IN RE: PETITION FOR ADMIN. VARIANCE

S side of Coral Court, 104 feet W of Sandwood Road 15th Election District 7th Councilmanic District (3 Coral Court)

Michael N. and Kimberly G. Heaney *Petitioners*

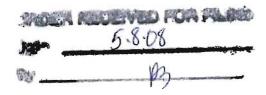
- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 08-477-A

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, Michael N. and Kimberly G. Heaney for property located at 3 Coral Court. The variance request is from Section 1B01.2.c.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a sunroom addition with a rear setback of 23 feet in lieu of the required 30 feet and to amend the last revision of the Final Development Plan of "Beachwood Estates" for Lot 517 Section 3 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners desire to construct a 14 foot x 12 foot sunroom on the back of their home. A letter in support of the variance request was provided by neighbors residing at 5 Coral Court. Photographs submitted with the Petition depict a number of similar sunrooms in the subdivision.

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 20, 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 day of May, 2008 that a variance from Section 1B01.2.c.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a sunroom addition with a rear setback of 23 feet in lieu of the required 30 feet and to amend the last revision of the Final Development Plan of "Beachwood Estates" for Lot 517 Section 3 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.

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

5.8.08 Wa



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

May 8, 2008

MICHAEL N. AND KIMBERLY G. HEANEY 3 CORAL COURT BALTIMORE MD 21219

> Re: Petition for Administrative Variance Case No. 08-477-A Property: 3 Coral Court

Dear Mr. and Mrs. Heaney:

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.

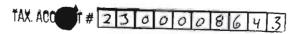
Very truly yours,

THOMAS H. BOSTWICK Deputy Zoning Commissioner for Baltimore County

THB:pz

Enclosure

c: Geoff Baker, 905 West 7th Street #295, Frederick MD 21701





CASE NO.

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3 CORAL G. BAUTO. HD 21219
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)

To permit a sunroom addition with a rear setback of 23-feet in lieu of the required 30-feet and to amend the last revision of the Final Development Plan of "Beachwood Estates" for Lot 517 Section 3 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: Legal Owner(s): Name - Type or Print Signature Address Telephone No. City State Zip Code Attorney For Petitioner: Address Name - Type or Print State Representative to be Contacted: Signature Company Address Telephone No. 21701 Zip Code Zip Code City State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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

Estimated Posting Date

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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advertising fee and may be required to provide a	additional inf	formation.			
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	Kimber		ney		
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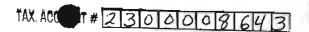
Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	_ S CORAL	<u> </u>	
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	City	/ State	Zip Code
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MICHAEL N. HEANEY	Olgitate	KINBERLY	G. HEANEY
Name - Type or Print		- Type or Print	,
STATE OF MARYLAND, COUNTY OF BALTII	MORE to wit:		
HEREBY CERTIFY, this 28th, day of Moore Maryland, in and for the County aforesaid, pe		, <u>2008</u> , before me,	a Notary Public of the Stale
of Maryland, in and for the County aforesaid, per Michael Heaney and K the Affiant(s) herein, personally known or satisf		U	
the Affiant(s) herein, personally known or satisf		as such Affiant(s).	
AS WITNESS my hand and Notarial Seal			
	Notary Public	ssa F. Lyp	rch
		on Expires Oct 1,	2008

Q52.X

REV 10/25/01





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3 Colar G. Batto. 10 21219
which is presently zoned De 3.5

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

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)

To permit a sunroom addition with a rear setback of 23-feet in lieu of the required 30-feet and to amend the last revision of the Final Development Plan of "Beachwood Estates" for Lot 517 Section 3 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.

is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Signatu Address Telephone No. City State Zip Code Attorney For Petitioner: Address Name - Type or Print Representative to be Contacted: Signature Company Address Telephone No. 2170 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. <u>2008-0477-A</u> REV 10/25/01 <u>6.5.08</u>	Reviewed By Date 4/11/08 Estimated Posting Date 4/20/08

ZONING DESCRIPTION FOR 3 CORAL CT.

Beginning at a point on the south side of Coral St., which is 30' wide at the distance of 104' west of the centerline of the nearest improved intersecting street, Sandwood Rd., which is 30' wide. Being known and designated as Lot No. 517, in the subdivision known as "Resubdivision of Lots A and B, Phase 2, Section 3, Beachwood Estates," as per plat thereof recorded among the Land records of Baltimore County, Maryland, in Plat Book 71, Folio 98, containing 7,342 SF. The improvements thereon being known as 3 Coral Court, Baltimore, MD 21219 and located in Election District 15.

0477-A

		DGET AI US REC		ANCE			No.	078 4/11/08	PAID RECEIPT DUSTNESS ACTUAL TIME IN 4.14/2008 4/11/2008 11:30:48
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CERTIFICATE OF POSTING

		Date: 4-20-08
	Date of Hearing/C This is to certify ur	oer: Michael Hierry losing: 5-5-00 Inder the penalties of perjury that the necessary sign(s) required bicuously on the property located at 3 Corol Ct
	The sign(s) were p	osted on(Month, Day, Year)
ATT	ACH PHOTOGRAPH OF SIGN POSTED ON PROPERTY UERE	(Signature of Sign Poster) T. LAWRENCE Pilson (Printed Name of Sign Poster) 1015 Bl. Ban Pa (Street Address of Sign Poster) Parkton, MD 2112a (City, State, Zip Code of Sign Poster)
		(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 0477 -A Address 3 Great (+
Case Number 08- 0477 -A Address 3 Coral C+ Contact Person: Leonard Wasilews k. Phone Number: 410-887-3391
Filing Date: $\frac{4/u/o8}{}$ Posting Date: $\frac{4/20/o8}{}$ Closing Date: $\frac{5/o5/o8}{}$ Any contact made with this office regarding the status of the administrative variance should be
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.
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 08-0477 -A Address $3 CoRel$ (7. Petitioner's Name $\frac{Michael + Kimberly + Heavey}{Closing Date: \frac{4}{20}/02 Closing Date: \frac{5}{05}/08$
Petitioner's Name Michael + Kimberly HEANEY Telephone 410-477-0104
Posting Date: 4/20/02 ' Closing Date: 5/05/08
Vording for Sign
To permit a sunroom addition with a rear setback of 23-feet in lieu of the required 30-feet and to amend the last revision of the Final Development Plan of Beachwood Estates for Lot 517 Section 3.



JAMES T. SMITH, JR. County Executive

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

May 5, 2008

Michael N. Heaney Kimberly G.Heaney 3 Coral Court Baltimore, MD 21219

Dear Mr. and Mrs. Heaney:

RE: Case Number: 2008-0477-A, 3 Coral Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 11, 2008. This letter is not an approval, but only **9 NOTIFICATION**.

The Zoning Advisory Committee (ZA/C), 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

Geoff Barker 905 W. 7th Street, #295 Frederick 21701

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: May 2, 2008



BY:____

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-477- 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

Division Chief"

CM/LL



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 24, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 21, 2008

Item Number: 470,471,472,473,474, 475,476,477,478, 479,480,481,

482,483,484,485,486 and 488

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 28, 2008

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 28, 2008

Item No.: 08-470, 471, 472, 474, 475, 476,

477, 478, 479, 480, 481, 482, 483, 484,

485, 486, 487, and 488.

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

DAK:CEN:lrk

cc: File

ZAC-04282008-NO COMMENTS



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

Neil J. Pedersen, Administrator

John D. Porcari, Secretary

Maryland Department of Transportation

Date: APRIL 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. 8-477-A

3 CORAL QUIZT HEANEY 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.8-477-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,

Steven D. Foster, Chief Engineering Access Permits

Division

SDF/MB

To Whom It May Concern:

Our neighbors at 3 Coral Court, Mike and Kim Heaney, have advised us that they wish to build a 14' x 12' sunroom on the back of their home. They advised they are running into issues regarding the 30' set back requirement and that they have requested an Administrative Variance Petition in order to have this requirement addressed in the hopes of being permitted to build this addition to their home.

The Heaneys have asked that we provide this letter advising zoning authorities that we have no objections to allowing them to build this sunroom.

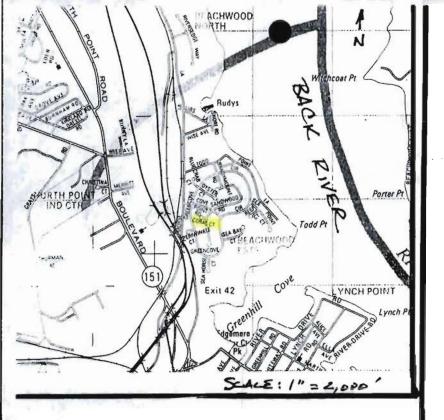
Sincerely

Charles and Alison Frey

5 Coral Court

Baltimore, MD 21219

0477-A



LOUNCIL DISTRICT 15

ELECTION DISTRICT 15

PLAT REF 71/98

LOT #517 SEC. 3

BEACHWOOD ESTATES

ZONING DR 3.5

LOT SIZE: 7,342 SF
.1685AC

SEWER: PUBLIC
WATER: PUBLIC
WATER: PUBLIC
CBAY CLITICAL AREA: NO
100 YEAR FLOOD PLAN: NO
HISTORIC PROPERTY: NO

PRIOR ZONING: NONE

CORAL COURT

RESOLUTION BLDG.

25' MIN BLDG.

26' M

PLAT TO ACCOMPANY PETITION FOR: ADMINISTRATIVE VARIANCE

MIKE & KIM HEANEY

3 CORAL CT.

EDGEMERE, MD 21219

SCALE: 1"=30"

0477-A





3 CORAL CT. REAR OF HOUSE (FACING NORTH)



SULLANDON CENTRANCE TO
BEACHWOOD ESTATES



3 CORAL CT. REAR OF HOUSE (FACING EAST)



3 CORAL CT.

REAR OF HOUSE

(FACING WEST)

0477-A