IN RE: PETITION FOR ADMIN. VARIANCE

E side Londonderry Road, 25 feet N of

c/l Spring Lake Drive

8th Election District

3rd Councilmanic District

(2501 Londonderry Road)

A. Paul and Kerry Agathoklis

Petitioners

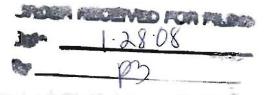
- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 08-276-A

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, A. Paul and Kerry Agathoklis for property located at 2501 Londonderry Road. The variance request is from Sections 1B02.3.A.1 and 208.4 (B.C.Z.R. 1955) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with an 18 foot rear setback in lieu of the required 30 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct an addition measuring 28 feet x 46 feet in size. The addition is necessary in order to make the home accessible for a wheelchair and a walker. The subject property is a corner lot containing 11,484 square feet. While the size of the addition appears large, the subject property is more than 900 square feet larger than adjacent properties on Londonderry Road.

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 December 30, 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 Petitioners.

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.

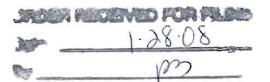
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

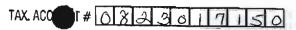
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz







Petition for Administrative Variance

	to the Zoning Commissioner of Baltimo	ore Count
MARYLAND	for the property located at 2501 Londonderry	COAD
	which is presently zoned	R. 3.5
c Detition shall be filed wi	ith the Department of Permits and Davelenment Management. The un	(R.10)

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) 1302,34.1. (EXER)

208.4 (EXER)

TO PERMIT AN ADDITION WITH AN 18-FOOT REAR SETBACK IN LIEU OF THE 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. Please SIGN & NOTORIZE ON 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: Legal Owner(s): HOPAUI/KERRY Name - Type or Print Signature Address Telephone No. City State Zìp Code DAD -410561-149 Attorney For Petitioner: Telephone No 21093 Zip Code Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. Zip Code City State

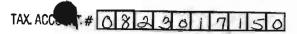
A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County. that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning

regulations of Baltin	more County and that the property be report	sted.	
		Zoning Commissioner of Baltimore County	
CASE NO.	08-276-A	Reviewed By D.T. Date 12/21/07	
REV 10/25/01	STOREN PROCESSED FOR I	Estimated Posting Date 12/30/67	
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1 rates	בינט		

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.

competent to testify thereto in the event that a p	public hearing i	s scheduled in the	e future with	regard thereto).
That the Affiant(s) does/do presently reside at	2501 Address	Londerry		= Road,	
	TIMO	NIUM	M D	2100	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the fip or practical			ne request for	an Administrative
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand additional infor	is filed, Affiant(s mation.) will be re	equired to pay	a reposting and
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A PAUL AGATHOVILI	ζ .	Signature	A A C	ATHO	12415
Name - Type or Print		Name - Type or P	rint	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
CTATE OF MARWI AND COUNTY OF DAILTIN	IODE Aiv		_.		
STATE OF MARYLAND, COUNTY OF BALTING HEREBY CERTIFY, this 10 day of 10 day of 10 Maryland, in and for the County aforesaid, pe		, <u>2017</u>	L_, before r	me, a Notary P	ublic of the State
	•				
the Affiant(s) herein, personally known or satisfa	actorily identifie	d to me as such A	Affiant(s).	· · ·	
AS WITNESS my hand and Notarial Seal					
29.03.3		Jalu	Don	lag D	le .
ROBIN BARBAGALLO Notary Public		ry Public ommission Expire	. ۱۵.	3.05	
Baltimore Co., MD	IVI y C	ommission Expire			





Petition for Administrative Variance

***	to the Zoning Commissioner of Baltimore County
MARYLAND	for the property located at 2501 Londonderry ROAD
	which is presently zonedD.R. 3.5
owner(s) of the property situation	with the Department of Permits and Development Management. The undersigned, legalate in Baltimore County and which is described in the description and plat attached hereto and petition for a Variance from Section(s) 1002,34.1 (20±尺) 208.4 (20±尺 - 1955)

TO PERMIT AN ADDITION WITH AN 18-FOOT REAR SETBACK IN LIEU OF THE 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 I, or we, agree to pay expregulations and restriction	enses of above Var	iance, advertising, p	e zoning regulations. posting, etc. and further agree to t to the zoning law for Baltimore (and are to be bour County.	nded by the zoning
Please Sign BACK	+ NOTORIZ	e on	I/We do solemnly declare perjury, that I/we are the le is the subject of this Petitio	egal owner(s) of the	he penalties of e property which
Contract Purchaser	/Lessee:		Legal Owner(s):		
Name - Type or Print			A.P.A.U./ K. Eop Y A. Name - Type or Print	9AThoklis	
Signature			Signature Seproy	agaslasses	
Address		Telephone No.	Name - Type or Print A. One of Security	Manual de	Real
City Attorney For Petitio	State	Zip Code	Signature 2501 Londond	CERY RUM	D - 410561-14
Name - Type or Print			TIMONIUM	md . State	21093 Zip Code
Signature			Representative to be	e Contacted:	
Company			Name 18 FOREEST DE	use Hu	. 300. /2/.0
Address		Telephone No.	Address City City	md	Telephone No.
Čity	State	Zip Code	City	State	Žip Code
A Public Hearing having b this day of regulations of Baltimore Cou	tha	at the subject matter of		oning Commissioner ing, advertised, as re ner of Baltimore Cou	equired by the zoning
CASE NO(18-276-A	R	eviewed By D.T.	_ Date <u> </u>	07
REV 10/25/01	JAMES ALOS	VED FOR FILE	stinated Posting Date	12/30/07	_

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.

competent to testify thereto in the event that a p	apile ricarii	y is scribballer	a iii ale ic	ILUIC WILLI	regard there	io.	
That the Affiant(s) does/do presently reside at	2501 Address	Londer	Ry	<u>*</u>	= Road;	<u> </u>	
		MUM	212	MD	210	93	Zip Code
That based upon personal knowledge, the folio Variance at the above address (indicate hardsh	wing are the	e facts upon all difficulty):			ne request fo		nistrative
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Mirolland		A.	Aya	th	KLi		
Signature /		Signature	7	Λ 62	N 1 1	01271	
A- PAUL AGATHOKLI Name - Type or Print	5	Name - T	RRY Type or Print	AG	N (H) (CL	7
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit	:					
I HEREBY CERTIFY, this day of	200 200	orod ,	2007	, before r	me, a Notary	Public of	the State
Control of the contro	_						
the Affiant(s) herein, personally known or satisfa	ctorily identi	fied to me as	such Aff	iant(s).			
AS WITNESS my hand and Notarial Seal				2	0.		
		LIDI	W	AG DA	V a ()	0 ,	

ROBIN BARBAGALLO
Notary Public
Baltimore Co., MD
My Comm. Exps. Dec. 3, 2008

Notary Public

My Commission Expires \\2 \ 3 \ 0 \\

Zoning Description for 2501 LONDONDERRY ROAD

Beginning at a point on the east side of Londonderry Road which is 50-feet wide at a distance of 25-feet north of the centerline of Spring Lake Drive which is 50-feet wide.

Being the same property and recorded among land records of Baltimore County in Plat Book 27, Folio 145, Block R, Section 2 and being in the subdivision known as "Spring Lake" containing 11,484 square feet. Also known as 2501 Londonderry Road located in the 8th Election District and 3rd Councilmanic District.

OFFICE	OF BUI	OUNTY, DGET AI US REC	ND FINA				No.	PAID PECEIPT SOURCE STATE OF THE STATE OF T	
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For:		#_27 	PINK - A		- A - D		MI C	CASHIER'S VALIDATION	

	RE: Case No: 08-276-A
	Petitioner/Developer: SMITH AGATHOKLIS
••	Date Of Hearing/Ciosing: 1/14/08
Baltimore County Department of Permits and Development Manag County Office Building, Room 11 111 West Chesapeake Avenue	
Attention:	
Ladies and Gentlemen: This letter is to certify under the sign(s) required by law were posterat	
	501 WINDONDERKY RD



martingle 12/30/07

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 276 -A Address 2501 LONDONDERRY RD.
Contact Person: DNNA THOMPSON Planner, Please Print Your Name Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 12 30 07 Closing Date: 14 08
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. <u>DEADLINE:</u> 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.
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 08- 276 -A Address 2501 LONDONDERRY RD.
Petitioner's Name AGATHOKLIS Telephone 410-561-1492
Posting Date:
Wording for Sign: To Permit AN ADDITION WITH AN 18-FOOT REAR SETBACK
IN LIEU OF THE REQUIRED 30-FEET.

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:
Item Number or Case Number: (78-276-A)
Petitioner: AGATHOKLIS
Address or Location: 250 LONDON DERRY RD.
PLEASE FORWARD ADVERTISING BILL TO: Name:
Telephone Number: 443-309-121-9



JAMES T. SMITH, JR. County Executive

March 11, 2008

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Mrs. Kerry Agathoklis 2501 Londonderry Road Timonium, Maryland 21093

RE:

Spirit & Intent for 08-276-A, 2501 Londonderry Road

8th Election District

Dear Mrs. Agathoklis

Your recent letter sent to Timothy Kotroco, Director of Permits and Development Management has been given to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined.

Based on your letter dated March 7, 2008 and the redlined site plan attached, you have requested to enlarge the size of the proposed addition. Provided that you do not extend the garage beyond the existing front foundation and stay within the same side setback our office considers that this request is within the spirit and intent of zoning case 08-276-A. Please submit a copy of this letter with your application for building permit.

A copy of your letter, the redlined site plan and this response will become part of the permanent record for this zoning case file.

If you have any questions, please do not hesitate calling me at 410-887-3391.

Sincerely,

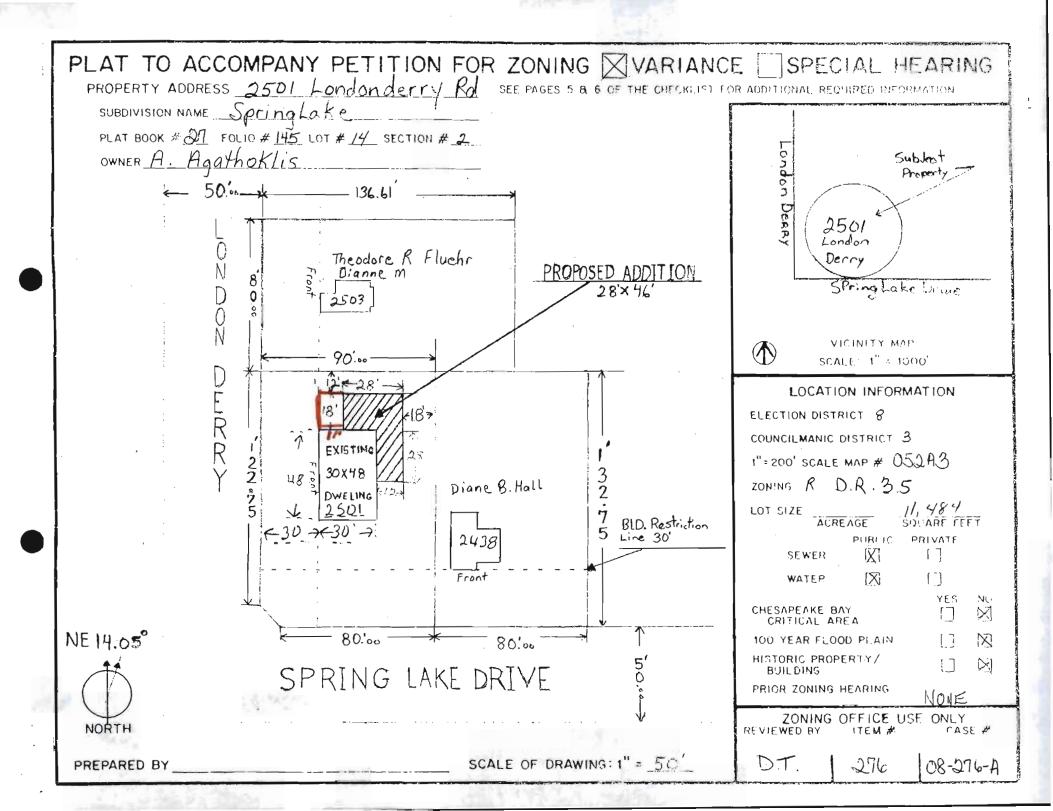
Donna Thompson

Planner II

Zoning Review

DT

Please call after reviewed tor Pick up- 443-309-1269 Att: MR. Timothy Kotroco Director - PDM 76: DT 5+I 3/10/08 W Room III 111 W. Chesapeake Ave. Towson, MD 21204 3-7-08 Sprit and Intent + am requesting to extend my garage further (11×18) in the front do to the fact of not considering entrance way from garage into New addition to existing house with steps, which was not on previous permit. The request for this matter still meets the zoning requirements Permit # B 687787 Kerry Ay altoklip



BALTIMORE COUNTY, MARYLAND PAID RECEIPT No. 12039 OFFICE OF BUDGET AND FINANCE MISCELLANEOUS RECEIPT Date: 3-11-07 3/11/2008 3/11/2008 10:32:49 SD1 WALKIN JRIC JHR >>RECEIPT # 366791 3/11/2008 Rept Sub Rev Sub BS Orgn Source Rev Acct Bept 5 528 ZENING VERIFICATION Fund Agcy 1 Orgn Catq Amount LK NE 012039 Recot Tot \$10.00 \$10.00 CK \$.00 CA Baltimore County, Maryland Total: Rec From: For: **CASHIER'S VALIDATION** DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

January 14, 2008

Paul Agathoklis Kerry Agathoklis 2501 Londonderry Road Timonium, MD 21093

Dear Mr. and Mrs. Agathoklis:

RE: Case Number: 08-276-A, 2501 Londonderry Road

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

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Jerry Smith 18 Forrest Drive North East 21901

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 8, 2008

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 15, 2008

Item Nos. 08-082, 275, 276, 277, 278,

279, 280, 281, and 285

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-01082008.doc



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

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

Maryland Department of Transportation

Date: January 7, 2008

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

RE: **Baltimore** County

Item No. 8-276 -A

2901 LONDONDERRY RD PAUL/AGATHOKUS 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.8-276-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,

4 Steven D. Foster, Chief For Engineering Access Permits

Division

SDF/MB

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: January 24, 2008

DECEIVE 1 jan 2 8 2008

BY:____

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-276- 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 Curtis Murray in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

Servy Sturishe OK. Sum the Presonate SPRINGLAKE COMMUNITY ASSOCIATION

Home Improvement Proposal

Owner's Name	A-PA	UL &KERRY	/ AGATH	HOKUS PH	none: 4/0-561	-149
Address: 2	501	LONBOR	DERRY	ROAD	21093	·
TYPE OF IME	PROVEN	MENT (CHECK	ITEM):			
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□ ALTERATIO	ON	X GARA	.GE		\square SIDING	
□ DECK		□ PATIO	OR PATIO I	ENCLOSURI	E DUTILITY SHEI)
OTHER:				_		
		O BE DONE: (Pl				
Extend Ki	tchen	& Dining R	om, Add	gorage.	All to match)
existing	stru	dure_ Also	see at	Hached s	All to mated ketches.	
		s applied				
		S TO BE USED GORIGINAL MATER		R SCHEME:		
It is suggested Done No Approved:	that neig Obje o	tions Ll Z62	ide of homeow	oner be notifi	ate:	
Reason:						

TO WHOM IT MAY CONCERN:

GIVES JERRY SMITH OR JOANN SMITH AUTHORIZATION TO PICK UP PERMITS ASK ANY QUESTIONS FOR ME IN MY BEHALF AT SAID PROPERTY 2501 London Dairy IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT

DATE: 10/16/07



