IN RE: PETITION FOR ADMIN. VARIANCE

NW side Hampton Lane, 273 feet +/- SW from c/l Culvert Road 9<sup>th</sup> lection District 3<sup>rd</sup> Councilmanic District (520 Hampton Lane)

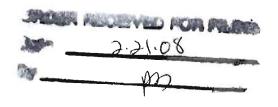
Lynn and Ed Machover, Jr. *Petitioners* 

- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 08-329-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, Lynn and Ed Machover, Jr. for property located at 520 Hampton Lane. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit individual side yard setbacks of 10 feet (both sides) in lieu of the minimum required 20 feet and sum of the side yard setbacks of 20.35 feet in lieu of the minimum required 50 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners propose to construct an addition measuring 60.5 feet x 22 feet onto the rear of the home. The additional living space is necessary to accommodate the growing family and an elderly parent. The addition will not encroach into the side setbacks any further than the existing dwelling. The Petitioners submitted letters of support from seven adjacent property owners. The subject property contains 23,800 square feet zoned DR 1.

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.



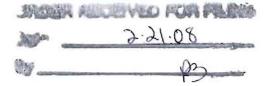
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 3, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 Petitioners.

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 February, 2008 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit individual side yard setbacks of 10 feet (both sides) in lieu of the minimum required 20 feet and sum of the side yard setbacks of 20.35 feet in lieu of the minimum required 50 feet is hereby GRANTED, subject to the following:

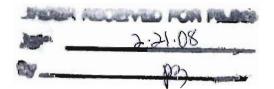
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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.

PHOMAS H. BOSTWICK Deputy Zoning Commissioner for Baltimore County

THB:pz





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

February 21, 2008

LAWRENCE E. SCHMIDT, ESQUIRE GILDEA & SCHMIDT, LLC 600 WASHINGTON AVENUE, SUITE 200 TOWSON, MD 21204

> Re: Petition for Administrative Variance Case No. 08-329-A

Property: 520 Hampton Lane

Dear Mr. Schmidt:

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

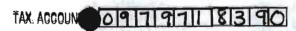
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Lynn and Ed Machover, Jr., 520 Hampton Lane, Towson MD 21286



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.



## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property	located at 530	HAMPFON	CA	TOUSON	MD	21286
- 6 4JM 23		resently zone			117	

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

regulations of Baltimore County and that the property be reposted.

made a part hereof, hereby petition for a Variance from Section(s)
1802.3. C.I (BCZR) to permit individual side yard setbacks of 10 feet (both sides) in lieu of the minimum required 20 feet 20.35 feet in lieu of the

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.

Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Address elephone No. City Zip Code 410-583-8940 Attorney For Petitioner: Address Telephone No. awrence Zip Code Representative to be Contacted: 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

Zoning Commissioner of Baltimore County Reviewed By REV 10/25/01 **Estimated Posting Date** 

# Affidavit in Support of Administrative Variance

OPEY IS FIND

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.

520 Hampton

	Towson	MD	21286
N	City	State	Zip Code
That based upon personal knowledge, to Variance at the above address (indicate petitioners desire to call in order to provide additionally to the front of the durant to the land (grade, width,	hardship or practical difficulty): snstruct an additional living space elderly parent. The elling are to grad tagoth) requires the	on to a single for a growing addition can be. The unique of the addition	e family dwelling family unot be attached character of the constructed
who they were of the di	welling. The addit	ion will all a	IN SEXTORIAL AND
1 1 Househ. nearsi	vina compliance wi	ith set daces t	of meeting. In
and the state of t	CILDRET TO THE SIME	property in o.	
exists. See attached pl	an, photos & attraco	is a suppor	" Wolfe Head
That the Affiant(s) acknowledge(s) that advertising fee and may be required to provide the second se	rovide additional information.	fiant(s) will be required	to pay a reposting and
Signature 1 V NW MACH	Signature E	MACHONE	
Name - Type or Print	Name - Ty	ype or Print	The state of the s
		chmid F	LAWRENGE TO S
STATE OF MARYLAND, COUNTY OF E	BALTIMORE, to wit:		
I HEREBY CERTIFY, this day of Maryland, in and for the County afores	ajo, personally appeared	2008, before me, a f	Notary Public of the State
the Affant(s) herein, personally known or	hoved	And Ill the roll and	LON White de Cation
the Affrant(s) herein, personally known or	r satisfactorily identified to me as	such Affiant(s).	
AS WITNESS my hand and Notarial Sea	Contract Contract	W + * 1	1 19501 1
The Titting of the Hall and Holandi ood	Notary Public	= 1 Sthe	us/
	My Commission	Expires 4/1/20	011

# Affidavit in Support of Administrative Variance

Address

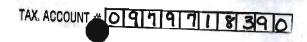
That the Affiant(s) does/do presently reside at

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.

520 Hampton Lane

	Towson	MD	21286
139	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsheft themers desire to construction order to provide addition (2 techage children) + eld to the front of the dwelling the land (grade, width + desired the house, there by requiring will be no construction exists. See attached plan	ip or praotical difficulty):  It an addition of living space lerly parent. I ng due to gra epth) requires ing the addition of compliance closer to the	which I/we base the required to a single fair that a growing that the addition will attach with setbacks	uest for an Administrative mily dwelling. family annot be attach e character of ation be construct existing garage for dwelling. The
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Name - Type or Phint	additional information. Signatu	Allahoveef	L z sre
***************************************			
STATE OF MARYLAND, COUNTY OF BALTIN			X 43
of Maryland, in and for the County aforesaid, per	rsonally appeared	,2008, before me, a	Notary Public of the State
the Affiant(s) herein, personally known or satisfa	actorily identified to me a	s such Affiant(s).	
CATO " ON " P. U.S.	E FOLL	C QM	COMEON.
AS WITNESS my hand and Notarial Seal			
	Notary Public	in I arthu	w
	My Commission	on Expires 4/1/2	011



I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County



CASE NO.

REV 10/25/01

## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property loca	ted at <u>520</u>	HAMPTON LA	TOWSON	MD	21286
	which is pr	esently zoned _	DR-1		1

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)

(both sides) in lieu of minimum required 20 feet and sum of the sideyard setbacks of 20.35 feet in lieu of the minimum required to feet and sum of the sideyard setbacks of 20.35 feet in lieu of the minimum required 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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): LYNN MACHOVE Name - Type or Prin Name - Type or Print Signature Address Telephone No. Name State Zip Code 410-583 Attorney For Petitioner: Address awrence State Name - Type or Print Representative to be Contacted: lowson 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 n regulations of Baltimore County and that the property be reposted. that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning

Reviewed By

stimated Posting Date

## Zoning Description

## Zoning Description For 520 Hampton Lane

Beginning at a point on the NorthWest side of Hampton
Lane, which is 50 feet wide at a distance of 258 ft.
SouthWest of the centerline of the nearest improved
intersecting street, Culvert Road, which is 50 ft. wide.
Being Lot #57 in the subdivision of Hampton Village as
recorded in the Baltimore County Plat Book #14 Folio # 7
containing 23,882 square feet. Also known as 520 Hampton
Lane and located in the 9<sup>th</sup> Election District, 3<sup>rd</sup>
Councilmanic District.

OFFICE	OF BUI	DGET A					No.	9755	MAID RECEIPT  MEDIES ACTIVE THE
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## CERTIFICATE OF POSTING

	RE: Case No.: Ob 3/9 H
	Petitioner/Developer: LY/UN
	MACHOVEC
	Date of Hearing/Closing: 2-18-00
altimore County Department of crimits and Development Management county Office Building, Room 111  1 West Chesapeake Avenue owson, Maryland 21204	
TTN: Kristen Matthews {(410) 887-3394}	
adies and Gentlemen:	
sted conspicuously on the property located at:	AMPTON LANE
ne sign(s) were posted on	2-3.08
(I	Month, Day, Year)
s	incerely,
	Robert Stral 24-08
ALC: NO	(Signature of Sign Poster) (Date)
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ZONING NOTICE	(Print Name)
VARIANCE	1508 Lestie Road
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PUBLIC HEARING ?	Dundalk, Maryland 21222
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Additional region of the control of	(410) 282-7940
	(Telephone Number)

### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 08- 329 -A Address 520 Hampton Lane
Contact Person: David Duva Phone Number: 410-887-3391
Filing Date: 1/24/08 Posting Date: 2/03/08 Closing Date: 02/18/
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. <a href="POSTING/COST">POSTING/COST</a> : 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.
<ol> <li>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 forma request for a public hearing, the process is not complete on the closing date.</li> </ol>
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.
4. 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 08-329 -A Address 520 Hampton Lane
Petitioner's Name Lynn Machovec Telephone 410 583 8940
Posting Date: 2/03/08 Closing Date: 2/18/08
Wording for Sign: To Permit individual side yard setbacks of 10 feet
(both sides) in lieu of the minimum required 20, and sum
of the side yard setbacks of 20.35 feet in lieu of the minimum
50 required 50
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.

#### OPÍNIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number:
Petitioner: Lynn Machavec
Address or Location: 520 Hampton Lane
PLEASE FORWARD ADVERTISING BILL TO:
Name: Coilden & Schmidt
Address: 600 Washington Ave
soite 200
Towson, MD 21204
Telephone Number: 410 - 821 -0070



JAMES T. SMITH, JR. County Executive

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

February 18, 2008

Lawrence E. Schmidt Gildea & Schmidt, LLC 600 Washington Avenue, Suite 200 Towson, MD 21204

Dear Mr. Schmidt:

RE: Case Number: 08-329-A, 520 Hampton Lane

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

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf Enclosures

c: People's Counsel

Lynn Machovec Ed Machovec, Jr. 520 Hampton Lane Towson 21286



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

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

Maryland Department of Transportation

Date: FEB. 4,2008

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

RE: **Baltimore County** 

Item No.8-329-A

520 HAMPTONS LANE MACHOVER 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. 8-329-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,

For Steven D. Foster, Chief Engineering Access Permits Division

SDF/MB

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

DATE: February 7, 2008

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, Ill

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-329- 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

CM/LL



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111, 2007 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 February 11, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 04, 2008

Item Number: 325,326,328,329,330,331,332,333,334,335,336,338,339

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

DATE: February 7, 2008

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 11, 2008

Item Nos. 07-456, 08-325, 326, 328, 329, 330, 331, 333, 334, 335, 336, 338, and 339

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- 02072008.doc

Dus Crenson

GVS CRENSON (print name)

527 VALLEY VIEW ROAD
(ADDRESS)

Jerneth Carwood

Kenneth A. Egrwood , Valerie Egrwood (print name)

529 Valley View Rd. (ADDRESS)

LEANNE & MIKE HAEFFNER

(print name)

516/2 HAMPTON LANE (410) 494-0757

(ADDRESS)

521 Hampton Cn. Towson, Mi) 21286

Tto.m # 329

711 East Scannang Me. Towson, Md. 21286

Kendall Strout Joan Strout

KENDALL STROUT Joan Strout

(print name)

522 HAMPTON LANE TOWSONS
(ADDRESS)

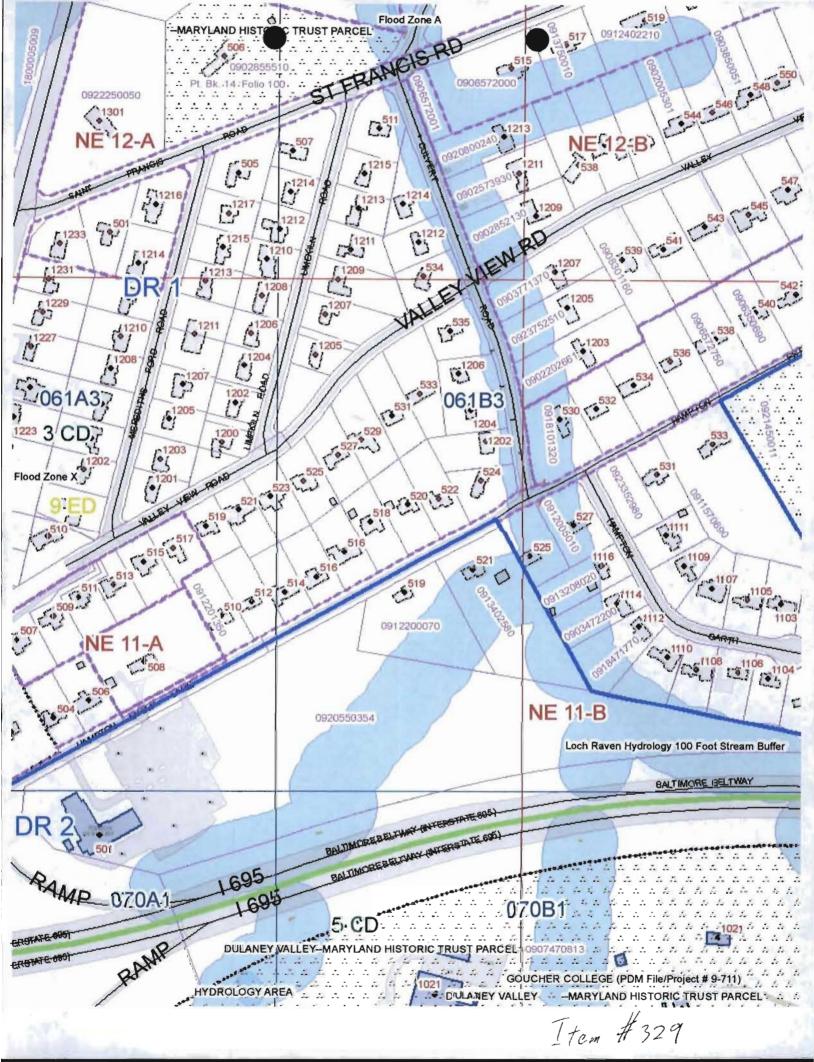
In Inabousta

Inabousta

(print name)

1003 Katy Ln. 1 owson MD 21286

(ADDRESS)

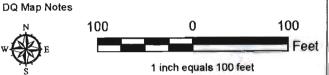


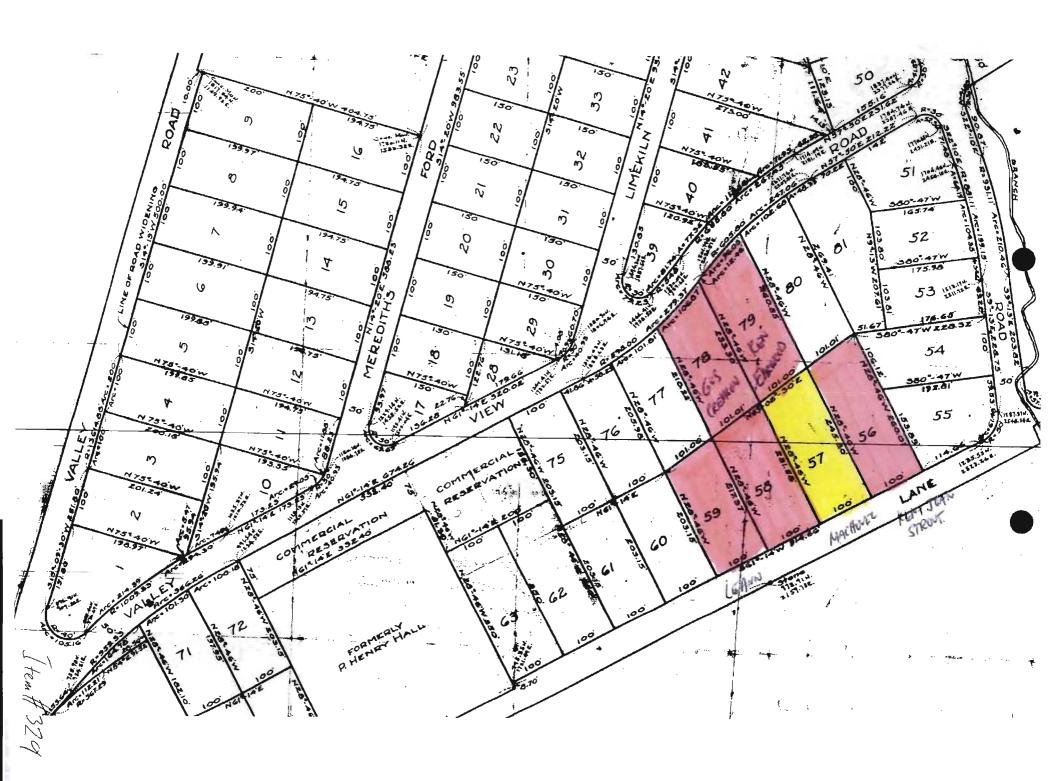
## 520 Hampton Lane WALLEY VIEW 20 0917101040 529 PL. BK. 14 FOILO T 0923004630 0903478060 DR 1 0908011610 061B3 Flood Zone X 0902004180 516 0904750190 0914652520 0913402580 DR 2 Loch Raven Hydrology 100 Foot Stream Buffer



Publication Date: January 09, 2008 Publication Agency: Department of Permits & Development Management Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot







PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE PROPERTY ADDRESS 520 Hampton Lang SEE PAGES 5 & 6 OF THE CHECKLIST FO SUBDIVISION NAME Hampton VIllagt  PLAT BOOK # 14 FOLIO # 07 LOT # 57 SECTION #  OWNER Edward and Lynn Machovec	SPECIAL HEARING R ADDITIONAL REQUIRED INFORMATION
Elizabeth + Leonard  Shinosky  O  Proposed  60.5 x 22	Valley View Rd. The Story Valley V
# 518 Front -21.75- # 520 Front # 5	VICINITY MAP  SCALE: 1" = 1000'  LOCATION INFORMATION  ELECTION DISTRICT 9  COUNCILMANIC DISTRICT 3  1"=200' SCALE MAP # 061-B3  ZONING DR-1  LOT SIZE 546 23.800
20+58 Lot 57 Lot 56	ACREAGE SQUARE FFET  PUBLIC PRIVATE  SEWER
NORTH  PREPARED BY JEFFREY M. WOOD SCALE OF DRAWING: 1" = 50'	HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING  ZONING OFFICE USE ONLY REVIEWED BY ITEM & CASE #

