

IN RE: PETITION FOR ADMIN. VARIANCE
W/S of Big Falls Road, 2,600 ft. +/- N
centerline of Monkton Road
7th Election District
3rd Councilmanic District
(17134 Big Falls Road)

Mary M. & Ryan A. Small
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-478-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Mary M. and Ryan A. Small. The variance request is for property located at 17134 Big Falls Road in the Monkton area of Baltimore County. The variance request is from Sections 1A04.3.B.2.b and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing dwelling with addition to have a property line setback of 35 ft. and to have a detached accessory structure located in the side yard in lieu of the required 50 ft. and rear yard respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated April 13, 2005, a copy of which is attached hereto and made a part hereof.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the

4/22/05
JRM

subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 1, 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 welfare of the public and should therefore be granted. In the opinion of the 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.

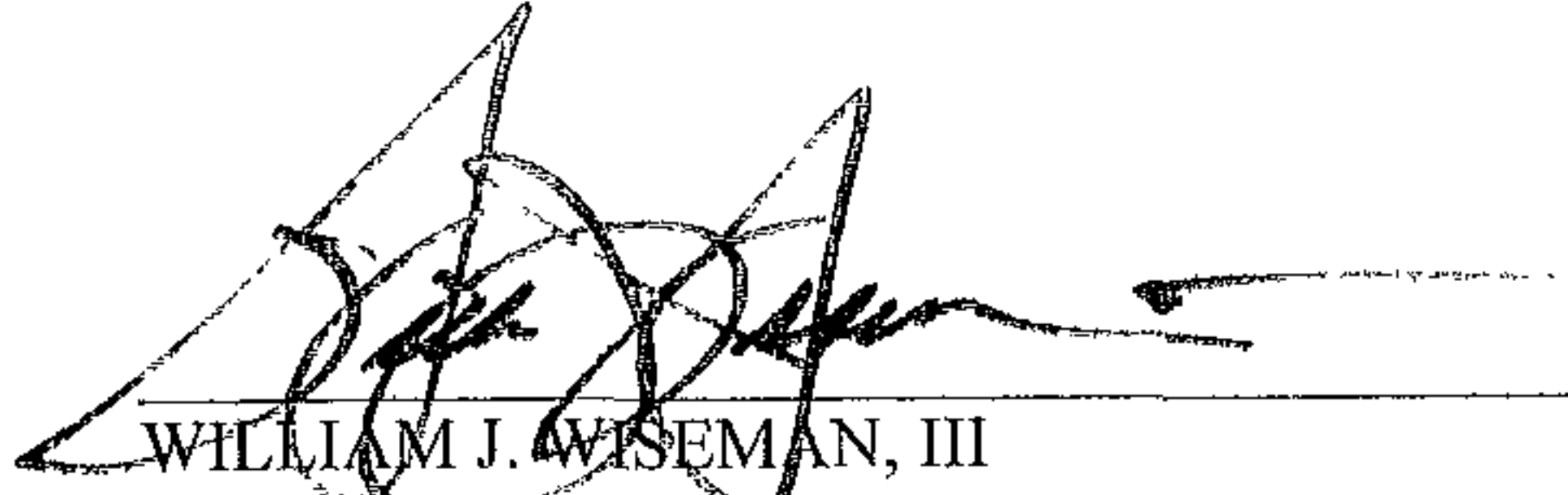
THEREFORE, IT IS ORDERED, this 22nd day of April, 2005, by this Zoning Commissioner, that the Petitioners' request for variance from Sections 1A04.3.B.2.b and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing dwelling with addition to have a property line setback of 35 ft. and to have a detached accessory structure located in the side

RECEIVED FOR FILING
4/22/05
[Signature]

yard in lieu of the required 50 ft. and rear yard respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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;
2. Compliance with the ZAC comments submitted by DEPRM dated April 13, 2005, a copy of which is attached hereto and made a part hereof.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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


WILLIAM J. WISEMAN, III
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

4/22/05
Ray

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

April 22, 2005

Mr. & Mrs. Ryan A. Small
17134 Big Falls Road
Monkton, Maryland 21111

Re: Petition for Administrative Variance
Case No. 05-478-A
Property: 17134 Big Falls Road

Dear Mr. & Mrs. Small:

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,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", is written over a circular stamp. The stamp contains the text "William J. Wiseman" and "Zoning Commissioner".

William J. Wiseman
Zoning Commissioner

WJW,III: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 17134 BIG FALLS RD MONKTON, MD
which is presently zoned RC5

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) 1404.3 B 2 b (BCZR)

TO PERMIT AN EXISTING DWELLING ^{700.1} WITH ADDITION
TO HAVE A PROPERTY LINE SETBACK OF 35' AND TO HAVE
A DETACHED ACCESSORY STRUCTURE LOCATED IN THE SIDEYARD
IN LIEU OF THE REQUIRED 50' AND REAR YARD
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 _____

AP 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.

Legal Owner(s):

Ryan A. Small
Name / Type or Print _____

[Signature]
Signature _____

MARY M. SMALL
Name - Type or Print _____

Mary M. Small
Signature _____

17134 BIG FALLS RD. 410-365-5453
Address _____ Telephone No. _____

MONKTON MD 21111
City _____ State _____ Zip Code _____

Representative to be Contacted:

Same as Above
Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Zoning Commissioner of Baltimore County

Reviewed By LTM Date 3-23-05

Estimated Posting Date _____

CASE NO. 05-478-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

Address 17134 BIG FALLS RD
City MONKTON State MD Zip Code 21111

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 original structure was built in 1948. We have been residing in the house since 1996 and will continue to use the home as our residence. The existing structure is 40 feet from the southern property line. The new addition needs to be 50 feet from this line. If the addition were to be located on the side of the home a variance would be need for front set back from the road. If the addition were to be shifted over the required 10 feet the septic field would be disturbed. The rear of the new addition will be over the required 50 feet from the property line since this line is not parallel to the home.

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.

[Signature]
Signature

Ryan A. Small
Name - Type or Print

Mary M. Small
Signature

MARY M. SMALL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HARFORD, to wit:

I HEREBY CERTIFY, this 21st day of March, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Ryan A. Small and Mary M. Small
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Joan M. Templeton
Notary Public

My Commission Expires March 25, 2006

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 17134 BIG FALLS RD
Address
MONKTON MD 21111
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):

The original structure was built in 1948. We have been residing in the house since 1996 and will continue to use the home as our residence. The existing structure is 40 feet from the southern property line. The new addition needs to be 50 feet from this line. If the addition were to be located on the side of the home a variance would be need for front set back from the road. If the addition were to be shifted over the required 10 feet the septic field would be disturbed. The rear of the new addition will be over the required 50 feet from the property line since this line is not parallel to the home.

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.

RSC
Signature
Ryan A Small
Name - Type or Print

Mary M. Small
Signature
MARY M. SMALL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HARFORD, to wit:

I HEREBY CERTIFY, this 21st day of March, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Ryan A. Small and Mary M. Small
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Joan M. Templeton
Notary Public
My Commission Expires March 25, 2006



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 17134 BIG FALLS RD. MONKTON, MD
which is presently zoned BC5

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) 1A04.3.B.2.b, 400.1 (BC-ZR)

To permit an existing dwelling with addition to have a property line setback of 35' and to have a detached accessory structure located in the sideyard in lieu of the required 50' and rear yard 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):

Ryan A. Small
Name / Type or Print _____

[Signature]
Signature _____

MARY M. SMALL
Name - Type or Print _____

MARY M. SMALL
Signature _____

17134 BIG FALLS RD 410-365-5453
Address _____ Telephone No. _____

MONKTON MD 2111
City _____ State _____ Zip Code _____

Representative to be Contacted:

Same As Above
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. _____

Reviewed By _____ Date _____

REV 10/25/01

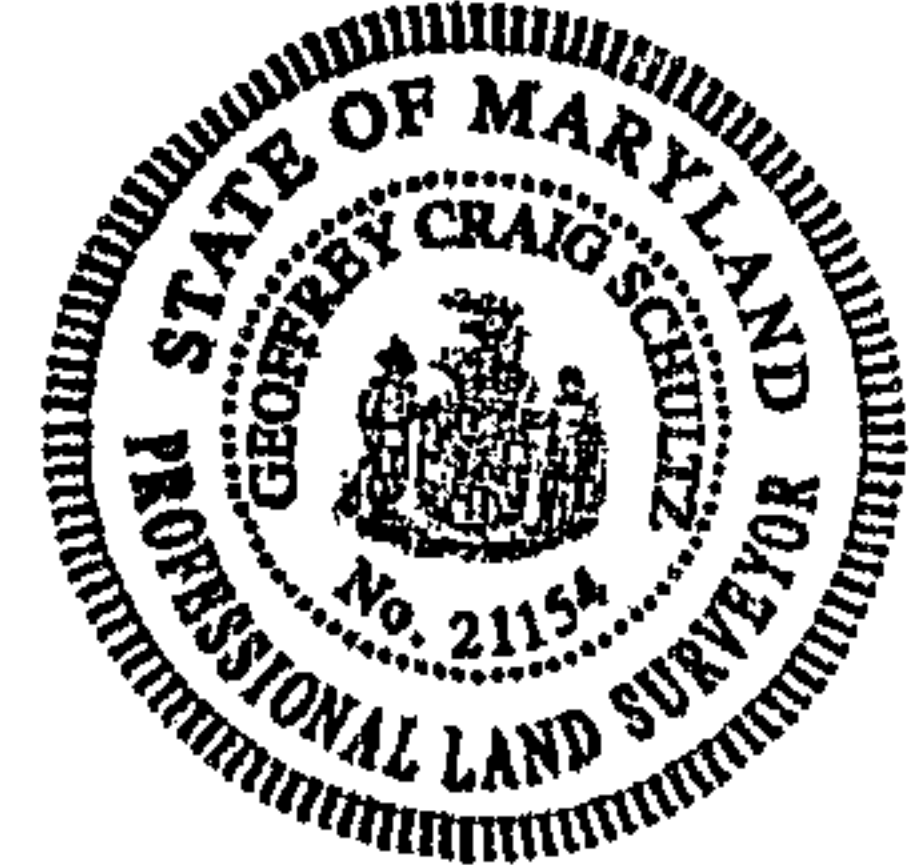
Estimated Posting Date _____

MCKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

March 22, 2005

**ZONING DESCRIPTION OF
17134 BIG FALLS ROAD
3RD COUNCILMANIC DISTRICT
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**



BEGINNING at a point on the west side of Big Falls Road (30-foot wide right-of-way) said point lying 2,600 feet, more or less, northeast of the centerline of Monkton Road; thence running,

- 1) North 01 degrees 24 minutes 30 seconds East, 159.50 feet,
- 2) South 76 degrees 05 minutes 00 seconds West, 309.40 feet,
- 3) South 10 degrees 33 minutes 00 seconds East, 155.00 feet,
- 4) North 76 degrees 05 minutes 00 seconds East, 269.25 feet, and
- 5) North 76 degrees 05 minutes 00 seconds East, 5.50 feet to the place of beginning.

CONTAINING 43,560 square feet or 1.00 acres of land, more or less, as recorded in Deed Liber 11633, folio 333.

#478

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 443312

DATE 3/23/05 ACCOUNT 12001006615

AMOUNT \$ 65.00

RECEIVED FROM: BALTIMORE COUNTY BUILDERS

FOR: OS-472-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACQUISITION FINE NON

3/23/2005 3/23/2005 11:23AM 2

SEE MEMO WALKIN OFFICE DED

RECEIPT # 200324 3/23/2005 OPEN

Dept 5 529 TOWNSHIP REPAIRATION

EX NO. 443312

Receipt Tot \$65.00

\$65.00 CA 4.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTINGDate: March 18, 2005RE: Case Number: 05-478 APetitioner/Developer: Ryan A. SmallDate of Hearing/Closing: April 18, 2005

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 _____

17134 Big Falls Road

The sign(s) were posted on April 1, 2005
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

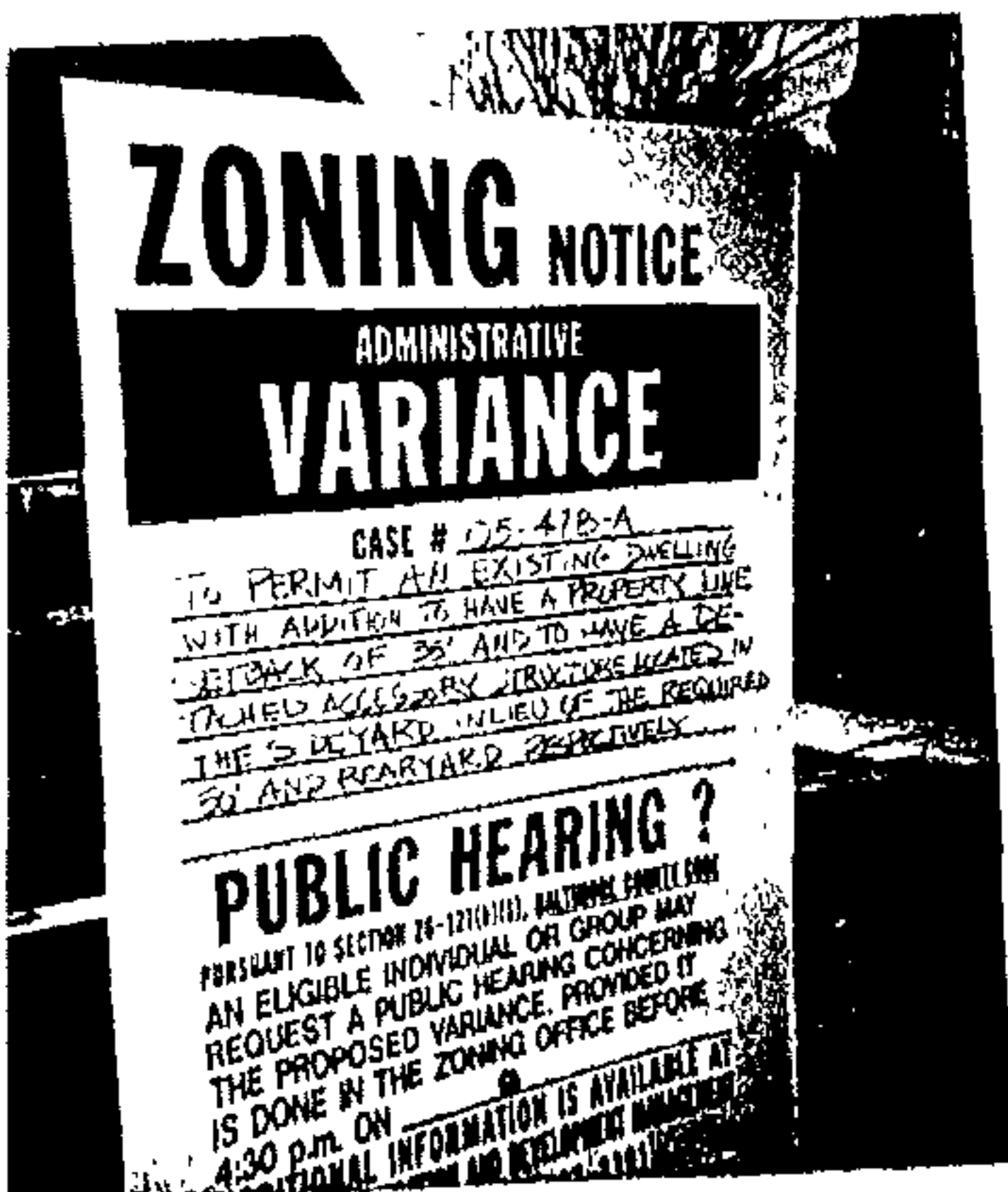
J. Lawrence Pilson
(Printed Name of Sign Poster)

McKee and Associates, Inc.
5 Shawan Road, Suite 1
(Street Address of Sign Poster)

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

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

Revised 3/1/01 - SCJ



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 478 -A Address 17134 BIG FALLS RD
Contact Person: LLOYD T. MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/23/05 Posting Date: 4/3/05 Closing Date: 4/18/05

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- 478 -A Address 17134 BIG FALLS RD
Petitioner's Name ~~17134 BIG FALLS~~ RYAN A. SMALL ET AL Telephone 410 365 5453
Posting Date: 4/3/05 Closing Date: 4/18/05
Wording for Sign: TO PERMIT AN EXISTING DWELLING WITH ADDITION TO HAVE
A PROPERTY LINE SETBACK OF 35' AND TO HAVE A DETACHED ACCESSORY
STRUCTURE LOCATED IN THE SIDETARD IN LIEU OF THE REQUIRED
50' AND REAR YARD 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: 05-478-A
Petitioner: Ryan A. Small
Address or Location: 17134 Big Falls Rd 21111

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ryan A Small
Address: 17134 Big Falls Rd
Monkton MD 21111
Telephone Number: 410-365-5453

Revised 2/20/98 - SCJ

**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*

April 18, 2005

Ryan A. Small
Mary M. Small
17134 Big Falls Road
Monkton, Maryland 21111

Dear Mr. and Mrs. Small:

RE: Case Number: 05-478-A, 17134 Big Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 23, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", written 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

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

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director DATE: April 20, 2005
Department of Permits & Development
Management

FROM: ^{DAK} 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 ³⁰⁰

DATE: April 13, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of April 4, 2005

X 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: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. ^{JDO}
DEPRM

DATE: April 13, 2005

SUBJECT: Zoning Item # 05-478
Address 17134 Big Falls Road

Zoning Advisory Committee Meeting of April 4, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 X The Department of Environmental Protection and Resource Management offers the following 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).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ 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).

Additional Comments:

1.) The proposed building cannot be built over the existing well. Furthermore, any additions must retain a minimum setback of 30-feet from the existing well. Contact the Groundwater Management section of this Department for additional information.

Reviewer: Sue Farrinetti

Date: April 13, 2005

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 29, 2005
RECEIVED

MAR 31 2005

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-478 and 5-480**
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:

Mark Cunningham

Division Chief:

[Signature]

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. 478 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

Plat to accompany Petition for Zoning Administrative Variance

PROPERTY ADDRESS: 17134 BIG FALLS ROAD

Subdivision name: N/A
plat book# , folio# , lot# , section#

OWNER: RYAN A SMALL
MADELINE M. RUTZEBECK
DEED REF.: 11633/333
TAX ACCT. NO.: 07-00-030125

JANICE E. NAPIERALSKI 17941/34 23-00-012475

576°05'00"W
309.40'

JERRY E. LOPEZ
18052/154
17-00-002180
RC-5

S 10° 33' 00" E
155.00'



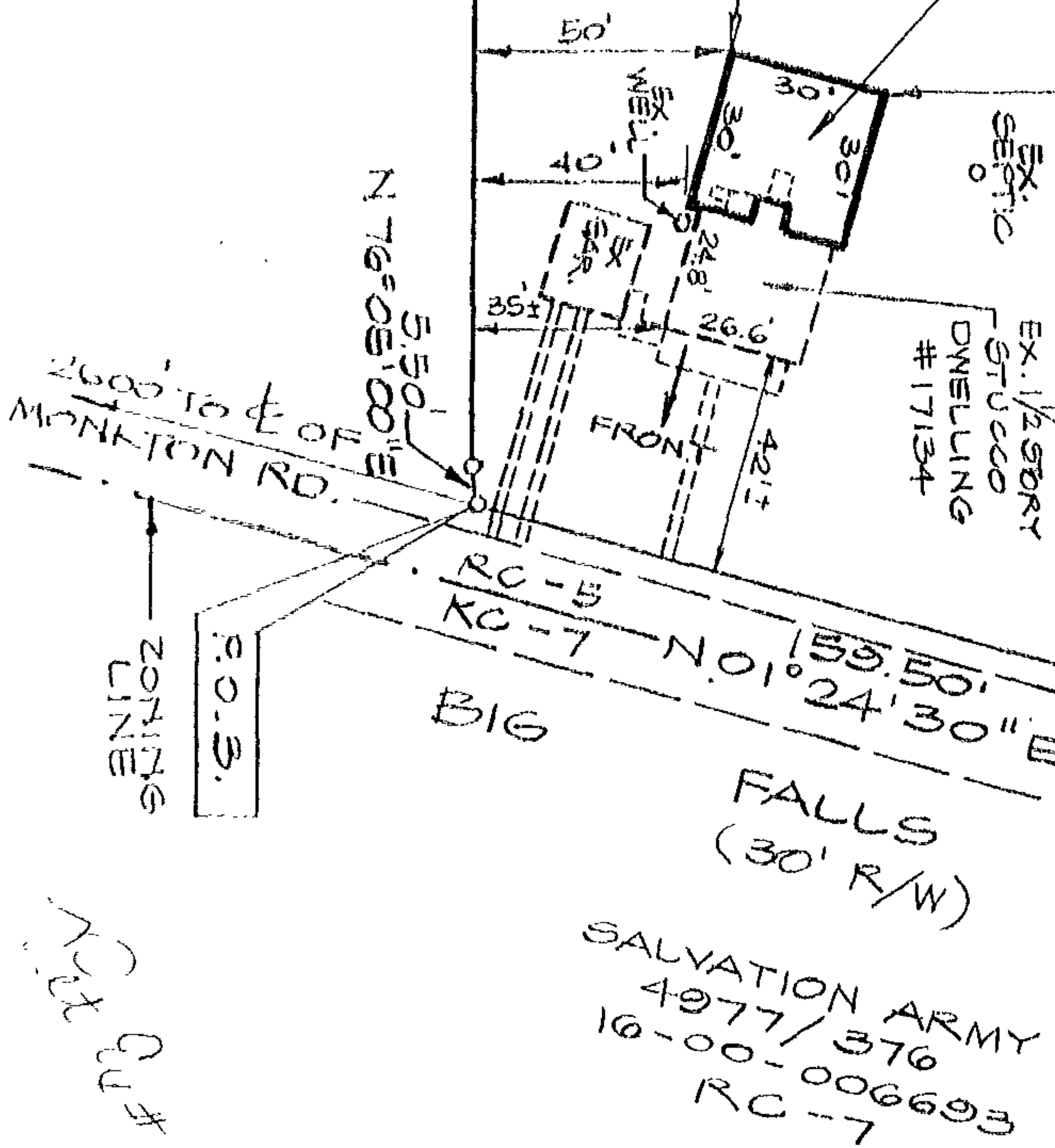
ROGER S. MUNN
14634/373
07-13-005140
RC-5

269.25'
N 76° 05' 00" E

550'
N 76° 05' 00" E

PROPOSED
1 1/2 STORY
ADDITION

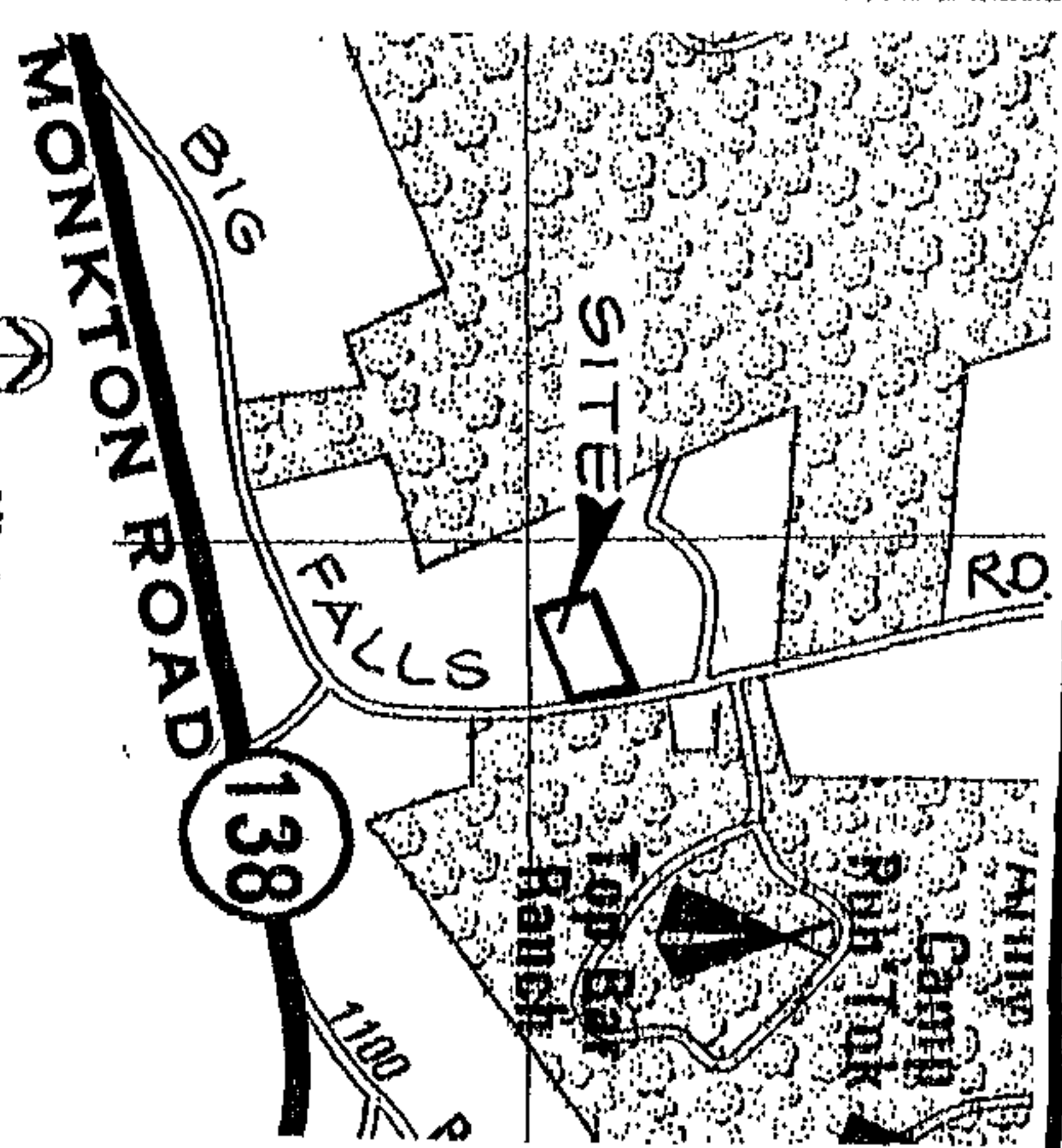
EX. 1 1/2 STORY
STUCCO
DWELLING
#17134



Scale of Drawing: 1" = 40'

Date: 03-22-03

Noted Q#1



LOCATION INFORMATION

Councilmanic District: 3RD
Election District: 7TH

1"=200' scale map: NW 27-B

Zoning: RC5
Lot size: 1.00 acreage 43,360 square feet

SEWER: ☐ PUBLIC ☒ PRIVATE
WATER: ☐ YES ☒ NO

Chesapeake Bay Critical Area: ☐ YES ☒ NO
Prior Zoning Hearings: NONE
FLOOD PLAIN: NO
HISTORIC: NO

Zoning Office USE ONLY!

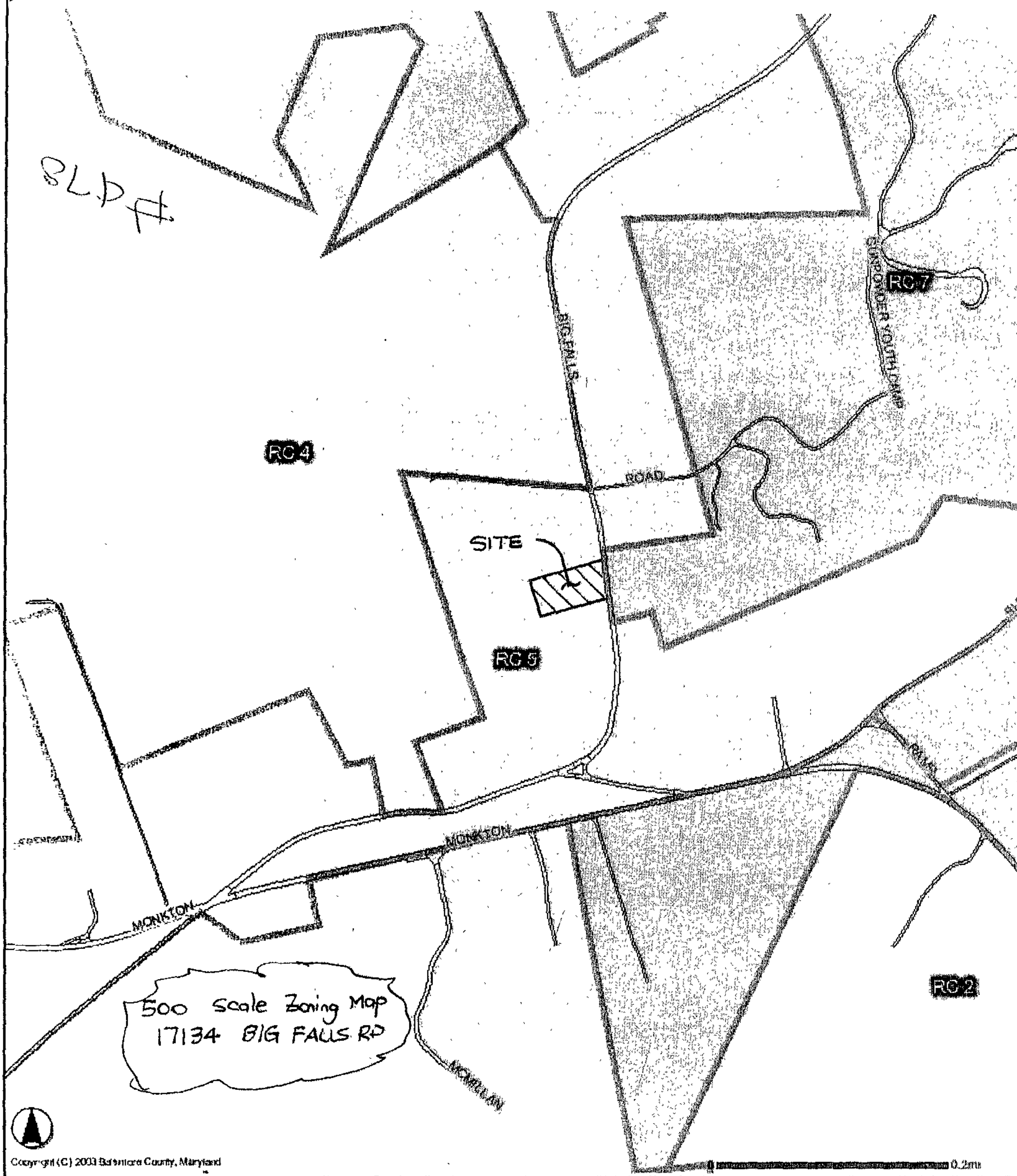
reviewed by: ITEM #: CASE#:

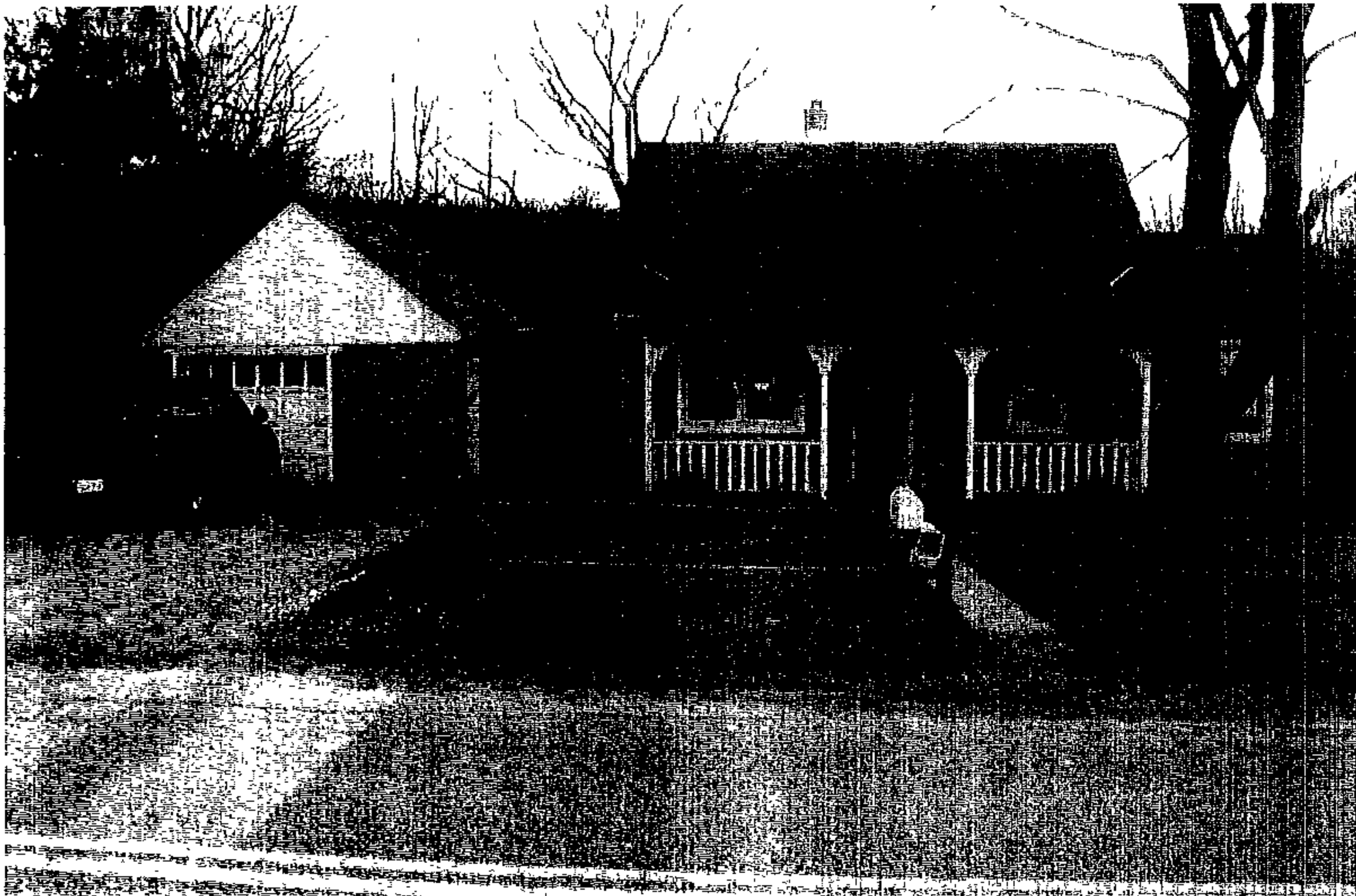
Turn

478

MCKEE & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
SHAWAN PLACE 5 SHAWAN ROAD
HUNT VALLEY, MD 21030
PHONE - (410) 527-1555

Baltimore County - My Neighborhood





View from front road



Front

Rear

View from side - Addition to continue to rear.



View from rear showing ~~split rail~~ ~~fence~~
neighboring property line (split rail fence)