IN RE: **PETITION FOR ADMIN. VARIANCE** N/S Hollins Lane, 1,140' NE of the c/l Falls Road **(1110 Hollins Lane)** 9th Election District 2nd Council District Sally Shake Anthony Petitioner	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 06-163-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Sally Shake Anthony. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 43 feet in lieu of the required 50 feet for a proposed addition (enclosed basement access). The subject property and requested relief are more particularly described on the site plan submitted with the Petition and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

ORDER RECEIVED FOR FILING
Date 11/15/12
By

Based upon the evidence contained therein, I am persuaded to grant the requested relief. As shown on the site plan, the Petitioners propose the construction of two additions to the (east) side and rear of the existing house. Due to the layout and location of the existing home, the proposed addition will be located within the required setback from the rear property line. Thus, the requested variance is necessary. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and none of the neighbors voiced any opposition. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of October 2005 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 43 feet in lieu of the required 50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
RECEIVED FOR FILING
Date 10/19/05
By

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

October 18, 2005

Ms. Sally Shake Anthony
1110 Hollins Lane
Baltimore, Maryland 21209

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
N/S Hollins Lane, 1,140' NE of the c/l Falls Road
(1110 Hollins Lane)
9th Election District – 2nd Council District
Sally Shake Anthony - Petitioner
Case No. 06-163-A

Dear Ms. Anthony:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: People's Counsel; Case File

Printed on Recycled Paper

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 1110 HOLLINS LANE

Beginning at a point on the northwest side of Hollins Lane of variable width at a distance of 1140 feet northeast of the centerline of Falls Road which is 40 feet wide. As recorded in Deed Liber 6359, Folio 131.

BEGINNING FOR THE SAME at a point in the center of Hollins Road extended and in the first line of a parcel of land which by a Deed dated September 30, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1608 folio 174 was conveyed by St. George L. Sioussat, et al to George S. Mirick, et al, said point of beginning being distant North 78 degress East 214 feet measured along said first line from the beginning of said parcel of land; and running thence with and binding on a part of said first line and in the center of Hollins Road extended, North 78 degrees East 68 feet to the end of said line and to the beginning of a parcel of land which by a Deed dated April 26, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1662 folio 243 was conveyed by George S. Mirick, et al to Lawrence Dinning, Jr. and wife; thence binding reversely on a part of the last line of said last mentioned parcel of land, and continuing to bind in the center of Hollins Road extended, North 80 degrees 30 minutes East 70 feet; thence leaving the center of said road and running North 9 degrees 30 minutes West 15 feet to a pipe on the north side of said road; thence binding on the north side of Hollins Road extended, North 80 degrees 30 minutes East 65.77 feet to a pipe; and thence leaving said road and running for lines of division the three following courses and distances, viz: North 9 degrees 30 minutes West 195.23 feet to a pipe South 80 degrees 30 minutes West 215.82 feet to a pipe and South 12 degrees 45 minutes East 213.54 feet to the place of beginning. Containing 0.99 of an acre of land, more or less. The improvements thereon being known as No. 1110 Hollins Lane.

BEING the same lot of ground which by Deed dated July 23, 1973 and recorded among the Land Records of Baltimore County in Liber EHK,JR. No. 5381 folio 116 was granted and conveyed by Donald F. Proctor and Janice C. Proctor, his wife unto Charles D. Sinclair and Donna Marie Sinclair, his wife, the within grantors.

ALSO KNOWN AS 1110 HOLLINS LANE AND LOCATED IN THE 9th ELECTION DISTRICT, AND 2ND COUNCILMANIC DISTRICT.

06-163-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 0022

DATE 9/16/05

ACCOUNT R-001-006-6150

AMOUNT $ 65.00

RECEIVED FROM United States Antony - Administrative Variance

FOR 1110 Hillen Lane - 06-163-A

Antony Petitioner

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
BUSINESS ACTUAL TIME
9/20/2005 11:00:26
REG NUM MULTI SUB NUM
POSTED BY TOWER 34305 CELA
Rept 5 328 ZONING VERIFICATION
CR NO. 000022
Rcpt Tot $65.00
$65.00 CR $.00 CK
Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: **06-163-A**
Petitioner/Developer: **Sally Shake Anthony**
Closing Date: **10/10/05**

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

Attention: Ms. Kristen Matthews

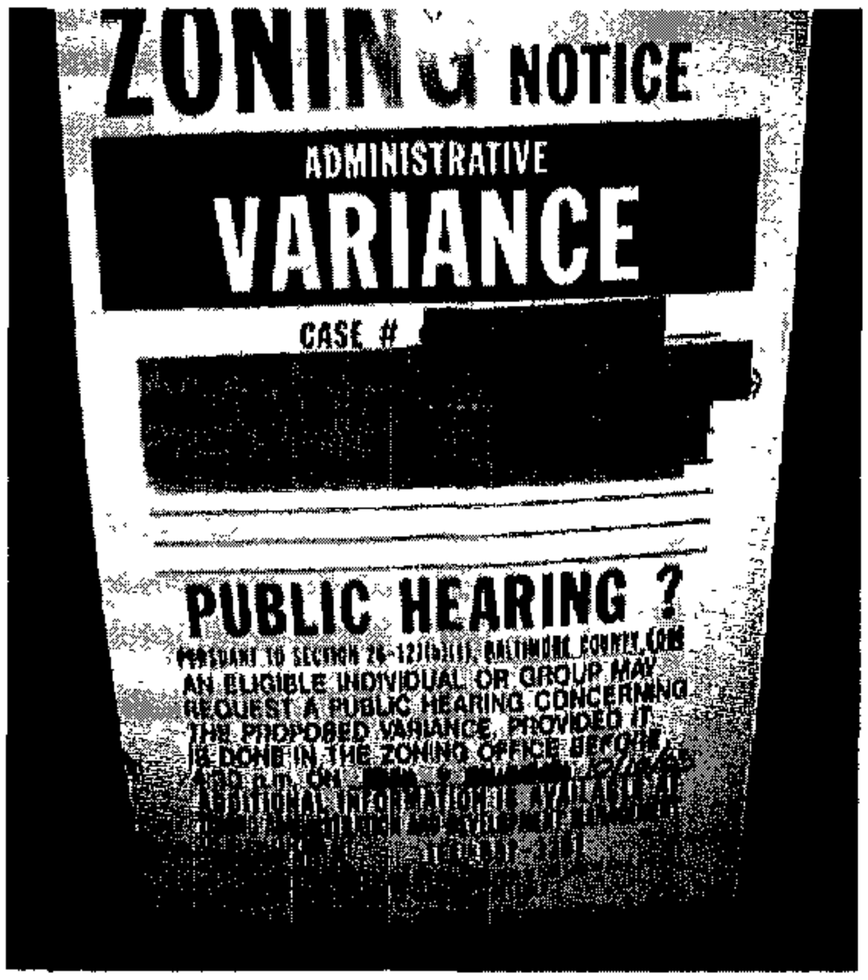
Ladies and Gentlemen:

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 at **1110 Hollins Ln.**

The sign(s) were posted on **9/25/05.**

Sincerely,

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



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 163 -A Address 1110 HOLLINS LANE

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/16/05 **Posting Date:** 9/25/05 **Closing Date:** 10/10/05

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- 163 -A Address 1110 Hollins Lane

Petitioner's Name Sally Shake Anthony Telephone 410-837-2767(w) 410-337-0012(H)

Posting Date: 9/25/05 **Closing Date:** 10/10/05

Wording for Sign: To Permit a proposed addition with a rear yard setback of 43 feet in lieu of the minimum required 50 feet.

WCR - Revised 6/25/04

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

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 1110 HOLLINS LANE
Address
BALTIMORE Md. 21209
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):

A. PURPOSE OF ADDITION - SENIOR YEARS
- TO AVOID HARDSHIP IN SAID HOME ALLOWING "AGING IN PLACE"
- TO CREATE SINGLE STORY LIVING THUS ELIMINATING BASEMENT LAUNDRY, STORAGE, COMPUTER, FILES, WORK ROOM
- TO FACILITATE A SAFER, MORE SECURE AND CONVENIENT ENTRY INTO HOUSE

B. REASON FOR REQUEST
- PROPOSED ADDITION WOULD BE APPROXIMATELY 45' SET BACK FROM REAR PROPERTY LINE VIOLATING ZONING OF A 50' SET BACK
- SIZE AND LOCATION OF SAID ADDITION MEETS FUNCTIONAL REQUIREMENTS AS WELL AS COMPLEMENTING DESIGN OF ORIGINAL STRUCTURE

C. LOCATION OF SEPTIC SYSTEM AND WELL PREVENTED LOCATING ELSEWHERE

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.

Signature

Name - Type or Print

Sally Shake Anthony
Signature

SALLY SHAKE ANTHONY
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of SEPTEMBER, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

SALLY SHAKE ANTHONY

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Robert H Kim
Notary Public

My Commission Expires MY COMMISSION EXPIRES MAY 1, 2008

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1110 HOLLINS LANE

which is presently zoned DR-1

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) 1B02.3.C.1, BCZR, to permit a proposed addition with a rear yard setback of 43 feet in lieu of the minimum required 50 feet,

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):

SALLY SHAKE ANTHONY
Name - Type or Print

Sally Shake Anthony
Signature

Name - Type or Print

Signature W. 410-837-2767

1110 Hollins Lane H. 410-337-0012
Address Telephone No.

Balto. Md. 21209
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-163-A

Reviewed By JNP **Date** 9/16/05

Estimated Posting Date 9/25/05

REV 10/25/01

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

October 11, 2005

Sally Shake Anthony
1110 Hollins Lane
Baltimore, Maryland 21209

Dear Ms. Anthony:

RE: Case Number: 06-163-A, 1110 Hollins Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 16, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Printed on Recycled Paper

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

September 22, 2005

ATTENTION: Zoning review planners

Distribution Meetings of: **October 3**, 2005

Item No.: ~~155-166~~ 163

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.

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

Lieutenant J.D.Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 27, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For October 10, 2005
Item Nos. 155, 156, 157, 159, 160, 161, 162, 163, 164, 165.and 166

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-09272005.doc

RECEIVED

SEP 27 2005

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 27, 2005

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

SUBJECT: 1110 Hollins Lane

INFORMATION:

Item Number: 6-163

Petitioner: Sally Shake Anthony

Zoning: DR 1

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request to permit an addition with a rear yard setback of 43 feet in lieu of the minimum required 50 feet.

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

Prepared by: Curtis Murray

Division Chief: Lyn Lanham

AFK/LL: CM

W:\DEVREV\ZAC\6-163.doc

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

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 9·21·05

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

RE: Baltimore County
Item No. 163 JNP

Dear. Ms. Matthews:

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

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

Very truly yours,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

Baltimore County - My Neighborhood

procured 9/13/05 room # 111

06-163-A
NW8-B

Front From Hallins Love
Yard

END OF DRIVEWAY

SITE OF ADDITION

AT "FLAG"

SIDE VIEW - HOUSE FROM DRIVEWAY

REAR VIEW OF HOUSE FROM

APPROXIMATE REAR PROPERTY LINE

VIEW TOWARD CLOSEST HOUSE
IN REAR BARELY VISIBLE
THROUGH TREES

CLOSE UP

VIEW LOOKING NORTH

FROM BACK YARD

MORE

VIEWS LOOKING NORTH

LOOKING EAST
FROM HOUSE

LOOKING WEST FROM
HOUSE

SITE OF ADDITION

ATTATCHED AT SLIDING

DOOR LOCATION

ADDITION PLANNED TO

BUILD FROM (18") SHUTTERED WINDOW &

~~LEFT~~ TO WITHIN 12" OF END OF

HOUSE

REAR OF HOUSE

SIDE VIEW OF HOUSE

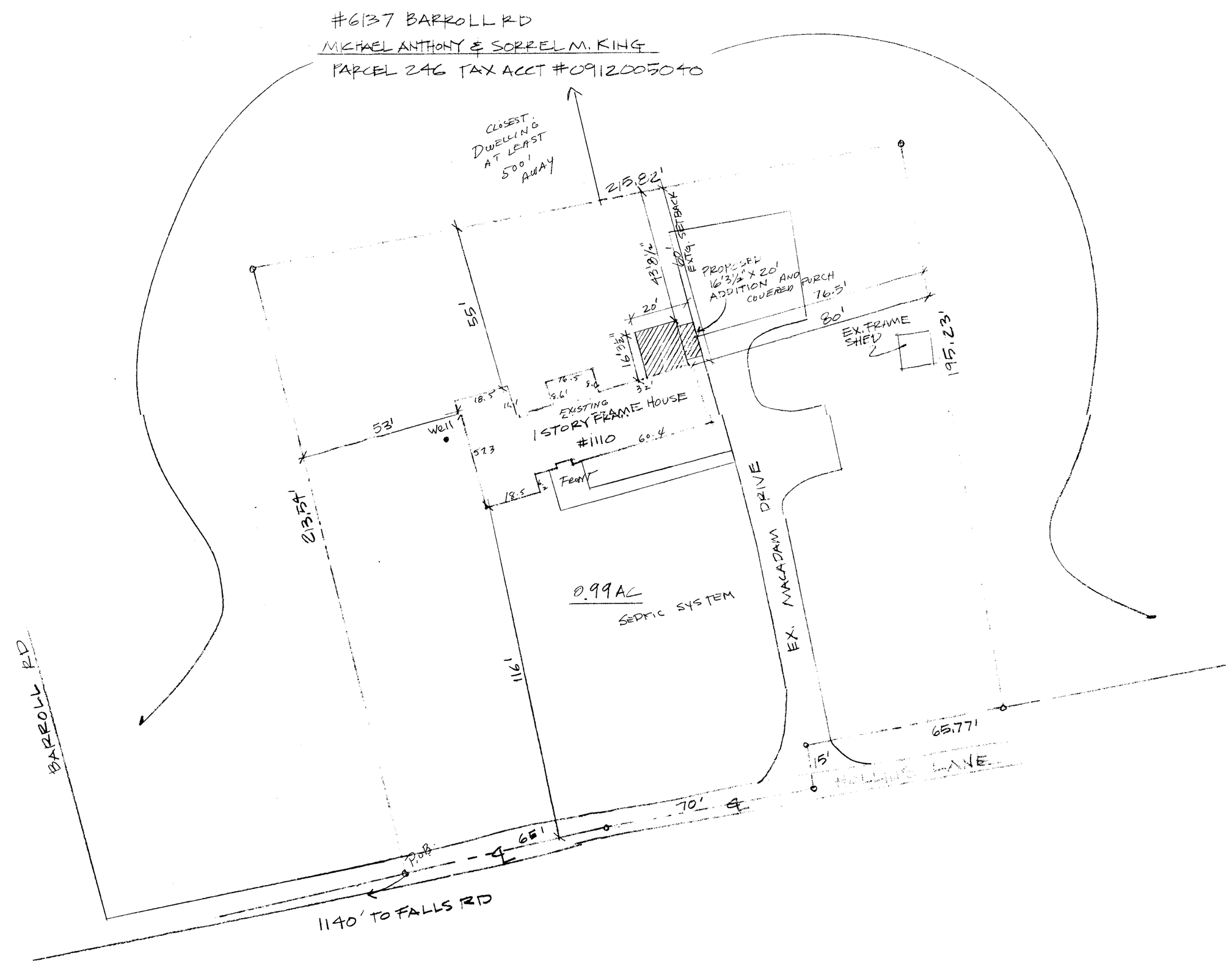
FROM DRIVEWAY

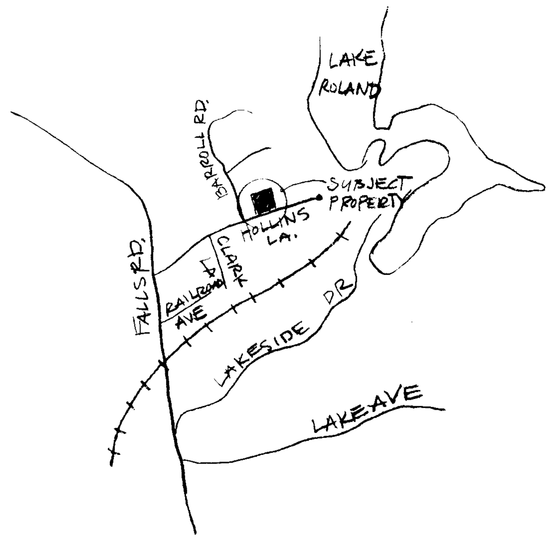
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

1110 HOLLINS LANE
BALTIMORE, MD 21209

TAX MAP - 79 GRID - 4 PARCEL - 130

OWNER: SALLY S. ANTHONY TAX ACCT#: 0916750780





NORTH

VICINITY MAP
SCALE: 1" = 1,000'

LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # NW-8-B

ZONING DR-1

LOT SIZE: 0.99 ACRE

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒
	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100YR. FLOODPLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING - NONE

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
JNP	163	06-163-A

PREPARED BY: ADR BUILDERS, LTD
1850 YORK RD SUITE H REAR
TIMONIUM, MD 21093
410-561-0221

SCALE: 1" = 20'

DATE: 9/15/03