IN RE: PETITION FOR ADMIN. VARIANCE

W/S Burke Road, 200' N

centerline of Bowleys Quarters Road

15th Election District

5th Councilmanic District

(1442 Burke Road)

Edith Holland Petitioner BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 00-418-A

* * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Edith Holland. The variance request is for property located at 1442 Burke Road, located in the Bowley's Quarters area of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 0 ft. for a proposed addition in lieu of the minimum required 50 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner has 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 request 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 administrative variance would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits

SE RECEIVED FOR PLING

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.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). As of the date of this Order, DEPRM had not completed its review of this project. Therefore, the relief granted herein is subject to the Petitioner's compliance with any recommendations made by the Department of Environmental Protection and Resource Management upon completion of their review.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons given above, the requested administrative variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this gth day of May, 2000, that a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 0 ft. for a proposed addition in lieu of the minimum required 50 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.

TO STORE TO FILMS

2) Compliance with any recommendations made by DEPRM to minimize any effect the proposed development might have on the Bay and its tributaries.

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.

IMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

OPCER RECEIVED FOR FILING
Date

Self Control

N

The Control

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

Fax: 410-887-3468

May 8, 2000

Ms. Edith Holland 1442 Burke Road Baltimore, Maryland 21220

Re: Petition for Administrative Variance

Case No. 00-418-A

Property: 1442 Burke Road

Dear Ms. Holland:

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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Linkly 16 trace

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at $\frac{\times 1442}{\text{Which is presently zoned}} \times \frac{\text{Rd.}}{\text{DC.5}}$

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) 1904.3.8.2.

To allow a side yard setback ge off, for a proposed addition in lieu of the min invin vequived soft.

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.

Contract Purchase	r/Lessee:		Legal Owner(s):	1 11	
Name - Type or Print			Name - Type or Print	h//ANO	
Signature			X Elith H	olland	
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature X 1442 Burk	e N.	x410-335-56
Attorney For Petition	oner:		Address Boltzmon	Md.	Telephone No.
Name - Type or Print	,	,	City	State	Zip Code
Signature			Representative t	o be Contacted:	
Signatule Company			Name		<u> </u>
Address		Telephone No.	Address		Telephone No.
av 3	State	Zip Code	City	State	Zip Code
A Public Hearing having I	been formally demande that unty and that the property	od and/or found to b the subject matter of be reposted.	e required, it is ordered by t this petition be set for a public	he Zoning Commissionel hearing, advertised, as i	r of Baltimore County, required by the zoning

Estimated Posting Date

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	X 1442	BURKE	1001.	
That are runaine, or account of processing the same in	Address Rolling	BURKE	x Md.	xenzo
	City		State	Zip Code
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other side of the d	welling	making	Jut im	producar ro
other side of the d build the addition	there.			
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That the Affiant(s) acknowledge(s) that if a fo	ormal demand i	s filed, Affiant(s) will be requi	red to pay a reposting and
advertising fee and may be required to provide	additional inforn	nation.		
r Edith Holland		<u> </u>		
Signature Laire Hallano		Signature X		
Name - Type or Print		Name - Type or	Print	
STATE OF MARYLAND, COUNTY OF BALTI				- Natara Dublic of the State
i HEREBY CERTIFY, this 31 day of 10	ersonally appear	red , ಎ <i>೦೦</i> ,	O, before me,	a Notary Public of the State
SOUTH HOLLAND				i di
the Affiant(s) herein, personally known or satislaw that the matters and facts hereinabove set	sfactorily identifi forth are true an	ed to me as su ad correct to the	ich Affiant(s), ar best of his/her/	nd made dath in due form of their knowledge and belief.
AS WITNESS my hand and Notarial Seal				
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Date		y Public ommission Exp	ires <u>X 03</u>	~01-01
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REV 09 15 98				

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	1442 DUKE	E Ma.	
	Address Boltimore	Md.	21220
	City	State	Zip Code
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature Edith Holland Name - Type or Print	ormal demand is filed, Affiant additional information. Signature Name - Type of		ed to pay a reposting and
STATE OF MARYLAND, COUNTY OF BALTII	MORE, to wit:		. — — 42 — 43 va p
I HEREBY CERTIFY, this 31 day of 0 day of County aforesaid, pe		before me,	a Notary Public of the State
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set	sfactorily identified to me as s forth are true and correct to the	uch Affiant(s), an e best of his/her/tl	d made oath in due form of neir knowledge and belief.
AS WITNESS my hand and Notarial Seal			
3-3/- <i>0</i> 0	Notary Public My Commission Ex	M. DeBI	occio
	My Commission Ex	pires <u>O3</u> -	01-01
REV 09 15 98	•		



CASE NO. 00-418-4

REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1442 BURKE M. which is presently zoned RC5

This Petition shall be filed with the Department of Permits and Decouner(s) of the property situate in Baltimore County and which is described a part hereof, hereby petition for a Variance from Section(s)	ribed in the description and plat attached bereto and
To allow a side yard setback of oft	

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 decla perjury, that I/we are th is the subject of this Pe	e legal owner(s) of t	the penalties of he property which
Contract Purchaser/	<u>Lessee:</u>		Legal Owner(s):	4 Hollano	
Name - Type or Print		· · · · · · · · · · · · · · · · · · ·	Name - Type or Print	0000	
Signature			Signature	occurry	
Address		Telephone No.	Name - Type or Print		
City Attorney For Petition	State	Zip Code	Signature 1442 Bak	ice Pd.	410-335-5698
	1911		1442 Bak Address Bottimone	Md.	Telephone No.
Name - Type or Print			City	State	Zip Code
Signature			Representative to	be Contacted:	
Company		<u>'</u>	Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having bed this day of regulations of Baltimore Count	. th	at the subject matter of t	required, it is ordered by the his petition be set for a public he	earing, advertised, as	required by the zoning
			Zonina Commiss	sioner of Baltimore Co	unty

Estimated Posting Date

Zoning Description for 1442 Burke Rd.

Beginning at a point on the West side of Burke Rd. which is 30 ft. wide at the distance of 60-ft. North of the centerline of the nearest improved intersecting street Bowleys Quarters Rd. which is 30 ft. wide. Being lot# 156, Plat 1 in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book# 7, Folio# 12, containing 16470 sq. ft. Also known as 1442 Burke Rd. and located in the 15th election district, 5th Councilmanic District.

00.41B-A

BALTIMORE COUNTY, MARYLAN

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

ACCOUNT OO / 1/2 C/2

AMOUNT \$ 50:

FOR:

O / 2083

YELLOW - CUSTOMER

DISTRIBUTION

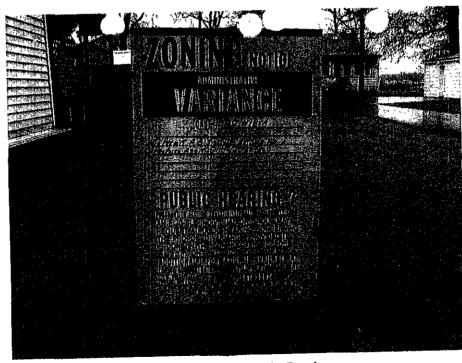
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0-41B-A

CASHIER'S VALIDATION



Posted at 1442 Burke Road

CERTIFICATE OF POSTING

RE: CASE # 00-418-A
PETITIONER/DEVELOPER
(Edith Holland)
DATE OF Closing
(5-1-00)

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 SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

1442 Burke Road Baltimore, Maryland 21220		
THE SIGN(S) WERE POSTED ON	4-14-00	
	(MONTH, DAY,YEAR)	
	SINCERELY,	
	(SIGNATURE OF SIGN POSTER & DATE)	
	THOMAS P. OGLE SR	
	325 NICHOLSON ROAD	
	BALTIMORE, MARYLAND 21221	
	410-687-8405	

(TELEPHONE NUMBER)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVICES INTERVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case N	Number 00	- 418	-A	Address	1442 Burke Roel
		Mitchell	J. Kellin	nio :	Phone Number: 410-887-3391
Filing	Date: <u>4</u>	/5 / 0T	Postii	ng Date:	4/C/07 Closing Date: 5/1/07
Any co	ontact mad h the conta	le with this o	ffice regarding nner) using the	the statu	tus of the administrative variance should be mber.
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2.	a formal request fo	request for a r a public hear	ing, the proces	s is not co	or an occupant or owner within 1,000 feet to file e understand that even if there is no forma complete on the closing date.
3.	commission order that (typically videnied, or	oner. He may t the matter t within 7 to 10 will go to pub	e set in for a days of the clo lic hearing. Th	public h sing date e order w	be reviewed by the zoning or deputy zoning ted relief; (b) deny the requested relief; or (c) hearing. You will receive written notification as to whether the petition has been granted will be mailed to you by First Class mail.
4 .	(whether commission	due to a neigoner), notifica giving notice of ertification of t	tion will be fo of the hearing d his change and	rwarded flate, time	ING: In cases that must go to a public hearing or by order of the zoning or deputy zoning to you. The sign on the property must be and location. As when the sign was originally ograph of the altered sign must be forwarded to the line.
Petit	ioner: This	s Part of the I	orm is for the		enter the contract of the state
		USE TH		ATIVE VA	ARIANCE SIGN FORMAT
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Petitioner: Ed. th Holland
Address or Location: 1442 Burke Fed:
PLEASE FORWARD ADVERTISING BILL TO: Name: Elith Holland
Address: 1442 Burke Rel.
Bulto. MD 21220.
Telephone Number: (410) 335 - 5698



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

April 28, 2000

Ms. Edith Holland 1442 Burke Road Baltimore MD 21220

Dear Ms. Holland:

RE: Case Number 00-418-A, 1442 Burke Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 5, 2000.

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.

Sinçerely,

W. Carl Richards, Jr./ Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



ripled with Soybean Ink

on Recycled Paper











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

April 18, 2000

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 APRIL 17, 2000

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.

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

411, 412, 413, 414, 417, (418), 419, 420, 422, 425, 426, and 427

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

PY 5/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 21, 2000

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petitions Case 418

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC



Maryland Department of Transportation State Highway Administration

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

Date: 4.17.00

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

Baltimore County RE:

Item No. 418

MJK

Dear. Ms. Jackson:

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,

1. J. Goedle

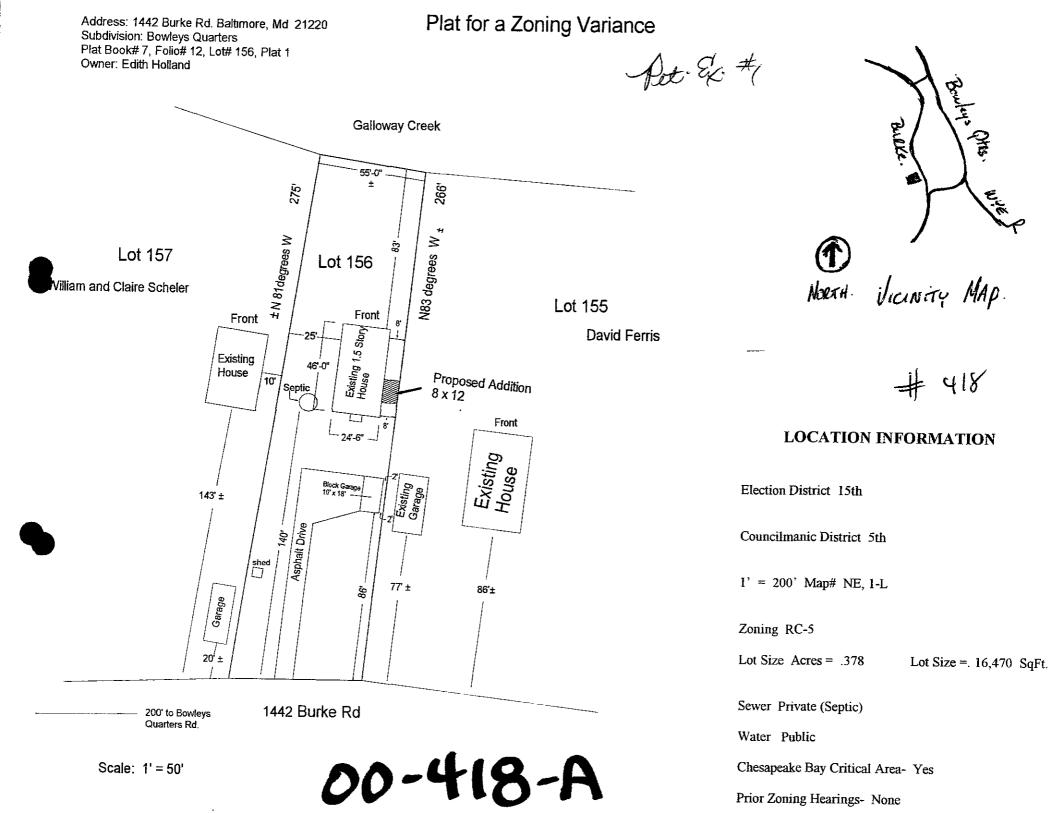
1~ Kenneth A. McDonald Jr., Chief

Engineering Access Permits Division

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-418-A

Date Completed/Initials	
4/26/00 504	PREPARE HEARING FILE (put case number on all papers; hole punch and plac appropriately; put label and case number on folder; complete information on stamp of front of folder)
N/M	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertis at least 15 days prior to hearing)
N/A	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC is computer for hearing date, time and place)
Macdon and	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
4/26/00 50	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail origina and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

ARED BY AIR PHOTOGRAPHICS, INC.

