

IN RE: PETITION FOR ADMIN. VARIANCE *

N side of Melton Road, 90 feet +/- W of
c/l of Margate Road
8th Election District
3rd Councilmanic District
(1523 Melton Road)

Janet Sanford
Petitioner

BEFORE THE
DEPUTY ZONING
COMMISSIONER
FOR BALTIMORE COUNTY
*** Case No. 08-291-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, Janet Sanford for property located at 1523 Melton Road. The variance request is from Section 1B01.c.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 23 feet in lieu of the required 30 feet for a sunroom and to amend the FDP of Melton Place. The existing screened porch is to be enclosed with a windows and doors system utilizing the existing porch roof and on the existing concrete pad. The lot is almost pie-shaped and unique with the west property line measuring 97.07 feet and the east property line measuring 46.58 feet, and a rear setback of 30 feet. The existing dwelling was constructed extremely close to the west property line.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on January 13, 2008 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

FILED RECEIVED FOR FILING
1-29-08
PB

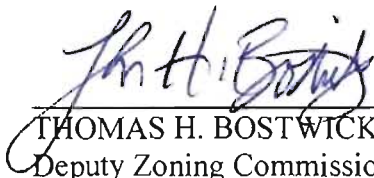
indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements 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 29th day of January, 2008 that a variance from Section 1B01.c.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 23 feet in lieu of the required 30 feet for a sunroom and to amend the FDP of Melton 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

ORDER RECEIVED FOR FILED
1-29-08
pz



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1523 Melton Rd.
which is presently zoned DR 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) 1801.2.C.1.b; BCZR, TO

PERMIT A REARYARD SETBACK OF 23ft. IN LIEU OF
THE REQUIRED 30ft. ^{FOR A SUNROOM} AND TO AMEND THE FDP OF
MELTON PLACE.

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Sanford, Janet

Name - Type or Print

Signature

Name - Type or Print

Signature

1523 Melton Rd.

410-337-6821

Address

Telephone No.

Lutherville

MD

21093

City

State

Zip Code

Representative to be Contacted:

Shawn Gerrity

Name

50 Kane St

1-877-973-6633

Address

Telephone No.

Baltimore

MD

21224

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10 day of October, 2008, 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.

Zoning Commissioner of Baltimore County

CASE NO. 08-291-A

REV 10/25/01

Reviewed By [Signature]

Date 1.4.08

Estimated Posting Date 1/13/08

1.29.08

13

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 1523 Melton Rd.
Address
Baltimore MD 21093
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):

I would like to enclose my existing screen porch with a window and door system. The difficulty is this conversion will be create an addition with a 23' ft rear setback. This will encroach on the required 35' ft rear setback. I would like to note that the existing house its self is only 32' ft from the rear property line. This is caused in part to the small size and irregular shape of my lot. With the lot size of only 8,276 sqft. With almost a pie shaped lot being the west property line is 97.07ft and the east property line is only 46'58ft this with the required 35ft rear setback makes it almost impossible to have any build able area on my lot. The porch I will be enclosing is on a concrete slab and is the only place which I could create a sunroom. Even though the sunroom will not be heated or cooled this will give me far more use out of my back porch then in its present state. Therefore I am asking for a variance of 23ft. In lieu of the required 35ft rear setback

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.

Janet Sanford
Signature
Sanford, Janet
Name - Type or Print

Signature

Name - Type or Print

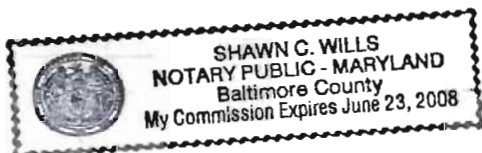
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of December, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Shawn C. Willis
Notary Public
My Commission Expires June 23, 2008





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1523 Melton Rd.
which is presently zoned DR 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) 1801.C1.6, BCZR, To

Permit A Rearyard SetBACK of 23ft. in Lieu of
The Required 30ft. For a Sunroom, To Amend The F.D.P. of
Melton Place.

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Sanford, Janet

Name - Type or Print

Signature

Name - Type or Print

Signature

1523 Melton Rd. 410-337-6821
Address Telephone No.

Lutherville MD 21093
City State Zip Code

Representative to be Contacted:

Shawn Gerrity

Name

50 Kane St 1-877-973-6633
Address Telephone No.

Baltimore MD 21224
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 1 day of February, 2008, 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.

Zoning Commissioner of Baltimore County

CASE NO. 08-291-A

Reviewed By J. Cam Date 1-4-08

REV 10/25/01

Estimated Posting Date 1-13-08

NOTICE RECEIVED FOR FILING

1-29-08

ps

NOTICE RECEIVED FOR FILING
BALTIMORE COUNTY
1-29-08



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.

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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.

Janet Sanford
Signature
Sanford, Janet
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of December, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Shawn C. Willis
Notary Public
My Commission Expires June 23, 2008

Zoning Description for 1523 Melton Rd.

Beginning at a point on the north side of Melton Rd. which is 50 ft. wide at the distance of 90 ft. West of the centerline of the nearest improved intersecting street Margate Rd. which is 50 ft. wide. *Being lot #16, in the subdivision of Melton Place as recorded in the Baltimore county Plat Book #51, Folio #81, containing 8,276.00 SF. Also known as 1523 Melton Rd. and located in the 8th election district, 3rd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **09719**

Date: **1.4.07**

PAID RECEIPT

BUSINESS ACTUAL TIME 1004
 1/04/2007 1/04/2007 09:10:43
 005 005 005 005 005
 RECEIPT # 430110 1/04/2007 005
 Dept 5 520 520000 MODIFICATION
 00719
 Recpt Tot 4115.00
 1115.00 00 5.00 CA
 Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				115.00

Total: **115.00**

Rec

From:

J. Sawford

For:

08-291-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No.: 08-291-A

Petitioner/Developer: JANET

SANFORD

Date of Hearing/Closing: 1-28-08

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

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

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: _____

1523 MELTON RD

The sign(s) were posted on 1-13-08
(Month, Day, Year)

Sincerely,

Robert Black 1-15-08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

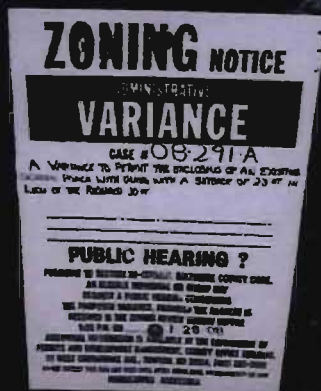
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 291 -A Address 1523 MELTON Rd.

Contact Person: J. McPHEE Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/4/08 Posting Date: 1/13/08 Closing Date: 1/28/08

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.
- 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 (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- 291 -A Address 1523 MELTON Rd.

Petitioner's Name JANET SANTORO Telephone 410-337-6812

Posting Date: 1/13/08 Closing Date: 1/28/08

Wording for Sign: A VARIANCE PERMIT THE ENCLOSING OF AN
EXISTING SCREEN PORCH WITH GLASS WITH A SETBACK
of 23ft IN LIEU of the REQUIRED 30ft.

WCR - Revised 6/25/04

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 291

Petitioner: Janet Sanford

Address or Location: 1523 Melton Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Full Spectrum Remodeling Inc.

Address: 50 Kane St
Balto Md. 21224

Telephone Number: 1-877-973-6633

Revised 7/11/05 - SCJ



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

January 28, 2008

Janet Sanford
1523 Melton Road
Lutherville, MD 21093

Dear Ms. Sanford:

RE: Case Number: 08-291-A, 1523 Melton Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 4, 2008. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Shawn Gerrity 50 Kane Street Baltimore 21224

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: January 15, 2008

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 21, 2008
Item Nos. 08-288, 289, 290, 291, 293,
294, 295, 296, and 297

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-01152008.doc



Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JAN. 14, 2008

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

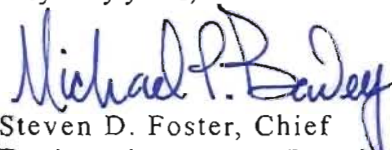
RE: Baltimore County
Item No. 8-291-A
1923 MELTON ROAD
SANFORD PROPERTY
ADMINISTRATIVE VARIANCE

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. 8-291-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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: January 18, 2008

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-291- 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:

A handwritten signature in cursive script, appearing to read "Curtis R. Murray", is written over a horizontal line.

CM/LL



rear veiw of nieghbors yard

front veiw of nieghbors property



Location of proposed sunroom under
existing roof

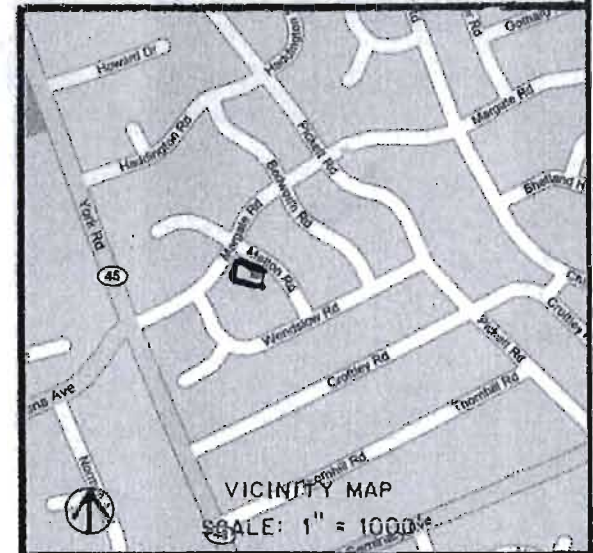
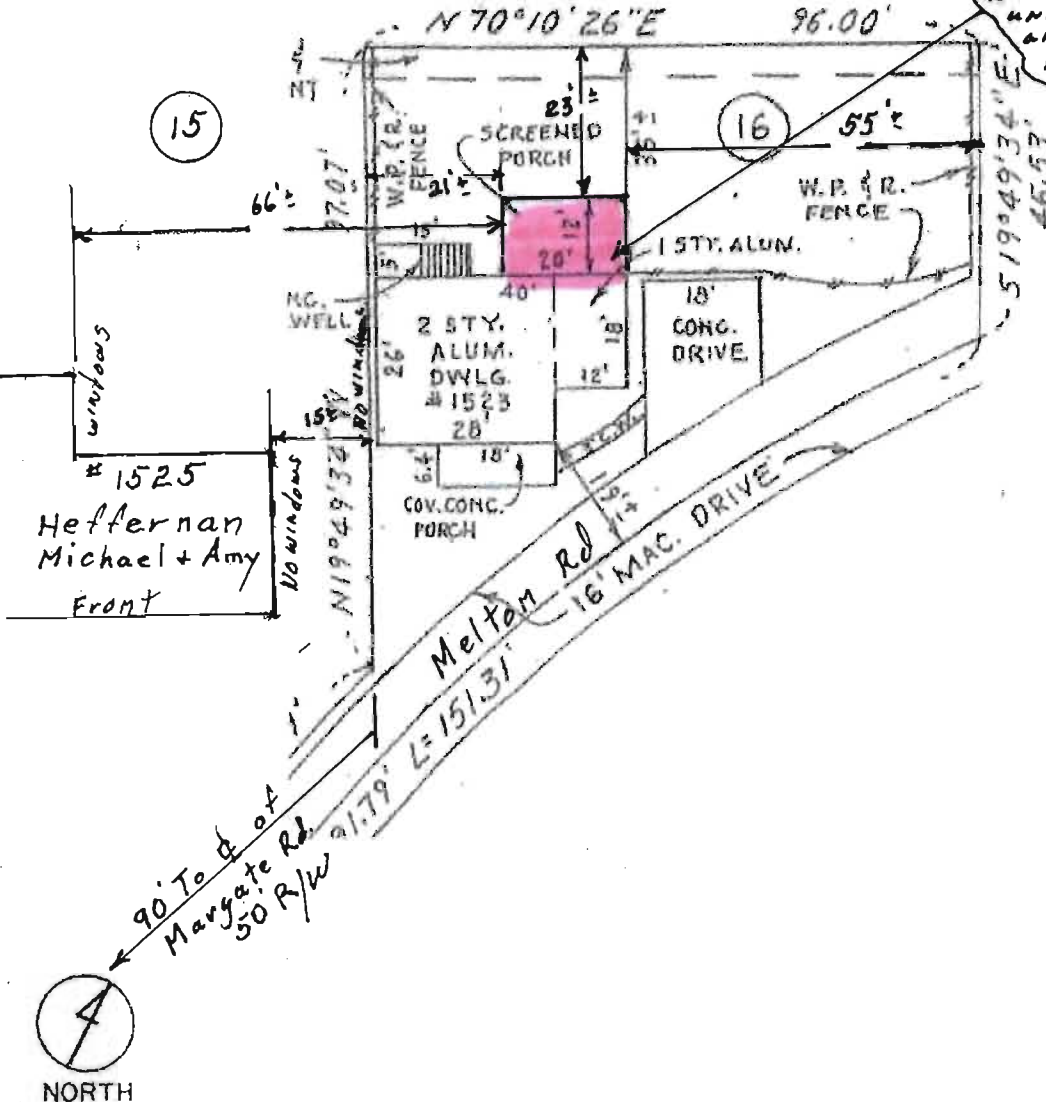
Front view of property



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE

PROPERTY ADDRESS 1523 Melton rd
 SUBDIVISION NAME Melton Place
 PLAT BOOK # 51 FOLIO # 89 LOT # 16 SECTION #
 OWNER Janet Sanford

Location of
Existing Screened
Porch To be inclose
with windows + doors
under Existing roof
and on Ext. Con
Pad



LOCATION INFORMATION

ELECTION DISTRICT 8th
 COUNCILMANIC DISTRICT 3rd
 1"=200' SCALE MAP # 061A3
 ZONING Dr 5.5

LOT SIZE 8,276
 ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	No	

ZONING OFFICE USE ONLY
 REVIEWED BY SCM ITEM # 08-291-A CASE #

PREPARED BY Gerard Andersen

SCALE OF DRAWING: 1" = 30'

OFFICE FILE COPY

CUSTOMER:

JANET SANFORD

1523 MELTON RD.

LUTHERVILLE, MD 21093

MODEL: 230 SUN & SHADE WALL SYSTEM

ROOF: EXISTING

24" MC2 GLASS KICK PANELS

GENTREX TRAPS

FOUNDATION: UNDERPIN EXISTING

COLOR: BRONZE

CUSTOMER APPROVAL:

Janet Sanford

DATE: 11/27/07

