

IN RE: PETITION FOR VARIANCE
E Bowleys Quarters Road, 320 feet
N of c/l Galloway Road
15th Election District
6th Councilmanic District
**(931-933 Bowleys Quarters Road,
Lots 75 and 76)**

Madaline S. Voris and Mary J. Campbell-Voris
Legal Owners
Quality First Builder, Lanzhi Wang
Contract Purchaser

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY

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CASE NO. 07-375-A

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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, Madaline S. Voris and Mary J. Campbell-Voris, and Quality First Builder, Lanzhi Wang, the contract purchaser. The Petitioners are requesting variance relief for property located at 931-933 Bowleys Quarters Road, Lots 75 and 76. The variance request is from Sections 1A04.3.A and 1A04.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with an area of 0.7759 acres and 25 foot side setbacks with a height of 43 feet in lieu of the required 1.5 acres, 50 feet and 35 feet, respectively.

The property was posted with Notice of Hearing on March 26, 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 27, 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

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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

proposed in the subject case still will allow not building of any structure considering the 50 foot side yard setback requirements of RC 5 zoning. Again even though the two lots are comparatively very deep at 300 feet combining the two lots produces only 0.77 acres of land whereas the after imposed RC 5 regulations require 1.5 acres. No property is available on either side to purchase and so increase the area of the property. As a result once again no structure could be built on the property. He opined that this imposed a hardship and practical difficulty on the Petitioner.

The Petitioner would like to build a new 50 by 50 foot single family dwelling located on the common boundary between the lots

would be compatible with the community in architectural style and size but pointed out that many of the existing home are located on one 50 foot wide lot resulting in much greater density than with the proposed arrangement. In any case he agreed that the architectural plans for the dwelling could be reviewed by the Planning Office for compatibility.

Findings of Fact and Conclusions of Law

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. I find by

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 granted.

THEREFORE, IT IS ORDERED, this 30th day of April, 2007 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Sections 1A04.3.A and 1A04.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on a lot with an area of 0.7759 acres and 2

11. Design all decks, balconies, windows, dormers, chimneys and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
12. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building, on the site, providing consistency in materials, colors, roof pitch and style.
13. Provide landscaping along the public road.

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

**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

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 24076

DATE 2/22/07 ACCOUNT 00100606150
AMOUNT \$ 65.00

Zoning Description

ZONING DESCRIPTION FOR 931-933 Bowleys Quarters Road, Middle River, MD 21220

Beginning at a point on the east side of Bowleys Quarters Road, which is 30 feet wide, at a distance of 320 feet north of the centerline of the nearest improved intersecting street, Galloway Road, which is 30 feet wide. As recorded in Plat for Bowleys Quarters Liber WPC 7, Folio 13: SSE 100 feet, then turning NE

Petition for ~~Waiver~~ *Variance*
931-933 Bowleys Quarters Road, Middle River, MD 21220

Petitioner has contracted to purchase Lots 75 and 76, a.k.a. the above addresses, which total only 3/4 acre and a total width of 100 feet. The lots sit about 3 feet above sea level. Zone RC 5 requires a minimum 1.5-acre lot with 50-foot right and left side setbacks. Furthermore, living space in the coastal flood zone must be 1

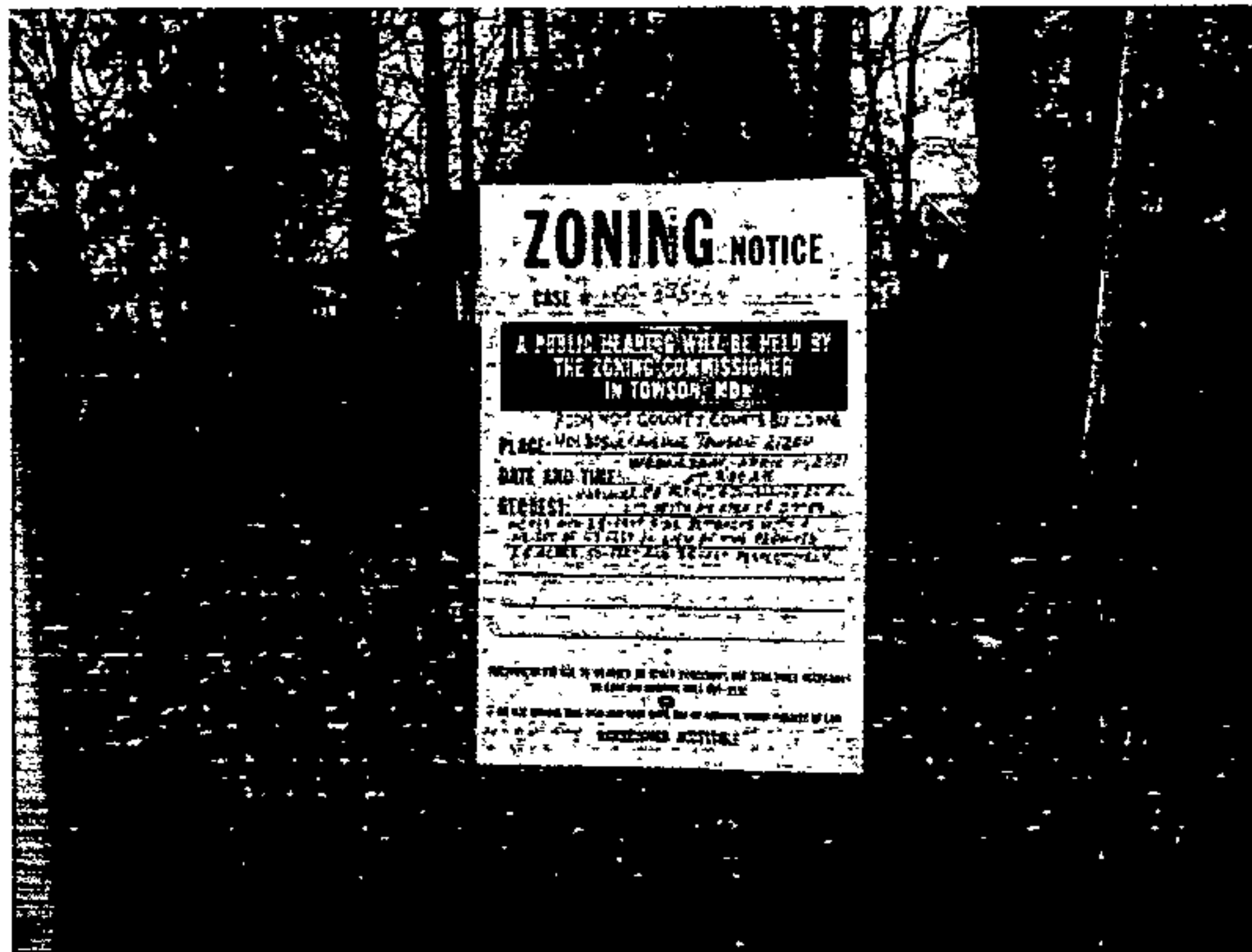
CERTIFICATE OF POSTING

RE: Case No: 07-375-1

Petitioner/Developer: RONALD
MEYER

Date Of Hearing/Closing: 4/11/07

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Wednesday, April 11, 2007

To Whom It May Concern:

I, Lanzhi Wang, the Petitioner in the Zoning Variance Hearing scheduled in Baltimore County for Wednesday, April 11, 2007, authorize Mr. **Ronald B. Meyer** to speak on my behalf.

Patricia Zook - Hearings on April 11 - Planning comments needed

From: Patricia Zook
To: Murray, Curtis
Date: 4/5/2007 10:26:43 AM
Subject: Hearings on April 11 - Planning comments needed

Hi Curtis -</

4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.

5. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay with the Office of Planning at 410-887-3480.

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5. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay with the Office of Planning at 410-887-3480.

