

IN RE: PETITION FOR ADMIN. VARIANCE

S side Haystack Drive, 320 feet N of
Windsor Mill Road
2nd Election District
4th Councilmanic District
(7507 Haystack Drive)

William A. and Minnie B. Lewis
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-493-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, William A. and Minnie B. Lewis for property located at 7507 Haystack Drive. The variance request is from Sections 1B01.2.C.1.b and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed sunroom addition with a rear yard setback of 8 feet in lieu of 22.5 feet, and to amend the Final Development Plan for Lot #79 in Claybrooke II. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The existing 12 foot x 20 foot deck is to be enclosed as a sunroom. The subject property is a panhandle lot which is unique for the neighborhood, and the rear of the property faces Windsor Blvd. There is a sunroom and deck located on adjacent property at 7507 Haystack Drive.

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 26, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

~~SPACE RESERVED FOR FILE~~

18- 5.20 08
PB

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 28th day of May, 2008 that a variance from Sections 1B01.2.C.1.b and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed sunroom addition with a rear yard setback of 8 feet in lieu of 22.5 feet, and to amend the Final Development Plan for Lot #79 in Claybrooke II 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.

THB:pz


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

5-20-08



Michael T. Caplan File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 1507 HAYSTACK Drive Baltimore MD 21244 which is presently zoned _____

Deed Reference: 1 Tax Account # 22-00025822

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) 1801.2.C.1.b. AND 504 EX-2R TO PERMIT A PROPOSED SUN ROOM ADDITION WITH A REAR YARD SETBACK OF 8 FT. INSTEAD OF 22 1/2 FT. AND TO AMEND THE FENCE DEVELOPMENT PLAN FOR LOT # 77 IN CLAYBROOK II

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.

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 _____

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.

Legal Owner(s):

William A. Lewis

Name - Type or Print William A. Lewis
Signature [Signature]

Name - Type or Print Minnie B. Lewis
Signature [Signature]

Address 7507 Haystack Drive (410) 265-5348
City Baltimore, State Maryland Zip Code 21244

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Zoning Commissioner of Baltimore County

Case No. 2008-0493-A

Reviewed By JK Date 4/18/08

REV 7/20/07

Adopted Posting Date 4/27/08

5-2008

pg

Original

0493

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:

7507 Haystack Drive
Address
Baltimore, Maryland 21244
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): *THE LOT HAS AN IRREGULAR SHAPED RESIDUAL REMAIN FROM SERVICES & CONSTRUCTION IS ON AN EXISTING PLOT (AC.)*

Variance is requested due to practical difficulty.

- A. The property whereon structure is to be located is different from the surrounding properties in that the deck located on the back of the property will be closed in to form an 18'x20' sunroom. The uniqueness of the structure will cause the zoning provision to impact more on the subject property in that it does not interfere with the property boundary lines.
- B. Strict compliance with the BCZR would result in practical difficulty.

- (i) Strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose by preventing the applicant from making maximum use of the space available on the property.
- (ii) Denial of the grant would be substantial injustice to the applicant because it would prevent the applicant from making maximum use of the property.
- (iii) Relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured. The contractor will build the structure to the proper code and regulations of the BCZR. The contractor will use the appropriate materials and build to the correct standards to pass inspection.

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.

William A. Lewis
Signature

William A. Lewis

Name • Type or Print

Minnie B. Lewis
Signature

Minnie B. Lewis

Name • Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William A. Lewis & Minnie B. Lewis
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 30, 2011

Zoning Description

0493

ZONING DESCRIPTION FOR 7507 Haystack Drive, Baltimore, MD 21244.

Beginning at a point on the south side of Haystack Drive which is

50' wide at the distance of 320' north of the centerline of the nearest improved

intersecting street Windsor Blvd which is 50' wide. Being Lot # 79,

Block , Section # in the subdivision of

Claybrooke II as recorded in Baltimore County Plat Book # 67, Folio # 13, containing

Y4 AC ~~sq-ft~~ Also known as 7507 Haystack Drive and located in the 2nd Election

District, 4th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

JK
0493

No. 14032

Date: 4/18/08

PAID RECEIPT

BUSINESS ACTUAL TIME
4/18/2008 4/18/2008 10:47AM
4/18/08 WALKER BOB WD
RECEIPT 044123 4/18/2008 12:14
3 500 20086 VERIFICATION
014032
Receipt Tot \$115.00
\$115.00 CF 1.00
Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Ctg	BS Acct	Amount
001	006			1150				115.00
Total:								115.00

Rec From: LEWIS
For: RV + Annual FDP 7507 MAYORAL DR

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 2008-0453-A

Petitioner/Developer: Whelan

MURIEL LANS

Date Of Hearing/Closing: 5/12/08

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 9507 HAYSACE DE

This sign(s) were posted on April 24, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle
(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 # 2008 - 0493-A

TO REQUEST A VARIANCE ADDITION (See above) AND
THE REAR OF A BUILDING WITH A REAR YARD SETBACK
OF 8 FT. IN LIEU OF 24 FT. ADD TO AMEND
THE FINAL ZONING MAP FOR LOT 279
IN CLAYBORNE II.

PUBLIC HEARING ?

PRESENT IN SECTION 16-127.01(a), PATRIOTIC COURT CAN
AN ELIGIBLE INDIVIDUAL 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 MAY 12, 2008
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION DEPARTMENT MANAGEMENT

FOR A CONSULTATION
CONTACT THE ZONING
ADMINISTRATION

TEL. 887-3391

NOTICE OF PUBLIC HEARING

Michael J. G. 4/26/08

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

appt. baasong for 5/15/08

Case Number 08-²⁰

0493

A

Address

7507 HAYSTACK DR.

Contact Person

V. LESUIS
Planner, Please Print Your Name

Phone Number 410-887-3391

Filing Date:

4/18/08

Posting Date:

4/27/08

Closing Date:

5/12/08

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 08-²⁰

0493

A

Address

7507 HAYSTACK DR.

Petitioner's Name *William M. Lesuis*

Telephone

410 865 5348

Posting Date:

4/27/08

Closing Date:

5/12/08

Wording for Sign

To Permit

A PROPOSED ADDITIONAL (500 SQ. FT.) ON THE REAR

OF A DWELLING WITH A REAR YARD SETBACK OF 8 FT. IN VIEW OF 22.5 FT
AND TO RELOCATE THE FRONT DEVELOPMENT REAR PORCH AT 79 IN CITY BLOCKS II

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/neighborhood 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: 0493

Petitioner: LEWIS

Address or Location: 7507 HAYSTACK DR

PLEASE FORWARD ADVERTISING BILL TO:

Name: William Lewis

Address: 7507 HAYSTACK DR
BALTO MD 21244

Telephone Number: 410 865 5348



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*

May 12, 2008

William A. Lewis
7507 Haystack Dr.
Baltimore, MD 21244

Dear William A. Lewis:

RE: Case Number 2008-0493-A, Address: 7507 Haystack Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 12, 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: May 2, 2008

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

RECEIVED
MAY 05 2008

BY:.....

SUBJECT: Zoning Advisory Petition(s): Case(s) ⁴⁹³08-354- 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By

Judith H. Green

CMLL



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

State Highway
Administration

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

Maryland Department of Transportation

Date April 30, 2006

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 8-493-A
7507 HAYSTACK DRIVE
LEWIS HOSPITALITY
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 8-493-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 ¹Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-7238 Statewide Toll Free

Service Address: 707 North Calvert Street Baltimore, Maryland 21202 Phone: 410-545-0300 www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 5, 2008
Item Nos. 08-489, 490, 491, 492, 493,
494, 495, 496, 497, 498, 499, 500, 501,
502, and 503

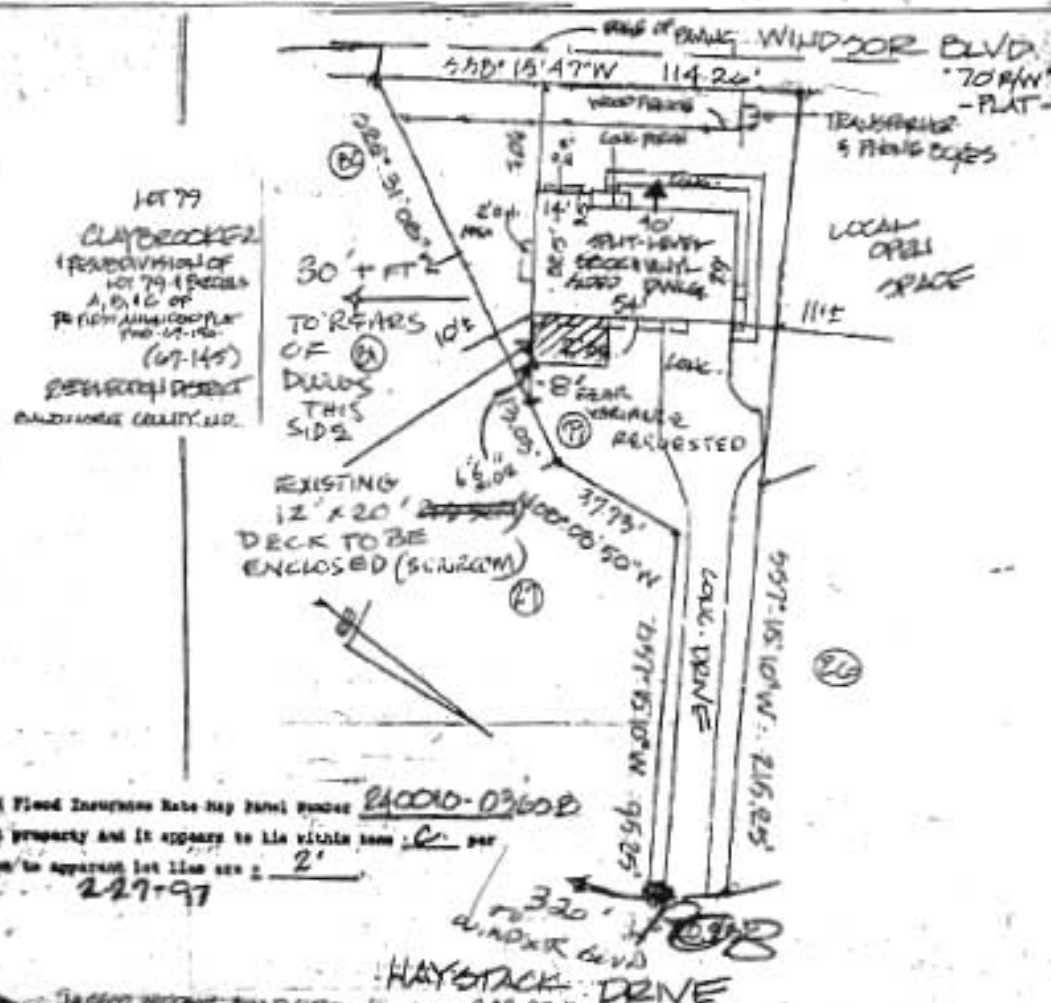
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:lk
cc: File
ZAC-5012008-NO COMMENTS

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS CLAYBROOK II
 SUBDIVISION NAME 7507 HAYSTACK DR
 PLAT BOOK # 67 FOLIO # 130 LOT # 79 SECTION # —
 OWNER WILLIAM + MINNIE LEWIS

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



LOCATION INFORMATION

ELECTION DISTRICT 2ND
 COUNCILMANIC DISTRICT 4TH
 1" = 200' SCALE MAP # 087C2
 ZONING DR 5.5
 LOT SIZE 0.256

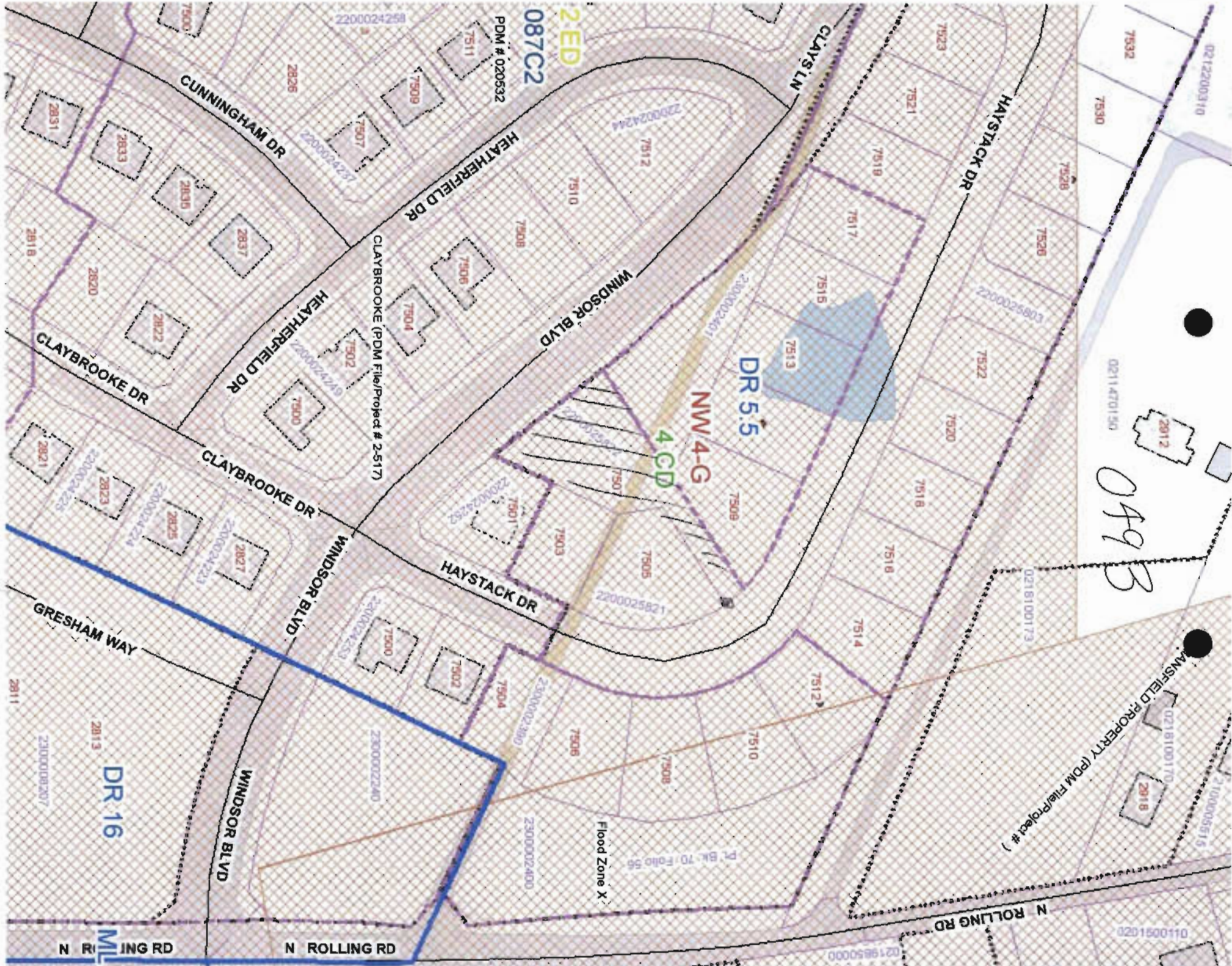
	ACREAGE	SQUARE FEET
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY / BUILDING	☐	☒
PRIOR ZONING HEARING	<u>NONE</u>	

ZONING OFFICE USE ONLY
 REVIEWED BY JL ITEM # 2008-0493-A CASE # —

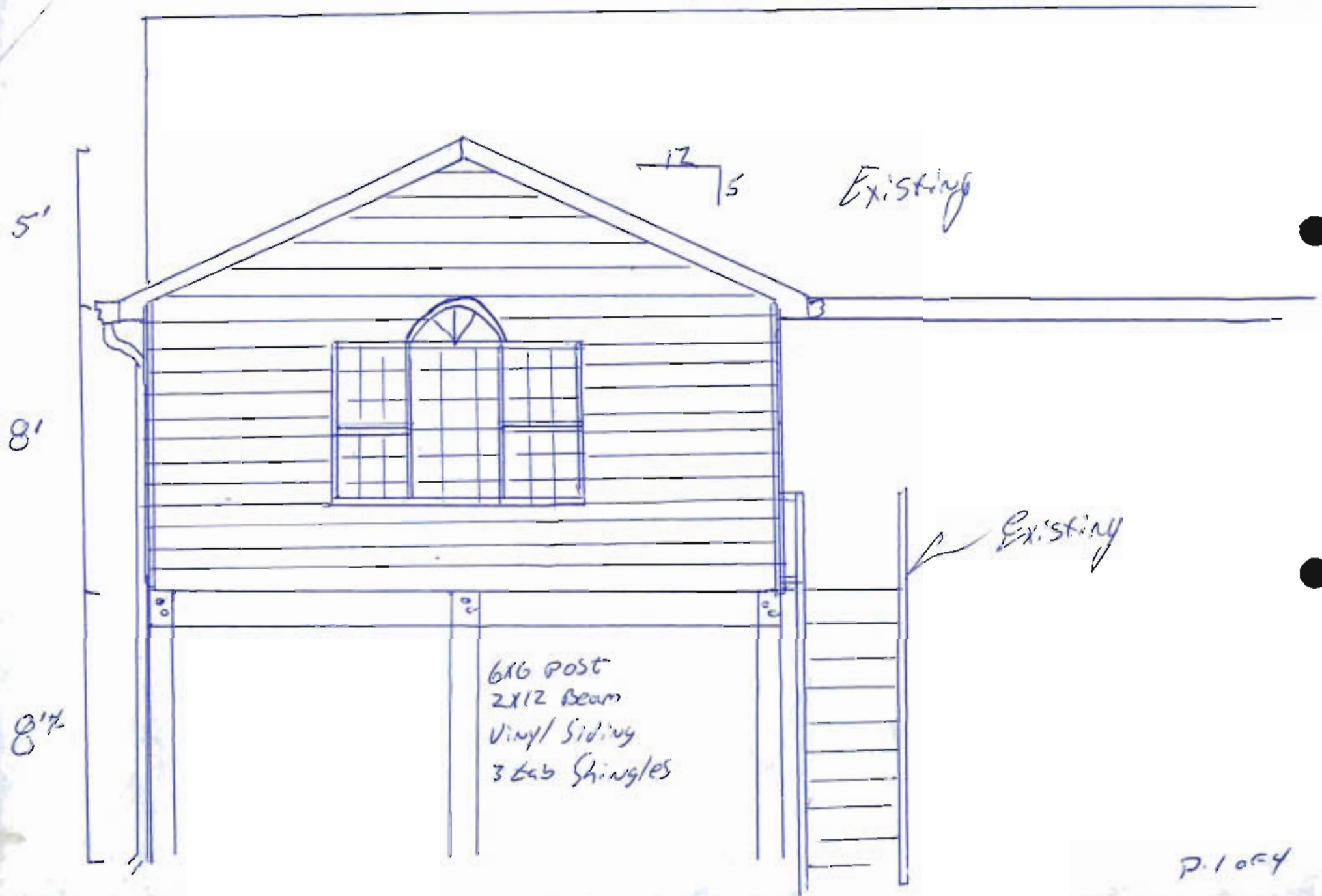
PREPARED BY MINNIE LEWIS 4-18-08

SCALE OF DRAWING: 1" = 50' ML



Remove Existing Deck & Construct
20' X 12' Room

EXhibit
0493

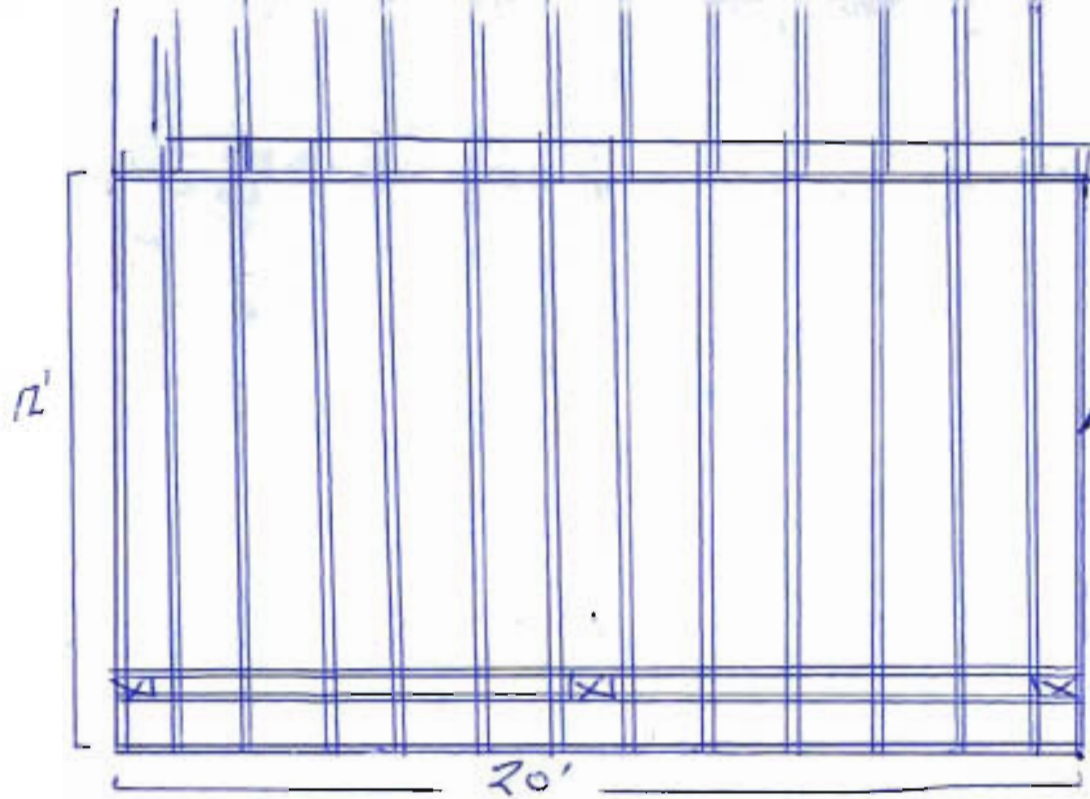


Existing

Exhibit
OH93

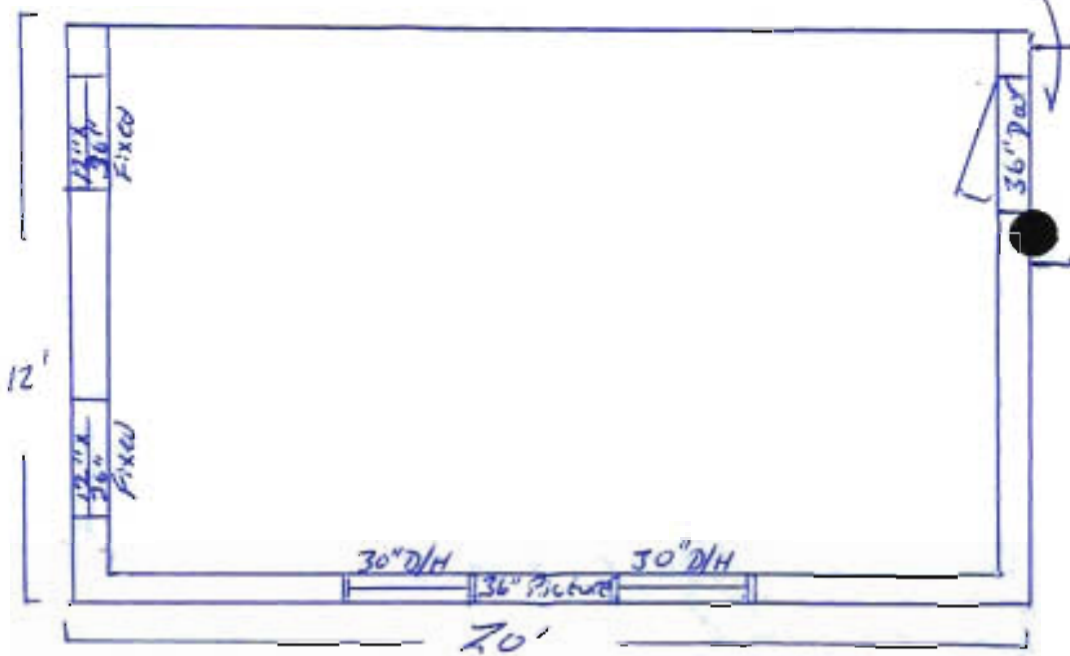
Deck Framing

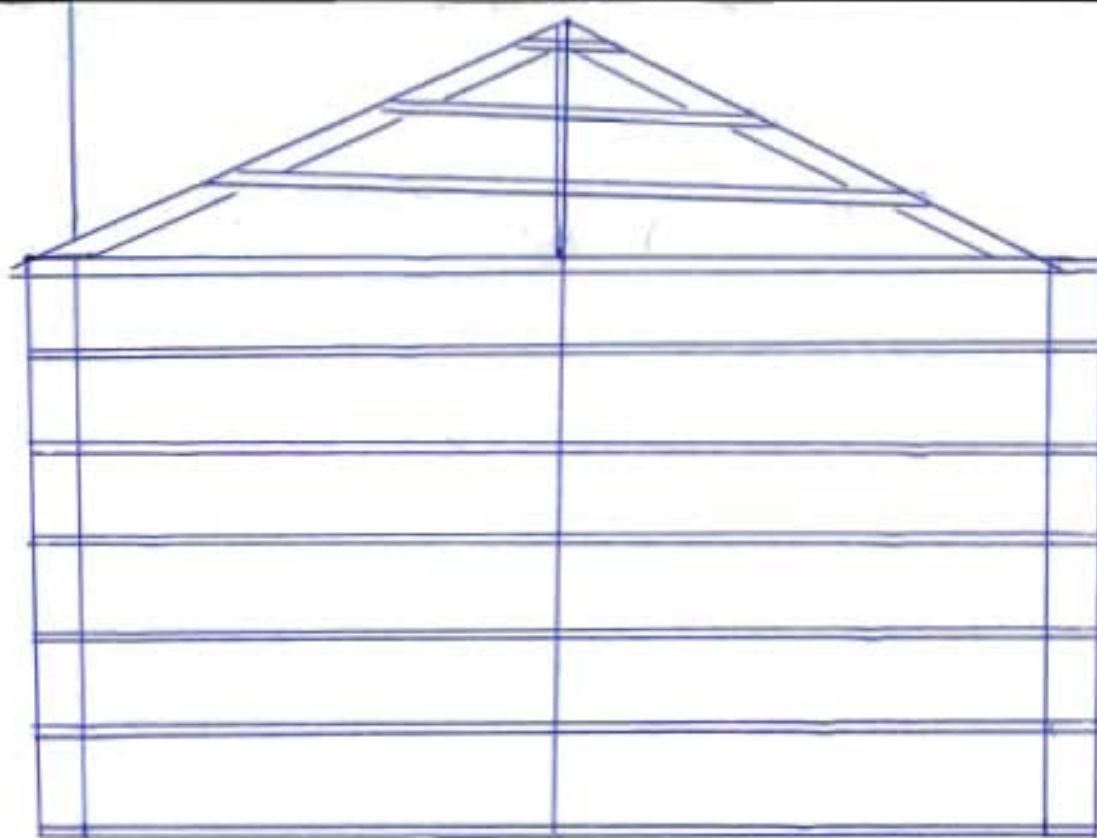
NEW 2X10 JOISTS @ 16" @
Bearing on Existing Foundation
Wall and 2X12 Beam/Post
7/4" t/g Sub Floor



Finished First Floor

2X6 Wall w/ 2X10 Headers
as need for bearing
R-19 Ins. in wall & Floor
R-38 Ins. in Ceiling
1/2" Dry wall & standard trim





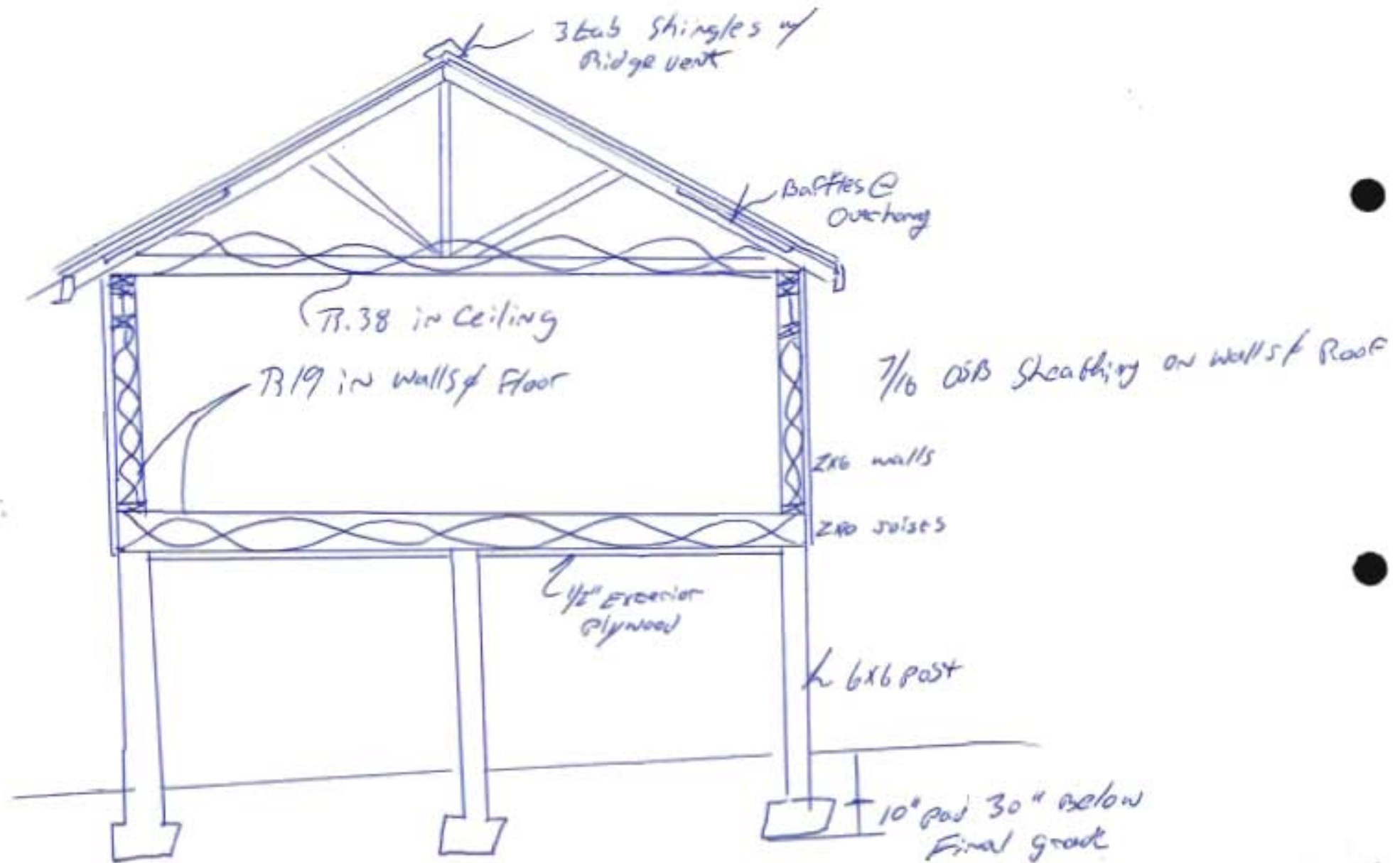
Existing

Exhibit
0493

Roof Layout

Pre-Manufactured truss @
24" @ 5/12 pitch
2x6 framing to tie into
Existing Roof
12" overhang

EXHIBIT
0493



P. 4 of 4

