IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Brookview Road, 420 feet NW of Nocabird Avenue 12th Election District 7th Councilmanic District (1787 Brookveiw Road)

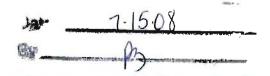
John and Joyce Buettner Petitioners

- BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2008-0544-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, John and Joyce Buettner for property located at 1787 Brookveiw Road. The variance request is from Section 1B02.3.A.1 to allow a side yard setback of 4 feet in lieu of the required 7 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a newer and larger sunroom onto the side of the home. The proposed new sunroom will replace an older and smaller sunroom. The dimensions of the old sunroom are 9 feet x 5 feet and the new sunroom measures 12 feet x 10 feet. The new sunroom will only be 3 feet x 5 feet larger than the existing sunroom. The most affected property owner at 1789 Brookview Road did not voice any objection or concern about the project. The property is essentially pie-shaped and narrows to 50 feet in the rear, with a left property line of 109.76 feet and a right property line of 89.82 feet. A new sunroom of a any usable size will require a variance.

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.

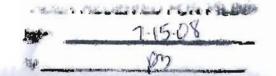


The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 31, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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.

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.

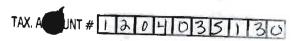


Any appeal of this decision must be made within thirty (30) days of the date of this Order.

Beputy Zoning Commissioner for Baltimore County

Solven reverses for Fluid

THB:pz





CASE NO.

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	17907	Brookview RD	_
		ently 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)

1807.3.4.1

70 ALLOW A

SIDE YARD SETBACK OF 4 FEET IN LIEU OF THE REQUIRED 7 FEET

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	<u>/Lessee:</u>		Legal Owner(s):	
			John Buettner JR	
Name - Type or Print			Name - Type or Print	
Signature			JOYLE BULLINER	
Address		Telephone No.	Name Type or Print X Wyle Bralton	
City	State	Zip Code	Signature	
Attorney For Petitio	ner:		1787 BOOKVIEW RD 443-2110-231 Address Telephone No.	0
Name - Type or Print			Dundaux mo 21222 City State Zip Code	
			Representative to be Contacted:	
Signature			Stere Carmen American Design+	
Company			221 Gateway DR 410.5570555	
Address		Telephone No.	Address Telephone No. Bel Air MD 21014	
City	State	Zip Code	City State Zip Code	
A Public Hearing having be this day of regulations of Baltimore Cour	th:	at the subject matter of t	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning	
			Zoning Commissioner of Baltimore County	

Reviewed By CM

Estimated Posting Date 6-1-08

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.

That the Affiant(s) does/do presently reside at	1787 Brooky	ew RP	
	Dundaux city		21227 Zip Code
That based upon personal knowledge, the foll Variance at the above address (indicate hardsh	owing are the facts upon which	ch I/we base the req	uest for an Administrative
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and only bring up the vali	int intilling homes	on the st	reot.
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John R. Buettner Jr. Name-Type or Print	Name - Type	e Guettyer	-
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STATE OF MARYLAND, COUNTY OF BALTII		2	
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe	May 2	ook, before me, a	Notary Public of the State
the Afflant(s) herein, personally known or satisf	actorily identified to me as such	minimum. ch Affiant(s).	-
	, ,	` '	
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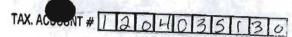
REV 10/25/01

Affidavit in Support of Administrative Variance

That the Affiant(s) does/do presently reside at

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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0 1 1	nde additional information.		
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44			
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the Affiant(s) perein, personally known or sa			7
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	My Commission I	Expires	
REV 10/25/01			



I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

Date



regulations of Baltimore County and that the property be reposted.

CASE NO. 2008-0544-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	1787	Brookvi	ewRp	
whic	h is prese	ently zoned _	DR 5.5	1237

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) 1802.3.4.1 TO ALLOW A 5.05

YARD SETBACK OF 4 FEET IN LIEU OF THE REQUIRED 7 FEET

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.

			perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.	
Contract Purchaser/Les:	see:		Legal Owner(s):	
10 30		13	John Burthner JR	
Name - Type or Print			Name Type or Print	7.5
Signature		all.	TOCALO BUE HALL	1
Address		Telephone No.	Name - Type or Print butter	
City	State	Zip Code	Signature	
Attorney For Petitioner:	10		1767 BMOKNEWRD 443-216 236 Address Telephone No	ō,
Name - Type or Print			DUNGAIK MD 21222 City State Zip Code	
			Representative to be Contacted:	
Signature			Stele Coursen - American Design+ Buu	10
Company			221 Gateway DR 4/0,557.0555	
Address		Telephone No.	Address Telephone No.	
City	State	Zip Code	City State Zip Code	-
Sity	mally deman	Zip Code	Address Telephone Bel Av MO 2101	ode

Estimated Posting Date

ZONING DESCRIPTION FOR 1787 BROOKVIEW RD.

Beginning at the point on the Northeast side of Brookview Road which is 40 feet wide at the distance of 420 feet Northwest of the centerline of the nearest improved intersecting street Holabird Avenue which is 60 feet wide. Being Lot # ph , Block ph , Section # ph in the Subdivision of Brookview as recorded in the Baltimore County Plat Book # 12/108, Folio # 297, containing 6,336 square feet. Also known as 1787 Brookview Road and located in the 12th Election District, 7th Councilmanic District.

OFFICE	OF BU	OUNTY, DGET AI US REC	ND FINA					5348 5-77-09	PAID RECEIPT DESIGNATION THE 189 573/2008 5/22/2006 14:12:39 2
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DISTRIBL	JTION								VALIDATION

YELLOW - CUSTOMER

WHITE - CASHIER

PINK - AGENCY

CERTIFICATE OF POSTING

	RE: Case No: 2008-0544-A
	Petitioner/Developer: AMERICAN DESIGN & BUILD LTD
••	Date Of Hearing/Closing: 4/14/08
Baltimore County Department of Permits and Development Manage County Office Building, Room 11 111West Chesapeake Avenue	
Attention:	
sign(s) required by law were poste	penalties of perjury that the necessary ed conspicuously on the property 187 BROKNIEW ROAD
•	(Month, Day, Year) Sincerely, (Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court Address Balto. Md 21220 (443-629 3411)

Martin gli 5/3/108



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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JAMES T. SMITH, JR. County Executive

John & Joyce Buettner 1787 Brookview Rd. Dundalk, MD 21222 TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

Dear: John & Joyce Buettner

RE: Case Number 2008-0544-A, Address: 1787 Brookview Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 22, 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:Inw

Enclosures

c: People's Counsel

Steve Carmen: American Design and Build, 221 Gateway Dr., Belair, MD 21014

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 3, 2008

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 9, 2008

Item Nos. 08-0542, 0544, and 0545

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

DAK:CEN:lrk

ZAC-06032008-NO COMMENTS

cc: File



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

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

Maryland Department of Transportation

Date: 6-20-2006

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

RE:

Baltimore County

Item No 2008 -0544-1787 BODOWIEW F BUETTNER PROPERTY

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. 2008-0544-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, CMef Engineering Access Permits

Division

SDF/MB

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: June 16, 2008

DECEIVE 1 _{JUN 1 9} 2008

BY:____

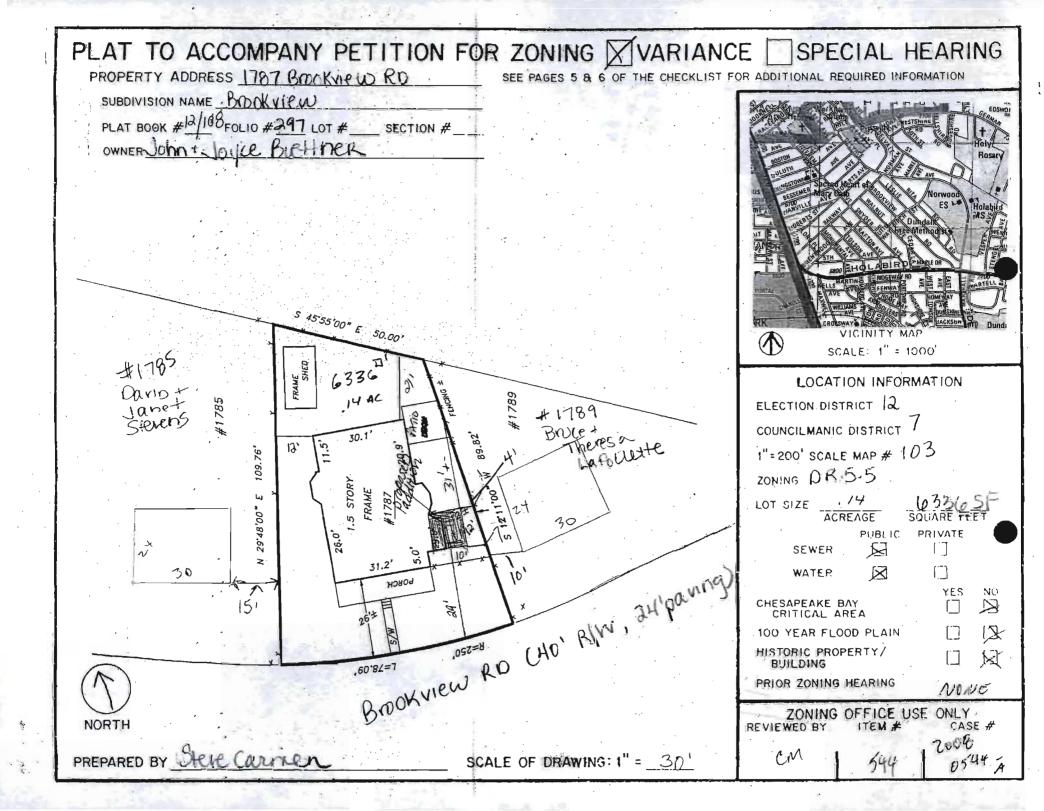
SUBJECT: Zoning Advisory Petition(s): Case(s) 08-544- Administrative Variance

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:

CM/LL



Municipal

Tax Exempt:

Exempt Class:

NO



Go Back View Map New Search

Account Identifier: District - 12 Account Number - 1204035130 **Owner Information Owner Name:** BUETTNER JOHN R,JR RESIDENTIAL BUETTNER JOYCE MONICA SCHOLZ **Principal Residence: Mailing Address:** 1787 BROOKVIEW RD **Deed Reference:** 1) /26618/ 739 **BALTIMORE MD 21222-1209 Location & Structure Information Premises Address Legal Description** 1787 BROOKVIEW RD 1787 BROOKVIEW RD **BROOKVIEW** Grid **Parcel Sub District** Subdivision Section **Block Lot Assessment Area** Plat No: Map 103 3 512 3 Plat Ref: 12/ 108 Town **Ad Valorem** Special Tax Areas Tax Class **Primary Structure Built Enclosed Area Property Land Area County Use** 1942 1,520 SF 6,336.00 SF 04 **Stories Basement Type** Exterior 1 1/2 NO STANDARD UNIT SIDING Value Information **Base Value** Value **Phase-in Assessments** As Of As Of As Of 01/01/2006 07/01/2007 07/01/2008 Land 28,830 61,330 Improvements: 79,290 103,550 Total: 108,120 164,880 145,960 164,880 Preferential Land: 0 0 **Transfer Information** Seller: BUETTNER JOHN R, JR Date: 01/29/2008 Price: \$0 NOT ARMS-LENGTH Deed1: /26618/ 739 Deed2: Type: Price: **BOSTON JOHN** Date: 05/26/2006 \$234,900 Seller: /23908/ 497 Deed 2: Type: IMPROVED ARMS-LENGTH Deed1: Date: 06/14/2004 Price: \$153,500 Seller: BLAIR BERNARD C Deed1: Type: IMPROVED ARMS-LENGTH /20233/ 297 Deed2: **Exemption Information** 07/01/2008 Class 07/01/2007 **Partial Exempt Assessments** 000 0 0 County 0 State 000 0

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Special Tax Recapture:

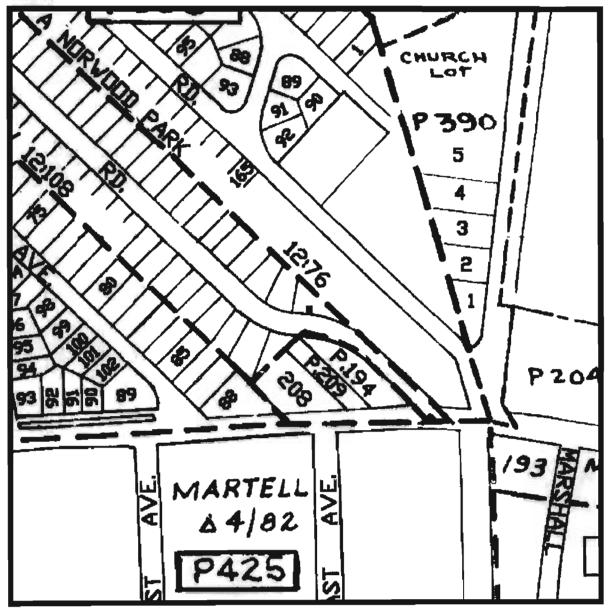
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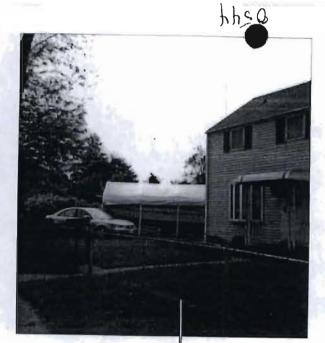
Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search

Go Back View Map New Search

District - 12Account Number - 1204035130



Property maps provided courtesy of the Maryland Department of Planning ©2004. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/tax mos.htm



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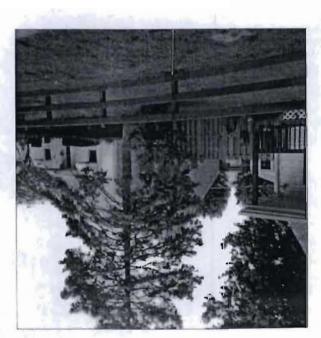
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