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IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
W/S Gunpowder Road, 468 ft. S	* ZONING COMMISSIONER
of c/l Church Road	
19800 Gunpowder Road	* OF BALTIMORE COUNTY
6th Election District	
3rd Councilmanic District	* Case No. 96-339-A
Robert G. Barkman, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Robert G. Barkman and Wanda G. Barkman, his wife, for that property known as 19800 Gunpowder Road in the Ramblewood subdivision of northern Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (detached garage) in the side yard, in lieu of the rear yard. 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.

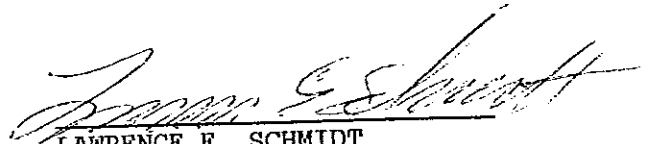
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of April 1996, that the Petition for a Residential Variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (detached garage) in the side yard, in lieu of the rear yard, 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

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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:	
19960339		 1996 0339 A				Residential	
Legal Owners/Petitioner (SEARCH ON THIS FIELD):		Robert George Barkman & Wanda Gayle Barkman					
House/St. Number:	House/Street Number Range:	House/St. No.	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suf. Type:	Suffix Suite/Apt./Unit Dir.: Number:
19800					GUNPOWDER	RD	
Property Description (SEARCH ON THIS FIELD):							
W/S Gunpowder Road, 468' S of centerline Church Road (#19800 Gunpowder Road)							
Existing Zoning Classification		Area:		Election District:		Councilmanic District	
R.C.-2		3.98		6th		3rd	
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:			
CAM							
Day of Week:	Hearing Date:	Hearing Time:	Hearing Location:				
	04/01/1996						
Closing Date:	Commissioner Hearing Continued From	Commissioner Hearing Rescheduled From	Formal Request For Hearing				

Case Number:

1996 0339

A

Petition Type # 1:

ADMINISTRATIVE VARIANCE

Petition Request # 1

ADMINISTRATIVE VARIANCE to allow an accessory structure (garage) in the side yard in lieu of the rear yard.

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

R.C.-2

Requested Zoning Classification:

Existing District:

Requested District:

North/South Coordinate:

East/West Coordinate:

Census Tract:

1000 Foot
Scale Map
Reference:

Commissioner Case Number 1996 0339 A
Zon. Comm. or Dep. Zon. Comm
Commissioner Order Dat
Commissioner Decision
Commissioner Order Restrictions

Circuit Court Case Number
Circuit Court Filing Date:
Circuit Court Decision Date
Circuit Court Decision:

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 96-339-A
Appeal to Board of Appeals?: NO
Appellant:
Board of App. Description
Board of Appeals Filing Date
Date Case Sent To Board:
Board of Appeals Hearing Date:
Board of Appeals Decision Date:
Board of Appeals Decision

MD Court of Appeals Filing Date
MD Court of Appeals Decision Date:
MD Court of Appeals Decision:
U.S. Supreme Court Filing Date
U.S. Supreme Court Decision Date
U.S. Supreme Court Decision

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