THOOPERE

IN RE: PETITION FOR ADMIN. VARIANCE
N and W side Seven Springs Court, 2000
feet +/- N of c/l Cripple Gate Road
(18 Seven Springs Court)
10th Election District
3rd Council District

Ayman F. and Florentina Akkad Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- OF BALTIMORE COUNTY

* Case No. 07-171-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Ayman F. and Florentina Akkad. The Petitioners request a variance from Section 1A03.4.B.2 (RC 4 Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage) to have a side yard setback of 28 feet in lieu of the required 50 feet, and to amend the Final Development Plan of Hunt Valley Heights, lot 12A only. The subject property and requested relief are more particularly described on the site plan submitted as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief

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for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

Based upon the evidence contained therein, I am persuaded to grant the requested variance. As shown on the site plan, the Petitioners propose to construct a two-car garage. The garage will be accessed via the existing driveway. Photographs submitted by the Petitioners indicate that the topography of the property slopes downward in the back yard. The septic tank, septic reserve area and well are located in the back yard. The proposed two-car garage has been approved by the Gaylord Brooks Architectural Committee, Inc.

There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and none of the neighbors voiced any objection. Thus, it appears that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November, 2006 that the Petition for Administrative Variance seeking relief

from Section 1A03.4.B.2 (RC 4 Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage) to have a side yard setback of 28 feet in lieu of the required 50 feet, and to amend the Final Development Plan of Hunt Valley Heights, lot 12A only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

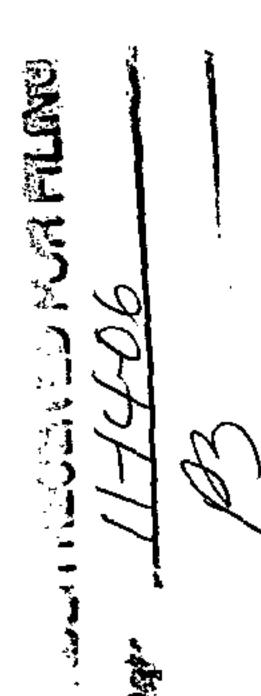
1) Petitioners may apply for building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30 day-appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.

WISEMAN, III

for Baltimore County

WJW/pz





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

which is presently zoned _

1A03.4.B.2 (RC4 regs) - to permit

for the property located at 18 Seven Springs Ct

a proposed addition (garage) to feet in lieu of the required 50:	have a side yard setback of 28 and to amend the FOP of Hunt Valley
Heights, lot 12A only	
of the zoning regulations of Baltimore County, to the zoni of this petition form.	ing law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted pursuit	, posting, etc. and further agree to and are to be bounded by the zoning
	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):
	DYMAN/ AKVAL)
Name - Type or Print	Name - Type or Print
Signature	Signature
Address Telephone No.	Name - Type of Print
City State Zip Code	Signature
Attorney For Petitioner:	12- Seven Springsch 410-52
· · · · · · · · · · · · · · · · · · ·	Address - Dhorn X - 1/2/
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
Company	Name
Address Telephone No.	Address Telephone No.
City State Zip Code	City State Zip Code
	o be required, it is ordered by the Zoning Commissioner of Baltimore County, or of this petition be set for a public hearing, advertised, as required by the zoning
THE TANK THE PARTY OF THE PARTY	Zoning Commissioner of Baltimore County
CASE NO	Reviewed By 10/16/06
REV 10/25/01	Estimated Posting Date 10 29 06

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 A O 3. 4. B. 2 (RC4 reas) - to permit

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.

competent to testify thereto in the event that a public healing is scheduled in the total with regulp thereto.
That the Affiant(s) does/do presently reside at Address how State Z1/3/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- No access to the back yord
2 - Septici tank I well located in the back yord
2- Septic tank I well located in the backyard 3- The back yard slope I wooded
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 Florentina AKKA Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this day of,, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
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

REV 10/25/01



CASE NO. 07-171-A

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Zoning Commissioner of Baltimore County

Date

for the property located at	18	Seven	Springs	Ct
which	h is pr	esently z	oned	BC 6

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) 1A03. 4. B. 2 (RC 4 regs) - to permit a proposed addition (garage) to have a side yard setback of 28 feet in lieu of the required 50; and to amend the FDP of Hunt Valley Heights, let 12A, only

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.

!/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. Legal Owner(s): Contract Purchaser/Lessee: Name - Type or Print Signature Signature Telephone No. Name - Type or Print Address Zip Code Signature City State Attorney For Petitioner: Telephone No. Address Zip Code Name - Type or Print Representative to be Contacted: Signature Name Company Address Telephone No. Telephone No. Address -Zip Code Zip Code State State City City E A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning "day of - - + 's .ii this regulations of Baltimore County and that the property be reposted.

Reviewed By

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 pu	ublic hearing is scheduled in the futu	re with regard thereto.
That the Affiant(s) does/do presently reside at	18-Seven Spring	<u>, C</u>
	City PhOCN/X Sta	2//3/ ate Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts upon which I/we I p or practical difficulty):	base the request for an Administrative
1-NOACCESS to the	back yord.	D. mol www.
2-Septic Tank 8. 3. The back yards	Well Localed in	ded.
3. The back-your		
	•	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will additional information.	be required to pay a reposting and
Signature AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	Signature Form	End AKKAN
Name Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:	
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per		pefore me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfa	ictorily identified to me as such Affiai	nt(s).
AS WITNESS my hand and Notarial Seal		TO STATE CHANNEL STATE OF A RENEW AND A STATE OF A
	Notary Public	
	My Commission Expires	A Commence of the second secon
REV 10/25/01		U. 2

ZONING DESCRIPTION FOR

SEVEN 18 SVER SPRINGS CT PHOENIX, MD 21131

Beginning at a point on the north side of SEVEN SPRINGS CT which is 50' wide at the distance of 2000' NORTH of the centerline of the nearest improved intersecting street CRIPPLE GATE RD.

Being lot # 12A in the subdivision of HUNT VALLEY HEIGHTS as recorded in Baltimore County Plat Book # 50, Folio # 62 containing 3.003 AC. And located in the 10 Election District, 3 Council manic District.

Item #171

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CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE:

10/31/06

Case Number: 07-171-A

Petitioner/Developer: A & F AKKAD

Date of Hearing (Closing):

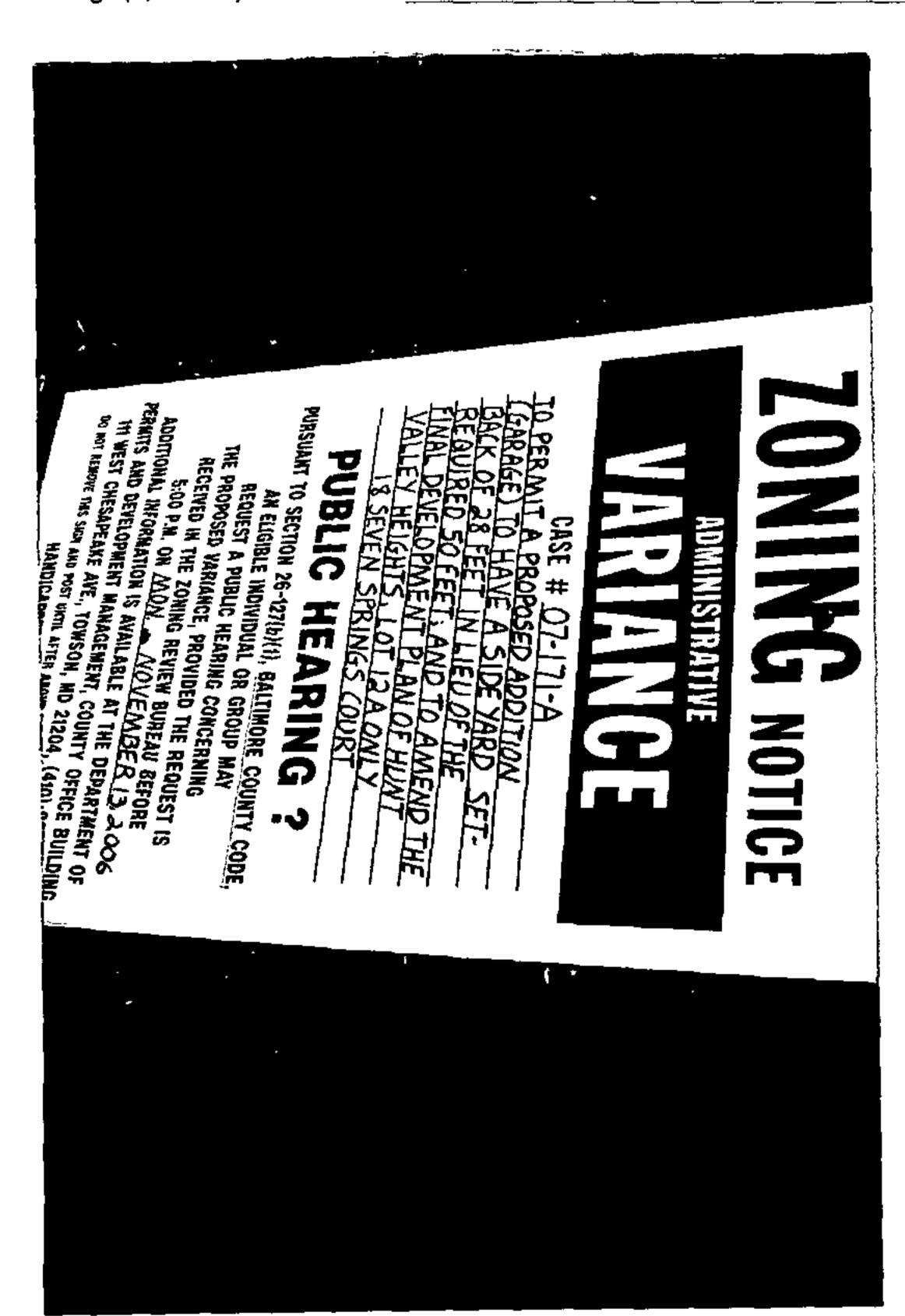
11/13/06

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: 18 SEVEN SPRINGS COURT

The sign(s) were posted on:

10/29/06



(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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

										
Case	Number	07-	171		\	Address	18	SEVEN	SPRINGS	CT
	act Perso			Planner Pier	ase Print You	r Name	<u> </u>		Number: 41	
Filing	Date:	(0/	/16/	OG	Pos	ting Date:	10/29/	06 Cio	sing Date:	11/13/0
Any o	contact in	nade	with th	is office	regardir	ng the statu ne case num	s of the	administrati	ve variance	should be
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2.	a lonna	n rec	juest to:	a publ	c nearm	leadline for a g. Please ss is not con	understai	nd that eve	within 1,000 n if there is date.	feet to file no formal
3.	order the (typically	at the	ne matte nin 7 to	nay: (a) er be se 10 days	grant the clo	ne requested a public hea osing date) a	reliet; (taring. Yes to whe	o) deny the ou will rece ther the net	ning or dep requested re eive written ition has bee irst Class ma	elief; or (c) notification on granted
4	commiss	sione I givii certif	r), notifi ng notice	ication version of the	s formai vill be fo hearing d	request or rwarded to late time an	by orde you. The id location	r of the zo he sign on n As when	t go to a pub ning or dep the propert the sign wa n must be fo	uty zoning y must be
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Petitic	oner: Th	is Pa	art of the	e Form i	s for the	Sign Poste	r Only			
			USE T	HE ADN	IINISTRA	ATIVĘ VARI	ANCE SI	GN FORMA	T	
	Number				Addr	ess <u>18</u>	Seven	Springs	Ct	
Petitio	ner's Nar	ne	A+F	_Akk	ad			Telephone	410 52	7 9559
Posting Date: 10/29/06 Closing Date: 11/13/06										
Wording for Sign: To Permit a proposed addition (garage) to have a side yard										
setback of 28 feet in lieu of the required 50: and to amend the										
Final Development Plan of Hunt Valley Heights, lot 12 A only										
									<u> </u>	

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.

. i
For Newspaper Advertising:
Item Number or Case Number: 07-17#-A Petitioner: Ayman Akkad Address or Location: 18 Seven Springs C+
Address of Location. The Jeven Springs CT
PLEASE FORWARD ADVERTISING BILL TO: Name: AYMAN AKKAN
Address: 18 SEVEN SPRINGS CT
PHOENIX MD 21131
Telephone Number: (410) > 27.9 559



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 14, 2006

Ayman Akkad Florentina Akkad 18 Seven Springs Court Phoenix, MD 21131

Dear Mr. and Mrs. Akkad:

RE: Case Number: 07-171-A, 18 Seven Springs Court

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

u. Callibald

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

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) 7-171- 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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

0CT 3 = 2000

DATE: October 24, 2006

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 26, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 30, 2006

Item Nos. 07-170, 171, 172, 174, 175, 176, 177, 178, 179, 180, 181. and 182

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-10262006.doc



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 31, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 23, 2006

Item Number(s): 170 through 182

171

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



RE:

Robert L. Ehrlich, Jr., Governor Michael 8. Steele, Lt. Governor

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OctoBECZ 31, 2006

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

Dear Ms. Matthews:

Baltimore County Item No. 7-171-A 18 JEVEN SPRINGS CONST AKKAD PRODERTY

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. 7-17/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,

Steven D. Foster, Chief U

Engineering Access Permits Division

SDF/MB



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

November 14, 2006

Ayman F. and Florentina Akkad 18 Seven Springs Court Phoenix MD 21121

RE: Petition For Administrative Variance

(18 Seven Springs Court) Case No. 07-171-A

Dear Mr. and Mrs. Akkad:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 410-887-3391.

. Very truly yours

. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:pz



Gaylord Brooks Architectural Committee, Inc.

P.O. Box 400, 3312 Paper Mill Road, Phoenix, Maryland 21131 • 410-667-0800 • FAX 410-667-0078

October 5, 2006

Mrs. Ayman Akkad 18 Seven Springs Court Phoenix, MD 21131

Re: Garage Approval

Greenlands of Hunt Valley, Lot 12

Dear Mrs. Akkad,

Please be advised that the plans and specifications for the proposed two-car garage on the above referenced property have been approved by the Gaylord Brooks Architectural Committee, Inc. It is understood the front elevation of the garage will be modified as we discussed today using stone facing as used on the house.

Thank you for your cooperation in this matter and best wishes on the construction of your garage.

Very truly yours,

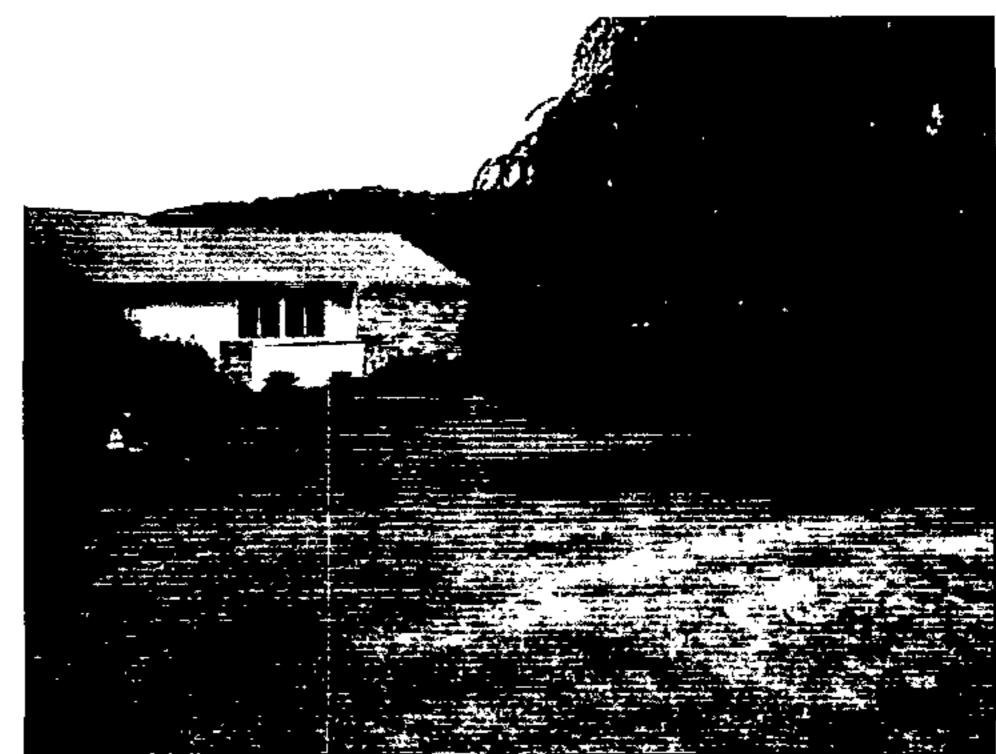
Thomas O. Moore

. .:

Item #171

2





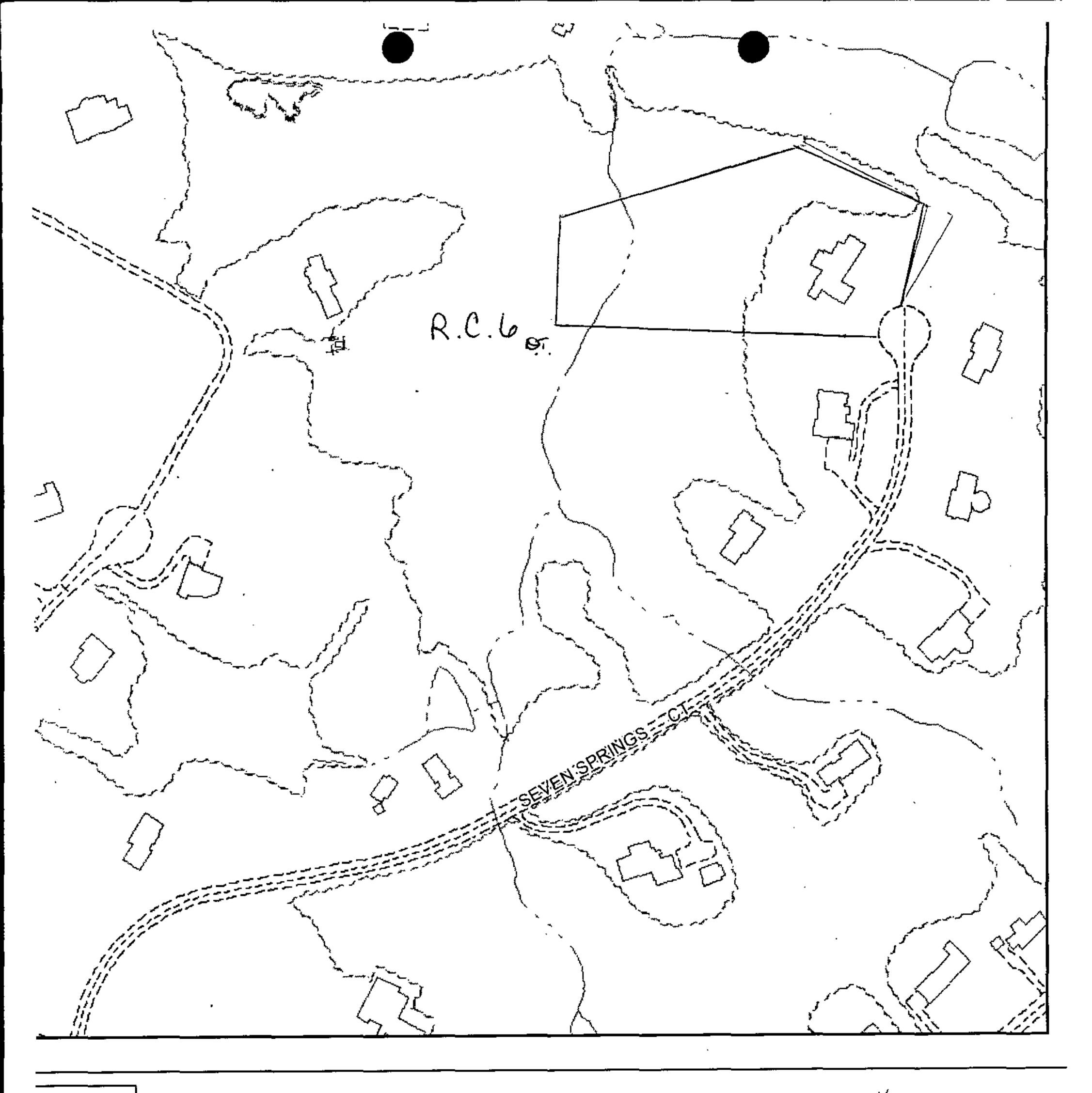








Item #171



035C3

043C1

043C2

Scale

1" = 200'

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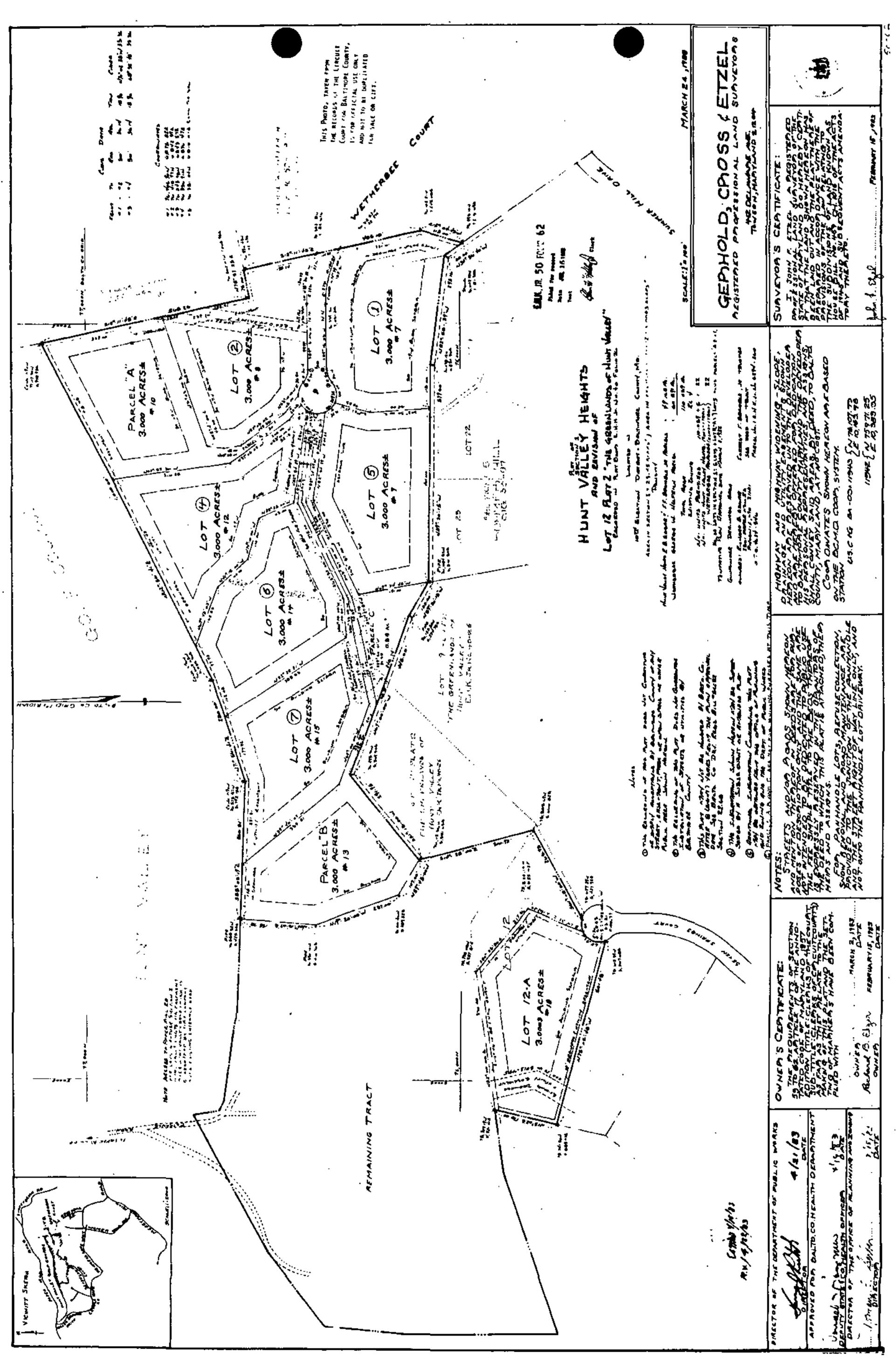
400 **▼**Feet

Item # 171

Data Sources:

Planametric Data - Baltimore County OIT/GIS Services Unit 1:2400, from 1995/96 photography Zoning - Baltimore County Office of Pla

1:2400, 2004



Trem # 171

IE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

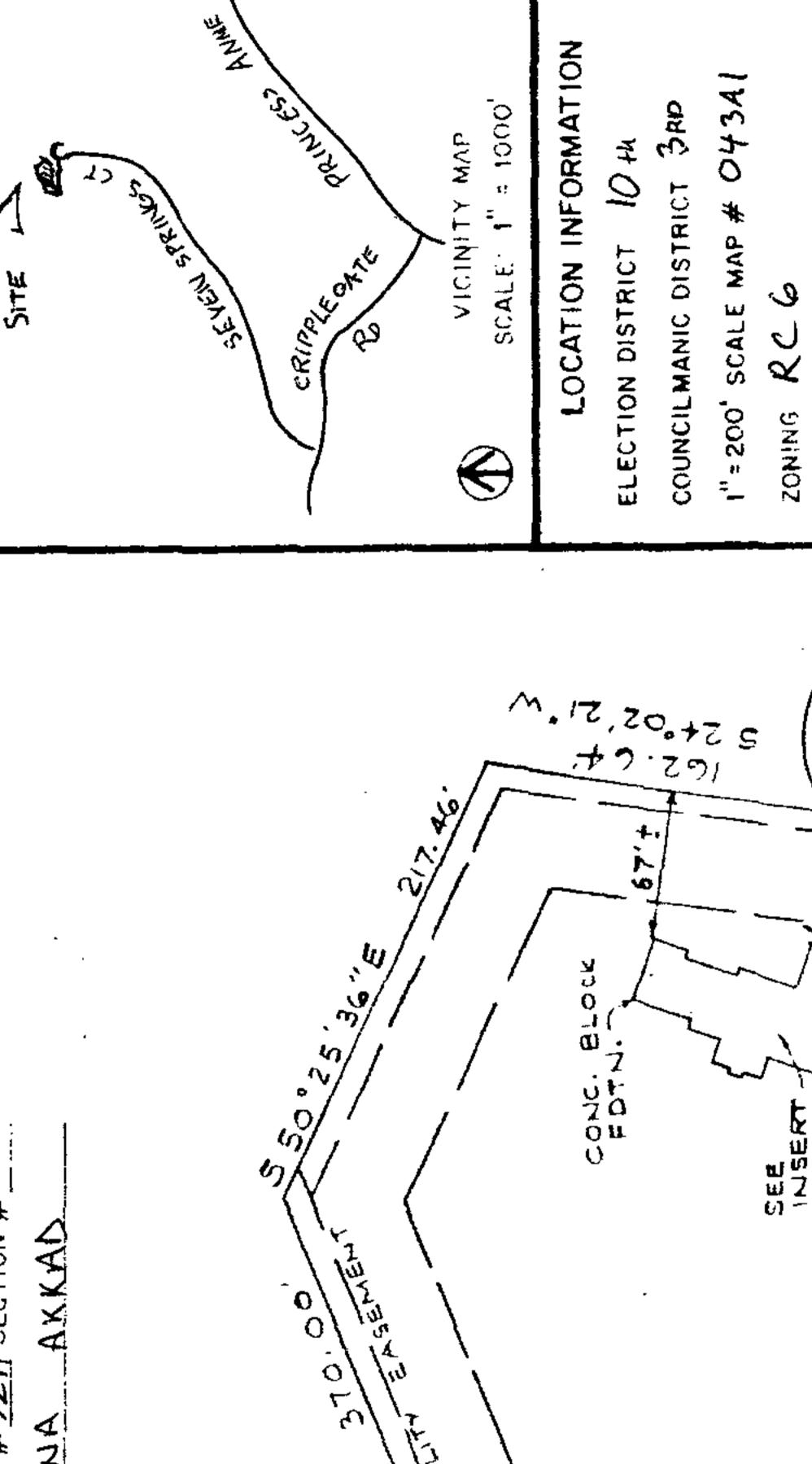
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HE ARING SPECIAL ARIANCE TO ACCOMPANY PETITION FOR ZONING PLAT

SEE PAGES

Seven Springs or Heights HUNT ADDRE SUBDIVISION NAME PROPERTY

LOT # 12 A SECTION # FLORENTINA FOL 10 # 62 PLAT 800K # 50 OWNER



00'00'

0

25 区 SOUNE FEET PRIVATE 100 YEAR FLOOD PLAIN PRIOR ZONING HEARING HISTORIC PROPERTY/ BUILDING 3.00 3 ACREAGE CHESAPEAKE BAY SEWER WATER

59MBd9

2000' TO

150' + away

neighbor

nearest

PROPUSED GARACE

507.

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Screen Porch

EXISTING.

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07-171-A ONLY CASE # USE OFFICE (ZONING REVDEWED BY

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B PREPARED

DRAWING: OF. SCALE