Differ LALLONED FOR FILING

IN RE: PETITION FOR VARIANCE S/S Joppa Road, 20' E

centerline of Ellenham Avenue

9<sup>th</sup> Election District

4<sup>th</sup> Councilmanic District

(7931 Ellenham Avenue)

John and Dina Sarbanes Petitioners \* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 00-527-A

: \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, John and Dina Sarbanes. The variance request is for property located at 7931 Ellenham Avenue, in the Towson area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front (side street) setback of 16 ft. in lieu of the required 25 ft. to construct an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this // day of July, 2000, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front (side street) setback of 16 ft. in lieu of the required 25 ft. to construct an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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

OFFICE TRECTIVED FOR FILING DOIC 2/4/20 BY ALL AMAZZA



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

Fax: 410-887-3468

July 11, 2000

Mr. & Mrs. John P. Sarbanes 7931 Ellenham Avenue Towson, Maryland 21204

Re: Petition for Administrative Variance

Case No. 00-527-A

Property: 7931 Ellenham Avenue

Dear Mr. & Mrs. Sarbanes:

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,

Muthy Hotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



CASE NO. \_00 - 527 A

REU 9/15/98

### Petition for Administrative Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at	7931	Ellenham	Ave.	Towson	21204
		esently zoned			

6.18.00

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) 1802.3.C.1 70  $PERM_{17}$ 

A FRONT (SIDE STREET) SETBACK OF 16 FT. IN
LIEU OF THE REQUIRED 25 PEET FOR A
PROPOSED ADDITION

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 af perjury, that I/we are the legal own is the subject of this Petition.	firm, under the vner(s) of the	ne penalties of e property which
Contract Purchaser/Lessee:		<u>Legal Owner(s):</u>		
		John P. Sarbai	nes _	
Name - Type or Print		Name - Type or Prim		
Signature		Signature Surbanes		
Address	Telephone No.	Name Type of Rrint	ila	
City State	Zip Code	Signature		
Attorney For Petitioner:		1931 Ellenham Ave.	(410)3.	37-7526
		Address		Telephone No.
i :		Towson MD 2120		
Name - Type or Print		City	State	Zip Code
		Representative to be Cor	ntacted:	
Signature 8	•	Same		
Coxidany		Name		
				T-1
Address	Тејернопе No.	Address		Telephone No.
City State	Zip Code	City	State	Zip Code
Rublic Hearing having been formally der this day of regulations of Baltimore County and that the pr	manded and/or found to bethat the subject matter of tr roperty be reposted.	required, it is ordered by the Zoning C nis petition be set for a public hearing, ad	ommissioner ( vertised, as re	of Baltimore County, quired by the zoning
		Zoning Commissioner of E	Saltimore Cour	nty

## 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

7931 Ellenham Avenue

Add	T MD	21204		
City	Towson, MD	Stat	e	Zip Code
That based upon personal knowledge, the following Variance at the above address (indicate hardship or	practical difficulty	<b>')</b> :		
The Sarbanes have contracted us to add a 1,300 sq. ft. home. The only room for e is to the left side of the property. A side yard property line which would easi owns a small strip of land to the left of Despite this piece of property, this is, lot in which the left side yard is treat proposed addition encroaches 9' into the variance. The existing wooded property privacy fence on the rear of the propert properties.	xpansion, and proposed 15' ly meet the cof this lot wh according to ed as a front required 25' on the left s	needed bedro to meet cur wide addition urrent side ich is wood the county yard. This front yard	rrent setback on would leave yard setback. ed and raised , still consid s being the ca setback requi	requirements 16' to the The county in elevation. ered a corner se, thes reverse ring a he trees and
			-	
That the Affiant(s) acknowledge(s) that if a forma advertising fee and may be required to provide additional signature  TOHN P. SARBANES  Name - Type or Print	tional information.	ature A He - Type or Print	Sh	ay a reposting and
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, person the Affiant(s) herein, personally known or satisfact law that the matters and facts hereinabove set forth	nally appeared  Olivery  orily identified to	and of	iant(s), and made	Public of the State  All Aul  oath in due form of wiedge and belief.
AS WITNESS my hand and Notarial Seal  Date	Notary Pub	R.J.	may j	02
	iviy Commis	ssion Expires _		

# 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.

competent to testify thereto in the event that a pu	ublic hearing is scheduled in the future with regard thereto.			
That the Affiant(s) does/do presently reside at	7931 Ellenham Avenue			
	Towson, MD 21204			
	City State	Zip Code		
Variance at the above address (indicate hardship	wing are the facts upon which I/we base the request for an ip or practical difficulty):			
1,300 sq. ft. home. The only room f is to the left side of the property. side yard property line which would owns a small strip of land to the le Despite this piece of property, this lot in which the left side yard is t proposed addition encroaches 9' into variance. The existing wooded prope	add a size, much needed bedroom onto their effor expansion, and to meet current setback reasily meet the current side yard setback. If of this lot which is wooded and raised in a is, according to the county, still consider treated as a front yard. This being the case the required 25' front yard setback required the required 25' front yard setback required the property and the operty eliminate any adverse impact on adjace	quirements 6' to the The county elevation. ed a corner thee rever		
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature of the state o	ormal demand is filed, Affiant(s) will be required to pay a additional information.  Signature  D ( NA E. SA RB			
Name - Type or Print	Name - Type or Print			
-				
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this	ersonally appeared 2000, before me, a Notary Pu	h in due form of		
AS WITNESS my/hangl and Notarial Seal				
4/5/2002	Zuen R. Lundard			
Date	Notary Public			
	My Commission Expires 1/13002			



CASE NO. <u>60-527A</u>

REV 9115198

### Petition for Administrative Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at	7931 El	lenham	Ave:	Towson	21204
whic	h is preser	tly zoned	D(	R <del>5</del> 5	

Zoning Commissioner of Baltimore County

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) 1802.3. C. I TO PERMIT

A FRONT (SIDE STREET) SETBACK OF 16 FT. IN LIEU OF THE REQUIRED 25 FT FOR A PROPOSED ADDITION

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:		<u>Legal Owner(s):</u>
		John P. Sarbanes
Name - Type or Print		Name - Type or Print
Signature		Signature Dina Sarbanes
Address	Telephone No.	Name - Fype or Print
City State	Zip Code	Signature
Attorney For Petitioner:		7931 Ellen ham Ave. (410)337-7526 Address Telephone No.
		Towson, MD 21204
Name - Type or Print		City State Zip Code
		Representative to be Contacted:
Signature	-	Sme
Company		Name
Address	Telephone No.	Address Telephone No.
City State	Zip Code	City State Zip Code
A Public Hearing having been formally demand his day of the egulations of Baltimore County and that the proper	at the subject matter of t	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning
ogulation of building obtains and add the proper	,	

Estimated Posting Date

# Zoning Description

Zoning description for 7931 Ellenhame Mu., Jowson, MD 21204. Beginning at a point on the South side of Jappa Road which is 60' wide at the distance of 20' East of the Centerline of the nearest improved intersecting street Ellerham ave. which is 30' wide. Burg lot #2 in the subdivision of Balto.
Dohoney as precorded in Balto. Cty- plat book # 12 folie # 32, containing 6,480 sq. ft. also known as 793; Ellenham ave., Jowson, MD 21204 + located in the 9th election district, 4 Councilmatic district

	MANNE S SOLVENIE HER GRADE.	SECTION OF THE BUYON OF THE BUY		CASTIFICATION OF THE PROPERTY
BALTIMORE COUNTY, MARYLANT OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE ( C C) ACCOUNT 411	AMOUNT \$ AMOUNT \$	FROM: (C.C.) // Un.2.	CASMIEN & VALIDAY  PINK - AGENCY  VELLOW - CUSTOMER  WHITE - CASHIER  WHIT

RE Case No 00 - 527-4

12:29

Petitroner/Developer: SARBANES, ETAL

Date of Hearing/Closing 7/2/80

Date of Hearing/Closif

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 penalities of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 7931 - ELENHAM The sign(s) were posted on (Month, Day, Year)

CASE # 00-527-A TO DE 2M T A SIDETARD STRACE. FELT IN LIE. IF THE MAGUIRED ESPACE. FOR AN ADDITION ignature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

CELL-410-405-8571 410-666:5366 ;

(Telephone Number)

20-1327-A 7931-ELLENHAM AVE 7/3/00

#### **ZONING REVIEW**

### ADMINISTRATIVE VARIANCE INFORMATION CHEET AND DATES

Case Number 00- 527 -A Address 7931 ELLENham Ave.				
Contact Person: Phone Number: 410-887-3391				
Filing Date: 6.8.00 Posting Date: 6.18 Closing Date: 7.3				
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. <u>POSTING/COST:</u> 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- 527 -A Address 3 7931 ELLENham Rue.				
Petitioner's Name John Spermes Telephone (410) 337-7526				
Posting Date: bily Closing Date: 7:3				
Wording for Sign: To Permit A SIDE STREET SETBALK of 16+7.				
IN CIEU of THE REDVIRED 25ft, FOR AN				
ADDITION				
POSTING RECEIPEMENTS CONEDED WITH APPLICANT:				

### DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### **ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

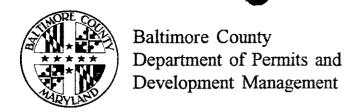
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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 Adv	ertising:					
Item Number or Case Petitioner: <u>」。ん</u> い	Number	2BANES	527			
Address or Location:			HAM Ave.	Towson	md.	2/204
PLEASE FORWARD	ADVERT	ISING BILL	TO:			
Name:		<del>'</del>				
Address:	<u> </u>	Ani.			HWY	
Telephone Number:	(4.,	7337-	7526			

Revised 2/20/98 - SCJ



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

July 5, 2000

Mr. John sarbanes 7931 Ellenham Avenue Towson MD 21204

Dear Mr. sarbanes:

RE: Case Number 00-527-A, 7931 Ellenham Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 6/8/00

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:rsi

**Enclosure** 

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** July 17, 2000

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 3, 2000

Item Nos. 516, 517, 518, 519, 520, 521, 522, 523, 524, 526, 527, 528, 529, 530, 531, 532, 534, 535, 536, 537, 538, 540, 541, and 543

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

RWB:HJO:jrb

cc: File



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

June 29, 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 June 26, 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:

516, 517, 518, 519, 522, 524, 525, 526, 529, 530, 531, 533, 535, 536, 537, 538, 539, 540, 541, 543,

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

cc: File



### 15

### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

August 15, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of June 26, 2000

DEPRM has no comments for the following zoning petitions:

	ing zoimig petitions:
Item #	Address
516	209 Church Road
518	6 Stanson Court
526	122 Allegheny Avenue
527	7931 Ellenham Avenue
529	3700 Green Oak Court
530	3 Lancashire Court
532	1026-1028 York Road
533	Burmont Avenue
534	4001 Southwestern Boulevard
535	615 Glenrock Road
536	9737 Matzon Road
537	203 Sandhill Road
540	9419 Oak White Road
541	2044 Putnam Road
542	585 Frederick Road
543	110 Woodholme Avenue

emplete/ 6-30-00

### 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

SUBJECT:

Zoning Advisory Petition(s): Case(s) 516, 517, 518, 520, 522, 527, 528,

530, 541, 545, 549 and 550.

**DATE:** July 10, 2000

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



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

Date: 6-26.00

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

RE:

Baltimore County

Item No. 527

JCM

Dear, Ms. Jackson:

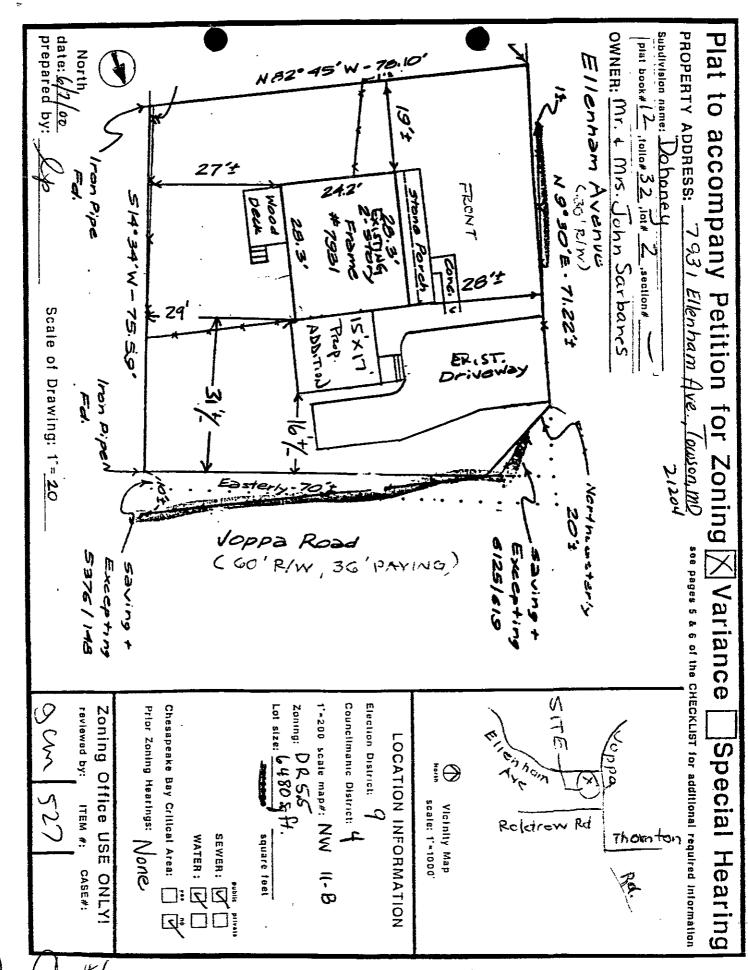
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

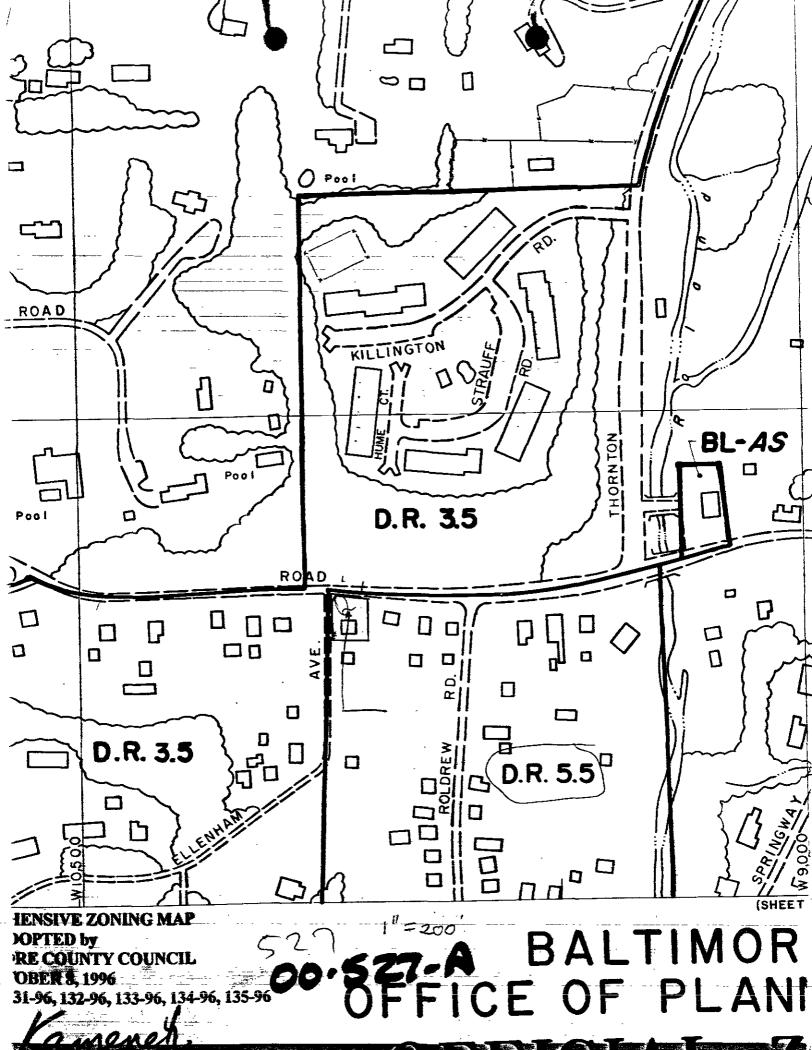
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours.

f. f. Hedle

Kenneth A. McDonald Jr., Chiet Engineering Access Pennits Division

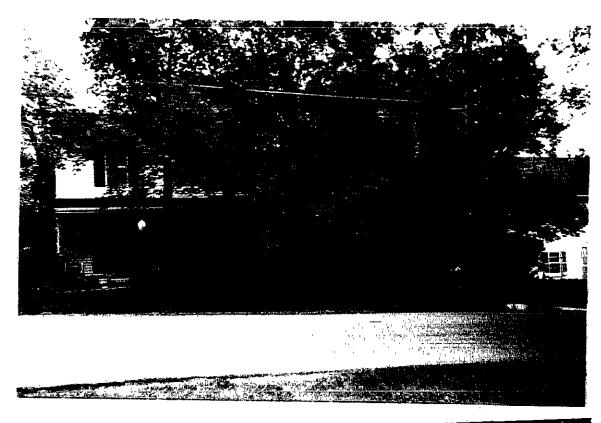


















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