e Mily B

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Litchfield Road, 20' W centerline of Maxalea Road 9th Election District 5th Councilmanic District (6700 Maxalea Road)

Patricia Whetstone-Monroy Petitioner BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-295-A

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Patricia Whetstone-Monroy, the legal owner of the subject property. The variance request is for property located at 6700 Maxalea Road in Baltimore County. The Petitioner herein seeks a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (deck) with a rear yard setback of 8 ft. in lieu of the minimum permitted setback of 22.5 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, 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 26-127 (b)(1) 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.

In addition, the Petitioner must be in compliance with the requirements set forth in the

Zoning Advisory Comments submitted by the Office of Planning dated January 16, 2003, a copy

of which is attached hereto and made a part hereof.

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 2/3/day of January, 2003, that a variance from Section 1B02.3.B of the B.C.Z.R.,

to permit an open projection (deck) with a rear yard setback of 8 ft. in lieu of the minimum

permitted setback of 22.5 ft., be and is hereby GRANTED, subject, however, to the following

restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of

this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.

2. Compliance with the recommendations made by the Office of Planning dated January

16, 2003.

3. When applying for a building permit, the site plan filed must reference this case and

set forth and address the restrictions of this Order.

ΓΙΜΌΤΗΥ Μ⁄ ΚΟΤROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

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16, 2003.

3. When applying for a building permit, the site plan filed must reference this case and

set forth and address the restrictions of this Order.

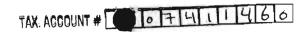
TIMOTHY M. KOTROCC

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6700 MAXALEA KN
which is presently zoned DK 5.5

is the subject of this Petition.

that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning

Estimated Posting Date 3-30-08

Zoning Commissioner of Baltimore County

Date 3-18-08

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)

1301. 2 C.15

TO ALLOW A

THER YARD SET BACK OF 12 FEET IN LIEU OF THE REQUIRES

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.

Contract Purchaser/Lessee: Legal Owner(s): Type or Print Name - Type or Print Signature Address Telephone No. Name - Type or Print State Zip Code Signature 6700 MAXA Attorney For Petitioner: Name - Type or Print Representative to be Contacted: Signature Company Name Address Telephone No. Address Telephone No. City Zip Code 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,

regulations of Baltimore County and that the property be reposted.

CASE NO. 08-435-4

REV 10/25/01

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	Address	
	BAITIMORE, MI) 21239 City State	
	City State	Zip Code
That based upon personal knowledge, the foll Variance at the above address (indicate hards)	Illowing are the facts upon which I/we base the request for an Adm ship or practical difficulty):	ninistrative
ENCLOSE EXISTING JECK ON REAL	on your of house. 10x24. SEX back of TO's	tik
LIEV 30' MINIM PERMITTED SET 6.	back. To be used As a office	
That the Affiant(s) acknowledge(s) that If a fadvertising fee and may be required to provide	formal demand is filed, Affiant(s) will be required to pay a repo e additional information.	sting and
Oignature	Signature	
Name - Type or Print	Name - Type or Print	
	· 	
STATE OF MARYLAND, COUNTY OF BALTI	1	
I HEREBY CERTIFY, this 4 had a day of 1 day of 1 day aforesaid, per day of 1 day of	March, 2008, before me, a Notary Public of	
VI /	personally appeared	the State
the Affiant(s) herein, personally known or satisf	personally appeared sfactorily identified to me as such Affiant(s).	the State
the Affiant(s) herein, personally known or satisf AS WITNESS my hand and Notarial Seal	ersonally appeared	the State

REV 10/25/01



Petition for Administrative Variance

to the Zoning Commissioner of 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

for the property located at 6700 MOXALEA RI)

which is presently zoned DR 5.5

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) 17301. Z. C. L. B. TO ALLOW A

REAR SETBACK OF 12 FEET 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.

is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Address Name - Type or Print Telephone No. City State Zip Code Signature 6700 MAXS/ES RI Attorney For Petitioner: Name - Type or Print Zip Code Representative to be Contacted: Signature Company Name Address Telephone No. Address Telephone No. City Zip Code 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,

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.

Zo	ning Con	nmissioner	of	Baltimore	County

CASE NO. 08-435- A

Reviewed By ______CM

Date 3-18-08

REV 10/25/01

Estimated Posting Date 3-3t

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. 6700 MAXAFEA RD

Address

BAIHMORE, MID 21239
City State

Zip Code

That based upon personal knowledge, the follow Variance at the above address (indicate hardship	or practical difficulty):	
ENCLOSE EXISTING DECK ON REAR	OF house 10x 24. SEX back OF I	FT in Lievog
30' FT MIN PERMITTED SETBACK, To	be used As An Mice	
•		
That the Affiant(s) acknowledge(s) that if a formadvertising fee and may be required to provide ad	mal demand is filed, Affiant(s) will be require Iditional information.	ed to pay a reposting and
Signature W. Hierrow	Signature	
PAMELA Whithever morroy		at the second country
Name - Type or Print	Name - Type or Print	To the same
STATE OF MARYLAND, COUNTY OF BALTIMO		
of Maryland, in and for the County aforesaid, pers	$2^{\circ \circ} \mathcal{S}$, before me, a conally appeared	a Notary Public of the State
the Affiant(s) herein, personally known or satisfact	torily identified to me as such Affiant(s).	
		/
AS WITNESS my hand and Notarial Seal	1 pt 1	
	little V	
4	Notary Public	
Market Commencer	Notary Public My Commission Expires 6 7	13/2010

Zoning Description for 6700 Maxalea Road

Beginning at a point on the north side of Litchfield Road which is 40 feet wide at the distance of 20 feet west of the center line of the nearest improved intersecting street known as Maxalea Road which is 40 feet wide. Being Lot No. 13 in the subdivision of "Maxalea" as recorded in Baltimore County Plat Book No. 21, Folio No. 52, containing 7,568 square feet. Also known as 6700 Maxalea Road and located in the 9th Election District and the 5th Councilmanic District of Baltimore County.

OFFICE	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE MISCELLANEOUS RECEIPT					No. 12104 Date: 3-18-08				PAID RECEIPT PRINTING NUMBER OF THE NO. 1107/2008 1/10/2009 1117/2150 4		
Fund A	Agcy Orgn		Sub Rev Orgn Source			Rept Catg	BS Acct	Amount	Mpi Mpi	Dept 1 ALPMEN VIR.2008 OF Dept 5 528 TOHING TRIFICATION DEPT 1 ASS. OF 1 ASS		
Rec From:	P	Max	Rej			Total:		1500				
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BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 435 -A Address 6780 MAXALEA Ry
Contact Person: Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 3-18-08 Posting Date: 3-30-08 Closing Date: 4-14-0
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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 petitione 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.
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- 435 -A Address 6700 MAXALEA RS Petitioner's Name PAMELA MONROY Telephone 443 - 854 - 7791
Posting Date: 3-30-08 Closing Date: 4-14-08
Nording for Sign: To Permit A REAR SETBACK OF 12 FEET IN
LIEU OR THE REQUIRED 30 FEET
·



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

April 15, 2008

Pamela Whetstone Monroy 6700 Maxalea Road Baltimore, MD 21239

Dear Ms. Monroy:

RE: Case Number: 08-435-A, 6700 Maxalea Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 18, 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,

U. Cal Ril

W. Carl Richards, Jr.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 1, 2008

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 31, 2008

Item Nos. 08-401, 418, 419, 420, 421, 422, 426, 427, 428, 429, 430, 431, 432, 433, 434,

435 438, 439, and 440

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-03282008.doc



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 26, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 24, 2008

Item Number: 418,419,420,421,422,423,424,426,427,428,429,430,431,432,433,434 and 435

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

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

Maryland Department of Transportation

Date: MARCH 24, 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. 8-435-A

MONDOY PROPERTY

ADMINISTRATIVE VARCIANCE

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. 8-435-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,

A Steven D. Foster, Chie

Engineering Access Permits

Division

SDF/MB

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: April 8, 2008

APR 0 9 2008

BY:____

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-435- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided the following conditions are met:

- 1. Screen the rear yard of the property with deciduous trees and other plantings.
- 2. Provide elevations of the proposed addition to the Office of Planning for review and approval.

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 By

CM/LL

INTER-OFFICE CORRESPONDENCE

DATE: January 16, 2003

AN 21 1/3

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

6700 Maxalea Road

INFORMATION:

Item Number:

03-295

Petitioner:

Pamela Maniloy

Zoning:

DR 5.5

Requested Action:

Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit an open projection deck with a rear yard setback of 8 feet in lieu of the minimum required setback of 22.5 feet contingent upon the provision of a landscaped screening along Maxalea Road in front of the existing deck.

Prepared by: Marian Chief: Manual Annan

AFK/LL:MAC:

Inter-Office Memorandum

DATE:

April 15, 2008

TO:

Kristen Matthews

Dept. of Permits & Development Mgmt.

FROM:

Patricia Zook, Legal Secretary to

Thomas Bostwick, Deputy Zoning Commissioner

RE:

Petition for Administrative Variance

Case No. 08-435-A at 6700 Maxalea Road – (administrative variance)

The administrative case file was delivered to our Office today. The file did not contain the posting certification. I contacted the Petitioner, Pamela Monroy, who said that she was not doing the project. I informed her that the County needs a letter from her indicating that she wishes to withdraw the administrative variance request. Ms. Monroy stated that she will send such a letter to Permits and Development Management.

As such, the Zoning Commissioner's Office will not take any action on the subject case and return the file to PDM for safe keeping.

Thank you for your attention and cooperation in this matter.



Court House Towson, Maryland 21204

> 410-887-3196 Fax: 410-887-5791

S.G. Samuel Moxley FIRST DISTRICT

Kevin Komenetz, SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Kenneth N. Oliver FOURTH DISTRICT

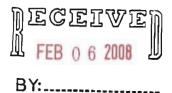
Vincent J. Gardina FIFTH DISTRICT

Joseph Bartenfelder SIXTH DISTRICT

John Olszewski, Sr. SEVENTH DISTRICT

Thomas J. Peddicord, Jr. LEGISLATIVE COUNSEL SECRETARY February 5, 2008

William J. Wiseman, Esquire Baltimore County Zoning Commissioner Courts Building 401 Bosley Avenue Towson, Maryland 21204



Dear Mr. Wiseman:

Attached please find a copy of Resolution 20-08 concerning the public disclosure of Pamela Monroy, an employee of the Baltimore County Department of Corrections who has applied for a zoning variance to build an addition at her residence at 6700 Maxalea Road, Baltimore, Maryland 21239.

This Resolution was approved by the County Council at its February 4, 2008 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.

Legislative Counsel/Secretary

TJP:dp Enclosure

cc: Pamela Monroy

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2008, Legislative Day No. 3

Resolution No. 20-08

Mr. Vincent J. Gardina, Councilman

By the County Council, February 4, 2008

A RESOLUTION concerning the public disclosure of Pamela Monroy, an employee of the Baltimore County Department of Corrections.

WHEREAS, Pamela Monroy, an employee of the Baltimore County Department of Corrections, has applied for a zoning variance to build an addition at her residence at 6700 Maxalea Road, Baltimore, Maryland 21239; and

WHEREAS, this Resolution is intended to provide full public disclosure under Section 32-1-102 of the Baltimore County Code.

NOW, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE

COUNTY, MARYLAND, that the application for a zoning variance filed by Pamela Monroy does

not contravene the public welfare and is hereby authorized.

r02008.wpd

READ AND PASSED this 4TH day of FEBRUARY, 2008.

BY ORDER

Thomas J. Peddicord, Jr.

Secretary

ITEM: **RESOLUTION 20-08**

