

Date Schreber For Firm

IN RE: PETITION FOR ADMIN. VARIANCE
North Side of Edmont Avenue, 1015' +/W of Centerline of Kenwood Avenue
14th Election District
6th Councilmanic District
(14 Elmont Avenue)

Jennifer Hampton (Claggett)

Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-398-A

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#### 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 owner of the subject property, Jennifer Hampton (Claggett). The variance request is for property located at 14 Elmont Avenue in the Overlea area of Baltimore County. The variance request is from Sections 303.1 and 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 (porch) to have a front setback to open projection of 17 feet and a side yard of 7 feet in lieu of the required 23.25 feet and 10 feet respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

#### **Zoning Advisory Committee**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 26, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In this case, 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 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.

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:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

March 21, 2006

Jennifer Hampton (Claggett) 14 Elmont Avenue Baltimore, Maryland 21206

Re: Petition for Administrative Variance

Case No. 06-398-A

Property: 14 Elmont Avenue

Dear Ms. Hampton:

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

for Baltimore County

JVM:dlw Enclosure

c: People's Counsel; Case File



## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

MARYLAND	for the pro	operty located at 14 ELMONT AVE BALTO MD 21204
		which is presently zoned DR 5.5
owner(s) of the property situate made a part hereof, hereby peti	in Baltimore County an ition for a Variance from	Permits and Development Management. The undersigned, legal and which is described in the description and plat attached hereto and a Section(s) 3031 / 1802 3.0 (BCZVZ)
TO PERMIT AN	EXISTING	SIMPLE FAMILY DWELLING WITH
ADDITION AM	o open pro	OJECTION (PORCH) TO HAVE A FRONT
SE (BACK TO	SHEW HICOSE	CHIUNDE IT MANDIN SIDETAND
10 RESPECTIV		The state of Delkinsons County, the like rehistory indicated on the book
		oning law of Baltimore County, for the reasons indicated on the back
Lor we agree to pay expenses of	above Variance, advertis	by the zoning regulations. sing, posting, etc. and further agree to and are to be bounded by the zoning regulations 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/Lesse	<u>e:</u>	<u>Legal Owner(s):</u>
Name - Type or Print		Name Type or Print / CLAGGETT)
Signature		Signature / Aug Von
Address	Telephone N	No. Name - Type or Print
City	State Zip Co	
Attorney For Petitioner:		14 ELMONT AUE 410-663-2473 Address Telephone No.
Name - Type or Print		BALTIMORE MD 21206 City State Zip Code
		Representative to be Contacted:
Signature	<u> </u>	
Company		Name Humpton
	Tolonbono N	o. Address ElMont Ave 410 663-2473 Telephone No.
Address	Telephone No	13alto MD 21206
Cit ~ Ø	State Zip Co	
de sublice Hearing having been formations day of regulations of Baltimore County and the	that the subject ma	nd to be required, it is ordered by the Zoning Commissioner of Baltimore County, atter of this petition be set for a public hearing, advertised, as required by the zoning
		Zoning Commissioner of Baltimore County
CASE NO. 06-39	98.A	Reviewed By LTM Date 7 15/06
REV 10/25/01		Estimated Posting Date 2/76/06

# Affidavit in Support of Administrative Variance

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

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.

14 ELMONT AVENUE

	~	<b>A</b> -	
	CITY	<u>MD</u> State	<u> 212</u> රු <u> </u>
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upon in or practical difficulty):	n which I/we base the reques	•
		, RECTANGULAR WIN	10 VARIATIONS,
15 IN CONSISTANT WITH	THE NEIBORHOOD	CAUSING THE VALUE	TO BE LESS.
2. THE INTERIOR  A 25" CLEARANCE BETWEE  EDITION WOULD MAKE TH  OUR ELDERLY GRANDFATHE.  3. ALL THE NEIGHB  HAVE NO OBJECTIONS.	STAIRCASE, THAT	TEP AND EXTERIOR WA	ORRENTLY
HAVE NO OBJECTIONS.			
and the state of t	1173		
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide	ormal demand is filed, additional information.	Affiant(s) will be required to	pay a reposting and
1 lanoton	3,		
Signature	Signat	ure	······································
Name - Type or Print	Name	- Type or Print	<u></u>
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:		
I HEREBY CERTIFY, this 15th day of PC of Maryland, in and for the County aforesaid, per 1800 of 1800 o	ersonally appeared	_, <u>Z</u> <u> </u>	ary Public of the State
the Affiant(s) herein, personally known or satisf	actorily identified to me	as such Affiant(s).	
AS WITNESS my hand and Notarial Seal	Notary Public	son model	
	My Commissi	1 Lilon in	
REV 10/25/01	11,5 COMMINSON		

### Zoning description for 14 Elmont Avenue, Baltimore MD 21206.

Beginning at a point on the north side of Elmont Avenue which is 50' wide at the distance of 1015'+/- west of the centerline of the nearest improved intersecting street Kenwood Avenue which is 52' wide. Being lots # 30 and 31 Block — , Section # in the subdivision of Pinehurst as recorded in Baltimore County Plat Book # 4, Folio# 94, Containing .17 acres. Also Known as 14 Elmont Avenue and located in the 14<sup>th</sup> election District, 6th Councilman District.

No.	MT (200) 000 (500)	W. CUSTOMER
BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DOWN CO. T. S. L. ACCO.	FOR.  POR.  WHITE- CASHER.  POR.  WHITE- CASHER.  PINK AGENCY  VELLO

## CERTIFICATE OF POSTING

RE: Case No.: 06 - 398 - A

Petitioner/Developer: JEUNIFER

HAMPTON CLASSETTS

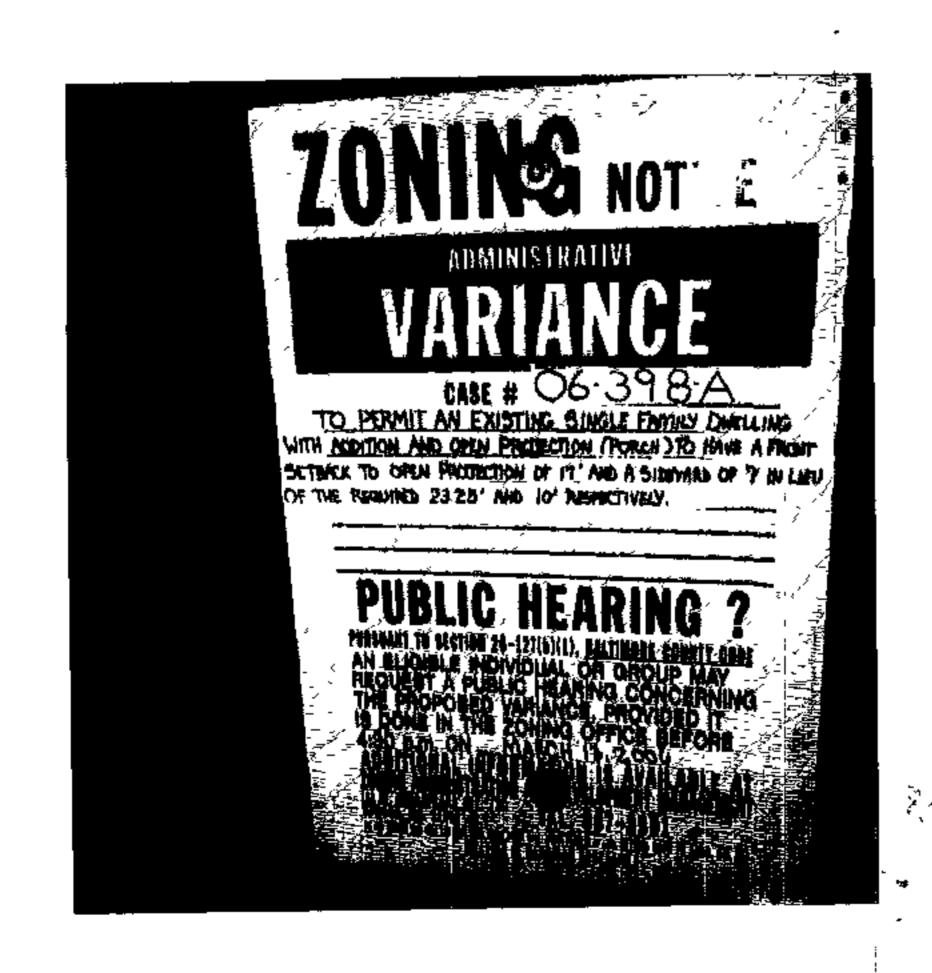
Date of Hearing/Closing: 3-13-06

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: \*

Sincerely,



Zobert Black 3-1-d
(Signature of Sign Poster) (Date)
SSG Robert Black
(Print Name)
1508 Leslie Road
(Address)
Dundalk, Maryland 21222
(City, State, Zip Code)
(410) 282-7940
(Telephone Number)

14 SLADOUT AVE

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MAR - 3 2006

## <u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case Number 06-398 -A Address 14 ELMONT AUE
Contact Person: LIOYOT. MOXLEY Phone Number: 410-887-3391
Filing Date: 2/15/06 Posting Date: 2/26/06 Closing Date: 3/13/06
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.
2. <u>DEADLINE</u> : 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.
4. 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 06-398 -A Address 4 ELWONT AUE.
Petitioner's Name SEMMIFER HAMPTON CLAGGE Telephone
Posting Date: 2/26/06 Closing Date: 3/13/06
Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLIENGY JITH ADDITION AND OPEN PROJECTION TO HAVE A FRONT SETBACK
O OPEN PROJECTION OF 17 AHO A SIDEYARD OF 7 IN LIEU
F THE REQUIRED 23.25' AND 10' RESPECTIVELY
WCR - Revised 6/25/04

## 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.

Petitioner: <u>JENNIFER</u> Address or Location: <u>14 EL</u> PLEASE FORWARD ADVERT  Name: <u>JANIE</u>	MONT ISING BILL	AUE	BALTO	MD	21206
PLEASE FORWARD ADVERT	ISING BILL	-	BALTO	MD	21206
		_ TO:			
			<del></del>	<del></del>	······································
Address: 14 Ecmon					
BACTINIONE	MD	2120	26		
					<del></del>
Telephone Number: 4/10	) 663-	2475	5¦ 	······································	

Revised 7/11/05 - SCJ

# 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	14 ELMONT Address	AUENUE	
	BALTIMORE	MD State	2120රු Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts upo p or practical difficulty)	on which I/we base the requ ):	est for an Administrative
1. THE FOOTPRIN	T OF THE HOUSE	E, RECTANGULAR WI	NO VARIATIONS,
15 IN CONSISTANT WITH	THE NEIBORHOO!	D CAUSING THE VALUE	E TO BE LESS.
2. THE INTERIOR	STAIRCASE, THA NO THE BOTTOM S S CAUSEWAY HA	TEP AND EXTERNOR VIDOCAP ACCESSABLE.  BY THE DISTACLE	NALL. THE PROPOSE CORRENTLY
HAVE NO OBJECTIONS.	RS MICE PRODUCTION		
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature	rmal demand is filed		to pay a reposting and
Name - Type or Print	Name	- Type or Print	<u> </u>
STATE OF MARYLAND, COUNTY OF BALTIM  I HEREBY CERTIFY, this day of Your of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfation.	sonally appeared	, <u>ZWW</u> , before me, a N as such Affiant(s).	lotary Public of the State
AS WITNESS my hand and Notarial Seal	Notary Public	1 10 %	
	My Commiss	sion Expires \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	<u> </u>
REV 10/25/01	١		



## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

126/00

MARYLAND	for the property l	ocated at 14 ELMONT AVE BALTO MD 2
	, , , , , , , , , , , , , , , , , , ,	which is presently zoned DR 5.5
owner(s) of the property situate in Bamade a part hereof, hereby petition for	altimore County and which or a Variance from Section	and Development Management. The undersigned, legal is described in the description and plat attached hereto and $(s)$ 303.1 (Bczr)
TO PERMIT AH EXI	1571-1 CT 51HC	
ADDITION AND OPE	EN PROJECTIO.	- (PORCH) TO HAUE A FRONT
SETBACK TO OPEN PI	ROJECTIO ~ 31	FIT AND A SIDETARD OF 7' IN
LIEU OF THE PEW	いんどのでる3.25	THAMILY DWELLING WITH TO CPORCH) TO HAVE A FRONT FITT AND A SIDETAND OF 7' IN THATIS NO! RESPECTIVELY
of the zoning regulations of Baltimore of this petition form.	B. County, to the zoning law	v of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertise I, or we, agree to pay expenses of above regulations and restrictions of Baltimore	Variance, advertising, postir	ng, etc. and further agree to and are to be bounded by the zoning
		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	<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>	Namer Type or Print  Sidnature  AMPTON (CLAGGETT)  Namer Type or Print
Signature	· · · · · · · · · · · · · · · · · · ·	Signature
Address	Telephone No.	Name - Type or Print
City	Zip Code	Signature
Attorney For Petitioner:		14 ELMONT AVE 410-663-2473 Address Telephone No.
Name - Type or Print		BALTIMORE MD 21206 City State Zip Code
		Representative to be Contacted:
Signature		Jen Hampton
Company		Name
Address	Telephone No.	Address 410 663-24 Telephone No.
Audioss	, cicpitotic 140	Balto MD 21206
Cit 7 State	Zip Code	City State Zip Code
A ubite Hearing having been formally der this day of regulations of Baltimore County and that the p	that the subject matter of this	equired, it is ordered by the Zoning Commissioner of Baltimore County, spetition be set for a public hearing, advertised, as required by the zoning Zoning Commissioner of Baltimore County
CASE NO. 06-398	Revie	wed By <u>LT/~</u> Date <u>7/15/06</u>

**Estimated Posting Date** 

# Department of Permits a 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

March 6, 2006

Jennifer Hampton (Claggett) 14 Elmont Avenue Baltimore, MD 21206

Dear Ms. Hampton:

RE: Case Number: 06-398-A, 14 Elmont Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 15, 2006.

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. Callabal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



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

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

**DATE:** March 13, 2006

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAR I 5 2006

SUBJECT:

Zoning Advisory Petition(s): Case(s) 6-398- 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 Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:

**Division Chief:** 

CM/LL



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

LTM

#### Maryland Department of Transportation

Date: 2.28.04

**Baltimore County** 

Item No. 398

RE:

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 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

1. 1. Luch

# BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** March 7, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 6, 2006

Item Nos. 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 398, 399, 401, 402, 403

404, 405, and 406

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-03072006

#### 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

9 9

County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

February 28,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: February 27,2006

Item No.: 387, 388, 389, 390, 391, 392, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406

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.

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

Acting Lieutenant Don W. Muddiman Fire Marshal's Office Phone(0)410-887-4881 Mail Stop - 1102F

cc: File



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

From:

Debra Wiley

To:

Livingston, Jeffrey; Murray, Curtis

Date:

3/13/2006 10:46:47 AM

Subject:

Comments Needed

#### Good morning Gentlemen:

In reviewing the Administrative Variances for the closing date of 3/13 we do not have comments from your offices. Please supply us comments for the following:

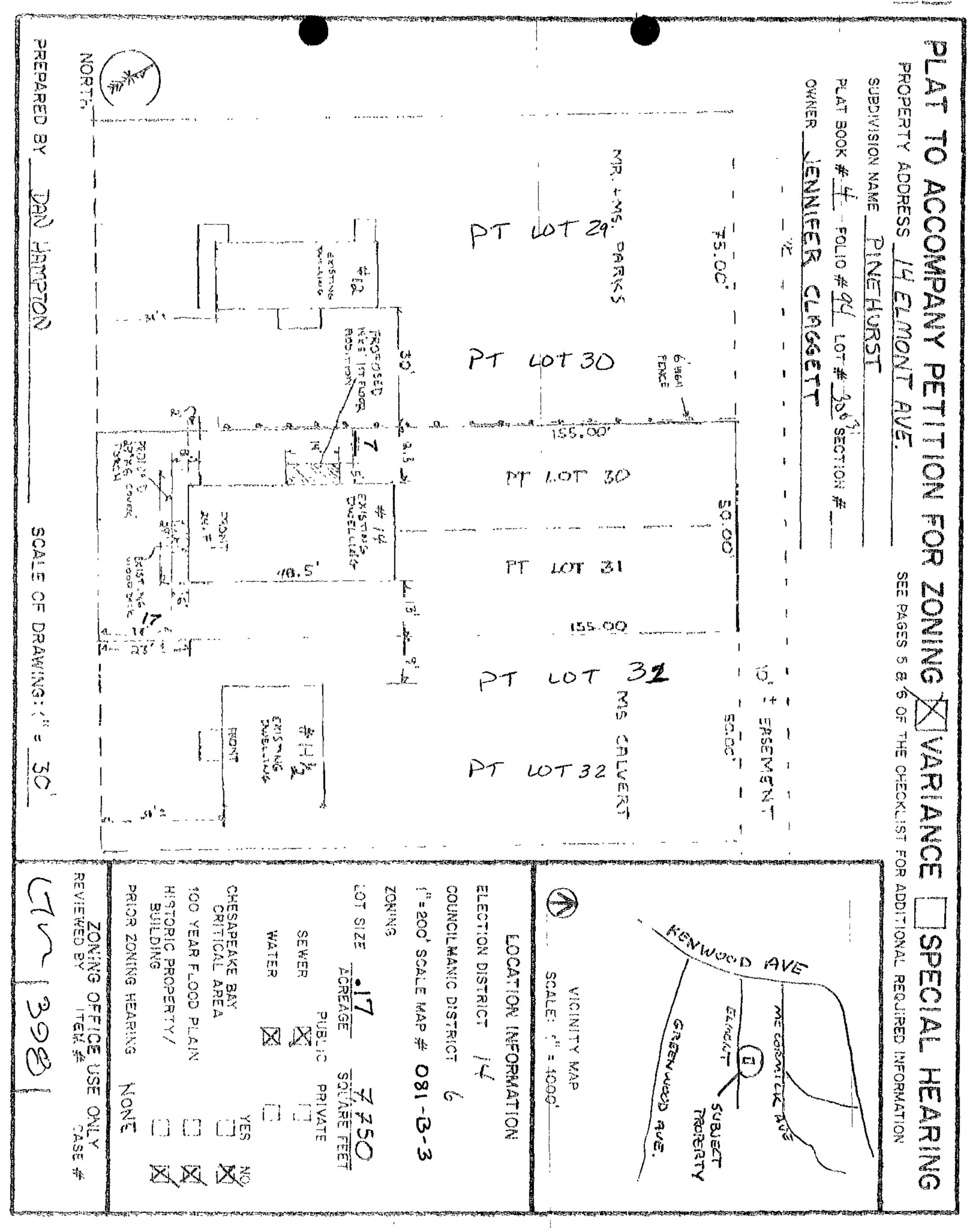
06-394-A (1814 Cromwood Rd., 21234)

06-395-A (1905 Sue Creek Dr., 21221) This is CBCA

06-396-A (523 Penny Lane, 214 Glyndon Meadow Rd., 21136

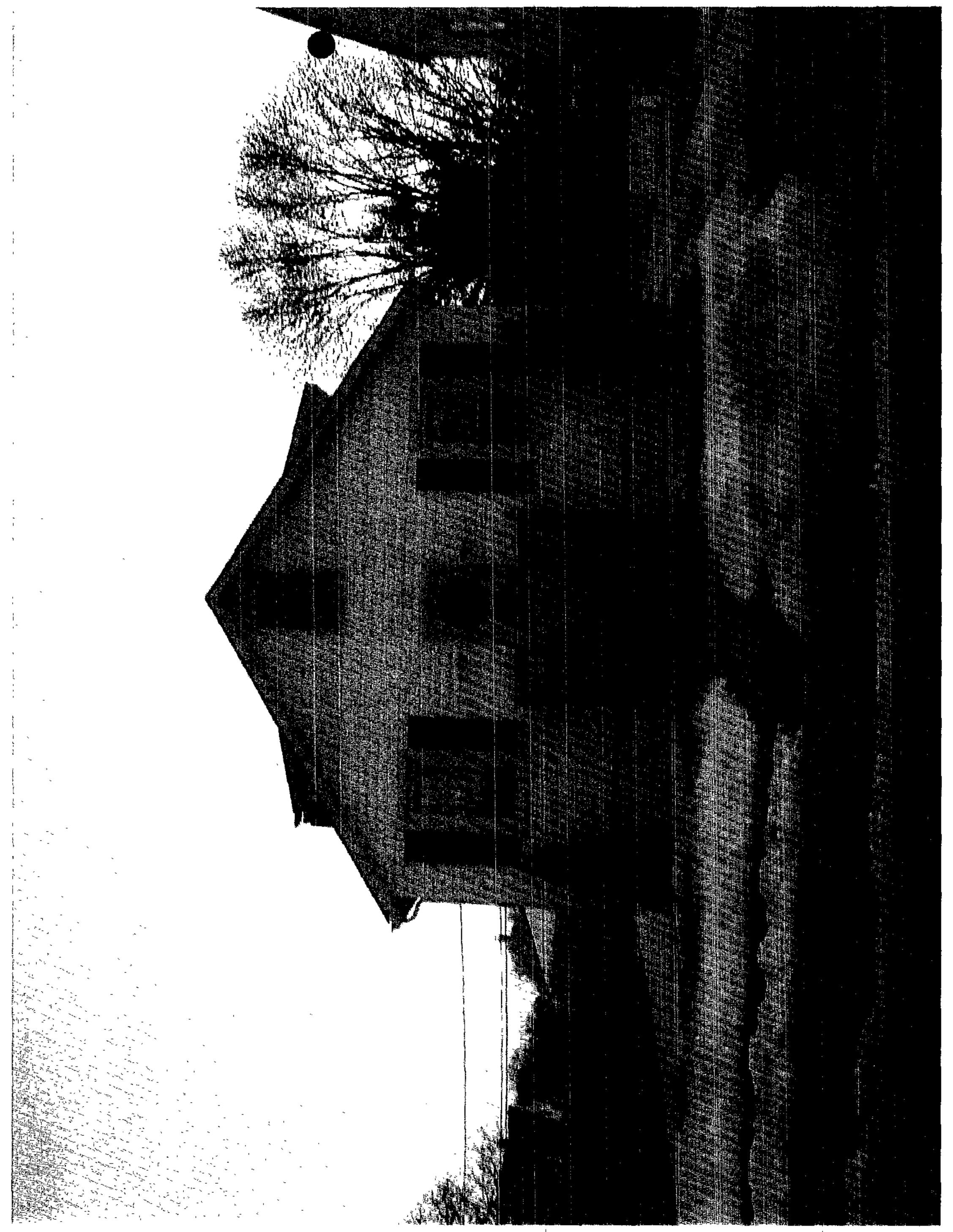
06-398-A (14 Elmont Avenue, 21206)

Thanking you both for your usual cooperation and have a great day!



-15-





FRONT MEW



CEFT SIDE OF FLOUSE FOR

