IN RE: PETITION FOR ADMIN. VARIANCE

W side of Dovefield Road, 140 feet S of

Likens Road

11th Election District

5th Councilmanic District

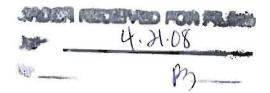
(16 Dovefield Road)

Richard and Nancy Piniecki Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 08-441-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, C Richard and Nancy Piniecki for property located at 16 Dovefield Road. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed sunroom addition with a 20 foot rear yard setback in lieu of the required 30 feet and to amend the Final Development Plan of the Likens Property for Lot #22. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners wish to construct a sunroom addition measuring 12 feet x 19 feet in size on the existing patio. The location of the proposed sunroom lends itself to the utilization of existing facilities without major interruptions to the existing floor plan of the house. The sunroom will help insulate and reduce heating bills as well as to reduce road and other ambient noises. The sunroom will provide a place to sit outdoors without concern for bugs or the sun's rays. Petitioner states the proposed sunroom will improve the overall appearance of the house. The lot size does not lend itself to any addition of adequate size without a variance. Photographs submitted by the Petitioners depict a number of similar sunrooms in the neighborhood.



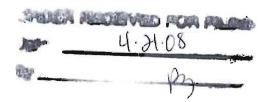
The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 28, 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 Hay of April, 2008 that a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed sunroom addition with a 20 foot rear yard setback in lieu of the required 30 feet and to amend the Final Development Plan of the Likens Property for Lot #22 is hereby GRANTED, subject to the following:



The location of the proposed sunroom lends itself to the utilization of existing facilities without major interruptions to the existing floor plan of the house. The sunroom will help insulate and reduce heating bills as well as to reduce road and other ambient noises. The sunroom will provide a place to sit outdoors without concern for bugs or the sun's rays. Petitioner states the proposed sunroom will improve the overall appearance of the house. The lot size does not lend itself to any addition of adequate size without a variance.

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.

MOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

April 21, 2008

RICHARD AND NANCY PINIECKI 16 DOVEFIELD ROAD PERRY HALL MD 21128

> Re: Petition for Administrative Variance Case No. 08-441-A Property: 16 Dovefield Road

Dear Mr. and Mrs. Piniecki:

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: Greg Falter, Patio Enclosures, 224 8th Avenue NW, Glen Burnie MD 21061



Petion for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at __16 Dovefield Rd. Perry Hall, MD 21128

TAX ACET # 2300008435

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal

TO PERMIT A PROPOSED SUN ROOM ADDITION WITH A DO FT. REAR YARD SET PLAN OF THE LIKENS PREPERTY FOR LOT # 22.

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.

Sandrand Derrahanault annon

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			- Nancy I	Piniecki		
Address		Telephone No.	-71	pe or Print		
City	State	Zip Code	Signature			
Attorney For	r Petitioner:		- 16 Dove	efield rd.		410-256-9244
			Address			Telephone No.
				dall, MD 21128 State	7	ip Code
Name - Type or Pri	int		City			ip Code
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Signature						
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Address		releptions No.	,	: MAD 04004		
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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.

competent to testify thereto in the event that a	public hearing is	scheduled in	the future with r	egard thereto.	()
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	- Perry Hall, MD	21128			7. 0.1.
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Date	Notary	Public		2 21/	
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Affidavit Support of Administrate Variance

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Richard Piwieck	Ci + NAA	sca Pinied	iki	
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3-12-2008	No.		<u> </u>	
Date	Notary F My Com	mission Expires _	U1-3.201	(

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ZONING DESCRIPTION FOR 14 DOVEFIELD RD.

BEGINNING AT A POINT ON THE NORTH, SIDE OF DOVEFIELD RD
WHICH IS 50' WIDE AT THE DISTANCE OF 140' SOUTH OF THE
NEAREST IMPROVED INTERSECTING STREET LIKENS RD. WHICH
IS 50' WIDE. BEING LOT # 22 BLOCK, SECTION, IN THE
SUBDIVISION OF LIKENS PROPERTY AS RECORDED IN COUNTY
PLAT BOOK # 72, FOLIO # 112, CONTAINING 6,750 SQ'. ALSO
KNOWN AS 16 DOVEFIELD RD. LOCATED IN THE 11th ELECTION
DISTRICT, 5th COUNCILMANIC DISTRICT.

	E OF BUI LLANEO			OA"	41 10		No.	2109 PAID RECEIPT RUSTINGS ACTION 3/20/08 3/20/2008 10
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CERTIFICATE OF POSTING

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

Attention: Christen Matthews

Towson, MD 21204

Date of Hearing/Closing: APRIL 14, 2008 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 propery located at #16 DOVEFIELD ROAD The sign(s) were posted on MA2. 28, 7008 (Month, Day, Year) Sincerely, CARLAGE E, MOORE (Printed Name) 3225 RYERSON CIRCLE BALTIMO125, MD, 217.27 (City, State, Zip Code) (410) 242-426.3 (Telephone Number)

RE: Case No.: 08-0441

Petitioner/Developer: R. EN. PIWIECKI

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 044/ -A Address 16 DoveFIELD RD.
Contact Person: J. (Ewis Phone Number: 410-887-3391
Filing Date: $3/30/08$ Posting Date: $3/30/08$ Closing Date: $4/14/08$
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
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 98- 044/ -A Address 16 DOUEFIEUD RD
Petitioner's Name RICHARD V NAMED PINIECK Telephone 410 256 9244
Posting Date: 3/30/08 Closing Date: 4/14/08
Wording for Sign: To Permit 10 PERMITA PROPOSED SON ROOM ADDITION ONTHA SETBACK
OF DO FT. IN LIEU OF THEREOVINED 30 FT. AND ID AMEND THE FINAL DEVELOPMEN
PLAN OF THE LIKENS PROPERTY FUR LOT # 22

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.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Item Number or Case Number: _	2008 0441 A
Petitioner: Richard & Nancy Piniecki	
Address or Location: 16 Dovefield R	Rd. Perry Hall, MD 21128
PLEASE FORWARD ADVERTIS	ING BILL TO:
Name: Patio Enclosures Inc.	(Attn: Greg Falter)
Address 224 8th own NIM	
Address: <u>224 8th avw. NW</u>	
Glen Burnie, MD 2106	31
· · · ·	51

Revised 2/20/98 - SCJ



ZONING NOTICE

VARIANCE

CASE # 08-0441

TO PERMITA PROPOSED SUN ROOM ADDITION WITH A SET BACK OF 20FT. IN LIE U OF THE REQUIRED 30 FT. AND TO AMEND THE DEVELOPMENT PLAN OF THE LIKENS PROPERTY FOR LOT #22

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AM ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW RUREAU BEFORE
5.00 PM ON THE REVIEW RUREAU BEFORE
F.O. PM ON THE REVIEW RUREAU BEFORE

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391 DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE





JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

April 15, 2008

Richard Piniecki Nancy Piniecki 16 Dovefield Road Perry Hall, MD 21128

Dear Mr. and Mrs. Piniecki:

RE: Case Number: 08-441-A, 16 Dovefield 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 20, 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

Patio Enclosures, Inc. Greg Falter 224 8th Avenue NW Glen Burnie 21061

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: April 17, 2008



BY:____

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-441- 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 Ziegler in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



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

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

Maryland Department of Transportation

Date: APRIL 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. 8-441-A

16 DOLEFIELD ROAD

PINIECKI 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. 8-441-4.

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.

1 Steven D. Foster, Chief

For Engineering Access Permits

Division

SDF/MB



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 April 4, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 31, 2008

Item Number: 441,442,443,444,445,446,447,449

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

DATE: April 1, 2008

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 7, 2008

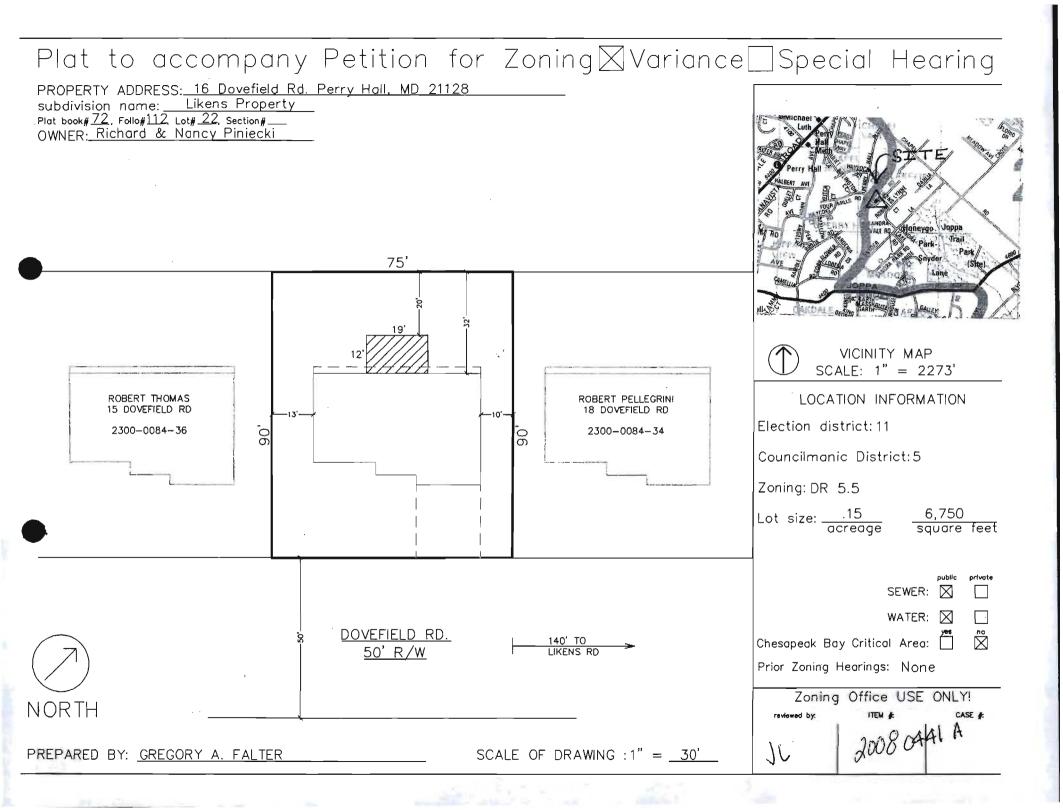
Items Nos. 08-441, 442, 443, 445,

446, 447, 448, and 449

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:lrk

cc: File

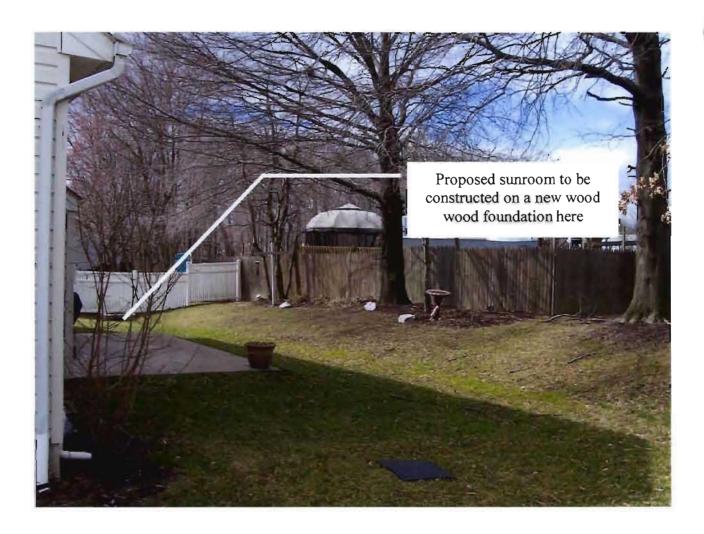






16 DOVEFIELD RD . PERRY HALL MD 21128

Variance Photo's for 16 Dove field Rd. Perry Hall, MD 21128



View of back yard as seen from the right side of the dwelling

0441

Variance Photo's for 16 Dove field Rd. Perry Hall, MD 21128



Sunroom @ 4201 Likens Rd.



Screen room @ 4202 Likens Rd.



Sunroom addition at 20 Dove field Rd. (two houses down) built with a permit (B636971) and variance (06-613-A)