

IN RE: **PETITION FOR VARIANCE**

N/S Eastdale Road, 34' E of

53rd Street

(7902 Eastdale Road)

15th Election District

7th Council District

Ericson Atuobi, et al

Petitioners

*

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BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-388-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Gifty E. Kumah and her husband Ericson K. Atuobi. The Petitioners seek relief from Sections 1B02.3B and 1B02.3A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1954) to permit an addition (enclosed porch) with a 23-foot front yard setback and an existing addition (enclosed deck with attached storage shed) with a 5'8" rear setback in lieu of the required 25 feet and 40 feet, respectively. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Ericson K. Atuobi and Gifty E. Kumah, property owners. Appearing in opposition to the variance request was the adjacent resident and lessee, Patricia Greason, and the neighboring property owner (east side), June Warchal. Mr. Robert Simmers (west side) submitted a letter of support. There were no other interested persons present. The matter came before me as the result of a complaint registered by Ms. Greason with the Code Enforcement Division of the Department of Permits and Development Management (DPDM) relative to the construction of front and rear additions (and attached accessory shed). Despite the issuance of building permits (B677600 & B677982), the Petitioners were cited with a Code violation and advised to file the instant Petition to resolve the matter.

COPIES RECEIVED FOR FILING
Date 4-22-08
By [Signature]

Testimony and evidence offered disclosed that the subject property is a narrow rectangular shaped parcel (16' wide x 102' deep) located on the northeast corner of Eastdale Road and 53rd Street in the Colgate/Eastpoint area of the County. The property contains a gross area of 1,632 square feet, more or less, zoned D.R.10.5, and is improved with a middle-of-group, two-story, townhouse dwelling. The Petitioners and their three (3) children have owned and resided on the property for six (6) years. Apparently, Mr. Atuobi, requiring more living and storage space, enclosed the front porch (7' x 15' – *See* Petitioners' Exhibit 2A), the existing rear deck (13'5" x 14'2" – for a living room) with an attached storage shed (8'3" x 12'2" – *See* Petitioner's Exhibit 2B) located to the rear of the property. These improvements were initiated without benefit of building permits but as previously noted were quickly obtained following Building Inspector Grant Kidd's site visit. Unbeknownst to Mr. Atuobi and his contractor, enclosing the front porch, rear deck and attaching the shed created a "technical" setback problem in that the shed is now considered attached to the dwelling, and must be setback a minimum distance of 40 feet from the rear property line which abuts an alleyway. As shown on the site plan, the shed is located 5'8" from the rear property line. Likewise, under the prior "D Residential – 1954" regulations, a front yard setback of 25 feet from the front property line is required for the now enclosed porch.¹

In support of the request, the Petitioner testified that all work was of high quality and the improvements were sorely needed for the family's growing needs and well-being. Photographs of the property support this contention and show that there are other similar front porch and storage sheds in the community. Finally, the Petitioner submitted into evidence as Exhibit 5 a written statement from his neighbor, Mr. Robert Simmers, whose home is an end-of-group adjacent to the subject property stating that he has no objections to the new house additions or the location of the shed.

¹ Although current D.R.10.5 area regulations in Section 1B02.3C.1 (Chart) have been revised several times and now require a minimum lot area of 3,000 square feet, a lot width of 20 feet and side/front yard setbacks of 10 feet and a minimum rear yard depth of 50 feet, the 1954 regulations are applicable. B.C.Z.R. Section 103 provides the regulations in this case are those in effect at the time the subdivision was originally submitted to the Baltimore County Planning Commission in 1954.

As to the opponents, the major issue identified related to safety and compatibility. Ms. Greason and Ms. Warchal presented photographs depicting the tight space between structures and rear yards (7902 and 7904 Eastdale) expressing concern that proper electrical and fire retardant materials and inspections had been performed. Additionally, they spoke of an on-going rat infestation problem in this area. This raised concern that they (rats) could be residing under the wood deck that was enclosed by Petitioners. Mr. Atuobi responded by giving assurances that licensed contractors performed the improvements and that one-hour fire retarded exterior walls were constructed. Ms. Greason further pointed out that as a result of the improvements, the central air conditioner compressor is now surrounded on three (3) sides (*See* Protestants' photographs marked as Exhibit 1). When operational, this enclosed space exacerbates noise. Mr. Atuobi stated he would employ his best efforts to mitigate this problem and would also seal the foundation area under the rear yard addition to prevent rodent access.

After due consideration of the evidence and testimony presented, I am persuaded that the Petitioners have met the spirit and intent of Section 307.1 of the B.C.Z.R. for relief to be granted. There were no adverse comments submitted by any County reviewing agency and the tenant on the affected side received assurances that her concerns would be addressed. The Office of Planning, in its Zoning Advisory Committee (ZAC) comment, points out that the subject property has been improved to its maximum and that no further expansion of the current footprint will be allowed. Moreover, it is clear from the photographs submitted that other additions exist throughout the neighborhood and thus, the proposal is not out of character with the surrounding locale. Finally, it is clear that strict compliance with the B.C.Z.R. would result in a practical difficulty and/or unreasonable hardship upon the Petitioners and require the demolition of existing additions. For all of these reasons, I am persuaded to grant the variance.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, the relief requested should be granted.

ORIGINAL RECEIVED FOR FILING
Date 4-29-08
By DJ

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of April 2008 that the Petition for Variance seeking relief from Sections 1B02.3B and 1B02.3A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1954), to permit an addition with a 23-foot front yard setback and an existing addition with a 5'8" rear setback in lieu of the required 25 feet and 40 feet, respectively, in accordance with Petitioners' Exhibit 1, be and are hereby GRANTED, subject to the following restrictions:

1. The improvements shall comply with the International Building Code (IBC) 2003 as adopted by Baltimore County and as interpreted by its buildings engineer.
2. There shall be no additional structural improvements permitted at this site that would result in a building footprint expansion, including additions to the home's front enclosure without a public hearing and obtaining requisite permits.
3. The Petitioners shall permit a representative of the Code Enforcement Division of the Department of Permits and Development Management (DPDM) reasonable access to the subject additions on the property to ensure compliance with this Order.
4. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

CODER RECEIVED FOR FILING
Date 4-29-08
By 193



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 29, 2008

Ericson K. Atuobi
Gifty E. Kumah
7902 Eastdale Road
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE

N/S Eastdale Road, 34' E of 53rd Street
(7902 Eastdale Road)
15th Election District - 7th Council District
Ericson Atuobi, et al – Petitioners
Case No. 08-388-A

Dear Mr. Atuobi and Ms. Kumah:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Patricia Greason, 7904 Eastdale Road, Baltimore, MD 21224
June M. Warchal, 7906 Eastdale Road, Baltimore, MD 21224
People's Counsel; Division of Code Inspections & Enforcement, DPDM;
Office of Planning; File



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 23, 2008

Ericson K. Atuobi
Gifty E. Kumah
7902 Eastdale Road
Baltimore, Maryland 21224

RE: **PETITION FOR VARIANCE**
N/S Eastdale Road, 34' E of 53rd Street
(7902 Eastdale Road)
15th Election District – 7th Council District
Ericson Atuobi, et al - Petitioner
Case No. 08-388-A

Dear Mr. Atuobi and Ms. Kumah:

Following today's hearing, it appears that Petitioners' Exhibits 3A & 3B (photos of the front & rear addition) were inadvertently taken by someone. As you may recall, I asked Mr. Atuobi to show them to Ms. Greason and Ms. Warchal and evidently they're now missing. I would like and need them returned before I can render a decision.

In the event you do not have them or have any questions, please give me a call

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Attachments

c: Patricia Greason, 7904 Eastdale Road, Baltimore, MD 21224
June M. Warchal, 7906 Eastdale Road, Baltimore, MD 21224



TAX ACCOUNT # 1506452630

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7902 EASTDALE RD

which is presently zoned D.R. 10.5

D. RESIDENTIAL - 1954

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) 1802.3B. (BCR) + 1802.3A.2. (BCR)

TO PERMIT AN ADDITION WITH A 23-FOOT FRONT YARD SETBACK AND AN EXISTING ADDITION WITH A 5.8-FOOT REAR SETBACK IN LIEU OF THE REQUIRED 25-FOOT AND 40-FOOT, RESPECTIVELY.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) FRONT ENCLOSURE TO KEEP TREADMILL AND OTHER EXERCISE EQUIPMENTS FOR EXERCISING.

BACK ENCLOSURE FOR COMPUTER ROOM AND CHILDREN'S TV ROOM.

SHED FOR STORAGE OF LAWN MOWER AND SNOW REMOVING IMPLEMENTS. ALSO STORING OF PERSONAL EFFECTS.

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):

ERICSON ATUOBI

Name - Type or Print

Signature

GIFTY KUMAH

Name - Type or Print

Signature

7902 EASTDALE RD 410-282-8123

Address

Telephone No.

BALTIMORE MD 21234

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

Case No. 08-388-A

ESTIMATED LENGTH OF HEARING

REV 9/15/98

ORDER RECEIVED FOR FILING

UNAVAILABLE FOR HEARING

Date 4-29-08 Reviewed By D.T.

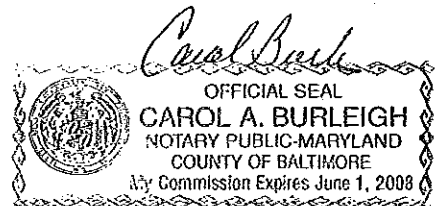
Date 3/22/08

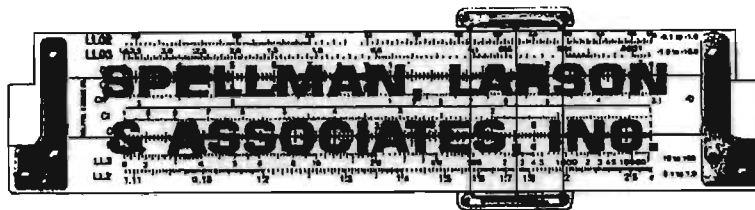
21

I Certify that I am the Petitioner and have resided at the said Residence for the past 5 years
7902 Eastdale Rd Baltimore MD 21224



ERICSON K ATUCH





ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE, SUITE B-3
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

LEGAL DESCRIPTION TO ACCOMPANY ZONING PETITION
7902 EASTDALE ROAD

BEGINNING for the same on the north side of Eastdale Road at a distance of 34 feet more or less from the east side of 53rd Street thence binding on the north side of Eastdale Road north 65 degrees 30 minutes east 16.00 feet to a point on the north side of Eastdale Road thence for a line of division along the common property line between Lots No. 59 & 58 as shown on Plat 1 of Eastwood Heights recorded in Plat Book 20, Folio 83 thence north 24 degrees 30 minutes west 102.00 feet to a point on the south side of a 16' alley thence running along the south side of the 16' alley south 65 degrees 30 minutes west 16.00 feet to a point on the south side of the 16' alley thence running for a line of division along the common property line between Lots No. 59 & 60 as recorded on Plat 1 of Eastwood Heights recorded in Plat Book 20, Folio 83 south 24 degrees 30 minutes east 102.00 feet to the place of beginning.

Said property being known as 7902 Eastdale Road, Lot No. 59 of Plat 1 Eastwood Heights

Containing 1632 square feet of land more or less.

File#D01030801



08-388-A

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: 08-388-A
Petitioner: ATUOBI / KUMAH
Address or Location: 7902 EASTDALE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. ERICSON ATUOBI / MRS. GIFTY KUMAH
Address: 7902 EASTDALE RD.
BALTO. MD 21224
Telephone Number: 410-282-8723

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 11104

Date: 2/22/08

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			4150				
Total:								65.00

Rec

From: ERICKSON A700B1

For: ITEM #08-388-A 7902 EASTDALE RD.

D. Thompson

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE/TIME: 2/22/2008 2/22/2008 10:09:31
 AM MONTH YEAR KSH
 RECEIPT # 015360 2/22/2008 OPEN
 5 528 ZONING VERIFICATION
 011104
 Recpt tot 65.00
 4.00 CK 65.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #08-388-A

7902 Eastdale Road

N/side of Eastdale Road, 34 feet east of 53rd Street

15th Election District — 7th Councilmanic District

Legal Owner(s): Ericson Atuobi & Gifty Kumah

Variance: to permit an addition with a 23-foot front yard setback and an existing addition with a 5.8-foot rear setback in lieu of the required 25-foot and 40 feet respectively.

Hearing: Wednesday, April 23, 2008 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 4/689 April 8

169532

CERTIFICATE OF PUBLICATION

4/10/2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/8/2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 08-388-A

Petitioner/Developer: ERLSON

ATUOBI + G. KUMAH

Date of Hearing/Closing: 4-23-08

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:

7902 EASTDALE RD

The sign(s) were posted on 4-8-08
(Month, Day, Year)

Sincerely,

Robert Black 4-9-08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

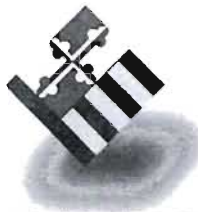
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY KOTROCO, Director
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-388-A

7902 Eastdale Road

N/side of Eastdale Road, 34 feet east of 53rd Street

15th Election District – 7th Councilmanic District

Legal Owners: Ericson Atuobi & Gifty Kumah

Variance to permit an addition with a 23-foot front yard setback and an existing addition with a 5.8-foot rear setback in lieu of the required 25-foot and 40 feet respectively.

Hearing: Wednesday, April 23, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Atuobi/Kumah, 7902 Eastdale Road, Baltimore 21224

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 8, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 8, 2008 Issue - Jeffersonian

Please forward billing to:
Ericson Atuobi
7902 Eastdale Road
Baltimore, MD 21224

410-282-8723

NOTICE OF ZONING HEARING

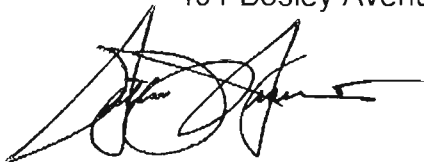
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CASE NUMBER: 08-388-A

7902 Eastdale Road
N/side of Eastdale Road, 34 feet east of 53rd Street
15th Election District – 7th Councilmanic District
Legal Owners: Ericson Atuobi & Gifty Kumah

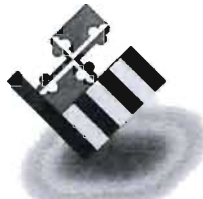
Variance to permit an addition with a 23-foot front yard setback and an existing addition with a 5.8-foot rear setback in lieu of the required 25-foot and 40 feet respectively.

Hearing: Wednesday, April 23, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

April 16, 2008

Ericson Atuobi
Gifty Kumah
7902 Eastdale Road
Baltimore, MD 21224

Dear Sirs:

RE: Case Number: 08-388-A, 7902 Eastdale Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 22, 2008. 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

BW 4/23
10 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 26, 2008

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

SUBJECT: 7902 Eastdale Road

INFORMATION:

Item Number: 8-388

Petitioner: Ericson Atoubi & Gifty Kumah

Zoning: DR 10.5

Requested Action: Variance

RECEIVED
APR 02 2008

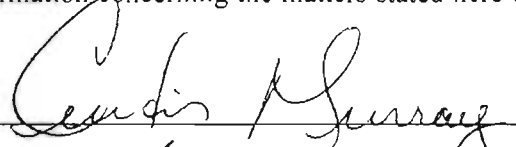
BY:.....

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and does not oppose a rear yard setback variance for an addition. However additions added to the front shall not extend further than the current building footprint.

The undersized lot is already improved to it's maximum. Further improvements would compromise the character of the neighborhood.

For further information concerning the matters stated here in, please contact John Alexander at 410-887-3480.

Reviewed by: 

Division Chief: 
AFK/LL: CM



BALTIMORE COUNTY
MARYLAND

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

March 10, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 3, 2008

Item Number: 377,384,385,386,387,388,389,390,391,392,393,395,396,397,398,399

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



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: MARCH 4, 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. B-388-A
7902 EASTDALE ROAD
KUMAH 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. B-388-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,

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 5, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For March 10, 2008
Item Nos. 08-377, 384, 387, 388,
389, 390, 391, 392, 393, 394, 395, 396,
397, and 398

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-03052008.doc

RE: PETITION FOR VARIANCE * BEFORE THE
7902 Eastdale Road; N/S Eastdale Road, 34' *
E of 53rd Street * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owners: Ericson Atuobi & Gifty Kumah* FOR
Petitioner(s) *
* BALTIMORE COUNTY
* 08-388-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

MAR 11 2008

Per _____

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to Ericson Atuobi & Gifty Kumah, 7902 Eastdale Road, Baltimore, MD 21224, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Attn: Debbie

from: Bldg Inspections

Case No: 0710770

Address: 07902 EASTDALE RD 21224
Insp Area: 017 Dist: 000 Date Rcv: 9/19/2007 Grp: ENF Intk: SHELTON
Inspec: KIDD, G. Inspec2: Date Inspec: 5/14/2008
Close: 0/00/0000 Activity: Delete:

Problem: BUILT ADDITION IN REAR W/O PERMIT. NO DOWNSPOUTS, DEBRIS IN YARD

CL Name: GRAYSON PATRICIA
CL Address: 00000

CL Home Phone: 410-409-5466 CL Work Phone: Tax Acct. 1506452630

Owner:

Enter=Continue F12=Cancel

Notes: 07-10770 9/21/07 VISITED SITE. ISSUED CORRECTION NOTICE FOR TWO ADDITIO
NS ON TOWNHOUSE. FRONT & REAR & A SHED LOCATED IN REAR. NO ONE HOME. POSTED COPY
AT SITE. ALL WORK IS COMPLETED. I SPOKE TO COMPLAINANT AT SITE. P/U 10/4/07 G.K
IDD/NS*** 10/4/07 PERMITS ARE ISSUED FOR REAR ADDITION (B677600). SHED PERMIT
B677982. OWNER CALLED. HAS TO FILE FOR A VARIANCE FOR FRONT ENCLOSURE. I TRIED T
O CALL COMPLAINANT'S # COUPLE OF TIMES. NO VOICE RECORDER. P/U 11/20/07 G.KIDD/N
S***

1/2/08 ON DOCKET FOR 2/5/08 /JF.

2/6/08 FINAL ORDER SENT TO ERICSON ATOUBI & GIFTY KUMAH /JF.

2/8/03 REC'D FINAL ORDER FROM HEARING OFFICER. (NEXT PAGE) >>>>>>>>>>>>>

Enter=Continue F12=Cancel

Case No: 0710770

Notes: 07-10770 2/8/08 OWNER HAS MEETING W/ZONING ON VARIANCE 2/22/08. P/U 2/27/08 G.KIDD/NS*** 2/27/08 VARIANCE # WAS ISSUED 08-388-A. CHECKED W/ZONING. HEARING DATE WILL BE APPROX. 2 MONTHS. P/U 3/26/08 G.KIDD/NS*** 3/26/08 CHECKED W/ZONING. OWNER HAS HEARING DATE SET FOR WED. 4/23 AT 10AM. P/U 5/14/08 G.KIDD/NS***

Enter=Continue F12=Cancel

CASE NAME _____
CASE NUMBER 08-388-M
DATE 4-23-08

[illegible]

CASE NAME _____
CASE NUMBER 08-388-A
DATE 4-23-08

CASE NAME _____
CASE NUMBER 08-388-A
DATE 4-23-08

[illegible]

Case No.: 08-388-A 7902 East Dale Rd.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	Collectively - Photographs of Conditions @ 7902
No. 2	BLDG Permit [SHED]	
No. 3	PHOTO'S A - FRONT B - REAR	
No. 4	BLDG Permit [ENCLOSURE]	
No. 5	Letter of Support from adjacent neighbor	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

Timothy Kotroco

TIMOTHY M. KOTROCO, Director



Donald E. Brand

DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B677600 CONTROL #: MR DIST: 15 PREC: 01
DATE ISSUED: 09/27/2007 TAX ACCOUNT #: 1506452630 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 7902 EASTDALE RD
SUBDIVISION: EASTWOOD HEIGHTS



OWNERS INFORMATION

NAME: ATUOBI ERICSON & KUMAN GIFTY
ADDR: 7902 EASTDALE RD BALTIMORE MD 21224

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: ENCLOSE EXIST REAR DECK TO BECOME LIVING ROOM
13'X9'=117SF W/1HR FIRE RATED WALLS NO WINDOWS
IN COMPLIANCE W/CITATION 07-10770 NOT CBCA.
THIS DOES NOT INCLUDE FRONT PORCH ENCLOSURE
WHICH NEEDS VARIANCE

BLDG. CODE:

RESIDENTIAL CATEGORY: TOWNHOUSE

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFTH & ADDN

EXISTING USE: SFTH

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 0016.00 X 0100.00

FRONT STREET:

SIDE STREET:

FRONT SETB: 24'

SIDE SETB: 6"/2'

SIDE STR SETB:

REAR SETB: 27.3

PETITIONER'S

EXHIBIT NO. 4

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

111 West Chesapeake Avenue, Towson, Maryland 21204

410-887-3900

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

Timothy M. Kotroco

TIMOTHY M. KOTROCO, Director



Donald E. Brand

DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B677982 CONTROL #: MR DIST: 15 PREC: 01
DATE ISSUED: 10/02/2007 TAX ACCOUNT #: 1506452630 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 7902 EASTDALE RD
SUBDIVISION: EASTWOOD HEIGHTS

OWNERS INFORMATION

NAME: ATUOBI ERICSON & KUMAH GIFTY
ADDR: 7902 ERICSON RD, BALTIMORE MD 21224

**THIS PERMIT EXPIRES
ONE YEAR FROM
DATE OF ISSUE**

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONSTRUCT SHED ON REAR OF PROP W/1HR FIRE RATED
WALL, 8.4' X 14.4' = 121SF, ACCESSORY STRUCTURE
LETTER ATTACHED

BLDG. CODE:

RESIDENTIAL CATEGORY: TOWNHOUSE

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFTH & SHED
EXISTING USE: SFTH

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: OTHER - RESIDENTIAL

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 16.00 X 100.00

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: 2.5' / 5'

SIDE STR SETB:

REAR SETB: 6'

PETITIONER'S

EXHIBIT NO. 2

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

Robert Simmers
7900 Eastdale Road
Balto., Md 21224

To whom it may concern,
We are the neighbors of 7902. The add on that Gifty & Ericson Autobi have added to their house has not affected us in any negative way. If any thing the add on was an improvement to the community. The add on makes the neighborhood look and feel better.

Sincerely,
Robert Simmers

PETITIONER' S

EXHIBIT NO.

5



PETITIONER' S

EXHIBIT NO. 3A



PETITIONERS
2B





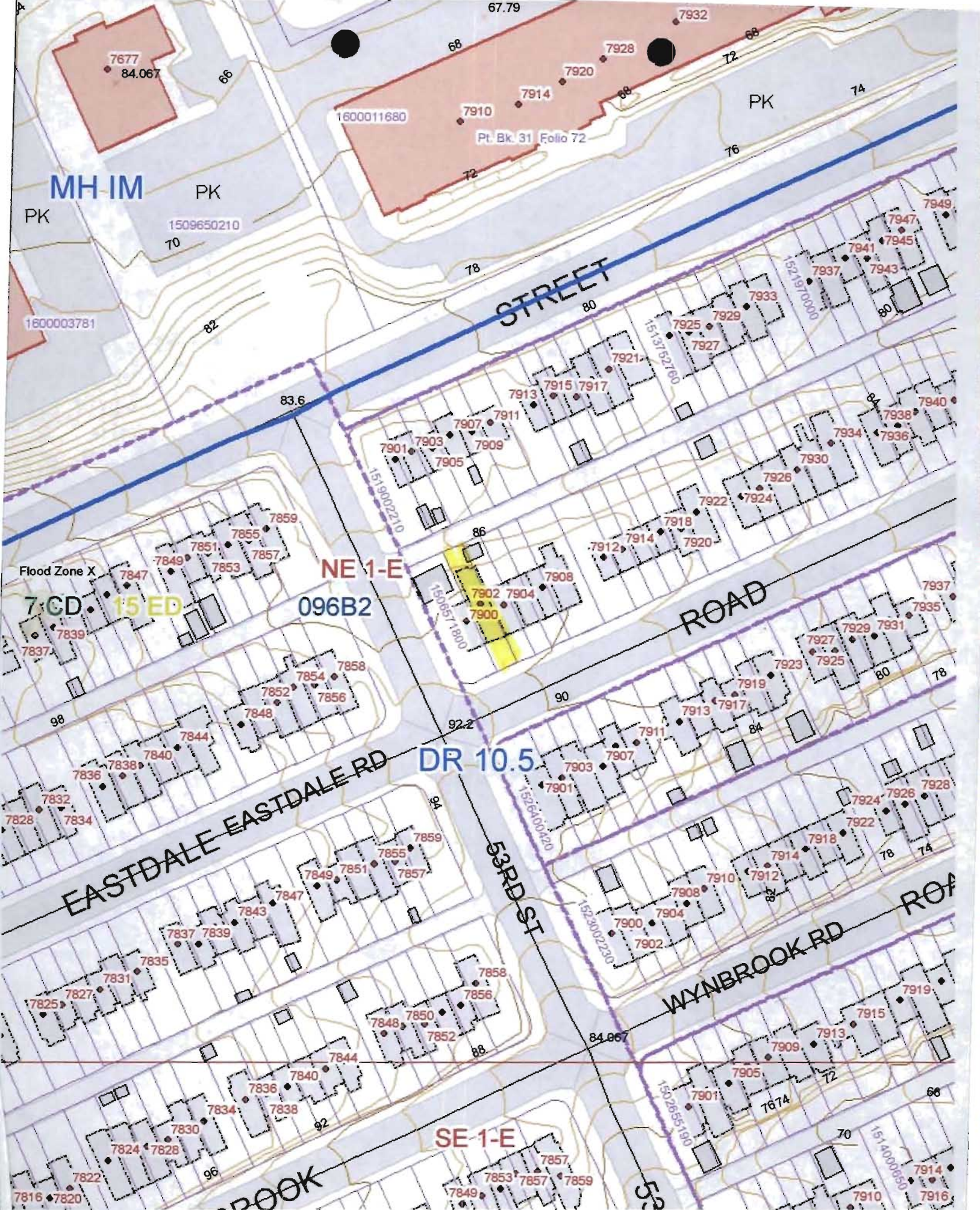
PROTESTANT' S

EXHIBIT NO. 1





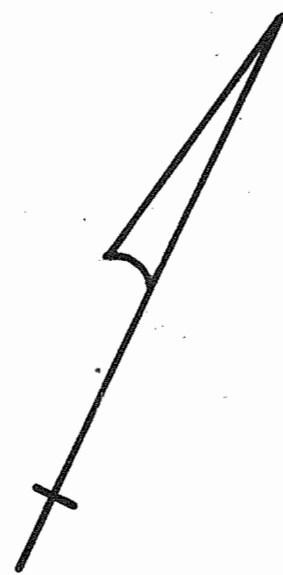




08-388-A

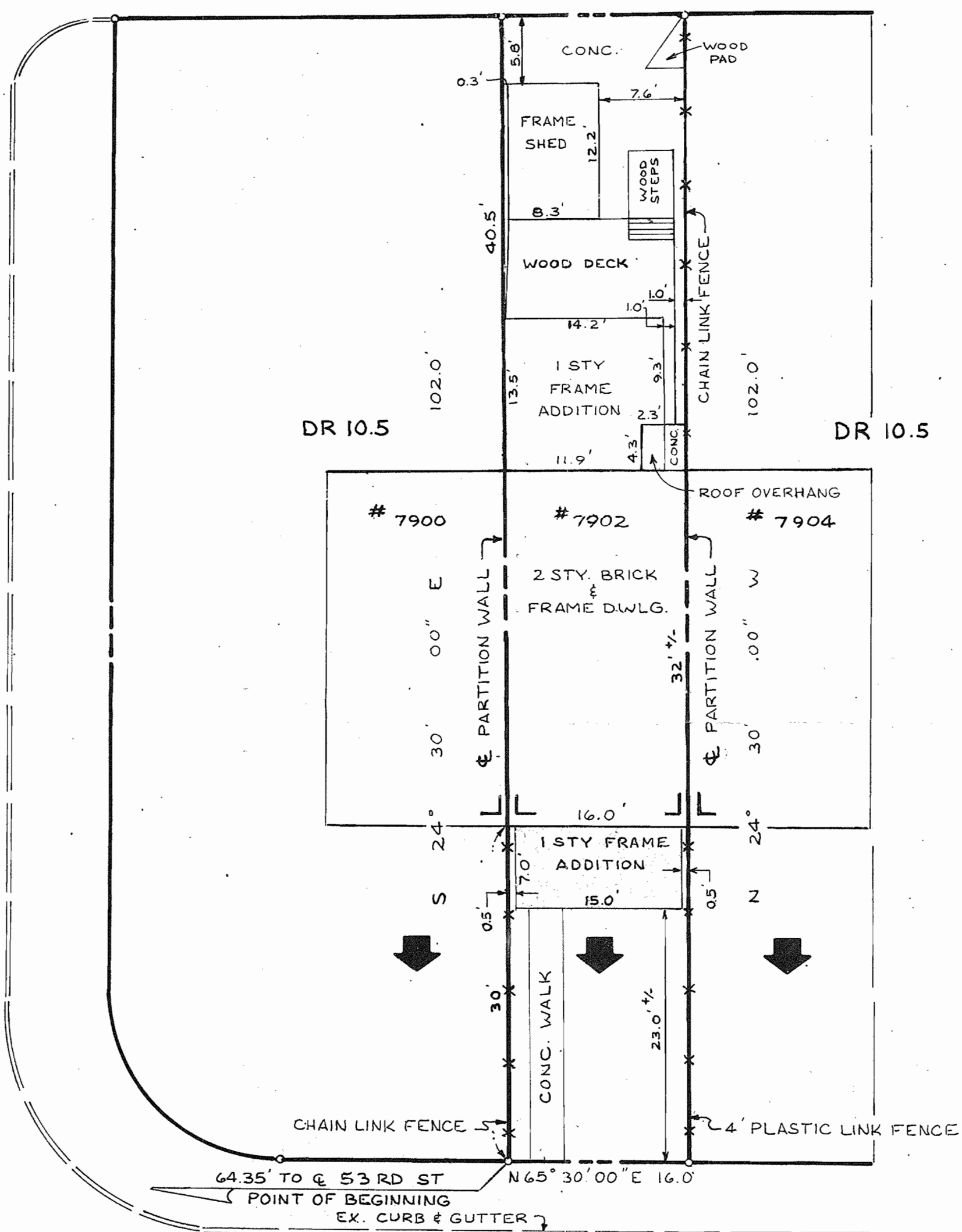
GENERAL NOTES

1. THERE ARE NO ARCHEOLOGICAL SITES, HAZARDOUS MATERIALS, ENDANGERED SPECIES HABITATS, OR HISTORIC BUILDINGS OR LANDMARKS ON THE SUBJECT SITE.
2. THERE ARE NO STREAMS, BODIES OF WATER, OR SPRINGS ON OR ADJACENT TO THE SUBJECT SITE.
3. THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT PROPERTY.
4. THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
5. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY.
6. THIS ZONING PETITION IS BEING FILED AS A RESULT OF BUILDING CODE VIOLATION CASE NO. 07-10770



16' CONCRETE ALLEY
EX. 8" SAN. S 65° 30' 00" W 16.0'

STREET
53 RD



EX. 8" SAN. 7

36' PAVING

EASTDALE ROAD

(50' R/W)

EX. 8" W

ZONING NOTE

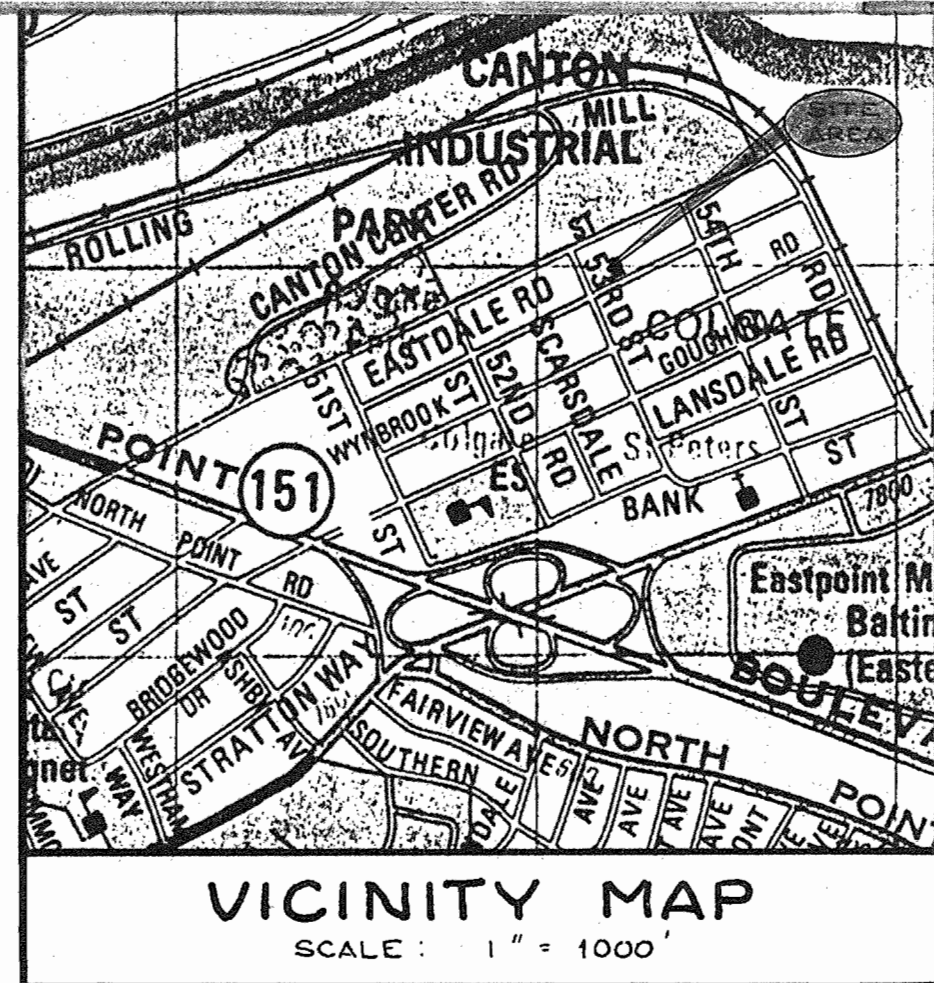
THIS PLAT WILL ACCOMPANY A ZONING PETITION FOR VARIANCE TO ALLOW A FRONT YARD SETBACK OF 23' IN LIEU OF THE REQUIRED 30'.

OWNER INFORMATION

ERICSON K. ATUOBI
GIFTY E. KUMAH
7902 EASTDALE ROAD
BALTIMORE, MD. 21224-2017
PHONE: 443 831-2260

PETITIONER'S

EXHIBIT NO. 1



SITE DATA

SITE AREA	1632 SQ FT ±
EXIST. ZONING	DR 10.5
COUNCILMANIC DISTRICT	7TH
ZONING MAP	096B2
DEED REFERENCE	16573/176
TAX MAP/GRID/PARCEL	96/16/3
TAX ACCOUNT NO.	1506452630
RECORD PLAT	P.B.20 FOLIO 83

ZONING OFFICE USE ONLY		
REVIEWED BY	ITEM #	CASE #

REVISIONS		
NO.	DATE	DESCRIPTION
1	2-11-08	REV. PER ZONING OFFICE COMMENTS

SPELLMAN, LARSON & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
222 BOSLEY AVENUE SUITE B-3 TOWSON, MD 21204
PHONE: 410-823-3535

PLAT TO ACCOMPANY ZONING PETITION FOR VARIANCE

7902 EASTDALE ROAD
LOT 59

EASTWOOD HEIGHTS

20/83

15TH ELECTION DISTRICT BALTIMORE COUNTY

7TH COUNCILMANIC DISTRICT

SCALE: 1" = 10'	DES. BY:	SHT. OF
DATE: 1-2-08	DRAWN BY: TC	

08-388-A