

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/S of Grave Run Road, 900 ft. S		
centerline of Church Road	*	DEPUTY ZONING COMMISSIONER
6th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(19731 Grave Run Road)		
	*	CASE NO. 06-048-A
Adrienne Whitney & James Fletcher		
<i>Petitioners</i>	*	

* * * * *

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, Adrienne Whitney and James Fletcher. The variance request is for property located at 19731 Grave Run Road in the Hampstead area of Baltimore County. The variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a property line setback of 15 ft. in lieu of the required 35 ft. 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 31, 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

COPIES REQUIRED FOR FILING

8/15/05

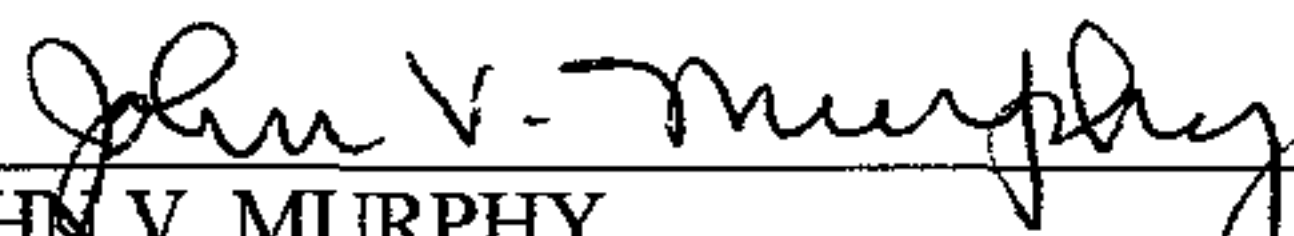
Ray

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 18 day of August, 2005, that a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a property line setback of 15 ft. in lieu of the required 35 ft., 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
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

NOTED FOR FILING
8/18/05
Ray

Zoning Commissioner

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



Baltimore County

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

August 18, 2005

Ms. Adrienne Whitney
Mr. James Fletcher
19731 Grave Run Road
Hampstead, Maryland 21074

Re: Petition for Administrative Variance
Case No. 06-048-A
Property: 19731 Grave Run Road

Dear Ms. Whitney & Mr. Fletcher:

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

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 19731 Grave Run Rd
which is presently zoned RC2

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)

1A01.3.B.3 (BCZR)
TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A PROPERTY LINE
SETBACK OF 15' IN LIEU OF THE REQUIRED 35'

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

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

19731 Grave Run Rd.
Hampstead, MD.

4103743679
21074

Representative to be Contacted:

Name

Address

City

Telephone No.

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. 06-048-A

Reviewed By LTM

Date 7/22/05

Estimated Posting Date 7/31/05

ORDER RECEIVED FOR PLANS
8/18/05
[Signature]

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 19731 Grave Run Rd.
Address
Hampstead, MD. 21074
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) Due to the placement of our home, we cannot place the addition anywhere on the house and remain within regulations.
- 2) Our home is a 3 bedroom rancher, we have four children and need the space (only one of the children is a boy, therefore, we don't feel room sharing is an option).

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.

Adrienne Whitney
Signature
Adrienne Whitney
Name - Type or Print

James Fletcher
Signature
James Fletcher
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

Adrienne Whitney & James Fletcher
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

7/21/05
Date

Lawn M. Heath
Notary Public
My Commission Expires 5/1/08

ZONING DESCRIPTION FOR 19731 Grave Run Rd. Hampstead, MD 21074

Beginning at a point on the East side of Grave Run Rd., which is 60' wide at the distance of 900'± South of the centerline of the nearest improved intersecting street, Church Rd., which has a width that varies. Being lot #1 in the subdivision of the Sanders property as recorded in Baltimore County Liber #0TG5209, Folio #911, containing 1 acre. Also known as 19731 Grave Run Rd. and located in the 6th election district, 3rd Councilmanic District.

048

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 448230

DATE 7/27/05 ACCOUNT 00010066150

AMOUNT \$ 65.00

RECEIVED FROM: A. WILLIAMS

FOR 06-048-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTION TIME DATE
7/27/05 7/27/05 14:13:16

NO. 448230 448230 7/27/05 14:13:16

RECEIPT # 448230 7/27/05 14:13:16

DATE 7/27/05 14:13:16

AMOUNT \$ 65.00

PAID TO BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date August 6, 2005

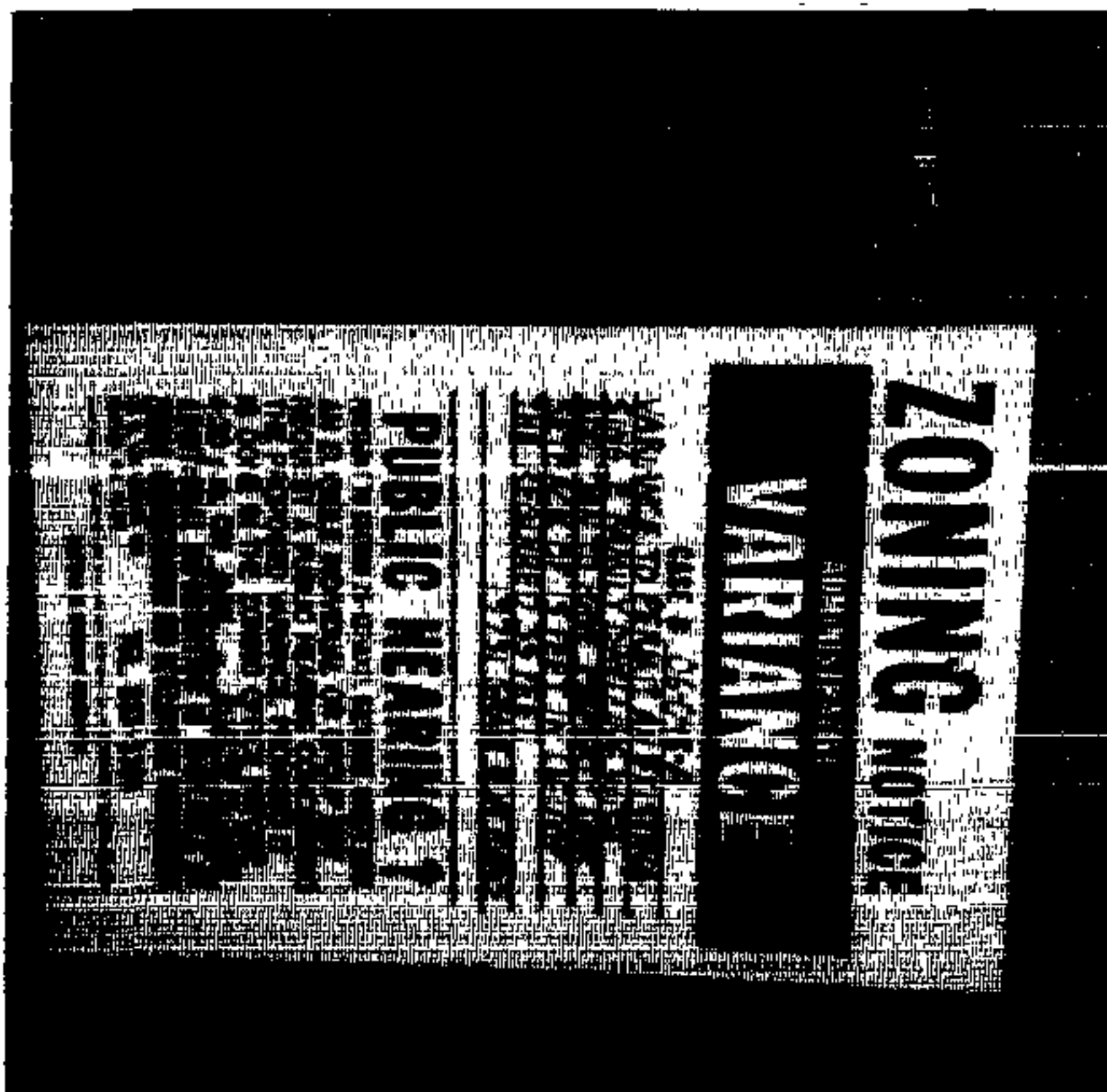
RE: Case Number 06-048-A

Petitioner/Developer ADDRIEN WHITNEY/JAMES FLETCHER

Date of Hearing (Closing) AUGUST 15, 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 19731 GRAVE RUN ROAD

The sign(s) were posted on JULY 31, 2005
(Month, Day, Year)



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

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

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 048 -A

Address 19731 GRAVE RUN RD

Contact Person: LYOTO T. MUXLEY

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 7/22/05

Posting Date: 7/31/05

Closing Date: 8/15/05

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- 048 -A

Address 19731 GRAVE RUN RD

Petitioner's Name A. WHITNEY ; J. FLUKER Telephone 410 374 3679

Posting Date: 7/31/05

Closing Date: 8/15/05

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A PROPERTY LINE SETBACK
OF 15' IN LIEU OF THE REQUIRED 35'

WCR - Revised 6/25/04

I HAVE RECEIVED POSTING - 7/20/05

**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/neighbor 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: * 06-048-A
Petitioner: Adrienne Whitney & James Fletcher
Address or Location: 19731 Grave Run Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Adrienne Whitney & James Fletcher
Address: 19731 Grave Run Rd.
Hampstead, MD 21074

Telephone Number: 410-374-3679

**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

August 15, 2005

Adrienne Whitney
James Fletcher
19731 Grave Run Road
Hampstead, Maryland 21074

Dear Ms. Whitney and Mr. Fletcher:

RE: Case Number: 06-048-A, 19731 Grave Run Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 31, 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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



Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel. 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 3, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: August 8, 2005

Item No.: 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056,
057, 058, 059, 060, 061, 062, 063, 064, 065 and 066.

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 Don W. Muddiman
Fire Marshal's Office
410-887-48810
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

DATE: August 10, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For August 15, 2005
Item Nos. 046, 047, 048, 052, 053, 054,
055, 056, 057, 058, 064, 065, and 066

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-08102005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley

DATE: September 2, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 8, 2005

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

06-048

06-050

06-051

06-056

06-057

06-059

06-064

06-065

06-066

Reviewers: Sue Farinetti, Dave Lykens, Glenn Shaffer, Bruce Seeley

AV
8/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 15, 2005

RECEIVED

AUG 17 2005

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-048- Administrative Variance

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

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

Prepared By:

Curtis Herrera

Division Chief:

Lyne Leuba

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: 8-2-05

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

RE: Baltimore County
Item No. 048 LTM

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

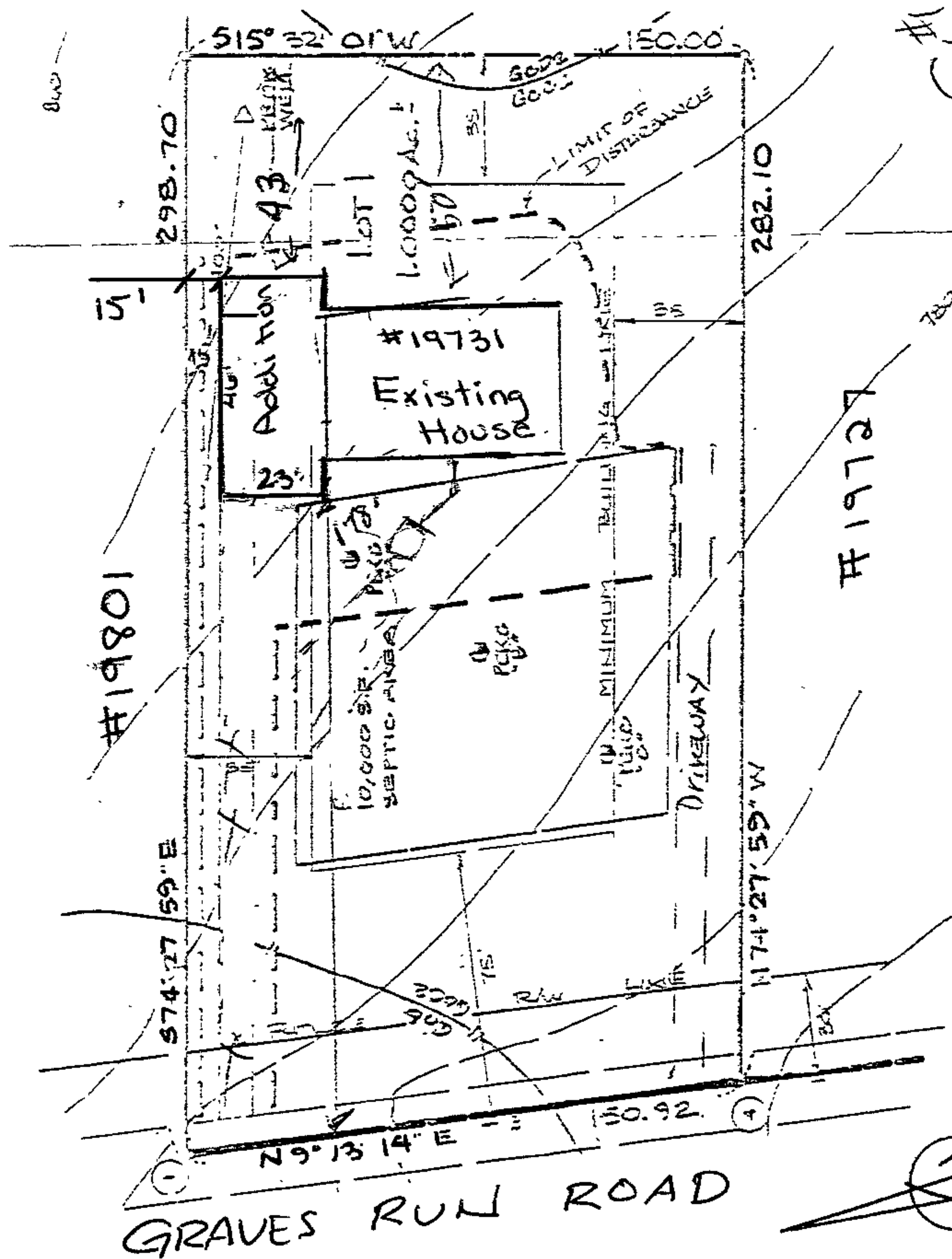
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 19731 GRAVE RUN RD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME: SANDERS PROPERTY

DEED
-PLAT BOOK # 07652²⁹FOLIO # 911 LOT # 1 SECTION # 1

OWNER Adrienne Whitney / James Fletcher



NORTH

PREPARED BY

SCALE OF DRAWING: 1" = 50'

VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 6

COUNCILMANIC DISTRICT 3

1" = 200' SCALE MAP # 10A2

ZONING R C Z

LOT SIZE	1 AC	ACREAGE	SQUARE FEET
SEWER	☐	PUBLIC	☒
WATER	☐	PRIVATE	☒

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN YES ☐ NO ☒

HISTORIC PROPERTY / BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

481

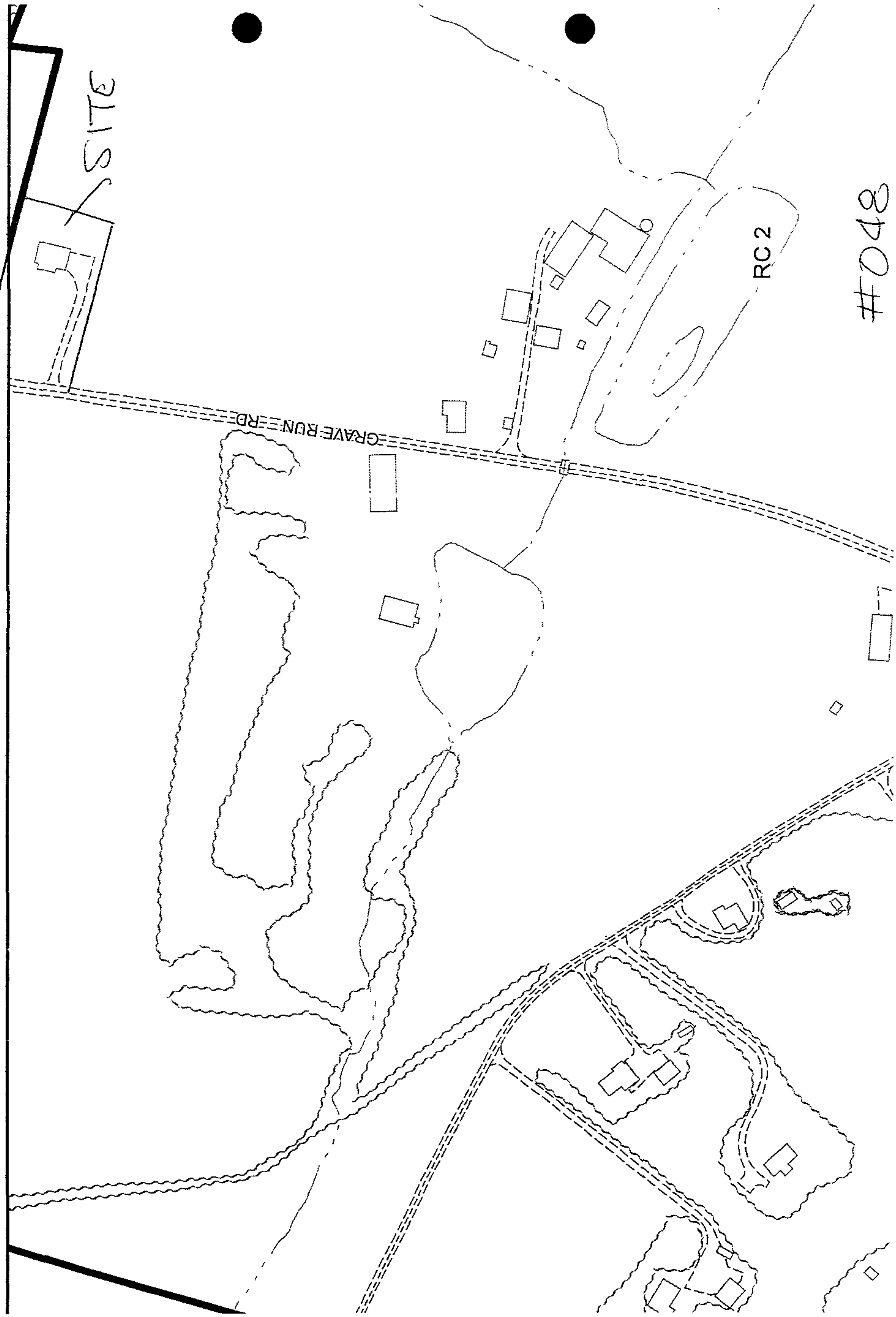
10A2

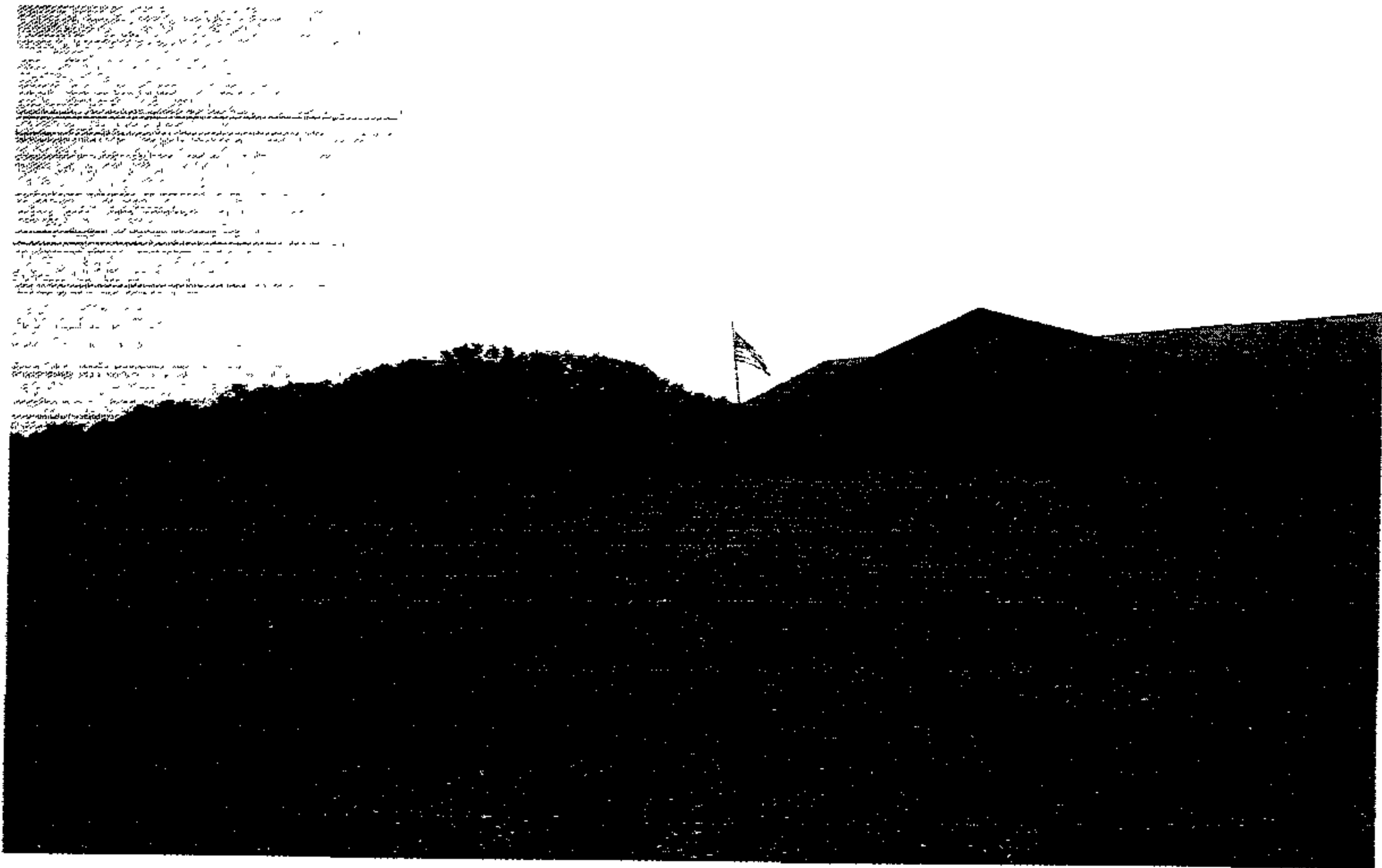
3118 SITE

RC 2

#048

GRAVE RUN RD

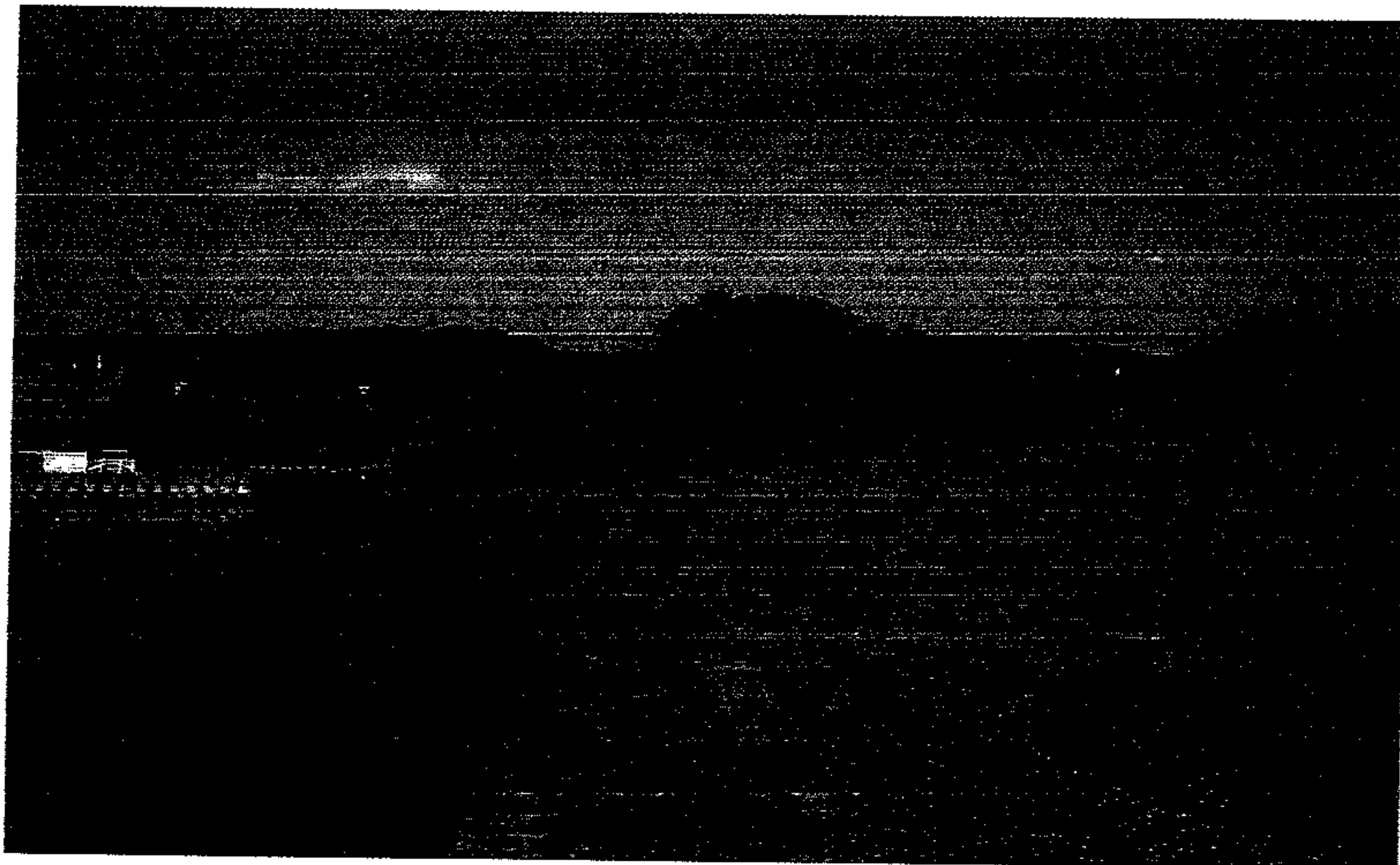




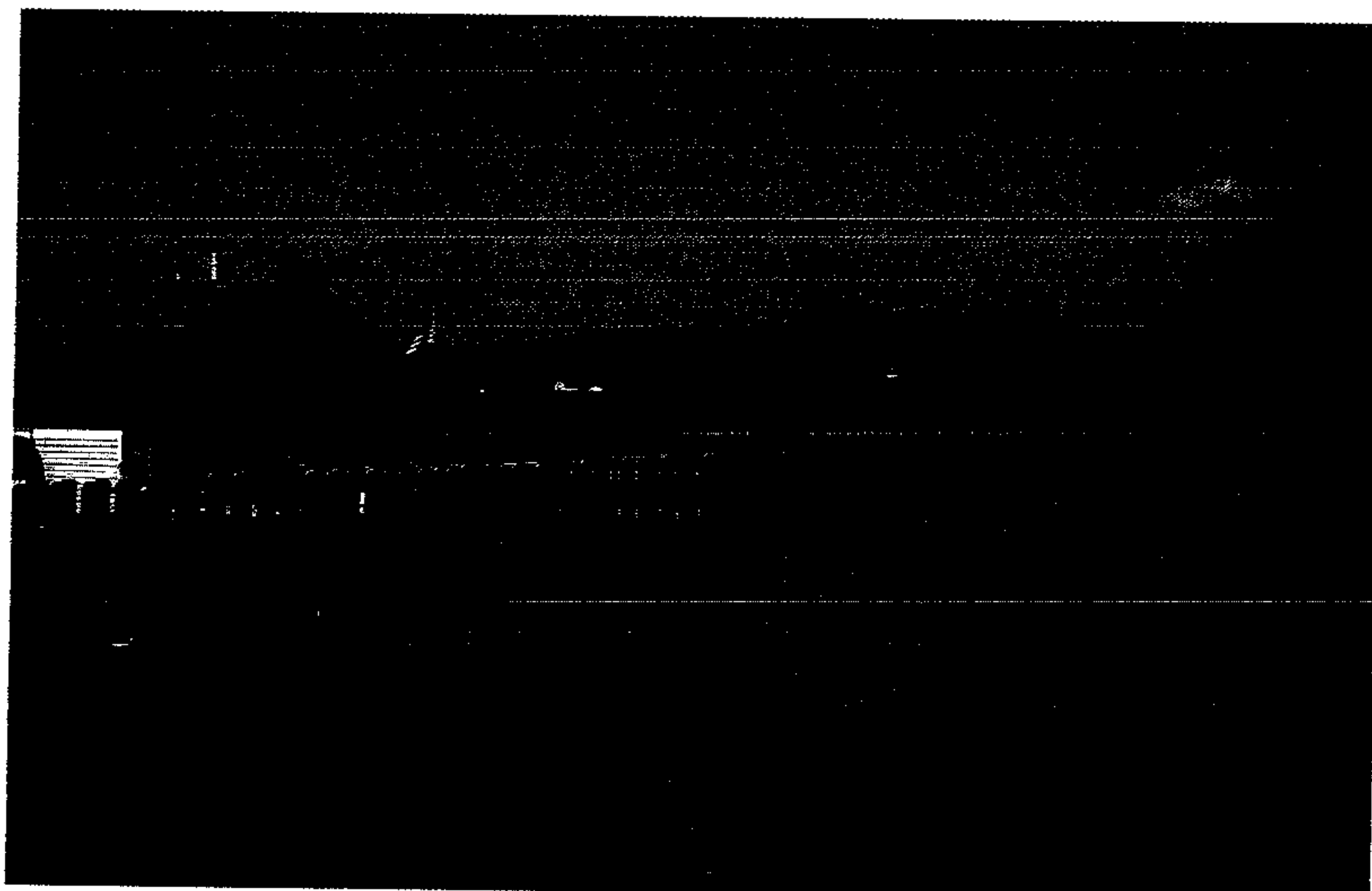
Both of these photos show the addition site from the front of the house.



042



These two pictures show the addition site from the rear of the house.



#098