

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/S Plover Drive, 60 ft. NE		
centerline of Heron Drive	*	DEPUTY ZONING COMMISSIONER
13th Election District		
1st Councilmanic District	*	OF BALTIMORE COUNTY
(1126 Plover Drive)		
	*	CASE NO. 01-153-A
Michael and Lynn Elliott		
Petitioners	*	

* * * * *

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 owners of the subject property, Michael and Lynn Elliott. The variance request is for property located at 1126 Plover Drive in the Halethorpe area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with proposed addition to have a rear yard setback of 16 ft. in lieu of the required 20 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners 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 Petitioners have 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

ORDER RECORDED FOR FILING

Date 4/1/00

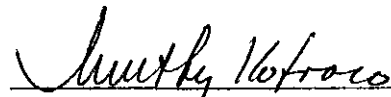
By [Signature]

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 Petitioners.

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 17th day of November, 2000, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with proposed addition to have a rear yard setback of 16 ft. in lieu of the required 20 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners 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

ORDERED FOR FILING
2000 11/17/00
By: [Signature]



Baltimore County
Zoning Commissioner

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

November 1, 2000

Mr. & Mrs. Michael Elliott
1126 Plover Drive
Baltimore, Maryland 21227

Re: Petition for Administrative Variance
Case No. 01-153-A
Property: 1126 Plover Drive

Dear Mr. & Mrs. Elliott:

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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

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

Address 1126 Plover Drive
City Baltimore State MD Zip Code 21227

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):

We want to extend our house by 9 ft. 6 in. to accommodate additional closet space, *enlarge bedrooms, and add a bathroom. We have small bedrooms with almost no closet space. To accommodate this, we exceed the back set back by 5'ft. We request permission to go beyond the back set back by 5 ft. which is not 20 ft. from the property line.

* Our two daughters have outgrown their bedrooms. Our daughter is too large for a twin bed, but this is the only size bed which will fit into her present room size. We also need an additional bathroom for the three females and one male living in the house.

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.

Signature Michael Elliott
Name - Type or Print Michael Elliott

Signature Lynn W. Elliott
Name - Type or Print Lynn W. Elliott

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of SEPTEMBER, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MICHAEL ELLIOTT AND LYNN W. ELLIOTT
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

Date 9/25/00

Notary Public Cathy M. Sidlowski

My Commission Expires 11/1/02



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1126 Plover Drive
which is presently zoned residential (DRS.S)

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) BCZR 1B02.3B (BCZR 7/2/53; Section III C4) to permit an existing single family dwelling with proposed addition to have a rear yard setback of 16 feet in lieu of the required 20 feet

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):

Michael Elliott W(443)
Name - Type or Print _____
Michael Elliott 250-9765
Signature _____
Lynn Williams Elliott
Name - Type or Print _____
Lynn W. Elliott
Signature _____
1126 Plover Drive (410)
Address _____ Telephone No. _____
Baltimore, MD 21227
City _____ State _____ Zip Code _____

Representative to be Contacted:

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. _____

01-153-A

Reviewed By JNP

Date 10/4/00

Estimated Posting Date 10/15/00

R20 9/15/98

Zoning Description

ZONING DESCRIPTION FOR 1126 Plover Drive

Beginning at a point on the east side
of 1126 Plover Drive which is 50 feet
wide at the distance of 60 feet ^{north} ~~south~~ of the
centerline of the nearest improved intersecting street Heron
which is 50 feet wide. Being Lot # 19
Block C, Section # 3 in the subdivision of
Block F,G,H, I,J,K. and Parts of Block C and E of Wynnewood as
recorded in Baltimore County Plat Book # 20, Folio # 156,
containing 12,750 sq. ft.. Also known as 1126 Plover Drive
and located in the 13 Election District, 4 Council manic
District.

01-153-A

01-153-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5878

DATE

10/4/00

ACCOUNT

001-6150

AMOUNT \$

50.00

RECEIVED
FROM:

Michael & Lynn Elliott

FOR:

Administrative Variance

01-153-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

DATE RECEIVED

ACTUAL

TIME

10/05/2000

10/04/2000

1:00 PM

UNIT 5

CHARTER UNIT

UNIT 104

10/04/00

Receipt #

140834

001

10/04/00

Receipt #

140834

001

10/04/00

Receipt #

140834

001

50.00 OK

Baltimore County, Maryland

01-153-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

**RE: CASE # 01-153-A
PETITIONER/DEVELOPER
(Michael Elliott)
DATE OF Closing
(10-30-00)**

**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**

1126 Plover Drive Baltimore, Maryland 21227_____

THE SIGN(S) WERE POSTED ON_____ 10-15-00_____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

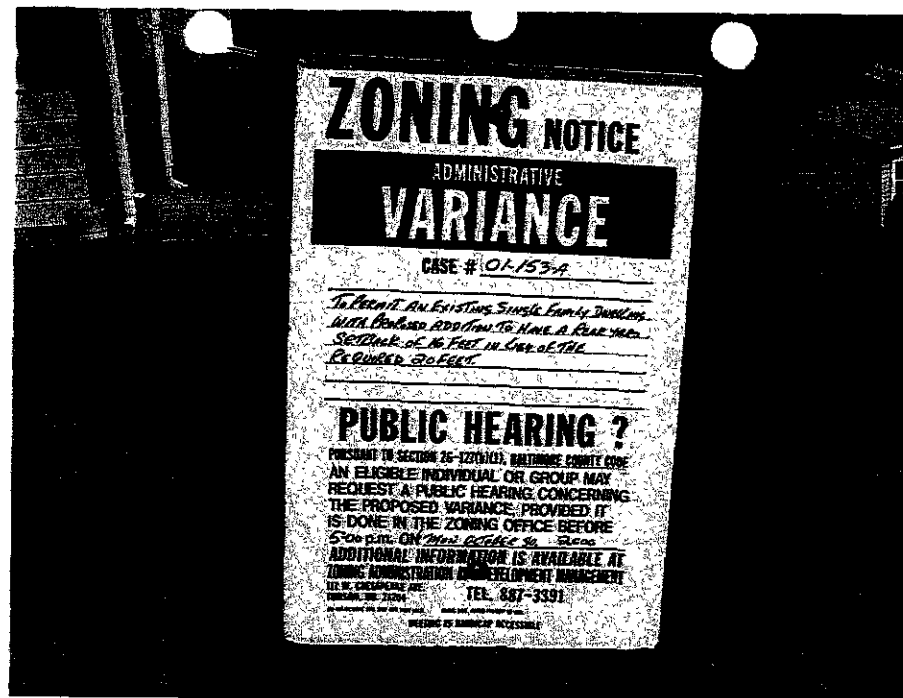
_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)



1126 Plover Drive

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 01- 153 -A Address 1126 Plover DriveContact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 10/4/00 Posting Date: 10/15/00 Closing Date: 10/30/00

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 01- 153 -A Address 1126 Plover DrivePetitioner's Name Michael & Lynn Elliott Telephone 410-242-2125Posting Date: 10/15/00 Closing Date: 10/30/00Wording for Sign: To Permit an existing single family dwelling with proposed addition to have a rear yard setback of 16 feet in lieu of the required 20 feet.

WCR - Revised 6/28/00

01-153-A



Baltimore County
Department of Permits and
Development Management

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

October 30, 2000

Lynn W. & Michael Elliott
1126 Plover Drive
Baltimore, MD 21227

Dear Mr. & Mrs. Elliott:

RE: Case Number: 01-153-A, 1126 Plover Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 4, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: November 13, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 23, 2000
Item Nos. 149, 150, 151, 152, 153, 154,
155, 156, 157, and 158

The Bureau of Development 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

October 17, 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 October 16, 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.

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

149, 150, 151, 152, 153, 154, 155, 156, 157, and 158

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

cc: File

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley */RBS*

DATE: October 24, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of October 16, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
149	8522 Leefield Road
150	10120 Charington Road
151	10504 Pot Spring Road
152	2205 Wiltonwood Road
153	1126 Plover Drive
154	3514 Autumn Drive
155	1 Yorkship Square
158	7 Sutherland Court
159	9544 Belair Road

PV
10/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 17, 2000

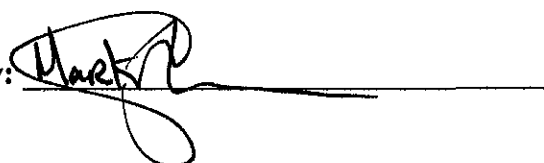
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

17

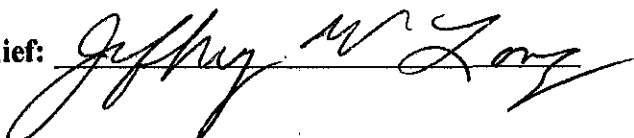
SUBJECT: Zoning Advisory Petition(s): Case(s) 01-153.

The Office of Planning has reviewed the above referenced case(s) 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: 10.16.00

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

RE: Baltimore County
Item No. 153 JNP

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,

/s/ Kenneth A. McDonald Jr., 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

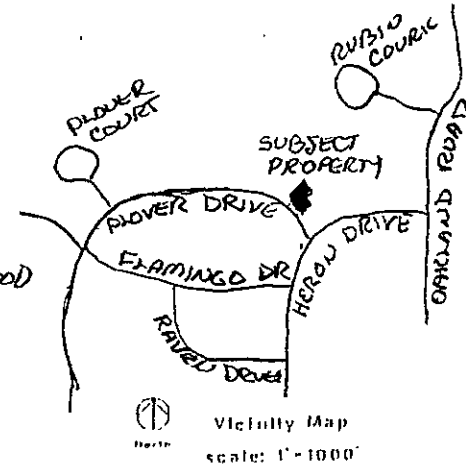
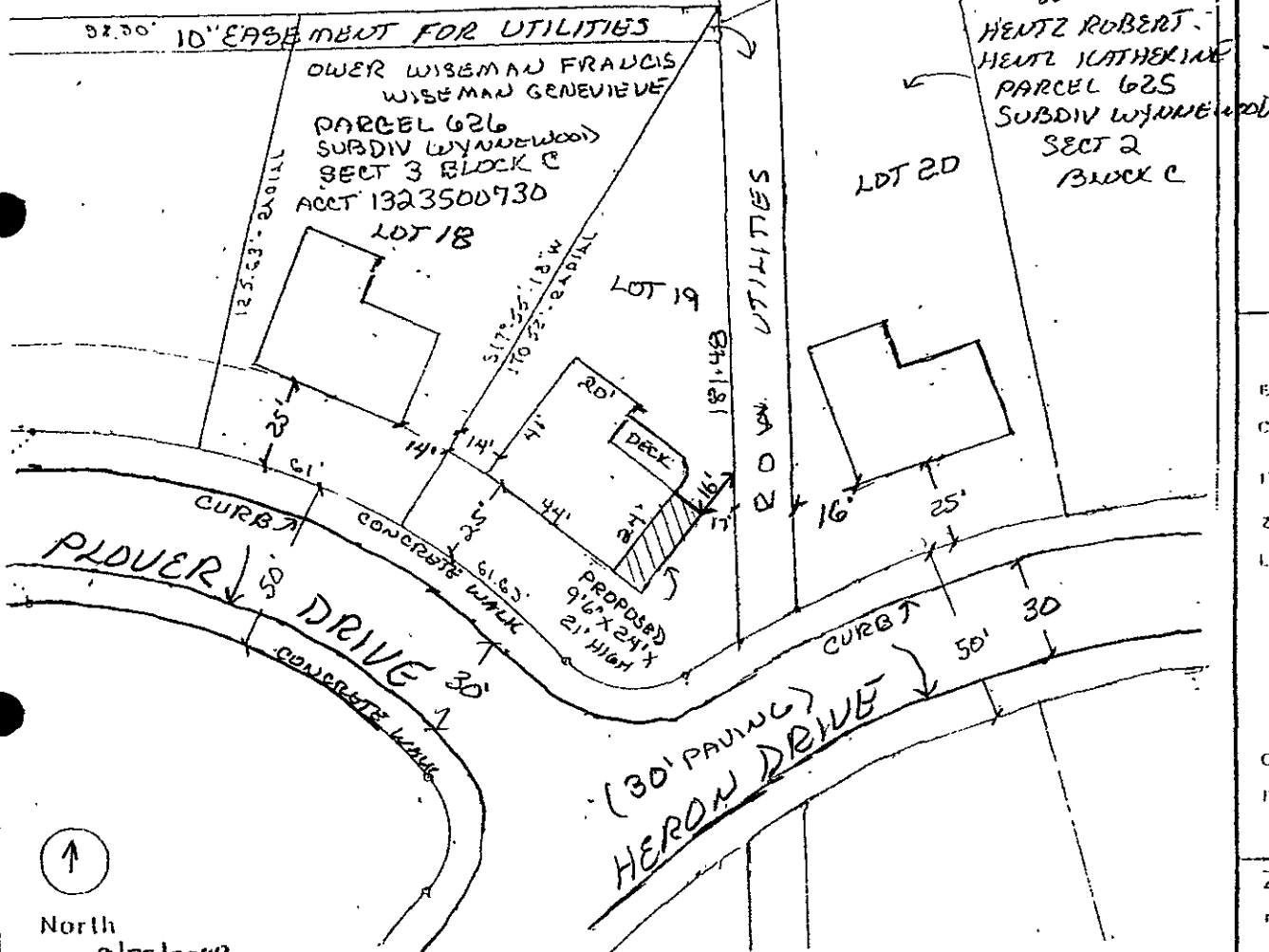
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1126 PLOVER DR

Subdivision name: WYNEWOOD
 plat book # 20, folio # 156, lot # 19, section 3C

OWNER: MICHAEL AND LYNN ELLIOTT

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



LOCATION INFORMATION

Election District: X13
 Councilman's District: X34
 1" = 200' scale map #:
 Zoning: DR 5.5
 Lot size: .29 acreage 12,750 SF square feet

public private
 SEWER: ☒ ☐
 WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

JNP | 153 | 01-153-A



North

date: 9/25/2000

prepared by: MICHAEL ELLIOTT

Scale of Drawing: 1" = 50'

01-153-A Vol. 2, #1

01-123-4
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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:

Item Number or Case Number: _____

Petitioner: Michael and Lynn Elliott

Address or Location: 1126 Plover Drive, Baltimore, MD 21227

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael W. Elliott

Address: 1126 Plover Drive

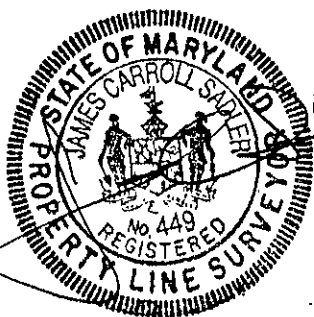
Baltimore, MD 21227

Telephone Number: (410) 242-2125

Revised 2/20/98 - SCJ

10 FT EASEMENT
FOR UTILITIES

La 18 (read 18)



LOCATED AS SHOWN.

NOTE: This Plat cannot be used to establish property lines or corners.

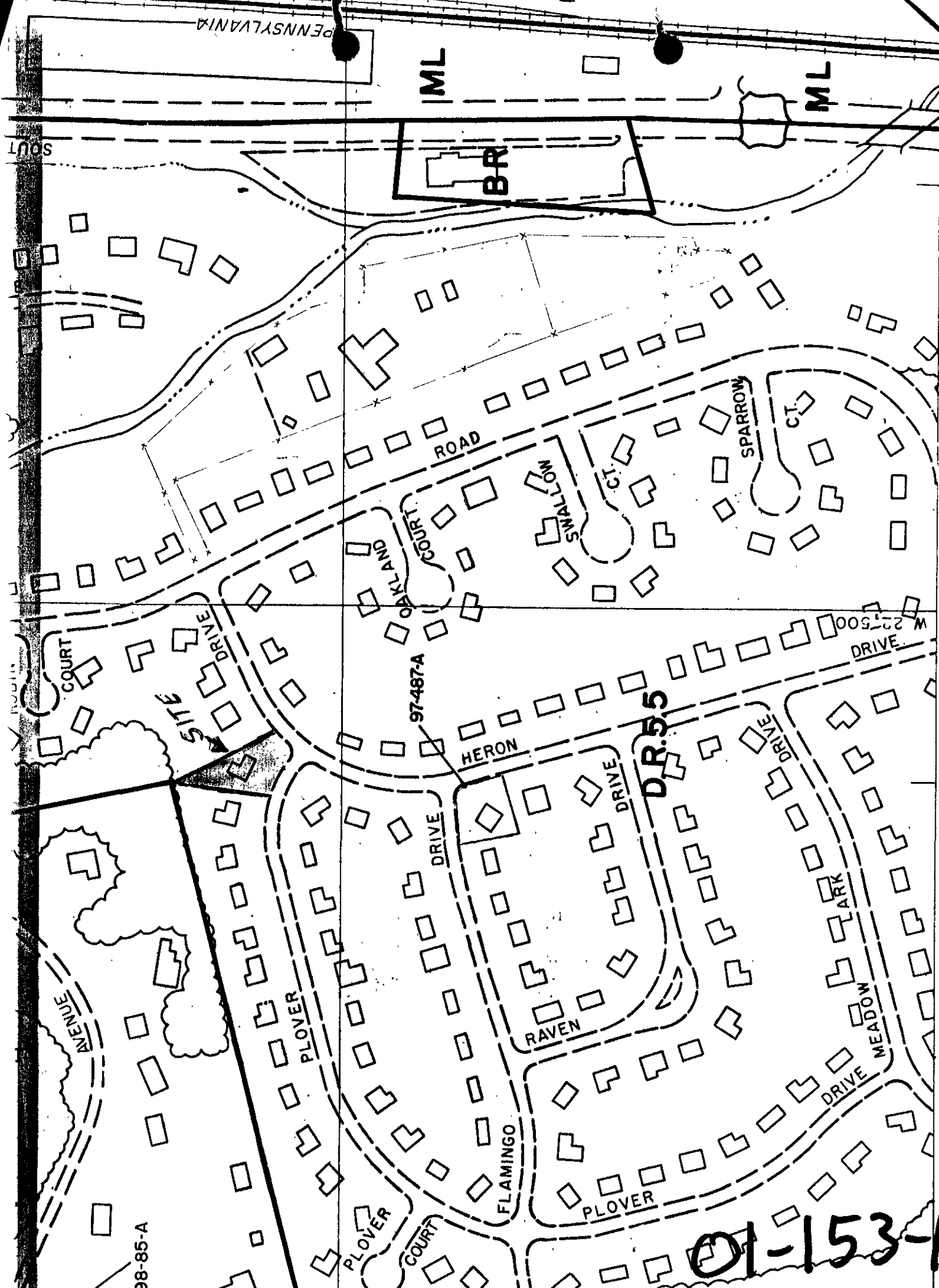
1126 Plover Drive
Baltimore County
Maryland 21227

11 = 30

4/12/1990

JOB NO.
5-32776

01-153-A



PENNSYLVANIA

ML

ML

BR

ROAD

SPARROW

CT.

WILLIAMS

CT.

COURT

OAKLAND

97-487-A

HERON

DRIVE

DR-55

DRIVE

RAVEN

FLAMINGO

POLOVER

DRIVE

MEADOW

LARK

DRIVE

W 227500

98-85-A

1996 COMPREHENSIVE ZONING MAP
ADOPTED by

1"=200'

SW 6 D

01-153-A

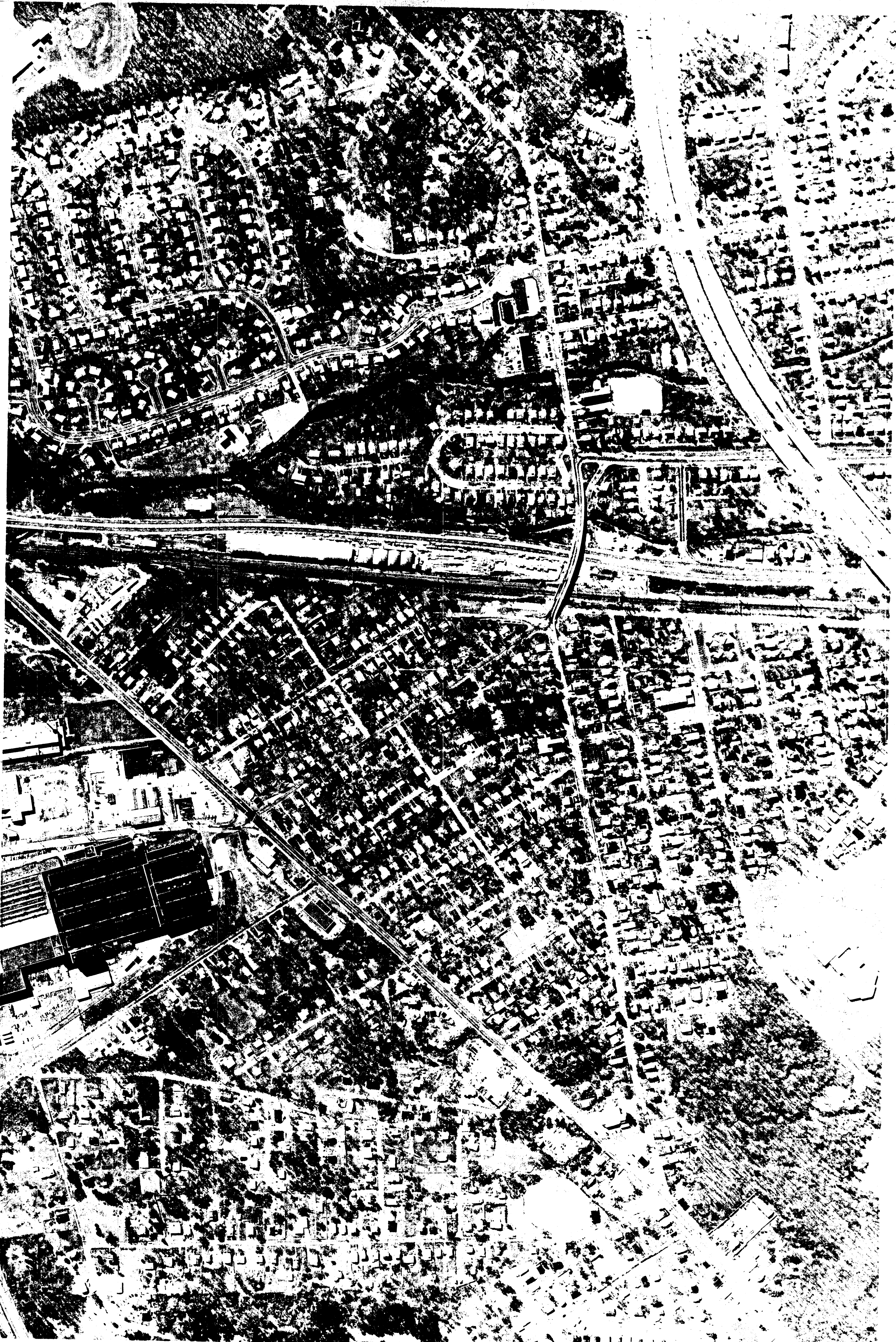
01-153-A



01-153-A



01-153-A



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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	HALETHORPE	SW 6-D
DATE OF PHOTOGRAPHY JANUARY 1986		

01-153-A