

IN RE: PETITION FOR ADMIN. VARIANCE
SW side of Valley Green Court, 230 feet
S of the c/l of Sunnyview Drive
10th Election District
3rd Councilmanic District
(6 Valley Green Circle)

Adelaide J. Jerbi
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2011-0250-A**

* * * * *

OPINION AND ORDER

This matter comes before this Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, Adelaide J. Jerbi for property located at 6 Valley Green Circle. The variance request is from Section 1A07.8.B.5.a.(2) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition with a 42 feet setback in lieu of the required 80 feet from an existing principal building. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a 10 feet x 23 feet addition to the existing garage. The current garage is a one car garage and the proposed addition will provide easier access to items presently kept in the basement and second floor of the home. Petitioner's property is an irregular shaped lot on a cul-de-sac.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 6, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 3-29-11

By [Signature]

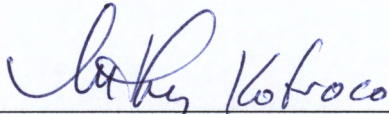
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, 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 Administrative Law Judge for Baltimore County, this 29th day of March, 2011 that a variance from Section 1A07.8.B.5.a.(2) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition with a 42 feet setback in lieu of the required 80 feet from an existing principal building is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 3-29-11 2

By pm



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 29, 2011

ADELAIDE J. JERBI
6 VALLEY GREEN CIRCLE
PHOENIX MD 21131

Re: Petition for Administrative Variance
Case No. 2011-0250-A
Property: 6 Valley Green Circle

Dear Ms. Jerbi:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over a light blue horizontal line.

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

c: Thomas J. Jerbi, 529 Morris Avenue, Lutherville MD 21093



TAX. ACCOUNT # 1010025260

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6 VALLEYGREEN CT. 21131
which is presently zoned RC6

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)

see attached

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):

ADELAIDE J. JERBI
Name - Type or Print

Signature

Name - Type or Print

Signature

6 VALLEYGREEN CT. 410-666-0379
Address Telephone No.

PHOENIX MD 21131
City State Zip Code

Representative to be Contacted:

THOMAS J. JERBI
Name

529 MORRIS AVE 413-690-6005
Address Telephone No.

LUTHERVILLE MD 21093
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. 2011-0250-A

Reviewed By Bh Date 2/23/11

REV 10/25/01

Estimated Posting Date 3/6/11

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 6 VALLEY GREEN CT
Address
PHOENIX MD. 21131
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):

TO CONSTRUCT A 23'X10' ADDITION TO EXISTING GARAGE
FOR EASIER ACCESS TO ITEMS PRESENTLY KEPT IN BASEMENT
AND 2ND FLOOR OF DWELLING.

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.

Adelaide J. Jerbi
Signature

Signature

ADELAIDE J. JERBI
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28 day of Jan, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Sean Davis
Notary Public

My Commission Expires 29 March 2014

1A07.8.B.5.a.(2) to permit a proposed addition with a 42 ft. setback in lieu of the required 80 ft. from an existing principal building.

Zoning Description

For
6 Valley Green Ct.
Phoenix, Md. 21131

Beginning at a point on the southwest side of Valleygreen Ct. which is twenty-five (25) feet wide at a distance of two hundred thirty (230) feet south of the nearest intersecting Street, Sunnyview Drive, which is twenty five (25) feet wide. Being Lot # 22, Block E, In the subdivision of Sunnybrook as recorded in Baltimore County Plat Book #26, Folio #098, containing 22,651 square feet. Also known as 6 Valleygreen Ct., and located In the 10th Election District, 3rd Councilmanic District.

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

No. 64702

Date: 2/23/11

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
	5	013 200						25 75 ⁰⁰

Total: 75⁰⁰

Rec
From: A Jerbi

For: Admin Variance

2011-0250A DD

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

Date: 3-6-11

RE: Case Number: 2011-0250-A

Petitioner/Developer: Tom Terbi

Date of Hearing/Closing: 3/21/11

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 6 Valley Green Ct.

The signs(s) were posted on 3/4/11
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE

CASE # 2011-0250-A

TO PERMIT A PROPOSED ADDITION
WITH A 42-FOOT SETBACK IN LIEU
OF THE REQUIRED 80 FEET FROM
EXISTING PRINCIPAL BUILDING

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 3/21/11
INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
COMMUNITY MANAGEMENT, COUNTY OFFICE BUILDING,
100 N. EIGHTH ST., BALTIMORE, MD 21204, (410) 887-3391
UNDER PENALTY OF LAW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0250 -A

Address 6 Valley Green Ct.

Contact Person: Bruno Rudaitis
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 2/23/11

Posting Date: 3/6/11

Closing Date: 3/21/11

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 2011- 0250 -A

Address 6 Valley Green Ct.

Petitioner's Name Ade laide Jerbi

Telephone _____

Posting Date: 2/6/11

Closing Date: 3/21/11

Wording for Sign: To Permit a proposed addition with a 42 ft. setback in lieu of the required 80 ft. from an existing principal building.

Revised 2/17/11

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2011-0250-A

Petitioner: ADELAIDE J. JERBI

Address or Location: 6 VALLEYGREEN CT., PHOENIX, MD. 21131

PLEASE FORWARD ADVERTISING BILL TO:

Name: ADELAIDE J. JERBI

Address: 6 VALLEYGREEN CT.

PHOENIX, MD. 21131

Telephone Number: 410-666-0379

Revised 2/17/11 DT



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 16, 2011

Ms. Adelaide J. Jerbi
6 Valleygreen Ct.
Phoenix, MD 21131

RE: Case Number 2011-0250A:, 6 Valleygreen Ct., Phoenix, MD 21131

Dear Ms Jerbi:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 28, 2011.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

C: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: March 21, 2011

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 7, 2011
Item Nos. 2011- 143, 241, 246, 247
and 250

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03072011 -NO COMMENTS.doc

AV 3/21

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAR 02 2011



ZONING COMMISSIONER

TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 2, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-250-A
Address 6 Valley Green Circle
(Jerbi Property)

Zoning Advisory Committee Meeting of February 28, 2011.

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

1. Since this house is apparently connected to private septic, Groundwater Mgmt. will need to review the proposed garage addition bldg. permit.

Reviewer: *Dan Esser; Groundwater Management*

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

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemptio](#)
[GroundRent Registratio](#)

Account Identifier: District - 10 Account Number - 1010025260

Owner Information			
Owner Name:	JERBI ADELAIDE J TRUSTEE	Use:	RESIDENTIAL
Mailing Address:	6 VALLEY GREEN CT PHOENIX MD 21131-2002	Principal Residence:	YES
		Deed Reference:	1) /15437/ 00516 2)

Location & Structure Information			
Premises Address	Legal Description		
6 VALLEY GREEN CT 0-0000	6 VALLEY GREEN COURT SUNNYBROOK		

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0043	0018	0196		0000	3A	E	22	2	Plat Ref: 0026/ 0098

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1966	2,522 SF	22,651 SF	04

Stories	Basement	Type	Exterior
1.500000	YES	STANDARD UNIT SIDING	

Value Information				
	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As Of	As Of	As Of
		01/01/2011	07/01/2010	07/01/2011
Land	134,660	134,600		
Improvements:	269,040	196,300		
Total:	403,700	330,900	403,700	330,900
Preferential Land:	0			0

Transfer Information				
Seller:	JERBI FRANK C	Date:	08/03/2001	Price: \$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/15437/ 00516	Deed2:
Seller:	JERBI FRANK C	Date:	06/15/1995	Price: \$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/11085/ 00657	Deed2:
Seller:	SUNNYDALE FARMS INC	Date:	07/19/1966	Price: \$39,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/04646/ 00041	Deed2:

Exemption Information			
Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: * NONE *



6 VALLEY GREEN CT.

05/20/04



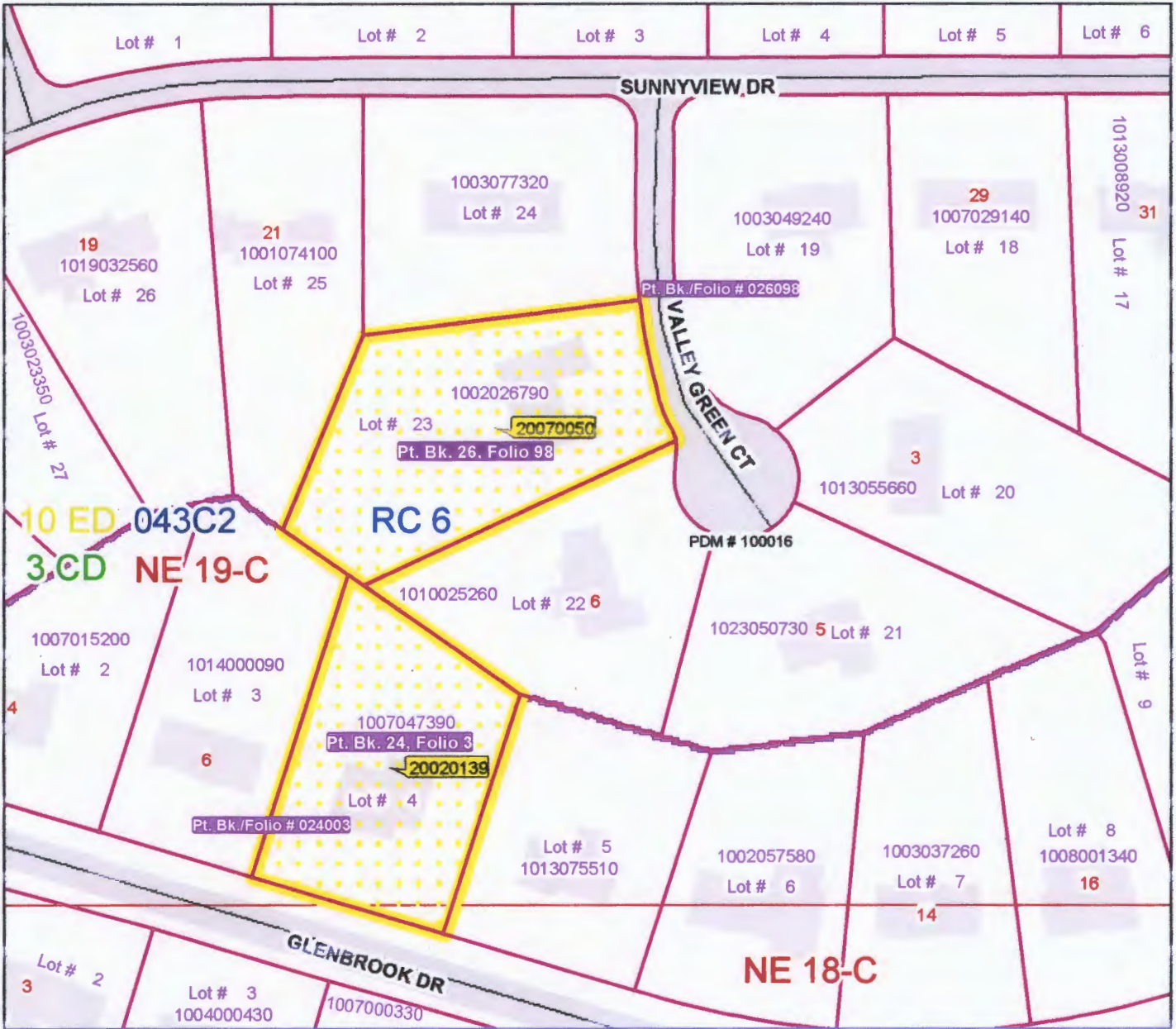
#0250

25004

6 VALLEY GREEN CT

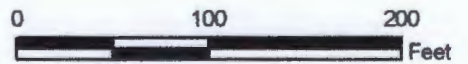


6 Valleygreen Court



Publication Date: February 15, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



1 inch = 100 feet

#0250

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

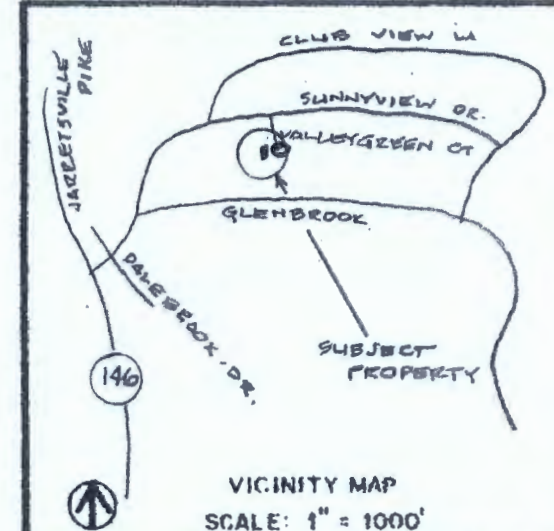
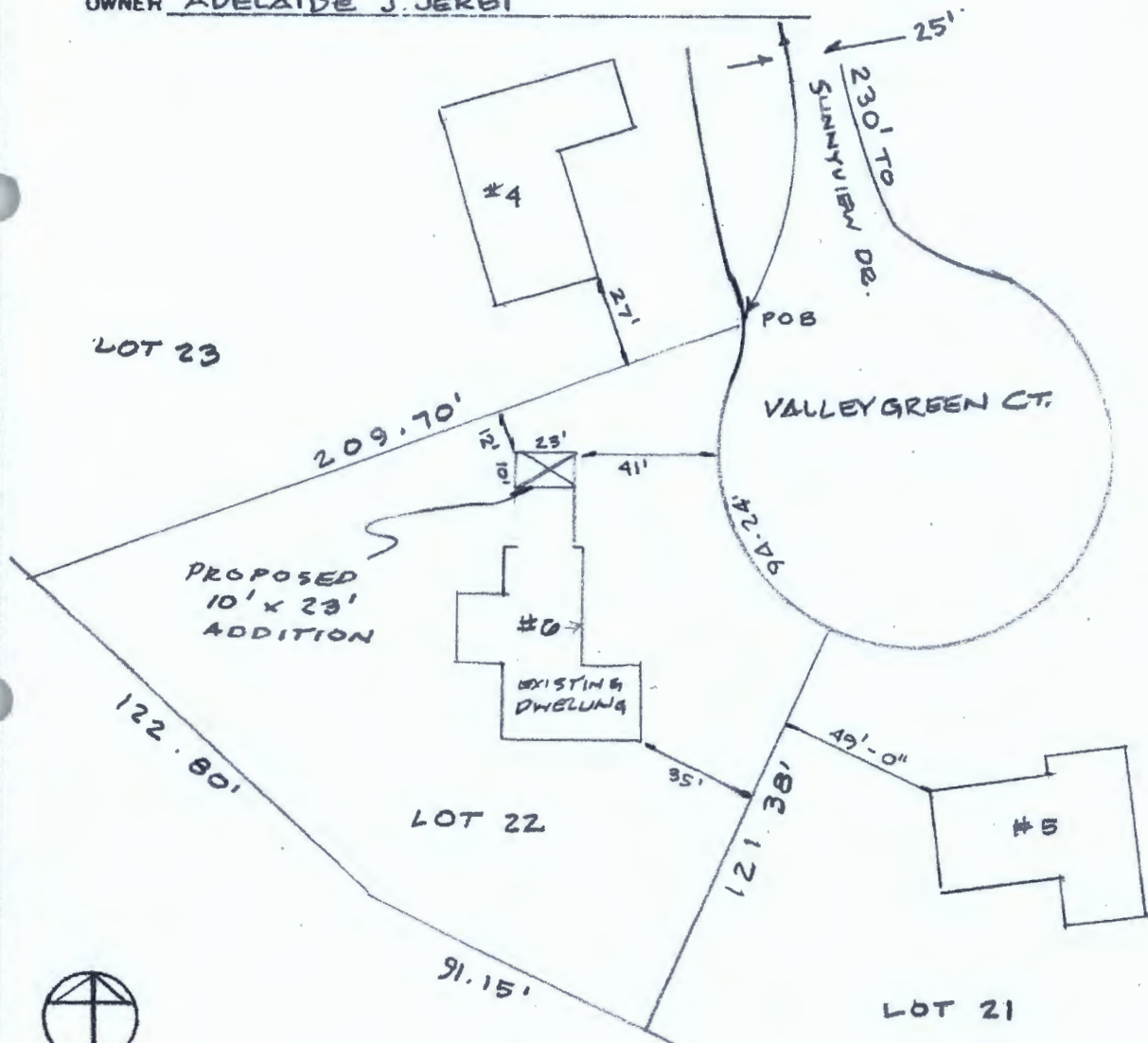
PROPERTY ADDRESS G VALLEYGREEN CT

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

SUBDIVISION NAME SUNNBROOK

PLAT BOOK # 26 FOLIO # 098 LOT # 22 SECTION #

OWNER ADELAIDE J. JERBI



LOCATION INFORMATION

ELECTION DISTRICT 10

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 043C2

ZONING RCG

LOT SIZE 22,651.5
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

100 YEAR FLOOD PLAIN	☐	☒
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HISTORIC PROPERTY/BUILDING	☐	☒
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PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY TJJ

SCALE OF DRAWING: 1" = 50'

 | 0250 | 2011-0250-A