

IN RE: PETITION FOR ADMIN. VARIANCE

W side Sollers Point Road, 920 feet N of c/l
of Yorkway Drive
12th Election District
7th Councilmanic District
(3430 Sollers Point Road)

Earl and Constance Gibson
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0050-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, Earl and Constance Gibson for property located at 3430 Sollers Point Road. The variance request is from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed second story addition to have a front yard setback of 27 feet in lieu of the required front yard average of 30 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners need to construct a second story addition to their home to accommodate the growing family.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated September 30, 2008 which indicates that the property must comply with the Chesapeake Bay Critical Area Regulations. The property is located within an Intensely Developed Area of the C.B.C.A. Mitigation may be required for the amount of proposed lot coverage. This mitigation may be in the form of tree planting and/or paying a fee-in-lieu amount to Baltimore County.

STAMP RECEIVED FOR FILING

10-3-08

PM

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 31, 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.

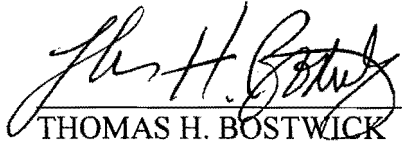
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 3rd day of October, 2008 that a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed second story addition to have a front yard setback of 27 feet in lieu of the required front yard average of 30 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. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).

ORDER REVERSED FOR ALDERS
10-3-08
[Signature]

3. The property is located within an Intensely Developed Area of the C.B.C.A. Mitigation may be required for the amount of proposed lot coverage. This mitigation may be in the form of tree planting and/or paying a fee-in-lieu amount to Baltimore County.

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

RECEIVED FOR FILING

10-3-08



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 3, 2008

EARL AND CONSTANCE GIBSON
3430 SOLLERS POINT ROAD
DUNDALK MD 21222

Re: Petition for Administrative Variance
Case No. 2009-0050-A
Property: 3430 Sollers Point Road

Dear Mr. and Mrs. Gibson:

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 "Thomas H. Bostwick".

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 3430 Sollers Pt. Rd.
which is presently zoned 21222

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) 303.1 - to permit a proposed

second story addition to have a front yard setback of 27 feet in lieu of the required front yard average of 30

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:

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. 2009-0050-A

REV 10/25/01

Reviewed By [Signature]

Date 8/18/08

Estimated Posting Date

8/31/08

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 3430 Sollers Pt. Rd.
City Dundalk State Md. Zip Code 21222

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):

- ① We are a growing family + are unable to relocate and need more room.
- ② Financially we are unable to accomadate in any other way.
- ③ We wish to have our home similar to other homes in our neighborhood + to continue to exist in harmony.

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.

Earl Gibson
Signature
Earl Gibson
Name - Type or Print

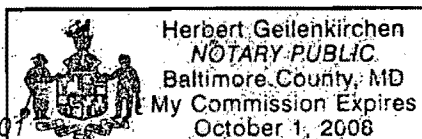
Constance Gibson
Signature
Constance Gibson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11TH day of AUGUST, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EARL G. GIBSON & CONSTANCE M. GIBSON
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Herbert Geilenkirchen
Notary Public
My Commission Expires 10-01-2008

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

3430 Sollers Pt. Rd.
Address
Dundalk Md. 21222
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):

- ① We are a growing family + are unable to relocate and need more room.
- ② Financially we are unable to accomadate in any other way.
- ③ We wish to have our home similar to other homes in our neighborhood + to continue to exist in harmony.

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.

Earl Gibson
Signature
Earl Gibson
Name - Type or Print

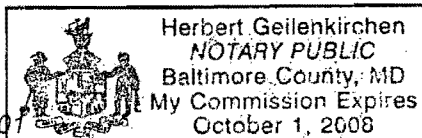
Constance Gibson
Signature
Constance Gibson
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11TH day of AUGUST, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EARL G. GIBSON & CONSTANCE M. GIBSON
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Herbert Geilenkirchen
Notary Public
My Commission Expires 10-01-2008

ZONING DESCRIPTION

Beginning at a point on the west side of Sollers Point Road, which has a right-of-way width of 50 feet, at the distance of 920 feet north of the centerline of the nearest improved intersecting street Yorkway Drive, which has a right-of-way width of 50 feet. Being lot #16, Block 4 in the subdivision of Dundalk as recorded in Baltimore County Plat Book #14, Folio #8, containing 5665 square feet. Also known as 3430 Sollers Point Road and located in the 12th Election District, 7th Councilmanic District.

Item # 0050

CERTIFICATE OF POSTING

RE: Case No.: 2009-0050-A

Petitioner/Developer: _____

Earl Gibson

Date of Hearing/Closing: Sept.15,2008

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews

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 located at: _____

3430 Sollers Point Road

The sign(s) were posted on August 31,2008
(Month, Day, Year)

Sincerely,

Robert Black

(Signature of Sign Poster)

(Date) Sept 2,2008

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2009-0050-A

TO PERMIT A PROPOSED SECOND STORY ADDITION TO
HAVE A FRONT YARD SETBACK OF 27 FEET IN LIEU OF THE REQUIRED
FRONT YARD AVERAGE OF 30.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 9-15-08

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST MESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **18580**

PAID RECEIPT

Date: **8/18/08**

BUSINESS ACTUAL TIME DRW
 8/19/2008 8/18/2008 14:01:50

REG 0002 MAIL JEWEL JEE
 RECEIPT # 599218 8/18/2008 OFFH

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	806	0000		6150				1765.00

5 520 ZONING VERIFICATION
 018580

Receipt Int \$65.00
 \$65.00 IN 1.00 CA
 Baltimore County, Maryland

Total: **\$65.00**

Rec
 From:

For:

zoning hearing case # 2009-0050-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0050 -A Address 3430 Sollers Point Rd
Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 8/18/08 Posting Date: 8/31/08 Closing Date: 9/15/08

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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2009- 0050 -A Address 3430 Sollers Point Rd
Petitioner's Name Earl Gibson Telephone 410, 282 6754
Posting Date: 8/31/08 Closing Date: 9/15/08
Wording for Sign: To Permit a proposed second story addition to have a
front yard setback of 27 feet in lieu of the required
front yard average of 30

WCR - Revised 7/7/08

**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.

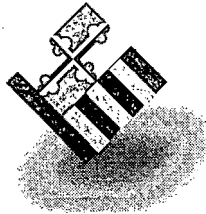
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2009-0050-A
Petitioner: Earl Gibson
Address or Location: 3430 Sollers Point Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Earl Gibson
Address: 3430 Sollers Point Rd
Dundalk, Maryland
21222
Telephone Number: (410) 282 6754



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

October 1, 2008

Earl & Constance Gibson
3430 Sollers Point Rd.
Dundalk, MD 21222

Dear: Earl & Constance Gibson

RE: Case Number 2009-0050-A, 3430 Sollers Point Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 18, 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,

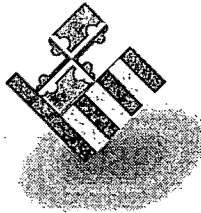
A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



BALTIMORE COUNTY
MARYLAND

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 28, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 25, 2008

Item Number: 0033, 0037, 0039, 0047, 0048, 0049, 0050

1The Fire Marshal's Office has no comments at this time.

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.

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
Department of Permits &
Development Management

DATE: August 26, 2008

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 2, 2008
Item Nos. 09-0037, 0039, 0046, 0047, 0048
0049 and 0050

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

DAK:CEN:lrk
cc: File
ZAC- 08262008-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: AUGUST 26, 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. 2007-0050-A
3430 SOLLERS POINT RD.
GIBSON 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. 2007-0050-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: 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



BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence****RECEIVED**
SEP 30 2008

BY:

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 30, 2008

SUBJECT: Zoning Item # 09-050-A
Address 3430 Sollers Point Road
(Gibson Property)

Zoning Advisory Committee Meeting of September 2, 2008

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This property is located within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area (CBCA). Mitigation may be required for the amount of proposed lot coverage. This mitigation may be in the form of tree planting and/or paying a fee-in-lieu amount to Baltimore County.

Reviewer: Shawn Krout

Date: 8/29/08

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF August 25, 2008
FORMAL OR INFORMAL RESPONSE DUE AT September 2, 2008 MEETING

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

- * Zoning Commissioner's Office (William J. Wiseman); MS #3401
- # PDM, Zoning Review H.O. Hearing File (Kristen Matthews)
- # PDM, Zoning Review DRC/ZAC Meeting File (W. Carl Richards, Jr.)
- * PDM, Code Enforcement (Lisa Henson)
- * PDM, Building Inspection (Karen Hopkins)
- & PDM, Development Plans Review (Dennis Kennedy)
- # Planning Office (Curtis Murray)
- * Recreation and Parks (Jean Tansey); MS #52
- # DEPRM (Jeff Livingston) – *2 copies of each*
- & State Highway Administration, Access Permits Division (Mike Bailey)
- & Fire Department (Lt. Roland P. Bosley, Jr.) MS #1102F
- * Economic Development Commission, Business Develop. MS #2M07
- * Highways (Tim Burgess); MS #1003
- * Community Conservation (Mary Harvey); MS #1102M
- + People's Counsel (Peter Zimmerman); MS #2010
- * Honorable T. Bryan McIntire, County Council, District 3; MS #2201
- * Nancy Jones/Mike Ruby
- # IF CRITICAL AREA, Maryland Office of Planning (Mike Nortrup)
- # IF FLOODPLAIN, Department of Natural Resources
- # IF FLOODPLAIN, Public Works (David Thomas); MS #1315
- * IF FLOODPLAIN, Donald Brand, Building Engineer
- * IF FLOODPLAIN, Code Enforcement (Rick Wisnom)
- # IF ELDERLY HOUSING, Community Development; MS #1102M
- # IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
- # IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder); MS #1102E
- * IF TOWER, Tower Coordinator, c/o OIT; MS #2007

RECEIVED
AUG 25 2008

BY:

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM); Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Matthews.

If you have any questions regarding a particular zoning petition, please contact the Zoning Review planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2009-0049-X

Primary Use: Commercial

Reviewer: JCM

Type: SPECIAL EXCEPTION

Legal Owner: Ronald Hlopak

Contract Purchaser:

Critical Area: NO **Flood Plain:** NO **Historic:** NO **Election Dist:** 15th

Councilmanic Dist: 7th

Property Address: 4412

Location: East side of North Point Boulevard, 100 feet +/- South of Wise Avenue.

Existing Zoning: BR-AS

Area: 0.349 Acres +/-

Proposed Zoning: SPECIAL EXCEPTION Used motor vehicle outdoor sales.

Attorney:

Miscellaneous:

Case Number: 2009-0050-A

Primary Use: Residential

Reviewer: DD

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Earl & Constance Gibson

Contract Purchaser:

Critical Area: YES **Flood Plain:** NO **Historic:** NO **Election Dist:** 12th

Councilmanic Dist: 7th

Property Address: 3430 Sollers Point Rd

Location: West side of Sollers Point Road, 920 Feet North of centerline of Yorkway Drive.

Existing Zoning: DR 5.5

Area: 5665 Square Feet

Proposed Zoning: ADMINISTRATIVE VARIANCE To permit a proposed second story addition to have a front yard setback of 27 feet in lieu of the required front yard average of 30 feet.

Attorney:

Miscellaneous:

Patricia Zook - Re: Case 2009-0050-A

From: Kristen Matthews
To: Zook, Patricia
Date: 10/1/2008 4:08 PM
Subject: Re: Case 2009-0050-A

9-15-08

Actually the computer system had 8/31/08 for closing, which was actually the posting date. The correct date is reflected on the sign posting and file. For some reason it did not come up on the list when it was run for that date, Jeff is working out the kinks.

>>> Patricia Zook 10/1/2008 3:58 PM >>>

Ladies -

This administrative variance case was just brought over. The file says it closed 9-15-08 and Kristen said it closed 9-1-08. Which is correct?

I also need the description for this case.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 30, 2008

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

RECEIVED
OCT 02 2008

BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-050- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided building elevations are submitted for review and approval.

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

Candis M. Loney

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 3430 SOLLERS PT RD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

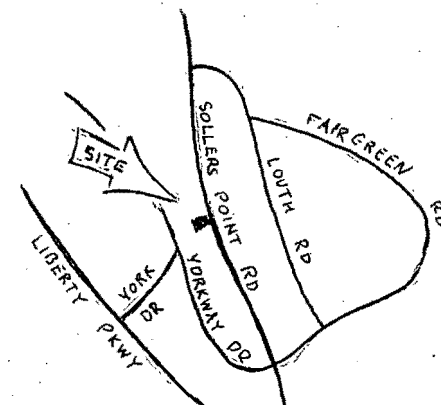
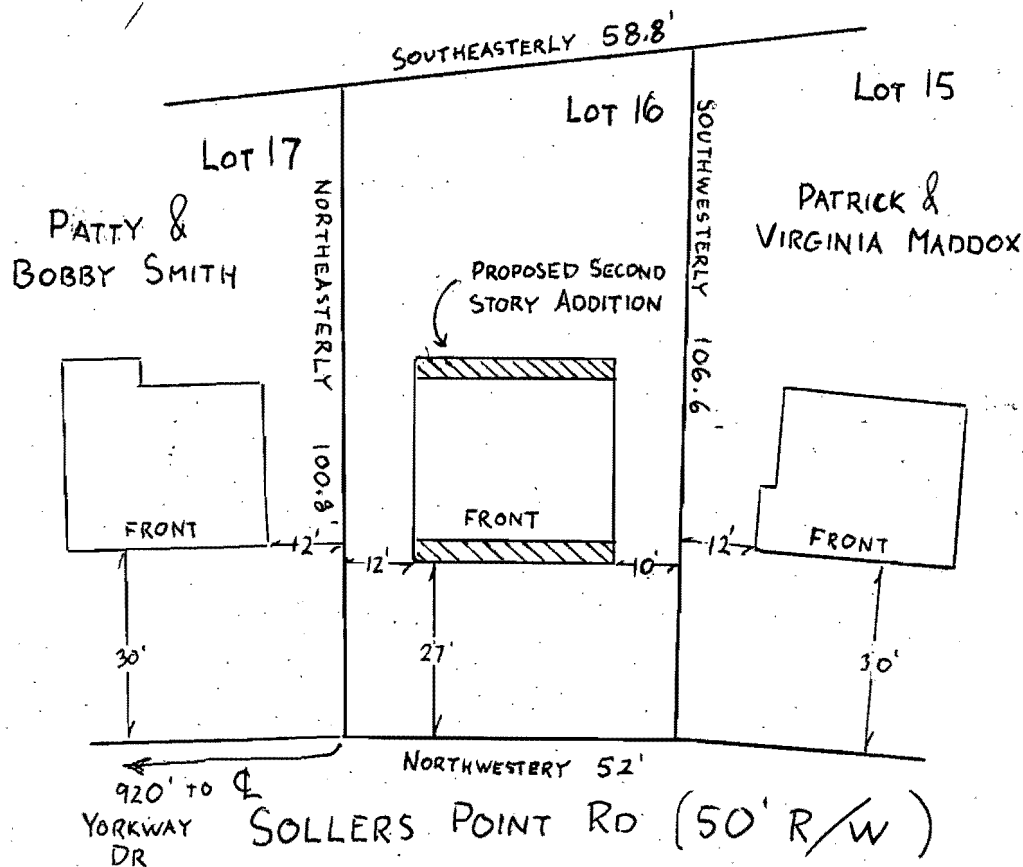
SUBDIVISION NAME DUNDALK

TAX # 12 02 020 260

PLAT BOOK # 14 FOLIO # 8 LOT # 16 SECTION # N/A

BLOCK 4

OWNER EARL & CONSTANCE GIBSON



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 12TH

COUNCILMANIC DISTRICT 7TH

1" = 200' SCALE MAP # 110C1

ZONING DR 5.5

LOT SIZE 5665
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

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

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

2009-
0050-A



PREPARED BY

SCALE OF DRAWING: 1" = 30'

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES

WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED

Reference - Section 303.1 Baltimore County Zoning Regulations

303.1 —In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

A	<u>30</u>	FT.
B	<u>30</u>	FT.
C	<u>30</u>	FT.
D	<u>30</u>	FT.
E	<u>30</u>	FT.
F	<u>30</u>	FT.

TOTAL (180) ÷ (6) = 30

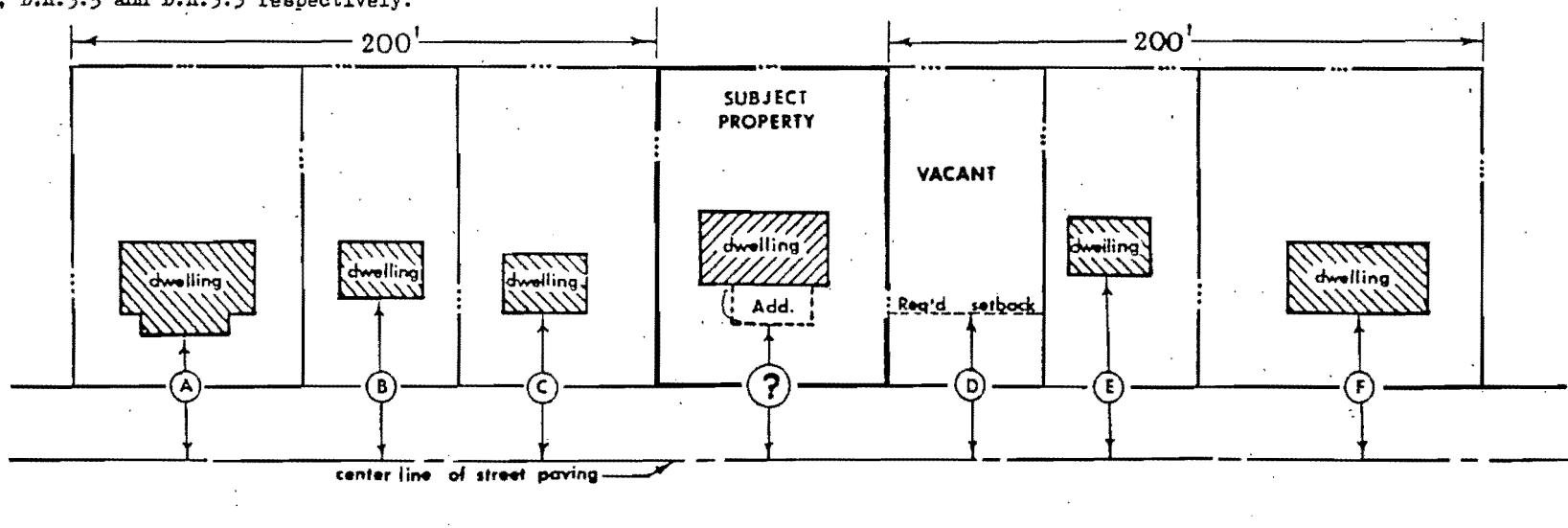
* of dwellings REQUIRED FRONT SETBACK (averaged)

Earl Gibson
Constance Gibson
 applicant's name
3430 Solleys Pk. RD.
 building address

 date

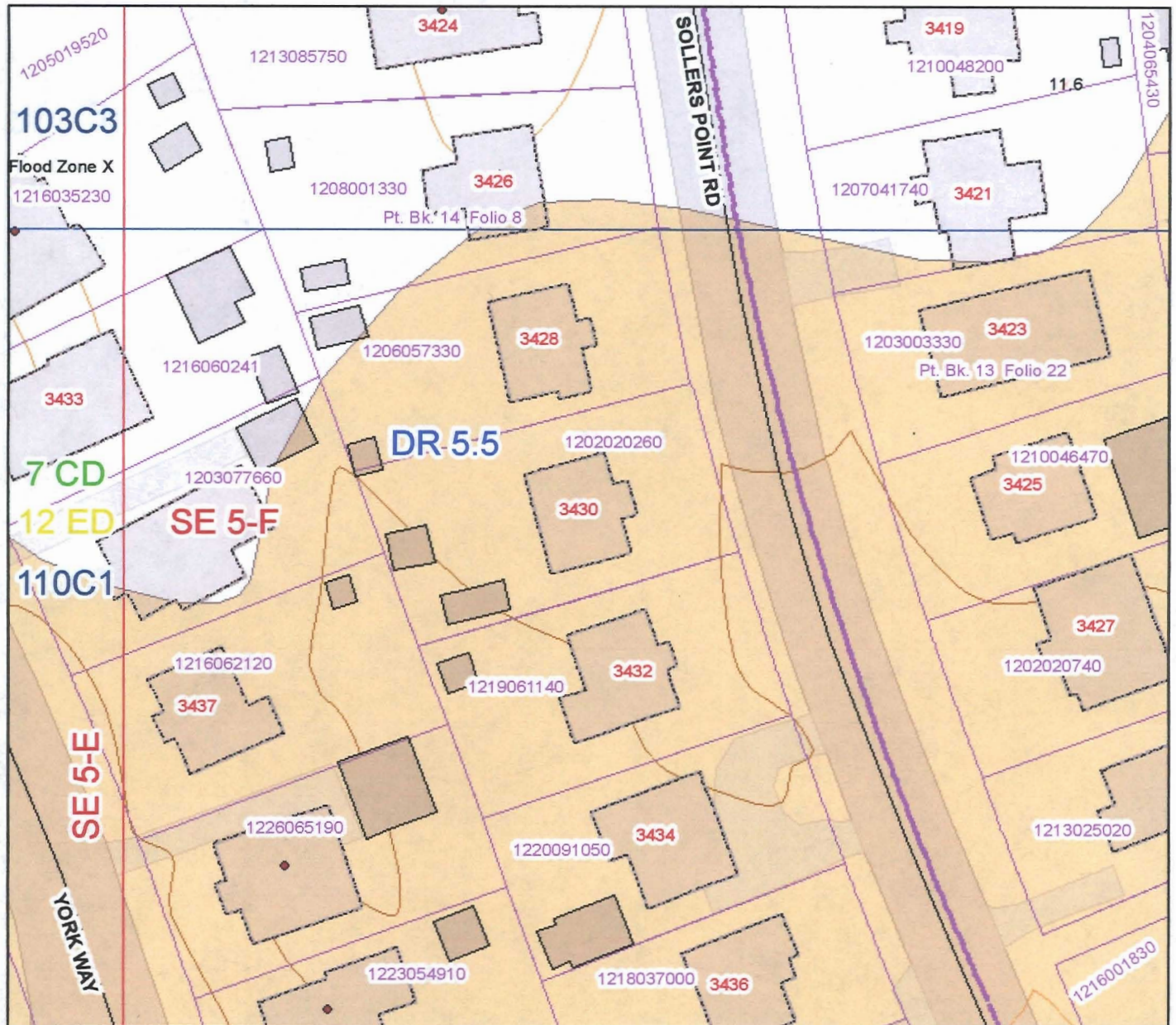
NORMAL REQUIRED SETBACKS

D.R.2 - 65 ft.
 D.R.3.5- 55 ft.
 D.R.5.5- 50 ft.

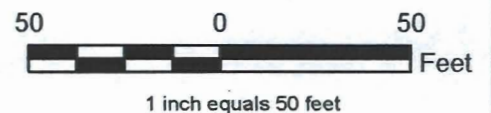
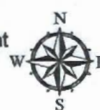


Item # 005.0

3430 Sollers Point Road



DQ Map Notes



Publication Date: August 15, 2008
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

Item #0050



HOUSE WE ~~ARE~~ WILL
BE WORKING ON.
2ND FLOOR ADDITION.



THE HOUSE WE ~~ARE~~
WORKING ON. WILL BE
2ND FLOOR ADDITION.

CASE# 2009-0050 - A



THE HOUSE we will Be
PUTTING 2ND FLOOR
ADDITION.

CASE #

2009 - 0050 - A



TWO (2) HOUSES TO THE
RIGHT.

CASE # 2009-0050-A



TWO (2) HOUSES TO THE
RIGHT.

CASE # 2009-0050 - A



ONE (1) HOUSE TO THE
RIGHT.

CASE # 2009-0050-A



ONE (1) HOUSE TO THE
RIGHT.

2009-0050-A



TWO (2) HOUSES TO THE
LEFT.

2009-0050-A



TWO (2) HOUSES TO THE
LEFT.

2009-0050 - A



ACROSS THE STREET.

2009-0050-A



ACROSS THE STREET.

2009-0050-A