

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/S Analee Avenue, 420' S		
centerline of Neighbors Avenue	*	DEPUTY ZONING COMMISSIONER
14th Election District		
7th Councilmanic District	*	OF BALTIMORE COUNTY
(8115 Analee Avenue)		
	*	CASE NO. 01-098-A
Truong Bao & Dien Vinh		
Petitioners	*	

* * * * *

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, Truong Bao and Dien Vinh. The variance request is for property located at 8115 Analee Avenue in the Rosedale area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 2 ft. in lieu of the required 10 ft. for the addition of an open carport. 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.

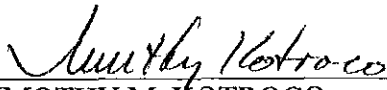
OFFICE RECEIVED FOR FILING

Date 9/27/00
By R. J. [Signature]

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 27th day of September, 2000, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 2 ft. in lieu of the required 10 ft. for the addition of an open carport., 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

09/27/00
9/27/00
J.R. Johnson



Baltimore County
Zoning Commissioner

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

September 26, 2000

Mr. Truong Bao
Ms. Dien Vinh
8115 Analee Avenue
Baltimore, Maryland 21237

Re: Petition for Administrative Variance
Case No. 01-098-A
Property: 8115 Analee Avenue

Dear Mr. Bao & Ms. Vinh:

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8115 Analee Ave
which is presently zoned DR 5.5

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) 1B02.3. C.1 to permit a side setback of 2' in lieu of the required 10' for the addition of an open carport.

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

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

TRUONG BAO
Name - Type or Print

Signature

DIEN VINH
Name - Type or Print

Signature

8115 ANALEE AVE. (410) 866-0385
Address Telephone No.

BALTIMORE, MD 21237-1609
City State Zip Code

Representative to be Contacted:

TRUONG BAO
Name

(410) 675-8599 (W)
Address Telephone No.

8115 ANALEE AVE (410) 866-0385 (H)
Address Telephone No.

BALTIMORE, MD 21237-1609
City State Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 01-098A

REV 9/15/98

Reviewed By TAG Date 8-28-00

Estimated Posting Date 9-10-00

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

Address

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):

I already have an existing concrete driveway on the left side of my house. That's why I think that the building of a carport is the most appropriate and convenient place.

Furthermore, it would be safer for my family since I use the side door more often than the front door.

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.

Signature

Truong Bao

Signature

Dien Vinh

Name - Type or Print

TRUONG BAO

Name - Type or Print

DIEN VINH

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of August, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared,

Truong Bao and Dien Vinh
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

Date

8/19/00

Notary Public

My Commission Expires

KARRIE R. BURKHARDT

Notary Public, State of Maryland
Baltimore County

My Commission Expires: Sept. 18, 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

Address

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):

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Furthermore, it would be safer for my family since I use the side door more often than the front door.

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.

Signature

Truong Rao

Signature

Dien Vinh

Name - Type or Print

TRUONG RAO

Name - Type or Print

DIEN VINH

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of August, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Truong Rao and Dien Vinh

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

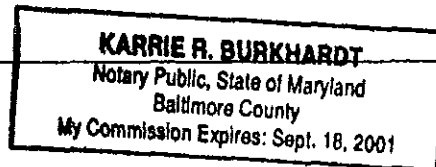
Date

8/19/00

Notary Public

My Commission Expires

Karrie R. Burkhardt





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8115 Analee Ave
which is presently zoned DR5.5

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) 1802.3.C.1 to permit a

side setback of 2' in lieu of the required 10' for the addition of an open carport.

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:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address

Telephone No.

Name - Type or Print

City

State

Zip Code

Signature

Attorney For Petitioner:

8115 ANALEE AVE (410) 866-0385
Address Telephone No.

Name - Type or Print

BALTIMORE, MD 21237-1609
City State Zip Code

Signature

Representative to be Contacted:

Company

Name

Address

Telephone No.

Address

City

State

Zip Code

City

State

Zip Code

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

Zoning Commissioner of Baltimore County

CASE NO.

01-098A

Reviewed By

TAG

Date

8-28-00

Estimated Posting Date

9-10-00

REV 9/15/98

ZONING DESCRIPTION FOR 8115 Analee Avenue, Baltimore, MD 21237

Beginning at a point on the East side of Analee Avenue which is 50 feet wide

at the distance of 420 feet South of the centerline of the nearest improved

intersecting street Neighbors Avenue which is 50 feet wide. Being Lot #7,

Block ^C~~(not available)~~, Section #B in the subdivision of Hillbrook as recorded

in Baltimore County Plat Book #24, Folio #37, containing 7,788 square feet.

Also known as 8115 Analee Avenue and located in the 14th Election District,

7th Councilmanic District.

01-098-A

01-098A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

05269

DATE

7-29-00

ACCOUNT

ECCL 6150

AMOUNT \$

50.00

RECEIVED
FROM:

Truong Bao

FOR:

Variance 01-098-A

2115 Anacle Ave.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAID TO THE
TREASURER
FOR THE
BALANCE OF THE
BUDGET
FOR THE
FISCAL YEAR
ENDING
JUNE 30, 2001
IN THE
AMOUNT OF
\$50.00
FOR THE
PURPOSE OF
PAYING THE
BILLS OF THE
COUNTY

01-098-A

CASHIER'S VALIDATION

A-890-10

CERTIFICATE OF POSTING

ADMIN

01-98-A

RE: Case No.:

Petitioner/Developer: BAO, ETAL

Date of Hearing/Closing: 9/25/00

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 #8115 ANALEE RD.

The sign(s) were posted on

9/7/00
(Month, Day, Year)

Sincerely,

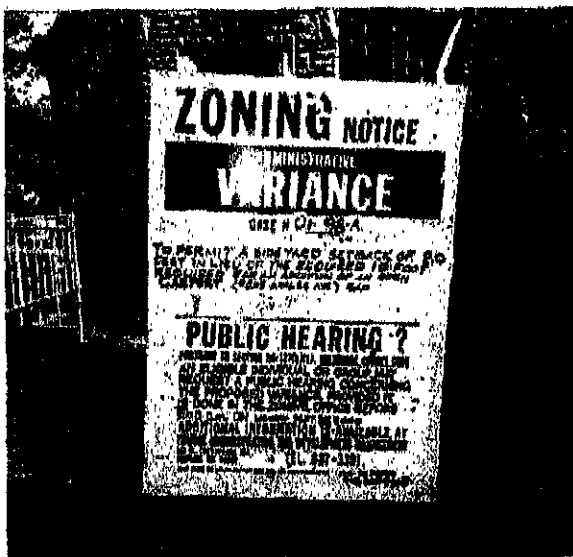
Patrick M. O'Keefe 9/8/00
(Signature of Sign Poster and Date)

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)



01-98-A
8115 ANALEE (BAO) 9/25/00

Post-It™ brand fax transmittal memo 7871		# of pages = 4
To: BETTY/BOBIN	From: O'Keefe	
Co: ZONING COMM	Co:	
Dept:	Phone # 410-905-8571	
Fax # 887-3468	Fax #	@ 200

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 098 -A Address 8115 Analee Ave.
Contact Person: Terry Gibson Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 8-28-00 Posting Date: 9-10-00 Closing Date: 9-25-00

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

- 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.
- 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.
- 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.
- 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 01- 098 -A Address 8115 Analee Ave.
Petitioner's Name Truong Bao Telephone 410-866-0385
Posting Date: 9-10-00 Closing Date: 9-25-00
Wording for Sign: To Permit a side setback of 2' in lieu of the required 10' for the addition of an open carport.

01-098-A

WCR - Revised 6/28/00

DEPARTMENT ● 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/neighbor 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: 01-098A
Petitioner: TRUONG BAO
Address or Location: 8115 ANALEE AVE, BALTIMORE, MD 21237-1609.

PLEASE FORWARD ADVERTISING BILL TO:

Name: TRUONG BAO
Address: 8115 ANALEE AVE
BALTIMORE, MD 21237-1609
Telephone Number: (410) 866-0385 (H) & (410) 675-8599 (W).

Revised 2/20/98 - SCJ

01-098-A



Baltimore County
Department of Permits and
Development Management

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

September 25, 2000

Truong Bao
8115 Analee Avenue
Baltimore, MD 21237-1609

Dear Mr. Bao:

RE: Case Number: 01-098-A, 8115 Analee Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 28, 2000.

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. *GDZ*
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Dien Vinh, 8115 Analee Avenue, Baltimore 21237-1609
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 3, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For September 18, 2000
Item Nos. 070, 071, 072, 073, 075, 078,
079, 081, 082, 085, 086, 087, 088, 089,
090, 091, 092, 093, 094, 095, 097, 098,
100, 101, 103, and 104

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

September 19, 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 September 11, 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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS REGARDING THE FOLLOWING:

ITEM #'S 070, 071, 072, 073, 074, 075, 079, 080, 081, 082, 083,
084, 085, 086, 087, 088, 089, 092, 093, 094, 095, 097,
098, 099, 100, 101, 102, 103, AND 104

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

cc: File

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



Printed with Soybean Ink
on Recycled Paper

AY
9/25

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 18, 2000

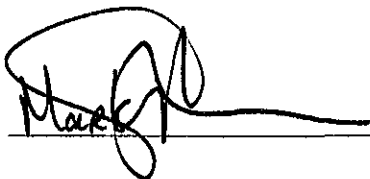
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-097, 01-098, and 01-101**

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

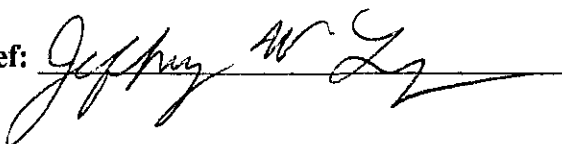
For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



SEP 19

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: 10.2.00

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

RE: Baltimore County
Item No. 098 TAG

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,

in 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

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 8115 ANALEE AVENUE

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

Subdivision name: HILL BROOK

plat book # 24, folio # , lot # 37, section # B

OWNER: TRUONG BAO & DIEN VINH

ANALEE AVENUE

50' r/w

R=525.00' A=52.75'

FRONT →
No. 8113

EXISTING
DWEL.

5' BACK

N 69°27'02" W 140.62'

CONC.
DRIVE

FRONT →
No. 8115

28.1'

4'2-STORY
BRICK

8115

BRK.
PAT.

24.1'

BLOCK "C"

S 64°11'40" E 125.79'

FRONT →
No. 8113.

EXISTING
DWEL

5' UTILITY EASEMENT

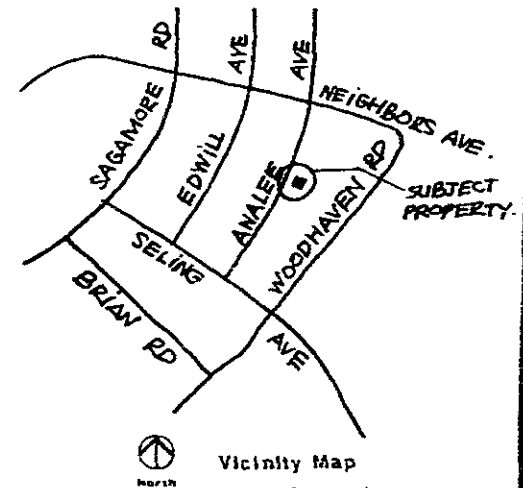


North

date: _____

prepared by: _____

Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Election District: 14

Councilmanic District: 7

1"-200' scale map: NE-3E

Zoning: DR 5.5

Lot size: 0.18 7,788
acres square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NO

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

TAG 098 01-098A

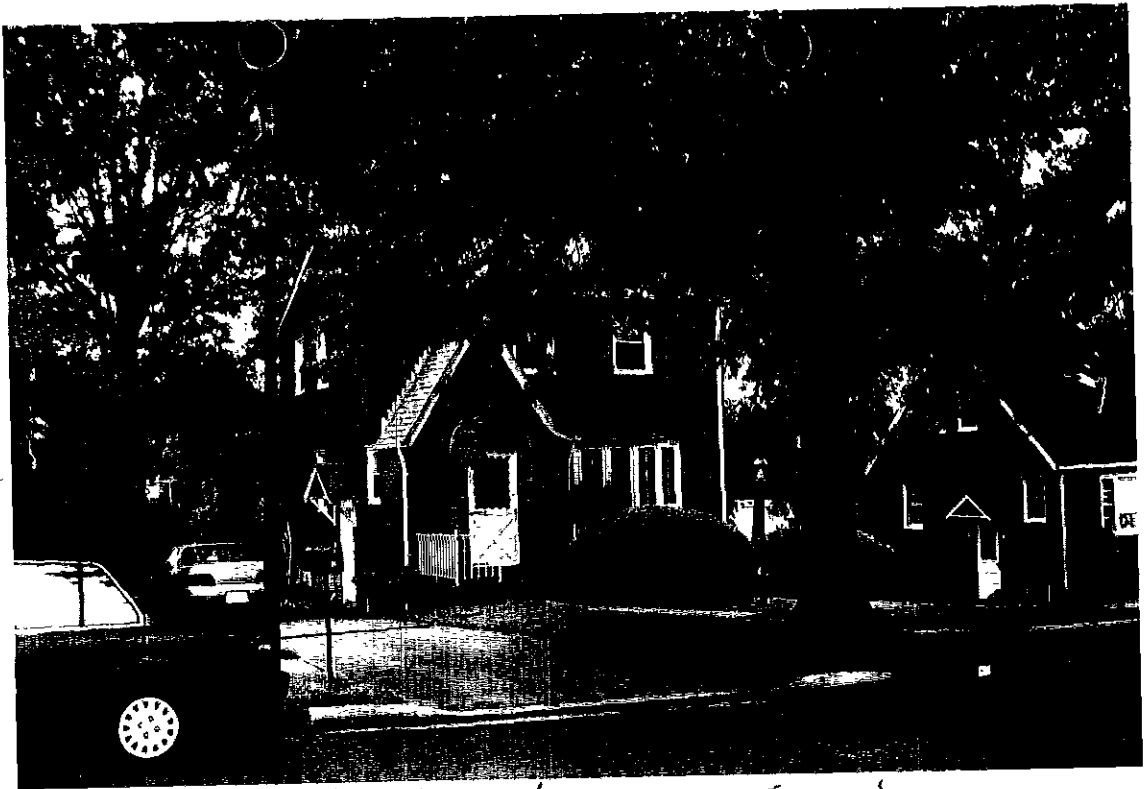
Det. E. #1

01-098-A

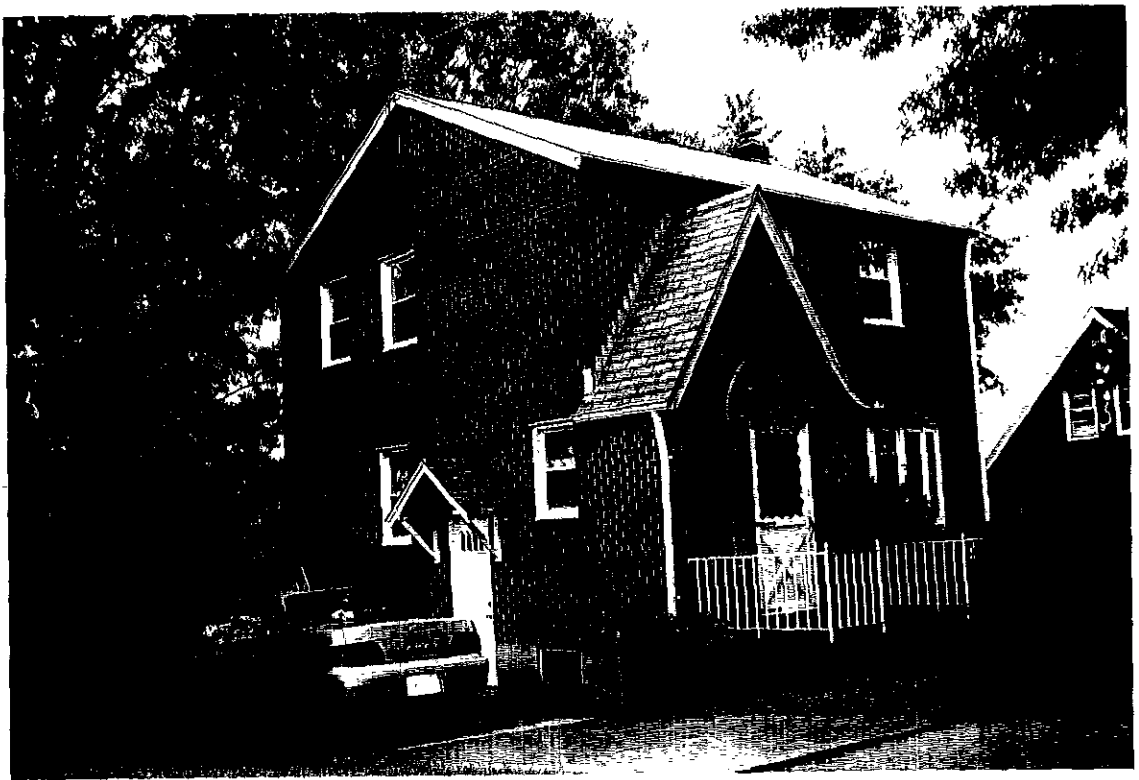


GI-098-A

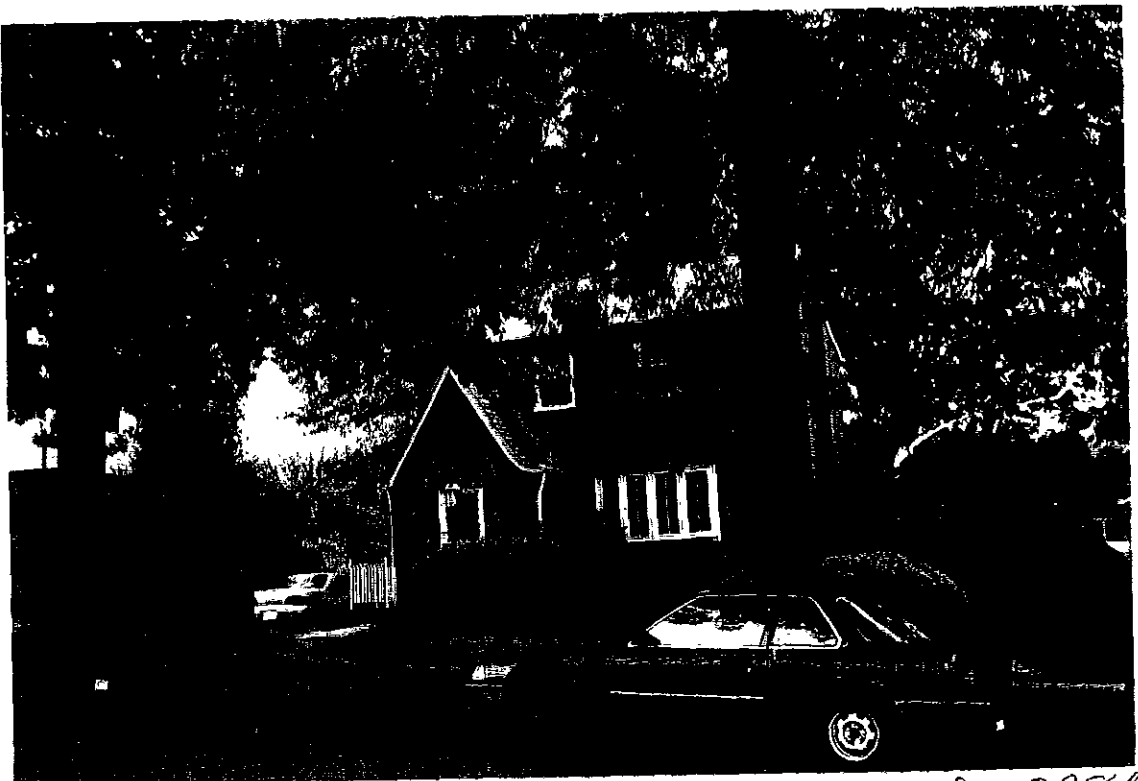
(SHEET N.E. 3-F)



8115 Analee Ave Front

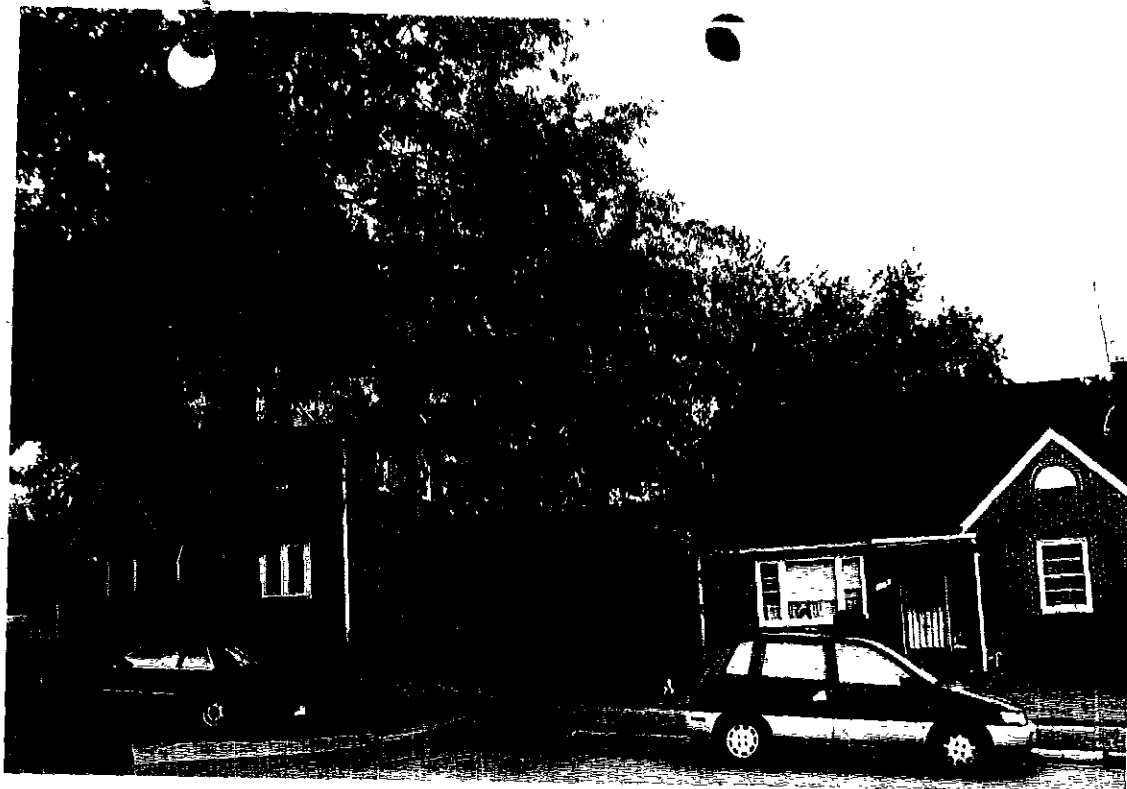


Right Side

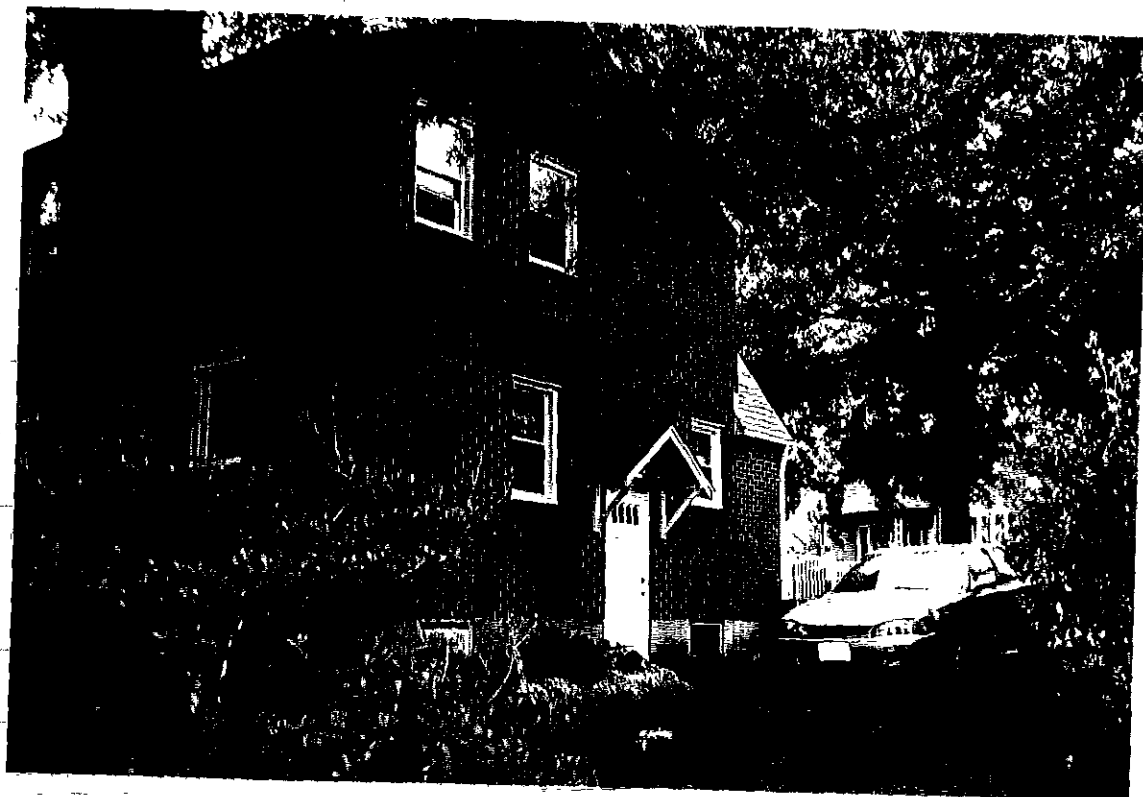


left side

01-098A



Left Side



Right side



Right side

01-098A



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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE		LOCATION		SHEET	
1" = 200' ±		ROSEDALE		N.E.	
DATE OF PHOTOGRAPHY JANUARY 1986				3-E	
		01-0984		01-0988-A	