SADER RECEIVED FOR FILES

IN RE: PETITION FOR ADMIN. VARIANCE NW/S of Timbershed Court, 175 ft. SW of Slab Bridge Road 6th Election District 3rd Councilmanic District (8 Timbershed Court)

Meredith R. & Paul T. Adams
Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-450-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, Meredith R. and Paul T. Adams. The variance request is for property located at 8 Timbershed Court in the Freeland area of Baltimore County. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (pole barn) to be located in the side yard and to have a height of 18 ft. in lieu of the required rear yard and 15 ft. respectively. 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 on April 10, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Applicable Law

Section 307 of the B.C.Z.R. - Variances.

SOUTH THE SOUTH

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

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 advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' variance request should be GRANTED.

THEREFORE, IT IS ORDERED, this <u>30</u> day of April, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (pole barn) to be located in the side yard and to have a height of 18 ft. in lieu of the required rear yard and 15 ft.

respectively, 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;

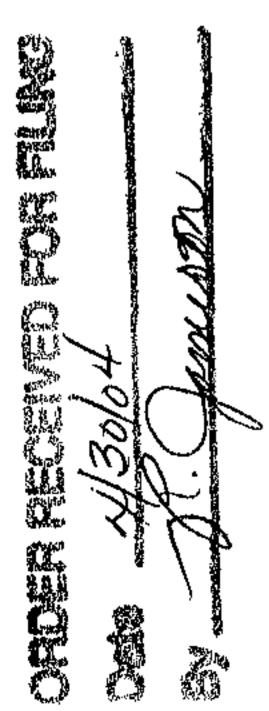
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

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

April 29, 2004

Mr. & Mrs Paul T. Adams 8 Timbershed Court Freeland, Maryland 21053

> Re: Petition for Administrative Variance Case No. 04-450-A Property: 8 Timbershed Court

Dear Mr. & Mrs. Adams:

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





My Commission Engliss April 1, 2000

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	for the property loc	ated at 8 TIMBE	RSHED COO!	<u>QT</u>
		which is presently	zoned <u>RC</u>	2
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Property is to be posted and adve i, or we, agree to pay expenses of a regulations and restrictions of Baltim	bove Varlance, advertising, postir	ng, etc. and further agree to	and are to be boเ County.	inded by the zoning
		I/We do solemnly declare perjury, that I/we are the least the subject of this Petitic	egal owner(s) of the	
Contract Purchaser/Lessee:		Legal Owner(s):		
Nama Tuna ar Milus		PAUL T. ADAMS	<u> </u>	······································
Name - Type or Print		Name - Type or Print Toul Cax	and	
Signature		Signature	. ADAMS	
Address	Telephone No.			
City	State Zip Code	Name - Type or Print Signature Signature	Mor	410-2112-2621
Attorney For Petitioner:		8 Timbershe Address	d COURT	410-343-2621 443-677-9720 Telephone No.
		FRECLAND City	Md.	21053
Name - Type or Print			State	Zip Code
Signature	······································	Representative to be		
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City	State Zip Code	City	State	Zip Code
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egulations of Baltimore County and that t	the property be reposted.			
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· Reviewed By

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.

competent to testify thereto in the event that a	papilo fidating to con-		
That the Affiant(s) does/do presently reside at	8 Timbersk Address	red Court	·
j ! !	FRECLAND	MD.	21053
	City	State	Zip Code
The request is to cons with the side of our	thip or practical difficult administrative ing will be a structed with the existing how be used to	Variance to construct two bay garage that board and board be garage so that he follows the store automob	ruct a 32' x 24' 2 With 1-36' itten facade. it is even wing reasons: iles and needs
to be located next building cannot be a due to the slope of the drain fields for so structure will Aren	the propertour septic	by the rear of of hy and the Vicions System. REQUESTING MATCH WITH ERM	inity of g Height of 18'
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide the second of the seco	additional informatio	ed, Affiant(s) will be required in. Menath R. add	
Signature		gnature	
PAUL T. ADAMS Name - Type or Print	Na	MEREDITH R. ADA	MS
STATE OF MARYLAND, GOUNTY OF BALT I HEREBY CERTIFY, this Lot day of Maryland, in and for the County aforesaid, p		عدم المحمد علم المحمد	Notary Public of the State
marurand			,
the Affiant(s) herein, personally known or satis	factorily identified to	me as such Affiant(s).	
AS WITNESS my hand and Notarial Seal			
	Notary Pu	English J. J.	2malt_
	My Comm	ission Expires	RYN L. YOMMER
REV 10/25/01	•	NOTARY PUBL	IC STATE OF MARYLAND Ion Explice April 1, 2008

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	ned Court	<u> </u>
•	FRECLAND	MD. State	Z/053 Zlp Code
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Signature Adams		grature adam	12_
PAUL T. ADAMS		MEREDITH R. ADAM me - Type or Print	
Name - Type or Print	,	·	
STATE OF MARYLAND, COUNTY OF BALTII HEREBY CERTIFY, this Long day of County aforesaid, per	ersonally appeared	2004, before me, a No	otary Public of the State
the Affiant(s) herein, personally known or satisf	actorily identified to r	ne as such Affiant(s).	
AS WITNESS my hand and Notarial Seal			
•	Notary Pul	500 d. dor	
		ission Expires	
REV 10/25/01		NOTARY PUBLIC	N L. YOMMER STATE OF MARYLAND Depices April 1, 2008

REV 10/25/01



Petition for Administrative Variance

for the property located at 8 TIMBERSHED COURT

to the Zoning Commissioner of Baltimore County

which is presently zoned RC2

This Petition shall be filed wowner(s) of the property situate made a part hereof, hereby per	rith the Dep e in Baltimo tition for a \	partment of Per re County and w /ariance from Se	mits and Development hich is described in the ction(s)	ent Management. The le description and plat (8)	attached hereto and
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Contract Purchaser/Lesse	<u>e:</u>	 - 	<u>Legal Owner</u>	<u>(s):</u>	
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Signature	<u></u>	·	Signature	TH R. ADAMS	
Address	P	Telephone No.			
City	State	Zip Code	Signature	<u> </u>	410-243-26
Attorney For Petitioner:		 	Address Address	ershed Court	410-343-26 443-677-972 Telephone No.
			F-RECLAND City	Md.	21053
Name - Type or Print		; 1	<u>-</u>	State	Zip Code
Signature		 	<u>Representati</u>	<u>ve to be Contacted:</u>	
	·			SAME	
Company			Name	AS	
Address		Telephone No.	Address	ABOU	Telephone No.
City	State	Zip Code	City	State	Zip Code
Public Hearing having been forma his day of egulations of Baltimore County and that	that t	the subject matter of	e required, it is ordered this petition be set for a p	by the Zoning Commissione ublic hearing, advertised, as	r of Baltimore County, required by the zoning
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REV 10/25/01	<i>भृ</i> द्रियं -	·	timated Posting Date	11 1	04



Zoning description for 8 Timber Shed Court Freeland, Maryland 21053.

Beginning at a point on the North West side Timber Shed Court which is 50 feet wide at the distance of 175 feet. Being Lot #4 Phase I in the subdivision of Timber Brook Farms as recorded in Baltimore County plat book #56, folio #112, containing 2.91 acres. Also known as 8 Timber Shed Court Freeland, Maryland 21053 and located in the 6th election district, 3 councilmanic district.

#450

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CERSFICATE OF POSTING



Date April 15, 2004

RE: Case Number 04-450-A

Petitioner/Developer PAUL + MEREDITH ADAMS

Date of Hearing/Closing) APRIL 26, 2004

The sign(s) were posted on _____

APRIL 10, 2004



Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

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:	
tem Number or Case Number 04-450A	
Petitioner Paul T. ADAMS	
Address or Location 8 Timbershed CT. FREELAND, Md. 210	5[3
PLEASE FORWARD ADVERTISING BILL TO Name Paul T. Adams	
Address 8 Timber Shed CT.	
Freeland. Md. 21053	
	
Telephone Number: (410)343- 2421	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04-450 A Address 8 7, MBERS SUED CT
Contact Person: LIOYO MOXLEY Planner Please Print Your Name Phone Number: 410-887-3391.
Filing Date: 3/30/04 Posting Date: 4/11/04 Closing Date: 4/26/04
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.
Detaum Alon 3 Dotted Law.
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 23- 450 -A Address 8 TIMBEN SUED CT.
'etitioner's Name PAUL HAENEDITH ADAMS Telephone 410 343 2621
osting Date: 4/26/04 Closing Date: 4/26/04
Vording for Sign: To Permit AN ACCESSONY STRUCTURE (POLE BARN)
OBE LOCATED IN THE SIDE YARD AND HAVE A HEIGHT
OF 18' IT LIEU OF THE REQUIRED REAR YARD ALLO
15' RESPECTIVELY
WCR - Revised 6,28.00
BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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

April 26, 2004

Paul T. Adams Meredith R. Adams 8 Timbershed Court Freeland, Maryland 21053

Dear Mr. and Mrs. Adams:

RE: Case Number:04-450-A, 8 Timbershed Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 30, 2004.

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 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)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c; People's Counsel

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 9, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: April 12, 2004

Item No.:

341, 450-456

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.

6. 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



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



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.13.04

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

RE:

Baltimore County

Item No. 450

LTM

Dear. Ms. Matthews:

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,

L. L. 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 Joo/1285
DATE:	May 5, 2004
SUBJECT:	Zoning Item # 04- 450 Address 8 Timbershed Court
Zoning	Advisory Committee Meeting of April 12, 2004
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
• <u> </u>	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
Addition	onal Comments:
	oposed garage must be a minimum of 20 feet to the septic reserve area and system.

Reviewer: Keith Kelley Date: April 30, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** April 15, 2004

MCEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

APR 1 6 2004

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 4-450 – 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:

Division Chief:

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 18, 2004

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 19, 2004 Item Nos. 341 (450) 451, 452, 453, 454,

455, and 456

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

RWB:CEN:jrb

cc: File

<u>Approval Letters of adjoining</u> <u>Properties:</u>

H450

Paul and Meredith Adams 8 Timbershed Court Freeland, MD 21053

March 14, 2004

We, Joseph and Lisa McMahon at 6 Timbershed Court, acknowledge that Paul and Meredith Adams wish to construct a 32' x 24' pole building adjacent to their property, to be utilized as a two car garage. Our signatures indicate that we are in agreement for the construction of their garage which will be to the left of the existing driveway and in line with the house.

Joseph McMahon

Lisa McMahon

4450

Paul and Meredith Adams 8 Timbershed Court Freeland, MD 21053

March 14, 2004

We, Michael and Lauren Andrews at 10 Timbershed Court, acknowledge that Paul and Meredith Adams wish to construct a 32' x 24' pole building adjacent to their property, to be utilized as a two car garage. Our signatures indicate that we are in agreement for the construction of their garage which will be to the left of the existing driveway and in line with the house.

Michael Andrews

Lauren Andrews

450

Paul and Meredith Adams 8 Timbershed Court Freeland, MD 21053

March 14, 2004

We, Steve and Linda Layman at 19 Timbershed Court, acknowledge that Paul and Meredith Adams wish to construct a 32' x 24' pole building adjacent to their property, to be utilized as a two car garage. Our signatures indicate that we are in agreement for the construction of their garage which will be to the left of the existing driveway and in line with the house.

Steve Layman

Linda Layman

450



VIEW OF Adjoining Property from Proposed garage SITE (Andrews 10 Timber Shed CT

file://C:\Documents%20and%20Settings\ased\Desktop\adams\PIC00006.JPG

3/12/2004

