IN RE: PETITION FOR ADMIN. VARIANCE

NW side of Far Out Lane; 800 feet W of the c/l of Yeoho Road
5th Election District
3rd Councilmanic District
(2000 Far Out Lane)

Anne Lundvall Cornell
Petitioner

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0206-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Anne Lundvall Cornell for property located at 2000 Far Out Lane. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) be located in the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a detached garage measuring 30 feet x 20 feet in size. The proposed garage cannot be constructed in the rear yard to due the existing septic tank and 10,000 square feet septic reserve area. Photographs submitted with the Petition illustrate the topography constraints in the rear yard. An existing driveway will serve the proposed garage. Petitioner's property contains 2.0617 acres.

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

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February, 14, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RE	CEIVED FOR FILING	
Date	3.8.10	
Ву	m	

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

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

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

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

ORDERZRECEIVED	FOR	FIL	ING
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Date 3.8.10

2



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

March 8, 2010

ANNE LUNDVALL CORNELL 2000 FAR OUT LANE SPARKS MD 21152

> Re: Petition for Administrative Variance Case No. 2010-0206-A Property: 2000 Far Out Lane

Dear Ms. Cornell:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

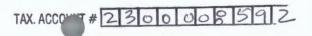
Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure





Petition for Administrative Variance

	to the Zoning Commis		
for	the property located at 200	OFAL OUT L	N, SPARUS, 2115
		resently zoned	
This Petition shall be filed with the Depart owner(s) of the property situate in Baltimore C made a part hereof, hereby petition for a Varia	ounty and which is described in the	e description and plat	attached hereto and
structure (garage) be los	700.	to permit	an accessory
· · ·			ieu ol ma
required rear yard.	Street man for all	F -40 (E)	
The second	2. pls mill 5		
of the zoning regulations of Baltimore County, of this petition form.	to the zoning law of Baltimore Cou	unty, for the reasons i	ndicated on the back
Property is to be posted and advertised as pre I, or we, agree to pay expenses of above Variance regulations and restrictions of Baltimore County ac	advertising, posting, etc. and further	agree to and are to be altimore County.	bounded by the zoning
		y declare and affirm, un are the legal owner(s) this Petition.	
Contract Purchaser/Lessee:	Legal Owner	(s): Lendvare (OR NEIL
Name - Type or Print	Name - Type or Pr		
Signature	Signature		
Address	elephone No. Name - Type or Pr	int	
City State	Zip Code Signature		
Attorney For Petitioner:	Address	LOUT LN. 41	Telephone No.
Name - Type or Print	SPACKS	M6) State	
	Representati	ve to be Contacte	<u>d:</u>
Signature	LANG	CORNELL	
COMPORDER RECEIVED FOR FILING	Name 2000 LAR	at W	4104937840
Address Date	ephone No. Address SPANICS	M	Telephone No.
City State	Zip Code City	Stat	e Zip Code
A Public Hearing having been formally demanded a	subject matter of this petition be set for a	by the Zoning Commissi public hearing, advertised	ioner of Baltimore County, , as required by the zoning

Reviewed By 3h Date 2/1/10 CASE NO. 2010 - 0206- A Estimated Posting Date 2 114 ko REV 10/25/01

Zoning Commissioner of Baltimore County

Affidavit in Support of Administrative Variance

That the Affiant(s) does/do presently reside at

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.

21157

City	State	Zip Code
That based upon personal knowledge, the following a Variance at the above address (indicate hardship or pro-	actical difficulty):	
Due to the fall of the	and, (Slope) trees o	and
septratueld, it is i	learly impossible	
to construct a sai	-age according to	
coverity zoning re		
That the Affiant(s) acknowledge(s) that if a formal d advertising fee and may be required to provide addition	emand is filed, Affiant(s) will be required al information.	to pay a reposting and
Signature Cornel	Signature	
AMEL. CORNELL Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIMORE,	o wit:	
of Maryland, in and for the County aforesaid, personal	appeared ,0/0 , before me, a N	Notary Public of the State
the Affiant(s) herein, personally known or satisfactority	dentified to me as such Affiant(s).	
AS WITNESS my hand and Notarial Seal		1/
	Notary Public	Lega
	My Commission Expires 11-9-13	3
REV 10/25/01		

ZONING DESCRIPTION FOR 2000 FAR OUT LAND

BEGINNING FOR THE SAME at a point in the centerline or a twenty feet wide private right of way with use in common with others (Far Out Lane), said point being also the end of the third or South 46 degrees 35 minutes West 227.74 feet line of a Deed from William P. Bartholomay and Patricia W. Bartholomay, his wife to Leopold A. Beernink and Mary M. Beernink, his wife and Carel P. Beernink by Deed dated January 24, 1972 and recorded among the Land Records of Baltimore County in Liber 5245, folio 266, thence leaving said road and binding on the fourth or North 47 degrees 35 minutes West 415.50 feet line of said Deed as now surveyed North 56 degrees 32 minutes 54.5 seconds West 415.50 feet to a point in a second twenty feet wide private right of way (Akehurst Road), thence binding on part of the fifth or North 69 degrees 44 minutes East, 796.17 feet line of said Deed North 60 degrees 26 minutes 10 seconds East 226.24 feet to a point, thence for new lines of division the following two courses and distances, viz: 1) South 76 degrees 03 minutes 21.3 seconds East, 199.17 feet, and 2) South 56 degrees 53 minutes 17.4 seconds East, 125.00 feet to a point in the aforementioned private right of way (Far Out Lane), thence binding on part of the second or South 23 degrees 26 minutes West 255.60 feet line of the aforementioned Deed, South 15 degrees 36 minutes 42.6 seconds West 43.60 feet to a point in said right of way, thence binding on the third or South 46 degrees 35 minutes West 227.74 feet line of said Deed South 36 degrees 42 minutes 12.3 seconds West 227.14 feet to the place of beginning. Containing 2.0617 acres of land. The improvements thereon being formerly known as 2000 Akehurst Rd and now known as 2000 Far Out Lane.

SUBJECT to a twenty feet wide private right of way with use in common with others along the fifth and sixth lines of the herein described parcel and known as Far Out Lane.

4Bell 26229

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES	
Case Number 2010- 0206 -A Address 2000 Fer Out Lane	
Contact Person: Brano Rudaitis Phone Number: 410-887-33	391
Filing Date: 2 11 Posting Date: 2 14/18 Closing Date: 3 11	3
Any contact made with this office regarding the status of the administrative variance should through the contact person (planner) using the case number.	be
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list (on reverse side of this form) and the petitioner is responsible for all printing/posting costs. A reposting must be done only by one of the sign posters on the approved list and the petition is again responsible for all associated costs. The zoning notice sign must be visible on property on or before the posting date noted above. It should remain there through the closed date.	Any ner the
 DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to a formal request for a public hearing. Please understand that even if there is no for request for a public hearing, the process is not complete on the closing date. 	file mal
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zon commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or order that the matter be set in for a public hearing. You will receive written notification, usu within 10 days of the closing date if all County agencies' comments are received, as whether the petition has been granted, denied, or will go to public hearing. The order will mailed to you by First Class mail.	(c) ally to
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hear (whether due to a neighbor's formal request or by order of the zoning or deputy zon commissioner), notification will be forwarded to you. The sign on the property must changed giving notice of the hearing date, time and location. As when the sign was original posted, certification of this change and a photograph of the altered sign must be forwarded this office.	ing be ally
(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- 0206 -A Address 2000 Fer out Lane	
Petitioner's Name Auna Cornell Telephone 418 - 493 - 7840	
Posting Date: 2/14/10 Closing Date: 7/1/10	
Wording for Sign: To Permit an accessory structure (garage) be located in	-
the side yard in lieu of the required rear yard.	

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Number or Case Number: 2010 - 0206 - A
item Number of Case Number
Petitioner: ANNE LONDVALL CORNELL
Address or Location: 2000 FAR OUT LAWE, SPARILS MD 21152
PLEASE FORWARD ADVERTISING BILL TO: Name: ANNE WNDVALL CORNELL
Name: ANNE WNDVALL CORNELL

			I RECEIPT	Rev Source/	Sub Rev/	Date:	·		
Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	
						-			
						Total:			
Rec									
From:									
For:									
roi.				~~~					
									CASHIER

CERTIFICATE OF POSTING

RE: Case Number: 2010 - 0206 - A Petitioner/Developer: Ann Cornell Date of Hearing/Closing: __ 3-1-10 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 2000 Fax Out Laxe 2-14-10 (Month, Day, Year) The signs(s) were posted on J. LAWRENCE PILSON (Printed Name of Sign Poster) ATTACH PHOTGRAPH 1015 Old Barn Road (Street Address of Sign Poster)

Parkton, MD 21120

410-343-1443

(City, State, Zip Code of Sign Poster)

(Telephone Number of Sign Poster)





JAMES T. SMITH, JR. County Executive

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

March 1, 2010

Anne L. Cornell 2000 Farout Ln. Sparks, MD 21152

Dear: Anne L. Cornell

RE: Case Number 2010-0206-A, 2000 Farout Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 01, 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



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 February 10, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 08, 2010

Item Numbers: 0175,0184,0205,0206,0207,0208

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

DATE: February 12, 2010

Department of Permits & **Development Management**

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 22, 2010

Item Nos. 2009-153, 2010-0184, 205, 206

and 207

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-02222010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 10-206- 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/LI

RECEIVED

DATE: February 18, 2010

FEB 1 9 2010

ZONING COMMISSIONER

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: FEB. 22, 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. 2016 - 6266-A

2000 FAR OUT LANE CORNELL PROPERTY ADMIN, VAIZLANCE -

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 -. 0206-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



MAR **09**2010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

March 9, 2010

SUBJECT:

Zoning Item # 10-206-A

Address

2000 Far Out Lane

(Cornell Property)

Zoning Advisory Committee Meeting of February 8, 2010

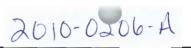
X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

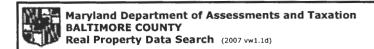
Reviewer:

Thomas Panzarella

Date: February 26, 2010

Page 1 of 1 results





Go Back View Map **New Search**

Account Identifier:	District - 0	5 Account Nun	1ber - 23000	08592						
		Ow	ner Informa	tion						
Owner Name:	CORNELL AN	NE LUNDVALL		Use: Principal Residence: Deed Reference:				RESIDENTIAL YES		
Mailing Address:	IT LN 21152-9694		1) /26229/ 607 2)							
		Location &	Structure 1	nforma	tion					
Premises Address						Legal Des	•			
2000 FAR OUT LN						2.0617 AC 2000 FAR				
							FAR OUT LN			
Map Grid Parcel 27 9 170	Sub District	Subdivision	Section	Block			ment Area	Plat No: Plat Ref:	М	
27 9 170	To	wn						Flat Kell		
Special Tax Areas		Wii Valorem								
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		As Of 01/01/2008	As O 07/01/2009		As Of 1/2010					
Land	99,540	176,960	01,702,200	,.	_,					
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Total:		484,990	456,70		184,990					
Preferential Land:	0	0)	0					
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Type: NOT ARMS-LEN								±475.000		
Seller: BEERNINK LEO Type: IMPROVED ARM				Date: Deed1:	08/20/2		Price: Deed2:	\$475,000		
				Date:	06/27/2		Price:	\$0		
Seller: BEERNINK LEO Type: NOT ARMS-LEN				Date: Deed1:			Deed 2:	φ0		
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Tax Exempt: NO)					Speci	al Tax Rec	apture:		
Exempt Class:							* NONE *			









