IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Page Drive,
opposite of Ashwood Road
12th Election District
7th Councilmanic District
(2710 Page Drive)

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 04-370-A

Pauline R. & William H. Forrester Petitioners

*

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 owners of the subject property, Pauline R. and William H. Forrester. The variance request is for property located at 2710 Page Drive in the Dundalk area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 3 ft. in lieu of the required 10 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 22, 2004, 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

ONDER PROFITE FOR FILE SALES

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 Deputy Zoning Commissioner for Baltimore County, this <u>12</u> day of March, 2004, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a side yard setback of 3 ft. in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

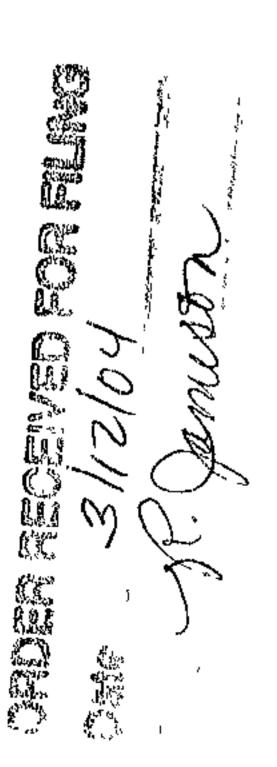
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



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 8, 2004

Mr. & Mrs. William H. Forrester 2710 Page Drive Baltimore, Maryland 21222

> Re: Petition for Administrative Variance Case No. 04-370-A Property: 2710 Page Drive

Dear Mr. & Mrs. Forrester:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



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



THOUSE THE

CEOFF.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	2710	PAG	E	Do	ive	
	s presently					

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)

To Permit An Addition with A side yArd set back of 3 Ft. in lieu of the required 18 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: <u>Legal Owner(s):</u> Name - Type or Print Type or Print Signature Address Telephone No. Name Type or Print City State Zip Code Signature 410.284.189 Attorney For Petitioner: Address Telephone No. Himore 21222 Name - Type or Print City Zip Code State Representative to be Contacted: Signature Company Name Address Telephone No. Address Telephone No. State Zip Code State Zip Code Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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. Zoning Commissioner of Egitimore County 14-370-A Reviewed By - 2-22-04 REV 10/25/01 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.

competent to testify thereto in the event that a p	within the personal knowledge of the Afriant(s) and that Amant(s) israre ublic hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	2710 Page Dave
	Baltimore MD 21222
That based upon personal knowledge, the followariance at the above address (indicate hardshi	wing are the facts upon which I/we base the request for an Administrative p or practical difficulty):
Our current residence	does not have 1st Floor bath And wash
(oom with handicapped Ad	cess that we now readire due to
,	tly climb stairs to use the bathroom
AND WOSH AND DRY OUR C	othes. Given our unfortunate sixuation
we very much Need this	Addition. Our hadicap tag # 15 740278
That the Afficience asknowledge(s) that if a fo	rmal damand is filed. Affiant(s) will be required to say a reposting and
advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
.) 11 1 11	Signature : 18: Viewher)
Signature 18 June 18 June 18 1	Signature (1877)
Name - Type of Print	Name - Type or Print
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:
I HEREBY CERTIFY, this 47 day of F	2 bruny - Zoou , before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, per	rsonally appeared
the Affiant(s) herein, personally known or satisfa	TER & PAULINE RUBY FORRESTER. actorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
- `	Herbeit Geilenkeichen Notary Public
·	My Commission Expires October 1, 2004

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.

The state of Afficients of a section where smaller manifester and	2710 PA		
That the Affiant(s) does/do presently reside at	Address		
	BAltimore	State	2122Z Zip Co de
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upon ip or practical difficulty):	which I/we base the	request for an Administrative
Our current residence room with handicapped A our inability to Frequent and wash and dry our classes very much weed this	does not has ccess that we thy climb sta other, Given	e Now read airs to use our unfor a	oire due to the bathroom Junate situation
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature	additional information.	Affiant(s) will be require	
Signature Signature Formostor Name - Type or Print	Signatur	Type or Print	ester
Name - Type or Print	Name -	Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:	- ~	
I HEREBY CERTIFY, this 97 day of Formatte of Maryland, in and for the County aforesaid, per			e, a Notary Public of the State
the Affiant(s) herein, personally known or satisfactor			FORREST ER
the Attaint(s) ficicit, personally known or sausi	dotomy identified to me d	o odom / mantijoj.	
AS WITNESS my hand and Notarial Seal			
	Herbert	Geilenkir	chen
	Notary Public		
	My Commissio	n Expires Octobe	4 1 2004



CASE NO. 04-370 -A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at $\frac{27}{}$	Drive Drive
	tly zoned PR 5 5

This Petition shall be filed with the Department owner(s) of the property situate in Baltimore County made a part hereof, hereby petition for a Variance f	
·····	1B02.3 C./BCZR
10 Permit An Addition	with A side yArd set bAck of

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

3 Ft. in lied of the required 18 Ft.

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 a perjury, that I/we are the le is the subject of this Petitio	gal owner(s) of the	
Contract Purchaser/Less	<u>see:</u>		Legal Owner(s):		
			William H.	Forcest	-ec
Name - Type or Print			Name - Type or Print	7	
Signature	<u>-</u>		Eddown to Mars It fo	enset	
J.g. (Little)			FAULING 1	3 Forres	ter.
Address		Telephone No.	Name Type or Print	/	
City	State	Zip Code	Signature Signature	Wastes)	·
Attorney For Petitioner:		·	2710 Page	Dr.	410.284.1898
			Address BAHIMORE	u	Telephone No. 21222
larne - Type or Print		······································	City	State	Zip Code
	,		Representative to be	Contacted:	
Signature			Thomas No	. '.	
Company			Name		_
ddress		Tolophoro No	14 GrAywood	19	410.284.9099
idoleos		Telephone No.	Address	AA T	Telephone No
City	State	Zip Code	BAltimore	State -	2/222 Zip Code
Public Hearing having been for	mally demand	ded and/or found to be	required, it is ordered by the Zon	ing Commissioner of	of Baltimore County,
egulations of Baltimore County and	that the proper	rty be reposted.	his petition be set for a public hearm	ng, auverused, as re	quirea by the zoning
			Zoning Commissione	er of Baltimore Coun	t v

Reviewed By JRF Date 2-10-04

Estimated Posting Date __ ユーコューロリ

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - <u>DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"</u>. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR	R 2710 F	AGE Drive (address)	· · · · · · · · · · · · · · · · · · ·
Beginning at a point on the	North		•
	(north, south, east c	r west)	
PAGE Drive (name of street on which prop	which is	(number of feet of right-of	newsternies automoter des la confessione
(name of street on which proj	perty fronts)	(number of feet of right-of	-way width)
wide at the distance of	(number of feet)	ハってもり (north, south, east or west)	of the
centerline of the nearest impl) ,
which is	right-of-way width)		
Block, Section #			vision)
as recorded in Baltimore Cou	inty Plat Book #	3, Folio #3_	- E
containing 6250 (square feet or a	S. (F. Also know	n as 2710 PA	ge Drive
and located in the 12 E		#	t.

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber___, Folio___" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

#370

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.17821	
	الم الله المستقدم الم	MEINES ACTUAL THE 354 1/11/2004 2/10/2004 11:17:25 1802 WAIL JEWN JEE
		EIM # 320854 2/10/2004 0FLH
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2710 Peg = 0.000 Admin 1/200	IT = #370	Baltimure Lounty. Navyland
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - C	USTOMER	CASHIER'S VALIDATION

-

-

CERTIFICATE OF POSTING

RE: Case No.: 04-370-A Petitioner/Developer: WILLIAM & PAULINE FORRESTER Date of Hearing/Closing: 3 - 8 - 04 **Baltimore County Department of** Permits and Development Management **County Office Building, Room 111** 111 West Chesapeake Avenue Towson, Maryland 21204 **ATTN:** Kristen Matthews {(410) 887-3394} 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: 2710 PAGE DR The sign(s) were posted on _____ Sincerely, Robert Black 2/22/04 (Signature of Sign Poster) **ADMINISTRATIVE SSG Robert Black** (Print Name) TO PERMIT AN ADDITION WITH A SIDE YARD SETPACK OF 3' IN 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

THE PARTY OF

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 04-370-A
Petitioner: Mr. And Mrs. William H. Forrester
Address or Location: 2710 Page Drive
PLEASE FORWARD ADVERTISING BILL TO:
A
Name: M. K. Contracting
Address: 14 Graywood Rd
Balto MD 21222
Telephone Number: 410 · 284 · 9095

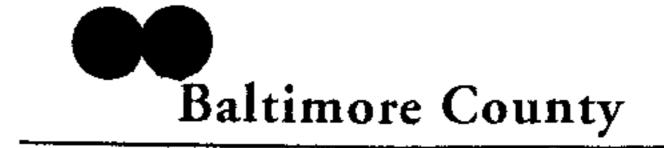
ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Coso N	04	370] -A	Addross	27/ O	Pane	Drive	
		L	4	Address		.		<u>,, , , , , , , , , , , , , , , , , , ,</u>
Contac	t Person: _	Jun Fe	アロロク めい Please Print You	r Name	·-· ·- ·- ·- ·- ·- ·- ·- ·- ·- ·- ·- ·-	Pho	ne Number:	410-887-3391
Filing I	Date:2	-10-04		ting Date:	2-22-	04	Closing Da	te: 3-8-0
Any co	ontact made n the contac	e with this of t person (plar	fice regardir nner) using th	ng the statu ne case num	is of the ober.	adminis	trative varia	nce should be
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			(De	tach Along Dotted	l Line)			
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								-284-1898
Postir	ng Date:	2-22-04	4	С	losing D	ate:	3-8-04	<u> </u>
Wordi	na for Sian:		an addi	HOA W	1th a			e Hoack
<u>,-</u>								

Department of Permits and Development Management

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





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

March 8, 2004

William H. Forrester Pauline R. Forrester 2710 Page Drive Baltimore, MD 21222

Dear Mr. and Mrs. Forrester:

RE: Case Number: 04-370-A, 2710 Page Drive

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

W. Carl Richards, Jr.

Supervisor, Zoning Review

W. Jahr Roball

WCR: clb

Enclosures

c: People's Counsel

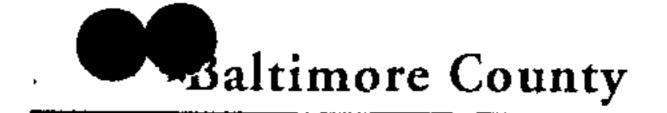
Thomas Nuewiller 14 Graywood Road Baltimore 21222

Fire Department



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





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 23, 2004

Item No.:

367-375

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.

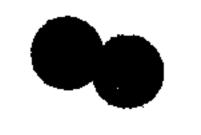
6. The Fire Marshal's Office has no comments at this time.

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

cc: File



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







Robert L. Flanagan, Secretary

Neil J. Pedersen, Administrator

JRF

Michael S. Steele, Lt. Governor

MARYLAND DEPARTMENT OF TRANSPORTATION

RE:

Date: 2.24.04

Baltimore County

Item No. 370

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

Robert L. Ehrlich, Jr., Governor

Dear. Ms.Matthews:

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,

1

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

1. 1. Dredh

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley Mps

DATE:

March 22, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of February 23, 2004

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

04-365

04-367

04-368

(04-370)

04-371

04-372

05-375

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc



INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: March 3, 2004

RECEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAR 4 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 4-370 and 4-380

Case 4-370 and 4-380 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:

Section Chief:

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: March 15, 2004

TO: Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT: Zoning Advisory Committee Meeting

For March 1, 2004

Item Nos. 365, 367, 368, 370, 371,

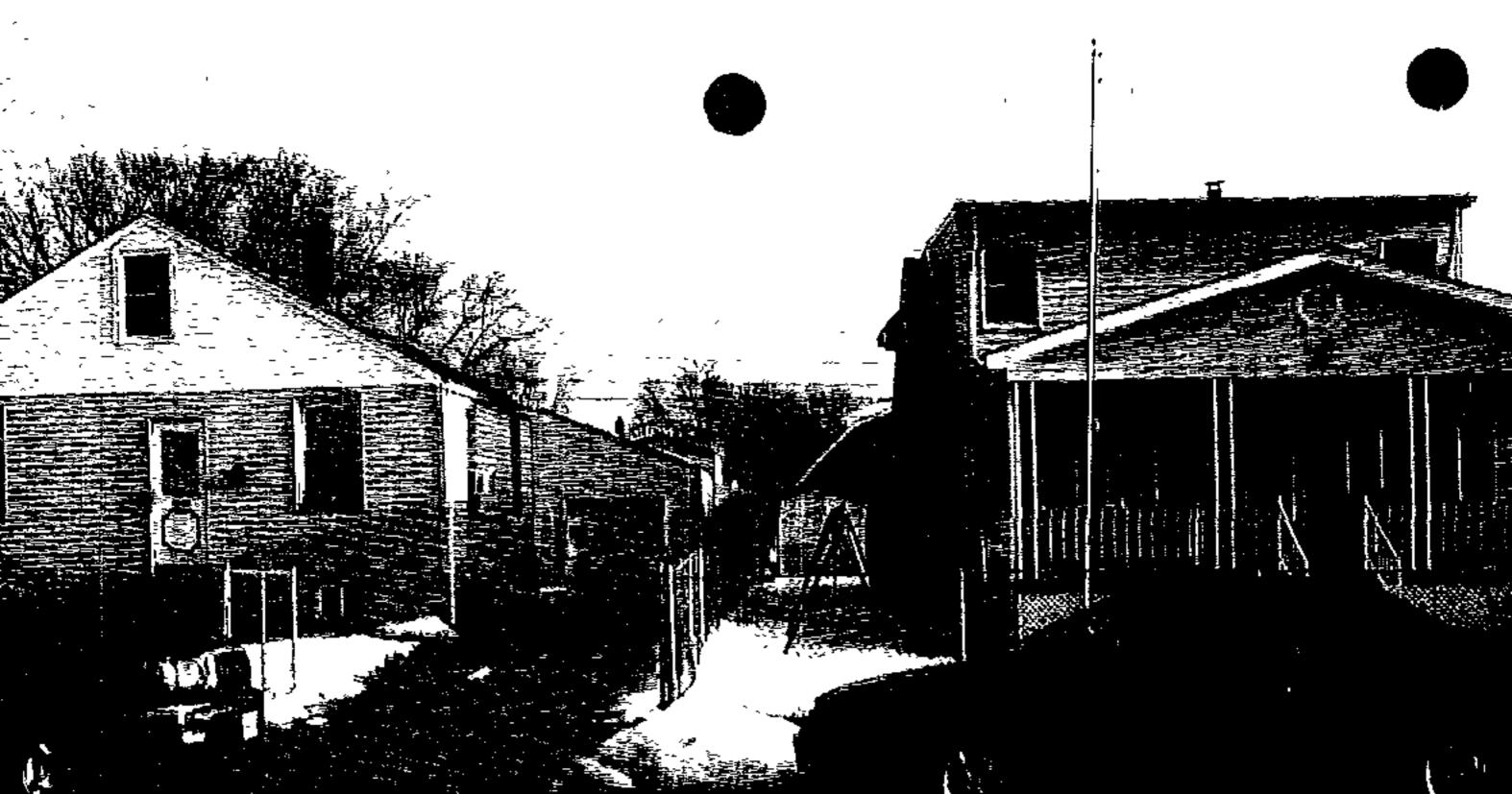
372, 373, and 375

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

RWB:CEN:jrb

cc: File









#:370



Mr. & Mrs. Hebring 2708 Page Drive Baltimore, MD 21222

February 9, 2004

Dear Sir or Madam:

Reference: Variance for 2710 Page Drive, Baltimore, MD 21222

This letter is in regards to the application for a Variance at 2710 Page Drive. Let it be known by all that I/We have no objections to the proposed addition that would change the set back at the property line from 10' to 3'.

Sincerely,

Neighbor Serrye J. Sehring Rojanna Hehring

