IN RE: PETITION FOR ADMIN. VARIANCE

W side of Old Pimlico Road; 243 feet S of the c/l of Bore Road

3rd Election District

2nd Councilmanic District

(6804 Old Pimlico Road)

Joan M. Flynn and Joseph Bradley Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0242-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, Joan M. Flynn and Joseph Bradley for property located at 6804 Old Pimlico Road. The variance request is from Sections 1B02.3.B and 301 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (carport) with a front yard setback of 17 feet in lieu of the required 18.75 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose to install a carport addition measuring 5 feet x 20 feet to protect their vehicles. The only logical location of the carport addition to be constructed is as depicted on the site plan.

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 March 24, 2010 which indicates that the Office does not oppose the requested variance. There are similar carport and garage structures in the immediate neighborhood at 6814 and 6816 Old Pimlico Road.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 28, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER REC	CEIVED FOR FILIN	IG
Date	4.19.10	
Pv.	000	

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.

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 4.19.10



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

April 19, 2010

JOAN M. FLYNN AND JOSEPH BRADLEY 6804 OLD PIMLICO ROAD BALTIMORE MD 21209

Re: Petition for Administrative Variance

Case No. 2010-0242-A

Property: 6804 Old Pimlico Road

Dear Ms. Flynn and Mr. Bradley:

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,

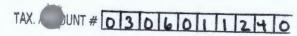
THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure





REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6804 OLD PinLico ROAD which is presently zoned DR 5.5

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)

see attached

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:	Legal Owner(s):
	JOAN M. FIYNN
Name - Type or Print	Name - Type or Print
Signature	Signature Joseph Bred
Address Telephone No.	Name - Type or Print C410-1017-271
City State Zip Code Attorney For Petitioner:	6804 Old Pimlico ROAD (416) 484-7
	Address Telephone No. BALTIMUNE MARYIAWD 21209
Name - Type or Print	City State Zip Code
Signature ORDER RECEIVED FOR FILING	Representative to be Contacted:
	JOSEPH BRADLEY C410)617.2
Company Date 4.(9.10	6804 010 Pinchico ROAD (46) 977-
Address By Telephone No.	Address Telephone No. BALTIMORE MARY MND Z1209
City State Zip Code	City State Zip Code
A Public Hearing having been formally demanded and/or found to be this day of, that the subject matter of tregulations of Baltimore County and that the property be reposted.	required, it is ordered by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning Zoning Commissioner of Baltimore County
CASE NO. 2010-0242-A Rev	viewed By Bh Date 3/15/10

Estimated Posting Date

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.

competent to testify thereto in the event that a p	within the personal know bublic hearing is scheduled	viedge of the Afriant(s) and t in the future with regard there	nat Affiant(s) is/are eto.
That the Affiant(s) does/do presently reside at	6804 Old Pi	mlico ROAD	
	BALTIMORE	MARYLAND	21209
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	owing are the facts upon vip or practical difficulty):	which I/we base the request for	or an Administrative
We are requesting the Zoning Commissioner of Baltimore County opportunity to improve the front of our house by expanding the ex 22' in width as opposed to the existing carport which measures 10 back we are unable to place the garage in any other location on the	isting carport to accommodate a sin ' in width. Although this does bring	gle car garage. We will have a completed	garage that measures
The practical difficulty of locating the garage on any other side of easement on the east side of our property; secondly the overhead ufinally the existing home and properly line prohibit us from placing	ntility lines that cascade on the north		
Although the east side offers us the most property it would be a full it if improvements or repairs along that easement, we would incur infrastructure between Old Pimlico Road and Pimlico Drive.			
One of the many reasons we recently occupied this home is becau become more of an obstacle rather than an exercise opportunity. A vehicle thereby protecting our financial investment of the car, and	provision of this variance by the co	ommissioner would also offer a more sec	ure location for our
We are appreciative of your review of our request and ask that you	u grant the administrative variance v	we have presented to you.	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, A additional information.	ffiant(s) will be required to p	ay a reposting and
Signature Voses Bred	Signature	lan m the	
Name - Type or Print	Name - T	ype or Print	1
		÷	
STATE OF MARYLAND, COUNTY OF BALTIN	A		URO
of Maryland, in and for the County aforesaid, pe	chober ersonally appeared	Zoo9, before me, a Notar	y Public of the State
Joseph Bradle	4		
the Affiant(s) herein, personally known or satisfa	actorily identified to me as	such Affiant(s).	
AS WITNESS my hand and Notarial Seal NOT NOT PUE	ARY La	reth Hoese	2
(2)	My Commission	8 / / / Bxpires	0

MORE CO.

1B02.3.B and 301 to permit an open projection (carport) with a front yard setback of 17 ft. in lieu of the required 18.75 ft.

Zoning Description

ZONING DESCRIPTION FOR 6804 Old Pimlico road

Beginning at a point on the East side of Old Pimlico Road

which is 28' wide at the distance of 243.38' south of centerline of the nearest improved intersecting street Bare Road which is 25.0' wide.

* Being Lot# 20, Block G, section #1, in the subdivision of Summit Park as recorded in the Baltimore County Plat Book # 20, Folio #149, containing 8102.16 square feet. Also known as 6804 Old Pimlico Road and located in the 3rd election district, 2nd Councilmanic District.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVOPMENT MANAGEMENT ZONING REVIEW

	ADIVIII	NIO	IKATIVE	VARIA	ANCE	NEOKIV	A HON SE	166	IAN	DUAI	<u> </u>	
Case	Number 20	10-	0242	-A	A	Address _	6800	4 (Old	Pim	110	RD.
Conta	ct Person:		Brun 3 Planner,	Rad. Please Pr	a. tis int Your Nam	ne		Pho	ne Nu	ımber: 4	110-8	387-3391
Filing	Date:	3/1	5/10	-	Posting	Date: _	3/28/10		Closi	ng Date	:	4/12/10
	ontact mad the conta						of the adr	minis	trative	variand	ce s	hould be
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2.	a formal r	eque	est for a pi	ublic he	earing.	Please u	n occupant of inderstand the inderst	that	even	if there	00 fe	eet to file to formal
3.	commissio order that the within 10 whether the	ner. the r days e pe	He may: natter be se of the clo	(a) gra et in for sing d een gra	ant the re a public late if al	equested hearing. Il County	reviewed b relief; (b) d You will red agencies' will go to pu	leny ceive comr	the re writte nents	quested n notific are red	l reliation	ef; or (c) n, usually ed, as to
4.	(whether of commission changed g	due ner), iving	to a neighl notification notice of th	por's fo n will b ne hear	ormal re- be forwaring date	quest or orded to orden an	: In cases to by order or you. The discation. In the phone of the alto the contract of the con	f the sign As w	zonii on the	ng or de ne prope ne sign v	eput erty was	y zoning must be originally
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		_					NCE SIGN					
Case I	Number 201	10-L	0242	Д	Address	68	64 012 Te	RP.	mli	co Ro	l.	
Petitio	ner's Name		Juseph B	radley	+ 10	an FLyn	Te	eleph	one _	410- 9	77-	0247
Postir	g Date:		3/28/1	6		Clo	sing Date:		4/1	2/18		
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

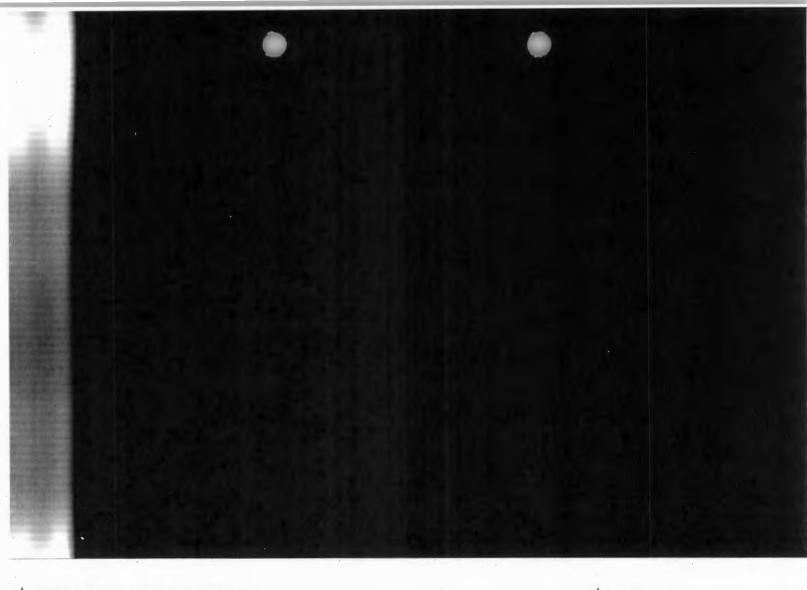
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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 Num	ber or Case Number: 2010 - 0242 - A
Petitioner:	JOSETH BREDLEY
Address o	r Location: 6804 old Pimlico Romb
PLEASE I	FORWARD ADVERTISING BILL TO:
Name:	Joseph Breadley
	GBOY and PIMILLE ROMD
Address.	



OFFICE	E OF BUI	DGET AN	MARYLANI D FINANC RECEIPT	E		No.	-	222		± 3
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DISTRIBL		PINK - AG	ENCY	YELLOW -	CUSTOME	R	GOLD - AC	COUNTING		CAS VAL

PLEASE PRESS HARD!!!!

11/1/1

William D. Gulick, Jr.
Baltimore County Approved Sign Poster
Notary Public
2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

LETTER OF TRANSMITTAL

TO: BALTO. GOUNTY, PON ZONING OFFICE	000110.2010 000
ATTENTION: MG. KRIGTEN MATTHEWS	RE: # 6804 OLD PIMLICO ROAD CASE NO.: 2010-0242-A
WE ARE SENDING YOU Attached	Under separate cover the following items:
Copy of letter Prints Documents	Other
1 3.28.10 CERT. OF	scription POSTING OTOS
TRANSMITTALS are as checked below: For approvalFor your useAs requOther	estedFor review and comment
REMARKS: LAURA SUBMITTA	ACCIAN D. GULJCK, JR.
JOSEPH BRADLEY CO: JOAN FLYNN	
File #	7 . 0

CERTIFICATE OF POSTING

Department of Permits & Development Management Baltimore County 111 W. Chesapeake Avenue Room 111 Towson, MD 21204 Date: MARCH 29,

ZONING OFFICE Attention: MS KRISTEN MATTHEWS

Re: Case Number: 2010 - 0242-A.

Petitioner/Developer: JOSEPH BRAOLEY & JOAN FLYNN

Date of Hearing/Closing: APRIL 12, 2010

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: 6804 OLD PIMLICO ROLLO

The sign (s) were posted on: MARCH 28, 2010

William D. Gulick, Jr.

2944 Edgewood Avenue Baltimore, MD 21234 (410) 530-6293

SEE ATTACHED SITE PHOTOS



VARIANCE

CASE # 2010-0242-A
TO PERMIT A FRONT YARD
SETBACK OF 17' FOR AN OPEN
PROJECTION (CARPORT) IN LIEU
OF THE REQUIRED 18.75 FT.

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 APRIL 12, 2010 ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT BIT W. CHESAPEARE AVE. TEL. 887-3391 (410)

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MEETING IS HANDICAP ACCESSIBLE



000

PIMLICO

ROAD



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

April 13, 2010

Joan Fiynn & Joseph Bradley 6804 Old Pimlico Rd. Baltimore, MD 21209

Dear: Joan Fiynn & Joseph Bradley .

RE: Case Number 2010-0242-A, 6804 Old Pimlico Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 15, 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 March 8,2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 22, 2010

Item Numbers: 0237,0238,0239,0240,0241,0242,0243,0244 and 0245

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

Development Management

Department of Permits &

DATE: March 24, 2010

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 5, 2010

Item Nos. 2010-238, 239, 240, 241,

242 and 245

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-04052010 -NO COMMENTS.doc



Inter-Office Correspondence



RECEIVED

TO:

Timothy M. Kotroco

ZONING COMMISSIONER

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

April 29, 2010

SUBJECT:

Zoning Item # 10-242-A

Address

6804 Old Pimlico Road (Flynn/ Bradly Property)

Zoning Advisory Committee Meeting of March 22, 2010

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

Reviewer:

JWL

Date: 4/29/10



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

MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: WARCH 21, 2010

Ms. Kristen Matthews Baltimore County Office Of Permits and Development Management County Office Building, Room 1.09 Towson, Maryland 21204

Baltimore County RE:

Item No. 2010 - 0242-A 6804 OLD PIMLICO RD FLYNN/BRADY 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. 2016 -. 0242-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,

Engineering Access Permits

Division

SDF/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 24, 2010

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) 10-242- Administrative Variance

The petitioner requests an administrative variance for a setback of 17' in lieu of 18 3/4 'for a side-entered carport that may be converted to a garage in the future.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the requested variance. There are similar carport and garage structures in the immediate neighborhood at 6814 and 6816 Old Pimlico Road.

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

Prepared By:

CM/LL





Go Back View Map New Search

Account Identifier:	District - (3 Account Nu	mber - 030	0601124	0					
		Ov	vner Infor	mation						
Owner Name: Mailing Address:	4	Use: Principal Residence: Deed Reference:					RESIDENTIAL YES 1) /23709/ 174 2)			
		Location	& Structur	e Infori	matior	1				
Premises Address						Legal Des	scription			
6804 OLD PIMLICO RD				0804 OLD PIMLICO RD SUMMIT PARK						
Map Grid Parcel S	ub District	Subdivision	Section 1	Biock G	Lot 20	Assessmen 2		Plat No: Plat Ref:	20/ 14	
Special Tax Areas	A	own d Valorem ax Class								
Primary Structo 1956	ıre Built		ed Area 12 SF	,,				County Use 04		
Stories 1	Basem NO	ent		Type STANDARD UNIT				Exterior SIDING		
		V	alue Infor	mation						
	Base Value	Value As Of 01/01/2008	Phase-ii As 07/01/20	of Of		s Of				
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Preferential Land:	0	0	nsfer Info	0		0				
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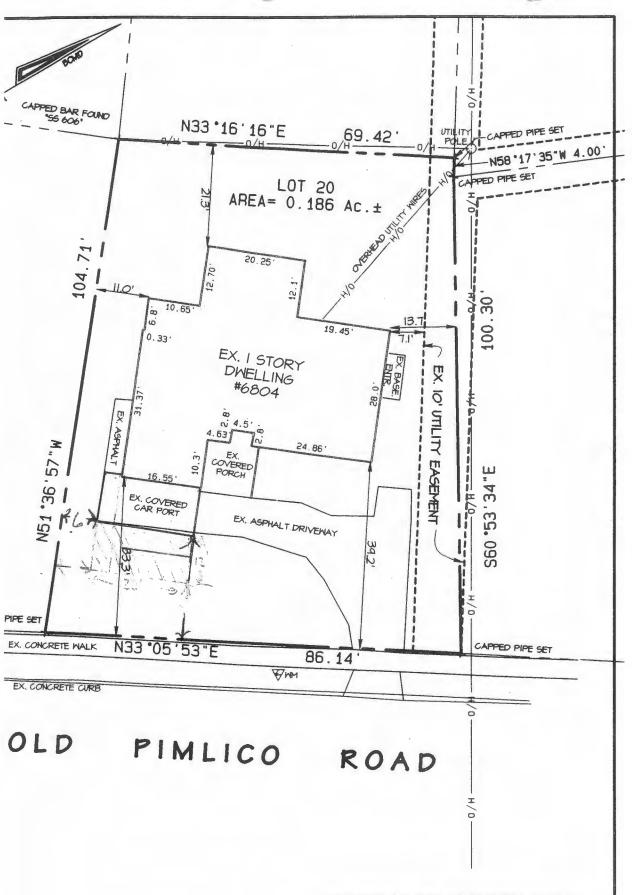
6804 old Pimlico Rd.



6802 ad Pinalico Rd.



6806 all Pinlicord



- I. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- 2. BEING LOT 20, SECTION I PLAT OF SUMMIT PARK PLAT LIBER 20, FOLIO 149

Λ· · · · · · · · · · · · · · · · · · ·	PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE PROPERTY ADDRESS 6804 Old PIMILEO ROAD SEE PAGES 5 8 6 OF THE CHECKLIST F	
	SUBDIVISION NAME SUMMIT PARK	
	PLAT BOOK # ZO FOLIQ # 149 LOT # ZO SECTION # 1	
	OWNER JOAN M. Flynn I Joseph Breadly	Hurd Dr. Subject Property
à		The state of the s
	Lot#16 Lot#15 Lot#14	Forest Green Rd. Micarol Rd.
	John Grand D. Melisso R. Richmond	VICINITY MAP SCALE: 1" = 1000'
	John Gregory Ross	LOCATION INFORMATION
	Ex. Dwelling [] Ex. Dwelling	ELECTION DISTRICT 3
	6802 19.45 Ex. 1 Story 8	COUNCILMANIC DISTRICT 2
	Dwelling 7 0 2 2 7 0 7 7 7 7 7 7 7 7 7 7 7 7 7 7	1"=200' SCALE MAP # 079A1
	A 345 16,55 0 0 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ZONING DR 5.5
	3.45 /6.55' 0 Ex. Covered	LOT SIZE 0.186 8.102.18 ACREAGE SQUARE FEET
	Lot #19 Serveney 2 Serveney 3 Serveney 4 Serveney	PUBLIC PRIVATE SEWER []
	Proposed Lot#20	WATER (
~ · * .	Ex concrete Welk N33°05'53'E 86.14'	CHESAPEAKE BAY
	Ex. Concrete Curb	100 YEAR FLOOD PLAIN
	Old Pimlico Rd.	HISTORIC PROPERTY/
		PRIOR ZONING HEARING NONE
* *	NORTH	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #
	PREPARED BY SCALE OF DRAWING: 1" = 30'_	Bn 0242 2010-0242-A