

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
SE/S of Providence Road, 428 ft. NE		
centerline of Cromwell Bridge Road	*	ZONING COMMISSIONER
9th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(807 Providence Road)		
	*	CASE NO. 04-359-A
Mohammad Jalalian		
<i>Petitioner</i>	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Mohammad Jalalian. The variance request is for property located at 807 Providence Road in the Towson area of Baltimore County. The variance request is from Section 1B02.3.C.1 (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a side yard setback of 5 ft. in lieu of the required 10 ft. in a DR 3.5 zone and a sum of side yards of 18 ft. in lieu of the required 25 ft. for a garage. 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 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

ORDER RECEIVED FOR FILING

Date

3/5/64

By

R. J. [Signature]

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 Zoning Commissioner for Baltimore County, this 5th day of March, 2004, that a variance Section 1B02.3.C.1 (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a side yard setback of 5 ft. in lieu of the required 10 ft. in a DR 3.5 zone and a sum of side yards of 18 ft. in lieu of the required 25 ft. for a garage, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

ORDER RECEIVED FOR FILING

Date 3/5/04

By M. C. Johnson

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

March 5, 2004

Mr. Mohammad Jalalian
807 Providence Road
Towson, Maryland 21286

Re: Petition for Administrative Variance
Case No. 04-359-A
Property: 807 Providence Road

Dear Mr. Jalalian:

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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

Visit the County's Website at www.baltimorecountyonline.info





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 807 Providence RD
which is presently zoned DR-3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1BOR.3.C.1 (CHAOT) To Permit
A SIDE YARD SETBACK OF 5 FT. IN LIEU OF THE REQUIRED
10 FT. IN A DR-3.5 ZONE, SUM OF SIDE YARDS OF 18 FT
IN LIEU OF 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.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

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

Legal Owner(s):

Mohammad Tajalian
Name - Type or Print

Signature Mohammad T

807 Providence RD, MD 21286
Name - Type or Print

Signature

807 Providence RD. 410-905-4370
Address Telephone No.

Towson MD 21286
City State Zip Code

Representative to be Contacted:

SEE ABOVE
Name

Address Telephone No.

City State Zip Code

Zoning Commissioner of Baltimore County

Reviewed By JRA Date 04-359-7

Estimated Posting Date 02-15-04

ORDER RECEIVED FOR FILING

Date

CASE NO.

REV 10/25/01

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.

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

Address 807 Providence RD
City TOWSON State MD Zip Code 21286

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The reasons why I need a garage next to my home are as follows: with a garage, I will feel more secure. With all the snow we get in Maryland, I am constantly worried about me or my family slipping on the ice, or having trouble getting to our car thru the snow. Also, I don't feel comfortable with my car sitting out in the open. Another reason is that on the right side of my home, I have a side door. If a garage was constructed on the right side, I already have concrete laid down for the driveway, and, the side door will permit me to get to the garage with more ease. Thank you for understanding.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit.

I HEREBY CERTIFY, this 4th day of February, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mohammad Jalalian
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

Affidavit in Support of Administrative Variance

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Signature

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of February, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mohammad Salalian
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 807 Providence Rd.
which is presently zoned DR. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 BOR. 30.1 (CHART.) To

PERMIT A SIDE YARD SETBACK OF 5 FT. IN LIEU OF THE
REQUIRED 10 FT. IN A DR. 3.5 ZONE & SUM OF SIDE YARDS OF
18 FT IN LIEU OF 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.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Mohammad J. Jalian

Name - Type or Print

Signature

807 Providence, MD 21286

Name - Type or Print

Signature

807 Providence Rd. 410-905-4370

Address

Telephone No.

Towson Md 21286

City

State

Zip Code

Representative to be Contacted:

SEE ABOVE

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this 02-04-04 day of February that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

CASE NO. 02-04-04

Reviewed By 5007

Date 04-30-04

REV 10/25/01

Estimated Posting Date 02-15-04

ZONING DESCRIPTION FOR 807 Providence Road
(address)

Beginning at a point on the Southeast side of
(north , south , east or west)

Providence Road wick is 60 feet
(name of street on wick property fronts) (number of feet of right-of-way with)

wide at the distance of 428 feet northeast of the
(number of feet) (north , south , east or west)

centerline of the nearest improved intersecting street Cromwell Bridge Road
(name of street)

wick is 60 feet wide. * Being Lot # 4
(number of feet of right-of-way with)

Block A , Section # South I in the subdivision of Cromwell Valley
(name of subdivision)

as recorded in Baltimore County Plat Book # 24 , Folio # 45

*JUNE 19, 1957.
CURRENT SETBACK*

containing .26 acres Also known as 807 Providence Road
(square feet or acres) (property address)

and located in the 9 Election District , 3 Councilmanic District.

04-359-A

CERTIFICATE OF POSTING

RE: Case No.: 04-359-A

Petitioner/Developer: _____

Mohammad Jalalian

Date of Hearing/Closing: 3-1-04

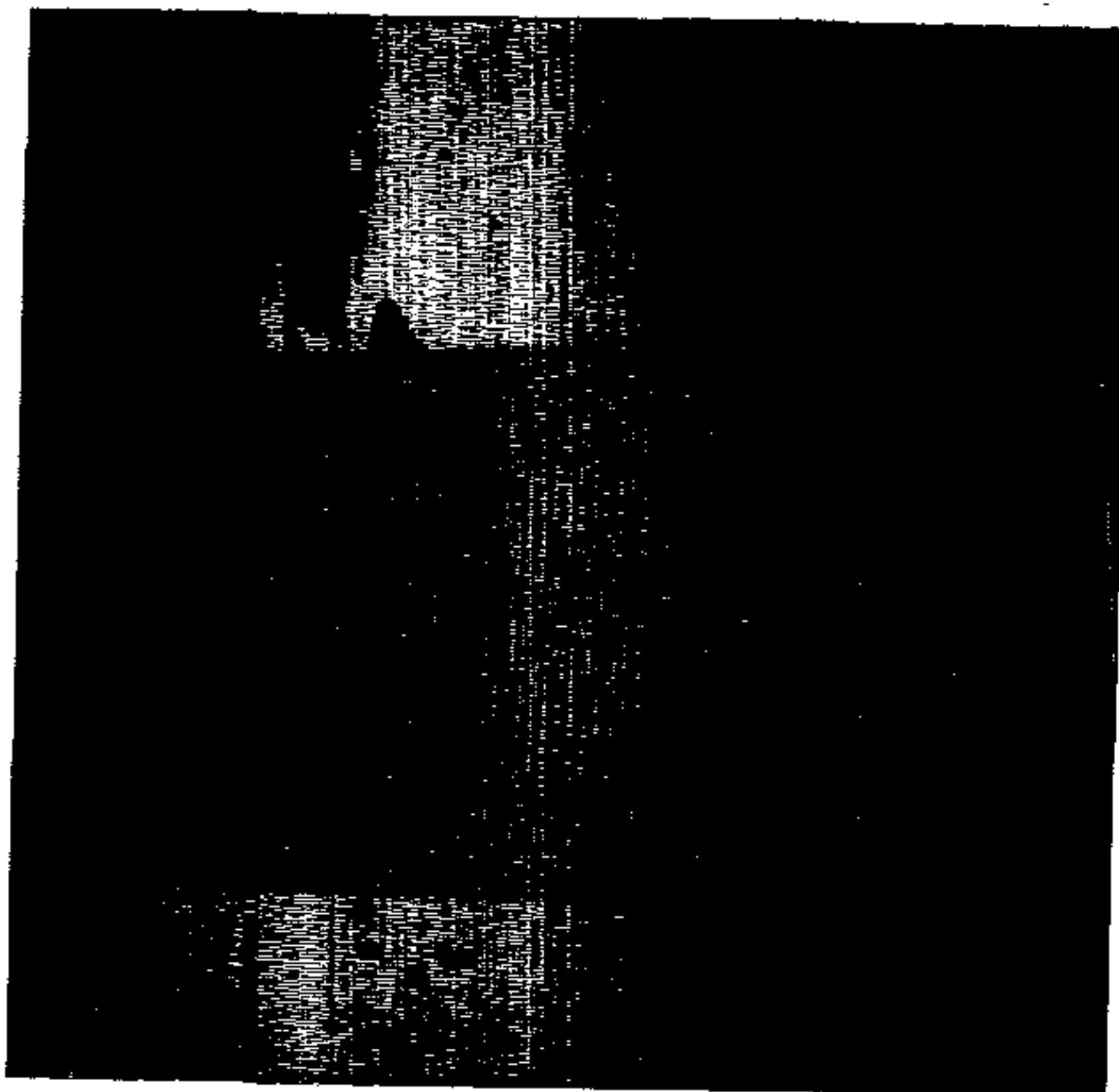
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Becky Hart

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 807 Providence Rd.
TOWSON, MD 21204

The sign(s) were posted on February 13, 2004
(Month, Day, Year)



Sincerely,

Stacy Gardner 2/13/04
(Signature of Sign Poster and Date)

Stacy Gardner

SHANNON BROWN SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD 21784
1-800-368-2295

(City, State, Zip Code)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/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 - 04 - 04.

Petitioner: Mr. Mohammad Salalian.

Address or Location: 807 Providence Rd, Towson, MD 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mohammad Salalian

Address: 807 Providence Rd, Towson, MD 21286

Telephone Number: 410 - 905 - 4370

Revised 2/20/98 - SCJ

02-04-04

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 0# 359 -A Address 807 Providence Rd.

Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 02-04-04 Posting Date: 02-15-04 Closing Date: 03-01-04

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. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **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 0# 359 -A Address 807 Providence Rd.

Petitioner's Name YOHANNA SALAMAN Telephone 410-905-4370

Posting Date: 02-15-04 Closing Date: 03-01-04

Wording for Sign: To Permit A SIDE SETBACK OF 5 FT. IN L&W OF
10 FT. WADR. 3.5- ZONE

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

March 1, 2004

Mohammad Jalalian
807 Providence Road
Towson, Maryland 21286

Dear Mr. Jalalian:

RE: Case Number:04-359-A, 807 Providence Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 4, 2004.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:clb

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 24, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: February 17, 2004

Item No.: 355-366

Dear Ms. Hart:

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: March 12, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For February 23, 2004
Item Nos. 355, 356, 357, 359, 362,
and 366

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *RBS*

DATE: March 22, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of February 17, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-356

04-357

04-359

04-365

04-366

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: March 3, 2004

RECEIVED

MAR 4 2004

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case 4-359 – Administrative Variance**

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 A. Cunningham

Section Chief:

[Signature]

AFK/LL



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2.20.04

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

RE: Baltimore County
Item No. 359 JRA

Dear Ms. Hart:

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

PLAT TO ACCOMPANY PETITION FOR ZONING



VARIANCE



SPECIAL HEARING

PROPERTY ADDRESS : 807 PROVIDENCE DOAD

SUBDIVISION NAME : CROWMWELL VALLEY

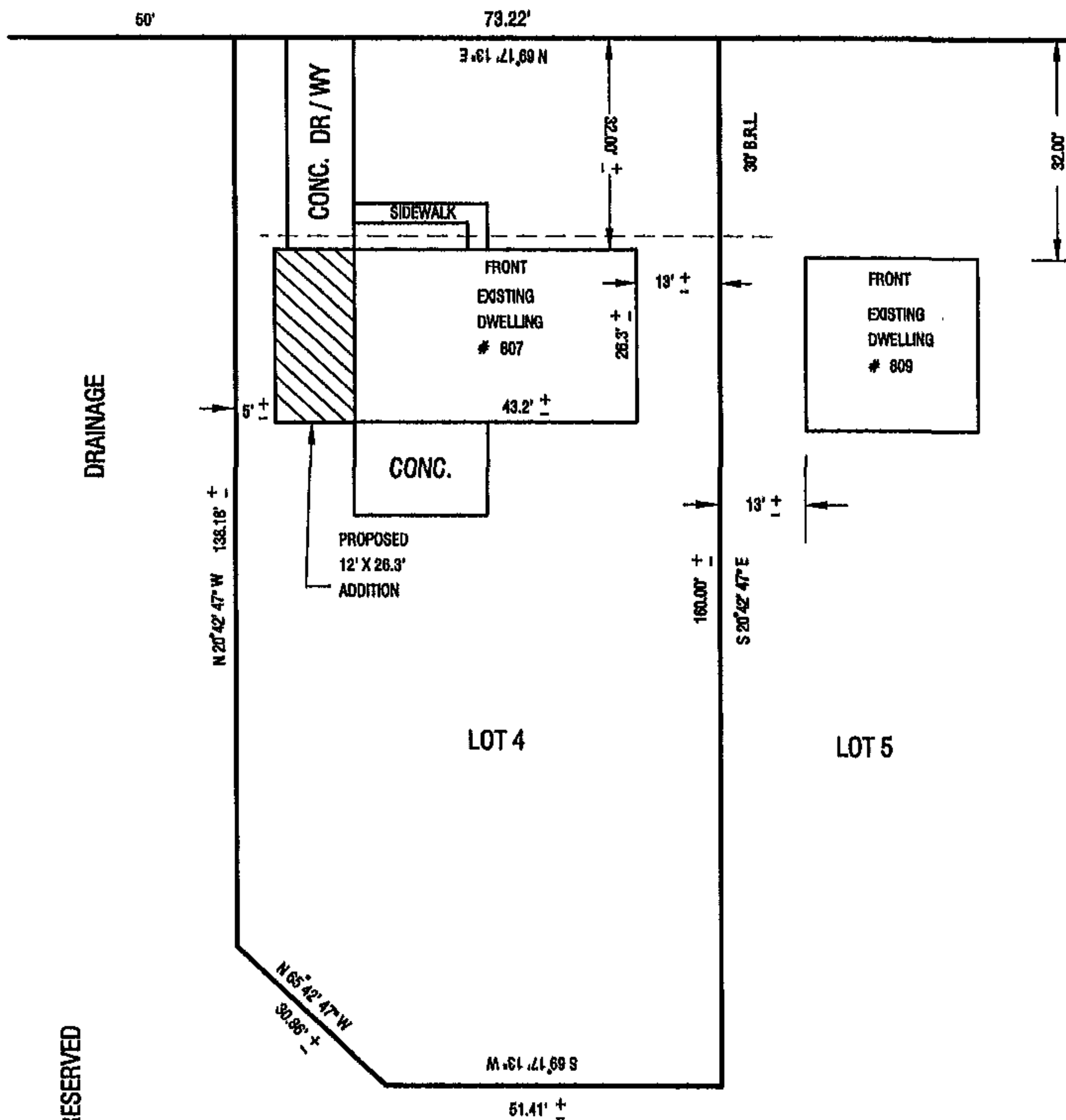
PLAT BOOK # 24 FOLIO # 45 LOT # 4 SECTION # 51

OWNER : MOHAMMAD JALALIAN

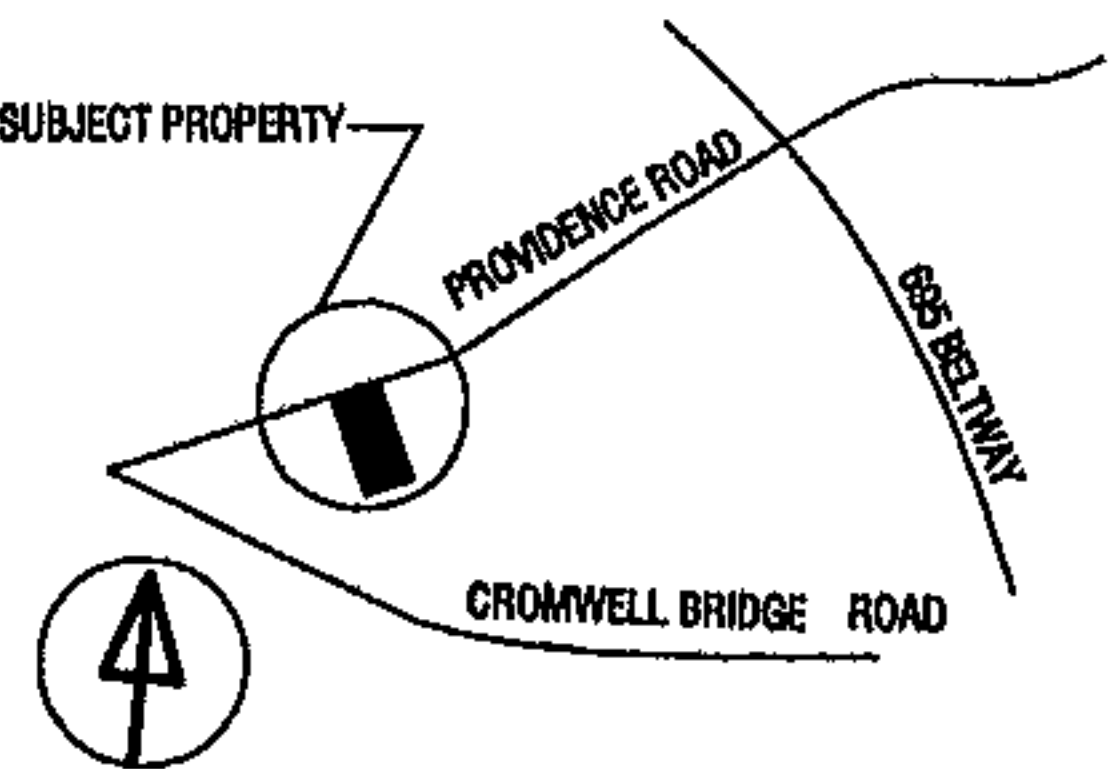


NORTH

PROVIDENCE
ROAD



SUBJECT PROPERTY



VICINITY MAP
NOT TO SCALE:

LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # NE 103

ZONING RESIDENTIAL - D.R. 3.5

LOT SIZE 0.26 11473
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
	YES	NO

CHESAPEAKE BAY
CRITICAL AREA ☐ ☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

800.7 | 04-359
A

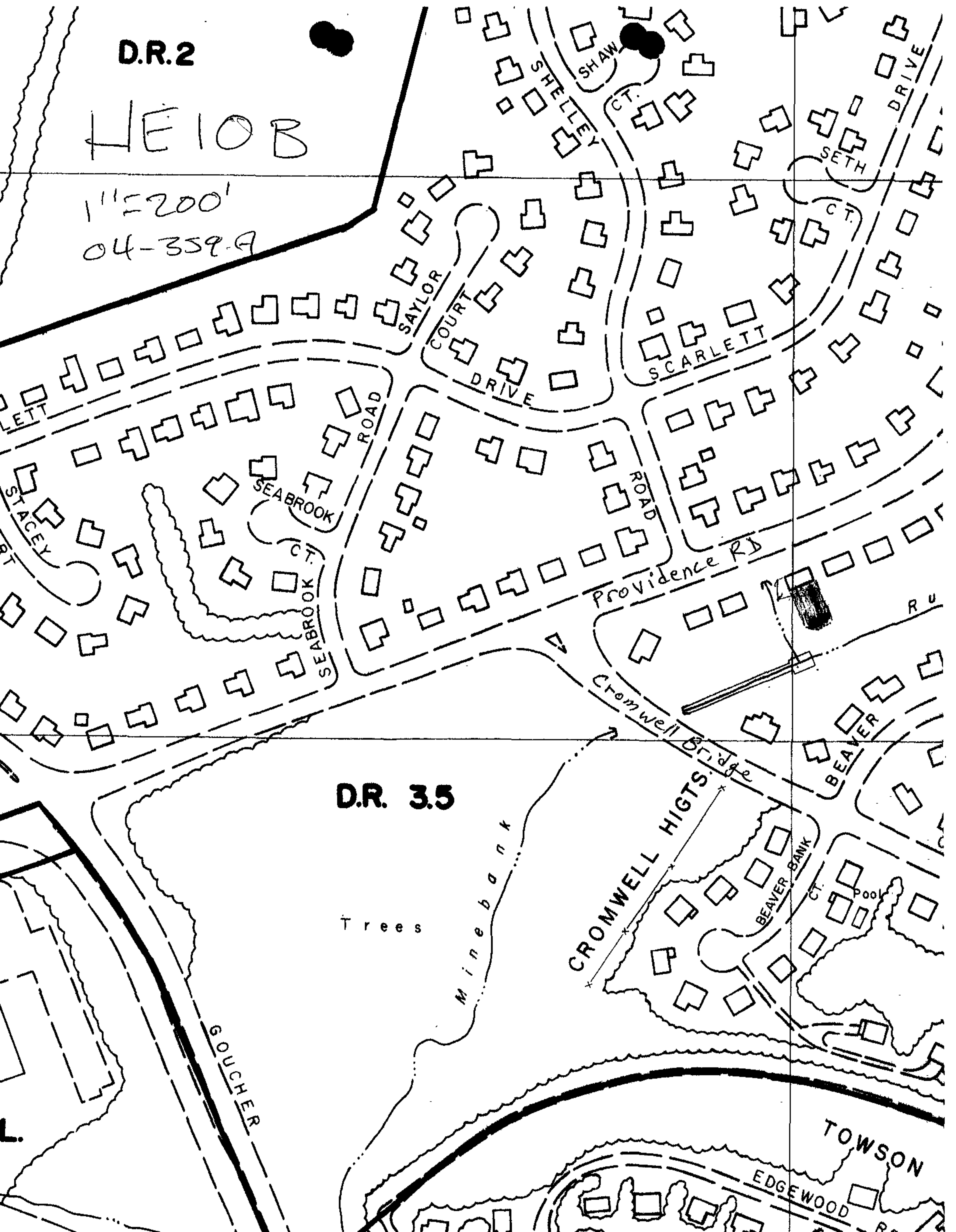
Per 24#1

PREPARED BY : SCALE OF DRAWING : 1" = 30'

D.R.2

HE10B

115200'
04-359-A



D.R. 3.5

Trees

Mine bank

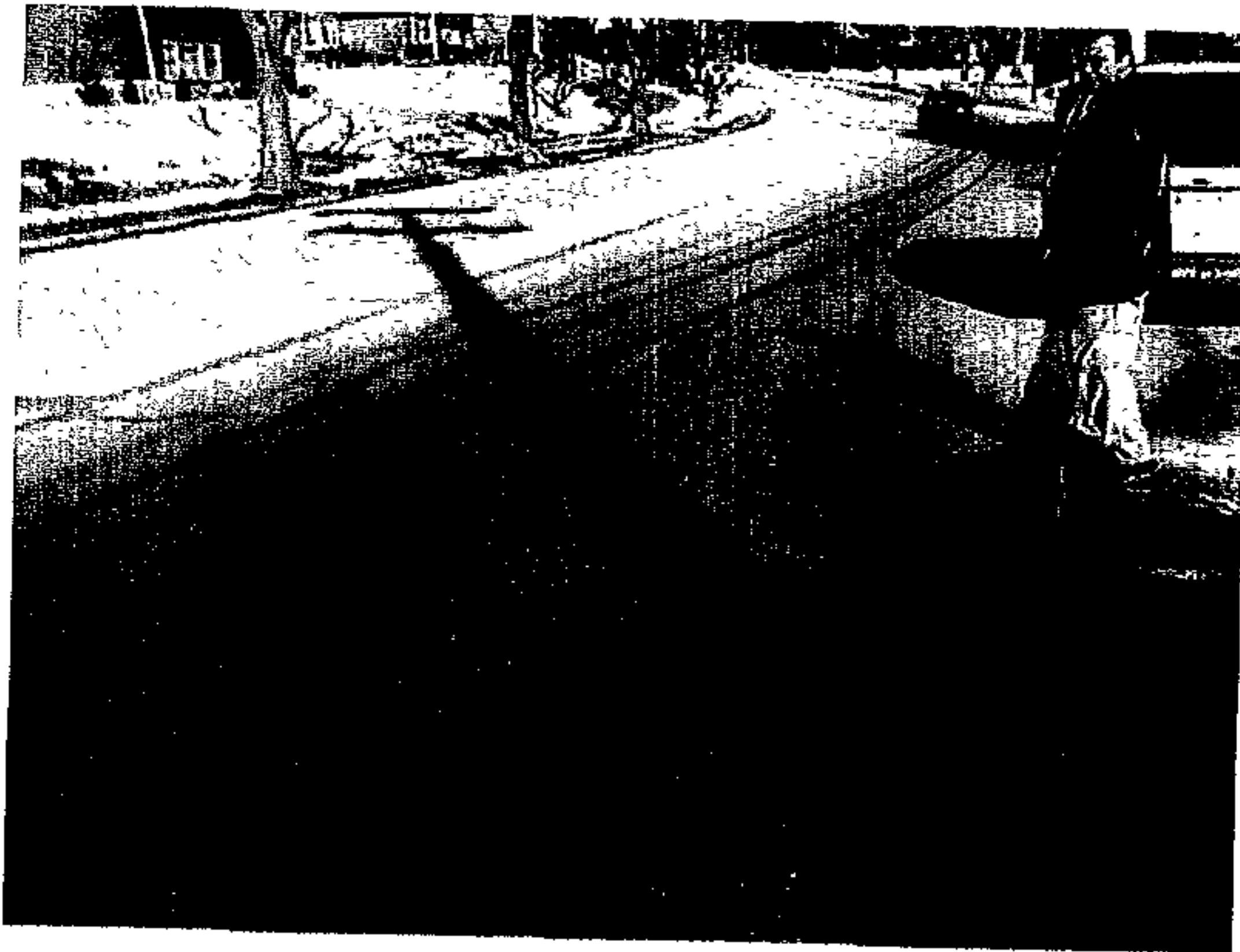
CROMWELL HIGTS. Bridge

BEAVER BANK CT.

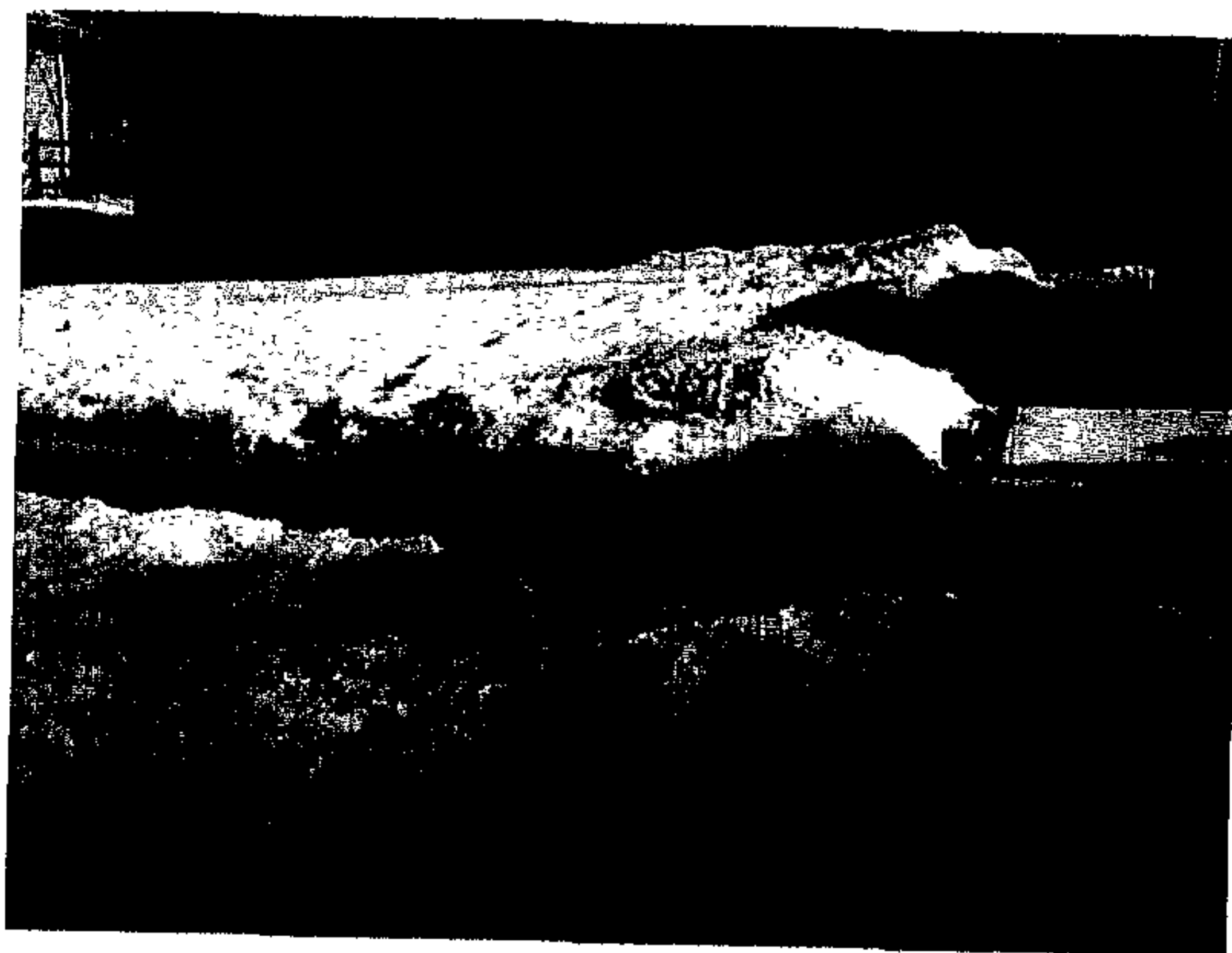
TOWSON

EDGEWOOD

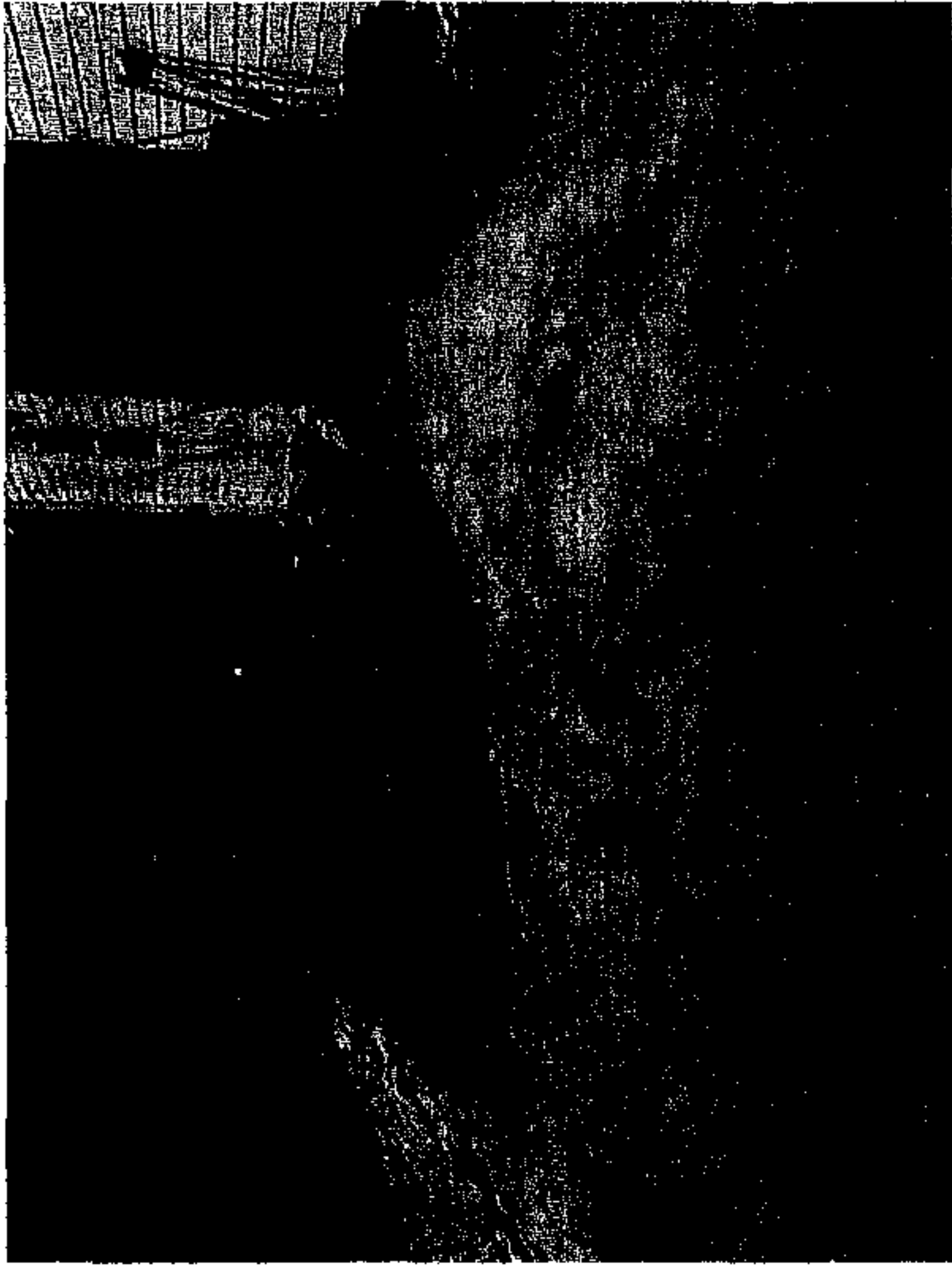
GOUCHER



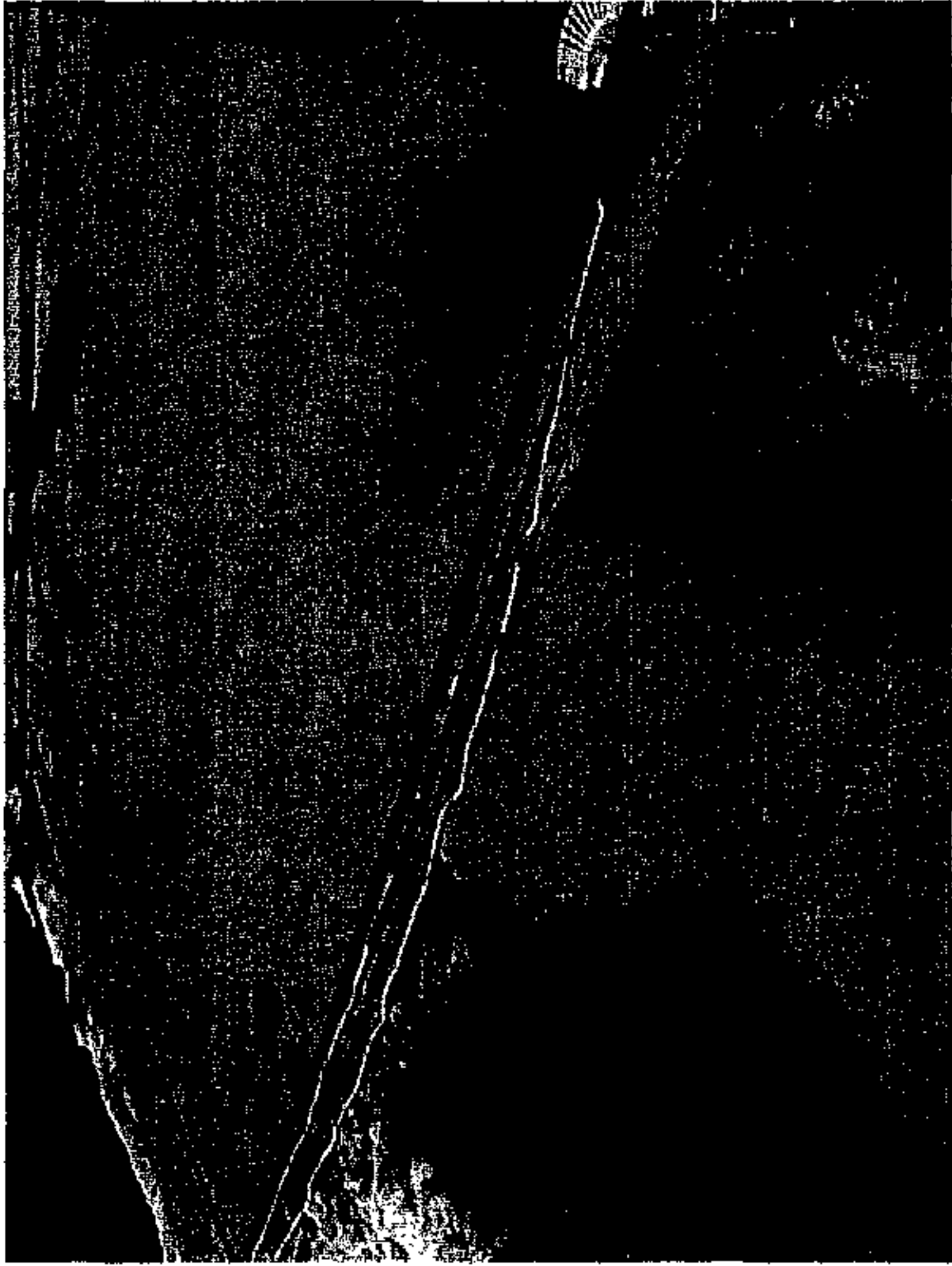
807 Providence Rd



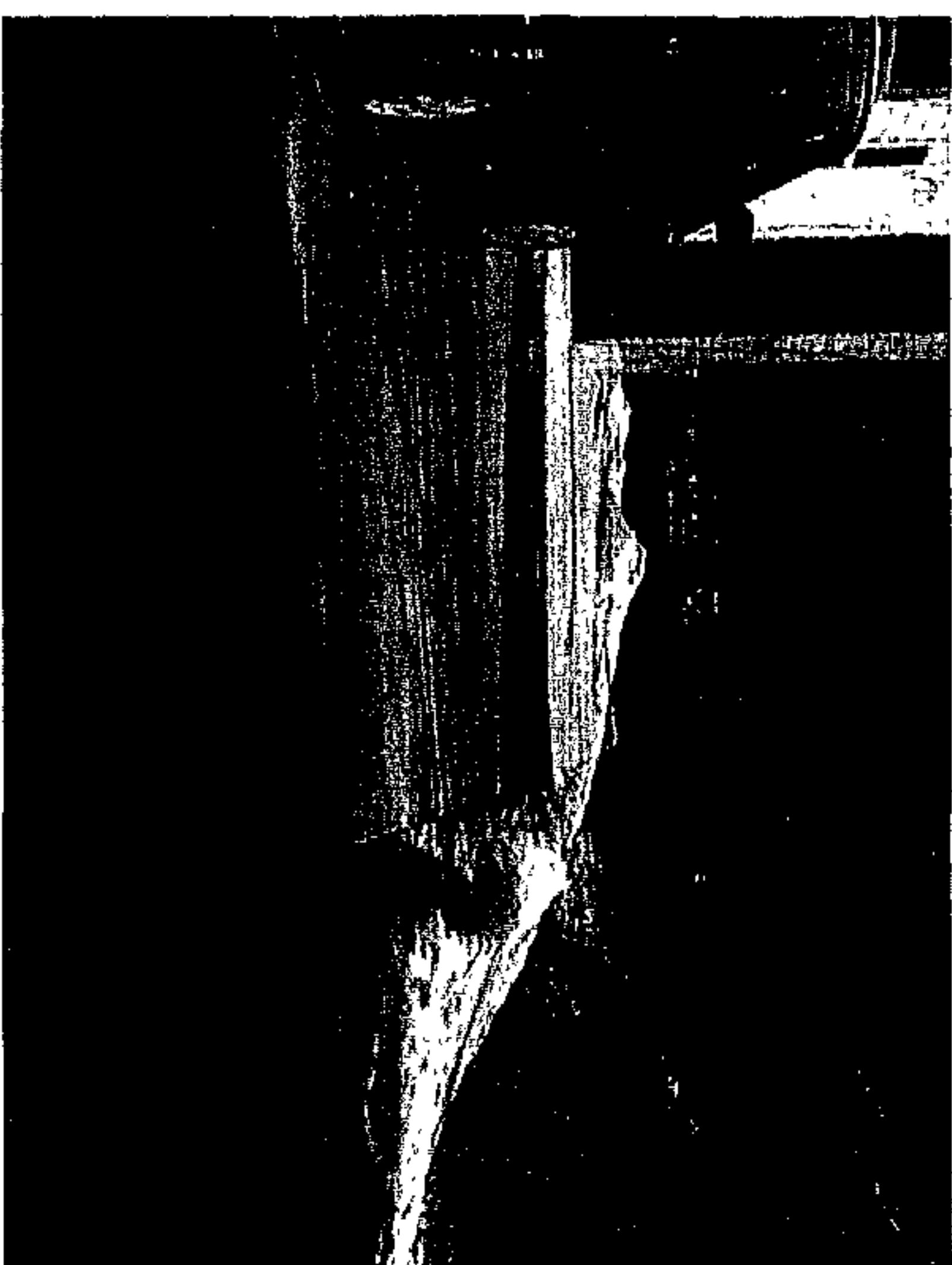
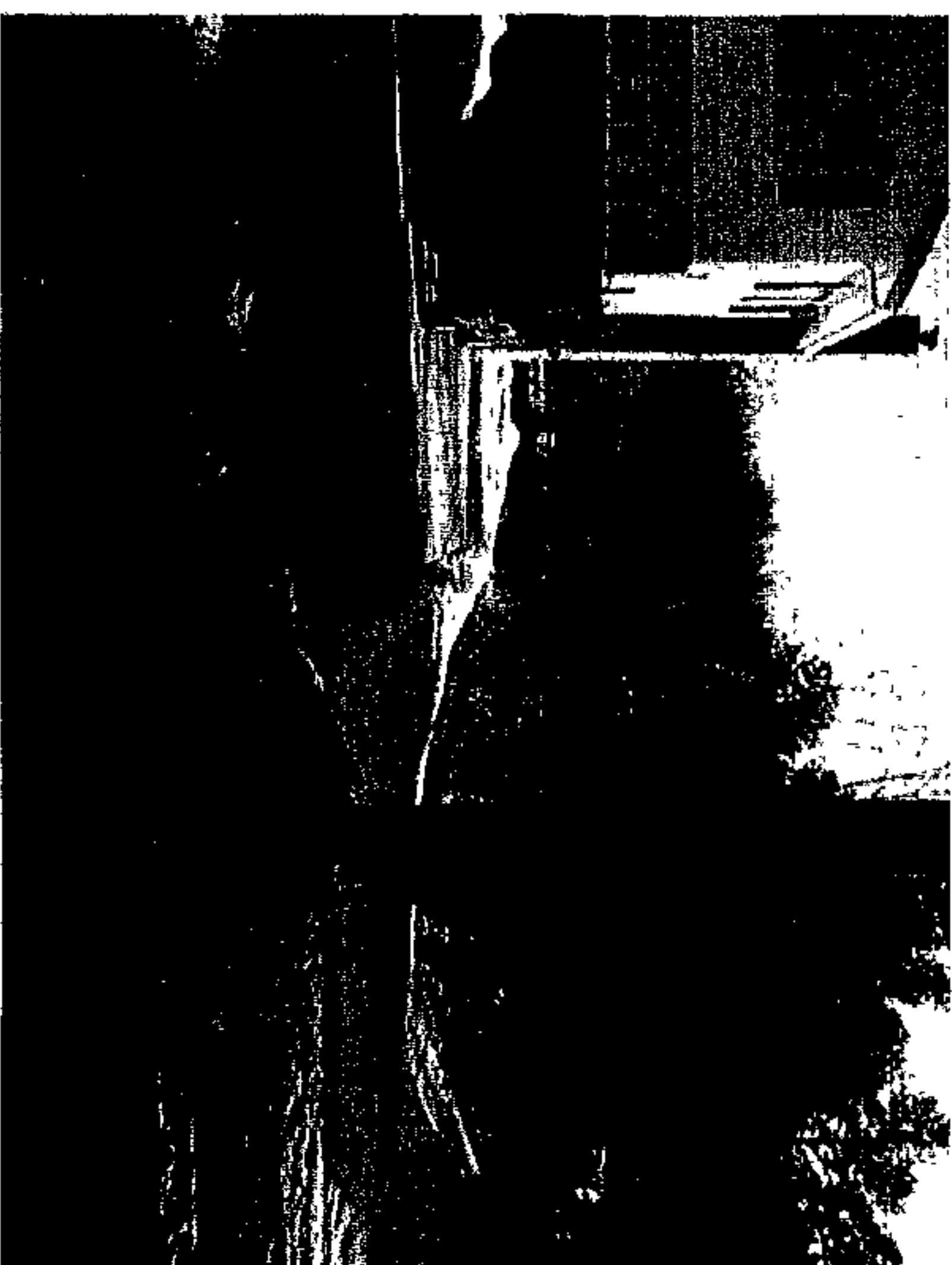
04.359.A



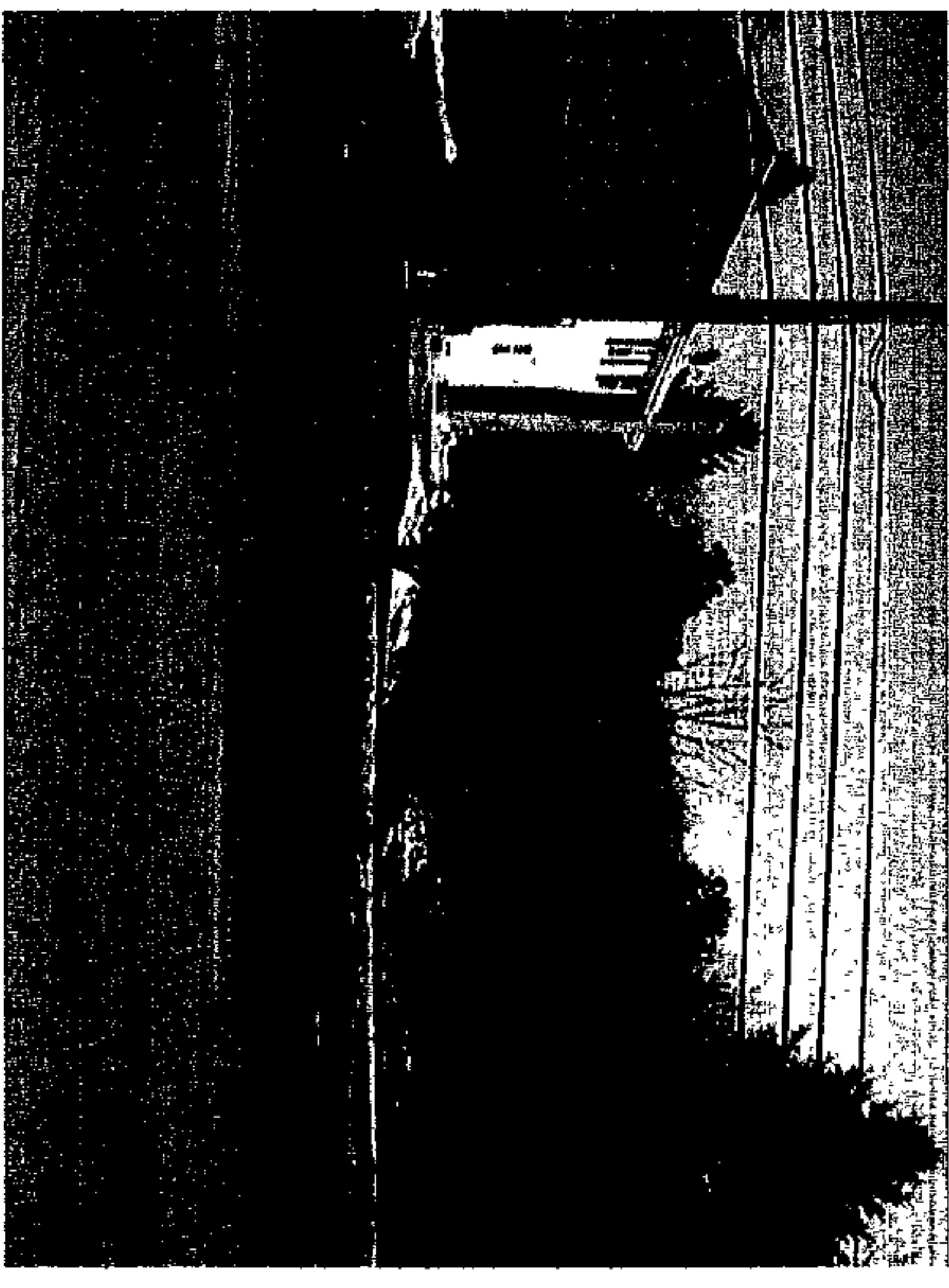
807 Providence Rd, Towson, MD 21286



04-359-A



04-359-A



04-559. A