

IN RE: PETITION FOR ADMIN. VARIANCE *

W side of Chadbury Court, 208 feet N

side of the c/l Branchleigh Road *

2nd Election District

4th Councilmanic District *

(6 Chadbury Court)

Dontay N. and Angela Moore

Petitioners

BEFORE THE

DEPUTY ZONING

COMMISSIONER

FOR BALTIMORE COUNTY

Case No. 08-066-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, Dontay N. and Angela Moore for property located at 6 Chadbury Court. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (proposed attached garage) on side of existing dwelling with a side setback of 3 feet and a sum side setback of 14 feet in lieu of the required 15 feet and 25 feet respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct an attached garage to provide safety and security. The garage will be accessed via the existing driveway. Any other location of the garage would be impractical.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 19, 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

ORDER RECEIVED FOR FILING

9-19-07

P3

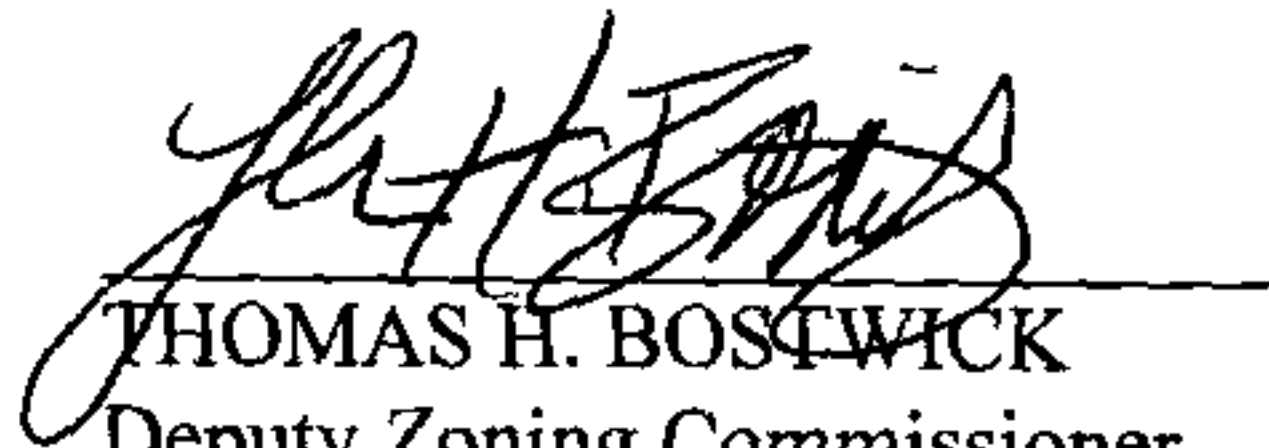
indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements 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 19th day of September, 2007 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition (proposed attached garage) on side of existing dwelling with a side setback of 3 feet and a sum side setback of 14 feet in lieu of the required 15 feet and 25 feet respectively 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. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

9-19-07

P3



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 19, 2007

DONTAY N. AND ANGELA MOORE
6 CHADBURY COURT
RANDALLSTOWN MD 21133

Re: Petition for Administrative Variance
Case No. 08-066-A
Property: 6 Chadbury Court

Dear Mr. and Mrs. Moore:

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".

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 6 CHADBURY COURT
which is presently zoned DR 3.5

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 1B02.3C1

TO PERMIT AN ADDITION (PROPOSED ATTACHED GARAGE) ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 3 FEET AND A SUM SIDE SETBACK OF 14 FEET IN LIEU OF THE REQUIRED 15 FEET AND 25 FEET RESPECTIVELY.

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

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State 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 _____ day of _____ 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. 08-066-A

REV 10/25/01

RECEIVED FOR FILING

9-19-07

p3

Reviewed By AARON TSU Date 08/06/2007

Estimated Posting Date 08/19/07 ~ 09/03-07

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

6 Chadbury Ct
Address
Randallstown MD 21133
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 garage to provide safety for our family. Since the driveway is on this side of the house, the construction of garage is more practical. Placing the garage anywhere else on the property would be more difficult to build and unsafe.

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.

Angela Moore
Signature
Angela Moore
Name - Type or Print

Dontay N. Moore
Signature
Dontay N. Moore
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4 day of August, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Stephanie Huggins
Notary Public
My Commission Expires 7/28/08

Affidavit in Support of Administrative Variance

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City State Zip Code

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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.

Angela Moore
Signature
Angela Moore
Name - Type or Print

Dontay N. Moore
Signature
Dontay N. Moore
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4 day of August, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Stephanie Huggins
Notary Public
My Commission Expires 7/28/08



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6 CHADBURY COURT
which is presently zoned DR 3.5

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 1B02.3C1

TO PERMIT AN ADDITION (PROPOSED ATTACHED GARAGE) ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 3 FEET AND A SUM SIDE SETBACK OF 14 FEET IN LIEU OF THE REQUIRED 15 FEET AND 25 FEET RESPECTIVELY.

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.

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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

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State 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 _____ day of _____, 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. 08-066-A

REV 10/25/01

Reviewed By AARON TSU Date 08/06/2007
Estimated Posting Date 08/19/07 ~ 09/03/07

9-19-07
ps

Zoning Description for 6 Chadbury Ct Randallstown MD 21133

Beginning at a point on the west side of
Chadbury Ct which is 50' R/W wide at the
distance of 208' of the centerline of the
nearest improved intersecting street Branchleigh Road
which is 60' wide. * Being Lot # 47.
Block D. Section # 3 in the subdivision
of The Woodlands as recorded in Baltimore
County Plat Book # OTG 33, Folio # 75,
Containing .22 acres. Also known as 6 Chadbury
Court and located in the 2nd Election District,
4th Councilmanic District.

08-066 A

CERTIFICATE OF POSTING

RE: Case No.: 08-066-A

Petitioner/Developer: _____

DONTAY MOORE

Date of Hearing/Closing: 9/3/07

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

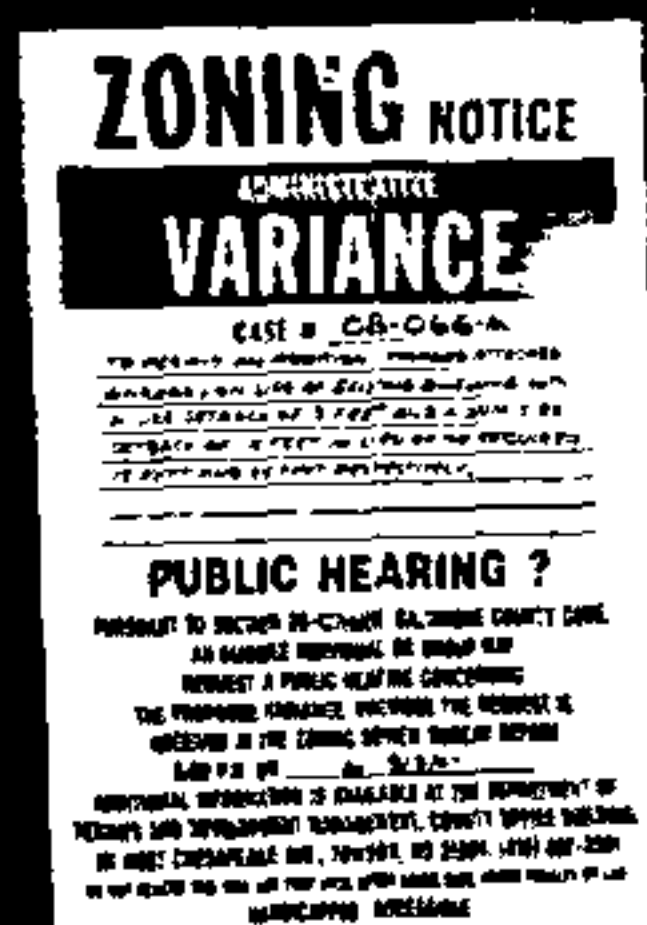
6 CHADBURY CT.

The sign(s) were posted on _____

8/19/07

(Month, Day, Year)

CASE # 08-066-A



Sincerely,

[Signature] 8/19/07
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

6 CHADBURY CT.

POSTED 8/19/07

[Signature] 8/19/07



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

September 4, 2007

Dontay N. Moore
Angela Moore
6 Chadbury Court
Randallstown, MD 21133

Dear Mr. and Mrs. Moore:

RE: Case Number: 08-066-A, 6 Chadbury Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 6, 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." in a cursive style.

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: September 26, 2007

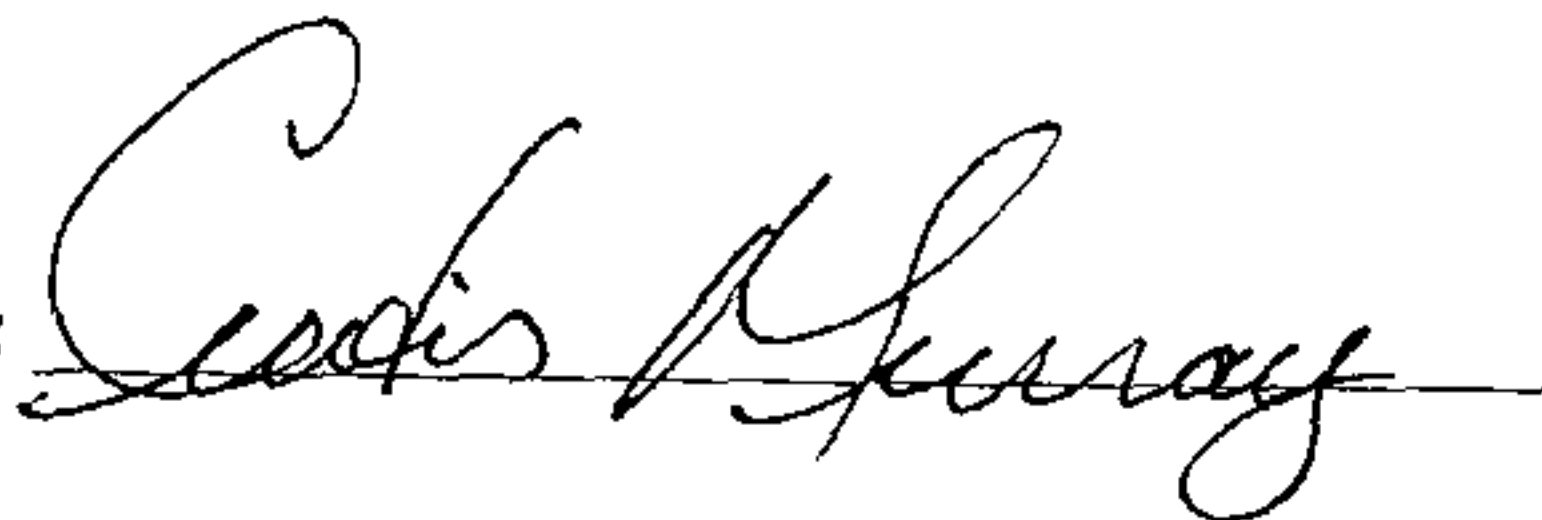
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-066- 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 Dave Green in the Office of Planning at 410-887-3480.

Reviewed By:



CM/LL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 31, 2007

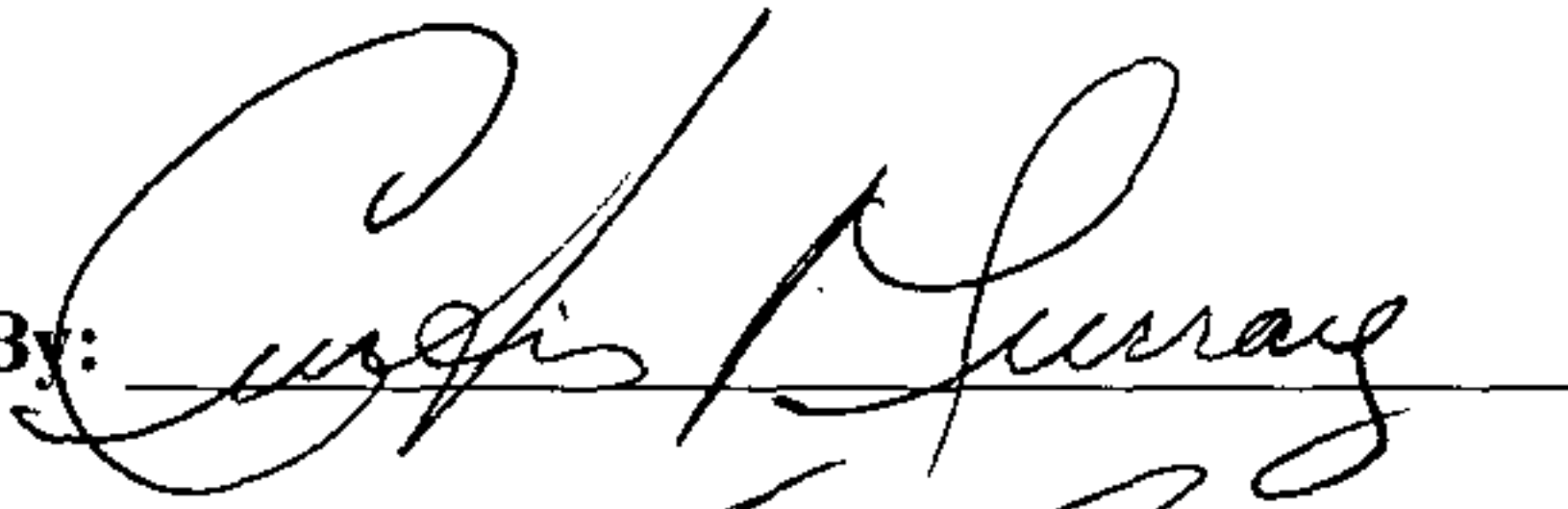
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-066- 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



RECEIVED
SEP 19 2007

BY:

CM/LL

Patricia Zook - Administrative Variance cases - Planning comments needed

From: Patricia Zook
To: Murray, Curtis
Date: 9/18/2007 4:05 PM
Subject: Administrative Variance cases - Planning comments needed

Curtis -

We need Planning comments for the following administrative variance cases:

08-071-A, closed 9-3
08-066-A, closed 9-3
08-056-A, closed 8-27
08-044-A, closed 8-20

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



Baltimore County
Fire Department

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 ⁶⁶49 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

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 15, 2007

FROM: Dennis A. Kennedy, ^{DAK}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



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

State Highway
Administration

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. 8-66-A
6 CHADBURY COURT
MOORE 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. 8-66-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 DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 066 -A Address 6 CHADBURY COURT

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 08/06/2007 Posting Date: 08/19/07 Closing Date: 09/03/07

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.

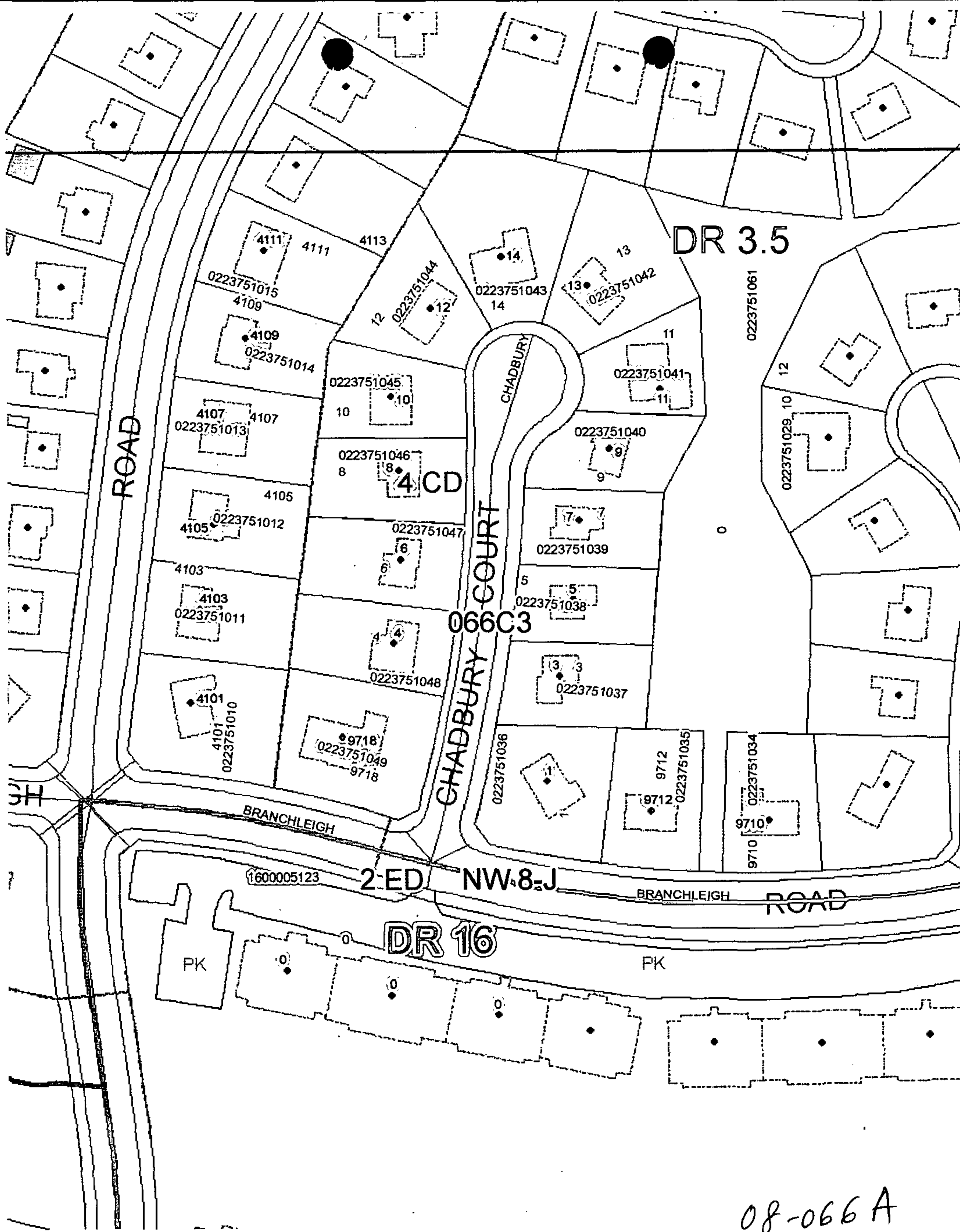
(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 08- 066 -A Address 6 CHADBURY COURT
Petitioner's Name DONTAY MOORE Telephone 410-521-2272
Posting Date: _____ Closing Date: 9/3/07
Wording for Sign: To Permit AN ADDITION (PROPOSED ATTACHED GARAGE) ON
SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 3 FEET AND
A SUM SIDE SETBACK OF 14 FEET IN LIEU OF THE REQUIRED
15 FEET AND 25 FEET RESPECTIVELY

WCR - Revised 6/25/04



08-066A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

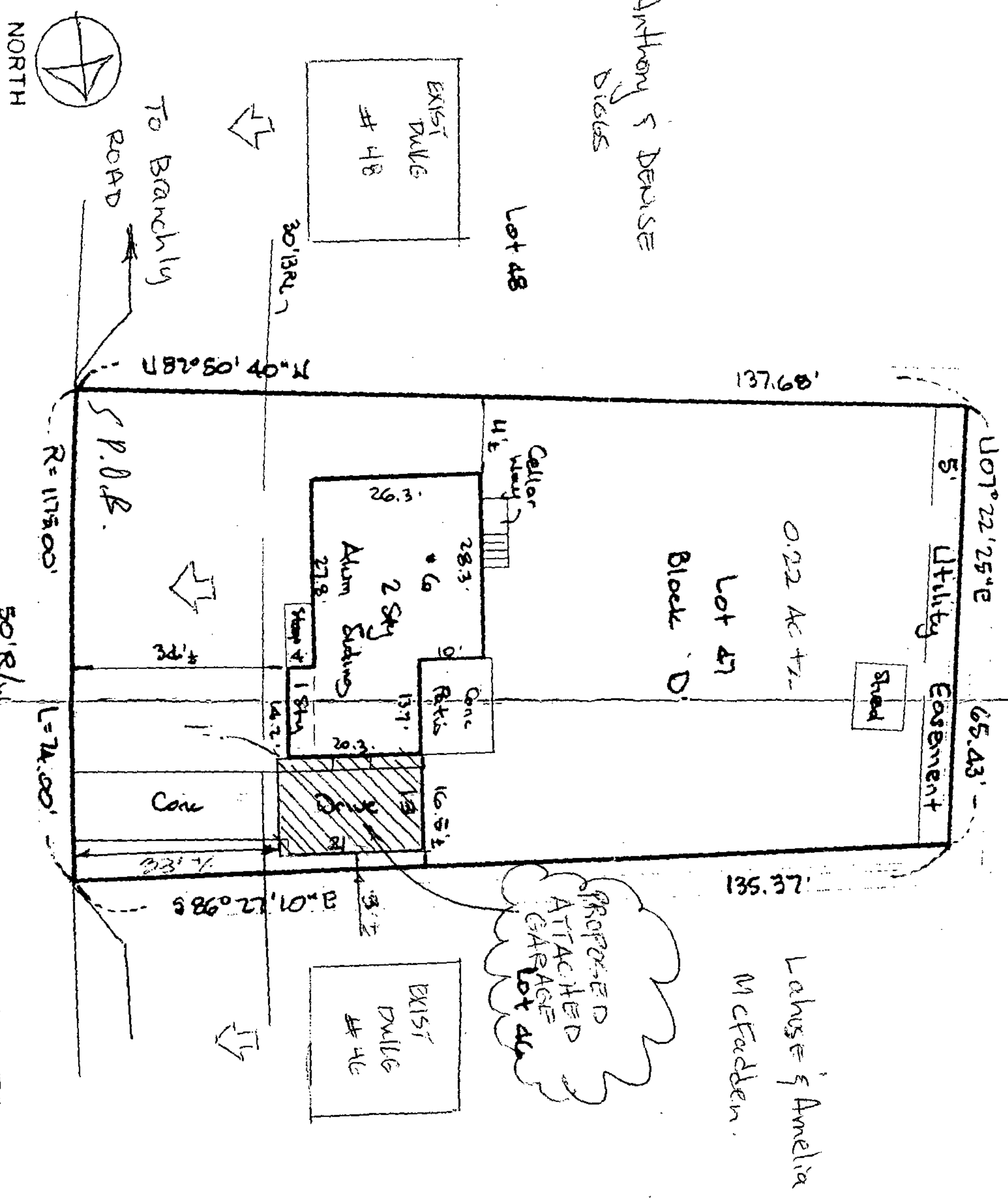
PROPERTY ADDRESS 6 Chadbury Court SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Woodlands

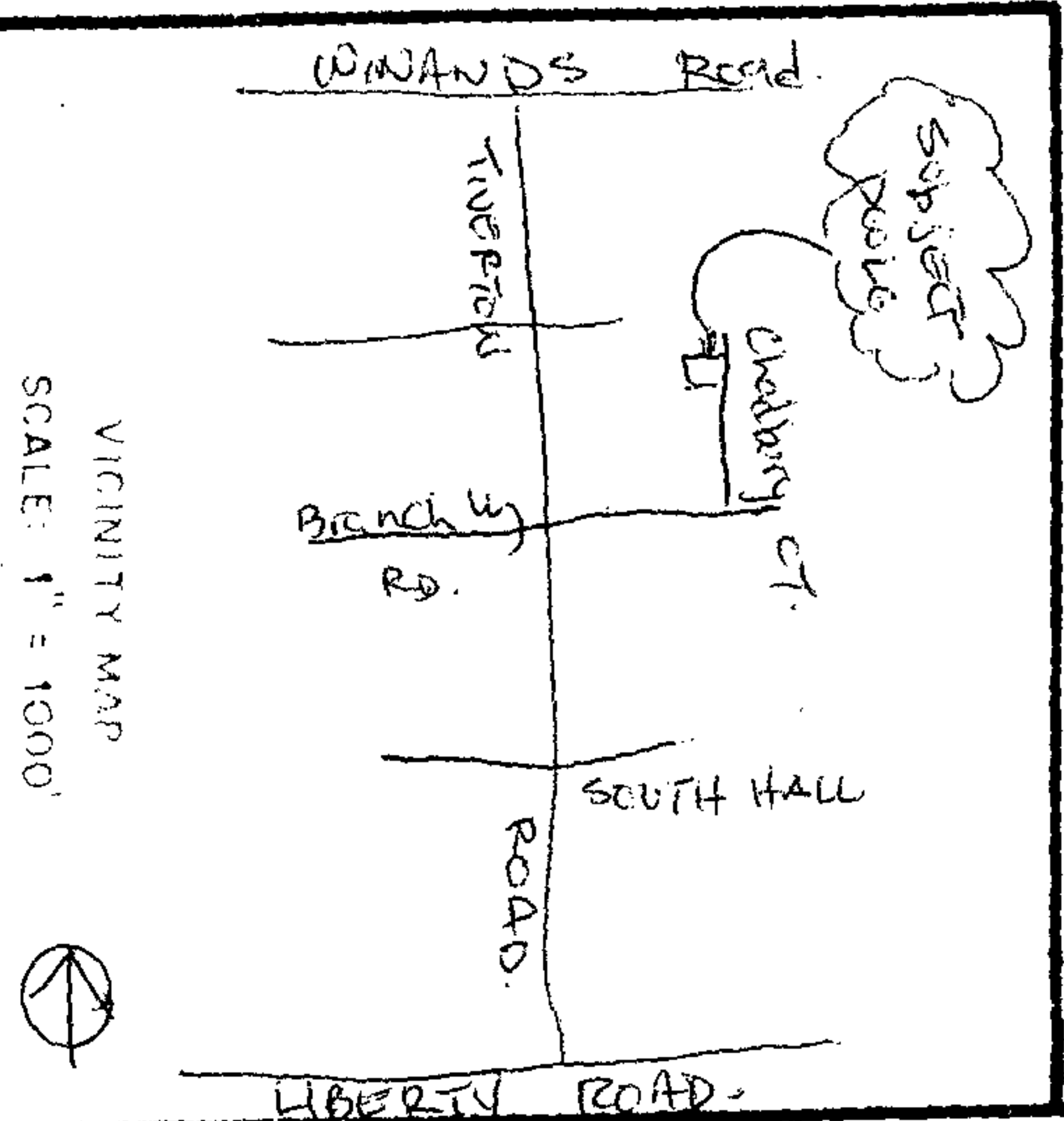
PLAT BOOK # 33 FOLIO # 15 LOT # 44 SECTION # 1

OWNER Dan & Angela Moore

Tax # 022-375-1917



PREPARED BY Dan & Angela Moore CHADBURY COURT SCALE: 1" = 20'



LOCATION INFORMATION

ELECTION DISTRICT # 2
COUNCILMANIC DISTRICT # 4
1" = 200' SCALE MAP # 06603

ZONING DR-35

LOT SIZE 0.22 AC +/- SQUARE FEET 9452

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 #

Aravathi 066 08-0664





