

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Corbett Road; 375 feet W of
the c/l of Carroll Road
10th Election District
3rd Councilmanic District
(2223 Corbett Road)

Todd M. and Susan A. Cope
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0163-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, Todd M. and Susan A. Cope for property located at 2223 Corbett Road. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (shed) be located in the front yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a shed measuring 24 feet x 30 feet in size on the 7.988 acres they own in rural Monkton. The property is surrounded by horse farms and large land parcels. The proposed shed is needed to store the lawn mower and other outdoor equipment which is currently taking up valuable storage space in the garage. Petitioners' property is triangular in shape and the dwelling was constructed in the back corner of the triangle. There is no location in the rear of the property to place a storage shed. The entire front yard contains the 7.988 acres. Petitioners desire to purchase an Amish made prefabricated shed that looks like a small horse run on the outside, but on the inside it will allow Petitioners to store all of their outdoor equipment. The shed will have a weather vane on top. The proposed shed will be placed along the driveway to the right front side of the dwelling. The shed will be 450 feet from the road and 150 feet from the dwelling.

~~APPROVED FOR FILE~~

~~1-5-10~~
~~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 December 12, 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.

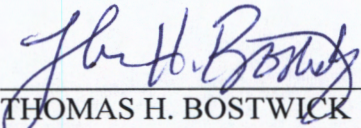
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 5th day of January, 2010 that a Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (shed) be located in the front yard in lieu of the required rear yard is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

RECEIVED FOR PLANS
1-5-10
pm

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

ORIGINAL RECEIVED FOR FILING

1-5-10

pm



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

January 5, 2010

TODD M. AND SUSAN A. COPE
2223 CORBETT ROAD
MONKTON MD 21111

Re: Petition for Administrative Variance
Case No. 2010-0163-A
Property: 2223 Corbett Road

Dear Mr. and Mrs. Cope:

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2223 Corbett Road Monkton MD, 21111
which is presently zoned RC-2

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)

400.1 to permit an accessory structure (shed) be located in the front yard in lieu of the required rear yard.

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):

Todd Cope

Name - Type or Print

Signature

Susan Cope

Name - Type or Print

Signature

2223 Corbett Rd 410 472 3306

Address

Telephone No.

Monkton MD 21111

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. 2010-0163-A

Reviewed By BA Date 11/30/09

REV 10/25/01

1-5-10

Estimated Posting Date 12/13/09

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 2223 Corbett Rd
Address
Monkton MD 21111
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):

It is our understanding Baltimore County code does not allow any storage sheds to be placed in the "front" of a property. We have 7.988 acres in rural Monkton surrounded by horse farms and large land parcels. We have no place to store our lawn mower and other outdoor equipment which is currently taking up all the space in our garage.

Our lot is triangular in shape and our house is in the back corner of the triangle looking inwards. We have no location in the "rear" of our property to place a storage shed since our back yard is up against the rear property line. Our entire front yard looks at our 7.988 acres. We desire to purchase an Amish made prefabricated shed that looks like a small horse run on the outside, but on the inside it will allow us to store all of our outdoor equipment. We would like to place it along our drive way to the right front side of our house. The shed will be about 450' from the road and 150' from our house. The shed will have a rural look to it with a weather vane on top so as to be consistent with the look of the area.

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.

Todd Cope
Signature
Todd Cope
Name - Type or Print

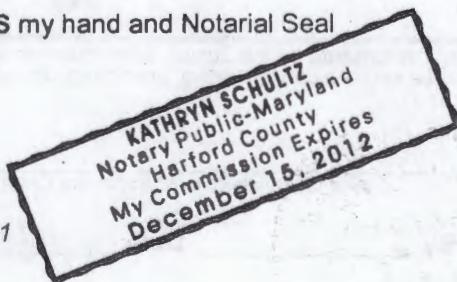
Susan Cope
Signature
Susan Cope
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18 day of November, 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



REV 10/25/01

Kathryn Schultz
Notary Public
My Commission Expires Dec 15, 2012

Zoning Description

Zoning Description for 2223 Corbett Road, Monkton Maryland 21111

Beginning at the point on the South side of Corbett Road which is 70' wide at the distance of 375' west of the centerline of the nearest improved intersecting street Carroll Road which is 70' wide. Being lot #3, in the subdivision of Corbett Hill Farms as recorded in the Baltimore County Plat Book # 41, folio # 118, containing 7.988 acres. Also known as 2223 Corbett Road, Monkton Maryland 21111 and located in the 10th Election District, 3rd Councilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0163 -A Address 2223 Corbett Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11/30/09 Posting Date: 12/13/09 Closing Date: 12/28/09

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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- 0163 -A Address 2223 Corbett Rd.

Petitioner's Name Todd & Susan Cope Telephone 410-472-3306

Posting Date: 12/13/09 Closing Date: 12/28/09

Wording for Sign: To Permit an accessory structure (shed) be located in
the front yard in lieu of the required rear yard.

Revised 8/20/09

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/neighbor 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 2010-0163-A

Petitioner: Todd & Susan Cope

Address or Location: 2223 Corbett Rd.

PLEASE FORWARD ADVERTISING BILL TO

Name: Todd & Susan Cope

Address: 2223 Corbett Rd.

Monkton, MD 21111

Telephone Number: 410-472-3306

No.

Date:

Fund	Dept	Unit	Sub Unit	*Obj	Sub Obj	Dept Obj	BS Acct	Amount
------	------	------	----------	------	---------	----------	---------	--------

[illegible]

Total:

For:

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

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 12/13/09

Case Number: 2010-0163-A

Petitioner / Developer: TOD COPE

Date of Hearing (Closing): DECEMBER 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:
2223 CORBETT ROAD

The sign(s) were posted on: DECEMBER 12, 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

December 29, 2009

Todd & Susan Cope
2223 Corbett Rd.
Monkton, MD 21111

Dear: Todd & Susan Cope

RE: Case Number 2010-0163-A, 2223 Corbett Rd

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 30, 2009. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 23, 2009

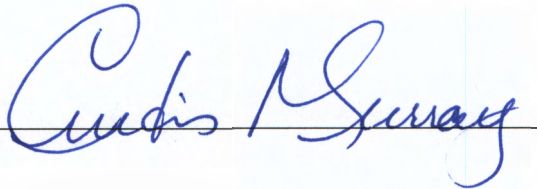
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-163- Administrative Variance**

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

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

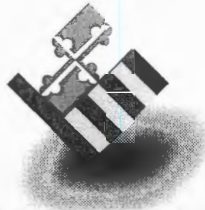
Prepared By:
CM/LL



RECEIVED

DEC 23 2009

ZONING COMMISSIONER



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

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



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. 2010-0163-A
2223 CORBETT ROAD
COPE 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. 2010-0163-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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JAN 22 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: January 22, 2010

SUBJECT: Zoning Item # 10-163-A
Address 2223 Corbett Road
(Cope Property)

Zoning Advisory Committee Meeting of December 6, 2009.

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

The existing septic system and well must be located on the site plan.

Reviewer: D. Esser

Date: 12/15/09

2010-0163-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3d)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 10 Account Number - 1700013736

Owner Information

Owner Name: COPE TODD M **Use:** RESIDENTIAL
 COPE SUSAN A **Principal Residence:** YES
Mailing Address: 2223 CORBETT RD **Deed Reference:** 1) /27179/ 264
 MONKTON MD 21111-2033 2)

Location & Structure Information

Premises Address **Legal Description**
 2223 CORBETT RD 7.988 AC
 2223 CORBETT RD
 CORBETT HILL FARMS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
29	14	111					3	2	Plat Ref: 41/ 118

Special Tax Areas **Town**
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1987	3,997 SF	7.98 AC	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	193,620	278,820		
Improvements:	384,740	559,640		
Total:	578,360	838,460	751,760	838,460
Preferential Land:	0	0	0	0

Transfer Information

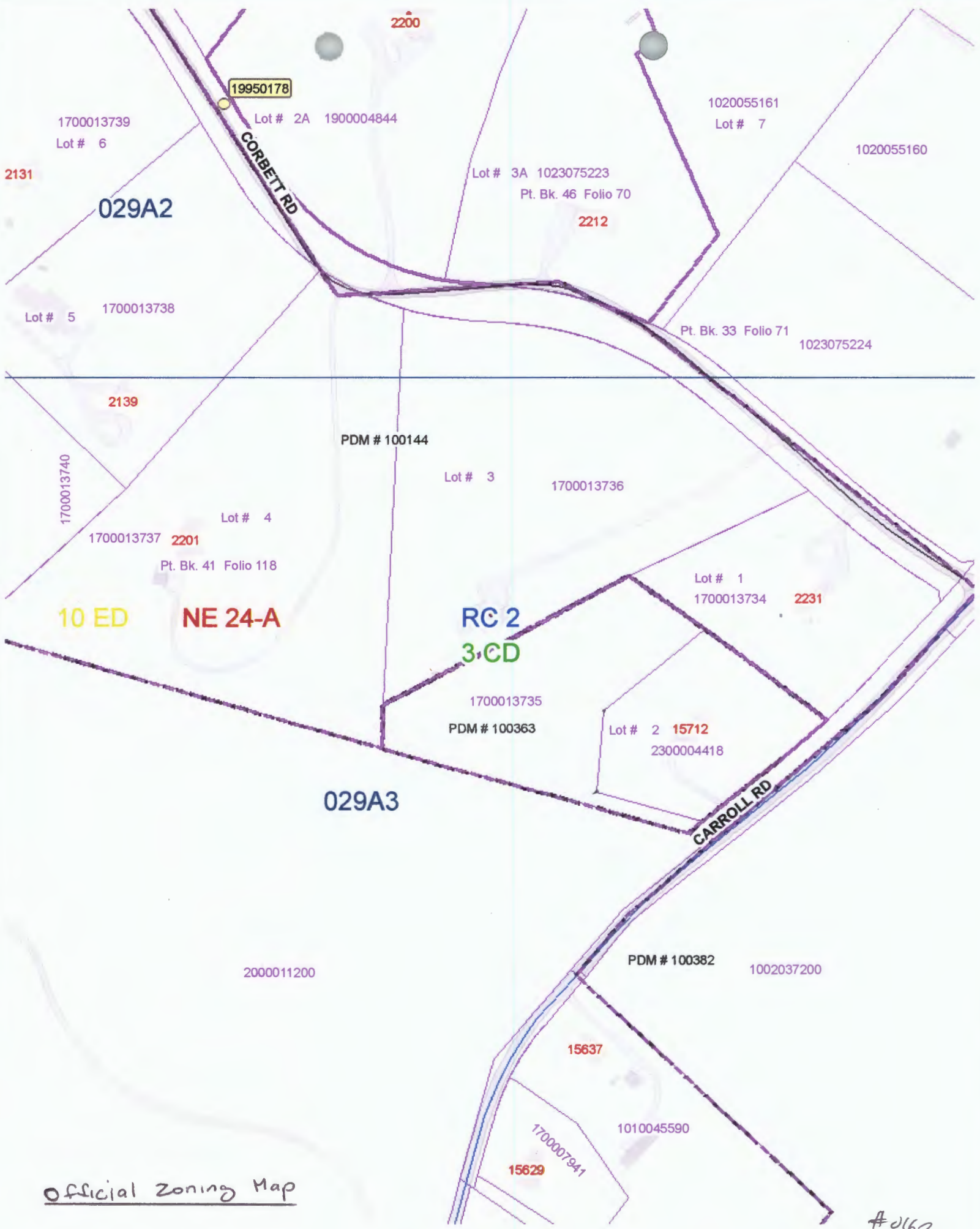
Seller: BILLHARDT GREGORY	Date: 07/16/2008	Price: \$960,000
Type: IMPROVED ARMS-LENGTH	Deed1: /27179/ 264	Deed2:
Seller: BILLHARDT GREGORY	Date: 08/09/2006	Price: \$375,000
Type: NOT ARMS-LENGTH	Deed1: /24280/ 69	Deed2:
Seller: BATTAGLIA PAUL	Date: 05/10/1996	Price: \$481,000
Type: IMPROVED ARMS-LENGTH	Deed1: /11576/ 523	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 *





PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

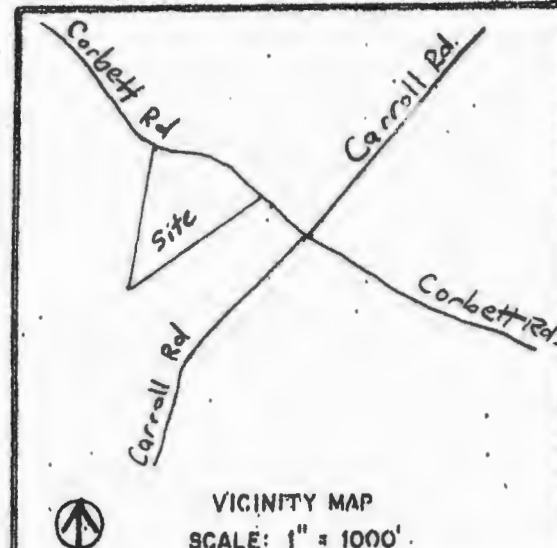
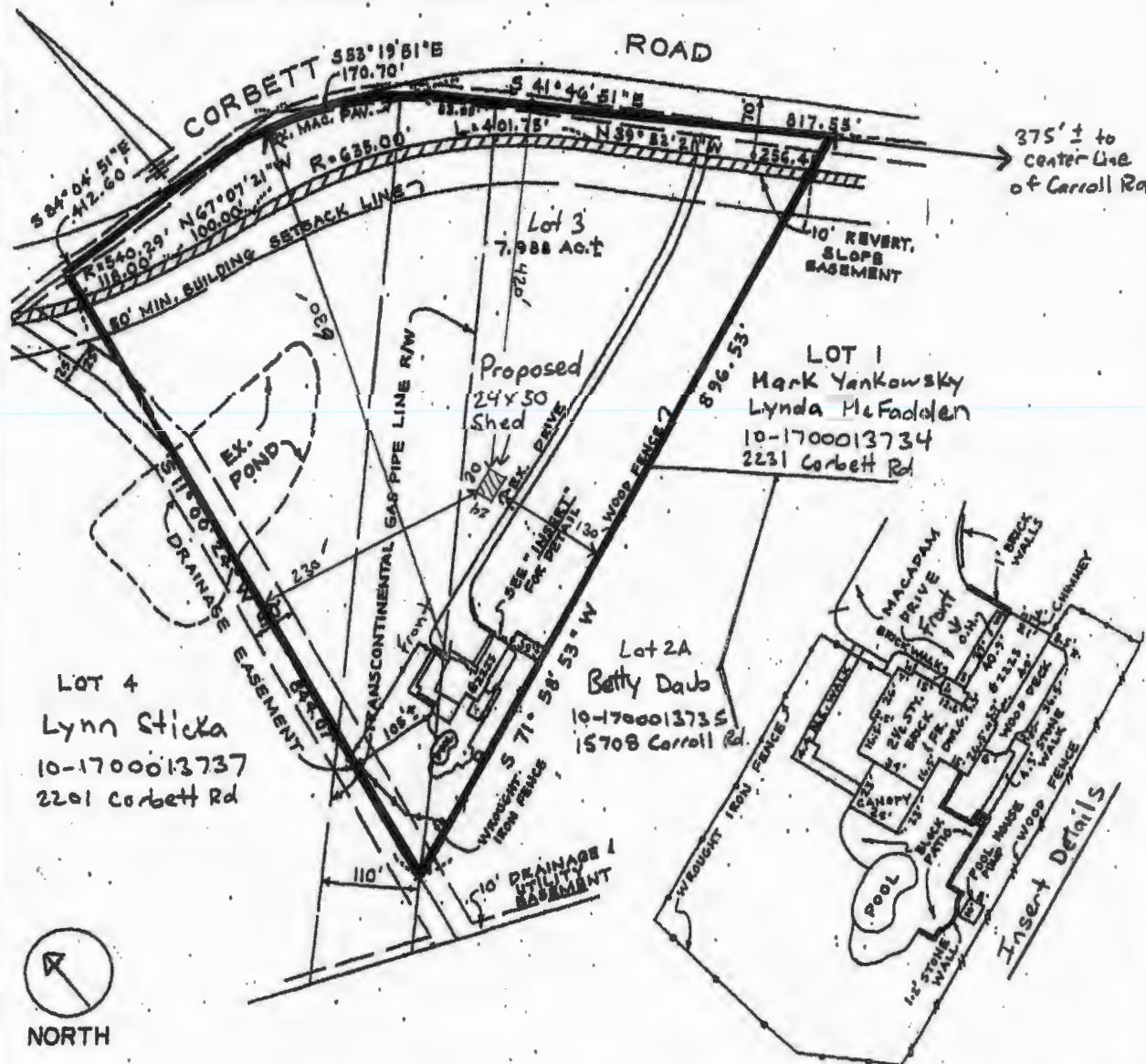
PROPERTY ADDRESS 2223 Corbett Rd, Monkton MD

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

SUBDIVISION NAME Corbett Hill Farms

PLAT BOOK # 41 FOLIO # 118 LOT # 3 SECTION #

OWNER Todd & Susan Cope 11-30-09



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 10th

COUNCILMANIC DISTRICT 3rd

1" = 200' SCALE MAP # N.E. 24-A

ZONING RC-2

LOT SIZE 7.988 347,957.3
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 HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

BA 0163 2010-0163-A

PREPARED BY T.C.

SCALE OF DRAWING: 1" = 200'