

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Perry Ridge Court, 381 ft. E
centerline of White Marsh Road
14th Election District
6th Councilmanic District
(19 Perry Ridge Court)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-590-A

Brenda & Rosario Cavallaro
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, Brenda and Rosario Cavallaro. The variance request is for property located at 19 Perry Ridge Court in the eastern area of Baltimore County. The variance request is from Sections 1BU1.2.C.2.A of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.5.2 and V.B.5.b and V.B.6.b (1971-1992 CMDP), to permit a proposed building addition on an existing deck with window to tract boundary setbacks of 24 ft., and windows to property line setbacks of 9 ft. and building tract boundary setbacks of 24 ft. all in lieu of 35 ft., 15 ft and 30 ft. respectively, and to amend the Final Development Plan of "Richter Property" for Lot #10. 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 May 17, 2005, 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 32-3-303 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

FILED
6/8/05
By [Signature]

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 upon the Petitioners.

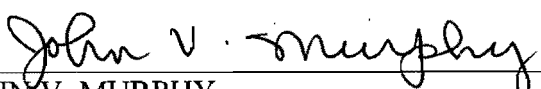
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 8 day of June, 2005, that a variance from Sections 1BU1.2.C.2.A of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.5.2 and V.B.5.b and V.B.6.b (1971-1992 CMDP), to permit a proposed building addition on an existing deck with window to tract boundary setbacks of 24 ft., and windows to property line setbacks of 9 ft. and building tract boundary setbacks of 24 ft. all in lieu of 35 ft., 15 ft and 30 ft. respectively, and to amend the Final Development Plan of "Richter Property" for Lot #10, 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.

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

ORDER RECEIVED FOR FILING

6/8/05

By 

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

June 8, 2005

Mr. & Mrs. Rosario Cavallaro
19 Perry Ridge Court
Baltimore, Maryland 21237

Re: Petition for Administrative Variance
Case No. 05-590-A
Property: 19 Perry Ridge Court

Dear Mr. & Mrs. Cavallaro:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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



DR 16



ORIGINAL
FORMS

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 19 Perry Ridge Ct 21237
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1BUI.2.C.2.A, V.B.5.2, AND

V.B.5.b, and V.B.6.b (1971-1992 BCZ RAND CMDP) TO Permit a proposed building Addition on an existing deck with window to TRACT Boundary setbacks of 24ft and windows to property line setbacks of 9ft + building tract boundary setbacks of 24ft all in lieu of 35ft, 15ft and 30ft respectively and to amend the final development plan of RICHTER PROPERTY FOR Lot #10

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

ROBARTO CAVALLARO
Name - Type or Print _____
Rosario Cavallaro
Signature _____
BRENDA CAVALLARO
Name - Type or Print _____
Brenda Cavallaro
Signature _____
19 Perry Ridge Ct (H10) 663-9150
Address _____ Telephone No. _____
Balto MD 21237
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ 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, 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.

CASE NO. 05 590 A

REV 10/25/01

Zoning Commissioner of Baltimore County
Reviewed By JL Date 5/16/05
Estimated Posting Date 5/27/05

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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

19 Perry Ridge Ct
Address
Balto Md 21237
City State Zip Code

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

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

Rosario Cavallaro
Signature
ROSARIO CAVALLARO
Name - Type or Print

Brenda Cavallaro
Signature
BRENDA CAVALLARO
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Diane Healey
Notary Public

My Commission Expires DIANE HEALEY

AFFIDAVIT ATTACHMENT

(3)

STAPLE
TO AFFIDAVIT

We have an existing deck on rear of house & would like to add room with windows. Deck was constructed by previous owner, & location can not be changed. Window property setback requires room can not be met for side or rear (Inlet Boundary) Setback attempt would cause to be impractical & hardships.

~~Survey~~ Survey Description
19 PERRY RIDGE COURT.

BEGINNING AT A POINT ON THE SOUTH SIDE OF PERRY
RIDGE COURT A 50 FT. RIGHT OF WAY AT A DISTANCE OF
381 FT. $\pm$ EAST OF WHITEMARSH ROAD A 60 FT. RIGHT OF WAY,
BEING LOT # 10 IN THE SUBDIVISION OF RICHTER PROPERTY
RECORDED IN PLAT BOOK 61 PAGE 137
LOT SIZE $\overset{0.33 \text{ AC} \pm}{\text{10,000 SQ FT} \pm}$ ED. 14, CD. 6.

590

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 442423

DATE 5/11/03 ACCOUNT 2010066130

AMOUNT \$ 130.00

RECEIVED
FROM Carroll

FOR Almond Pop + Wines

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ADDRESS

DATE RECEIVED

BY (NAME)

RECEIPT #

AMOUNT

RECEIVED AT

DATE

BY (NAME)

RECEIPT #

AMOUNT

RECEIVED AT

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BY (NAME)

RECEIPT #

AMOUNT

RECEIVED AT

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-590-A

Petitioner/Developer: ROSARIO

BRENDA CAVALLARO

Date of Hearing/Closing: JUNE 2, 2005

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:

19 PERRY RIDGE CT

The sign(s) were posted on

5/17/05
(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

5/18/05
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

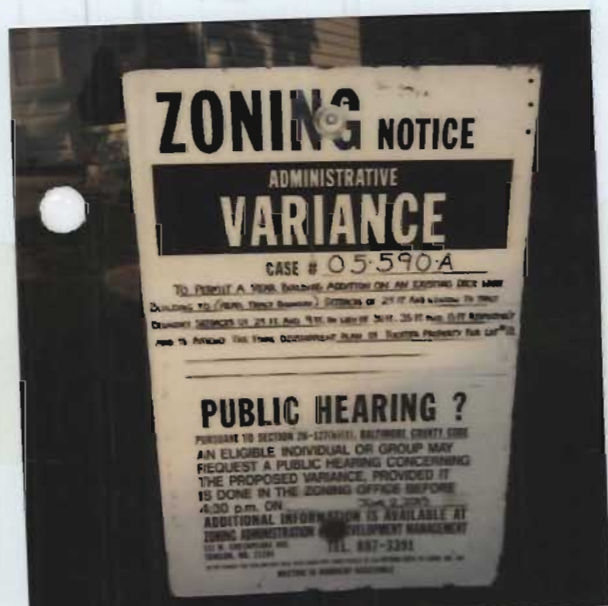
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT
5/16/05 TO PICK UP
HAVE POST LIST

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 590 -A

Address 19 Perry Ridge Court

Contact Person: John Lewis
Planner, Please Print Your Name

Phone Number: 410-887-3301

Filing Date: 5/16/05

Posting Date: 5/17/05

Closing Date: 6/2/05

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 05- 590 -A

Address 19 Perry Ridge Court

Petitioner's Name 5/17/05

Telephone 410 663 9750

Posting Date: ROSARIO & BRENDA CAVALLARO Closing Date: 6/02/05

Wording for Sign: To Permit A REAR BUILDING ADDITION ON AN EXISTING DECK WITH BUILDING
TO (REAR TRACT BOUNDARY) SETBACKS OF 24 FT AND WINDOW TO TRACT BOUNDARY SETBACKS
OF 24 FT, AND 9 FT. IN LIEU OF 30 FT, 35 FT AND 15 FT. RESPECTIVELY AND TO
AMEND THE FINAL DEVELOPMENT PLAN OF RICHTER PROPERTY FOR LOT # 10

WCR - Revised E 25/04

**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: 05 590 A
Petitioner: CAVALLARO
Address or Location: 19 Perry Ridge Ct.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr Cavallaro
Address: 19 Perry Ridge Ct
Balto Md. 21237

Telephone Number: 410 663 9750

**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*

May 31, 2005

Rosario Cavallaro
Brenda Cavallaro
19 Perry Ridge Court
Baltimore, Maryland 21237

Dear Mr. and Mrs. Cavallaro:

RE: Case Number: 05-590-A, 19 Perry Ridge Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 7, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is stylized with a large, flowing "W" and "C".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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

May 20, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 20, 2005

Item No.: 584-587, **590**, 588-594

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.

1. 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.

Insp. Tribble
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

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

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



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

Maryland Department of Transportation

Date: 5.20.05

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

RE: Baltimore County
Item No. 590 JLL

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 2, 2005

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

RECEIVED

JUN - 6 2005

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-590 and 5-592
Administrative Variance(s)

ZONING COMMISSIONER

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: ^{DAK} Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 6, 2005
Item No. 583, 584, 588, 590, 591, 592, 593

DATE: June 2, 2005

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-06022005.doc

FAX: TO BOB BLACK

590

410:282:7940

Correction of Posting Date.

Sorry about the
Confusion

JOAN L.

FOR
As We Discussed.
TODAY

From: Roberta Jameson
To: Cunningham, Mark
Subject: ZAC comments

F.Y.I., the following admin. variances need ZAC comments from the Office of Planning:

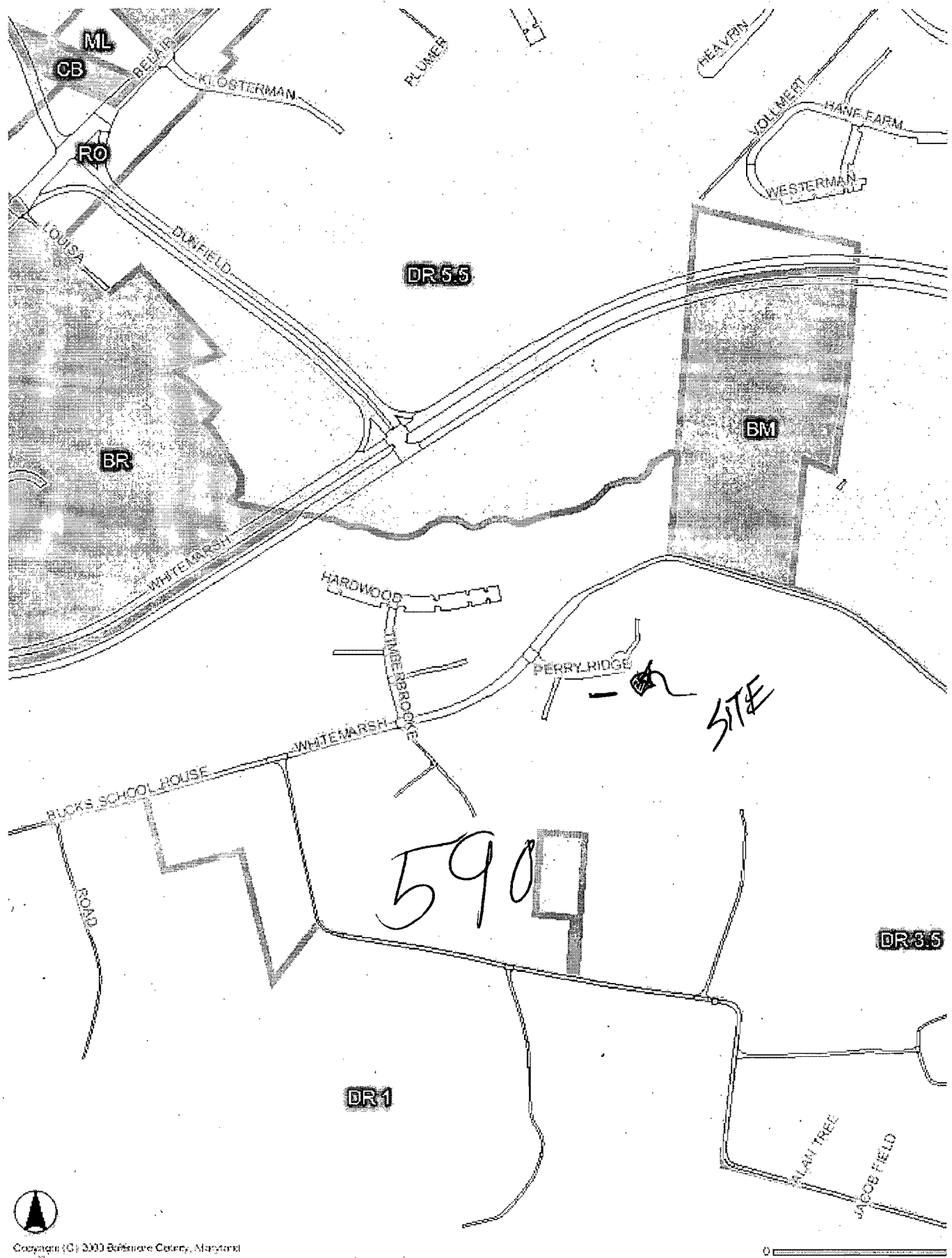
05-560-A (5/23/05 closing)
05-565-A (5/30/05 closing)
05-570-A (5/30/05 closing)
05-590-A (6/1/05 closing)

Thanks.

Robin

6/3/05

2



Copyright (C) 2003 Baltimore County, Maryland



OWNERS ROSS + BRENDA CAVALLARO.

ZONING: DR 3.5

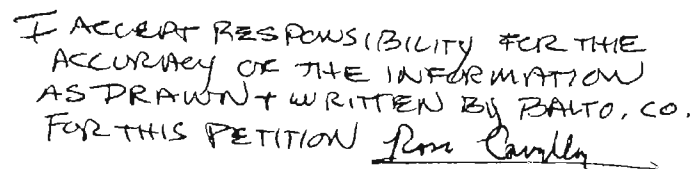
PUBLIC WATER + SEWER.

NOT CBCA.

RICHTER PROPERTY
LOT 10

PLAY BOOK 61, PAGE 137

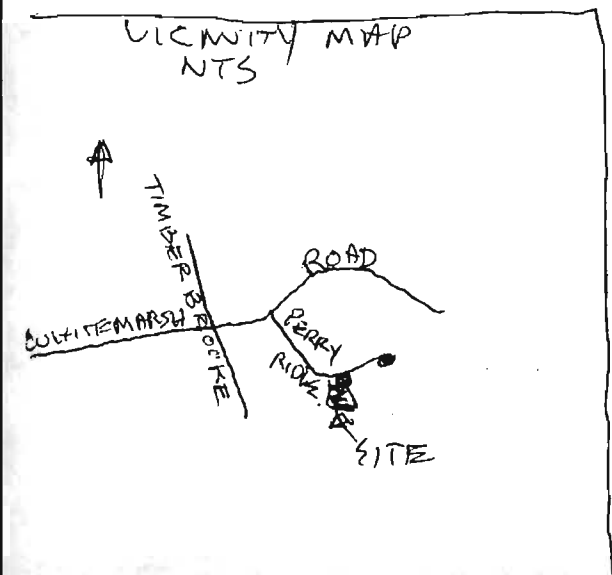
LOT SIZE, 33 AC, ±



5-13-05

PERRY RIDGE COURT
(50' RW)

~~Quelling~~ ~~the~~





→
Back of
House.
Deck in
which to be
built opp

590



→
Back of
House.
Deck in
which to be
built opp

590

Jack of
House.
Peck in
which to be
built off



590











