

IN RE: PETITION FOR ADMIN. VARIANCE
S side Corbett Road, 1300 feet W of
c/l Carroll Road
10th Election District
3rd Councilmanic District
(2201 Corbett Road)

Lynn Sticka
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* BALTIMORE COUNTY
* CASE NO. 08-046-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 owner of the subject property, Lynn Sticka for property located at 2201 Corbett Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (in-ground pool) in side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner proposes to build an in-ground swimming pool on the side of her property. The pool cannot be built in the back yard due to the steep slope. The pool area will be partially visible to adjacent neighbors and the affected property owners, John and Marge Day, submitted a letter of support. They acknowledged that the Petitioner will provide a vegetative screen of trees and shrubs between the Day property and the proposed in-ground pool. The Petitioner's property is 8.99 acres in size and zoned RC 2.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 31, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

~~NOTED RECEIVED FOR FILE~~
8-22-07
p3

The Petitioner has 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 22nd day of August, 2007 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (in-ground pool) in side yard in lieu of the required rear yard be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner 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
8-22-07
pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 22, 2007

LYNN STICKA
2201 CORBETT ROAD
MONKTON MD 21111

Re: Petition for Administrative Variance
Case No. 08-046-A
Property: 2201 Corbett Road

Dear Ms. Sticka:

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 "Th H Bostwick", written over a horizontal line.

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 2201 Corbett Rd. Monkton MD
which is presently zoned RE2

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) 400.1 (BCZR)

TO PERMIT AN ACCESSORY STRUCTURE (INGROUND POOL) IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD.

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

2201 CORBETT RD.

Address

410-472-3026

Telephone No.

MONKTON

City

MD

State

21111

Zip Code

Representative to be Contacted:

Name

Address

City

2201 Corbett Rd

MD

State

410-771-7579

Telephone No.

21111

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 8-22-07 day of August 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. 08-046-A

Reviewed By D.T. Date 7/25/07

REV 10/25/01

Estimated Posting Date 8/5/07

1a*

8-22-07

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 2201 Corbett Rd
Address
Monkton MD 21111
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):

I would like to get a variance to build an in-ground swimming pool on the side of my property. The pool cannot be built in the backyard due to the steep slope which is present in that area. My property is situated on 8.992 acres of land. The pool area will be partially visible to one of the neighbors. The neighbors have signed a document indicating that they have agreed to construction of the pool.

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.

Lynn Stick
Signature

Lynn Stick
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 33 day of July, 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



Brenda Popp
Notary Public

My Commission Expires 11/5/10

Zoning description for 2201 Corbett Road Monkton, Maryland 21111.

Beginning at a point on the south side of Corbett Road 1300' W OF C/L CARROLL RD.
THAT HAS A 70' R/W.

This parcel of ground is situated in Baltimore County, Maryland and described as follows:

Being known and designated as Lot No. 4 of Subdivision of Baltimore County, State of Maryland known as "Corbett Hill Farm", as approved by Baltimore County on July 27, 1977 and recorded among the land records of Baltimore County as recorded in Deed Liber 41, folio 118. Parcel ID number 17-00-013737.

N23 43'51"W 59.66', N84 04' 51"W, R=540.29' A=69.07', S11 00'24"W 844.07', N 64 23'26"W. 810.00', S56 26' 46"W 390.00' S50 25' 47"W 560.86'

Also known as 2201 Corbett Road Monkton, Maryland and located in the 10th Election District and the 3rd Councilmanic District.

08-046-A

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: 08-046-A

Petitioner: STICKA

Address or Location: 2201 CORBETT RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MRS. LYNN STICKA

Address: 2201 CORBETT RD.

MONKTON, MD 21111

Telephone Number: 410-771-7579 (W) & 410-472-3026 (H)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 08/01/07

Case Number: 08-046-A

Petitioner / Developer: LYNN STICKA

Date of Hearing (Closing): AUGUST 20, 2007

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:

2201-CORBETT-ROAD

The sign(s) were posted on: 07/31/07



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ⁰⁸ ~~07~~ - 046 -A Address 2201 CORBETT RD.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/25/07 Posting Date: 8/5/07 Closing Date: 8/20/07

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 ⁰⁸ ~~07~~ - 046 -A Address 2201 CORBETT RD.

Petitioner's Name STICKA Telephone 410-771-7579 ^(WORK)

Posting Date: 8/5/07 Closing Date: 8/20/07

Wording for Sign: To Permit AN ACCESSORY STRUCTURE (INGROUND POOL) IN
THE SIDE YARD IN LIEU OF THE REAR YARD.

REQUIRED

WCR - Revised 6/25/04



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 21, 2007

Lynn Sticka
2201 Corbett Road
Monkton, MD 21111

Dear Ms. Sticka:

RE: Case Number: 08-046-A, 2201 Corbett Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 25, 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 that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 13, 2007

RECEIVED
AUG 17 2007

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

BY:.....

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-046- 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 Jessie Bailek in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

Division Chief:

Pat Keller

CM/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

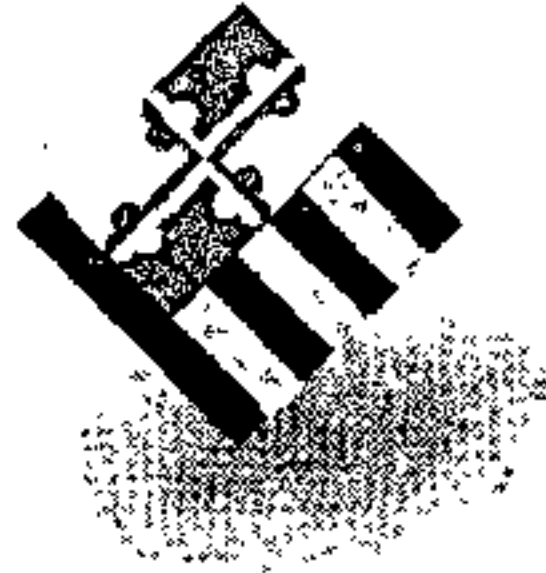
DATE: August 1, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For August 6, 2007
Item Nos. 08-035, 036, 037, 038, 039,
040, 041, 043, 044, 046, 048 and 051

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-08062007.doc



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 2, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 30, 2007

Item Number: 035,036,037,038,039,040,041,043,044,046,047,048,050,051

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 G. Brown, Lt. Governor



Maryland Department of Transportation

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

Date: JULY 31, 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. 08-046-A
2201 CORBETT ROAD
STICKA 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. 8-046-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,

A handwritten signature in black ink that reads "Michael P. Bailey". The signature is written in a cursive, flowing style.

Foa 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 ☐ SPECIAL HEARING

PROPERTY ADDRESS **2201 CORBETT ROAD**

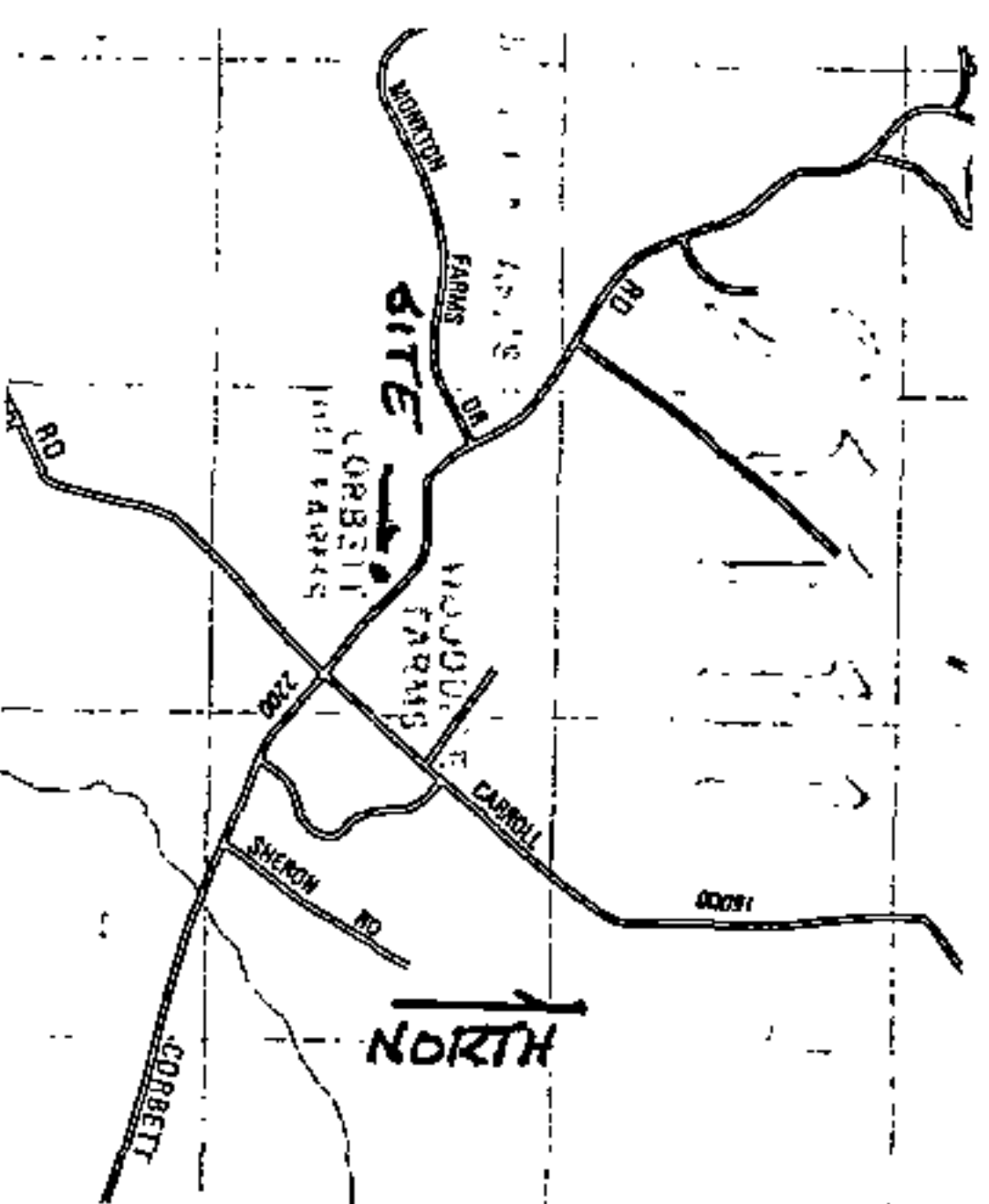
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME **CORBETT HILL FARMS**

PLAT BOOK # **41** FOLIO # **118** LOT # **4** SECTION #

OWNER **LYNN STICKA**

ADC MAP Pg 13 Grid D-4



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT **10TH**

COUNCILMANIC DISTRICT **3**

1" = 200' SCALE MAP # **029115 + 029112**

ZONING **RC2**

LOT SIZE **8.77** ACREAGE **391,604** 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 #

PREPARED BY

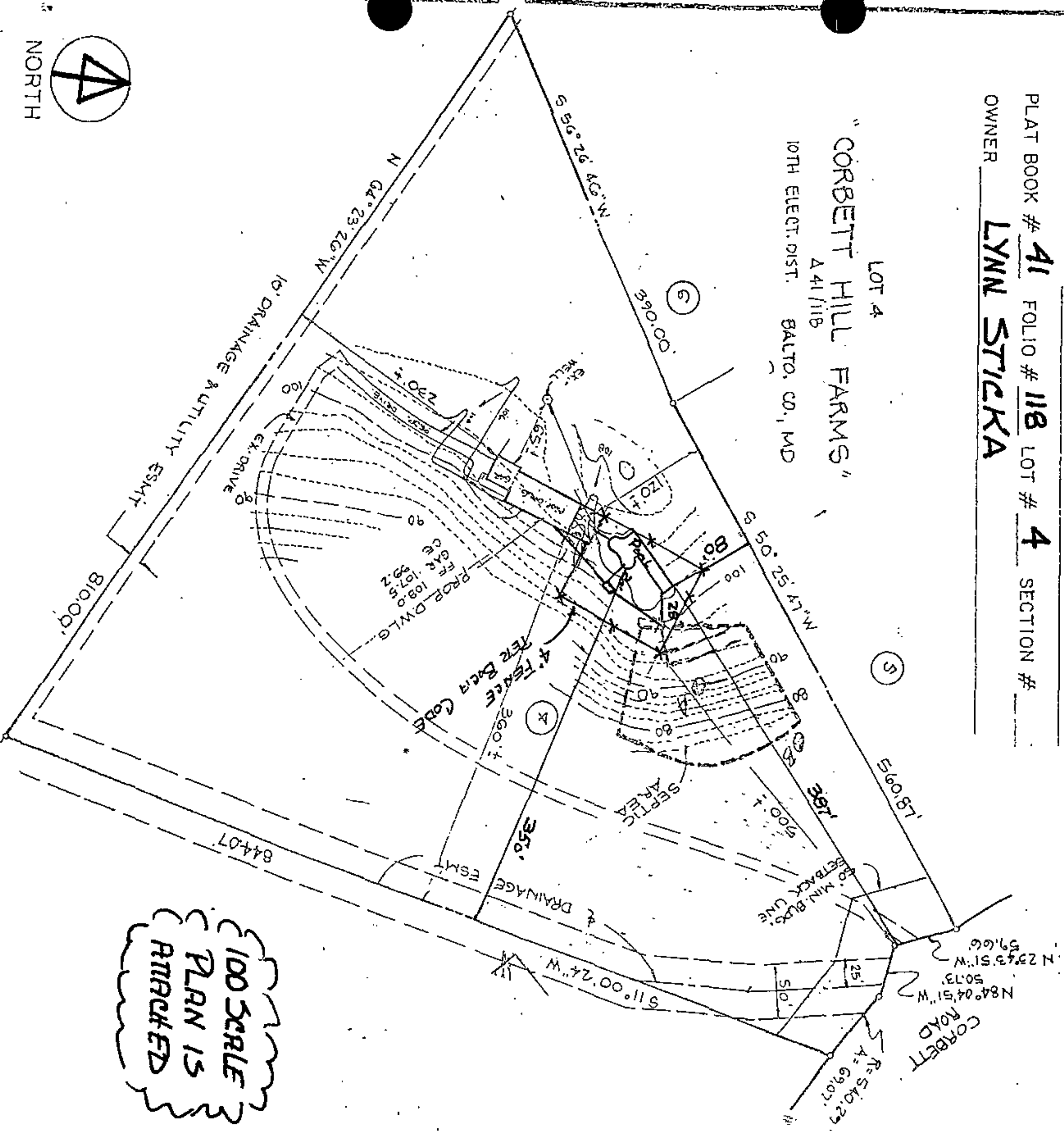
CM BEYER

SCALE OF DRAWING: 1" = **150'**



NORTH

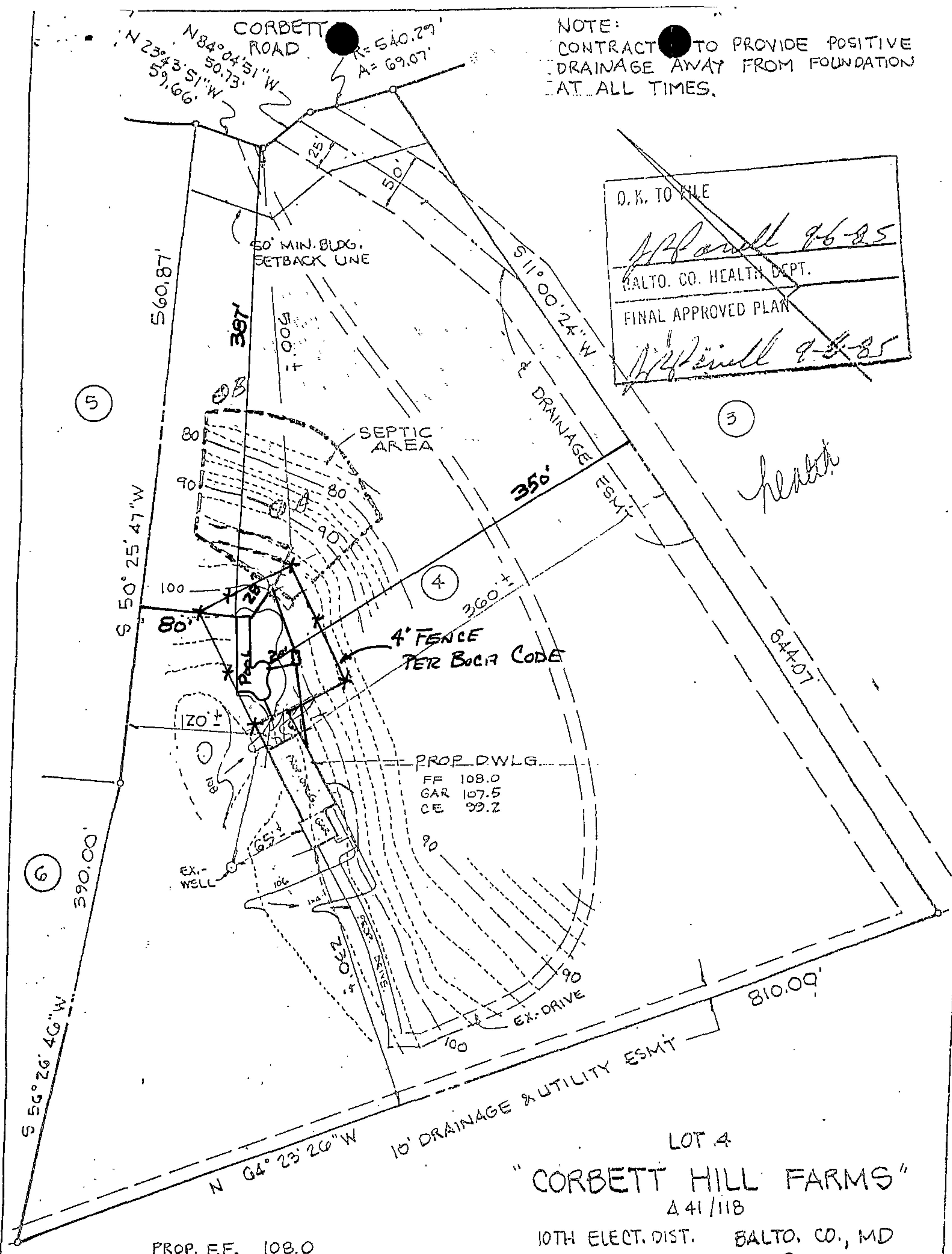
100 SCALE
PLAN IS
ATTACHED



CORBETT ROAD
 N 23° 43' 51" W 59.66'
 N 84° 04' 51" W 50.73'
 R=540.29'
 A=69.07'

NOTE:
 CONTRACTOR TO PROVIDE POSITIVE
 DRAINAGE AWAY FROM FOUNDATION
 AT ALL TIMES.

O.K. TO FILE
H. Farrell 9-6-85
 BALTO. CO. HEALTH DEPT.
 FINAL APPROVED PLAN
H. Farrell 9-8-85

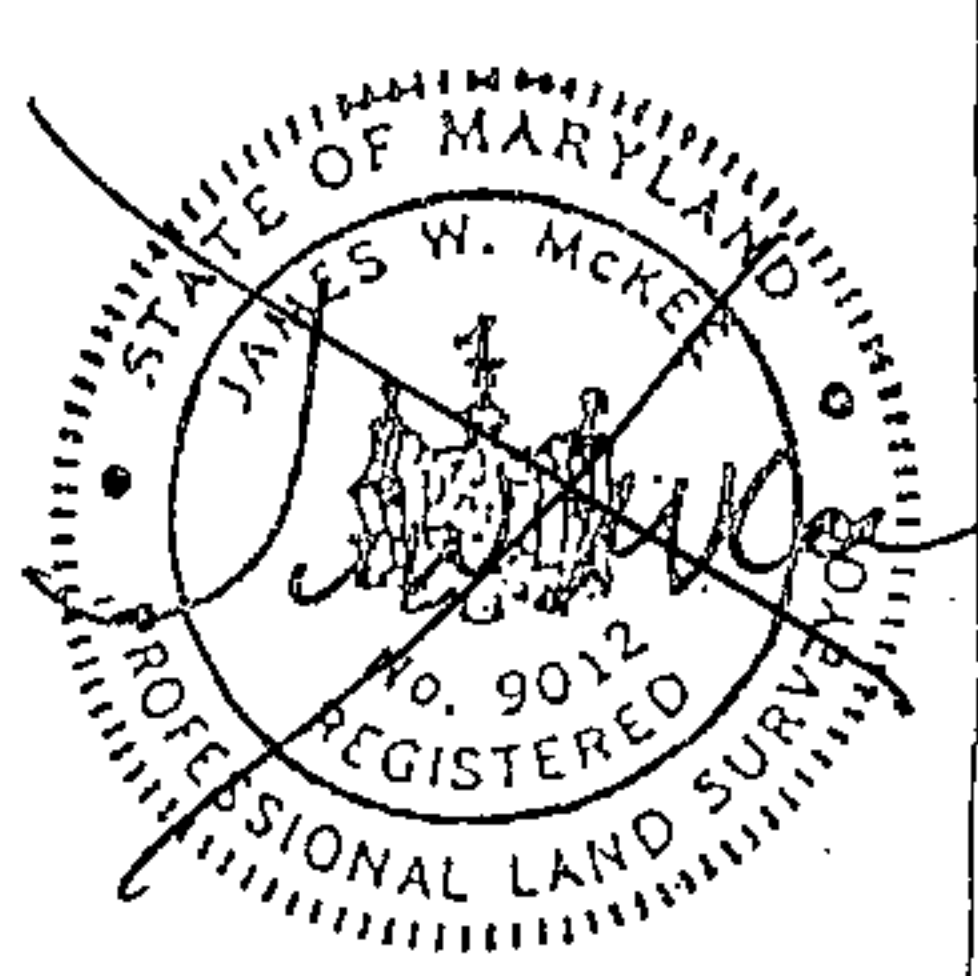


PROP. F.F. 108.0
 PROP. GAR. 107.5
 PROP. C.E. 99.2

LOT 4
 "CORBETT HILL FARMS"
 A 41/118
 10TH ELECT. DIST. BALTO. CO., MD
Revised

DISTURBED AREA - 12,000 sq. ft.

79922 NR A 10



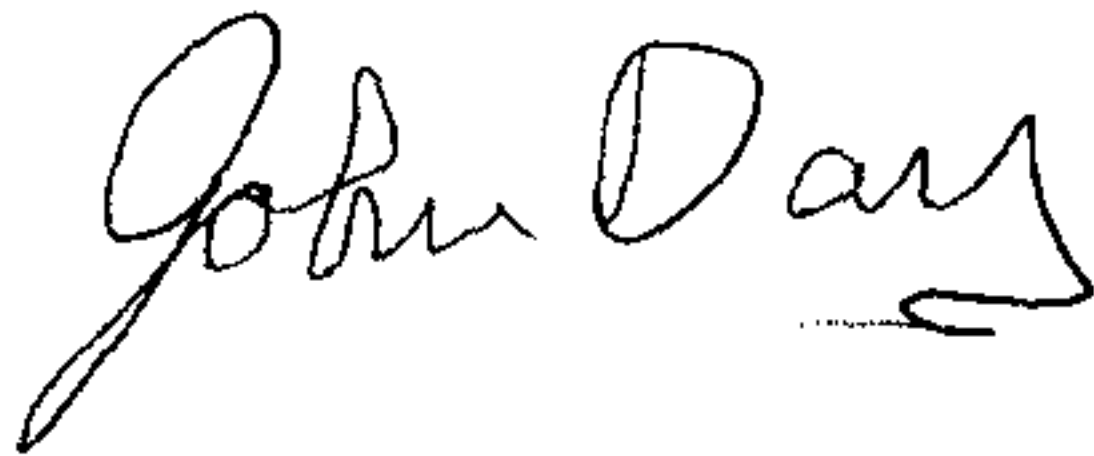
SITE PLAN
 #2201 CORBETT ROAD
McKEE & ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 1717 YORK RD. LUTHERVILLE, MD 21093
 252-5820

scale:
 1"=100'
 date:
 8/8/85
 job no.:
 CC-158

I understand that the homeowners at 2201 Corbett Road Monkton, MD plan to build an in-ground swimming pool on their property. The swimming will be approximately 1,000 square feet in size and will be located on the side of the property dwelling facing Corbett Road. The pool will not be visible from Corbett Road. The pool may be visible from the Day property located on Corbett Road. Every effort will be made to reduce visibility from the Day property by planting trees and shrubs to obscure view of the pool. The pool will be built in accordance with Baltimore County requirements.

I consent to have the pool built as noted above.

Jack Day (Property Owner)

A handwritten signature in cursive script that reads "John Day".

Marge Day (Property Owner)

A handwritten signature in cursive script that reads "Marge Day".

08-046-A

