

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Seven Courts Drive, 115 feet
SW of c/line of Parkfalls Drive
11th Election District
5th Councilmanic District
(9478 Seven Courts Drive)

David and Carolyn Boozer
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-412-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, David and Carolyn Boozer for property located at 9478 Seven Courts Drive. The variance request is from Section 1B01.2 (1970 B.C.Z.R. and Zoning Commissioner's Policy Manual) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed sunroom addition on rear of existing dwelling with a window to lot line distance of 6 feet in lieu of the required 15 feet, and to amend the Final Development Plan of Oakhurst for Lot #5, Section 1, only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a 12 foot x 15 foot sunroom on the rear of the home. The proposed sunroom will not extend farther into the rear yard than the existing deck which is located at the other end of the rear of the dwelling. The proposed sunroom will not extend further into the side yard setback than the existing dwelling which is already 6 feet from the side property line. The adjacent property owner at 9476 Seven Courts Drive does not object to the 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.

COPIES RECEIVED FOR FILED
4-2-08
M

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.

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 1B01.2 (1970 B.C.Z.R. and Zoning Commissioner's Policy Manual) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed sunroom addition on rear of existing dwelling with a window to lot line distance of 6 feet in lieu of the required 15 feet, and to amend the Final Development Plan of Oakhurst for Lot #5, Section 1, only 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.

ORDER RECEIVED FOR FILED
4.2.08
[Signature]

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 FILING
4.2.08

Pj



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9478 Seven Courts Drive
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) 1B01.2 (1970 BCZR & ZCPM)

TO PERMIT A PROPOSED SUNROOM ADDITION ON REAR OF EXISTING DWELLING WITH A WINDOW TO LOT LINE DISTANCE OF 6 FEET IN LIEU OF THE REQUIRED 15 FEET, AND, TO AMEND THE FINAL DEVELOPMENT PLAN OF OAKHURST FOR LOT #5 SECTION 1 ONLY 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):

David Boozer

Name - Type or Print

Signature

Carolyn Boozer

Name - Type or Print

Signature

9478 Seven Courts Dr. (410) 248-0968

Address

Telephone No.

Baltimore

MD

21236

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 4 day of March , 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.

08-412-A

Reviewed By

A. Tsui

Date

03/05/08

REV 10/25/01

Estimated Posting Date

03/16/08 - 03/31/08

STICK RECEIVED FOR FILING

4.208

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 9478 Seven Courts Dr
Address
Baltimore MD 21236
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'x15) on the rear of our house, Even though we will have a 6ft side setback to our side property line, we would be in violation of the 15ft window to property line, ~~and the 40ft Window to window laws.~~ Even though the east side of our house were the sunroom will be the closest to does have above grade window from our basement. This is the only location on the rear of the house the sunroom could be constructed, this room will be offset to the rear of our neighbors homes, So we are asking for a variance of 6ft window to property line ~~& 20ft window to window,~~ in lieu of the required 15ft ~~and 40ft~~ ~~respectively.~~

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.

David Boozer
Signature
David Boozer
Name - Type or Print

Carolyn Boozer
Signature
Carolyn Boozer
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

Shirley McCoy
Notary Public
My Commission Expires 12-13-08

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Address
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David Boozer
Signature

David Boozer
Name - Type or Print

Carolyn Boozer
Signature

Carolyn Boozer
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

Shawn C. G.
Notary Public

My Commission Expires 12-13-08



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9478 Seven Courts Drive
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) 1B01-2 (1970 BCZR & ZCPM)

TO PERMIT A PROPOSED SUNROOM ADDITION ON REAR OF EXISTING DWELLING WITH A WINDOW TO LOT LINE DISTANCE OF 6 FEET IN LIEU OF THE REQUIRED 15 FEET, AND, TO AMEND THE FINAL DEVELOPMENT PLAN OF OAKHURST FOR LOT # 5, SECTION 1 ONLY.

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):

David Boozer

Name - Type or Print

Signature

Carolyn Boozer

Name - Type or Print

Signature

9478 Seven Courts Dr. (410) 248-0968

Address Telephone No.

Baltimore MD 21236

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 08 day of March, 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. 08-412-A

REV 10/25/01

Reviewed By A-Tsu Date 03/05/08

Estimated Posting Date 03/16/08 ~ 03/31/08

4.208
pg

Zoning Description for 9478 Seven Courts Dr.

Beginning at a point on the East side of Seven Courts Dr. which is 70 ft. wide at the distance of 115 ft. SouthWest of the centerline of the nearest improved intersecting street Parkfalls Dr. which is 50 ft. wide. *Being lot #5, Block# B Section# 1, in the subdivision of Oakhurst as recorded in the Baltimore county Plat Book #42, Folio #9, containing 6,560.00 SF. Also known as Seven Courts Dr. and located in the 11th election district, 5th Councilmanic District.

08-412-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT



No. 1122

Date: 12/05/08

PAID RECEIPT

BALTIMORE COUNTY

Fund	Agcy	Orgn	Sub	Rev	Sub	Rept	BS	Amount
001	006			6130				115
JAMES T. SMITH, JR. County Executive								TIMOTHY M. KOTROCO, Director Department of Permits and Development Management

Total: 115

Rec

From: West Baltimore

For: 1478 Seven Courts Dr

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No.: 08-412-A

Petitioner/Developer: DAVID

BOOZER

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:

9478 SEVEN COURTS DR.

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)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 412 -A Address 9478 SEVEN COURTS DR

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 03/05/2008 Posting Date: 03/16/08 Closing Date: 03/31/08

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- 412 -A Address 9478
Petitioner's Name DAVID BOOZER Telephone 410-248-0968

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

Wording for Sign: To Permit A PROPOSED SUNROOM ADDITION ON REAR OF
EXISTING DWELLING WITH A WINDOW TO LOT LINE DISTANCE OF
6 FEET IN LIEU OF THE REQUIRED 15 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 31, 2008

David Boozer
Carolyn Boozer
9478 Seven Courts Drive
Baltimore, MD 21236

Dear Mr. and Mrs. Boozer:

RE: Case Number: 08-412-A, 9478 Seven Courts Drive

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.

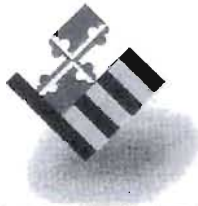
Very truly yours,

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



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

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. 8-412-A
9478 SEVEN COURTS DRIVE
BOOZER 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. 8-412-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

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 14, 2008

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

RECEIVED
MAR 14 2008

BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-412- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:

Carol Murray

CM/LL

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

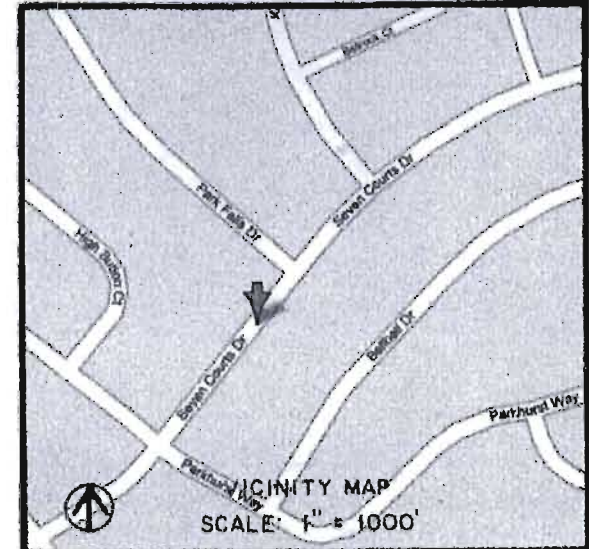
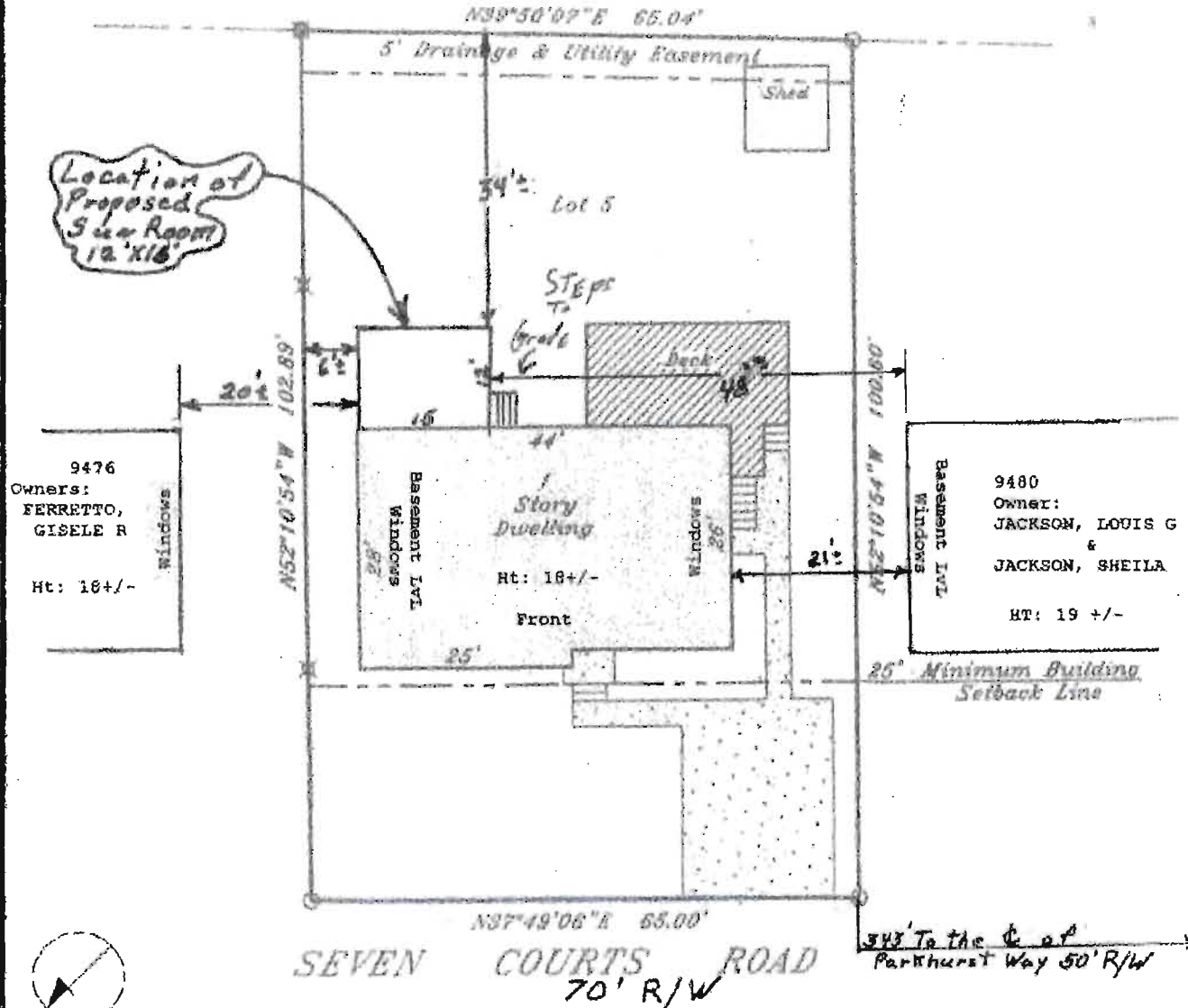
PROPERTY ADDRESS 9478 SEVEN COURTS DR

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME OAKHURST

PLAT BOOK # 9 FOLIO # 42 LOT # 5 SECTION # 1

OWNER BOOZER, DAVID G & BOOZER CAROLYN H



LOCATION INFORMATION

ELECTION DISTRICT 11th
COUNCILMANIC DISTRICT 5th
1" = 200' SCALE MAP # 071C1
ZONING Dr 5.5
LOT SIZE 6,560.00 SF
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	N/a	

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

A. Tsui | 412 | 08-412-A

PREPARED BY Gerard Andersen

SCALE OF DRAWING: 1" = 20'





View of neighbor at 9476 Seven Courts Rd
Window and door



Location of proposed sunroom on rear of
our house



View of north side of house
basement windows



View of neighbor at 9480 Seven Courts Rd
basement windows



View of the south side of our house
window and door

08-412-A