

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Bellhall Drive, E of
Parkhurst Way
(9443 Bellhall Drive)
11th Election District
5th Council District

John R. Lally, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-041-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, John R. and Kathleen A. Lally. The Petitioners seek relief from Sections 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.3 and V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to property line setback of 6 feet in lieu of the required 15 feet and a height distance factor of 12 feet in lieu of the required 16 feet for a proposed addition to an existing dwelling. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. That information, including signed statements of support from adjacent property owners, is sufficient to support a finding that the relief requested meets the spirit and intent of Section 307.1 of the B.C.Z.R. and will not result in any detriment to the health, safety and general welfare of the surrounding locale. The site

ORDER RECEIVED FOR FILING

Date

By

8/28/03

[Signature]

plan indicates that the proposed addition will be a one-story structure, approximately 13' wide across the front, 16' wide across the rear, and 52.5' deep, and will be located along the east side of the existing dwelling. It was indicated that the proposed addition is needed to provide living space that is handicapped accessible for the Petitioners' parents who will be moving to the property. The addition will contain a bedroom, bathroom and sitting area, and feature a full, unfinished basement. As noted above, the Petitioners submitted signed statements from the adjacent property owners, including those who would be most affected by the request, which indicate that they have no objections to the proposal. Moreover, there were no adverse comments submitted by any County reviewing agency. For all of these reasons, I am persuaded to grant the variance.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

20th THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August 2003 that the Petition for Administrative Variance seeking relief from Sections 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Sections V.B.3 and V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to property line setback of 6 feet in lieu of the required 15 feet and a height distance factor of 12 feet in lieu of the required 16 feet for a proposed addition to an existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) There shall be no kitchen/cooking facilities in the proposed addition.
- 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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDERED FOR FILING
Date 8/26/03
By [Signature]



Baltimore County
Zoning Commissioner

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

August 20, 2003

Mr. & Mrs. John R. Lally
9443 Bellhall Drive
Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Bellhall Drive, E of Parkhurst Way
(9443 Bellhall Drive)
11th Election District – 5th Council District
John R. Lally, et ux - Petitioners
Case No. 04-041-A

Dear Mr. & Mrs. Lally:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File

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 9443 BELLHALL DRIVE
which is presently zoned 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) ~~SU ATTACHED~~ 504.2 BCZR

V.B.3, V.B.6.b CMAP
TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH
ADDITION TO HAVE A WINDOW TO PROPERTY LINE DISTANCE
OF 6' AND A HEIGHT DISTANCE FACTOR OF 12' IN LIEU
OF THE REQUIRED 15' AND 16' RESPECTIVELY.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

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, 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. 04-041-A

Reviewed By LTM Date 7/24/03

Estimated Posting Date 8/3/03

ORDER RECEIVED FOR FILING
Date 8/29/03
By [Signature]
REV 10/25/01

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 9443 BELLHALL DRIVE
Address
BALTIMORE, MARYLAND 21236
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):

We are applying for a variance to build a one story addition to the right side of our home, 13 ft. out from the existing building and 52 ft straight back. We currently have a pool and a deck in the back yard and a small shed in the corner. We are preparing for our parents to move in with us and need an extra bedroom, bathroom, and sitting room, all handicapped accessible. We are requesting this addition to be approved to make this possible. Thank You. The Lally's

Note: Addition to have full basement (unfinished), masonry foundation, wood framing, wood truss roof with vinyl exterior siding and asphalt shingle roof to match existing house.

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 R. Lally
Signature
JOHN R. LALLY
Name - Type or Print

Kathleen A. Lally
Signature
Kathleen A. LALLY
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of June, 2003 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John R. Lally Kathleen A. Lally
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Margo J. Miller
Notary Public

My Commission Expires January 2, 2006

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

Address 9443 BELLHALL DRIVE
City BALTIMORE State Maryland Zip Code 21236

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):

We are applying for a variance to build a one story addition to the right side of our home, 13 ft out from the existing building and 52 ft straight back. We currently have a pool and a deck in the back yard and a small shed in the corner. We are preparing for our parents to move in with us and need an extra bedroom, bathroom, and sitting room, all handicapped accessible. We are requesting this addition to be approved to make this possible. Thank You, The Lally's

Note: Addition to have full basement (unfinished), masonry foundation, wood framing, wood truss roof with vinyl exterior siding and asphalt shingle roof to match existing house.

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 John R. Lally
Name - Type or Print JOHN R. LALLY

Signature Kathleen A. Lally
Name - Type or Print KATHLEEN A. LALLY

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of June, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John R. Lally Kathleen A. Lally
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Signature Marg J. Miller
Notary Public

My Commission Expires January 2, 2006



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9443 BELLHALL DRIVE
which is presently zoned 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) ~~504.2 BCZR~~ 504.2 BCZR

V.B.3 / V.B.6.b CMDP
TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH
ADDITION TO HAVE A WINDOW TO PROPERTY LINE DISTANCE
OF 6' AND A HEIGHT DISTANCE FACTOR OF 12' IN LIEU
OF THE REQUIRED 15' AND 16' RESPECTIVELY.

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

Name - Type or Print

Signature

Signature

Address Telephone No.

Name - Type or Print

City State Zip Code

Signature

Attorney For Petitioner:

Address

Telephone No.

Name - Type or Print

City

State

Zip Code

Signature

Representative to be Contacted:

Company

Name

Address Telephone No.

Address

Telephone No.

City State Zip Code

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. 04-041-A

Reviewed By LTM Date 7/24/03

REV 10/25/01

Estimated Posting Date 8/3/03

ZONING DESCRIPTION

Zoning Description for 9443 Bellhall Drive, Baltimore, Maryland 21236. Beginning at the point on the northwest side of Bellhall Drive which is 50 ft. wide at the distance of 1030.54 ft. northeast of the centerline of the nearest improved intersecting street, Parkhurst way, which is 50 ft. wide. Being Lot#63, Block B, Section 2 in the subdivision of Oakhurst as recorded in Baltimore County Plat Book # E.H.K Jr.- Plat 5 No. 43, Folio #131 containing (6,648 sq. ft) (0.1526 acres). Also know as 9443 Bellhall Drive and located in the 11th Election District, 5th Councilmanic District.

#41

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23599

DATE 7/24/03 ACCOUNT R001 006 6150
AMOUNT \$ 65.00

RECEIVED FROM: W. LALLY
FOR: 04-041-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DATA DEPOSIT
CHILD RECEIPT
BUSINESS ACTUAL TIME DRG
7/24/2003 7/24/2003 11:21:57 2
REG 1004 WALKIN DRG DRG
RECEIPT # 236371 7/24/2003 DELN
DEPT 5 528 ZONING VERIFICATION
CR NO. 023599
Receipt Tot \$65.00
65.00 TX .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 04-041-A

TO PERMIT AN EXISTING SINGLE FAMILY
Dwelling WITH AN ADDITION TO HAVE A WINDOW
TO PROPERTY LINE DISTANCE OF 6 FEET AND A
HEIGHT DISTANCE FACTOR OF 12 FEET IN LIEU OF
THE REQUIRED 15 FEET AND 16 FEET RESPECTIVELY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON AUGUST 18, 2003

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE
TOWSON, MD 21204
TEL. 887-3391

DO NOT FORGET THAT THE ZONING OFFICE IS OPEN MONDAY THROUGH FRIDAY 9:00 AM TO 5:00 PM
MEETING IS HANDICAP ACCESSIBLE

ZONING NOTICE

ADMINISTRATIVE VARIANCE

PUBLIC HEARING ?

CERTIFICATE OF POSTING

RE: Case No.: 04-041-A

Petitioner/Developer: MR. JOHN LALLY

Date of Hearing/ Closing: 8-18-03

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

Attention: BECKY HART

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 #9443 BELLEHALL DRIVE

The sign(s) were posted on JULY 31, 2003
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BAUTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

**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: 04-041-A

Petitioner: JOHN R. LALLY AND KATHLEEN A. LALLY

Address or Location: 9443 BELLHALL DRIVE
BALTIMORE, MARYLAND 21236-4773

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN R. LALLY AND KATHLEEN A. LALLY

Address: 9443 BELLHALL DRIVE
BALTIMORE, MARYLAND 21236-4773

Telephone Number: (410) 256-9193

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ⁰⁴ ~~03~~ 041 -A Address 9443 BELLHALL DR
Contact Person: LYOYD T. MOXLEY Phone Number: 410-887-3391
Planner Please Print Your Name
Filing Date: 7/24/03 Posting Date: 8/3/03 Closing Date: 8/18/03

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number

- 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.
- 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.
- 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.

Do Not Alter; Do Not Fill In

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number ⁰⁴ ~~03~~ 041 -A Address 9443 BELLHALL DR
Petitioner's Name JOHN R. LALLY Telephone _____
Posting Date: 8/3/03 Closing Date: 8/18/03
Vording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A WINDOW TO PROPERTY LINE DISTANCE OF 6'
AND A HEIGHT DISTANCE FACTOR OF 12' IN LIEU OF THE
REQUIRED 15' AND 16' RESPECTIVELY

I HAVE RECEIVED POSTING INFO



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

August 18, 2003

John Lally
Kathleen Lally
9443 Bellhall Drive
Baltimore, MD 21236

Dear Mr. and Mrs. Lally:

RE: Case Number: 04-041-A, 9443 Bellhall Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 24, 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

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





**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

August 6, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: August 4, 2003

Item No.: 034, 036-045

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



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



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

MD SHA DEPARTMENT OF TRANSPORTATION

Date: 8.5.03

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

RE: Baltimore County
Item No. 041 LTM

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

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 14, 2003

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

SUBJECT: 9443 Bellhall Drive

INFORMATION:

Item Number: 04-041

Petitioner: John R. Lally

Zoning: DR 5.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit a window to property line distance of 6 feet and a height distance factor of 12 feet in lieu of the required 15 feet and 16 feet respectively.

Prepared by: MaebACumpr

Section Chief: Lynne J. Furbur

AFK/LL:MAC:

RECEIVED
AUG 15 2003
ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 25, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For August 11, 2003
Item Nos. 033, 034, 035, 036, 037,
039, 040, 041, 043, 045, and 046

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

RWB:CEN:jrb

cc: File

**Department of Permits and
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

November 5, 2003

Mr. John R. Lally
9443 Bellhall Road
Baltimore, MD 21236

Dear Mr. Lally:

RE: 9443 Bellhall Road, Spirit and Intent Case No. 04-041-A
11th Election District

Your letter addressed to Mr. Kotroco, dated October 20, 2003 has been referred to me for reply. After discussions with the Zoning Commissioner for Baltimore County and a review of the decision and order in Case No. 04-041-A, the following has been determined.

The proposed addition of kitchen facilities to the subject addition in the above mentioned case is considered to be beyond the "spirit and intent" of Zoning Case No. 04-041-A. In order to address your proposal a Special Hearing before the Zoning Commissioner will be required.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd T. Moxley", is written over a horizontal line.

Lloyd T. Moxley
Planner II, Zoning Review

LTM



Baltimore County Government
Zoning Department

TO WHOM IT MAY CONCERN:

I am writing to let you know that I am aware of the plans to build an addition to the side of the house located at 9443 Bellhall Drive, Baltimore, Maryland 21236, of which John R. and Kathleen A. Lally are the owners.

I have reviewed the plans and I am in agreement with their plans. They have my blessings to move forth with this project.

Carol Diane Insley

Name

Carol Diane Insley

Name

9440 Bellhall Drive

Address

Baltimore, MD 21236

Address

#141

Baltimore County Government
Zoning Department

TO WHOM IT MAY CONCERN:

I am writing to let you know that I am aware of the plans to build an addition to the side of the house located at 9443 Bellhall Drive, Baltimore, Maryland 21236, of which John R. and Kathleen A. Lally are the owners.

I have reviewed the plans and I am in agreement with their plans. They have my blessings to move forth with this project.

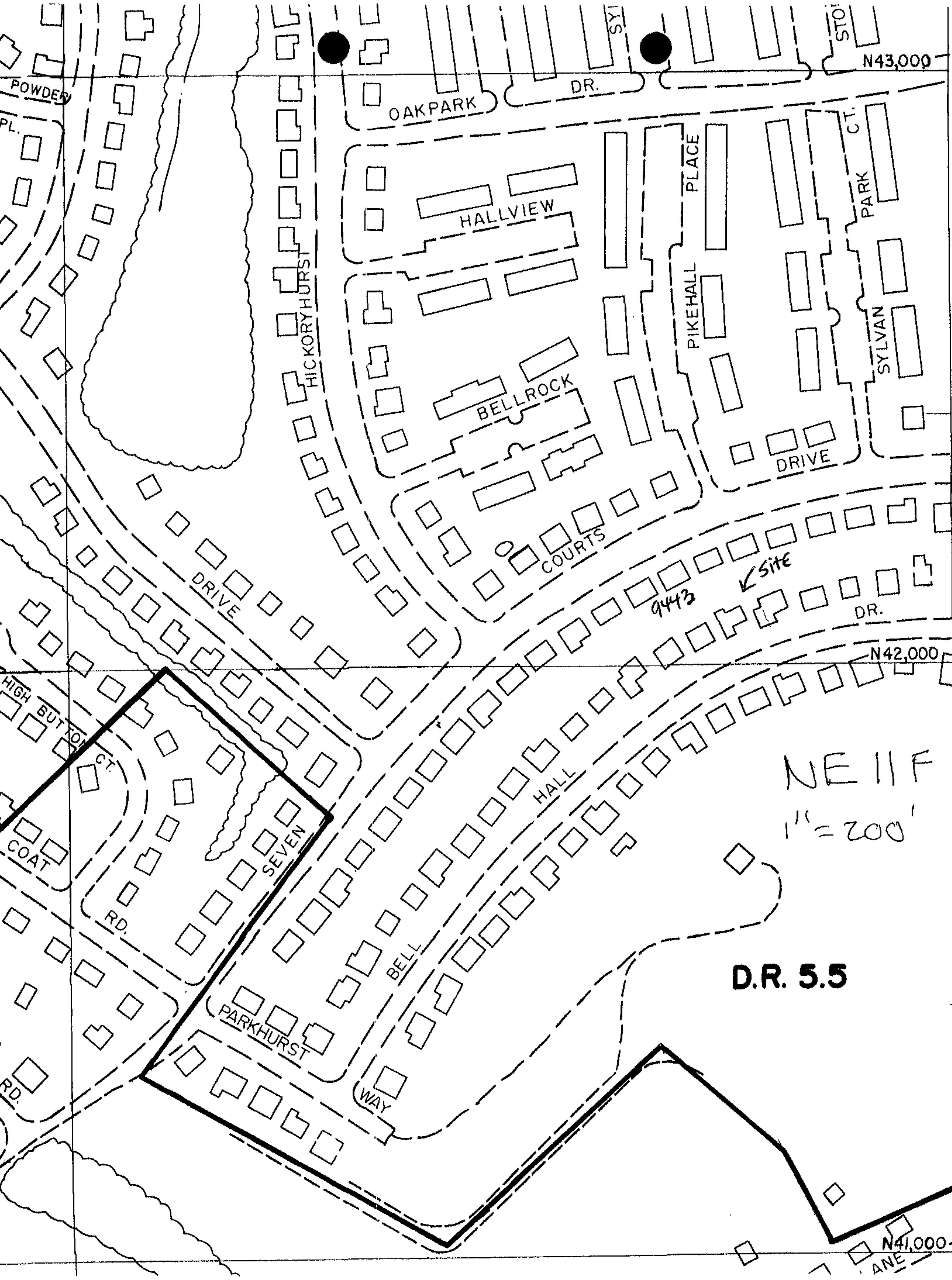
Jane L. Gerolmi
Name

Name

9441 Bellhall Drive
Address Balt., MD. 21236

Address

#4



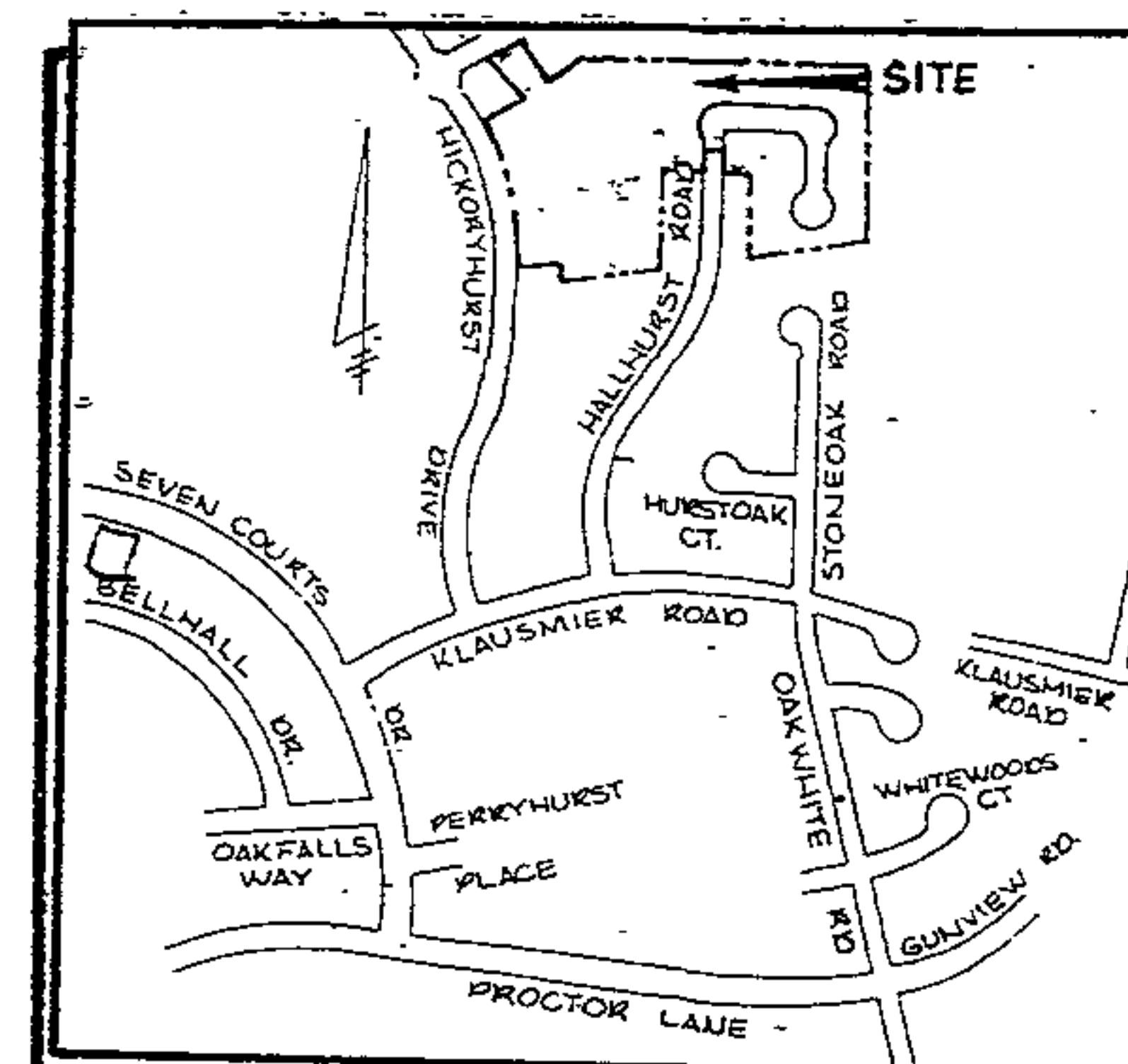
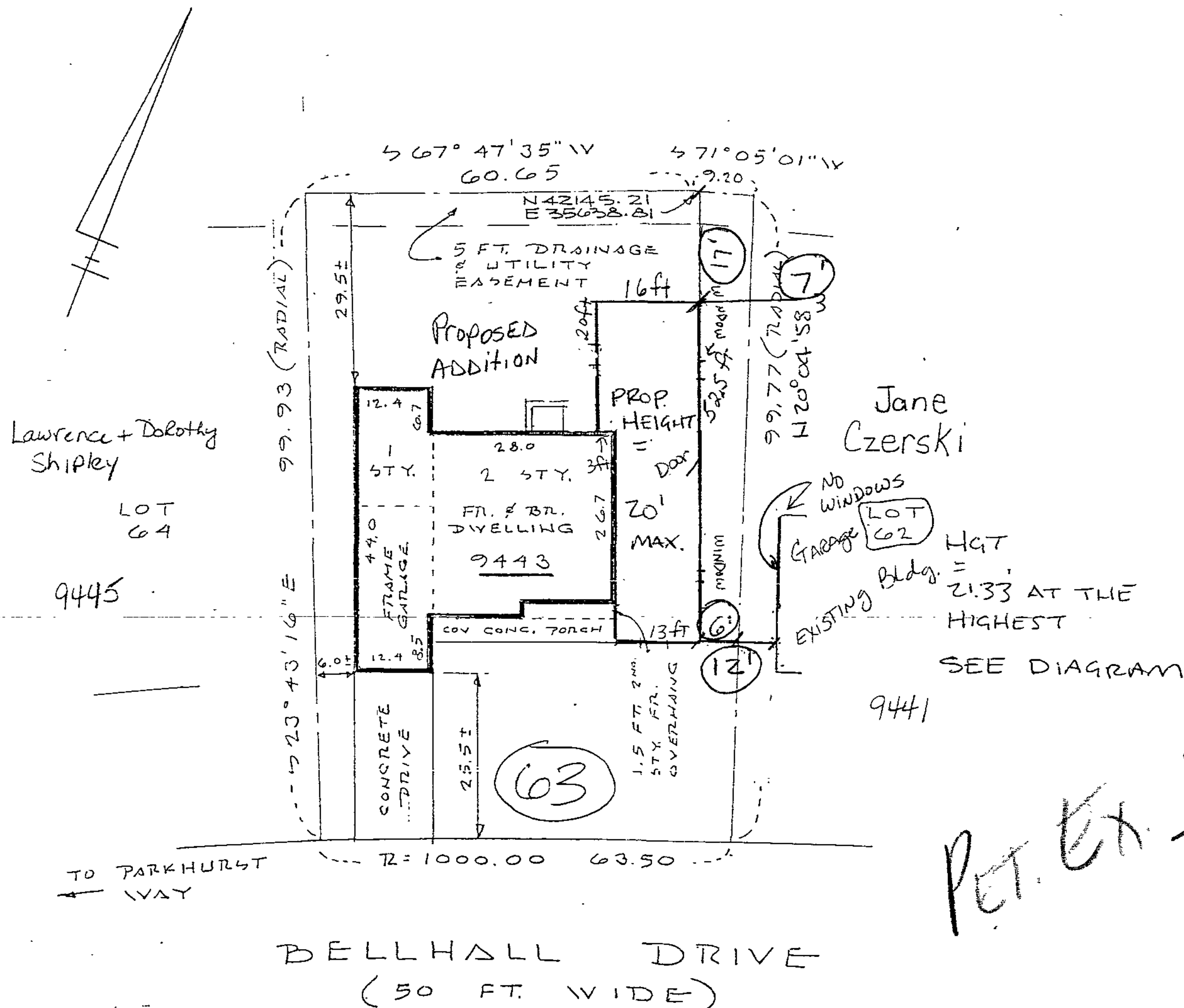
(SHEET N.E.-11-6)

COURT

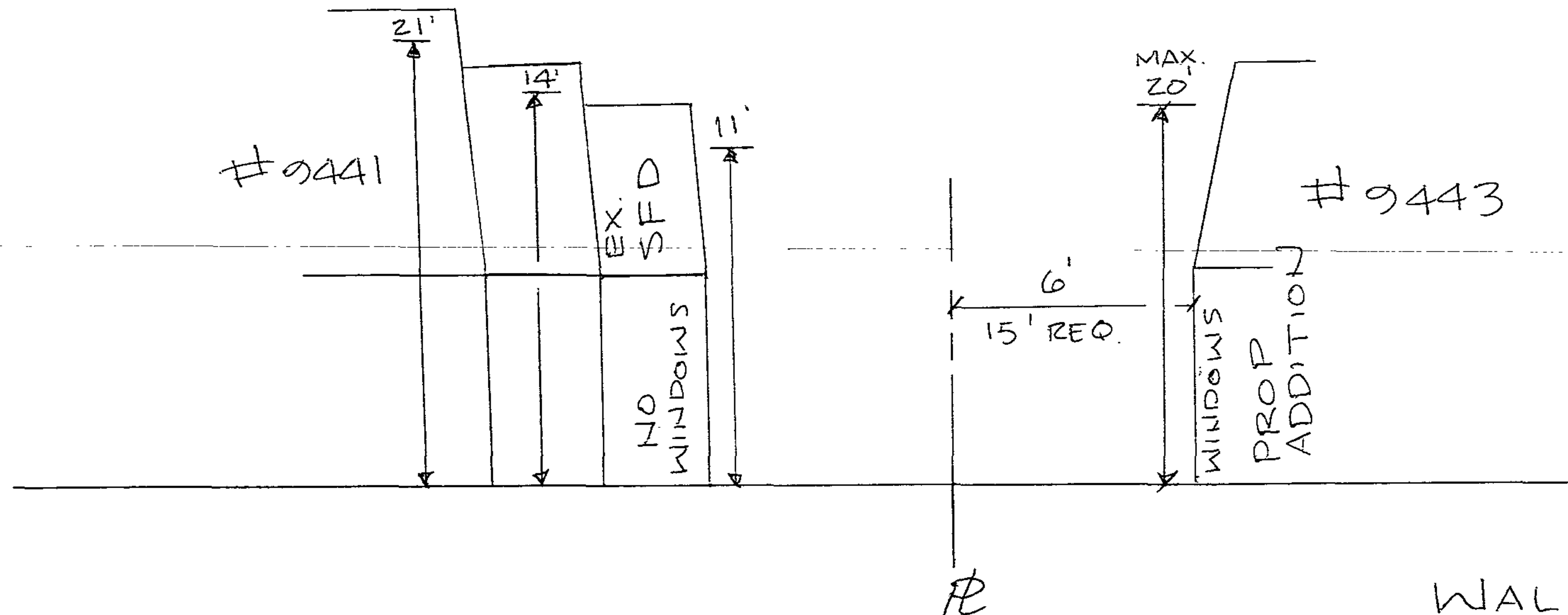
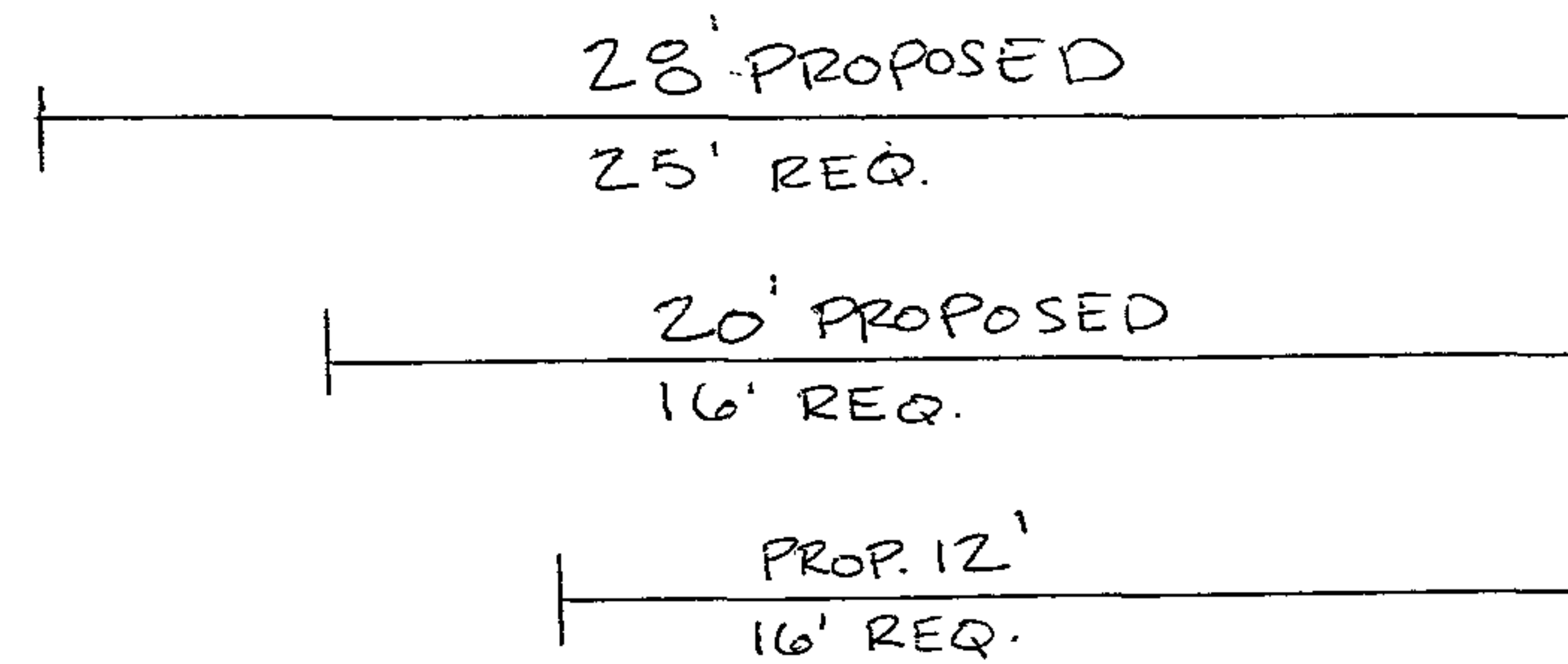
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ ADMINISTRATIVE VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 9443 Bellhall Drive 21236 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Oakhurst
 E.H.K.J.R. # 43
 PLAT BOOK # 5 FOLIO # 131 LOT # 63 SECTION # 2
 OWNER John R. + Kathleen A. Lally



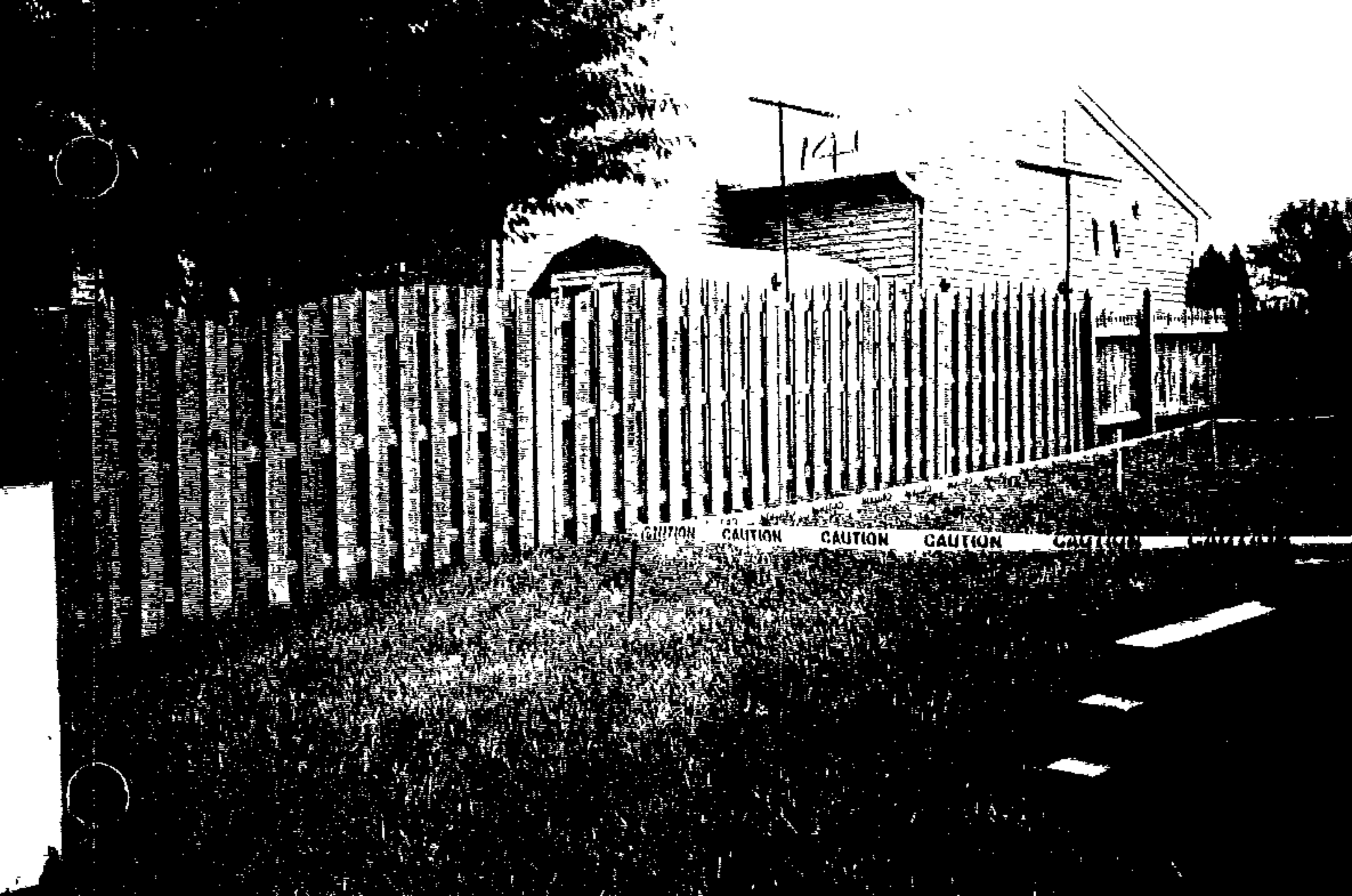
LOCATION INFORMATION			
ELECTION DISTRICT	11 th		
COUNCILMANIC DISTRICT	5 th		
1" = 200' SCALE MAP #	NE 11 F		
ZONING	DR 55		
LOT SIZE	0.1526	6,648	
	ACREAGE	SQUARE FEET	
SEWER	☒ PUBLIC	☐ PRIVATE	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	☐ YES	☒ NO	
100 YEAR FLOOD PLAIN	☐	☒	
HISTORIC PROPERTY/BUILDING	☐	☒	
PRIOR ZONING HEARING	NONE		
ZONING OFFICE USE ONLY			
REVIEWED BY	ITEM #	CASE #	
CTM	41		



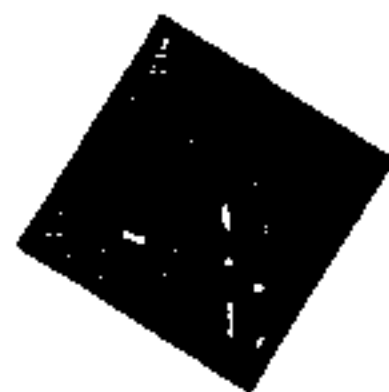
WALL TO WALL
DIAGRAM

REAR
VIEW

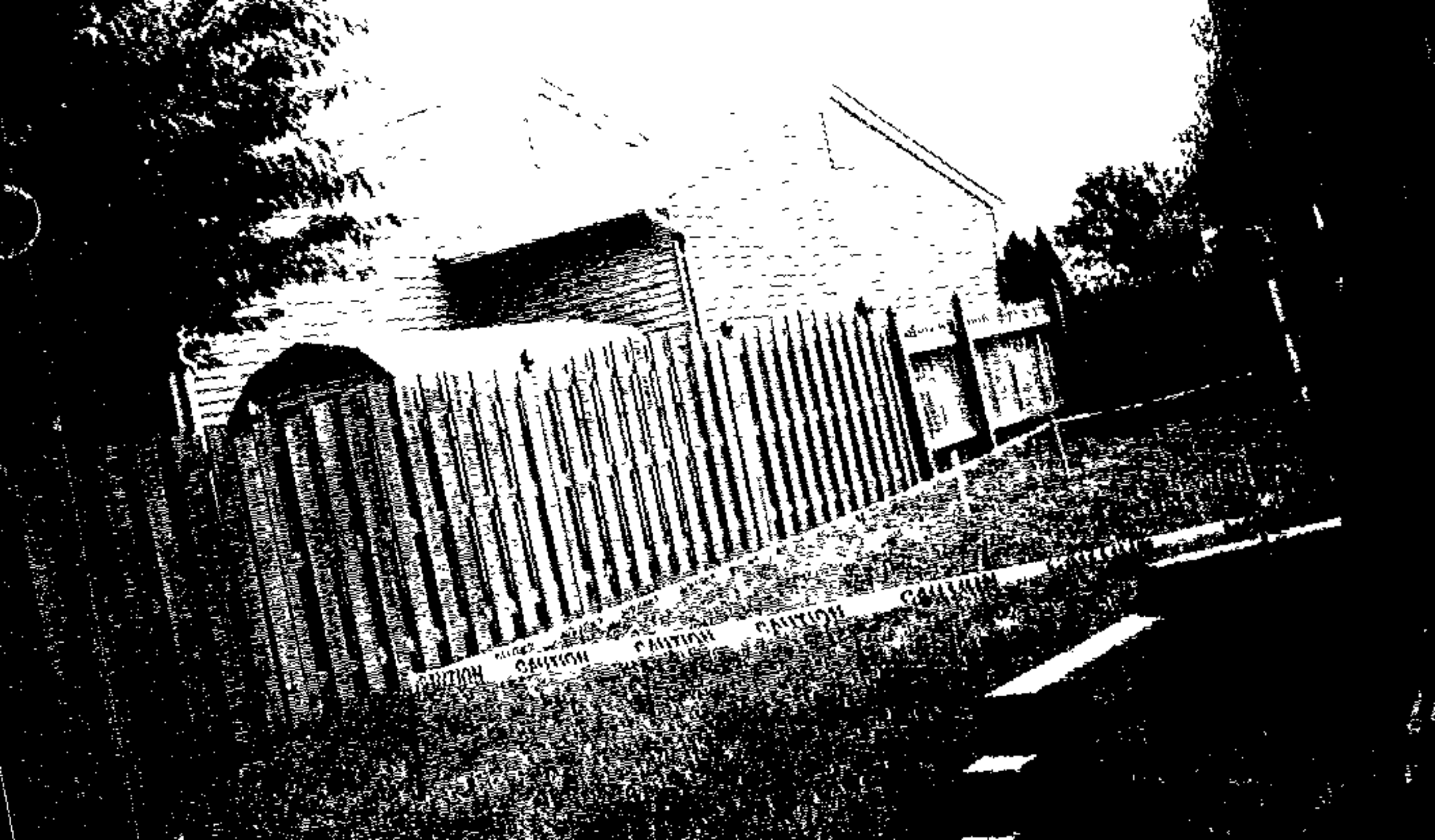
N.T.S.
SHEET 2



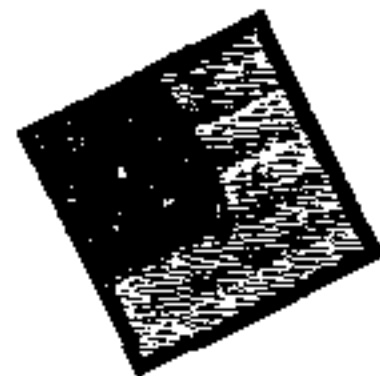
John R. Lally
9443 Bellhall Dr.
Baltimore, MD 21236



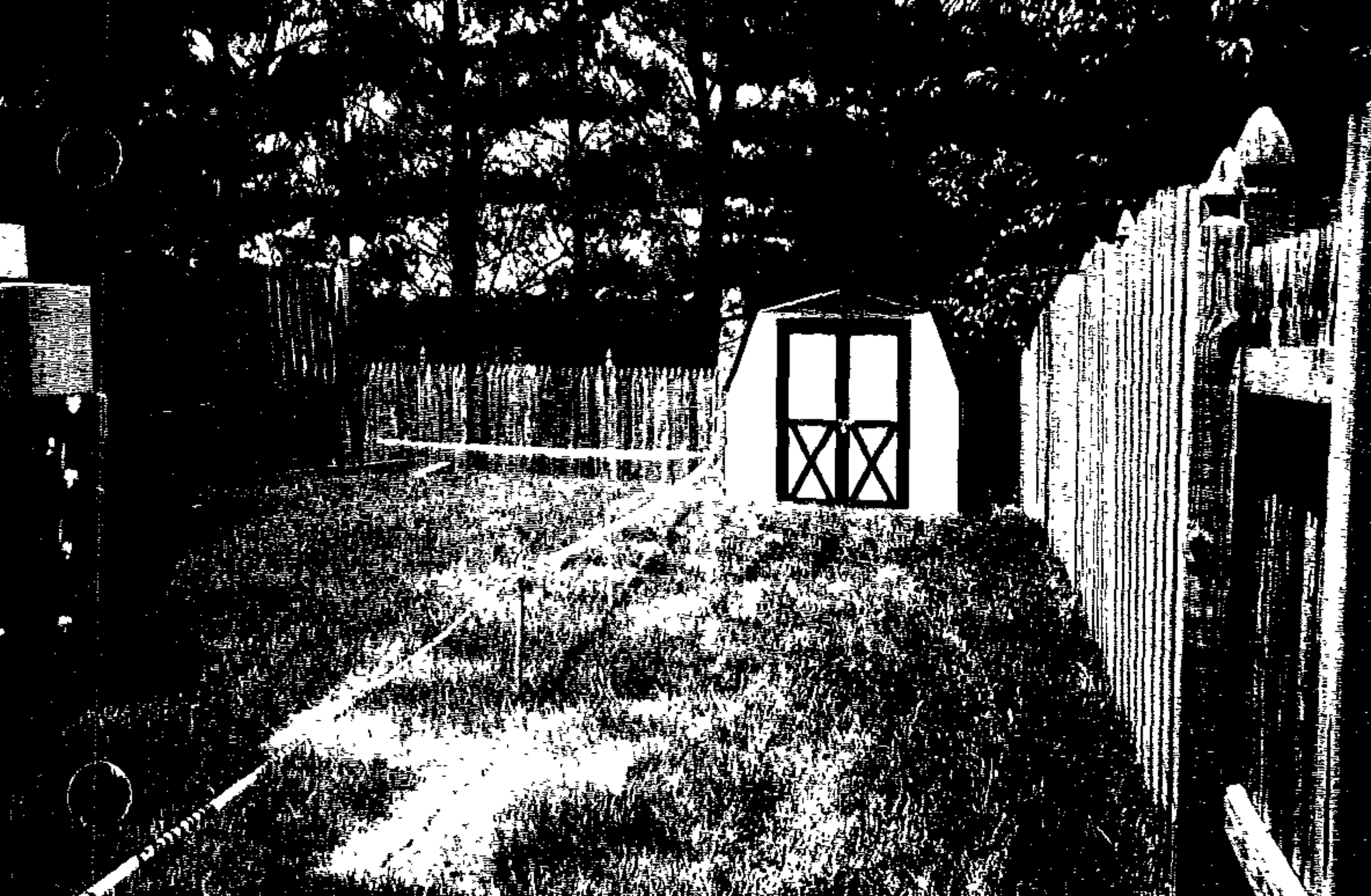
from Rear 9443 Shooting towards Street
Bellhall Drive - Shows Side of 9441
Bldg Nearest proposed ADDN.



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9443 Bellhall Dr.
Baltimore, MD 21236



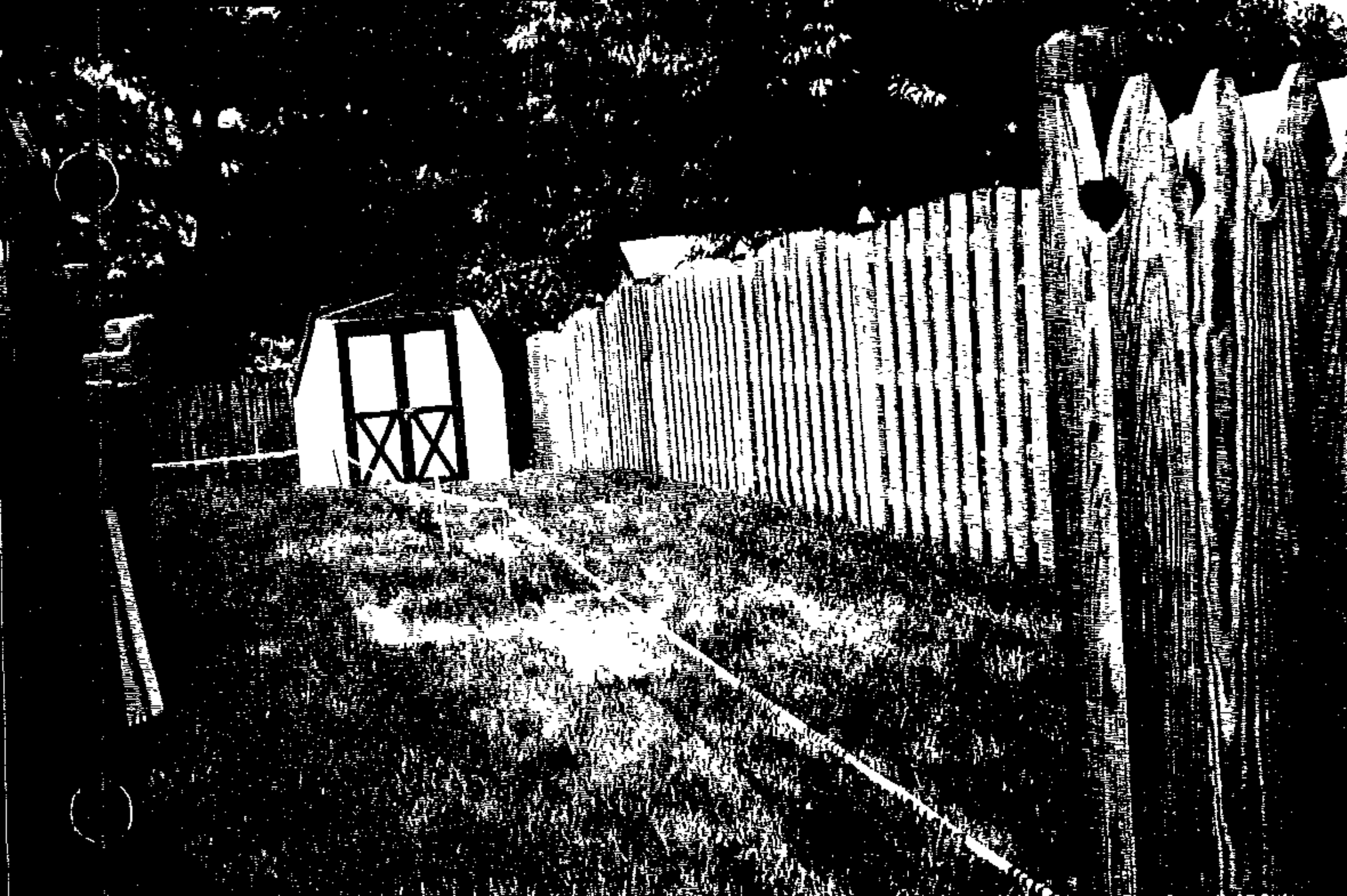
9443
Depicting from Rear of Property to
Neighbors. (9441 Bellhall)





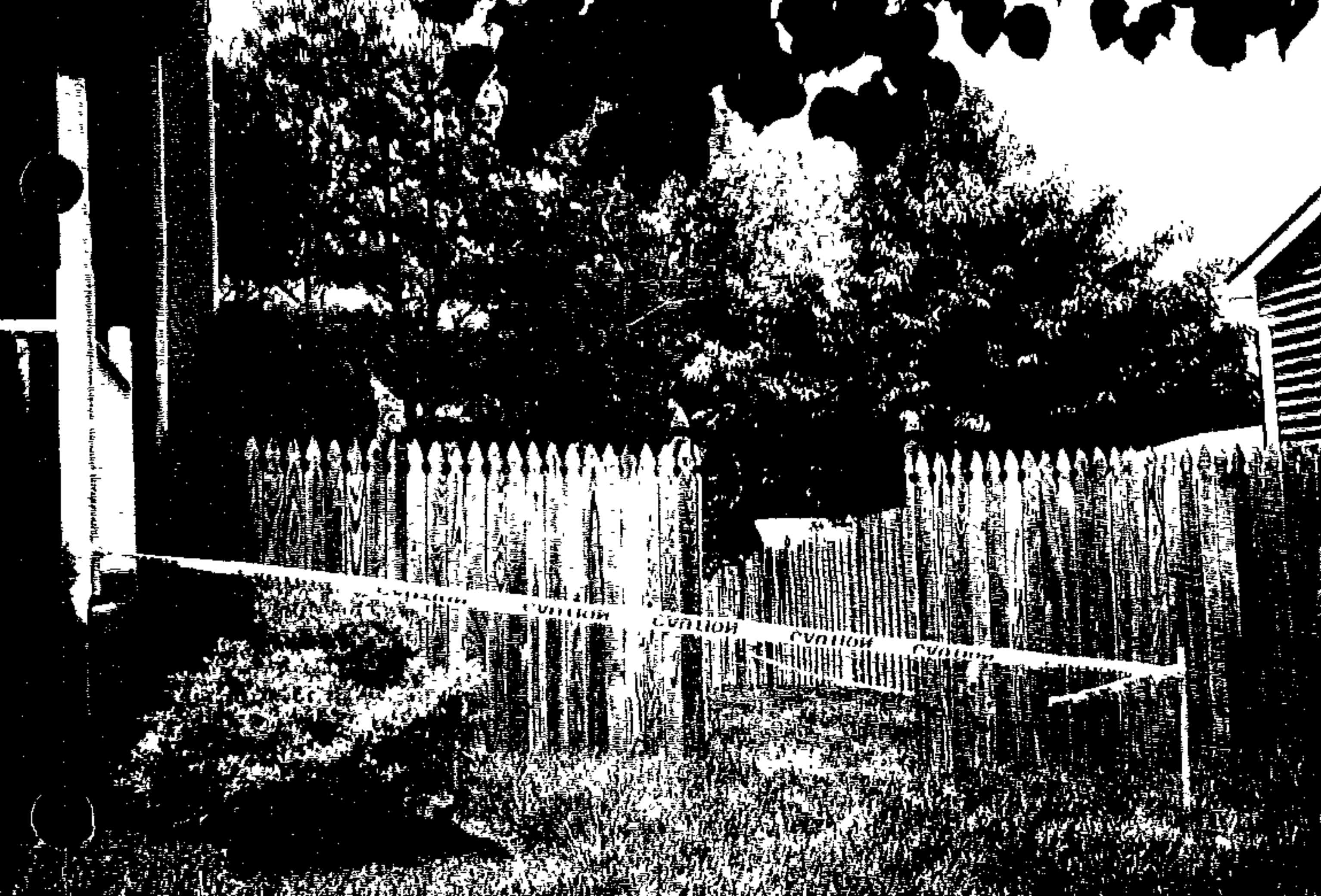
John R. Lally
9443 Bellhall Dr.
Baltimore, MD 21236

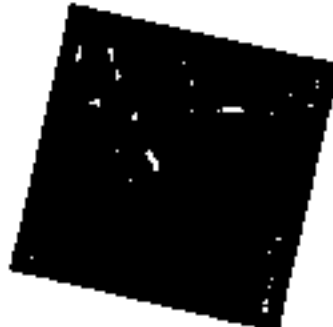
Showing Distance to Property line,
between 9443 + 9441
Proposed



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From Front of 9443 Bellhall to Rear of
Property showing space near fence





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Show front of Existing bldg to where
proposed front would be