IN RE: PETITION FOR ADMIN. VARIANCE
West Side of Falls Glen Court, 45' South
Of Centerline of Falls Road
7th Election District
3rd Councilmanic District
(2 Falls Glen Court)

Brian W. Hudkins & Margaret Piekarski Hudkins Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 06-348-A

* * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

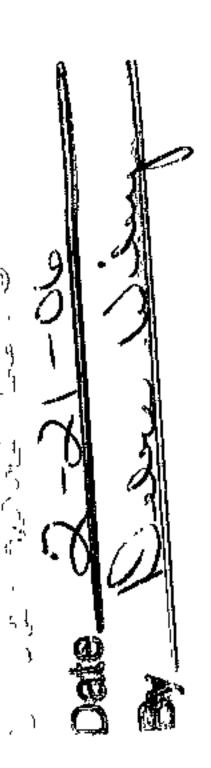
This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Brian W. Hudkins and Margaret Piekarski Hudkins. The variance request is for property located at 2 Falls Glen Court in the Parkton area of Baltimore County. The variance request is from 1A04.3.B.3 (1975 Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 8 feet for an addition in lieu of the required 50 feet to the side property line and 75 feet to the centerline of the road. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 27, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In this case, 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.

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.

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.

JOHNV. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III Zoning Commissioner

February 21, 2006

Brian W. Hudkins Margaret Piekarski Hudkins 2 Falls Glen Court Parkton, Maryland 21120

Re: Petition for Administrative Variance

Case No. 06-348-A

Property: 2 Falls Glen Court

Dear Mr. and Mrs. Hudkins:

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2 FALLS GLEN COURT
which is presently zoned Ros (Rosquarent)

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	1.*	which is presently and	/##4/4# 	CKCGCG
	ed with the Department of Permi ituate in Baltimore County and which by petition for a Variance from Section		مريسون والموسور	Inchianad 18031.
owner(s) of the property s	ituate in Baltimore County and which	on(s)		,
made a part nereor, norse	,	1/309(3, 2) 2 (1	413 Kegs/ 1	-0
permit a sid	e yard setback of	8 St. Lor an addit	ion in lie	u of the
required 50	f. to the side proper	ty line and 75°	Ft. to the	c enterline
of the road.		'	- roosoos indica	ted on the back
of the zoning regulations of this petition form.	of Baltimore County, to the zoning I	aw of Baltimore County, for the	a reasons muica	iga on the secon
Property is to be posted a l, or we, agree to pay expended regulations and restrictions of	nd advertised as prescribed by the ses of above Variance, advertising, po of Baltimore County adopted pursuant t	zoning regulations. sting, etc. and further agree to an to the zoning law for Baltimore Co	id are to be bound ounty.	led by the zoning
		I/We do solemnly declare ar perjury, that I/we are the leg- is the subject of this Petition	at owner(s) of the	e penalties of property which
Contract Purchaser/L	essee:	Legal Owner(s):		
Name - Type or Print		Nange - Gre or Print	TUDKINS	<u>, , , , , , , , , , , , , , , , , , , </u>
Signature		Signature	<u></u>	
** <u> </u>	Talanka wa Ma	Name - Type or Print	TEKARSKI	HUDKINS
Address	Telephone No.	A KI	The Du Ad	
City	State Zip Code	Signature	70000000	242
Attorney For Petitione	er:	2 FALLS GLEN	COURT	410-329.66
		Address	4.5	Telephone No.
Name - Type or Print	······································	City	<u> </u>	Z)12C Zip Code
Traine - Type of Fint				Zip Oodo
Signature		Representative to be	Jontactea:	
Company				
Company		Name		
Address	Telephone No.	Address	······································	Telephone No.
713	State Zip Code	City	State	Zip Code
A Fublic Hearing having been day of guiations of Baltimore County	formally demanded and/or found to be that the subject matter of the and that the property be reposted.	required, it is ordered by the Zonin his petition be set for a public hearing	ig Commissioner of , advertised, as requ	Baltimore County, uired by the zoning
		Zoning Commissioner	of Baltimore County	

Reviewed By 131/1

Estimated Posting Data _

06-348-A

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	2 FALLS	GLEN COURT	
	Address		
	"MAKK TON"	N11	2.1120

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):

State

We are the original occupants of 2 Falls Glen Ct. which was built in 1989. We elected at that time to orient the house to have the rear of the house facing south. The builder placed the side of the home on the setback line at that time. The street view of our home is of the side of the house garage doors, rather than being the more typical front facing house.

Our objectives in remodeling our home are to improve the street view of our home, add additional storage space that is badly needed, enlarge the laundry area and add an additional garage bay, providing 3 total garage spaces.

Our plan to do this would:

- 1) Remove one existing garage door and replace it with windows and a porch
- Relocate the driveway to have a more moderate grade which will also provide a more attractive entry
- 3) Add a new 2 car garage with storage space under for lawn equipment

Our lot is a corner lot and the area we propose to build on does not encroach on any neighboring lots.

That the Affiant(s) acknowledge(s) that if a formal demand is advertising fee and may be required to provide additional information	s filed, Affiant(s) will be required to pay a reposting and ation.
May /	Man A Rudhing
Signature BRIAN W. THUDKINS Name - Type or Print	Signature MARGAR PIEKARSKI HUDKINS Name - Type or Print
*	
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:	.
HEREBY CERTIFY, this Local day of County aforesaid personally appeared	, Jode, before me, a Notary Public of the State
of Maryland, in and for the County aforesaid personally appeared the Affiant(s) herein, personally known or satisfactorily identified	Letarski Judkins
the Amanus) herein, personally known or satisfactorily identified i	to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
Notary I	Public Braverman)
•	, , , , , , , , , , , , , , , , , , , ,
ment a community Con	nmission Expires 19/1/07

ZONING DESCRIPTION FOR #2 FALLS GLEN COURT

BEGINNING AT A POINT ON THE WEST SIDE OF FALLS GLEN

COURT WHICH IS 50 FEET WIDE AT THE DISTANCE OF 45 FEET

SOUTH OF THE CENTERLINE OF FALLS ROAD WHICH IS 60

FEET WIDE. BEING LOT NO. 4 IN THE SUBDIVISION OF FALLS

GLEN AS RECORDED IN BALTIMORE COUNTY PLAT BOOK NO.

58, FOLIO NO. 101, CONTAINING 1.234 ACRES, MORE OR LESS.

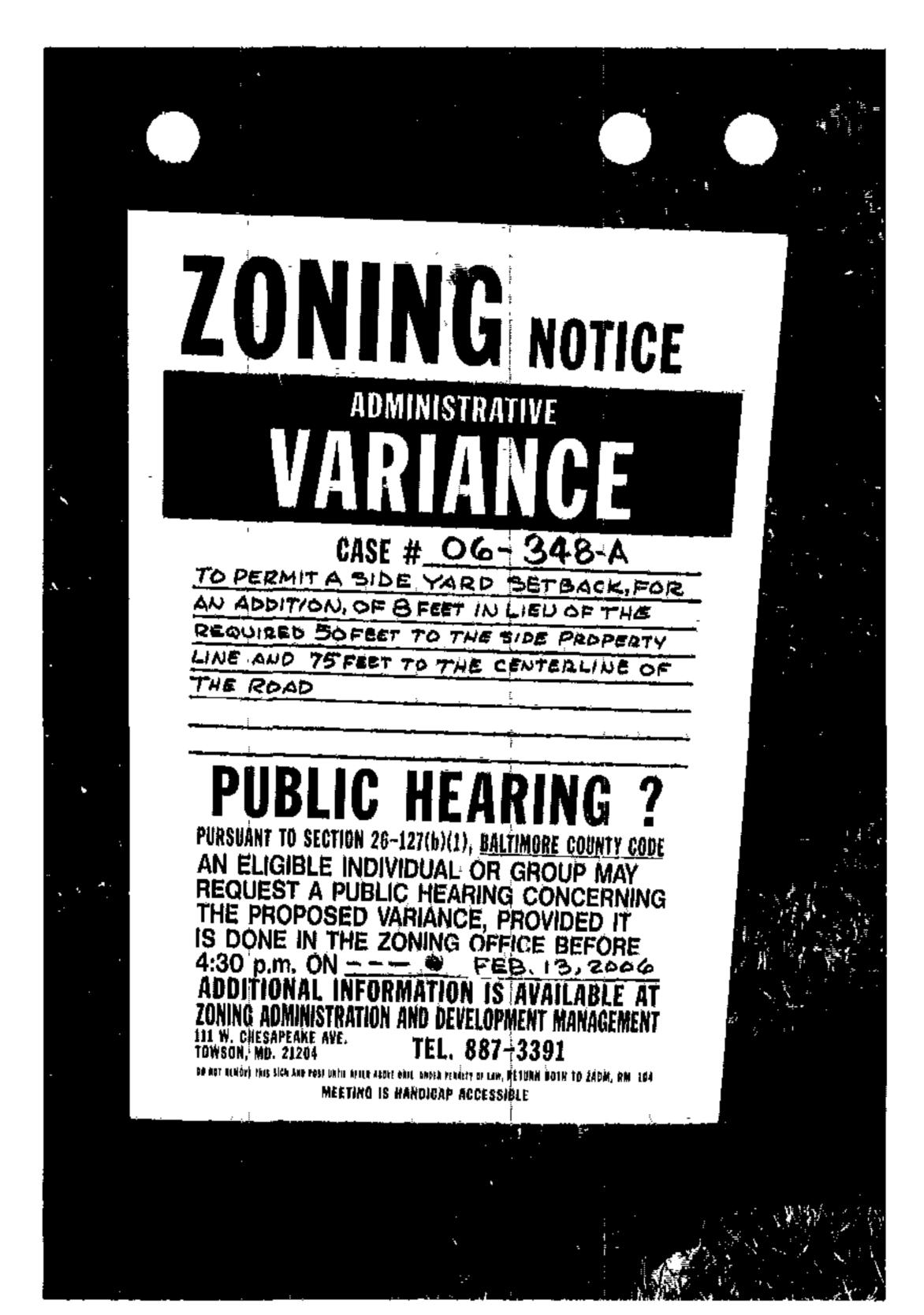
ALSO KNOWN AS #2 FALLS GLEN COURT AND LOCATED IN THE

7TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT.

MICHAEL V. MOSSE NAS REG. NO. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road Room 101 Towson, MD 21286 410-828-9060

PISTRIBUTION WHITE - CASHIER		RECEIVED	DATE	BALTIM OFFICE O
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CASHIER.				



CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Attention: Christen Matthews

Towson, MD 21204

Permits and Development Management

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 propery located at ______ #2 FALCS GLEN COURT The sign(s) were posted on JAU. 27, 7000 (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) CTAPLAGED E. MOORE (Printed Name) 3225 RYERSON CIRCLE (Address) BAUTIMORE, MD, 21227
(City, State, Zip Code) (410) 242-4263 (Telephone Number)

RE: Case No.: 06-348-A

Petitioner/Developer: BRIAN J-UDKINS

Date of Hearing/Closing: FEB. 13, 2006

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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:	· · · · · · · · · · · · · · · · · · ·
Petitioner: BRIAN & MARGARET (PIEKARSKI) HUI	KINS'
Address or Location: # 2 FAULS GLEN CT.	
PLEASE FORWARD ADVERTISING BILL TO: Name: MR&MRS BRIAN HUOKINS	
Address: #2 FAUS GLEW CT.	
PARKTON, MD. 21120	
Telephone Number: 410 - 821 - 5600	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

· · · · · · · · · · · · · · · · · · ·	· ·
Case Number 06- 348 -A	Address 2 Falls Glen Ct.
Contact Person: Bruho Rular Planner, Please Print Your Name	<u>Fir</u> Phone Number: 410-887-3391
Filing Date: 1/18/06 Posting	
Any contact made with this office regarding the through the contact person (planner) using the ca	he status of the administrative variance should be ase number.
reposting must be done only by one of the is again responsible for all associated co	e one of the sign posters on the approved list (on the ner is responsible for all printing/posting costs. Any e sign posters on the approved list and the petitioner osts. The zoning notice sign must be visible on the ed above. It should remain there through the closing
 DEADLINE: The closing date is the dead a formal request for a public hearing. request for a public hearing, the process is 	line for an occupant or owner within 1,000 feet to file Please understand that even if there is no formal not complete on the closing date.
order that the matter be set in for a put the feet typically within 7 to 10 days of the closing	will be reviewed by the zoning or deputy zoning equested relief; (b) deny the requested relief; or (c) ublic hearing. You will receive written notification date) as to whether the petition has been granted, rder will be mailed to you by First Class mail.
commissioner), notification will be forwa changed giving notice of the hearing date.	OSTING: In cases that must go to a public hearing quest or by order of the zoning or deputy zoning rded to you. The sign on the property must be time and location. As when the sign was originally photograph of the altered sign must be forwarded to
(Detach Ald	ong Dotted Line)
Petitioner: This Part of the Form is for the Sig	n Poster Only
USE THE ADMINISTRATIV	E VARIANCE SIGN FORMAT
Case Number 06- 348 -A Address	2 Falls Glea Ct.
Petitioner's Name Brian Hudkins	Telephone 4/0-329-6684
Posting Date: 1/29/06	Closing Date: 2/17/06
Nording for Sign: <u>To Permit</u> a side yar	ed setback for an addition of 8 ff
in lieu of the required 50	ft. to the side proporty line and
7.5 ft. to the conterline	of the road.
······································	i i
	WCR - Revised 6/25/04



THE FROM SE

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	2 FALLS GLEN. COURT
	presently zoned RC-5 (120-4 current)

This Petition shall be filed with the Department of Permits and Develo	opment 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)	

permit a side yard setback of 8 ft. in lieu of the required 50ft. to the side property line and 75 ft. to the conterline of the road.

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.

		clare and affirm, under the the legal owner(s) of the Petition.	
Contract Purchaser/Lessee:	Legal Owner(s):		
Name - Type or Print	Name 2 ype or Print	1. HUBKINS	
Signature	Signature	<u> </u>	
Address Telephor	ne No. Name - Type or Print	THEKARSKI Lud	HUDKINS
City State Zip Attorney For Petitioner:	Code Signature	LEN COURT	410-329 660 Telephone No
	PARKTON	MD	SU30
Name - Type or Print	City	State	Zip Code
Signature	<u>Representative to</u>	o be Contacted:	
Cempany	Name		
Address	e No. Address	**** · · · · · · · · · · · · · · · · ·	Telephone No
State Zip	Code City	State	Zip Code
A Public Hearing having been formally demanded and/or for this day of that the subject irequiations of Baltimore County and that the property be reposted that the property because the prope	t matter of this petition be set for a public led.	e Zoning Commissioner of hearing, advertised, as requestioner of Baltimore County Date	rired by the zoning
EVE10/25/01	Estimated Posting Date	1/29/06	

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That the Affiant(s) does/do presently reside at	2 FALLS	GLEN COURT	
	Address PARKTON	MD	21120
	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):

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- 3) Add a new 2 car garage with storage space under for lawn equipment

Our lot is a corner lot and the area we propose to build on does not encroach on any neighboring lots.

That the Affiant(s) acknowledge(s) that if a formal denadvertising fee and may be required to provide additional	nand is filed, Affiant(s) will be required to pay a reposting and information.
18n//	Mit DM Hudhus
Signature	Signature
BRIAN W. HUDKINS Name - Type or Print	MARGARET PIEKARSKI HUDKINS
Manne - Type of Pink	Name - Type or Print
	•
STATE OF MARYLAND, COUNTY OF BALTIMORE, to v	**************************************
HEREBY CERTIFY, this Lower day of County aforesaid personally for	, 2016, before me, a Notary Public of the State
he Affiant(s) herein, personally known or satisfactorily de	vet Piet arobi Hudkins
ne Amant(s) nerein/personally known or satisfactorily (del	ntified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
To the state of th	(thel) Braverman) Notary Public
N	My Commission Expires 12/1/07

Department of Permits a 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

February 13, 2006

Brian Hudkins Margaret Hudkins 2 Falls Glen Court Parkton, Maryland 21120

Dear Mr. and Mrs. Hudkins:

RE: Case Number: 06-348-A, 2 Falls Glen Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 29, 2006.

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



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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: February 7, 2006

FEB - Sara

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-348 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 13, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 6, 2006 Item Nos. 346, 347, 348, 350, 351, 353, and 355

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

FEB 1 1006

The state of the s

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-02132006.doc



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

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

Maryland Department of Transportation

Date:

1.24.06

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

RE:

Baltimore County

BPR

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

J. J. Grall

Engineering Access Permits Division



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

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

January 26, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: January 30, 2006

Item No.: 346,647,348,349,350,351,352,353,354

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.

Acting Lieutenant William F Connolly Fire Marshal's Office 410-887-4880 MS-1102F

cc: File

January 16, 2006

To Whom It May Concern:

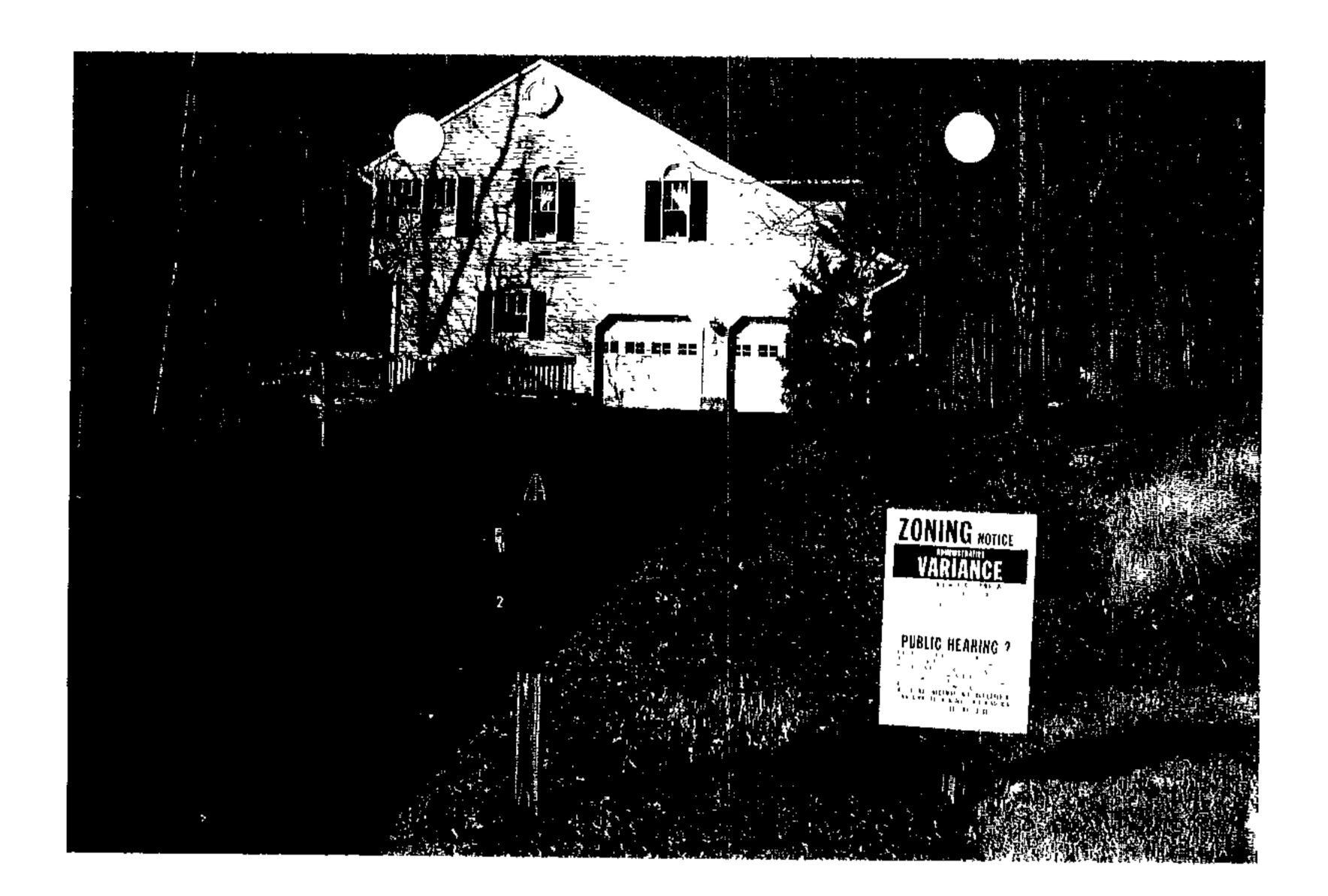
We live at 1 Falls Glen Court, directly across from the Hudkins. They have spoken with us about their remodel/addition project and we have seen the plans. We are pleased that the street view will be much improved. We support their application for a variance to allow this project to continue.

Rich and Juanita Stastoy

Mich Starting 1/16/

ArcIMS Viewer Page 1 of 1

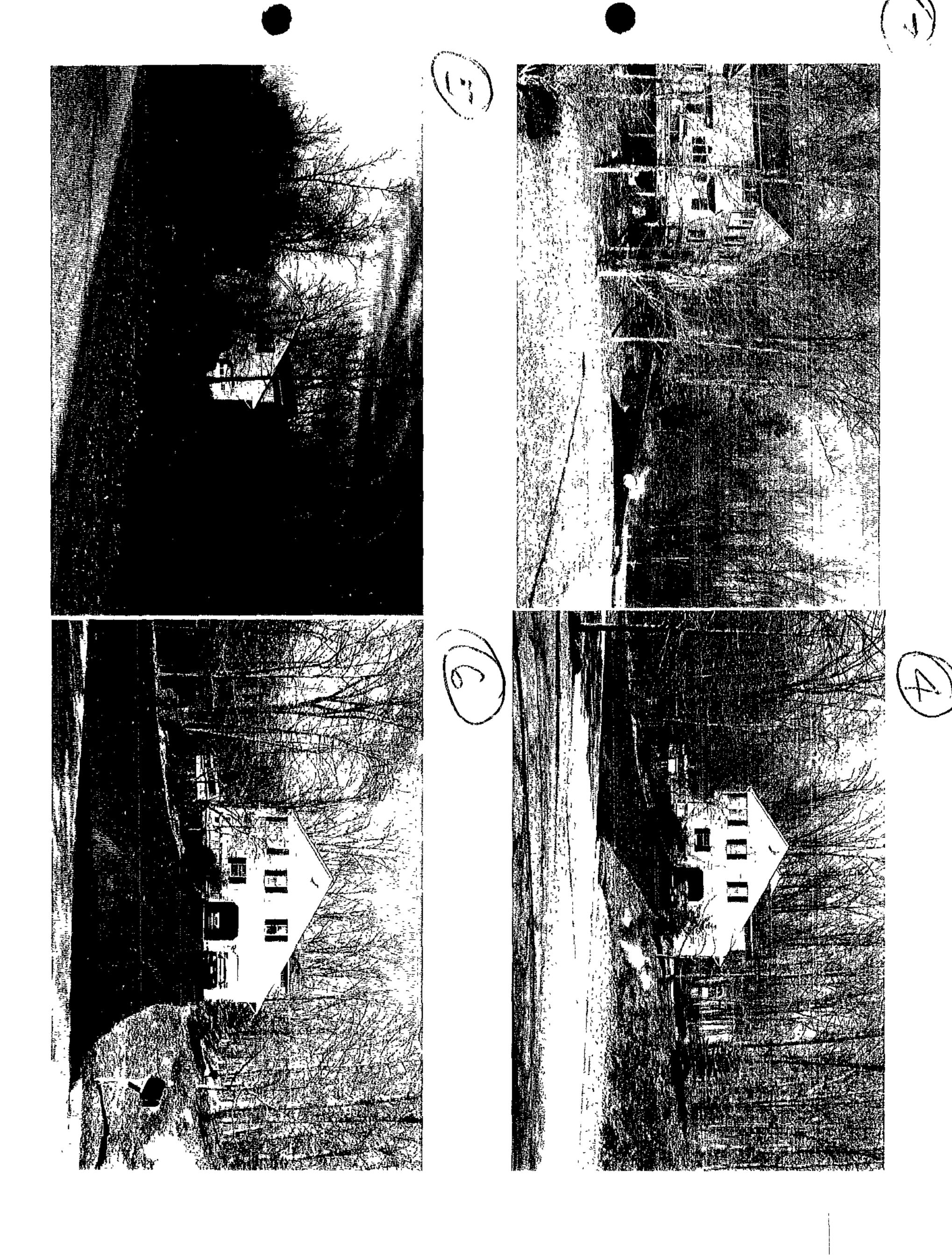








#348



(x)

