

IN RE: PETITION FOR ADMIN. VARIANCE

S/S of Stringtown Road at the distance
of 1100 ft. +/- W of Yeoho Road
5th Election District
3rd Councilmanic District
(1795 Stringtown Road)

Janice & John Madden
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 02-453-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Janice and John Madden, the legal owners of the subject property. The variance request is for property located at 1795 Stringtown Road in the Sparks area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard. 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 that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

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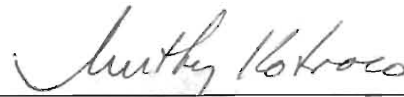
5/24/02
By [Signature]

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 24th day of May, 2002, that a variance from Section 400.1 of the B.C.Z.R., to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard, 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

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5/24/02

BY Mr. J. J. J.

BY



Baltimore County
Zoning Commissioner

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

May 24, 2002

Mr. & Mrs. John Madden
1795 Stringtown Road
Sparks, Maryland 21152

Re: Petition for Administrative Variance
Case No. 02-453-A
Property: 1795 Stringtown Road

Dear Mr. & Mrs. Madden:

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

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at #1795 STRINGTOWN ROAD
which is presently zoned RC-2

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) 400.1 BCZR

To permit an accessory structure (garage) to be located on the front yard in lieu of the required rear yard.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

W 410 466-0214

#1795 STRINGTOWN RD

410 472-2882

Telephone No.

SPARKS

MD

21152

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

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 5/24/02 day of May 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.

02-453-A

Reviewed By

JRF

Date

4-17-02

Estimated Posting Date

4-29-02

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5/24/02
BY
R211 9/15/98

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 #1795 STRINGTOWN ROAD
Address
SPARKS MD 21152
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):

I want the garage connected to my driveway so I can get snow plows, tractors, lawn-mowers out easier. I also want the garage hidden in the woods. The back of my yard is heavily wooded and I don't want to cut down existing trees.

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]
Signature
JOHN MADDEN
Name - Type or Print

[Signature]
Signature
JANICE MADDEN
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17 day of April, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

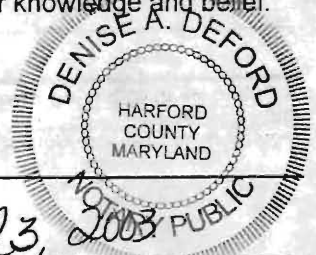
John Madden and Janice Madden
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

4/17/02
Date

[Signature]
Notary Public

My Commission Expires April 23, 2003



Raphel & Associates, Inc.

*Land Surveyors
205 Courtland Avenue
Towson, Maryland 21204*

Phone (410) 825-1331

Fax (410) 825-1331

Description to Accompany
Zoning Petition for a Variance
1795 Stringtown Road

Beginning for the same at a point on the south side of Stringtown Road, 40' wide, said point being located south-easterly along the center of Stringtown Road, 1100'[±] and S 20° 13' E 20', from the intersection formed by the centerline of Yeoho Road and the centerline of Stringtown Road, thence leaving the right of way of Stringtown Road and binding on the outline of the property of John Madden and wife, recorded in deed SM 8305/430 the 7 following courses and distances:

1) S 20° 13' 00" E 343.86', 2) S 39° 14' 50" W 516.77',
3) N 24° 10' 00" W 200.00', 4) N 32° 00' 00" E 295.00',
5) N 19° 08' 52" E 231.25', 6) N 20° 13' 00" W 35.00' to the south side of Stringtown Road, thence on the south side of Stringtown Road. 7) By a curve to the left with a radius of 2018.90' for a distance of 80.00' to the place of beginning.

Containing 2.819 Acres ± .

Being known as #1795 Stringtown Road located in the 5th Election District of Baltimore County and being in the 3rd Councilmanic District.

#453

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 12669

DATE 4-17-02 ACCOUNT 001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM: John Madden
1795 Stringtown Rd. ITEM # 453
FOR: 01 VARIANCE TAKEN BY: JRF

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
4/17/2002 4/17/2002 09:59:42
REG M505 WALKIN DOL DRD DRIVER 2
>> RECEIPT # 240035 4/17/2002 OFLN
Dep 5 520 ZONING VERIFICATION
CR NO. 012669

Recpt Tot \$50.00
50.00 CK .00 CA
Baltimore County, Maryland

5-14-02

4-17-02

CASHIER'S VALIDATION

AY
5/13

CERTIFICATE OF POSTING

RE: Case No.: 02-453-APetitioner/Developer: MADDEN, ETAL% HARVEY BULLDate of Hearing/Closing: 5/14/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: ~~XXXXXXXXXXXX~~ GEORGE ZAHNER

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 #1795-STRINGTOWN
ROAD

The sign(s) were posted on 4/27/02

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 4/29/02
(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)

Post-It® Fax Note	7671	Date		# of pages	1
To		From	P. O'KEEFE		
Co./Dept.	ZONING COMM	Co.			
Phone #		Phone #	512-4621		
Fax #	887-3468	Fax #	3468		

ZONING NOTICE

VARIANCE

CASE NO. 02-453-A
TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) TO
BE LOCATED IN THE FRONT YARD IN LIES OF THE
REQUIRED REAR YARD
1795 STRINGTOWN RD. - WOODEN

PUBLIC HEARING?

PURSUANT TO SECTION 26-121(b)(1), BALTIMORE COUNTY, SEVERAL
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
5:00 PM ON MAY-14, 2002
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
211 N. CHESAPEAKE AVE.
TOWSON, MD. 21204 TEL. 887-3291

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/neighbor 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: 453

Petitioner: John & Janice Madden

Address or Location: 1795 Stringtown Rd. Sparks MD 21152

PLEASE FORWARD ADVERTISING BILL TO:

Name: Janice & John Madden

Address: 1795 Stringtown Rd.
Sparks, MD 21152

Telephone Number: 410 472-2882

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 453 -A Address 1795 STRINGTOWN RD.
Contact Person: JUN R. FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4-17-02 Posting Date: 4-29-02 Closing Date: 5-14-02

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 02- 453 -A Address 1795 STRINGTOWN RD
Petitioner's Name John & Janice Madden Telephone 410 -946 -0214
Posting Date: 4-29-02 Closing Date: 5-14-02
Wording for Sign: To Permit an accessory structure (garage) to be
located on the front yard in lieu of the required rear yard.

WCR - Revised 6/28/00



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

May 13, 2002

Mr. & Mrs. John Madden
1795 Stringtown Road
Sparks MD 21152

Dear Mr. & Mrs. Madden:

RE: Case Number: 02-453-A, 1795 Stringtown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 17, 2002.

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

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





Baltimore County
Fire Department

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

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

April 26, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 29, 2002

Item No.: See Below

Dear Mr. Zahner:

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:

443-451, 453, 458 + 459

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

cc: File
{PRIVATE}

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 29, 2002

FROM: *RWB* Robert W. Bowling
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for April 29, 2002
Item No. 443, 444, 446, 447, 448, 449, 450, 451, 452, 453,
458 and 459

The Bureau of Development Plans Review has reviewed the
subject zoning items and we have no comments.

RWB:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 23, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-443, 02-445, & 02-453

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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:

Mark A. Cunningham

Section Chief:

Arnold F. Keller, III

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.26.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 453

JRF

Dear Mr. Zahner:

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~

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

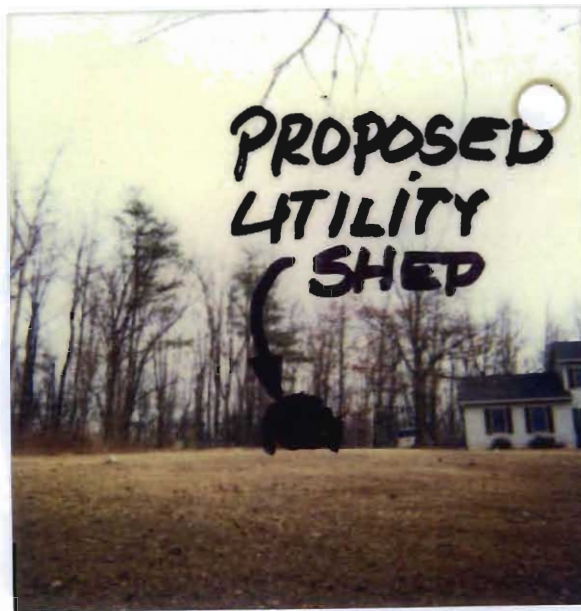
My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

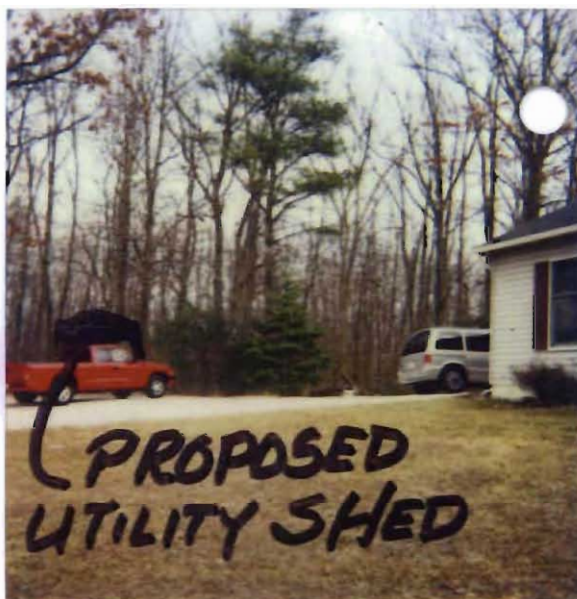
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



#10

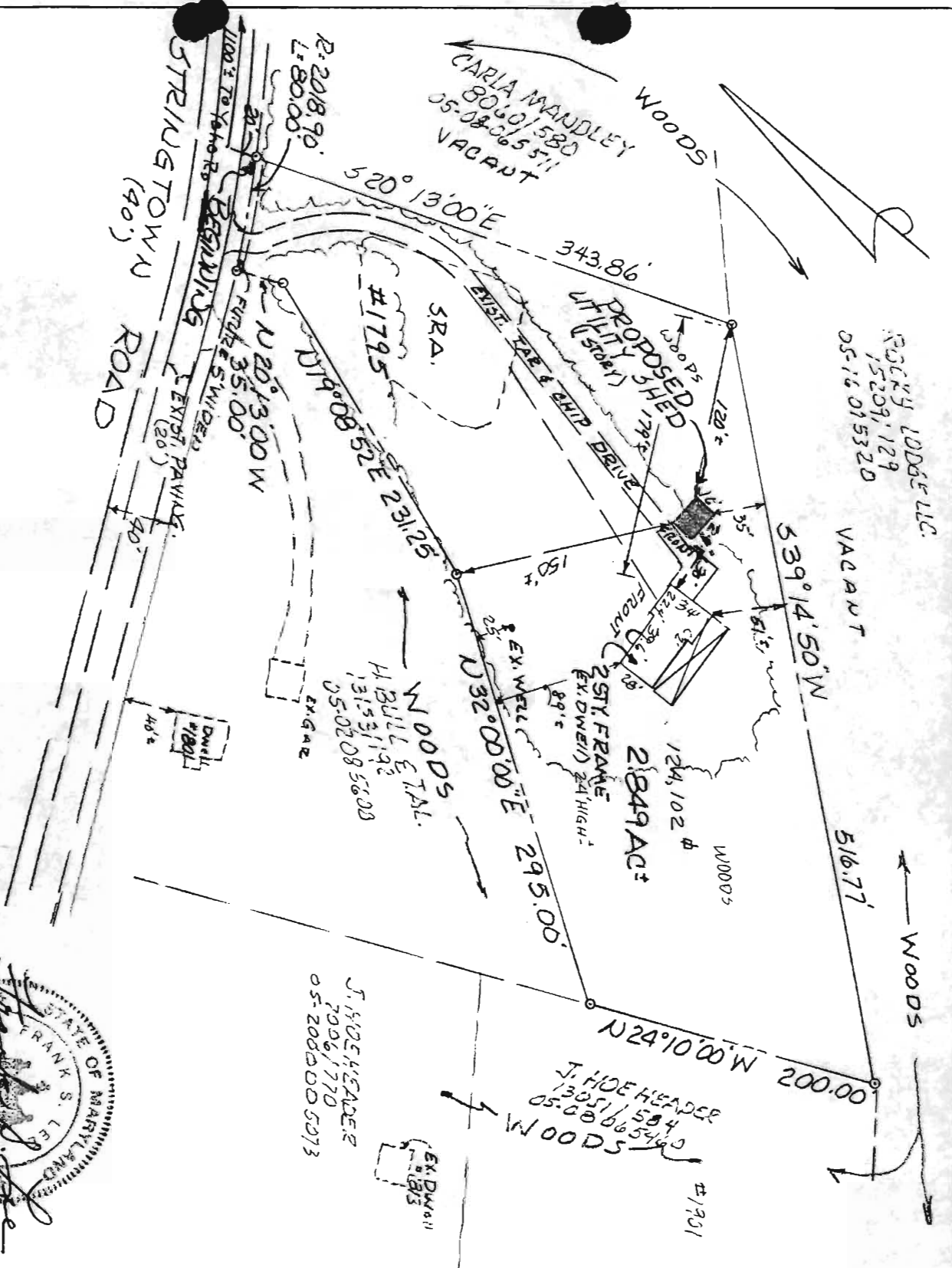


#2



#3

RAPHAEL & ASSOC. INC.
205 COURTLAND AVE
TOWSON, MD 21204



GENERAL NOTES

EXISTING ZONE RC-2

AREA of PROPERTY 2.849 AC²

OWNERS: JOHN & JAILCE MADDEN

1795 STEINBOCK RD

SPARKS MD. 21152

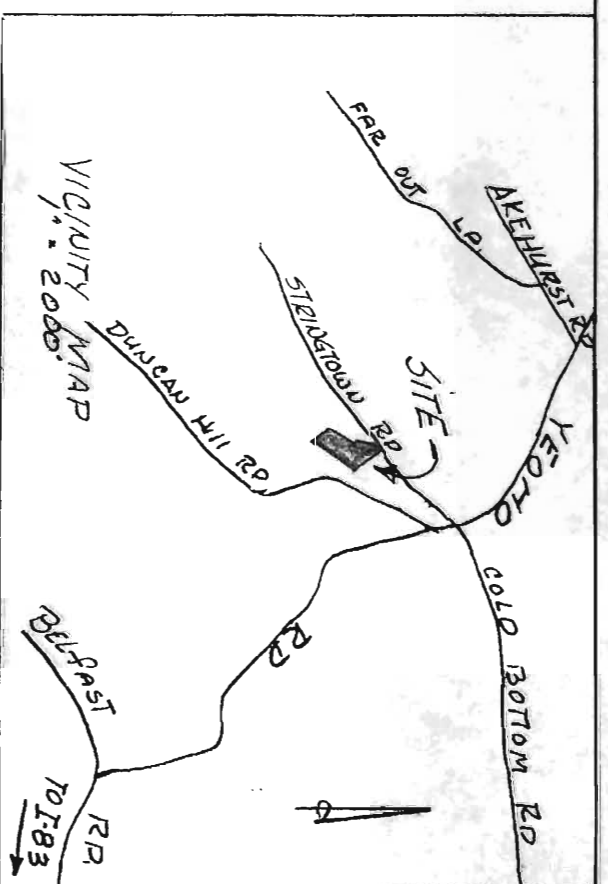
DEED REF. 5M, 8305/430

TAX. # 05-21-00014141

3 ED COUNCILMANIC DIST,

PRIVATE WELL & SEPTIC SYSTEMS INSURING

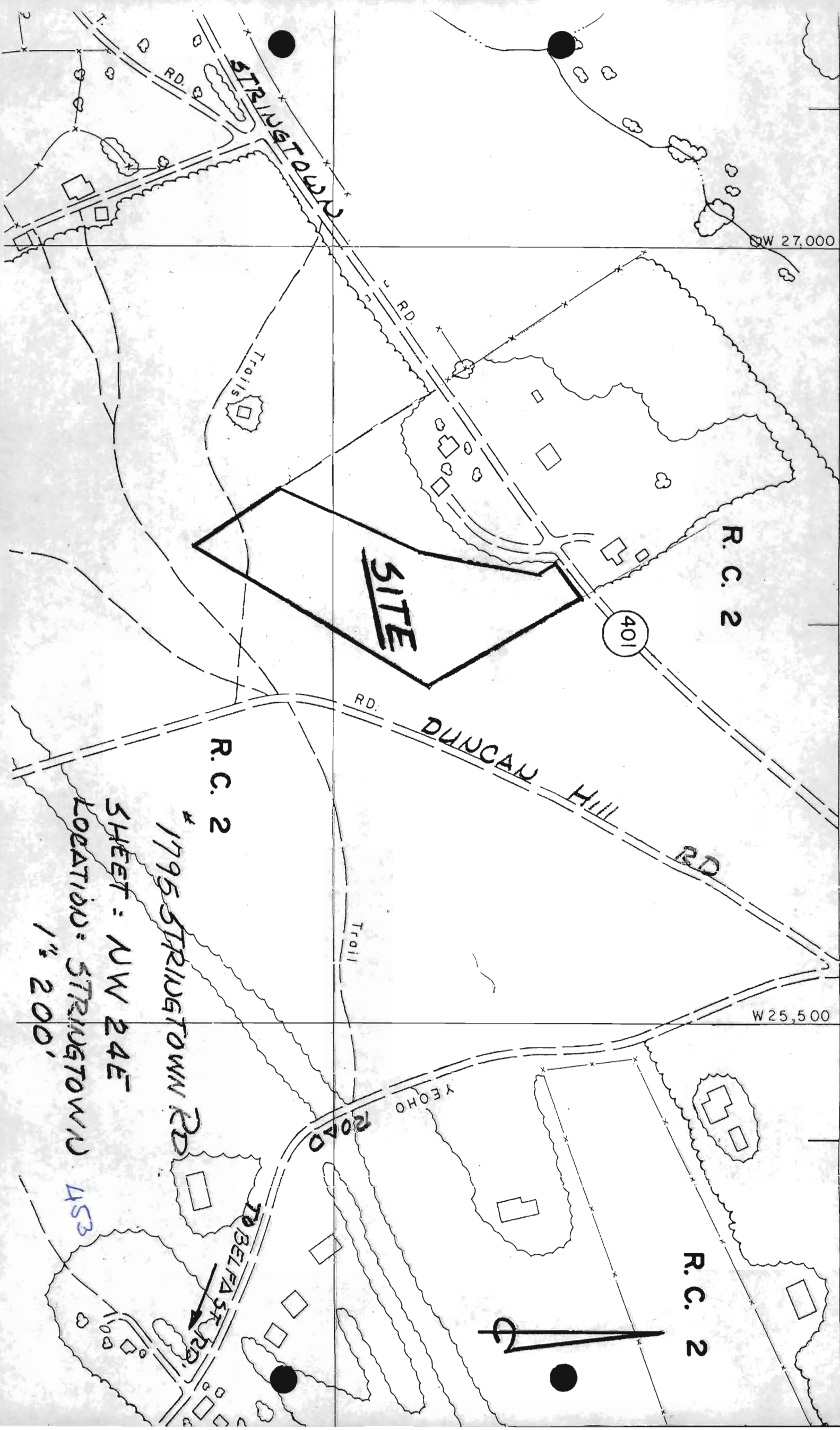
PROPOSE UTILITY SHED = 16' x 24' 12' HIGH



PLAT TO ACCOMPANY PETITION FOR A
ZONING VARIANCE
1795 STRIDG TOWN ROAD
5TH ELECT. DIST. BALTO. CO. MD
SCALE: 1"=100' APRIL 4, 2002

453

Det. Ex. #1



YEO HO RD

DUNCAN

Hill RD.

STRINGTOWN

SITE

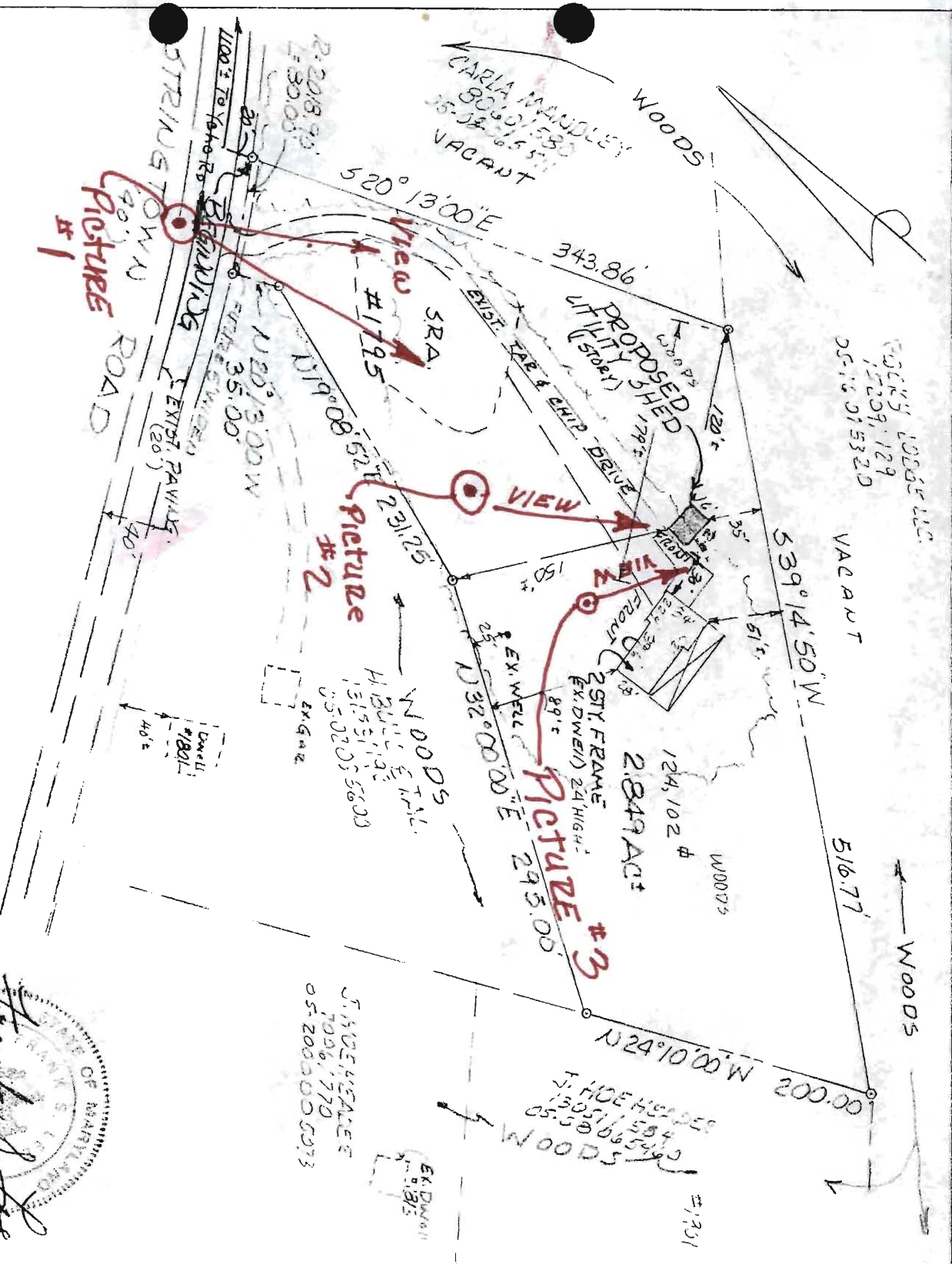
ROAD

NORTH

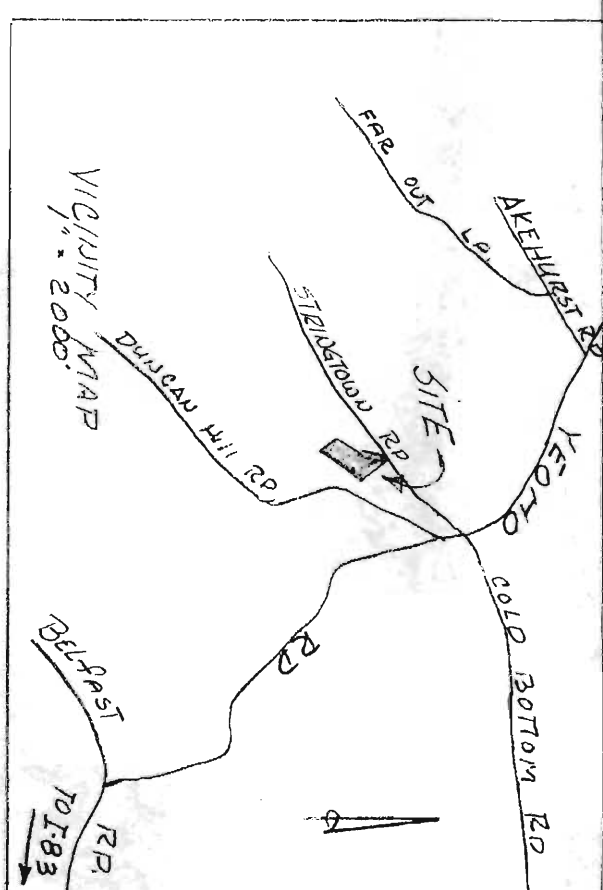
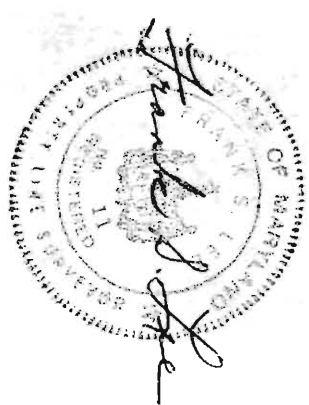
#1795 STRINGTOWN RD

1"=200'

BC. TIE 102762 G.I.S.



RAPHAEL & ASSOC. INC.
205 COURTLAND AVE
TOWSON, MD 21204



GENERAL NOTES
EXISTING ZONE RC-2
AREA OF PROPERTY 2.849 AC²
OWNERS: JOHN & JANICE MADDERN
1795 STRINGTON RD.
SPARKS MD. 21152
DEED REF SM 8305/430
TAX # 05-21-00014141
3RD COUNCILMANIC DIST
PRIVATE WELL & SEPTIC SYSTEMS EXISTING
PROPOSE UTILITY SHED = 16' x 24' 12' HIGH

PLAT TO ACCOMPANY PETITION FOR A
ZONING VARIANCE
1795 STRINGTON ROAD
5TH ELECT DIST BALTO. CO MD
SCALE: 1"=100' APRIL 4, 2002

RECEIVED #1