

IN RE: PETITION FOR ADMIN. VARIANCE

SE side of Rocksham Drive; 277 feet SW of.
the c/l of Aigburth Road
9th Election District
5th Councilmanic District
(7503 Rocksham Drive)

John R. and Sara R. Barber
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0160-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 R. and Sara R. Barber for property located at 7503 Rocksham Drive. The variance request is from Section 1B02.3.A.1 (1945 A - Residence Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front porch addition with a 21 feet front setback and a front setback averaging of 21-foot in lieu of required 25 feet and 26.5 feet respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose to construct a covered front porch measuring 26 feet x 9 feet in size. Photographs submitted with the Petitioner show that the next door residence at 7505 Rocksham has a covered front porch. The proposed porch will protect the Petitioners from the elements when entering and exiting the dwelling. Letters of support were submitted by the neighbors residing at 7506 Rocksham Drive and 7501 Rocksham Drive. Both neighbors believe that the covered front porch will be a positive enhancement to the Petitioners' home and will aesthetically support the houses in the neighborhood.

12-23-09

pm

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 November 29, 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.

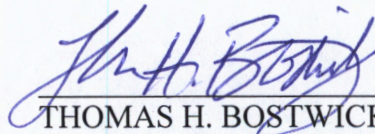
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 23rd day of December, 2009 that a variance from Section 1B02.3.A.1 (1945 A - Residence Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front porch addition with a 21 feet front setback and a front setback averaging of 21-foot in lieu of required 25 feet and 26.5 feet respectively 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.

12-23-09

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

12-23-05
pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 23, 2009

JOHN R. AND SARA R. BARBER
7503 ROCKSHAM DRIVE
TOWSON MD 21286

Re: Petition for Administrative Variance
Case No. 2010-0160-A
Property: 7503 Roxksham Drive

Dear Mr. and Mrs. Barber:

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 "J. H. Bostwick", written over the printed name.

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 7503 Rocksham Drive
which is presently zoned DRSS (formerly "A" Residential 1945)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02.3A.1 (1945 A-RESIDENCE REG.)

TO PERMIT A FRONT PORCH ADDITION WITH A 21 FEET FRONT SETBACK AND A FRONT AVERAGING OF 21 FEET IN LIEU OF REQUIRED 25 FEET AND 26.5 FEET RESPECTIVELY.

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

Name - Type or Print

Signature

7503 Rocksham Dr. h-410 823 4782
Address Telephone No.

Towson, MD 21286
City State Zip Code

Representative to be Contacted:

C-443 992 5132

443-992-5123

John or Sara Barber
Name

7503 Rocksham Dr.
Address

Towson, MD 21286 h-410 823-4782
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. 2010-0160-A

REV 10/25/01

12.23.09

Reviewed By A-TBUI Date 11/20/09

Estimated Posting Date 11/29/09-12/14/09

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 7503 Rocksham Dr
Address
Towson, MD 21286
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):

We are requesting to build a covered front porch as our original plan indicates. However, due to zoning, (originally "A" residential 1945) we are only permitted to build the 9 foot porch with no roof. The porch is already under construction and without a roof it will not be complete. The porch size is already set, adding a roof will not change the porch size; but will add to the look of the home.

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.

John R. Barber
Signature
John R. Barber
Name - Type or Print

Sara R. Barber
Signature
SARA R. BARBER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of November, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John R. Barber and Sara R. Barber
of Maryland, Baltimore County the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Janice E. Sorenson
Notary Public
My Commission Expires 12/01/2010

**Zoning Description for 7503 Rocksham Drive, Towson,
Maryland 21286**

Beginning at a point on the southeast side of Rocksham Drive which is 50 feet wide at the distance of 277 feet southwest side of the centerline of the nearest improved intersecting street Aigburth Road which is 60 feet wide. Being part of lots# 5 & 6, Block B, Section 2, in the subdivision of Donnybrook as recorded in Baltimore County Plat Book# 16, Folio# 92, containing 8004 Square Feet. Also known as 7503 Rocksham Drive and located in the 9th Election District, 5th Councilmanic District.

2010-0160-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0160 -A Address 7503 ROCKSHAM DR.

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11/20/2009 Posting Date: 11/29/2009 Closing Date: 12/14/2009

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- 0160 -A Address 7503 ROCKSHAM DRIVE
Petitioner's Name SARA BARBER Telephone 410.823.4782

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit A FRONT PORCH ADDITION WITH A 21 FEET FRONT SETBACK AND A FRONT AVERAGING OF 21 FEET IN LIEU OF THE REQUIRED 25 FEET AND 26.5 FEET RESPECTIVELY

Revised 8/20/09

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

No.

Date:

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6150					65-

Total:

Rec

From:

For:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

RE 2010-0160-A

Petitioner/Developer:
Sara Barber

Date of Hearing/closing December 14, 2009

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristin Matthews

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
7503 Rocksham Drive

The sign(s) were posted on November 29 2009
(Month, Day, Year)

Sincerely,

Robert Black Dec. 2 2009

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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

December 14, 2009

John and Sara Barber
7503 Rocksham Dr.
Towson, MD 21286

Dear: John and Sara Barber

RE: Case Number 2010-0160-A, 7503 Rocksham Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 20, 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

AV
12-14-09



RECEIVED

JAN 22 2010

TO: Timothy M. Kotroco ZONING COMMISSIONER

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: January 22, 2010

SUBJECT: Zoning Item # 10-160-A
Address 7503 Rocksham Drive
(Barber Property)

Zoning Advisory Committee Meeting of December 6, 2009.

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

Reviewer: JWJL

Date: 1/22/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 21, 2009

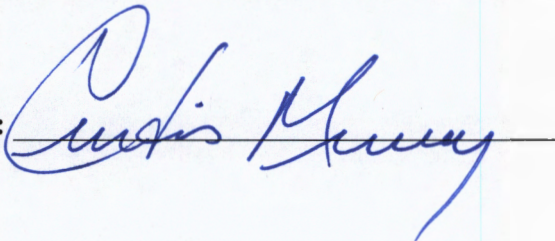
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-160- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:
CM/LL



RECEIVED

DEC 22 2009

ZONING COMMISSIONER



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Dec. 11, 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. 2010-0160-A
7503 BOXKSHAM DR.
BARBER 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. 2010-0160-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,

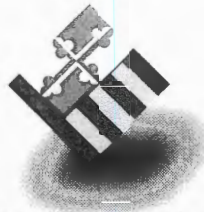
For: Steven D. Foster, Chief
Engineering Access Permits
Division

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



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

December 10, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 6th 2009

Item Numbers: 0152, 0156, 0157, 0158, 0160, 0161, 0162, 0163, 0164, 0165

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

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

SUBJECT: Zoning Advisory Committee Meeting
For December 21, 2009
Item Nos. 2010-0150, 152, 156, 157,
158, 159, 160, 161, 163, 164 and 165

DATE: December 10, 2009

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-12212009 -NO COMMENTS.doc

From: Patricia Zook
To: Murray, Curtis
Date: 12/17/2009 10:44 AM
Subject: Admin. Variances that closed 12-14-09 - comments needed
Attachments: Admin Var 12-14-09.doc

Good morning Curtis -

I just received the case files for the attached list of administrative variances. All the files are missing comments from the Office of Planning.

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

410-887-3868

pzook@baltimorecountymd.gov



Account Identifier: District - 09 Account Number - 0918103380

Owner Information

Owner Name:	BARBER JOHN R BARBER SARA R	Use:	RESIDENTIAL
Mailing Address:	7503 ROCKSHAM DR BALTIMORE MD 21286-7936	Principal Residence:	YES
		Deed Reference:	1) /19917/ 623 2)

Location & Structure Information

Premises Address	Legal Description
7503 ROCKSHAM DR	PT LT 5,6 7503 ROCKSHAM DR DONNYBROOK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
70	21	764			2	B	5	2	Plat Ref: 16/ 92

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1953	1,680 SF	8,004.00 SF	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	92,000	110,000		
Improvements:	162,570	223,230		
Total:	254,570	333,230	307,010	333,230
Preferential Land:	0	0	0	0

Transfer Information

Seller: JESSUP MICHAEL H	Date: 04/20/2004	Price: \$299,900
Type: NOT ARMS-LENGTH	Deed1: /19917/ 623	Deed2:
Seller: REITZ DONALD J	Date: 06/15/1970	Price: \$30,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5100/ 103	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO

Exempt Class:

Special Tax Recapture:

* NONE *

2010-0160-A

November 23, 2009

To Whom It May Concern:

I am writing in regards to the porch that my neighbors at 7503 Rockstar Drive would like to construct. The porch they are proposing, with a covered porch, will be an asset to our neighborhood. Since I live directly across the street, I look forward to the new addition to the property.

Sincerely,

Wendy Cunningham
7506 Rockstar Dr.
410-296-8766

2010-0160-A

November 23, 2009

To Whom It May Concern,

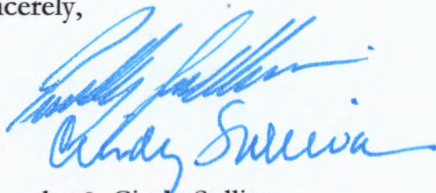
Our neighbors, John and Sara Barber desire to build a front porch on their house located at 7503 Rocksham Drive in the Knollwood-Donnybrook community in Towson. We believe that the addition of this porch will not only be a positive enhancement to the Barber's home but will aesthetically support the houses in the neighborhood.

The plans for the Barber's proposed front porch indicate it will be a well-designed and appealing addition to their home and thus will help to enhance our community as a family-friendly and economically-stable neighborhood.

Moreover, as their immediate next-door neighbors we feel that they have been open and candid about their intentions to redesign the entrance to their home and we fully support their plan.

If we can provide any additional information, please don't hesitate to contact us.

Sincerely,



Timothy & Cindy Sullivan
7501 Rocksham Drive
Towson, MD 21286
(410) 823-6518

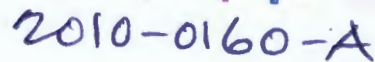
2010-0160-A



2010-0160-A



2010-0160-A

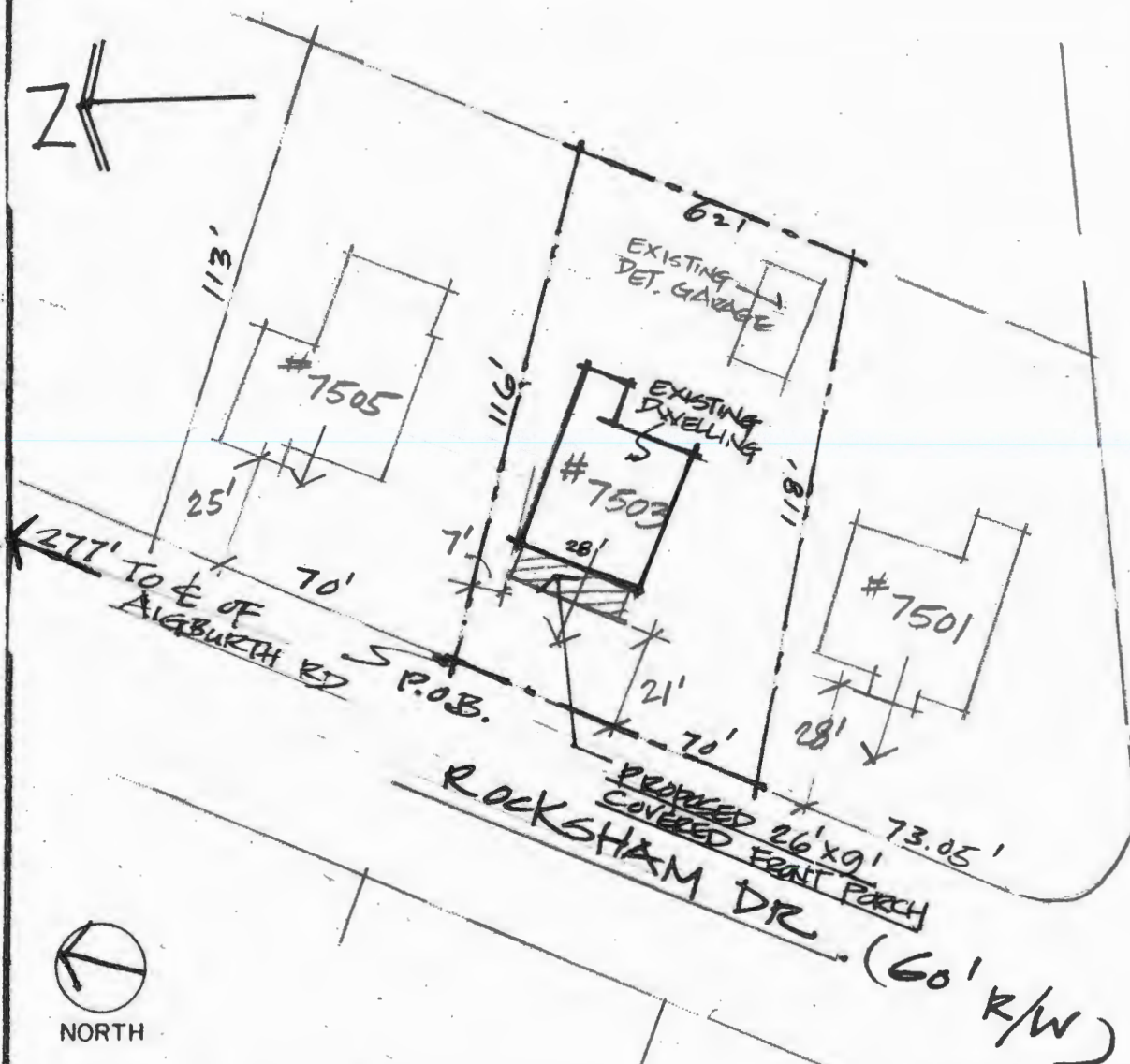


-15-

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

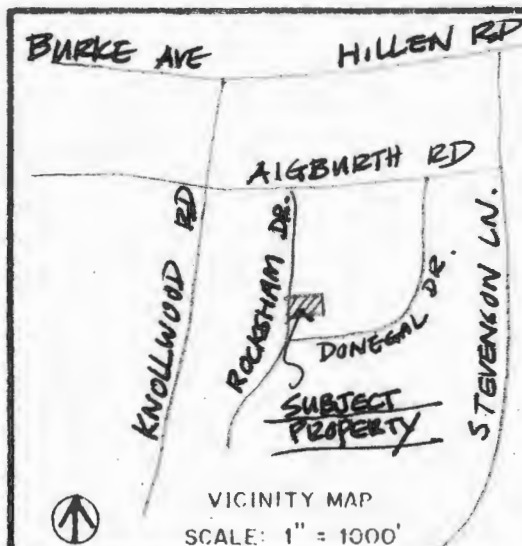
PLAT BOOK # 16 FOLIO # 92 LOT # PT 5 & 6 SECTION # 2

OWNER JOHN E. SARA BARBER



PREPARED BY **JRS**

SCALE OF DRAWING: 1" = 40' 0"



PROJECT 2.

ELECTION DISTRICT 7 TH
COUNCILMANIC DISTRICT 5 TH
1"=200' SCALE MAP # 070B3
ZONING DR 5.5 (1945 A-
RES.)
LOT SIZE 8004
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	None	

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

A.TBI | 0160 | 2010-0160-A