

IN RE: PETITION FOR ADMIN. VARIANCE

N side Kittridge Court, 460 feet NW of
Marriottsville Road
2nd Election District
4th Councilmanic District
(16 Kittridge Court)

Thomas G. and Janet Stallings
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0044-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, Thomas G. and Janet Stallings for property located at 16 Kittridge Court. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a carport with a side yard setback of 2 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a carport measuring 24 feet x 38 feet. The carport will be attached to the existing house and be 2 feet from the property line. This carport will protect the Petitioners and their vehicles during inclement weather. The adjacent neighbors at 14 Kittridge Court did not express any opposition to the proposed carport.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated September 4, 2008 which indicates they do not oppose the Petitioners' request provided the carport remains open (no walls) on the three exposed sides. An enclosed structure will not be supported 2 feet from the neighboring property line.

STAMP RECEIVED FOR PLANNING
9.12.08
[Signature]

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 20, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has 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 Petitioner.

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 12th day of September, 2008 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a carport with a side yard setback of 2 feet in lieu of the required 10 feet is hereby GRANTED, subject to the following:

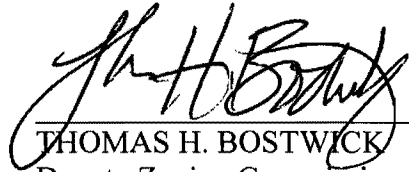
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

ORDER RECEIVED FOR FILING

9.12.08

[Signature]

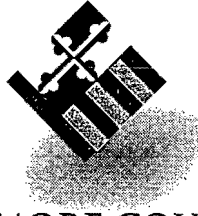
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

COPIES RECEIVED FOR FILING

9.12.08



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 12, 2008

THOMAS G. AND JANET STALLINGS
16 KITTRIDGE COURT
RANDALLSTOWN MD. 21133

Re: Petition for Administrative Variance
Case No. 2009-0044-A
Property: 16 Kittridge Court

Dear Mr. and Mrs. Stallings:

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,

A handwritten signature in black ink, appearing to read "John H. Bostwick", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Cutting Edge Construction Services, Inc., 712 Stemmers Run Road #B, Baltimore MD 21221



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 16 Kittridge Ct
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) 17023C.1 TO ALLOW A

SIDE YARD SETBACK OF 2 FEET IN LIEU OF THE REQUIRED 10 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/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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Cutting Edge Construction Services Inc.
Name

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. 2009-0044-A Reviewed By CM Date 8-11-08

REV 10/25/01 9.12.08 Estimated Posting Date 8-24-08

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

Address 16 Kittredge Ct.
City RANDALLSTOWN State MD. Zip Code 21133

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):

An existing concrete driveway is approx. 24' wide. We are requesting a variance to construct a roof over the driveway. This would be attached to the side of our existing house, leaving only 2' of sidewalk before our property line. The neighborhood is heavily treed. We are always exhausted trying to keep tree sap off our cars. We also need to enter & exit our cars in bad weather under roof because we are both working professionals in our fields.

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 Thomas G. Stallings Sr.
Name - Type or Print THOMAS G. STALLINGS SR.

Signature Janet M. Stallings
Name - Type or Print JANET M. STALLINGS

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6 day of August, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas G. Stallings Sr. & Janet M. Stallings
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Signature Janet C. [Signature]
Notary Public
My Commission Expires 9/1/10

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 16 Kittredge Ct.
Address
RANDALLSTOWN MD. 21133
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):

An existing concrete driveway is approx. 24' wide. We are requesting a variance to construct a roof over the driveway. This would be attached to the side of our existing house, leaving only 2' of sidewalk before our property line. The neighborhood is heavily treed. We are always exhausted trying to keep tree sap off our cars. We also need to enter & exit our cars in bad weather under roof because we are both working professionals in our fields.

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.

Thomas G. Stallings Sr.
Signature
THOMAS G. STALLINGS SR.
Name - Type or Print

Janet M. Stallings
Signature
JANET M. STALLINGS
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6 day of August, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas G. Stallings Sr. & Janet M. Stallings
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Janet C. [Signature]
Notary Public
My Commission Expires 9/1/10

Zoning description for 16 Kittridge Ct.

Beginning at a point on North side of Kittridge Ct. which is 50' R/W wide at the distance of 460' North + West of the centerline of the nearest improved intersecting street MARRIOTTVILLE RD. which is 70' R/W wide. Being lot 13, Block W, section #10 in the subdivision of Kings Point as recorded in Baltimore County Plat Book # 34, Folio # 94 containing 10,005.00 sq. ft. Also known as 16 Kittridge Ct. and located in the 2nd Election District, 4th Councilmanic District.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 08/25/08

Case Number: 09-0044-A

Petitioner / Developer: THOMAS STALLINGS~CUTTING EDGE
CONSTRUCTION

Date of Hearing (Closing): SEPTEMBER 8, 2008

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
16 KITTRIDGE COURT

The sign(s) were posted on: AUGUST 20, 2008



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **18575**

Date **9-11-09**

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
0001		000		6150				65.00

Total **65.00**

Rec From: Cum gratia - Chris Smith
 For: T. STANLINS
16 Ketticott Ct - 21533
As Vail - 2009-0091-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 0044 -A Address 116 KITTIZIDGE CT
 Contact Person: CRAIG Mc GRAW Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8-11-08 Posting Date: 8-24-08 Closing Date: 9-8-08

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.

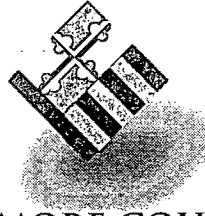
(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 08- 0044 -A Address 116 KITTIZIDGE CT
 Petitioner's Name THOMAS STALLINGS Telephone 410-655-6983
 Posting Date: 8-24-08 Closing Date: 9-8-08
 Wording for Sign: To Permit A SIDE SETBACK OF 2 FEET IN LIEU
OF THE REQUIRED 10 FEET

WCR - Revised 6/25/04



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 9, 2008

Thomas G. & Janet M. Stallings
16 Kittridge Ct.
Randallstown, MD 21133

Dear: Thomas G. & Janet M. Stallings

RE: Case Number 2009-0044-A, 16 Kittridge Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 11, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Cutting Edge Construction Service INC., 712 Stemmers Run Rd, Unit B, Baltimore, MD 21221

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 27, 2008

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

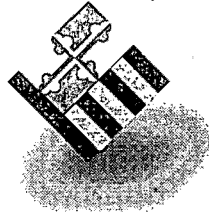
SUBJECT: Zoning Advisory Committee Meeting
For August 25, 2008
Item Nos. 09-0038, 0040, 0041, 0042,
0044, and 0045

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

DAK:CEN:lrk

cc: File

ZAC-08272008-NO COMMENTS



BALTIMORE COUNTY
M A R Y L A N D

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

August 22, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August ~~22~~ 2008

Item Number: 0038, 0040, 0041, 0043, 0044 and 0045

Pursuant to your request, this Bureau has reviewed the referenced plan(s) 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

INTER-OFFICE CORRESPONDENCE

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

DATE: September 4, 2008

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

RECEIVED
SEP 05 2008

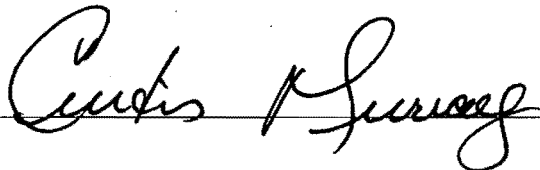
BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-044- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided the structure (carport) remains open (no walls) on the three exposed sides. An enclosed structure will not be supported 2 feet from the neighboring property line.

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:
CM/LL



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

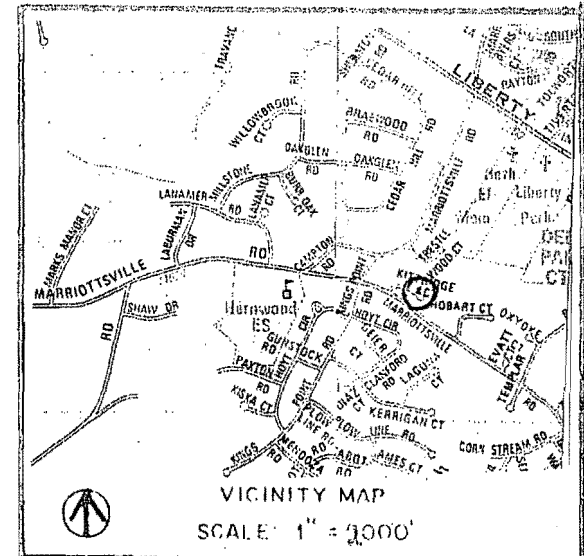
PROPERTY ADDRESS 16 Kittredge Ct.

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

SUBDIVISION NAME Kings Point

PLAT BOOK # 34 FOLIO # 94 LOT # 13 SECTION # 10

OWNER Thomas + Janet Stallings



LOCATION INFORMATION

ELECTION DISTRICT 2

COUNCILMANIC DISTRICT 4

1" = 200' SCALE MAP # 076 C 1

ZONING DR 3.5

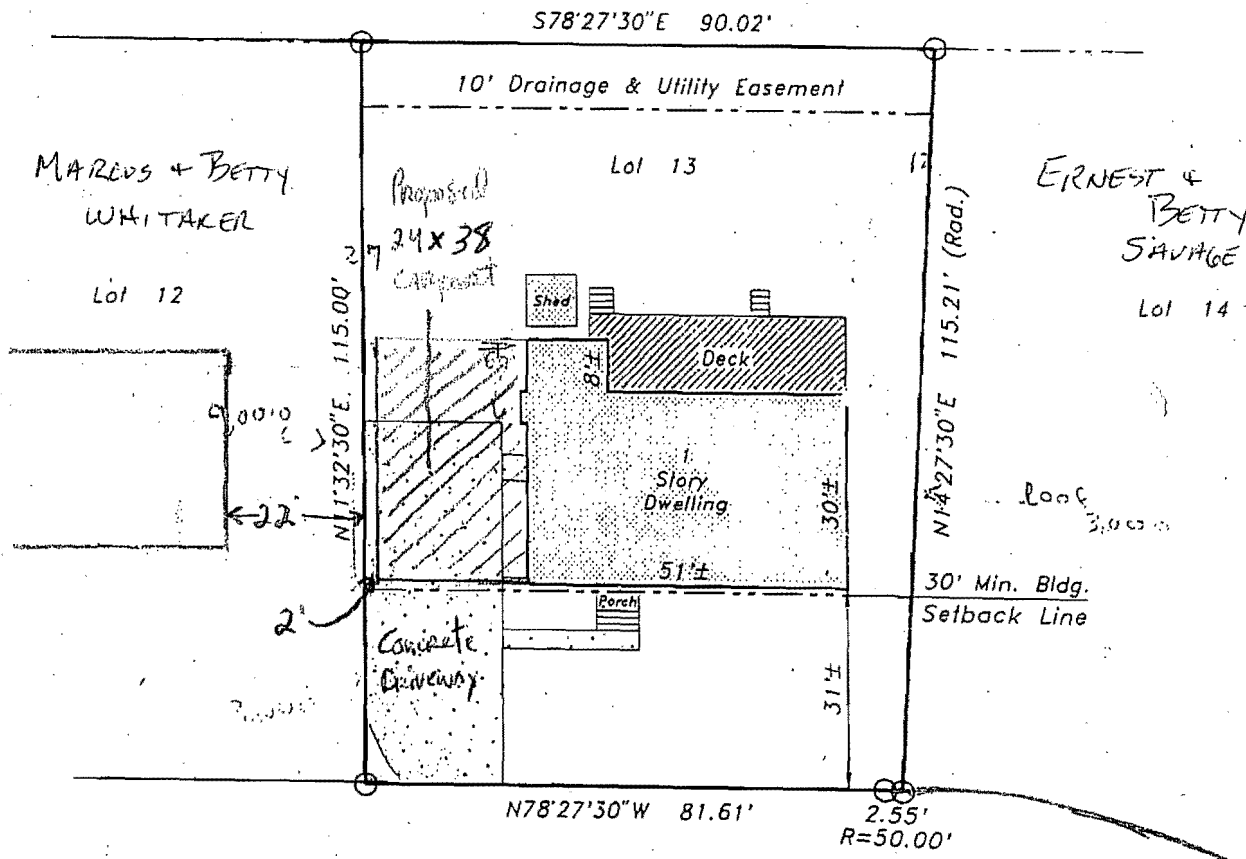
LOT SIZE 229 ACRES 10,005.00 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA.	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY CM ITEM # 0044 CASE # 2009-0044-A



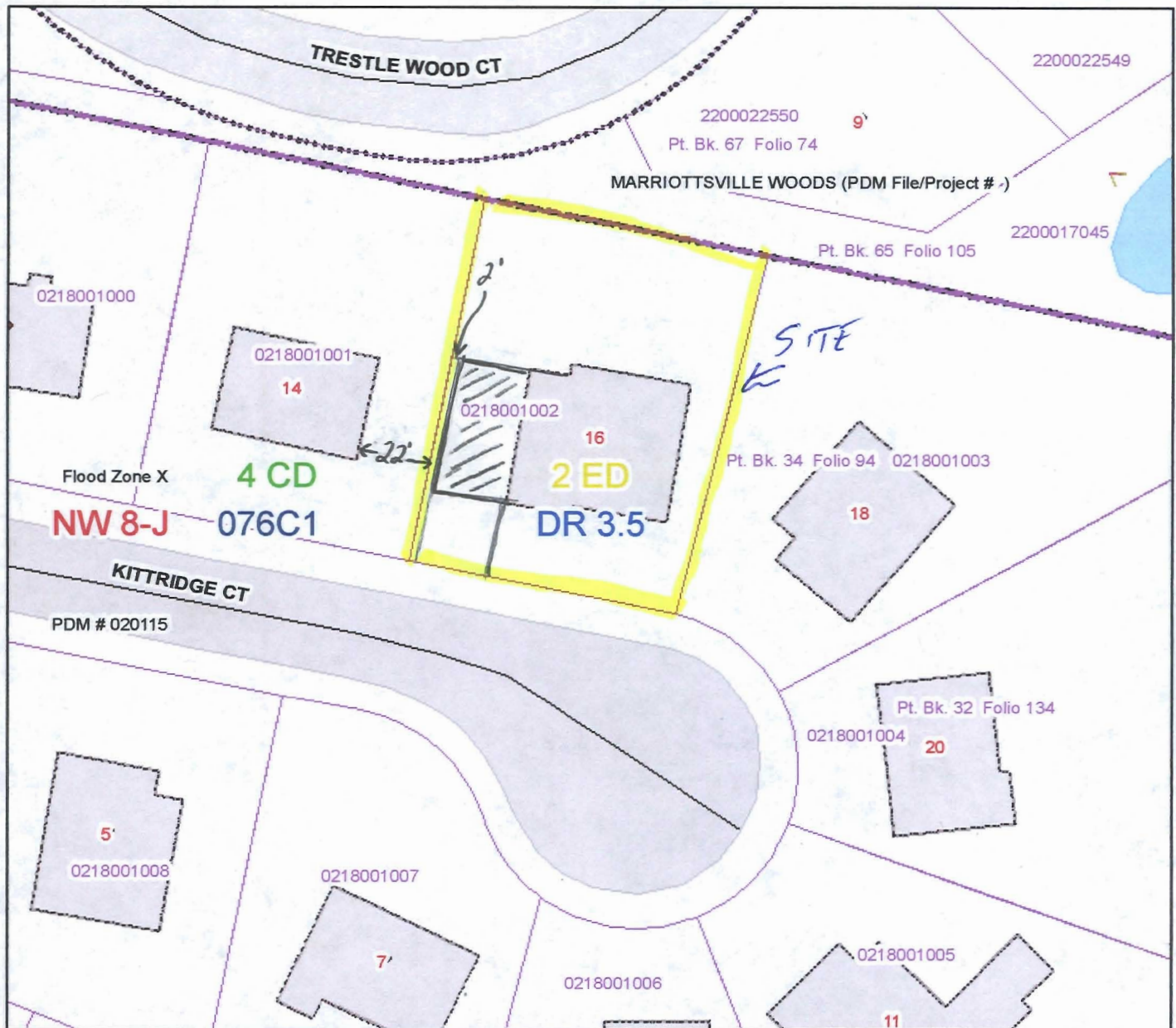
NORTH

KITTRIDGE COURT

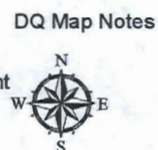
PREPARED BY G. Mark

SCALE OF DRAWING: 1" = 30'

16 Kittridge Court



Publication Date: August 08, 2008
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0044

16 Kittredge Ct.
left side of house



0044

16 Kittredge Ct.

left side of house where carport
would be attached + Existing concrete
driveway



0044