

IN RE: PETITION FOR ADMIN. VARIANCE
South Side of Stellabrook Lane, 823' E to
Centerline of Gilley Terrace
14th Election District
6th Councilmanic District
(4728 Stellabrooke Lane)

Evelyn Pama
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-413-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Evelyn Pama. The variance request is for property located at 4728 Stellabrooke Lane in the Rosedale area of Baltimore County. The variance request is from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition with a 23 feet rear yard setback and a proposed deck with an 18 feet rear setback in lieu of the required 30 feet and 22 ½ feet respectively and to amend the Final Development Plan of Gilley Terrace for Lot #13. The subject property and requested relief are more particularly described on Petitioner's 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 March 3, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Date 3-27-06
By [Signature]

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.

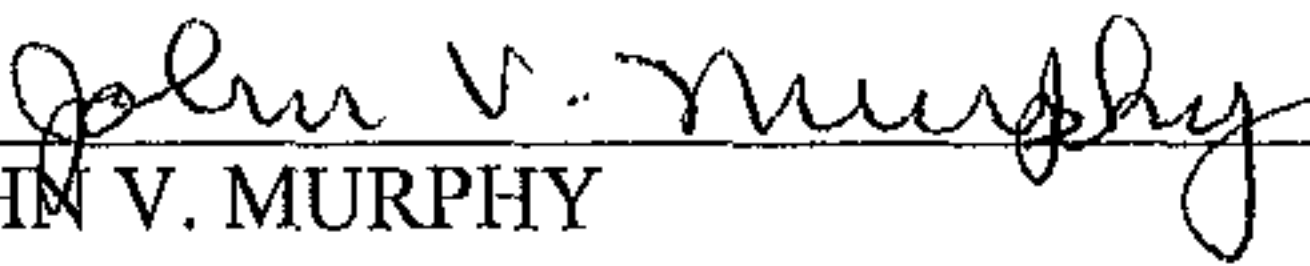
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 27 day of March, 2006, that a variance from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition with a 23 feet rear yard setback and a proposed deck with an 18 feet rear setback in lieu of the required 30 feet and 22 ½ feet respectively and to amend the Final Development Plan of Gilley Terrace for Lot #13, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner is 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
Date 3-27-06
By [Signature]

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

ORDER RECEIVED FOR FILING
Date 3-27-06
By Diane Volz



* ORIGINAL
KEEP IN
ZONING FILE

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4728 Stellabrooke Lane
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) 1B01.2.C.1.6. AND 301.1 BCZR

TO PERMIT A PROPOSED ADDITION WITH A 23 FT. REAR YARD SETBACK AND A PROPOSED DECK WITH AN 18 FT. REAR SETBACK IN LIEU OF THE REQUIRED 30 FT. AND 22 1/2 FT. RESPECTIVELY AND TO AMEND THE FINAL DEVELOPMENT PLAN OF GILLEY TERRACE FOR LOT # 13.

G.A.

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

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Pama, Evelyn

Name - Type or Print

Signature

Name - Type or Print

Signature

4728 Stellabrooke Lane 410-668-2499
Address Telephone No.

Baltimore MD 21237
City State Zip Code

Representative to be Contacted:

Michael Diehl

Name

7110 Golden Ring Road 410-780-0062
Address Telephone No.

Baltimore MD 21221
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO.

06 413 A

Reviewed By JL/DRP/RTF Date 2/24/06

Estimated Posting Date 3/05/06

REV 10/25/01

Date

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 4728 Stellabrooke Lane
Address
Baltimore 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):

Out lot is only 100ft deep. This gives us a shallow rear yard. We would like to build a patio room (10'x16) with an open deck (5'x23'). The building of this patio room and deck would reduce our rear set back to 23ft. from the room and 18ft from the deck to the rear property line. We are required to have 30ft rear setback.

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.

Evelyn Pama
Signature
Pama, Evelyn
Name - Type or Print

Signature

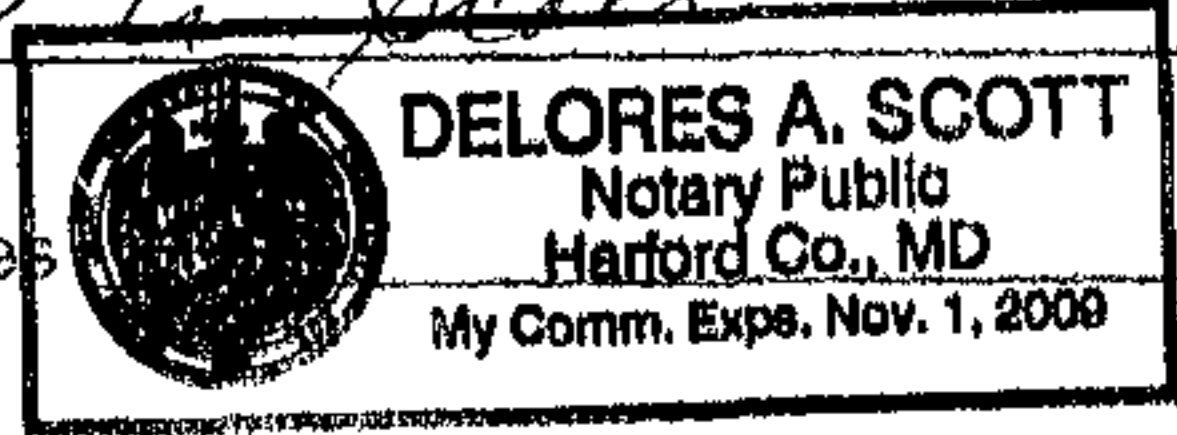
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20 day of Feb, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Delores A. Scott
Notary Public
My Commission Expires


x

Zoning Description for 4728 Stellabrooke Lane.

Beginning at a point on the South side of Stellabrooke Lane. which is 50 ft. wide at the distance of 823 ft. ^{EAST FROM TV} to the centerline of the nearest improved intersecting street Gilley Terrance which is 50 ft. wide. *Being lot #13 in the subdivision of Gilley Terrance as recorded in the Baltimore county Plat Book #76, Folio #21, containing 6,000 sq. ft. Also known as 4728 Stellabrooke Lane. and located in the 14th election district, 6th Councilmanic District.

A13

No. 2598

10/10/10

001 006 6150

137.00

1

WHITE • CASHIER

YELLOW - CUSTOMER

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-413-A

Petitioner/Developer: EVELYN

PAMA

Date of Hearing/Closing: 3-20-06

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:

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:

4728 STELLADROOKE LANE

The sign(s) were posted on 3-3-06
(Month, Day, Year)

Sincerely,

Robert Black 3-7-06
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

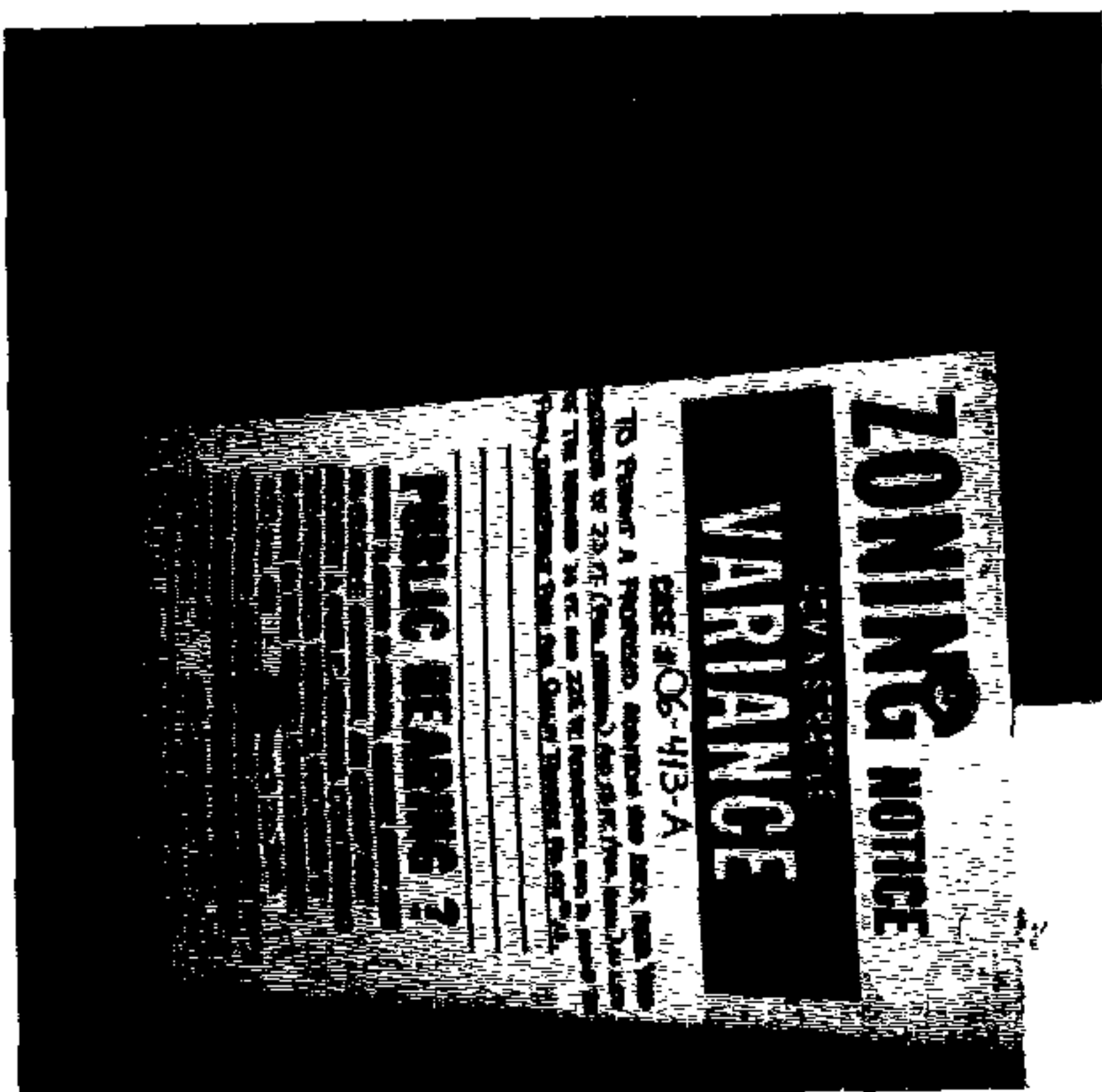
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



4728 STELLADROOKE LANE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 413 -A Address 4728 STELLA BROOKE LANE
Contact Person: JOHN LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 2/24/06 Posting Date: 3/05/06 Closing Date: 3/20/06

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

1. **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. **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.
3. **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- 413 -A Address 4728 STELLA BROOKE LANE
Petitioner's Name EVELYN PAMA Telephone _____
Posting Date: ~~2/24/06~~ 3/05/06 Closing Date: 3/20/06
Wording for Sign: To Permit A PROPOSED ADDITION AND DECK REAR YARD SETBACKS OF 23 FT. (FOR ADDITION) AND 18 FT. (FOR DECK) IN LIEU OF THE REQUIRED 30 FT. AND 22 1/2 FT. RESPECTIVELY. AND TO AMEND THE FINAL DEVELOPMENT PLAN FOR GILLEY TERRACE FOR LOT # 13

WCR - Revised 6/25/04

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: 06 413 A

Petitioner: ~~Re~~ Evelyn Panna

Address or Location: 4728 Stella Brooke Ln.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Champion

Address: 2110 Golden Ring Rd
Balto. Md 21221

Telephone Number: 410 780. 0062



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4728 Stellabrooke Lane
which is presently zoned DR 3.5

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G.A.

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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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 06 day of April, 2006, 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. 06 413 A

REV 01/25/01

Legal Owner(s):

Pama, Evelyn

Name - Type or Print

Signature

Name - Type or Print

Signature

4728 Stellabrooke Lane

410-668-2499

Address

Telephone No.

Baltimore

MD

21237

City

State

Zip Code

Representative to be Contacted:

Michael Diehl

Name

7110 Golden Ring Road

410-780-0062

Address

Telephone No.

Baltimore

MD

21221

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By JL/DRORVIT Date 2/24/06

Estimated Posting Date 3/05/06

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Evelyn Pama
Signature
Pama, Evelyn
Name - Type or Print

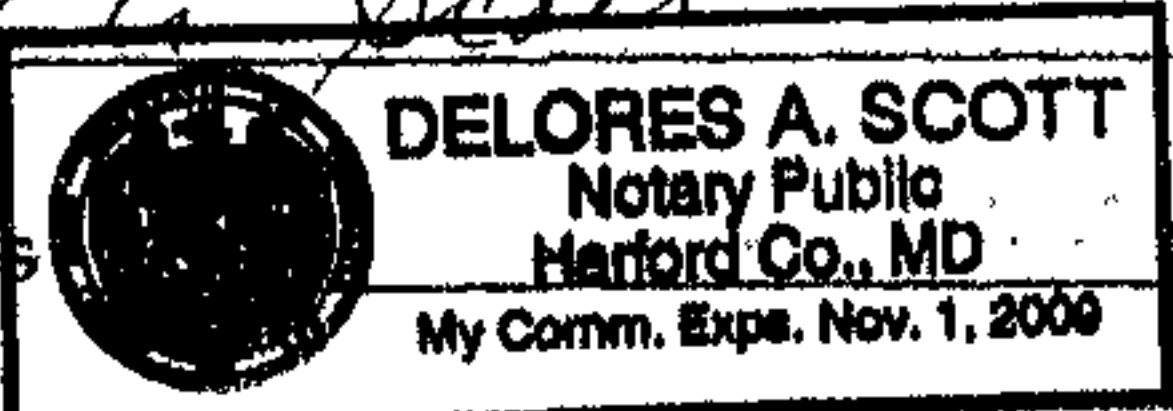
Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20 day of Feb, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Evelyn Pama
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Delores A. Scott
Notary Public
My Commission Expires


**Department of Permits
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 13, 2006

Evelyn Pama
4728 Stellabrooke Lane
Baltimore, MD 21237

Dear Ms. Pama:

RE: Case Number: 06-413-A, 4728 Stellabrooke Lane

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

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Michael Diehl 7110 Golden Ring Road Baltimore 21221

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: 3.7.06

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

RE: Baltimore County
Item No. 413 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: March 14, 2006

MAR 21 2006

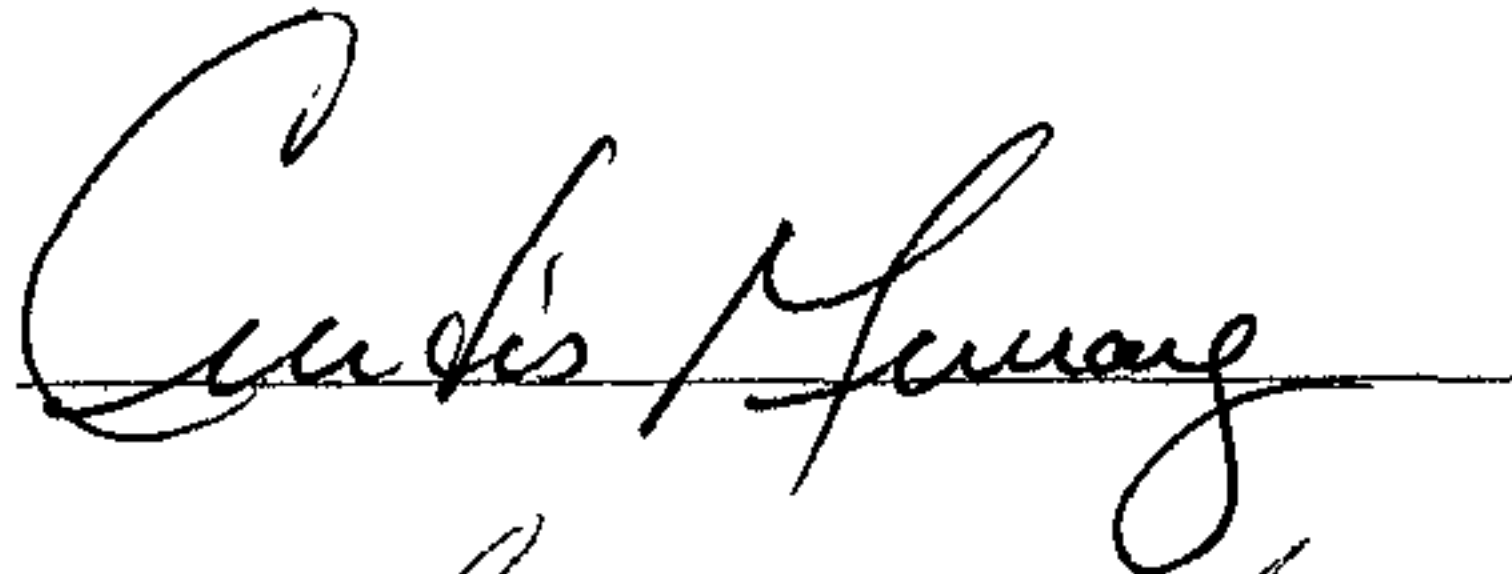
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-413- Administrative Variance

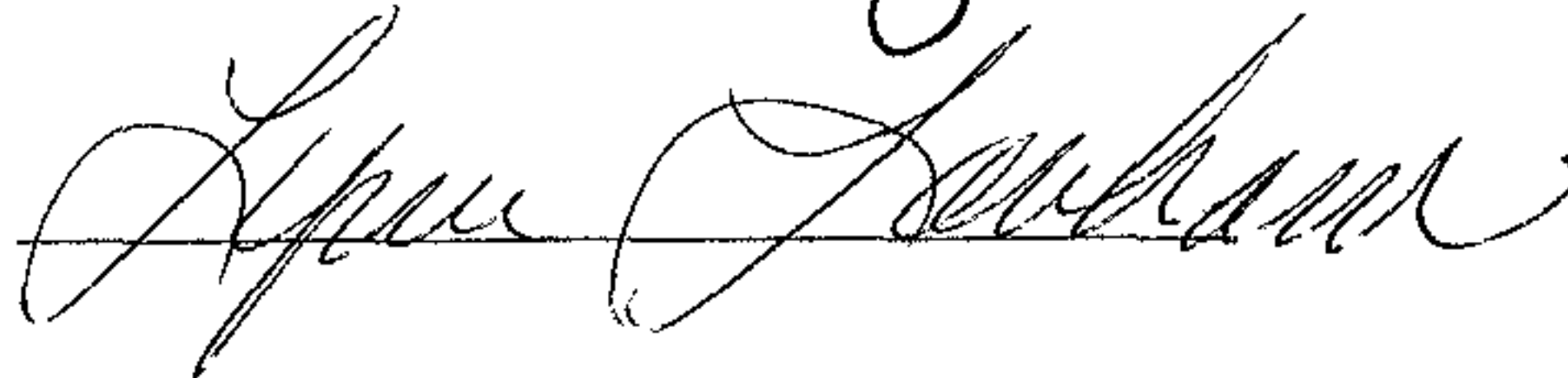
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 10, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for March 13, 2006
Item Nos. 401, 408, 409, 410, 413,
416, 417, 418 and 425

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS-03132006.doc

413

**FREQUENT FLYER ATTORNEYS
DROP OFF ZONING PETITIONS
POLICY PROCEDURES**

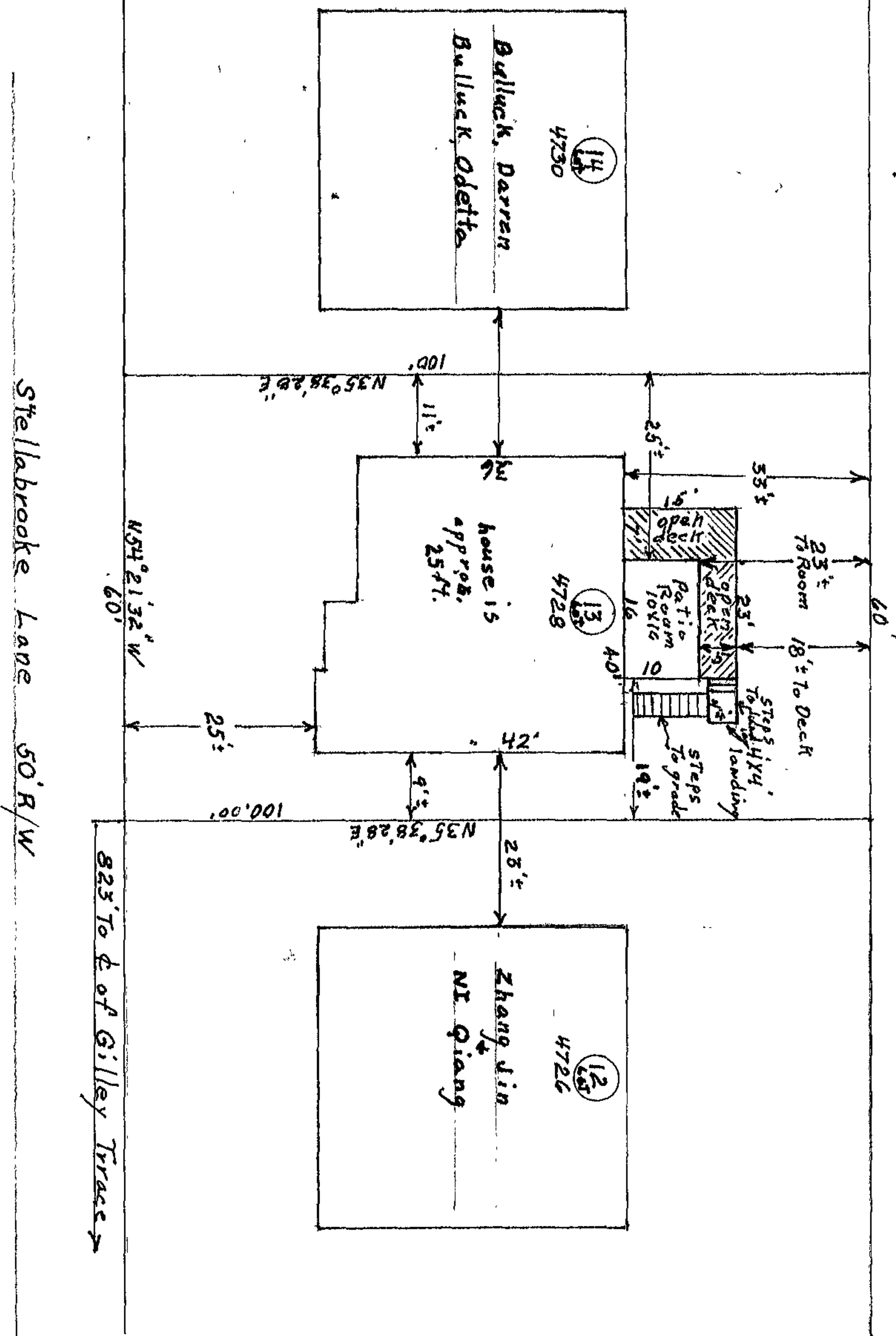
The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with all technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.
2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.
3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

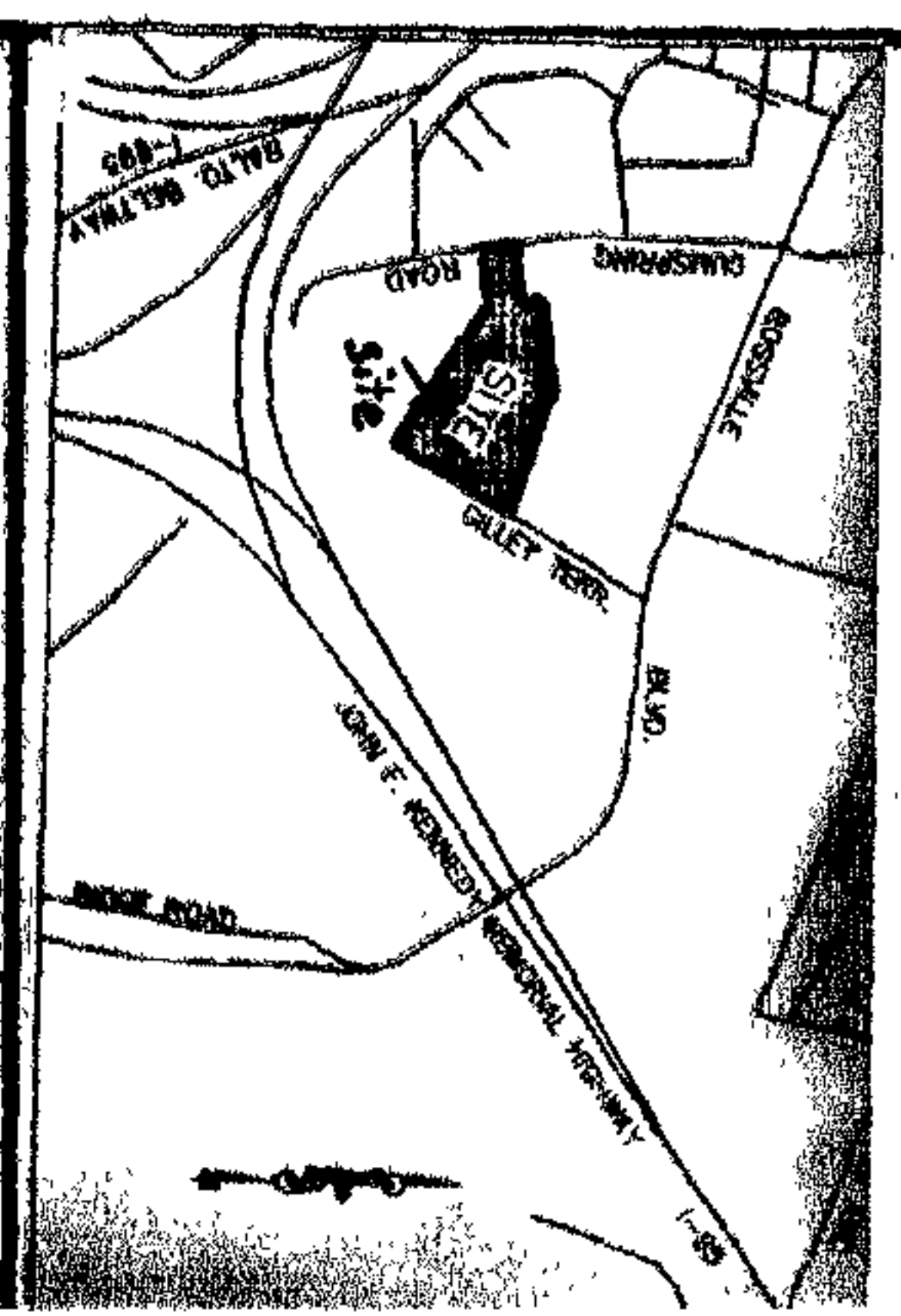
3/22/05
JLL/rjc

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS 4728 Stellabrooke Ln.
SUBDIVISION NAME Gilley Terrace
PLAT BOOK # 76 FOLIO # 21 LOT # 13 SECTION #
OWNER Dama Evelyn



PREPARED BY Gerard Andersen SCALE OF DRAWING: 1" = 20'
NORTH



LOCATION INFORMATION

ELECTION DISTRICT 14
COUNCILMANIC DISTRICT 6
1" = 200' SCALE MAP # 081C3
ZONING DR - 3.5

LOT SIZE	ACREAGE	SQUARE FEET
		<u>6,000</u>
SEWER	☒ PUBLIC ☐ PRIVATE	
WATER	☒	
CHESAPEAKE BAY CRITICAL AREA	☐	☒ YES ☒ NO
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY / BUILDING	☐	☒
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE # 1413

413



4738 Stellabrooke Ln.
DR. 3.5

413



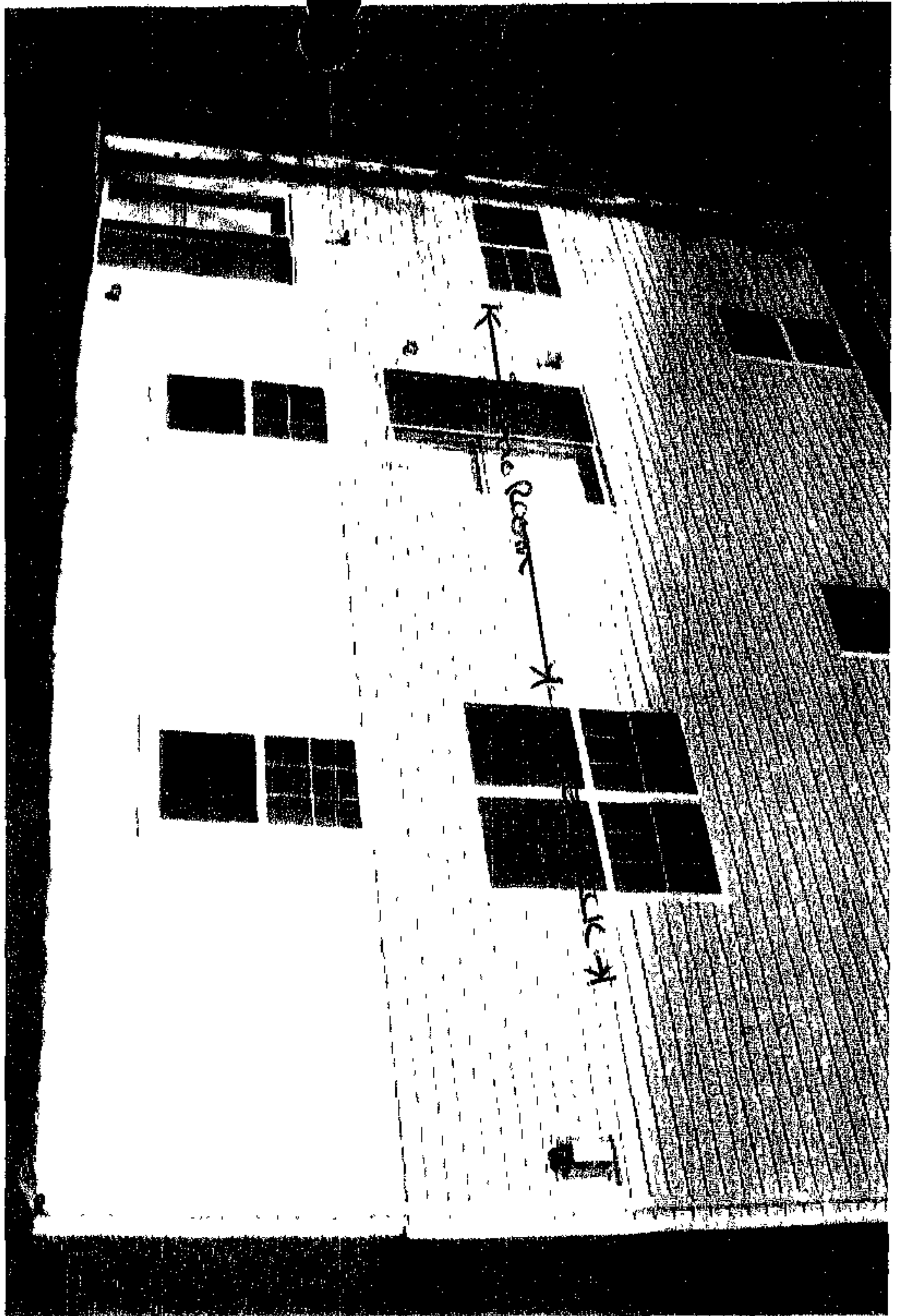
Side view of 4726 Stellabrooke lane facing
4728 Stellabrooke lane



Side view of 4730 Stellabrooke lane facing
4728 Stellabrooke lane



Location of proposed Patioroom and open deck
Address: 4728 Stellabrooke Lane.



H738 Stellanbrooke L17



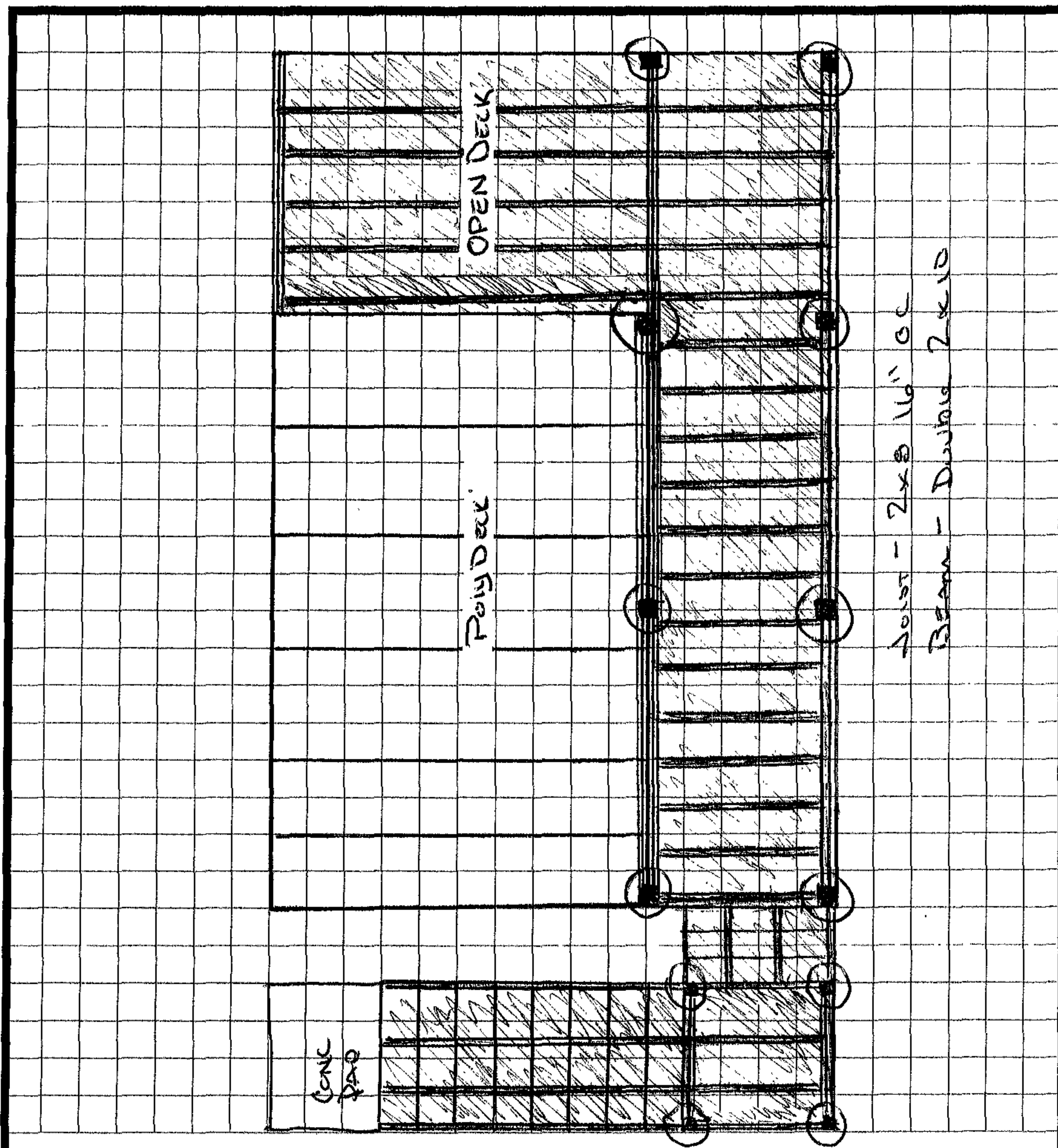
To: _____

From: 4738 Stella Brooke

Re: _____

Date: _____

FACTORY DIRECT SINCE 1953
Champion
WINDOWS • SIDING PATIO ROOMS®



The Nation's 2nd Largest Home Improvement Co.

Windows • Siding • Patio Rooms
(410) 780-0062 • 1-888-385-6140

7110 Golden Ring Road • Suite 110
Baltimore, MD 21221

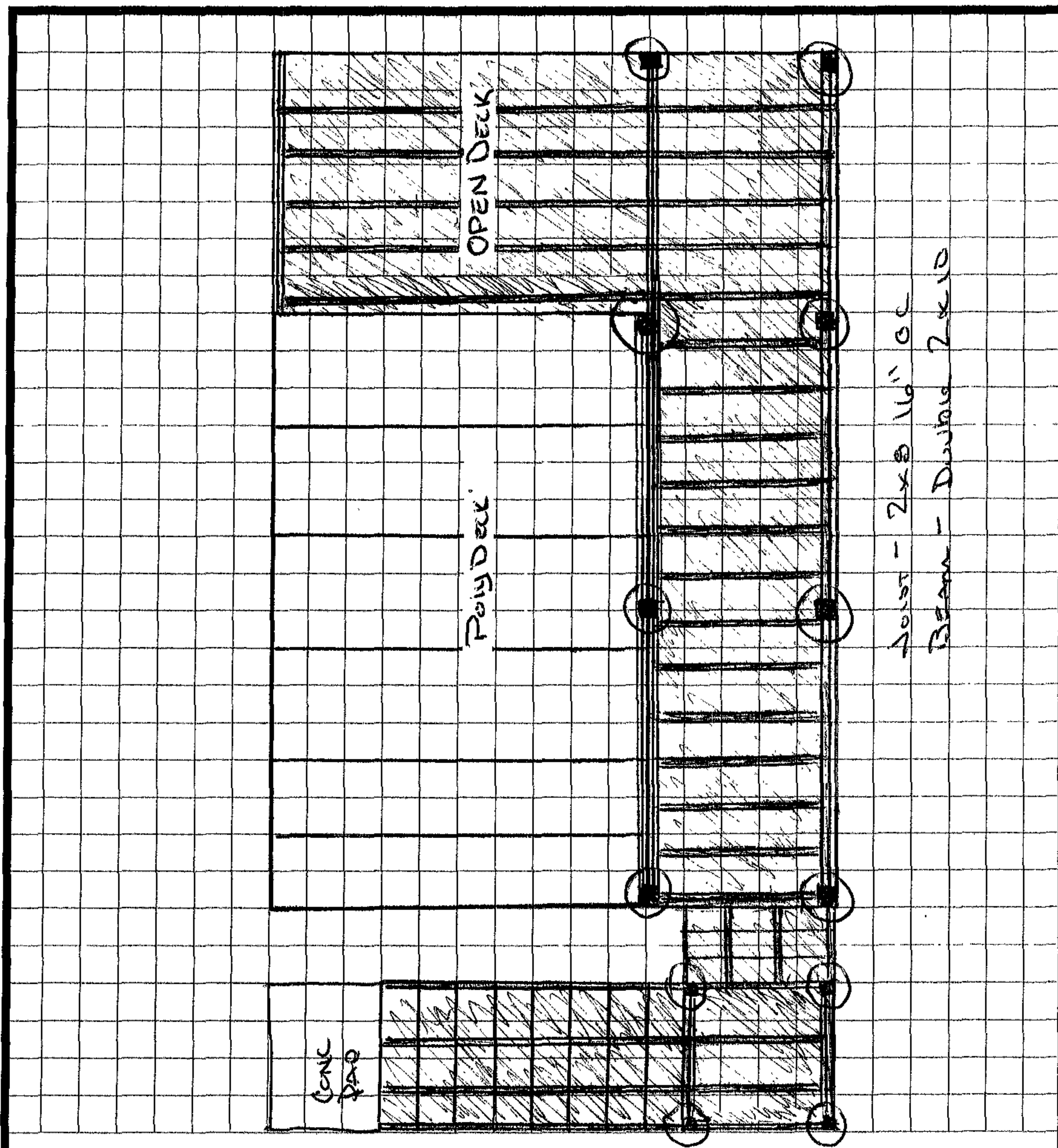
To: _____

From: 4738 Stella Brooke

Re: _____

Date: _____

FACTORY DIRECT SINCE 1953
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