IN RE: PETITION FOR ADMIN. VARIANCE

S side of Colonial Road, 490 feet W of c/l of Plymouth Road

3rd Election District

2nd Councilmanic District

(4219 Colonial Road)

Elizabeth and William Sandison Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 08-133-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, Elizabeth and William Sandison for property located at 4219 Colonial Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1.5 feet for an addition in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners propose to construct a one story addition measuring 7 feet 7 inches wide x 24 feet long onto the left side of their home. The proposed addition will create an informal entrance to the home and contain a mudroom and a laundry area for the family. The Petitioners also plan to update the 1940s kitchen. The existing door on the left side of the home will be used to access the mudroom/laundry room. A rear location of the mudroom/laundry area would not work because it would block light from entering the kitchen and prevent the owners from viewing the children at play in the backyard. The Petitioners presented evidence of numerous similar additions in the neighborhood.

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.

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	10-16-07
	123

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 23, 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 October, 2007 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1.5 feet for an addition in lieu of the required 10 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.

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

THE 10-16-07



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

October 16, 2007

ELIZABETH AND WILLIAM SANDISON 4219 COLONIAL ROAD BALTIMORE MD 21208

> Re: Petition for Administrative Variance Case No. 08-133-A Property: 4219 Colonial Road

Dear Mr. and Mrs. Sandison:

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



Petition for Administrative Variance

to the Zoning Commissioner of 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

for the property located at	4219 Colonial Roma
	h is presently zoned & 5.5

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) 1802.3, C.1 & BCZR, To

PERMIT A SIDEYARD SETBACK OF 1.5 ft. FOR AND ADDITITION IN LIEU OF THE REQUIRED 10ft.

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.

.

is the subject of this Petition. <u>Legal Owner(s):</u> Contract Purchaser/Lessee: Type or Print Name - Type or Print Signature Signature Telephone No. Address Zip Code Signature State City Attorney For Petitioner: Telephone No Name - Type or Print Representative to be Contacted: Signature Name Company Telephone No. Address Telephone No. Address - Zip Code State Zip Code City State

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.

CASE NO. CASE NO. Reviewed By Date 9.74.07.

REV 10/25/01 Estimated Posting Date 9.23-07

Affida Vit in Support of Administrative Variance

That the Affiant(s) does/do presently reside at

REV 10/25/01

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.

•	A	Ballinore	Muzulus	
	C	ıty	State	Zip Code
That based upon personal Variance at the above addi	knowledge, the following ess (indicate hardship o	ng are the facts upon which practical difficulty):	ch I/we base the reques	t for an Administrative
		Albadros		
hat the Affiant(s) acknow deleterships the desired that the Affiant(s) acknowledge the deleterships the dele	edge(s) that if a formatequired to provide addition	al demand is filed, Affiar itional information.	nt(s) will be required to	pay a reposting and
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ignature /	VVVV	Signature		
Flizabeth &	Sandism	Name - Type o	Sam Sa Sa Sa Sa Print	udison
		·*		-
TATE OF MARYLAND, C		•		
HEREBY CERTIFY, this / Maryland, in and for the C	3/4 day of SETE ounty aforesaid, person	mbt	27, before me, a Nota	ary Public of the State
ELIZABETH SAN	DISON & WIL	LIAM 5. SANDI	SON	
e Affiant(s) herein, person	ally known or satisfactor	rily identified to me as suc	h Affiant(s).	
S WITNESS my hand and	Notarial Spal			
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	-	Notary Public	E DO LA DOLLA	1 7219
EV 10/25/01		Antoinette A. Sog	ambeni /	7 0400

Notary Public

Battimore County, MD

My Commission Expires

February 10, 2009

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	Address Colonia Rom	·

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):

See Attachors

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.

Elizabeth Sandure Signature

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

of Maryland, in and for the County aforesaid, personally appeared

2007, before me, a Notary Public of the State

EHZABTH SANDISON & WILLIAM 5 SANDISON

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

AS WITNESS my hand and Notarial Seal

Notary Public

FEBRUARY 10 200

REV 10/25/01



Antonette A. Sog inben

Notary Public
Ballmare County, MD
My Commission Explose
February 10, 2009



Petition for Administrative Variance

to the Zoning Commissioner of 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

for the property located at 4219 Colonial Rom-

is the subject of this Petition.

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) 1802.3.6.1; BCZR, to

Fermit a stoleyard setback of 1.5ft. for an addotton

in lieu of the regulated 10ft. 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.

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Name - Type or Print			Name - Type or Print	SUNISON	
Signature	······································		Signature	MACNINONS	
Address		Telephone No.	Name - Type or Print		······
City	State	Zip Code	Signature		1.64
Attorney For Petitic	ner:		Address		7/0 - 484-6. Telephone No.
Name - Type or Print				CE, MARULANI	Zip Code
Signature	<u> </u>		<u>Representative</u>	to be Contacted:	
Company			Name	we	
Address		Telephone No.	Address		Telephone No
City	State	Zip Code	City	State	Zip Code

regulations of Baltimore Cou	nty and that the property be re-	posted.		_
			-	:
		Zoning Commissioner of Baltim	ore County	` `
CASE NOE DE	-133-A	Reviewed By Date	9-14.07	1.
		Estimated Posting Date 9.2	3-07	
REV 10/25/G1	10-16-07	- And the second		
Sp. Art.	p z ₂ :			

ZONING DESCRIPTION

Zoning description for 4219 Colonial Road, Baltimore, MD 21208. Beginning at a point on the south side of Colonial Road which is 50 ft. wide at the distance of 490 ft. west of the centerline of the nearest improved intersecting street, Plymouth Road, which is 50 ft. wide. * Being Lot #111 in the subdivision of Colonial Village as recorded in Baltimore County Plat Book #12, Folio #66/67, containing 6,250 sq. ft. Also known as 4219 Colonial Road and located in the 3rd Election District, 2nd Councilmanic District.

PRACTICAL DIFFICULTY

A side Setback Zoning Variance request for 4219 Colonial Road, Baltimore, MD 21208 due to PRACTICAL DIFFICULTY.

SCOPE OF WORK: The proposed Scope of Work includes the construction of an addition on the left side of the house (7'-7" Wide X 24'-0" Deep) that will create a conditioned "informal" side entrance to the home. The proposed addition will contain a Mudroom (with cubbies and coat storage) and a first floor laundry area for the Family. As part of the same Scope of Work the Owner would like to update the Kitchen in the same general location.

PRACTICAL DIFFICULTY: Prior to filing for this Zoning Variance, other design alternatives were considered that would allow the new Mudroom/ Laundry to be located in the rear of the house and avoid the need for a Zoning Variance. It was determined that a scheme that utilized an addition to rear of the existing house would not be practical for the following reasons:

 Cost: As a cost efficiency, it is desired by the Owners to use the existing door and opening on the side for access to the Mudroom/ Laundry to avoid the need for new masonry openings in the brick and block wall construction. If a rear location is utilized the massive brick and block wall would need to be removed to allow access.

The Owners would also prefer to renovate the (original 1940's) Kitchen in the same general location to address budgetary needs, utilize the existing plumbing locations, and avoid relocating the electrical service to the house.

- 2. Light: A rear location of the Mudroom/ Laundry would block light from the exterior into the Kitchen at the sink location.
- 3. View/ Security: A rear location of the Mudroom/ Laundry would block the view from the Kitchen to the rear yard not allowing the Owners visual observation of their school age children, when the children are outside;

PRECEDENCE: There are a number of other properties within the Colonial Village Subdivision that have side yard additions. I have documented some of the homes with side yard additions with photos (attached). The addresses are as follows:

7101 Alden Road 7030 Deerfield Road 4107 Concord Road 4101 Lowell Drive 10 Mayflower Court 7019 Deerfield Road 7024 Deerfield Road 7012 Alden Road 4101 Priscilla Lane

Date: BS Rept Catg Total Sub Rev Source Rev PINK - AGENCY Orgn Sub Orgn OFFICE OF BUDGET BALTIMORE COUNT DISTRIBUTION From: WHITE Rec For:

CERTIFICATE OF POSTING

Petitioner/Developer: Date of Hearing/Closing: 10 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 _____ 4219 COLONIAL RD. The sign(s) were posted on ____ (Month, Day, Year) CASE # 08-133-A Sincerely, (Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLSTON, MO 21047 THE PROPOSED VANALUEE. PROVINED THE RESIDENT IS (City, State, Zip Code) (Telephone Number)

4219 COLONIAL RD. 1905TED 9/23/07 12266326 9/23/07

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 133 -A Address 4219 Estat GLONIAL Rd				
Contact Person: ———————————————————————————————————				
Filing Date: 9.14.07 Posting Date: 9.23.07 Closing Date: 10.8.07				
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.				
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. <u>DEADLINE:</u> 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 (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.				
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- 133 -A. Address 4219 CoLowiAL Rd.				
Petitioner's Name W. SANDISON Telephone 410-484-6198				
Posting Date: 9.23.07 Closing Date: 10.8.07 Nording for Sign: To Permit A SIDE YARD SETRACK OF 1.5 ft.				
FOR AN ADDITION IN LIEU OF THE REQUIRED 10+				
WCR - Revised 6/25/04				

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: 08-133-A
Petitioner: WILLIAM SANDISON
Address or Location: 4219 Colonial Rd. Balto-Md. 21208
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Address:
and.



JAMES T. SMITH, JR.

County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 5, 2007

Elizabeth Sandison William Sandison 4219 Colonial Road Baltimore, Maryland 21208

Dear Mr. and Mrs. Sandison:

RE: Case Number: 08-133-A, 4219 Colonial Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 14, 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 Richall D.

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: 5EPT, 26, 2007

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltim

Baltimore County
Item No. 8-133-A
4219 COLONIALROAD

SANDISON 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.8-133-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,

A Steven D. Foster, Chief Engineering Access Permits

Division

SDF/MB

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: October 12, 2007

DECEIVED OCT 1 5 2007

BY:

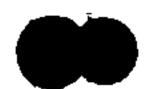
SUBJECT: Zoning Advisory Petition(s): Case(s) 08-133- Administrative Variance

The Office of Planning has reviewed architectural elevation drawings dated 9/10/07, prepared by Edifice and does not oppose the requested variance.

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

Reviewed By:

CM/LL





Patricia Zook - Re: Administrative Variance cases that closed 10-8-07

From:

Dennis Kennedy

To:

Zook, Patricia

Date:

10/11/2007 3:34 PM

Subject:

Re: Administrative Variance cases that closed 10-8-07

Patti:

The items that you are inquiring about are from two different agendas. Both were delivered to the zoning office in a timely fashion. In any event, we had no comment on any of the items you listed.

Dennis

>>> Patricia Zook 10/11/2007 2:32 PM >>> Hello Dennis-

Yesterday I received the case files for the administrative variances that closed October 8. However, all the files are missing comments from your office. I double checked with Kristen and she didn't have the comments.

Please review the attached descriptions and see if you have comments (or no comments).

Feel free to let me know via e-mail.

Thanks for your help, Dennis.

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



From: Curtis Murray Zook, Patricia

Date: 10/11/2007 2:40:59 PM Subject: Re: Case 08-133-A

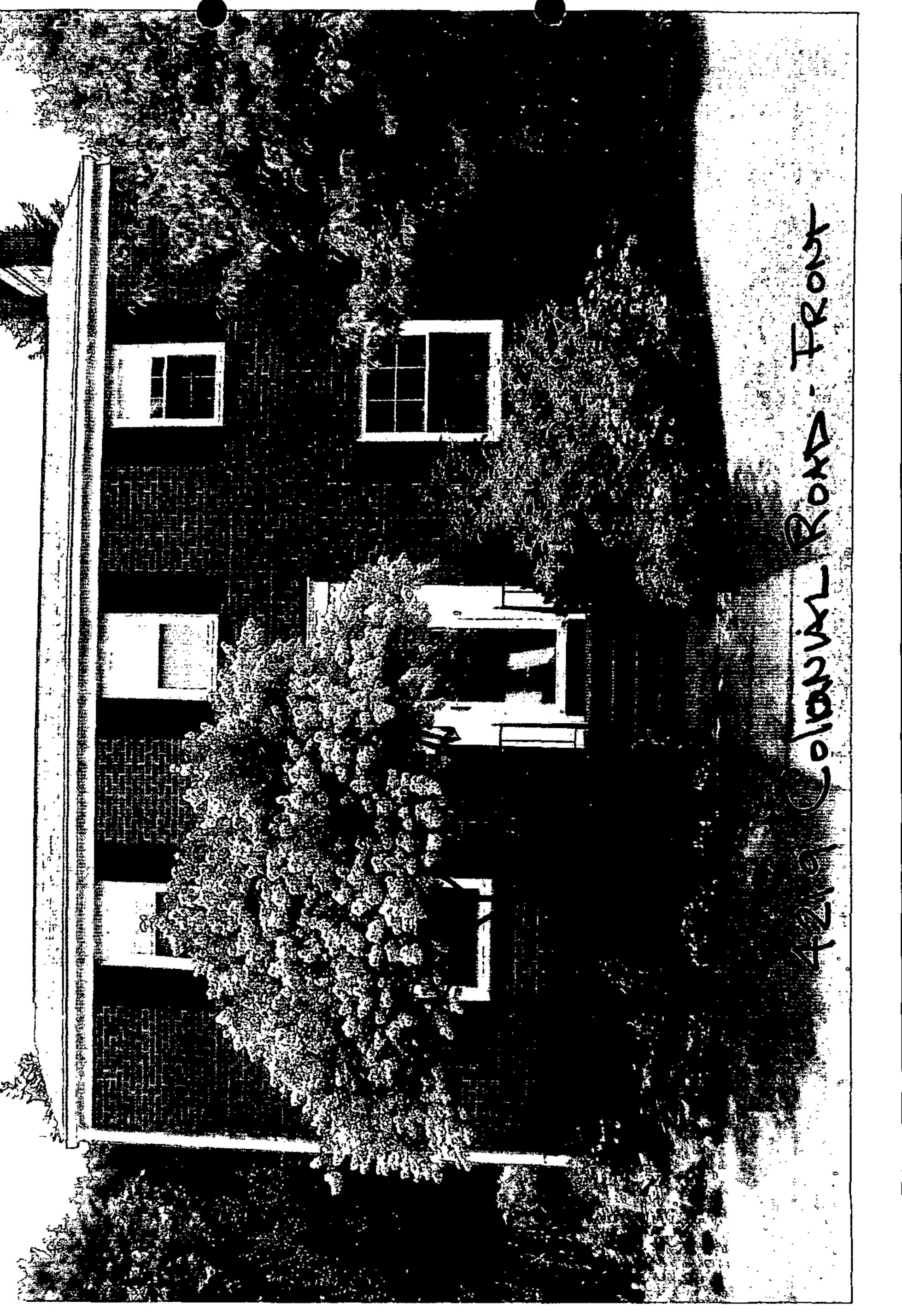
Ok Patti that is going to be a comment that says we do not oppose the petitioner's request provided it is consistent with elevation drawings dated 9/10/07, prepared by Edifice. I will get a signed one to you shortly!

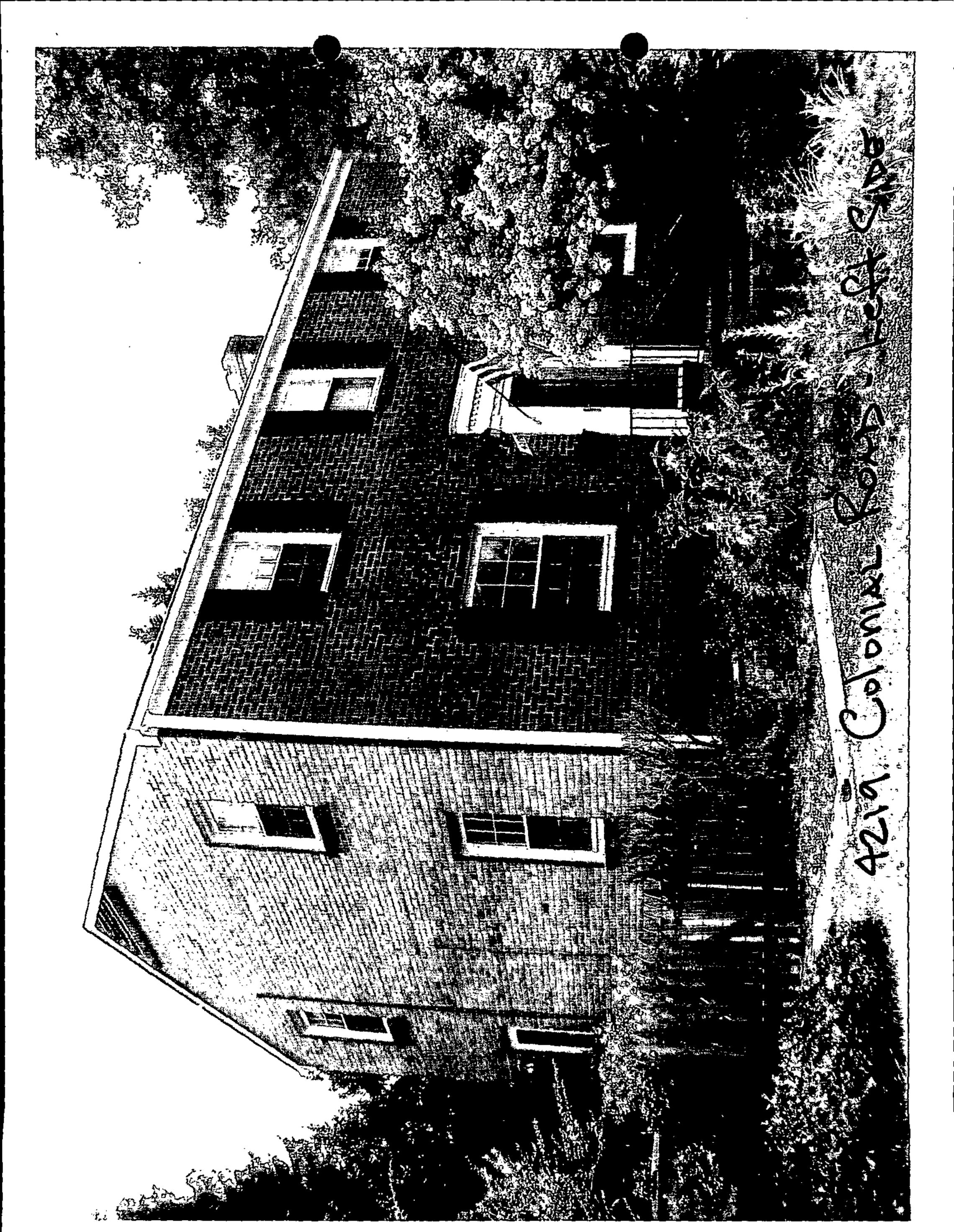
Curtis J. Murray
Development Planner
Baltimore County Office of Planning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
410-887-3480
Fax: 410-887-5862
cjmurray@co.ba.md.us

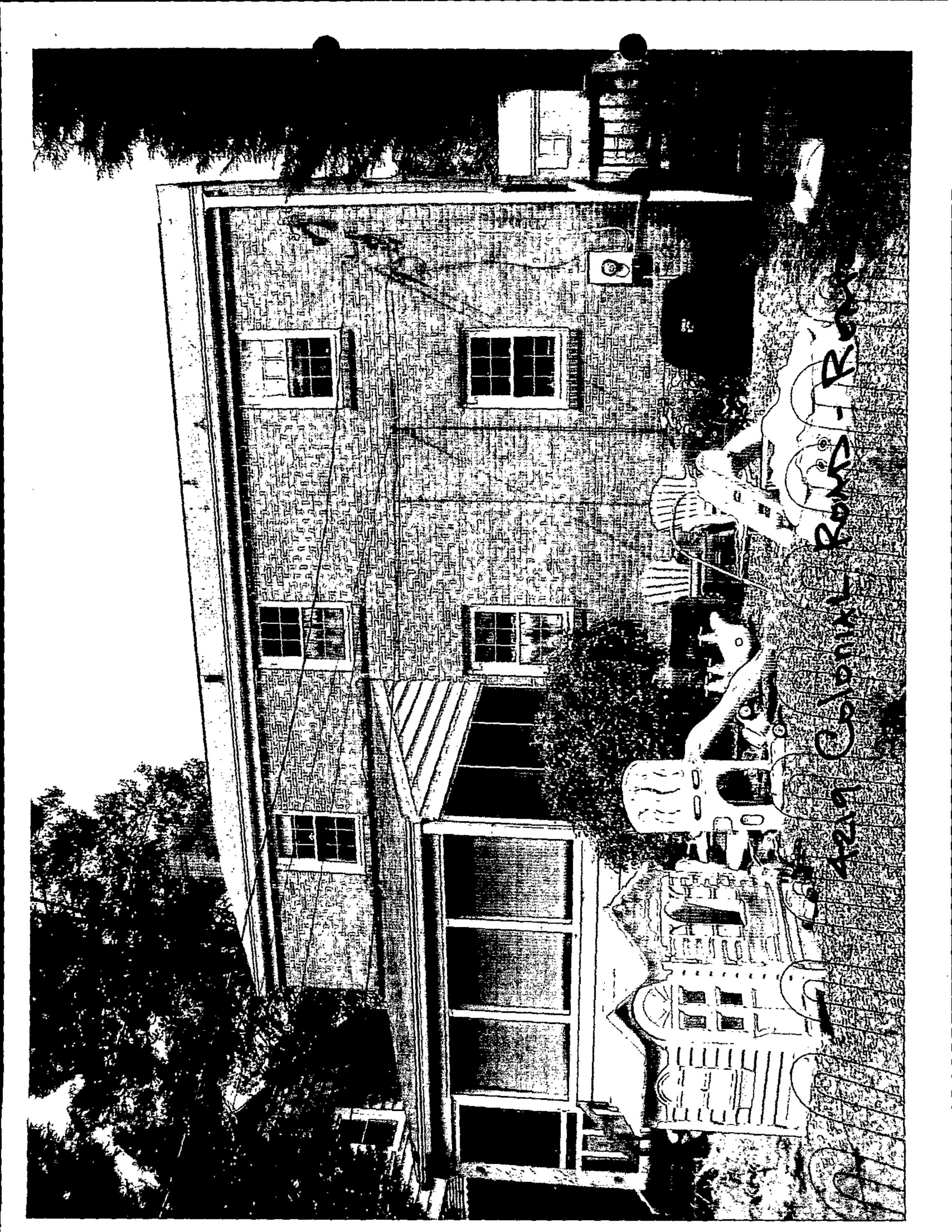
>>> Patricia Zook 10/11/07 2:38 PM >>> Curtis -

We need comments from Planning for this administrative variance case that closed 10-8-07.

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



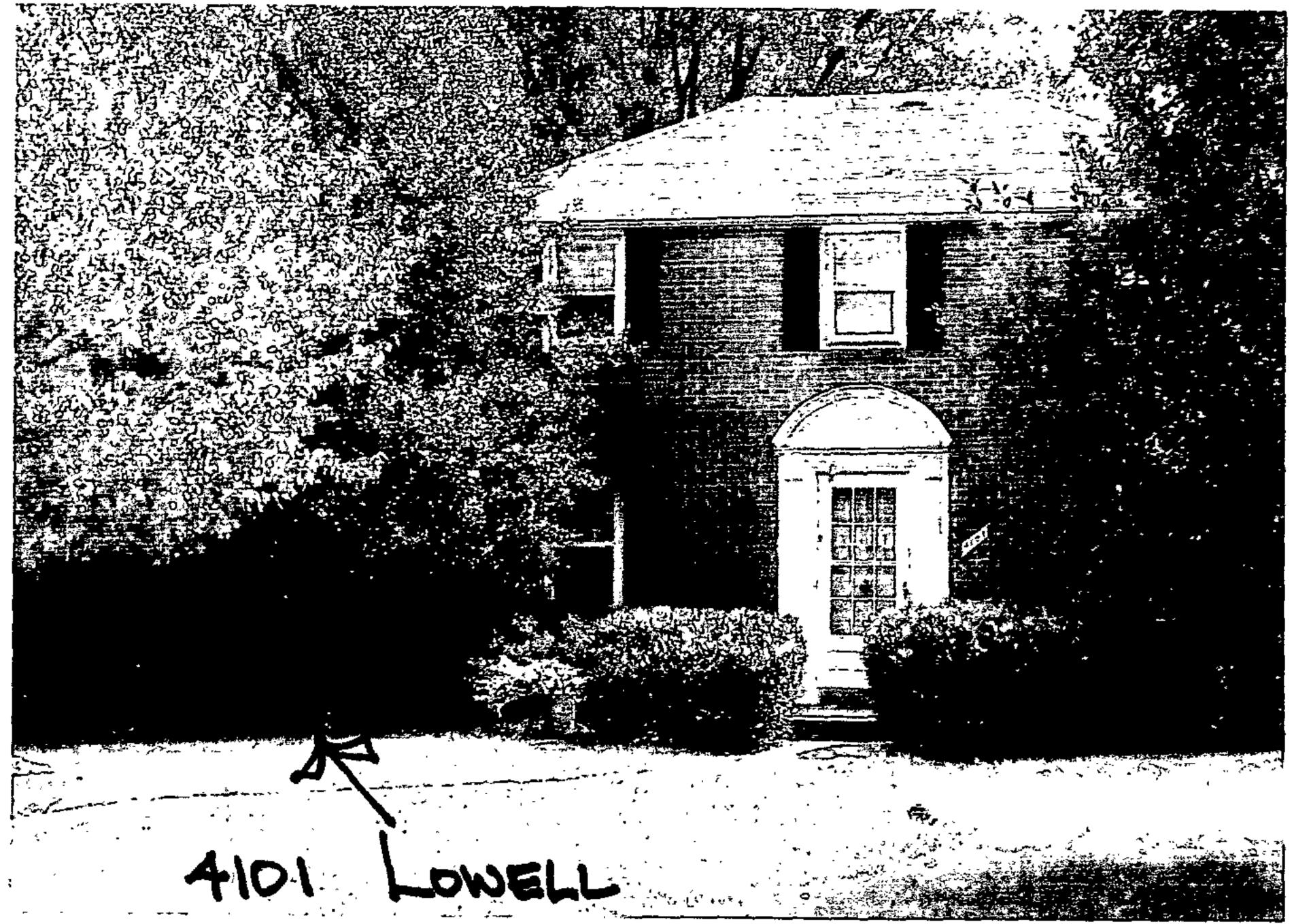


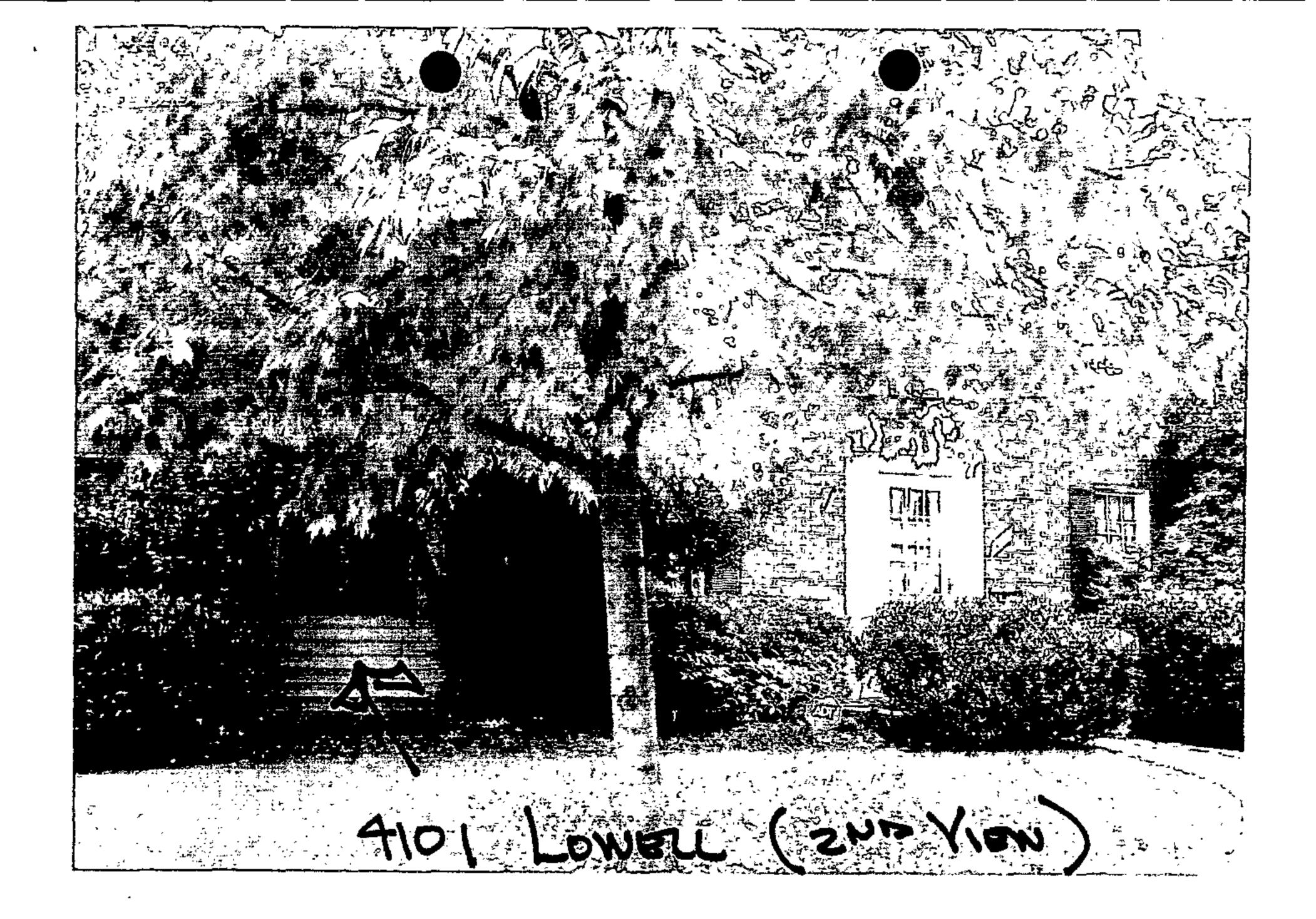


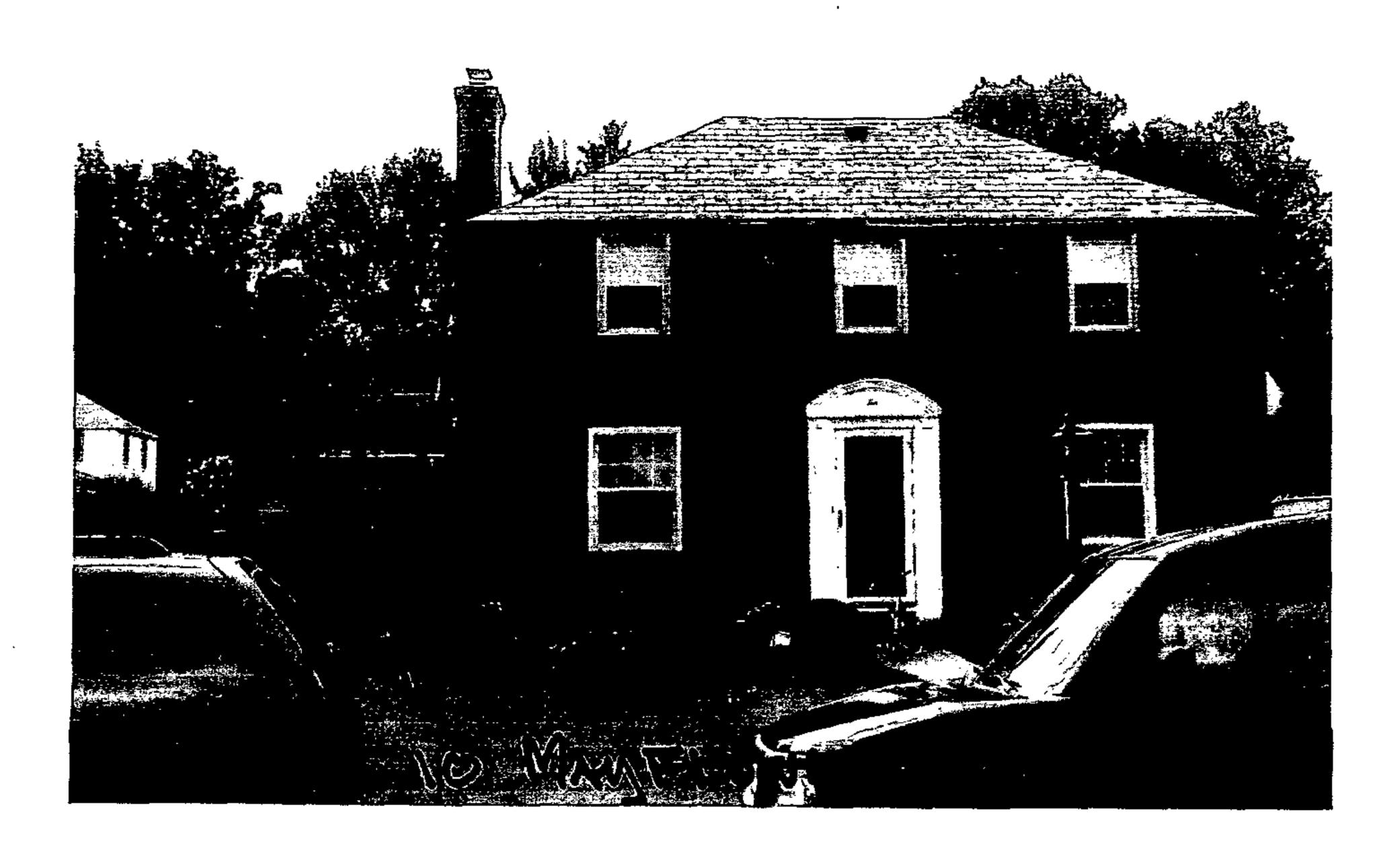






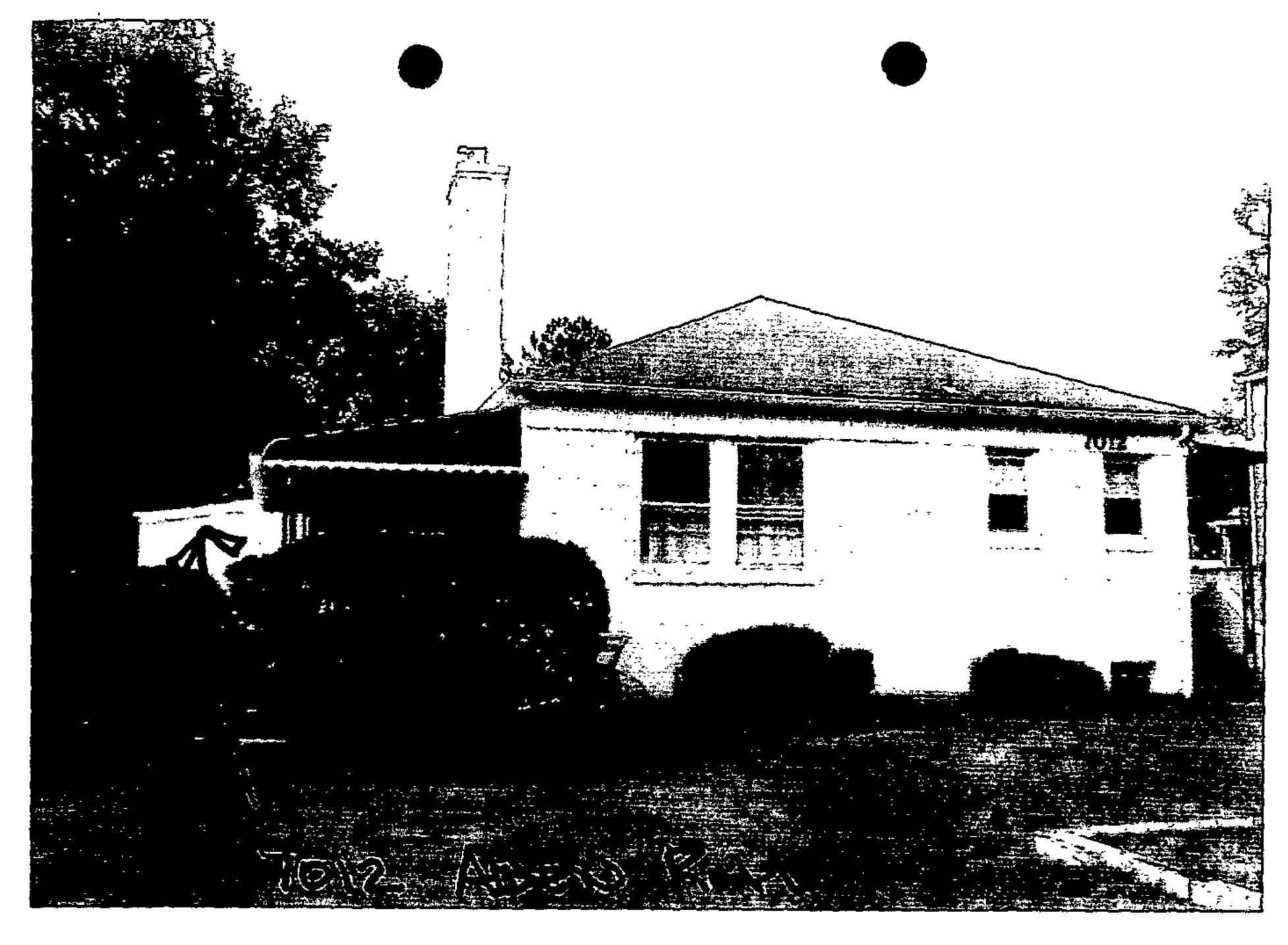


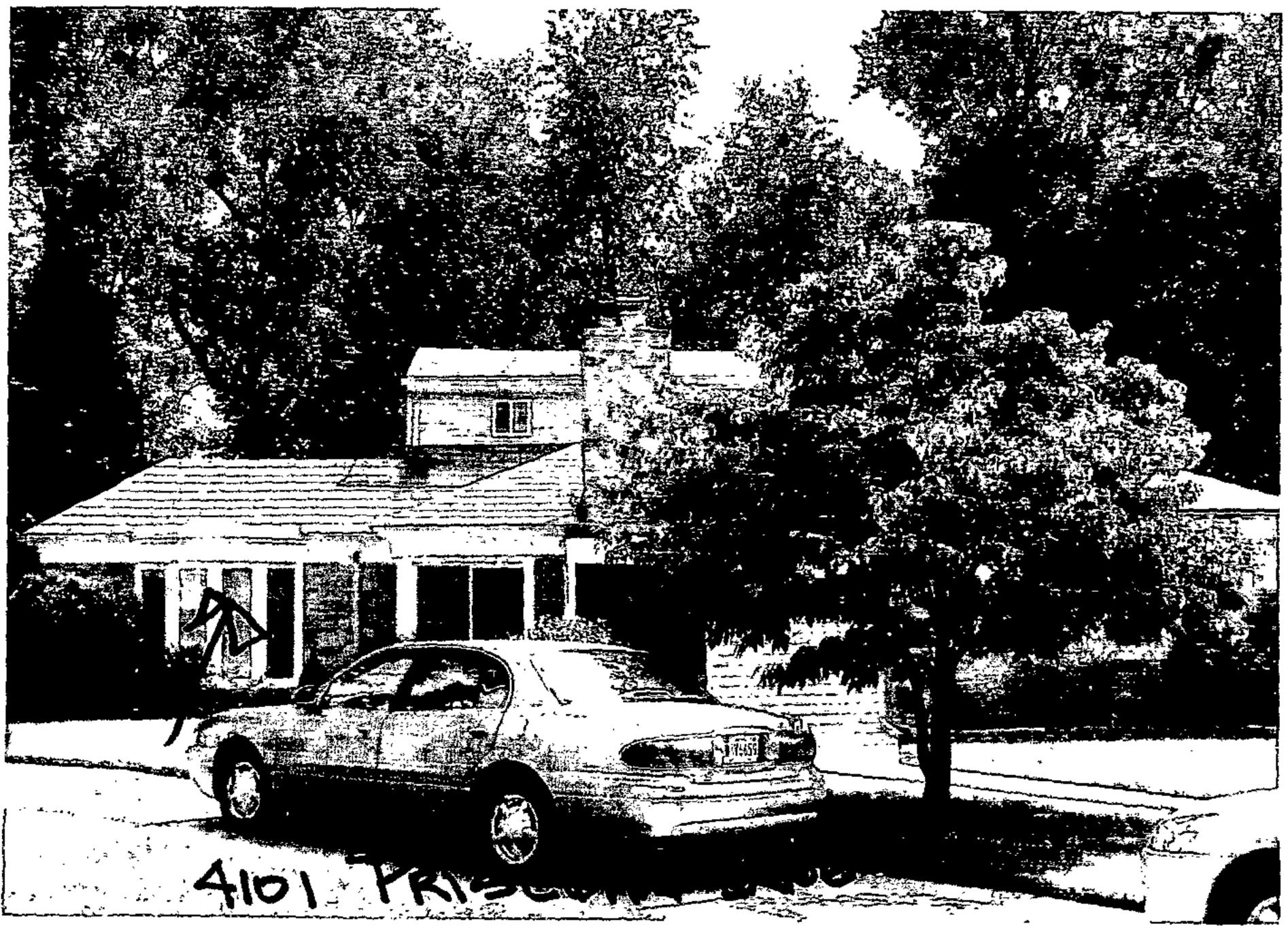


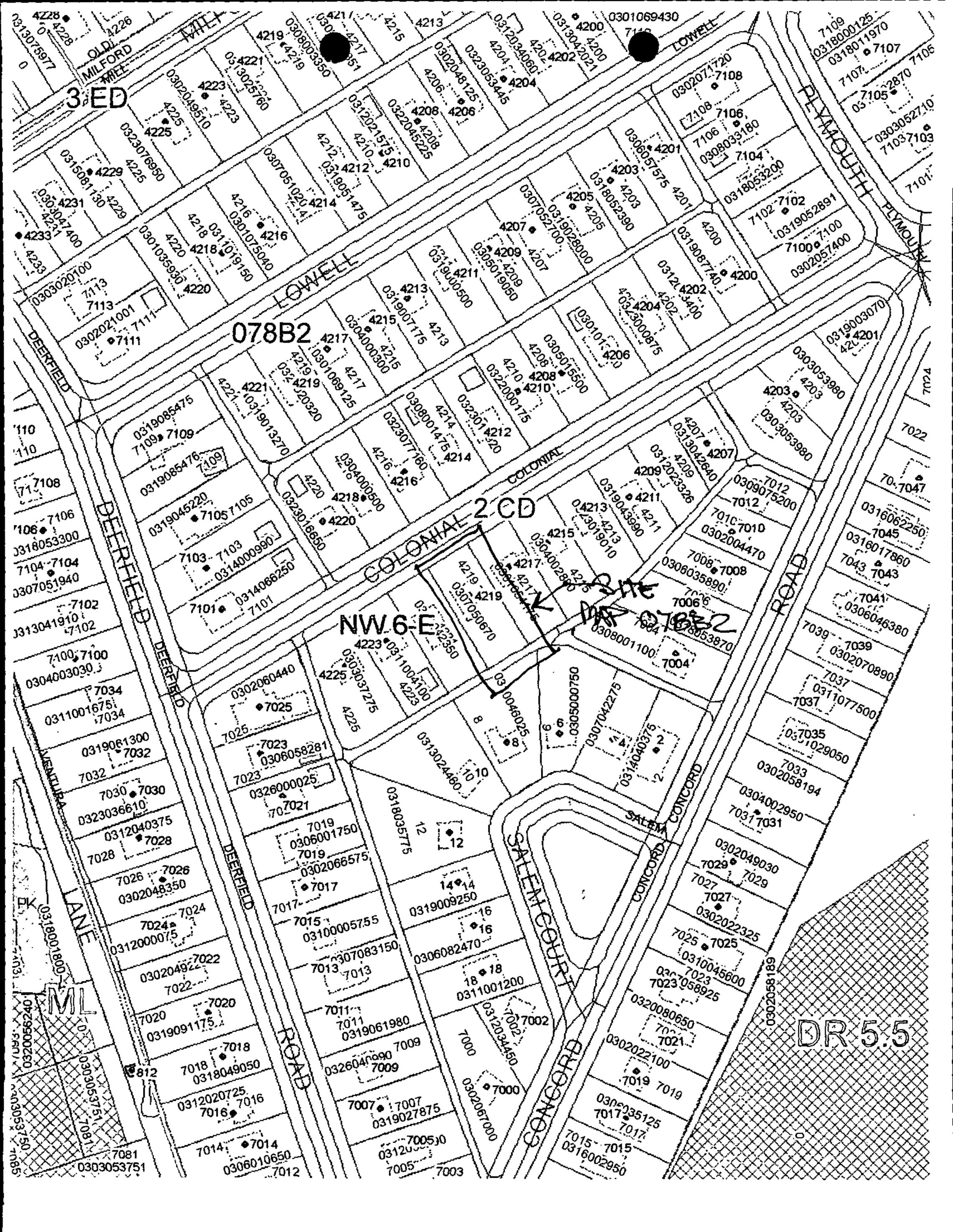


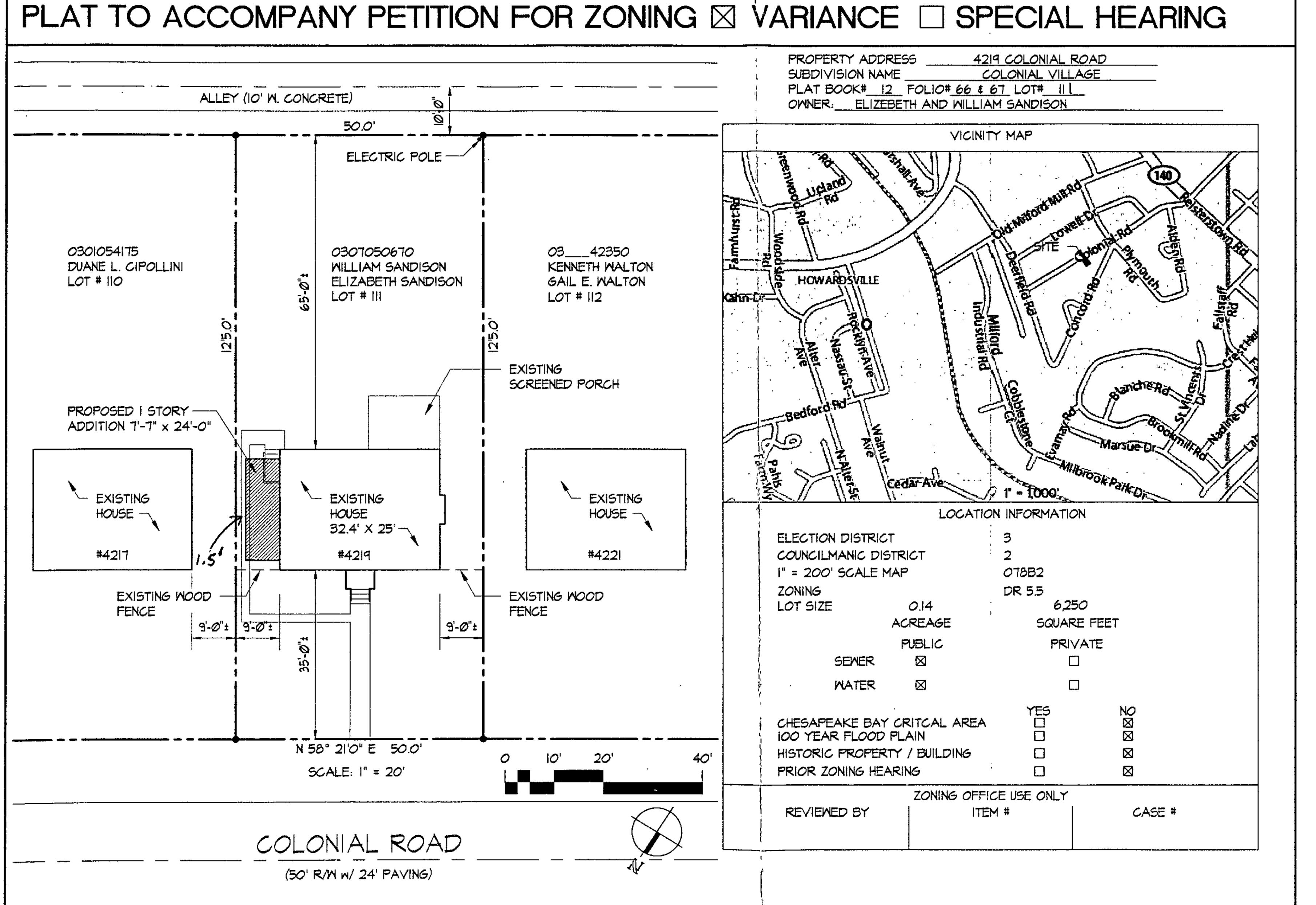












Sandison Residence 4219 Colonial Road Baltimore County, Maryland

M. JEM

DESIGN	JBM	
DRAWN	STAFF	·
APPROVED		
SCALE	I* = 20'	
DATE	8/15/07	
CAD FILE	AO-!	127
PROJECT NO.		122
DRAWING TITLE		

DRAWING TITE

SITE PLAN

A0.

