IN RE: PETITION FOR ADMIN. VARIANCE

SW side of Park Avenue, 400 feet NW of c/l of Highland Avenue 9th Election District 5th Councilmanic District (525 Park Avenue)

Edward Collin and Toya Back
Petitioners

* BEFORE THE

* DEPUTY ZONING

* COMMISSIONER

* FOR BALTIMORE COUNTY

* Case No. 08-406-A

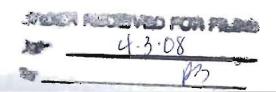
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Edward Collin and Toya Back for property located at 525 Park Avenue. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with an 8 foot 6 inch left side and a 7 foot 5 inch right side in lieu of the required 10 foot side yard setback. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct an addition measuring 20 feet x 35 feet in size. The addition is necessary to accommodate the growing family. The addition will not encroach into the left or right side setbacks any further than the existing dwelling.

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 March 9, 2008 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



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.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of April, 2008 that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with an 8 foot 6 inch left side and a 7 foot 5 inch right side in lieu of the required 10 foot side yard setback is hereby GRANTED, subject to the following:

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

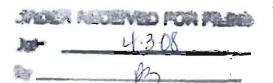
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK (

Deputy Zoning Commissioner

for Baltimore County

THB:pz





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

April 3, 2008

EDWARD COLLIN AND TOYA BACK 525 PARK AVENUE TOWSON MD 21204

> Re: Petition for Administrative Variance Case No. 08-406-A

Property: 525 Park Avenue

Dear Mr. and Mrs. Back:

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

c: Jody Westerland, 15132 Wheeler Lane, Sparks MD 21152



Petition for Administr

to the Zoning Commissioner of Baltimore County

525 for the property located at

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)

1B02.3.B

CASE NO.

REV 10/25/01

To permit an addition with an 8'6" left side and a 7'5" right side in lieu of the required 10' side vard 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 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): Collin Name - Type or Print Name - Type or Print Signature Signature lova Address Telephone No. City State Zip Code 410 82-30699 Attorney For Petitioner: Telephone No. Address Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. Zip Code City A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Estimated Posting Date

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	525	Park	Ave	
	Address TOWSO	n	MD	21204
	City	4-	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

SEE ATTACHED

REV 10/25/01

AS WITNESS my hand and Notarial Seal

Signature

Couring Back

Signature

Sig

My Commission Expires

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 525 Park Ave which is presently zoned DR5.5/DR3.5

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)

1B02.3.B

CASE NO.

REV 10/25/01

178-406-

To permit an addition with an 8'6" left side and a 7'5" right side in lieu of the required 10' side yard 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.

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): Collin Back dulard Name - Type or Print Signature Signature DUQ Address Telephone No. Name State Signaturé City Zip Code 1108230699 Attorney For Petitioner: Telephone No. Address 21204 Name - Type or Print Zip Code Representative to be Contacted: Signature Company 410 38 Address Telephone No. City Zip Code A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted. ner of Baltimore County

Reviewed By

Estimated Posting Date

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	525 Park	JA VE	
	Address OWSO	110	21204
	City	State	Zip Code
That based was personal leasurades the falls	and a second	I/ b ib	1.7 2 (2.7)
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh	owing are the facts upon who hip or practical difficulty):	ch I/we base the request	for an Administrative
	•	·	
SEE ATTACHED			
a file			•
		• •	•
	· ·		
	••		
	•		
MA MICHAEL CONTRACTOR OF THE PARTY OF THE PA			
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed, Affiar additional information.	nt(s) will be required to	pay a reposting and
		1. 2	r
Signature Collin Back	Signature	orgal day	
Signature Edward Collin Back	To	va Back	
Name - Type or Print	Name - Type	or Print	-
STATE OF MARYLAND, COUNTY OF BALTIM	MORE, to wit:		
I HEREBY CERTIFY, this 18 day of 18 day of 18 of Maryland, in and for the County aforesaid, pe	BryAny Los ersonally appeared	ل الله الله الله الله الله الله الله ال	ary Public of the State
EDWAND COLLIN. BACK 9- the Affiant(s) herein, personally known or satisfa	- TO XA BACK	ch Affiant(s)	46.
the Amant(s) herein, personally known or satisfa	actority identified to the as suf	on Amanija).	

AS WITNESS my hand and Notarial Seal

GRIGGO CONTRACTOR OF THE CONTR

My Commission Expires

January 1, 2311

REV 10/25/01

November 13, 2007

To Whom It May Concern:

We are submitting this petition for administrative variance in the hope of gaining approval for our plans to put addition onto our home. As our family has increased, so has our need for some more living space. We will maintain the integrity of our existing property and in accordance with the appearance of the neighborhood.

We love our neighborhood and hope to stay here indefinitely. If we are able to add this addition and preserve the trees on our property, we will truly be creating our dream home. Thank you for your time and consideration. Sincerely,

E. Collin and Toya Back and family

●CASE# 08-406A

ZONING DESCRIPTION FOR: 525 PARK AVENUE TOWSON, MARYLAND

* ALSO, SEE ATTACHED "ADDITIONAL ZONING DESCRIPTION"

Beginning at a point on the Southwest side of Park Avenue which is 30 feet wide at the distance 490 feet Northwest of the centerline of the nearest improved intersecting street Highland Ave which is 30 feet wide. Being Lot #22 in the unrecorded subdivision of Stebbins Plat (Unrecorded) containing 8736 square feet. Also known as 525 Park Avenue and located in the 9th Election District, 5th Councilmanic District.

As recorded in Deed Liber 20554, Folio 691.

Typical Metes and Bounds:

N 28 27" 10" E 168.25',

S 61 25'50" E 52.00',

S 28 27' 10" W 168.25',

N 61 25' 50" W 52.00' to the place of the beginning

ADDITIONAL ZONING DESCRIPTION

EXHIBITA

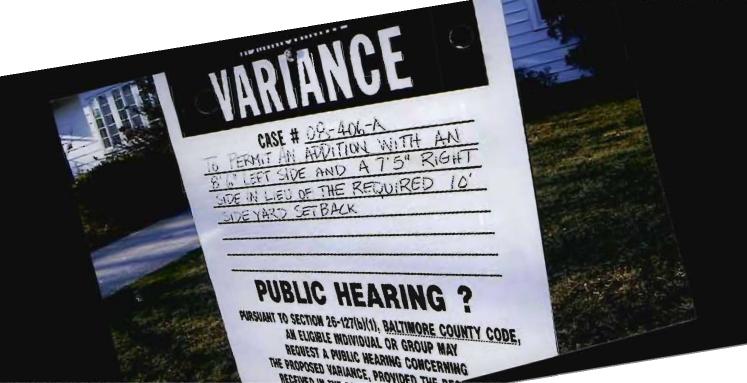
BEGINNING for the same on the southernmost side of Park Avenue at the point of intersection of the said side of Park Avenue with the first or South 29-1/4 degrees west 335 feet 4 inches line of that whole parcel of land which by Deed dated May 15, 1924 and recorded among the Land Records of Baltimore county in Liber WPC No. 591 folio 395 was conveyed by Patrick J. Kelly, widower, to Lee J. Stebbins and wife, and running thence North 58 degrees 17 minutes West binding on the said southernmost side of Park Avenue 52 feet, thence leaving said Avenue and running South 31 degrees 43 minutes West binding on the easternmost outline of the described in the Deed from the said Stebbins and wife to Carl A.T.Soine and wife dated March 28, 1925 and recorded among the Land Records of Baltimore County in Liber WPC No. 608 folio 458, 168 inches to intersect the 2nd or North 59 degrees West 370 and 3/12th feet line of the above land conveyed from Kelly to Stebbins, thence binding reversely on said line South 58 degrees 17 minutes East 52 feet to intersect the first or South 29 degrees 26 minutes West 168 feet 5 inches line of the lot 2ndly described in the Deed from said Stebbins and wife to Daniel B. Brooks dated November 3, 1924 and recorded as aforesaid in Liber WPC No. 604 folio 350, thence binding reversely on said line North 29 degrees 26 minutes East 168 feet 5 inches to the place of beginning.

NOITAGIJAV	язмотгиз	MO TA	80.		ENCJ	ЫИК - ∀G			лагятага) - этінw
CASHIER'S				1/2	7717	3-17	Y 17	529	
	BALTIMOR	E CO	UNTY	<i>r</i>	74 - Tr	74-9-		12	For:
	MARY	LAND	'	-	1 97	135/2	11.	11	From:
JAMES T. SMITH, JR.	5 59		Total:	<u>T</u>)	MOTHY	M. KOTI	(Ο€Ο, <i>Dt</i>ι	rector	Rec
County Executive						Departmer	of Permit	s and	
0675).: 31765 5. 327						- cropm	in manage	men.	
2 210	æ.'C9			_				*7.00	100
अग्रामध्याहरू हुद्देश । । । । ।	JnuomA	JooA	Catg	Мел	Source	Orgn	Orgn	Адсу	pun∃
to an and the second		88	Rept	qns	vэЯ	du2			
क्षा दिश्य कहा है। इस समित्र के अपने	876810	Date:							
MARKATAN	110	.oN				ID FINAI	A TEO	IORE CO : OF BUE :LANEOU	OFFICE

CERTIFICATE OF POSTING

		2 6 08	
		Date: 3-9-08	
RE:	Case Number: 08	-406-A	
	Petitioner/Developer:	-406-A Edward Back	
	Date of Hearing/Closing	3-24-08	
by lav		ne penalties of perjury that the necessary sign(s) requirely on the property located at 525 Park Ave	
	ACA		
	The sign(s) were posted	on	
		Lewrence Plan (Signature of Sign Poster)	
		J. LAWRENCE Pi LSO (Printed Name of Sign Poster)	2
AT	TACH PHOTOGRAPH OF SIGN POSTED ON	(Street Address of Sign Poster)	
	PROPERTY	(City, State, Zip Code of Sign Poste	<u>)</u> :r)
		460-343-1443	
		(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 406 -A Address 525 PARK Ave	
Contact Person: KEONRD WASILCUS KI Phone Number: 410-887-33	391
Filing Date: $\frac{2/29/69}{}$ Posting Date: $\frac{3/9/09}{}$ Closing Date: $\frac{3/24}{}$	
Any contact made with this office regarding the status of the administrative variance should 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 reverse side of this form) and the petitioner is responsible for all printing/posting costs. A reposting must be done only by one of the sign posters on the approved list and the petition is again responsible for all associated costs. The zoning notice sign must be visible on property on or before the posting date noted above. It should remain there through the close date.	Any ner the
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to 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.	file mal
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zon commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or order that the matter be set in for a public hearing. You will receive written notificat (typically within 7 to 10 days of the closing date) as to whether the petition has been grant denied, or will go to public hearing. The order will be mailed to you by First Class mail.	(c) tion
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hear (whether due to a neighbor's formal request or by order of the zoning or deputy zon commissioner), notification will be forwarded to you. The sign on the property must changed giving notice of the hearing date, time and location. As when the sign was original posted, certification of this change and a photograph of the altered sign must be forwarded this office.	ing be ally
(Detach Along Dotted Line)	
Petitioner: This Part of the Form is for the Sign Poster Only	
Case Number 08- 406 -A Address 525 PARK Aye	
Case Number 08- 406 -A Address 525 Park Aye Petitioner's Name Edward Cilly Back Telephone 410 823 0699	<u> </u>
Posting Date: 3/9/08 Closing Date: 3/24/08	
Wording for Sign:	
To permit an addition with an 8'6" left side and a 7'5" right side in lieu of the required 10' side yard setback.	·
	- 10 4



JAMES T. SMITH, JR. County Executive

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

March 24, 2008

Edward Collin Back Toya Back 525 Park Avenue Towson, MD 21204

Dear Mr. and Mrs. Back:

RE: Case Number: 08-406-A, 525 Park Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 29, 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

: People's Counsel

Jody Westerland 15132 Wheeler Lane Sparks 21152

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

CEIVEN

DATE: March 28, 2008

S AFK U I ZUU

BY:____

SUBJECT:

Zoning Advisory Petition(s): Case(s) 08-406- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared B

CM/LL



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 12, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 10, 2008

Item Number: 400,403,404,405,406,407,409,410,411,412,413,414,415,416 and 417

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

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 13, 2008

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 17 2008

Item Nos. 08-371, 400, 401, 402, 403, 404, 405, 406, 408, 409, 410, 411, 412, 413, 414,

416 and 417

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-03132008.doc



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

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

Maryland Department of Transportation

Date: MARCH 10, 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. 08-406-A 525 PARE AVENUE BACKPROPERTY ADMINISTRATIVE VAIZIMICE

Dear Ms. Matthews:

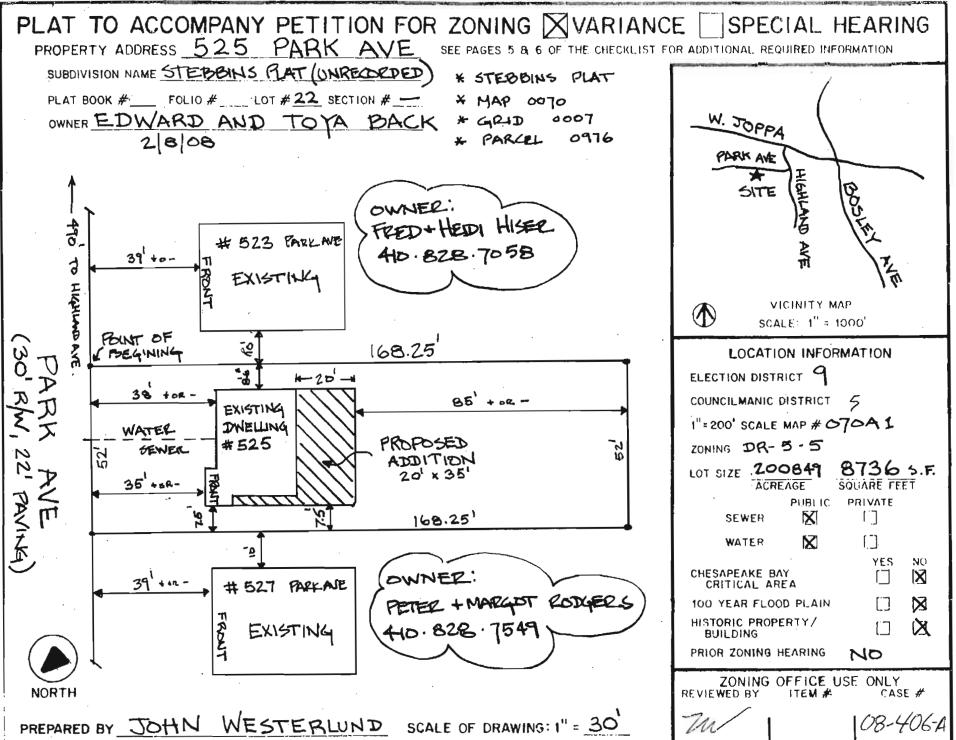
Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-406-A

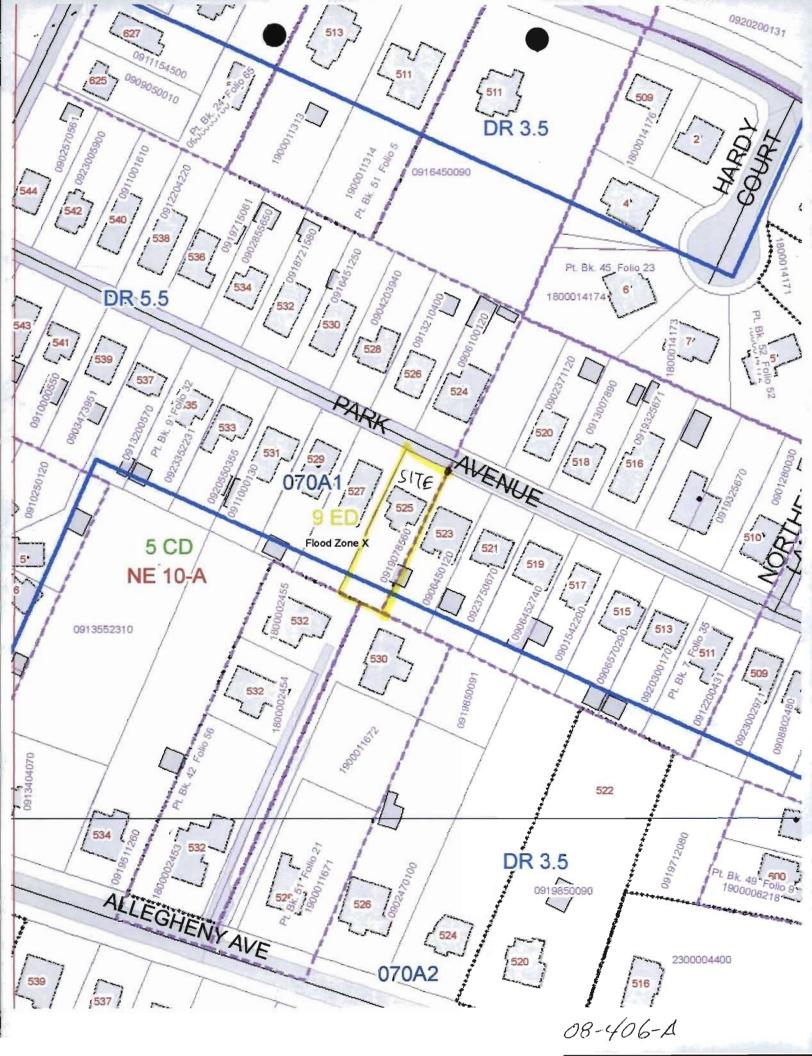
Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

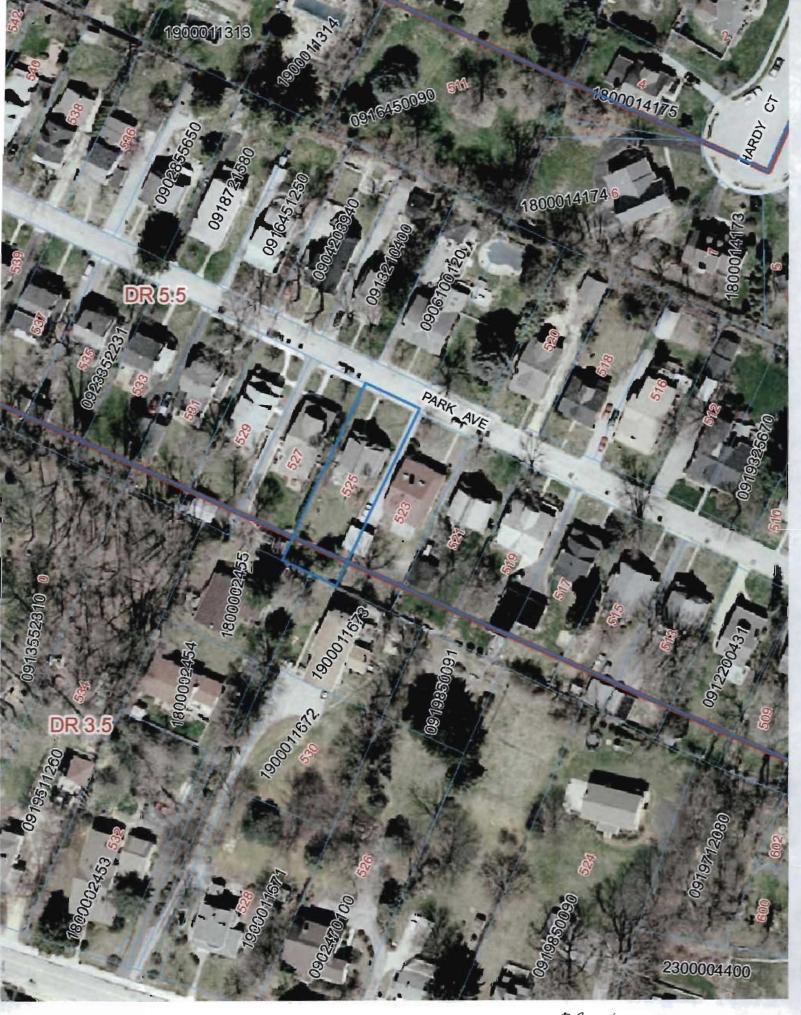
Very truly yours,

Steven D. Foster, Chie Engineering Access Permits

SDF/MB







08-406-1

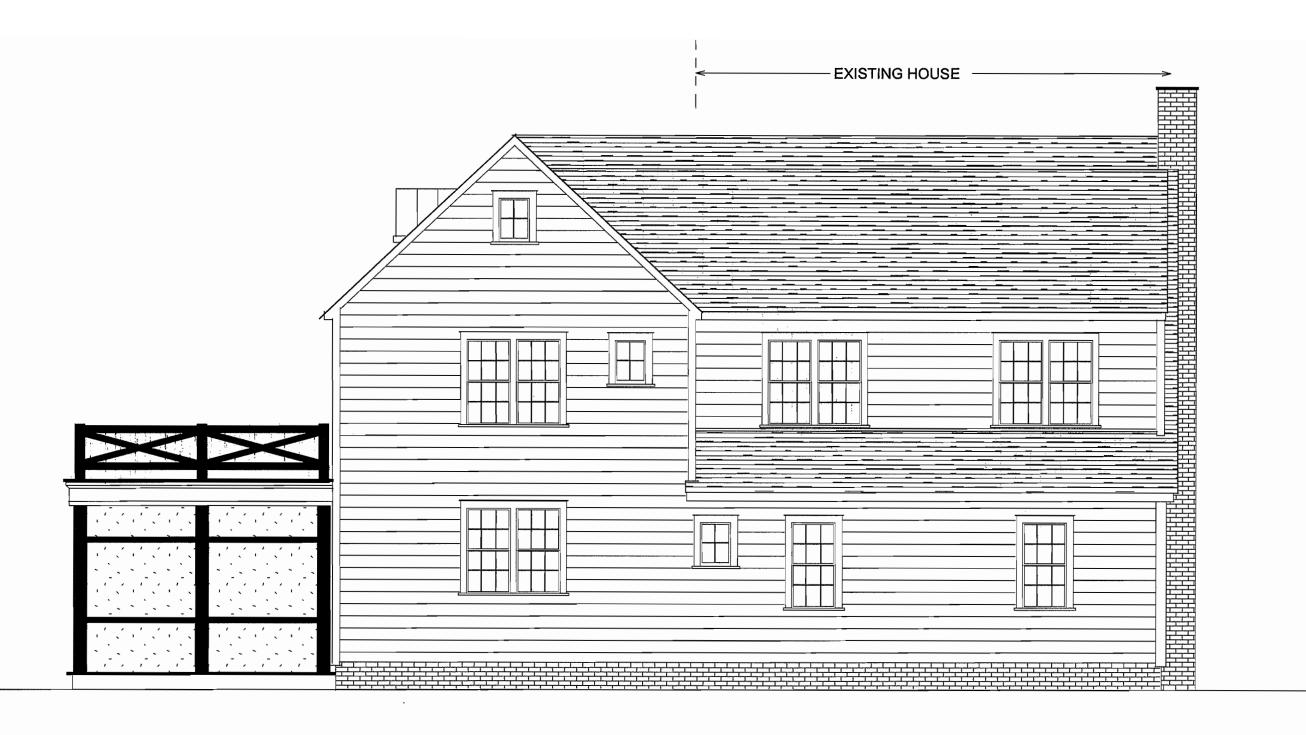




* FOR ZONING USE COUP!

08-406A





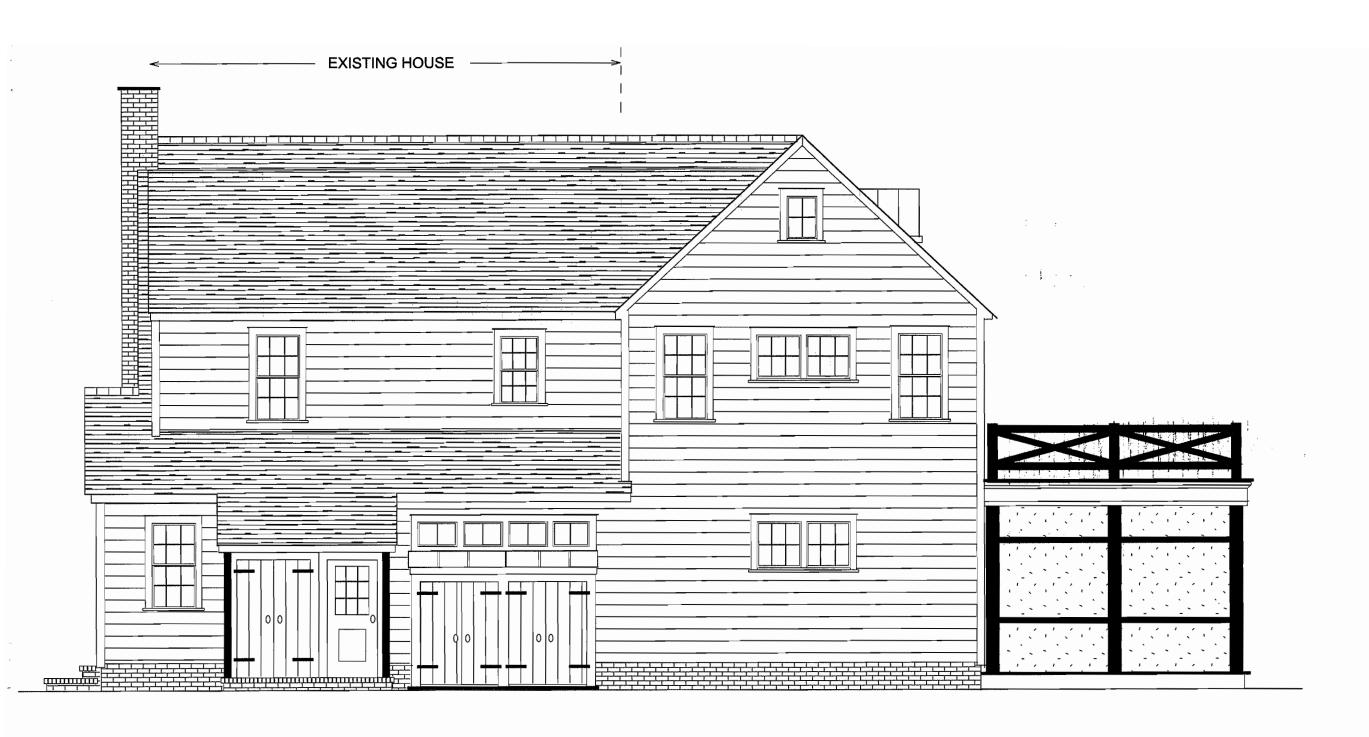
SCALE: 3/16" = 1'

LEFT ELEVATION

DATE: 1/25/08

DRAWN BY: JTW JR

BACK RESIDENCE 525 PARK AVE. TOWSON



SCALE: 3/16" = 1'

RIGHT ELEVATION

DATE: 1/25/08

DRAWN BY: JTW JR

BACK RESIDENCE 525 PARK AVE. TOWSON



SCALE: 3/16'' = 1'

REAR ELEVATION

DATE: 1/25/08

DRAWN BY: JTW JR

BACK RESIDENCE 525 PARK AVE. TOWSON



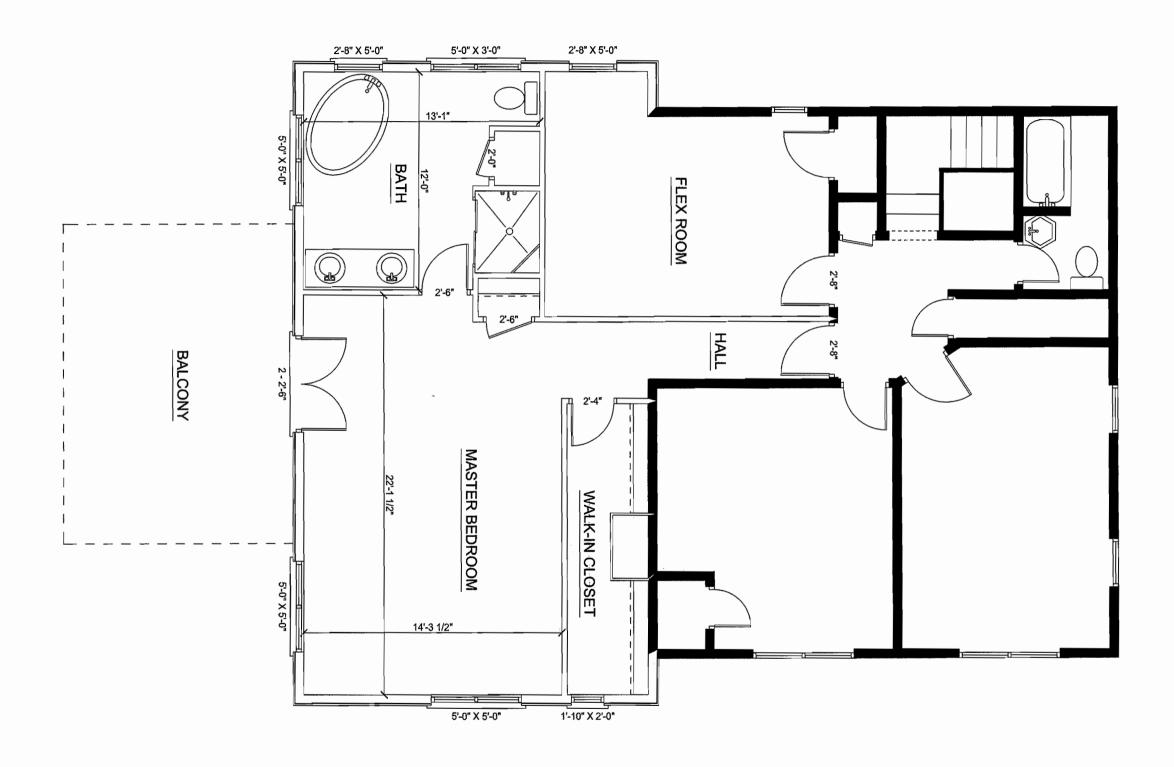
SCALE: 3/16" = 1'

FRONT ELEVATION

DATE: 1/25/08

DRAWN BY: JTW JR

BACK RESIDENCE 525 PARK AVE. TOWSON



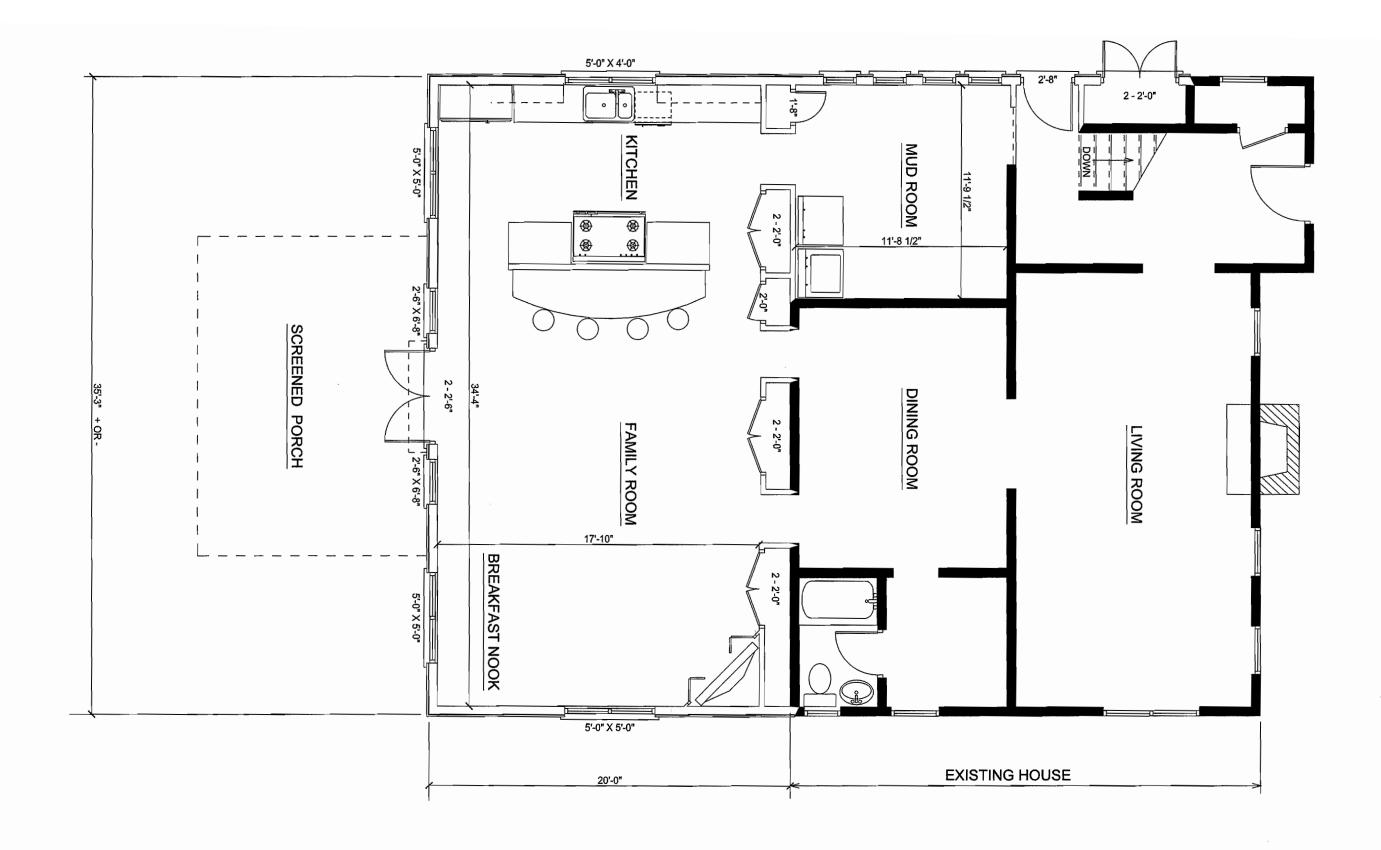
SCALE: 3/16" = 1'

SECOND FLOOR

DATE: 1/25/08

DRAWN BY: JTW JR

BACK RESIDENCE 525 PARK AVE. TOWSON



SCALE: 3/16'' = 1'

FIRST FLOOR

DATE: 1/25/08

DRAWN BY: JTW JR BACK RESIDI

BACK RESIDENCE 525 PARK AVE. TOWSON

BACK RESIDENCE

525 PARK AVE. TOWSON MARYLAND 21204

PLEASE NOTE: DRAWINGS ARE NOT FOR CONSTRUCTION