IN RE: PETITION FOR ADMIN. VARIANCE

W side of Hickoryhurst Drive, 240 feet N of the c/l of Klausmier Road 11th Election District 5th Councilmanic District (9837 Hickoryhurst Drive)

Joann Davis

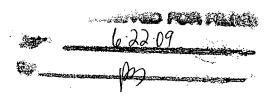
Petitioner

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2009-0303-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, Joann Davis for property located at 9837 Hickoryhurst Drive. The variance request is from Section 1B01.2.C.1 (1974 Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a one-story patio room addition on rear of dwelling with a 32 feet window to window separation and a 14 feet distance from window to lot line in lieu of the required 40 feet and 15 feet respectively; and to amend the first amended Final Development Plan of Oakhurst Development, Section 1, Lot 81 only. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner wishes to construct a patio room measuring 14 feet x 12 feet on the existing deck at the rear of the dwelling. There is an existing sliding door that will lead into the new patio room. The home is not centered on the property and was constructed closer to the left property line.

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.



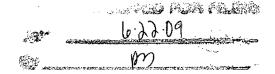
The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 2, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 Zonid day of June, 2009 that a Variance from Section 1B01.2.C.1 (1974 Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a one-story patio room addition on rear of dwelling with a 32 feet window to window separation and a 14 feet distance from window to lot line in lieu of the required 40 feet and 15 feet respectively; and to amend the first amended Final Development Plan of Oakhurst Development, Section 1, Lot 81 only 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.

Deputy Zoning Cornmissioner for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

June 22, 2009

JOANN DAVIS 9837 HICKORYHURST DRIVE BALTIMORE MD 21236

Re: Petition for Administrative Variance

Case No. 2009-0303-A

Property:

Dear Ms. Davis:

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

c: Dave McMahon, 7110 Golden Ring Road, Baltimore MD 21221



		to the Z	oning Co	mmissio	ner of Baltin	nore County
AND LED		for the prope	erty located a	9837	Hickoryhurst	Drive,
A. Barrier			wh	ich is pres	ently zoned	DR 5.5
4* 4	The State of the Line	ar a real				

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) 1 Bo1.2C.1 (1974 Regulation) To permit a one-story patio room addition on rear of dwelling, with a 32 feet window to window separation and a 14 feet distance from window to lot line in lieu of the required to feet and 15 feet respectively and to amend 10+#181 only, Section 1 of the first amended Final Development Plan of Oakhurst Development 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.

I, or we, agree to pay expense regulations and restrictions of	es of above Va	riance, advertising	g, postir	ing regulations. g, etc. and further agree to and are to be bounded by the zoning ne 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/Le	ssee:	9		Legal Owner(s):
		eg.	٠.٠	
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Signature	·	 	- :	Signature
Address	- 10 × 04 · 0 × 04 ·	Telephone No		Name - Type or Print
City	State	Zip Code	;	Signature
Attorney For Petitioner	.		·	9837 Hickoryhurst Drive (410) 248-2029 Address Telephone No. Baltimore MD 21236
Name - Type or Print	Control of the second of the s		 *	City State Zip Code Representative to be Contacted:
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City	State	Zip Code	· :	Baltimore MD 21221 City State Zip Code
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REV 10/25/01			٠,٠,٠,٠,٠	ated Posting Date 05/31/09 - 06/15/09
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ffidavit in Support of Administrative Variance

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My Commission Expires

DELORES A. KAZMERSKI.

Notary Public

Harford Co., MD

My Comm. Exps. Nov. 1, 2009

ffidavit in Support of Administrative Variance

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My Commission Exp

DELORES A. KAZMERSKI Notary Public Harford Co., MD My Comm. Exps. Nov. 1, 2009

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.



Letition for Adminigrative Variance

	E. Helington	to the Z	oning Com	missioner	of Baltim	ore County
Tall Carriers		for the prope	erty located at	9837 Hic	koryhurst l	Drive
and the second	ing the second of the second o		which	h is presently	zoned	DR: 5.5

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) 1801.201 (1974 Regulation) To permit a one-story patro room addition on rear of 32 feet window to window separation and a 14 feet distance from window to Lot line in lieu of the required 40 feet and 15 feet respective and to amend 10t # 181 only, Section 1 of the first amended Final Development Plan of Oakhurst Development, 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.

Contract Purchaser/Lessee: Legal Owner(s): Joann Davis Name - Type or Print Name -Signature Address Telephone No. Name - Type or Print State City Zip Code Signature Attorney For Petitioner: 9837 Hickoryhurst Drive Address Telephone No. Baltimore 21236 MDZip Code Name - Type or Print State Representative to be Contacted: Signature Dave McMahon Company 7110 Golden Ring Address Telephone No. City Zip Code State

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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	-0303	-A	
REV 10/25/01				

Zoning Commissioner of Baltimore County

Zoning Description for 9837 Hickoryhurst Drive.

Beginning at a point on the west side of Hickoryhurst Drive. which is 60 ft. wide at the distance of 240 ft. north of the centerline of the nearest improved intersecting street Klausmier Rd which is 60ft. wide.

*Being lot #181, Block#1, Section# 1 in the subdivision of Oakhurst as recorded in the Baltimore county Plat Book #52, Folio #13, containing 7,163.00 SF. Also known as 9837 Hickoryhurst Drive. and located in the 11th election district, 5th Councilmanic District.

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JAMES T. SMITH, JR. County Executive

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

June 15, 2009

Joann Davis 9837 Hickoryhurst Dr. Baltimore, MD 21236

Dear: Joann Davis

RE: Case Number 2009-0303-A, 9837 Hickoryhurst Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 21, 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,

u. Cal Ribal D

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Dave McMahon; 7110 Golden Ring Rd.; Baltimore, MD 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

FROM:

Timothy M. Kotroco, Director

Department of Permits and Development Management

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: August 12, 2008

RECEIVED

JUN 16 2009

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-303- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: June 10, 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 8, 2009 Item Nos. 2009-302, 303, 304, 305,

306, 308, 309 and 310

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

DAK:CEN:cab

cc: File

ZAC-06082009 -NO COMMENTS



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: June 1, 2009

Item Numbers 0302,0303,0304,0305,0306,0308,0309,0310

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 12, 2008

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) 09-303- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL



Martin O'Mulley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley. Acting Sucretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: June 4, 2009

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

Baltimore County RE:

Item No. 2009-0303-A

2837 HICKORYHURST DRIVE JOANN DAVIS TROPERTY

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. 2009-0303-人。

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,

Engineering Access Permits

Division

SDF/MB

CERTIFICATE OF POSTING

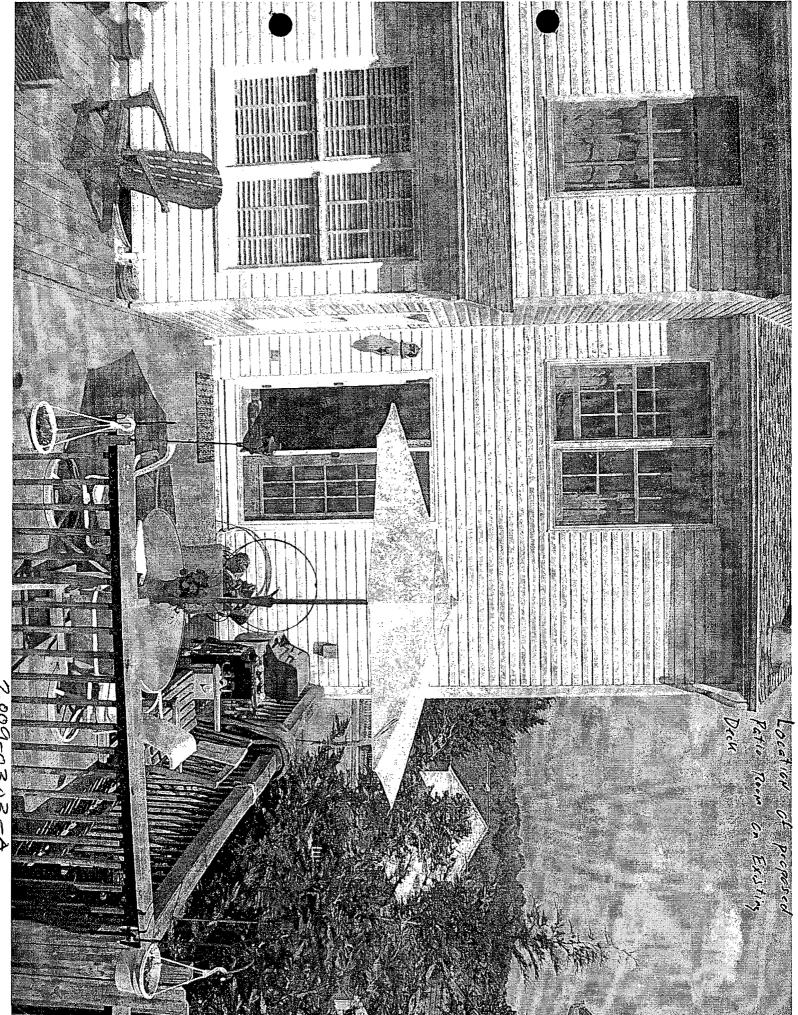
	RE
	Petitioner/Developer:
	Joann Davis
	D 4 - 6 H - 1 - 1 (Classes I - 10 2000
Baltimore County Department of	Date of Hearing/ClosingJune18,2009
Permits and Development Managemen	ıt .
County Office Building, Room 111	
111 West Chesapeake Avenue	
Towson, Maryland 21204	•
Attn; Kristin Matthews,	
Ladies and Gentlemen:	
	ties of perjury that the necessary sign(s) required by law were located at,
The sign(s) were posted on	June 2 ,2009(Month, Day, Year)
	Sincerely,
	Robert Black June 3 2009
	(Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
,	(Address)
	Dundalk, Maryland 21222
•	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

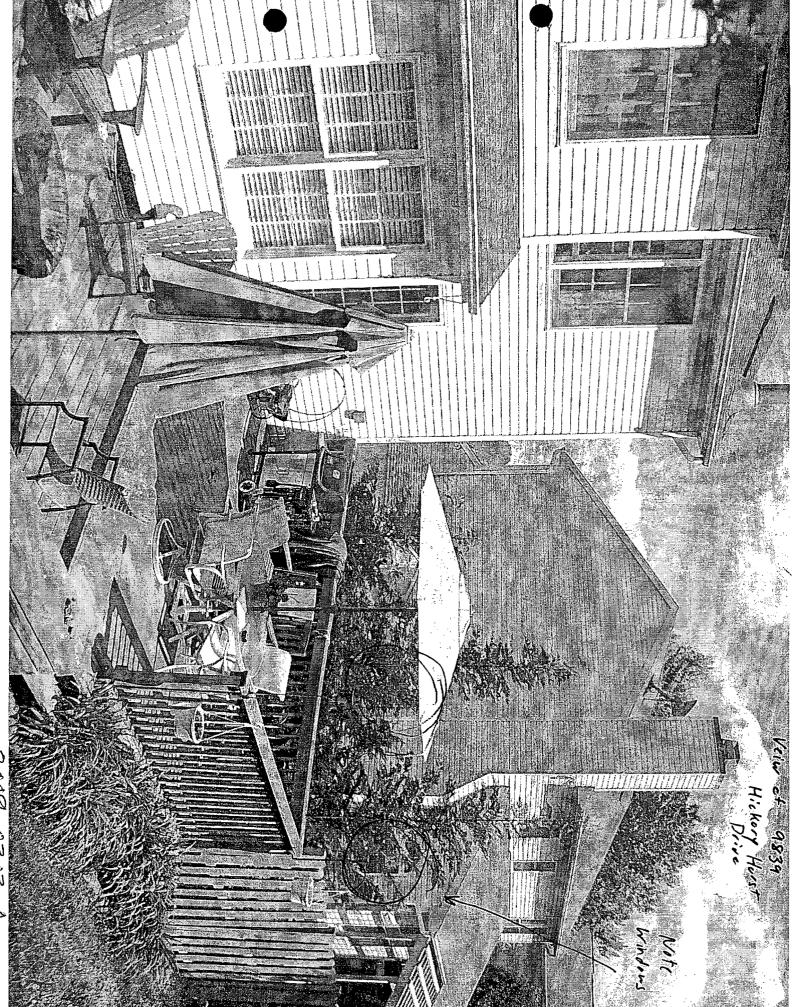


ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0303 -A Address 9837 Hickory Hurst DR
Contact Person: ARON TSUI Phone Number: 410-887-3391
Filing Date: 05/21/2009 Posting Date: 05/31/09 Closing Date: 06/15/09
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. <u>POSTING/COST:</u> 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.
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- 0303 -A Address 9837 HICKORYHURST DRIVE
Petitioner's Name DAVIS Telephone (410) 248-2029
Posting Date: Closing Date:
Wording for Sign: To Permit A ONE -STORY PATIO ROOM APRITION ON REAR OF
DWELLING WITH A WINDOW TO WINDOW OF 32 FEET AND A WINDOW
TO LOT LINE OF 14 FEET IN LIEU OF THE REQUIRED 40 FEET AND
15 FEET RESPECTIVELY
WCR - Revised 7/7/08







009-0303-A

2009-0303-A



Go Back View Map **New Search**

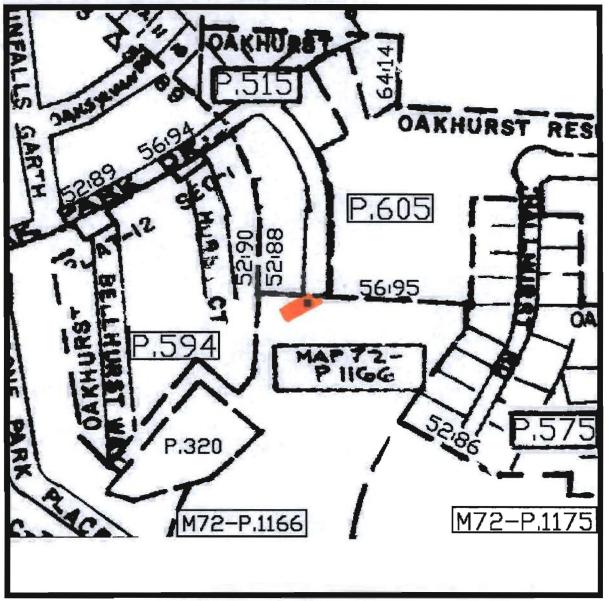
		Ov	vner Infori	mation		•			
Owner Name:	DAVIS JOANN		Use: Principal Residence:				RESIDENTIAL YES		
Mailing Address:	9837 HICKOR BALTIMORE M				Refere	nce:		.) /20593/ 383 !)	l
		Location i	& Structure	e Inform	ation				
Premises Address						Legal Descri	ption		
9837 HICKORYHURST DR						.1644 AC			
						9837 HICKOR OAKHURST	YHURST	DR	
Map Grid Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment	Area	Plat No:	9
72 1 1166			1	I	181	3		Plat Ref:	52/ 1
		wn							
Special Tax Areas		l Valorem x Class							
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Stories	Baseme				Туре	•		Exterio	r
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		Va	alue Inforr	nation					
	Base Value	Value		n Assess					
		As Of 01/01/2009	07/01/20	s Of nna n	As 07/01/20	-			
Land	126,160	105,160	07,01,2		,,01,20				
Improvements:	220,260	185,870							
Total:	•	291,030	346,		291,0				
Preferential Land:	0	0		0		0			
	A LITTO	Tra	nsfer Info		00/2/	- (2004		+20F 000	
Seller: AUGUSTYNIAK [Type: IMPROVED ARM				Date:	.: /2059 2059 :	5/2004 33/ 383	Price: Deed2	\$285,000 •	
Seller: SIGALAS LOUIS				Date:		2/2003	Price:	\$241,000	***************************************
Type: IMPROVED ARM	•				.: /179	•	Deed2		
Seller: SIGALAS LOUIS	A.2ND			Date:		5/1998	Price:	\$0	
Type: NOT ARMS-LENG	•			Deed1	: /135		Deed2	*	
		Exer	nption Inf	ormation)				
Partial Exempt Assessr	nents		С	lass	07/01	./2008	07	/01/2009	
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State				00 00	0 0		0		
			U	UU	U		U		
Municipal Tax Exempt: No	~				-			capture:	



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

Go Back View Map New Search

District - 11 Account Number - 1900006264



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

