

IN RE: PETITION FOR ADMIN. VARIANCE

E side Hawksbury Road,
111 feet N c/l Steamwood Drive
2nd Election District
2nd Councilmanic District
(4602 Hawksbury Road)

Lionell and Veronica Shields
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-411-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, Lionell and Veronica Shields for property located at 4602 Hawksbury Road. The variance request is from Section 1B02.3.B (formerly R-10) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 16 feet in lieu of the required 30 feet for a sunroom addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a 12 foot x 12 foot sunroom on the existing deck. The sunroom will be accessed via the existing sliding doors which now access the existing deck. The sunroom will not extend any further into the rear yard setback than the existing deck. None of the adjacent neighbors voiced any objection to the proposed sunroom.

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 March 16, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

4-2-08
[Signature]

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 2nd day of April, 2008 that a variance from Section 1B02.3.B (formerly R-10) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 16 feet in lieu of the required 30 feet for a sunroom addition 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

THB:pz

STUDY RECEIVED FOR FILED
4-2-08
B3

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 4602 Hawksbury Rd
Address
Baltimore MD 21208
City State Zip Code

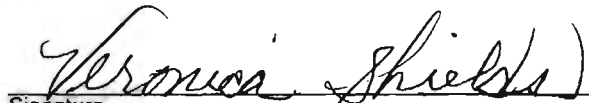
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We would like to build a sunroom (12'x12) on our existing deck, But we will not be able to have the required 30ft rear setback. This is caused by the shape and the size of our lot. Which is only 98ft in depth on the north property line and 113ft on the south property line, this with a required 30ft front setback, and a 42ft house we will only have 16ft from the proposed sunroom to the rear property line. Therefore we request a variance of 16ft rear setback in lieu of the required 30ft.

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.


Signature

Lionell Shields
Name - Type or Print


Signature

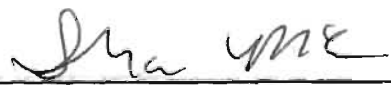
Veronica Shields
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of February, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires 12-13-08



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4602 Hawksbury Rd
which is presently zoned DR 3.5

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)

1302.3.B (formerly R-10) to
permit a rear yard setback of 16 ft. in lieu of the required 30 ft.
for a sunroom addition.

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):

Lionell Shields

Name - Type or Print

Signature

Veronica Shields

Name - Type or Print

Signature

4602 Hawksbury Rd (410) 486-4709

Address Telephone No.

Baltimore MD 21208

City State Zip Code

Representative to be Contacted:

Scott Bathurst

Name

1585 Sulphur Spring Rd 410-242-5970

Address Telephone No.

Baltimore MD 21221

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. 08-44-A

Reviewed By BSK Date 3/5/08

REV 10/25/01

Estimated Posting Date 3/16/08

4-208
P3

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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Baltimore MD 21208
City State Zip Code

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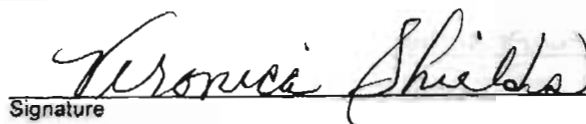
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That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


Signature

Lionell Shields

Name - Type or Print


Signature

Veronica Shields

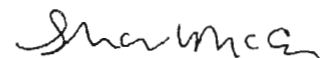
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of February, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires 12/13/08

Zoning Description for 4602 Hawksbury Rd.

Beginning at a point on the East side of Hawksbury Rd. which is 50 ft. wide at the distance of 111 ft. north of the centerline of the nearest improved intersecting street Streamwood Dr which is 50 ft. wide. *Being lot #26, Block# F Section# 1, in the subdivision of Willow Glen North as recorded in the Baltimore county Plat Book #32, Folio #96, containing 8,712 SF. Also known as 4602 Hawksbury Rd. and located in the 2nd election district, 2nd Councilmanic District.

**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: 08-411-A
Petitioner: Shields, Lionell
Address or Location: 4602 Hawksbury Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Appleby
Address: 1585 Sulphur Spring Rd
Pikesville Md 21208

Telephone Number: 410 242-5970

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 411 -A Address 4602 Hawksbury Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/5/08 Posting Date: 3/16/08 Closing Date: 3/31/08

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- 411 -A Address 4602 Hawksbury Rd.

Petitioner's Name Lionell & Veronica Shields Telephone 410-486-4709

Posting Date: 3/16/08 Closing Date: 3/31/08

Wording for Sign: To Permit a rear yard setback of 16 ft. in lieu of the required 30 ft. for a sunroom addition.

WCR - Revised 6/25/04

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **11463**

Date: **3/5/08**

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			0030				

Total: **165.00**

Rec

From: **Apple**

For: **Administration Var cost**

DISTRIBUTION
 WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

Item # 411

BUSINESS ACTUAL TIME
 3/05/2008 3/05/2008 09:10:30
 REG 001 MW, KTH JRIC JHB
 >>RECEIPT # 3/05/07 3/05/2008 0.10
 Dept 5 520 /DRUG VERIFICATION
 011463
 Recpt Tot 165.00
 9101.00 12 1.00 1.0
 Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No.: 08-411-A

Petitioner/Developer: LIONELL

VERONICA SHIELDS

Date of Hearing/Closing: 3-31-08

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:

4602 HAWKSBURY RD

The sign(s) were posted on 3-16-08
(Month, Day, Year)

Sincerely,

Robert Black 3-20-08
(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)





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

March 31, 2008

Lionell Shields
Veronica Shields
4602 Hawksbury Road
Baltimore, MD 21208

Dear Mr. and Mrs. Shields:

RE: Case Number: 08-411-A, 4602 Hawksbury Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 5, 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.

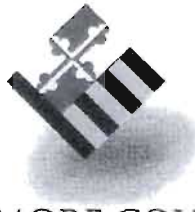
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Scott Bathurst 1585 Sulphur Spring Road Baltimore 21221



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
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 12, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 10, 2008

Item Number: 400,403,404,405,406,407,409,410, 411, 412,413,414,415,416 and 417

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

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

DATE: March 13, 2008

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 17 2008
Item Nos. 08-371, 400, 401, 402, 403, 404,
405, 406, 408, 409, 410, 411, 412, 413, 414,
416, and 417

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-03132008.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 18, 2008

RECEIVED
MAR 19 2008

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

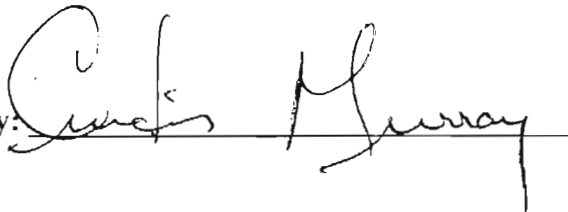
BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-411- 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:



CM/LL



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

State Highway
Administration

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

Maryland Department of Transportation

Date: March 12, 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. B-411-A
4602 HAWKSBURY ROAD
SHIELDS 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. B-411-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



View of 4600 Hawksbury Rd.
windows



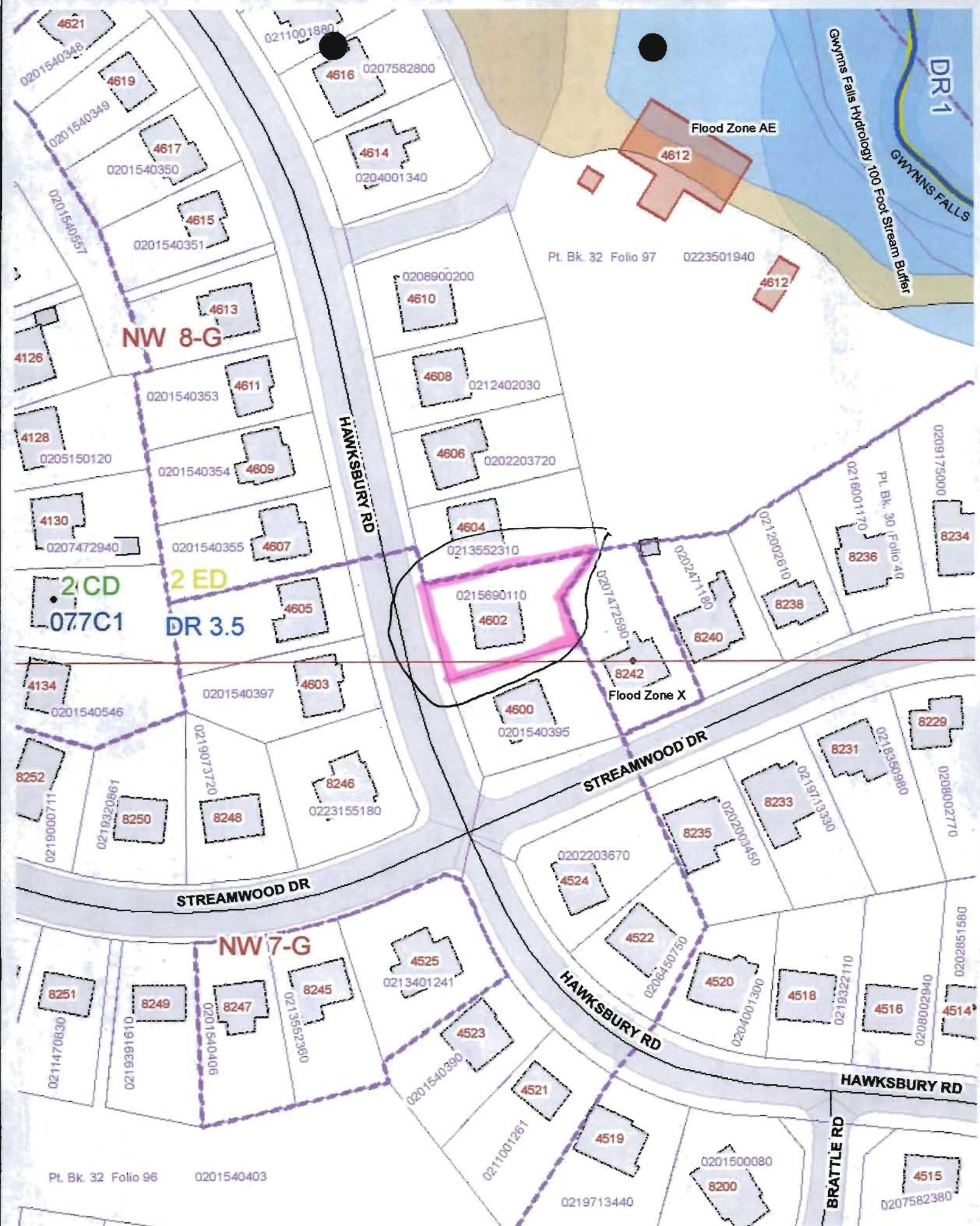
View of our rear yard facing property on
Steamwood Dr.



Location of proposed sunroom on rear of
house.



View of neighbor at 4604 Hawksbury Rd.
windows



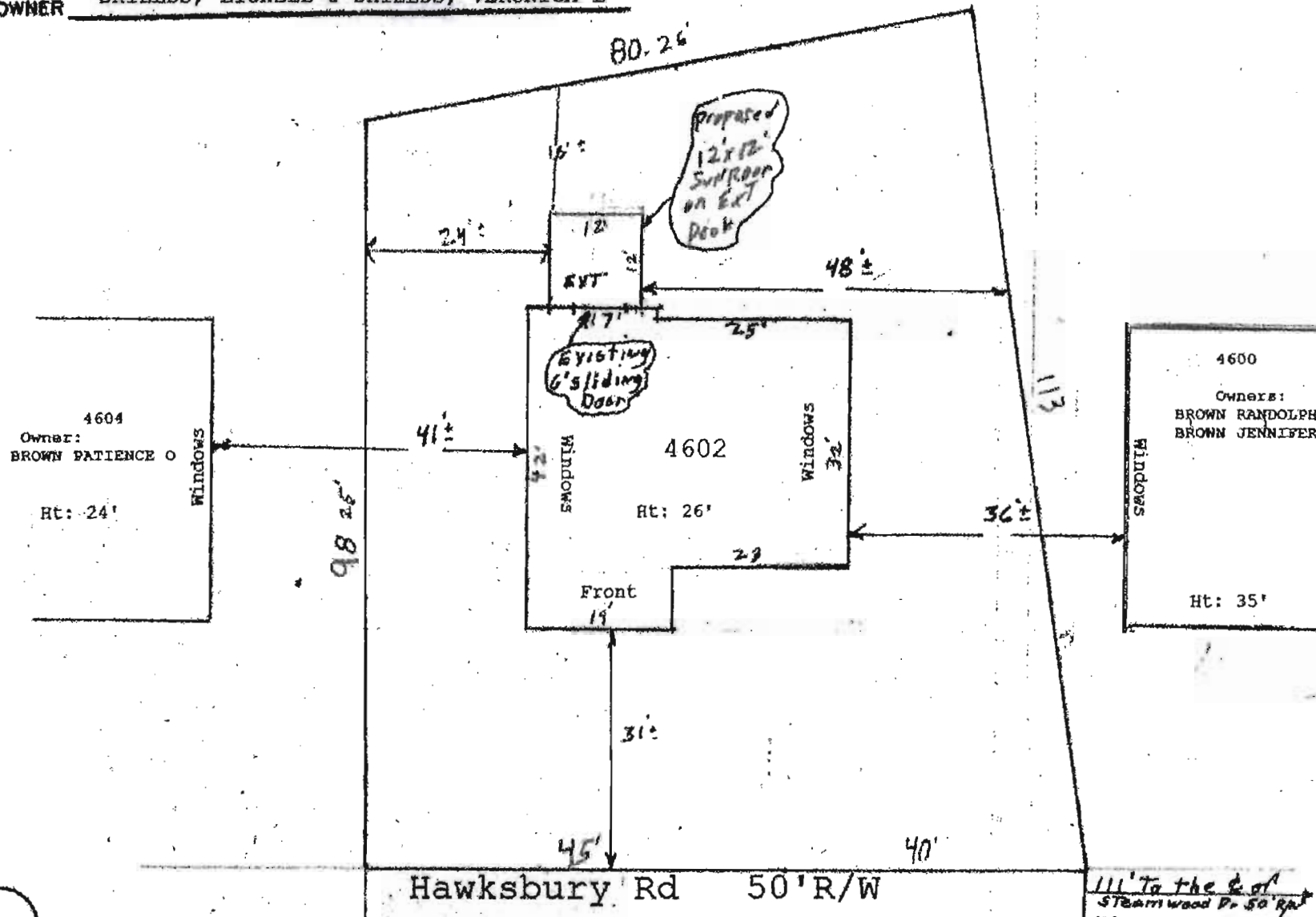
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS 4602 HAWKSURY RD

SUBDIVISION NAME WILLOW GLEN NORTH

FLAT BOOK # 32 FOLIO # 96 LOT # 26 SECTION # 1

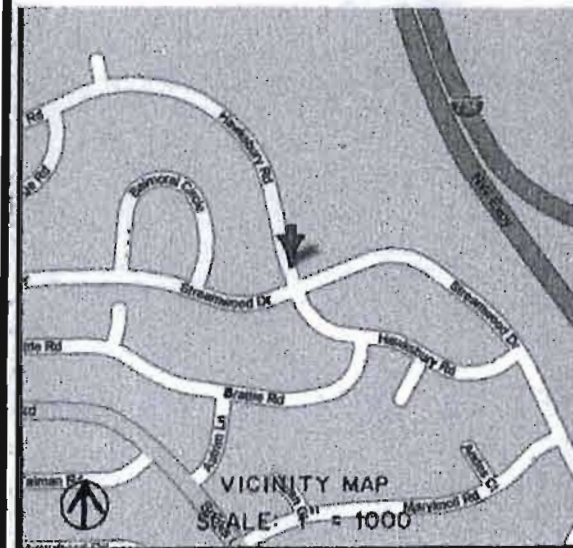
OWNER SHIELDS, LIONELL & SHIELDS, VERONICA L



NORTH

PREPARED BY Gerard Andersen

SCALE OF DRAWING: 1" = 20'



LOCATION INFORMATION

ELECTION DISTRICT 2nd

COUNCILMANIC DISTRICT 2nd

1" = 200' SCALE MAP # 077C1

ZONING R-10

LOT SIZE 8,712

ACREAGE	SQUARE FEET
1.00	43,560
2.00	87,120
3.00	130,680
4.00	174,240
5.00	217,800
6.00	261,360
7.00	304,920
8.00	348,480
9.00	392,040
10.00	435,600
11.00	479,160
12.00	522,720
13.00	566,280
14.00	609,840
15.00	653,400
16.00	696,960
17.00	740,520
18.00	784,080
19.00	827,640
20.00	871,200
21.00	914,760
22.00	958,320
23.00	1,001,880
24.00	1,045,440
25.00	1,089,000
26.00	1,132,560
27.00	1,176,120
28.00	1,219,680
29.00	1,263,240
30.00	1,306,800
31.00	1,350,360
32.00	1,393,920
33.00	1,437,480
34.00	1,481,040
35.00	1,524,600
36.00	1,568,160
37.00	1,611,720
38.00	1,655,280
39.00	1,698,840
40.00	1,742,400
41.00	1,785,960
42.00	1,829,520
43.00	1,873,080
44.00	1,916,640
45.00	1,960,200
46.00	2,003,760
47.00	2,047,320
48.00	2,090,880
49.00	2,134,440
50.00	2,178,000
51.00	2,221,560
52.00	2,265,120
53.00	2,308,680
54.00	2,352,240
55.00	2,395,800
56.00	2,439,360
57.00	2,482,920
58.00	2,526,480
59.00	2,570,040
60.00	2,613,600
61.00	2,657,160
62.00	2,700,720
63.00	2,744,280
64.00	2,787,840
65.00	2,831,400
66.00	2,874,960
67.00	2,918,520
68.00	2,962,080
69.00	3,005,640
70.00	3,049,200
71.00	3,092,760
72.00	3,136,320
73.00	3,179,880
74.00	3,223,440
75.00	3,267,000
76.00	3,310,560
77.00	3,354,120
78.00	3,397,680
79.00	3,441,240
80.00	3,484,800
81.00	3,528,360
82.00	3,571,920
83.00	3,615,480
84.00	3,659,040
85.00	3,702,600
86.00	3,746,160
87.00	3,789,720
88.00	3,833,280
89.00	3,876,840
90.00	3,920,400
91.00	3,963,960
92.00	4,007,520
93.00	4,051,080
94.00	4,094,640
95.00	4,138,200
96.00	4,181,760
97.00	4,225,320
98.00	4,268,880
99.00	4,312,440
100.00	4,356,000

PUBLIC PRIVATE

SEWER 17

WATER

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☐ ☒

**HISTORIC PROPERTY/
BUILDING**

PRIOR ZONING HEARING No

ZONING OFFICE USE ONLY

REVIEWED BY: ITEM # CASE #

BK 411 08-411-A