IN RE: PETITION FOR ADMIN. VARIANCE

N side of West Seminary Avenue, 322.69 feet W of Jamieson Road 8th Election District 2nd Councilmanic District

(906 West Seminary Avenue)

Lawson Kilburn
Petitioner

BEFORE THE

DEPUTY ZONING

* COMMISSIONER

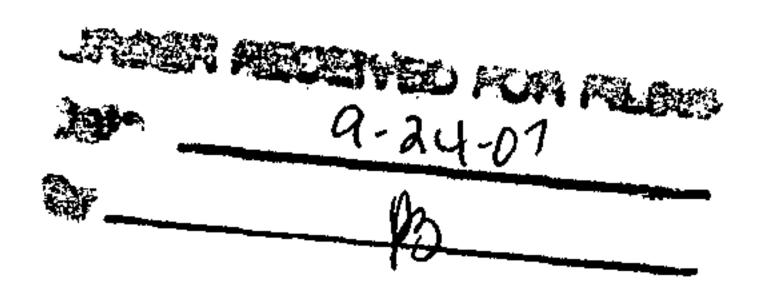
* FOR BALTIMORE COUNTY

* CASE NO. 08-106-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, Lawson Kilburn for property located at 906 West Seminary Avenue. The variance request is from Section 1B02.3.B (Section 208.3 of the 1963 Zoning Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with a side yard setback of 5 feet in lieu of the minimum required 10 feet, and a sum of side yard setbacks of 20 feet in lieu of the minimum required 25 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner wishes to construct an 17 foot x 24 foot attached garage. The garage is necessary to provide security and prevent damage to his vehicles. The Petitioner and neighbors have had their vehicles damaged while parked on the street. The garage will be accessed via the existing driveway. The Petitioner provided photographs of many such additions in the neighborhood.

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.



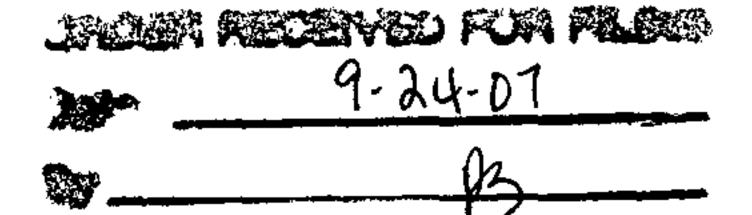
The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 31, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 Section 1B02.3.B (Section 208.3 of the 1963 Zoning Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with a side yard setback of 5 feet in lieu of the minimum required 10 feet, and a sum of side yard setbacks of 20 feet in lieu of the minimum required 25 feet is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



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

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

9-24-01 20-24-01



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 24, 2007

LAWSON KILBURN 906 WEST SEMINARY AVENUE LUTHERVILLE MD 21093

Re: Petition for Administrative Variance

Case No. 08-106-A

Property: 906 West Seminary Avenue

Dear Mr. Kilburn:

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



CASE N

REV 10/25/01

Deed Reference: 8671/433 Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 904 W. SEMINARY AVE which is presently zoned DR 3,5 (Formerly R-10)

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) 1802,3, B, BCZR (Section 208,3 of the 1963 Zoning Regulations) to permit a proposed addition with a side yard setback of 5 feet in lieu of the minimum required 10 feet, and a sum of side yard setbacks of 20 feet in lieu of the minimum required 25 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.

Company	<u> </u>	HAWSON KILBURN Name 906 EV. SEMINARY AVE 07
Signature	<u></u>	
Name - Type or Print	-	City State Zip Code Representative to be Contacted:
		LUTHERZVILLE MD 21093
Attorney For Petitioner:		906 W SEMINARY AVE Telephone No.
City	Zip Code	Signature 419
Address	Telephone No.	Name - Type or Print
Signature		Signature
Name - Type or Print		Name - Type or Print
		LAWSON I. XSALBURN
Contract Purchaser/Lessee:		Legal Owner(s):
		is the subject of this Petition.
	· •	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

Reviewed By _

Estimated Posting Date

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.

competent to testify thereto in the event that a p	Jubile Hearing is somedured in a	no idialo mai rogala al	,0.0.0.
That the Affiant(s) does/do presently reside at	904 W. 5E1	VIMARY AU	<u>=</u>
	LYTHERVILLE	<u>0</u> ~	Z1093 Zip Code
	City	State	•
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upon which ip or practical difficulty):	n I/we base the reques	t for an Administrative
REASONS ZONING REGULAT			
OFF STREET PARKING: 13 VEHICLES DAMHGED & TOT	TALLED WHILE PA	12 KED 000 /#E	SIRCE I.
. SECURITY: MY MOTORCY TWILE.	YCLE TRAILER M	45 BEEN 13	BOKEN INJO
•			- AND
I HAVE TWIN DAYGHTER WOULD LIKE THEM TO B	S THAT WILL S E ABLE TO PAR	IC IN THE I	SIZIVE WAY.
	· • • • • • • • • • • • • • • • • • • •	48-3	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed, Affian additional information.	t(s) will be required to) pay a reposung and
Signature	Signature		
1'			
Name - Type or Print	Name - Type o	r Print	
	· · · · · · · · · · · · · · · · · · ·	<i> </i>	.
STATE OF MARYLAND, COUNTY OF BALTII			
I HEREBY CERTIFY, this 30th day of 1	uly, 20	$\frac{207}{}$, before me, a Not	tary Public of the State
of Maryland, in and for the County aforesaid, per Virginia	Lawson Kul	burn	,
the Affiant(s) herein, personally known or satisf			
AS WITNESS my hand and Notarial Seal	•	. / /	
#7031518	Notary Public	V. Maynu	elle_
	My Commission Ext	oires January	31 2010
O MAN IN PROPERTY IN THE PARTY OF THE PARTY			7

was originally commissioned as Diana V. Ball, Notary Public

ZONING DESCRIPTION

Zoning Description for: 906 W. Seminary Road, Lutherville, Maryland 21093.

Beginning at the point on the North side of W. Seminary Avenue Which is 34.06'wide at a distance of 322.69' the centerline of the nearest improved intersecting street Jamieson Rd., which is 50' wide. Being lot #1, block "B" in the subdivision of Tallwood as recorded in Baltimore County Plat Book # R.R.G. #30, Folio #129, containing .25 acres, also known as 906 W. Seminary Ave. and located in election district #8, Councilmanic district #2.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 106 -A Address 906 W. Seminary Avenue						
Contact Person: Leffrey Per(ow Phone Number: 410-887-339						
Filing Date: $8/24/07$ Posting Date: $9/2/07$ Closing Date: $9/17/07$						
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. An reposting must be done only by one of the sign posters on the approved list and the petitione 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.						
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.						
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 (conder 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.						
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- 106 -A Address 906 W. Seminary Avenue						
Petitioner's Name Lawson I. Kilburn Telephone 410-823-0771						
Posting Date: $\frac{9/2/07}{}$ Closing Date: $\frac{9/17/07}{}$						
Nording for Sign: To Permit a proposed addition with a side yard set back of						
5 feet in lieu of the minimum required 10 feet, and a sum of side yard						
set backs of 20 feet in lieu of the minimum required 25 feet.						
WCR - Revised 6/25/0						

동 [] 온	Fo	Fac								P. S. Park
TE - C		Ma Sec				10(und		FICE	
CASHIER	200					COC	Agcy	֭֓֞֞֝֟֓֓֓֟֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֡֓֓֡֓֡֓֜֡֓֡֡֡֡֓֜֡֡֡֡֡֡֡	OF BI	1 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
بر خاند کا داند داند کا داند	000	2	1.		*	6	<u>o</u>	6		
		0 M					9	í	TAND	
PIX - A	7 2	7				.)	Sub		A PRINCE	
AGENCY	20 7	601				6)	Rev		ANCE	A STATE OF THE STA
	100					0.	Ö .			
	3						Sub			
	1		<u> </u>				Rept Cato	·	· .	
χ <u>ει</u> ζ							A BS	Date	Z	
Ω	a		19		-	9		φ. 1	3	
JSTOM				ky by			≥	25	Ž,	
7					~	67	moun.	5		
				34	2 4	0 0		7		
			** 4 ** 4							
	S					31				
						rta. 				A Angle
\ \tag{2}	Ö					 				
The second secon			`````````````````````````````````````							
	The state of the s		4 u ^{n α} γκ΄							
in the same of	·	,	* •				A Marie Com	in the second	1974	Carlos Andrews

-

MEKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning Real Estate Development

		DATE: Aug. 31,	, 2007					
	Itimore County, PDM TION: Mrs. Kristen Matt	# 906 W. Semi	RE: Case No.: 08-106-A # 906 W. Seminary Avenue MAI:Job No.: SP-020 ery Perlow					
(Y) \/\o	are submitting	() We are returning	() We are forwarding					
() Here		() Under separate cover						
No.	·	Description						
1	Certificate Of Posting							
2	Photos							
<u> </u>	<u> </u>							
		· · · · · · · · · · · · · · · · · · ·						
	<u> </u>	- 						
\		<u> </u>						
<u> </u>	<u> </u>							
(X) For	processing	() For your use () For	your review					
() Plea	ase call when ready	() Please return to this office	() In accordance with your request					
Remar	ks:							
For fur	ther information, please	contact the writer at this office.						
			uly yours,					
		McKee	& Associates, Inc. I An A. D. Gulick, Jr.					
cc: File		W man	RECEIVED					

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030

Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

SEP 4

2007

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits & Development Management 111 W. Chesapeake Avenue, Rm. 111 Towson, MD 21204

Attention: Mr. Jeffrey Perlow / Mrs. Kristen Matthews

RE:Case Number: 08-106-A

SEE

ATTACH PHOTOGRAPH

SIGN POSTED ON

PROPERTY

Petitioner/Developer: Lawson I. Kilburn

Date of Hearing/Closing: Monday, Sept. 17, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were

posted conspicuously on the property located at # 906 W. Seminary Avenue

The sign(s) were posted on

Aug. 31, 2007

(Month, Day, Year)

(Signature of Sign Poster)

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.

5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

Date: Aug. 31, 2007

MAI Job No: SP-020

CASE # : 08-106-A

TO PERMIT A PROPOSED ADDITION WITH A SITE YARD
SETBACK OF 5 PEET IN LIEU OF THE MINIMUM REQUIRED TO FEET, AND A SUM OF SIDE YARD
SETBACKS OF 20 FEET IN LIEU OF THE MINIMUM
REQUIRED 25 FEET.

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

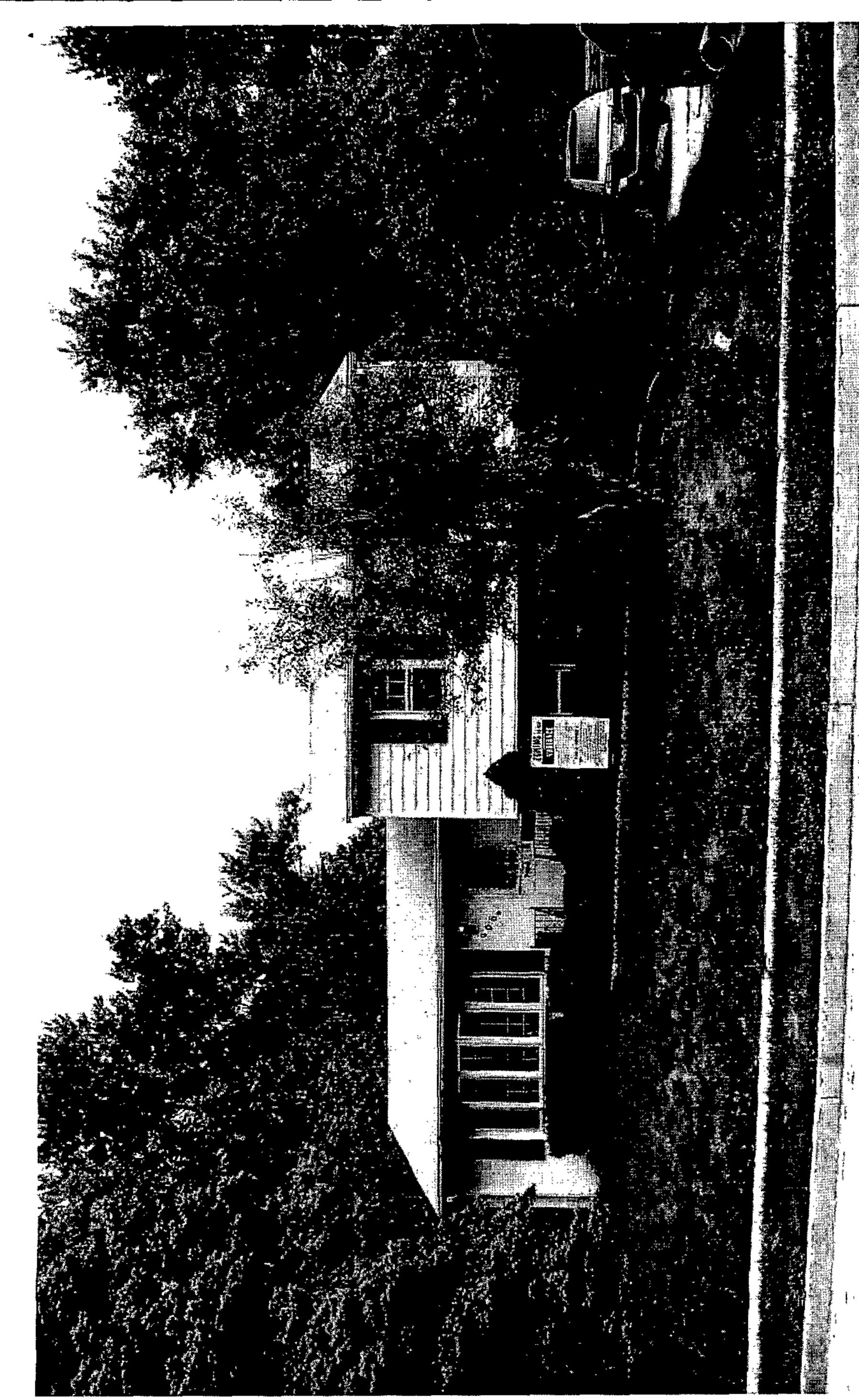
REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS

RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

5:00 P.M. ON SEPT. 4, 17, 2007

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT HANAGEMENT, COUNTY OFFICE BUILDING, 111-WEST CHESAPEAKE AVE., TOWSON, ND 21204, (410) 887-3391 DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW MANDICAPPED. ACCESSIBLE



00.01.2007.10.00



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 13, 2007

Lawson Kilburn 906 W. Seminary Avenue Lutherville, Maryland 21093

Dear Mr. Kilburn:

RE: Case Number: 08-106-A, 906 W. Seminary Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 24, 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

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 21, 2007

IECEIVE SEP 2 1 2007

BY:____

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-106- 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 Nkechi Hislop in the Office of Planning at 410-887-3480.

Reviewed By:

CM/LL



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

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

Maryland Department of Transportation

Date: 5EPT. 9, 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.8-106-A

906 W. SEMINARY AVE

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.

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: September 17, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 17, 2007

Item Nos. 08-069, 082, 105, 106, 107, 108, 109, 111, 113, 114, 115, 117, 118, 119, 120,

122 and 123

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- 09172007.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 21, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning.

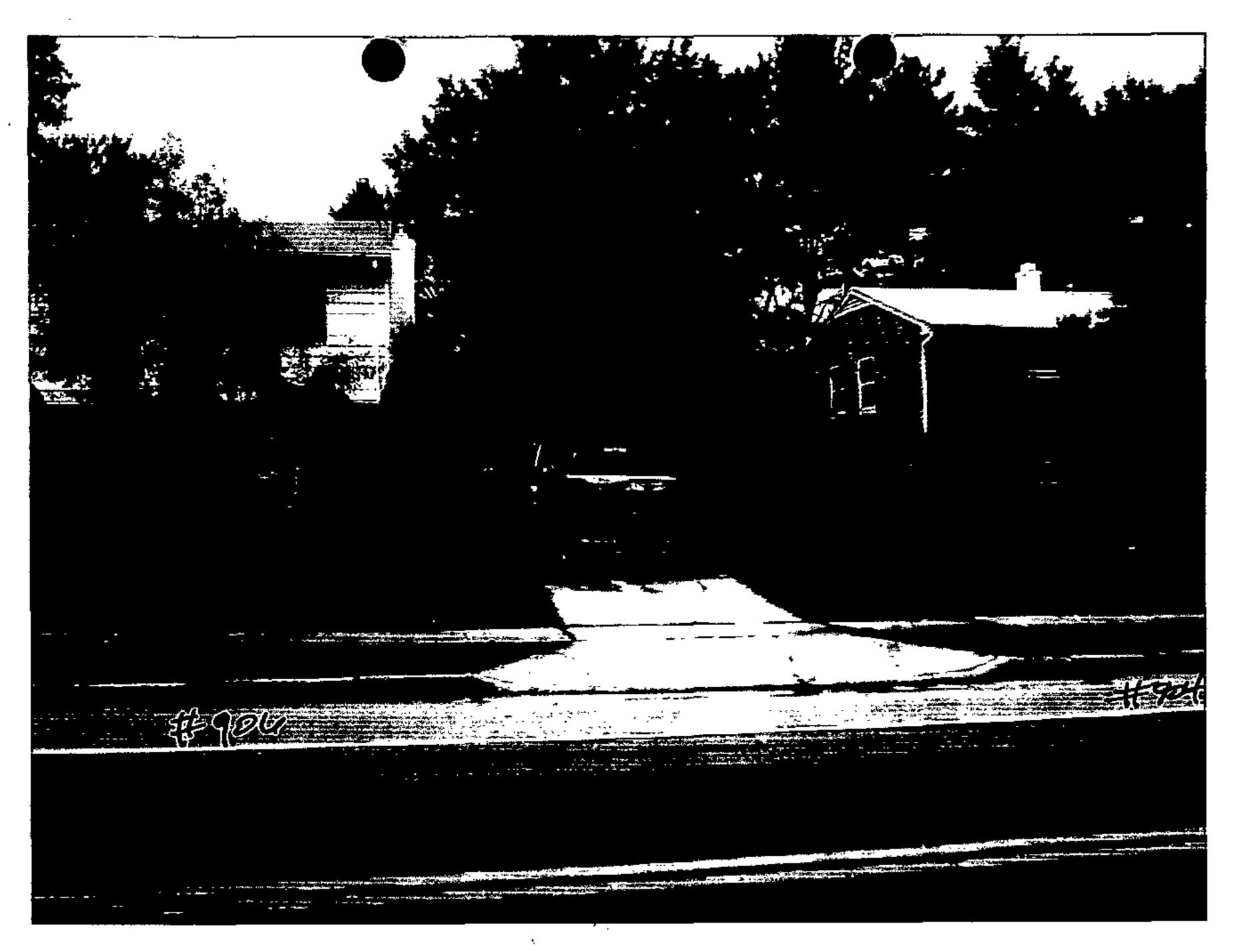
SUBJECT: Zoning Advisory Petition(s): Case(s) 08-106- Administrative Variance

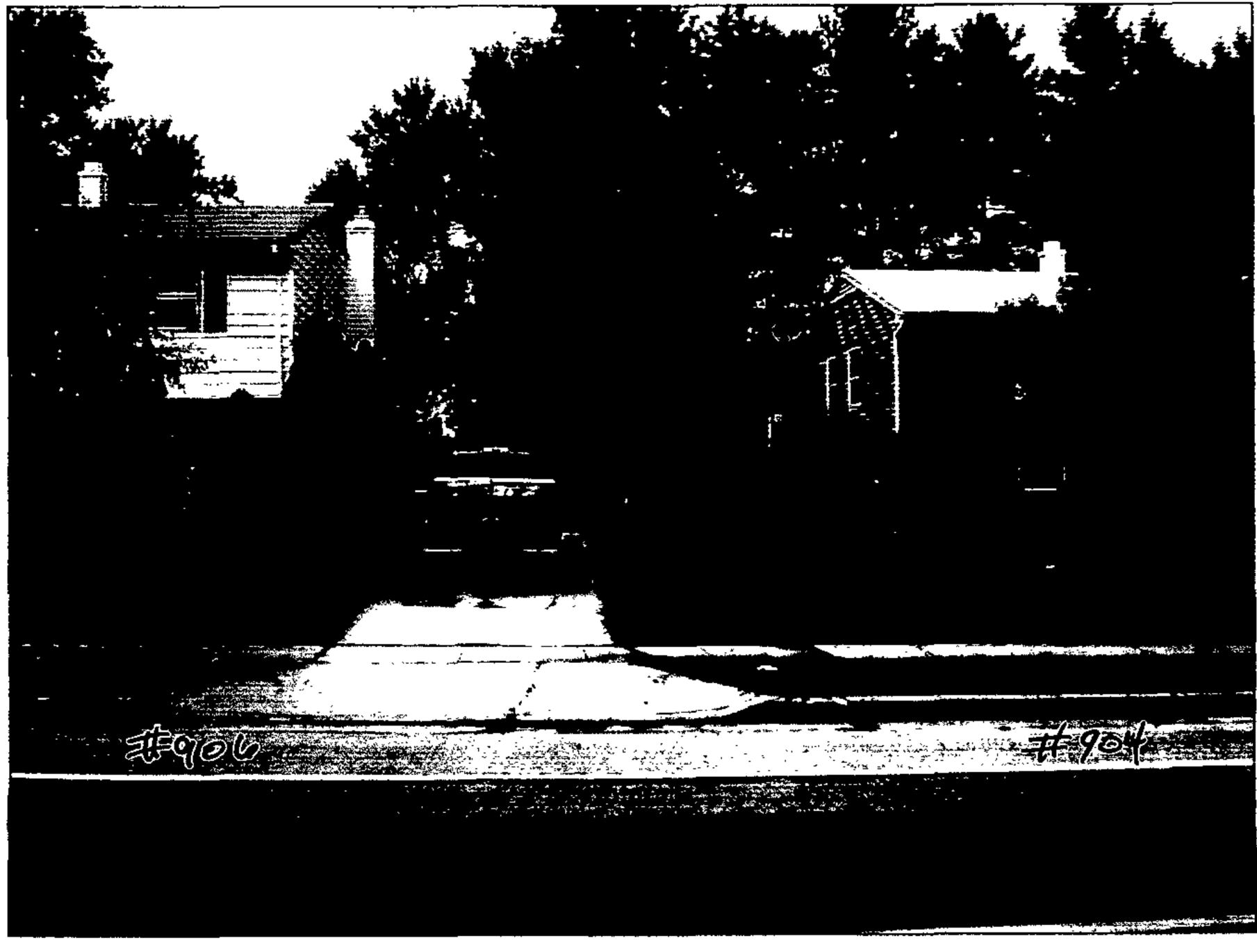
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Nkechi Hislop in the Office of Planning at 410-887-3480.

Reviewed By

CM/LL





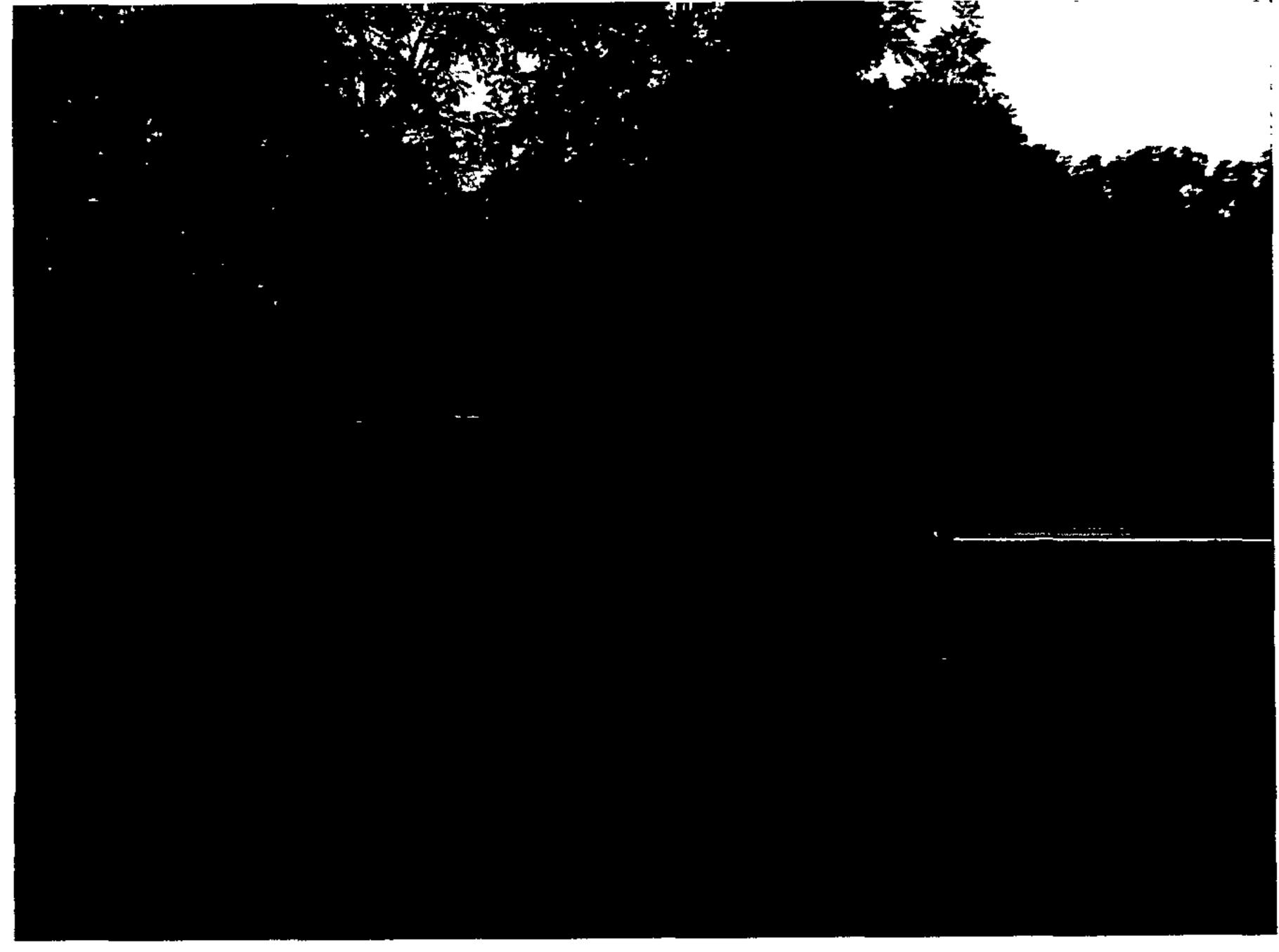
O8-106-A





DB-106-A





Houses in my neighborhood that have garage additions:

- 1.902 Jamieson (Picture)
- 2.906 Jamieson (Picture)
- 3.908 Jamieson (Picture)
- 4.911 Jamieson (Picture)
- 5. 1014 Jamieson
- 6. 1015 Jamieson
- 7. 1019 Adcock
- 8. 1017 Adcock
- 9. 1023 Adcock
- 10.1027 Adcock
- 11.1035 Adcock





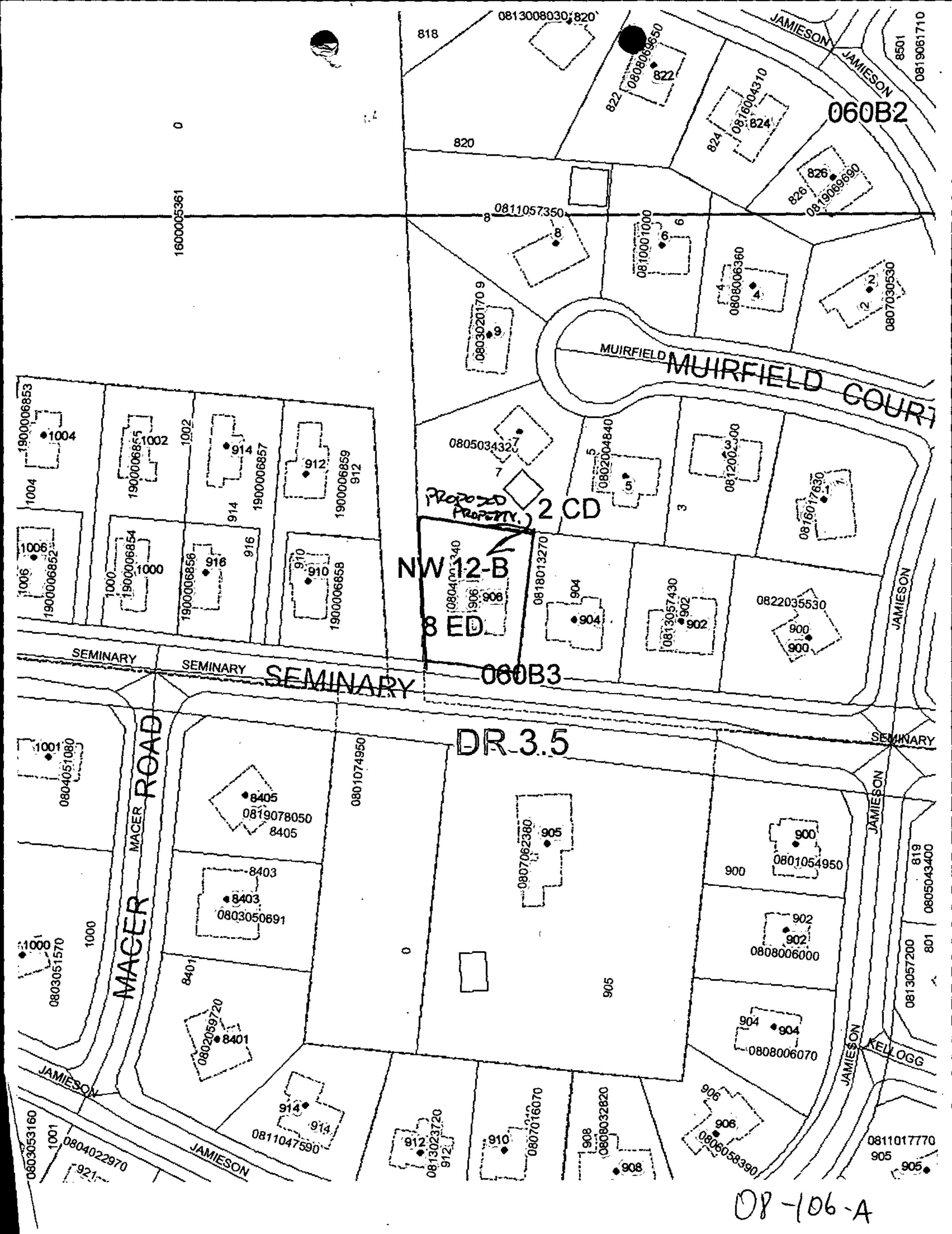
906

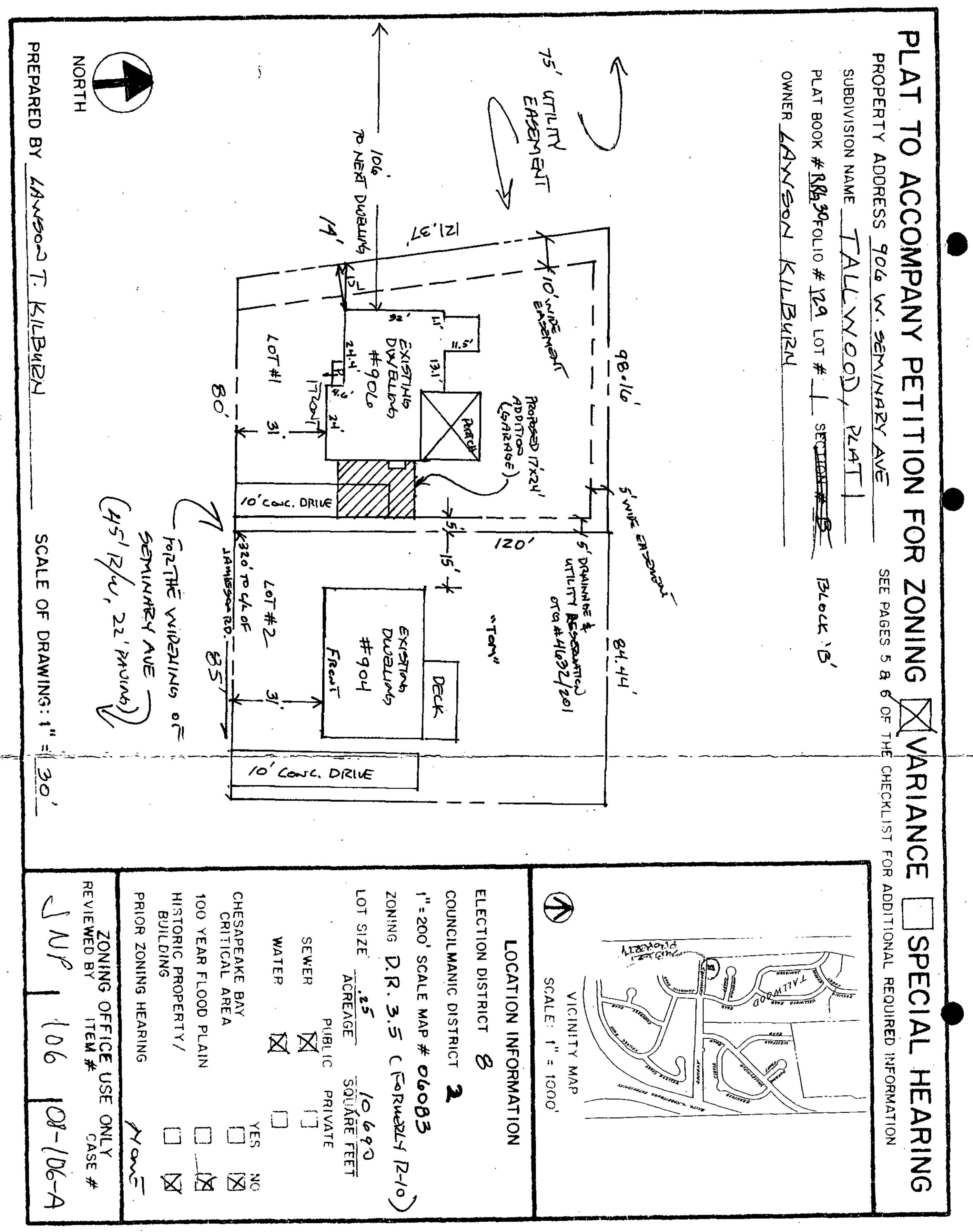
08-106-4





08-106-A





,5'11

121.37

PLAT BOOK # 1889 30FOLIO # 129

SUBDIVISION NAME

LAW SO

OWNER

TO ACCOMPA

PLAT

206

ADDRESS

PROPERTY

PREPARED BY LAWSON T. KILBY

NORTH

SCALE OF DRAWING: 1" = 1 30

ZONING OFFICE USE O REVIEWED BY ITEM #


DO N P (06 | 0

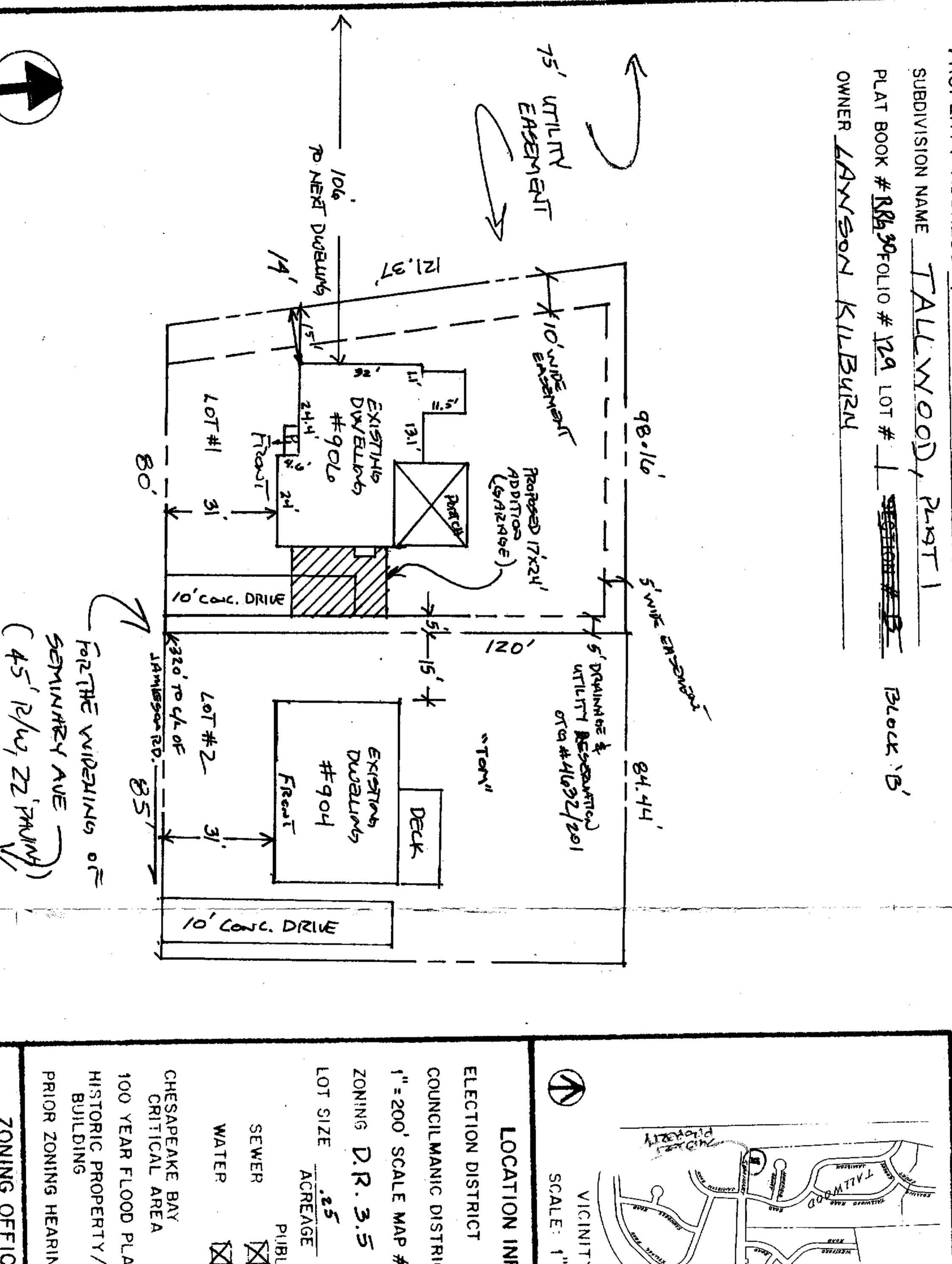
S

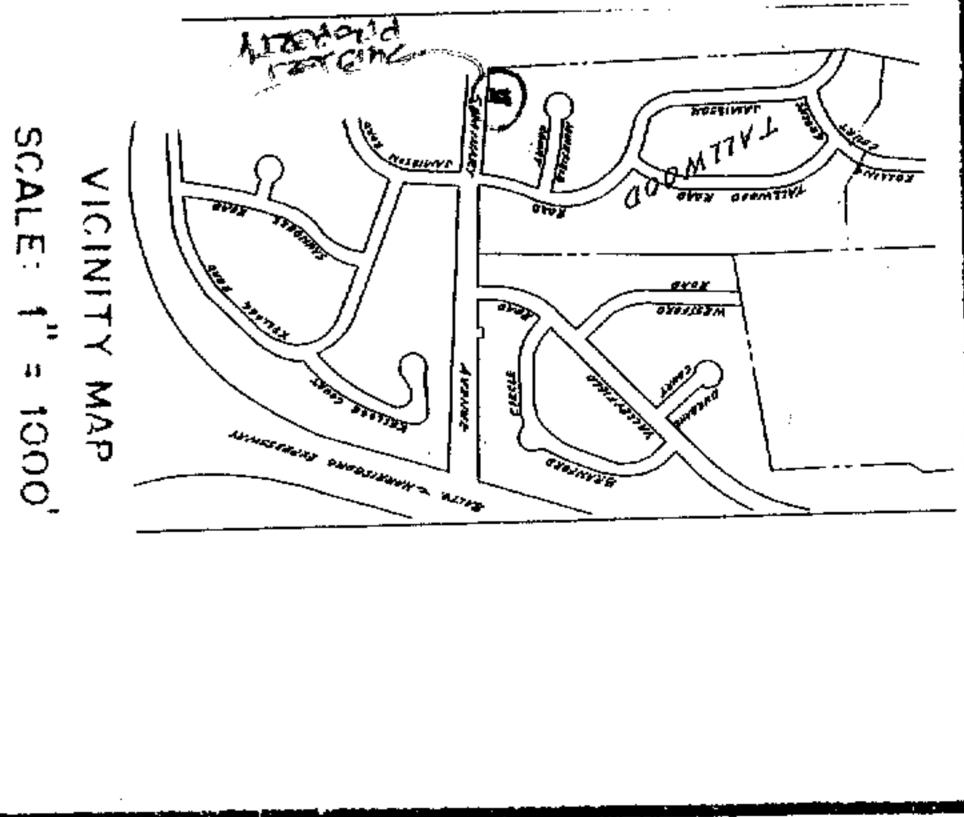
HEARING

ZONING

PRIOR







LOCATION INFORMATION

 ω

COUNCILMANIC DISTRICT

SNING SCALE MAP # D.R. 3.5 (Farmery) 060B3

ACREAGE SQUÁRE PRIVATE FEET

 \boxtimes $\stackrel{\circ}{\sim}$

PLAIN

ONLY

ZONING HEARING

OFFICE

USE