

IN RE: PETITION FOR ADMIN. VARIANCE
W side of Carrbridge Circle; NW corner of
Carrbridge Circle and Leadburn Road
8th Election District
2nd Councilmanic District
(8300 Carrbridge Circle)

Charles B. and Gail E. Jones
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0073-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, Charles B. and Gail E. Jones for property located at 8300 Carrbridge Circle. The variance request is from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement of an existing covered porch with the same size on rear of dwelling with a rear setback of 11 feet in lieu of the required 22.5 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to replace the awning over their patio with a hard roof design to alleviate the pooling of water, the potential for another awning collapse and water runoff problems.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 13, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

RECEIVED FOR FILE
10-5-09
[Signature]

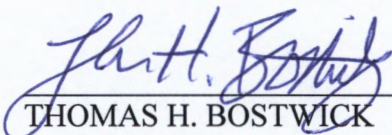
The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 5th day of October, 2009 that a variance from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement of an existing covered porch with the same size on rear of dwelling with a rear setback of 11 feet in lieu of the required 22.5 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.

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


10.5.09




BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 5, 2009

CHARLES B. AND GAIL E. JONES
8300 CARRBRIDGE CIRCLE
TOWSON MD 21204

Re: Petition for Administrative Variance
Case No. 2010-0073-A
Property: 8300 Carrbridge Circle

Dear Mr. and Mrs. Jones:

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 black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Paul Poore, PO Box 249, Glyndon MD 21071



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8300 Cambridge Circle
which is presently zoned D.R. 3.5

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) 1B02.3C.1 & 301.1

TO PERMIT A REPLACEMENT OF AN EXISTING COVERED PORCH WITH THE SAME SIZE ON REAR OF DWELLING WITH A REAR SETBACK OF 11 FEET IN LIEU OF THE REQUIRED 22.5 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):

CHARLES B. JONES
Name - Type or Print _____

Signature _____

GAIL E. JONES
Name - Type or Print _____

Signature _____

8300 Cambridge Circle
Address _____ Telephone No. _____

Towson MD 21204
City _____ State _____ Zip Code _____

Representative to be Contacted:

Paul Poore
Name _____

P.O. Box 249, 2 RR Ave 410-984-4514
Address _____ Telephone No. _____

Glyndon md. 21071
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. 2010-0073-A

Reviewed By A. Tsui Date 09/01/09

REV 10/25/01

Estimated Posting Date 09/13/09 ~ 09/28/09

10.5.09

pm

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

8300 Carrbridge Cir
Address
TOWSON MD 21204
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):

When we purchased our home the backyard patio was covered by an awning. And for good reason, it is unbearably hot as the afternoon sun beats down on our yard. The patio cannot be used without some type of covering. However, the awning pools water, leaks during rain storms and emptying the pooled water has caused a run off problem in our back yard. Over the Labor Day weekend in 1999 the original awning collapsed under the weight of pooled water after a very bad storm. We replaced the awning and support poles with a new design proposed by Hoffman Awning with the hopes that the problems would be resolved. Unfortunately, they continued. The awning continues to pool water and emptying it continues to erode our back yard. Replacement of the awning with another awning does not seem to make sense.

Many of our neighbors with the same model and style home have replaced their awnings with hard roofs. Some of these are screened in, others are not. We would like to replace the awning with a hard roof design to alleviate the pooling of water, the potential for another collapse, and the water runoff problems. As indicated above, the patio area is unusable without some type of covering.

We have sought and obtained community association approval of our design, (see attached).

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 B. Jones
Signature
Charles B. Jones
Name - Type or Print

Gail E. Jones
Signature
Gail E. Jones
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26th day of August, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

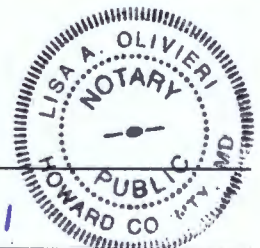
Charles B. Jones and Gail E. Jones
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public

My Commission Expires

11/5/11



ZONING DESCRIPTION FOR 8300 CARRBRIDGE CIRCLE, TOWSON, MD. 21204

West of 9/1/59

Beginning at a point on the ~~North~~ side of Carrbridge Circle which is Fifty feet (50') wide at the distance of One hundred thirty-three (133') feet North of the centerline of the nearest improved intersecting street Leadburn Rd., which is fifty feet (50') wide. Being lot #14, Block 2, Section #5 in the subdivision of Thornleigh as recorded in Baltimore County Plat Book # 29, Folio #93, containing 11,373 sq. ft. Also known as 8300 Carrbridge Circle and located in the 8th Election District, 2nd Councilman District.

2010-0073-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0073 -A Address 8300 CARRBRIDGE CIRCLE
Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 09/01/09 Posting Date: 09/13/09 Closing Date: 09/28/09

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 2010- 0073 -A Address 8300 CARRBRIDGE CIRCLE
Petitioner's Name CHARLES JONES Telephone _____
Posting Date: _____ Closing Date: _____
Wording for Sign: To Permit A REPLACEMENT OF AN EXISTING
COVERED PORCH WITH THE SAME SIZE ON REAR OF
DWELLING WITH A REAR SETBACK OF 11 FEET
IN LIEU OF THE REQUIRED 22.5 FEET

Revised 8/20/09

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

No.

Date:

07/01/07

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS	Acct	Amount
				Source/	Rev/					
001	506	0000		2150						65.00

Total:

116.00

Rec
From:

For:

3300 CARPENTRY FEE

2010-0073-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 09/15/09

Case Number: 2010-0073-A

Petitioner / Developer: CHARLES JONES~PAUL POORE of
POORE BROTHERS CONSTRUCTION SERVICES

Date of Hearing (Closing): SEPTEMBER 28, 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:
8300 CARRBRIDGE CIRCLE

The sign(s) were posted on: SEPTEMBER 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)



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

September 29, 2009

Mr. & Mrs. Jones
8300 Carrbridge Circle
Towson, MD 21204

Dear: Mr. & Mrs. Jones

RE: Case Number 2010-0073-A, 8300 Carrbridge Circle

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 1, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Paul Poore; P.O. Box 249; 2 RR Ave.; Glydon, MD 21071

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 21, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For September 21, 2009
Item Nos. 10-068, 069, 072, 073, 074, 075,
076, 081, 082, 083, 084, 085 and 086

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-09212009(b) -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 18, 2009

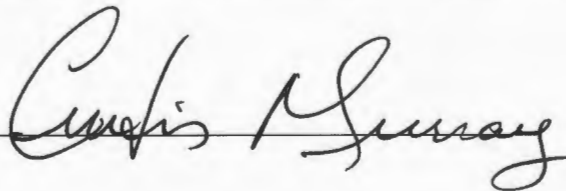
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-073- 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.

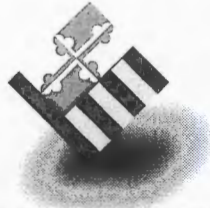
Prepared By:
CM/LL



RECEIVED

SEP 21 2009

ZONING COMMISSIONER



BALTIMORE COUNTY
MARYLAND

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

September 18, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 14. 2009

Item Numbers 067,068,070,071,072,073,074,075,076,077,079,080,081,082,083,084
and 0085

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

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 21, 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. 2010-0073-A
8300 CHARLEBRIDGE CIR.
JONES 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. 2010-0073-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

AV 9/28

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 # 10-073-A
Address 8300 Charrbridge Circle
(Jones Property)

Zoning Advisory Committee Meeting of September 14, 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

Village Green Association
Architectural Control Committee
P.O. Box 2
Riderwood, MD 21139

July 3, 2009

Mr. and Mrs. Charles Jones
8300 Carrbridge Circle
Towson, MD 21204

**RE: Request for approval to construct
covered porch and patio, and
replace window units**

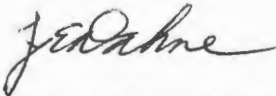
Dear Gail and Charles:

The Architectural Control Committee has reviewed your request to replace the existing awning-covered patio with a screened porch, to construct a wrap-around patio, and replace the windows in the kitchen and adjoining family room. You said the columns and trim will be white, the roof will match the roof on the main body of the house, and the new windows will be white double-hung with mullions to match the original windows in the house.

The Committee believes the changes requested will be congruous with the present structure, and will appear similar to others in the community; the Committee is pleased to approve your request. We wish you well in your project.

We would like to remind you that the Village Green Covenants do not permit contractors to erect signs on the properties where they are doing their work. I'm certain your contractor, like most, has a big sign on the side of the truck, which should provide sufficient advertising of his services, don't you think? Please be certain to inform your contractor of this restriction.

Very truly yours,



John Dahne, Chairman
Architectural Control Committee

cc: Rob Robel
Brad Saul
file

2010-0073-A

SITE PHOTOS 8300 CARRBRIDGE CIRCLE 2010-0073-A



VIEW FROM 1802 LEADBURN



VIEW LEADBURN RD. SIDE

VIEW FROM 8302 CARRBRIDGE

8300 CARRBRIDGE CIRCLE (VIEWS FROM STREET)

2010-0073-A



VIEW FROM LEADBURN RD.



VIEW FROM CARRBRIDGE CIRCLE (8300 & 8302)



VIEW FROM LEADBURN RD. (1802) & (8300)
CARRBRIDGE



VIEW FROM CARRBRIDGE CIRCLE (8300)

PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANCE SPECIAL HEARING

PROPERTY ADDRESS: 8300 Carrbridge Circle

SUBDIVISION NAME: Thornleigh

PLAT BOOK #29

FOLIO 93

LOT # 14

SECTION # 5

OWNER : CHARLES & GAIL JONES



SUBJECT
PROPERTY

LOCAL

ELECTION D
COUNCILMAN

1" = 50' scale
ZONING DE
LOT SIZE

SEWER
WATER

CHESAPEAKE
CRITICAL
100 YEAR F
HISTORIC P
BUILDING
PRIOR ZONING

ZONING
REVIEWED BY

A. TSUI

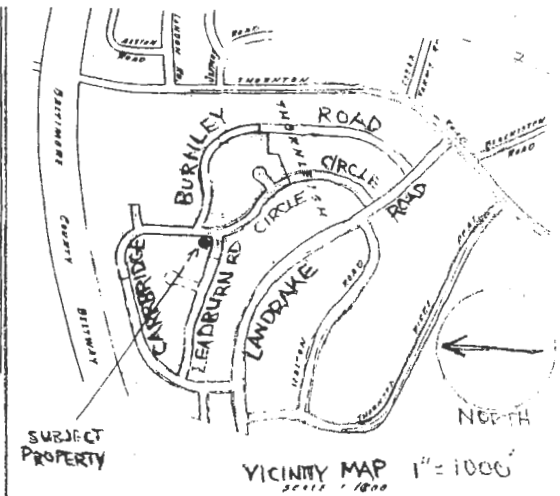
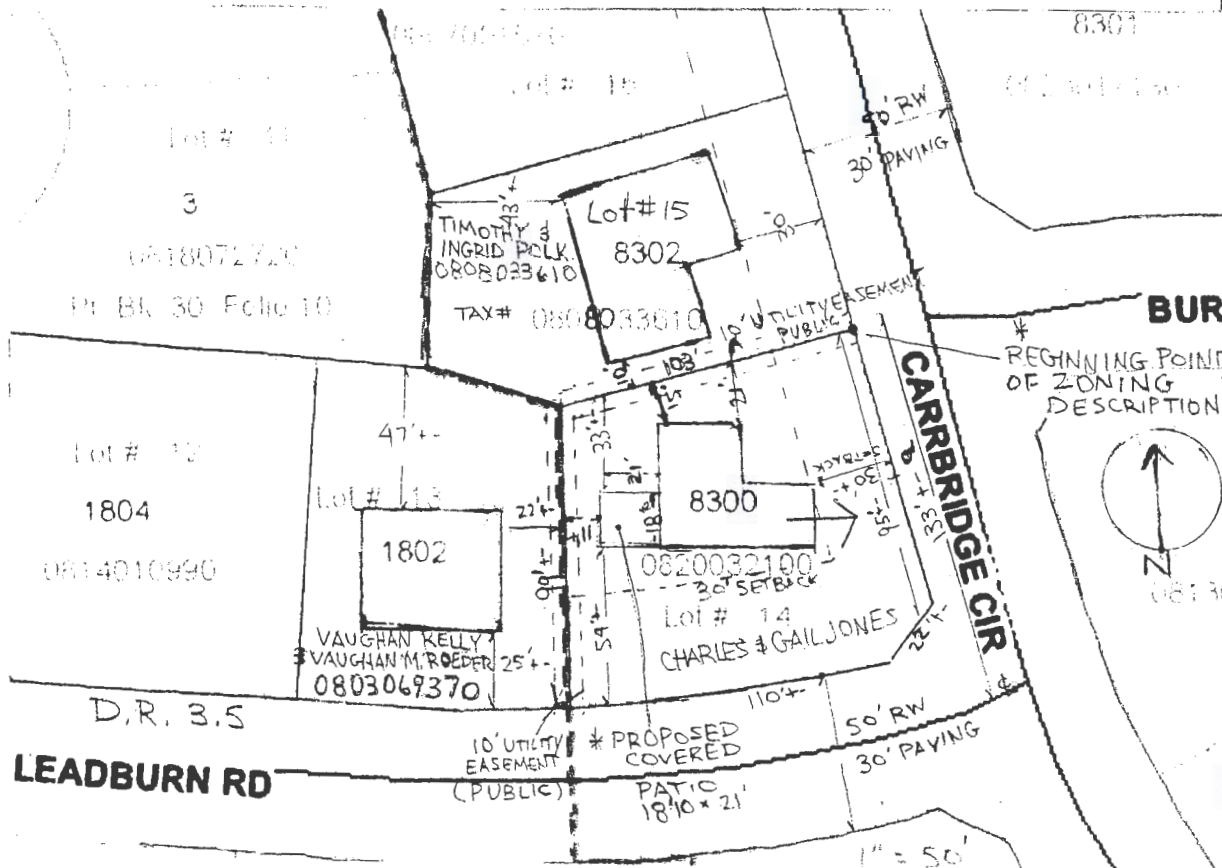
PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANCE SPECIAL HEARING

PROPERTY ADDRESS: 8300 Carrbridge Circle

SUBDIVISION NAME: Thornleigh

PLAT BOOK #29 FOLIO 93 LOT #14 SECTION #5

OWNER: CHARLES & GAIL JONES



LOCATION INFORMATION

ELECTION DISTRICT 8

COUNCILMANIC DISTRICT 2ND

1" = 50' SCALE MAP #060B3

ZONING DR 3.5

LOT SIZE 0.261 11,373
ACREAGE 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 HEARINGS NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

A.T.SUI 1 0073 2010-0073-A