

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
15 feet north of the centerline of the inter- *
secting street Morgan Mill Road * ZONING COMMISSIONER
11th Election District *
3rd Councilmanic District * OF BALTIMORE COUNTY
(12003 Deer Bit Lane) *
Jocelyn G & Christopher T. Held *
Petitioners * CASE NO. 06-562-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, Jocelyn G and Christopher T. Held. The variance request is for property located at 12003 Deer Bit Lane in the Lakeside area of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a proposed accessory structure (detached garage) with a height of 20.5 feet in lieu of the maximum allowed 15 feet height. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioner states that keeping the pitch of the roof of the new garage with the main house results in a garage roof higher than the maximum allowed 15 feet. Petitioner also states that they need storage space in the attic of the new garage because of a wet basement and the current wet basement level garage. The proposed garage measures 24 feet x 45.5 feet.

Zoning Advisory Committee Comments

A Zoning Advisory Committee (ZAC) comment was received from the Office of Planning, dated May 24, 2006 which recommended certain restrictions.

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

67-06
10

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 13, 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.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 1st day of June, 2006, that a variance Section 400.3 of the Baltimore County Zoning

RECEIVED FOR FILING

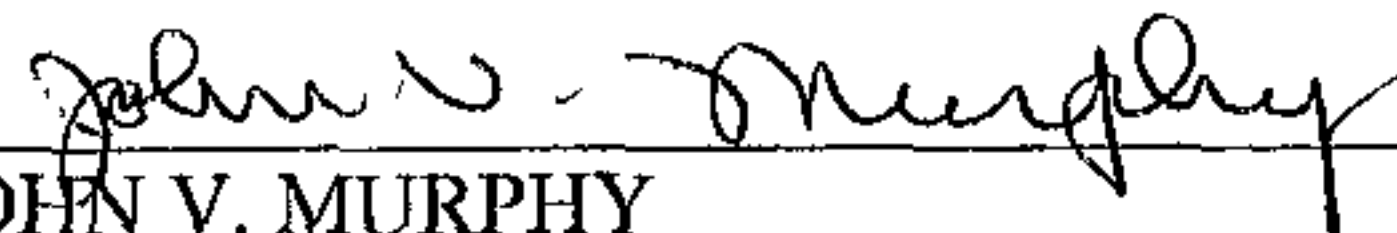
6-7-06

13

Regulations (B.C.Z.R), to permit a proposed accessory structure (detached garage) with a height of 20.5 feet in lieu of the maximum allowed 15 feet height.

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.
2. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.

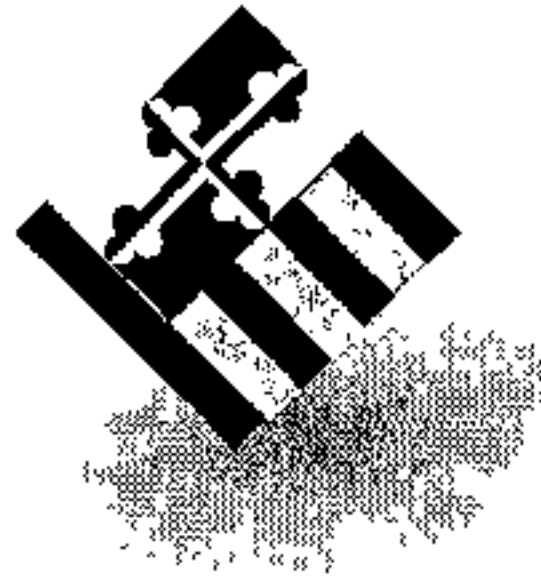
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

RECEIVED FOR FILMS
6-7-06
PJ



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 1, 2006

JOCELYN G HELD AND CHRISTOPHER T. HELD
12003 DEER BIT LANE
GLEN ARM, MD 21057

Re: Petition for Administrative Variance
Case No. 06-562-AV
Property: 12003 Deer Bit Lane

Dear Mr. and Mrs. Held:

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

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

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:pz
Enclosure

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 12003 DEER BIT Lane
Address
Blenn Arm MD 21057
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):

- ① To keep pitch of Roof of the new GARAGE with the main house results in higher than 15FT
(proposed garage is ~~15~~ 20 1/2 FT high) JH
- ② We need STORAGE space in attic of new GARAGE
Because of wet Basement and current wet
Basement Level Garage

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.

Jocelyn Held
Signature
Jocelyn Held
Name - Type or Print

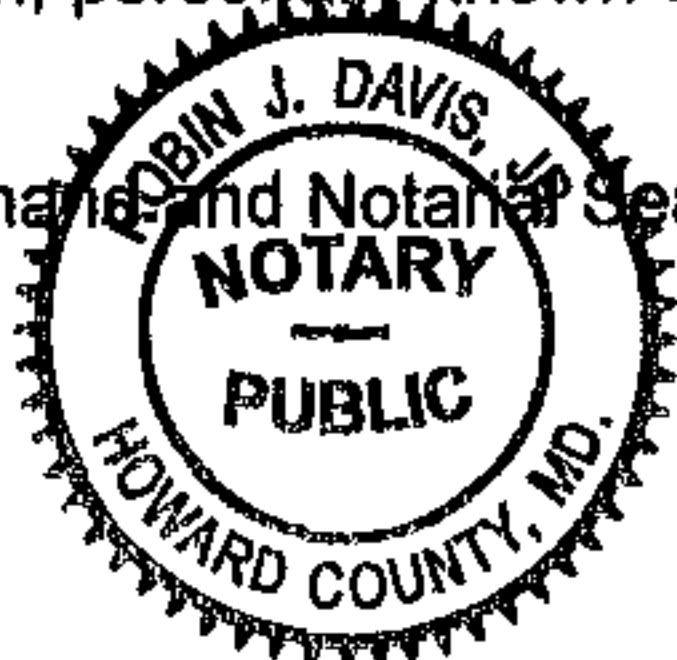
Christopher T. Held
Signature
Christopher T. Held
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of March, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jocelyn Held
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notary Seal



Robert J. Davis
Notary Public
My Commission Expires 8-16-06



Petition for Administrative Variance

and Zoning Commissioner of Baltimore County

from the property located at 12003 Deer Bit Lane Glen Arm MD 21057
which is presently zoned RC&

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)

400.3 BCZR to Permit A
Proposed Detached Garage with A Height of 20 1/2 FT. IN LIEU
OF the maximum ALLOWED 15 FT Height

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.

Complainant/Petitioner/Owner

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 06 day of June 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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By JL

Date 5/04/06

Estimated Posting Date 5/14/06

CASE NO. 06-562-A

REV 10/25/01

ZONING DESCRIPTION

ZONING DESCRIPTION for 12003 Deer Bit Lane
Glen Arm, Maryland 21057

BEGINNING AT a point ON the EAST side of Deer Bit Lane which is 50 FT wide at the distance of ~15 FT NORTH of the centerline of the nearest improved intersecting street Morgan Mill Road which is 50 FT wide. BEING Lot # 2A in subdivision of Lakeside as recorded in Baltimore County Plat Book #39, Folio #102 containing 2.488 acres ALSO KNOWN AS 12003 DEER BIT Lane AND located in the 11th District (election),

562

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 2572

DATE

ACCOUNT

AMOUNT

\$

RECEIVED
FROM:

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID TO THE ORDER OF
BALTIMORE COUNTY
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT
NO. 2572
DATE 5/12/10
AMOUNT \$ 65.00
FOR THE PURPOSE OF
REIMBURSEMENT

CERTIFICATE OF POSTING

RE: Case No: 06-562-A

Petitioner/Developer: JOCELYN?
CHRISTOPHER HEID

Date Of Hearing/Closing: 5/29/06

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

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 12003 DEER HIT LANE

This sign(s) were posted on May 13, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 5/13/06
(Signature of sign Poster and Date)

Martin Ogle

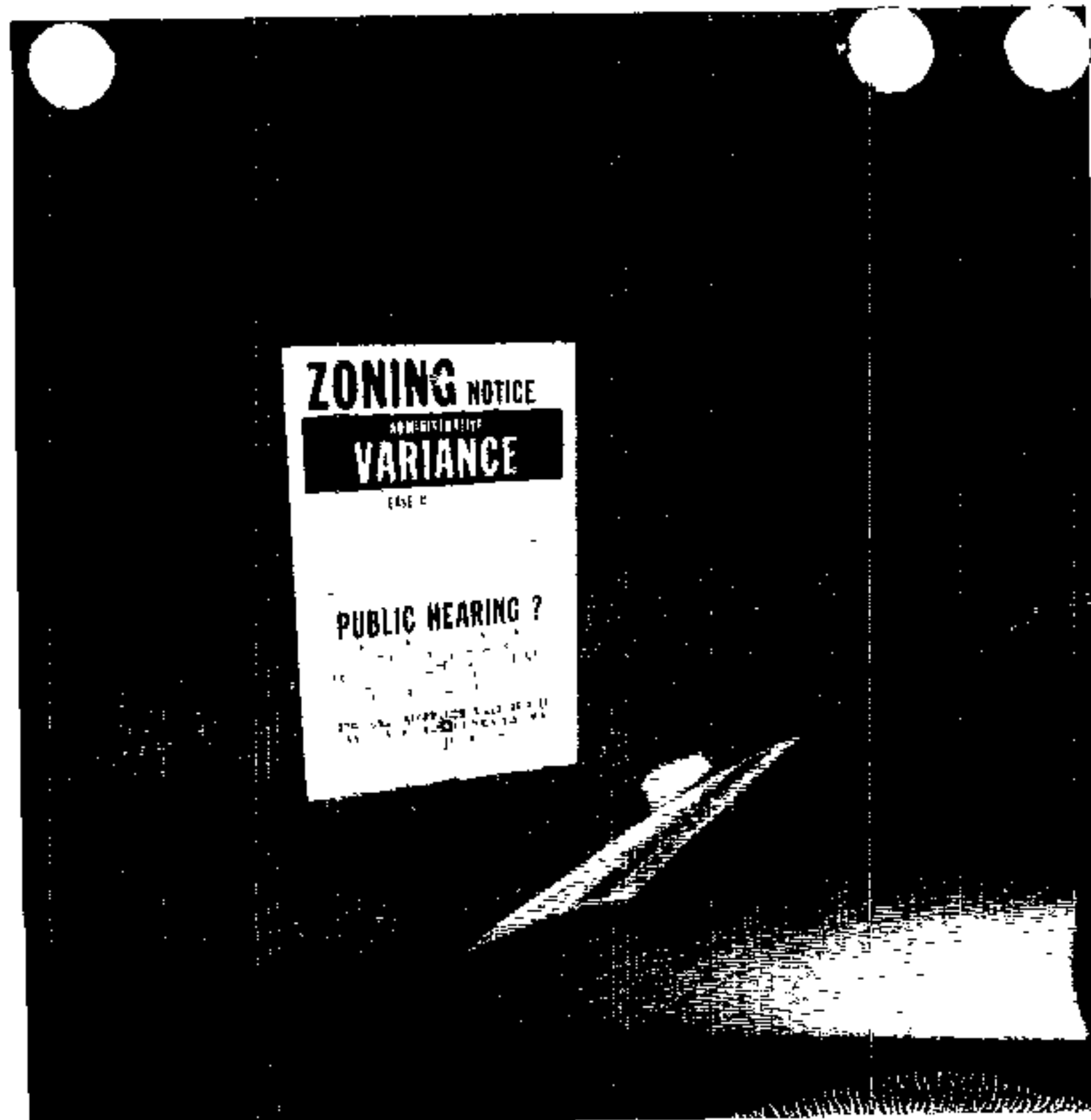
Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



Handwritten signature and date: 5/13/06

APP HAS THIS + POSTERS SHEET

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 562 -A

Address 12003 DEER BIT LA.

Contact Person: John Lewis
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 5/04/06

Posting Date: 5/14/06

Closing Date: 5/29/06

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- 562 -A

Address 12003 DEER BIT LA.

Petitioner's Name John Lewis

Telephone 410 882 0739

Posting Date: 5/14/06

Closing Date: 5/29/06

Wording for Sign: To Permit A PROPOSED DETACHED GARAGE WITH A
HEIGHT OF 20 FT. IN LIEU OF THE MAXIMUM ALLOWED
15 FT. HEIGHT

WCR - Revised 6/25/04

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: 06-562-A

Petitioner: x HELD

Address or Location: x 12003 DEER BIT Lane GLEN ARM
MD 21057

PLEASE FORWARD ADVERTISING BILL TO

Name: JOCELYN HELD

Address: 12003 DEER BIT Lane
GLEN ARM MD 21057

Telephone Number: 410 882 0739

**Department of Permits and
Development Management**



Baltimore County

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

May 30, 2006

Jocelyn G. Held
Christopher T. Held
12003 Deer Bit Lane
Glen Arm, MD 21057

Dear Mr. and Mrs. Held:

RE: Case Number: 06-562-A, 12003 Deer Bit Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 4, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

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

DATE: May 24, 2006

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

SUBJECT: 6-562 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 20.5 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Bill Hughey at 410-887-3480.

Prepared by:

Chris Hughey

Section Chief:

Dymon Johnson

AFK/LL: CM

RECEIVED

MAY 26 2006

ZONING COMMISSIONER

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

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

May 16, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15, 2006

Item Numbers: 558 thru 573

56.7

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

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 17, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 22, 2006
Item Nos. 558, 560, 561, ~~562~~ 563, 564,
565, 566, 567, 568, 571, 572, 573

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-05172006.doc



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

Driven to Excel
State Highway
Administration

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

Maryland Department of Transportation

Date: **5.14.02**

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

RE: Baltimore County
Item No. **562 JLL**

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

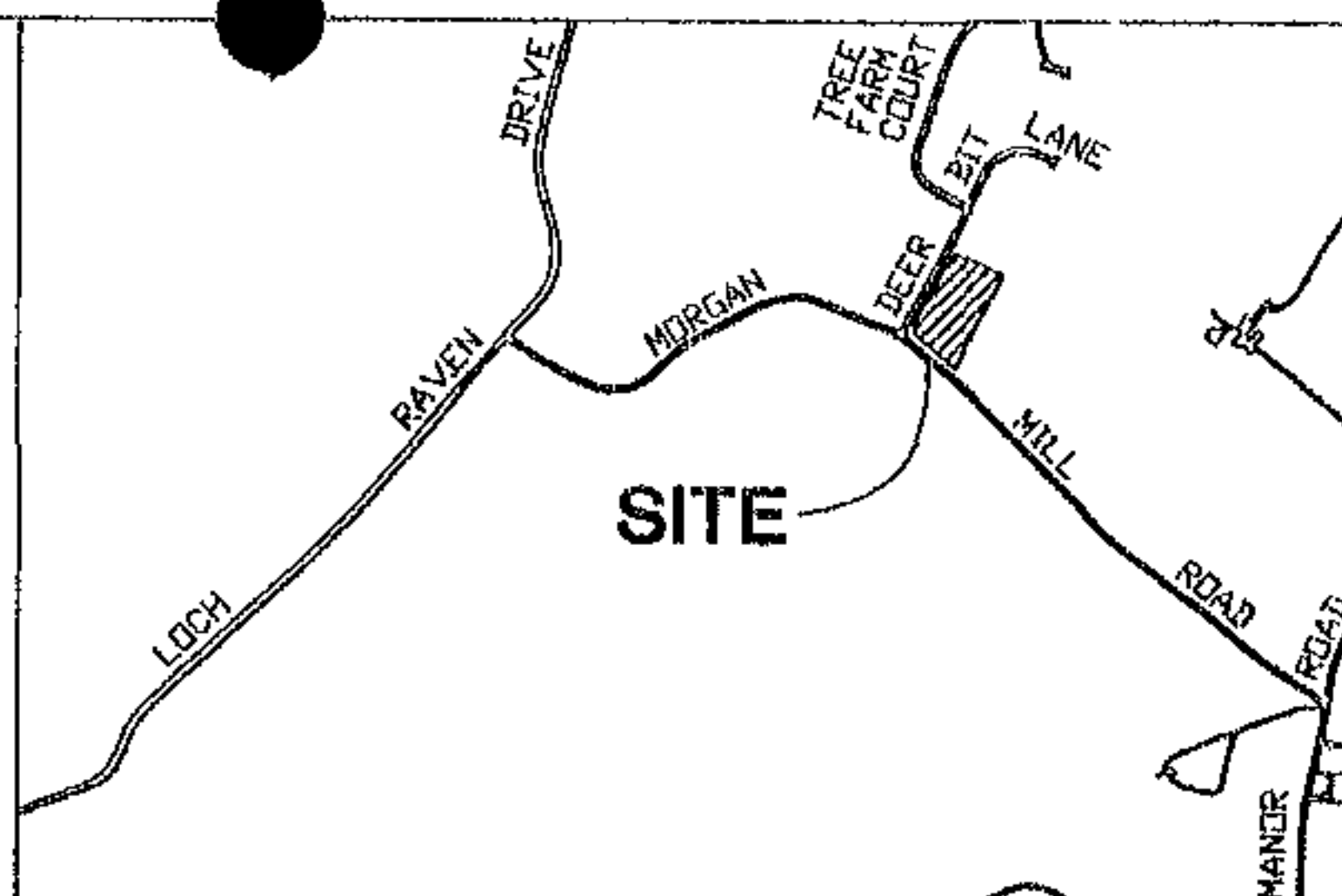
ZONING : RC6

LOT SIZE : 2.488 AC

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100YR FLOOD PLAIN	☐	☒
HISTORIC PROP/BLDG	☐	☒
PRIOR ZONING HEARING	☐	☒

PLAT
39-102



VICINITY MAP 1" = 2000'

NOTE:

ALL OFF-SITE LOTS CONTAIN
2-STY FRAME HOUSES WITH
1-STY GARAGES.

FRANK & SHARON
KULLMAN
TAX ID#1800013497
9001-832
PLAT 38-57
#2 TREE FARM COURT

TREE FARM COURT

SCOTT & HOLLY
LITRENTA
TAX ID#1700011226
23074-588
PLAT 39-102
12005 DEER BIT LANE

MARY ELIZABETH WALTERS
TAX ID#1119012470
PAR-82
#3930 MORGAN MILL RD

DEER BIT LANE

2-STY FRAME
W/BASEMENT-
GARAGE

SWM RESERVATION
77-149

PROPOSED
24 X 45 1/2 FT.
GARAGE

3 FT. ±
SETBACKS
HEIGHT: 20 1/2 FT.

RWS FARM, LLC
TAX ID#2400011562
22838-680
PLAT 77-149

3RD Council Dist
PER APPLICANT
LOCATION.

ADDRESS NOT IN
C.D./ED BOOK

OWNERS INFO:
CHRISTOPHER & JOCELYN
HELD
TAX ID#1700011227
16110-94

LOT-2A
PLAT 39-102
#12003 DEER BIT LANE

LAKE SIDE FARM LLC
TAX ID#2400011256
PLAT 77-149
#3980 MORGAN MILL RD
LOT-11

PLAT TO ACCOMPANY
PETITION FOR ADMINISTRATIVE VARIANCE
12003 DEER BIT LANE
LOT #2A, LAKESIDE

MAP #53, GRID #14, P/O PARCEL #84, LOT #2A

11th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1"=100' Date: MAY 1, 2006



DUVAL & ASSOCIATES, P.A.

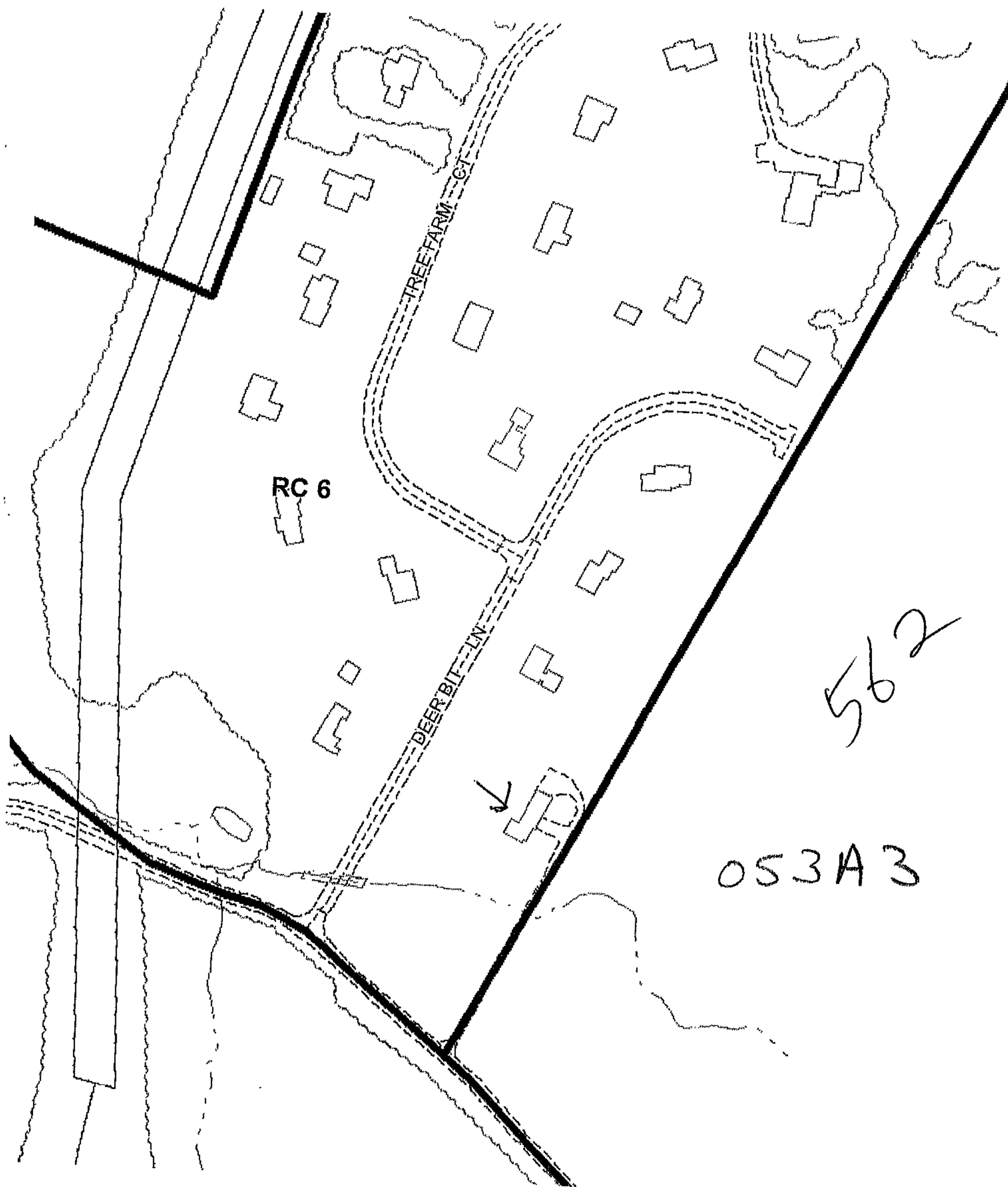
SURVEYING • ENGINEERING

1729 YORK ROAD
SUITE 205

LUTHERVILLE, MD 21093

PHONE: 410-666-5467 FAX: 410-583-4688

E-MAIL: DUVALAPA@VERIZON.NET







GARAGE IS PROPOSED TO GO WHERE SHEDS ARE
(LOOKING EAST)



LOOKING TOWARDS NEIGHBORS ALONG
MEADOW DRIVE WAY

262



LOOKING East (at Front of our House)
 * GARAGE will GO where site is From Deer Bit Lane



Neighbors (white) House
 up on hill

SHED
 2
 562