IN RE: PETITION FOR ADMIN. VARIANCE W/S of Crossett Road, south of c/l of

Bluegrass Road 14th Election District 1st Councilmanic District (2204 Crossett Road)

Robert and Mya Morton

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

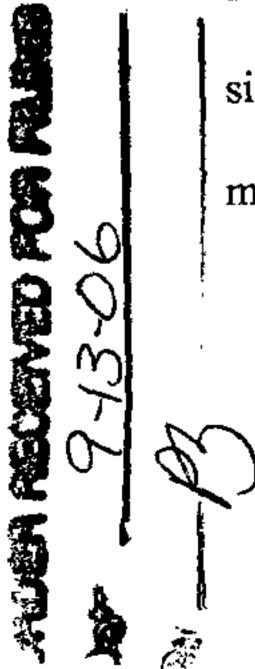
OF BALTIMORE COUNTY

*

CASE NO. 07-063-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Robert and Mya Morton. The variance request is for property located at 2204 Crossett Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) to have a rear yard setback of 18 feet in lieu of the required 25 feet, and to amend the Final Development Plan for Lot 3 of Bluegrass Heights. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that the location of the proposed sunroom lends itself to the utilization of existing facilities without major interruptions to the existing floor plan of the house. The sunroom will help insulate and reduce heating bills as well as to reduce road and other ambient noises. The sunroom will provide a place to sit outdoors without concern for bugs or the sun's rays. Petitioner states the proposed sunroom will improve the overall appearance of the house. The lot size does not lend itself to any addition of adequate size without a variance. The sunroom measures 18 feet x 12 feet in size.



FOR SOCKE

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.

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 25, 2006 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 13th day of September, 2006, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) to have a rear yard setback of 18 feet in lieu of the required 25 feet, and to amend the Final Development Plan for Lot 3 of Bluegrass Heights 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.

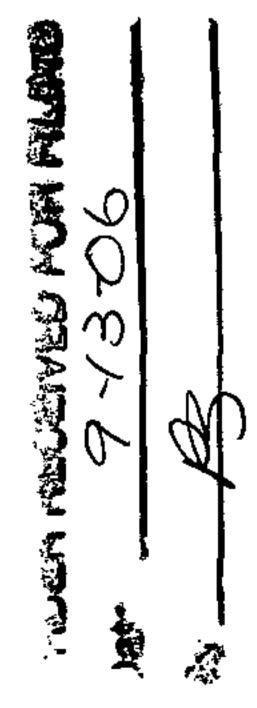
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHNV. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

September 13, 2006

ROBERT AND MYA MORTON 2204 CROSSETT ROAD BALTIMORE MD 21237

Re: Petition for Administrative Variance

Case No. 07-063-A

Property: 2204 Crossett Road

Dear Mr. and Mrs. Morton:

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

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

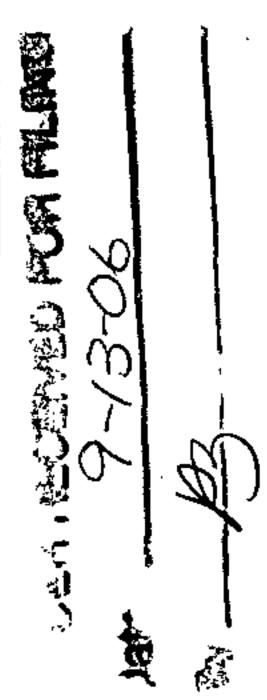
Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz

Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

which is presently zoned DR 5.5

for the property located at 2204 Crossett Rd. Baltimore, MD 21237

This Petition shall be filed with the De owner(s) of the property situate in Baltime made a part bereef, bereby petition for a	partment of Pentore County and wi	mits and Development Naich is described in the de	lanagement. The	undersigned, legal
owner(s) of the property situate in Baltime made a part hereof, hereby petition for a	Variance from Sec	ction(s) iBO2 3 C	1 - to now	nit an
1.1-1-		: ((()	10 perm	· · · · ·
addition (sunvoom) to h	ave a rear y	ard setback of	18 feet in l	ieu of the
addition (sunroom) to he required 25; and to an	nend the f	inal development	plan for lot	3 of
Bluegrass Heights			-	
of the zoning regulations of Baltimore Color of this petition form.	unty, to the zoning	law of Baltimore County,	for the reasons indi	cated on the back
Property is to be posted and advertised as I, or we, agree to pay expenses of above Variregulations and restrictions of Baltimore Countries.	n nnisitravhe annei	acting ata and further name	e to and are to be bot ore County.	inded by the zoning
		I/We do solemnly dec perjury, that I/we are t is the subject of this P	the legal owner(s) of t	the penalties of he property which
Contract Purchaser/Lessee:		Legal Owner(s):	-	
		Robert Morton		
Name - Type or Print		Name - Type of Print		ξ
Signature	<u> </u>	Signature		
Address	Telephone No.	Mya Morton Name - Type or Print	\ 	
City	Zip Code	Signature Control	MADO	
Attorney For Petitioner:	•	2204 Crossett Rd.		4 40 570 4004
's		Address		443-570-4864 Telephone No.
·		Baltimore, MD 212	237	P
Name - Type or Print		City	State	Zip Code
Signature	<u> </u>	Representative to	be Contacted:	
Сотрапу	<u>:</u>	Patio Enclosures In	c. (attn: Gregory Fa	lter)
			- ·	440 700 4040
Address	Telephone No.	224 8th Ave NW Address		410-760-1919 Telephone No.
·		_Glen Burnie, MD 2	1061	•
City	Zip Code	City	State	Zip Code
A Public Hearing having been formally demande this day of that	CIDE SUDIECT MATTER AT	required, it is ordered by the this petition be set for a public t	Zoning Commissioner nearing, advertised, as r	of Baltimore County, equired by the zoning
regulations of Baltimore County and that the property	y be reposted.	•		
,		Zonina Commis	ssioner of Baltimore Cou	nty ====================================
CASE NO. <u>07-063</u> A	TILITY Rev	viewed By	フ Date	16/06
REV 10/25/01		imated Posting Date	8/27/00	Ser - To Carling
\M_			1.	

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	2204 Cro
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ssett Rd.

Address

Baltimore, MD 21237

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. This area lends itself to the utilization of existing facilities without major interruptions to the existing floor plan of the dwelling.
- Insulate and reduce heating bills.
- Reduce road and other ambient noises.
- 4. A place to sit outdoors without concern for bugs, flies, mosquitos, the suns harmful rays etc...
- Improve the overall appearance of the house.
- 6. The restrictive of the lot does not lend itself to any addition of adequate size without a variance.

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

Signature

Robert Morton

Name - Type or Print

Mya Morton

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of Maryland, in and for the County aforesaid, personally appeared

before me, a Notary Public of the State

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

AS WITNESS my hand and Notarial Seal

Notary

My Commission Expires

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) do	pes/do presently reside at

2204 Crossett Rd. Address Baltimore, MD 21237 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. This area lends itself to the utilization of existing facilities without major interruptions to the existing floor plan of the dwelling.
- Insulate and reduce heating bills.
- Reduce road and other ambient noises.
- 4. A place to sit outdoors without concern for bugs, flies, mosquitos, the suns harmful rays etc...
- Improve the overall appearance of the house.
- 6. The restrictive of the lot does not lend itself to any addition of adequate size without a variance.

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

Signature Robert Morton Mya Morton Name - Type or Print Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 15th day of before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared STOCOL the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

lotary Public

My Commission Expires

AS WITNESS my hand and Notarial Seal



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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2204 Crossett Rd. Baltimore, MD 21237

	vhich is presently zoned <u>DR 5.5</u>
This Petition shall be filed with the Department of Permits a owner(s) of the property situate in Baltimore County and which is made a part hereof, hereby petition for a Variance from Section(s	nd Development Management. The undersigned, legal described in the description and plat attached hereto and
	1802.5.C.1 - to permit an
addition (sunroom) to have a rear yar	d setback of 18 feet in lieu of
addition (sunroom) to have a rear yar the required 25; and to amend the fir	nal development plan for lot 3 of
Blucgrass Heights	
of the zoning regulations of Baltimore County, to the zoning law o	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): Robert Morton Name - Type or Print Name - Type on Print Signature Signature Mya Morton Address: Telephone No. Name - Type, or Print City State Zip Code Signature Attorney For Petitioner: 2204 Crossett Rd. 443-570-4864 Address Telephone No. Baltimore, MD 21237 Name - Type or Print City State Zip Code Representative to be Contacted: Signature Patio Enclosures Inc. (attn: Gregory Falter) Company Name 410-760-1919 224 8th Ave NW Address Telephone No. Address Telephone No. Glen Burnie, MD 21061 City State Zip Code 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, 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 Baltenore:County CASE NO. _(Reviewed By Date

Estimated Posting Date

ZONING DESCRIPTION FOR 2204 CROSSETT RD.

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CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Attention: Christen Matthews

The sign(s) were posted on ___

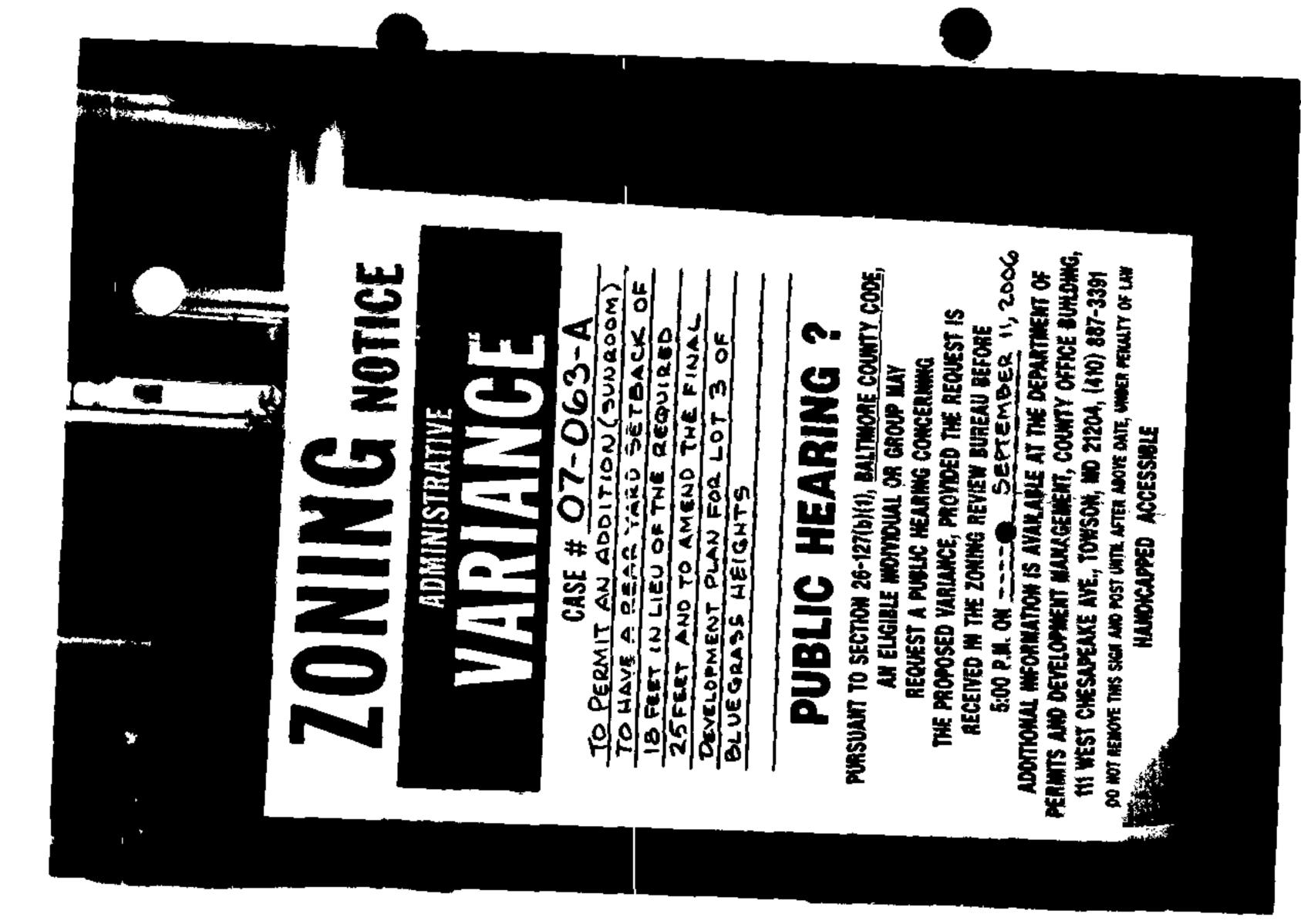
Towson, MD 21204

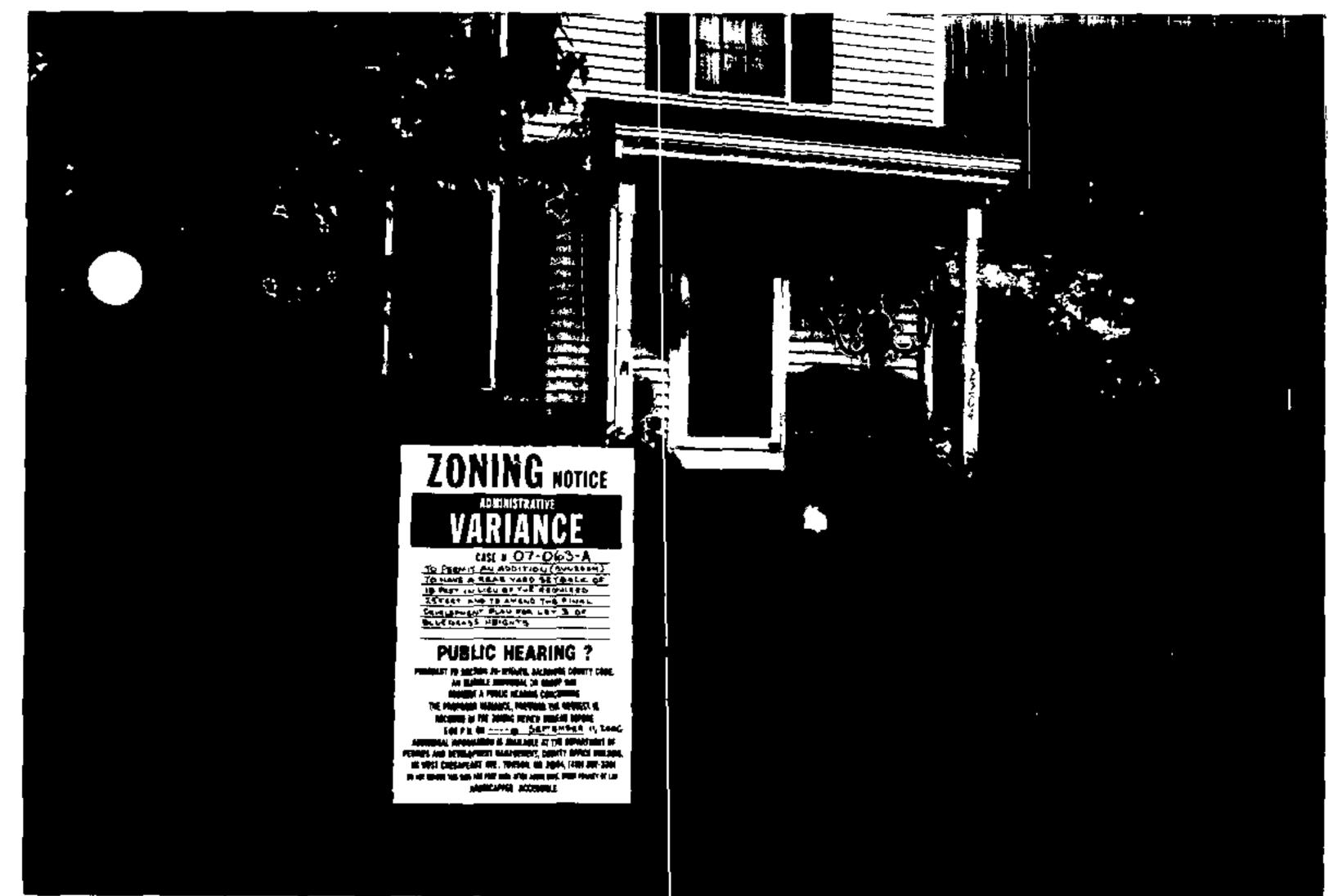
Permits and Development Management

Date of Hearing/Closing: SEPT. 1), 7006 Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the propery located at __ # 2204 CROSSETT AVE. Sincerely, (Signature of Sign Poster and Date) CJAPLAGEDE, MOORE (Printed Name) 3225 RYELSON CIRCLE BALTIMORE, MD, 21227 (City, State, Zip Code) (Telephone Number)

RE: Case No.: 07-063-A

Petitioner/Developer: ROBERT MORTON





AUG 28 2006

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case 1	Number (7-	063	-A	Address	2204	Crossett	$R_{\mathcal{O}}$
Contac	Contact Person: David Duvall Planner, Please Print Your Name Phone Number: 410-887-339				umber: 410-887-3391			
Filing	Date:	3/				8/27	Clos	ing Date:* 9/11
Any co	ontact ma h the cont	ade act	with this of person (plan	fice regarding iner) using the	g the statu e case num	is of the iber.	administrative	e variance should be
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	a formal.	req	luest for a p	date is the de ublic hearing ng, the proces	r. Please	understar	id that even	vithin 1,000 feet to file if there is no formal ate.
(commission order that (typically)	o <i>ne</i> t th with	er. He may: ne matter be nin 7 to 10 da	(a) grant the set in for a ays of the clo	e requested public he sing date) a	d relief; (b aring. Yourseld as to whel	 deny the received ther the petitic 	ing or deputy zoning equested relief; or (c) ve written notification on has been granted, st Class mail.
· · ((whether commission changed	due one givir ertif	e to a neight), notification	bor's formal on will be for the hearing d	request or warded to ate, time ar	by order you. That nd location	r of the zoni ne sign on the n. As when t	go to a public hearing ing or deputy zoning he property must be he sign was originally must be forwarded to
			•	(Detac	h Along Dotted I	_ine)		
Petitio	ner: This	Pa	ırt of the Fo	rm is for the	Sign Post	er Only	·	-
			USE THE	ADMINISTRA	TIVE VAR	ANCE SIG	SN FORMAT	
Case N	lụṃber 0	7-[063 -	A Addre	ess <u>22</u>	04 C	rossett '	R
Petition	ner's Nam	e	Robert	Morton	······		Telephone _	443 570 4864
Posting	g Date: _		8/27/	06	Clo	osing Date	e: <u>9/1</u>	/0G
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<u>+h</u>	e tina		Heve lopme	it plan f	or lot	3 01	Bluegrass	Heights
	· 		····		<u> </u>			MCR - Pavised 6/25/04

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: <u>07-063-A</u>					
Petitioner: Robert & Mya Morton					
Address or Location: 2204 Crossett Rd. Baltimore, MD 21237					
PLEASE FORWARD ADVERTISING BILL TO:					
Name: Patio Enclosures Inc. (attn: Permit Dept)					
Address: 224 8th ave NW					
Glen Burnie, MD 21061					
Telephone Number: 410-760-1919					



JAMES T. SMITH, JR. County Executive

September 12, 2006

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Robert Morton Mya Morton 2204 Crossett Road Baltimore, MD 21237

Dear Mr. and Mrs. Morton:

RE: Case Number: 07-063-A, 2204 Crossett Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 16, 2006.

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

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

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

U. Callibal)

WCR:amf

Enclosures

c: People's Counsel Patio Enclosures Inc. Gregory Falter 224 8th Avenue, NW Glen Burnie 21061

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-063- 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:

ÇM/LL

KECE/VED

DATE: August 24, 2006

AUG 2 5 2006

VG COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 24, 2006

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-063- 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:

ÇM/LL



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 8.70.06

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

RE:

Baltimore County

Item No. 063

DD

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

1. 1. Hoelle

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 23, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 28, 2006

Item-Nos. 07-036, 057, 058, 059, 060, 061, 062,

063, 064, 065, and 066

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-08232006.doc

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 22, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: August 21, 2006

Item No.: 057, 058, 059, 060, 061, 062, 063, 064, 065 and 066.

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

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

cc: File

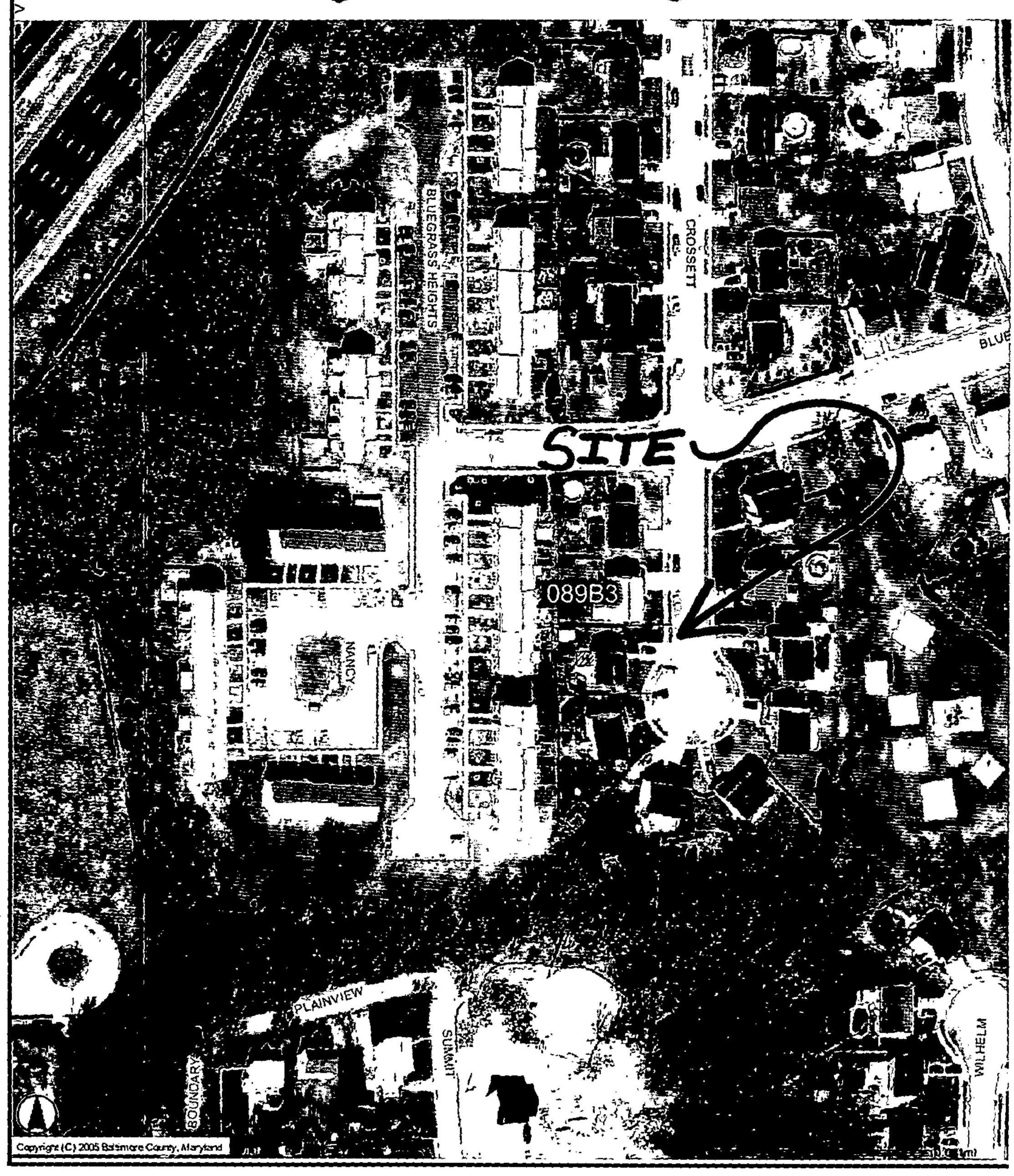


Visit the County's Website at www.baltimorecountyonline.info

1TEM # 063

INFORMATION SEWER: Critical Area: squar Vicinity additional scale: Councilmanic District: Office LOCATION Вάγ Election District: scale Zoning CHECKLIST Zoning 25' B.R. 4003 ES 101 Drawing: 1,50 Plat to accompany Petition ō Scale .92 section# ,06 PROPERTY ADDRESS: 2204 Subdivision name: AUEGRASS 2702 13 A LT 涿 Z plat book# 57 ,tollo# 2/ OWNER: ROBERT ج ج: date: 2/26 prepared North

Baltimore County - My Nei porhood



ZZOY CROSSETT RD BALT. ZIZ37 ITEM#063

Variance Photo's for: 2204 Crossett Rd. Baltimore, MD 21237



View of sunroom deck to be enclosed with sunroom as seen from left side yard.

ITEM #063