IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Quentin Avenue, 825 ft. S
centerline of Joppa Road
9th Election District
5th Councilmanic District
(8619 I/2 Quentin Avenue)

Terry A. & Thomas L. Anderson Petitioners BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 04-394-A

### 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, Terry A. and Thomas L. Anderson. The variance request is for property located at 8619 1/2 Quentin Avenue in the Cockeysville 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 existing single-family dwelling with addition and open projection (deck) to have a side yard setback of 6 ft. and a rear yard setback of 11 ft. in lieu of the required 10 ft. and 22.5 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 6, 2004, 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

13/2/4 19/2/2011 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

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 31 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 existing single-family dwelling with addition and open projection (deck) to have a side yard setback of 6 ft. and a rear yard setback of 11 ft. in lieu of the required 10 ft. and 22.5 ft. respectively, 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

upon the Petitioners.



### Zoning Commissioner

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





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

March 29, 2004

Mr. & Mrs. Thomas L. Anderson 8619 ½ Quentin Avenue Baltimore, Maryland 21234

Re: Petition for Administrative Variance Case No. 04-394-A
Property: 8619 ½ Quentin Avenue

Dear Mr. & Mrs. Anderson:

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

c: George Barranger 4306 Cross Country Drive Ellicott City, MD 21-42





REV 10/25/01

## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property l	ocated at 8619/2 Quentin Aus.
	which is presently zoned <u>D25.5</u>
made a part hereof, hereby petition for a Variance from Sect	its and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and tion(s)
TO PERMIT AN EXISTING Single 1 open projection (Deck) To HAVE A SETBACK of 11' IN LICE of the REQ	FAMILY DWELLING WITH ADDITION AND SIDEYARD SETBACK of 6' AND A REARYARD WIRDD 10' AND 22.5' RESPECTIVELY.
of the zoning regulations of Baltimore County, to the zoning of this petition form.	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, por regulations and restrictions of Baltimore County adopted pursuant	osting, etc. and further agree to and are to be hounded by the zoning is a
	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>
	Thomas 1. Andpaces 747-7392
Name - Type or Print	Name - Type or Print
Signature	Signature
	TERRY A- Anderson
Address Telephone No.	Name / Type or Print
City State Zip Code	Signature Indulation
Attorney For Petitioner:	81019/12 Quentin Ave 410882288/ Address Telephone No.
Name - Type or Print	Balto MD 21234
Manie - Type of Fillit	Citý State Zip Code
Signature	Representative to be Contacted:
Company	Geo Jorranger
	Name 4306 Cross Country Dr
Adquess Telephone No.	Address Telephone No.
Cit Zip Code	City State Zip Code
A Miblig tearing 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 the subject matte	this petition be set for a public hearing, advertised, as required by the zoning
22	Zoning Commissioner of Baltimore County
(55 No). 04-394-A Rev	/lewed By (10/2 Date 2/27/04

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/do presently reside a	t 86191/2	Quentin AUC	う <u></u>
	Address	MD	21234
,	City	State	Zip Code
That based upon personal knowledge, the forward variance at the above address (indicate hard	ollowing are the faction or practical di	cts upon which I/we base the	request for an Administrative
	omp or producer a.	<b></b>	•
, -    -		<u>.</u>	
Side set back needs to be 10' and e	existing porch is	21'8"x11'4" which is 6' off	property line. I
have a fibromyalgia, a bad back ar	nd a bad hip which	ch many days makes steps	a nightmare. My
husband has bad knees that do not	,		
porch it will allow us to free up a			
give us everything on one level.			
the same level as the house. Our of so that we can utilize the best view		<del>-</del>	
parkland.	A OT ORY HOUSE.	this side is adjunct to wood	aca ivialy latia
paration.			
			1
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That the Afficient(a) colonousledge(a) that if a	formal demand i	is filed Affication will be rec	wired to now a rangeting and
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	e additional inform	nation.	fulled to pay a reposting and
	1		1
	/	Yem A.	maison
Signature		Signature	1
Thomas L. Anders	02	19 RRY A	Hnderson
Name - Type or Print	<u> </u>	Name - Type or Print	
		•	
STATE OF MARYLAND, COUNTY OF BALT	FIMORE to with		·
•	·	2004 before m	, , , , , , , , , , , , , , , , , , ,
of Maryland, in and for the County aforesaid,	personally appear	ed, <u>~~o</u> t (, before m	e, a Notary Public of the State
Thomas L. Avderso		14 A. Ande	1001)
the Affiant(s) herein, personally known or sati			
7			
AS WITNESS my hand and Notarial Seal	-		
DAVID MAN			
	Motor	Public	
NOTAR			and.
	E My Co	mmission Expires	D1-2001.

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.

competent to restity mereto in the event mar a b	upile fibaling is some	saginga in the ratare with regi	ard tribible.	
That the Affiant(s) does/do presently reside at	186/9/2	Quentin Mue	<u></u>	
	Address	MD	21234	ا !
	City	State	Zip Co	)de
That based upon personal knowledge, the followariance at the above address (indicate hardship	wing are the facts up or practical difficul	pon which I/we base the reity):	quest for an Administrat	ive

Side set back needs to be 10' and existing porch is 21'8"x11'4" which is 6' off property line. I have a fibromyalgia, a bad back and a bad hip which many days makes steps a nightmare. My husband has bad knees that do not allow him to do stairs some days either. If we close in the porch it will allow us to free up a room on this floor for a bedroom for us to use and that will give us everything on one level. We need a room that we can sit in and enjoy the outdoors on the same level as the house. Our contractor is raising the floor of the porch when it's enclosed so that we can utilize the best view of our home. This side is adjunct to wooded Maryland parkland.

That the Affiant(s) acknowledge(s) that if a formal advertising fee and may be required to provide addition	demand is filed, Affiant(s) will be required to pay a reposting and onal information.
Dhy I Charles	- Lemy A Anderson
Signature  Anderson  Name - Type or Print	Signature  ERRY ANCECSON  Name - Type of Print
STATE OF MARYLAND, COUNTY OF BALTIMORE	
I HEREBY CERTIFY, this 7 day of February of Maryland, in and for the County aforesaid, personal	,全分
Thomas L. Anderson & The Affiant(s) herein, personally known or satisfactorily	y identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal,	Notary Public
REV 10/25/01	My Commission Expires 06-01-07



REV 10/25/01

## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at	8619/2 Quentin	Ave	
·	s presently zoned	-	. 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) 1802.3.6.1 (BC272)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH ADDITION AND OPEN PROJECTION (DECK) TO HAVE A SIDEYARD SETBACK OF G' AND A REAR YARD SETBACK OF II'IH LIEU OF THE REQUIRED ID! ALID 77.5' RESPECTIVELY.

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): 410-767-7392 Anderson Thomas Name - Type or Print Name - Type or Print Signature Signature Address Telephone No. Type or/Print City State Zip Code Signature/ **Attorney For Petitioner:** Address Telephone No₄ Name - Type or Print Zip Code State Representative to be Contacted: Signature Company Name Address Telephone No. Address Telephone No. City State Zip Code City Zip Code State 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.

Reviewed By

**Estimated Posting Date** 

Zoning Commissioner of Baltimore County

## ZONING DESCRIPTION FOR 8619 ½ Quentin Ave.

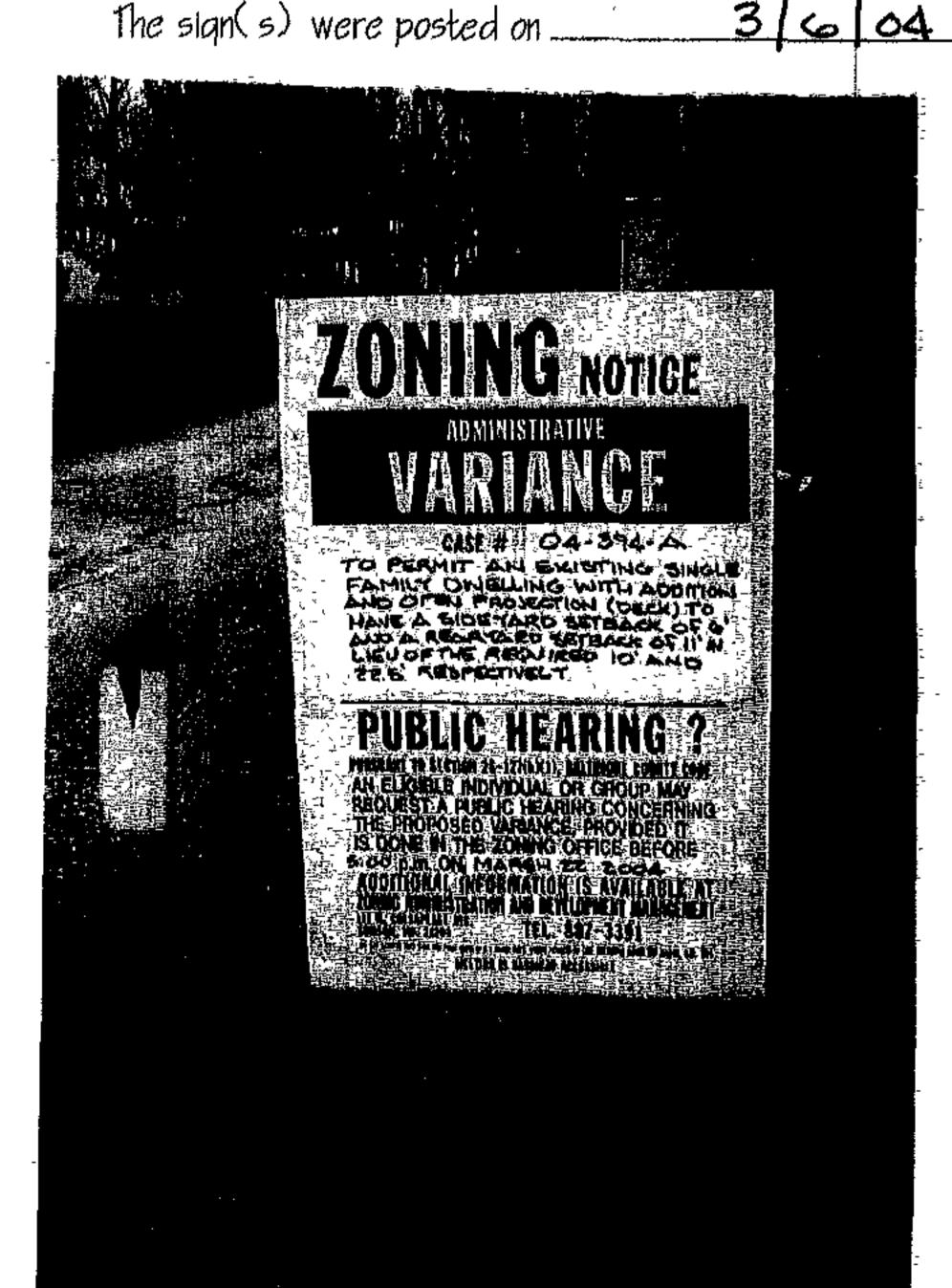
Beginning at a point on the east side of Quentin Ave. which is 30' wide at the distance of 825' south of the centerline of the nearest improved intersecting street Joppa Road which is 50' wide. Being Lot #105 in the subdivision of Joppa Heights as recorded in Baltimore County Plat Book # 6, Folio # 166, containing .53 acres. Also known as 8619 ½ Quentin Ave. And located in the 9th Election District, 5th Councilmanic district.

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				<b>8</b>
"我考了你,对我们的有人,便看起,这些婚	ACCOUNT S			YBLOW-CUSTOMER
BALTIMORE COUNTY MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT				MIK-AGDICY YE
TIMORE COU				
		FOR:	DIST	



### CERTIFICATE OF POSTING

	Date: 3/8/04
RE: Case Number: 04-394.A	<u></u>
Petitioner/Developer: Thomas A	3062501J
Date of Hearing/ Closing 3/22/04	
	at the necessary sing(s) required by law were posted conspicuously
on the property located at 8619 2	PUENTIN AVE



(Month, Day, Year)

Charle of Stap Poster)

Charles E. Merritt 9831 Magledt Road Baltimore, MD 21234 410-665-5562

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

THE PARTY OF THE P	OF INCOMMATION SHEET AND DATES
04	
Case Number 394 -A	Address 8619 2 QUENTIN AVE
Contact Person: LIOYD T. Mo	
j	sting Date: 3/7/04 Closing Date: 3/22/02
Any contact made with this office regardithrough the contact person (planner) using t	ng the status of the administrative variance should be he case number.
reverse side of this form) and the personal reposting must be done only by one is again responsible for all associated	st use one of the sign posters on the approved list (on the etitioner is responsible for all printing/posting costs. Any of the sign posters on the approved list and the petitioner ed costs. The zoning notice sign must be visible on the noted above. It should remain there through the closing
a formal request for a public hearing	deadline for an occupant or owner within 1,000 feet to file go. Please understand that even if there is no formal ess is not complete on the closing date.
order that the matter be set in for (typically within 7 to 10 days of the cl	e file will be reviewed by the zoning or deputy zoning ne requested relief; (b) deny the requested relief; or (c) a public hearing. You will receive written notification osing date) as to whether the petition has been granted, he order will be mailed to you by First Class mail.
commissioner), notification will be for a changed giving notice of the hearing	REPOSTING: In cases that must go to a public hearing I request or by order of the zoning or deputy zoning property must be date, time and location. As when the sign was originally daphotograph of the altered sign must be forwarded to
- De	aun Along Dotted Line
Petitioner: This Part of the Form is for the	Sign Poster Only
USE THE ADMINISTR	ATIVE VARIANCE SIGN FORMAT
Case Number -05- 394 -A Add	ress 86192 QUENTIN AVE.
3	2500 Telephone 410 887 2881
Posting Date: 3/7/04	ETUX Closing Date: 3/22/04
Nording for Sign: To Permit AN EXIS	THE SINGLE FAMILY DWELLING WITH
· ·	TION (DECK) TO HAVE A SIDEYARD
SETBACK OF 6' AND A REAR	(ARP SETBACK OF II'IN LIEU OF THE
ZEQUIRED 10 AND 22.5	RESPECTIVELY,
	WCR - Revised 6/28.00

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



## 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:	04-394.A
Petitioner: Thomas L.	PNOFTESON
Address or Location: 86/9/2	DUENTIN AUG.
į	
PLEASE FORWARD ADVERTISIN	G BILL TO:
Name: Troppes 2. And	10 trson
Address: 86/9/2 Quen	tri Ave.
Parkville, Ma	L. 21234
Telephone Number: 410-767-73	92 410-882-2881

Revised 2/20/98 - SCJ

# 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 22, 2004

Thomas Anderson Terry Anderson 8619 ½ Quentin Avenue Baltimore, Maryland 21234

Dear Mr. and Mrs. Anderson:

RE: Case Number: 04-394-A, 8619 1/2 Quentin Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 27, 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, U. Call Richall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

**Enclosures** 

c: People's Counsel
Geo Barranger 4306 Cross Country Drive Ellicott City 21042



### 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

March 9, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March, 9, 2004

Item No.:

361, 364, 390-395, 397 & 398

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.

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



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

Robert L. Fianagan, Secretary Neil J. Pedersen, Administrator

### MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

3.5.01

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

RE:

**Baltimore County** 

Item No. 334

LTM

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

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

**DATE:** March 15, 2004

RECEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAR 1 6 2004

ZONING COMMISSIONER

**SUBJECT:** 

Zoning Advisory Petition(s): Case 4-394 – 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

TO:

Timothy M. Kotroco, Director

**DATE:** March 16, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 15, 2004

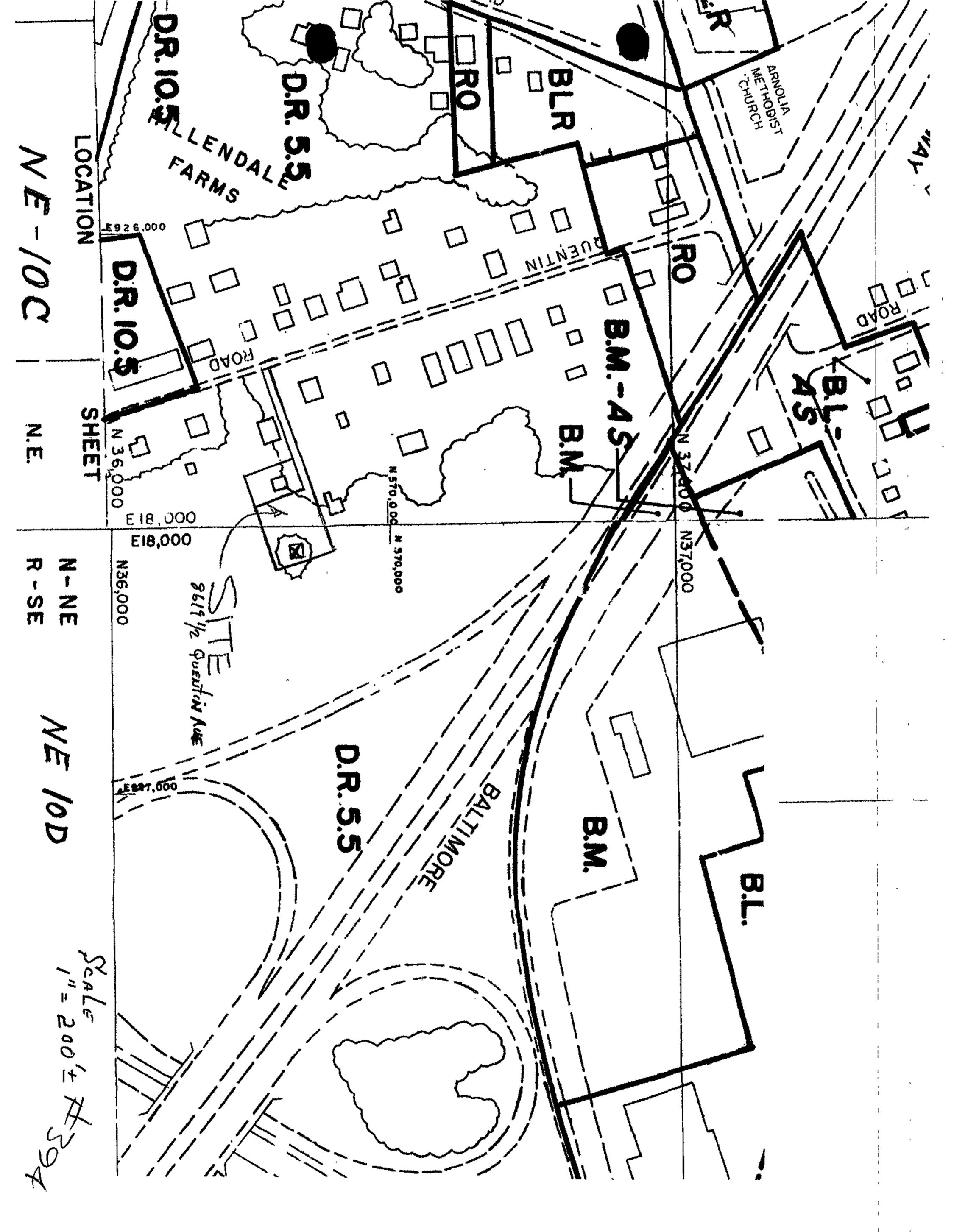
Item Nos. 364, 390, 391, 392, 393,

394), 395, 396, and 397

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

RWB:CEN:jrb

cc: File





EXISTING
PORCY
TO pur

ENCLOSOR)

Desit



5619 1/2 Quetriu Ave

VENUE MASONAY 유 DRAWING: 니니 48'= REQUIRED INFORMATION 509115 E 00 HEARING 207 Exclosure existins PROPERTY geleigh ak Rd ZONING REVIEWED BY ELECTION DISTRICT 1"=200 COUNCILMANIC DISTRICT HISTORIC PROPERTY/ CHESAPEAKE BAY
CRITICAL AREA 100 YEAR FLOOD PLAIN SEWER WATER Mana Oak Aye LOCATION INFORMATION ZONING HEARING oakleigh Mañor SCALE MAP # O,S3 ACREAGE VICINITY OFFICE t <sub>o</sub> Cromwood W M∧P 1000 3SU SQUARE FEET VI THE PER BANK SENTEN <u>0</u> ONLY 100 SZ