

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
SE/S Langley Road, 150 ft. +/- NE of Alcock Road
1705 Langley Road
15th Election District
5th Councilmanic District
Samuel R. Holcomb, et ux
Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 91-227-A
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1B02.3.C.1 Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open carport attached to the side of a building to have a setback of 8 inches in lieu of the required 7-1/2 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance, the subject property, known as 1705 Langley Road, zoned D.R. 5.5, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance to permit an open carport attached to the side of a building to have a setback of 8 inches in lieu of the required 7-1/2 ft.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and, therefore, the relief should be granted.

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.

ORDER RECEIVED FOR FILING
Date 12/16/91
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of January, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1B02.3.C.1 Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open carport attached to the side of a building to have a setback of 8 inches in lieu of the required 7-1/2 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 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.
- The Petitioners shall not enclose the carport on the front, open side, or rear with any type of additional structure. The carport shall not be converted to additional living space or an enclosed porch.
- Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/mm

ORDER RECEIVED FOR FILING
Date 12/16/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21284
887-3553

January 28, 1991

Mr. and Mrs. Samuel R. Holcomb
1705 Langley Road
Baltimore, Maryland 21221

RE: Petition for Residential Zoning Variance
Case No. 91-227-A

Dear Mr. and Mrs. Holcomb:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

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 of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mm
encl.
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE
91-227A 231

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1B02.3.C.1 and 301.1 To permit an open carport attached to the side of a building to have a setback of 8 inches in lieu of the required 7 1/2 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):
Both parties involved have physical disability that makes it difficult to clean snow and ice from the carport and prevent from the inconvenience of having the vehicle under cover. Also planning retirement January, 1991 and are trying to protect car from the elements in hope it will last longer.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound 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:
(Type or Print Name)
Signature
Address
City/State/Zip Code
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City/State/Zip Code
Attorney's telephone number

Legal Owner(s):
(Type or Print Name)
Signature
Address
City/State/Zip Code
Name, address and phone number of legal owner, purchaser or representative to be contacted.
Name
Address
City/State/Zip Code

ORDERED by the Zoning Commissioner of Baltimore County, this 11 day of DEC., 1991, that the subject matter of this petition be posted on or before the 2ND day of JAN., 1991.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IF IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the ___ day of ___, 19___, at ___ o'clock, ___.

ORDER RECEIVED FOR FILING
Date
By

AFFIDAVIT
IN SUPPORT OF RESIDENTIAL ZONING 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 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 or upon settlement will reside at
Langley Road, Baltimore, Maryland
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)
Both parties involved have physical disability that makes it difficult to clean snow and ice from the carport and prevent from the inconvenience of having the vehicle under cover. Also planning retirement in January, 1991 and are trying to protect car from the elements in hope it will last longer.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Samuel R. Holcomb
Affiant (Printed Name)
Audrey K. Holcomb
Affiant (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 6 day of December, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Samuel R. Holcomb & Audrey K. Holcomb

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.
December 6, 1991
My Commission Expires: Dec 1, 1994

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 128 Date of Posting: 1/21/91
Posted for: Residential Variance
Petitioner: Samuel R. Holcomb et ux
Location of property: SE/S Langley Rd, 150' +/- NE of Alcock Rd, 1705 Langley Rd
Location of Sign: Langley Langley Rd, approx. 15 ft. roadway on driveway of petitioner
Remarks: [Signature]
Posted by: [Signature] Date of return: 1/27/91
Number of Signs: 1

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ZONING DESCRIPTION
BEGINNING ON THE SOUTH SIDE OF LANGLEY RD (50 FT WIDE) AT A DISTANCE OF 150± NE OF THE CENTER LINE OF ALCOCK RD (50 FT WIDE) BEING LOT 15A OF THE SUBDIVISION OF EDGEWATER AS RECORDED IN PLAT BOOK 13 FOLIO 33 ALSO KNOWN AS 1705 LANGLEY RD INTHE 15TH ELECTION DISTRICT.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284
Account: P 001-550
Number: [Signature]
Date: [Signature]
Cashier Validation
Please Make Checks Payable To: Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21284
887-3553

January 12, 1991

Mr. & Mrs. Samuel R. Holcomb
1705 Langley Road
Baltimore, MD 21221
RE: CASE NUMBER: 91-227-A
LOCATION: SE/S Langley Road, 150' (+/-) NE of centerline Alcock Road
1705 Langley Road

Dear Petitioner(s):
Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 2, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is January 17, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,
Gwen S. Stephens
Gwen S. Stephens
Docket Clerk

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 1705 LANGLEY RD. (See pages 5 & 6 of the CHECKLIST for additional required information)

Subdivision name: EDgewater
plat books 3, 3, 3, 157, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

OWNER: CAROL + RUBY HALCOMB

LANGLEY ROAD 50 FT RW

EXISTING DWELLING #1707

PERMITTED SETBACK FOR OPEN SIDED GARAGE 10' x 24'

REMYD. RESIDENTIAL LOT

Scale of Drawing: 1" = 1"20'

North date: 12/18/86 prepared by: J. Halcomb

LOCATION INFORMATION
Councilmanic District: 5
Election District: 15
1"=200' scale map: NE 34
Zoning: DR 5.5
Lot size: 3,180 sq. ft. 4,750 sq. ft.

SEWER:
WATER:
Chesapeake Bay Critical Area:
Prior Zoning Hearings:

Zoning Office USE ONLY!
reviewed by: ITEM #: CASE#: 237 91-227-A

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Petitioner's Exhibit 2

1704 Langley Rd	21221
1706 Langley Rd	21221
1701 Langley Rd	21221
1703 Langley Rd	21221
1708 Langley Rd	21221
1711 Langley Rd	21221
1713 Langley Rd	21221
1715 Langley Rd	21221
1717 Langley Rd	21221
1716 Langley Rd	21221
1721 Langley Rd	21221
1725 Langley Rd	21221
1729 Langley Rd	21221
1731 Langley Rd	21221
1733 Langley Rd	21221
1734 Langley Rd	21221
1730 Langley Rd	21221
1724 Langley Rd	21221
1718 Langley Rd	21221
1714 Langley Rd	21221
1702 Langley Rd	21221
1701 Langley Rd	21221

The names are the people living in the property



RE COUNTY
ANNING AND ZONING
GRAPHIC MAP

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SCALE	LOCATION	SHEET
1" = 200' ±	STEMMERS RUN AERO ACRES	N.E. 3-H
DATE OF PHOTOGRAPHY	JANUARY 1986	

