IN RE: PETITION FOR ADMIN. VARIANCE S/S of Red Grove Road, 78.26' W centerline of Carrollwood Road 15th Election District 5th Councilmanic District (3727 Red Grove Road)

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-117-A

BEFORE THE

Beth Ann & Mark Brian Myers

Petitioners

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Beth Ann and Mark Brian Myers, the legal owners of the subject property. The variance request is for property located at 3727 Red Grove Road in the Middle River area of Baltimore County. The Petitioners herein seek a variance from Sections 301.1A and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 90% projection (car port) into the side yard in lieu of the required 25% (i.e. 1 ft. from the property line in lieu of 7.5 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 that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

Company of the contract of the

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 _/o day of October, 2002, that a variance from Sections 301.1A and 504 of the B.C.Z.R., to permit a 90% projection (car port) into the side yard in lieu of the required 25% (i.e. 1 ft. from the property line in lieu of 7.5 ft.), be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

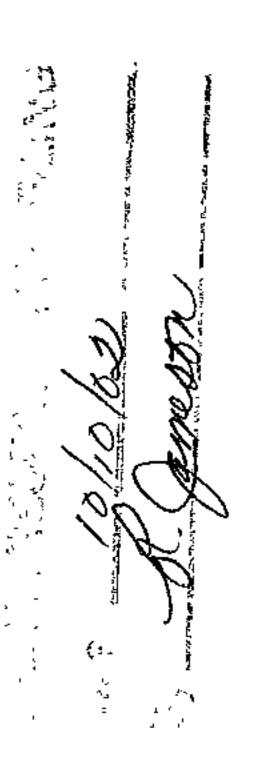
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

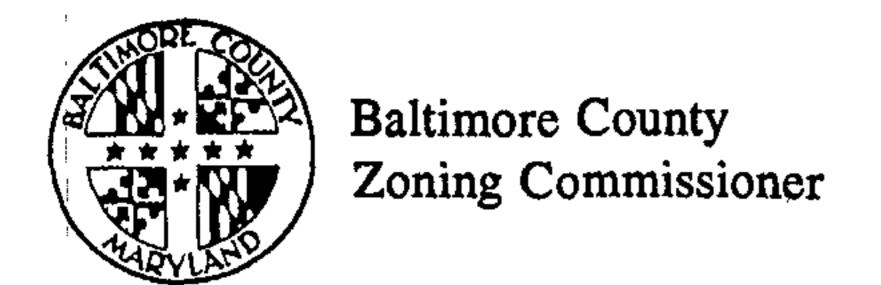
TIMOTHY M. KOTROCO

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

October 10, 2002

Mr. & Mrs. Mark B. Myers 3727 Red Grove Road Baltimore, Maryland 21220-3022

Re: Petition for Administrative Variance

Case No. 03-117-A

Property: 3727 Red Grove Road

Dear Mr. & Mrs. Myers:

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

Musty lotroco

TMK:raj Enclosure



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3727 Red Grove Rd. Middle River Md.

and Development Management. The undersigned, leg is described in the description and plat attached hereto are 300 . I A 5504 , 676 . Townstand 100 (Airo) I W ULEW OF WEREQUER
IDE JOSEPH CONTERNATION
LICUS OF 7.5 TO).
••
v of Baltimore County, for the reasons indicated on the bac
ning regulations. ng, etc. and further agree to and are to be bounded by the zonir 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.
Legal Owner(s):
Manle Drian Marana
Mark Brian Myers Name - Type of Print /
10/2 / R Della -
Signature
Beth Ann Myers
Name Type or Print
Signature Mycra
3727 Red Grove Rd. (410) 335-7427
Address Telephone No
Baltimore Maryland 21220-3022
City State Zip Code
Representative to be Contacted:
m a 11
T.C. Venemann
929 Bowleys Quarters Road (410) 335-514
Address Telephone No.
Baltimore Maryland 21220
City State Zip Code
uired, it is ordered by the Zoning Commissioner of Baitimore County
petition be set for a public hearing, advertised, as required by the zoning
Zanina Campaignia 1/5 1/2
Zoning Commissioner of Baltimore County
ved 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.

That the Afficiency decelde proposity recide at	3727 Red Grove Road					
That the Affiant(s) does/do presently reside at	Address	· · · · · · · · · · · · · · · · · · ·				
144 Commence of the Commence o	Baltimore	Maryland	21220-3022			
Company of the Contract of the	City	State		Zip Code		
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh	owing are the facts upon tip or practical difficulty):	which I/we base t	he request for an Adı	ministrative		
1. It would be in line	e with the existing	g driveway.				
2. There is no existing	ng space on the oti	her side of th	e house.			
3. There are other hou	uses in this comm	unity, with car	rports, that			
have the same limit	ted area to work w	ith.				
4. The only other solu	ution to this pro	blem would be	to move			
causing a financia	l burden!		~			
The added safety fr	com inclement condi	tions, to the	occupants, and			
their vehicle, show	ıld justify a varia	ince.	•			
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide	formal demand is filed, additional information.	Affiant(s) will be r	equired to pay a rep	osting and		
Mal Bylen-		Beth a M	yers/	<u> </u>		
Signature Mark B. Myers	Signati	ire Beth A. Myers				
Name - Type or Print	Name -	Type or Print	<u></u>			
STATE OF MARYLAND, COUNTY OF BALTI	-					
I HEREBY CERTIFY, this $5^{1/2}$ day of $2^{1/2}$ of Maryland, in and for the County aforesaid, property and the county aforesaid.	ersonally appeared	, <u>එරයට</u> , before	me, a Notary Public	of the State		
Maryland.				•		
the Affiant(s) herein, porsonally known or satisf	factorily identified to me	as such Affiant(s).				
AS WITNESS my hand and Notarial Seal						
	aluna	E Hayden				
		on Expires3-/	4-14			
	My Commissi	on Expires © ⁻ /	, , ,			
REV 10/25/01						

ZONING DESCRIPTION

Zoning description for 3727 Red Grove Road. Begining at a point on the south side of Red Grove road, which is 50 feet wide at a distance of 78.26 feet west of the centerline of the nearest improved intersection, or intersecting street, which is Carrollwood Road, at a width of 60 feet. Being Lot #14 Block G, Section #94 in the subdivision of Carrollwood as recorded in Baltimore County Plat Book # 30, Folio #123 containing 6,670 S.F. Also known as 3727 Red Grove Road and located in the 15th Election District, 05 Councilmanic District.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE C9 17 C2 ACCOUNT AMOUNT \$	PAID DEPETOT BUSINESS ACTUAL THE VILVOUS SCHOOLSOON 14:45:38 RECLUSOS WALLTIN PAGE LEB DRAWEP S RECLIFT WE SERVING VERTICATION DEF 5 506 ZOMING VERTICATION CP 10. (1687)5
FOR: AUTLIN teg. UPOL. 300 TOGOL 300	Recol lot \$50.00 .00 Ck 50.00 CA Baltimore County, Waryland
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

•

CERTIFICATO OF POSTING

	KE: Case No.:
	Petitioner/Developer: MARK
	BETH ANN MYERS
	Date of Hearing/Closing: 10/8/02_
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
	of perjury that the necessary sign(s) required by law located at 3727 RED GROVE ROAD
The sign(s) were posted on	9/21/02
	(Month, Day, Year)
ADMINISTRATIVE TO A DATE OF THE PARTY OF THE	Sincerely,
CASE # 03-117-A TO PERMIT A SIDE SETBACK OF LITE IN LITH OF 1-5-12 PM	9/21/07
	(Signature of Sign Poster and Date)
	SSG ROBERT BLACK
PUBLIC HEARING 2	(Printed Name)
AN EUGIBLE INDIVIDUAL OR GROUP MAY	1508 Leslie Rd
THE PROPOSED VALUE E. PROVIDIO IT 19 DONE IN THE ZOUTE OFFICE BEFORE 4.20 p.m. ON CEVER A 2002	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

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: 03117A
Petitioner: MARK & BETH MYERS
Address or Location: 3727 Red GROVE Rd,
PLEASE FORWARD ADVERTISING BILL TO:
Name: MARK MYERS
Address: 3727 REd GROVE Rd.
BALTIMORE Md. 21220
Telephone Number: <u>410-335-7427</u>

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 03-	117	-A	Address	372	77CeDC	STONE	RD.
Conta	ct Person:	Sout Planner,	Please Print Your	<u>EXAV</u> Name	262	Phone Num	nber: 410)-887-3391
Filing	Date:	9-10-00	Pos	ting Date:	9-23	Closin	g Date:	10.8
Any c throug	ontact made the the contact	with this off t person (plan	ice regardin ner) using th	g the statu e case num	s of the abber.	dministrative	variance	should be
1.	reverse side reposting mi is again res	e of this form) ust be done o ponsible for a	and the pet nly by one o Il associated	titioner is re f the sign po d costs. Th	sponsible f osters on the e zoning n	osters on the a for all printing/ ne approved list otice sign mu if remain there	posting of the stand the stand the stand the stand the stand the stand the standard	costs. Any petitioner ible on the
2.	a formal red	quest for a p	ubfic hearing	g. Please	understand	t or owner with that even if he closing date	there is	feet to file no formal
3.	commissioned order that the commission of the co	er. He may: he matter be hin 7 to 10 da	a) grant the set in for a sys of the clo	e requested a public he ssing date) a	d relief; (b) arıng. You as to wheth	by the zoning deny the requery will receive the petition to you by First	uested re written r has bee	elief; or (c) notification n granted,
4.	(whether du commissione changed giv	e to a neigh er), notificatio ing notice of t	bor's formal n will be fo he hearing d	request or rwarded to late, time ar	by order you. The docation.	s that must go of the zoning sign on the As when the altered sign m	g or depute property sign was	uty zoning / must be s originally
4-4			(Deta	ch Along Dotted I	.ine)			
Petitic	ner: This P	art of the For	m is for the	Sign Poste	er Only		**************************************	
		USE THE A	DMINISTRA	ATIVE VARI	ANCE SIG	N FORMAT		
						Zeo G		
						Telephone <u>4</u>		
Postir	ng Date:	9-23	·	Clo	sing Date	: <u>10-8</u>) 	
						= 1 FT. L		
 ;	7,57	T, Too	ACA	T POOUT	(OVE	NTROJEC	COW	<u></u>
	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·		<u> </u>		-,····	· · · · · · · · · · · · · · · · · · ·	
			····				 -	

ffidavit 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.

Address

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

3727 Red Grove Road

Again the same of	Baltimore	Maryland	21220-3022
	City	State	Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ving are the facts upon or practical difficulty):	which I/we base t	he request for an Administrative
1. It would be in line	with the existing	driveway.	
' 2. There is no existing	space on the oth	er side of th	e house.
3. There are other house	ses in this commu	nity, with ca	rports, that
have the same limite	ed area to work wi	th.	
The only other solut	ion to this prob	lem would be	to move
causing a financial	burden!		-
MAM 5. The added safety from	m inclement condi	tions to the o	occupants and
their vehicle, shoul	ld justify a varia	nce.	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, Additional information.	Affiant(s) will be r	equired to pay a reposting and
Signature Signature	Signatur	Beth a	Myere)
Mark B. Myers	•	Beth A. Myers	
Name - Type or Print	Name -	Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIM	ORE, to wit:		
I HEREBY CERTIFY, this 5 th day of <u>year</u> of Maryland, in and for the County aforesaid, per	sonally appeared	, <u>එ</u> වෙ <u>ඨ</u> , before	me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfac	ctorily identified to me a	s such Affiant(s).	<u>, , , , , , , , , , , , , , , , , , , </u>
		` '	
AS WITNESS my hand and Notarial Seal			
•	Notary Public	. Hayden	
		n Expires <u> <i>3-パ</i></u>	1-04
REV:10/25/01	,		· · · · · · · · · · · · · · · · · · ·

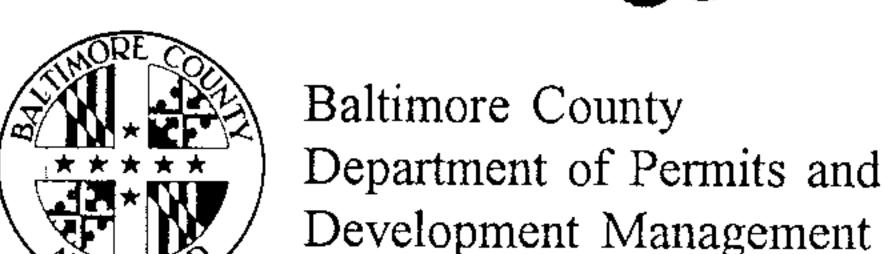


Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

This Petition shall be file owner(s) of the property simade a part hereof, hereby	v petition for a	nore County and Variance from	a wnich is desc Section(s) - 32	ribed in the (description an	id plat attach	ned hereto and
1 90% Mas	EET (OU	364772	HE SIDE		7 504, -7	o Perin	ut
250% Mos	1 FT FROMF	Box Living a Ca	ou of Ti	57=7,	س (دھیں۔	co - cu	ie Zequu
	-				•		
3 3	¦ •	•		•			
of the zoning regulations of this petition form.	f Baltimore C	ounty, to the zo	ning law of Balt	imore Count	ty, for the reas	sons indicate	ed on the back
Property is to be posted an i, or we, agree to pay expens- regulations and restrictions of	es of above Va	irlance advertigi	na noetina oto i	and further co	ree to and are imore County.	to be bounde	d by the zoning
· ·		•	I/We o	do solemniv d	eclare and affir	m. under the	penalties of
; ,. ·			perjur	y, that I/we ar subject of this	e the legal own	er(s) of the p	roperty which
Contract Purchaser/Le	ssee:		<u>Lega</u>	l Owner(s	<u>):</u>		
			Mar	k Brian N	<i>l</i> yers	•	
Name - Type or Print	1	_	Name	Type or Print	13 mg		
Signature			Signate				
Address		Telephone No		h Ann My		 	·
- · ·			\mathcal{L}		Myers		
City	State	Zip Code	- 4		//		
Attorney For Petitioner	·• =		372 Addres		rové Rd.	(410) 33	
				s .timore	Marylan	nd 21220-	Telephone No3022
Name - Type or Print	—· <u>= · . = </u>		City			State	Zip Code
Signature			<u>Repr</u>	<u>esentative</u>	to be Conta	acted:	
431.577.				THE CL TYPE	· OMININ		**** *
Company	· 	 		T.C. Ver	CT (CT III		
Address	<u> </u>	Telephone No.	92 Address		Quarters	Road (410)) 335-5147 Telephone No.
City		25-0-4		ltimore	Maryland	21220	
	State	Zip Code	,			State	Zip Code
A Public Hearing having been for this day of regulations of Baltimore County and	ormally demand the the proper	ded and/or found at the subject matter that the subject matter that the reposted.	to be required, it er of this petition be	is ordered by e set for a publ	the Zoning Com ic hearing, adver	nissioner of B tised, as requir	altimore County, ed by the zoning
	•			Zoning Com	missioner of Balt	more County	
CASE NO.	5-117-	(-)	Reviewed By	- C. 8	F7 Date		10-02
REV 10/25/01			Estimated Pos	sting Date	09.	· Z'S· (27.





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

October 9, 2002

Mr. & Mrs. Brian Meyers 3727 Red Grove Baltimore, MD 21220-3022

Dear Mr.& Mrs. Myers:

RE: Case Number: 03-117-A, 3727 Red Grove Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 10, 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,

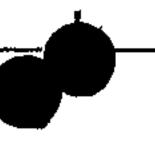
W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:rjc Enclosures

T. C. Venemann 929 Bowleys Quarters Road, Baltimore, MD 21220 People's Counsel





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

September 24, 2002

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

ATTENTION: George Zahner

Property Owner:

Location:

Item No .:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 116-117, 121-130

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: October 21, 2002

Department of Permits & Development Management

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

Review

SUBJECT:

Zoning Advisory Committee Meeting

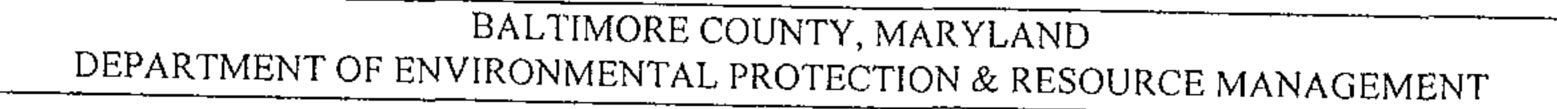
For September 30, 2002 Item Nos. 106, 116, 117, 118, 119, 120, 121, 122, 123, 124, 126, 128,

129, and 130

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

RWB:CEN:jrb

cc: File



TO:

Arnold Jablon

FROM:

R. Bruce Seeley (P. Pr.) TGT

DATE:

October 7, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of September 23, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

117

116-122, 124

AN/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 26, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

5-12 2 6 TH

SUBJECT:

3727 Red Grove Road

INFORMATION:

Item Number:

03-117

Petitioner:

Mark Myers

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow a 90% projection into the side yard in lieu of the maximum permitted 25% in order to construct a carport.

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: 3.24.02

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

RE: Baltimore County

Item No. 117 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 (lgredlein@sha.state.md.us).

Very truly yours,

h

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

1. 1. Soult



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kremtz, Secretary Mary Abrams Deputy Secretary

September 23, 2002

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

Re:

Zoning Advisory Committee Agenda re: case numbers 03-106-SPH, 03-116-A, 03-117-A, 03-118-A, 03-119-A, 03-120-XA, 03-121-A, 03-122-A, 03-123-XA, 03-124-A, 03-125-A, 03-126-A, 03-127-SAHSPH, 03-128-A, 03-129-A, 03-130-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 09/23/02. 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

کری کی کی Other houses visible 3727 Red Grove Road with carport:





3719 Red Grove Road

503 Carrollwood Road

OTHER EXAMPLES OF THE PROPOSED CARPORT. IN THE NEIGHBOOK HOOD.



509 Carrollwood Road



Front right side of 3727 Red Grove Road



Front left side of 3727 Red Grove Road

Surger From Survive





Back left side of 3727 Red Grove Road

Back right side of 3727 Red Grove Road

