IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Belfast Road, 1,000 ft. W
centerline of Duncan Hill Road
8th Election District
3rd Councilmanic District
(1721 Belfast Road)

Terry L. Stevenson Petitioner BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 05-584-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 owner of the subject property, Terry L. Stevenson. The administrative variance is requested for property located at 1721 Belfast Road in the Sparks area of Baltimore County. The administrative variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (pole barn) to be located in the front/side yard in lieu of the required rear yard. 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 21, 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 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.

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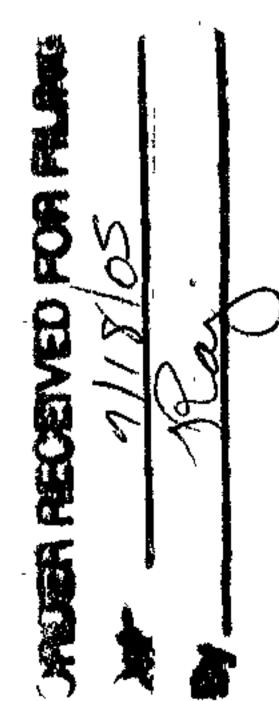
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, I find that the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, this _______ day of July, 2005, by this Zoning Commissioner, that the Petitioner's request for administrative variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (pole barn) to be located in the front/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 Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition;

WILLIAM LAWISEMAN, III ZONING COMMISSIONER FOR BALTIMORE COUNTY

WJW,III: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

July 18, 2005

Ms. Terry L. Stevenson 1721 Belfast Road Sparks, Maryland 21152

> Re: Petition for Administrative Variance Case No. 05-584-A Property: 1721 Belfast Road

Dear Mr. Stevenson:

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 Huly yours,

William J. Wiseman, III Zoning Commissioner

WJW,III:raj Enclosure





Petiten for Administrative Variance

to the Zoning Commissioner of Baltimore County

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Affida it 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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Affidatit in Support of Aministrative 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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to the Zoning Commissioner of Baltimore County

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ZONING DESCRIPTION

Zoning description for 1721 Belfast Rd., Sparks, Md. 21152

Beginning at a point on the south side of Belfast Rd., which is 70 ft. wide at the distance of 1000 feet west of the centerline of the nearest improved intersecting street, Duncan Hill Road which is 35 feet wide, being Lot #3, in the subdivision of S & S farms as recorded in Baltimore County Plat Book # 39, Folio # 13 containing 2.42 acres. Also known as 1721 Belfast Rd. and located in the 8th election district, 3rd councilmanic district.

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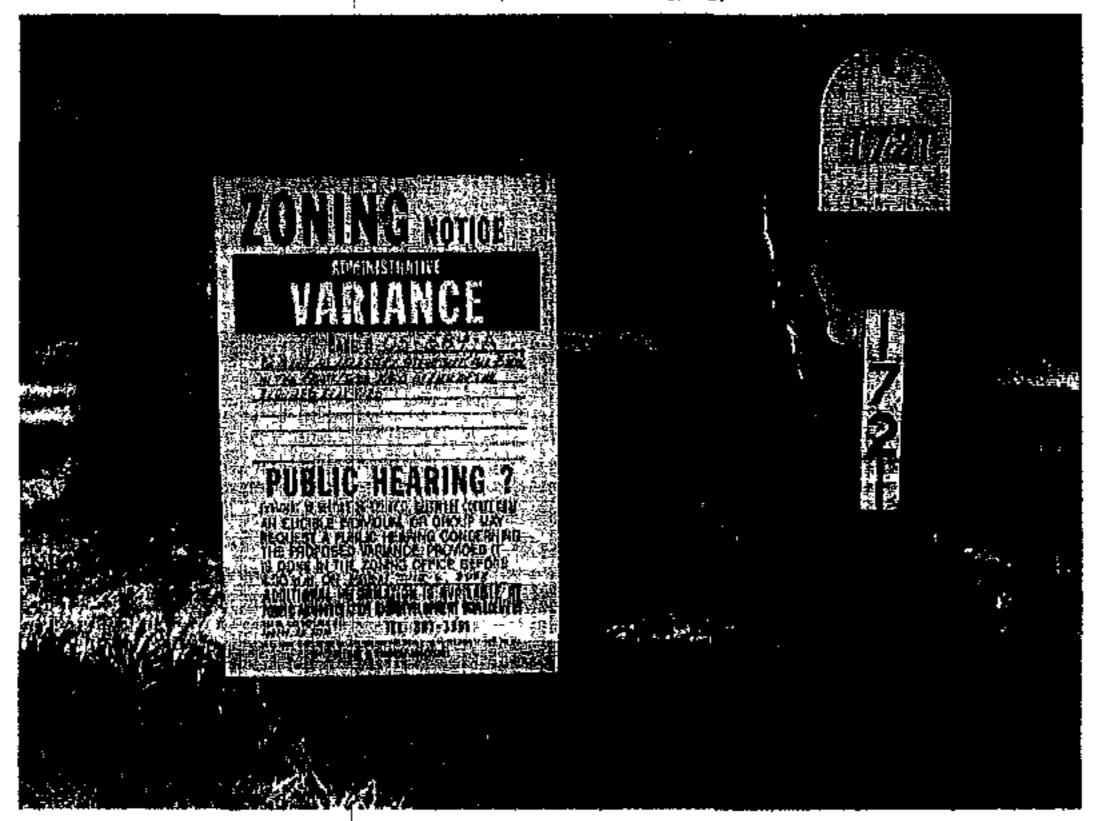
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CERTIFICATE OF POSTING

RE:Case No. 05-584-1

	Petitioner/Developer: Teley
	STEUEUSON
	Date of Closing/Hearing: 4/
Baltimore County Department of	
Permits and Development Manage	
County Office Building, Room 11	
11 West Chesapeake Avenue	
Attention:	
XVVVIII.	
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!	Waster Od 5/21/25
	Sign Poster and Date
	Martin Ogle
	5016 Castlestone Drive
	Baltimore Maryland 21237
	(443-629-3411)

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May 21,2005

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

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: 05-584-4
Petitioner: TERRY L. STEVENSON
Address or Location: 1721 BE/FANT Ro.
Sparks MO. 21152
PLEASE FORWARD ADVERTISING BILL TO:
Name: TERRY L. STEVENSON
Address: 1721 BEIFAST RO
Span mo 2/152
Telephone Number: 410 329-3053

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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Department of Permits and Development Management

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





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

June 6, 2005

Terry L. Stevenson 1721 Belfast Road Sparks, Maryland 21152

Dear Ms. Stevenson:

RE: Case Number: 05-584-A, 1721 Belfast Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 12, 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.

U. Call Rill D

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





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 20, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 20, 2005

Item No:: 584-587, 589-594

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

1. 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.

Insp. Tribble Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



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



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



Robert L. Flanagan, Secretary Nell 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.

BPR

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

RECEIVED

DATE: July 14, 2005

ZONING COMMISSIONER

SUBJECT:

1721 Belfast Road

INFORMATION:

Item Number:

5-584- Amended Comments

Petitioner:

Terry L. Stevenson

Zoning:

RC 2

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and the requested materials in the correspondence dated June 9,2005. Subsequent to the aforementioned the Office of Planning does not oppose the petitioner's request to permit an accessory building (pole barn) in the front/side yard in lieu of the required rear yard.

For further information concerning the matters stated here in, please contact Bill Hughey at 410-887-3480.

Division Chief:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 2, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 6, 2005

Item No. 581, 584, 588, 590, 591, 592, 593

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-06022005.doc

Zoning Commissioner

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





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

June 20, 2005

Ms. Terry L. Stevenson 1721 Belfast Road Sparks, Maryland 21152

> Re: Petition for Administrative Variance Case No. 05-584-A Property: 1721 Belfast Road

Dear Ms. Stevenson:

I have been given your request for administrative variance for review and received the attached comment from the Office of Planning. As you can see, they note that your property seems to be in a historic district. The Office of Planning is concerned that the proposed barn may compromise the historic nature of the property. Before they can support your request, they ask that you submit additional information for their review.

If you agree to submit the requested information and work with the Office of Planning, I can hold the record on this case open for a revised comment from that office and then make a decision on your request. If you do not agree, I can set the matter in for public hearing in which you and a representative of the Office of Planning can explain each position.

I also note that if I approve the zoning variance requested, you would apply for a building permit. The Landmarks Preservation Commission (LPC) would likely review that application again for compliance with their standards. Under these circumstances, petitioners normally apply to the LPC for their approval before making the request for zoning variance.

In any case, please let me know your thoughts as to how you would like to proceed in writing at your earliest convenience.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



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

CASE# 05-584-A



JUN 2 7 2005

ZONING COMMISSIONER

MR. JOHN MURPHY DEPUTY ZONING COMMISSIONER

RE: PETITION FOR ADMINISTRATION
VARIANCE
CASE # 05-584-A

DEAR MR. MURPHY,

THANK YOU FOR REVIEWING MY PETITION. I WAS UNAWARE OF THE HISTORIC LISTING OF MY PROPERTY AS I WOULD HAVE APPLIED TO THE LPR BEFORE FILING. I HAVE CONTACTED THE OFFICE OF PLANNING AND AM SUBMITTING THEIR REQUESTED DOCUMENTATION PLANE KEEP MY FILE CURCENT AS THIS POLE BARN IS WELL WITHIN THE HISTORIC NATURE OF THE AREA. THE OLOR FARMS AROUND ME HAVE THE SAME BARN THAT IS ON THE SIDE OF THE HOUSE. MY PROPOSED BARN WILL Also BE ON THE SIDE OF MY HOUSE AND NOT IN FRONT.

THIS WAS DIE OF THE CONCERN OF THE OFFICE OF PLANNING.

Please Also NOTE THAT WHEN I Applied
THROUGH THE DEPT. OF PERMITS, THE PLANNER
THAT ASSISTED ME, MR. BRUNO RADAITIS
WAS UNAWARE OF THE HISTORIS STATUS OF
THE PROPERTY. HE WEUT BEYOND HIS JOB

REQUIREMENTS TO ASSIST ME. I HOPE THIS
ERRON IN FILING ON MY PART WILL NOT REFLECT
UPON HIM.

Again, THANK YOU FOR YOUR CONSIDERATION

AND IF ANY THING FURTHER IS NEEDED

PLASE LET ME KNOW.

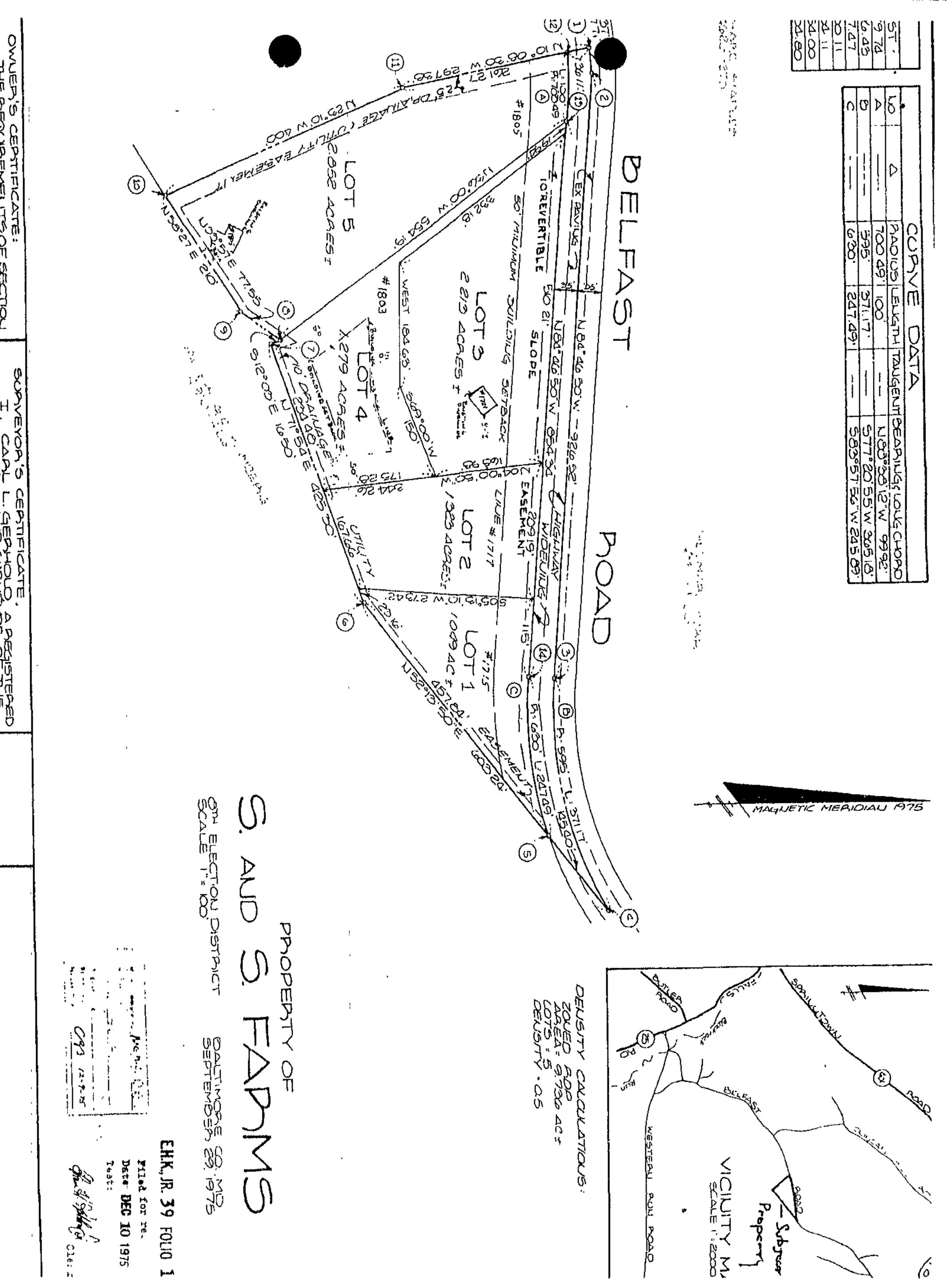
Very Truly Yours

Terry Stevenson

CASE # 05-584-A

PREPARED BY TERRY L. STEWENSON SCALE OF DRAWING: 1" = 80'	NORTH	OWNER TERRY L. STEVENSON MY 10 668-4300 MY 1	TTO ACCOMPANY PETITION FOR ZONING XVARIANC PERTY ADDRESS 1721 Belfast Rd SEE PAGES 5 & 6 OF THE CHECKLIST F SEDIVISION NAME 5 5 Feb 2 THE CHECKLIST F 1721 Belfast Rd
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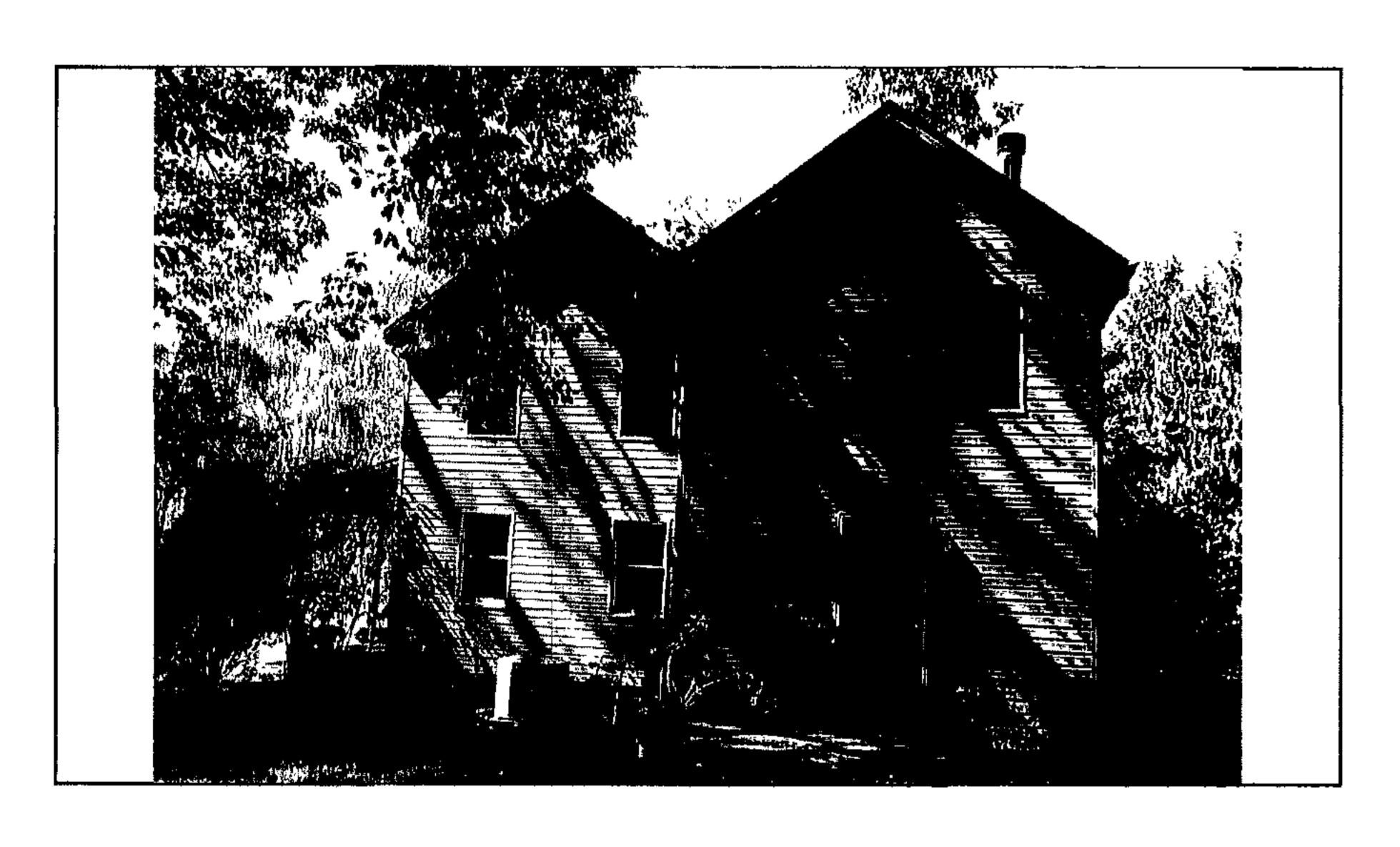




Terry L. Stevenson: 1721 Belfast Road Sparks, MD 21152

W > 410 329-3053

#584

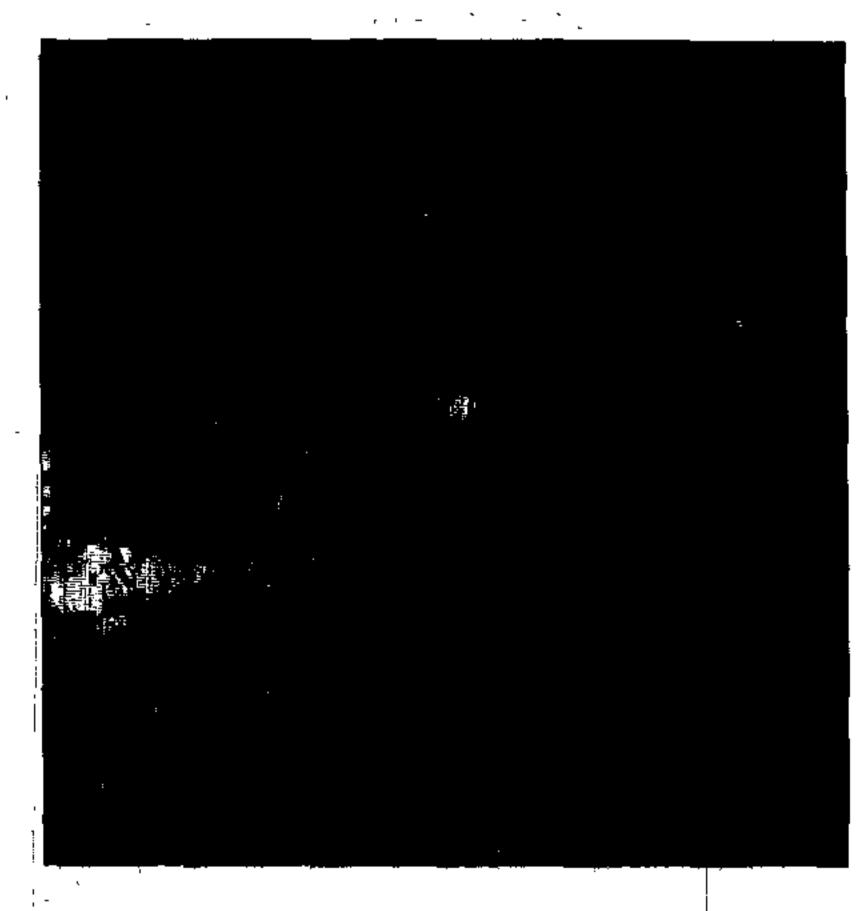




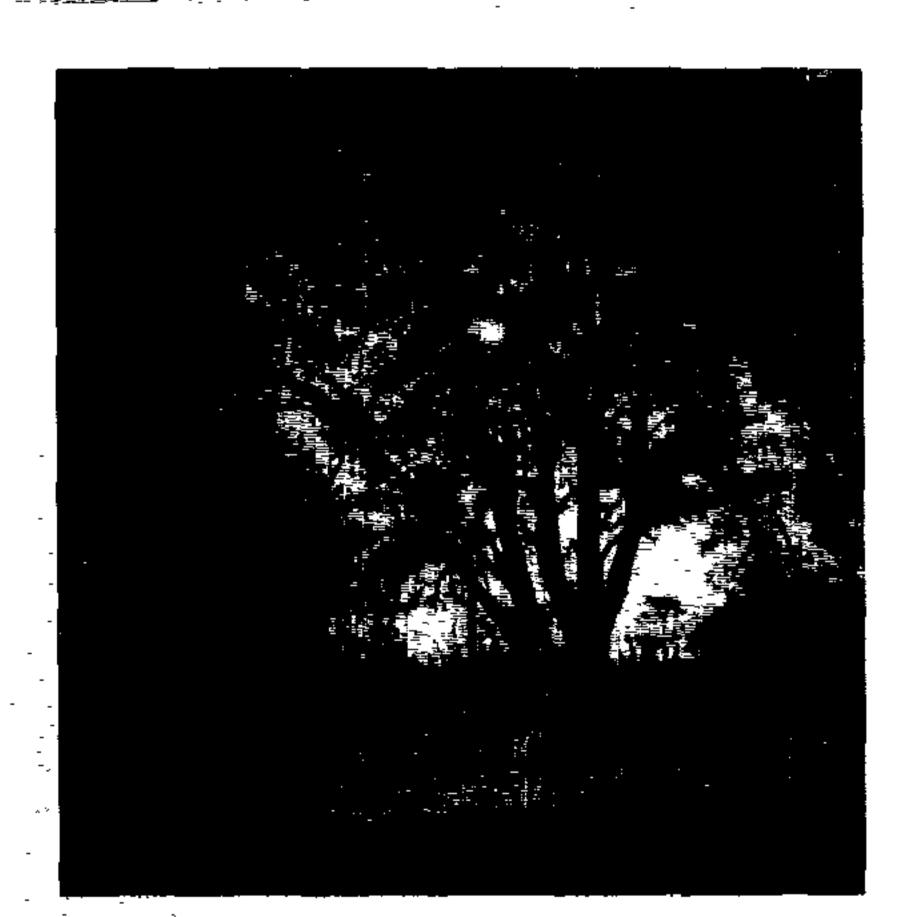
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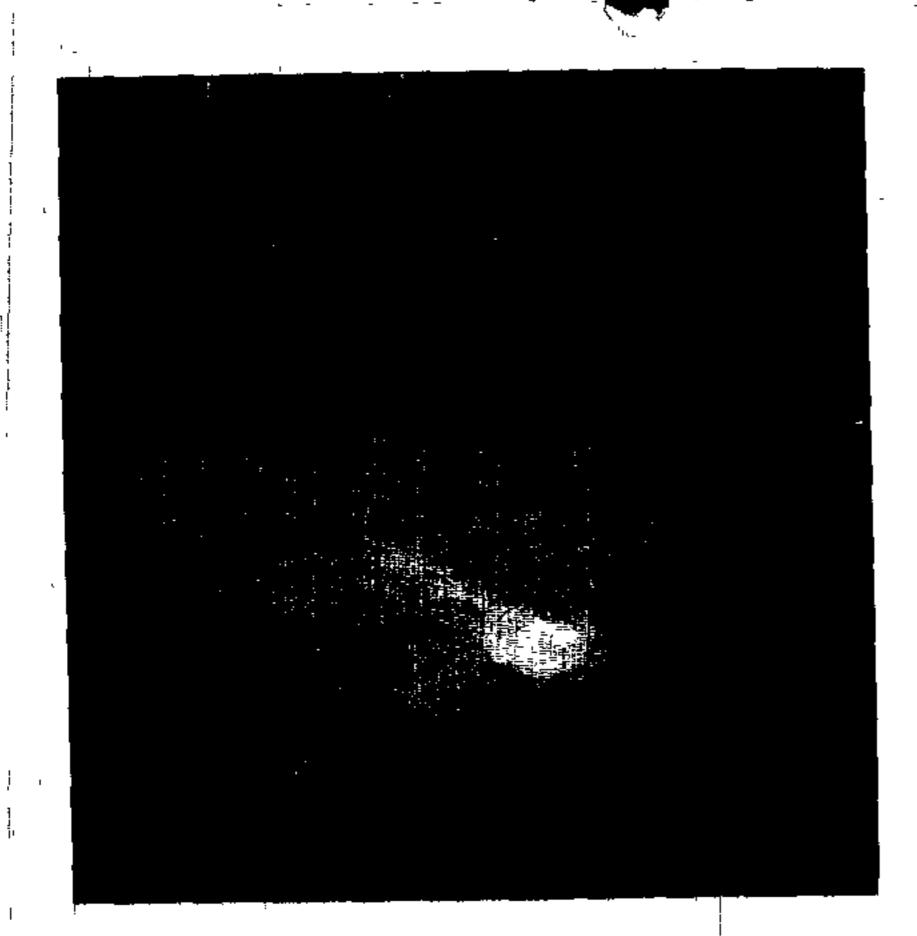


SIDE (WELL)

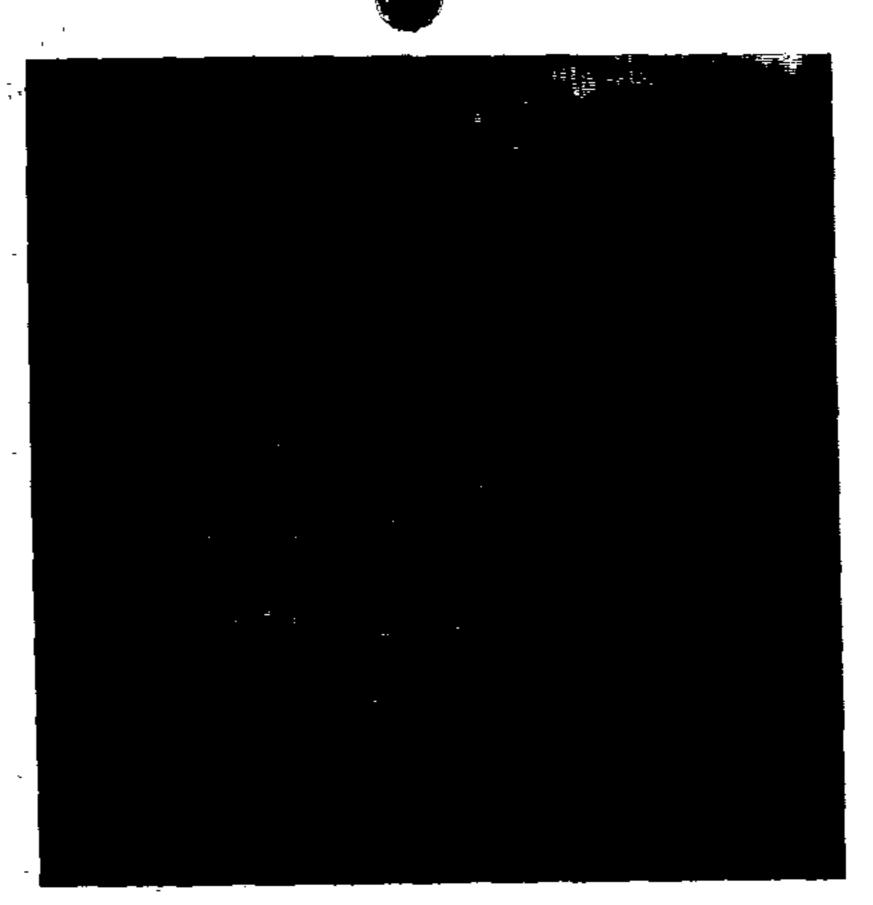


BACK

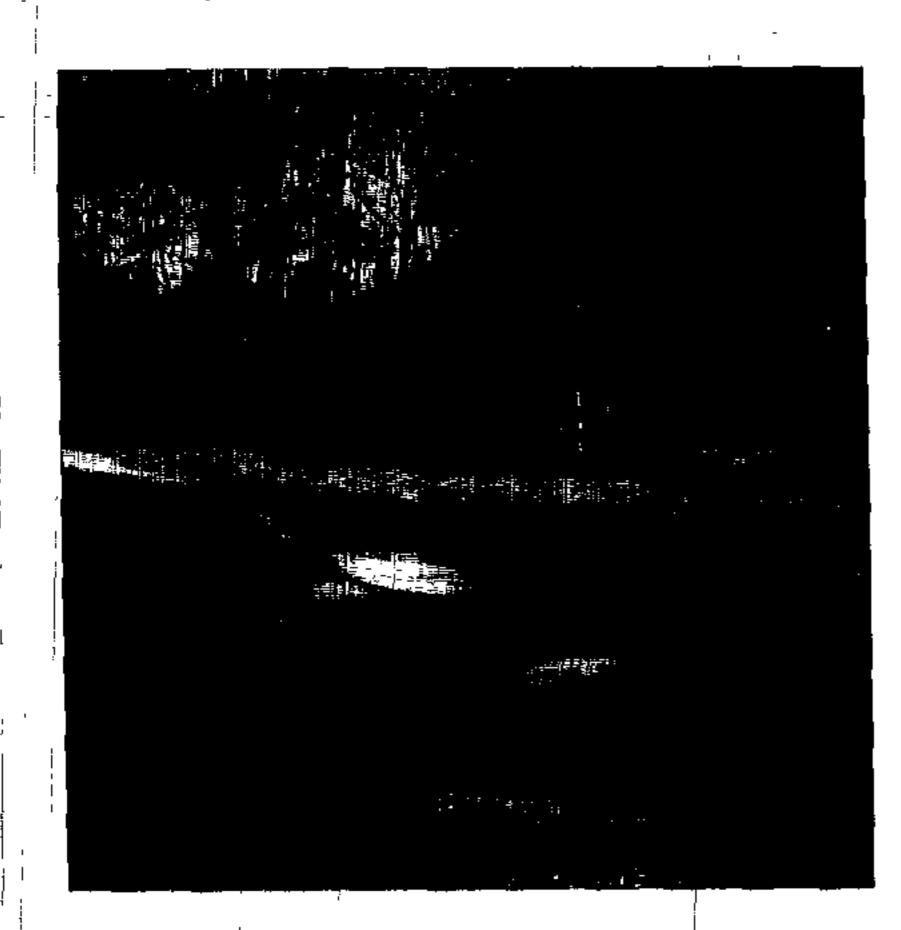
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FRONT



FRONT

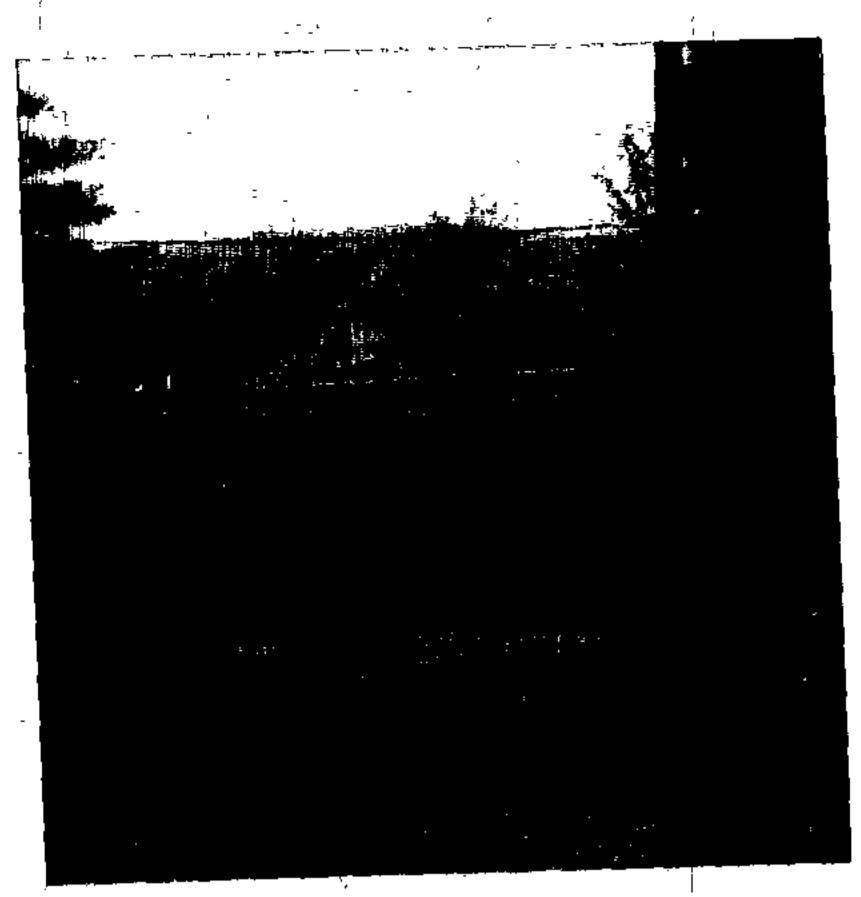


FRONT



BACK S. SEPTIC

4 410 329 3053 W 410 668 4300



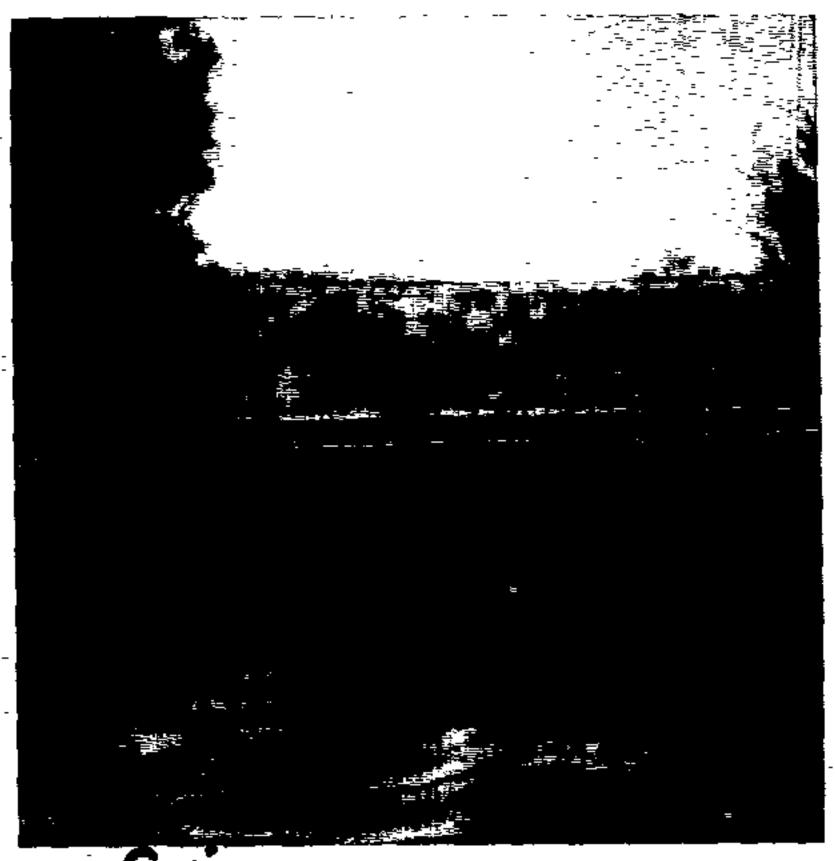


Proposeo Pole Bard Looking Across
BELAAST





Proposeo Pok Baru Sire



BACK OF BARN 47 romo

Proposed Pole Barn
L 20!
W 30!
H 9!

BACK OF BARN TO ROAD 47!

Terry L. Stevenson 1721 Belfast Road Sparks, MD 21152

