IN RE: PETITION FOR ADMIN. VARIANCE N/S of Black Rock Road, 500 ft. W centerline of Falls Road 5th Election District 3rd Councilmanic District **(2714 Black Rock Road)** Jean C. Hammond *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-175-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, Jean C. Hammond. The variance request is for property located at 2714 Black Rock Road in the northern area of Baltimore County. The variance request is from Sections 1A01.3 and 301.1A of the Baltimore County Zoning Regulations, to permit a side yard setback of 11 ft. for an addition (sunroom) and a side yard setback of 1 ft. for an open projection (carport) in lieu of the required 35 ft. and 26.25 ft. respectively. 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 October 17, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 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

ORDER RECEIVED FOR FILING
Date 11/9/04
By

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 9 day of November, 2004, that a variance from Sections 1A01.3 and 301.1A of the Baltimore County Zoning Regulations, to permit a side yard setback of 11 ft. for an addition (sunroom) and a side yard setback of 1 ft. for an open projection (carport) in lieu of the required 35 ft. and 26.25 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 Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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;

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

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 11/9/04
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

November 8, 2004

Ms. Jean C. Hammond
2714 Black Rock Road
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 05-175-A
Property: 2714 Black Rock Road

Dear Ms. Hammond:

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

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Printed on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2714 Black Rock Rd.
which is presently zoned R.C. 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)

1A01.3 and 301.1A to permit a side yard setback of 11 ft. for an addition (sunroom) and a side yard setback of 1 ft. for an open projection (carport) in lieu of the required 35 ft. and 26.25 ft. respectively.

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):

Mrs. Jean C Hammond
Name - Type or Print

Jean C Hammond
Signature

Name - Type or Print

Signature

2714 Black Rock Rd. 410-329-3171
Address Telephone No.

Reisterstown MD 21136
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 ____ 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.

Zoning Commissioner of Baltimore County

CASE NO. 05-175-A

Reviewed By BR **Date** 10/6/04

Estimated Posting Date 10/17/04

REV 10/25/01

ORDER RECEIVED FOR FILING
11/9/04

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.

That the Affiant(s) does/do presently reside at 2714 Black Rock Rd.
Address
Reisterstown MD 21136
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. Closeness to property line (have discussed with neighbor and she is supportive of project. - see attached letter)
2. Only practical place to add car port because of existing driveway.
3. Practical to add sun room to carport and kitchen because of existing septic system and slope of the land.

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.

Jean C Hammond
Signature

Signature

Jean C Hammond
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1 day of October, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JEAN C HAMMOND

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires 05-01-05

REV 10/25/01

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 2714 Black Rock Rd.
Address

Reisterstown MD 21136
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. Closeness to property line (have discussed with neighbor and she is supportive of project - see attached letter.)
2. Only practical place to add car port because of existing driveway.
3. Practical to add sun room to carport and kitchen because of existing septic system and slope of land.

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.

Jean C Hammond
Signature

Signature

Jean C Hammond
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1 day of October, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jean C Hammond

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires 05-01-05

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2714 Black Rock Rd.
which is presently zoned R.C. 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)

1A01.3 and 301.1A to permit a side yard setback of 11 ft. for an addition (sunroom) and a side yard setback of 1 ft. for an open projection (carport) in lieu of the required 35 ft. and 26.25 ft. respectively.

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):

Mrs. Jean C Hammond
Name - Type or Print

Jean C Hammond
Signature

Name - Type or Print

Signature

2714 Black Rock Rd. 410-329-3171
Address — Telephone No

Reisterstown MD 21136
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 ____ 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

Zoning Commissioner of Baltimore County

CASE NO. 05-175-A

Reviewed By BR **Date** 10/6/04

Estimated Posting Date 10/17/04

REV 10/25/01

BPR

PLANNING • SUBDIVISION AND SITE DESIGN • SURVEYING

150 AIRPORT DRIVE, UNIT #4 • WESTMINSTER, MD 21157 • (410) 876-0333 • (410) 857-9030

ZONING DESCRIPTION FOR :

2714 Black Rock Road, Reisterstown, Maryland 21136

Beginning at a point on the North side of Black Rock Road which right-of-way width varies at the distance of 500' West of the centerline of the nearest improved intersecting street Falls Road which right-of-way varies, as recorded in Deed Liber 13263, Folio 111, beginning:

N. 03 33' W. 130 ft., N. 42 40' W. 147 ft., S.45 56' W. 74.5 ft., N. 45 W. 197.3 ft., N. 39 E. 459 ft., S. 12 30' E. 132 ft., S. 31 43' E. 62.5 ft., S. 21 24' 30" E. 228.6 ft., S. 50 W. 156 ft., S. 42 25' E. 23.1 ft., S. 47 45' W. 19.0 ft., S. 03 33' E. 156.59 ft., S. 86 27' W. 32ft., to the place of beginning.

Also known as 2714 Black Rock Road and located in the Fifth (5th) Election District, Third (3rd) Councilmanic District.

BPR INC

#175

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 40315

DATE 10/6/09 ACCOUNT R 001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: [illegible]

FOR: [illegible]

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item #175

PAID RECEIPT
BUSINESS ACTUAL TIM
10/07/2009 10/06/2009 14:57:
ITEM NUMBER DATE ITEM TEXT
RECEIPT # 365448 10/06/2009
Dept 5 528 ZONING VERIFICAT
CR NO. 040315
Rcpt Tot $65.
$65.00 CK $0.
Baltimore County, Maryla

CASHIER'S VALIDATIO

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date October 18, 2004

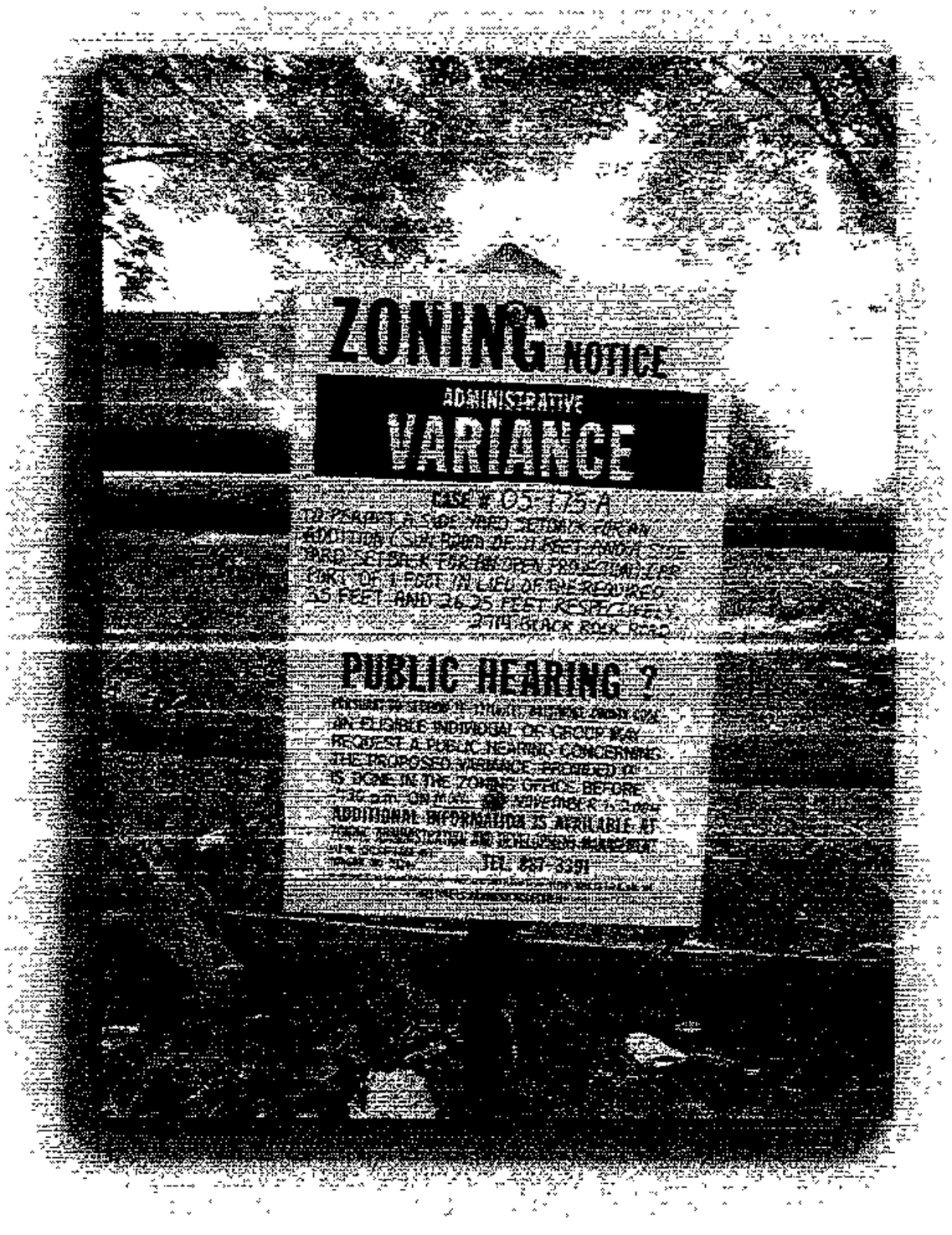
RE: Case Number 05-175-A

Petitioner/Developer JEAN HAMMOND

Date of Hearing/Closing November 1, 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 2714 BLACK ROCK ROAD

The sign(s) were posted on October 17, 2004



Linda O'Keefe
(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)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-175 -A Address 2714 Black Rock Rd.

Contact Person: Bruno Rudaitis
Planner, Please Print Your Name
Phone Number: 410-887-3391

Filing Date: 10/6/04 **Posting Date:** 10/17/04 **Closing Date:** 11/1/04

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 05-175 -A Address 2714 Black Rock Rd.

Petitioner's Name Mrs. Jean C. Hammond Telephone 410-329-3171

Posting Date: 10/17/04 **Closing Date:** 11/1/04

Wording for Sign: To Permit a side yard setback for an addition (sunroom) of 11 ft. and a side yard setback for an open projection (carport) of 1 ft. in lieu of the required 35 ft. and 26.25 ft. respectively.

WCR - Revised 6/25/04

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 05-175-A

Petitioner Jean C. Hammond

Address or Location 2714 Black Rock Rd.

PLEASE FORWARD ADVERTISING BILL TO

Name Mrs. Jean Hammond

Address 2714 Black Rock Rd.
Reisterstown, MD 21136

Telephone Number 410-329-3171

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

November 1, 2004

Mrs. Jean C. Hammond
2714 Black Rock Road
Reisterstown, Maryland 21136

Dear Mrs. Hammond:

RE: Case Number:05-175-A, 2714 Black Rock Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 6, 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,

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

October 19, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: October 18, 2004

Item No.: 170, 171, 173, 175, 176, 178, 180-182

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.

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
Department of Permits &
Development Management

DATE: November 3, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For October 25, 2004
Item Nos. 170, 171, 173, 175, 176,
178, 179, 180, 181, and 182

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

RWB:CEN:jrb

cc: File

ZAC-10-25-2004-NO COMMENT ITEMS-NOS 170-182-11032004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 27, 2004

RECEIVED

OCT 28 2004

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-175 - 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: Mark A Cunningham

Division Chief: Lyn Lanham

MAC/LL

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 11.9.04

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

RE: Baltimore County
Item No. 175 BPR

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

10/5/2004

To Whom. IT May Concern,

I reside at 2716 Black Rock Rd Reisterstown, Md. and share a property line with Jean Hammond at 2714. It is my understanding that she wishes to add a sunroom to her house. I support her desire to do so and have no objections what so ever.

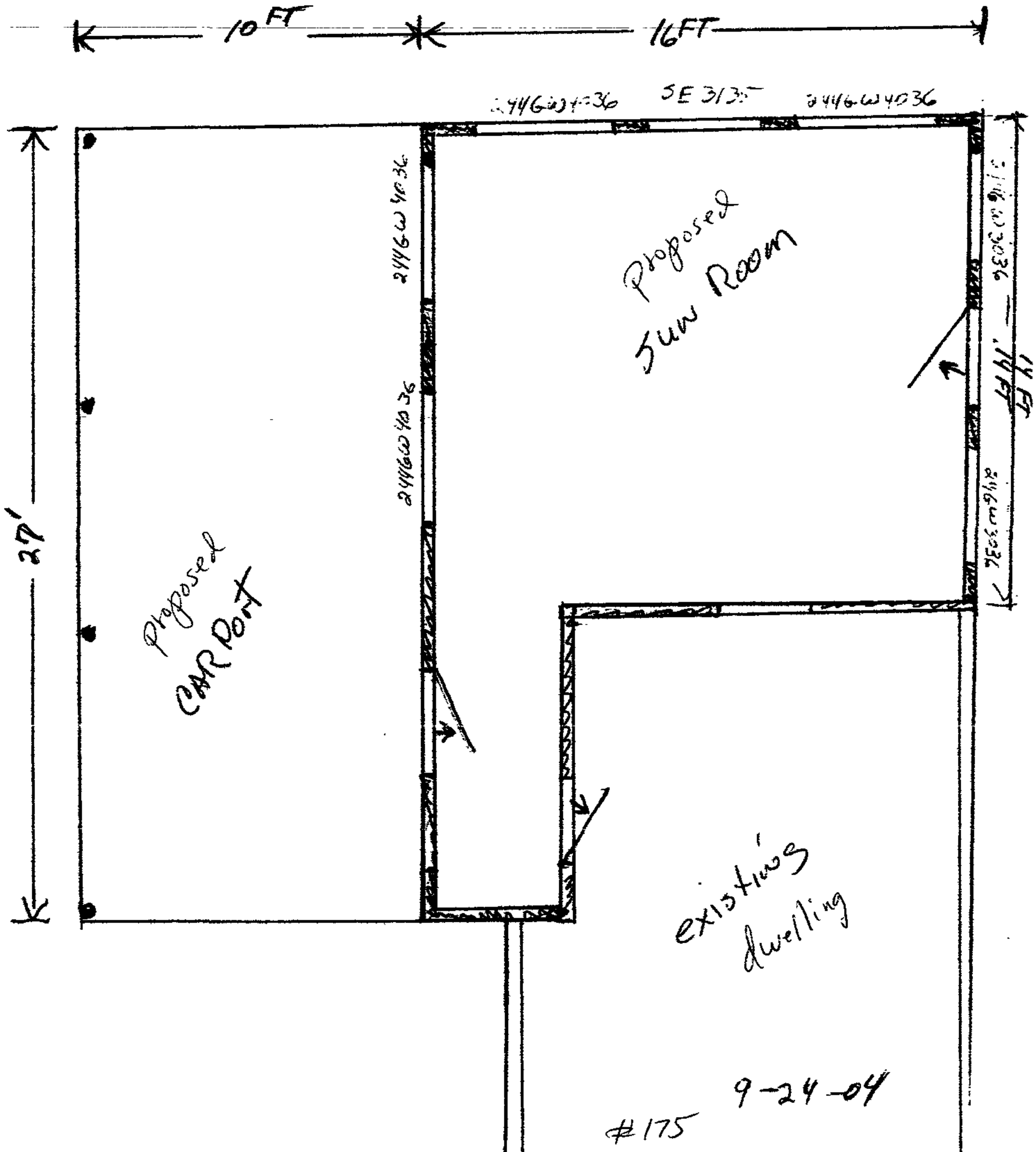
It is my hope that she be allowed to modify her existing house and understand that the structure might be close to my property line.

Sincerely,
Janet Carol Partel

Janet Partel

#175

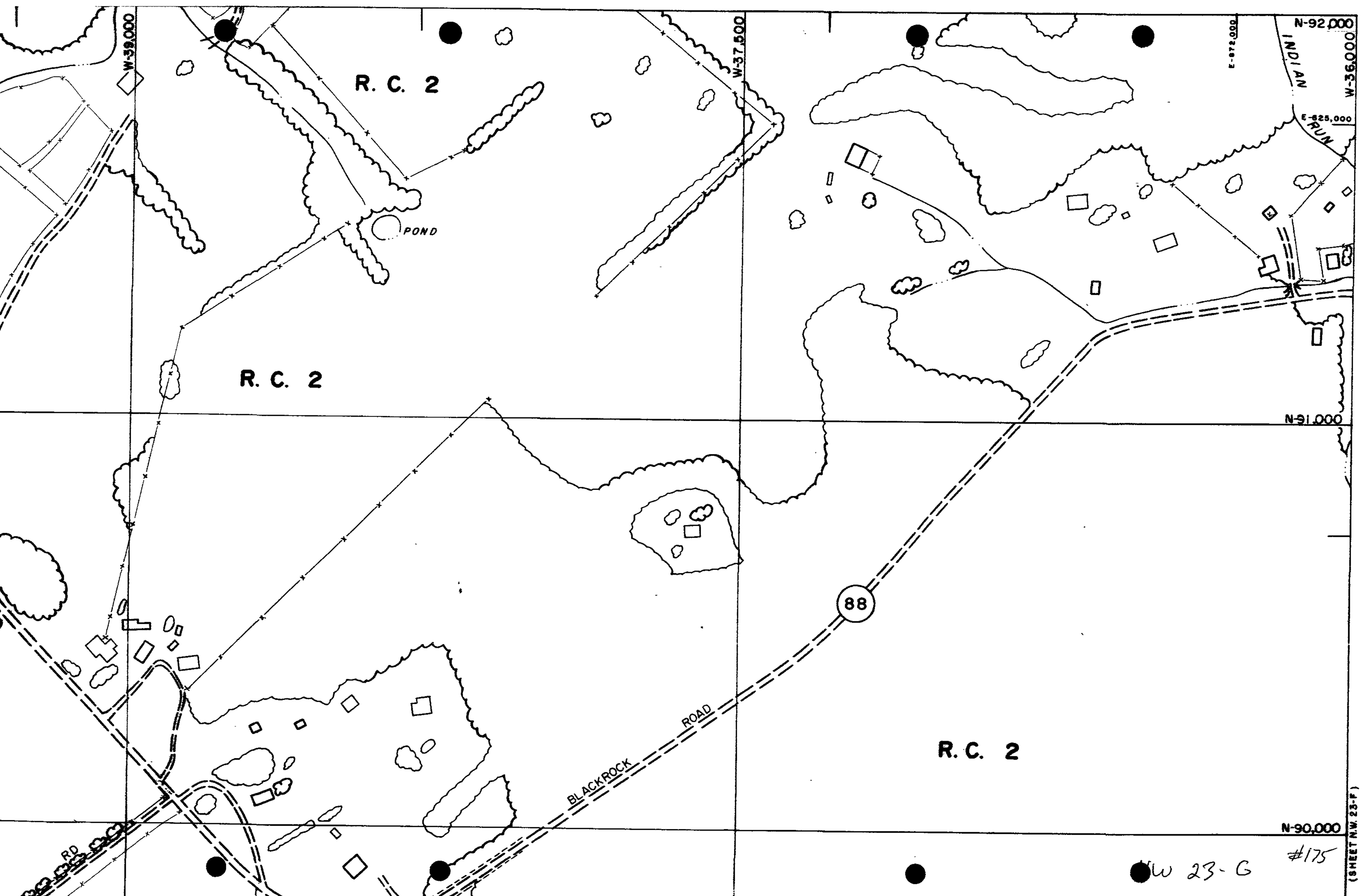
Jean Hammond Project



9-24-04

#175

#175

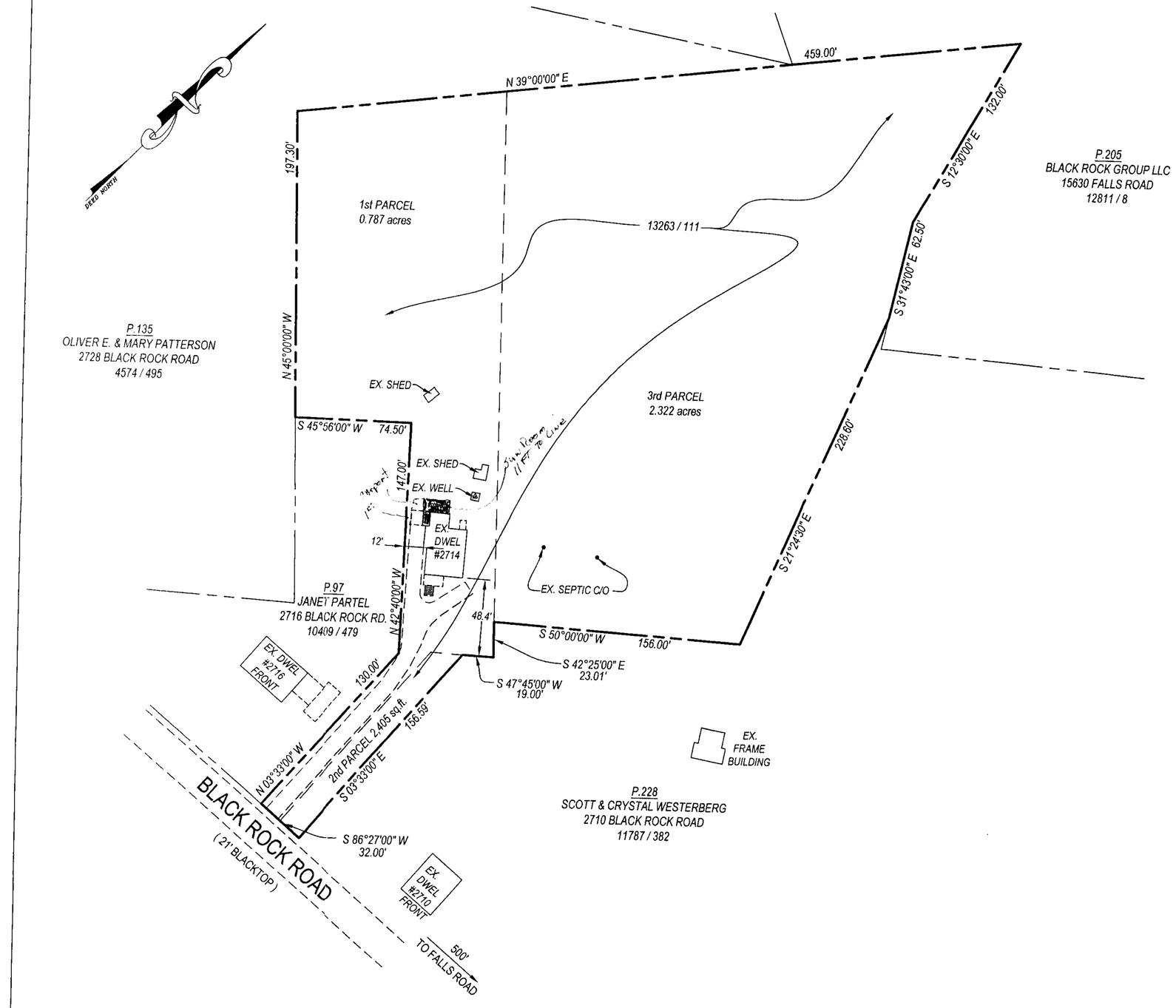

W-39,000
W-37,500
W-36,000
N-92,000
N-91,000
N-90,000
E-872,000
E-825,000
INDIAN RUN
R. C. 2
R. C. 2
R. C. 2
POND
88
BLACKROCK ROAD
RD
(SHEET N.W. 23-F)

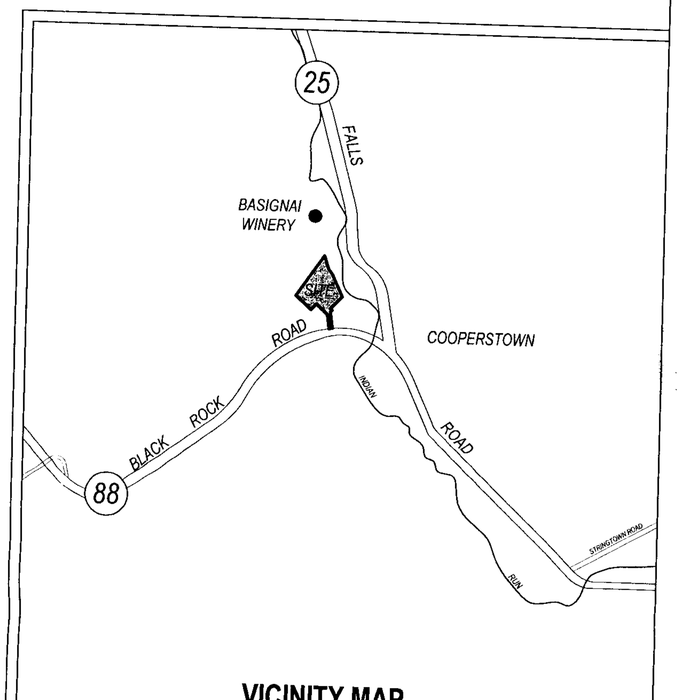
NW 23-G #175

PLAT TO ACCOMPANY PETITION FOR ZONING:

☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS: 2714 BLACK ROCK ROAD
DEED REFERENCE: 13263 / 111
OWNER: JEAN CAILLOUET HAMMOND





VICINITY MAP

SCALE: 1inch = 1000 feet

COPYRIGHT ADC THE MAP PEOPLE
PERMITTED USE No. 21096447

LOCATION INFORMATION

ELECTION DISTRICT: 5th

COUNCILMANIC DISTRICT: 3rd

ZONING: RC2 200 scale Zoning map: N.W. 23G

LOT SIZE: 3.164 ACREAGE — 137,824 SQUARE FEET

	PUBLIC	PRIVATE
SEWER:	☐	☑
WATER:	☐	☑

Septic!

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☑
100 Yr. FLOOD PLAIN	☐	☑
HISTORIC PROPERTY / BUILDING	☐	☑
PRIOR ZONING HEARING	NONE	

ZONING OFFICE USE ONLY

REVIEWED BY: ITEM No. CASE No.

PREPARED BY: BPR INC
SURVEYORS - LAND PLANNERS
150 Airport Drive, Suite 4
Westminster, Maryland 21157
Phone: (410)-857-9030

SCALE OF DRAWING:
SCALE: 1" = 50'
DATE: October 4, 2004