

IN RE: PETITION FOR ADMIN. VARIANCE

NE corner of Greenspring Avenue and
Chippewa Drive
3rd Election District
2nd Councilmanic District
(6723 Greenspring Avenue)

Anthony Blango
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0040-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 owner of the subject property, Anthony Blango for property located at 6723 Greenspring Avenue. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open projection (carport) with a side setback of 10 feet in lieu of the required 18.75 feet on a corner lot. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner wishes to construct a carport measuring 15 feet x 17 feet 1 inch. The previous carport was rotten and unsafe. Photographs submitted by the Petitioner indicate there are other carports in the vicinity. Said photographs also indicate the prior existence of a carport. This proposed carport will provide shelter when entering and exiting the residence and keep vehicles out of the elements.

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 August 13, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

9-1-09
[Signature]

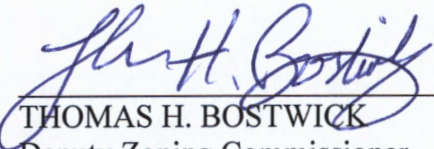
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and 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 15th day of September, 2009 that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed open projection (carport) with a side setback of 10 feet in lieu of the required 18.75 feet on a corner lot is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 1, 2009

ANTHONY BLANGO
6723 GREENSPRING AVENUE
BALTIMORE MD 21209

Re: Petition for Administrative Variance
Case No. 2010-0040-A
Property: 6723 Greenspring Avenue

Dear Mr. Blango:

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 cursive script, reading "Thomas 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 6723 Greenspring Ave.
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)

1802.3.B

To permit a proposed open projection (carport) with a side setback of 10-feet in lieu of the required 18.75-feet on a corner lot.

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):

ANTHONY W. BLANGO

Name - Type or Print

Anthony W. Blango

Signature

Name - Type or Print

Signature

6723 GREENSPRING AVE (410) 486-3257

Address

Telephone No.

BALTIMORE MARYLAND

21209

City

State

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 2010-0040-A day of 9-1-09 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.

2010-0040-A

Reviewed By

Date

8/4/09

REV 10/25/01

Estimated Posting Date

8/16/09

9-1-09

13

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

6723 GREENSPRING AVE
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):

THE PORCH/CARPORT WAS ROTTEN AND OLD, ALSO UNSAFE,

THE OLD PORCH/CARPORT WASN'T LEGAL WHEN BUILT BECAUSE OF PROPERTY SETBACK

REPLACE WITH A NEW PORCH/CARPORT

I NEED A VARIANCE TO MAKE THE PORCH/CARPORT LEGAL BECAUSE OF PROPERTY SETBACK ON SIDE OF HOUSE.

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.

X Anthony W. Blango

Anthony W. Blango

Signature

Signature

ANTHONY W. BLANGO

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31 day of July, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Anthony W. Blango

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

AS WITNESS my hand and Notarial Seal

Kelly Carey
Notary Public

My Commission Expires

KELLY CAREY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 3, 2011

Zoning Description

Zoning Description for 6723 Greenspring Avenue

Beginning at a point on the Northeast corner of Greenspring Avenue which is 80ft. wide and Chippewa Drive which is 60ft. wide; Being Lot #4, Section #C in the Subdivision of Forest Green as recorded in Baltimore County Plat Book #24, Folio #23, containing 4,950 Sq.Ft.; Also known as 6723 Greenspring Avenue and located in the 3rd Election District, 2nd Councilmanic District.

2010-0040-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 43307
 Date: 8/4/09

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					65.00

Total: 65.00

Rec From: Anthony W Blango
 For: 6723 Greenspring Ave
21209 2010-0040-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME PM
 8/05/2009 8/04/2009 10:44:09 5
 REC NO:6 WALKER NEMT KDC
 RECEIPT # 650472 8/04/2009 (FL)
 Dept 5 528 ZONING VERIFICATION
 CH NO. 043307
 Recpt Tot \$65.00
 \$65.00 CK \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 08/18/09

Case Number: 2010-0040-A

Petitioner / Developer: ANTHONY W. BLANGO

Date of Hearing (Closing): AUGUST 31, 2009

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:
6723 GREENSPRING AVENUE

The sign(s) were posted on: AUGUST 13, 2009



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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2000- 0040 -A Address 6723 Greenspring Ave
Contact Person: Leonard Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/4/09 Posting Date: 8/16/09 Closing Date: 8/31/09

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 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.
- 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.
- 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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2000- 0040 -A Address 6723 Greenspring Ave
Petitioner's Name Anthony W. Blango Telephone
Posting Date: 8/16/09 Closing Date: 8/31/09

Wording for Sign: To permit a proposed open projection (carport) with a side setback of 10-feet in lieu of the required 18.75-feet on a corner lot.

WCR - Revised 7/7/08



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 31, 2009

Anthony Blango
6723 Greenspring Ave.
Baltimore, MD 21209

Dear: Anthony Blango

RE: Case Number 2010-0040-A, 6723 Greenspring Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 4, 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:lnw

Enclosures

c: People's Counsel

AV
8-31-09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 10 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 10, 2009

SUBJECT: Zoning Item # 10-040-A
Address 6723 Greenspring Avenue
(Blango Property)

Zoning Advisory Committee Meeting of August 10, 2009

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL

Date: 9/10/09

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 18, 2009

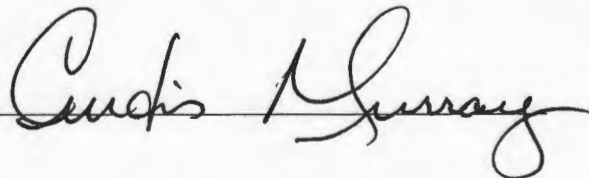
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-040- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and does not oppose the requested variance of 10 feet in lieu of the required 18.75 for an open projection (carport).

For further questions or additional information concerning the matters stated herein, please contact Diana Itter in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



RECEIVED

AUG 19 2009

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 13, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For August 10, 2009
Item Nos. 2009-0326, 2010-032, 034, 036, 037,
038, 039 and 040

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08132009 (2) -NO COMMENTS.doc



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

August 21, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 10, 2009

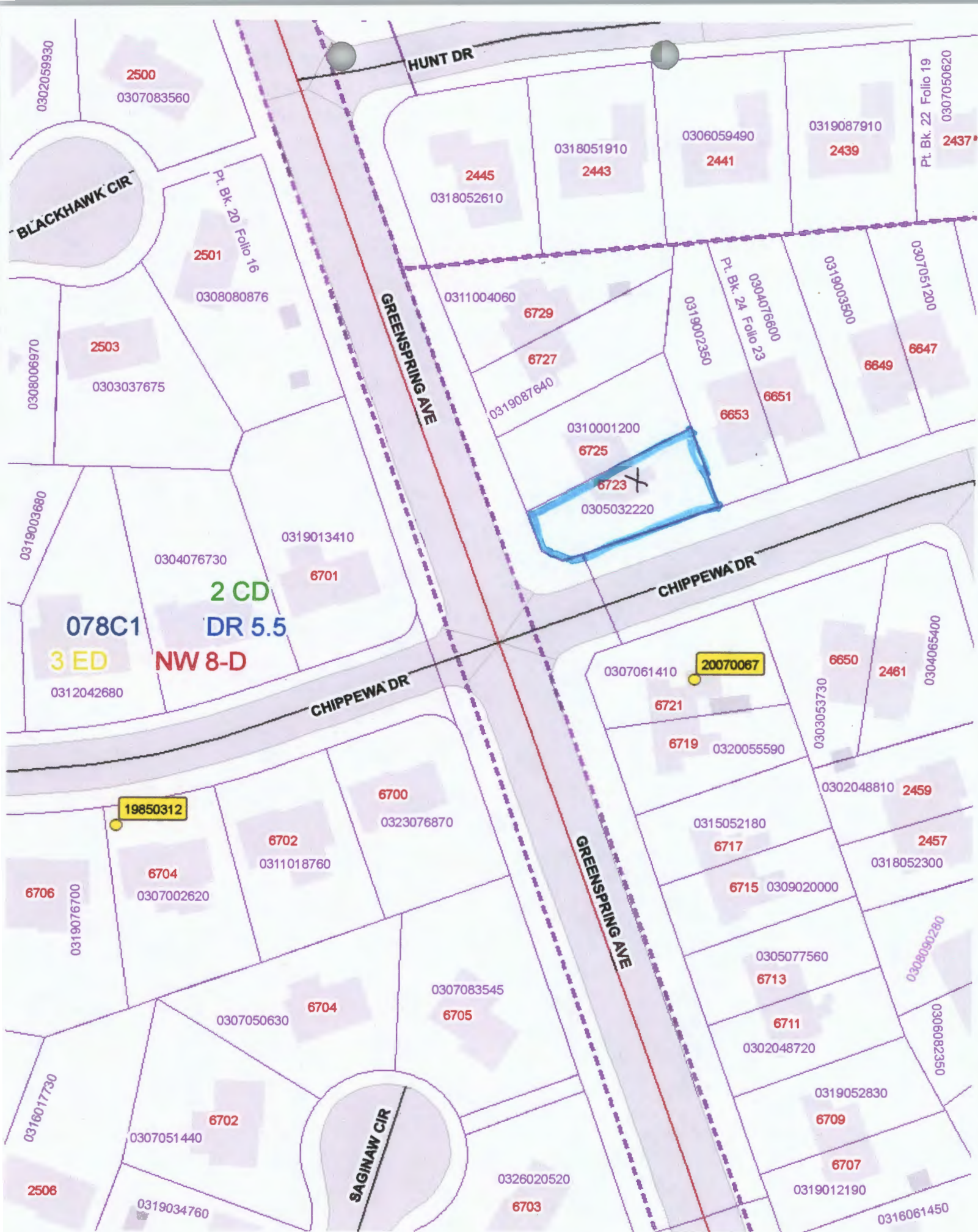
Item Numbers 0325,0328,0032,0034,0036,0037,0038,0040

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.

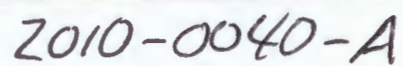
1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



2010-0040-A



2010-0040-A

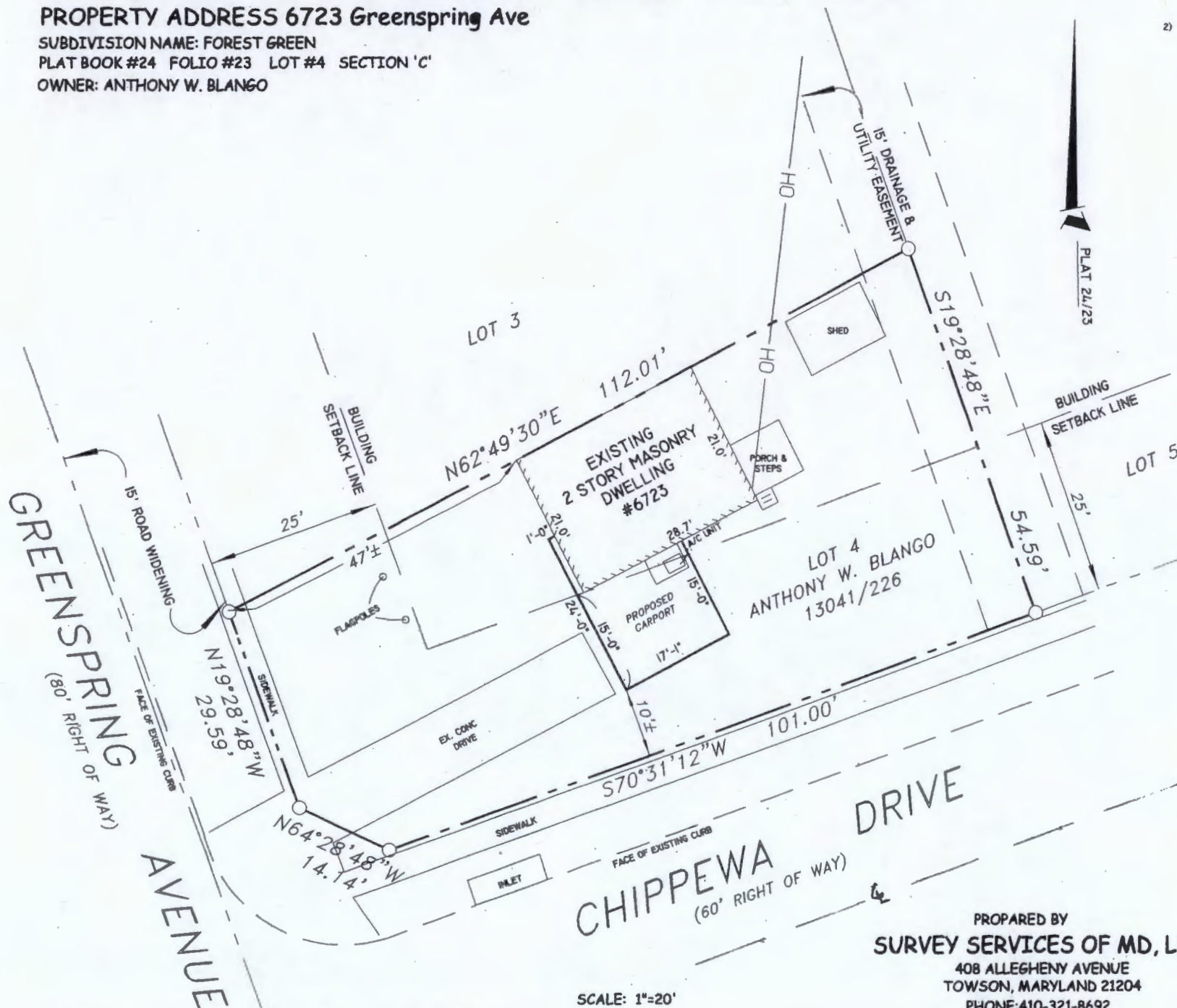




PROPERTY ADDRESS 6723 Greenspring Ave

OWNER: ANTHONY W. BLANGO

- 1) THIS PLAT IS NOT TO BE RELIED UPON FOR
THE ESTABLISHMENT OF PROPERTY LINES AND
DOES NOT CONSTITUTE A BOUNDARY SURVEY.
- 2) THIS PLAT WAS PREPARED WITHOUT THE
BENEFIT OF A TITLE REPORT.



SCALE: 1"=20'

PREPARED BY
SURVEY SERVICES OF MD, LLC
408 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
PHONE: 410-321-8692
FAX: 410-321-8693

ZONING OFFICE USE ONLY

74 2010 0040-A