

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Bullneck Court, 125 feet NE of
the c/l of Bullneck Road
12th Election District
7th Councilmanic District
(8264 Bullneck Court)

Michael and Karen James
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0189-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, Michael and Karen James, for property located at 8264 Bullneck Court. The variance request is from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle to be located in the front yard in lieu of the required side or rear yard. Resolution 3-10 concerning the public disclosure of Michael James, an employee of the Baltimore County Department of Public Works, was approved at the County Council meeting held on January 19, 2010. The subject property and requested relief are more particularly described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

On February 4, 2010, the Undersigned called for a formal hearing on this matter. Historically, this Office has requested that the Zoning Review Office not accept Petitions for Administrative Variance on cases that have Code Enforcement violations pending, thus requiring a public hearing, and/or cases where Petitioners are requesting relief to store recreational vehicles and/or boats in the front yard. The hearing was subsequently scheduled for Friday, March 17, 2010 at 10:00 AM in Room 104 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland. In addition, a sign was posted at the property and an advertisement was

ORDER RECEIVED FOR FILING

Date 3.22.10

By PS

published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

Appearing at the public hearing in support of the variance request was Petitioner Michael and James. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence received in the case revealed that the subject property is irregular-shaped and contains approximately 6,665 square feet or 0.153 acre, more or less, zoned D.R.5.5. As shown on the site plan and the zoning map that was marked and accepted into evidence as Petitioners' Exhibit 2, the subject property is located on the east side of Bullneck Court just north of Bullneck Road, with Bullneck Creek to the east, in the Dundalk area of Baltimore County. The property is improved with a single-family dwelling that was originally constructed in 1945 as part of the housing that was once provided to Bethlehem Steel workers. Mr. James testified that he has lived in the home for about the last 17 years. He indicated that his parents purchased the property when he was in his late teens. After his father passed away in 1992, he and his wife and family moved in with his mother. The dwelling was originally constructed as a cape cod style 1½-story dwelling, and Mr. James hired a contractor and remodeled the home, removing the roof and creating a full second floor. There are also two existing sheds along the north side of the property near the waterside that Petitioners use for storage, and an above-ground pool near the southern property line, also on the waterside. Petitioners submitted photographs of the nearby properties in the court and their home, which were marked and accepted into evidence as Petitioners' Exhibits 3A and 3B.

The 5th wheel trailer that is the subject of the variance request is a 31 foot model, with actual measurements of approximately 34 feet long from rear bumper to trailer hitch. Petitioners have owned the trailer for about three years and also owned other trailers before previous to that

ORDER RECEIVED FOR FILING

Date 3.22.10 2

By [Signature]

one. In support of the requested variance relief, Mr. James indicated that the neighborhood was platted and homes were built prior to the Zoning Regulations in this area, with smaller side yard setbacks than would be permitted today. He explained that this situation significantly limits his ability to comply with the Regulations because there is not enough space in the rear or at the side of his property without interfering with his neighbor's property next door. He also pointed out that his property, which is located in a court and fronts on the Bullneck Creek shoreline, results in very odd-shaped lots. Specifically, his lot has an unusual shape in that it is relatively long and narrow. It is also approximately three times as wide on the waterside than on the street side, and has five sides, with frontage on the water and with side yards adjacent to three other properties. Essentially, the only storage area available for any type of vehicle storage is the asphalt parking pad that takes up the majority of the street side of the property. Most of the properties that circle the court have the same constraints. Finally, Mr. James indicated that the subject area is a waterfront community. Most of the homes are waterfront as his is, or have water access. Consequently, many residents store their trailered boats and recreational vehicles on their property and almost exclusively on the street side. He also noted that there is often confusion over what actually constitutes the "front" yard versus the "rear" yard in these communities, and thus whether storage of an RV on the street side is in the front or rear yard.

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 February 23, 2010 which indicates that the current house appears new or improved with new additions. It is well kept and situated on a small cul-de-sac. The lot is trapezoidal in shape with a narrow front yard that is largely paved and a large rear yard with several sheds, a pool and a 105 foot long pier extending into the water. The south side of the house has a 12 feet wide access way as shown on

ORDER RECEIVED FOR FILING

Date 3.22.10

3

By [Signature]

the submitted plan. As the attached photograph shows, there is a large trailer on the 12 foot side. The only thing possibly blocking access to the water is an above-ground swimming pool. If that were moved to the other side of the yard the trailer could be backed all the way to the water. The Planning Office recommends that the pool be relocated, the boat storage be in the rear and side yard, and any setbacks that may be required to permit such be granted. The Planning Office further recommends that the narrow front driveways be used only for the storage of cars.

Considering all the testimony and evidence presented, I am persuaded to grant the variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This lot was created many years ago and the dwelling was originally constructed in 1945, prior to the adoption of Zoning Regulations in this area. As such, the current setbacks are nonconforming. The lot also has a very unusual shape, in that it is very narrow with essentially five "sides" and expands outward from the street to the waterside, with very little room along the side yards and a large asphalt parking pad essentially taking up the entire street side of the yard. In my view, the subject property is unique in a zoning sense.

I further find that Petitioners would suffer practical difficulty and undue hardship if the variance were to be denied. I am mindful of the Office of Planning's comment, but I believe there is a certain balancing that needs to take place. It could be argued that for a waterfront property such as this, the street side is indeed the rear yard, where accessory structures such as garages and parking of vehicles are permitted. On the other hand, I must be mindful of the potential for clutter and overcrowding on the property, and its potential negative impact on the neighborhood. Because the property is located on a court, it is shielded to some degree by the general traffic on Bullneck Road and the other streets in the area. I also note that the adjacent property owners are supportive of Petitioners' requests, as indicated in the letter that was marked and accepted into evidence as

ORDER RECEIVED FOR FILING

Date 3.22.10 4

By VB

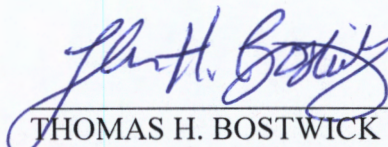
Petitioners' Exhibit 4, and signed by seven of the eight homes located in the court. Finally, I find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

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 22nd day of March, 2010 that a Variance from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle to be located in the front yard in lieu of the required side or rear yard is hereby **GRANTED**, subject to the following:

1. 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The relief granted herein shall be limited to Petitioners as the legal property owners and their immediate family. If Petitioners subsequently sell, transfer, or otherwise vacate the premises, or rent the premises to others beyond their immediate family (to include Petitioners' two children), the relief granted herein shall be discontinued, unless granted or extended to others via a subsequent variance or special hearing.

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

ORDER RECEIVED FOR FILING

Date 3-22-10 5

By [Signature]



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 22, 2010

MICHAEL AND KAREN JAMES
8264 BULLNECK COURT
BALTIMORE MD 21222

Re: Petition for Administrative Variance
Case No. 2010-0189-A
Property: 8264 Bullneck Court

Dear Mr. and Mrs. James:

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 cursive script, reading "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: February 4, 2010

TO: Kristen Matthews
Dept. of Permits and Development Management

FROM: Patricia Zook, Legal Secretary to
Thomas Bostwick, Deputy Zoning Commissioner

RE: **Petitions for Administrative Variance – Closing Date of 2-1-2010**
Case No. 2010-0189-A located at 8264 Bullneck Court
Case No. 2010-0190-A located at 8256 Bullneck Court
Hearings Required

After the review of the above-captioned case files, Tom Bostwick has determined that these two cases shall be set in for formal hearings. Case No. 2010-0190-A is currently the subject of an active violation case, namely CO-0070192. Historically this Office has conducted hearings on cases that have violations as well as cases where the Petitioners are requesting relief to store recreational vehicles in the front yard.

We are returning the two files to you for further processing, i.e., notifying the Petitioners, posting of the hearing notices, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Kristen Matthews, Zoning Review Office



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8264 Bullneck CT
which is presently zoned DR 55

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) 415A-1 BCZR

TO PERMIT A RECREATIONAL VEHICLE TO BE LOCATED IN THE FRONT YARD IN LIEU OF THE REQUIRED SIDE OR 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):

MICHAEL JOSEPH JAMES
Name - Type or Print _____
Signature _____
KAREN JAMES
Name - Type or Print _____
Signature Karen James
8264 Bullneck CT 410-284-9273
Address _____ Telephone No. _____
Baltimore M.D. 21222
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.

waterfront

CASE NO. 2010-0159-1A ORDER RECEIVED FOR FILING

REV 10/25/01 Date 3-22-10

By [Signature]

Reviewed By JF Date 1/6/10

Estimated Posting Date 1-17-10

Zoning Commissioner of Baltimore County

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 8264 BULLNECK COURT
Address
BALTIMORE MD. 21222
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):

THIS IS A HARDSHIP AND PRACTICAL DIFFICULTY BECAUSE I DO NOT HAVE PROPER ACCESS BETWEEN MY HOUSE AND MY NEIGHBORS HOUSE TO PARK MY RV OR BOAT/TRAILER 8' BEHIND FRONT FOUNDATION OF MY HOUSE. I ALSO DO NOT HAVE DRIVEABLE ACCESS TO THE REAR OF MY PROPERTY BECAUSE IT IS BUTTED UP TO MURRAY POINT CREEK.

I WANT TO BE ABLE TO PARK MY RV OR BOAT/TRAILER IN FRONT OF MY HOUSE IN THE DRIVEWAY WHICH WAS INSTALLED FOR THIS PURPOSE 20 YEARS AGO.

I CANNOT ACCESS PROPERTY PROPERLY BECAUSE OF THE POSITION OF MY NEIGHBORS HOUSE AND BUILDINGS.

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.

[Signature]
Signature
MICHAEL J JAMES
Name - Type or Print

[Signature]
Signature
KAREN JAMES
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of January, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael J James and Karen James
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 4/1/2010

ZONING DESCRIPTION.

8264 Bullneck Court.

Beginning AT A POINT ON THE EAST Side OF
Bullneck Court which is 40 Feet wide.

AT THE distance OF 125' Feet (+/-) NORTHEAST
OF THE CENTERLINE OF THE NEAREST improved
INTERSECTING STREET Bullneck Road

WHICH IS 50 Feet wide Being LOT # 44

Block 1, Section # B IN THE SUBDIVISION OF
MURRAY POINT AS RECORDED IN BALTIMORE
COUNTY PLAT BOOK # 13, Folio # 66

CONTAINING 6665 Sq Feet ALSO KNOWN AS

8264 Bullneck Court AND LOCATED IN

THE 12TH ELECTION DISTRICT, 7TH COUNCILMANIC
DISTRICT.

0189

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0189 -A Address 8264 Bullneck Ct.
Contact Person: Jun Fernando Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1-6-10 Posting Date: 1-17-10 Closing Date: 2-1-10

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- 0189 -A Address 8264 Bullneck Ct.
Petitioner's Name Michael & Karen James Telephone 410-284-9273
Posting Date: 1-17-10 Closing Date: 2-1-10
Wording for Sign: To Permit a recreational vehicle to be located
in the front yard in lieu of the required side or
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/neighboring 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 - 0189 - A

Petitioner: Michael & Karen James

Address or Location: 8264 Bullneck Ct.

PLEASE FORWARD ADVERTISING BILL TO

Name: MICHAEL JAMES

Address 8264 Bullneck Ct.
Baltimore Md 21222

Telephone Number: 410-284-9273

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

No. 47328

Date: 1/10/10

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
				Obj	Sub Obj				

Total: 65.00

Rec From: ANNE ARUNDEL COUNTY

For: FOR THE YEAR ENDING 12/31/09

PAID BY 1/10/10 - 100.00

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2010-0189-A

8264 Bullneck Court
E/side of Bullneck Court at the distance of 125 feet n/east of the centerline of Bullneck Road

12th Election District
7th Councilmanic District
Legal Owner(s): Michael & Karen James

Variance: to permit a recreational vehicle to be located in the front yard in lieu of the required side or rear yard.

Hearing: Friday, March 19, 2010 at 10:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/039 Mar. 4 231399

CERTIFICATE OF PUBLICATION

3/4/, 2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/4/, 2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2010-0189-A

RE: Case No.: _____

Petitioner/Developer: _____
Michael & Karen James

February 1, 2010
Date of Hearing/Closing: _____

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 posted conspicuously on the property located at: _____

8264 Bullneck Court

January 17 2010,
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black Jan 20 2010
(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)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2010-0189-A

TO PERMIT A RECREATIONAL VEHICLE TO BE LOCATED
IN THE FRONT YARD IN LIEU OF THE REQUIRED SIDE OR REAR
YARD.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON 2-1-10
ALL INFORMATION IS AVAILABLE AT

4:30 p.m. ON 2-110
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
331 N. CHESAPEAKE AVE
TOWSON, MD 21204
TEL. 887-3391
MEETING IS HANDICAP ACCESSIBLE

231 W CHESAPEAKE AVE
TOWSON MD 21204

TEL. 887-3391

TOWSON MD 21204

MEETING IS HANDICAP ACCESSIBLE

Posted by Jerry Chen



03.04.2010 14:24

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 4, 2010 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple
Permits & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

410-887-4587

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2010-0189-A

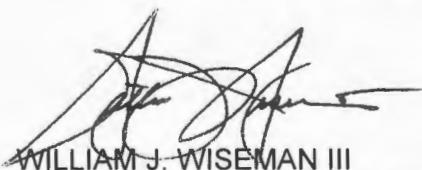
8264 Bullneck Court

E/side of Bullneck Court at the distance of 125 feet n/east of the centerline of Bullneck Road
12th Election District – 7th Councilmanic District

Legal Owners: Michael & Karen James

Variance to permit a recreational vehicle to be located in the front yard in lieu of the required side or rear yard.

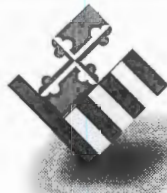
Hearing: Friday, March 19, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
February 23, 2010 ~~2010~~ Management

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2010-0189-A

8264 Bullneck Court

E/side of Bullneck Court at the distance of 125 feet n/east of the centerline of Bullneck Road
12th Election District – 7th Councilmanic District

Legal Owners: Michael & Karen James

Variance to permit a recreational vehicle to be located in the front yard in lieu of the required side or rear yard.

Hearing: Friday, March 19, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

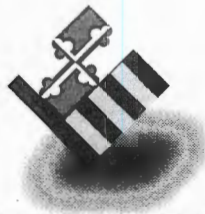
Timothy Kotroco
Director

TK:klm

C: Michael & Karen James, 8264 Bullneck Court, Baltimore 21222

**NOTES: (1) THE ZONING OFFICE WILL HAVE THE ZONING NOTICE SIGN POSTED
POSTER ON THE PROPERTY BY THURSDAY, MARCH 4, 2010.**

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL
ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE
AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT
THE ZONING REVIEW OFFICE AT 410-887-3391.



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

February 1, 2010

Michael & Karen James
8264 Bullneck Ct.
Baltimore, MD 21222

Dear: Michael & Karen James

RE: Case Number 2010-0189-A, 8264 Bullneck Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 06, 2010. 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

TB
hearing
3-19-10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 23, 2010

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

SUBJECT: 8264 Bullneck Court

RECEIVED

INFORMATION:

Item Number: 10-189

FEB 25 2010

Petitioner: Michael Joseph James

ZONING COMMISSIONER

Zoning: DR 5.5

Requested Action: Administrative Variance

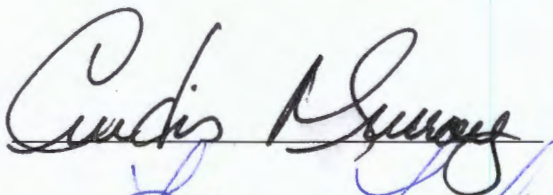
SUMMARY OF RECOMMENDATIONS:

The current house appears new or improved with new additions. It is well kept. It is situated on a small cul-de-sac. The lot is trapezoidal in shape with a narrow front yard that is largely paved, and a large rear yard with several sheds, a pool and a 105 ft. long pier extending into the water. The south side of the house has a 12 ft wide access way as shown on the submitted plan. As the attached photograph shows, there is a large boat and trailer on the 12 ft. side. The only thing possibly blocking access to the water is an above ground pool. If that were moved to the other side of the yard the boat and truck could be backed all the way to the water.

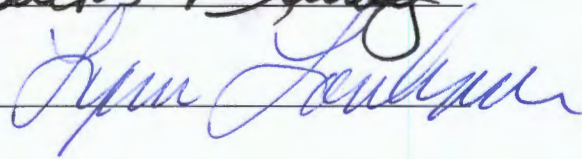
The Office of Planning recommends that the pool be relocated, the boat storage be in the rear and side yard, and any side setbacks that may be required to permit such be granted. This office further recommends that the narrow front driveways be used only for the storage of cars.

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

Prepared by:



Division Chief:
AFK/LL: CM





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

January 27, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 18, 2010

Item Numbers: 0189, 0190, 0191, 0192, 0194, 0195, 0196, 0198, 0199

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

SUBJECT: Zoning Advisory Committee Meeting
For February 1, 2010
Item Nos. 2010-0189, 190, 191, 192,
193, 195, 196, 197, 198 and 199

DATE: January 22, 2010

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-02012010 -NO COMMENTS.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Jan. 29, 2010

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

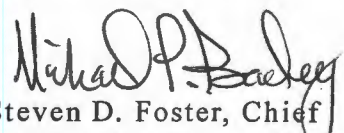
RE: Baltimore County
Item No. 2010-0189-A
8264 BULLNECK CT
JAMES PROPERTY
ADMIN. VARIANCE -

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. 2010-0189-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

RE: PETITION FOR ADMINSTRATIVE * BEFORE THE
VARIANCE *
8264 Bullneck Court; E/S Bullneck Ct, 125' * ZONING COMMISSIONER
NE of Bullneck Road *
12th Election & 7th Councilmanic Districts * FOR
Legal Owner(s): Michael & Karen James *
Petitioner(s) * BALTIMORE COUNTY
* 10-189-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

FEB 01 2010

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of February, 2010, a copy of the foregoing Entry of Appearance was mailed to Michael & Karen James, 8264 Bullneck Court, Baltimore, MD 21222, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



**County Council
of
Baltimore County**

Court House
Towson, Maryland 21204

410-887-3196
Fax: 410-887-5791

S.G. Samuel Moxley
FIRST DISTRICT

Kevin Kamenetz
SECOND DISTRICT

T. Bryan McIntire
THIRD DISTRICT

Kenneth N. Oliver
FOURTH DISTRICT

Vincent J. Gardina
FIFTH DISTRICT

Joseph Bartenfelder
SIXTH DISTRICT

John Olszewski, Sr.
SEVENTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL
SECRETARY

2010-0189-A

January 20, 2010

William J. Wiseman, Esquire
Baltimore County Zoning Commissioner
The Jefferson Building
105 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED

JAN 21 2010

ZONING COMMISSIONER

Dear Mr. Wiseman:

Attached please find a copy of Resolution 3-10 concerning the public disclosure of Michael James, an employee of the Baltimore County Department of Public Works, who has applied for a zoning variance to park a recreational vehicle in the rear of his waterfront residence at 8264 Bullneck Court, Baltimore, Maryland 21222.

This Resolution was approved by the County Council at its January 19, 2010 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosure

cc: Michael James

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2010, Legislative Day No. 2

Resolution No. 3-10

Mr. John Olszewski, Sr., Councilman

By the County Council, January 19, 2010

A RESOLUTION concerning the public disclosure of Michael James, an employee of the Department of Public Works.

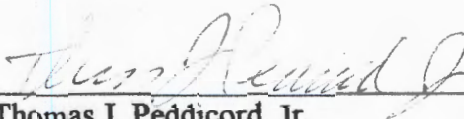
WHEREAS, Michael James, an employee of the Department of Public Works, Bureau of Highways, has applied for a zoning variance to park a recreational vehicle in the rear of his waterfront residence at 8264 Bullneck Court, Baltimore, Maryland 21222; and

WHEREAS, this Resolution is intended to provide full public disclosure under Section 32-1-102 of the Baltimore County Code.

NOW, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the zoning variance filed by Michael James does not contravene the public welfare.

READ AND PASSED this **19TH** day of **JANUARY**, 2010.

BY ORDER

A handwritten signature in cursive script, appearing to read "Thomas J. Peddicord, Jr.", written over a horizontal line.

Thomas J. Peddicord, Jr.
Secretary

ITEM: **RESOLUTION 3-10**

From: Patricia Zook
To: Matthews, Kristen
CC: Bostwick, Thomas; Wiley, Debra; Williams, LaShenda
Date: 2/4/2010 12:37 PM
Subject: Case Nos. 2010-0189-A @ 8264 Bullneck Court & 2010-0190-A @ 8256 Bullneck Court-schedule hearings
Attachments: IO-2010-0189-A and 2010-0190-A AVs- SCHEDULE HEARINGS-VIOLATIONS and RVs IN FRONT YARD.doc

Kristen -

Please see the attached memos regarding the above-referenced case files.

Note: We have a huge stack of case files that need to be picked up by your office.

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

410-887-3868

pzook@baltimorecountymd.gov

Microsoft Access

File Edit View Insert Format Records Tools Window Help

GenInputFrm_View : Form

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID
(SEARCH ON THIS FIELD): 20100189 Case Type Prefix: Case Year: 2010 Case Number: 0189 Case Type Suffix: A Existing Use: Residential

Legal Owners/Petitioner
(SEARCH ON THIS FIELD): Michael and Karen James

House/St. Number:	House/Street Number Range:	House/St. No. Suffix:	Prefix Dir.:	Pre. Type:	Street Name (SEARCH ON THIS FIELD):	Suf. Type:	Suffix Dir.:	Suite/Apt./Unit Number:
8264					Bullneck	Ct		

Property Description (SEARCH ON THIS FIELD):
East side of Bullneck Court at the distance of 125 feet north east of the centerline of Bullneck Road.

Existing Zoning Classification: D.R.-5.5 Area: 6,665 Square Feet Election District: 12th Councilmanic District: 7th

Critical Area: NO Floodplain: NO Historic Area: NO Prior Zoning Cases:

Violation Cases: Concurrent Cases:

Tax Account ID: Deed Liber #: Deed Folio #: Miscellaneous Notes:

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: 21433 of 25887

Street Name NUM

start wjwOrd... Novell G... Microsof... Microsof... 10:11 AM

Microsoft Access

File Edit View Insert Format Records Tools Window Help

GenInputFrm_View : Form

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

Attorney: _____

Petition Reviewer: JRF Petition Reviewer 2: _____ Petition Filing Date: 01/06/2010

Day of Week: _____ Hearing Date: _____ Hearing Time: _____ Hearing Location: _____

Closing Date: 02/01/2010 Commissioner Hearing Continued From: _____ Commissioner Hearing Rescheduled From: _____ Formal Request For Hearing: _____

Case Number: _____

2010 0189 A

Petition Type # 1: ADMINISTRATIVE VARIANCE

Petition Request # 1: To permit a recreational vehicle to be located in the front yard in lieu of the required side or rear yard.

Petition Type # 2: _____

Petition Request # 2: _____

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: 21433 of 25887

Street Name _____ NUM _____

start wjwOrd... Novell G... Microsof... Microsof... 10:12 AM

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

Case No.: 2010-0189-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	<i>site plan</i>	
No. 2	<i>zoning map</i>	
No. 3 A+B	<i>photos of property</i>	
No. 4	<i>letter of support</i>	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

March 15, 2010

To Whom It May Concern:

We are writing this letter regarding the variance that we had petition in January 2010 to have our said Recreational Vehicles parked in front of our house. We posted our sign and no one had appealed the petition. We have signatures of our neighbors who don't mind if the Recreational Vehicles are parked in our driveway. Please see below signatures.

Regards

Michael & Karen James

Mildred M Young

8262 Bullneck Ct

William E Berry

8266 Bullneck Ct

Salvina Dotsch

8256 Bullneck Ct

Dan Orr

8268 Bullneck Rd

Dan Randall

8260 Bullneck Ct.

Jerm Shukardi

8245 Bullneck Rd.

Louis Danna

8258 Bullneck Ct

PETITIONER' S

EXHIBIT NO. _____

A



8264
Bullneck CT.

PETITIONER'S

EXHIBIT NO.

3A+B



B

1600008624

Lot # 41
1223052960
8258

Lot # 42
1211015230
8260

Pt. Bk. 13 Folio 66
Lot # 43 1207029110

8262

8256
1208002030
Lot # 40

7 CD
19980155

110C1
1218050860
SE 5-F
12 ED

BULLNECK CT

1204002680 8264
DR 5.5
PDM # 120019
8266

Lot # 44 SITE

Lot # 45 1206035110

Pt. Bk. 13 Folio 19
1225045840
Lot # 34

Lot # 46
1219035230
8268

BULLNECK RD

Lot # 35
1203003570

Lot # 36
1213021331

8241
12080080530
1208000170

8270

8272

0189

EXHIBIT NO.



Publication Date: December 18, 2009
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

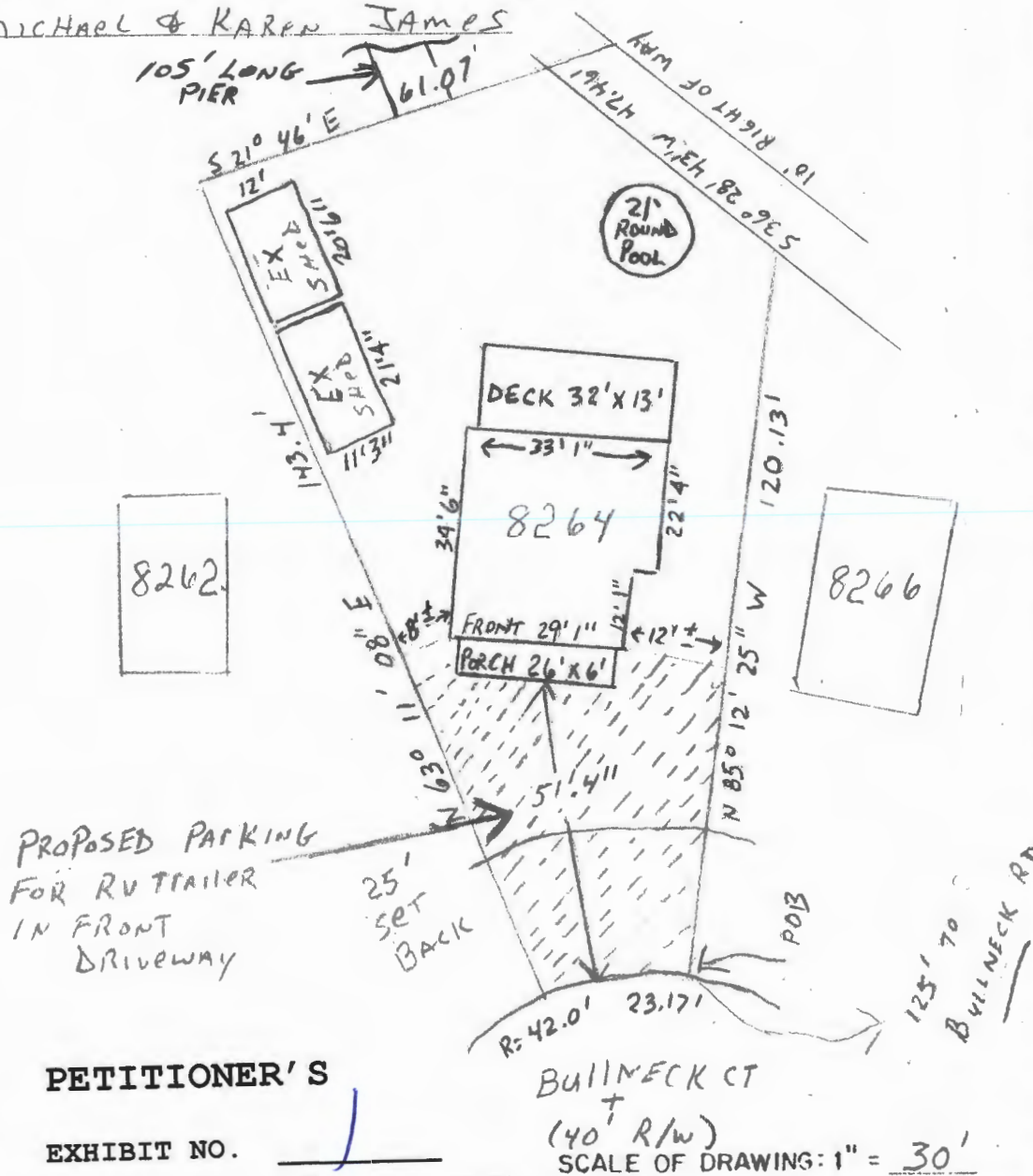
PROPERTY ADDRESS 8264 Bullneck CT

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

SUBDIVISION NAME MURRAY POINT

PLAT BOOK # 13 FOLIO # 66 LOT # 44 SECTION # B

OWNER MICHAEL & KAREN JAMES



NORTH

PREPARED B

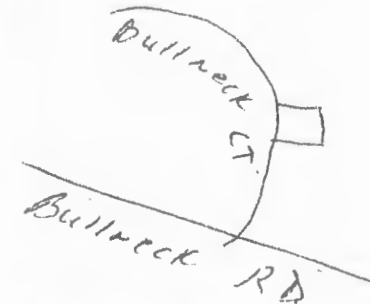
PETITIONER' S

EXHIBIT NO.

BULLNECK CT

(40' R/w)

SCALE OF DRAWING: 1" = 30'



VICINITY MAP

SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 12

COUNCILMANIC DISTRICT 7

1"=200' SCALE MAP # 110C1

ZONING DR 5.5

LOT SIZE ACREAGE 6665
SQUARE FEET

SEWER PUBLIC ☒ PRIVATE ☐

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN
HISTORIC PROPERTY/
BUILDING

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
-------------	--------	--------

JF | 0189