IN RE: PETITION FOR ADMIN. VARIANCE
W/S of Gunpowder Road, 1800' N
centerline of Glen Arm Road
11th Election District
6th Councilmanic District
(24 Gunpowder Road)

Yaghoub and Cynthia Alizadeh Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 01-180-A

\* \* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Yaghoub and Cynthia Alizadeh, property owners, for that property known as 24 Gunpowder Road in the Glen Arm area of Baltimore County. The Petitioners herein seek a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing single family dwelling with an addition to have a front yard setback of 24 ft. in lieu of the required 50 ft. 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. ewould result in practical difficulty and/or unreasonable hardship upon the Petitioners.

11/30/10 M 30/09 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 30 day of November, 2000, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing single family dwelling with an addition to have a front yard setback of 24 ft. in lieu of the required 50 ft, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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

IMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



IN RE: PETITION FOR ADMIN. VARIANCE

W/S of Gunpowder Road, 1800' N centerline of Glen Arm Road 11th Election District 6th Councilmanic District

(24 Gunpowder Road)

Yaghoub and Cynthia Alizadeh Petitioners \* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 01-180-A

\* \* \* \* \* \* \* \* \* \*

#### AMENDED ORDER

WHEREAS, this matter came before this Deputy Zoning Commissioner as an Administrative Variance Request. An Order was issued the 30th day of November, 2000 granting the Petitioners' relief.

WHEREAS, this office inadvertently typed in the Order that the Petitioners were requesting a front yard setback when in fact their Petition for Administrative Variance requested a "<u>side</u>" yard setback.

THEREFORE, IT IS ORDERED this and of December, 2000, by this Deputy Zoning Commissioner, that my previous decision dated the 30th day of November, 2000 shall be amended to read as follows:

"THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this <u>30th</u> day of November, 2000, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing single family dwelling with an addition to have a <u>side</u> yard setback of 24 ft. in lieu of the required 50 ft., be and is hereby GRANTED, ..."

IT IS FURTHER ORDERED that all other terms and conditions of my previous decision shall remain in full force and effect.

TIMOTHY M/KOTROCO

**DEPUTY ZONING COMMISSIONER** 

FOR BALTIMORE COUNTY



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

Fax: 410-887-3468

December 8, 2000

Mr. & Mrs. Yaghoub Alizadeh 24 Gunpowder Road Glen Arm, Maryland 21057

Re: Amended Order for Administrative Variance

Case No. 01-180-A

Property: 24 Gunpowder Road

Dear Mr. & Mrs. Alizadeh:

Enclosed please find Amended Order correcting the typographical error contained in my decision rendered on November 30, 2000 in the above-captioned case. The Petition for Administrative Variance Order has been amended to grant a "<u>side</u>" yard setback and <u>not</u> the "front" yard as stated in my previous 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.

Please accept our apologies for any inconvenience this may have caused.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure





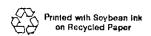


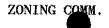
For You, For Baltimore County



Census 2000







\*\*\*\*\*\*\*\*\*\*\*\* \*\*\*\* ACTIVITY REPORT \*\*\*\* \*\*\*\*\*\*\*\*\*\*\*\*\*

#### TRANSMISSION OK

TX/RX NO.

0288

CONNECTION TEL

94107324000

CONNECTION ID

START TIME

12/08 10:12

USAGE TIME

01'52 Order & Letter dated 12/8/00

**PAGES** 

RESULT

Co./Dept. Phone #



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

Fax: 410-887-3468

November 30, 2000

Mr. and Mrs. Yaghoub Alizadeh 24 Gunpowder Road Glen Arm, Maryland 21057

Re: Petition for Administrative Variance

Case No. 01-180-A

Property: 24 Gunpowder Road

Dear Mr. & Mrs. Alizadeh:

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

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TMK:raj Enclosure













## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

MAYLAND					J
		for the proper	ty located at24 Gunp	owder Road	
			which is presen		C-=5
This Petition shall be owner(s) of the proper made a part hereof, he	e filed with the E rty situate in Baltin ereby petition for a	<b>Department of Perr</b> nore County and what I Variance from Sec	nits and Development Mar nich is described in the descri tion(s) 1 A 04,3B2	nagement. The ription and plat a	undersigned, legal attached hereto and
To allow side yar	d set back of	24', in lieu of t	herequired 50°.		
of the zoning regulation of this petition form.	ns of Baltimore Co	ounty, to the zoning	law of Baltimore County, for	the reasons inc	licated on the back
Property is to be posted I, or we, agree to pay expregulations and restriction			e zoning regulations. osting, etc. and further agree to to the zoning law for Baltimore	and are to be bo	unded by the zoning
		my adopted parsuall	I/We do solemnly declare perjury, that I/we are the is the subject of this Petit	e and affirm, under	r the negalties of
Contract Purchaser	/Lessee:		Legal Owner(s):	10,11,	
			YaghoubAlizadeh		
Name - Type or Print			Name - Type of Print	<del></del>	
Signature			Myshful B. ah	zeight	
Address		Telephone No	Cynthia B. Alizado	en /	- <u></u>
City	State	Zip Code	Signature Signature	Myade	
Attorney For Petition	ner:		24 Gunpowder Road		410-882-7
· <b>)</b>	ť		Address	MID	Telephone No.
Name - Type or Print			Glen Arm, City	M.D. State	Zip Code
Signature			Representative to be		W.P 0000
The same of the sa			Name	<u> </u>	
Add 655		Telephone No	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Rubife Hearing having been this day of regulations of Baltimore Country	en formally demands that y and that the property	ed and/or found to be the subject matter of th y be reposted.	required, it is ordered by the Zor is petition be set for a public heari	ning Commissioner ng, advertised, as re	of Baltimore County, equired by the zoning
			Zoning Commission	er of Baltimore Cour	1hv
CASE NO. <u>0(</u> -	180-A	Revi	zwed By $RDD$	Date <u>10 - 3</u>	•
REV 9115198			nated Posting Date/(		
			-		

FORMS ACCEPTABLE PER CARL

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of periury to the Zoning Commissioner

follows: That the information herein given is competent to testify thereto in the event that a p	within the personal knowlic hearing is schedu	owledge of the Affiant(s) and led in the future with regard the	d that Affiant(s) is/are dereto
That the Affiant(s) does/do presently reside at	24 Gunpowder R		
1	Glen Arm.	Maryland	21057
That hased upon personal knowledge, the falls	•	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardship)	wing are the facts upor p or practical difficulty):	which I/we base the reques	t for an Administrative
Because of a change in zoning requirement to meet current setback requirement. In order to increase the building six would be required.	its. As a result the	structure, as it exists	is in violation.
,			
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for advertising fee and may be required to provide a supply that if a for a supply that if a for a for a supply that if a for a	rmal demand is filed, additional information.	Cymphio B.a	pay a reposting and
Yaghoub Alizadeh	Су	nthia B. Alizadeh	U
Name - Type or Print		Type or Print	
			<b></b>
STATE OF MARYLAND, COUNTY OF BALTIM			
HEREBY CERTIFY, this 23 day of Octoor Maryland, in and for the County aforesaid, per	DBER sonally appeared	2000, before me, a Nota	ry Public of the State
YAGHOUB ALIZADEH	& CANTHA	B. ALIZADEH	
he Affiant(s) herein, personally known or satisfa aw that the matters and facts hereinabove set fo	ectorily identified to me	as such Affication and made	oath in due form of owledge and belief.
AS WITNESS my hand and Notarial Seal	Lei	A Thompson	
Date / /	Notary Public	- 01-10-03	
	My Commission	n Expires UTTO 5	

# ZONING DESCRIPTION FOR: 24 GUNPOWDER ROAD

BEGINNING AT A POINT ON THE WEST SIDE OF <u>GUNPOWDER ROAD</u> WHICH IS 50 FEET WIDE AT A DISTANCE OF <u>18</u>00 FEET NORTH OF THE CENTERLINE OF GLENARM ROAD WHICH IS 60 FEET WIDE. WHERE SAID PROPERTY LINE CONTINUES <u>NORTH 31 DEGREES 55 MINUTES EAST</u> FOR A DISTANCE OF <u>150.00 FEET</u> THEN <u>NORTH 56 DEGREES 55 MINUTES WEST</u> FOR A DISTANCE OF <u>468.86 FEET</u> THEN <u>SOUTH 23 DEGREES 58 MINUTES WEST</u> FOR A DISTANCE OF <u>150.00 FEET</u> THEN <u>SOUTH 56 DEGREES 41 MINUTES EAST</u> FOR A DISTANCE OF <u>448.15 FEET</u> BACK TO THE POINT OF BEGINNING. BEING LOT 4A IN THE SUBDIVISION OF SUMMERFIELD FARMS RECORDED IN PLAT BOOK #3, FOLIO #11 CONTAINING 68,389.2 SQ. FT. OR 1.57 ACRES. ALSO KNOWN AS 24 GUNPOWDER ROAD AND LOCATED IN THE 11<sup>th</sup> ELECTION DISTRICT, 6<sup>th</sup> COUNCILMANIC DISTRICT.

Item # 180

01-18U-A

	UDGET & FINANCE NEOUS RECEIPT	No. ™	
DATE	-30-20 ACCOUNT /	R-00/-6/50	
•	AMOUNT \$	50. <u>00</u>	
	ALIZADEH		
	4 GUNPOWDER RO VARIANCE		

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PARKET OF ONL 19-5

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01-180-17

**CASHIER'S VALIDATION** 

D

RE:	Case No.: <u>01-180-A</u>
	Petitioner/Developer:
	Yaghoub & Cynthia Alizadeh
	Date of Hearing/Closing: 11-27-00

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 2H Gunpowder Road

Glen Arm, MD 21037

The sign(s) were posted on November 3, 2000

(Month, Day, Year)

ionin, buj, 10m/
Sincerely,  Start Vandras 11/3/00
(Signature of Sign Poster and Date)
Stacy Gardner
(Printed Name)
SHANNON-BAUM SIGNS INC.
105 COMPERATIVE SGOALS DR.
ELDERSBURG, MD. 21784
(City, State, Zip Code)
410-781-4000
(Telephone Number)
•

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 0/-/80-A
Petitioner: YAGHOUB B. & CYNTHIA B. ALIZADEH
Address or Location: 24 GUNPOWDER ROAD
PLEASE FORWARD ADVERTISING BILL TO:
Name: YAGHOUB B. & CYNTHIA B ALIZADEH
Address: 24 GUNPOWDER ROAD
GLEN DEM, MARYLAND 21057
Telephone Number: 410 - 882 - 7265

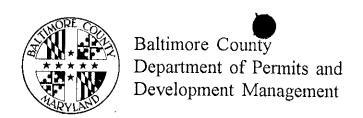
Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 180 -A Address 24 Gunpowder Rd
Contact Person: David Davall Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 10-30-00 Posting Date: 11-12-00 Closing Date: 11-27-00
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. <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 01- 180 -A Address 24 Gunpowder Rd
Petitioner's Name Yaghoub B. + Cynthia Alizadeh Telephone 410 - 882 - 7265
Posting Date:
Wording for Sign: To Permit a side yard setback of 24 feet in lieu of the
required 50 feet



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

November 27, 2000

Cynthia B. & Yaghoub Alizadeh 24 Gunpowder Road Glen Arm, MD 21057

Dear Mr. & Mrs. Alizadeh:

RE: Case Number: 01-180-A, 24 Gunpowder Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 30, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection	
and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake	
Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

GDZ.

Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR:gdz

Enclosures

C: People's Counsel

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: November 29, 2000

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 27, 2000

Item Nos. 178 (5113 Old Court Road), 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 191, 192, 193, 194, 195, 196, 198, 199, 201,

and 202

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

November 27, 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 November 20, 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:

179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193, 194, 195, 196, 197, 198, 200, 201, 202, and 203

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

cc: File

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

TO:

Arnold Jablon

FROM:		R. Bruce Seeley ACKBS	
DATE:		November 27, 2000	
SUBJE	CT:	Zoning Item #180 24 Gunpowder Road	
2	Zoning	Advisory Committee Meeting of November 20, 2000	
	The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.		
	The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.		
	The Department of Environmental Protection and Resource Management offe the following comments on the above-referenced zoning item:		
-		Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).	
-		Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).	
	<u> </u>	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).	
-	<u>X</u>	Groundwater Management: The proposed addition must be at least 20 feet from the septic system and 30 feet from the well.	

Reviewer: Sue Farinetti Date: November 27, 2000

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

DATE: November 30, 2000

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) 01-180, 01-182, and 01-187

The Office of Planning has reviewed the above referenced case(s) 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: Magka

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: //-27-00

RE:

Baltimore County

Item No. 180 (DD)

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

Dear, Ms. Jackson:

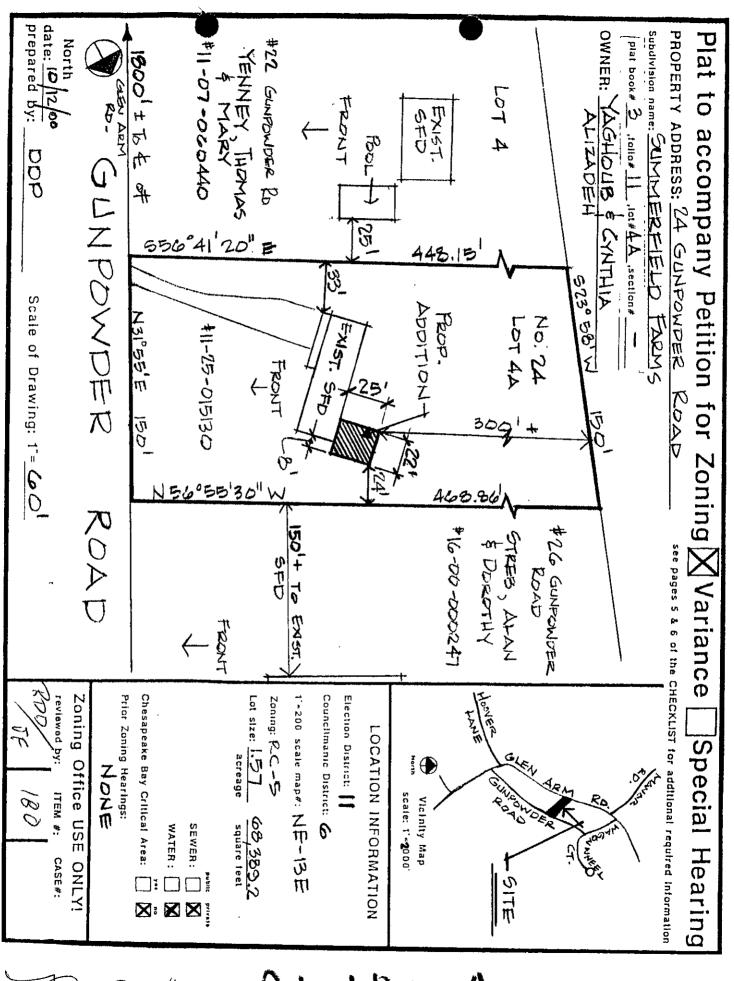
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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,

J. J. Gredle

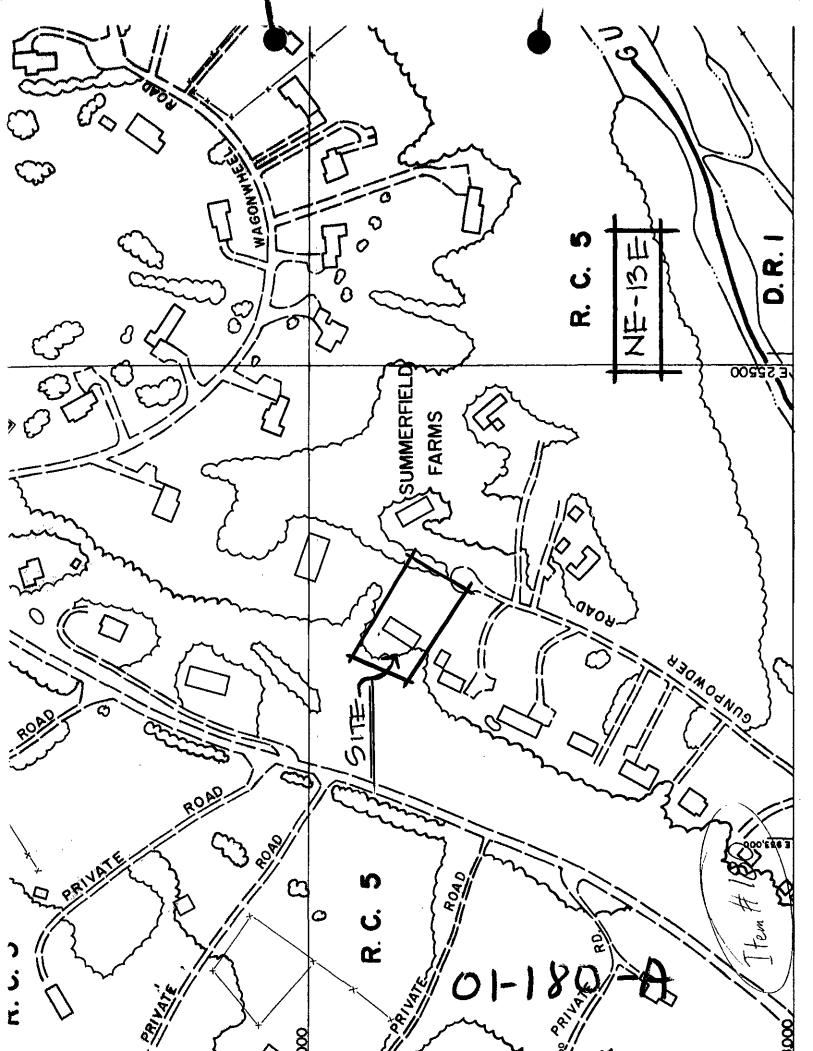
A Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



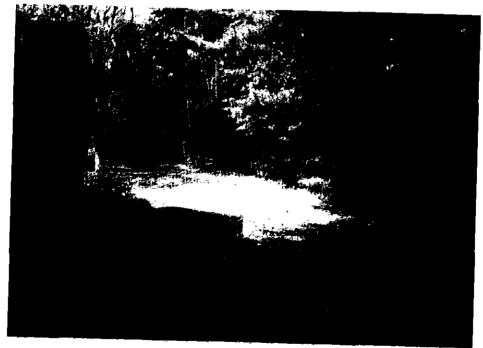
Pet Ex.#

01-180-A

-15-













OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

DATE SUMMERFIE TOGRAPHY ANUARY 1986

N.E.