

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Fork Road, 100 ft. W
centerline of Upland Road
11th Election District
3rd Councilmanic District
(12702 Fork Road)

Andrew Hendrickson
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-576-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 Andrew Hendrickson. The variance request is for property located at 12702 Fork Road in the Baldwin 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 an addition with a rear yard setback of 36 ft. in lieu of the required 50 ft. 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 May 22, 2005, 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 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

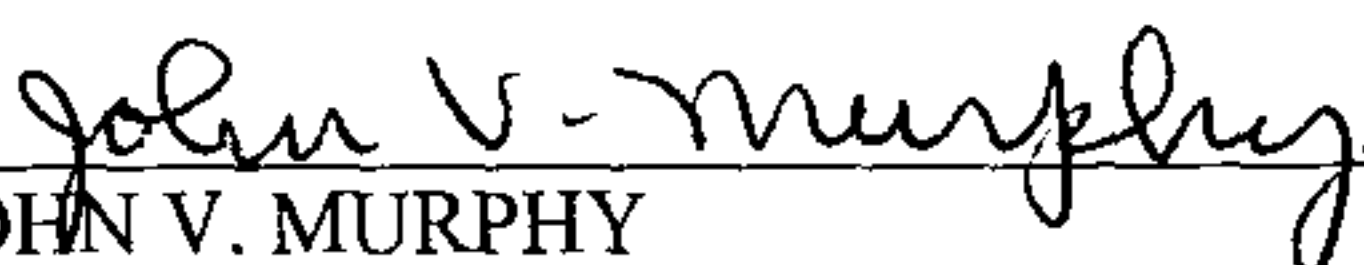
RECEIVED FOR FILE
2005-6-10/05
[Signature]

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 10 day of June, 2005, that a variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a rear yard setback of 36 ft. in lieu of the required 50 ft., 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 his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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

JVM:raj

6/10/05
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

June 10, 2005

Mr. Andrew Hendrickson
12702 Fork Road
Baldwin, Maryland 21013

Re: Petition for Administrative Variance
Case No. 05-576-A
Property: 12702 Fork Road

Dear Mr. & Mrs. Hendrickson:

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 cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure.

c: Patio Enclosures, Inc.
Attention: Greg
224 8th Avenue, NW
Glen Burnie, MD 21061

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





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

12702 Fork Rd.
for the property located at Baldwin, MD 21013
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) 1A04.3.B.2.b BCZR

To permit an addition with a rear yard setback of 36'
in lieu of the required 50'.

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):

Andrew Hendrickson

Name - Type or Print

Signature

Name - Type or Print

Signature

12702 Fork Rd.

Address Telephone No.

Baldwin, MD 21013 410 592-5683

State Zip Code

Representative to be Contacted:

Patio Enclosures Inc.. (attn: Greg)

Name

224 8th Ave NW 443-797-0351

Address Telephone No.

Glen Burnie, MD 21061

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.

CASE NO. 05-576-A

Reviewed By

JF

Date

5-10-05

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 12702 Fork Rd.

Address

Baldwin, MD 21013

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):

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce road noise.
4. A place to sit out and not be concerned with the weather, bugs: mosquitos, flies etc...
5. Improve the apperance of the house
6. The restrictive area of the lot does not lend itself to any addition of pratical size without requiring a variance.

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.

Andrew Hendrickson

Signature

Signature

Andrew Hendrickson

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4TH day of APRIL, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ANDREW HENDRICKSON

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

4/4/2005

Date

[Signature]
Notary Public

My Commission Expires 11/01/2005

Zoning description for
12702 Fork Rd.
Baldwin, MD 21013 Windmill Rd

Beginning at a point on the South side of Fork Road
which is 50 feet wide at the distance of 100 feet West of the
centerline of the nearest improved intersecting street, Upland Rd.
which is 25 feet wide. Being lot # 32 & 33 block B, Section --- in
the subdivision of Merritt Tract as recorded in the Baltimore
county plat book #8, Folio # 12 containing 8,929 square feet. Also
know as 12702 Fork Rd. and located in the 11th election
district, 3rd Council manic district.

ZONING NOTICE
ADMINISTRATIVE
VARIANCE

CASE # 05-576-A

TO PERMIT AN ADDITION WITH A REAR
YARD SETBACK OF 36 FEET IN LIEU OF
THE REQUIRED 50 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON JUNE 16, 2005
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
TEL. 887-3391

ZONING NOTICE
ADMINISTRATIVE
VARIANCE

CASE # 05-576-A

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TEL. 887-3391

MEETING IS HANDICAP ACCESSIBLE

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 444394

DATE 5-10-05

ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED HENDRICKSON

FROM: 12742 FERK RD

CS-576-A

FOR: Admin. Vot.

PAID RECEIPT

BUSINESS ACTING TIME

5/10/2005 5/10/2005 13:35:10

PER M304 WALKIN FROM 1000

RECEIPT # 313053 5/10/2005

Dept 5 528 304186 4911161004

R 101, 444394

Receipt Tot \$65.00

\$65.00 OK \$1.00 CA

Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-576-A

Petitioner/Developer: ANDREW HEARDRICKSON

Date of Hearing/ Closing: JUNE 6, 2005

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Becky Hart

Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at *12702 FORK ROAD

The sign(s) were posted on

MAY 22, 2005
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

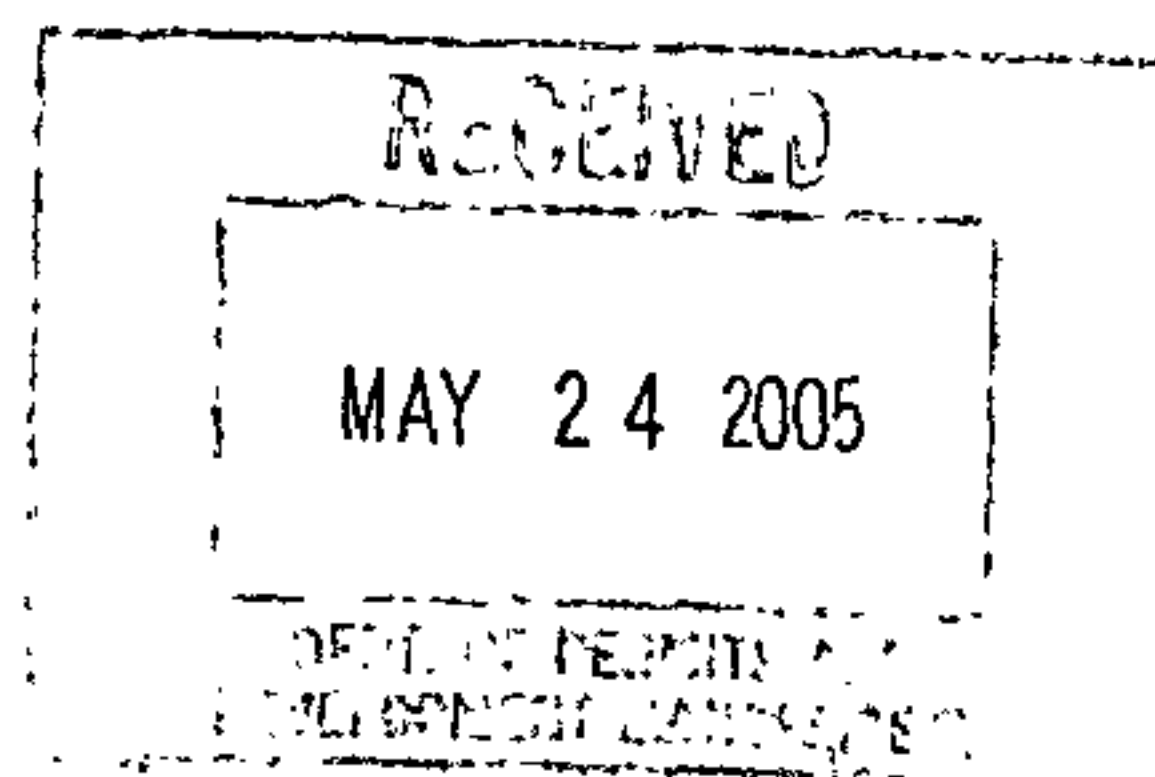
(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



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: 05-576-A

Petitioner: Andrew Hendrickson

Address or Location: 12702 Fork Rd. Baldwin, MD 21013

PLEASE FORWARD ADVERTISING BILL TO:

Name: Patio Enclosures Inc...

Address: 224 8th Ave NW

Glen Burnie, MD 21061

Telephone Number: 443-797-0351

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 576 -A

Address 12702 FORK RD

Contact Person: JUN FERNANDO

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 5-10-05

Posting Date: 5-22-05 Closing Date: 6-6-05

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- 576 -A

Address 12702 FORK RD.

Petitioner's Name Andrew Hendrickson

Telephone 410-592-5683

Posting Date: 5-22-05

Closing Date: 6-6-05

Wording for Sign: To Permit an addition with a rear yard setback of
36' in lieu of the required 50'.

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

June 6, 2005

Andrew Hendrickson
12702 Fork Road
Baldwin, Maryland 21013

Dear Mr. Hendrickson:

RE: Case Number: 05-576-A, 12702 Fork Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 10, 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.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Patio Enclosures, Inc. 224 8th Avenue NW Glen Burnie 21061

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

May 23, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 4, 2005

Item No. 568,570,571,573,574,575,576,577,579,580,581,582

Pursuant to your request, the above referenced plan(s) have been reviewed by this Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Department has no comments at this time.

If you have any questions contact my office.

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
Department of Permits & Development
Management

FROM: ^{DAK} Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 31, 2005
Item No: 568, 570, 571, 573, 575, 576 and 577

DATE: May 25, 2005

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-05252005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr *JPO*

DATE: June 14, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 23, 2005

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

05-568

05-571

05-573

05-574

05-575

05-576

05-577

05-580

05-581

05-582

Reviewers: Sue 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

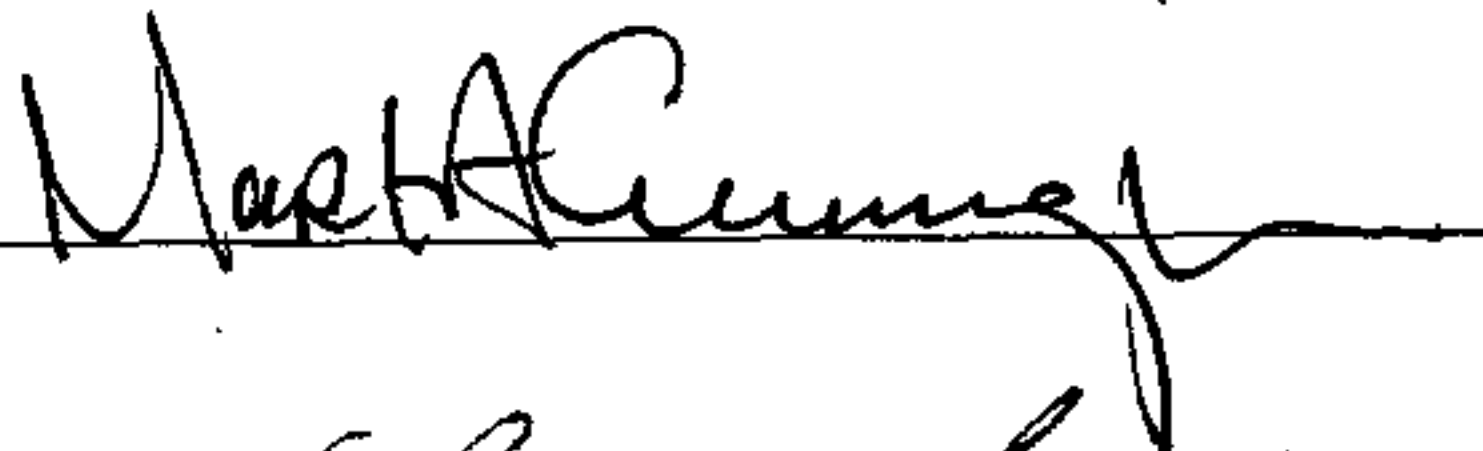
DATE: May 23, 2005

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

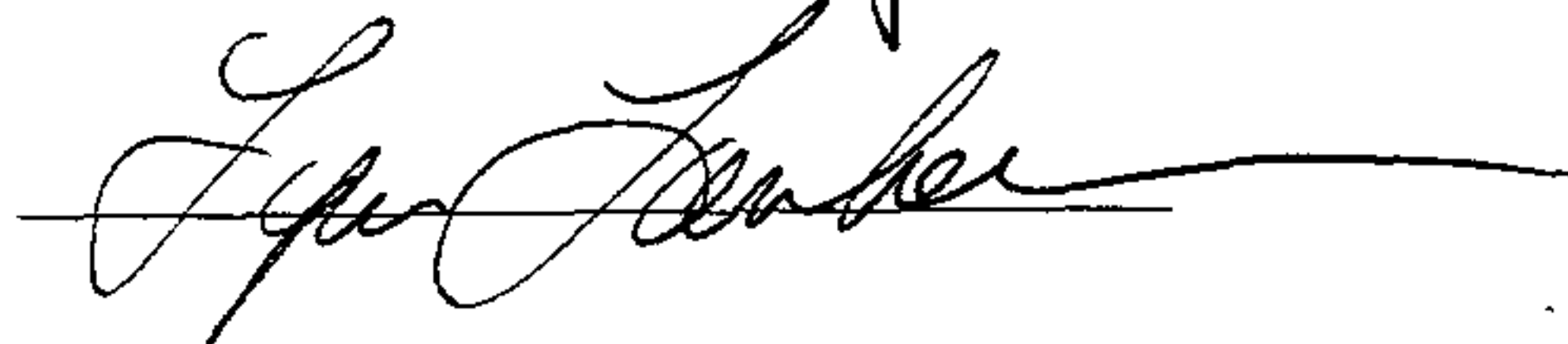
SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-571, 5-573 and 5-576**
Administrative Variance(s)

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

RECEIVED

MAY 24 2005

ZONING COMMISSIONER

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



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

Maryland Department of Transportation

Date: 5.20.05

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

RE: Baltimore County
Item No. 576

JRF

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,

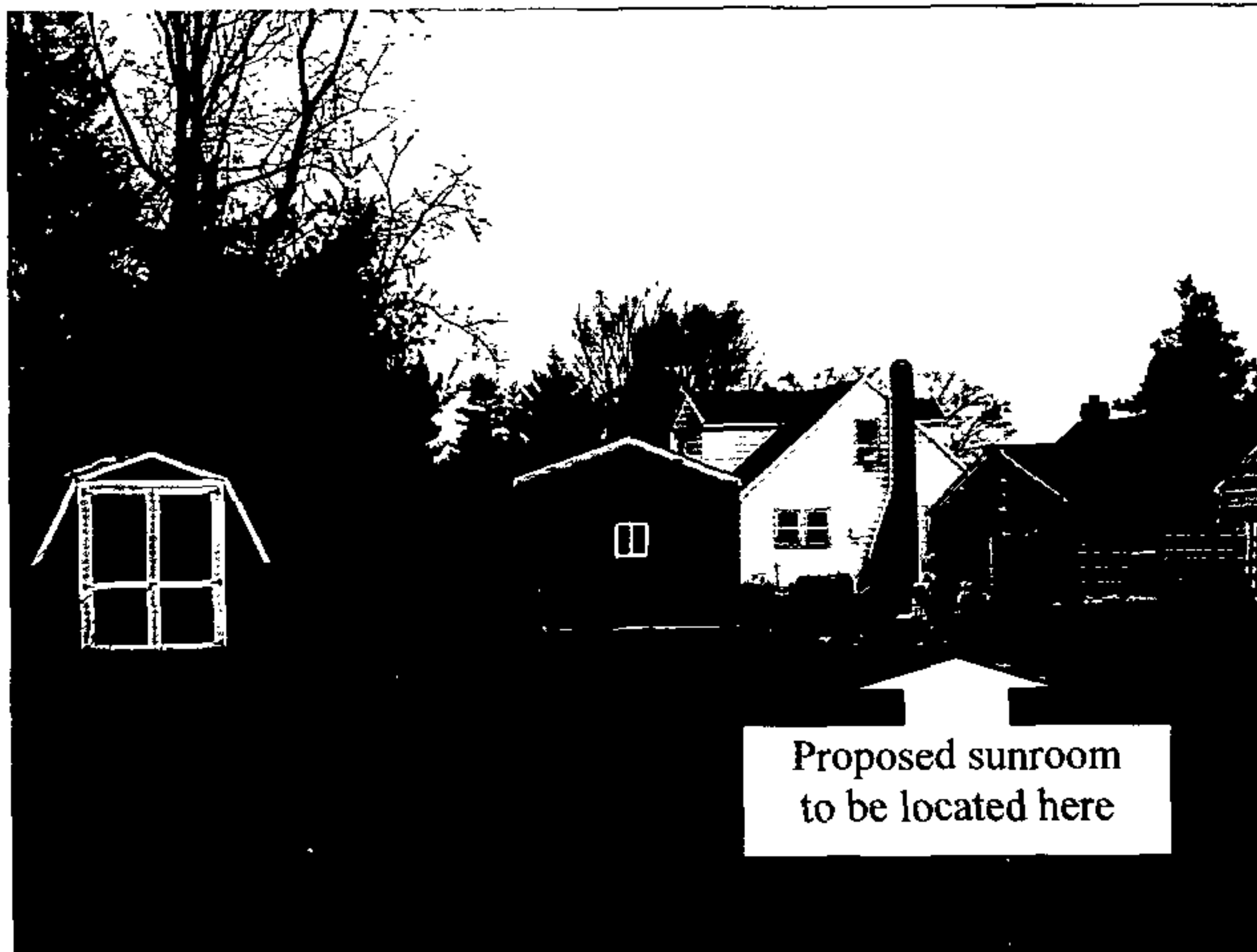
Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

*Variance Photo's For:
12702 Fork Rd.
Baldwin, MD 21013*



View of rear of dwelling as seen from upland road.



View of proposed sunroom location as seen from rear corner of yard.

576

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 12702 Fork Rd BALDWIN, MD 21013 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

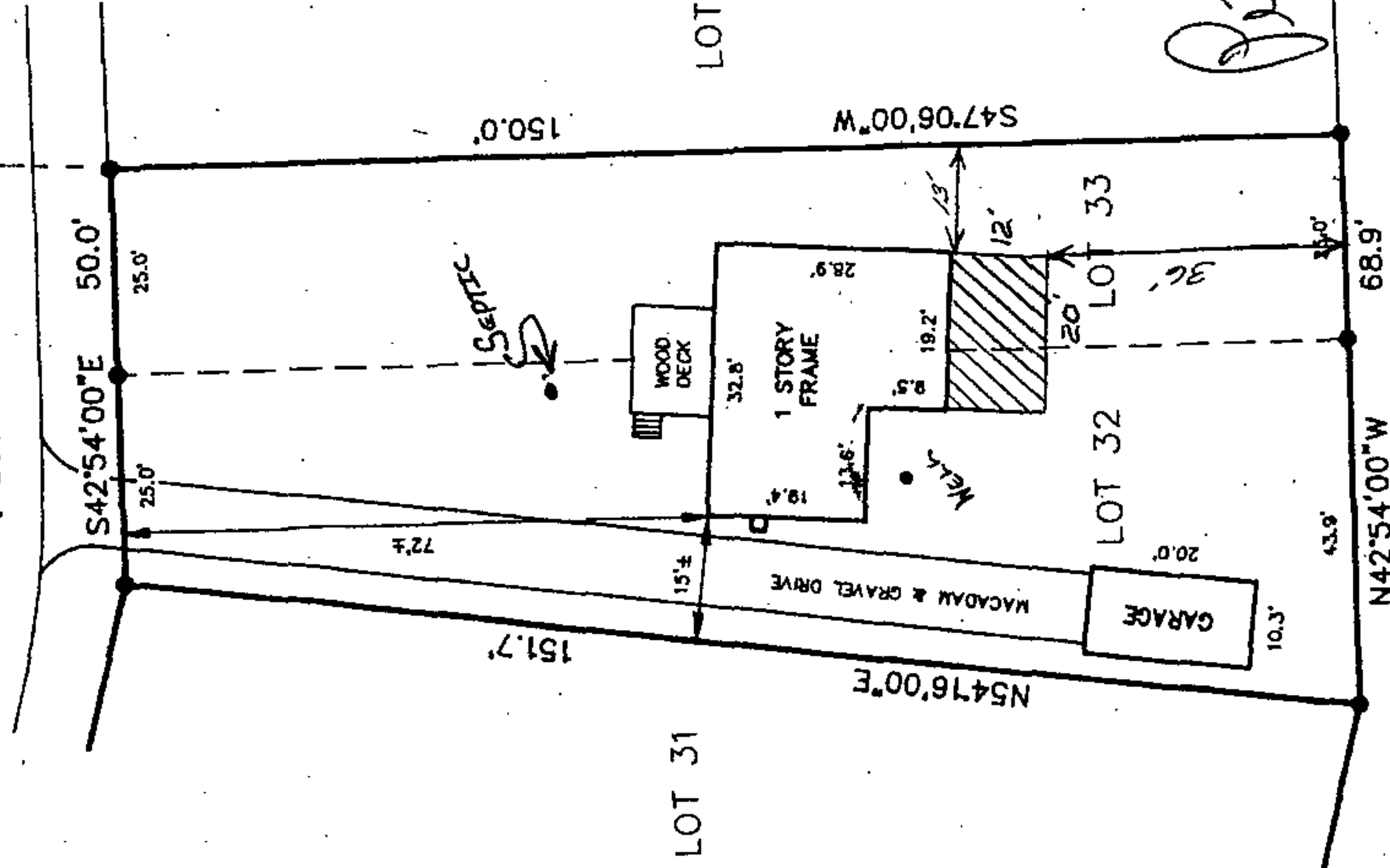
SUBDIVISION NAME MERRITT TRACT

PLAT BOOK # 8 FOLIO # 12 LOT # 32/33 SECTION #

OWNER ANDREW HENDERICKSON

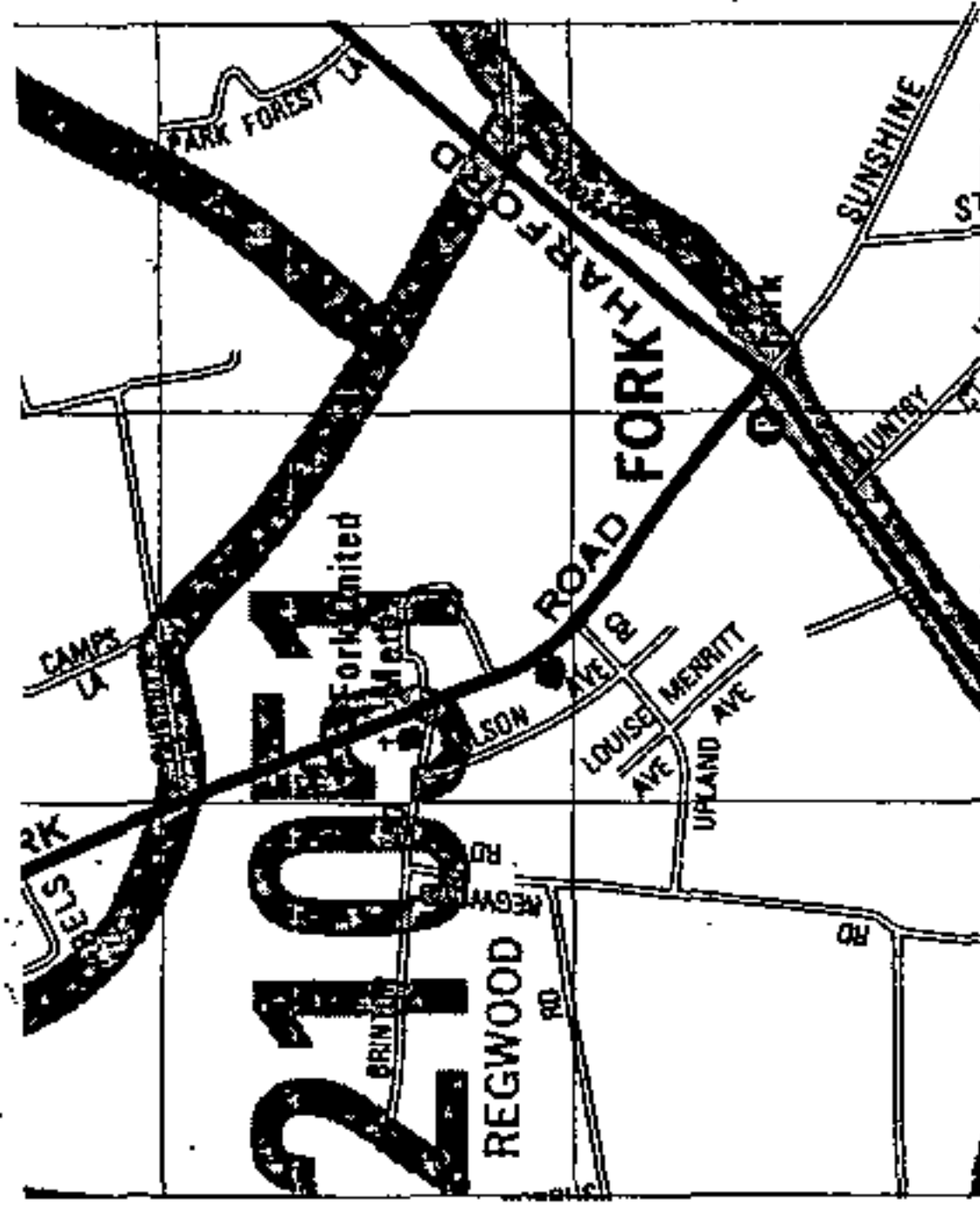
FORK ROAD

100' +
TO UPLAND RD



SCALE OF DRAWING: 1" = 30'

PREPARED BY Greg FALTER



VICINITY MAP
SCALE: 1" = 2273'

LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 03

1" = 200' SCALE MAP # NE 16-14

ZONING RC-5

LOT SIZE .20 ACRES 8,929 SQUARE FEET

SEWER ☐ PUBLIC ☐ PRIVATE ☒

WATER ☐ PUBLIC ☐ PRIVATE ☒

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

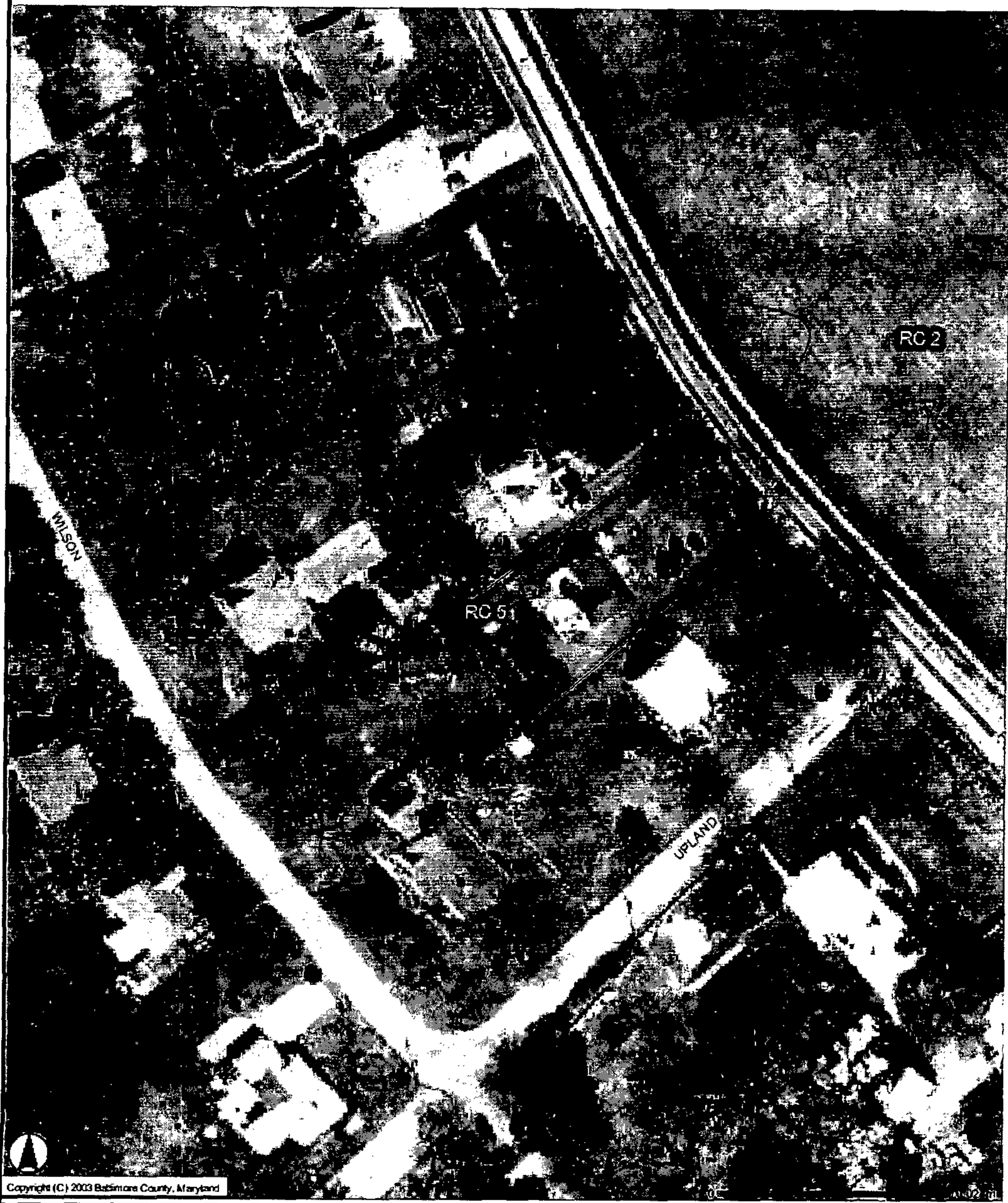
100 YEAR FLOOD PLAIN YES ☐ NO ☒

HISTORIC PROPERTY / BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY
REVIEWED BY 5F ITEM # 1576 CASE #

Baltimore County - My Neighborhood



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3/24/05