SOFTEN FOR THE STATE OF THE STA

IN RE: PETITION FOR ADMIN. VARIANCE N/S of White Hall Road, 2,900 ft. W

centerline of Vernon Road
7th Election District
3rd Councilmanic District

(1946 White Hall Road)

Deborah M. & John W. Dickerson Petitioners BEFORE THE

2.7

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-484-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 Deborah M. and John W. Dickerson. The administrative variance is requested for property located at 1946 White Hall Road in the White Hall area of Baltimore County. The administrative variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 24 ft. for an addition in lieu of the required 35 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 30, 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.

"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, off-street 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 Petitioners, I find that the Petitioners' variance request should be GRANTED.

THEREFORE, IT IS ORDERED, this <u>10</u> day of June, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 24 ft. for an addition in lieu of the required 35 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at

their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

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

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

June 14, 2004

Mr. & Mrs. John W. Dickerson 1946 White Hall Road White Hall, Maryland 21161

Re: Petition for Administrative Variance Case No. 04-484-A

Property: 1946 White Hall Road

Dear Mr. & Mrs. Dickerson:

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





OHOER RECEIVED

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1946 WHITE HALL ROAD which is presently zoned RCZ

owner(s) of	the property	situate i	n Baltimore C	ent of Permits ounty and which ariance from Se	ch is described in action(s)	the descript	ent. The undersigion and plat attach	ed hereto
					addition		to permit	a side
/	ired							

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 Purchas	<u>Legal Owner(s):</u>						
				JON	w. T) CKERSO	7
Name - Type or Print			Name -	Type or Print	W. El	L	
Signature			-	Signature DE13	ORAH	M. DICKE	ERSON
Address		Telephone No.	-	Name - Typ	se or Print	Dicker	S7~
City	State	Zip Code	-	Signature			
Attorney For Peti	tioner:			1946 Address	WHITE	HALL RD.	410-329-676 Telephone No.
				WHITE	HALL	MD	21161
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·		City			State	Zip Code
				Repres	entative to	o be Contact	ed:
Signature			•				
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	<u> </u>	<u></u>	_		<u></u>	' - '	
Address		Telephone No.		Address		,	Telephone No.
City	State	Zip Code	-	City		Sta	ate Zip Code
⊈ day of	been formally demanded that the state the property be reposted	subject matter of this	be rec	n be set for a p	ublic hearing, a	Zoning Commission divertised, as required as sequired	ner of Baltimore County, this ired by the zoning regulations
8	. .			_			_ _
CANE NO.	04-484-1	Reviewed	Ву	BR	Da	te <u>4/22</u>	104
CASE NO			Estimo	ited Posting Do	ite	5/2/04	

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.

	946 V	Unite Ha	11 Rd		
Addre City	White Ho		State	2116/	
That based upon personal knowledge, the following Variance at the above address (indicate hardship or	are the facts practical diffic	upon which I/we		др си uest for an Administra	ative
1. Proposed location of garage wo to existing drive way and would	ald be r	nost practic	cal place	as it is close	st
2. Proposed garage location is n					
Grading, no cutting of trees, of dwelling	and prov	ide the k	est acces	s to existing)
3. Other areas of property would	not lend	itseff to	agarage	e due to wel	1 pipes,
septic arain fields, grade of	hillside	or dense	area of	Lices.	
4. Proposed garage would be pl					Ю
existing carport via breezew	xy. Exis	ting carpo	it will evi	entually be en	nclosed
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That the Affiant(s) acknowledge(s) that if a formal advertising fee and may be required to provide addit	tional informat	ion.	viii be required	to pay a reposting	and
(h. C) L		Debore	mo	icker800	··-
Signature Jon W. Dickerson	S	Debova M	m. 7	nckerson	
Name - Type or Print	Name - Type	***************************************		······································	
STATE OF MARYLAND, COUNTY OF BALTIMORI	•				
HEREBY CERTIFY, this day of State of Maryland, in and for the County aforesaid, o	personally app	eared (坐, before me	, a Notary Public of	the
Dehoral M 4 9	Don U	Muke	1002		
the Affiant(s) herein, personally known or satisfactor aw that the matters and facts hereinabove set forth a	fily identified t	o me as such A	ffiant(s), and n	nade oath in due forr eir knowledge and bel	n of ief.
AS WITNESS my hand and Notarial Seal			_		
4-20-04		and C	Bue		
Date	Notary Pi				
	My/Comr	nission Expires	2-1-6	25	····-
REV 09/15/98					

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.

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At C	White Hall	State	21(0 (Zip Code
That based upon personal knowledge, the following Variance at the above address (indicate hardship)	ng are the facts upon vor practical difficulty):	vhich I/we base the request	•
1. Proposed location of garage u	vould be most	practical place a	s it is closest
to existing drive way and war ?. Proposed garage location is	ma not what	entire rest will	d Manualman
grading, no cutting of trees,	and provide	the best access	to existing
3. Other areas of property would	d not lend itse	eff to a garage	due to well pipe
septic drain fields, grade o	of hillside or	dense area of ba	ces.
4. Proposed garage would be			
existing carport via breeze as part of dwelling.	way. Existing	carport will even	tually be enclose
That the Affiant(s) acknowledge(s) that if a form advertising fee and may be required to provide ad	al demand is filed, Af	fiant(s) will be required to	pay a reposting and
Signature Signature	Significan	eborch M. Di	Chasin)
Jon W. Dickerson		orah M. Dick	cerson.
Name - Type or Print	Name - Type or Print		
STATE OF MARYLAND, COUNTY OF BALTIMO	PRE, to wit:		
HEREBY CERTIFY, this day of State of Maryland, in and for the County aforesaid	Osel	, <u>2004</u> , before me, a	Notary Public of the
and the second of a second of the second of		Michan	u
the Affiant(s) herein, personally known or satisfaction that the matters and facts hereinabove set fort	torily identified to me a	s such Affiant(s), and mad to the best of his/her/their k	e oath in due form of nowledge and belief.
AS WITNESS my hand and Notarial Seal			,
4-20-04 Date	Notary Public —	- C Beres!	
	My Commission	Expires 21-01	*
REV 09/15/98	- -		- 4 ,



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1946 WHITE HALL ROAD which is presently zoned RCZ

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)

a side yard setback of 24 ft. for an addition in lieu of the required 35 ft.

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

Property is to be posted and advertised as prescribed by the zoning regulations.

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

			JON W.	DICKERSO	~
Name - Type or Print		Name	e - Type or Pfint	D.L	
Signature	1. WHO	· · · · · · · · · · · · · · · · · · ·	Signature DEBORAL	M. DICKE	RSON
Address	·s11·····	Telephone No.	Name - Type or Print	0 0	*, · · · · · · · · · · · · · · · · · · ·
City	State	Zip Code	Signature		
Attorney For Peti	tioner:		1946 WHI	TE HALL RD.	410-329-6762 Telephone No.
			WHITE HALL	_ MD	21161
Name - Type or Print		City	<u> </u>	State	Zip Code
Signature			Representativ	e to be Contacte	<u>ed:</u>
Olg. Rature					
Company	<u> </u>		Name		
Address		Telephone No.	Address	<u></u>	Telephone No.
City	State	Zip Code	City	Sta	te Zip Code
A Public Hearing having day of	been formally demander that the st	d and/or found to be rubject matter of this petit	equired, it is ordered by ion be set for a public heari	the Zoning Commission ng, advertised, as requir	er of Baltimore County, this ed by the zoning regulations
	at the property be reposted.	-	-	•	
			Zoning Co	mmissioner of Baltimore	County
CASE NO	04.484-4	Reviewed By _	13n	Date 4/22	100
REV 9/15/98		Estir	nated Posting Date	5-/2/04	

Petition for Variance

Petitioners:

Jon W. Dickerson & Deborah M. Dickerson

Property Address:

1946 White Hall Road

White Hall, MD 21161

Re:

Proposed 2-car garage to be attached to west side of existing

dwelling via 4-foot breezeway.

As neighbors with property adjacent to 1946 White Hall Road, we do not dispute the

Signature: July 1. Pource
Print Name: JEFFREY PEARCE
Address: 1944 WHITE HALL RD. WHITE HALL RD. WHITE HALL RD.

Signature: Wentlell Penne Print Name: WENDELL PEARCE Address: 1948 WHITE HALLED. WHITE HALL MP 21161

Signature: Print Name:

Address:

WHITE HALL, md. 2116/

Signature:

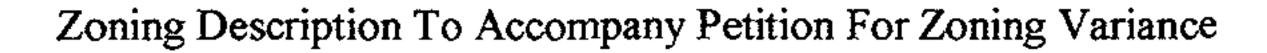
Print Name: Tara Dorn

Address:

1934 White Hall Rd. White Hall, Md. 21161

Signature: Print Name: WIL

Address:



For 1946 White Hall Road

Metes and Bounds:

N.47 27' 56" E. 157.59 ft, N.58 59' 27" E.233.61 ft., N.18 33' 34" W.125.46 ft., S.73 01'

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WE SE

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date May 3, 2004

Date May 3, 2004

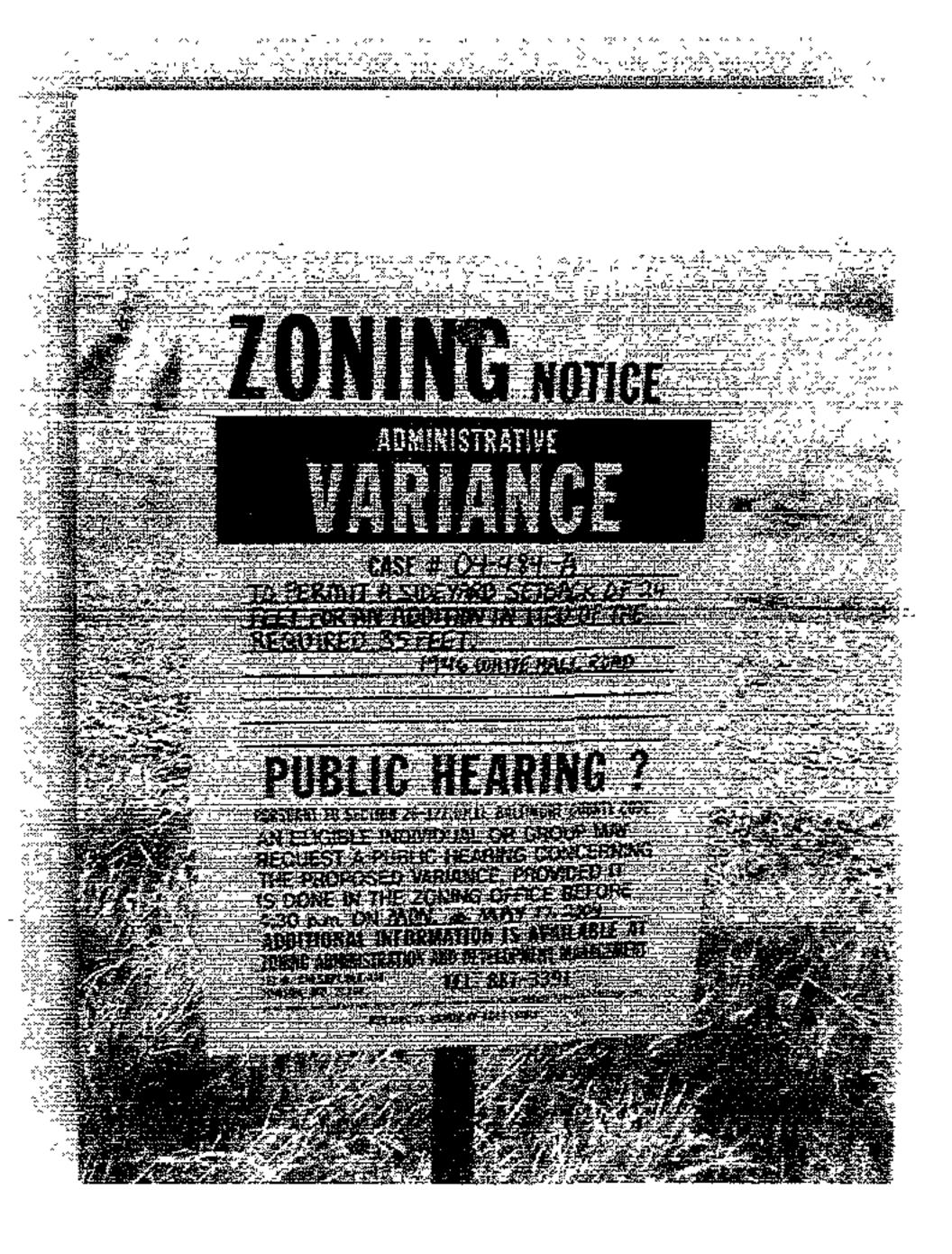
Petitioner/Developer OEBBIE DICKERSON

Date of Hearing Closing) May 17, 2004

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 1946~WHITE~HALL~ROAD

The sign(s) were posted on

april 30,2004



(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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	04-	484	-A	Address	1946	White Hall Ro	0.
Conta	ct Persor	n:		ner, Please Prin	<u> </u>		Phone Number: 410-8	387-3391
Filing	Date: _	4	12/04	<u> </u>	Posting Date:	5/2/04	Closing Date:	5/17/04
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2.	a forma	rec	uest for a	public he	ne deadline for a aring. Please ocess is not con	understand 1	or owner within 1,000 for the latest even if there is no closing date.	et to file o formal
3.	commiss order th (typically	sione at th with	r. He may le matter i lin 7 to 10	y: (a) grar be set in t days of the	nt the requested for a public hea e closing date) a	relief; (b) daring. You so to whether	y the zoning or deput eny the requested reli- will receive written no the petition has been you by First Class mail	ef; or (c) otification granted.
	commiss changed	due sione givi certif	e to a neignotificating notice of	ghbor's for tion will be of the heari	mal request or e forwarded to ng date, time an	by order of you. The discarding to the discardin	hat must go to a public f the zoning or deput sign on the property As when the sign was ered sign must be forw	y zoning must be originally
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Case 1	Number	04-[484	-A A	Address 19	46 Whis	ta Hall RQ.	
Petition	ner's Nar	ne _	Jon 1	Debbie	Dickerson	Te	lephone <u>4/2 - 329 -</u>	6762
ostin	g Date:		5/2/	04	Clo	sing Date:	5/17/04	·
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

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~ 484- A	
Petitioner: Jon W. + Deborah M Dickerson	
Address or Location: 1946 White Hall RD. White Hall	MD
	21161
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Jon W. Dickerson Deborah M. Dickerson	
Address: 1946 White Hall Road	'
While Hall, MD 21161	
Telephone Number: 410-329-6762	

Department of Permits Development Management

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





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

May 17, 2004

Jon W. Dickerson Deborah M. Dickerson 1946 White Hall Road White Hall, Maryland 21161

Dear Mr. and Mrs. Dickerson:

RE: Case Number:04-484-A, 1946 White Hall Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 2, 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 with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

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

Very truly yours, U. Call Rollal D

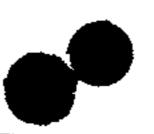
W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

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 Towson, Maryland 21204 May 10, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of May 3, 2004

Item No.:

479, 482-487

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

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 May 10, 2004 Item Nos. 479, 482, 483, 484, and 485

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

RWB:CEN:jrb

cc: File

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

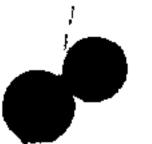
Zoning Advisory Petition(s): Case 4-484, 4-504, and 4-509

DATE: June 9, 2004

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.

MAC/LL







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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.30.04

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

RE:

Baltimore County

Item No.

484

BPR

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.

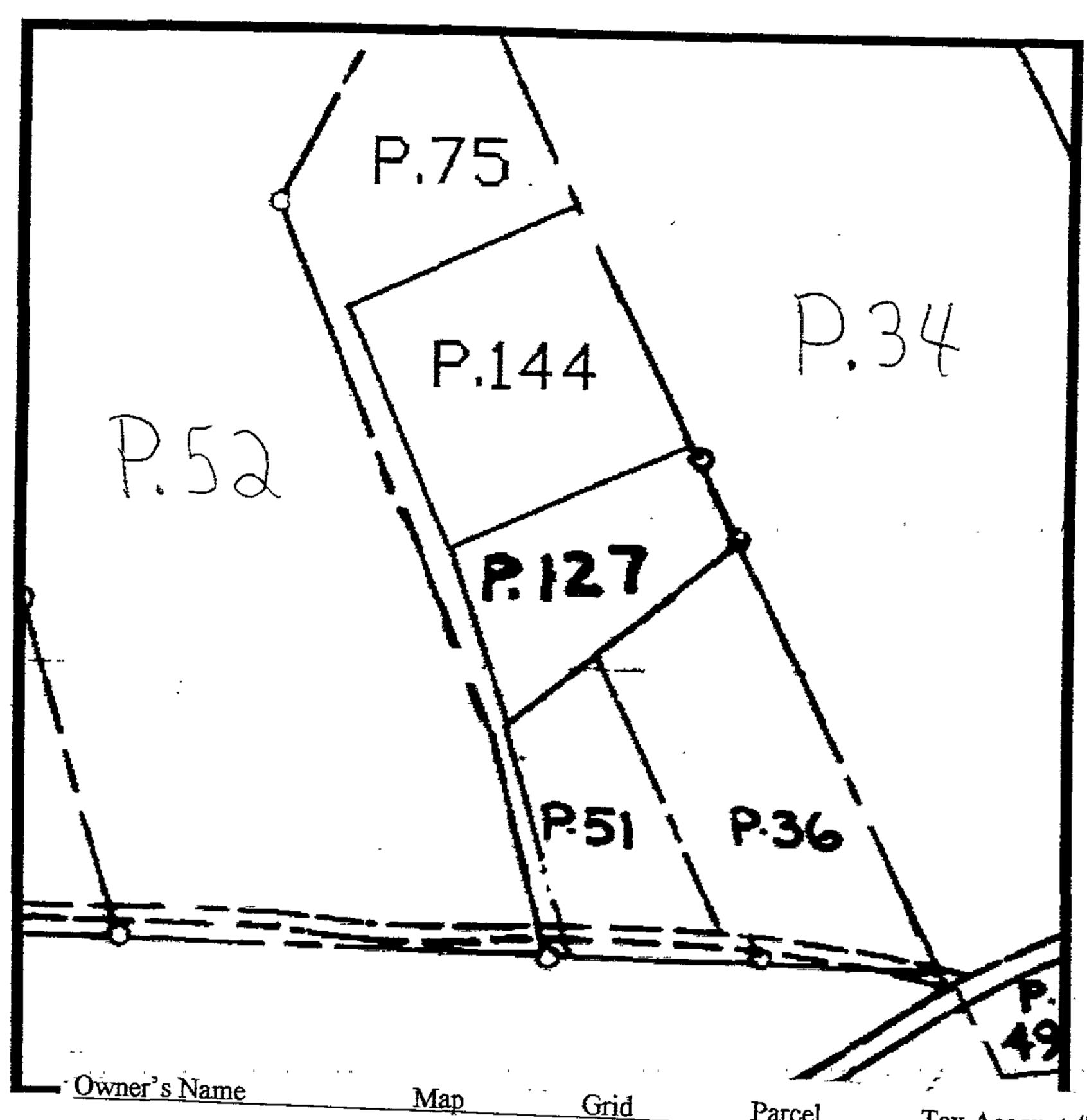
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

1. J. And

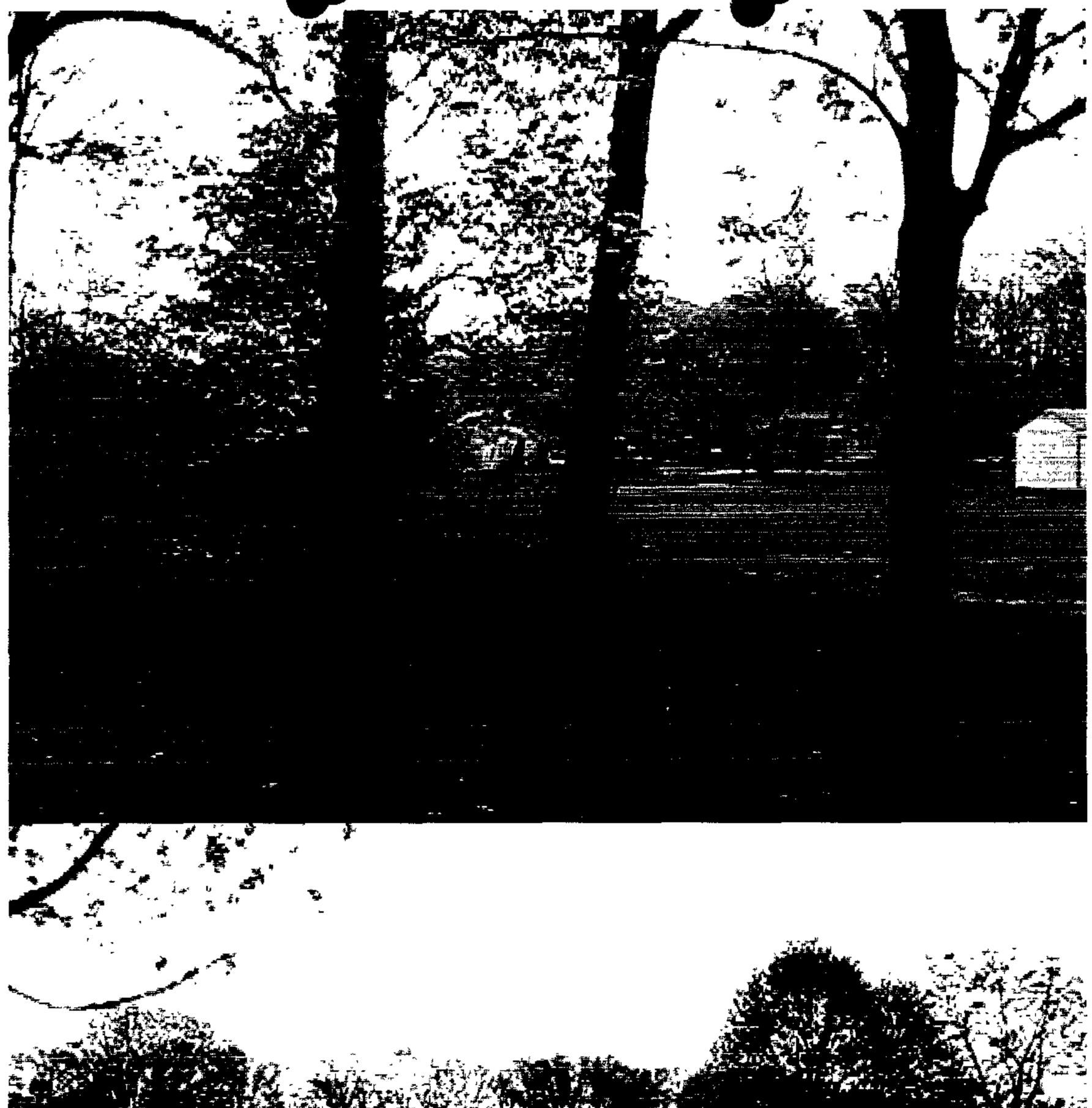
To: Zouing Office 6/4/04 From: Planning Office Re: ZAC 1+em (4-484) The Planning has no comment du Hus De lition Bill Hugher



- Owner's Name	Map	Grid	Parcel	Tax Account #
Green David L Green Nancy L	18	1	34	0713075275
Brack William C E	18	7	36	0701074190
Pearce Wendell R Pearce Dorothy E	18	1	51	0716015461
Dorn Tara A Dorn Thomas S	18	1	52	0703023380
Pearce Jeffrey Gwynn, Pearce Tammy Lynn	18	1	144	2200016473

#484

View to Brack



View to W. Pearce



Proposed Site

riopised site



1946 White Hall RD Front



1946 White Hall RD Front



View to Dorn property

view to Jeffrey Pearce

