

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Granite Road, 750' N of
Old Court Road
(2822 Granite Road)
2nd Election District
2nd Councilmanic District

Robert A. Hoffman, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-277-A
*

* * * * *

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, Robert A. and Janet M. Hoffman. The Petitioners seek relief from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet for a proposed 19'x29'x24' garage. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence 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 19th day of February, 1998 that the Petition for Administrative Variance seeking relief from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet for a proposed 19'x29'x24' garage, 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.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. Furthermore, there shall be no commercial use or activity taking place within the subject garage.
- 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.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

February 19, 1998

Mr. & Mrs. Robert A. Hoffman
2822 Granite Road
Woodstock, Maryland 21163

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Granite Road, 750' N of Old Court Road
(2822 Granite Road)
2nd Election District - 2nd Councilmanic District
Robert A. Hoffman, et ux - Petitioners
Case No. 98-277-A

Dear Mr. & Mrs. Hoffman:

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 dark 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

to the Zoning Commissioner of Baltimore County

for the property located at 2822 GRANITE RD WOODSTOCK MD 21163

which is presently zoned RC2

This Petition shall be filed with the Dept. of Permits & 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) 400.2 (BCZR)

TO PERMIT AN EXISTING GARAGE OF 24 FT. HEIGHT
IN LIEU OF THE REQUIRED 15 HEIGHT.

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

WE NEED STORAGE & ROOM OVER GARAGE, WHICH
TAKES US ABOVE THE 15'-0" MAX HEIGHT CODE.

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.

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Address

Phone No

Signature

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No

Name

City

State

Zipcode

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: 1-23-98

ESTIMATED POSTING DATE: 2-1-98

Printed with Soybean Ink
on Recycled Paper

ITEM #: 277

98-277-A

ORDER RECEIVED FOR FILING

Date

B

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 2822 GRANITE RD
address

WOODSTOCK MD 21163
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)

STORAGE ABOVE GARAGE NEEDED

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.

Robert A. Hoffman
(signature)
ROBERT A. HOFFMAN
(type or print name)



Janet M. Hoffman
(signature)
JANET M. HOFFMAN
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of JANUARY, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert A. Hoffman + Janet M. Hoffman

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.

1-9-98
date

[Signature]
NOTARY PUBLIC

My Commission Expires:

Bruce R. Penn, Notary Public
Howard County
State of Maryland
My Commission Expires Aug. 1, 2000

A-TTS-80

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 2822 GRANITE RD
address

WOOD STOCK MD 21163
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)

NEED STORAGE ABOVE GARAGE

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.

Robert A. Hoffman
(signature)
ROBERT A. HOFFMAN
(type or print name)



S Janet M Hoffman
(signature)
JANET HOFFMAN
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of January, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert A. Hoffman + Janet M. Hoffman

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.

1-9-98
date

Bruce R. Penn
NOTARY PUBLIC

My Commission Expires:

Bruce R. Penn, Notary Public
Howard County
State of Maryland
My Commission Expires Aug. 1, 2000

A-115-98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2822 GRANITE RD. WOODSTOCK, MD
which is presently zoned PC2 21163

This Petition shall be filed with the Dept. of Permits & 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) 400.2 (BCZR)

TO PERMIT AN EXISTING GARAGE OF 24 FT. HEIGHT
IN LIEU OF THE REQUIRED 15' HEIGHT.

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

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TAKES US ABOVE THE 15'-0" MAX. HEIGHT CODE.

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)

ROBERT A. & JANET M. HOFFMAN

(Type or Print Name)

Signature

JANET M. HOFFMAN

(Type or Print Name)

Signature

2822 GRANITE RD 410 521-5770

Address

Phone No.

WOODSTOCK MD 21163

City

State

Zipcode

Name, Address and phone number of representative to be contacted

SAME AS ABOVE

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 1-23-98

ESTIMATED POSTING DATE: 2-1-98



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on Recycled Paper

ITEM #: 277

98-277-A

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2822 GRANITE RD,
(address)

Beginning at a point on the WEST side of
(north, south, east or west)
GRANITE ROAD which is 30 FT
name of street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 750' ± NORTH of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street OLD COURT RD,
(name of street)
which is 60 FT wide. *Being Lot # ,
(number of feet of right-of-way width)
Block -- , Section in the subdivision of
(name of subdivision)
as recorded in Baltimore County Plat Book # , Folio # ,
containing 2.79 A. Also known as 2822 GRANITE RD,
(square feet or acres) (property address)
and located in the 2 Election District, 2 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber , Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

98-277-A

277

BALTIMORE COUNTY, MAF AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

ITEM # 277

No. 048609

DATE 1-23-98 ACCOUNT F-001-6150

CODE # 010

AMOUNT \$ 50.00

RECEIVED FROM: HOFFMAN

FOR: ADM. VARIANCE
2322 GRANITE RD

R.T.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
1/26/1998 1/23/1998 15:42:30

RECEIVED BY CASHIER BTPY BNT DRAWER 5
5 MISCELLANEOUS GASH RECEIPT

Receipt # 050294

CR NO. 048609

SEL

50.00 CHECK
Baltimore County, Maryland

98-277-A

CASHIER'S VALIDATION

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 277 -A

Address 2822 GRANITE RD.

Contact Person: REGULO TANGUILIG

Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 1-23-98

Posting Date: 2/1/98

Closing Date: 2/16/98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 98- 277 -A

Address 2822 GRANITE RD.

Posting Date: 2-1-98

Closing Date: 2-16-98

Wording for Sign: To Permit AN EXISTING GARAGE OF 24 FT. HEIGHT
IN LIEU OF THE REQUIRED 15 FT.



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.: 277

Petitioner: ROBERT A. HOFFMAN

Location: 2822 GRANITE RD WOODSTOCK MD 21163

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROBERT HOFFMAN

ADDRESS: 2822 GRANITE RD

WOODSTOCK, MD. 21163

PHONE NUMBER: 410-521-5770

AJ:ggs

98-277-A
(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

February 12, 1998

Mr. and Mrs. Robert Hoffman
2822 Granite Road
Woodstock, MD 21163

RE: Item No.: 277
Case No.: 98-277-A
Petitioner: Robert Hoffman, et ux

Dear Mr. and Mrs. Hoffman:

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 January 23, 1998.

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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





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 1/30/98
Item No. 277 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,

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

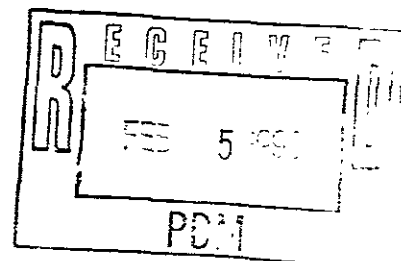


Baltimore County
Fire Department

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

February 4, 1998

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 February 2, 1998

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.

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

247. R-98-150, 270, 271, 276, 277, and 278

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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

TO: PDM
FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Feb. 2, 98

DATE: 2/9/98

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

Item #'s: 277

RBS:sp

BRUCE2/DEPRM/TXTS8P

*Admin
2/16*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 19, 1998

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 No. 277

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

R. C. 2

GRANITE RD.

R. C. 3

SUBJECT SITE

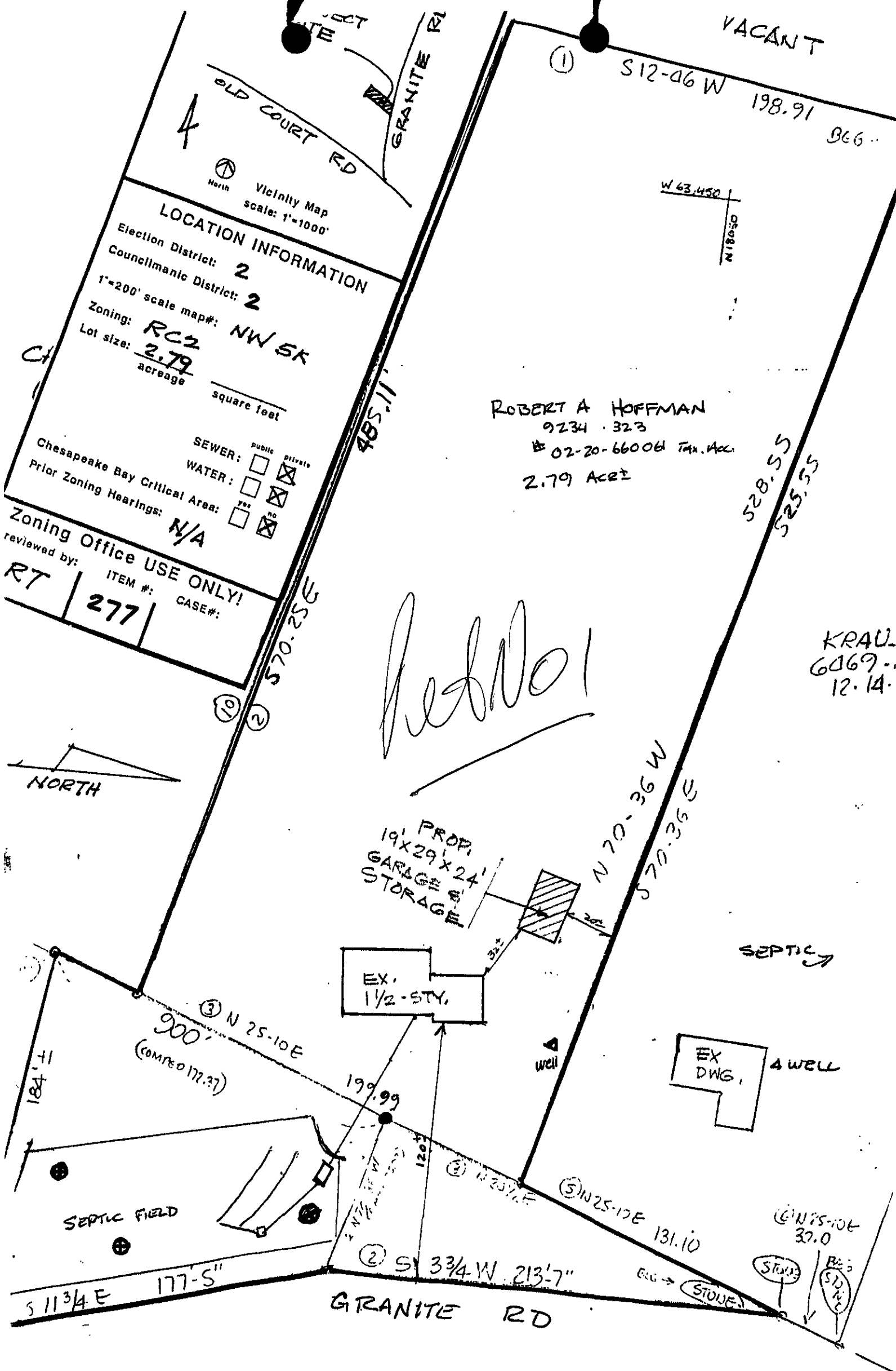
98-277-A

277

NW 5K

1"=200'

R. C. 2



OLD COURT RD
GRANITE RD
Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION
Election District: 2
Councilmanic District: 2
1"=200' scale map#: NW 5K
Zoning: RC2
Lot size: 2.79 acreage
square feet

SEWER: ☐ public ☒ private
WATER: ☐ yes ☒ no
Chesapeake Bay Critical Area: ☐ yes ☒ no
Prior Zoning Hearings: N/A

Zoning Office USE ONLY!
reviewed by: RT
ITEM #: 277
CASE#:

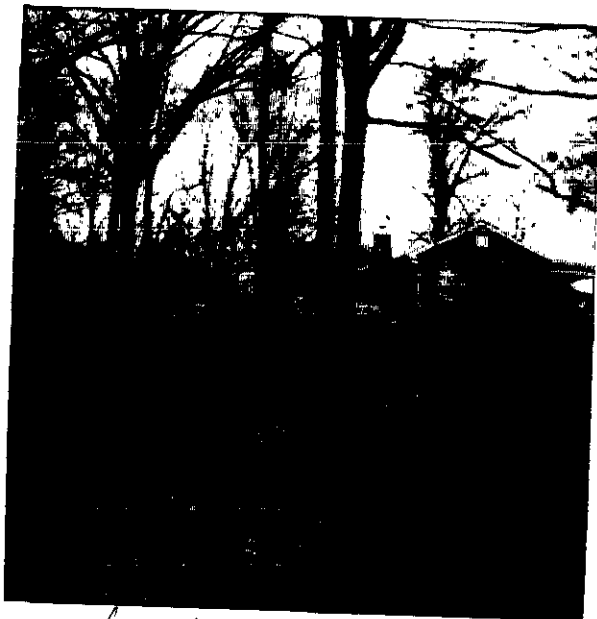
ROBERT A HOFFMAN
9234 . 323
02-20-66006 Tax. Acc.
2.79 Acre±

Red No 1

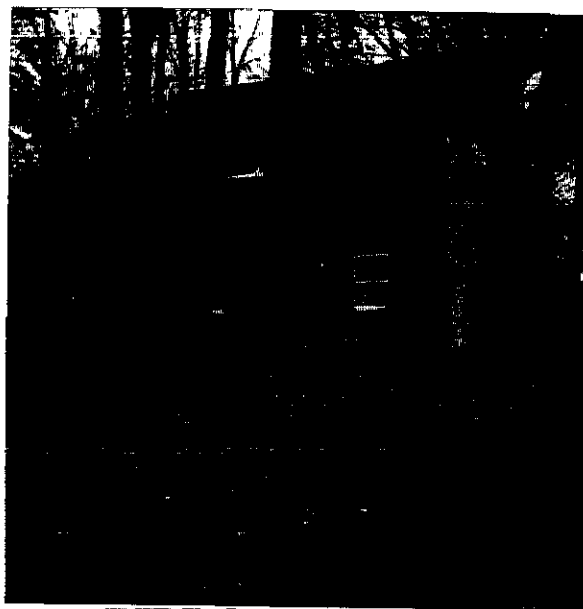
KRAU
6069-
12.14

MAP
NW 5K

SCALE 1"=50'
98-277-A



North. Neighbors house
#277



EXISTING GARAGE
#277 (RED GARAGE)

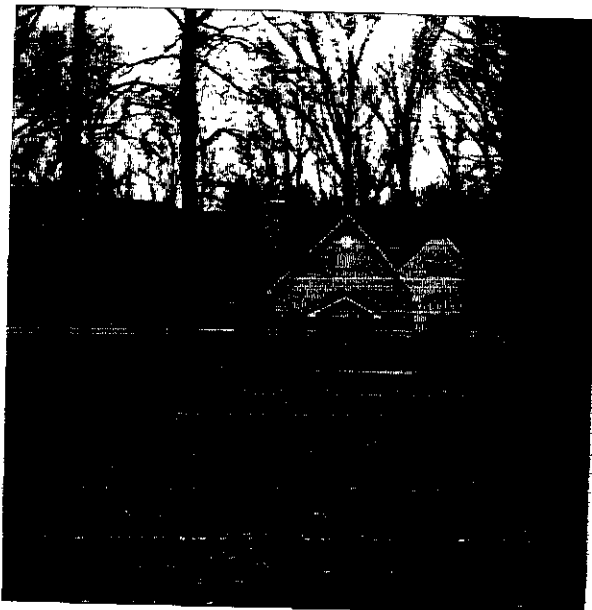
98-277-A



REAR ELEV.
#277



SOUTH ELEVATION
#277



FRONT ELEV.
#277

98-277-A