IN RE: PETITION FOR VARIANCE S/S Greenbank Road, 525' E of Susquehanna Road 15th Election District 5th Councilmanic District (7421 Greenbank Road)

> Peter J. and Virginia M. Trionfo Petitioners

- \* BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 01-414-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, Peter and Virginia Trionfo. The Petitioners are requesting a variance for property they own at 7421 Greenbank Road. The property is zoned DR 5.5. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (a shed) to be located in the front yard in lieu of the required rear yard.

Appearing at the hearing on behalf of the variance request were the owners of the property,

Peter and Virginia Trionfo. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.172 acres, more or less, zoned DR 5.5. The subject property is improved with an existing single family dwelling and a shed which has already been constructed on the property. The house was built many years ago and is situated as depicted on the site plan, only 2 ft. from the rear property line. Therefore, this particular parcel of property has no rear yard. Accordingly, the shed, which is used for storage by the tenant of the property, was constructed in the front yard. In order to allow the shed to remain, a variance is necessary. Several neighbors from the surrounding community signed a petition requesting that the shed be permitted to

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remain as is. The shed allows the tenant of the property to store items within the shed which were being stored outside on the property. Therefore, it assists in keeping the property neat and clean in its appearance.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

1. The Petitioners shall be required to utilize the shed for the storage of items that use to be stored outside on the property. This restriction is being imposed in an effort to maintain the property in a neat and orderly fashion.

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





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

Fax: 410-887-3468

June 8, 2001

Mr. & Mrs. Peter J. Trionfo, Sr. 7432 Greenbank Road Baltimore, Maryland 21220

> Re: Petition for Variance Case No. 01-414-A

> > Property: 7421 Greenbank Road

Dear Mr. & Mrs. Trionfo:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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** 

luthy 16 troco

TMK:rai Enclosure

c: Mr. David Bridgeman 7421 Greenbank Road Baltimore, MD 21220













Tobay = 4-20-01 400.1

01-414-4

Structure (sked) to be located in the front yand in lie's of the required hear yand in lie's of the required hear yand in lie's of the george's Ladded the above to all 3 petition forms! Pls.

Cornect agenda + sign Poster form!

Thanks, John St.

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson.

Maryland on the property identified herein as follows:

Case: #01-414-A 7421 Greenbank Road S/S Greenbank Road, 525' S/S Greenbank Road, 525'
Susquehanna Road
15th Election District
5th Councilmanic District
Legal Owner(s): Virginia M.
& Peter J. Trionto
Variance: to allow an accessory structure (shed) to
be located in the front yard
in lieu of the rear yard.
Hearing: Monday, June 4,
2001 at 9:00 a.m. in Room
407, County Courts Building, 401 Bosley Avenue.

LAWRENGE E. SCHMID I
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning

LAWRENCE E. SCHMIDT

Please Contact the Zoning Commissioner's Office at (410) 887-4386. (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/169 May 17 C469362

## CERTIFICATE OF PUBLICATION

<u> </u>
5 17 , 2001
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on <u>5 17 </u> ,20 <u>0 </u> .
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
> /1/01/10

LEGAL ADVERTISING



## Petition for Variance

## to the Zoning Commissioner of Baltimore County

ior the proper	ty located at 17 d. Green loank KD
	which is presently zoned
This Petition shall be filed with the Department of Permit owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section Structure (shed) to be located	ts and Development Management. The undersigned, leg h is described in the description and plat attached hereto ar on(s) 400. / To 9/10w on access
structure (shed) to be located	d in the front yard in liev
of the Zoning Regulations of Baltimore County, to the zoning hardship or practical difficulty) Reason why shed	conthe in seas of
the yard is because the rear of the \$2. Feet deep and 40 feet wide. House from back property line.	se sits about efect
Property is to be posted and advertised as prescribed by the a i, or we, agree to pay expenses of above Variance, advertising, postegulations and restrictions of Baltimore County adopted pursuant to	iting, etc. and further agree to and are to be bounded by the zonir
	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): Frading as Ytm Realty
Name - Type or Print	Name - Type or Print
Signature Address Telephone No.	Signature Frading as V+m Virginia mary Trionto Realt
City State Zip Code	Signature Trionfo
Attorney For Petitioner:	7432 Greenbank Rd 410-335-54 Address Telephone No. Bellinge und 21220
Name - Type or Print	City State Zip Code  Representative to be Contacted:
Signature Company C	David Reidgeman
Address Telephone No.	7421 Grentank Rd 40-335-2014 Address Telephone No.
City State Zip Code	City State Zip Code
Case No. 01-414-4	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING Reviewed By <u>TRAIDD</u>

Date 4-10-01

# ZONING DESCRIPTION for 7421 Greenbank Rd.

Beginning at a point on the South side of Greenbank Rd, 525 ft. East of Susquehanna Rd Being Lot # 199 in the Subdivision of Oliver Beach As recorded in Baltimone County Plat Book 12 folio 56, Section A. Containing 7500 saft, and located in the 15th Election District.

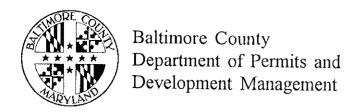
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### CERTIFICAT OF POSTING

	RE: Case No.: 0/- 4/4-A
•	Petitioner/Developer: VIRGINIA M
	4 PETER J TRIONFO
	Date of Hearing/Closing: 5442001
Baltimore County Department of Permits and Development Managemen County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	J
Attention: Ms. Gwendolyn Stephens	•
Ladies and Gentlemen:	
were posted conspicuously on the prop	erty located at 7421 GREENBANK 12d
The sign(s) were posted on	Mal 19, 2001 (Month, Day, Year)
The sign(s) were posted on	(Month, Day, Year) Sincerely,

(Telephone Number)



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

April 30, 2001

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-414-A 7421 Greenbank Road S/S Greenbank Road, 525' Susquehanna Road 15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District Legal Owners: Virginia M & Peter J Trionfo

<u>Variance</u> to allow an accessory structure (shed) to be located in the front yard in lieu of the rear yard.

HEARING: Monday, June 4, 2001 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Arnold Jablon Gyz Director

C: Virginia M & Peter J Trionfo, 7421 Greenbank Road, Baltimore 21220 David Bridgeman, 7421 Greenbank Road, Baltimore 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 19, 2001.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, May 17, 2001 Issue - Jeffersonian

Please forward billing to:

Peter J Trionfo 7432 Greenbank Road

Baltimore MD 21220

410 335-5462

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-414-A
7421 Greenbank Road
S/S Greenbank Road, 525' Susquehanna Road
15<sup>th</sup> Election District — 5<sup>th</sup> Councilmanic District
Legal Owners: Virginia M & Peter J Trionfo

<u>Variance</u> to allow an accessory structure (shed) to be located in the front yard in lieu of the rear yard.

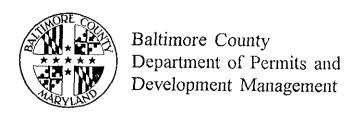
HEARING: Monday, June 4, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Trues Y Sallery

LAWRENCE E. SCHMIDT GOZZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

June 1, 2001

Virginia & Peter Trionto Sr 7432 Greenbank Road Baltimore MD 21220

Dear Mr. & Mrs. Trionto:

RE: Case Number: 01-414-A, 7421 Greenbank Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 10, 2001.

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. らりて Supervisor, Zoning Review

WCR: gdz

Enclosures

c: David Bridgeman, 7421 Greenbank Road, Baltimore 21220 People's Counsel

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** April 26, 2001

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) 01-414

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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: Mark Cum

**Section Chief:** 

AFK/JL:MAC



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

April 25, 2001

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 APRIL 23, 2001

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:

412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, AND 426

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

cc: File



#### Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 4.25.01

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

RE:

Baltimore County

Item No. 414

ASIC

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,

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

f. J. Double

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

TO:	Arnold Jablon
FROM:	R. Bruce Seeley (M)
DATE:	April 30, 2001
SUBJECT:	Zoning Item #414 7421 Greenbank Road
Zoning	Advisory Committee Meeting of April 23, 2001
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	epartment of Environmental Protection and Resource Management offers owing 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).
X	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).

Reviewer: Keith Kelley

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: June 4, 2001

Department of Permits & Development Mgmt.

FROM:

bert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 30, 2001

Item Nos. 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 424, and 426

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

RWB:HJO:jrb

cc: File





RE: PETITION FOR VARIANCE 7421 Greenbank Road, S/S Greenbank Rd, 525' E of Susquehanna Rd 15th Election District, 5th Councilmanic

Legal Owner: Peter J. & Virginia M. Trionfo Contract Purchaser/Lessee: David Bridgeman Petitioner(s) BEFORE THE

\* ZONING COMMISSIONER

\* FOR

\* BALTIMORE COUNTY

\* Case No. 01-414-A

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

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

er Mars Tinnerna

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owners Peter J. & Virginia M. Trionfo, 7432 Greenbank Road, Baltimore, MD 21220, and to Contract Purchaser/Lessee David Bridgeman, 7421 Greenbank Road, Baltimore, MD 21220, Petitioners.

PETER MAX ZIMMERMAN

	DATE:	April 25, 2001				
	TO:	W. Carl Richards, Jr. Zoning Review Superv	visor			
	FROM:	Rick Wisnom, Chief Division of Code Inspe	ections & Enforc	cement		
SUBJECT: Item No.: Legal Owner/Petitioner: Contract Purchaser: Property Address: Location Description:		r:	414 Virginia M. & Peter J. N/A 7421 Greenbank Rd. S/S Greenbank Rd., 52		uehanna Rd.	
	VIIOLAT	ION INFORMATION:	Case No. Defendants:	01-0016 David Bridgeman (Ten	ant)	
		lease be advised that the afore petition is scheduled for a punte:				
	NAME			ADDRESS		
	Rae Culli	ngs		7409 Greenbank Rd.	sent	letter 5-3-01
		addition, please find attache on case, for review by the Zo			ent documen	ts relative to
	X 2 X 3 □ 4 □ 5 □ 6	<ol> <li>Complaint Intake Form/Code Enforcement Officer's report and notes</li> <li>State Tax Assessment printout</li> <li>State Tax Parcel Map (if applicable)</li> <li>MVA Registration printout (if applicable)</li> </ol>				
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	ы <b>б</b>	r notographs including	dates taken			

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.

Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)

Complete Chronology of Events, beginning with the first complaint through the

Final Order of the Code Official/Hearing Officer (if applicable)

Correction Notice/Code Violation Notice

Certified Mail Receipt (if applicable)

Citation and Proof of Service (if applicable)

Billing Notice/Property Lien Sheet (if applicable).

#### RSW/jk

X

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C: Code Enforcement Officer

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TE: DI 10 G O INTAKE BY:
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THESE CONDITI	ONS MUST BE CORR	ECTED NOT LA		ins and enforce	MEN
Not Later Than;		, <sub> </sub>	: Issued:		
		Date	: 172AGO;		
INSPECTOR:					

June 4, 2001

Zoning Commissioner 401 Bosley Avenue Towson, MD 21204

#### Gentlemen:

Please be advised that we are property owners affected by the requested approval of a shed that was built in the front yard located in the 7400 block of Greenbank Road.

We have been victims of previous occupants who have kept their belongings thrown throughout the yard. This shed does allow a place for the residents of this property to keep their possessions in a confined area.

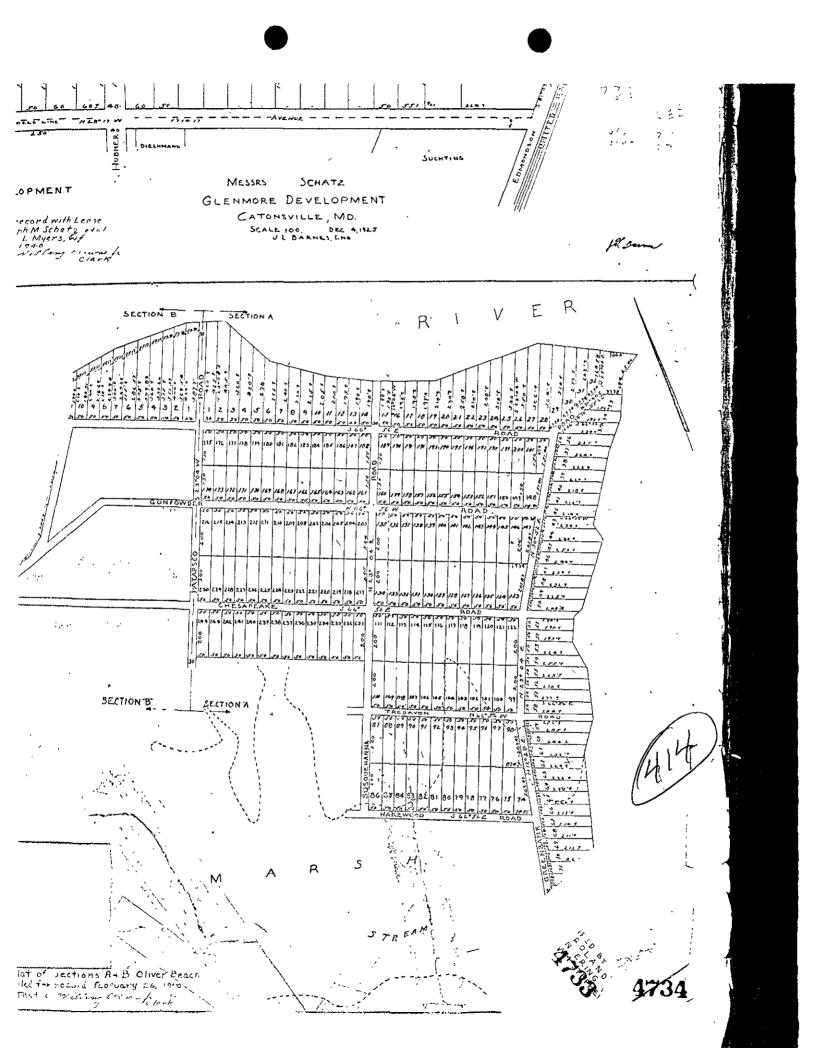
There does not appear to be much space behind their house to build a shed.

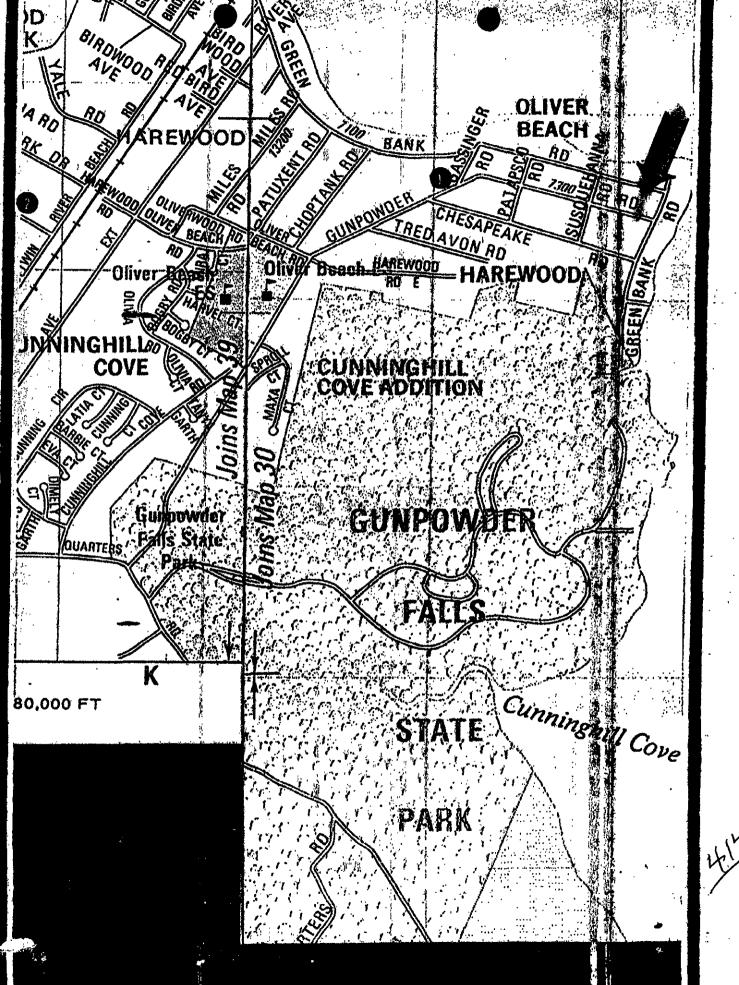
Unfortunately, most of us are unable to attend the hearing due to our work schedules. Please approve this request.

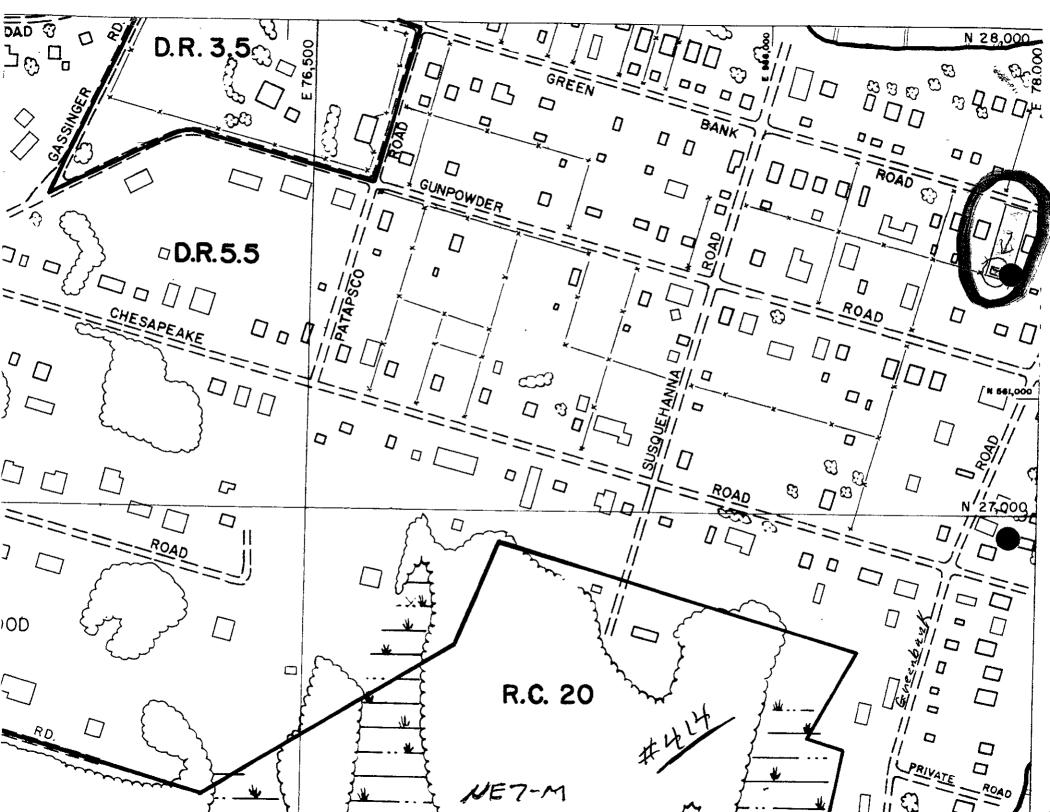
Sincerely,	
Names	Address
Laurene Hurly	7422 GREENBANK RD
pawere dury	1+XX WILETO BIFFOR RD
Mark Jending	13243 EAST GREENBANN RD.
Jorest Lof west	13279E CREENSLOKK
Janice Jacksuts	13241 E. Greenbank Rd
Dais & Schulemen	7426 Greenback Re.
Joni Bruch	7420 Greenland al.
alin B Coates Sa	7419 Greenbank Rol
Thury Sanders	7425 Drunbank El.

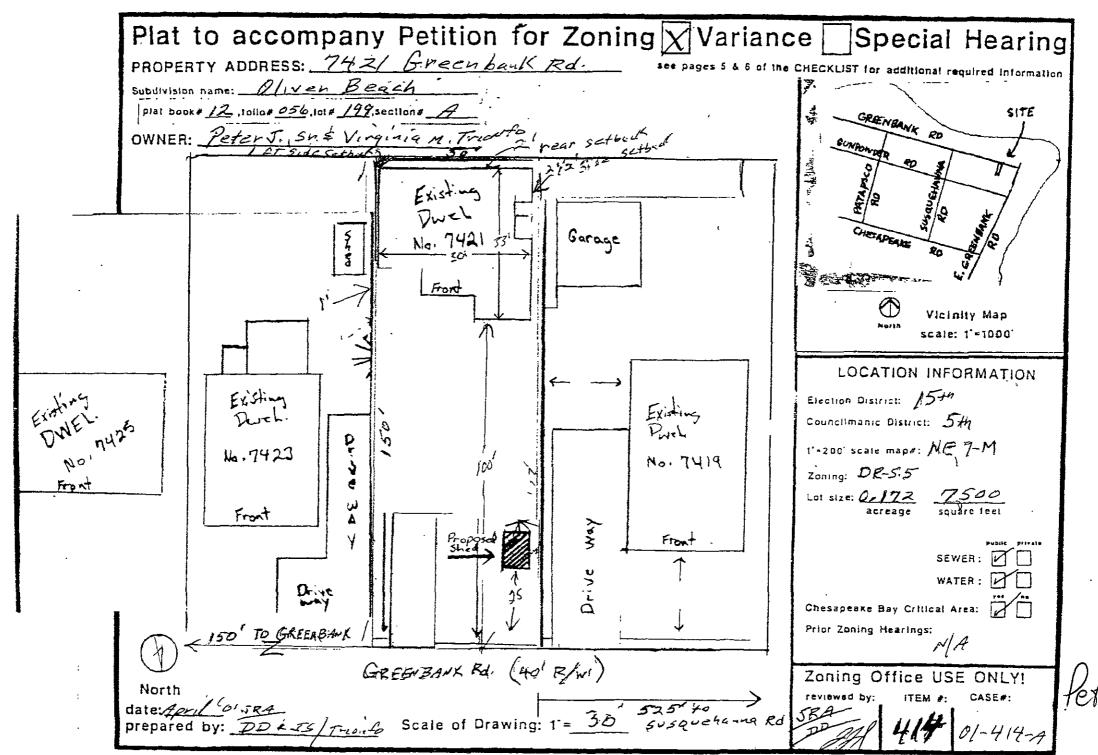
Zoning Case #01-414-A

Pet Cx#2









fet ex#