IN RE: PETITION FOR ADMIN. VARIANCE S/S of Cove Point Road, 225' SE centerline of Green Cove Circle 15th Election District 7th Councilmanic District

(9113 Cove Point Road)

BEFORE THE

DEPUTY ZONING COMMISSIONER *

* OF BALTIMORE COUNTY

* CASE NO. 03-059-A

David P. Letourneau Petitioner

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 owner of the subject property, David P. Letourneau. The variance request is for property located at 9113 Cove Point Road in the eastern area of Baltimore County. The variance is requested from Section 1B01.2.C.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side building face to side building face setback of 13 ft. in lieu of the required 20 ft. for an addition. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner 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 Petitioner has 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 Petitioner.

100 miles

As of the date of this Order, the Department of Environmental Protection & Resource

Management (DEPRM) has not completed its review of this project. Therefore, the relief granted

herein is subject to the Petitioner's compliance with any recommendations made by DEPRM upon

completion of their review.

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 19th day of September, 2002, that a variance from Section 1B01.2.C.b of the

Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side building face to side building

face setback of 13 st. in lieu of the required 20 st. for an addition, be and is hereby GRANTED,

subject, however, to the following restrictions which are conditions precedent to the relief granted

herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of

this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with any recommendations, if any, made by DEPRM.

3. When applying for a building permit, the site plan filed must reference this case and set

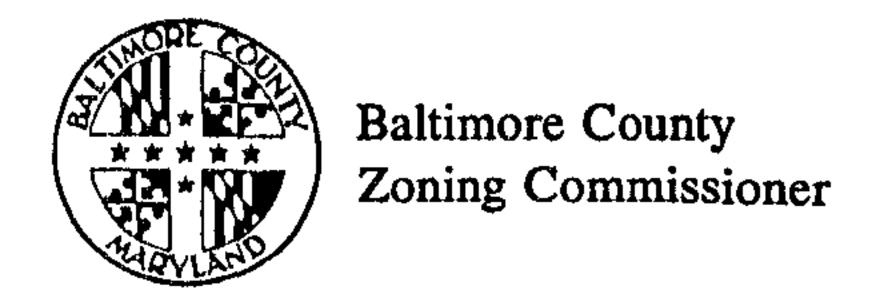
forth and address the restrictions of this Order.

ГІМОТНҮ М. 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

September 19, 2002

David P. Letourneau 9113 Cove Point Road Baltimore, Maryland 21219

Re: Petition for Administrative Variance

Case No. 03-059-A

Property: 9113 Cove Point Road

Dear Mr. Letourneau:

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.

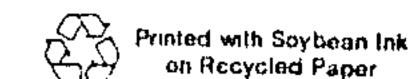
Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: James S. Patton, P.E. 305 W. Chesapeake Avenue Towson, MD 21204



CRHICAL AREA



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	9113 COVE	POINT	ROAD	
which	s presently zor	red D	R-3.5	

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

perjury, that i/we are the legal owner(s) of the property which

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) 1801.206 Seffects

TO PERMIT A SIDE BUILDING FACE TO SIDE BUILDING FACE OF 13'-

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.

is the subject of this Petition. Contract Purchaser/Lessee: <u>Legal Owner(s):</u> KETOORNEAU CINACI N.A. Name - Type or Print Namely Type or Print Signature Signatufe Address Telephone No. Name - Type or Print City State Zip Code Signature 410-477-5218 443-831-600 9113 COVE POINT Attorney For Petitioner: ROAD Address Telephone No. N.A. BALTIMORE MD 21219 Name - Type or Print City State Zip Code Representative to be Contacted: Signature JAMES S. PATTON PE. Company Name 305 W. CHESAPEAKE AVE. 410-296-2140 Address Telephone No. Address Telephone No. TOWSON MD 212D4 City City State Zip Code 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, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning this regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County CASE NO. Reviewed By Estimated Posting Date

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/de-presently reside at	7115 COVE PO	INT KOAD	
	Address	MD	21219
,	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardshift UNI QUE SIZE, SHAPE, *CONTRELLING ON THE LOT WHICH THE MAJORITY OF THE DWE VARIANCE. THERELIER REQUESTED WILL SUBDIVISION.	wing are the facts upon wip or practical difficulty): I FI & URATION OF THE S COMMUNITE SLLIULY IN THE SUSTENIA NOT INCREASE THE S	hich I/we base the requisions SUBJECT LOT & THE CONSTRUCTION HAVE, WITH	uest for an Administrative IF LOCATION OF THE I OF A GARAGE, HOUT THIS
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, Affi additional information.	iant(s) will be required	to pay a reposting and
Signature 1			
sigr y atur e	Signature		
DAVID P. LETOURNEAU		Approximation (Control of Control	
Name - Type or Print	Name - Typ	oe or Print	-
	•		
STATE OF MARYLAND, COUNTY OF BALTIM			
HEREBY CERTIFY, this 21 day of County aforesaid, per or North County aforesaid, per North County aforesaid, per	sonally appeared	, before me, a l	Notary Public of the State
he Afflant(s) herein, personally known or satisfa		uch Affiant(s).	
AS WITNESS my hand and Notarial Seal	Notary Public	Lealistan 09/61/05 Expires 09/61/05	·
RFV 10/25/01	THE PERSONNEL PROPERTY LANDSCONDING		

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/de-presently reside at	9113 COVE POIN	UT ROAD	
	Address BALTIMORE City	State	21219 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardshift unit poe size, shape, \$con by isting Dwelling on the Lot which the majority of the Dwi variance. The relief will be in strict the relief will be in strict. The relief will be in strict the relief will about and a safety, and general lobe.	wing are the facts upon whip or practical difficulty): UFI & UPATION OF THE ST CHY NOT ACCOMMENTE ELLI UJ 14 THE SUBDIVI NOT INCREASE THE R OT HARMONY WITH NY SUBSTANTIVE I	ich I/we base the requestion of the construction say have, with	St for an Administrative LOCATION OF THE OF A GARAGE, OT THIS
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature DAVID P. LETOURNEAU Name - Type or Print	ormal demand is filed, Affia additional information. Signature Name - Type		to pay a reposting and
			1
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:		~
·	1	, before me, a N	otary Public of the State
the Affiant(s) herein, personally known or satisfa	actorily identified to me as si	uch Affiant(s).	
AS WITNESS my hand and Notarial Seal	sul le	eecht.	
	Notary Public	vnires 02/61/65	
DEV 10/05/04	My Commission E	xpires	
REV 10/25/01		•	



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	9113 COVE POINT ROAD	
which is	s presently zoned <u>DR-3.5</u>	

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) 1801.2.66

TO PERMIT A SIDE BUILDING FACE TO SIDE BUILDING FACE OF 13' IN LIEU OF THE REQUIRED 20'. FOR AN Add From.

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): N.A. 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: 9113 COVE POINT ROAD Address Telephone No. N.A. BALTIMORE WD 21219 Name - Type or Print City State Zip Code Representative to be Contacted: Signature JAMES S. PATTON Company Name 305 W. CHESAPEAKE AVE. 410-296-2140 Address Telephone No. Address Telephone No. TOWSON MD 21204 City State Zip Code 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 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County Reviewed By Sold Date Sold Date Sold Date Sold Date Sold Date CASE NO. 03-059-9

ZONING DESCRIPTION

Beginning at a point on the south side of Cove Point Road which is 50 feet wide at the distance of 225 feet more or less southeast of the centerline of the nearest improved intersecting street, Green Cove Circle, which is 50 feet wide. Thence the following courses and distance:

- 1. By a curve to the right of radius 1,000.00' a distance of 74.48';
- 2. South 28° 15' 45" West a distance of 101.75";
- 3. North 67° 16' 59" West a distance of 66.85";
- 4. North 21° 59' 41" East a distance of 103.40' to the place of beginning

Being Lot #2, Block --, Lot 2 in the subdivision of "First Amended Beachwood Estates, Phase One – Section One" as recorded in Baltimore County Plat Book #68, Folio # 98, containing 7,275.00 square feet more or less. Also known as 9113 Cove Point Road and located in the 15th Election District, 7th Councilmanic District.



059

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	ACCOUNT & COCG-6150 By AMOUNT \$ 50		FOR.	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

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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.

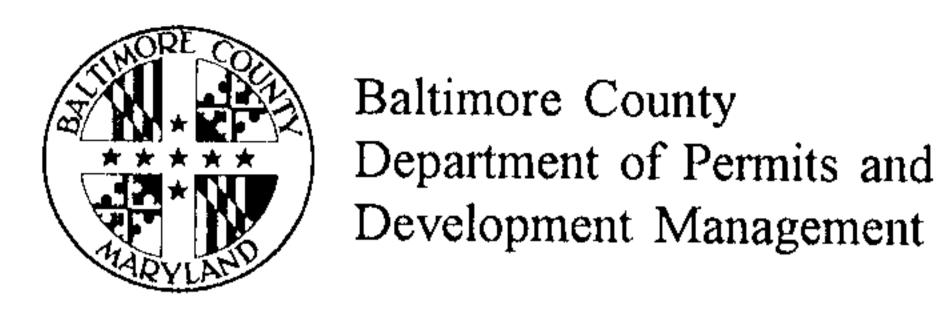
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

Item Number or (Case Number:		· · · · · · · · · · · · · · · · · · ·	
Petitioner:	ANID LATOURAL	ENV	<u> </u>	
Address or Locat	ion: 9113 COVI	F POINT	BALT. MD	21219
	ARD ADVERTISING DATOURNISA			
	S COVE POINT			
•••		21219		

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 🖛-	059	-A A	Address 9113	Cove Point Rd.
Conta	ct Person: _	John So Planner,	Please Print Your Nam	e	Phone Number: 410-887-3391
Filing	Date: 8	-02-02	Posting	Date: 8 - 12	-02 Closing Date: 8-27-0=
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2.	a formal red	quest for a pi	ublic hearing.	lline for an occupa Please understar s not complete on	ant or owner within 1,000 feet to file and that even if there is no formal the closing date.
3.	order that to the commission of the commission o	er. He may: he matter be hin 7 to 10 da	a) grant the reset in for a pays of the closin	equested relief; (t ublic hearing. Y g date) as to whe	d by the zoning or deputy zoning b) deny the requested relief; or (c) ou will receive written notification ther the petition has been granted, to you by First Class mail.
4.	(whether du commissione changed giv	e to a neigh er), notificatio ing notice of t	bor's formal real n will be forwa he hearing date	quest or by orde irded to you. The time and location	es that must go to a public hearing r of the zoning or deputy zoning he sign on the property must be n. As when the sign was originally altered sign must be forwarded to
			(Detach Al	ong Dotted Line)	
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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

August 27, 2002

Mr. David P Letourneau 9113 Cove Point Road Baltimore MD 21219

Dear Mr. Letourneau:

RE: Case Number: 03-059-A, 9113 Cove Point Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 02, 2002.

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 Ruchards Dr.

W. Carl Richards, Jr. G D こ Supervisor, Zoning Review

WCR: gdz

Enclosures

c: James S Patton, 305 W Chesapeake Avenue, Towson 21204 People's Counsel



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

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 13,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF August 12,2002

Item No.: See Below

Dear Mr. Zahner:

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 at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 055,056,057,058,059,060,061,062,063,064,065,066 and 067.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: August 29, 2002

TO:

Arnold Jablon, Director Department of Permits &

Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 19, 2002

Item Nos. 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, and 066

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

RWB:CEN.jrb

ce: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 19, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

AUG 2 0 MIK

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-031, 03-059, & 03-071

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/LL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

1722

Date: 8.12.02

Baltimore County

Item No. 059

RE:

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

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,

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



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kıcıntz. Secretary Mary Abraıns Deputy Secretary

August 12, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
Room 111
111 West Chesapeake Avenue
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda - 8/19/02 re: case numbers 03-055-A, 03-056-A, 03-057-A, 03-058-A, 03-059-A, 03-060-A, 03-061-A, 03-062-A, 03-063-A, 03-064-A, 03-065-A, 03-066-A, 03-067-SPH

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 8/9/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup



PATTON CONSULTANTS, LTD.

305 West Chesapeake Avenue, Suite 206 Towson, Maryland 21204 (410) 296-2140 Fax (410) 296-0419

x (410) 296-0419		ADMIN. VAI	PIANCE
X (410) 230-0413		CASE # 03.0	
TO 720111	14 COMMISSIONER		<u> </u>
	MORE COUNTY. MD	TRANSMITTED VIA	
····		— □ Fax No. () _	
ATTN:		Messenger	
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REMARKS:	FOR INCLUSION IN THE	FFLE IN SUPPORT	OF
	·	" ' 	

If enclosures are not as noted, please notify us at once

TRANSMITTAL

Proj. No.: 20217

July 21, 2002 9114 Cove Point rd Baltimore, MD 21219

Subject: Neighbor building attached garage to his home

We the home owners residing at 9114 Cove Point Rd have no objection to David LeTourneau building an attached garage to his home. David has provided us with a proposed plat plan for us to review.

Signature

My commission of a

July 21, 2002 9111 Cove Point rd Baltimore, MD 21219

Subject: Neighbor building attached garage to his home

We the home owners residing at 9111 Cove Point Rd have no objection to David LeTourneau building an attached garage to his home. David has provided us with a proposed plat plan for us to review.

Signature

Signature

Notary Janes A Canonier

July 21, 2002 9115 Cove Point rd Baltimore, MD 21219

3.5

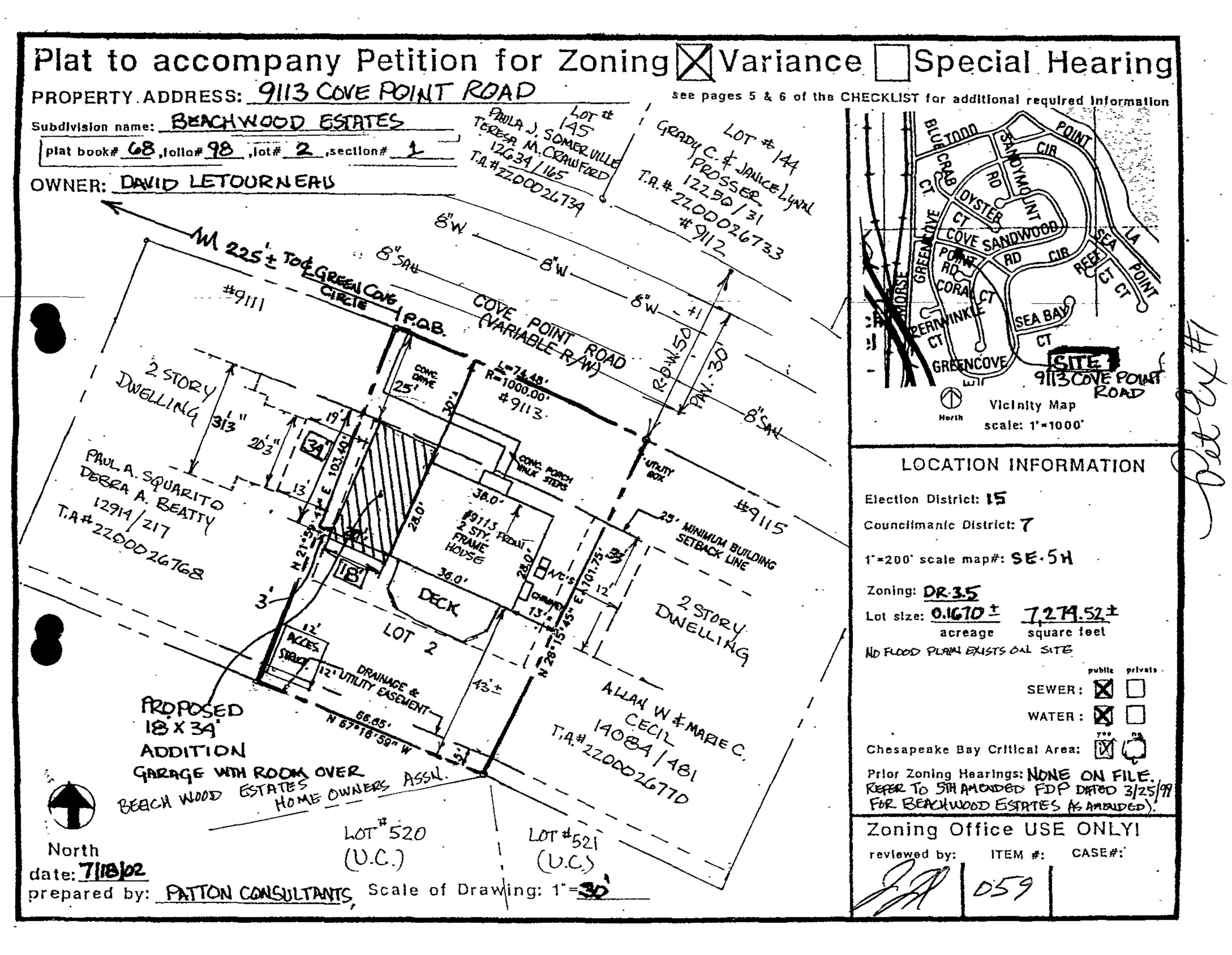
Subject: Neighbor building attached garage to his home

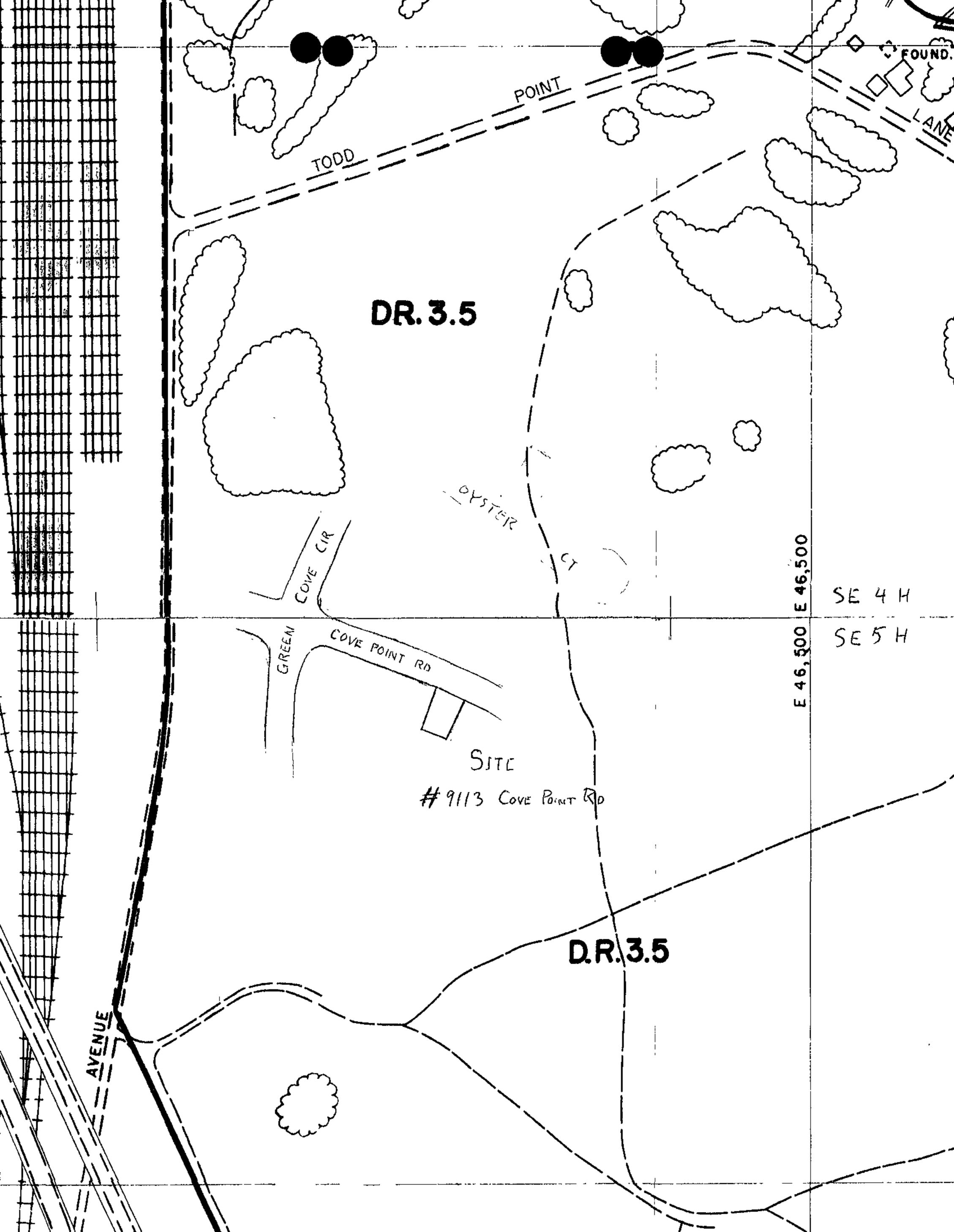
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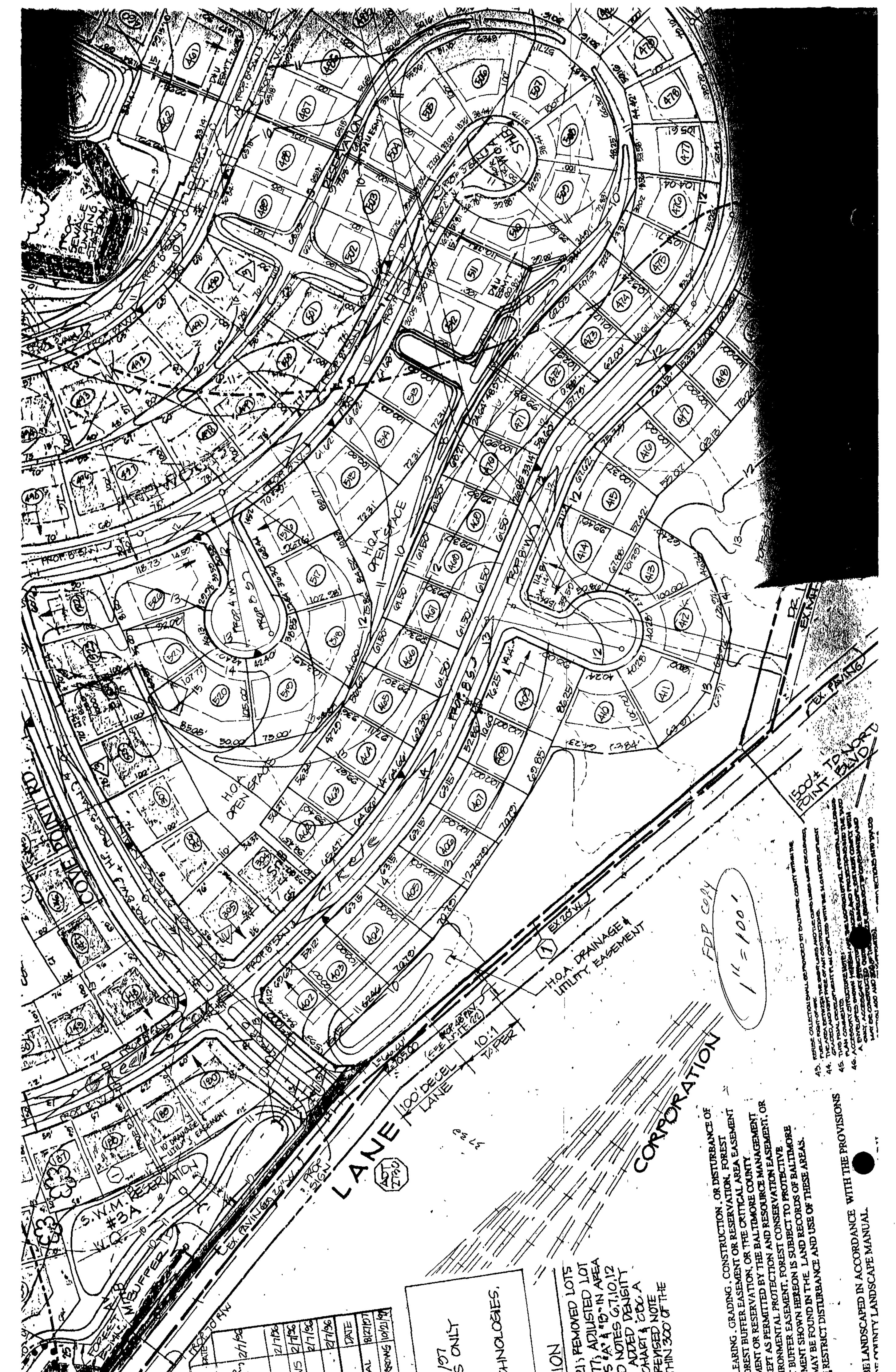
Signature Mayne Cecil
Signature Mayne E. Cli

Notary Mice Typer Asosser

My Commussion Expires: 5-1-06



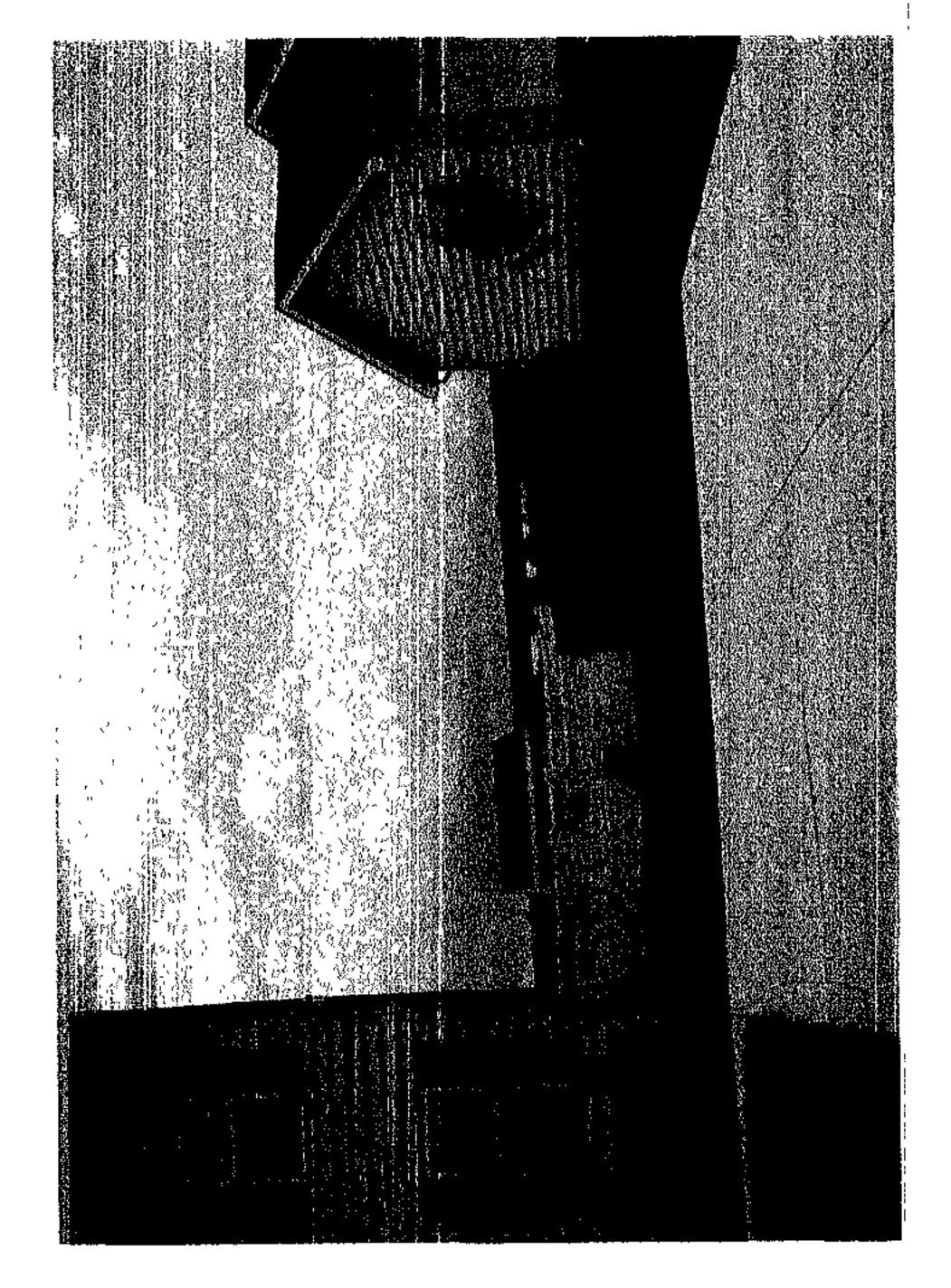


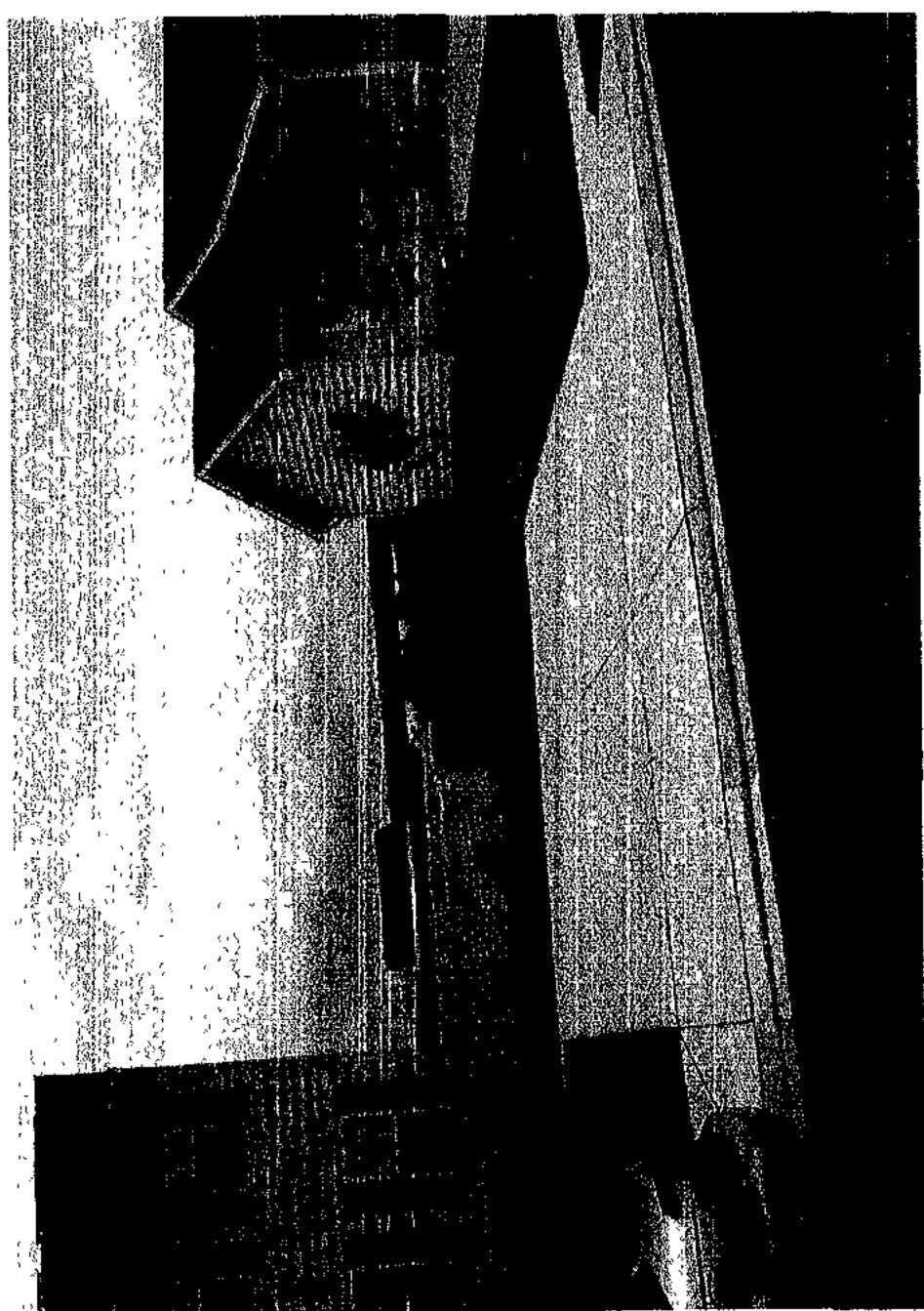




LETONEMON RES.

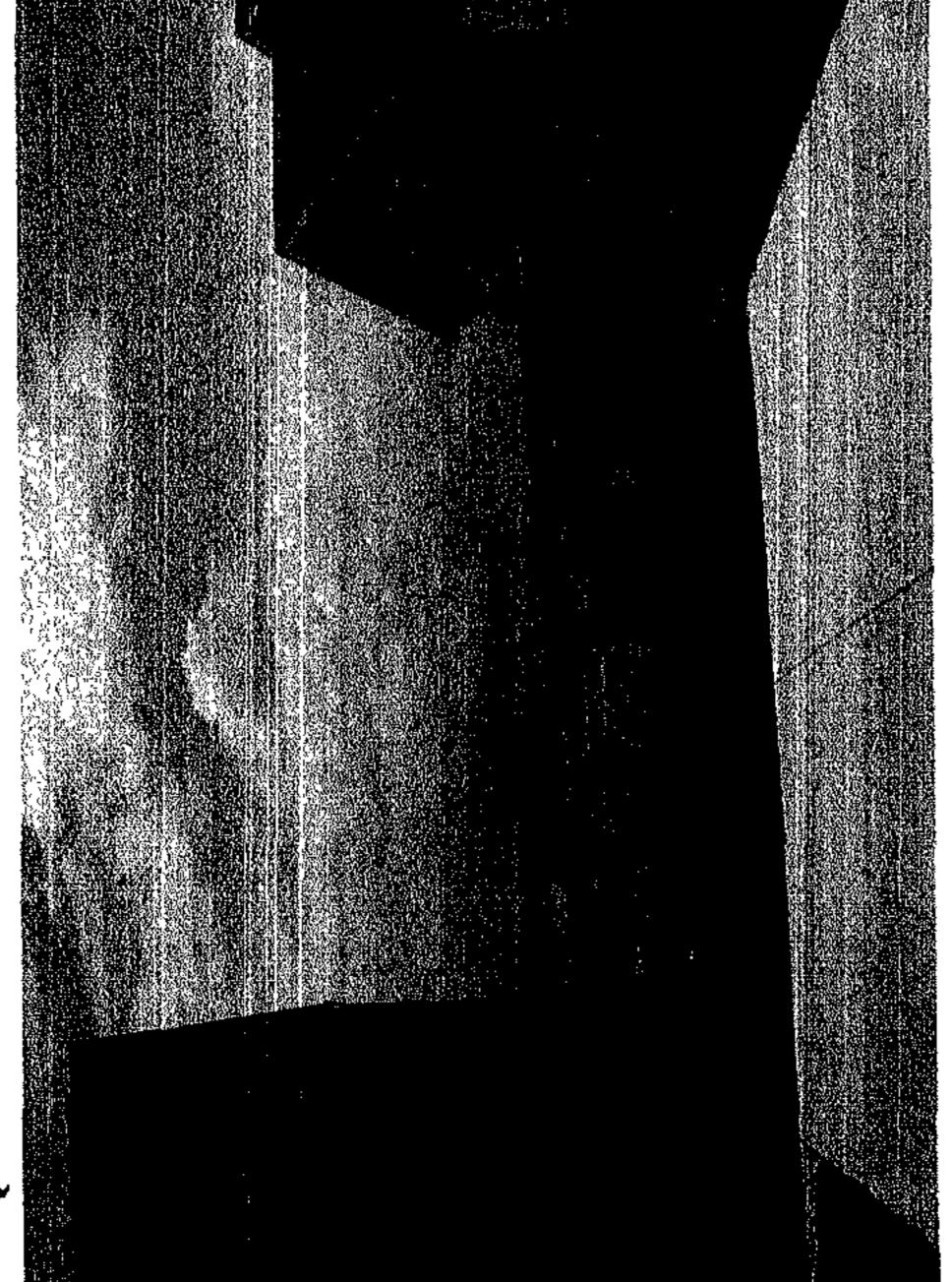
Food Grange





LE TOURANTANU

#039



LET OUR WEAT

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[9100-9199]COVE POINT RD SPARROWS POINT, MD 21219, US SEND TO PRINTER

<u>Back</u>



All rights reserved. Use Subject to License/Copyright

#059

NAVTECH TE MESSE