

IN RE: PETITION FOR ADMIN. VARIANCE

N side Chestnut Road, 540 feet NE
of the c/l of Seneca Road
15th Election District
6th Councilmanic District
(4020 Chestnut Road)

David L. and Marie I. Burford
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2011-0265-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 owners of the subject property, David L. and Marie I. Burford for property located at 4020 Chestnut Road. The variance request is from Sections 400.1, 400.3, 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Section 400.1.d(2) of the Zoning Commissioner's Policy Manual to permit an accessory structure (garage) with a height of 24 feet and setback of 29 feet to the centerline of a street and 1 foot from the side property line in lieu of the required 15 feet, 75 feet and 2.5 feet, respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a new modern detached garage as replacement for an old block garage. The existing garage was constructed in 1946 and contains 294 square feet. The new garage measures 24 feet x 33 feet and contains 840 square feet with a second floor to be a playroom for the Petitioners' three children. The existing garage has a sink and electric and the proposed new garage will have a sink, toilet and electric. The accompanying site plan illustrates that a block shed located close to the dwelling, a 2.5 feet wide concrete walkway between the garage and the dwelling, and walkways around the house to be removed.

ORDER RECEIVED FOR FILING

Date 4-11-11

By [Signature]

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Sustainability dated March 31, 2011. DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, they offer the following comments:

1. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with a maximum lot coverage limit of 31.25% with mitigation for the lot coverage amount over 25%, must meet restrictions on development within the 100-foot tidal buffer, and must meet a 15% tree cover requirement. Based on this, DEPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with compliance and mitigation pursuant to Critical Area requirements. Mitigation requirements may include removal of lot coverage and the planting of native trees and shrubs.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The proposed development is permitted under the State-mandated Critical Area regulations provided that development is in compliance with all Critical Area requirements. Lot coverage on the property and within the tidal buffer is limited. Compliance with the Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 20, 2011, 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 Administrative Law Judge, the

ORDER RECEIVED FOR FILING

Date 4-11-11 2

By 

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.

I will permit the Petitioners to have a sink and toilet in the new detached garage as the second floor of the garage will be used as a playroom for the Petitioners' children. The new garage is approximately 120 feet from the dwelling. I will require conditions that the garage shall not be converted into a dwelling unit or apartment, not contain living quarters and shall not be used for commercial purposes.

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 11th day of April, 2011 that a variance from Sections 400.1, 400.3, 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Section 400.1.d(2) of the Zoning Commissioner's Policy Manual to permit an accessory structure (garage) with a height of 24 feet and setback of 29 feet to the centerline of a street and 1 foot from the side property line in lieu of the required 15 feet, 75 feet and 2.5 feet, respectively 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.
2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters or kitchen facilities.

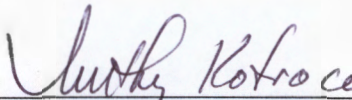
ORDER RECEIVED FOR FILING

Date 4-11-11

By [Signature]

3. The accessory structure shall not be used for commercial purposes.
4. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with a maximum lot coverage limit of 31.25% with mitigation for the lot coverage amount over 25%, must meet restrictions on development within the 100-foot tidal buffer, and must meet a 15% tree cover requirement.
5. The proposed development must comply with all Limited Development Area and Buffer Management Area requirements, including the 15% afforestation requirement and Chesapeake Bay Critical Area lot coverage requirements, prior to building permit approval.
6. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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 4-11-11

By [Signature]



KEVIN KAMENETZ
County Executive

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

April 11, 2011

DAVID L. AND MARIE I. BURFORD
4020 CHESTNUT ROAD
BALTIMORE MD 21220

Re: Petition for Administrative Variance
Case No. 2011-0265-A
Property: 4020 Chestnut Road

Dear Mr. and Mrs. Buford:

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 cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

c: Robert Infussi, Expedite LLC, 1536 Dunkeld Way, Bel Air MD 21015



C/BCA/Flood

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4020 Chestnut Road
which is presently zoned RC-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, 400.3, 1A04.3B.2.b. (BZC) 400.1.d (2) ZCDM

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 24- FEET
AND SETBACK OF 29- FEET TO THE CENTERLINE OF A STREET AND 1-FOOT FROM THE
SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 15- FEET, 75- FEET AND 2.5- FEET,
RESPECTIVELY,

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

Date

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

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. 2011-0265-A

REV 10/25/01

Reviewed By D.T. Date 3/7/11

Estimated Posting Date 4/4/11

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 4020 Chestnut Road
Address
Baltimore md 21220
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):

we would like to have a height variance of 24 ft. For garage to be built and to replace the existing. The existing garage was built 1946, and has 294 sq ft. we are replacing with a 24x35 840 sq ft. with second floor to be play room for our (3) children. The existing garage has a sink and electric, we will have sink, toilet and electric.

The above is for a height variance of 24 ft. in length 15 ft.

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.

David Burford
Signature
DAVID L Burford
Name - Type or Print

MARIE L Burford
Signature
MARIE L Burford
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

DAVID L. Burford & MARIE L. Burford
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires 09-2013

PROPERTY DESCRIPTION ZONING DESCRIPTION

4020 Chestnut Road

Being Lot # 133, Map # 91, Grid # 22, Parcel# 150 in Sub-division Bowleys Quarters

Plat # 2 Plat reference 7/13, property Square Foot 17,650 located in the 15 District 15

Councilmanic District 6.

Property Description;

Beginning for the same on the northeast side of a road thirty feet wide crossing the northeaster most terminus of Chestnut Road at a point twenty-five feet southeasterly from the intersection of the northeast side of the said road thirty feet wide with the division line between Lots Nos. 132 and 133 on said plat and running thence southeasterly binding on the northeast side of said road thirty feet wide fifty feet to a point in the southwest outline of Lot No.134 on said plat equi distant from Lots Nos. 133 and 135, thence northeasterly parallel with the northwest outline of Lot No. 135 on said plat three hundred and fifty-five feet, more or less, to the waters of Seneca Creek, thence northwesterly binding on the waters of Seneca Creek fifty feet to a point in the northeast outline of Lot No. 133 on said plat equi distant from Lots Nos. 132 and 134. Thence southwesterly by a straight line parallel to the second line of this description three hundred and fifty feet, more or less, to the place of beginning. The improvements thereon being known as 4020 Chestnut Street

2011-0265-A

MODE = MEMORY TRANSMISSION

START=APR-12 14:19

END=APR-12 14:21

FILE NO.=195

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		94108367271	005/005	00:00:54

-ZONING COMMISSIONER OFF M-

***** -

- ***** -

410 887 3468- *****



KEVIN KAMENETZ
County Executive

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

April 11, 2011

DAVID L. AND MARIE I. BURFORD
4020 CHESTNUT ROAD
BALTIMORE MD 21220

Re: Petition for Administrative Variance
Case No. 2011-0265-A
Property: 4020 Chestnut Road

Dear Mr. and Mrs. Buford:

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 cursive script, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

c: Robert Infussi, Expedite LLC, 1536 Dunkeld Way, Bel Air MD 21015

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

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1523920060

Owner Information			
Owner Name:	BURFORD DAVID L BURFORD ILAR MARIE	Use:	RESIDENTIAL
Mailing Address:	4020 CHESTNUT RD BALTIMORE MD 21220-4025	Principal Residence:	YES
		Deed Reference:	1) /29300/ 00027 2)

Location & Structure Information	
Premises Address 4020 CHESTNUT RD 0-0000	Legal Description PT LT 133,134 4020 CHESTNUT RD Waterfront BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
0091	0022	0150		0000			133	3	Plat Ref:	0007/ C

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1946	2,436 SF	17,650 SF	34

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT	SIDING

Value Information				
	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	323,410	323,410		
Improvements:	261,800	276,220		
Total:	585,210	599,630	594,823	599,630
Preferential Land:	0			0.

Transfer Information					
Seller:	MALISZEWSKI BARBARA	Date:	03/23/2010	Price:	\$590,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/29300/ 00027	Deed2:	
Seller:	WAITZ DAVID B	Date:	08/31/1998	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/13116/ 00281	Deed2:	
Seller:	WUNDER JOHN	Date:	02/19/1988	Price:	\$160,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/07795/ 00840	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 *

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3-17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>nc</u>
<u>3-31</u>	DEPS (if not received, date e-mail sent _____)	<u>comments</u>
<u>3-16</u>	FIRE DEPARTMENT	<u>nc</u>
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>3-24</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>06-287-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>3-20</u>	by <u>Dgle</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



02.01.2011

2011-0265-A



02.01.2011

2011-0265-A



02.01.2011

2011-0265-A



02.01.2011



02.01.2011

2011-0265-A



02.01.2011

2011-0265-A

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
North Side of Chestnut Road, 540'		
Northeast of centerline of Seneca Road	*	DEPUTY ZONING COMMISSIONER
15th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(4020 Chestnut Road)	*	CASE NO. 06-287-A
Greg and Barbara Maliszewski	*	
<i>Petitioners</i>		

* * * * *

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, Greg and Barbara Maliszewski. The variance request is for property located at 4020 Chestnut Road in the Bowley's Quarters area of Baltimore County. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an accessory structure (in-ground swimming pool) to be located in the front yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Department of Environmental Protection and Resource Management (DEPRM) dated January 11, 2005, a copy of which is attached hereto and made a part hereof.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 24, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

UNDER RECEIVED FOR FILING
Date 1-13-06
By [Signature]

2011-0265-A

In this case, 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 Petitioner.

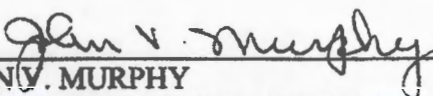
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 13 day of January, 2006, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an accessory structure (in-ground swimming pool) to be located in the front yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

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.
2. The Petitioners must be in compliance with the ZAC comments submitted by DEPRM dated January 11, 2006, a copy of which is attached hereto and made a part hereof.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order; and

RECEIVED FOR HUNTS
Date 1-13-06
By [Signature]

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

RECEIVED
Date 1-13-06
By [Signature]

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

APR 05 2011



OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: March 31, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-265-A
Address 4020 Chestnut Road
(Burford Property)

Zoning Advisory Committee Meeting of March 21, 2011.

DEPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. This waterfront property is located in a Limited Development Area and a Buffer Management Area within the Chesapeake Bay Critical Area. Development of this property must comply with a maximum lot coverage limit of 31.25% with mitigation for the lot coverage amount over 25%, must meet restrictions on development within the 100-foot tidal buffer, and must meet a 15% tree cover requirement. Based on this, DEPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed development can be minimized with compliance and mitigation pursuant to Critical Area requirements. Mitigation requirements may include removal of lot coverage and the planting of native trees and shrubs.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore the subject zoning petition will conserve fish, wildlife, and plant habitat.
3. The proposed development is permitted under the State-mandated Critical Area regulations provided that development is in compliance with all Critical Area requirements. Lot coverage on the property and within the tidal buffer is limited. Compliance with the Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy for

development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts. - *Regina Esslinger; Environmental Impact Review*



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

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

Maryland Department of Transportation

Date: MARCH 24, 2011

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

RE: Baltimore County
Item No 2011-0265-A
4020 CHESTNUT RD
BURFORD 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. 2011-0265-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

for Steven D. Foster, Chief
Access Management 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.marylandroads.com



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 16, 2011

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **March 21, 2011**

Item No.:

Administrative Variance: 2011-0265A, 2011-0268A, 2011-0271A, 2011-0273A

Special Hearing: 2011-0267-SPHA, 2011-0269-SPH, 2011-0270-SPHX

Special Exception: 2011-0270-SPHX

Variance: 2011-0267-SPHA,

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 28, 2011
Item Nos. 2011- 265, 267, 268, 269,
270 and 273

DATE: March 17, 2011

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

DAK:CEM: cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03282011 -NO COMMENTS.doc

CERTIFICATE OF POSTING

RE: Case No. 2011-0265-A

Petitioner/Developer BOB
INFUSSI, EXPEDITE LLC

Date Of Hearing/Closing: 4/4/11

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 4022 CHESTNUT RD

This sign(s) were posted on March 20, 2011

Month, Day, Year

Sincerely,

Martin Ogle 3/20/11
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2011-0265-A

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A
HEIGHT OF 24-FEET AND SETBACK OF 29-FEET TO THE
CENTERLINE OF A STREET AND 1-FOOT FROM THE SIDE
PROPERTY LINE IN LIEU OF THE REQUIRED 15-FEET, 75FEET
AND 2.5FEET RESPECTIVELY

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 IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY - APRIL 4, 2011

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204 TEL. 887-3391

SEE US AT 111 W. CHESAPEAKE AVE. FROM 10:00 AM TO 4:00 PM MONDAY TO THURSDAY TO 2:00 PM FRI. 10A
HEARING IS HANDICAP ACCESSIBLE

03/20/2011

mya 3/20/11



KEVIN KAMENETZ
County Executive

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

March 30, 2011

Mr. & Mrs. Buford
4020 Chestnut Road
Baltimore, MD 21220

RE: Case Number 2011-0265 A, 4020 Chestnut Road, Baltimore, MD 21220

Dear Mr. & Mrs. Buford,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 7, 2011. 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:mcn

Enclosures

c: People's Counsel
Robert Infussi, 1536 Dunkeld Way, Bel Air, MD 21015

**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: 2011-0265-A

Petitioner: BURFORD

Address or Location: 4020 CHESTNUT Road 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert T INFUSSI (Expel. Fe. LLC

Address: 1536 DUNKELD WAY
Bel Air, Md. 21015

Telephone Number: 410-812-2236

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0265 -A

Address 4020 CHESTNUT RD.

Contact Person: DONNA THOMPSON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3/7/11

Posting Date: 3/20/11

Closing Date: 4/4/11

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- 0265 -A

Address 4020 CHESTNUT RD.

Petitioner's Name BURFORD

Telephone 443-829-8561

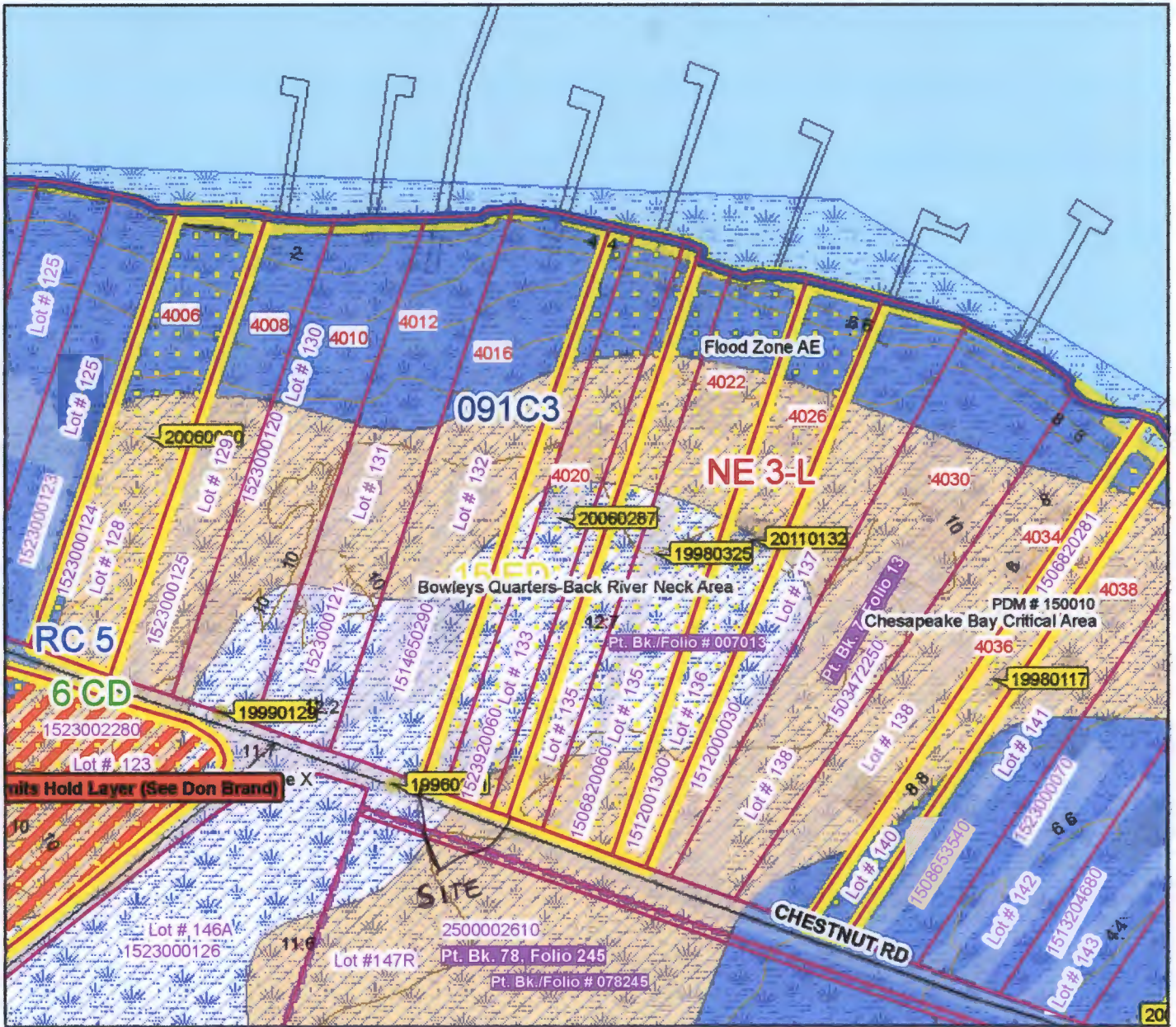
Posting Date: 3/20/11

Closing Date: 4/4/11

Wording for Sign: TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF
24-FEET AND SETBACK OF 29-FEET TO THE CENTERLINE OF A STREET AND 1-FOOT FROM
THE SIDE PROPERTY LINE IN VIEW OF THE REQUIRED 15-FEET, 75-FEET AND 2.5-FEET,
RESPECTIVELY.

Revised 2/17/11

Elevations & Flood Hazards



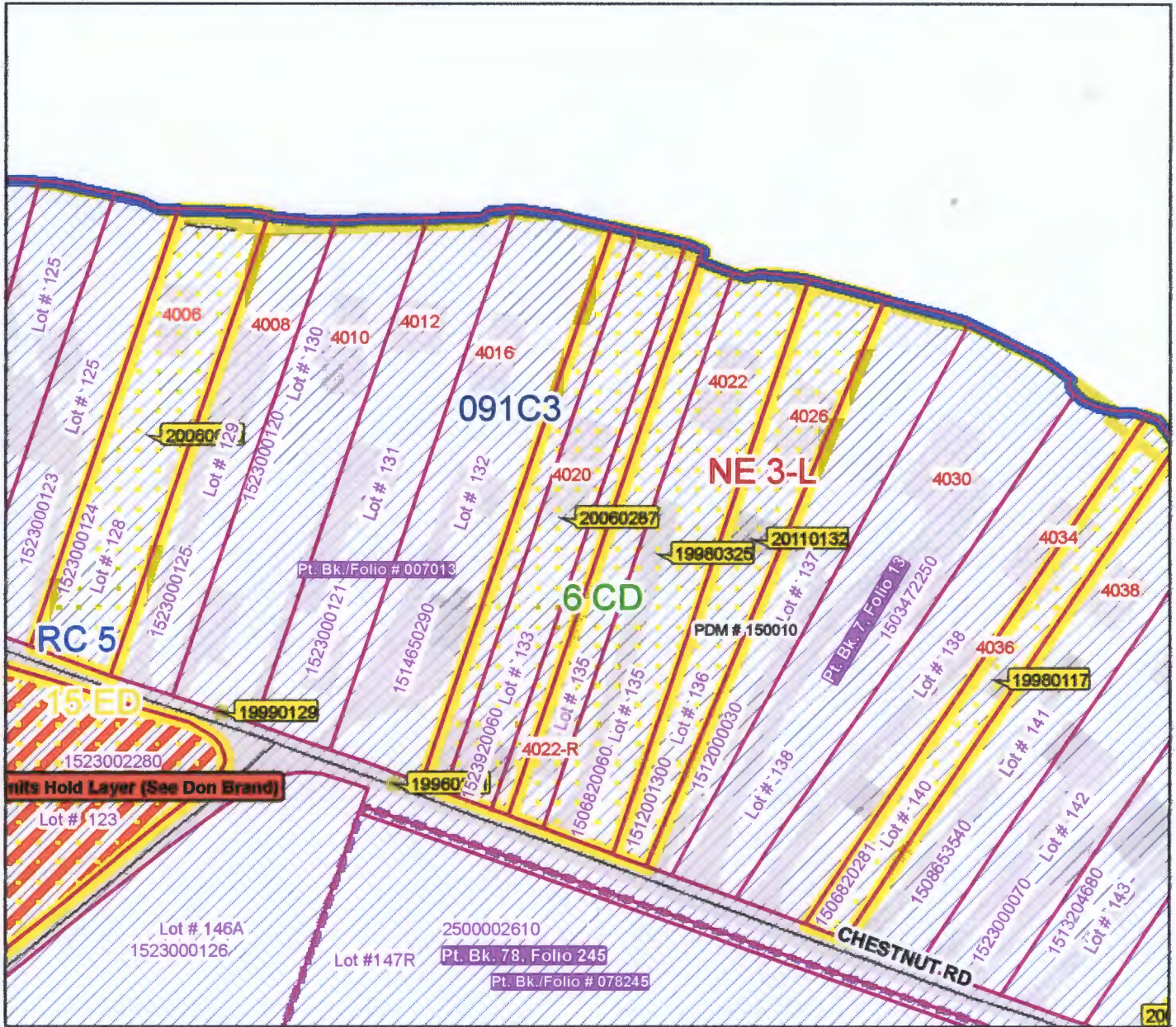
Publication Date: February 09, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



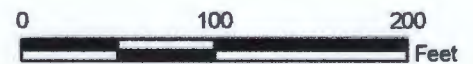
1 inch = 100 feet

2011-0265-A

4020 Chestnut Road

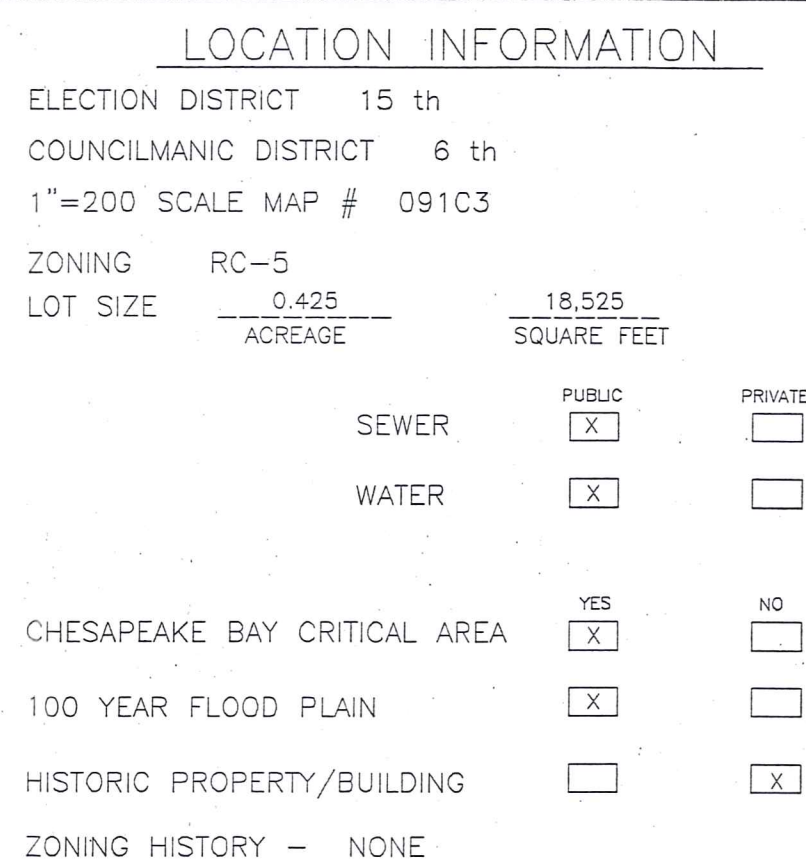
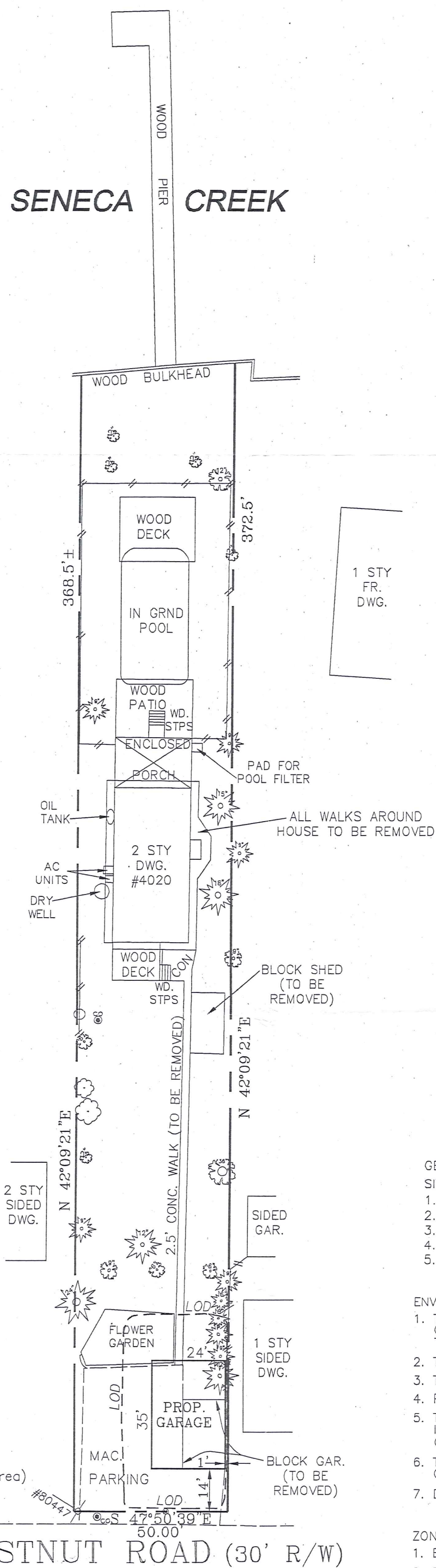


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