

IN RE: PETITION FOR ADMIN. VARIANCE

SE side of Greenlawn Road,
561 feet SW of Windsor Mill Road
2nd Election District
4th Councilmanic District
(2807 Greenlawn Road)

Jeffrey H. and Francine M. Kane
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-356-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, Jeffrey H. and Francine M. Kane for property located at 2807 Greenlawn Road. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) [Section 211.2 of the 1955 Zoning Regulations] to permit a proposed open projection (carport) with a side yard setback of 3 feet in lieu of the minimum required 6 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners desire to construct a carport measuring 12 feet x 26 feet in size onto the right side of their home. The carport will be accessed via the existing driveway. The carport will protect vehicles from the elements. The existing setback would place the carport supports on the driveway which would not allow for entering and existing the vehicle. Petitioners presented photographs of similar carports in the area.

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.

UNDER REVIEW FOR FILING

3.10.08

pm

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 17, 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 10th day of March, 2008 that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) [Section 211.2 of the 1955 Zoning Regulations] to permit a proposed open projection (carport) with a side yard setback of 3 feet in lieu of the minimum required 6 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.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

ORDER RECEIVED FOR FILED

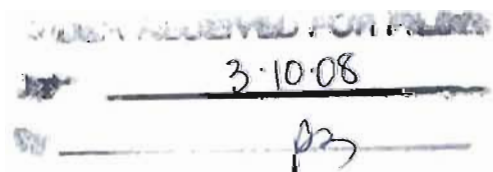
3-10-08
pm

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





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 10, 2008

JEFFREY H. AND FRANCINE M. KANE
2807 GREENLAWN ROAD
BALTIMORE MD 21207

Re: Petition for Administrative Variance
Case No. 08-356-A
Property: 2807 Greenlawn Road

Dear Mr. and Mrs. Kane:

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,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



TAX. ACCOUNT

0203672150

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2807 GREENDAWN ROADwhich is presently zoned DR S.5 (formerly R-6)

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)

1 B02.3.B, B02R (Section 211.3 of 1955

Zoning Regulations) to permit a proposed open projection (carport) with a side yard setback of 3 feet in lieu of the minimum required 6 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.

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):

JEFFREY H KANE

Name - Type or Print

Signature

Francine M. Kane

Name - Type or Print

Signature

2807 GREENDAWN ROAD 410 944-4554

Address

Telephone No.

BALTIMORE MARYLAND 21207

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

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 _____ 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.

Zoning Commissioner of Baltimore County

CASE NO.

08-356-A

Reviewed By

JNP

Date

2/7/08

REV 10/25/01

3-10-08

Estimated Posting Date

2/17/0883

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 2807 GREENLAWN ROAD
Address
BALTIMORE, MARYLAND 21207
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 ADD THIS CARPORT TO MY PROPERTY TO PROTECT MY VEHICLES FROM THE ELEMENTS. TO PROTECT MY HOUSE AND DRIVEWAY. TO ENHANCE THE LOOK OF MY HOUSE. EXISTING SETBACK RULES WOULD PLACE SUPPORTS FOR CARPORT IN DRIVEWAY. THIS WOULD NOT ALLOW ACCESS TO EXISTING DRIVEWAY AND WOULD RESTRICT USE OF MY DRIVEWAY.

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.

Jeffrey H Kane
Signature
JEFFREY H KANE
Name - Type or Print

Francine M. Kane
Signature
Francine M. Kane
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of December, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey H Kane OR Francine M Kane
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Debora Ostrowski
Notary Public
My Commission Expires 7/1/2010

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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City State Zip Code

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EXISTING SETBACK RULES WOULD PLACE SUPPORTS THE DRIVEWAY THIS WOULD NOT ALLOW ME ACCESS TO EXISTING GARAGE AND WOULD RESTRICT USE OF MY DRIVEWAY

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.

Jeffrey H Kane
Signature
JEFFREY H KANE
Name - Type or Print

Francine M. Kane
Signature
Francine M. Kane
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of December, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey H Kane OR Francine M Kane
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Debora Ostrowski
Notary Public
My Commission Expires 7/1/2010



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2807 GREENLAWN ROAD
which is presently zoned DR S.5 (Formerly R-6)

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) 1B02.3.B, Bx2R (Section 211.3 of 1955

Zoning Regulations) to permit a proposed open projection (carport) with a side yard setback of 3 feet in lieu of the minimum required 6 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.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

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 08 day of February, 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. 08-356-A

Reviewed By JNP

Date 2/7/08

REV 10/25/01

Estimated Posting Date 2/17/08

3-10-08

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 2807 Greenlawn Road

Beginning at a point on the South East side of

Greenlawn Road which is 50'

wide at the distance of 561' Southwest of the

centerline of the nearest improved intersecting street Windsor Mill Road

which is 30' wide. Being lot # 10,

Block B, Section # in the subdivision of Greenlawn

as recorded in Baltimore County Plat Book # 22, Folio # 5

containing 8,681.00 SF. Also known as 2807 Greenlawn Road

and located in the 2 Election District, 4 Councilmanic District

08-356-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **09790**

Date: **2/7/08**

PAID RECEIPT

ADDRESS: 2/07/2008 2/07/2008 10:29:20
 005 WALKIN DMR 100
 RECEIPT # 03275 2/07/2008 005
 5 528 THINGS IDENTIFICATION
 00770
 Rept Tot 65.00
 6.00 17 65.00
 Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
201	006			65.00				65.00
Total:								65.00

Rec From: **10 (Gray) (Name)**
 For: **Adm. Virginia - 2807 Green Lane Rd.**
DX-356-A (Name)

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 08-356-A

Petitioner/Developer: JEFFREY S
FRANCINE KANE

Date Of Hearing/Closing: 3/3/08

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

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
at 2807 GREENLAWN ROAD

This sign(s) were posted on February 17, 2008

(Month, Day, Year)

Sincerely,

Martin Ogle 2/17/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

Myra J. Gl...
2/17/08



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 356 -A Address 2807 Greenlawn Road
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 2/7/08 Posting Date: 2/17/08 Closing Date: 3/3/08

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **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. **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.
3. **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- 356 -A Address 2807 Greenlawn Road
Petitioner's Name Jeffrey & Francine Kane Telephone 410-944-4554
Posting Date: 2/17/08 Closing Date: 3/3/08
Wording for Sign: To Permit a proposed open projection (carport) with a side yard setback of 3 feet in lieu of the minimum required 6 feet.

WCR - Revised 6/25/04



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

March 3, 2008

Jeffrey H. Kane
Francine M. Kane
2807 Greenlawn Road
Baltimore, MD 21207

Dear Mr. and Mrs. Kane:

RE: Case Number: 08-356-A, 2807 Greenlawn Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 7, 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 3, 2008

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

RECEIVED
MAR 04 2008

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-356- 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 Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

CM/LL



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

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

Maryland Department of Transportation

Date: 2/21/2008

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

RE: Baltimore County
Item No. E-356-A
2807 GREENLAWN ROAD
KANE 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. E-356-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 handwritten signature in black ink, appearing to read "Steven D. Foster".

For
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
INTEROFFICE CORRESPONDENCE

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

DATE: February 21, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For February 25, 2008
Item Nos. 08-337, 341, 348, 355, 356, 358,
359, 360, 361, 362, 363, 365, and 373

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-02212008.doc



BALTIMORE COUNTY
M A R Y L A N D

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 25, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 18, 2008

Item Number: 337,348,355,356,357,359,360,361,362,363,364,365,366,367,368,369
373

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.

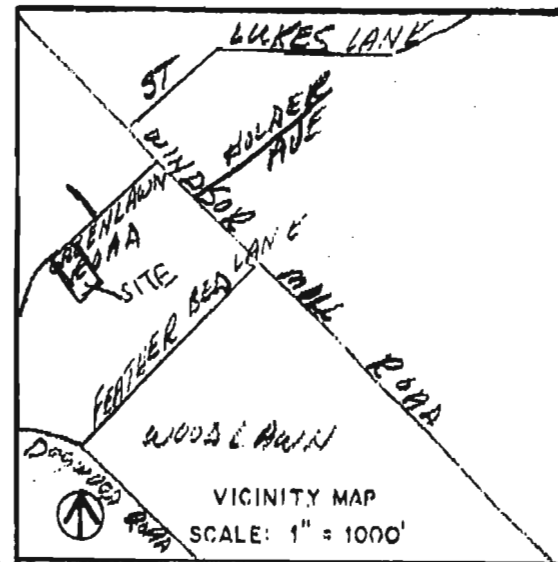
Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C)443-829-2946
MS-1102F

cc: File

-15-

SUBDIVISION NAME **GREENLAWN**

OWNER JEFFREY AND FRANCINE KANE



ELECTION DISTRICT 2

COUNCILMANIC DISTRICT

1"=200' SCALE MAP # 088A2

ZONING **RR 5.5** (formerly R-6)

LOT SIZE 20 8681
ACREAGE SQUARE FEET

SEWER PUBLIC PRIVATE
☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING *NO ME*

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

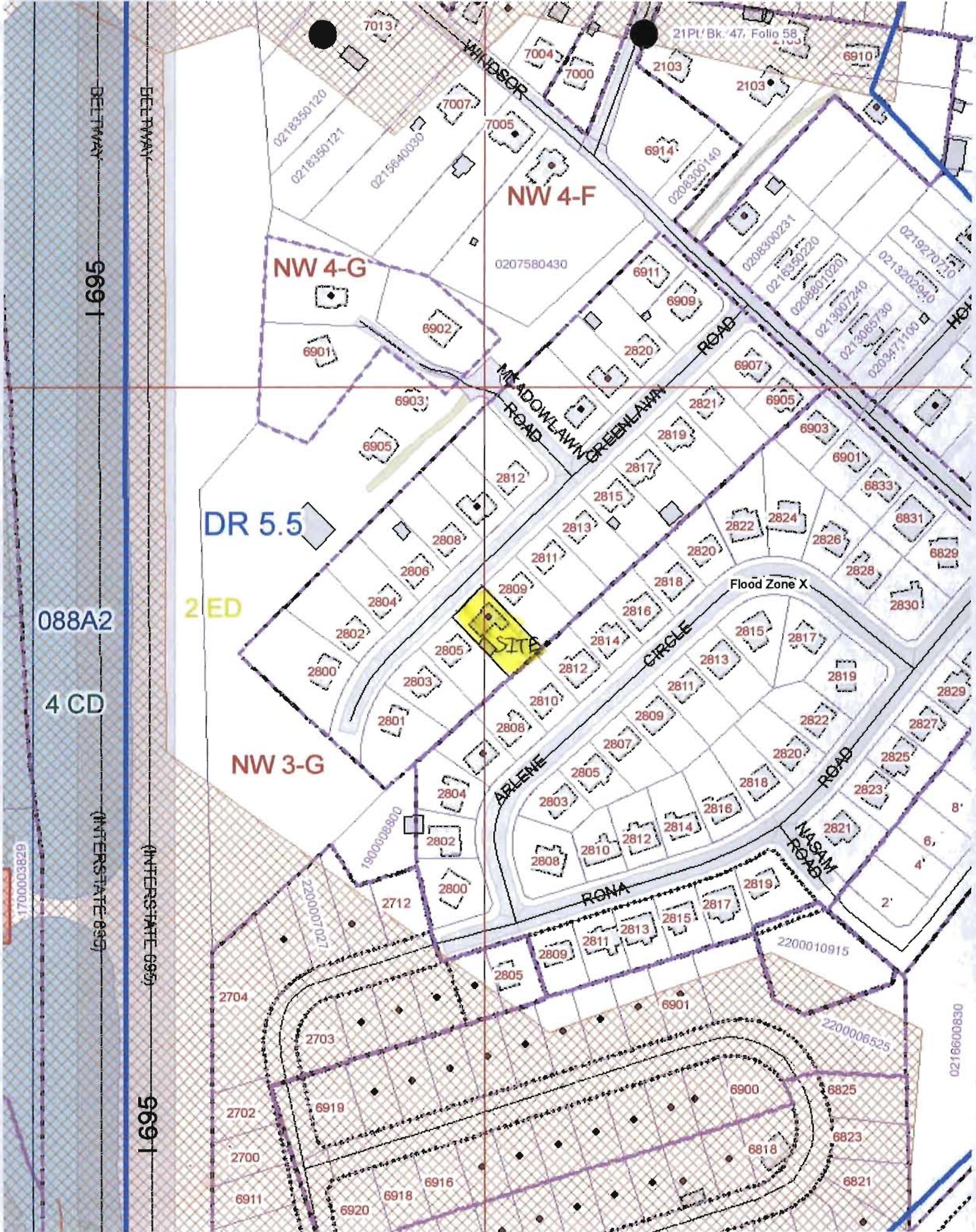
JNF 356 18-356-A

Greenlawn Road
50' R/W, 26' Paving

**Proposed Carport
Kane Residence
Scale: 1"=30'**

PREPARED BY





08-356-A

2809 GREENLAWN Rd

2807



12/01/2008

08-356-A

2807 GREENLAWN Rd

2805



12/01/2008

08-356-A

2807 GREENLAWN ROAD



08-356-A