ONDER PECEIVED FOR FILMS

IN RE: PETITION FOR ADMIN. VARIANCE

E/Side of Sheffield Road, north of

Chumleigh Road

9th Election District

5th Councilmanic District

(7099 Sheffield Road)

Scott R. and Mary Alice F. Thomas Petitioners BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 06-197-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, Scott R. and Mary Alice F. Thomas, Petitioners. The variance request is for property located at 7099 Sheffield Road in the Stoneleigh area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition with a rear yard setback of 15 feet in lieu of the minimum required required 30 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

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 <u>io</u> day of November, 2005, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed addition with a rear yard setback of 15 feet in lieu of the minimum required required 30 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, and
- 2. Compliance with the comments made by the Office of Planning, dated October 26, 2005, a copy of which is attached hereto and made a part hereof.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

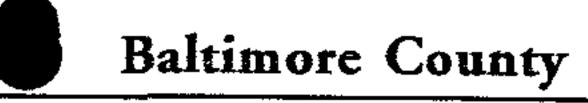
FOR BALTIMORE COUNTY

JVM:dlw

### Zoning Commissione

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





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

November 8, 2005

Scott R. Thomas Mary Alice F. Thomas 7099 Sheffield Road Baltimore, Maryland 21212

> Re: Petition for Administrative Variance Case No. 06-197-A Property: 7099 Sheffield Road

Dear Mr. and Mrs. Thomas:

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

for Baltimore County

JVM:dlw Enclosure

c: People's Counsel; Case File



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



NO.

1 25/01

## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

**Date** 

for the property located at 7099 SHEPPIGD POHD which is presently zoned D2 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) 1B02.3. (.1, BCZR, to permit a proposed addition with a rear yard setback of 15 feet in lieu of the minimum required 30 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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. <u>Legal Owner(s):</u> Contract Purchaser/Lessee: THOMAS SCOTT R. Name - Type or Print Signature Signature Telephone No. Name - Type or Print Address Zip Code State Signature City Attorney For Petitioner: **Address** Telephone No. BACTHORE 21212 State Name - Type or Print Representative to be Contacted: Signature Name Company Telephone No. Address Telephone No Address Zip Code City State Zip Code State ublid Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County.

It 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

**Estimated Posting Date** 

# Affida Vit 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	1079	SHE
	Address	

1099 SHEFFIELD PORD

Address
BAITIMORE MD 21212

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):

SEE ATIMEHED

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.

with from	M Alia F. Llomas
Signature	Signature
SCOTT RITHOMAS	MARY MICE F. THOMAS
Name - Type or Print	Name - Type or Print
Scott & MARY AUCE	Homas
STATE OF MARYLAND, COUNTY OF BALTIMORE, I HEREBY CERTIFY, this 4th day of	before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, personally	/ appeared
SCOTT & WARY ALLE THO	MAS
the Affiant(s) herein, personally known or satisfactorily	identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

NOTARY SE PUBLIC OF COUNTY

My Commission Expires

**Notary Public** 

4-08:09

REV 10/25/01

## 7099 Sheffield Road Expansion October 6, 2005

**Project:** Kitchen Expansion off the back of house; approximately 277 gsf. All dimensions are approximate.

A. 1. The original house is centrally located on the overall property. Under zoning DR 5.5, the rear setback is identified as 30' from the property line. (Currently the garage portion of the house is positioned 29 feet from the property line, which is already encroaches over/to the line.) The request to vary this setback is based on the need to modify the original accommodations of the original structure built in 1940.

Specifically the kitchen, currently in its original configuration is approximately 8 feet' wide by 12 feet long (96 nsf). Although this space may have been functionally adequate to accommodate kitchen functions and family life over half a century ago, it is not sized and not configured appropriately to accommodate the basic components of a new kitchen providing modern conveniences and equipment. In order to plan and design a functionally efficient facility for current technology and as the main gathering area in the typical family household, we the Thomas's are proposing an expansion to the rear of the existing home. The preliminary plan proposes an expansion of 15 feet deep and 18.5 feet long. It is the 15 foot dimension that we are requesting the variance to accommodate. We are requesting a 15 foot rear setback in lieu of the current 30' rear setback.

The addition will enhance the streetscape that is visible from the three adjacent properties. The proposed addition will also respond to the adjacent properties enhancing views. We have shared our information and plans with the property owners immediately adjacent to our proposed expansion zone. (see attached).

- B. 1. (i) Renovation of the existing kitchen (96 nsf) would cost approximately \$40,000 to renovate; a project that would average approximately \$420 / sf. New construction/Expansion and related renovation of 373 gsf would cost approximately \$106,000; a project that would average approximately \$285 per sf.
  - 1. (ii) The current structure is centrally located on the property of the dimensions of 124 feet wide 90 feet deep with a rear setback of 30 feet. Typical lots in the neighborhood have minimal property widths (approx. 50 feet) and deep lot dimensions (approx.135 feet) and various setbacks providing ease of expansion. In the case of 7099 property the setback is greater and the usable area is limited/tighter.
  - 1. (iii) The existing property (hardship) is in its original configuration and condition and this is not the result of the applicants own actions.

06-197-A

- B. 2. (i) Strict compliance of the existing requirement would prevent the maximum use as a residential home, as the existing home is based on a model that is 65 years old. Conforming to the 30' setback, would not allow any expansion area to the existing home and would require reuse of the 96 nsf space which would unnecessarily burden efficient and convenient daily meal preparation, day to day kitchen activity and eliminate the opportunity for family to gather together for meals and cost more for less.
  - 2. (ii) The grant of a variance would benefit the applicant and other property owners in the district as it will enhance property aesthetics and value for the applicant property and surrounding properties.
  - 2. (iii) Overall the proposed plan can be implemented and that public safety and welfare is secured.
- C. The proposed plan does not increase residential density beyond that allowed by the BCZR.
- D. The relief requested does not involve/impact height, area, parking or sign regulations.
- E. This project does not propose substantial injury to public health, safety and general welfare.

October 6, 2005

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

#### **ZONING DESCRIPTION FOR 7099 Sheffield Road**

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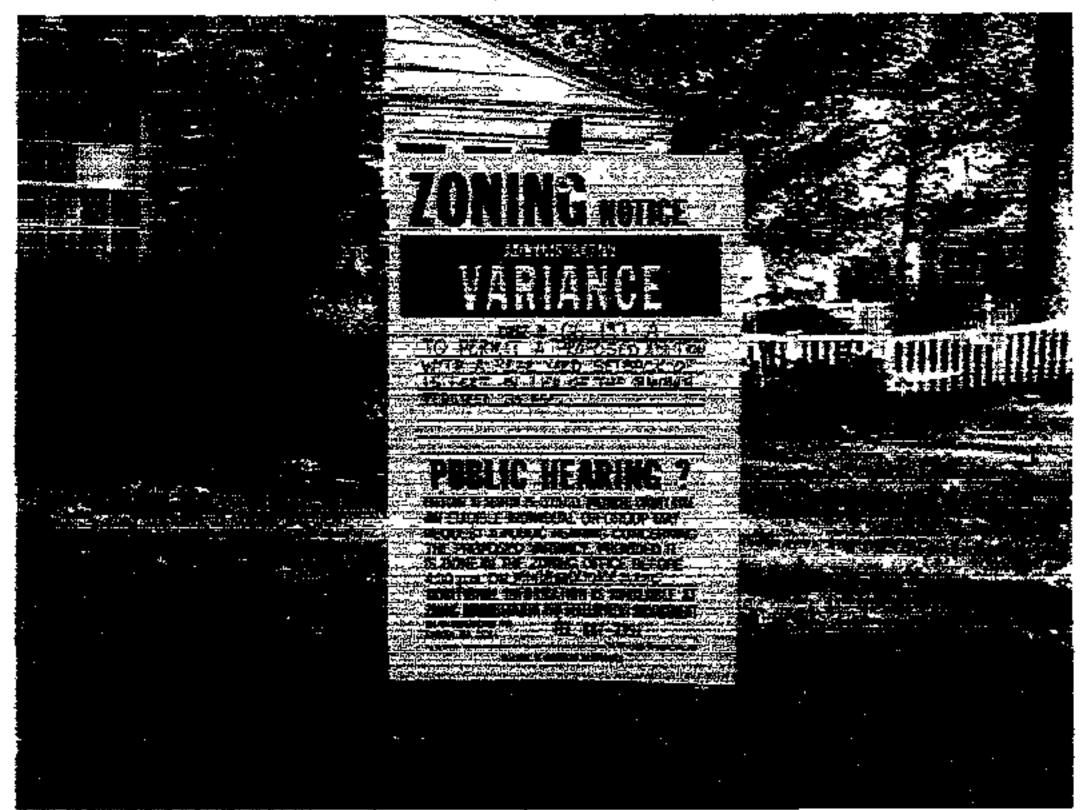
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### CERTIFICATE OF POSTING

RE: Case No: 06-191-A
Petitioner/Developer: Scott : MARY THOMAS
Date Of Hearing/Closing: 10/31/05
gement 111
penalties of perjury that the necessary sted conspicuously on the property  SHEFFIELD ZD
(Month, Day, Year)

ım000426 (576x432x24b jpeg)



Maturogle October 15, 2005

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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# Department of Permits and Development Management

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



## Baltimore County

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

October 31, 2005

Scott R. Thomas Mary Alice Thomas 7099 Sheffield Road Baltimore, Maryland 21212

Dear Mr. and Mrs. Thomas:

RE: Case Number: 06-197-A, 7099 Sheffield Road

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.

W. Call Rill ()

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

#### 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

(0) 4.10 - 887 - 4880

MS-1102F

cc: File

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





Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

#### Maryland Department of Transportation

Date: 10.14.05

Item No

Baltimore County

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

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.

RE:

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

1. 1. Hoult

Engineering Access Permits Division

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** October 26, 2005

NOV - 8 2005

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 7099 Sheffield Road

**INFORMATION:** 

Item Number: 6-197

Petitioner: Scott Thomas

Zoning: DR 5.5

Requested Action: Administrative Variance

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request as the petitioner has stipulated that the facades of the proposed addition will be constructed of stone veneer, with a slate shingled roof. This architectural design is consistent with the surrounding community, and is complimentary to the character of the Stoneleigh Historic District.

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

Prepared by:

Division Chief:

AFK/LL: CM

W. DE VRE VZACI6-197 doc

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

1.0

Timothy M. Kotroco, Director

**DATE:** October 27, 2005

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

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

October 4, 2005

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

#### Expansion to 7099 Sheffield Road (Residential)

The proposed project will be approximately 277 gsf in plan and is currently a single story addition. Although limited in size, the proposed addition will encroach upon the current 30' rear offset of the property, (proposed is approximately 15' from the rear of the property); thus, the proposed condition will require a variance. The expansion proposes utilizing materials that respond to the original architecture, with applications of stone and slate shingles.

Scott and Mary Alice Thomas, Owners of 7099 Sheffield Road, have shared and presented information, floor plans and elevations of the proposed expansion to the back of their house. Owners have informed us that this project requires applying for a variance.

Upon review of the plans and elevations that they have presented, I/We do NOT oppose the proposed project expansion that they are planning.

	Name (Print)	Address	<u>Signature</u>
1.	Tom Cramston	609 ChumleishRd	Show Rings
2.	Sheila Myers	Tioi Sheffield Rd	Het Myce
3.	Kay Barrans	700 Chumleigh Road	
4.			
5.			
6.			

06-197-A

October 4, 2005

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

#### Expansion to 7099 Sheffield Road (Residential)

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Upon review of the plans and elevations that they have presented, I/We do NOT oppose the proposed project expansion that they are planning.

	Name (Print)	Address	Signature
1.	K.W. BARRANS	700 CHUMLEIGH B	K. Larrars
2.			
3.			
4.			
5.			
6.			

Scope of Project
Thomas Kitchen Expansion
7099 Sheffield Road
July 25, 2005

**Project:** Kitchen Expansion off the back of house; approximately 277 GSF. All dimensions are approximate.

#### 1. Renovation:

- Remove/Close existing rear garage door access; provide new garage access into vacated existing kitchen.
- Removal of back porch and porch roof
- Punch-out /remove portion of rear exterior wall at window for access to new kitchen.
- Remove all existing cabinetry and vinyl floor from existing kitchen space;
   provide new hard finished floors and install cabinets

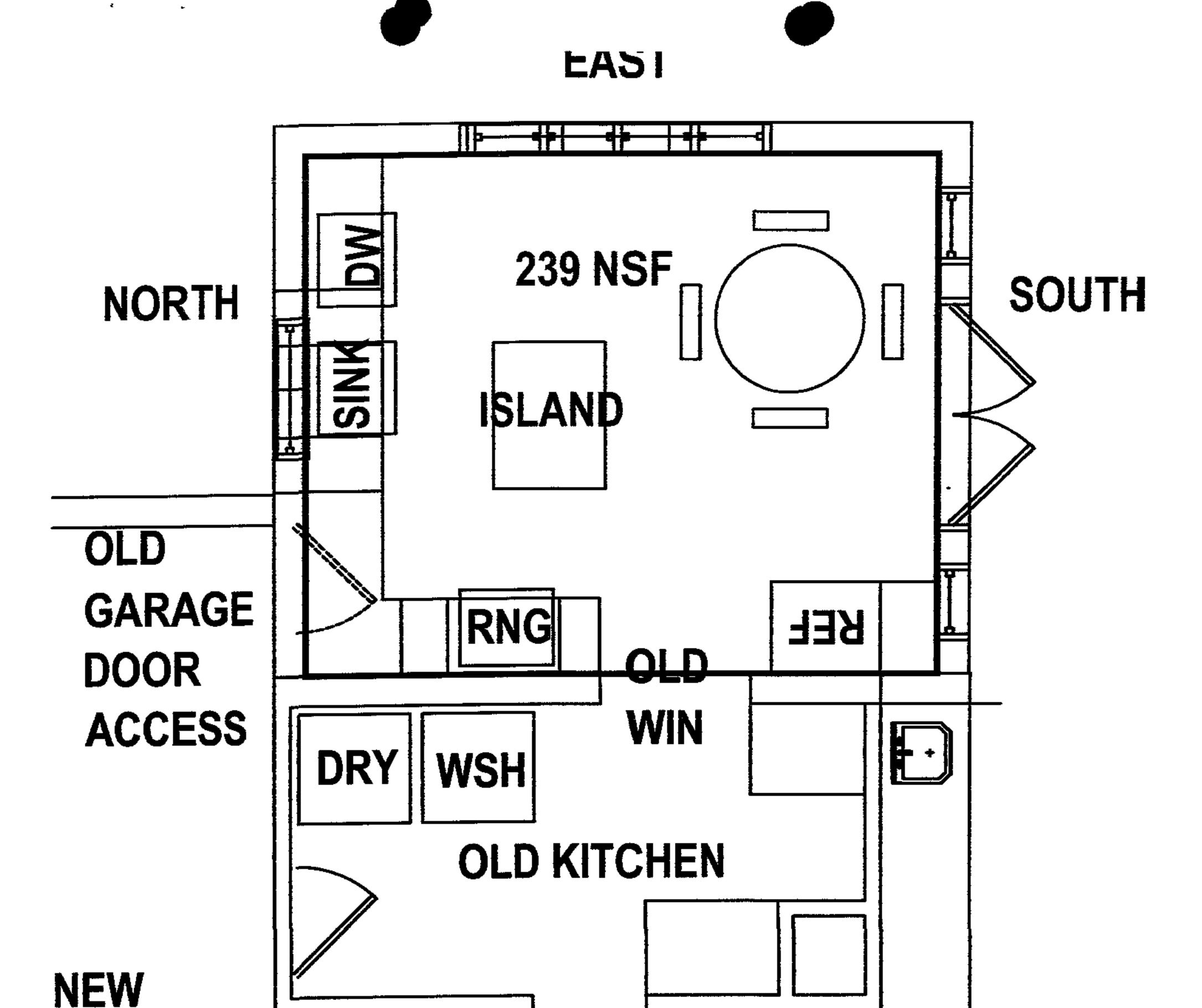
#### 2. New Construction - Exterior:

- Wall Material: 36"- 50" Base Veneer Stone to Window Sill. For wall areas where windows do not occur, will consider Hardiplank or Hardipanel (stucco) for exterior finish material.
- Windows: (Dimensions estimated).
  - i. (2) 20"x 48"double hung windows
  - ii. (1) 54"x 42" double hung window
  - iii. Specialty Window: (1) 64"x96" arched picture window
- Doors: French doors to exterior each 30" x 84"; will consider sliding French doors
- Roof Material: Slate Shingle

#### 3. New Construction - Interior

- Space: Approximately 239 NSF
- Connections: Mech, Elec, Plumb, Gas
- Floors: Finished Hard Wood
- Height: Considering 1-1/2 story height space
- 4. Alternate: Build out second floor attached to back bedroom

06-197-A



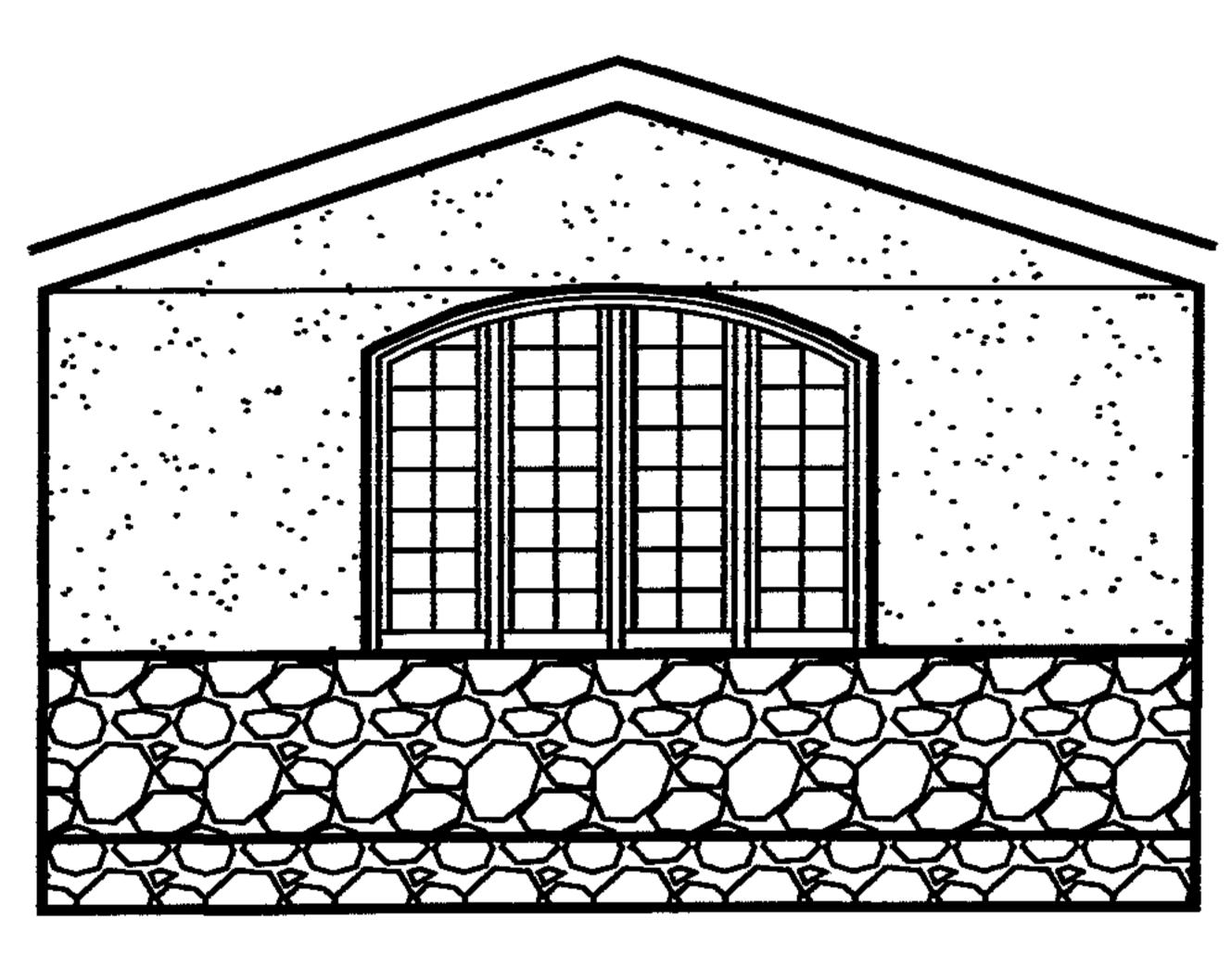
GARAGE DOOR ACCESS

7099 SHEFFIELD RD. KITCHEN EXPANSION JULY 25, 2005

CONCEPT FLOOR PLAN 277 GSF

SCALE:  $\frac{1}{4}$ " = 1'-0"

06-197-A



EAST ELEVATION

SCALE:  $\frac{1}{4}$ " = 1'-0"

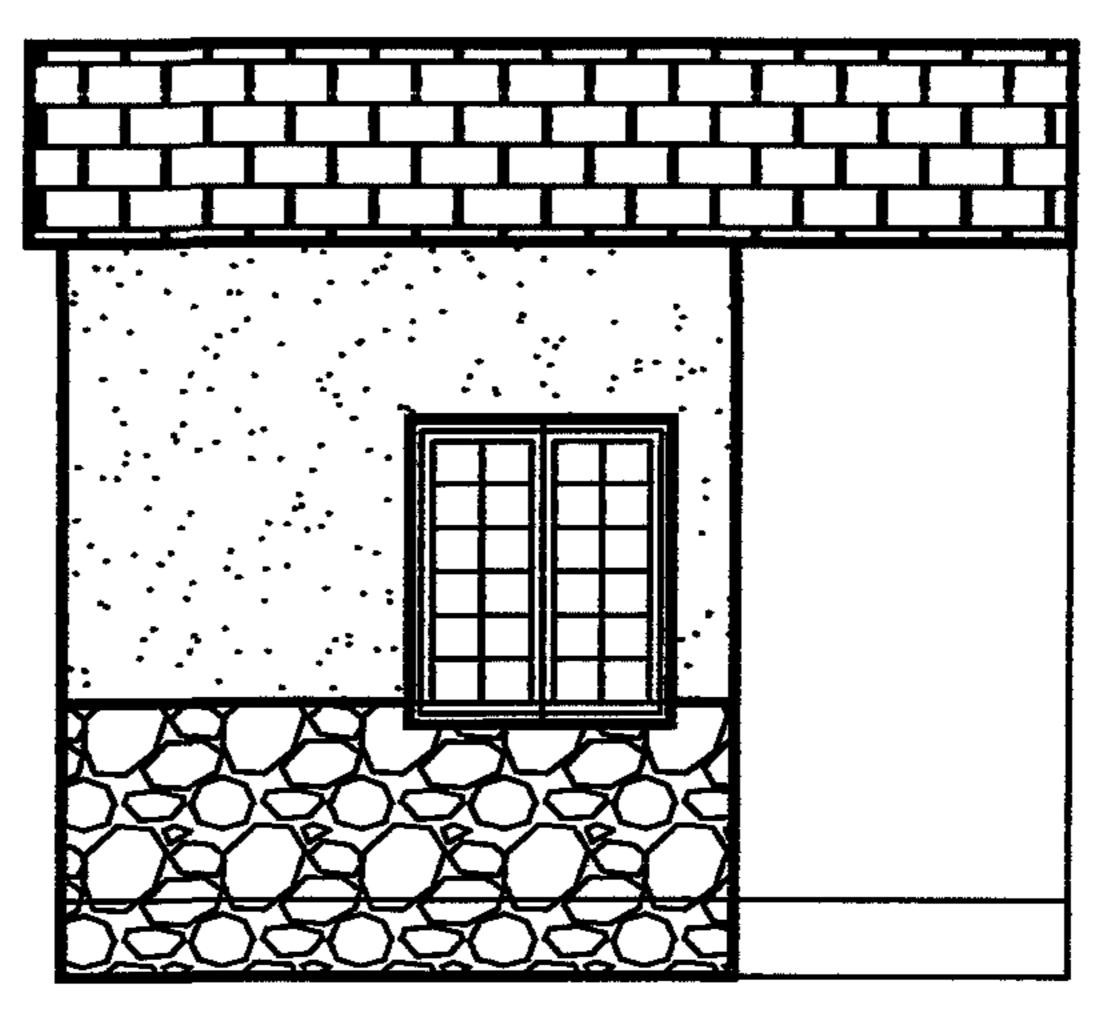
7099 SHEFFIELD RD.
KITCHEN EXPANSION
JULY 25, 2005



**SOUTH ELEVATION** 

SCALE:  $\frac{1}{4}$ " = 1'-0"

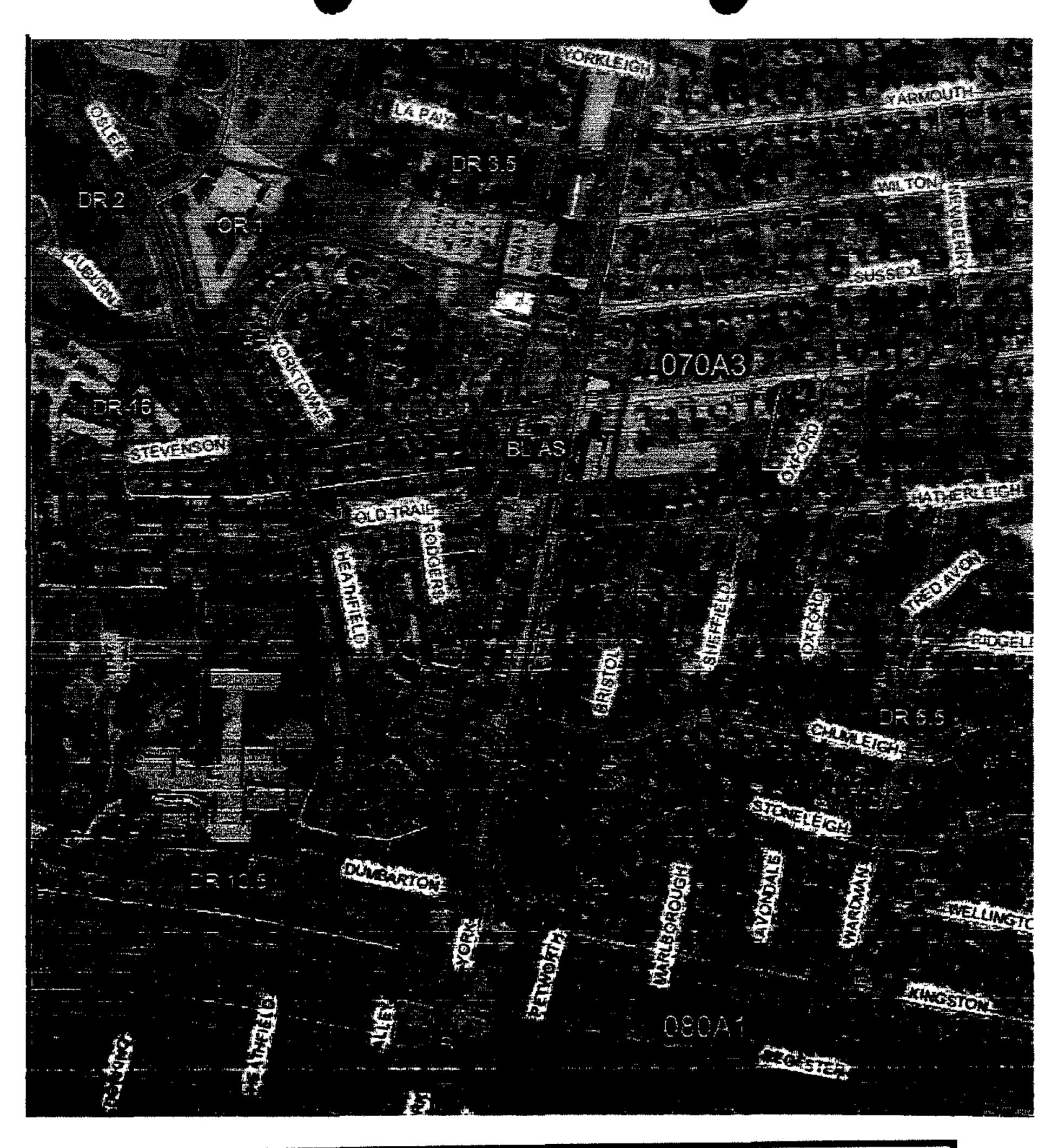
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KITCHEN EXPANSION
JULY 25, 2005



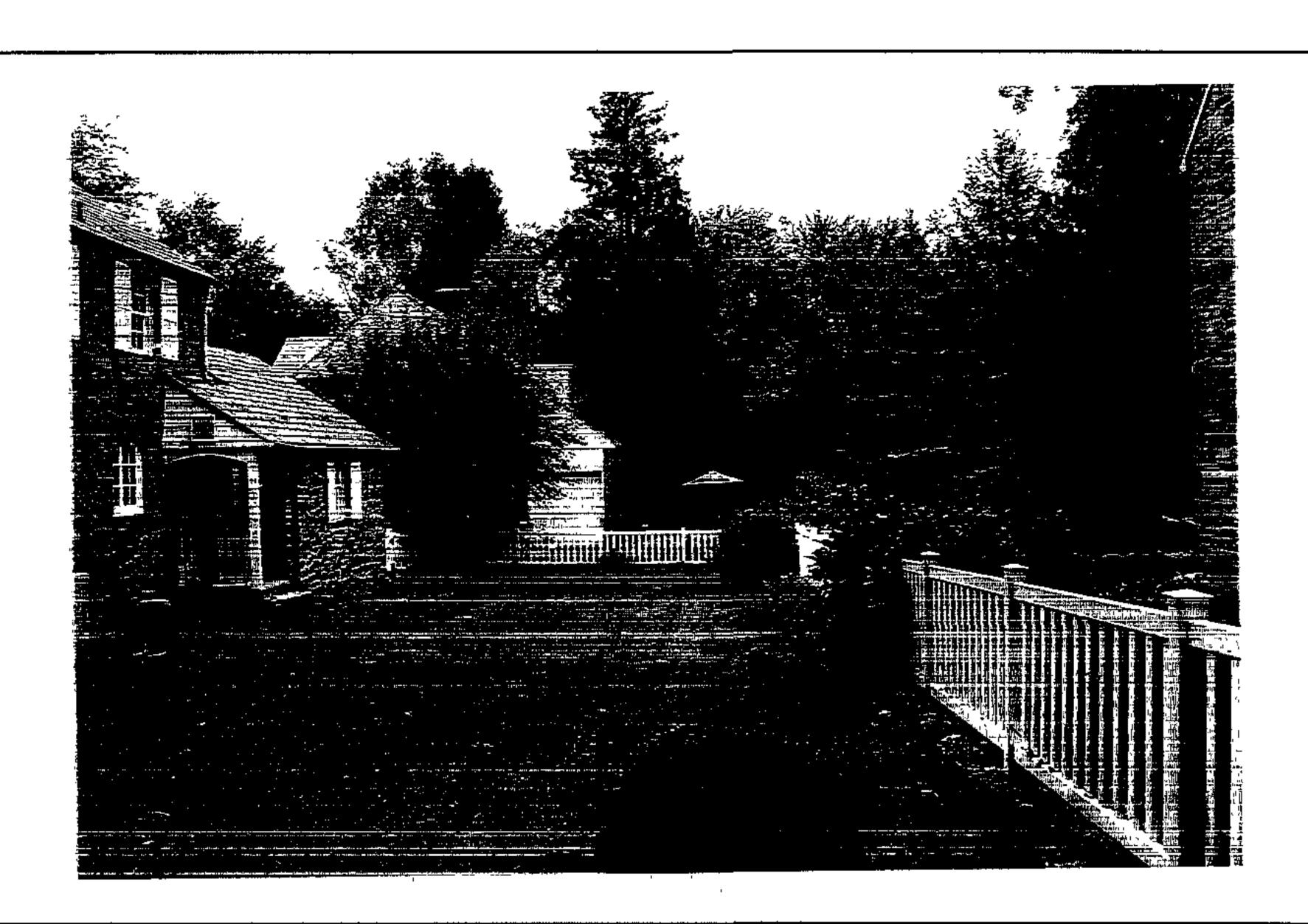
NORTH ELEVATION

SCALE:  $\frac{1}{4}$ " = 1'-0"

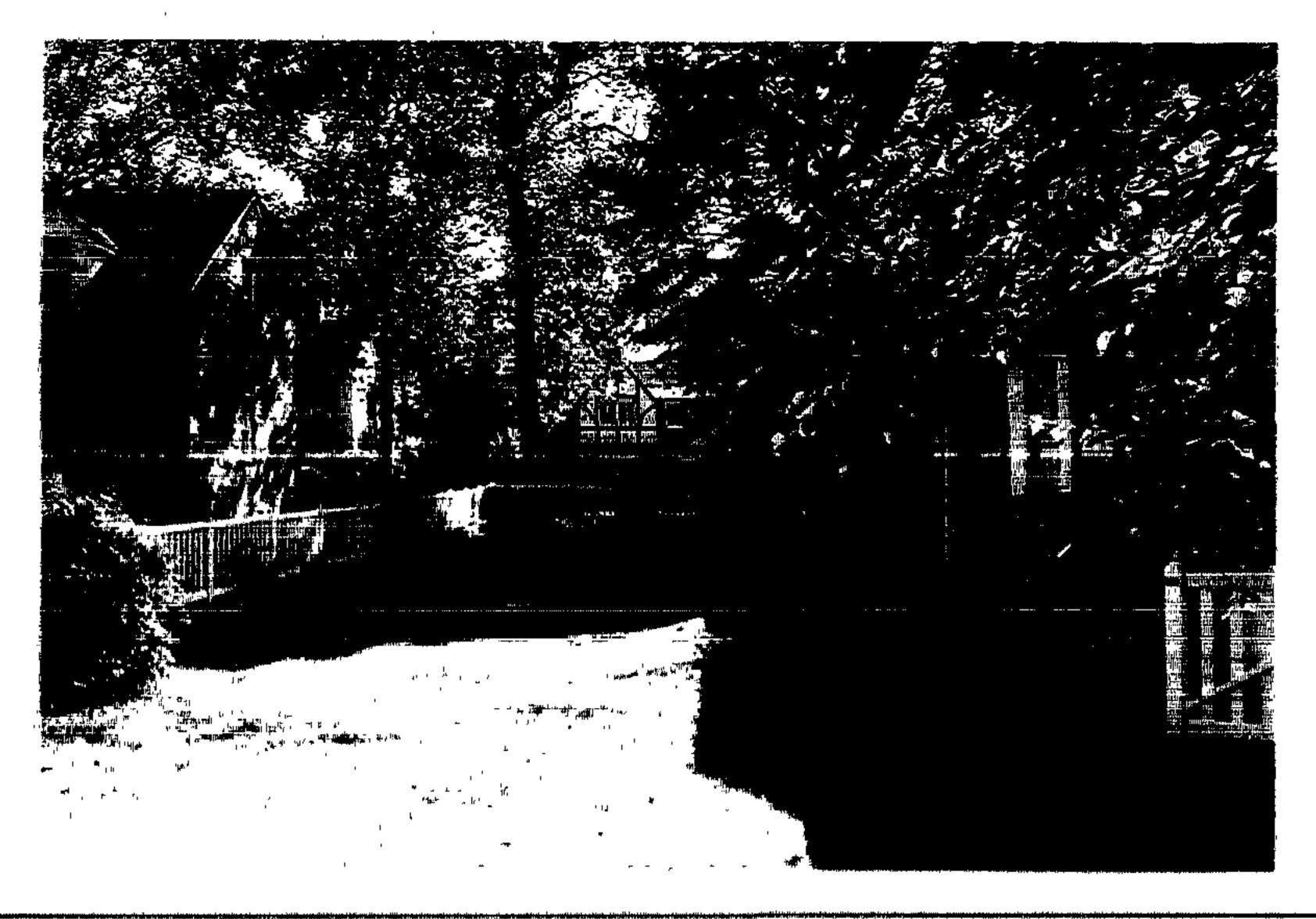
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KITCHEN EXPANSION
JULY 25, 2005



Scale 1"= 200' +/-	LOCATION	SHEET
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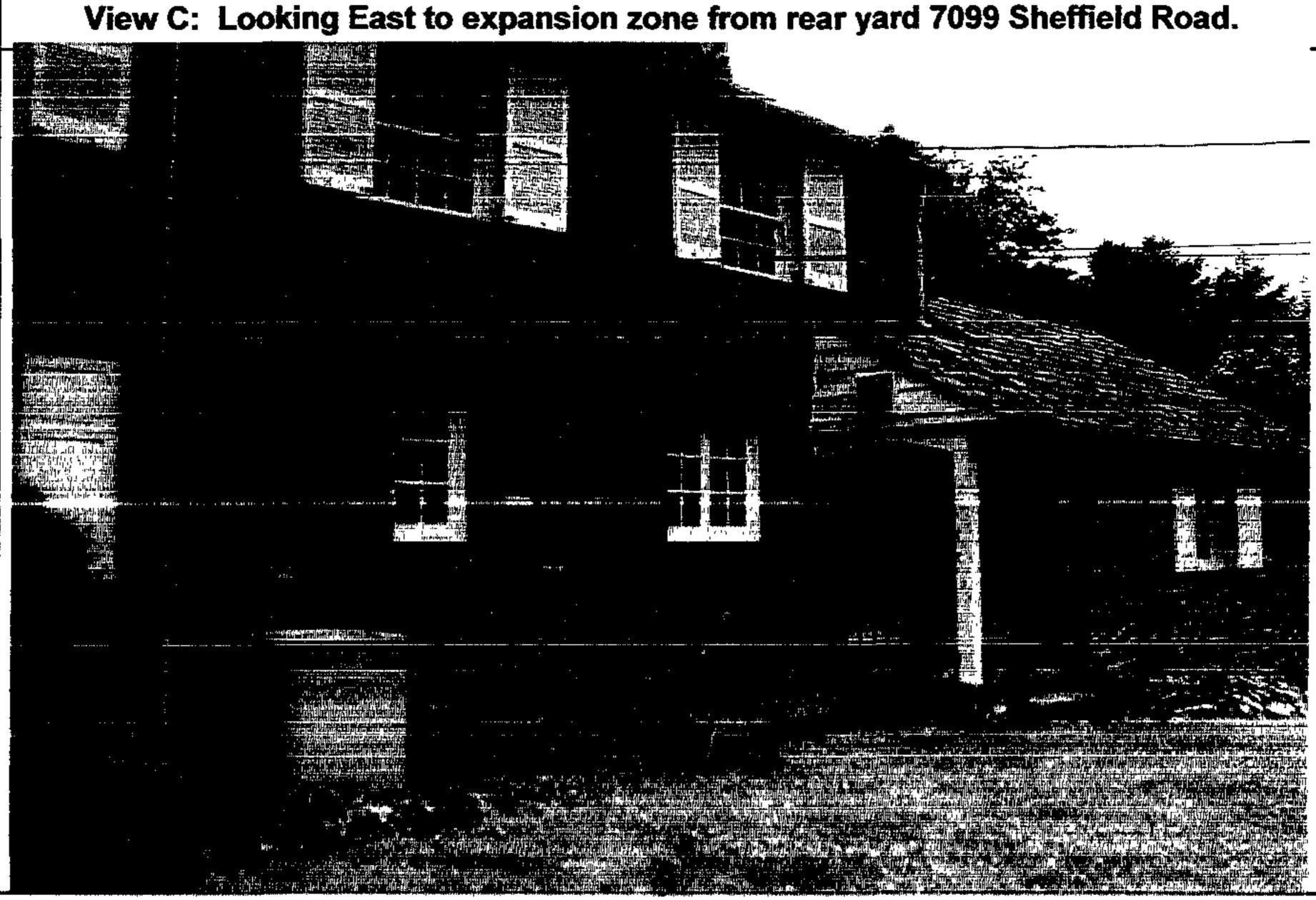


View A: Looking North to expansion zone from Chumleigh Road.



View B: Looking South to expansion zone from rear yard of 7101 Sheffield Road.





View D: Looking West to expansion zone/back of 7099 Sheffield from East property line.

