

IN RE: **PETITION FOR ADMIN. VARIANCE**

SW corner of Overcrest Road and  
Stevenson Lane  
**(108 Overcrest Road)**  
9<sup>th</sup> Election District  
5<sup>th</sup> Council District

Robert and Mollie Testoni  
*Petitioners*

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* **Case No. 07-405-A**

\*

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Robert and Mollie Testoni. Variance relief is requested from Sections 1B02.3.C.1, 303.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed deck on side and rear of dwelling with a rear setback of 8 feet, and a proposed porch setback on front of dwelling with a front setback of 14 feet in lieu of 22.5 feet and 30 feet maximum respectively. The subject property and requested relief are more particularly described on the site plan which was accepted into evidence and marked as Petitioners' 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, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may 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

4-24-07

PB

there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

Based upon the evidence contained therein, I am persuaded to grant the requested variance. Relief is necessitated given the unique configuration of the property and the layout and location of the existing dwelling thereon. As shown on the site plan, the Petitioners propose to construct a deck on the side and rear of the home and a porch on the front of the home.

There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and none of the neighbors voiced any objection. The Office of Planning submitted comments dated April 19, 2007. That Office commented that the subject property is located at the southwest corner of Overcrest Road and Stevenson Lane. While addressed for Overcrest, the functional portion of the house (e.g. doors, main entry) fronts along Stevenson Lane. As such, the Petitioners cannot utilize their functional 'rear yard' as there is no room for expansion. Moreover, the left side, south facing portion of the lot also functions as a side yard. The Office of Planning does not oppose the Petitioner's request provided two conditions are met, which are attached hereto. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24<sup>th</sup> day of April, 2007 that the Petition for Variance seeking relief from Sections 1B02.3.C.1, 303.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed deck on side and rear of dwelling with a rear setback of 8 feet, and a proposed porch setback on front of dwelling with a front setback of 14 feet in lieu of 22.5 feet and 30 feet maximum respectively, be and is hereby GRANTED, subject to the following restrictions:

- 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

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4-27-07  
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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.

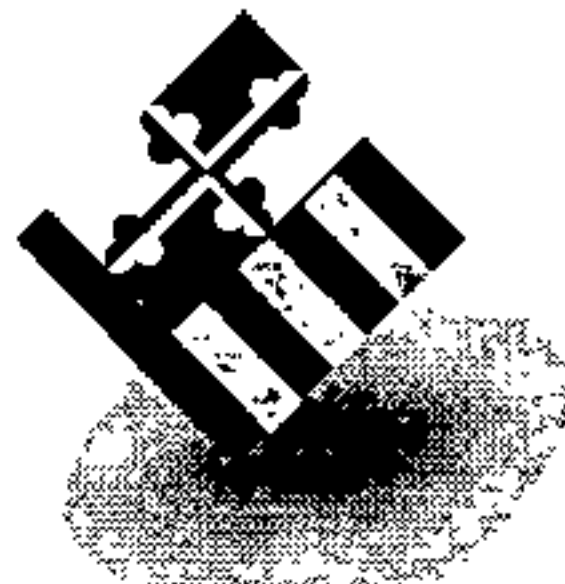
- 2) The western portion of the proposed deck shall be screened from direct view by those residing at 106 Overbrook Road. Screening shall be provided for in the form of year round/evergreen plantings.
- 3) A site plan showing the recommended plantings in relation to the proposed deck and the adjacent properties shall be submitted to the Office of Planning prior to the approval of building permits.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:pz

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4-27-07  
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**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

April 24, 2007

Robert and Mollie Testoni  
108 Overcrest Road  
Towson MD 21286

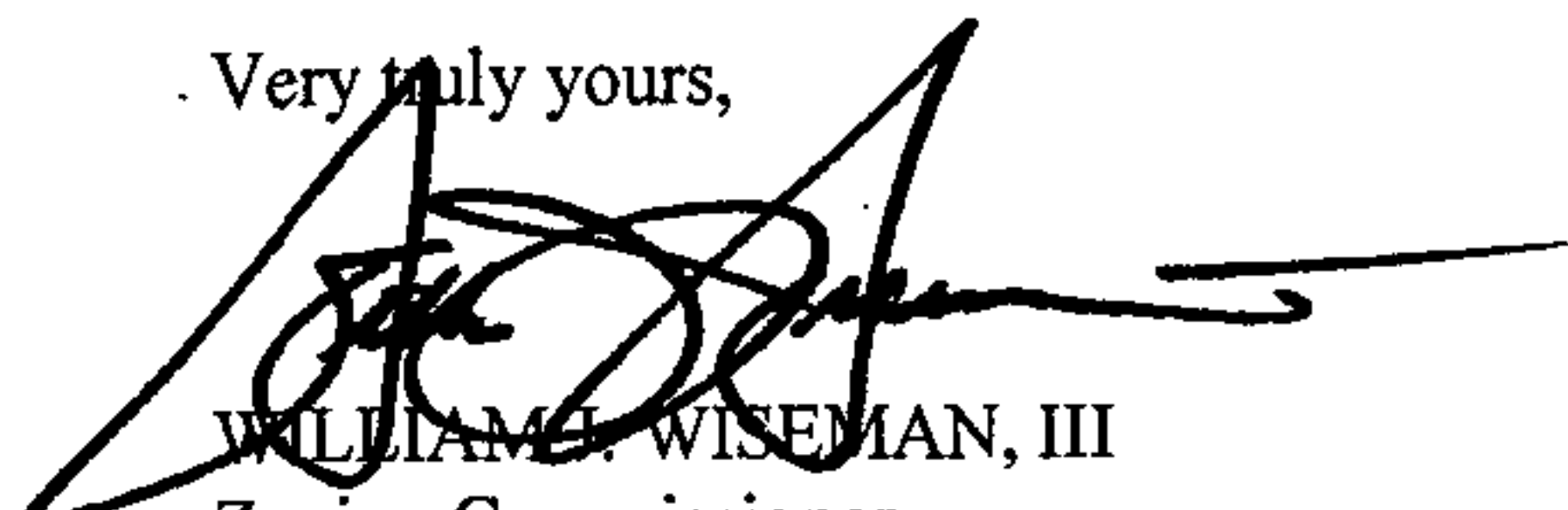
RE: Petition For Administrative Variance  
Property: 108 Overcrest Road  
Case No. 07-405-A

Dear Mr. and Mrs. Testoni:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted with a restriction, 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 410-887-3391.

Very truly yours,

  
WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:pz



**KEEP IN FILE ORIGINAL**

# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 108 Overcrest Rd  
which is presently zoned DR-5.5

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) 1B02.3.C.1 AND 303.1 AND 301.1

TO PERMIT A PROPOSED DECK ON SIDE AND REAR OF DWLG. WITH A REAR SETBACK OF 8 FT., AND A PROPOSED PORCH SETBACK ON FRONT OF DWLG WITH A FRONT SETBACK OF 14 FT. IN LIEU OF 22 1/2 FT. AND 30 FT. MAXIMUM RESPECTIVELY

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

Zip Code

### Representative to be Contacted:

Name

Address

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. 07 405 A

Reviewed By DL

Date 3/12/07

REV 10/25/01 14-24-07

Estimated Posting Date 3/25/07

# 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

108 OverCrest Rd  
Address  
Towson MD 21286-5446  
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):

Due to the lot being on a corner and the placement of the house, the two Improvements we want to do, the current zoning Regulations do not Allow it. The deck needs to go at the particular location because that is the only Door out of the house in the Rear.

The front Porch with the current zoning Regulations wouldn't Allow us much of a porch with it having to be 18'9" from the Property when now we have 20' with no front Porch. I think with the corner lot configuration, were the house sets on the lot we need the variance to accommodate for existing location of access for our Improvements.

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.

[Signature]  
Signature  
Robert B. Testoni  
Name - Type or Print

[Signature]  
Signature  
Mollie Testoni  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8<sup>th</sup> day of February, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

[Signature]  
Notary Public

My Commission Expires 11/1/09

# 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.

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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.

[Signature]  
Signature  
Robert B. Testoni  
Name - Type or Print

[Signature]  
Signature  
Mollie Testoni  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8<sup>th</sup> day of February, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

[Signature]  
Notary Public

My Commission Expires 11/1/09



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 108 Overcrest Rd  
which is presently zoned DR-5.5

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) 1B02.3.C.1 AND 303.1 AND 301.1

TO PERMIT A PROPOSED DECK ON SIDE AND REAR OF DWLG. WITH A REAR SETBACK OF 8 FT., AND A PROPOSED PORCH SETBACK ON FRONT OF DWLG WITH A FRONT SETBACK OF 14 FT. IN LIEU OF 22 1/2 FT. AND 30 FT. MAXIMUM RESPECTIVELY

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):

Robert Testoni  
Name - Type or Print

[Signature]  
Signature

Mollie Testoni  
Name - Type or Print

Mollie Testoni  
Signature

108 Overcrest Rd 410-828-4645  
Address Telephone No.

Taxon MD 21286  
City State Zip Code

## Representative to be Contacted:

Name

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.

Zoning Commissioner of Baltimore County

CASE NO. 07 405 A

REV 10/25/01

Reviewed By DL Date 3/12/07

Estimated Posting Date 3/25/07

4-24-07

pm

405

Zoning description for 108 Overcrest Road:

Beginning at a point on the southeast side of Overcrest Road which is 40 feet wide at the distance of 323.41 northeast of the centerline of the nearest improved intersecting Brook Road which is 50 feet wide. ~~Being lot #25 in the subdivision of Greenbriar as recorded in Baltimore County Plat Book #12, Folio #68~~ containing 8,050 sq ft. Also known as 108 Overcrest Rd and located in the 9<sup>th</sup> Election District, 5th Councilmanic District. As recorded in

Deed 24028, Folio 500 with the following metes and bounds:

lot size = 8,050 ft.

Beginning for the same on the southeast side of Overcrest Road 40 feet wide, said point being situated by a curve to the right with a radius of 260 feet in a northeasterly direction at the distance of 323.41 feet along said side from the corner formed by the intersection of the north side of Brook Road 50 feet wide, as extended north 83 degrees 24 minutes west with a radius of 260 feet in a southwesterly direction, thence leaving said place of beginning and binding along the southeast side of Overcrest Road by a curve to the right with a radius of 260 feet in a northeasterly direction for a distance of 63.29 feet to another curve; and thence by a curve to the right with a radius of 20 feet for a distance of 32.81 feet to the westerly side of Stevenson Lane, as shown on said plat, thence south 6 degree 36 minutes west and binding along the westerly side of Stevenson lane, as laid out, 109.16 feet, and thence leaving Stevenson Lane north 83 degrees 24 minutes west 44.09 feet, and thence north 12 degrees 08 degrees 08 minutes west 122.73 feet to the place of beginning.

  
3/2/07

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 24068

405

DATE

3/12/07

ACCOUNT

0010066150

AMOUNT

\$ 65.00

RECEIVED  
FROM:

FOR:

Res Van 108 Overcrest Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

3/14/2007

ACTUAL

TIME

DAY

3/14/2007 14:32:24

4

REG NO. 0010066150

DATE

TIME

3/14/2007 14:32:24

4

DEPT. 5 523 ZONING VERIFICATION

0010066150

CF NO. 0010066150

Receipt Tot

\$65.00

\$65.00 OK

\$65.00

Baltimore County, Maryland

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE: Case No.: 07-405-A

Petitioner/Developer: \_\_\_\_\_

TESTONI

Date of Hearing/Closing: 4/09/07

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention:

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 \_\_\_\_\_

108 OVERCREST RD

The sign(s) were posted on 3/25/07  
(Month, Day, Year)

Sincerely,

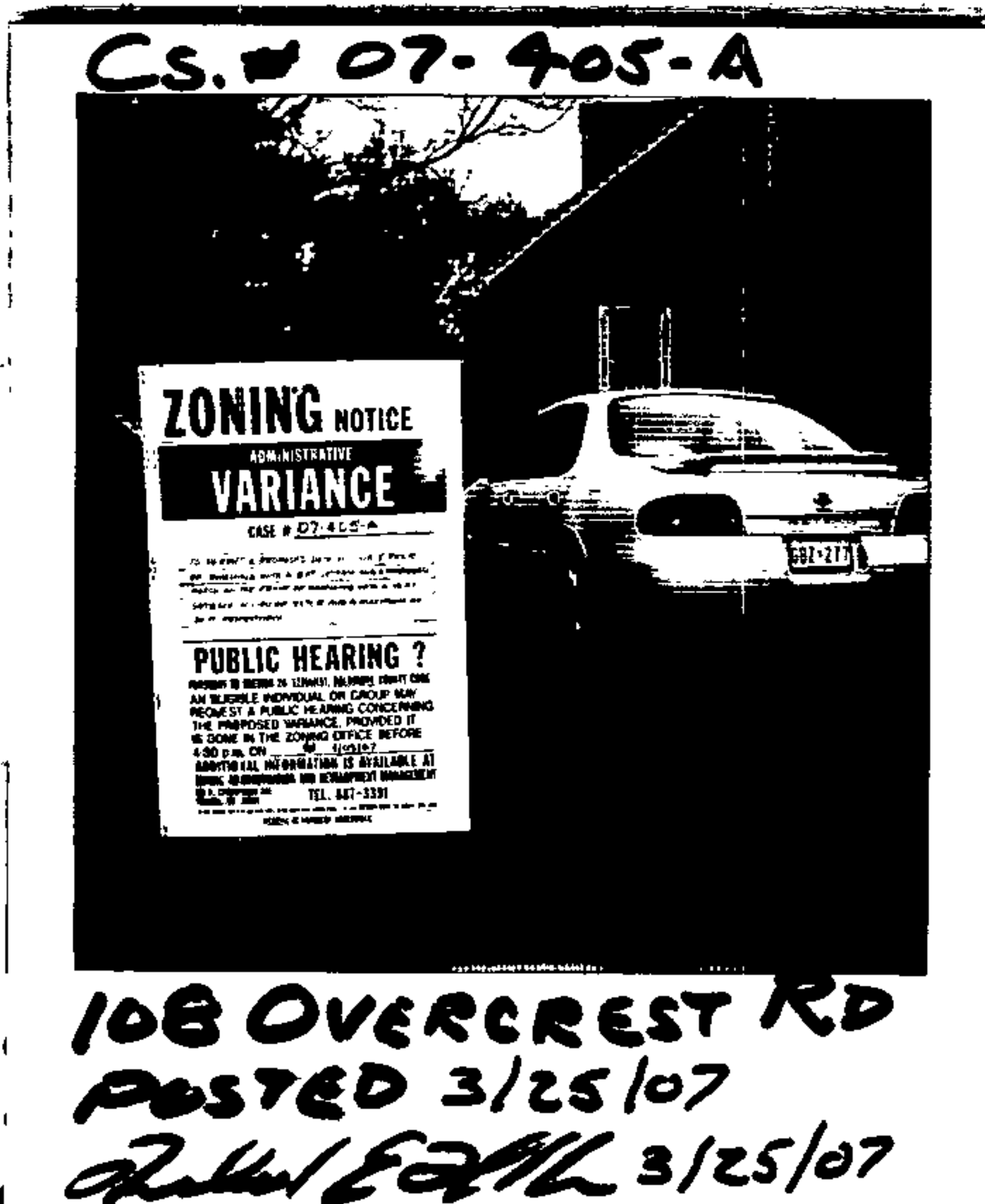
*Richard E. Hoffman* 3/25/07  
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN  
(Printed Name)

904 DELLWOOD DR.  
(Address)

FALLSTON, MD 21047  
(City, State, Zip Code)

(410) 879-3122  
(Telephone Number)



ORIGINAL AND POST ZONING REVIEW  
LIST TO  
ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07 405 -AAddress 108 OVERCREST RDContact Person: JOHN LEWIS  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3/12/07Posting Date: 3/25/2007Closing Date: 4/09/2007

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 07 405 -AAddress 108 OVERCREST RDPetitioner's Name TESTONITelephone 410 828 4645Posting Date: 3/25/07Closing Date: 4/09/07

Wording for Sign: To Permit A PROPOSED DECK ON SIDE & REAR OF DWELLING WITH  
A 8 FT. SETBACK AND A PROPOSED PORCH ON THE FRONT OF DWELLING WITH  
A 14 FT. SETBACK IN LIEU OF 22 1/2 FT. AND A MAXIMUM OF 30 FT.  
RESPECTIVELY

WCR - Revised 6/25/04

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 07 405 -A

Address 108 OVERCREST RD

Contact Person: JOHN LEWIS  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3/12/07

Posting Date: 3/25/2007

Closing Date: 4/09/2007

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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.
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(Detach Along Dotted Line)

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**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 07 405 -A

Address 108 OVERCREST RD

Petitioner's Name TESTONI

Telephone 410 828 4645

Posting Date: 3/25/07

Closing Date: 4/09/07

Wording for Sign: To Permit A PROPOSED DECK ON SIDE & REAR OF DWELLING WITH  
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RESPECTIVELY

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.

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For Newspaper Advertising:

Item Number or Case Number:

07-405-A

Petitioner:

x Robert Testoni

Address or Location:

x 108 OverCrest Rd Towson MD 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name:

T.W. Ellis LLC

Address:

P.O. Box 9746 Balduin MD 21013

Telephone Number:

410-552-8340



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

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

April 9, 2007

Robert Testoni  
Mollie Testoni  
108 Overcrest Road  
Towson, MD 21286

Dear Mr. and Mrs. Testoni:

RE: Case Number: 07-405-A, 108 Overcrest Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 12, 2007.

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." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

## Fire Department

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



## Baltimore County

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

March 15, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: March 19, 2007

Item No.: 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401,  
402, 403, 405, 406, 407, 408, 409.

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  
(O) 410-887-4880  
MS-1102F

cc: File

Martin O'Malley, Governor  
Anthony Brown, Lt. Governor



State Highway  
Administration

Maryland Department of Transportation

John D. Porcari, Secretary Designate  
Neil J. Pedersen, Administrator

Date: MARCH 15, 2007

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

RE: Baltimore County  
Item No. 7-405-A  
108 OVERCREST ROAD  
TESTONI PROPERTY  
ADMINISTRATIVE VARIANCE

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. 7-405-A.

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**

**INTER-OFFICE CORRESPONDENCE**

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

**DATE:** April 19, 2007

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

**SUBJECT:** 108 overcrest Road

**INFORMATION:**

**Item Number:** 7-405

**Petitioner:** Robert Testoni

**Zoning:** DR 5.5

**Requested Action:** Administrative Variance

**RECEIVED**  
APR 19 2007

BY:.....

**SUMMARY OF RECOMMENDATIONS:**

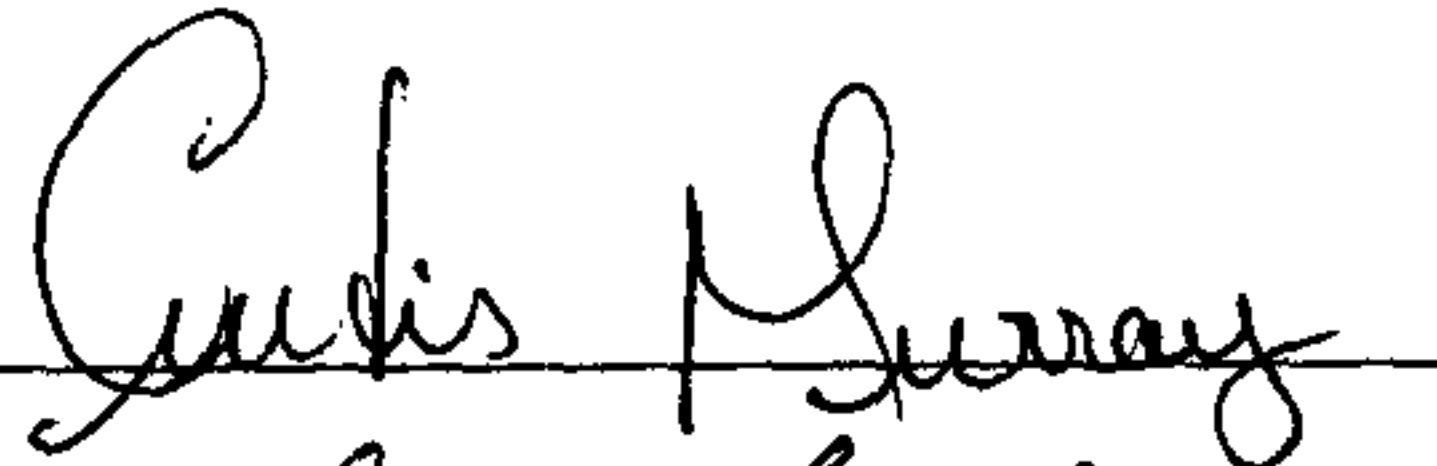
The subject property is located at the southwest corner of Overcrest Road and Stevenson Lane. While addressed for Overcrest, the functional portion of the house (e.g. doors, main entry) fronts along Stevenson Lane. As such, the petitioners cannot utilize their functional "rear yard" as there is no room for expansion. Moreover, the left side, south facing portion of the lot also functions as a side yard.

Given the above information, the Office of Planning does not oppose the petitioner's request provided the following conditions are met.

1. The western portion of the proposed deck shall be screened from direct view by those residing at 106 Overbrook Road. Screening shall be provided for in the form of year round / evergreen plantings.
2. A site plan showing the recommended plantings in relation to the proposed deck and the adjacent properties shall be submitted to the Office of Planning prior to the approval of building permits.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

**Reviewed by:**



**Division Chief:**  
AFK/LL: CM



**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** March 19, 2007

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 26, 2007  
Item Nos. 07-389, 390, 391, 392, 393,  
394, 399, 400, 401, 402, 403, 404, 405  
and 408

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-03262007.doc

# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

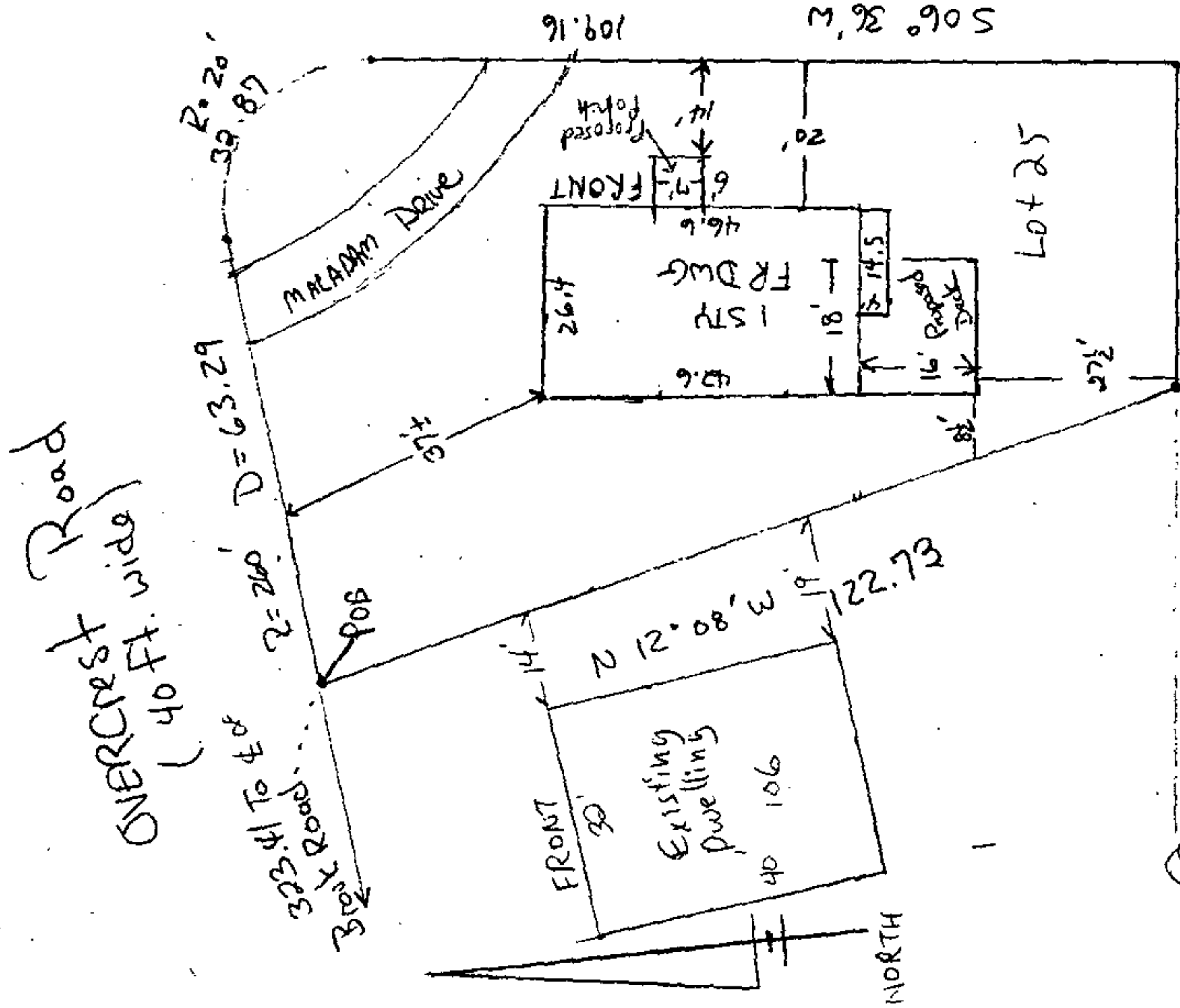
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 108 OverCrest Rd

SUBDIVISION NAME Greenbrier

PLAT BOOK # 114 FOLIO # 114 LOT # 108 SECTION # 114

OWNER Robert Testoni



01/20/01 NO DWELLING 44.09  
100' FT N 83° 24' W

PREPARED BY TWE

SCALE OF DRAWING: 1" = 30'



VICINITY MAP  
SCALE: 1" = 1000'

## LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 070B2

ZONING DR5.5

LOT SIZE 8050 SQUARE FEET

ACREAGE ☒ PUBLIC ☐ PRIVATE

SEWER ☒

WATER ☒

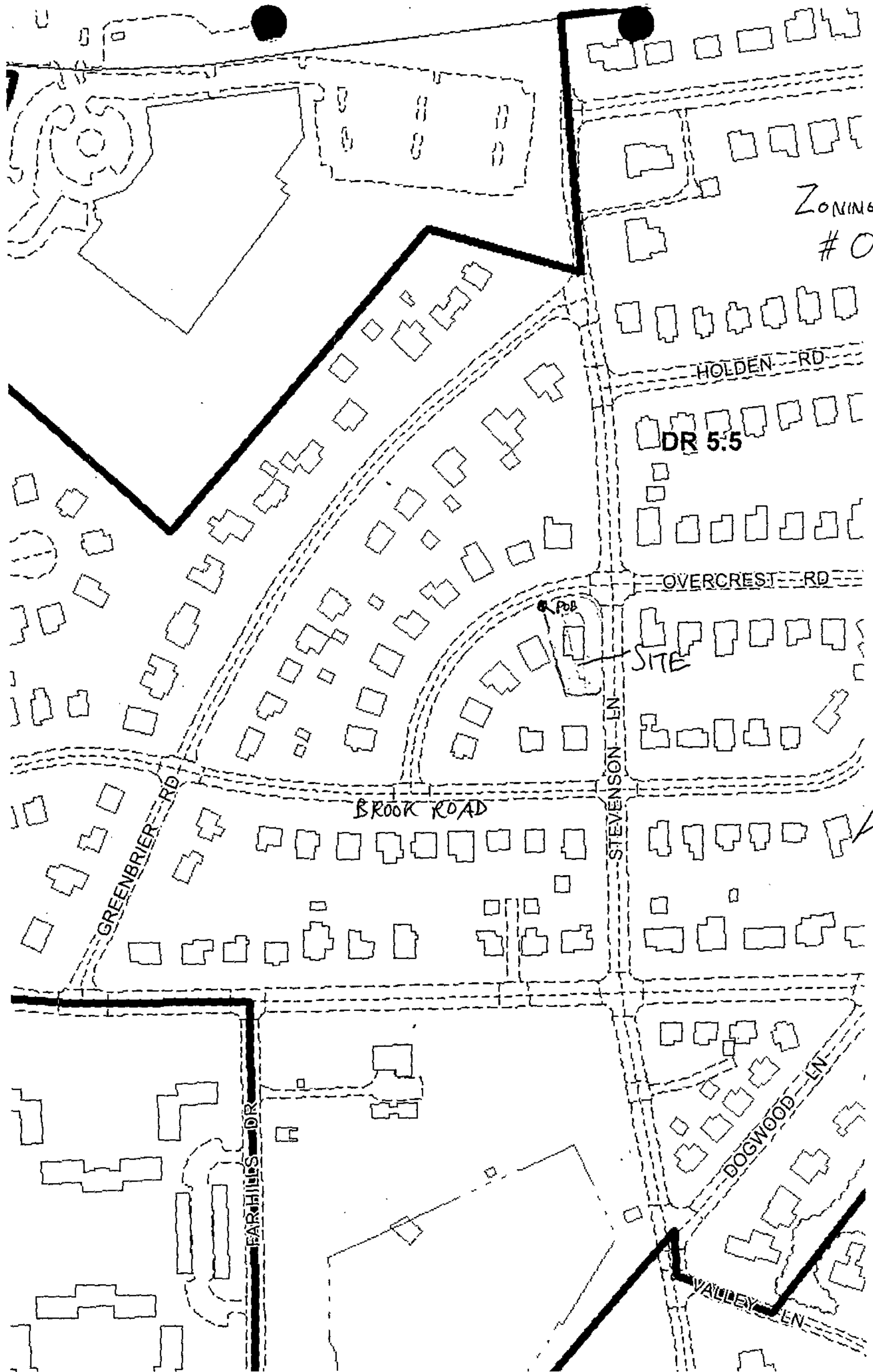
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY / BUILDING ☐

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY  
REVIEWED BY 107-405-A CASE #



ZONING MAP  
# 070B2

DR 5.5

SITE

BROOK ROAD

STEVENSON LN

GREENBRIER RD

DOGWOOD LN

VALLEY LN

PEARL'S DR

A05





