

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E side Chateaugay Court, 115 feet S of c/l Lampost Lane
9th Election District * DEPUTY ZONING COMMISSIONER
5th Councilmanic District *
(9015 Chateaugay Court) * BALTIMORE COUNTY

Marie and Phil Kramer
Petitioners * CASE NO. 08-021-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, Marie and Phil Kramer for property located at 9015 Chateaugay 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 with a 23 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 propose to construct a 12 foot x 18 foot addition at the back of their home. The addition will reduce the number of outdoor steps and the amount of consecutive steps to the home. The Petitioners are retired and spend a great deal of time gardening. Mr. Kramer is 76 years old and Mrs. Kramer has arthritic knees.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: Comments were received from the Office of Planning dated July 31, 2007, which does not oppose the Petitioner's request. The comment further indicates that the existing wooden fence shall remain.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 19, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING
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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 14th day of August, 2007 that a variance from Section 1B02.3.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a 23 foot rear setback in lieu of the required 30 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 existing wooden fence shall remain.

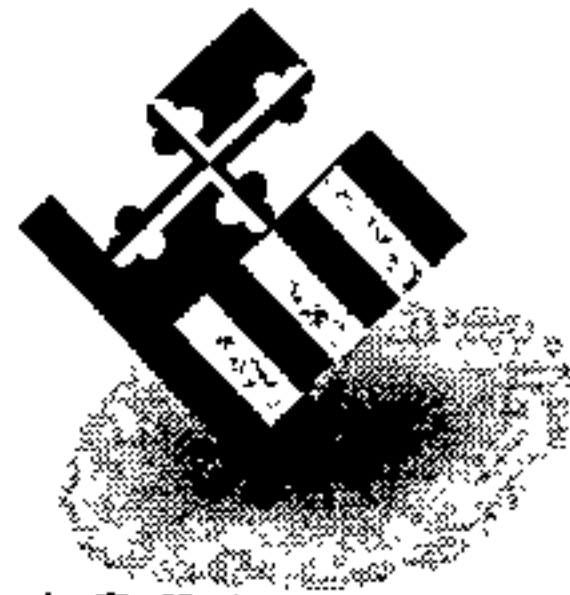
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz ~~STAMP RECEIVED FOR PLUMB~~



8-14-07



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 14, 2007

MARIE AND PHIL KRAMER
9015 CHATEAUGAY COURT
BALTIMORE MD 21234

Re: Petition for Administrative Variance
Case No. 08-021-A
Property: 9015 Chateaugay Court

Dear Mr. and Mrs. Kramer:

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

c: R

Zoning Description for 9015 Chateaugay Ct.

Beginning at a point East side of Chateaugay Ct. which is 50' wide at the distance of 115' South of the Centerline of the nearest improved street Lampost Lane which is 50' wide. Being Lot #3 , Block C, Section #II in the subdivision of Parkway Manor as recorded in Baltimore County Plat Book #29, Folio #53, containing 5828 sf. Also known as 9015 Chateaugay Ct. and located in the 9th Election District, 5th Councilmanic District.

Patricia Zook - Planning comment for case 08-021-A

From: Patricia Zook
To: Murray, Curtis
Date: 8/9/2007 3:22 PM
Subject: Planning comment for case 08-021-A

Curtis -

I am in receipt of comments for case 08-021.....

The Planning comment memo has the case listed as 08-021-SPH (special hearing). However, the case number 08-021 is for an administrative variance, 08-021-A which closed 8-6-07.

The property is located at 9015 Chateaugay.

Please let me know if the comment dated July 31, 2007 is for an administrative variance, not a special hearing case.

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 30, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For July 30, 2007
Item Nos. 08-020, 021, 022, 023,
026, 029, 031, 032, 033, and 034

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN:cab
cc: File
ZAC-NO COMMENTS-07302007.doc

