

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
W/S Balistan Road, 68' N of the * ZONING COMMISSIONER
c/l of Armada Road * OF BALTIMORE COUNTY
(5314 Balistan Road) * Case No. 98-42-A
14th Election District *
6th Councilmanic District *
Derek M. Snyder, et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Derek M. and Debra D. Snyder. The Petitioners seek relief from Sections 1B02.3.B and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the required 6 feet for an existing open porch with roof and to amend the Final Development Plan of King's Court, Lot 8 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. 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 surrounding community and should therefore be granted. In the opinion of the 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.

ORDER RECEIVED FOR FILING

Date

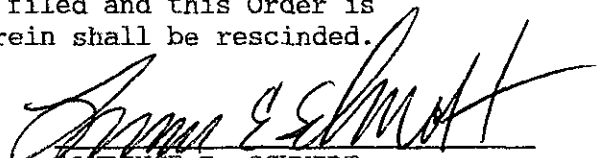
By

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 Zoning Commissioner for Baltimore County this 4th day of September, 1997 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.B and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the required 6 feet for an existing open porch with roof and to amend the Final Development Plan of King's Court, Lot 8 thereof, 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 4, 1997

Mr. & Mrs. Derek M. Snyder
5314 Balistan Road
Baltimore, Maryland 21237

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Balistan Road, 68' N of the c/l of Armada Road
(5314 Balistan Road)
14th Election District - 6th Councilmanic District
Derek M. Snyder, et ux - Petitioners
Case No. 98-42-A

Dear Mr. & Mrs. Snyder:

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 finds 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 Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

File





Petition for Administrative Variance AND AMENDMENT to the Zoning Commissioner of Baltimore County

for the property located at 5314 Balistan Road
which is presently zoned DR-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)

**SECT B02.3.B & 301.1.A (BCZR) TO PERMIT A 3 FT SIDE YARD
SETBACK IN LIEU OF 6 FT. FOR AN EXISTING OPEN PORCH WITH ROOF
AND TO AMEND THE F.D.P. OF KING'S COURT, LOT 8**

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

Construct roof over pre-existing, non-conforming deck built from
existing sliding glass doors (SEE AFFIDAVIT)

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.

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).

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

Derek M. Snyder

(Type or Print Name)

Signature

Debra D. Snyder

(Type or Print Name)

Signature

5314 Balistan Rd. 410-686-5529

Address

Phone No

Baltimore, MD

21237

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:

RT

DATE:

8-5-91

ESTIMATED POSTING DATE:

8-17-91



Printed with Soybean Ink
on Recycled Paper

ITEM #:

42

ORDER RECEIVED FOR FILING

Date

By

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) does/do presently reside at 5314 Balistan Road
address
Baltimore, MD 21237
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)

Extend over setback limits a roof over a pre-existing
deck built from existing sliding glass doors.

As this side of the house has pre-existing exit and deck
this is the only practical location to erect a roof and
utilize the existing deck.

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.

Derek M. Snyder
(signature)
Derek M. Snyder
(type or print name)



Debra S. Snyder
(signature)
Debra S. Snyder
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of July, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DEREK M. SNYDER & DEBRA D. SNYDER

the Affiants(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.

7-27-97
date

Jeanette Colby
NOTARY PUBLIC

My Commission Expires:

3-00



ORDER RECEIVED FOR FILING

Date

By

#42

ZONING DESCRIPTION

Zoning Description for **5314 BALISTAN ROAD**

Beginning at a point on the WEST side of

Balistan Road which is 26 ft. wide at the distance of 68 ft.

NORTH of the centerline of the nearest improved intersecting street

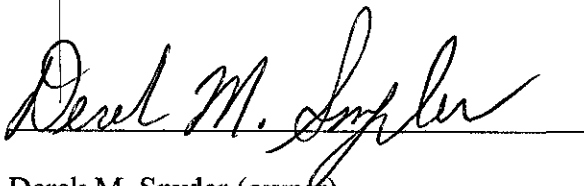
ARMADA WAY which is 26 ft. wide. Being Lot #8, Block C,

Section III in the subdivision of Barrington Homes as recorded in Baltimore County

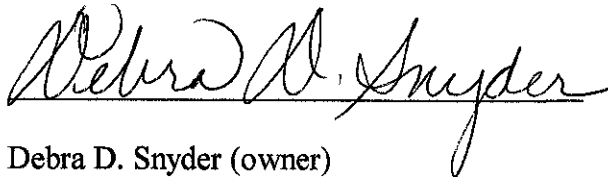
Plat Book # 40, Folio # 147 containing 7590 sq. ft. Also known as

5314 Balistan Road, Baltimore 21237 and located in the 14th Election District,

6th Councilmanic District.



Derek M. Snyder (owner)



Debra D. Snyder (owner)

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

ITEM # 42 No. 042705

DATE 8/5/97 ACCOUNT R001-6150

010 - VARIANCE
030 - AMENDMENT
AMOUNT \$ 100.00

RECEIVED FROM: Derek Snyder

FOR: Residential Variance & Amendment
#5314 BALISTAN RD.

CONTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

R.T.

PAID RECEIPT

PROCESS	ACTUAL	TIME
8/05/1997	8/05/1997	09:23:50
REG 0605	CASHIER BTRY EXT	DRAWER 5
MISCELLANEOUS CASH RECEIPT		
Receipt #	020194	CRN
CR NO.	042705	

100.00 CHECK: FR
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case # 98-42-A

Petitioner/Developer:
(Debbie Snyder)

Date of ~~Hearing~~/Closing:
(September 2, 1997)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 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 _____
5314 Balistan Road Baltimore, Maryland 21236 _____

The sign(s) were posted on _____ August 18, 1997 _____
(Month, Day, Year)

Sincerely,

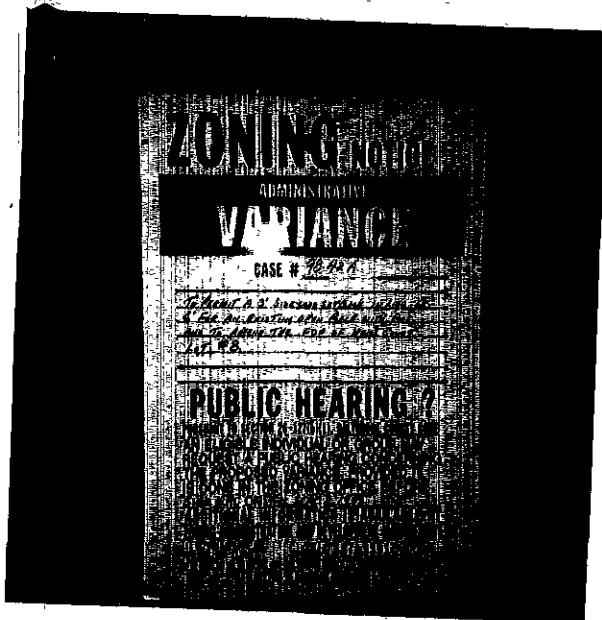

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____
(Printed Name)

_____ 325 Nicholson Road _____
(Address)

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)



98-42-A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than *

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

ZONING NOTICE**ADMINISTRATIVE
VARIANCE**Case No.: 98-42 A

Administrative Variance - To permit a 3' side yard
setback in lieu of 6' for an ^{existing} open porch with roof
and to amend the FDP of King's Court, Lot 8

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**

*

**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

BCZR SEC 1802 3.B and 301.1.A



Baltimore County
Department of Permits and
Development Management

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

August 15, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-42-A
5314 Balistan Road
W/S Balistan Road, 68' N of c/l Armada Road
14th Election District - 6th Councilmanic
Legal Owner(s): Derek M. Snyder and Debra D. Snyder
Post by Date: 08/18/97
Closing Date: 09/02/97

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.

Arnold Jablon
Director

cc: Derek and Debra Snyder





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/neighbor 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.: 42

Petitioner: DEREK & DEBRA SNYDER

Location: 5314 BALISTAN RD BALTO. 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DEREK M. SNYDER

ADDRESS: 5314 BALISTAN ROAD

BALTIMORE, MD 21237

PHONE NUMBER: 410-686-5529

AJ:ggs

(Revised 09/24/96)



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
 acreage square feet

SEWER: ☐ public ☐ private

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____



Baltimore County
Department of Permits and
Development Management

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

August 27, 1997

Mr. and Mrs. Derek M. Snyder
5314 Balistan Road
Baltimore, MD 21237

RE: Item No.: 42
Case No.: 97-42-A
Petitioner: Derek Snyder, et ux

Dear Mr. and Mrs. Snyder:

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 August 5, 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 black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Baltimore County
Fire Department

21 1997

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

August 19, 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 August 25, 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 plan for the property.

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

042, 043, 047, 048, 049, 050, and 051

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1104

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 8/26/97

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 18, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

- 42
- 46
- 47
- 48
- 49
- 50
- 51

RBS:sp

BRUCE2/DEPRM/TXTSBP



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 8-14-97
Item No. 042 RT

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,

P. J. Gredlein
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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 15, 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. 23, 42, 43, 46, 47, 48, 49, 50, and 51

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:

Carol Kerns

AFK/JL

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

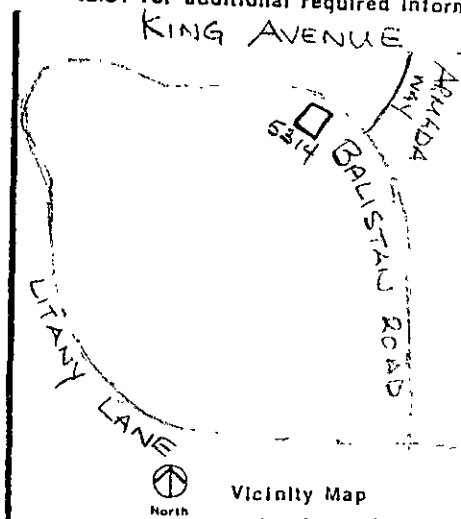
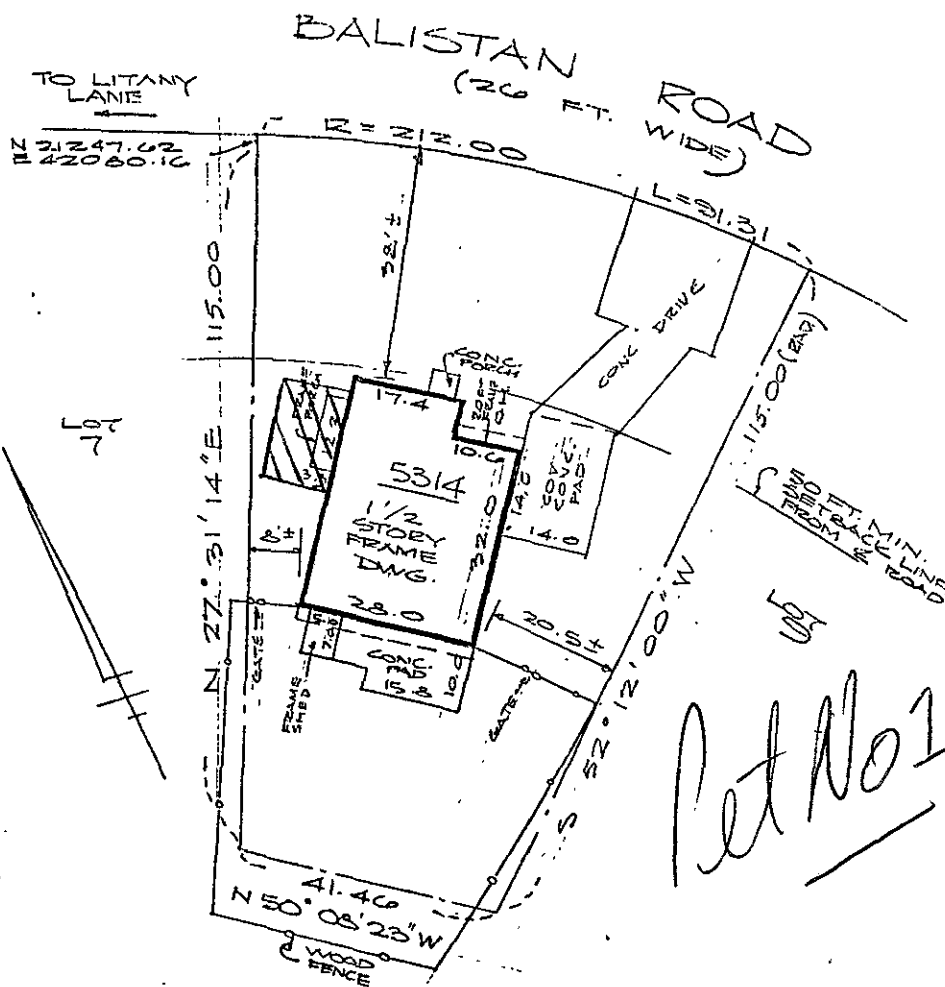
PROPERTY ADDRESS: 5314 Balistan Road

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Barrington Homes - King's Court

plat book# 40, folio# 147, lot# 8, section# III

OWNER: Derek & Debra Snyder



LOCATION INFORMATION

Election District: 14th

Councilmanic District: 6th

1"=200' scale map#: NE 6-H

Zoning: D.R. 5.5

Lot size: 7590
acreage square feet

	public	private
SEWER:	☒	☐
WATER:	☒	☐

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: N/A

Zoning Office USE ONLY!

reviewed by: RT ITEM #: 47 CASE#:

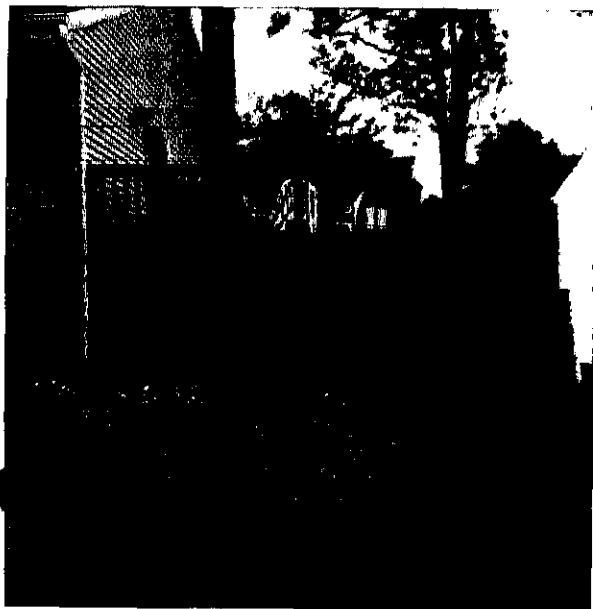


North

date: _____

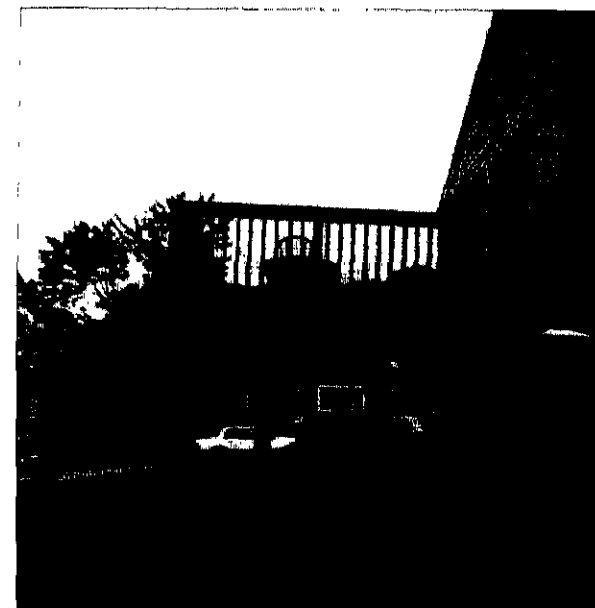
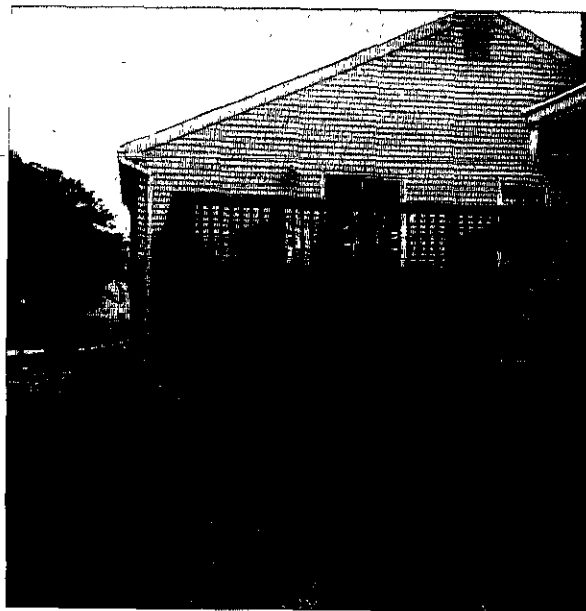
prepared by: _____

Scale of Drawing: 1"= 30'



FRONT OF HOUSE LOOKING WEST

SIDE-VIEW OF HOUSE LOOKING SOUTH

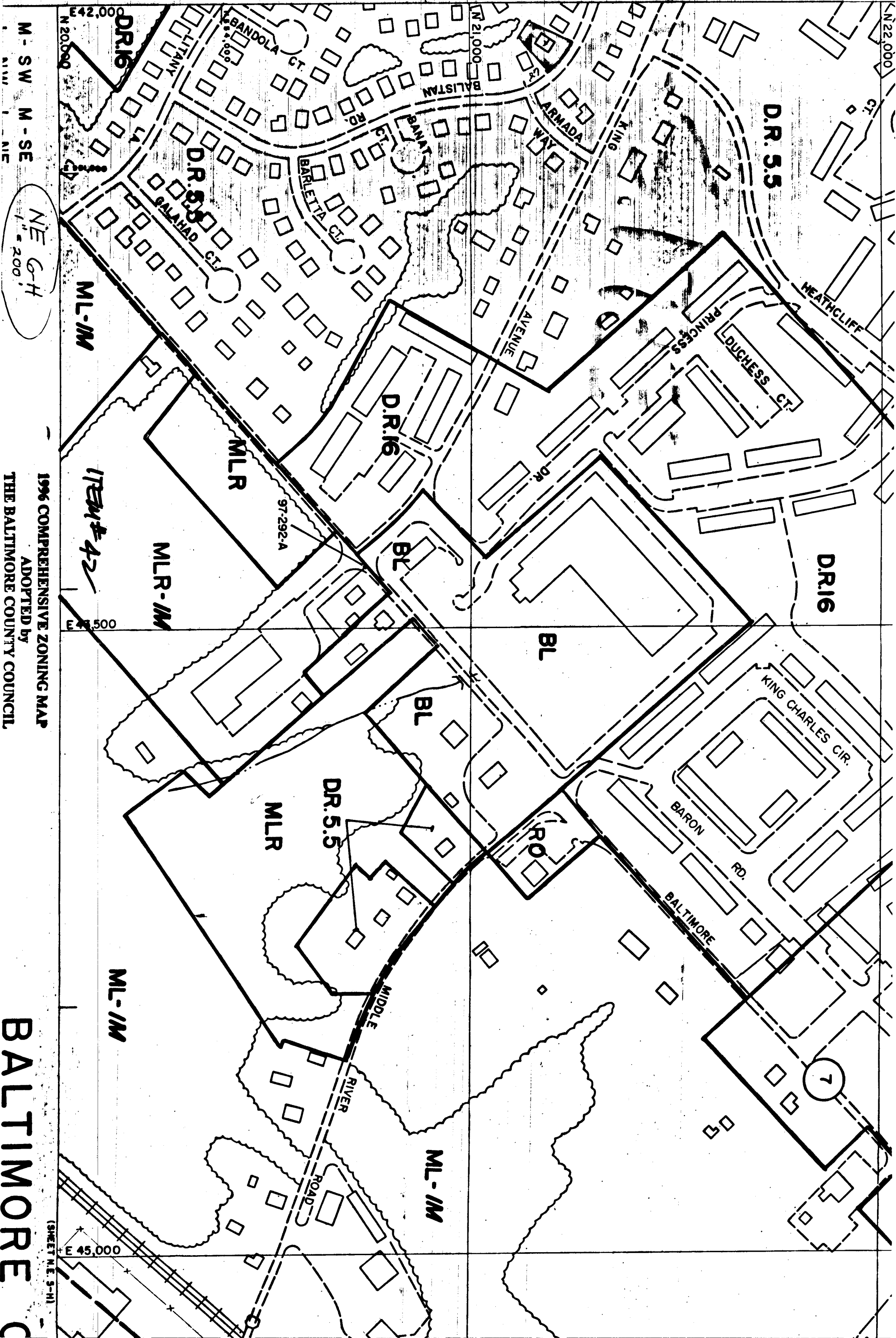


BACK OF HOUSE LOOKING EAST

Derek M. Snyder
Debra D. Snyder
5314 Balistan Road
Baltimore, MD 21237-4504

410-686-5529

#42

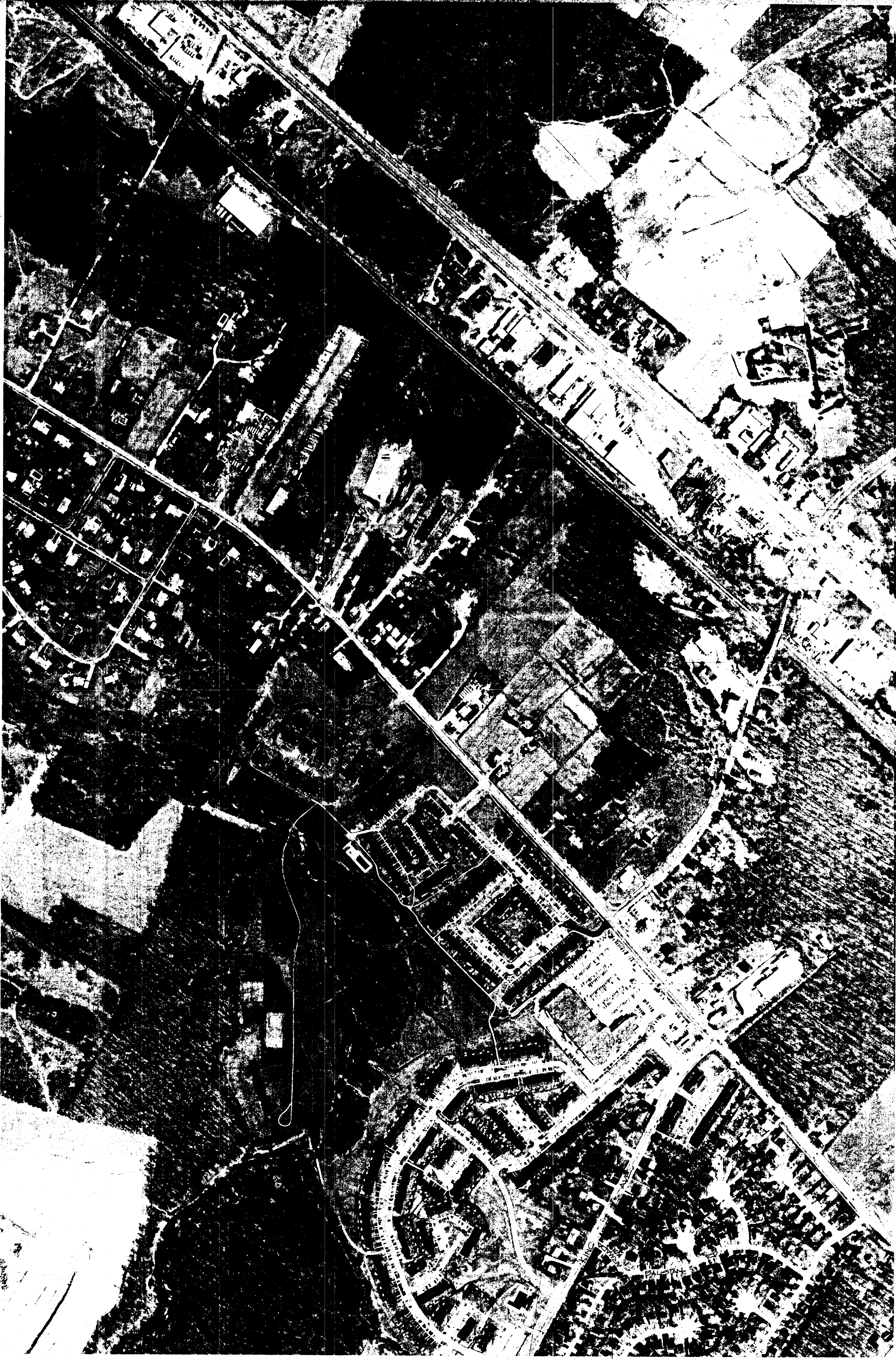


M - SW M - SE

NE 6-H
1" = 200'

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL

BALTIMORE



SITE

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±		LOCATION POPLAR	SHEET NE 6-H
DATE OF PHOTOGRAPHY JANUARY 1986			

ITEM # 42

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