IN RE: PETITION FOR ADMIN. VARIANCE

S side of Gibson Road, 2400 feet NE of Old York Road 7th Election District 3rd Councilmanic District (2119 Gibson Road)

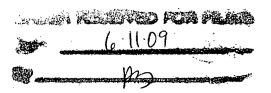
Michael C. Weber and Sara Weber Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- FOR BALTIMORE COUNTY
- * Case No. 2009-0296-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, Michael C. Weber and Sara Weber for property located at 2119 Gibson Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pole type shed) be located in the front yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a shed measuring 30 feet x 30 feet. The side of the dwelling faces Gibson Road and is located approximately 460 feet from this road. Due to the locations of the septic and well, the shed cannot be placed in the rear yard. The proposed shed will be located in the southwest corner of the property adjacent to a heavily wooded portion of the property. Petitioners' property contains two acres zoned RC 2. The accessory structure is located over 1,500 feet away from the nearest neighbor.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

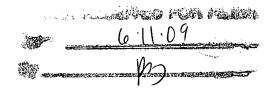


The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 24, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

June 11, 2009

MICHAEL C. WEBER AND SARA WEBER 2119 GIBSON ROAD WHITE HALL MD 21161

> Re: Petition for Variance Case No. 2009-0296-A Property: 2119 Gibson Road

Dear Mr. and Mrs. Weber:

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.

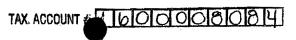
Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

					• •	• •		
MARYLAN		•	for the proj	perty located	***************************************			Rd.
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	·		•	perju	iry, that I/we	ly declare and af are the legal ov this Petition.		
Contract Purch	aser/Lesse	<u>e:</u>		Leg	al Owne	r(s):		
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Attorney For Pe	etitioner:		N.	Addre	19 OIR	500 Kood	M: 710:	930-12-lob Telephone N
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REV 10/25/01	The Public	(0.11.09		Estimated P	osting Da	ite <u>5/</u>	24/04	

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

City	Nhite Hall MD 21161 State Zip Code
That based upon personal knowledge, the following an Variance at the above address (indicate hardship or pra	e the facts upon which I/we base the request for an Administrative ctical difficulty):
1. The house faces the side area at the rear of the	of the property limiting the property.
2 Due to the Well 1000to	at the rear of the property, som to place the proposed are rear of the property.
en e	
That the Affiant(s) acknowledge(s) that if a formal de advertising fee and may be required to provide additional Signature Name - Type or Print	emand is filed, Affiant(s) will be required to pay a reposting and all information. Signature Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to I HEREBY CERTIFY, this 13th day of May of May of Maryland, in and for the County aforesaid, personally Machael Welley Sava	happeared before me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfactorily in AS WITNESS my hand and Notarial Seal	lentified to me as such Affiant(s).
	My Commission Expires 05/01/2010
REV 10/25/01	

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	2119 E	nibson Re	∞	· · · · · · · · · · · · · · · · · · ·	· · · ·
	Address White	Hall	MD	•	21161
	City		State		Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	ip or practical diffic	culty):			
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I HEREBY CERTIFY, this 13th day of of Manyland in and for the County aforesaid, ner	may	2009	_, before me, a f	Notary Public	c of the State
of Maryland, in and for the County aforesaid, per	sonally/appeared	Challe		,	•
the Affiant(s) herein, personally known or satisfa	ctorily identified to	ne as such Af	fiant(s).	,	· · · · · · · · · · · · · · · · · · ·
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			15/11/2	01/2	

REV 10/25/01





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

THEY LAND	for the property	located at 2119 Gibson Rd.
		which is presently zoned
	 County and which 	s and Development Management. The undersigned, legant is described in the description and plat attached hereto and in(s)
		400.1 to permit an accessor
		d in the front yard in lieu of
the required rear yar	l.	
of the zoning regulations of Baltimore Coun of this petition form.	ty, to the zoning la	w of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as p l, or we, agree to pay expenses of above Variar regulations and restrictions of Baltimore County	nce, advertising, post	ting, etc. and further agree to and are to be bounded by the zoning
		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:	,	Legal Owner(s):
		Michael C Weber
Name - Type or Print		Name - Type or Print
Signature		Signature Neber
Address	Telephone No.	Name - Type or Print And M. W.
City State	Zip Code	Signature H: 410-357-5385
Attorney For Petitioner:		2119 GIDSON ROOD W: 717-812-2501 Address Telephone No
		White Hall MD 21161
Name - Type or Print		City State Zip Code
Signature		Representative to be Contacted:
Company		Name
Address	Telephone No.	Address Telephone No.
City State	Zip Code	City State Zip Code
	the subject matter of thi	required, it is ordered by the Zoning Commissioner of Baltimore County is petition be set for a public hearing, advertised, as required by the zoning
		Zoning Commissioner of Baltimore County
CASE NO. 2009-10 a act As i	Revi	ewed By 3n Date 5/14/09
REV 10/25/01 6:11:09	Fetir	nated Posting Date 5/3 4/89

Zoning Description for 2119 Gibson Road
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46 minutes 54 seconds East 663.57 Reet
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56 minutes 38 secondo East 140.29 feet. Then
 North 08 degrees 03 minutes 20 seconds West
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CERTIFICATE OF POSTING

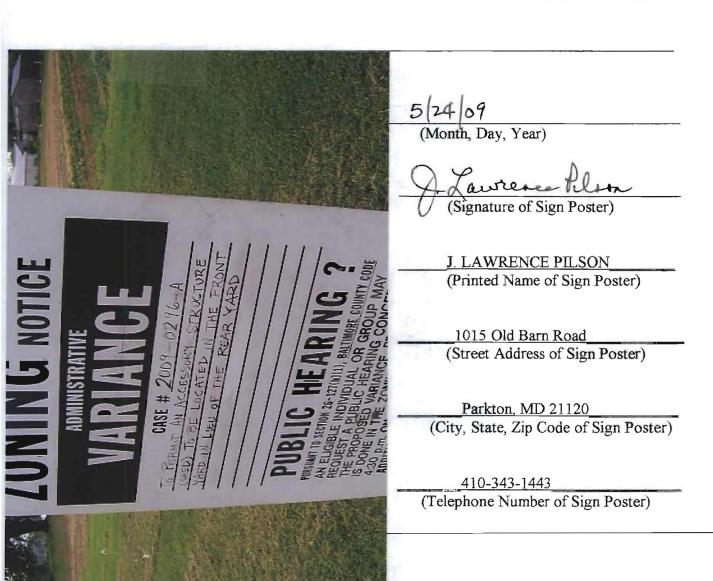
Date: 5/24/09

RE: Case Number: 2009-0296-A

Petitioner/Developer: Sara Weber

Date of Hearing/Closing: 6/8/09

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 2196 by law.



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2009-	A 6 04	-A A	ddress	2119	Gibson.	Rd.	
		0296		•				007 2204
•	ct Person:	Planner, Ple	ase Print Your Name	9		Phone Nur	•	
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	property on or date.							
2.*	DEADLINE: Ta formal request for a p	est for a publ	lic hearing.	Please u	nderstand	that even if	there is r	eet to file no formal
3.	ORDER: After commissioner order that the rewithin 10 days whether the permailed to you be	He may: (a matter be set i s of the closi etition has bee	n) grant the re n for a public ng date if all en granted, de	equésted hearing. County	relief; (b) You will reagencies'	deny the rec eceive writter comments	quested rel notification are receive	ief; or (c) n, usually ed, as to
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WCR - Revised 7/7/08

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Number or (Case Number: 2009 - 0296 - A	
Petitioner:N	Michael + Sarah Weber	
Address or Locat	ion: 2119 Gibson, Road, White Hall MD	2116
	, , , , , , , , , , , , , , , , , , ,	
PLEASE FORWA	ARD ADVERTISING BILL TO:	
\wedge	ARD ADVERTISING BILL TO:	
Name: <u>Sa</u>		
Name:	rah Weber	
Name:	rah Weber 119 Gibson Road	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management
June 9, 2009

Michael & Sarah Weber 2119 Gibson Rd. White Hall, MD 21161

Dear: Michael & Sarah Weber

RE: Case Number 2009-0296-A, 2119 Gibson Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 14, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:Inw

Enclosures

People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: June 1, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 1, 2009

Item Nos. 2009-293, 294, 295, 296,

297, 298, 299, 300 and 301

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

DAK:CEN:cab

cc: File

ZAC-06012009 -NO COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 8, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-296- 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: - LINE 1,2009

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 - 0296-A 2119 GIBSON ROAD WEBER PROPERTY ADMIN, 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.

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

AV 09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 1.9 2009

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

June 18, 2009

SUBJECT:

Zoning Item # 09-296-A

Address

2119 Gibson Road

(Weber Property)

Zoning Advisory Committee Meeting of May 26, 2009

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

Reviewer:

JWL

Date: June 18, 2009

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 8, 2009

Department of Permits and

RECEIVED

Development Management

JUN **09** 2009

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case(s) 09-296- 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



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 June 4, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 26, 2009

Item Numbers 0293,0294,0295,0296,0297,0298,0299,0300 and 0301

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

Exempt Class:

2009-0296-A



Go Back View Map New Search

Account Identifier:	District - 07	Account Numbe	r - 1600008084					
		Owr	er Information					
Owner Name:	WEBER MICHAE	L CHARLES	Us Pri	e: ncipal Resider		RESIDENTIAL YES		
Mailing Address:	2119 GIBSON RI WHITE HALL MD		De	ed Reference:		1) /16416/ 546 2)		
		Location &	Structure Infor	mation				
Premises Address 2119 GIBSON RD				2 A 211	gal Description C L9 GIBSON RD SS 00 NE OLD YORK R	D		
Map Grid Parcel 8 13 200	Sub District	Subdivision	Section	Block Lot	Assessment A	rea Plat No Plat Ref		
Special Tax Areas	Tax	n /alorem Class						
Primary Struct 2002	ure Built	Enclosed 1,248		Property I 2.00		County Use 04		
Stories Basemen		t		Туре		Exterior		
1	YES		STA	NDARD UNIT		SIDING		
		Val	ue Information					
	Base Value	Value As Of 01/01/2008	As Of 07/01/2008	As Of 07/01/2009				
Land Improvements: Total:	88,000 101,640 189,640	110,000 132,570 242,570	207,283	224,926				
Preferential Land:	0	0	0	0				
		Tran	sfer Informatio	n				
Seller: WEBER HAMMON Type: NOT ARMS-LENG			Date Deed	: 05/16/2003 11: /16416/ 54		\$0 :		
Seller: CHENOWETH JAN Type: IMPROVED ARMS			Date Deed	: 12/22/1972 11: / 5324/ 87		\$5,000 :		
Seller: Type:			Date Deed		Price: Deed2			
		Exem	ption Informatio	on				
Partial Exempt Assessm County	ents		Class 000	07/01/2008 0	3 07 0	/01/2009		
State Municipal			000	0	. 0			
Tax Exempt: NO					Special Tax Rec	•		

* NONE *



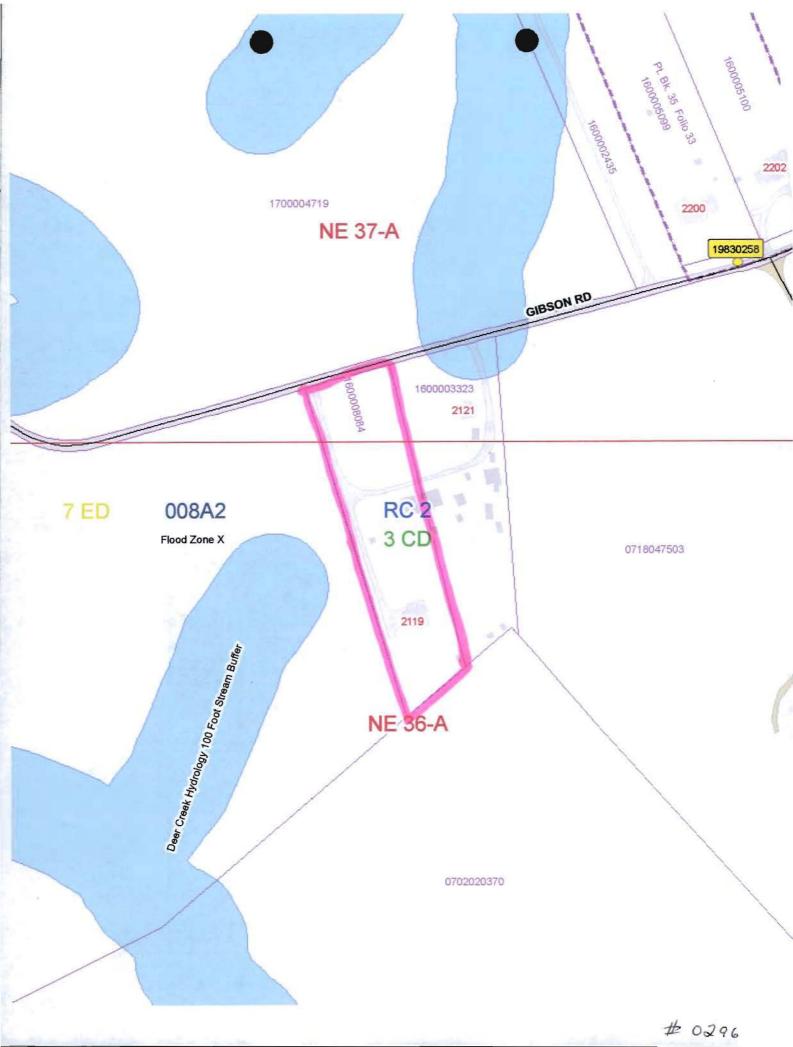
Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search

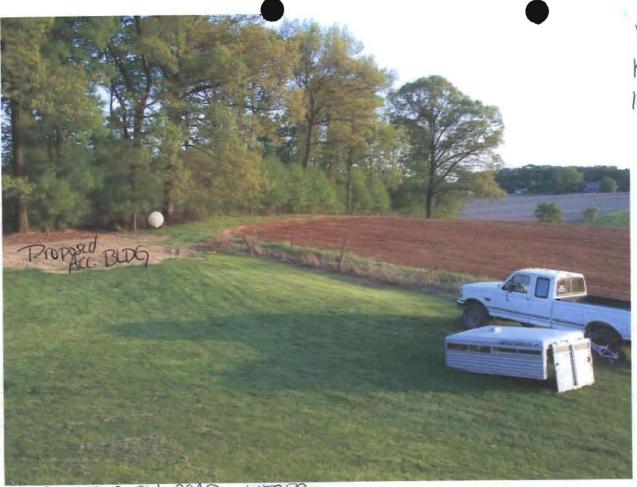
Go Back View Map New Search

District - 07 Account Number - 1600008084



Property maps provided courtesy of the Maryland Department of Planning ©2008. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html





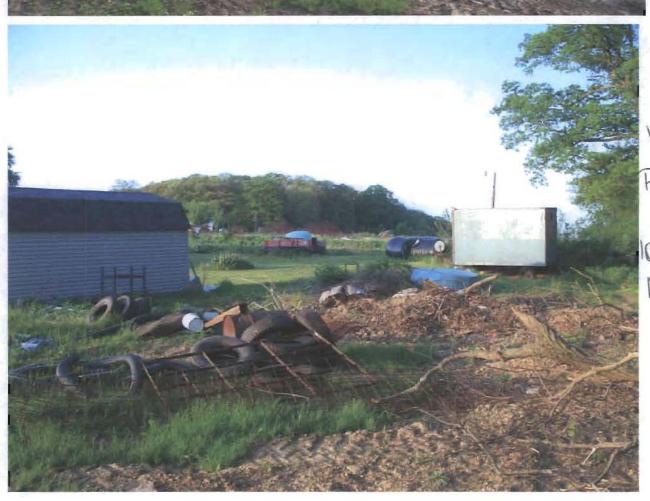
View from house front looking South West



View from Gibson Rd 100king South



View From Prup. Acc. BLDG 100King West.



View from
Prop Acc
BLDG
looking
Nown
East

2119 Gibson Road - Weber

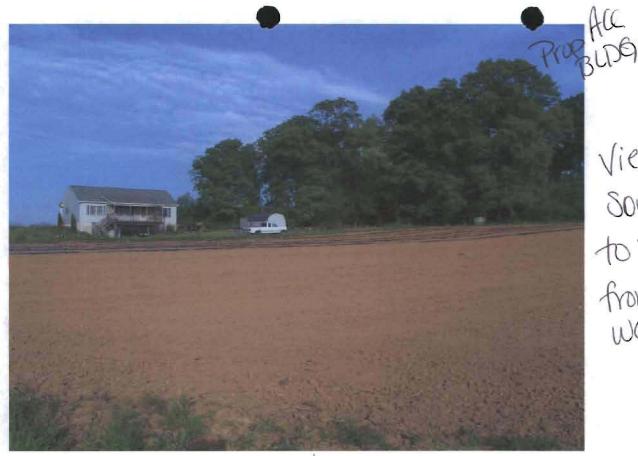


View from
Prop Ace.
BLPG
LOOKING
SOUTH

2119 Gibson Road- Weber

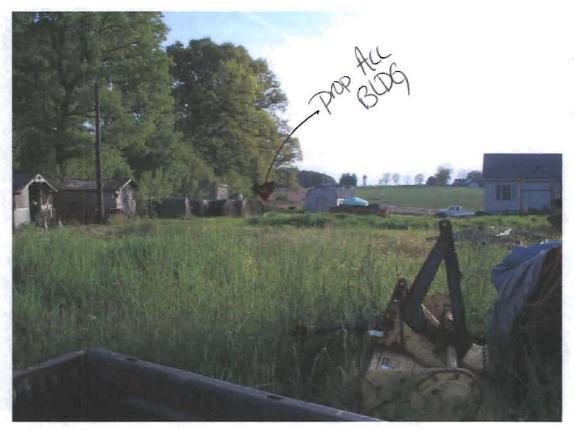


View from proposed ACC BLDG. LOOKING NOWTH

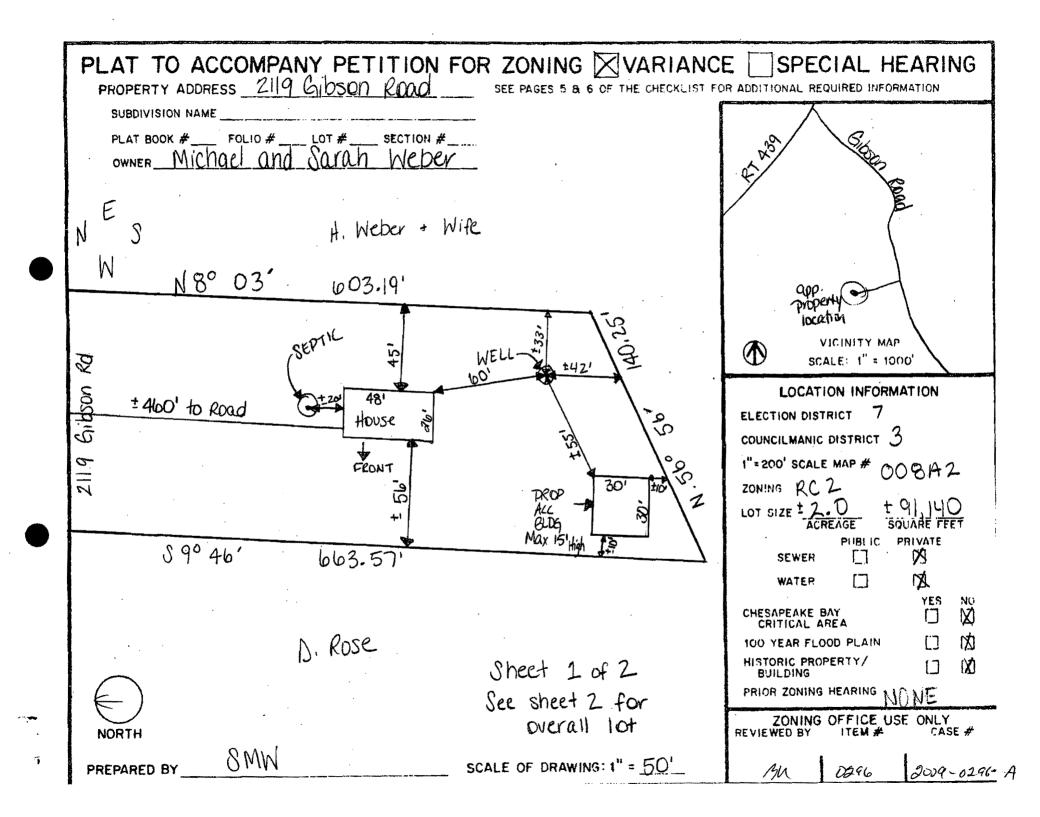


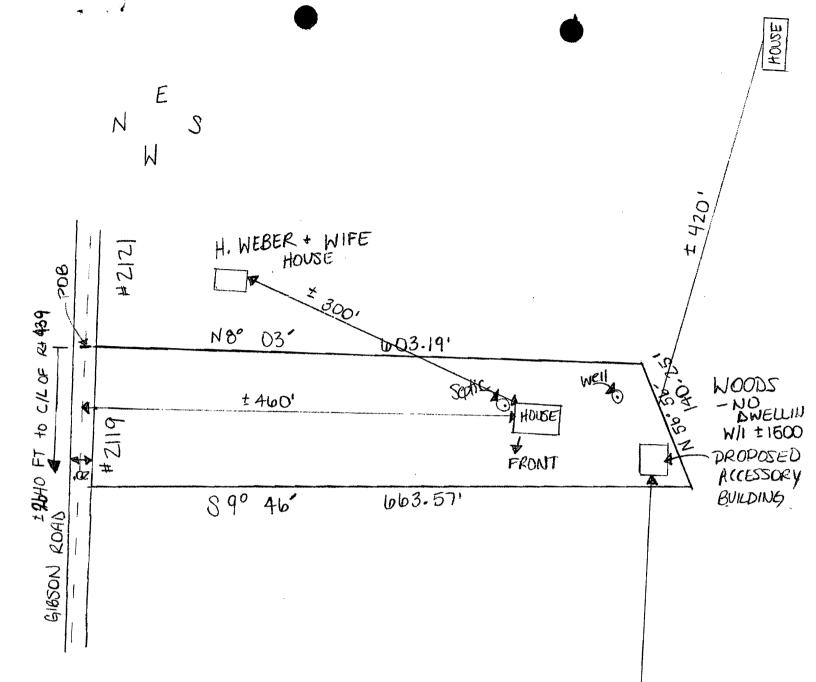
View looking South East to the bulds from the water way (see Pg 3 for location)

2119 Gibson Road Weber



View looking South West from neighboring Property





PROPERTY LOCATION: 2119 GIBSON ROAD MICHAEL + SARAH WEBER

Scale 1" = 100'

SHEET 2 of 2 SEE SHEET 1 FOR DETAIL

> NEXT DWELLING IS ± 11011 DWNED D. ROSE

> > #3286