

IN RE: PETITION FOR ADMIN. VARIANCE

N side of Shermantine Lane, 430 ft. S of c/l
of Glencoe Road, 2250 ft. W of Carroll Road
10th Election District
5th Councilmanic District
(1717 Glencoe Road)

Sara W. Saron
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0205-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, Sara W. Saron for property located at 1717 Glencoe Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (garage) in the front yard of a dwelling in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner wishes to construct a detached garage measuring 24 feet x 32 feet x 15 feet high. The property is accessed by way of Shermantine Lane, a private access road, off of Glencoe Road. An existing driveway will serve the proposed garage. Pictures submitted by the Petitioner show that the perimeter of the property is heavily wooded. This property is encumbered by the Loch Raven watershed 100 feet stream buffer line. The property contains 1.753 acres and is served by private well and septic system.

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 March 9, 2009, which recommends that the accessory structure not be converted into a dwelling unit or apartment,

~~RECEIVED FOR FILE~~
3.18.09
pm

not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 20, 2009 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, 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.

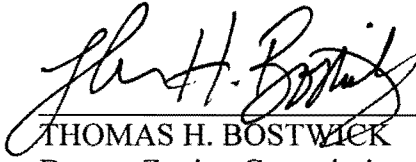
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 18th day of March, 2009 that a Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (garage) in the front yard of a dwelling in lieu of the required rear yard 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.

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3.18.09
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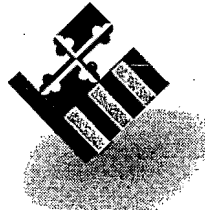
2. The Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.

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 FILE~~
3.18.09
B



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 18, 2009

SARA W. SARON
1717 GLENCOE ROAD
SPARKS MD 21152

Re: Petition for Administrative Variance
Case No. 2009-0205-A
Property: 1717 Glencoe Road

Dear Ms. Saron:

Enclosed please find the decision rendered in the above-captioned case.

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 dark ink, appearing to read "TH. BOSTWICK", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Craig Wacker, 1717 Glencoe Road, Sparks MD 21152



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1717 Glencoe RD
which is presently zoned RC2

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) 400.1

To permit a proposed accessory structure, garage in the front yard of a dwelling in lieu of the permitted rear yard.

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

1717 Glencoe RD.

Address

Telephone No.

Sparks, MD

City

State

21152

Zip Code

Representative to be Contacted:

Craig Wacker #

Name

1717 Glencoe Rd

Address

443.797.3159

Telephone No.

Sparks, MD

City

State

21152

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 3-18-09 day of March 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. 2009-0205-A

Reviewed By Zu

Date 2/2/09

REV 10/25/01

Estimated Posting Date 2/22/09

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

1717 Glencoe RD

Address

Sparks, MD

City

State

21152

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (Indicate hardship or practical difficulty):

The subject building lot is accessed by a shared lane which comes off Glencoe Road. The house is situated 'fronting' the lane making the "side yard" and "front yard" atypical. The unique orientation of the existing house, and driveway and the topography of the other yards present a practical difficulty. Without relief from BCZR there would be great hardship in constructing & using the accessory structure.

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.

X Sara W. Saron

Signature

X SARA W. SARON

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, 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

[Signature]
Notary Public

My Commission Expires October 1, 2011

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 1717 Glencoe RD
Address
Sparks, MD 21152
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (Indicate hardship or practical difficulty):

The subject building lot is accessed by a shared lane which comes off Glencoe Road. The house is situated 'fronting' the lane making the "side yard" and "front yard" atypical. The unique orientation of the existing house, and driveway and the topography of the other yards present a practical difficulty. Without relief from BCZR there would be great hardship in constructing & using the accessory structure.

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.

X Sara W. Saron
Signature
X SARA W. SARON
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, 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

[Signature]
Notary Public

My Commission Expires OCTOBER 1, 2011

Zoning Description for: 1717 Glencoe Road, Sparks, MD 21152

Beginning at a point on the North side of Shermantine Lane, a private road, which is twenty feet wide, with the use in common with others entitled thereto, which is 430' South of the centerline of Glencoe Road, some 2250' West of its intersection with Carroll Road, and running thenceforth as recorded in Deed Liber 18832 Folio 28, S.28°56'E. 159.90 ft., N.85°24'E. 361.00 ft., N.35°50'W. 186.00 ft., N.35°50'W. 199.60 ft., S.23°31'20"W. 74.80 ft., S.45°32'40"W. 133.06 ft., and S.65°06'W. 100.00 ft. to the place of beginning, containing 1.753 Acres, also known as 1717 Glencoe Road and located in the 10th Election District and 3rd Councilmanic District.

2009-0205-A

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

No. **35058**

Date: **2/9/09**

PAID RECEIPT

BUSINESS ACTUAL TIME DRP
 7/11/2009 2/09/2009 11:57:59 2
 REG MS02 MAIL JEVA JEE
 YH REIPT # 422964 2/09/2009 OFLN
 S. S. ZIMING VERIFICATION
 U. 03508
 Recpt Tot \$65.00
 \$65.00 CK \$65.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000			6150				65.00

Total: **65.00**

Rec From: **George W. Jackson**

For: **1717 Glencoe Rd.**

2115L

2009-0205-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2009-0205-A

TO PERMIT A PROPOSED ACCESSORY
STRUCTURE GARAGE IN THE FRONT
YARD OF A DWELLING IN LIEU OF THE
PERMITTED REAR YARD

1717 GLENVIEW RD

PUBLIC HEARING ?

PURSUANT TO SECTION 26-12716.112, BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
3:00 P.M. ON 3/23/09

ADDITIONAL INFORMATION IS AVAILABLE AT
PLANNING AND DEVELOPMENT MANAGEMENT
TEL. 887-3391

CERTIFICATE OF POSTING

Date: 2-20-09

RE: Case Number: 2009-0205-A

Petitioner/Developer: Craig Wacker

Date of Hearing/Closing: 3-9-09

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 1717 Glenese Rd

The signs(s) were posted on 2-20-09
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0205 -A Address 1717 Glencoe Rd

Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/9/09 Posting Date: 2/22/09 Closing Date: 3/9/09

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)

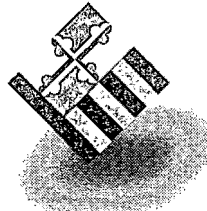
Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0205 -A Address 1717 Glencoe Rd
Petitioner's Name SARA W SARON Telephone 443-797-3159
Posting Date: 2/22/09 Closing Date: 3/9/09
Wording for Sign: To Permit

To permit a proposed accessory structure, garage in the front yard of a dwelling in
lieu of the permitted rear yard.

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

March 9, 2009

Sava W. Savon
1717 Glencoe Rd.
Sparks, MD 21152

Dear: Sava W. Savon

RE: Case Number 2009-0205-A, 1717 Glencoe Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 09, 2009. 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
Craig Wacker; 1717 Glencoe Rd.; Sparks, MD 21152

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 9, 2009

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

SUBJECT: 1717 Glencoe Road

INFORMATION:

Item Number: 9-205

Petitioner: Sara W. Saron

Zoning: RC 2

Requested Action: Administrative Variance

RECEIVED

MAR 11 2009

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 18, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For February 23, 2009
Item Nos. 2009-0200, 0203, 0205, 0206, 0207, 0208, and 0209

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

DAK:CEN:lrk
cc: File
ZAC-02232009-NO COMMENTS



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

February 19, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 16, 2009

Item Numbers 0200, 0203, 0204, **0205**, 0206, 0207, 0208, 0210

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



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: Feb. 23, 2009

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

RE: Baltimore County
Item No 2009-0205-A
1717 GLENCOE RD
SARON 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. 2009-0205-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



1600011982

1013020982

1900004852

Pt. Bk. 48 Folio 97

1718

028C3

1705

2300006616

1707

1013020981

1715

1002026810

GLENCOE RD

1004000750

3 CD

NW 23-A

RC 2

SHERMANTINE LN

Flood Zone X

1717

1004000661

1003067650

Loch Raven Hydrology 100 Foot Stream Buffer

1719

1025001010

1741

034C1

1020000190

2100002147

HYDROLOGY AREA

2009-0205-A



Viewing South down Sherman Lane
from its intersection with
Glencoe Rd.

2009-0205-A

1,



Subject Driveway from the access Road
Sherman Lane.

(viewing west)

2009-0205-A

2.



on subject driveway , approaching
location for accessory structure .
(viewing west)



At the location, viewing North
to Frantz Property.



At the location, viewing a little West
of North toward the
Frantz Property.



At the location, viewing West
toward Taylors Purchase Property

2009-0205-A



At the location viewing South
at the detached residence
1717 Glen Coe.

7.

2009-0205-A



At the location, viewing East
back along subject driveway,
and the Pursley Property beyond.

