

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Harwood Road, 297.86' S of
the c/l of Spring Road
(2608 Harwood Road)
9th Election District
6th Councilmanic District
John R. Cochran, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-403-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, John R. and Theresa A. Cochran. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1.55 feet in lieu of the minimum required 5 feet for a proposed accessory structure (shed) in accordance with the plat to accompany the Petition filed and marked as Petitioner's Exhibit 1.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances 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, pictures, 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.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of May, 1994 that the Petition for Administrative Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1.55 feet in lieu of the minimum required 5 feet for a proposed accessory structure (shed), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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 relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 5/11/94
By [Signature]

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

May 11, 1994

(410) 887-4386

Mr. & Mrs. John R. Cochran
2608 Harwood Road
Baltimore, Maryland 21234

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Harwood Road, 297.86' S of the c/l of Spring Road
(2608 Harwood Road)
9th Election District - 6th Councilmanic District
John R. Cochran, et ux - Petitioners
Case No. 94-403-A

Dear Mr. & Mrs. Cochran:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party files 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 Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 94-403-A Towson, Maryland

District 9th Date of Posting 4/15/94
Posted for: Variance
Petitioner: John R. & Theresa A. Cochran
Location of property: 2608 Harwood Rd., E/S
Location of Sign: Along roadway on property being zoned
Remarks: [Signature]
Posted by: [Signature] Date of return: 4/15/94
Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 4/15/94

COCHRAN - 2608 Harwood Rd.

010 -- Variance = \$50.00
080 -- Sign = \$35.00
\$85.00

Please Make Checks Payable To: Baltimore County
D130100361CHRC
CA 003100PH04-15-94

Cashier Validation

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) do/does presently reside at 2608 Harwood Road

Baltimore Maryland 21234

That based upon personal knowledge, the following are the facts upon which I/we have the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The area where present zoning permits construction of a storage shed has a drainage swale running through it. An extensive and very expensive drain system would be required to carry run-off water under the building. The property assessment of the land was reduced because of the wet nature of this area.

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

Theresa A. Cochran
Theresa A. Cochran
Type or print name

John R. Cochran
John R. Cochran
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I, Theresa A. Cochran, do hereby certify, this 5th day of April, 1994, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared Theresa & John Cochran

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due 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.

April 5, 1994

My Commission Expires 4/1/98

ZONING DESCRIPTION FOR 2608 HARWOOD ROAD
(address)
Election District 9 Councilmanic District 2

Beginning at a point on the EAST side of HARWOOD ROAD (north, south, east or west) which is 30' (number of feet of right-of-way width) wide at a distance of 297.86' SOUTH of the (number of feet) (north, south, east or west) centerline of the nearest improved intersecting street SPRING ROAD (name of street)

which is 30' (number of feet of right-of-way width) wide. *Being Lot # 5.

Block E, Section # B in the subdivision of JOPPA MANOR as recorded in Baltimore County Plat (name of subdivision)

Book # 23, Folio # 25, containing 7560 S.F. (174 ACRES) (square feet and acres)

394

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 2608 Harwood Road Baltimore County which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & 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 BCZR (1955) To permit a side yard setback of 1.55 ft. for an accessory structure (shed) in lieu of the required 5 ft. (1956).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. A drainage swale for part of the development runs across and parallel to the rear boundary of the property.
2. If the storage shed were to be placed in this area, an expensive complicated drainage system would be required to carry water under the shed. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and conditions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Order received for filing 3/3

DATE 4/15/94 BY [Signature]

Legal Owner(s):
John R. Cochran
Theresa A. Cochran
716-2743 Work
2608 Harwood Road, 6618631 Home
Baltimore, Maryland 21234

REVIEWED BY: [Signature] DATE: 4/15/94
STANDARD FORM NO. 637 4/15/94

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising:

Item No.: 394

Petitioner: JOHN R. COCHRAN

Location: 2608 HARWOOD ROAD BALTIMORE MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOHN R. COCHRAN

ADDRESS: 2608 HARWOOD ROAD

BALTIMORE MARYLAND 21234

PHONE NUMBER: 661.8.631

AJ:ggg

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

April 29, 1994

Mr. and Mrs. John R. Cochran
2608 Harwood Road
Baltimore, Maryland 21234

RE: Case No. 94-403-A, Item No. 394
Petitioner: John R. Cochran, et ux.
Petition for Administrative Variance

Dear Mr. and Mrs. John R. Cochran:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 15, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lightizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 94-403-A (1994)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-355-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
David M. Lightizer, Acting Chief
John Conestable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2255 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

DATE: 04/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION:

Item No.:

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 387, 389, 393, AND 394.

RECEIVED
APR 28 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: April 22, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

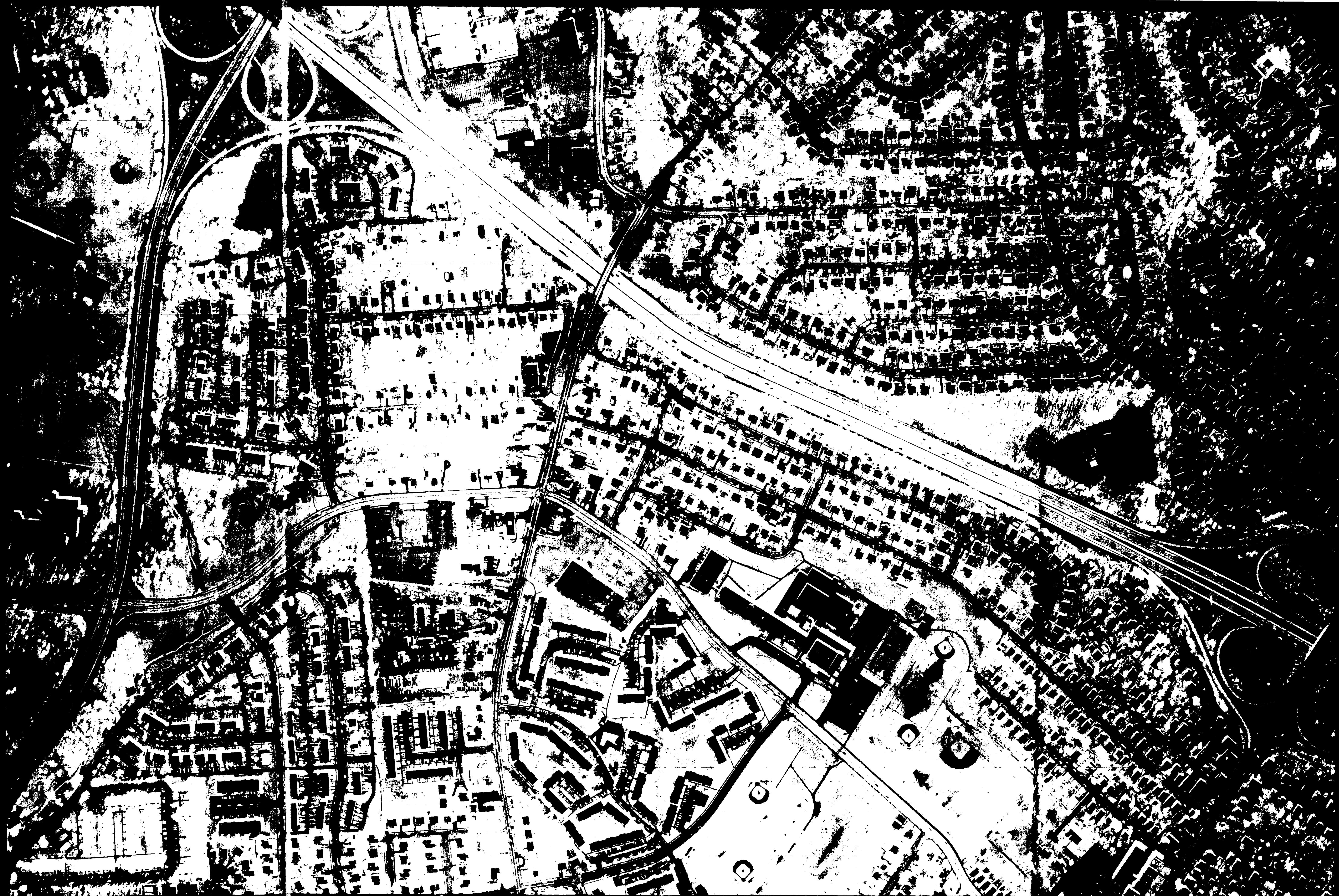
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item 374, 7736 South Cove Road - 94-384-A AV 5/2
Item 381, 2209 Headland Avenue (94-385-A) 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, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 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815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 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#394

94-403-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

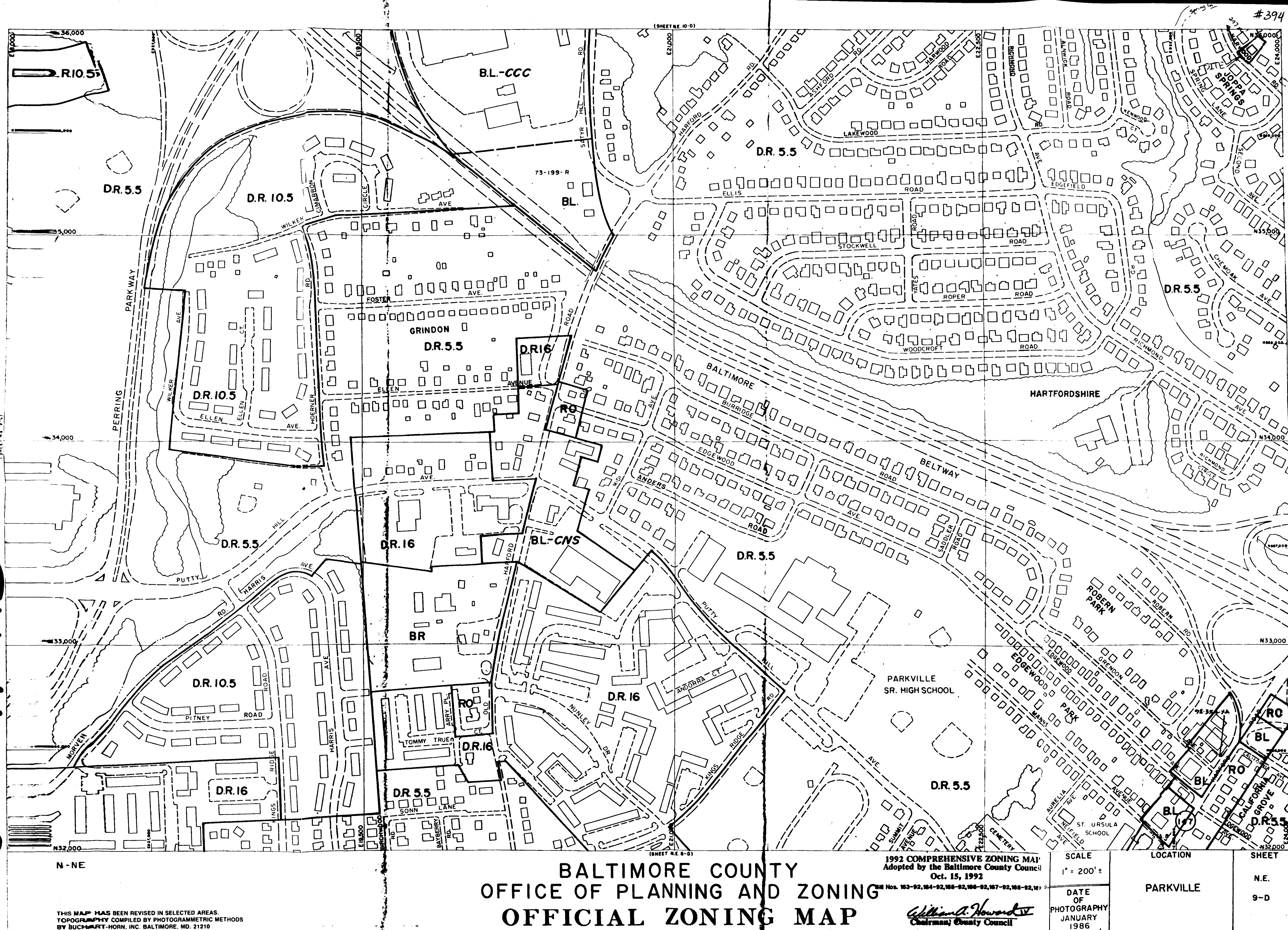
PARKVILLE

SHEET

N.E.
9-D

10

94-403-A



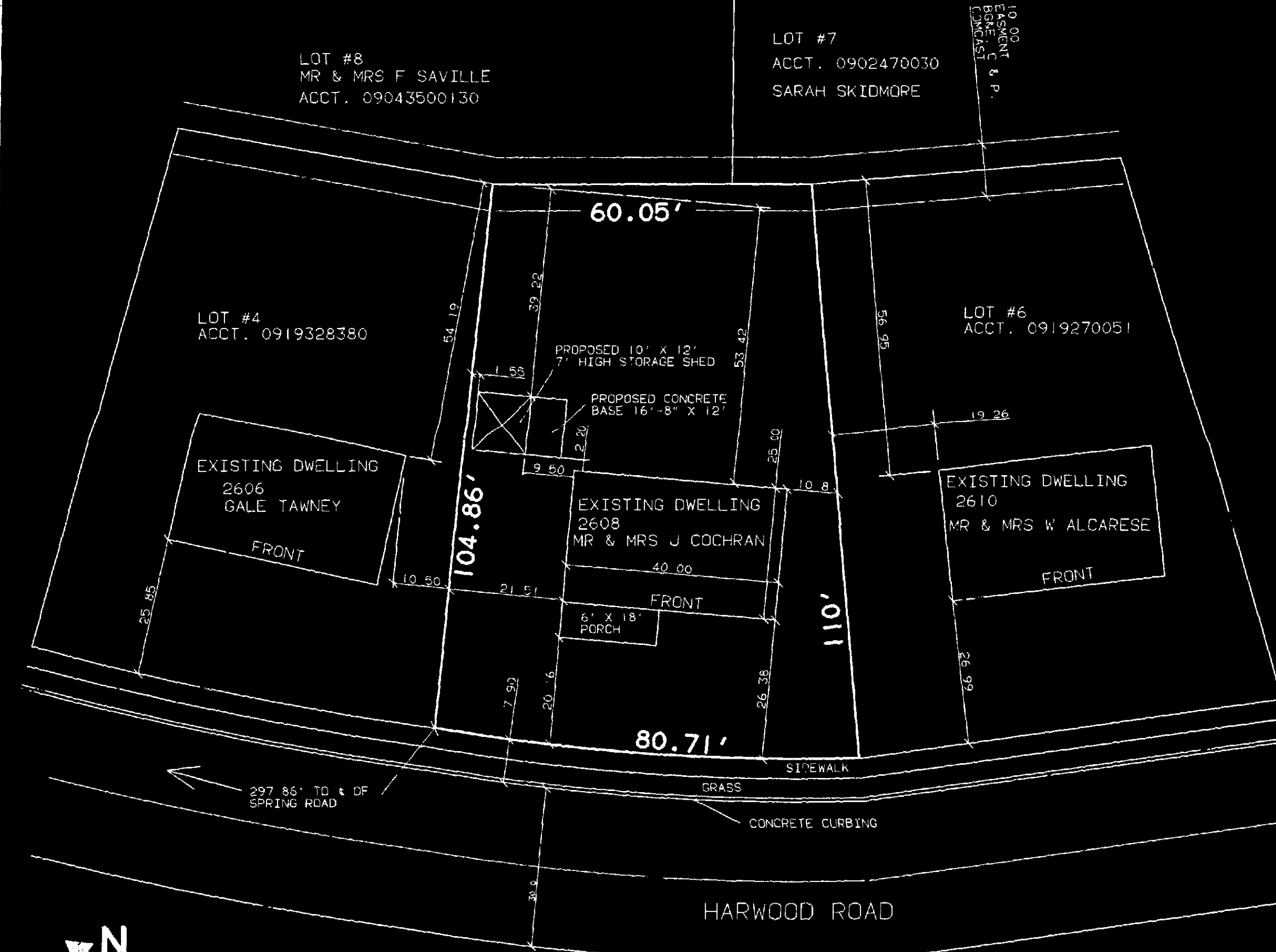
PLAT TO ACCOMPANY ZONING

VARIANCE

SPECIAL HEARING

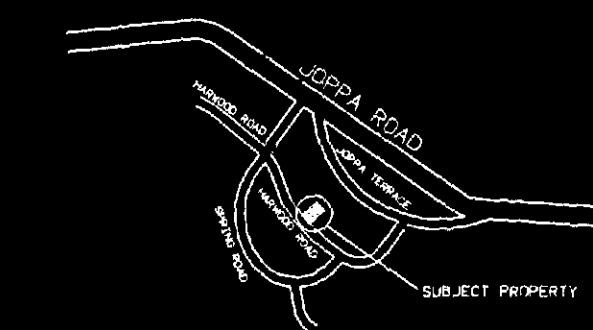
PROPERTY ADDRESS: 2608 HARWOOD ROAD
SUBDIVISION NAME: JOPPA MANOR
PLAT BOOK #123, FOLIO #125, LOT #5, SECTION #1B
ACCT. 0902470030

OWNER: JOHN & THERESA COCHRAN



PREPARED BY: J COCHRAN DATE:

SCALE OF DRAWING: 1"=20'



VICINITY MAP
SCALE: 1"=1000'

LOCATION INFORMATION

ELECTION DISTRICT: 9
COUNCILMANIC DISTRICT: 2
1"=200' SCALE MAP #1: NE-9D
ZONING: D.P. 5.5
LOT SIZE: .175 ACRES

	PUBLIC	PRIVATE
SEWER:	☒	☐
WATER:	☒	☐
YES	☐	☒
NO	☒	☐

CHEASAPEAKE BAY CRITICAL AREA: ☐
PRIOR ZONING HEARINGS: NONE

ZONING OFFICE USE ONLY

REVIEWED BY: ITEM #: CASE #:

394

94-403-A