

IN RE: PETITION FOR ADMIN. VARIANCE
E side of Annadaniel Drive, 165 feet S
from the c/l White Marsh Road
14th Election District
7th Councilmanic District
(8207 Annadaniel Drive)

Patrick and Amanda Pflaumer
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 07-569-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, Patrick and Amanda Pflaumer. The variance request is for property located at 8207 Annadaniel Drive. The variance request is from Sections 1B01.2.C.1.b and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection addition (deck) with a rear yard setback of 14 feet in lieu of the required 22.5 feet and to amend the 4th Amended Final Development Plan of Church Property for Lot 9 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners propose to construct a 16 foot x 30 foot deck. The current setback only allows for a 7.5 foot deck. The proposed size will accommodate the growing family as well as deck furniture.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The ZAC comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 1, 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

FROM RECEIVED FOR FILED

7-31-07 *[Signature]*

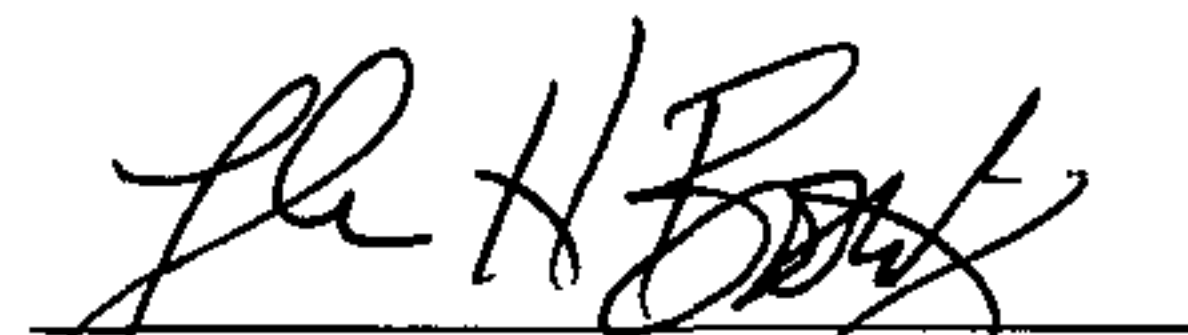
indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements 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 31st day of July, 2007 that a variance from Sections 1B01.2.C.1.b and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection addition (deck) with a rear yard setback of 14 feet in lieu of the required 22.5 feet and to amend the 4th Amended Final Development Plan of Church Property for Lot 9 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.

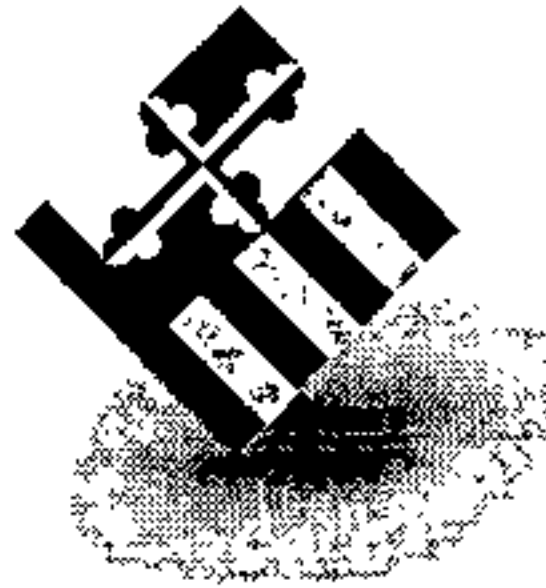
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

7-31-07



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

July 31, 2007

PATRICK AND AMANDA PFLAUMER
8207 ANNADANIEL DRIVE
BALTIMORE MD 21237

Re: Petition for Administrative Variance
Case No. 07-569-A
Property: 8207 Annadaniel Drive

Dear Mr. and Mrs. Pflaumer:

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 black ink, appearing to read "J. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8207 Annadale Dr
which is presently zoned PR3.5

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) 1801.2 C.1.6 and 301 BCZR

To permit an open projection addition (deck) with a rear yard setback of 14' in lieu of the required 22.5'. And to amend the 4B Amended FDP of Church Property for lot # 9 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.

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

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

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 _____ day of _____ 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.

07-569-A

Reviewed By

JF

Date

6-19-07

REV 10/25/01

Estimated Posting Date

7-1-07

7-31-07

PS

Affidavit in Support of Administrative Variance

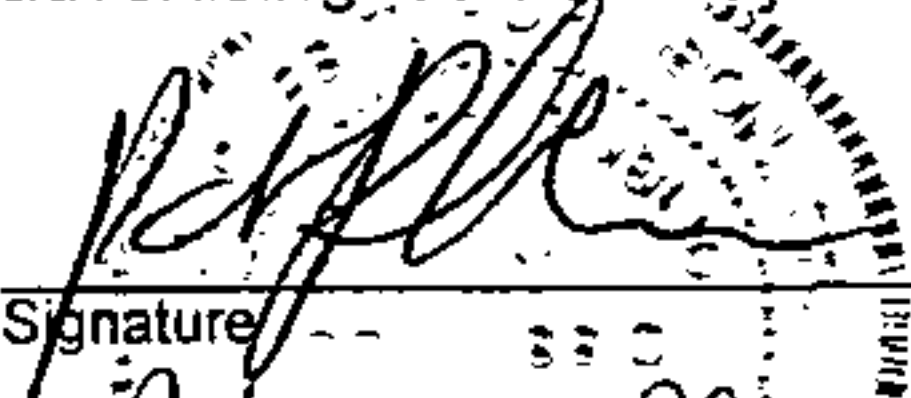
The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is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

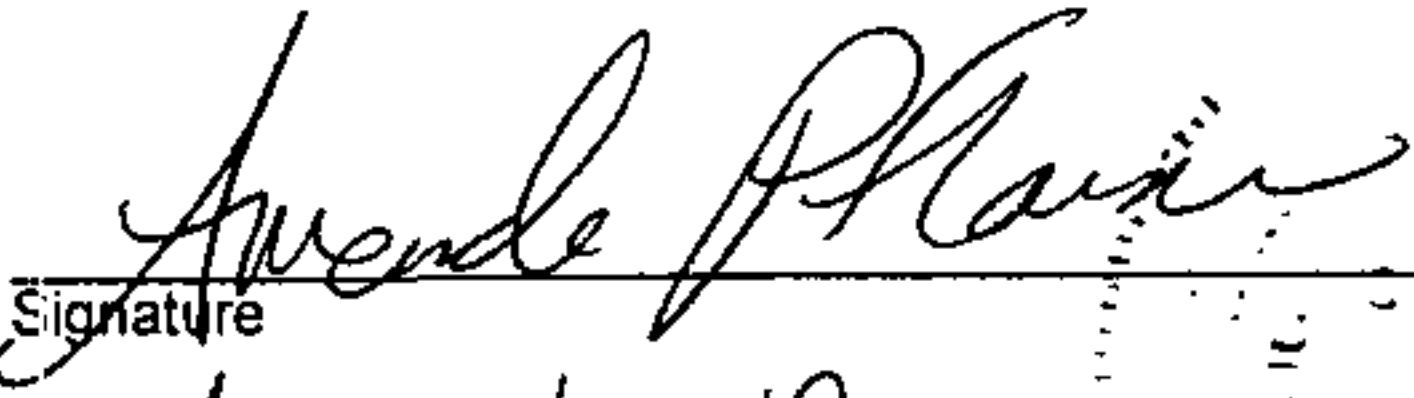
That the Affiant(s) does do presently reside at 8207 Annademoel Dr
Address
Balt. more MD 21237
City State Zip Code

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):

- ~~the~~
- ① Current setback only allows for a 7.5' deck
 - ② we have a growing family and have no use for the hill in the back yard. A 16' deck would allow us to enjoy our property to the fullest potential

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
Patrick Pflaumer
Name - Type or Print


Signature
Amanda Pflaumer
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of June, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires 8/27/07

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 8207 Annadaniel Dr.
(address)

Beginning at a point on the ~~West~~ East side of
(north, south, east or west)

Annadaniel Drive which is 50'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 165' South of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Whitemarsh Rd.
(name of street)

which is 50' wide. *Being Lot # 9
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of Church Property
(name of subdivision)

as recorded in Baltimore County Plat Book # 75, Folio # 40

containing .1341 acres Also known as 8207 Annadaniel Dr.
(square feet or acres) (property address)

and located in the 14 Election District, 6 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.

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

NO. 10-1-1

DATE	6-17-67	ACCOUNT	001-906-150
------	---------	---------	-------------

AMOUNT
\$ 115.00

RECEIVED
FROM: Paul J. H. Daffin

FOR: 82-71 Anti-Trust - Iman & SCo

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

SECRET

THE GIBBS

[illegible]

THE UNIVERSITY OF CHICAGO

1000

THE

WU

三

THE UNIVERSITY OF CHICAGO

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 07-569-A

Petitioner/Developer: PATRICK L

AMANDA PFLAUMER

Date of Hearing/Closing: 7-16-07

**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: _____

8207 ANNADANIEL DRIVE

The sign(s) were posted on

7-1-07
(Month, Day, Year)

Sincerely,

Robert Black 7-2-0
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

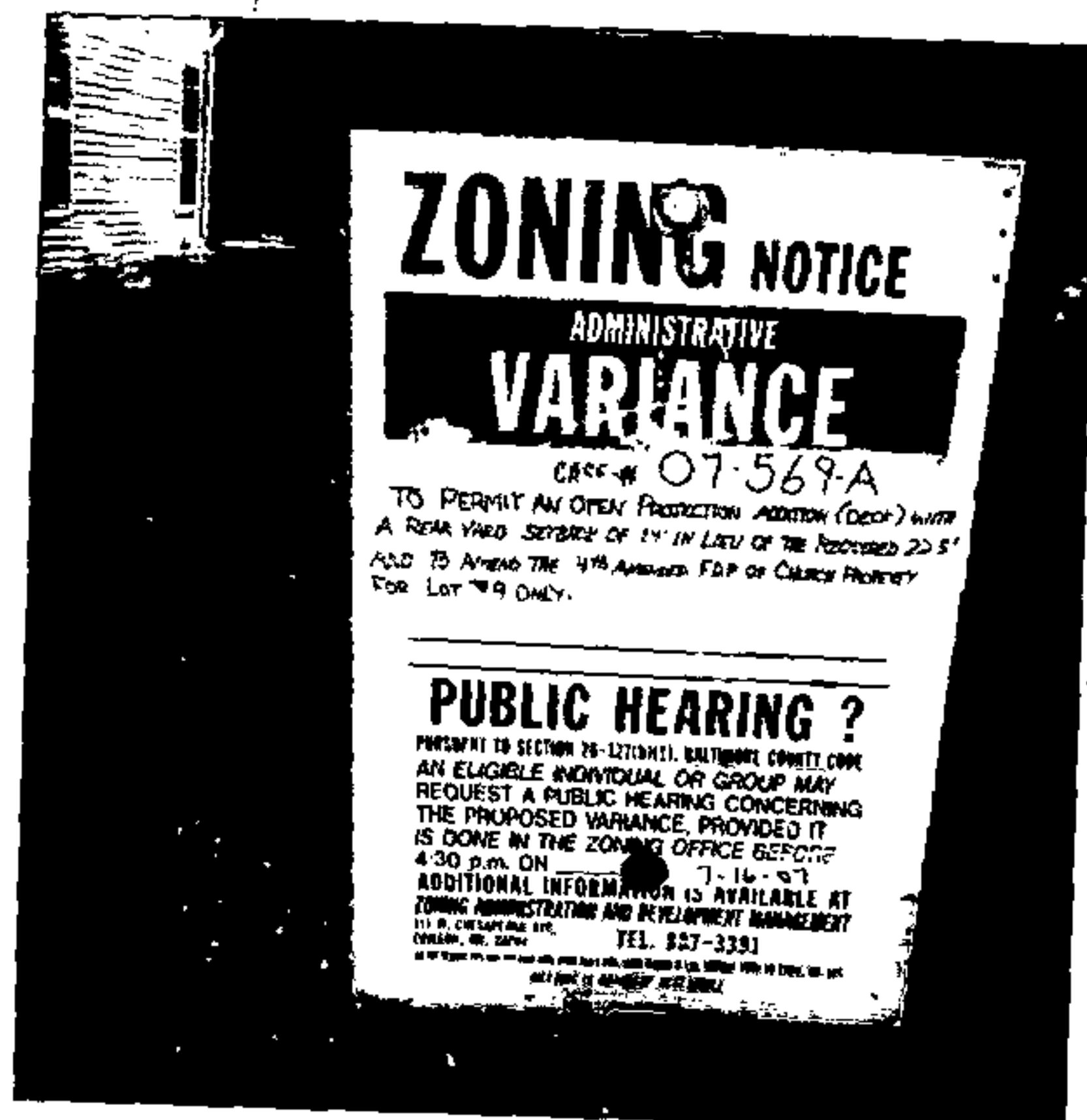
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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 07-569 A
Petitioner Patrick Pflaumer
Address or Location 8207 Annadel Dr 21237

PLEASE FORWARD ADVERTISING BILL TO

Name Patrick Pflaumer
Address 8207 Annadel Dr
Baltimore MD 21237
Telephone Number 410-933-4920

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07- 569 -A

Address 8207 ANNADANIEL DR

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

Phone Number: 410-887-3391

Filing Date: 6-19-07

Posting Date: 7-1-07

Closing Date: 7-16-07

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- 569 -A

Address 8207 ANNADANIEL DR

Petitioner's Name Patrick & Amanda Pflaumer

Telephone 410-933-4920

Posting Date: 7-1-07

Closing Date: 7-16-07

Wording for Sign: To Permit an open projection addition (deck) with a rear yard setback of 14' in lieu of the required 22.5'. And to amend the 4th Amended FDP of Church Property for lot #9 only.

WCR - Revised 6/25/04



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

July 16, 2007

Patrick Pflaumer
Amanda Pflaumer
8207 Annadaniel Drive
Baltimore, MD 21237

Dear Mr. and Mrs. Pflaumer:

RE: Case Number: 07-569-A, 8207 Annadaniel Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 19, 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 27, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For July 2, 2007
Item Nos. 07-521, 555, 557, 558, 559, 560,
561, 562, 563, 564, 565, 566, 567, 568, 569,
570, 571, and 572

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-06272007.doc



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: **JUNE 26, 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. **7-565-A**
8207 ANNADANIEL DRIVE
PFLAUMER PROPERTY
ADMINISTRATIVE VACUUM

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. **7-565A**.

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,



Steven D. Foster, Chief
Engineering Access Permits
Division

Foster

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

July 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 25, 2007

569
Item Number: 555 through 572

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

INTER-OFFICE CORRESPONDENCE

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

DATE: July 26, 2007

RECEIVED
JUL 30 2007

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

BY:

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-569- 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 Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

Division Chief:

Lynn Terhune

CM/LL

Patricia Zook - Administrative Variances - need Planning Comments

From: Patricia Zook
To: Murray, Curtis
Date: 7/17/2007 3:47 PM
Subject: Administrative Variances - need Planning Comments

Hi Curtis -

I received today the following administrative variance case files that closed 7-16-07 and all are missing comments from the Planning Office:

07-567-A
07-574-A
07-571-A
~~07-569-A~~ and
07-568-A

Comments are still needed for administrative variance case 07-550-A that closed on 7-2-07.

Thanks for your help, Curtis.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov



↓ North



→ North



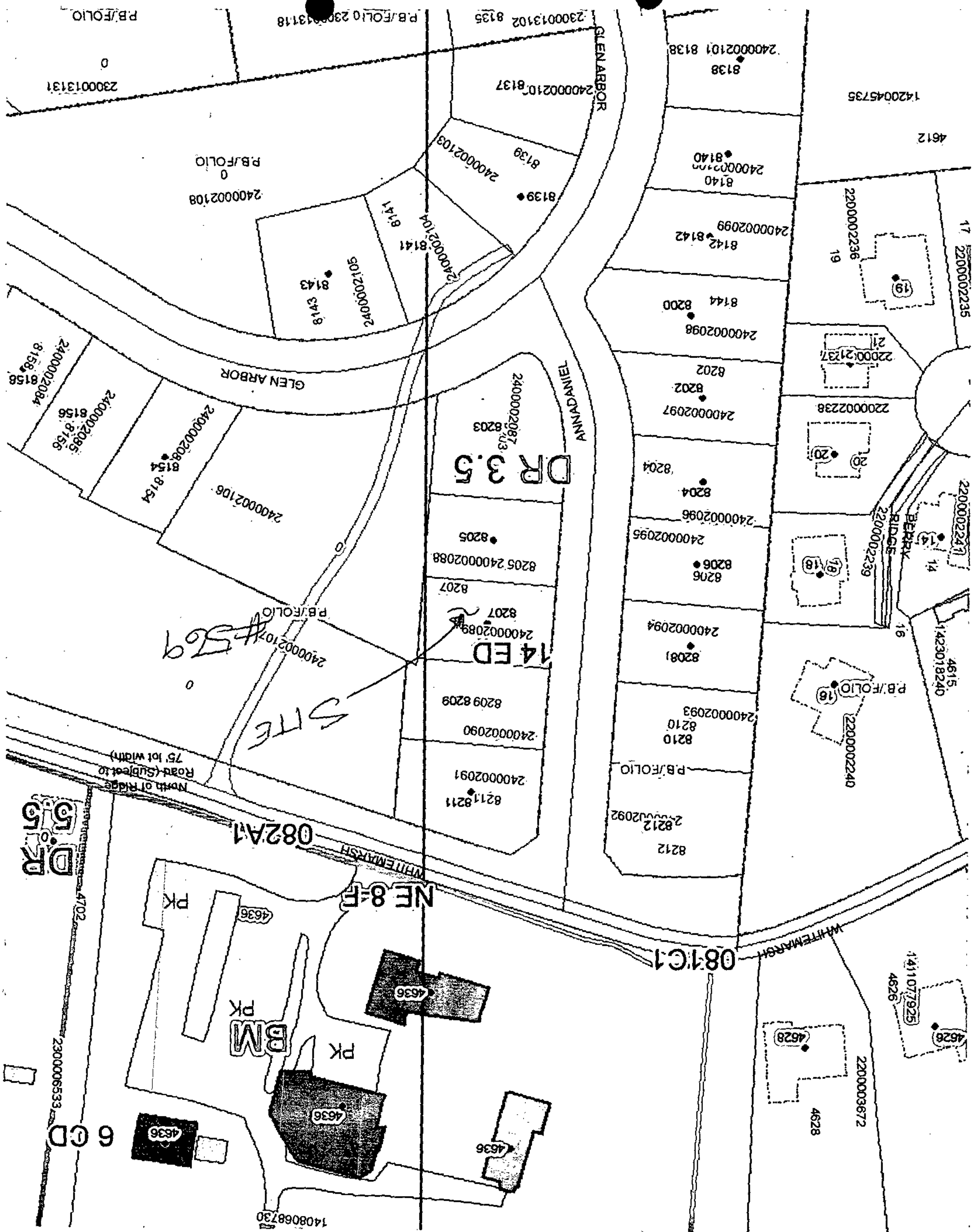
J. North



↑ North



↓ North



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 8807 Anadaniel

SEE PAGES 5 & 6 OF THE CHECKLIST FOR

SUBDIVISION NAME Church Property

PLAT BOOK # 75 FOLIO # 40 LOT # 9 SECTION #

OWNER Patrick Pflaum

AS BEEN PREPARED IN ACCORDANCE WITH STATE OF
PROFESSIONAL LAND SURVEYORS MINIMUM STANDARDS
FIT TO A CONSUMER ONLY INsofar AS IT IS

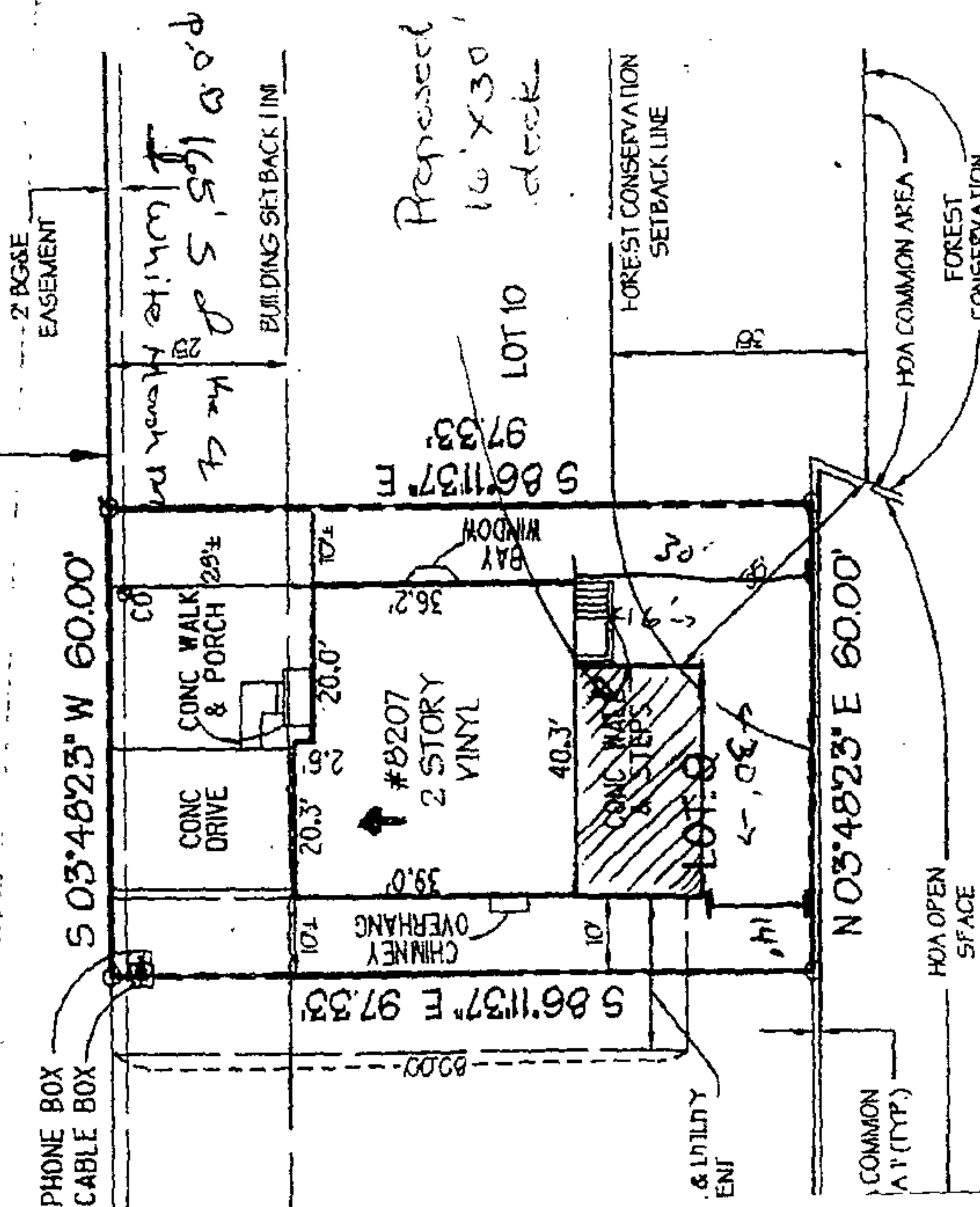


PREPARED BY

Pat Pflaum

SCALE OF DRAWING: 1" = 30'

ANADANIEL DRIVE



SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 14

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 081C1

ZONING DR 3.5

LOT SIZE .1341

ACREAGE SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐

100 YEAR FLOOD PLAIN ☐

HISTORIC PROPERTY/BUILDING ☐

PRIOR ZONING HEARING NO

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JP 569