IN RE: PETITION FOR ADMIN. VARIANCE
N side Lagan Court, 175 feet N of c/l
Torpoint Road
11<sup>th</sup> Election District
5<sup>th</sup> Councilmanic District
(8 Lagan Court)

Kenneth C. and Barbara A. Beckman Petitioners BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* BALTIMORE COUNTY

\* CASE NO. 07-576-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, Kenneth C. and Barbara A. Beckman. The variance request is for property located at 8 Lagan Court. The variance request is from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 26 foot rear setback in lieu of the required 30 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a patio room at the rear of their home. Their property is a modified pie-shape with a street frontage lot width of 40 feet, an east property line length of 86 feet, a west property line length of 104 feet, and rear property line length of 120 feet. As shown on the site plan, this is the only location where the sunroom can be constructed.

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

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

7-3300 Ber

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 23 day of July, 2007 that a variance from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (sunroom) with a 26 foot rear setback in lieu of the required 30 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. BOSTWIC

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

July 23, 2007

KENNETH C. AND BARBARA A. BECKMAN 8 LAGAN COURT BALTIMORE MD 21236

> Re: Petition for Administrative Variance Case No. 07-576-A Property: 8 Lagan Court

Dear Mr. and Mrs. Beckman:

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,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

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

# 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 re	Address		
	Baltimore	MD	21236
	City	State	Zip Code

We would like to build a patio room on the rear of our house. Our problem is the shape and size of our lot. We are located on a court, This causes our lot to be irregular in shape with a front property line length of 40', connecting to a east side property line with the length of 86', opposite to the west side property line of 104' both connecting to a rear property line with a total length of 120'. The rear property line doesn't not run parallel with our home, This causes our house to be sitting on a skew resulting in the closest distance from the proposed sunroom to the rear property line to be only 26, Being this is the only location we can build the patio room we are asking for a rear yard setback of 25' in lieu of the required 30'.

I HEREBY CERTIFY, this // day of // L/L/L , 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 \_\_\_

DELORES A. KAZMERŠKI Notary Public Harford Co., MD

My Comm. Exps. Nov. 1, 2009



# Betition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at	8 Lagan Ct.	
which	h 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)

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 a perjury, that I/we are the le is the subject of this Petitio	gal owner(s) of the	
Contract Purchases	r/Lessee:	•	Legal Owner(s):		
Name - Type or Print			Kenneth C. I	3eckman	<del></del>
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Signature	<u> </u>	<del>,,,,,,,,,,,,,,,,,,</del>	Signature	20 akman	
Address	<u></u>	Telephone No.	Barbara A. F. Name Type or Print	Reckillan	27_4
City	State	Zip Code	Signature	· Jours	
Attorney For Petitic	oner:		8 Lagan Ct.	(41	0)256-1605
			Address		Telephone No.
Name Time or Brint	<del></del>		Baltimore City	MD State	21236
Name - Type or Print			City	State	Zip Code
<u>C:</u>			Representative to be	Contacted:	
Signature			Dob Whitmon		
Company	<del>, , ,</del>		Bob Whitmer Name		
			7110 Golden Ring	Road 4	10-780-0062
Address		Telephone No.	Address		Telephone No.
			Baltimore	<i>MD</i>	21221
City	State	Zip Code	City	State	Zip Code
regulations of Baltimore Cod	that i	the subject matter of be reposted.	Zoning Commission  Eviewed By  Stimuted Posting Date	ning Commissioner of ing, advertised, as resident of Baltimore Court Date 620	quired by the zoning
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# Betition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8 Lagan Ct.

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Contract	Purchaser/	Lessee:	π'	<u>Le</u>	gai Owner(s	); Z		
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<u> Attorney</u>	For Petition	ner:		8	3 Lagan Ct	, - •	(410	))256-1605
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City		State	Zip Code	City	,	÷ , ; ,	State	Zip Code
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CASE/Ñ		07-576-A	<del> </del>	Reviewed	By <u>D</u> :1	Da	te <u>   </u>	4
REV 10/25		***		Estimated	Posting Date	<del></del>	7/1/07	<del></del>

## 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	8 Lagan ct. Address
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Address

Baltimore MD 21236
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 on the rear of our house. Our problem is the shape and size of our lot. We are located on a court, This causes our lot to be irregular in shape with a front property line length of 40', connecting to a east side property line with the length of 86', opposite to the west side property line of 104' both connecting to a rear property line with a total length of 120'. The rear property line doesn't not run parallel with our home, This causes our house to be sitting on a skew resulting in the closest distance from the proposed sunroom to the rear property line to be only 26', Being this is the only location we can build the patio room we are asking for a rear yard setback of 25' in lieu of the required 30'.

AS WITNESS my hand and Notarial Seal

Hu

My Comm. Exps. Nov. 1, 2009

That the Affiant(s) acknowledge(s) that if a formal demand is advertising fee and may be required to provide additional information	filed, Affiant(s) will be required to pay a reposting and ation.
Kinnelle C. Bickman Signature	Burbare a. Beckmen
Kenneth C. Beckman	Barbara A. Beckman
Name - Type or Print	Name - Type or Print
********	
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:	
I HEREBY CERTIFY, this 10 day of 100 ersonally appears	, <u>200 7</u> , before me, a Notary Public of the State
Kenneth 1. & Barbara A	. Beckman
the Affiant(s) herein, personally known or satisfactorily identified	to me as such Affiant(s).
	Beckman.

My Commission Expires

### Zoning Description for 8 Lagan Ct.

Beginning at a point on the north side of Lagan Ct. which is 50 ft. radius wide at the distance of 175 ft. north of the centerline of the nearest improved intersecting street Torpoint rd which is 50 ft. wide. \*Being lot #7, Block# D Section 2, in the subdivision of SILVERGATE VILLAGE as recorded in the Baltimore county Plat Book #33, Folio #78, containing 8,272.00 SF. Also known as 8 Lagan Ct. and located in the 11<sup>th</sup> election district, 5<sup>th</sup> Councilmanic District.

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### CERTIFICATE OF POSTING

	RE: Case No.: 07-576-A  Petitioner/Developer: BECKMAN
	Petitioner/Developer: BECKMAN
	Date of Hearing/Closing: 7-16-07
Saltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue	· · · · · · · · · · · · · · · · · · ·
Towson, Maryland 21204  ATTN:-Kristen Matthews {(410) 887-3394}	· · · · · · · · · · · · · · · · · · ·
Ladies and Gentlemen:	
This letter is to certify under the penalties of posted conspicuously on the property located a	erjury that the necessary sign(s) required by law were
· 8 LAGAN	<u>c7</u>
	······································
The sign(s) were posted on	7-1-07
	(Month, Day, Year) Sincerely,
	Robert Black 7-2-0
ZONNG NOTICE  ADMINISTRATIVE  TO THE PROPERTY OF THE PROPERTY	(Signature of Sign Poster) (Date)  SSG Robert Black
CASE ALO I S & P. TS PERMIT AN Accorda (Super	(Print Name)
	1508 Leslie Road
PUBLIC HEARING?  THIS INTERIOR TO LITERALL DELITIONS CONTINUES CONTINUES CONTINUES CONTINUES CONTINUES  THE PROPOSED VARIANCE, PROVIDED IT  IS DONE IN THE ZONING OFFICE REFORE	(Address)
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SALCHE & SPECIAL TOURS OF SECURITY SECU	(City, State, Zin Code)

(410) 282-7940

(Telephone Number)

### <u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 07-576-A
Petitioner: Beckman, Kenneth + Barbara
Address or Location: 8 Lagan CT Balto Md. 21236
PLEASE FORWARD ADVERTISING BILL TO:
Name: Bob Whitmen (Champion)
Address: _7110 Golden Ring Rd
Balto MD 21221
Telephone Number: 410 780-0062



JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

July 16, 2007

Kenneth C. Beckman Barbara A. Beckman 8 Lagan Court Baltimore, MD 21236

Dear Mr. and Mrs. Beckman:

RE: Case Number: 07-576-A, 8 Lagan Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 22, 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,

U. Callibal D

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

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Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** July 6, 2007

DECEIVE JUL 2 3 2007

FROM:

**SUBJECT:** 

Arnold F. 'Pat' Keller, III

Director, Office of Planning

770

Zoning Advisory Petition(s): Case(s) 07-567- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request.

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

Prepared By

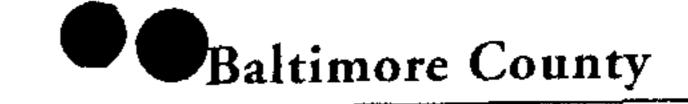
**Division Chief:** 

CM/LL

### Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500





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: July 2, 2007

516

Item Number: 573 through 578 and 580 through 594

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



### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 5, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 9, 2007

Item Nos. 07-456, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588,589, 590, 591, 592, and 594

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-07052007.doc



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

Maryland Department of Transportation

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

Date: JULY 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. 7-576-A

8 LAGAN COURT

BECKMAN PROPERTY

ADMINISTRATIVE VARIABLE

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. 7-576-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,

Steven D. Foster, Chief Engineering Access Permits

Division

SDF/MB

#### Patricia Zook - Administrative Variances - need Planning Comments

From:

Patricia Zook

To:

Murray, Curtis

Date:

7/17/2007 3:54 PM

Subject: Administrative Variances - need Planning Comments

Hi Curtis -

The first case number should be <u>07-576</u>-A, not 07-567-A.

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

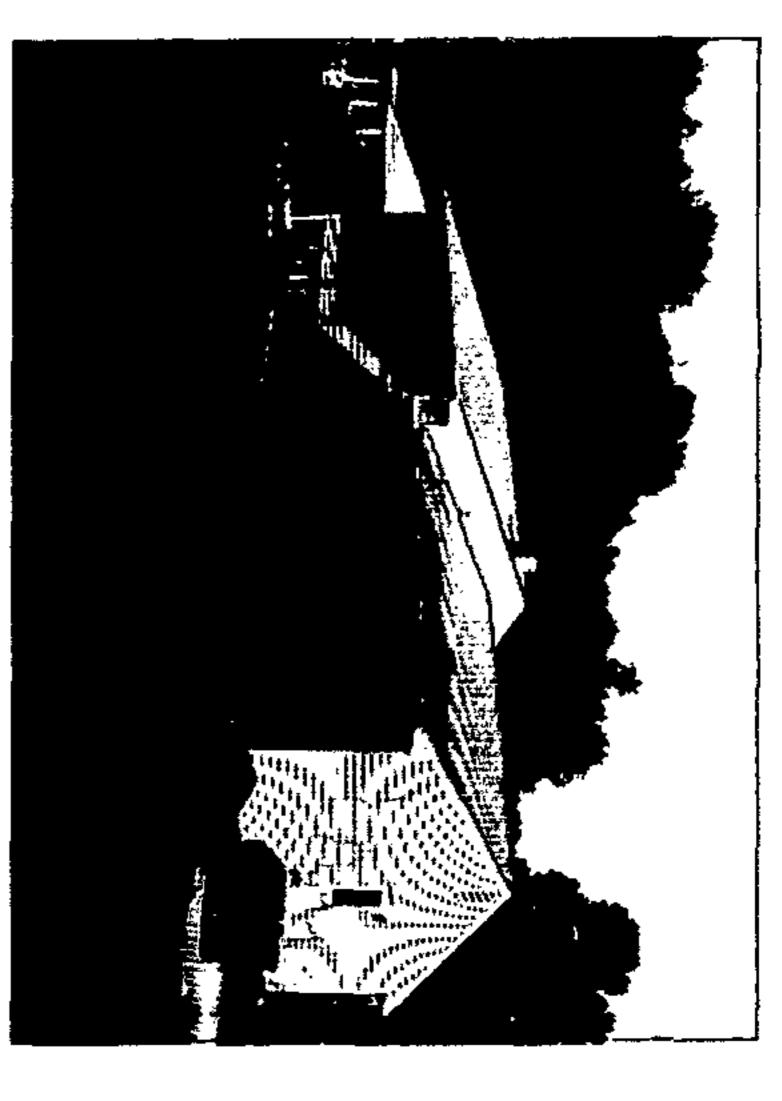
07-569-A and

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.

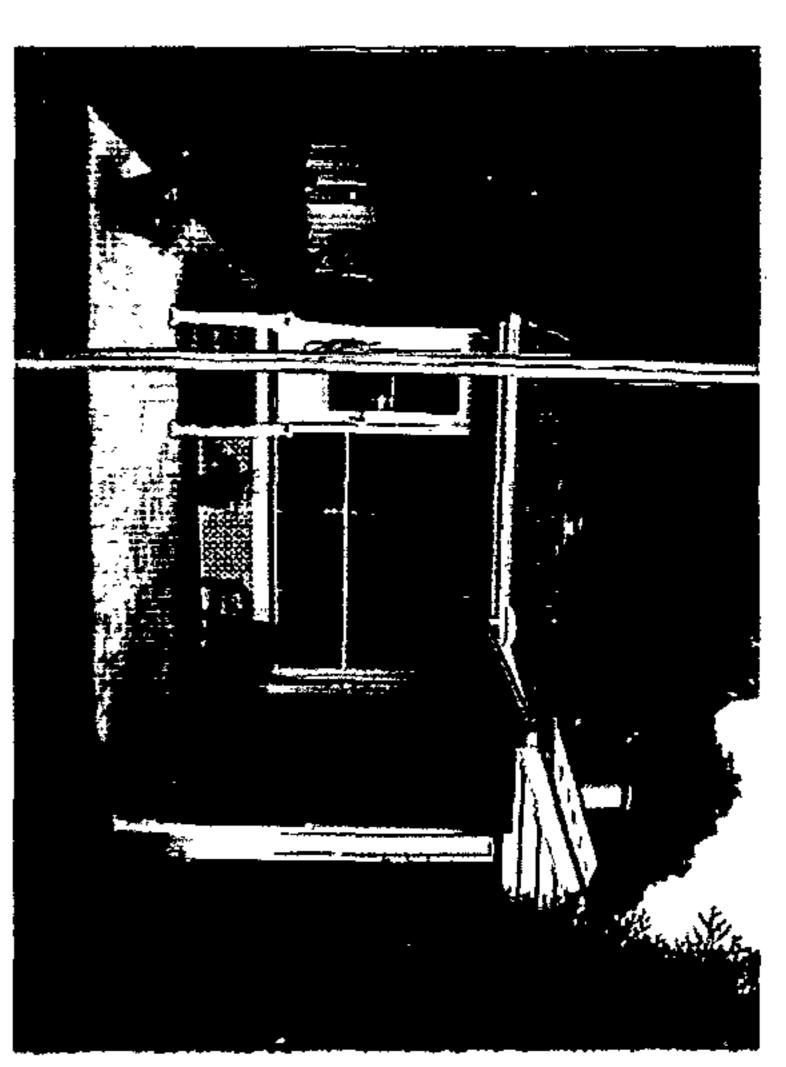
Patti Zook Baltimore County Office of the Zoning Commissioner 410-887-3868 pzook@baltimorecountymd.gov



Location of proposed sunroom on the read of house.



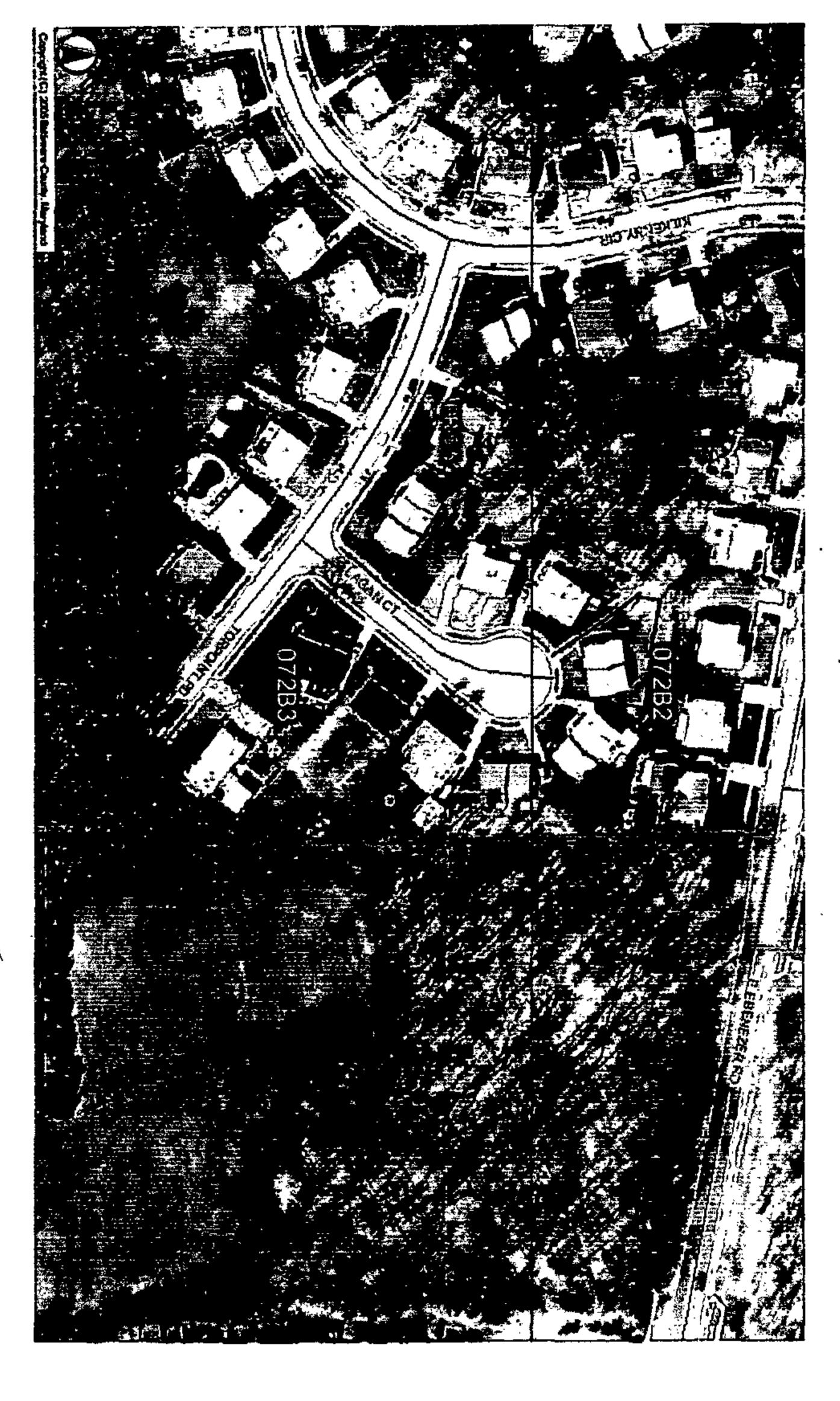
Front view of 8 Lagan Ct.



addition on the rear of neighbors home.



View of sunroom on the rear of neighbors house



IT 8 Lagan CT

