IN RE: PETITION FOR ADMIN. VARIANCE S/S of Milford Mill Road East of Douglas Avenue 2nd Election District 4th Councilmanic District **(3807 Milford Mill Road)**	* * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Robert Anderson, Jr. *Petitioner*	* *	CASE NO. 06-606-A

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

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a request from the Petitioner to amend and clarify the Petitioner's name from Robert Armstrong, Jr., to Robert Anderson, Jr., in the Order originally issued on June 29, 2006.

Original Case

This matter originally came before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Robert Anderson, Jr. The variance request is for property located at 3807 Milford Mill Road. 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 open projection (deck) with an 18 foot rear yard setback in lieu of the required 22.5 feet.

Request for Clarification

The Petitioner pointed out that the June 29, 2006 Order incorrectly lists his name as Robert Armstrong, Jr., instead of Robert Anderson, Jr.

Amended Order

THEREFORE IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 17th day of July, 2006, that the Petitioner in the subject case is Robert Anderson, Jr.

ORDER RECEIVED FOR FILING
Date 7-17-06
By

IT IS FURTHER ORDERED that all other terms and conditions of this Commissioner's June 29, 2006 Order shall remain in full force and effect.

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

7-17-06

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 17, 2006

ROBERT ANDERSON JR.
3807 MILFORD MILL ROAD
WINDSOR MILL MD 21244

Re: Petition for Administrative Variance
Amended Order
Case No. 06-606-A
Property: 3807 Milford Mill Road

Dear Mr. Anderson:

Enclosed please find the amended Order 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 Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:pz
Enclosure

c: Andrew W. Naden, Esquire, 17 Chesterfield Court, Monkton MD 2111

ORDER RECEIVED FOR FILING
Date 7-17-06
By

IN RE: PETITION FOR ADMIN. VARIANCE S/S of Milford Mill Road East of Douglas Avenue 2nd Election District 4th Councilmanic District **(3807 Milford Mill Road)** Robert Armstrong, Jr. *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-606-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 owner of the subject property, Robert Armstrong, Jr. The variance request is for property located at 3807 Milford Mill Road. 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 open projection (deck) with an 18 foot rear yard setback in lieu of the required 22.5 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Petitioner states that it is very difficult for Mrs. Anderson to enter and exit the house due to the drop from the front door to the concrete porch, and the drop from the kitchen door to the steps to the garage and the garage floor. In fact, Mrs. Anderson has fallen on three occasions trying to negotiate the entryways. The deck will enable Mrs. Anderson to ride her wheelchair out the back door and onto the deck without fear of falling. She will be able to get more fresh air and enjoy a better quality of life.

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.

ORDER RECEIVED FOR FILING
Date 6-29-06
By

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 8, 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 29th day of June, 2006, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing single family dwelling with open projection (deck) with an 18 foot rear yard setback in lieu of the required 22.5 feet be and is hereby GRANTED, subject to the following:

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
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

FILED
6-29-06

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 29, 2006

ROBERT ARMSTRONG
3807 MILFORD MILL ROAD
WINDSOR MILL MD 21244

Re: Petition for Administrative Variance
Case No. 06-606-A
Property: 3807 Milford Mill Road

Dear Mr. Anderson:

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

06-606

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3807 Milford Mill Road
which is presently zoned Residential DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR
TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH OPEN PROJECTION (DECK) WITH AN 18' REARYARD SETBACK "IN LIEU OF THE REQUIRED 22.5"

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

Legal Owner(s):

Robert Anderson, Jr.
Name - Type or Print

Signature

Shelvgene B. Anderson
Name - Type or Print

Shelvgene B. Anderson
Signature

3807 Milford Mill Road — 410-655-6732
Address — Telephone No.

Windsor Mill — MD — 21244
City — State — Zip Code

Representative to be Contacted:

SAME
Name

AS
Address — Telephone No.

ABOVE
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 ____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-606-A

6/29/06

Reviewed By LTM **Date** 5/31/06

Estimated Posting Date 6/11/06

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 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 3807 Milford Mill Road
Address

Windsor Mill, MD 21244
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):

The co-owner of the property, Mrs. Shelvgene B. Anderson, has been disabled for more than 17 years. Approximately 7 years ago, she he was diagnosed with severe degeneration of the spine, which is primarily manifested by severe pain in her left leg and foot. About a year later, her left shoulder was discovered to be severely arthritic with all of the cartilage gone. Last year, it was determined that both of her knees needed to be replaced because of severe arthritis. In November 2005, she decided that she could no longer stand the pain, sleepless nights, and inability to walk and lead a productive life; Therefore, she sought a surgeon to see what could be done for her. The surgeon indicated that he could successfully do a shoulder replacement but the knees would have to wait for some time. Her shoulder replacement surgery was scheduled for 02-13-06. However, before the surgery could be done, she had to undergo a pre-operative complete physical including a chemical stress test. Because her stress test revealed some heart damage, she underwent a heart catherization which showed substantial heart damage and the shoulder replacement surgery had to be cancelled. All surgery is now on hold pending a new regime of diet, special exercise, and medication.

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

Robert Anderson, Jr.
Name - Type or Print

Shelvgene B. Anderson
Signature

Shelvgene B. Anderson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of May, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert Anderson, Jr. + Shelvgene B. Anderson
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s)

AS WITNESS my hand and Notarial Seal

JOSEPH M. HARVEY, JR
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
MARYLAND
MY COMMISSION EXPIRES APRIL 28, 2009

Notary Public

My Commission Expires 4/28/09

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 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 3807 Milford Mill Road
Address

Windsor Mill, MD 21244
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):

The co-owner of the property, Mrs. Shelvgene B. Anderson, has been disabled for more than 17 years. Approximately 7 years ago, she he was diagnosed with severe degeneration of the spine, which is primarily manifested by severe pain in her left leg and foot. About a year later, her left shoulder was discovered to be severely arthritic with all of the cartilage gone. Last year, it was determined that both of her knees needed to be replaced because of severe arthritis. In November 2005, she decided that she could no longer stand the pain, sleepless nights, and inability to walk and lead a productive life; Therefore, she sought a surgeon to see what could be done for her. The surgeon indicated that he could successfully do a shoulder replacement but the knees would have to wait for some time. Her shoulder replacement surgery was scheduled for 02-13-06. However, before the surgery could be done, she had to undergo a pre-operative complete physical including a chemical stress test. Because her stress test revealed some heart damage, she underwent a heart catherization which showed substantial heart damage and the shoulder replacement surgery had to be cancelled. All surgery is now on hold pending a new regime of diet, special exercise, and medication.

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

Robert Anderson, Jr.
Name - Type or Print

Shelvgene B. Anderson
Signature

Shelvgene B. Anderson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of May, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert Anderson, Jr. + Shelvgene B. Anderson

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

AS WITNESS my hand and Notarial Seal

JOSEPH M. HARVEY, JR
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
MARYLAND
MY COMMISSION EXPIRES APRIL 28, 2009

Notary Public

My Commission Expires 4/28/09

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3807 Milford Mill Road
which is presently zoned Residential DRS.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR
TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH OPEN PROJECTION (DECK) WITH AN 18' REARYARD SETBACK "IN LIEU OF THE REQUIRED 22.5"

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

Legal Owner(s):

Robert Anderson, Jr.
Name - Type or Print

Signature

Shelvgene B. Anderson
Name - Type or Print

Shelvgene B. Anderson
Signature

3807 Milford Mill Road — 410-655-6732
Address — Telephone No.

Windsor Mill — MD — 21244
City — State — Zip Code

Representative to be Contacted:

SAME
Name

AS
Address — Telephone No.

ABOVE
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 ____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06-606-A

Reviewed By LTM **Date** 5/31/06

Estimated Posting Date 6/11/06

REV 10/25/01

6-29-06
MJ

AFFIDAVIT Continued

Because of the drop from the front door to the concrete porch, and the distance between the steps leading to the ground, Mrs. Anderson has extreme difficulty exiting and entering the house. She has fallen on three occasions, including Thanksgiving Day 2005 when she fell backward trying to negotiate the rise up to the front door and narrowly missed hitting her head on the concrete porch. The exit and entrance from the garage is not any easier due to the drop from the kitchen door to the first step and the space between the concrete steps and the concrete garage floor. The deck will enable Mrs. Anderson to ride her wheel chair out the back without fear of falling, allow her to get more fresh air, and enjoy a better quality of life.

6-29-06

Zoning description for 3807 Milford Mill RD

Beginning at a point on the South Side of Milford Mill RD

Which is 50' Wide at the of 187 East of the

centerline of the nearest improved intersection Street

Douglas Ave Which is 20' Wide Being Lot #1

~~Liber~~ DEED Book # 20837 Folio # 246 Containing 0.14 AC

Also Known as 3807 Milford Mill Rd and Located

In the 2 Election District 4 Councilmanic

District.

606

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 121

DATE 5/31/06 ACCOUNT 1001-006-6150

AMOUNT $ 125.00

RECEIVED FROM: R. A. Dunson Jr

FOR: 06-666-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
STATION
SYSTEM
CASHIER
REFERENCE
Baltimore County, Maryland

CASHIER'S VALIDATION

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 06-606-A

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH OPEN PROJECTION (DECK) WITH AN 18' REAR SETBACK IN LIEU OF THE REQUIRED 22.5'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON JUNE 26, 2006

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW. RETURN BOTH TO ZADM, RM. 104

MEETING IS HANDICAP ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 06-606-A

Petitioner/Developer: R. ANDERSON

Date of Hearing/Closing: JUNE 26, 2006

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: **Christen Matthews**

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

#3807 MILFORD MILL ROAD

The sign(s) were posted on JUNE 8, 2006
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-606 -A Address 3807 MILFORD MILL RD

Contact Person: LIOYD T. MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/31/06 **Posting Date:** 6/11/06 **Closing Date:** 6/26/06

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 06-606 -A Address 3807 MILFORD MILL RD

Petitioner's Name ROBERT ANDERSON SR Telephone 410 655-6732

Posting Date: 6/11/06 **Closing Date:** 6/26/06

Wording for Sign: *To Permit* AN EXISTING SINGLE FAMILY DWELLING WITH OPEN PROJECTION (DECK) WITH AN 18' REARYARD SETBACK IN LIEU OF THE REQUIRED 22.5'

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: 06-606-A
Petitioner: ROBERT ANDERSON JR
Address or Location: 3807 Milford Mill RD

PLEASE FORWARD ADVERTISING BILL TO:
Name: Robert Anderson JR
Address: 3807 MILFORD MILL RD
WINDSOR MILL MD 21244

Telephone Number: 410-655-6732

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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

Baltimore County

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

June 28, 2006

Robert Anderson
3807 Milford Mill Rd.
Windsor Mill, MD 21244

Dear: Mr. Anderson,

RE: Case Number: 06-606-A, 3807 Milford Mill Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 31, 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:sma

Enclosures

c: People's Counsel

Printed on Recycled Paper

Baltimore County
Fire Department

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

June 6,2006

(06)

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 5, 2006

Item Numbers: Item Number 176, 598 through 608

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
Department of Permits & Development Management

DATE: June 7, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For June 12, 2006
Item Nos. 176, 597, 598, 599, 601, 602, 603, 604, 605, 606, 607, and 608

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-06072006.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 20, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For June 12, 2006
Item Nos. 176, 597, 598, 599, 601, 602, 603, 604, 605, 606, 607, and 608

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-06202006

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 14, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-606- 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: Curtis Murray

Division Chief: Jeffrey W Long

RECEIVED
JUN 14 2006
ZONING COMMISSIONER

CM/LL

W \DEVREV\ZAC\6-606 doc

AV
6/26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 27, 2006

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

RECEIVED
JUN 29 2006
ZONING COMMISSIONER

SUBJECT: 801 A Hillstead Drive

INFORMATION:

Item Number: 6-606

Petitioner: Demetrios and Antonia Stavrakis

Zoning: RC 5

Requested Action: **Variance**

The property in question is located within the Greenspring Valley National Register District and is improved with an existing single-family dwelling. The lot is shown on a Health master plan as a re-subdivision of a lot in the Hillstead subdivision approved prior to the effective date of RC 5 zoning Bill 55-04; therefore a finding of compatibility with the RC5 performance standards is not required.

SUMMARY OF RECOMMENDATIONS:

The proposed pool and pool house is in the side yard and is the front of the adjacent panhandle lot at 801 Hillstead Drive owned by the Seipps. Provide architectural elevation drawings and a landscape plan to the Office of Planning for review prior to application of any building permit

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

Prepared by: Curtis Murray

Division Chief: Lynn Lochner
AFK/LL: CM

W:\DEVREV\ZAC\6-606.doc

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

SHA
State Highway Administration
Driven to Excel

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

Maryland Department of Transportation

Date: 6. 5. 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. 606 LTM

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

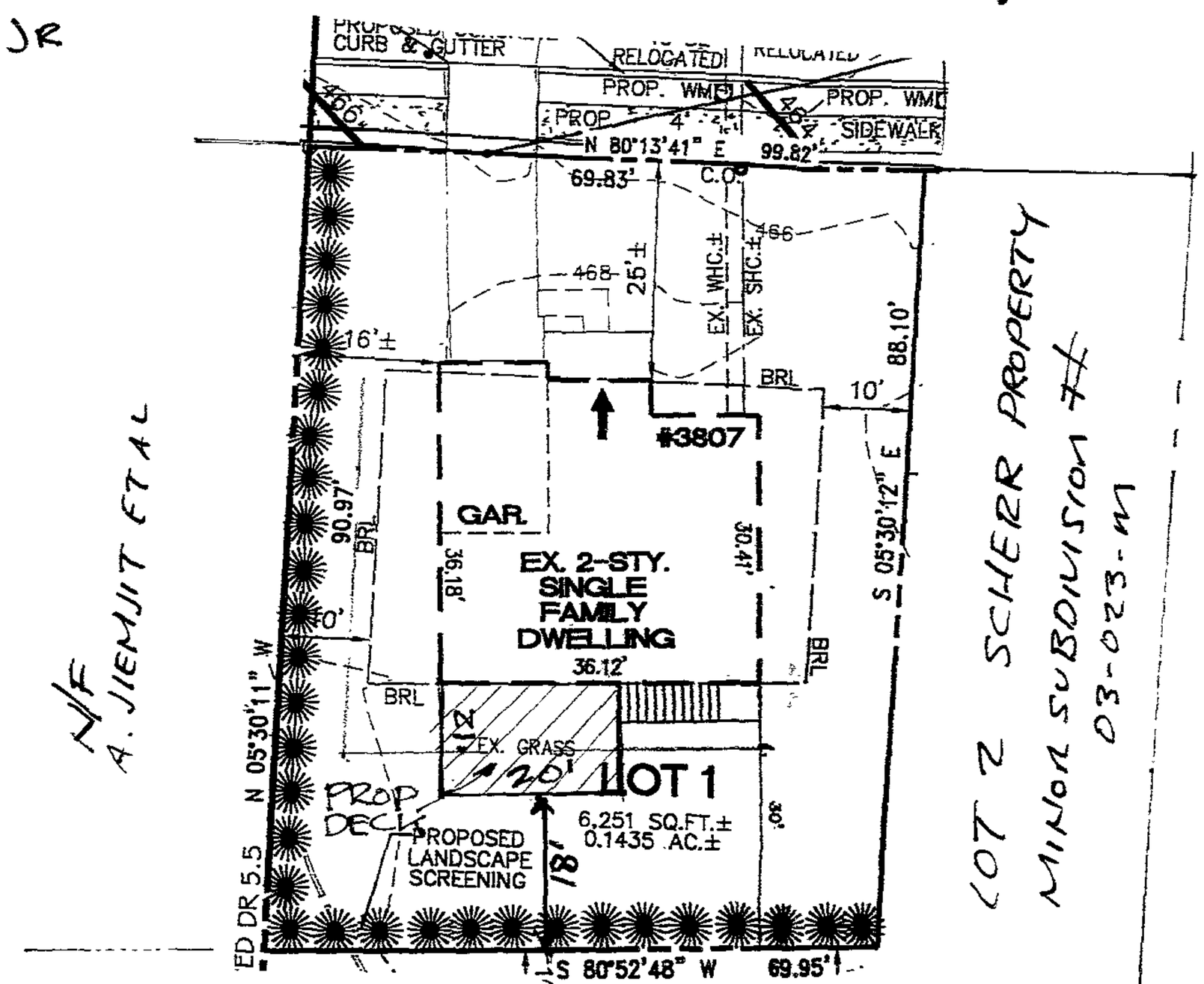
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

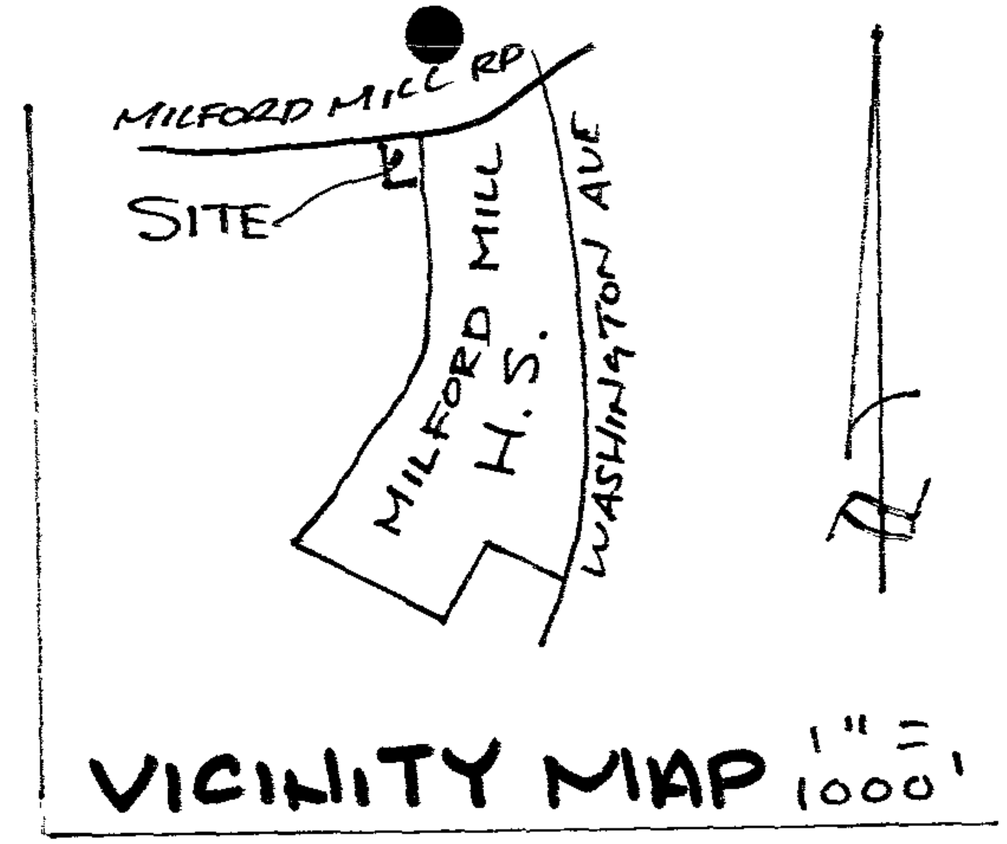
3807 MILFORD MILL ROAD
LOT 1, SCHERR PROPERTY
MINOR SUBDIVISION
03-023-M

L. 20837 F. 246

ROBERT ANDERSON, JR
ET UX

(50' R/W)
MILFORD MILL ROAD





ELECTION DISTRICT	2
COUNCILMANIC	4
ZONING MAP #	
ZONING	DR 5.5
LOT SIZE	0.1435 AC
PUBLIC WATER & SEWER	
CHESAPEAKE BAY CRITICAL AREA	NO
100 YEAR FLOOD PLAIN	NO
HISTORIC	NO
PRIOR ZONING	NO

PREPARED BY

SCALE 1" = 20'

REVIEWED BY LTM

ITEM 606

606

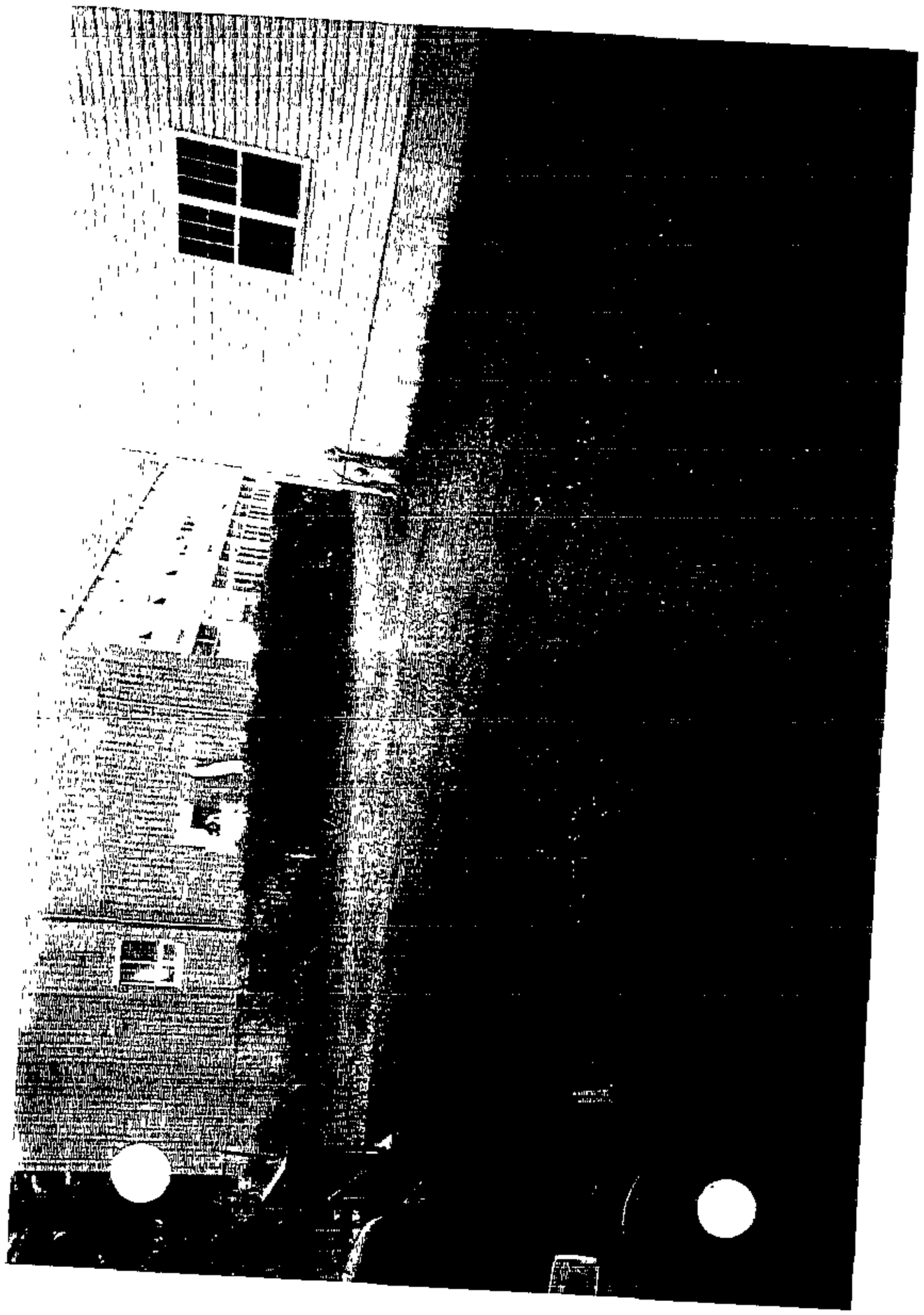
Baltimore County - My Neighborhood

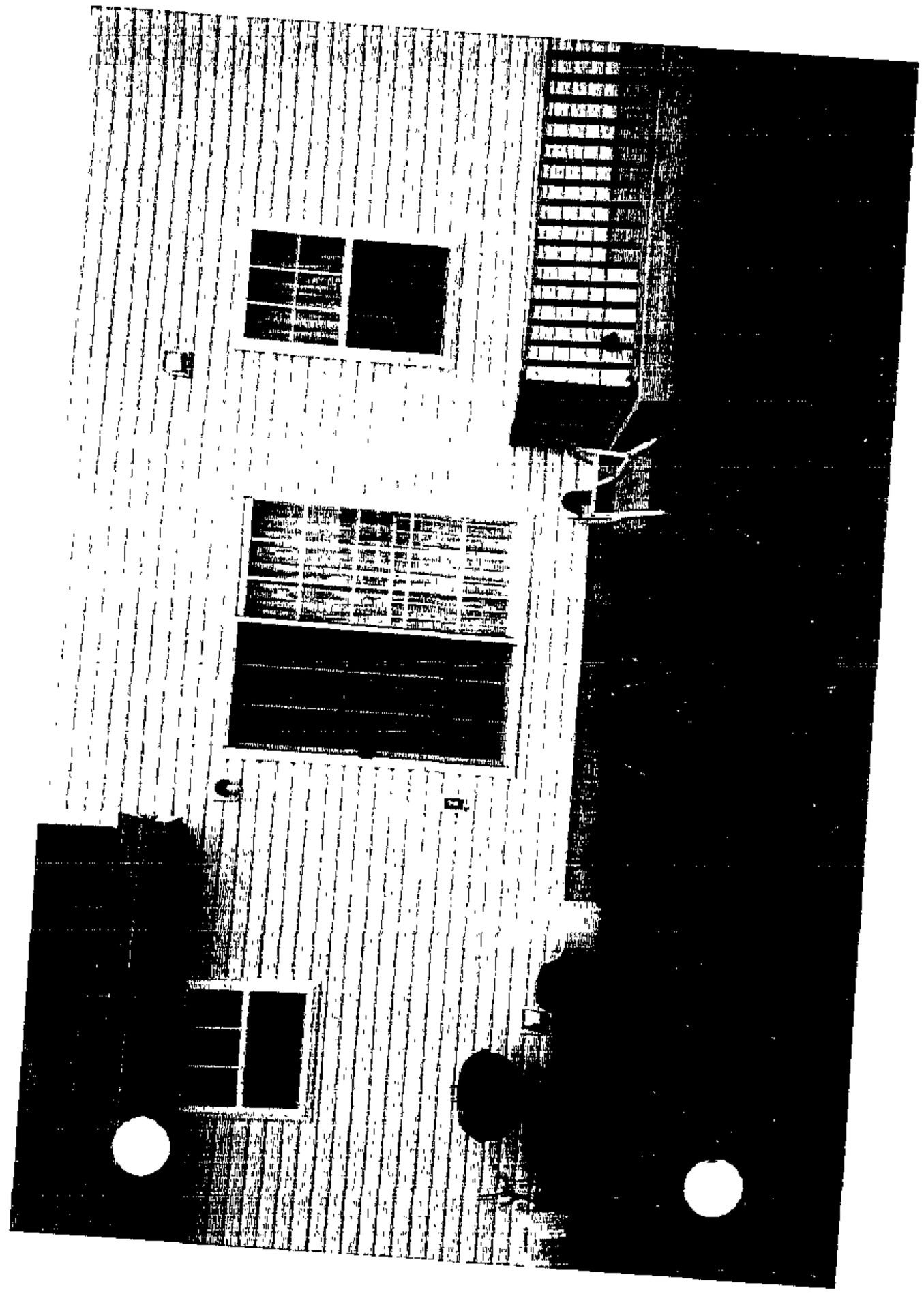
BALTIMORE COUNTY
MARYLAND

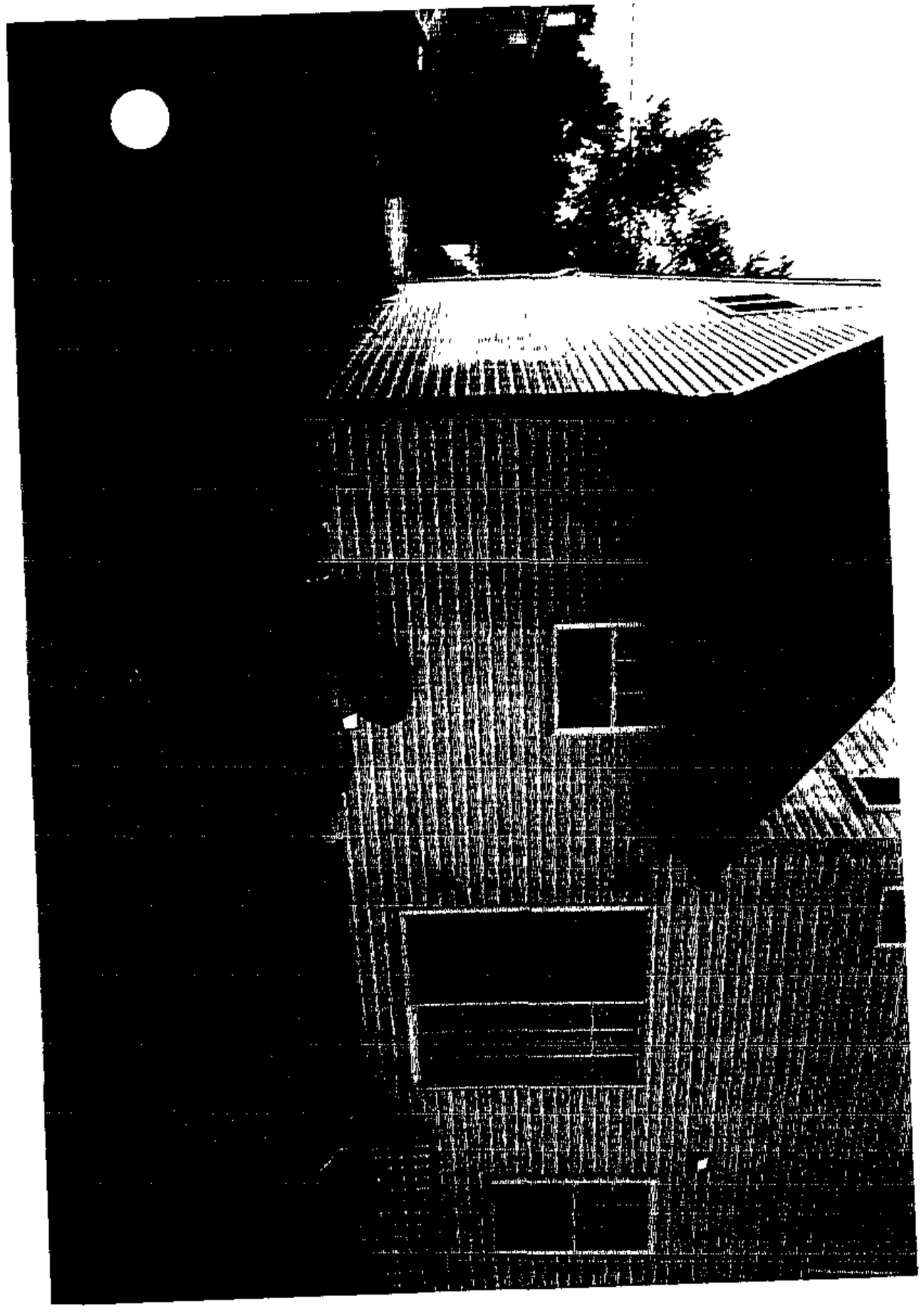
Zoning Commissioner
Office of Planning
401 Bosley Avenue, Suite 405
County Courts Building
Towson, Maryland, 21204

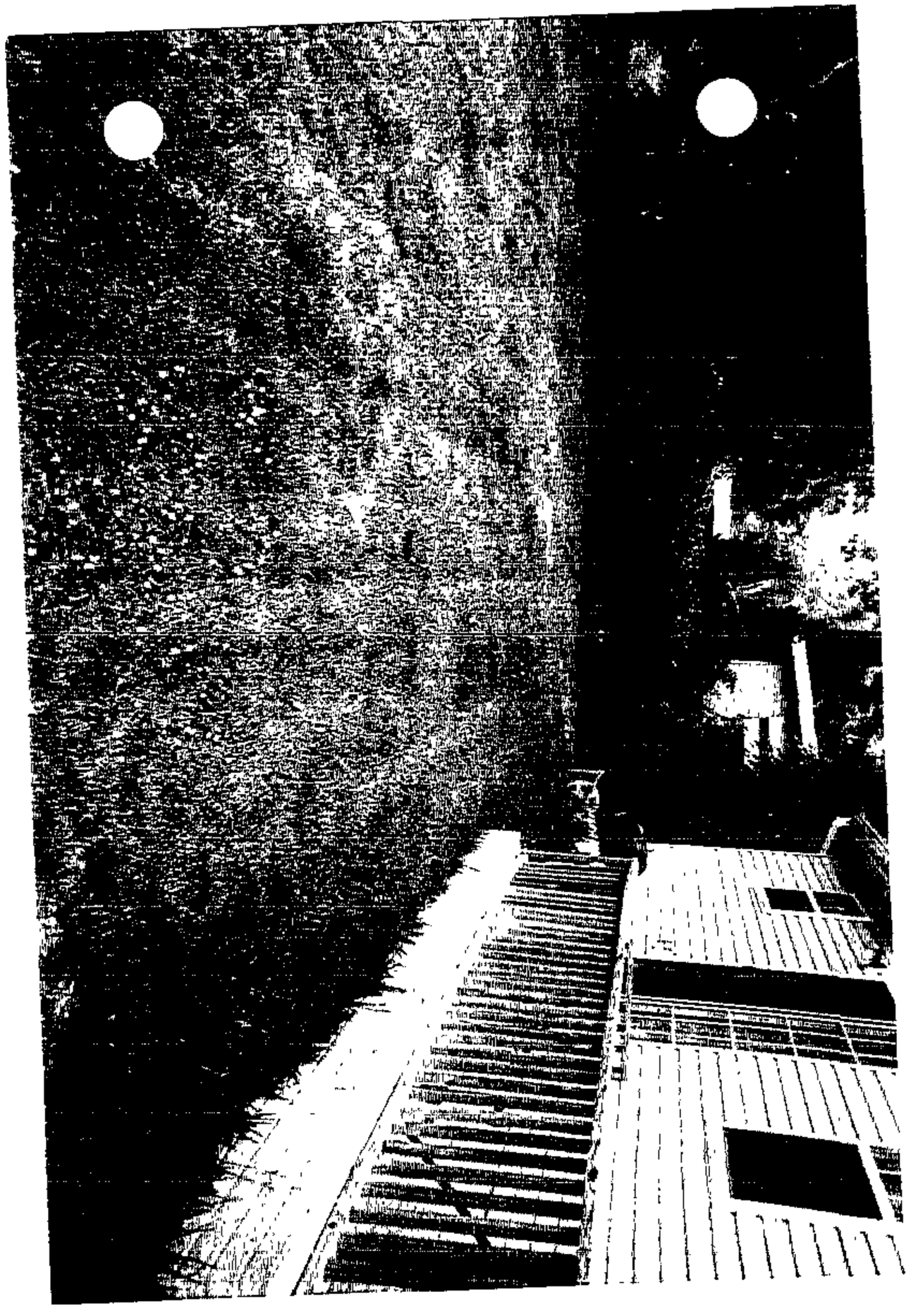
Return Service Requested

Photos



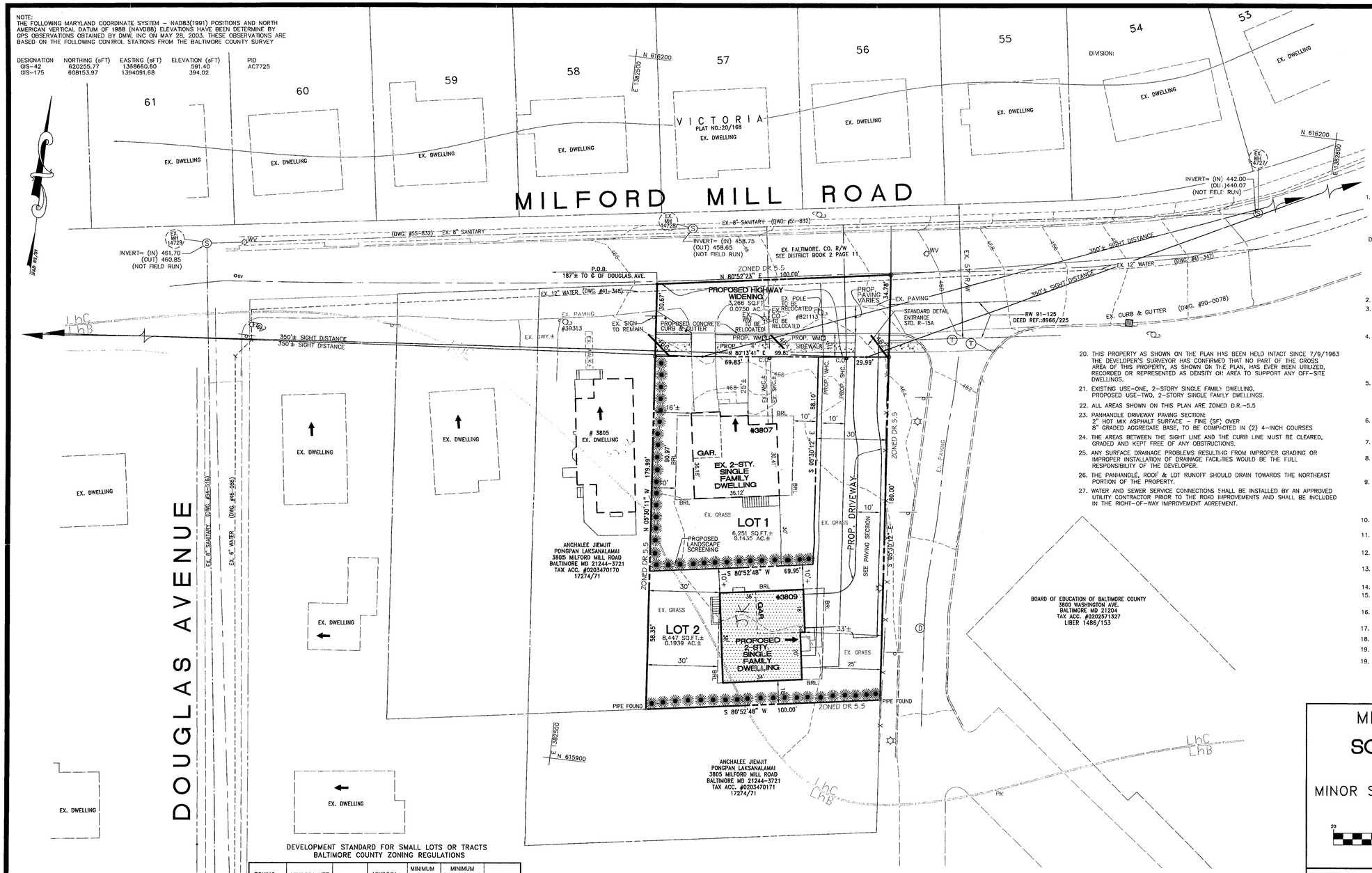


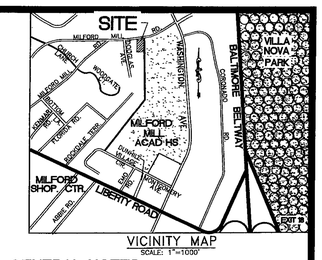




NOTE:
THE FOLLOWING MARYLAND COORDINATE SYSTEM – NAD83(1991) POSITIONS AND NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) ELEVATIONS HAVE BEEN DETERMINE BY GPS OBSERVATIONS OBTAINED BY DMW, INC ON MAY 28, 2003. THESE OBSERVATIONS ARE BASED ON THE FOLLOWING CONTROL STATIONS FROM THE BALTIMORE COUNTY SURVEY

DESIGNATION	NORTHING (sFT)	EASTING (sFT)	ELEVATION (sFT)	PID
GIS-42	620255.77	1358660.60	591.40	AC7725
GIS-175	608153.97	1394091.68	394.02	





VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

1. OWNER/DEVELOPER:
   THOMAS SCHERR
   P & S DEVELOPMENT COMPANY, INC.
   701 FERN VALLEY CIRCLE
   BALTIMORE, MD. 21228
   410- 744-8589
   TAX ACC. #0207471440
   DEED REF:17589/703
   17589/699
   PREVIOUS OWNER:
   RICHARD DIPASQUALE
   DINA DIPASQUALE
   1837 WHITE OAK AVE.
   BALTIMORE, MD. 21234-3820
   TAX ACC. #0207471440
   DEED REF:4170/213
2. TAX MAP: 77, GRID: 18, PARCEL: 847
3. ADDITIONAL PROPERTY INFORMATION:
   ELECTION DISTRICT: 2
   COUNCILMANIC DISTRICT: 4
   CENSUS TRACT :4023072
4. ELEMENTARY SCHOOL: SCOTTS BRANCH ELEMENTARY
   MIDDLE SCHOOL: OLD COURT MIDDLE
   HIGH SCHOOL: MILFORD MILL ACADEMY
   PLANNING DISTRICT: #319
   WATERSHED: GWYNNS FALLS
   SEWERSHED: #64
   WATER SERVICE AREA: PIKESVILLE 4TH ZONE
5. AREA OF TRACT: (NET) AND (GROSS) 17,963 SQ.FT. OR 0.4124 AC.±
   PROPOSED LOT 1: 6,251 SQ.FT. OR 0.1435 AC.±
   PROPOSED LOT 2: 8,447 SQ.FT. OR 0.1939 AC.±
   PROPOSED HIGHWAY WIDENING:
   3,265 SQ.FT. OR 0.0750 AC.±
6. ZONING CLASSIFICATION :
   ZONED: D.R. 5.5
   200 SCALE ZONING MAP :N.W. 6-G
7. THE SITE IS UNDER 40,000 SQ.FT. AND IS EXEMPT FROM FOREST CONSERVATION REQUIREMENTS.
8. BOUNDARY INFORMATION SHOWN HEREON WAS PROVIDED BY A FIELD RUN TOPOGRAPHIC SURVEY BY COLBERT MATZ ROSENFELT, INC. ON 01/20/03.
9. DENSITY CALCULATION:
   LOTS PERMITTED: DR 5.5 PER SMALL LOT TABLE, SEC. 1B02.3C1, B.C.Z.R. MINIMUM LOT SIZE: 6,000 SQ.FT.-17,963 SQ.FT./6,000 SQ.FT. = 2 LOTS
   PROPOSED LOTS: 2
10. MASTER PLAN DESIGNATION:
    WATER: W-1, SEWER:S-1
11. THE PROPOSED TRACT IS NOT ASSOCIATED WITH THE MARYLAND HISTORICAL SOCIETY OR ANY LANDMARKS.
12. NO STREAMS OR WETLANDS ARE LOCATED ON OR WITHIN 200' OF THE TRACT
13. THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
14. THIS SITE IS NOT WITHIN ANY 100 YR. FLOODPLAIN.
15. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO HAZARDOUS MATERIALS ON SITE.
16. THERE ARE NO UNDERGROUND (FUEL) STORAGE TANKS ON OR WITHIN 100 FEET OF THE SITE.
17. PUBLIC WATER AND SEWER IS AVAILABLE.
18. DISTURBED AREA LESS THAN 5000 SQ.FT.
19. NO ZONING CASE HISTORY FOR THIS PROPERTY.
20. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 7/9/1963 THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY, AS SHOWN ON THE PLAN, HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
21. EXISTING USE-ONE, 2-STORY SINGLE FAMILY DWELLING, PROPOSED USE-TWO, 2-STORY SINGLE FAMILY DWELLINGS.
22. ALL AREAS SHOWN ON THIS PLAN ARE ZONED D.R.-5.5
23. PANHANDLE DRIVEWAY PAVING SECTION:
    2" HOT MIX ASPHALT SURFACE – FINE (SF) OVER
    8" GRADED AGGREGATE BASE, TO BE COMPACTED IN (2) 4-INCH COURSES
24. THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED AND KEPT FREE OF ANY OBSTRUCTIONS.
25. ANY SURFACE DRAINAGE PROBLEMS RESULTING FROM IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
26. THE PANHANDLE, ROOF & LOT RUNOFF SHOULD DRAIN TOWARDS THE NORTHEAST PORTION OF THE PROPERTY.
27. WATER AND SEWER SERVICE CONNECTIONS SHALL BE INSTALLED BY AN APPROVED UTILITY CONTRACTOR PRIOR TO THE ROAD IMPROVEMENTS AND SHALL BE INCLUDED IN THE RIGHT-OF-WAY IMPROVEMENT AGREEMENT.

DEVELOPMENT STANDARD FOR SMALL LOTS OR TRACTS
BALTIMORE COUNTY ZONING REGULATIONS

ZONING CLASSIFICATION	MINIMUM NET. LOT AREA PER DWELLING UNIT (SQ.FT.)	MINIMUM LOT WIDTH (FEET)	MINIMUM FRONT YARD DEPTH (FEET)	MINIMUM WIDTH OF INDIVIDUAL SIDE YARD (FEET)	MINIMUM SUM OF SIDE YARD WIDTHS (FEET)	MINIMUM REAR YARD DEPTH (FEET)
D.R.5.5	6,000	55	25	10	–	30

SOILS TABULATION

LABEL	DESCRIPTION	CONSTRAINTS
LhB	LEGORE	SLIGHT
LhC	LEGORE	MODERATE SLOPE

I hereby certify that I have reviewed with due diligence the County agency comments dated 4/30/03 and have prepared with due diligence this Minor Subdivision Plan pursuant to those agency comments.

Signature — Date: 05/17/04

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 03023M
DEVELOPMENT REGULATIONS
☐ Exempt from Division 2
☒ Panhandle, exempt from Sections 26-202 & 26-206
PDM CERTIFICATION
☒ Approved ☐ Disapproved
By: _____ Date: 05.18.04
APPROVED, DEPRM
By: for James E. Palmer Date: 5/18/04

MINOR SUBDIVISION
SCHERR PROPERTY
MILFORD MILL ROAD
MINOR SUBDIVISION NO.: 03-023-M

ELECTION DISTRICT: 2 COUNCIL DISTRICT:4
BALTIMORE COUNTY, MARYLAND

20 0 10 20 40 80
GRAPHIC SCALE (IN FEET)
1 inch = 20 ft.

STATE OF MARYLAND PROFESSIONAL LAND SURVEYOR 05/17/04

Colbert Matz Rosenfelt, Inc.
*Engineers * Surveyors * Planners*
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

NO.	DATE	REVISIONS:	BY

SCALE: 1"= 20'
DATE:08/25/03
JOB NO.: 2002221
DESIGNED:EVT
DRAWN: EVT/SLD
CHECKED: REM
FILE: 2002221MINSUB.DWG
DRAWING NUMBER:
SHEET 1 OF 1

2/27/04 (SLD)