IN RE: PETITION FOR VARIANCE
SE/S of Philadelphia Road, 49 ft. SW
centerline of Rosewick Avenue
15th Election District
7th Councilmanic District
(7021 Philadelphia Road)

(7931 Philadelphia Road)

Edward Lee Burns Petitioner \* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 05-488-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 owner of the subject property, Edward Lee Burns. The variances requested are for property located at 7931 Philadelphia Road in the eastern area of Baltimore County. The variance requests are from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

- (1) from Section 255.2 (243.1), to allow a front yard setback of 30 ft. in lieu of the required 75 ft.;
- (2) from Section 255.2 (243.2), to allow side yard setbacks of 5 ft. and 32 ft. in lieu of the required 50 ft.; and
- (3) from Section 255.2 (243.3), to allow a rear yard of 46 ft. in lieu of the required 50 ft.

The property was posted with Notice of Hearing on April 25, 2005, 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 April 26, 2005 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 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

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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 submitted by the State Highway Administration dated April 11, 2005, a copy of which is attached hereto and made a part hereof. In addition, a ZAC comment was submitted by the Office of Planning dated April 27, 2005, a copy of which is attached hereto and made a part hereof.

#### **Interested Persons**

Appearing at the hearing on behalf of the variance request were David Billingsley, Edward Lee Burns, Petitioner and Robert Infussi of Expedite, LLC who represented the Petitioner. David Van Metre, Jr. appeared at the hearing as an interested citizen and represented an adjacent industry. 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 0.308 acres, more or less and is zoned ML. The property is vacant, nearly triangular in shape and has access to Rt. 7, Philadelphia Road. The Petitioner would like to build a 30 ft. x 50 ft warehouse as shown on Petitioner's Exhibit 1. Mr. Billingsley pointed out that if the ML zoning regulations were strictly enforced there is no place on the property to erect

a building. He noted that the requested 30 foot front yard setback from Rt. 7 is from the existing 60 ft. right-of-way. However the SHA indicated in its comments that the State requests an additional 10 feet of dedication from this property owner for an ultimate 80 foot right-of-way. He indicated that he did not see the need to amend the request for front yard set back from 30 feet to 20 feet as the State has no plans to actually widen the highway. Should the widening occur he will deal with the variance at that point.

Mr. Billingsley indicated that the Spivey Industrial Park borders the property on the west and south. Mr. Van Metre's recycling business is located to the south at 7921 Philadelphia Road. To the east is a single-family dwelling at 7933 Philadelphia Road which Mr. Burns indicated was rented, has an upholstery shop behind it and is zoned BL-AS. He indicated that he discussed his proposal with the owner of 7933 Philadelphia Road who had no objection to the requests. Further to the east is a bar at 8100 Philadelphia Road. Across Philadelphia Road are single-family homes. Mr. Billingsley indicated that the Petitioner would comply with the Planning Office and State Highway Administration comments.

## Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure. The lot is almost triangular in shape which means the setback requirements of the ML zoning regulations impact this property differently than other in the neighborhood. I also find that strict enforcement of the regulations would result in practical difficulty for the Petitioner. Because the property is within 100 feet of a street abutting a residential zone boundary across Philadelphia Road, the setback requirements of the MR zoned apply. Section 243 then specify the setbacks. Using the MR setbacks, literally there is no area on the lot which

can be used for the underlying ML uses allowed by right. This is due to the triangular shape of the property.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in a manner as to grant relief without injury to the public health, safety and general welfare. The property to the east is zoned BL-AS but has one residential use. Across the road, there are single-family dwellings. As mentioned at the hearing, if this were a rezoning process, one might consider changing the zoning on this property to RO to provide a residential looking transition for the residential properties across the road. The Planning Office is trying to accomplish the same effect by recommending the building look residential as shown by their comments. They also protect the dwelling to the east by the fencing and landscaping even if zoned BL-AS. It appears to me that they may accomplish this transition by following their recommendations even if the zoning remains the same ML. Therefore, I find the proposal will not have a negative effect on the community.

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 Petitioner, I find that the Petitioner's variance request should be granted subject to the Office of Planning and State Highway Administration comments.

THEREFORE, IT IS ORDERED, this <u>12</u> day of May, 2005, by this Deputy Zoning Commissioner, that the Petitioner's requests for variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

- (1) from Section 255.2 (243.1), to allow a front yard setback of 30 ft. in lieu of the required 75 ft.;
- (2) from Section 255.2 (243.2), to allow side yard setbacks of 5 ft. and 32 ft. in lieu of the required 50 ft.; and
- (3) from Section 255.2 (243.3), to allow a rear yard of 46 ft. in lieu of the required 50 ft.

be and they are hereby GRANTED, subject, however, to the following restrictions, which are conditions 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;
- 2. Compliance with the ZAC comments made by the State Highway Administration dated April 11, 2005, a copy of which is attached hereto and made a part hereof;
- 3. Compliance with the ZAC comments made by the Office of Planning dated April 27, 2005, a copy of which is attached hereto and made a part hereof; and
- 4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

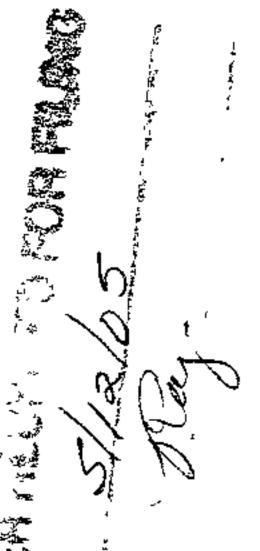
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHNV. 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 William J Wiseman III, Zoning Commissioner

May 12, 2005

Mr. Edward Lee Burns 4519 Forest View Avenue Baltimore, Maryland 21206

> Re: Petition for Variance Case No. 05-488-A Property: 7931 Philadelphia Road

Dear Mr. Burns:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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
John V. Murphy
Deputy Zoning Commissioner

JVM:rai Enclosure

c: David Billingsley, 601 Charwood Court, Edgewood, MD 21040 Robert Infussi, Expedite, LLC, P. O. Box 1043, Bel Air, MD 21014 David Van Metre, Jr., 7921 Philadelphia Road, Baltimore, MD 21237



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



# Betition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 7931 PHILADELPHIA ROAD which is presently zoned ML

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)

255.2 (243.1) TO ALLOW A FRONT YARD SETBACK OF 30 FEET IN LIEU OF THE REQUIRED 75 FEET; SECT. 255.2 (243.2 ) TO ALLOW SIDE YARD SETBACKS OF 5 FEET AND 32 FEET IN LIEU OF THE REQUIRED 50 FEET; SECT. 255.2 (243.3 ) TO ALLOW A REAR YARD OF 46 FEET IN LIEU OF THE REQUIRED 50 FEET

of the Zoning Regulations of Baltimore County to the zoning law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

# IT IS IMPOSSIBLE TO IMPROVE THE SUBJECT PROPERTY WHILE MAINTAINING THE REQUIRED FRONT, SIDE, AND REAR YARDS

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):

Name - Type or Print		Nam	e - Type or Print		
Signature		<del></del>	Signature		
Address	<u>.                                    </u>	Telephone No	Name - Type of Print	<u></u>	
City Attorney For Petition	State	Zıp Code	Signature 45/9 FORES	ST VIEW AVE	7 (443)506-3 Telephone No
rittorric y 1 or 1 cuador.		<u>, , , , , , , , , , , , , , , , , , , </u>	Address ISALTIMOR E	MD.	2/206
Name - Type or Print		City	<b>1</b> 7	State - ha Contactod	Zip Code
Signature	<u> </u>		Representative to EXPEDITE, ROBERT INF	LLC	
Company	· · · · · · · · · · · · · · · · · · ·	······································	Name P.O.BOX 1043	<del></del> -	10) 8/2-22
Address	<del></del>	Telephone No	Address 13ELAIR	MD.	Telephone No. 2/0/4
Carty .	State	Zip Code	City	State	Zip Code
			OFF1	CE USE ONLY	
Case No	488-A		ESTIMATED LENGTH OF	HEARING	<del></del>
REV 9/15/98		Reviewed By	UNAVAILABLE FOR HEAD	e 3/28/05.	<u> </u>

# DESCRIPTION TO ACCOMPANY ZONING PETITION

# 7931 PHILADELPHIA ROAD

Beginning for the same at a point in the center of Philadelphia Road, Md. Route 7 (60 feet wide) said point being distant southwesterly 49 feet from it's intersection with the center of Rosewick Avenue (30 feet wide), thence (1) S 28°44′30″E 163.89 feet, thence (2) S 73°54′53″W 34.53 feet, thence (3) N 62°22′07″W 186.05 feet, thence (4) N 60°40′02″E 136.73 feet to the place of beginning.

Containing 13,424 square feet or 0.308 acre, more or less.

Being known as 7931 Philadelphia Road. Located in the 15<sup>th</sup> Election District, 7<sup>th</sup> Councilmanic District of Baltimore County, Maryland.

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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: #05-488-A
7931 Philadelphia Road

S/east side of Philadelphia Road, 49 feet s/west of Rosewick Avenue

15th Election District - 7th Councilmanic District

Legal Owner(s): Edward Lee Burns

Variance: to allow a front yard setback of 30 feet in lieu of the required 75 feet, to allow side yard setbacks of 5 feet and 32 feet in lieu of the required 50 feet and to allow a rear yard of 46 feet in lieu of the required 50 feet.

Hearing: Tuesday, May 19, 2005 at 11:98 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM J.WISEMAN, III 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.

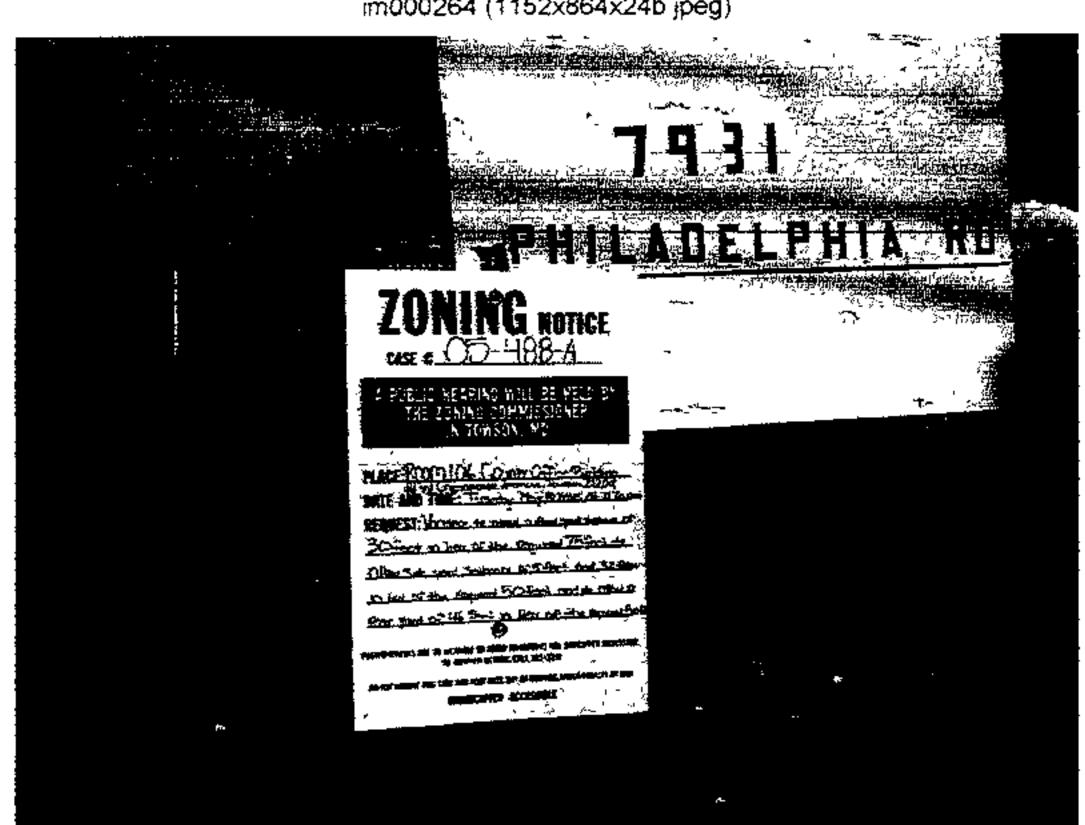
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 4/796 April 26

# CERTIFICATE OF PUBLICATION

4/27/,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on4   26  20_05.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings
LEGAL ADVERTISING

m000264 (1152x864x24b jpeg)



1 vaiting 4/25/05

# CERTIFICATE OF POSTING

RE:Case No. 05-488-A

	Petitioner/Developer: EDWALD
	LEE BUENS
	Date of Closing/Hearing: 5/10/05
Baltimore County Department of Permits and Development Management County Office Building, Room 111 West Chesapeake Avenue	
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the penaltic sign(s) required by law were posted con at	es of perjury that the necessary spicuously on the property  I PHILADELPHIA ED.
This sign(s) were posted onAmil Month	25, 2005 n, Day, Year
Since	rely,
	Sign Poster and Date  Martin Ogle  5016 Castlestone Drive  Baltimore Maryland 21237

TO: PATUXENT PUBLISHING COMPANY

Tuesday, April 25, 2005 Issue - Jeffersonian

Please forward billing to:

Edward Burns 4519 Forest View Ave Baltimore, MD 21206 443-506-9040

#### **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: 05-488-A

7931 Philadelphia Road

S/east side of Philadelphia Road, 49 feet s/west of Rosewick Avenue

15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owner: Edward Lee Burns

<u>Variance</u> to allow a front yard setback of 30 feet in lieu of the required 75 feet, to allow side yard setbacks of 5 feet and 32 feet in lieu of the required 50 feet and to allow a rear yard of 46 feet in lieu of the required 50 feet.

Hearing: Tuesday, May 10, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204

WILLIAM J WISEMAN III

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 Permisand Development Managnent

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

April 7, 2005

# 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

CASE NUMBER: 05-488-A

7931 Philadelphia Road

S/east side of Philadelphia Road, 49 feet s/west of Rosewick Avenue

15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owner: Edward Lee Burns

Variance to allow a front yard setback of 30 feet in lieu of the required 75 feet, to allow side yard setbacks of 5 feet and 32 feet in lieu of the required 50 feet and to allow a rear yard of 46 feet in

Hearing: Tuesday, May 10, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204 Mith Rotroco

Timothy Kotroco Director

TK:klm

C: Edward Lee Burns, 4519 Forest View Ave., Baltimore 21206 Robert Infussi, Expedite, LLC, P.O. Box 1043-7403, Bel Air 21014

# NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 25, 2005.

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

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

Item Number o	r Case Number: _	05-488-A
Petitioner:	EDWARD	BURNS
Address or Loc	ation: 7 <i>931</i>	PHILADELPHIA ROAD
PLEASE FORV Name:	VARD ADVERTIS	ING BILL TO:

# Department of Permits a Development Management

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





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

May 3, 2005

Edward Lee Burns 4519 Forest View Avenue Baltimore, Maryland 21206

Dear Mr. Burns:

RE: Case Number: 05-488-A, 7931 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 28, 2005.

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, Call Rilad S

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Expedite, LLC. Robert Infussi P.O. Box 1043-7043 Belair 21014



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

April 14, 2005

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

ATTENTION: Zoning Review planners

Distribution Meeting of: April 11, 2005

Item No.: 487 488 489, 490, 491, 493, 493, 495, 496, 497, 502, 503

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Acting Lieutenant William F Connolly, Jr. Lieutenant Franklin J. Cook Fire Marshal's Office (0)410-887-4881 (C)443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 18, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 18, 2005 Item No. 485, 486, 487, 488, 490, 491, 492, 494, 495, 497, 498, 499, 501, 503,

and 504

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

DAK:CEN:clw cc: file

ZAC-NO COMMENTS-04182005.doc



# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

RECEIVED

**DATE:** April 27, 2005

APR 2 7 2005

ING COMMISSIONER

**SUBJECT:** 

7931 Philadelphia Road

**INFORMATION:** 

Item Number:

5-488

Petitioner:

Edward Lee Burns

Zoning:

ML

Requested Action:

Variance

#### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

- 1. Provide building elevations (all sides) of the proposed structure to this office for review and approval. The front façade facing Philadelphia Road shall be design so as to appear like a residential structure. The façade that faces the 4 parking spaces shall include residential type windows and shall not be left as a blank wall.
- 2. Provide landscaping along Philadelphia Road. Eliminate the proposed 6-foot high screen fence.
- 3. Install a 6-foot high board-on-board fence along the side property line adjacent the existing dwelling at 7933 Philadelphia Road. However, the fence shall not be forward of the front building wall of the dwelling. Landscaping shall be provided forward of the front building wall but shall not obstruct traffic view from the driveway of the dwelling.

For further information concerning the matters stated herein, please contact Amy Mantay at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL:MAC:



TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

May 24, 2005, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of April 11, 2005

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

05-486

05-488

05-490

05-494

05-495

05**-**496 05**-**498

05-500

05-501

05-504

Reviewers: Sue Farinetti, Dave Lykens

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



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

Robert L Flanagan, Secretary Neil J Pedersen, Administrator

Maryland Department of Transportation

RE:

Date: 4.8.05

Baltimore County

Item No. 487

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

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.

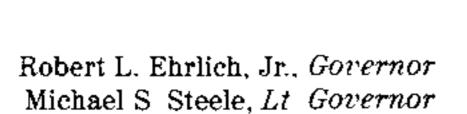
Should you have any questions regarding this matter please contact Larry Gedlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

1. J. Sall

Engineering Access Permits Division





Robert L Flanagan, Secretary Neil J. Pedersen, Administrator

April 11, 2005

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

RE: Baltimore County Item No. 488 (JNP) MD 7 7931 Philadelphia Road Mile Post 0.83

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval of the Variance.

However, we will require the owner/developer to obtain an access permit from our office and as a minimum the following mat be required:

- The development will be restricted to one entrance point on MD 7.
- Coordination with our Community Design Division will be required for our proposed streetscape improvements to MD 7.
- Hydraulic analysis may be required.
- Highway widening dedication to an ultimate 80' R/W.
- A historical and archeological review will be conducted by our Office of Planning and Preliminary Engineering.

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Should you require any additional information regarding this subject, please contact Larry Gredlein at 410-545-5606 or by E-mail (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits Division

 RE: PETITION FOR VARIANCE
7931 Philadelphia Road; SE/side Philadelphia
Road, 49' SW Rosewick Avenue
15<sup>th</sup> Election & 7<sup>th</sup> Councilmanic Districts
Legal Owner(s): Edward Lee Burns
Petitioner(s)

Per.

BEFORE THE

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

\* 05-488-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 and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED 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 11<sup>th</sup> day of April, 2005, a copy of the foregoing Entry of Appearance was mailed to, Robert Infussi, Expedite, LLC, P.O. Box 1043-7043, Bel Air, MD 21014, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 1931 MILLANCE CASE NUMBER 05. 488 A

# PETITIONER'S SIGN-IN SHEET

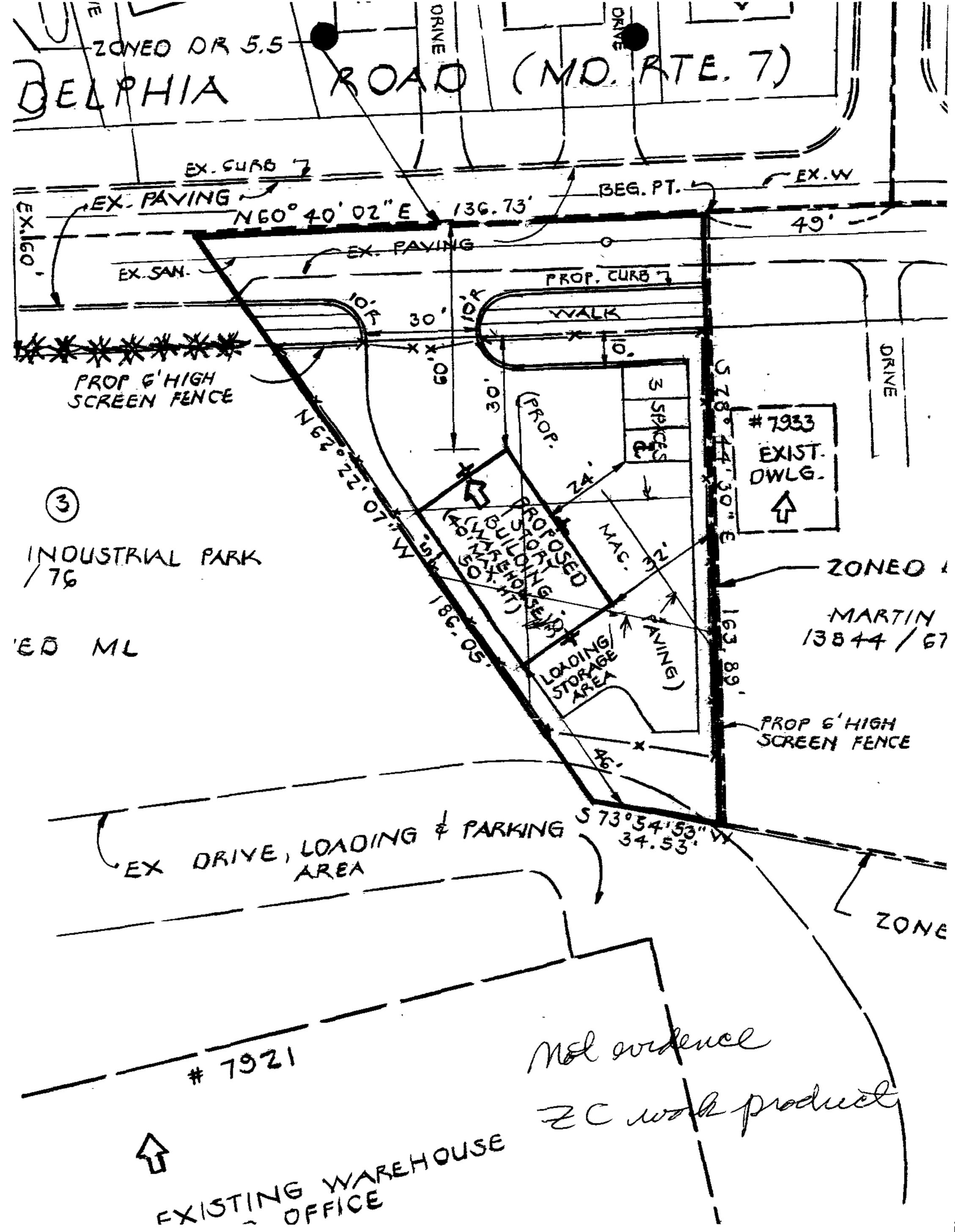
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SS	4519 CHARMOOD CT.	Rox 1043								
NAME	D. BILLINGSLET	805 Ins.								

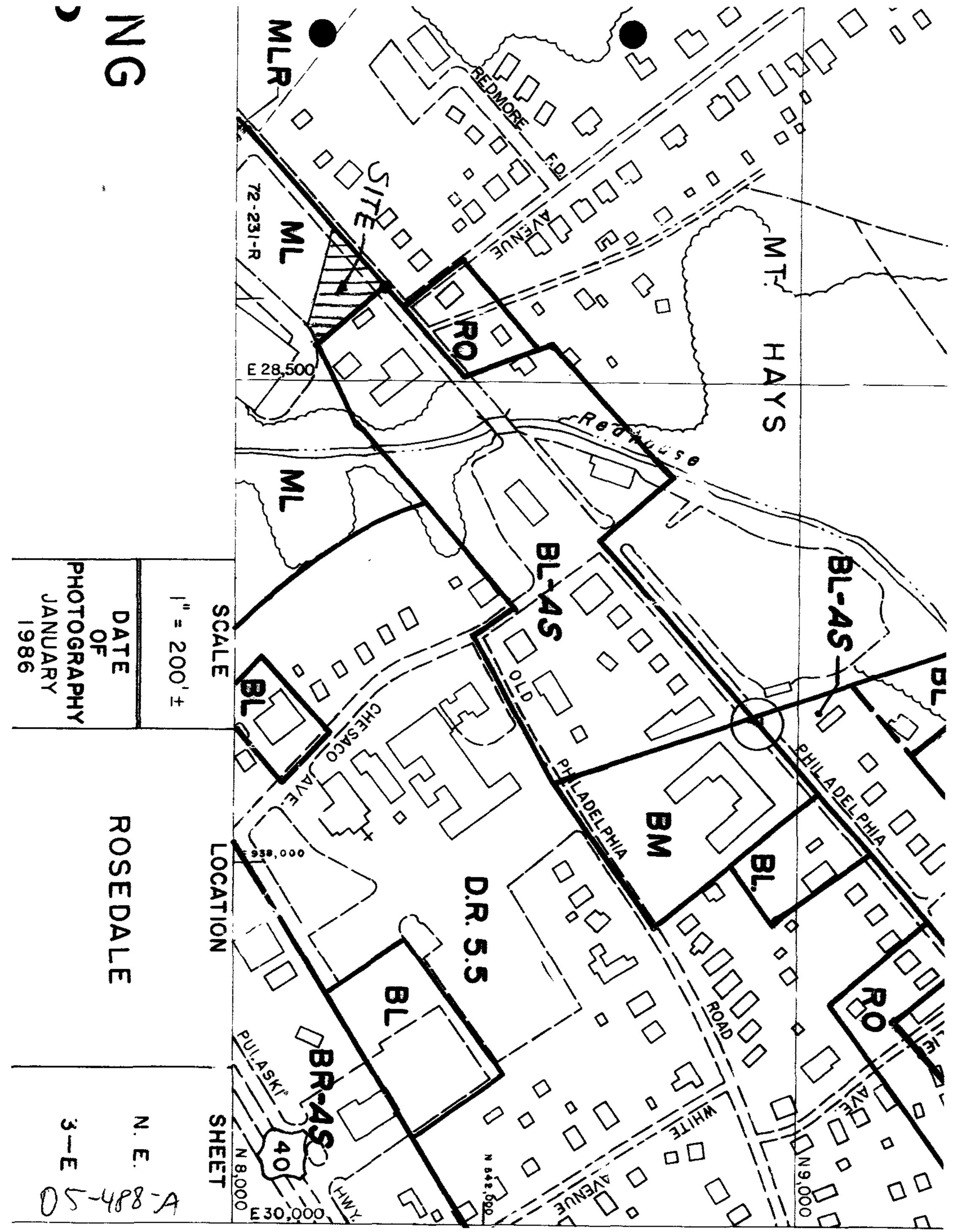
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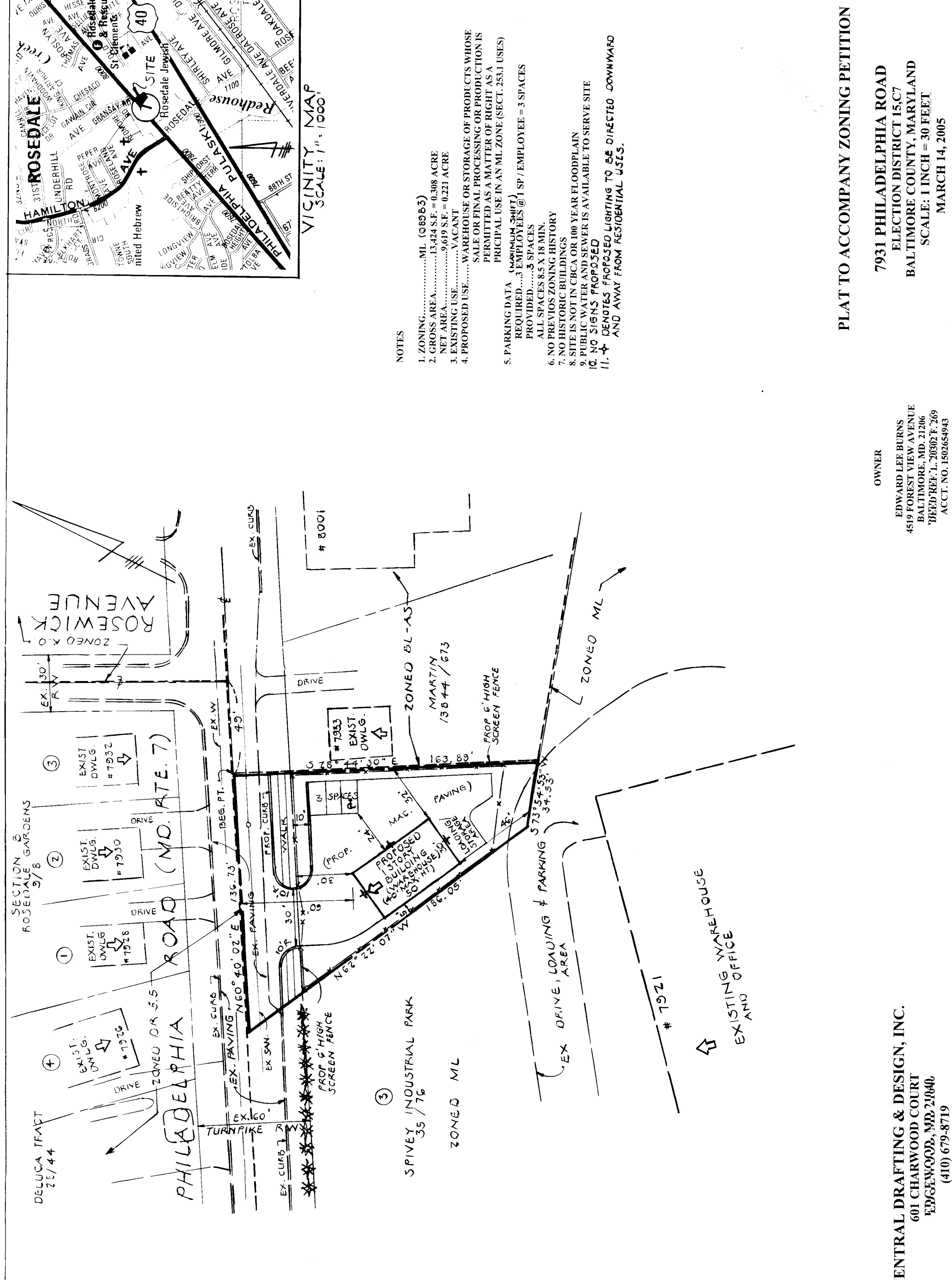
CASE NAME 1931 Miladelpha Rd CASE NUMBER 05-288-A DATE 5/10/05

# CITIZEN'S SIGN-IN SHEET

E- MAIL	davidin harring & verizor, ne									
	21277									
Y, STATE, ZIP	SA CA									
CIT.	Beltimore									
ADDRESS	7921 Philade phia Rd									
	2				+	! ! !				
NAME	Mid Ven Metre Jr.									







14, 2005