IN RE: PETITION FOR ADMIN. VARIANCE
NW/S of Cold Spring Road,
Corner NE/S of Chesapeake Avenue
15th Election District
5th Councilmanic District
(900 Cold Spring Road)

Heather & Michael Young

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 03-343-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Heather and Michael Young, the legal owners of the subject property. The variance request is for property located at 900 Cold Spring Road in the eastern area of Baltimore County. The Petitioners herein seek a variance from Sections 400.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) with a height of 16.2 ft. in lieu of the permitted maximum height of 15 ft. and located in the third of the lot closest to the street. 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

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

In addition, the Petitioners must be in compliance with the requirements set forth in the Zoning Advisory Comments submitted by the Office of Planning dated February 10, 2003, a copy of which is attached hereto and made a part hereof.

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 February, 2003, that a variance from Sections 400.1 and 400.2 of the B.C.Z.R., to permit an accessory structure (garage) with a height of 16.2 ft. in lieu of the permitted maximum height of 15 ft. and located in the third of the lot closest to the street, 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. Compliance with the recommendations made by the Office of Planning dated February 10, 2003.
- 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.

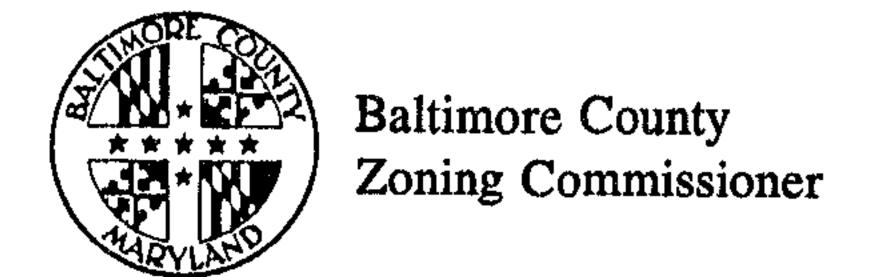
TIMOTHY'M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

262/63 Envery

TMK:raj



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

Fax: 410-887-3468

February 21, 2003

Mr. & Mrs. Michael Young 900 Cold Spring Road Baltimore, Maryland 21220

> Re: Petition for Administrative Variance Case No. 03-343-A Property: 900 Cold Spring Road

Dear Mr. & Mrs. Young:

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

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 900 Cold Spring Rd. which is presently zoned D.R. 3.5

I/We do solemnly declare and affirm, under the penalties of

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 * 400.2 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 16.2 FEET IN LIEU OF THE MAXIMUM PERMITTED HEIGHT OF 15 FEET AND LOCATED IN THE THIRD OF THE LOT CLOSEST TO THE STREET.

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Signatu ICHAE Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: Address Telephone No. Name - Type or Print State Zip Code Representative to be Contacted: Signature Company Name Address' Telephone No. Address Telephone No City State Zip Code State Zip Code A Public Rearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this that the subject many and that the property be reposted. that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning Zoning Commissioner of Baltimore County 03-243 CASE NO. Reviewed By DTHOMPSON Date 230102 REV 10/25/01 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 Affiant(s) does/do presently reside at	900 Cald Soring Road
	Daltimore mo 21220
	City State Zip Code
Variance at the above address (indicate hardsh	owing are the facts upon which I/we base the request for an Administrative ip or practical difficulty):
i) Current Struct	ure falling down
2) Reed starage for	have trailed 9.5ft high
	a a Mossilers. 3 Motor cycle
I had storage for	The sport of the state of the s
4) Need Storage for	1 18 ft Bass Boat.
5.) Shelter for	n 2 four wheelers, 3 Motor eyele n 18 ft Bass Boat. Suburban
That the Affiant(s) acknowledge(s) that if a for a decention and the required to provide and may be required to provide	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
Mache Morma	Michael Allun
Signature / // All Signature	Signature /// // // // // Signature
Name - Type or Print	Name - Type or Print
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STATE OF MARYLAND, COUNTY OF BALTII	1/000 10 1 0000
HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe	State of the State ersonally appeared
thé Affiant(s) herein, personally known or satisf	actorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	$\sim M_{\odot}$
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C. OTAR	Notary Public My Commission Expires My (2003)
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REV 10/25/01

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	900 Cold Spring Road
	Balt mb 2/220
Variance at the above address (indicate hardship	
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2) Need storage for	have trailer 9.5 ft high
2) Need Storage for a	2 four wheeler, 3 motor eyeles
4) Storage for 10 ft	Bass Daut.
5.) Storage for Suba	Noan
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will be required to pay a reposting and ditional information.
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Name - Type or Print Joung	Mame - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIM	
of Maryland, in and for the County aforesaid, per	$\frac{2002}{\text{sonally appeared}}$, before me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfa	ctorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
	Elbrad / Duce
A TAR A TO	Notary Public My Commission Expires My (2003)
REV 10/25/01	

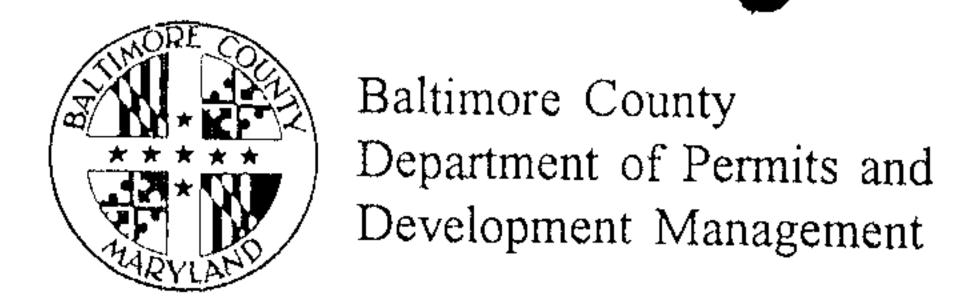
	CASHIER'S VALIDATION	
9	STOMER	No. 19390
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CERTIFICATO POSTING

	RE: Case No.: <u>03 - 343 - A</u>
•	Petitioner/Developer: HEATHER
•	L. YOUNG
	Date of Hearing/Closing: 2/18/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
•	of perjury that the necessary sign(s) required by law
were posted conspicuously on the property	located at 900 COLDSPRING
	Rd
,	<u>────────────────────────────────────</u>
The sign(s) were posted on	2/2/03 (Month, Day, Year)
The sign(s) were posted on	2/2/03 (Month, Day, Year) Sincerely,
The sign(s) were posted on	
The sign(s) were posted on	Sincerely, 2/2/0.3
	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name)
	Sincerely, 2/2/03 (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd
	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address)
	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Laslie Rd (Address) Dundalk, Maryland 21222
	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address) Dundalk, Maryland 21222 (City, State, Zip Code)
The sign(s) were posted on	Sincerely, (Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address) Dundelk, Maryland 21222

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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

February 14, 2003

Mr. & Mrs. Michael Young 900 Cold Spring Road Baltimore, MD 21220

Dear Mr. & Mrs. Young:

RE Case Number: 03-343-A, 900 Cold Spring Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 19, 2003.

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

· Carl Robal D

WCR:klm

Enclosures

c: People's Counsel



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

February 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: February 3, 2003

Item No.: 339-347, 349

Dear Ms. Hart:

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.

REVIEWER: LIEUTENANT JIM MEZICE, Fire Marshal's Office

PHONE 887-4881, MS-1102F

C: File



JUNE DEPARTMENT OF TRANSPORTATION

Robert L. Ehrlich, Jr., Governor · Michael S. Steele, Lt. Governor · Trent M. Kittleman, Acting Secretary

Date: 2.4.03

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

RE:

Baltimore County

Item No. 343

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,

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RB5 | ToT

DATE:

March 12, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of February 3, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

(343), 345, 347-350

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director TO:

> Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 900 Cold Spring Road

INFORMATION:

Item Number: 03-343

Petitioner: Heather Young

Zoning: DR 3.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 16.2 feet in lieu of the maximum permitted height of 15 feet to be located in the third of the lot closest to the street provided elevations of all four sides of the proposed structure are submitted to this office for review and approval. Notwithstanding, the plan should indicate the driveway access to said garage and the limits of impervious surface.

AFK/LL:MAC:

DATE: February 10, 2003

RECEIVE 2003
FEB 1 0 2003
ZONNER
ZONNER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits & Development Management

FROM: Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT: Zoning Advisory Committee Meeting

For February 10, 2003

Item No. 343

The Bureau of Development Plans Review has reviewed the subject-zoning item.

DATE: February 26, 2003

The flood protection elevation for this site is 10.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the floodplain elevation in all construction.

In accordance with Bill No. 18-90, Section 26-276, filling within a floodplain is prohibited.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

Building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with requirement of B.O.C.A. International Building Code adopted by Baltimore County.

RWB:CEN:jrb

cc: File

ZAC-2-10-2003-ITEM 343-02262003

BALTIMORE COUNTY, MD DEPARTMENT OF PUBLIC WORKS DIRECTORS OFFICE 410-887-3300

FLOODPLAIN REQUEST FORM

Tax Account #	: 15-08-00377	<u>'0</u>		District: 15			
Address: 900	Cold Spring R	<u>d.</u>					
Intersecting St	reet:						
Subdivision:			Plat 1	Ref <u>:</u>			
Tax Map:	Grid:	Parcel:	Lot:				
ADC Map:							
Owner's Name	; :						
Request By:							
Address:	···	Phone:					
Request:							
		<u>O</u> .	FFICE US	SE ONLY			
Floodmap: 24	0010-0445C			FIRM Zone	: <u>A-10</u>		
Elevation:							
Comments: Comments: Comments:							For building
Inquiry:	Walk~in:	Fax:	Letter:				
Date: 12/10/	02	Ву	: Robin	Hurley			
Response:							
		MA	TERIALS	S MAILED			
FEMA	1 Map:		Corre	espondence:			
Flood	Study Man:	GI	S Man:				

Robert L. Ehrlich, Jr.

Michael S. Steele



Audrey E. Scott Secretary

Florence E. Burlan
Deputy Secretary

11. Covernor

February 4, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
111 W. Chesapeake Avenue
Room 111, Mail Stop # 1105
Towson MD 21204

Re Zoning Advisory Committee Agenda 02/10/03 re: case numbers 03-339-A, 03-340-A, 03-341-A, 03-342-SPHA, 03-343-A, 03-344-SPH, 03-345-A, 03-346-SPH, 03-347-A, 03-348-SPH, 03-349-A, 03-350-XA

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 02/04/03. 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,

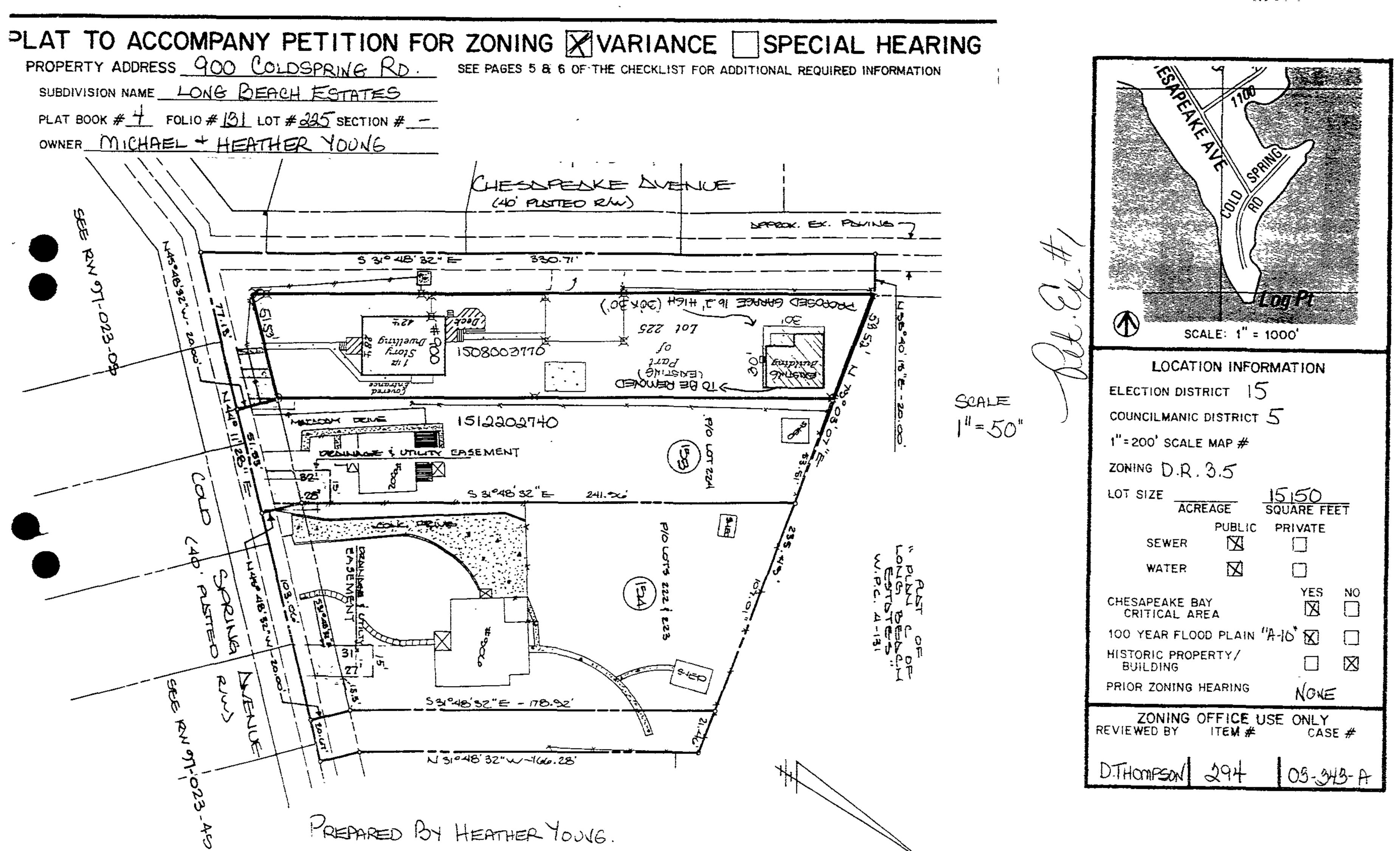
James R. Gatto

Manager

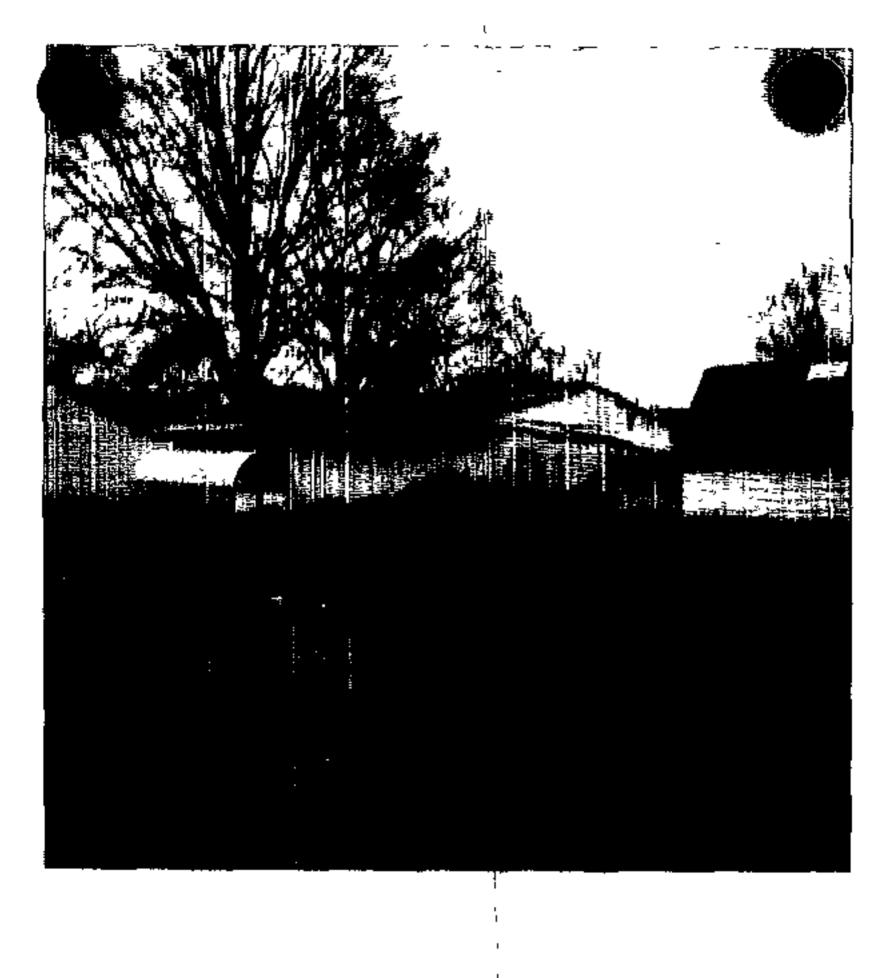
Metropolitan Planning

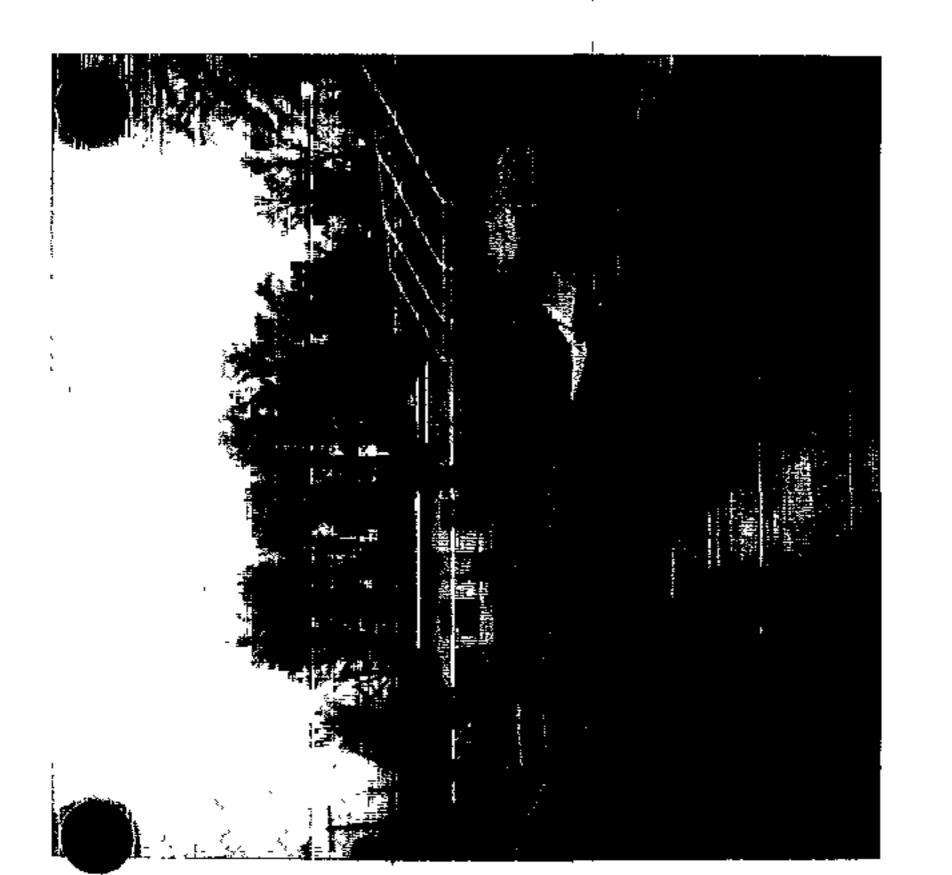
Local Planning Assistance Unit

cc. Mike Nortrup



RM PIER PIERS











Zoning Description for 900 Cold Spring Road

Beginning at a point on the northeast side of Cold Spring Road which is 40 feet wide 20 feet from the centerline of Chesapeake Road which is 40 feet wide. Being part of Lot No. 225 in the subdivision of "Long Beach Estates" as recorded in Baltimore County Plat Book No. 4, Folio No. 131, containing 7,568 square feet. Also known as 900 Cold Spring Road located in the 15th Election District and the 5th Councilmanic District of Baltimore County.