

IN RE: PETITION FOR VARIANCE
S side of Thompson Boulevard, 409.8
feet SE of Sandalwood Road
15th Election District
7th Councilmanic District
(918 Thompson Boulevard)

John P. and Charlotte C. West
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 07-329-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, John P. and Charlotte C. West. The Petitioners are requesting variance relief for property located at 918 Thompson Boulevard. The variance request is from Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a semi-detached dwelling with the required 15 feet minimum side yard setback and a sum of 30 feet setback in lieu of the minimum 35 feet required.

The property was posted with Notice of Hearing on March 5, 2007 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on March 6, 2007 to notify any interested persons of the scheduled hearing date and relief requested.

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

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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 (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Bureau of Development Plans Review dated February 8, 2007 which contains restrictions. ZAC comments were received from the Department of Environmental Protection and Resource Management dated March 15, 2007 which contains restrictions. A ZAC comment letter was received from the Office of Planning dated March 5, 2007. That Office does not support the conversion of a single family dwelling into a multi family structure in the subject neighborhood. This use does not fit the current neighborhood pattern and would possibly encourage such an incompatible use into a neighborhood of single family homes. Copies of these documents are incorporated herein and made a part hereof the file.

Interested Persons

Appearing at the hearing on behalf of the variance request were John P. and Charlotte C. West, Petitioners. 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 waterfront property contains 38,700 square feet square feet or 0.888 acres zoned DR 5.5 and is improved by the Petitioner's single family dwelling as shown in exhibit 1.

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p3

The Petitioners would like to construct another dwelling on the west side of the existing home resulting in a semi detached configuration. To accomplish this the Petitioner proposes to add a second floor above the existing two car garage shown on the photographs of exhibit 6. There would be no change to the existing footprint of the building. The garage would be converted to a kitchen, bedroom bath, etc., and with the second floor addition would provide the Petitioners a scaled back residence in keeping with their age and interest. The other residence could be rented or sold.

Mr. West opined that the existing structure meets the DR 5.5 regulations for a single family dwelling and would meet all requirements for conversion to semidetached dwelling except for the sum of the side yard setback. The regulations relating to conversion of one family dwellings specified in Section 402 of the BCZR require 35 foot sum of the side yard setback for internal lots. The Petitioners would have 30 feet but again there would be no change to the footprint of the building. He noted that he can construct the second story addition for a single family dwelling by simply getting a building permit. On the other hand the Petitioners can convert to a semi-detached configuration by removing 5 feet of the structure again without variances. However he noted that demolishing even part of a structure in this environmentally sensitive zone is discouraged as equipment would have to be used to accomplish such.

In regard to ZAC comments he opined that the existing structure already meets the flood elevations required by several feet and so there would be no reason the first floor would have to be raised. Contrary to the Planning Office comment there are several lots in the immediate area with two dwellings. For example there are two homes on 912 Thompson Boulevard and two homes on the lot next door. The older area of Thompson Boulevard has several such

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arrangements. Finally the Petitioners presented several letters of support from adjacent property owners.

Findings of Fact and Conclusions of Law

As mentioned at the hearing, one aspect of having semi-detached dwellings is that each can be used and sold separately sometime in the future. Each dwelling necessarily must have a front, side and rear yard which would be used exclusively for that dwelling. Communal yards might work for family members but clearly not for the general public.

If the Petitioners would attempt to subdivide the lot, which is 100 feet wide, there would not be enough width to meet the 55 foot lot width requirement. Requesting a variance to allow the narrower width would likely be problematic as the line creating the subdivision would be scribed by the Petitioners and therefore a self imposed hardship.

On the other hand when two dwellings are requested on the same lot such as the subject request, a zoning use division line must be established which would designate the front, side and rear yards of each dwelling. The Petitioners had not yet decided where this line would go on exhibit 1 as of the hearing date, but traditionally at least one part of such a line goes through the party wall separating the dwellings. Again traditionally the line runs parallel to the property lines because to do otherwise causes confusion between owners of the separate dwellings. Based on exhibit 1, it appears as though the zoning use division line would essentially divide the lot into one 40 foot wide parcel for the new dwelling leaving a 60 foot wide parcel for the existing dwelling. Likely a substantial privacy fence would be located on the zoning use division line to separate the two parcels. Certainly the two parcels would be landscaped differently. The Petitioners would lose the use of their present two car garage which means they will have to park on the lot. Eventually two driveways would likely lead from Thompson Boulevard to the two

3-21-07
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dwellings. As neither would have a garage, both would want to build some sort of accessory structure to store vehicles and equipment out of the weather.

I am not sure that the Petitioners really want such a result by their response to questions at the hearing.

The Zoning Office objects to the request for semi detached structure as creating a change in the pattern of development of this single family neighborhood. The Petitioners point out several other lots with two dwellings, but I believe they concede that the great majority of lots in the area are improved by single family dwellings. In addition exhibit 1 shows the adjacent lots are also 100 feet wide. By creating a 40 foot parcel this would be wholly out of character with the community which would be very apparent from both the road and water especially when separately landscaped and improved with separate accessory garages and driveways.

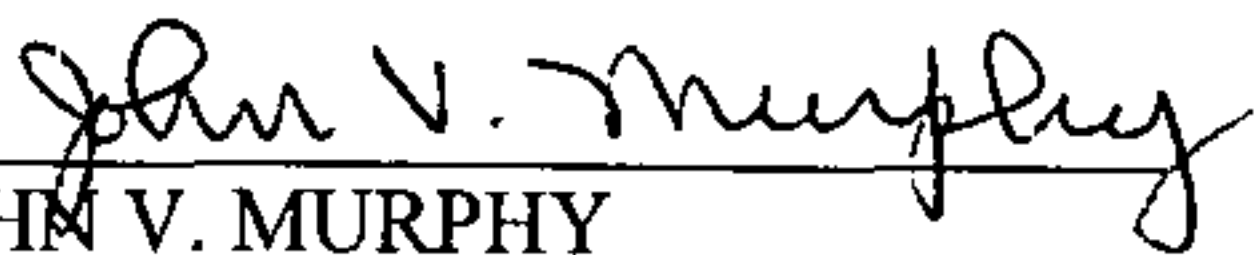
I am going through all the above to ask the Petitioners to reconsider their request. They can likely obtain a building permit converting their single family dwelling into two semi detached structures by removing 5 feet off the garage (second dwelling) resulting in a new home only 19 feet wide. They indicate they would not need variances for this design. However I point out that a 19 foot wide home is typically the width of townhouses. Again I suspect this is far from what they would ultimately want.

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' variance request should be denied.

THEREFORE, IT IS ORDERED, this 21st day of March, 2007 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a semi-detached dwelling with the required 15

feet minimum side yard setback and a sum of 30 feet setback in lieu of the minimum 35 feet required is hereby DENIED

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

CBCA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 918 Thompson Blvd.
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 402 of Baltimore County Regulation B.C.Z.R. SEMI-DETACHED DWELLING
Variance to PERMIT a Y with the required 15 feet minimum side yard setback AND a sum of 30 feet setback in lieu of the minimum 35 feet required.

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

- 1). Trapezoidal Lot
- 2). Change existing foot print
- 3). Excavation in critical area
- 4). Demolition in Critical Area
- 5). Demolition material to land fill
- 6). Reduction of 3 feet in current width
- 7). 3 feet required to accommodate bed/bath/stairs 1st floor
- 8). Working with Limited \$ resources

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 _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

John P. West
Signature John P. West
Charlotte C. West
Name - Type or Print Charlotte C. West
Signature _____
918 Thompson Blvd. (410) 687-3238
Address _____ Telephone No. _____
Essex, MD. 21221
City _____ State _____ Zip Code _____

Representative to be Contacted:

John or Charlotte West
Name _____
918 Thompson Blvd. (410) 687-3238
Address _____ Telephone No. _____
Essex, MD. 21221
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No.

07-329-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By

JGA

Date

01-23-07

FOUR RECEIVED FOR PLANS

3-21-07

pm

Provide 3 copies

Property Description

Date 1/16/07

Property Owners: John P. & Charlotte C. West

Property description for: 918 Thompson Boulevard:
.89 AC, 38,700 SF
Approx. 409 Feet NE Sandalwood Road
Election District 15
Councilmanic District 07
Account No. 1523003450
Daniel Crook property
Chesapeake Bay Critical Area

Beginning at a Rail Road spike at a point on the centerline of Thompson Boulevard which is 30 Feet wide at a distance of 409.5 Feet South East of the Centerline of the nearest intersection street Sandalwood Road which is 30 Feet wide.

PT Lot 16:

Plat of the Land of Daniel Crook Recorded Plat Book W.P.C. No. 4, folio 141

Beginning at a railroad spike set in the center of Thompson Boulevard. North 50 degrees 21 minutes West 100 Feet measure along Thompson Boulevard

Being the same lot of ground which by Deed dated October 22, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4379, folio 497.

07-329-A

¹Zoning Description

Zoning Description for: 918 Thompson Boulevard

Beginning at a point on the centerline of Thompson Boulevard which is 30 feet wide at a distance of 409.8 Feet $\pm$ South East of the centerline of the nearest improved intersecting street Sandalwood Road which is 30 feet wide. North 50 degrees 21 minutes, West 100 Feet measured along Thompson Boulevard. in the Subdivision of Daniel Crook Estates as recorded in 1914, Baltimore County Plat Book 4, Folio 141 containing .89 acres $\pm$. Map 97, Grid 16, Parcel 477, Lot 16 Being the same lot of ground which by Deed dated October 22, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4379, folio 497. Also known as 918 Thompson Boulevard and located in the 15 Election District, 07 Councilmanic District.

¹ Zoning description: d-
j

07-329, A

**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: #07-329-A
918 Thompson Boulevard
S/Side of Thompson Boulevard,
409.8 feet s/east of,
Sandalwood Road
15th Election District
7th Councilmanic District
Legal Owner(s): John P. &
Charlotte C. West

Variance: to permit a semi-detached dwelling with the required 15 feet minimum side yard setback and a sum of 30 feet setback in lieu of the minimum 35 feet required.

Hearing: Wednesday,
March 21, 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.

JT/3/609 Mar. 6 126908

CERTIFICATE OF PUBLICATION

3/8, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/6, 2007.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 01-23-07 ACCOUNT ROD-CO6-6150

AMOUNT \$ 65.00

RECEIVED FROM: SOUTH CHARLOTTE WEST

FOR: RES. VAN
918 THOMPSON BLVD.

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

07-379
No. 23018

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
1/23/2007 1/23/2007 10:30:11 2
REG 0002 MAIL JAN JEE
>>RECEIPT# 1/23/2007 UFLH
Dept 5 SES ZONING IDENTIFICATION
CR NO. 023018

Receipt Tot 165.00
165.00 CR 4.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

507

CERTIFICATE OF POSTING

RE: Case No.: 07-329-A

Petitioner/Developer: JOHN P. v

Charlotte C. West

Date of Hearing/Closing: 3-21-07

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(410)-887-3394}

Ladies and Gentlemen:

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

918 Thompson Boulevard

The sign(s) were posted on

3-5-07
(Month, Day, Year)

Sincerely,

Robert Black 3-6-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

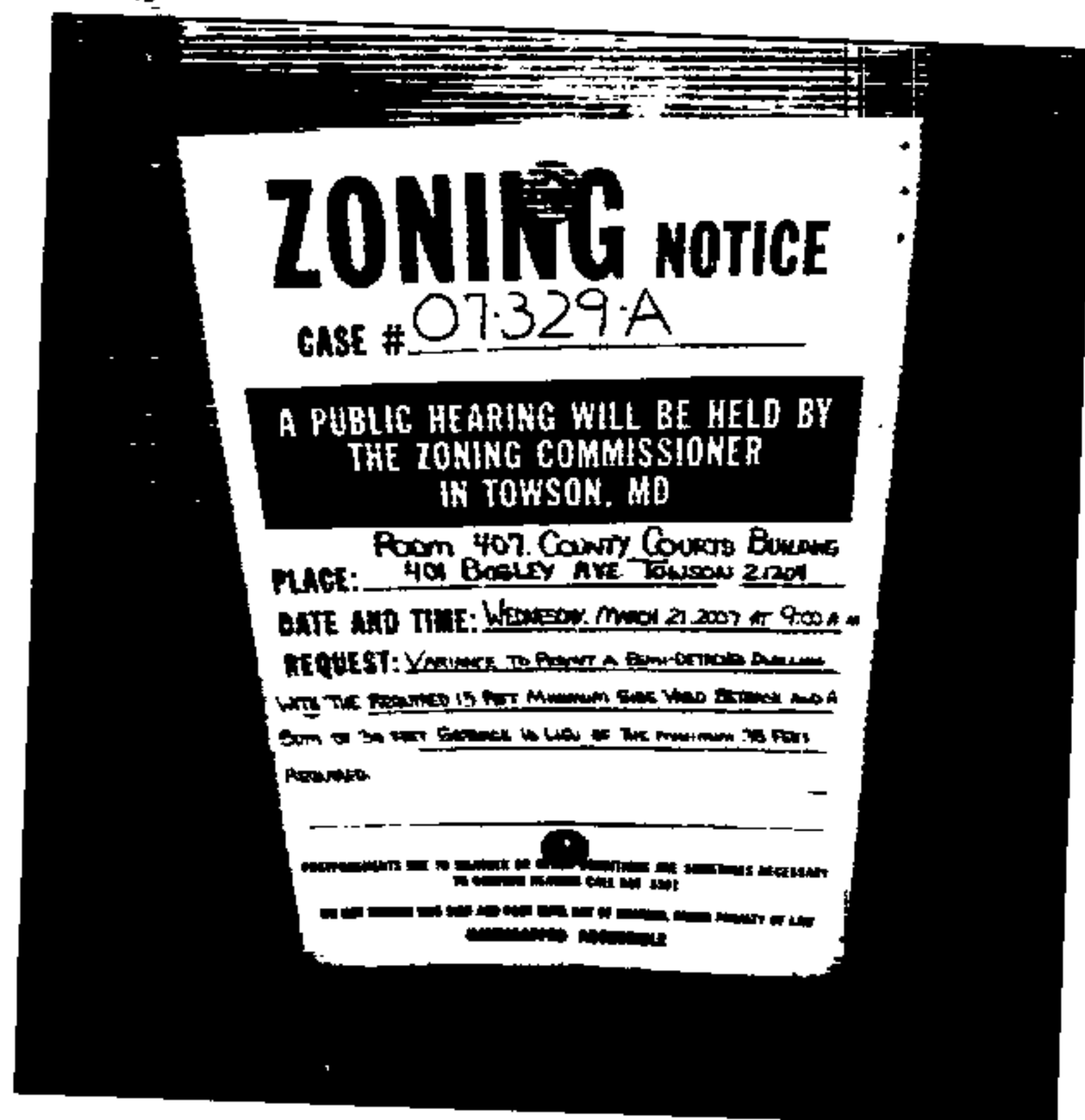
(Address)

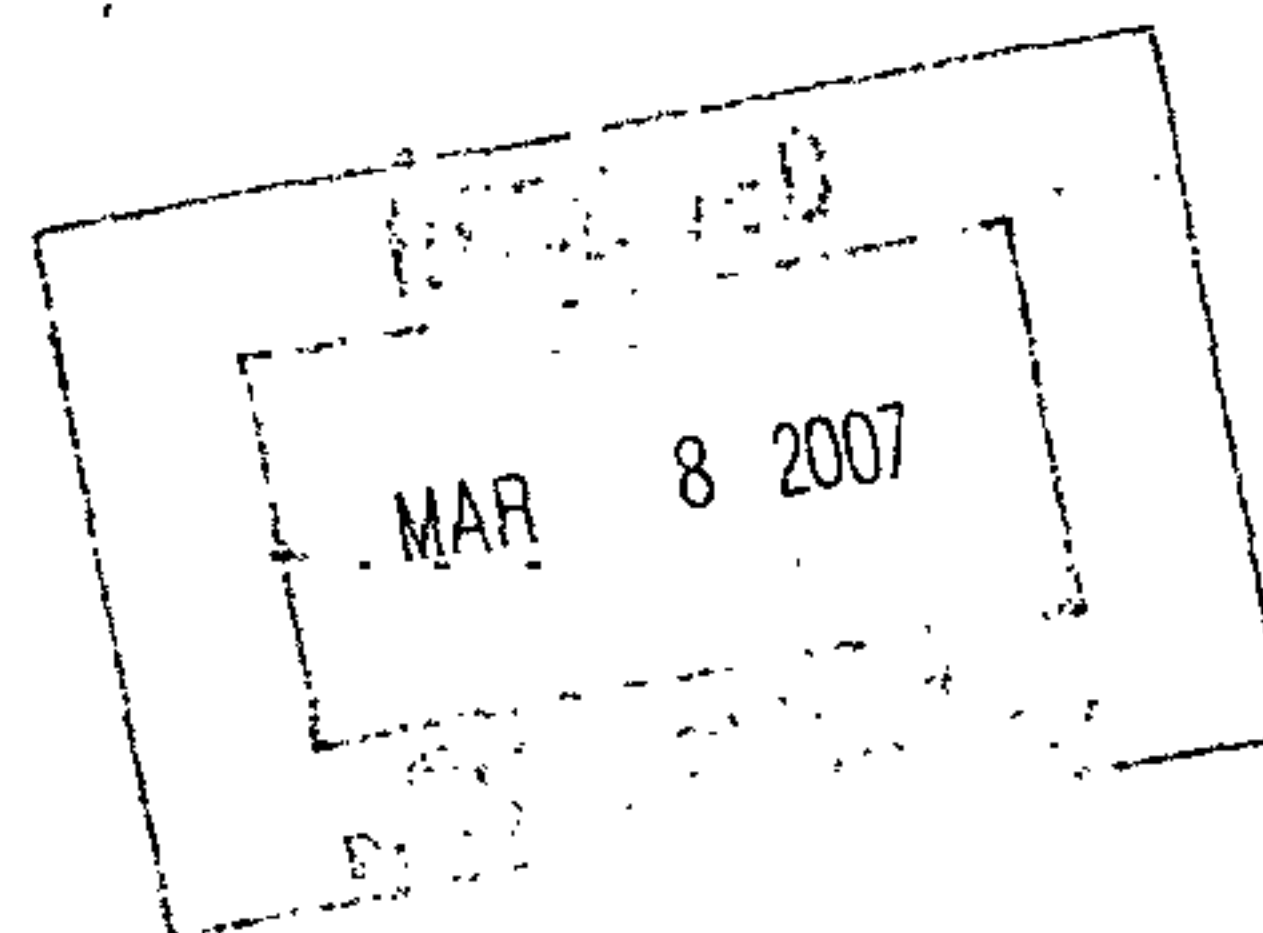
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



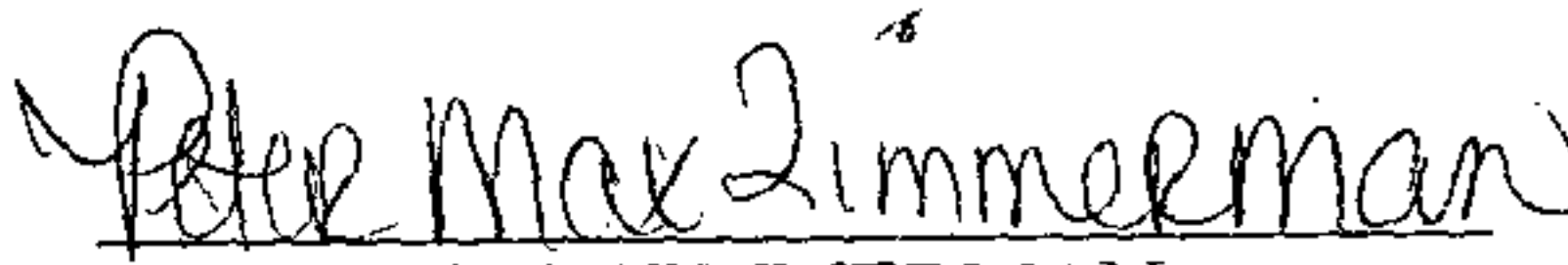


RE: PETITION FOR VARIANCE * BEFORE THE
918 Thompson Blvd; S/S Thompson Blvd, * ZONING COMMISSIONER
409.8' SE Sandalwood Road *
15th Election & 7th Councilmanic Districts * FOR
Legal Owner(s): John & Charlotte West *
Petitioner(s) * BALTIMORE COUNTY
* 07-329-A

* * * * *

ENTRY OF APPEARANCE

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 2nd day of February, 2007, a copy of the foregoing Entry of Appearance was mailed to John & Charlotte West, 918 Thompson Road, Essex, MD 21221, Petitioner(s).

RECEIVED

FEB 02 2007

Per.....


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIM ~~February 20, 2007~~ **February 20, 2007** Director
Department of Permits and
Development Management

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: 07-329-A

918 Thompson Boulevard

S/side of Thompson Boulevard, 409.8 feet s/east of Sandalwood Road

15th Election District – 7th Councilmanic District

Legal Owners: John P. & Charlotte C. West

Variance to permit a semi-detached dwelling with the required 15 feet minimum side yard setback and a sum of 30 feet setback in lieu of the minimum 35 feet required.

Hearing: Wednesday, March 21, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: John & Charlotte West, 918 Thompson Blvd., Essex 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 6, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 6, 2007 Issue - Jeffersonian

Please forward billing to:

John West
918 Thompson Boulevard
Essex, MD 21221

410-687-3238

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: 07-329-A

918 Thompson Boulevard

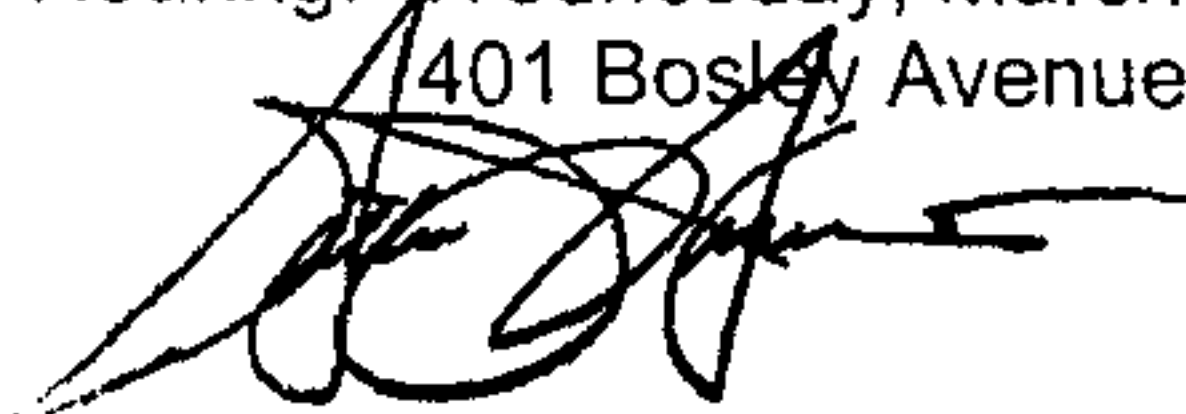
S/side of Thompson Boulevard, 409.8 feet s/east of Sandalwood Road

15th Election District – 7th Councilmanic District

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Hearing: Wednesday, March 21, 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 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.

**CONVERSION OF ONE-FAMILY DWELLINGS
MINIMUM DIMENSIONS**

Zone	Width of Lot in Feet at Front Building Line			Lot Area In Square Feet		Side Yards (feet)	
	Duplex ¹	Semi-Detached ¹	Each Add. Fam.	Two Families	Each Add. Family	Min. For One	Sum of Both
D.R.1	175	175	25	50,000	10,000	Int. 25 Cor. 50	Int. 60 Cor. 75
D.R.2	125	125	25	25,000	7,500	Int. 20 Cor. 35	Int. 50 Cor. 60
D.R.3.5	90	100	15	12,500	4,000	Int. 20 Cor. 30	Int. 40 Cor. 50
D.R.5.5	80	90	15	10,000	3,000	Int. 15 Cor. 25	Int. 35 Cor. 40
D.R.10.5	70	80	10	Interior 8,050 Corner 9,200	2,500	Int. 15 Cor. 25	Int. 30 Cor. 40
D.R.16	70	80	10	Interior 8,050 Corner 9,200	2,500	Int. 15 Cor. 25	Int. 30 Cor. 40

NOTES:

The original BCZR 1955 definitions of "dwelling, duplex" and "dwelling, semi-detached" were deleted from Section 101 by Bill No. 100-1970. The entries previously read as follows:

"Dwelling, Duplex: A two-family detached building with one housekeeping unit over the other.

"Dwelling, Semi-detached: A building that has two one-family housekeeping units erected side by side on adjoining lots, separated from each other by an approved masonry party wall extending from the basement or cellar floor to the roof along the dividing lot line, and separated from any other building by space on all sides."

**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: 07-329-A
Petitioner: JOHN & CHARLOTTE WEST
Address or Location: 918 THOMPSON BLVD.
ESSEX, MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN WEST
Address: 918 THOMPSON BLVD.
ESSEX, MD 21221

Telephone Number: (410) 687-3238

Revised 7/11/05 - SCJ

07-329-A



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

March 15, 2007

John P. West
Charlotte C. West
918 Thompson Boulevard
Essex, MD 21221

Dear Mr. and Mrs. West:

RE: Case Number: 07-329-A, 918 Thompson Boulevard

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 23, 2007.

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

jm
3/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 5, 2007

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

SUBJECT: 918 Thompson Boulevard

INFORMATION:

Item Number: 7-329

Petitioner: John P. West

Zoning: DR 5.5

Requested Action: Variance

RECEIVED

MAR - 8 2007

ZONING COMMISSIONER

The petitioner requests a variance to permit a semi-detached dwelling with the required 15 feet minimum side yard setback and a sum of 30 feet setback in lieu of the minimum 35 feet required.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the conversion of a single-family dwelling into a multi-family structure in this neighborhood. This use does not fit the current neighborhood pattern and would possibly encourage such an incompatible use into a neighborhood of single-family homes.

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

Reviewed by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 8, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For February 5, 2007
Item No. 07-329

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 07-329-02052007.doc

JM
3-21-07
9 AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR 15 2007

ZONING COMMISSIONER

TO: Timothy M. Kotroco

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

DATE: March 15, 2007

SUBJECT: Zoning Item # 07-329-A
Address 918 Thompson Boulevard
(West Property)

Zoning Advisory Committee Meeting of January 29, 2007

_____ 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:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This property lies within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA) and must comply with impervious surface limits, tree requirements, and any required wetland buffers.

Reviewer: Paul A. Dennis

Date: 3/13/07

Martin O'Malley, Governor
Anthony Brown, Lt. Governor



John D. Porcari, Secretary Designate
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: FEBRUARY 1, 2007

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

RE: Baltimore County
Item No. 7-329-A
918 THOMPSON BOULEVARD
WEST PROPERTY
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. 7-329A.

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

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

February 5, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 29, 2007

Item Number: 314 and ³²⁹322 through 333

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 5, 2007

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

SUBJECT: 918 Thompson Boulevard

INFORMATION:

Item Number: 7-329

Petitioner: John P. West

Zoning: DR 5.5

Requested Action: Variance

The petitioner requests a variance to permit a semi-detached dwelling with the required 15 feet minimum side yard setback and a sum of 30 feet setback in lieu of the minimum 35 feet required.

SUMMARY OF RECOMMENDATIONS:

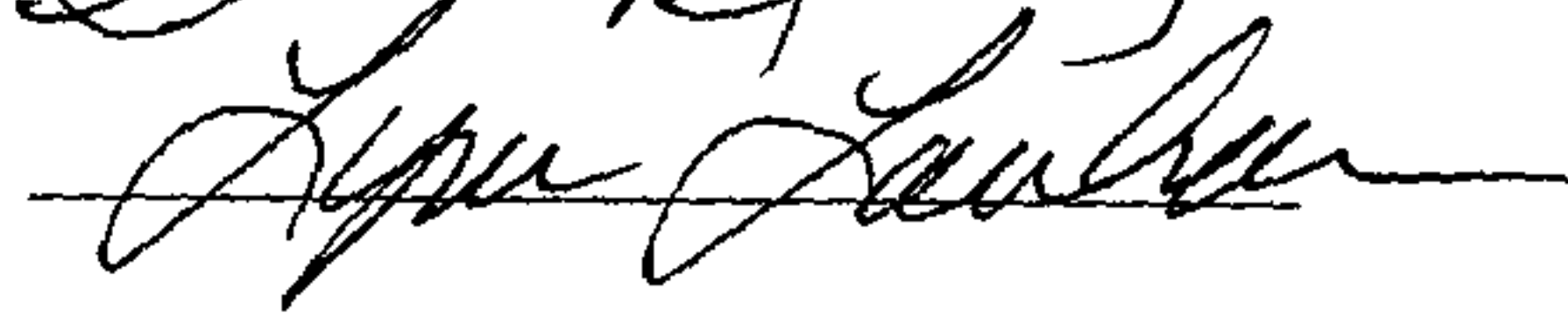
The Office of Planning does not support the conversion of a single-family dwelling into a multi-family structure in this neighborhood. This use does not fit the current neighborhood pattern and would possibly encourage such an incompatible use into a neighborhood of single-family homes.

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

Reviewed by:



Division Chief:
AFK/LL: CM





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 21, 2007

JOHN P. AND CHARLOTTE C. WEST
918 THOMPSON BOULEVARD
ESSEX MD 21221

Re: Petition for Variance
Case No. 07-329-A
Property: 918 Thompson Boulevard

Dear Mr. and Mrs. West:

Enclosed please find the decision rendered in the above-captioned case.

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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

ATTACHMENT: A

To Baltimore County:

The Baltimore County Zoning Regulation requires a sum of 35 feet side setbacks for a Semi-Detached dwelling. I understand that John P. West and Charlotte C. West, Owner & Resident of 918 Thompson Boulevard, are requesting to maintain 15 foot side yard setbacks, and request a sum of 30 foot yard setback.

I have no objection to the 30 foot side yard setback.

Name

Whitney Hebler

Owner/Resident

Address

913 Thompson Blvd

Baltimore, MD 21221

Ref # 2

To Baltimore County:

The Baltimore County Zoning Regulation requires a sum of 35 feet side setbacks for a Semi-Detached dwelling. I understand that John P. West and Charlotte C. West, Owner & Resident of 918 Thompson Boulevard, are requesting to maintain 15 foot side yard setbacks, and request a sum of 30 foot yard setback.

I have no objection to the 30 foot side yard setback.

Name Daniel B. Brown
~~Owner~~/Resident
Address 919 THOMPSON BLVD.
BALTIMORE, MD. 21221

To Baltimore County:

The Baltimore County Zoning Regulation requires a sum of 35 feet side setbacks for a Semi-Detached dwelling. I understand that John P. West and Charlotte C. West, Owner & Resident of 918 Thompson Boulevard, are requesting to maintain 15 foot side yard setbacks, and request a sum of 30 foot yard setback.

I have no objection to the 30 foot side yard setback.

Name

Thomas E. West

Owner/Resident

Address

918 Thompson Blvd
BALTO., MD 21221

To Baltimore County:

The Baltimore County Zoning Regulation requires a sum of 35 feet side setbacks for a Semi-Detached dwelling. I understand that John P. West and Charlotte C. West, Owner & Resident of 918 Thompson Boulevard, are requesting to maintain 15 foot side yard setbacks, and request a sum of 30 foot yard setback.

I have no objection to the 30 foot side yard setback.

Name

John P. West

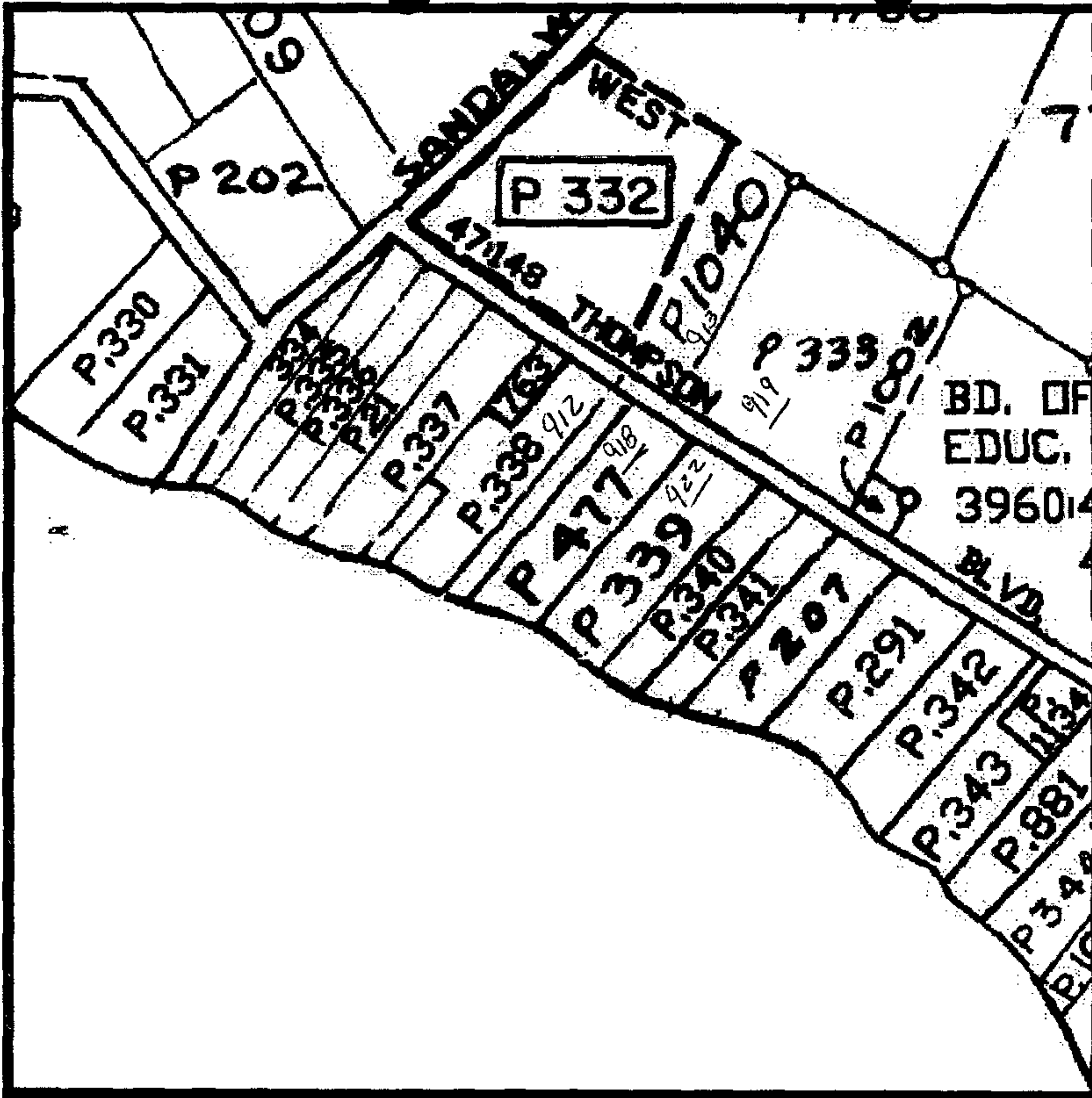
Owner/~~Resident~~

Charlotte C. West

Address

925 Thompson

Essex MD 21221



Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)
[Ground Rent](#)

Account Identifier: District - 15 Account Number - 1523003450

Owner Information

Owner Name: WEST JOHN PRATT
WEST CHARLOTTE C
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 918 THOMPSON BLVD
BALTIMORE MD 21221-5837
Deed Reference: 1) / 6396/ 766
2)

Location & Structure Information

Premises Address: 918 THOMPSON BLVD
Legal Description: PT LT 16
DANIEL CROOK PROPERTY
Map: 97 Grid: 16 Parcel: 477 Sub District: WATERFRONT Subdivision: Section: Block: Lot: 16 Assessment Area: 3 Plat No: 4/ 141
Special Tax Areas: Town Ad Valorem Tax Class
Primary Structure Built: 1986 Enclosed Area: 2,476 SF Property Land Area: 38,700.00 SF County Use: 34
Stories: 2 Basement: NO Type: STANDARD UNIT Exterior: 1/2 BRICK SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	117,170	169,170		
Improvements:	169,570	263,890		
Total:	286,740	433,060	335,513	384,286
Preferential Land:	0	0	0	0

Transfer Information

Seller: WALTMAN FRANCIS J Date: 05/21/1982 Price: \$16,000
Type: IMPROVED ARMS-LENGTH Deed1: / 6396/ 766 Deed2:
Seller: Date: Price:
Type: Deed1: Deed2:
Seller: Date: Price:
Type: Deed1: Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

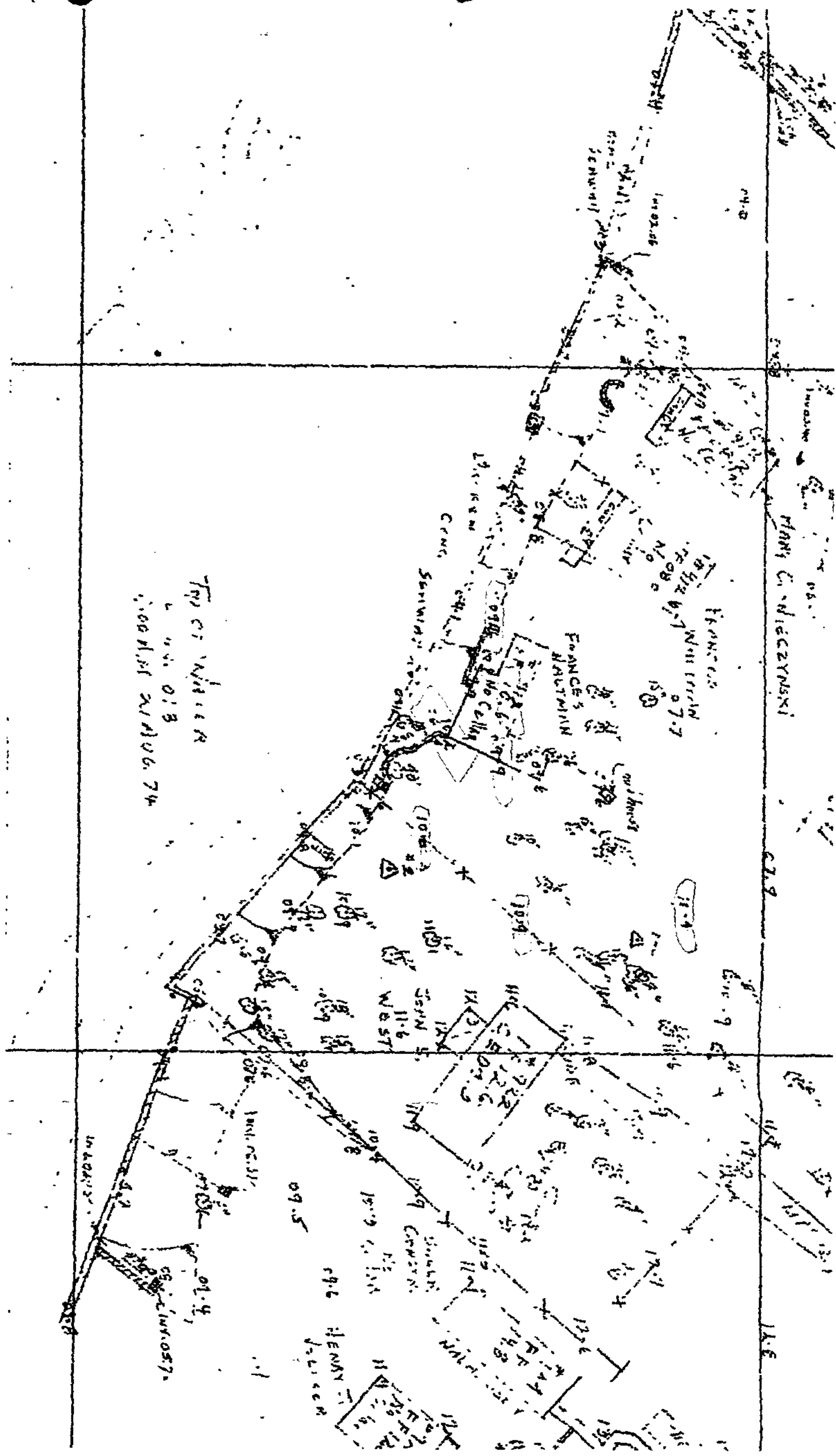
Pet #4

DATE 3/21/2007

E-MAIL

ESSEX MD 21221

ATTACHMENT #3



Top of Middle
to "O.B.
located 21106.74

25

Plat To Accompany Petition For Variance

Appeal Date

Property Address: 918 Thompson Boulevard

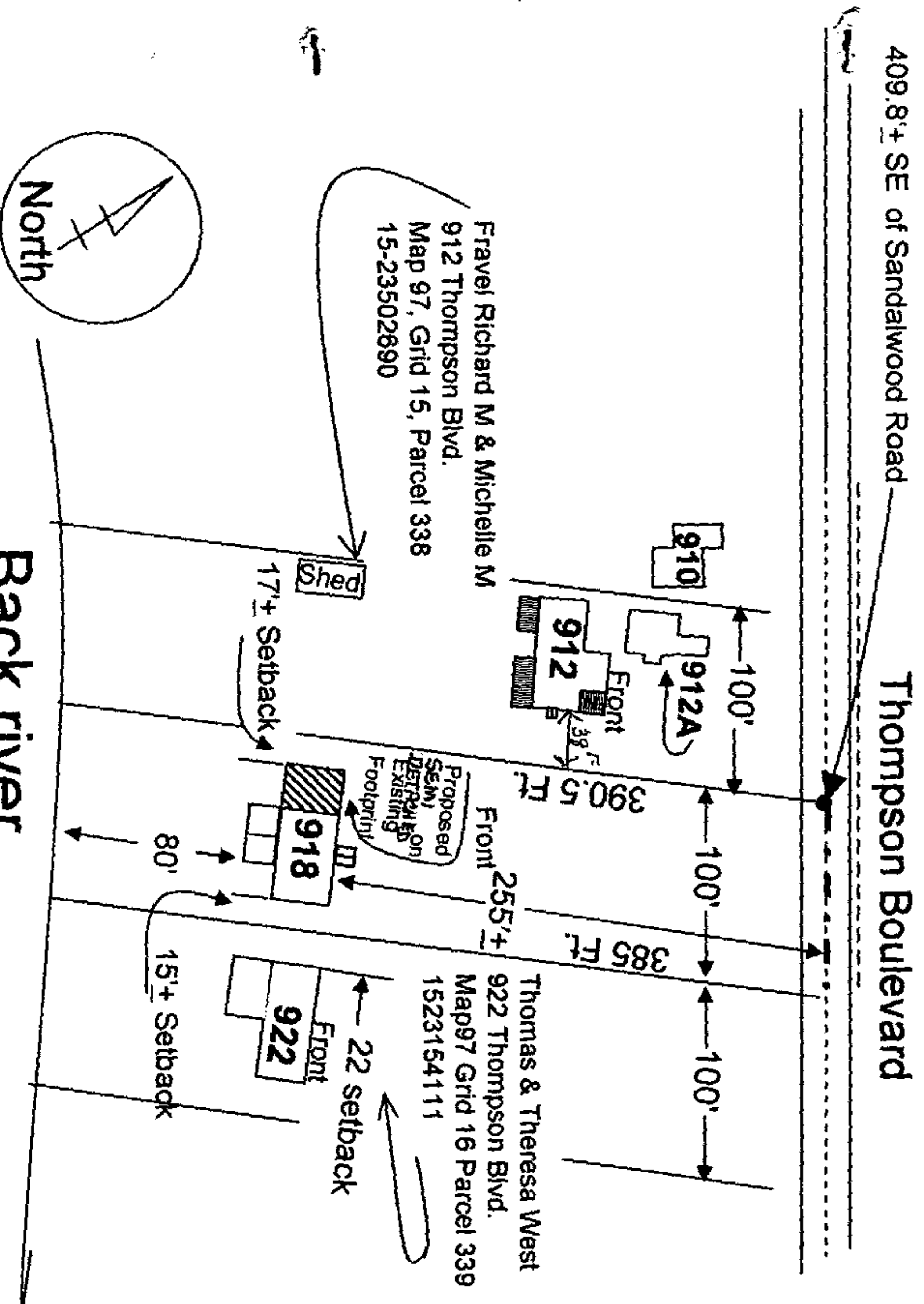
Subdivision: Daniel Crook Property Dated 1914

PT LT 16, Plat Ref. 04/141

38,500 Sq. Ft. .89AC

Map 97, Grid 16, Parcel 477 Tax account 15-23003450

Owner: John P. & Charlotte C. West



1300' To Marilyn Ave.

Sandalwood Road

S. Marilyn Ave.

Subject Property:

409.8'±

918 Thompson Blvd.

Vicinity Map

Scale 1" = 1000'

Location Information

Election district 15

CO Precinct 07

1" = 200' Map 097 - B-3

Zoning DR 5.5

Lot size .888 AC 38,700Ft²

Sewer Public

Water Public

	Yes	No
Critical Area	X	
100 Year Flood Plane		X
Historic Property		X
Prior Zoning Hearing		X

Zoning Office Use Only

Reviewed By

Item#

Case#

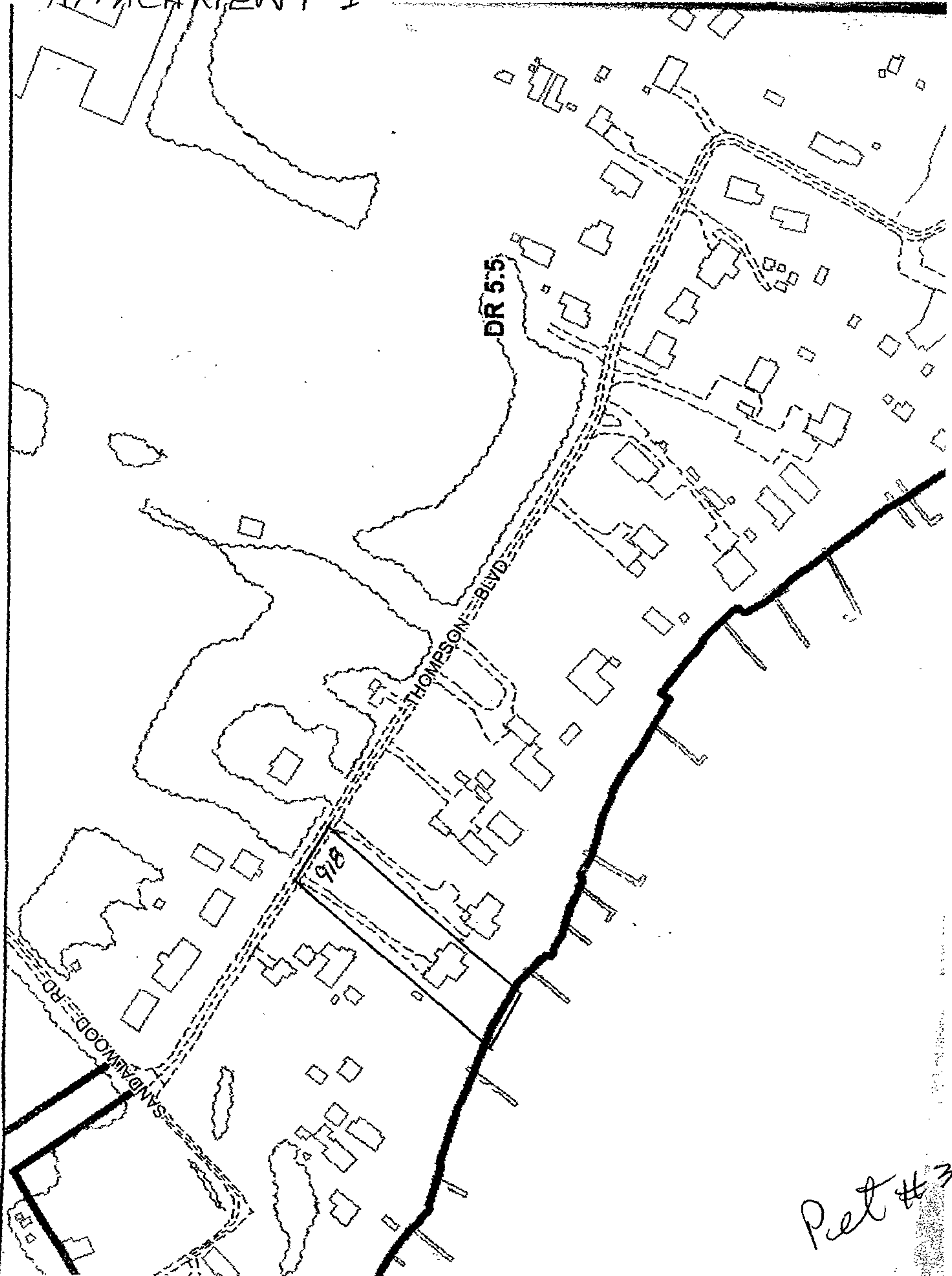
5877

07-329-A

Prepared By JPW

000#1

ATTACHMENT 1

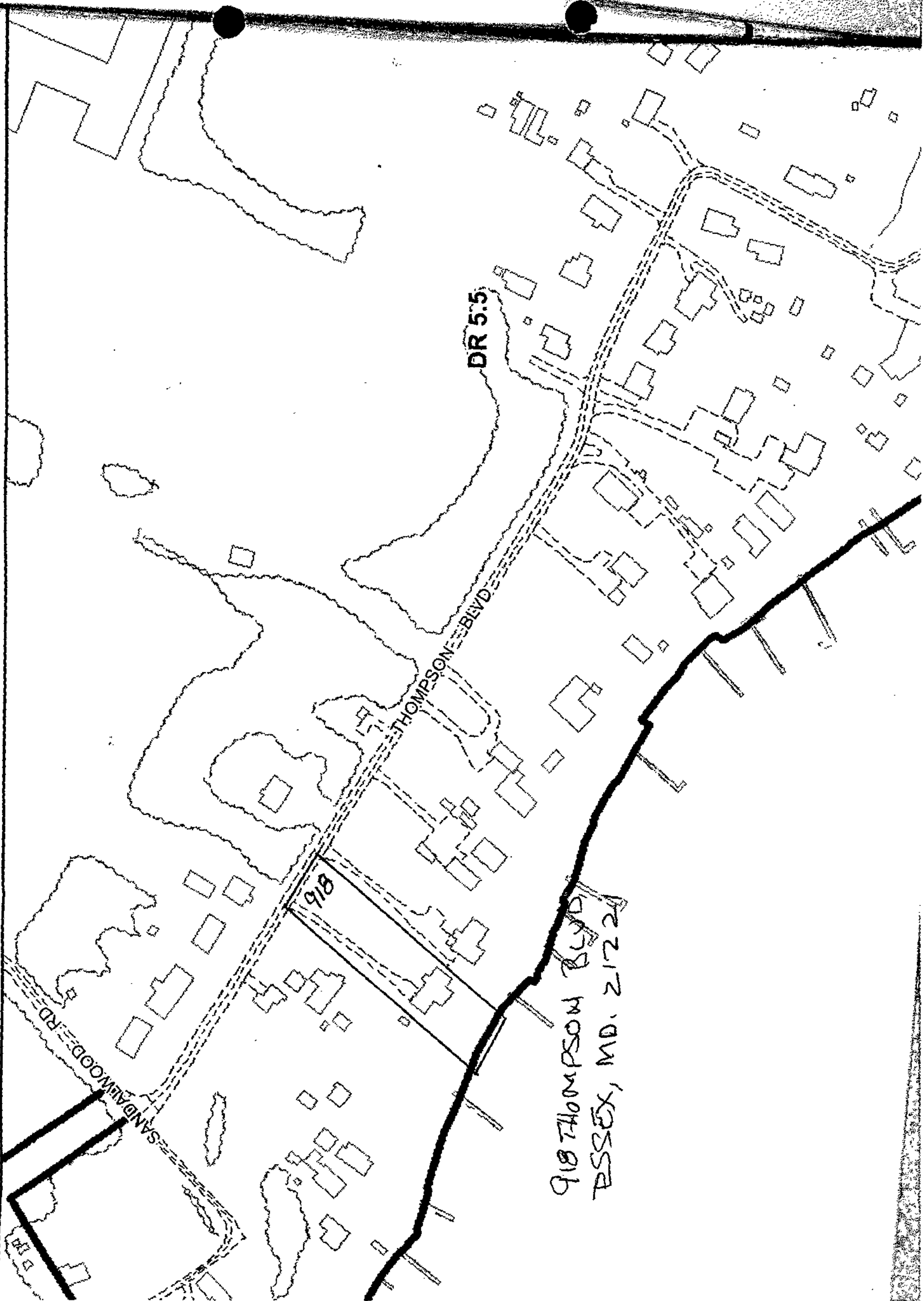


Pet #3



918 THOMPSON BLVD
ESSEX, MD 21221

07-329-A



918 THOMPSON BLVD
ESSEX, MD. 21224

07-329-A

BACK



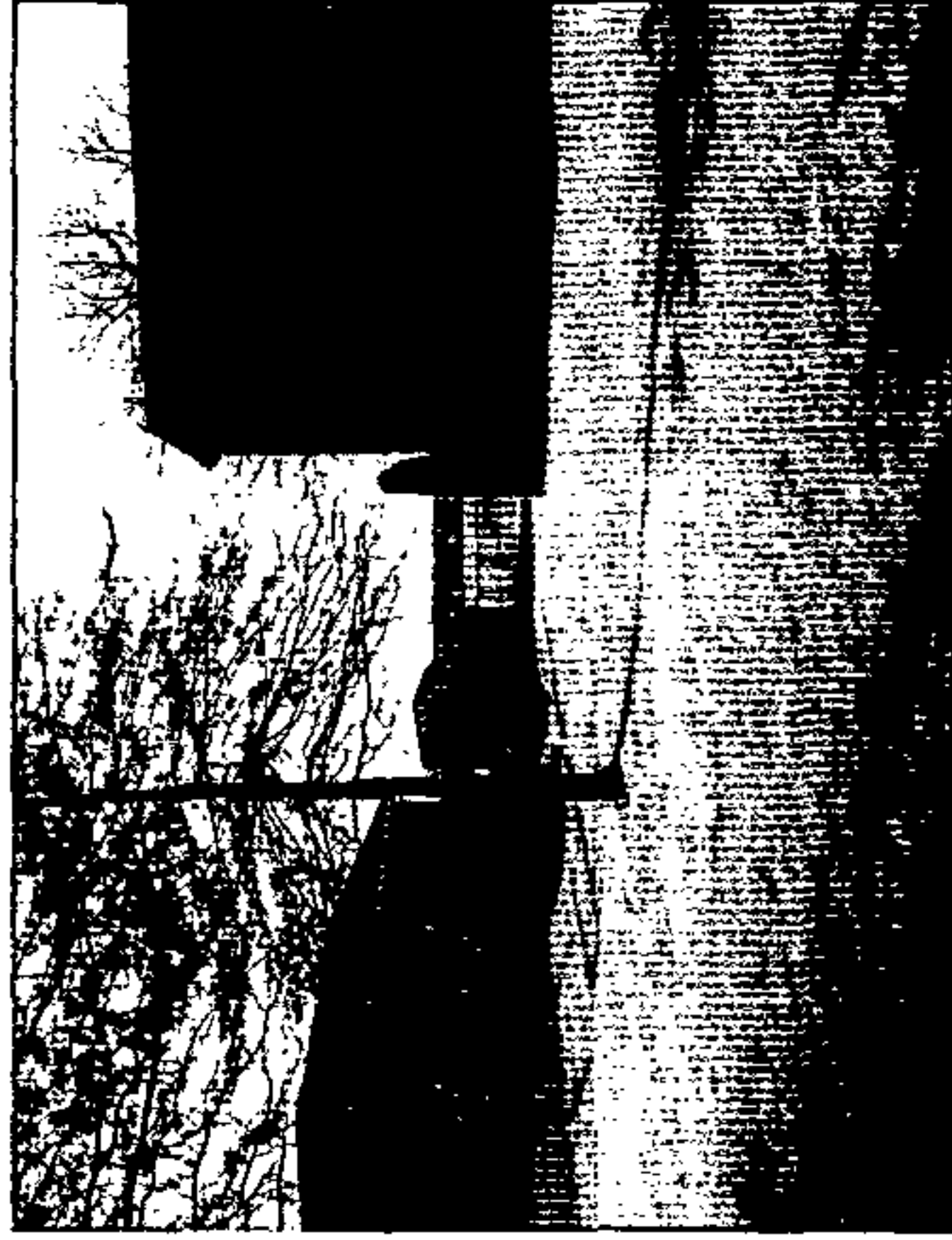
BACK



BACK



FRONT



FRONT



FRONT SOUTH VIEW



FRONT



FRONT



BACK WEST VIEW



EXISTING TWO STORY RESIDENCE

John & Charlotte West
918 Thompson Blvd., Essex, MD. 21221
PROPOSED:

- a). 2 Story Duplex
- b). Construction on existing walls
- c). Replacing one story garage.

