

IN RE: PETITION FOR ADMIN. VARIANCE
W side of Manor Road; 1020 feet N
of the c/l of Sweet Air Road
10th Election District
3rd Councilmanic District
(14228 Manor Road)

William and Frances Seibert
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0008-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, William and Frances Seibert for property located at 14228 Manor Road. The variance request is from Section 1A04.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a two story addition with a side yard setback of 41 feet in lieu of the required 50 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct an addition measuring 26 feet x 38 feet. An addition off the rear of the dwelling would interfere with the well and septic systems. The proposed addition constructed on the north side of the dwelling offers the best floor plan with the existing home's layout. Petitioners' existing dwelling was constructed at an angle on the property. Pictures submitted with the variance request depict heavy vegetation at the perimeter of the property.

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.

~~_____~~
8.10.09
~~_____~~
P3

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 19, 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.

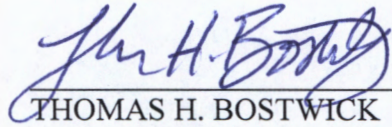
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 10th day of August, 2009 that a variance from Section 1A04.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a two story addition with a side yard setback of 41 feet in lieu of the required 50 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.

RECEIVED FOR FILING
8.10.09
[Signature]

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

SEARCHED INDEXED FOR FILED
8/10/09
M



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 10, 2009

WILLIAM AND FRANCES SEIBERT
14228 MANOR ROAD
PHOENIX MD 21131

Re: Petition for Administrative Variance
Case No. 2010-0008-A
Property: 14228 Manor Road

Dear Mr. and Mrs. Seibert:

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

TAX ACCOUNT # 1013021543



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 14228 MANOR ROAD
which is presently zoned RC 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)

1A04.3.B

To permit a proposed two story addition with a side yard setback of 41-feet in lieu of the required 50-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:

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):

William A. Seibert
Name - Type or Print _____
William A. Seibert
Signature _____
Frances A. Seibert
Name - Type or Print _____
Frances A. Seibert
Signature _____
14228 Manor Rd 410-592-6682
Address _____ Telephone No. _____
Phoenix Md. 21131
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. 2010-0008-A Reviewed By [Signature] Date 7/8/09
REV 10/25/01 8.10.09 Estimated Posting Date 7/19/09

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 14228 MANOR ROAD
Address
PHOENIX MARYLAND 21131
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):

Due to Medical issues, stairs are difficult to climb.
First floor bedroom, full bath and additional living space are needed.

Addition off rear of house would interfere with Septic System, existing doors and existing windows
Addition on north side, offers the best floor plan layout with existing dwelling

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.

William A. Seibert
Signature

William A. SEIBERT
Name - Type or Print

Frances A. Seibert
Signature

Frances A. Seibert
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7 day of JULY, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William A. Seibert and Frances A. Seibert
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Ashley Ann Mice
Notary Public

My Commission Expires 12/24/2012

ZONING DESCRIPTION FOR 14228 MANOR ROAD

Beginning at a point on the west side of Manor Road which is 70 feet at the distance of 1020 feet north of the centerline of the nearest improved intersecting street Sweet Air Road which is 120 feet wide. Being Lot #14 in the subdivision of Cyril C. Mahan as recorded in Baltimore County Plat Book #31, Folio #15, containing 1.75 acres. Also known as 14228 Manor Road and located in the 10th Election District, 3rd Councilmanic District.

2010-00013-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 07/19/09

Case Number: 2010-008-A

Petitioner / Developer: WILLIAM & FRANCIS SIEBERT

Date of Hearing (Closing): AUGUST 3, 2009

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:
14228 MANOR ROAD

The sign(s) were posted on: JULY 19, 2009



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

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

No. **39293**

Date: _____

PAID RECEIPT

BUSINESS ACTUAL TIME INM
7/09/2009 7/09/2009 11:37:36 5

REG 0603 MALKIN RD06 LRD
RECEIPT # 003944 7/09/2009 0FLM

Dept 5 528 ZONING VERIFICATION
CR NO. 039293

Receipt Tot \$65.00
\$65.00 CR \$ 0.00 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:

Williams Seibert

For:

*14228 Manassas Rd
21131*

2010-0008-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

**CASHIER'S
VALIDATION**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2000-0008-A Address 14228 MANOR Rd

Contact Person: LEONARD W. AS. LEWSKI Planner, Please Print Your Name Phone Number: 410-887-3391

Filing Date: 7/8/09 Posting Date: 7/19/09 Closing Date: 08/03/09

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

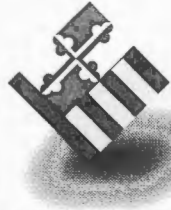
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2000-0008-A Address 14228 MANOR Rd

Petitioner's Name William A Seibert & Frances A Seibert Telephone 410 592 6682

Posting Date: 07/19/09 Closing Date: 08/03/09

Wording for Sign
_____ To permit a proposed two story addition with a side yard setback of 41-feet in lieu of the required 50-feet.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 4, 2009

William & Frances Seibert
14228 Manor Rd.
Phoenix, MD 21131

Dear: William & Frances Seibert

RE: Case Number 2010-0008-A, 14228 Manor Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 8, 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:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 23, 2009

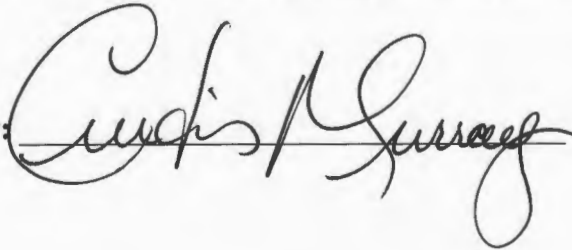
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-308- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request.

For further questions or additional information concerning the matters stated herein, please contact Diana Itter in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



RECEIVED

JUL 24 2009

ZONING COMMISSIONER



BALTIMORE COUNTY
M A R Y L A N D

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

July 24, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 20.2009

ItemNumbers:0001,0002,0003,0004,0005,0007,0008,0009,0010,0013,0014,0016,0017,0019

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
INTEROFFICE CORRESPONDENCE

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

DATE: July 27, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For July 27, 2009
Item Nos. 2010-001, 003, 004, 005, 006,
007, 008, 009, 010, 011, 013, 016, 017,
018 and 019

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

DAK:CEN:hta
cc: File
ZAC-072709-NO COMMENTS



Martin O'Malley, Governor |
Anthony G. Brown, Lt. Governor

Beverly K. Swaim-Staley, Acting Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: July 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 2010-0008-A
14228 MANOR ROAD
SEIBERT 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. 2010-0008-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

AV
8-3-09
closing

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 09 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 9, 2009

SUBJECT: Zoning Item # 10-008-A
 Address 14228 Manor Road
 (Seibert Property)

Zoning Advisory Committee Meeting of July 20, 2009

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

Reviewer: Thomas Panzarella
 Environmental Impact Review

Date: August 13, 2009 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 5, 2009

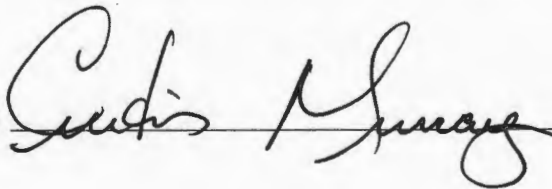
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-008- 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



2000004583

1900001066

4101

1002065400

14302

Pt. Bk. 46 Folio 75

MANOR RD

1016060300

2000004584
Pt. Bk. 53 Folio 124

1003037270

14230

1012000340

1013021543

RC 5
10 ED

NE 20-D
036A3
3 CD

1013021540

14222

Pt. Bk. 31 Folio 15
1013001070

14226

1003077330

1013021539

3912

1700014904

Pt. Bk. 39 Folio 129

4004

1013021533

1003023360

1600001005
Pt. Bk. 34 Folio 31

14228 Manor Rd



2010-0008-A

14228 MANOR Rd



2010-0008-A

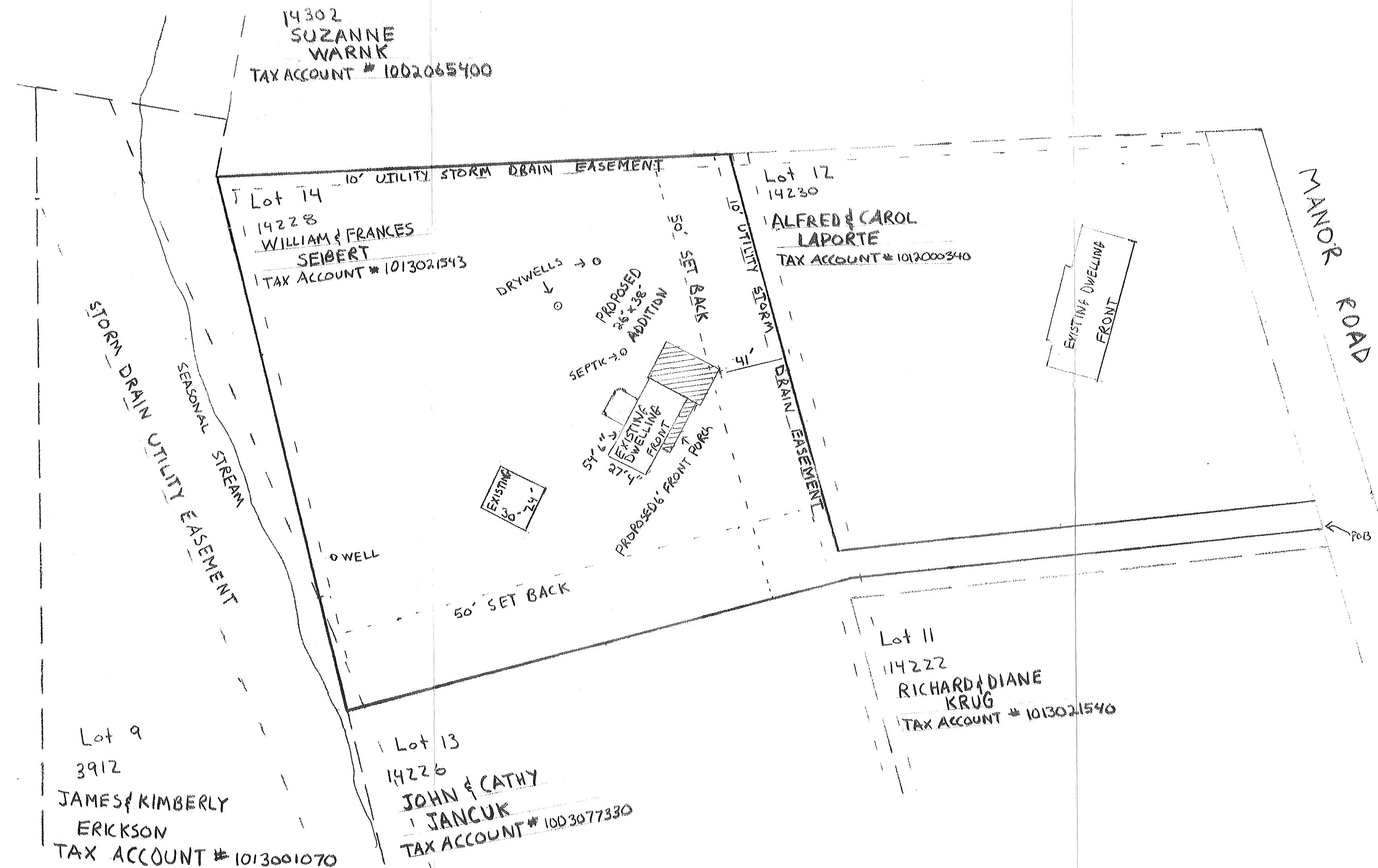
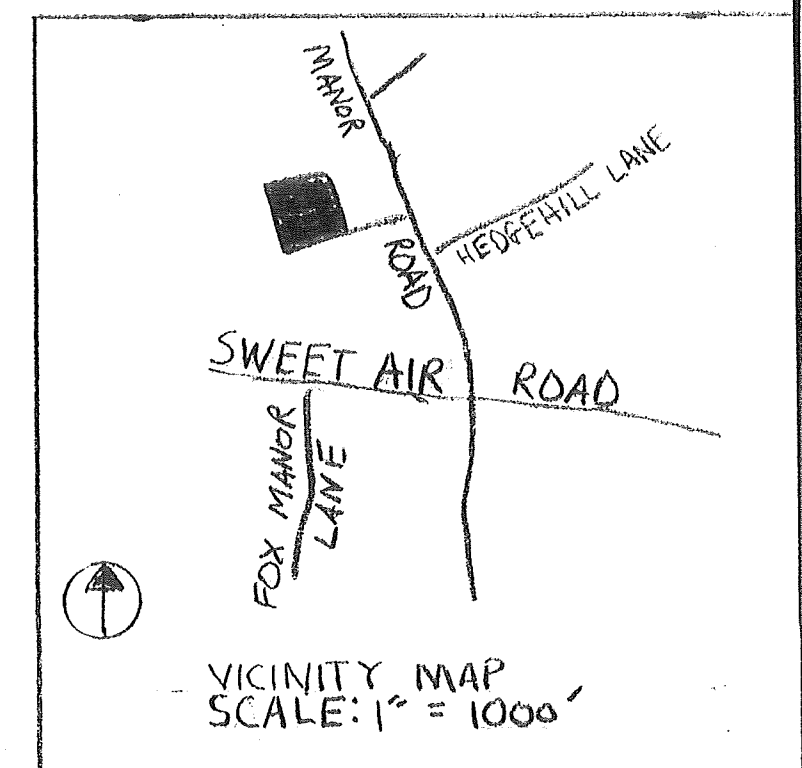
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

PROPERTY ADDRESS 14228 MANOR ROAD

SUBDIVISION NAME CYRIL C. MAHAN

PLAT BOOK # 31 FOLIO # 15 LOT # 14 SECTION #

OWNER WILLIAM & FRANCES SEIBERT



LOCATION INFORMATION

ELECTION DISTRICT 10

COUNCILMANIC DISTRICT 3

1"=200' SCALE MAP 036A3

ZONING RC5

LOT SIZE 1.75

	ACREAGE	SQUARE FEET
	PUBLIC	PRIVATE
SEWER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHESAPEAKE BAY	YES	NO
CRITICAL AREA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
100 YEAR FLOOD PLAIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HISTORIC PROPERTY / BUILDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PRIOR ZONING HEARING	NONE	

ZONING OFFICE USE ONLY

REVIEWED BY ITEM# CASE#

W | 2010 | 0008-A

SCALE:	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
		DRAWING NUMBER:



PREPARED BY DUANE SEIBERT SCALE OF DRAWING: 1" = 50'