IN RE: PETITION FOR ADMIN. VARIANCE

SW side Harewood Park Drive, 115 feet SE c/l Princeton Road 15th Election District 6th Councilmanic District

(6903 Harewood Park Drive)

Alan C. and Melissa L. Gaidelis Petitioners BEFORE THE

DEPUTY ZONING

COMMISSIONER

FOR BALTIMORE COUNTY

Case No. 08-063-A

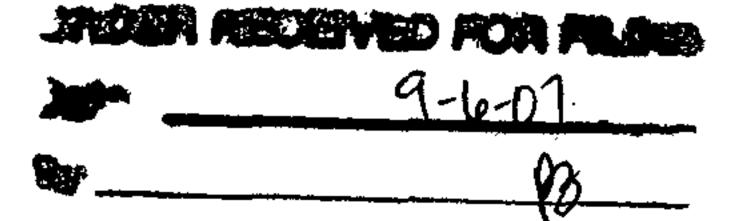
FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Alan C. and Melissa L. Gaidelis for property located at 6903 Harewood Park Drive. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (garage) to have a height of 19 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a 40 foot x 26 foot x 19 foot structure. The structure will have 12 foot high doors and 4/12 roof pitch and 2 foot clearance for the door to roof truss. The additional roof height is needed to safely store a boat.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated August 13, 2007, which recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 12, 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 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 Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (garage) to have a height of 19 feet in lieu of the maximum allowed 15 feet 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 Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 3. The accessory structure shall not be used for commercial purposes.

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

THB:pz

THB:pz

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	6903	HAREN	oos Pi	ARK	Da
which	h is presently	v zoned	DR	55	•

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) 400.3 - to permit a proposed detached accessory structure (garage) to have a height of 19 feet in lieu of the maximum allowed 15

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 ar	e the legal owner(s) of	of the property which
		Legal Owner(s	<u>):</u>	
		ALAN C.	GARDELES	
<u> </u>	Nar	ne - Type or Print		
	· · · · · · · · · · · · · · · · · · ·	Signature MELESSA K	GAEDELES	
	Telephone No.	Name - Type or Print		,
State	Zip Code	Signature	^ \.	
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	State formally demande that the s	Telephone No. State Zip Code City Telephone No. State Zip Code formally demanded and/or found to be that the subject matter of this per operty be reposted.	perjury, that I/we are is the subject of this strees. Legal Owner(s) ALAN C Name - Type or Print Signature MELLSSA A Name - Type or Print State Zip Code Signature G703 HAREW Address MENDLE REV City Representative Name Telephone No. Address State Zip Code City formally demanded and/or found to be required, it is ordered by that the subject matter of this petition be set for a public hearing perity be reposted. Zoning Con Zoning Con	Name - Type or Print Signature MELDSA L. GAEDELDS Name - Type or Print State Zip Code Signature G703 HAREWAY HAR MA Address MENDLE REVER MA State Representative to be Contacted Name Telephone No. Address State Telephone No. Address State Zip Code City State Zip Code City State Telephone No. Address State Zip Code City State Zip Code City State Zoning Commissioner of Baitimore Company be reposted.

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the perfollows: That the information herein given is competent to testify thereto in the event that a performance of the	within the personal knowledge of to bublic hearing is scheduled in the fu	ture with regard thereto.
That the Affiant(s) does/do presently reside at	6903 HAZE WOOD	Mar VRZUE

That the Affiant(s) does/do presently reside at Logo 3 HAZE WOOD MOR WILL 21220

Address

MEDDIE REVER MD

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):

15 HEIGHT RESIDENTED DOES NOT ALLOW FOR 12' TALL DOOR AND 4/12 PERCH OF ROOF AND LEVOT CHEARANCE FOR DOOR TO ROOF TRUSS. DOOR HEPOHT FOR BOAT STORAGE.

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

ALAN C. GAIDELIS

Name - Type or Print

Name - Type or Print

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date Notary Public

My Commission Expires 7-1-08

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			00 / Mar	1)RZUE
	MEDDILE City	RIVER	M ²) State	2/220 Zip Code
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Signature		Signature		
ALAN C. GAIDELIS Name-Type or Print	Nome	- Type or Print	EZZSSA A	- GAIDELES
Name - Type of Fight	1 40111 K	o - Type of Franc		
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:	.		
HEREBY CERTIFY, this day of State of Maryland, in and for the County afores	Said, personally	y appeared	2007, before	me, a Notary Public of the
the Affiant(s) herein, personally known or satisfied	sfactorily ident	ified to me as s	uch Affiant(s), ar	nd made oath in due form of
law that the matters and facts hereinabove set	torth are true	and correct to the	ne best of his/her	Mileit Kilowieuge and beilei.
AS WITNESS my hand and Notarial Seal		with	3. Loi	D. D. D.
Date		ary Public	1.1.	1 0004
	My	Commission Ex	pires XVVX	$\frac{1}{2}$



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	6903	HAREWO	200 PA	RK 1	Dr
whic	h is presently	zoned	DR.	<u>5:5</u>	

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) 400.3 - to permit a proposed detached accessory structure (garage) to have a height of 19 feet in lieu of the maximum allowed 15.

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.

			is the subject of this	e the legal owner(s) or is Petition.	tie property wind i
Contract Pur	chaser/Lessee:		Legal Owner(s)	<u>):</u>	
			ALAN C:	GARDELES	
Name - Type or Prir	nt	Nam	- Type or Print		
Signature	<u> </u>		Signature MELESSA A.	GAEDELIS	
Address	<u></u>	Telephone No.	Name - Type or Print		
City Attorney For	State State	Zip Code	Signature 6903 HAREWA	223 PARK 1312	410 335.311
Attorney i or			Address MENNLE REV	er Ms	Telephone No.
Name - Type or Pri	nt	City		State	Zip Code
Signature		<u> </u>	Representative	to be Contacted:	
Company	<u></u>	<u> </u>	Name	·	
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
of Baltimore County	and that the property be reposted O8-063-A	Reviewed By _	Zoning Com	ne Zoning Commissioner of g. advertised, as required by missioner of Baltimore Countries 2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/	y the zonaig regulations

ZONING DESCRIPTION FOR 6903 HAREWOOD PARK DRIVE, MIDDLE RIVER, MARYLAND 21220

Beginning at a point on the SOUTHWEST side of HAREWOOD PARK DRIVE which is (30 ft.) THIRTY

FEET wide at the distance of (115ft) ONE HUNDRED FIFTEEN FEET SOUTHEAST of the centerline of
the nearest improved street PRINCETON ROAD which is (30ft) THIRTY FEET wide.

Being Lot # 99, Plat # 2 in the subdivision of HAREWOOD PARK as recorded in Baltimore County,

Maryland Plat Book # 13, Folio # 144, containing 29,100 SQUARE FEET (.67 Acres). Also known as

6903 HAREWOOD PARK DRIVE and located in the 15th Election District.

Item #063

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CERTIFICATE OF POSTING

	RE: Case No.: 08-063-A
	Petitioner/Developer: A + M
	GAIDELIS
	Date of Hearing/Closing: 8-27-0
Baltimore County Department of Permits and Development Management	
County Office Building, Room 111	
111 West Chesapeake Avenue	
Towson, Maryland 21204	• • • • • • • • • • • • • • • • • • •
ATTN: Kristen Matthews {(410) 887-33	i94}
Ladies and Gentlemen:	
This letter is to certify under the penaltic	es of perjury that the necessary sign(s) required by law were
posted conspicuously on the property loc	ated at:
6903 HADE	WOOD PARK DR.
	MODE TAKE DE
·	
The sign(s) were posted on	8-12-07 .
	(Month, Day, Year)
<u> </u>	Sincerely,
	Short Black 8-14-17
	(Signature of Sign Poster) (Date)
ONING INTICE	
UNITED NUTLE	SSG Robert Black
ADMINISTRATIVE	(Print Name)
CASE #08063:A	1560 Y
TO PERMET A PROPERTY DETROITED ACCORDED STRUCTURE TO PERMET A PROPERTY OF 19 FT IN LIEU OF THE PLANNING ALLOWED	1508 Leslie Road
	(Address)
PUBLIC HEARING? HEARING ? ANTEDGIBLE INDIVIDUAL OF GROUP MAY REQUEST: ATPUBLICHEARING: CONCERNING	Dundalk, Maryland 21222
REQUEST ATPUBLIC HEARING CONCERNANCE THE PROPOSED WARRANCE PROVIDED IT ISTOCHEM THE ZON GOFFICE BEFORE 4 30 PHRON CONCERNANCE STATE	(City, State, Zip Code)
MANUAL PROPERTY AND IN THE PROPERTY AND INTERPROPERTY AN	

₽,

(410) 282-7940

(Telephone Number)

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

Case Number 08-

Address 6903 Harewood Park Dr

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.	Contact Pers	son:	David I			Phone Number: 4	10-887-3391
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. Clease Number 08- O6 3 A Address GO 3 Harewood Park Dr Posting Date: B 12 O7 Closing Date: B 22 O7 Closing Da	Filing Date:	8/3/	,		te: <u>8/12/07</u>	Closing Date	: 8/27/0
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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: 08 - (263-A
Petitioner: ALAN MERISSA GAZDES	uZ=S
Address or Location: 6903 HAREWOOD PAR	KIDR. MEDDIE BEVER, MD 21720
PLEASE FORWARD ADVERTISING BILL TO Name: ALAN GAIDE LES	
Address: 6903 HAREWOOD PARK.	DR
MIDDLE PETUER, MARYL	AND 2/220
Telephone Number: _ 4/0・335-31/フ	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 27, 2007

Alan C. Gaidellis Melissa L. Gaidellis 6903 Harewood Park Drive Middle River, MD 21220

Dear Mr. and Mrs. Gaidellis:

RE: Case Number: 08-063-A, 6903 Harewood Park Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 3, 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)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



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

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

Maryland Department of Transportation

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. 8-63-A

6903 HAKEWOOD PARK DRIVE

GAIDELLIS 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. 8-63-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

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



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

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

SUBJECT:

8-063 – Administrative Variance

DECEIVED
AUG 1 7 2007

DATE: August 13, 2007

BY:----

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 19 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

- 1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by

Section Chief:

AFK/LL: CM



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 5, 2007

ALAN C. AND MELISSA L. GAIDELIS 6903 HAREWOOD PARK DRIVE MIDDLE RIVER MD 21220

> Re: Petition for Administrative Variance Case No. 08-063-A Property: 6903 Harewood Park Drive

Dear Mr. and Mrs. Gaidelis:

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

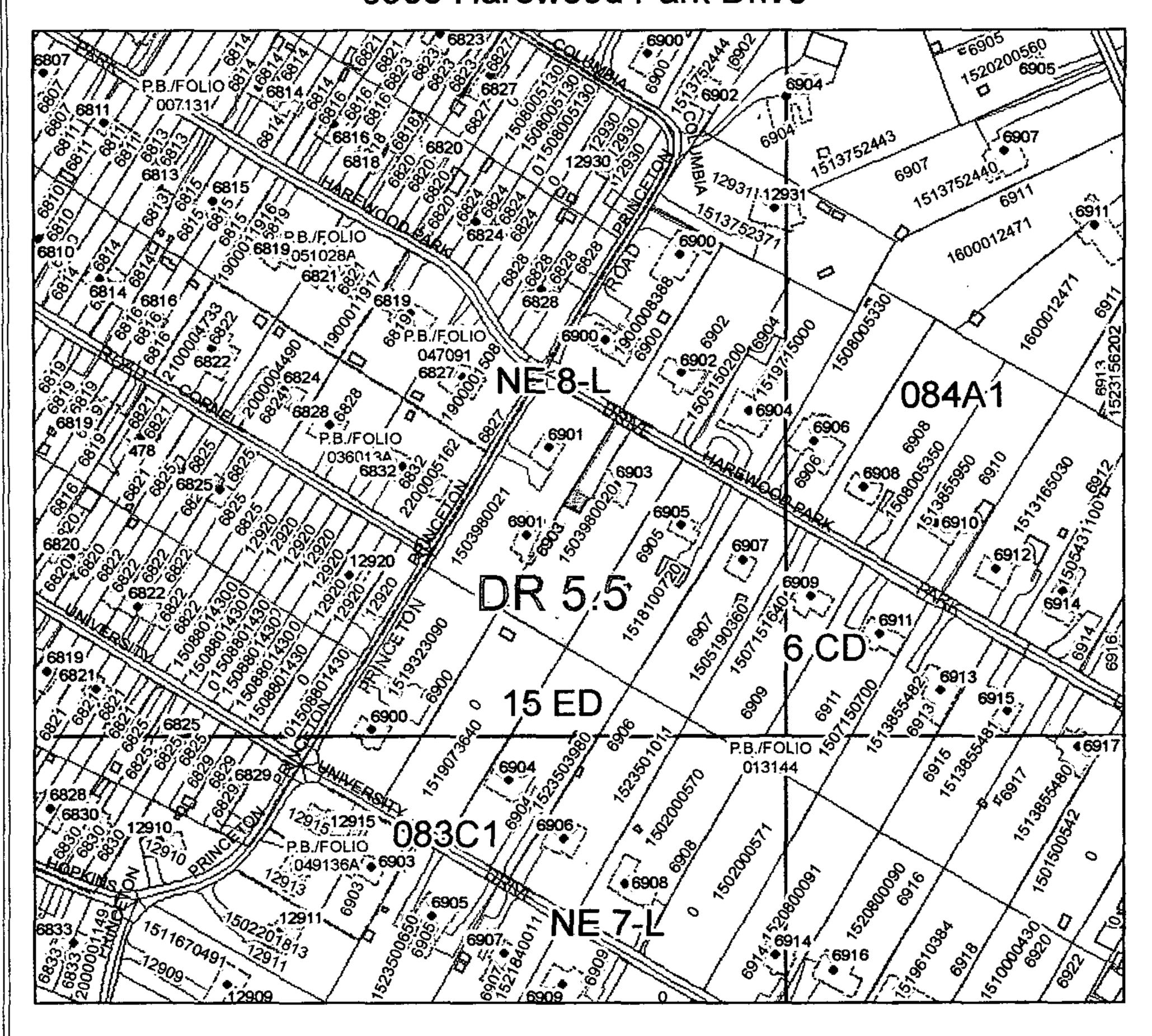
Deputy Zoning Commissioner

for Baltimore County

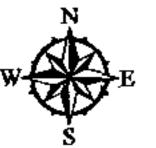
THB:pz

Enclosure

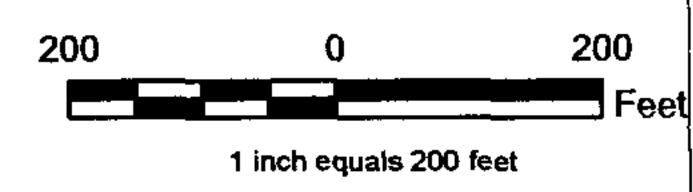
6903 Harewood Park Drive



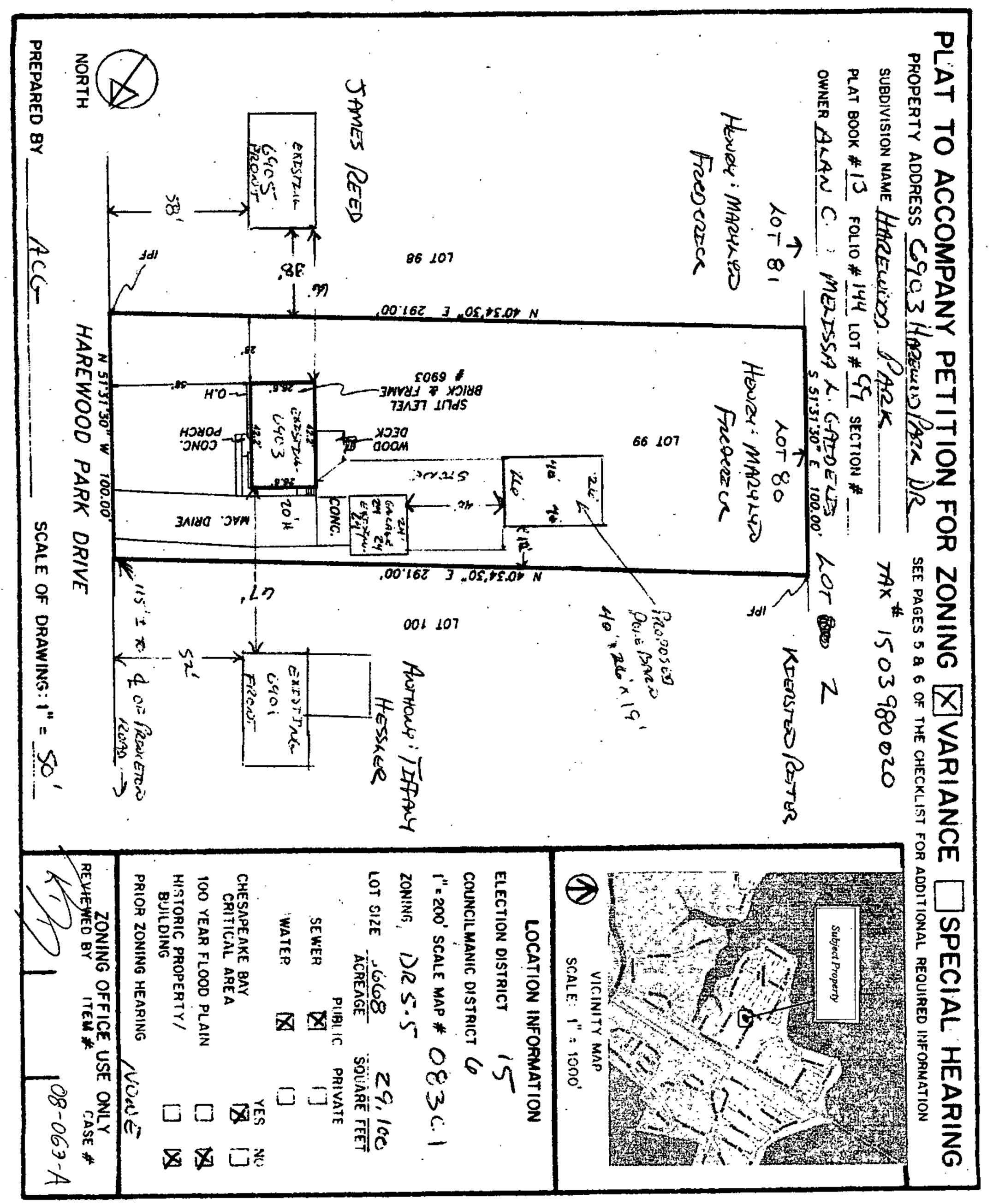
Publication Date: August 03, 2007
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

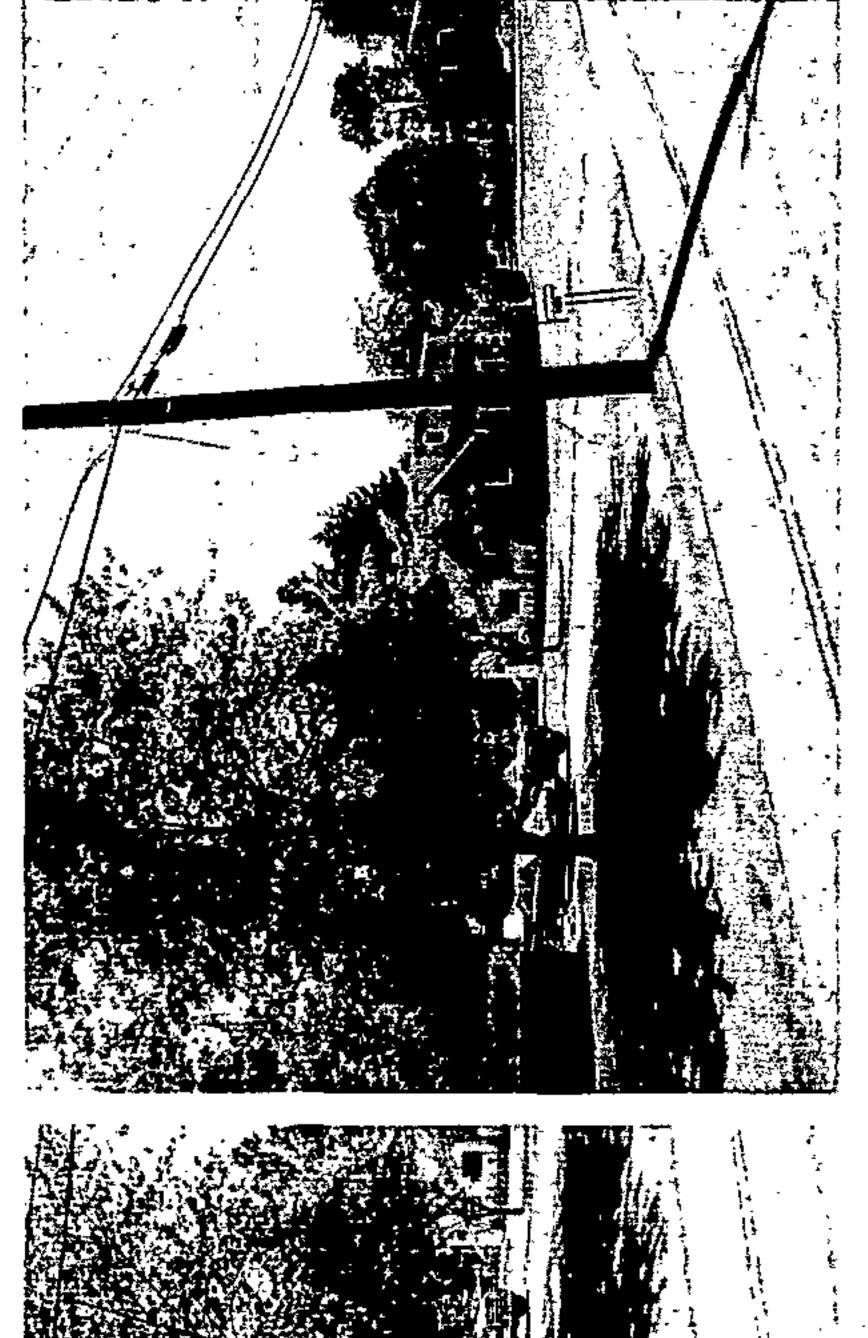


DQ Map Notes



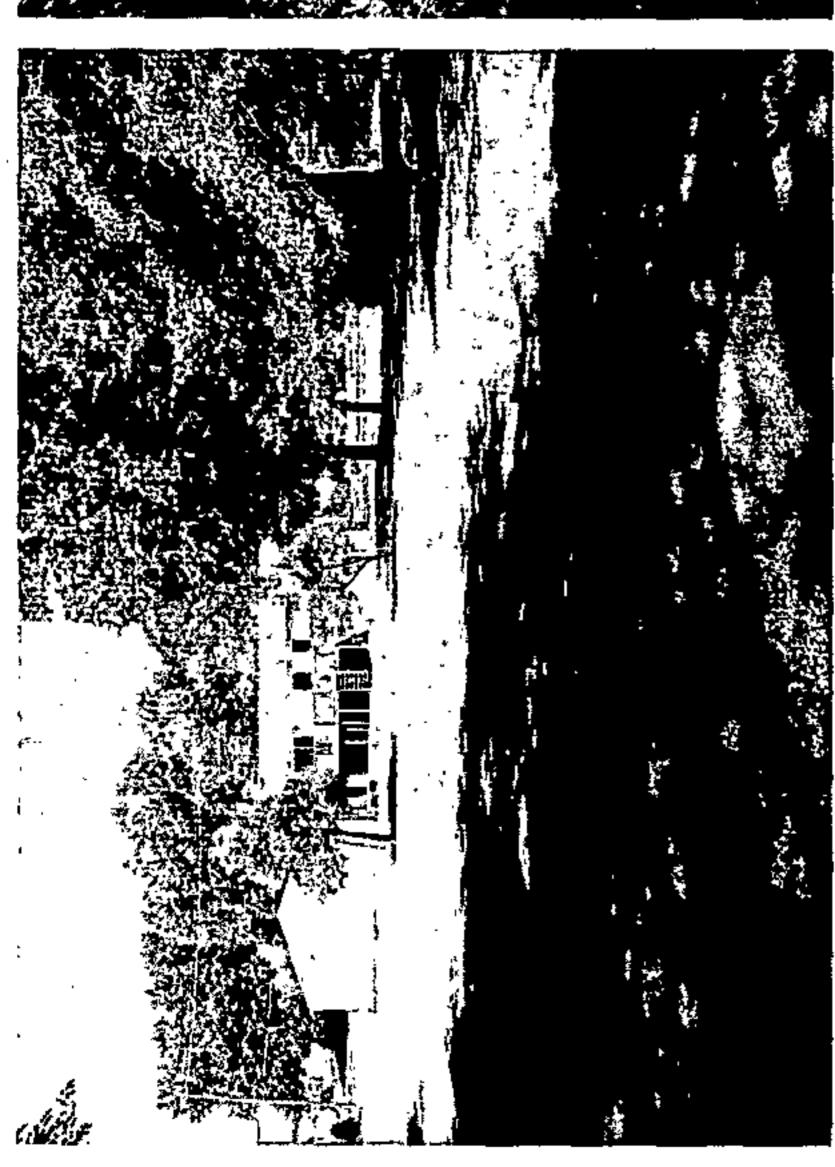
Item #063







Item#063



Proposed Aren - facing North East 6903 Harewood Park Drive



Kear View



Rear View 905 Harewood Park Drive

Iten #663