IN RE: PETITION FOR ADMIN. VARIANCE
S/S Reston Lane, 60' E
centerline of Springhouse Circle
14th Election District
6th Councilmanic District
(7808 Reston Lane)

Lisa & Barry Verger Petitioners

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 03-494-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Lisa and Barry Verger, legal owners of that property known as 7808 Reston Lane in the eastern area of Baltimore County. The Petitioners herein seek relief from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 15 ft. for a proposed open deck in lieu of the minimum required 22 ½ ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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.

Staal 13

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 May, 2003, that a variance from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear yard setback of 15 ft. for a proposed open deck in lieu of the minimum required 22 ½ ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

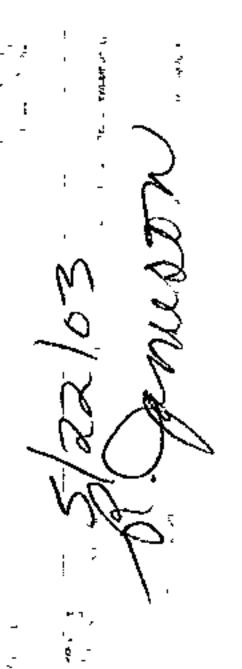
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

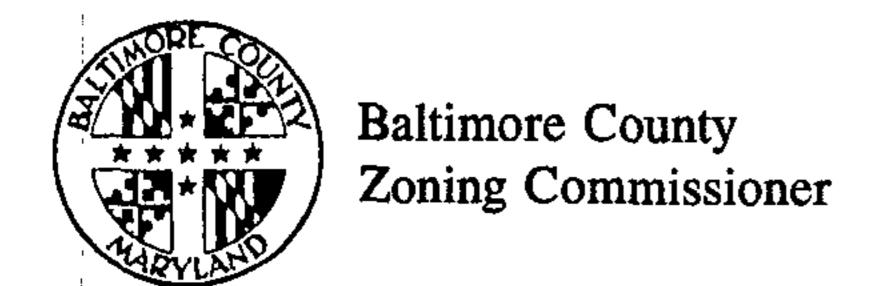
TIMOTHY M .KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

May 22, 2003

Mr. & Mrs. Barry Verger 7808 Reston Lane Baltimore, Maryland 21237

Re: Petition for Administrative Variance

Case No. 03-494-A

Property: 7808 Reston Lane

Dear Mr. & Mrs. Verger:

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 lotroco

TMK:raj Enclosure



CASE NO.

REV 10/25/01

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	7808 1	Beston	Lane	
_ · · · ·			DR-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) 180/2016 301.

of 15 ft An a proposed open deck in lies of the minimum required 221/2 ft.

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: Legal Owner(s): Name - Type or Print Type or Print Signature Address Telephone No. Name - Type or Print City State Zip Code Signature Reston Lane 410-687-2733 Attorney For Petitioner: Äddress Telephone No Baltimore 21237 Name - Type or Print State Zip Code Representative to be Contacted: Signature Company Address : Telephone No. Address Telephone No MP (CKY State Zip Code State Zip Code Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning egulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County

Reviewed By

# 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		Reston Lan	<u>o</u>		
	Address Boutin	norc	MO	21237	Zin Codo
That based upon personal knowledge, the followariance at the above address (indicate hardship)	ip or practical dit	ficulty):			
we are sugresting to co rear of home Because the new deck will encro	nstruct a of the ach the	12×13' de unusually setback	ck uf st small line	eps on rear yard	L,
That the Afficient(s) columniated as (s) that if a fa	semal damand i	a filad Affiant(a)	usil ba sassina	.al &a .a.u. a .a.u.	4:
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a			will be require	o to pay a repo	sung and
Signature / Org		Signature	(1)	2 fr	
Name - Type or Print	<u> </u>	Name - Type or Pri	t Verge	<u>rc</u>	-
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe	1	, 2003	_, before me, a	Notary Public o	f the State

AS WITNESS my hand and Notarial Seal

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

SANDI L. TU MARYLAND
My Commission Expires Jay 23, 2003

My Commission Expires

**Notary Public** 

7-23-03'

# 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	7808 Reston Lane			
	Baifimore	mo	21237	
,	City	State	Zip Code	
That based upon personal knowledge, the followariance at the above address (indicate hardsh		which I/we base the re	equest for an Administrative	
			_ /	

we are requesting to construct a 12x13 deck of steps on rear of nome. Because of the unusually small rear yard, the new deck will encroach the setback line

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.

Signature

Barry Verger
Name - Type of Print

Name - Type or Print

STATE OF MARYLAND, COUNTY, OF BALTIMORE, to wit:

, 2023, before me, a Notary Public of the State

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 23, 2003

Notary Public

My Commission Expires

7-23-2003

REV 10/25/01



# Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at  $\frac{7808 \text{ Reston Lane}}{\text{which is presently zoned}}$ 

			which is presently zoned <u>DK-2.5</u>
This Petition shall be filed owner(s) of the property situated made a part hereof, hereby p	with the Deparate in Baltimore etition for a Var	rtment of Permits County and which iance from Section	and Development Management. The undersigned, legal is described in the description and plat attached hereto and (s)
reavired 22)	proposen 12 ft	rear ope	is described in the description and plat attached hereto and is learly and Server y and Server y deck) in deck) in lieu of the men imun
of the zoning regulations of E of this petition form.	Baltimore County	y, to the zoning law	v of Baltimore County, for the reasons indicated on the back
Property is to be posted and a li, or we, agree to pay expenses regulations and restrictions of Bar	of above Variance	ce, advertising, postir	ning regulations. ng, etc. and further agree to and are to be bounded by the zoning 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/Less	see:		Legal Owner(s):
Name - Type or Print	`	<del></del>	Name Type or Print
Signature	·		Signature Signature Lisa Venger
Address	· - · · · · · · · · · · · · · · · · · ·	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
<u>Attorney For Petitioner:</u>		· ·	7808 Reston Lane 410:687-2733 Address Telephone No. Bathmore MD 21237
Name - Type or Print	<del></del>	<del></del>	City State Zip Code
Signature	· · · · · · · · · · · · · · · · · · ·	<del></del>	Representative to be Contacted:
Company		· <u>······························</u>	Melissa Gabinet American Design+Bu
Address	T	elephone No.	Address Addres
City	State	Zip Code	City State Zip Code
A Public Hearing having been for	mally demanded a	nd/or found to be re	quired, it is ordered by the Zoning Commissioner of Baltimore County,
regulations of Baltimore County and	. that the	e subject matter of this	petition be set for a public hearing, advertised, as required by the zoning
An 4>	111.31		Zoning Commissioner of Baltimore County

	Zoning Commissioner of Baltimore County			
CASE NO. <u>03-494-</u>	Reviewed By Date 4-21-03			
REV 10/25/01	Estimated Posting Date 5-04-03			

South

Beginning at a point on the side of Reston Lane which is 30 feet wide at the distance of 60 feet East of the centerline of the nearest improved intersecting street Springhouse Circle which is 31 feet wide. Being Lot #49, Grid 14, Parcel 440 in the subdivision of Springhouse Station as recorded in Baltimore County Plat Book #68/62, containing .127 acres. Also known as 7808 Reston Lane and located in the 14<sup>th</sup> Election District.

494

IORE COUNTY, MARYLAND No. 19322 03-494-4 OF BUDGET & FINANCE -LANEOUS RECEIPT 《 图 ULTPI 第 2009年 AMOUNT \$ 65.000 5 500 海沿 华里。 电流点 Perpt 191 Durch Continued Carlet at in 1 mint 1k Hallimur tru 1 de la Royales don de ĔŖ PINK - AGENCY YELLOW - CUSTOMER CASHIER'S 

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#### **CERTIFICATE OF POSTING**

RE: Case No. 03-494-A
Petitioner/Developer:
Barry and Lisa Vergor
Closing Date: 5/19/03

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

Attention: Mr. George Zahner

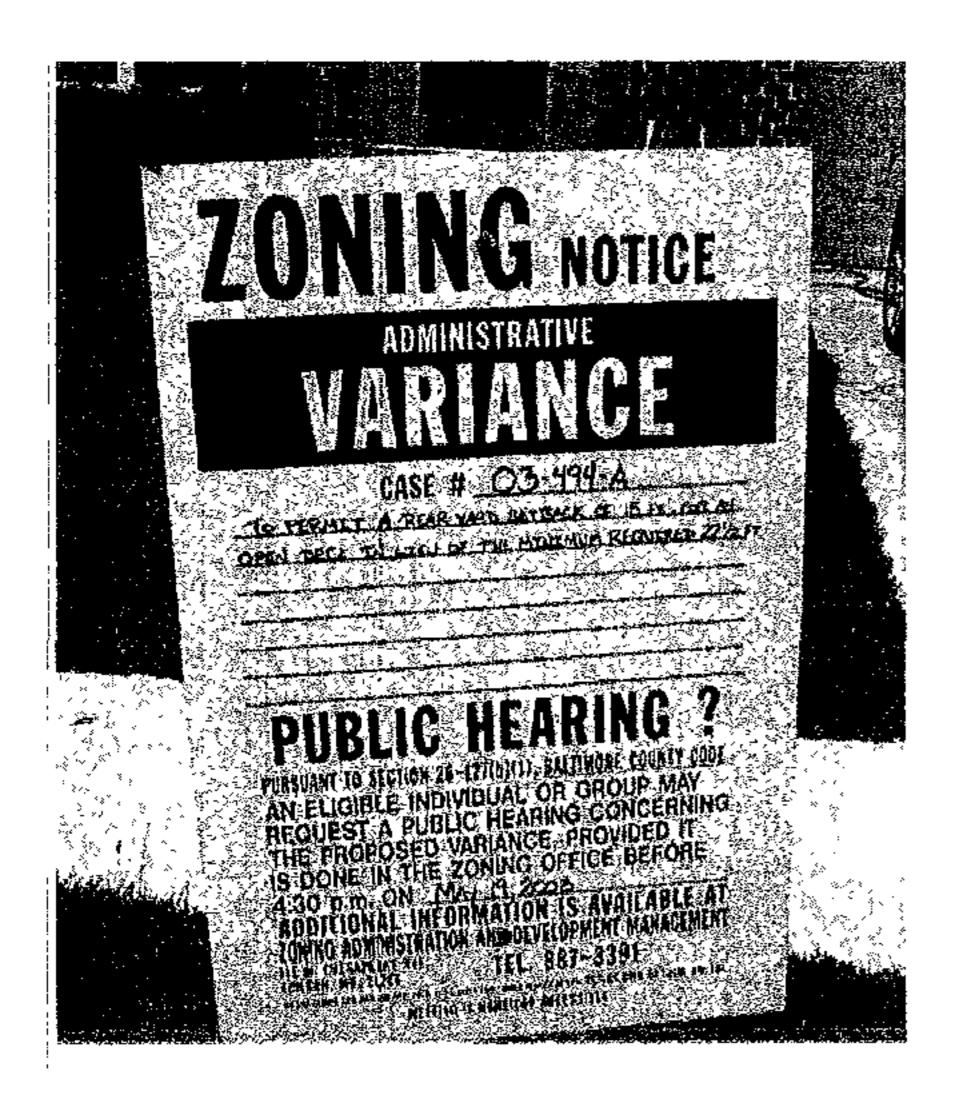
Ladies and Gentlemen:

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 7808 Reston Lane.

The sign(s) were posted on 5/4/03.

Diana Sugiuchi
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668

Sincerely



### <u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case Number 03- 494 -A Address 7808 Reston Lane
Contact Person: Tohn Sulliven Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 4-21-03 Posting Date: 5-04-03 Closing Date: 5-19-03
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.
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.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 03- 494 -A Address 7808 Reston Lane
Petitioner's Name Burry & Liss Vergon Telephone 410-687-2733
Posting Date: <u>5-04-03</u> Closing Date: <u>5-/9-03</u>
Wording for Sign: To Permit a rear yand Setbuck of 15 th for an open Neck in lies of the minimum required 22/2 the
Neck in lieu of the minimum required 22/2 th
i
WCR - Revised 6/28/00

# 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>03-444-4</u>
Petitioner: Barry & Lisa Vergen
Address or Location: 2808 Reston Lan e
PLEASE FORWARD ADVERTISING BILL TO:
Name: Melisa GABINET, Proj. Mani
Address: American Pesign & Build, 1751
221 Gateway DR.
Bel Ain nd. 21014
Telephone Number: 410 - 557- 0555



# Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 19, 2003

Barry Verger Lisa Verger 7808 Reston Lane Baltimore, MD 21237

Dear Mr. and Mrs. Verger:

RE: Case Number: 03-494-A, 7808 Reston Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 21, 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,

u. Callibal D.

W. Carl Richards, Jr. Supérvisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel Melissa Gabinet, American Design & Build, 221 Gateway Drive, Bel Air MD 21014



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

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

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.1.03

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

RE:

**Baltimore County** 

Item No. 494

172

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,

h

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



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 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 28, 2003

Item No.: 478-480, 483-487, 489-490, 492-495

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

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

**PATE:** May 6, 2003

MAY - 8 2003

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-494 - Administrative Variance

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

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** May 6, 2003

Department of Permits & Development Management

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

Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For May 5, 2003 Item Nos. 479, 480, 485, 486, 487, 488, 490, 492, 493 (494) and 495

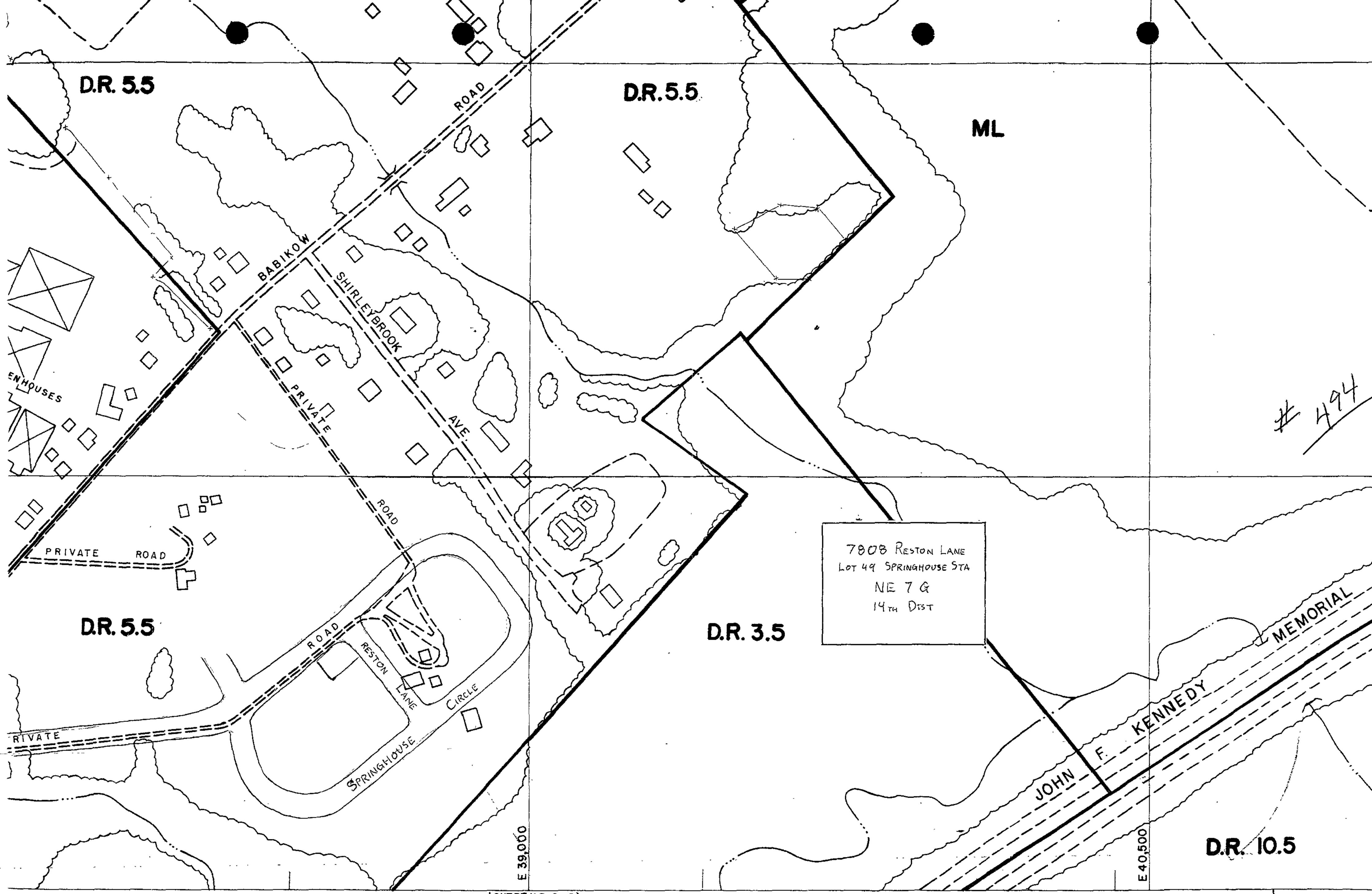
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANC PROPERTY ADDRESS 1808 Reston Ln. SEE PAGES 5 8 6 OF THE CHECKLIST FOR	
PLAT BOOK #68 FOLIO #62 LOT #49 SECTION # OWNER Barry & Lisa Verger	Perry Hall Blub Rearly Ray
Reston Lane	Spring house City  Subject  Pringe by  VICINITY MAP
Spring Light Circle (172) 12, 1808  12, 1808  12, 1808  12, 1808  12, 1808	LOCATION INFORMATION  ELECTION DISTRICT / 4  COUNCIL MANIC DISTRICT 6  I"=200' SCALE MAP # NE, 7-6,  ZONING PR-5:5  LOT SIZE OF SQUARE FEET  PUBLIC PRIVATE  SEWER YES NO  CHESAPEAKE BAY CRITICAL AREA  100 YEAR FLOOD PLAIN  HISTORIC PROPERTY/ BUILDING
NORTH  PREPARED BY Jeffing Hoilman Scale OF DRAWING: 1" = 30"	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #

---- -

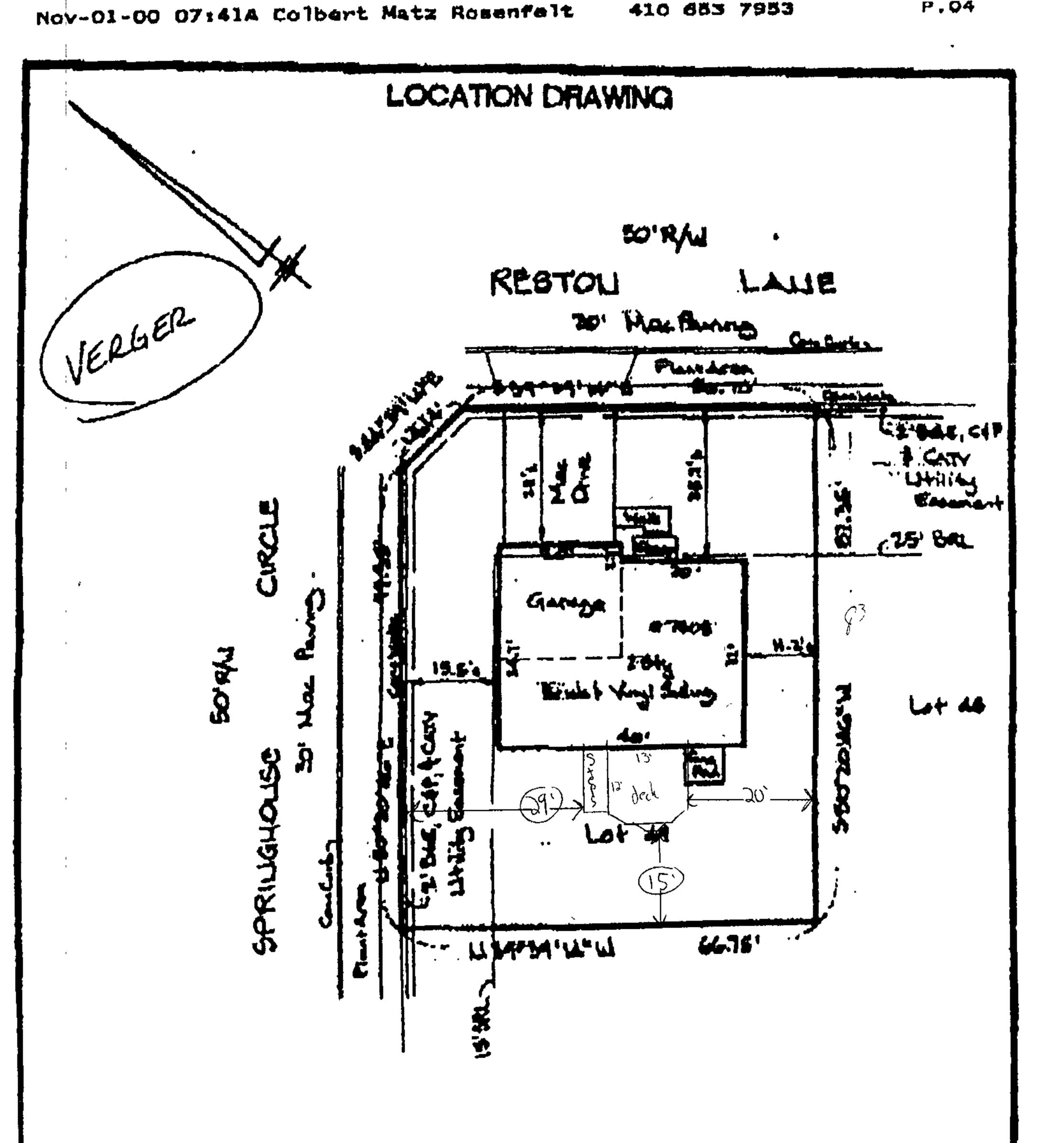


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4105939882

410 683 7953

P.04



Lor 49 " Plus 1 we 2, Signification " Every " Plat Book SHill, Form 62 BALLER. COMMETT MED

1. THE LOT SHOWN HEREON LIES WITHIN ZONE "C" AREA OF MINIMAL FLOCODING AS DETERMINED BY FLOCO WISUHANCE MAP FOR BALTIMORE COUNTY, MARYLAND PANEL NO. 240010 CAMPS DATED EFFECTIVE 3/2/41, 2. THE PLAT IS OF BENEFIT TO A CONSUMER ONLY INSDITAR AS IT IS REQUIRED BY A LENDER OR A TITLE HBURANCE COMPANY OR ITS ACENT IN CONNECTION WITH CONTEMPLATED TRANSFER. FINANCING. OR REFINANCING. 3. THE PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS. OR OTHER EXISTING OR FUTURE ELEPROVEMENTS.

4. THE PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING

THIS IS TO CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE LOT SHOWN HEREON, AND THAT SAID EMPROVEMENTS EXIST.

THE LEVEL OF ACCURACY AND ACCURACY OF APPARENT SETBACK DISTANCES IS:



### Colbert Matz Rosenfell, Inc.

(NI) 423-2834 (410) 443-7963



SCALE: 1-20'

DATE: 10 BILOD

HUH



Hart



