IN RE: PETITION FOR ADMIN. VARIANCE

NW/Cor. Patapsco and Edgewater Avenues 15th Election District 7th Councilmanic District (200 Patapsco Avenue)

Betty J. & Bryan M. Collison

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-166-A

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Betty J. and Bryan M. Collison, the legal owners of the subject property. The variance request is for property located at 200 Patapsco 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 allow a side yard setback of 1 ft. for an attached garage on a corner lot in lieu of the minimum required 25 ft. 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.

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 December, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 1 ft. for an attached garage on a corner lot in lieu of the minimum required 25 ft., 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





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

Fax: 410-887-3468

December 10, 2001

Mr. & Mrs. Bryan M. Collison 200 Patapsco Avenue Baltimore, Maryland 21237-3210

> Re: Petition for Administrative Variance Case No. 02-166-A Property: 200 Patapsco Avenue

Dear Mr. & Mrs. Collison:

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 200 PATAPSCO AUT

which is presently zoned DR 5.5

I/We do solemnly declare and affirm, under the penalties of

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) | Boz.3c/.

of lot for an attached garage on a Corner lot in lieur of the minimum required 25 ft.

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.

If 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.

		perjury, that I/we are the legal is the subject of this Petition.	l owner(s) of the	property which
Contract Purchaser/Lessee:		Legal Owner(s):		
Name - Type or Print		BRYAN M COLLIS Name-Type or Print	SON	
Signature		Signature		
Address	Telephone No	Name - Type or Print	Plias	
City State	Zip Code	Signature		67-8786
Attorney For Petitioner:		200 PATAPSCO AVE Address	H 410-5	74-5842 Telephone No.
Name - Type or Print		<i>ROSEDALE</i> City	MD State	2/237-32/0 Zip Code
Signature		Representative to be C	ontacted:	·
Company		Name		
Address	Telephone No.	Address		Telephone No.
City State	Zıp Code	City	State	Zip Code
A Public Hearing having been formally denthis day of regulations of Baltimore County and that the process of the second sec	 that the subject matter of the 	nis petition be set for a public hearing, a	edvertised, as requi	Baltimore County, red by the zoning
CASE NO0Z-166-	-4 Revi	Zaning Commissioner of	f Baltimore County Date 10 -2	3-01
Du 91.0198		mated Posting Date	-04-01	

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.

200 PATAPSCO AVE

That the Affiant(s) does/do presently reside at

variance at the above address (indicate nardship of p	
AND THE GARAGE WOULD HELP ME IN	RAGE, I HAVE A PLATECTITAIN) IN MY NECK BAD WEATHER (RAIN OR SNOW)
PLUS I HAVE BAD NEES	
2) THE GROUND DOES NOT HAVE ANYTHING 3) THE GARAGE ON THAT SIDE OF	THE HOUSE WOOLV GIVE
ME ACCESS TO THE BASEMEN 4) THE BASEMENT STEPS ARE E	NCLOSEV
OT HAVE ANOTHER KNEE AND	FOOT TO GET SURG.
6) I AM BEING CHECKED FOR	ASBESTIS BECAUSE I ALL
SHORT OF BREATH	
That the Affiant(s) acknowledge(s) that if a formal of advertising fee and may be required to provide addition	demand is filed, Affiant(s) will be required to pay a reposting and nal information.
Bussel M Loll Ruic Signature	Signature BETTY J. COULISON
BRYAN M COUTSON	RETTY T COLLISON
Name Type or Print	Name - Type or Print
·	
STATE OF MARYLAND, COUNTY OF BALTIMORE,	to wit:
of Maryland, in and for the County aforesaid, personally	, 200, before me, a Notary Public of the State
BRYAN M. COLCISON AN	• • •
the Amani(s) herein, personally known or satisfactoring	y identified to me as such Affiant(s), and made oath in due form of a true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
10-18-01	Miles frem
Date	Notary Public
,	My Commission Expires
REV 09/15/98	NOTARY BUSINESSE PRICE
	My Commission Expires June 12, 2002

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	200 PATAY.	SCO AVE	
		M D State	2/237-32/0 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts of or practical difficu	upon which I/we ba	se the request for an Administrative
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AND A GARAGE WOULD HELP ME PLUS I HAVE BAD NEES 2) THE GROWN DOES NOT HAVE A	ANYTHING BUT	GRASS	
3) THE GARAGE ON THAT SIDE ME ACCESS TO THE BASEMI	OF THE	HOUSE WOU DURATHE	12D 61VE 1 R
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Signature BRYAN M COULISON Name Type or Print	1	PETTY -	CO(120011
Name-Type or Print	Na	ame - Type or Print	CULISUN
STATE OF MARYLAND, COUNTY OF BALTIM			
I HEREBY CERTIFY, this day of	folier	, <u>2001</u> , befo	ore me, a Notary Public of the State
of Maryland, in and for the County aforesaid, per	•	ISTHU IT	Colleca
the Affiant(s) herein, personally known or satisficant that the satisficant for the sa	actorily identified to	me as such Affian	at(s), and made oath in due form of
law that the matters and facts hereinabove set for	orun are true and co	rrect to the best of i	ils/liei/trieir knowledge and beliei.
AS WITNESS my hand and Notarial Seal			\supset
10-14-01		hhu / en	
Date			
	My Comm	nission Expires	VILSIE BOICE
REV 09 15 98		My Commiss	VILSIE PRICE C STATE OF MARYLAND



CASE NO. 02 -/66-2

REU 9115198

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 200 PATAPSGO AVE

which is presently zoned DR 515

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) / Boz, 3.6./

of 1 ft. for an attached ganage on a corner lot in lieu & the minimum required 25 ft.

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.

		perjury, that I/we are the	ne legal owner(s) of the	e penalties of property which
<u>see:</u>		Legal Owner(s):		
		BRYAN M	. COLLISON	
		Name - Type or Print	A Selection	
		Signature	o zamiewa -	
	Telephone No.	Name - Type or Print	ORD DISIN	
State	Zip Code	Signature (W 4/0-	467-8788
		200 PATAPSCO Address	AVE, 4 410-5	574-5842 Telephone No.
		ROSEDALE	MD	21237-321
		,		Zip Code
		Representative to	<u>be Contacted:</u>	
		Name		
ρί.	Telephone No.	Address		Telephone No.
State	Zip Code	City	State	Zip Code
fr	iat the subject matter of th	required, it is ordered by the	Zoning Commissioner of earing, advertised, as requ	Baltimore County, uired by the zoning
that the prope	erty be reposted.	,	, ·- · ·	
		Zoning Commis	sioner of Baltimore County	<u> </u>
	State State mally deman	Telephone No. State Zip Code Telephone No. State Zip Code Talephone No.	Telephone No. State Zip Code Telephone No. Telephone No. Telephone No. State Zip Code Telephone No. Address Representative to Name Telephone No. Address City Representative to Telephone No. Address State Zip Code Telephone No. Telephone No. Address State Zip Code Telephone No. Telephone No. Address State Zip Code Telephone No. Address State Zip Code Telephone No. Telephone No. Telephone No. Telephone No. Address State Zip Code Telephone No. Telephone No. Telephone No. Telephone No. Address State Zip Code Telephone No. Telephone No. Telephone No. Address Telephone No. Address Telephone No. Address	BRYIN M. COLLISON Name - Type or Print Signature BETTY & COLLISON Name - Type or Print Signature BETTY & COLLISON Name - Type or Print Address Address Address Address Address Address Address Representative to be Contacted:

Estimated Posting Date

ZONANT DESCRIPTION 200 PATAPSOC AVE.

BEGINNING AT A POINT ON THE NORTH WEST CORNER OF PATAPSCO AND EDGEWATER AVENUES. A 60 FT. AND A 40 FT. RIGHT OF WAY RESPECTIVELY. BEING LOTS 100, 101 AND 102 IN THE PLAT OF CHESACO PARK AS RECORDED IN PLAT BOOK # 3 FOLIO 111.
BEING 20 AC ± IN THE 15TH ELECTION DISTRICT, 7TH COUNCIL DISTRICT.

166

RE COUNTY, MARYLAND BUDGET & FINANCE ANEOUS RECEIPT 066 02-166-A	PAID RECEIPT
1	MECFIPT # 088714 Vert 5 528 ZONING VER R NO. 006622
MR. Collison Sidential Variance filing fee 200 PATADSCO AVE (21237)	Recet Tot .00 CX Baltimore County,
R PINK - AGENCY YELLOW - CUSTOMER	CASHER'S VALI

CERTIFICATEDF POSTING

	RE: Case No.: 02-166-A
	Petitioner/Developer: BRYAN M.
	COLLISON
	Date of Hearing/Closing: //- 19-01
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:	
-	of perjury that the necessary sign(s) required by law value located at 200 PATAPSCO AVE.
The sign(s) were posted on	//-04-01
	(Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster and Date)
CNT # 02-16694 And	SSG ROBERT BLACK
TO PENGIT A SHE WID SERNOF OF HE TO THE	(Printed Name)
The state of the s	1508 Leslie Rd
DURIC BEADING TO	(Address)
	Dundalk, Maryland 21222

(City, State, Zip Code)

(Telephone Number)

(410) 282-7940

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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		L_				-			PATAPSCO	
Conta	ct Persoi	n:	PI	John anner, Pleas	ارر ک e Print Your	Name			Phone Number: 410-	887-3391
Filing	Date: _	10	-23-6	2/	Pos	ting Date	: 11-04	-01	Closing Date: _	11-19-01
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2.	a forma	l requ	uest for	a public	hearing	g. Pleas	e underst	tand t	or owner within 1,000 f hat even if there is a closing date.	eet to file o formal
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	(whether commiss changed	due sioner givin certifi	to a notific notific notice	eighbor's ation wi of the h	i formal II be foi earing d	request rwarded ate, time	or by ord to you. and locati	der of The s ion A	hat must go to a publi the zoning or deput sign on the property As when the sign was ered sign must be forv	ty zoning must be originally
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			USE TH	IE ADMI	NISTRA	TIVE VA	RIANCE	SIGN	FORMAT	
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Petition	ner's Nar	ne	Bry	an N	1, Co	05/1500	7	Te	lephone (410) 574	-8188 W
Case Number 02- 166 -A Address <u>200 PataPsco AvE</u> . Petitioner's Name <u>Bryan M. Collison</u> Telephone (410) \$74-5842 (H) Posting Date: 11-04-01 Closing Date: 11-19-01										
Nording for Sign: To Permit a side yand setback of 1 ft for an aftached garage on a corner lot in he's of the minimum required 25 ft.										
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rea	Vive	<u>/ </u>	25-1	<u> </u>						

DEPARTMENT F PERMITS AND DEVELOPIENT 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: 02-166-A
Petitioner: Bryan M. Collison Address or Location: 200 Patapsco Ave- Balto, md. 21237-
Address or Location: 200 Patapsco Ave- Balto, Md. 21237-
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Address:Some
Telephone Number: W (410) 467-8788 14 574-5842

Revised 2/20/98 - SCJ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: December 20, 2001 TO: Arnold Jablon, Director

Department of Permits & Development Mgmt.

FROM: Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For December 3, 2001 Item No.

The Bureau of Development Plans Review has reviewed the subject zoning item.

Adequate line of sight shall be maintained.

RWB:HJO:jrb

cc: File



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

December 10, 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 November 26, 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:

151, 152, 155, 156, 157, 159, 161, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, and 175

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

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon	
FROM:	Todd G. Taylor	
DATE:	11/30/01	
SUBJECT:	Zoning Item Address 200 Patapsco Ave	
Zoning	g Advisory Committee Meeting of 11/26/01	<u>1</u>
	epartment of Environmental Protection and ents on the above-referenced zoning item.	Resource Management has no
an exte	epartment of Environmental Protection and ension for the review of the above-reference to which environmental regulations apply t	ed zoning item to determine the
	epartment of Environmental Protection and lowing comments on the above-referenced	•
	Development of the property must comply Protection of Water Quality, Streams, We 14-331 through 14-350 of the Baltimore C	tlands and Floodplains (Sections
—	Development of this property must comple Conservation Regulations (Section 14-40) Baltimore County Code).	-
X	Development of this property must comple Critical Area Regulations (Sections 26-43 Sections, of the Baltimore County Code).	6 through 26-461, and other
	Additional Comments:	
Reviev	ver: Kieth Kelley	Date: 12/3/01

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) 02-164, 02-166 & 02-170

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:

Section Chief:

AFK/JL:MAC

DATE: December 7, 2001



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 12.3.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No.

17r

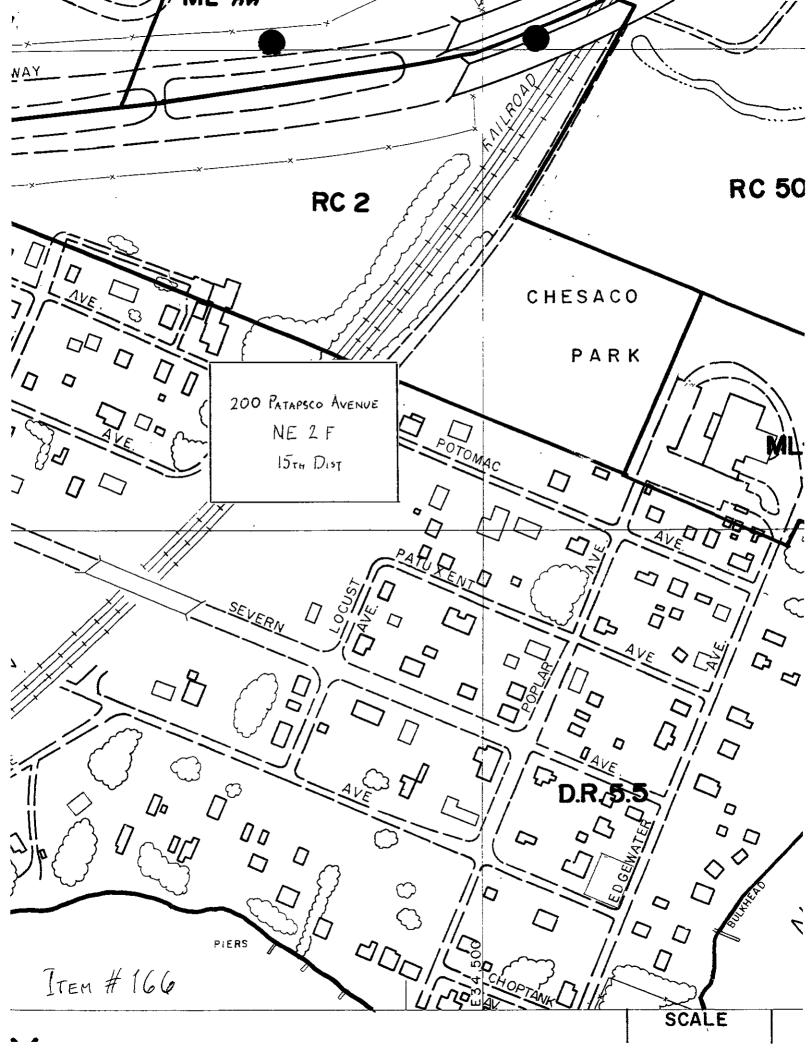
Dear. Mr. Zahner:

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,

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



Scale of Drawing: 1"= 2051	PROP, SAR ADDITION	50 utneasterny - 75.00'	Plat to accompany Petition for Zoning X Varie PROPERTY ADDRESS: 200 NATIONSCO AUG See pages 5 % 6 . Subdivision name: CHES/REO PARK Plat book# 3 , tollo# 1111 , loi.# 100,101,8028,602
reviewed by: ITEM #: CASE#:	Chesapeake Bay Critical Area: Pripr Zoning Hearings: None From Zowe C ELEV. 13 Zoning Office USE ONLY!		ariance Special Haring

Pet. Ex. #1:

-15-

-15-

