

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE
W/S Hanover Pike (Rt 30) * ZONING COMMISSIONER
near Emory Road * OF BALTIMORE COUNTY
14808 Hanover Pike * Case No. 98-311-A
4th Election District
3rd Councilmanic District
Dorothy Murphy, Petitioner
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Dorothy Murphy for that property known as 14808 Hanover Pike in the Upperco section of Baltimore County. The Petitioner herein seeks a variance from Sections 400.3 and 101 of the Baltimore County Zoning Regulations (BCZR) to allow a height of 34 ft., in lieu of the permitted 15 ft., and to permit a footprint area of 2,963 sq. ft. for an accessory structure (barn). (The footprint of the principal dwelling, 1,024 sq. ft., is smaller than the proposed barn), in a R.C.2 zone. The subject property and requested relief are 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

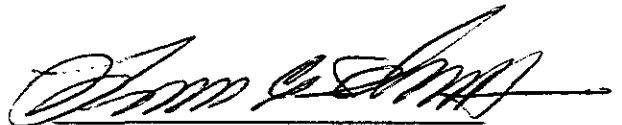
B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 2nd day of April 1998, that the Petition for a Zoning Variance from Sections 400.3 and 101 of the Baltimore County Zoning Regulations (BCZR) to allow a height of 34 ft., in lieu of the permitted 15 ft., and to permit a footprint area of 2,963 sq. ft. for an accessory structure (barn), 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 Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The barn shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. The Petitioner shall not allow the barn to be used for commercial/business purposes.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm



Baltimore County
Zoning Commissioner
Office of Planning

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

April 2, 1998

Mrs. Dorothy Murphy
14808 Hanover Pike
Upperco, Maryland 21155

RE: Petition for Administrative Variance
Case No. 98-311-A
Property: 14808 Hanover Pike

Dear Mrs. Murhy:

Enclosed please find the decision rendered in the above captioned case. The Petition for 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

to the Zoning Commissioner of Baltimore County

for the property located at

14808 Hanover Pike

which is presently zoned RC 2

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) 101 and 400.3, regarding the existing barn, to permit a height of 34 feet in lieu of the permitted 15 feet and to permit a floor or footprint area of 2963 square feet, which is larger than the footprint of the existing dwelling of 1024 square feet

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

The existing barn is a solid structure which will continue to be used by the owner, for storage.

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)

Dorothy Murphy

(Type or Print Name)

Signature

(Type or Print Name)

Signature

14808 Hanover Pike (410) 526-0472

Address

Phone No.

Upperco,

MD

21155

City

State

Zipcode

Name, Address and phone number of representative to be contacted

A. L. Snyder

Name

1911 Hanover Pike

410 239 7744

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: JP

DATE: 9/3/88

ESTIMATED POSTING DATE: 9/15

98-311-A

ITEM #: 311

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 14808 Hanover Pike
address

Upperco Maryland 21155
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)

The existing barn is a solid structure which will continue to be
used by the owner for storage.

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.

Dorothy Murphy 
(signature) (signature)
Dorothy Murphy
(type or print name) (type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6 day of February, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dorothy Murphy

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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.

2/6/98
date

Christopher Z Boyd
NOTARY PUBLIC
My Commission Expires: 09-01-01


A-11E-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 14808 Hanover Pike
address

Upperco Maryland 21155
City State Zip Code

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used by the owner for storage.

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.

Dorothy Murphy
(signature)
Dorothy Murphy
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6 day of February, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dorothy Murphy

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.

2-6-98
date

Annitta A. Lay
NOTARY PUBLIC

My Commission Expires: 09-01-01

A-11E-8P



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14808 Hanover Pike

which is presently zoned RC 2

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) 101 and 400.3, regarding the existing barn, to permit a height of 34 feet in lieu of the permitted 15 feet and to permit a floor or footprint area of 2963 square feet, which is larger than the footprint of the existing dwelling of 1024 square feet

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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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)

Dorothy Murphy

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner:

(Type or Print Name)

14808 Hanover Pike (410) 526-0472

Address

Phone No

Signature

Upperco, MD 21155

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No.

A. L. Snyder

Name

City State Zipcode

1911 Hanover Pike 410 239 7744

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: MA

DATE: 3/3/48

ESTIMATED POSTING DATE: 3/15

98-311-A

ITEM #: 311

A. L. Snyder
Surveyor, Inc.
1911 Hanover Pike
Hampstead, Maryland 21074

(410) 239-7744

(410) 374-9695

Zoning Description for 14808 Hanover Pike

January 16, 1998

311

Beginning for the same on the west side of Hanover
Pike, Maryland Route 30, sixty six feet wide,
approximately 4775 feet south of Emory Road,
Maryland Route 91, fifty feet wide, thence running,

- 1.) S 87° 12' 37" W 152.22 feet,
- 2.) N 0° 27' 41" W 127.45 feet,
- 3.) S 89° 32' 19" W 58.06 feet,
- 4.) N 80° 34' 55" W 58.28 feet,
- 5.) S 89° 32' 19" W 35.00 feet,
- 6.) N 0° 27' 41" W 51.00 feet,
- 7.) N 18° 58' 08" E 103.87 feet,
- 8.) S 89° 55' 45" E 268.31 feet,
- 9.) S 0° 24' 15" E 277.73 feet to the place of
beginning.



Containing 1.47809 Acres of land, more or less.

Being a part of that land which was conveyed to Dorothy Murphy by deed dated
May 20, 1993 and recorded among the Land Records of Baltimore County, Maryland
in Liber S.M. 9784 folio 707 etc., and designated and known as No. 14808 Hanover
Pike and located in the Fourth Election District and Third Councilmanic District.

98-311-A

**BALTIMORE COUNTY, MA' AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

Trans 3/11
No. **848621**

DATE 3-3-98 ACCOUNT R-001-6130
AMOUNT \$ 50.00

RECEIVED FROM: Mrs. M. V. Key

FOR: Residential Variances (2000), filing fee
for # 14808 Hancock P.Ho

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
ROLLERS 36390 116
6/03/1998 3/03/1998 11:24-9
MISCELLANEOUS CASH RECEIPT
Receipt # 056322
CH. NO. 040627
\$50.00 PAID
Baltimore County, Maryland

98-311-A

CASHIER'S VALIDATION

4-118-88

CERTIFICATE OF POSTING

ADMIN. VAR.

98-311-A

RE: Case No

Petitioner/Developer. M & M. MORPHY

LEROY SNYDER, L.S.

Date of Hearing/Closing: 3/30/98

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 #14808 HANOVER PIKE.

The sign(s) were posted on

3/12/98
(Month, Day, Year)

Sincerely,

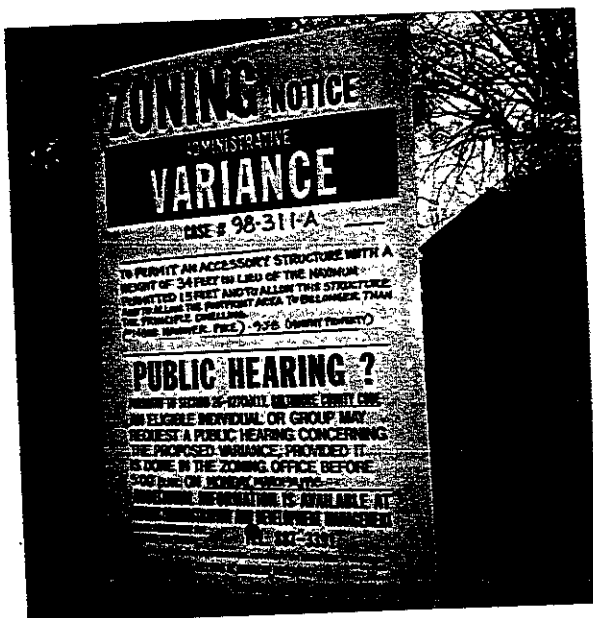
Patrick M. O'Keefe 3/13/98
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



#14808 HANOVER PIKE

#98-311-A

MURPHY / R. SNYDER

P-3/12/98

CLOSE-3/30/98



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.: 311

Petitioner: DOROTHY MURPHY

Location: 14808 HAMOVER PIKE UPPERCO MD. 21155

PLEASE FORWARD ADVERTISING BILL TO:

NAME: TERRI L. MULKEY

ADDRESS: 882 CENTURY STREET

HAMPSTEAD MARYLAND 21074

PHONE NUMBER: 410-239-9948

AJ:ggs

(Revised 09/24/96)

98-311-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 98- 311 -AAddress 14808 Hanover PikeContact Person: John Sullivan
Planner, Please Print Name

Phone Number: 410-887-3391

Filing Date: 3-3-98Posting Date: 3-15-98Closing Date: 3-30-98

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 and he/she 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 a neighbor 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.

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMATCase Number 98- 311 -AAddress 14808 Hanover PikePosting Date: 3-15-98Closing Date: 3-30-98

Wording for Sign: To Permit an accessory structure with a height
of 34 ft. in lieu of the maximum permitted 15 ft. and to allow this
structure and to allow the foot print area to be larger than the
principle dwelling



Baltimore County
Department of Permits and
Development Management

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

March 25, 1998

A. L. Snyder
1911 Hanover Pike
Hampstead, MD 21074

RE:

Item No.: 311
Case No.: 98-311-A
Petitioner: Dorothy G. Murphy
Location: 14808 Hanover Pike

Dear Mr. 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 March 4, 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 Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

March 20, 1998

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

RE: Baltimore County
Item No. 311
Dorothy Murphy
MD 30 —
4775' south of Emory Road
Mile Post 4.30 Left

Dear Ms. Eubanks:

We have reviewed the subject project and have no objection to the proposed Administrative variance.

A field inspection of the property reveals that the existing site distance is adequate. We do however, require that the property owner secure a Residential Access permit from our District #4 office.

Please contact Mr. Alan Price at 410-329-6752 for the required improvements conditional to obtaining this permit.

In the interim, if you have any questions, please contact Larry Gredlein at 410-545-5606. You may also E-mail him (lgredlein@sha.state.md.us).

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits Division

LG/eu

cc: Mr. David Malkowski
Mr. Alan Price w/attachments

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: March 12, 1998

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

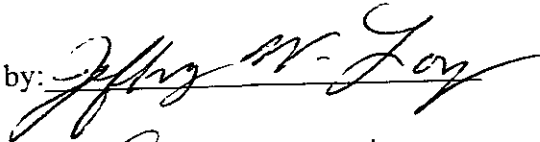
SUBJECT: Zoning Advisory Petitions

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

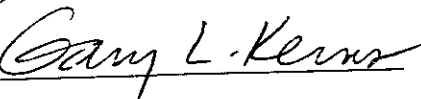
Item No. 311

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:



Division Chief:



AFK/JL

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: March 20, 1998

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for March 23, 1998
 Item Nos. 311, 312, 315, 316, 317,
 318, and 319

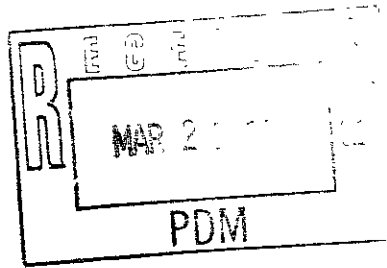
The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department



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

March 23, 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 MARCH 16, 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:

311, 312, 313, 315, 317, AND 318

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File



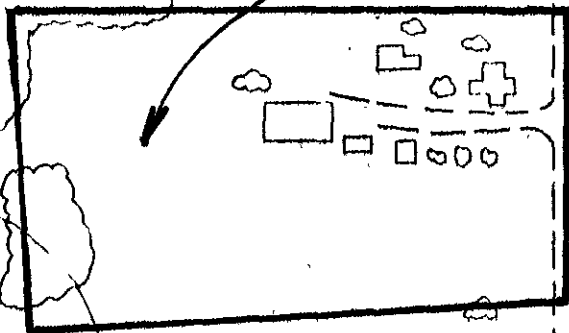
30

#311

HANOVER

R. C. 2

SITE



R. C. 4

W-63,000

SCALE

1" = 200' ±

LOCATION

WEST OF BORING

SHEET

N. W.

22-K

DATE
OF
PHOTOGRAPHY
JANUARY
1986

WILKES-BARRE COUNTY
PLANNING AND ZONING
LOCAL ZONING MAP 98-311-A



98-311-A



98-311-A

5



6



98-311-A



98-311-A

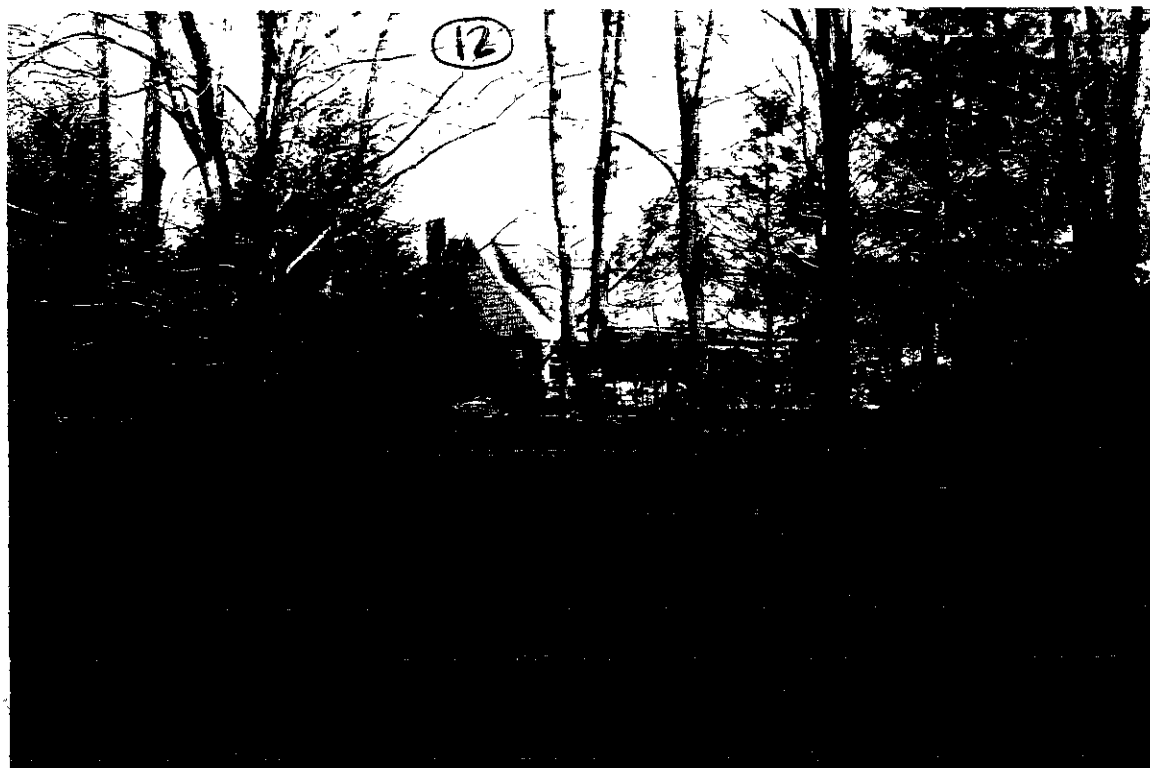
9



10



98-311-A



98-311-A



98-311-A