

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Brinton Road, 246 ft. W
centerline of Fork Road
11th Election District
3rd Councilmanic District
(6511 Brinton Road)

Connie & Frank Hess
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-007-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, Connie and Frank Hess. The administrative variance is requested for property located at 6511 Brinton Road in the Fork area of Baltimore County. The administrative variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition with a side setback to property line of 16 ft. and to a (paper) street centerline of 32 ft. in lieu of the required 50 ft. and 75 ft. respectively. 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 July 10, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 Bureau of Development Plans Review dated July 25, 2005, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
8/16/05
Ray

Amended Site Plan

As the result of comments for the Bureau of Plans Review, the Petitioners made slight modifications to the Plan to Accompany which reflect the wider rights-of-way required. The revised plan is marked Exhibit 2. No changes were required to Petition as the result of these changes to the Plan.

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

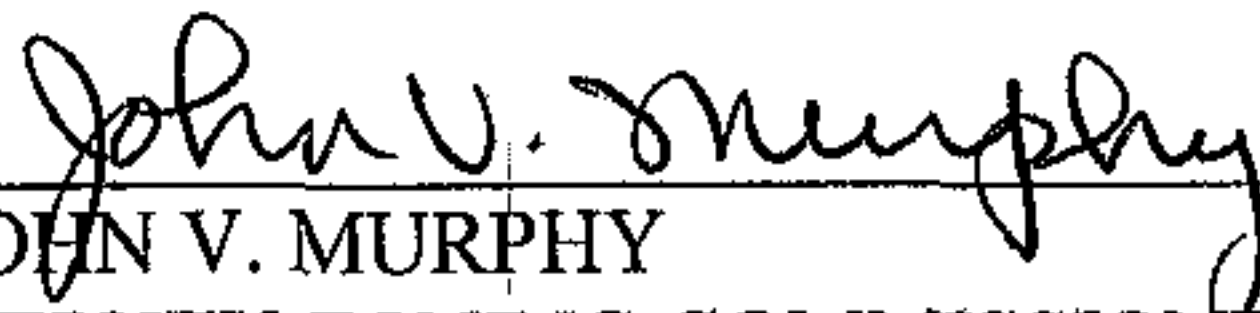
ORDER RECEIVED FOR FILING
8/16/05
Raj

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 16 day of August, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for administrative variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition with a side setback to property line of 16 ft. and to a (paper) street centerline of 32 ft. in lieu of the required 50 ft. and 75 ft. respectively as shown in exhibit 2, 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. The Petitioners shall comply with the ZAC comments submitted by the Bureau of Development Plans Review dated July 25, 2005, a copy of which is attached hereto and made a part hereof;
3. When applying for a building permit, the site plan field 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.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
8/16/05
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

August 16, 2005

Mr. & Mrs. Frank Hess
6511 Brinton Road
Fork, Maryland 21051

Re: Petition for Administrative Variance
Case No. 06-007-A
Property: 6511 Brinton Road

Dear Mr. & Mrs. Hess:

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, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Melissa Gabinet
American Design & Build
221 Gateway Drive
Bel Air, MD 21014

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 6511 Brinton Rd.

which is presently zoned RCS

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) 1 A04.3.B.2.b to Permit

& PROPOSED ADDITION with a (side) setback to PROPERTY line of 16ft and to A (PAPER) street center line of 32 ft. IN LIEU OF THE REQUIRED 50 ft. and 75 ft. 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):

Frank Hess

Name - Type or Print

Signature

Connie Hess

Name - Type or Print

Signature

6511 Brinton Rd

410.592.7066

Address

Telephone No.

Folk

MD

21051

City

State

Zip Code

Representative to be Contacted:

Melissa Gabinet American Design + Build

Name

221 Gateway Dr

410.557.0555

Address

Telephone No.

Bel Air

MD

21014

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 16 day of June, 2005, 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. 06-007-SPH

Reviewed By JL

Date 6/30/05

REV 10/25/01

Estimated Posting Date 7/10/05

APP HAS SIGN POSTER

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

4511 Brinton Rd
Address
TOLK City MD State 21051 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 request is to build an addition on the side of the home to be used for a master bedroom bathroom. Due to the unique shape of the lots and the exact placement of the house on the lot, to build this addition would encroach the side setback of 50 ft. There would be no other place on the property to build this addition. On the front of the house is a porch, deck on the back which would have to be torn down, also would not be a convenient spot to get to from the master bedroom. Due to the fact the house sits so close to the side property line leaves no room for improvements/additions to that side of the house.

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.

Frank Hess
Signature

Frank Hess
Name - Type or Print

Constance Hess
Signature

Constance Hess
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of June, 2005 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Sandi L Tunney / FRANK & CONNIE HESS
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Sandi L Tunney
Notary Public

SANDI L. TUNNEY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July

My Commission Expires July 11, 2007

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

6511 Brinton Rd.
Address
Fork MD 21051
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 request is to build a 5' addition on the side of the home to be used for a master bedroom bathroom. Due to the unique shape of the lots and the exact placement of the house on the lot, to build this addition would encroach the required side setback of 50. ft. There would be no other place on the property to build this addition. AND centerline setback of 25 ft to a paper road. On the front of the house is a porch, deck on the back, which would have to be torn down, also would not be a convenient spot to get to from the master bedroom. Due to the fact the house sits so close to the side property line leaves no room for improvements/additions to that side of the house.

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.

Frank Hess
Signature

Frank Hess
Name - Type or Print

Constance Hess
Signature

Constance Hess
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of June, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Sandi L Tunney / FRANK & CONSTANCE HESS
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Sandi L. Tunney
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July
Notary Public
My Commission Expires July 11, 2007



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6511 Brinton Road
which is presently zoned RCS

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) 1 A04.3.B.2.b to Permit

A proposed addition with a (side) setback to property line of 16 ft. and to a (paper) street center line of 32 ft. in lieu of the required 50 ft. and 75 ft. 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):

Frank Hess

Name - Type or Print

Frank Hess

Signature

Connie Hess

Name - Type or Print

Connie Hess

Signature

6511 Brinton Rd. 410-592-7066

Address

Telephone No.

Fork

MD

21051

City

State

Zip Code

Representative to be Contacted:

Melissa Gabinet - American Design-Build

Name

221 Gateway Dr. 410-557-0555

Address

Telephone No.

Bel Air

MD

21014

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 06 day of July 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. 06 007 SPH

REV 10/25/01

Reviewed By [Signature]

Date 6/30/05

Estimated Posting Date 7/10/05

APP HAS SIGN POSTER.

ZONING DESCRIPTION FOR 6511 Brinton Road

Beginning at the point on the South ~~side~~ side of Brinton Road which is 10 feet ^{PAVING} wide at the distance of 246 feet ^{WEST} ~~side~~ of the centerline of the nearest improved intersecting street Fork Road which is 30 feet wide.

Being Lot # 1 thru 6, Section # B in the subdivision of Village Of Fork as recorded in the Baltimore County Plat Book # 8, Folio # 12, containing 35,152 sq. feet. Also known as 6511 Brinton Road and located in the 11th Election District, Councilmanic District.

007

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 6/30/05

ACCOUNT

001 006 6150

AMOUNT \$

65.00

RECEIVED

FROM:

Heater Commercial Design & Landsc.

FOR:

Rea Lawrence

6511 Brewster Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED

DATE

RECEIPT #

RECEIVED

DATE

RECEIPT #

RECEIVED

DATE

RECEIVED

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. **06-007-A**
Petitioner/Developer:
Frank & Connie Hess
Closing Date: **July 25, 2005**

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

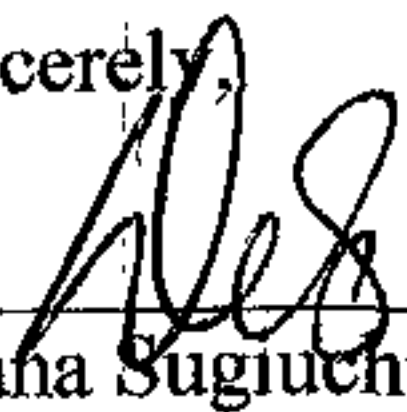
Attention: Ms. Kristen Matthews:

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 **6511 Brinton Rd.**

The sign(s) were posted on **7/10/05**

Sincerely,



Diana Sugiuchi
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 05-007-A

TO REQUEST A PROPOSED VARIANCE WITH A (SIDE)
RETRACT TO CURRENT LINE OF 16 FT. AND TO A (SIDE)
STREET CENTER LINE OF 52 FT. 6 IN. FROM THE
ADJACENT 50 FT. AND 75 FT. RESPECTIVELY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(D)(1) OF 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 PM ON 2005-1-26-2005

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
11111 BROADWAY AVE.
Baltimore, MD 21204 TEL: 641-3391

FOR MORE INFORMATION, CONTACT THE ZONING OFFICE AT 641-3391
OR VISIT THE ZONING WEBSITE AT www.baltimorecountymd.gov/zoning



**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: 06 007 A
Petitioner: x Melissa Gabinet / MR + Mrs. Hess
Address or Location: x 4511 Brinton Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: American Design + Build - Steve Cammer
Address: 221 Gateway Dr
Bel Air MD 21014

Telephone Number: 410-557-0555

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEWADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 06 007 -AAddress 6511 BRINTON RD.Contact Person: JOHN LEWIS

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 6/30/05Posting Date: 7/10/05Closing Date: 7/25/05

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 06 007 -AAddress 6511 BRINTON RDPetitioner's Name FRANK & CONNIE HESSTelephone 410 592 7066Posting Date: 7/10/05Closing Date: 7/25/05

Wording for Sign: To Permit A PROPOSED ADDITION WITH A (SIDE) SETBACK TO PROPERTY
LINE OF 16 FT AND TO A (PAPER) STREET CENTER LINE OF 32 FT
IN LIEU OF THE REQUIRED 50 FT AND 75 FT RESPECTIVELY.



Hess
6511 Bynum Rd
Case #06-007-A

END OF PAVING
EXISTING "PAPER" ROAD



RIGHT SIDE OF House

5'5" ADDITION @ WINDOW
TO FRONT CORNER

CASE # 06-007-A
6511 Brinton Rd



ADDITION TO EXTEND
5'5" TO INSIDE OF
EXISTING WALK

6511 Brinton RD.
Case # 06-007-A



17255

EXISTING PAPER ROAD

Along 6511 BRANTON ROAD
ADJACENT TO

Case # 0067.A

**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*

July 25, 2005

Frank Hess
Connie Hess
6511 Brinton Road
Fork, Maryland 21051

Dear Mr. and Mrs. Hess:

RE: Case Number: 06-007-A, 6511 Brinton Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 30, 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
Melissa Gabinet American Design 221 Gateway Drive Belair 21014

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

July 14, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: July 18,, 2005

Item No.: 001,003,006,(007),008,011,013,014,015,016,017,018,019

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 Fire Marshal's Office has no comments at this time.

Acting Lieutenant David S. Heath
Fire Marshal's Office
(O) 410-887-4881
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: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 25, 2005
Item No. 007

DATE: July 25, 2005

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. Show the future right-of-way centered on the existing right-of-way for each street-Brinton and Wilson. Adjust the setbacks accordingly.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 007-07252005.doc

AV
7/25

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 27, 2005

RECEIVED

JUL 29 2005

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-007

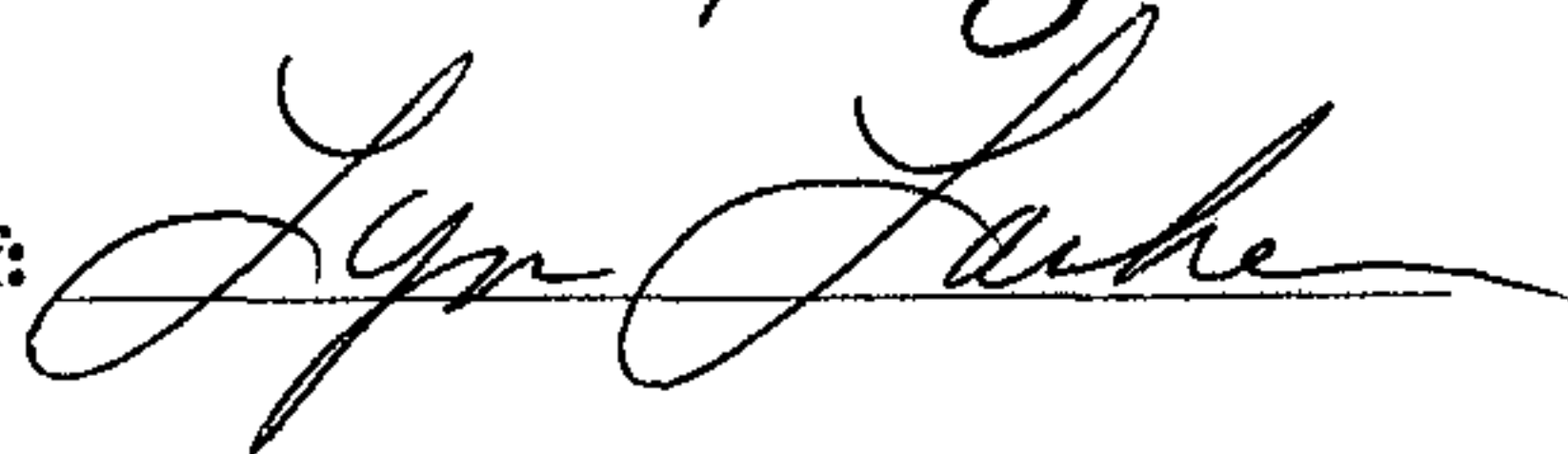
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL



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

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

Maryland Department of Transportation

Date: 7.15.05

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

RE: Baltimore County
Item No. 007 JLL

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

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

August 4
July 28, 2005

Mr. & Mrs. Frank Hess
6511 Brinton Road
Fork, Maryland 21051

Re: Petition for Administrative Variance
Case No. 06-007-A
Property: 6511 Brinton Road

Dear Mr. & Mrs. Hess:

I was given your requested administrative variance for review and approval. Upon my review of your file, it came to my attention that the Zoning Advisory Committee (ZAC) comment prepared by the Bureau of Development Plans Review would like you to change your plan to accompany to show a 40 ft. right-of-way for Wilson Avenue and Brinton Road. This may affect the variance request I have before me.

I suggest that you contact Mr. Dennis Kennedy (410-887-3751) for the changes he recommends, then take the revised sketch back to Zoning Review to see if any changes are needed in your petition. Send me the amended petition (if needed) and your amended plan. Thereafter I can make my decision on your request.

Thank you for your attention and cooperation in this matter. Should you have any questions regarding this matter, please feel free to contact my office at 410-887-3868.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Melissa Gabinet
American Design & Build
221 Gateway Drive
Bel Air, MD 21014

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



Mr. Murphy,

I marked the ZAC plan as needed. I checked with Jim Fernando in the zoning office and we both feel that no change is needed to the variance request, only the dimension changed from 16.5 feet to 12.5 feet. Call if you still have any questions.

Dennis Kennedy

8/11/05

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 6511 Brinton Road

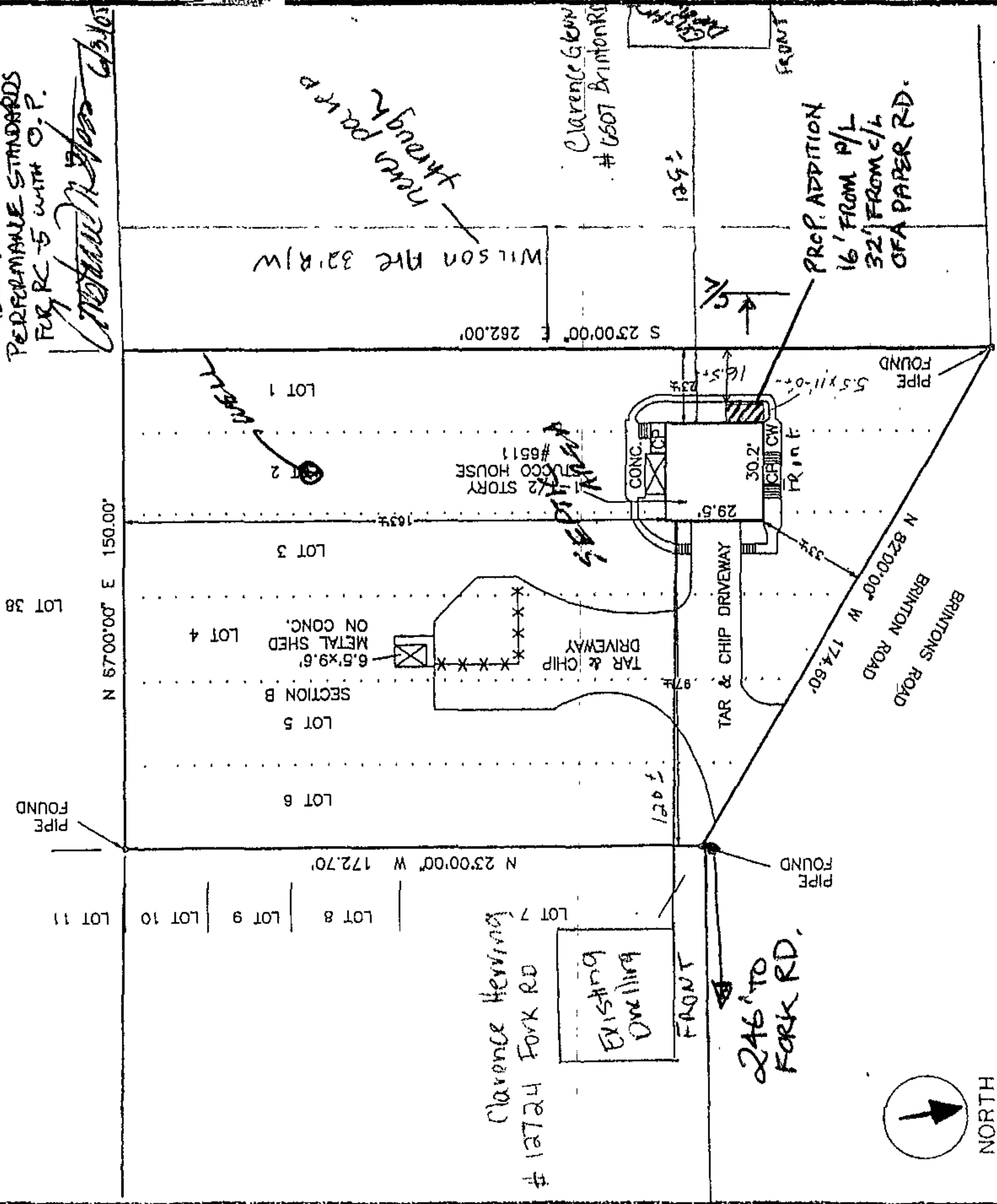
SUBDIVISION NAME Village of Fork - Merritt tract

PLAT BOOK # 8 FOLIO # 12 LOT # 1-6 SECTION # 3

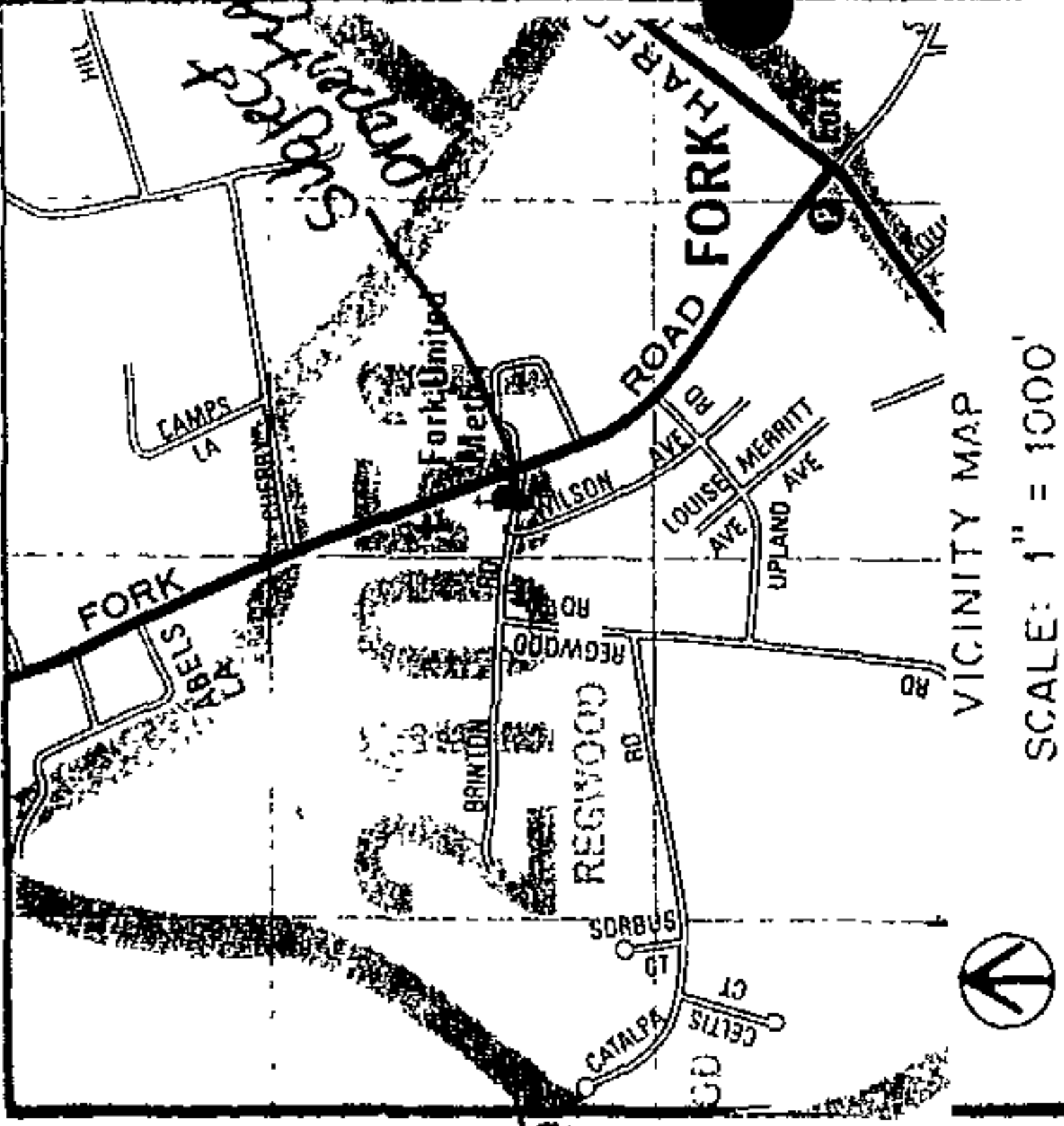
OWNER Franklin & Connie Hess

APPLICANT RESPONSIBLE FOR ALL INFORMATION AS WRITTEN & DRAWN BY BAI Co.
ADVISED TO DISCUSS ANY PERFORMANCE STANDARDS FOR RC-5 WITH O.P.

Michael R. Hess
6/3/03



Fork Road



LOCATION INFORMATION

ELECTION DISTRICT 11th

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 54

ZONING RC5

LOT SIZE 35,152 ACRES 35,152 SQUARE FEET

SEWER ☐ PUBLIC ☐ PRIVATE ☒

WATER ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☐ NO ☒

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY / BUILDING ☐

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY Item # CASE # 06007A

SCALE OF DRAWING: 1" = 50'

PREPARED BY Michael Hess

Lot Ex #1

PLAT TO ACCOMPANY PETITION FOR ZONING

☒ VARIANCE

☐ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 1511 Brinton Road

SUBDIVISION NAME Village of Fork - Merritt tract

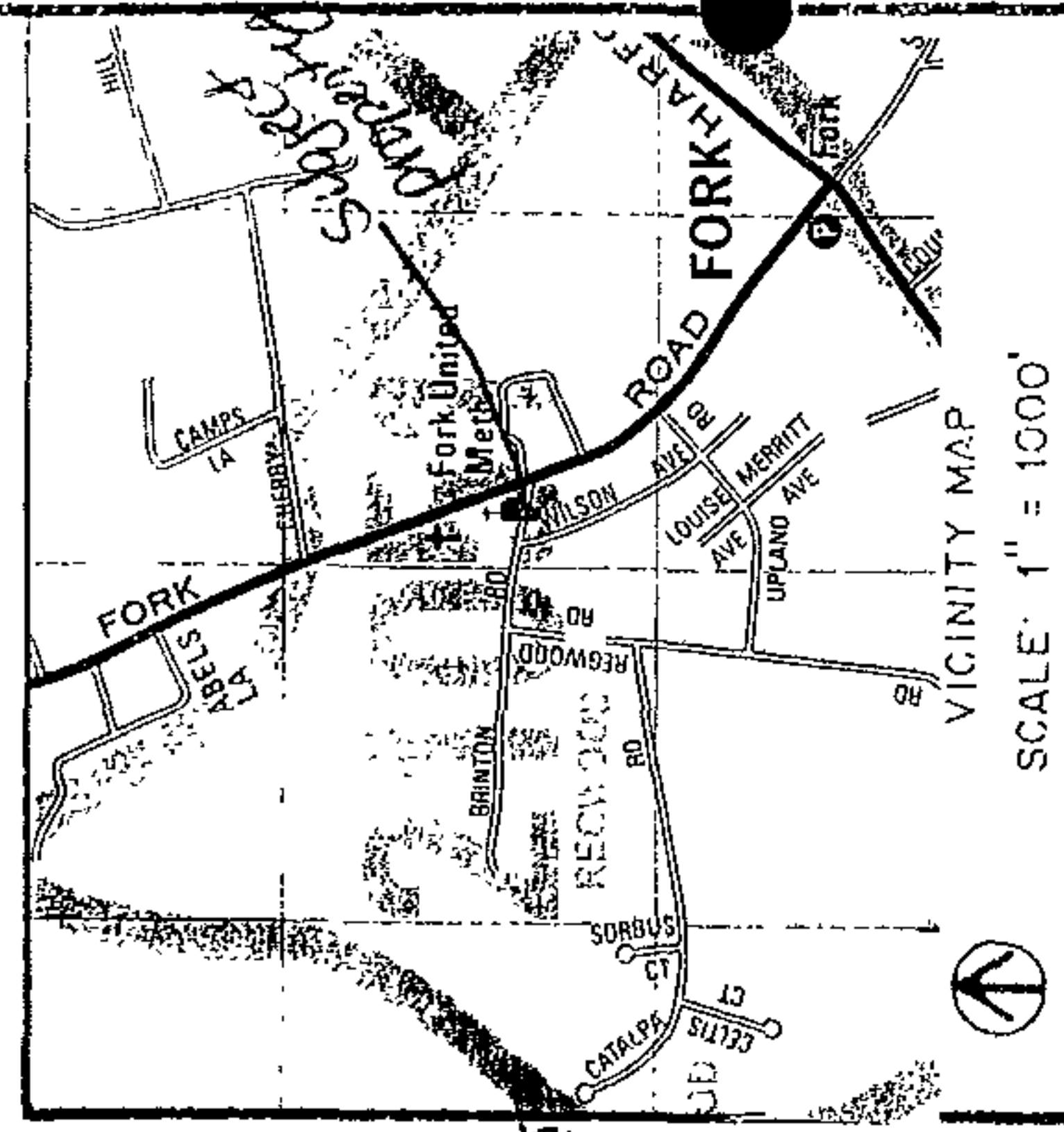
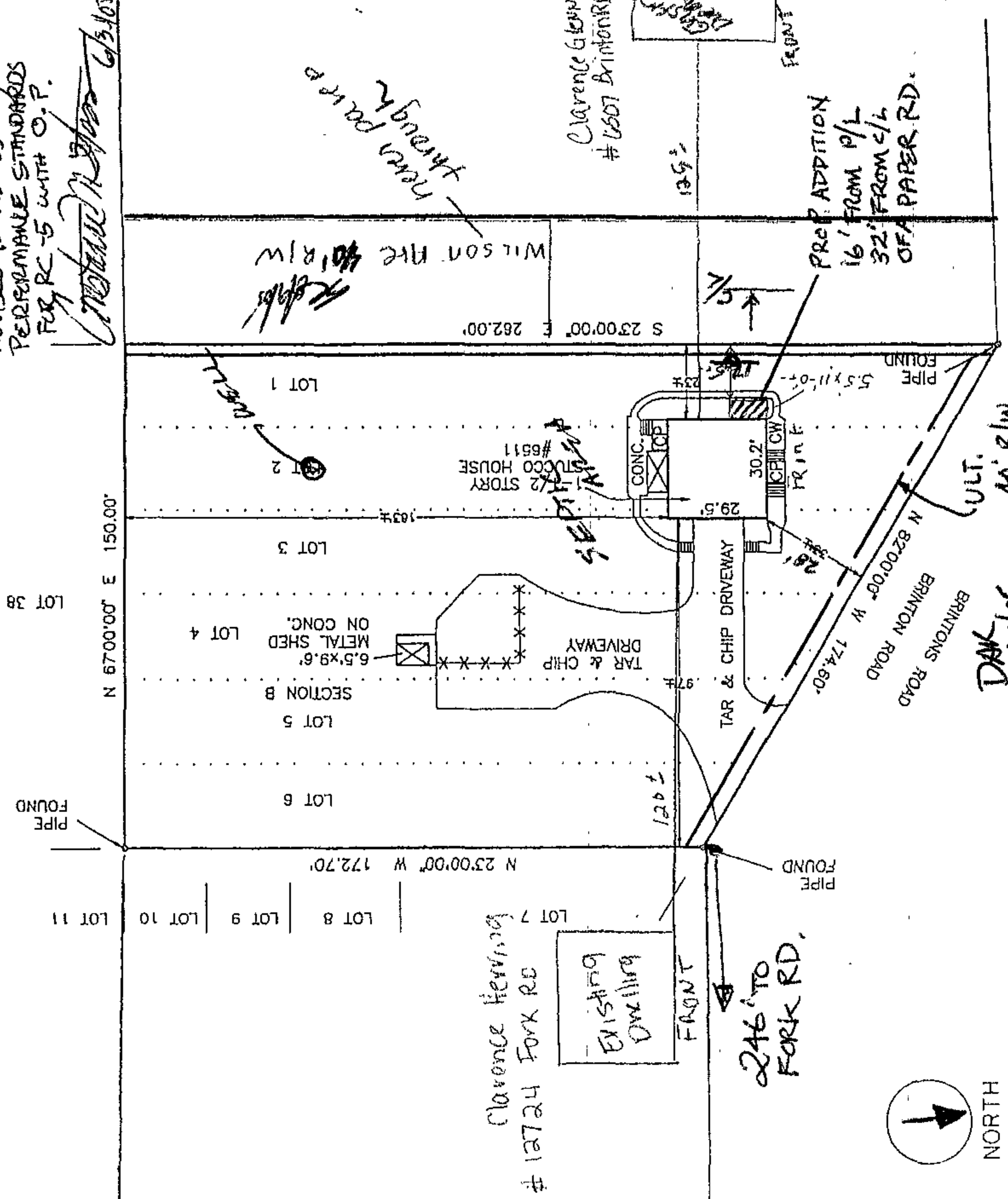
PLAT BOOK # 8 FOLIO # 12 LOT # 16 SECTION # 3

OWNER Franklin + Connie Hess

APPLICANT RESPONSIBLE FOR ALL INFORMATION AS WRITTEN + DRAWN BY BALT. Co.

ADVISED TO DISCUSS ANY PERFORMANCE STANDARDS FOR RC-5 WITH O.P.

Noted in 3/10/05



LOCATION INFORMATION

ELECTION DISTRICT 11th

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 54

ZONING RC 5

LOT SIZE 35,152 ACRES

SEWER ☐ PUBLIC ☐ PRIVATE

WATER ☐

CHESAPEAKE BAY CRITICAL AREA ☐

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY / BUILDING ☐

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM #

CASE # 06 007 A

PREPARED BY Melissa Gabelet

SCALE OF DRAWING: 1" = 50'

DATE 8/11/05

NORTH