IN RE: PETITION FOR ADMIN. VARIANCE

SW side of Hillsyde Court; 1,365 feet SW of the c/l of Happy Hollow Road 8th Election District 2nd Councilmanic District (17 Hillsyde Court)

Mohan Suntharalingam Petitioner * BEFORE THE

Val.

- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0296-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, Mohan Suntharalingam for property located at 17 Hillsyde Court. The variance request is from Section 1A04.3.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition to have a side yard setback of 24 feet and a front yard setback of 40 feet in lieu of the required 50 feet each, and to amend the Final Development Plan of Hillsyde Hunt, Lot 8 only. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a garage next to the existing garage. The proposed garage is necessary to store vehicles which are currently exposed to the elements. Petitioner states that a breezeway will attach the proposed garage to the existing garage with door to door connection. Due to the topography of the property and the layout of the dwelling, the location of the proposed garage as depicted on the site plan is the only logical area for construction. The property contains 5.1207 acres and is encumbered with a forest buffer easement and is served by private water and sewer systems.

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.

ORDER RE	CEIVED FOR FILING	
Date	5.25.10	_
Bv	P3	

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 7, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 25th day of May, 2010 that a variance from Section 1A04.3.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition to have a side yard setback of 24 feet and a front yard setback of 40 feet in lieu of the required 50 feet each, and to amend the Final Development Plan of Hillsyde Hunt, Lot 8 only 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.

ORDER RECEIVED FOR FILING

Date	5.25.10	2
Ву	P3	

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

ORDER RECEIVED FOR FIL	.ING
------------------------	------

Date.



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

May 25, 2010

MOHAN SUNTHARALINGAM 17 HILLSYDE COURT COCKEYSVILLE MD 21030

Re: Petition for Administrative Variance

Case No. 2010-0296-A Property: 17 Hillsyde Court

Dear Mr. Suntharalingam:

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

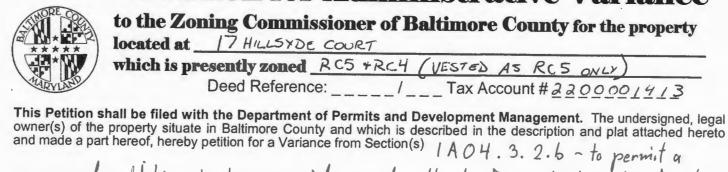
for Baltimore County

THB:pz

Enclosure

Petition for Administrative Variance

Deed Reference: ____/__Tax Account # 2200001413



to the Zoning Commissioner of Baltimore County for the property located at 17 HILLSYDE COURT

which is presently zoned RC5 +RC4 (VESTED AS RC5 ONLY)

proposed addition to have a side yard setback of 24 feet and a front yard setback of 40 feet in lieu of the required 50 each; and to amend the Final Development Plan of Hillsyde Hunt, lot 8 only

of the zoning regulation:	s of Baltimore Cou	unty, to the zoning	law of Baltimore County.		
Property is to be posted I, or we, agree to pay expe by the zoning regulations a	enses of above Adm	inistrative Variance	zoning regulations. advertising, posting, etc. and furt ted pursuant to the zoning law fo	ther agree to and a	are to be bounded
			I/We do solemnly declare a perjury, that I/we are the leg is the subject of this Petition	al owner(s) of the	e penalties of property which
Contract Purchaser/	Lessee:		Legal Owner(s):		
Name - Type or Print			MoHAN SONTHAL Name—Type or Prin		
Signature			Signature		***************************************
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature		
Attorney For Petition	ner:		Address COUL	RT 410 38	7 Telephone No.
Name - Type or Print		ING	COCKEXSUILLE	State	Zip Code
Signature	ENED FOR FI	LINO	Representative to be	Contacted:	
Company ORDER REC	ENED FOR FI		Name		
2019	m				
Address		Telephone No.	Address		Telephone No.
City By	State	Zip Code	City	State	Zip Code
A Public Hearing having beer his day of egulations of Baltimore County	. tha	at the subject matter of	quired, it is ordered by the Zoning C this petition be set for a public hearin	Commissioner of Ball g, advertised, as rec	timore County, quired by the zoning
Case No	0-0296-	A Revi	Zoning Commissioner iewed By Sting Date 5 9	pate 4	30/10
FRM476_09			/ /	R	ev 3/09

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 own and reside at 17 and that this address is the subject of this variance request as required by law. 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 the hardship or practical difficulty; attach an additional sheet if needed) need to build on ATTACHED garage byond 50 setlinate morden to place adjoient to visting garage. We need the garage to horse additional vehiles which are arent 4 expresed to the elements. The garage is designed to keep existing flow into the home. Tother locations are not possible du to to pagaciply (steap Mil the postion of the existing home layout. That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information. Signature Signature / MOHAN SUNTHARALINGAY Name- print or type Name- print or type A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 2 1st day of Upul , 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

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

AS WITNESS my hand and Notarial Seal

Name of Notary Public

PLACE SEAL HERE:

Zoning Description

Beginning at the point on the Southwest side of Hillsyde Court which is approx fifty feet wide at the distance of 1365 feet southwest of the nearest improved intersecting street, Happy Hallow Road, which is 30 feet wide. Being Lot # 8, section 1 in the subdivision of Hillsyde Hunt as recorded in Baltimore County Plat Book # 61, Folio #122, containing 5.1207 acres, also known as 17 Hillsyde Court and located in the 8th election district, 2nd Councilmanic District.

Item#029G

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2010- 0296 -A Address 17 Hillsyde Ct ct Person: David Daval Phone Number: 410-887-3391
	Planner, Please Prent Your Name
Filing	Date: $\frac{4}{30}$ lo Posting Date: $\frac{5}{9}$ /10 Closing Date: $\frac{5}{24}$ /10
Any o	ontact made with this office regarding the status of the administrative variance should be the contact person (planner) using the case number.
1.	<u>POSTING/COST:</u> 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)
Petitio	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case	Number 2010- 0296 -A Address 17 Hillsyde Ct
Petitic	ner's Name M Sunthavalingam Telephone 410 308 3737
Posti	ng Date: 5/9/10 Closing Date: 5/24/18
Wordi	ng for Sign: To Permit a proposed addition to have a side yard setback of
24	feet and a front yard setback of 40 feet in lieu of the required
50	each, and to amend the Final Development Plan of Hillsyde
Hu	it, lot 8 only
	Revised 8/20/09

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.

Item Number	or Case Number: 2010 - 0296 - A	
	MOHAN SUNTHA	
Address or Lo	cation: 17 HILLSYDE COURT	
PLEASE FOR	WARD ADVERTISING BILL TO:	
•		
Name:	WARD ADVERTISING BILL TO: MOHAN SUNTHA 17 HILLSYDE CT	
Name:	MOHAN SUNTHA	
Name:	MOHAN SUNTHA 17 HILLSYDE CT	-

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W.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 05/09/2010

Case Number: 2010-0296-A

Petitioner / Developer: M SUNTHARELINGAM
Date of Hearing (Closing): MAY 24, 2010

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: 17 HILLSYDE COURT

The sign(s) were posted on: MAY 7, 2010



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

May 25, 2010

Mohan Suntharalingam 17 Hillsyde Ct Cockeysville, MD 21030

Dear: Mohan Suntharalingam

RE: Case Number 2010-296-A, 17 Hillsyde Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 30, 2010. 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,

u. Cul Ribal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: May 18, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 31, 2010

Item Nos. 2010- 176, 230, 295, 296, 297, 298, 299, 301, 303, 304, 306, 307

311 & 312

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: May 19, 2010

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

RE: **Baltimore County**

Item No. 2010-0296-A

17 HILLSYDE CT
SUNTHARALLIN GAM PROPERTY
ADMINISTRATIVE 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. - 0296-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,

Steven D. Foster, Chief Engineering Access Permits

SDF/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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) 10-296- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request for this irregularly shaped panhandle lot.

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:

RECEIVED

DATE: May 25, 2010

MAY 2 5 2010

ZONING COMMISSIONER

AV 5-24-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

June 11, 2010

SUBJECT:

Zoning Item # 10-296-A

Address

17 Hillsyde Court

(Suntharalingam Property)

Zoning Advisory Committee Meeting of May 17, 2010.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

The proposed addition (bldg. permit) will be reviewed by Groundwater Mgmt. Section, since the property is on well and septic. – Dan Esser; Groundwater Management

No permit can be approved by Environmental Impact Review section until documentation that a Declaration of Protection Covenants for the Forest Buffer Easement has been recorded in Baltimore County Land Records. - John Russo; Environmental Impact Review



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

May 27,2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 17th, 2010

Item Numbers: 0176,0230,0295,0296,0297,0298,0299,0300,0301,0303,0304,0306
and 0307-0312

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

Patricia Zook - Case 2010-0296-A - comments needed

From:

Patricia Zook

To:

Murray, Curtis

Date:

5/25/2010 10:12 AM

Subject: Case 2010-0296-A - comments needed

Good morning Curtis -

This administrative variance case was just brought over and it is missing Office of Planning comments.

CASE NUMBER: 2010-0296-A

17 Hillsyde Court

Location: SW side of Hillsyde Court; 1,365 feet SW of the c/l of Happy Hallow Road

8th Election District, 2nd Councilmanic District

Legal Owner(s): Mohan Suntharalingam

Closing Date: 5/24/2010

ADMINISTRATIVE VARIANCE To permit a proposed addition to have a side yard setback of 24 feet and a front yard setback of 40 feet in lieu of the required 50 feet each, and to amend the Final Development Plan of Hillsyde Hunt, lot 8 only.

Thanks for your help.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 105 West Chesapeake Avenue, Suite 103 Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

May 24, 2010

Dear Kristen,

Just a note to let you know that a sign was not posted the full 15 days. The Administrative Variance, Case # 2010-0296-A for 17 Hillsyde Court. The Certification was already turned in. I recieved a phone call from the Home Owner on Saturday May 22, 2010 that sometime last week someone stole their mailbox and on Saturday when they went to replace the mailbox they noticed the sign was missing too. The closing date was today May 24, 2010. Please place this letter in their file so the Zoning Commissioner can decide if the Case should be re-posted.

Thank You!

Linda O'Keefe

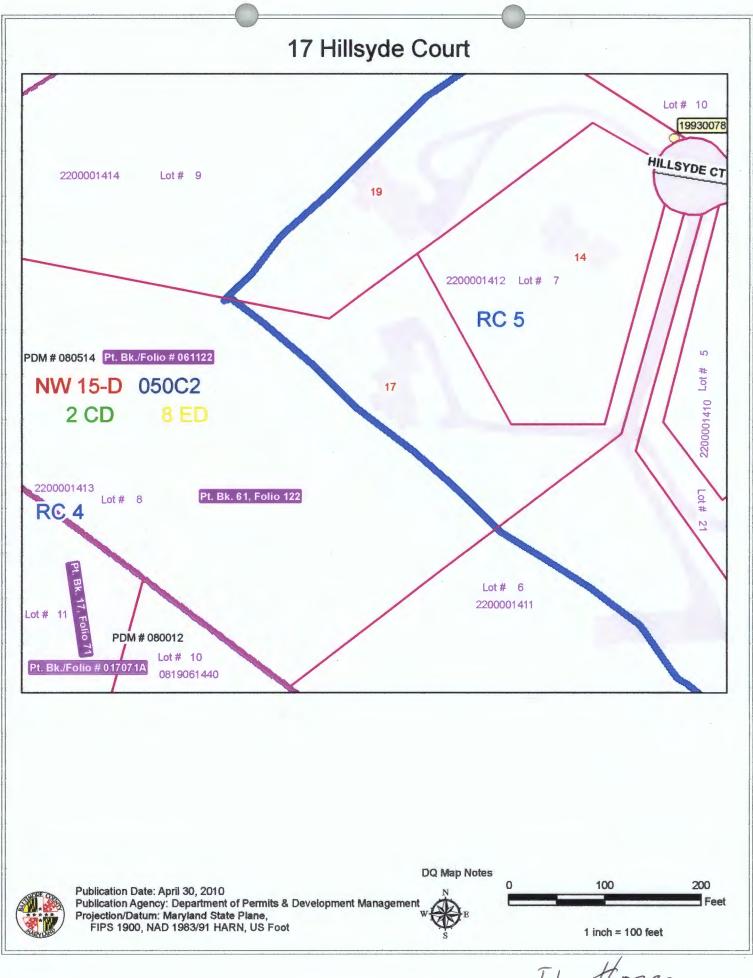
Phone # 410-666-5366

Kinda O'Keefe



Go Back View Map New Search

Account Identifier:	mber - 220	r - 2200001413								
		Ov	wner Infori	mation						
Owner Name: Mailing Address:	17 HILLSYDE	NGAM MOHAN CT LE MD 21030-17	751	Use: Principal Residence: Deed Reference:			Y 1	RESIDENTIAL YES 1) /12628/ 667 2)		
			& Structure	e Inform	ation			7		
Premises Address 17 HILLSYDE CT							DE CT			
Map Grid Parcel S 51 13 660	oub District	Subdivision	Section 1	Block I	Lot 8	Assessmen 2		Plat No: Plat Ref:	61/ 12	
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		V	alue Inform	nation					-	
	Base Value	Value As Of 01/01/2008	Phase-in As 07/01/20	Of		Of				
Land Improvements: Total:	421,800 583,580 1,005,380	492,100 689,490 1,181,590	1,122,8	152 1	,181,5	590				
Preferential Land:	0	0		0		0				
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Seller: BHATIA SUDERS Type: UNIMPROVED A	RMS-LENGTH				: /112	20/1995 267/ 19	Price: Deed 2:	,		
Seller: HAPPY HOLLOW Type: IMPROVED ARM					: / 89	04/1991 31/ 496	Price: Deed2:	\$200,000		
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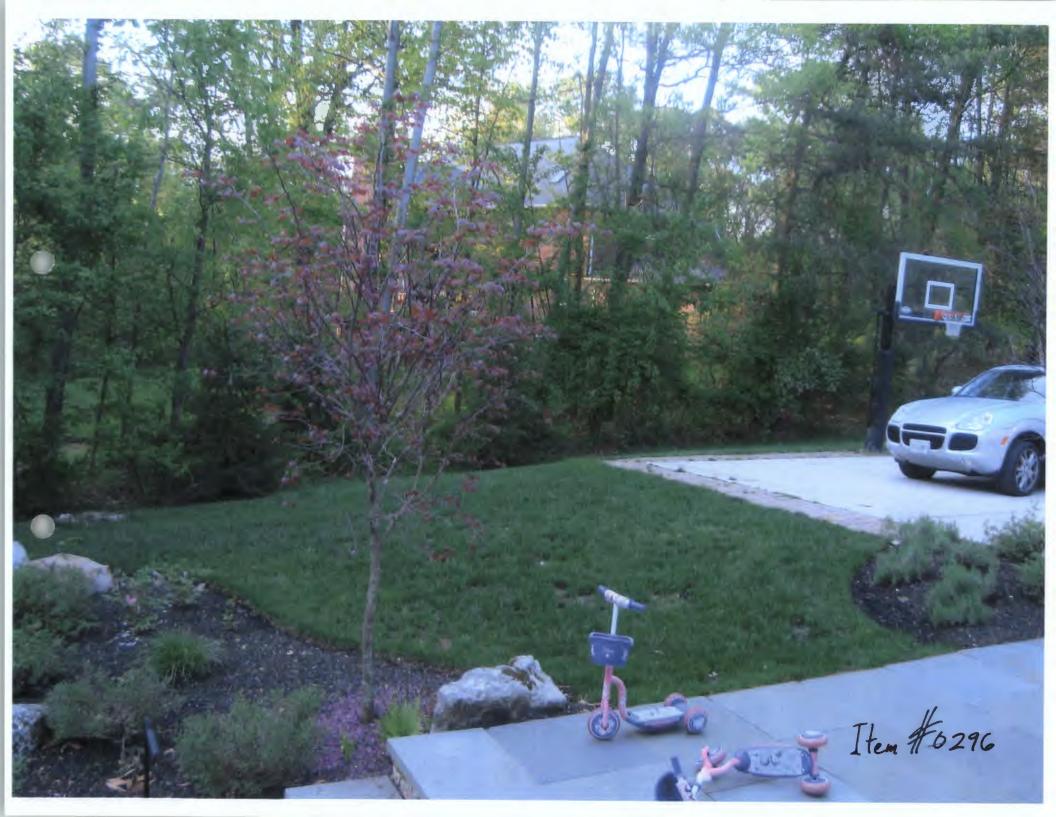


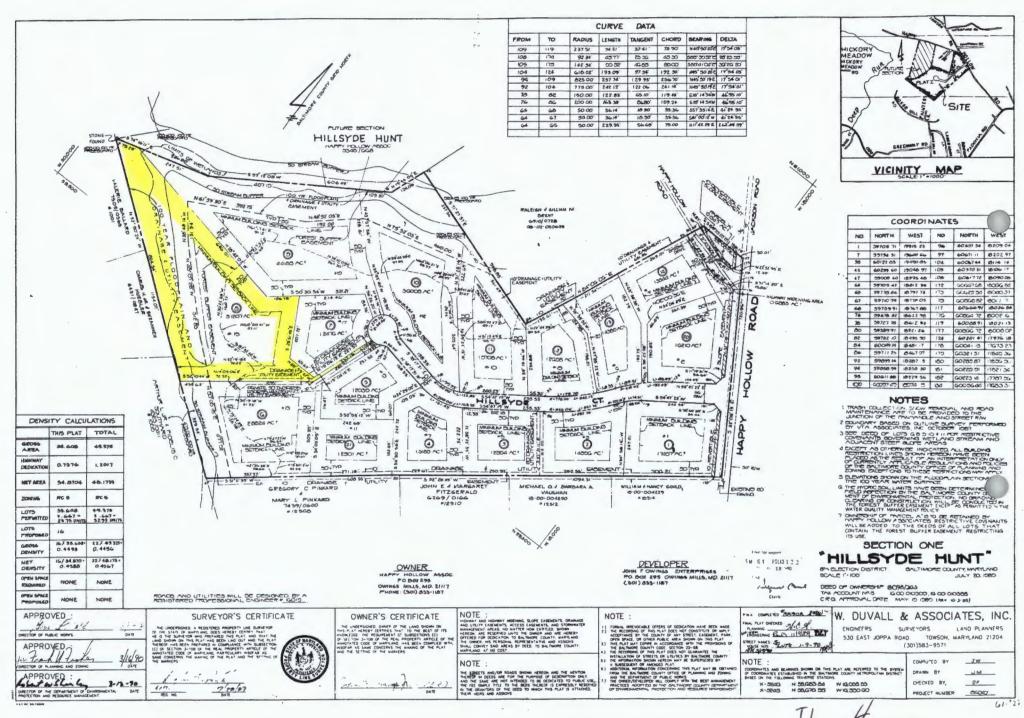
Item#0296











Item # 0296

