IN RE: PETITION FOR ADMIN. VARIANCE
SW side of Laurel Drive, NW of
Lochearn Drive

3rd Election District
4th Councilmanic District
(6704 Laurel Drive)

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Obeinson and Mathania Antoine Petitioner

CASE NO. 06 547-A

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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 owner of the subject property, Obeinson and Mathania Antoine. The variance request is for property located at 6704 Laurel Drive in the Lochearn Subdivision 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 an existing single family dwelling with an addition to have a side yard setback of 8 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that house has become too small for the growing family and they need to convert the first floor living space to bedrooms for the children. The proposed addition is 20 feet x 24 feet in size.

Zoning Advisory Committee Comments

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

Applicable Law

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the

subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 7, 2006, 2006, 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 and photographs 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 Petitioner.

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.

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THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 9th day of June, 2006, that a variance from Section from Section 1B02.3.C.1 of the

Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with an addition to have a side yard setback of 8 feet in lieu of the required 10 feet.

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.

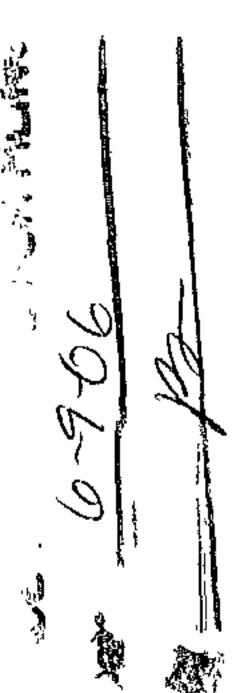
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

June 9, 2006

OBEINSON AND MATHANIA ANTOINE 6704 LAUREL DRIVE GWEN OAK MD 21207

> Re: Petition for Administrative Variance Case No. 06-547-A Property: 6704 Laurel Drive

Dear Mr. and Mrs. Antoine:

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

JVM:pz Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	6704	Lound	Drive	'	
-		tly zoned	Loc	MEANON DIZ.	5,5

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

Zoning Commissioner of Baltimore County

perjury, that I/we are the legal owner(s) of the property which

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH ADDITION TO HAVE A SIDEYAND SETBACK OF 8' IN LIEU OF THE REQUIRED 10'

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.

is the subject of this Petition. <u>Legal Owner(s):</u> Contract Purchaser/Lessee: ANTOINE ndenison Name -/Type or Print Name - Type or Print Signature Signature ANIDINE Telephone No. Name - Type or Print Address Signature Zip Code State City WKIVE. Attorney For Petitioner: Address Telephone No. II207 Zip Code State Name - Type or Print Representative to be Contacted: Signature Company Stemmors Address Telephone No. ľelephone No Address MD L SSEW 21221 Zip Code State Zip Code City State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of

Reviewed By

Estimated Posting Date

regulations of Baltimore County and that the property be reposted.

CASE NO.

REV 10/25/01

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	f the Affiant(s) and that Affiant(s) is/are
competent to testify thereto in the event that	a public hearing is scheduled in the fu	iture with regard thereto.

That the Affiant(s) does	s/do presently reside at		6704	laurel	Drive		
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That the Affiant(s) ac advertising fee and ma	knowledge(s) that if a ay be required to provide	formal de e additiona	mand is t	filed, Affian ion.	ıt(s) will be	e required to pay a repo	osting and
Signature	J-1-2		-	Ma Signature	Chania	Statome	, <u>,</u>
OVEINSON Name - Type or Print	Antoine			MA Name - Type (Thavia or Print	ANTOINE	
STATE OF MARYLAN	ND, COUNTY OF BALT	IMORE, to	wit:				
	this <u>14⁴</u> day of the County aforesaid,				•	re me, a Notary Public o	of the State
the Affiant(s) herein, p	ersonally known or sati	sfactorily ic	entified to	me as suc	ch Affiant(s).	
AS WITNESS my han	d and Notarial Seal			A)	1 0		
1			Notary F	Public	1 Ven	unt-oz	<u></u>
			My Com	ımission Ex	pires	07/01/2007	

REV 10/25/01

Affidavit in Support of Administrative Variance

Address

That the Affiant(s) does/do presently reside at

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.

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Petition for Administrative Variance

for the property located at 6704 Land Dave

to the Zoning Commissioner of Baltimore County

which is presently zoned ____

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To permit	An existing	single	family.	dwelling	with	addition	to have	e a sidevau
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Property is to be po I, or we, agree to pay regulations and restr	v expenses of above	: Variance, a	dvertising, p	posting, etc. and	i further ag	ree to and ar imore County	re to be boui	nded by the zoning
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Zoning Description for 6704 laurel Drive

Beginning at a point on the South West side of Laurel Done which is 50' wide it the distance of 150' North West of the centerline of the neapest improved intersecting street Lochenry Dr. which is 40 wide. PART OF lots 14-19 Black P Section#3 in the subdivision of Lochearn as recorded in Baltimore county Plat Book # 13, Folio# 102 Beginning for the same on the Southeast side of Laurel Drive, as widened to 50 feet by the Addition of 10 feet thereto from lots # 16 and 17 in block Pon the plat of Lochearn, section 3; said Plat being recorded among The land records of Baltimore County in plat book C.H.K NO. 13. Folio 102, At a point distance 129 feet Northwesterly from the Northwest side of Lochearn Drive; Running thence along the Snithwest side of Laurel Drive, 50 feet wide, Northwesterly 59.97 feet to intersection a line drawn Northeasterly from the Division line between lats 13 and 14 in black P on the Aforesaid plat from a point thereon distance 189.98 feet Northwesterly from the Northwest side of Lochearn Drive; RUNNING thence Along line so drawn southwesterly 143 feet, Morre or less, to intersect said division line; running thence Along said Division line southeasterly 60.49 feet to a point on SAID line distance 129.49 feet Northwesterly from the Northwest side of Lochearn Drive; and running thence Northeasterly 140 feet To the place of beginning. The improvement there on being known as No. 6704 LAUREL DRIVE containing 8319 square feet and located In the 3 Election District, 4 Councilmanic District

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ATTENTION: KRISTEN MATTHEWS

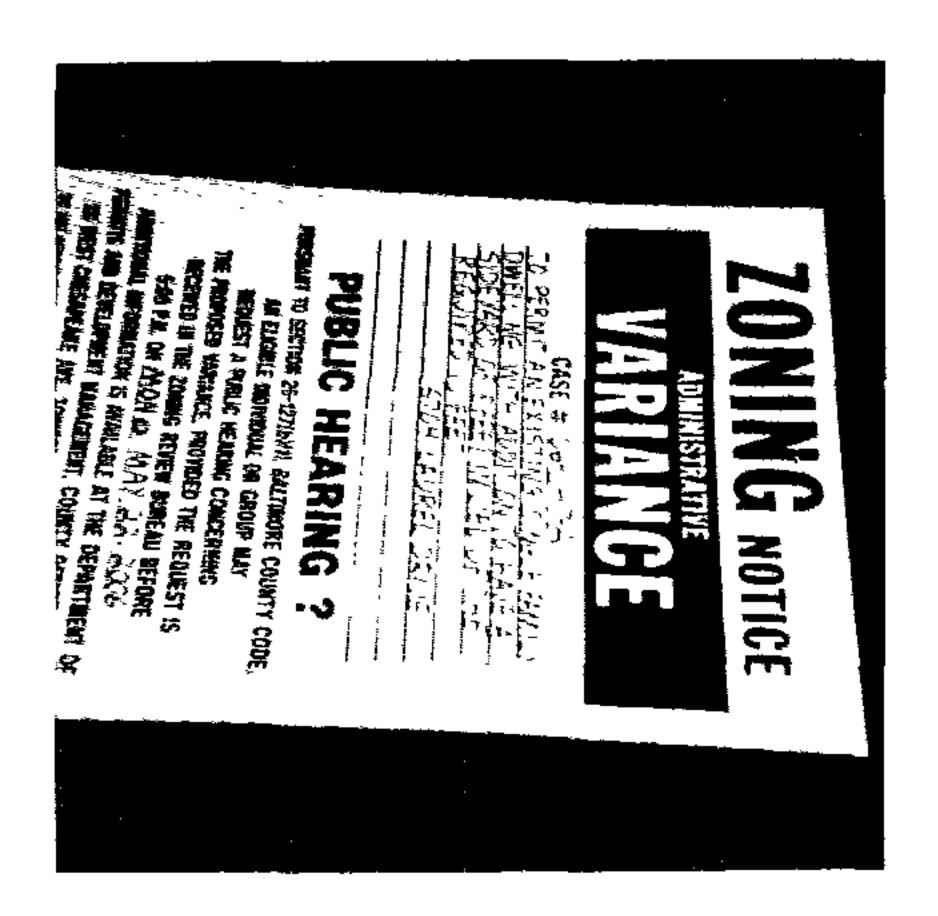
Case Number: 06-547-A

Petitioner/Developer: O. ANTOINE (ETUX)

Date of Hearing (Closing): 05/22/06

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: 6704 LAUREL DRIVE

The sign(s) were posted on: 5/7/06



Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366 (Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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's Name C. An Tolki (E 7 Ux) Telephone d (U 5 9 7 - 9 7 9 3 7 9 7 9 7 9 7 9 7 9 7 9 7 9 7 9	Case	Number	06-	547	-A	Address	6704	LAUNGL	DRIVE
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Petitioner: This Part of the Form is for the Sign Poster Only USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT Case Number 06-547 -A Address O704 LAUREL DRIVE Petitioner's Name O. AN TOINE (ETUX) Telephone 410 597-9793 Posting Date: 5/7/06 Closing Date: 5/27/06 Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING WITH ADDITION TO HAVE A SIDETARD OF 8 IN LIEU OF THE REGOMENTALE.		(whethe commission changed posted,	r du sione d giv certi	e to a neigher), notification	bor's formal on will be for the hearing da	request o warded to ate time a	r by order o you. The nd location.	f the zoning or sign on the pro As when the sign	deputy zoning perty must be was originally
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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.

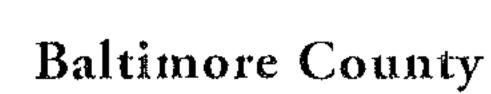
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Item Number or Case Number:	
Petitioner: MR & Mus. Antoine	
Address or Location: 6704 LAUREL DRIVE	
PLEASE FORWARD ADVERTISING BILL TO: Name: <u>Citting Edge Construction Services Inc.</u> Address: <u>712 Stemmers Run Rd.</u> Unit B	•
BAU. MD 21221	'
Telephone Number: 410 238 - 4900	

Department of Pernson and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708





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

June 1, 2006

Obeinson Antoine Mathania Antoine 6704 Laurel Drive Gwen Oak, MD 21207

Dear Mr. and Mrs. Antoine:

RE: Case Number: 06-547-A, 6704 Laurel Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 27, 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

u. Callalal D.

WCR:amf

Enclosures

c: People's Counsel Cutting Edge Construction Services, Inc. 712 Stemmers Run Road Essex 21221

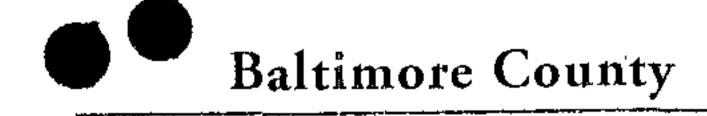


Visit the County's Website at www.baltimorecountyonline.info

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500





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 May 8,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15,2006

Item Numbers: 537 thru 557

547

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.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: May 12, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 15, 2006

Item Nos: 441, 537, 538, 539, 540, 542, 544, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, and 557

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-05102006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 7, 2006

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-547- 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 Dave Green 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 Nell J. Pedersen, Administrator

Maryland Department of Transportation

Date: 5.5.04

Item No.

Baltimore County

RE:

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.

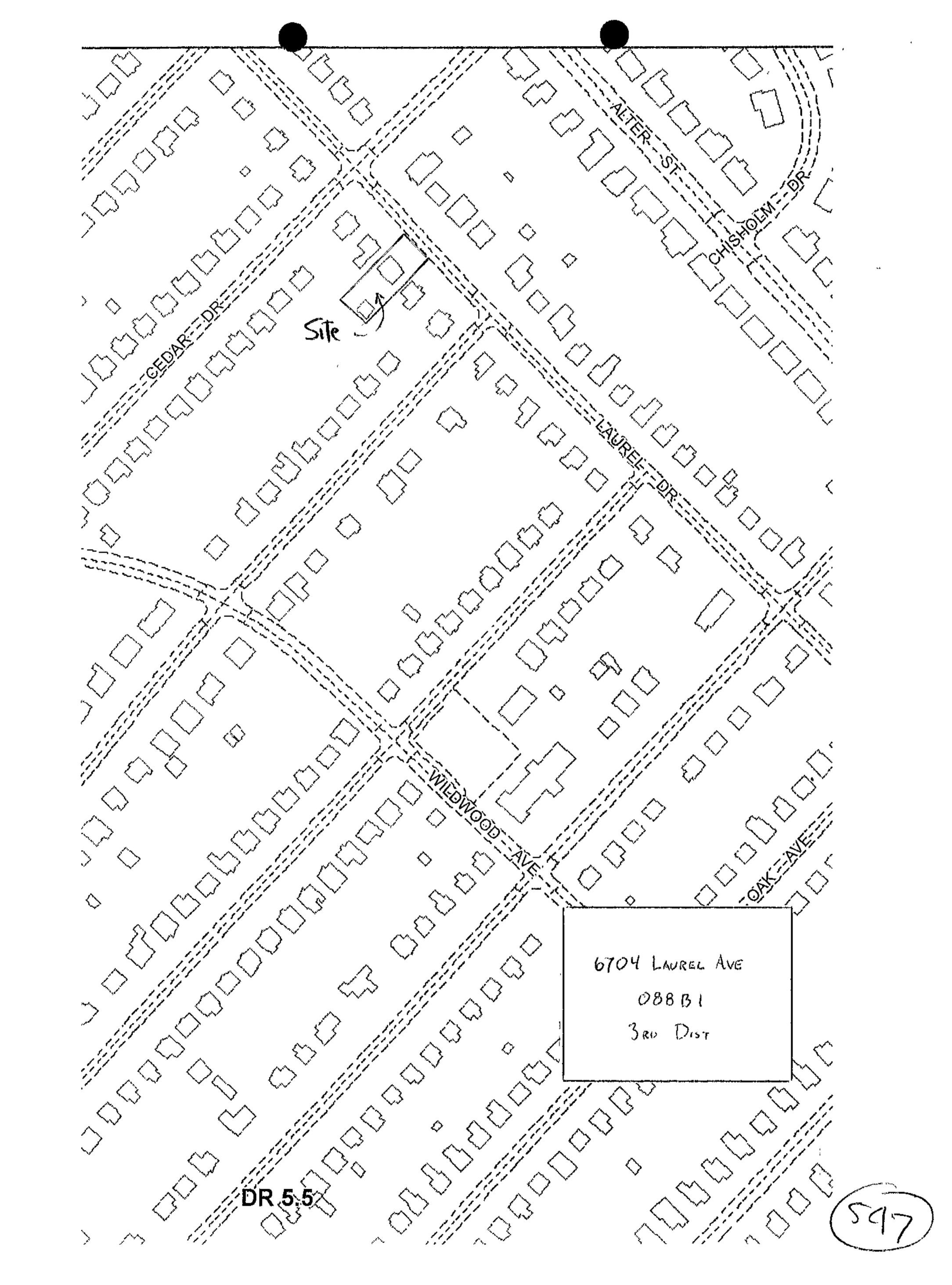
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

1. 1. Dredh

Engineering Access Permits Division







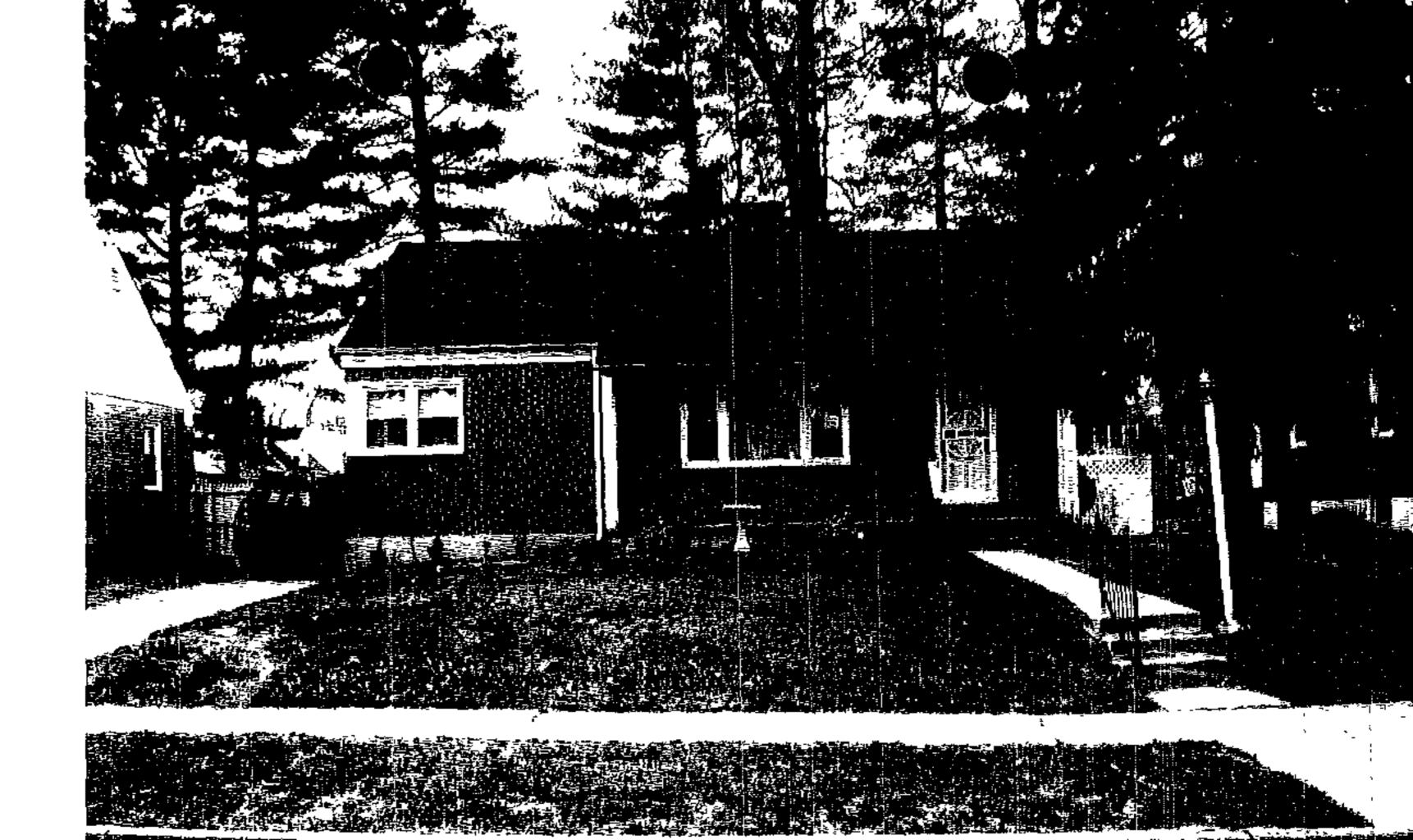
547

Right/front of house



547

Front/left of house



S47

Front of House of neighboring lots

•



547

Right side of horse where Addition will be visible

Axitorne