IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Mike's Way, 540 ft. S
centerline of Kaufman Road
7th Election District
3rd Councilmanic District
(19906 Mike's Way)

*

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* CASE NO. 05-474-A

Sharon L. & Robert C. Harnett Petitioners

* * * * * * * * * * *

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, Sharon L. and Robert C. Harnett. The variance request is for property located at 19906 Mike's Way in the Parkton area of Baltimore County. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached pool) to 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. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 2, 2005, 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 32-3-303 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 welfarc of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

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

upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County

Code and the Baltimore County Zoning Regulations, and for the reasons given above, the

requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore

County, this 35 day of April, 2005, that a variance from Section 400.1 of the Baltimore

County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached pool) to 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.

JOHN V. 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

අර April 22, 2005

Mr. & Mrs. Robert C. Harnett 19906 Mike's Way Parkton, Maryland 21120

> Re: Petition for Administrative Variance Case No. 05-474-A Property: 19906 Mike's Way

Dear Mr. & Mrs. Harnett:

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



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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at _	19906	MIKES Wa	<u> </u>
		ed <u>20.5</u>	

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400, /

To allow an accessory structure (detached portobe located in the side yard in lieu of the nequired near yard

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 declar perjury, that I/we are the is the subject of this Pet	legal owner(s) of t	r the penalties of the property which
<u>ee:</u>		Legal Owner(s):		
		ROBERT C. He	lalia-w	
·····		Name - Type or Print		
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	**************************************	SHARWA L. HE	يريم المحالية	······································
	relephone No.	Name - Type or Print	A cllor	
State	Zip Code	Signature	- 1 - 1 - 1 · ·	
		19906 MIKES	raW	410-357-4893
		Address	_	Telephone No.
		City	State	anao Zip Code
			<u>be Contacted:</u>	
		Name		
	Telephone No.	Address		Telephone No.
State	Zip Code	Address City required, it is ordered by the 2	State	Zip Code
<u>.</u>		Telephone No.	is the subject of this Pet Legal Owner(s): Robert C. Handle Type or Print Signature Share L. Handle Type or Print State Zip Code Signature 19906 Mirkes Address Parkton City	is the subject of this Petition. Legal Owner(s): ROBERT C. HANGETT Name - Type or Print Signature State Zip Code Signature 19906 MIKE: WAY Address PACKTON MD City State Representative to be Contacted:

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.

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	City	State	Zip Code
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PU / / / Jasignature	Signate	Siaron	Parm
Robert C. Heavert		- Type or Print	~~8~~
STATE OF MARYLAND, COUNTY OF BALTIN	•		
I HEREBY CERTIFY, this 2/4 day of	rsonally appeared		, a Notary Public of the State
Robert C. Harvett / Sthe Affiant(s) herein, personally known or satisfa	ctorily identified to me	as such Affiant(s).	
AS WITNESS my hand and Notarial Seal	H	vih 45u	vait
	Notary Public	<u> </u>	2 / 1

My Commission Expires _____

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		tkes way	
	Address City	MD Sta	te Zip Code
That based upon personal knowledge, the followard variance at the above address (indicate hardship)	wing are the fact	s upon which I/we b	•
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Robert C. Howest		SHAROW L.	HARRETT
Name - Type or Print	<u>-</u>	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:		
of Maryland, in and for the County aforesaid, per Robert C. Harne H	Sharon	L. Harno	
the Affiant(s) herein, personally known or satisfa	actorily identified t	o me as such Affian	t(s).
AS WITNESS my hand and Notarial Seal		Losa S.	Swart
	Notary I		2-1-67
	My Con	ımission Expires	



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 19906 MIKES WAY

		which is present	ly zoned	RC-S
This Petition shall be filed with the Departme owner(s) of the property situate in Baltimore Cou made a part hereof, hereby petition for a Variance	ent of Permi unty and which be from Section	ts and Development M th is described in the des on(s)	anagement. The cription and plat a	undersigned, legal attached hereto and
To allow an acces	Sony	Structure (detached	1 pool) to 6
made a part hereof, hereby petition for a Variance To allow an acces [poated in the Side Yar	nd in	1eu of the	required	rear yand
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of the zoning regulations of Baltimore County, to of this petition form				dicated on the back
Property is to be posted and advertised as preson, or we, agree to pay expenses of above Variance, a regulations and restrictions of Baltimore County adoptions.	dvertisina, nos	sting etc. and further agree	to and are to be bure County.	ounded by the zoning
		I/We do solemnly decl perjury, that I/we are the is the subject of this Pe	ne legal owner(s) of	er the penalties of the property which
Contract Purchaser/Lessee:		Legal Owner(s):	·	
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	hone No.	Name - Type or Print	Xelaine	<u></u>
City	Zip Code	Signature	/	
Attorney For Petitioner:	7	19906 MIKE- Address	s WAY	4/ ウ・357- 489 Telephone No.
Name - Type or Print		City	MD State	Allao Zip Code
Signature	-	Representative to		,
o syria (or c				
Company		Name		
Address	hone No.	Address		Telephone No
City	Zip Code	City	State	Zip Code
A Public Hearing having been formally demanded and/other day of that the subrequiations of Baltimore County and that the property be reposited.	or found to be posted.	required, it is ordered by the is petition be set for a public t	Zoning Commission learing, advertisod, as	er of Baltimore County, required by the zoning
•		Zoning Commis	sioner of Baltimore C	bunty
CASE NO. 25-4744	Revi	ewed By	フ Date <u>- プー</u> .	22-05
REV 10/25/01	Estir	nated Posting Date		05

ZONING DESCRIPTION FOR 19906 Mikes Way

540

Beginning at a point on the east side of Mikes Way which is 40 feet wide at the distance of 525 feet south of the centerline of the nearest improved intersecting street Kaufman Road which is 60 feet wide.

Being Lot 5 as shown on a plat entitled ______, Piereman Property," as per plat thereof recorded amount the land records of Baltimore County, Maryland in plat book 74, Page 87.

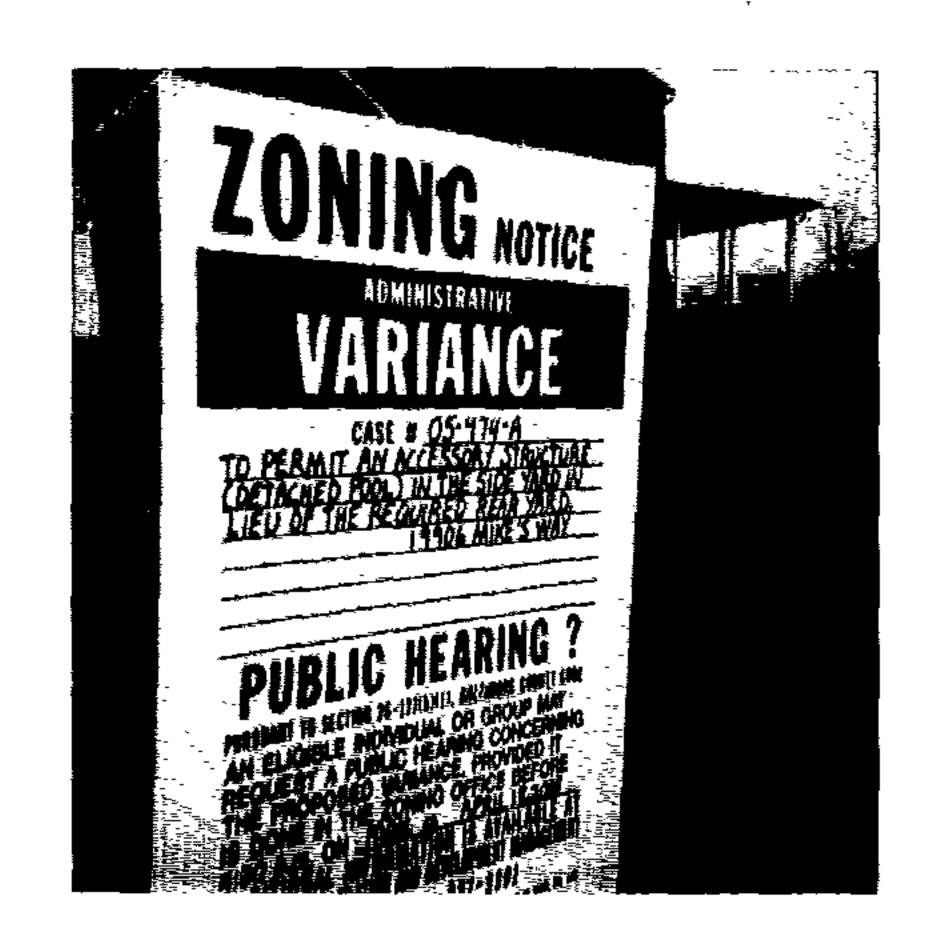
Being the same property described in deed recorded among the aforesaid land records in liber 16866, at folio 688 and including the measurements S.76'24'12"E 34.81 ft., S.13'35'48"W160 ft., S.76'24'12"E 457.31 ft., 171.48 ft. to the place of beginning.

Also known as 19906 Mikes Way and located in the 7th Election District, 3rd Councilmanic District.

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CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS	Date: <u>Upril 4, 2005</u>
RE: Case Number 05-474-A Petitioner/Developer: ROBERT + St Date of Hearing (Closing) April 18	HARON HARNETT 3, 2005
This is to certify under the penalties of perjuence posted conspicuously on the property locate	ury that the necessary sign(s) required by law at 19906 MIKE'S WAY
The sign(s) were posted on	April 2, 2005 (Month, Day, Year)



(Signature of Sign Poster)

LINDA O'KEFF
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MP 2103
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	e Number	05-	474	! -A	Addre	ss <u>19</u>	906	MIKES	WA	<i>y</i>
Cont	act Perso	on: _	J.	ianner, Please	Print Your Name		F	Phone Num	ber: 410	0-887-3391
Filing	g Date:	3-	22-0		Posting Dat	e: <u>4</u>	3-05	Closing	g Date:	4-18-0
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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: 05-474 A
Petitioner: Mr. 4. Mrs. Robert Harnett Address or Location: 19906 Mikes Way
Address or Location: 19906 Mikes Way
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address:
PARKTON Mdy 21120
Telephone Number: 410-357-4893

Department of Permits a 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

April 18, 2005

Robert C. Harnett Sharon L. Harnett 19906 Mikes Way Parkton, Maryland 21120

Dear Mr. and Mrs. Harnett:

RE: Case Number: 05-474-A, 19906 Mikes Way

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 22, 2005.

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, Call Rilla D.

M. Ond Diabouda lu

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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

Fire Department

700 Fast 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

March 29,2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 11, 2005

Item No. 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484

Pursuant to your request, the above 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 site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

The Fire Marshal's Office has no comment at this time.

Acting Lt. Warren T. Moffitt Fire Marshal's Office 410-887-4880 MS-1102F

Cc:file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director DATE: April 20, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for April 11, 2005

Item No. 473, (474) 476, 477, 478,

479,480, 481, 482

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

DAK:CEN:clw cc: file

ZAC-NO COMMENTS-04202005.doc

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

April 13, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of April 4, 2005

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

05-474

05-477

05-478

05-480

05-481

05-482

Reviewers:

Suc Farinetti, Dave Lykens

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

DATE: March 29, 2005

MAR 3 7 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-474 and 5-477

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



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

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

Maryland Department of Transportation

Date: 3.25.05

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

RE:

Baltimore County
Item No.

) s

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.

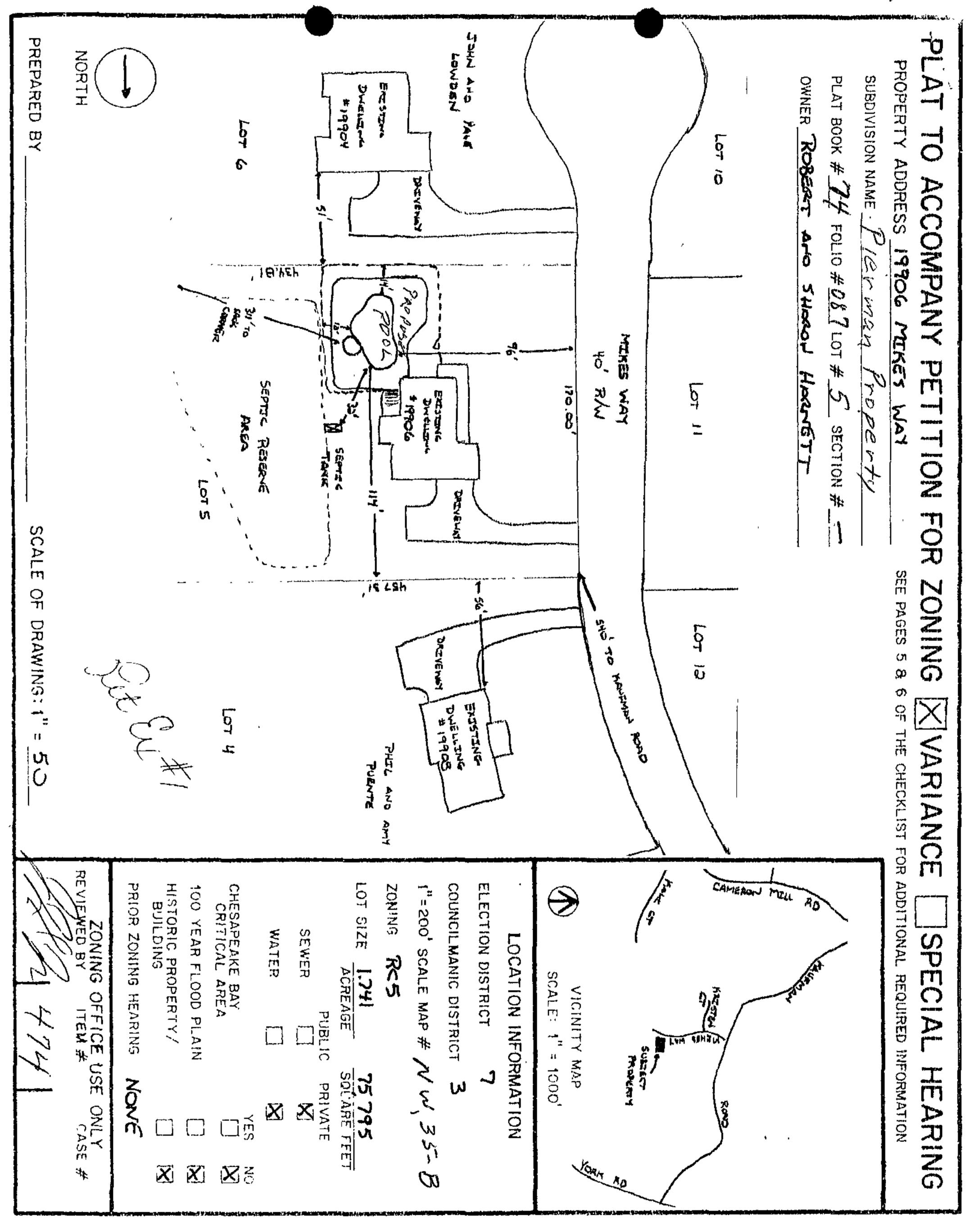
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545. 5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

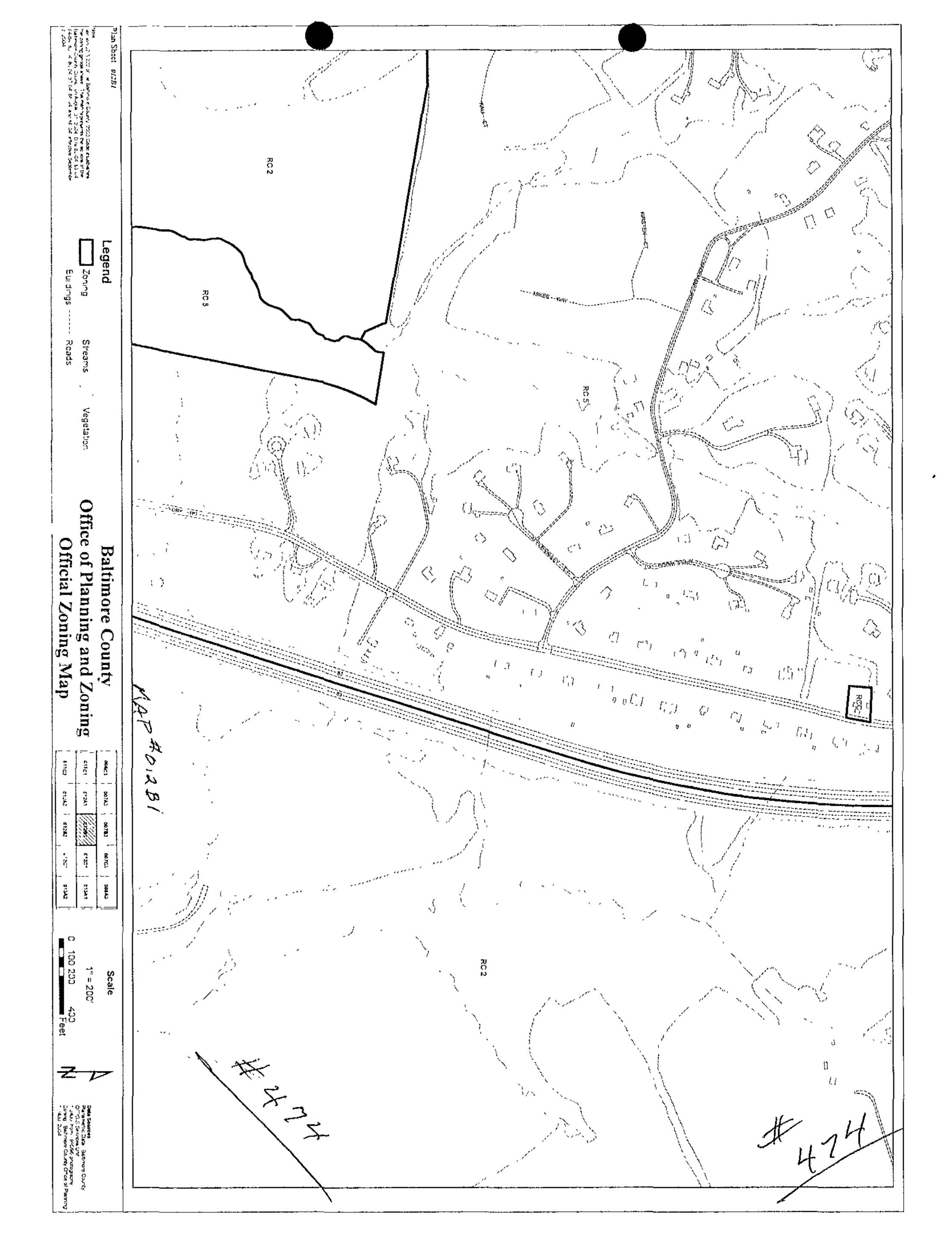
Steven D. Foster, Chief

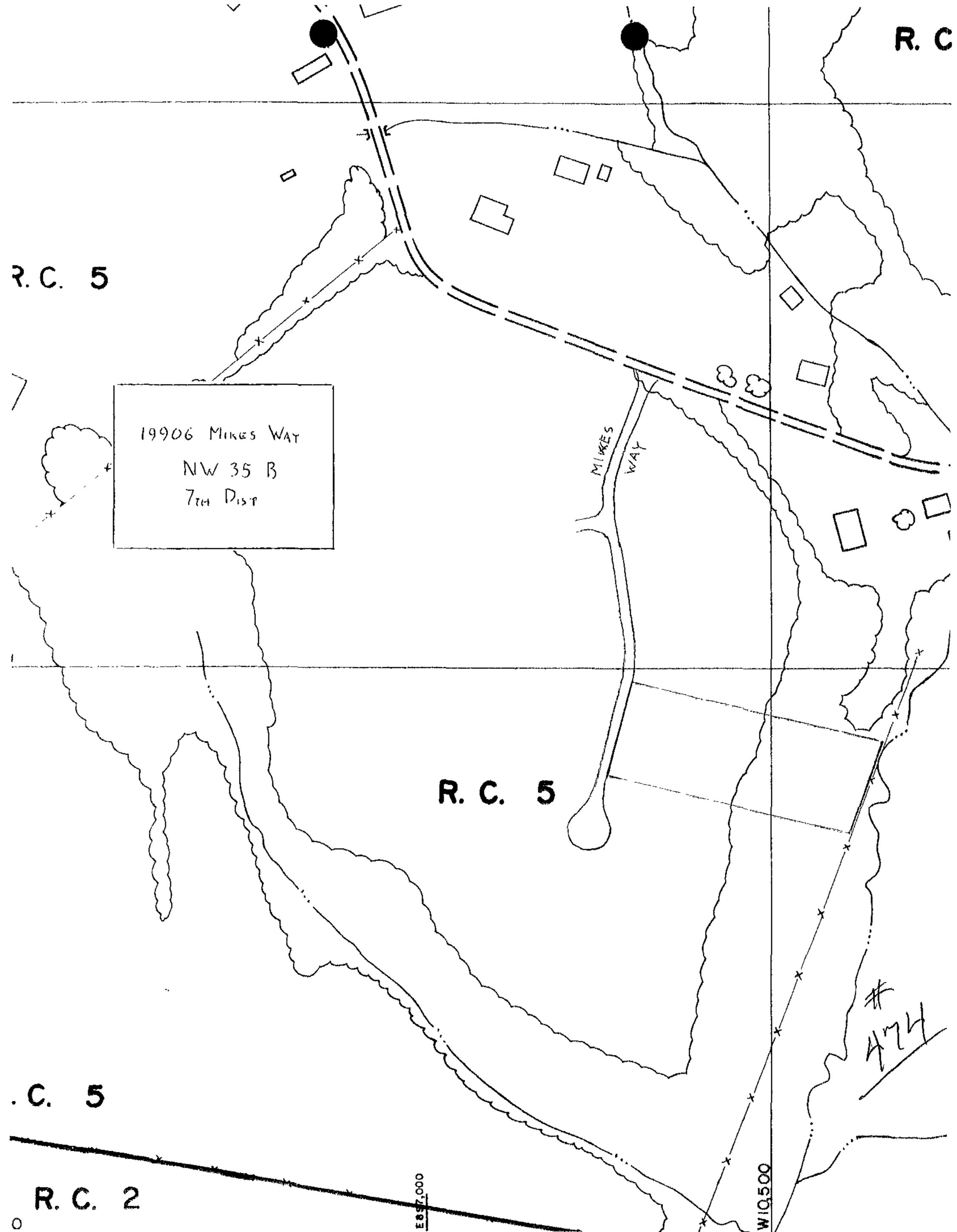
J. J. Louble

Engineering Access Permits Division



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SOUTHERST SIDE OF HOUSE LOOMEN WEST
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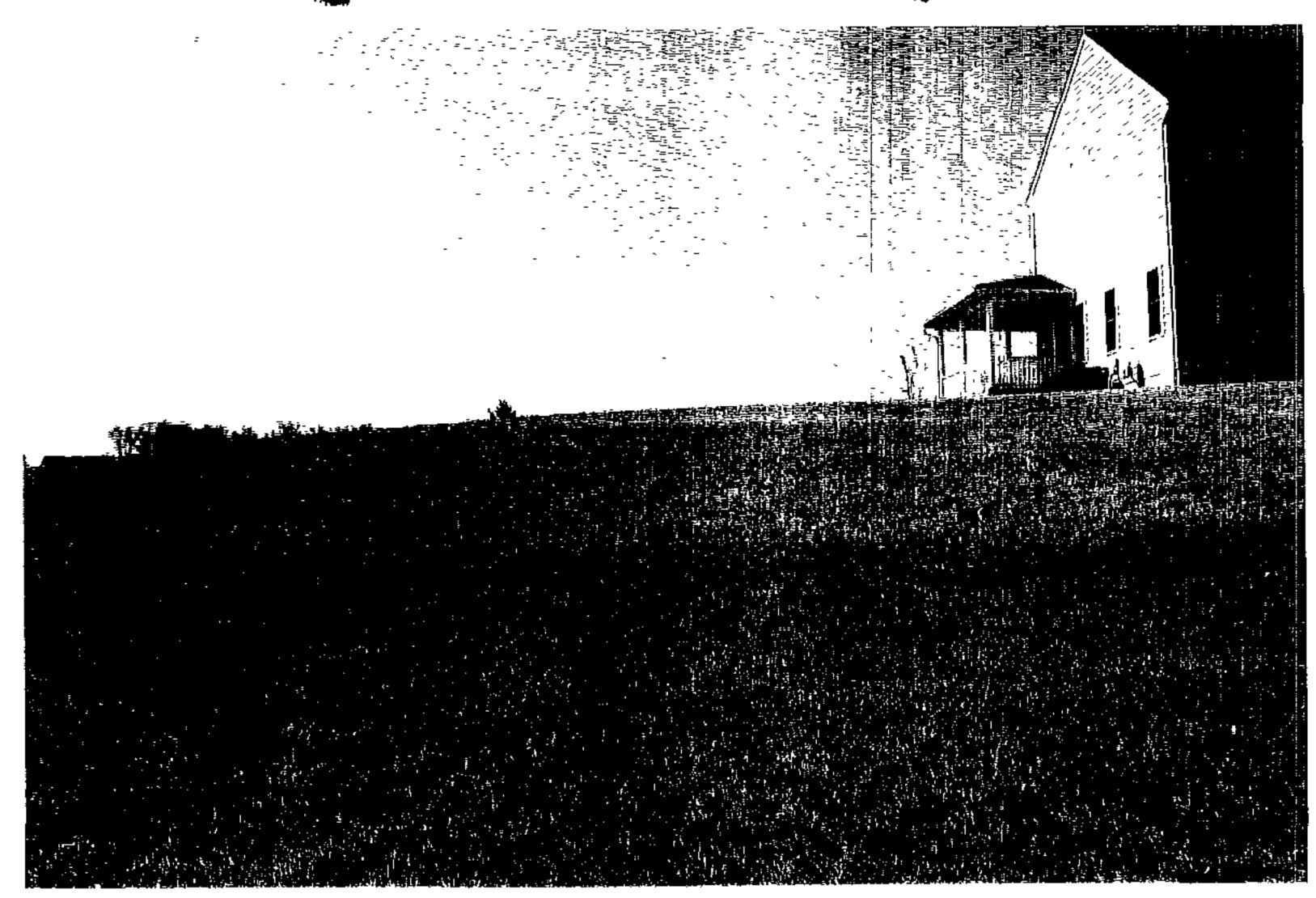
474



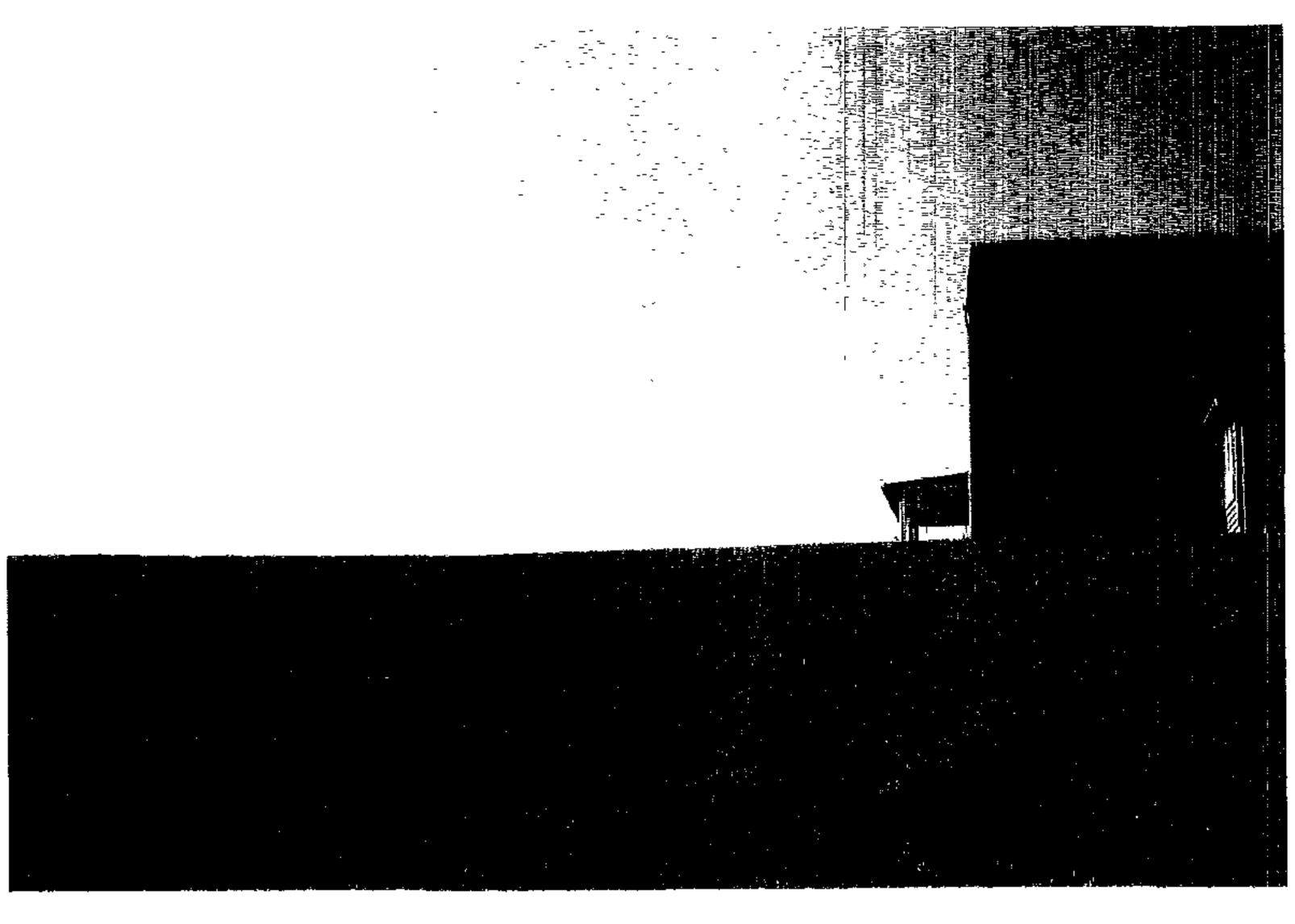
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