

IN RE: **PETITION FOR ADMIN. VARIANCE**

NE/S Sacred Heart Lane, 51' SE of the c/l
Northway Road

(307 Sacred Heart Lane)

4th Election District

2nd Council District

Alvin J. Crawford, et ux
Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 06-201-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 owners of the subject property, Alvin J. Crawford, and his wife, Judith Crawford. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the required 10 feet for a proposed addition (19' x 28' garage). 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.

Based upon the evidence contained therein, I am persuaded to grant the requested

ORDER RECEIVED FOR FILING

Date 11/11/15

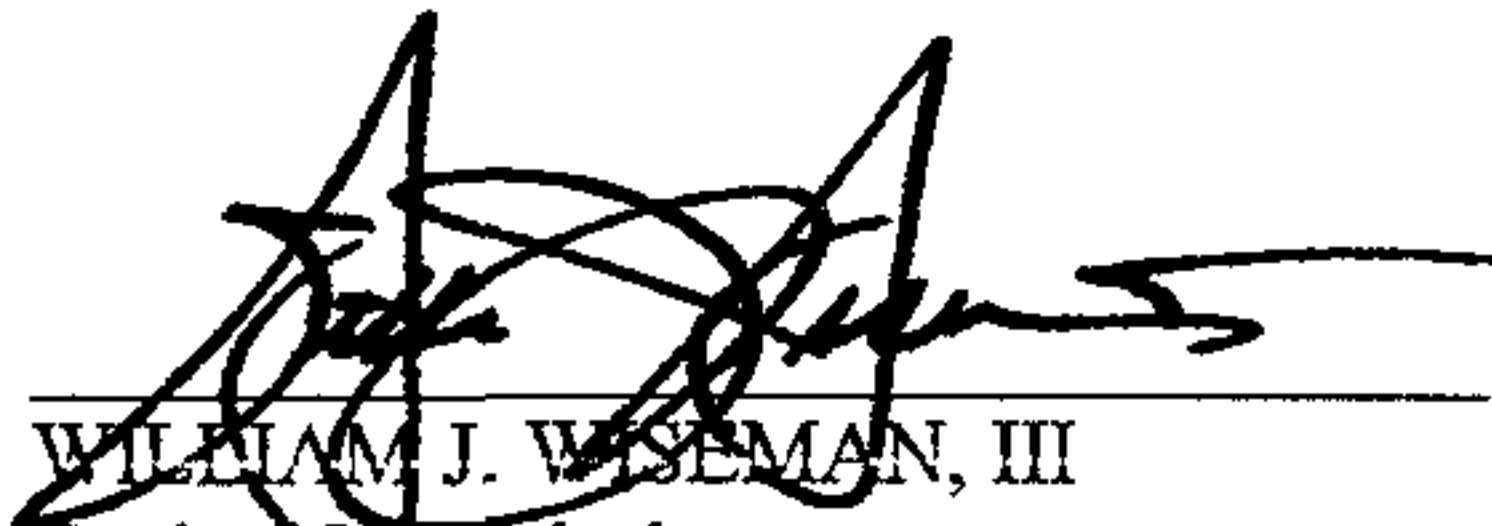
By [Signature]

relief. As shown on the site plan, the Petitioners propose the construction of a 19' x 28' garage addition on the north side of the existing house, at the end of an existing driveway. Due to the location of the existing home, the proposed garage will be located within the required setback from the side property line setback. 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 relief 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 10th day of November 2005 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the required 10 feet for a proposed addition (19' x 28' garage), 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

ORDER RECEIVED FOR FILING
Date: 11/11/05
By: [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

November 10, 2005

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. & Mrs. Alvin J. Crawford
307 Sacred Heart Lane
Reisterstown, Maryland 21136

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
NE/S Sacred Heart Lane, 51' SE of the c/l Northway Road
(307 Sacred Heart Lane)
4th Election District – 2nd Council District
Alvin J. Crawford, et ux - Petitioners
Case No. 06-201-A

Dear Mr. & Mrs. Crawford:

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,

A handwritten signature in black ink, appearing to read 'William J. Wiseman, III', written over a circular stamp.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: People's Counsel; Case File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 307 SACRED HEART LA.

which is presently zoned D.R. 3.5

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) 1B02.3B (BC2R)

TO PERMIT AN ADDITION (GARAGE) WITH A 3-FOOT SIDE YARD
SETBACK IN LIEU OF THE MINIMUM REQUIRED 10-FOOT.

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11/11/05 day of November, 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.

Legal Owner(s):

ALVIN J. CRAWFORD

Name - Type or Print

Signature

JUDITH CRAWFORD

Name - Type or Print

Signature

CELL - 443-834-3229

307 SACRED HEART LA

Address

410-833-6869

Telephone No.

ABINGERTOWN

City

MD

State

21136

Zip Code

Representative to be Contacted:

ALVIN J. CRAWFORD

Name

Address

443-834-3229

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO.

06-201-A

Reviewed By

D.T.

Date

10/7/05

Estimated Posting Date

10/16/05

ORDER RECEIVED FOR FILING

REV 12/25/01

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 307 SHEARER HEART LA.
Address
REISTERSTOWN MD 21136
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 seek relief from the current 10 ft. zoning setback rule on the side of our house so that a garage may be attached to our home so as to provide for an entrance directly from the garage into the home. We are requesting a modification in the set back to three feet.

My husband and I care for my elderly, widowed mother. She is a frequent visitor to our home and she often resides at the home for extended periods, particularly in the winter. We anticipate that at some future date she will come to live with us permanently. An attached garage will provide easy access to the automobile and make transportation to and from the home easier for all of us, particularly in inclement weather.

The location of the garage on the side of the home will necessitate relief from the 10 foot setback rule because there will already be a loss of four feet of space in the garage due to the stairwell along the side of the house that leads to the basement. This loss of four feet makes it impractical to construct the garage without extending beyond the 10 foot setback.

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]
Signature
ALVIN J. CRAWFORD
Name - Type or Print

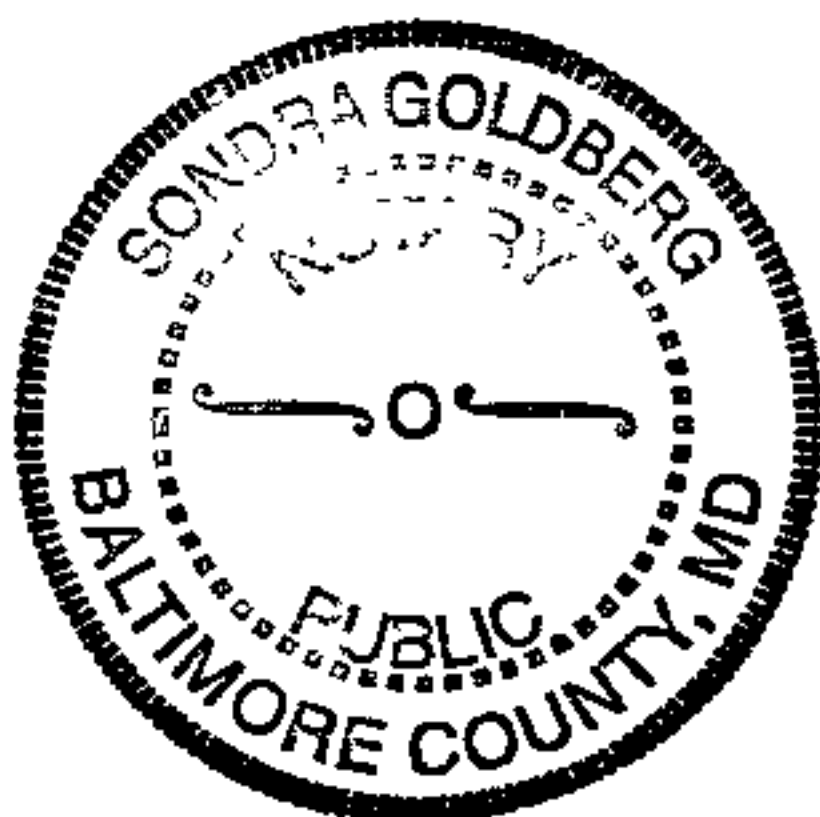
[Signature]
Signature
Judith A. Crawford
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of October, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Alvin J. Crawford and Judith A. Crawford
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



[Signature]
Notary Public
My Commission Expires _____
SONDRA GOLDBERG
Notary Public
Baltimore County, Maryland
My Commission Expires Feb. 1, 2006

Zoning Description

Zoning Description for 307 Sacred Heart Lane

Beginning at a point on the **northeast** side of **Sacred Heart Lane** which is **60 feet** wide at the distance of **51 feet southeast** of centerline of the nearest improved street, **Northway**, which is **30 feet wide**. *Being on **Lot #5, Block B**, in the subdivision of **Chartley (addition to & Revision of Plat 3)** as recorded in Baltimore County Plat Book, # **30, Folio # 88**, containing **5680 square feet**. Also known as **307 Sacred Heart Lane** and located in the **4th** Election District, **2nd** Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 0326

Date 10/7/05 ACCOUNT 0010066150

AMOUNT \$ 65.00

RECEIVED BY ALVIN J. JUDITH CRAWFORD

FOR ITEM # 201 06-201-A

201 SACRED HEART LM BY D. THOMPSON

RECEIVED BY
NAME - CRAWFORD

FOR - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED BY
NAME - WALKER
DATE - 10/10/05
AMOUNT - \$65.00
FOR - 201-201-A
RECEIVED BY
NAME - WALKER
DATE - 10/10/05
AMOUNT - \$65.00
FOR - 201-201-A
RECEIVED BY
NAME - WALKER
DATE - 10/10/05
AMOUNT - \$65.00
FOR - 201-201-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

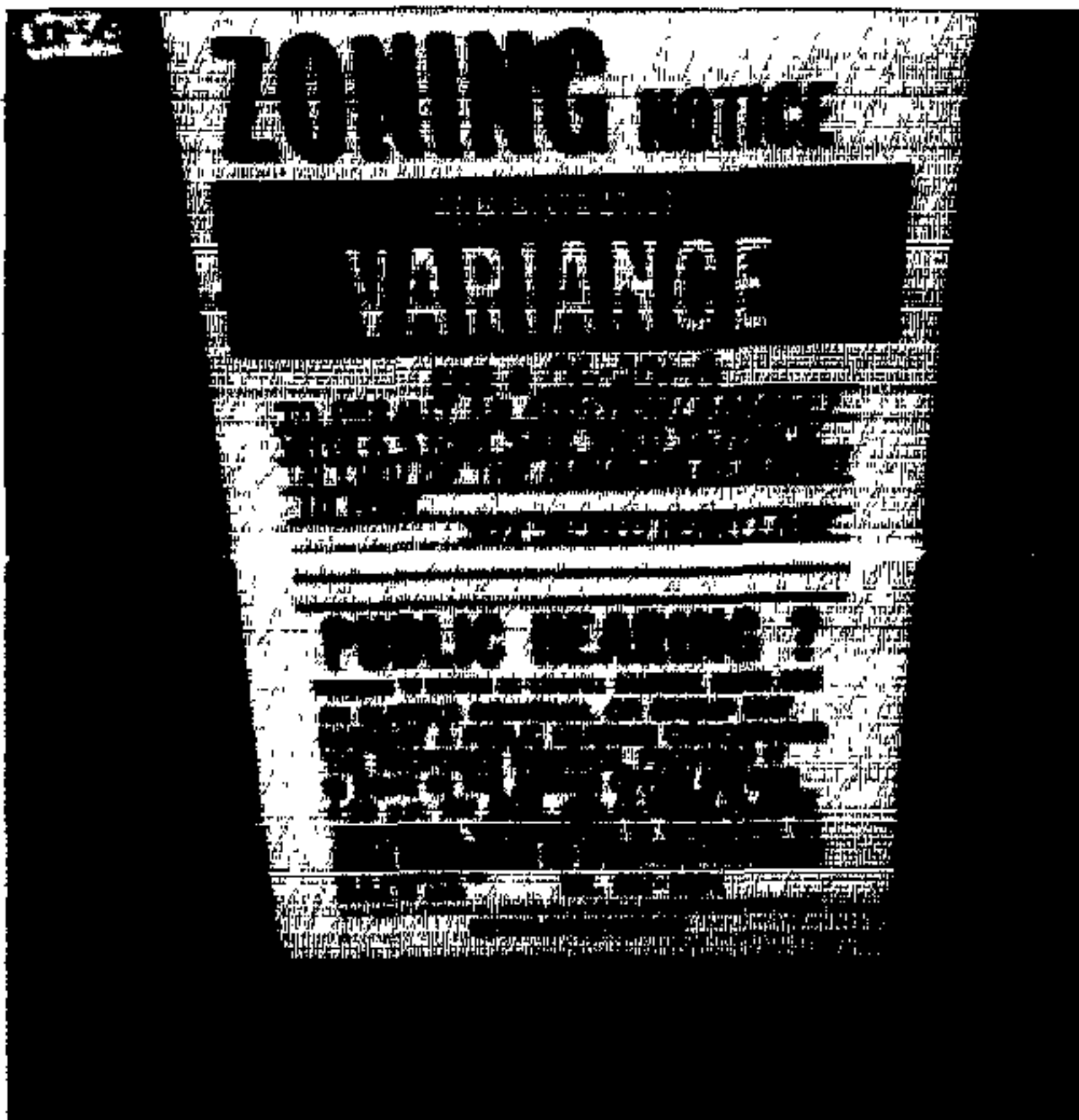
ATTENTION: KRISTEN MATTHEWS

Date October 16, 2005

RE. Case Number 06-201-A
Petitioner/Developer CRAWFORD
Date of Hearing (Closing) October 31, 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 307 SACRED HEART LANE

The sign(s) were posted on October 16, 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)

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: 06-201-A

Petitioner: CRAWFORD

Address or Location: 307 SACRED HEART LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR + MRS. ALVIN J. CRAWFORD

Address: 307 SACRED HEART LANE

REISTERSTOWN, MD 21136

Telephone Number: 410-833-6869

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 201 -A

Address 307 SACRED HEART LANE

Contact Person: DONNA THOMPSON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10/7/05

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- 201 -A

Address 307 SACRED HEART LANE

Petitioner's Name CRAWFORD

Telephone 410-833-6869

Posting Date: 10/16/05

Closing Date: 10/31/05

Wording for Sign: To Permit AN ADDITION (GARAGE) WITH A 3-FOOT SIDE

YARD SETBACK IN LIEU OF THE MINIMUM REQUIRED 10-FOOT.

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

Alvin J. Crawford
Judith Crawford
307 Sacred Heart Lane
Reisterstown, Maryland 21136

Dear : Mr. and Mrs. Crawford

RE: Case Number: 06-201-A, 307 Sacred Heart Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 7, 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

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 27, 2005

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 24, 2005
RECEIVED

OCT 26 2005

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

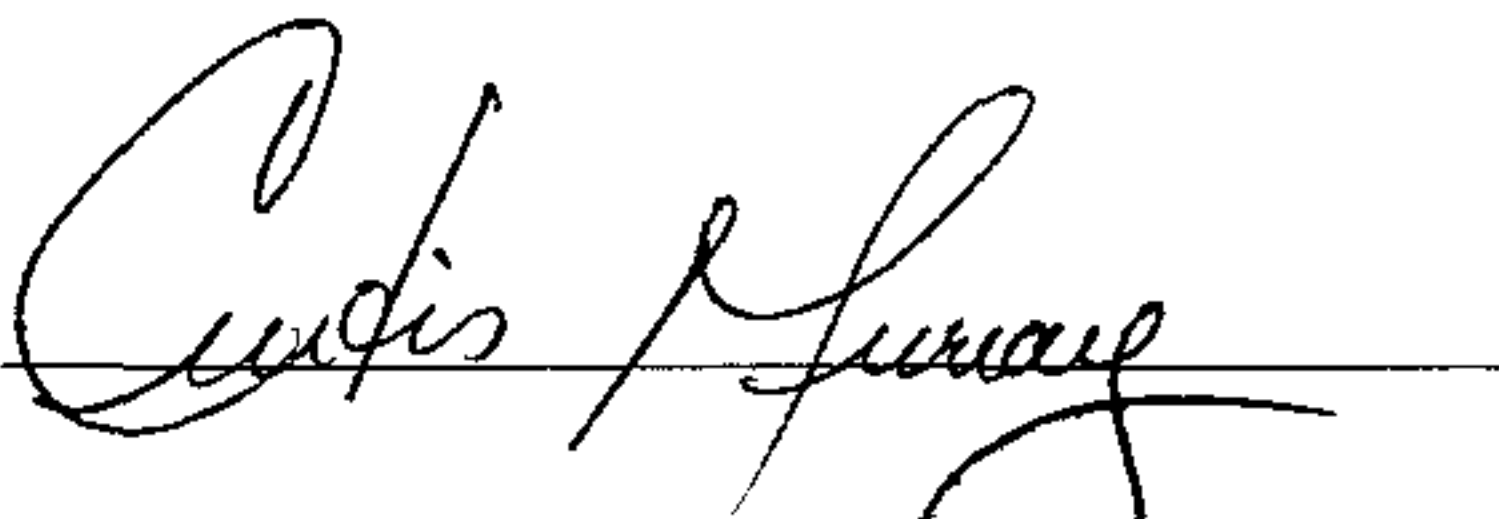
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-201- 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:



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: 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. 201 DT

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

PAGE:1-2

NOV-9-2005 MED 12:36PM ID:

November 9, 2005

We, the owners and residents of 305 Sacred Heart Lane, Reisterstown, Maryland have no objection to the construction of the garage to be built at 307 Sacred Heart lane.



Mr And Mrs. Sergei Strizak

11/09/05

410-517-2057

FAX COVER SHEET

*307 Sacred Heart La.
Reisterstown, MD. 21136*

Fax - 410-833-9455

Send to: BILL WISEMAN	From: MR. AND MRS. CRAWFORD
Attention: BILL WISEMAN	Date: 11-9-05
	Subject: VARIANCE

Total pages, including cover: 2

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 307 Sacred Heart Lane

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

SUBDIVISION NAME Charley (Addition to and Revision of Plat 3)

PLAT BOOK # 30 FOLIO # 88 LOT # 5 SECTION # Block B

OWNER Alvin + Judy Carpenter

OWNER:
SACRED HEART
306
DEED ASP.
19586/471
STALIZAK

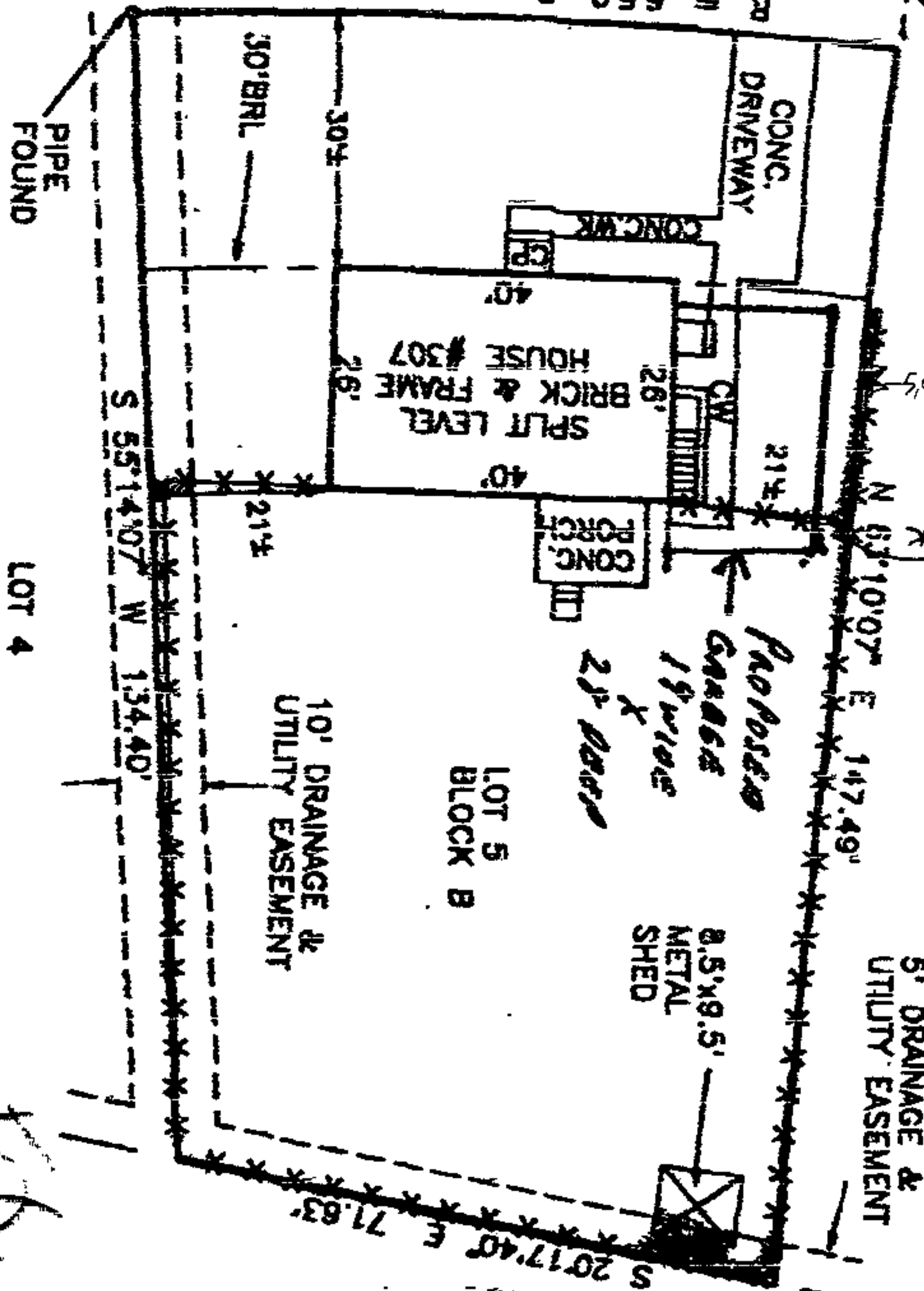
SACRED HEART LANE

NORTHWAY RD



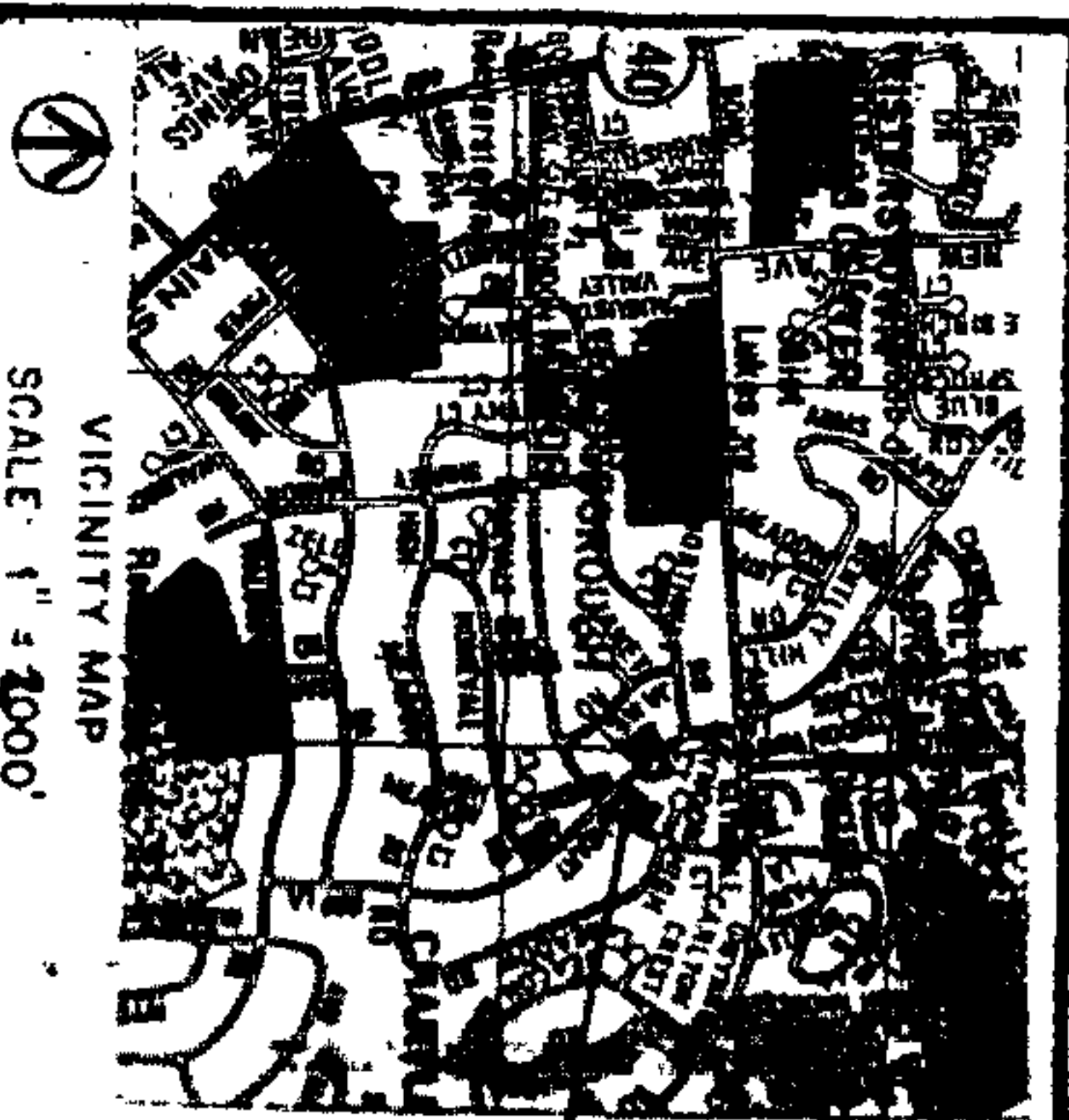
PREPARED BY Alvin + Judy Carpenter

SCALE OF DRAWING: 1" = 30'



OWNER:
SACRED HEART
309
DEED ASP.
11124/549
EALC HEART

Handwritten signature/initials



LOCATION INFORMATION

ELECTION DISTRICT 4th

COUNCILMANIC DISTRICT 2nd

1" = 200' SCALE MAP # 04822

ZONING D.P. 3.5

LOT SIZE 5680

ACREAGE 0.13 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/ BUILDING ☐ ☒

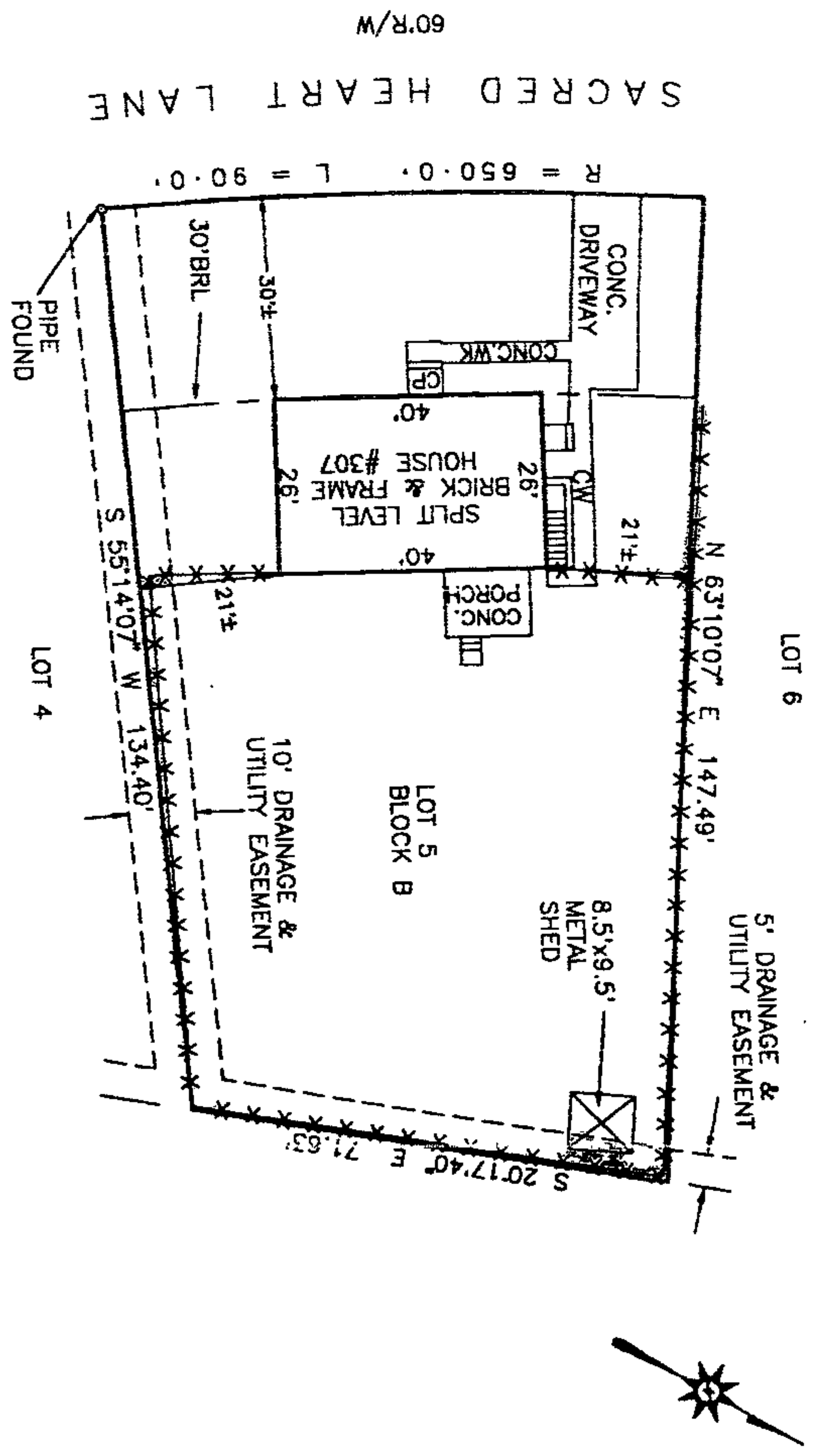
PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

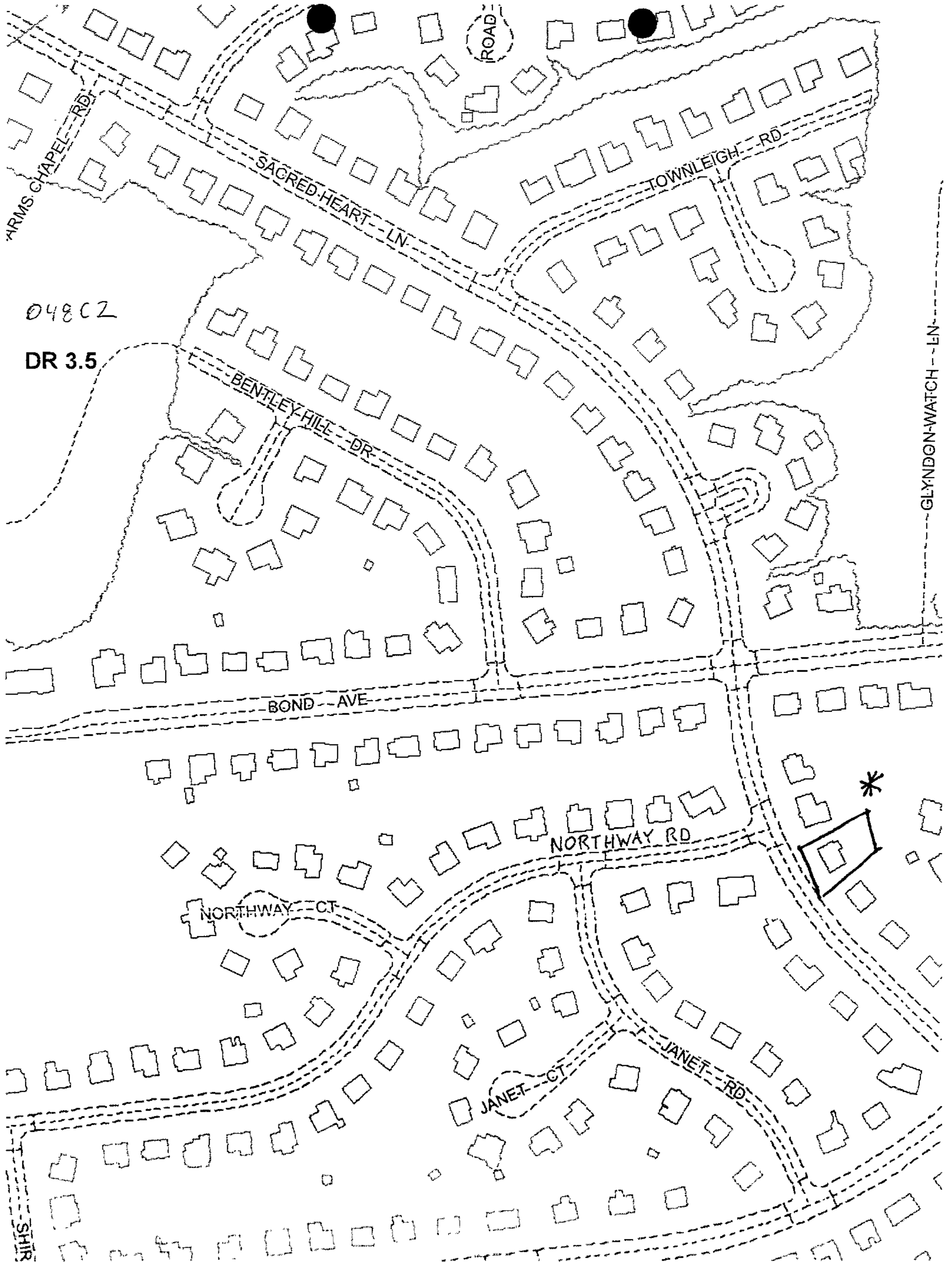
B.T. 301 66-201-A

PROPERTY LOCATION

- NOTES:
- 1) B.R.L. information, if shown, was obtained from existing record plat or local agencies and is not guaranteed by NTT, Inc.
 - 2) Building line and/or Flood Zone information is subject to the interpretation of the originator.
 - 3) NTT, Inc. does not certify to unknown or unrecorded encroachments or overlaps.
 - 4) Property markers NOT found, or guaranteed by this location.
 - 5) Setback distance accuracy: 1'±



NOTES:



04802

DR 3.5

SHIR

06-201-A



DE 301 A.



VIEW FROM FRONT 06-201-A



VIEW FROM BACK 06-201-A