#### IN RE: PETITION FOR ADMIN. VARIANCE

NW side of Norris Lane; 225.44 feet NE of the c/l of North Point Road 15<sup>th</sup> Election District 7<sup>th</sup> Councilmanic District (8012 Norris Lane)

Willie J. McClain Jr. and Wanda D. McClain Petitioners

- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
  - Case No. 2010-0210-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, Willie J. McClain Jr. and Wanda D. McClain for property located at 8012 Norris Lane. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) with a height of 22 feet in lieu of the maximum permitted 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a detached garage measuring 24 feet x 24 feet. The proposed garage will provide safety and security for the vehicles as well as additional storage. Access to the garage will be via the existing driveway.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Although the Office of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

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Date	3-19-10	
Ву	- Po	

The Petitioners 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.

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.

- 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.
- 2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.

ORDER R	ECEINED FOR LITING	2
Date	3.19.10	2
Ву	p	

3. The accessory structure shall not be used for commercial purposes.

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

3.19.11

Ву\_\_\_\_\_



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

March 19, 2010

WILLIE J. MCCLAIN JR. AND WANDA D. MCCLAIN 8012 NORRIS LANE DUNDALK MD 21222

Re: Petition for Administrative Variance

Case No. 2010-0210-A Property: 8012 Norris Lane

Dear Mr. and Mrs. McClain:

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 Commissioner of Baltimore County for the property located at 8012 Norris Lane Dundalk Maryland 21222

which is presently zoned

Deed Reference: 18935 \_\_ / 306 \_ Tax Account # 1520000180

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)

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 22-FEET IN LIEU OF THE MAXIMUM PERMITTED IS-FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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 d perjury, that I/we ar is the subject of this	e the legal		
Address Telephone No.  City State Zip Con  Attorney For Petitioner:  Name - Type or Print  Signature  Company  Address Telephone No.  City State Zip Con  A Public Hearing having been formally demanded and/or found that the subject megulations of Baltimore County and that the property be reposted.  Case No. 2010-0210-A  Estimate  Estimate  Estimate		Legal Owner(s	) <i>:</i>			
			Willie Jam	_	Clain Jr.	
Name - Type or Print			Name - Typ		0 0.	
Signature			Signature	1/4	an D	
			Wanda Denise	McClair	1	
Address		Telephone No.	Name - Type or Print			0
Cit.	Ctata	Tin Code	Signature	- 2	mcce	en_
		Zip Code	8012 Norris L	ane 41	0 285-7046	
Attorney For Peti	<u>tioner:</u>		Address	aricari	0 200-7 040	Telephone No.
			Dundalk, Mar	vland	21222	rolopriono ivo.
Name - Type or Print			City	yiuiiu	State	Zip Code
			Representative	to be C	ontacted:	
Signature						
Company			Name			
Address		Telephone No.	Address	· · · · · · · · · · · · · · · · · · ·		Telephone No.
City	State	Zip Code	City		State	Zip Code
this day of		that the subject matter of	this petition be set for a put	olic hearing,	mmissioner of Balti advertised, as requ f Baltimore County	uired by the zoning
Case No	10-0210-A	Rev	iewed By D.T.	D	nte 2/3/10	)
			sting Date 3			
FRM476 09	ORDER RECE	EIVED FOR FILI	NG	710	P	ev 3/09
7 KM-77 O_03	2	19.10			A.	303
	Date2	1110				
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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 own and reside at 8012 Norris Lane Address number Road or Street name and that this address is the subject of this variance request as required by law. 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 the hardship or practical difficulty; attach an additional sheet if needed) We respectfully request an Administrative variance to authorize a proposed '24X24' Detached Garage. The Garage will provide both Security and Prevent Damage to Vehicles. The proposed location would be Accessing an existing back yard Driveway. The Height will be 21'1/2 feet in Lieu of the Maximum allowed Height of 15' feet in Accordance with Baltimore County. That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information. Willie James McClain Jr Wanda Denise McClain Name- print or type Name- print or type A Notary Public must complete the following section prior to the filing appointment. STATE OF MARYLAND, BALTIMORE COUNTY, to wit: (Name Affiant(s) here): the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s). AS WITNESS my hand and Notarial Seal

Willie O. Pittman Notary Public State of Maryland

PLACE SEAL HERE:

January 29, 2010

FRM476 09

Rev 3/09

2010-B210-A

# PROPERTY AND ZONING DESCRIPTION

# ZONING DESCRIPTION FOR 8012 NORRIS LANE DUNDALK MD 21222 (Address) Beginning at a point on the North West side of

NORRIS LANE (Name of street on which property fronts	which is 30' feet	
(Name of street on which property fronts	(Number of 1	eet of right- of-way width
Wide at the distance of 225.44 feet	North East	of the
(Number of feet)	(North, South, East o	r West)
Centerline of the nearest improved inters	secting street North Point (Name of S	
Which is 30' feet (Number of feet of right -of-w	wide. Being L way width)	ot # <u>35/36</u> ,
Block, Section #, in the subc		
	(Name Of su	ibdivision)
As record in Baltimore County Plat Bool	k # <u>6</u> , Folio # <u>170</u>	3
Containing 6250 SF . Also	known as <u>8012 NORRIS</u>	LANE ,
(Square feet or acres)	(Property add)	ress)

# BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2010-	0210	-A A	ddress _	8012 N	ORRIS L	ANE	
Conta	ct Person:	ONNA THOM	nPSON ease Print Your Name	)		Phone Nu	ımber:	410-887-3391
Filing	Date: 20	10	Posting	Date:	2/14/10	Closi	ng Date	e: 3/1/10
Any o	ontact made v the contact p	vith this office erson (planne	e regarding the ca	e status ise numl	of the ac	Iministrative	varian	ce should be
1.	POSTING/CO reverse side of reposting must is again respondate.	f this form) a t be done only nsible for all	nd the petition by by one of the associated cos	er is researcher is sign posts. The	sponsible for sters on the e zoning no	or all printing e approved otice sign m	g/posting list and lust be	ng costs. Any the petitioner visible on the
2.	DEADLINE: Ta formal request for a p	est for a pub	lic hearing. I	Please u	understand	that even	if there	000 feet to file is no formal
3.	ORDER: After commissioner order that the within 10 days whether the permailed to you be	He may: (a matter be set s of the clos etition has bee	a) grant the re in for a public ing date if all en granted, de	quested hearing. County	relief; (b) You will re agencies'	deny the re eceive writte comments	queste n notific are re	d relief; or (c) cation, usually ceived, as to
4.	POSSIBLE PL (whether due commissioner) changed giving posted, certific this office.	to a neighbo , notification a notice of the	or's formal req will be forwar hearing date,	uest or ded to time an	by order or you. The d location.	of the zoning sign on the As when the	ng or d ne prop ne sig <del>n</del>	leputy zoning erty must be was originally
			(Detach Alo	ng Dotted Li	ne)			
Petitio	oner: This Par	t of the Form	is for the Sig	n Poste	r Only			
		USE THE AD	MINISTRATIV	E VARIA	ANCE SIGN	FORMAT		
Case I	Number 2010-	0210 -A	Address	8013	NORRIS	LANE		
Petitio	ner's Name	MCCLAIN			Т	elephone <u>+</u>	110-2	85-7046
Postir	ng Date:	2/14/10		Clo	sing Date:	3/1/10	)	
Wordi	ng for Sign:	o Permit AN	ACCESSORY	STRUC	TURE (G	ARAGE) U	JITH A	HEIGHT
	OF 22-FE	ET IN LIE	U OF THE !	MAXIM	um PERM	ITTED E	5-FEE	Τ.
<del></del>				-				

# 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.

For Newspaper Ac	
Item Number or Cas	se Number: 2010 - 0210 - A
Petitioner:	McCLAIN
Address or Location	1: 8012 NORRIS LANE
•	
PLEASE FORWAR	D ADVERTISING BILL TO:
Name:	MR. WILLIE MCCLAIN, TR
Address:	8012 NORRIS LANE
	DUNDALK, MD 21222
Telephone Number	410-285-7046

Revised 2/20/98 - SCJ

				Rev	Sub	Date:	- 164	2040	
Fund	Dept	Unit	Sub Unit	Source/ Obj	Rev/ Sub Obj	Dept Obj	BS Acct	Amount	
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						3 4	+01.0450	1	

# CERTIFICATE OF POSTING

Detitioner/Developer
Petitioner/Developer
The chain
Date Of Hearing/Closing. 3/1/10
partment of nent Management p.Room 111 pe Avenue
were posted conspicuously on the properties North LANE
Month Day Year
Month, Day, Year Sincerely,  Mofunda 2/14/10
Month, Day, Year Sincerely,
Month, Day, Year
Month, Day/Year Sincerely,  Maltache 2/14/10  Signature of Sign Poster and Date
Month, Day/Year Sincerely,  Maftache 2/14/10  Signature of Sign Poster and Date Martin Ogle 60 Chelmsford Court Baltimore, Md, 21220
Signature of Sign Poster and Date  Martin Ogle  60 Chelmsford Court





JAMES T. SMITH, JR. County Executive

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

March 01, 2010

Willia James & Wanda Denise McClain 8012 Norris Ln. Dundalk, MD 21222

Dear: Willia James & Wanda Denise McClain

RE: Case Number 2010-0210-A, 8012 Norris 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 03, 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 Rich

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

DATE: February 25, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

**Zoning Advisory Committee Meeting** 

For March 8, 2010

Item Nos. 2010-192, 209, 210, 211, 212, 214, 215, 216, 217 and 218

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-03082010 -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: FEB. 25, 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 -0210-A

8012 NORRIS LN. McCLAIN, 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 - . 0210-A.

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

Very truly yours,

Steven D. Foster, Chief **Engineering Access Permits** 

Division

SDF/mb

# BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** March 18, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 10-210 - Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 22 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

- 1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 2. The accessory structure shall not be used for commercial purposes.

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

AFK/LL: CM

#### **BALTIMORE COUNTY, MARYLAND**

#### **Inter-Office Correspondence**



**RECEIVED** 

APR 12 2010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

April 12, 2010

SUBJECT:

Zoning Item # 10-210-A

Address

8012 Norris Lane

(McClain Property))

Zoning Advisory Committee Meeting of February 22, 2010.

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

Reviewer:

JWL

Date: 4/12/10

#### Patricia Zook - Cases 2010-0209-A and 2010-0210-A - comments needed

From:

Patricia Zook

To:

Murray, Curtis

Date:

3/11/2010 2:12 PM

Subject:

Cases 2010-0209-A and 2010-0210-A - comments needed

CC:

Bostwick, Thomas

#### Hello Curtis -

The below administrative variance cases need Planning comments:

#### CASE NUMBER: 2010-0209-A

306 Kaufman Road

Location: N side of Kaufman Road; 350 feet E of Bentley Road.

7th Election District, 3rd Councilmanic District

Legal Owner(s): Stephen W. and Catherine S. Carroll

Closing Date: 3/1/2010

ADMINISTRATIVE VARIANCE To permit a proposed addition (sunroom) with a lot line setback of 42 feet in lieu of the minimum required 50 feet, and if necessary (if Kaufman Road is realigned), a street centerline setback of 72 feet in lieu of the minimum 75 feet.

#### CASE NUMBER: 2010-0210-A

8012 Norris Lane

Location: NW side of Norris Lane; 225.44 feet NE of the c/l of North Point Road.

15th Election District, 7th Councilmanic District

Legal Owner(s): Willie J. McClain Jr. and Wanda McClain

Closing Date: 3/1/2010

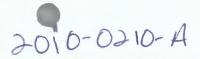
ADMINISTRATIVE VARIANCE To permit an accessory structure (garage) with a height of 22 feet in lieu of the maximum permitted 15 feet.

Thanks for your help.

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

410-887-3868

pzook@baltimorecountymd.gov



\* NONE \*



**Exempt Class:** 

Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search (2007 vw1.1d)

Go Back View Map New Search

		Ow	ner Informa	ation					
Owner Name: MCCLAIN WILLIE J,JI MCCLAIN WANDA  Mailing Address: 8012 NORRIS LN BALTIMORE MD 2122		ANDA S LN	Use: Principal Residence: Deed Reference:				RESIDENTIAL YES 1) /23505/ 292 2)		
			k Structure	Informa	tion		-/		
Premises Address 8012 NORRIS LN					LTS 8012	al Description 35,36 2 NORRIS LN TAGE GROVE PA			
Map Grid Parcel 103 6 583	Sub District	Subdivision	Section I	Block I	ot Asses	ssment Area	Plat No: Plat Ref:	6/ 17	
Special Tax Areas	A	own d Valorem ax Class							
Primary Struc			ed Area 72 SF		Property La 6,250.0		County 04		
Stories 2	<b>Basem</b> NO			STANDA	ype ARD UNIT		Exterio SIDINO		
			lue Informa						
	Base Value	Value As Of 01/01/2009	Phase-in A As O 07/01/2009	f	As Of 01/2010				
Land Improvements: Total:	181,030	62,060 246,550 308,610	244,93	n	276,770				
Preferential Land:		0	, , , , ,	0	0				
		Tra	nsfer Inforn	nation					
Seller: MCCLAIN WAN Type: NOT ARMS-LEI				Date: Deed1:	03/09/2006 /23505/ 29				
Seller: TAYLOR CLARE Type: NOT ARMS-LE				Date: Deed1:	10/09/2003 /18935/ 30		\$0 <b>2:</b> /18935/ 3	03	
Seller: CREIGHTON BI Type: NOT ARMS-LEF				Date: Deed1:	10/08/1948	Price: Deed:			
		Exen	nption Infor	mation					
Partial Exempt Asses County State	sments		Cla: 000 000		07/01/2009 0 0	0			
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