

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Falls Road, 700 feet north of
Old Lyme Road
8th Election District
2nd Councilmanic District
(11529 Falls Road)

Geoffrey R. and Carol Garinther
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 07-047-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, Geoffrey R. and Carol Garinther. The variance request is for property located at 11529 Falls Road. The variance request is from Sections 1.A.00.3.B.3 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a deck in the side yard as close as 28 feet to the property line in lieu of the permitted 37.5 feet; and, if necessary, a variance to permit an accessory structure in the side yard in lieu of the required rear yard pursuant to Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state they wish to construct a deck, pavilion and space connected to and on the south side of the house in the side yard. The pavilion will have a roofed, open air gazebo. Due to the lot's irregular configuration and the existing site constraints, the improvements must be located in the side yard. There is a substantial vegetative screen along the property line in the vicinity of the proposed improvements.

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

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9-7-06
RZ

of Planning dated August 22, 2006. That office does not oppose the requested variance as a substantial vegetative buffer will be maintained between the addition and the side property line.

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 August 13, 2006 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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SEP 9-7-06
[Signature]

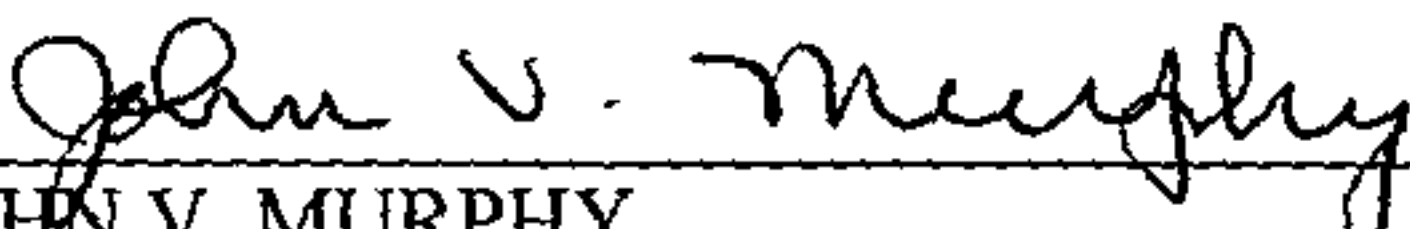
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

THEREFORE; IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 7th day of September, 2006, that a variance from Sections 1.A.00.3.B.3 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a deck in the side yard as close as 28 feet to the property line in lieu of the permitted 37.5 feet be and is hereby GRANTED; and

IT IS FURTHER ORDERED, by the Deputy Zoning Commissioner for Baltimore County, a variance to permit an accessory structure in the side yard in lieu of the required rear yard pursuant to Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

FILED RECEIVED FOR FILM
9-7-06
[Handwritten initials]

IN RE: PETITION FOR ZONING VARIANCE
E/S of Falls Road, 553' E of
the c/l of Falls Road
(11529 Falls Road)
8th Election District
3rd Councilmanic District

Douglas C. McCorkle, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-191-A
*
*
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (detached garage) in the front yard in lieu of the required rear yard in accordance with Petitioner's Exhibit 1.

The Petitioners, by Douglas C. McCorkle, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 11529 Falls Road, consists of 1.68 acres zoned R.C. 5 and is improved with a single family dwelling which has been Petitioners' residence for the past year. Said property is located off of a panhandle drive which is shared with five other properties. Petitioners propose converting an existing attached garage into additional habitable space and constructing a new detached garage. However, due to the lot configuration and the location of existing improvements on the property, the only practical site for the proposed garage is in the front yard. Testimony indicated that Petitioners have spoken to the adjoining neighbors with whom they share the panhandle drive access who have indicated they have no objections to the placement of the proposed garage in the front yard. Petitioners contend the granting of the variance will not result in any detriment to the health, safety or general welfare of the surrounding community and that to deny

*12/21/89
R. J. Johnson*

the relief requested would result in practical difficulty and/or unreasonable hardship to Petitioners.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, 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 5th day of December, 1989 that the Petition for Zoning Variance to permit an accessory structure (detached garage) in the front yard in lieu of the required rear yard in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

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) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living

FILING

By Robert J. Schuman
12/5/89

or sleeping quarters, and no kitchen or bathroom facilities.

AMN:bjs

A M Natarowicz

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

12/13/39
EY
Little, Johnson

CERTIFICATE
ZONING DEPARTMENT OF
TOWSON, MD.

District: *8th*
Posted for: *Variance*
Petitioner: *Douglas C. McC*
Location of property: *252.81' E of*
2' private drive, drive on lot
Location of Sign: *Entrance to subject*
Remarks: _____
Posted by: *A J Probst*
Signature
Number of Signs: *1*



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

September 7, 2006

GEOFFREY R. AND CAROL GARINTHER
11529 FALLS ROAD
BALTIMORE MD 21093

Re: Petition for Administrative Variance
Case No. 07-047-A
Property: 11529 Falls Road

Dear Mr. and Mrs. Garinther:

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: Robert A. Hoffman, Esquire, 210 Allegheny Avenue, Towson MD 21204

COPIES RECEIVED FROM PLANNING
9-7-06
[Handwritten initials]



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11529 Falls Road
which is presently zoned R.C.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)

SEE ATTACHED.

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:

Robert A. Hoffman
Name - Type or Print _____

Robert A Hoffman / Mc
Signature _____

Venable LLP
Company _____

210 Allegheny Avenue (410)494-6200
Address _____ Telephone No. _____

Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Geoffrey R. Garinther
Name - Type or Print _____

[Signature]
Signature _____

Carol Garinther
Name - Type or Print _____

Carol Garinther
Signature _____

11529 Falls Road (410)561-1539
Address _____ Telephone No. _____

Baltimore MD 21093
City _____ State _____ Zip Code _____

Representative to be Contacted:

Robert A. Hoffman
Name _____

210 Allegheny Avenue (410)494-6200
Address _____ Telephone No. _____

Towson MD 21204
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. 07-047 -A

REV 10/25/01

9-7-06

Reviewed By DROP OFF Date 8/03/06
FILED JL

Estimated Posting Date 8/13/06

[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 11529 Falls Road
Address
Baltimore MD 21093
City State Zip Code

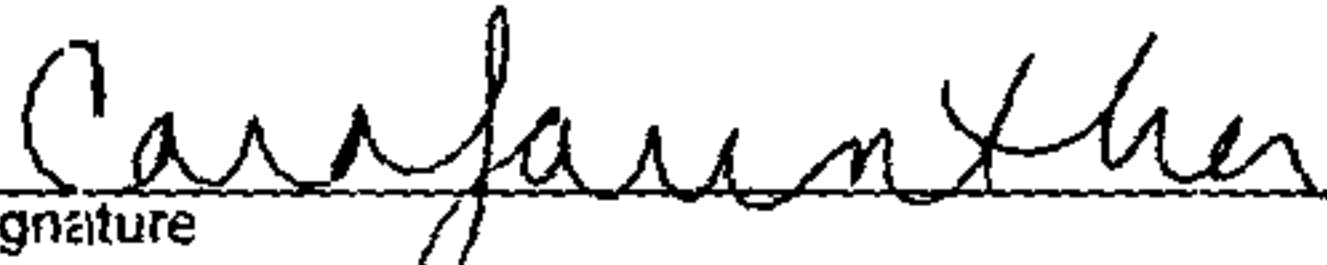
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

SEE ATTACHED

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

Geoffrey R. Garinther
Name - Type or Print


Signature

Carol Garinther
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of June, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Geoffrey R. Garinther and Carol Garinther

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

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires 4/1/2010

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 11529 Falls Road
Address
Baltimore MD 21093
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):

SEE ATTACHED

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

Geoffrey R. Garinther
Name - Type or Print


Signature

Carol Garinther
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of June, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Geoffrey R. Garinther and Carol Garinther
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires 4/1/2010



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11529 Falls Road
 which is presently zoned R.C.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)

SEE ATTACHED.

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:

Legal Owner(s):

Name - Type or Print _____

Geoffrey R. Garinther
 Name - Type or Print

Signature _____

[Handwritten Signature]
 Signature

Address _____ Telephone No. _____

Carol Garinther
 Name - Type or Print

City _____ State _____ Zip Code _____

[Handwritten Signature]
 Signature

11529 Falls Road (410) 561-1539
 Address Telephone No.

Baltimore MD 21093
 City State Zip Code

Attorney For Petitioner:

Representative to be Contacted:

Robert A. Hoffman
 Name - Type or Print

Robert A. Hoffman
 Name

[Handwritten Signature]
 Signature

210 Allegheny Avenue (410) 494-6200
 Address Telephone No.

Venable LLP
 Company

TOWSON MD 21204
 City State Zip Code

210 Allegheny Avenue (410) 494-6200
 Address Telephone No.

Towson MD 21204
 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. 07-047-A

REV 10/25/01

Reviewed By DROP OFF Date 8/03/06
 FILED JL
 Estimated Posting Date 8/13/06

ORDER RECEIVED FOR FILING
 9-7-06
[Handwritten initials]

ATTACHMENT FOR ADMINISTRATIVE VARIANCE

Requested Variances

1. Variance to permit a deck in the side yard as close as 28 feet to the property line, in lieu of the permitted 37.5 feet, pursuant to Sections 1A00.3.B.3 and 301.1. of the Baltimore County Zoning Regulations ("BCZR").
2. If necessary, variance to permit an accessory structure in the side yard in lieu of the required rear yard, pursuant to BCZR Section 400.1.

Facts to Support Variance Request

We live at 11529 Falls Road on approximately 1.71 acres of land zoned R.C.5. The lot is uniquely diamond-shaped, with our existing dwelling located in the center of it. We request approval to construct a deck, pavilion, and spa, connected to and on the south side of the house in the side yard. The pavilion area will be improved with a roofed, open-air gazebo. The site plan and site plan enlargement filed with this petition indicate the exact location for the proposed improvements in the side yard in relation to the house.

As we understand it, the Zoning Regulations permit decks to extend into a side yard but occupy no more than 25% of the minimum required width of that yard without a variance. In the R.C.5 zone, the minimum required side yard area is 50 feet, so a deck may extend no closer than 37.5 feet to the side property line. Additionally, an accessory structure is permitted only in a rear yard without a variance. We are, therefore, requesting a variance to permit this accessory use, as described above, to be as close as 28 feet to our property line. If the pavilion use is considered an accessory structure, we also request a variance for it to be located in our side yard rather than the rear yard.

It is important to note that this deck/pavilion area will be attractive and residential in character. Due to the irregular configuration of our lot and existing site constraints, these improvements must be located in our side yard. If the requested relief is granted, there will be no injury to the public health, safety or general welfare of the surrounding area. As indicated on the enclosed photographs (Photo Nos. 4-9), there is a substantial vegetative screen along the property line in the vicinity of the proposed improvement.

ZONING DESCRIPTION

Beginning on the east side of Falls Road
at 12 feet wide at the panhandle, at the
distance of about 553 feet east of the
centerline of Falls Road. Being Lot 9
in the subdivision of Fallswood. E.H.K..
JR. 38 Folio 117. Also known as 11529.
Falls Road in the 8th Election District.

047

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

PREP OFF # 047

No. 9762

DATE 8/03/06 ACCOUNT 0010066150

AMOUNT \$ 65.00

RECEIVED FROM: GARINTHER

FOR: R. VAR 11529 FALLS RD

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
8/03/2006 8:02:20AM 11:47:29
REG 0603 WALKIN VPOR REP
RECEIPT # 32706 08/03/06 OFLO
Dept 5 526 TRAINING VERIFICATION
CR NO. 089762

Receipt Tot \$65.00
\$65.00 11 \$.06 CA
Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No.: 07-047-A

Petitioner/Developer: GEOFFREY +
CAROL GARANTHER

Date of Hearing/Closing: 8-28-06

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

ATTN: Kristen Matthews ((410) 887-3394)

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:

11529 FALLS RD

The sign(s) were posted on 8-13-06
(Month, Day, Year)

Sincerely,

Robert Black 8-16-06
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

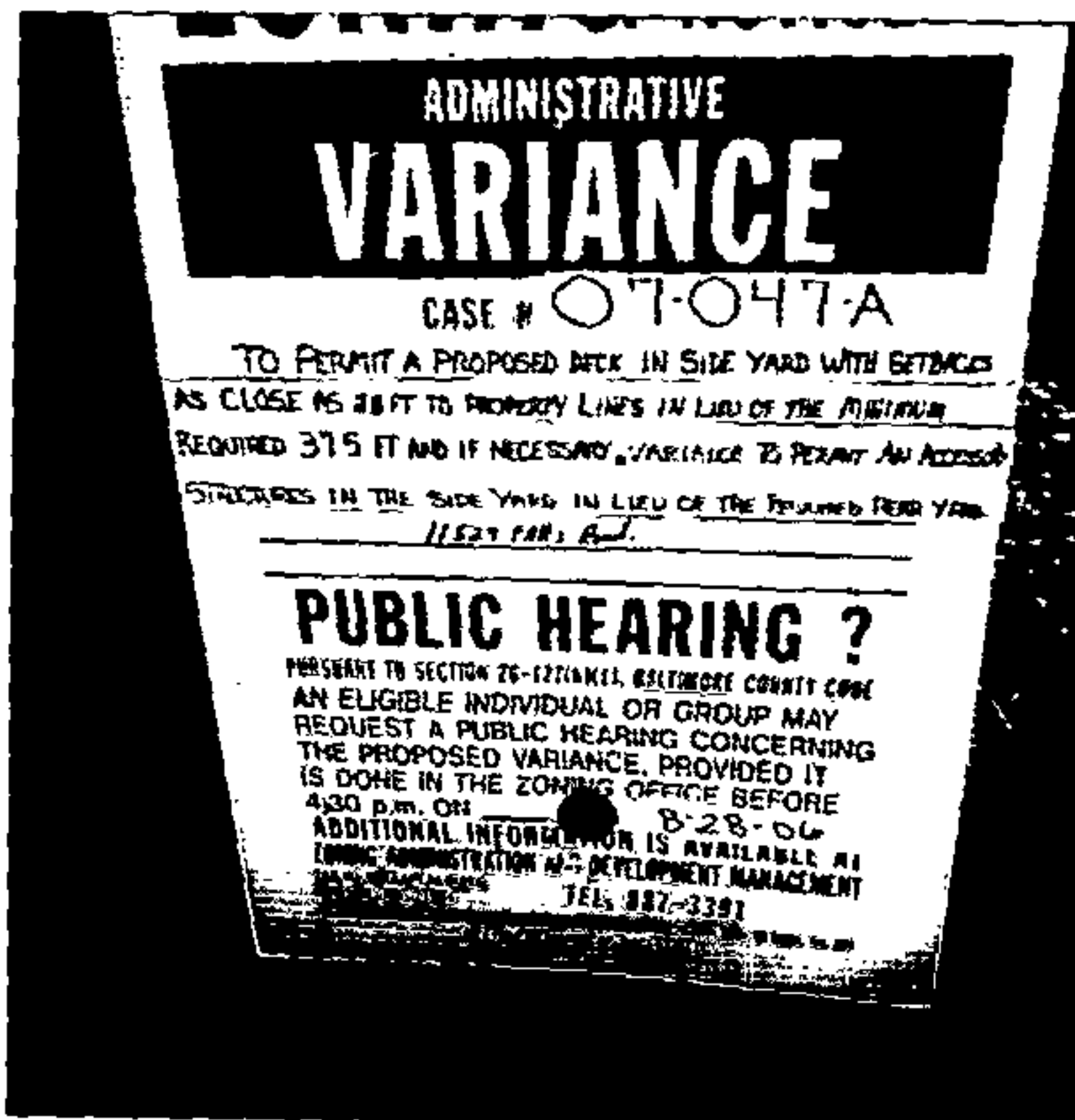
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RECEIVED

AUG 17 2006

De-1621

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 047 -A Address 11529 FALLS RD

Contact Person: DROPOFF PET. FILED BY JOHN HEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/09/06 Posting Date: 8/13/06 Closing Date: 8/28/06

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- 047 -A Address 11529 FALLS RD

Petitioner's Name JEFFREY & CAROL GARINER Telephone 410 561 1539

Posting Date: 8/13/06 Closing Date: 8/28/06

Wording for Sign: To Permit A PROPOSED DECK IN SIDE YARD WITH SETBACKS AS CLOSE AS 28 FT. TO PROPERTY LINES IN LIEU OF THE MINIMUM REQUIRED 37.5 FT. AND IF NECESSARY A VARIANCE TO PERMIT AN ACCESSORY STRUCTURE IN THE SIDE YARD IN LIEU OF REQUIRED REAR YARD

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 - 047 - A

Petitioner:

Geoff & Carol Garinther

Address or Location:

11529 Falls Road

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Carol Garinther

Address:

11529 Falls Road

Timonium, MD 21093

Telephone Number:

(410) 561-1539



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 29, 2006

Robert A. Hoffman
Venable LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 07-047-A, 11529 Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 3, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Geoffrey R. Garinther Carol Garinther 11529 Falls Road Baltimore 21093

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

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

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

August 17, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: August 14, 2006

Item No.: 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055 and 056.

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 16, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For August 21, 2006
Item Nos. 045, 046, 047, 048, 050, 051, 052,
053, 054, 055, and 056

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-08162006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 22, 2006

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

SUBJECT: 11529 Falls Road

INFORMATION:

Item Number: 7-047

Petitioner: Geoffrey and Carol Garinther

Zoning: RC 5

Requested Action: Administrative Variance

The petitioner's request an administrative variance in order to build and open projection attached to the side of the dwelling with a 28-foot setback to the side property line in lieu of 37.5 feet.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the requested variance, as a substantial vegetative buffer will be maintained between the addition and the side property line.

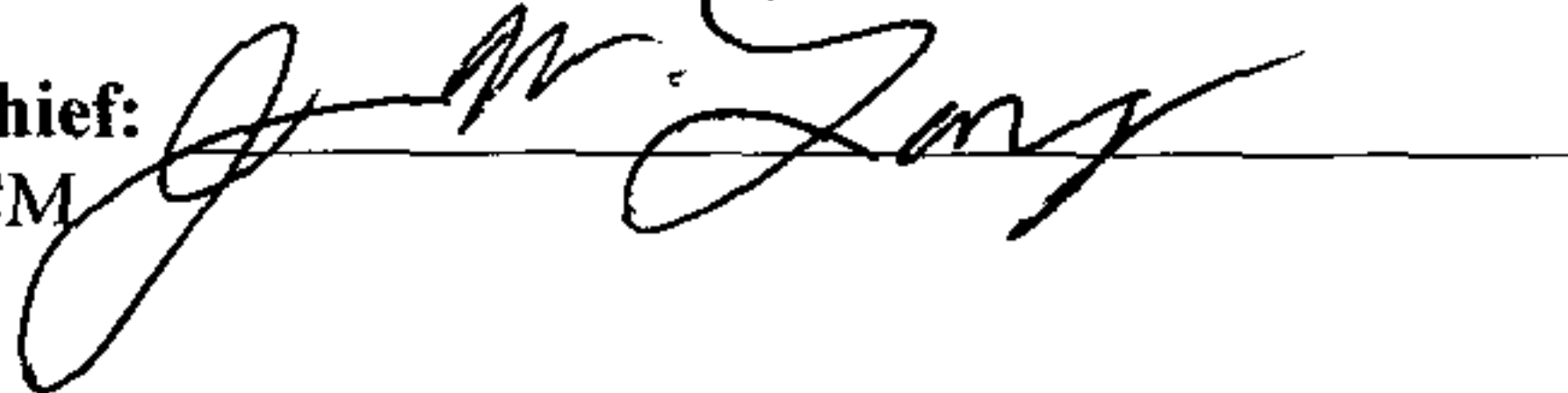
For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:



Division Chief:

AFK/LL: CM



RECEIVED

AUG 25 2006

ZONING COMMISSIONER



State Highway Administration

Driven to Excel

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

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

Maryland Department of Transportation

Date: 8.15.06

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

RE: Baltimore County
Item No. 047 JLL

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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

FREQUENT FLYER ATTORNEYS
DROP OFF ZONING PETITIONS
POLICY PROCEDURES

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with all technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.
2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.
3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

RDP ZONE SECTION NOT REF'D IN PET WORDING WITH 301.1A.

SOME CONFUSION WITH 400 SECT. REF. IS THIS FOR DECK? OR ELSEWHERE? (ATTNY) VERBALLY STATES FOR DECK AS ~~ALTERNATIVE~~ ALTERNATIVE

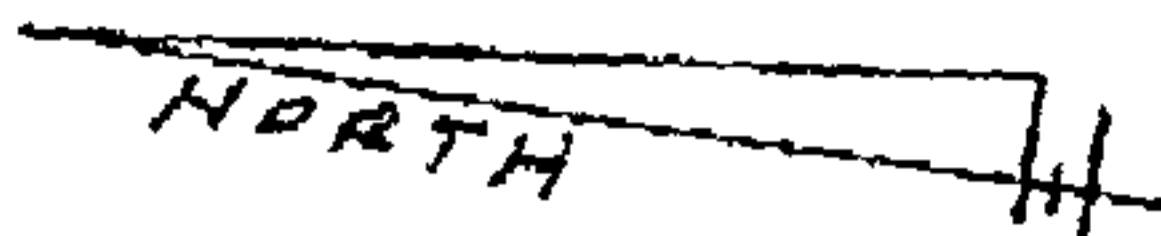
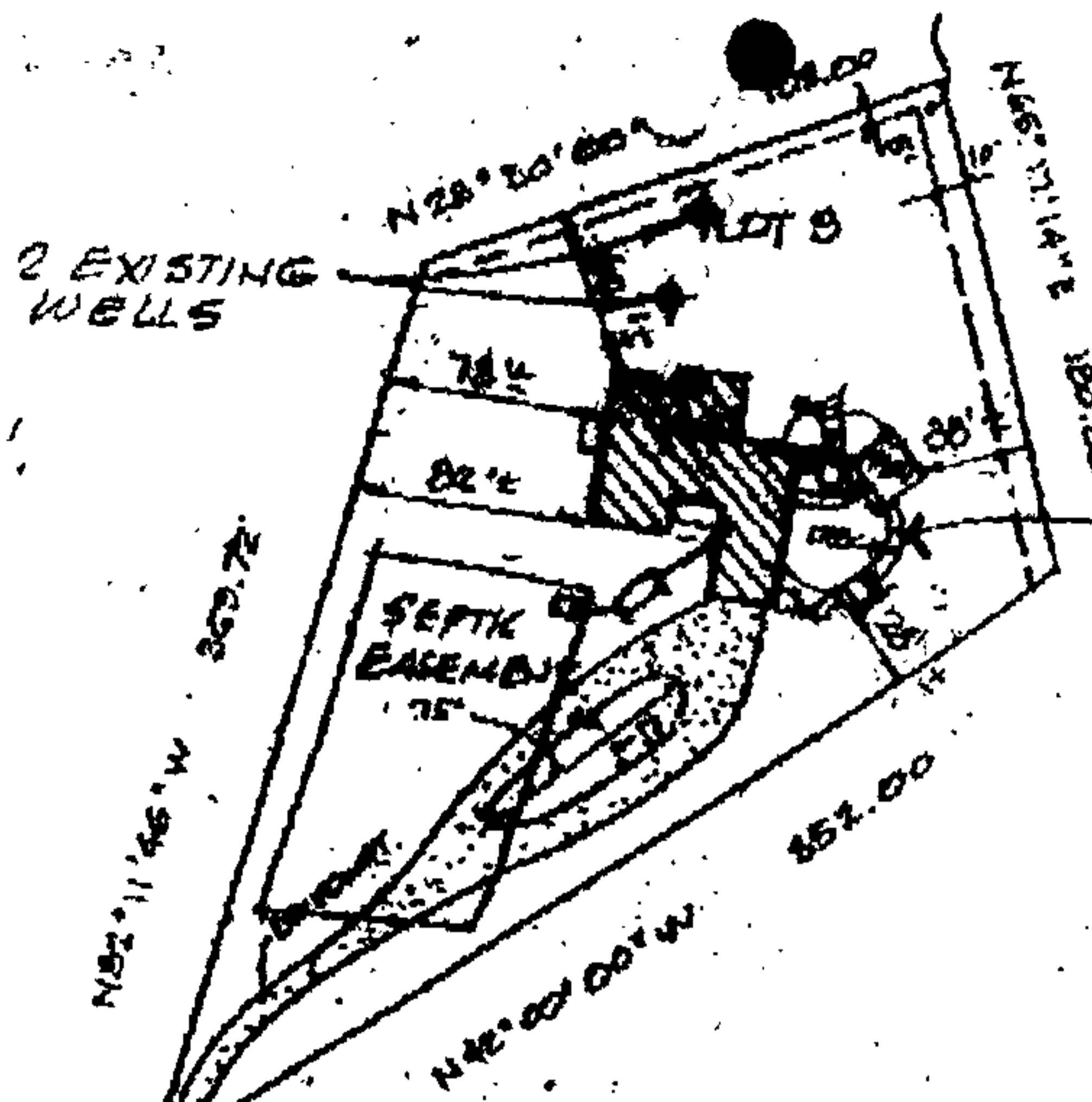
DESCRIPTION DOES NOT USE 2 PUBLIC ROAD INTERSECTIONS 3/22/05
JUST #1 DRIVEWAY ^{553 FT ALONG A} EAST SIDE OF FALLS RD

NO LOT LINE DIMENSIONS ON PLAN

100' SCALE PLANS HARD TO READ.

THERE IS (1) ENLARGED EXHIBIT PROVIDED TO FILE.

PER ATTNY "PRIOR VAR REF'D ON PLAN NOT UTILIZED & WILL NOT NEED TO AMEND"



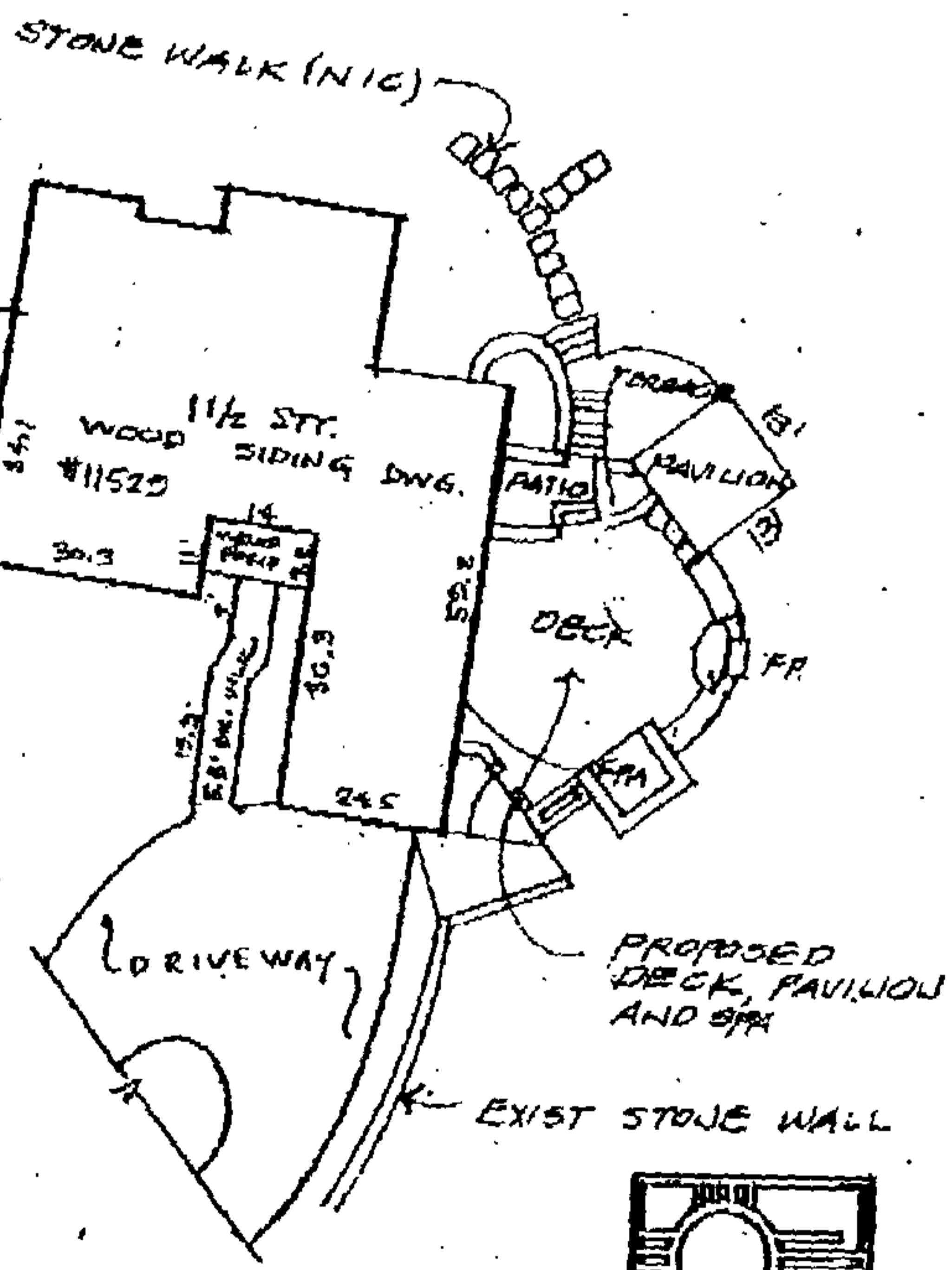
PET. EXHIBIT

PROPOSED DECK AND PAVILION (SEE ENLARGEMENT BELOW)

047

N 52° 21' 10" E 442.81'

N 82° 21' 15" E 47.00'



ENLARGED HOUSE PLAN
1" = 30'-0"

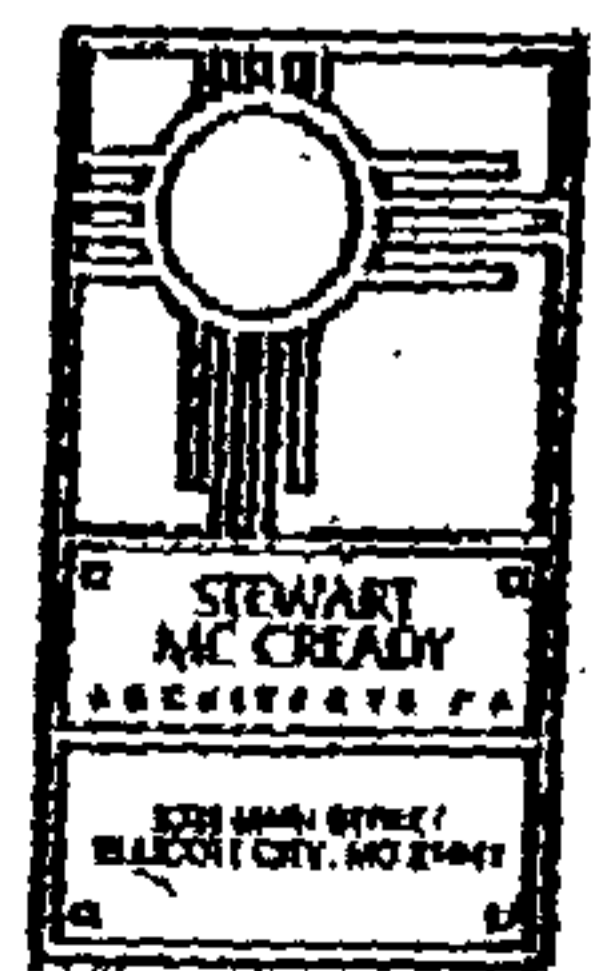
307° 28' 50" E 12.00'

EX. PAVING

FALLS ROAD (MD RT 25)

3-20-06

○	SITE PLAN	1" = 100'
	11529 FALLS RD, BALTIMORE CO, MD	



VARIANCE NOT UTILIZED
 PET EXHIBIT
 PETITION FOR ZONING VARIANCE 07-047-A
 190-191-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 420.1 To allow an accessory structure (detached garage) to be located in the front yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Need for more room as a parent will be living with us shortly. Our present garage will become living space.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and am to be bound by the zoning regulations and restrictions 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.

MAP	NW 140
	2D
R. D.	346
DATE	5-23-91
206	BF
3000	BF
	G.

Contract Purchaser:
 (Type or Print Name)
 Signature
 Address
 City and State

Legal Owner(s):
 DUGLAS C. McORKLE
 (Type or Print Name)
 Douglas C. Mcorkle
 Signature
 Lynn Harris-Mcorkle
 (Type or Print Name)
 Lynn Harris-Mcorkle
 Signature

Attorney for Petitioner:
 (Type or Print Name)
 Signature
 Address
 City and State

11529 Falls Road 252-2649
 Address Phone No.
 Lyttonville, MD 21093
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Attorney's Telephone No.:

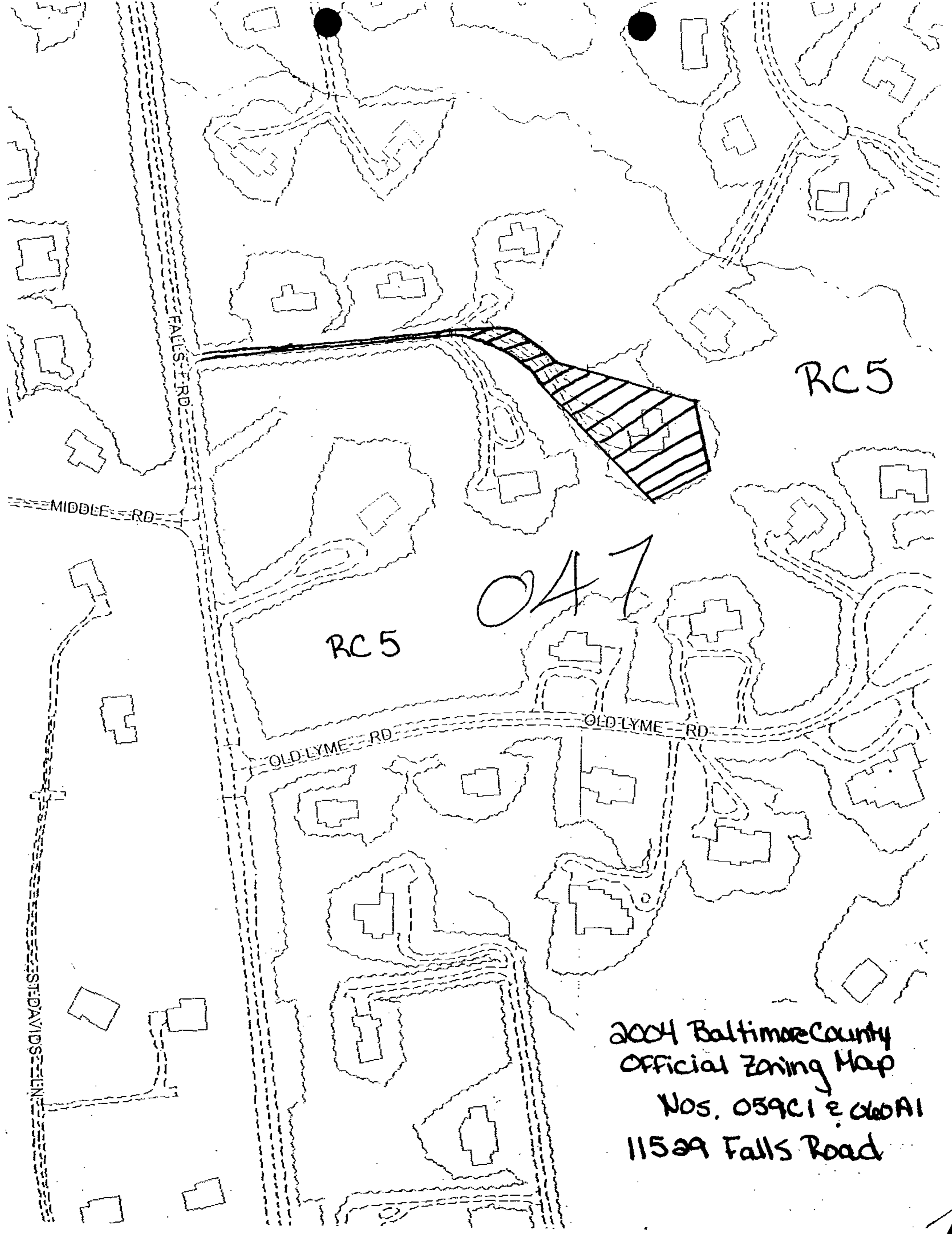
Name
 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27 day of Sept 19 89, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27 day of Nov 89 at 9:30 o'clock

S. Robert Haines

W. J. Kullback

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RC 5

RC 5

047

FALLS RD

MIDDLE RD

OLD LYME RD

OLD LYME RD

ST DAVIDS LN

2004 Baltimore County
Official Zoning Map
Nos. 059C1 & 060A1
11529 Falls Road

PLA 110 A, COMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

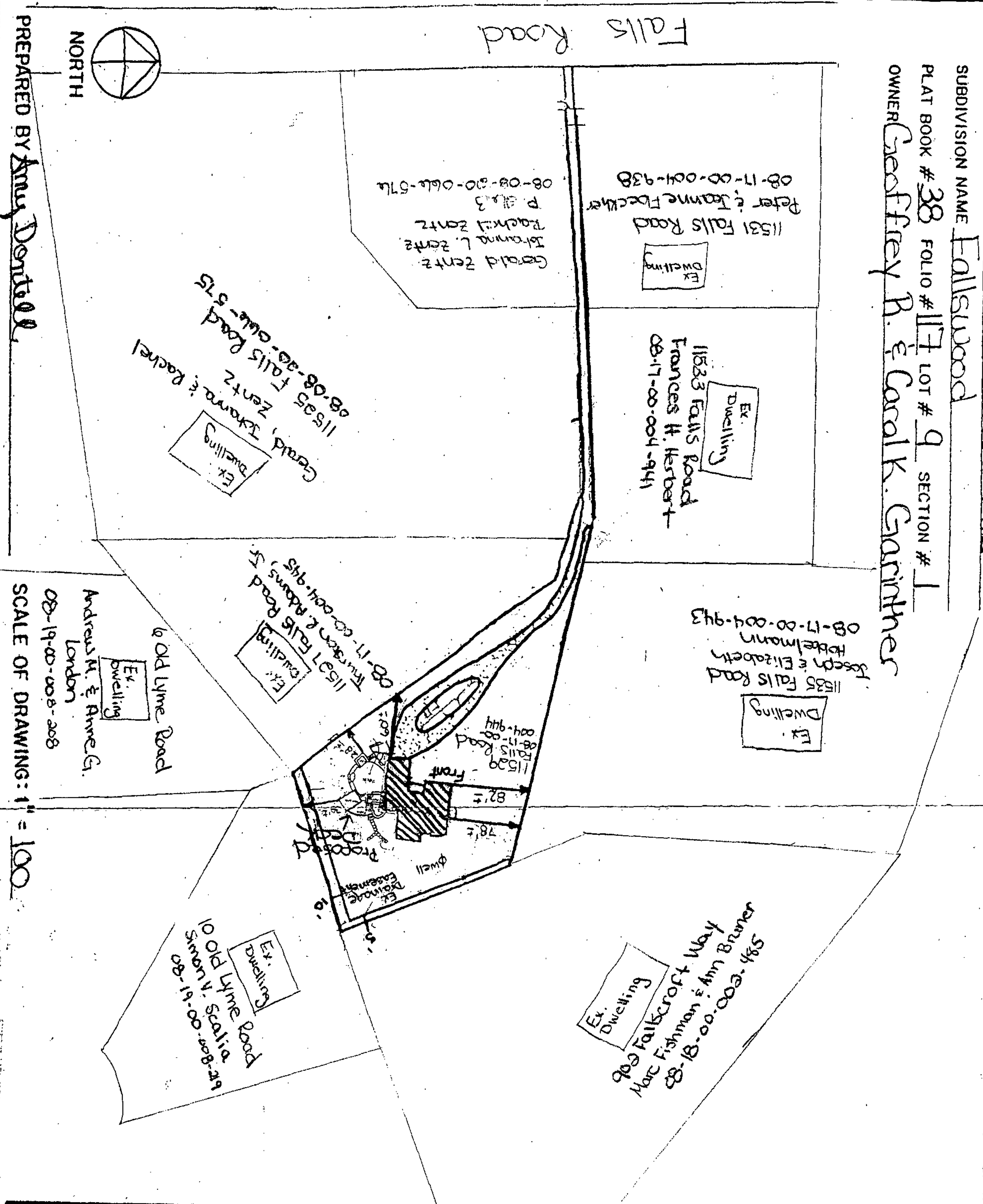
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Fallswood

PLAT BOOK # 38 FOLIO # 117 LOT # 9 SECTION # 1

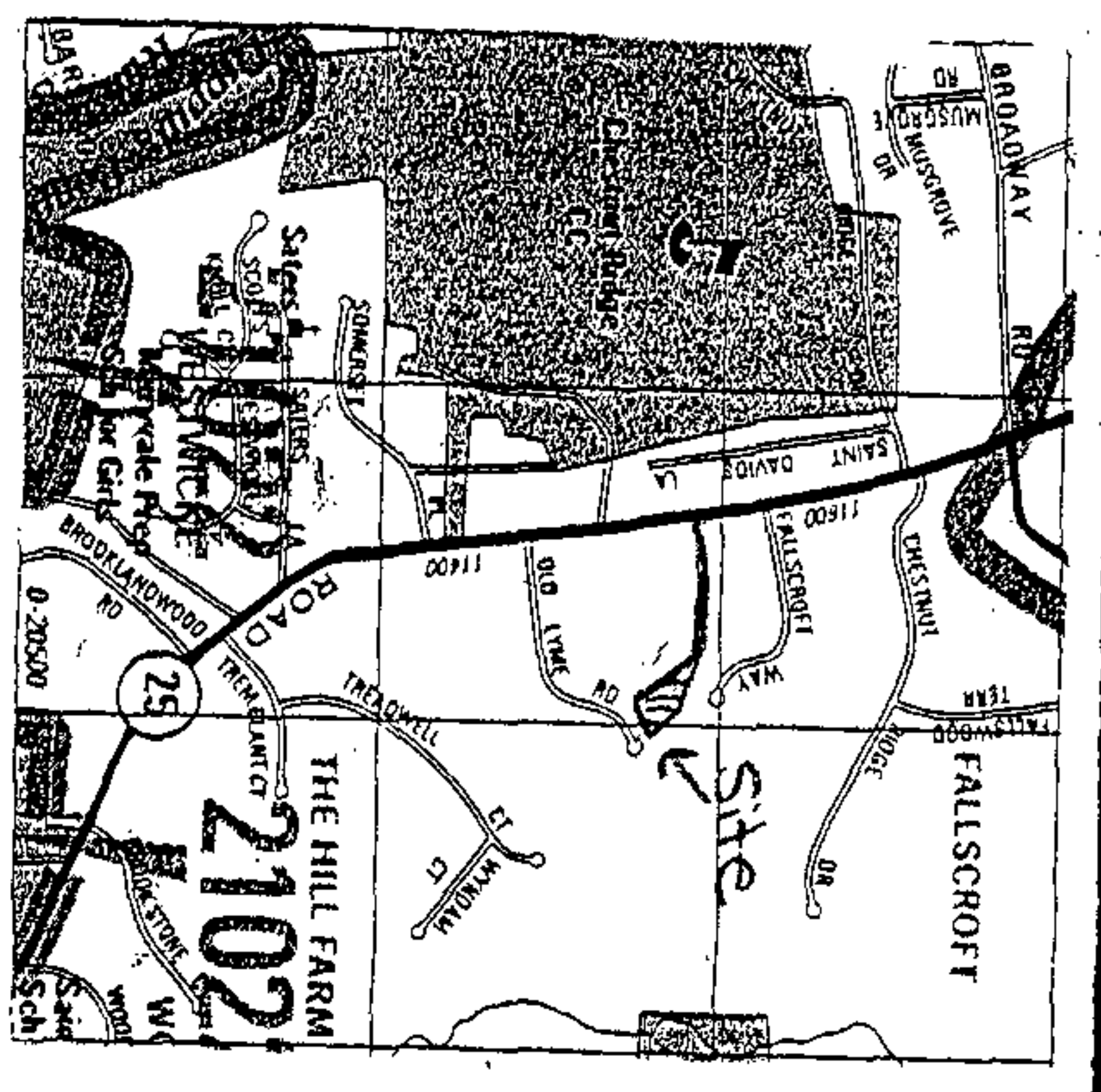
OWNER Geoffrey R. & Carol K. Garinher

PROPERTY ADDRESS 11529 Falls Road



PREPARED BY Amy Denton

SCALE OF DRAWING: 1" = 100'



VICINITY MAP
SCALE: 1" = 2000'

LOCATION INFORMATION

ELECTION DISTRICT 8
 COUNCILMANIC DISTRICT 2
 1" = 200' SCALE MAP # 059C1 & 060A1
 ZONING RC 5

LOT SIZE 1710 ±
 ACREAGE 0.039
 SQUARE FEET 1710

SEWER PUBLIC PRIVATE
 WATER

CHESAPEAKE BAY CRITICAL AREA YES NO
 100 YEAR FLOOD PLAIN
 HISTORIC PROPERTY / BUILDING
 PRIOR ZONING HEARING 90-191-A

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM # 047 CASE #

