

IN RE: PETITION FOR ADMIN. VARIANCE
SW corner of Anton North Way and
Merry Hill Court
3rd Election District
2nd Councilmanic District
(3 Anton North Way)

Steve and Julia Snyder
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

CASE NO. 07-028-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, Steve and Julia Snyder. The variance request is for property located at 3 Anton North Way. The variance request is from Section 4001 and 4003 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) with a height of 29 feet to be located in the front yard in lieu of the required 15 feet and rear yards respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that there is not enough room in the rear yard to construct the garage. The garage height of 29 feet is necessary in order for the garage to match the existing architecture. The property is approximately 8.80 acres in size.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Office of Planning dated August 9, 2006 which contains a restriction. Copy of which is attached hereto and made a part hereof.

8-28-06
JH
FILED

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 July 28, 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.

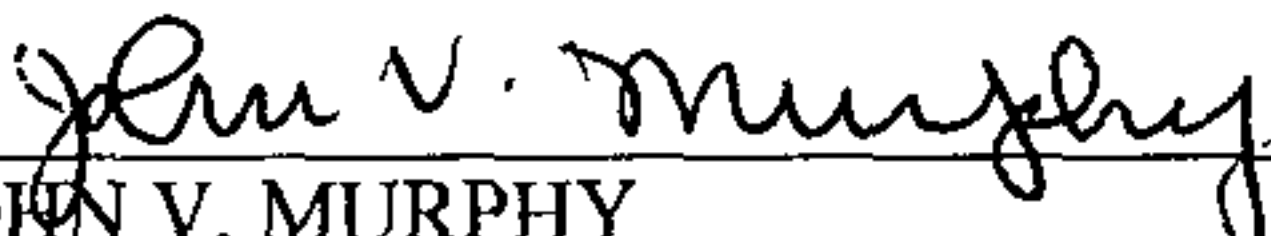
FILED
8-28-06
PZ

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.

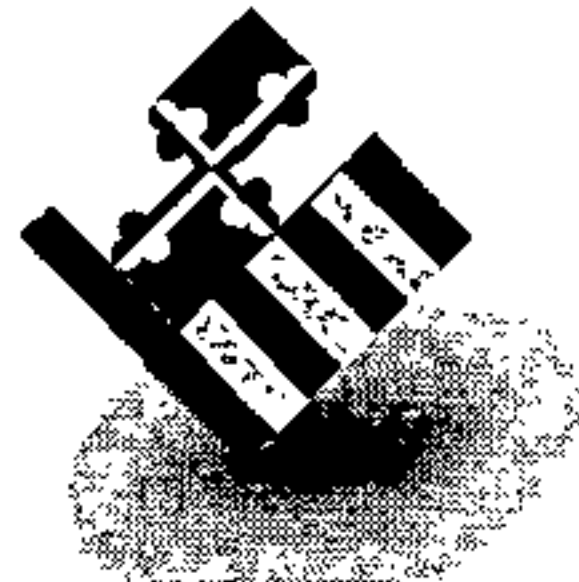
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 28th day of August, 2006, that a variance from Section 4001 and 4003 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) with a height of 29 feet to be located in the front yard in lieu of the required 15 feet and rear yards respectively 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. Architectural drawings must be in accordance with those prepared by Levin & Brown dated 7/31/06.
3. 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.
4. 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



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

STEVE AND JULIA SNYDER
3 ANTON NORTH WAY
BALTIMORE MD 21208

Re: Petition for Administrative Variance
Case No. 07-028-A
Property: 3 Anton North Way

Dear Mr. and Mrs. Snyder:

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

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

Very truly yours,

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

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

c: James Martin, Levin/Brown & Associates, Inc., 15 Greenspring Valley Road,
Owings Mills MD 21117

RECEIVED
8-28-06
JVM



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3 Anton North Way
which is presently zoned RC-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)

400.1 and 400.3 to
permit an accessory structure (garage) with a height of
29 ft. be located in the front yard in lieu of the required
15 ft. and rear yard, respectively.

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 _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Steve Snyder
Name - Type or Print _____
Signature _____
Julia Snyder
Name - Type or Print _____
Signature _____
3 Anton North Way (410) 486-0417
Address Telephone No.
Baltimore, MD 21208
City State Zip Code

Representative to be Contacted:

James Martin
LEVIN/BROWN & ASSOCIATES, INC.
Name _____
15 Greenspring Valley Rd. (410) 581-0104
Address Telephone No.
Owings Mills, MD. 21117
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. 07-028-A

Reviewed By SK

Date 7/21/06

REV 9/15/98

Estimated Posting Date 7/30/06

STAMP RECEIVED FOR FILING

8-26-06

pb

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 3 Anton North Way
Address
Baltimore, Maryland 21208
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):

Accessory structure (Garage) in side yard in lieu of required rear yard due to lack of space. Also, the required maximum 15 feet height of accessory structure (Garage) will need to be changed to match existing attached garage to maintain overall architectural integrity and character.

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
Steve Snyder
Name - Type or Print

[Signature]
Signature
Julia Snyder
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of July, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephen Snyder and Julia Snyder
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

July 14, 2006
Date

[Signature]
Notary Public
My Commission Expires 11-28-09

ZONING DESCRIPTION

Zoning Description For 3 Anton North Way

Beginning at a point on the Southwest corner of Anton North Way, which is 50 feet wide and Merry Hill Court, which is 50 ft. wide. Being Lots # 15, 17, and 25, section 2, in the subdivision of Anton North as recorded in Baltimore County Plat Books #54 and 58, Folio# 27 and 134, containing 8.80 acres. Also known as 3 Anton North Way and located in the 3rd Election District, 2nd Councilmanic District.

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

No. **3395**

DATE 7/21/06 ACCOUNT ROAD - 006672180

AMOUNT \$ 65.00

RECEIVED FROM: James Martin

FOR: Union Station

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

T. J. ...

PAID RECEIPT

BUSINESS ACTUAL TIME
7/24/2006 7/21/2006 11:29:22

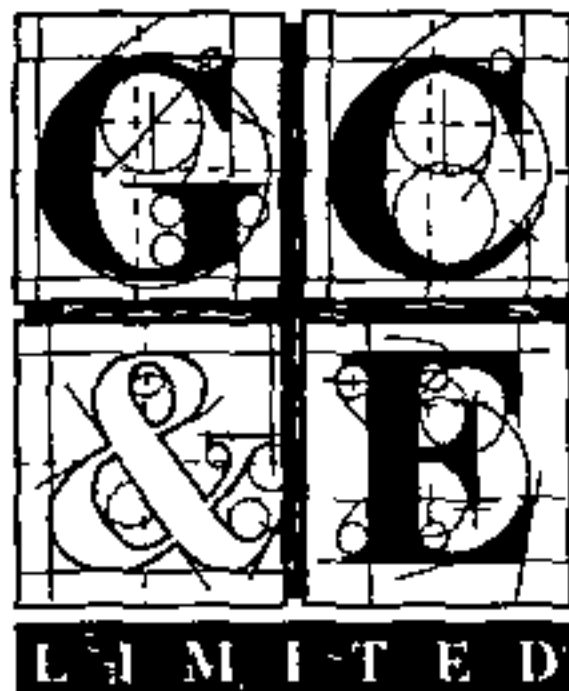
RES 0002 MAIL JPMI ICE
RECEIPT # 485338 7/21/2006 BFLN

Dept 5 BUS ZONES VERIFICATION
CR NO 000075

Receipt 194 65.00
65.00 TX 9.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286

Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE#07-028-A

PETITIONER/DEVELOPER:

Steve & Julia Snyder

DATE OF CLOSING: 8/14/06

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN 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 PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:

3 Anton North Way

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD

SUITE 100

320 EAST TOWSONTOWN BLVD

TOWSON, MARYLAND 21286

410-823-4470 PHONE

410-823-4473 FAX

POSTED ON: 7/28/06

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 07-0281-A

NO PERMIT: an accessory structure
(e.g. shed) with a height of 29 ft. in the front
yard in lieu of the required 15 ft. and rear
yards respectively.

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(B)(1) BLDG DECD. ANY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
6:30 P.M. ON AUGUST 14, 2006

ADDITIONAL INFORMATION IS AVAILABLE AT
ADMINISTRATIVE AND DEVELOPMENT MANAGEMENT
DEPT. 1000 HUNTERS AVENUE
DUNSMITH, ONTARIO L1M 1B1
TEL. 416-887-3333

IF YOU ARE A PROPERTY OWNER, YOU MAY REQUEST A VARIANCE

07-28-2006 13:12

20140110
A 15700
VARIATION
14 119

07 28 2006 13:12

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 028 -A Address 3 Anton North Way

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/21/06 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- 028 -A Address 3 Anton North Way

Petitioner's Name Steve & Julia Snyder Telephone 410-486-0417

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

Wording for Sign: To Permit an accessory structure (garage) with a height
of 29 ft. in the front yard in lieu of the
required 15 ft. and rear yard, respectively.

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: 07-028-A

Petitioner: STEVE & JULIA SNYDER

Address or Location: 3 ANTON NORTH WAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEVE & JULIA SNYDER

Address: 3 ANTON NORTH WAY

BALTIMORE, MD 21208

Telephone Number: 410-486-0417



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

August 15, 2006

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

Steve Snyder
Julia Snyder
3 Anton North Way
Baltimore, MD 21208

Dear Mr. and Mrs. Snyder:

RE: Case Number: 07-028-A, 3 Anton North Way

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 21, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
James Martin Levin/Brown & Associates, Inc. 15 Greenspring Valley Road Owings
Mills 21117

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: 3 Anton North Way

INFORMATION:

Item Number: 7-028 (*also see case 6-586*)

Petitioner: Steve and Julia Snyder

Zoning: RC 5

Requested Action: Administrative Variance

RECEIVED

AUG 18 2006

ZONING COMMISSIONER

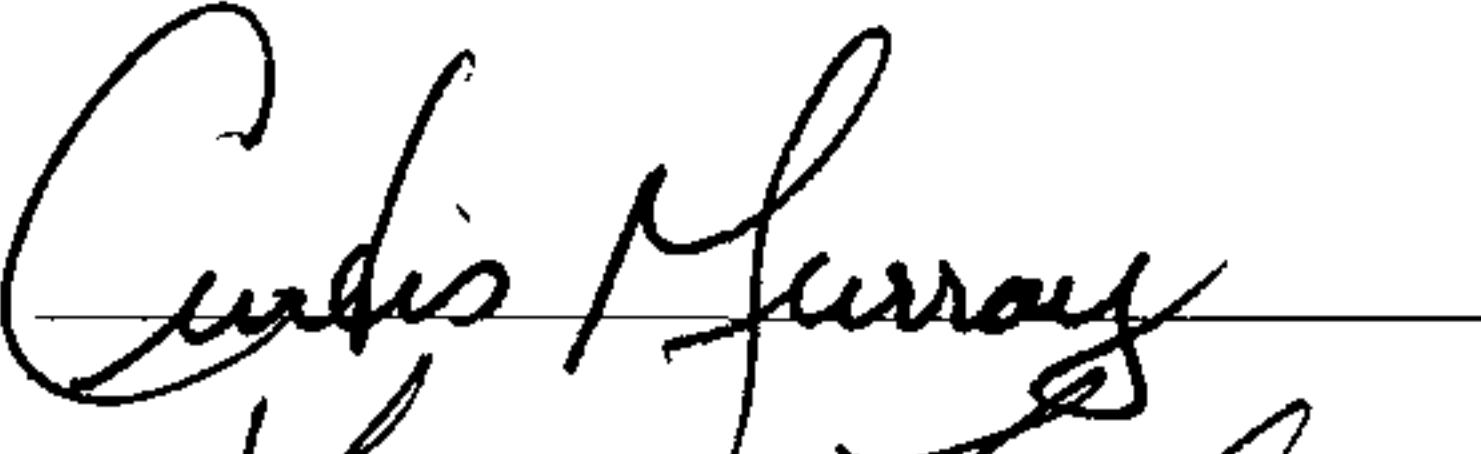
An administrative variance request was submitted under Case No 06-586 for a proposed garage in the front yard at a location that was closer to the adjacent property line. It appears that that request has been abandoned and the instant petition is for a garage in the front yard at a location that is closer to the existing dwelling and 64' from the adjacent property line. The dimensions of the proposed garage have changed slightly also.

SUMMARY OF RECOMMENDATIONS:

If the petitioner is able to demonstrate a hardship or practical difficulty, resulting in the Zoning Commissioner granting the variance for an accessory structure (garage) in the front yard, then the architectural elevation drawings must be in accordance with those prepared by Levin & Brown dated 7/31/06.

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

Prepared by:



Division Chief:
AFK/LL: CM



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



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

Maryland Department of Transportation

Date: 8.1.06

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

RE: Baltimore County
Item No. 028 BPR

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

Fire Department:

700 East Joppa Road
Towson, Maryland 21286-5000
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

August 1, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: July 31, 2006

Item No.: 492, 015, 024, 025, 027, 028, 029, 030, 032, 033, 034 and 035.

Pursuant to your request, the referenced plan(s) have been reviewed by the Fire Marshal's Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

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



Printed on Recycled Paper





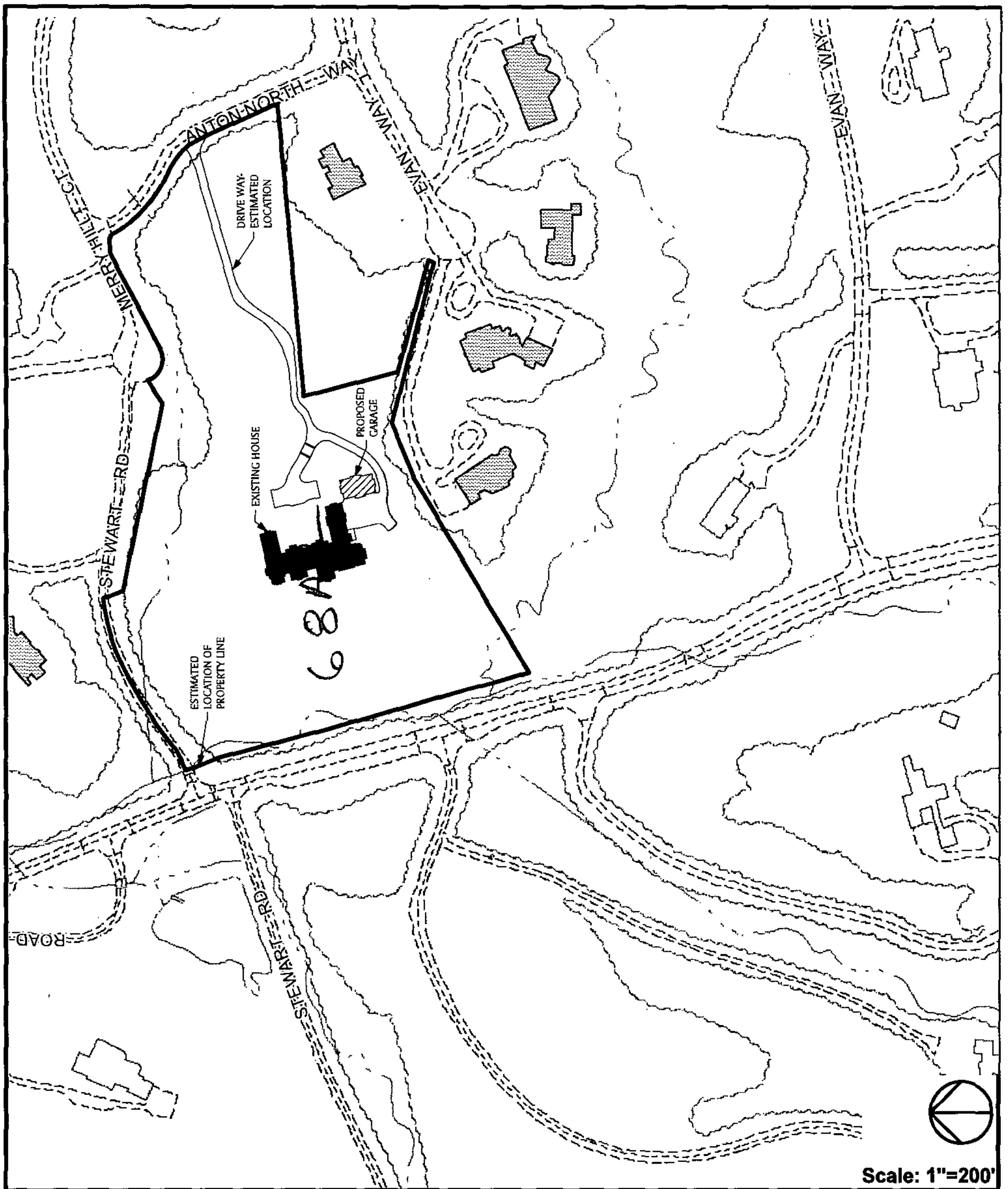






800 # 088





A-07



Levin/Brown
& Associates, Inc.

ARCHITECTS © Copyright Levin/Brown & Associates, Inc.

**Snyder Residence
Garage Addition**

Zoning Map

PROJECT
NUMBER

1606

ISSUE DATE

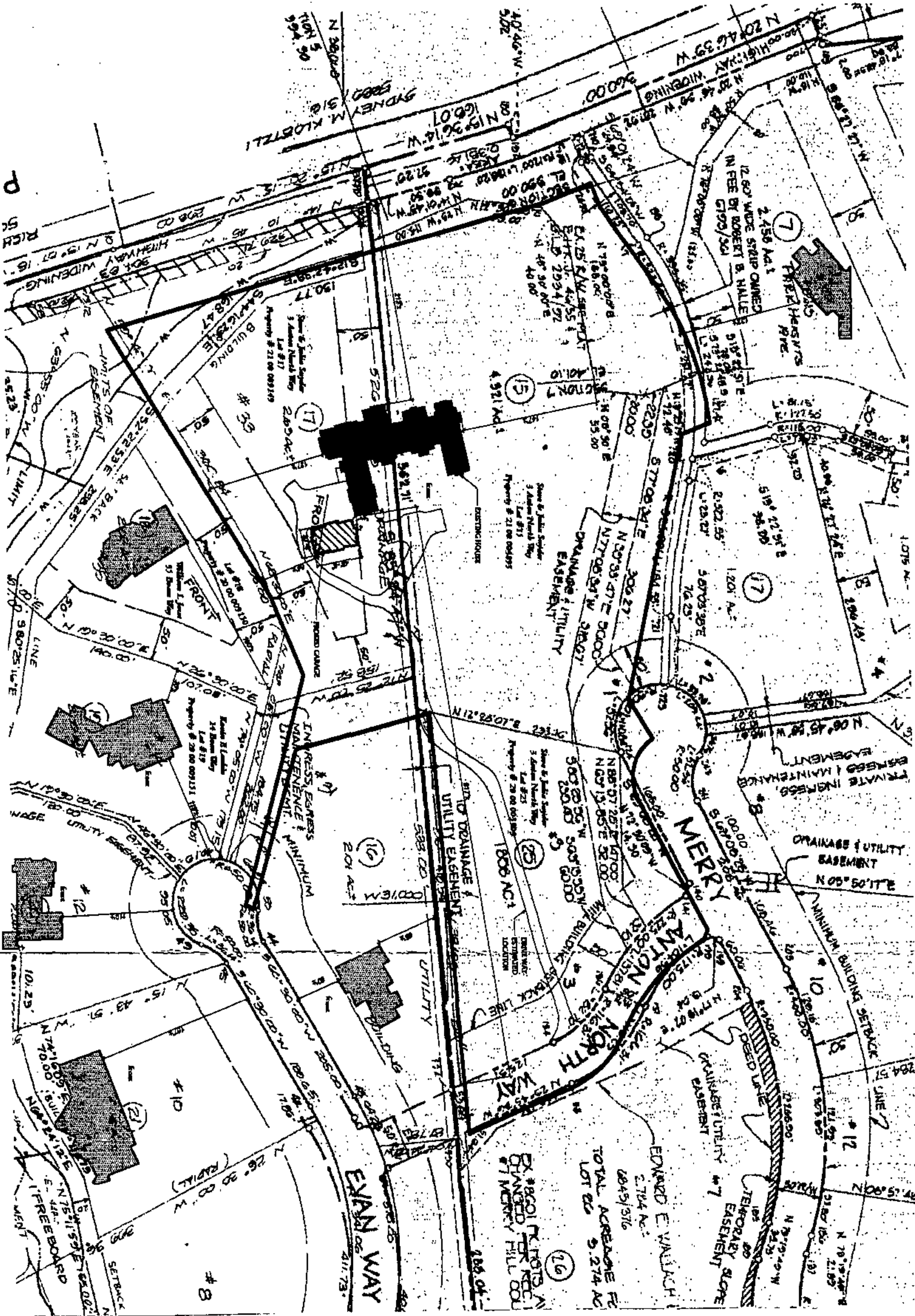
#028

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

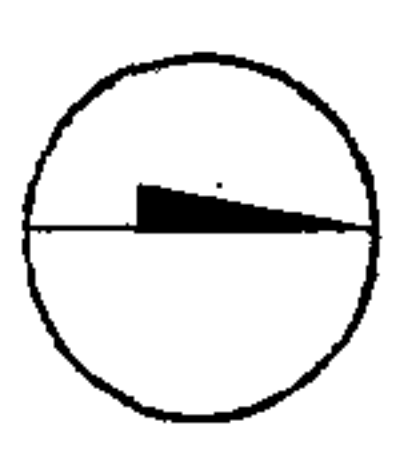
PROPERTY ADDRESS 3 ANTON NORTH WAY SEE

SUBDIVISION NAME ANTON NORTH & ANTON NORTH SEC 2
PLAT BOOK # 58 134 17 FOLIO # 27 LOT # 15&25 SECTION #
OWNER STEVE & JULIA SNYDER

ANTON NORTH SEC 2 PLAT

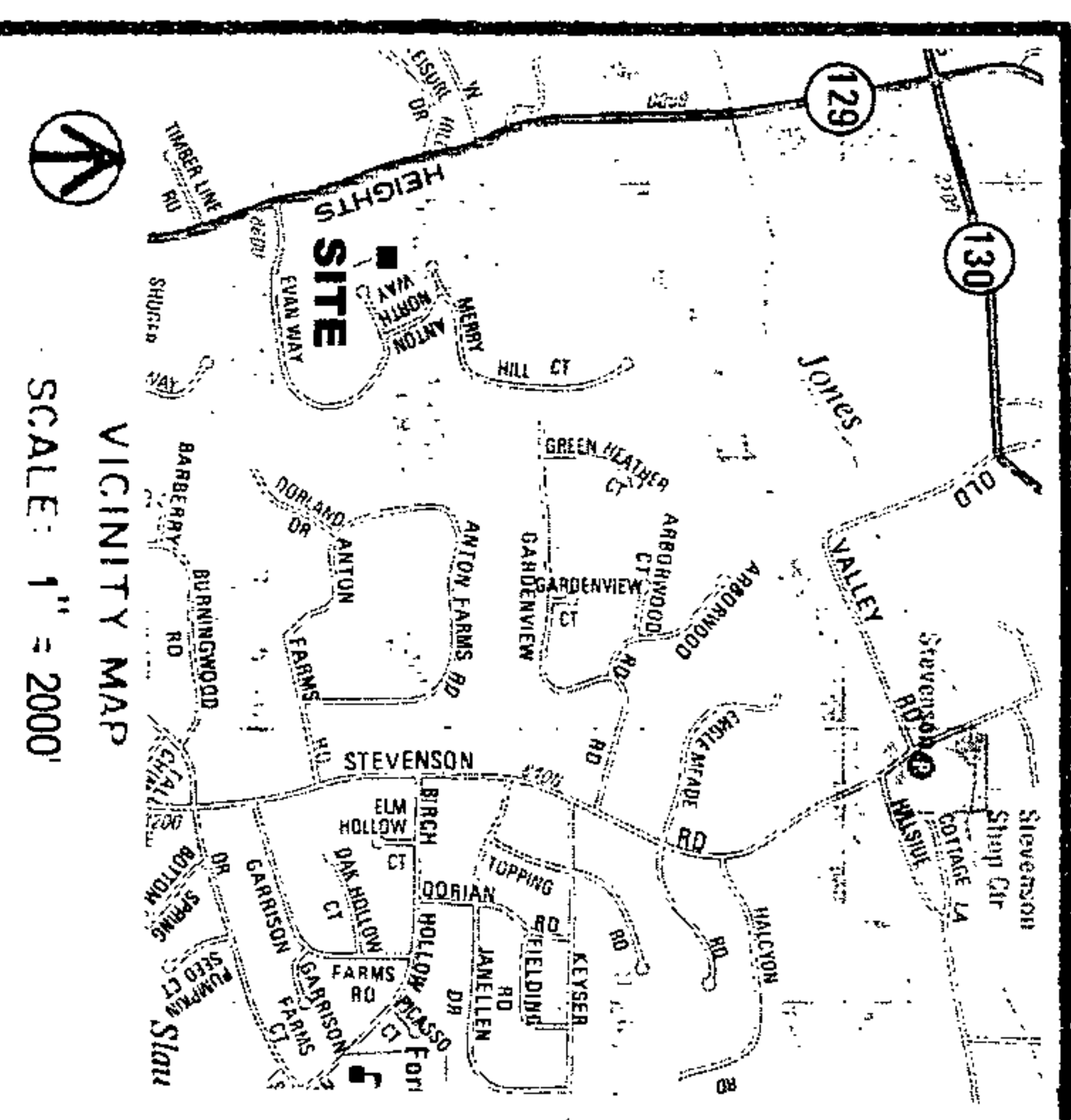


ANTON NORTH PLAT



* SEE ATTACHED SUPPLEMENT TO PLAT PETITION FOR MORE INFO *
* SUPPLEMENT PLST @ 1"=50' SCALE *

PREPARED BY JAMES C MARTIN/LEVIN BROWN & ASSOC. SCALE OF DRAWING: 1" = 160 +/-



VICINITY MAP
SCALE: 1" = 200'

LOCATION INFORMATION

ELECTION DISTRICT 3
COUNCILMANIC DISTRICT 2

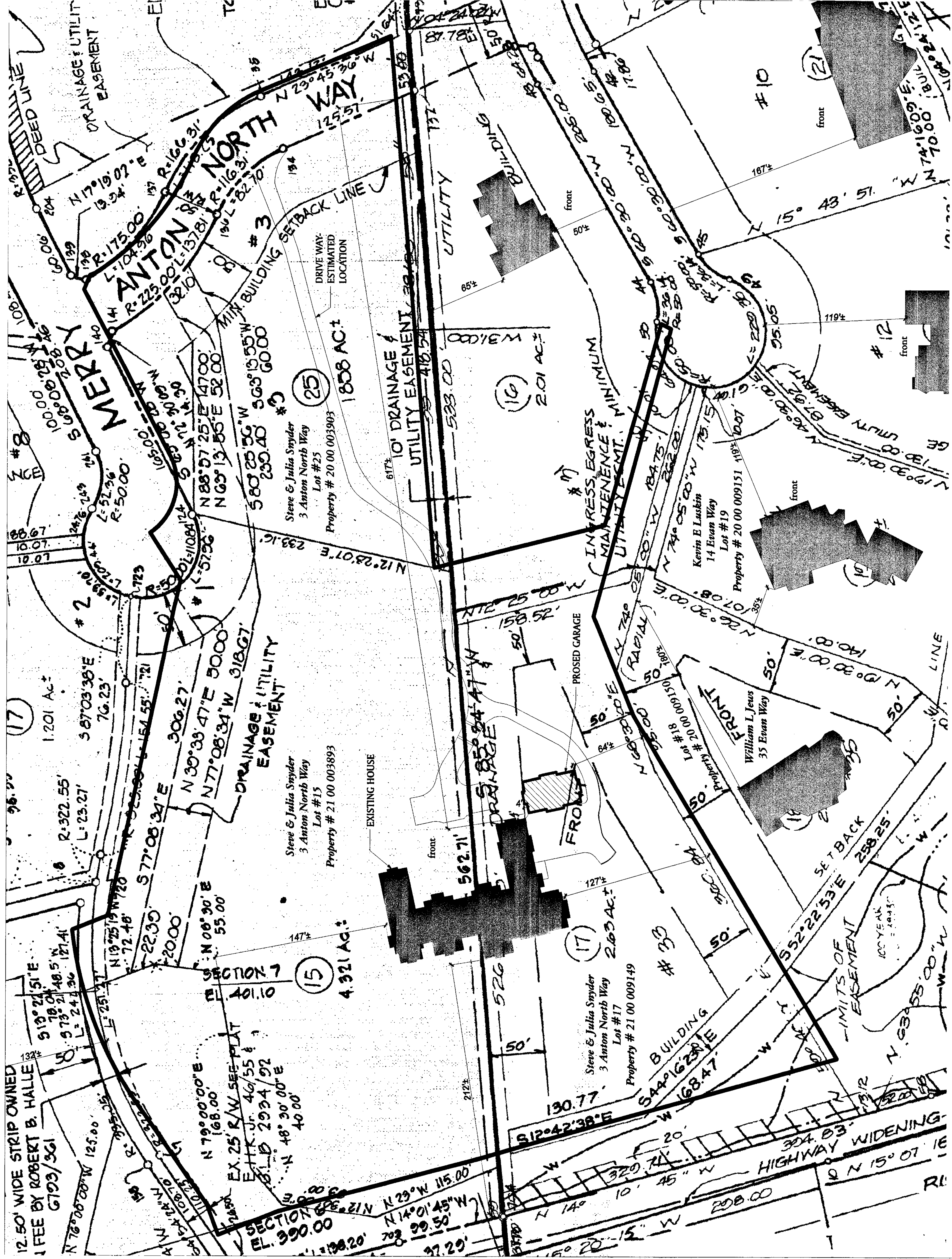
1"=200' SCALE MAP # 68A2

ZONING	RC5	4.3 a	15	188,223
LOT SIZE		2.6 a	17	114,563
		1.8 a	25	78,756
	ACREAGE			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 ITEM # CASE #

SR 228 07-028-A



Supplement to Plat Petition

3 Anton North Way

Scale: 1"=50'