

IN RE: PETITION FOR ADMIN. VARIANCE
180 feet S of Beaver Dam Road (on a private
road known as Old Mill Road)
8th Election District
3rd Councilmanic District
(13025 Beaver Dam Road)

Mary Beth Fitzpatrick
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2010-0281-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, Mary Beth Fitzpatrick for property located at 13025 Beaver Dam Road. The variance request is from Section 103.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") [Section 1A03.4.B.4 of the 1975 Zoning Regulations Bill No. 98-75] to permit a proposed dwelling addition with a lot line setback as close as 35 feet in lieu of the minimum required 50 feet, and to amend the latest Final Development Plan for Bishops Pond, Lot 4 only. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a dwelling addition measuring 13 feet x 24 feet to accommodate the growing family. Due to the home's existing interior layout, this is the only location where the addition can be logically constructed. The existing dwelling was constructed in 1899 long before the imposition of zoning on the property. The property contains 6.82 acres and is served by private water and sewer, and is further encumbered by the 100 year floodplain, 10 feet drainage and utility easement, 10 feet stormwater right-of-way, 100 feet greenway easement, and forest buffer area.

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.

ORDER RECEIVED FOR FILING

Date 5.13.10

By RJ

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on April 23, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 13th day of May, 2010 that a Variance from Section 103.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") [Section 1A03.4.B.4 of the 1975 Zoning Regulations Bill No. 98-75] to permit a proposed dwelling addition with a lot line setback as close as 35 feet in lieu of the minimum required 50 feet, and to amend the latest Final Development Plan for Bishops Pond, Lot 4 only 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.

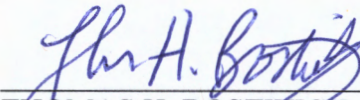
ORDER RECEIVED FOR FILING

Date 5.13.10

2

By [Signature]

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 5.13.10

By pm



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 13, 2010

MARY BETH FITZPATRICK
13025 BEAVER DAM ROAD
COCKEYSVILLE MD 21030

Re: Petition for Administrative Variance
Case No. 2010-0281-A
Property: 13025 Beaver Dam Road

Dear Ms. Fitzpatrick:

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 black ink, appearing to read "John H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13025 Beaver Dam Rd
which is presently zoned RC4

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) 103.3, BCZR (Section 1A03.4.B.4 of the 1975 Zoning Regulations, Bill #98-75) to permit a proposed dwelling addition with a lot line setback as close as 35 feet in lieu of the minimum required 50 feet, and to amend the latest Final Development Plan for Bishops Pond, Lot 4 only.

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):

Name - Type or Print _____
Signature Mary Beth Fitzpatrick
Name - Type or Print Mary Beth Fitzpatrick
Signature _____
Address 13025 Beaver Dam Rd Telephone No. 410 935 1508
City Cockeysville State MD Zip Code 21030

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.

OFFICE OF THE ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

CASE NO. 2010-0281-A

REV 10/25/01

Zoning Commissioner of Baltimore County

Reviewed By JNP Date 4/15/2010

Estimated Posting Date 4/25/2010

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 13025 Beaver Dam Rd
Address Cockeyville MD 21030
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):

*We need Another Bedroom
For our new child. This was The only Exterior
wall on The house That we had Access To From The
Inside do To The Existing LAYout. Also The Location
OF The well and Septic Limited our options.
The grade AT This Location will Allow The Addition
NOT TO EFFECT water Run off, which has Been A
Problem in The Past*

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.

Mary Beth Fitzpatrick
Signature

Signature

Mary Beth Fitzpatrick
Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of April, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mary Beth Fitzpatrick
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Lolita Justice
Notary Public

My Commission Expires

Zoning Description for
13025 Beaver Dam Road

Beginning at a point 180-feet south of the centerline of Beaver Dam Road on a private road known as Old Mill Road with a distance of 477-feet south ^{east} ~~west~~ of the centerline of Crestview Road. Being the same property and recorded among land records of Baltimore County in Plat Book 65, Folio 20 and known as Lot 4 in the subdivision of ^{Bishops Pond} ~~Carroll Property~~ totaling 6.8268 acres. Also known as 13025 Beaver Dam Road and located in the 8th Election District and 3rd Councilmanic District.

2010-0281-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0281 -A Address 13025 Beaver Dam Road

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/15/2010 Posting Date: 4/25/2010 Closing Date: 5/10/2010

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

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2010- 0281 -A Address 13025 Beaver Dam Road
Petitioner's Name Mary Beth FitzPatrick Telephone 410-935-1508 (work)
410-229-9912 (Home)
Posting Date: 4/25/2010 Closing Date: 5/10/2010
Wording for Sign: To Permit a proposed dwelling addition with a lot line setback as close as 35 feet in lieu of the minimum required 50 feet, and to amend the latest Final Development Plan for Bishops Pond, Lot 4 only.

Revised 8/20/09

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

No. **53221**

Date: **4/15/2010**

PAID RECEIPT

BUSINESS ACTIVITY TIME 300
 4/15/2010 4/15/2010 10:49:03 1

REC 0501 WALKIN TRIC JR
 RECEIPT N 45009 4/15/2010 DEUM

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
000	000	0000		6150						115.00

5-328 ZONING CERTIFICATION
 OF NO. 053221
 Recpt Int 115.00
 \$115.00 CR 4.00 CA
 Baltimore County, Maryland

Total: **115.00**

Rec From: **F. Spatton**
 For: **Alan Vaughan - 13025 Beaver Dam Road**
271-001-A (F. Spatton)

**CASHIER'S
 VALIDATION**

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

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. COUNTY, FDM
ZONING OFFICE

DATE: 4.27.2010
JOB NO. SP-013
RE: 2010-0281-A

ATTENTION: MS KRISTEN
MATTHEWS

13025 BEAVER DAM RD

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover the following items:

☐ Copy of letter ☒ Prints ☒ Documents ☐ Other

No. of copies	Date	Description
1	4.23.10	CERT. OF POSTING
2	4.23.10	SITE PHOTOS

TRANSMITTALS are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review and comment

☐ Other

REMARKS: LAURA SUBMITTAL

SIGNED:

William D. Gulick, Jr.
WILLIAM D. GULICK, JR.

cc:

MARK HARMON

File #

CERTIFICATE OF POSTING

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

Date: 4-23-2010

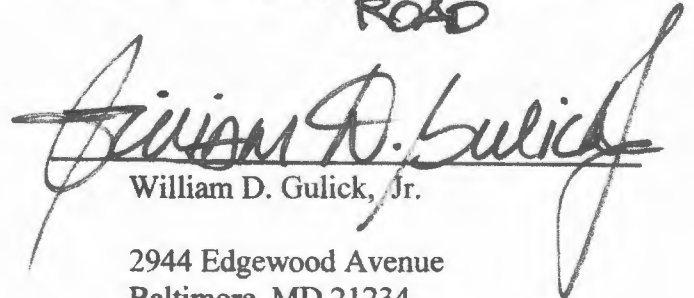
ZONING OFFICE
Attention: MS KRISTEN MATTHEWS

Re: Case Number: 2010-0281-A
Petitioner/Developer: MARY BETH FITZPATRICK
Date of Hearing/Closing: MAY 10, 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: 13025 BEAVER DAM
ROAD

The sign (s) were posted on:

APRIL 23, 2010



William D. Gulick, Jr.

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

SEE ATTACHED SITE PHOTOS





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

May 10, 2010

Mary Beth Fiti Patrick
13025 Beaver Dam Rd.
Cockeysville, MD 21030

Dear: Mary Beth Fiti Patrick

RE: Case Number 2010-0281-A, 13025 Beaver Dam Rd.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 28, 2010

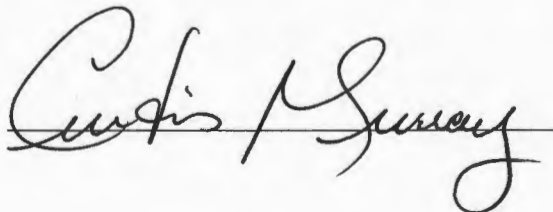
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-281- Administrative Variance**

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

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

Prepared By:
CM/LL



RECEIVED

APR 28 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 3, 2010
Item Nos. 2010- 273, 274, 276, 277,
278, 279, 280 and 281

DATE: April 23, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05032010 -NO COMMENTS.doc



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

State Highway
Administration

Beverly K. Swalm-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: May 4, 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. 2010-0281-A
13025 BEAVER DAM RD
PATRICK 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. 2010-0281-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

AV
5-10-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 09 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: June 9, 2010
SUBJECT: Zoning Item # 10-281-A
Address 13025 Beaver Dam Road
(Fitzpatrick Property)

Zoning Advisory Committee Meeting of April 19, 2010

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

A Forest Buffer Easement must be established and recorded in Land Records along with its Declaration of Protective Covenants to meet water quality regulations.

A Single Lot Declaration of Intent may be filed to address Forest Conservation Law. – Glenn Shaffer; *Environmental Impact Review*

Any proposed addition (bldg. permits) will be subject to Groundwater Mgmt. Section review, since the site has well and septic. – Dan Esser; *Groundwater Management*



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3d)

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

Account Identifier: District - 08 Account Number - 2200013375

Owner Information

Owner Name:	FITZPATRICK MICHAEL A FITZPATRICK MARY BETH	Use:	RESIDENTIAL
Mailing Address:	13025 BEAVER DAM ROAD COCKEYSVILLE MD 21030-1501	Principal Residence:	YES
		Deed Reference:	1) /14900/ 528 2)

Location & Structure Information

Premises Address	Legal Description
13025 BEAVER DAM RD	6.8268 AC 13025 BEAVER DAM ROAD SS CARROLL PROPERTY

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
51	2	666					4	2	Plat Ref: 65/ 20

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1899	2,048 SF	6.82 AC	04
Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	223,650	298,200		
Improvements:	195,420	211,840		
Total:	419,070	510,040	479,716	510,040
Preferential Land:	0	0	0	0

Transfer Information

Seller: SEWELL JOHN M	Date: 01/03/2001	Price: \$239,000
Type: IMPROVED ARMS-LENGTH	Deed1: /14900/ 528	Deed2:
Seller: CARROLL CHARLES R	Date: 03/11/1993	Price: \$137,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 9652/ 367	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

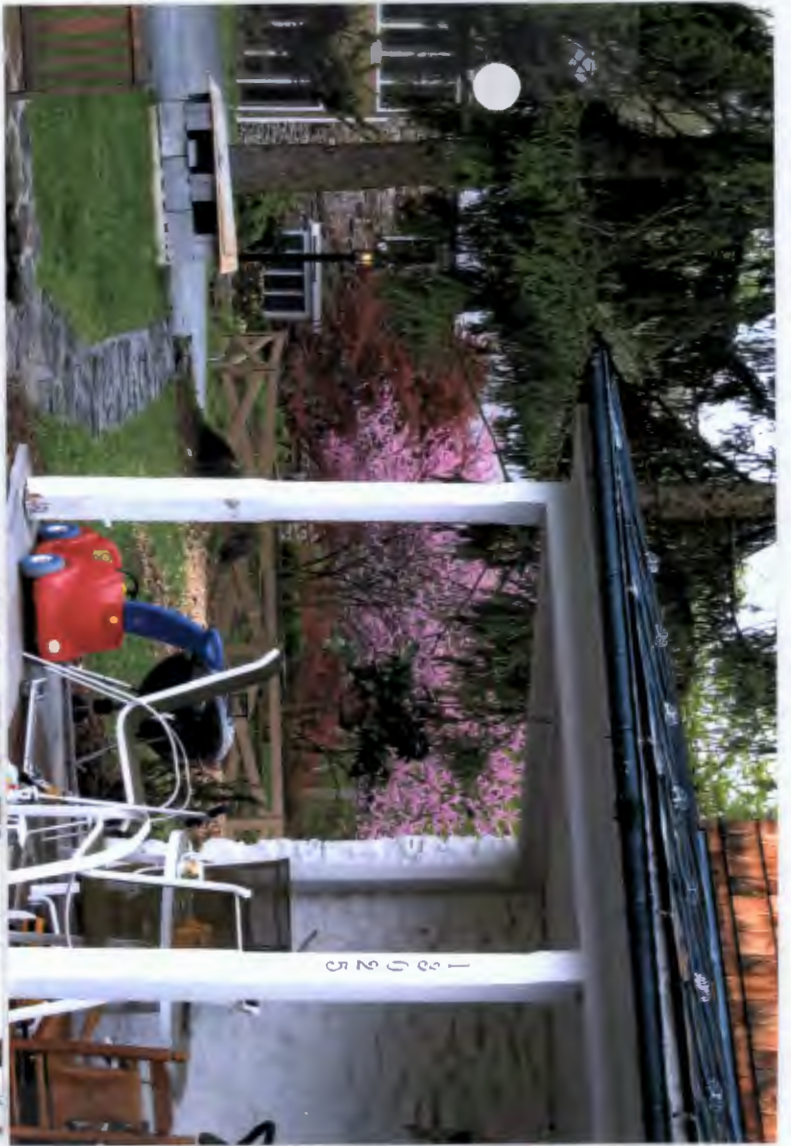
Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *





2010-0281-A

Insert 1

well

75'

106'

septic

FRONT

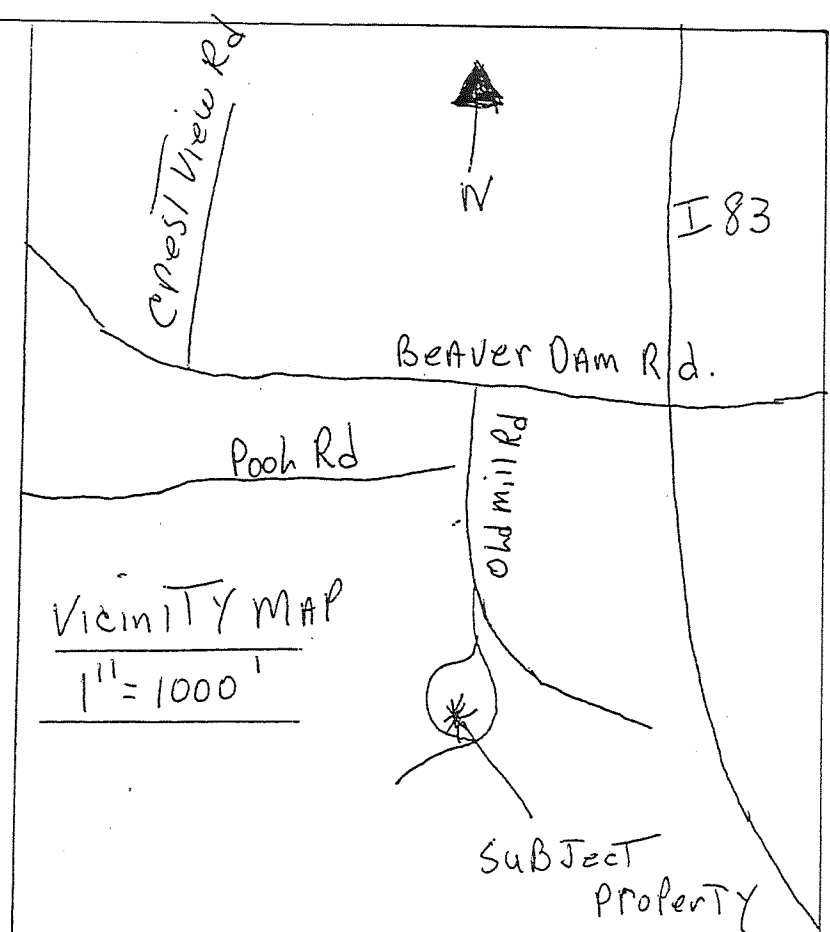
PROPOSED ADDITION

35'

105'

FRONT

Scale
1" = 50'



Location Information
Election District 8
Councilmanic Dist 1
Zone RC 4 MAP 051A1
Lot Size 6.82 AC
Sewer PRIVATE
Water PRIVATE
Chesapeake Bay C.A. ☒ Yes ☒ No
100 Year Flood Plain ☒ Yes ☐ No
Historic Property ☐ Yes ☒ No
Prior's Name

Zoning OFFICIAL use only
Reviewed by Item # Case #
JNP 0281 2010-0281-A

Scale 1" = 100'

* Plat 65/20

LOCATION SURVEY
13025 BEAVER DAM ROAD
Lot 4 - Carroll Property * 4/12/22
BALTIMORE COUNTY
MARYLAND