

IN RE: PETITION FOR ADMIN. VARIANCE
S side of Bedford Road, 100 feet E of
the c/l of Campfield Road
3rd Election District
2nd Councilmanic District
(4203 Bedford Road)

Anthony and Dana Wilkins
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 07-413-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 owners of the subject property, Anthony and Dana Wilkins. The variance request is for property located at 4203 Bedford Road. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a front yard setback of 7 feet in lieu of the required 25 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners propose a 15 foot x 20.5 foot addition on the left side of their home. The front door is on the left side of the home where the addition will be constructed. The addition will have access from the driveway and walkway which are on the left hand side of the home. Petitioners say the addition is necessary to provide much needed storage.

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 Office of Planning dated March 29, 2007 which contains restrictions, and a copy of which is incorporated herein and made a part hereof the file.

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

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4-18-07
[Signature]

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."

Findings of Fact and Conclusions of Law

This is an unusual configuration of house and lot. As shown on exhibit 1, the front of the house does not face Bedford Road but rather faces what normally would be called the side yard. Consequently the addition, although technically in the front yard, is next to the adjacent lot and not toward the street. This will not change the pattern of development of the neighborhood as seen from the street.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 25, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have 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.

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4-18-07 P3

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.

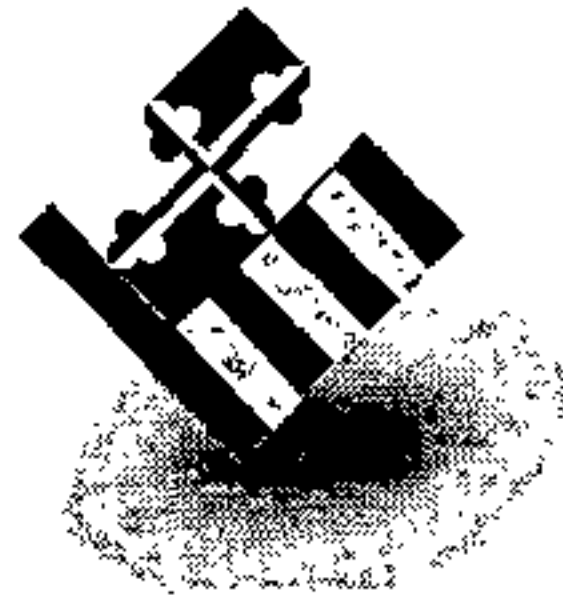
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 18th day of April, 2007 that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a front yard setback of 7 feet in lieu of the required 25 feet be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit 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. The Petitioner shall submit elevations of the proposed addition for review and approval to the Office of Planning prior to the issuance of any building permits which shall include . description of the materials of the proposed addition, the relation of the addition to the existing house and all dimensions.
3. The Petitioner shall submit plans for additional landscaping for review and approval to the Office of Planning to be placed between the proposed addition and the adjacent property line to provide buffering of the adjacent property.

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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 18, 2007

ANTHONY AND DANA WILKINS
4203 BEDFORD ROAD
PIKESVILLE MD 21208

Re: Petition for Administrative Variance
Case No. 07-413-A
Property: 4203 Bedford Road

Dear Mr. and Mrs. Wilkins:

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,

A handwritten signature in cursive script that reads "John V. Murphy".

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 4203 Bedford Rd
which is presently zoned DR 5-5

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) 1802.3.B BC22

To permit an addition with a front yard setback of 7' in lieu of the required 25'

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.

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

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

4203 Bedford Rd 443 324 7565

Pikesville MD

State

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 07 day of April that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 07-413-A

REV 10/25/01

Reviewed By JE Date 3/15/07

Estimated Posting Date 3-25-07

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4-18-07 pm

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address 4203 Bedford Rd
City Pikesville State Maryland Zip Code 21208

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):

My family needs extra space for storage

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 Anthony Wilkins
Name - Type or Print Anthony Wilkins

Signature Dana Wilkins
Name - Type or Print Dana Wilkins

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

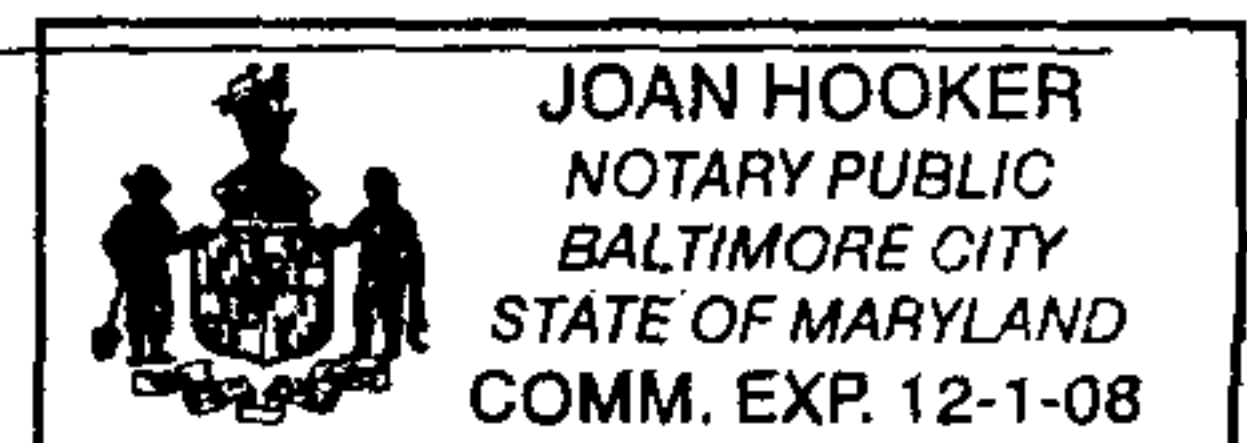
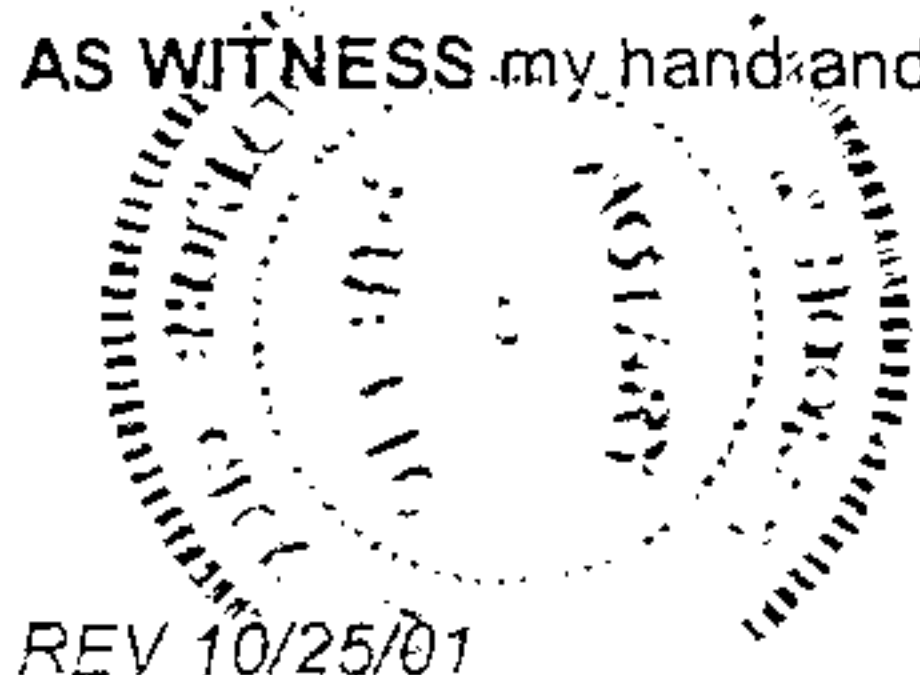
I HEREBY CERTIFY, this 15 day of March, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Anthony Wilkins Dana Wilkins
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Signature Joan Hooker
Notary Public

My Commission Expires _____



EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - **DO NOT USE THIS FORM FOR "FILL-IN THE BLANK"**. Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 4203 Bedford Rd
(address)

Beginning at a point on the South side of
(north, south, east or west)
Bedford Rd which is 60 ft.
(name of street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 100 ft East of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Campfield
(name of street)
which is 40 ft wide. *Being Lot # 1
(number of feet of right-of-way width)
Block _____, Section # B in the subdivision of Buckingham Estates
(name of subdivision)
as recorded in Baltimore County Plat Book # 23, Folio # 105,
containing 8,113 sq. ft. Also known as 4203 Bedford Rd
(square feet or acres) (property address)
and located in the 3rd Election District, 2nd Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

413

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 24985

DATE 3/15/07 ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM: Anthony Wilkins

4203 Bond Road

FOR: Aring, You

ITEM # 413

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
3/16/2007 3/15/2007 11:27:00 1
REQ NO. 001 001 KIN 001C JHR
>> RECEIPT # 003896 3/15/2007 001N
Dept 001 001 ZONING VERIFICATION
CR NO. 000000

Receipt Tot: \$45.00
\$65.00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Date: March 25, 2007

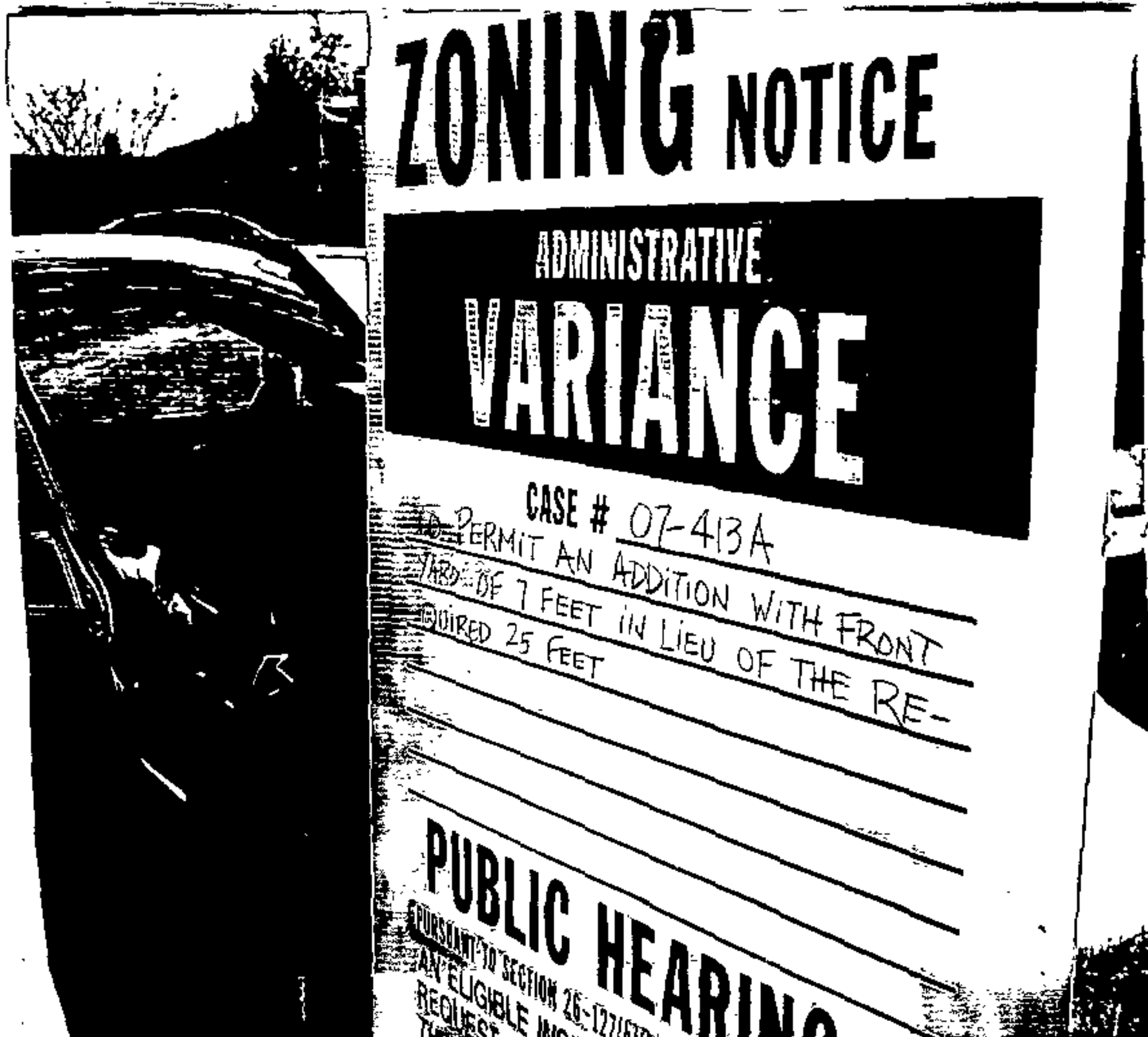
RE: Case Number: 07-413-A

Petitioner/Developer: Anthony Wilkins

Date of Hearing/Closing: 4-9-07

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 4203 Bedford Rd

The sign(s) were posted on March 25, 2007
(Month, Day, Year)



J. Lawrence Pilson
(Signature of Sign Poster)

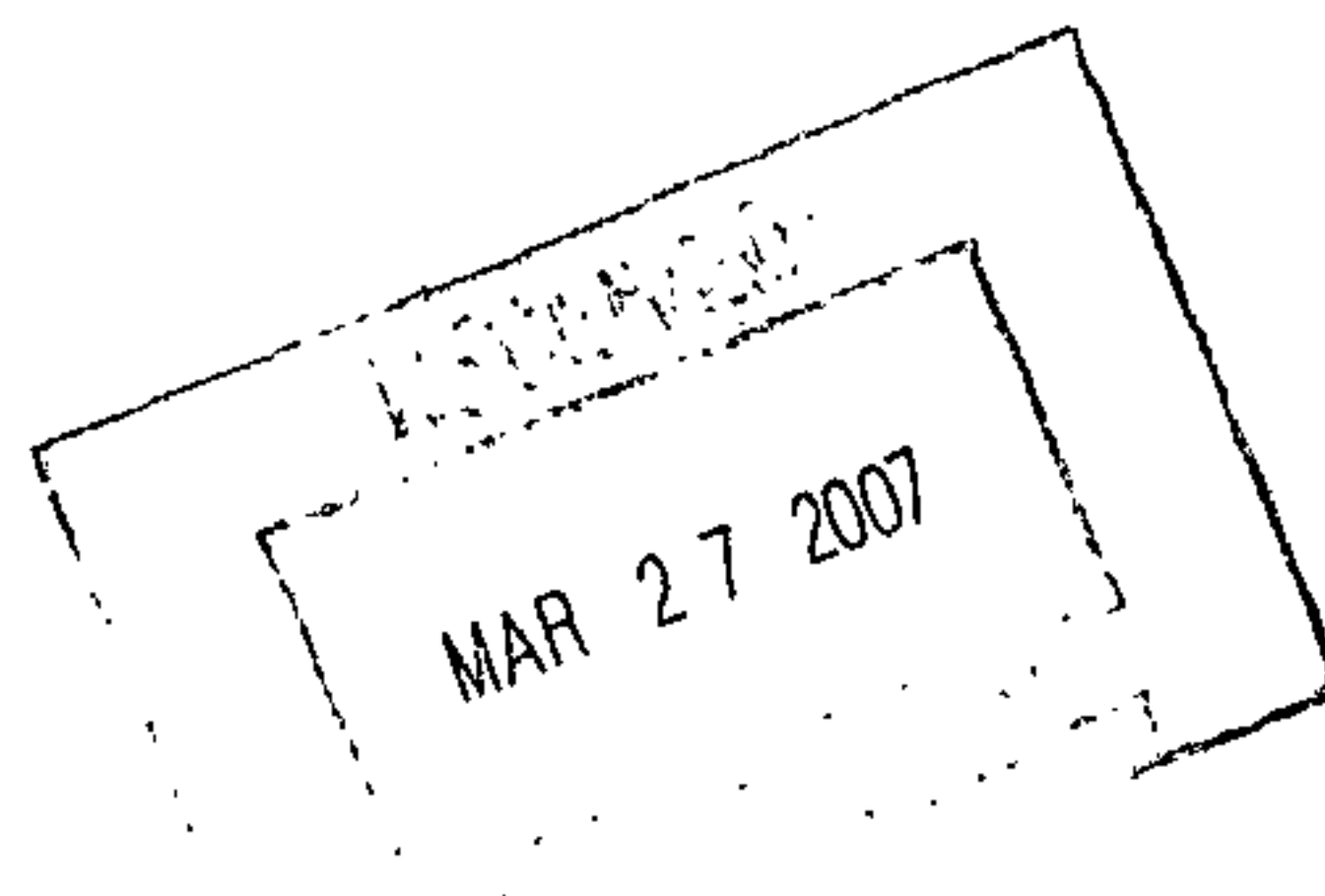
J. LAWRENCE PILSON
(Printed Name of Sign Poster)

1015 Old Barn Rd
(Street Address of Sign Poster)

Parkton, Md 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 413 -A

Address 4203 BEDFORD RD

Contact Person: J. Fernando
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3-15-07

Posting Date: 3-25-07

Closing Date: 4-9-07

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 07- 413 -A

Address 4203 BEDFORD RD

Petitioner's Name Anthony & Dana Wilkins

Telephone 443-324-7565

Posting Date: 3-25-07

Closing Date: 4-9-07

Wording for Sign: To Permit an addition with a front yard setback
of 7' in lieu of the required 25.'

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/neighbor 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 07-413-A
Petitioner Anthony Wilkins
Address or Location 4203 Bedford Rd.

PLEASE FORWARD ADVERTISING BILL TO

Name Anthony Wilkins
Address 4203 Bedford Rd.

Telephone Number 443 324 7565



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

April 9, 2007

Anthony Wilkins
Dana Wilkins
4203 Bedford Road
Pikesville, MD 21208

Dear Mr. and Mrs. Wilkins:

RE: Case Number: 07-413-A, 4203 Bedford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 15, 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

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 28, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 26, 2007

413
Item Number: 410 through 426

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



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



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

Maryland Department of Transportation

Date: APRIL 2, 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. 7-413A
4203 BEDFORD ROAD
WILKINS PROPERTY
ADMINISTRATIVE 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. 7-413A.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 29, 2007

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

SUBJECT: 4203 Bedford Road

INFORMATION:

Item Number: 7-413

Petitioner: Anthony Williams

Zoning: DR 5.5

Requested Action: Administrative Variance

RECEIVED

APR - 4 2007

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends the following conditions be met should the petitioner's request be granted.

1. Elevations of the proposed addition should be submitted for review and approval to the Office of Planning prior to the issuance of any building permits. The elevations should state clearly the materials of the proposed addition, the relation of the addition to the existing house and all dimensions.
2. It is also advised that additional landscaping be placed between the proposed addition and the adjacent property line to provide buffering of the adjacent property.

For further information concerning the matters stated here in, please contact Nkechi Hislop 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: March 29, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 2, 2007
Item Nos. 07-230, 410, 411, 413, 414, 415, 416,
417, 418, 419, 420, 423, 424, 425, and 426

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-03282007.doc



BALTIMORE COUNTY
OFFICE OF THE ZONING COMMISSIONER
COUTY COURTS BUILDING
401 BOSLEY ROAD, SUITE 405
TOWSON, MD 21204

Phone: 410-887-3868

Fax: 410-887-3468

F A X C O V E R S H E E T

DATE: 4-16-07

NO. OF PAGES INCLUDING COVER SHEET: 3

TO:

Jun J.
Zoning Review

FROM:

Patte Zork

PHONE: _____

FAX NO.: 410-887-3048

MESSAGE:

Case 07-413-A (administrative variance)
Please see petition and site plan.
Petition says "front yard setback". However
the site plan shows addition on the side.
Please advise.

REMARKS: ☒ URGENT ☒ FOR REVIEW ☐ REPLY ASAP ☒ PLEASE COMMENT
☐ PLEASE REPLY ☐ PLEASE RECYCLE

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

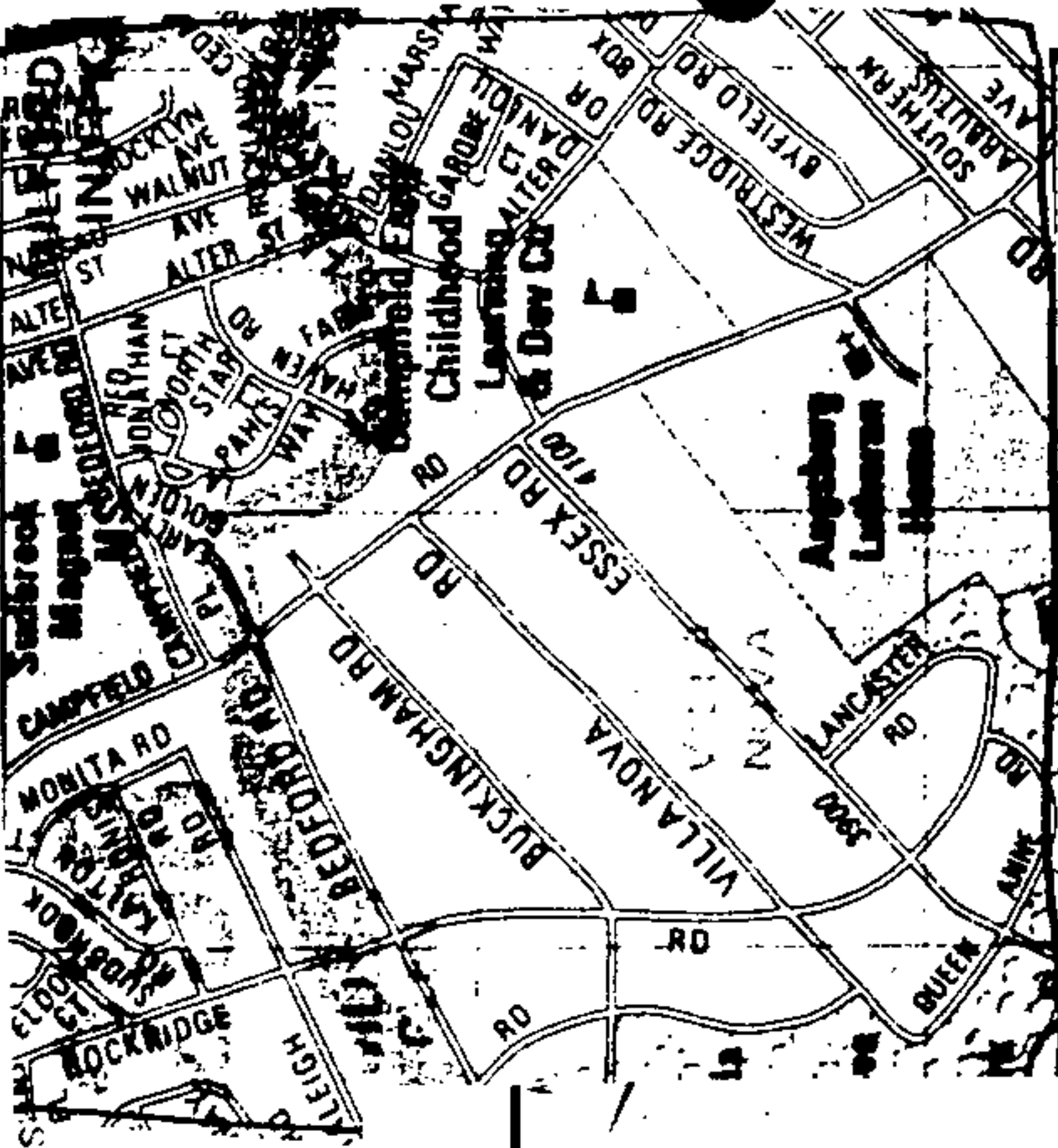
SEE PAGES 5 & 6 OF THE CHECKLIST

PROPERTY ADDRESS 4203 Bedford Rd

SUBDIVISION NAME Buckingham Estates

PLAT BOOK # 26 FOLIO # 102 LOT # 12 SECTION # 10

OWNER Anthony Wilkins



LOCATION INFORMATION

ELECTION DISTRICT 3
 COUNCILMANIC DISTRICT 2
 1"=200' SCALE MAP # 078A3
 ZONING DR 5.5

LOT SIZE 8.113 ACRES 351,113 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

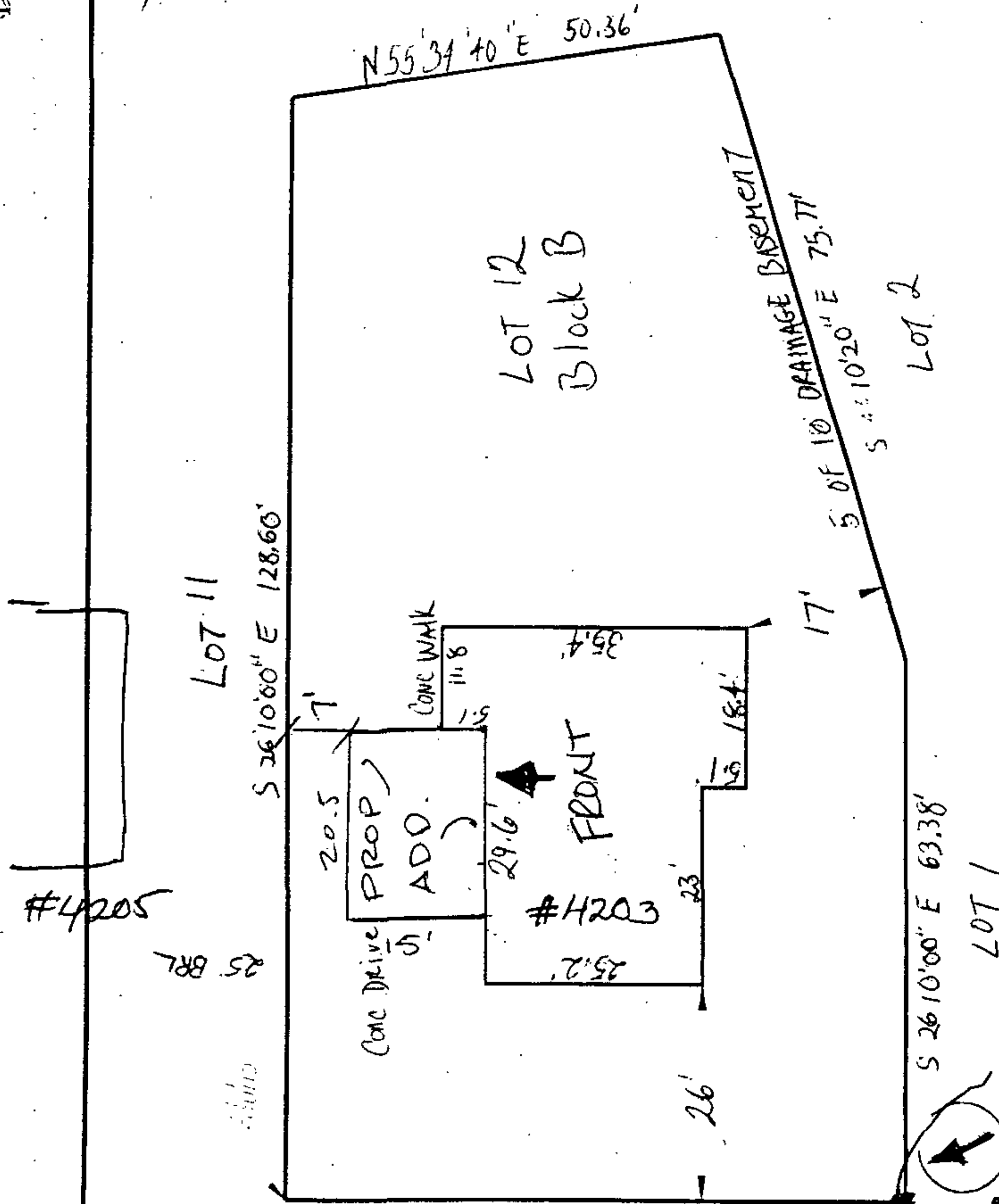
100 YEAR FLOOD PLAIN YES ☐ NO ☒

HISTORIC PROPERTY/BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY
 REVIEWED BY Item # CASE #

4/3



SCALE OF DRAWING: 1" = 20'

PREPARED BY AW

BEDFORD RD 60' R/W 40' CAMPBELL

