

IN RE: PETITION FOR ADMIN. VARIANCE

W/S of Tachbrook Road, 400' S
of centerline of Woodfall
11th Election District
6th Councilmanic District
(8414 Tachbrook Road)

Dawn L. Johnson
Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-094-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Dawn L. Johnson, property owner, for that property known as 8414 Tachbrook Road in the Fullerton/White Marsh area of Baltimore County. The Petitioner herein seeks a variance from Sections 1802.3.B and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a sideyard setback of 1 ft. in lieu of the required 15 ft. for an addition. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative 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 Deputy 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.

ORIGINAL FILED FOR FILING

9/30/99

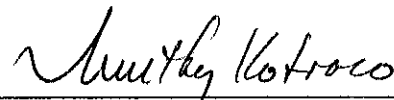
Date

By *D.L. Johnson*

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 Deputy Zoning Commissioner for Baltimore County this 30th day of September, 1999 that a variance from Sections 1802.3.B and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a sideyard setback of 1 ft. in lieu of the required 15 ft. for an addition., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 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.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date

9/30/99

By





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 30, 1999

Ms. Dawn L. Johnson
8414 Tachbrook Road
Baltimore, Maryland 21236

Re: Petition for Administrative Variance
Case No. 00-094-A
Property: 8414 Tachbrook Road

Dear Ms. Johnson:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7414 Tachbrook Road
which is presently zoned DF 16

This Petition shall be filed with the Department of Permits and 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) 1802.3.B) 504.2 & V.B.6.b (cmdp)

To permit side yard set back of 1' in lieu of the required 15' for ^{an} Addition

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 2 day of September, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-94-A

Reviewed By JCM Date 9-1-99

Estimated Posting Date 9-12-99

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 8414 Tachbrook Road
Address
Baltimore MD 21236
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 need for more living and storage space

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Dawn L. Johnson
Signature
DAWN L. JOHNSON
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of September, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dawn L. Johnson
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

September 1, 1999
Date

Karen V. Robb
Notary Public
My Commission Expires 01/01/02

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 8414 Tachbrook Rd.
Address
Baltimore MD 21236
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 need for more living space and storage

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Dawn L. Johnson
Signature

Dawn L. Johnson
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of September, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dawn L. Johnson

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

September 1, 1999

Date

Karen V. Rohlf
Notary Public

My Commission Expires 01/01/02



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8414 Tachbrook Rd.
which is presently zoned DR 14

This Petition shall be filed with the Department of Permits and 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) 1802.3.B, 504.2 & V.B.6.b (CMDP)

To permit a side yard set back of 1' in lieu of the
15' required for an addition

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

DAWN L. Johnson
Name - Type or Print

Dawn L. Johnson
Signature

Name - Type or Print

Signature

8414 Tachbrook Rd. 410-931-1126
Address Telephone No.

Baltimore MD 21236
City State Zip Code

Representative to be Contacted:

Same
Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-94A

REV 9/15/98

Reviewed By [Signature] Date 9-1-99

Estimated Posting Date 9-12-99

Zoning Description

Zoning Discription for 8414 Tachbrook Road

Beginning at the west side of Tachbrook Road which is 50 feet wide at the Distance of 400ft. South of the centerline of the nearest improved intersecting street Woodfall which is 50 feet wide.

Being lot # 11, Block A, Section 1 in the Subdivision Plat of Woodfall, Section 1, Phase 3B of White Marsh as Recorded in Baltimore County Plat Book # 41 Folio 41 containing 4128 Square Feet. Also known as 8414 Tachbrook Road and located in the 6th Election District 11th County Councilmanic District.

94

00-094-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINAN
MISCELLANEOUS RECEIPT

94

No. 069861

DATE 7-1-99

ACCOUNT

Pool-6150

AMOUNT \$

50.00

RECEIVED
FROM:

D. Johnson

8414 Tachbrook Rd

(010) Ad. VAR.

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/01/1999 9/01/1999 09:46:05

REG 0501 CASHIER JRIC JWR DRAWER 1

Dept 5 528 ZONING VERIFICATION

Receipt # 115145

OR NO. 069867

Receipt Tot

50.00

50.00 CK

.00 DR

Baltimore County, Maryland

00-094-A

JCM

CASHIER'S VALIDATION

A-490-00

CERTIFICATE OF POSTING

RE: CASE #00-094-A
PETITIONER/DEVELOPER:
(Dawn Johnson)
DATE OF Closing
(Sept. 27, 1999)

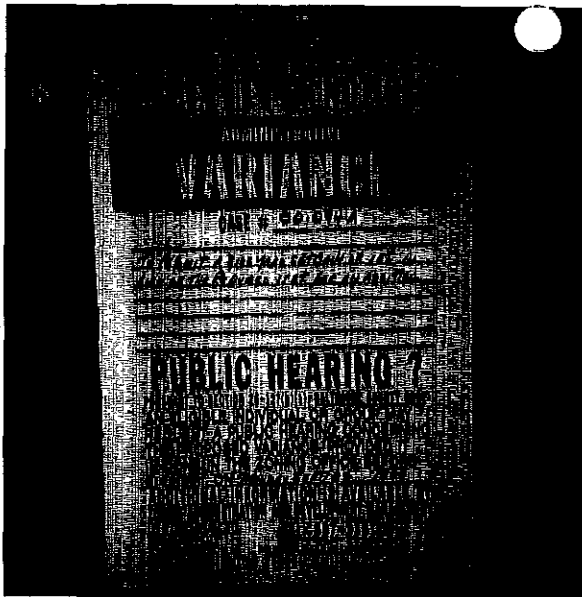
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
8414 Tackrook Road Baltimore, Maryland 21237 _____

The sign(s) were posted on _____ 9-10-99 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle 9/10/99
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 94 -A Address 8414 TACKBROOK RD.

Contact Person: J. Mearns Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9.1.99 Posting Date: 9.12.99 Closing Date: 9.27.99

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 00- 99 -A Address 8414 TACKBROOK RD.

Petitioner's Name Dawn Johnson Telephone (410) 931-1126

Posting Date: 9.12.99 Closing Date: 9.27.99

Wording for Sign: A VARIANCE
To Permit A SIDEYARD SETBACK of 1ft. in
lieu of The Required 15ft. for an Addition.



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.: 94

Petitioner: Dawn Johnson

Location: 8414 Tachbrook Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Dawn Johnson

ADDRESS: 8414 Tachbrook Rd.

Baltimore Md. 21236

PHONE NUMBER: 410-931-1126

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

	public	private
SEWER:	☐	☐
WATER:	☐	☐
Chesapeake Bay Critical Area:	☐	☐

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
pdmlandacq@co.ba.md.us

September 28, 1999

Ms. Dawn Johnson
8414 Tachbrook Road
Baltimore, MD 21236

Dear Ms. Johnson:

RE: 00-94-A:, 8414 Tachbrook Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on .

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

AV
9/27

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: September 22, 1999

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

SEP 22

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 094

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

September 27, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF September 13, 1999

Item No.: See Below

Dear Ms. Stephens:

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:

069, 070, 071, 072, 073, 074, 075, *077, *079, 080, 081, 082,
083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, (094),
095, 096, 097, and 098

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

*Break in sequence.

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 9.13.99

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

RE: Baltimore County
Item No. 094 JCM

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr.
Acting Chief
Engineering Access Permits Division

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

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

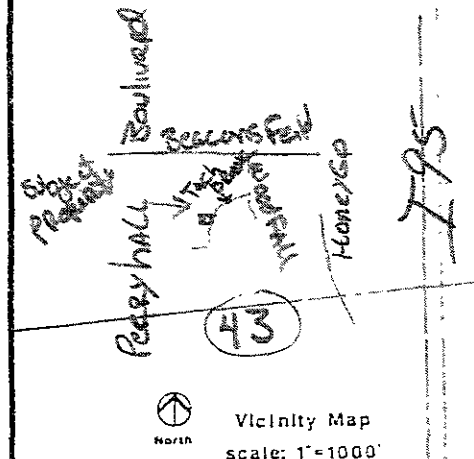
PROPERTY ADDRESS: 8414 TACHBROOK Rd

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

Subdivision name: PLAT OF WOODFALL, SECTION 1 PHASE 3B OF WHITE MARSH

plat book # 41, folio # 41, lot # 11, section # 1

OWNER: DAWN Johnson



LOCATION INFORMATION

Election District: 6

Councilmanic District: 11

1"=200 scale map #: NE8H

Zoning: DR 16

Lot size: 4.28
acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ yes ☒ no

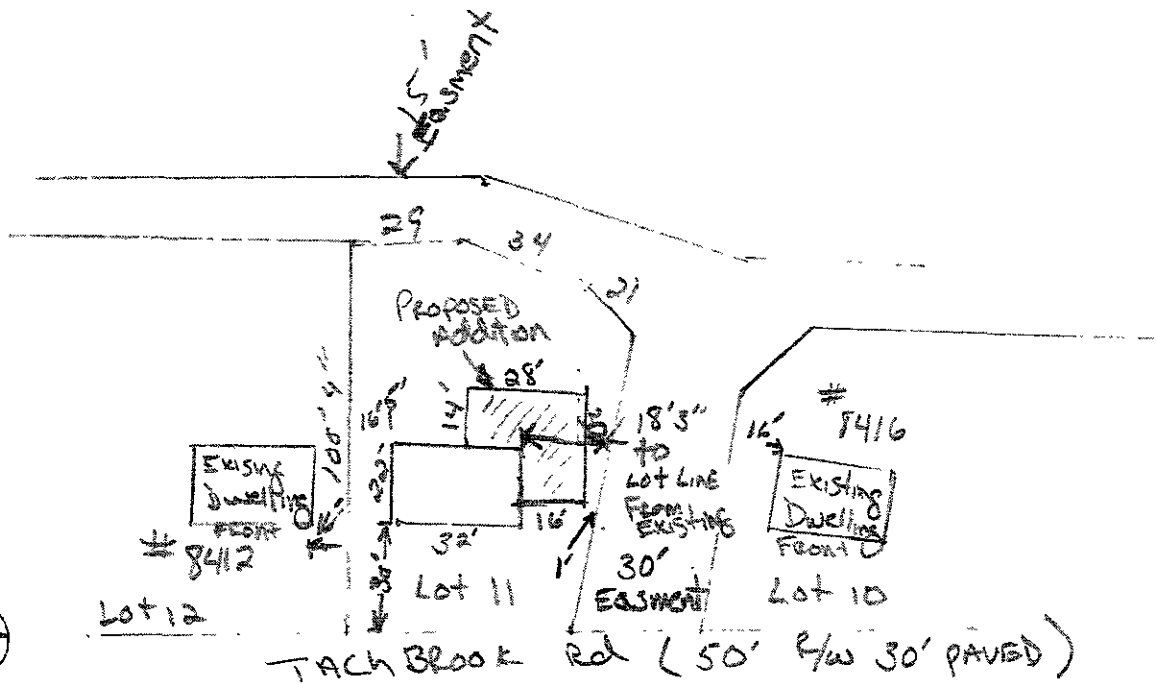
Prior Zoning Hearings:

NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

SCM 94



North

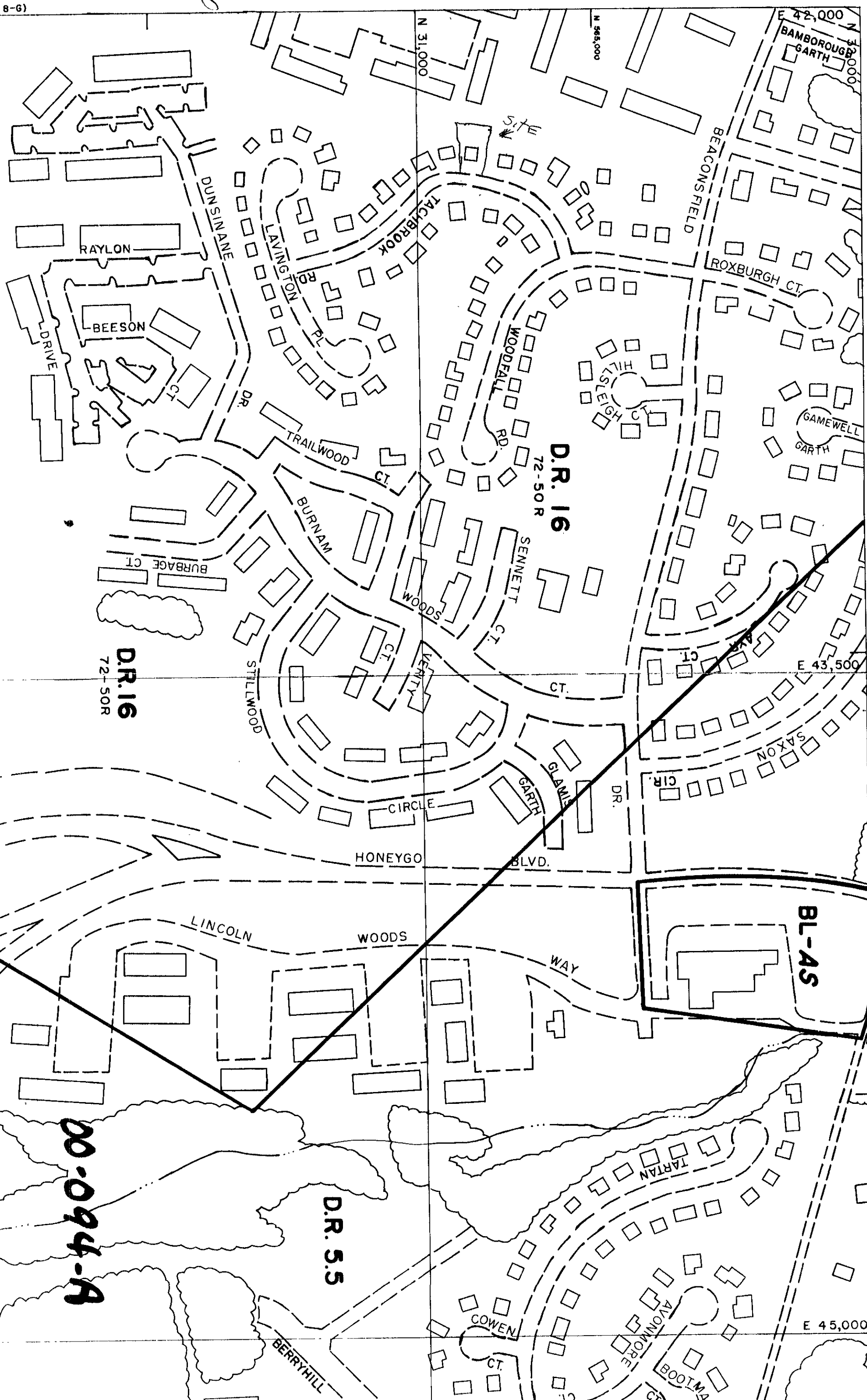
date: 8-30-95

prepared by: Miles Johnson

Scale of Drawing: 1" = 50'

00-094-A

PET. EX. #1



NE-14
1" = 200'

00-094-A



00-094-A



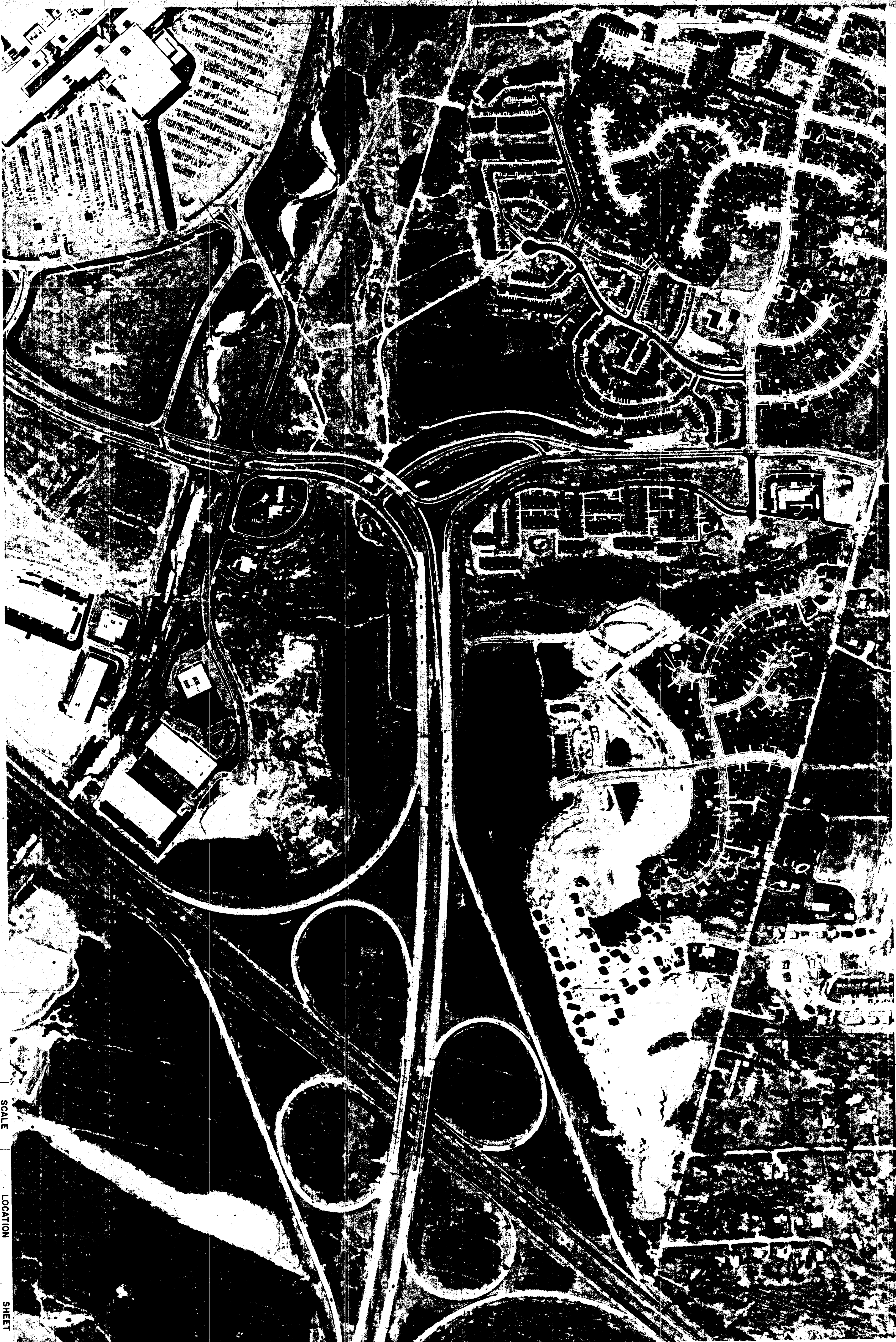
00-094-A



00-094-A



00-094-A



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 26001

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	FULLERTON WHITE MARSH VICINITY	N.E. 8-H 94
DATE OF PHOTOGRAPHY JANUARY 1986	00-094-A	