IN RE: PETITION FOR ADMIN. VARIANCE

N/E corner of Highmeadow and Homevale Road 4th Election District 3rd Councilmanic District

(210 Highmeadow Road)

William Burdette Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER *

* OF BALTIMORE COUNTY

CASE NO. 04-534-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 owner of the subject property, William Burdette. The variance request is for property located at 210 Highmeadow Road in the Reisterstown area of Baltimore County. The variance request is from Section 208.4 of the 1955 Baltimore County Zoning Regulations (1955 B.C.Z.R.), to permit a rear yard setback as close as 6 ft. in lieu of the required 30 ft. for a proposed addition. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 27, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In addition, the Petitioner must be in compliance with the requirements set forth in the Maryland State Highway Administration letter dated June 2, 2004, a copy of which is attached hereto and made a part hereof.

The Petitioner has 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

MORN DECEMBED FOR

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 Petitioner.

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 ______ day of July, 2004, that a variance from Section 208.4 of the 1955 B.C.Z.R., to permit a rear yard setback as close as 6 ft. in lieu of the required 30 ft. for a proposed addition, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition;
- 2. The Petitioner must be in compliance with the requirement set forth in the Maryland State Highway Administration letter dated June 2, 2004, a copy of which is attached hereto and made a part hereof;
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

SECULAR PROFES

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

July 9, 2004

Mr. William Burdette 210 Highmeadow Road Reisterstown, Maryland 21136

> Re: Petition for Administrative Variance Case No. 04-534-A Property: 210 Highmeadow Road

Dear Mr. Burdette:

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

Site Rite Surveying, Inc. 200 E. Joppa Road, Room 101 Towson, MD 21286



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



CHOCK THECHINED

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at #210 Highmeadow Road which is presently zoned _____ D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 208. 4 1955 BCZR. TO PERMIT A REARYARD SETBACK AS CLOSE AS 6 FT. IN LIEU OF THE REQUIRED 30 FT. (For a proposed addition)

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.

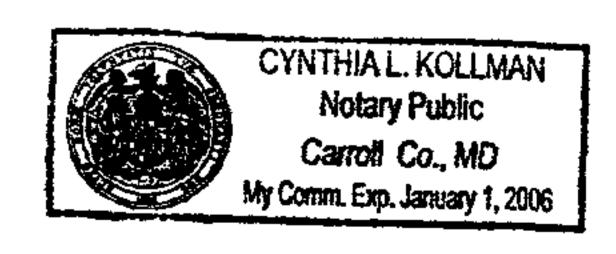
.essee:			Legal Owner(s):	
	N	Name - Ty	William Burdette /pe or Print Signature	
	Telephone No.		Name - Type or Print	· · · · · · · · · · · · · · · · · · ·
State	Zip Code		Signature	<u> </u>
e <i>r:</i>			210 Highmeadow Road	410-833-2873
			Address	Telephone No.
			Reisterstown, MD 21136	
	C	City	State	Zip Code
			Representative to be Contacte	d:
			Site Rite Surveying, Inc.	<u></u>
	Telephone No			
	i eichtiolte 140.			Telephone No.
State	Zin Code			Zip Code
	Zip Gode		City State	zip code
formally demande	d and/or found to b	e requir	ed, it is ordered by the Zoning Commissione	r of Baltimore County, this
property be reposted.	aplect marrer of rus b	Jeddon De	s set for a public nearing, advertised, as require	a by me zoning regulations
			7	
			ZODING COMMISSIONAL OF KANIMORA (
	₂ ∕1		Zoning Commissioner of Baltimore C	county
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534			-	4
	State State State formally demander that the states	Telephone No. State Zip Code Pr: Telephone No. State Zip Code formally demanded and/or found to be	Telephone No. State Zip Code City Telephone No. State Zip Code Telephone No.	Name - Type or Print Signature Signature 210 Highmeadow Road Address Reisterstown, MD 21136 State Representative to be Contacte Site Rite Surveying, Inc. Name 200 E. Joppa Road, Room 1 Address Towson, MD 21286 State State Towson, MD 21286 Towson, MD 212

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 testiny mereto in the event mat a p	work nearing is s	Cheduled if	i me mime wini i	egard mereto.
That the Affiant(s) does/do presently reside at	#210 High	meadow R	.oad	
• • • • • • • • • • • • • • • • • • •	Address	orm MD	21126	
	Reisterst	own, rid	State	Zip Code
That based upon namenal knowledge, the follow	•	s upan whic		
That based upon personal knowledge, the follow Variance at the above address (indicate hardshi	ip or practical diff	iculty):		·
1. Existing dwelling was built be William Burdette, do not have con				
2. The proposed garage and additionable remove the vehicle from the weather		ccommoda	te much need	ed living space and
3. The proposed improvements are the household.	the least ex	xpensive	means of m	eeting the needs of
4. Due to the lot configurat	tion and t	the ony	intation i	of the ex dwly,
4. Due to the lot configurate wints the available spo	nce for ho	me mi	provement!	BLM
,			t .	
That the Affiant(e) acknowledge(e) that if a fol	rmal demand is	filed Affici	ot(e) will be rear	ired to nev a reposting and
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	additional information	ation.	it(s) will be requ	ned to pay a reposting and
advertising fee and may be required to provide				
$\mathcal{I}_{I}}}}}}}}}}$				
Size (Mag		Signatura		
Signature		Signature		
William Burdette				
Name - Type or Print	Name - Ty	pe or Print		
STATE OF MARYLAND, COUNTY OF BALTIN			*	
I HEREBY CERTIFY, this 12th day of 14	aei	_ 1	2004 before	me, a Notary Public of the
State of Maryland, in and for the County aforesa	aid, personally ap	peared		,
() () () () () () () () () ()	lian Bur	-1 stt	·Q	
the Affiant(s) herein, personally known or satisf				nd made oath in due form of
law that the matters and facts hereinabove set f	forth are true and	correct to 1	the best of his/he	r/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	_			<i>,</i>
			(D)	. 1
5-12-04	Ċi	Mthe	i J. KA	Uman
Date	Notary I	Public	<u> </u>	
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CYNTHIAI KOLL	MAN: IVIY CON	nmission Ex	xpires	-

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.

That the Affiant(s) does/do presently reside at	#210 Highmeadow Road	
	Address Reisterstown, MD 21136	, , , , , , , , , , , , , , , , , , ,
	City	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hards)	owing are the facts upon which I/we base the requi	est for an Administrative
9	ack in 1960 on a lot in a subdivision ave contiguous property in order to	•
 The proposed garage and additing remove the vehicle from the week 	ion are to accommodate much needed 1: eather elements.	iving space and
3. The proposed improvements are household.	the least expensive means of meeting	g the needs of the
4. Due to the lot configuration	bone inprovements. But	x. dwg., limits
the available space for	vome inprovements. (Blw)	•
advertising fee and may be required to provide	additional information.	
Signature William Burdette	Signature	
Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:	
I HEREBY CERTIFY, this day of State of Maryland, in and for the County afores	said, personally appeared, 2014, before me	, a Notary Public of the
Willia	em Burdette	
law that the matters and facts hereinabove set	sfactorily identified to me as such Affiant(s), and me forth are true and correct to the best of his/her/the	ir knowledge and belief.
AS WITNESS my hand and Notarial Seal		A 1
5-12-04 Date	Notary Public Notary Public	'lman
CYNTHIA I KOLL	My Commission Expires /-/-)6

Notary Public

Carroll Co., MD

My Comm. Exp. January 1, 2006

REV 09/15/98



REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at #210 Highmeadow Road which is presently zoned D.R. 3.5

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

Zoning Commissioner of Baltimore County

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) 208. 4, 1955 BCZF To permit a travely your subsection of the proposed addition (for a proposed addition)

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.

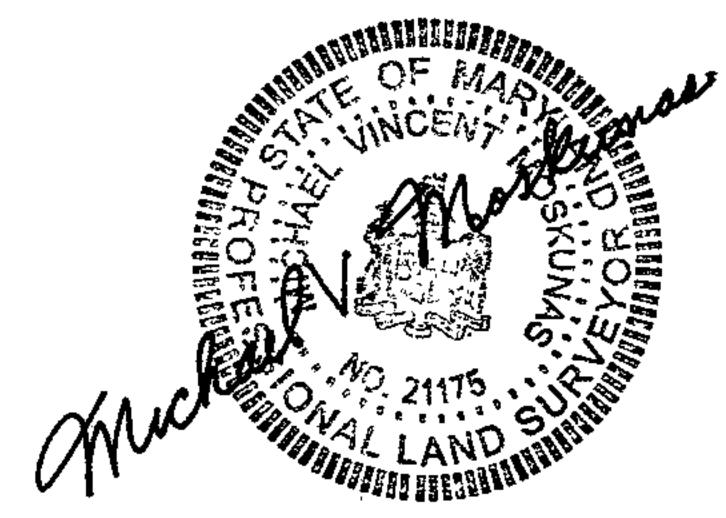
perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): William Burdette Name - Type or Print Name - Type or Print Signature Address Telephone No. Name - Type or Print City State Zip Code Signature 210 Highmeadow Road Attorney For Petitioner: 410-833-2873 Address Telephone No. Reisterstown, MD 21136 Name - Type or Print City State Zip Code Representative to be Contacted: Signature Site Rite Surveying, Inc. Company Name 200 E. Joppa Road, Room 101 410-828-9060 Address Telephone No. Address Telephone No. Towson, MD 21286 City State Zip Code City State Zip Code A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Estimated Posting Date

534

ZONING DESCRIPTION FOR #210 HIGHMEADOW ROAD

Beginning at a point on the north side of Highmeadow Road which is 50 feet wide at the distance of 25 feet east of the centerline of Homevale Road which is 50 feet wide. Being Lot No. 1, Block "J" in the subdivision of Chartley as recorded in Baltimore County Plat Book No. 26, folio 107, containing 9,595 square feet, more or less. Also known as #210 Highmeadow Road and located in the 4th. Election District, 3rd. Councilmanic District.

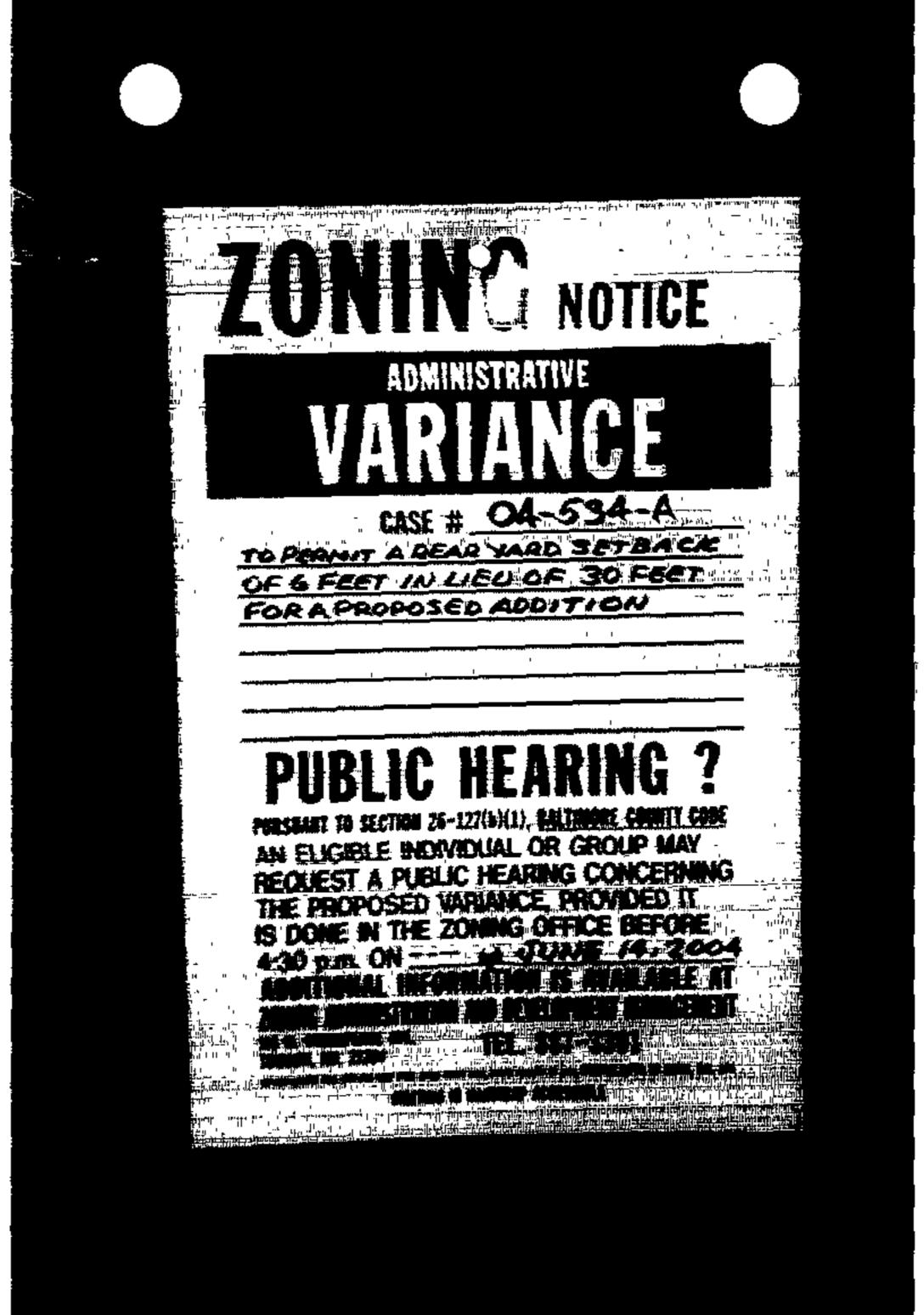


Michael V. Moskunas

Site Rite Surveying, Inc. 200 E. Joppa Road Suite 101 Towson, MD 21286 (410)828-9060

WHITE - CASHIER		FOR	FROM:		DATE V	BALTIMORE COU OFFICE OF BUDGET MISCELLANEOUS
PINK - AGENCY	M	Carrie Marie			Blan	RECI
VELLOW CUSTOM				AMOUNT &	ACCOUNT	MARYLAND
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CERTIFICATE OF POSTING

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Becky Hart	
Ladies and Gentlemen: This letter is to certify under the p	conalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at	210 AIGHMESADOW ROAD
	7004 1, Day, Year)
	Sincerely, Sincerely, Signature of Sign Poster and Date) GARLAND E. MOORE (Printed Name) 3225 RYERSON CIRCLES (Address) DAUTINIORE, MD. 21227 (City, State, Zip Code) (410) 242-4263 (Telephone Number)

RE: Case No.: 04-534-A

Petitioner/Developer: WILLIAM BURDETTE

Date of Hearing/ Closing: JUNE 14, 7004

CRICTOENG

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04- 534 -A Address 210 HIGHMEADOW RD
Contact Person: LEWIS Phone Number: 410-887-3391
Filing Date: 5/18/04 Posting Date: 5/30/04 Closing Date: 6/14/04
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. 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.
2. <u>DEADLINE:</u> 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.
4. 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.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 04- 534 -A Address 210 HIGHMEADOURD
Petitioner's Name WILLIAM BURDETTE Telephone 410 833 2873
Posting Date: 5/30/04 Closing Date: 6/14/04
Nording for Sign: To Permit A REAR VARD SETBACK OF 6 FT, IN LIEU OF
30 FT. FOR A PROPOSED ADDITION
······································
WCR - Revised 6/28/00

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: 04 534 A
Petitioner: William Bwautte
Address or Location: #210 High Meddow Poad
PLEASE FORWARD ADVERTISING BILL TO:
Name: William Burdutte
Address: 210 Highweadow Poad
Address: 210 Highweadow Poad Rustwitown, MD 21136
Telephone Number: (410) 833 - 2813

Department of Permissant Development Management

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



Baltimore County

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

June 14, 2004

William Burdette 210 Highmeadow Road Reisterstown, Maryland 21136

Dear Mr. Burdette:

RE: Case Number:04-534-A, 210 Highmeadow Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 18, 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.

W. Callibul D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road Rm. 101 Towson 21286



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 27, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 1, 2004

Item No.:

526, 530-532, (534)-537, 539

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

State Highway

Administration

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

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

Maryland Department of Transportation

Date: July 15, 2004

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

RE:

Baltimore County

Item No. 04-534-A

210 Highmeadow Rd

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,

Steven D. Foster, Acting Chief Engineering Access Permits Division

J. J. Hallein

Post-it* Fax Note 7671	Date 7. 15 - 4 pages 1
To ~Z.33:-	From L. GAEOLE . A
Co./Dept.	Co. 5. 4
Phone #	Phone #
Face #	F≅x #



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6 · Z · 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.

ノレト

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr JW

DATE:

June 16, 2004

SUBJECT:

Zoning Items # See List Below

ZONING COMMISSIONER

RECEIVED

JUN 1 6 2004

Zoning Advisory Committee Meeting of JUNE 1, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-526

04-530

04-531

04-532

04-534

04-535

04-538

04-539

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc



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 4-534 and 4-537 **SUBJECT:**

DATE: June 1, 2004

RECEIVED
JUN - 3 2004
ZONING COMMISSIONE

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: July 1, 2004

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 June 8, 2004 Item Nos. 526, 531, 532, 533 534,

536, 537, 538, and 539

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

RWB:CEN:jrb

cc: File

