

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE *
E/S Grave Run Road, 220 ft. N * ZONING COMMISSIONER
of c/l Church Road *
19909 Grave Run Road * OF BALTIMORE COUNTY
6th Election District *
3rd Councilmanic District * Case No. 97-488-A
Donna J. Quante
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Donna J. Quante for that property known as 19909 Grave Run Road in the Breezy Hill Estates, Lot 2 subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 1A03.4.B.2 & 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection addition (carport) with a side yard setback of 23 ft. in lieu of the minimum required setback of 37.5 ft. in an R.C.4 zone. The subject property and requested relief is more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner 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 Petitioner has 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

ORDER RECEIVED FOR FILING

Date

By

6/4/97
M. Spork

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 Zoning Commissioner for Baltimore County this 4th day of June 1997 that the Petition for a Zoning Variance from Sections 1A03.4.B.2 & 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection addition (carport) with a side yard setback of 23 ft., in lieu of the minimum required setback of 37.5 ft., in an R.C.4 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for her building permit 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.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
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

LES:mmm



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

June 3, 1997

Ms. Donna J. Quante
19909 Grave Run Road
Hampstead, Maryland 21074

RE: Petition for Administrative Variance
Case No. 97-488-A
Property: 19909 Grave Run Road

Dear Ms. Quante:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, 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,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.





Petition for Administrative Variance

97-488-A

to the Zoning Commissioner of Baltimore County

for the property located at 19909 Grave Run Rd
which is presently zoned R.C.4

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) 1A03.4.B.2 & 301.1.A (BCZR)

To allow an open projection addition (carport) with a side yard setback of 23 ft. in lieu of the minimum required setback of 37.5 ft.

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

see back

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 restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

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

Legal Owner(s)

Donna J. Quante
(Type or Print Name)

Donna J. Quante
Signature

(Type or Print Name)

Signature

19909 Graves Run Rd 410-374-6294
Address Phone No

Hampstead md 21074
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JEP DATE: 4/28/97

ESTIMATED POSTING DATE: 5-12-97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 488

Affidavit in support of 97-488-A 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) does/do presently reside at 19909 Grave Run Rd
address
Hampstead Md 21074
City State Zip Code

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

Given the housing site on top of a hill, it would be difficult to place an attached carport anywhere but the proposed area. I do not believe this would distract from the community layout. I cannot put the carport to the front of the house because of hill & septic system. I cannot have it to rear because of well, fence, shed & pool.

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.

Donna Quante
(signature)
Donna Quante
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

(only) Donna Quante

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.

4-23-97
date

Bonnie L. Eckard
NOTARY PUBLIC

My Commission Expires:

BONNIE L. ECKARD
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 1, 2000

97-488-A

ZONING DESCRIPTION FOR 19909 Grave Run Road

Beginning at a point on the East side of Grave Run Road which is 60 feet wide at the distance of 220 feet North of the centerline of the nearest improved intersecting street Church Road which is 60 feet wide. [As recorded in Deed Liber 7091, Folio 0279 with metes and bounds: _____

_____,
in the subdivision of Breezy Hill Estates, as recorded in Balto. Co. Plat

Book # 38, Folio #84, containing 2.5988 acres.] Also known as 19909 Grave Run Road and located in the 6th Election District, 3rd Councilman District.

488

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No.

036599

DATE 4-28-97

ACCOUNT R-001-915-000

AMOUNT \$ 50.00

RECEIVED
FROM:

QUANTE

01 - - Variance

FOR: 19909 Grave Run Rd. Taken by: JRF

ITEM # 444

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

04/28/97 05 9 BMT R-5654
Def 5 513 ZONING VERIFICATION
CR NO. 036599

\$50.00 OK P-0-1-9
Baltimore County Maryland
Office of Budget & Finance

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADMIN. VAR.

RE: Case No.:

97-488-A

Petitioner/Developer: DONNA QUANTE, ETAL

Date of Hearing/Closing:

MAY. 27, 1997

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #1990.9 GRAVES RUN ROAD

The sign(s) were posted on

5/8/97

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 5/10/97

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

Hunt Valley, Md. 21030

(410)

9/96
cert.doc

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 97-488-A

TO ALLOW AN OPEN PROJECTION
ADDITION (CARPORT) WITH A SIDEYARD
SETBACK OF 23 FT. IN LIEU OF THE MINIMUM
REQUIRED SETBACK OF 37.5 FT.
#1990.9 GRAVES RUN RD.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), 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
5:00 P.M. ON FRIDAY, MAY 27, 1997
ADDITIONAL INFORMATION IS AVAILABLE
ON A REQUEST FOR INFORMATION
FORM, OR BY
CALLING 410-386-2200



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 12, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-488-A
19909 Grave Run Road
E/S Grave Run Road, 220' N of c/l Church Road
6th Election District - 3rd Councilmanic
Legal Owner(s): Donna J. Quante
Post by Date: 05/12/97
Closing Date: 05/27/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Donna J. Quante



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than * 5-12-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-488-A

ADMINISTRATIVE VARIANCE: To allow an open projection
addition (carport) with a side yard setback of 23'
in lieu of the minimum required setback of 37.5'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON
TUE. * MAY 27, 1997

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 488

Petitioner: Donna Quante

Location: 19909 Grave Run Rd Hampstead, Md 21074

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Donna Quante

ADDRESS: 19909 Grave Run Rd
Hampstead, Md. 21074

PHONE NUMBER: 410-374-6294

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 27, 1997

Ms. Donna J. Quante
19909 Grave Run Road
Hampstead, MD 21074

RE: Item No.: 488
Case No.: 97-488-A
Petitioner: Donna J. Quante

Dear Ms. Quante:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 28, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: May 8, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 488, 489, 490, 491, 492, 493, 494, and 499

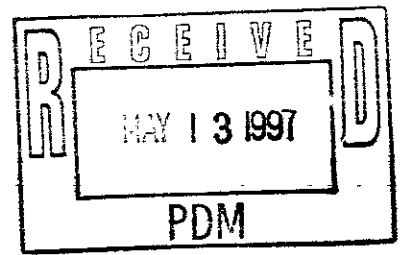
If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

May 12, 1997

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 12, 1997

Item No.: SEE BELOW

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.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

488, 489, 490, 491, 492, 493, 494, 495, 496, 497, and 499

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office. PHONE 867-4881, MS-1102F

cc: File



17.

19/97 97-2230
8 10' RYE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: May 8, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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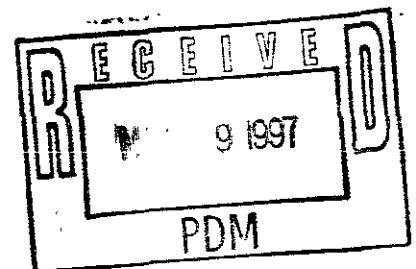
Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keene

AFK/JL





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

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

RE: Baltimore County 5.9.97
Item No. 488 JRF

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

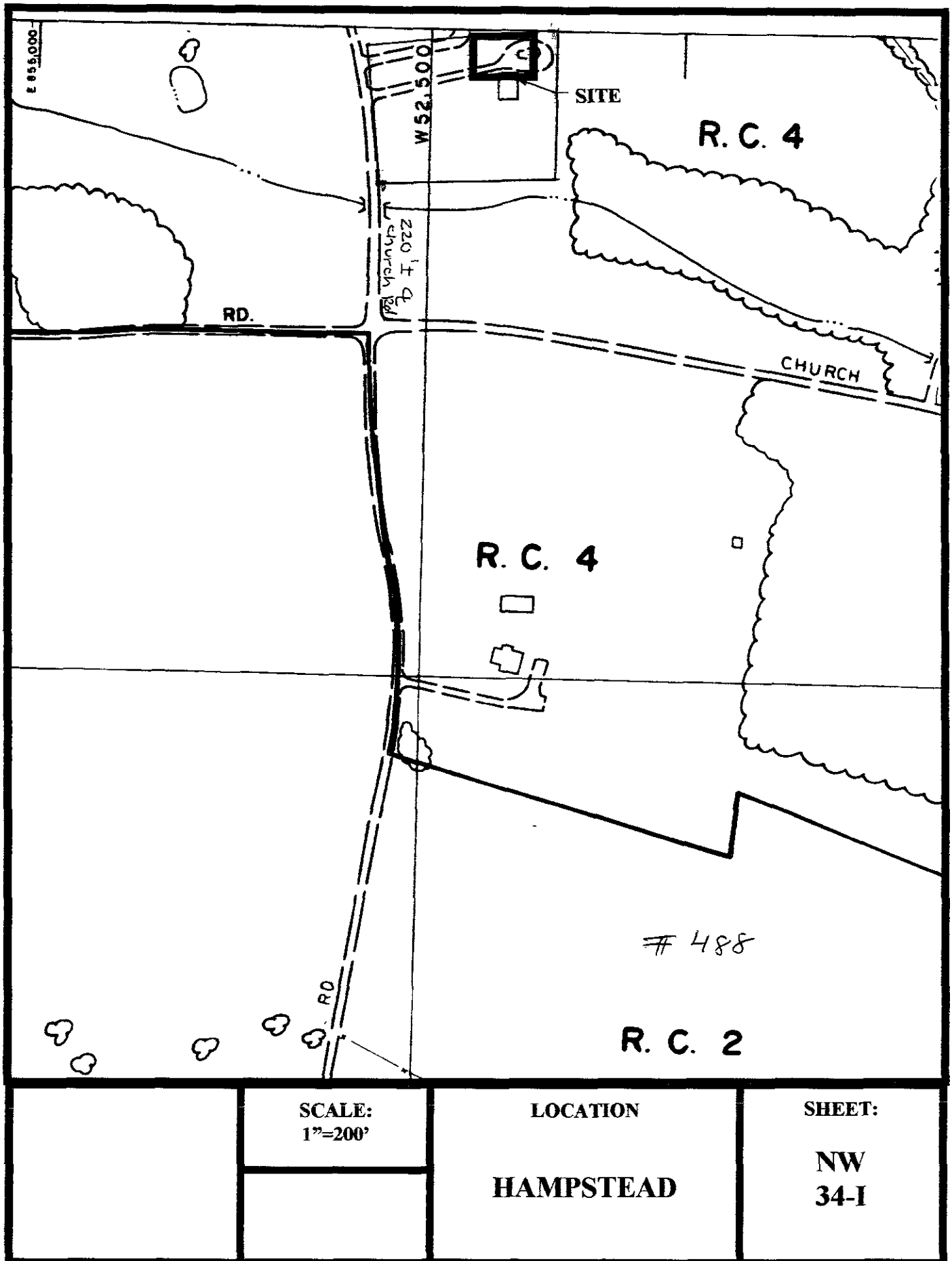
Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

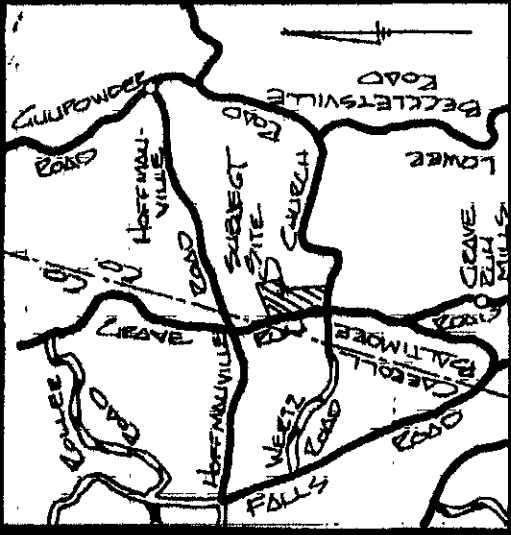
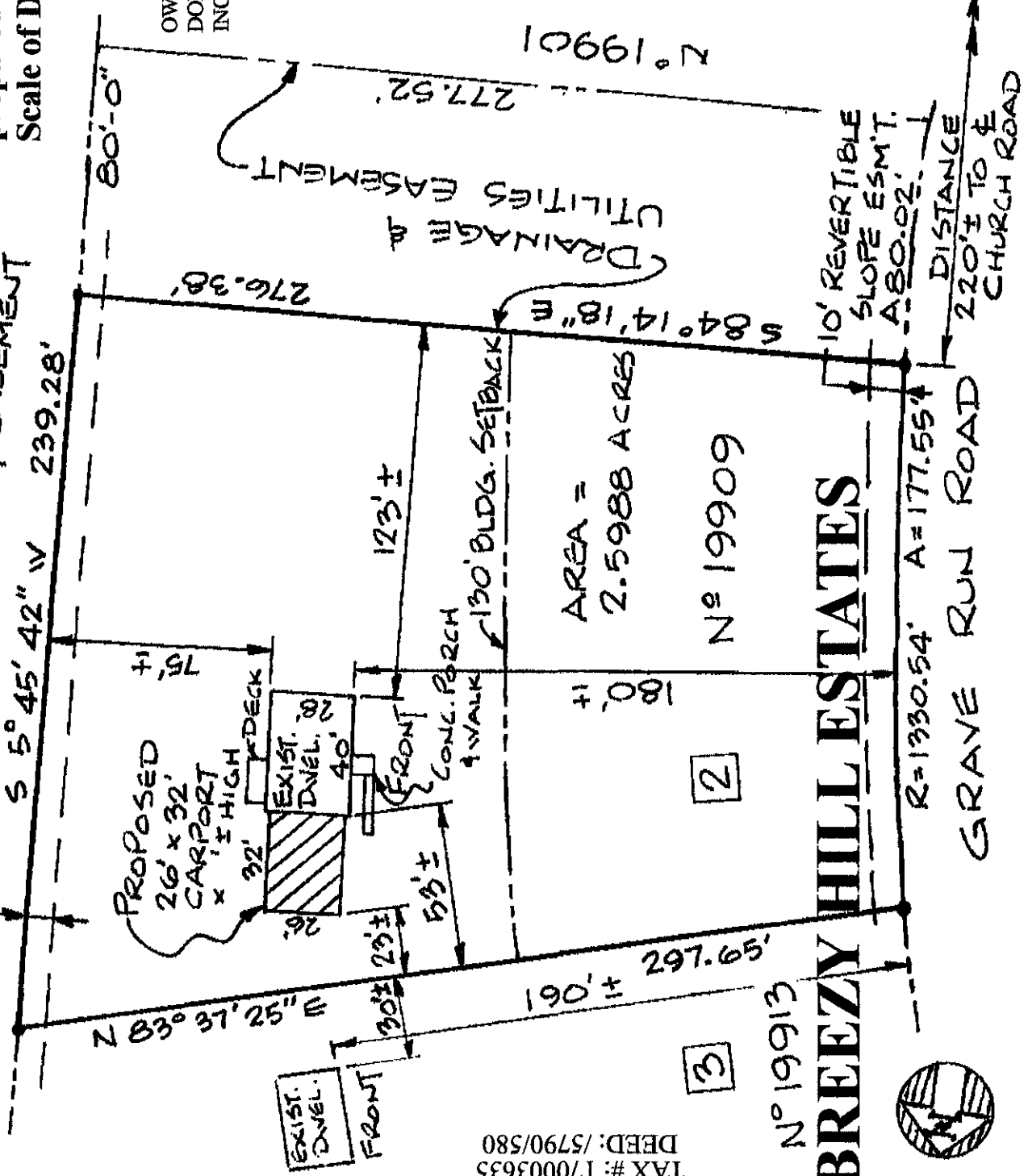


97-488-A

ALVA HARRIS-TRUSTEE, CHURCH RD., (300 E. GRAVE RUN RD.), PARCEL 56/57
TAX #: 0608000026, DEED/1189/325

date: 3-14-97
prepared by: JBO
Scale of Drawing: 1"=50'

10' DRAINAGE & UTILITY EASEMENT
S 5° 45' 42" W 239.28'



Plat to accompany Petition for Zoning Variance
PROPERTY ADDRESS: 19909 GRAVE RUN ROAD
HAMPSTEAD, MD 21074
SUBDIVISION: BREEZY HILL ESTATES, LOT 2
PLAT BOOK: E.H.K., JR. 38 FOLIO: 84
OWNER: DONNA J. QUANTE
TAX ACCOUNT #: 17-00-003634

LOCATION INFORMATION

Councilman District: 3
Election District: 6
1"=200' scale map: NW 34-1
Zoning: R.C. 4
Lot size: 2.5988 AC 113203.72 SF
SEWER: PRIVATE
WATER: PRIVATE
Chesapeake Bay Critical Area: NO
Prior Zoning Hearings: NONE

reviewed by: JRF
ITEM #: 488
CASE #: 197.488-A

Zoning Office USE ONLY!

ROBERT & DENICE SMRCINA
TAX #: 170003635
DEED: /5790/580



Side yard - proposed location of carport (ground stakes)
19909 Grove Run Rd.



97-488-A

488



House - 19009 Grove Run Rd

View from side yard to neighbor - row of trees on property line



97-488-A

488