IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Beaver Brook Lane, 1,325' +/- W
centerline of Falls Road
8th Election District
2nd Councilmanic District
(1629 Beaver Brook Road)

Carol G. & Andrew C. Cooper *Petitioners*

BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 04-116-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Carol G. and Andrew C. Cooper. The variance request is for property located at 1629 Beaver Brook Lane in the Cockeysville area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a side yard setback of 19.5 ft. and 42.5 ft. in lieu of the required 50 ft. in an R.C.5 zone. 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.

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 3 day of October, 2003, that a variance from Section 1A04.3.B.2 of the B.C.Z.R., to permit an existing single-family dwelling with addition to have a side yard setback of 19.5 ft. and 42.5 ft. in lieu of the required 50 ft. in an R.C.5 zone, 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.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

October 2, 2003

Mr. & Mrs. Andrew C. Cooper 1629 Beaver Brook Lane Cockeysville, Maryland 21030

> Re: Petition for Administrative Variance Case No. 04-116-A Property: 1629 Beaver Brook Lane

Dear Mr. & Mrs. Cooper:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



Visit the County's Website at www.baltimorecountyonline.info



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	12-			
for t	he property lo	reated at 1629 B	<u> </u>	
		which is presently	y zoned <u>RC</u>	5
This Petition shall be filed with the Depowner(s) of the property situate in Baltimor made a part hereof, hereby petition for a Va	e County and whic ariance from Section	th is described in the descon(s) ~() へんころ	ription and plat atta	ched hereto and
THE REQUIRED	· 195	5 (10)		J07
· · · · · · · · · · · · · · · · · · ·	٠٠ (,	- A-W K C. S	ZONE.	-
of the zoning regulations of Baltimore Cour of this petition form.	ity, to the zoning la	aw of Baltimore County, fo	r the reasons indica	ated on the back
Property indo be posted and advertised as posted and advertised as posted and advertised as posted and advertised as posted and security as a second advertised as posted and restrictions of Baltimore County	nce, advertising, nos	ting etc. and further screet	o and are to be bound € County.	ded by the zoning
		I/We do solemnly declar perjury, that I/we are the is the subject of this Pet	legal owner(s) of the	penalties of property which
Contract Purchaser/Lessee:		Legal Owner(s):		
vame - Type or Print		Name - Type or Print	Cooper	
Signature		Signature C.	Cooper	
Address	Telephone No.	Name - Type or Print	Las -	
State Attorney For Petitioner:	Zip Code	1629 13 EAVE Address	13roolc Cun	e(4 10)561-57 Telephone No.
larne - Type or Print		Cochersoille	لير <u>ا</u> State	<u>Z)030</u> Zip Code
ignature		Representative to	Sursi	•
ompany		Name		10-484-7010
ddress	Telephone No.	Address		Telephone No.
State Public Mearing having been formally demanded	Zip Code	City	State	Zip Cade
egulations of Baltimore County and that the property i	ne simect maiter at thi	is petition be set for a public he	aring, advertised, as req	ulred by the zoning
11. C		\	oner of Baltimore Count	y
CASE NO		nated Bosting Date	Date <u></u>	374.015
	Eatil	nated Posting Date(<u> </u>

300 .9 mq84:S1 60/25/80

6188484014

RATCLIF#E ARCHITECTS

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.

competent to testify thereto in the event that a p	public hearing	is scheduled in	the future with regard	thereto.
That the Affiant(s) does/do presently reside at		BEAVER	Brook LAN	LE.
	Address	wille	Md	21030
ı	City	13011	State	ZIp Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	wing are the	facts upon whi	ch //we base the requ	est for an Administrative
We are seeking a variance to reencountered while attempting to family needs. These are:	elieve us	from the pro	[
1. The narrowness of the 2. The location of the exaction of the games.	xisting dr	iveway to t	· · · · · · · · · · · · · · · · · · ·	he west.
These are further debilitated to remain in the rear and the Our home is significantly set shown on the Plat and our propthe adjacent neighbors.	location o back from	f the exist the road an	ing swimming poo d from adajacent	l to the rear dwellings as
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Carol G. Cooper Name - Type or Print	ormal deman	Signature	trew C. Con	to pay a reposting and
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this All day of All of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfation.	Sonally appe	ared , 2		Notary Public of the State
AS WITNESS my hand and Notarial Seal	- · · · · · · · · · · · · · · · · · · ·	Kn. ~	C. William Comments of the Comment o	WILT WILLIAM STATE OF THE STATE
	Not	ary Public		Z : T =

REV 10/25/01

My Commission Expires

ZONING DESCRIPTION FOR 1629 BEAVER BROOK LANE.

Beginning at a point on the North side of Beaver Brook Lane which is 16.5 feet wide at the distance of 1325 feet (+/-) West of the centerline of the nearest improved intersecting street Falls Road which is 75 +/- feet wide. As recorded in Deed Liber 3709, Folio 468 [see also Liber 7426 (or 7428) page 725] from the place of beginning in a southerly direction South 00 deg. 46 min. East 360 feet, thence South 87 deg. 30 min. East 125 feet, thence North 00 deg. 46 min. West 360 feet, thence North 87 deg. 30 min. 125 feet thence to the place of beginning and containing 1.03 acres. Also known as 1629 Beaver Brook Lane and located in the 8th Election District, 2nd Councilmanic District.

		- -		Eddings of the second		, , , , , , , , , , , , , , , , , , ,
		WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	FOR:	FROM: C C POWILLORST	DATE 9/4 03 ACCOUNT 8001 006	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE No. 28
					150	N)
		CASHER'S VALIDATION		Baltinge Canty, Kaylon	7.67.2015 9.04.2505 10.28.04 7.67.2017 # 191040 9.04.2503 [7.1] 12. 10. 620128 12. 10. 620128 13. 620128 14. 620128	

CERTIFICATE OF POSTING

Petitioner/Developer: Coopex / Peter Ratcliffe, ARCHITECHTS, ETAL Date of Hearing/Closing) September 30, 2003 Case Number _ RE: 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 1629 BEAVER BROOK LAWE The sign(s) were posted on September 15, 2 (Signature of Sign Poster) INDA O'KEEFE ADMINI TRATEG (Printed Name of Sign Poster) 523 PENNY LANE (Street Address of Sign Poster) HUNT VALLEY MD 21030 (City, State, Zip Code of Sign Poster) 410-66-5366 (Telephone Number of Sign Poster)

1629 BEAVERBROOK LANE

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.

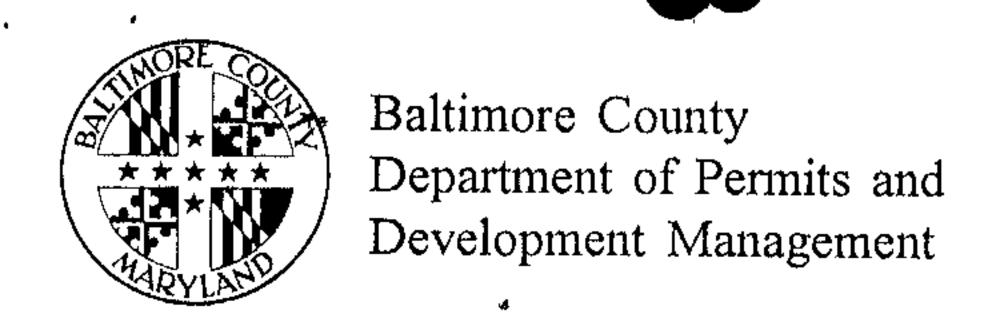
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number: 04-116.	
Petitioner: ANDREW & CAPOL COOPER	
Address or Location: 1629 BEAVER BROKE	LANE
PLEASE FORWARD ADVERTISING BILL TO:	
Name: PETER W. RATCLIFFE	······································
Address: 10404 STEVENSON RO	
STEVENSON MX 21/5.3	· · · · · · · · · · · · · · · · · · ·
Telephone Number: 410 484 7010	

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

Case	Number	04=	116	-A	Address_	1629	BEAGERIRACOC LW.
Conta	act Perso	n:	Planner	Please Print Your	子なれ リ フラ		Phone Number: 410-887-3391
Filing	g Date: _	Ò	9-04.03	Pos	ting Date: 2	<u> </u>	Closing Date: <u>09・30・</u> C
Any d	contact n gh the co	nade ntact	with this off person (plan	ice regardin ner) using th	ng the status	of the adm	ninistrative variance should be
1.	reverse repostin is again	siae ig mi rest	or this form) ist be done o consible for a	and the pe nly by one o Il associated	titioner is res of the sign po d costs. The	sponsible for sters on the zonina noti	ers on the approved list (on the all printing/posting costs. Any approved list and the petitioner ce sign must be visible on the amain there through the closing
2.	a forma	u rec	luest for a pi	ublic hearing	g. Please ι	inderstand th	owner within 1,000 feet to file at even if there is no formal closing date.
3.	order the commission of the co	sione at th y with	er. He may: ne malter be nin 7 to 10 da	a) grant the set in for a sys of the clo	ie requested a public hea osing date) a	relief; (b) de tring. You v s to whether	the zoning or deputy zoning any the requested relief; or (c) will receive written notification the petition has been granted, you by First Class mail.
4 .	(whethe commiss changed	r du sione d givi certil	e to a neighter), notifications of the second contraction of the secon	bor's formal n will be fo he hearing c	request or rwarded to date, time an	by order of you. The s d location. A	nat must go to a public hearing the zoning or deputy zoning sign on the property must be as when the sign was originally bred sign must be forwarded to
				Deta	ion Alon j Doffed L	ر. د	
Petiti	oner: Th	is Pa	art of the For	m is for the	Sign Poste	r Only	· · · I
			USETHEA	DMINISTRA	ATIVE VARIA	NCE SIGN I	ORMAT
Case	Number	04-[1(G -A	Addı	ess (C	29 E	CAUCHTETROOK WAN
Petitic	ner's Nar	ne _	COOPE	30 .	· · · · · · · · · · · · · · · · · · ·	Tel	ephone 4(0-56(-56/7
Posti	ng Date:	(29.15.	03	Clo	sing Date: _	09.30.03
) BARD SE	-cbacks	OF 19.5FT 9 42.5FT
· — · · · · · · · · · · · · · · · · · ·	(N) (a	دس)	SOF	ζ			!
					······································	······································	



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

September 29, 2003

Carol Cooper Andrew Cooper 1629 Beaver Brook Lane Cockeysville, MD 21030

Dear Mr. and Mrs. Cooper:

RE: Case Number: 04-116-A, 1629 Beaver Brook Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 4, 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

U. Callibal 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 September 24, 2003

ATTENTION: Rebecca Hart

Towson, Maryland 21204

Distribution Meeting of: September 22, 2003

Item No.:

112, 114-122, 124, 126, 128-130, 136

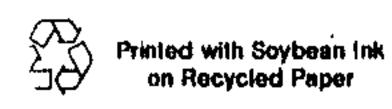
Dear Ms. Hart:

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

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

RE:

Baltimore County

Item No. //6

JRA

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley PBS / 76-1

DATE:

October 21, 2003

SUBJECT:

Zoning Item 04-116

Address

1629 Beaver Brook Road

Zoning Advisory Committee Meeting of September 22, 2003

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Additional Comments:

An evaluation of the well and septic system may be required prior to building permit approval.

Reviewer:

Sue Farinetti

Date:

September 29, 2003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: September 30, 2003

RECEIVED

OCT - 1 2003

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 04-116 and 04-128

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:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 29, 2003 Item Nos. 113, 114, 115, 116, 117, 118, 122, 125, 126, 128, 130, and

136

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

RWB:CEN:jrb

cc: File

RECEIVED

DATE: September 30, 2003

0CT - 3 2003

ZONING COMMISSIONER

Department of Permits and Development Management

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



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

January 28, 2004

RECEIVED

Mr. Peter W. Ratcliffe Peter W. Ratcliffe Architects, P.A. 10404 Stevenson Road Stevenson, Maryland 21153

JAN 2 9 2004

RE:

Spirit and Intent of Zoning Variance Case No. 04-140 MIG COMMISSIONER
1629 Beaver Brook Road

1629 Beaver Brook Road

8th Election District

Dear Mr. Ratcliffe:

Your letter dated January 16, 2004 to Deputy Zoning Commissioner, Mr. John V. Murphy has been referred to me for reply. Based on the request and contents of the file for this Administrative Variance the following has been determined.

The original request was to permit an existing single-family dwelling with an addition to have a side yard setback of 19.5 feet and 42.5 feet in lieu of the required 50feet in a R.C. 5 zone. The actual dimensions for this addition should be 19.5-feet by 23feet not 16.5-feet by 23-feet. Unfortunately the dimensions were written on the plan in error. The plan accompanying this petition does scale to the intended dimensions. Therefore, your request will be granted provided that you have a representative for the adjoining property owner on the west side of this property sign a red-lined plan (a plan altered in red showing changes). Once signed, return the red-lined plan to this office with a copy of this letter. I will then have the Deputy Zoning Commissioner approve the plan and it will be placed in this zoning case file. After this is completed your building permit for this addition can be approved.

Please do not hesitate calling me with any questions that you may have. I can be reached at 410-887-3391.

Sincerely,

Donna Thompson

Planner II, Zoning Review

Cc: John V. Murphy, Deputy Zoning Commissioner

Visit the County's Website at www.baltimorecountyonline.info

RECEIVED

January 16, 2004

JAN 2 2 2004

ZONING COMMISSIONER

Mr. John V. Murphy
Deputy Zoning Commissioner
County Circuit Building
401 Bosley Ave., Suite 405
Towson, Maryland 21204

Dear Mr. Murphy,

While preparing a site plan for permit we found an error in our submission of Petition for Administrative Variance (Case No. 04-116-A; 1629 Beaver Brook Lane). I have attached a revised site plan showing the correct dimensions. The 16.5' proposed dimension was in error as evidenced by fact that the 13.0' and 6.5' dimensions also shown would have added to 19.5', which is the actual proposed dimension (please reference attached house plans that also accompanied the Petition.) That would make the actual set back request 39.5' instead of 42.5'.

I will call you Wednesday January 21, 2004 in attempt to discuss this matter with you. It is our hope that we can find a solution that would not significantly delay the project.

I would like to thank you in advance for your attention to this manner.

Yours very truly,

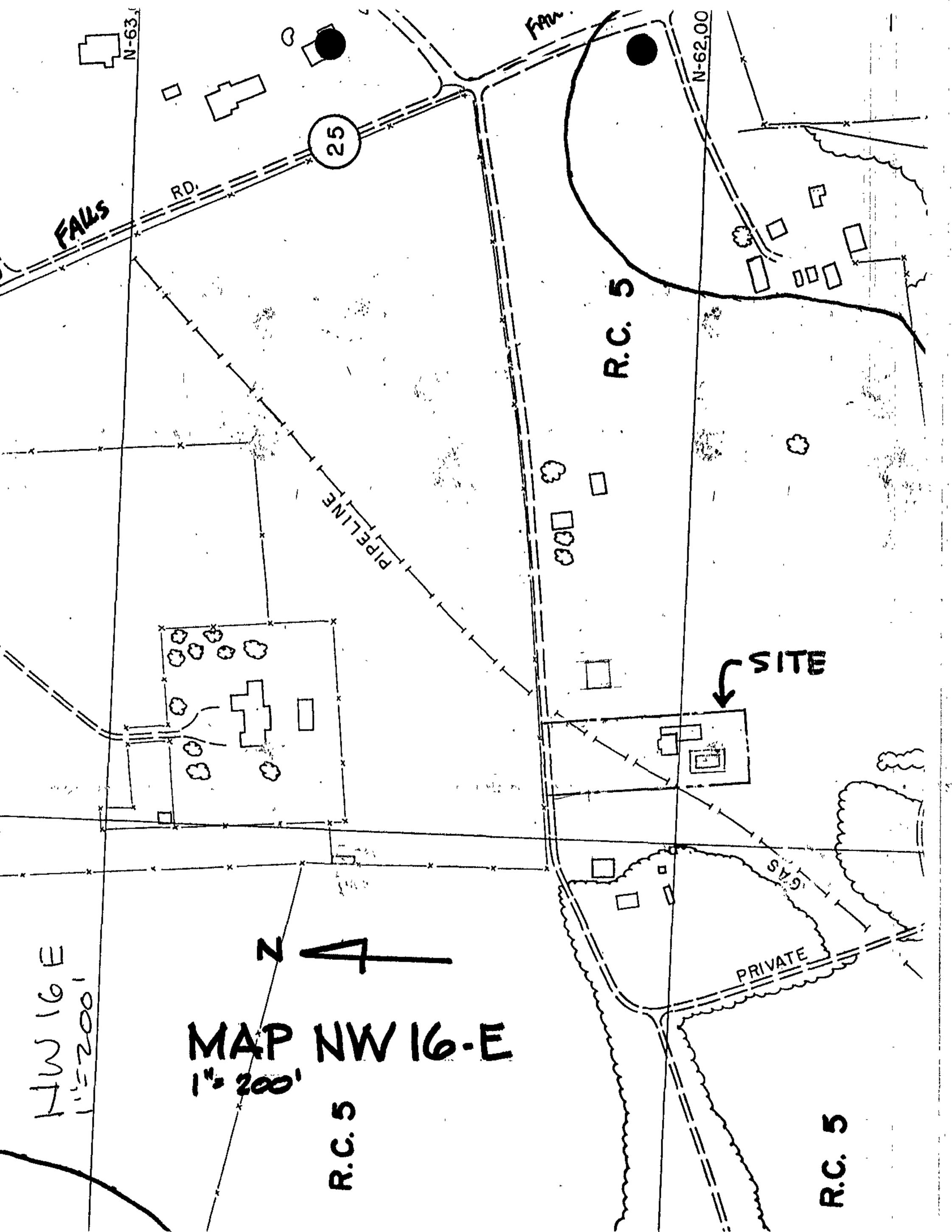
Peter W. Ratcliffe, AIA

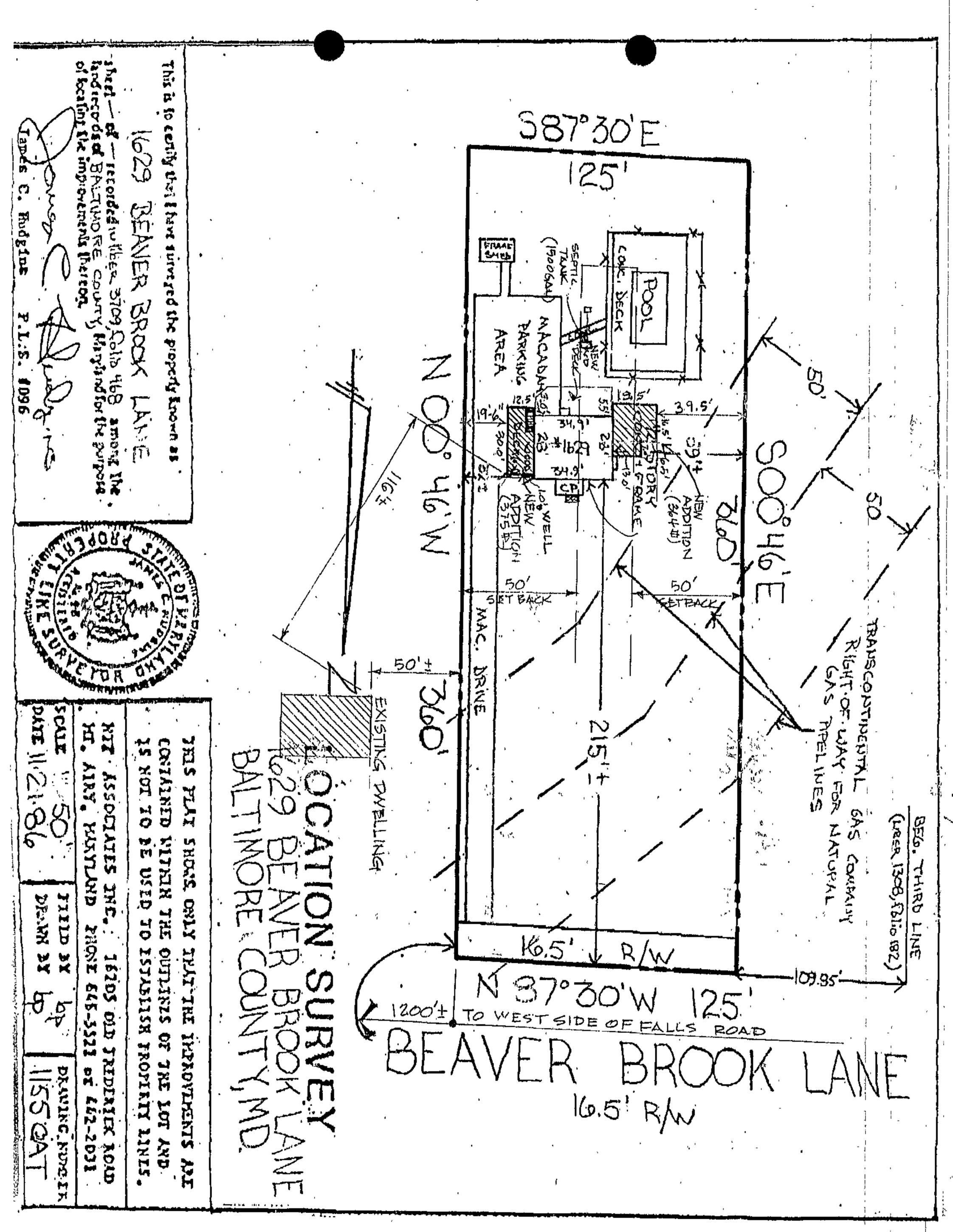
Telu u Kaleff

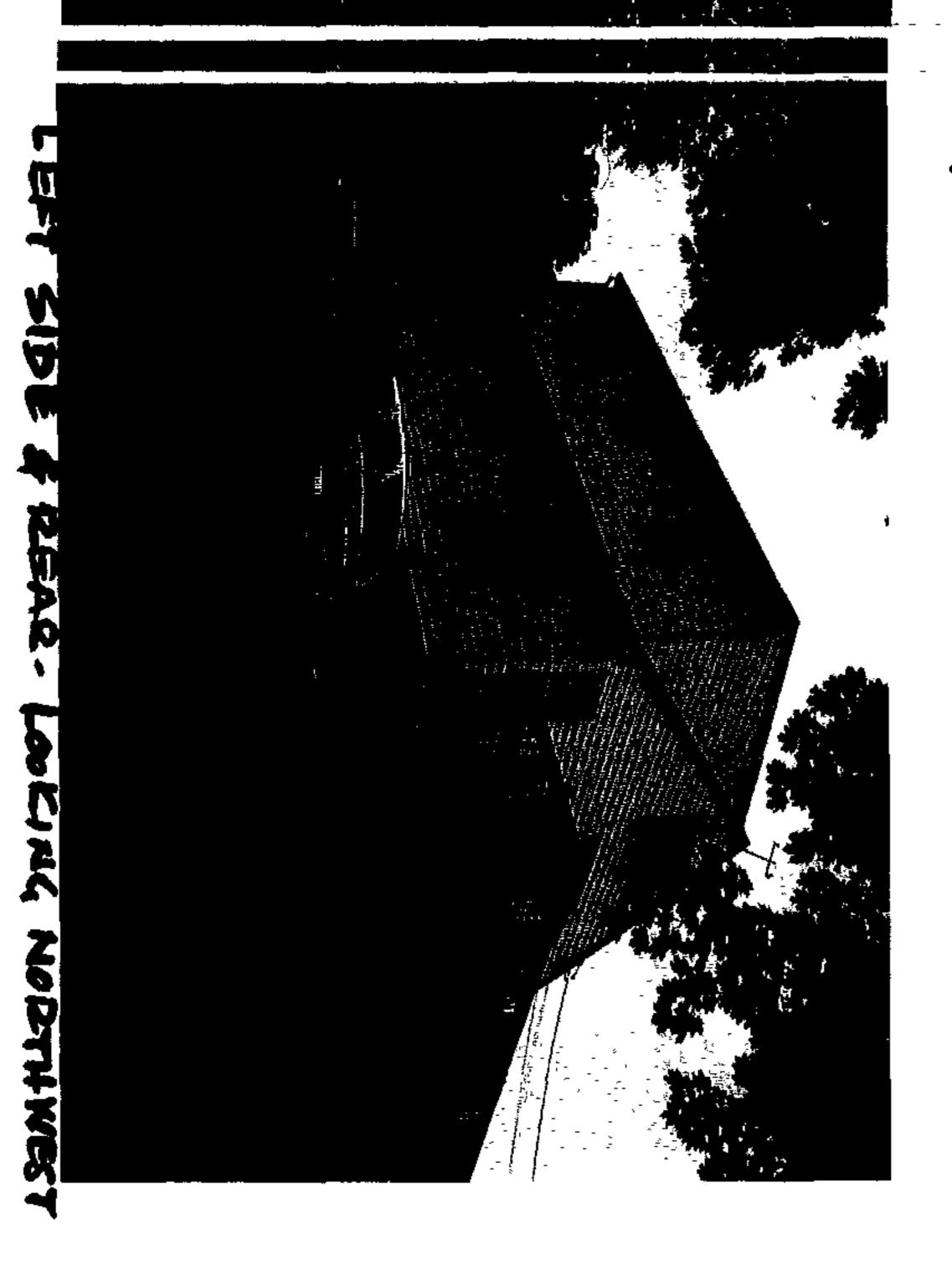
Architect

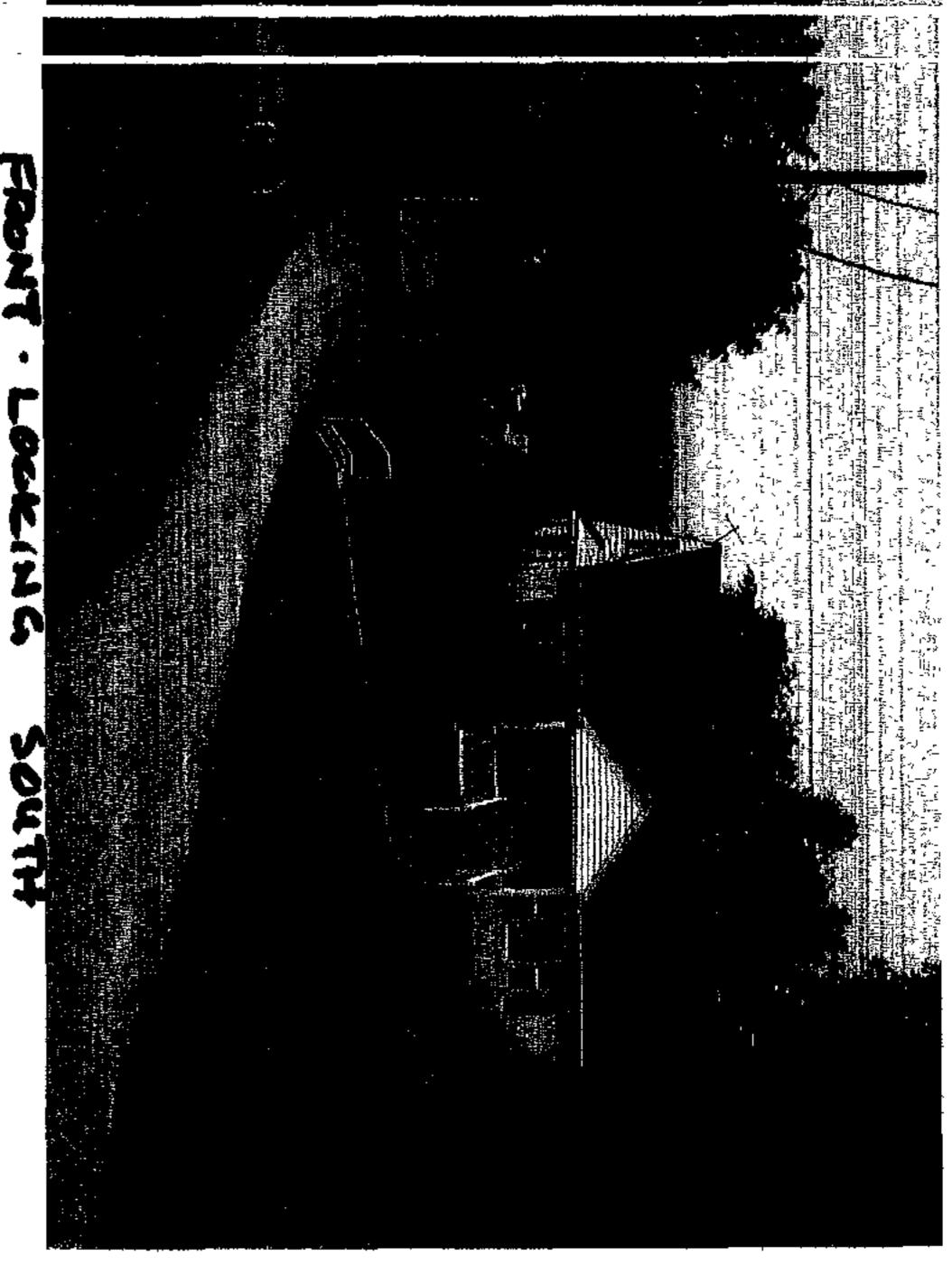
Enclosures

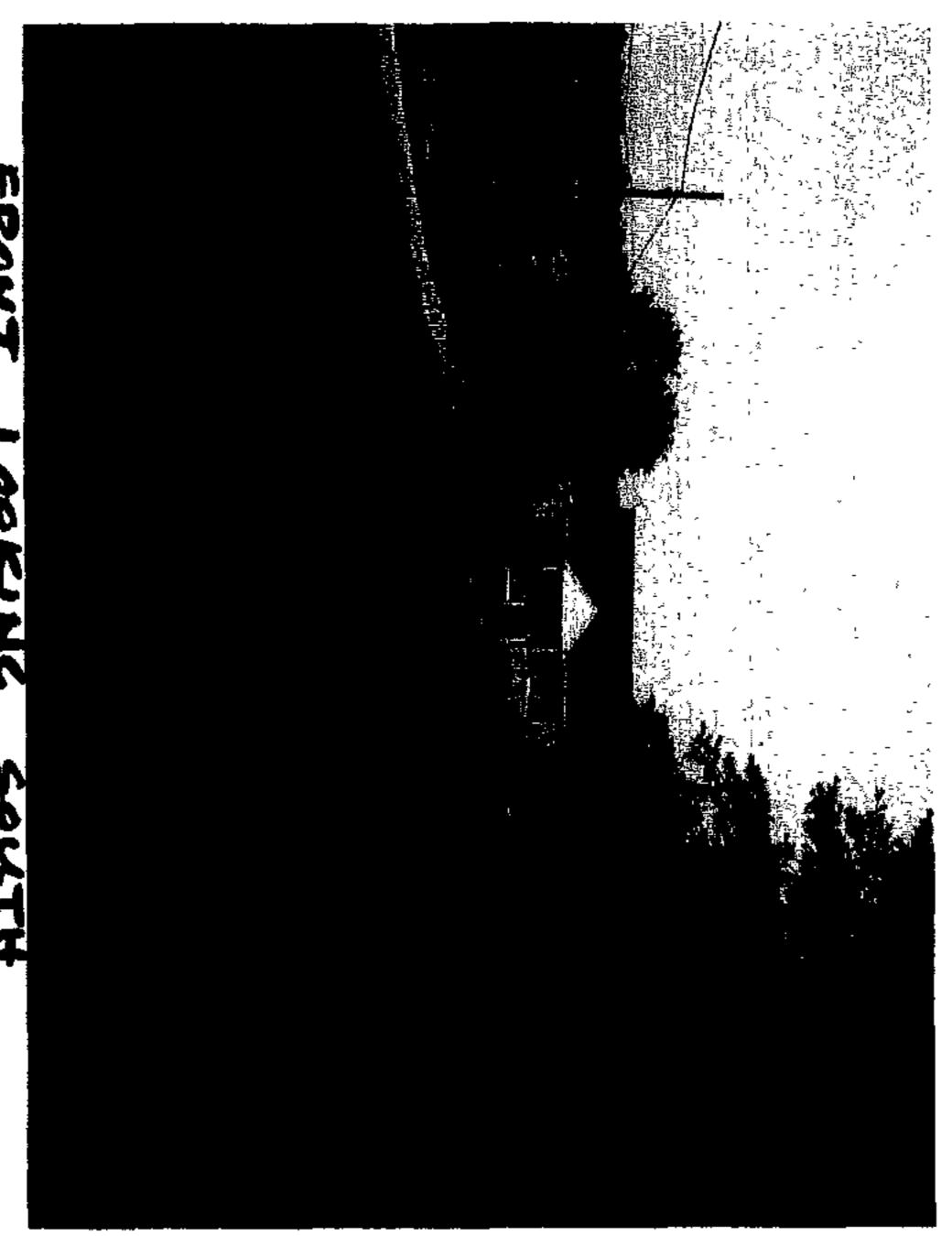
PWR:mnd













BEAVER BROOK LANE

Oct-116. A

