

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Louisiana Avenue; 25 feet W of the
c/l of Brian Street
13th Election District
1st Councilmanic District
(2857 Louisiana Avenue)

Earl L. Stanson Jr. and Deborah C. Stanson
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0136-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, Earl L. Stanson Jr. and Deborah C. Stanson for property located at 2857 Louisiana Avenue. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement detached accessory structure (garage) to be located in the third of the lot closest to a street in lieu of the required farthest removed. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners' home and garage were constructed in 1925 well before the imposition of zoning in the area. As evidenced by the photographs submitted with the Petition, the existing garage is in an advanced state of disrepair. Petitioners desire to construct a new modern garage to replace the existing 84 year old garage.

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 November 1, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

RECEIVED FOR FILING
11-19-09
m

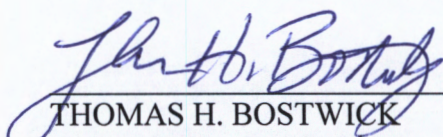
The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 19th day of November, 2009 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement detached accessory structure (garage) to be located in the third of the lot closest to a street in lieu of the required farthest removed 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

11-19-09

pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

November 19, 2009

EARL L. STANSON JR. AND DEBORAH C. STANSON
2857 LOUISIANA AVENUE
HALETHORPE MD 21227

Re: Petition for Administrative Variance
Case No. 2010-0136-A
Property: 2857 Louisiana Avenue

Dear Mr. and Mrs. Stanson:

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2857 LOUISIANA AVE
which is presently zoned DRS.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) 400.1 - to permit a replacement

detached accessory structure (garage) to be located in the third of the lot closest to a street in lieu of the required farthest removed

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):

EARL L. STANSON, JR
Name - Type or Print _____
Earl L. Stanson
Signature _____
DEBORAH C. STANSON
Name - Type or Print _____
DC Stanson
Signature _____
2857 LOUISIANA AVE 410-636-8932
Address _____ Telephone No. _____
HALETHORPE MO 21227
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 _____ 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. 2010-0136-A

Reviewed By RDD Date 10/19/09

REV 10/25/01

Estimated Posting Date 11/1/09

m

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 2857 LOUISIANA AVE
Address
HALETHORPE MD 21227
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):

Our house was built in 1925, the garage was also built at the same time. We understand why the zoning laws are in effect but; if we had to put the new garage in the backyard it would cost us a lot of money in which we have already spent over the years by building a shed, planting a lot of beautiful plants, a fence along with a gathering area. We just want to tear down the old (falling) garage and build a new slightly larger one in its' place.

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.

Earl L. Stanson, Jr.
Signature

EARL L. STANSON, JR
Name - Type or Print

Deborah C. Stanson
Signature

DEBORAH C. STANSON
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of October, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Ruth C. Sedore
Notary Public

My Commission Expires 6-13-2011

ZONING DESCRIPTION FOR: 2857 LOUISIANA AVENUE
HALETHORPE, MD 21227

Beginning at a point on the **SOUTH** side of **LOUISIANA AVENUE** which is **50'** wide at the distance of **25' WEST** of the centerline of the nearest improved intersection street **BRIAN** which is **50'** wide. *Being lot # **34, 35, 36, 37**, BLOCK _____, SECTION # **I** in the subdivision of **ROSEMONT** as recorded in **BALTIMORE COUNTY PLAT BOOK # 7, FOLIO # 100** containing **10,625 square feet of acres**. Also known as **2857 LOUISIANA AVENUE** and located in the **13th ELECTION DISTRICT, 1 COUNCILMANIC DISTRICT**.

Item #0136

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0136 -A Address 2857 Louisiana Ave

Contact Person: David Duval Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/19/09 Posting Date: 11/1/09 Closing Date: 11/16/09

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

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, 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.
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 2010- 0136 -A Address 2857 Louisiana Ave

Petitioner's Name E + D Stanson Telephone 410 636 8932

Posting Date: 11/1/09 Closing Date: 11/16/09

Wording for Sign: To Permit a replacement detached accessory structure
(garage) to be located in the third of the lot closest to a
street in lieu of the required farthest removed.

Revised 8/20/09

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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 2010-0136-A
Petitioner: DEBORAH STANSON + CARL STANSON, JR.
Address or Location: 2857 LOUISIANA AVE 21227

PLEASE FORWARD ADVERTISING BILL TO

Name: DEBORAH STANSON
Address: 2857 LOUISIANA AVE
BALTIMORE, MD 21227

Telephone Number: 410-491-5370 (Cell)
410-636-8932 (Home)

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

No. 1755

Date: 1/24/01

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
021	SC	702						65.00

Total: 65.00

Rec
From: _____

For: James H. ...

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ZONING NOTICE
ADMINISTRATIVE
VARIANCE

CASE # AC-0-0-0-0
TO PLANT A PLANTING MATERIALS ACCORDING
APPROPRIATE PLANTING TO BE LOCATED IN THE TOWN
OF THE CITY OF BALTIMORE TO A STREET IN THE
OF THE BALTIMORE PLANTING MATERIALS

PUBLIC HEARING ?

PERMIT TO PLANT IN THE CITY OF BALTIMORE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
A JURY OF PEER REVIEW AND A JURY
ADDITIONAL INFORMATION IS AVAILABLE AT
THE ZONING OFFICE OF PLANTING MATERIALS
FOR 2009-2010

RE: Case No 2010-0136-A

Petitioner/Developer E E D
STANSON

Date Of Hearing/Closing: 11/16/09

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

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 2857 LOUISIANA AVE

This sign(s) were posted on November 4, 2009

Month, Day, Year

Sincerely,

Martin Ogle 11/16/09
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411



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

November 16, 2009

Earl and Deborah Stanson
2857 Louisiana Ave.
Halethorpe, MD 21227

Dear: Earl and Deborah Stanson

RE: Case Number 2010-0136-A, 2857 Louisiana Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 19, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 6, 2009

RECEIVED

NOV 09 2009

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

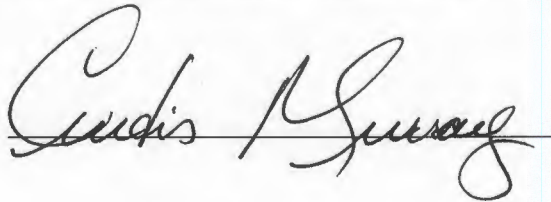
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-136- 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

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

October 8, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 26. 2009

Item Numbers: 0134,0135,0136,0137,0138

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



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-30-2009

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

RE: Baltimore County
Item No. 2010-0136-A
2857 LOUISIANA AVE..
STANSON PROPERTY
ADMIN. 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. 2010-0136A.

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,

A handwritten signature in black ink that reads "Michael P. Bailey". The signature is written in a cursive, flowing style.

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 13 **Account Number -** 1600011308

Owner Information

Owner Name:	STANSON EARL L, JR STANSON DEBORAH C	Use:	RESIDENTIAL
Mailing Address:	2857 LOUISIANA AV BALTIMORE MD 21227	Principal Residence:	YES
		Deed Reference:	1) / 8816/ 294 2)

Location & Structure Information

Premises Address	Legal Description
2857 LOUISIANA AVE	LT 34-35-36-37 SW COR BRIAN ST ROSEMONT

Map Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
109	11	359		I		34	1	Plat Ref: 7/ 100

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1925	888 SF	10,625.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BLOCK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2009	07/01/2010
Land	72,900	72,900		
Improvements:	98,280	98,280		
Total:	171,180	171,180	171,180	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: LATHAM JOHN R, JR	Date: 06/11/1991	Price: \$95,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 8816/ 294	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

Item #0136



Brian Street



RIGHT REAR





PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

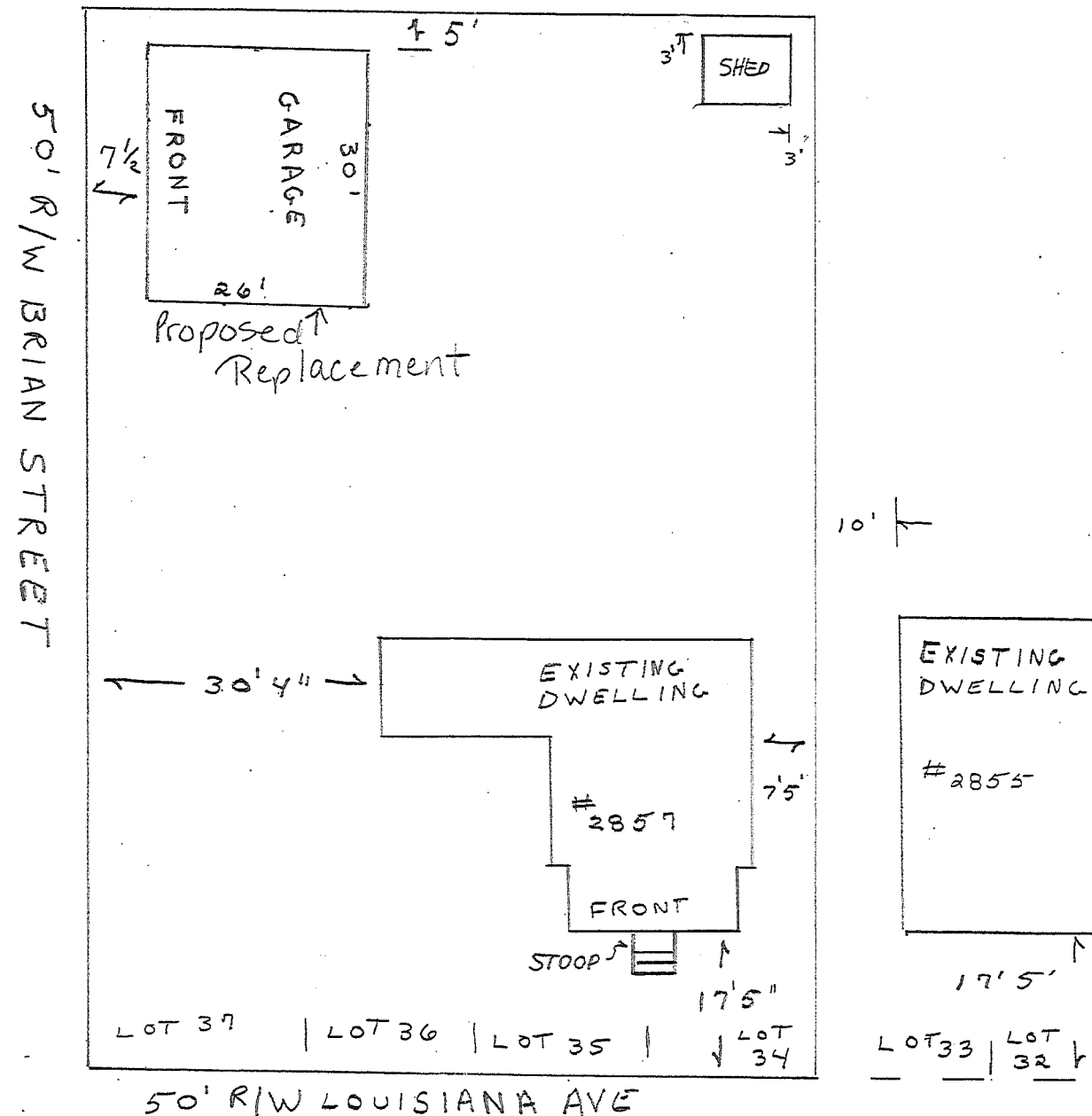
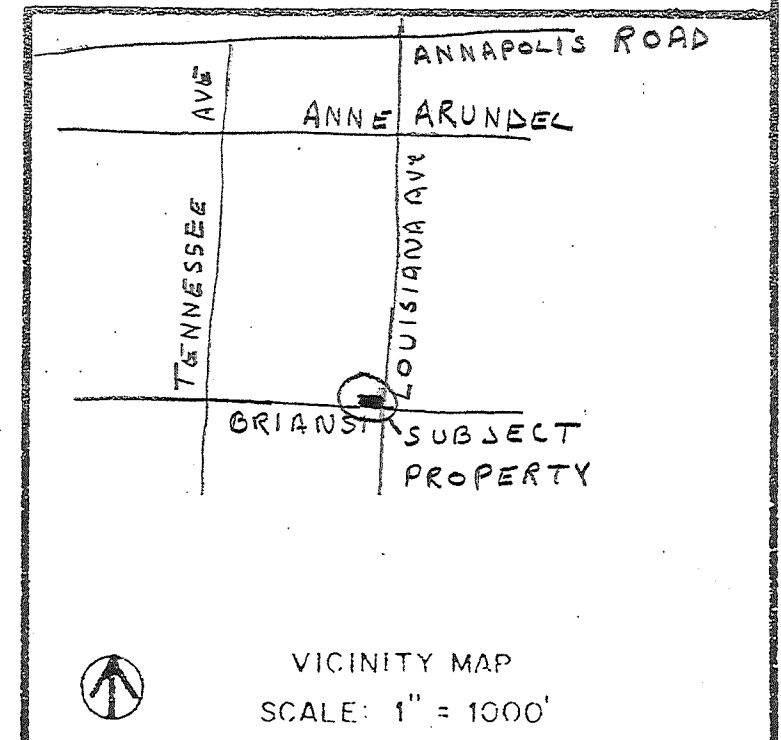
PROPERTY ADDRESS 2857 Louisiana Ave

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

SUBDIVISION NAME ROSEMONT

PLAT BOOK # 7 FOLIO # 100 LOT # 34, 35 SECTION # I

OWNER Earl & Deborah Stanson



LOCATION INFORMATION

ELECTION DISTRICT 13th

COUNCILMANIC DISTRICT 1

1" = 200' SCALE MAP # 109C1

ZONING DR5.5

LOT SIZE	ACREAGE	SQUARE FEET
		<u>10,625</u>
	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐	NO ☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING		

PREPARED BY ELS

SCALE OF DRAWING: 1" = 20'

ZONING OFFICE USE ONLY

REVIEWED BY [Signature] ITEM # 2010 CASE # 0136-A