ADER RECEIVED FOR PLINE

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Chapel Ridge Road, 1,760 ft. S
centerline of Mays Chapel Road
8th Election District
2nd Councilmanic District
(723 Chapel Ridge Road)

June R. & William E. Regan Petitioners

1, the plat to accompany the Petition for Variance.

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 05-294-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, June R. and William E. Regan. The variance request is for property located at 723 Chapel Ridge Road in the Timonium area of Baltimore County. The variance request is from Section 1A04.3.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 47.5 ft. in lieu of the required 50 ft. for a new addition and from Section 400.1 of the B.C.Z.R., to permit an accessory structure (shed) be located in the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 18, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

WENTERSTON ON FILLINGS

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, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this \_\_\_\_(\_\_ day of January, 2005, that a variance from Section 1A04.3.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 47.5 ft. in lieu of the required 50 ft. for a new addition and from Section 400.1 of the B.C.Z.R., to permit an accessory structure (shed) be located in the side yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning said property to its original condition;

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

JOHIVV. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

### Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



### Baltimore County

James T. Smith, Jr., County Executive William J. Wiseman III, Zoning Commissioner

January 11, 2005

Mr. & Mrs. William E. Regan, Jr. 723 Chapel Ridge Road Timonium, Maryland 21093

Re: Petition for Administrative Variance Case No. 05-294-A Property: 723 Chapel Ridge Road

Dear Mr. & Mrs. Regan:

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	723 CHAPEL	RIDGERI	1093
	presently zoned		·

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

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)

see attached

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): REGAW JR WILLIAM Name - Type or Print Name - Type or Print Signature Signature REGAN JUNC Address Telephone No. Name - Type or Print City State Zip Code Signature CHAPEL RIDGE RO. 410-252-0231 Attorney For Petitioner: Address Telephone No. TIMONIUM Name - Type or Print State Zip Code Representative to be Contacted: Signature REGAN JR WILLIAME Company 723 CHAPEL RIDGE RD.4/D-252-0231

Telephone No. Address Telephone No. IMONIUM City State Zip Code 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, 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

Reviewed By

Estimated Posting Date \_

05-294-A

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

723 CHAPEL	RIDGE	RD	
Address	ms.		21093
City	State .	<del></del>	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):

The house @723 was originally located too deep in the lot. The house exceeds all setback requirements from all boundaries. From the 50 ft. front setback the house setback varies from 66 to 85 feet. Because of the large (70 ft) trees and the steep slope of the lot in the rear:

- (A) It is requested to locate a 8 by 14 shed on the side parallel to the existing parking pad and garage at a level spot to provide access. Although on the side this is still set back approx. 85 feet from the street.
- (B) It is also requested to expand the newly constructed room addition 2.5 feet beyond the 50 foot rear setback to a distance of 47.5 feet rear setback distance. The rear property line borders the golf course. It would be difficult to expand in other directions without substantially disturbing the large tree root systems, one of which fell on the house several years ago causing substantial damage.

advertising fee and may be required to provide additional information. Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and

J' day of I HEREBY CERTIFY, this\_ of Maryland, in and for the County aforesaid, personally appeared before me, a Notary Public of the State

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

AS WITNESS my hand and Notarial Seal

MARY LOUISE KELLOGG

Notary Public, State of Maryland **Baltimore County** 

My Commission Expires: Aug. 9, 2005.

Notary Rublic

My Commission Expires

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

Notary Public, State of Maryland

Baltimore County

My Commission Expires: Aug. 9, 2005

REV 10/25/01

723 CHAPEL	RIDGE	RD.
Address	1	
TIMONIUM	MD.	21093
City	State	Zip Code

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That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	a formal demand is filed, Affiant(s) will be required to pay a reposting and de additional information.
Skineture Skineture	Signature Lagran
WILLIAM E: REGAN,	TR. TUNE R. REGAN  Name - Type or Print
STATE OF MARYLAND, COUNTY OF BAL	
of Maryland, in and for the County aforesaid, the Affiant(s) herein, personally known or said.	Dn
AS WITNESS my hand and Notarial Seal	istaciony identified to the ag such Amani(s).
MARY LOUISE KELLOGG	Attackellen



CASE NO.

REV 10/25/01

## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at	723 CHAPEL	RIDGERD-210	280
which is	presently zoned	RC5	

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)

see attached

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; <u>Legal Owner(s):</u> E. REGAW WILLIAM Name - Type or Print Name - Type or Print Signature Address Telephone No. Name - Type or Print City State Zip Code Signature CHAPEL RIDGE RO. 410-252-0231 Attorney For Petitioner: Address Telephone No. TIMONIUM 21093 Name - Type or Print State Zip Code Representative to be Contacted: Signature WILLIAM E, REGAN JR Company 723 CHAPEL RIDGE RD. 410-252-0231 Address Telephone No. Address IMONIUM City State Zp Code Zip Code State 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. · 1975年 · 1978年 李明縣 · 1986年 徐

Reviewed By

Estimated Posting Date

1A04.3.B.4 to permit a rear yard setback of 47.5 ft. in lieu of the required 50 ft. for a new addition, and Section 400.1 to permit an accessory structure (shed) be located in the side yard in lieu of the required rear yard.

### **ZONING DESCRIPTION**

Zoning Description For 723 Chapel Ridge Road

Beginning at a point on the South side of Chapel Ridge Road, which is 50 feet wide at a distance of 1,760 feet south of Mays Chapel Road which is 60 feet wide. Being Lot #13, in the subdivision known as Chapel Ridge as recorded in Baltimore County Plat Book #29, Folio# 77, containing .92 acres. Also known as 723 Chapel Ridge Road and located in the 8<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

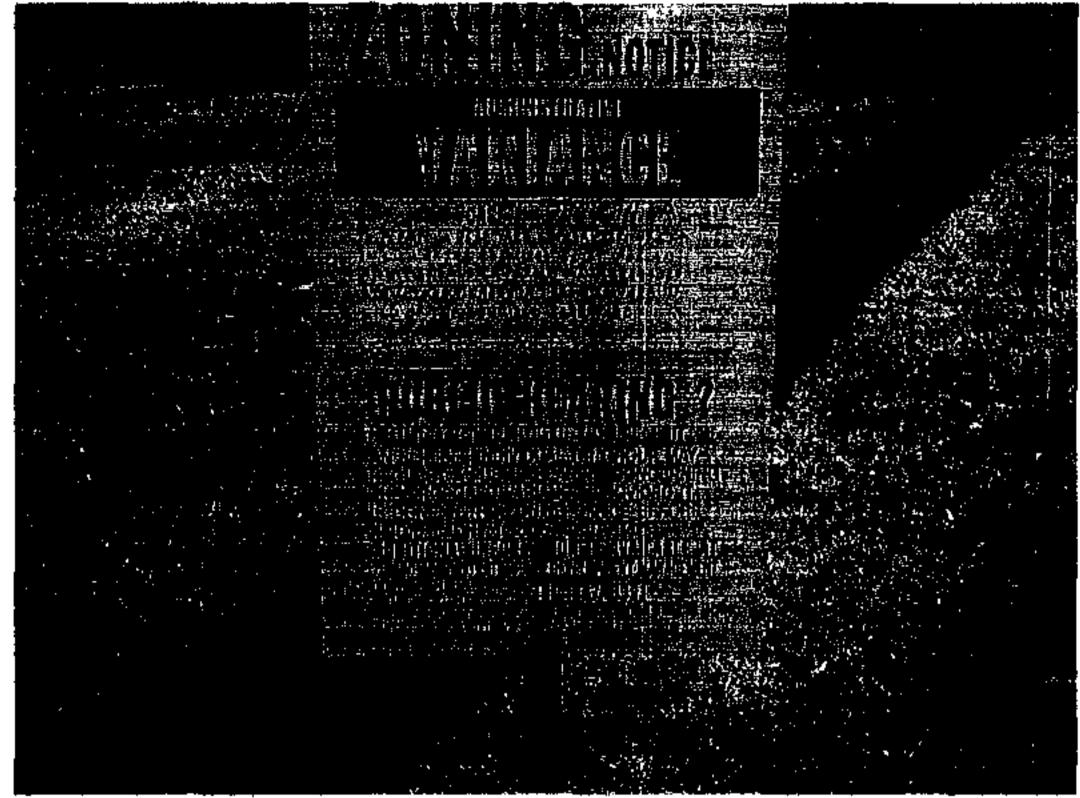
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### Certificate Of Posting

RE: Case NO.: 05-294-A

	Petitioner/Developer:
	BILL KEGAN
	Date of Hearing/Closing: 1/3/05
Baltimore County Department Permits and Development Mar County Office Building, Roon 11 West Chesapeake Avenue Towson, MD 21204	nagement n 111
Attention:	
Ladies and Gentlemen:	
ign(s) required by law were p	he penalties of perjury that the necessary posted conspicuously on the property CHILL RIDGE RD
This sign(s) were posted on	December 18, 2004.
	(Month, Day, Year)
	Sincerely,
	Martin Col. 12/18/04
	(Signature of Sign Poster and Date
	MAKTIN OGLE
	(Printed Name)
	5014 CASTLESTONE Dr.
	(Address)
	BACTO. NO 21237
	(City, State, ZipCode) 412-933-9470
	410-933-9490
	(Telephone Number)

im000134 (1152x864x256 jpeg)



Martin Odle 12/18/04

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONĮNG 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 <u>05-294-A</u>
Petitioner. WILLIAM E. BEGAN, TR / JUNE R. REGAN
Address or Location: 723 CHAPEL RIDGE RD. TIMONIUM, MD. 21093
PLEASE FORWARD ADVERTISING BILL TO
Name. WILLIAM E. REGAN JR
Address 723 CHAPEL RIDGE RD.
TIMONIUM, MD. 2109 3
· · · · · · · · · · · · · · · · · · ·
Telephone Number: 410 - 252 - 023)

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-	294	-A	Address	723	hapel Rid	se Ro	l.
Contact Person:	Bryno Planner, F	Rudai Please Print Your Na	me :		none Number:		7-339
	12/9/04		g Date:/2	<del>- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1</del>	Closing Da	te: _/_	<u> ره/3</u>
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DEADLINE: a formal request for a part of the contract of the c	The closing da lest for a pub public hearing,	ate is the dead plic hearing. the process	dline for an oc Please unde is not complete	cupant or or stand that e on the clo	wner within 1 even if there sing date.	,000 feet e is no f	to file formal
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(shed) in the	I. for an	addition,	and to	permit a	the accordance	dr	1.
			77	repaire	or rear	are,	<del></del>

# 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

January 3, 2005

William E. Regan June R. Regan 723 Chapel Ridge Road Timonium, Maryland 21093

Dear Mr. and Mrs. Regan:

RE: Case Number: 05-294-A, 723 Chapel Ridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 9, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

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

Very truly yours,

u. Callibal)

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

December 23, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of Recember 20, 2004

Item No.:

252, 291-296, 298-300, 302-304

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



#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

**DATE:** January 21, 2005

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 27, 2004

Item Nos. 291, 293, 294, 296, 297, 299,

300, 301, 302, and 304

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

TO:	Tim Kotroco PDM
FROM:	John D. Oltman, Jr Jpo
DATE:	January 19, 2005
SUBJECT:	Zoning Item # 05-294 Address 723 Chapel Ridge Road
Zoning	g Advisory Committee Meeting of December 20, 2004.
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
<del></del>	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
<del>, -, </del>	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
<u>Additio</u>	onal Comments:
The protection the septic reservant	oposed addition must be a minimum of 20-feet from the septic system and rve area.

Date: December 29, 2004

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

Reviewer:

Sue Farrinetti

## 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

**SUBJECT:** 

Zoning Advisory Petition(s): Gase(s)-5-280 and 5-294

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

**Division Chief:** 

MAC/LL

RECEIVED

DATE: December 30, 2004

JAN 1 0 2005

ZONING COMMISSIONER



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

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

Maryland Department of Transportation

Date: 12.21.04

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

RE:

**Baltimore County** 

Item No. 294

BPR

Dear. Ms. Matthews:

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

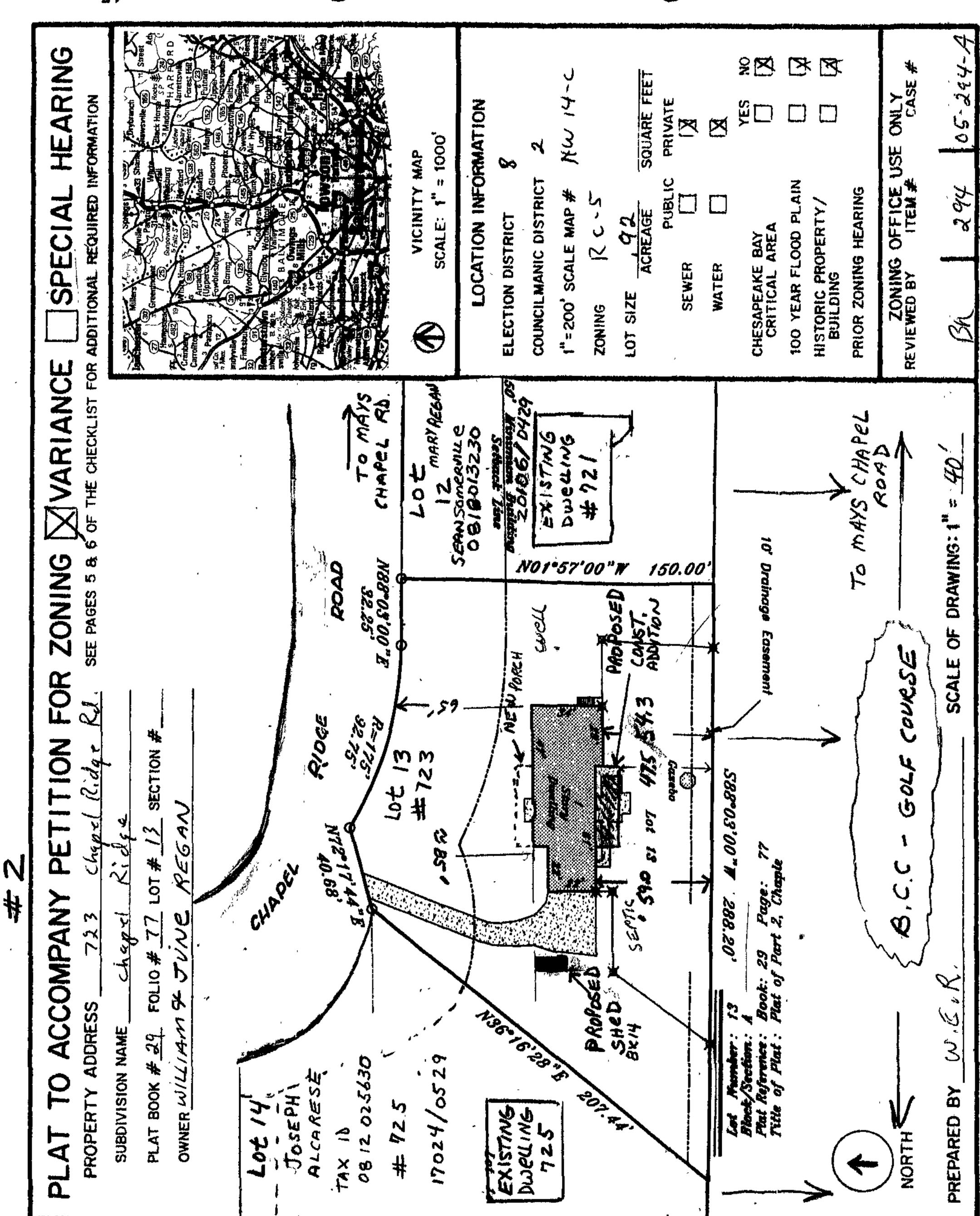
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

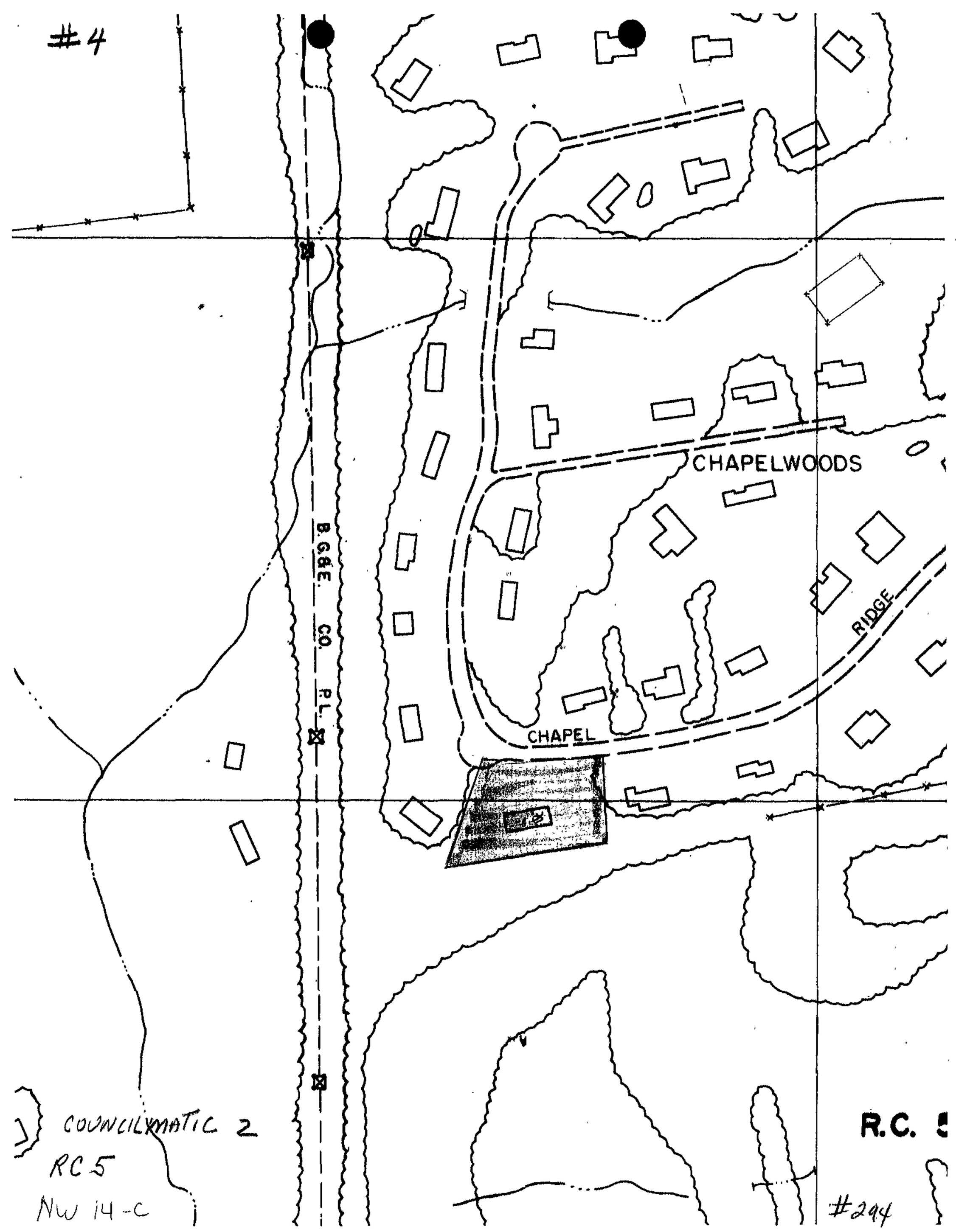
Very truly yours,

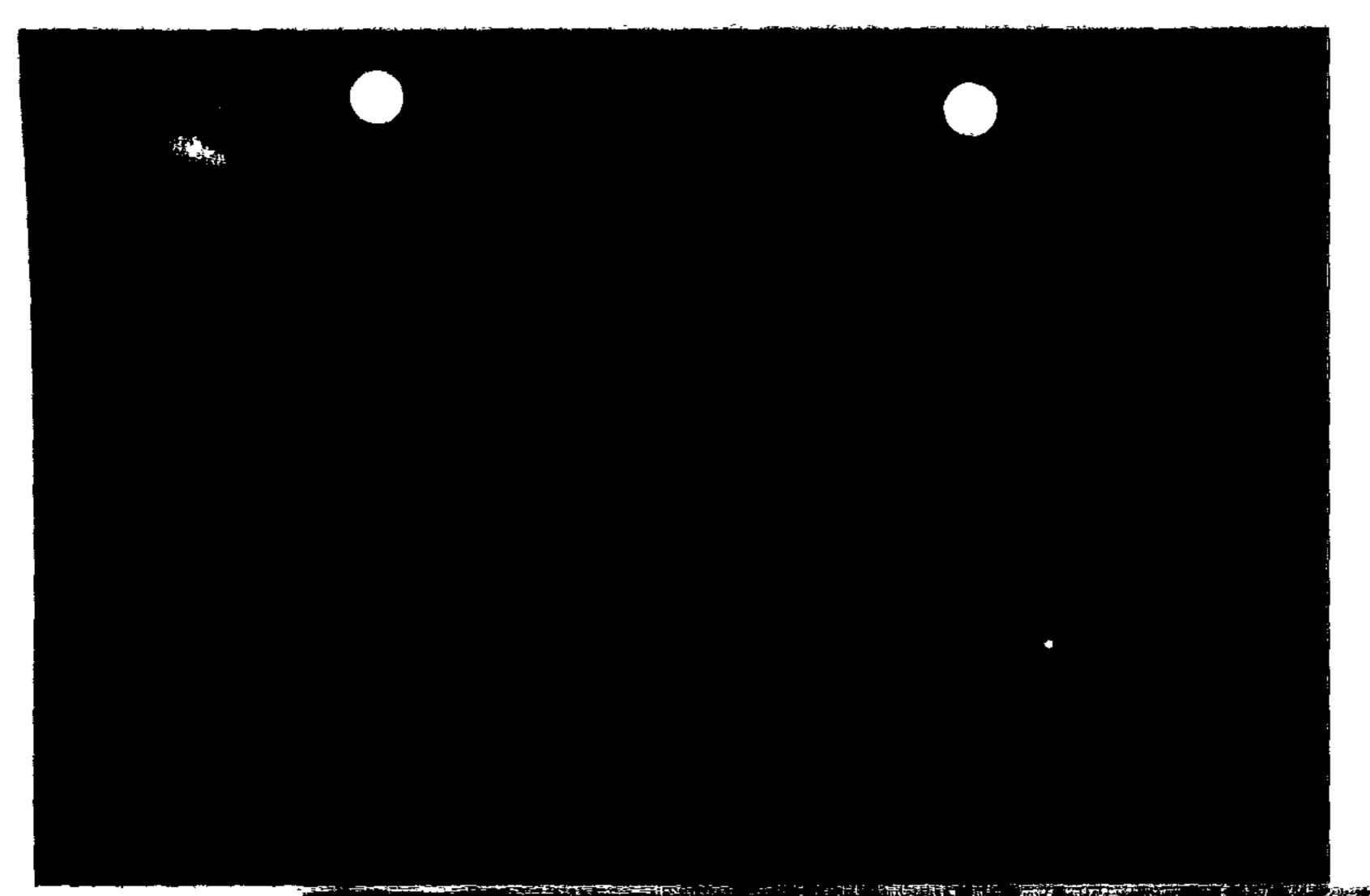
Steven D. Foster, Chief

1. 1. Hoedh

Engineering Access Permits Division









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159 160 157 158 AVE. OAK 49 42 49.62 49.62 49.62 1-24 125 126 EVLRGREEN N67+03 E 100- 107 108 109 110 111 112 113 ilos [14] (15] 116 [117] 1118 119 120 124 4 84 85 84 87 88 89 90 91 BAYSIDE 13.5 33 34 35 de de de de la 101 102 103 104 ROAD 120 BACK N 59°74 € PLATOF EVERGREEN PARK BALTIMORE COUNTY MARYLAND

DALTIMORE, MO