



IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE

SW side of Bradshaw Road, 1,013 feet SE of c/l of Philadelphia Road 11th Election District 5th Councilmanic District (8539 Bradshaw Road)

Bob Andrews Construction, Inc.; Robert J. Andrews, President Legal Owner & Petitioner James and Tina Baran Contract Purchaser * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

*

*

* CASE NO. 07-213-SPHA

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, Bob Andrews Construction, Inc.; Robert J. Andrews, President, for property at 8539 Bradshaw Road. The Special Hearing request filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) is to permit an accessory structure (garage) with the same footprint as the existing dwelling. The variance request is to permit an accessory structure (detached garage) with a height of 27 feet in lieu of the maximum permitted 15 feet.

The property was posted with Notice of Hearing on January 1, 2007, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 2, 2007, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power

TO O S



given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Section 307 of the B.C.Z.R. Variances

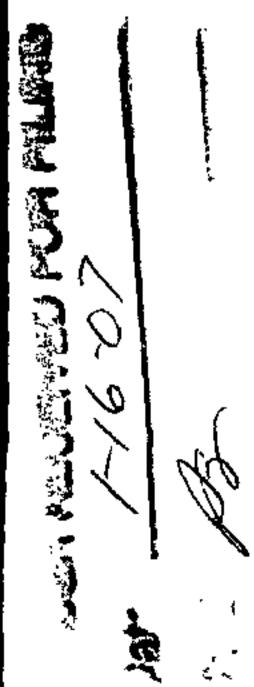
"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions 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."

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated November 20, 2006 which contains restrictions, and a copy of which is incorporated herein and made a part hereof the file.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing and variance relief was Robert J. Andrews with Bob Anderson Construction, Inc., the legal owners, and James and Tina Baran, the contract purchasers. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.



Testimony and Evidence

The subject property contains 2 acres zoned RC 5 and improved by the Baran's home. Mr. Andrews explained that his company purchased the subject property some time ago which had a very small house and detached garage which he described as in poor condition. His company rehabilitated the house, razed the garage and added a wing to the house where the garage once stood. They brought the house up to electrical, heating, plumbing, etc., code. However the new plumbing code required them to construct a new 6000 square foot septic reserve area in the rear of the house which, with the large area of delineated wetlands, essentially occupies the whole rear yard as shown on exhibit 1.

In time Mr. Andrew's company sold its interest in the property to the Barans. Mr. Baran indicated that he has an extensive collection of antique automobiles, mostly corvettes, which he would like to keep in a safe and secure building out of the weather. This needs to be 30 x 50 feet to provide enough storage and space for the vehicles and a second floor to store auto parts. Mr. Andrews indicated that the only area that would accommodate that size garage and can utilize the existing driveway is as shown on exhibit 1.

Mr. Baran indicated that in addition to having enough room for storage, the design for the garage must match his two story home as shown in exhibit 2F. This requires a roof peak of 27 feet. Thus the need for a height variance. In addition the house even with the addition is smaller then the 30×50 garage. Thus the need for a special hearing as an accessory structure may not exceed the size of a principal structure.

Finally the Petitioners presented a list of written reasons why they believed the property was unique and the relief requested should be granted. Among those are the observation that the



property to the east is the B&O Railroad train tracks which the Petitioner would like to block by the orientation and location of the garage.

Findings of Fact and Conclusions of Law

I think it may have been helpful if in addition to the relief requested the Petitioner also requested a variance from Section 400.1 which specifies that accessory buildings should be in the rear yard only. Exhibit 1 shows the proposed garage about ½ in the rear and ½ in the side yard. Perhaps this was not needed as there previously was a garage in approximately the same alignment with the house. Nevertheless it is my intention in approving these requests, to approve the location of the proposed garage as shown in Petitioner's exhibit 1, again partially in the rear and side yards.

I am also not sure why the Petitioner needs a special hearing to approve an accessory structure larger than the principal structure. I looks to me as though the home plus the addition, is substantially larger than the proposed 30 x 50 garage. Perhaps the intake technician believed that the garage should be compared to the original size of the house.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The rear yard is occupied with septic reserve area and wetlands, the proposed garage must match the existing home to be architecturally compatible and antique car collection needs the physical storage room, all of which makes the property unique from a zoning perspective.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no other practical place to locate the garage so that it is completely in the rear yard, and the building must be the size and height to be practically useful to the Petitioners.

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Residential density is not an issue in this case.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The pattern of development shown by the Petitioner is similar to this plan so there will be no change to the character of the neighborhood. The property most affected by the location of the garage is the B&O Railroad property. Therefore I will grant the variance requested.

For the reasons above I will also grant the request for special hearing to allow the size of the accessory structure to exceed the size of a principal structure.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of January, 2007, that the Petitioners' request for Variance to permit an accessory structure (garage) with the same footprint as the existing dwelling is hereby GRANTED; and

IT IS FURTHER ORDERED, the Petitioner's request for Special Hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (detached garage) with a height of 27 feet in lieu of the maximum permitted 15 feet is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their permits 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. Architectural elevation drawings and photos of the proposed accessory structure (garage) must be submitted to the Office of Planning prior to the issuance of any building permits. Drawings must show:
 - a. North/northeast facing façade (from Bradshaw Road) articulated with windows;
 - b. Roof pitch above vehicular entrance for proposed garage shall be treated with at least two (2) functioning dormers similar to those found on the existing single family dwelling; and
 - c. All facades of structure must be treated with matching vinyl siding.
- 3. Accessory structure may not be used for commercial purposes including repairing vehicles for compensation. The Petitioner may perform ordinary maintenance and repairs on his personal vehicles within the enclosed accessory structure only.
- 4. 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.
- 5. The accessory structure shall not be used for commercial purposes.

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

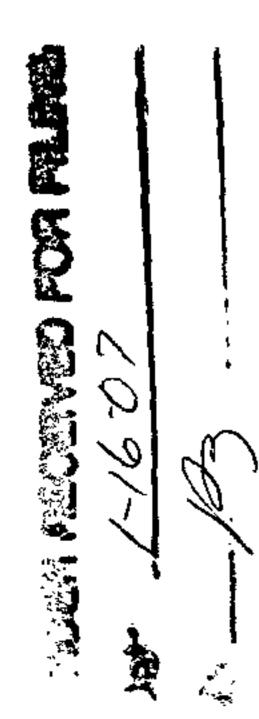
Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

January 16, 2007

JAMES AND TINA BARAN 8539 BRADSHAW ROAD KINGSVILLE MD 21087

Re: Petition for Special Hearing and Variance

Case No. 07-213-SPHA

Property: 8539 Bradshaw Road

Dear Mr. and Mrs. Baran:

Enclosed please find the decision rendered in the above-captioned case. The petition for Special Hearing and 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

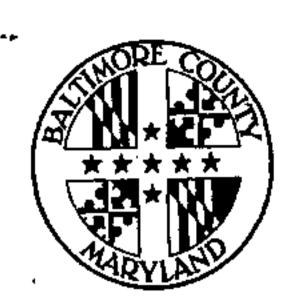
Deputy Zoning Commissioner

for Baltimore County

JVM:pz

Enclosure

: Robert Andrews, Bob Andrews Construction, Inc., 11515 Cedar Lane, Kingsville MD 21087



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8539 BRADSHAW RD which is presently zoned <u>R.C.5</u>

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) HOO.3 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (DETACHED GARAGE) WITH A HEIGHT OF 27-FEET IN LIEU OF THE MAXIMUM PERMITTED 15-FEET.

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

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.

IMO do colombly doctors and affirm under the negative of

perjury, that I/we is the subject of this Petiti	are the legal owner(s) of the property which on.
Contract Purchaser/Lessee:	Legal Owner(s):
JAMES BARAN TINA BARAN Jame Type or Print Ja	Bob Andrews Construction Inc. Name Type or Print Signature ROBERT J. ANDREWS Name - Type or Print Signature
Attorney For Petitioner: lame - Type or Print	11515 CEDAR LANE (410)591-3301 Address Telephone No. KINGSVILLE MD 31087 City State Zip Code
ignature	Representative to be Contacted:
ompany	Name SEAR DARRAN Name
ddress Telephone No.	8539 BRADSHAW RD. 443-255-8751 Address Telephone No. KINGSVILLE MD 21087
ity State Zip Code	City State Zip Code OFFICE USE ONLY
ase No. 01-213-SPHA Reviewed By	UNAVAILABLE FOR HEARING Date 11806
The state of the s	

WE ARE REQUESTING A VARIANCE BECAUSE:

- 1) THE UNIQUE, UNUSUAL, AND DIFFERENT 6,000 SQ. FT. NEW SEPTIC SYSTEM REQUIRED BY THE STATE AND COUNTY IS DIFFERENT THEN THE OTHER THREE HOMES LOCATED ON BRADSHAW RD. THE NEW SEPTIC DOES NOT ALLOW US TO USE THE AREA DIRECTLY BEHIND OUR HOME FOR A FREE STANDING GARAGE (SEE ADDENDUM #1).
- 2) THE NEW SEPTIC SYSTEM AREA REQUIRED US TO RAISE THE EXISTING FREE STANDING GARAGE. WE ARE NOW ASKING TO REPLACE THE OLD GARAGE WITH A NEW FREE STANDING GARAGE WITH THIS VARIANCE (SEE ADDENDUM #2).
- 3) THE WET LANDS TO THE REAR OF OUR PROPERTY ARE UNIQUE, UNUSUAL, AND DIFFERENT FROM THE THREE OTHER HOMES ON BRADSHAW RD. THE WET LANDS DO NOT ALLOW US TO USE THE LEFT, REAR SIDE OF OUR PROPERTY TO BUILD A FREE STANDING GARAGE (SEE ADDENDUM PLAT).
- 4) WITH THE GRANTING OF THIS VARIANCE TO THE OWNERS, WE WILL BE ABLE TO MAKE REASONABLE USE OF THE 2 ACRES OF PROPERTY AND BUILD A FREE STANDING GARAGE. THE THREE OTHER HOMES ON BRADSHAW RD. HAVE FREE STANDING GARAGES ON THEIR PROPERTY (SEE PICTURES).
- 5) THE HARDSHIP OF THE NEW SEPTIC AND WET LANDS WAS NOT THE RESULT OF THE HOME OWNER, BUT REQUIRED BY THE STATE AND COUNTY GOVERNMENT, AND A RESULT OF NATURE AND WAS NOT THE RESULT OF THE HOME OWNERS OWN ACTION. TO THE BEST OF OUR KNOWLEDGE, THE OTHER THREE HOME OWNERS ON BRADSHAW RD. HAVE NO WET LANDS ON THEIR PROPERTY (SEE PLAT).
- 6) THE STRICT COMPLIANCE WITH THE REQUIREMENTS WOULD UNREASONABLY PREVENT THE USE OF THE 2 ACRES OF PROPERTY FOR ITS PERMITTED PURPOSE. AS NOTED ABOVE, ALL THREE NEIGHBORS HAVE FREE STANDING GARAGES, SOME ON LESS THAN 2 ACRES OF PROPERTY (SEE PICTURES).
- 7) THE GRANTING OF THIS VARIANCE WOULD PROVIDE PUBLIC SAFETY AND WELFARE BY CREATING A SOUND, VISUAL, AND FOOT TRAFFIC BARRIER BETWEEN THE EXISTING HOMES AND EXISTING RAILROAD TRACKS. ALSO, BY TURNING THE GARAGE IT WOULD ALLOW USE OF THE EXISTING DRIVEWAY AND WOULD NOT PIERCE BRADSHAW RD. WITH A SECOND DRIVEWAY. IT SHOULD BE NOTED THAT NO OTHER HOMES ON BRADSHAW RD. ARE IMPACTED BY THE EXISTING RAILROAD TRACKS AS MUCH AS OUR PROPERTY.
- 8) BY GRANTING THE 27' HEIGHT VARIANCE, THE GARAGE WOULD MATCH THE EXISTING HOME MORE CLOSELY AND WOULD NOT BE IN CONTRAST WITH OTHER HOME OWNERS FREE STANDING GARAGES ON BRADSHAW RD. (SEE PICTURES).
- 9) By allowing the garage to be built on the proposed site, we would be able to save a large 150 year old sycamore tree, which would be in the interest of the community (see picture).



Case No. 07-213-SPHA

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	8539	BRADSHAW	Ro.
which is	s present	ly zoned R.C	5

UNAVAILABLE FOR HEARING

Reviewed By _______ Date _____ Date ____ 11 8 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH THE SAME FOOTPRINT AS THE EXISTING DWELLING.

I, or we, agree to pay expenses of above Special Hearing, 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.

Property is to be posted and advertised as prescribed by the zoning regulations.

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: <u>Legal Owner(s):</u> TINA BARAN Type or Print Name - Type or Print Signature BOADS HAW ROBERT J. ANDREWS 443-255-975/ Address Telephone No. Name - Type or Print State Zip Code Signature Attorney For Petitioner: Address Telephone No. 21087 Name - Type or Print State Zip Code Representative to be Contacted: Signature JAMES BARAY Company Name BRADSHAW RO. Address Telephone No. Address KINGSVILLE City Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING

ZONING DESCRIPTION FOR #8539 BRADSHAW ROAD. BEGINNING AT A POINT ON THE SOUTHWEST SIDE OF BRADSHAW ROAD WHICH IS 40 FEET WIDE AT THE DISTANCE OF 1,013 FEET SOUTHEAST OF THE CENTER LINE OF PHILADELPHIA ROAD WHICH IS 66 FEET WIDE CONTAINING 2.032 AC +/_ ALSO KNOWN AS #8539 BRADSHAW ROAD AND LOCATED IN THE 11TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT, AS RECORDED IN DEED LIBER 23172 FOLIO 199 AND RUNNING HENCE S 38° 30′ 00″ E, 210.37 FEET; HENCE S 52° 00′ 00″ W, 420.75 FEET; HENCE N 38° 30′ 00″ W, 210.38 FEET AND HENCE N 52° 00′ 00″ E, 420.75 FEET TO THE PLACE OF BEGINNING.

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	RECEIVED AMOUNT S 130	∑	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE
CASHIER'S VALIDATION			

NOTICE OF ZONING HEARING

thority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 07-213-SPHA

8539 Bradshaw Road
S/west side of Bradshaw Road, 1,013 feet s/east of centerline of Philadeiphia Road
11th Election District - 5th Councillmanic District
Legal Owner(s): Bob Andrews Construction, Inc.
Contract Purchaser: James & Tina Baran
Special Hearing: To permit an accessory structure (garage) with the same footprint as the existing dwelling.
Variance: To permit an accessory structure (detached garage) with a height of 27 feet in lieu of the maximum permitted 15 feet.
Hearing: Tuesday, January 16, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

THIS IS TO CERTIFY, that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., 2 ot each once in

effersonian The Je

- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter County News North

LEGAL ADVERTISING

CERTIFICATE OF POSTING

•	RE: Case No.: 0 1 - 2/3 - SPHT
1 7 Target 1 2 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Petitioner/Developer: JAMES &
	TINA BARAN
•	Date of Hearing/Closing:
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 posted conspicuously on the property located	perjury that the necessary sign(s) required by law were at:
85.39 BRADSHI	مور <u>برا کا دی می نور در است که نوای کا داخت کا برای کا در برای کا</u> نوا
	<i>i</i>
The sign(s) were posted on	/-/-07 (Month, Day, Year)
	Sincerely,
ZONING NOTICE CASE # 07-213-SPHA	Robert Black (Signature of Sign Poster) SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONED IN TOWSON, MD	(Print Name)
PI'ACE HOTIBOOLEY AND TOURS 21201	1508 Leslie Road
OATE AND HALL DESCRIPTION OF THE PARTY OF TH	(Address)
	Dundalk, Maryland 21222
GUITTE ALAE A	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
8239 Bradshaw Road; SW/S Bradshaw Road
1,1013' SE c/line Philadephia Road
11th Election & 5th Councilmanic Districts
Legal Owner(s): Bob Andrews Construction,
Inc by Robert Andrews, President
Contract Purchaser(s): James & Tina Baran

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-213-SPHA

ENTRY OF APPEARANCE

Petitioner(s)

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of November, 2006, a copy of the foregoing Entry of Appearance was mailed James Baran, 8539 Bradshaw Road, Kingsville, MD 21087, Petitioner(s).

RECEIVED

NOV 2 0 2006

Per.....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

November 21, 2006

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-213-SPHA

8539 Bradshaw Road

S/west side of Bradshaw Road, 1,013 feet s/east of centerline of Philadelphia Road

11th Election District – 5th Councilmanic District

Legal Owners: Bob Andrews Construction, Inc.

Contract Purchaser: James & Tina Baran

<u>Special Hearing</u> to permit an accessory structure (garage) with the same footprint as the existing dwelling. <u>Variance</u> to permit an accessory structure (detached garage) with a height of 27 feet in lieu of the maximum permitted 15 feet.

Hearing: Tuesday, January 16, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Robert Andrews, 11515 Cedar Lane, Kingsville 21087 James & Tina Baran, 8539 Bradshaw Road, Kingsville 21087

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 1, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 2, 2007 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. James Baran. 8539 Bradshaw Road Kingsville, MD 21087

443-255-8751

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-213-SPHA

8539 Bradshaw Road

S/west side of Bradshaw Road, 1,013 feet s/east of centerline of Philadelphia Road 11th Election District – 5th Councilmanic District

Legal Owners: Bob Andrews Construction, Inc.

Contract Purchaser: James & Tina Baran

<u>Special Hearing</u> to permit an accessory structure (garage) with the same footprint as the existing dwelling. <u>Variance</u> to permit an accessory structure (detached garage) with a height of 27 feet in lieu of the maximum permitted 15 feet.

Hearing: Tuesday, January 16, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 07-213-
Petitioner: DARAN
Address or Location: 8539 BRADSHAW RD.
PLEASE FORWARD ADVERTISING BILL TO: Name:MR+ MRS. JAMES BARAN
Address: 8539 BRADSHAW RD.
KINGSVILLE, MD 21087
Telephone Number: 443-255-8751



JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

January 10, 2007

James Baran Tina Baran 8539 Bradshaw Road Kingsville, MD 21087

Dear Mr. and Mrs. Baran:

RE: Case Number: 07-213-SPHA, 8539 Bradshaw Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 8, 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

Bob Andrews Construction, Inc. Robert J. Andrews 11515 Cedar Lane Kingsville 21087

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 November 22,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 20, 2006

Item Number(s) -2-18 through 228

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



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DAIL

DATE: November 28, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 27, 2006

Item Nos. 07-72, 139/213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224,

226, 227, and 228

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-11272006.doc

Jr Vic

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRÉSPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: November 20, 2006

JAN 1 2 2007

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

8539 Bradshaw Road

INFORMATION:

Item Number:

7-213

Petitioner:

James Baran

Zoning:

RC 5

Requested Action:

Variance and Special Hearing

SUMMARY OF RECOMMENDATIONS:

The subject property consists of a newly constructed single family dwelling, which replaced an original dwelling built in 1924 (Maryland Department of Taxation and Assessments – Tax Account Number 11-13000160). The property is bordered by an existing dwelling on the northwest, with the remainder of the site surrounded by woods and wetlands. Upon field review and telephone conversations with the property owner, the rear portion of the property cannot be occupied by the proposed accessory structure due to an extensive underground septic system required by the Maryland Department of the Environment. As such, the proposed accessory structure can only be placed in the left side yard.

Upon speaking with the petitioner, the proposed accessory garage requires a height variance of 27 feet in lieu of the required 15 feet in order to store the property owners' collection of automobiles. The overall footprint for this accessory structure is of the same size as that of the existing dwelling, and thus, necessitates the petition for special hearing accompanying the variance.

The environmental constraints along with the secluded nature of the site make the circumstances unique relative to the zoning relief being requested. Therefore, this Office will support the petitioners request provided the following conditions are met.

- Architectural elevation drawings and photos of the proposed accessory structure (garage)
 must be submitted to this Office prior to the issuance of any building permits. Drawings
 must show;
 - North/north-east facing façade (fronting Bradshaw Road) articulated with windows.
 - O Roof pitch above vehicular entrance for proposed garage shall be treated with at least two (2) functioning dormers similar to those found on the existing single-family dwelling.
 - O All facades of structure must be treated with matching vinyl siding.
- Accessory structure may not be used as an automotive service garage for compensation.
- Automobile repair shall be restricted to the enclosed accessory structure only.
- Property may not be used for outdoor storage or repair of automobiles.
- Structure shall not have indoor plumbing for occupancy as a separate dwelling unit as only one principal dwelling may occupy a single lot of record.

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

Reviewed by:

Division Chief: AFK/LL: CM



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: NOVEMBER 20, 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. 7-213-3PHA

8539 BRADSHAW ROAD

BARAN PROPERTY.

SPECIAL HEARING F.

VARIANCE

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. 7-213.

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

SAMPLE EXCAVATING CO. INC. P.O. BOX 223 GLEN ARM, MD. 21057

October 20, 2006

Bob Andrews 8539 Bradshaw Rd Kingsville Md. 21021

To Whom It May Concern:

As of this date, October 20, 2006, I have inspected the Wastewater treatment and disposal system at 8539 Bradshaw Rd, Kingsville Md. The Wastewater treatment and disposal system consists of a 500gal concrete septic tank, 500gal Clearstream aerobic treatment unit, 1500gal pump chamber with effluent ejector pump, piping, timed control panel, alarms and all necessary electrical work. The disposal system is 6000sqft elevated drip disposal field.

The system was designed and installed by Sample Excavating Co. and approved by Baltimore County and Maryland State Departments of the Environment. The system is in good working order at this time and in no need of repair. I express no warranties or guarantees as to the life of the Wastewater

disposal system.

The system also requires a maintenance contract which we will service until August 30, 2008 at which time a new contract will be required. Only the Clearstream Wastewater Treatment unit has a two year warranty in effect until August 30, 2008.

12 1

Thank You,

H. Michael Sample

Baltimore County Sewage

Disposal Contractor License # 5055 October 23, 2006

As contractual owners of 8539 Bradshaw Road, Kingsville, Maryland, 21087 I, James Baran and my wife, Tina Baran petition for a variance for a garage to be built on the premises to house our cars as well as provide a sound and visual barrier against the railroad track that runs parallel to the planned garage. The garage is to be built to the specifications submitted by Andrews Construction, Inc.

Thank you for your consideration in this matter.

Singerely,

James Baran

Date

Tina Baran

Date



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT **TOWSON, MARYLAND 21204**

TIMOTHY M. KOTROCO DIRECTOR

BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B616872 CONTROL #: RA DIST: 11 PREC: 04

DATE ISSUED: 03/06/2006 TAX ACCOUNT #: 1113000160

CLASS: 04

PLANS: CONST O PLOT 1 R PLAT O DATA O ELEC NO PLUM NO

LOCATION: 8537

BRADSHAW RD

SUBDIVISION: BRADSHAW STATION

OWNERS INFORMATION

NAME: BOB ANDREWS CONSTRUCTION ADDR: 11515 CEDAR LANE 21087

TENANT:

CONTR: ANDREWS CONST CO

ENGNR: SELLR:

WORK:

RAZE DETACHED GARAGE, TO BE TORN DOWN & DEBRIS

HAULED TO APPROVED SANITARY LANDFILL IN

ACCORDANCE WYAPPLICABLE CO SITE REGULATIONS. SEPTIC TO REMAIN FOR EX SED. PERMIT EXPIRES 90

DAYS FROM DATE OF ISSUE, BUILT IN 1924,

26'X26'X(2)=1352SF

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD

EXISTING USE: SFD & DET GARAGE

TYPE OF IMPRV: URECKING

USE: GARAGE

FOUNDATION:

BASEMENT:

SEWAGE: PRIV. EXISTS

WATER: PRIV. EXISTS

LOT SIZE AND SETBACKS

SIZE: 2.000AC

FRONT STREET:

SIDE STREET: FRONT SETB: NC

SIDE SETB: NC

SIDE STR SETB:

REAR SETB: NC

INSPECTOR COPT

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

PETITIONER'S SICK-IN SHEET

E- MAIL				•						f	
STATE, ZIP	KINGSULLE MA 21087										
ADDRESS	8539 KORDSHAW RAD										
IAME	JAMES BARAN										

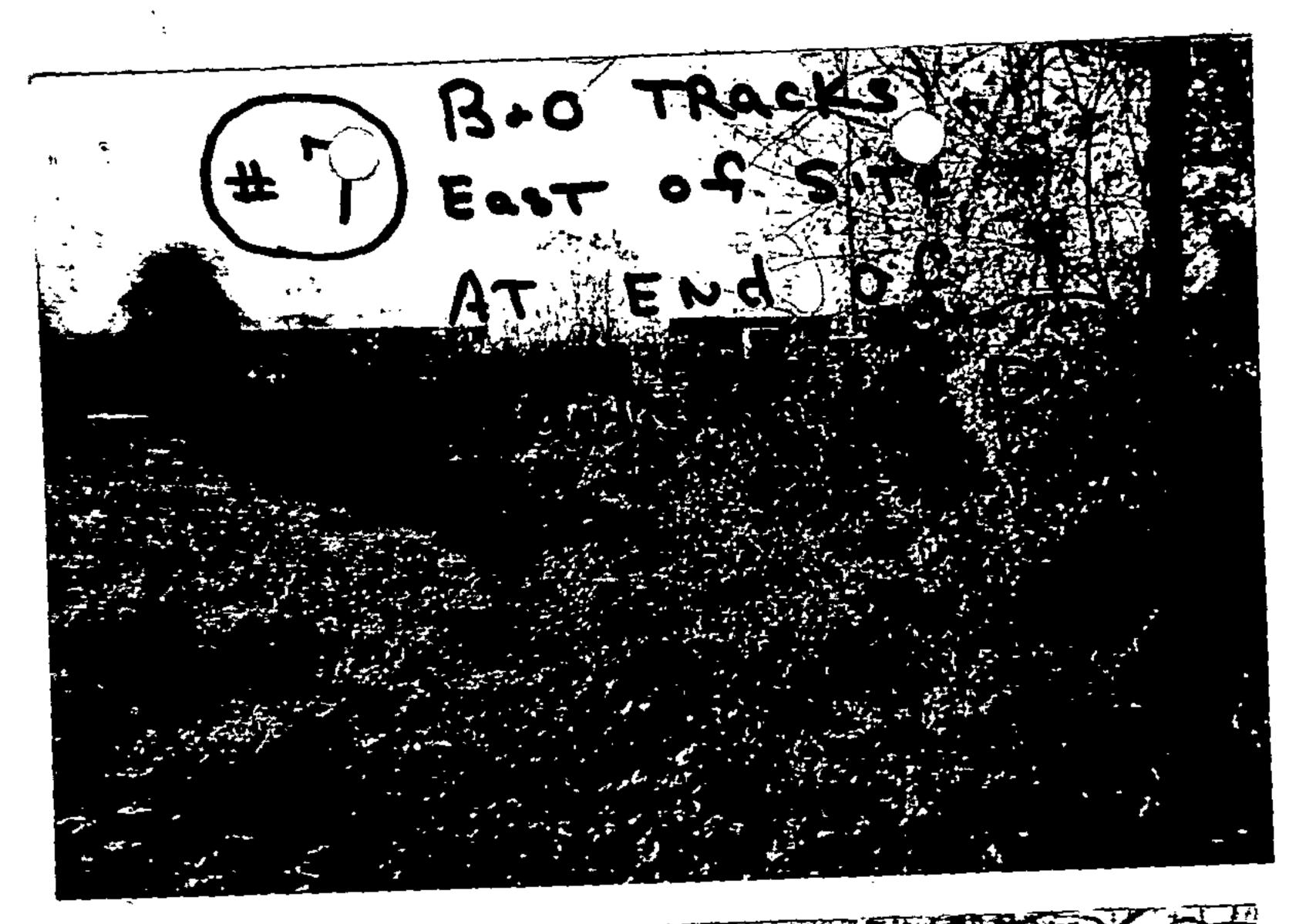


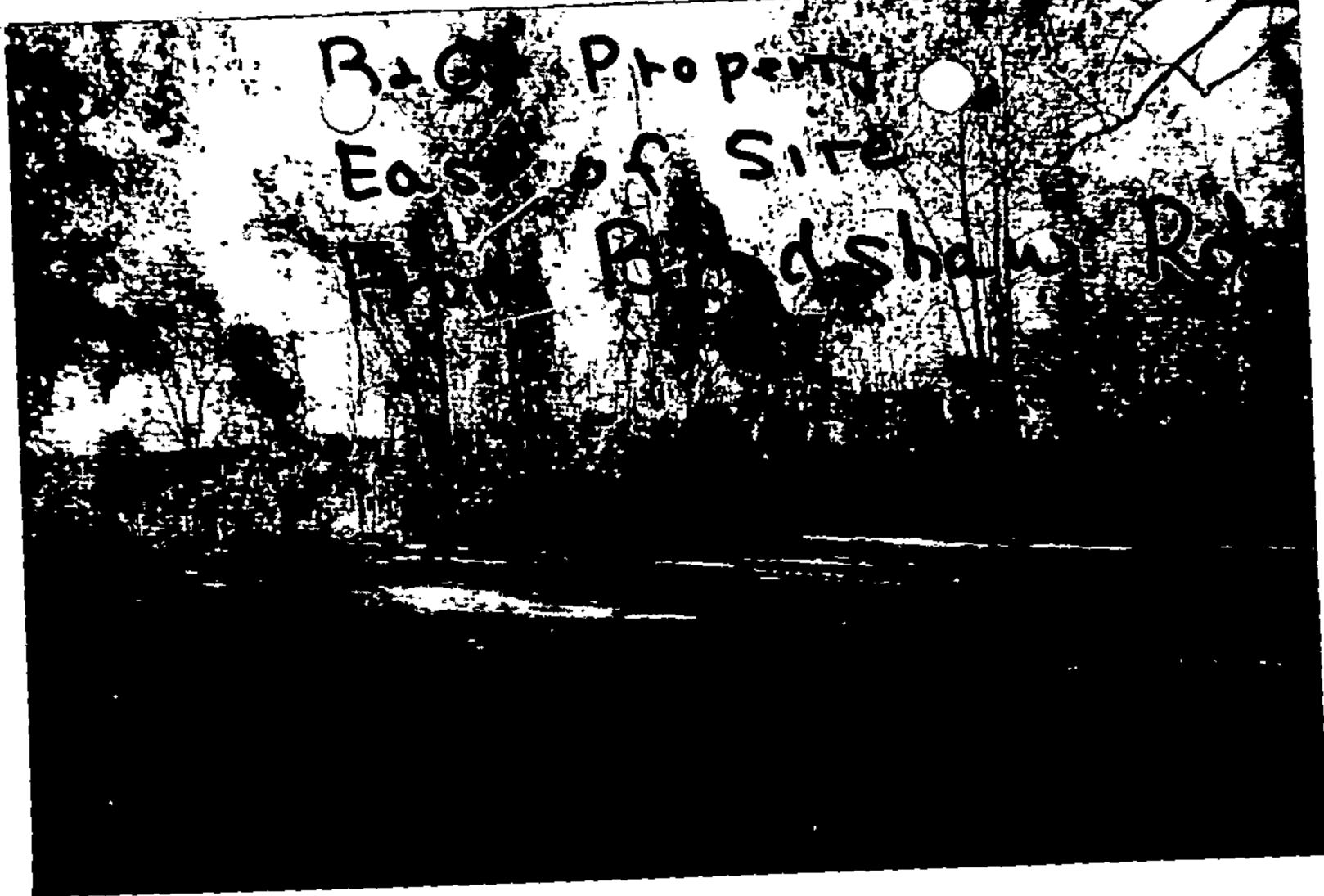
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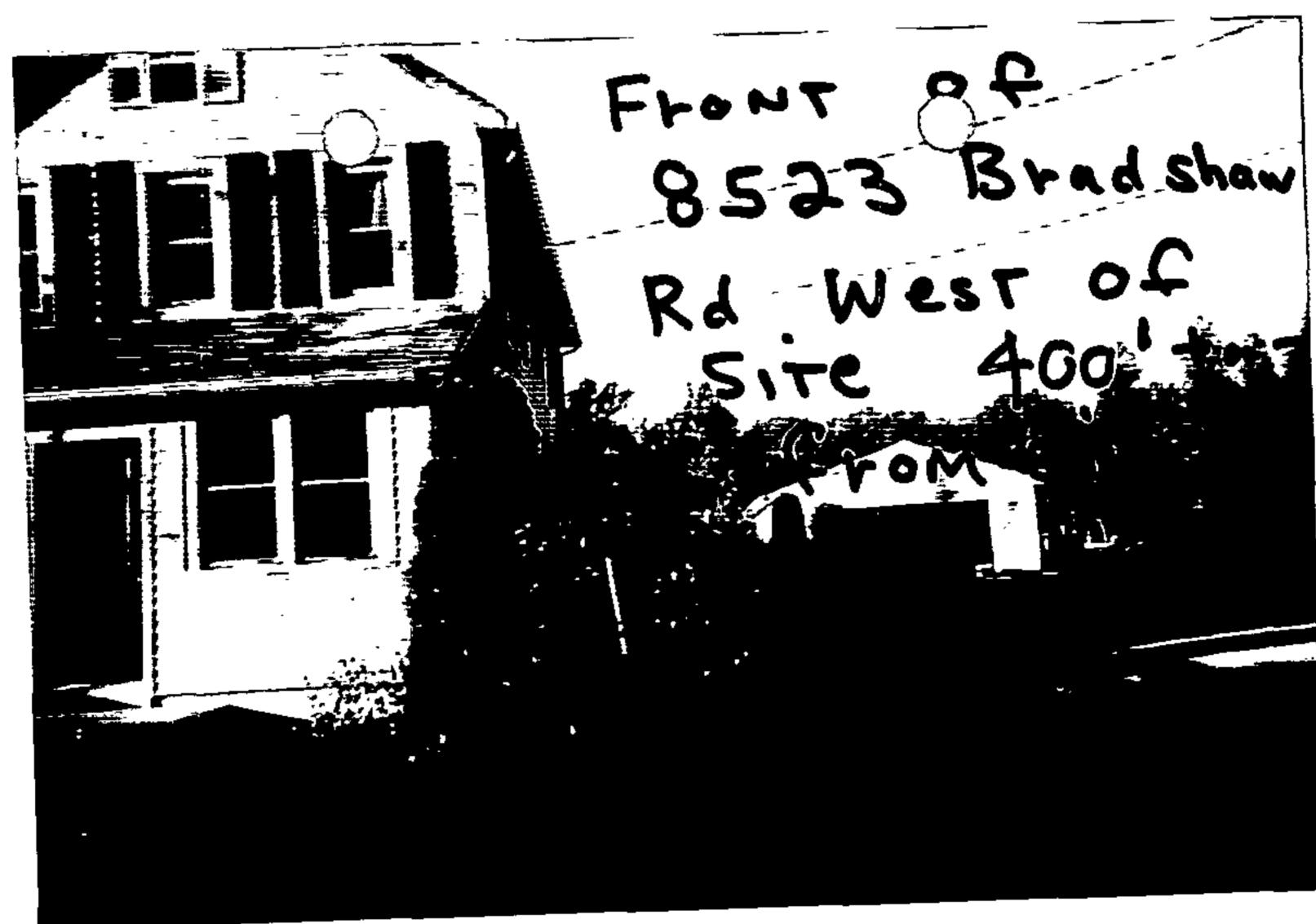


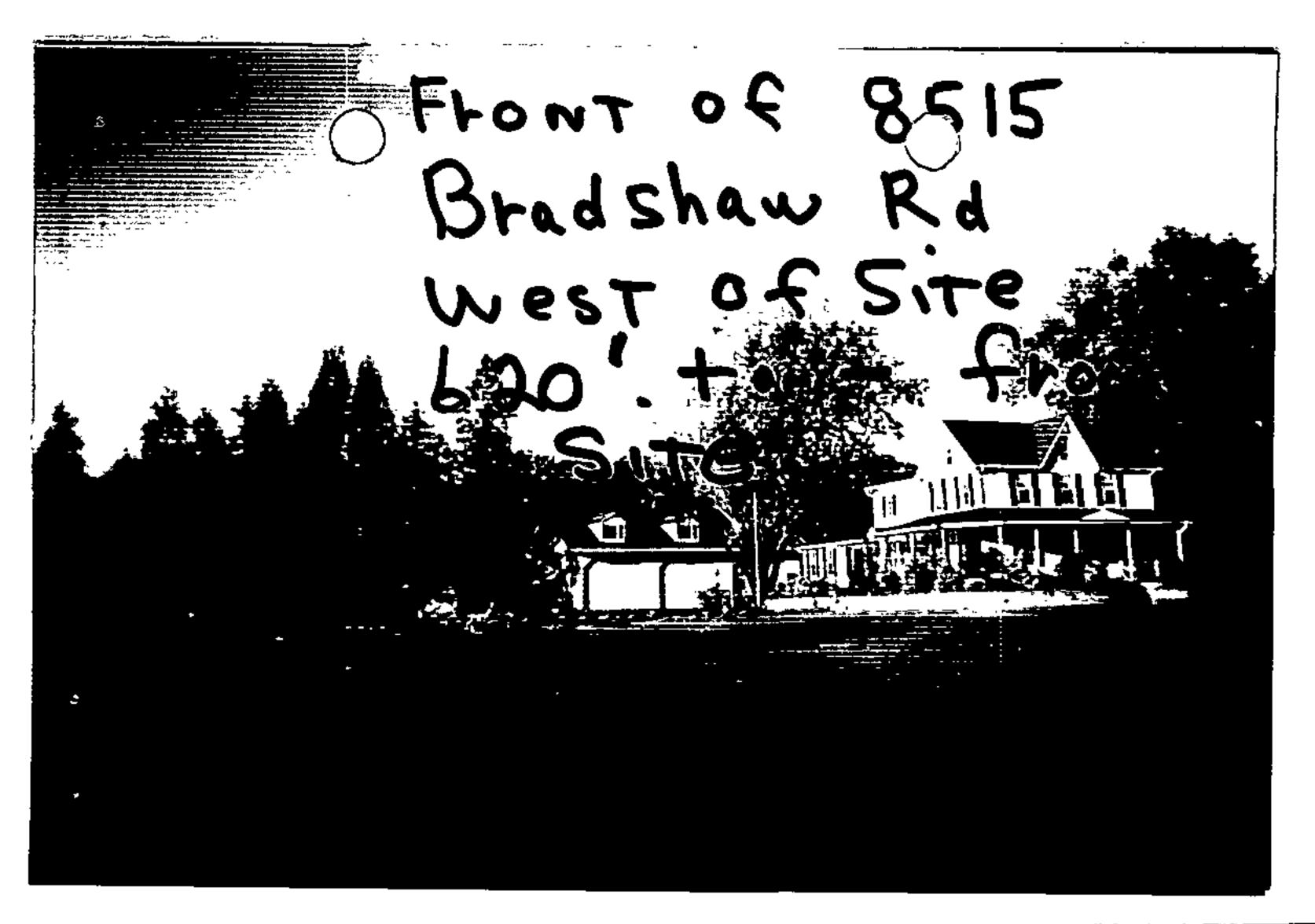


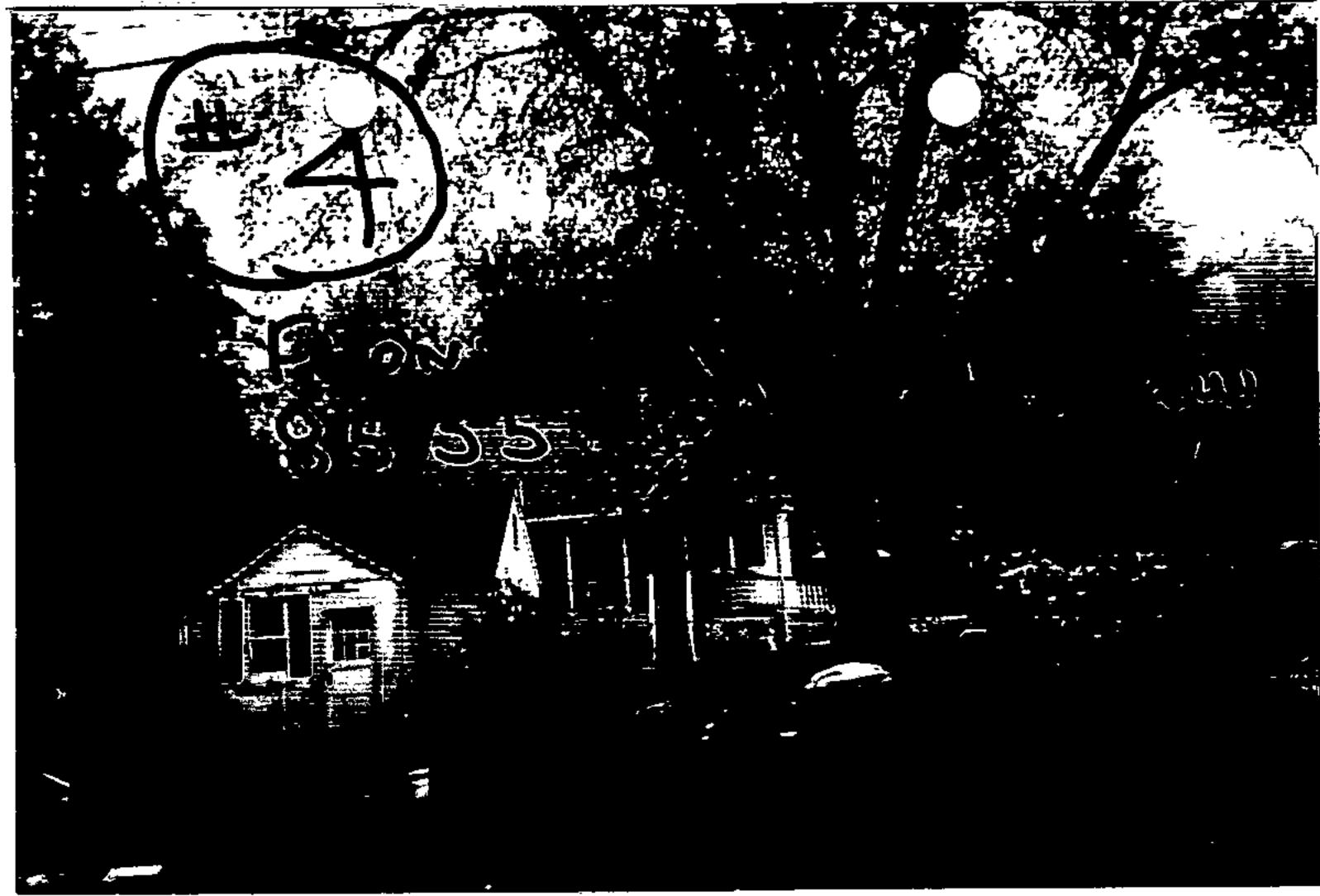
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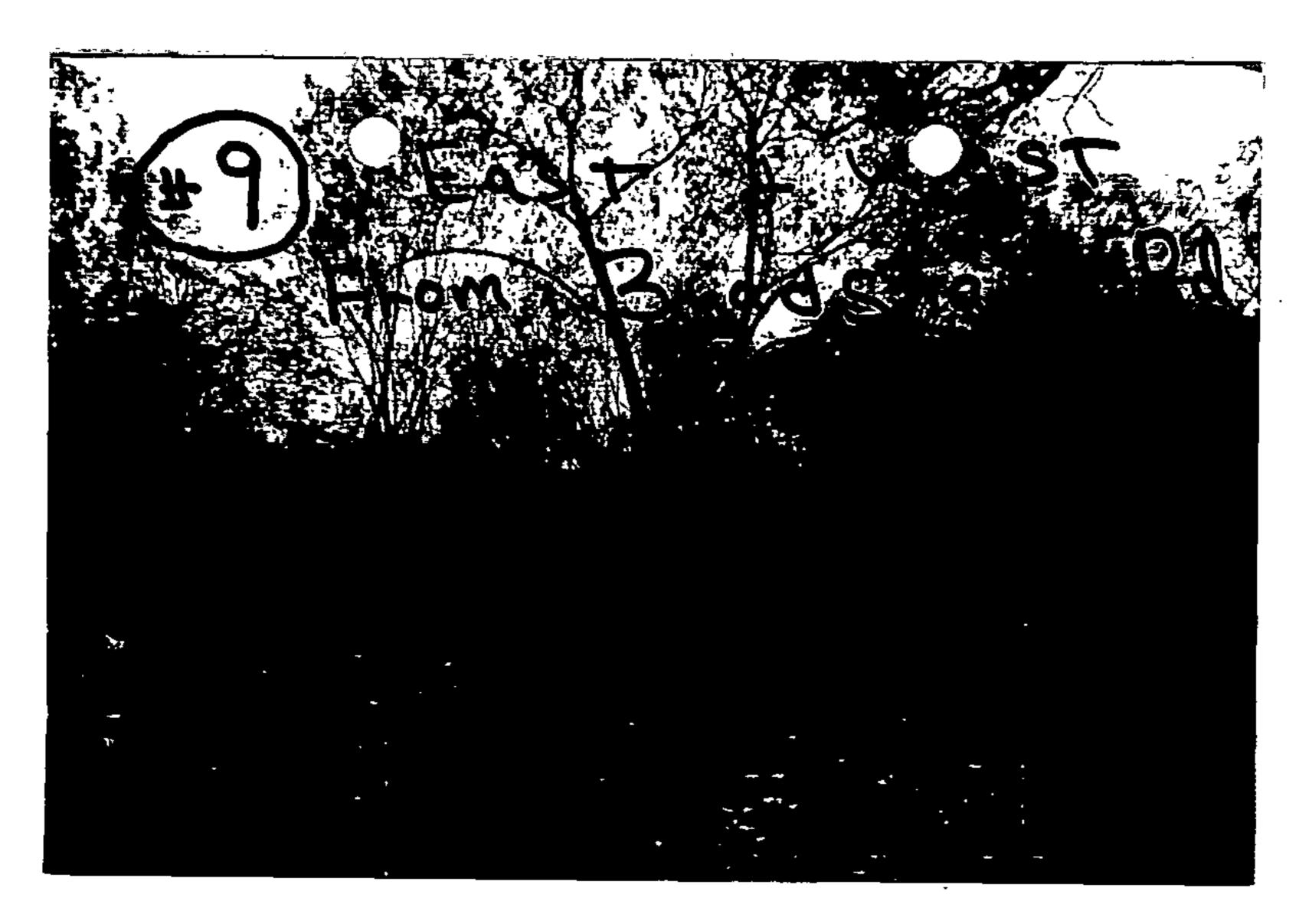








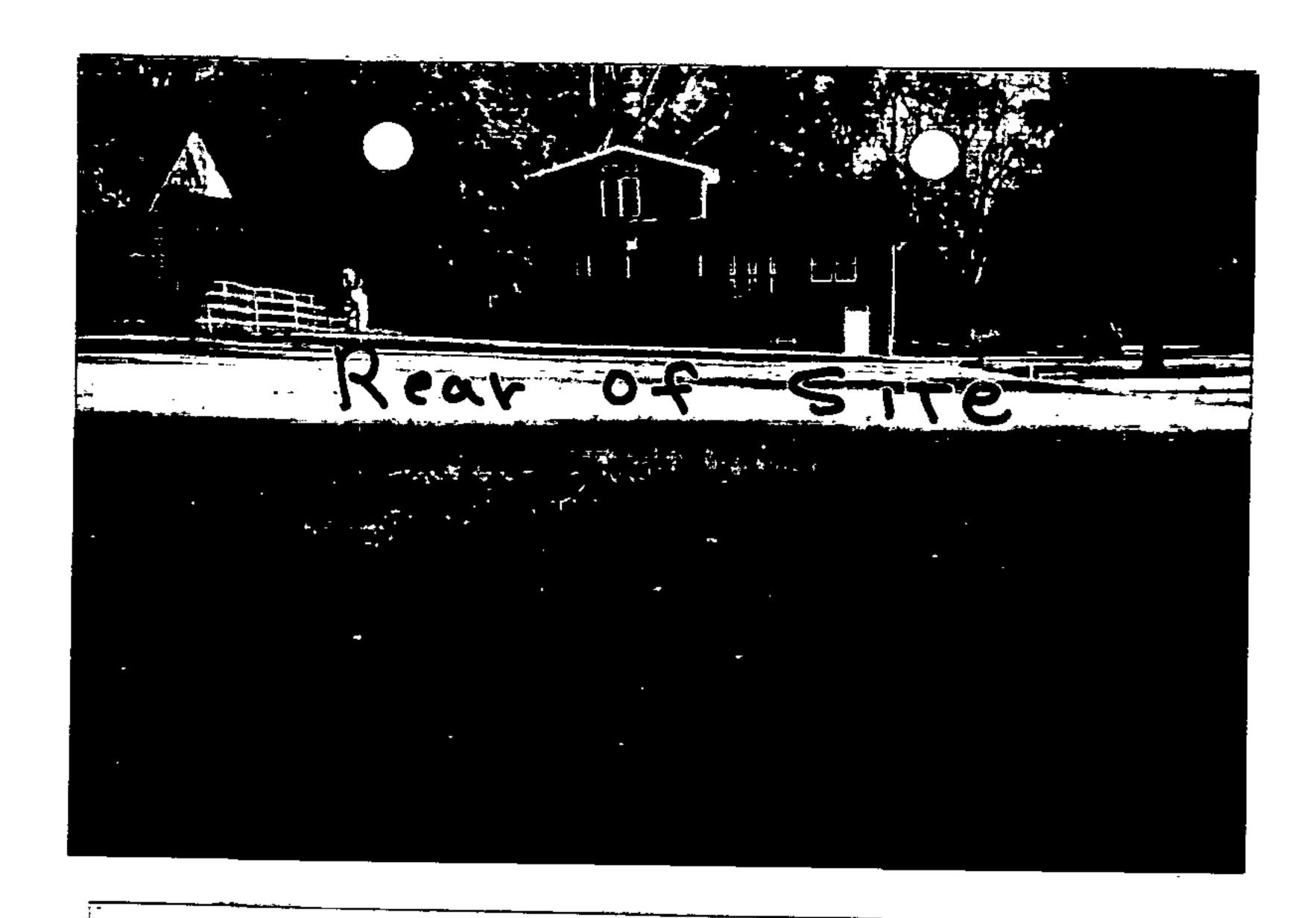


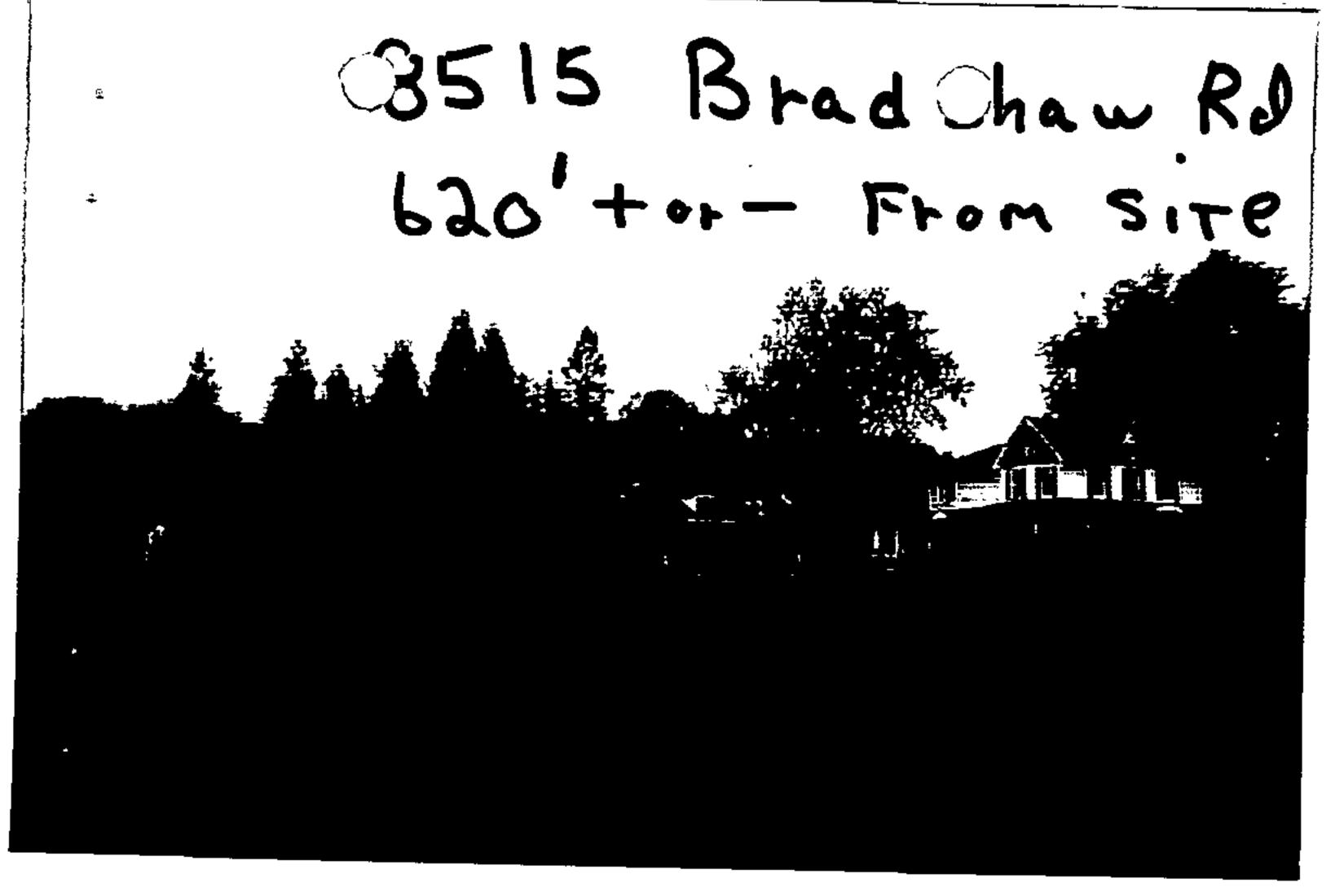




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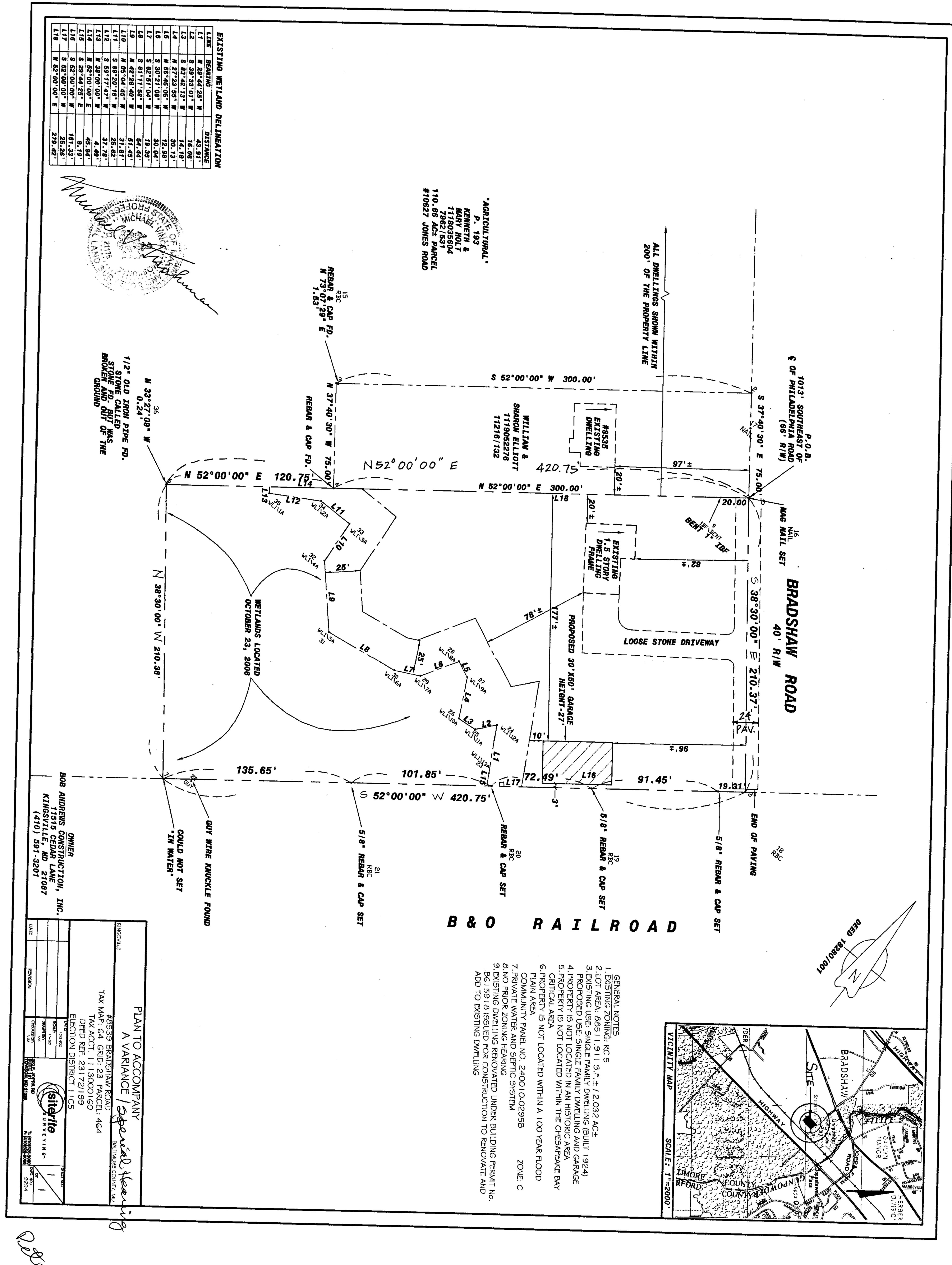
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