

BEFORE THE COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY

RE: PETITION FOR VARIANCE
N/E side Mandel Court, 167 feet NE c/l
Sugarcone Road
(5 Mandel Court)

3rd Election District
2nd Councilmanic District

Ronald M. & Stephanie F. Attman,

Petitioners/Owners

Case No.: 2008-0478-A

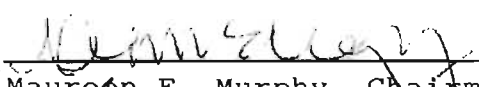
ORDER

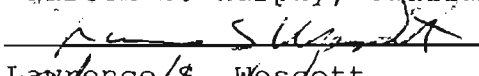
Upon consideration of the Petitioners' Withdrawal of Petition for Variance in this case, filed more than fifteen (15) days in advance of the Board's scheduled hearing date as required by Rule 3.b.2 of this Board's *Rules of Practice and Procedure*, it is this 25th day of February, 2009.

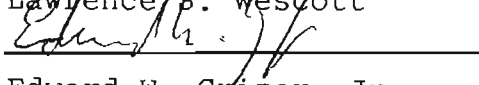
ORDERED, that the Petition for Variance filed in this case be and the same is hereby withdrawn without prejudice; and it is

FURTHER ORDERED, that all materials in this case shall be returned to the Office of Zoning, within the Department of Permits and Development Management.

BOARD OF APPEALS


Maureen E. Murphy, Chairman


Lawrence S. Wescott


Edward W. Crizer, Jr.

BEFORE THE COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY

RE: PETITION FOR VARIANCE
N/E side Mandel Court, 167 feet NE c/l
Sugarcone Road
(5 Mandel Court)

3rd Election District
2nd Councilmanic District

Ronald M. & Stephanie F. Attman,

Petitioners/Owners

Case No.: 2008-0478-A

ORDER

Upon consideration of the Petitioners' Withdrawal of Petition for Variance in this case, filed more than fifteen (15) days in advance of the Board's scheduled hearing date as required by Rule 3.b.2 of this Board's *Rules of Practice and Procedure*, it is this ____ day of _____,

ORDERED, that the Petition for Variance filed in this case be and the same is hereby withdrawn without prejudice; and it is

FURTHER ORDERED, that all materials in this case shall be returned to the Office of Zoning, within the Department of Permits and Development Management.

BOARD OF APPEALS

BEFORE THE COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY

RE: PETITION FOR VARIANCE
N/E side Mandel Court, 167 feet NE c/I
Sugarcone Road
(5 Mandel Court)

3rd Election District
2nd Councilmanic District

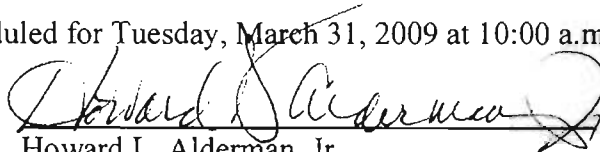
Ronald M. & Stephanie F. Attman,

Case No.: **2008-0478-A**

Petitioners/Owners

WITHDRAWAL OF PETITION WITHOUT PREJUDICE

Ronald M. and Stephanie F. Attman, Petitioners/Owners in the above-captioned case, by and through their undersigned legal counsel, and in strict accord with Rule 3.b.2 of the *Rules of Practice and Procedure* promulgated by this Board, hereby withdraw without prejudice their Petition for Variance in the above-referenced case. This withdrawal is more than fifteen (15) days in advance of the Board's hearing on this matter, scheduled for Tuesday, March 31, 2009 at 10:00 a.m.



Howard L. Alderman, Jr.

Levin & Gann, P.A.

8th Floor, Nottingham Centre

502 Washington Avenue

Towson, Maryland 21204

410.321.0600 [voice]

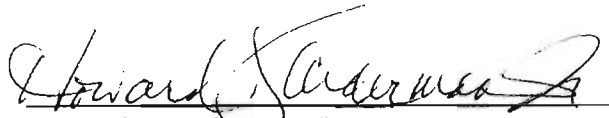
410.296.2801 [fax]

halderman@LevinGann.com [e-mail]

Attorneys for Ronald M. and Stephanie F. Attman,
Petitioners/Owners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of February, 2009, a copy of the foregoing Withdrawal of Petition Without Prejudice and the proposed Order attached thereto, was mailed via First-Class, United States Mail to: i) Peter Max Zimmerman, Esquire and Carole S. Demilio, Esquire, both of the Baltimore County Office of People's Counsel, The Jefferson Building, Suite 204, 105 West Chesapeake Avenue, Towson, Maryland 21204; and ii) Mr. and Mrs. Ronald M. Attman, 5 Mandel Court, Baltimore, Maryland 21209.



Howard L. Alderman, Jr.

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

February 19, 2009

County Board of Appeals for Baltimore County
Attn: Ms. Theresa R. Shelton, Administrator
The Jefferson Building
105 West Chesapeake Avenue, Suite 203
Towson, Maryland 21204

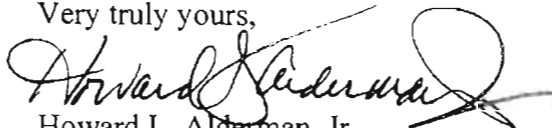
**VIA EMAIL &
REGULAR MAIL**

RE: ***Ronald M. and Stephanie F. Attman, Petitioners/Owners***
5 Mandel Court
Case No. 2008-0478-A
Withdrawal of Petition Without Prejudice

Dear Ms. Shelton:

Enclosed, please accept for filing on behalf of the above-named Petitioners their Withdrawal of Petition Without Prejudice and proposed Order. Should you or any member of the Board desire additional information in this regard, please do not hesitate to contact me.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

c: Mr. and Mrs. Ronald M. Attman
Peter Max Zimmerman, People's Counsel

RECEIVED
FEB 20 2009
BALTIMORE COUNTY
BOARD OF APPEALS

6/27/08
IN RE: PETITION FOR ADMIN. VARIANCE

NE side Mandel Court, 167 feet NE c/l
Sugarcone Road
3rd Election District
2nd Councilmanic District
(5 Mandel Court)

Ronald M. and Stephanie F. Attman
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-478-A**

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Motion for Reconsideration filed by Petitioners Ronald and Stephanie Attman. The Motion for Reconsideration was filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations ("BCZR") wherein the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration of an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specificity the grounds and reasons for their request.

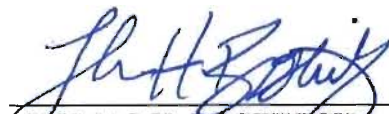
In the instant matter, Petitioners filed a Petition for Administrative Variance seeking relief from Section 301.1 (Section 205.3 1963 regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open projection (carport) to have a side yard setback as close as three feet in lieu of the allowed 11.25 feet. Petitioners proposed to build a 20 foot by 26 foot carport at the front left side of their home. In an Order dated May 12, 2008, the undersigned denied the instant Petition, finding that the request did not meet the legal standard set forth in Section 307.1 of the B.C.Z.R. and interpreted by the Court of Special Appeals of Maryland in *Cromwell v. Ward*, 102 Md.App. 691 (1995). Thereafter, in a letter dated June 2, 2008, Petitioners filed the instant Motion for Reconsideration. In support of the motion,

Petitioners included a letter to the undersigned dated June 2, 2008, expressing no objection to the project and signed by nearby neighbors on Mandel Court.

In considering the Motion for Reconsideration, the undersigned reviewed the file as well as notes taken during the hearing and the Findings of Fact and Conclusions of Law dated May 12, 2008, as well as the June 2, 2008 letter from the neighbors. After reviewing the testimony and evidence, I am unable to grant Petitioners' Motion for Reconsideration. Although I certainly appreciate Petitioners' desire for a carport and am cognizant of the support of Petitioners' neighbors in this endeavor, I cannot base my decision in this matter on the support (or conversely the lack thereof as the case may be) of neighbors. Although the input from neighbors is an important component in deciding these matters, I must nonetheless be guided by the legal principals applicable to variances and other forms of zoning relief.

As I indicated in my original Order, I am not persuaded that the instant request meets the requirements of *Cromwell v. Ward, supra*, and it continues to be my opinion that the configuration of the subject property and the orientation of the dwelling does not lend itself to the construction of a carport as proposed on the site plan, and the request is thus not within the spirit and intent of the zoning regulations.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of June, 2008 that the aforementioned Motion for Reconsideration be and is hereby DENIED.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 23, 2008

RONALD M. AND STEPHANIE F. ATTMAN
5 MANDEL COURT
BALTIMORE MD 21209

Re: Petition for Administrative Variance
Order on Motion for Reconsideration
Case No. 08-478-A
Property: 5 Mandel Court

Dear Mr. and Mrs. Attman:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

Ronald Attman
5 Mandel Court
Baltimore, MD 21209

June 2, 2008

Mr. Thomas Bostwick
Deputy Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue, Suite 405
Towson, MD 21204

RECEIVED
JUN 05 2008

BY:.....

RE: Case #08-478-A
Petition for Administrative Variance
Property: 5 Mandel Court

Dear Mr. Bostwick:

I respectfully request reconsideration of your decision to not grant our request for a variance for the construction of a covered carport on our property.

I would like to provide some additional information that might have been helpful to you when you were evaluating our proposal.

1. Our neighbors do not object to the proposed construction. Enclosed is a letter signed by the other inhabitants of our cul de sac expressing their support.
2. The proposed addition will enhance the appearance and increase property values.
3. The architectural drawings do not show the planned landscaping which will screen the structure from our neighbor at 3 Mandel Court. The hedge that currently divides our property will remain and additional plantings will block the side of the carport that would be visible to our neighbors.

We have been in our home for 29 years and we have always thought about having some protection from inclement weather when we get into and out of our cars. As we get older, this will become even more important to us.

While I certainly understand your concern about the impact of this structure on our neighbor's property, I want you to know that we were also concerned as we have a very close relationship with our neighbors. Hopefully, your seeing that they do not object to this structure will put your mind at ease.

Therefore, my wife and I would appreciate your reconsidering your decision and granting us the variance we have requested.

Sincerely,



Ronald Attman



Ronald Attman
5 Mandel Court
Baltimore, MD 21209

June 2, 2008

Mr. Thomas Bostwick
Deputy Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue, Suite 405
Towson, MD 21204

RE: Case #08-478-A
Petition for Administrative Variance
Property: 5 Mandel Court

Dear Mr. Bostwick:

We have reviewed the plans for the construction of a carport on the property of 5 Mandel Court. This is to advise you that we do not object to the proposed structure and that we believe it will enhance the value of that property as well as those that surround it.

Leslie & Audrey Polt
1 Mandel Court

Leslie Polt, Esq.
Audrey Polt

Howard & Lois Weinstein
3 Mandel Court

Lois Weinstein
Howard Weinstein, attorney

Steven & Freddye Silverman
6 Mandel Court

Steven Silverman

Neal & Shelly Rothstein
4 Mandel Court

Neal Rothstein
Shelly Rothstein

Robert & Nori Hirsch
2 Mandel Court

Nori Hirsch

5/12/08

IN RE: PETITION FOR ADMIN. VARIANCE

NE side Mandel Court, 167 feet NE c/l
Sugarcone Road
3rd Election District
2nd Councilmanic District
(5 Mandel Court)

Ronald M. and Stephanie F. Attman
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-478-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, Ronald M. and Stephanie F. Attman for property located at 5 Mandel Court. The variance request is from Section 301.1 (Section 205.3 1963 regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open projection (carport) to have a side yard setback as close as three feet in lieu of the allowed 11.25 feet. The subject property and requested relief are more particularly described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1. The Petitioners wish to construct a 20 foot by 26 foot carport on the front left side of their home. According to the documentation submitted with the Petition, the subject property is pie-shaped, thereby being narrow toward the street side and wider toward the rear yard. The carport cannot be placed further back on the property because of an existing large concrete patio and deck behind a fence at the end of the driveway. The proposed location of the carport will allow covered access to the kitchen door.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated April 30, 2008

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5-12-08

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which indicates no objection to the variance request provided the Petitioners can demonstrate hardship or practical difficulty.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 18, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In their documentation accompanying the Petition, Petitioners point to the uniqueness of the property due to its pie shape within Mandel Court; however, as the zoning map and subdivision plat show, the four lots that make up Mandel Court -- including Petitioners' -- are all pie-shaped. This is obviously due to the lots being configured around the circular-shaped court. Petitioners also indicate that the proposed location of the carport in the front side area of the property is the only practical location because this is also where the kitchen door is located -- conveniently leading from the carport into the house. In addition, placing the carport further back would interfere with a side kitchen window that is the only source of natural light into the kitchen. It should also be noted that the photographs submitted with the Petition show a wood fence at the end of the driveway. Beyond the fence and behind the driveway -- at the side of the property -- is a large concrete patio that would also be impacted if the carport were moved further back.

In considering a request for variance, I must do so in accordance with the mandate of *Cromwell v. Ward*, 102 Md.App. 691 (1995) and Section 307 of the B.C.Z.R. In that case, the Court of Special Appeals of Maryland interpreted the regulation to require that a two-prong test be met in order for variance relief to be granted. First, it must be shown that the property is unique in some manner and that this uniqueness drives the need for variance relief. Secondly, upon the determination that the property is unique, then it must be considered whether compliance with the

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[Signature]

regulation would cause a practical difficulty upon the property owner and be unnecessarily burdensome.

In the instant matter, I am not persuaded that the shape of Petitioners' lot, in and of itself, makes it unique such that the zoning regulations disproportionately affect the subject property as compared to others in the zoning district. In fact, the adjacent properties are also pie-shaped and affected in the same manner as Petitioners' property. Notwithstanding, even if I were to agree with the Petitioners' opinion as to the uniqueness and practical difficulty, I must also determine whether the request is within the spirit and intent of the zoning regulations and its impact, if any, on adjacent properties. In reviewing the photographs submitted by Petitioners, they show that the driveway for each property is immediately adjacent to one another, with a thin concrete berm running along the property line in between. There is literally no buffer or screening whatsoever between the properties. As shown on the site plan, Petitioners wish to place a carport diagonally on the driveway, more toward the front of the property, and as close as three feet to the property line. Although I am certainly understanding and empathetic with Petitioners in their desire to have cover from inclement weather, in my view, the configuration of the subject property and the orientation of the dwelling does not lend itself to the construction of a carport as proposed on the site plan. Therefore, the request is not within the spirit and intent of the zoning regulations. Thus, for the reasons stated above, I am persuaded in this case to deny the variance.

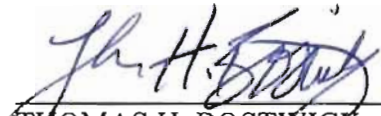
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 12th day of May, 2008 that a variance from Section 301.1 (Section 205.3 1963

ORDER RECEIVED FOR FILING
5-12-08
[Signature]

regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open projection (carport) to have a side yard setback as close as three feet in lieu of the allowed 11.25 feet is hereby DENIED.

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

STANDARD RECEIVED FOR FILING
JEP 5.12.08
BY [signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 12, 2008

RONALD M. AND STEPHANIE F. ATTMAN
5 MANDEL COURT
BALTIMORE MD 21209

Re: Petition for Administrative Variance
Case No. 08-478-A
Property: 5 Mandel Court

Dear Mr. and Mrs. Attman:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in black ink, appearing to read "John H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5 Mandel Court Baltimore MD 21209
which is presently zoned DR 2 (R 20)

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) 301.1 (section 205.3, 1963 regs) -

to permit a proposed open projection (car port) to have a side yard setback as close as 3 feet in lieu of the allowed 11.25

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:

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):

Ronald M Attman

Name - Type or Print

Signature

Stephanie F Attman

Name - Type or Print

Signature

5 Mandel Court

Address

(410) 486-8186

Telephone No.

Baltimore

City

MD

State

21209

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

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.

Zoning Commissioner of Baltimore County

CASE NO. 2908-0478-A

Reviewed By RDD Date 4/11/08

REV 10/25/01

Estimated Posting Date 4/20/08

5.12.08

ps

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 5 Mandel Court
Address
Baltimore Maryland 21209
City 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):

On the driveway side of the house there is a fence at the end of the driveway with a cement patio and a garden on the other side of the fence. A kitchen window overlooks the cement patio and the garden with a sprinkler system underground in the garden.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Stephanie F Attman
Signature

Stephanie F Attman
Name - Type or Print

Ronald Attman
Signature

Ronald Attman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephanie Attman, Ronald Attman
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires 1/15/12

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.

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Address
Baltimore MD 21209
City 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):

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That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Stephanie F Attman
Signature

Stephanie F Attman
Name - Type or Print

Ronald Attman
Signature

Ronald Attman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephanie Attman, Ronald Attman
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires 1/15/12



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5 Mandel Court Balto MD 21209
which is presently zoned DR 2 (R 20)

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) 301.1 (section 205.3, 1963 regs) -
to permit a proposed open projection (car port) to have a side yard setback as close as 3 feet in lieu of the allowed 11.25

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:

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):

Ronald M Attman

Name - Type or Print

Signature

Stephanie F Attman

Name - Type or Print

Signature

5 mandel Court

Address

(410) 486-8186

Telephone No.

Baltimore, MD

City

State

21209
Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

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.

Zoning Commissioner of Baltimore County

CASE NO. 2008-0478-A

REV 10/25/01

Reviewed By PTD

Date

4/11/08

Estimated Posting Date

4/20/08

5-12-08

PTD

Case Number 08-478-A

Petitioner's Name :

Ronald Attman

5 Mandel Court

Baltimore, Maryland 21209

(410) 486-8186

Additional

Reasons for Changes in Zoning Regulations :

- ① The lot under discussion is an unusual shape due to the fact that it is in a court. It is pie shaped thereby being narrow along sides of the house.
- ② The side of the house where the Kitchen door is located is at a point that by putting the ~~car~~ carport in any other location would not make it possible to connect it to the house, ^{door}. It would not be practical in any other location on the property because it would be too far from the entrance to the house. It would end up far back because that is how a pie shaped lot widens.
- ③ The carport cannot go further back from the intended location (next to the Kitchen door) because of the location of the Kitchen window facing the cement patio and under ground sprinkler system in the gardens & backyard. Otherwise, the window would be blocked and it is the only natural light source in the kitchen. The sprinkler system is connected to other areas of the yard and would have to be ripped out as well as the cement patio being ripped out. There is no room to build or go along ^{the} side of the patio and be connected to the house. The Kitchen door is closer to the front side of the house.

Zoning Description

Zoning description for 5 Mandel Court
Baltimore, Maryland 21209

Beginning at a point on the ^{northwest} southwest side of Mandel Court which is 50' wide at the distance of 147± NE of the centerline of the nearest improved intersecting street Sugarcone Road which is 40' wide. Being Lot #33 Block J, Section #6 in the subdivision of Greengate as recorded in Baltimore County Plat Book #E.H.R., JR 38, Folio #page 129 containing 15,450± square feet. Also known as 5 Mandel Court and located in the 3rd Election District, 2 Councilmanic District.

Item # 478

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No.

138

Date:

4/11/02

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount

Total:

6

Rec

From:

For:

02 9 1 A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 04/22/08

Case Number: 08-478-A

Petitioner / Developer: RONALD ATTMAN

Date of Hearing (Closing) MAY 5, 2008

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
5 MANDEL COURT

The sign(s) were posted on: 04/18/08



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

Requested: August 26, 2008

APPEAL SIGN POSTING REQUEST

CASE NO.: 08-478-A

5 Mandel Court

3rd ELECTION DISTRICT

APPEALED: 7/17/2008

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
The Jefferson Building, Suite 203
102 W. Chesapeake Avenue
Towson, MD 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 08-478-A

LEGAL OWNER: Ronald and Stephanie Attman

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

5 MANDEL COURT
NE/SIDE OF MANDEL COURT, 167' NE C/L SUGARCONe RD

The sign was posted on 11-25, 2008.

By:

Dan O'Neill
(Signature of Sign Poster)

DAN O'NEILL
(Print Name)



11.25.2008 12:40

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 478 -A Address 5 Mandel Ct
Contact Person: David Duval Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 4/11/08 Posting Date: 4/20/08 Closing Date: 5/05/08

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. **DEADLINE:** 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.
3. **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- 478 -A Address 5 Mandel Ct
Petitioner's Name Ronald Attman Telephone 410 486 8186
Posting Date: 4/20/08 Closing Date: 5/05/08
Wording for Sign: To Permit a proposed open projection (car port) to
have a side yard setback as close as 3 feet in lieu of the
maximum allowed 11.25 feet

WCR - Revised 6/25/04



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

*WJ
by Petitioner*

Hearing Room #2, Second Floor
Jefferson Building, 105 W. Chesapeake Avenue

January 14, 2009

NOTICE OF RE-ASSIGNMENT

CASE #: 08-478-A

IN THE MATTER OF: RONALD AND STEPHANIE ATTMAN
– Legal Owners /Petitioners
5 Mandel Court 3rd E; 2nd C

VAR – to permit a proposed open projection (carport) to have a side yard setback as close as three feet to the allowed 11.25 feet

5/12/08 – D.Z.C.'s decision in which requested zoning relief was **DENIED**.

6/23/08 – D.Z.C.'s Ruling on Petitioner's Motion for Reconsideration – **DENIED**.

ASSIGNED FOR:

TUESDAY, MARCH 31, 2009, at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton
Administrator

c: Counsel for Petitioner / Appellant
Petitioner /Appellant

: Howard L. Alderman, Jr., Esquire
: Stephanie Attman

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM



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

May 5, 2008

Ronald M. Attman
Stephanie F. Attman
5 Mandel Court
Baltimore, MD 21209

Dear Mr. and Mrs. Attman:

RE: Case Number: 2008-0478-A, 5 Mandel Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 11, 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 28, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For April 28, 2008
Item No. 08-470, 471, 472, 474, 475, 476,
477, 478, 479, 480, 481, 482, 483, 484,
485, 486, 487, and 488.

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:lrk
cc: File

ZAC-04282008-NO COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 30, 2008

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

SUBJECT: 5 Mandel Court

INFORMATION:

Item Number: 08-478
Petitioner: Ronald and Stephanie Attman
Property Size: .3546 acres
Zoning: DR 2
Requested Action: Administrative Variance
Hearing Date:

RECEIVED
MAY 05 2008

BY:

The requested variance is for an attached carport in the side yard with a setback of 3 feet in lieu of the required 11.25 feet.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not object to the requested variance provided the petitioner is able to demonstrate hardship or practical difficulty.

Prepared By: Candis Murray

AFK:CM



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

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

Maryland Department of Transportation

Date: April 21, 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-478-A
S MANDEL COURT
ATTMAN 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. B-478-A.

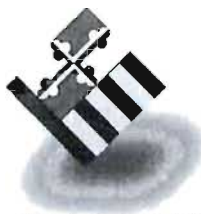
Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

A handwritten signature in blue ink that reads "Michael P. Bailey".

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BALTIMORE COUNTY

M A R Y L A N D

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

April 24, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 21, 2008

Item Number: 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481,
482, 483, 484, 485, 486 and 488

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

RE: PETITION FOR ADMINISTRATIVE * BEFORE THE COUNTY
VARIANCE
5 Mandel Court; NE/S Mandel Court;
167' NE c/l of Sugarcone Road * BOARD OF APPEALS
3rd Election & 2nd Councilmanic Districts *
Legal Owners: Ronald & Stephanie Attman * BALTIMORE COUNTY

Petitioner(s) * 08-478-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 documentation filed in the case.



Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of December, 2008, a copy of the foregoing Entry of Appearance was mailed Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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
August 22, 2008

Ronald Attman
Stephanie Attman
5 Mandel Court
Baltimore, MD 21209

Dear Mr. & Mrs. Attman:

RE: Case 08-478-A, 5 Mandel Court

Please be advised that we received your appeal of the above-referenced case in this office on July 17, 2008. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel

APPEAL

Petition for Administrative Variance
5 Mandel Court
NE s Mandel Ct., 167' ft. NE c/l Sugarcone Rd
3rd Election District – 2nd Councilmanic District
Ronald & Stephanie Attman - Petitioners

Case No.: 08-478-A

Petition for Administrative Variance (April 11, 2008)

Zoning Description of Property

Certificate of Posting (April 18, 2008) by Linda O'Keefe

Entry of Appearance by People's Counsel (None)

Petitioner(s) Sign-In Sheet - None

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit - None

Protestants' Exhibits - None

Miscellaneous (Not Marked as Exhibit)

1. Affidavit in Support of Admin. Variance w/photos
2. Additional Photos

Deputy Zoning Commissioner's Order (DENIED – May 12, 2008)

Request for Motion for reconsideration (June 5, 2008 from Mr. & Mrs. Attman)

Order on Motion (DENIED – June 23, 2008)

Notice of Appeal received on July 17, 2008 from Mr. & Mrs. Attman

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Mr. & Mrs. Attman

date sent August 22, 2008, klm

CASE #: 08-478-A

IN THE MATTER OF: RONALD AND STEPHANIE ATTMAN
– Legal Owners /Petitioners
5 Mandel Court 3rd Election District; 2nd Councilmanic District

VAR – Petition for Administrative Variance filed by Ronald and Stephanie Attman per § 32-3-303 of BCC – From § 301.1 of BCZR to permit proposed open projection (carport) to have a side yd setback as close as 3 feet ilo allowed 11.25’.

5/12/08 – D.Z.C.’s decision in which requested zoning relief was **DENIED**.

6/23/08 – D.Z.C.’s Ruling on Petitioner’s Motion for Reconsideration – Motion **DENIED**.

9/26/08 - Notice of Assignment sent to following; assigned for hearing on Tuesday, December 30, 2008, at 10 a.m.:

Stephanie Attman
Office of People’s Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

11/19/08 – Entry of Appearance filed by Howard L. Alderman, Jr., Esquire, as counsel for M/M Attman, Petitioners.
Copy of notice to be sent to Mr. Alderman; file noted.

11/24/08 – Letter to Mr. Alderman acknowledging entry of appearance; providing copy of notice of 12/30/08 hearing.

12/11/08 – Entry of Appearance filed by Peter Max Zimmerman, Office of People’s Counsel.

12/12/08 – Letter to Mr. Zimmerman acknowledging Entry.

12/29/08 – Fax receipt of letter from Mr. Alderman requesting postponement of the hearing scheduled for Decembr 30, 2008. People’s Counsel had no objection. Notified Mr. Alderman that hearing had been pulled. All parties notified via telephone calls.

12/30/08 – Received original of faxed request.

1/14/09 – Case re-assigned for Tuesday, March 31, 2009 at 10:00. Notices sent.

2/19/09 – Received Withdrawal of Petition from Howard Alderman, Attorney for the Attman, Petitioners/Legal Owners. Order provided by Mr. Alderman and submitted to Board for signature on 2/24/09.

2/25/09 – Order issued by Board Dismissing case without prejudice.

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

December 29, 2008

VIA TELEFAX & REGULAR MAIL

Edward W. Crizer, Jr., Chairman
County Board of Appeals for Baltimore County
The Jefferson Building
105 West Chesapeake Avenue, Suite 203
Towson, Maryland 21204

RECEIVED
DEC 30 2008
BALTIMORE COUNTY
BOARD OF APPEALS

RE: ***Ronald & Stephanie Attman, Petitioners/Owners***
5 Mandel Court
Case No. 2008-0478-A
Request for Postponement

Dear Mr. Crizer:

On behalf of my clients, Mr. and Mrs. Ronald Attman, I write to request a postponement of the hearing on the above-referenced case, presently scheduled for **December 30, 2008**. Due to the unavailability of witnesses and my clients' expert witness during this holiday season, it has been impossible to prepare this case for hearing.

I have personally spoken with Peter Max Zimmerman, People's Counsel for Baltimore County and he has graciously indicated no opposition from his office to this postponement request. We will be working with our expert in the New Year to evaluate the proposed improvements which may lead to a modification of the relief requested.

Should you or any member of the Board desire additional information in this regard, please do not hesitate to contact me.

Very truly yours,



Howard L. Alderman, Jr.

HLA/gk

c: Mr. and Mrs. Ronald Attman
People's Counsel for Baltimore County

Case Number 08-478-A

July 17, 2008

Department of Permits and Development

I would like to appeal the decision made by the Young Commissioners for a motion of reconsideration concerning case number 08-478-A. This property is located at 5 Mandel Court Balto 21209.

Thank you.

Stephanie Ottman
(410) 486-8186

Rec'd 7/11/08

Theresa Shelton - Case 2008-0478-A/Withdrawal of Petition

From: "Howard Alderman" <halderman@levingann.com>
To: <tshelton@baltimorecountymd.gov>
Date: 2/19/2009 8:37 AM
Subject: Case 2008-0478-A/Withdrawal of Petition
CC: "People's Counsel" <peoplescounsel@baltimorecountymd.gov>
Attachments: Attman - Withdrawal of Petition & Order.pdf

Ms. Shelton,

Attached is a scanned copy of the transmittal letter, Withdrawal of Petition without Prejudice and proposed Order, being mailed to your office today in Case No. 2008-0478-A. We are transmitting this via email so that the Board has as much notice as possible to enable alternative use of the March 31st hearing date.

Thank you.

Via Regular Mail: i) Board of Appeals; ii) Petitioners; and iii) People's Counsel for Baltimore County

~~~~~  
Howard L. Alderman, Jr., Esquire  
Levin & Gann, PA  
Nottingham Centre, 8<sup>th</sup> Floor  
502 Washington Avenue  
Towson, Maryland 21204  
410-321-0600 (voice)  
410-296-2801 (fax)  
E-Mail Address: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Website: [www.LevinGann.com](http://www.LevinGann.com)

This email is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error or are not the named recipient(s), please notify immediately the sender at 410-321-0600 and delete this email message from your computer as any and all unauthorized distribution or use of this message is strictly prohibited. Thank you.

Circular 230 Disclosure: Pursuant to recently-enacted U.S. Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of either (i) avoiding tax-related penalties under the U.S. Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

NOTE: *If a file in Adobe/PDF format is attached to this message and you do not have the software to open it, you may download and install the software at no cost from the following:*  
<http://www.adobe.com/products/acrobat/readstep2.html>



§ 32-3-303. SAME – ADMINISTRATIVE SPECIAL HEARING.

(a) *In general.*

(1) Notwithstanding the hearing requirements under § 32-3-302 of this subtitle, the Zoning Commissioner may grant variances from area and height regulations without a public hearing if the variance petition involves an owner-occupied lot zoned residential, as defined by the Baltimore County Zoning Regulations.

(2) (i) In order to receive a variance without a hearing, the petitioner shall file a supporting affidavit with the petition under oath made on the personal knowledge of the petitioner that sets forth facts that would otherwise satisfy the petitioner's burden of proof if a hearing were to be required.

(ii) The affidavit is in addition to the information required by the Zoning Commissioner on the petition.

(3) The Zoning Commissioner may not grant a variance under this section unless notice of the petition is conspicuously posted on the property for a period of at least 15 days following the filing of the application in accordance with the requirement of the Department of Permits and Development Management.

(b) *Request for public hearing.*

(1) Within the 15 day posting period required under subsection (a)(3) of this section, an occupant or owner within 1,000 feet of the lot in question may file a written request for a public hearing with the Department of Permits and Development Management.

(2) The Department of Permits and Development Management shall schedule a hearing to be held on a date within 75 days after receiving a request for a public hearing.

(c) *Discretion of Commissioner to require a hearing.* If a written request for a public hearing is not filed, the Zoning Commissioner may:

(1) Grant the variance without a public hearing, if the requested variance is in strict harmony with the spirit and intent of the height and area requirements of the Baltimore County Zoning Regulations, and any other applicable requirement; or

(2) Require a public hearing during which the petitioner shall be required to satisfy the burden of proof required by the Baltimore County Zoning Regulations for the variance to be granted.

# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

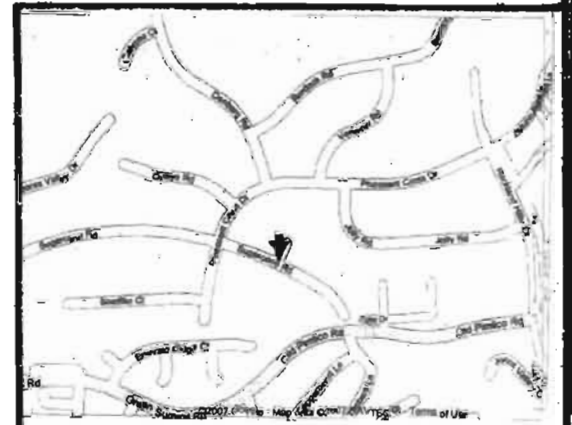
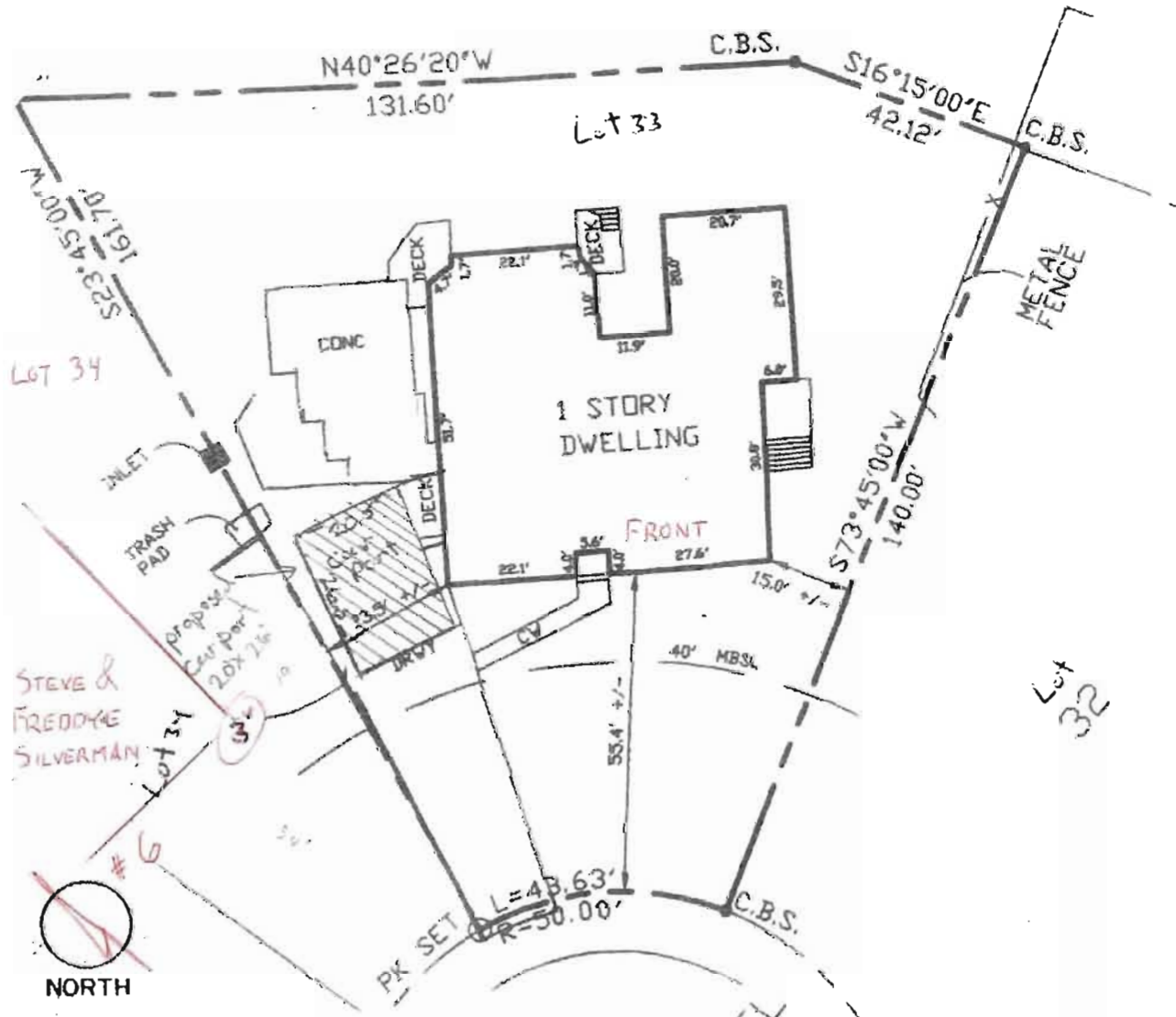
PROPERTY ADDRESS 5 Mandel Court

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Greengate

PLAT BOOK # 38 FOLIO # 129 LOT # 33 SECTION # 6

OWNER Ronald + Stephanie Atiman



VICINITY MAP  
SCALE: 1" = 1000'

## LOCATION INFORMATION

ELECTION DISTRICT 3<sup>rd</sup>

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # 069A3

ZONING DR 2 (1970 R 20)

LOT SIZE .3546 ACRES 15,450<sup>±</sup> SQUARE FEET

|       | PUBLIC                              | PRIVATE                  |
|-------|-------------------------------------|--------------------------|
| SEWER | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| WATER | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

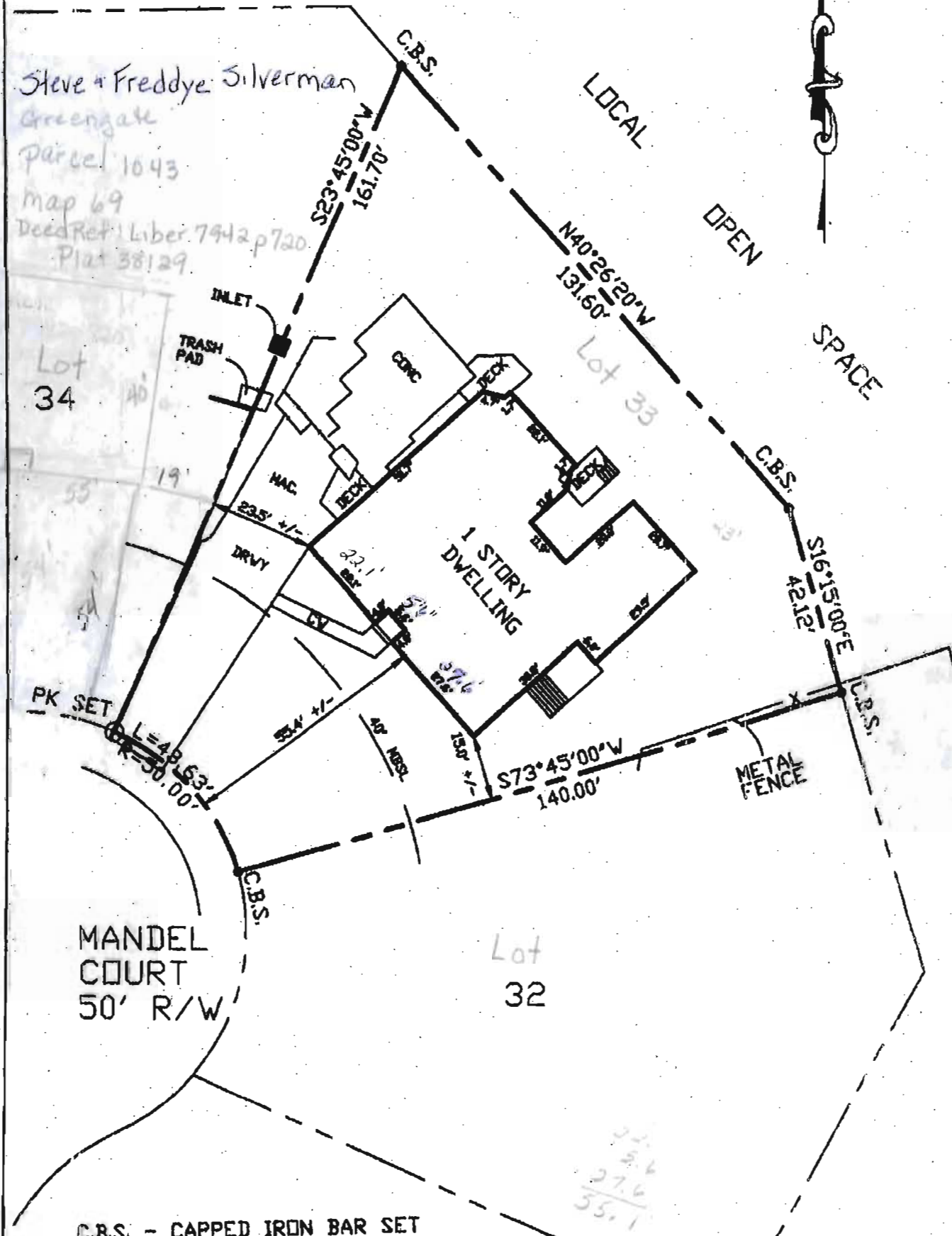
|                              | YES                      | NO                                  |
|------------------------------|--------------------------|-------------------------------------|
| CHESAPEAKE BAY CRITICAL AREA | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 100 YEAR FLOOD PLAIN         | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| HISTORIC PROPERTY/ BUILDING  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| PRIOR ZONING HEARING         | None                     |                                     |

ZONING OFFICE USE ONLY  
REVIEWED BY [Signature] ITEM # 2008-0478-A CASE # 2008-0478-A

PREPARED BY \_\_\_\_\_

SCALE OF DRAWING: 1" = 30'

Steve & Freddie Silverman  
 Greengate  
 Parcel 1043  
 Map 69  
 Deed Ref: Liber 7442 p 720  
 Plat 38129

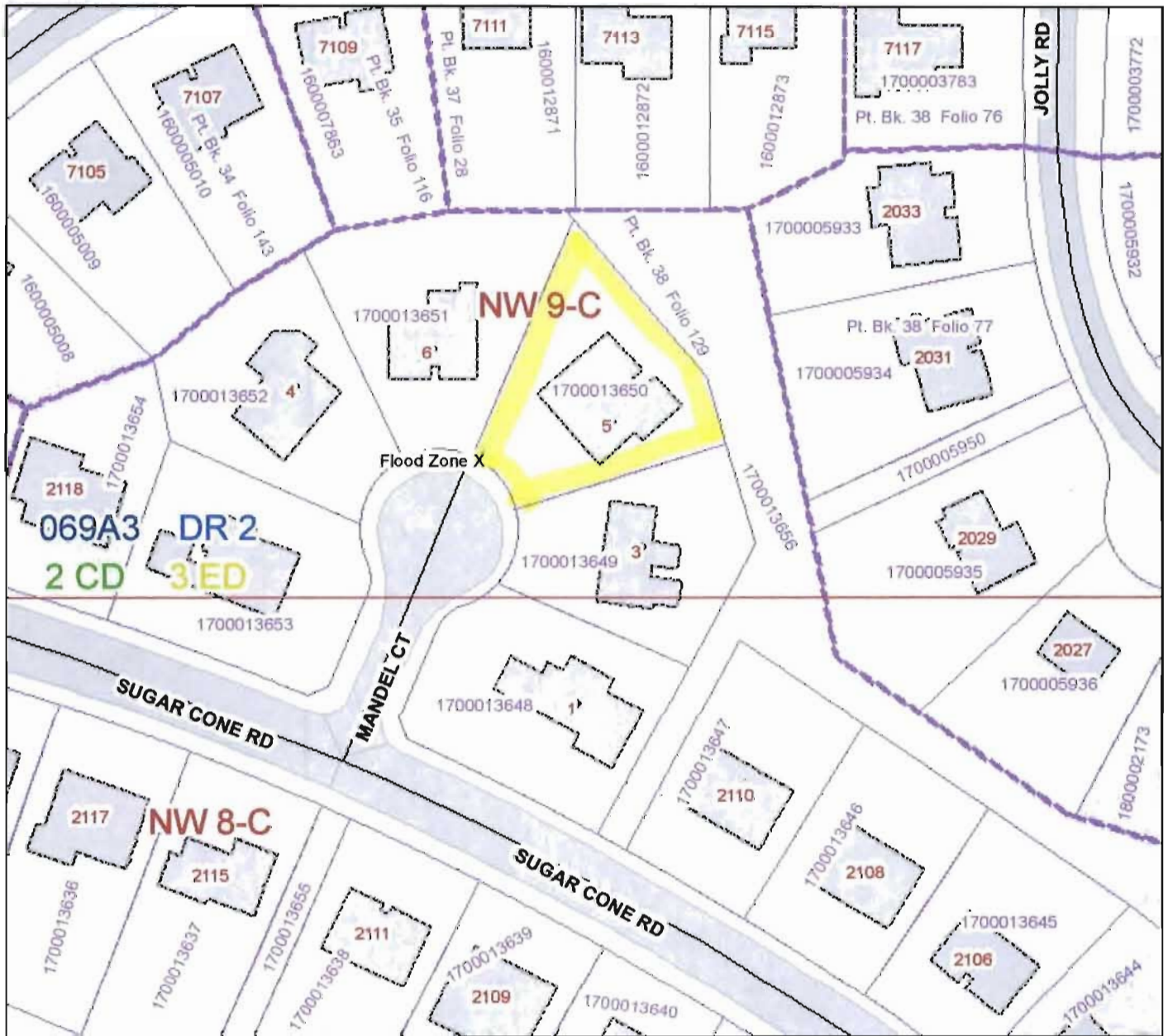


C.B.S. - CAPPED IRON BAR SET

37.6  
 35.1

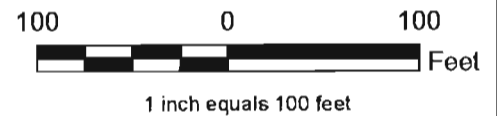


# 5 Mandel Court



## DQ Map Notes

Publication Date: April 11, 2008  
 Publication Agency: Department of Permits & Development Management  
 Projection/Datum: Maryland State Plane,  
 FIPS 1900, NAD 1983/91 HARN, US Foot



Item # 478





