IN RE: PETITION FOR ADMIN. VARIANCE

W side Tyrie Avenue, 250 feet S

c/l Sherwood Road

8<sup>th</sup> Election District

3<sup>rd</sup> Councilmanic District

(10709 Tyrie Avenue)

James W. and Andrea L. Mangels Petitioners BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* BALTIMORE COUNTY

\* CASE NO. 08-048-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, James W. and Andrea L. Mangels for property located at 10709 Tyrie Avenue. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 6 feet and a sum of side yards of 12 feet in lieu of the required 20 feet and 50 feet, respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to add a two car garage and an addition onto their house. The existing home lies outside the current zoning requirements. The addition will be placed along the same northeast exterior plane as the existing house. The two car garage will be attached to the existing home, and will be outside the current zoning regulations along the southwest property line. The garage will have access via the existing driveway. The dwelling was constructed in 1882 well prior to the imposition of zoning on the property.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 31, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

8-22-07 188 The Petitioners have filed the supporting affidavits 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 August, 2007 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 6 feet and a sum of side yards of 12 feet in lieu of the required 20 feet and 50 feet, respectively 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.

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

8-22-07 - 98



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 22, 2007

JAMES W. AND ANDREA L. MANGELS 10709 TYRIE AVENUE COCKEYSVILLE MD 21030

Re: Petition for Administrative Variance

Case No. 08-048-A

Property: 10709 Tyrie Avenue

Dear Mr. and Mrs. Mangels:

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,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure



## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	10709 Tur	Je Ave	Cocker	<sub>1</sub> sville
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lieu of the required 2	oft, and	50 ft., respection	e. /y,
of the zoning regulations of Baltimore County, to of this petition form.	to the zoning law	of Baltimore County, for the re	easons indicated on the back
Property is to be posted and advertised as pres I, or we, agree to pay expenses of above Variance, regulations and restrictions of Baltimore County ado	advertising, posting	g, etc. and further agree to and a	re to be bounded by the zoning
		I/We do solemnly declare and a perjury, that I/we are the legal of is the subject of this Petition.	· • • • • • • • • • • • • • • • • • • •
Contract Purchaser/Lessee:	•	Legal Owner(s):	
Name - Type or Print	<u>-</u>	Names W. Mangels Name - Type or Print	· · · · · · · · · · · · · · · · · · ·
Signature		Signature ANDREA L. MANGELS	<del></del> -
Address	ephone No.	Name - Type or Print  Andre AMan	()
City	Zip Code	Signature	418-871- 9775 (W)
Attorney For Petitioner:		Address	410-483-1471 (X) Telephone No.
Name - Type or Print		City	M0 21030 State Zip Code
Signature	<del></del>	Representative to be Co	ntacted:
Company	·	Name	
Address	ephone No.	Address	Telephone No.
City	Zip Code	City	State Zip Code
A Public Hearing having been formally demanded and this that the segulations of Baltimore County and that the property be re-	ubject matter of this p	uired, it is ordered by the Zoning Coetition be set for a public hearing, as	Commissioner of Baltimore County, dvertised, as required by the zoning
		Zoning Commissioner of	Baltimore County
CASE NO. 08-048-A		ved By 13h Da	
REV 10/25/01	Estima	ted Posting Date	8/5/07

# 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 p	iublic nearl	ng is scn	eaulea in	ine iuture with	regard thereto.	i
That the Affiant(s) does/do presently reside at	Address	79	Tyrie	Ave.	· · · · · · · · · · · · · · · · · · ·	<u>.</u>
	Cock	eusui	او ً	MT).		<u>21030</u>
	City	)		State		Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the ip or praction	he facts ( cal difficu	upon whic Ilty):	h I/we base th	ne request for a	n Administrativ
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal dema additional in	and is fil	ed, Affian			a reposting an
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JAMES W. MANGELS		_ ,	ı	ea Lynn	Mangels	
Name - Type or Print		. Na	ame - Type o	or Print		
STATE OF MARYLAND, COUNTY OF BALTIN	/ORF to w	 vit•			<b></b>	
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of Maryland, in and for the County aforesaid, pe	rsonally ap	peared			110, a Wolary Fu	
the Affiant(s) herein, personally known or satisfa	() () () actorily ider	ntified to	ne as suc	h Affiant(s).	(V)Oye 1 J	• 
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REV 10/25/01 Carro" Commission ( My Commission )			ار المسلم المستقدار	The second secon		
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#### Zoning Description:

Zoning description for 10709 Tyrie Avenue. Beginning at the point on the Northwest side of Tyrie Avenue, an 18 ft. right of way, at a distance of 250 ft. SE of the centerline of Sherwood Rd., a 22 ft. right of way. Thence Southerly 71 ft. along Tyrie Ave thence leaving Tyrie Avenue NorthEast 200 ft. thence NorthWest 56 ft. thence SouthWest 200 ft. back to the point of beginning. The improvements theron being known as No. 10709 Tyrie Avenue and located in the 8<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

From: Fund gub AGENCY SNO Rev Rev Sub Cato Rept ELLOW -Date: Acct BS CUSTOMER mount 公主 3.4 开册 MINTAGE A MULTANAME 965.70 the state of the s

### CERTIFICATE OF POSTING

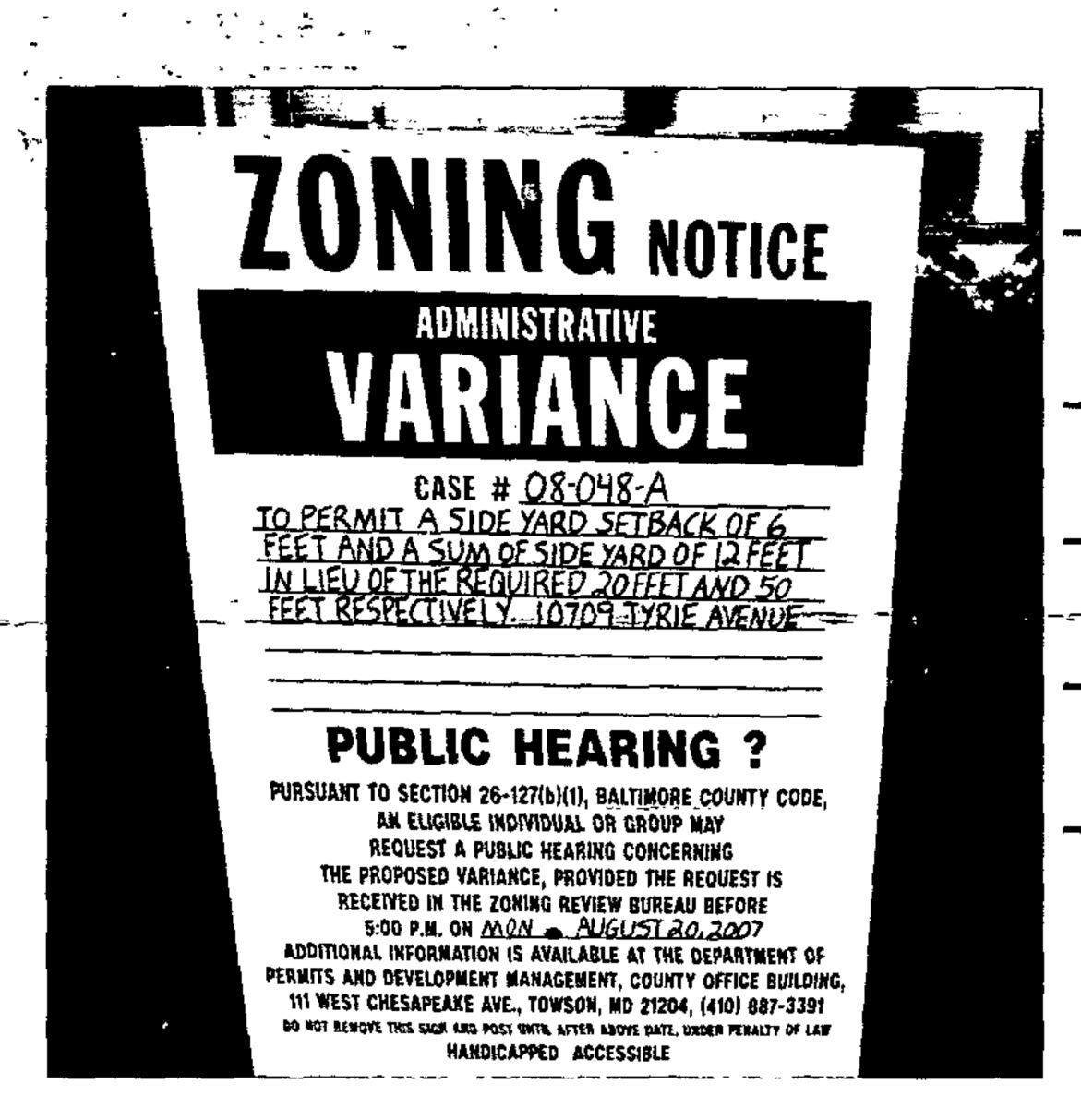
ATTENTION: KRISTEN MATTHEWS

**DATE:** 08/01/07

Case Number: 08-048-A

Petitioner / Developer: <u>ANDREA MANGELSH</u>
Date of Hearing (Closing): <u>AUGUST 20, 2007</u>

The sign(s) were posted on: 07/31/07



(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 of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08-		-A	Address	10709	Yutie	Ave.
Contact Person:	Bruno	Rudaitis	•		•	410-887-3391
<b>=</b>		Please Print Your Nam	ie .		one italinger.	410-007-3397
Filing Date:			Date: 8	5/07	Closing Da	te: 8/20/07
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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 Newspaper Advertising:
Number or Case Number: 08-048-A  Petitioner: James Aug Augrea Mangels
Address or Location: 19709 Tyrif Ave. Cockeysville MD 21030
PLEASE FORWARD ADVERTISING BILL TO:  Name: James Mangels
Address: 10709 Tyrie Ave.  LOCKETS VILLE MD 21030
Telephone Number: 410-871-9775(w) 410-683-1671(h)



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 21, 2007

James W. Mangels Andrea L. Mangels 10709 Tyrie Avenue Cockeysville, MD 21030

Dear Mr. and Mrs. Mangels:

RE: Case Number: 08-048-A, 10709 Tyrie Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 26, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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,

u. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

**Enclosures** 

c: People's Counsel



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief
Fire Department

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

August 2, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 30, 2007

Item Number: 035,036,037,038,039,040,041,043,044,046,047,048,050,051

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



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

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

Maryland Department of Transportation

Date: - JULY 31, 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. 8-48-A,

MANGELS 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. 8-48-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,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** August 1, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 6, 2007

Item Nos. 08-035, 036, 037, 038, 039, 040, 041, 043, 044, 046, 048 and 051

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-08062007.doc

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

**DATE:** August 13, 2007

ECEIVE

AUG 1 7 2007

FROM:

**SUBJECT:** 

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Zoning Advisory Petition(s): Case(s) 08-048- 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 Jessie Bailek in the Office of Planning at 410-887-3480.

Prepared By

**Division Chief:** 

CM/LL

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** August 13, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-048- 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 Jessie Bailek in the Office of Planning at 410-887-3480.

Prepared By:

**Division Chief:** 

CM/LL



Exempt Class:

Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search (2007c)

Go Back View Map New Search GroundRent

\* NONE \*

Account Identifier:		Account Number	<del></del>				
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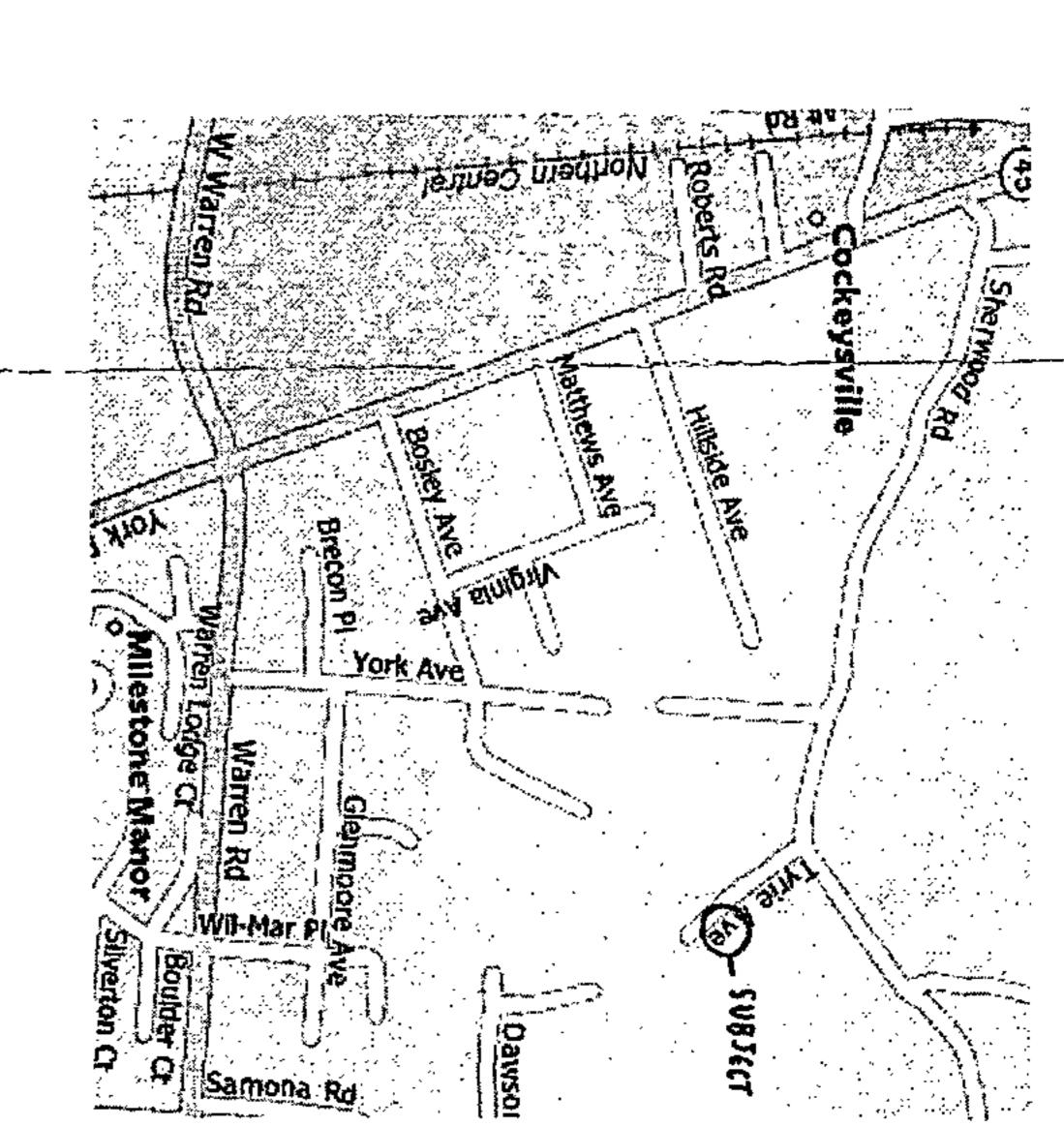
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Stephen Madden

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> f Roferty **₹AKEL** 1000 # 235 OF 57 3403 INSURANCE

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10709

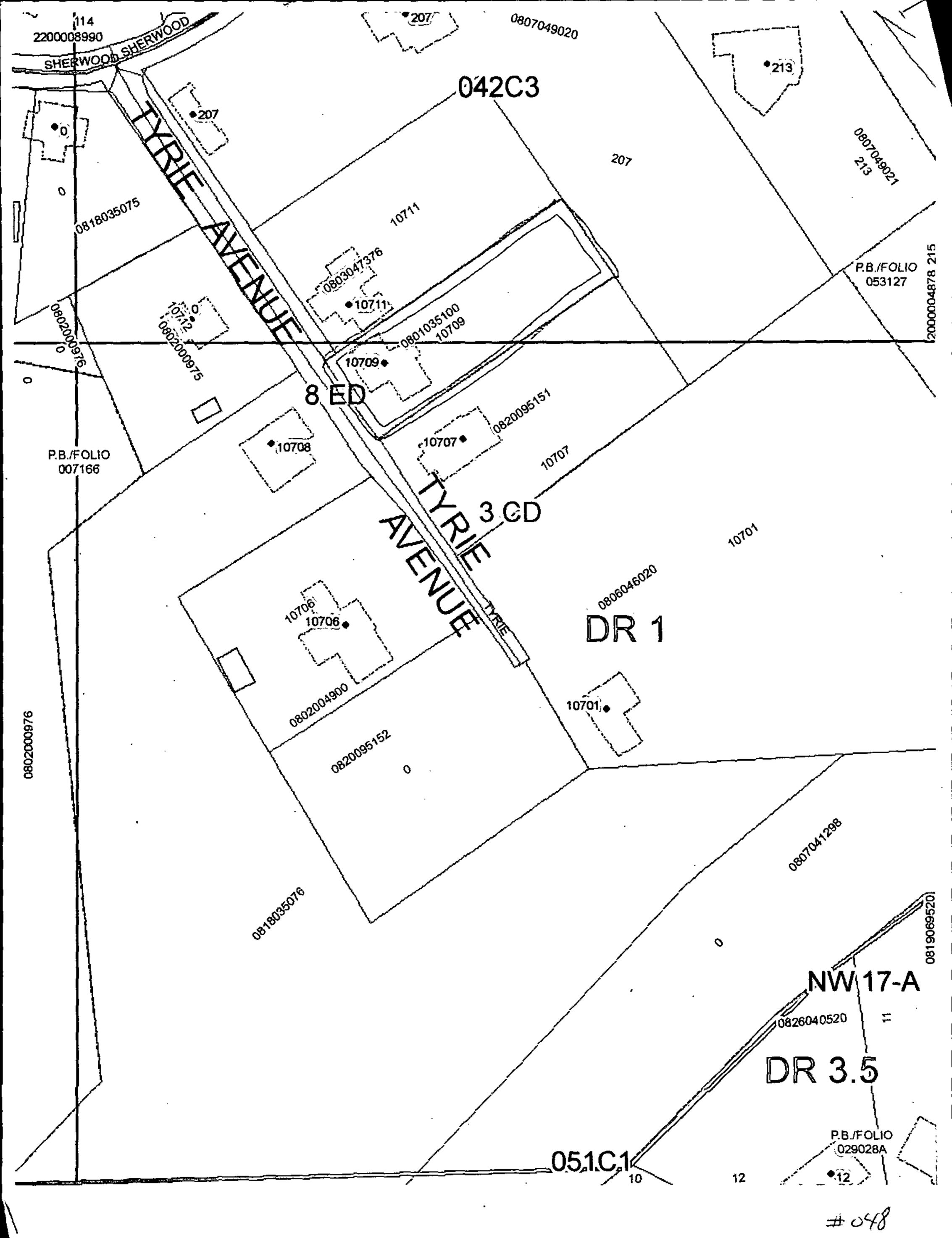
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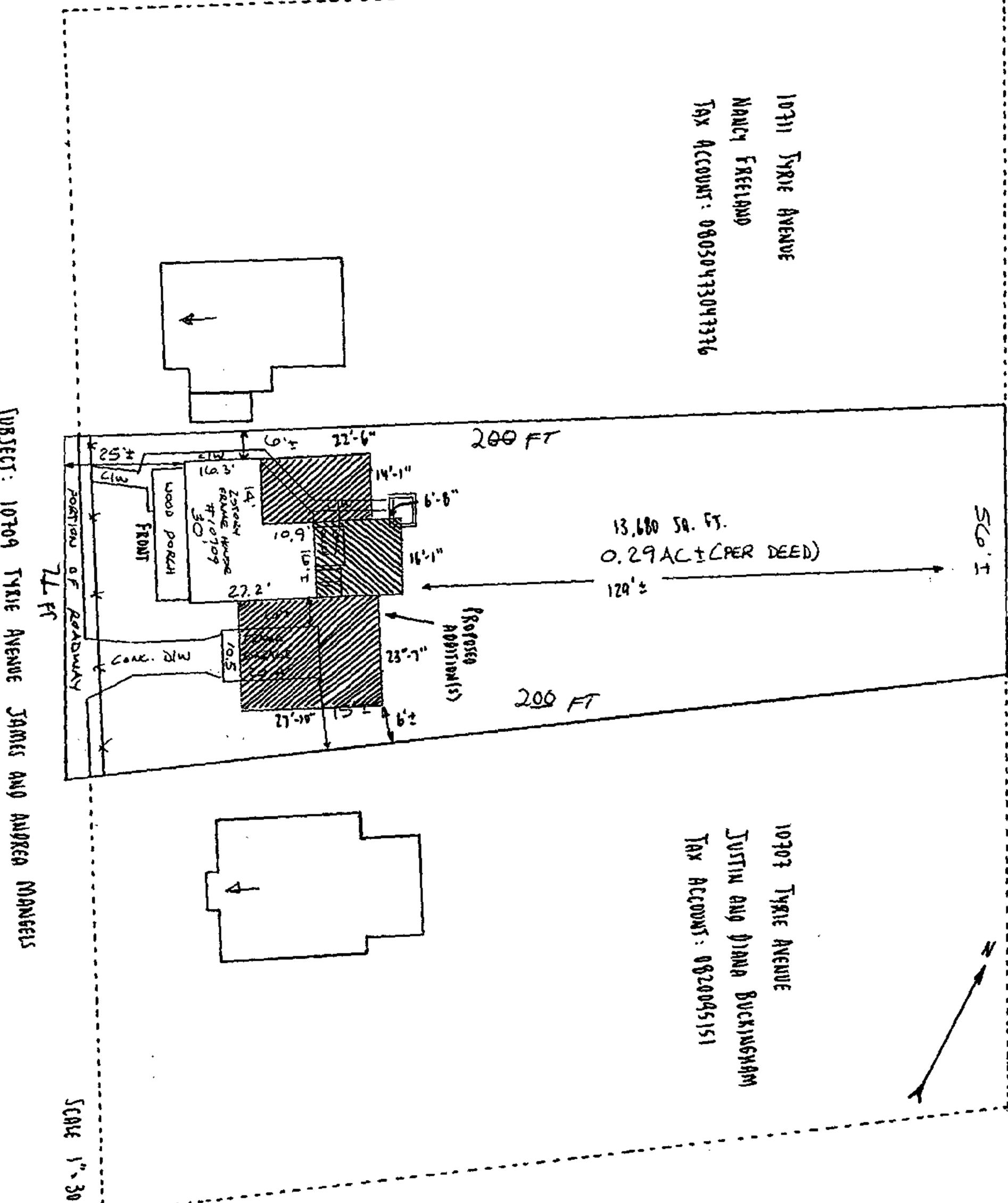
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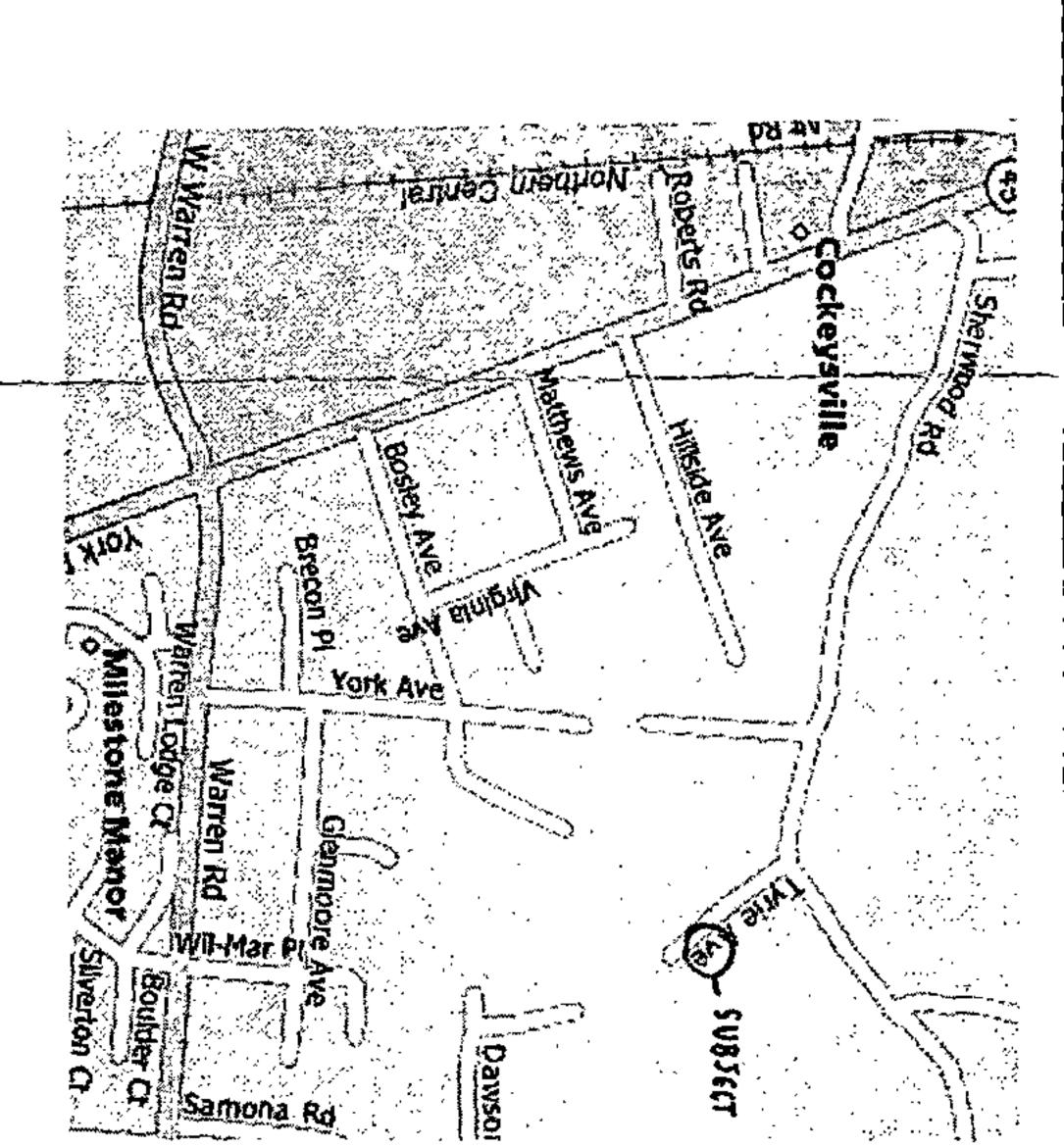
203

SHERWOOD

Stephen madden

TAX ACCOUNT: 0807049020





Scale: 1 "- 1,000"

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> PROPERTY £100¢ 000 INSURANCE | 4735 OF 575. 3402

PREPARED BY: JM

Subsect:

10709

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Avenue









