IN RE: PETITION FOR ADMIN. VARIANCE E/S Fork Road, 240' +/- S

centerline of Bottom Road 11th Election District 6th Councilmanic District (13225 Fork Road)

Linda C. & Herbert F. Coard, Jr. Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

k CASE NO. 03-054-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Linda C. and Herbert F. Coard, Jr., the legal owners of the subject property. The variance request is for property located at 13225 Fork Road in the Baldwin area of Baltimore County. The Petitioners herein seek a variance from Section 1A01.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 10 ft. in lieu of the minimum required 35 ft. for an attached garage. 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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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 25th day of August, 2002, that a variance from Section 1A01.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a side yard setback of 10 ft. in lieu of the minimum required 35 ft. for an attached garage, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

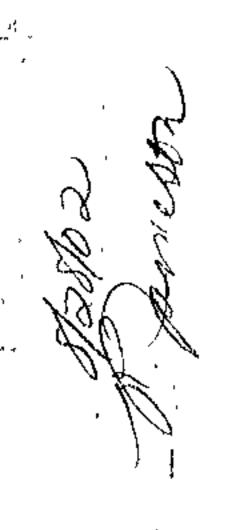
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

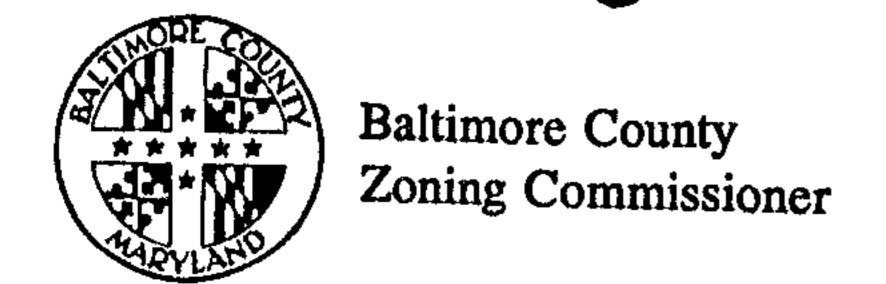
IMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

August 28, 2002

Mr. & Mrs. Herbert F. Coard, Jr. 13225 Fork Road Baldwin, Maryland 21013

Re: Petition for Administrative Variance Case No. 03-054-A

Property: 13225 Fork Road

Dear Mr. & Mr. Coard:

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

Muthy Hotroco

TMK:raj Enclosure



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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| | · | which is presently | zoned | RZ2 |
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| of the zoning regulations of Baltimore Control of this petition form. | County, to the zoning la | aw of Baltimore County, for | the reasons in | dicated on the back |
| Property is to be posted and advertised I, or we, agree to pay expenses of above V regulations and restrictions of Baltimore Co | /ariance, advertising, pos | sting etc. and further agree to | and are to be b County. | ounded by the zoning |
| | | I/We do solemnly declare perjury, that I/we are the least the subject of this Petitic | egal owner(s) of | er the penalties of the property which |
| Contract Purchaser/Lessee: | | Legal Owner(s): | | ota- |
| Name - Type or Print | | Name - Type or Print | ZOARD? | <u></u> |
| Signature | · | Signature | nn on | <u>-</u> |
| Address | Telephone No. | Name Type or Print | COARD | · |
| City | Zip Code | Signature Coa | na | |
| Attorney For Petitioner: | | 13225 FOR | RP | 4/0572309 Telephone No |
| Name - Type or Print | ····· | BALAWIN City | MO | 21013 |
| r3 &c | | Representative to be | State • Contacted | Zip Code |
| Signature | | | | |
| Company | | Name | | ······································ |
| Address | Telephone No. | Address | | Telephone No. |
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| equations of Baltimore County and that the prop | erty be reposted. | | THE PERSON WITH | - Indaman white white |
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| • | | eaning continuation | MAINTINE OF THE PROPERTY OF TH | ounty |

Reviewed By

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.

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|--|--|--------------------------------------|---------------------------------|
| That the Affiant(s) does/do presently reside at | /3225 Fo | ork Ra | |
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| | City | State | Zip Code |
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| That the Affiant(s) acknowledge(s) that if a for | | iant(s) will be required | to pay a reposting and |
| advertising fee and may be required to provide a | | | |
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| Signature Signature | Signatura | Jorda Coa | rd |
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| STATE OF MARYLAND, COUNTY OF BALTIN | NORE, to wit: | | |
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| I HEREBY CERTIFY, thisO+^\ day ofof Maryland, in and for the County aforesaid, per | rsonally appeared | 200 4 201010 11101 011 | totally i dibite of the attente |
| the Affiant(s) herein, personally known or satisfa | 9 cini 9 41 | enbount F.C | 200, ~ D |
| the Affiant(s) herein, personally known or satisfa | actorily identified to me as s | uch Affiant(s). | |
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| REV 10/25/01 | | 1 | |

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

| | OR) | у | State: | Zip Coue |
|--------------------|---|------------------------|-------------------------------|----------------------------|
| † That b Varian | ased upon personal knowledge, the following ce at the above address (indicate hardship or | r practical difficulty |) ; | |
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| | get in or out of our | car. | 1 | |
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| That t | he Affiant(s) acknowledge(s) that if a forma | al demand is filed | , Affiant(s) will be required | d to pay a reposting and |
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| of Mar | EBY CERTIFY, this 10 ⁴⁰ day of 501, yland, in and for the County aforesaid, person | hally appeared | | - |
| the Aff | liant(s) herein, personally known or satisfacto | rily identified to me | as such Affiant(s). | <u> Esarcs</u> |
| AS WI | TNESS my hand and Notarial Seal | | | |
| | | 50, | 200 | |
| | | Notary Publi | c | <u> </u> |
| DEV 4 | 0/25/04 | My Commiss | sion Expires | · 05- |
| rkev 1 | 0/25/01 | | | |



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13225 Fork Rolls

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) 1 AD1.3, B, 3 To allow a side yand setback of 10 st. for an attached garage in lies of the minimum required 35 pt 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 perjury, that I/we are the is the subject of this Petit | legal owner(s) of the | ne penalties of property which |
|---|---|---|--|--|--|
| Contract Purchaser/L | essee: | | Legal Owner(s): | Ola | WY 200 |
| Name - Type or Print | · | | Name Type or Brint | OARD TH | 1-8.05 |
| Signature | | | Signature 2 | and . | · · · · · · · · · · · · · · · · · · · |
| | | | 4 | ARD | |
| Address | | Telephone No. | Name - Type or Print | _ | ······································ |
| City | State | Zip Code | Signature Co | rard | |
| Attorney For Petition | er: | | لييف سي مدوا ا | RD 4/0 | フラグ2 プロダウ Telephone No. |
| | ······································ | ···· ································· | BAND WIN | MD | 21013 |
| Name - Type or Print | | | Representative to b | State Se Contacted: | Zip Code |
| Signature | | ······································ | | | |
| Company | ······································ | | Name | | |
| Address | ·——————······ | Telephone No | Address | | Telephone No. |
| City | State | Zip Code | City | State | Zip Code |
| A Public Hearing having been this day of day of regulations of Baltimore County | n formally demand th and that the prope | ded and/or found to be at the subject matter of t rty be reposted | required, it is ordered by the Z his petition be set for a public hea | oning Commissioner of tring, advertised, as req | Baltimore County, uired by the zoning |
| ~ ~ | | " | | oner of Baltimore Count | • |
| CASE NO. 0.3 | -059 | Rev | iewed By | _ Date | -02 |
| REV 10/25/01 | | Esti | iewed By | 7-12-0 | 2 |

Zoning Description 13225 FORK Rd.

Beginning at a point on the northeast Side of FORK Rd, 240 ft. I South of the Centerline of Bottom Rd; Thence running South east 98,20 ft., thence northeast 385,90 ft., thence, north 130 ft.; thence west 400 ft to the point of beginning Containing 1,21 games I and located in the 11th Election Pistrict and 6th Council mutic District of Baltimore County.

4

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

13 - No. 74349 23 - 054- 7

DATE 7-30.02 ACCOUNT 5-00/-006-6150

AMOUNT \$ 50,

FOR: 2051 dential Variance tiling poor

DISTRIBUTION WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME 7/30/2002 7/30/2002 09:46:30

REGINSON WALKIN DOOL DND DRAWE PRECEIPT N 189718 7/30/2002

PARECE IFT IN 189718 7750/2002 DOME 5 528 ZONING VERIFICATION

014349

Recet 10t

\$50.00 63 00.00

.00 cK 50.00 Boltimore County, Maryland

CASHIER'S VALIDATION

RTIFICATE OF POSTING

| emo 7671 # of pages * [/ | From CIVEERE | Co. | Phone # 17 12 11 | Fax # 666-0929 |
|--------------------------------------|---------------|-----------------|------------------|------------------|
| .t." brand fax transmittal memo 7671 | William ROBIN | LON 1/1/C -COMM | pt. | ×# 4.10-887.3468 |

÷ ,

RE: Case No.: 03-54 A

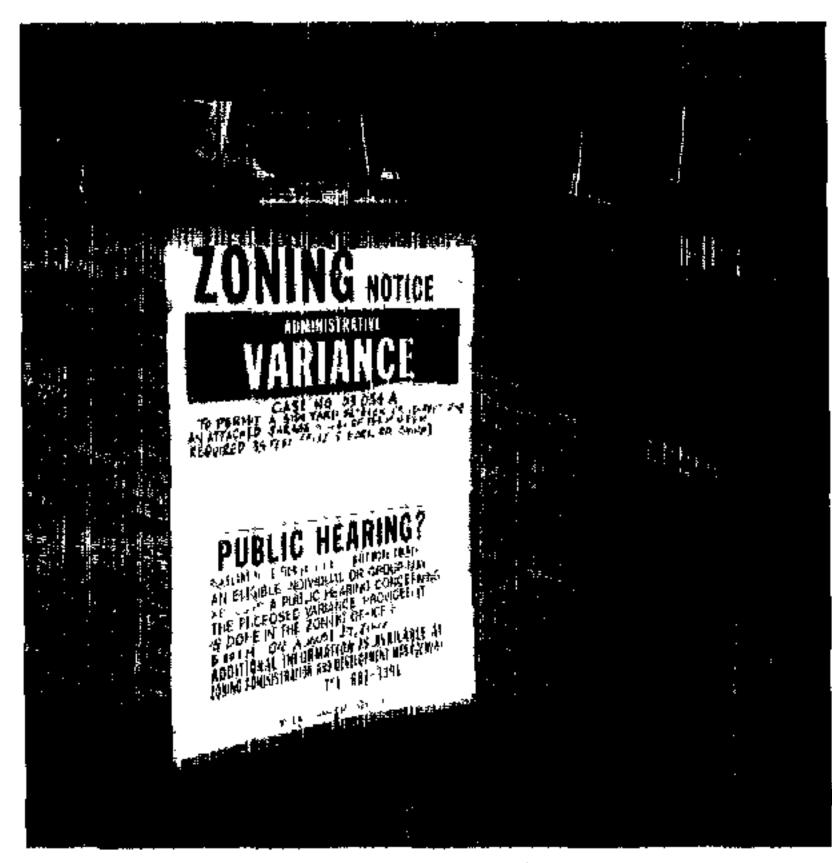
Date of Hearing/Closing. $\frac{8}{27/02}$

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

Gentlemen.

| This letter is to certify under the penaltic were posted conspicuously on the prope | s of perjury that the necessary sign(s) required by law ry located at # 13225-FORK PD |
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| | · · · · · · · · · · · · · · · · · · · |
| The sign(s) were posted on | 8/12/02 |

(Month, Day, Year)



#13/225 FOER RD #13/225 FOER RD #13/225 FOER RD 8/27 Sincerely

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

H.UNT VALLEY, MD. 21030

(City, State, Zip Code)

(City, State, Zip Code)
410-666:5366; CELL: 410 905.8571
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

| Case | Number (|)3- | 05 | # | -A | | Add | ress _ | 1. | 32 | 25 | | -00 F | ZK, | RD_ | |
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| Filing | Date: | 7 | -30. | | | | | ate: 😉 | P-7-2 | 2-67 | 2 (| Closi | ing D | یے: ate | P-27 | 7- C |
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

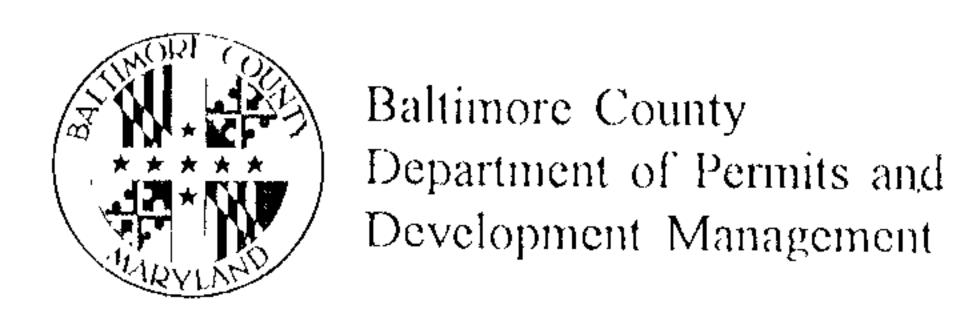
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: |
|---------------------------------------|
| |
| Item Number or Case Number: 03-05-4-7 |
| Petitioner: Honbont F. Coand. |
| Address or Location: 13225 FORK RD. |
| |
| PLEASE FORWARD ADVERTISING BILL TO: |
| Name |
| Address: |
| Baldwin, nd, 21013 |
| Telephone Number: 410 - 592-3090 |

Revised 2/20/98 - SCJ



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

August 27, 2002

Mr. & Mrs. Herbert F Coard Jr 13225 Fork Road Baldwin MD 21013

Dear Mr. & Mrs. Coard:

RE: Case Number: 03-054-A, 13225 Fork Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 30, 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 Brokenster 1)

W. Carl Richards, Jr. 400 & Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



Baltimore County Fire Department

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

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

August 5,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF August 5, 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:

042-(054)

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

Apontoa 8/21

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: 'August 29, 2002

Robert W. Bowling, Supervisor Bureau of Development Plans Review

Department of Permits & Development Mgmt

SUBJECT:

Zoning Advisory Committee Meeting

For August 12, 2002

Item Nos. 042, 044, 045, 046, 049, 051.

052, 053, and 054)

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

RWB:CEN:jrb

ec: File

Granted sposon

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

August 27, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of August 5, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

42,44,45,46,52(54)

1 ranted 3/02

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 9, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MO 1 2 ...

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-054

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:

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: 8.7.02

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

RE:

Baltimore County

Item No. 054

315

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,

for

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



Parris N. Glendening Governor Kathleen Kennedy Townsend Lt. Governor Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

August 7, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
Room 111
111 West Chesapeake Avenue
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 8/12/02

Case numbers 03-042-SPH, 03-043-SPH, 03-044-A, 03-045-A, 03-046-A, 03-047-A, 03-048-A, 03-049-A, 03-050-SPHX, 03-051-A, 03-052-A, 03-053-SPH, & 03-054-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 8/6/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

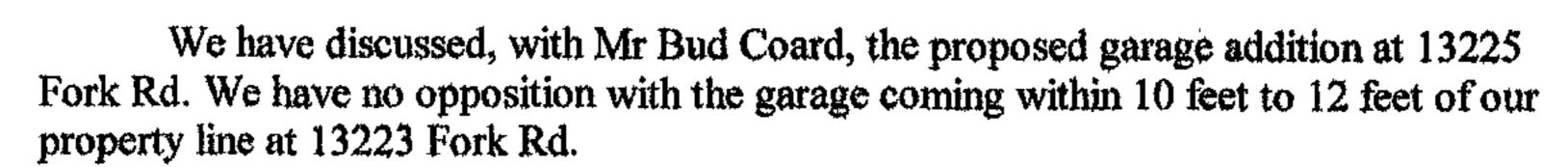
Local Planning Assistance Unit

cc: Mike Nortrup

Kathy and Tom Chaney 13223 Fork Rd Baldwin, Md 21013

7/11/02

To whom it may concern,



Sincerely,

Kathy and Tom Chaney

2/11/02

054

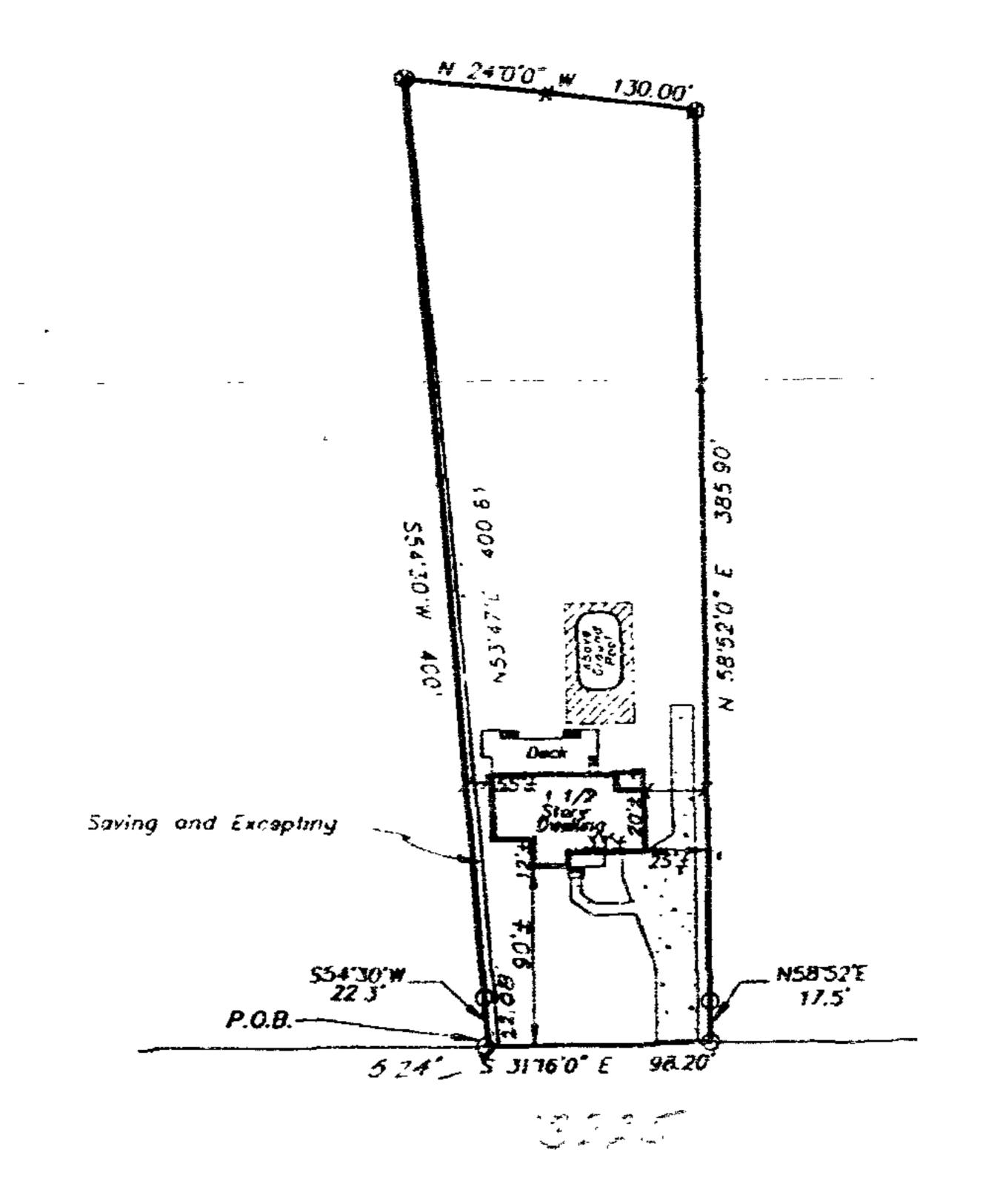


I HEREBY CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE PROPERTY KNOWN AS 13225 FORK ROAD BALTIMORE COUNTY, MARYLAND AND THE IMPROVEMENTS ARE LOCATED AS SHOWN. THIS PLAT IS NOT TO BE USED FOR THE PURPOSE OF ESTABLISHING PROPERTY LINES.

12/21/91

TEMPLAR ENGINEERING 8235 RUXTON CROSSING COURT RUXTON, MARYLAND 21204 (301) 823-3567 SCALE: 1" -80'

F-27647



FORK

ROAD

Property use

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| PROPERTY | ACCOMPANY PETITION FOR ZONING VARIABLES 13225 FORK RD SEE PAGES 5 & 6 OF THE CHEC | M |
|-------------|--|-----|
| SUBDIVISIO | NAME HERBERT COARD - BALDWIN MD 21013 | KL1 |
| PLAT BOOK | FOLIO # LOT # SECTION # | |
| OWNER_/7 | RBERT & LINDA COARD | |
| | HERB & LINDA CCARD 3225 FORK RD | |
| | 554 30 W | |
| | BOB & KATHY DIETZ EXISTING DWELLING FRONT 75' NSBSZT P.O.B. Proposed NEW GARAGE Softwak TOM & KAS CHANEY 13223 EXISTING DWELLING FRONT NSBSZT 175' NSBSZT 175' | |
| NORTH | FORK RD | |
| PREPARED BY | HERBERT COARD SCALE OF DRAWING: 1" = 60' | • |

REVIEWED BY

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ZONING

LOT SIZE

ELECTION DISTRICT

SEWER

WATER

CHESAPEAKE BAY

BUILDING

CRITICAL AREA

HISTORIC PROPERTY!

100 YEAR FLOOD PLAIN

ACREAGE

PUBLIC

ITEM #

