

IN RE: PETITION FOR ADMIN. VARIANCE
NW/S of Shepperd Road, SW of c/l of
Troyer Road
3rd Election District
10th Councilmanic District
(3022 Shepperd Road)
Robert J. Van Dam and
Susanna Van Sichem
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 06-633-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, Robert J. Van Dam and Susanna Van Sichem. The variance request is for property located at 3022 Shepperd Road. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a detached accessory structure (garage) to have a height of 24 feet in lieu of the required 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners propose to construct a garage measuring 36' long x 26 feet wide x 24 feet tall. The additional height of the garage will be used for storage and exercise. The property is 1.89 +/- acres in size and is zoned RC2.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Department of Environmental Protection and Resource Management dated July 3, 2006 which contains a restriction. A ZAC comment letter was received from the Office of Planning dated June 29, 2006 which indicates the property is within My Lady's Manor National Historic District. That office required that the Petitioner provide photographs of the existing structure and the two dwellings abutting 3022 Shepperd Road, elevation drawings of the proposed garage,

8-28-06
P3

and a revised site plan. The Petitioner submitted the requested information including information on the materials and color scheme for the proposed garage. He also provided clarification regarding the proposed driveway. All concerns were adequately addressed. The Office of Planning does not object to the issuance of the requested variance. Copies of which are attached hereto and made a part hereof.

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 18, 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

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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 28th day of August, 2006, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a detached accessory structure (garage) to have a height of 24 feet in lieu of the required 15 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.
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

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Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3022 Shepperd Rd, Monkton
which is presently zoned RC2

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 detached accessory structure (garage) to have a height of 24' in lieu of the required 15'

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):

Name - Type or Print Robert Juan Dam

Signature [Signature]

Name - Type or Print Susanna Juan Sichean

Signature [Signature]

Address Telephone No. 3022 Shepperd Rd 4435418433

City State Zip Code Monkton MD 21111

Representative to be Contacted:

Name SAME

Address Telephone No. AS

City State Zip Code ABOVE

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. 06-633-A

Reviewed By CTM Date 6/8/06

Estimated Posting Date 6/18/06

REV. 10/25/01 8.26.06
[Signature]

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 3022 Shepperd Rd.
Address
Monkton MD 21111
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We are requesting a variance on the height restriction of 15'. for a total height of 24' +/-
The purpose of the additional space above the garage is to improve the enjoyment of the residential use of the property by creating a safe, healthy, and secure area for storage and exercise.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
Robert Jan Dam
Name - Type or Print

[Signature]
Signature
Susanna van Sichen
Name - Type or Print

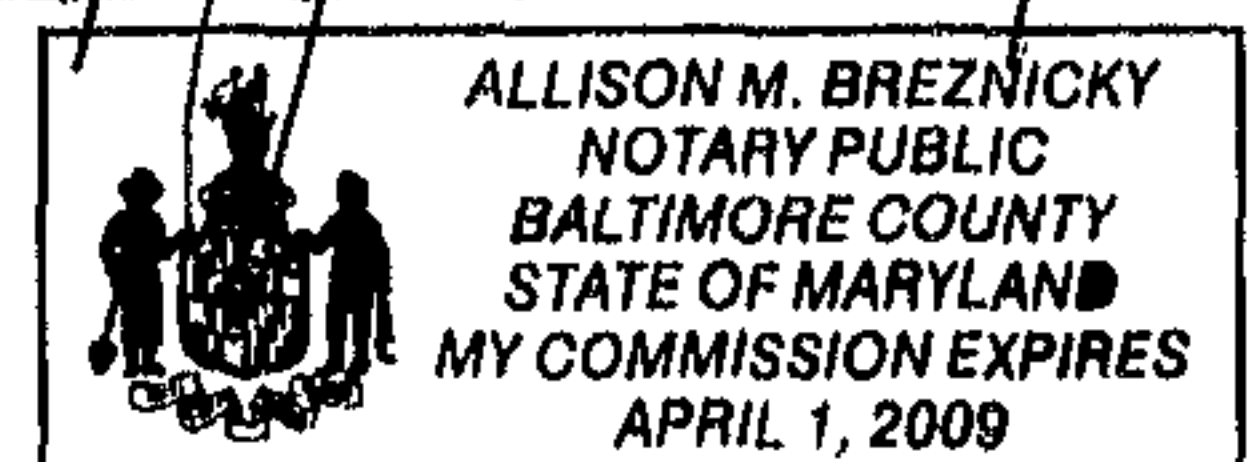
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

Robert Jan Van Dam and Susanna Van Sichen
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Allison M. Breznicky, Notary
Notary Public
My Commission Expires April 1st 2009



Zoning description for 3022 Shepperd Rd., Monkton, MD

Beginning at a point on North West side Shepperd Rd which is R-O-W varies wide at the distance of ± 850 ft South West of the centerline of the nearest improved intersecting street, Troyer Road, which is R-O-W varies wide.

Being Lot no. 1 in the subdivision of Holmes Property as recorded in Baltimore County Deed Book SM #1, Folio # 145, containing 1.89 Ac.

Also known as 3022 Shepperd Road and located in the 10th Election District, 3rd Councilmanic District.

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 112

DATE 10/10/77 ACCOUNT 2001-2-1130

AMOUNT \$ 62.00

RECEIVED FROM: ROBERT J. VAN DAM
066-177-A

FOR: _____

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID TO ORDER OF
BALTIMORE COUNTY
OFFICE OF BUDGET & FINANCE
1000 BALTIMORE AVENUE
BALTIMORE, MARYLAND 21201
DATE OF DEPOSIT 10/10/77
AMOUNT \$ 62.00
BY _____
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 06-633-A
TO PERMIT A DETACHED ACCESSORY
STRUCTURE (GARAGE) TO HAVE A
HEIGHT OF 24' IN LIEU OF THE
REQUIRED 15 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 28-127(6)(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 7-3-06
ADDITIONAL INFORMATION IS AVAILABLE AT
PLANNING AND DEVELOPMENT MANAGEMENT
887-3391

CERTIFICATE OF POSTING

Date: 6-18-06

RE: Case Number: 06-633A

Petitioner/Developer: Robert Van Dam

Date of Hearing/Closing: 7-3-06

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 _____

3022 Shepperd Rd

The sign(s) were posted on 6-18-06
(Month, Day, Year)

J. Lawrence Pilson, R.S.
(Signature of Sign Poster)

J. LAWRENCE PILSON, R.S.
(Printed Name of Sign Poster)

1015 Old Barn Rd
(Street Address of Sign Poster)

Parkton, Md 21120
(City, State, Zip Code of Sign Poster)

410 343 1443
(Telephone Number of Sign Poster)

**ATTACH PHOTOGRAPH
OF
SIGN POSTED ON
PROPERTY
HERE**

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: 06-633-A

Petitioner: Robert van Dam

Address or Location: 3022 Sheppard Rd., Manly MD 21111

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: As Above

Telephone Number: 443 541 8433

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 633 -A Address 3022 SHEPPERD RD
6/8/06
Contact Person: LYOYD T MOXLEY Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 6/8/06 Posting Date: 6/18/06 Closing Date: 7/3/06

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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- 633 -A Address 3022 SHEPPERD RD
Petitioner's Name ROBT. J. VAN DAM ETUX Telephone 443 541 8433
Posting Date: 6/18/06 Closing Date: 7/3/06
Wording for Sign: To Permit A DETACHED ACCESSORY STRUCTURE
(GARAGE) TO HAVE A HEIGHT OF 24' IN LIEU OF
THE REQUIRED 15'.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

July 3, 2006

Robert J Van Dam
Susanna Van Dam
3022 Shepperd Rd.
Monkton, MD 21111

Dear: Mr. Van Dam,

RE: Case Number: 06-633-A, 3022 Shapperd Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 8, 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



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 20, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 19, 2006

Item Numbers: Item Number 611,621,624-637, 639-643

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



Printed with Soybean Ink
on Recycled Paper

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 27, 2006

FROM: Dennis A. Kennedy, ^{DK} Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 21, 2006
Item Nos. 611, 621, 622, 623, 624, 626,
627, 628, 632, 633, 635, 636, 637, 640,
641, 642, and 643

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- 06272006.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination *JWL*
DATE: July 3, 2006
SUBJECT: Zoning Item # 06-633-A
Address 3022 Shepperd Road
(van Dam Property)

Zoning Advisory Committee Meeting of June 19, 2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Concern that this proposed garage will be used for residential purposes. Add note to the order that this structure cannot be used for residential purposes.

Reviewer: W.S. Lippincott

Date: June 26, 2006

8-28-06
[Handwritten signature]

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

HISTORIC PRESERVATION COMMENTS FOR ZAC

TO: Curtis Murray

DATE: July 26, 2006

VIA: Lynn Lanham

FROM: Karin Brown

PROJECT NAME: 3022 Shepperd Road

PROJECT #: 6-633

The applicant submitted the requested photographs and elevation drawings of the proposed garage, including information about the materials and color scheme. He also provided clarification regarding the proposed driveway. All concerns were adequately addressed. Preservation Services does not object to the issuance of the requested variance.

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CB

AV
713

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 29, 2006

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

SUBJECT: 3022 Shepperd Road

INFORMATION:

Item Number: 6-633

Petitioner: Robert Dam

Zoning: RC 2

Requested Action: Administrative Variance

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JUN 29 2006

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The property in question is located in the My Lady's Manor National Register District. In order to assess the visual impact the proposed garage will have on the historic character of the area, the petitioner must submit the following materials to Karin Brown, Preservation Services:

1. Photographs of the existing structure and the two dwellings immediately abutting 3022 Shepperd Road.
2. Elevation drawings of the proposed garage, including information about the materials and color scheme.

Additionally, clarification is needed regarding the proposed driveway. The site plan accompanying the variance request appears to depict the driveway inaccurately. The aerial image shows a circular driveway in front of 3022 Shepperd Road and a panhandle access to the north, whereas the site plan shows a single driveway and the panhandle drive. The applicant should revise the site plan to clearly show how the garage would be accessed. The Office of Planning will not support a fourth road access.

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

Prepared by:

Carol Murray

Division Chief:

Lynn Johnson

AFK/LL: CM

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8-28-06



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 11, 2006

ROBERT J VAN DAM AND
SUSANNA VAN SICHEM
3022 SHEPPERD ROAD
MONKTON MD 21111

Re: Petition for Administrative Variance
Case No. 06-633-A
Property: 3022 Shepperd Road

Dear Mr. and Mrs. Van Dam:

Your request for Administrative Variance has been given to me for review. It has come to my attention that the Zoning Advisory Committee (ZAC) comments prepared by the Office of Planning requires that you provide photographs of the existing structure and the two dwellings abutting 3022 Shepperd Road, elevation drawings of the proposed garage, and a revised site plan.

You will need to provide the additional information to the Office of Planning for their review and acceptance. Once this has been done, I can then review your petition and make my decision and prepare an Order.

Thank you for your attention and cooperation in this matter.

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Karen Brown, Office of Planning
Curtis Murray, Office of Planning

8-26-06
KJ

Monkton, July 20, 2006

Ms. Karin Brown
Office of Planning
Suite 406
401 Bosley Ave.
Towson, MD 21204

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JUL 24 2006

ZONING COMMISSIONER

Case No. 06-633-A / 3022 Shepperd Rd.

Dear Ms. Brown,

In response to a letter dated June 26th, "Summary of Recommendations" regarding Administrative Variance for the above reference case/property, the following.

The following pictures are offered for your consideration:

- Exhibit A: looking West across Shepperd Rd, with the three properties indicated. The fence is along the East side of Shepperd Rd. The approximate location of the property lines is also indicated.
- Exhibit B1-B5: pictures of the hardened driveway in successive steps towards the end of the driveway. Please note the 'circular driveway' of to the right. The location of the hardened driveway matches with what is shown on the plat. The vehicle parked off to the left on B3 is on a parking pad. Note an indication on B4 referred to as "big Maple", the trunk of the tree is about 50" to 60" in diameter.
- Exhibit C: picture of existing structure and woodchip "circular driveway". The structure is made from cinder blocks, painted white with green roof shingles and green shutters.
- Exhibit D: 3016 Shepperd Rd
- Exhibit E: 3026 Shepperd Rd

Proposed Garage:

Exhibit F shows the elevation drawing of the proposed garage. This is a residential design from Home Planners that has the basic traditional features we like. Our final version may differ in slight details, for instance the type of siding or the type of roofing. It is our intention to implement in such a way that it enhances the overall property. Color schemes and materials appropriate for the property and surrounding area and what is common for residential garages in the area. At the very least we would use the same color scheme as is currently on the house.

8-28-06
B

Monkton, July 20, 2006

'Circular Driveway'

The main driveway is as indicated on the provided plat, except for the parking pad off to the left side. We have planned to extend the existing hardened driveway towards the new proposed location of the garage, avoiding the roots of the 'big Maple'. The location of this magnificent tree has guided us towards the proposed location. I have marked up the plat drawing to show the intended routing of the driveway (12 copies, Revision A).

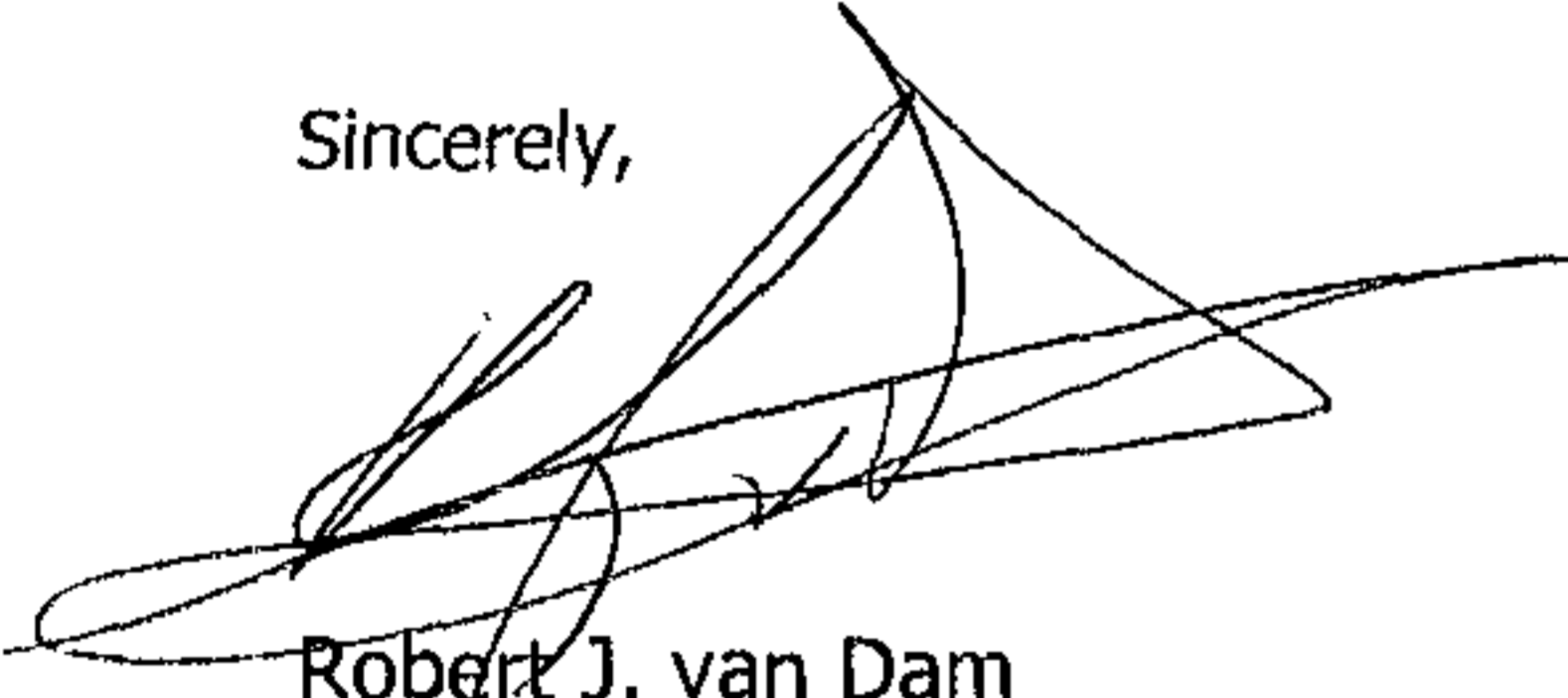
The 'circular driveway' is occasionally used to unload groceries from the car as well as turn our vehicles around in a safe manner. Heavy trucks and commuting traffic from PA make it quite an endeavor to exit our driveway. Attempting this backing up on Shepperd Road is near suicide. The woodchips are used to provide some coverage as well as an environmentally friendly method of disposal.

One leg of the circular driveway connects to the main hardened driveway; the second leg connects to Shepperd Road. As such there is one hardened road access point and one unhardened.

With the proposed garage in place, there will no longer be a need for the circular driveway.

I hope the provided information answers your questions and concerns. Please do not hesitate to contact us in case on lingering questions.

Sincerely,



Robert J. van Dam
(443) 541 8433
3022 Shepperd Rd.
Monkton, MD 21111

Copy to: Mr. John V. Murphy (letter only)

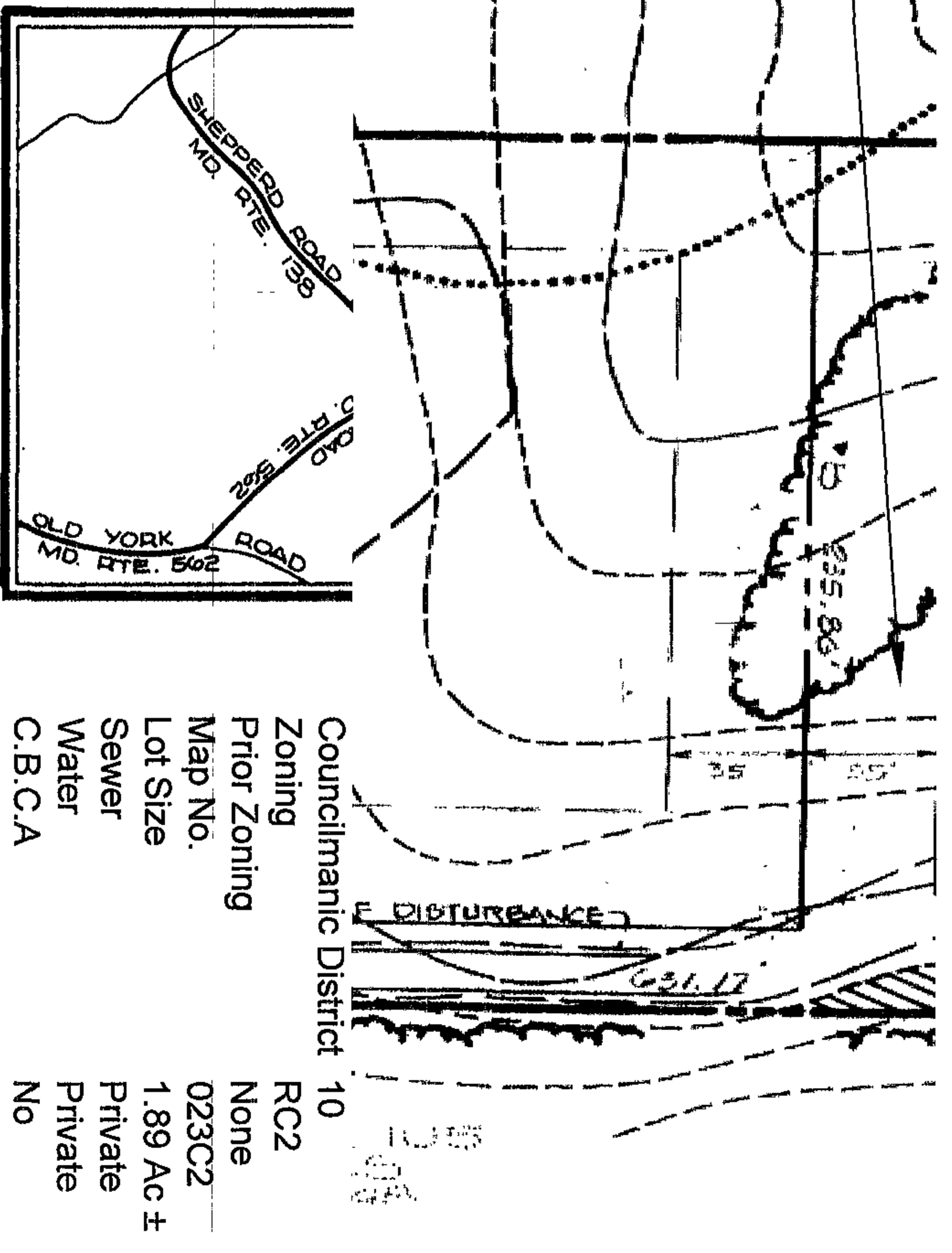
8-28-06
B

Haven Frank
3024 Shepperd Rd.

NORTH



Lot 1,
Minor Subdivision
Holmes Property
SM No 1
Folio 145



Property Location

Councilmanic District	10
Zoning	RC2
Prior Zoning	None
Map No.	023C2
Lot Size	1.89 Ac ±
Sewer	Private
Water	Private
C.B.C.A	No
100 Yr Floodplan	No
Historic	No

Drawing

3022

Robert & Sandra van Dam
3022 Shepperd Rd,
Monkton, MD 21111

Plan to accompany hearing
for zoning variance

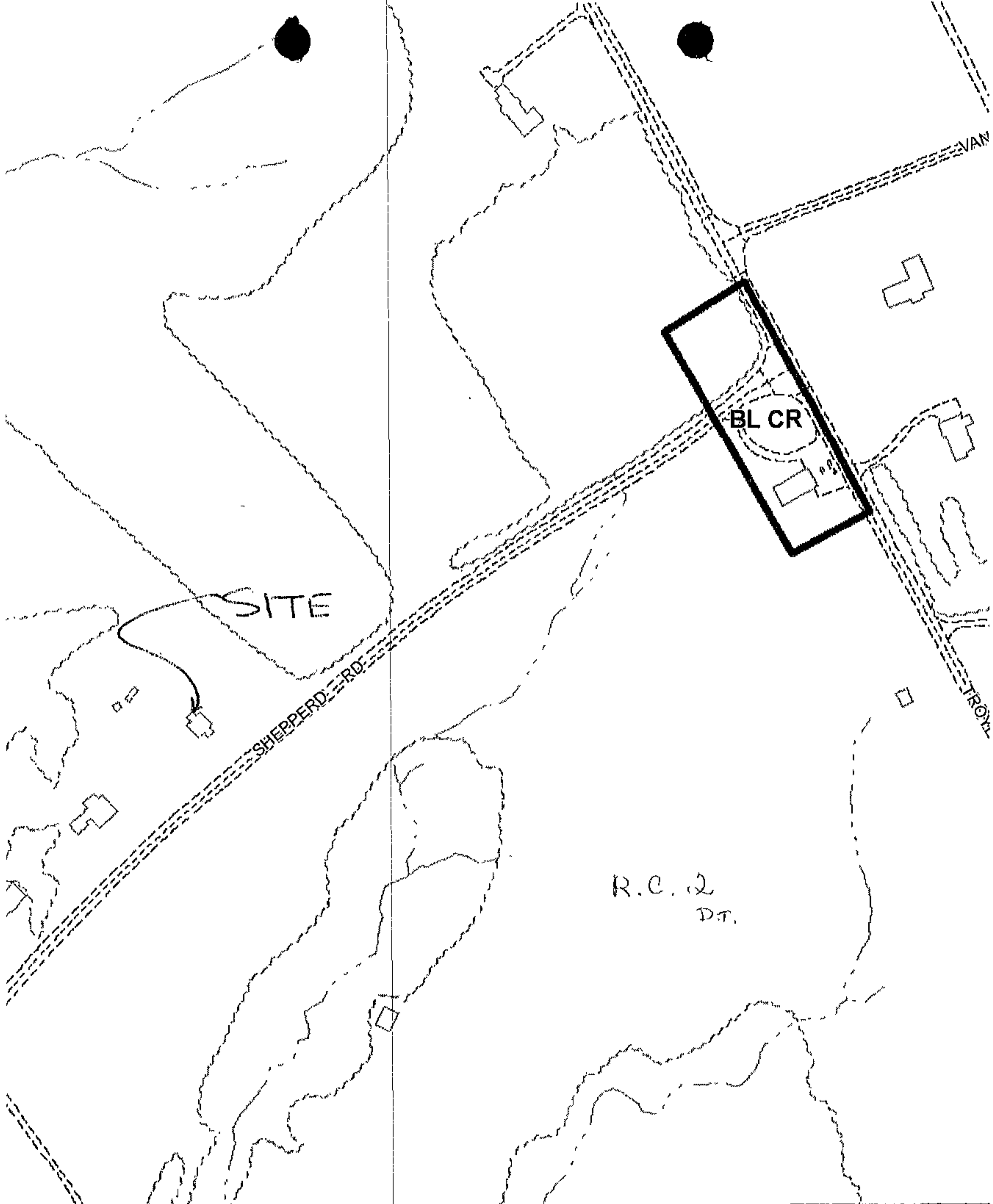
REVISIONS

SCALE: 1" = 50'

DATE: 5-25-06

SEAL


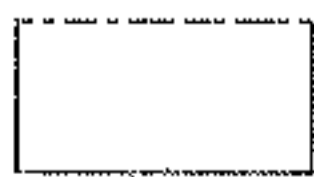

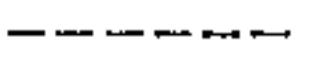
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023C2

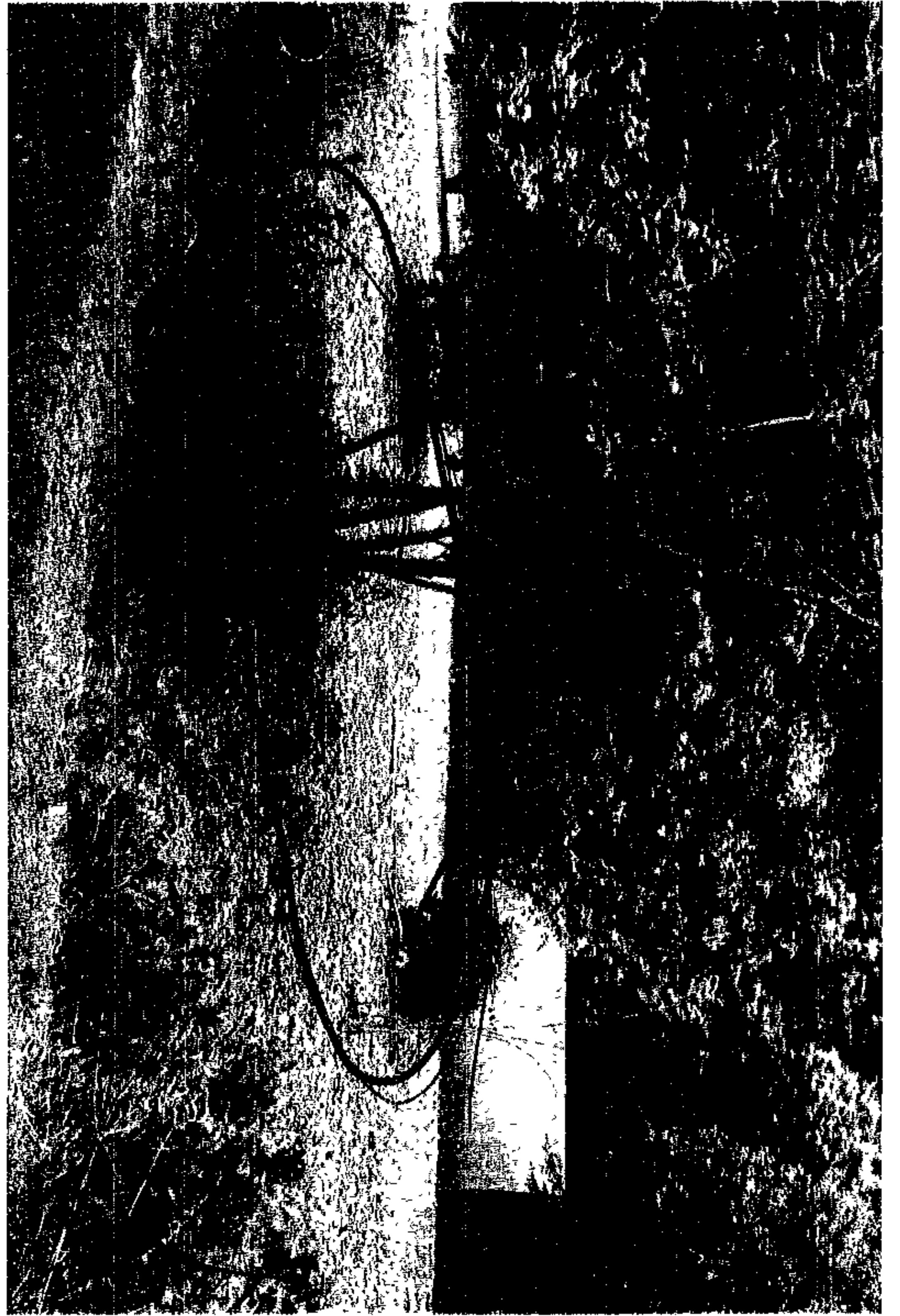
dicted in this application incorporates the actions
 h County Council Bills 82-04, 83-04, 84-04, 85-04,
 88-04, and 89-04 adopted by the County Council on
 04. The action associated with County Council Bill
 d on December 6, 2004 is also depicted. In addition,
 of Appeals actions from MC 05-01, MC 05-02, MC
 05-04 on February 9, 2005 are represented in this

Legend

-  Zoning
-  Buildings
-  Stream
-  Roads

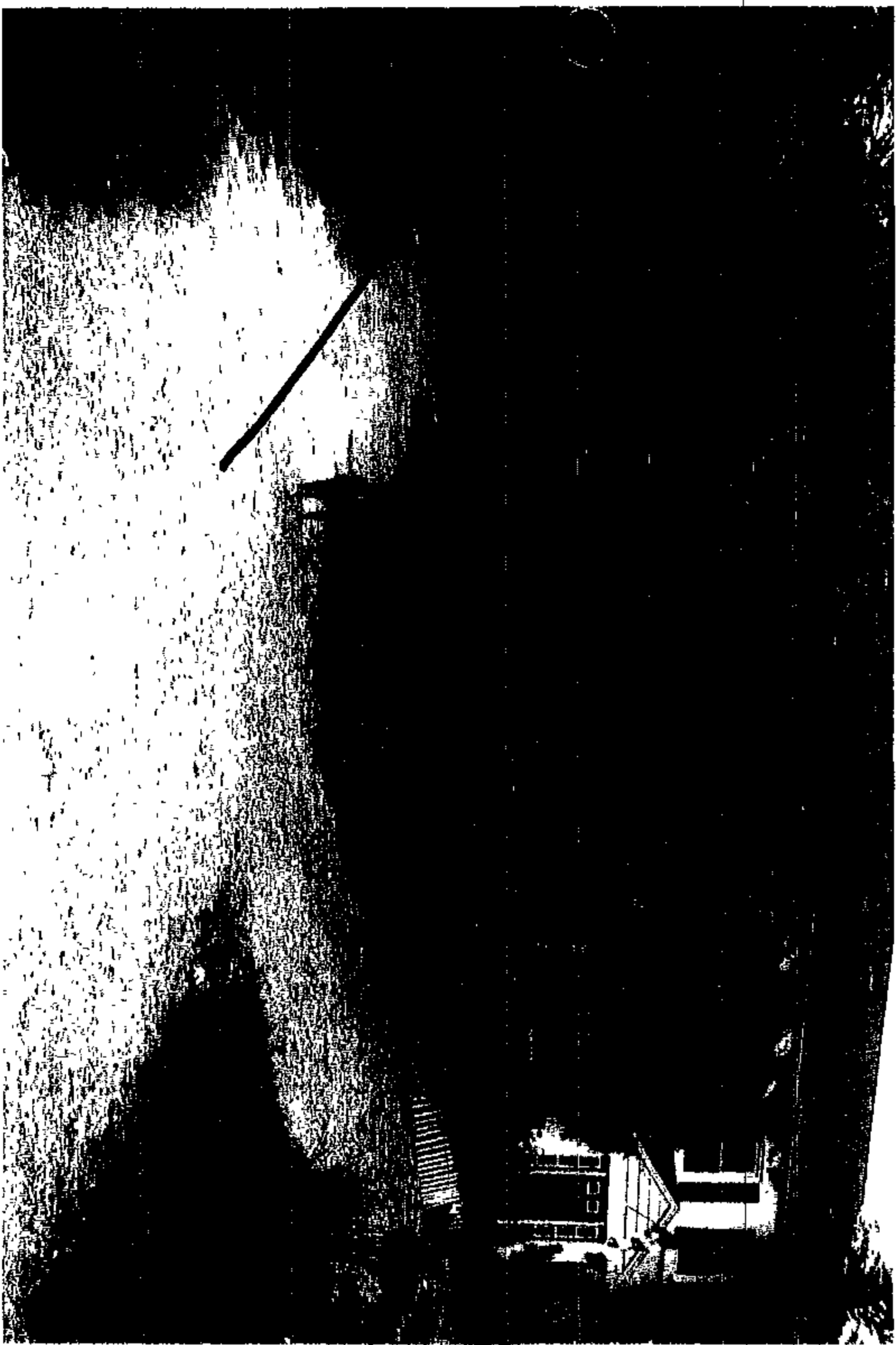
023C2

023 C2 1"=200'



Proposed location indicated

633



633

Proposed location indicated



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3022 Sheppard Rd, Monkton
which is presently zoned RC2

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 detached accessory structure (garage) to have a height of 24' in lieu of the required 15'

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 J van Dam
Name - Type or Print _____
Signature _____
Susanna von Sieben
Name - Type or Print _____
Signature _____
3022 Sheppard Rd 4435418433
Address _____ Telephone No. _____
Monkton MD 21111
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. OG-633-A

Reviewed By LTm Date 6/8/06

REV. 10/25/01

Estimated Posting Date 6/18/06

8-26-06
M

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 3022 Shepperd Rd.
Address Monkton MD 21111
City State Zip Code

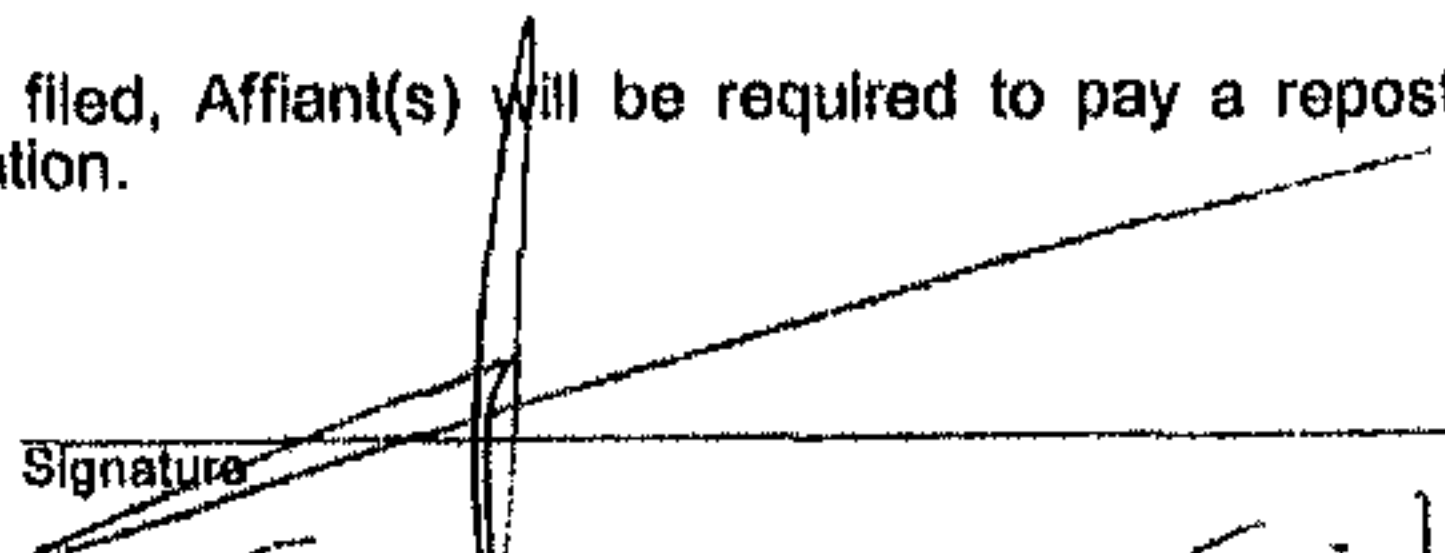
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We are requesting a variance on the height restriction of 15'. for a total height of 24' +/-

The purpose of the additional space above the garage is to improve the enjoyment of the residential use of the property by creating a safe, healthy, and secure area for storage and exercise.

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 _____
Name - Type or Print Robert Juan Dam

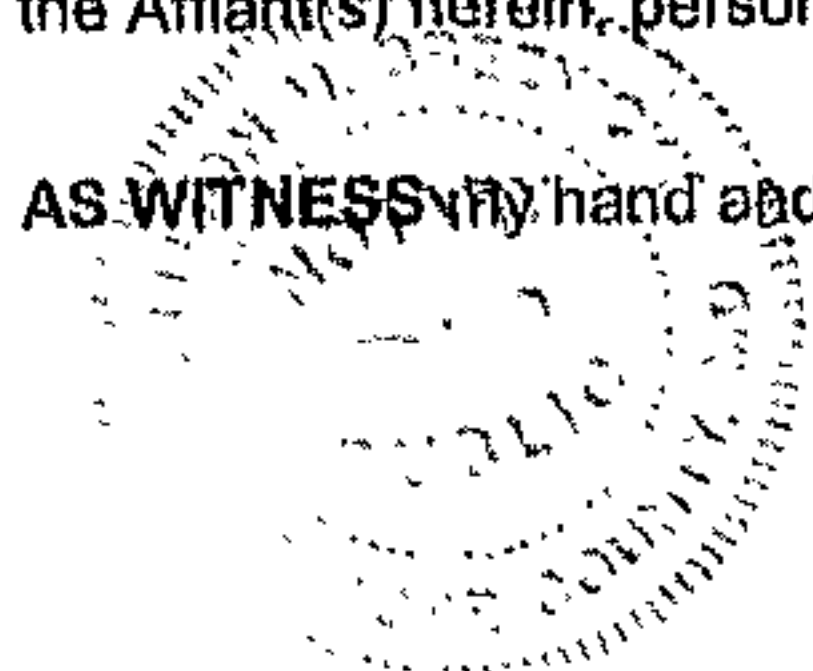

Signature _____
Name - Type or Print Susanna van Sichen

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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

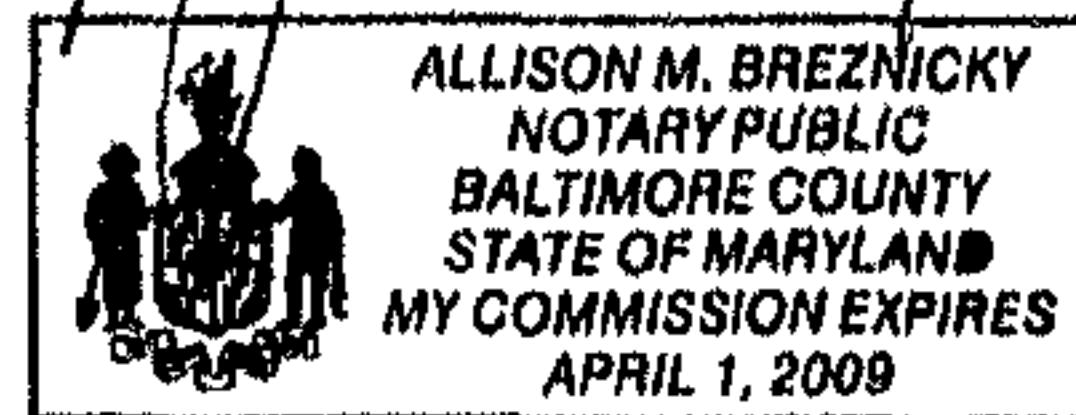
Robert Juan Van Dam and Susanna Van Sichen
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

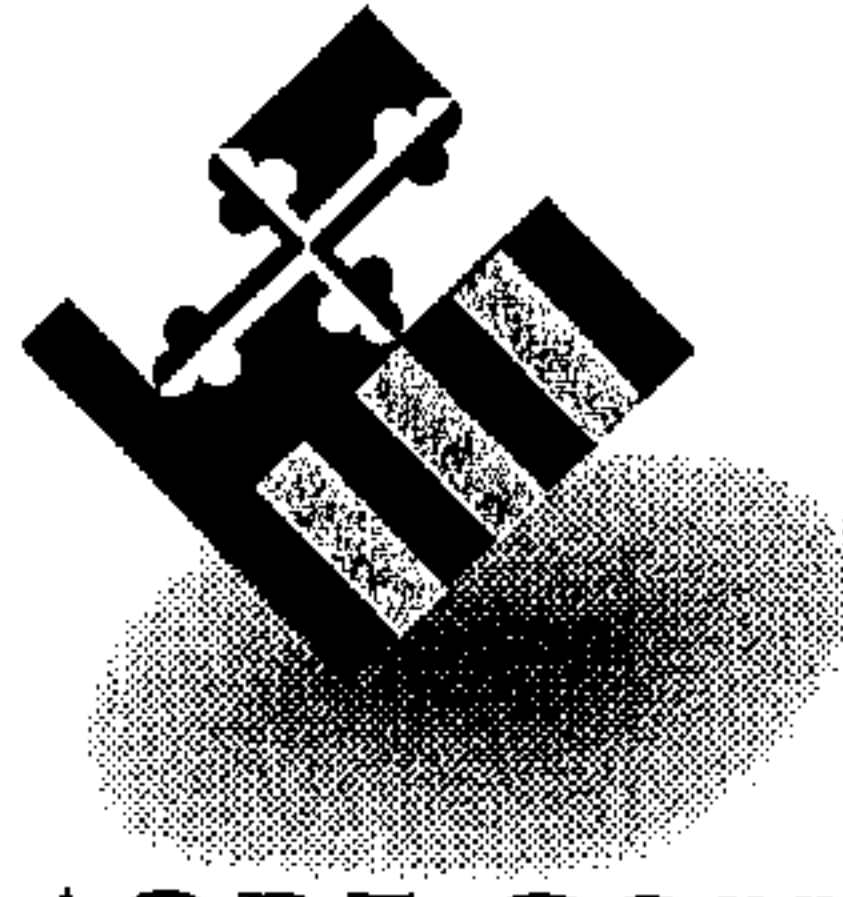
AS WITNESS my hand and Notarial Seal



Allison M. Breznicky, Notary Public
My Commission Expires April 1st 2009

REV 10/25/01





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

August 28, 2006

ROBERT J. VAN DAM AND
SUSANNA VAN SICHEM
3022 SHEPPERD ROAD
MONKTON MD 21111

Re: Petition for Administrative Variance
Case No. 06-633-A
Property: 3022 Shepperd Road

Dear Mr. Van Dam and Ms. Van Sichem:

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

RECEIVED / ON FILE
8-26-06
B3