

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Nacirema Lane, 2500 feet north
centerline Greenspring Valley Road
3rd Election District
2nd Councilmanic District
(10949 Nacirema Lane)

Susan B. Obrecht
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 07-137-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, Susan B. Obrecht. The variance request is for property located at 10949 Nacirema Lane. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) be located in the one-third portion of the rear yard closest to the road with a height of 27 feet in lieu of the required one-third portion of the rear yard farthest from the road and the required 15 foot height. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioner states that the additional garage height will be used for storage. The change in garage location is because of easy access from the existing driveway. There is also a physical barrier of a stone lined water course that makes a new driveway impossible.

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 October 19, 2006 which contains restrictions. ZAC comments were received from the Department of Environmental Protection and Resource Management dated November

ADDED RECEIVED FOR FILES

11-29-06

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10-26-11

2, 2006 which contains restrictions. Copies of which are incorporated herein and made a part hereof the file.

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 October 5, 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.

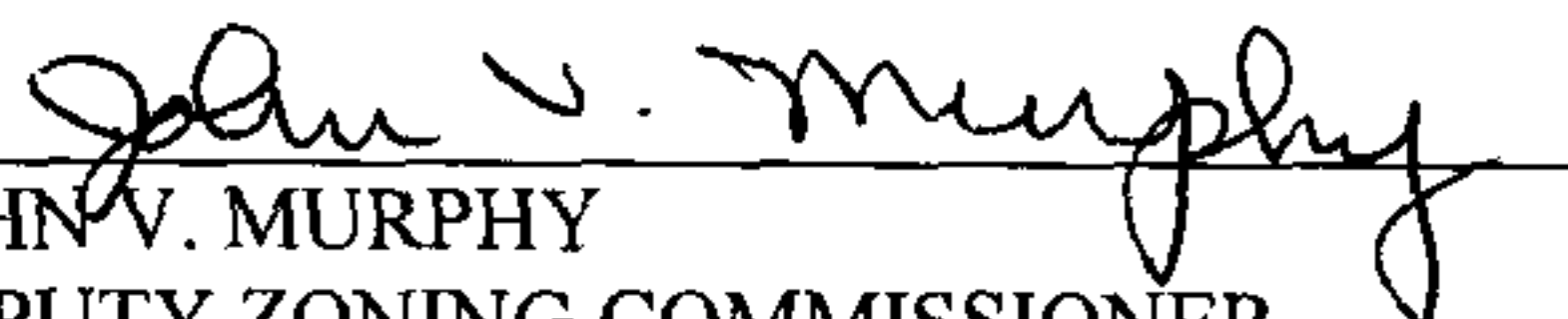
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11-29-06
JH

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 29th day of November, 2006, that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) be located in the one-third portion of the rear yard closest to the road with a height of 27 feet in lieu of the required one-third portion of the rear yard farthest from the road and the required 15 foot height 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. 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.
3. The accessory structure shall not be used for commercial purposes
4. Development of this property may require compliance with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Article 33, Title 3). Contact the Department of Environmental Protection and Resource Management for information.
5. The proposed garage must be at least 20 feet from the septic area and 30 feet from the well.

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

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11-29-06
103



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 29, 2006

SUSAN B. OBRECHT
10949 NACIREMA LANE
LUTHERVILLE MD 21093

Re: Petition for Administrative Variance
Case No. 07-137-A
Property: 10949 Nacirema Lane

Dear Ms. Obrecht:

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, reading "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

RECEIVED FOR FILING
11-29-06
JVM



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 10949 Nacivema Lane
which is presently zoned RC-2

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:

Name - Type or Print

Signature

Company

Address

Telephone No.

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 regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

Susan B. Obrecht

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

Zip Code

CASE NO. 02-1137-1A FILING

REV 10/25/01

Reviewed By BR Date 9/25/01

Estimated Posting Date 10/8/01

Zoning Commissioner of Baltimore County

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

10949 Nacivema Lane
Address
Lutherville, 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):

change in roof height to for storage above.

change in location because of easy access from existing driveway. There is also a physical barrier which would make new driveway impossible.

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.

Susan Obrecht
Signature

Signature

SUSAN OBRECHT

Name - Type or Print

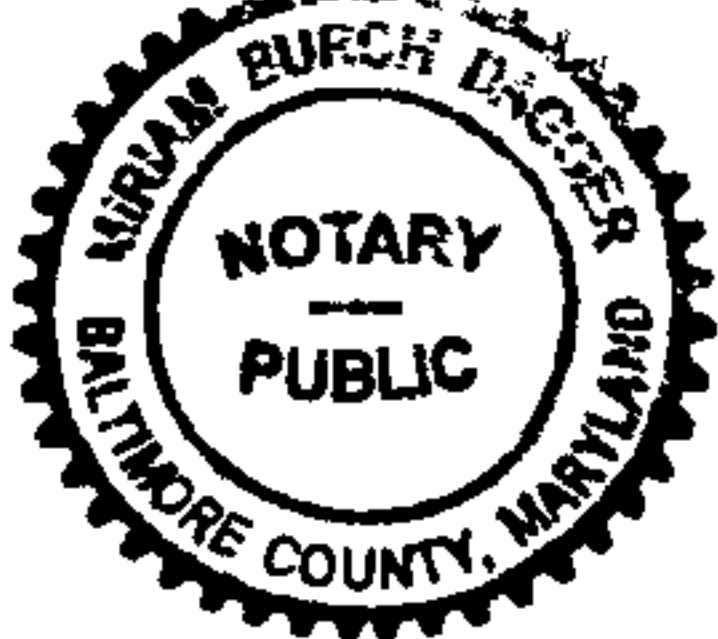
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of September, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Miriam Burch Dagger
Notary Public

My Commission Expires 3-1-2008

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

10949 Nacirema Lane
Address
Wtherville, 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):

change in roof height to for storage above

change in location because of easy access from existing driveway. There is also a physical barrier which would make new driveway impossible.

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

Signature

SUSAN OBRECHT
Name - Type or Print

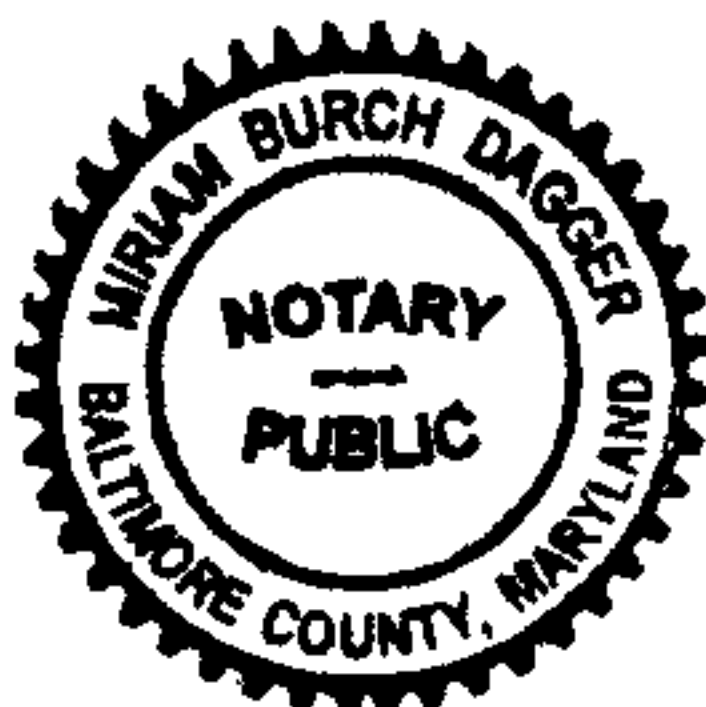
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of September, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Miriam Burch Dagger
Notary Public

My Commission Expires 3-1-2008



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 10949 Nacivema Lane
which is presently zoned RC-2

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:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

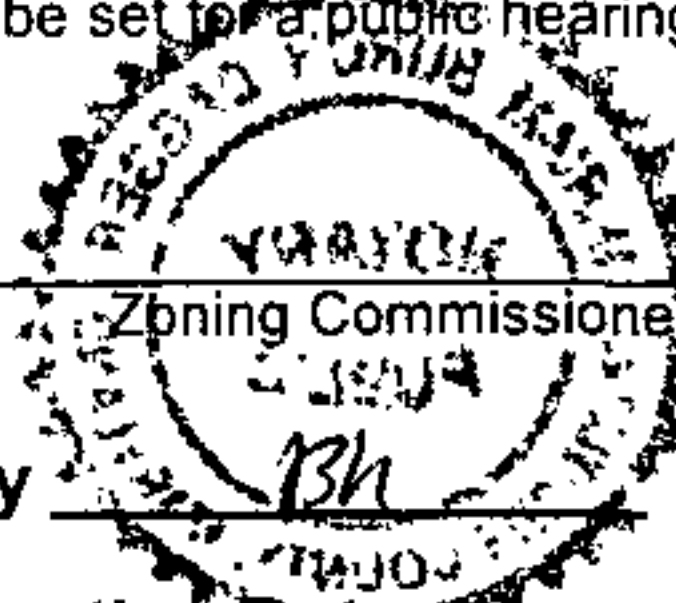
A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 07-137-A day of July that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

CASE NO. 07-137-A

REV 10/25/01

Reviewed By BH Date 9/25/06

Estimated Posting Date 10/8/06



400.1 and 400.3 to permit an accessory structure (garage) be located in the one-third portion of the rear yard closest to the road with a height of 27 ft. in lieu of the required one-third portion of the rear yard farthest from the road and the required 15 ft. height.

ZONING DESCRIPTION

Zoning Description For 10949 Nacirema Lane

EXHIBIT "A"

Beginning for the same at a point being designated No. 6 and having Baltimore County Metropolitan District coordinate values of North 47258.84 and West 25091.84 as shown on a plat entitled "Section One Greenspring", dated September 25, 1975 and recorded among the Plat Records of Baltimore County, Maryland in Plat Book E.N.X. Jr. 39 folio 6, said point also being at the beginning of the 4th or South 82° 59' East 237.88 foot line of that parcel of land described in a deed dated November 3, 1954 from Raymond S. Clark et ux to Nicholas L. Ballich et ux and recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. 2587 folio 65, running thence binding reversely on part of the outline as shown on said plat, also binding on said 4th line and binding on the center line of a 30 foot right-of-way with the use in common with others entitled thereto, as shown on said plat, as now surveyed (1) North 89° 28' 55" East 237.83 feet, running thence leaving said right-of-way and binding on the 5th and 6th lines of the above mentioned conveyance, the two following courses, as now surveyed, vizi (2) South 37° 21' 21" West 297.67 feet and (3) North 47° 41' 39" West 200.12 feet to intersect the South 42° 18' 21" West 346.71 foot line as shown on said plat, running thence binding reversely on part of said line and binding on the center line of a 30 foot right-of-way with the use in common with others entitled thereto, as now surveyed, (4) North 42° 18' 21" East 134.89 feet to the place of beginning.

Containing 0.9513 acres of land more or less.
The improvements thereon being known as 10949 Nacirema Lane.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21082

DATE 9/25/2006 ACCOUNT R 001-226-6152

AMOUNT \$ 631.00

RECEIVED FROM: SSA [unclear] Object

FOR: Administrative Variance

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Form #137

PAID RECEIPT

BUSINESS ACTUAL TIME
9/25/2006 9/25/2006 10:55:35
REQ: 4512 MAIL JEFF JEE
>> RECEIPT H 4512 9/25/2006 OFFER
Dept: 5 520 ZONING VERIFICATION
CR NO. 021082

Receipt for
\$63.00 1X
\$63.00 1A
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/5/06

Case Number: 07-137-A

Petitioner/Developer: SUSAN OBRECHT

Date of Hearing (Closing): 10/23/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: THE ENTRANCE TO THE PRIVATE DRIVEWAY @ NACERIMA LANE
10949 NACERIMA LANE

The sign(s) were posted on: 10/5/06

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 07-137-A

TO PERMIT AN ACCESSORY STRUCTURE
(GARAGE) WITH A HEIGHT OF 27 FEET IN LIEU OF
THE REQUIRED 15 FEET AND BE LOCATED IN THAT
ONE THIRD PORTION OF THE REAR YARD
CLOSEST TO A ROAD IN LIEU OF THE
REQUIRED ONE THIRD PORTION FARTHEST
FROM THE ROAD. 10949 NACERIMA LANE

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MON. • OCTOBER 23, 2006
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391
DO NOT REMOVE THIS SIGN AND KEEP IT IN PLACE UNTIL AFTER THE MEETING IS HELD. RETURN BOTH TO 21204, RT. 101
MEETING IS HANDICAP ACCESSIBLE

Linda O'Keefe

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley Maryland 21030

(City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 137 -A

Address 10949 Nacirema Lake

Contact Person: Bruno Rudaitis
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 9/25/06

Posting Date: 10/8/06

Closing Date: 10/23/06

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- 137 -A

Address 10949 Nacirema Lake

Petitioner's Name Susan Obrecht

Telephone 410-602-8499

Posting Date: 10/8/06

Closing Date: 10/23/06

Wording for Sign: To Permit an accessory structure (garage) with a height
of 27 ft. in lieu of the required 15 ft. and be located in that
one third portion of the rear yard closest to road in lieu of
the required one third portion furthest from the road.

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: 07-137-A
Petitioner: Susan B. Obrecht
Address or Location: 10949 Nacirema Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Susan Obrecht
Address: 10949 Nacirema Lane
Wtherville, Md 21093
Telephone Number: 410 - ~~481-6~~
602 - 8499

Revised 7/11/05 - SCJ



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

October 23, 2006

Susan B. Obrecht
10949 Nacirema Lane
Lutherville, MD 21093

Dear Ms. Obrecht:

RE: Case Number: 07-137-A, 10949 Nacirema Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 25, 2006.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



**Baltimore County
Fire Department**

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

County Office Building, Room 111
4,20064, 2006, 2006
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 9, 2006

Item Number(s): 131 and 135 through 144

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 10, 2006

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

RE: Baltimore County
Item No. 7-137-A
10949 NACIREMA LANE
OBRECHT PROPERTY
VARIANCE-TO PERMIT
ACCESSORY STRUCTURE
(GARAGE)

Dear Ms. Matthews:

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. 7-137-A.

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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 4, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For October 9, 2006
Item Nos. 07-131, 135, 136, 137, 138,
139, 140, 141, 142, 143, and 144

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-10042006.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: November 2, 2006

SUBJECT: Zoning Item # 07-137-A
Address 10949 Nacirema Lane
(Obrecht Property)

Zoning Advisory Committee Meeting of October 2, 2006

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

1. Development of this property may require compliance with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Article 33, Title 3). Please contact this office for further information. – *Tom Panzarella; Environmental Impact review (EIR)*

2. The proposed garage must be at least 20 feet from the septic area and 30 feet from the well. - *S. Farinetti; Ground Water Management (GWM)*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 19, 2006

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

RECEIVED

OCT 24 2006

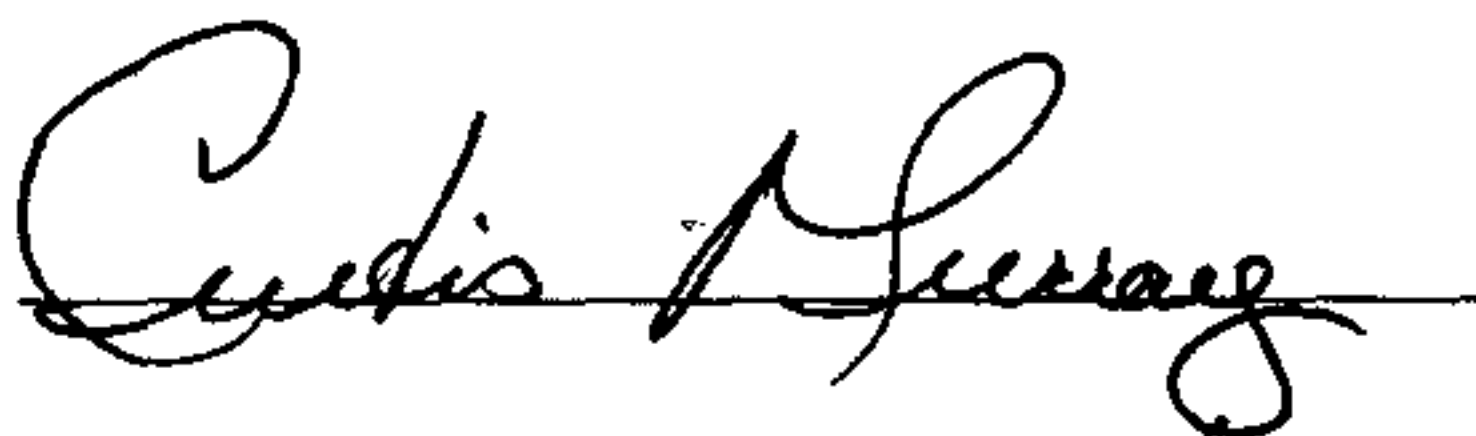
SUBJECT: 7-137 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 27 feet in lieu of the maximum permitted 15 feet and to be located in the one-third portion of the rear yard closest to the street provided the following conditions are met:

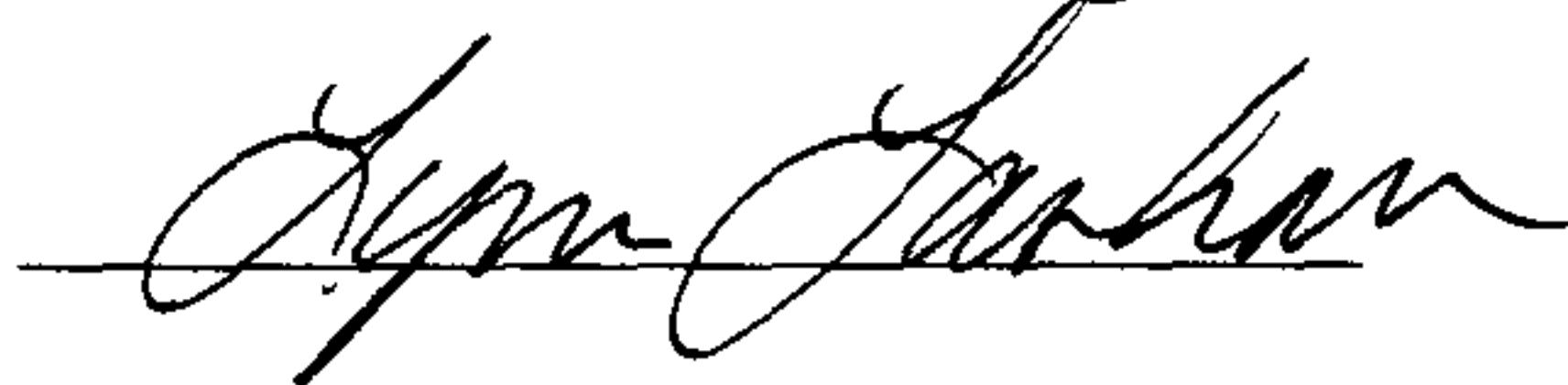
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Diana Itter or Nkechi Hislop at 410-887-3480.

Prepared by:



Section Chief:



AFK/LL: CM



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

October 25, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

SUSAN OBRECHT
10949 NACIREMA LANE
LUTHERVILLE MD 21093

Re: Petition for Administrative Variance
Case No. 07-137-A
Property: 10949 Nacirema Lane

Dear Ms. Obrecht:

Your request for Administrative Variance has been given to me for review. Upon my review of your file, it came to my attention that the Zoning Advisory Committee (ZAC) comment prepared by the Office of Planning contains restrictions. I am enclosing a copy of this ZAC comment for your review. Ordinarily these restrictions would be incorporated into the Order for an accessory structure greater than 15 feet. You will note that the accessory building is not to be used as a residence.

I was not sure what use you plan for the garage beyond parking vehicles and storage. Attached to your Petition is an illustration which depicts a garage-style home. This drawing clearly shows living space including one bedroom and one bath in addition to the garage.

Please respond to me in writing at your earliest convenience if you have any objections to the Planning Office requirements and you can clarify your request. Otherwise, I will schedule a public hearing on this matter.

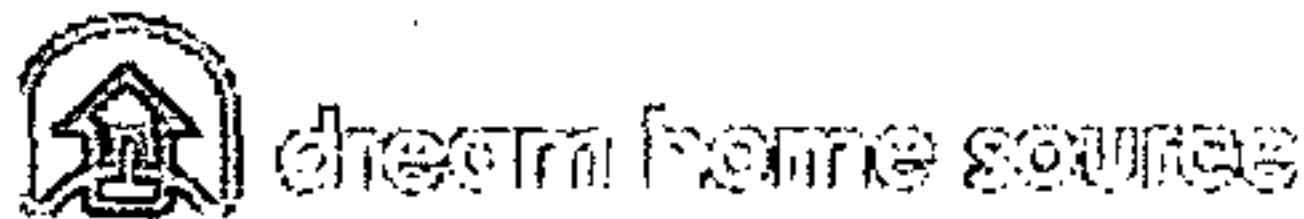
Thank you for your attention and cooperation in this matter.

Very truly yours,

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure



Questions? Ready To Order?
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HOME PLAN 35725

Actions

Print this page Modify this house plan
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Home Plan 35725

Plan #: 35725

Style: Garage

Living square feet: 1240

main: 952 sq. ft.

Additional square feet:

garage: 630 sq. ft.

Bedrooms: 1

Baths: 1

Garage bays: 2

Garage style: attached

Width: 34'0"

Depth: 32'0"

Roof height: 27'0"

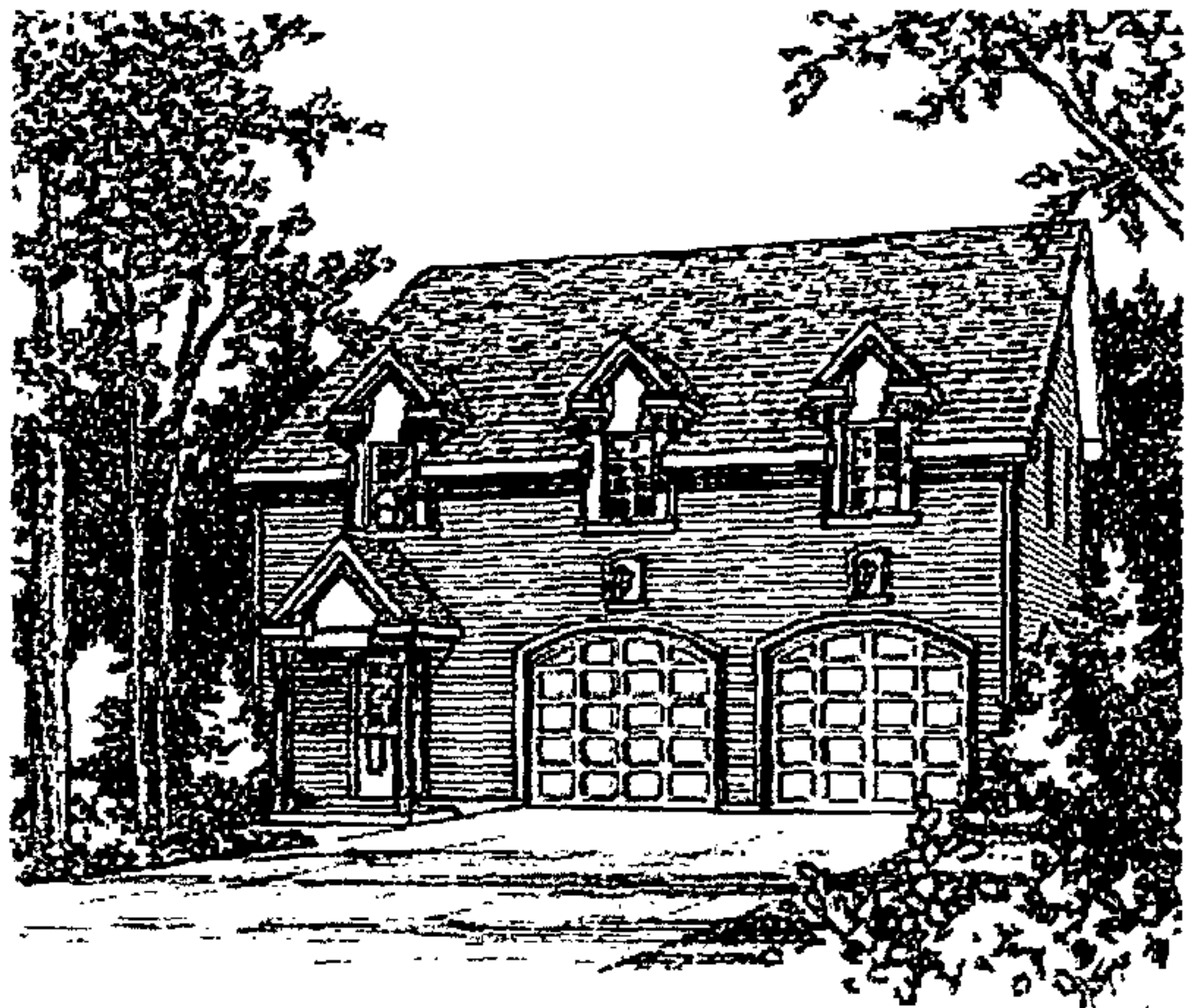
Roof pitch: 9/12

Exterior wall framing: 2x4

Foundations: Slab (more info)

See complete room specs

Front Perspective See larger image



main floor See larger image

See more plans by this designer

Plan Pricing

Reproducible Media - One set of vellums or mylars \$410.00

Deluxe Plan Package - 8 sets \$330.00

Standard Plan Package - 5 sets \$280.00

Order This Plan

This selection can be modified on the
Add To Cart page

Cost to Build

Estimate the cost to build this plan.

Questions

- Frequently Asked Questions (FAQ)
- Ask us a plan question.
- Ask us a construction question.
- To ask us a question by phone, please call 800-447-0027.

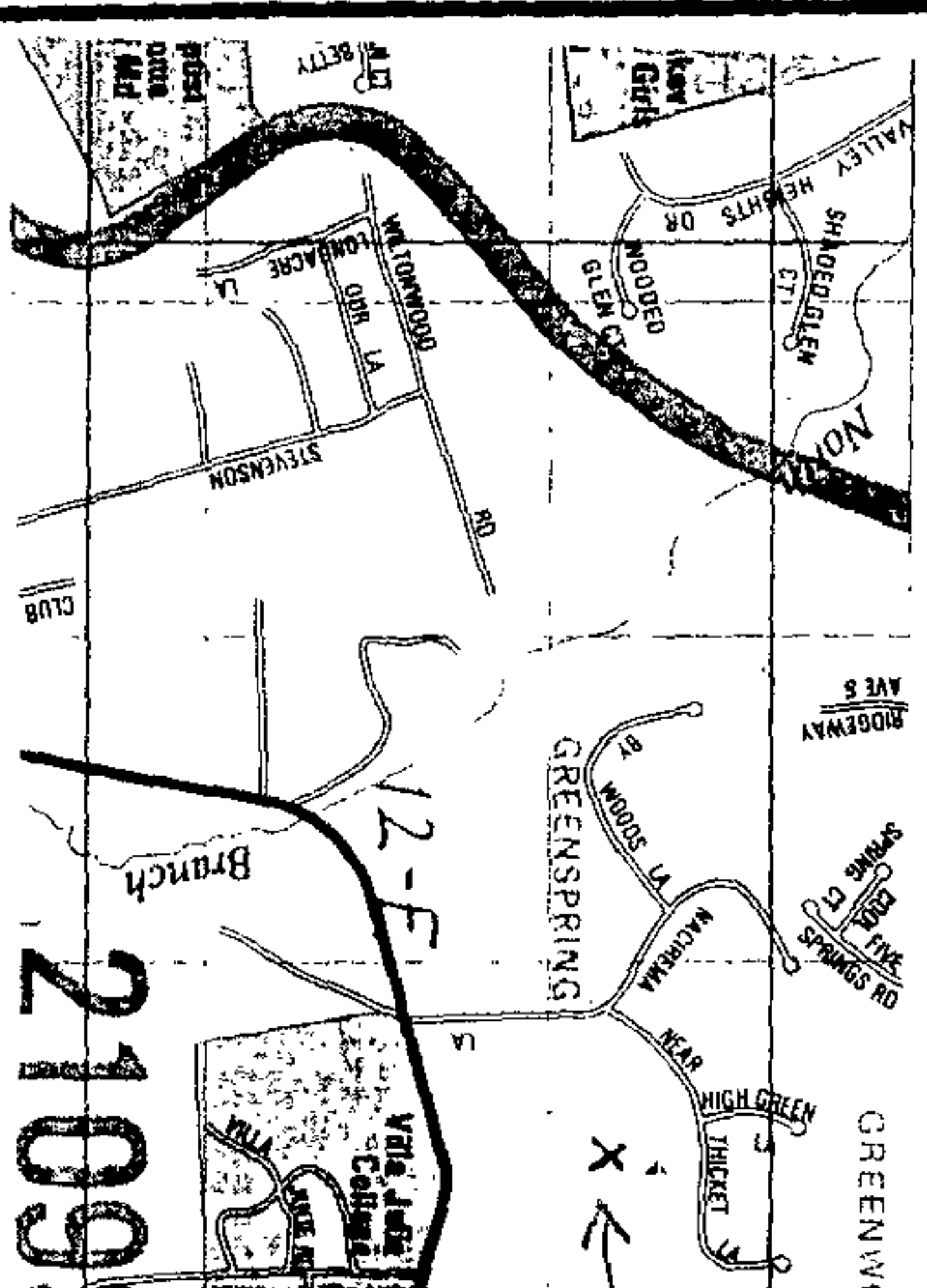
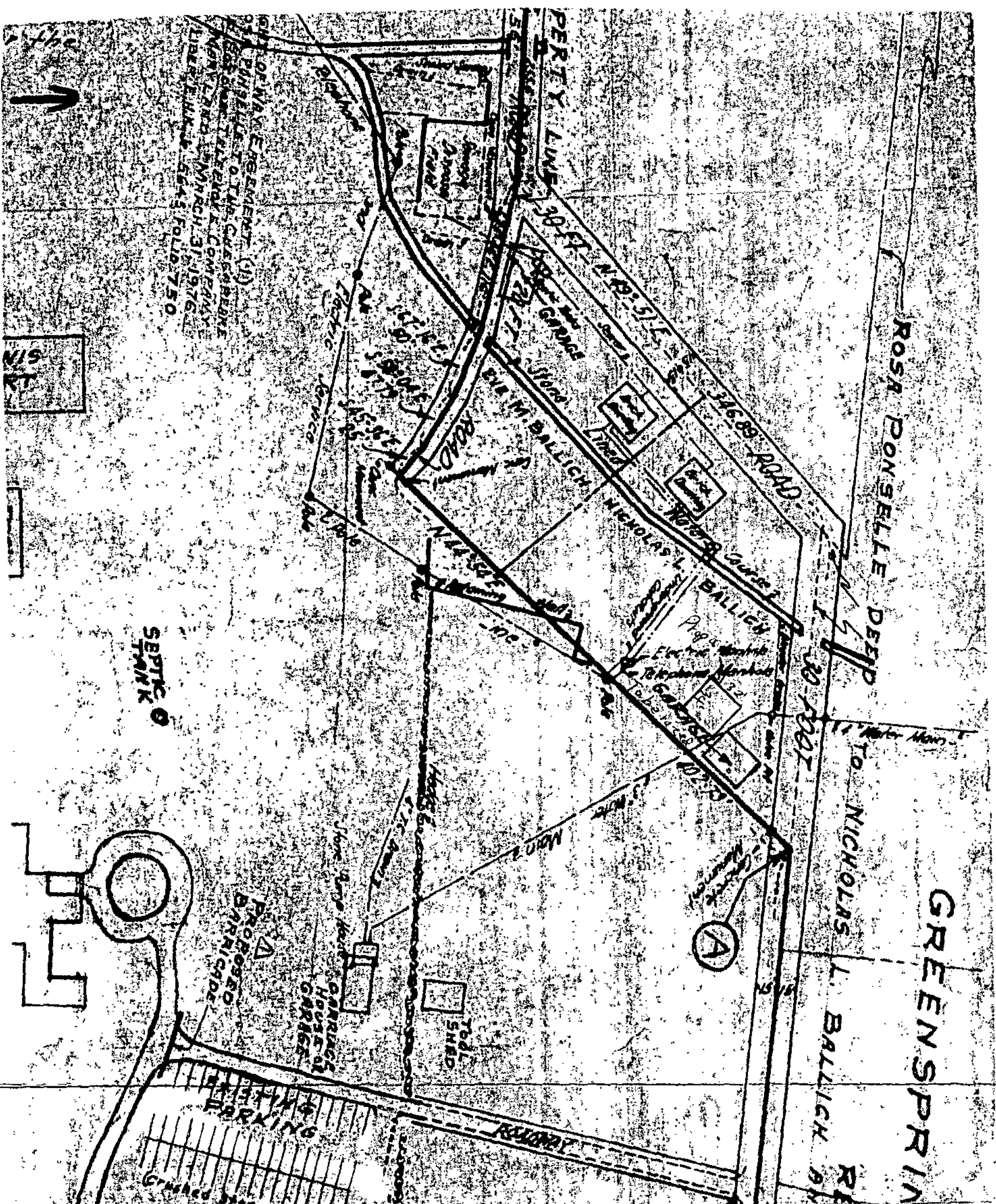
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 10949 Nacivemg Lane SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME 417

PLAT BOOK # NA FOLIO # NA LOT # NA SECTION #

OWNER Susan B Obrecht



VICINITY MAP
SCALE: 1" = 2000'

LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 2

1"=200' SCALE MAP # 059B2

ZONING RC-2

LOT SIZE

41382

	<u>ACREAGE</u>	<u>SQUARE FEET</u>
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PUBLIC PRIVATE

SEWER

☐ ☒

WATER

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YES NO

CHESAPEAKE BAY
CRITICAL AREA

☒

100 YEAR FLOOD PLAIN

☒

HISTORIC PROPERTY/
BUILDING

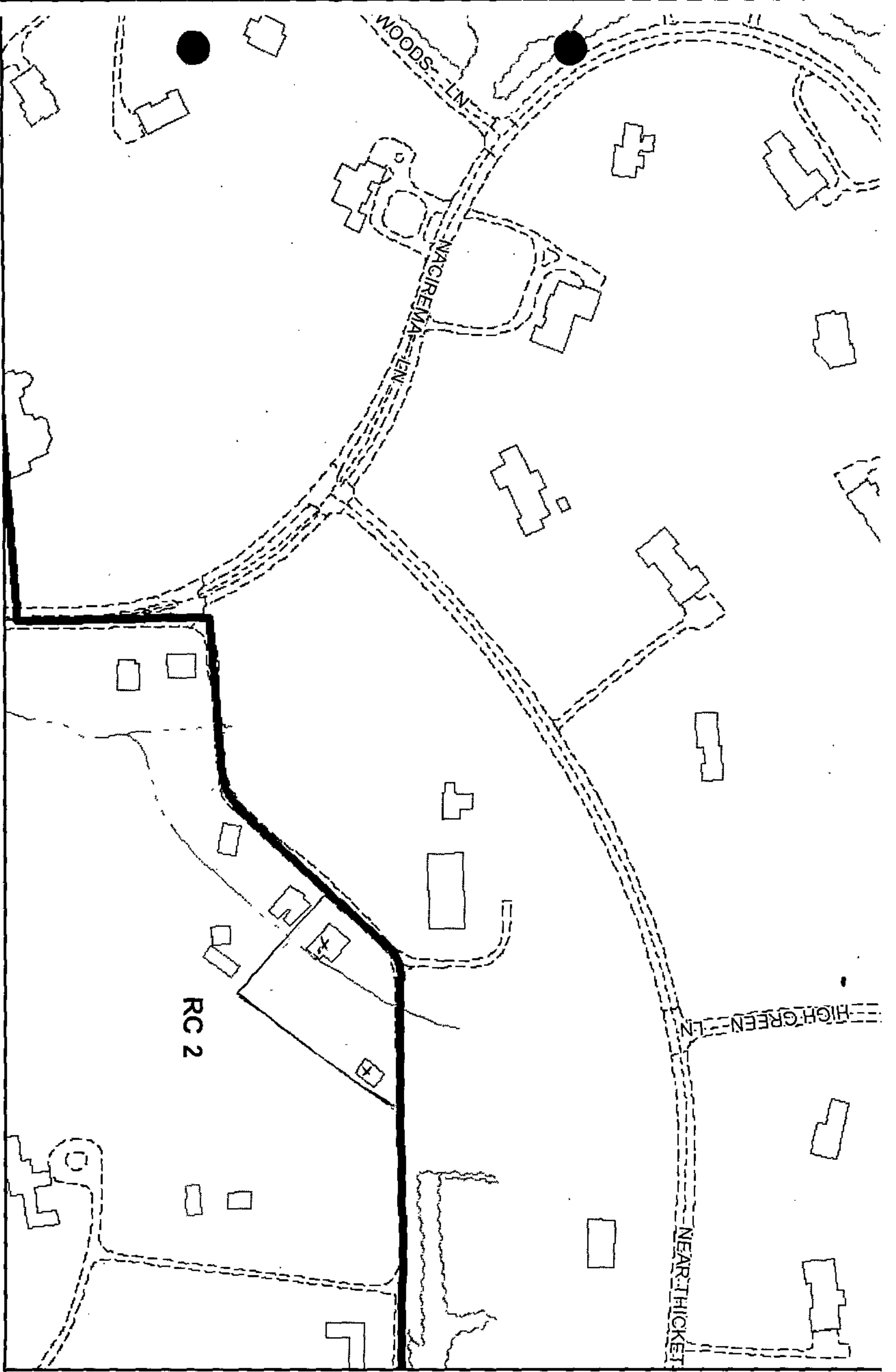
☐ ☒

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY SPO

SCALE OF DRAWING: 1" = 100'



1	059B1	059C1	060A1
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Scale 1" = 200'



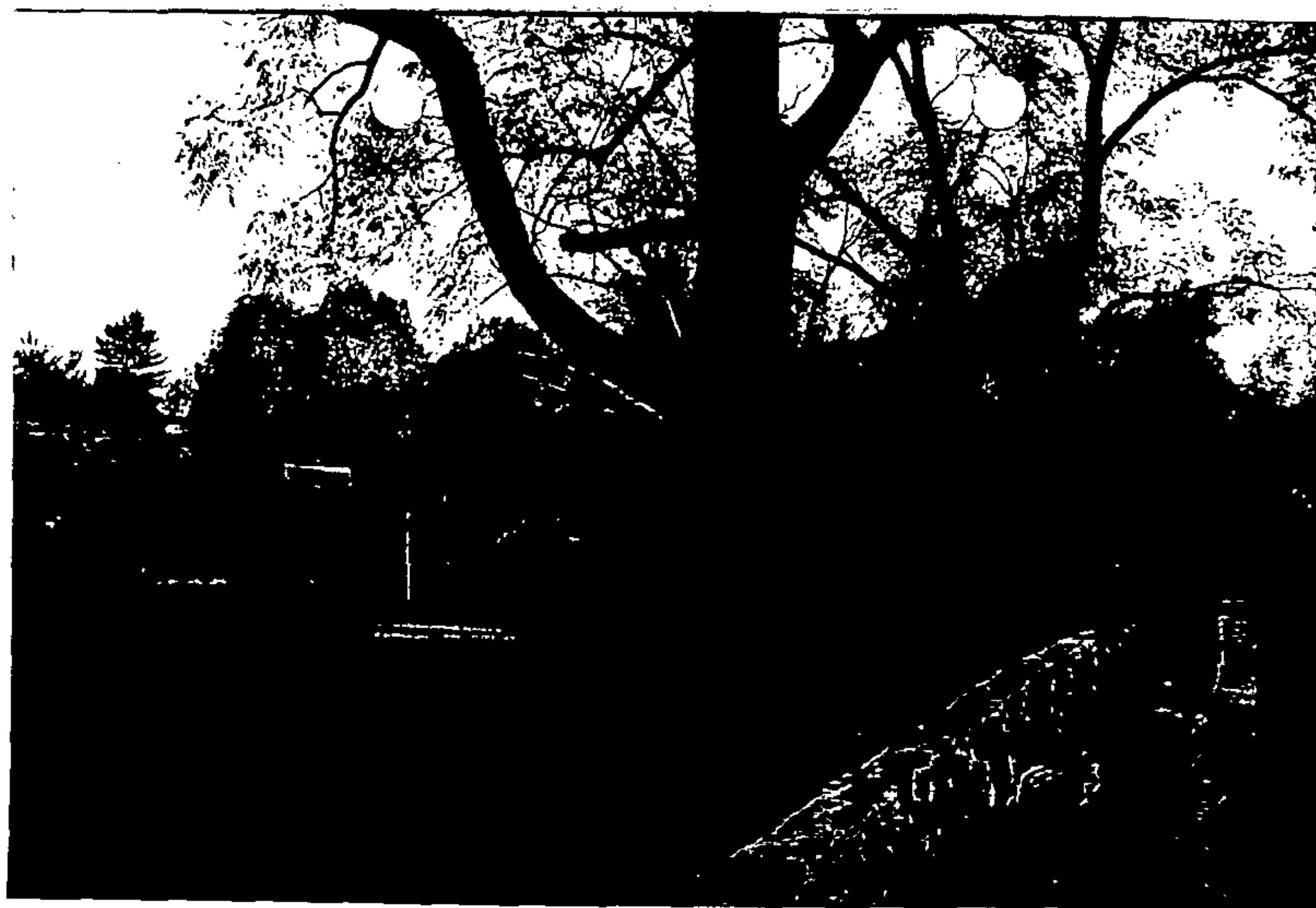
RC 2

map # 059B2

#137







John V. Murphy
Deputy Zoning Commissioner
County Courts Building
401 Bosley Ave.
Towson, MD. 21204

RECEIVED

NOV - 8 2006

ZONING COMMISSIONER

Re: Case # 07-137-A
Property: 10949 Nacirema Lane

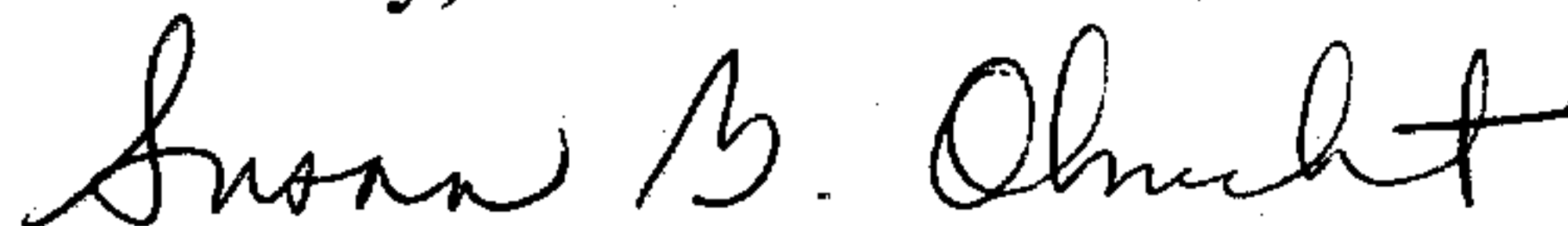
Dear Mr. Murphy:

In response to your letter concerning my Petition for Administrative Variance, I would like to assure you that I have no plans to convert my new garage into a residence, sleeping quarters or a commercial facility. It is to be used as a garage downstairs and open storage upstairs. The only reason I sent the plans showing a finished upper level is so that you could see what we want the outside to look like. Our home is a very charming Federal style brick dwelling, and we felt that this style, or something close to it, would be a perfect compliment to our existing house.

Therefore, I have no objections to the requirements of the Planning Office.

Thank you very much for your concern.

Sincerely,



Susan Burch Obrecht