PEDER RECEIVED FOR FILES

IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Plover Drive, 110 ft. W
centerline of Heron Drive
13th Election District
1st Councilmanic District
(1124 Plover Drive)

Heather S. & Richard L. Mix, Jr. Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 04-266-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, Heather S. & Richard L. Mix, Jr. The variance request is for property located at 1124 Plover Drive in the western area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 19.6 ft. in lieu of the required 25 ft. for an addition. 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 13 day of January, 2004, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a front yard setback of 19.6 ft. in lieu of the required 25 ft. for an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

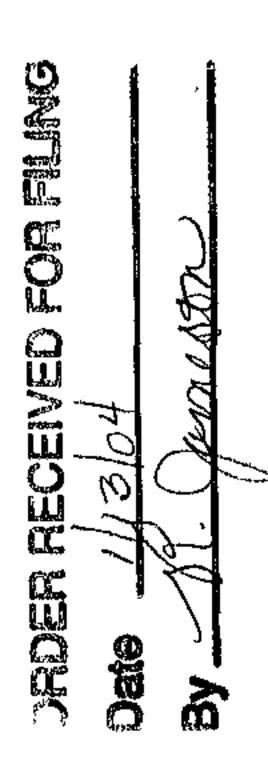
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

OHN 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

January 13, 2004

Mr. & Mrs. Richard L. Mix, Jr. 1124 Plover Drive Baltimore, Maryland 21227

Re: Petition for Administrative Variance Case No. 04-266-A

Property: 1124 Plover Drive

Dear Mr. & Mrs. Mix:

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

Joan V. Murphy

JVM:raj Enclosure



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



REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1124 Plover Dr., Balto., MD 21227 which is presently zoned DR 5.5

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

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 100公,36. (80年尺)

TO PERMIT A FRONT YARD SETBACK OF 19,6-FEET IN LIEU OF THE REQUIRED & FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser/Lessee: Richard L Name - Type or Print ivality - 1 yes or A **Signature** Signature Heather S. Mix Name - Type or Print Telephone No. Address Zip Code Signature State City 410-536-0448 PLOVER DRIVE Attorney For Petitioner: Telephone No. Address Baltimore. Zip Code State Name - Type or Print Representative to be Contacted: Signature Name Company Telephone No. Address OAddress Telephone No. Zip Code State Zip Code City City State bilo earing 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 ay of regulation of Baltimore County and that the property be reposted. ROFF Zoning Commissioner of Baltimore County Reviewed By DIHOMPSON Date 30 03

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s)	does/do	presently	reside	a
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Address

Baltimore, MD 21227

City

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 request this petition for several reasons. We have settled in the community and are ready to start a family. The house was built in 1955. There is only 1.5 baths, the family room is very small and our needs require additional space. Further, slopes in the back yard and limited space on the sides are forcing us to look towards the front portion of the house. Additionally, all plumbing hook ups are located in the front making it impractical to add on to any other portion of the 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 Land

Richard L. Mix, Jr.

Name - Type or Print

Holdus S-Mux Signature

Heather S. Mix

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

of Maryland, in and for the County aforesaid, personally appeared

2003 before me, a Notary Public of the State

Heather & Mi

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

AS WITNESS my hand and Notarial Seal

Netary Public

MICHELLE SIMMONS

NOTARY PUBLIC STATE OF MARYLAND

My Commission Expires April 2, 2006

My Commission Expires

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	mblic lieatitid is schennied ill file infnie with redain me	1610.
That the Affiant(s) does/do presently reside at	1124 PLOVER DRIVE	
· .	Address Baltimore, MD 21227	•
	City	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts upon which I/we base the request ip or practical difficulty):	for an Administrative
We request this petition for some the community and are ready to in 1955. There is only 1.5 band our needs require addition back yard and limited space or towards the front portion of the contract of the co	several reasons. We have settled start a family. The house was kaths, the family room is very small all space. Further, slopes in the the sides are forcing us to look the house. Additionally, all plum ont making it impractical to additionally.	ouilt ll e k abing
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be required to padditional information.	pay a reposting and
Caral Dar Al	Heather S. Mix	
Signature	Signature	
Richard L. Mix, Jr.	Heather S. Mix	Part - 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,
Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:	
I HEREBY CERTIFY, this day of day of of Maryland, in and for the County aforesaid, per	Sychher , <u>2003</u> , before me, a Notar rsonally appeared	y Public of the State
the Afriant(s) herein, personally known or satisfa	id Heather S Mix	
the Afriant(s) herein, personally known or satisfa	ctorily identified to me as such Affiant(s).	
AC MITAIECO muchania and Natarial Coal		
AS WITNESS my hand and Notarial Seal		

My Commission Expires

MICHELLE SIMMONS

NOTARY PUBLIC STATE OF MARYLAND

REV 10/25/01



CASE NO.

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	1124	Plover	Dr.,	Balto.,	MD_2	1227
which i	s prese	ntly zone	ed DR	5.5	<u></u>	

Zoning Commissioner of Baltimore County

Reviewed By D.THOMPSON

Estimated Posting Date

Date 111903

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) 1802.38. (8018)

TO PERMIT A FRONT YARD SETBACK OF 19.6-FEET IN LIEU OF THE REQUIRED 25-FEET.

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. <u>Legal Owner(s):</u> Contract Purchaser/Lessee: Richard Name - Type or Print Signature Signature Heather S. Mix Name - Type or Print Telephone No. **Address** Signature Zip Code State City 410-536-0448 PLOYER DRIVE **Attorney For Petitioner:** Telephone No. Address Baltimore. Zip Code State Name - Type or Print Representative to be Contacted: Signature Name Company Telephone No. Telephone No. Address Address Zip Code State City Zip Code State City A 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 Description for 1124 PLOVER DRIVE

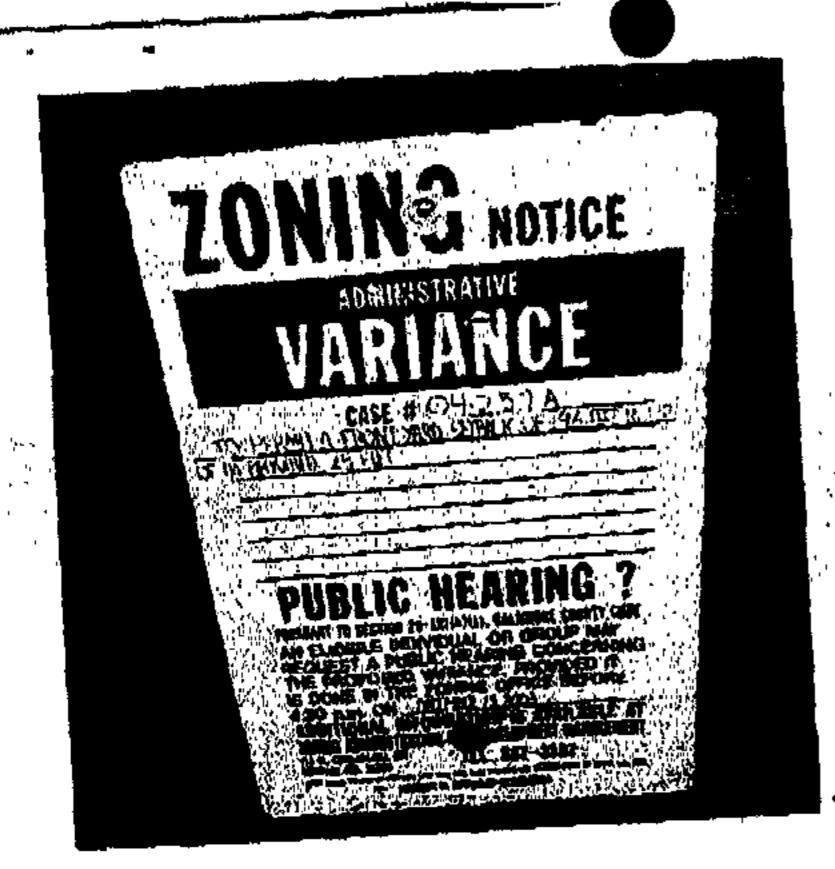
Beginning at a point on the north side of Plover Drive, which has a 50-foot wide right-of-way at a distance of 110-feet west of the centerline of nearest improved intersecting street, Heron Drive which has a 50-foot wide right-of-way. Being lot #18 in Block C as laid out and shown on a Plat entitled "A Subdivision of Blocks F, G, H, I, J, K and Parts of Blocks C and E, Section Three Wynnewood", recorded in Baltimore County Plat Book 20, Folio 156, containing 13,053 square feet. Also known as 1124 Plover Drive located in the 13th Election District and 1st Councilmanic District.

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CERTIFICATE OF POSTING

	RE: Case No.: 97-257-7
• •	Petitioner/Developer:
Rallimore County Department of Permits and Development Management	Date of Hearing/Closing: 12/15
Lil West Chesapeake Avenue Towson, Maryland 21204	
TTN: Becky Hart {(410) 887-3394}	
Adies and Gentlensen:	
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	Countries Training Training
	Sincerely
	Sincerely
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	Sincerely,
·-•	Sincerely, (Signature of Sign Poster) (Date)
•	Sincerely, (Eigenstare of Sign Puster) (Date) SSG Robert Risch
•	(Signature of Sign Poster) (Date) SSG Rebert Black (Print Name)
•	(Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1868 Leslie Road (Address) Dandalk, Maryland 21222
	(Signature of Sign Poster) (Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1548 Lealie Road (Address)
	(Signature of Sign Poster) (Daty) SSG Robert Black (Print Name) 1548 Leslie Road (Address) Dandalk, Maryland 21222



ATTN: BRIAN

THIS IS THE ZONING SIGN

I POSTED FOR MRS MIX

THE XIS 04-257-A

1124 PLOVER DR.

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

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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.

ltem Number o	r Case Number: 04-266 A	
Petitioner:	MIX	
Address or Loc	ation: 1124 PLOVER DRIVE. 21227	
Ju.	·	
PLEASE FORV	VARD ADVERTISING BILL TO:	
Name:	MR. 4 MRS. RICHARD L. MIX JTR.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Address:	1124 PLOYER DRIVE	
	BALTO. MD 21227	
	-	
Telephone Nur	nber: 410-536-0448	***************************************

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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



Baltimore County

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

December 15, 2003

Richard L. Mix Heather S. Mix 1124 Plover Drive Baltimore, MD 21227

Dear Mr. and Mrs. Mix:

RE: Case Number: , Address

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

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel



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



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

December 9, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: December 8, 2003

Item No:

249, 256, 266

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: /2.9.03

Baltimore County

Item No. 266

RE:

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

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

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: December 18, 2003

RECEIVED

DEC 1 8 2003

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 04-256 and 04-266

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 24, 2003

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 15, 2003

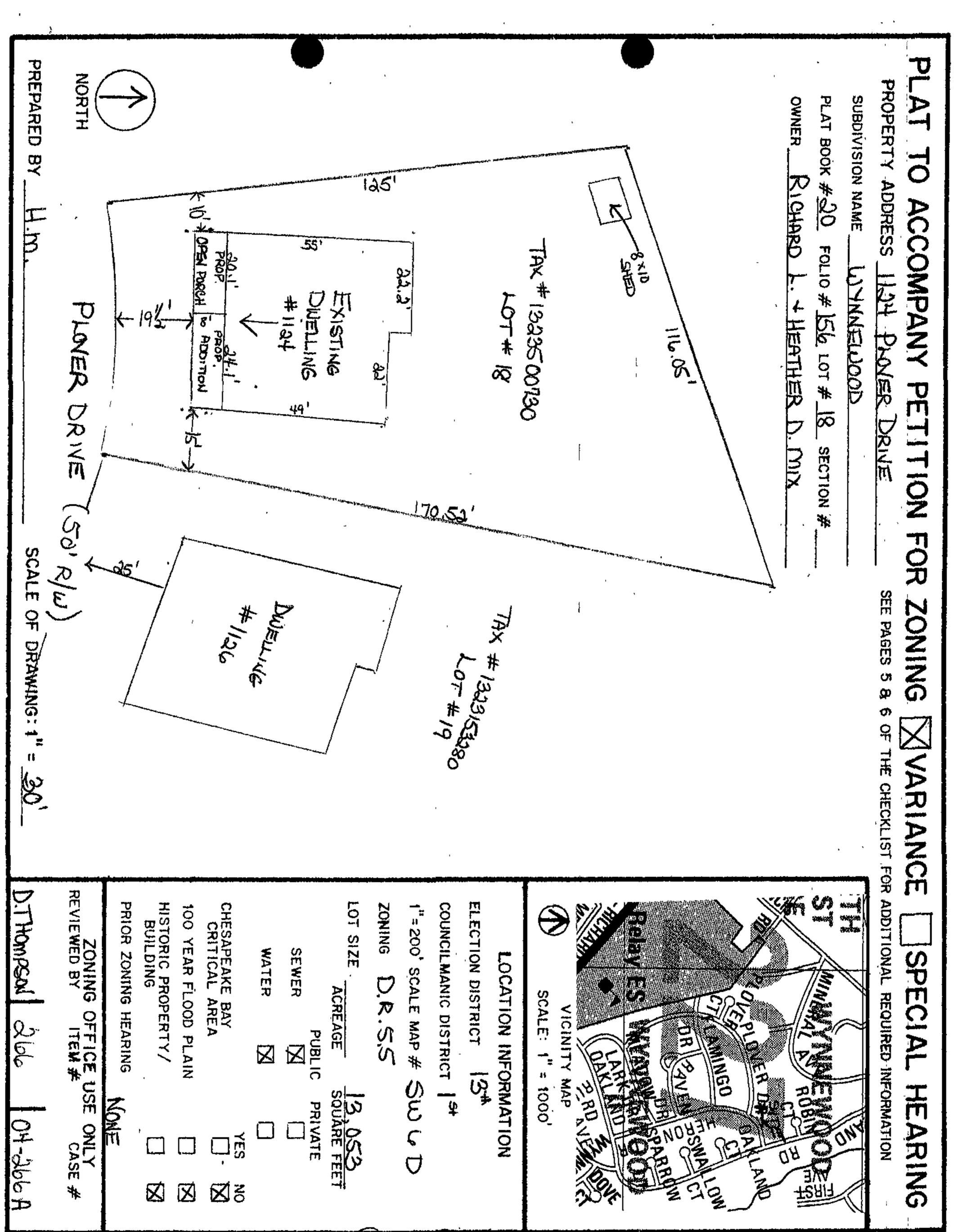
Item Nos. 249, 256, 257, 258, 260, 261, 262, 264, 265, and 266)

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

RWB:CEN:jrb

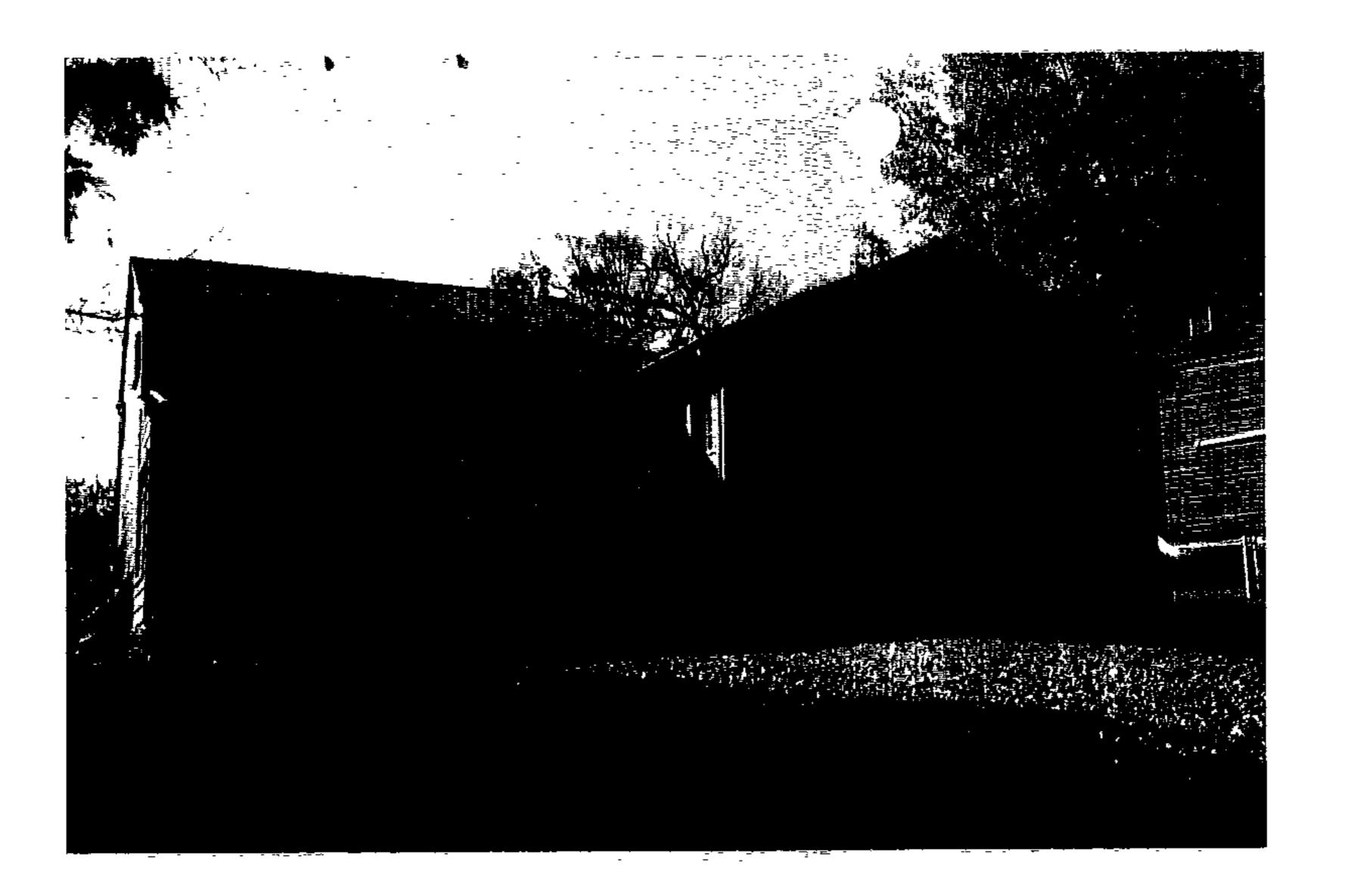
cc: File



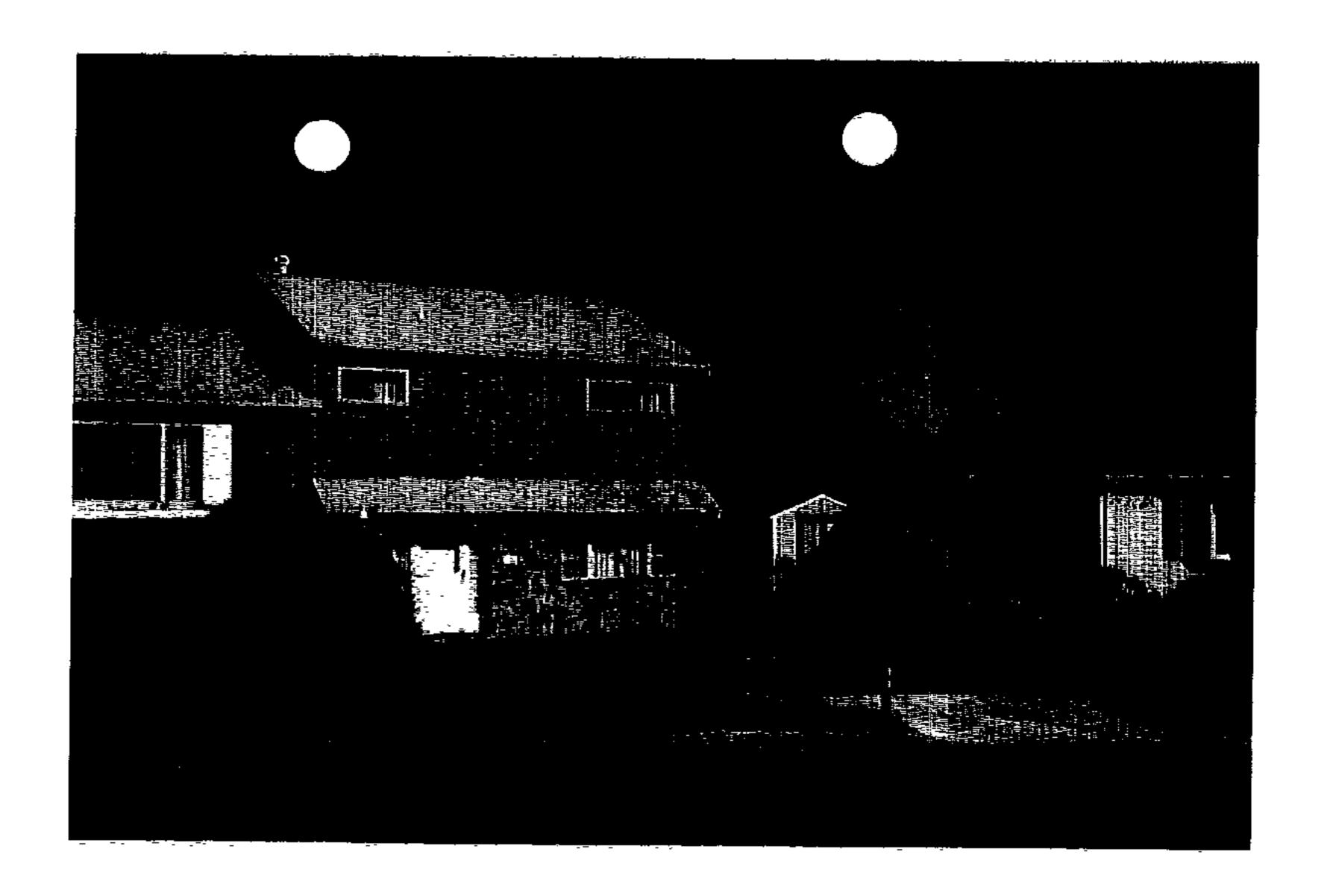


Det. Cg. 4%

















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