

IN RE: PETITION FOR ADMIN. VARIANCE
N side of Brentford Road; 250 feet W of the
c/l of Allenswood Road
2nd Election District
4th Councilmanic District
(3722 Brentford Road)

Charles Howard
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0051-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, Charles Howard for property located at 3722 Brentford Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a garage addition with side yard with a setback of 3 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner wishes to construct a carport measuring 12 feet x 24 feet to protect his vehicle during inclement weather. The carport will be attached to the existing dwelling. Said carport will also protect the Petitioner when entering and exiting the home and vehicle.

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 August 30, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

RECEIVED FOR FILING
9.16.09
P2

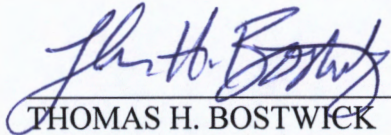
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, 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 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 16th day of September, 2009 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a garage addition with side yard with a setback of 3 feet in lieu of the required 10 feet is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

RECEIVED FOR [illegible]
9.16.09
[illegible]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 16, 2009

CHARLES HOWARD
3722 BRENTFORD ROAD
RANDALLSTOWN MD 21133

Re: Petition for Administrative Variance
Case No. 2010-0051-A
Property: 3722 Brentford Road

Dear Mr. and Mrs. Howard:

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

for the property located at 3722 Brentford Rd.
which 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)

1B02.3.1 To permit a garage addition with a side setback of 3-feet in lieu of the required 10-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):

Name - Type or Print _____
Signature Charles Howard
Name - Type or Print Charles Howard
Signature _____
3722 Brentford Rd 410-922-3540
Address _____ Telephone No. _____
Randallstown MD 21133
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. 2010-0051-A

Reviewed By [Signature] Date 8/17/09

REV 10/25/01

Estimated Posting Date 8/30/09

9.16.09

[Signature]

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

Address 3722 Brentford Rd.
City Randallstown State MD Zip Code 21133

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):

Being an older man a Garage is Needed To Protect the car and it is inconvenient To scrape off ice and snow in winter.

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.

Charles N Howard
Signature

Signature

Charles N Howard
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28 day of July, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires 2/11/11

Zoning Description

ZONING DESCRIPTION FOR 3722 Brentford Road

Beginning at a point on the ^{North} ~~East~~ side of Brentford Road, which is 50 feet wide at the distance of 250 feet ^{West} ~~North~~ of the centerline of the nearest improved intersecting street Allenswood road which is 60 feet wide. Being lot # 12, Block B, Section # 3 in the subdivision of McDonogh Manor as recorded in Baltimore County Plat Book # 30, Folio # 102, containing 9,009.00 square feet. Also known as 3722 Brentford Road and located in the 2 Election District, 4 Councilmanic District.

2010-0051-A

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

No.

Date:

Fund	Dept	Unit	Sub Unit	Rev	Sub	Obj	Sub Obj	Dept	Obj	BS Acct	Amount
				Source/	Rev/						
001	800	2000		6150							65.2

Total:

Rec

From:

For:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

RE: Case No 2010-0051-A

Petitioner/Developer CHARLES
N-HOWARD

Date Of Hearing/Closing: 9/14/09

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 3722 BRENT FORD RD

This sign(s) were posted on August 30, 2009

Month, Day, Year

Sincerely,

Martin Ogle 8/30/09
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411



08/30/2009

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2000- 0051 -A Address 3722 Brentford Rd

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

Filing Date: 8/17/09 Posting Date: 8/30/09 Closing Date: 9/14/09

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- 0051 -A Address 3722 Brentford Rd.

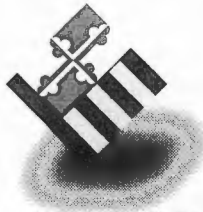
Petitioner's Name Charles N Howard. Telephone _____

Posting Date: 8/30/09 Closing Date: 9/14/09

Wording for Sign: _____

To permit a garage addition with a side setback of 3-feet in lieu of the required 10-feet.

WCR - Revised 7/7/08



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 15, 2009

Charles N Howard
3722 Brentford Rd.
Randallstown, MD 21133

Dear: Charles N Howard

RE: Case Number 2010-0051-A, 3722 Brentford Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 17, 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
INTEROFFICE CORRESPONDENCE

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

DATE: August 31, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For September 7, 2009
Item Nos. 10-007, 048, 049, 050,
051, 052, 054 and 055

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-09072009 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: ~~RECEIVED~~ September 10, 2009

SEP 10 2009

ZONING COMMISSIONER

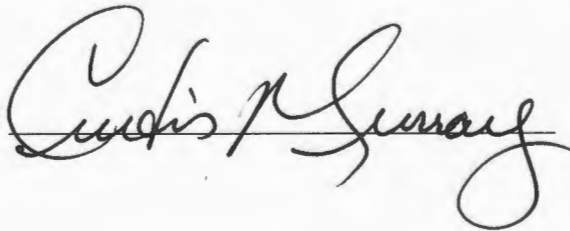
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-051- 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



AV 9/14

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 # 10-051-A
Address 3722 Brentford Road
(Howard Property)

Zoning Advisory Committee Meeting of August 24, 2009

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

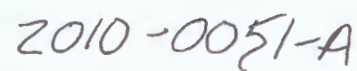
Reviewer: JWL

Date: 9/29/09

3722 Brentford Rd

2010-0051-A





COORDINATES					
NO.	WEST	NORTH	NO.	WEST	NORTH
00	50904.70	27021.42	00	50450.00	27525.01
01	50604.51	27021.00	10	50707.12	27527.40
02	50605.14	27021.07	20	50807.16	27524.45
03	50528.07	27021.30	30	50745.08	27475.44
04	50522.00	27020.75	40	50752.26	27167.50
05	50523.17	27020.45	50	50875.18	26865.20
06	50524.54	27020.50	60	50810.08	27102.04
07	50534.81	27010.78	70	50826.22	27000.46
08	50750.41	27005.04	80	50456.14	27002.23
09	50526.54	27541.50	90	51010.05	27075.17
10	50745.55	27025.40	100	50600.01	27004.40
11	50800.20	27515.71	110	51024.08	27045.06
12	50428.52	27020.07	120	51130.75	27075.50
13	50420.00	27070.05	130	50905.04	27022.22
14	50537.18	27522.01	140	50750.45	27055.00
15	50600.14	27004.30	150	51015.07	27740.02
16	50610.13	27000.10	160	50954.08	27055.18

CURVE DATA					
FROM	TO	RADIUS	ARC	TAN	CHORD
70	75	175.00	240.15	150.00	N 90° 46' 50" E 228.63
75	70	145.00	206.44	125.10	S 50° 46' 50" W 180.44
500	505	305.00	27.05	15.05	N 12° 14' 50" E 27.84
501	505	405.00	64.52	32.25	N 14° 32' 40" E 64.20

APPROVED, BALTIMORE COUNTY PLANNING BOARD

DATE: 10/15/65

George E. Jansky

DIRECTOR

APPROVED:

DATE: 10/29/65

Richard J. Feller

DEPUTY STATE & COUNTY HEALTH OFFICER

NOTE:

STREETS and/or ROADS shown hereon and mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the lands thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

NOTE:

COORDINATES and BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations:

X 2505

W 50456.74

N 26166.45 *

X 2506

W 50905.01

N 27000.51 *

X 2507

W 50907.20

N 27004.76 *

* Adjusted Values

OWNERS CERTIFICATE:

The requirements of Section 73-B, Article 17 of the Annotated Code of Maryland (Buck 1947 Supplement) as far as they relate to the preparation of this plat have been complied with.

FAIRVIEW GARDENS INC.

Walter E. Lissner

OWNER

DATE:

SURVEYORS CERTIFICATE:

I JOHN C. CHILDS SR., a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill 459 Chapter 1016 of the Acts of 1945 and subsequent amendatory acts.

REGISTERED LAND SURVEYOR: No. 3622

DATE:

MATZ, CHILDS & ASSOCIATES

2129 N. CHARLES ST.

BALTIMORE 18, MD.

COMPUTED: E.H.S. DRAWN: T.R. CHECKED: R.E.G. J.C.C. G.H.S.

MSA 55A.1336-4340

2010-0051-A

☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 3722 BENT FORD RD S

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

SUBDIVISION NAME Mc DONOUGH MANOR

PLAT BOOK # 30 FOLIO # 102 LOT # 12 SECTION # 3

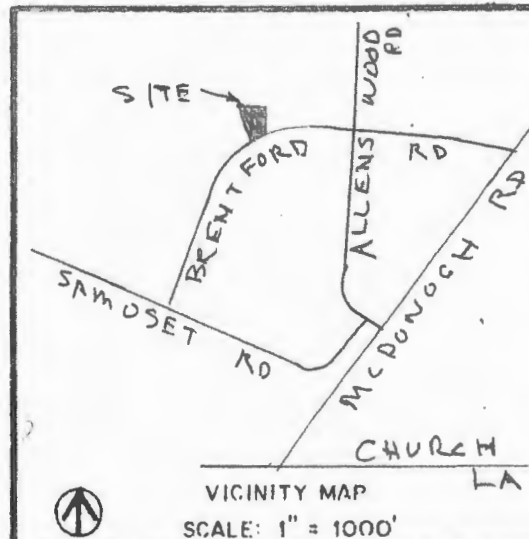
OWNER CHARLES HOWARD



NORTH

PREPARED BY William Mantler

SCALE OF DRAWING: 1" = 40'



LOCATION INFORMATION

ELECTION DISTRICT 2

COUNCILMANIC DISTRICT 4

1" = 200' SCALE MAP # 077A1

ZONING DR 5.5

LOT SIZE 2068 9009.00
ACREAGE SQUARE FEET

SEWER PUBLIC PRIVATE
☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

2010 0051-A