

IN RE: PETITION FOR ADMIN. VARIANCE
N side Elderberry Court, 468 feet N of
Inwood Road
1st Election District
1st Councilmanic District
(15 Elderberry Court)

Darryl A. and Jennifer D. Topolski
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 07-446-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, Darryl A. and Jennifer D. Topolski. The variance request is for property located at 15 Elderberry Court. The variance request is from Sections 1B02.3.A, 504, CMDP V.B.6.b.-V.B.5.a (9/19/70-3/30/92) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 23 foot rear setback to tract boundary and 10 foot window to side property line in lieu of the required 35 feet and 15 feet, respectively and to amend the latest Final Development Plan for "Chadwick Manor", Lot 6. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a 12 foot x 20 foot sunroom onto the back of the 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

5-8-07
[Signature]

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 Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 11, 2007 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 8th day of May, 2007 that a variance from Sections 1B02.3.A, 504, CMDP

V.B.6.b.-V.B.5.a (9/19/70-3/30/92) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 23 foot rear setback to tract boundary and 10 foot window to side property line in lieu of the required 35 feet and 15 feet, respectively and to amend the latest Final Development Plan for "Chadwick Manor", Lot 6 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

RECEIVED FROM
5-8-07
PB



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 15 Elderberry Ct. 21228
which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1002.3A., 504, CMDP V.B. 6.b. - V.B. 5.a.
(9/19/70 - 3/30/92)

TO PERMIT AN ADDITION (SUNROOM) WITH A 23-FOOT SETBACK TO TRACT BOUNDARY
AND 10-FOOT WINDOW TO SIDE-PROPERTY LINE IN LIEU OF THE REQUIRED
35-FEET AND 15-FEET, RESPECTIVELY AND TO AMEND THE LATEST
F.D.P. FOR "CHADWICK MAJOR", LOT 6.

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):

Darryl A. Topolski

Name - Type or Print

Darryl A. Topolski

Signature

Seviter D. Topolski

Name - Type or Print

Seviter D. Topolski

Signature

15 Elderberry Ct. 410 744

Address

Balto

City

MD

State

21228

Zip Code

Representative to be Contacted:

GUS "MACK" - CUTTING EDGE CONSTRUCTION

Name

712 Stemmons Run Rd. Unit B 410 238 4900

Address

BALT

City

MD

State

21221

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. 07-446-A

Reviewed By D.T. Date 4/2/07

REV 10/25/01

Estimated Posting Date 4/15/07

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.

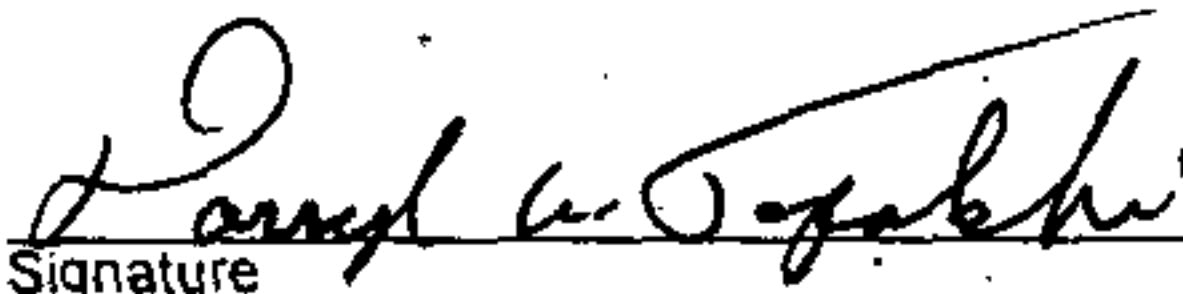
That the Affiant(s) does/do presently reside at

15 Eldenbury Ct
Address
Baltimore MD 21228
City State Zip Code

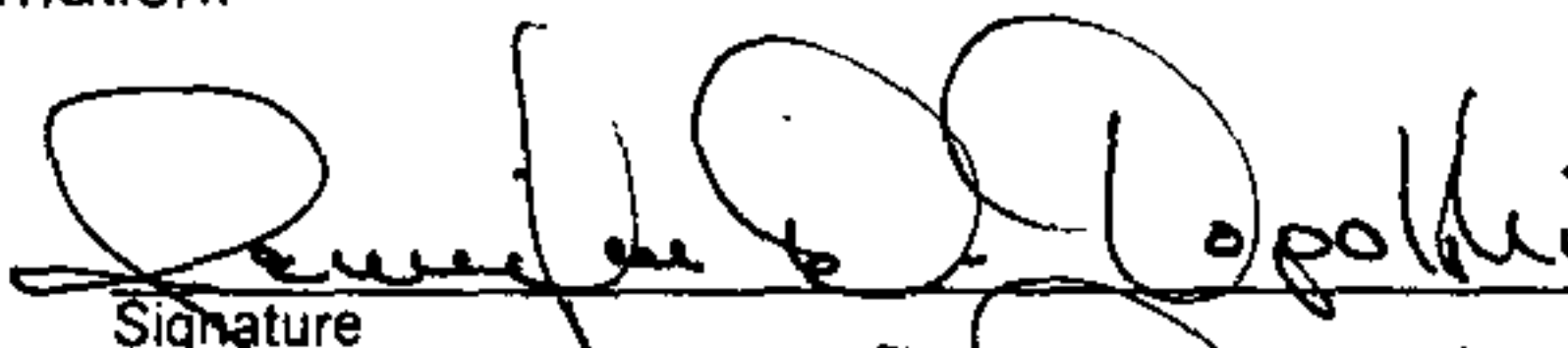
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The original house is small with small rooms. Our family needs a family/gathering area. This sunroom addition will meet our needs

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

Darryl A. Topolski
Name - Type or Print


Signature

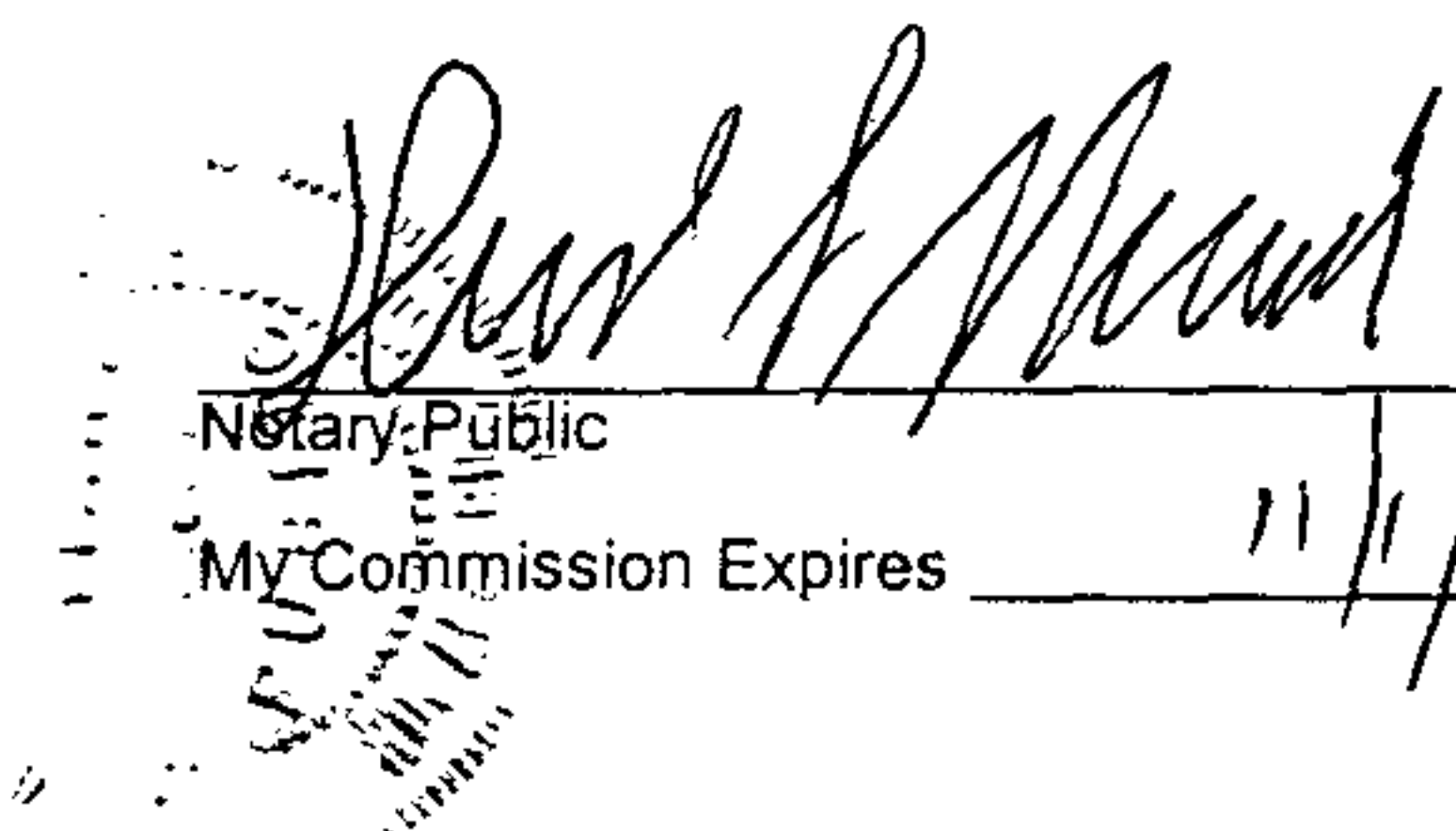
Jennifer D. Topolski
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of MARCH, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DARRYL A. TOPOLSKI & JENNIFER D. TOPOLSKI
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires

11/1/2009

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

15 Elderberry Ct.
Address
Balto. MD. 21228
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):

The original house is small with small rooms, Our family needs a family / Gathering area. This sunroom addition will meet our needs

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.

Darryl A. Topolski
Signature

Darryl A. Topolski
Name - Type or Print

Jennifer D. Topolski
Signature

Jennifer D. Topolski
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of MARCH 2007, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DARRYL A. TOPOLSKI + JENNIFER D. TOPOLSKI

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

11/1/2009



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 15 Elderberry Ct. 21228
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.34, 504, CMDP V.B. 6.B. & V.B. 5.a.

(9/19/10 - 3/30/12)

TO PERMIT AN ADDITION (SUN ROOM) WITH A 23-FOOT REAR SETBACK TO TRACT BOUNDARY AND 10-FOOT WINDOW TO SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 35-FEET AND 15-FEET, RESPECTIVELY AND TO AMEND THE LATEST F.D.P. FOR "CHADWICK MANOR", LOT 6.

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):

Darryl A. Topolski
Name - Type or Print _____
Darryl A. Topolski
Signature _____
Jennifer D. Topolski
Name - Type or Print _____
Jennifer D. Topolski
Signature _____
15 Elderberry Ct 410 740 560
Address _____ Telephone No. _____
Balto Md 21228
City _____ State _____ Zip Code _____

Representative to be Contacted:

GUS MACK - CUTTING EDGE CONSTRUCTION
Name _____
712 STEMMERS RUN RD, UNIT B 410-238-4900
Address _____ Telephone No. _____
BALTO MD 21221
City _____ State _____ Zip Code _____

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

Zoning Commissioner of Baltimore County

CASE NO. 07-111678

REV 10/25/01 5-8-07

Reviewed By D.T. Date 4/2/07

Estimated Posting Date 4/15/07

ZONING DESCRIPTION FOR 15 Elderberry Ct.
(address)

Beginning at a point on the North side of
(north, south, east or west)

Elderberry Ct. which is 40'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 468 North of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Inwood Rd.
(name of street)

which is 40' wide. *Being Lot # 6
(number of feet of right-of-way width)

Block B, Section # 6 in the subdivision of Chadwick Manor
(name of subdivision)

as recorded in Baltimore County Plat Book # 58, Folio # 85,

containing 5435' Also known as 15 Elderberry Ct.
(square feet or acres) (property address)

and located in the 1st Election District, 1st Councilmanic District.

07-446-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE

4/2/07

ACCOUNT

001000150

AMOUNT \$

115.00

RECEIVED
FROM:

CUTTING EDGE CONSTRUCTION

FOR:

ITEM # 446 07-446-A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

15 ELDERBERY ST D THOMPSON

PAID RECEIPT

BUSINESS JUNE TIME 1004

4/07/07 4:13 PM 11:41 AM

800 453 444 11 1004 1004

RECEIPT # 403030 3 02 2007 0011

403 5 53 1004 1004 1004

403 00. 02403

Receipt for

115.00 \$

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 04/14/07

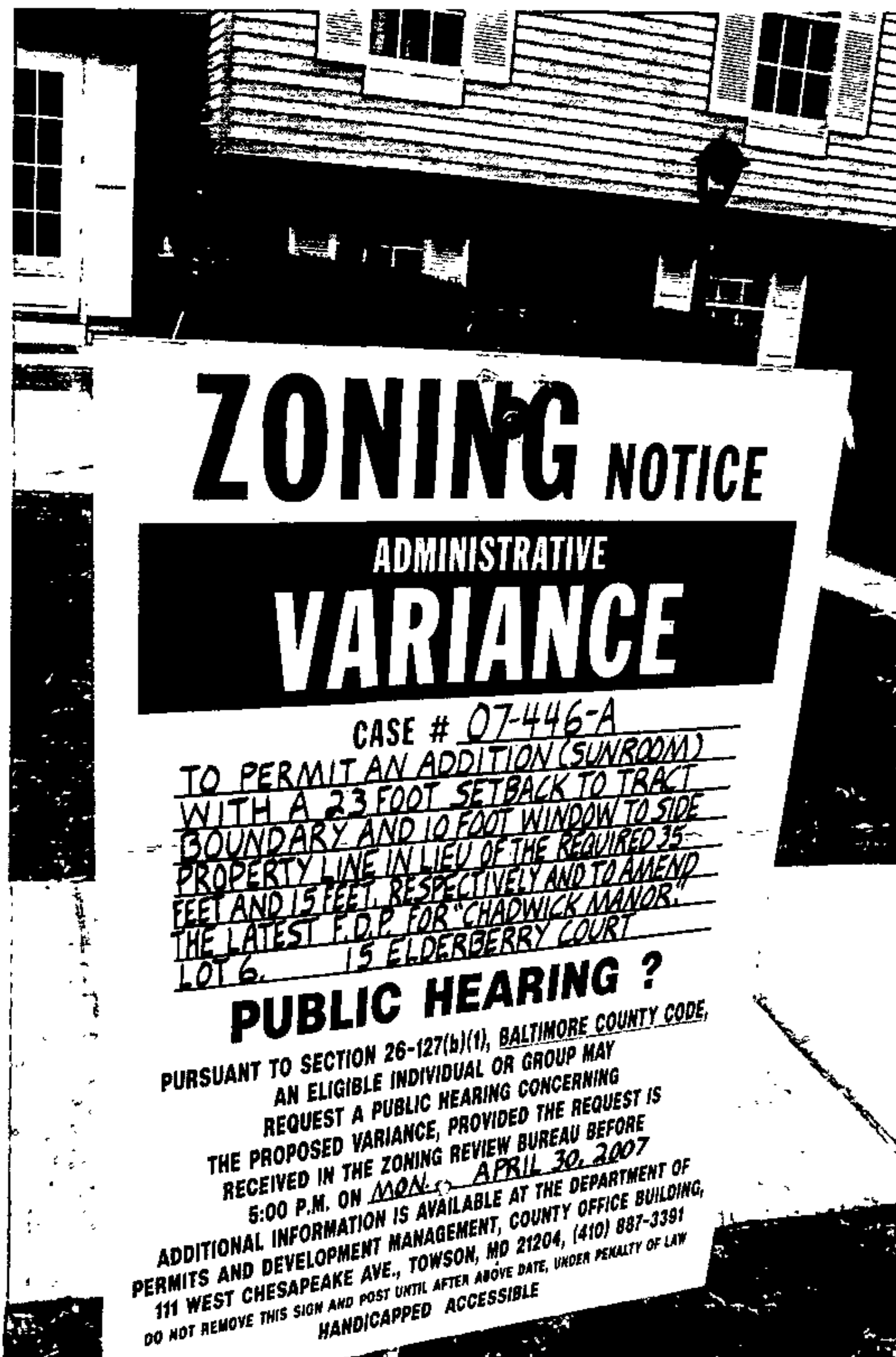
Case Number: 07-446-A

Petitioner/Developer: TOPOLSKI-CUTTING EDGE CONSTRUCTION

Date of Hearing (Closing): April 30, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 15 ELDERBERRY COURT

The sign(s) were posted on: April 11, 2007



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

RECEIVED

APR 17 2007

07-614

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

TO: GUS MACK

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 446 -A

Address 15 ELDERBERRY CT.

Contact Person: DONNA THOMPSON

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4/2/07

Posting Date: 4/15/07

Closing Date: 4/30/07

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- 446 -A

Address 15 ELDERBERRY CT.

Petitioner's Name TOPOLSKI

Telephone 410-744-5670

Posting Date: 4/15/07

Closing Date: 4/30/07

Wording for Sign: To Permit AN ADDITION (SUNROOM) WITH A 23-FOOT SETBACK TO
TRACT BOUNDARY AND 10-FOOT WINDOW TO SIDE PROPERTY LINE IN LIEU
OF THE REQUIRED 35-FEET AND 15-FEET, RESPECTIVELY AND TO AMEND
THE LATEST F.D.P. FOR "CHADWICK MANOR", LOT 6.

WCR - Revised 6/25/04



INDEPENDENT
DEALER

Gus Mack
Owner

**Cutting Edge
Construction Services, Inc.**

712 Stemmers Run Rd., Unit B
Baltimore, MD 21221
(410) 238-4900
Fax: (410) 238-5700
Mont. Co. (877) 214-4900
Howard Co. (877) 219-4900
MHC 121920

410-238-5700

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: 07-446-A

Petitioner: TOPOLSKI

Address or Location: 15 ELDERBERRY CT

PLEASE FORWARD ADVERTISING BILL TO:

Name: GUS MACK

Address: CUTTING EDGE CONSTRUCTION SERVICES, INC.

712 STEMMERS RUN RD., UNIT B

BALTO. MD 21221

Telephone Number: 410-238-4900



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

May 2, 2007

Darryl A. Topolski
Jennifer D. Topolski
15 Elderberry Court
Baltimore, MD 21228

Dear Mr. and Mrs. Topolski:

RE: Case Number: 07-446-A, 15 Elderberry Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 2, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Gus Mack Cutting Edge Construction 712 Stemmers Run Road, Unit B Baltimore 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 9, 2007

RECEIVED
APR 11 2007

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

BY:.....

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-446- 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:

Curtis Murray

Division Chief:

Tom Sanhaew

CM/LL



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

State Highway
Administration

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

Maryland Department of Transportation

Date: April 9, 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. 7-446-A
IS ELDERBERY
TOPOLSKI
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. 7-446.

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,

1
For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

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

April 10, 2007

ATTENTION: Zoning Review planners

Distribution Meeting of: April 9, 2007

Item No.: 439, 440, 441, 442, 443, 445, 446, 447, 448, 449, 450, 451, 452, and 453.

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 16, 2007

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 16, 2007
Item Nos. 07-440, 442, 444, 445, 446, 447, 448, 451, and 452

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-04132007.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 8, 2007

DARRYL A. AND JENNIFER D. TOPOLSKI
15 ELDERBERRY COURT
BALTIMORE MD 21228

Re: Petition for Administrative Variance
Case No. 07-446-A
Property: 15 Elderberry Court

Dear Mr. and Mrs. Topolski

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
for Baltimore County

JVM:pz

Enclosure

c: Gus Mack, Cutting Edge Construction, Inc., 712 Stemmers Run Road, Unit B, Baltimore
MD 21221

MODE = MEMORY TRANSMISSION

START=MAY-08 13:09

END=MAY-08 13:10

FILE NO.=996

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		94102385700	004/004	00:00:39

-ZONING COMMISSIONER OFF M-

- *****

410 887 3468- *****



JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 8, 2007

DARRYL A. AND JENNIFER D. TOPOLSKI
15 ELDERBERRY COURT
BALTIMORE MD 21228

Re: Petition for Administrative Variance
Case No. 07-446-A
Property: 15 Elderberry Court

Dear Mr. and Mrs. Topolski

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Very truly yours,

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz

Enclosure

c: Gus Mack, Cutting Edge Construction, Inc., 712 Stemmers Run Road, Unit B, Baltimore
MD 21221

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

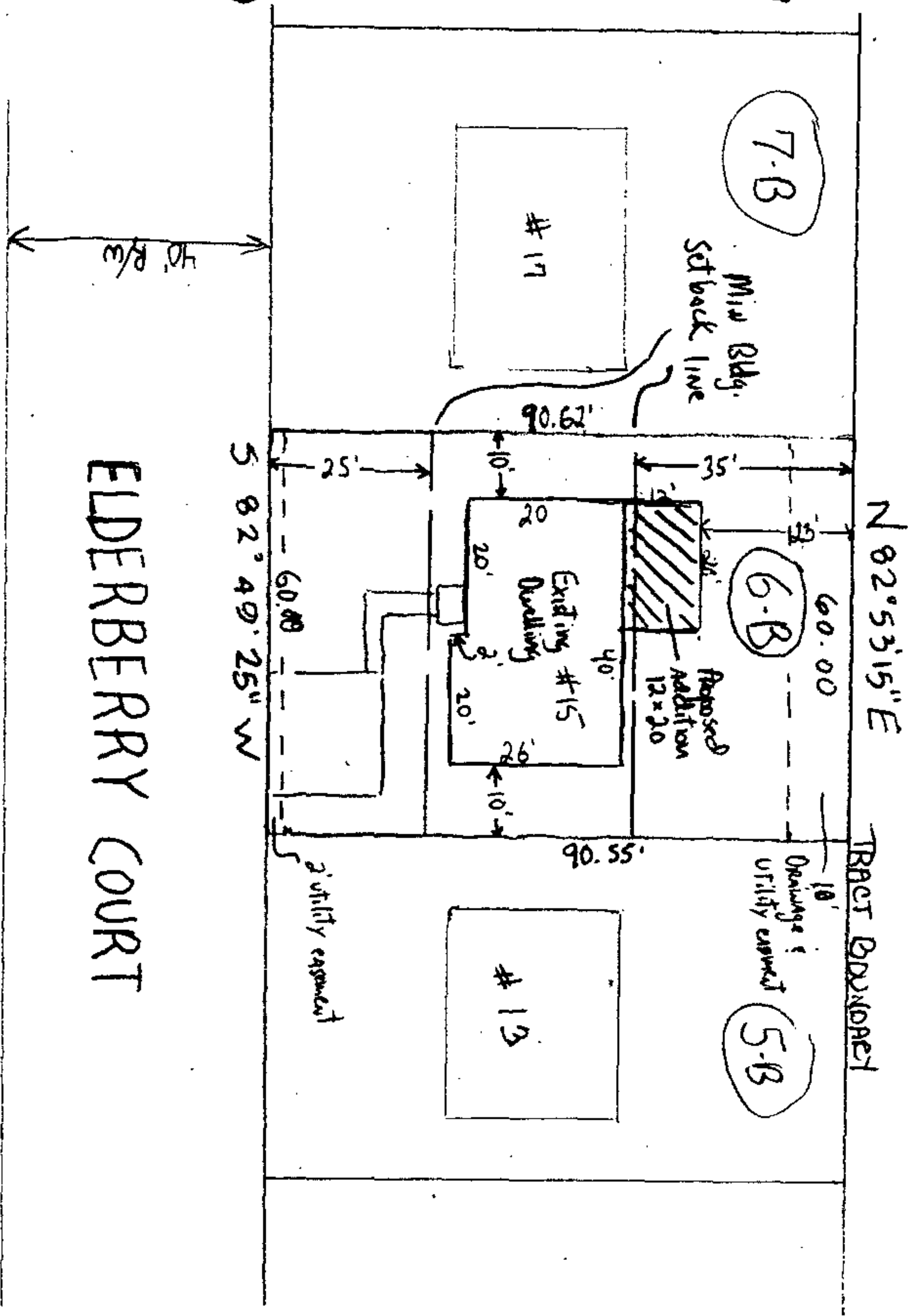
PROPERTY ADDRESS 15 Elderberry Ct.

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

SUBDIVISION NAME Chadwick Manor

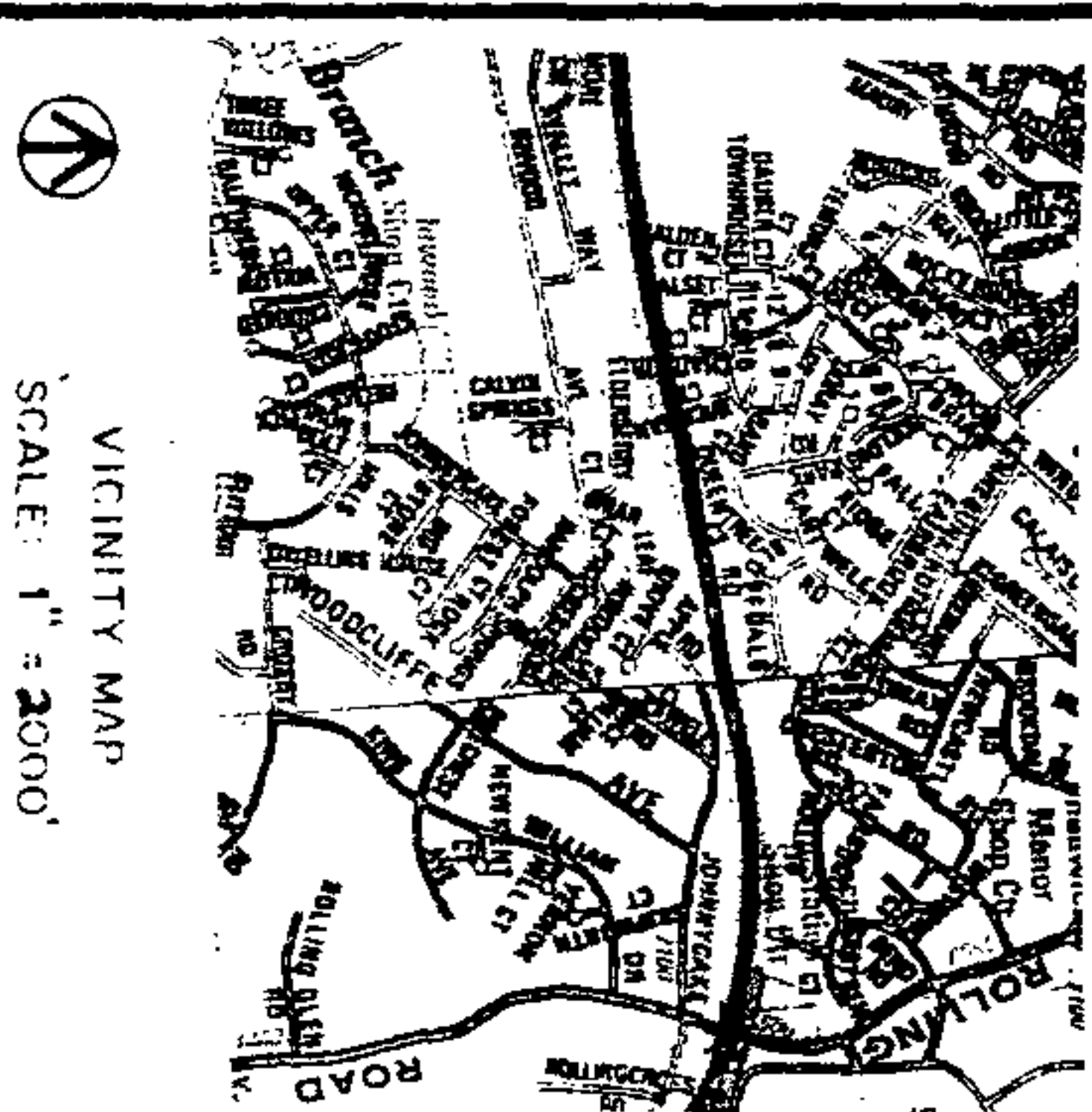
PLAT BOOK # 58 FOLIO # 85 LOT # 6 SECTION #

OWNER Darryl Topliski



PREPARED BY G. Mack

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # 094B1

ZONING D.R. 3.5

LOT SIZE 1,248 ACREAGE 1,560 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒

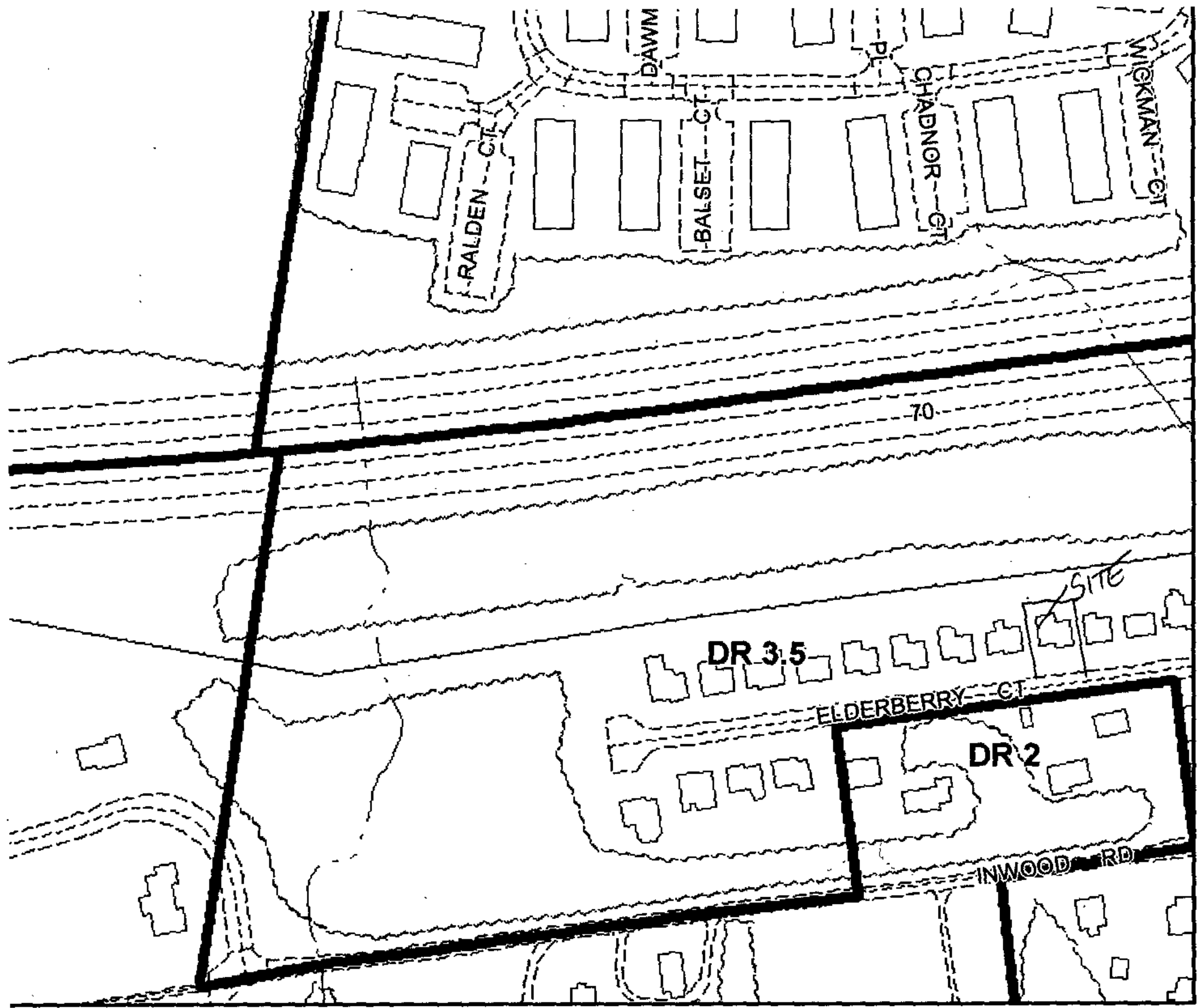
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY DT ITEM # 446 CASE # 09-446-A



Scale

1" = 200'

0 100 200 400 Feet



Data Sources:

Planametric Data - Baltimore County
OIT/GIS Services Unit

1:2400, from 1995/96 photography

Zoning - Baltimore County Office of Planning
1:2400, 2004

094 B1



07-1446-A

Route 70

Neighbors Shed

Topolski House

07-446-A