IN RE: PETITION FOR ADMIN. VARIANCE

Centerline of Green Glade Road, 180 ft. +/- W

Centerline of Green Glade Court

10th Election District

3rd Councilmanic District

(4010 Green Glade Road)

Beverly Ann Daniels

Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-313-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, Beverly Ann Daniels. The variance request is for property located at 4010 Green Glade Road in the Phoenix area of Baltimore County. The variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition (attached garage) with a side yard setback of 30 ft. and a rear yard setback of 27 ft. in lieu of the minimum required 50 ft. each. 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 December 30, 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

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 <u>\$0</u> day of January, 2005, that a variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition (attached garage) with a side yard setback of 30 ft. and a rear yard setback of 27 ft. in lieu of the minimum required 50 ft. each, 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

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UNIT | 190/05

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## Zoning Commissioner

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





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

20 January 19, 2005

Robert Porter, Esquire Hopes, Ulman, Pessin & Katz 901 Dulaney Valley Road Towson, Maryland 21204

Re: Petition for Administrative Variance Case No. 05-313-A

Property: 4010 Green Glade Road

Dear Mr. Porter:

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

John V. murphy

JVM:raj Enclosure

c: Beverly Ann Daniels 4010 Green Glade Road Phoenix, MD 21131

> Guy Ward McKee & Associates, Inc. 5 Shawan Road, Suite 1 Cockeysville, MD 21030



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



City

REV 9/15/98



## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4010 GREEN GLADE POND which is presently zoned 205

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) [APY 3. B. 2. b To perm, t a proposed attached (garage) addition with as de yard setbery as the rean yard setback of 27 Min lieu of the min month reputited to the fact.

Yard Setback of 27 Min lieu of the min month reputited to the cach.

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.

> iWe 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: Legal Owner(s):

State

				DEVEN	DY ANN	<b>LANIE</b>	٠ <del>٠</del>	•	
Name - Type or Print		-	Name - T	ype or Print	self(l)	u S	well		
Signature	• •		_	Signature		- · · · · · · · · · · · · · · · · · · ·	<del></del>		
Address		Telephone No.	<b></b>	Name - Type	or Print		<u>.</u>		···
City	State	Zip Code	_	Signature	<del></del>				
Attorney For Petitioner:				4010	GREEN	GLADE	Roso	40592	918
712037707 7 07 7 0222				Address		·		Telephone	
ROBERT POLITER				PHOEN	iix M	D ZII	<b>3</b>		
Name - Type or Print			City			State		Zip Code	
			<b></b> -	Represei	ntative to	be Cont	acted:		
Signature	٤.,			QUEC	when				
Hodes, Ulman, Pessin	2. KATZ		_	WCKFE	thesac,	NC			
Company	_		-	Name	•		. —	_	
901 DULANES VALL	ROAD PO	410 938-8	800	5 SHAW	an Read	, 501	TE	410 527	
Address		Telephone No.	_	Address		_		Telephone	No.
Touson MD Z	1204		_	Cockers	sville	Mo	21030	·	

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

Zip Code

CASE NO. 05-313-A

Estimated Posting Date

City

Zoning Commissioner of Baltimore County

State

Zip Code

Affida Vit 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

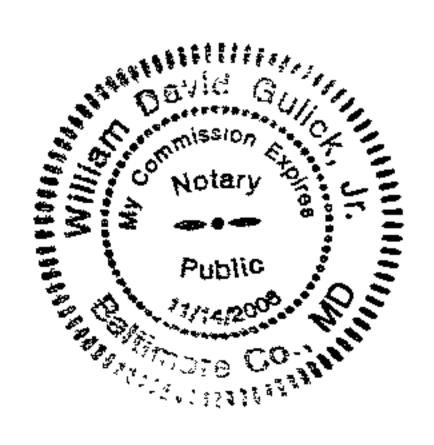
That the Affiant(s) does/do presently reside at	4010 Green Glade Road Address
	Phoenix, MD 21131 City State Zip Code
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide	rmal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
Signature	Dener yalun Daniels Signature
	Beverly Ann Daniels
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIN	<b>VIORE,</b> to wit:
I HEREBY CERTIFY, this 2151 day of 55	CEMBER, 2004, before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, pe	
Beverly Ann Dani	<u>els</u>
the Affiant(s) herein, personally known or satisfa	actorily identified to me as such Affiant(s), and made oath in due form of
law that the matters and facts hereinabove set f	orth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

DEC. 21, 2004

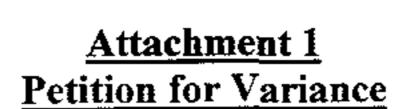
Date

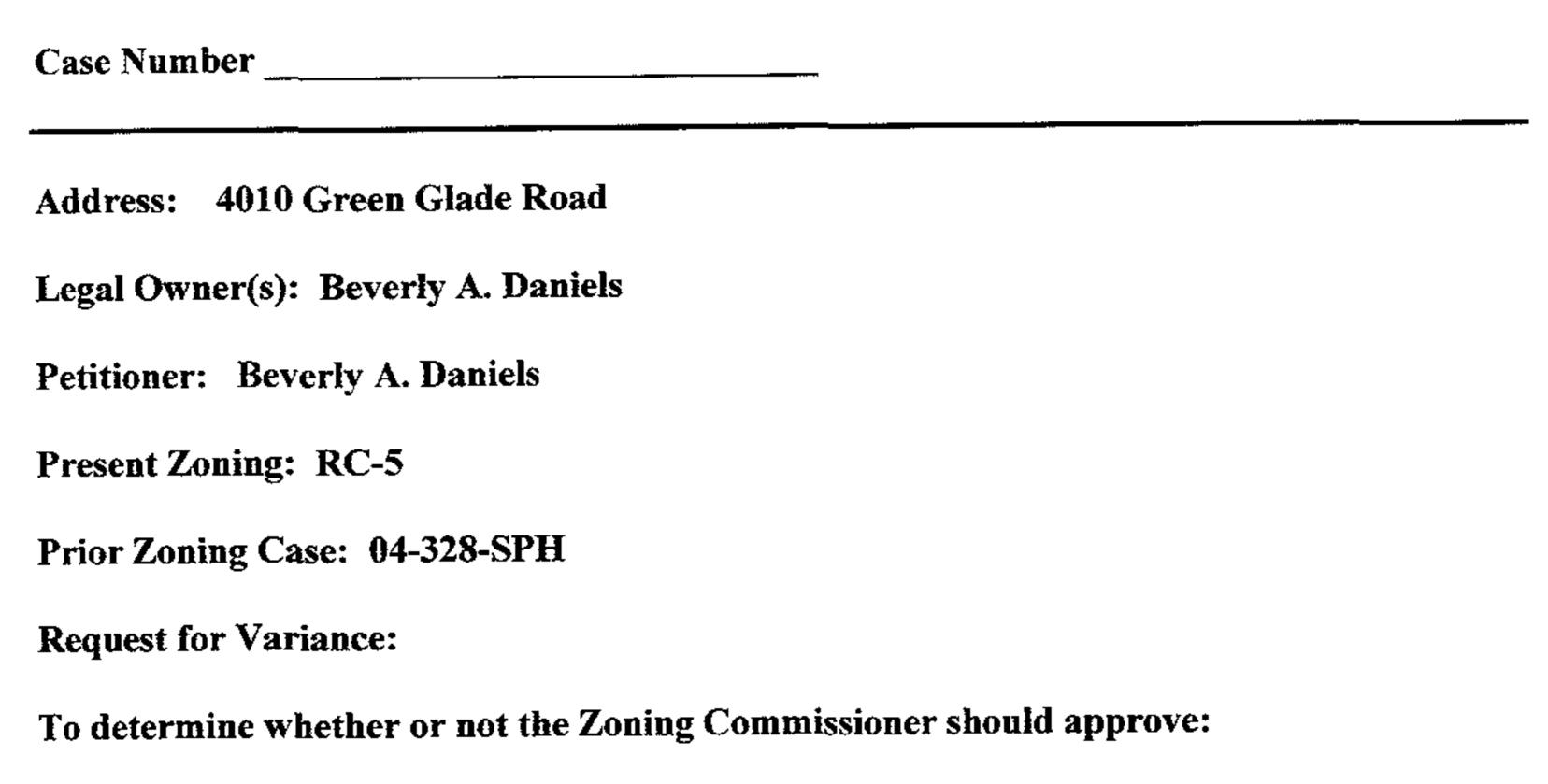
REV 9/18/98



My Commission Expires

Nov. 14;





A variance to Section 1A04.3B (2) (b) to permit a rear and side building setbacks of 30 feet, 31 feet and 27 feet for a proposed attached garage addition to the existing dwelling, in lieu of the required 50 foot minimum building setback.

### Reason for Request

Due to the unique characteristics of the subject property, the proposed addition must be placed in the proposed location. In the proposed location, any proposed addition will encroach into the side and rear yard setbacks. Without the requested relief, the Petitioner will suffer practical difficulty and undue hardship.

FOR ADDITIONAL INFORMATION ON THIS PETITION PLEASE CONTACT:

Guy C. Ward, R.S., Associate

## McKee & Associates, Inc

Engineering, Surveying, Land Planning, Real Estate Development Shawan Place, 5 Shawan Road, Suite 1, Hunt Valley, MD 21030 Tel: (410) 527-1555 Fax: (410) 527 1563 E-Mail: mckee@qis.net



Beginning at a point located in or near the Center of Green Glade Road which is 20 feet wide, +/-, at a distance of 180 feet, +/- West of the centerline of the nearest improved intersecting street, Green Glade Court, which is 50 feet wide, +/- as recorded in deed liber 20594 folio 400 and thence running for the eleven courses and distances as follow:

- 1. South 72 degrees 13 minutes 00 seconds West 74.89 feet,
- 2. South 65 degrees 46 minutes 00 seconds West 155.45 feet,
- 3. North 21 degrees 48 minutes 00 seconds West 453.55 feet,
- 4. North 37 degrees 48 minutes 29 seconds East 52.17 feet,
- 5. South 84 degrees 04 minutes 17 seconds East 50.79 feet,
- 6. North 66 degrees 26 minutes 32 seconds East 139.12 feet,
- 7. North 21 degrees 48 minutes 00 seconds West 277.21 feet,
- 8. North 88 degrees 38 minutes 01 seconds West 91.16 feet,
- 9. North 41 degrees 23 minutes 47 seconds West 234.31 feet,
- 10. North 78 degrees 59 minutes 00 seconds East 166.33 feet,
- 11. South 21 degrees 48 minutes 00 seconds East 961.92 feet, to the point of beginning

Containing 132,114 square feet, +/-, or 3.033 acres, +/-.

Also know as 4010 Green Glade Road and located in the 10<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

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No.	A IND		LLOW - CUSTOMER TELEVISION CONTRACTOR OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PARTY OF THE PAR
BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT OATE	RECEIVED	HOH	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YEL

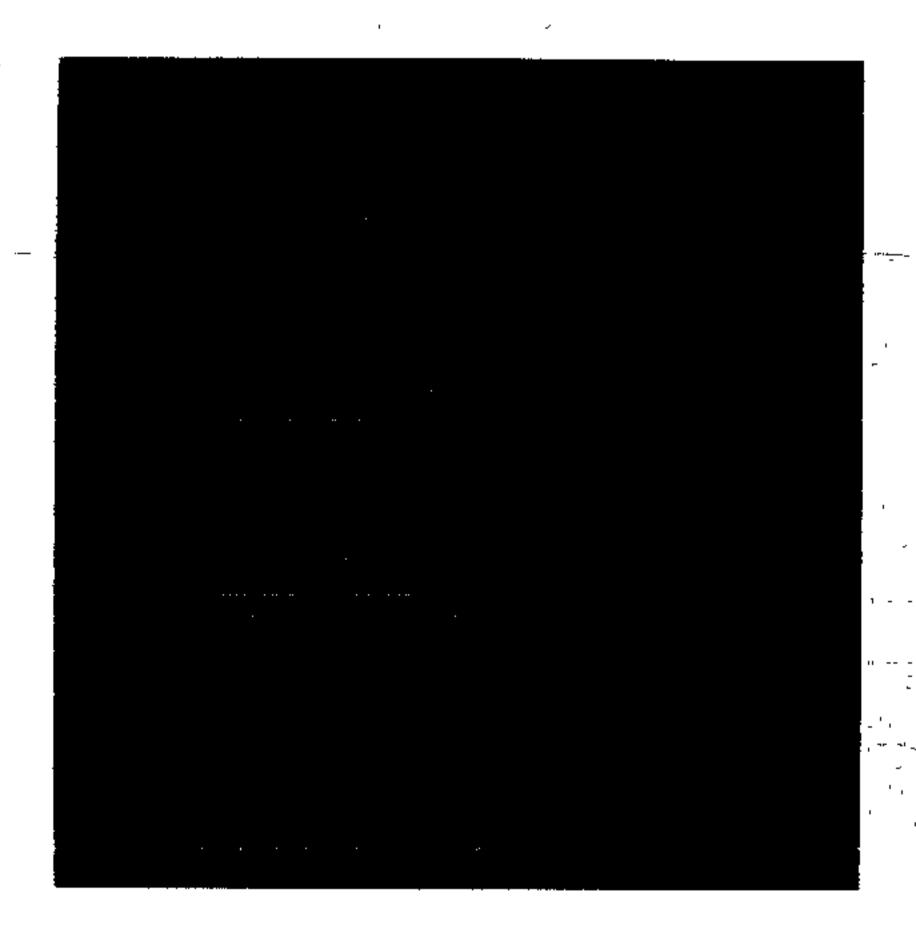
### **CERTIFICATE OF POSTING**

Date: December 29, 2004

RE:	Case Number: 05 313 A	
	Petitioner/Developer: Beverly A. Daniels	_
	Date of Hearing/Closing: 1/17/05	

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 4010 Green Glade Road

The sign(s) were posted on December 30, 2004 (Month, Day, Year)



(Signature of Sign Poster)

J. Lawrence Pilson (Printed Name of Sign Poster)

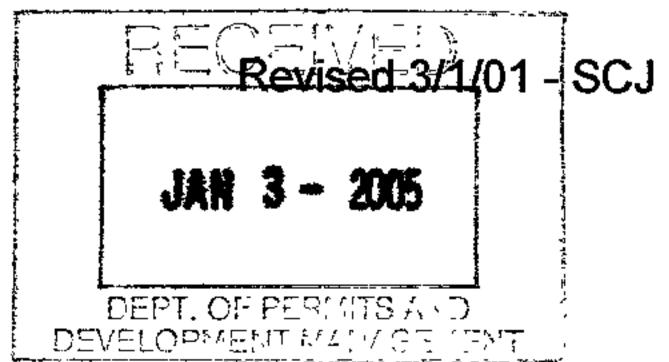
McKee and Associates, Inc.

<u>5 Shawan Road, Suite 1</u>

(Street Address of Sign Poster)

Cockeysville, MD 21030 (City, State, Zip Code of Sign Poster)

(410) 527-1555 (Telephone Number of Sign Poster)





# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

### OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 05-313-12  Petitioner: Bevicux Daviers
Address or Location: 4010 GREEN GLADE READ
PLEASE FORWARD ADVERTISING BILL TO:  Name:
Address: 40 to affer GLADE READ
PHOENIX MD 21131
Telephone Number: 410 592-9187

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-3/5 -A Address 4010 Green Glade Rd
Contact Person: Tohn Sullivan Phone Number: 410-887-3391
Filing Date: 12-22-04 Posting Date: 1-02-05 Closing Date: 1-17-0-
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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.
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.
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.
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 05-313 -A Address 4010 Green Glade Rd
Petitioner's Name <u>Beverly At Daniel's</u> Telephone 410-592-9187
Posting Date: 102-05 Closing Date: 1705
Vording for Sign: To Permit proposed attached (area) addition
with a side yard setback of 30 ft and a reary and setback of
27 ft. in her of the minimum reduced 50 ft each.

### Department of Permits and Development Management

Development Processing County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204





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

January 17, 2005

Robert Porter Hopes, Ulman, Pessin & Katz 901Dulaney Valley Road Towson, Maryland 21204

Dear Mr. Porter:

RE: Case Number:05-313-A, 4010 Green Glade Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 22, 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. Call Rill S

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel Cî Beverly Ann Daniels 4010 Green Glade Road Phoenix 21131 Guy Ward Mckee & Associates 5 Shawan Road, Ste. 1 Cockeysville 21030



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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 10, 2005

Item No.:

305,306,308-309,3<del>11-3</del>18

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 Franklin J. Cook Fire Marshal's Office (0)410-887-4881 (C)443-829-2946 MS-1102F

cc: File



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



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

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

772

#### Maryland Department of Transportation

Date: 1.3.05

**Baltimore County** 

Item No. 313

RE:

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

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 question's 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. J. Godh

Engineering Access Permits Division

# DEPARTMENT DE DANGE DE LA CONTRACTOR DE

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr Joo

**DEPRM** 

DATE:

February 3, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 3, 2005.

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

05-305 05-306 05-308 05-309 05-310 05-313 05-316 05-317 05-317

Reviewers:

Sue Farinetti, Dave Lykens

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: January 3, 2005

RECEIVED

JAN 5 2005

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSION

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-313 - 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

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

**DATE:** January 21, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits &

Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 10, 2005

Item Nos. 305, 306, 308, 309, 310, 311, 313, 314, 315, 316, 317, and

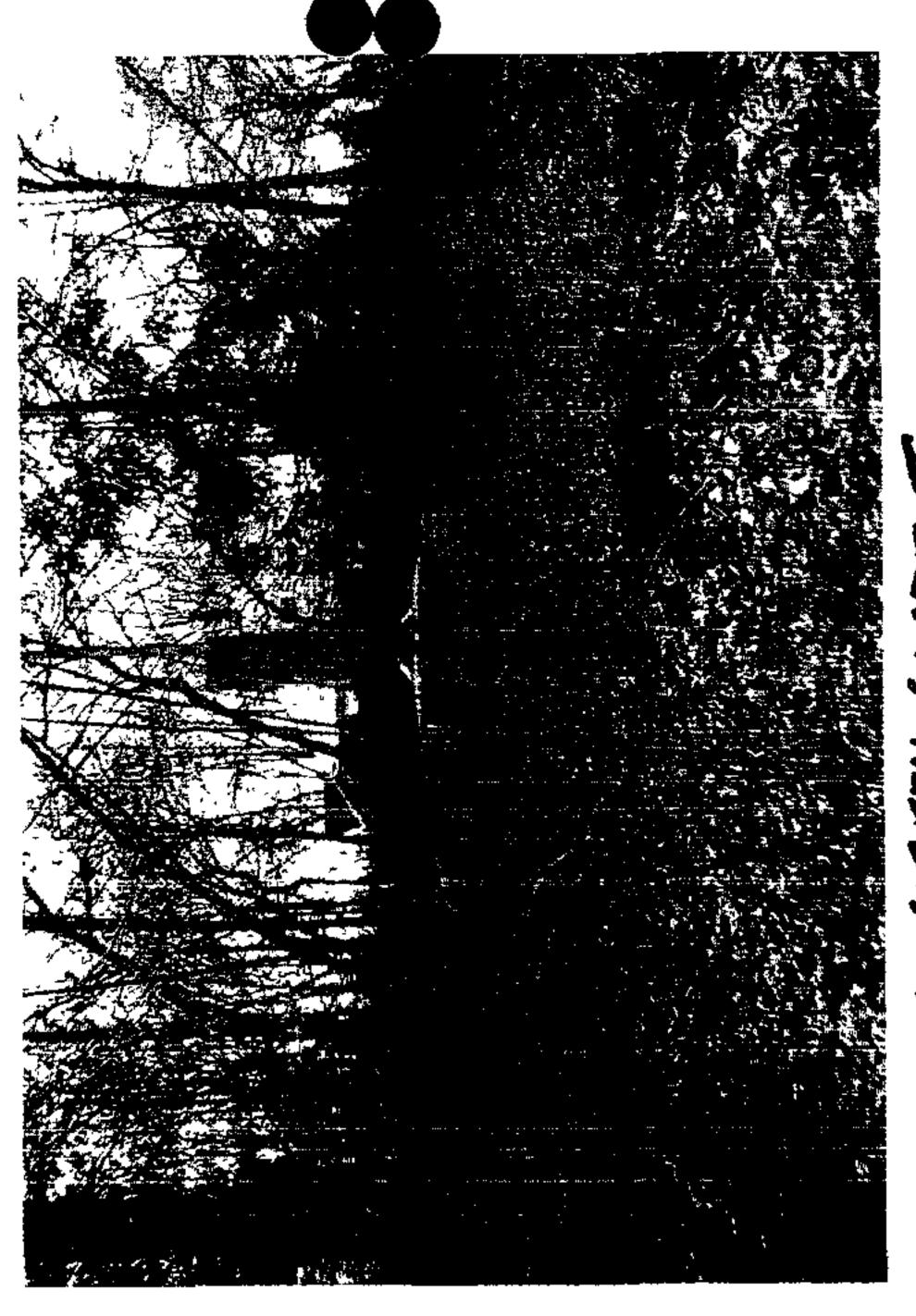
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The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File







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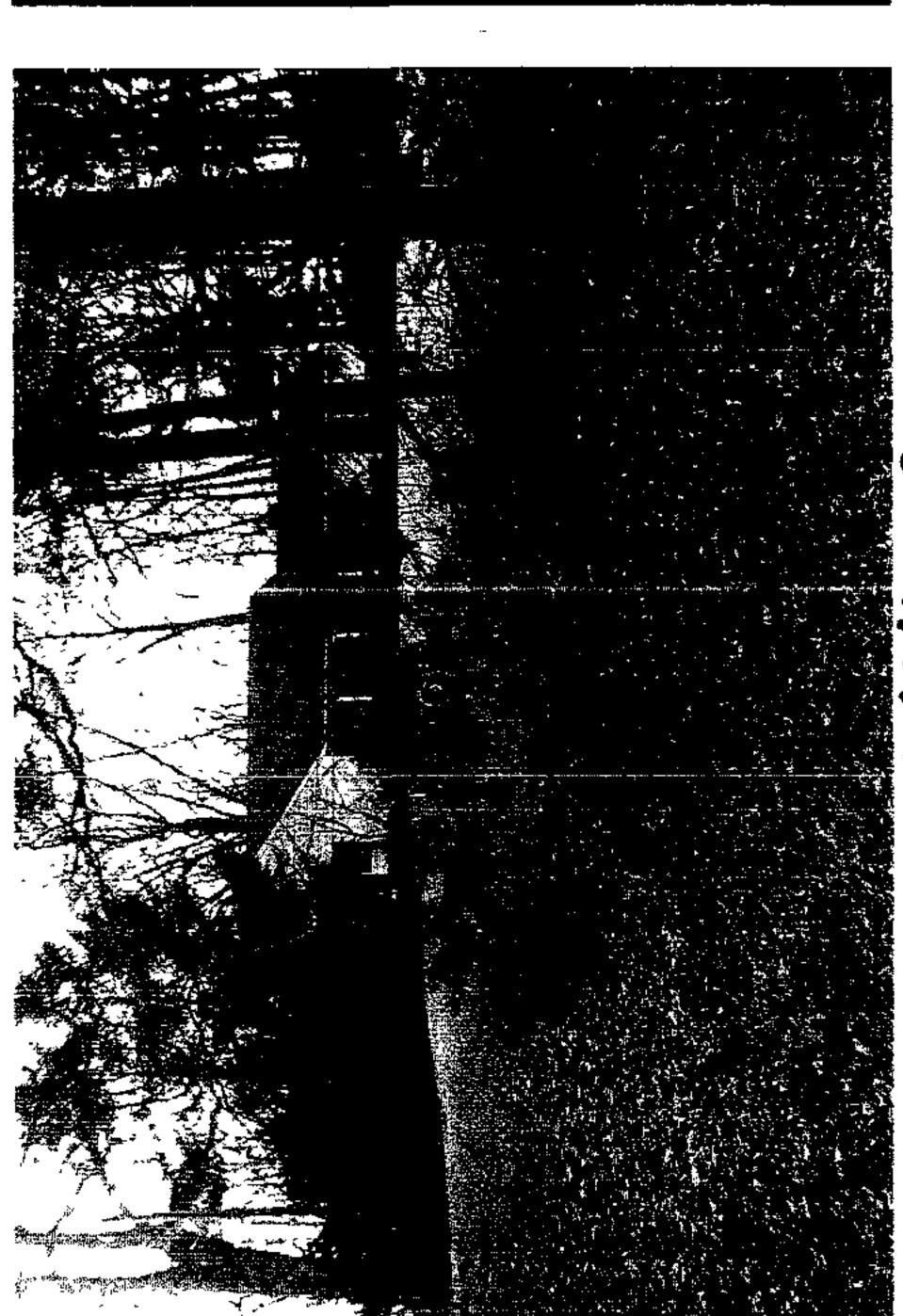
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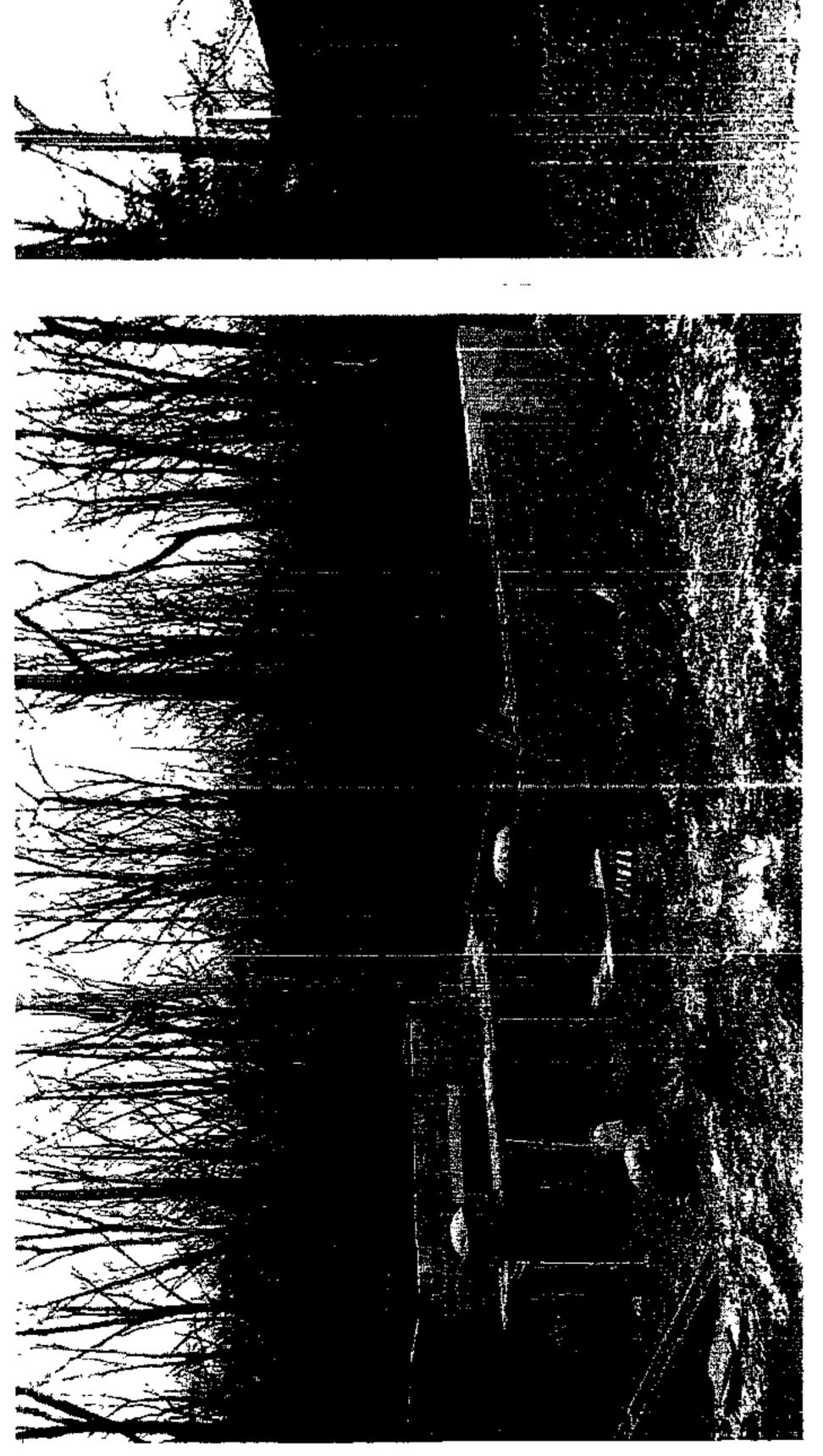
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SPEE







SUBJECT PROP. #1

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