IN RE: PETITION FOR ADMIN. VARIANCE *

SW corner of East Orville and

Kitty Hawk Roads

15th Election District

7th Councilmanic District

(22 East Orville Road)

Syed Shabbir

Petitioner

BEFORE THE

* DEPUTY ZONING

* COMMISSIONER

* FOR BALTIMORE COUNTY

* Case No. 08-236-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 owner of the subject property, Syed Shabbir for property located at 22 East Orville Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with a rear yard setback of 23 feet in lieu of the minimum required 30 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner wishes to construct an addition measuring 28 feet 8 inches x 13 feet. The existing dwelling was constructed in 1942 and contains approximately 725 square feet. The addition is necessary to accommodate the growing family. The subject property is pie-shaped and widens from the front property line to the rear property line. The rear property line is 117 feet 39 inches in length. The left corner of the addition will be 23 feet 10 inches from the rear property line while the left corner of the addition will be 32 feet 1 inch from the rear property line.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated December 11, 2007. The proposed addition appears to have no negative impact on the adjacent dwellings and surrounding community.

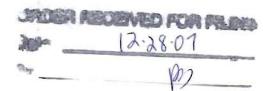


The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on December 2, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has 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 Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner 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

December 28, 2007

SYED SHABBIR 22 EAST ORVILLE ROAD BALTIMORE MD 21221

Re: Petition for Administrative Variance

Case No. 08-236-A

Property: 22 East Orville Road

Dear Mr. Shabbir:

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 22 OR VILLE which is presently zoned

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)

addition with a rear yard setback of 23 feet in lieu of the minimum required 30 feet.

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	of Baltimore Cou	nty adopted pursuant	to the zoning law for Balt	imore County.	
			I/We do solemnly d perjury, that I/we ar is the subject of this	eclare and affirm, under to the legal owner(s) of the s Petition.	the penalties of e property which
Contract Purchaser/Le	essee;		Legal Owner(s)	- 21	
Name - Type or Print			SHABB Name - Type of Print	IR, SYED	
Signature			Signature		
Address		Telephone No.	Name - Type or Print		
City Attorney For Petitione	State	Zip Code	Signature 22 OR V	ILLE RD.	410 - 537 - 036 Telephone No.
Name - Type or Print			BOUT	MD State	ス/ナン/ Zip Code
Signature			<u>Representative</u>	to be Contacted:	Willy -
Company			Name	100	(8)
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
yddig	th.	at the subject matter of the	nis petition be set for a publi	the Zoning Commissioner ic hearing, advertised as re	quire rough the zoning
CASE NO.	8-236	-A Rev	iewed By	P Date 11/21	lo ground

Affidavn 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

22 FORVILLE RD

()	Address			
	Address BPLT	MD		21221
That based upon personal knowledge, the following	lowing are the facts upo	State on which I/we base	the request for an	Zip Code Administrative
Variance at the above address (indicate hards	•	•	24P 01	16
OUR HOME WHICH WAS	LONSTRUE	EUNICT I	ON ALIYU	パ ノ
HOME IS SMALL A.	NO LACES	FLAN SA	ialt. Car	0
WE WISH TO APO A	REAR ADDIT	C D D I U () (FAMIL	у У
HAVE MORE ROOM	FOR OUR	GNOWN	, 101170	, .
WE DID NOT GON	NORE TOW	AROS TH	E SIDE	OF
THE HOUSE BECAUS	SE SYME	TRY OF	THE H	OUSE.
That the Affiant(s) acknowledge(s) that if a 1	formal demand is filed,	Affiant(s) will be	required to pay a	reposting and
advertising fee and may be required to provide	additional information.			•
		A->-		
Signature	Signa	ture	T. 54	ORBIR
Name - Type or Print	Name	- Type or Print	<i>וו</i> כ ו	<u> </u>
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:			* * · · · · · · · · · · · · · · · · · ·
of Maryland, in and for the County aforesaid, pe	ersonally appeared		me, a Notary Pub	
the Affiant(s) herein, personally known or satisflaw that the matters and facts hereinabove set	sfactorily identified to more forth are true and corrections.	e as such Affiant(s ct to the best of his/), and made oath her/their knowledge	in due form of e and belief.
AS WITNESS of pland and Notarial Seal				
Deborah J. Mertin Notary Public Enteror County, Maryland	Dogo	as Omi	77.1	
Date	Notary Public	7	Deboreh J. Martin Notary Public	
DUODON 16,2	.೦೦೧ My Commiss	ion Expires	pore County, Meryland Comm. Exp. 11/01/07	
REUNIFICA				

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	ZZ ORVILLE RD
	Address BALT MD 21221
nat based upon personal knowledge, the follogrammariance at the above address (indicate hardshi	wing are the facts upon which I/we base the request for an Administrative
	CONSTRUCTED IN 1942, OUR
HAME IS SMALL AL	ID LACK'S FUNCTIONALITY.
HUMIL IS SMALL MA	EAR APPITION SO WE CAN
WE WISH TO AND A R	EAR MADE CROWING FAMILY
HAUR MORR ROOM 1	FOR OUR GROWING FAMILY.
we did not GO M	ORE TOWARDS THESIDE OF
	TRY OF THE HOUSE.
nat the Affiant(s) acknowledge(s) that if a for livertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
	£
nature	Signature
nature .	Signature SYED T. SHABBIR.
me - Type or Print	SYED T. SHABBIR. Name - Type or Print
THE - Type or Print ATE OF MARYLAND, COUNTY OF BALTIM	SYED T. SHABBIR. Name - Type or Print IORE, to wit:
me - Type or Print TATE OF MARYLAND, COUNTY OF BALTIM	SYED T. SHABBIR. Name - Type or Print IORE, to wit:
TATE OF MARYLAND, COUNTY OF BALTIM MEREBY CERTIFY, this	Name - Type or Print **IORE, to wit: **Specific SHABBIR.** **IORE, to wit: **Specific Sharp \$2001 before me, a Notary Public of the State resonally appeared.**
TATE OF MARYLAND, COUNTY OF BALTIM MEREBY CERTIFY, this	SYED T. SHABBIR. Name - Type or Print IORE, to wit:
TATE OF MARYLAND, COUNTY OF BALTIM HEREBY CERTIFY, this	Name - Type or Print **RORE, to wit: Obec
TATE OF MARYLAND, COUNTY OF BALTIM MEREBY CERTIFY, this	Name - Type or Print **RORE, to wit: Obec
e Affiaht(s) herein, personally known or satisfa w that the matters and facts hereinabove set for with the matters and facts hereinabove set for with the matters and facts hereinabove set for	Name - Type or Print **RORE, to wit: Obec
TATE OF MARYLAND, COUNTY OF BALTIM HEREBY CERTIFY, this	Name - Type or Print **ROPE, to wit: **Discount



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at <u>PZ OR VILLE</u> <u>RD</u>, <u>ZIZZ/</u> which is presently zoned <u>DR</u>, <u>5</u>, <u>5</u>

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

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) | BOZ.3.C.1, BCZR, to permit a proposed addition with a rear yard setback of 23 feet in lieu of the minimum required 30 feet.

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.

			is the subject of this	Petition.	the property which
Contract Purchaser	<u>/Lessee:</u>		Legal Owner(s):	<u>:</u>	
Name - Type or Print			SHABBA Name - Typegor Print	R, SYED)
Signature			Signature	7. 5	HABBIR
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Petitio	<u>ner:</u>	• •	ZZ OR V/ Address BOUT	ILUE RD.	4:0-537-036 Telephone No.
Name - Type or Print			City	State	Zip Code
Signature			Representative t	to be Contacted:	
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Z-p Code
A Public Hearing having be this day of regulations of Baltimore Coun	that the proper	at the subject matter of the	is petition be set for a public	he Zoning Commissione hearing, advertised, as hissioner of Baltimore CO	required by the zoning
* Little	08-	236 A Rev	iewed By	Date 1	(6)2220mm
REV 9115198	12-28	.03 Esti	mated Posting Date _	13/2/0	2
Post .	pr			,	•

Zoning Description

ZONING DESCRIPTION FOR

22 E. ORVILLE RD

Election District 15

Councilmanic Dsitrict 7

Beginning at a point on the SOUTH side of E. ORVILLE Road which is 50 feet wide. Which is at the intersection of E.ORVILLE rd and KITTY HAWK Road which is 50 feet wide. Being lot #53section 1 in the subdivision of EDGEWATER as recorded in Baltimore county plat book #13 folio #24 containing 7,676 sqft/0.17 acer.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

236

Case Number 08-

Address 22 E. Orville Road

Conta	ict Person:	le ffrey Planner, Pleas	Per (o w		Phone Number:	
Filing	Date:	11/21/07	Posting Dat	te: $12/2/07$	Closing Dat	e: <u>12/17/</u> č
Any o	contact mad gh the conta	le with this office ct person (planner)	regarding the s using the case	tatus of the adr number.	ministrative variar	nce should be
1.	reverse sid reposting n is again re	COST: The petition of this form) and nust be done only be sponsible for all as or before the post	I the petitioner in oy one of the signs ociated costs.	s responsible for In posters on the The zoning not	r all printing/postir approved list and tice sign must be	ng costs. Any I the petitioner visible on the
2.	a formal re	The closing date equest for a public a public hearing, the	hearing. Plea	ase understand	that even if there	
3.	commission order that (typically w	After the closing oner. He may: (a) the matter be set ithin 7 to 10 days owill go to public hea	grant the reque in for a public of the closing da	ested relief; (b) c hearing. You te) as to whethe	leny the requeste will receive writter the petition has	d relief; or (c) en notification been granted,
4.	(whether d commission changed gi	PUBLIC HEARING ue to a neighbor's ner), notification w ving notice of the h tification of this cha	s formal reques ill be forwarded learing date, tim	it or by order o I to you. The e and location.	f the zoning or or sign on the prop As when the sign	deputy zoning perty must be was originally
			(Detach Along Do	otted Line)		
Petitio	oner: This	Part of the Form is	for the Sign P	oster Only		
		USE THE ADM	INISTRATIVE V	ARIANCE SIGN	FORMAT	
Case	Number 08	- 236 -A	Address <u>2</u>	2 E. Orvill	e Road	
Petitio	ner's Name	Syed Shabb	ir	Te	elephone 416-5	37-0364
		12/2/07		Closing Date:	12/17/07	., /
	^	To Permit a pr	1	tion with a equired 30	rear yardse feet.	back of
				-	-	
· · ·		_				Revised 6/25/04

OFFICI	MORE CO E OF BUI LLANEO	DGET A	ND FINA				No. Date:	02.14 PAID RECEIPT PAID RECEIPT
Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept. Catg	BS Acct	Amount Dept 5 S28 ZONDR6 VERTETCAL
001	006			6150				Recpt Tat 865.
19,5								\$65.00 CK \$. Battmore County, Harvi
			12.	Series.				
Rec From:	Sp	d T	Sh	ibbir		Total:		(65.00
For:		Affect,	4 t,	C446	ory)	115 -	22 E	CASHIER'S
DISTRIB	UTION						VALUE OF THE PARTY	VALIDATION

.

CERTIFICATE OF POSTING

RE: Case No: 08-234-A
Petitioner/Developer:
Date Of Hearing/Closing: 12/17/67
ment
penalties of perjury that the necessary ed conspicuously on the property
2 E. DRUNCE ROAD
(Month, Day, Year) Sincerely, (Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court Address Balto. Md 21220 (443-629 3411)



matten Ogle 12/2/07



JAMES T. SMITH, JR. County Executive

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

December 17, 2007

Syed Shabbir 22 E. Orville Road Baltimore, Maryland 21221

Dear Mr. Shabbir:

RE: Case Number: 08-236-A, 22 E. Orville Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 21, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 12, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 10, 2007

Item Nos. 08-235, 236, 237, 238, 239, 241, 243, 244, 245, 246, 247 and 07-541

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-121207.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning



DATE: December 11, 2007

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-236- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request. The proposed addition appears to have no negative impact on the adjacent dwellings and surrounding community

For further questions or additional information concerning the matters stated herein, please contact John Alexander in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111, 2007
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

December 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 3, 2007

Item Number: 223,236 237,238,239,240,241,242,244,246,247

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.

. 1The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 11, 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) 08-236- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request. The proposed addition appears to have no negative impact on the adjacent dwellings and surrounding community

For further questions or additional information concerning the matters stated herein, please contact John Alexander in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



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

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

Maryland Department of Transportation

Date: 12/5/2007

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

RE: Baltimore County

Item No. 8-236-A

22 E. ORVILLE ROAD SHABBIR 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. 8-236-A

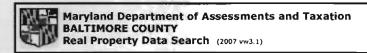
Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Engineering Access Permits

SDF/MB

Exempt Class:



Go Back View Map New Search

* NONE *

	dentifier:		Account Num	vner Inforr						
O N-		CHARRID CVE		vner Inforr			-		ACTO CALTTAL	
Owner Na	me:	SHABBIR SYE	וטו		Use:	nal Ba	sidonası		RESIDENTIAL	
Mailing A	ddrocci	22 ORVILLE R	D			pal Residence: YES Reference: 1) /25613/ 342				
Mailing A	udi ess:		ID 21221-1440		Deed	Keier	ence:		1) /25613/ 34: 2)	Z
				& Structure	e Informa	ition				
Premises	Address	-					Legal De	escription		
22 ORVILL	E RD						_	-		
							22 ORVI	LLE RD		
							EDGEWA	TER	ASSESSMENT	
Map Gri	id Parcel	Sub District	Subdivision	Section	Block	Lot	Assessm	ent Area	Plat No:	Marin .
90 17	7 605			1		53	3	3	Plat Ref:	13/ 24
		То	wn							
Special Ta	x Areas	Ad	Valorem							
	Marie	Та	x Class							
	Primary Struc	ture Built	Enclose	ed Area		Prop	erty Land	Area	County	Use
	1942		725	5 SF		•	7,676.00 SF	<u> </u>	04	
Stori	es	Basement		Type				Exte	rior	
1	Criteria.	NO	S	TANDARD U	NIT			ASBESTOS	SHINGLE	
	9 =		Va	alue Inforn	nation					
1300	17.	Base Value	Value	Phase-in	Assessn	nents				
			As Of		Of		Of			
			01/01/2006	07/01/20	07 07	/01/20	08			
	Land		38,410							
In	provements:	,	55,430	03.4	0.0	02.0	40			
D	Total:	- ,	93,840	83,1		93,8				
Prefe	erential Land:	0	0		0	_	0	-		
			Tra	nsfer Infor			. 12	100 4 0 0 0	7 10 10 10 10 10	
	ALL WILLIAM				Date:	1,77	0/2007	Price:	\$125,000	
	MPROVED ARM	_			Deed1:			Deed2	177	100
	ALL WILLIAM				Date:	1 1 1	2/2003	Price:	\$0	
Type: N	OT ARMS-LEN	GTH			Deed1:	/185	51/ 686	Deed2		
Seller: H	ALL WILLIAM I	l			Date:	12/20	0/1982	Price:	\$0	
Type: N	OT ARMS-LEN	GTH			Deed1:	/ 646	7/ 109	Deed2		100
	English &		Exer	nption Info	rmation			4-10.7	N. /	
Partial Ex	empt Assessr	nents		CI	ass	07/01	1/2007	07	/01/2008	High.
County				00	00	0		0		
State				00	0	0		0		
Municipal				00	00	0		0		
		<u> </u>							capture:	



