

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Malvern Court; 350 feet S of
the c/l of Malvern Avenue
9th Election District
2nd Councilmanic District
(10 Malvern Court)

John and Elizabeth Linehan
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0041-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, John and Elizabeth Linehan for property located at 10 Malvern Court. The variance request is from Section 1B02.3.A.1 (1955 R. 40 202.3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with an 11 foot side yard setback in lieu of the minimum required 20 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose to construct two additions on either side of the existing dwelling. Only one of the additions requires a variance to the side yard setback. Petitioners desire to enlarge the master bedroom and moving the master bedroom to another area of the existing dwelling is not practical due to the layout of the home. The proposal is to remodel the dwelling with a second story addition that contains an enlargement of the master bedroom. It was considered appropriate to make the area over the covered porch large enough for a master bedroom. The subject property contains 1.7 acres zoned DR 1.

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 September 4, 2009 which indicates that the subject property is within the residential Ruxton Riderwood Design

9-10-09
Jan

Review Panel area. The total square footage of the two additions is 3,387 square feet which is 47% of the gross floor area of the existing three story dwelling or 7,178 square feet. A Design Review Panel meeting is not required since the addition is less than 50%. The existing dwelling is sited to the west side of the lot which is irregular in shape. The addition is on the side of the dwelling that is adjacent to a vacant lot of record also owned by the Linehans. The Office of Planning does not oppose the requested variance. The Office has reviewed the architectural elevation drawings prepared by Peter W. Ratcliffe, AIA dated 07-28-09. They are well designed and when constructed will modernize the existing dwelling in a manner that is complementary to the area. If there are any changes to the drawings, the Office of Planning should review and approve prior to the issuance of any building permit.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 13, 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.

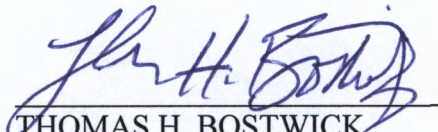
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

~~STAMP REMOVED FOR FILING~~
9.10.09
PB

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 10th day of September, 2009 that a variance from Section 1B02.3.A.1 (1955 R. 40 202.3) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with an 11 foot side yard setback in lieu of the minimum required 20 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.
2. If there are any changes to the architectural elevation drawings prepared by Peter W. Ratcliffe, AIA dated 07-28-09, the Office of Planning shall review and approve prior to the issuance of any building permit.

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 FILED
9-10-09
pm



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 10, 2009

JOHN AND ELIZABETH LINEHAN
10 MALVERN COURT
RUXTON MD 21204

Re: Petition for Administrative Variance
Case No. 2010-0041-A
Property: 10 Malvern Court

Dear Mr. and Mrs. Linehan:

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 "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Dan Bursi, c/o Peter W. Ratcliffe PA, 10404 Stevenson Road, Stevenson MD 21153



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property

located at 10 Malvern Court

which is presently zoned DR 1

Deed Reference: _____ / _____ Tax Account # 1800000128

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) 1802.3A.1. (DCZR), 1955-R.40-202.3

TO PERMIT AN ADDITION WITH AN 11-FOOT SIDE YARD SETBACK
IN LIEU OF THE MINIMUM REQUIRED 20-FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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):

John Donn Linehan

Name - Type or Print

Signature

Elizabeth Lawson Linehan

Name - Type or Print

Signature

10 MALVERN Ct.

410-377-7686

Address

Telephone No.

Ruxton

MD

21204

City

State

Zip Code

Representative to be Contacted:

Dan Bursi c/o Peter W. Ratcliffe, PA

Name

10404 Stevenson Road

410-484-7010

Address

Telephone No.

Stevenson

MD

21153

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. 2010-0041-A

Reviewed By D.T.

Date 8/5/09

Estimated Posting Date 8/11/09



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 10 Malvern Court

which is presently zoned DR 1

Deed Reference: _____ / _____ Tax Account # _____

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)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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):

John D. Linehan

Name - Type or Print _____

Signature _____

Elizabeth L. Linehan

Name - Type or Print _____

Signature _____

10 Malvern Ct.

410-377-7686

Address _____

Telephone No. _____

City _____

State _____

Zip Code _____

Representative to be Contacted:

Dan Bursi c/o Peter W. Ratcliffe, PA

Name _____

10404 Stevenson Road

410-484-7010

Address _____

Telephone No. _____

Stevenson

MD

21153

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. _____

Reviewed By _____ Date _____

Estimated Posting Date _____

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 own and reside at 10 Malvern Ct.
Address number Road or Street name

and that this address is the subject of this variance request as required by law.

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 the hardship or practical difficulty; attach an additional sheet if needed) The new owner's family needs require the enlargement of the Master Bedroom. Moving the Master Bedroom to another area of the existing house is not practical due to the layout of the house. Another practical difficulty arises because a variance would be required even if only the area over the existing covered porch was used because the porch extends into the setback per the current regulations. Since it makes practical, structural and cost sense to keep the existing east exterior house wall, it was considered appropriate to make the area over the covered porch large enough for a master bedroom. Putting an addition to the rear of the house was not practical due to the drop off in grade at the rear of the house.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Signature

John D. Linehan

Name- print or type

Signature

Elizabeth L. Linehan

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 17 day of August, 2009 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): John D. + Elizabeth L. Linehan
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Mary R. Ryle 9-1-2010
Name of Notary Public Commission expires

PLACE SEAL HERE:

Affidavit of Residence

Property Address – 10 Malvern Court, Baltimore County, Maryland, 21204

We the undersigned to hereby attest that we have purchased the above listed property and will live at the said property.

JD Linehan

Signature

John D. Linehan

Print Name

Elizabeth L. Linehan

Signature

Elizabeth L. Linehan

Print Name

STATE OF MARYLAND, BALTIMORE COUNTY, to wit

I HEREBY CERTIFY, this 17 day of August, 2009,
Before me, a Notary Public of the State of Maryland, in the County aforesaid,
personally appeared:

(Name Affiant(s) here)

John D. + Elizabeth L. Linehan, the Affiant(s) herein,

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

AS WITNESS my hand and Notarial Seal

Mary H. Polfe
(Name of Notary Public)

9-1-2010
Commission expires

PLACE SEAL HERE

ZONING DESCRIPTION

For

LOT 7, 10 MALVERN COURT

Beginning at a point on the East side of Malvern Court which is 50 feet wide at a distance of 350 feet (+/-) South of the centerline of Malvern Avenue which is 50 feet wide and running thence along the South side of Malvern Court for 296.55 feet on a radius of 150.00 ft. thence S 22°39'35" W for 310.00 feet, thence N 82°58'00" E for 333.82 feet, thence N 00°36'40" W for 385.25 feet to the point of beginning. This property being that property formerly recorded in Plat Book No. 24, Folio 78.

2010-0041-A

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

No. 63000

Date: 8/5/09

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

Total: 65.00

Rec

From: DAN BORSI

For: 2010-0041-A

ALFRED W. WALKER

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 08/18/09

Case Number: 2010-0041-A

Petitioner / Developer: LINEHAN~PETER W. RATCLIFFE, AIA

Date of Hearing (Closing): AUGUST 31, 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:
10 MALVERN COURT

The sign(s) were posted on: AUGUST 13, 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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 20⁽²⁰¹⁰⁾~~00~~- 0041 -A Address 10 MALVERN CT.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/5/09 Posting Date: 8/16/09 Closing Date: 8/31/09

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 20⁽²⁰¹⁰⁾~~00~~- 0041 -A Address 10 MALVERN CT.

Petitioner's Name LINEHAN Telephone 410-377-7686

Posting Date: 8/16/09 Closing Date: 8/31/09

Wording for Sign: To Permit AN ADDITION WITH AN 11-FOOT SIDE YARD SETBACK
IN LIEU OF THE MINIMUM REQUIRED 20-FEET.

WCR - Revised 7/7/08

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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.

For Newspaper Advertising:

Item Number or Case Number: 2010-0041-A

Petitioner: LINEHAN

Address or Location: 10 MALVERN CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. JOHN D. LINEHAN

Address: 10 MALVERN CT.

ROXTON, MD 21204

Telephone Number: 410-377-7686

Revised 7/11/05 - SCJ



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

August 31, 2009

John & Elizabeth Linehan
10 Malvern Ct.
Ruxton, MD 21204

Dear: John & Elizabeth Linehan

RE: Case Number 2010-0041-A, 10 Malvern Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 5, 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
Dan Bursi: Peter W. Ratcliffe, PA; 10404 Stevenson Rd.; Stevenson, MD 21153

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 4, 2009

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

SUBJECT: 10 Malvern Court

INFORMATION:

Item Number: 10-041

Petitioner: John and Elizabeth Linehan

Zoning: DR 1

Requested Action: Administrative Variance

RECEIVED

SEP 09 2009

ZONING COMMISSIONER

The subject property is within the residential Ruxton Riderwood Design Review Panel area. The petitioners request an administrative variance to permit an addition with a side yard of 11 feet in lieu of the required 20 feet. The total square footage of the two additions is 3387 square feet, which is 47% of the gross floor area of the existing three-story dwelling or 7178 square feet. A Design Review Panel meeting is not required since the addition is less than 50%.

The existing dwelling is sited to the west side of the lot, which is irregular in shape. The addition is on the side of the dwelling that is adjacent to a vacant lot of record also owned by the Linehans.

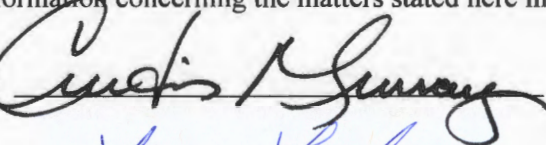
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the requested variance. The Office has reviewed architectural elevation drawings prepared by Peter Ratcliffe dated 07/28/09. They are well designed and when constructed will modernize the existing dwelling in a manner that is complementary to the area.

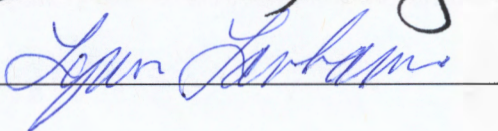
If there are changes to the drawings the Office of Planning should review and approve prior to issuance of any building permit.

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

Prepared by:



Division Chief:
AFK/LL: CM



AV 8/31

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 29 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 29, 2009
SUBJECT: Zoning Item # 10-041-A
Address 10 Malvern Court
(Linehan Property)

Zoning Advisory Committee Meeting of August 17, 2009

 X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Prior to building permit approval, an inspection of the septic system is required. Soil evaluations may be required. Contact GWM for more information.

Reviewer: S.Farinetti

Date: 9/4/2009



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

August 21, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 17, 2009

Item Numbers 0041, 0043, 0044, 0045, 0046, 0047

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: August 19, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For August 17, 2009
Item Nos. 2010-0041, 2010-042, 043 and 045

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

DAK:CEN:kmt
cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08192009 -NO COMMENTS.doc



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

State Highway
Administration

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

Maryland Department of Transportation

Date: AUGUST 19, 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. 2010-0041-A
10 MARLYN COURT
LINEHAN 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. 2010-0041-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 ^A Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Patricia Zook - Cases 2010-0041-A and 2010-0045-A -- comments needed (closed 8-31-09)

From: Patricia Zook
To: Murray, Curtis
Date: 9/1/2009 3:30 PM
Subject: Cases 2010-0041-A and 2010-0045-A -- comments needed (closed 8-31-09)
CC: Are, Kathy; Bostwick, Thomas; Wiley, Debra

Curtis -

I just received the following described administrative variance cases and both files are missing comments from the Office of Planning.

CASE NUMBER: 2010-0041-A

10 Marlvern Court
Location: E side of Malvern Court; 350 feet S of the c/l of Malvern Avenue.
9th Election District, 2nd Councilmanic District
Legal Owner: John and Elizabeth Linehan
Closing Date: 8/31/2009

ADMINISTRATIVE VARIANCE To permit an addition with an 11 foot side yard setback in lieu of the minimum required 20 feet.

CASE NUMBER: 2010-0045-A

1563 Cottage Lane
Location: S side of Cottage Lane; 340 feet N of the c/l of Pleasant Plains Road.
9th Election District, 5th Councilmanic District
Legal Owner: George and Grace Brune
Closing Date: 8/31/2009

ADMINISTRATIVE VARIANCE To permit a rearyard setback of 47 feet in lieu of the required 50 feet for an enclosed deck/addition.

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

PETER W. RATCLIFFE, P. A.
A R C H I T E C T

August 20, 2009

RE: Case #2010-0041A

Donna Thompson
Baltimore County Zoning Department
111 W. Chesapeake Ave.
Suite 111
Towson, Maryland

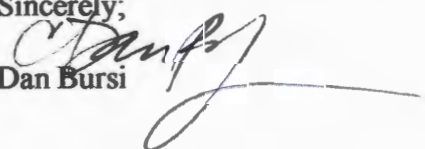
Per our telephone conversation I have enclosed the amended Plat showing the proper owners to the east of 10 Malvern Court. I also corrected the spelling of the owners to the south from Grive to Grice.

I have also enclosed two originals of the Affidavit in Support of the Administrative Variance with embossed seals.

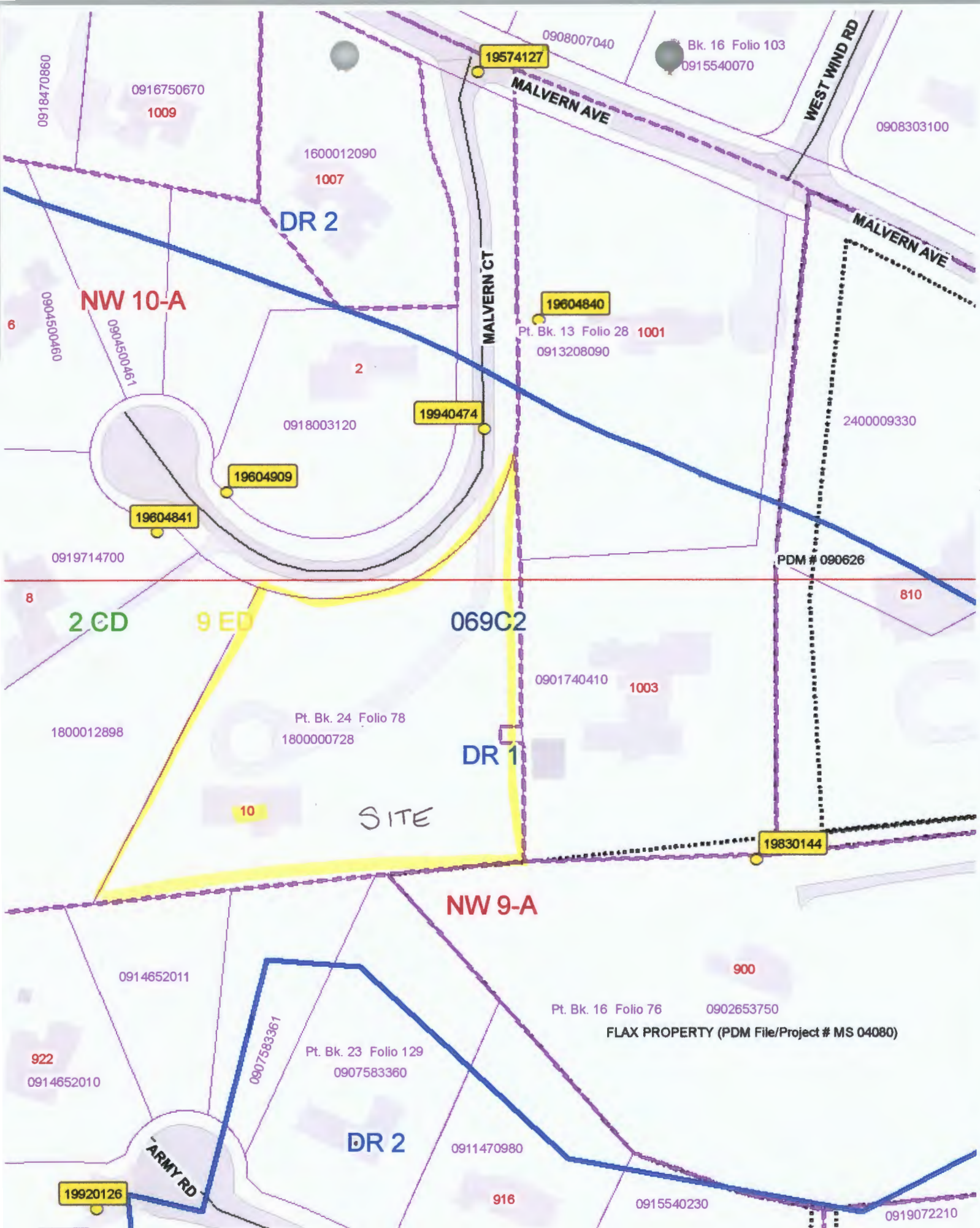
I have also enclosed an Affidavit of Residence since the Linehans have just recently purchased the property and as of this date the sale has not yet been recorded in their name on MDAT.

If you have any questions or comments feel free to contact me at the phone number below or at dan@ratcliffearchitects.com

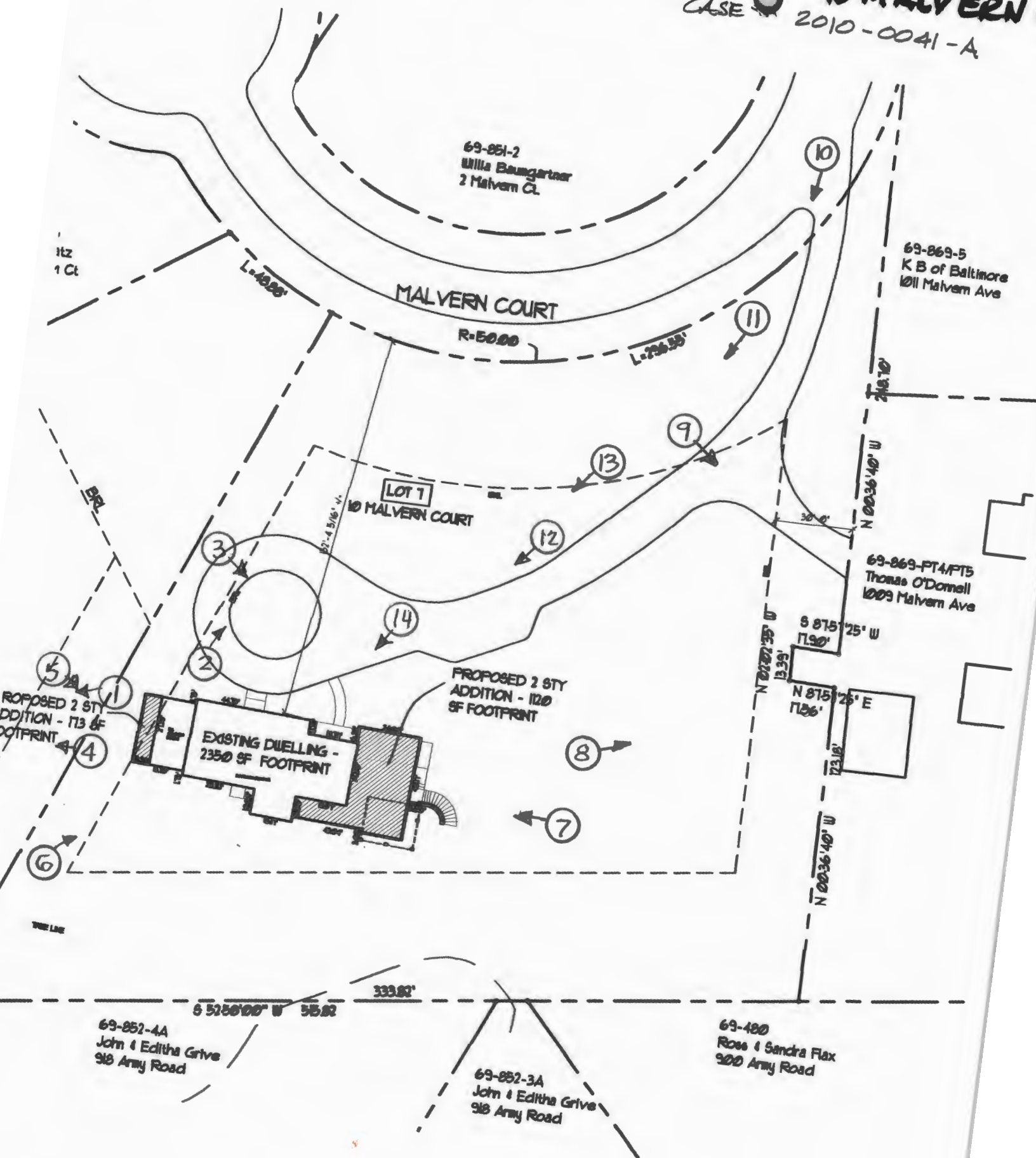
Sincerely,


Dan Bursi

Peter W. Ratcliffe Architects, P.A.
10404 Stevenson Road, Stevenson, MD 21153 / 410-484-7010 / Fax 410-484-3819 /
e-mail: Peter@ratcliffearchitects.com



CASE 10 MALVE
2010-0041-A

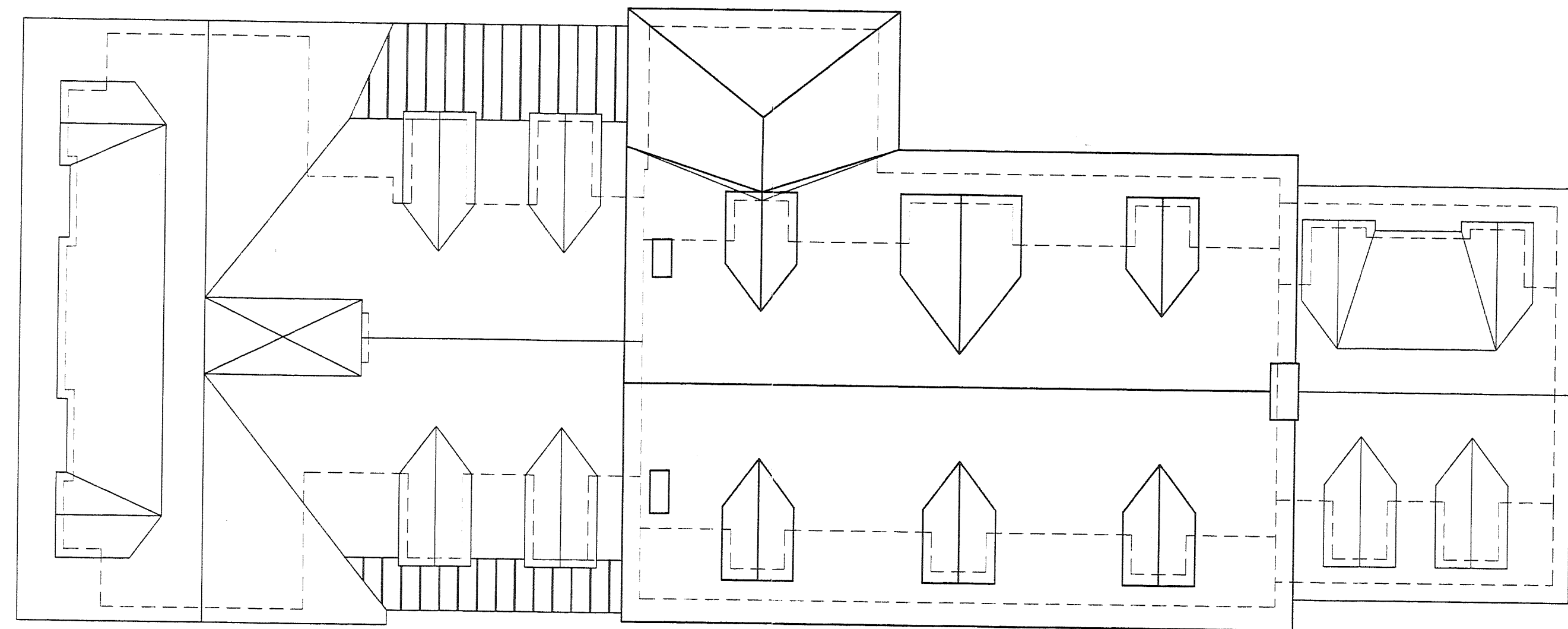




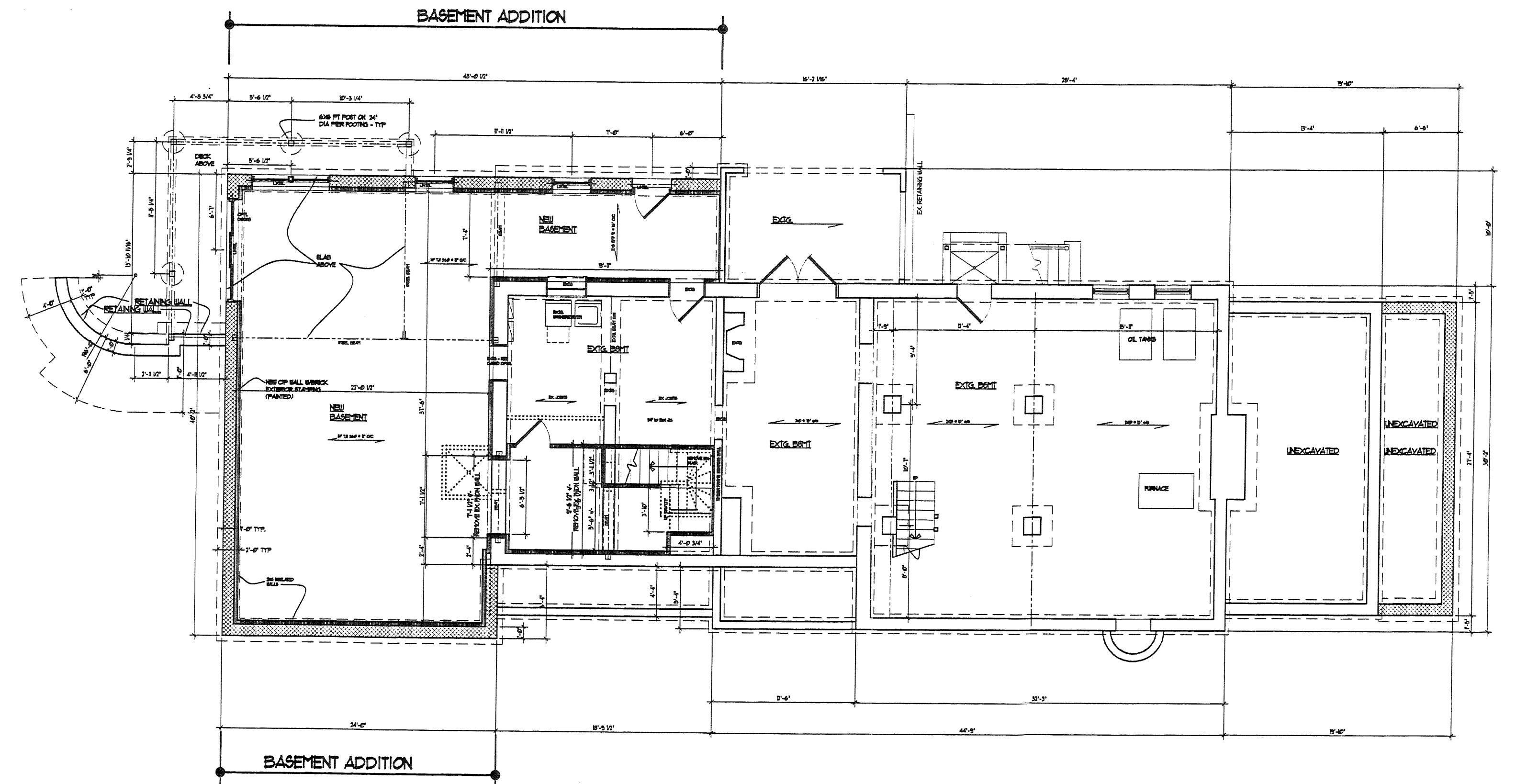




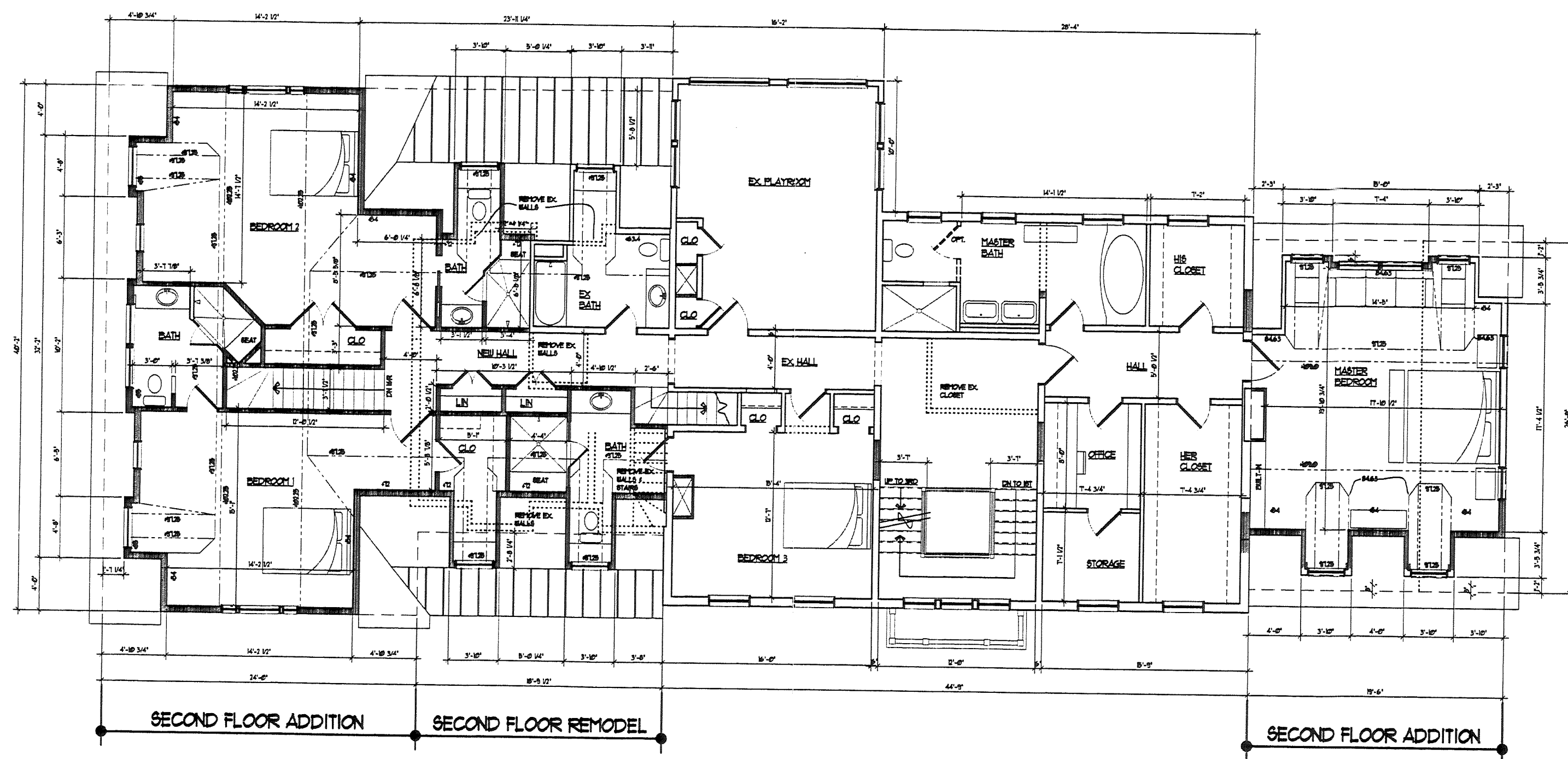




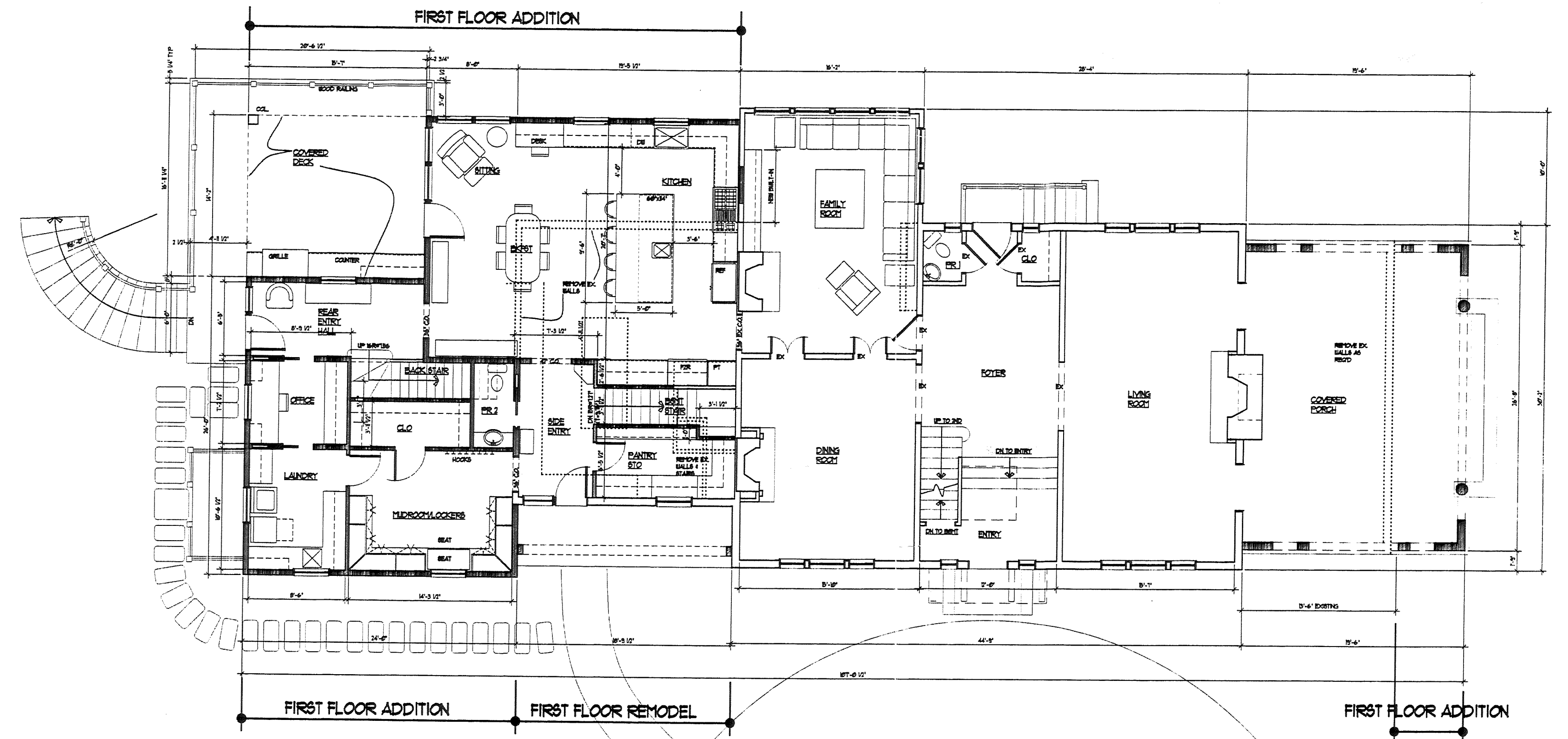
ROOF PLAN



BASEMENT PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN





Plan Sheet: 069C2

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

Legend

- | | | |
|-----------|---------|------------|
| Buildings | Streams | Vegetation |
| Zoning | Roads | Rail Lines |

Baltimore County Office of Planning and Zoning Official Zoning Map

069A1	069B1	069C1	070A1	070B1
069A2	069B2	069C2	070A2	070B2
069A3	069B3	069C3	070A3	070B3

Scale

1" = 200'

0 100 200 400
Feet



Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

2010-0041-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

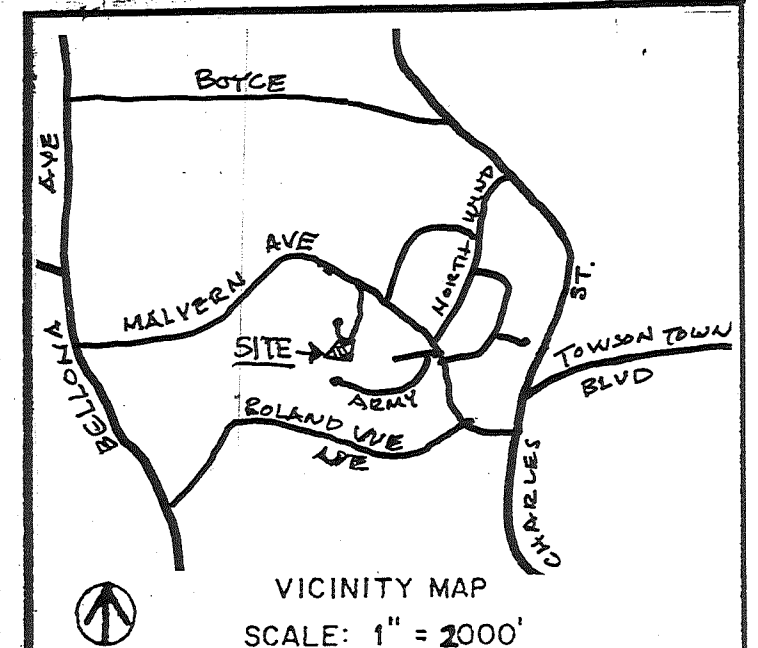
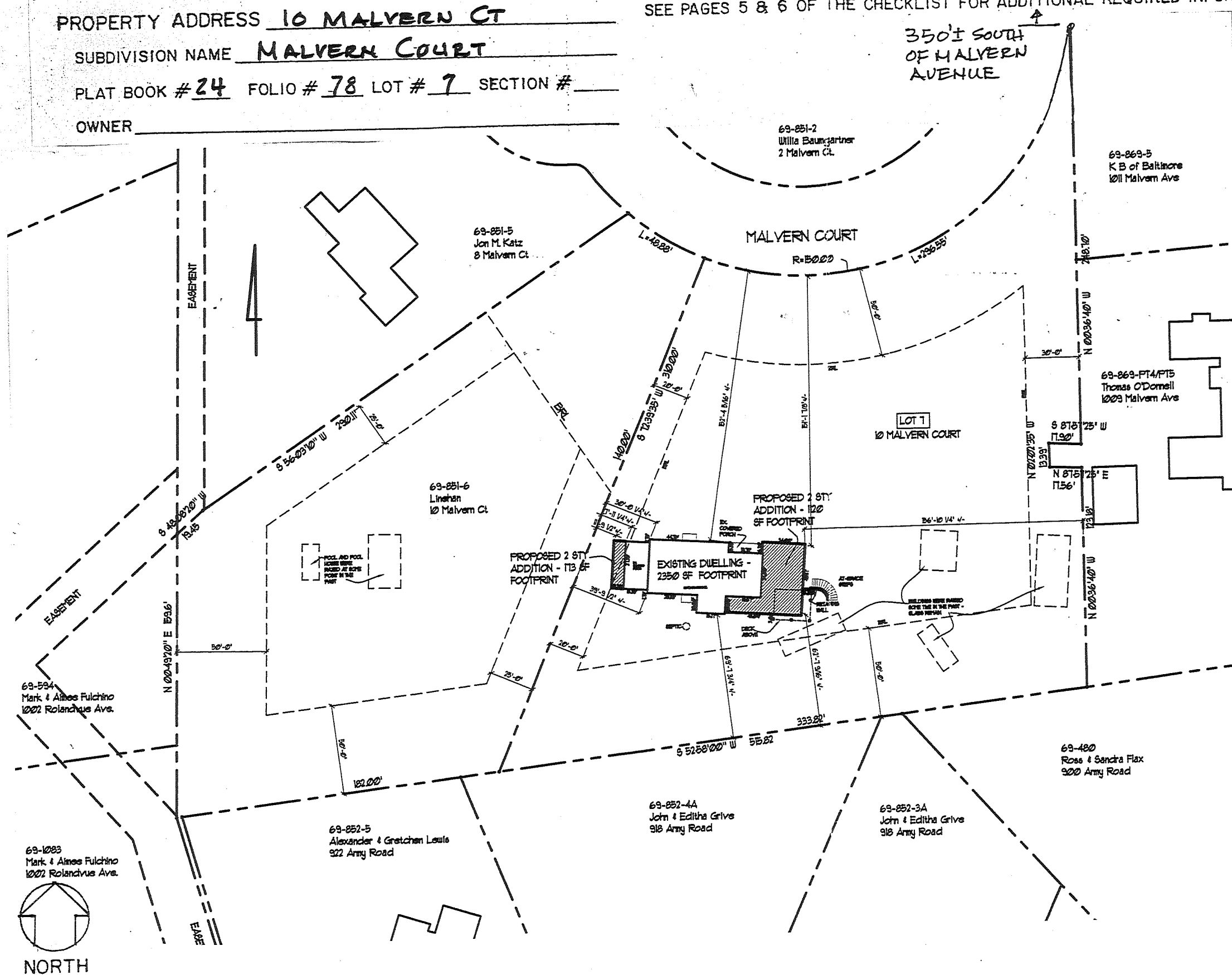
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 10 MALVERN CT

SUBDIVISION NAME MALVERN COURT

PLAT BOOK # 24 FOLIO # 78 LOT # 7 SECTION #

OWNER _____



LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 2

1"=200' SCALE MAP # 069C2

ZONING DR 1

LOT SIZE 1.7 73,846
ACREAGE SQUARE FEET

SEWER ☐ PUBLIC ☐ PRIVATE ☒

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA

YES	NO
☐	☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING *None*

ZONING OFFICE USE ONLY
 REVIEWED BY _____ ITEM # _____ CASE # _____

D.T.

0041

2010-
0041-A

PREPARED BY PETER W. RATCLIFFE ARCHITECTS

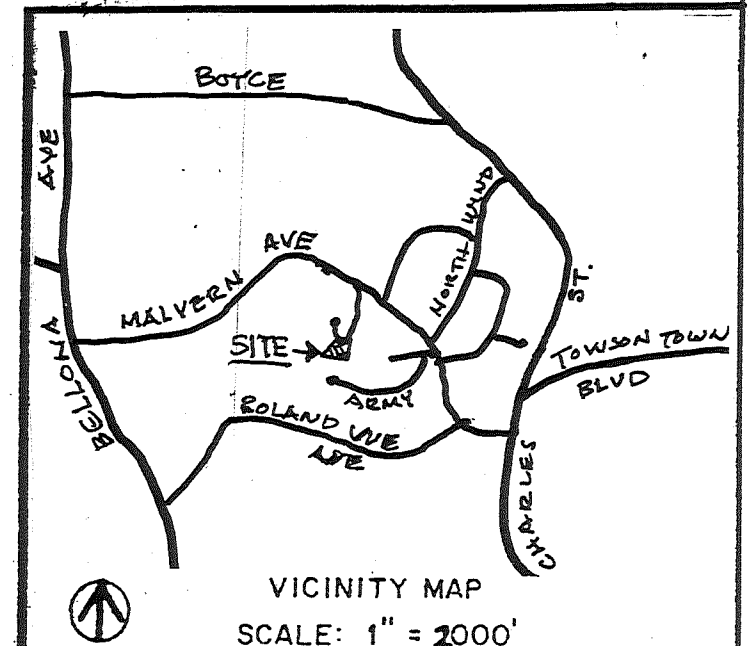
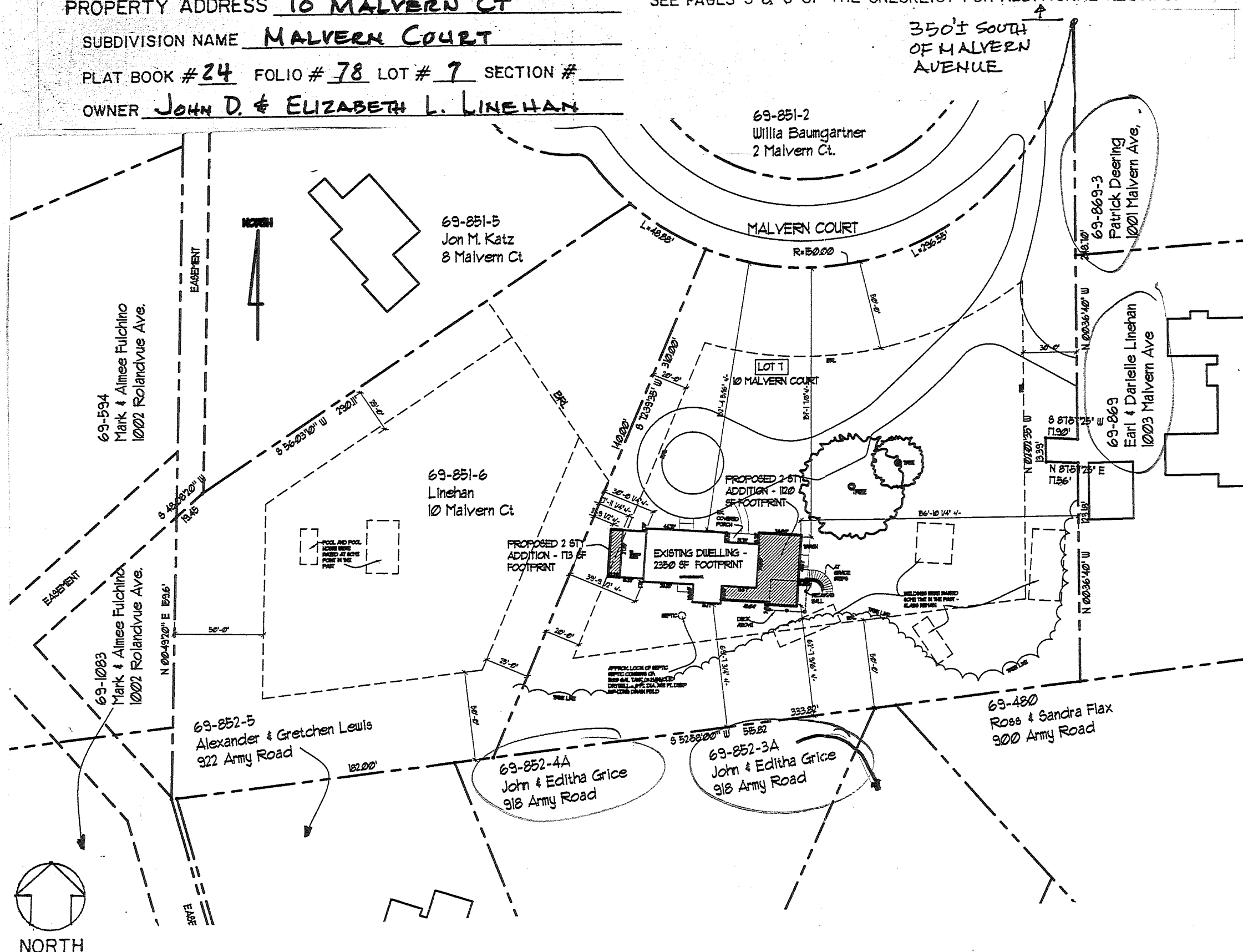
SCALE OF DRAWING: 1" = 60'.0"

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

CASE # 2010-0041A
AMENDED

PROPERTY ADDRESS 10 MALVERN CT
SUBDIVISION NAME MALVERN COURT
PLAT BOOK # 24 FOLIO # 78 LOT # 7 SECTION #
OWNER JOHN D. & ELIZABETH L. LINEHAN

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



LOCATION INFORMATION

ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 2
1" = 200' SCALE MAP #
ZONING DR 1
LOT SIZE 1.7 ACRES 73,846 SQUARE FEET
SEWER ☐ PUBLIC ☒ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING ☐ YES ☒ NO

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY PETER W. RATCLIFFE ARCHITECTS

SCALE OF DRAWING: 1" = 60'.0"