

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N side Honeybell Court, 375 feet N		
of Kearney Drive		
4 th Election District	*	DEPUTY ZONING COMMISSIONER
2 nd Councilmanic District		
(14 Honeybell Court)	*	BALTIMORE COUNTY
Leonard M. Schwartz and Sharon Aldouby		
<i>Petitioners</i>	*	CASE NO. 07-503-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, Leonard M. Schwartz and Sharon Aldouby. The variance request is for property located at 14 Honeybell Court. The variance request is from Sections 1B01.2.C.2.a and V.B.5.a (1971-92 Baltimore County Zoning Regulations and Comprehensive Manual of Development Policies) to permit a 30 foot window to tract boundary setback in lieu of the required 35 feet, and to amend the Final development Plan for Timber Grove, Lot 79b, Section 2, Block B only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a 16 foot x 16 foot sunroom and 13 foot x 13 foot open deck onto the back of their home in order to provide more living space.

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

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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 Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 13, 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 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.

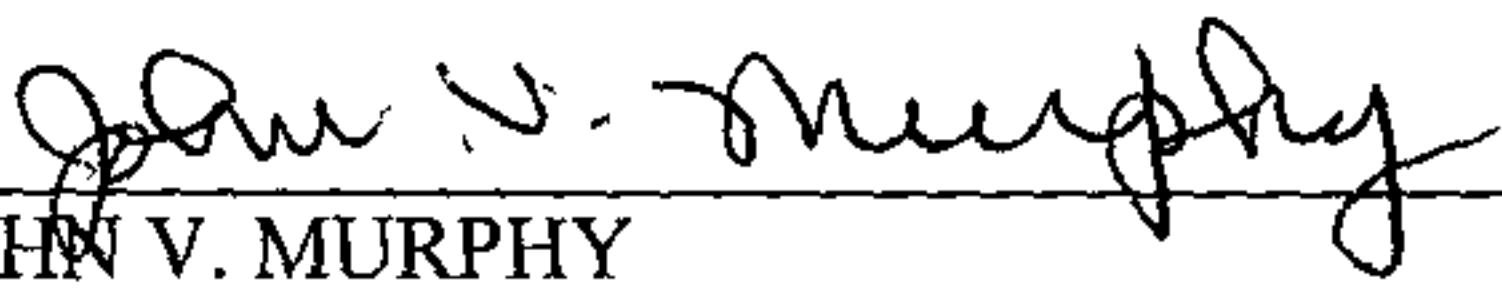
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ^{2nd} 6 day of June, 2007 that a variance from Sections 1B01.2.C.2.a and V.B.5.a (1971-92 Baltimore County Zoning Regulations and Comprehensive Manual of

Development Policies) to permit a 30 foot window to tract boundary setback in lieu of the required 35 feet, and to amend the Final development Plan for Timber Grove, Lot 79b, Section 2, Block B only 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.

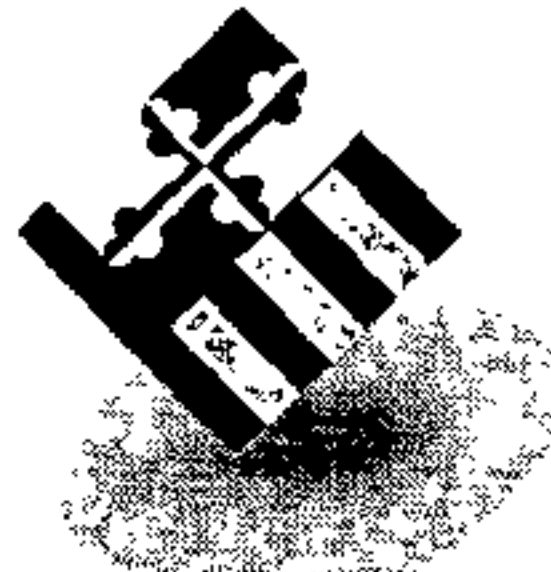
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

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6-6-07
PZ



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 6, 2007

LEONARD M. SCHWARTZ AND SHARON ALDOUBY
14 HONEYBELL COURT
BALTIMORE MD 21117

Re: Petition for Administrative Variance
Case No. 07-503-A
Property: 14 Honeybell Court

Dear Mr. Schwartz and Ms. Aldouby:

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

c: Bob Whitmer, 7110 Golden Ring Road, Baltimore MD 21221



ORIGINAL
KEEP IN
FILE

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 14 Honeybell Ct.
which is presently zoned DR 3.5

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) 1B01.2.C.2.2 AND V.B.5a

(1971-92 BCZR AND CMDP.) TO PERMIT A 30 FT. WINDOW TO TRACT BOUNDARY SETBACK IN LIEU OF THE REQUIRED 35 FT. AND TO AMEND THE FINAL DEVELOPMENT PLAN FOR TIMBER GROVE LOT 79b. SECTION 2, BLOCK B.

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):

Schwartz, Leonard M

Name - Type or Print

Signature

Aldouby, Sharon

Name - Type or Print

Signature

14 Honeybell Ct.

410-356-6679

Address

Telephone No.

Baltimore

MD

21117

City

State

Zip Code

Representative to be Contacted:

Bob Whitmer

Name

7110 Golden Ring Road

410-780-0062

Address

Telephone No.

Baltimore

MD

21221

City

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 5 day of May, 2007, 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.

07 503 A

Reviewed By

JL

Date

5/04/07

REV 10/25/01

Estimated Posting Date

5/13/07

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6-10-07

5/13/5/28

DM

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 14 Honeybell Ct.
Address
Baltimore MD 21117
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):

We would like to build a patio room (16'x16') and open deck (13'x13') on the rear of our house. Our lot is very shallow at 105ft in depth, and due to the fact we are located on a court our home is offset to the rear property line. This forces us to request for a variance of 20ft. In lieu of the required 35ft. Home to Tract boundary setback. ~~Please note that the original rear setback for our lot (79b) was 25ft.~~ But being we are one of only 5 lots in our section that borders the tract boundary we unfortunately afflicted by this setback ordinance.

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.

Leonard M. Schwartz
Signature

Schwartz, Leonard M
Name - Type or Print

Sharon Aldouby
Signature

Aldouby, Sharon
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

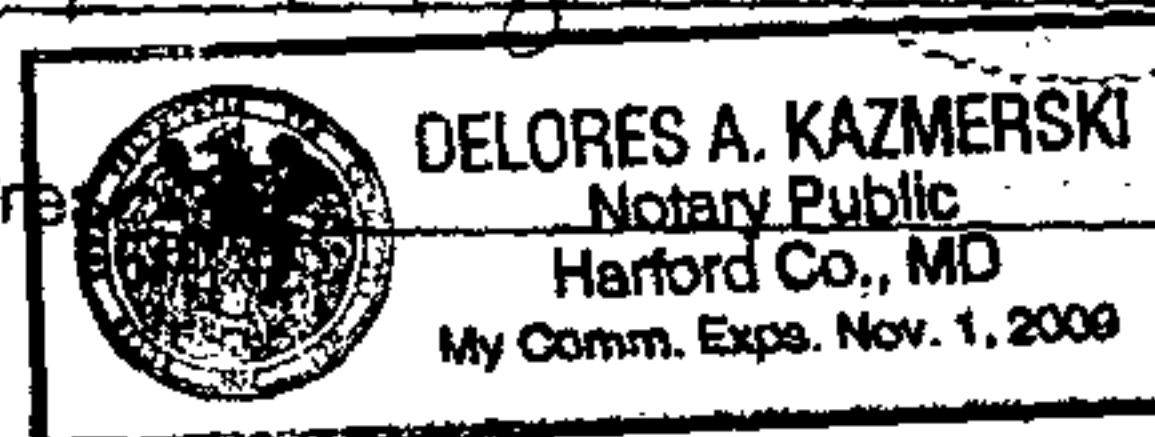
I HEREBY CERTIFY, this 22 day of April, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Leonard M. Schwartz & Sharon Aldouby
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Delores A. Kazmerski
Notary Public

My Commission Expires



Zoning Description for 14 Honeybell Ct.

Beginning at a point on the North side of Honeybell Ct. which is 50 ft. wide at the distance of 375 ft. North of the centerline of the nearest improved intersecting street Kearney Dr. which is 50 ft. wide. *Being lot #79b, Block# B *Section 2* in the subdivision of Timber Grove as recorded in the Baltimore county Plat Book #44, Folio #58, containing 6,808 sq. ft. Also known as 14 Honeybell Ct. and located in the 4th election district, 2nd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

503 No. 3712

JL

DATE 5/03/07 ACCOUNT 001 006 6150

AMOUNT \$ 115.00

RECEIVED
FROM:

CI 41244222

FOR:

EV 41244222

14 HANCOCK CT

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

NO. 503

DATE 5/03/07

AMOUNT \$ 115.00

ACCOUNT 001 006 6150

RECEIVED FROM

CI 41244222

FOR

EV 41244222

14 HANCOCK CT

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 07-503-A

Petitioner/Developer: SCHWARTZ

ALDOUBY

Date of Hearing/Closing: 5-28-07

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:

14 HONEYBELL CT

The sign(s) were posted on 5-13-07
(Month, Day, Year)

Sincerely,

Robert Black 5-15-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

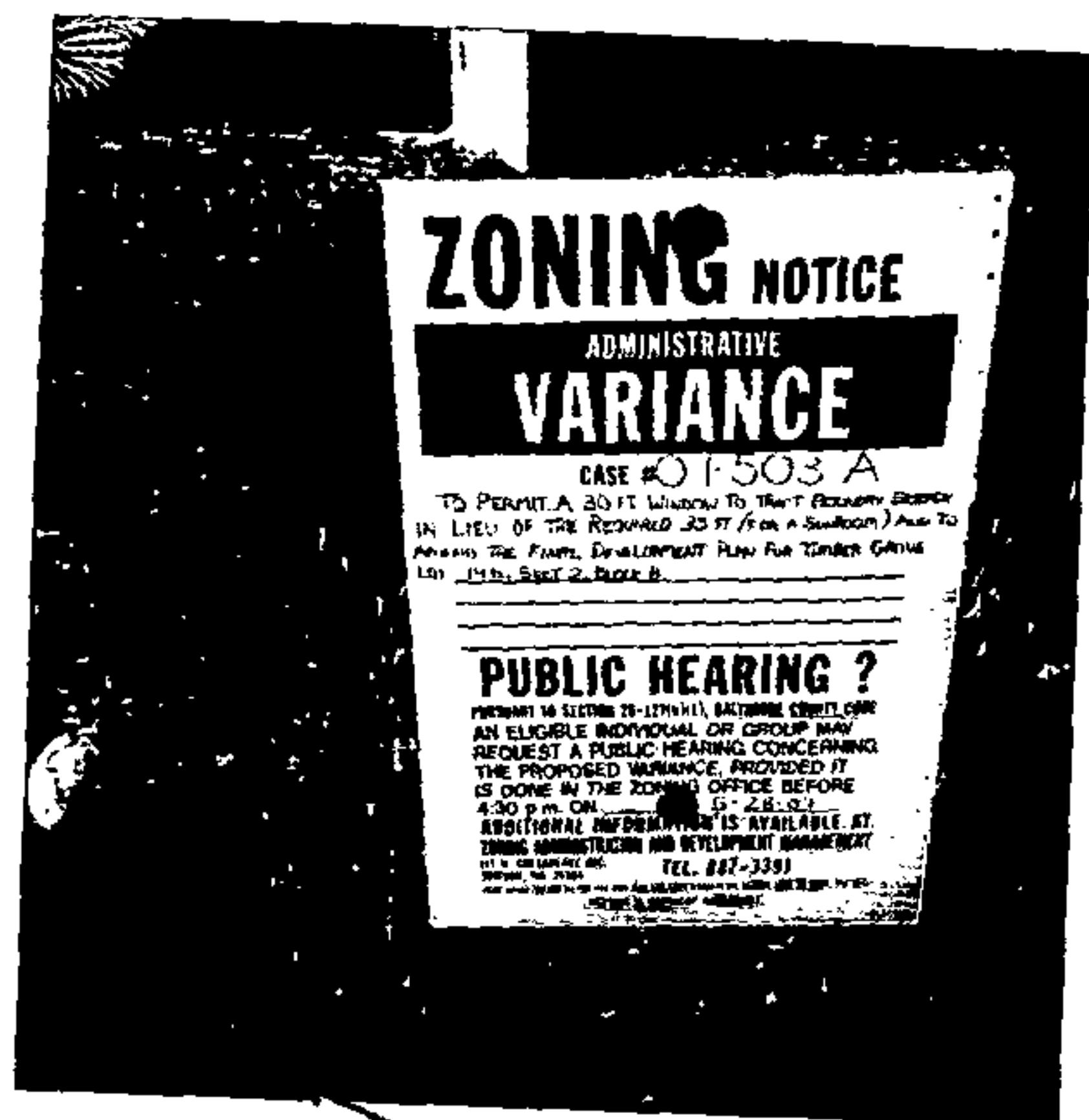
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



PRG TO APP.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07 503 -A

Address 14 HONEYBELL CT

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

Phone Number: 410-887-3391

Filing Date: 5/04/07

Posting Date: 5/13/07

Closing Date: 5/28/07

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 07 503 -A

Address 14 HONEYBELL CT.

Petitioner's Name SCHWARTZ & ALDOUBY

Telephone 410 780 0062

Posting Date: 5/13/07

Closing Date: 5/28/07

Wording for Sign: To Permit A 30 FT. WINDOW TO TRACT BOUNDARY
SETBACK IN LIEU OF THE REQUIRED 35 FT. (FOR A SUNROOM)
AND TO AMEND THE FINAL DEVELOPMENT PLAN FOR
TIMBER GROVE LOT 79b, SECT 2, BLOCK B

WCR - Revised 6/25/04

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: 07 503 A

Petitioner: Leonard Schwartz

Address or Location: 14 Hoxeybell CT Balto Md 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: Bob Whitmer (Champion Window Co of Balto LLC)

Address: 7110 Golden Ring Rd
Balto Md 21221

Telephone Number: 410 780 0062

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6 5/6
11



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

May 29, 2007

Leonard M. Schwartz
Sharon Aldouby
14 Honeybell Court
Baltimore, MD 21117

Dear Mr. Schwartz and Ms. Aldouby:

RE: Case Number: 07-503-A, 14 Honeybell Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 4, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Bob Whitmer 7110 Golden Ring Road Baltimore 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 22, 2007

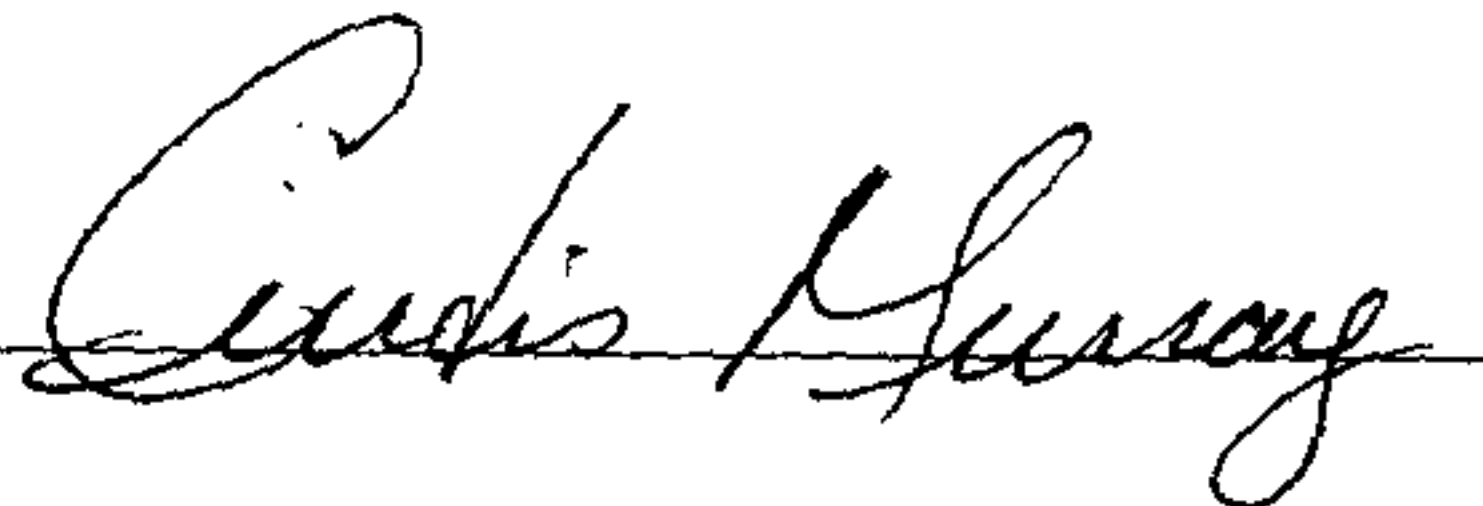
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-503- Administrative Variance

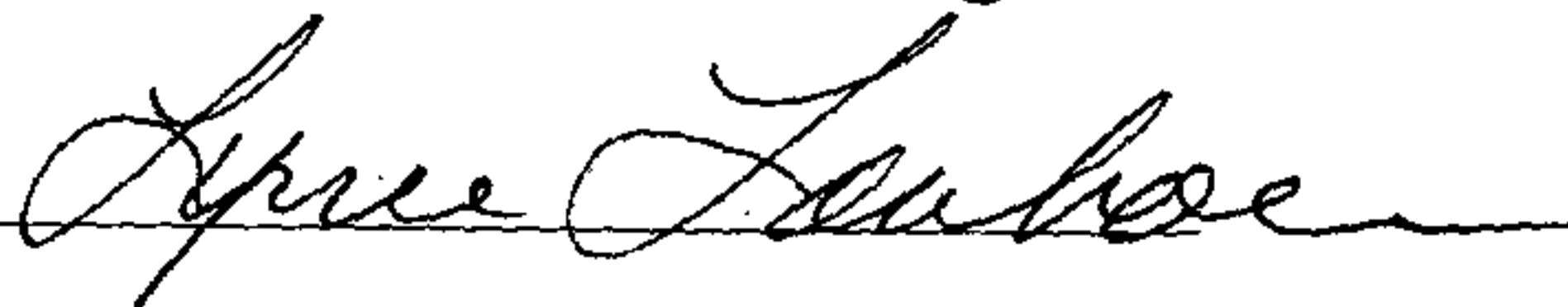
The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided the proposed addition is similar in character to that of the existing structure.

For further questions or additional information concerning the matters stated herein, please contact Nkechi Hislop in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

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

May 18, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 7, 2007

503
Item Number: 500 through 511

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 21, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For May 21, 2007
Item Nos. 07-224, 500, 501, 501, 502, 503
504, 505, 506, 507, 508, 509, 510, and 511

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- 05212007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 22, 2007

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

RECEIVED
MAY 25 2007

BY:

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-503- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided the proposed addition is similar in character to that of the existing structure.

For further questions or additional information concerning the matters stated herein, please contact Nkechi Hislop in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

Division Chief:

Spree Lubboe

CM/LL



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

State Highway
Administration

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

Maryland Department of Transportation

Date: May 15, 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. 7-503-A
14 HONEYBELL COURT
SCHWARTZ/ALDOUBY 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. 7-503-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,

For¹ 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

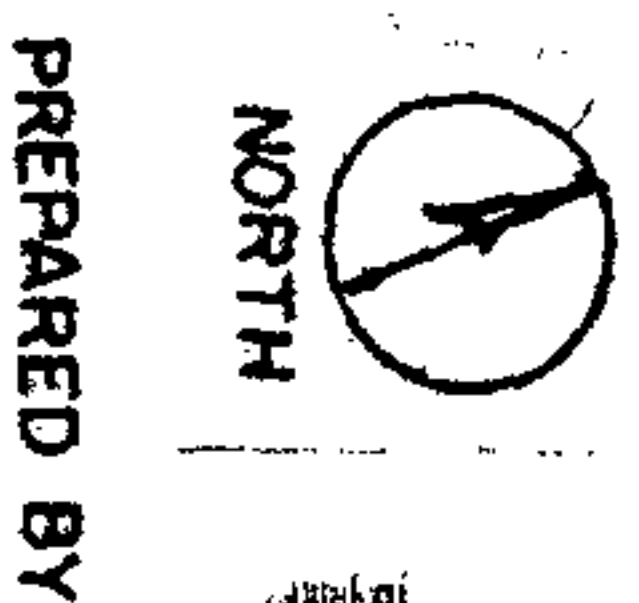
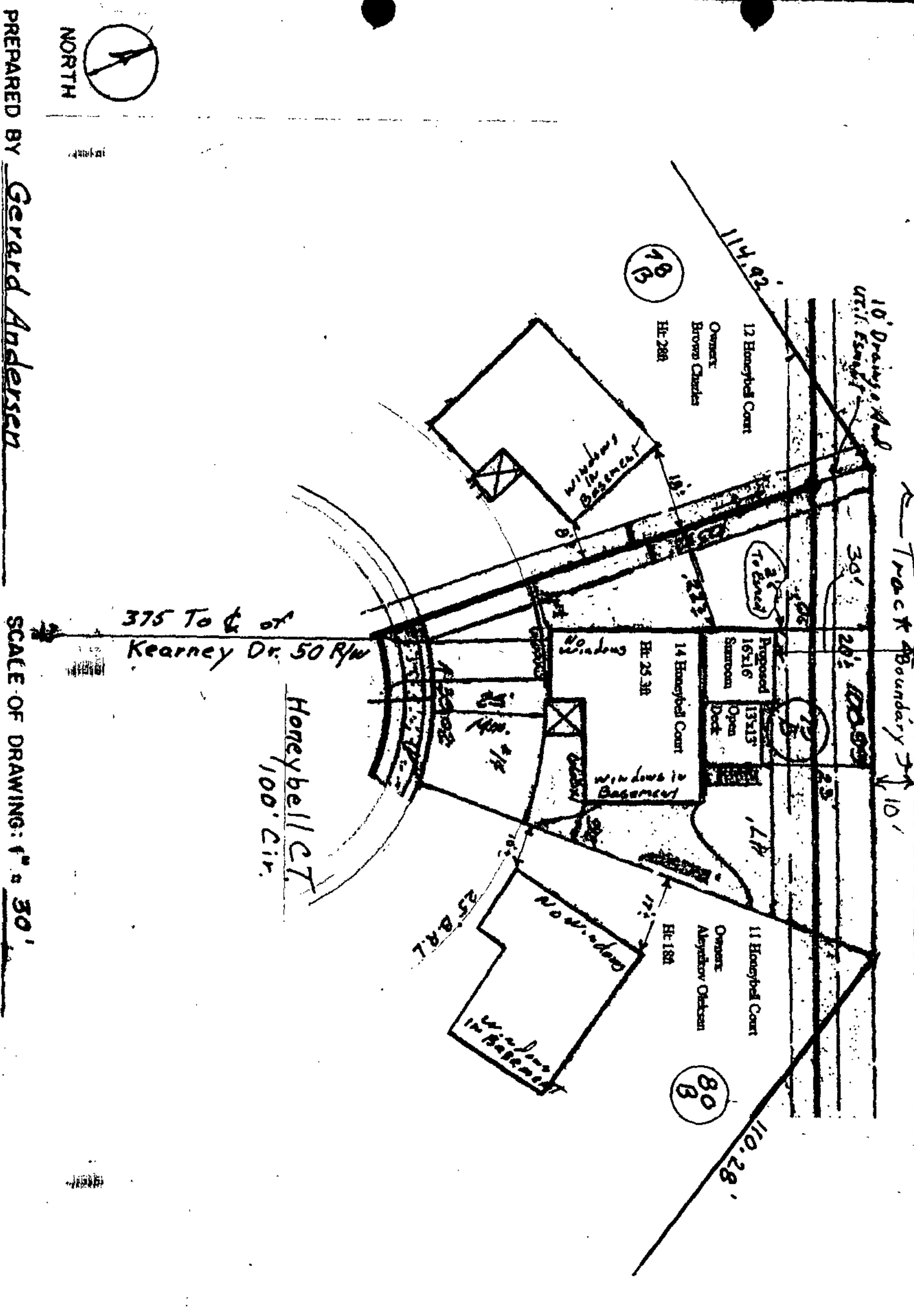
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS 14 Honeybell CT

SUBDIVISION NAME Timber Grove

PLAT BOOK # 44 FOLIO # 58 LOT # 79B SECTION # 2 BLOCK B

OWNER Schwartz, Leonard & Aldous, Sharon



PREPARED BY Gerard Andersen

LOCATION INFORMATION

ELECTION DISTRICT 4

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # 04943

ZONING DR 5.5

LOT SIZE

ACREAGE 6.808
SQUARE FEET

PUBLIC ☒ PRIVATE ☐

SEWER

☒

☐

WATER

☒

☐

CHESAPEAKE BAY
CRITICAL AREA

☐

☒

100 YEAR FLOOD PLAIN

☐

☒

HISTORIC PROPERTY/
BUILDING

☐

☒

PRIOR ZONING HEARING

☐

☒

ZONING OFFICE USE ONLY

REVIEWED BY

ITEM # 01563A CASE #

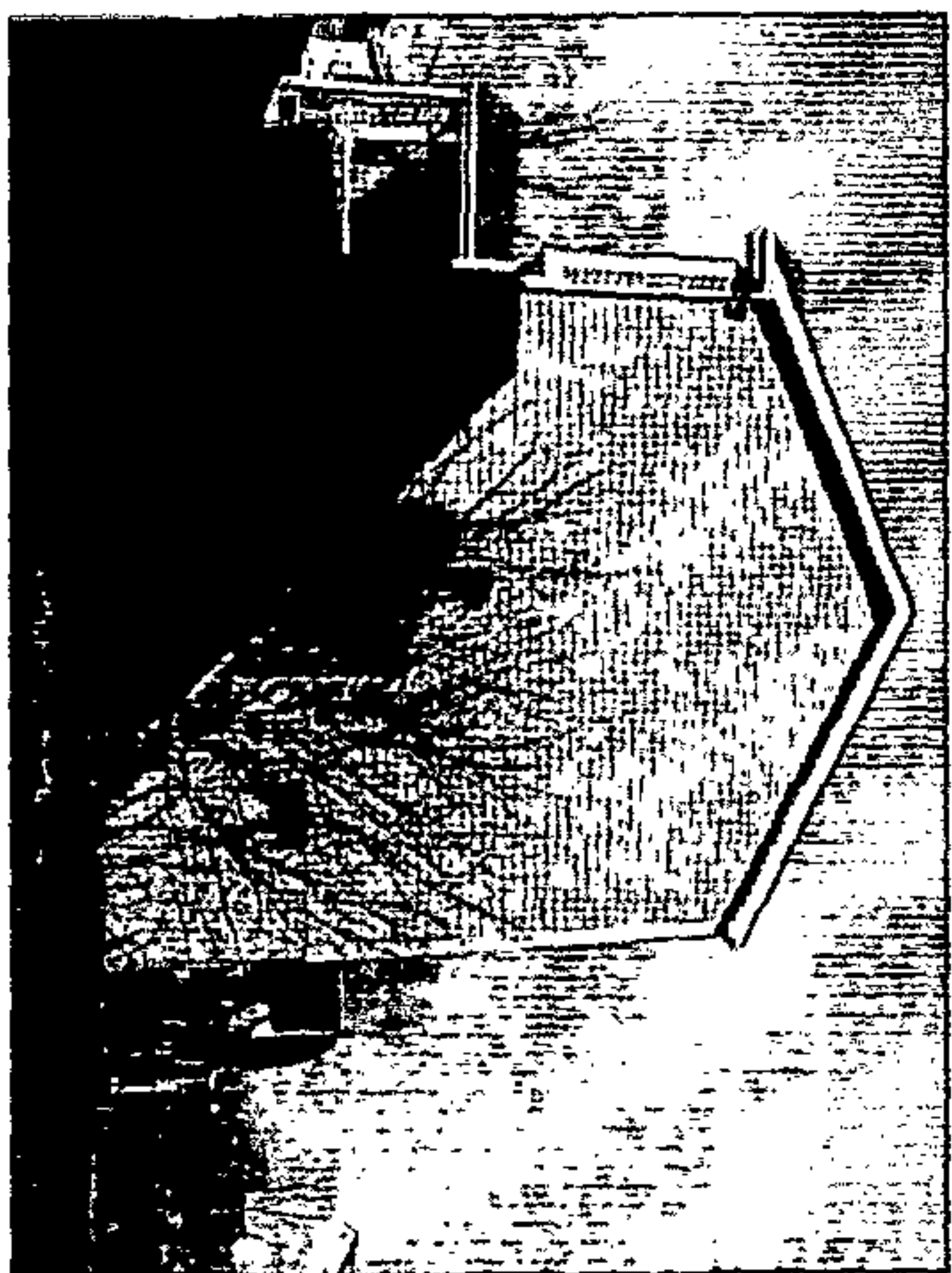
JK

563





View of rear yard



12 Honeybell Ct.



11 Honeybell Ct.



Location of proposed sunroom

503