

IN RE: PETITION FOR ADMIN. VARIANCE *

NW side Burnham Road, 813 feet NE

c/l Drexel Road

15th Election District

7th Councilmanic District

(1718 Burnham Road)

Carl D. and Norma M. Hobson Petitioners BEFORE THE

DEPUTY ZONING

COMMISSIONER

FOR BALTIMORE COUNTY

* Case No. 08-078-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

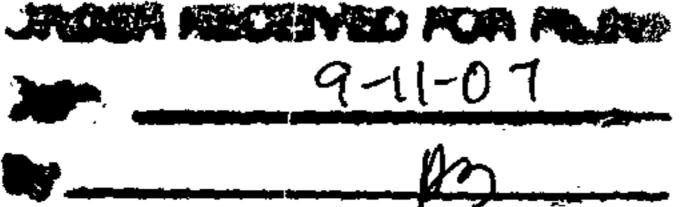
*

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Carl D. and Norma M. Hobson for property located at 1718 Burnham Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (screen house) to be located on the side of the principal dwelling in lieu of the required rear. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct the 28 foot x 12 foot screen house in the left side yard of their property. The proposed accessory structure cannot be placed in the rear yard because of an existing garage.

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



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 Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed detached accessory structure (screen house) to be located on the side of the principal dwelling in lieu of the required rear is hereby GRANTED, subject to the following:

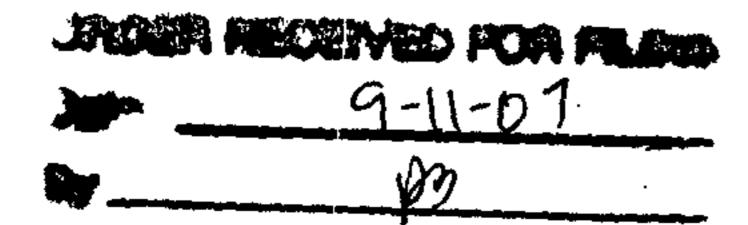
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 11, 2007

CARL D. AND NORMA M. HOBSON 1718 BURNHAM ROAD DUNDALK MD 21222

> Re: Petition for Administrative Variance Case No. 08-078-A

Property: 1718 Burnham Road

Dear Mr. and Mrs. Hobson:

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.

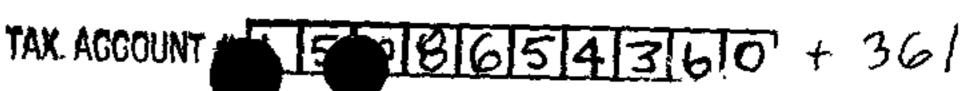
Very truly yours,

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	1718	Burnhan	n Rd.
		ntly zonedT	

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 - to permit a proposed detached accessory structure (screen house) to be located on the side of the principal dwelling in lieu of the required rear

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. Legal Owner(s): Contract Purchaser/Lessee: Hobson Name - Type or Print Name - Type or Print Signature Signature Name - Type or Print Address Telephone No. State Zip Code Signature City Attorney For Petitioner: **Address** Telephone No. 21222 Zíp Code State Name - Type or Print Representative to be Contacted: Signature Name Company Telephone No. Address Telephone No. Address Zip Code Zip Code City State State City 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 this day of regulations of Baltimore County and that the property be reposted. Zoning-Commissioner of Baltimore County CASE NO. Reviewed: By Date Estimated Rosting Date REV 10/25/01



Tax# 1508654 360,

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	1718 Barn	ham Rd.	
- - -	h is presently zon		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) 400.1 - to permit a proposed

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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: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Signature Address Name - Type or Print Telephone No. City State Zip Code Signature Attorney For Petitioner: Address Telephone No. State Zip Code Name - Type or Print Representative to be Contacted: Signature Name Company Address Address Telephone No. Telephone No. Zip Code Zip Code City State State City 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 CASE NO. Reviewed B Date REV 10/25/01 Estimated Posting Date ...

Affida Vit 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 1718 Buynham Rd.

That the Affiant(s) does/do presently reside at 1718 Burnham Rd.

Address

Dundalk Mayyland 21222

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):

1- No place to put screen house behind existing foundation

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

Carl D. Hobson

Name - Type or Print

State OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of Green of Maryland, in and for the County aforesaid, personally appeared

CARL D. Hobson

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

REV 10/25/01

Zoning Description for 1718 Burnham Road

Beginning at a point on the northwest side of Burnham Road which is 50 feet wide at a distance of 813 feet northeast of the centerline of the nearest improved intersection street Drexel Road which is 50 feet wide. Being lot #6, Section F in the subdivision of Edgepoint as recorded in Baltimore County Plat Book #18, Folio #18 containing 6240 square feet. Also known as 1718 Burnham Road and located in the 15th Election District, 7th Councilmanic District.

Item#078

DISTRIBUTION WHITE - CASHIER		For:	Rec From:			001006	Fund Agcy	MISCELLANEOUS RECEIPT
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Particular Stranger Character Contract Contract

CERTIFICATE OF POSTING

	RE: Case No.: 08-078-A
	Petitioner/Developer: CALC
	D. 40890N
	Date of Hearing/Closing: 7 - 3 - 07
Baltimore County Department of	The state of the s
Permits and Development Management	
County Office Building, Room 111	
11 West Chesapeake Avenue	
owson, Maryland 21204	· · · · · · · · · · · · · · · · · · ·
TTN: Kristen Matthews {(410) 887-339	والتبع معلى المستران في المستران المستر
· Anger Age	
adies and Gentlemen:	
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osted conspicuously on the property locat	of perjury that the necessary sign(s) required by law were ted at:
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1718 BUR	ENHAM RD
or the fire	
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te sign(s) were posted on	8-19-07
	(Month, Day, Year)
,	Sincerely,
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	(Signature of Sign Poster) (Date)
	(Signature of Sign Poster) (Date)
UNING NOTICE	SSG Robert Black
ADMINISTRATIVE	
VARIANCE	(Print Name)
CASE # 08:078:A	1508 Lesiic Road
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	Down Salls B.C
UBLIC HEARING?	Dundalk, Maryland 21222
ELIGIBLE INDIVIDUAL OR GROUP MAY OUEST A PUBLIC HEARING CONCERNING E PROPOSED VARIANCE PROVIDED IT OUEST AND THE ZONANCE PROVIDED IT	(City, State, Zip Code)
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	(410) 282-7940
ا	(Tolorekonia Mana)
	(Telephone Number)
	· ·

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

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: <u>08 - 078 - A</u>
Petitioner: Carl D Hobson
Address or Location: 1718 Burnham Rd
1
PLEASE FORWARD ADVERTISING BILL TO:
Name: <u>Carl D Hobson</u> .
Address: 1718 Burnham Rd
Dundalk Maryland
21219
Telephone Number: <u>410 477 1960</u>



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 4, 2007

Carl D. Hobson Norma M. Hobson 1718 Burnham Road Dundalk, MD 21222

Dear Mr. and Mrs. Hobson:

RE: Case Number: 08-078-A, 1718 Burnham Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 9, 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.

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

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: September 4, 2007

NECEIVE NSEP 0 5 2007

BY:....

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-078- 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 Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL



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

Maryland Department of Transportation

Date: AUGUST 20, 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=78-A 1718 BURNHAM KOAD

HOBSON PROPERTY ADMINISTRATIVE VARIANCE

John D. Porcari, Secretary

Neil J. Pedersen, Administrator

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. 8-78-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



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 23, 2007

78

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 20, 2007

Item Number: Item Number 76 through 079 and81,83,84,85,86,88

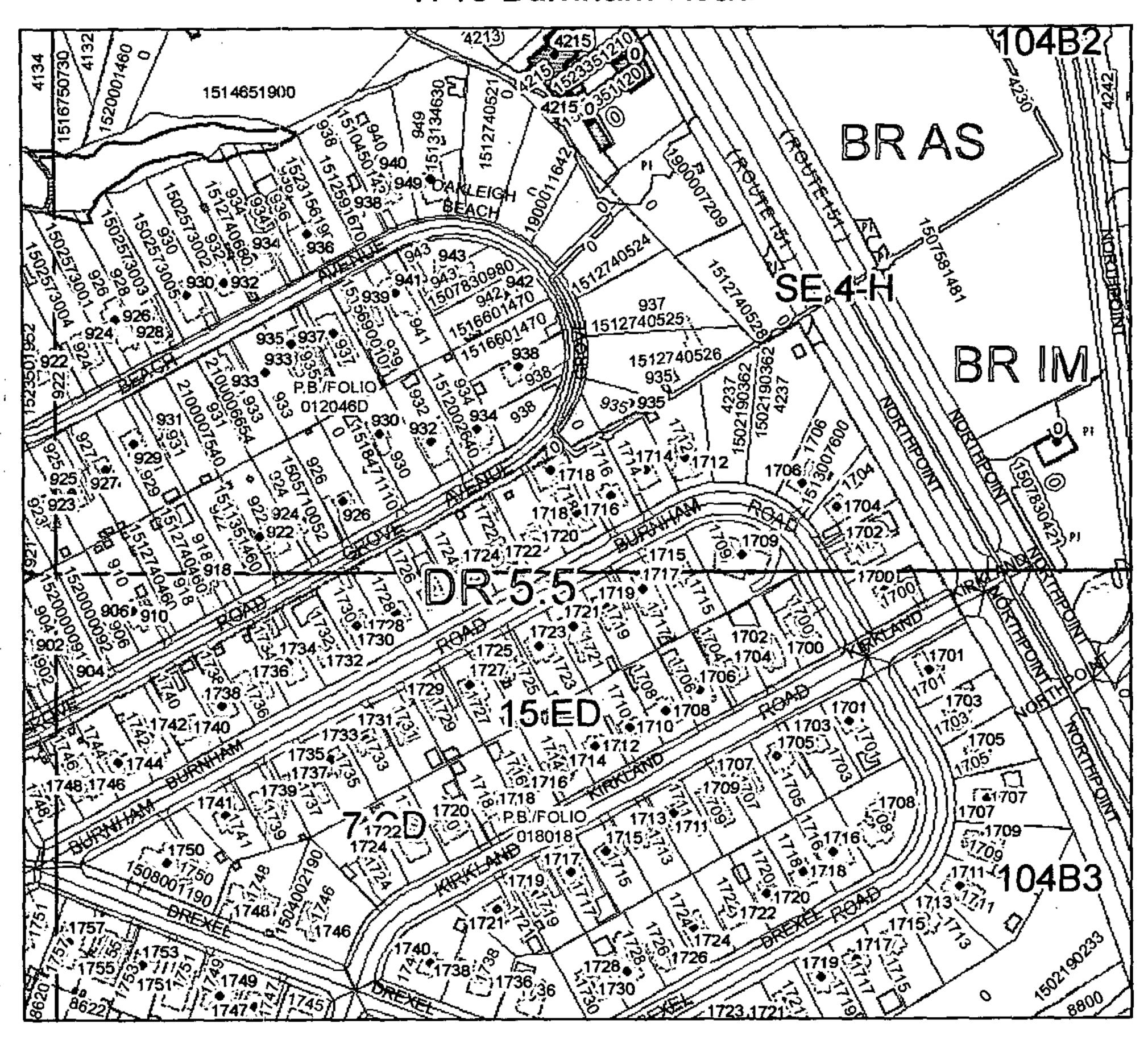
Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

1718 Burnham Road

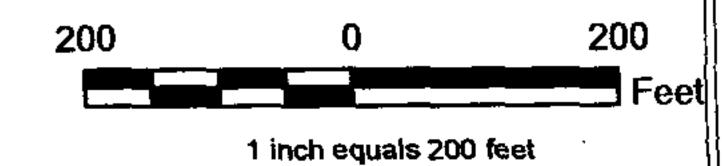


DQ Map Notes

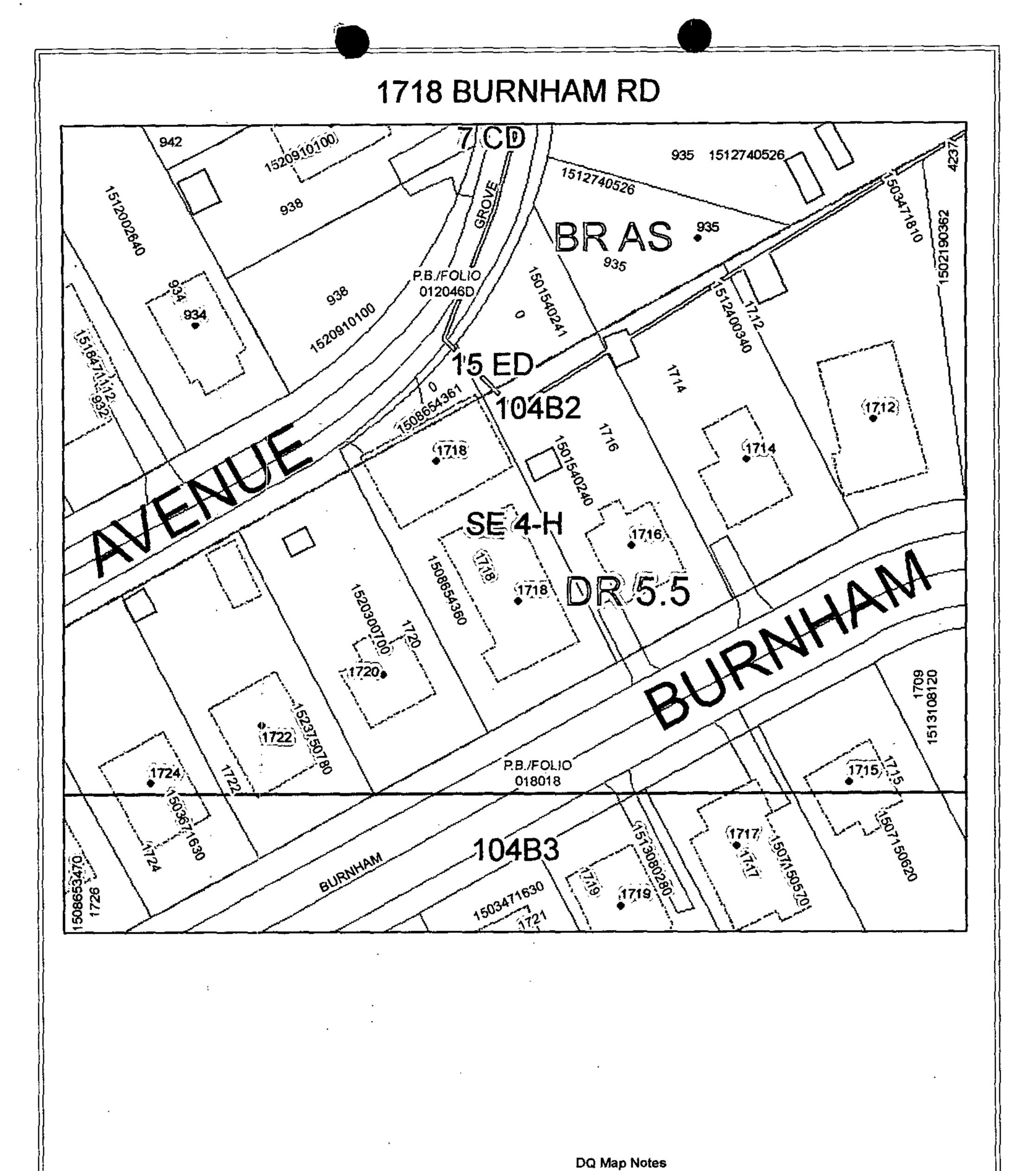


Publication Date: August 02, 2007
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



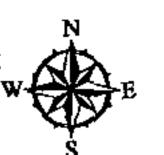


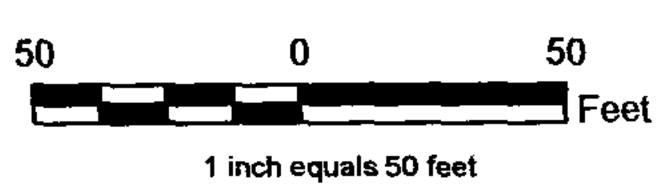
Item #078



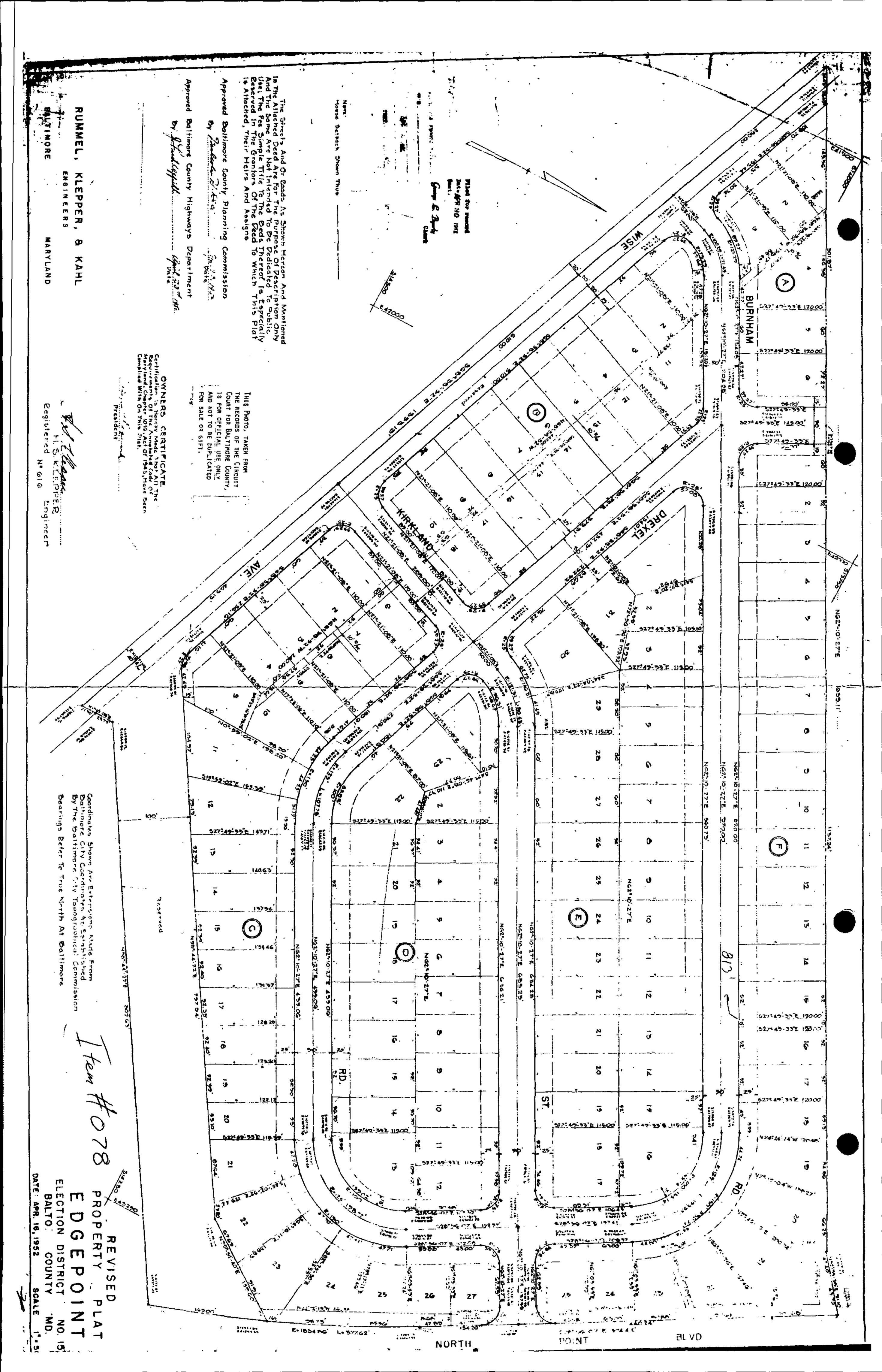


Publication Date: August 07, 2007
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot





Item #078



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 29, 2007

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 27, 2007 Item Nos. 08-076, 077, 078, 079, 081, 083, 084, 086, and 088

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-10292007.doc

887-3953	APPLICATIO	N FOR PERMIT	7/28/97
INSPECTIONS	BALTIMORE C DEPARTMENT OF PERMITS	OUNTY MARYLAND & DEVELOPMENT MANAGEM	DATE: ')
		RYLAND 21204	OEA: COLUMN LOCAL COLUMN DEA: COLUMN LOCAL COLUMN DISTRICT/BLDG.
PERMIT #: 1312637	PROPERTY ADDRESS	718 Burnham Rd	YES NO
RECEIPT #: [] 334287/	SUITE/SPACE/FLOOR		DO NOT KNOW
CONTROL #: /// XREF #:	TAX ACCOUNT #: 15-	08-654360 ·	DISTRICT/PRECINCT
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O2. TWO FAMILY O3. THREE AND FOUR FAMIL	Y III H'H'NI 'H'	CLANKENIA MACKANII	
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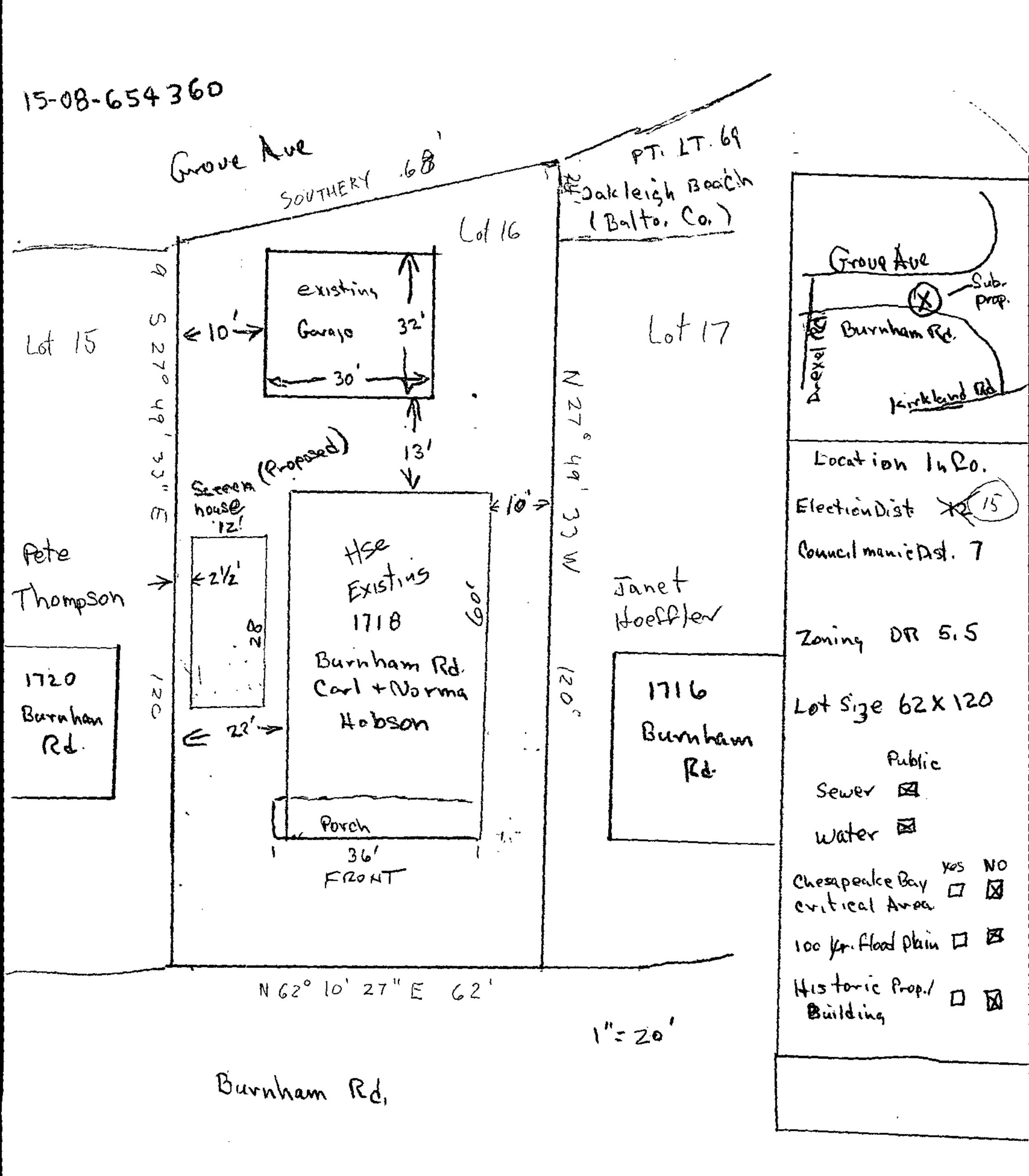
MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED.

Item #678

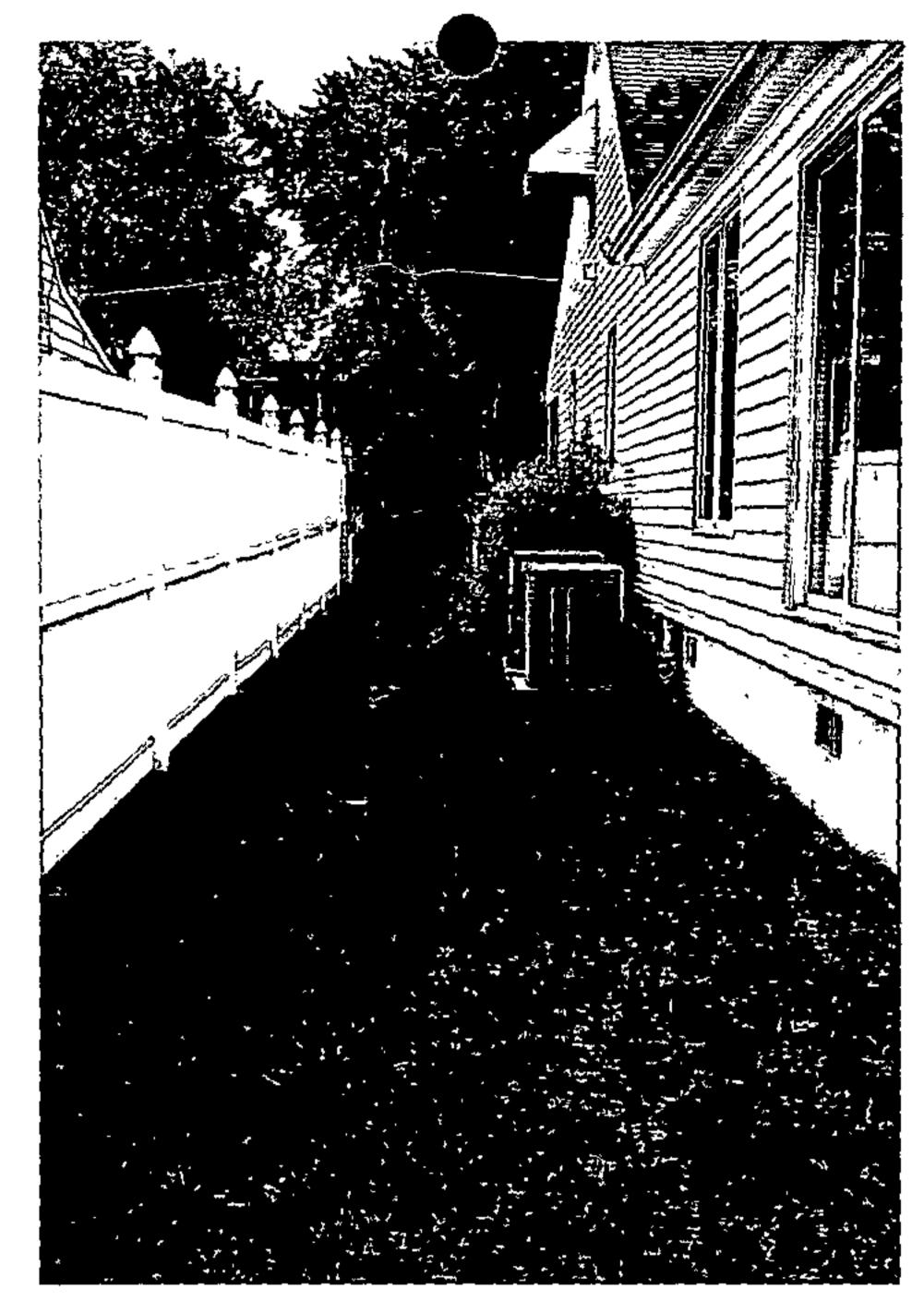
·		
NORTH SCALE OF DRAWING: 1" = 30	ENISTING GARAGE 30 LOT 15 PJ THOMPSON ROAD BURNHAM ROAD BURNHAM ROAD BURNHAM ROAD BURNHAM ROAD STOREYELL BURNHAM ROAD BURNHAM ROAD	PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE PROPERTY ADDRESS 1718 BURN ham Rd SEE PAGES 5 & 6 OF THE CHECKLIST FOR
REYIEWED BY ITEM # CASE #	LOCAT LOCAT LOCAT LOCAT LOCAT COUNCIL MANIO 1" = 200' SCAL ZONING DR ZONING DR CHESAPEAKE I CRITICAL A 100 YEAR FL HISTORIC PRO BUILDING PRIOR ZONING	E SPECIAL HEARING OR ADDITIONAL REQUIRED INFORMATION

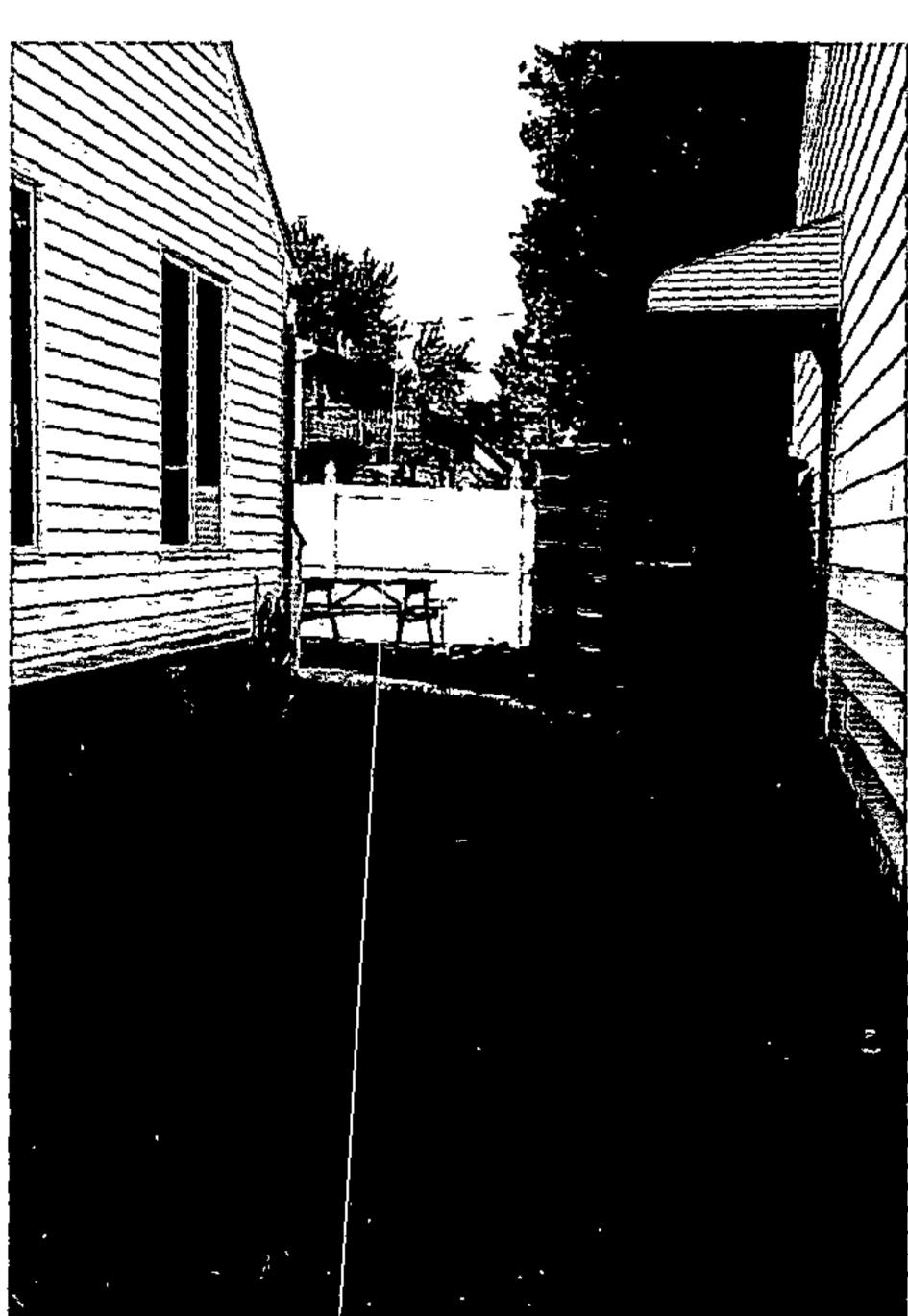
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NORTH NORTH SCALE OF DRAWING: 1" = 30	LOT 15 PJ THOMPSON	SUBDIVISION NAME Edgepoint PLAT BOOK # 18 FOLIO # 18 LOT # 16 SECTION # F OWNER CAN D Hobson Tax # 15 OB 654 360, 361 LOT 17 JM HOEFFLER 1716 R 24 1718 CARL + NORMA HOSSON CARL + NORMA HOSSON R O O O O O O O O O O O O	PLAT TO ACCOMPANY PETITION FOR ZONING X VARIAL PROPERTY ADDRESS 1718 BURN BOWN Rd SEE PAGES 5 & 6 OF THE CHECKLIS
E USE ONLY FASE	SEWER X II	CROVE ANE WITH MAP SCALE 1" = 1500' LOCATION INFORMATION ELECTION DISTRICT 15 TH COUNCIL MANIC DISTRICT 7 TH 1" = 200' SCALE MAP # 10 4 8 2 ZONING DR 5.5 LOT SIZE AURENGE SQUARE FEET PHBLIC PRIVATE	ANCE SPECIAL HEARING KLIST FOR ADDITIONAL REQUIRED INFORMATION

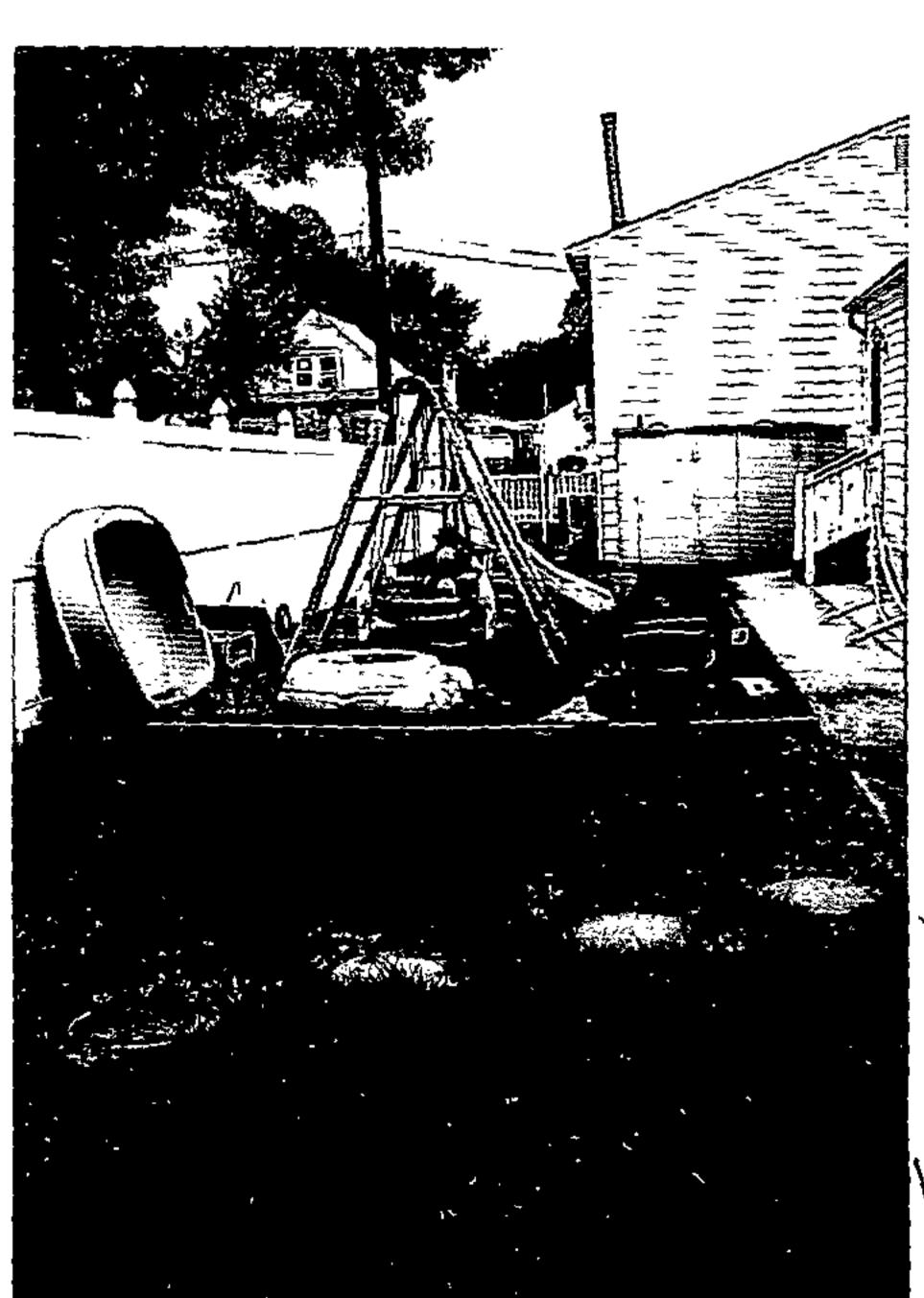
REWIEWED BY TIEM *	NORTH PREPARED BY SCALE OF DRAWING: 1" = 30	D
WATEP [X] CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIR HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING	FRONT 813' C DREXEL	,
LOCATION INFO ELECTION DISTRICT (5 ELECTION DISTRICT (5 COUNCIL MANIC DISTRICT (5) COUNCIL MANIC DISTRICT (5) COUNCIL MANIC DISTRICT (6) COUNCIL MANIC DISTRICT (7) COUNCIL MANIC DISTRICT (6) COUNCIL MANIC DISTRICT (7) COUNCIL MANIC D	GRANGE 30' STHERT STING OWELLING 32' GARAGE 30' SCREEN HOUSE 12' L NG2° 10' 27' E BURNHA HOUSE NG2° 10' 27' E RO RO RO RO RO RO RO RO RO R	
SCALE 1" ATT CROVE ATT CROVE GROVE GROVE GROVE TO THE	LOT 17 JM HOEFFLER 1716 25 N 27° 49 33' W 120' FR	· 8/M
	SUBDIVISION NAME - Edge point PLAT BOOK # 18 FOLIO # 18 LOT # 16 SECTION # F OWNER CAr D Hobson Tax # 15 08 654 360, 361	
NCE SPECIAL ST FOR ADDITIONAL REQUIRED	COMPANY PETITION FOR ZONING X VARIASS 1718 BURNDAM Rd SEE PAGES 5 & 6 OF THE CHECKL	70











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