

IN RE: PETITION FOR ADMIN. VARIANCE *

BEFORE THE

NE side Avatar Lane, 61 feet NE

Runnymede Road *

DEPUTY ZONING

2nd Election District

2nd Councilmanic District *

COMMISSIONER

(4708 Avatar Lane)

* FOR BALTIMORE COUNTY

Dorina P. Strickland

Petitioner *

Case No. 2009-0094-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 owner of the subject property, Dorina P. Strickland for property located at 4708 Avatar Lane. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an addition (deck) with a rear yard setback of 15 feet in lieu of the required 30 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner wishes to construct a deck measuring approximately 39 feet x 15 feet on the rear of the home. There is an existing sliding door into the house at this location. The property is on a lot measuring 90 feet x 58 feet in size and contains 5,220 square feet. The rear of the home is the only place the deck can be built. The deck cannot be placed on either side of the house, as the side property line is 10 feet from the home on the left side and 9 feet from the home on the right side.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 11, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

RECEIVED FOR FILING
Date 10-30-08
By [Signature]

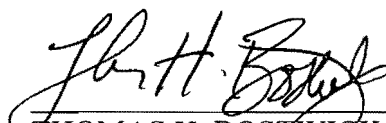
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and 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 30th day of October, 2008 that a Variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an addition (deck) with a rear yard setback of 15 feet in lieu of the required 30 feet, be and is hereby GRANTED, subject to the following:

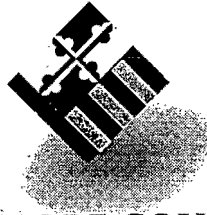
1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner 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.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:dlw

ORDER RECEIVED FOR FILING
Date 10-30-08
By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 30, 2008

Dorina P. Strickland
4708 Avatar Lane
Owings Mills, Maryland 21117

Re: **PETITION FOR ADMIN. VARIANCE**
NE side Avatar Lane, 61 feet NE Runnymede Road
2nd Election District - 2nd Councilmanic District
(4708 Avatar Lane)
Dorina P. Strickland - *Petitioner*
Case No. 2009-0094-A

Dear Ms. Strickland:

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 "Th H Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:dlw
Enclosure

c: People's Counsel; File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4708 Avatar Lane
which is presently zoned D12 S-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) 1801.2.C1.6 to allow a

REAR SETBACK OF 15 FEET IN LIEU OF THE REQUIRED 30 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:

1
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):

Dorina P. Strickland
Name - Type or Print

Dorina Strickland
Signature

Name - Type or Print

Signature

4708 Avatar Lane 443-394
Address Telephone No.

Dewings Mills, MD 21117
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 10-30-08 day of October 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.

CASE NO. 2009-0094-A

Reviewed By CM Date 10-01-08

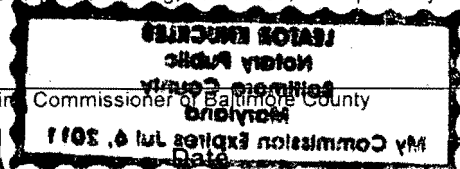
REV 10/25/01

ORDER RECEIVED FOR FILING

Date 10-30-08

By HOW

Estimated Posting Date 10-12-08



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 4708 Avatar Lane
Address
Owings Mills MD 21117
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):

List Reason(s) the Zoning Regulations cannot be met
on your property:

1. Because of H.O.A Common Area
2. Because Property line ^{would be} 15 feet from House
3. HAS A LARGE FAMILY

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.

C. Doyle
Signature
Christopher Sergeant
Name - Type or Print

Signature

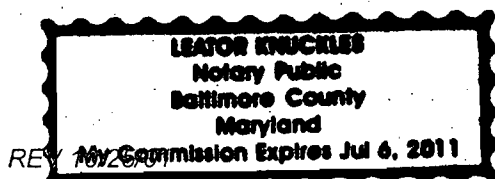
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of September, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Knuckles
Notary Public
My Commission Expires Jul-6-2011

0094

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

4708 Avatar Lane
Address
Owings Mills MD 21117
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):

List Reason(s) the Zoning Regulations cannot be met
on your property:

1. Because of HOA Common Area
2. Because Property line ^{would be} 15 feet from House
3. HAS A LARGE FAMILY

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

Name - Type or Print

Signature

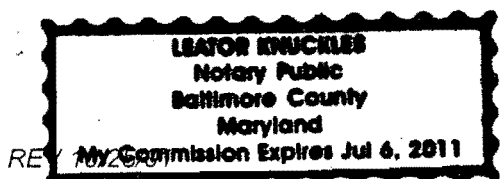
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of September, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Notary Public

My Commission Expires

Jul-6-2011

0094

ZONING DESCRIPTION FOR 4708 Avatar Lane, Owings Mills, MD
(address)

Beginning at a point on the North - east side of
(north, south, east or west)

Avatar Lane which is 50 ft
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 61 North - east of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street PUNNYMEADE RD
(name of street)

which is 58 FT wide. *Being Lot # 42
(number of feet of right-of-way width)

Block _____, Section # 2 in the subdivision of Villages of Winterset
(name of subdivision)

as recorded in Baltimore County Plat Book # 2 Folio # 112

containing 5800 S.F Also known as 4708 Avatar Lane
(square feet or acres) (property address)

and located in the 2nd Election District, 02 Councilmanic District.

0094

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 2397

Date: 10-1-08

Fund	Dept	Unit	Sub Unit	Rev	Sub	Obj	Sub Obj	Dept Obj	BS Acct	Amount
				Source/	Rev/					
001	806	0000		0150						65.00

Total: 65.00

Rec
From:

For:

D. STRICKLAND
470 E. AVANTAIL LN
21117
2009-0094-A
AD. VARIANCE

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT

DATE: 10/01/08
 TIME: 15:00
 BY: J. MALKIN
 FOR: 65.00
 TOTAL: 65.00
 BALANCE: 0.00

**CASHIER'S
 VALIDATION**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2009-0094-A

TO PERMIT A REAR SETBACK OF
15 FEET IN LIEU OF THE REQUIRED
30 FEET

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 OCT 27, 2008.

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

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Date: OCT. 14, 2008

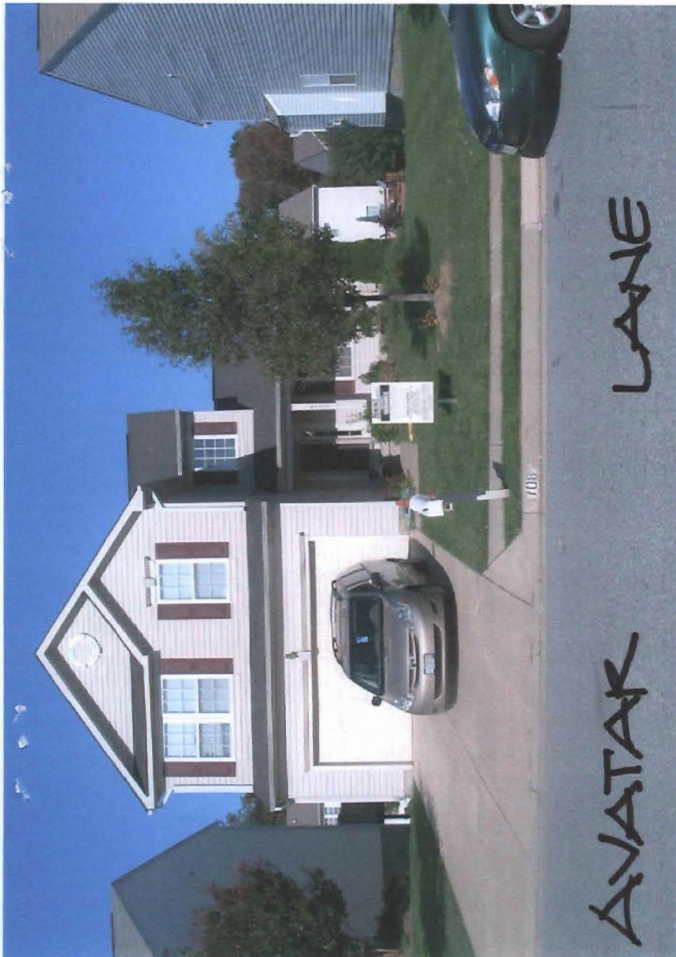
Attention Mr. CRAIG MCGRAW / MRS. KRISTEN MATTHEWS

RE: Case Number 2009-0094-A

Petitioner/Developer: DORINA STRICKLAND

Date of Hearing/Closing: OCT. 27, 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 # 4708 AVATAR LANE
OWINGS MILLS MD 21117



OCT. 11, 2008

(Month, Day, Year)

William D. Gulick, Jr.
(Signature of Sign Poster)

WILLIAM D. GULICK, JR.
(Printed Name of Sign Poster)

2944 EDGEWOOD AVE.
(Street Address of Sign Poster)

PARKVILLE MD 21234
(City, State, Zip Code of Sign Poster)

(410) 530-6293
(Telephone Number of Sign Poster)



Revised 3/8/05 klm

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0094 -A Address 4708 AVATAR LANE
Contact Person: CRAIG Mc GRAW Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10-1-08 Posting Date: 10-12-08 Closing Date: 10-27-08

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, 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.
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.

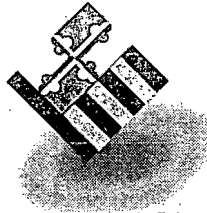
(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0094 -A Address 4708 AVATAR LANE
Petitioner's Name DORINA STRICKLAND Telephone 443-394-8066
Posting Date: 10-12-08 Closing Date: 10-27-08
Wording for Sign: TO PERMIT A REAR SETBACK OF 15 FEET IN LIEU
OF THE REQUIRED 30 FEET

WCR - Revised 7/7/08



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 27, 2008

Dorina P. Strickland
4708 Avatar Ln.
Owings Mills, MD 21117

Dear: Dorina P. Strickland

RE: Case Number 2009-0094-A, 4708 Avatar Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 01, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 22, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For October 27, 2008
Item Nos. 09-047, 080, 091, 092, 093,
094, 095, 096, 097, 098 & 099

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

DAK:CEN:cab
cc: File
ZAC-10272008-NO COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 24, 2008

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

RECEIVED
OCT 27 2008

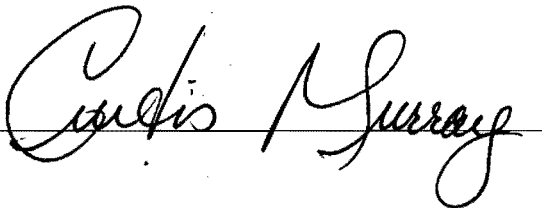
BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-094- 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 Jeff Mayhew in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL





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: Oct. 20, 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. ~~2005-0094-A~~
STICKLAND PROPERTY
4708 AVATAR LANE
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. ~~2005-0094-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,

¹
_{Fo2} Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

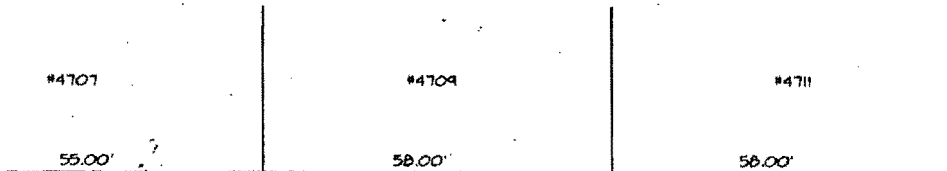
PROPERTY ADDRESS 4708 AVATAR LANE

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

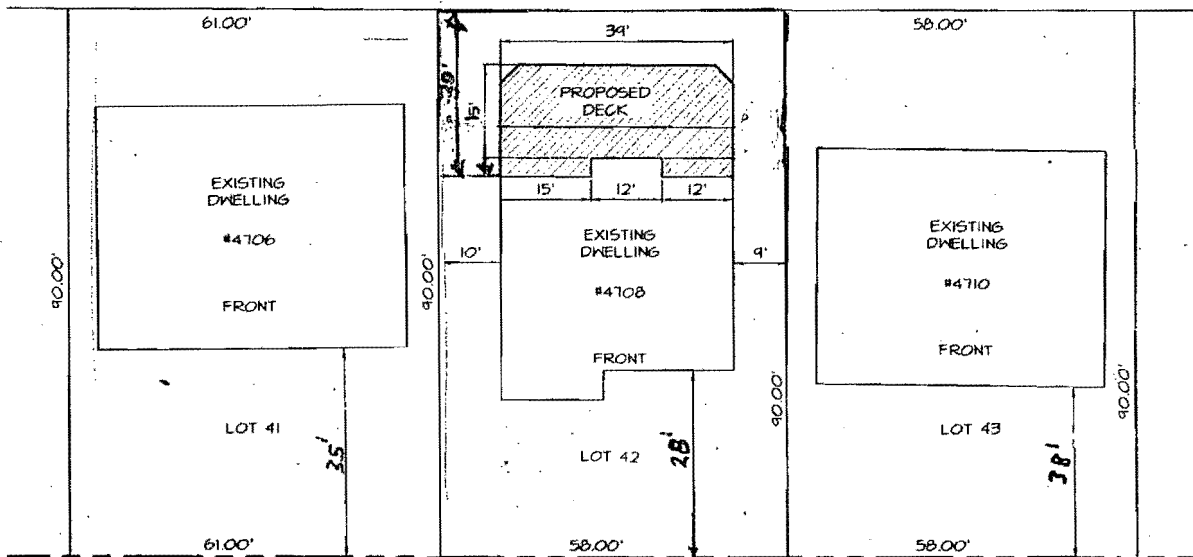
SUBDIVISION NAME VILLAGES OF WINTERSET

PLAT BOOK # 2 FOLIO # 112 LOT # 42 SECTION # 2

OWNER DERINA SKRICKLAND



H.O.A. COMMON AREA
0.521 AC



NORTH

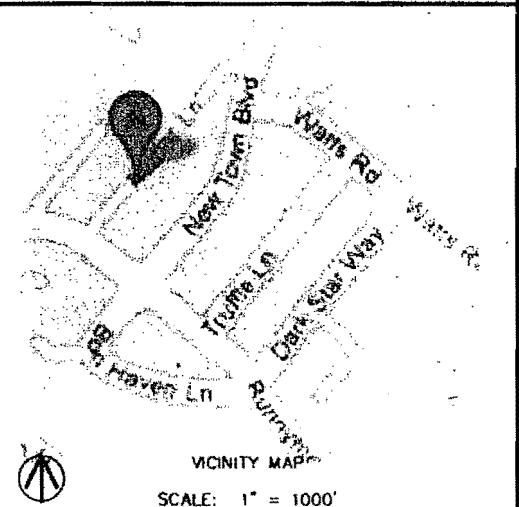
RUNNYMEADE ROAD

AVATAR LANE

(50' R/W PAVING)

PREPARED BY Tavon Braxton

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT **2nd**

COUNCILMANIC DISTRICT **02**

1"=200' SCALE MAP #

ZONING **DR.5.5**

LOT SIZE .120 5220
ACREAGE 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 # 0094 CASE # 2009-0094-A



4708 Avatar Lane
Reed

