#### IN RE: PETITION FOR ADMIN. VARIANCE

S side of Cromwell Bridge Road, 60 feet E of the c/l of Beaverbank

9<sup>th</sup> Election District

5<sup>th</sup> Councilmanic District

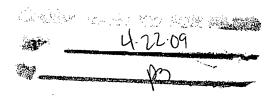
(951 Cromwell Bridge Road)

Keith and Alison Kelley
Petitioners

- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 2009-0227-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, Keith and Alison Kelley for property located at 951 Cromwell Bridge Road. Resolution 19-09 concerning the public disclosure of Keith Kelly, an employee of the Baltimore County Department of Environmental Protection and Resource Management, was approved at the County Council meeting held on March 16, 2009. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 4 feet in lieu of the required 10 feet, a sum of side yards of 19 feet in lieu of the required 25 feet, and a rear yard setback of 10 feet in lieu of the required 30 feet for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a garage measuring 24 feet x 29 feet onto the left side of their home. The dwelling is located on a hill with the existing two car garage located on the left side and basement level of the home. A drainage and utility easement is located outside the Petitioner's left side property line. Petitioners' home is located much closer to Cromwell Bridge Road than the adjacent residence at 949 Cromwell Bridge Road. The property located to the left side, known as 1001 Cromwell Bridge Road, contains a three-story office building and parking lot.



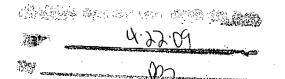
The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 15, 2009 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 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 Lord day of April, 2009 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 4 feet in lieu of the required 10 feet, a sum of side yards of 19 feet in lieu of the required 25 feet, and a rear yard setback of 10 feet in lieu of the required 30 feet for an addition 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 22, 2009

KEITH AND ALISON KELLEY 951 CROMWELL BRIDGE ROAD TOWSON MD 21286

Re: Petition for Administrative Variance

Case No. 2009-0227-A

Property: 951 Cromwell Bridge Road

Dear Mr. and Mrs. Kelley:

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.

Verv truly yours

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 951 Comwell	Bridge Pd
which is presently zoned _	DR3".5

This Petition shall be filed with the Department of Permi owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Variance from Section 2.	ts and Development Management. The undersigned, legal this described in the description and plat attached hereto and on(s) 1802 2 2 0 000
A SIDE SETBACK OF 4ft. IN	LIEU OF THE REDUIRED COFT, IN LIEU of THE REQUIRED SETBACK OF 10ft. IN LIEU of
of the zoning regulations of Baltimore County, to the zoning la of this petition form.	aw of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the 1, or we, agree to pay expenses of above Variance, advertising, postegulations and restrictions of Baltimore County adopted pursuant to	sting, etc. and further agree to and are to be bounded by the zoning
	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):
	Kath Kelley
Name - Type or Print	Name - Type or Print
Signature	Signature, Alisan Kallen
Address Telephone No.	Name - Type or Print
City - State Zip Code	Signature
Attorney For Petitioner:	Address Telephone No.
	Towon MO 2586
Name - Type or Print	City State Zip Code
	Representative to be Contacted:
Signature	Keith Kelley
Company	951 Connell Bridge CA 410-583-8316
Address Telephone No.	Address Telephone No.  Towlon MD 21286
City State Zip Code	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. 2009-0327-1	Reviewed By Que Date 3.2.09
REV 10/25/01 U. XV	Estimated Posting Date 3/15/09

# 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	951 Chamb	ell Brila DI	·	
	Address	M	*	7178[
	City	State		Zip Code
That based upon personal knowledge, the fol Variance at the above address (indicate hards	lowing are the facts u hip or practical difficul	pon which I/we base they):	ne request for an A	dministrative
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Q (no barrens)		garage.	. 13 3-8111Ng	811 Aron
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That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide			equired to pay a re	eposting and
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Signature Signature		Alison L Kell	•	
Name - Type or Print	No	Mison Celley ne - Type or Print		
Name - Type of Fills	Nai	nie - Type of Pfilit		
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:			
I HEREBY CERTIFY, this 2164 day of For Maryland, in and for the County aforesaid, p	ersonally appeared	, <u>2009_</u> , before i	me, a Notary Public	of the State
KEITH KELLEY		· ·		*
the Affiant(s) herein, personally known or satis	factorily identified to m	ne as such Affiant(s).		
AS WITNESS my hand and Notarial Seal		•		
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	Notary Pub	lic (	20	
	My Commi	ssion Expires <u>(                                   </u>	01	

REV 10/25/01

#### ZONING DESCRIPTION FOR 951 CROMWELL BRIDGE ROAD

Beginning at a point on the south side of Cromwell Bridge Road which is 70' at the distance of 60' east of the centerline of the nearest improved intersecting street Beaverbank Circle which is 50' wide. Being lot#3 in the subdivision of George W. Helfrich Property as recorded in Baltimore County Plat Book #48, Folio #91 containing 14,292 square feet. Also known as 951 Cromwell Bridge Road and located in the 9<sup>th</sup> Election District, 5<sup>th</sup> Coucilmanic District.

OFFIC	E OF BUD	GET ANI	ARYLANI D FINANC	<b>E</b>		No.	35.	<b>198</b>		FAID RECEIPT
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## BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case N	lumber 2009-	0227 -A	A Addr	ess <u>45/</u>	CRanwel	L BRIDGE	Kal
Contac	ct Person:	Planner, Pleas	EPRE 1		Phone Number:	410-887-3391	•
Filing	Date: <u> </u>	-09	Posting Da	te: 3/15	Closing Da	te: $\frac{3}{3}$	)
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Petition	lumber 2009- ier's Name g Date:	0227 A K. KELL 3/15/	Address	95/ C	ROMWell A Telephone	BRIDGE R	d-
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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
0227
Item Number or Case Number:
Petitioner: KIETH KELLEY
Address or Location: 951 Cranwell Brioge 21.
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Address:
HME
Telephone Number:

#### CERTIFICATE OF POSTING

RE: Case No 2009-0227-A Petitioner/Developer\_KEITH\_\_\_\_ KELLEY Date Of Hearing/Closing: 3/30/09 Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Ladies and Gentlemen This letter is to certify under penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property at 951 CROMWELL BRIDGE RO This sign(s) were posted on Wach Month, Day, Year Sincerely, Signature of Sign Poster and Date Martin Ogle 60 Chelmsford Court Baltimore, Md, 21220

443-629-3411

peter 3/15/09 PUBLIC HEARING ?

Attention:

03/15/2009



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

March 30, 2009

Keith & Alison Kelley 951 Cromwell Bridge Rd. Towson, MD 21286

Dear: Keith & Alison Kelley

RE: Case Number 2009-0227-A, 951 Cromwell Bridge Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 02, 2009. 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:Inw

Enclosures

c: People's Counsel

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** March 10, 2009

Department of Permits &

**Development Management** 

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 16, 2009

Item Nos. 2009-0222, 0225, 0226, and

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

DAK:CEN:lrk

cc: File

ZAC- NO COMMENTS-03162009



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 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 9, 2009

Item Numbers 0225,0226,0227,0228 and 0229

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.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (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 12,2009

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

RE: **Baltimore County** 

Item No 2009 - 0227-A

951 CROMWELL BRIDGE RD

KELLEY PROPERTY

ADMINSTRATIVE 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. 2009-0227-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, Chief

**Engineering Access Permits** 

Division

SDF/MB



## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** April 9, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-227- 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 Donnel Zeigler in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

From:

Lynn Lanham

To:

pzook@baltimorecountymd.gov

Date:

4/21/2009 9:50:47 AM

Subject:

Re: Fwd: 2009-0227-A (admin. variance that closed 3/30/09 - Planning comments

needed) (Vacation)

lam out of the office and will return on Monday April 28, 2009. If you need an immediate response to your question please contact Bruce Seeley.

#### Patricia Zook - 2009-0227-A (admin. variance that closed 3/30/09 - Planning comments needed

From:

Patricia Zook

To:

Murray, Curtis

Date:

4/15/2009 10:37:16 AM

Subject: 2009-0227-A (admin. variance that closed 3/30/09 - Planning comments needed

Good morning Curtis -

We are still need comments for this administrative variance request. The Petitioner is a County employee of DEPRM.

CASE NUMBER: 2009-0227-A

951 Cromwell Bridge Road

Location: S side of Cromwell Bridge Road, 60 feet E of the c/l of Beaverbank

9th Election District, 5th Councilmanic District

Legal Owner: Keith and Alison Kelley

Closing Date: 3/30/2009

ADMINISTRATIVE VARIANCE To permit a side setback of 4 feet in lieu of the required 10 feet; a sum of side yards 19 feet in lieu of the required 25 feet, and a rear yard setback of 10 feet in lieu of the required 30 feet for an addition.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 105 West Chesapeake Avenue, Suite 103 Towson MD 21204 410-887-3868 pzook@baltimorecountymd.gov



# County Council of Baltimore County

Court House Towson, Maryland 21204

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

S.G. Samuel Moxley FIRST DISTRICT

Kevin Kamenetz 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

March 17, 2009

RECEIVED

William J. Wiseman, Esquire Baltimore County Zoning Commissioner The Jefferson Building Towson, Maryland 21204

MAR 182009

ZONING COMMISSIONER

Dear Mr. Wiseman:

Attached please find a copy of Resolution 19-09 concerning the public disclosure of Keith Kelly, an employee of the Baltimore County Department of Environmental Protection and Resource Management, who has applied for a zoning variance to construct an attached garage to his residence at 951 Cromwell Bridge Road, Towson, Maryland 21286.

This Resolution was approved by the County Council at its March 16, 2009 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr. Legislative Counsel/Secretary

TJP:dp Enclosure

cc: Keith Kelly

## COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2009, Legislative Day No. 6

#### Resolution No. 19-09

#### Mr. Vincent J. Gardina Councilman

#### By the County Council, March 16, 2009

A RESOLUTION concerning the public disclosure of Keith Kelly, an employee of the Baltimore County Department of Environmental Protection and Resource Management.

WHEREAS, Keith Kelly, an employee of the Department of Environmental Protection and Resource Management, has applied for a zoning variance to construct an attached garage to his residence at 951 Cromwell Bridge Road, Towson, Maryland 21286; 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 Keith Kelly does not contravene the public welfare.

r01909.wpd

## READ AND PASSED this 16TH day of MARCH, 2009.

BY ORDER

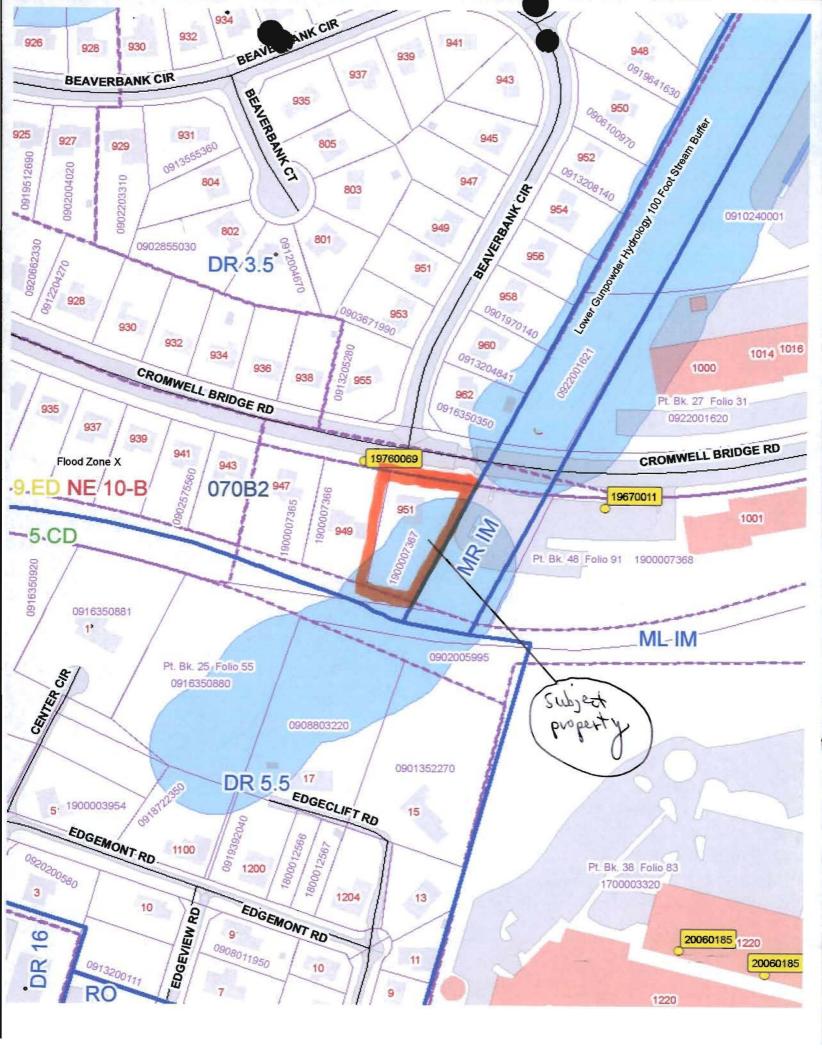
l'homas J. Peddicord, Jr.

Secretary

ITEM: RESOLUTION 19-09

PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE PROPERTY ADDRESS 951 Commel Brilge & SEE PAGES 5 8 6 OF THE CHECKLIST FOR	·
SUBDIVISION NAME (2014) HELEVICH Puperty  PLAT BOOK # 118 FOLIO # 91 LOT # 3 SECTION #  OWNER Kith + Alison Kelley	
Cromwell Bridge Pd (70'R/W) Cromwell Bridge Pd (70'R/W)	evendance Decreated Chamber
Mary Lark proptil 7 Jacco 7366 73' Girlding Jetback Line &	Craw mall Brodge of
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NORTH  REPARED BY Kelley on 2/2-109 SCALE OF DRAWING: 1" = 50	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #
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18.



2009-0227-A

951 Cronwell Br. Road



## 951 Chommell Bt. Road

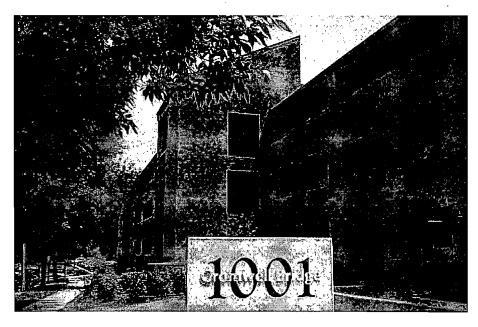


## 951 Cromwell Br. Road



Image 1 of 1

Print Window Close Window

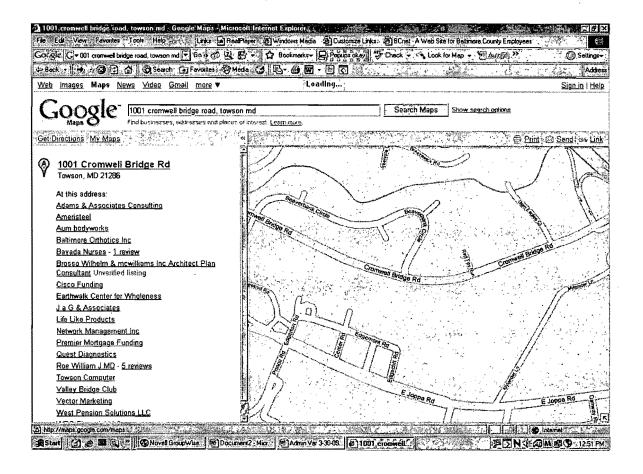


**CROMWELL BRIDGE** 

office building located next to Petitemer's property

#### To download this image:

- 1. Right click on the image with your mouse
- Click "Save Picture As"
- 3. Select where you want to save the photo
- 4. Specify a file name
- 5. Click "Save"



९५। CROMWELL BRIDGE ROAD