

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/side of Cole Road, 240' NW of		
Edward Lane	*	OFFICE OF ADMINISTRATIVE
(532 Cole Road)		
15 th Election District	*	HEARINGS FOR
6 th Council District		
	*	BALTIMORE COUNTY
Gerald L. and Nancy E. Cohen		
<i>Petitioners</i>	*	CASE NO. 2012-0197-A

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Gerald L. and Nancy E. Cohen. The Petitioners are requesting Variance relief from § 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) with a height of 25' in lieu of the permitted 15'. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of March 19, 2012. On March 28, 2012, Judge Timothy M. Kotroco, on behalf of the Office of Administrative Hearings, requested a formal hearing on this matter, given that the subject property was not the Petitioners' principal residence. The hearing was subsequently scheduled for Friday, June 1, 2012 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Bureau of Development Plans

ORDER RECEIVED FOR FILING

Date 6-14-12

By SMA

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 532 COLE ROAD BALTO MD. 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

(SEE ATTACHED)

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Gerald L. Cohen

Signature of Affiant

GERALD L. COHEN

Name- Print or Type

Nancy E. Cohen

Signature of Affiant

NANCY E. COHEN

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

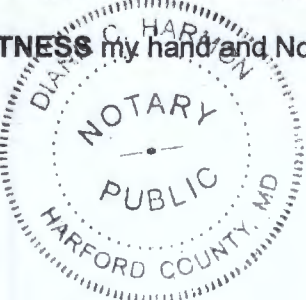
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13 day of Feb, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

GERALD L. AND NANCY E. COHEN

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

AS WITNESS my hand and Notaries Seal



Diana C. Harwood

Notary Public

01.21.15

My Commission Expires

2012-0197A

ZONING DESCRIPTION

532 COLE ROAD

Beginning at a point on the east side of Cole Road (40 feet wide) distant 340 feet northwesterly from its intersection with the center of Edwards Lane, thence being all of Lot 4 as shown on the plat entitled Cohen Property, recorded among the plat records of Baltimore County in Plat Book 74 Folio 11. Containing 23,087 square feet or 0.530 acre of land, more or less.

Being known as 532 Cole Road and being located in the 15TH Election District, 6TH Councilmanic District.

2012-0197A