

Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT, 22, 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. 2010-2081-A

207: DANFORD AVE CONNELLY PROVERTY ADMIN. VARLANCE

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. 2010-COEL-A.

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

Very truly yours,

SDF/mb

IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Sanford Avenue; 179.27 feet SE of Newburg Avenue

1st Election District

1st Councilmanic District

(207 Sanford Avenue)

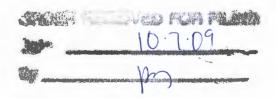
Edward B. and Karen E. Connelly *Petitioners*

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0081-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Edward B. and Karen E. Connelly for property located at 207 Sanford Avenue. The variance request is from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 12.5 feet for an enclosed porch and a proposed open deck in lieu of the required 30 feet and 22.5 feet respectively, and to amend the order and site plan as previously approved in zoning Case No. 1998-0433-A. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct an addition onto the side of the existing dwelling as well as a deck and enclosed porch onto the rear of the existing home and the new addition. The proposed deck and enclosed porch are the subject of this variance request. Petitioner's existing home is much smaller than the adjacent properties. Said property is irregular in shape and any additions at the rear of the home will require a variance.

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



The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 20, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to 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 Petitioners.

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

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.

STATE -	- ved	FULL	PILEDO
	10.7	.09	
	THE RESIDENCE OF THE PROPERTY	aresterio interpretario in inches	

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

October 7, 2009

EDWARD B. AND KAREN E. CONNELLY 207 SANFORD AVENUE CATONSVILLE MD 21228

Re: Petition for Administrative Variance

Case No. 2010-0081-A

Property: 207 Sanford Avenue

Dear Mr. and Mrs. Connelly:

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,

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 207 Sauford Aware Catasuille MD ZIZZ which is presently zoned D. R. 2

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) 1 Bo 2, 3, C 1 AND 301.1 (BCER)

TO PERMIT A REAR YARD SETBACK OF 12.5 FT. FOR AN ENCLOSED PORCH AND A PROPOSED OPEN DECK IN LIEU OF THE REQUIRED 30 FT. AND 22.5 FT. RESPECTIVELY AND TO AMIEND THE CROEK AND SITE PLAN AS PREVIOUSLY APPRICED IN ZONING CASE # 1998-0433-A.

EBC

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 perjury, that I/we is the subject of the	declare and affirm, under are the legal owner(s) of his Petition.	er the penalties of the property which
Contract Purchaser	/Lessee:		Legal Owner(<u>(s):</u>	
			Edward	B. Connelly	
Name - Type or Print			Name - Type or Prin	The state of the s	
Signature			Signature		
Address		Telephone No.	Name - Type or Prin	& Connelly	0
City	State	Zip Code	Signature	c. a rongrey	301-368-9140 1
Attorney For Petition	ner:		ZO7 Saux	ord Luenue.	410-744-3478 Telephone No.
			Catonsville	e MD	21228
Name - Type or Print			City	State	Zip Code
Signature			Representativ	ve to be Contacted:	
	•				
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having be this day of regulations of Baltimore Coun	th.	at the subject matter of t	his petition be set for a p	oublic hearing, advertised, as	s required by the zoning
and the second	2		Zoning Co	ommissioner of Baltimore C	ounty
CASE NO.	2010	-0081-A- Rev	riewed By JL	Date 9/	08/09
REV 10/25/01	10.7.09	Est	imated Posting Dat	e 9/20/09	

Affidavit in Support of Administrative Variance

207

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

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

	Catonsville	State	Z12Z8
That based upon personal knowledge, the	he following are the facts upon v	mile in the second	e request for an Administrative
Variance at the above address (indicate i	hardship or practical difficulty):		
home on the lot. These circums available to the other 14 property extends from the rear of the home sac restricted so tightly by the zo size available to other area property.	zoning provisions results from the stances do not allow adequate rear so y owners on our cul-de-sac. Therefore without a variance. The subject point provisions. We respectfully rerty owners.	etback space for an a fore we cannot build property is the only of equest a variance aff	an addition that one on the cul-de- cording an addition
to 12.5' setback due	to Henor Subdivision o	of 141 Newburg	avenue error in
measurements showing	placement of structur	re on lot. Vo	prisoner to be
awended for existing	to Henor Subdivision of placement of structuring enclosed parch and	proposed open	deck to 12.5 setter
That the Affiant(s) acknowledge(s) that advertising fee and may be required to pr	if a formal demand is filed, A covide additional information.	ffiant(s) will be red	
Signature Consulty	Signature	rew & Co	nnelly
Edward B. Connelly	Kas	en E. Conne	lley
Name - Type or Print	Name - 1	ype or Print	The state of the s
		·	
STATE OF MARYLAND, COUNTY OF B			
of Maryland, in and for the County aforesa	September,	2009, before m	ne, a Notary Public of the State
Edward B. Conne	III. God Kou	en E. Co	nnella
the Affiant(s) herein, personally known or	satisfactorily identified to me as	such Affiant(s).	MARI CO
AS WITNESS my hand and Notarial Seal			
	Notary Public	ent a	Wenging On
	My Commission	Expires	/ ()
REV 10/25/01		NOTARY PU	PRAH A: WINPIGLER BLIC STATE OF MARYLAND ounty of Frederick

My Commission Expires May 1, 2011

0001

Zoning Description

BEGINNING for the same at a point on the northeast side of Sanford Avenue at the distance of South 47 degrees 47 minutes 40 seconds East 179.27 feet from the intersection of the southeast side of Newburg Avenue and the northeast side of Sanford avenue as both laid out 50 feet wide. Said intersection being shown on the Highway Right of Way plat #HRW 59-098 recorded among the Land Records of Baltimore County in Liber 3514, folio 248. Running thence from said place of beginning and binding on the northeast side of Sanford Avenue, (1) South 47 degrees 47 minutes 40 seconds East 88.73 feet to the northwest limit of Plat No. 1, Section 'C', OAK SPRINGS, which Plat is recorded among the Land Records in Plat Book W.J.R. 26, folio 43. Thence leaving the northeast side of Sanford Avenue and binding on the northwest limit of said plat, (2) North 42 degrees 12 minutes 20 seconds East, 151.709 feet. Running thence on a part of the northeast line of the whole parcel of which this description is a part, (3) North 48 degrees 09 minutes 20 seconds West 27.00 feet. Running thence for four new lines of division, (4) South 42 degrees 12 minutes 20 seconds West 61.53 feet, (5) North 47 degrees 47 minutes 40 seconds West 51.73 feet, (6) South 87 degrees 12 minutes 20 seconds West 14.14 feet and, (7) South 42 degrees 12 minutes 20 seconds West 80.00 feet to the northeast side of Sanford avenue and to the place of beginning. Containing 9,599.2 square feet of land, more or less.

BEING ALSO known and designated as Lot No. 2 on the minor subdivision Plat entitled "MINOR SUBDIVISION OF #141 NEWBURG AVENUE" which Plat is recorded among the Land Records of Baltimore County in Liber 10784, folio 85.

The improvements thereon being know as 207 Sanford Avenue.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW APPEAR LIST

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2000 -A Address 207 SANFORD AVE.	
Contact Person: John CEUIS Planner, Please Print Your Name Phone Number: 410-887-3	
Filing Date: 90809 Posting Date: 9/20/09 Closing Date: 10/08	5/0
Any contact made with this office regarding the status of the administrative variance should through the contact person (planner) using the case number.	d be
POSTING/COST: The petitioner must use one of the sign posters on the approved list (or reverse side of this form) and the petitioner is responsible for all printing/posting costs. reposting must be done only by one of the sign posters on the approved list and the petitic is again responsible for all associated costs. The zoning notice sign must be visible on property on or before the posting date noted above. It should remain there through the cloudate.	Any oner the
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to a formal request for a public hearing. Please understand that even if there is no for request for a public hearing, the process is not complete on the closing date.	file rmal
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zo commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; o order that the matter be set in for a public hearing. You will receive written notification, use within 10 days of the closing date if all County agencies' comments are received, a whether the petition has been granted, denied, or will go to public hearing. The order will mailed to you by First Class mail.	r (c) ually s to
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public heat (whether due to a neighbor's formal request or by order of the zoning or deputy zon commissioner), notification will be forwarded to you. The sign on the property must changed giving notice of the hearing date, time and location. As when the sign was origin posted, certification of this change and a photograph of the altered sign must be forwarded this office.	ning be hally
(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 - 0001 -A Address 207 SANFORD AVE	
Petitioner's Name * Edward B. Connelly Telephone 410-744-3478 H	
Posting Date: Kaven E. Connelly Closing Date: 10/05/09	
Wording for Sign: To Permit AN ENCLOSED PORCH ANDA PROPOSED OPEN DECK	
WITH REAR YARD SETBACK OF 12.5 FT. IN LIEU OF THE REGULED 30 FT. AA	(IL
22.5 FT. RESPECTIVELY AND TO AMEND THE APPRICED ORDER AND PLAN IN	
Zawing CHEE # 1998 - 0433 -A	

WCR - Revised 7/7/08

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:
Item Number or Case Number: 2010 0081 A Petitioner: × Connelly
Address or Location: × 207 Sanford Avenue
PLEASE FORWARD ADVERTISING BILL TO: Name: *** *** *** *** *** *** *** *** *** *
Address: 207 Sanford Avenue Cetonsville, MD 21228
Telephone Number: 410-744-3478 # 301-368-9140 W

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CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 09/22/09

Case Number: 2010-0081-A

Petitioner / Developer: EDWARD B. CONNELLY & KAREN E.

CONNELLY

Date of Hearing (Closing): OCTOBER 5, 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: 207 SANFORD AVENUE

The sign(s) were posted on: <u>SEPTEMBER 20, 2009</u>



Linda O'Kufe (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)



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 5, 2009

Edward & Karen Connelly 207 Sanford Ave. Catonsville, MD 21228

Dear: Edward & Karen Connelly

RE: Case Number 2010-0081-A, 207 Sanford Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 8, 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: September 28, 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) 10-081- 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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP **29** 2009

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

September 29, 2009

SUBJECT:

Zoning Item # 10-081-A

Address

207 Sanford Avenue

(Connelly Property)

Zoning Advisory Committee Meeting of September 14, 2009

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

Reviewer:

JWI.

Date: 9/29/09

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 21, 2009

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 21, 2009

Item Nos. 10-068, 069, 072, 073, 074, 075, 076, 081, 082, 083, 084, 085 and 086

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09212009(b) -NO COMMENTS.doc



County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 September 18,2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 14. 2009

Item Numbers 067,068,070,071,072,073,074,075,076,077,079,080,081,082,083,084 and 0085

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

IN RE:

PETITION FOR ADMIN. VARIANCE NE/S Sanford Avenue, 179.27' SE

of the c/l of Newburg Avenue

(207 Sanford Avenue)
1st Election District
1st Councilmanic District

Edward B. Connelly, et ux

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 98-433-A

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* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by Edward B. and Karen E. Connelly, owners of the subject property, located at 207 Sanford Avenue in Catonsville. The Petitioners seek relief from Section 1B01.2.C.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 17 feet in lieu of the required 30 feet for a proposed 16' x 18' deck with screened porch addition. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the

ORDER RECEIVED/FOR FILING
Date 0/0/0/8

B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of June, 1998 that the Petition for Administrative Variance seeking relief from Section 1B01.2.C.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 17 feet in lieu of the required 30 feet for a proposed 16' x 18' deck with screened porch addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

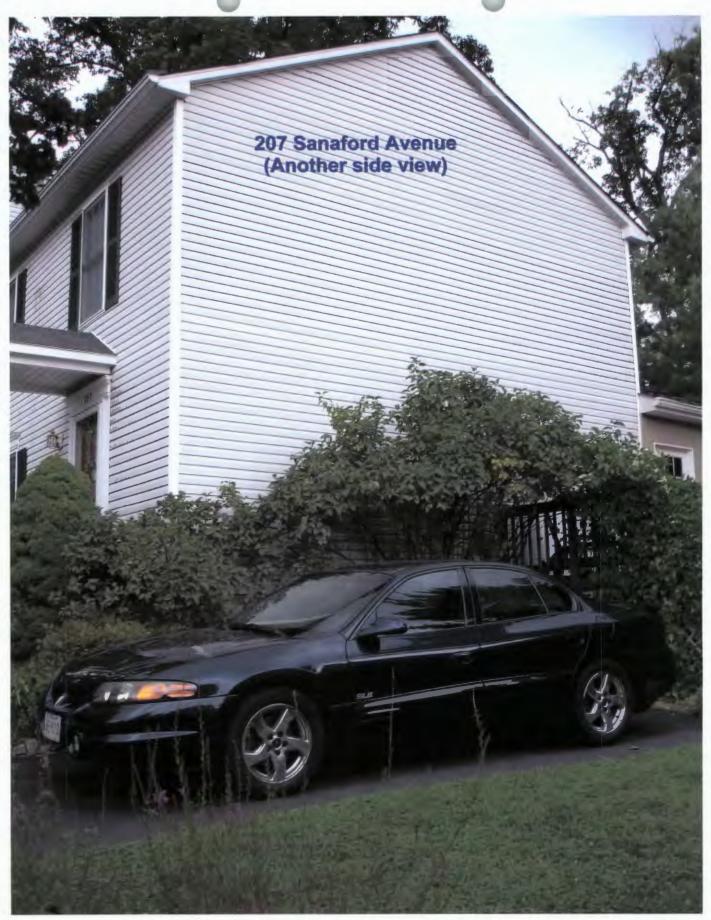
for Baltimore County

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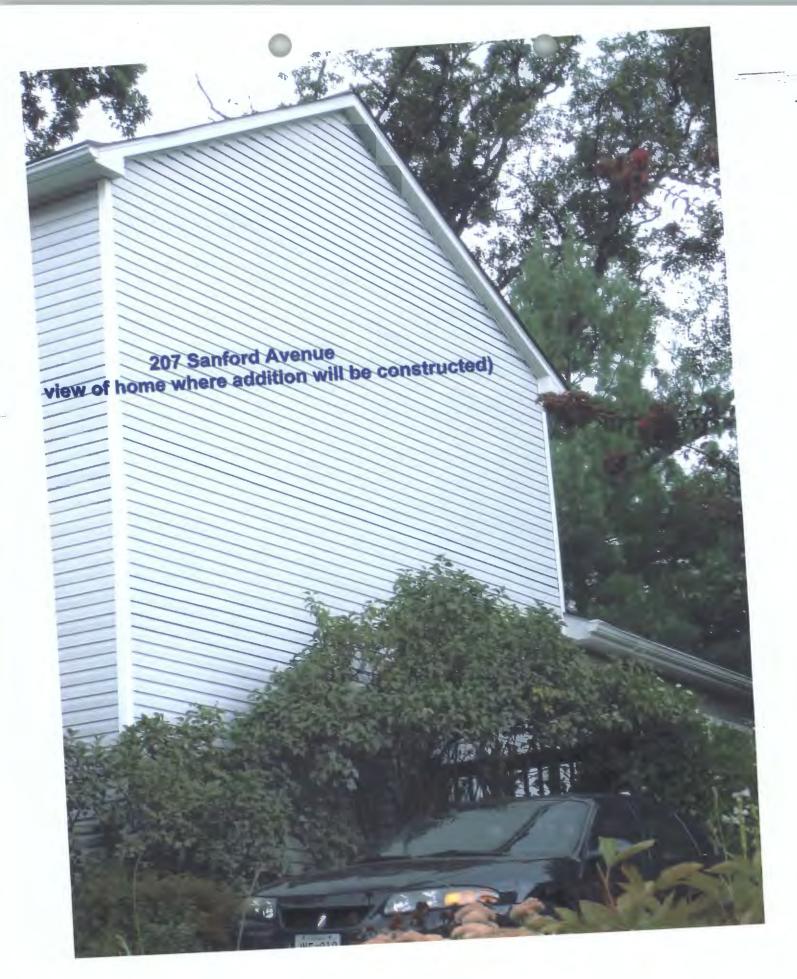
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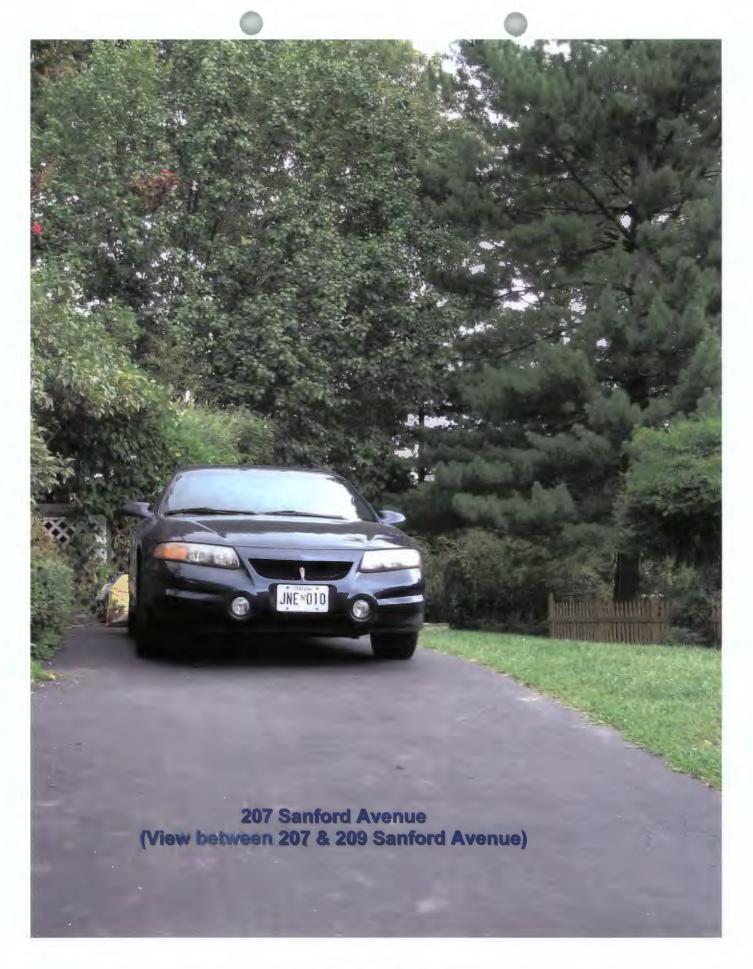
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