

IN RE: PETITION FOR ADMIN. VARIANCE
W/S of Cowpens Avenue, south of c/l
Of Providence Road
9th Election District
3rd Councilmanic District
(1009 Cowpens Avenue)

Basil W. and Valerie Aburn
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 07-128-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 owners of the subject property, Basil W. and Valerie Aburn. The variance request is for property located at 1009 Cowpens Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 20 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that the existing septic system location, steep topography and side yard setbacks limit the available rear area for expansion of the existing home.

Zoning Advisory Committee Comments

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

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

ADDED TO RECORD FOR FILING
10-23-06
P3

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."

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 29, 2006 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 and photographs 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 Petitioner.

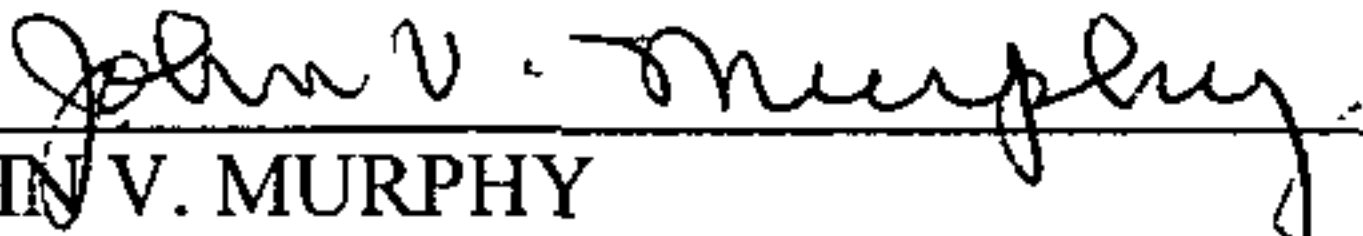
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23rd day of October, 2006, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 20 feet be and is hereby GRANTED, subject to the following:

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JAN 10 2006
[Signature]

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.



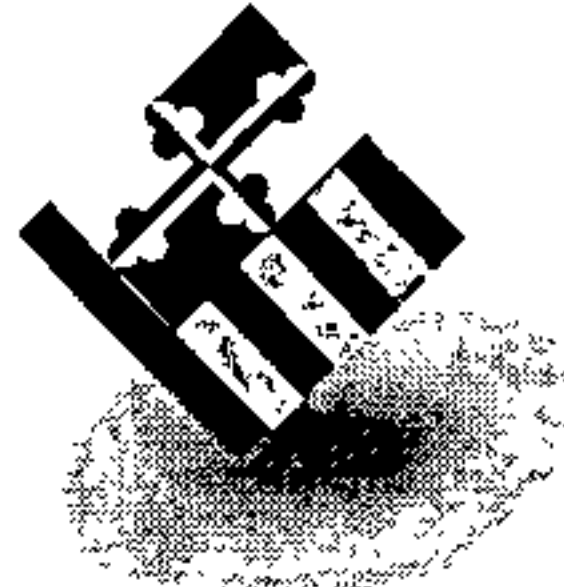
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

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10-23-06

10-23-06



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

October 23, 2006

BASIL W. AND VALERIE ABURN
1009 COWPENS AVENUE
TOWSON MD 21286

Re: Petition for Administrative Variance
Case No. 07-128-A
Property: 1009 Cowpens Avenue

Dear Mr. and Mrs. Aburn:

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:pz

Enclosure

c: Edward Gilliss, 102 West Pennsylvania Avenue, #600, Towson MD 21204

RECEIVED FOR FILING

10-23-06

10-23-06



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1009 COLPENS AVENUE
which is presently zoned DR-1

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)

1B02.3.C.1 to permit a side yard setback of 10 ft. in lieu of the required 20 ft.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

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.

CASE NO. 07-128-A

REV 10/25/01

RECEIVED FOR FILING

Date 10-27-06

mb

Reviewed By BK

Estimated Posting Date 10/1/06

Date 9/20/06

Zoning Commissioner of Baltimore County

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

1009 COWPENS AVENUE

Address

BALTIMORE

City

MD

State

21286

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):

Existing septic system location, steep topography and side yard setbacks (20 feet) limit the available rear yard area for expansion of the existing home.

We are proposing to encroach approximately 10 feet (± 144 square feet area) into the portion of the 20-foot side yard setback area directly behind the existing garage. (The side wall of the garage is located within 10 feet or so of the property line.)

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.

Basil Aburn
Signature

Basil Aburn
Name - Type or Print

Valerie Aburn
Signature

Valerie Aburn
Name - Type or Print

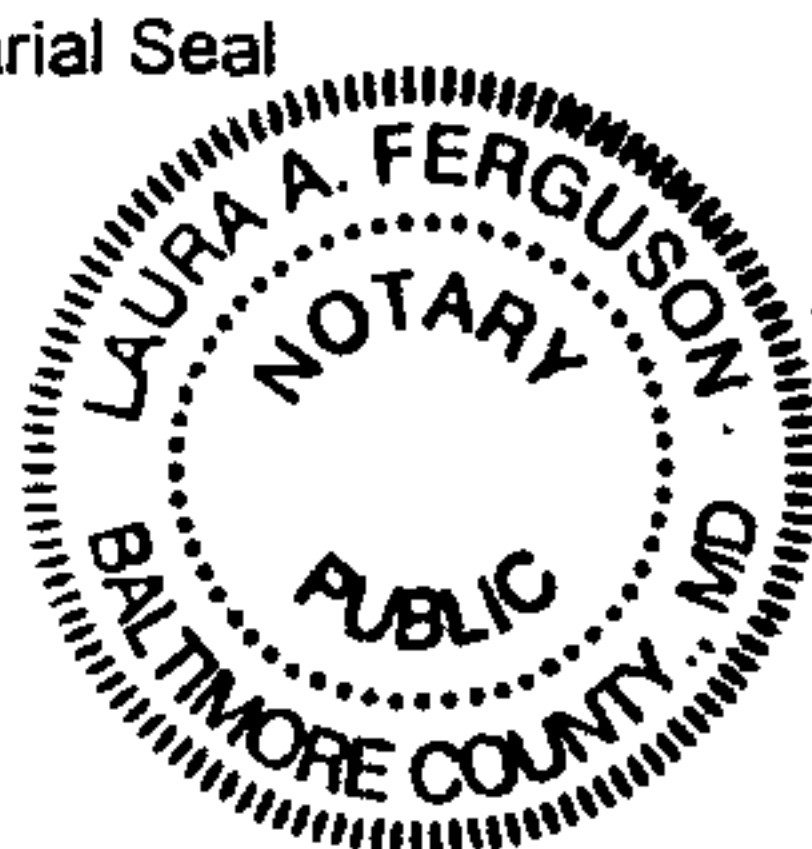
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of August, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Basil Aburn and Valerie Aburn

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

AS WITNESS my hand and Notarial Seal



Laura A. Ferguson
Notary Public

My Commission Expires 04/01/2010



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1009 COWPENS AVENUE
which is presently zoned DR-1

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)

1B02.3

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 Basim Abum
Signature [Signature]

Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print [Signature]
Signature [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 _____ 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.

Legal Owner(s):

Name - Type or Print Basim Abum
Signature [Signature]

Name - Type or Print Valerie Abum
Signature [Signature]

Address 1009 Cowpens Ave Telephone No. 410.823.8951
Towson MD 21286
City State Zip Code

Representative to be Contacted:

Name EDWARD J. G. WYSS
Address 102 W. PENNSYLVANIA AVE #600 Telephone No. _____
Towson MD 21204 410.823.1800
City State Zip Code

CASE NO. 07-128-A

REV 10/25/01

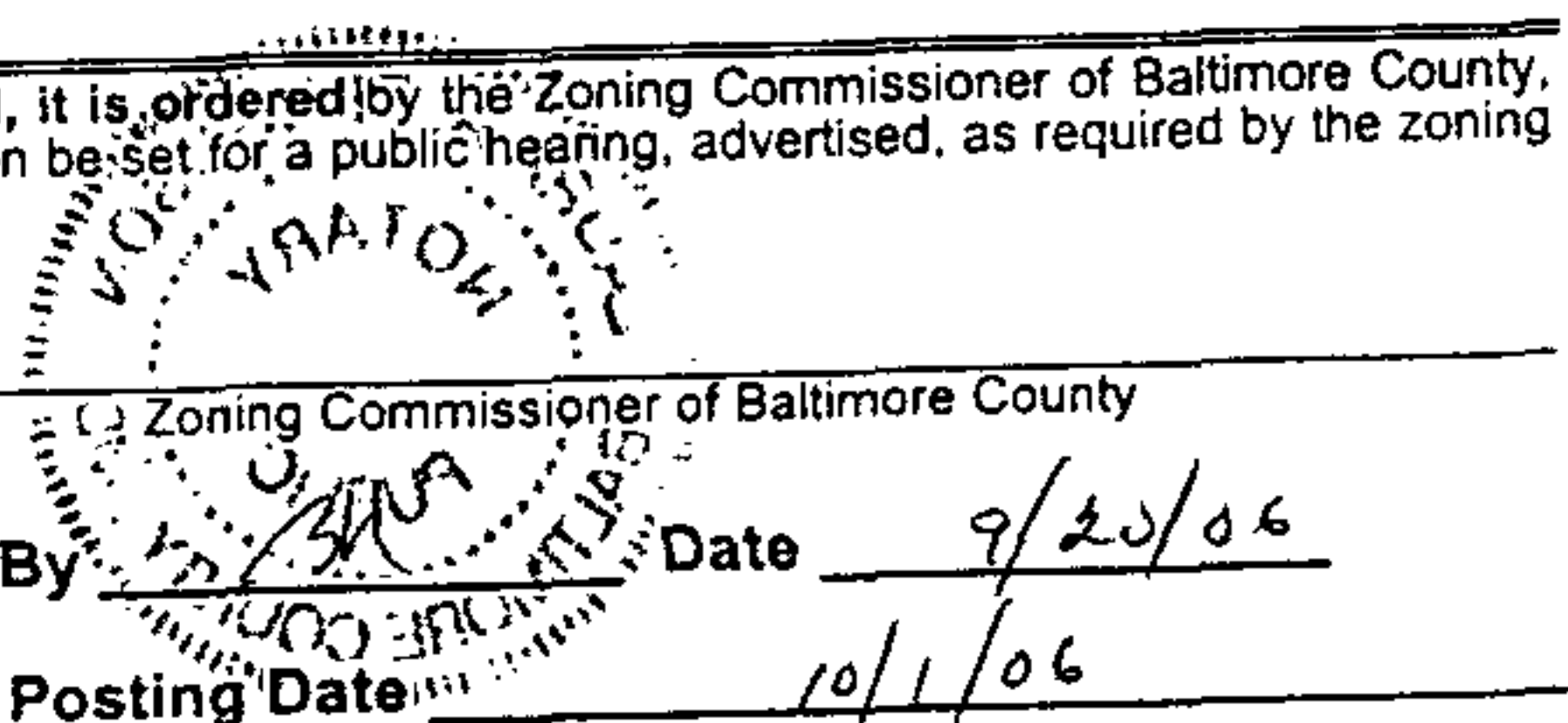
RECEIVED FOR FILING

Date 10-23-06 [Signature]

Reviewed By [Signature]

Estimated Posting Date 10/1/06

Date 9/20/06



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

1009 COWPENS AVENUE
Address

BALTIMORE
City

MD
State

21286
Zip Code

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Basil Aburn
Signature

Basil Aburn
Name - Type or Print

Valerie Aburn
Signature

Valerie Aburn
Name - Type or Print

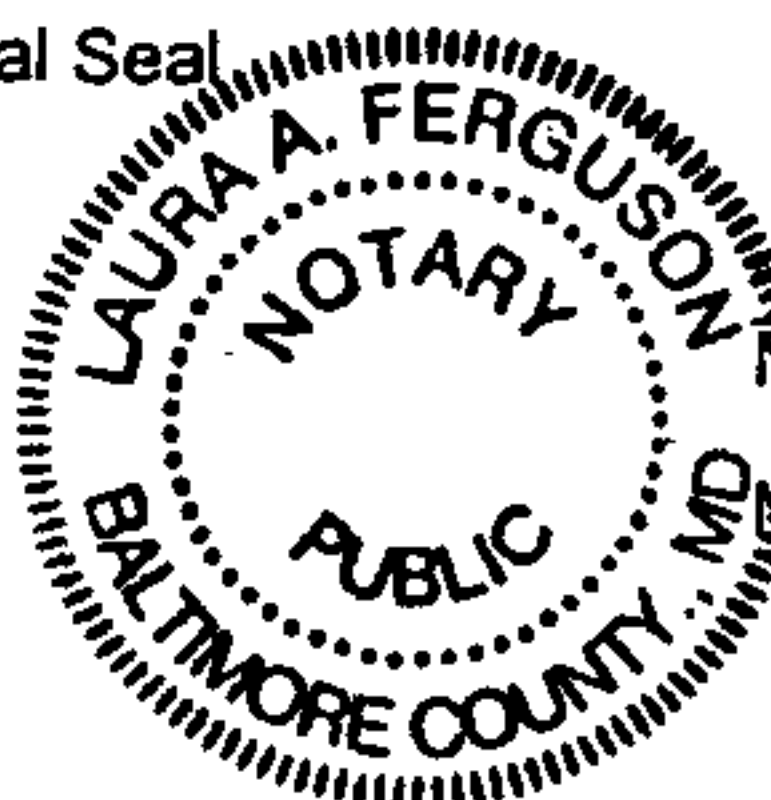
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of August, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Basil Aburn and Valerie Aburn

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

AS WITNESS my hand and Notarial Seal



Laura A. Ferguson
Notary Public

My Commission Expires 04/01/2010



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1009 COWPENS AVENUE
which is presently zoned DR-1

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1B02.3

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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 _____ 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.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

Zip Code

CASE NO. 07-128-A

REV 10/25/01

10-23-06

Reviewed By

Date 9/20/06

Estimated Posting Date

10/1/06

Zoning Commissioner of Baltimore County

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That the Affiant(s) does/do presently reside at 1009 COWPENS AVENUE
Address
BALTIMORE MD 21286
City State Zip Code

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(The side wall of the garage is located within 10 feet or so of the property line.)

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Basil Aburn
Signature
BASIL ABURN
Name - Type or Print

Valerie Aburn
Signature
Valerie Aburn
Name - Type or Print

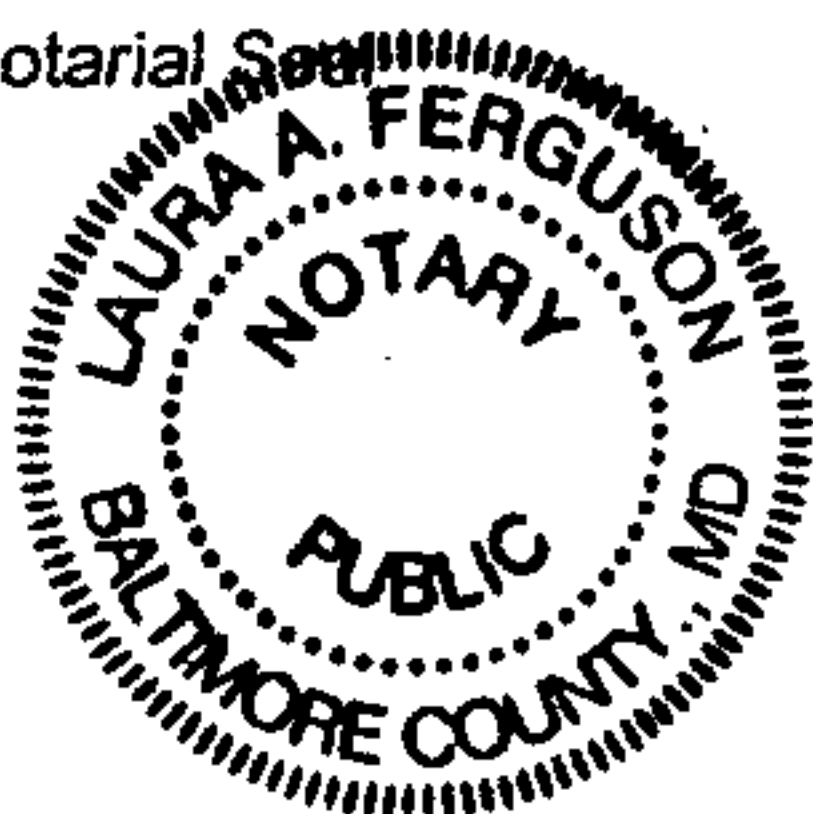
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of August, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Basil Aburn and Valerie Aburn

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

AS WITNESS my hand and Notarial Seal



Laura A. Ferguson
Notary Public
My Commission Expires 04/01/2010

ZONING DESCRIPTION

Zoning Description For 1009 Cowpens Avenue

BEGINNING FOR THE SAME in the center of Cowpens Avenue at the beginning of a parcel of land which by Deed dated January 14, 1949, and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1722, folio 373, was conveyed by Lewis J. Brewster, et al, to Charles K. Brewster and Doris M. Brewster, his wife, and running thence with and binding on the 1st and 2nd lines of said parcel of land and being in the center of Cowpens Avenue, the 2 following courses and distances, Viz: South 41 degrees 51 minutes East 110.27 feet and South 26 degrees 41 minutes East 4.92 feet to the beginning of a parcel of land which by a Deed dated April 3, 1952, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2094, folio 351, was conveyed by Clayton Bordley, Inc. to Charles K. Brewster and Doris M. Brewster, his wife, thence binding on a part of the 1st line of said parcel of land and continuing to bind in the center of Cowpens Avenue South 26 degrees 41 minutes East 77.53 feet thence leaving said Avenue and outline and running for lines of division the 2 following courses and distances, Viz: South 38 degrees 28 minutes West 293.85 feet and North 57 degrees 53 minutes West 144.0 feet to intersect the last line of the herein referred to parcel of land which was conveyed by Lewis J. Brewster to Charles K. Brewster and Doris M. Brewster, his wife, and running with and binding on a part of said last line North 32 degrees 07 minutes East 365.22 feet to the place of beginning. Containing 1.25 acres of land, more or less. The improvements thereon being known as No. 1009 Cowpens Avenue.

SAVING AND EXCEPTING therefrom all that property of ground as described in a Deed dated April 10, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 7481, folio 830, by and between James H. Bennett, Jr. and Dorothy Jane Bennett, his wife.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21033

DATE 9/20/06 ACCOUNT Rept-006-6150
 AMOUNT \$ 65.00

RECEIVED FROM: Royston W. Miller, M. L. Lee, C. R. P. D.
 FOR: Asst. Dir. of

DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER
Item # 138

PAID RECEIPT

BUSINESS ACTUAL TIME
 9/21/2006 9/20/2006 14:17:43
 REG. NO. 441311 JMC JHR
 RECEIPT # 302572 9/20/2006
 Dept 5 52870000 VERIFICATION
 DR NO. 021037

Receipt Tot
 \$30.00 CH
 \$35.00 DA
 \$5.00-03

Baltimore County, Maryland

CASHIER'S VALIDATION



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

October 17, 2006

Basil W. Aburn
Valerie Aburn
1009 Cowpens Avenue
Towson, MD 21286

Dear Mr. and Mrs. Aburn:

RE: Case Number: 07-128-A, 1009 Cowpens Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 20, 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Edward J. Gilliss 102 W. Pennsylvania Avenue, Ste. 600 Towson 21204



Baltimore County
Fire Department

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

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

October 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 2, 2006

Item Number(s): 113-130

128

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 27, 2006

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

RE: Baltimore County
Item No. 128
7-128-A
ABURN PROPERTY
10009 COMDENS WAY
VARIANCE - TO PERMIT A SIDE
YARD SET BACK IN LIEU OF
REQUIRED 20'

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 2, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For October 2, 2006
Item Nos. 07-113, 118, 120, 121, 122,
123, 124, 125, 126, 127, 128, 129, 130,
and 133

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- 10022006.doc



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 07-128-A
PETITIONER/DEVELOPER:
Basil & Valerie Aburn
DATE OF POSTING: Sept. 29, 2006

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

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

(see page 2 for full size photo)

LOCATION:

1009 Cowpens Avenue



SIGNATURE OF SIGN POSTER

John J. Dill

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON: September 29, 2006

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # : 07-128-A

To permit: A SIDE YARD SETBACK OF
10 FT. IN LIEU OF THE REQUIRED 20 FT.

PUBLIC HEARING?

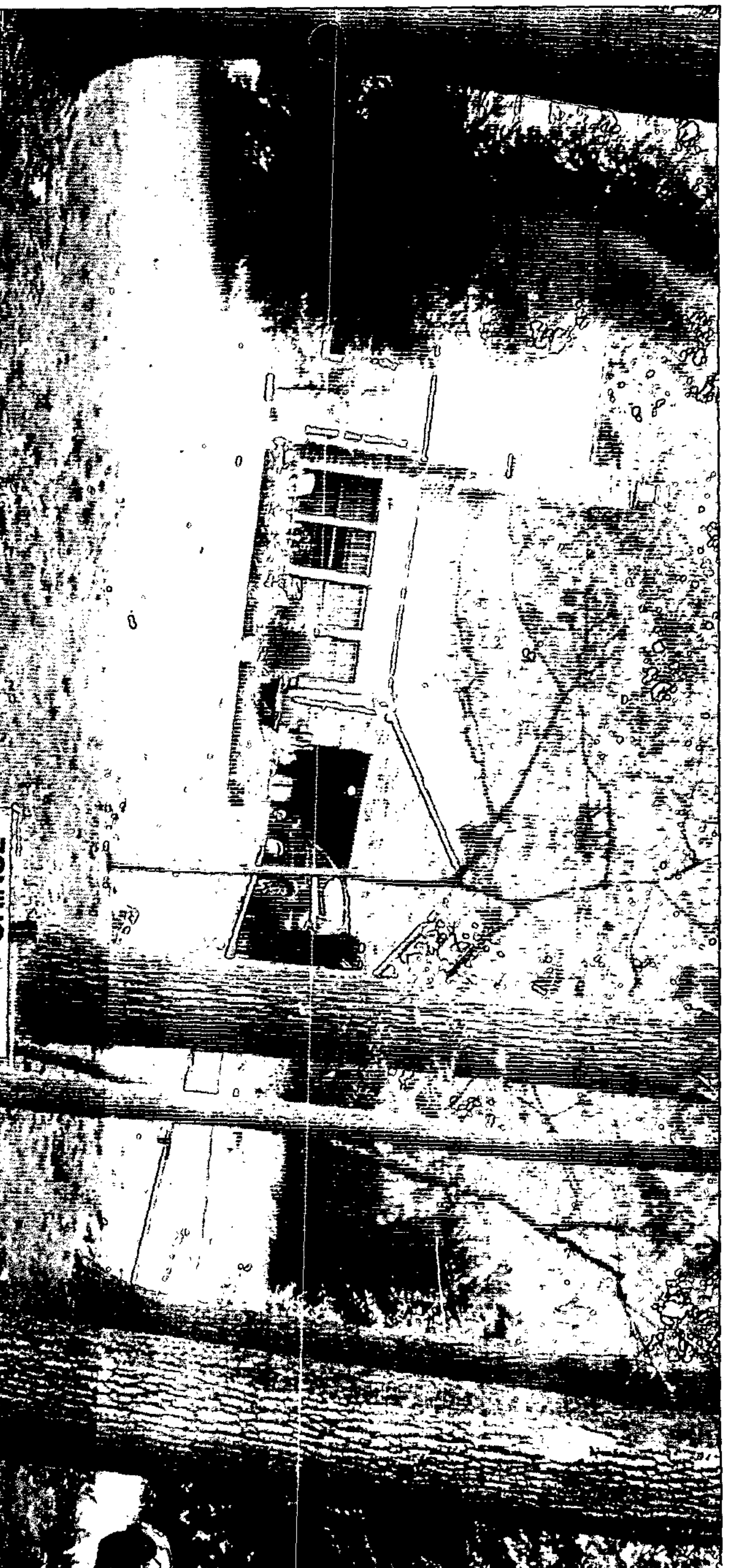
PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON OCTOBER 16, 2006

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER
HEARINGS ARE HANDLED ACCESSIBLE

09/29/2006



ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE#: 67416

THE PRESIDENT & SENATE
AND THE SUPREME COURT

PUBLIC HEARING?

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-19-2006 BY 60322 UCBAW

THE UNIVERSITY OF CHICAGO

09/29/2006

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 128 -A Address 1009 Cowpens Ave.
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 9/20/06 Posting Date: 10/1/06 Closing Date: 10/16/06

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.
- 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 07- 128 -A Address 1009 Cowpens Ave.
Petitioner's Name Basil + Valerie Aburn Telephone 410-823-8951
Posting Date: 10/1/06 Closing Date: 10/16/06
Wording for Sign: To Permit a side yard setback of 10 ft. in lieu of the
required 20 ft.

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/neighbor 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: 07-128-A
Petitioner: x Basil + Valerie Aburn
Address or Location: x 1009 Cowpens Ave. Towson MD 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name: x Edward J Gilliss
Address: x 102 W. PENNSYLVANIA AVE #600
Towson MD 21204
Telephone Number: x 410 823 1800

ZONING VARIANCE
ABURN PROPERTY 1009 COWPENS AVE 6.06



VIEWS FROM STREET



ZONING VARIANCE
ABURN PROPERTY 1009 COWPENS AVE 6.06



LOOKING WEST FROM STREET



LOOKING NORTH OVER SEPTIC AREA

ZONING VARIANCE
ABURN PROPERTY 1009 COWPENS AVE 6.06



NEIGHBOR
#1007

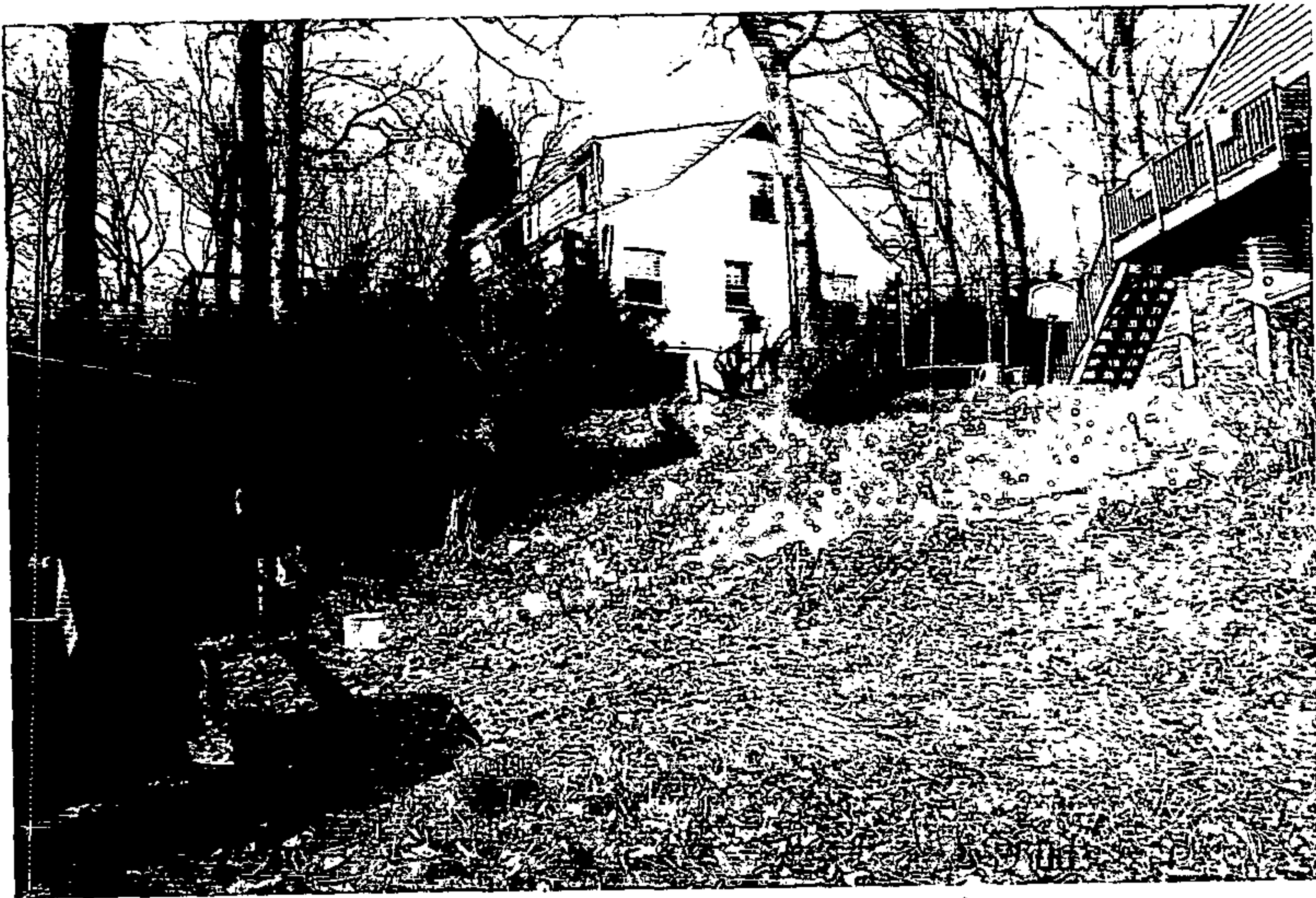
LOOKING S.W. ALONG PROP. LINE



VIEW SOUTH SHOWING AREA TO BE BUILT ON

#128

ZONING VARIANCE
ABURN PROPERTY 1009 COWPENS AVE 6.06



HILL
←

SEPTIC
AREA
←

VIEW TOWARD NW & NEIGHBOR (#1007)



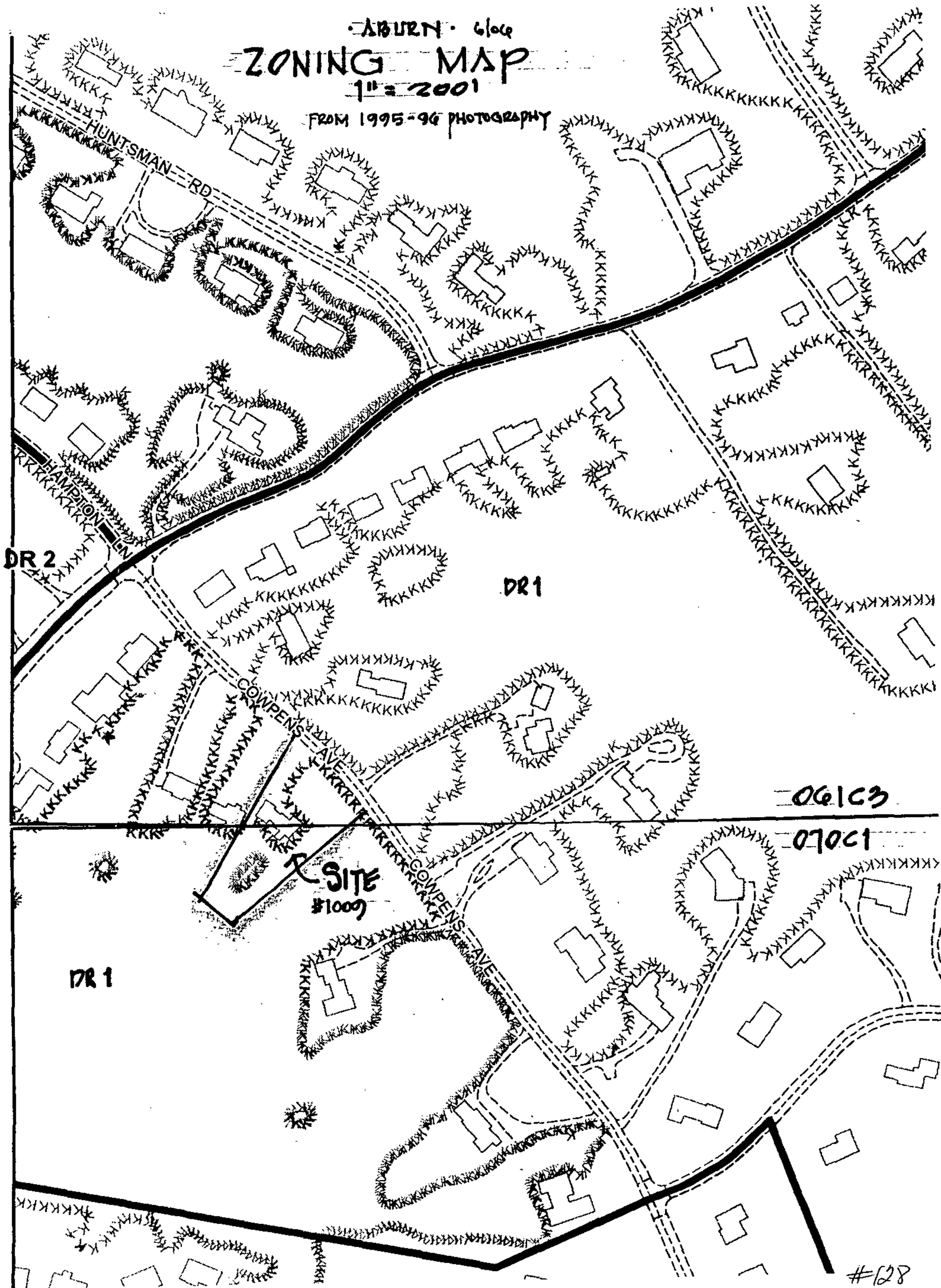
NEW
FAMILY
ROOM

• AUBURN • 6/06

ZONING MAP

1" = 200'

FROM 1995-96 PHOTOGRAPHY



061C3

070C1

SITE
#1009

DR 1

DR 1

DR 2

#128

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 1000 Compens Avenue

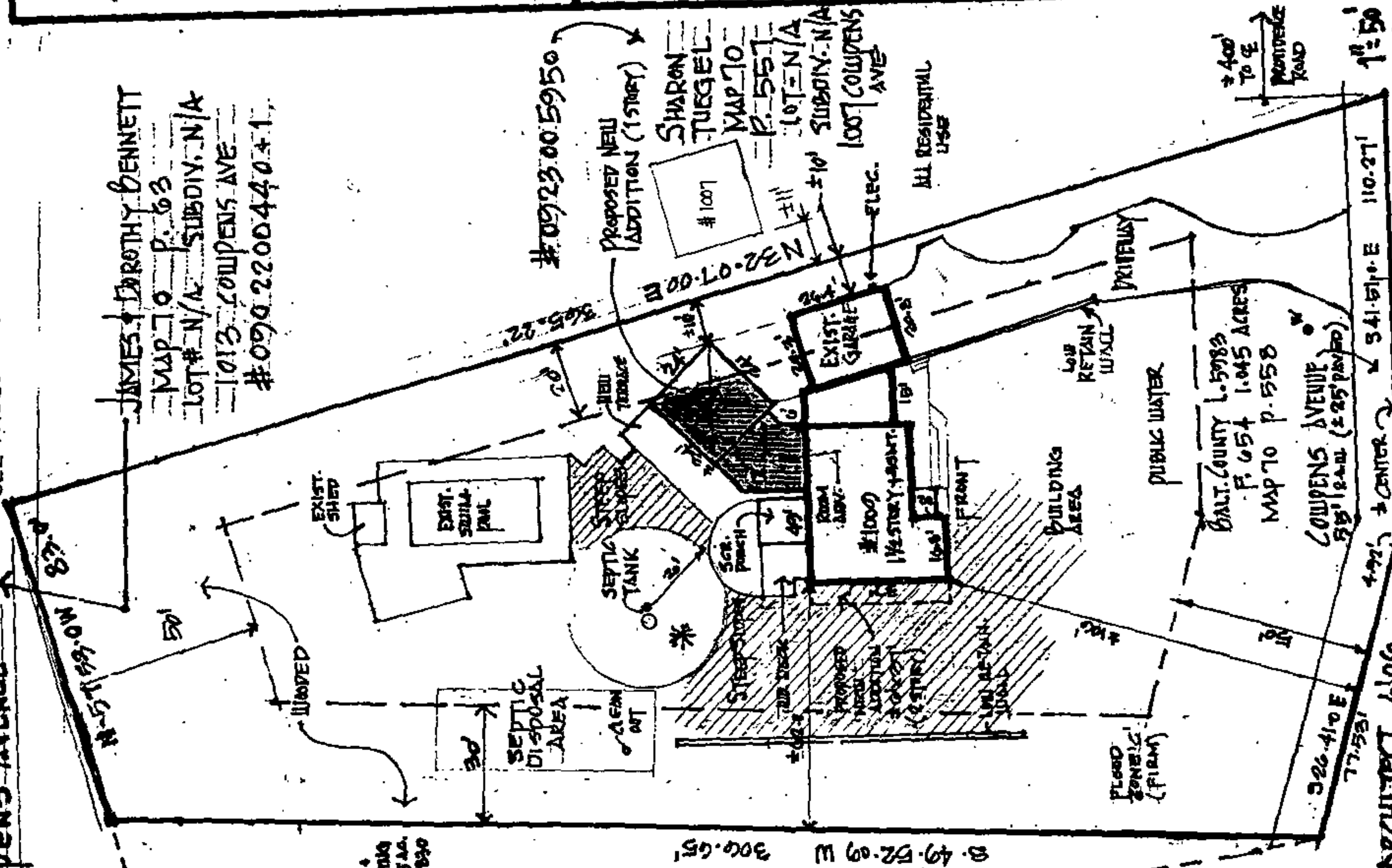
SUBDIVISION NAME

PLAT BOOK # N/A FOLIO # N/A

OWNER **BASIL + VALERIE**

ABUSE

NOT RECORDED LOT



JAMES F DOROTHY
BENNETT
MAP TO P1138
LOT# N/A
SUBDIV. N/A
1013 COLLINS AVE
2000013392



PREPARED BY KEVIN MCKENNA, ARCHITECT 606

4-92' + CENTER ✓ 341.510 E 110.27'

22



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

2
ELECTION DISTRICT

COUNCILMANIC DISTRICT 3

1"=200' SCALE MAP # 061C3 + 070C1

ZONING

LOT SIZE	1.245	45,520 ±
	ACREAGE	SQUARE FEET

SEWER ☐ PUBLIC ☒ PRIVATE

83.4.35

WATER

YES

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN

**HISTORIC PROPERTY/
BUILDING**

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

67-128-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 1009 COUPENS AVENUE

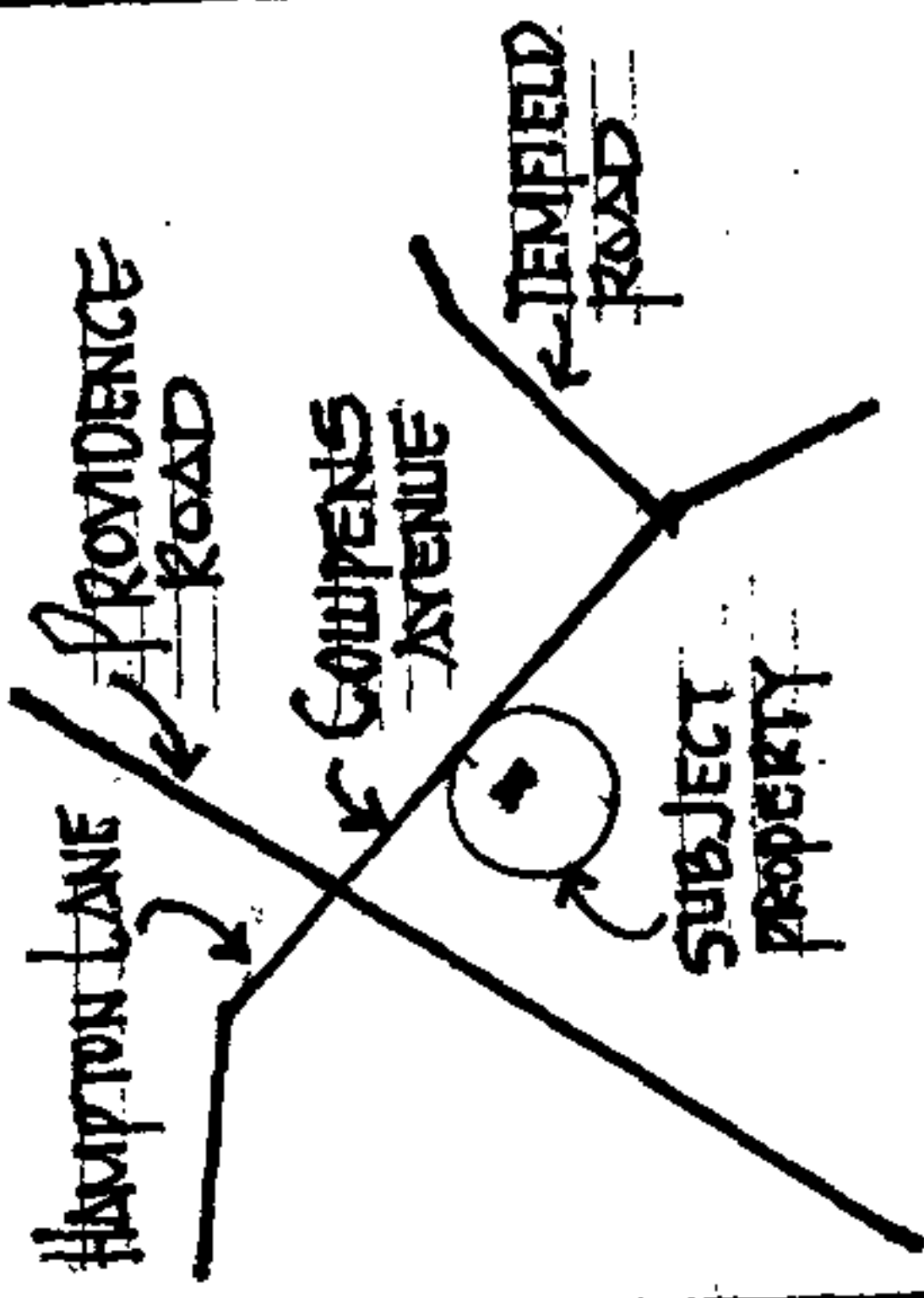
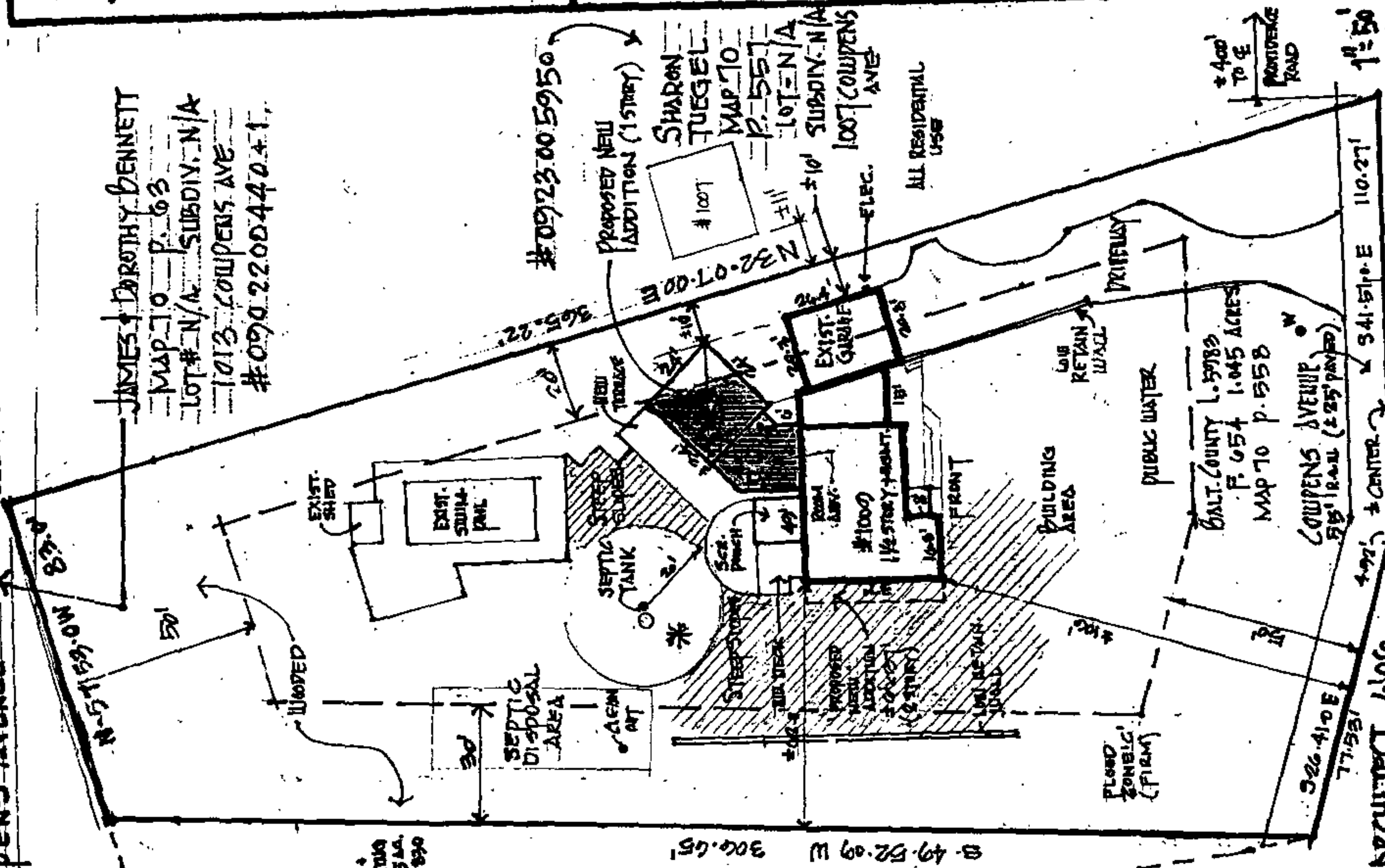
SUBDIVISION NAME —

PLAT BOOK # N/A FOLIO # N/A

OWNER BASIL & VALERIE

ABURN

NOT RECORDED LOT



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 3
1" = 200' SCALE MAP # 06163 + 07061
ZONING DR-1
LOT SIZE 1.145 ACRES 45,520 ± SQUARE FEET
SEWER ☐ PUBLIC ☒ PRIVATE ☒
WATER ☒
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO ☒
100 YEAR FLOOD PLAIN ☐ YES ☒ NO ☒
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO ☒
PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY — ITEM # — CASE # —

128 67-128-A



PREPARED BY KEVIN MCKENNA, ARCHITECT 606

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 12, 2006

OCT 13 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 7-128- 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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:

Bill Hughey

Division Chief:

Lynn Sanborn

CM/LL