IN RE: PETITION FOR ADMIN. VARIANCE

9th Election District

5th Councilmanic District

(2522 Perring Woods Road)

Theresa Santoro

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0069-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, Theresa Santoro. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory structure/swimming pool in the side yard of a lot with an existing dwelling in lieu of the permitted rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse comments received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 29, 2013, 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 Administrative Law Judge,

ORDER RECEIVED FOR FILIN	ECEIVED FOR FILING
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Date	10-23-13	,
Bv		

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 <u>23rd</u> day of September, 2013 that a Variance from Section 400.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory structure/swimming pool in the side yard of a lot with an existing dwelling in lieu of the permitted rear yard, be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her appropriate permits 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.

LAWRENCE M. STAHL Managing Administrative Law Judge for Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date (5-23-(3

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By_

KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

October 23, 2013

Theresa Santoro 2522 Perring Woods Road Parkville, Maryland 21234

RE: PETITION FOR ADMINISTRATIVE VARIANCE

(2522 Perring Woods Road) Case No. 2014-0069-A

Dear Ms. Santoro:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Very truly yours,

Managing Administrative Law Judge

for Baltimore County

LMS:dlw Enclosure

c: Francis Stefanski, 2066 York Road, Timonium, MD 21093

ADMINISTRATIVE ZONING PETTION

FOR ADMINIS ATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections

Property is to be posted and advertised as prescribed by the zoning regulations, a restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County, and the properties of Baltimore County adopted pursuant to the zoning law for Baltimore County, that I / We are the legal owner(s) of the propert is the subject of this / these Petition(s). Legal Owners: Legal Owners: Legal Owners: Legal Owners: Name #1 - Type or Print Name #2 - Type or Print Name #1 - Type or Print Name #2 - Type or Print Signature #1 Signature		of Baltimore County for the property located at:
Property Owner(s) Printed Name(s) (SELECT THE HEARING(s) BY MARKING X AT THE APPROPRIATE SELECTION(s) AND ADDING THE PETITION REQUEST) Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarize The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description of plat attached hereto and made a part hereof, hereby petition for a 1. **ADMINISTRATIVE VARIANCE from section(s)* Section 40.1 To permit an accessory structure/swimming pool in the side yard of a lot with an existing dwelling in lieu of the permitted rear vard. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. 2. **ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8) Section 32-4-16(a)(2): (indicate type of work in this space to raze, after or construct addition to building) of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. Property is to be posted and advertised as prescribed by the zoning regulations. of we, agree to pay expenses of shore petition(a) with the property of the p		
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CASE NUMBER 2014-0069 - A Filing Date 9,17, 2013 Estimated Posting Date 9,17, 2013	2014-0069-A	17. 2013 MARIE X 2014 3

Zoning Property description for 2522 Perring Woods Road

South Side Perring Woods Road (30 feet wide)

775 feet from intersection west of Michaels Lane (30 feet wide)

Being known and designated as Lot No. 9, as shown on the Plat entitled "Perring Woods Court, Resubdivision of a portion of Lots 69-78 and all of Lots 65-68, Biltmore Farms", which Plat is recorded among the Land Records of Baltimore County in Plat Book S.M. No. 62, folio 7.

The improvements thereon being known as 2522 Perring Woods Road.

Being the same lot of ground which by Deed dated December 26, 1990 and recorded among the Land Records of Baltimore County, in Liber 8709, folio 57 was granted and conveyed from Perring Woods Court Corp. unto Theresa C. Brooks the within named grantors.

OFFICE	OF BUI	DGET AN	MARYLAN D FINANC RECEIPT	Rev Source/	Sub Rev/ Sub Obj	No. Date:	9/	596	PAID RECEIPT BISINESS ACTUM. TIME IS 17/17/2013 9/17/2013 09/17/2013 09/17/2013 0F DED S 528 TORING VERIFICATION CR. NO. 102596
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Letter of Transmittal

William D. Gulick, Jr.

Consultant to Land Development and Industry
Commercial and Residential
2944 Edgewood Avenue
Baltimore, MD 21234
Phone - 410-530-6293
E-mail - wdgjr@comcast.net

To: Zoning Office, Attn. Ms Kristen Lewis

We Are Se	nding You: 🔽 At	tached Under separate cover the following items:
□ Copy of	Letter F Prints	▼ Documents Other
No. of Copi	es Date	Description
1	9-29-2013	Certificate Of Posting
2	9-29-2013	Site Photos

Transmittals	are	as	checked	bel	ow

Г	For approval	For your use	As requested	~	For review & content
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Project: Case No.: 2014-0069-A

Remarks:

2522 Perring Woods Road

William D. Gulick, Jr.

Project Manager

Certificate of Posting

Department of Permits, Approval, and Inspections Baltimore County 111 W. Chesapeake Avenue Room 111 Towson, MD 21204

Date:

Sept. 29, 2013

Attention:

Ms. Kristen Lewis

Re:

Case Number:

2014-0069-A

Petitioner/Developer:

Theresa Santoro

Date of Hearing/Closing:

Oct. 14, 2013

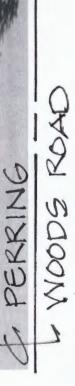
This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 2522 Perring Woods Rd.

The sign(s) were posted on: Sept. 29, 2013

William D. Gulick, Jr.

2944 Edgewood Avenue Baltimore, MD 21234

(410) 530-6293



ZONING NOTICE

CASE # 2014-0069-A

TO PERMIT AN ACCESSORY STRUCTURE SWIMMING POOL IN THE SIDE YARD OF A LOT WITH AN EXISTING DWELLING IN LIEU OF PERMITTED REAR YARD.

PUBLIC HEARING

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE PURSUANT TO SECTION 26-127(J), 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 OCT. 14. 2013
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 NI. CRESAPZARE AVE.
TEL. 887-3391 (410)
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EST NOTE, MYSE ABOVE MAN, MOSE PLANT OF LOS; RETURN BOTH TO ZADIM, RNY, 204 MEETING IS NAMDICAP ACCESSIBLE

MEMORANDUM

DATE: November 25, 2013

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2014-0069-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 22, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

CASE NO. 2014- 0069 -A

CHECKLIST

Comment Received	<u>Department</u>		Support/Oppose/ Conditions/ Comments/ No Comment
9-24	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent		NU
	DEPS (if not received, date e-mail sent		
	FIRE DEPARTMENT		
	PLANNING (if not received, date e-mail sent)	
9-24	STATE HIGHWAY ADMINISTRATION		Do objection
	TRAFFIC ENGINEERING		
	COMMUNITY ASSOCIATION		
-	ADJACENT PROPERTY OWNERS		,
ZONING VIOLAT	ION (Case No		
PRIOR ZONING	(Case No	, in the second)
NEWSPAPER AD	VERTISEMENT Date:		
SIGN POSTING	Date: 9	-29	by Duliel
PEOPLE'S COUN	SEL APPEARANCE Yes	No 🔲	
PEOPLE'S COUN	SEL COMMENT LETTER Yes	No	
Comments, if any:			

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

\mathcal{D}_{i}
Case Number 2014- 0069 -A Address 2522 Perring Woods Kd
Case Number 2014- 0069 -A Address 2522 Perring Woods Rd Contact Person: Asilewski Phanner, Please Print Your Name Phanner, Please Print Your Name
Filing Date: $\frac{9/17/13}{}$ Posting Date: $\frac{9/29/13}{}$ Closing Date: $\frac{10/14/1}{}$ Any contact made with this office regarding the status of the administrative variance should be
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. An 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. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to fill 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 zonin commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (corder 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 the 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 hearin (whether due to a neighbor's formal request or by order of the zoning or deputy zonin 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 originall posted, certification of this change and a photograph of the altered sign must be forwarded 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 2014- 0069 -A Address 2522 Verring Woods &d. Petitioner's Name Theresa Sontoro Telephone
Petitioner's Name Theresa Sontoro Telephone
Posting Date: 9/29/13 Closing Date: 10/14/13
Wording for Sign: To permit an accessory structure/swimming pool in the side yard of a lot with an existing dwelling in lieu of the permitted rear yard.



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

October 17, 2013

Theresa Santoro 2522 Perring Woods Road Parkville MD 21234

RE: Case Number: 2014-0069 A, Address: 2522 Perring Woods Road

Dear Ms. Santoro:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 17, 2013. 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. Carl Richal &

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

Francis Stefanski, 2066 York Road, Timonium MD 21093

SHA State Highway Administration 8

Maryland Department of Transportation

Martin O'Malley, Governor Anthony G. Brown, Lt. Governor James T. Smith, Jr., Secretary Melinda B. Peters, Administrator

Date: 9-24-13

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

RE: Baltimore County

Item No 2014-0069-A
Administrative Variouce
Theresa Soutoro

Theresa Souttors 2522 Perving Woods Road

Dear Ms. Lewis:

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. 2014-2009 A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely

Steven D. Foster, Chief/

Development Manager

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 24, 2013

Department of Permits, Approvals And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 30, 2013

Item No. 2014-0068, 0069 and 0070

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

DAK:CEN Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC09302013 - NO COMMENTS.doc



Search Heip

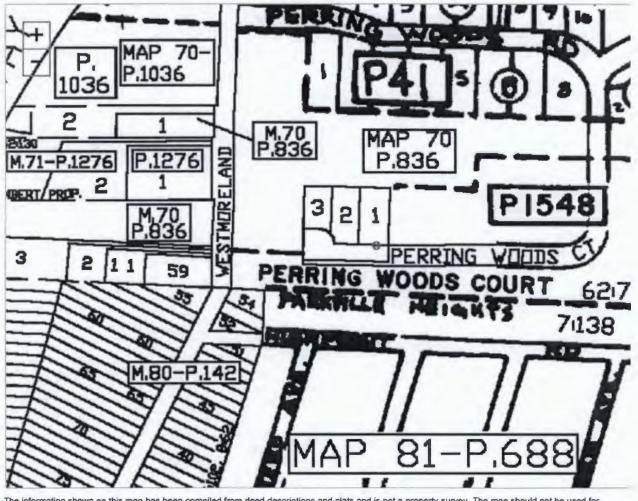
Search Result for BALTIMORE COUNTY

View Map	View Map View GroundRent Redemption						ent Registra	tion
Account Identifier:	District - 09 Ac	count Num	ber - 2200	0002749				
		Owner	Informa	tion				
Owner Name:	SANTORO TH	IERESA		Use:	ı n . ı .		DENTIAL	
	G WOODS		Principa	l Residence		122/ 00100		
Mailing Address:	BALTIMORE			Deed Re	ference:	2)	122/ 00100	
	Lo	eation & St	ructure l	nformat	ion			-
Premises Address:	2522 PERRING 0-0000	G WOODS	RD	Legal De	escription:		C PERRING W SING WOOI	
Map: Grid: Parcel: Se 1548	ub District: Subdivis 0000	ion: Sect	ion: Blo	ck: <u>Lot</u> 9	Assessm 2014		Plat No: Plat Ref:	0062/ 0007
Special Tax Areas:			Town: Ad Vale Tax Cla				NONE	
Primary Structure Built 1991	Above Grade Enclos 2,473 SF	sed Area			ent Area	Property 10,890 SF	Land Area	County Use 04
	<u>Type</u> STANDARD UNIT	Exterior SIDING	Full/Ha 2 full/ 2	alf Bath Lhalf	Garage 1 Attac	_	st Major Rer	novation
		Value	Informa	tion				
	Base Valu	e	Value		Phase	e-in Assessi	ments	
			As of	11	As of		As of	2014
Land:	86,700		01/01/20 86,700	11	0 //01	/2013	07/01/2	2014
Improvements	241,700		241,700					
Total:	328,400		328,400		328,4	00		
Preferential Land:	0							
		Transfe	er Inform	ation				
Seller: BROOKS THERI		Date: 09/					<u>ice:</u> \$0	
Type: NON-ARMS LEN			26122/ 001	100			ed2:	
Seller: PERRING WOO		Date: 02/					ice: \$35,200	
Type: ARMS LENGTH	MPROVED		08709/ 000	57			ed2:	
Seller:		Date:					ice:	
Type:		Deed1:	1.0			De	ed2:	
		Exempti	on Inform		12	08/04	2011	
Partial Exempt Assessme	nts: Class 000			07/01/20 0.00	13	07/01/	2014	
County: State:	000			0.00				
Municipal:	000			0.00		0.00		
Tax Exempt:	000	Special Tax				3100		
Exempt Class:		NONE	Accaptu					
	На		nlication	Informs	tion			
Homestead Application S		mestead Ap	plication	Informa	tion			
Homestead Application 5	tatus: Approved U//I:	N ZUUA						

Baltimore County

District: 09 Account Number: 2200002749

New Search



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml



★ Loading... Please Wait.

Loading... Please Wait.









2522 Perring Woods Road 2014-0069-A

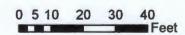


Publication Date: 9/17/2013



Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





1 inch = 30 feet

