IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Green Oak Court; 1056 feet SE. of the c/l of Grove Road 11th Election District 6th Councilmanic District (3724 Green Oak Court)

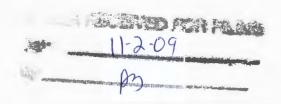
Jovy Vallamattam and Anu M. Joseph Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0114-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, Jovy Vallamattam and Anu M. Joseph for property located at 3724 Green Oak Court. The variance request is from Sections 1B02.3.B and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a 15 feet rear setback in lieu of the minimum required 22.5 feet, and to amend the latest Final Development for Oak Grove, Lot 13 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a deck measuring 12 feet wide x 26 feet long. A deck smaller than proposed would not be of sufficient size to allow the Petitioners to have a table, chairs and a grill on the deck. Petitioners would be unable to enjoy reasonable use of the property, suffering further practical difficulty. Photographs submitted by the Petitioners demonstrate that their neighbors enjoy similar decks. Said photographs also show that the rear of the property is heavily wooded.

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.



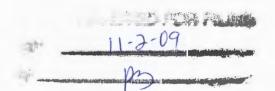
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 11, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of November, 2009 that a variance from Sections 1B02.3.B and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a 15 feet rear setback in lieu of the minimum required 22.5 feet, and to amend the latest Final Development for Oak Grove, Lot 13 only 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

November 2, 2009

JOVY VALLAMATTAM AND ANU M. JOSEPH 3724 GREEN OAK COURT PARKVILLE MD 21234

Re: Petition for Administrative Variance

Case No. 2010-0114-A

Property: 3724 Green Oak Court

Dear Jovy Vallamattam and Anu M. Joseph:

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,

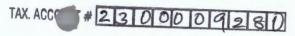
THOMAS H. BOSTWICK

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 37-24 GREEN OAK CT PARKVILLE MD which is presently zoned _____ D.R. 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, 38., 301-14.

TO PERMIT AN OPEN PROJECTION (DECK) WITH A 15-FOOT REAR SETBACK IN LIEU OF THE MINIMUM REQUIRED 22.5-FEET AND TO AMEND THE LATEST F.D.P. FOR "OAK GROVE", LOT 13 ONLY.

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 Vanance, 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 d perjury, that I/we ar is the subject of this	re the legal ow	firm, under t vner(s) of the	he penalties of e property which
Contract Purchaser/Less	ee:		Legal Owner(s	<u>):</u>		
			Thry VA	A MA I I	MATT	
Name - Type or Print			Name - Type or Print	hurostu		
Signature			Signature	,		
Address		Telephone No.	Name - Type or Print Amu Toug	Sh-	Ή	
City	State	Zip Code	Signature			
Attorney For Petitioner:		. – · ·	Address'	V OAK G	r. 410	- 497-5123 Telephone No.
Name - Type or Print			City	11	State	Zip Code
Signature			Representative	to be Con	tacted:	
Signature						
Company			Name	· · · · · · · · · · · · · · · · · · ·		***************************************
Address		Telephone No.	Address	W I		Telephone No.
City	State	Zip Code	City	arcticolor.	State	Zip Code
A Public Hearing having been for his day of egulations of Baltimore County and	, th	nat the subject matter of th	is petition be set for a but	y the Zoning Coolic hearing, adv	vertised, as re	equired by the zoning
CASE NO Amin	- Outl-	n Pav	lowed By	Poble	0/201	00

Estimated Posting

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	3724 Address	GREE	N OA	CT	
	PARKVII	LLE	MD		21234
That based upon personal knowledge, the follovariance at the above address (indicate hardship)	wing are the faci ip or practical di	cts upon whic ficulty):	h I/we base t	he request for ar	1 Administrative
THE TOTAL MEASURE	MENT	FROM	THE	HOUSE	TO THE
END OF THE PROPE	ERTYIS	ONLY	27 +	P. THS	WILL
NOT ALLOW US TO	BUILD	ANO	RMAL	DECK	1
(24 F wide x 12 ft	Dep ×	9f	(+4)	-	
146					
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature	ormal demand is additional inform	ation.	Joseph	equired to pay a	reposting and
JOVY VALLAMATTAM Name - Type or Print	-	Name - Type o		SEPH	
45. Company					
STATE OF MARYLAND, COUNTY OF BALTIN					
of Maryland, in and for the County aforesaid, po	sonally appeare	ed , Z	009before	me, a Notary Pu	blic of the State
the Affiant(s) kerein, personally known or satisfa			h Affiant(s).	Eph	-
AS WITNESS my hand and hold fine and hold fi	Notary	Public	Baile	Tun	-
	My Co	mmission Exp	oires	8/1/10	
REV 10/25/01 MORE CO.					

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 3724 Green Oak Ct, Parkville MD 21234
NESIDE Beginning at a point on the S 35° 04' 55" E 51.95 ft side of Green Oak Ct which is 50 ft
wide at the distance of of the centerline of the nearest improved
intersecting street Grove Rd which is wide. *Being Lot # 13 Block,
Section #in the subdivision of as recorded in
Baltimore County Plat Book # 72 , Folio # 141 containing 0.1451 ac Also known
as 3724 Green Oak Ct and located in the 11th Election district. 6
Council manic District

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2010-	0114	-A	Address _	3724 GR	EEN OAK CT.	
Conta	ict Person:	DONNA TH Planner, F	OMPSON Please Print Your	Name		Phone Number: 410-887-33	91
Filing	Date: 9/30	09	Pos	ting Date: _	0/11/09	Closing Date: in Dulo	19
Any c	·	ith this office	ce regardin	g the status	of the ad	ministrative variance should	
1.	reverse side or reposting must is again respo	f this form) a be done on nsible for al	and the pet ly by one o l associated	titioner is res f the sign po d costs. The	sponsible for sters on the e zoning no	sters on the approved list (on to or all printing/posting costs. A e approved list and the petition office sign must be visible on to remain there through the closi	ny er he
2.	DEADLINE: Ta formal request for a p	est for a pu	blic hearing	g. Please	understand	or owner within 1,000 feet to f that even if there is no form e closing date.	ile nal
3.	commissioner. order that the rwithin 10 days	He may: natter be se s of the clo etition has be	(a) grant th t in for a pu sing date i een granted	ne requested oblic hearing. if all County	relief; (b) You will re agencies'	by the zoning or deputy zonideny the requested relief; or eceive written notification, usual comments are received, as bublic hearing. The order will lead to the control of the control o	(c) Illy to
4.	(whether due commissioner) changed giving	to a neighb notification notice of th	or's formal will be fo he hearing o	request or orwarded to date, time an	by order or you. The d location.	that must go to a public hearing the zoning or deputy zoning sign on the property must lead to the sign was original tered sign must be forwarded	ng be Ily
			(Deta	ach Along Dotted Li	ne)		
Petitio	oner: This Par	of the Forr	n is for the	Sign Poste	r Only		
	_	USE THE A	DMINISTRA	ATIVE VARIA	ANCE SIGN	FORMAT	
Case	Number 2010-	0114 -	A Addr	ress 3724	GREEN C	DAK CT.	
Petitio	oner's Name <u>V</u> p	LLAMATTAI	n JOSE	PH	Т	elephone <u>410-497-512</u>	<u>3</u>
Postii	ng Date:	11109	ı	Clo	sing Date:	10/26/09	-
Wordi	ng for Sign:	o Permit AN	OPEN PR	OTECTION	(DECK)	WITH A 15-FOOT	
RE	AR SETBA	LK IN LIE	U OF TH	HE MINIM	JM REQU	RED 22.5-FEET	
AN	D TO AMEN	S THE LA	TEST F.	D.P. FOR	"OAK GR	OVE", LOT 13 ONLY.	_

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 Adv	ertising:
	Number: 2010-0114-A VALLAM ATTAM / JOSEPH
	3724 GREEN OAK CT.
	ADVERTISING BILL TO:
Name:	MR. JCNY VALLAMATTAM
Address:	3724 EREEN OAK CT.
	PARKVILLE, MD 21234
Telephone Number:	410-497-5123

			D FINANC RECEIPT		Sub	No.		130/09	9/30 9/30 803 MSO	1). MALK THE BUTS	FTME 07 14:29:58	1474
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		30 67	CALLED Y	P. C	D	THOMP	SON					
	VI A						-			CASHIER'S	3	

William D. Gulick, Jr.

Baltimore County Approved Sign Poster Notary Public 2944 Edgewood Avenue Baltimore, MD 21234 410-530-6293

LETTER OF TRANSMITTAL

TO: Baltimore County, PDM Zoning Office

ATTENTION: Ms. Kristen Matthews

DATE: October 12, 2009 **JOB NO.**: 2009-037

RE: Case NO. 2010-0114-A 3724 Green Oak Court

OCT 1 3 2009

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

WE ARE SEN	DING YOU	Attached Under separate cover the following items:
Сору о	f letter P	Prints Documents Other
No. of Copies	Date	Description
1	October 11, 2009	Certificate of Posting
2	October 11, 2009	Site Photos
		our_use As requested For review & comment
REMARKS:		SIGNED PULLED A: Guliel
cc:		WILLIAM D. GULICK, JB. RECEIVED

CERTIFICATE OF POSTING

Department of Permits & Development Management Baltimore County 111 W. Chesapeake Avenue Room 111-Zoning Office Towson, MD 21204 Date: October 12, 2009

Attention: Ms. Kristen Matthews

Zoning Office

Re: Case Number: 2010-0114-A

Petitioner/Developer: Joseph Vallamattam Date of Hearing/Closing: October 26, 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: 3724 Green Oak Court.

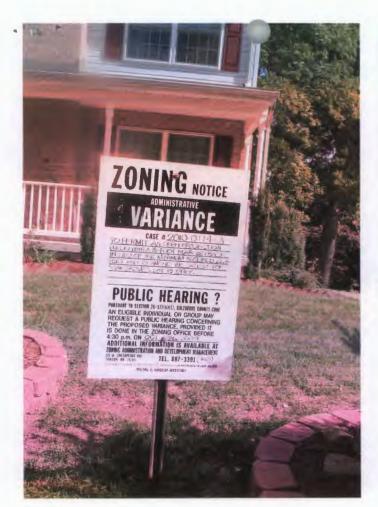
The sign (s) were posted on: October 11, 2009

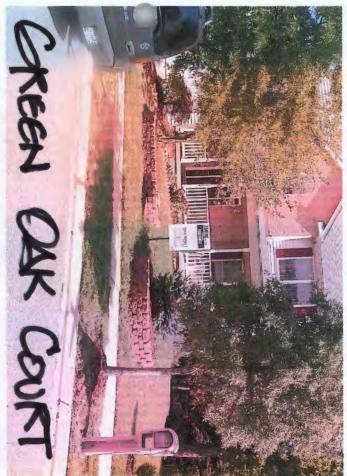
Illiam D. Gulick, Jr.

2944 Edgewood Avenue Baltimore, MD 21234 (410) 530-6293

SEE ATTACHED SITE PHOTOS











JAMES T. SMITH, JR. County Executive

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

October 27, 2009

Jovy Vallamattam and Anu Joseph 3724 Green Oak G Parkville, MD 21234

Dear: Jovy Vallamattam and Anu Joseph

RE: Case Number 2010-0114-A, 3724 Green Oak G

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September ,30 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: October 21, 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) 10-114- 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 Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL .

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 13, 2009

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 26, 2009

Item Nos. 10-112, 114, 117, 118,

119, 120 and 121

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-10262009 -NO COMMENTS.doc



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 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. 2010 - 0114-A

3724 GREEN ONE CT. VALLAMATTAN/LOSEPH PROPERTY ADMIN. VAIZIANCE

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. ZOID. 0114-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,

LadSteven D. Foster, Chief

Engineering Access Permits

Division

SDF/mb

2010-0114-A



Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

NO

Tax Exempt:

Exempt Class:

Go Back View Map New Search

Special Tax Recapture:

* NONE *

				01	wner Infor	mation						
Owner	Name	9:	VALLAMATTAN			Use:				SIDENTIAL		
			JOSEPH ANU				pal Resid		YE			
Mailing	Addr	ess:	3724 GREEN (BALTIMORE M	DAK CT D 21234-4259	Deed Reference: 1) /25927/ 199 2)					99		
				Location	& Structur	e Informa	tion					
Premis	es Ad	dress					1	Legal Descriptio	n			
3724 G	REEN (OAK CT			.1451 AC							
BALTIM	ORE 2	1234-4259						3724 GREEN OAK OAK GROVE	CT N	ES		
Мар	Grid	Parcel	Sub District	Subdivision	Section			sessment Area		Plat No:		
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Specia	I lax	AICaS		x Class								
	Pri	mary Struc			ed Area		-	y Land Area			County Use	
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					alue Infor							
			Base Value	Value As Of		n Assessn s Of	As Of					
				01/01/2009	07/01/2		7/01/2010					
		Land	126,320	126,320	,,-							
	Imp	rovements	: 249,370	261,050								
		Total	375,690	387,370	379,	583	383,476					
P	refer	ential Land	: 0	0		0	0					
				Tra	ansfer Info	rmation						
Seller:	DO	NHAUSER LI	NDA			Date:	07/18/2		ice:	\$430,000		
Туре:	IMP	ROVED ARM	IS-LENGTH			Deed1:	/25927/	199 De	ed2:			
Seller:	STO	NESIFER RI	JBY MARIE			Date:	02/13/2		ce:	\$208,000		
Туре:	IMP	ROVED ARM	IS-LENGTH			Deed1:	/19608/	9 De	ed2:			
Seller:	FRE	ITAG CHARI	LES P JR			Date:	06/25/2		ice:	\$259,900		
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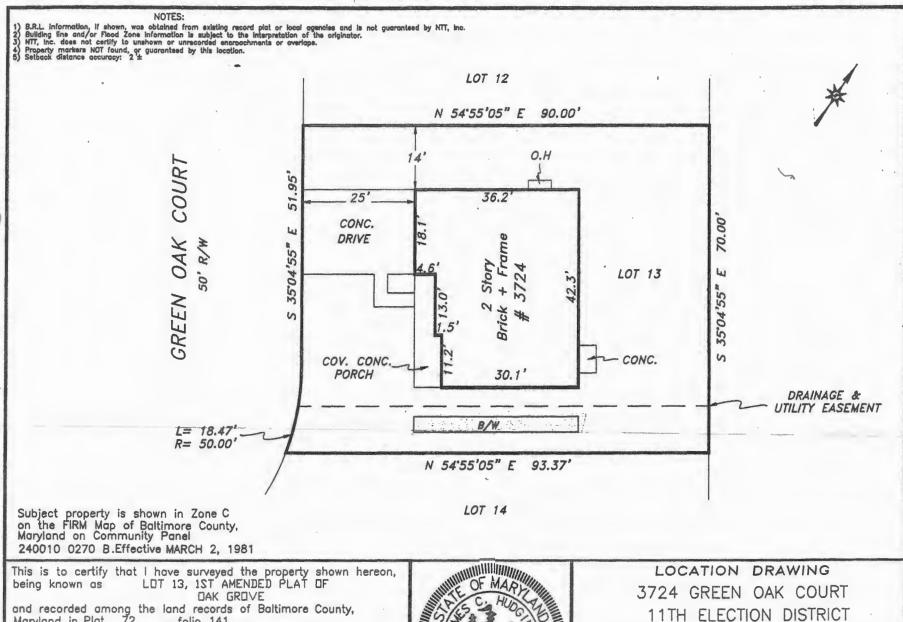












Maryland in Plat 72 folio 141

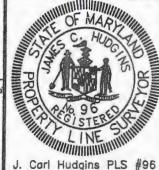
for the purpose of locating the improvements thereon.

* This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing purposes.

* This plat is not to be relied upon for the establishment of location

of fences, garages, buildings, or other existing or future structures.

* This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or for securing financing or refinancing.



16205 Old Frederick Road Mt. Airy, Maryland 21771 Ph. (410)442-2031

h I sup sup		"= 20 '
NTT Associates, Inc.	Date:	6/12/07
16205 Old Frederick Road Mt. Airy, Maryland, 21771	Field By:	STP
Mt. Airy, Maryland 21771 Ph. (410)442—2031 Fax No. (410)442—1315	Drawn By:	STP
Fax No. (410)442-1315	Drawing #	CL076407

BALTIMORE COUNTY, MARYLAND

