IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Perry Ridge Court, east of c/l of
White Marsh Blvd.
14th Election District
6th Councilmanic District

(21 Perry Ridge Court)

Timothy P. and Stacey A. Coffman *Petitioners*

BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 07-129-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, Timothy P. and Stacey A. Coffman. The variance request is for property located at 21 Perry Ridge Court. The variance request is from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open projection (deck) to have a rear yard setback as close as 20 feet in lieu of the permitted 26.25 feet; and to amend the Final Development Plan of Richter Property, Lot 11 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that they wish to extend the deck from the house to the retaining wall behind the house. Behind the retaining wall is a hill approximately 20-25 feet high and no other use can be made of said hill. The deck will allow them to make the most use out of their back yard.

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

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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 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 October 1, 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 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open projection (deck) to have a

rear yard setback as close as 20 feet in lieu of the permitted 26.25 feet; and to amend the Final Development Plan of Richter Property, Lot 11 only be and is hereby GRANTED, subject to the following:

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.

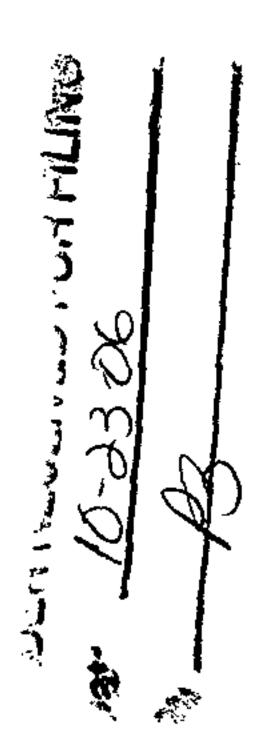
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

October 23, 2006

TIMOTHY P. AND STACEY A. COFFMAN 21 PERRY RIDGE COURT BALTIMORE MD 21237

> Re: Petition for Administrative Variance Case No. 07-129-A Property: 21 Perry Ridge Court

Dear Mr. and Mrs. Coffman:

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

JVM:pz

Enclosure



REV 10/25/0

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21 PENY RIDGE COUNT which is presently zoned DR 3.5 (Forum S 5)

projection (deck) to have a rear yard setback as close as 20 feet in lieu of the permitted 26.25; and to amand the Final Development Plan of Richter Property, lot 11 only 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. Legal Owner(s): Contract Purchaser/Lessee: TIMOTHY P. COFFMAN Name - Type or Print Name - Type or Print Signature Signature Telephone No. Address · Name - Type or Print Zip Code City State PERRY RIDGE COURT (410)665-9023 Attorney For Petitioner: Telephone No. Address ALTIMONE Name - Type or Print Zip Code Representative to be Contacted: Signature Name Company Telephone No. Address Telephone No. Address Zìp Code Zip Code City State City State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of this regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County . CASE NO. Reviewed By **Date**

Estimated Posting Date

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal

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.

The A the ACC and (a) should be accombly applied at	21 PEDMY 1	UDGE COUNT	
That the Affiant(s) does/do presently reside at	Address BALTIMONE	MANYINS	2/237 Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts upon ip or practical difficulty):	which I/we base the requ	•
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TO THE RETAINING WALL BEH	MUD OUN HOUSE	E. BEHIND SAID	WALL IS A HE
APPROXIMENTELY 20-25 FEET H	EGH. THELE C	AUBE NO OTHER	USE MADE OF
SAID HILL, THENEFORE WE NE	QUEST A VAN	AUCE TO ALLOW	US TO MAKE
THE MOST USE OF THE LIVING	SPACE OF OUR	BACKYAND.	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, additional information.	Affiant(s) will be required	to pay a reposting and
Signature Signature	Signatu	tary A Coff	<u></u>
TIMOTHY P. COFFMAN	Name -	Type or Print	ffun
Name - Type or Print	· ·	Type of Film	
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:		
I HEREBY CERTIFY, this by day of Aug of Maryland, in and for the County aforesaid, pe	rsonally appeared	, <u>പ്പാം</u> , before me, a l	Notary Public of the State
the Affiant(s) herein, personally known or satisfa	actority identified to me a	ran s such Affiant(s).	<u> </u>
AS WITNESS my hand and Notarial Seal			
Start	Jera	alderson	<u>^</u>
	Notary Public My Commission	on Expires	06

TINA ALDERSON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 14, 2006



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21 Percy Ridge Ct which is presently zoned <u>DR 3.5 (Formster DES-S</u>)

1	, Which is presently zoned bit 5.5 (1 - 1 - 1 - 1
This Petition shall be filed with the Department of Permi owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section open projection (deck) to have a rear in lieu of the permitted 26.25; and	ts and Development Management. The undersigned, legal this described in the description and plat attached hereto and on(s) 301.1. A - to permit a proposed yard set back as close as 20 feet
in lieu of the permilled 26.25; and of Richter Property, lot 11 only	to amond the tinal Vevelopment Man
of the zoning regulations of Baltimore County, to the zoning la of this petition form.	aw of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the a l, or we, agree to pay expenses of above Variance, advertising, pos regulations and restrictions of Baltimore County adopted pursuant to	sting, 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:	<u>Legal Owner(s):</u>
	TIMOTHY P_COFFIND
Name of Plant	
Name - Type or Print	Name - Type or Print
Signature	STACEY A. COFFMAN
Address Telephone No.	Name Type or Print
City State Zip Code	Signature Signature 21 PENY MOGE COUNT (410) 539=427
Attorney For Petitioner:	21 PENY MOGE COUNT (410) 535-427
	BALTMONE, MAYUND 21237
Name - Type or Print	City State Zip Code
	Representative to be Contacted:
Signature .	110procentativo to bo contacted.
Company	Name
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City State Zip Code	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 the	his petition be set for a public hearing, advertised, as required by the zoning
regulations of Baltimore County and that the property be reposted.	11111111111111111111111111111111111111
•	Zoning Commissioner of Baltimore County
CASE NO. 07-129-A Rev	
CADD NO. CITATT Rev	iewed By Date Date

Affida Vit 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	21 PEN	MY 1406 CO	NT	
77727 1770 7 1171CH (C) GOOGLAG processing records at	Address	more, MA	MAD	21237
	City	<u> </u>	tate	Zip Code
That based upon personal knowledge, the followard variance at the above address (indicate hardship	owing are the fair	acts upon which I/we lifficulty):	base the request	for an Administrative
WE WOULD REQUEST PERMISSION	TO EXTENS	S OUR DECK F	non our Ho	USE (16 FEET)
TO THE RETAINSING WALL BEHIND	our Hous	SE. BEHNO	SAID WALL	is a HILL
APPROXIMATELY 20-25 FEET /	4164.	THERE CAN B	E NO OTHER	_ us∈_
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US TO MAKE THE MOST U	SE OF	THE LIVING.	SPACE OF	CU/L
BACK YSLA.				
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Timothy Coffman Name - Type or Print	ormal demand additional information	mation. Signature	ill be required to	
STATE OF MARYLAND, COUNTY OF BALTIN		0.0%		
I HEREBY CERTIFY, this 16th day of 12th of Maryland, in and for the County aforesaid, pe	reonally appea	red , 2000 ,	before me, a Nota	ry Public of the State
the Affiant(s) herein, personally known or satisfa	Stacy actorily identifie	A Coffma ed to me as such Affi	ant(s).	<u> </u>
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The state of the s		My Commission Expire	November 14, 2006	
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CASE NO. 07-127. A

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	21 PERMUPGE. COURT
– – – – – – – – – – – – – – – – – – –	is presently zoned M 3.5 (Forushy Alesis

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

Date

* * *

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) 301.1. A - to permit a proposed open projection (deck) to have a rear yard setback as close as 20 feet in lieu of the permitted 26.25; and to amend the Final Development Plan of Richter Property, lot 11 only

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. <u>Legal Owner(s):</u> Contract Purchaser/Lessee: TIMOTHY P. COFFMAN Name - Type or Print Name - Type or Print Signature Signature Coffman Telephone No. Address Name - Type or Print City State Zip Code 21 PENY MAGE COUNT Attorney For Petitioner: Address Telephone No. 21237 BACTMONE, MAYLAND Zip Code Name - Type or Print Representative to be Contacted: Signature Name Company Telephone No. Address Address Telephone No. State Zip Code Zip Code City City State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of this regulations of Baltimore County and that the property be reposted.

Reviewed By

Estimated Posting Date

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Affida Vit 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	21 PERRY RIO	GE COURT	COURT			
	Address City Address	MANY (AUD)	21237 Zip Code			
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TO THE RETAINING WALL BEHIN	us our House.	BEHIND SAID WALL	is a HUL			
APPROXIMATELY 20-25 FEET H	164. THERE CA	N BE NO OTHER U	SE MADE OF			
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TIMOTHY P. COFFRIAN	5	STACEY A. COFFILS	ん			
Signature	Signatur	acu A Colla				
Name - Type or Print	Name -	Type or fint				
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:		~			
I HEREBY CERTIFY, this 6 day of 40 of Maryland, in and for the County aforesaid, per	rsonally appeared	, 2006, before me, a Not	ary Public of the State			
Timothy P. Coffman + State the Affiant(s) herein, personally known or satisfa	actority identified to me a	s such Affiant(s).	<u></u>			
AS WITNESS my hand and Notarial Seal						
En Spanne	Lin	aldeeson				
	Notary Public	recesor (
	My Commissio	n Expires	, <u> </u>			

TINA ALDERSON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 14, 2006

Zoning Description for 21 Perry Ridge Court.

Beginning at a point on the East side of Perry Ridge Court which is 50 feet wide at the distance of 450 feet (+/-) East of the centerline of the nearest improved intersecting street, White Marsh Road which is 60 feet wide. Being known and designated as Lot No. 11 as shown on Plat entitled "Plat Richter Property", which is recorded among the Land Records of Baltimore County, Maryland in Plat Book SM No. 61, folio 137, containing 6054 square feet. Also known as 21 Perry Ridge Court and located in the 14th Election District, 6th Councilmanic District.

Item # 129

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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 17, 2006

Timothy P. Coffman Stacey A. Coffman 21 Perry Ridge Court Baltimore, MD 21237

Dear Mr. and Mrs. Coffman:

RE: Case Number: 07-129-A, 21 Perry Ridge Court

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

W. Carl Richards, Jr. Supervisor, Zoning Review

u. Callibal D

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 2, 2006

Department of Permits & Development

Management

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



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

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



Printed with Soybean Ink

on Recycled Paper









CERTIFICATE OF POSTING

Date: 10 4 06
RE: Case Number:07-179-A
Cetitioner Developer: TIMOTHY COFFMAN
Date of Hearing/Closing) 10/16/06
This is to certify under the penalties of perjury that the necessary sing(s) required by law were posted conspicuously
on the property located at 21 PERRY RIOGE COURT
The sign(s) were posted on
(Month, Day, Year)

Charles E. Merritt 9831 Magledt Road Baltimore, MD 21234 410-665-5562

CASE #

PURSUANT

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEL PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OF HIS SIGN AND POST UNITE, MED 21204, 14 HANDLE AND 11204, 14 HAN

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	07-	129	-A		Address	21	Perry	Ridge	Court	
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			. /						Closing		
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

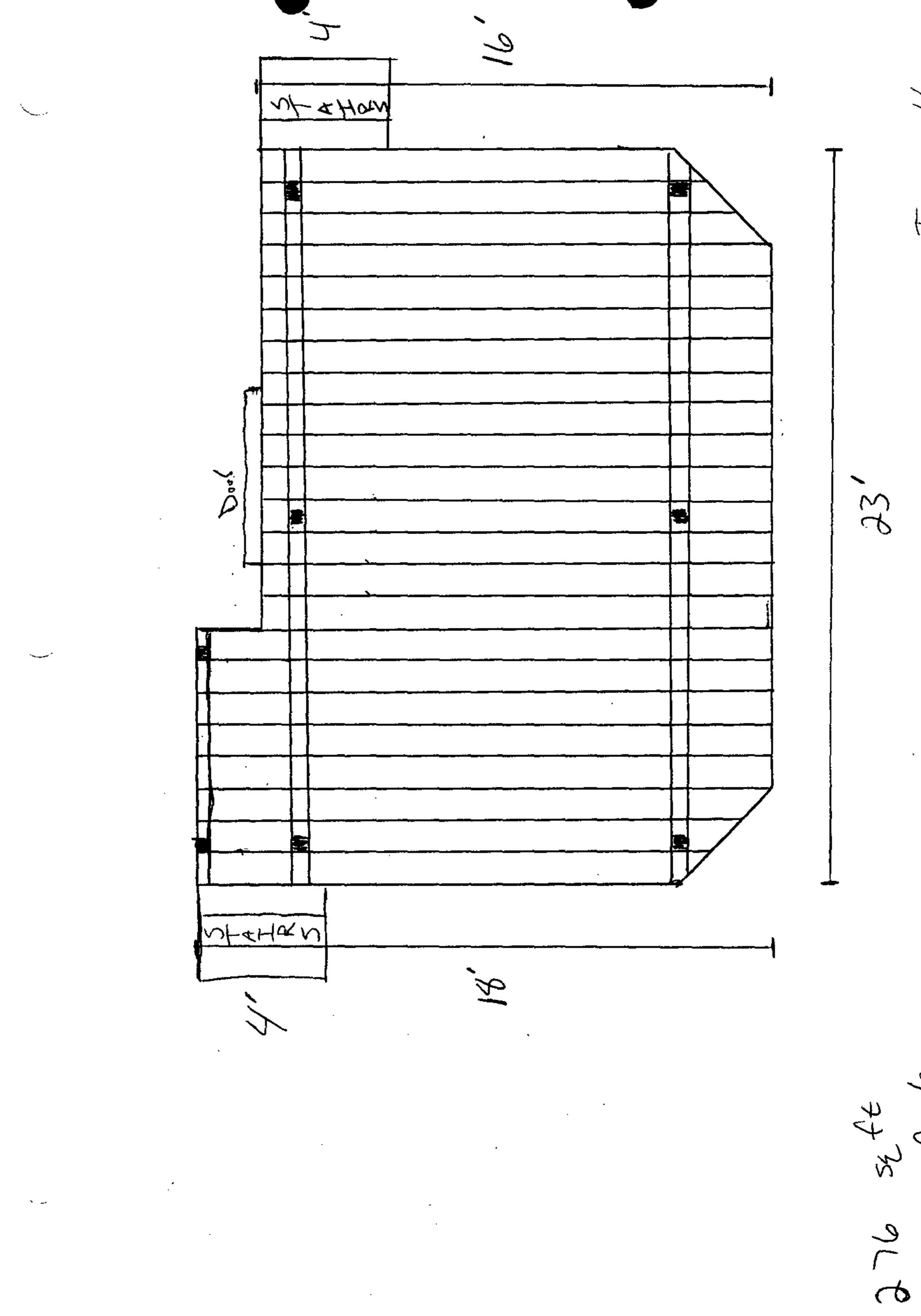
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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.

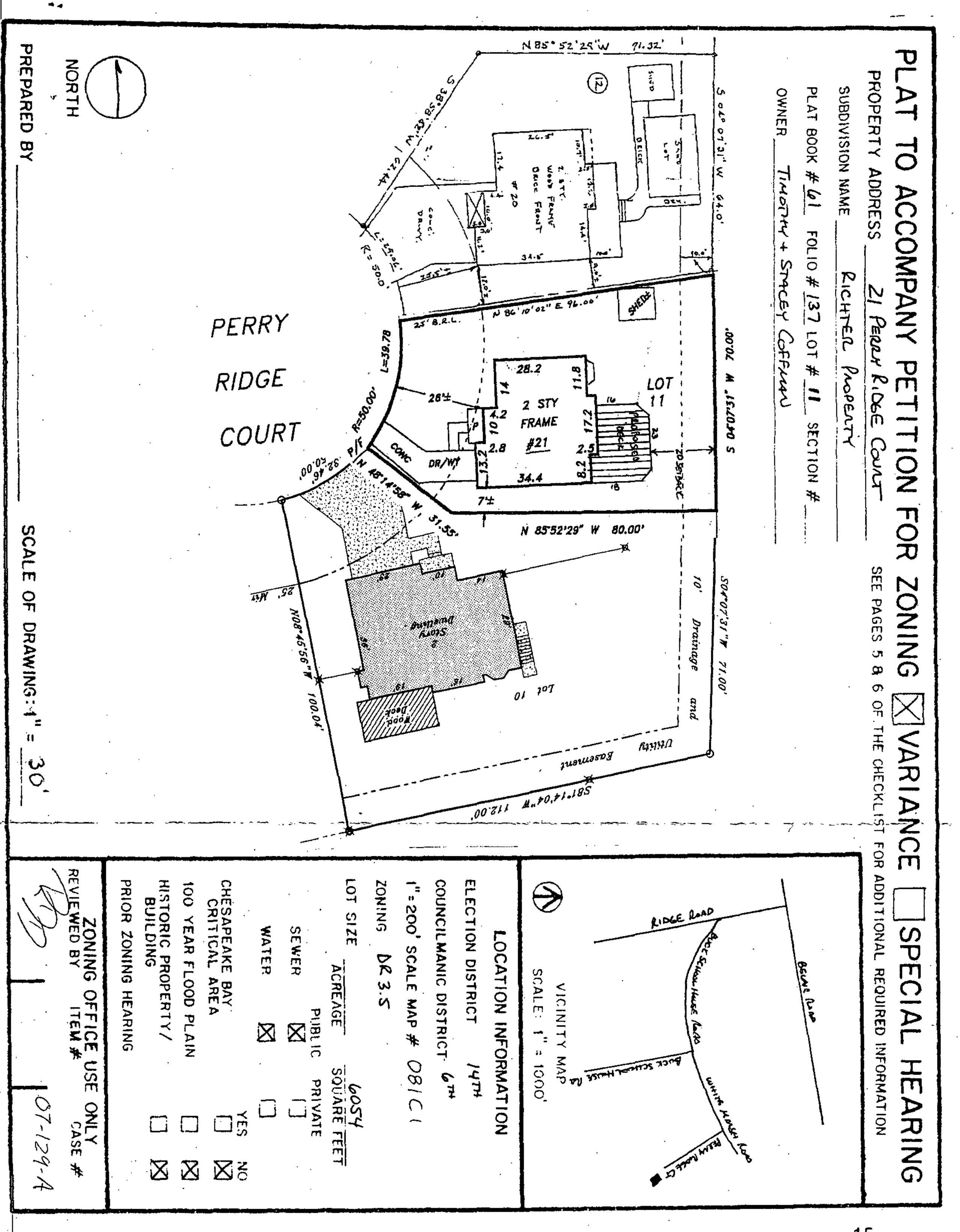
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For News	paper Advertising:	
Item Num	ber or Case Number: <u>07-729-A</u>	· · · · · · · · · · · · · · · · · · ·
Petitioner:	TIM + STACEY COFFMAN	· · · · · · · · · · · · · · · · · · ·
Address o	r Location: ZI PERRY RIDGE COUNT	•
PLEASE F	FORWARD ADVERTISING BILL TO: TIMOTHY P. COFFMAN	
Address:	21 PERRY RIOGE COURT	
•	BALTIMONE, MD Z1237	
Telephone	Number: (Y/a) 665-9023	



V

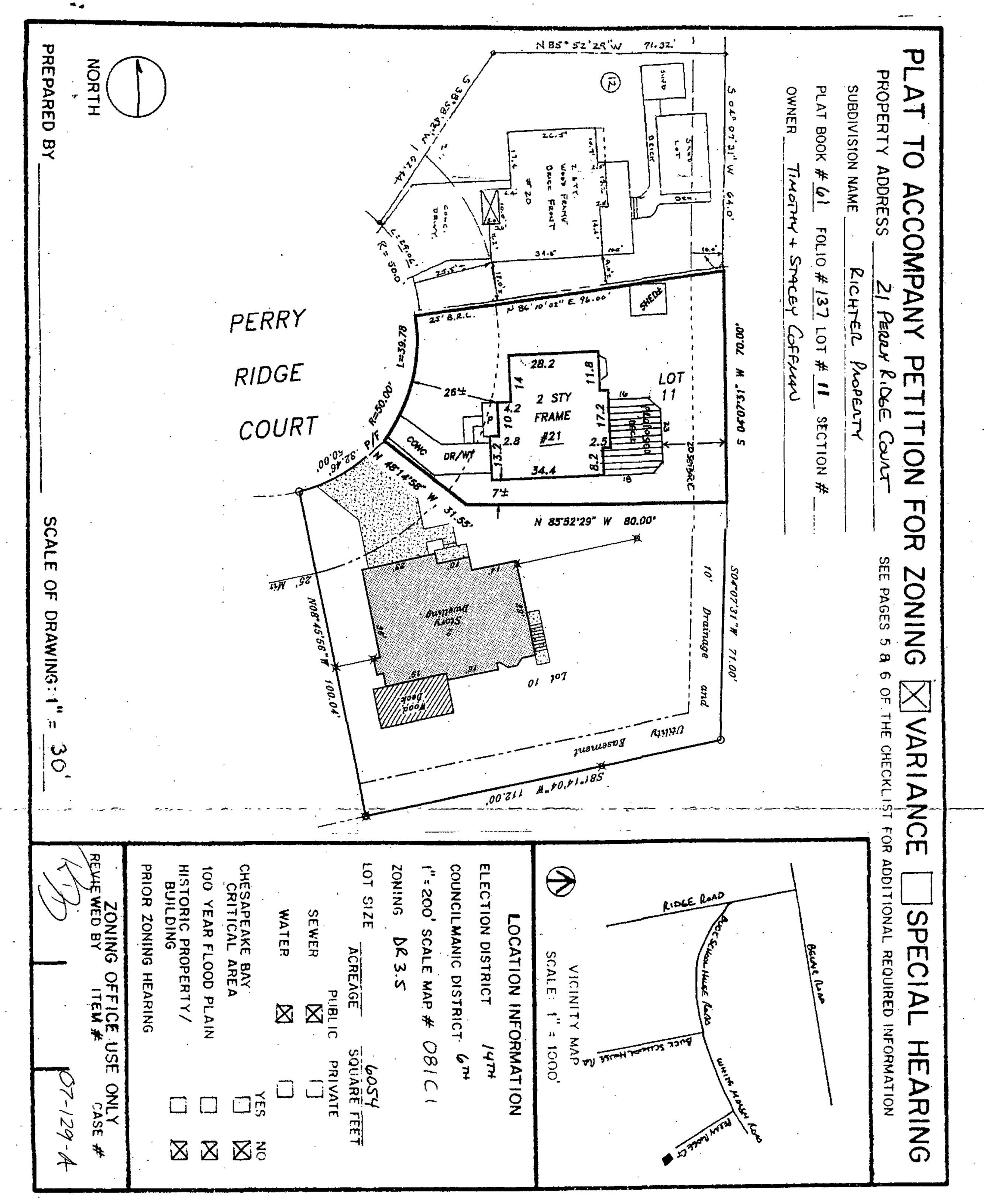
Item # 129



PREPARED BY SCALE OF DRAWING: 1" = 30'	NORTH				Se State		28 ± 100 × 50 × 50 × 50 × 50 × 50 × 50 × 50	72 22 74	28.2 8:11 72 8 8.2 2 5 TY FRAME #21 2.5 8 80.0 8 85-52'29" W 80.0	Socor 31" W 64.0" Socor 31" W 6	PLAT BOOK # 61 FOLIO # 137 LOT # 11 SECTION # OWNER TIMOTHY'+ STACEY COFFMAN	PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANO PROPERTY ADDRESS 21 PERCH RICHE COUNT SEE PAGES 5 & 6 OF THE CHECKLIST	
17/17 - 107-129-A	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #	HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING	CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN YES NO NO	SEWER PUBLIC PRIVATE WATER WATER ()	LOT SIZE ACREAGE SQUARE FEET	70.1V	COUNCILMANIC DISTRICT 674	LOCATION INFORMATION		A 106E BAAD ENTRY ROLL AND	Being have	E SPECIAL HEARING OR ADDITIONAL REQUIRED INFORMATION	

-15-

•



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: Officer 3; 2006/ED

OCT - 3 2006

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-129- Administrative Variance

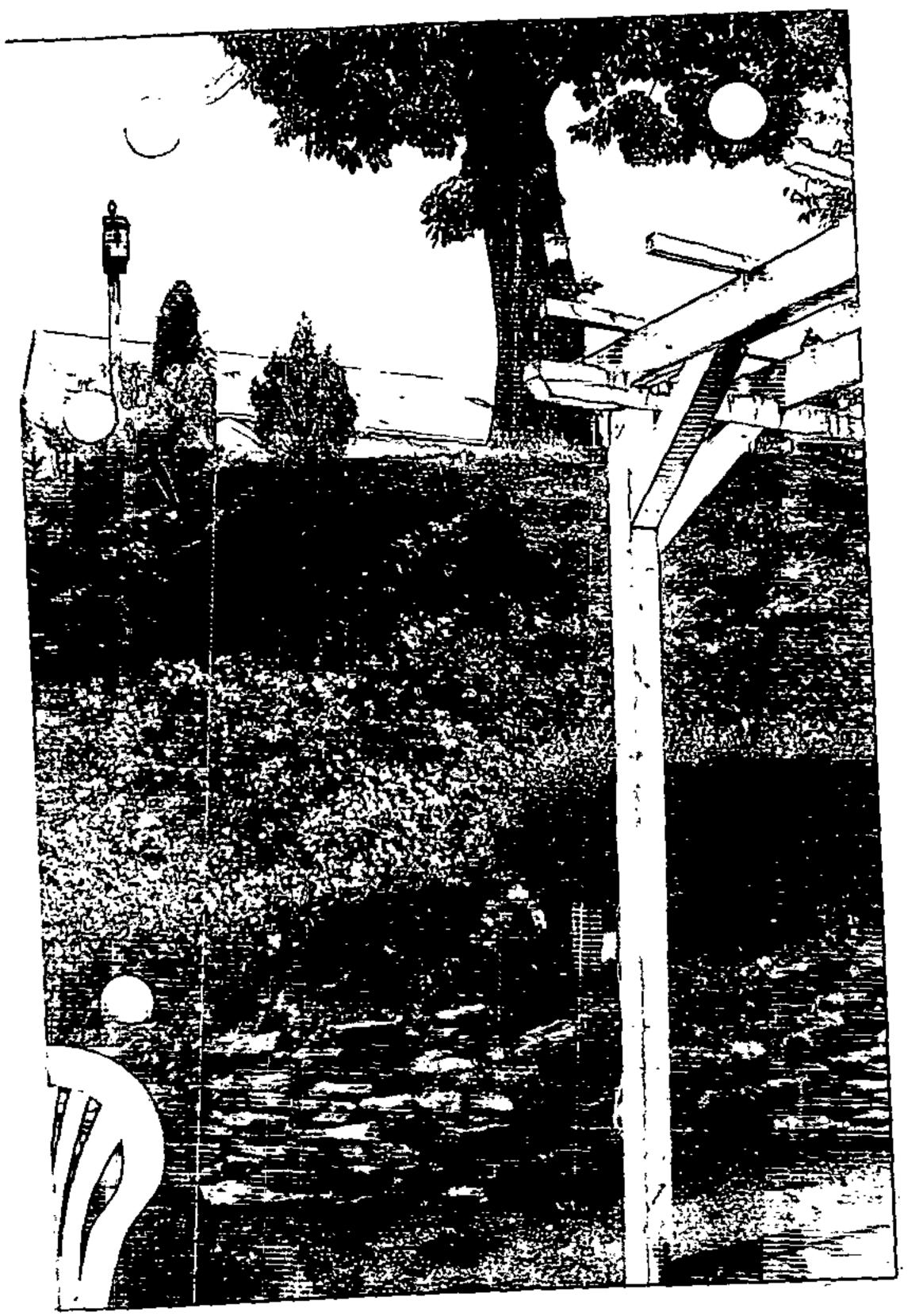
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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



Backyand - Showing From Side of House to
HIII

HIII

A Bult

A

View from Door out into Arres where proposes Deck to Be 15,1+



From topp of Hill Looking Down on AREA Proposes Deck







Deck to Be Built in Gravel Aven See how has Restricts Area

