

IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Thackery Avenue, 120 ft. SW
centerline of Ridge Road
1st Election District
1st Councilmanic District
(303 Thackery Avenue)

Jeanne M. & Robert J. Holden
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-152-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, Jeanne M. and Robert J. Holden. The administrative variance is requested for property located at 303 Thackery Avenue in the Catonsville area of Baltimore County. The administrative variance request is from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached structure (garage) to be 20 ft. in height in lieu of 15 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 October 3, 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*.

FILED
10/26/04
Ray

"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.

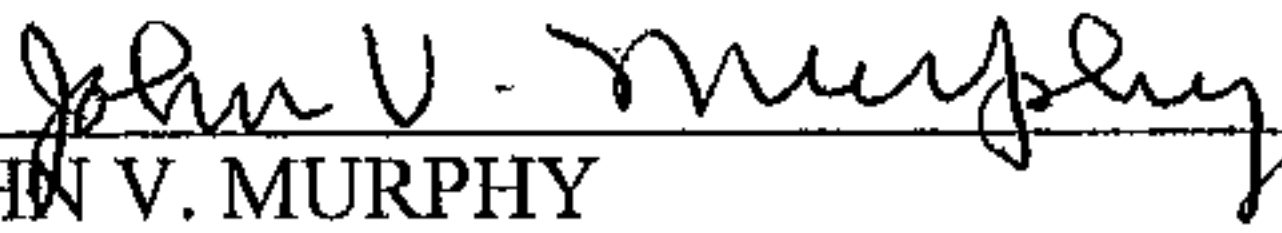
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, I find that the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, this 26 day of October, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a detached structure (garage) to be

20 ft. in height in lieu of 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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;
2. The garage shall be limited to uses accessory to the residential use of the property. It shall not be used to support a business or for commercial purposes. Moreover, the Petitioner shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment. There shall be no living quarters contained therein, and no kitchen or bathroom facilities;
3. When applying for a building permit, the site plan field 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

ORDER FILED FOR FILING
Date 10/26/04
By 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
William J. Wiseman III, Zoning Commissioner

October 27, 2004

Mr. & Mrs. Robert J. Holden
303 Thackery Avenue
Baltimore, Maryland 21228

Re: Petition for Administrative Variance
Case No. 05-152-A
Property: 303 Thackery Avenue

Dear Mr. & Mrs. Holden:

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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

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





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 303 Thackeray Ave
which is presently zoned DR-2

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)

400.2 TO PERMIT A DETACHED
STRUCTURE TO BE 20 FT. HIGH IN LIEU OF 15 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

ROBERT J HOLDEN
Name - Type or Print

[Signature]
Signature

JEANNE M HOLDEN
Name - Type or Print

[Signature]
Signature

303 THACKERY AVE
Address

BALTIMORE MD
City State Zip Code

410-747-8525
Telephone No.

Representative to be Contacted:

Name

Address Telephone No.

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 10/20/04 day of October, 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 Commissioner of Baltimore County

CASE NO. 05-152-A

REV 10/25/01

Reviewed By [Signature] Date 09-23-04

Estimated Posting Date 10-03-04

ORDER RECEIVED FOR PUBLIC HEARING
10/20/04
[Signature]

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

303 Thackery Ave
Address
Baltimore MD 21228
City State 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):

1. Height of garage exceeds 15'. SEE ATTACHED.
- ~~2. Structure within 1' of property line.~~

~~To keep cost down, we propose to place
curport within 1' of property line so that new
garage structure will stay in line with existing
paved driveway, surrounding fence and landscape.~~

~ Attachment ~

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.

Robert J. Holden
Signature
ROBERT J. HOLDEN
Name - Type or Print

Jeanne Holden
Signature
Jeanne Holden
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16 day of SEPTEMBER, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROBERT J. HOLDEN + JEANNE M. HOLDEN
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires July 1, 2005

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

303 Thackery Ave
Address
Baltimore MD 21228
City State 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):

1. Height of garage exceeds 15'. SEE ATTACHED
2. Structure within 1' of property line.

~~To keep cost down, we propose to place carport within 1' of property line so that new garage structure will stay in line with existing paved driveway, surrounding fence and landscape.~~

~ Attachment ~

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.

Robert J. Holden
Signature
Robert J. Holden
Name - Type or Print

Jeanne M. Holden
Signature
Jeanne M. Holden
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16 day of SEPTEMBER, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert J. Holden + Jeanne M. Holden
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

John W. Knipp
Notary Public
My Commission Expires July 1, 2005



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 303 Thackeray Ave
which is presently zoned DD-2

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) 400.2 to Permit A Detached

ACCESSORY STRUCTURE TO BE 20 FT. HIGH IN LIEU OF 15 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

ROBERT J HODGEN
Name - Type or Print

Signature

JEANNE M HODGEN
Name - Type or Print

Signature

303 THACKERAY AVE 410-747-8525
Address Telephone No.

BALTIMORE MD 21228
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

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 05-15-04 day of May, 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 Commissioner of Baltimore County

CASE NO. 05-152-A

Reviewed By SPJ

Date 09-23-04

Estimated Posting Date 10-03-04

Attachment

After careful consideration, we have decided not to request for an Administrative Variance to build a garage/carport within 1' of our property line. We are however, requesting an Administrative Variance to build a garage exceeding the 15' height maximum for the following reason:

1. We would like to keep the architectural roof design of the garage the same as our home. This requires a higher pitch of the roof to allow for the trusses necessary for this design. The peak of the garage will be 19' in height.

Zoning Description

Zoning Description for 303 Thackery Avenue

Beginning at a point on the east side of Thackery Avenue which is 40' at the distance of 120' southwest of the centerline of the nearest improved intersecting street Ridge Road which is 40' wide. Being Lot # 211-214 in the subdivision of Oak Forest Park as recorded in Baltimore County Plat Book # 5 , Folio # 90 , containing 15,000 square feet. Also known as 303 Thackery Avenue and located in the 01 Election District, 1st Councilman District.

OS-152.A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

05-15A-A

No. 41354

DATE 09-23-04

ACCOUNT R0010066150

AMOUNT \$ 65.00

RECEIVED FROM Mrs. Howard

FOR:

Res DNA (Foster)
303 Thackeray Hdc.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

377

PAID RECEIPT

BUSINESS ACTING TIME
9/24/2004 9/24/2004 16:28:34

REG. NO. 0010066150

DATE 9/23/2004

REPT. 3 328 TOWN VERIFICATION

CR. NO. 0010066150

Receipt Tot. 765.00

Net. 00.00

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-152-A

Petitioner/Developer: JOANNE &

ROBERT HOLDEN

Date of Hearing/Closing: 10/18/04

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

303 THACKER AVE

The sign(s) were posted on

10/03/04
(Month, Day, Year)

Sincerely,

Robert Black 10/03/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

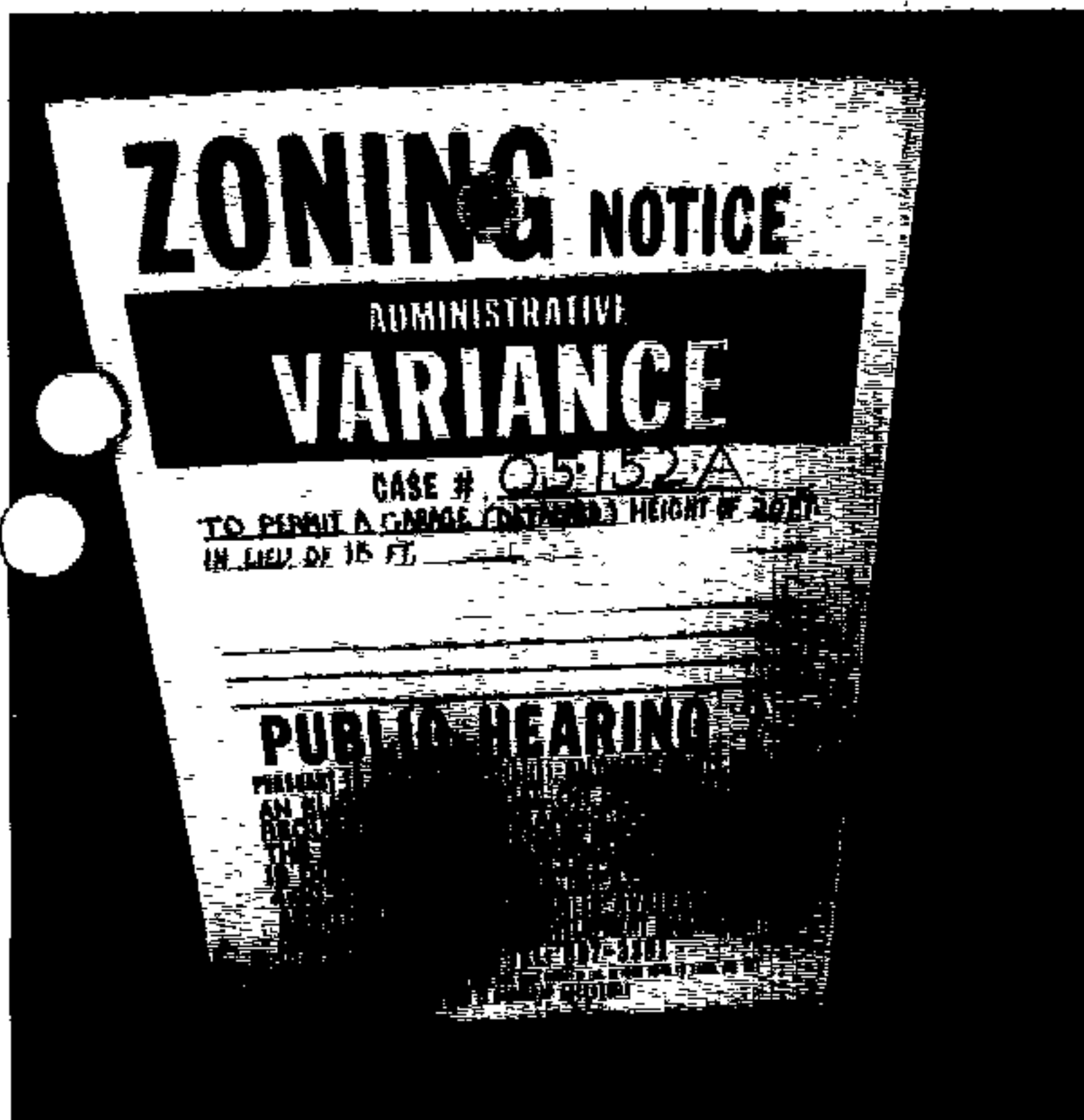
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

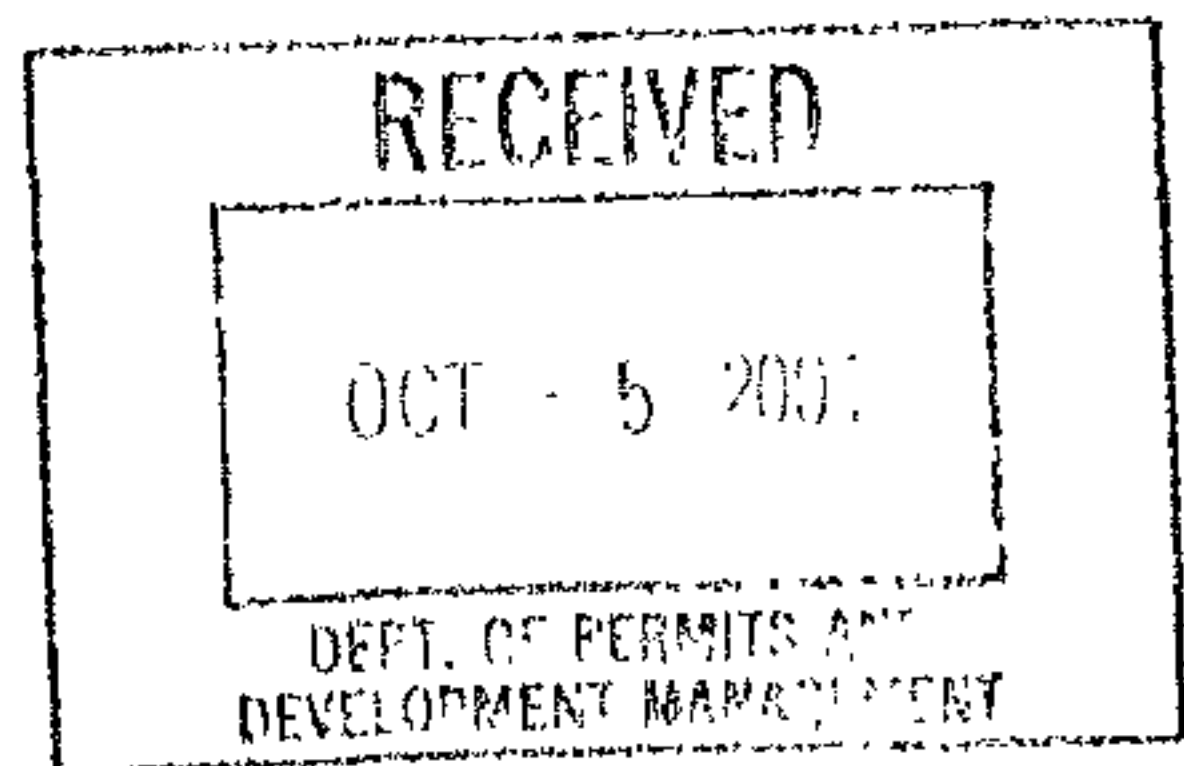


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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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 OS-152-A
Petitioner JEANNE HODDEN
Address or Location: 303 THACKERY AVE

PLEASE FORWARD ADVERTISING BILL TO

Name: JEANNE HODDEN

Address 303 THACKERY AVE

BALTIMORE MD 21228

Telephone Number: 410-747-8525 / 410-744-4664 / 410-371-3401

(H)

(W)

(CEN)

OS-152-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 152 -A Address 303 LUBBERGAY AVE
Contact Person: JOHN R ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 09-23-04 Posting Date: 10-03-04 Closing Date: 10-18-04

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. **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.
3. **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 05- 152 -A Address 303 LUBBERGAY AVE
Petitioner's Name JOANNE & ROBERT HODGSON Telephone 410-747-8525
Posting Date: 10-03-04 Closing Date: 10-18-04
Wording for Sign: To Permit A GARAGE (DETACHED) HEIGHT OF
20 FT. IN LIEU OF 15 FT.

WCR - Revised 6/25/04

**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*

October 18, 2004

Robert J. Holden
303 Thackery Avenue
Baltimore, Maryland 21228

Dear Mr. Holden:

RE: Case Number: 05-152-A, 303 Thackery Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 23, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



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

October 7, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: October 7, 2004

Item No.: 093, 131, 144-155, ⁽¹⁵²⁾157

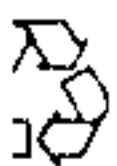
Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: October 13, 2004

FROM: *pub* Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 12, 2004
Item Nos. 093, 146, 147, 148, 149,
150, 152, 153, 154, 155, and 157

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

10/18/04
J. Farinetti
10/26/04

RECEIVED

OCT 27 2004

ZONING COMMISSIONER

TO: Tim Kotroco
FROM: John D. Oltman, Jr JDO
DATE: October 27, 2004
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of October 4, 2004.

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

05-107 (revised site plan)
05-131
~~05~~-144
~~05~~-146
~~05~~-148
~~05~~-149
~~05~~-152
~~05~~-153
~~05~~-154

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

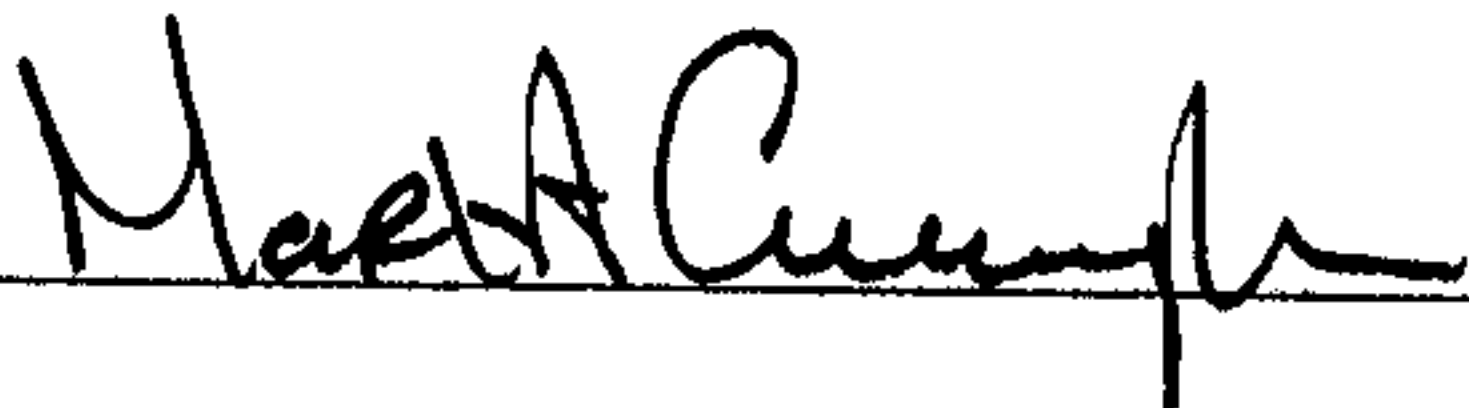
DATE: October 14, 2004

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

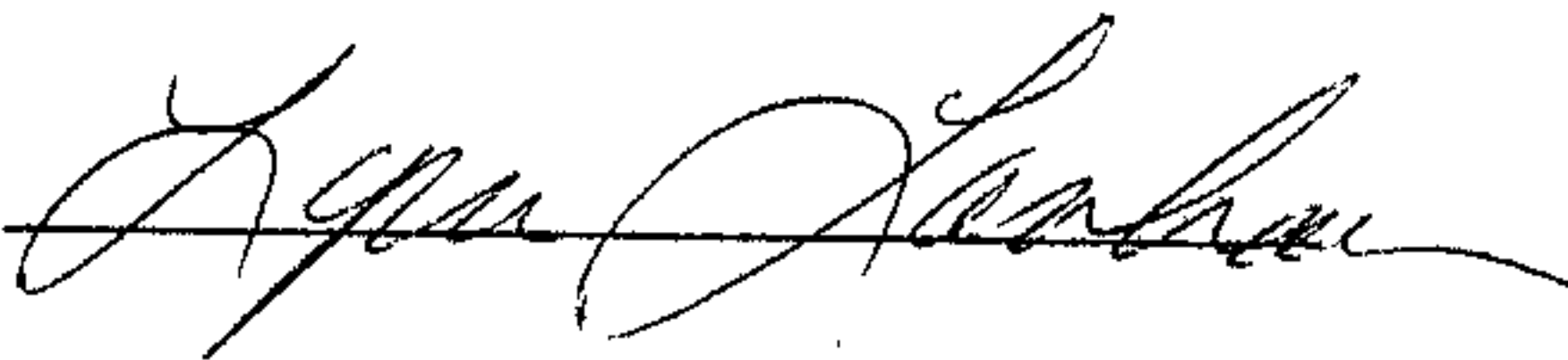
SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-144 and 5-152**
Administrative Variance

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:



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: 10.4.04

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

RE: Baltimore County
Item No. 152 JRA

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, Chief
Engineering Access Permits Division

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Thackery Avenue, 120' SW of
the c/l Ridge Road
(303 Thackery Avenue)
1st Election District
1st Councilmanic District

Robert J. Holden, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY

* Case No. 99-50-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Robert J. and Jeanne M. Holden. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet in lieu of the required 15 feet for a proposed 7' x 9' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, 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.

OS-152.A



OS-152.A



OS-152-A

These pictures show the existing garage. The roof design of this garage is the same design of the new proposed garage/carport.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

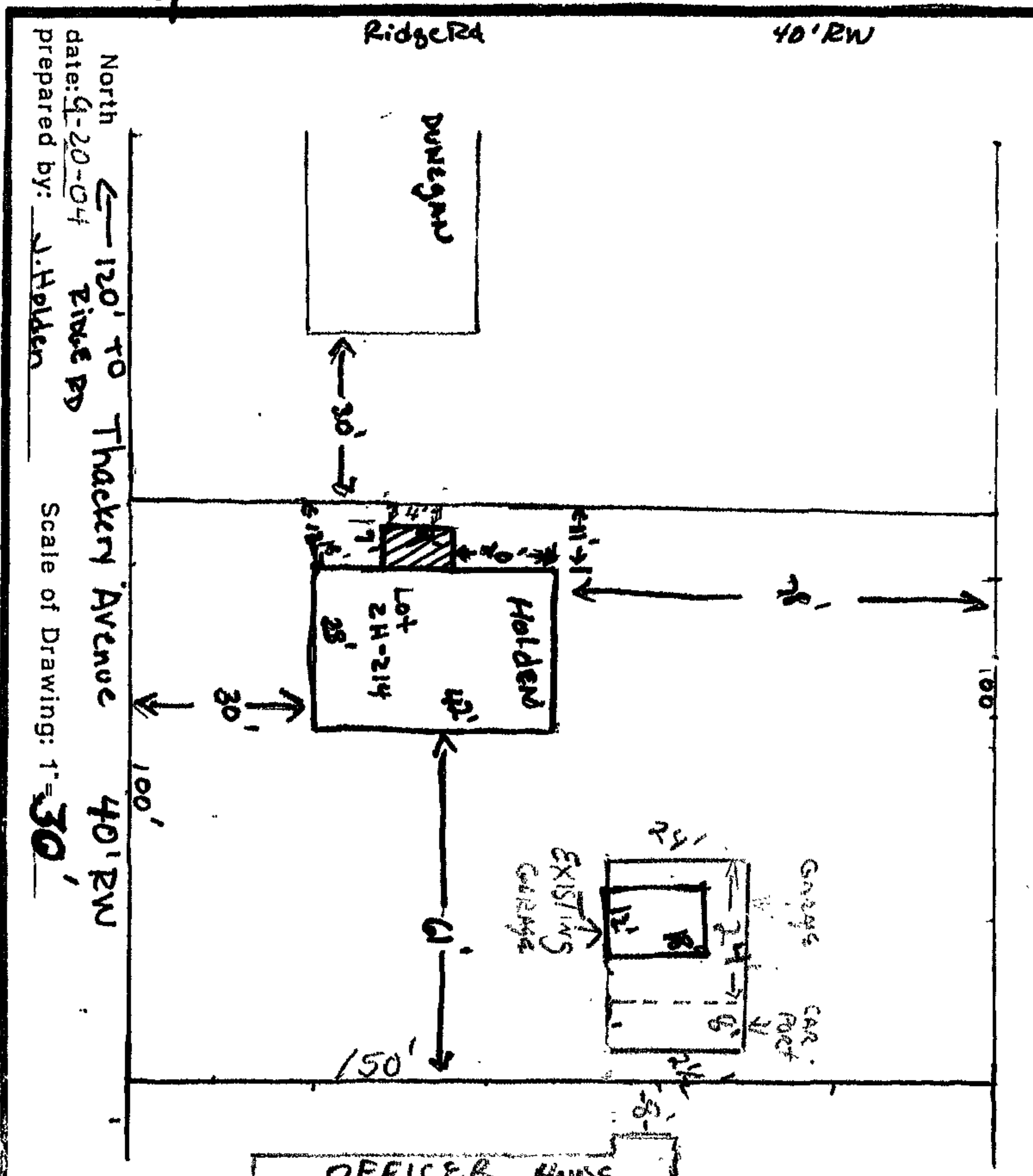
PROPERTY ADDRESS: 303 Thacker Avenue

see pages 5 & 6 of the CHECKLIST for additional required information

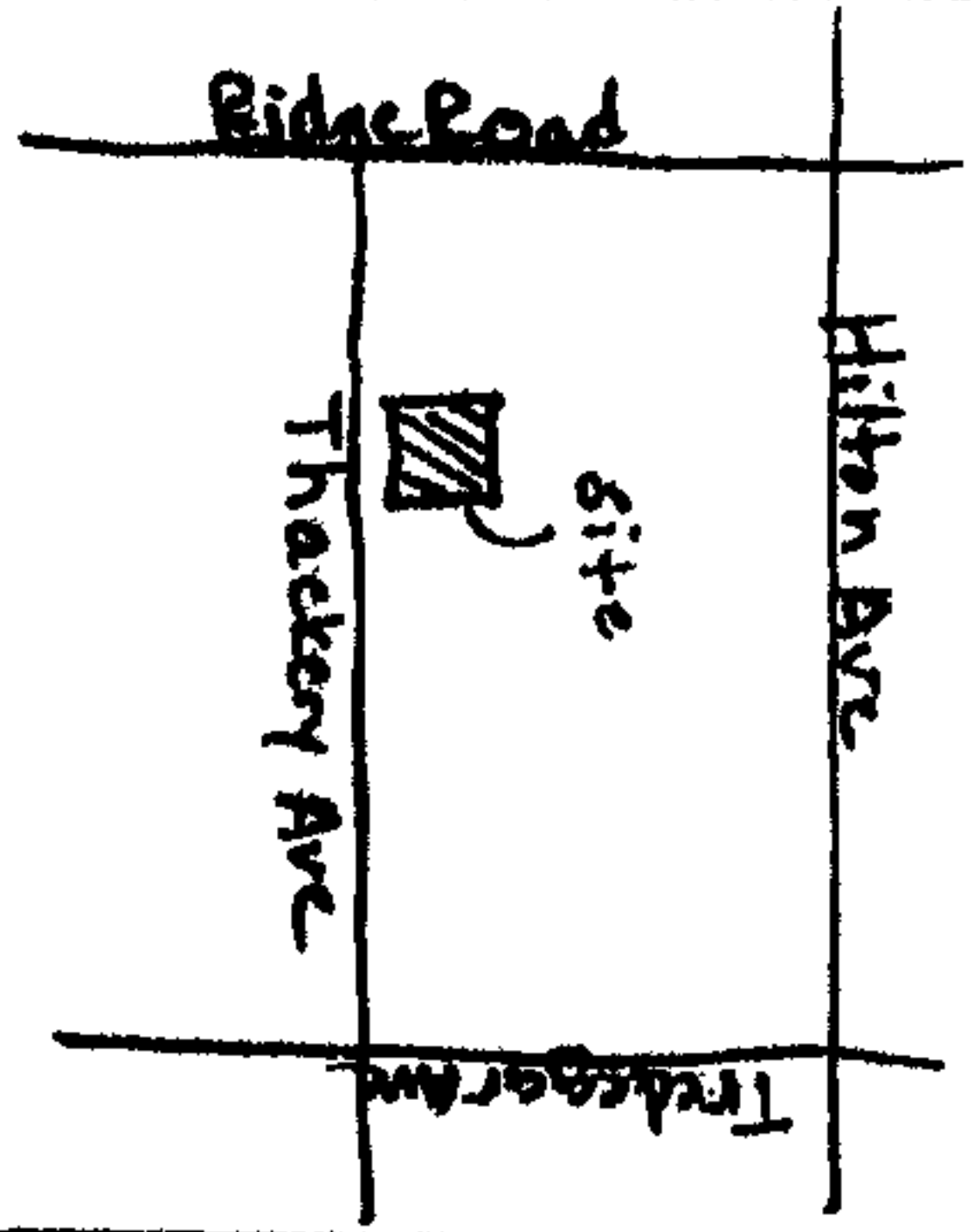
Subdivision name: Oak Forest Park

plat book # 5, folio # 90, lot # 214, section # 211

OWNER: Robert + Jeanne Holden



North ← 120' TO Thacker Avenue 40' RW
 date: 4-20-04 RIDGE RD
 prepared by: J. Holden
 Scale of Drawing: 1" = 30'



N
 North
 Vicinity Map
 scale: 1" = 1000'

LOCATION INFORMATION

Election District: 01
 Councilmanic District: 1

1" = 200' scale map #: SW 4-G

Zoning: DR-2

Lot size: .35 15,000
 acreage square feet

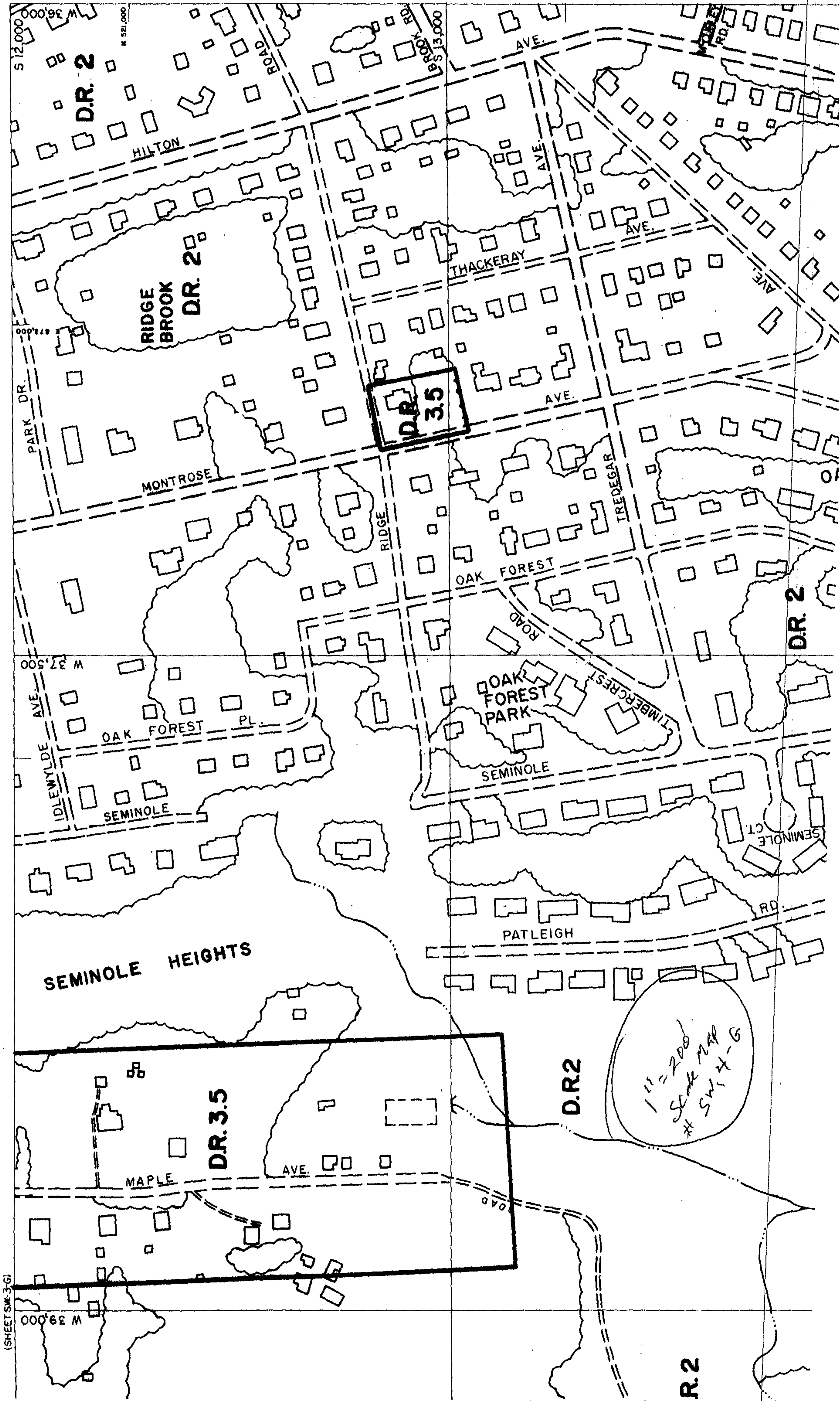
SEWER: ☒ public ☐ private
 WATER: ☒ yes ☐ no
 Chesapeake Bay Critical Area: ☐ yes ☒ no
 Prior Zoning Hearings: 99-50.9

Zoning Office USE ONLY!

reviewed by: 8009 ITEM #: 05-152-9 CASE#:

Handwritten signature/initials

05-152-0



11-200
SEAL MAP
SW 4-G