

**IN RE: PETITION FOR ADMIN. VARIANCE**

N side of Anneslie Road, 260 feet +/- E  
of c/l of Locust Drive  
9<sup>th</sup> Election District  
5<sup>th</sup> Councilmanic District  
**(508 Anneslie Road)**

Jonathan Boxwell and Lisa Lachenmayr  
*Petitioners*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* **Case No. 08-454-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, Jonathan Boxwell and Lisa Lachenmayr for property located at 508 Anneslie Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet for a garage in lieu of the required 2.5 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The driveway is constructed to meet an existing dilapidated garage which is located 0 feet from the west property line. Petitioners desire to replace the 10 foot x 20 foot garage with a new structure measuring 20 feet x 22 feet in size.

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 April 12, 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

**ORDER RECEIVED FOR FILING**  
5.5.08  
B3


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 5<sup>th</sup> day of May, 2008 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet for a garage in lieu of the required 2.5 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.

  
THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING  
5-5-08  
123



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

May 5, 2008

JONATHAN BOXWELL AND LISA LACHENMAYR  
508 ANNESLIE ROAD  
BALTIMORE MD 21212

Re: Petition for Administrative Variance  
Case No. 08-454-A  
Property: 508 Anneslie Road

Dear Mr. Boxwell and Ms. Lachenmayr

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

# Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property located at 508 ANNESLIE RD which is presently zoned DR S.5

Deed Reference: 221271655A Tax Account # 091964193

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)

400.1; BCZR, TO PERMIT A SIDE YARD SETBACK OF ZERO FT FOR A GARAGE IN LIEU OF THE REQUIRED 7.5 FT

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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):**

**Jonathan Boxwell**  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
**Lisa Vachenmayr**  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
**508 Anneslie Rd** Telephone No. **443 901 0458**  
Address \_\_\_\_\_  
**Baltimore, MD 21212**  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Representative to be Contacted:**

Name **SAMX**  
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. 2008-0454-A

Reviewed By [Signature] Date 3.31.08

REV 7/20/07

Estimated Posting Date 4.13.08

**COPIES RECEIVED FOR FILE**  
5508  
[Signature]

# 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 508 Anneslie Rd  
Address  
Baltimore, MD 21212  
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):

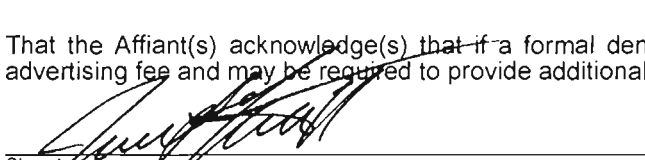
Due to practical difficulty, strict compliance with the requirement of a 2' 6" setback on the west property line of #508 Anneslie Road would render the use of a garage unnecessarily burdensome. This is due to the placement of the current driveway and obstructions leading into the garage caused by fixed objects.

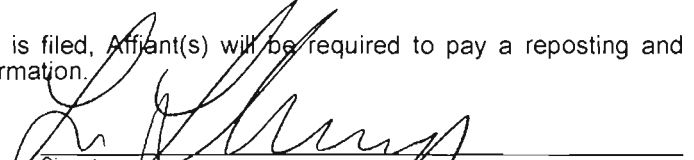
The current driveway is constructed to meet an existing garage located at a 0" setback on the west property line. Existing garage structure is beyond repair.

Request administrative variance of 0" setback on west property line to replace existing 10' W by 20'L garage structure located at a 0" setback on the west property line with a 20' W by 22' L garage structure to be located at a 0" setback on the west property line.

One hour rated fire specifications appear on building plans for this structure. Increased size is required for the safety of items to be stored within garage.

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  
Jonathan Boxwell  
Name - Type or Print

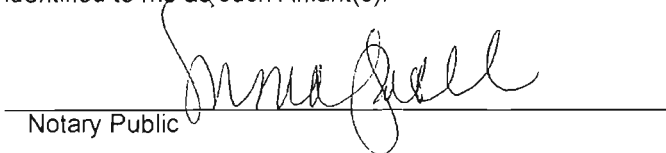
  
Signature  
Lisa Lachenmayr  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29<sup>th</sup> day of March, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JONATHAN W. BOXWELL AND LISA A. LACHENMAYR  
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 10/01/2010

## **Zoning Description for 508 Anneslie Road**

Beginning at the point on the north side of Anneslie Road which is 50 feet wide at a distance of 260 feet east of the centerline of the nearest improved intersecting street Locust Drive which is 50 feet wide. Being Lot # 77&78, block J, in the subdivision of Anneslie as recorded in Baltimore County Plat Book # 7, Folio # 40, containing 6,250 sq feet. Also known as 508 Anneslie Road and located in the 9 Election District, 5 Councilmanic District.

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS RECEIPT**

No. 12122

Date: 3.31.08

DATA RECEIPT  
 PAID RECEIPT

BUSINESS ACTING TIME PER  
 3/31/2008 3/31/2008 09:13AM 2

REC'D BY: JWWL JWSH JJE  
 >>RECEIPT # 571147 3/31/2008 09:14

Dept: 5 520 BONDING VERIFICATION  
 CR NO: 012127

| Fund | Agcy | Orgn | Sub Orgn | Rev Source | Sub Rev | Rept Catg | BS Acct | Amount |
|------|------|------|----------|------------|---------|-----------|---------|--------|
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Recpt Tot 105.00  
 \$101.00 CA 170.00 CA  
 \$5.00 CI  
 Baltimore County, Maryland

Total: 65.00

Rec From: J. Boxwall  
 For: 2008-0454-A

DISTRIBUTION  
 WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

**CASHIER'S  
 VALIDATION**

# CERTIFICATE OF POSTING

RE: Case No: 2008-0454-A

Petitioner/Developer: \_\_\_\_\_  
JONATHAN BOXWELL

Date Of Hearing/Closing: April 28, 2008

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 508 ANNESLIE RD

This sign(s) were posted on April 12, 2008  
(Month, Day, Year)

Sincerely,

Martin Ogle 4/12/08  
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



# ZONING NOTICE

ADMINISTRATIVE

## VARIANCE

CASE # K008-0157-A

A VARIANCE TO RETAIN A SIGNAGE STRUCTURE IS  
BEING APPLIED FOR AT THE ADDRESS OF 1401 9TH  
AVENUE, #100

### PUBLIC HEARING ?

PERMITS IN EITHER IN-PROCESS, DELAYED, EXPIRED,  
AND ELIGIBLE, REVERSAL, OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE. PROVIDED IT  
IS DONE IN THE ZONING OFFICE BEFORE  
4:30 p.m. ON FRIDAY, APR. 28, 2008.

ADDITIONAL INFORMATION IS AVAILABLE AT  
ZONING ADMINISTRATION AND PLANNING DEPARTMENT  
1111 UNIVERSITY AVE  
SUITE 200, 200  
TULSA, OK 74103  
TEL. 581-3191

FOR MORE INFORMATION, CONTACT THE ZONING

Masterfile 4/12/08

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2008- 0454 -A Address 508 Anneslie Rd.

Contact Person: J. Merrey Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 3-31-08 Posting Date: 4/13/08 Closing Date: 4/28/08

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.
- 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.
- 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.
- 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 2008- 0454 -A Address 508 Anneslie Rd.

Petitioner's Name JONATHAN Boxwell Telephone 443-901-0458

Posting Date: 4/13/08 Closing Date: 4/28/08

Wording for Sign: A VARIANCE To Permit A SIDEYARD SETBACK OF ZERO FT. FOR A GARAGE IN LIEU OF THE REQUIRED 2.5 FT.

WCR - Revised 6/25/04

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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 454  
Petitioner: JONATHAN BOXWELL  
Address or Location: 508 ANNESLIE RD. BALD, Md. 21212

PLEASE FORWARD ADVERTISING BILL TO:

Name: \_\_\_\_\_  
Address: SAME  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone Number: 443-901-0458

Revised 2/20/98 - SCJ



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*

April 28, 2008

Jonathan Boxwell  
Lisa Lachenmayr  
508 Anneslie Road  
Baltimore, MD 21212

Dear Mr. Boxwell and Ms. Lachenmayr:

RE: Case Number: 2008-0454-A, 508 Anneslie 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 31, 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

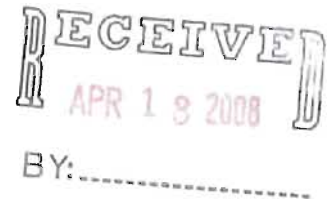
# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** April 17, 2008

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



**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 08-454- 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 John Alexander in the Office of Planning at 410-887-3480.

**Prepared By:**

A handwritten signature in black ink that reads "Curtis Henry". The signature is written over a horizontal line.

CM/LL

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

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

**DATE:** April 16, 2008

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For April 21, 2008  
Item Nos. 08-450, 451, 452, 453, 454,  
456, 457, 458, 459, 460, 462, 463, 464,  
465, 466, 468, 469.

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

DAK:CEN:lrk

cc: File

ZAC- 04162008-NO COMMENTS



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: APRIL 14, 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. 8-454-A  
508 ANNEGLIE ROAD  
BOXWELL / LCHENMAYE  
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. 8-454-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,

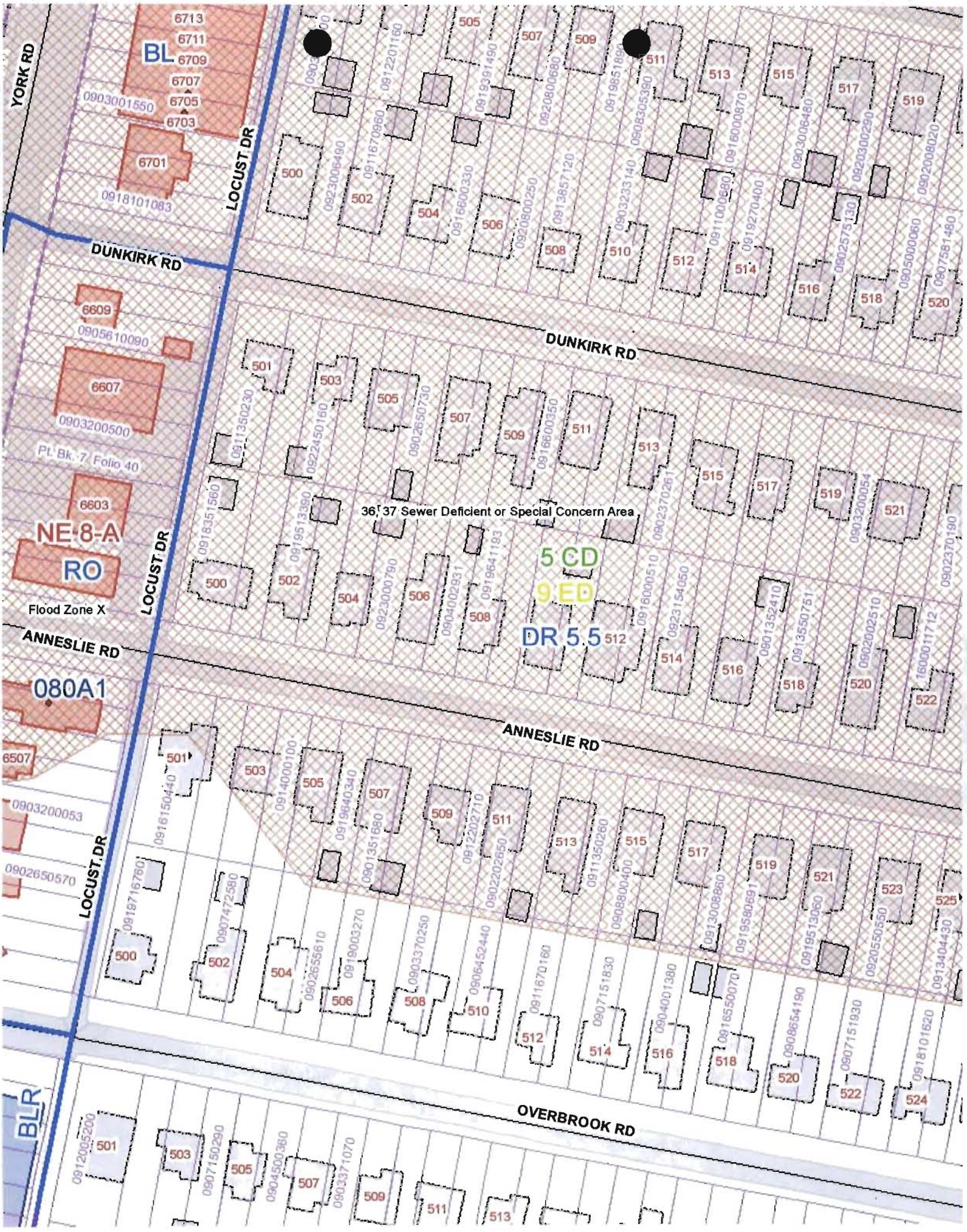
Foe<sup>↑</sup> Steven D. Foster, Chief  
Engineering Access Permits  
Division

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



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NE-8-A  
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Flood Zone X

ANNESLIE RD

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36' 37 Sewer Deficient or Special Concern Area

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PLAT TO ACCOMPANY PETITION FOR ZONING  VARIANCE  SPECIAL HEARING

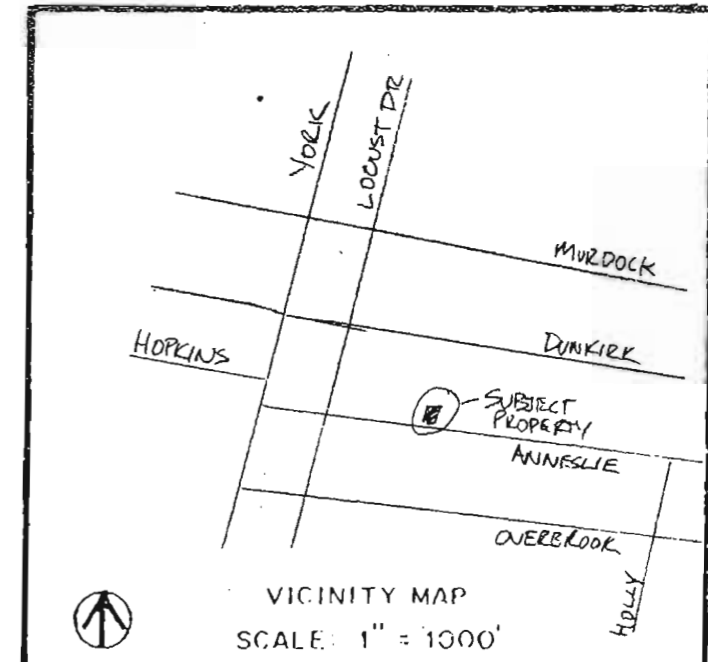
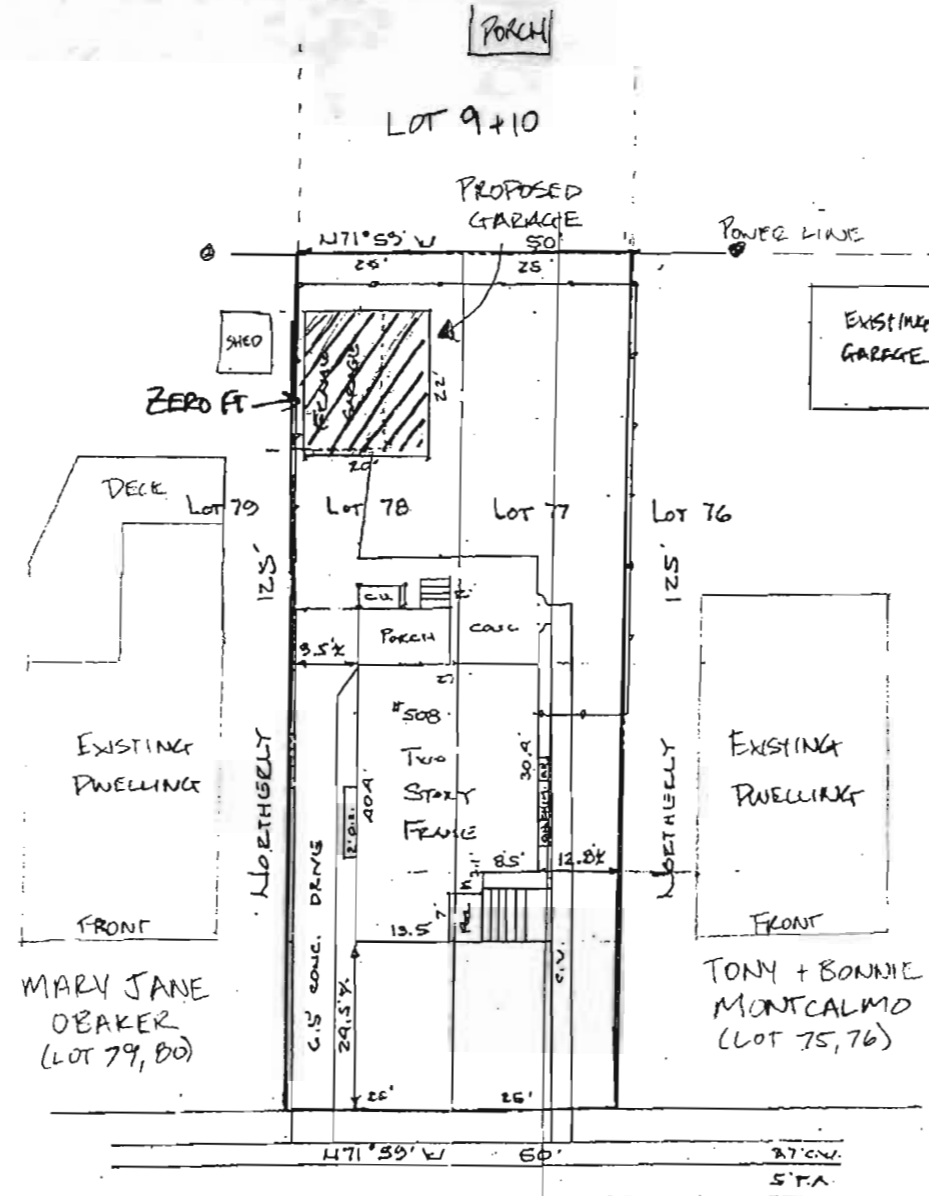
PROPERTY ADDRESS 508 ANNESLIE ROAD

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

SUBDIVISION NAME ANNESLIE

PLAT BOOK # 7 FOLIO # 40 LOT # 77/78 SECTION #

OWNER J BOXWELL + L LACHENMAYR



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 080A1

ZONING DR 5.5

LOT SIZE 0.14 6250  
ACREAGE SQUARE FEET

|                              | PUBLIC                              | PRIVATE                             |
|------------------------------|-------------------------------------|-------------------------------------|
| SEWER                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| WATER                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CHESAPEAKE BAY CRITICAL AREA | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 100 YEAR FLOOD PLAIN         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HISTORIC PROPERTY/BUILDING   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| PRIOR ZONING HEARING         | <u>NONE</u>                         |                                     |



260±' to C.O. of LOCUST DRIVE

ANNESLIE ROAD  
50' R.L. 27' MAC.

PREPARED BY JWB

SCALE OF DRAWING: 1" = 30'

ZONING OFFICE USE ONLY

|             |        |        |
|-------------|--------|--------|
| REVIEWED BY | ITEM # | CASE # |
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