IN RE: PETITION FOR ADMIN. VARIANCE

N side of Utrecht Road, 180 feet W of the c/l of Radecke Road 14th Election District 6th Councilmanic District (5770 Utrecht Road)

Mary Janet Novak-Minke Petitioner BEFORE THE

DEPUTY ZONING

* COMMISSIONER

* FOR BALTIMORE COUNTY

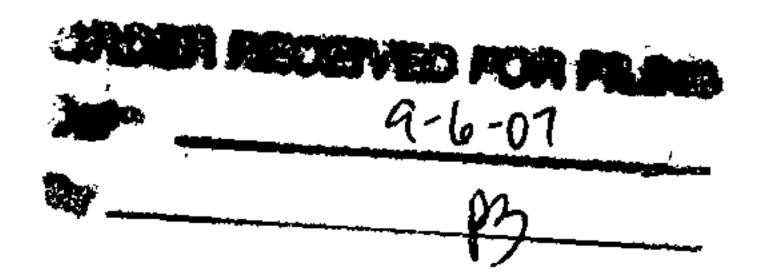
* Case No. 08-057-A

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, Mary Janet Novak-Minke for property located at 5770 Utrecht Road. The variance request is from the Baltimore County Zoning Regulations (B.C.Z.R.) 1964 R.G. Zone to permit an addition (proposed sunroom) on side of existing single family townhome with a side set yard width of 10 feet in lieu of the required side yard width of 15 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner wishes to construct a 10 foot x 16 foot sunroom on the side of her end unit townhome. An existing doorway will be the entrance to the sunroom and the bay window will become part of the sunroom. The sunroom cannot be placed at the rear of the home because extensive alterations would be required.

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 August 11, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.



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 ______ day of September, 2007 that a variance from the Baltimore County Zoning Regulations (B.C.Z.R.) 1964 R.G. Zone to permit an addition (proposed sunroom) on side of existing single family townhome with a side set yard width of 10 feet in lieu of the required side yard width of 15 feet 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. BOST-WłCK
Deputy Zoning Commissioner
for Baltimore County

101101

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 6, 2007

MARY JANET NOVAK-MINKE 5770 UTRECHT ROAD BALTIMORE MD 21206

Re: Petition for Administrative Variance

Case No. 08-057-A

Property: 5770 Utrecht Road

Dear Ms. Novak-Minke:

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. BÖSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Lee Giroux, 573 McManus Way, Towson MD 21286



CASE NO

REV 10/25/0

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

for the property located at 5770 UTRECHT CO. which is presently zoned DR 10.5

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) BCZR-1964 R.G.ZME

TO PERMIT AN ADDITION (PROPOSED SUNROOM) ON SIDE OF EXISTING SINGLE FAMILY TOWNHOME WITH A SIDE YARD WIDTH OF 10 FEET IN LIEU OF THE REQUIRED SIDE YARD WIDTH OF 15 FEET.

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser/Lessee: Name - Type or Print Type or Pun Signature Signature Name - Type or Print Telephone No. Address Zip Code State City Signature Attorney For Petitioner: Telephone No. Address Zip Code City State Name - Type or Print Representative to be Contacted: Signature Company Name Telephone No. Telephone No. Address Addres Zip Code City State State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of this regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County

Reviewed By HARON TSUIDate

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 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 Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 26 day of O, 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 My Commission Expires

Affida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of penalties of penalties. That the information herein given is within the penalties competent to testify thereto in the event that a public hearing	erjury to the Zoning Commissioner of Baltimore County, as ersonal knowledge of the Affiant(s) and that Affiant(s) is/are is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	1 () 2 2 a/a
City	Zip Code
That based upon personal knowledge, the following are the Variance at the above address (indicate hardship or practical	facts upon which I/we base the request for an Administrative I difficulty):
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backgard without major altereties maintain 10', after	surroomies built.
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That the Affiant(s) acknowledge(s) that if a formal demar- advertising fee and may be required to provide additional info	nd is filed, Affiant(s) will be required to pay a reposting and ormation.
Many Quet Novak-Mula	
Signature Signature MARY JAWET NOVAK-MINKE	Signature
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit	
of Maryland, in and for the County aforesaid, personally appe	eared , 07, before me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfactorily identi	fied to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
	Katua L. Marbella
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day of

CASE NO.

REV 10/25/01

regulations of Baltimore County and that the property be reposted.

this

Petition for Administrative Variance

to the Zoning Commissioner of 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

for the property located at 5770 ITP OCH TECHTORS which is presently zoned DR 10.5

is the subject of this Petition.

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Estimated Posting Date

Zoning Commissioner of Baltimore County

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Contract Purchaser/	Lessee:		Legal Owner(s):
Name - Type or Print			Name - Type or Print Dens + NOVAR hunte
Signature		<u> </u>	Signature
Address		Telephone No.	Name - Type or Print
Cîty	State	Zip Code	Signature 11 01
Attorney For Petition	<u> er:</u>		Address Felephone No. Address Felephone No. Balto. Mul. 2206 State Zip Code
Name - Type or Print			City State Zip Code Representative to be Contacted:
Signature			Lee Girow
Company			573 Manus W443-901-0735
Address		Telephoпe No.	Address Telephone No.
City	State	Zip Code	City Zip Code
A Public Hearing having be	en formally demanded	d and/or found to b	e required, it is ordered by the Zoning Commissioner of Battimore County,

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 5770 UTRECHT ROAD (address)

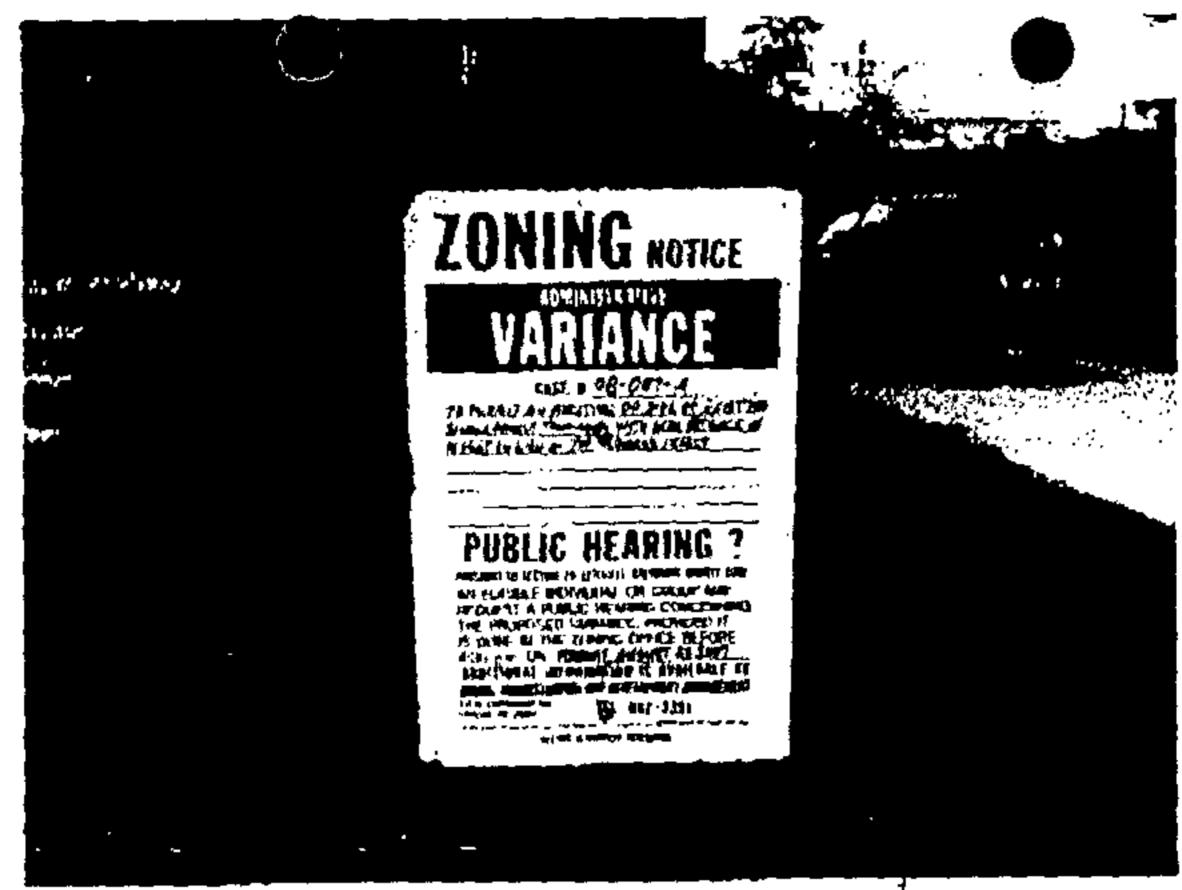
Beginning at a point on th	ne NORTH	side of	
-	(north, south, eas	t or west)	
	hich is	<u>60 FEET</u>	
(name of street on which	property fronts)	(number of	feet of right-of way width)
wide at a distance of	180 FEET mber of feet) (n	WEST	of the t and west)
centerline of the nearest in which is60 FI	mproved interse	cting street <u>Ra</u> (nan	ADECKE ne of street)
Block <u>J Section</u> #	5_in the sub		lland Hills subdivision)
as recorded in the Baltime	ore County Plat	Book # <u>30</u> Foli	o <u>#58</u>
containing <u>4,466 SQ. FT.</u>		5770 UTRECI (property add	
and located in the <u>14</u> El	lection District,_	6 Counc	ilmanic District

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CERTIFICATE OF POSTING

	RE: Case No: 18-657-1
•	Petitioner/Developer:
	Date Of Hearing/Closing: 8/27/67
Baltimore County Department of Permits and Development Manage County Office Building, Room 11 111 West Chesapeake Avenue	ement
Attention:	
Ladies and Gentlemen:	
sign(s) required by law were post	penalties of perjury that the necessary ed conspicuously on the property COTLECUT EX
This sign(s) were posted on	(Month, Day, Year) Sincerely,
	(Signature of sign Poster and Date) Martin Ogle
	Sign Poster 16 Salix Court
	Address Balto. Md 21220 (443-629 3411)

A Comment



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ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case t	Number	08-	057	-A	Ą	Address	5770	UTRECH	7 R	POAD
	ct Persor	Ĺ		AARO	NZ	SUI				10-887-3391
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2.	a forma	rec	uest for a	public h	nearing.	Please ur	nderstand	or owner with that even if closing date	there	00 feet to file is no formal
3.	commissorder the (typically	sione at the with	er. He ma ne matter nin 7 to 10	y: (a) gi be set it days of	rant the rent for a path the closin	equested a public hear ng date) as	relief; (b) or ring. You to whethe	leny the req will receive	uested writter has b	eputy zoning relief; or (c) notification een granted, mail.
4.	(whethe commission change)	r du sione d givi certi	e to a ne er), notifica ng notice o	ighbor's ation will of the hea	formal re be forwa aring date	quest or barded to ye, time and	by order of the location.	f the zoning sign on the As when the	g or de prope sign v	ublic hearing puty zoning rty must be vas originally forwarded to
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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 27, 2007

Mary Janet Novak-Minke 5770 Utrecht Road Baltimore, MD 21206

Dear Ms. Novak-Minke:

RE: Case Number: 08-057-A, 5770 Utrecht 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 31, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel Lee Giroux 573 McManus Way Towson 21286

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

. --- --- ---

DATE: August 13, 2007

AUG 1 7 2007

BY:-----

SUBJECT:

Zoning Advisory Petition(s): Case(s) 08-057- 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

Division Chief:

CM/LL



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

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

August 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 14, 2007

Item Number: Item Number 49 and 052 through 075

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. Potcari, Secretary Neil J. Pedersen, Administrator

Date: AUGUST 13, 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. 8-57-A

5770 LITRECHT ROAD MINKE 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.8-57-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,

FOR

Steven D. Foster, Chief ()
Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 15, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 20, 2007

Item Nos. 052, 054, 056, 057, 058, 061, 062, 063, 065, 066, 067, 068, 071, 072,

073, 074, and 075

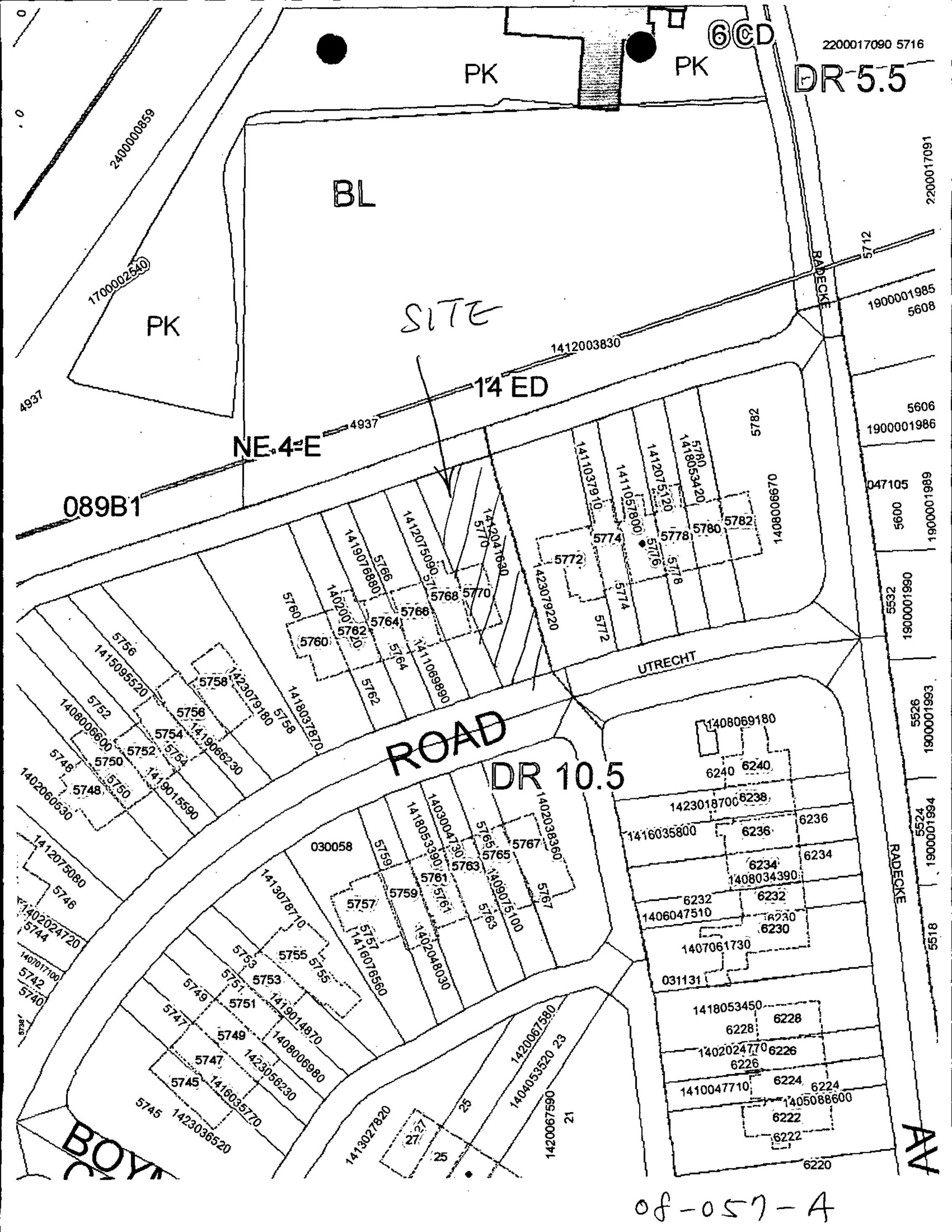
The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

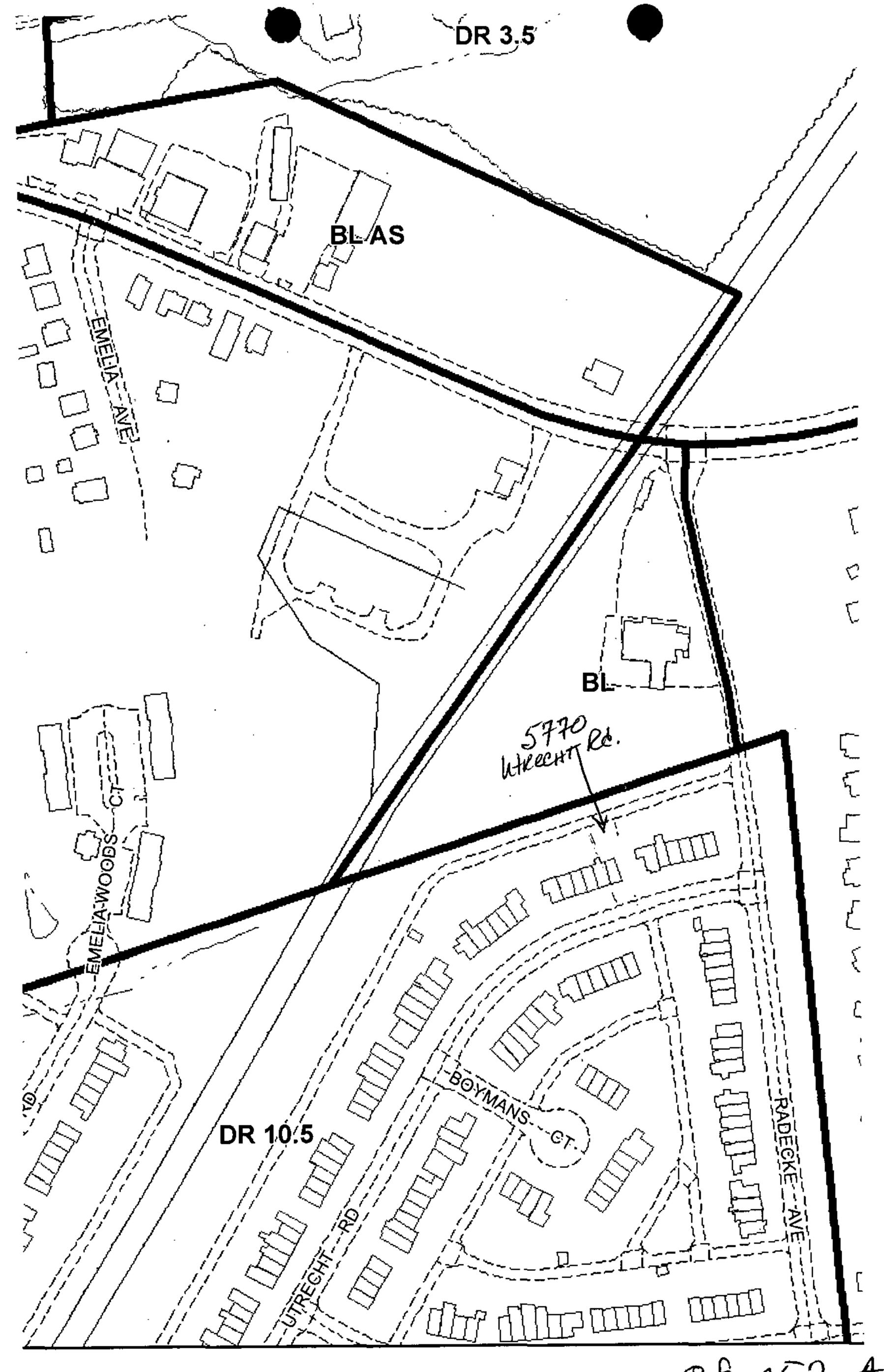
DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-08152007.doc

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AARONTSUL 057 108-057-A	REVIEWED BY THEM # CASE #	CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING NONE		OCATION II	NITY MAP	STECKE - 3 THE	ADDITIONAL REQUIRE





08-057-A

-91-

HEARING **₹** 108-057 ONLY CASE # REQUIRED INFORMATION LOCATION INFORMATION BYDECKE TAR The territory ± · 1000¹ OFFICE USE VICINITY MAP PUBLIC COUNCIL MANIC DISTRICT SPECIAL 100 YEAR FLOOD PLAIN 30% 057 PRIOR ZONING HEARING SCALE MAP # **ジ**木 16, ACREAGE PROPERTY/ ELECTION DISTRICT SCALE: CHESAPEAKE BAY ZONING REVIEWED BY AARON TSUZ WATER SEWER E CHECKLIST FOR ADDITIONAL HISTORIC PR SIZE 1" * 200' SONING **ARIANCE** E, 08. DRAWING: ZONING FOR 3. "S4 96 aL1 51 #c 10 + 8 11.83 5 g S S ,05 of1 14 , 58,06, LI N PROPERTY ADDRE SUBDIVISION NAME PLAT BOOK OWNER 9 ₽ PREPARED NÓRTH



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Siton pl 2016

19916

Guy.

G. ZONE YARD DIMENSIONS Lot Depth in Group interio 3795 interior end lot 4945 street corner lot Semi-detached (1/2 of building) 4025 interior lot 115 4945 street corner lot Two-family duplex 8050 interior lot 115

214.2—Front Yard—For all two-family dwellings and for group houses, the front building line shall be not less than 55 feet from the center line of the street.

214.3—Side Yards—For all two-family dwellings and group houses on corner lots, the building line along the side street shall be not less than 55 feet from the center line of the street.

214.4—Accessory Buildings—In case of a street corner end group house, any accessory building shall have a minimum setback of 25 feet from the lot line along the side street (see also Section 400).

R. A. Zone-Residence, Apartment

Section 215~USE REGULATIONS

9200

street corner

The following uses only are permitted:

22 215.1-Uses permitted and as limited in R. 6 Zone

z 25/215.2—Apartment houses;

725.3-Community garage when located not less than 60 feet from the front lot line and, in the case of a corner lot, 30 feet from the side street line except when contained within the main building, and provided