

A.J.

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
S/S Perch Court, 25 ft. SW of
c/l Sandollar Way
1 Perch Court
15th Election District
5th Councilmanic District
Karl F. Stoddard, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-338-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Karl F. Stoddard and Pamela L. Stoddard, his wife, for that property known as 1 Perch Court in The Woods at Bay Country subdivision of eastern Baltimore County. The Petitioners/property owners herein seek a variance from Section 504 of the Baltimore County Zoning Regulations (BCZR), and V.B.6.b & V.B.3.b of the Comprehensive Manual of Development Policy (CMDP) to permit an addition (deck and swimming pool) with a side yard setback of 4 ft., in lieu of the required 15 ft.; to permit a rear yard setback of 5 ft., in lieu of the required 15 ft.; to permit a distance of 14 ft. between dwellings, in lieu of 16 ft.; and to amend the Final Development Plan of The Woods at Bay Country. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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

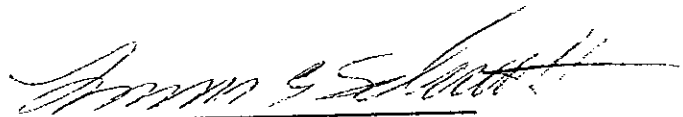
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

welfare of the public and should, therefore, be granted. In the opinion of the 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 Petitioners.

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 Zoning Commissioner for Baltimore County this 4TH day of April, 1996 that a variance from Section 504 of the BCZR, and V.B.6.b & V.B.3.b of the CMDP to permit an addition (deck and swimming pool) with a side yard setback of 4 ft., in lieu of the required 15 ft.; to permit a rear yard setback of 5 ft., in lieu of the required 15 ft.; to permit a distance of 14 ft. between dwellings, in lieu of 16 ft.; and to amend the Final Development Plan of The Woods at Bay Country, be and is hereby GRANTED, subject, however, to the following restriction:

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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID (SEARCH ON THIS FIELD):		Case Type Prefix: Case Year: Case Number: Case Type Suffix:				Existing Use:	
19960338		[] 1996 [0338] [A]				Residential	
Legal Owners/Petitioner (SEARCH ON THIS FIELD):		Karl Frederick Stoddard & Pamela Louise Stoddard					
House/St. Number:	House/Street Number Range:	House/St. No.	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suf. Type:	Suffix Dir.: Suite/Apt./Unit Number:
1					PERCH	CT	
Property Description (SEARCH ON THIS FIELD):							
S/S Perch Court, 25' SW of centerline Sandollar Way (#1 Perch Court)							
Existing Zoning Classification		Area:		Election District:		Councilmanic District	
D.R.-5.5		7,429 square feet		15th		5th	
Critical Area	Floodplain:	Historic Area:		Related (Prior and Future) Cases:			
NO							
Violation Cases:		Concurrent Cases:					
Tax Account ID:		Deed Liber #:	Deed Folio #:	Miscellaneous Notes			
1.)		1.)	/				
2.)		2.)	/				
3.)		3.)	/				
Contract Purchaser: N/A							
Attorney: N/A							
Petition Reviewer:		Petition Reviewer 2:		Petition Filing Date:			
JRF							
Day of Week:	Hearing Date:	Hearing Time:	Hearing Location:				
	04/01/1996						
Closing Date:	Commissioner Hearing Continued From		Commisioner Hearing Resceduled From		Formal Request For Hearing		

Case Number:

1996 0338

A

Petition Type # 1: ADMINISTRATIVE VARIANCE

Petition Request # 1: ADMINISTRATIVE VARIANCE to permit an addition (deck and swimming pool) with a side yard setback of 4 feet in lieu of the required 15 feet; to permit a rear yard setback of 5 feet in lieu of the required 15 feet; to permit a distance of 14 feet between dwellings in lieu of 16 feet; and to amend the final development plan of The Woods At Bay Country.

Petition Type # 2:

Petition Request # 2:

Petition Type # 3:

Petition Request # 3:

Petition Type # 4:

Petition Request # 4:

200 Foot
Scale Map
Reference:

Existing Use:

Residential

Proposed Use:

Existing Zoning Classification

D.R.-5.5

Requested Zoning Classification:

Existing District:

Requested District:

North/South Coordinate:

East/West Coordinate:

Census Tract:

1000 Foot
Scale Map
Reference:

Commissioner Case Number	1996	0338	A	Circuit Court Case Number	
Zon. Comm. or Dep. Zon. Comm				Circuit Court Filing Date:	
Commissioner Order Dat				Circuit Court Decision Date	
Commissioner Decision				Circuit Court Decision:	
Commissioner Order Restrictions					
				MD Court of Special Appeals Filing Date	
				MD Court of Special Appeals Decision Date:	
				MD Court of Special Appeals Decision:	
Board of Appeals Case Number	96-338-A			MD Court of Appeals Filing Date	
Appeal to Board of Appeals?:	NO			MD Court of Appeals Decision Date:	
Appellant:				MD Court of Appeals Decision:	
Board of App. Description					
Board of Appeals Filing Date				U.S. Supreme Court Filing Date	
Date Case Sent To Board:				U.S. Supreme Court Decision Date	
Board of Appeals Hearing Date:				U.S. Supreme Court Decision	
Board of Appeals Decision Date:					
Board of Appeals Decision					

Find Record	Next Record	Previous Record	Preview ZAC	Public Hearings	Admin Variances	Open MS Word	Exit Access	Scanned Image
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