

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Chapel Hill Drive, 180 ft. +/- E
centerline of Burnfield Road
14th Election District
7th Councilmanic District
(1515 Chapel Hill Drive)

Barbara Marchison
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-201-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, Barbara Marchison. The variance request is for property located at 1515 Chapel Hill Drive Road in the eastern area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a rear yard setback of 19 ft. in lieu of the required 30 ft. 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 31, 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
11/19/04
Raj

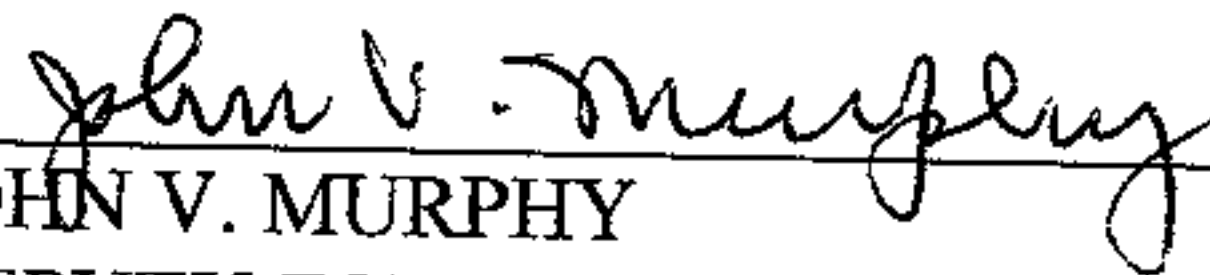
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 19 day of November, 2004, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a rear yard setback of 19 ft. in lieu of the required 30 ft., 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
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

RECEIVED FOR PLANNING
DATE 11/19/04
BY [Signature]

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 19, 2004

Ms. Barbara Marchison
1515 Chapel Hill Drive
Baltimore, Maryland 21237

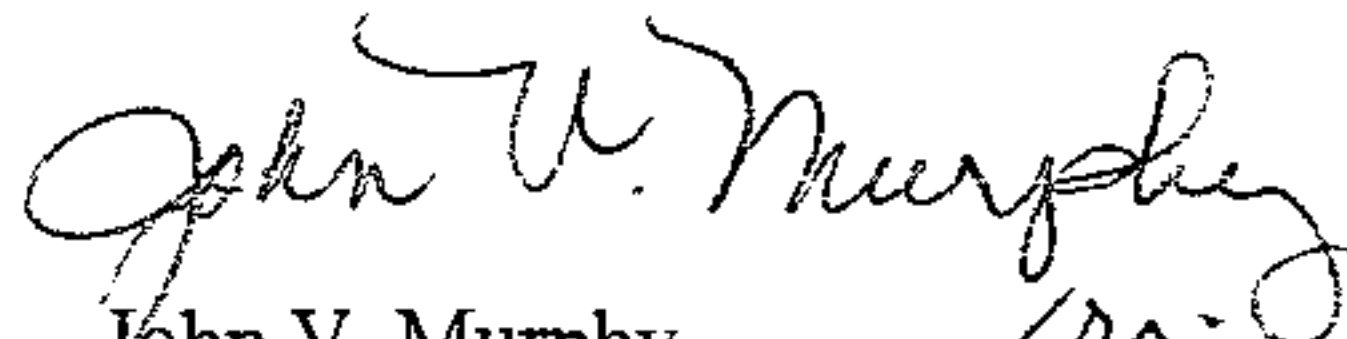
Re: Petition for Administrative Variance
Case No. 05-201-A
Property: 1515 Chapel Hill Drive

Dear Ms. Marchison:

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1515 Chapel Hill Drive
which is presently zoned 21237

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) 1 B02.3.C1 BC2R

To permit an existing single family dwelling with
addition to have a rear yard setback of 19' in
lieu of the required 30'.

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

If a public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 05-201-A

Reviewed By ETAT

Date

10/18/04

Estimated Posting Date

10/31/04

RECEIVED 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 1515 Chapel Hill Drive
Address
Balto., md. 21237
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):

My son, ISAAC Murchison, lives with me AND is confined to wheelchair. He CAN NOT use steps AND is confined at home most of the time. A family room with accessible bathroom would provide space for him. He would not have to be confined to bedroom only.

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.

Barbara Murchison
Signature

Signature

Barbara Murchison
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of September, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

MARTHA D. MCNISH
STATE OF MARYLAND
NOTARY PUBLIC
COMMISSION EXPIRES
8/9/2008

Martha D. McNish
Notary Public

My Commission Expires 8/9/2008

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Address
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City State Zip Code

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Barbara Murchison
Signature

Signature

Barbara Murchison
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

AS WITNESS my hand and Notarial Seal

MARTHA D. MCNISH
STATE OF MARYLAND
NOTARY PUBLIC
COMMISSION EXPIRES

Martha D. McNish
Notary Public

8/9/2008

My Commission Expires 8/9/2008



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1515 Chapel Hill Drive
which is presently zoned 21237

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) 1 Boz. 3. C. 1 Bc2R

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A REAR YARD SETBACK
OF 19' IN LIEU OF THE REQUIRED 30'.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No

City

State

Zip Code

Representative to be Contacted:

Name

Address

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. 05-201-A

Reviewed By CTM

Date

10/18/04

REV 10/25/01

Estimated Posting Date

10/31/04

ZONING DESCRIPTION FOR 1515 Chapel Hill Drive
(address)

Beginning at a point on the NORTH side of
(north, south, east or west)

Chapel Hill Drive which is 600' WIDE
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 180 EAST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street BURNFIELD RD
(name of street)

which is 60 wide. *Being Lot # 16
(number of feet of right-of-way width)

Block C, Section # 2 in the subdivision of Greenview
(name of subdivision)

as recorded in Baltimore County Plat Book # GLB #24, Folio # 101

containing 7800 Also known as 1515 Chapel Hill Drive
(square feet or acres) (property address)

and located in the 14 Election District, 7 Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 41442

DATE 10/18/04 ACCOUNT 120010066150

AMOUNT \$ 65.00

RECEIVED FROM: PARBALA WALLISON

FOR: 05-201-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE TIME
10/19/2004 10/19/2004 14:50:48
REP: 15011 WALKIN JRIC JNK
EXCELLEPT # 20778 10/18/2004 0411
Dept. 5 520 ZORING VERIFICATION
CR NO. 001002

Receipt Tot
\$1.00 EX
\$10.00 IN
\$5.00 CG

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-201-A

Petitioner/Developer: BARBARA

J. MURCHISON

Date of Hearing/Closing: 11/15/04

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:

1515 CHAPEL HILL DRIVE

The sign(s) were posted on

10/31/04

(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

11/1/04
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

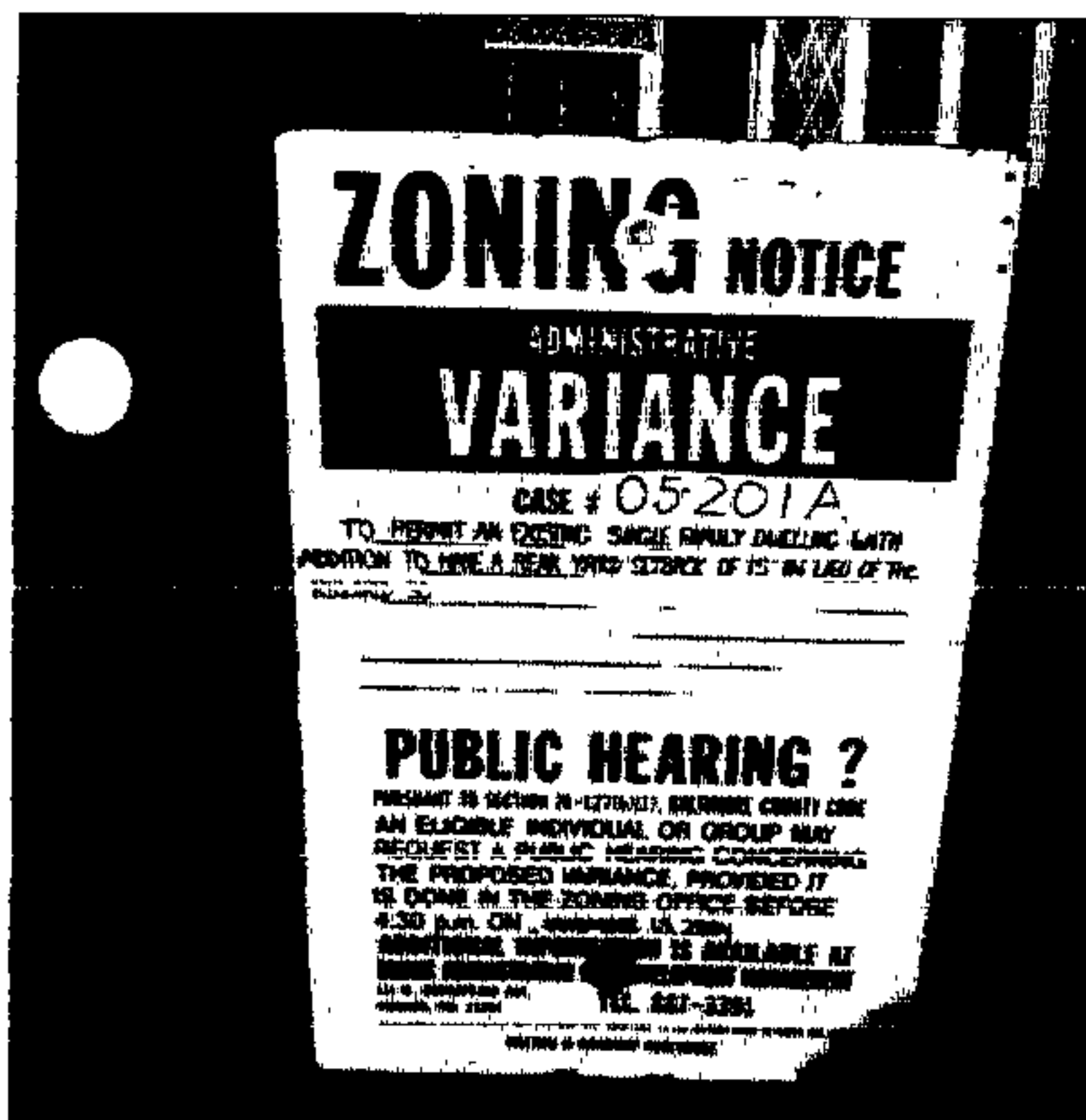
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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/neighborhood 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 05-201-A
Petitioner: Barbara Murchison
Address or Location: 1515 Chapel Hill Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Murchison
Address: 1515 Chapel Hill Drive
Baltimore, Md. 21237

Telephone Number: 410-391-4909

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 201 -A

Address 1515 CHAPEL HILL DR

Contact Person: LYDD T. MOXLEY

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10/18/04

Posting Date: 10/31/04

Closing Date: 11/15/04

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- 201 -A

Address 1515 CHAPEL HILL DR

Petitioner's Name BARBARA MARCHISON

Telephone 410 391 4909

Posting Date: 10/31/04

Closing Date: 11/15/04

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A REAR YARD SETBACK OF 19'
IN LIEU OF THE REQUIRED 30'.

I HAVE RECEIVED POSTING INFO

**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 15, 2004

Ms. Barbara Marchison
1515 Chapel Hill Drive
Baltimore, Maryland 21237

Dear Ms. Marchison:

RE: Case Number: 05-201-A, 1515 Chapel Hill Drive

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

Very truly yours,

A handwritten signature in black ink, reading "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

November 3, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 1, 2004

Item No.: 196-204, 206 (206)

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



Printed on Recycled Paper

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



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

Maryland Department of Transportation

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. 201 LTM

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech. 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

*Granted
11/19/04*

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. *JDO*
DEPRM

DATE: November 29, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of November 1, 2004.

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

05-197
05-200
05-201
05-202
05-203
05-204
05-206

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 10, 2004

RECEIVED

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

NOV 15 2004

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-201 – 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 4, 2004

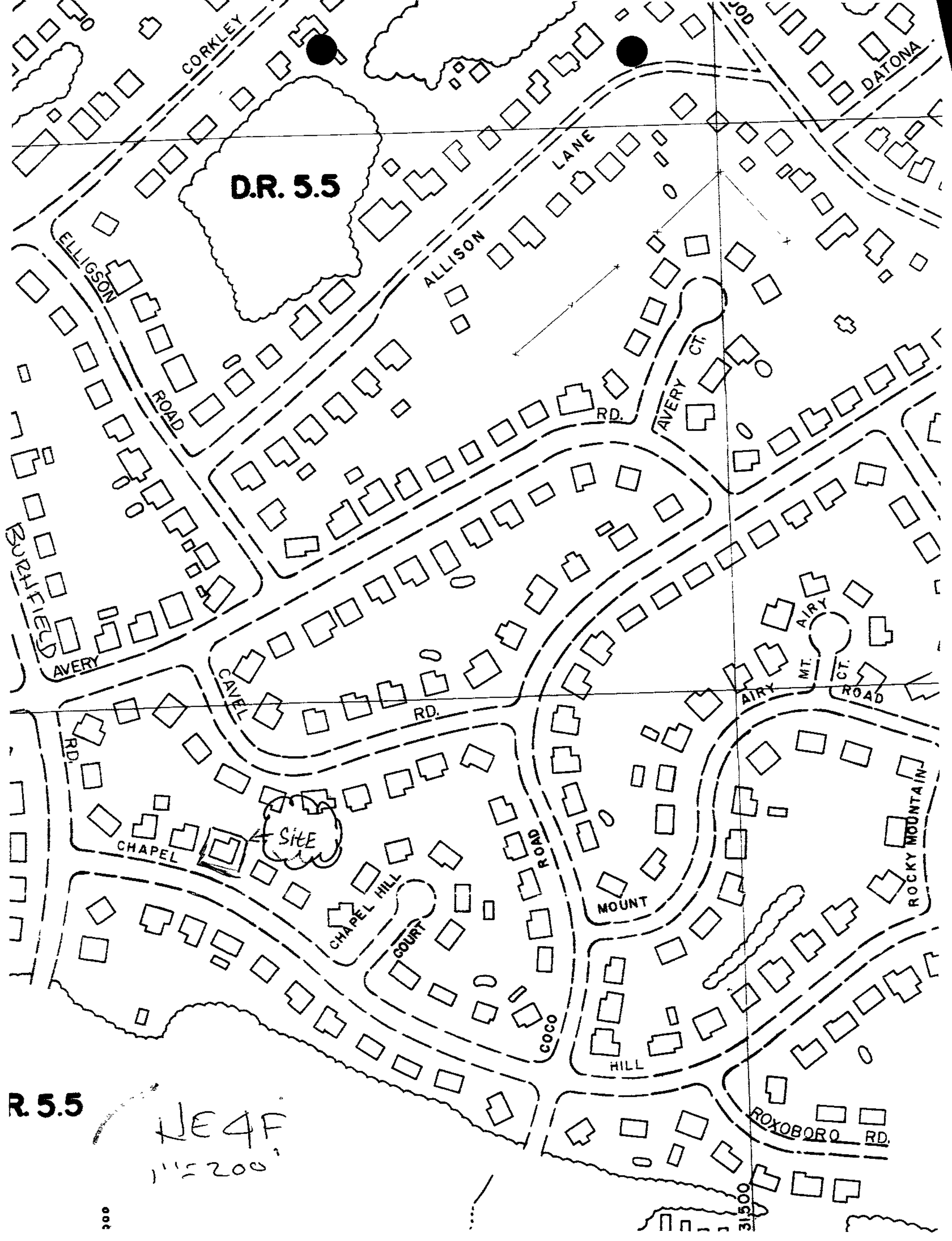
FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For November 8, 2004
Item Nos. 197, 198, 200, (201), 202,
and 203

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

RWB:CEN:jrb

cc: File



D.R. 5.5

SITE

R 5.5

NE 4F
115200

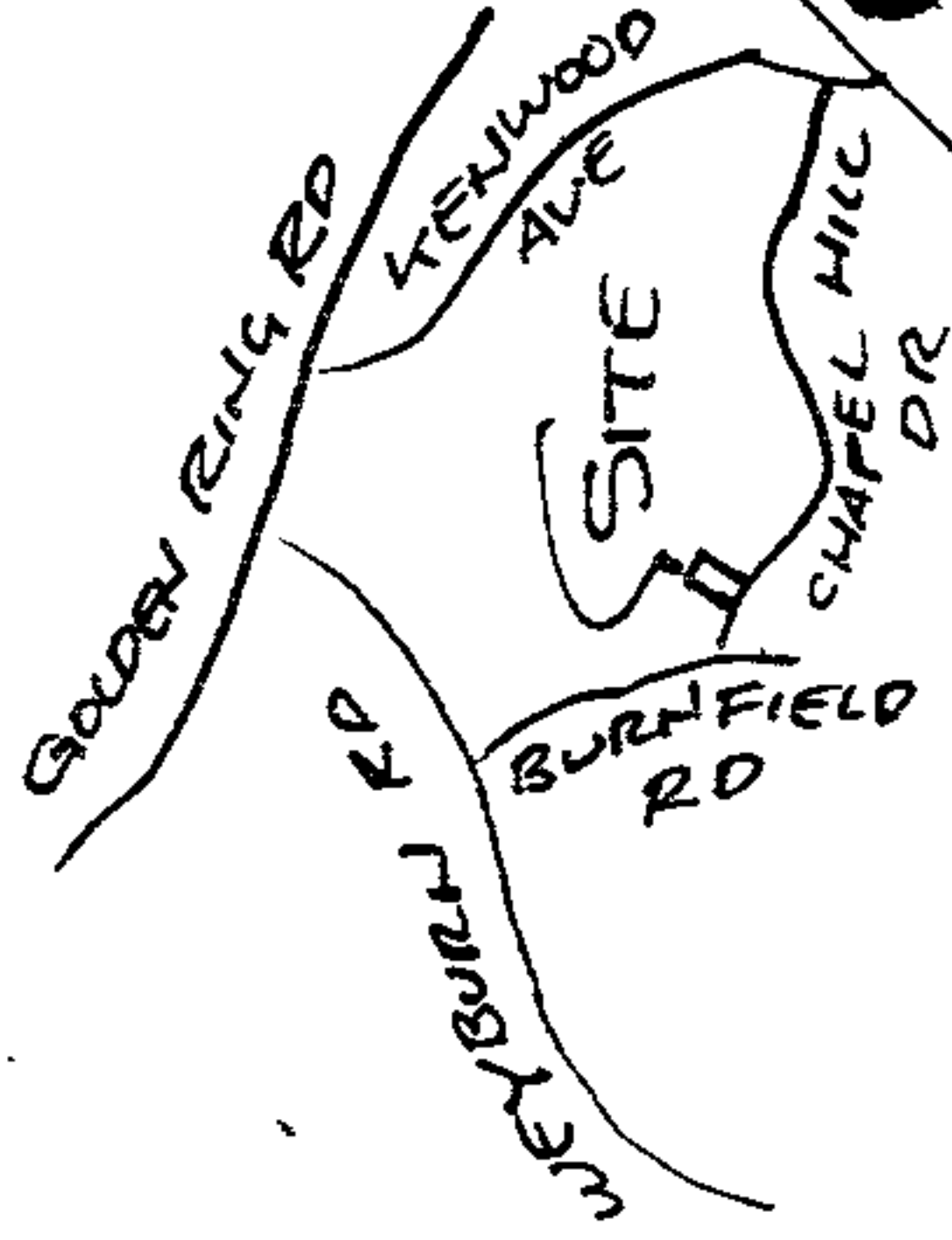
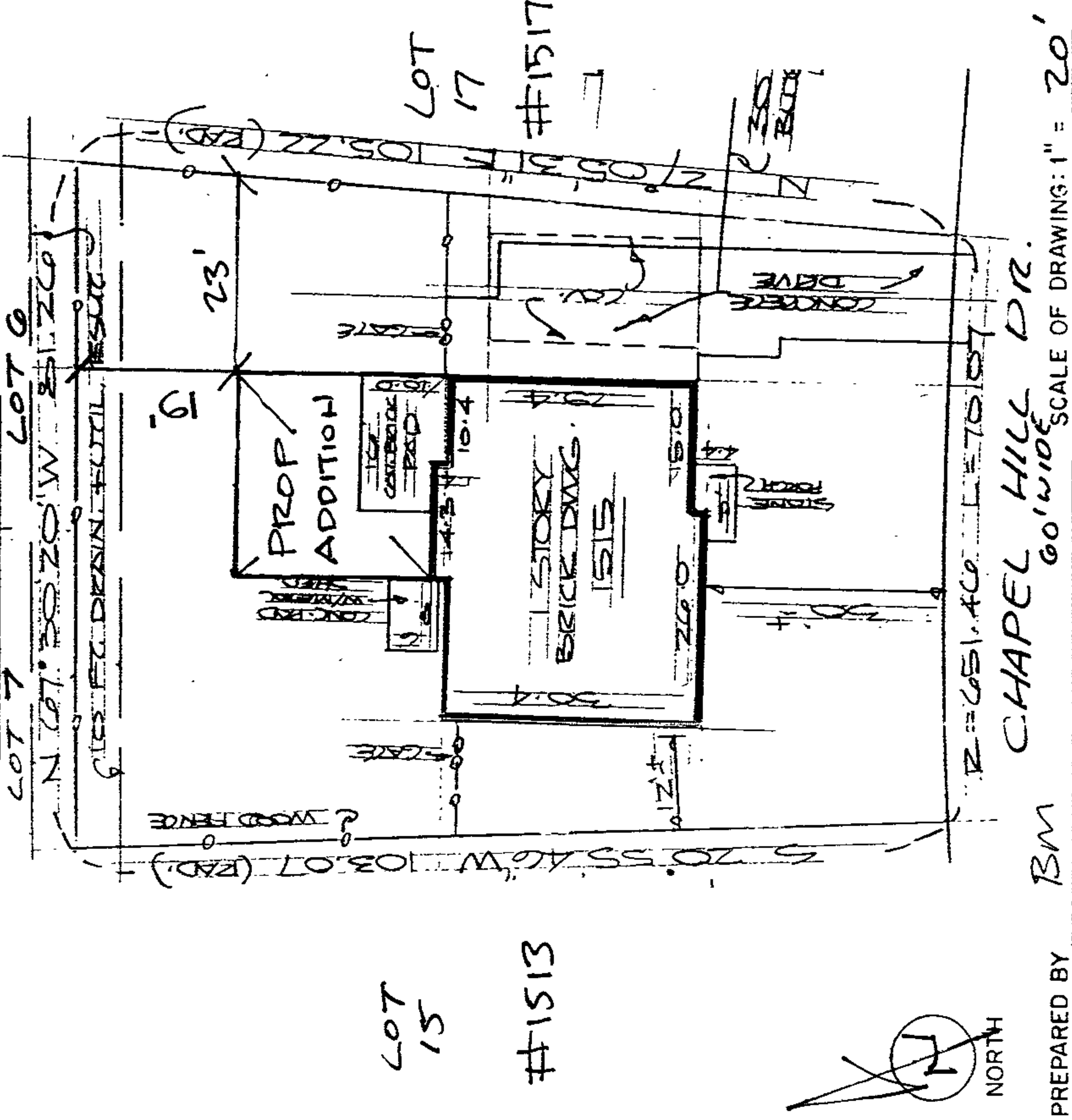
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1515 Chapel Hill Dr. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Greenview

PLAT BOOK # 24 FOLIO # 101 LOT # 16 SECTION # 2

OWNER Barbara Murchison



LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # NE 4F

ZONING DR 5.5

LOT SIZE 7800 SQUARE FEET

ACREAGE 7800 SQUARE FEET

SEWER ☒ PUBLIC ☒ PRIVATE ☐

WATER ☒

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☐ NO ☒

100 YEAR FLOOD PLAIN ☐ YES ☐ NO ☒

HISTORIC PROPERTY / BUILDING ☐ YES ☐ NO ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY CTM ITEM # 201 CASE #

Ret Up #1



side view of proposed
site
201



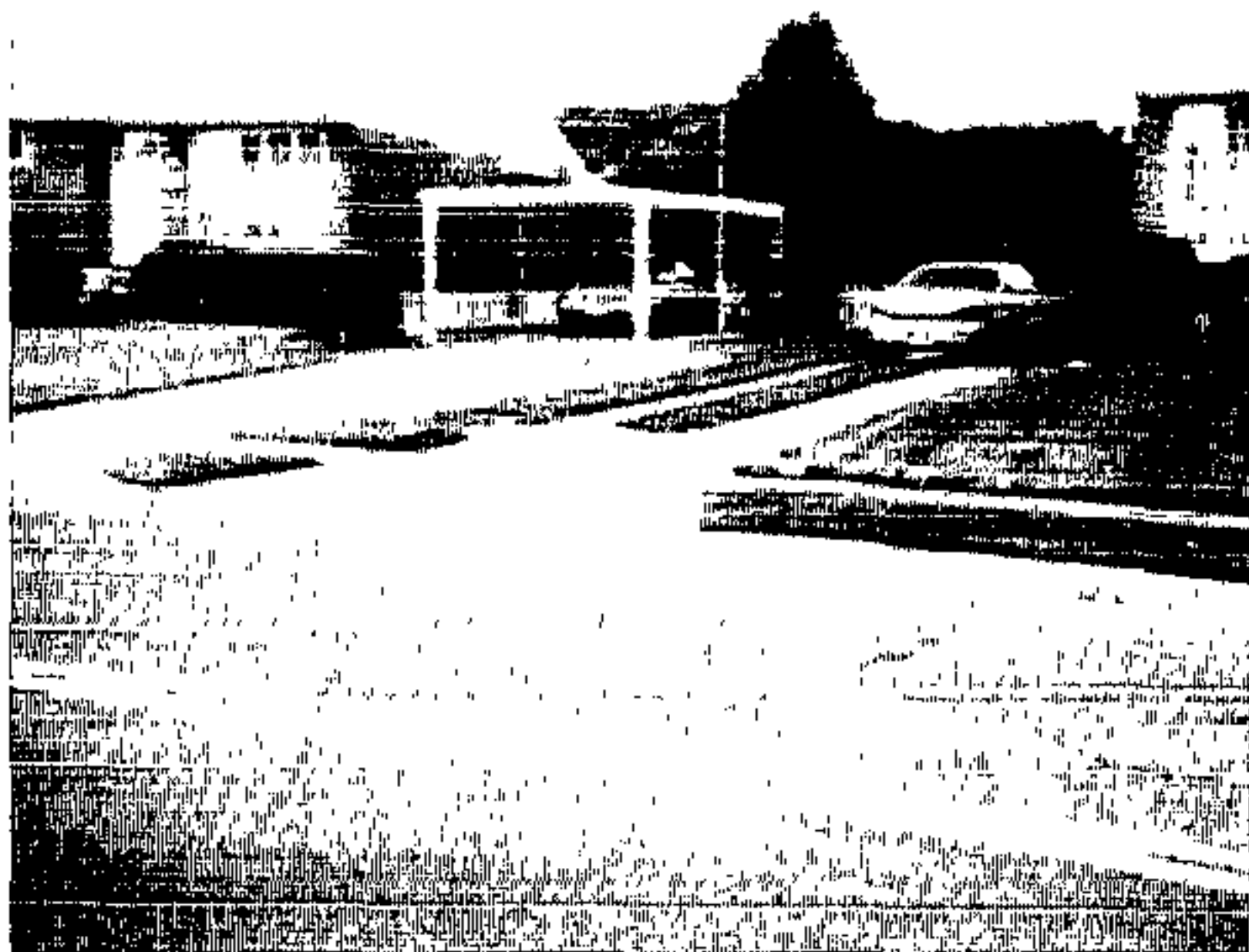
1517 CHAPLE HILL DRIVE

201



1515 CHAPLE HILL DRIVE

201



1513 CHAPLE HILL DRIVE

201



Proposed site @ Awwing
extending to black pole.

201



1517 CHAPLE HILL DRIVE

201



Side view of proposed
site

201



1513 CHAPLE HILL DRIVE

201