IN RE: PETITION FOR ADMIN. VARIANCE

S side Doe Meadow Drive 323.03 feet NE of c/l Kingsbury Road 4<sup>th</sup> Election District 2<sup>nd</sup> Councilmanic District (405 Doe Meadow Drive)

Brian L. and Sharon L. Morris *Petitioners* 

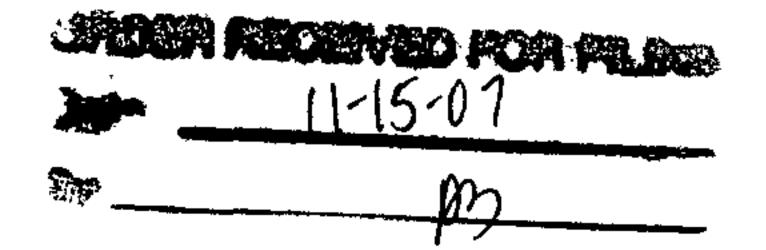
- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 08-180-A

#### 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, Brian L. and Sharon L. Morris for property located at 405 Doe Meadow Drive. The variance request is from Sections 504 and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P. 1990) to permit an addition (sunroom) with a 7 foot window to property line setback in lieu of the required 15 feet and to amend the latest Final Development Plan for Worthington Glen, Section 6, Lot 2. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a sunroom measuring 12 feet x 16 feet in size to accommodate the growing family. The proposed sunroom is actually smaller in size than the existing deck and the sunroom will be placed on a portion of the existing deck.

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 October 28, 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.

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



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

November 15, 2007

BRIAN L. AND SHARON L. MORRIS 405 DOE MEADOW DRIVE OWINGS MILLS MD 21117

> Re: Petition for Administrative Variance Case No. 08-180-A Property: 405 Doe Meadow Drive

Dear Mr. and Mrs. Morris:

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

for the property located at 405 Doe Meadow Dr which is presently zoned D.R.35

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) 504 + 301 BCHR + V.B.b.b.CmdP (1990)

TO PERMIT AN ADDITION (SUNROOM) WITH A 7-FOOT WINDOW TO PROPERTY LINE SETBACK IN LIEU OF THE REQUIRED IS-FEET AND TO AMEND THE LATEST F.D.P. FOR "WORTHINGTON GLEN", SECTION 6, LOT 2.

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.

	•		perjury, that I/		al owner(s) of	er the penalties of the property which
Contract Purchase	r/Lessee:		<u>Legal Own</u>	er(s):		
			Brian	L Mor	vis	
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City	State	Zip Code	Signature		——————————————————————————————————————	
Attorney For Petition	oner:			e Mead	ow lr	(410) 363-06
			Address	s mills	mD	Telephone No.
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REV 10/25/01	11-15-07	Est	imated Posting I	Date10	28/07	<u></u>
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# Affidavit in Support of Administrative Variance

Address

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.

405 Doe Meadow Dr

City	. *		State	•	Zip Code
That based upon personal knowledge, the following Variance at the above address (indicate hardship or	are the fa practical (	acts upon which lifficulty):	I/we base the	e request for a	n Administrative
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STATE OF MARYLAND, COUNTY OF BALTIMORI		_			
of Maryland, in and for the County aforesaid, person the Affiant(s) Herein, personally known or satisfactor	ally appea	HARAN /	Hor		ublic of the State
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•	Му (	Commission Exp	ires <u> </u>	UE /	<i></i>

#### **ZONING DESCRIPTION FOR 405 DOE MEADOW DRIVE**

Beginning at a point on the south side of **Doe Meadow Drive** which is **50 feet** wide at the distance of **323.03 feet north-east** of the centerline of the nearest improved intersecting street **Kingsbury Road** which is **60 feet** wide. Being **Lot #2, Section #6** in the subdivision of **Worthington Glen** as recorded in Baltimore County **Plat Book #62, Folio #149,** containing **9,139 square feet**. Also known as **405 Doe Meadow Drive** and located in the **4<sup>th</sup> Election District, 2<sup>nd</sup> Councilmanic District**.

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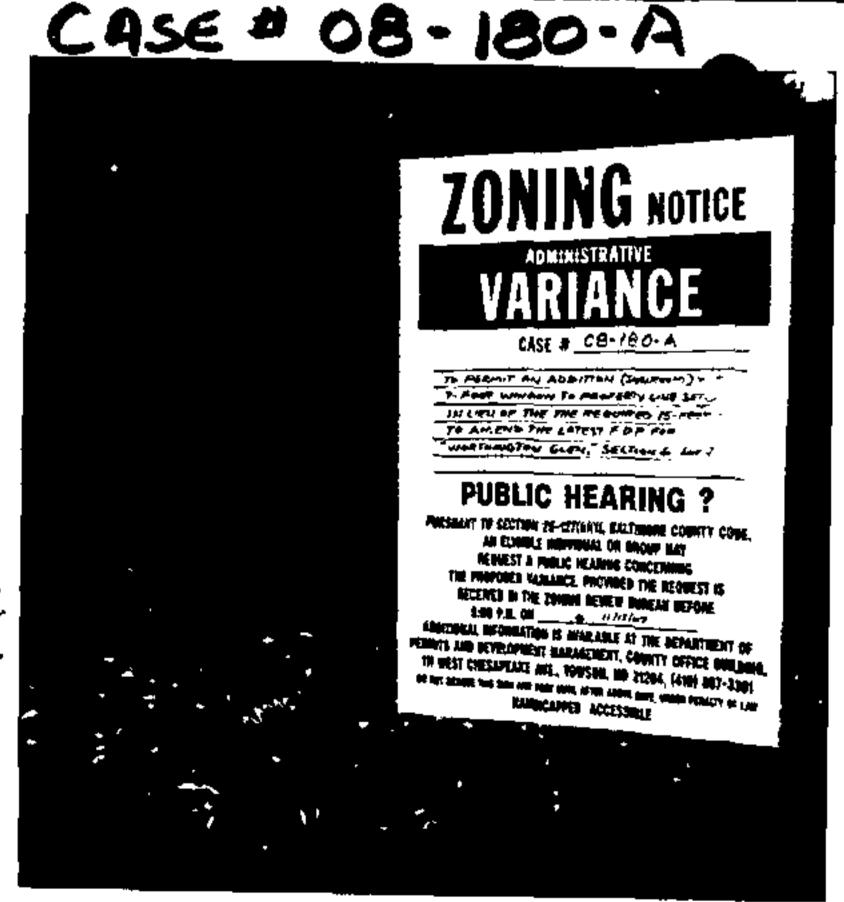
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**高班》(新列** 

### CERTIFICATE OF POSTING

481 4 7 4

RE: Case No.: 08-180-A Petitioner/Developer: \_ MORRIS Date of Hearing/Closing: 11/12/07 Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204 Attention: Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 405 DUE MEADOW DRIVE 10/28/07 The sign(s) were posted on (Month, Day, Year)



405 DOE MEADOW DR.
POSTED 10/28/07
SLLSSEL 10/28/07

Sincerely,

(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR. (Address)

- ΔLLS 7001, MO 21047
(City, State, Zip Code)

(410) 879-3122

(Telephone Number)

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

Case I	Number	08-	180	] -A	Address	HO5 DOE	MEADOW I	RIVE	
Conta	ct Perso	n:		HOMPSON r. Please Print Your	Name	<u> · </u>	Phone Numb	er: 410-8	87-3391
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	a forma	l rec	uest for a	public hearing	ı. Please	understand	or owner with that even if t e closing date.	here is no	
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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.

Item Number or Case	Number:08-180-A	
Petitioner:	MORRIS	<del>,</del>
Address or Location:	405 DOE MEADOW DRIVE	
•		
PLEASE FORWARD	ADVERTISING BILL TO:	
Name:	MR. BRIAN MORRIS	<del></del>
Address:	HOS DOE MEADOW DR.	<del></del>
<del>1000</del>	OWINGS MILLS, MD 21117	
<del></del>		
Telephone Number:	410-363-0676	<u> </u>

Revised 2/20/98 - SCJ

8/50/5001

Jim Cabral

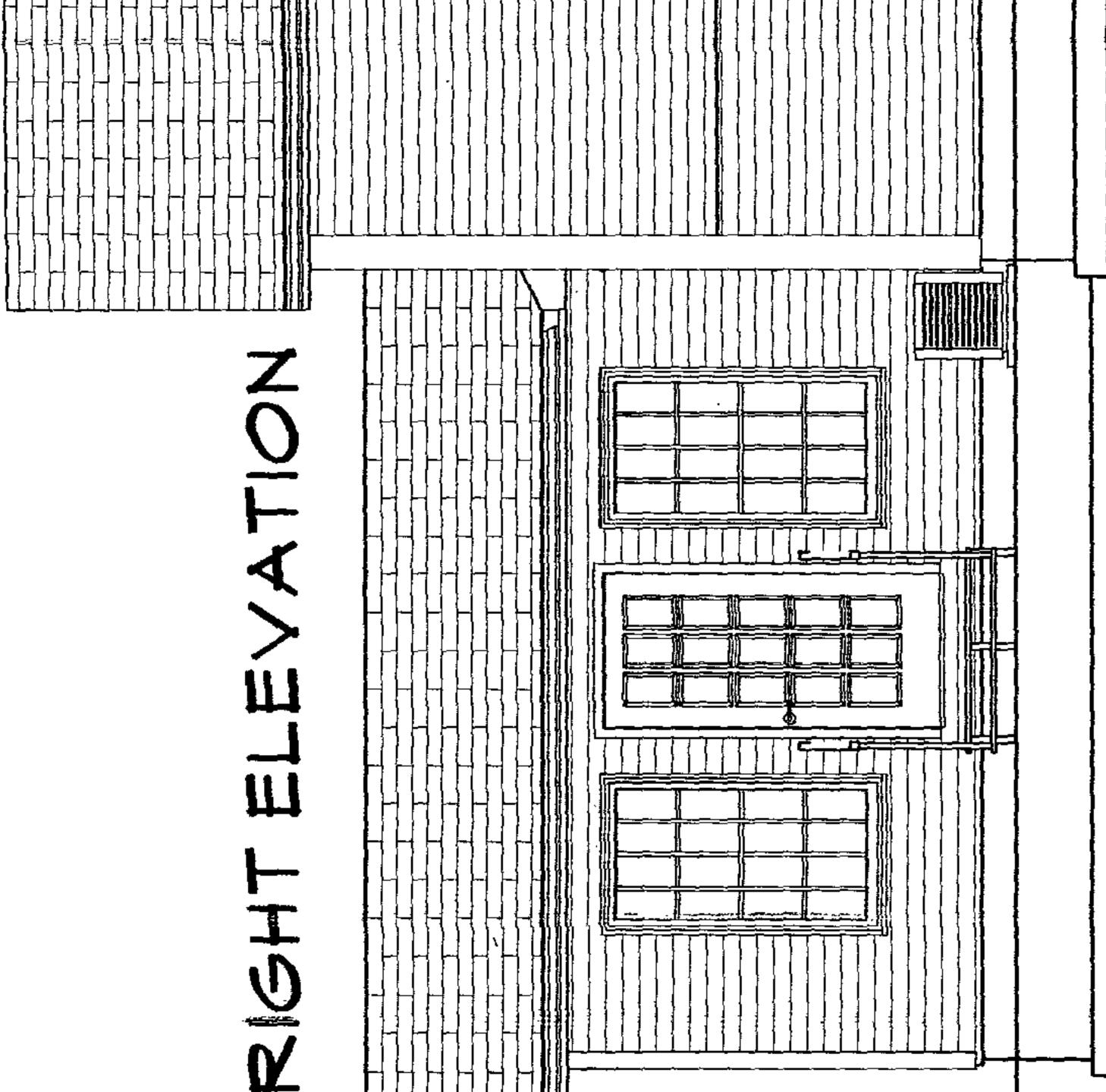
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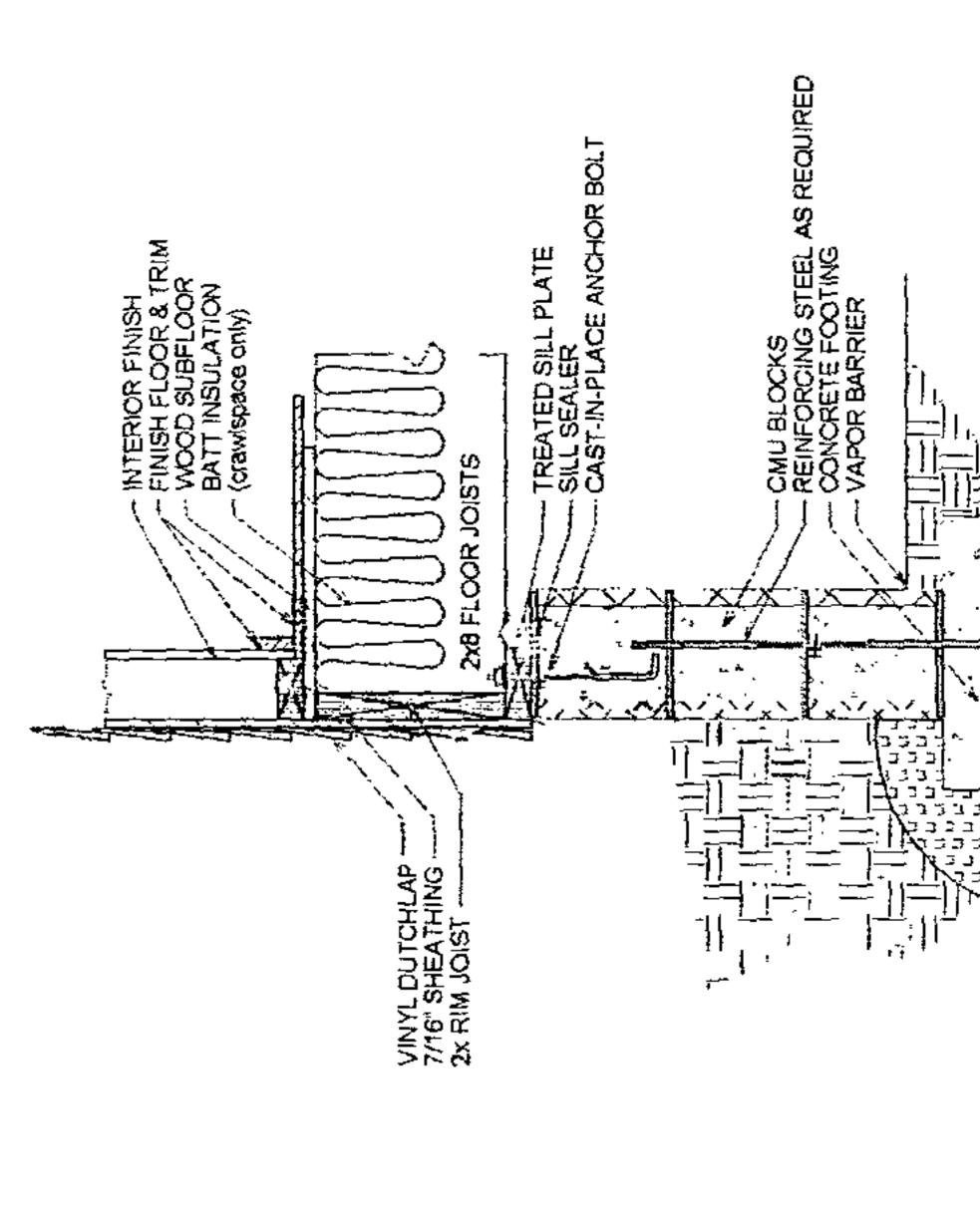
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LILD JULTS MD SONIMO 405 DOE MEADON DR. MORRIS SUNROOM

mummerrellbuilding.com Enterprises, Inc. 410.526.5959

Merrell Building





7/16" OSB SHEATHING W/H-CLIPS

R-38 FIBERGLASS INSULATION

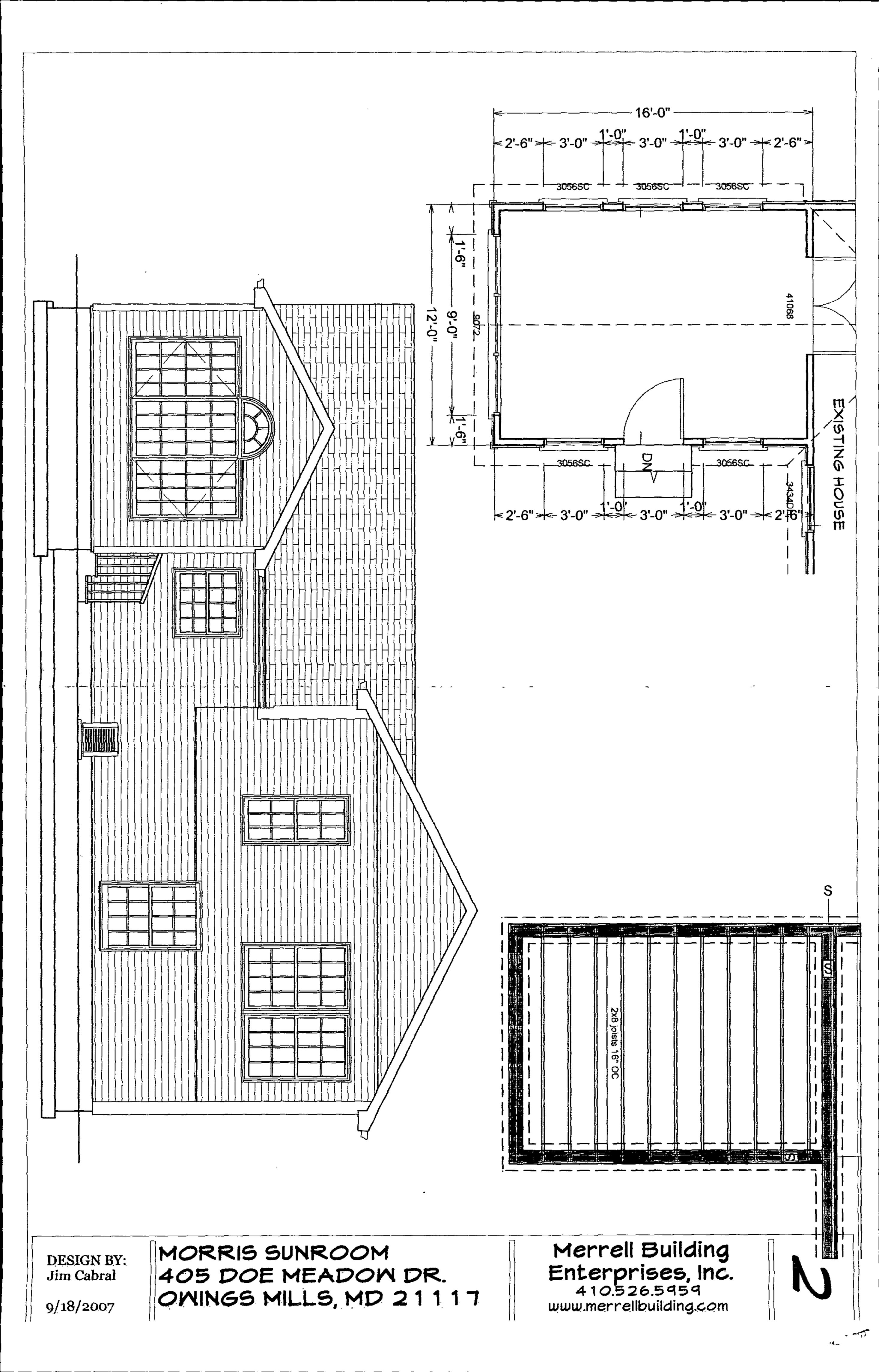
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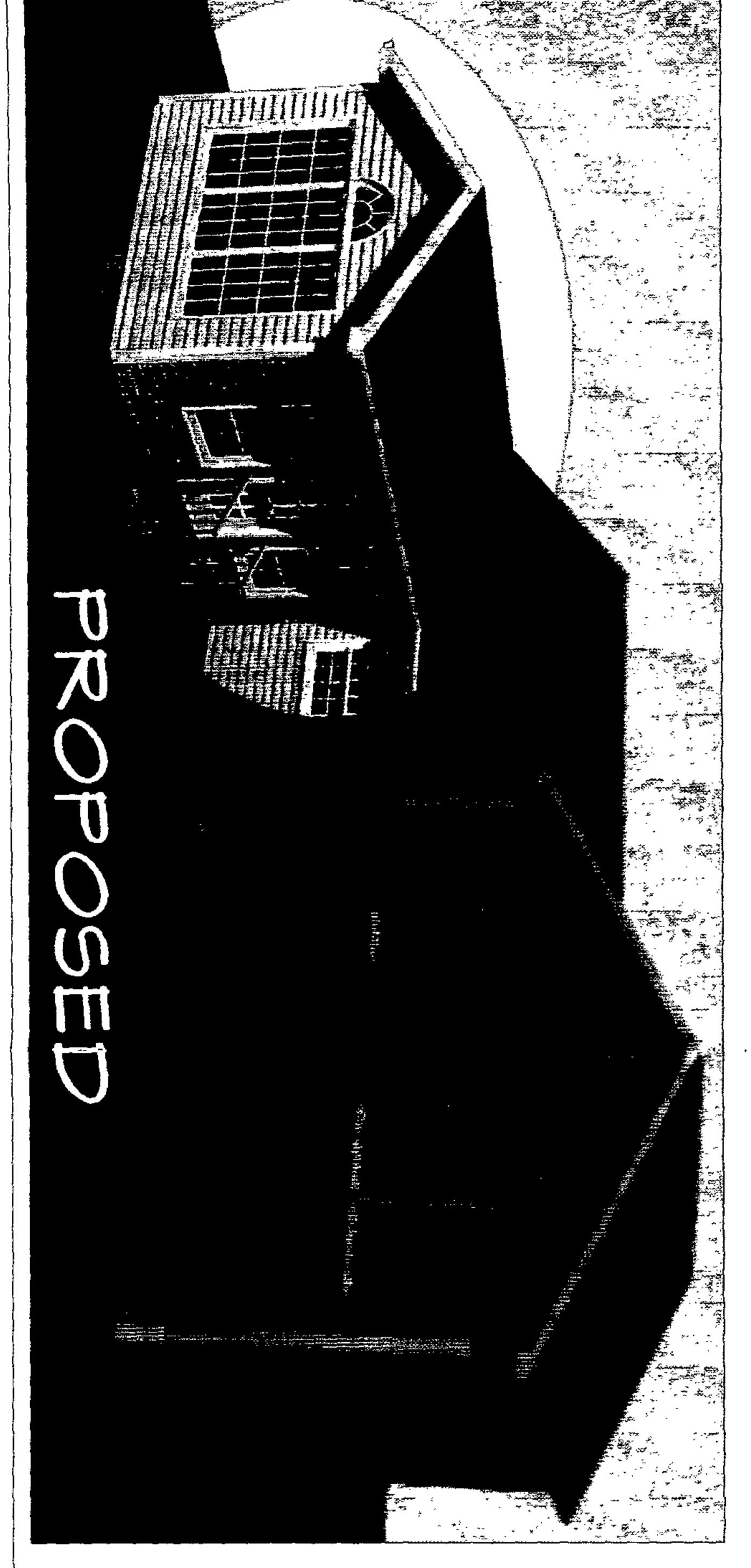
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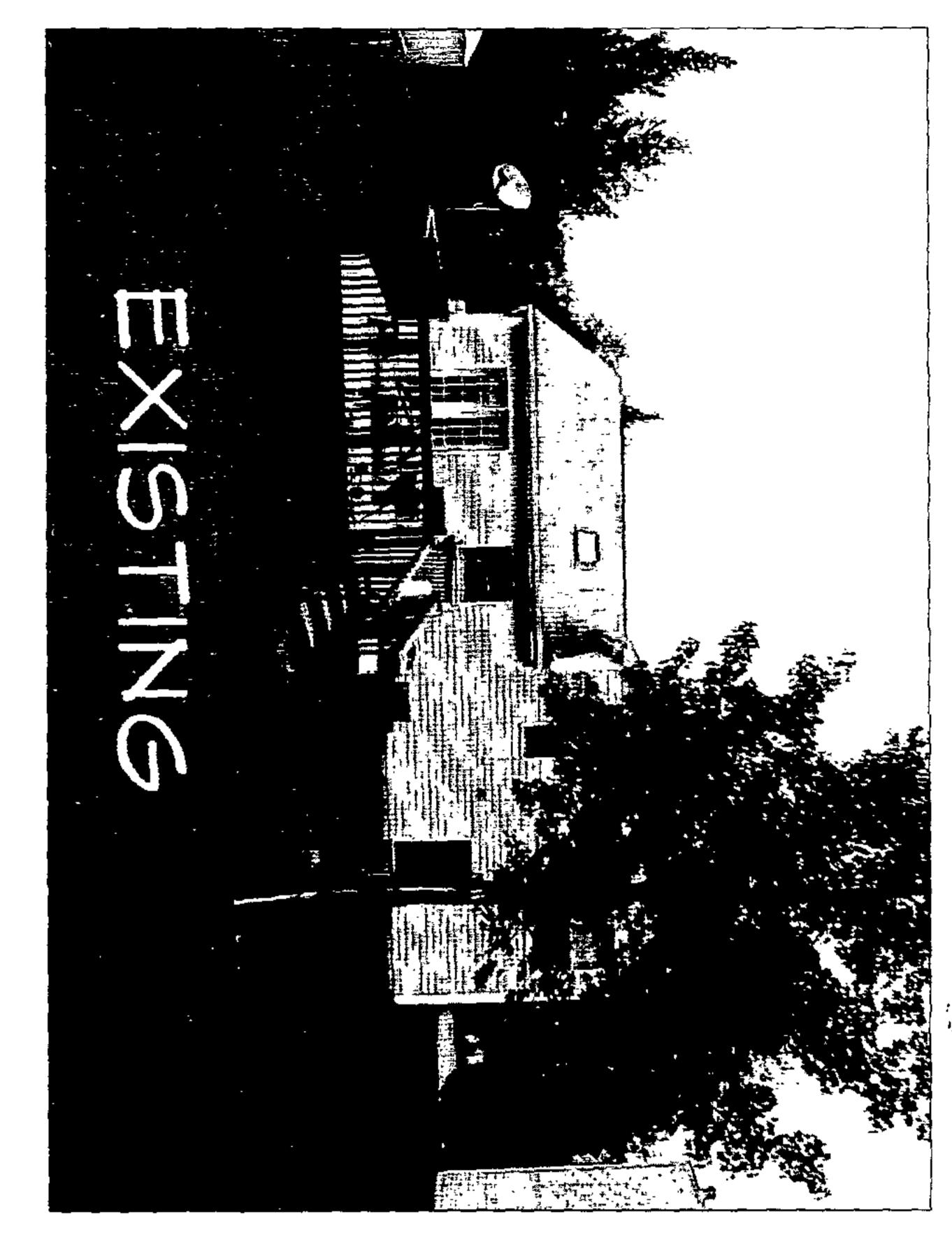
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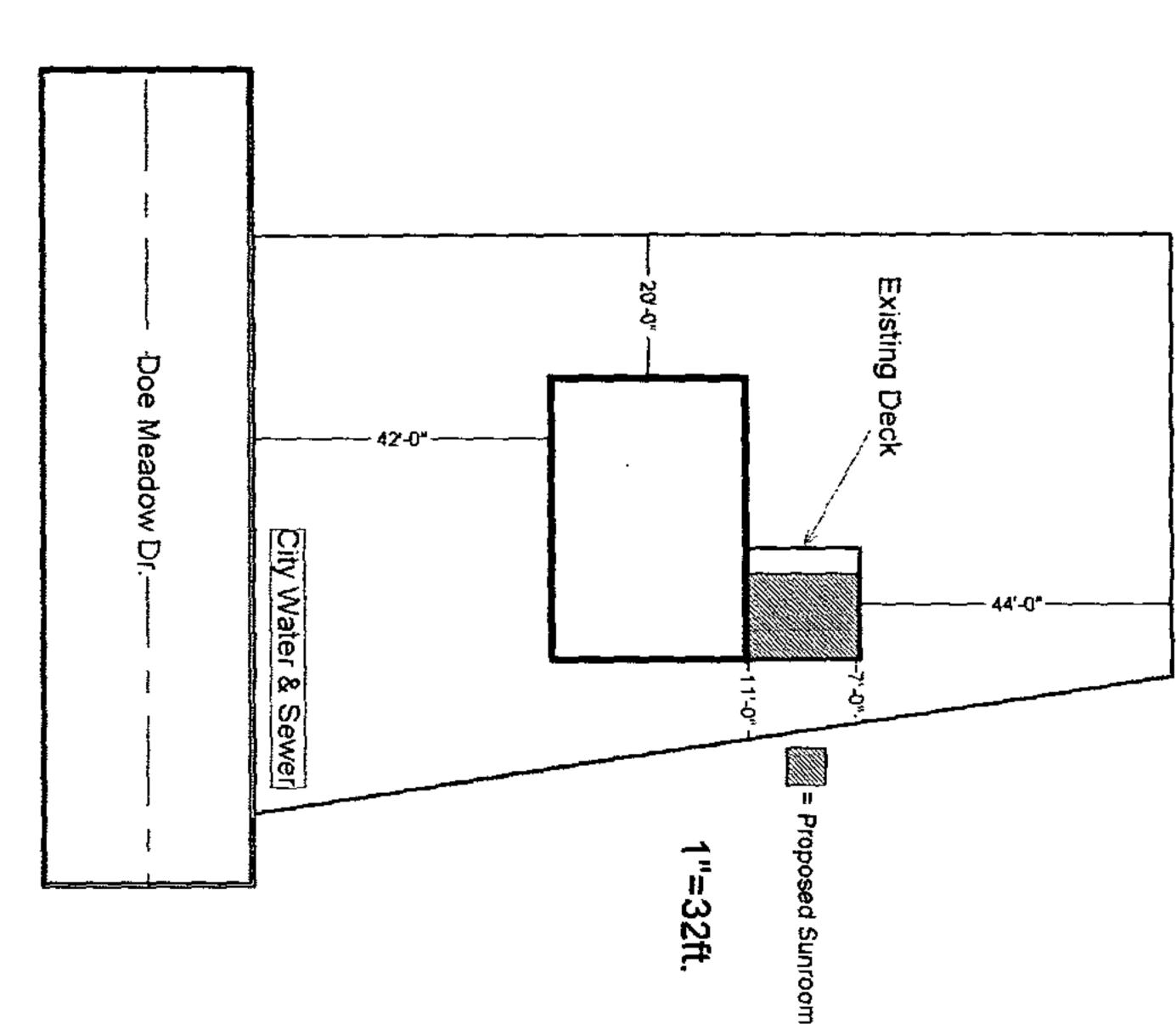
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2X6 FASCIA









DESIGN BY: Jim Cabral

9/18/2007

08-180-A

MORRIS SUNROOM 405 DOE MEADOW DR. OWINGS MILLS, MD 21117 Merrell Building Enterprises, Inc. 410.526.5959 www.merrellbuilding.com

~



JAMES T. SMITH, JR. County Executive

November 12, 2007

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Mr. & Mrs. Brian Morris 405 Doe Meadow Drive Owings Mill, MD 21117

Dear Mr. & Mrs. Morris:

RE: Case Number: 08-180-A 405 Doe Meadow Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 16, 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:rjc Enclosures c: Peoples Council

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** October 29, 2007

Department of Permits and

Development Management

IECEIVE OCT 3 0 2007

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

BY:\_\_\_\_

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-180A 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 Diana Itter in the Office of Planning at 410-887-3480.

Prepared By: 1. Brue Aely

Division Chief: Lynn Lawham Mc

rbs



**DATE:** October 29, 2007

#### INTER-OFFICE CORRESPONDENCE

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) 08-180A Administrative Variance

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Prepared By: ( - Brue Stelly

Division Chief: Lynn Lawham Mc

rbs



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

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

Maryland Department of Transportation

Date: OCTOBEZ 25, 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. 8-180-A

405 DOEMELDOW DRIVE

MORRIS PROPERTY

AMINISTRATIVE 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.

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, Chied Engineering Access Permits

Division

SDF/MB



#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** October 23, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 29, 2007

Item Nos. 08-171,172, 173, 174, 175, 176, 177, 178, 179, 180, 181, and 182

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-10232007.doc

