

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Drexel Road, SE of c/l
Of Kirkland Street
15th Section District
7th Councilmanic District
(1727 Drexel Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*

Gary Morris
Petitioner

CASE NO. 07-017-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Gary Morris. The Petitioner is requesting variance relief for property located at 1727 Drexel Road. The variance request is from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with an addition to have front setback of 17 feet in lieu of the required front averaged 25 feet.

The property was posted with a notice of the administrative hearing on July 30, 2006. While no protests were received from the neighbors, the case was set for public hearing by this Deputy Zoning Commissioner under the circumstances.

The property was posted with Notice of the public hearing on October 13, 2006 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning the public hearing was published in "The Jeffersonian" newspaper on October 5, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

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

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10-24-06

JB

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."

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.

Interested Persons

No one appeared at the hearing on behalf of or in opposition to the variance request.

Testimony and Evidence

The subject property contains 7,176 square feet zoned DR 5.5 and improved by the Petitioner's home. The Petitioner would like to build an addition onto his home to add another bathroom to the house given an increase in the size of his family. However the request is to place the addition on the front of the house requiring a front yard setback variance of 17 feet in lieu of the average setback of 25 feet. The adjacent homes are 23 and 27 feet from the street as shown in the intake calculation in the file.

After review of the administrative variance request, a letter dated August 23, 2006 was sent to the Petitioner by the undersigned expressing concern about the impact on the neighborhood of an addition on the front of the home and asking why the addition could not be placed in the rear of the home which would not have required a variance. The

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Thereafter the request was set for public hearing to allow the Petitioner to present additional evidence of the hardship locating the bathroom in the rear might cause and to show the other homes alleged to jut out toward the street. However the Petitioner did not attend the hearing so that the decision in this case must be on the written record alone.

As far as I can determine from the Petitioner's letter, the Petitioner admits that the bathroom can be constructed on the rear of the house, but that it would cost more in terms of plumbing expense to connect to the sewer and water system in the street. If the bathroom addition were to be placed in the rear, apparently there would be no need for a variance. As the Maryland Courts have said in many zoning cases, mere financial hardship is not sufficient reason for granting a variance. Perhaps there is really more to the problem but the Petitioner did not attend the public hearing so I have no way to know.

My problem is that he has not presented any evidence of this allegation.

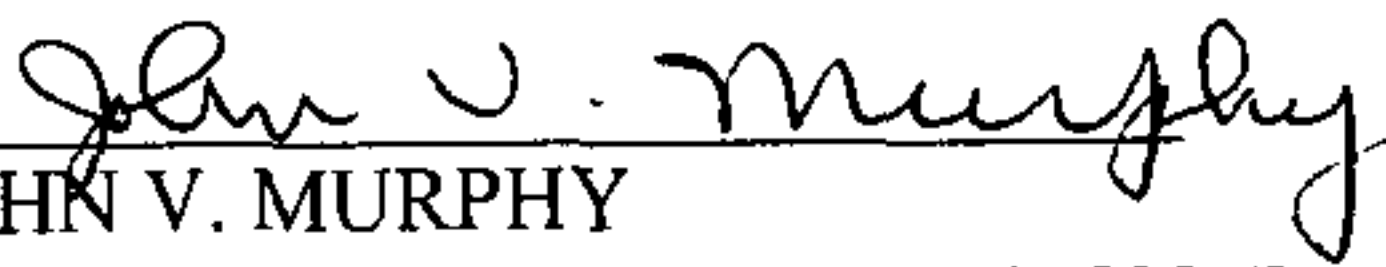
On the contrary the front yard zoning setback calculation in the file shows the adjacent homes are setback 23 and 27 feet from the street. In addition the photographs supplied by the Petitioner all show house set back at or near the average.

Considering all the testimony and evidence presented, I will deny the Petitioner's request as I find that the bathroom can be added to the building without variance if placed on the rear and the addition will adversely affect the character of the neighborhood. It may be true that the Petitioner could show some further contrary evidence which would be the basis to grant the requests. However he chose not to attend the hearing. It may have been there is sufficient evidence to overcome these concerns but this will have to be presented to the Board of Appeals if he chooses go forward with this request.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be denied.

THEREFORE, IT IS ORDERED, this 24th day of October, 2006 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with an addition to have front setback of 17 feet in lieu of the required front averaged 25 feet is hereby DENIED.

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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10-24-06
JVM



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

September 24, 2006

GARY MORRIS
1727 DREXEL ROAD
BALTIMORE MD 21222

Re: Petition for Administrative Variance
Case No. 07-017-A
Property: 1727 Drexel Road

Dear Mr. Morris:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been denied 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,

Handwritten signature of John V. Murphy in cursive.

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

10-24-06
JVM



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1727 Drexel Rd/21222
which is presently zoned DR 5.5

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) 303.1 (BCZR)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO ^{HAVE} FRONT SETBACK OF 17' IN
LIEU OF THE REQUIRED FRONT AVERAGED 25'

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

Signature

Name - Type or Print

Signature

1727 Drexel Rd 443-527-446
Address Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

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 10-24-06 day of October 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.

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JUL 11 2006
Zoning Commissioner of Baltimore County

CASE NO. 07-017-A

REV 10/25/01

Reviewed By CTM Date 7/12/06

Estimated Posting Date 7/30/06

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 1727 Drexel Rd
Address
Baltimore MD 21222
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. I'M GETTING MARRIED IN NOVEMBER AND AT THIS TIME I HAVE THREE LIVING IN HOME WITH ONE BATH, IN NOVEMBER WILL HAVE FIVE IN HOME, I NEED A BATHROOM
- 2 I NEED TO ADD A BATHROOM, DO TO PLUMBING PROBLEMS I NEED TO ADD IN FRONT OF HOME/MAIN IS IN FRONT, DO TO THE VACUUM, WATER DRAIN, PUTTING IN BACK WILL NOT WORK.
- 3 DO TO COST CAN NOT ADD TO TOP OF HOME CAN NOT AFFORD
- 4 DO TO POOL IN BACK OF HOME NO ROOM TO BUILD IN BACK
- 5 LOOK FOR ROOM IN THE HOME AS IS, BUT WOULD HAVE TO CHANGE KITCHEN LIVINGROOM DINING ROOM NO ROOM INSIDE

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.

Gary Morris
Signature

Signature

GARY MORRIS
Name - Type or Print

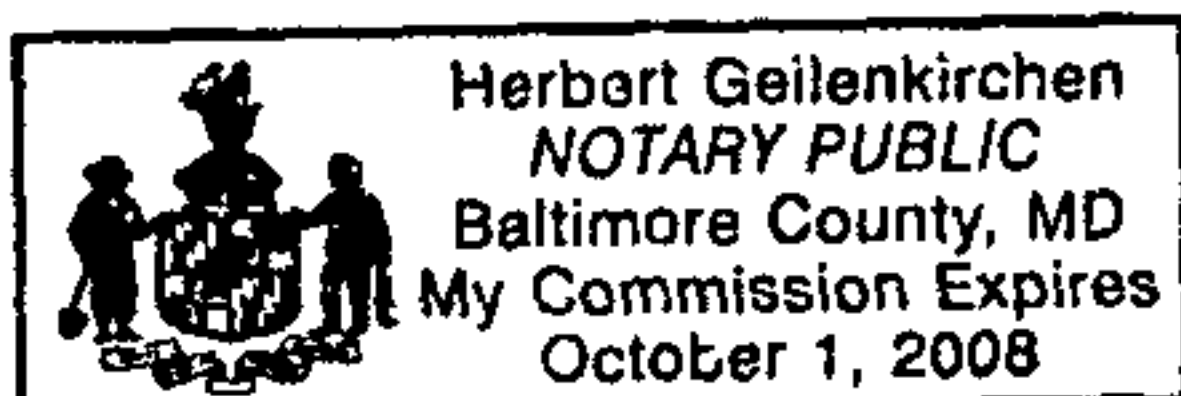
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19TH day of JUNE, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Herbert Geilenkirchen
Notary Public

My Commission Expires 10-1-2008

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

1727 Drexel Rd
Address
Baltimore MD 21222
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. NEED TO ADD A BATHROOM DO TO PLUMBING PROBLEMS IN HOME
NEED TO ADD IN FRONT OF HOME / MAIN IS IN FRONT, DO TO THE
VACUUM, WATER DRAIN; PUTTING IN BACK WILL NOT WORK,
2. DO TO COST CAN NOT ADD TO TOP OF HOME CANNOT ADD
- 3 I'M GETTING MARRIED IN NOVEMBER, AND AT THIS TIME
I HAVE THREE LIVING IN HOME WITH ONE BATHROOM IN
NOVEMBER I WILL HAVE FIVE IN HOME, I NEED TO ADD A
BATHROOM
- 4 DO TO POOL IN BACK OF HOME, NO ROOM TO BUILD IN BACK OF HOME

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.

Gary Morris
Signature

Signature

GARY MORRIS
Name - Type or Print

Name - Type or Print

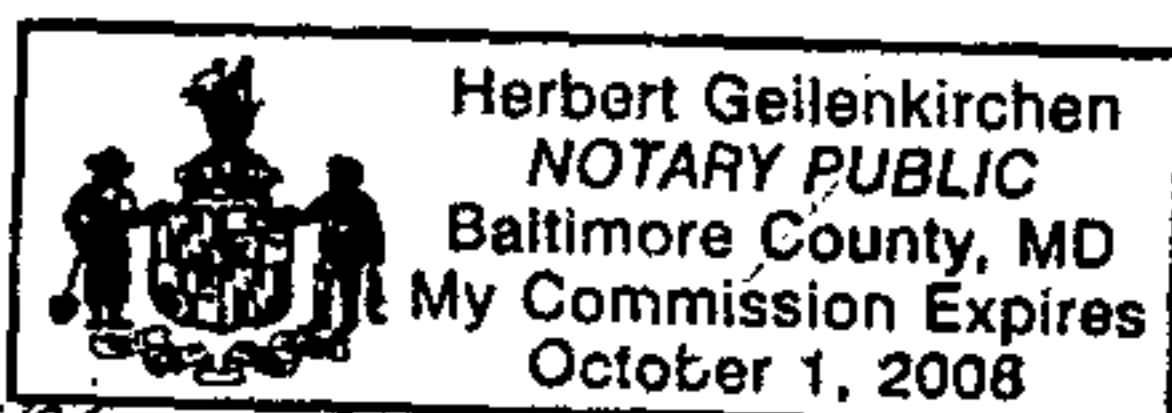
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19TH day of JUNE, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

GARY MORRIS

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

AS WITNESS my hand and Notarial Seal



Herbert Gellenkirchen
Notary Public

My Commission Expires 10-1-2008



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1727 Drexel RD / 21222
which is presently zoned DR 5.5

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) 303.1 (BC2R)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A FRONT SETBACK OF 17'
IN LIEU OF THE REQUIRED FRONT AVERAGED 25'

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 GARY MORRIS
Signature GARY MORRIS
Address 1727 Drexel RD Telephone No. _____
City Baltimore State M.D Zip Code 21222

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print GARY MORRIS
Signature GARY MORRIS
Name - Type or Print _____
Signature _____
Address 1727 Drexel RD Telephone No. 443-527-640
City Baltimore State M.D Zip Code 21222

Representative to be Contacted:

Name SAME
Address AS Telephone No. _____
City _____ State ABOVE 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. 07-017-A

Reviewed By LTW Date 7/18/06

REV 10/25/01

Estimated Posting Date 7/30/06

10-24-06

zoning description for 1727 drexel rd
beginning at a point on the south
side of drexel rd which is
50' wide
at the distance of 380' south east of the
centerline of the nearest improved intersecting
street kirkland which is 50' wide. being lot
14 block
,section # c in the subdivision of edgepoint
as recorded in baltimore county plat book # 18,folio
18 containing 7,176 also known as 1727
drexel rd and located in the 15
election district 7 councilmanic district

CERTIFICATE OF POSTING

RE: Case No: 07-017-A

Petitioner/Developer: GARY
MORRIS

Date Of Hearing/Closing: 8/14/06

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 1727 DREXEL RD

This sign(s) were posted on July 30, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 7/30/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

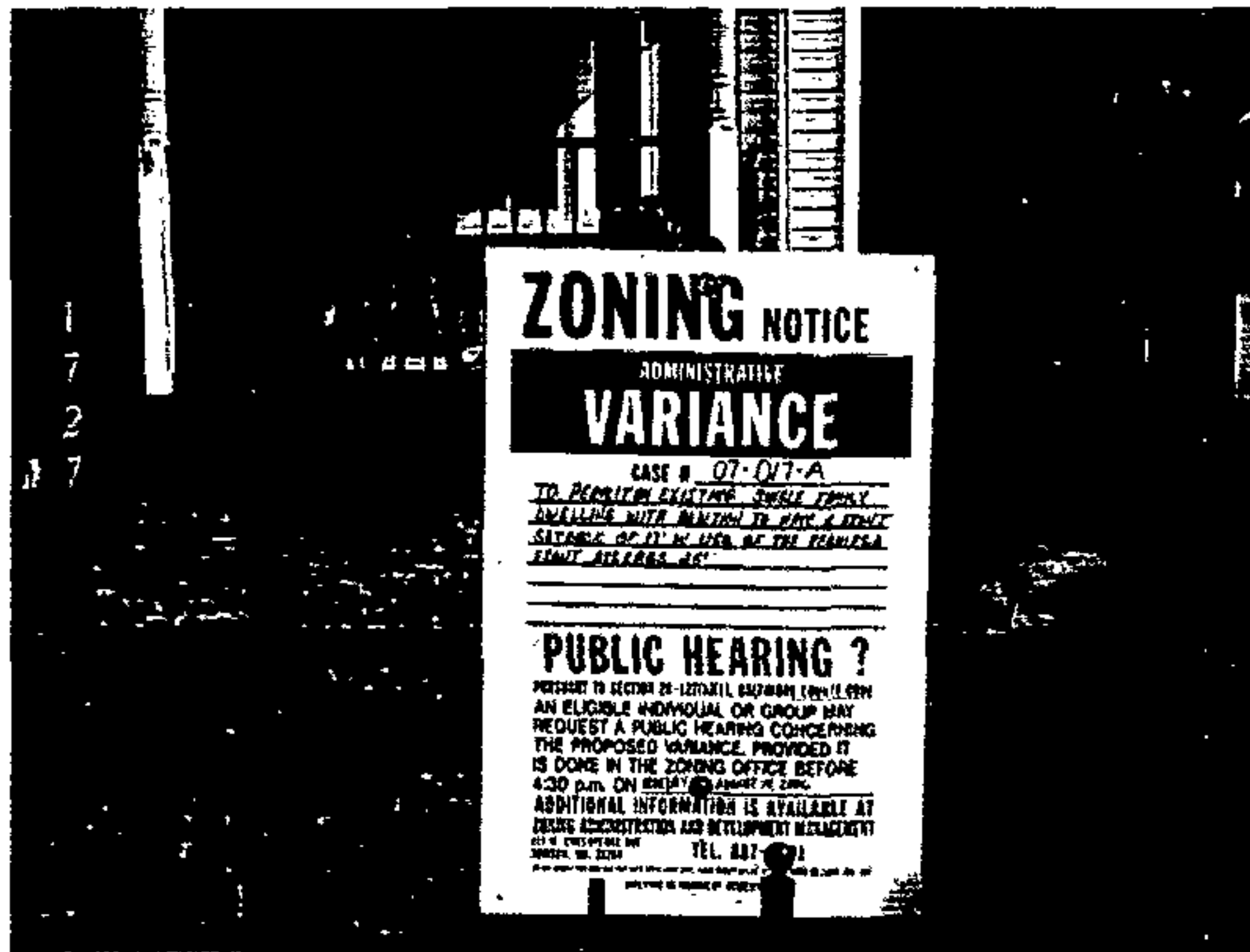
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000752 (1152x864x24b jpeg)



W. J. J. 7/30/06

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #07-017-A

1727 Drexel Road
Southside of Drexel Road,
380 feet southeast of
centerline of Kirkland Street
15th Election District
7th Councilmanic District

Legal Owner(s): Gary Morris
Variance to permit an existing single family dwelling with an addition to have front setback of 17 feet in lieu of the required front averaged 25 feet.

Hearing: Monday, October 23, 2006 at 9:00 a.m. In Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/23 Oct. 5 111632

CERTIFICATE OF PUBLICATION

10/5/2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/5/2006.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 10/13/06

RE: Case Number 07-017-A

Petitioner: _____

Date of Hearing/ ~~Closing Date~~ 10/23/06

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 1727 Drexel Rd.

The sign(s) were posted on 10/13/2006
(Month, Day, Year)



Jeff Radcliffe
(Signature of Sign Poster)

Jeff Radcliffe
(Printed Name of Sign Poster)

Balto. Co. Code Enforcement
(Street Address of Sign Poster)

Towson, MD 21204
(City, State, Zip Code of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 5, 2006 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple
Permits & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

410-887-3353

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-017-A

1727 Drexel Road

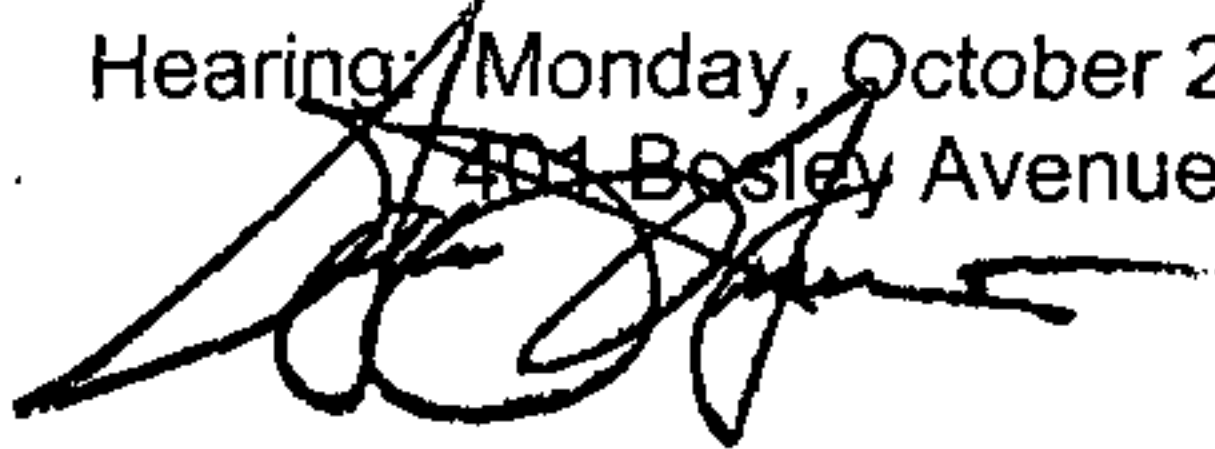
Southside of Drexel Road, 380 feet southeast of centerline of Kirkland Street

15th Election District – 7th Councilmanic District

Legal Owner: Gary Morris

Variance to permit an existing single family dwelling with an addition to have front setback of 17 feet in lieu of the required front averaged 25 feet.

Hearing: Monday, October 23, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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*

September 13, 2006

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-017-A

1727 Drexel Road

Southside of Drexel Road, 380 feet southeast of centerline of Kirkland Street

15th Election District – 7th Councilmanic District

Legal Owner: Gary Morris

Variance to permit an existing single family dwelling with an addition to have front setback of 17 feet in lieu of the required front averaged 25 feet.

Hearing: Monday, October 23, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Gary Morris, 1727 Drexel Road, Baltimore 21222

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 7, 2006.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



September 13, 2006

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-017-A

1727 Drexel Road

Southside of Drexel Road, 380 feet southeast of centerline of Kirkland Street

15th Election District – 7th Councilmanic District

Legal Owner: Gary Morris

Variance to permit an existing single family dwelling with an addition to have front setback of 17 feet in lieu of the required front averaged 25 feet. ¹⁹

Hearing: Monday, October 23, 2006 at ~~9:00~~ ^{10:00} a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Gary Morris, 1727 Drexel Road, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 7, 2006.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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 07-017-A
Petitioner GARY W MORRIS
Address or Location 1727 Drexel RD Baltimore MD 21222

PLEASE FORWARD ADVERTISING BILL TO

Name: GARY MORRIS
Address 1727 Drexel RD
Baltimore, M.D 21222

Telephone Number 443-527-6140

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ⁰⁷ ~~06~~-017 -A Address 1727 DREXEL RD

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

Filing Date: 7/18/06 Posting Date: 7/30/06 Closing Date: 8/14/06

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 ⁰⁷ ~~06~~-017 -A Address 1727 DREXEL RD

Petitioner's Name GARY MORRIS Telephone 443 527 6140

Posting Date: 7/30/06 Closing Date: 8/14/06

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY

DWELLING WITH ADDITION TO HAVE A FRONT SETBACK
OF 17' IN LIEU OF THE REQUIRED FRONT YARD 25'

WCR - Revised 6/25/04



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
August 15, 2006

Gary Morris
1727 Drexel Road
Baltimore, MD 21222

Dear Mr. Morris:

RE: Case Number: 07-017-A, 1727 Drexel Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 18, 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 that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 31, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For July 31, 2006
Item Nos. 06-010, 06-176, 07-012, 013,
016, 017, 018, 020, 021, 022, and 023

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-07282006.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: September 11, 2006

TO: Kristen Matthews
Dept. of Permits & Development Mgmt.

FROM: Patricia Zook, Secretary to 
John V. Murphy, Deputy Zoning Commissioner

RE: Petition for Administrative Variance – 8/14/06 Closing Date
Case No. 07-017-A Gary Morris (1727 Drexel Road)

After a review of the above-captioned case file, Jack Murphy has requested that this case be set in for a public hearing. We are returning the file to you for further processing, i.e., notifying the petitioner, posting of hearing notices, etc. Per Jack, the County is to post and advertise the hearing.

Thank you for your attention and cooperation in this matter.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 9, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 7-017- 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 Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RECEIVED

AUG 18 2006

ZONING COMMISSIONER



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

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

Maryland Department of Transportation

Date: 7.21.06

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

RE: Baltimore County
Item No. 017 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,

Steven D. Foster, Chief
Engineering Access Permits Division



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

September 13, 2006

Gary Morris
1727 Drexel Road
Baltimore, MD 21222

Dear Mr. Morris:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 07-017-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded at the request of the Deputy Zoning Commissioner.

The hearing has been scheduled, and the notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign will be reposted with the hearing information by this office.

The property must be advertised with the hearing date, time and location. This notification will be published in the Jeffersonian and this office will also handle the bill thru Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact Lloyd Moxley at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

August 23, 2006

GARY MORRIS
1727 DREXEL ROAD
BALTIMORE MD 21222

Re: Petition for Administrative Variance
Case No. 07-017-A
Property: 1727 Drexel Road

Dear Mr. Morris:

Your request for administrative variance has been given to me for review. I understand that you need another bathroom for your family, but I am very concerned about locating it in the front of your home. Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) requires that the front yard setbacks be averaged. The intent of the regulations is to smooth out the line of homes along a street. Said another way your request would result in your home jutting out 8 feet more than the average setback which I think will not only be very noticeable but could change the pattern of development in the neighborhood.

Also I not sure why the addition cannot be placed in the rear yard. I see there is an above ground pool in the rear yard, but it appears the new bathroom could be located along the side of the pool.

Would you kindly address these concerns in writing at your convenience.

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

RECEIVED

AUG 31 2006

ZONING COMMISSIONER
As ^{fair} ~~form~~ as my home sitting
out 8 feet. The Parkers that people in
the neighborhood have added ~~over~~ the years
sitting out more ~~than~~ my add on would.
My add on will be out as fair as my
Park watch is about 10 feet out from
my home, my plumber has told me
the drop fall in not good if I add to
the back, I have a full basement and
know place for the plumbing to run.
It is about 65 feet from the point
the new bath can be build in the
back to the point the Plumbing comes
in my home, So the front is the
best place for the add on, and as fair
as the add on being noticeable some of
my neighbors have added second floors
to their homes in the neighborhood and
this is very noticeable. I think a
room in the front of my home would
be a nice look for the home and
the neighborhood, I have talked to all
my neighbors about the add on and
all are ok with it, on the next start over

from me two homes have a
15 foot setback in front of the
house and look good. I would hope
you will ok my addition or variance
soon so I can get started before it
gets cold.

Thanky You
Gay Mann

CASE NO: 07-017-A
1227 Drexel RD

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1227 Drexel Rd

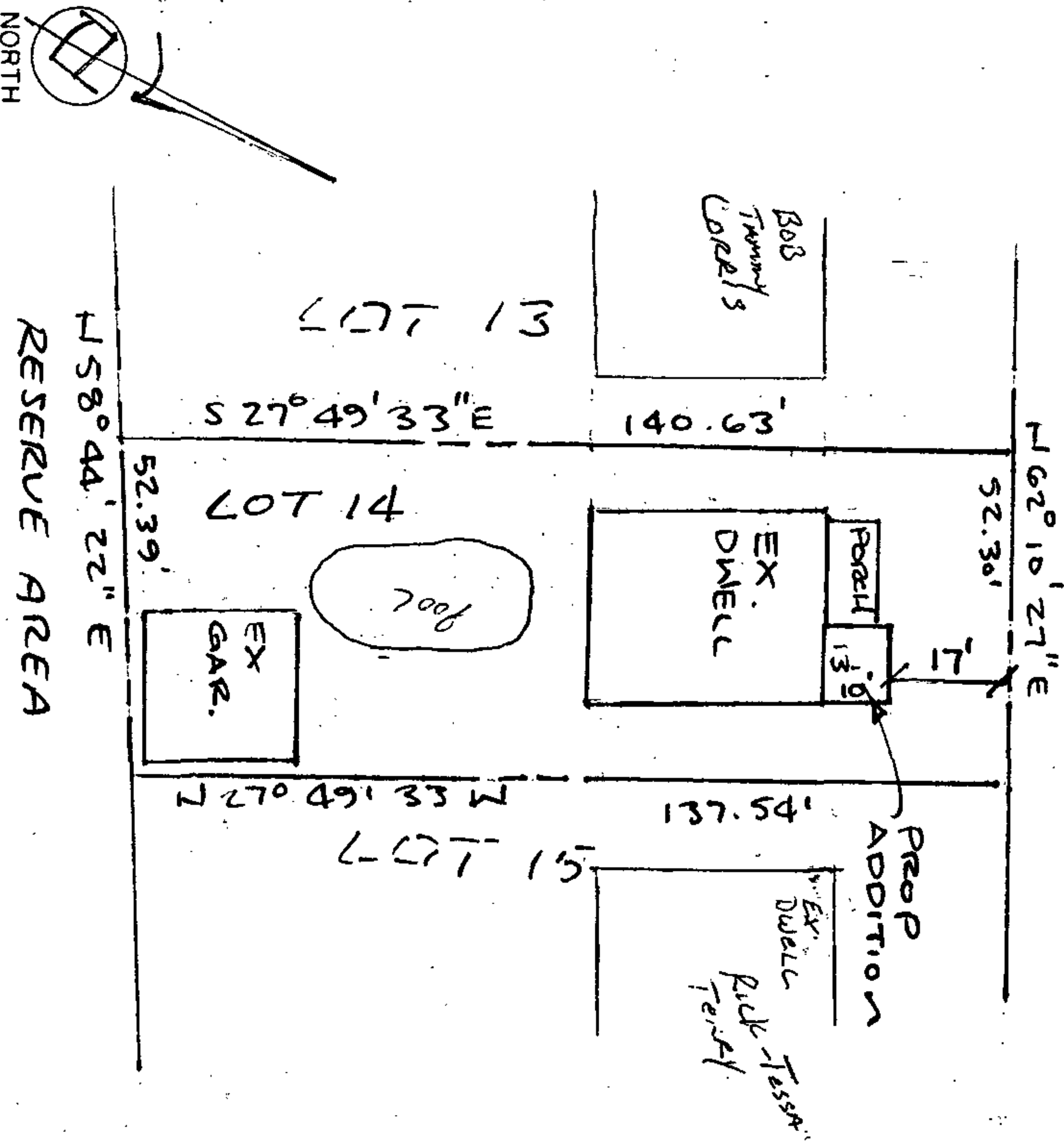
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME EDGEPOINT

PLAT BOOK # 18 FOLIO # 18 LOT # 14 SECTION # C

OWNER _____

DREXEL ROAD 50' ROW

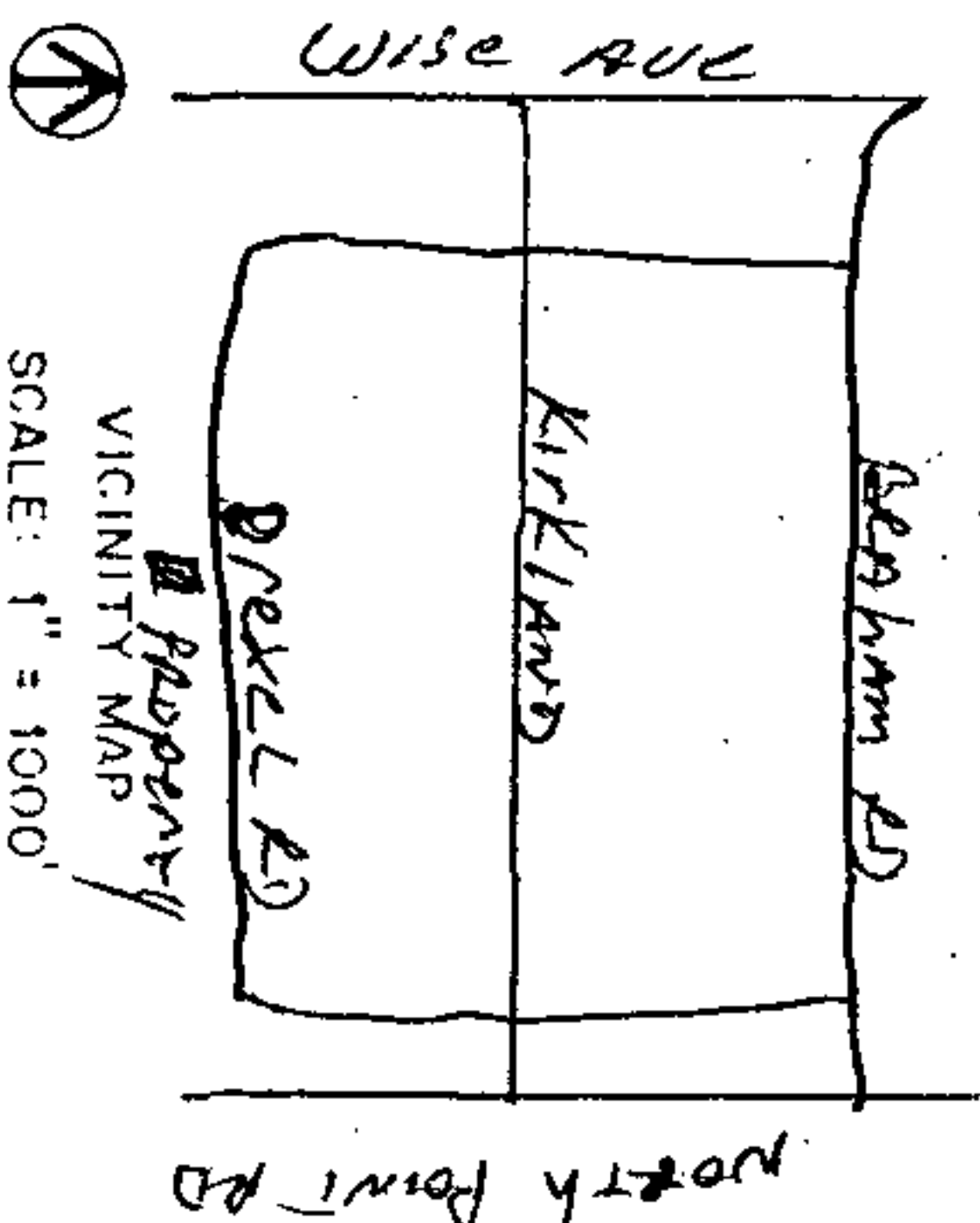


RESERVE AREA

NORTH

PREPARED BY GM

SCALE OF DRAWING: 1" = 30'



SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # 10483

ZONING

LOT SIZE 2,176

ACREAGE 0.05 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/BUILDING ☐ ☒

PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY
REVIEWED BY GM ITEM # 017 CASE # 28

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES

WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED

Reference - Section 303.1 Baltimore County Zoning Regulations

303.1 —In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 50 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

A	27	FI.
B	27	FI.
C	23	FI.
D		FI.
E	27	FI.
F		FI.

$$\text{TOTAL } (30) \div (2) = 25$$

of dwellings

REQUIRED FRONT SETBACK (averaged)

NORMAL REQUIRED SETBACKS

D.R.2 - 65 ft.

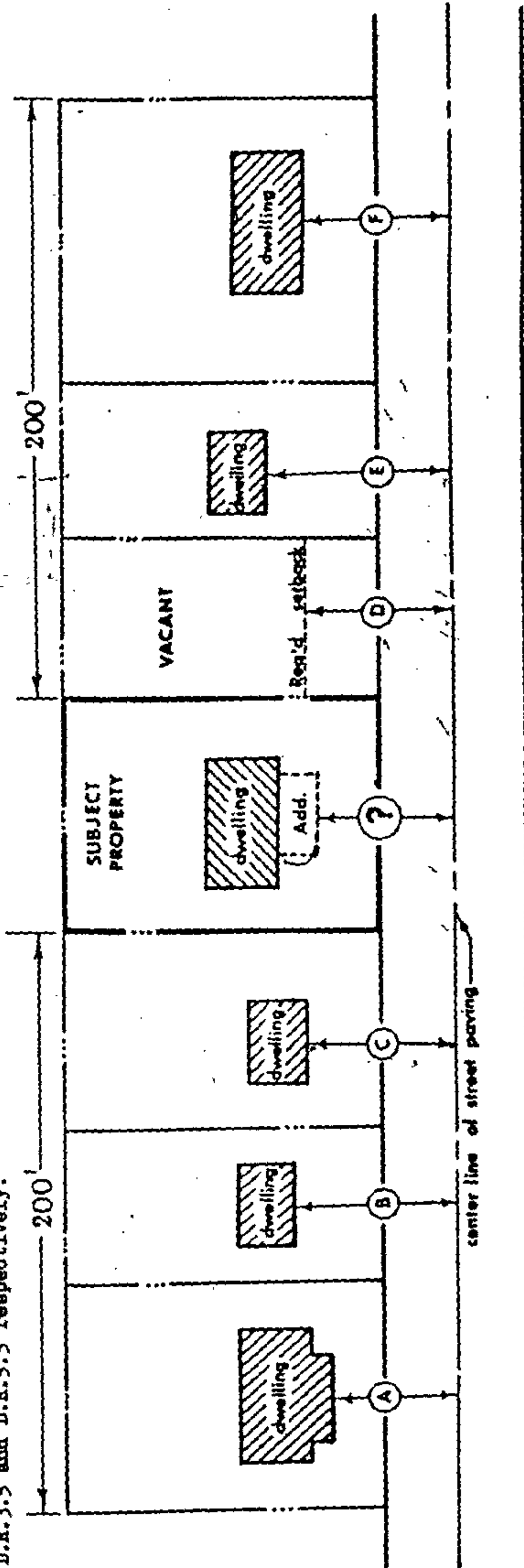
D.R.3.5- 55 ft.

D.R.5.5- 50 ft.

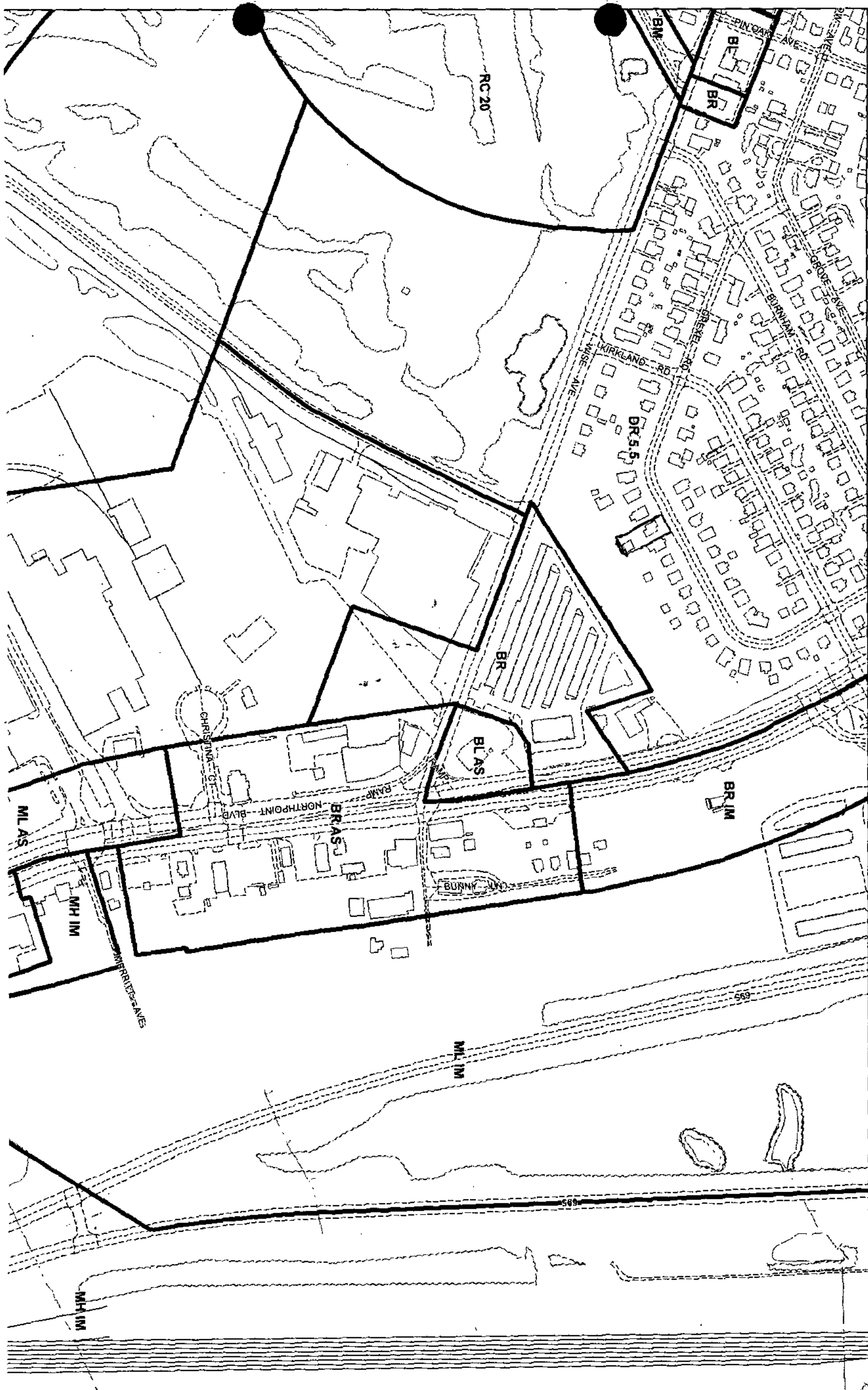
Applicant's name
GARY MORRIS

building address
1227 Drexel Rd

date
6-19-06



104B3



ADC Map 45 D6

Baltimore County - My Neighborhood





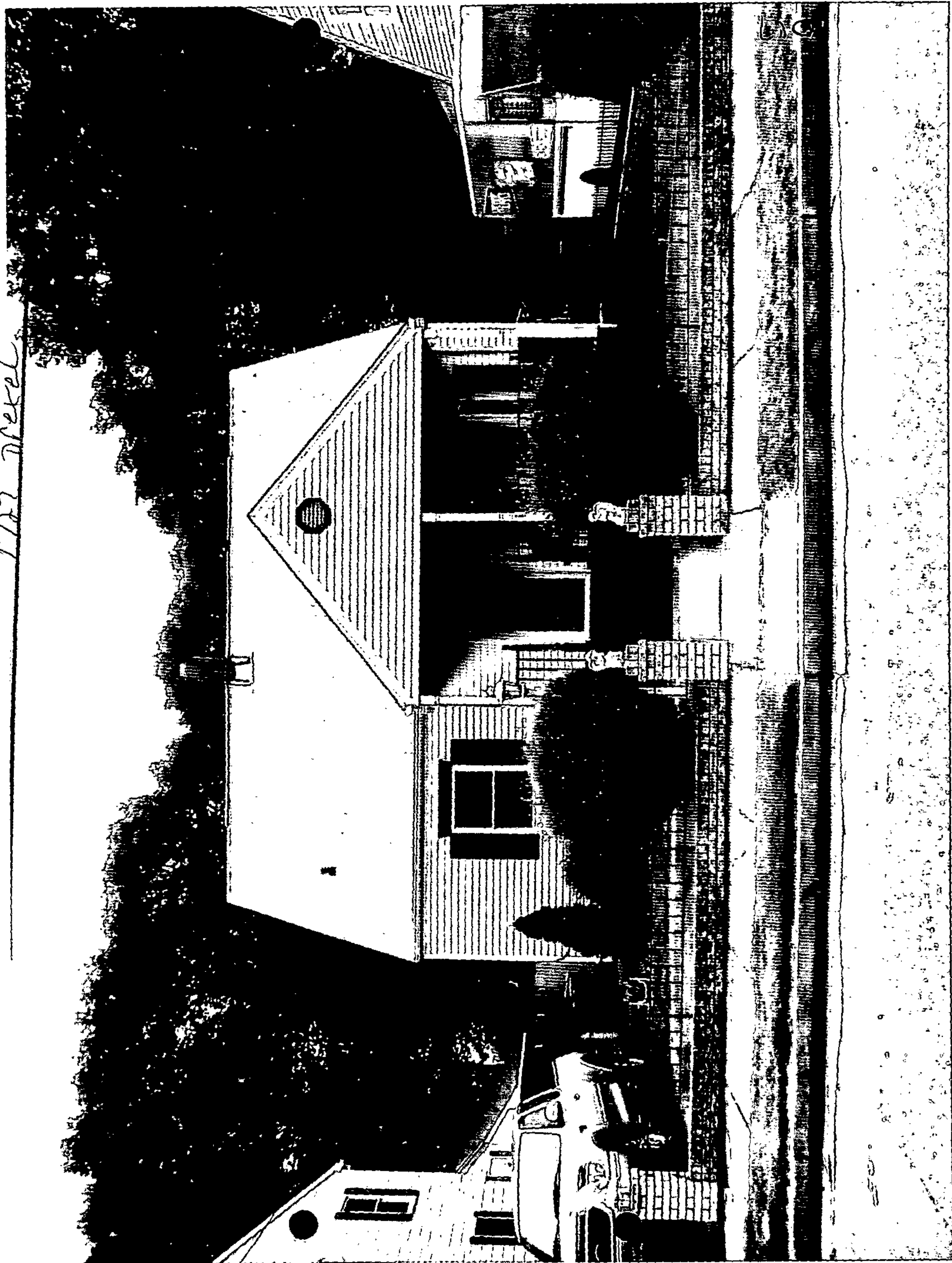
1787

Drebel
Back of Hand

L10

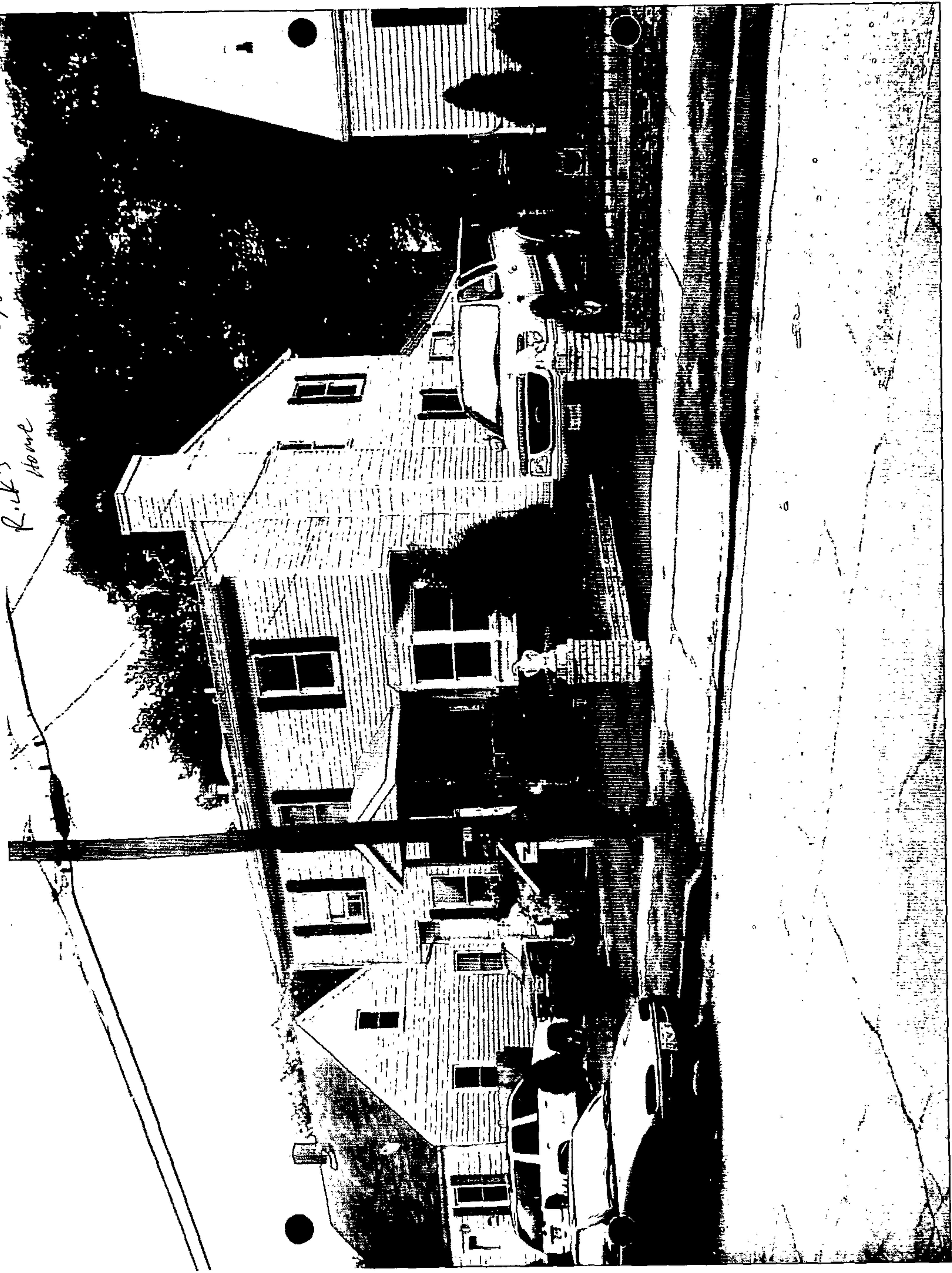


1727 N. Rexel



1725 Drexel

Rick's home



1729 Drexel

L10

