

IN RE: PETITION FOR VARIANCE
N/S of Brunswick Road, 130 ft. W
centerline of Clyde Avenue
13th Election District
1st Councilmanic District
(2427 Brunswick Road)

Paula B. & Howard B. Cooper
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-154-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Paula B. and Howard B. Cooper. The Petitioners are requesting variance relief for property located at 2427 Brunswick Road in the Lansdowne area of Baltimore County. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory building (detached carport) to be located in the front yard in lieu of the required rear yard only, to permit a setback of ½ ft. from a side lot line in lieu of the required 2 ½ ft., and to permit a front street setback (5 ft.) that is less than the setback required for a principal dwelling.

The property was posted with Notice of Hearing on October 25, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on October 26, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the

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Ray

subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated October 14, 2004, a copy of which is attached hereto and made a part hereof in which the Planning Office recommended the requests be denied.

Interested Persons

Appearing at the hearing on behalf of the variance request were Howard and Paula Cooper, Petitioners. No Protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 5,000 sq. ft. of land, more or less, zoned DR 5.5 (formerly "A" residential). The subject property is improved by an existing single-family dwelling occupied by the Petitioners. This is a 50 foot wide lot, which the Petitioners indicate was part of a larger subdivision laid out in the 1940's. The DR zoning regulations were imposed on the property thereafter which require 55 foot wide lots.

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Ray

They indicated that Paula Cooper is physically handicapped suffering from back problems. Apparently, some time ago she slipped and fell on ice/snow on the Petitioners' driveway and this has become a great concern of the Petitioners. See Petitioners' photograph 2C which shows the Petitioners' car parked in their driveway. In response to the incident, the Petitioners erected a portable car port in the front yard of their home, over the driveway, in order to keep ice and snow from the area where she must access her vehicle. However, someone lodged a complaint with the Zoning Enforcement Office and the Petitioners removed the carport in response. This request for variance is in the Petitioners effort to restore the carport.

The Petitioners indicated that they couldn't place the carport in the rear yard because the house has a "vestibule", a side entrance that is covered to prevent ice and snow from entering the home. Again see photograph 2C. This blocks practical access to the rear yard. The Petitioners presented letters of support for the requested variances from neighbors on both sides, especially noting support from Frank and Cheryl Terzigni who are most affected by the carport.

The Planning Office opposed the requests indicating that the carport could be attached to the side of their house rather than in the front yard which the Planning Office felt would substantially change the neighborhood. At this point a general discussion ensued of the possibility of attaching the carport to the side of the house rather than placing it in the front yard. It appeared that there would be enough room between the vestibule and the front of the house to allow a car to be parked in that area. The Petitioners noted that this would require opening or removing the existing gate shown on Petitioners Exhibit 1.

Assuming that the Petitioners intent was to move the 10 ft. x 20 ft. carport on the side of the house in front of the vestibule, Petitioners' Exhibit 1 was redlined to show the changes needed. As the carport was now to be attached to the house the Petition was modified as follows:

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Ray

Amended Petition

The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R., 1953 Planning Commission Approval), to permit an accessory building (attached carport) to be located in the front and side yards in lieu of the required rear yard only, to permit an addition (carport) with a side yard setback of ½ ft. from a side lot line in lieu of the required 8 ft., to permit a sum of the side yard of 10.5 feet in lieu of the required 20 feet and to permit a front yard setback of 21 feet in lieu of the 25 feet required.

The carport still will project into the front yard slightly after moving the carport back into the space on the side of the house. Thus the need for the front yard setback. Because the carport is attached to the house, the Petitioners need a sum of the side yard setback of 10.5 feet in lieu of the 20 foot requirement. The ½ foot side yard setback remains the same except for the required setback.

Findings of Fact and Conclusions of Law

I accept the amended petition and note that although the numbers are changed, physically all that has happened is that the carport is now pulled back out of the front yard as the Office of Planning recommended. I find given the amended petition that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The Petitioners are moving the carport back to the side of the house. Specifically, the amended petition indicates that because the carport is now attached to the house, the carport would violate the side yard setback of 8 feet and sum of side yard setback of 20 feet. I find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Mrs. Cooper needs the protection of a carport for her vehicle for her health and safety. No increase in residential density beyond that otherwise allowable by

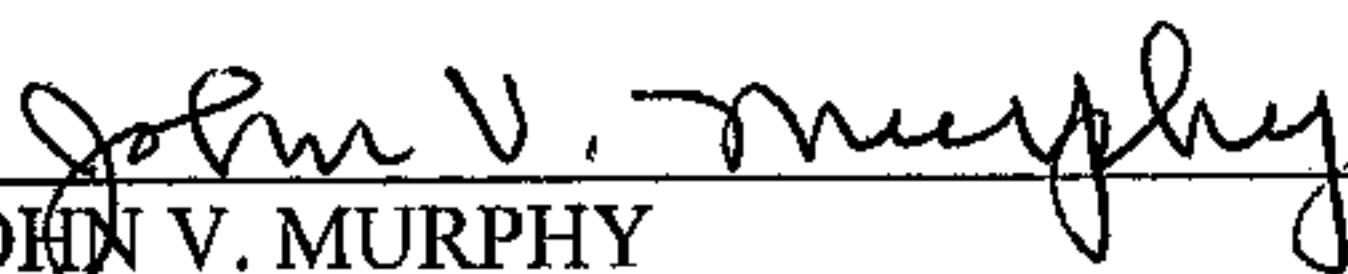
COPIES RECEIVED FOR PLANNING
11/23/04
Raf

the Zoning Regulations will result by granting such variances. Furthermore, I find these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. This will not change the neighborhood as the original proposal surely would have.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be denied. ?

THEREFORE, IT IS ORDERED, this 23 day of November, 2004, by this Deputy Zoning Commissioner, that the Petitioners' amended request for variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R. 1953 Planning Commission Approval), to permit an accessory building (attached carport) to be located in the front and side yards in lieu of the required rear yard only, to permit an addition (carport) with a side yard setback of ½ ft. from a side lot line in lieu of the required 8 ft., to permit a sum of the side yard of 10.5 feet in lieu of the required 20 feet and to permit a front yard setback of 21 feet in lieu of the 25 feet required, be and is hereby GRANTED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

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11/23/04
Ray

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
William J. Wiseman III, Zoning Commissioner

November ²³~~19~~, 2004

Mr. & Mrs. Howard B. Cooper
2427 Brunswick Road
Lansdowne, Maryland 21227-3014

Re: Petition for Variance
Case No. 05-154-A
Property: 2427 Brunswick Road

Dear Mr. & Mrs. Cooper:

Enclosed please find the decision rendered in the above-captioned case. The amended petition for a 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 cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Bo Lee, 10723 Folkestone Way, Woodstock, MD 21163

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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2427 Brunswick Road

which is presently zoned DR.S.5 (Formerly "A" Residential)

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) 400.1, BC2R, to permit an accessory building

(detached carport) to be located in the front yard in lieu of the required rear yard only, to permit a setback of $\frac{1}{2}$ foot from a side lot line in lieu of the required $2\frac{1}{2}$ feet, and to permit a front street setback ~~5 feet~~ (5 feet) that is less than the setback required for a principal dwelling.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) I have stones in the spine which cannot be operated on to repair the damage. Because of spine problem I have to wear a brace on my left leg in order to be able to walk. My damage is permanent and I can't consent to control the pain, and I cannot walk very far.

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 _____

Case No. 05-154-A

Legal Owner(s):

Howard Bruce Cooper
Name - Type or Print _____

Howard Bruce Cooper
Signature _____

PAULA BERNADETTE COOPER
Name - Type or Print _____

Paula Bernadette Cooper
Signature _____

2427 BRUNSWICK RD 410-242-4453
Address _____ Telephone No. _____

LANSLOWNE MD 21227-3014
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 9/24/04

ZONING DESCRIPTION FOR 2427 BRUNSWICK ROAD
(Address)

Beginning at a point on the NORTH side of

BRUNSWICK ROAD which is 40 feet
(Name of Street on which Property Fronts) (Number of feet of right-of-way width)

Wide at the distance of 130 feet West of the
(Number of feet)

Centerline of the nearest improved intersecting Street CLYDE AVENUE
(Name of Street)
which is 40 feet wide Being Lot # 111
(Number of feet of right-of-way width)

in the subdivision of HIGHLAND BALTIMORE
(Name of subdivision)

As Recorded in Baltimore County Plat Book # 19 Folio # 13

Containing 5,000 Square feet also known as 2427 BRUNSWICK ROAD
(Square feet or Acres) (Property Address)

And Located in the 13th Election District,

1ST Councilmanic District.

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #05-154-A
2427 Brunswick Road
N/side of Brunswick Road, 130 feet west of Clyde Avenue
13th Election District - 1st Councilmanic District
Legal Owner(s): Howard Bruce and Paula Bernadette Cooper

Variance: to permit an accessory building to be located in the front yard in lieu of the required rear yard only, to permit a setback of 1/2 foot from a side lot line in lieu of the required 2 1/2 feet and to permit a front street setback of 5 feet that is less than the setback required for a principal dwelling.

Hearing: Wednesday, November 10, 2004 at 9:00 a.m.
in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/10/754 Oct. 26 27259

CERTIFICATE OF PUBLICATION

10/26/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/26/, 2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

NO. 41357

DATE

9/24/04

ACCOUNT

R 001-006-610

AMOUNT

\$ 65.00

RECEIVED FROM

Howard & Paula Cooper

FOR

Insurance - 2407 Brunswick Road

OS-154-A (Cooper)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED

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CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-154-A

Petitioner/Developer: HOWARD & PAULA COOPER

Date of Hearing/ Closing: NOV. 10, 2004

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 # 2427 BRUNSWICK ROAD

The sign(s) were posted on

OCT. 25, 2004
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

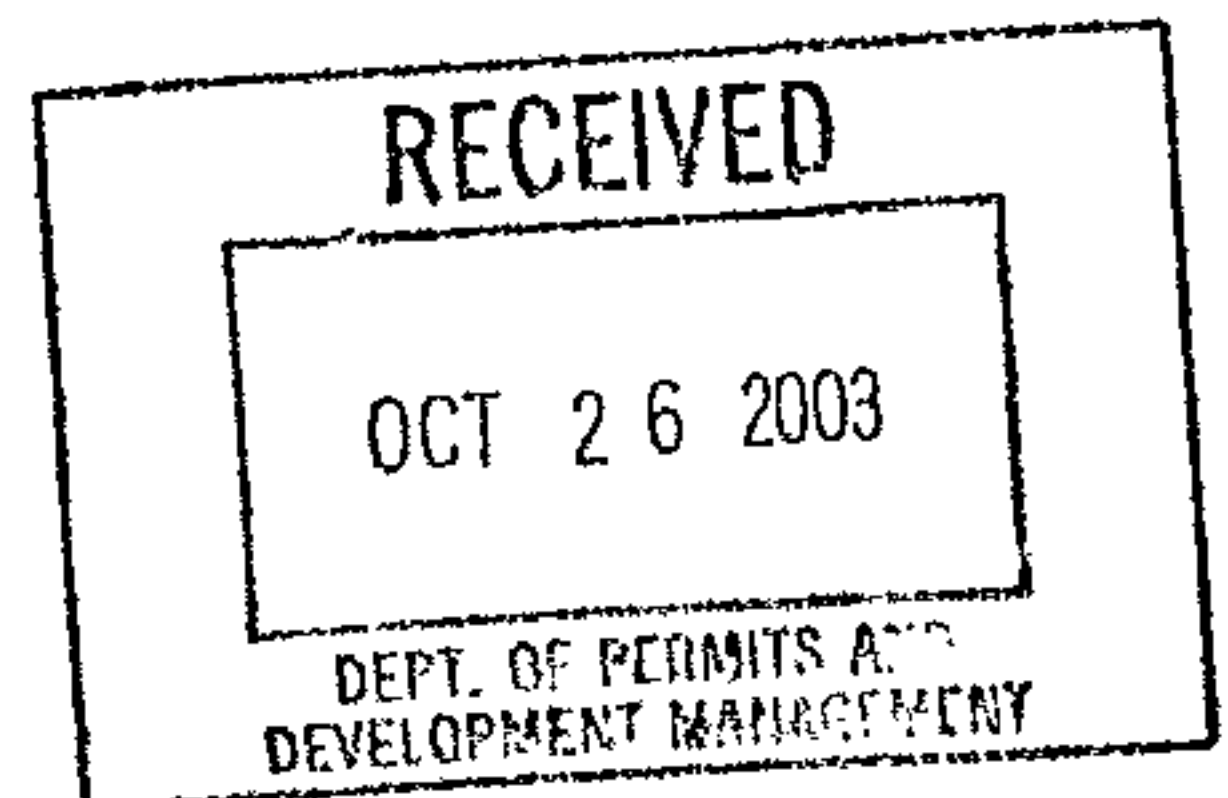
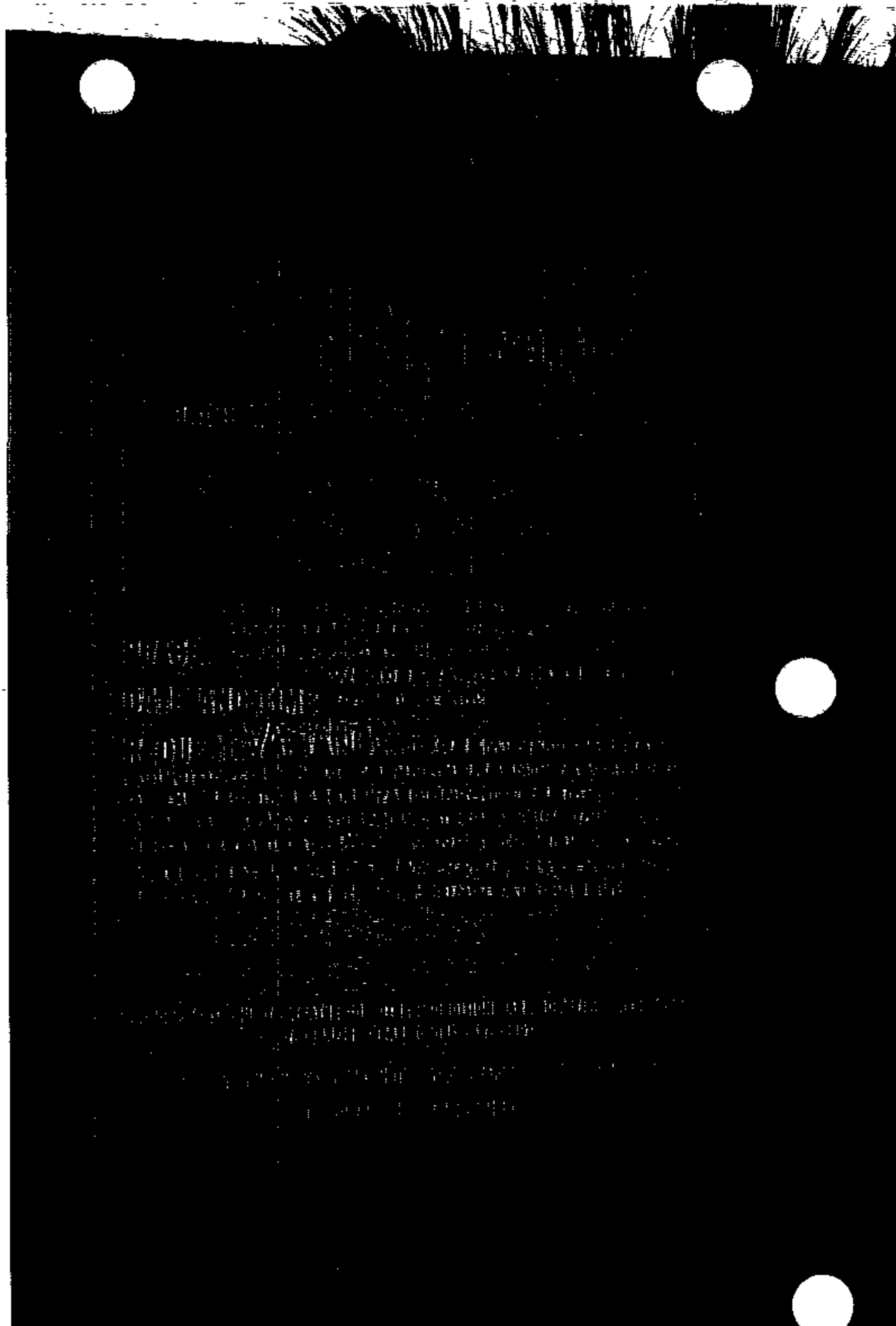
(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 26, 2004 Issue - Jeffersonian

Please forward billing to:
Howard Cooper
2427 Brunswick Road
Lansdowne, MD 21227

410-242-4453

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-154-A

2427 Brunswick Road
N/side of Brunswick Road, 130 feet west of Clyde Avenue
13th Election District – 1st Councilmanic District
Legal Owners: Howard Bruce and Paula Bernadette Cooper

Variance to permit an accessory building to be located in the front yard in lieu of the required rear yard only, to permit a setback of ½ foot from a side lot line in lieu of the of the required 2 ½ feet and to permit a front street setback of 5 feet that is less than the setback required for a principal dwelling.

Hearing: Wednesday, November 10, 2004 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Department of Permits and
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

October 1, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-154-A

2427 Brunswick Road
N/side of Brunswick Road, 130 feet west of Clyde Avenue
13th Election District – 1st Councilmanic District
Legal Owners: Howard Bruce and Paula Bernadette Cooper

Variance to permit an accessory building to be located in the front yard in lieu of the required rear yard only, to permit a setback of ½ foot from a side lot line in lieu of the of the required 2 ½ feet and to permit a front street setback of 5 feet that is less than the setback required for a principal dwelling.

Hearing: Wednesday, November 10, 2004 at 9:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".
Timothy Kotroco
Director

TK:klm

C: Howard & Paula Cooper, 2427 Brunswick Road, Lansdowne 21227-3014

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 26, 2004.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

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 05-154-A

Petitioner. Cooper

Address or Location: 2427 Brunswick Road

PLEASE FORWARD ADVERTISING BILL TO

Name: Howard Cooper

Address 2427 Brunswick Road

Lansdown MD 21227

Telephone Number: 410-242-4453

**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*

November 3, 2004

Mr. Howard Bruce Cooper
Mrs. Paula Bernadette Cooper
2427 Brunswick Road
Lansdowne, Maryland 21227-3014

Dear Mr. and Mrs. Cooper:

RE: Case Number: 05-154-A, 2427 Brunswick Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 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

October 7, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: October 7, 2004

Item No.: 093, 131, 144-⁽¹⁵⁴⁾155, 157

Pursuant to your request, the referenced plan(s) have been reviewed 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: October 13, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For October 12, 2004
Item Nos. 093, 146, 147, 148, 149,
150, 152, 153, 154, 155, and 157

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

RWB:CEN:jrb

cc: File

gm
11/10

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

OCT 27 2004

ZONING COMMISSIONER

TO: Tim Kotroco

FROM: John D. Oltman, Jr. JDO

DATE: October 27, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of October 4, 2004.

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

05-107 (revised site plan)

05-131

05-144

05-146

05-148

05-149

05-152

05-153

05-154

Reviewers: Sue Farinetti, Dave Lykens

Jan
11/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 14, 2004

RECEIVED

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

OCT 20 2004

SUBJECT: 2427 Brunswick Road

ZONING COMMISSIONER

INFORMATION:

Item Number: 5-154

Petitioner: Howard Bruce Cooper

Zoning: DR 5.5

Requested Action: Variance

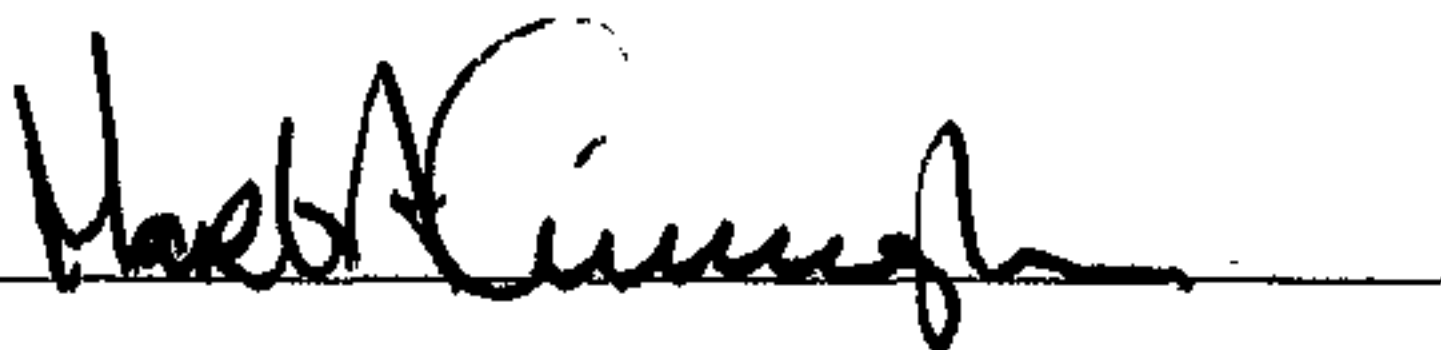
SUMMARY OF RECOMMENDATIONS:

The subject property is located in a 1950s subdivision known as Highland. Small, one-story dwellings on small lots are prevalent in this subdivision. Most of the dwellings do not have carports or garages. In cases where there are carports, they are attached to the side of the house.

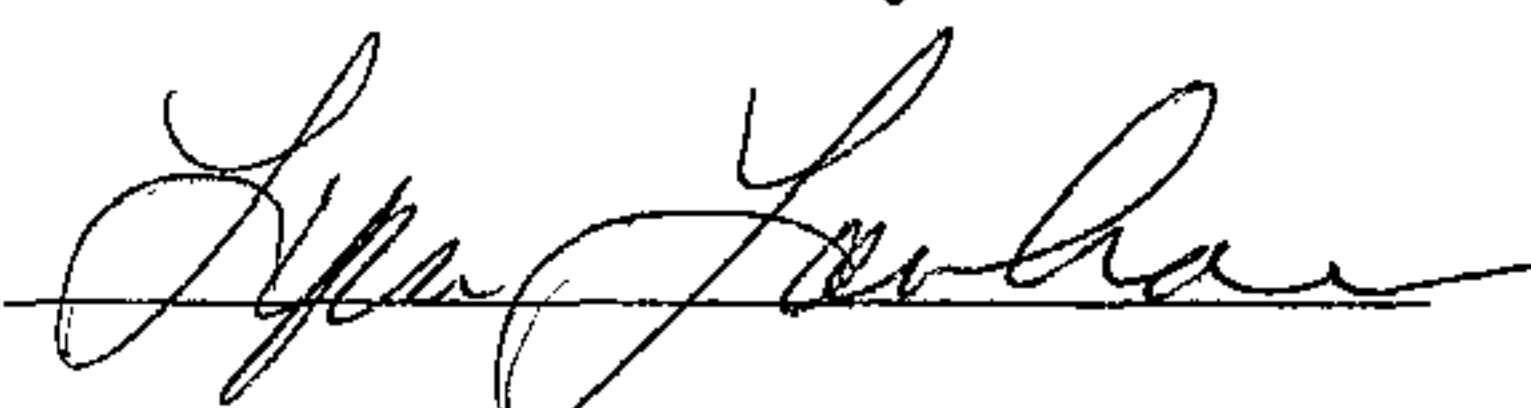
The Office of Planning is of the opinion that the petitioner's request would create a condition that is dramatically different from other houses in the neighborhood as it would place a detached carport in the front yard of the property rather than attached to the side of the house.

There does not appear to be any legitimate practical difficulty or unreasonable hardship to justify the petitioner's request. The subject property is not unusual compared with other properties in the neighborhood. As such, this office recommends that the petitioner's request be **DENIED**.

Prepared by:



Division Chief:



AFK/LL:MAC:

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



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

Maryland Department of Transportation

Date: 10.4.04

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

RE: Baltimore County
Item No. 154 JMF

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,

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR VARIANCE * BEFORE THE
2427 Brunswick Road; N/side of Brunswick *
Road, 130' W Clyde Avenue * ZONING COMMISSIONER
13th Election & 1st Councilmanic Districts *
Legal Owner(s): Howard Bruce & * FOR
Paula Bernadette Cooper *
Petitioner(s) * BALTIMORE COUNTY
* 05-154-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

Rec'd
10/6/04
KLn

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to, Howard & Bernadette Cooper, 2427 Brunswick Road, Lansdowne, MD 21227, Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Mr Murphy :

NOV 12 2004

ZONING COMMISSIONER

We were in for our hearing
on 11-10-04 at 9am and you
so kindly held up judgment on
our case. We talked to the
planning people about relocating
the carport and as we would have
to start all over and repay all
money involved cost again I can
not pursue my efforts any further.

I will not try to have the
carport.

Thank you

Howard and Paula Cooper

11-10-04

19292 REAL PROPERTY DISPLAY BALTIMORE COUNTY 08/26/2004 PAGE 1
 ACCT NO: 13 1301130121 NAME KEY: COOPER HOWARD B
 NAME / : COOPER HOWARD B MAP : 109 NOTICE
 ADDRESS COOPER PAULA B GRID: 3 NO : 029657
 2427 BRUNSWICK RD PAR : 358 DATE : 12/30/2003
 BALTIMORE MD 21227 GEO : 80 CNTRL: 1370
 USE : R APPEAL: 02/13/2004

ASSESSMENT BULK TAX YEAR: 07/01/2004 PROCESSED: 11/22/2003
 CURRENT MARKET VALUE : 27,500 42,870 70,370
 NEW MARKET VALUE : 32,500 49,490 81,990 ASSESSOR: 0417
 ---LAND--- --BUILDING- ---TOTAL---
 PHASED-IN MARKET VALUE: 74,243 78,116 81,990
 ----2004--- ----2005--- ----2006---

TAXABLE ASSESSMENT : 74,243 73,184 0 OCCUPANCY: H
 STATE COUNTY MUNICIPAL

LOCATION:

2427 BRUNSWICK RD

F11= APPEALS

F1 = PRIMARY F4 = TRANSFERS F7 = NAME LIST F13= INTAKE SHEET
 F2 = VALUES F5 = TAX/NEW CONS F8 = NOTICE LIST F14= HISTORY
 F3 = LOCATION F6 = ENTRY SCREEN F10= PERMITS F15= NOTICE WORKSHEET

CASE NAME 2427 Brundsvick Rd.
CASE NUMBER 05-154-A
DATE 11/10/04

CASE NAME 2427 Brundsvick Rd.
CASE NUMBER 05-154-A
DATE 11/10/04

[illegible]

CASE NAME 2427 Brunswick Rd
CASE NUMBER 05-154-A
DATE 1/10/04

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Bob	10723-Folkstone Way	Woodstock, MD. 21163	yellowpumpkins@aol.com

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 2427 Brunswick Rd SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

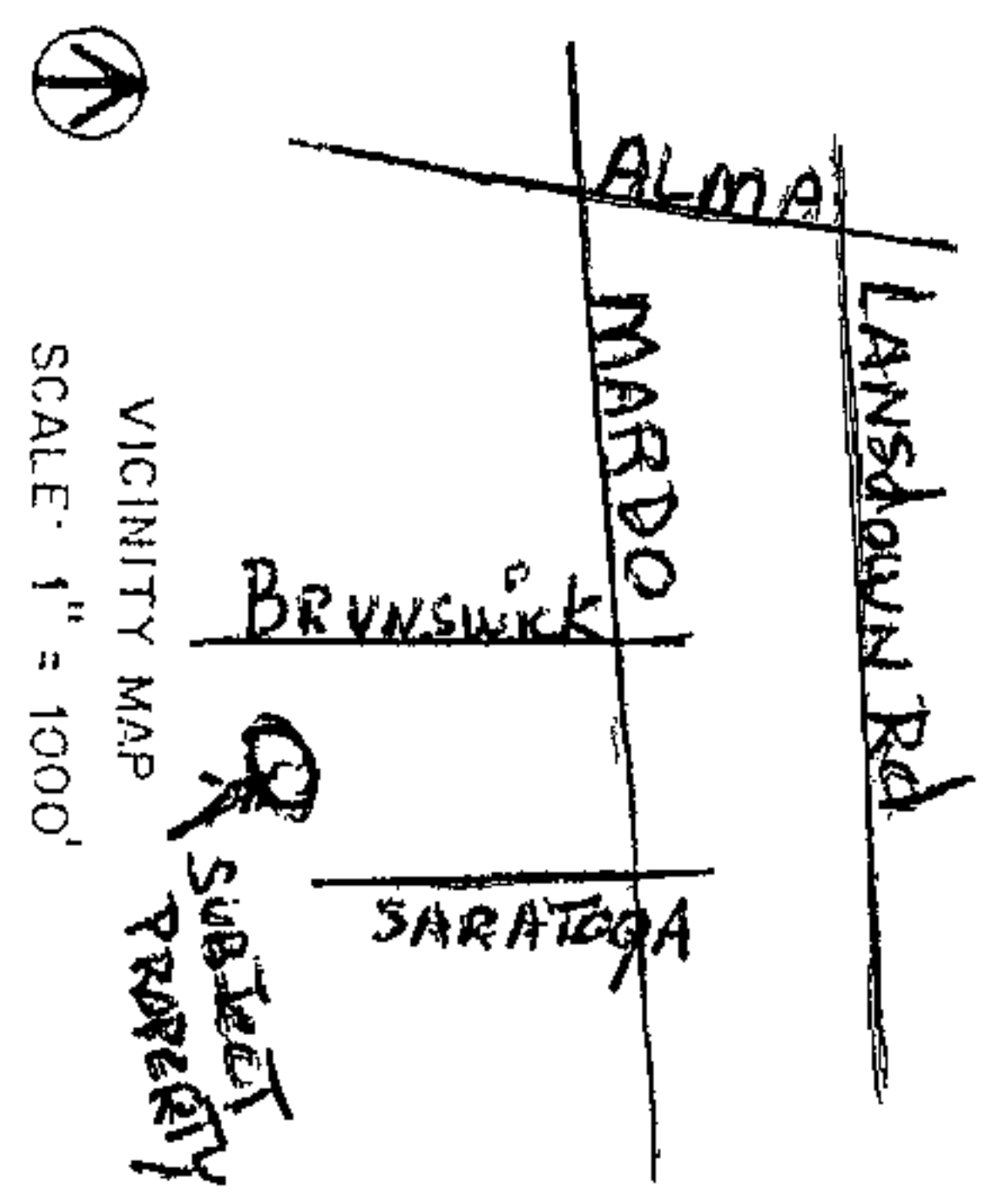
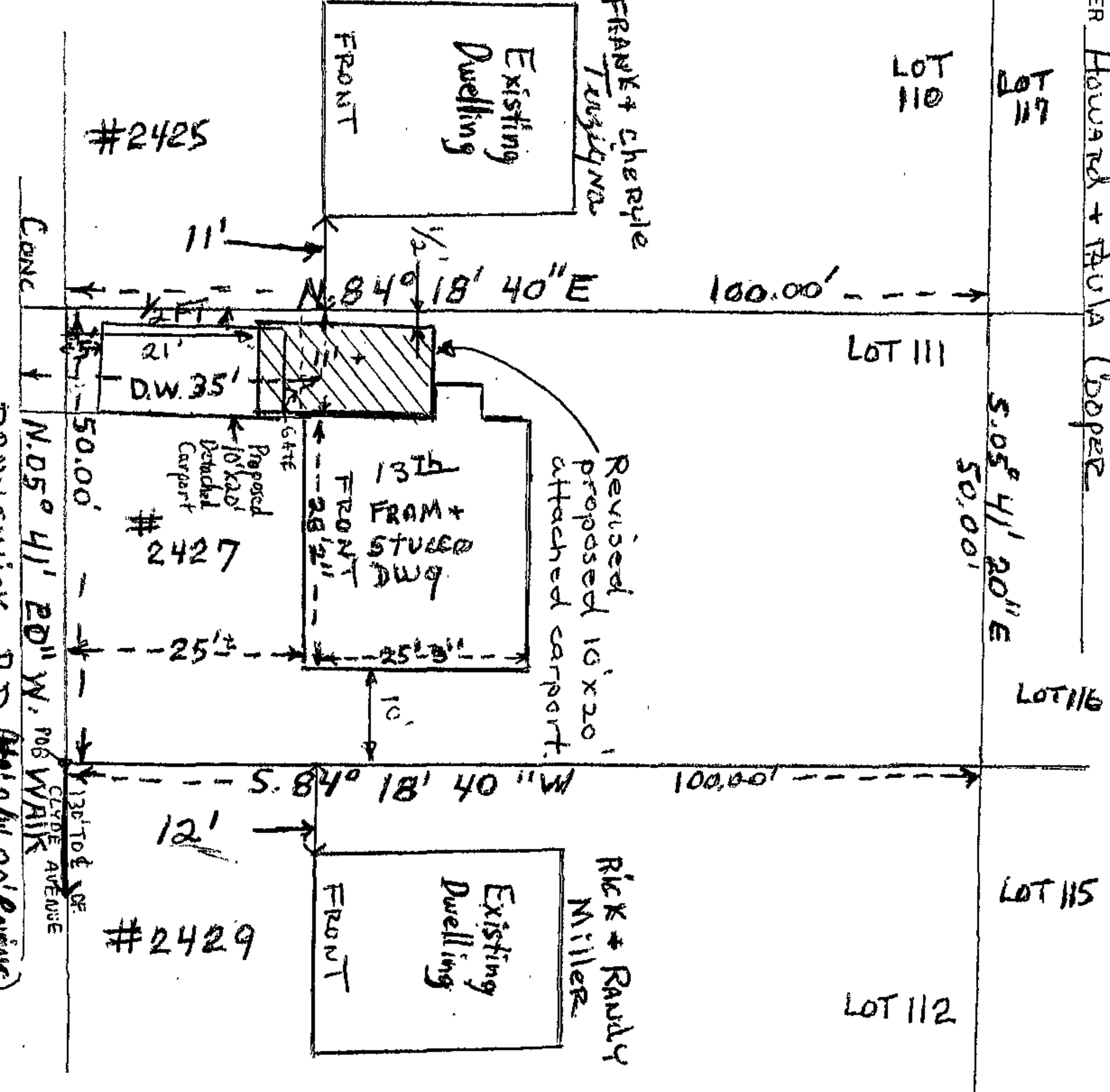
SUBDIVISION NAME HIGHLAND, BACTO.

Co. G.L.B. PLAT BOOK # 19 FOLIO # 13 LOT # III SECTION #

OWNER Howard + Paula Cooper



PREPARED BY Howard Bruce Cooper SCALE OF DRAWING: 1" = 20'



SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 13

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # SW-S-B

ZONING DR S, S (Formerly "A" Residential)

LOT SIZE 1147842 5000

ACREAGE 5000 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

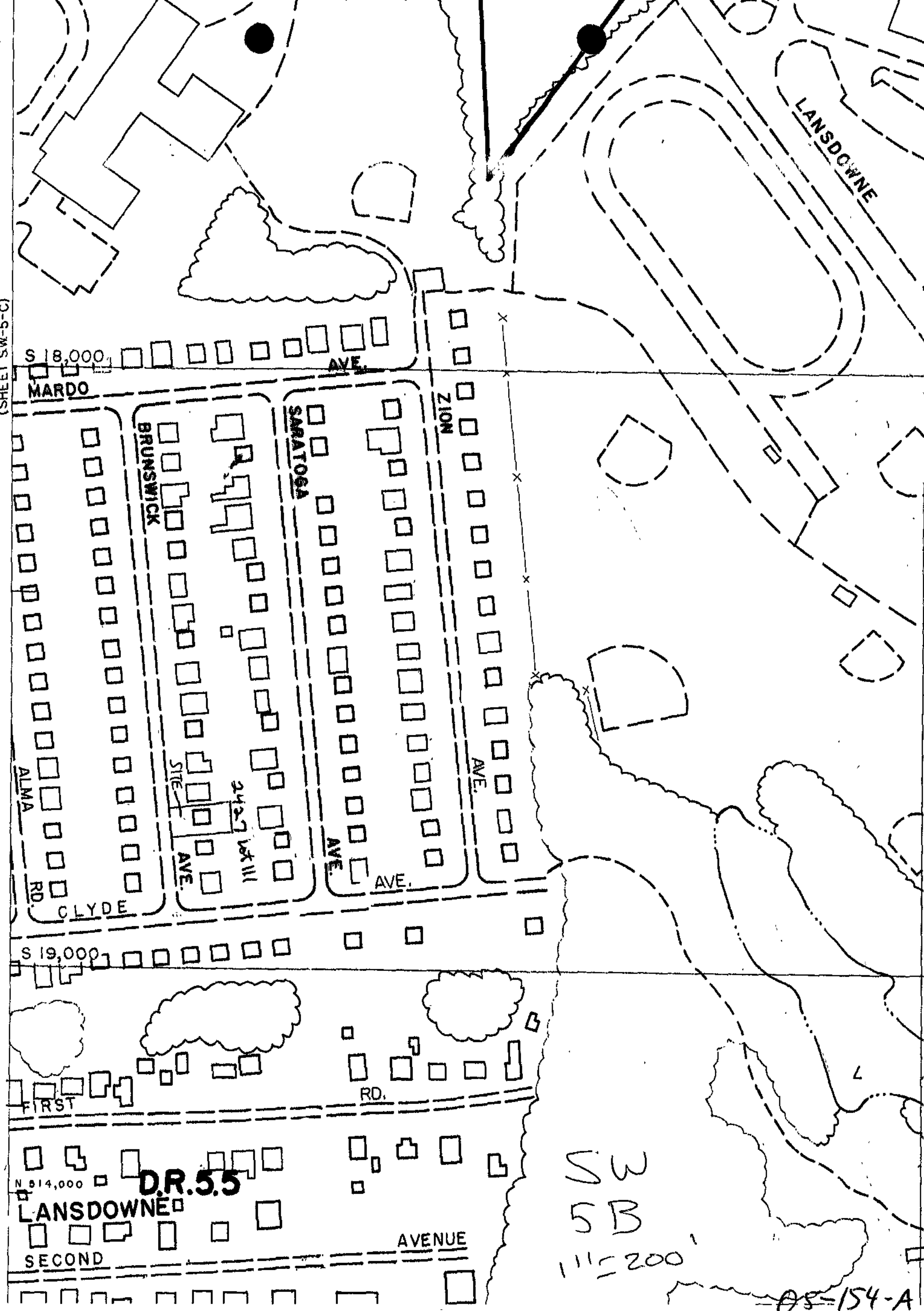
100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY / BUILDING ☐ ☒

PRIOR ZONING HEARING VIOLATION CASE # NONE 02-1767

ZONING OFFICE USE ONLY
REVIEWED BY JWP ITEM # 154 CASE # 105-154-A

(SHEET SW-5-C)



S 18,000
Mardo

Ave.

Brunswick

Saratoga

Zion

Ave.

Ave.

Ave.

Alma

Rd.

Clyde

S 19,000

First

Rd.

N 514,000

D.R. 5.5

Lansdowne

Second

Avenue

Lansdowne

SW
5B

111-200

08-154-A

To Whom It May Concern:

I Rick Miller and Randi Miller the residents of 2429 Brunswick Rd. see that there is no problem with my neighbors Howard and Paula Cooper putting up a portable car port in their yard. I also helped Mr. Howard Cooper in installing the car port the first time.

THANK YOU,

Rick E Miller Sr.
Randi D Miller 9/16/04

Phyllis L. Torbeck 9-16-04
NOTARY.

PHYLLIS L. TORBECK
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 01, 2005

Ret 3A

September 8, 2004

To Whom It May Concern:

We being the homeowners of 2426 Brunswick Rd. have no objections to a carport being installed at 2427 Brunswick Rd.

Kristy L. Rush 9-8-04
Kristy L. Rush Date

Christopher P. Rush 9-8-04
Christopher P. Rush Date

Kristy L. Rush
Christopher P. Rush
2426 Brunswick Rd.
Baltimore, MD 21227

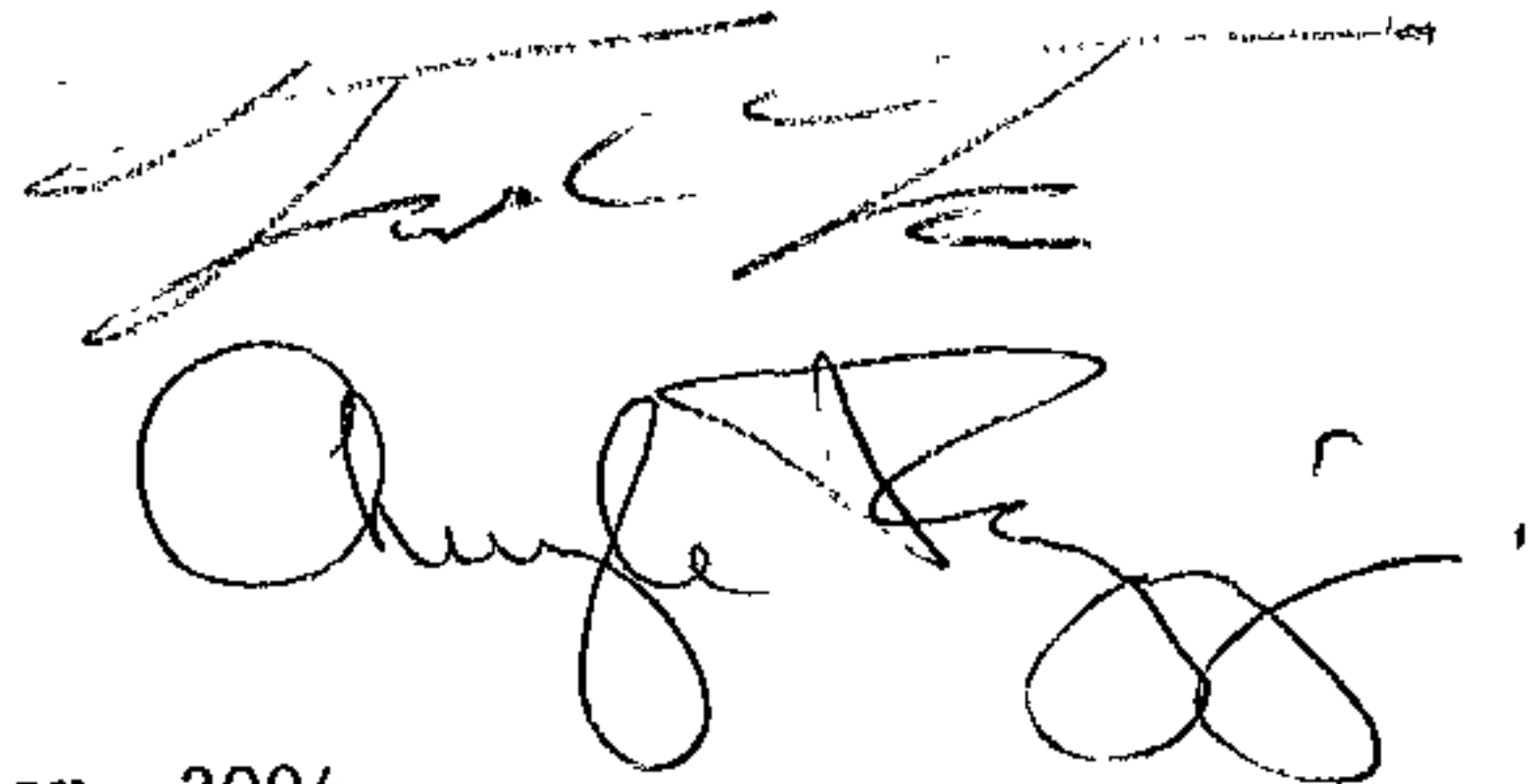
38

To Whom It May Concern:

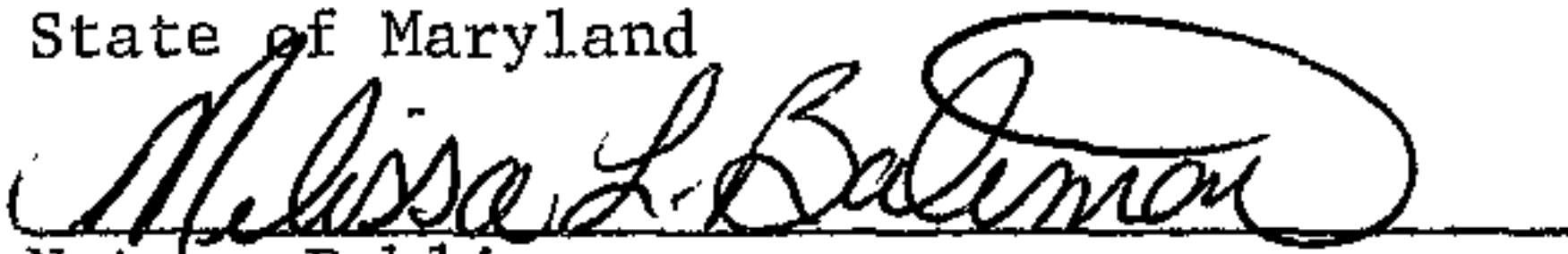
We saw the detached carport in the Coopers' driveway before it had to be taken down that was built for Paula's car.

We feel everything was just fine and we have no problem with this at all.

Frank Terzigni
Cheryle Terzigni
2425 Brunswick Rd.



Signature notarized on 2nd day of September, 2004
In the county of Anne Arundel Co.
State of Maryland



Notary Public

My commission expires 5/1/2006

30

SETON MEDICAL GROUP AT KINGS CONTRIVANCE

8325 GUILFORD ROAD

SUITE E

COLUMBIA, MARYLAND 21046

PHONE: (410) 564-0000

LYNN ALONSO, M.D.
INTERNAL MEDICINE

10/27/03

To Whom It May Concern,

Paula Cooper is under care for
severe disc-related back disease.

This necessitates a leg brace for
foot drop, and chronic pain management.

She has been advised to avoid
situations such as being outdoors in
bad weather without proper safeguards
against falls.

Sincerely,

Lynn Alonso M.D.

Pet 4

MVA Disability Parking Certification

Soundex Number: C160676085807

Disability Code: 3

Placard/Plate Expiration Date: Jun 2008

Certification Expiration Date: Jun 2008

Name: PAULA BERNADETTE COOPER

Address: 2427 BRUNSWICK RD

BALTIMORE, MD 21227-0000

Date of Birth: 10/19/1950

Sex: F

MVA
Motor Vehicle Administration

Pat #5



Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204

*Photographs
05-154-A*

NOT

NOT

NOT

NOT



Back yard showing NO alley
our chain link fence + The Privacy
Fence of Neighbor's back yard
The two yard meet at fence line

2427 Brunswick Rd

2E



Pitane Showers

Side properties of ²⁴²²2427 Brunswick ^{Td}

+ 2429 Brunswick Td (on Right)
(The Millers)

2422

2429

2A



Picture showing Walk-in side
shed and entrance to main House

Fence separating property line
of 2427 Brunswick Rd & Neighbor at
2425 Brunswick Rd on side of
2427 Brunswick Rd's House

2D



Picture showing Front's
of - on left 2427 Brunswick Rd
and 2429 Brunswick Rd on Right
(The Miller's)

28



Picture showing front of
Both 2425 Brunswick Rd on left
and and 2427 Brunswick Rd

+
Driveway where

unattached Carport hopes to be
put up. (Steps were removed on Right to)
Help my wife get to House

2425 Brunswick Rd is the Tergigni's
2c