

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Caradoc Drive, 250' W
centerline of Sagramore Road
14th Election District
7th Councilmanic District
(8022 Caradoc Drive)

John F. & Joan M. Eikenberg
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-468-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by John F. & Joan M. Eikenberg, the legal owners of the subject property. The variance request is for property located at 8022 Caradoc Drive in the Rosedale area of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.B and 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (carport) with a 2 ft. setback in lieu of the required 6 ft. setback. 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

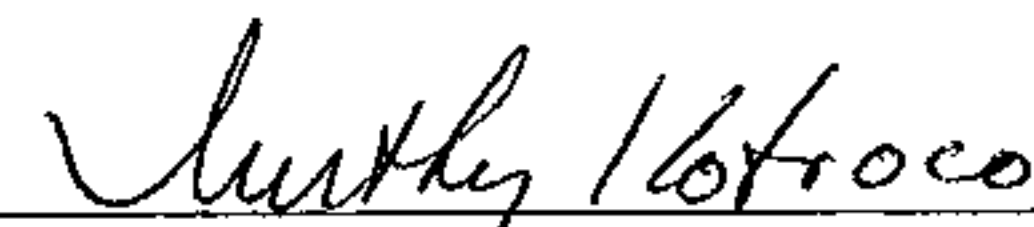
5/7/03
R. Eikenberg

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 7th day of May, 2003, that a variance from Sections 1B02.3.B and 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (carport) with a 2 ft. setback in lieu of the required 6 ft. setback, 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

05/21/03
R. J. G. J. G. J. G.



Baltimore County
Zoning Commissioner

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

May 7, 2003

Mr. & Mrs. John F. Eikenberg, Jr.
8022 Caradoc Drive
Baltimore, Maryland 21237

Re: Petition for Administrative Variance
Case No. 03-468-A
Property: 8022 Caradoc Drive

Dear Mr. & Mrs. Eikenberg:

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8022 Caradoc Drive, Baltimore, MD 21237
which is presently zoned D.R.5.5

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) 1B02.3B., 301.1A. (BCZR)

TO PERMIT AN OPEN PROTECTION (CARPORT) WITH A 2-FOOT
SETRBACK IN LIEU OF THE REQUIRED 6-FOOT SETBACK.

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):

John F. Eikenberg, Jr.
Name - Type or Print _____
Signature John F. Eikenberg, Jr. _____
Joan M. Eikenberg
Name - Type or Print _____
Signature Joan M. Eikenberg _____
8022 Caradoc Drive (410) 539-4600 (w)
Address _____ (410) 866-4371 (h)
Telephone No _____
Baltimore MD 21237
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ 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 _____ day of _____ 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. 03-468-A

Reviewed By D. THOMPSON Date 4/10/03

REV 10/25/01

Estimated Posting Date 4/20/03

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 8022 Caradoc Drive
Address
Baltimore MD 21237
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):

1. Current zoning requires a 6' minimum setback.
2. The existing driveway is only 4' from the property line.
3. We would like to replace the driveway and cover with an open carport.
4. The new structure will be 2' from the property line at the closest point.
5. There are numerous houses in the neighborhood with similar carports.
6. It is not possible to cover the driveway with a carport and still meet the minimum required 7' setback.

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.

John F. Eikenberg, Jr.
Signature
John F. Eikenberg, Jr.
Name - Type or Print

Joan M. Eikenberg
Signature
Joan M. Eikenberg
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of April, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John F. Eikenberg, Jr. & Joan M. Eikenberg
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

John F. Eikenberg
Notary Public
My Commission Expires 7/1/04

Affidavit in Support of Administrative Variance

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John F. Eikenberg, Jr.
Signature
John F. Eikenberg, Jr.
Name - Type or Print

Joan M. Eikenberg
Signature
Joan M. Eikenberg
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of April, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John F. Eikenberg, Jr. & Joan M. Eikenberg
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

John F. Eikenberg
Notary Public
My Commission Expires 7/1/04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8022 Caradoc Drive, Baltimore, MD 21237
which is presently zoned D.R.5.5

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TO PERMIT AN OPEN PROTECTION (CARPORT) WITH A 2-FOOT
SETBACK IN LIEU OF THE REQUIRED 6-FOOT SETBACK.

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.

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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):

John F. Eikenberg, Jr.
Name - Type or Print

John F. Eikenberg
Signature

Joan M. Eikenberg
Name - Type or Print

Joan M. Eikenberg
Signature

8022 Caradoc Drive
Address

Baltimore MD 21237
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City 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 _____ day of _____ 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. 03-468-A

Reviewed By D. THOMPSON Date 4/10/03

REV 10/25/01

Estimated Posting Date 4/20/03

**ZONING DESCRIPTION FOR
8022 CARADOC DRIVE
BALTIMORE MD 21237**

Beginning at a point on the north side of Caradoc Drive, which is 50 foot wide at the distance of 250 feet West of the center line of the nearest improved intersecting street Sagramore Road, which is 50 foot wide. Being known and designated as Lot No. 24 in Block B, as shown on Plat of Camelot, Section Seven, which Plat is recorded among the Land Records of Baltimore County in Plat Book R.R.G. No. 29 folio 34 containing 8509 square feet. Also known as 8022 Caradoc Drive and located in the 14 Election District , 7th Councilmanic District.

03-468-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23608

DATE 7/10/08 ACCOUNT 0010066150
AMOUNT \$ 65.00

RECEIVED FROM: JOHN EIKENBERG

FOR: ITEM # 468 08-468-A

2022 CARADOC DR. BY D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS ACTUAL 10/01 2
7/10/2008 7/10/2008 10:31:57

REC-4502 MAIL JUNG JEE
RECEIPT # 36527 7/10/2008 JFLH
DEPT. 5 528 ZONING VERIFICATION
CR NO. 023608

Receipt Tot \$65.00
65.00 OK .00 CA
Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23600

DATE 4/10/03 ACCOUNT 0010066150
AMOUNT \$ 65.00

RECEIVED FROM: JOHN EIKENBERG

FOR: ITEM # 468 03-468-A

2022 CARADOC DR. IN D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
4/10/2003 4/10/2003 10:31:53

REF: 4502 MAIL JUNA JEE
RECEIPT # 263527 4/10/2003 BFLH
DEPT: 5 523 ZIRING VERIFICATION
OR NO. 023608

Receipt Tot \$65.00
65.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Date: 4/19/03

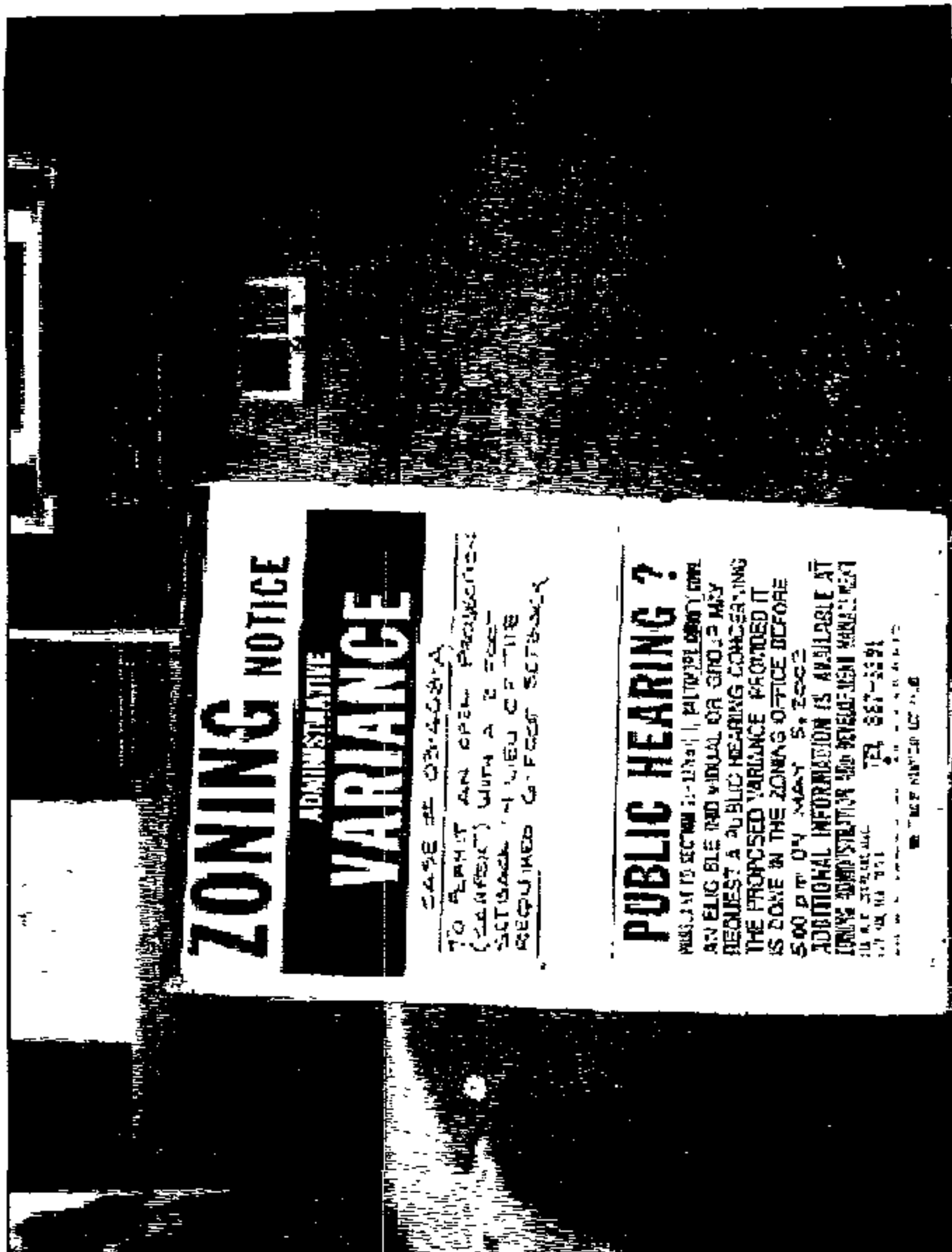
RE: Case Number 03-468-A

Petitioner/Developer: EIKENBERG

Date of Hearing/Closing: MAY 5, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8022 CARADOC DRIVE

The sign(s) were posted on APRIL 19, 2003
(Month, Day, Year)



Charlie Merritt
(Signature of Sign Poster)

CHARLIE MERRITT
(Printed Name of Sign Poster)

9831 MAGLETT ROAD
(Street Address of Sign Poster)

BALTO MD 21234
(City, State, Zip Code of Sign Poster)

410 665-5562
(Telephone Number of Sign Poster)

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/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: 03-468-A
Petitioner: EIKENBERG
Address or Location: 8022 CARADOC DR., 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. & MRS. JOHN F. EIKENBERG, JR.
Address: 8022 CARADOC DR.
BALTO. MD 21237
Telephone Number: 410-866-4371

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 468 -A Address 8022 CARADOC DRIVE
Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner Please Print Your Name

Filing Date: 4/10/03 Posting Date: 4/20/03 Closing Date: 5/5/03

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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 468 -A Address 8022 CARADOC DR., 21237
Petitioner's Name EIKENBERG Telephone 410-866-4371
Posting Date: 4/20/03 Closing Date: 5/5/03
Vording for Sign: To Permit AN OPEN PROJECTION (CARPORT) WITH A
2-FOOT SETBACK IN LIEU OF THE REQUIRED 6-FOOT SETBACK.



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 2, 2003

Mr. & Mrs. John F. Eikenberg, Jr.
8022 Caradoc Drive
Baltimore, MD 21237

Dear Mr. & Mrs. Eikenberg:

RE: Case Number: 03-468-A, 8022 Caradoc Drive

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

WCR:rjc
Enclosures

c: People's Counsel

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



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on Recycled Paper



Baltimore County
Fire Department

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

April 24, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 21, 2003

Item No.: 465, 467-477

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.*

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

cc: File

AV/
6/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 21, 2003

RECEIVED

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

APR 22 2003

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-468

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:

John J. Urban

AFK/LL:MAC

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

Date: 4.18.03

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 468 DT

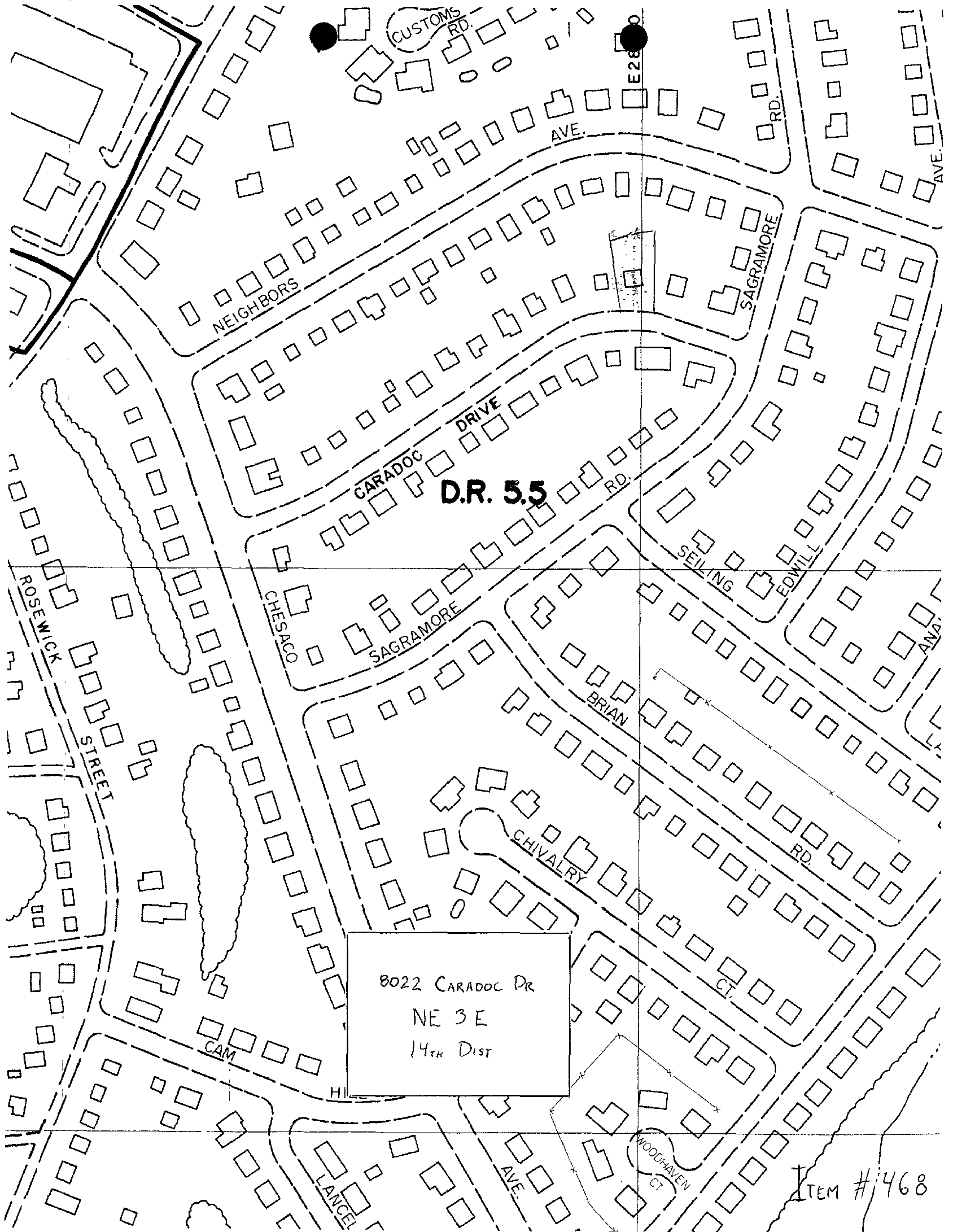
Dear Ms. Hart:

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



CUSTOMS RD.

E280

NEIGHBORS

AVE.

SAGAMORE

CARADOC

DRIVE

D.R. 5.5

RD.

CHESACO

SAGAMORE

SEILING

EDWILL

ROSEWICK STREET

BRIAN

CHIVALRY

RD.

8022 CARADOC DR
NE 3 E
14TH DIST

CAM

LANCE

AVE.

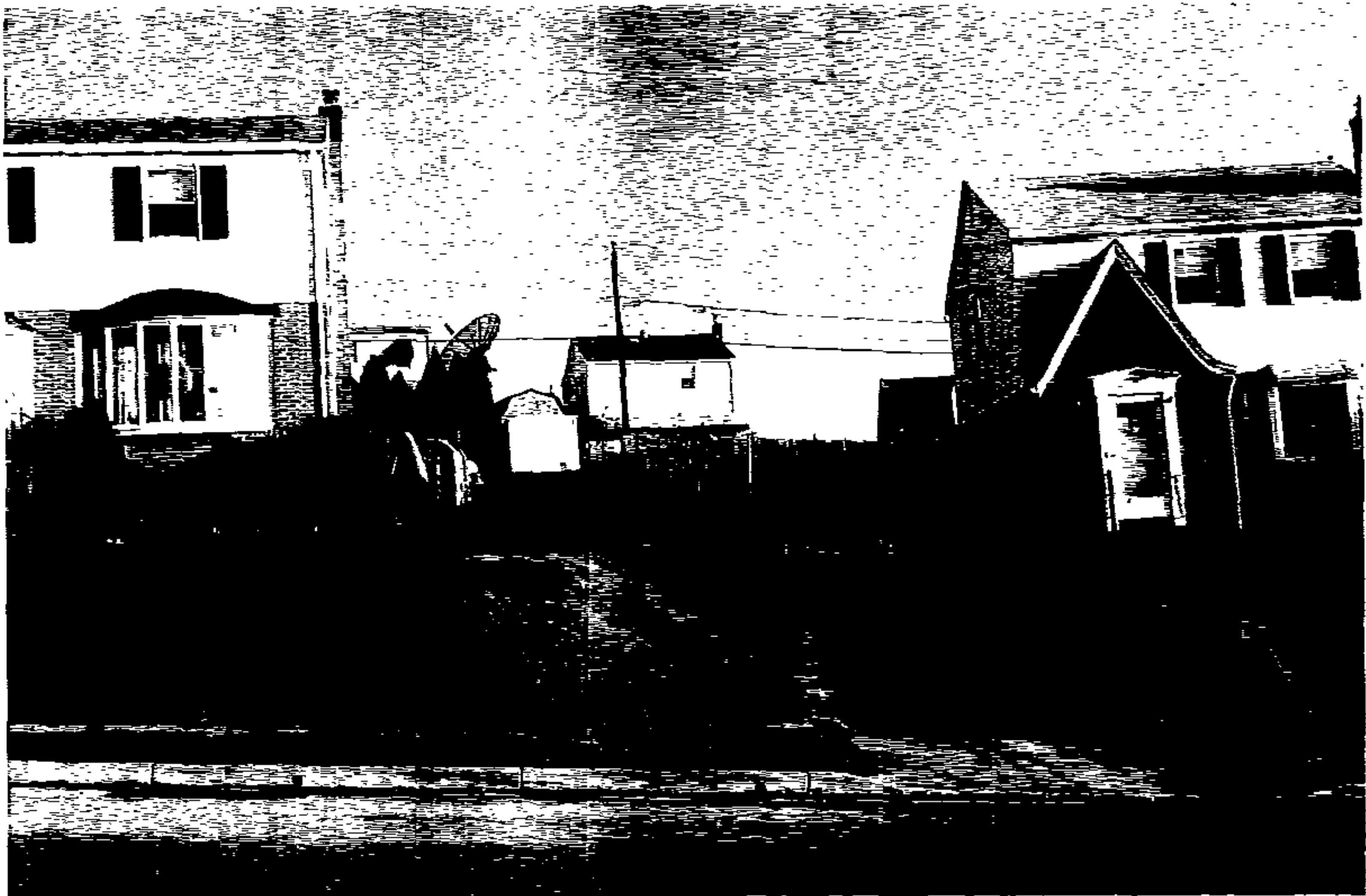
WOODHAVEN CT

ITEM # 468

Existing Conditions



8022 Caradoc Drive ↑



↑
8020 Caradoc Drive

OB-468-A

↑
Area where proposed carport
and driveway are to be built
on 8022 Caradoc Drive.

Area of Proposed Change.

Proposed
open
carport



8022 Caradoc Drive ↑



↑
8020 Caradoc Drive

↑
Area where proposed carport
and driveway are to be built
on 8022 Caradoc Drive

03-468-A

Immediately Adjacent Dwellings



8020 Caradoc Drive ↑ (neighbor's house)



↑
↑ 8022 Caradoc Drive
(our house)

03-468-A

8024 Caradoc Drive ↑
(neighbor's house)

Similar Structures in the Neighborhood.



8107 Edwill Ave



1511 Seling Ave

OB-468-A

Similar Structures in the Neighborhood.



1520 Brian Road.



1522 BRIAN Rd.

03-468-A

Similar Structures in Neighborhood.



8113 Sagamore Rd.



1503 Neighbors Ave

03-468-A