IN RE: PETITION FOR ADMIN. VARIANCE

N side of Galena Road, 75 feet W of the c/l of Cranford Road

15<sup>th</sup> Election District

7<sup>th</sup> Councilmanic District

(1413 Galena Road)

Dorothy Napfel Petitioner BEFORE THE

**DEPUTY ZONING** 

COMMISSIONER

\* FOR BALTIMORE COUNTY

\* CASE NO. 08-109-A

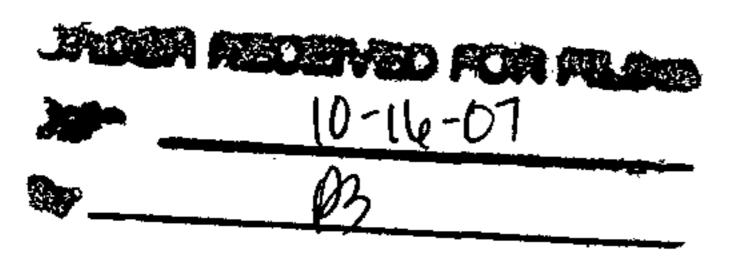
## FINDINGS OF FACT AND CONCLUSIONS OF LAW

\*

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Dorothy Napfel for property located at 1413 Galena Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (patio room) on the side of an existing dwelling with a side setback of 3 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No.

1. The Petitioner wishes to construct a 10 foot x 20 foot sunroom. The lot is 50 feet wide and the house width is 24.5 which leaves only 12.6 feet to the east property line and 13 feet on the west property line. The east side of the house is the only place the sunroom can be constructed. There is a deck at this location with a door leading into the home. The sunroom cannot go in the rear of the house because the bedrooms and a basement stairway are located there. The sunroom will allow the family to have additional living space.

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 Department of Environmental Protection and Resource Management dated October 16, 2007. The comments indicate that the property must comply with the Chesapeake Bay Critical Area Regulations. The site is within the Limited Development Area of the CBCA, and a minimum of



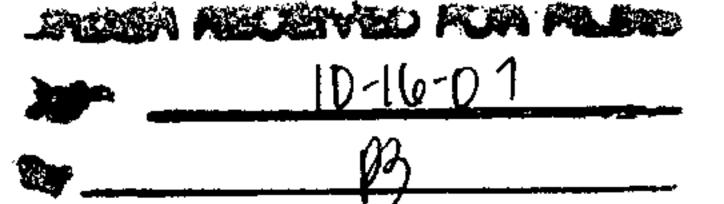
three deciduous trees are required on-site, and additional trees may be required for mitigation. Impervious surfaces are limited to a maximum of 31.25% of the lot area. It appears that the maximum impervious surface area may have historically been exceeded. If so, the construction of the addition must be over existing impervious, or would require removal of impervious surfaces.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 9, 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.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (patio room) on the side of an existing dwelling with a side setback of 3 feet in lieu of the required 10 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.
- 2. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections, of the Baltimore County Code).
- 3. The site is within the Limited Development Area of the CBCA. A minimum of three deciduous trees are required on-site and additional trees may be required for mitigation. Impervious surfaces are limited to a maximum of 31.25% of the lot area. It appears that the maximum impervious surface area may have historically been exceeded. If so, the construction of the addition must be over existing impervious, or would require removal of impervious surfaces.

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

October 16, 2007

DOROTHY NAPFEL 1413 GALENA ROAD BALTIMORE MD 21221

Re: Petition for Administrative Variance

Case No. 08-109-A

Property: 1413 Galena Road

Dear Ms. Napfel:

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

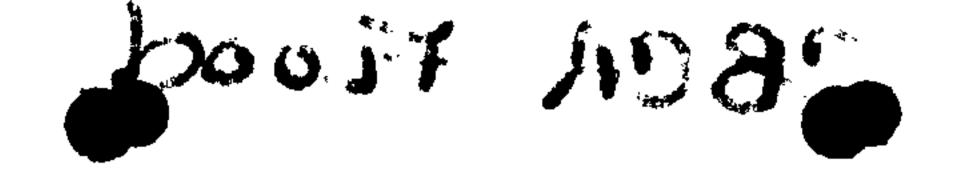
Enclosure

c: Scott Bathurst, 1585 Sulphur Spring, Baltimore MD 21227



# CBCA FLOOL Petition for Administrative Variance

		ang Commissioner		
for	the property	located at 1413	Galena Rd	D 5 5
		which is presently	Zoneu	AFC 3.3
This Petition shall be filed with the Departi owner(s) of the property situate in Baltimore C made a part hereof, hereby petition for a Varia	ounty and whic	h is described in the descript	on and plat atta	ndersigned, legal iched hereto and
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of the zoning regulations of Baltimore County, of this petition form.	to the zoning la	w of Baltimore County, for th	e reasons indic	ated on the back
Property is to be posted and advertised as pre- l, or we, agree to pay expenses of above Variance regulations and restrictions of Baltimore County ad	, advertising, pos	ting, etc. and further agree to a	nd are to be bour	nded by the zoning
		I/We do solemnly declare a perjury, that I/we are the legist is the subject of this Petition	al owner(s) of the	
Contract Purchaser/Lessee:	•	Legal Owner(s):		
<u> </u>	<del></del> :· .	Dorothy Napf	el	
Name - Type or Print	, ·	Name - Type or Print	.//	7
Signature	<del></del>	Signature Signature	affec	
ang. com co				•
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City	Zip Code	Signature		
Attorney For Petitioner:		1413 Galena Rd Address		10) 391-4108 Telephone No.
Varne - Type or Print	<del></del>	Baltimore	. MD State	21221 Zip Code
		Representative to be	Contacted:	** <u>*</u>
Signature	<del>,</del>	-		
Сотрапу		Scott Bathurst		
The state of the s		1585 Sulphur Spr	ing (4)	10)242-5970
Address	lephone No.	Address		Telephone No.
City	Zip Code	Baltimore City	MD State	21227 . Zip Code
A Public Hearing having been formally demanded and this day of that the regulations of Baltimore County and that the property be re-	subject matter of the	required, it is ordered by the Zon us petition be set for a public hearing	ing Commissioner og, advertised, as r	of Baltimore County, equired by the zoning
g to the state of	್ರಿಕ್ ಕ್ರಾಂಡ್	Zoning Commission	er of Baltimore Cou	nty
CASE NO. 08-109-A	Rev	iewed By A. TSUI	Date <u>\$8/2</u>	9/0700
REV 10/25/01	Eŝti	mated Posting Date $\frac{9/6}{2}$	7/09=19	1/24/07=



# 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	1413 Galena	Rd.	
	Address		03003
	Baltimore	MD	
That based upon personal knowledge, the folk variance at the above address (indicate hardshifted would like to build a sunroom side of our home. Our problem is 50ft wide and with a house the with only leaves us with 12.6ft to the line, and 13ft. On the west. The only place we can have a sunroom existing deck here. And a door leaves in the deck here are bedrooms and a state to the basement we cannot cover. Would help us with more space and deck it will give us protection and insects. We would like to say parents and the sunroom would be children. Therefore we are asking of 3ft, in lieu of the required to the following fee and may be required to provide	owing are the facts up in or practical difficulty (10'x20) on the our lot is only idth of 24.5 this east property east side is the there is an eading into our ar of the house tairway leading. This sunroom i unlike an open from the weather year for the great for the great for the for a variance loft.	on which I/we base the require	
1) - 1 h / 1			
Signature	Sign	nature	
Dorthy Napfel			
Name - Type or Print	Nar	ne - Type or Print	
Hattie - Type of Chick			
STATE OF MARYLAND, COUNTY OF BALTI  HEREBY CERTIFY, this 2 day of 2 of Maryland, in and for the County aforesaid, pe	MORE, to wit:	, <u>20ბ</u> ე, before me, გ	Notary Public of the State
the Affiant(s) herein, personally known or satisf	factorily identified to n	ne as such Affiant(s).	
June			
AS WITNESS my hand and Notarial Seal			
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	Klatan Dut	olic McCoz	<del>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</del>
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	My Commi	ission Expires/ d-//_//	0.8

# Zoning Description for 1413 Galena Rd.

Beginning at a point on the north side of Galena Rd. which is 50 ft. R/w wide at the distance of 75 ft. West of the centerline of the nearest improved intersecting street Cranford Rd. which is 50 ft. R/w. \*Being lot #255, Grid# 23 Map# 97, Parcel 287, in the subdivision of Hyde park as recorded in the Baltimore county Plat Book #9, Folio #59, containing 10,000 SF. Also known as 1413 Galena Rd. and located in the 15<sup>th</sup> election district, 7<sup>th</sup> Councilmanic District.

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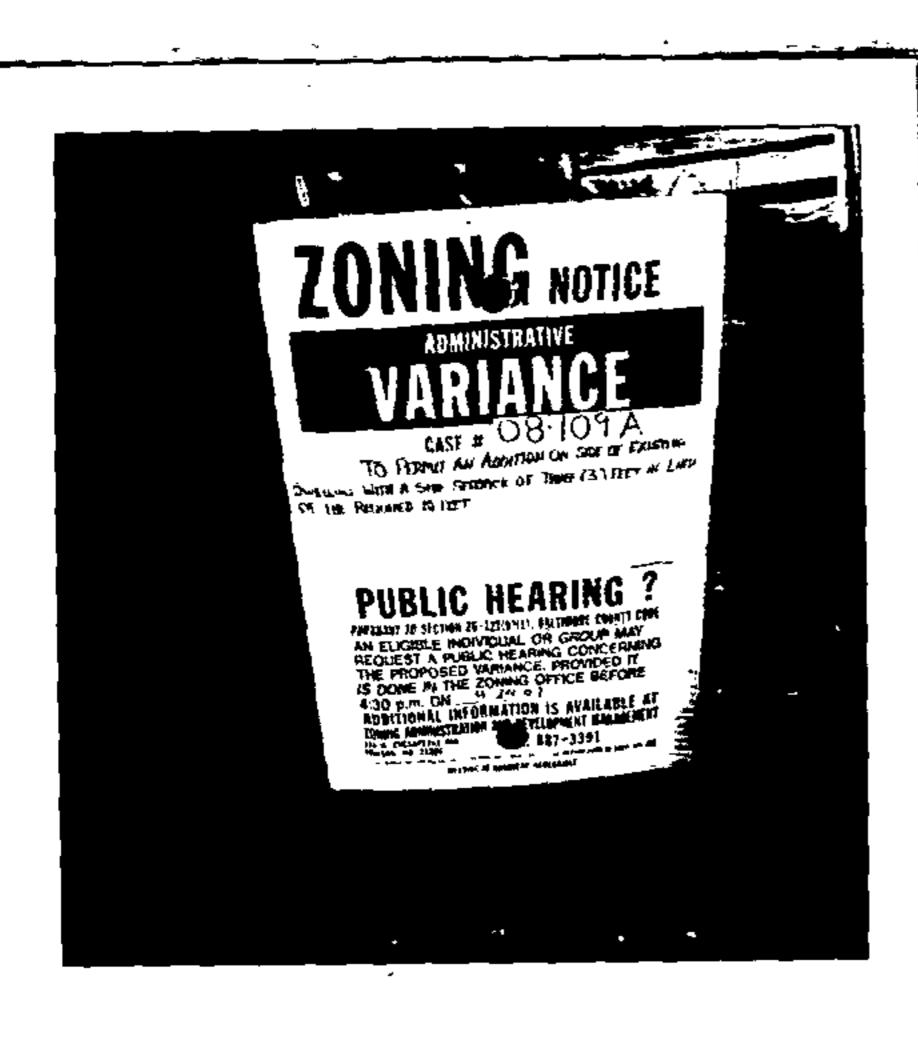
# CERTIFICATE OF POSTING

RE: Case No.: 08-109-A

Petitioner/Developer: DOROTHY Date of Hearing/Closing: 2-24-07 This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were PALENA (Month, Day, Year) Sincerely, (Signature of Sign Poster) **SSG Robert Black** (Print Name) 1508 Lestie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**Baltimore County Department of** 

County Office Building, Room 111

72.7

The sign(s) were posted on

111 West Chesapeake Avenue

Towson, Maryland 21204

Ladies and Gentlemen:

Permits and Development Management

ATTN: Kristen Matthews {(410) 887-3394}

posted conspicuously on the property located at:



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 24, 2007

Dorothy Napfel 1413 Galena Road Baltimore, MD 21221

Dear Ms. Napfel:

RE: Case Number: 08-109-A, 1413 Galena 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 29, 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. Call Rillal &

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

**Enclosures** 

c: People's Counsel Scott Bathurst 1585 Sulphur Spring Baltimore 21227

# INTER-OFFICE CORRESPONDENCE

**DATE:** September 21, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-109- 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

### Inter-Office Correspondence



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Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination wull

DATE:

October 16, 2007

SUBJECT:

Zoning Item # 08-109-A

Address

1413 Galena Road

(Napfel Property)

Zoning Advisory Committee Meeting of September 10, 2007

<u>X</u>		epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	<del></del>	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
		Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
	<u>X</u>	Development of this property must comply with the Chesapeake Bay

Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and

#### Additional Comments:

The site is within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA). A minimum of three native, deciduous trees are required on-site and additional trees may be required for mitigation. Impervious surfaces are limited to a maximum of 31.25% of the lot area. It appears that the maximum impervious surface area may have historically been exceeded. If so, the construction of the addition must be over existing impervious, or would require removal of impervious surfaces.

other Sections, of the Baltimore County Code).

#### 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



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

Maryland Department of Transportation

Date: SEPT. 10, 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. 8-109-A

1413 GALENA ROAD

NAPFEL 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. 8-109-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

## 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

DECEIVED

BY:\_\_\_\_

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-109- 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

### Patricia Zook - Case 08-109-A

From:

Patricia Zook

To:

Livingston, Jeffrey

Date:

10/10/2007 9:15:08 AM

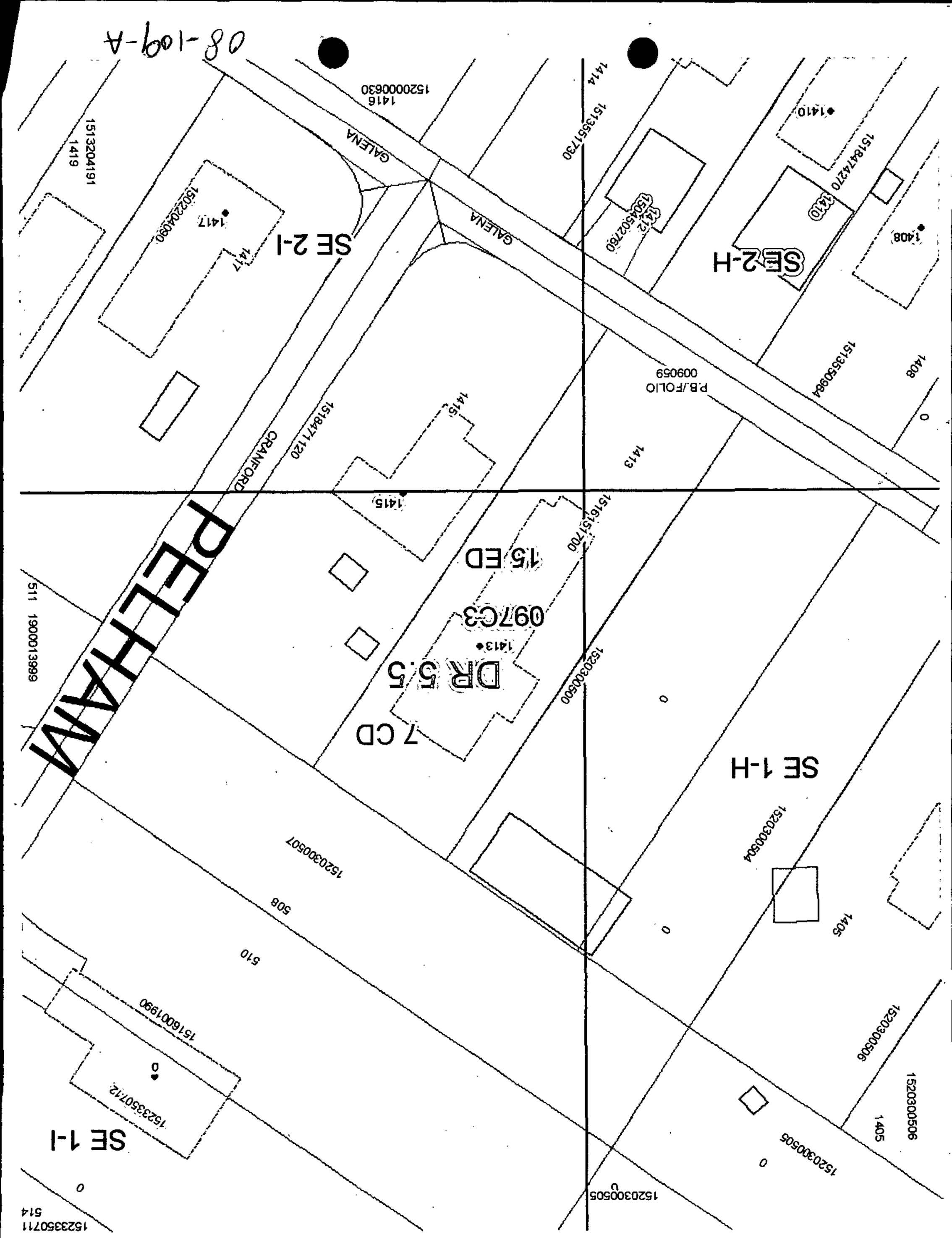
Subject: Case 08-109-A

Hi Jeff -

We need DEPRM for the above administrative variance case that closed 9-24-07.

Thanks for your help!

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





8 08-109 A



Front view of 1413 Gelena Rd.



Side veiw of 1415 Galena Rd.



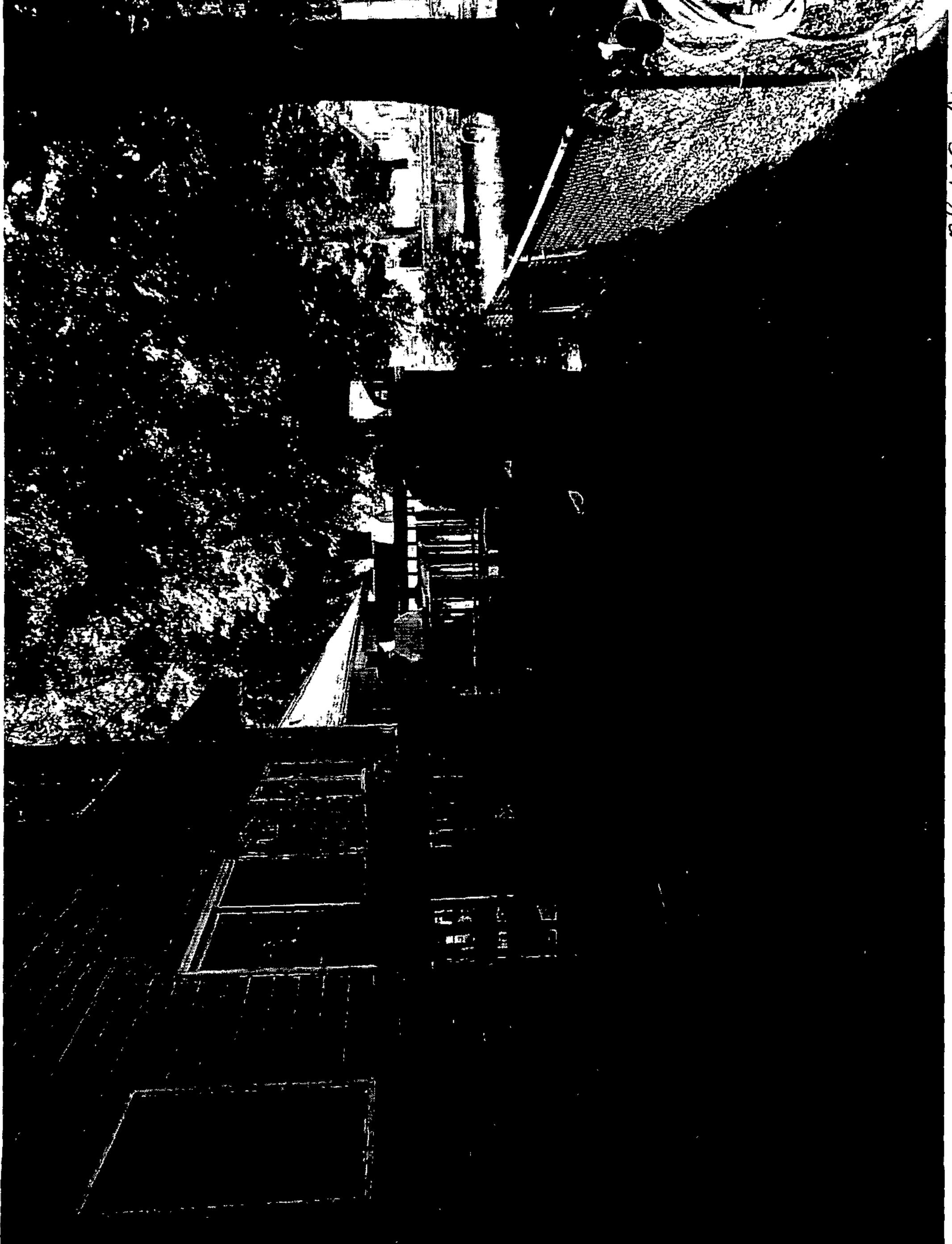
View of yard adjacent to proposed Patio Room.



view of 1405 Gelena Rd.



Location of proposed patio room on the side of house.



H-601-80





Click here for a plain text ADA compliant screen.



#### Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map New Search Ground Rent

Account Identifier: District - 15 Account Number - 1516151700

**Owner Information** 

**Owner Name:** 

NAPFEL DOROTHY M

Use:

RESIDENTIAL

Principal Residence: YES.

Mailing Address: 1413 GALENA RD

**BALTIMORE MD 21221-6007** 

Deed Reference:

255

1) / 9860/ 736

2)

Location & Structure Information

**Premises Address** 

Legal Description

1413 GALENA RD

50 N CRAWFORD RD

Assessment Area Plat No:

Plat Ref:

9/ 59

HYDE PARK

97 23 287 Town

Special Tax Areas

Ad Valorem

Tax Class

Map Grld Parcel Sub District Subdivision Section Block Lot

**Primary Structure Built Enclosed Area Property Land Area** County Use 2,400 SF 10,000.00 SF 1939 04 Stories Exterior **Basement** Type YES 1 1/2 STANDARD UNIT SIDING

**Value Information** 

Value Phase-in Assessments Base As Of As Of Value · As Of

01/01/2006 07/01/2006 07/01/2007

32,500 Land: 50,500 104,310 172,710 Improvements:

Total: 165,610 194,410 136,810 223,210 **Preferential Land:** 

**Transfer Information** 

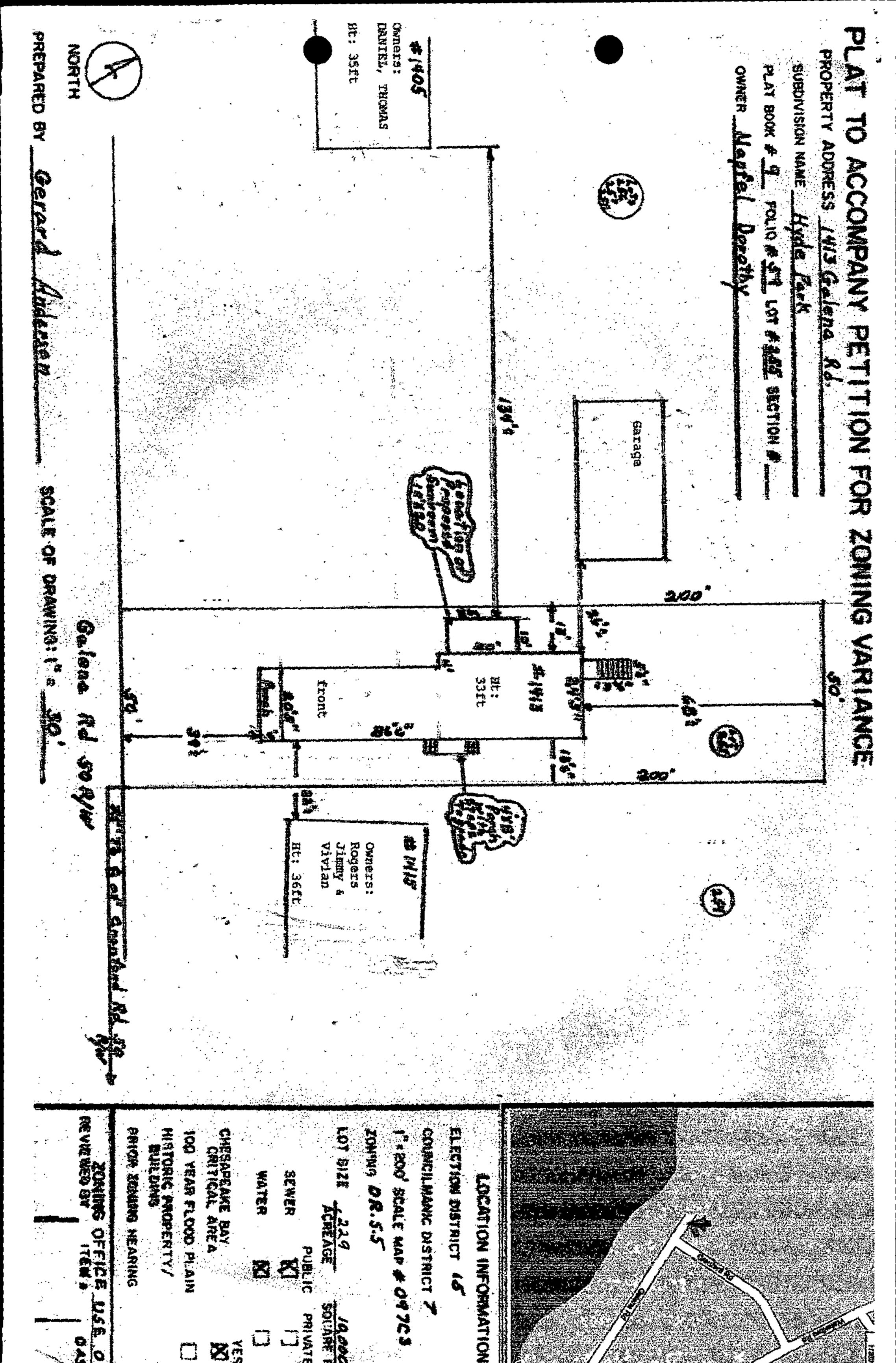
Seller: BLACK JUDITH 06/30/1993 Price: \$0 Date: Deed2: **Deed1:** / 9860/ 736 Type: NOT ARMS-LENGTH Seller: FUNDERBURK JUDY 09/11/1989 Price: \$0 Date:

Type: NOT ARMS-LENGTH Deed2: **Deed1:** / 8269/ 602 Seller: Price: Date: Deed2: Type: Deed1:

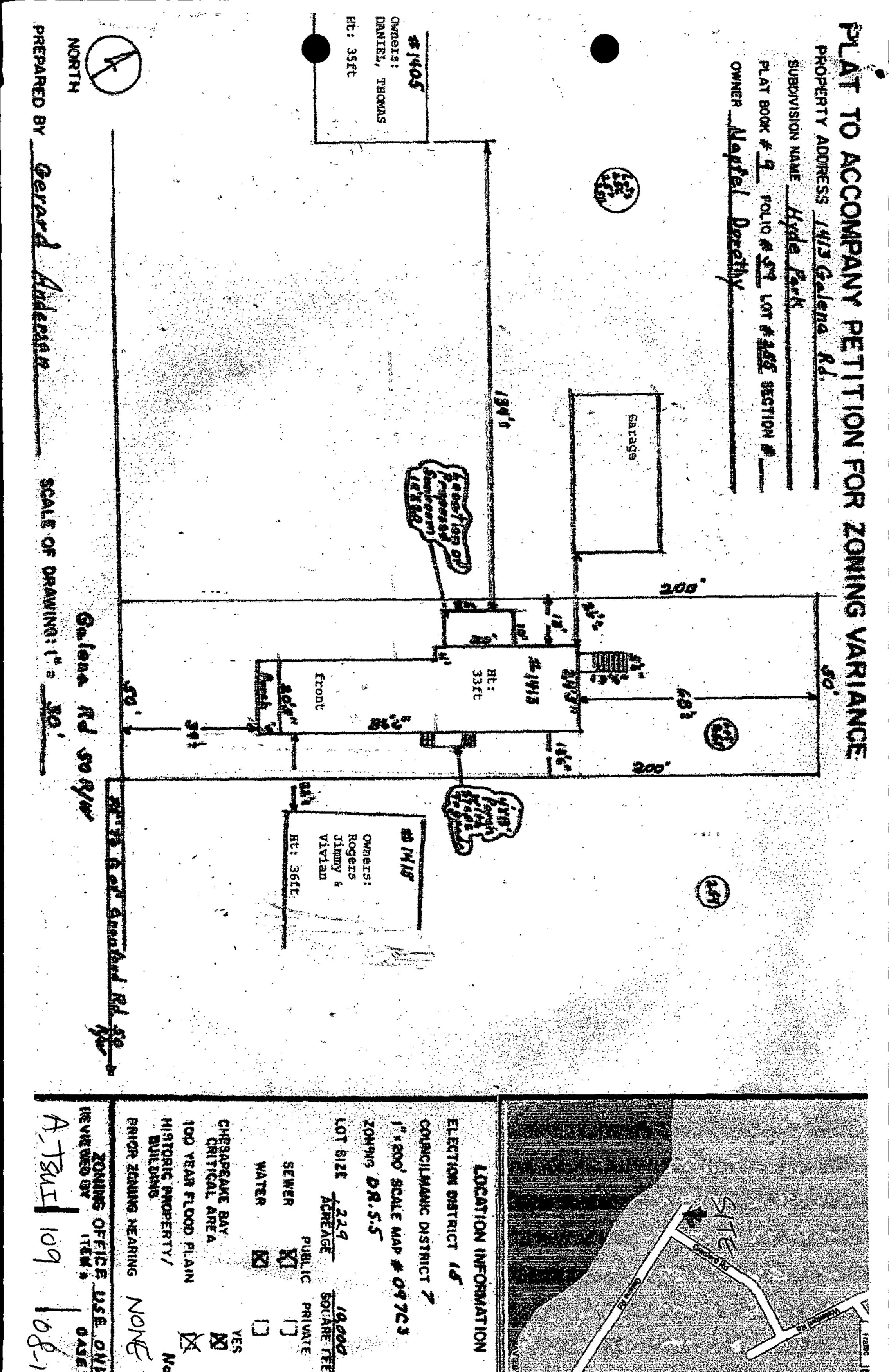
**Exemption Information** 

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

Case Number	r 08-	109	-A	Address_	1413	GALENA	RD
Contact Pers	on: _		Please Print Your I	SUI Name	· · · · · · · · · · · · · · · · · · ·	Phone Number	: 410-887-3391
Filing Date:	08	129/200			9/9/07	Closing D	ate: $\frac{9/24/0}{}$
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Case Numbe	r 08-[	109 -A	Addre	ess <u>14</u>	13 GAL	ENA ROA	<u>D</u>
Petitioner's N	ame _	DOROT	HY NAP	-			391-4108
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