IN RE: PETITION FOR ADMIN. VARIANCE W/S of Vincent Farm Lane, 125' N centerline of Gambrills Road 15th Election District 5th Councilmanic District

> Elaine & Timothy S. McCubbin Petitioners

(10500 Vincent Farm Lane)

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- CASE NO. 02-503-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Elaine and Timothy S. McCubbin, the legal owners of the subject property. The variance request is for property located at 10500 Vincent Farm Lane in the White Marsh area of Baltimore County. The Petitioners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) to be 27 ft. in height in lieu of the required 15 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

Date 6/10/02

By St Camedon

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.

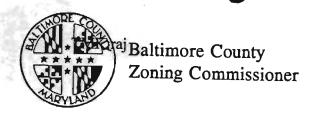
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of June, 2002, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) to be 27 ft. in height in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
- 2. The Petitioners or subsequent owners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. In addition, the accessory structure should not be used for commercial purposes.
- 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.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY



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

Fax: 410-887-3468

June 10, 2002

Mr. & Mrs. Timothy S. McCubbin 10500 Vincent Farm Lane White Marsh, Maryland 21162

> Re: Petition for Administrative Variance Case No. 02-503-A Property: 10500 Vincent Farm Lane

Dear Mr. & Mrs. McCubbin:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

buther lotroco

TMK:raj Enclosure



Printed with Soybean Ink

on Recycled Paper











Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	10500 VINC	ENTFARM	LANE
which	is presently zoned	RC3	

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)

ACCESSORYS-involved GARAGE TOBE 27 FT. HIGH I ILIEWOF 15 FT. REQUIRED.

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.

regulations and restrictions of Ba	itimore Cour	nty adopted pursuant to	the zoning law for balling	ore County.	
			I/We do solemnly decliperjury, that I/we are the subject of this P	he legal owner(s) of th	he penalties of e property which
Contract Purchaser/Less	<u>ee:</u>		Legal Owner(s):	_	
			TIMOTHY S	Mc Cubbin	J
Name - Type or Print			Name - Type or Print	5 Mablin	
Signature			Signature		
The Control				McCUBBIN	
Address		Telephone No.	Name - Type or Print	Mac 11	1 15572 11
City	State	Zip Code	Signature	mound	410-344-1316(1
Attorney For Petitioner:			10500 VINCE	IT FACH LANE	301-928-1254 (W
			Address		Telephone No.
Name - Type or Print			WHITE MARSH	State	Zip Code
,,			Representative t	o be Contacted:	
Signature			1	20	
Company			Name		- 0
Address		Telephone No.	Address		Telephone No.
CIRC	State	Zip Code	City	State	Zip Code
A Public Hearing having been for this day of	t	hat the subject matter of t	required, it is ordered by this petition be set for a public	he Zoning Commissioner hearing, advertised, as r	of Baltimore County. equired by the zoning
regulations of Baltimore County and	that the prope	erty be reposted.			
8			Zoning Comm	issioner of Baltimore Con	unty
digrama Da-	503		XB	0	- 09 02

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 based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

OF OUR RECREATIONAL CAMPER AND PASSENGER VEHICLES. THE SECOND

WE WISH TO CONSTRUCT A 2-STORY DETATCHED GARAGE FOR THE STORAGE

That the Affiant(s) does/do presently reside at

Variance at the above address (indicate hardship or practical difficulty):

STORY OF THE GARAGE IS FOR STOR	AGE ONLY.
THE ZONING REGULATIONS HEIGH	T RESTRICTION OF 15' FOR ACCESSORY
BUILDINGS MAKES IT IMPRACTICAL	TO CO. JSTRUCT A GARAGE AND ROOFING OF
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THE GARAGE CONNOT BE BUILT	TO HOUSE THE CAMPER.
SALE CONTROL OF THE C	mand is filed, Affiant(s) will be required to pay a reposting and
Signature 5 M Cubbur	Signature Mc Cerlilium
TIMOTHY S MCCUBBIN	ELAINE M. McCubbin
TIMOTHY S. McCUBBIN Name - Type or Print	Name - Type or Print
	A. S. C. C. See
STATE OF MARYLAND, COUNTY OF BALTIMORE, to	wit:
I HEREBY CERTIFY, this 2nd day of May of May of May	appeared , 2002, before me, a Notary Public of the State
Timothy S. McCubbin and Elaine 1	identified to me as such Affiant(s), and made oath in due form of
the Affiant(s) herein, personally known or satisfactorily law that the matters and facts hereinabove set forth are	identified to me as such Affiant(s), and made oath in due form of true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
May 2 2002 JURA E. PEAR	Janin & Real
Date May 2, 2002 (3000)	Notary Public
(NOTARY)	1 .1
PUBLIC	My Commission Expires
REU 09115198	
WORE V	02.503-(-)
	Ch 303 (-)
	Ch. 503 (4)

Zoning Description

ZONING DESCRIPTION FOR 10500 Vincent Farm Lane

Beginning at a point on the west side of Vincent Farm Lane which is 40 feet wide at the distance of 125 feet north of the centerline of the nearest improved intersecting street, Gambrill Road, which is 50 feet wide. Being Lot # 10, Block A, in the subdivision of Gambrills Vincent Farms as recorded in Baltimore County Plat Book #27, Folio #5, containing 18,720 square feet. Also known as 10500 Vincent Farm Lane and located in the 15th Election District, 5th Councilmanic District.

02:103. A

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE	No. 12776	POIN DEPETPT
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DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOME	R CR.CCZA	CASHIER'S VALIDATION

a s



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 02-503-A
PETITIONER/DEVELOPER:
Timothy S. McCubbin
CLOSING DATE: June 4, 2002

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: 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

LOCATION:

10500 Vincent Farm Lane

DATE: May 17, 2002

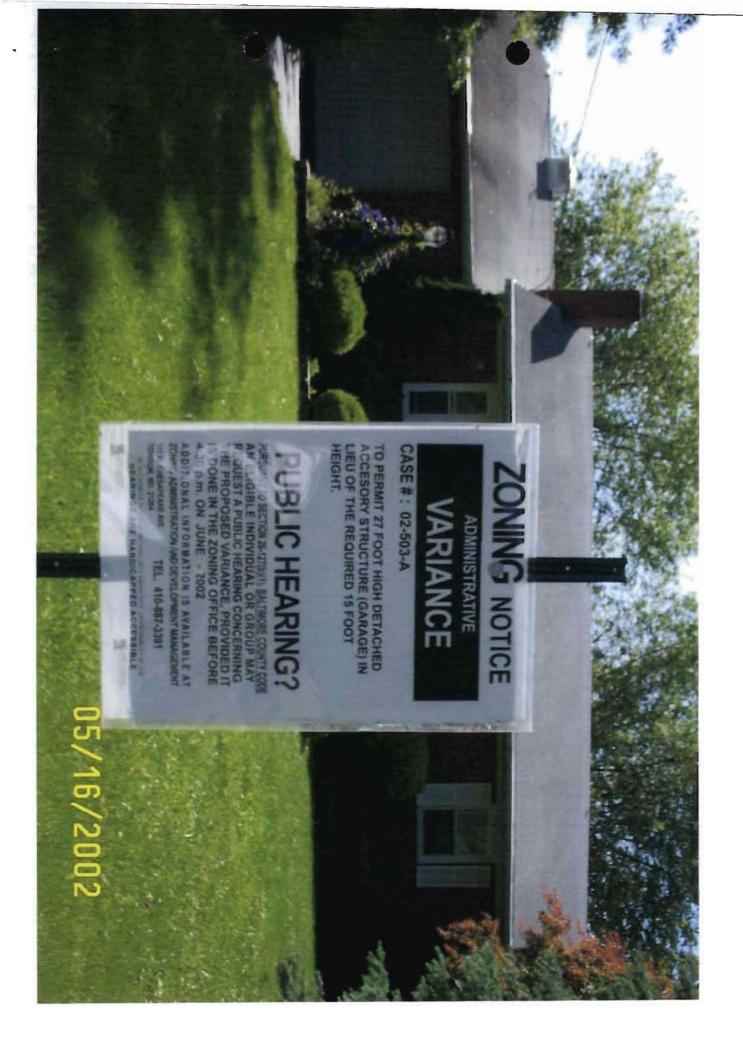
SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX



POSTED ON: May 16, 2002



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.

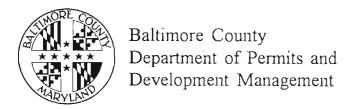
For Newspaper Advertising:
Item Number or Case Number: <u>72-503-A</u> ,
Petitioner: TIMOTHY S. McCubbin
Address or Location: 10500 VINCENT FACY LANE.
PLEASE FORWARD ADVERTISING BILL TO:
Name: TIMOTHY S. McCUBBIN
Address: 10500 VINCENT FARM LANE
WHITE MARSH, MD. 21162
Teiephone Number: 410-344-1316

Revised 2/20/98 - SCJ

07.503.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Num	ber 02-	503	-А	Address	10500	O LINCOWA	pre (
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Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

June 3, 2002

Mr. & Mrs. Timothy S McCubbin 10500 Vincent Farm Lane White Marsh MD 21162

Dear Mr. & Mrs. McCubbin:

RE: Case Number: 02-503-A, 10500 Vincent Farm Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 9, 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. 672 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



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

May 22,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 28, 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: (503)

491, 501-504, 506-510

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 8, 2002

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 3, 2002

Item Nos. 491, 502 (503) 504, 505,

506, 507, 508, 509, and 510

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeleyp& Mat
DATE:	June 28, 2002
SUBJECT:	Zoning Item 503 Address 10500 Vincent Farms Lane
Zoning	Advisory Committee Meeting of May 28, 2002
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	epartment of Environmental Protection and Resource Management offers owing comments on the above-referenced zoning item:
X	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
X	Additional Comments:
A Forest Buffe permit approva	er Easement must be recorded along the stream as a condition of building al.

Reviewer: Glen Shaffer Date: June 12, 2002



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 3, 2002

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

10500 Vincent Farm Lane

INFORMATION:

Item Number:

02-503

Petitioner:

Timothy S. McCubbin

Zoning:

RC3

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

Due to inadequate information, the Office of Planning is unable to submit comments regarding the subject request at this time.

The request is for an accessory structure that is almost equivalent in size to that of the principal structure. The petitioner should justify the need of an accessory structure (garage) measuring 36 feet x 30 feet x 27 feet in addition to the existing attached garage. Additionally, the petitioner should submit elevation drawings of the proposed accessory structure to this office for review and approval. The elevation drawing should include information concerning the building materials and color scheme of the proposed structure.

Prepared by:

Section Chief:

AFK/LL:MAC:



Maryland Department of Transportation State Highway Administration

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

Date:

5.23.02

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

RE:

Baltimore County

Item No.

503

JRA

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.

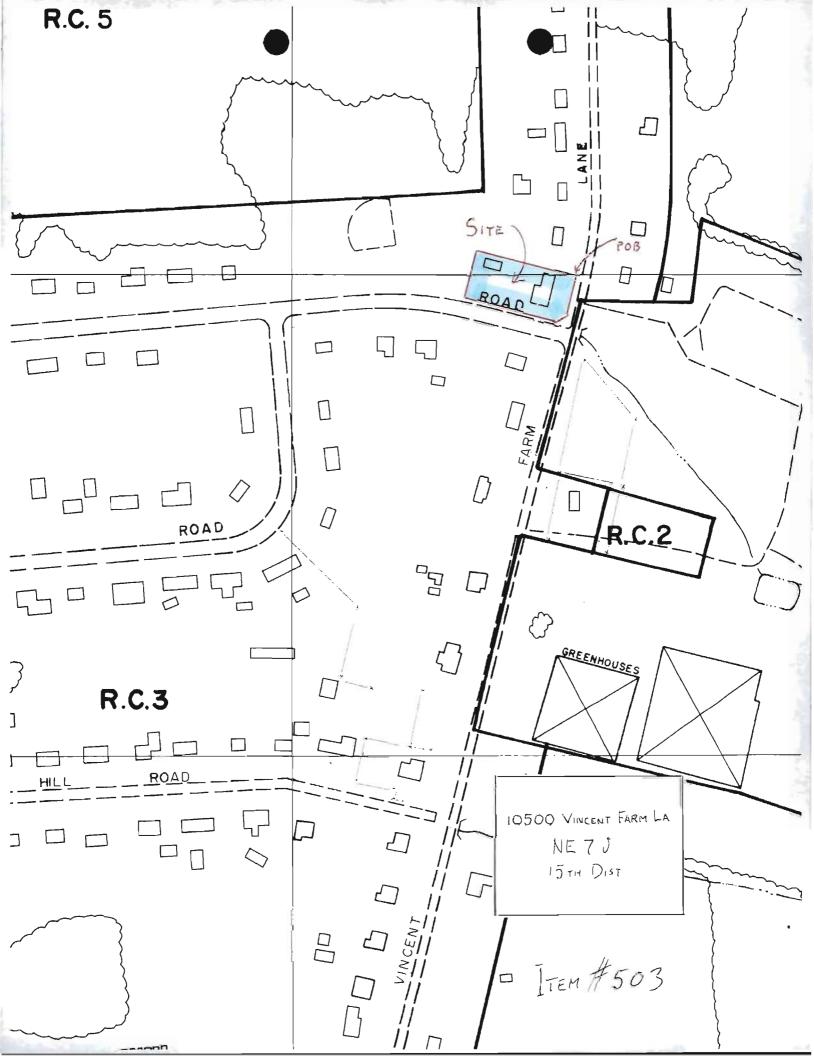
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (Igredlein@sha.state.md.us).

Very truly yours,

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

J. J. Doll

Plat to accompany Petition for Zoning X Variance	e Special Hearing
PROPERTY ADDRESS: 10500 VINCENT FARM LANE See pages 5 & 6 of the	CHECKLIST for additional required information
Subdivision name: GAMBRILLS VINCENT FARMS	EBENEZER
plat book# 27 ,tollo# 5 ,tol# 10 ,section#	
OWNER: TIMOTHY ELAINE MCCLEBIN	AND AND
10502	SITE
SENTE JUANN STORY	
DEED 16082 1469 WILCH	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
THEO 16082/469 PLAT 24/100 (EX. FRAME)	
EX FRAME	GASTER Z
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	SEWER: X
Ex 2"G	WATER: 🕅 🗌
EX. 27"D FEX. BIT. CURB EX. 48"D) EX. 48"D) EX. 46"D)	Chesapenke Bay Critical Area:
	Prior Zoning Hearings: NONE
EX.8"W	
GAMBRILL ROAD (50' R/W)	Zoning Office USE ONLY!
North date: 4/26/02	reviewed by: ITEM #: CASE#:
North date: 4/26/02 prepared by: G.M.M. Scale of Drawing: 1#= 50'	50A CR-503(7
bi charge at the last	





FROM INTERSECTION VINCENT FARM LANE & GAMBRILL RE LOOKING MORNERLY TO SITE.



10500 FROM VINCENT FARM LAND



FROM VINICENT FARM LANG LOOKING WESTERLY
ALONG NORTHERNIMOST PROPERTY LINE.



REAR YARD OF 10500 AT WESTERN MOST PROPERTY LINE WOUNG MORTHEASTERY



FROM GAMBRILL ROAD LOOKING EASTERLY TOWARDS INTERSECTION

OR JOS A



FROM GAMBRILL ROAD LOOKING EASTERLY TOWARD INTERSECTIONS.