

IN RE: PETITION FOR ADMIN. VARIANCE
N/Side of Selwin Court, west of c/l of
Camrose Court
14th Election District
6th Councilmanic District
(8213 Selwin Court)

Servillano and Melba Santiago
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-196-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, Servillano and Melba Santiago, Petitioners. The variance request is for property located at 8213 Selwin Court in the White Marsh area of Baltimore County. The variance request is from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a rear yard setback of 20 feet in lieu of the required 30 feet and to permit and open projection addition with a setback of 20 feet in lieu of the required 22.5 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 15, 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

ORDER RECEIVED FOR FILING
Date 11-9-05
By [Signature]

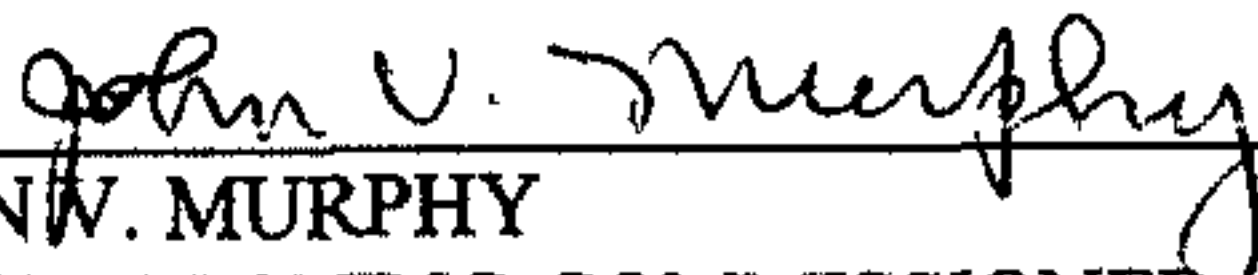
compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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 9 day of November, 2005, that a variance from Section 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition with a rear yard setback of 20 feet in lieu of the required 30 feet and to permit an open projection addition with a setback of 20 feet in lieu of the required 22.5 feet, 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:dlw

ORDER RECEIVED FOR FILING
Date 11-9-05
By [Signature]

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

November 8, 2005

Servillano Santiago
Melba Santiago
8213 Selwin Court
Baltimore, Maryland 21237

Re: Petition for Administrative Variance
Case No. 06-196-A
Property: 8213 Selwin Court

Dear Mr. and Mrs. Santiago:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Mr. Dan Dutton, 7110 Golden Ring Road, Baltimore, MD 21221
People's Counsel; Case File

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



Printed on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8213 Selwin Court
which is presently zoned DR 5.5

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) 1802.3.C1 AND 501.1 BC2R

To permit an addition with a rear yard setback of 20' in lieu of the required 30'. And to permit an open projection addition with a setback of 20' in lieu of the required 22.5'

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):

Servillano Santiago
Name - Type or Print _____

Signature _____

Melba Santiago
Name - Type or Print _____

Signature _____

8213 Selwin Court 410-882-6650
Address Telephone No.

Baltimore MD 21237
City State Zip Code

Representative to be Contacted:

Dan Dutton
Name _____

7110 Golden Ring Road 410-780-0062
Address Telephone No.

Baltimore MD 21221
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

Reviewed By JF Date 10-6-05

Estimated Posting Date 10-16-05

CASE NO. 06-196-B

REV 10/25/01

ORDER RECEIVED FOR FILING
Date 11-9-05
By [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.

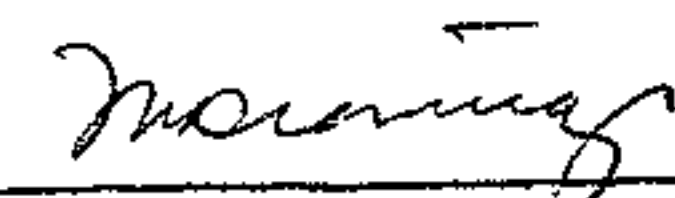
That the Affiant(s) does/do presently reside at 8213 Selwin Court
Address
Baltimore MD 21237
City State Zip Code

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):

We would like to build a patio room with an open deck on the rear of our home, we choose the rear of our home because there is an existing sliding door in our living room, that has no landing. But with our home being built in a DR 5.5 zone and only having a total lot length of 110ft, we will be short of the required 30ft rear setback by only having a 20ft setback after construction.

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
Servillano Santiago
Name - Type or Print


Signature
Melba Santiago
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of Oct, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal


Notary Public DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires My Commission Expires November 26, 2005

Zoning Description for 8213 Selwin Court.

Beginning at a point on the north side of Selwin Court. which is 50 ft. wide at the distance of 95 ft. west of the centerline of the nearest improved intersecting street Camrose Court which is 50 ft. wide. *Being lot #98, section# 1 in the subdivision of White Marsh Road Property as recorded in the Baltimore county Plat Book #2, Folio #124, containing 7,710 sq. ft. Also known as 8213 Selwin Court. and located in the 14th election district, 6th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **0321**

DATE **10-6-05**

ACCOUNT **001-006-4150**

AMOUNT **\$ 65.00**

RECEIVED FROM **THAMMONG N**

8213 SE & WINDY CRT

INTERM 1/90

FOR **Admission - Year**

DISTRIBUTION
 WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED ACTUAL TIME

10/06/2005 10/06/2005 08:20:15

RECEIVED MAIL REC NO

RECEIPT # 256723 9/30/2005 071

RECEIPT 5 \$25.00 VERIFICATION

OR NO. 000321

Receipt Tot

65.00

\$130.00 OK

1.00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 06-196-A

Petitioner/Developer: MELBA +
SERVILLANO SANTIAGO

Date of Hearing/Closing: 10-31-05

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

ATTN: Kristen Matthews {(410) 887-3394}

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: _____

8213 SELWIN CT

The sign(s) were posted on _____

10-15-05

(Month, Day, Year)

Sincerely,

Robert Black

(Signature of Sign Poster)

10-17-05

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

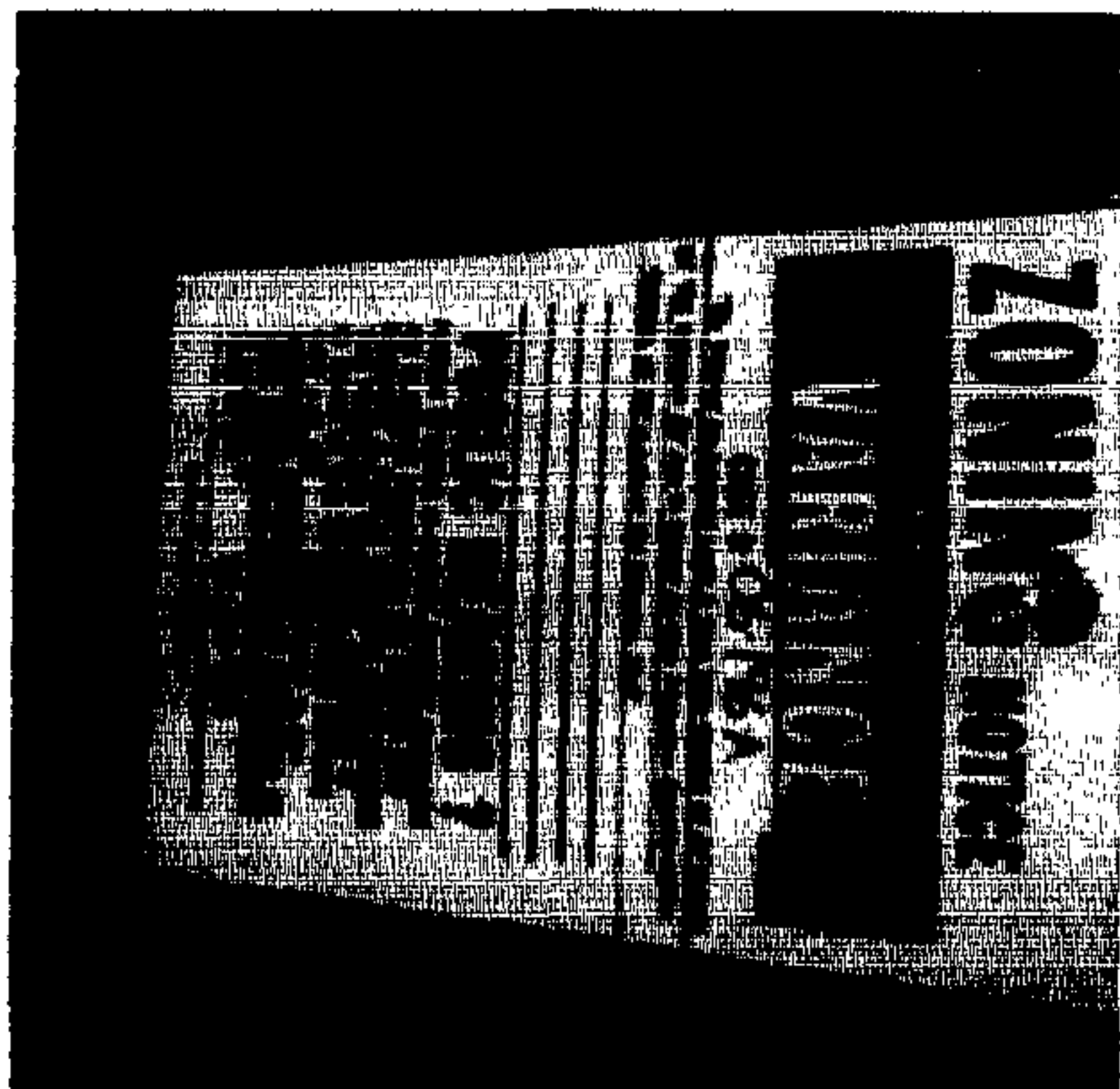
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



8213 SELWIN CT

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: OG - 196-A

Petitioner: Santiago Servillano

Address or Location: 8213 Selwin Court

PLEASE FORWARD ADVERTISING BILL TO

Name: Champion

Address: 7110 Golden Ring Rd

Balto. Md. 21221

Telephone Number (410) 780-0062

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 196 -A

Address 8213 SELWIN COURT

Contact Person: JUN FERNANDO

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10-6-05

Posting Date: 10-16-05

Closing Date: 10-31-05

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- 196 -A

Address 8213 SELWIN COURT

Petitioner's Name Melba & Servillano Santiago

Telephone 410-882-6650

Posting Date: 10-16-05

Closing Date: 10-31-05

Wording for Sign: To Permit an addition with a rear yard setback of 20'
in lieu of the required 30'. And to permit an open projection
addition with a setback of 20' in lieu of the required 22.5'.

WCR - Revised 6/25/04

**Department of Permits and
Development Management**

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



Baltimore County

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

October 31, 2005

Servillano Santiago
Melba Santiago
8213 Selwin Court
Baltimore, Maryland 21237

Dear Mr. and Mrs. Santiago:

RE: Case Number: 06-196-A, 8213 Selwin Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 6, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Dan Dutton 7110 Golden Ring Road Baltimore 21221

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

October 18, 2005

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

ATTENTION: Zoning Review planners

Distribution Meeting of: October 17, 2005

Item No.: 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197
198, 199, 200, 201, 202, 203

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

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

Acting Lieutenant William F. Connolly, Jr.
Fire Marshal's Office
(O) 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*

State Highway
Administration

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

Maryland Department of Transportation

Date: 10.14.05

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

RE: Baltimore County
Item No. 196 JRF

Dear Ms. Matthews:

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

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

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 20, 2005

OCT 25 2005

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-196- 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 Curtis Murray in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

Division Chief:

John J. [Signature]

CM/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2005
Item Nos. 186, 187, 188, 189, 191, 192,
193, 194, 195, 196, 197, 199, 201 and 202

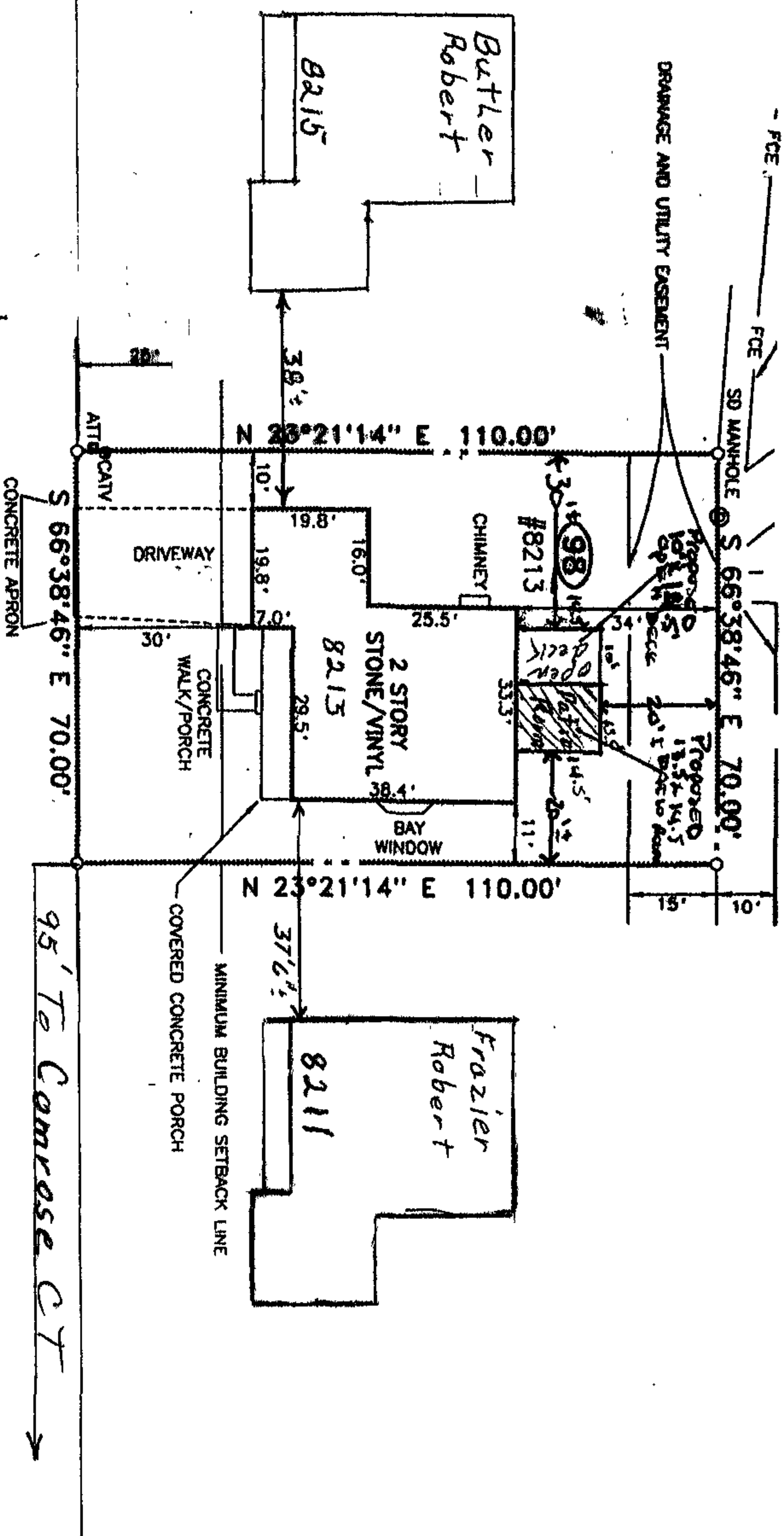
DATE: October 27, 2005

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-10272005.doc

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS 8213 Selwin CT
SUBDIVISION NAME White Marsh Rd. Property
PLAT BOOK # 2 FOLIO # 224 LOT # 98 SECTION # 1
OWNER Santiago, Melba + Servillano

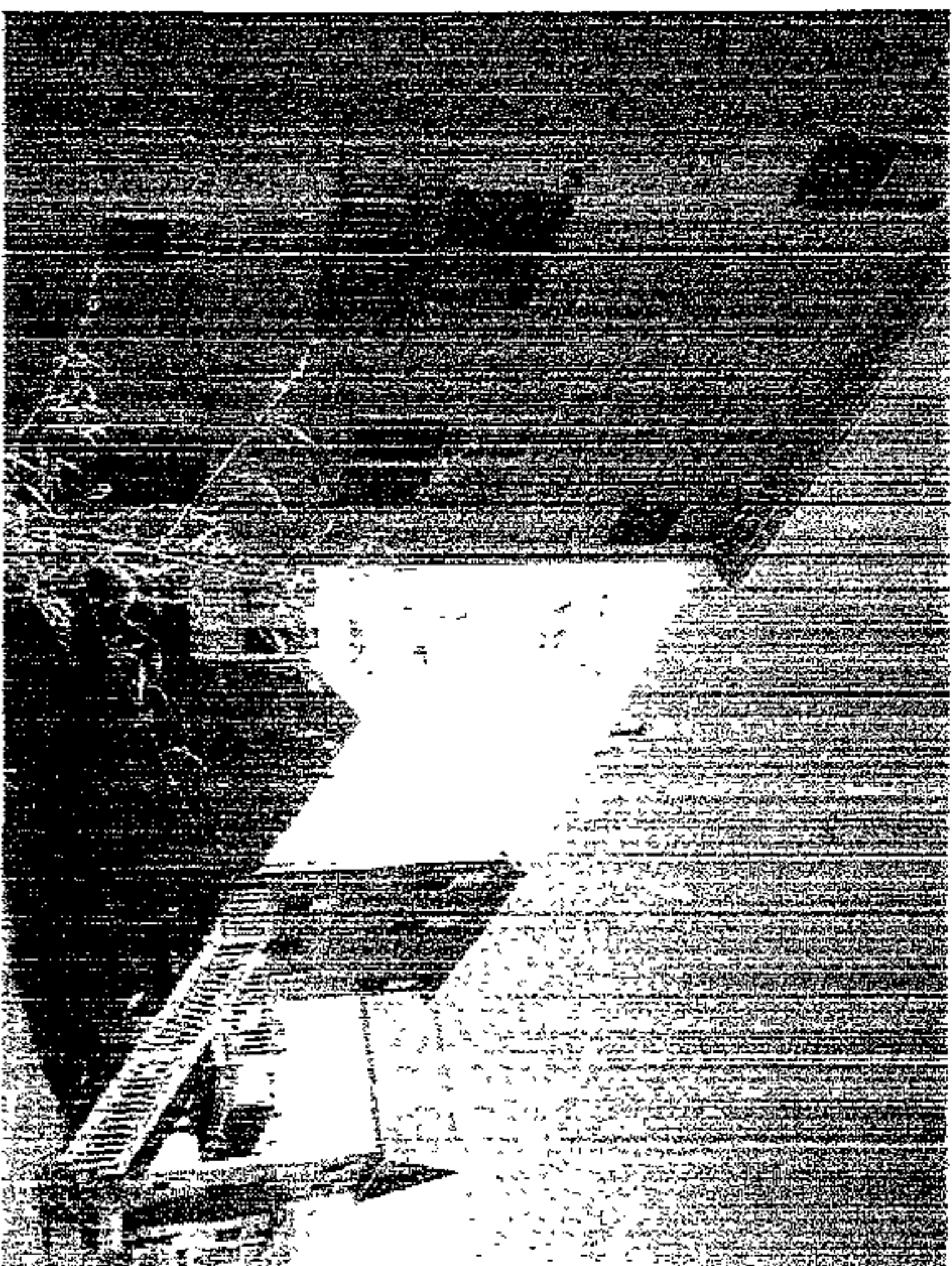


PREPARED BY Gerald Andersch
SCALE OF DRAWING: 1" = 30'
(50' R/W)
SELWIN COURT
95' To Camrose CT

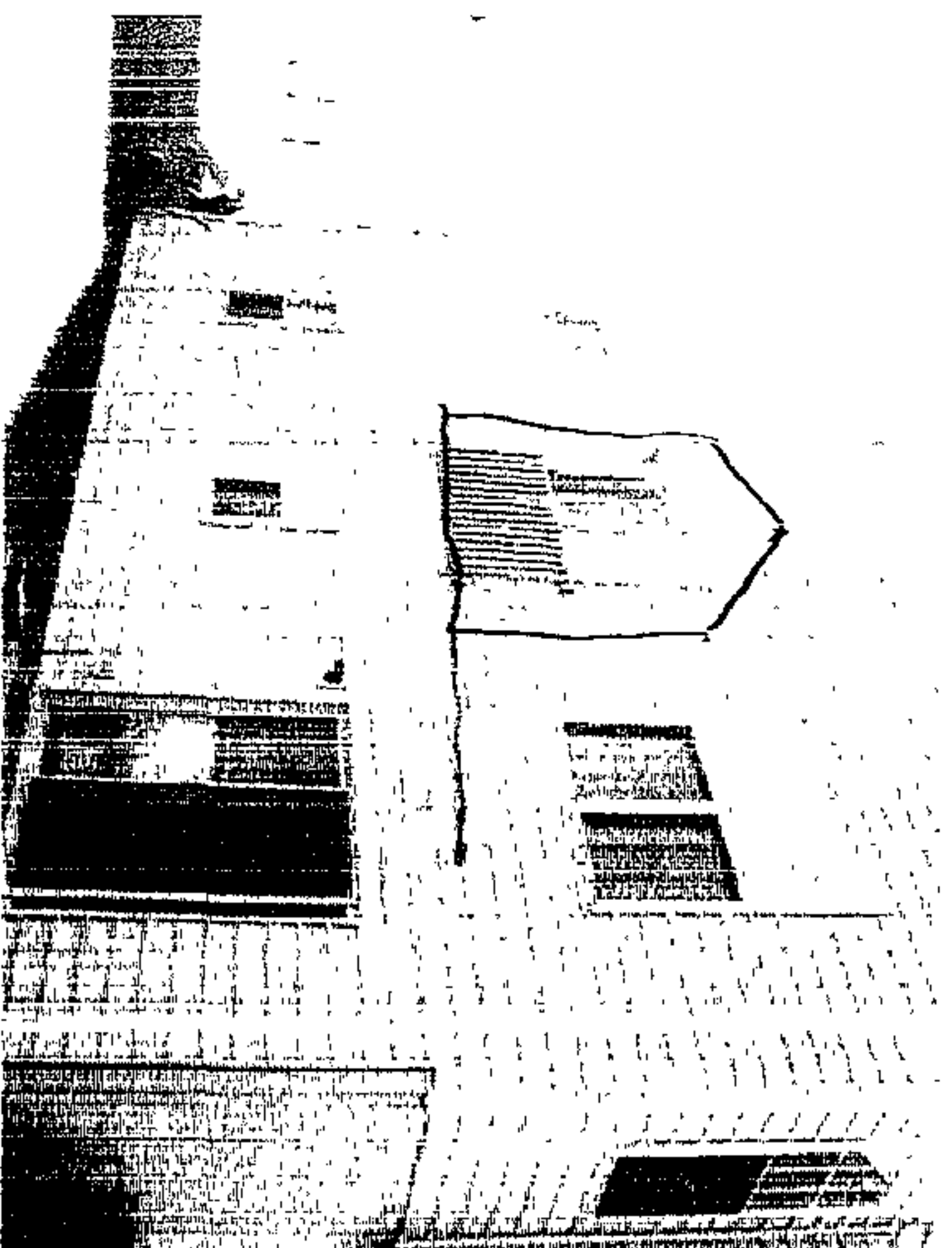
LOCATION INFORMATION

ELECTION DISTRICT 14
COUNCILMANIC DISTRICT 6
1"=200' SCALE MAP # 08241
ZONING DR 5.5
LOT SIZE 7710
ACREAGE 7710 SQUARE FEET
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/ BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING ☐ YES ☒ NO

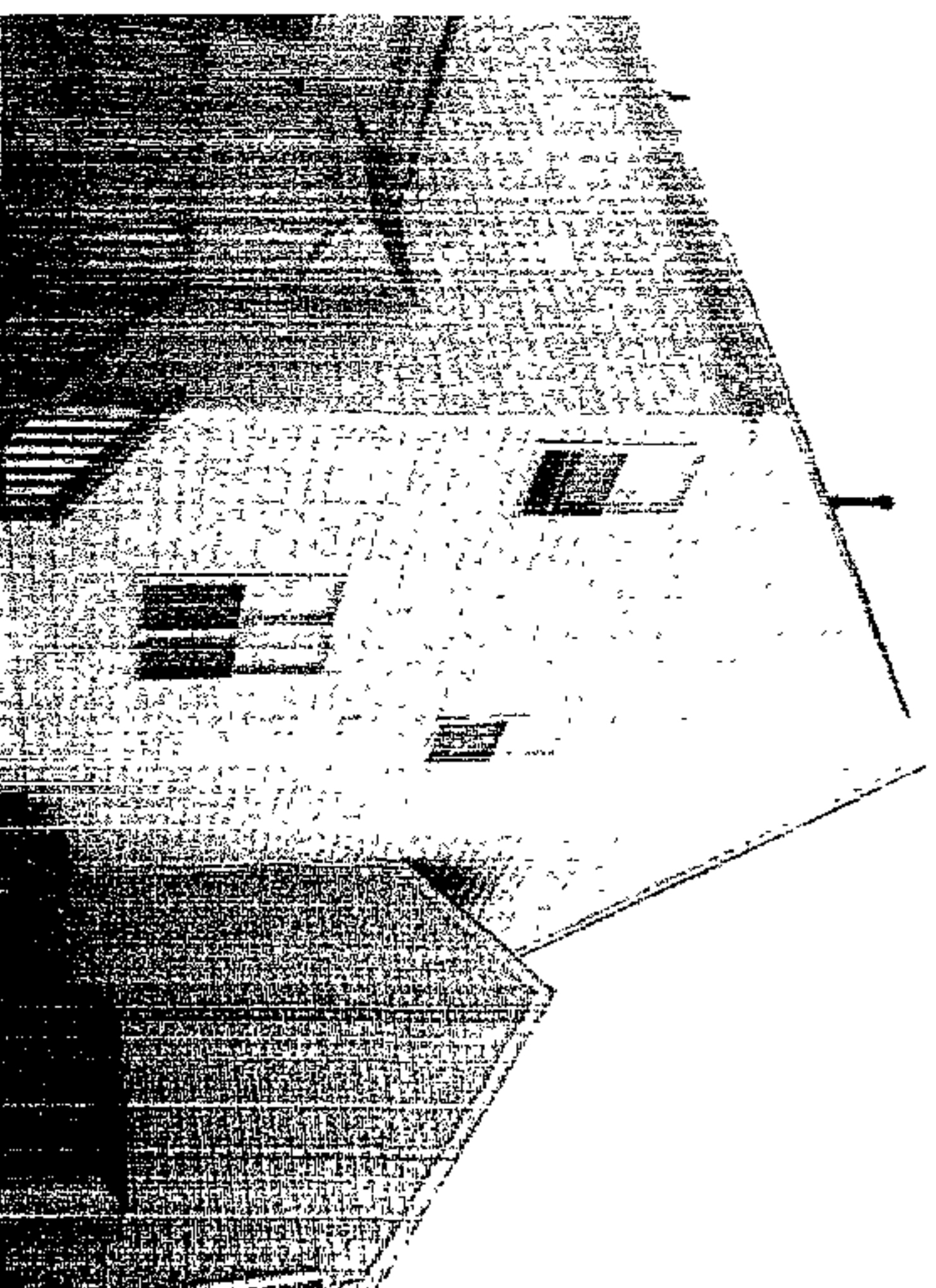
ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #
JP 1996 1



2813 Selwin court also showing
2815 Selwin court



Location of proposed Sunroom.



2811 Selwin Court

196



8213 Selwin CT

196