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IN RE: PETITION FOR ADMIN. VARIANCE N/S of Meadow Road, 125 feet E c/l Of Plainfield 12th Election District

7th Councilmanic District

(2405 Meadow Road)

Regina Patrick

Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 07-133-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 owner of the subject property, Regina Patrick. The variance request is for property located at 2405 Meadow Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with addition to have a side yard setback of 7.5 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No.

1. The Petitioner states that her mother was recently diagnosed with Alzheimer's. She lives alone now and the Petitioner needs to construct the addition so that they can take care of the mother. The mother had a stroke seven years ago and is also in a wheelchair. The proposed addition measures 16 feet x 18 feet 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: 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 September 24, 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 16th day of October, 2006, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing single family dwelling with addition

to have a side yard setback of 7.5 feet in lieu of the required 10 feet be and is hereby GRANTED, subject to the following:

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

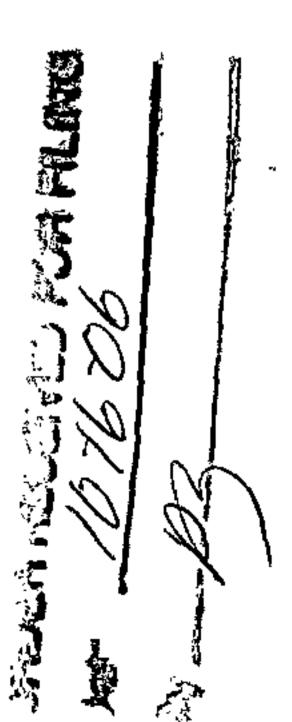
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

October 16, 2006

REGINA PATRICK 2405 MEADOW ROAD BALTIMORE MD 21222

Re: Petition for Administrative Variance

Case No. 07-133-A

Property: 22405 Meadow Road

Dear Ms. Patrick:

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

John v. muskry

JVM:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	2405	MEMOU	WRD
		zoned	

I/We do solemnly declare and affirm, under the penalties of

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) 1307.3.0.1 BCZR

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH ADDITION TO HAVE A SIDEYARD SETBALK OF 7.51 IN LIEW OF THE REQUIRED 10

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.

	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	Name - Typepor Print
Signature	Signature
Address Telephone N	o. Name - Type or Print
City State Zip Cod	le Signature
Attorney For Petitioner:	Address Address Telephone No.
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
Company	SAME Name
Company	A S
Address: Telephone No.	Address Address ABOUE
City State Zip Coo	le City State Zip Code
A Public Hearing having been formally demanded and/or found this day of that the subject ma regulations of Baltimore County and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County, tter of this petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Baltimore County
CASE NO. DELISSA A REV 10/25/01 DELISSA SUPPLINATIONS	Reviewed By 17m Date 9/15/01
REV 10/25/01: 11 11 11 11 11 11 11 11 11 11 11 11 1	Estimated Posting Date

Affida Vit 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	240	5 MIADOL	1 11
` ´ Ā	ddress A C T	State	2/22 Zip Code
That based upon personal knowledge, the following Variance at the above address (indicate hardship)	ng are the facts up or practical difficult	on which I/we base the re	quest for an Administrative
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Signature	Sig	nature	
Name - Type or Print	Nar	ne - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIMO	RE, to wit:		
I HEREBY CERTIFY, this A lat day of day of of Maryland, in and for the County aforesaid, person	_	, <u>2006</u> , before me,	a Notary Public of the State
of Maryland, in and for the County aforesaid, personal districtions of the County aforesaid district	analiy appeared		
the Affiant(s) herein, personally known or satisfact	orily identified to n	ne as such Affiant(s).	
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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

for the property located at	2405	MEADOW !	R 9
		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) $1 \le 0.7 \cdot 3 \cdot 6 \cdot 1 \cdot 8 \cdot 2 \cdot 8$

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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.

		•	perjury, that I/we is the subject of t	are the legal owner(s) of the this Petition.	property wnich
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Attorney For Peti	itioner:		Adatress 1+	Y leadow Kd	Telephone No.
Name - Type or Print			City	State	Zip Code
Signature	·· <u></u>	<u> </u>	Representati	ve to be Contacted:	
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Company			Name	ABOUE	
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this day of 📑 🕏	County and that the proper	at the subject matter of ty be reposted.	this petition be set for a p	by the Zoning Commissioner of public hearing, advertised, as required to the commissioner of Baltimore Count Date	uired by the zoning
		JA PILKING		-11	<u>-</u>
REV 10/25/01 >>===================================		ິດໄດ Est	imated Posting Dat	te	

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	- J405	MIBDUW	100
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the Affiant(s) herein, personally known or satisfac	ctorily identified to m	ne as such Affiant(s).	Street, St.
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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

for the property located at	2405	MEAR	00W	20
<u> </u>	is presently		_	

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)

DUELLING WITH ADDITION TO HAVE A SIDEYARD SETBACK OF 7.5' IN LIEU OF THE REQUIRED

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.

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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.

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Attorney For Petition	<u>ier:</u>		Address	mo Z	170- (64- (Telephone No.
Name - Type or Print	<u> </u>		City	State	Zip Code
Signature	<u> </u>		Representative to		
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Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	2405	MIADOW	11
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STATE OF MARYLAND, COUNTY OF BALTIN		~	
of Maryland, in and for the County aforesaid, per Region Patrick	rsonally appeared	, <u>2006</u> , before	me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfa	actorily identified to r	me as such Affiant(s).	
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Beginning for the same on the north side of Meadow Road at a point distant 125 feet measured North 83 degrees 15 minutes east along the north side of Meadow Road from the corner formed by the intersection of the north side of said road with the east side of Plainfield Avenue (40 feet wide) as laid out on a Plat of Section 2 of Plainfield and recorded among the Plat Records of Baltimore County in Plat Book R.J.S. No. 13 folio 132, for a line of division now made and leaving the road north 83 degrees 15 minutes east 50 feet thence another line of division south 87 degrees 51 minutes 25 seconds West 80.76 feet to the westernmost outline of 150 lot numbered 9 thence binding on part of said outline and parallel with Plainfield Avenue south 6 degrees 45 Road.

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B'ALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 11, 2006

Department of Permits and Development Management

FROM:

Arnold'F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-133- Administrative Variance

The Office of Planning normally requests 10-foot minimum side yard setbacks. If the petitioner is able to demonstrate a hardship or practical difficulty, resulting in the Zoning Commissioner granting the variance, the Office of Planning has no objection

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

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

FAX COVER SHEET

DATE: 10-18-06

NO. OF PAGES INCLUDING COVER SHEET:

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Regina	atrick

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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 10, 2006

Ray Patrick 2405 Meadow Road Baltimore, MD 21222

Dear Mr. Patrick:

RE: Case Number: 07-133-A, 2405 Meadow Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 15, 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



INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

DATE: October 11, 2006

OCT 1 S 2006

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SINNER .

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-133- Administrative Variance

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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

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 27, 2006

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

Dear Ms. Matthews:

RE: **Baltimore County** Item No. 133 #7-133-A REGINA PATRICK PROPERTY 2405 MEADOW ROAD VARIANCE-PERMIT SIDEYARD

SETBACK IN LIEU OF REQUIRED

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 133

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 2, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 2, 2006

Item Nos. 07-113, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, and 133

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- 10022006.doc

CERTIFICATE OF POSTING

RE: Case No.: 07-133-A

Petitioner/Developer: REGINA

PATRICK

Date of Hearing/Closing: 10-9-06

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:

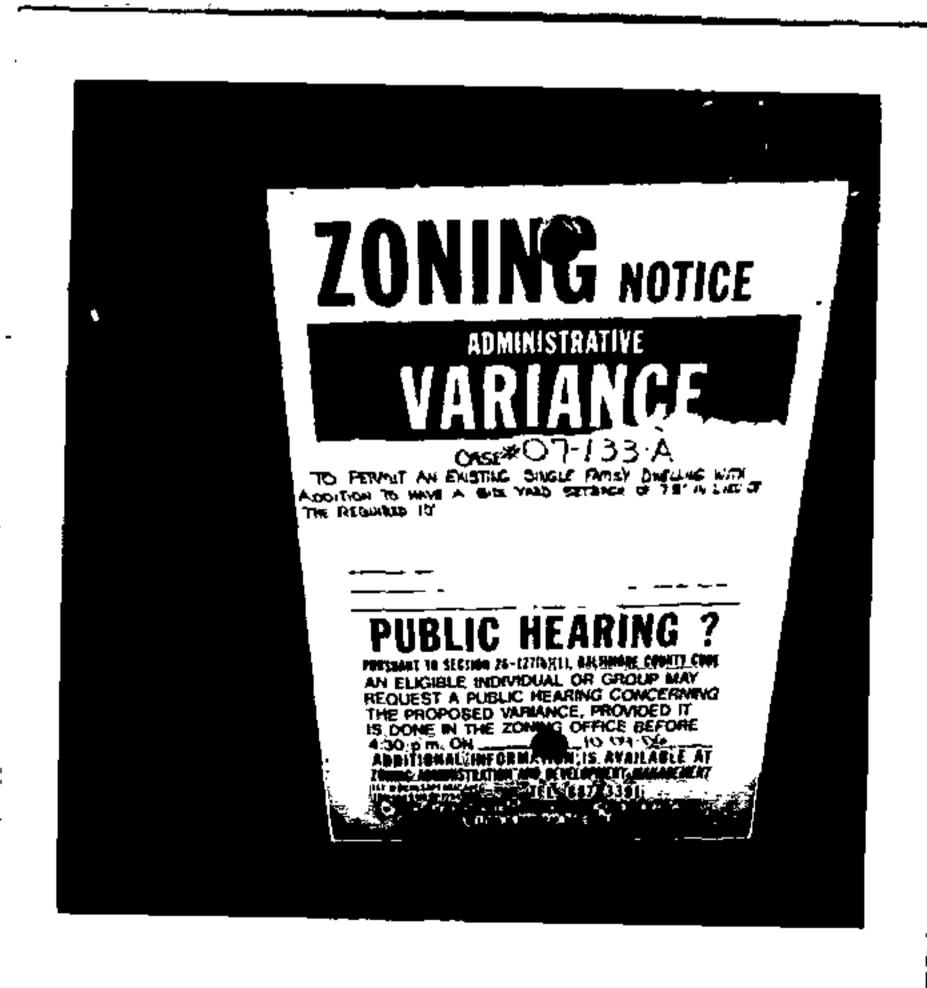
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

2405 MEADOW RD

The sign(s) were posted on

9-24-06 (Month, Day, Year)

Sincerely,



	Robert Black 9-27:	ے د
	(Signature of Sign Poster) (Date)	
	SSG Robert Black	
- <u>*1.99</u> -	(Print Name)	
	1508 Leslie Road	-
	(Address)	1
	Dundalk, Maryland 21222	
	(City, State, Zip Code)	
	(410) 282-7940	
	(Telephone Number)	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 133 -A Address 2405 MEADOW RD
Contact Person: LIOYO NOXLEY Phone Number: 410-887-3391
Filing Date: 9/15/06 Posting Date: 9/24/06 Closing Date: 10/9/06
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
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- 133 -A Address Z405 MEADOW RD
Petitioner's Name REGINA PATRICK Telephone 410 370 0396
Posting Date: 9/24/06 Closing Date: 10/9/06
Nording for Sign: To Permit A > EXISTIHO SINGLE FAMILY
DUELLING WITH ADDITION TO HAVE A SIDETARD
SETBACK OF 7.5' I'M LIEU OF THE REQUIRED 10'
· · · · · · · · · · · · · · · · · · ·

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.

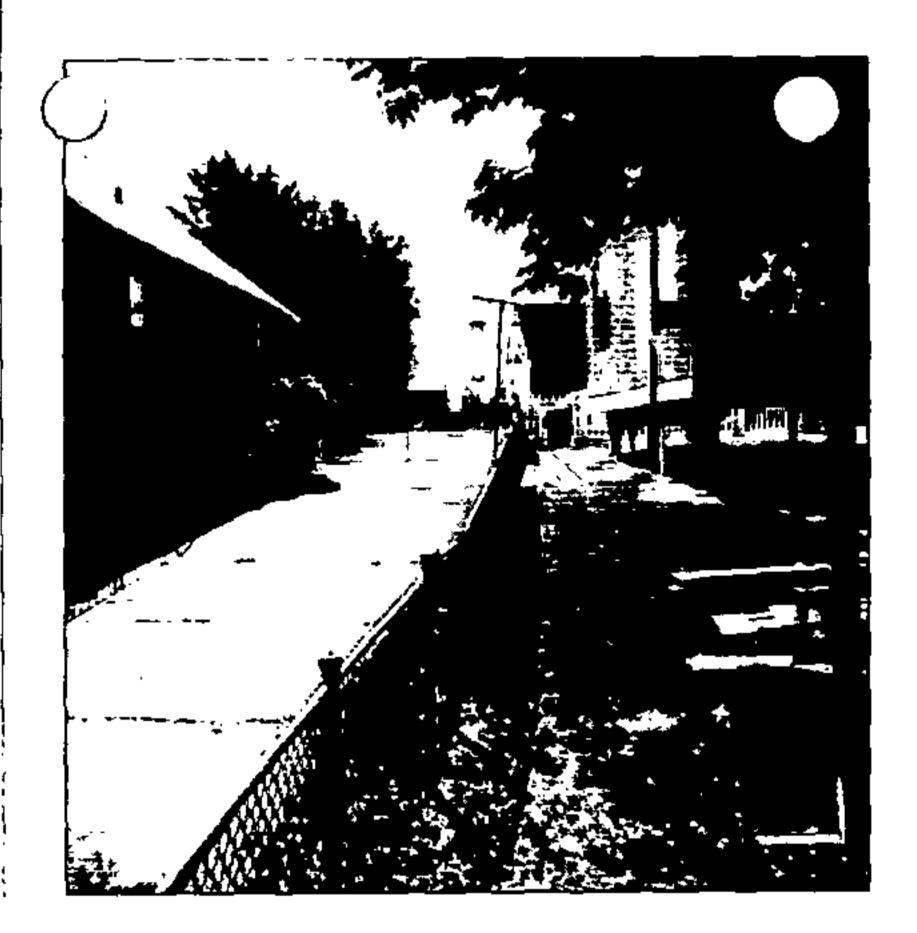
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertises Item Number or Case Number of Case Numbe		•
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	2405 MKADOW RJ	
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PLEASE FORWARD AD		
Name:	29/10 PAJNICH	
Address:	105 MEADON RU	
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