



IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE

NW/Corner Crosby Road and

Craigmont Road \* ZONING COMMISSIONER

(1000 Crosby Road)

1<sup>st</sup> Election District \* FOR

1<sup>st</sup> Council District

\* BALTIMORE COUNTY

Paul L. Thomas, et ux

\*

Petitioners \* Case No. 06-527-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

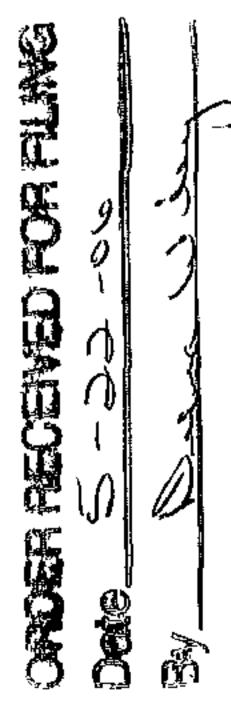
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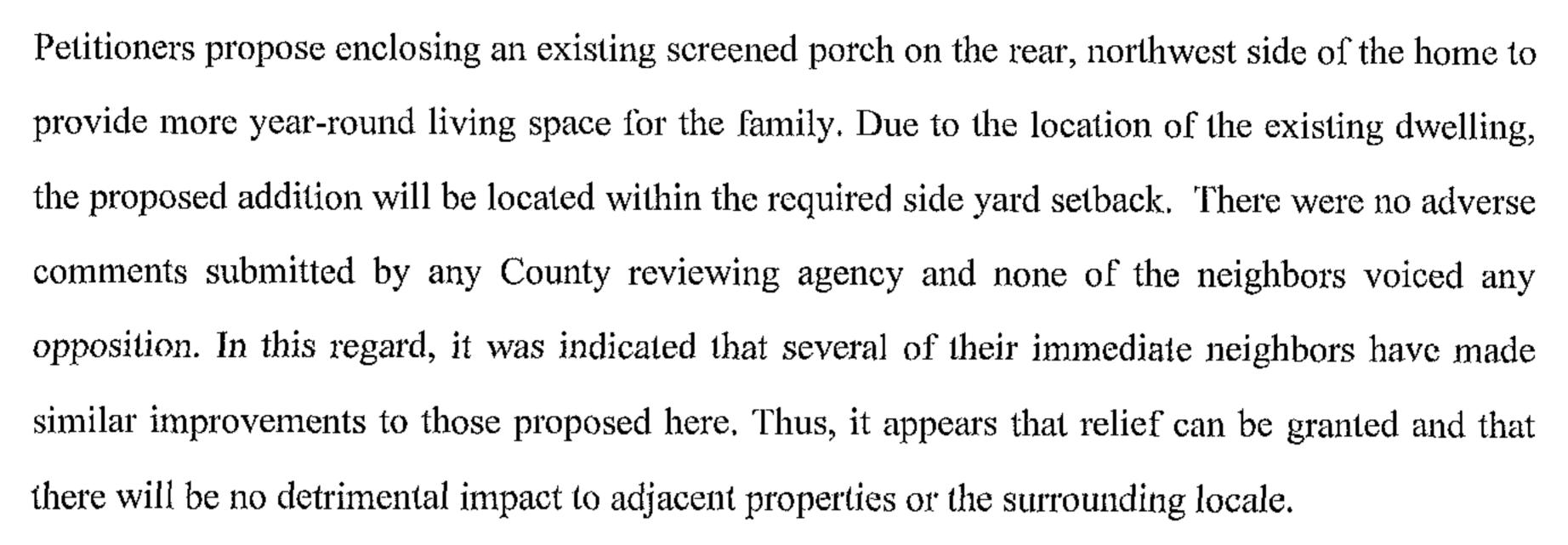
This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Paul L. Thomas, and his wife, Mary Thomas. The Petitioners request a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955 Regulations) to permit a rear yard setback of 19 feet in lieu of the minimum required 30 feet for a proposed addition. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

Based upon all of the evidence contained therein, I am persuaded to grant the requested variance. Relief is necessitated given the layout and location of the existing dwelling. The





Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of May 2006 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955 Regulations) to permit a rear yard setback of 19 feet in lieu of the minimum required 30 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WJW:bjs

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WILLIAM J. WISTMAN, III Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

May 22, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Mr. & Mrs. Paul L. Thomas 1000 Crosby Road Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE

NW/Corner Crosby Road and Craigmont Road (1000 Crosby Road)

1<sup>st</sup> Election District — 1<sup>st</sup> Council District

Paul L. Thomas, et ux - Petitioners

Case No. 06-527-A

Dear Mr. & Mrs. Thomas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

AM-J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

cc: People's Counsel; Case File



## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	1000	Crosby	RD
	h is present	tly zoned	DR5,S

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) 1507.3.3 (507)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH A PDITION TO HAVE A REARYARD SETBACK OF 10' IN LIEU OF THE REQUIRED 30'

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.

			is the subject of this	3 1 01140111		
Contract Pu	rchaser/Lessee:		Legal Owner(s	<u>):</u>		
			mr. Paul	L. The	ma	(,
Name - Type or P	Print	······································	Name - Type or Print			·
Signature		<u></u>	Signature 5			
v			Mary	Thomas		
Address		Telephone No.	Name - Type or Print	/	,	
City	State	Zip Code	Signature J	hour	wK -	443-772-20
•	r Petitioner:		1000 Cros	by Rd	41	0-788.649
<u> </u>	, , otation ion		Address		t	Telephone No.
			Catonsvij		m d	21228
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			<u>Representative</u>	to be Contac	<u>ted:</u>	
Signature			50	Me		
Company			Name 19			
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	State	Zip Code	City		tate	Zip Code
City	. State	zip code	Oity	<u>.</u>	.a.c	
Third II May of	g having been formally deman th Itimore County and that the prope	hat the subject matter of	required, it is ordered by this petition be set for a pub	the Zoning Commisolic hearing, advertise	ssioner of ₃d, as requ	Baltimore County, uired by the zoning
			Zoning Con	nmissioner of Baltimo	ore County	y
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	•		Aleased DA	Date <u></u> 	1	<del>,</del> _
R 10/25/01		Est	timated Posting Date	4/30	106	 

# 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.

competent to testify thereto in the event that a p	Jubile Hearing is	30110dulod III tilo	A TOTAL	<i>7.</i> <b>0.0</b> 1
That the Affiant(s) does/do presently reside at	Address	Cros6y	Rd	
	Cato.	150/1/a	Mn D State	2/ <u>12.1</u> Zip Code
That based upon personal knowledge, the following	•			r
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and disabled Mother  The screened enclosure		,		
provides access to insects		10 to 1	enjoy oursel	ves
provides access to insects Because of the inadequate	Space, "	Je canno		
o a t dooks				
	Ly is de	creased as	both our	MMEGGAPE
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neishbors con som som	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
with windows.				
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide	additional infor	mation.	,	pay a reposting and
ma Part A		411 m.c.	1 Thomas	
Mr. Paul I. A. Signature	<del></del>	Signature		
MR, Paul L. Thor	via S	Mari	1 Thomas	<del>,</del>
Name - Type or Print		Name - Type or Pi	nnt	
	**************************************	<b></b>		
STATE OF MARYLAND, COUNTY OF BALTI	1	2001	, hoforo mo a Not	ary Public of the State
I HEREBY CERTIFY, this 18 day of 19	ersonally appea	ared	<u>o</u> , perore me, a nor	ary rubile of the otate
the Affiant(s) herein, personally known or satis	factorily identific	ed to me as such A	Affiant(s).	
the filliant of freezent, personally rate and a	,		•	
AS WITNESS my hand and Notarial Seal				
			time John	
	Nota	ary Public		
	Му	Commission Expire	es /// O	

## 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	1000	Crosby	Rd	·
	Address City		md	21228
· ·	•		State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh		4 (47)/XI (17)/XI .		
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and provides access to in- Because of the inadequate	recers espace	we Canno	rt-enjoy o	rur-selves
File of the Same	is docu	eased, as k	off our in	1mediate
The value of our property neishbors Con both sides.	) have	patio enc	losures re	modelod
with windows				
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide  The signature  Manuel L. The  Name - Type or Print	additional infor	mation.	Mapacen.	
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:			
I HEREBY CERTIFY, this/S_ day of of Maryland, in and for the County aforesaid, pe	ersonally appea	ared , <u>200</u>	<u>∕o</u> , before me, a N	lotary Public of the State
the Affiant(s) herein, personally known or satisf	factorily identific	ed to me as such	Affiant(s).	i
AS WITNESS my hand and Notarial Seal			••••	!
	NI-1-		mi Jon	
		Commission Expir	es/_/	67

REV 10/25/01





### to the Zoning Commissioner of Baltimore County

for the property located at 1000 Crosby Rd which is presently zoned 10125.5

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)

TO PERMIT AN EXISTING SINGLE FAMILY PWELLING WITH ADDITION TO HAVE A REARYARD SETBACH OF 19' IN LIEU OF THE REQUIRED 30!

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:		<u>Legal Owner(s):</u>
	······	mapaul L. Thomas
Name - Type or Print		Name - Type or Print
Signature	<u> </u>	Signature  Nary / homas
Address	Telephone No.	Name - Type or Print  Muy Turme
City	Zip Code	Signature WK-443-992 -26
Attorney For Petitioner:		1000 crosby Rd 410-788-649
		Address CatoNSVII/2 Md 2/228
Name - Type or Print		City State Zip Code
		Representative to be Contacted:
Signature	•	SAME
Company		Name
	······································	FIS Totals and No.
Address	Telephone No.	Address ABOUE Telephone No.
City	Zip Code	City State Zip Code
A Public learing having been formally demand this day of the gregulations of Baltimore County and that the proper	ded and/or found to leat the subject matter of the subject matter	be required, it is ordered by the Zoning Commissioner of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning
		Zoning Commissioner of Baltimore County
CASE NO. 06-527-A	R	eviewed By C771 Date 4/21/06
RIPY 10/25/01	E:	stimated Posting Date 4/30/06

### **Zoning Description**

1000 Crosby Road, Catonsville, Maryland 21228

Beginning at a point on the north side of Crosby Road which is  $C' \in AST$  wide at the distance of  $C' \in AST$ . of the

centerline of the nearest improved intersecting street of Craigmont Road

which is 60 feet wide. Lot # 1, Block F, Section # 4-A in the subdivision of Westview Park

as recorded in Baltimore County Plat Book # 110, 7460 中

containing 243 feet. Also known as 1000 Crosby Road

and located in the 1 (First) Election District. 157 COUNCILMANIC.

Councilman, Samuel Moxley, represents the 1 (first) district.

### CERTIFICATE OF POSTING

**Baltimore County Department of** 

County Office Building, Room 111

111 West Chesapeake Avenue

Attention: Christen Matthews

The sign(s) were posted on

Towson, MD 21204

Permits and Development Management

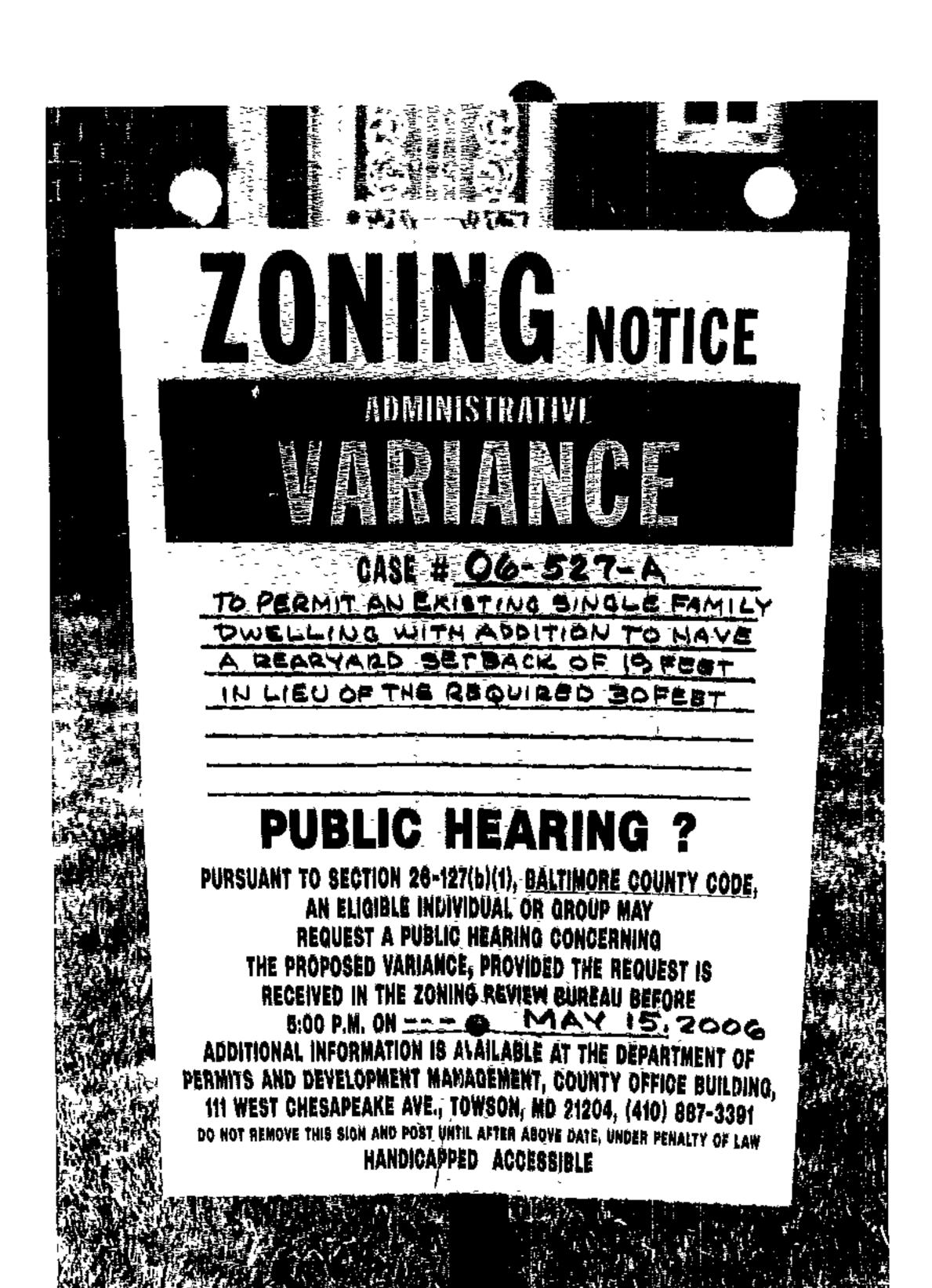
Date of Hearing/Closing: MAY 15, 200 6 Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the propery located at \_\_\_\_ 7 1000 CROSBY ROAD Sincerely, (Signature of Sign Poster and Date) CTARLAGEDE, MOORE (Printed Name) 3225 RYERSON CIRCLE BAUTIMORE, MD, 21227
(City, State, Zip Code) (410) 242-4263

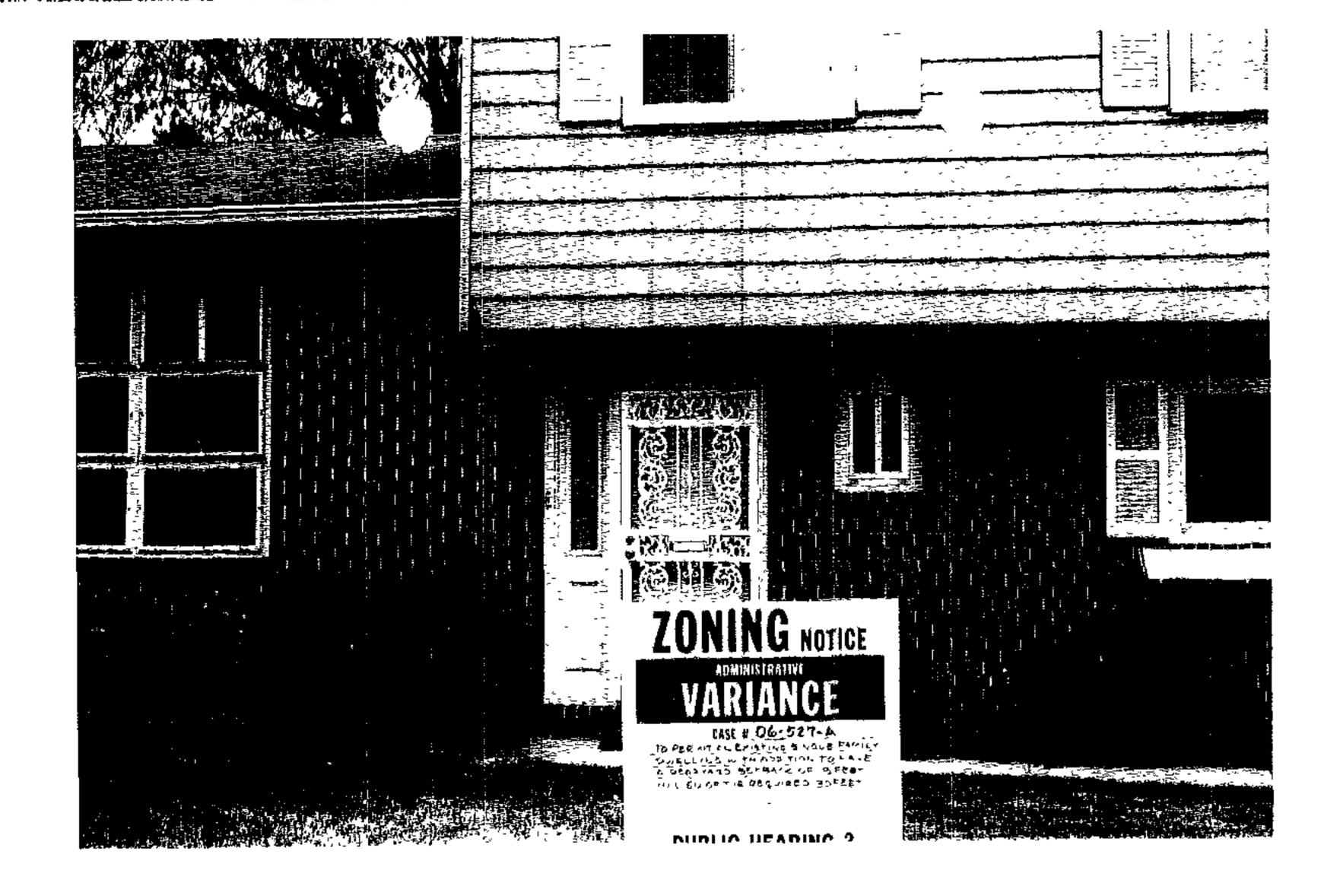
(Telephone Number)

RE: Case No.: OG-527-A

Petitioner/Developer: Paul Tidowas

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### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

-A

Case Number 06-

Address 1000 CROSBY RD

Conta	ct Pers	on: _		Planner Please F	10X LE	<u> </u>	Phone	Number	410	)-887-3391
Filing	Date:	4/	21/06	<b>)</b>	Posting Da	ate: 4/30/00	6 c	losing Dat	e: <u>'</u>	5/15/06
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								WCR	- Re	vised 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.

For Newspaper Advertising:
Item Number or Case Number: 106-527-4
Petitioner: Paul Thomas
Address or Location: 1000 Crosby Rd
PLEASE FORWARD ADVERTISING BILL TO:
Name: Paul Thomas
Address: 1000 Crosby Rd
Catonsville and 21228
Telephone Number: 4/0 - 788 - 6494

Revised 7/11/05 - SCJ

# Department of Permits Landers Development Management

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





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

May 15, 2006

Paul L. Thomas Mary Thomas 1000 Crosby Road Catonsville, MD 21228

Dear Mr. and Mrs. Thomas:

RE: Case Number: 06-527-A, 1000 Crosby Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 21, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

u. Callilals

WCR:amf

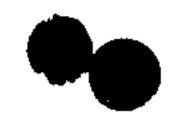
Enclosures

c: People's Counsel



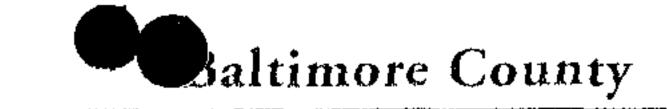
Visit the County's Website at www.baltimorecountyonline.info

### Fire Department



700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500





James T Smith, Jr., County Executive John J. Hohman, Chief

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

May 2,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: May 1,2006

Item No.: 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536.

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







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

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

#### Maryland Department of Transportation

Date: 4.28.04

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

RE:

**Baltimore County** 

Item No. 527

LTM

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

1.1. Soull

Engineering Access Permits Division

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** May 17, 2006

10% Com 2000

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-527- 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 Dennis Wertz 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

**DATE:** May 5, 2006

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For May 8, 2006

Item No. 519, 520, 521, 523, 524, 525, 526, \$27, 529, 530, 531, 532, 533, 534, 535, and 05-558 SPH XA

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

DAK:CEN:clw

cc: File

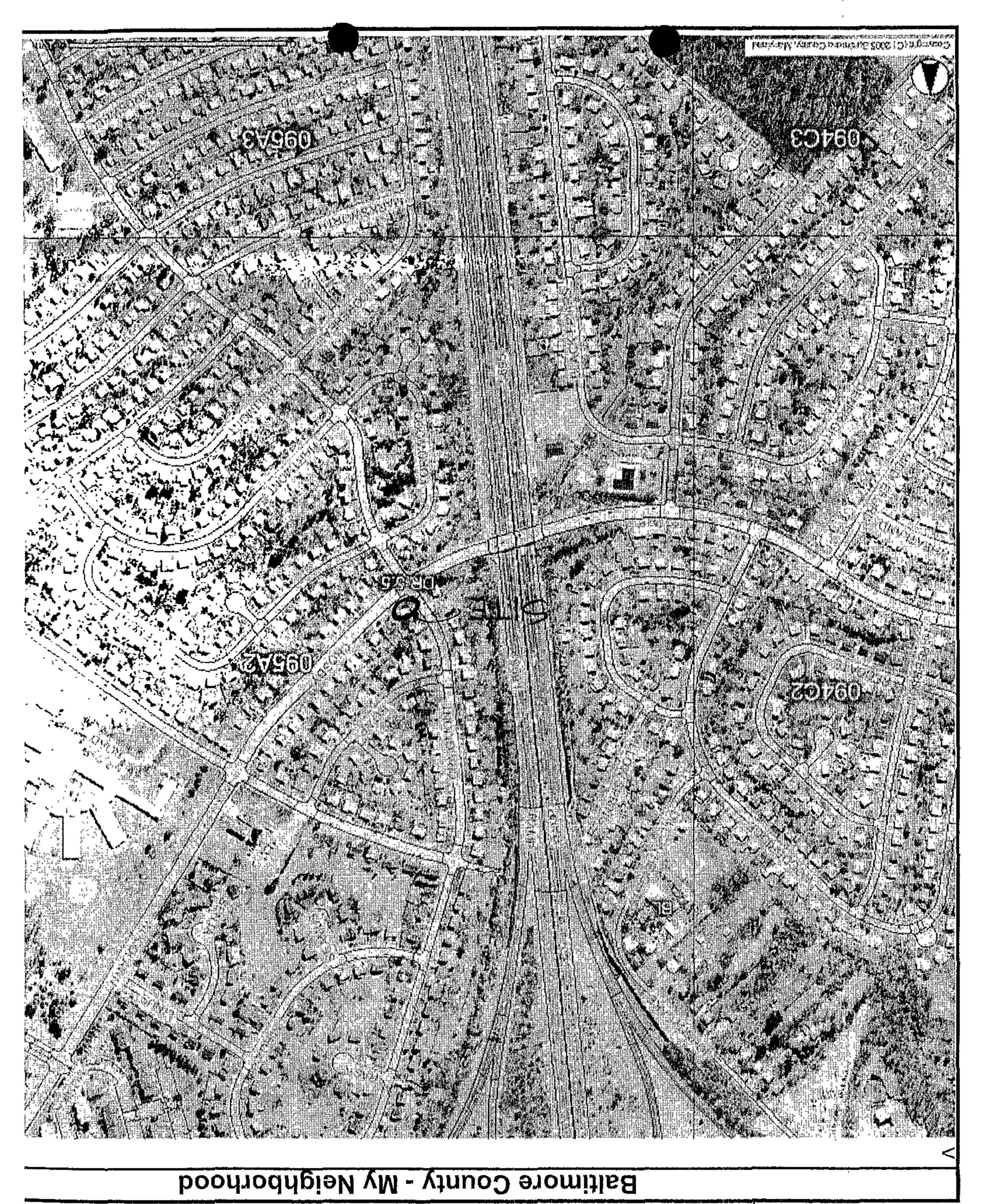
ZAC-NO COMMENTS-05032006.doc

## ZONING HEARING FILE INTERNAL CHECKLIST

# Zoning Case No. 06-527 A

Date Completed/Initials	
11/24/06	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
<u></u>	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
4	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
5/15	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

#527





Veiw OF Propose

