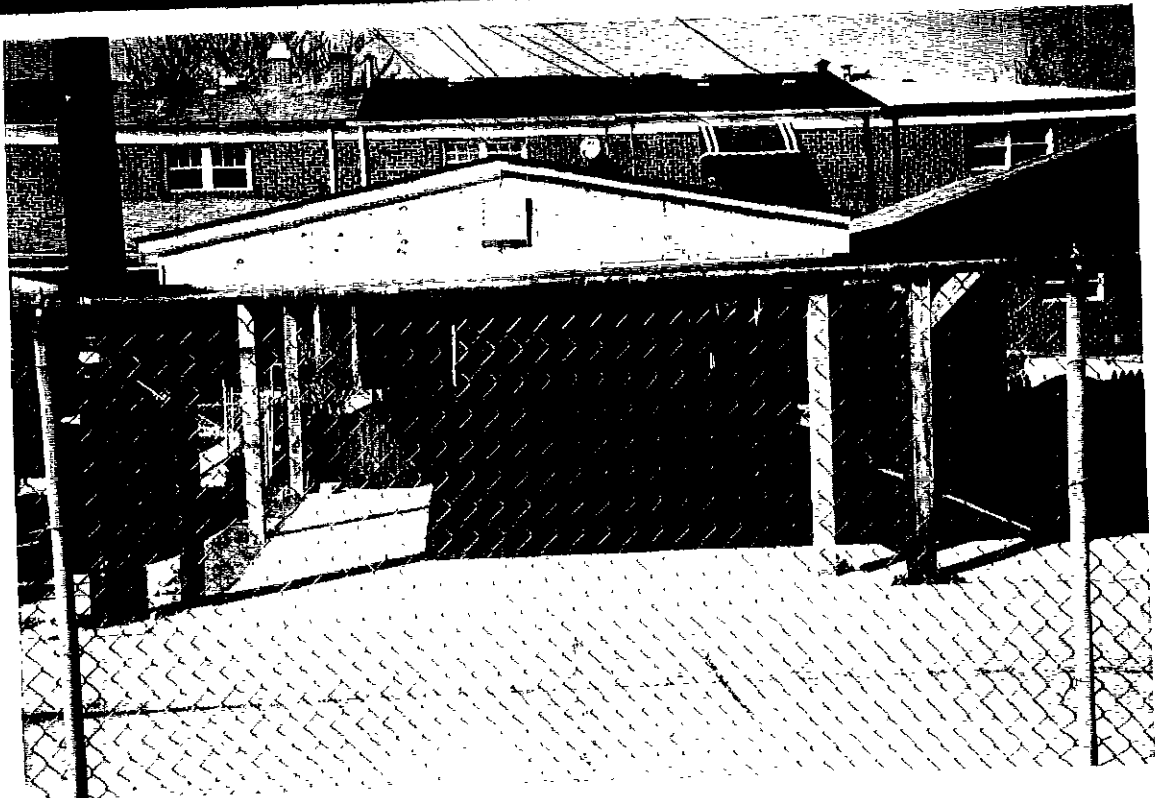
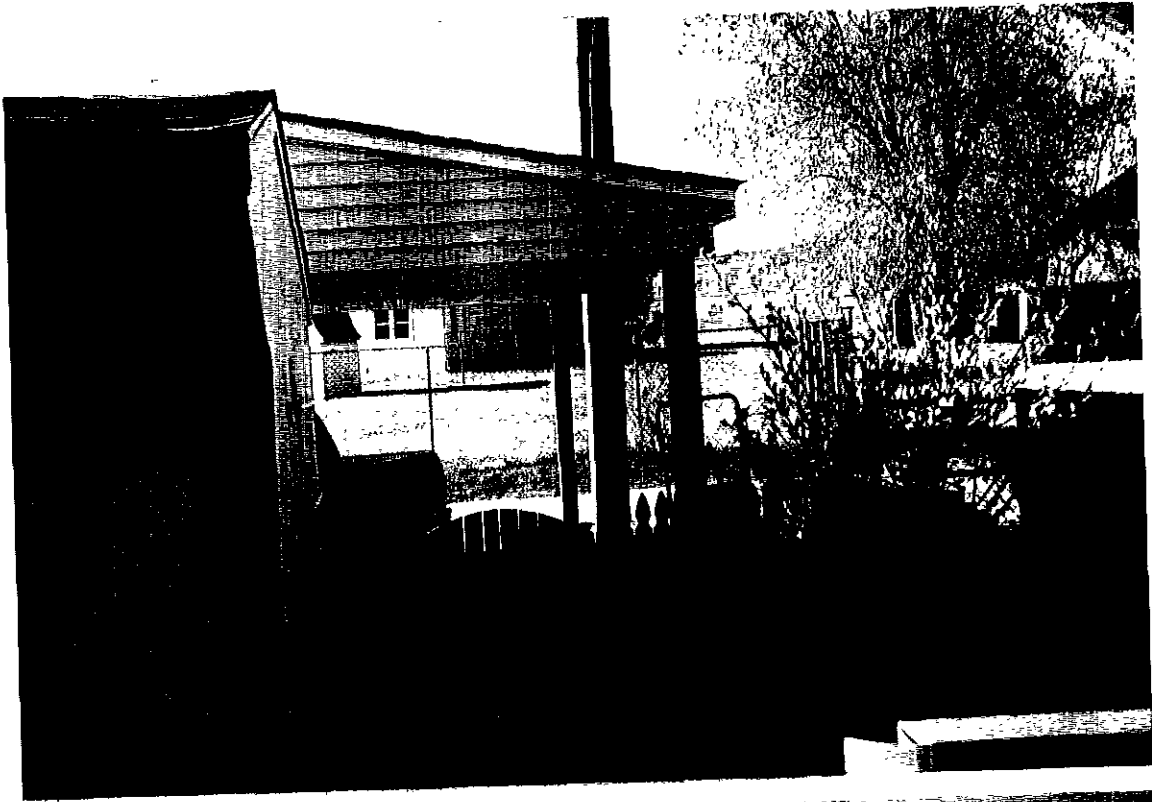
00-472-7

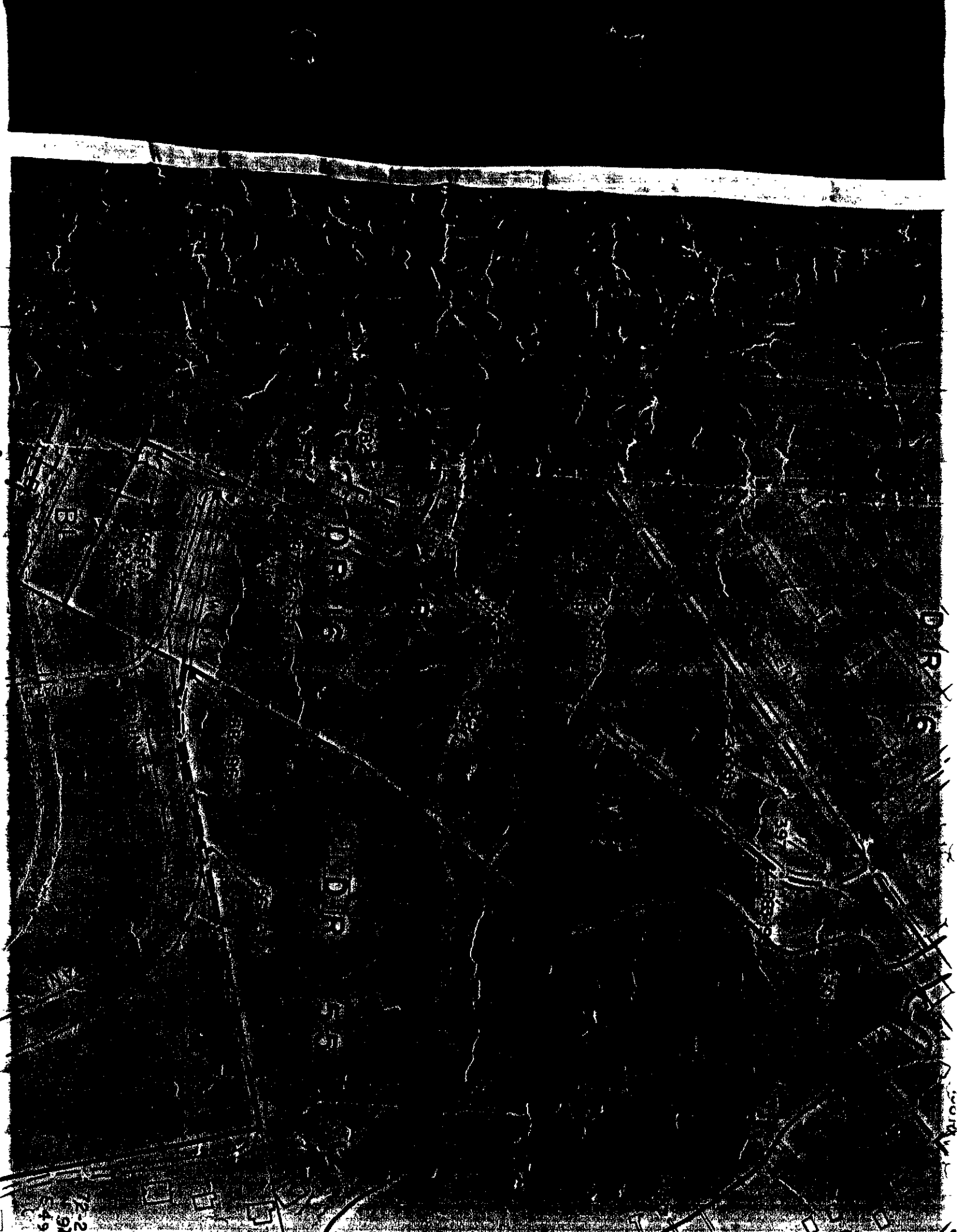
Ret. Ex. #1



BL

00-472-A

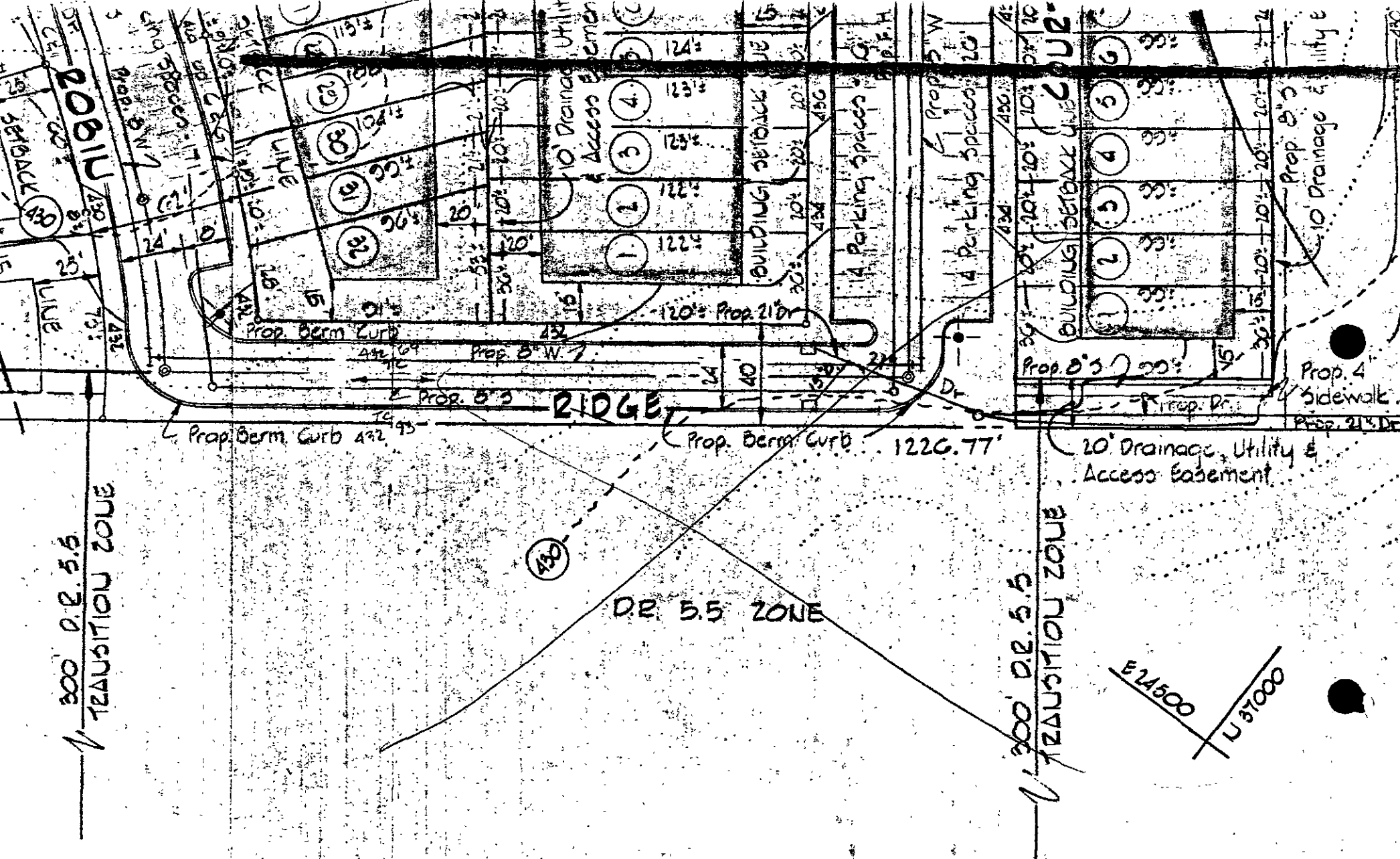




1st original

00-472-A





DENSITY

DATA

Gross Area Of Tract 14.4 Ac. ±
 Existing Zoning D.E. 5.5
 Units Permitted $5.5 \times 14.4 = 79$ Units
 Units Proposed 28 Individual

LEGEND

BLOCK NO.
 LOT NO.
 TRACT BOUNDARY



DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

00-472-A

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: May 25, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 00-472-A
Legal Owner/Petitioner:
Contract Purchaser:
Property Address: 7371 Edsworth Rd.
Location Description:

*Law Mayer -
Bldg Insp*

VIOLATION INFORMATION: Case No. 00-1543
Defendants: Gene & Catherine Caldwell

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Deborah & Richard Bosak	7373 Edsworth Rd. Balto. Md. 21222

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- | | | |
|---|-----|---|
| | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| X | 3. | State Tax Assessment printout |
| | 4. | State Tax Parcel Map (if applicable) |
| | 5. | MVA Registration printout (if applicable) |
| | 6. | Deed (if applicable) |
| | 7. | Lease-Residential or Commercial (if applicable) |
| | 8. | Photographs including dates taken |
| X | 9. | Correction Notice/Code Violation Notice |
| | 10. | Citation and Proof of Service (if applicable) |
| | 11. | Certified Mail Receipt (if applicable) |
| | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| X | 14. | Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable). |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/LAM/kh
C: Code Enforcement Officer



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension _____
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.

118530

Case No.:

00-1543

Election District 12 Permit No. _____

Name (s) _____

Address 7371 EDSWORTH RD

Location of Violation (if different than address) 7371 EDSWORTH RD

Vehicle License No. _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ 7-36(b)-(2)
§§ _____

Zoning Regulations:

§§ _____
§§ _____

Building Code (BOCA):

§§ 1071
§§ _____

Livability Code (18-66):

§§ _____
§§ _____

Investment Property Act (7-66):

§§ _____

Electrical Code (NEC):

§§ _____

Plumbing Code (NSPC):

§§ _____

Dwelling (CABO):

§§ 111.1

Other §§ _____

COMMENTS OR OTHER VIOLATIONS

FAILURE TO OBTAIN BUILDING PERMIT FOR
CARPORT ON REAR OF PROPERTY / FAILURE TO OBTAIN
INSPECTIONS ON CARPORT -
OBTAIN BUILDING PERMIT + REQUIRED INSPECTIONS

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
_____ FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: _____ INSPECTOR: _____

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER
PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE
INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: 4/10/00

DATE ISSUED: 3/27/00 INSPECTOR: LEW MAYER

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE
PLEASE READ CAREFULLY.

AGENCY

CODE ENFORCEMENT REPORT

NUF

DATE: 3/27/00 INTAKE BY: B.I. G.K.DD CASE #: 00-1543 INSPEC: L. MATER

COMPLAINT
LOCATION: 7371 EDSWORTH RD

ZIP CODE: 21222 DIST: 12

COMPLAINANT: DEBORAH BOSAK (OWNER)

NAME: MICHAEL BOSAK PHONE #: (H) 410-284-3696(W)

ADDRESS: 7371 EDSWORTH RD ZIP CODE:

PROBLEM: CARPORT BEING BUILT W/O PERMIT

OWNER/TENANT
INFORMATION: Gene + M. Catherine Cardwell 7371 Edsworth Rd

TAX ACCOUNT #: 12 23 002725 ZONING:

INSPECTION: 3/27/00 - Visited Site - Observed Garport Being Built
In Rear Yard - Issued Stop W.O. To Obtain Building Permit
Notified Complainant of Action Taken Recheck 4/10/00
J. Mays

REINSPECTION: 5/19/00 - Owner Filed For Administrative Variance
Complainant Also To Obtain Variance For Carport Recheck 6/19/00 J. Mays

REINSPECTION:

REINSPECTION:

DATE: 05/19/2000

STANDARD ASSESSMENT INQUIRY (1)

TIME: 12:48:58

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 23 002775	12	3-1	04-00	H	NO		04/25/00
CALDWELL GENE				DESC-1.. 1MPS			
CALDWELL M CATHERINE				DESC-2.. MANCHESTER			
7371 EDSWORTH RD				PREMISE. 07371 EDSWORTH		RD	

00000-0000

BALTIMORE

MD 21222-1309 FORMER OWNER: WHEELER MARK W

FCV			PHASED IN		
PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	19,500	19,500	FCV	ASSESS	ASSESS
IMPV:	47,360	55,090	TOTAL..	69,436	27,770
TOTL:	66,860	74,590	PREF..	0	0
PREF:	0	0	CURT..	69,436	27,770
CURT:	66,860	74,590	EXEMPT.	0	0
DATE:	10/96	10/99			

----- TAXABLE BASIS ----- FM DATE

00/01 ASSESS: 27,770 11/21/99

99/00 ASSESS: 26,740 06/04/99

98/99 ASSESS: 26,310 06/05/98

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001C

DATE: 05/19/2000

STANDARD ASSESSMENT INQUIRY (2)

TIME: 12:49:03

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 23 002775	12	3-1	04-00	H	NO		04/25/00
LOT....	21	BOOK....	0022	MAP....	0096	LOT WIDTH.....	18.00
BLOCK..	C	FOLIO...	0090	GRID....	0022	LOT DEPTH.....	.00
SECTION..				PARCEL..	0209	LAND AREA..	2070.000 S
PLAT..						YEAR BUILT.....	40

-----TRANSFER DATA-----

NUMBER..... 118349

DATE..... 08/27/97

PURCHASE PRICE..... 83,000

GROUND RENT..... 1,600

DEED REF LIBER..... 12350

DEED REF FOLIO..... 0163

CONVEYED IND..... 1

TOT-PART TRAN IND..... T

GRANTOR ACCT NO.. 12-23-002775

-----EXEMPT DATA-----

STATUS.....

CLASS CODE..... 000

STATE EXEMPT CODE..... 000

COUNTY EXEMPT CODE..... 000

CURR STATE EX ASMT.... 0

PRIOR STATE EX ASMT... 0

CURR COUNTY EX ASMT... 0

PRIOR COUNTY EX ASMT.. 0

CRITICAL NEW CONST CARD

AREAS CODE YEAR NO

02670

-----STRUCTURE-----

CODE SQ. FEET

1080

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001D

DATE: 05/19/2000

STANDARD ASSESSMENT INQUIRY (3)

TIME: 12:49:15

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
12 23 002775	12	3-1	04-00	H	NO		04/25/00

-----STATE-----

REC CREATE DATE.. 10/23/92

DELETE CODE.....

DATE DELETED.....

LAST FM DATE..... 11/21/99

LAST FM TYPE..... C

PREV FM DATE.....

PREV FM TYPE.....

GEO CODE N/A LAND-USE

82 NO R

-----COUNTY-----

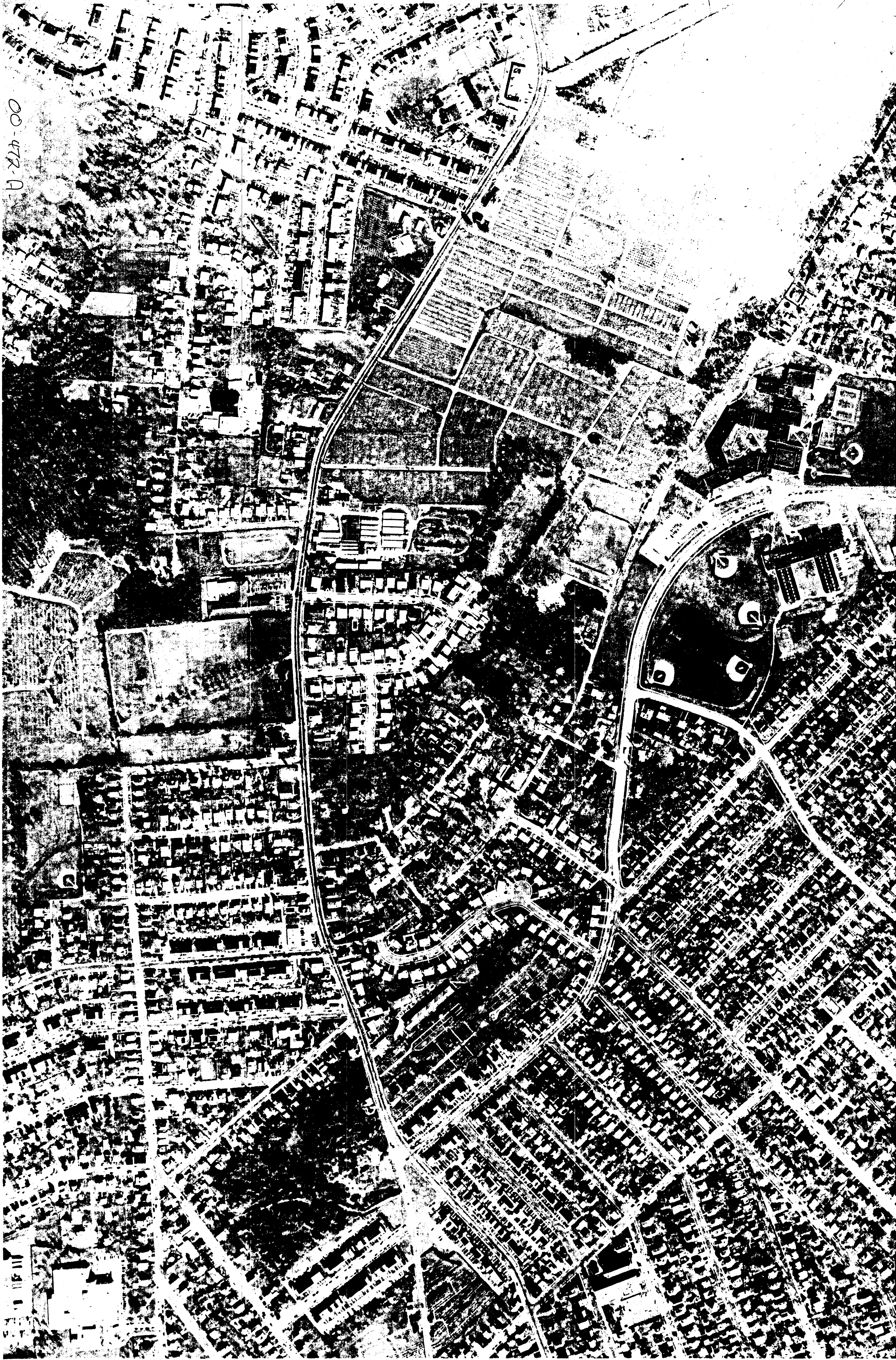
LAST LOAD DATE... 04/25/00

PRIOR LOAD DATE.. 04/05/00

STATE TAXABLE ASSESS

00/01 ASSESS: 27,770

99/00 ASSESS: 26,740



00-472-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±		LOCATION NORTH POINT	SHEET S. E. 2-E
DATE OF PHOTOGRAPHY JANUARY 1986			