IN RE: PETITION FOR ADMIN. VARIANCE

E side of Baldwin Mill Road, 300 feet N of

Sweet Air Road

11th Election District

3rd Councilmanic District

(14103 Baldwin Mill Road)

BEFORE THE

DEPUTY ZONING COMMISSIONER

* BALTIMORE COUNTY

John S. Lauria

Petitioner

* CASE NO. 07-381-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, John S. Lauria. The variance request is for property located at 14103 Baldwin Mill Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory building (garage) to be located in the front yard in lieu of the required rear yard only. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner wishes to construct a 24 foot x 32 foot detached garage. Positioning the garage as shown on the site plan will utilize the existing driveway and parking pad. The rear yard contains an in-ground swimming pool with patio, mature trees and a well located close to the rear property line. The property contains 1.3920 acres zoned RC 2.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Applicable Law

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

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area

regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 10, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits and photographs as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

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THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 39 day of March, 2007, that a variance from Section 400.1 of the Baltimore

County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory building (garage) to be located in the front yard in lieu of the required rear yard only be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

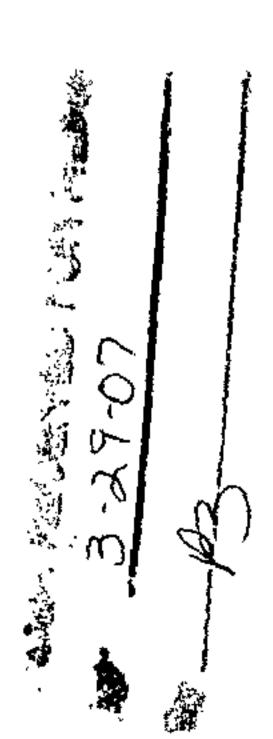
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

March 29, 2007

JOHN S. LAURIA 14103 BALDWIN MILL ROAD BALDWIN MD 21013

Re: Petition for Administrative Variance
Case No. 07-381-A

Property: 14103 Baldwin Mill Road

Dear Mr. Lauria:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	14/03	BALDWIN	MILL.	KD,	BALDWIN.	MD
which	ı is prese	ently zoned		<u>ca</u>		

1/We do solemnly declare and affirm, under the penalties of

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) 400.1, BCZR, to permit a proposed accessory building (garage) to be located in the Front yard in lieu of the required rear yard 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.

		•	perjury, that I/we a is the subject of thi	re the legal owner(s) of this Petition.	he property which
Contract Purchaser/	Lessee:	-	Legal Owner(s	<u>s):</u>	
•				JOHN S. L,	AURIA
Name - Type or Print			Name - Type or Print		
Signature			Signature		<u> </u>
Address		Telephone No.	Name - Type or Print		
City .	State	Zip Code	Signature 14/0.	3 BALDWIN N	IILL RD
Attorney For Petition	er:		BALDWIN, Address	MD 2/013	(4/0) 592-83 Telephone No.
Name - Type or Print			City	State	Zip Code
Signature			Representativ	e to be Contacted:	
Company			Name	-	·
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having beathis day of regulations of Baltimore Count	. th	at the subject matter of t	•	y the Zoning Commissione blic hearing, advertised, as	
•				Commission of Caltinuage Co	· · · · · · · · · · · · · · · · · · ·
CASE NO	7-381-A	Rev	iewed By	mmissioner of Baltimore Co	27/07
REV 10/25/0			mated Posting Date		• '

Affida Vit in Support of Administrative Variance

follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at 14/03 BALDWW MILL RD
BALDWIN MD 21013 - 9004 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):
EXISTING DRIVEWAY WOULD HAVE TO BE EXTEDED 75-90 FEET
EXISTING 3 year OLD FENCE WOULD HAVE TO BE REMOVED
MATURE TREES WOULD HAVE TO BE TAKEN DOWN
BACK YARD GREEN SPACE WOULD BE GREATE REDUCED - REAR YARD 15 MUCH SMALLER THAN FRONT - REDUCING PLAY AREA FOR KIDS & PE
BACK YARD HAS EXISTING IN GROUND POOL/PATO
WOULD NOT BE AS ESTHETICALLY PLEASING OR FUNCTIONAL IF PLACED IN
That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. Signature Signature
Signature Signature Signature
Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
1 . A Million and Control Cont
I HEREBY CERTIFY, this / day of Askury of Joseph Jo
of Maryland, in and for the County aforesaid, personally appeared Tokus Survivo The Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
of Maryland, in and for the County aforesaid, personally appeared To har S / A (100)

REV 10/25/01

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 public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	Address Address	BALDWIN MI	LL RD	
	BALDWIN City	MD State	21013-9006 Zip	Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	wing are the facts upo ip or practical difficulty	on which I/we base tl):	ne request for an Administ	rative
EXISTING PRIVEWAY WOULD	HAVE TO BE	EXIENDED	75 - 90 FEET	
EXISTING 3 YEAR OLD F	ENCE MOULD	HAUE TO	BE REMOUED	
MATURE TREES WOULD HA	1	TAKE DOWN	•	
BACK YARD GREEN SPACE WOULD MUCH SMALLER TO	D BE GREATE	EDUCING PLA	- REAR YARD AY AREA FOR KID	1S >s/ R€
BACK YARD HAS EXISTING	•			
WOULD NOT BE AS ESTHE	ETICALLY PLEA	SING OR FU	INCTIONAL IF I	PLACE YAR 1
That the Affiant(s) acknowledge(s) that if a fe advertising fee and may be required to provide	ormal demand is filed additional information.	, Affiant(s) will be re	equired to pay a reposting	g and
Signature Signature	Signa	ature -		
Name - Type or Print	Name	e - Type or Print		<u> </u>
	cet			
STATE OF MARYLAND, COUNTY OF BALTH	MORE, to wit:		•	
of Maryland, in and for the County aforesaid, pe		, <u></u>	me, a Notary Public of the	State
the Affiant(s) herein, personally known or satisf		as such Affiant(s).	<u> </u>	
AS WITNESS my hand and Notarial Seal MARGARET E. BURKHARDT			Buthauld	1
NOTARY PUBLIC CECIL COUNTY MARYLAND MY COMMISSION EXPIRES APRIL 1, 2010	Notary Publi		surtail	10



CASE NO

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	14103	BALDWIN	MILL	RD,	BALDWIN	MID
which	is prese	ntly zoned _	R	C 2'		, ~

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

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) 4700,1, BCZR, to remit a proped accepted building (garage) to be located in the front yard in live of the required rear yard 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.

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 Name - Type or Print Signature Signature Telephone No. Name - Type or Print Address (410) 592-8375 Zip Code Signature City State BALDWIN 4/03 Attorney For Petitioner: Telephone No. Address BALDWIN City State Name - Type or Print Representative to be Contacted: Signature Name Company 4103 BALDWIL Telephone No. Telephone No. Address Address BALDWIN Zip Code City City State 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 this regulations of Baltimore County and that the property be reposted.

Estimated Posting Date

ZONING DESCRIPTION FOR 14103 Baldwin Mill Road, Baldwin MD 21013-9006.

Beginning at a point on the East side of Baldwin Mill Road which is 70 feet wide at the distance of 300 feet North of the centerline of the nearest improved intersecting street Sweet Air Road which is 100 feet wide.

Being Lot #4, section 1, Plat 1 in the subdivision of Baldwin Mill Terrace as recorded in Baltimore County Plat #40, Folio 64 containing 1.3920 acres. Also known as 14103 Baldwin Mill Road and located in the 11th Election District, 3rd Councilmanic District.

AMOUNT RECEIPT LANEOUS OFFICE OF BUDGET MISCEL BALTIM RECEIVED FROM: FOR

DISTRIBUTION WHITE - CASHIER

YELOW - CUSTOMER

CERTIFICATE OF POSTING

	RE: Case No: 07-38/-1
	Petitioner/Developer:
	JOHN S. LAUZIA
	Date Of Hearing/Closing: 3/24/07
Baltimore County Department Permits and Development Man County Office Building, Room 111 West Chesapeake Avenue	agement
Attention:	
Ladies and Gentlemen:	
sign(s) required by law were po	ne penalties of perjury that the necessary osted conspicuously on the property
at	403 BALDWIN MILL RUAN
· · · · · · · · · · · · · · · · · · ·	
This sign(s) were posted on	March 10, 2007
B (-)	(Month, Day, Year)
ł	Sincerely,
	mater Och 3/10/07
	(Signature of sign Poster and Date)
	Martin Ogle
	Sign Poster
	16 Salix Court
	Address
	Balto. Md 21220
	(443-629 3411)

im001016 (576x432x24b jpeg)



Martin Ogle 3/10/07

BALTIMORE COUNTY DEARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07-

Address 14/03 Baldwin Mill Road

Conta	ct Pers	on:		rey Per				Phone Nu	mber: 4	110-887-3391
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2.	a form	nal rec	juest for	a public l		lease unde	erstand t	hat even	if there	000 feet to file is no formal
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4.	(wheth commi change	er due ssione ed givi l, certif	e to a ner), notificent	eighbor's cation will of the hea	formal required to the forward aring date,	lest or by ded to you time and lo	order of the cation.	f the zoning sign on the As when the	ng or d ne prop ne sign	leputy zoning erty must be was originally forwarded to
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	_		3/11/07					3/2-6/	_	
Wording from	ng for S	Sign:	To Perm	of the	required	vear ya	y (gara	ge) to	be loca	ated in the
		;				· · · · · · · · · · · · · · · · · · ·			- ,,,	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

March 26, 2007

John S. Lauria 14103 Baldwin Mill Road Baldwin, MD 21013

Dear Mr. Lauria:

RE: Case Number: 07-381-A, 14103 Baldwin Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 27, 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,

W. Carl Richards Ir

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

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

March 9, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 5,2007

381

Item Number: 374 through 388

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

Printed on Recycled Paper



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 6, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 12, 2007

Item Nos. 07-374, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, and 388

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-03062007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: March 20, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 07-381-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

RECEIVED

MAR 2 3 .2007

70mmc commission



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

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

Maryland Department of Transportation

Date: MARCH 12, 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. 7-36-1-A

14103 BALDWIN ALLEL BOAD

LAURIAPROPERTY ADMIN. 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. 7-381 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).

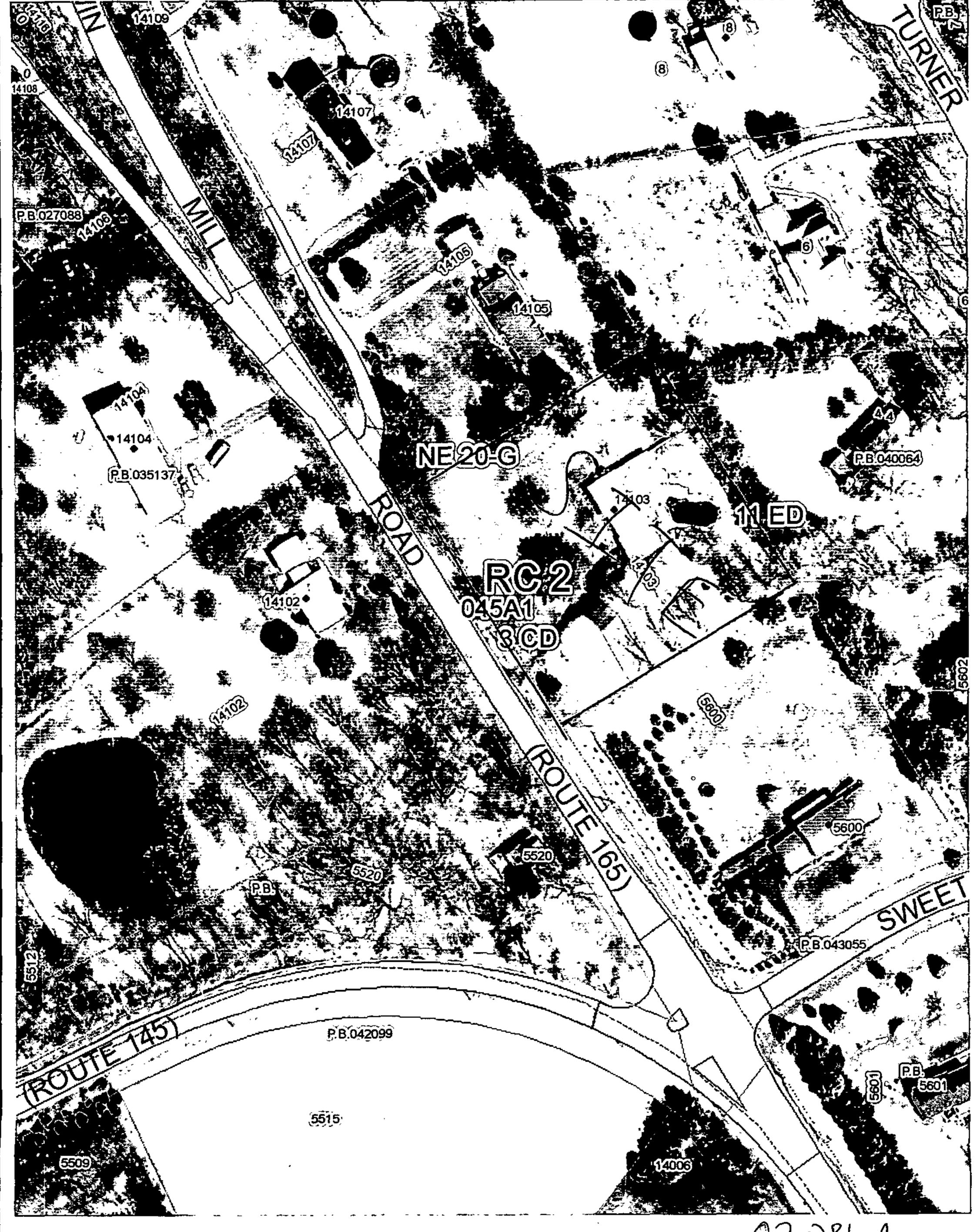
Very truly yours,

Fasteven D. Foster, Chil

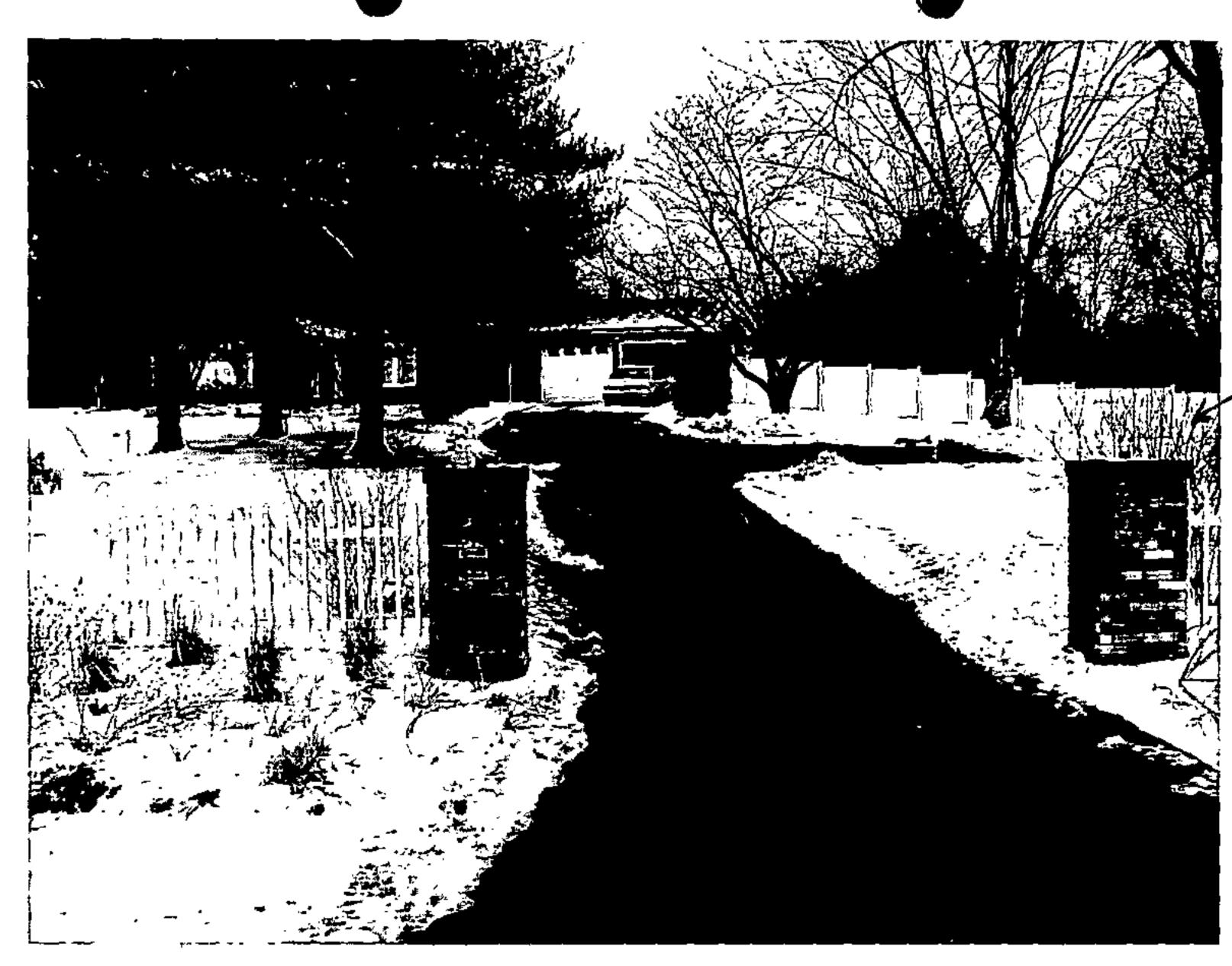
Engineering Access Permits

Division

SDF/MB



07-381-A

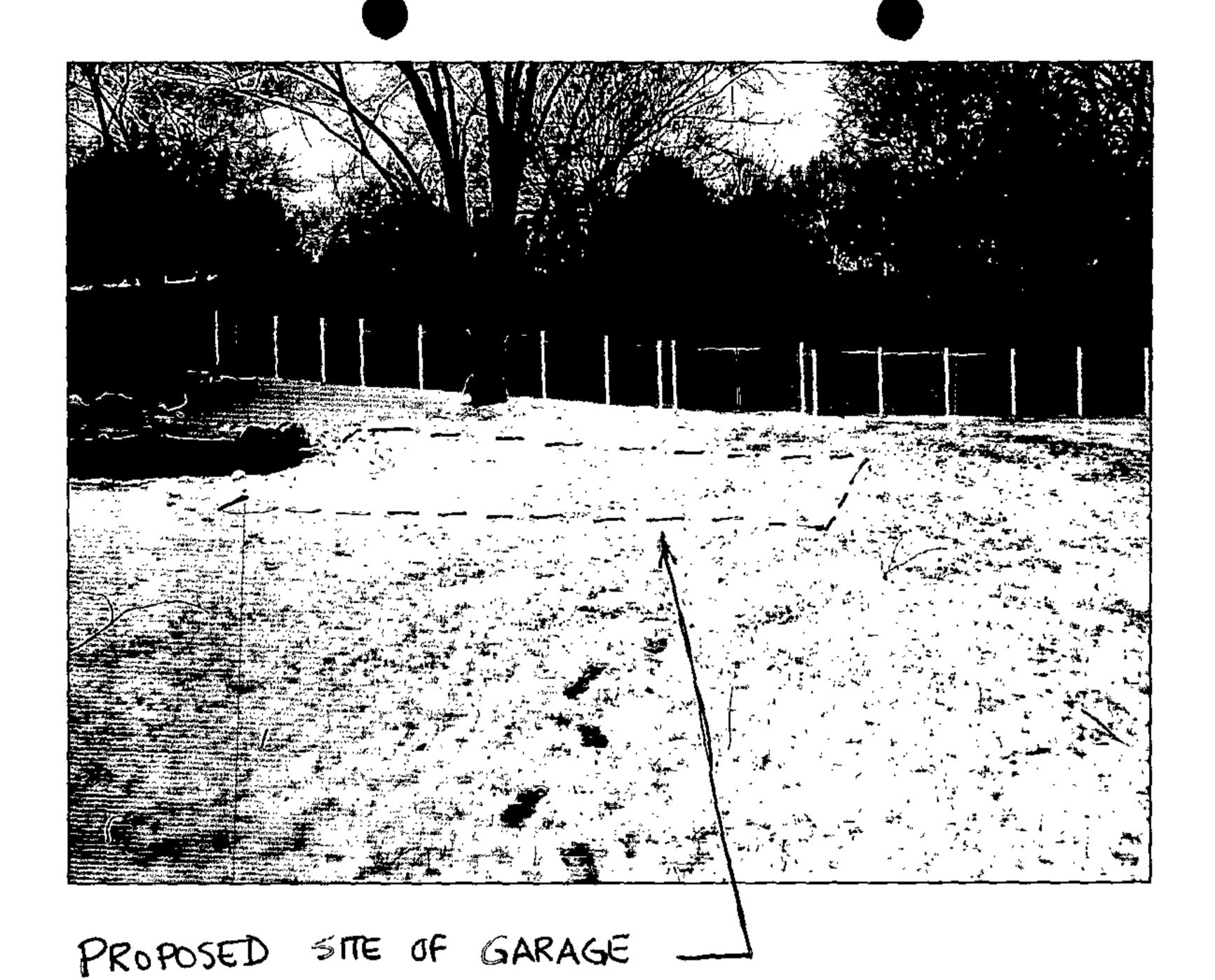


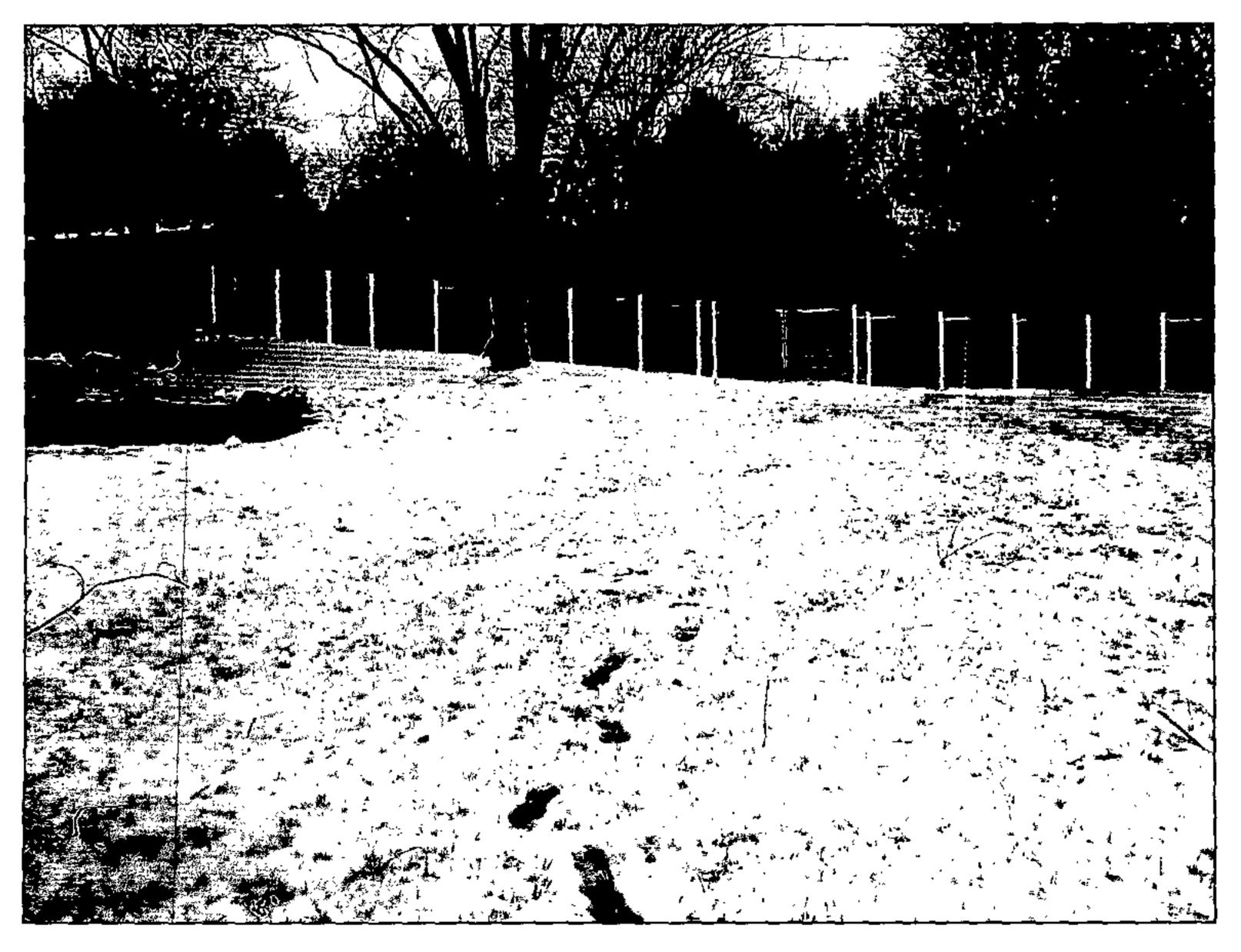
PROPOSED SITE OF GARAGEIS TO THE RIGHT OF GXISTING DRIVE WAY

FRONT OF 14103 BALDWIN MILL RD



PROPOSED SITE OF GARAGE



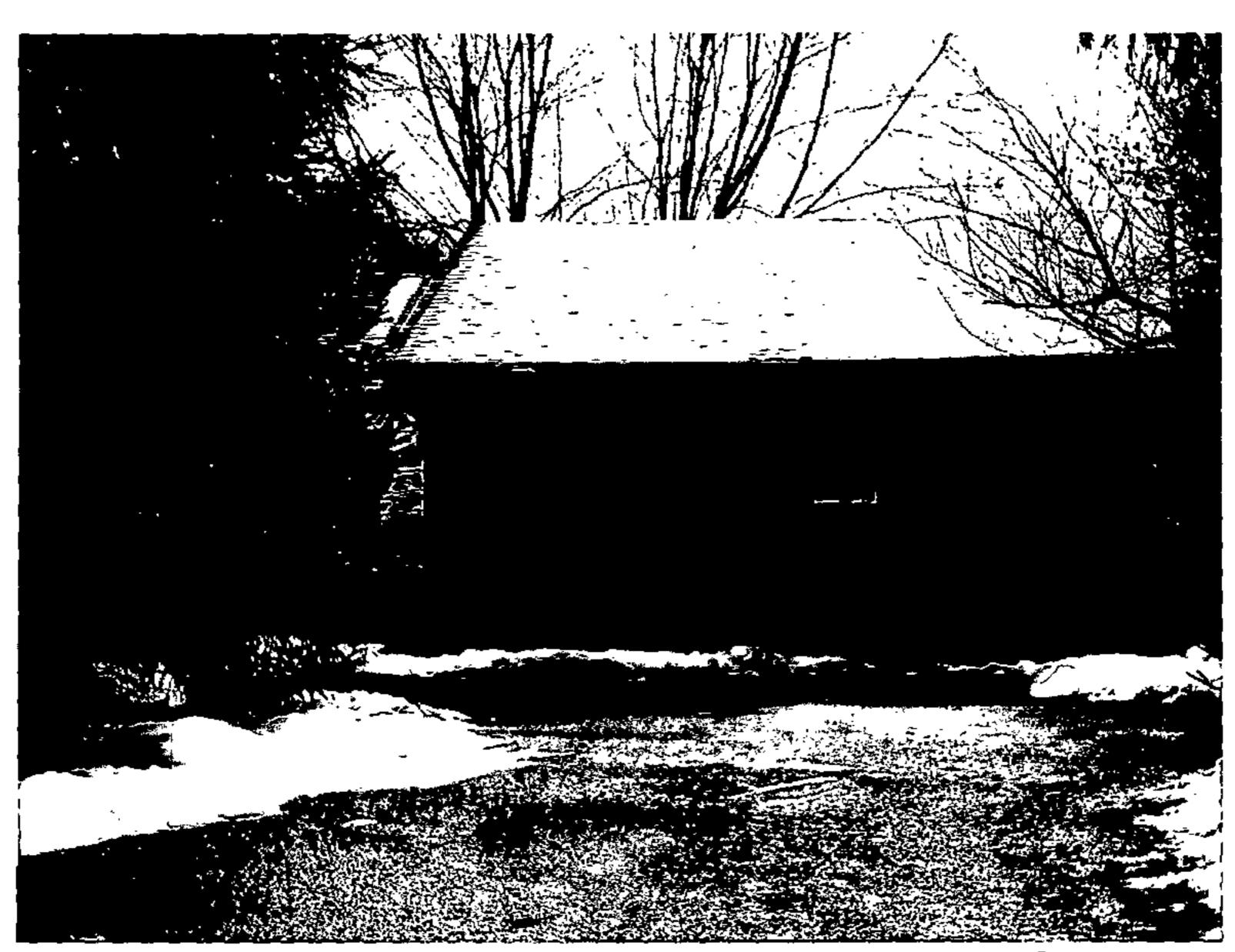




5600 SWEET AIR RD

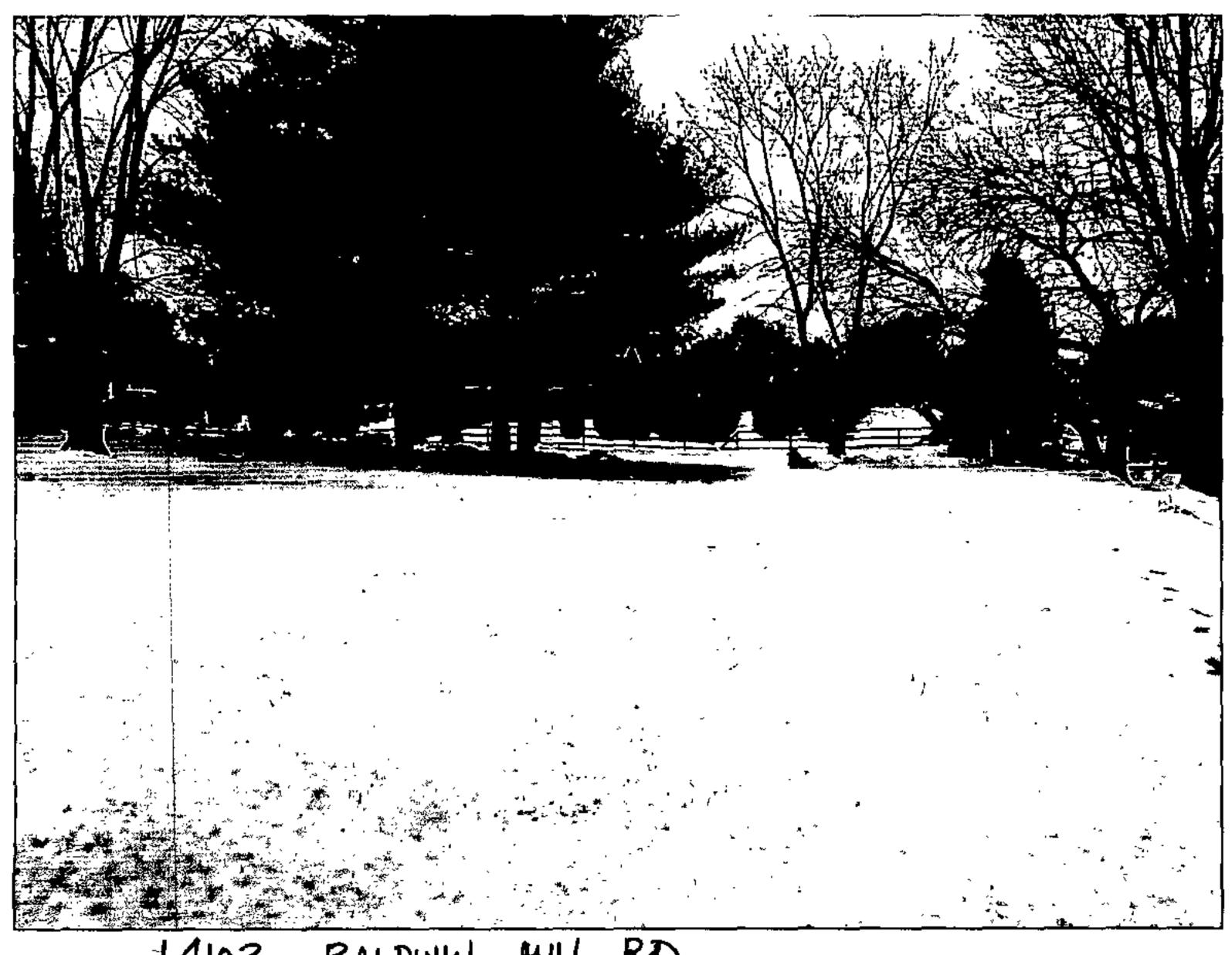
NEIGHBOR TO THE RIGHT OF SITE (FACING FRONT OF 14103)

SWEET AIR RD



NEIGHBOR ACROSS THE STREET @ 14104 BALDWIN MILL RD FREE STANDING GARAGE IN FRONT OF HOUSE





BALDWIN

BALDWIN MILL



BACK YARD OF 14103 BALDWIN MILL RD





BACKYARD OF BALDWIN MILL RD



