IN RE: PETITION FOR ADMIN. VARIANCE E/S of Chilcoat Road, 235 ft. N centerline of Belfast Road 8th Election District 3rd Councilmanic District **(15505 Chilcoat Lane)** Sara C. & Robert W. Stanhope *Petitioners*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-560-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 Sara C. and Robert W. Stanhope. The administrative variance is requested for property located at 15505 Chilcoat Lane in the Sparks area of Baltimore County. The administrative variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of 35 ft. for a proposed garage addition. 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 May 8, 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 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

6/8/05

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 8 day of June, 2005, that a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of 35 ft. for a proposed garage addition, 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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

6/8/05

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

June 8, 2005

Mr. & Mrs. Robert W. Stanhope
15505 Chilcoat Lane
Sparks, Maryland 21152

Re: Petition for Administrative Variance
Case No. 05-560-A
Property: 15505 Chilcoat Lane

Dear Mr. & Mrs. Stanhope:

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 15505 CHILCOAT LANE

which is presently zoned RC-2

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) 1A01.5B.3 To Permit A Side Yard Setback of 7 FT. in Lieu of 35 FT.

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):

Robert W. Stanhope
Name - Type or Print

Robert W. Stanhope
Signature

Sara C. Stanhope
Name - Type or Print

Sara C. Stanhope
Signature

15505 Chilcoat Lane — 410-472-9269
Address — Telephone No

Sparks — MD — 21152
City — State — Zip Code

Representative to be Contacted:

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. 05-560-A

Reviewed By SAA **Date** 04-23-05

Estimated Posting Date 05-08-05

ADDITIONAL FORMS RECEIVED
Date 6/8/05
By

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 15505 CHILCOAT LANE
Address

SPARKS MD 21152
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 DIMENSIONS OF THE LOT DO NOT ALLOW FOR THE EXPANSION OF THE HOUSE TO ACCOMODATE THE REQUIRED GARAGE WITHIN THE 35 FT. SIDE YARD SET BACK.
A SIGNIFICANT CHANGE IN GRADE AND EXISTING SPRING HEAD MAKE IT IMPRACTICLE TO LOCATE THE GARAGE ADDITION BEHIND THE HOUSE.
PROTECTION FROM THE ELEMENTS AND SAFETY OF THE HOMEOWNERS IS ALSO A MAJOR CONCERN.

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.

Robert W. Stanhope
Signature

Sara C. Stanhope
Signature

Robert W. Stanhope
Name - Type or Print

Sara C. Stanhope
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of April, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ROBERT & SARA STANHOPE the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s)

AS WITNESS my hand and Notarial Seal

Antoinette A. Saglimbeni
Notary Public
Baltimore County, MD
My Commission Expires
February 10, 2009

Notary Public

My Commission Expires FEBRUARY 10, 2009

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 15505 CHILCOAT LANE
Address
SPARKS MD 21152
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 DIMENSIONS OF THE LOT DO NOT ALLOW FOR THE EXPANSION OF THE HOUSE TO ACCOMODATE THE REQUIRED GARAGE WITHIN THE 35 FT. SIDE YARD SET BACK.
A SIGNIFICANT CHANGE IN GRADE AND EXISTING SPRING HEAD MAKE IT IMPRACTICLE TO LOCATE THE GARAGE ADDITION BEHIND THE HOUSE.
PROTECTION FROM THE ELEMENTS AND SAFETY OF THE HOMEOWNERS IS ALSO A MAJOR CONCERN.

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.

Robert W. Stanhope
Signature

Robert W. Stanhope
Name - Type or Print

Sara C. Stanhope
Signature

Sara C. Stanhope
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of April 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ROBERT & SARA STANHOPE the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Antoinette A. Saglimbeni
Notary Public

Antoinette A. Saglimbeni
Notary Public
Baltimore County, MD
My Commission Expires
February 10, 2009

My Commission Expires FEBRUARY 10, 2009

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 15505 CHILCOAT LANE

which is presently zoned RC-2

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) 1A01.3B3 TO PERMIT A SIDE YARD SETBACK OF 7FT. IN LIEU OF 55FT.

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):

Robert W. Stanhope
Name - Type or Print

Robert W. Stanhope
Signature

Sara C. Stanhope
Name - Type or Print

Sara C. Stanhope
Signature

15505 Chilcoat Lane — 410 472-9269
Address — Telephone No

Sparks — MD — 21152
City — State — Zip Code

Representative to be Contacted:

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. 05-560-A

Reviewed By SAA **Date** OCT-23-05

REV 10/25/01

Estimated Posting Date _____

ZONING DESCRIPTION for the
STANHOPE PROPERTY, 15505 CHILCOAT LANE,
SPARKS, MARYLAND 21152

Beginning at a point on the centerline of Chilcoat Lane, which is 12 ft. wide at the distance of 235 ft. North of the centerline of the nearest intersecting street, Belfast Road, which is 24 ft. wide, thence running N 83°30'00" W, 373.25 ft., thence S 05°42'00" E, 121.60 ft., thence S 83°30'00" E, 342.53 ft., thence N 19°55'30 E, 125.00 ft., to the point of beginning, containing 1.00 acre. Also known as 15505 Chilcoat Road and located in the 8th Election District, 3rd Councilmanic District.

05-560-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE [illegible] ACCOUNT

AMOUNT $

RECEIVED FROM: [illegible] CHILDS

FOR: [illegible] (APPEALED)

15505 CHILLCOTT RD

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date May 9, 2005

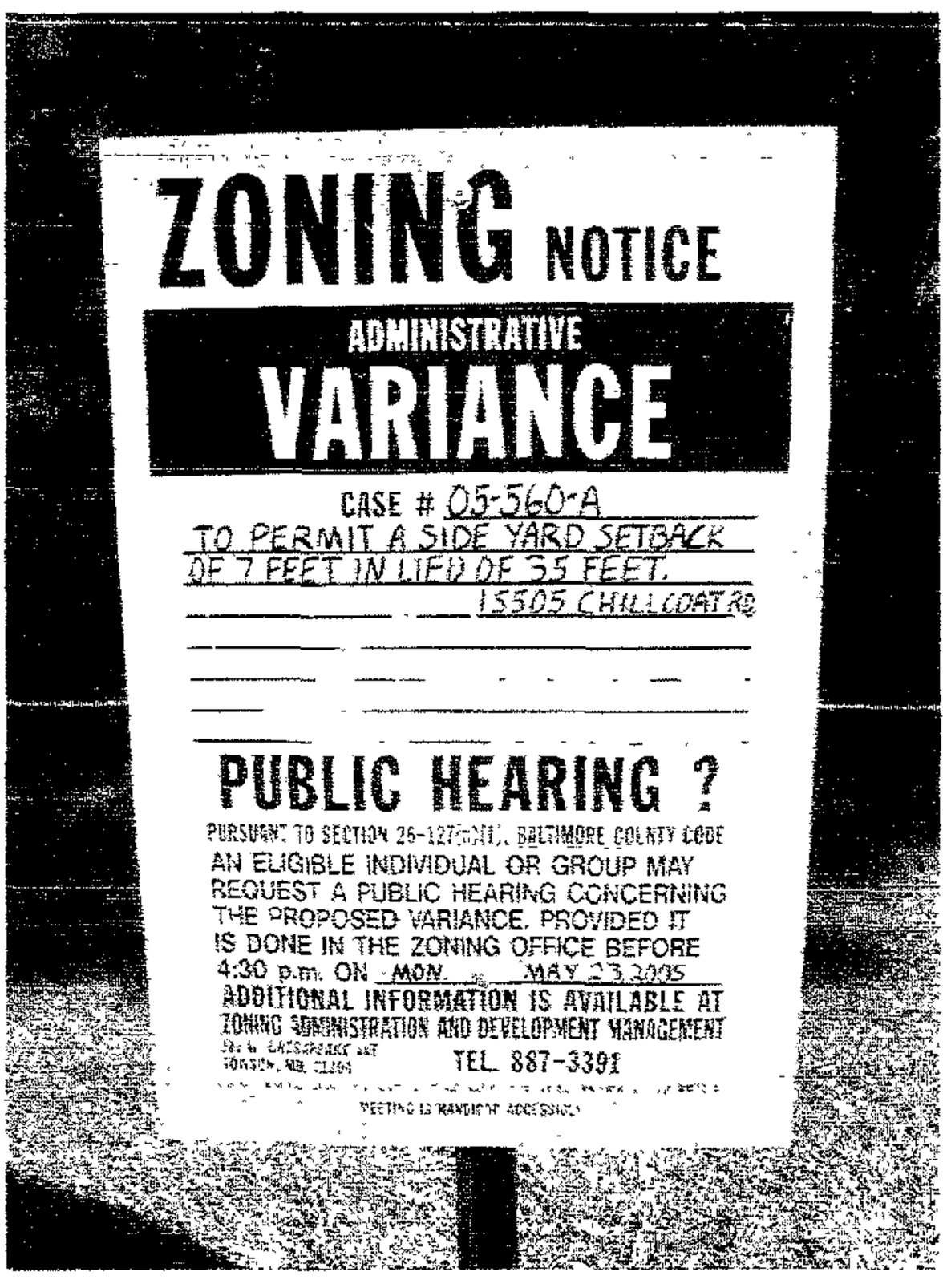
RE: Case Number 05-560-A

Petitioner/Developer STAN HOPE / AUSTIN CHILDS-ARCHITECT

Date of Hearing (Closing) May 23, 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 15505 CHILLCOAT ROAD

The sign(s) were posted on May 8, 2005



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

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

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: 05560A

Petitioner: AUSTIN CHILDS

Address or Location: 16260 FALLS RD MONKTON MD 21111

PLEASE FORWARD ADVERTISING BILL TO:

Name: BOB STANHOPE

Address: 15505 CHILCOAT RD.
SPARKS, MD 21152

Telephone Number: 410. 472. 4686

Revised 2/20/98 - SCJ

05-560-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-560 -A Address 15505 CHUCKATUCK

Contact Person: SUE RAUSANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 04-29-05 **Posting Date:** 05-08-05 **Closing Date:** 05-23-05

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 05-560 -A Address 15505 CHUCKATUCK RD

Petitioner's Name STAN HOTE Telephone 410-472-9269

Posting Date: 05-08-05 **Closing Date:** 05-23-05

Wording for Sign: To Permit A SIDE YARD SETBACK OF 7 FT IN LIEU OF 35 FT.

WCR - Revised 6/25/04

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

May 23, 2005

Robert W. Stanhope
Sara C.Stanhope
15505 Chilcoat Lane
Sparks, Maryland 21152

Dear Mr. and Mrs. Stanhope:

RE: Case Number: 05-560-A, 15505 Chilcoat Lane

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 20, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For May 23, 2005
Item No. 560

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right-of-way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 560-05202005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 2, 2005

RECEIVED

JUN - 6 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-560 and 5-570**
Administrative Variance(s)

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

W:\DEVREV\ZAC\nocomment.doc

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 5-13-05

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

RE: Baltimore County
Item No. 560 JRA

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

From: Roberta Jameson
To: Cunningham, Mark
Subject: ZAC comments

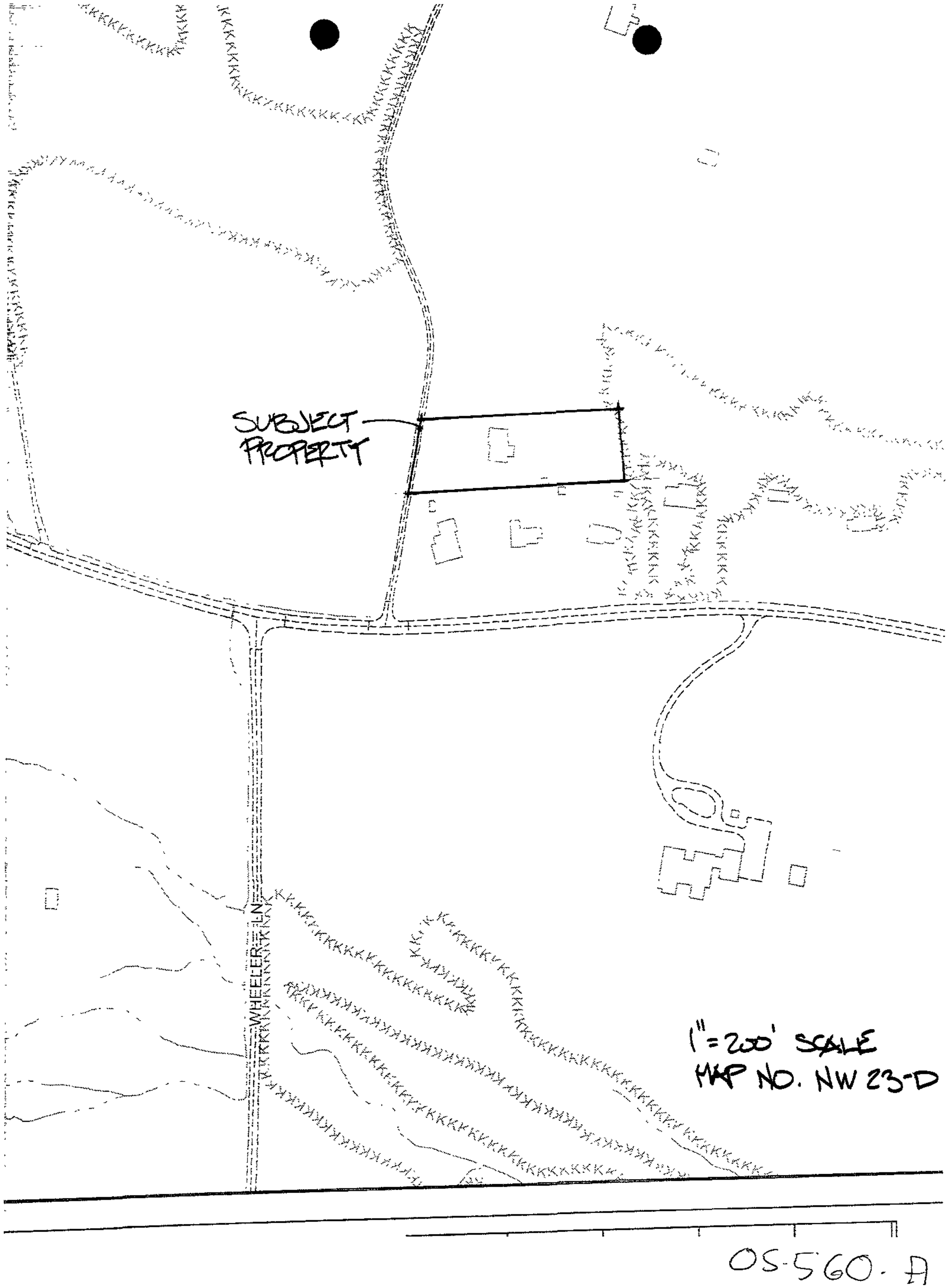
F.Y.I., the following admin. variances need ZAC comments from the Office of Planning:

05-560-A (5/23/05 closing)
05-565-A (5/30/05 closing)
05-570-A (5/30/05 closing)
05-590-A (6/1/05 closing)

Thanks.

Robin

6/3/05



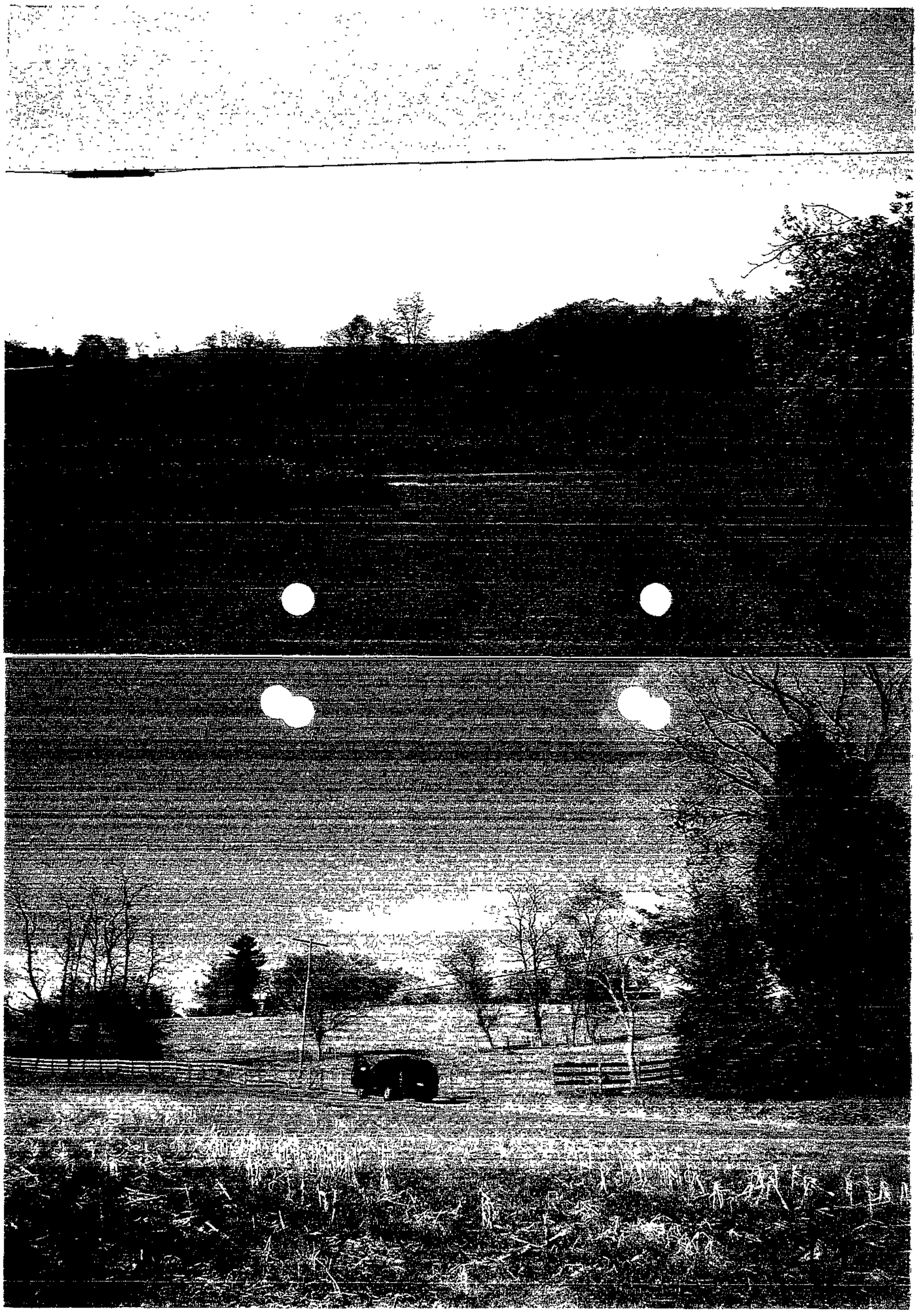
OS-560-A

(1)

05-560-A

(2)

05-560-A



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05-560-A

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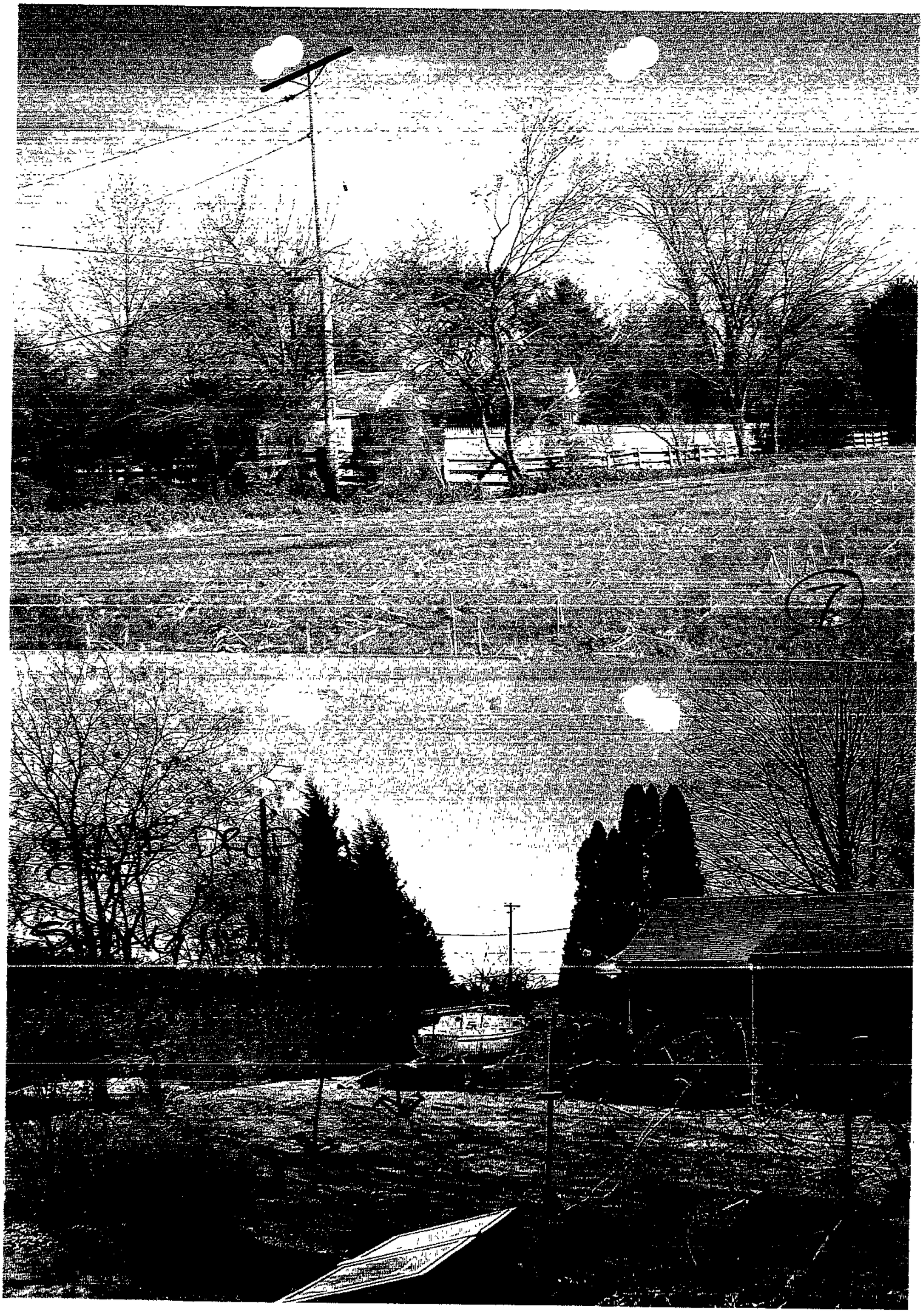
05-560-A



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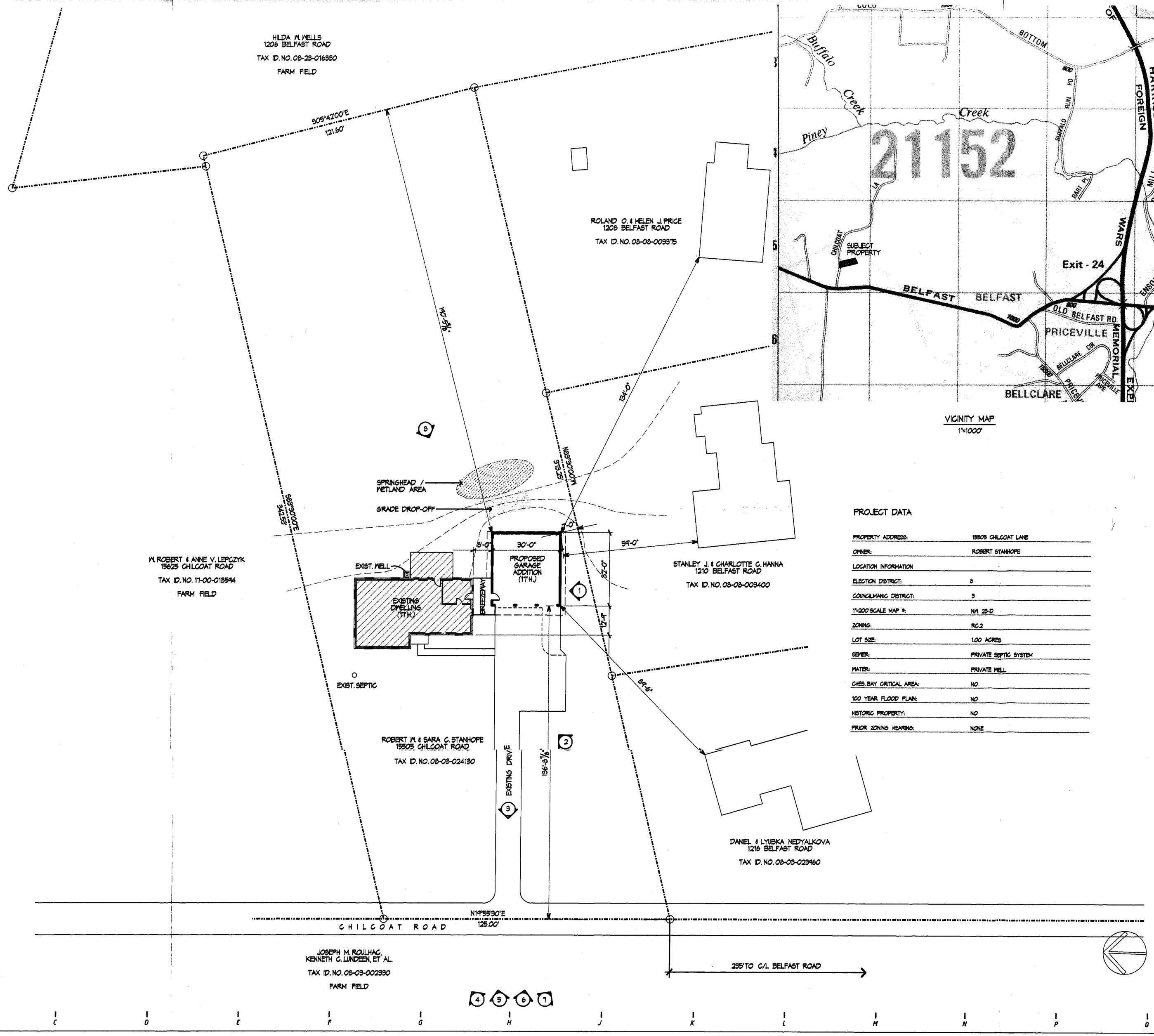

PROJECT DATA

PROPERTY ADDRESS:	15505 CHILCOAT LANE
OWNER:	ROBERT STANHOPE
LOCATION INFORMATION	
ELECTION DISTRICT:	8
COUNCILMANIC DISTRICT:	3
1"=200' SCALE MAP #:	NW 23-D
ZONING:	RC.2
LOT SIZE:	1.00 ACRES
SEWER:	PRIVATE SEPTIC SYSTEM
WATER:	PRIVATE WELL
CHES. BAY CRITICAL AREA:	NO
100 YEAR FLOOD PLAIN:	NO
HISTORIC PROPERTY:	NO
PRIOR ZONING HEARING:	NONE

STANHOPE RESIDENCE

•

GARAGE ADDITION

•

15505 CHILCOAT LANE
SPARKS, MARYLAND 21152

Copyright Austin B. Childs Architecture, LLC 2003. Unauthorized use, reproduction or distribution strictly prohibited.

No	Date	Item

REVISIONS

Drawn

Checked

Approved

austin b childs
architecture
chicken alley design studio
16260 falls road
monkton, maryland 21111
410.472.4686
achildsaia@msn.com

Dev. Ex. #1

PLAT TO ACCOMPANY PETITION for ZONING VARIANCE

SITE PLAN

CONTRACT NO.

SCALE 1" = 20'

DATE April 27, 2005

SP

05-560-A