IN RE: PETITION FOR ADMIN. VARIANCE

S of Edgewood Avenue, 85 feet E of the

c/l Anders

9th Election District

6th Councilmanic District

(2603 Edgewood Avenue)

Frank J. and Mary C. Talbott *Petitioners*

* BEFORE THE

* DEPUTY ZONING

* COMMISSIONER

* FOR BALTIMORE COUNTY

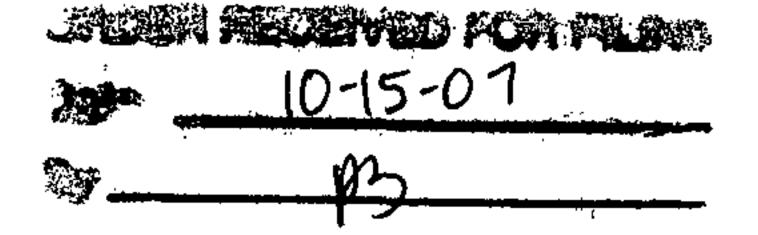
* Case No. 08-135-A

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, Frank J. and Mary C. Talbott for property located at 2603 Edgewood Avenue. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (proposed carport) on side of existing dwelling with a 0 feet side setback and a sum of 10 feet side setback in lieu of the required 7 feet side setback and a sum of 17 feet side setback. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to erect the carport to protect them from snow and ice and other extreme weather conditions. The existing driveway dictates the location of the carport. The property owner at 2605 Edgewood Avenue did not raise any objection to the proposed carport.

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 September 23, 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 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.

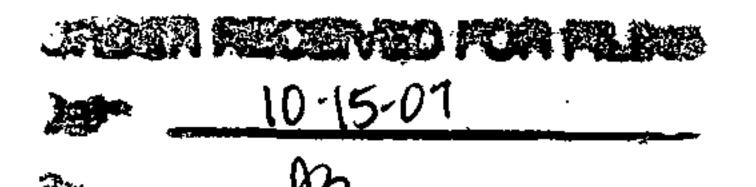
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

October 15, 2007

FRANK J. AND MARY C. TALBOTT 2603 EDGEWOOD AVENUE BALTIMORE MD 21234

> Re: Petition for Administrative Variance Case No. 08-135-A Property: 2603 Edgewood Avenue

Dear Mr. and Mrs. Benson:

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 \times 2603 CDGEW000 ACC which is presently zoned DR55

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) ## I BO2.3 B

TO PERMIT AN ADDITION (PROPOSED CARPORT) ON SIDE OF EXISTING DWELLING WITH A ZERO FEET SIDE SETBACK AND A SUM OF 10 FEET SIDE SETBACK IN LIEU F REQUIRED 7 FEET AND A SUM OF 17 FEET SIDE SETBACK.

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.

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Contract Purchases	r/Lessee:		Legal Owner(s):		
•	•		- FRANK J.T	AL BOTT	•
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Address	- .	Telephone No.	Name - Type or Print MARY	TAL BOT	<u> </u>
City	State	Zip Code	Signature	1000	
Attorney For Petitic	oner:	•	Mary (Salboll	Tale diaments
	-		Address	- Ralta Wd	Telephone No. 410-665-548
Name - Type or Print			2603 Edg E Wood Av	State 212	
		-	Representative to		•
Signature		<u> </u>	<u>itepresentative to</u>	De Comacteu.	
Company			Name		
Address	, , , , , , , , , , , , , , , , , , ,	Telephone No.	Address	<u> </u>	Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having b	peen formally demand	ded and/or found to be	required, it is ordered by the	Zoning Commissioner of earing advertised as rec	f Baltimore County,
regulations of Baltimore Cou	inty and that the proper	rty be reposted.	A Control of Section of Publications of the Control		
_	•	•	Zoning Commis	sioner of Baltimore Count	y /
CASE NO. රර	P-135-A	- Rev	iewed By A ESU	T Date = 9/	14/07
	MEDERAD PO		mated Posting Date	7/23/07~	10/8/07

Affidavit in Support of Administrative Variance

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

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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	acknowledge(s) that if a formal may be required to provide additional personal day of July for the County aforesaid, personal and John John John John John John John John	ersonal knowledge, the following are the facts upon re address (indicate hardship or practical difficulty): ECT PEOPLE (MAINLY) AND ICE AND OTHER ELLIONS, LOCATION OF DR. AND OF CAR PORT, acknowledge(s) that if a formal demand is filed, may be required to provide additional information. Signature AND, COUNTY OF BALTIMORE, to wit: Y, this 8 day of Mainly appeared and both personally known or satisfactorily identified to me a land and Notarial Seal My Commission.	acknowledge, the following are the facts upon which I/we base re address (indicate hardship or practical difficulty): ECT PEOPLE (MAINLY THE ELGINALY THE ELGINA	acknowledge, the following are the facts upon which I/we base the request for readdress (indicate hardship or practical difficulty): ECT PEOPLE (MAINLY THE ELDERLY AND ICE AND OTHER EXTREME WEAT IONS, LOCATION OF DRIVEWBY DICTOR OF CARPORT. TO NS, LOCATION OF DRIVEWBY DICTOR OF CARPORT. THE PROPERTY OF BALTIMORE, to wit: Y, this 8 and of Letter of the Country aforesaid, personally appeared and and Notarial Seal My Commission Expires Ways In the particular of the Country aforesaid, personally identified to me as such Affiant(s). THE PROPERTY OF MARYLAND PATRICIA A. QUINN Notary Public OF MARYLAND

My Commission Expires August 1, 2010

Affida Vit in Support of Administrative Variance

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follow	s: That	the inf	ormation he	erein given	is within the	e personal	knowledge	of the Affiant(s)	and that Affic	ant(s) is/are
comp	etent to te	stify th	ereto in the	event that	a public hear	ring is sche	eduled in the	future with regar	rd thereto.	

competent to testify thereto in the event that	,			ara tribroto.	
That the Affiant(s) does/do presently reside	at <u>2603</u>	EDGE WOOL) AVG.		
	BALTI	MORE_	MD. State		2./ 2.3 4/ Zip Code
That based upon personal knowledge, the Variance at the above address (indicate har	dship or practical d	lifficulty):			
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Signature / //		Signature	J 1 T	1 Boy	T-T
Name - Type or Print	<u> </u>	Name - Type or	rint		
STATE OF MARYLAND, COUNTY OF BAI					. ~
I HEREBY CERTIFY, this 18 day of of Maryland, in and for the County aforesaid frank 4 Mary Talbott	, personally)appea	, <u>200</u>	7, before me,	a Notary Public	of the State
the Affiant(s) herein, personally known or sa	tisfactorily identifie	d to me as such	Affiant(s).		
AS WITNESS my hand and Notarial Seal		Hitaa	Din	1	
		ry Public commission Expir	es ALADIES	+ 1 2010	

REV 10/25/01

PATRICIA A. OUT IN NOTARY PUBLIC STATE OF MARYLAND My Commission Expires August 1: 2010

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at <u>2603 EDGE WOOD AVE</u> which is presently zoned <u>PR5.05</u>

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) BCZR IRo2.3B

TO PERMIT AN ADDITION (PROPOSED CARPORT) ON SIDE OF EXISTING DWELLING WITH A ZERO FEET SIDE SETBACK AND A SUM OF 10 FEET SIDE SETBACK IN LIEU OF THE REQUIRED THET SIDE SETBACK AND A SUM OF 17 SIDE SETBACK.

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 ded perjury, that I/we are is the subject of this I	clare and affirm, under th the legal owner(s) of the Petition.	e penalties of property which
Contract Purchaser/L	essee:		<u>Legal Owner(s):</u>		
			FRANK J.	TALBOTT	
Name - Type or Print			Name Type or Print	Watt.	
Signature			Signature /		
Address		Telephone No.	Name - Type or Print MARV	, TAL Bott	
City	State	Zip Code	Signature		
Attorney For Petitione	<u>er:</u>		Address (. Ralbott	410-665-54 Telephone No.
Name - Type or Print		<u> </u>	2603 Edg E	State	Zip Code
Signature		<u> </u>	Representative t	to be Contacted:	
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having beer this day of regulations of Baltimore County	n formally demand that and that the proper	ed and/or found to be it the subject matter of by be reposted.	required, it is ordered by this petition be set for a public	he Zoning Commissioner of hearing, advertised, as req	f Baltimore County, uired by the zoning
CASE NO.	f-135-	A	Zoning Comm	Date Date	4/07
REV 10/25/01	10-15-07	Est	imated Posting Date	19/23/107	<u> </u>

ZONING DESCRIPTION FOR : 2603 EDGENOOD AVE

BEGINNING AT A POINT ON THE SOUTH

SIDE OF EDGENOOD WHICH IS 50 FEET.

WIDE AT THE DISTANCE OF 85 FEET EAST

OF THE CENTERLINE OF THE NEAREST

IMPROVED INTERSECTING STREET ANDERS

WHICH IS 50 FEET WIDE. * BEING

LOT # 2, BLOCK R, SECTION # I-B

IN THE SUBDIVISION OF WOODEROFT AS

RECORDED IN BALTIMORE COUNTY PLAT

BOOK # 20, FOLIO # 95, CONTAINING

6,500 SQ.FT. ALSO KNOWN AS

2603 EDGEWOOD AVE AND LOCATED

IN THE 9 TELECTION DISTRICT, 6 TH

COUNCILMANIC DISTRICT.

SIGNED BY OWNER

FRANK J. TALBOTT
9/14/2007

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CERTIFICATE OF POSTING

RE: Case No.: 08-135-A

Petitioner/Developer: ERANK Date of Hearing/Closing: 0-8-07 Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Kristen Matthews {(410) 887-3394} 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: 2603 EDGEWOOD AVE 9-23-07 The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster) **SSG Robert Black** (Print Name) 1508 Leslie Road **PUBLIC HEARING?** (Address) TH EXPORE MONIBULE OF CHOIR MET THE PROPOSED WANANCE, PROPOSED THE RECOVEST IS Dundalk, Maryland 21222 LOUPE TO TO TO TO (City, State, Zip Code) ENHACEMENT ACCESSIBLE (410) 282-7940 (Telephone Number)

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case	Number	08-	135	-A		Address	2603	EDGEWOOD	AVE
Conta	ct Persor	า:		AARO		75UI		Phone Number: 4	10-887-3391
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JAMES T. SMITH, JR. County Executive

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

October 5, 2007

Frank J. Talbott Mary C. Talbott 2603 Edgewood Avenue Baltimore, MD 21234

Dear Mr. and Mrs. Talbott:

RE: Case Number: 08-135-A, 2603 Edgewood Avenue

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 14, 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. Calliball

D-

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

People's Counsel C:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: September 27, 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) 08-135

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.

Reviewed By: Major Survey

CM/LL



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

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

Maryland Department of Transportation

Date: SEPT. 26, 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. 8-135-A

TALBOTT PROPERTY

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. 8-135-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





Patricia Zook - Re: Administrative Variance cases that closed 10-8-07

From:

Dennis Kennedy

To:

Zook, Patricia

Date:

10/11/2007 3:34 PM

Subject:

Re: Administrative Variance cases that closed 10-8-07

Patti:

The items that you are inquiring about are from two different agendas. Both were delivered to the zoning office in a timely fashion. In any event, we had no comment on any of the items you listed.

Dennis

>>> Patricia Zook 10/11/2007 2:32 PM >>> Hello Dennis-

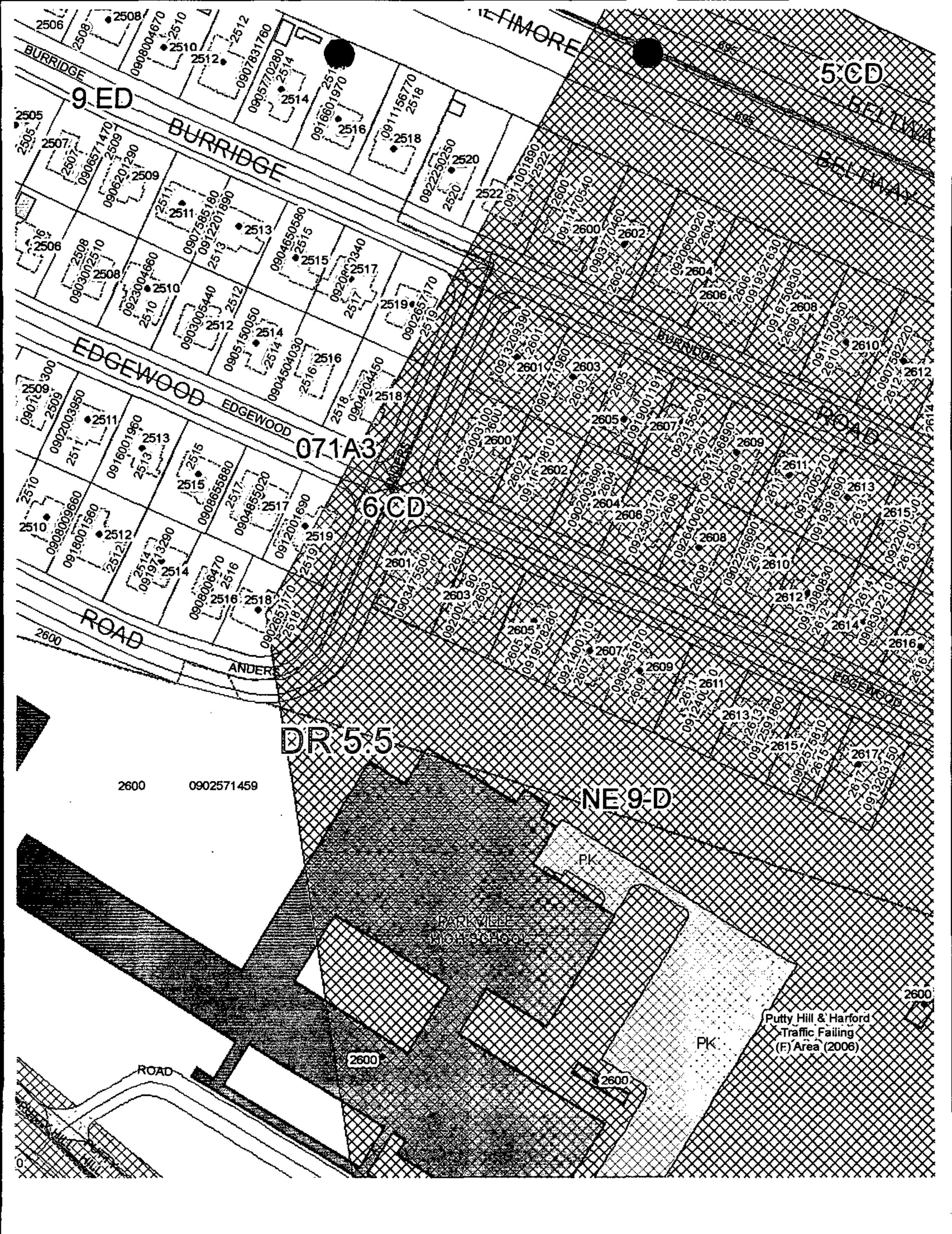
Yesterday I received the case files for the administrative variances that closed October 8. However, all the files are missing comments from your office. I double checked with Kristen and she didn't have the comments.

Please review the attached descriptions and see if you have comments (or no comments).

Feel free to let me know via e-mail.

Thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

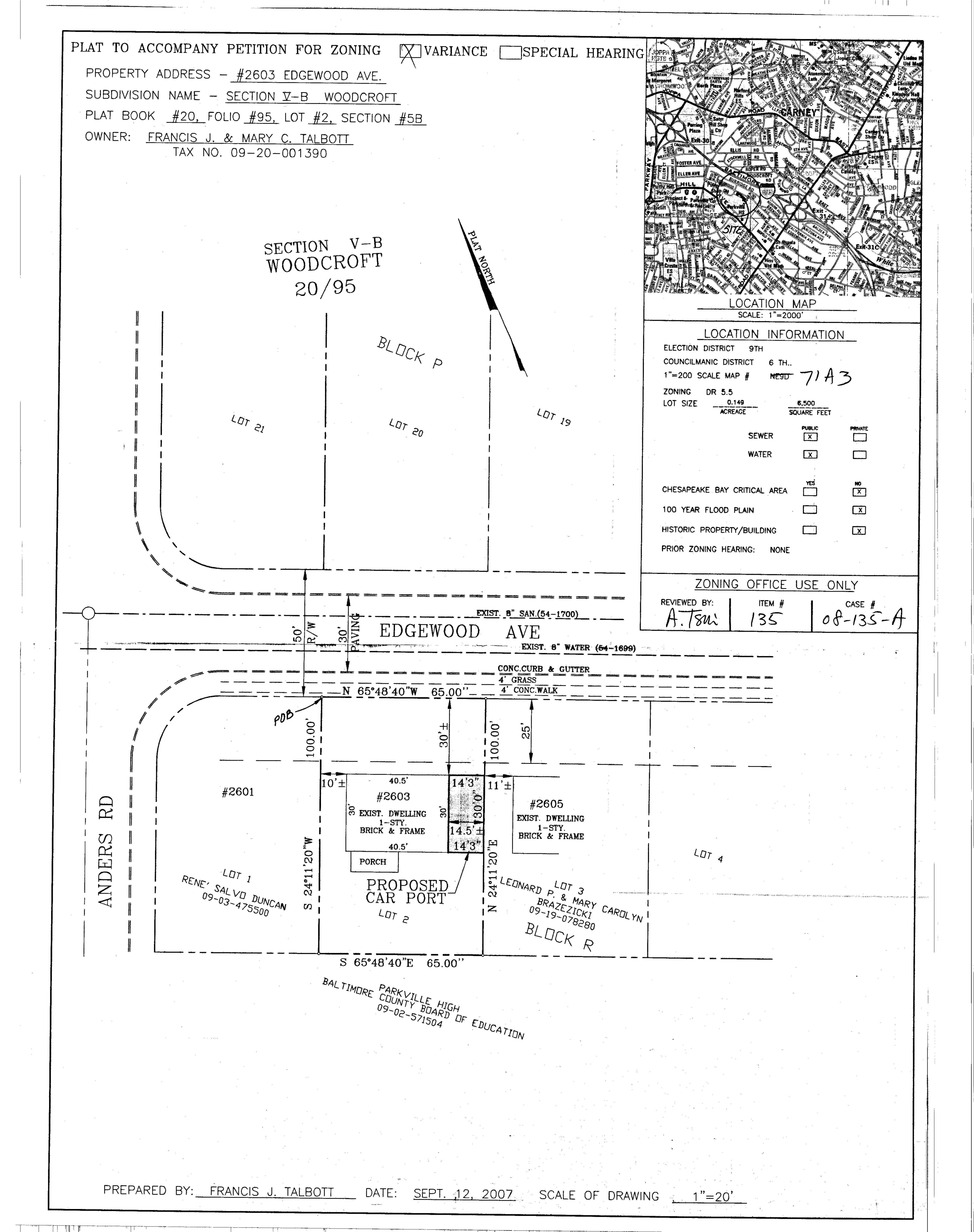




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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: October 2, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 1, 2007

Item Nos. 08-131, 133, 134, 139, 140, 141, 142, 143, and 144

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-10012007.doc