IN RE: PETITION FOR ADMIN. VARIANCE

S side of Hammond Avenue; 52 feet E side of Third Avenue 4th Election District 3rd Councilmanic District (304 Hammond Avenue)

Per Bogh and Kim Karlsen Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0311-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, Per Bogh and Kim Karlsen for property located at 304 Hammond Avenue. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (shed) with a height of 19 feet in lieu of maximum permitted 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners need additional storage space for their growing family. The proposed shed will have the same style, siding, window design and roof singles as on the existing dwelling. Petitioners indicate that the proposed shed will also have French doors. The property contains 1.940 acres and is served by private water and sewer.

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 May 25, 2010, which recommends 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. Additionally, the proposed structure appears to be located in the forest

ORDER R	ECEIVED FOR FILING	
Date	6.10.10	
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buffer easement/forest conservation easement. Petitioners shall consult with the Department of Environmental Protection and Resource Management to verify this is or is not an issue.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 23, 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.

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- 2. 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.
- 3. The accessory structure shall not be used for commercial purposes.
- 4. The proposed structure appears to be located in the forest buffer easement/forest conservation easement. Petitioners shall consult with the Department of Environmental Protection and Resource Management to verify this is or is not an issue.

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

Dr.



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

June 10, 2010

PER BOGH AND KIM KARLSEN 304 HAMMOND AVENUE GLYNDON MD 21071

Re: Petition for Administrative Variance

Case No. 2010-0311-A

Property: 304 Hammond Avenue

Dear Mr. and Mrs. Karlsen:

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,

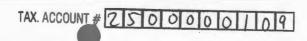
THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure





CASE NO. 7010-0311-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 304 Hammond Ax2
which is presently zoned DR 3,5

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)

To permit an occessory structure (shed) with a height of 19 Feet in lieu of moximum permitted 15-Feet

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.

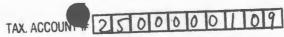
Property is to be posted and advertised as prescribed by the zoning regulations.

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 Signatur Signature ype or Print Address Telephone No. Name Signatu Zip Code State Attorney For Petitioner: Name - Type or Print ORDER RECEIVED FOR FILING Representative to be Contacted: Signature Name Company Address Telephone No. Address elephone Ne Date City Zip Code 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, 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. Zoning Commissioner of Baltimore County

Reviewed By

Estimated Posting Date



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.

Zoning Commissioner of Baltimore County



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MARYLLES	for the property located at 304 Hammond Ave which is presently zoned DR 3,5
owner(c) of the property	led with the Department of Permits and Development Management. The undersigned, legal situate in Baltimore County and which is described in the description and plat attached hereto and by petition for a Variance from Section(s) an accessory structure (shed) with a feet in Lieu of maximum penmitted
15-4EEL	
of the zoning regulations of this petition form.	of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back
I, or we, agree to pay expen	and advertised as prescribed by the zoning regulations. ses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Contract Purchaser/Lessee: Name - Type or Print Signature ype or Print Telephone No. Address City State Zip Code Signatur Attorney For Petitioner: ORDER RECEIVED FOR FILING Name - Type or Print Representative to be Contacted: Signature Name Company Date Telephone No. Address Telephone No. Address Stale City Zip Code City

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.

Estimated Posting Date

2010-0311

CASE NO.

REV 10/25/01

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 toomy and oto in and of one and a	public flearing to soriedated in the fatale with regard the lete.
That the Affiant(s) does/do presently reside at	304 Hammond Are P.O. Box 306
per DM	Glyndon Md 21071
	City State Zip Code
That based upon personal knowledge, the followard Variance at the above address (indicate hardship)	owing are the facts upon which I/we base the request for an Administrative
Buld a shed	
16' × 20119'	
1 to a constant	on attached Plat
come cidine and	style as on house
same cont sail	WE OS HOUSE
7	11 - 1 - 2 11/1/3
- same winder	on Front side class door
- double trench so	or Front, side class door
2 double windows	one a base of
- Growing family	, needs more storage space
0	
That the Affiant(s) acknowledge(s) that if a for	ormal demand is filed, Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide	additional information
Vo Hadlsen	The state of the s
Signature CONT	Signature
KIM KARISEN	Pen Boch Karlson
Name - Type of Print	Name - Type or Pript
STATE OF MARYLAND, COUNTY OF BALTIE	MORE, to wit:
I HEREBY CERTIFY, thisday of of Maryland, in and for the County aforesaid, pe	, 2010, before me, a Notary Public of the State
Maryland, in and for the county aforesaid, pe	0
the Affiant(s) herein, personally known or satisfa	
	JCE A. REID
AS WITNESS my hand and Notarial Seal	
	all (NOTARY)
_	Notary Public Parameters of the Public Paramet
	My Commission Propries CO: 0 9
REV 10/25/01	

ZONING DESCRIPTION

Zoning Description for:	304 Hamn	(property a	-	
Beginning at a point on th	neSou	th	side of	
	(north, so	outh, east, or v	west)	
Hammond Avenue		which is	30 feet_	
Hammond Avenue (name of street on which)	property fronts)	(nui	mber of feet of right-of-	way width)
wide at the distance	52 985 feet		east	of the
(1	number of feet)	(north	, south, east, or west)	
centerline of the nearest in	mproved intersec	ting street		
			(name of street)	
which is50 (number of feet	feet	wide. *	Being Lot #	3,
		out division	ala.	
Block, Section #(96-085-M)	, in the	minor of	_David Walsh property_ (name of s	(96-085-m) ubdivision)
containing 1,940 Ac	Also kno	wn as304	Hammond Avenue	
(square feet or			(property ad	dress)
and located in the4tl	h_ Election Dist	rict,3rd	Councilmanic Dist	trict.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES
Case Number 2010- 0311 -A Address 304 Hammond Avenue
Contact Person: Deffrey Perlow
Filing Date: 5/1/2010 Posting Date: 5/23/2010 Closing Date: 6/7/2010
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
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.
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- 0311 -A Address 304 Hammond Avehue
Petitioner's Name Karben Telephone 443-797-3458
Posting Date: 5/23/2010 Closing Date: 6/1/2010
Wording for Sign: To Permit a proposed accessory building (shed) with a height of 19 feet in lieu of the maximum permitted 15 feet.

			D FINANC RECEIPT Sub Unit		Sub Rev/	No. Date:	539	Amount	स्तुत् भग्नु	EHT \$ 683207 5/11/2010
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						Total:		65,00		
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For:	A.J.,	Vo.	A (Ko	-304	Henr	unond	Avenu	C		
			2					TE SYELL		CASHIER'S

CERTIFICATE OF POSTING

RE: Case No 2010-0311-A

Petitioner/Developer KARLSEN

Date Of Hearing/Closing: 4/7/10

Baltimore County Department of Permits and Development Management County Office Building,Room 111 111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen

This sign(s) were posted on ____

Mous 23, 2010
Month,Day,Year
Sincerely,

Signature of Sign Poster and Date
Martin Ogle
60 Chelmsford Court
Baltimore,Md,21220
443-629-3411

ZORING NOTICE

ADMINISTRATIVE

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VARIANCE

TO REALT A PROPERSO ACCESSIONE DAILDING
(SHID) WITH A MALANT OF 17 FALST IN LAW
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PUBLIC HEARING?

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REQUEST A PUBLIC HEARING CONCERNING
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maden of 5/23/2010



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

June 7, 2010

Per Bogh and Kim Karlsen 304 Hammond Ave. Glyndon, MD 21071

Dear: Per Bogh and Kim Karlsen

RE: Case Number 2010-0311-A, 304 Hammond Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 11, 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,

u. Cul Ribil D

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 May 27,2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 17th, 2010

Item Numbers: 0176,0230,0295,0296,0297,0298,0299,0300,0301,0303,0304,0306 and 0307-0312

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

DAI

DATE: May 18, 2010

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 31, 2010

Item Nos. 2010- 176, 230, 295, 296, 297, 298, 299, 301, 303, 304, 306, 307

311 & 312

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-05312010 -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: 10-311 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 19 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.

Additionally, the proposed structure appears to be located in the FBE/FCE. The petitioner shall consult with DEPRM to verify this is or is not an issue.

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

RECEIVED

DATE: May 25, 2010

MAY 2 5 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: MAY 19, 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. 2010-0311-A 304 HAMMOND AVE. KARISEN 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.

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

CHECKLIST

Received	<u>Department</u>	No Comment
5-18-10	DEVELOPMENT PLANS REVIEW	nc
	DEPRM	
5-27-10	FIRE DEPARTMENT	nc
5-25-10	PLANNING (if not received, date e-mail sent)	n C supports my conditions
5-19-10	STATE HIGHWAY ADMINISTRATION	nc
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLAT	TON (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER AD	VERTISEMENT Date:	
SIGN POSTING	Date: 5-23-10	
PEOPLE'S COUN	SEL APPEARANCE Yes No	na
PEOPLE'S COUN	SEL COMMENT LETTER Yes No	
Comments, if any:	OP supports with 2 conditions	

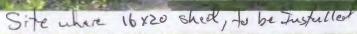




Go Back View Map **New Search**

Account Identifier:	District - (04 Account N	u mber - 250	0000109					
		Owi	ner Informa	tion					
Owner Name: Mailing Address:	ER B IMBERLEY S DND AVE ID 21136-1044	ĺ	Use: Principal Residence: Deed Reference:			RESIDENTIAL YES 1) /26803/ 243 2)			
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Premises Address 304 HAMMOND AVE					1 3	egal Desc .936 AC 04 HAMMO ND OF THI	ND AVE	ss	
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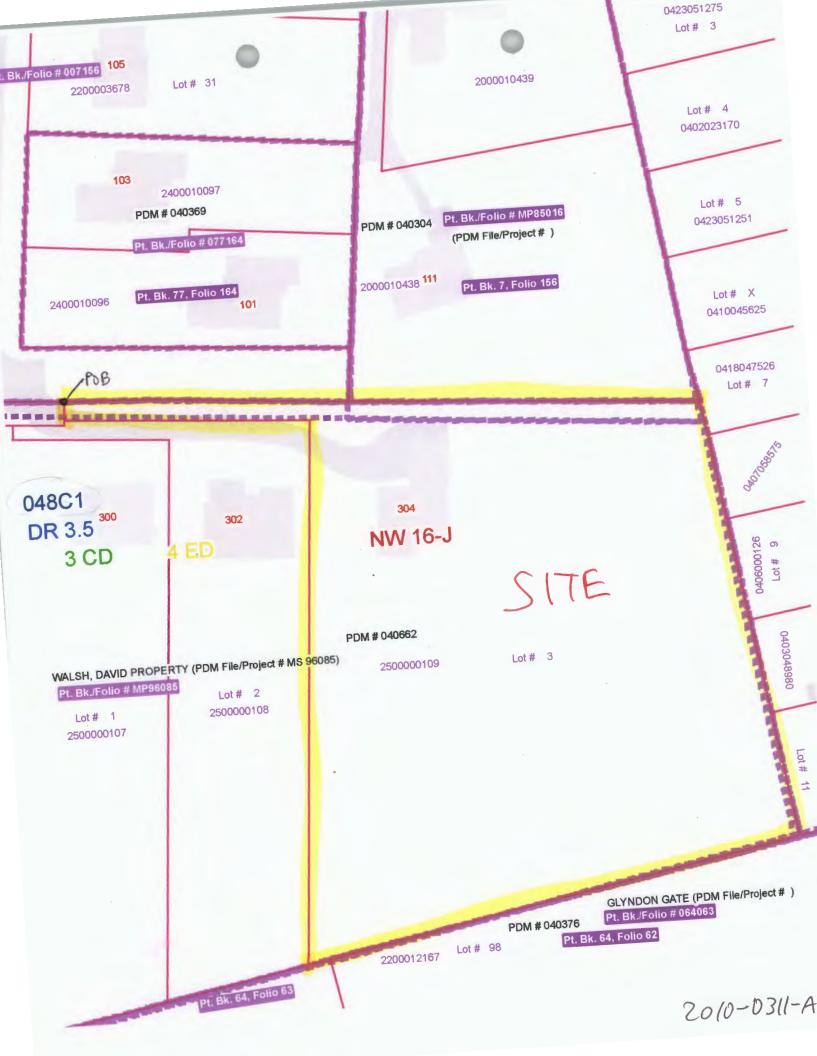
From Inside of gate to shed site

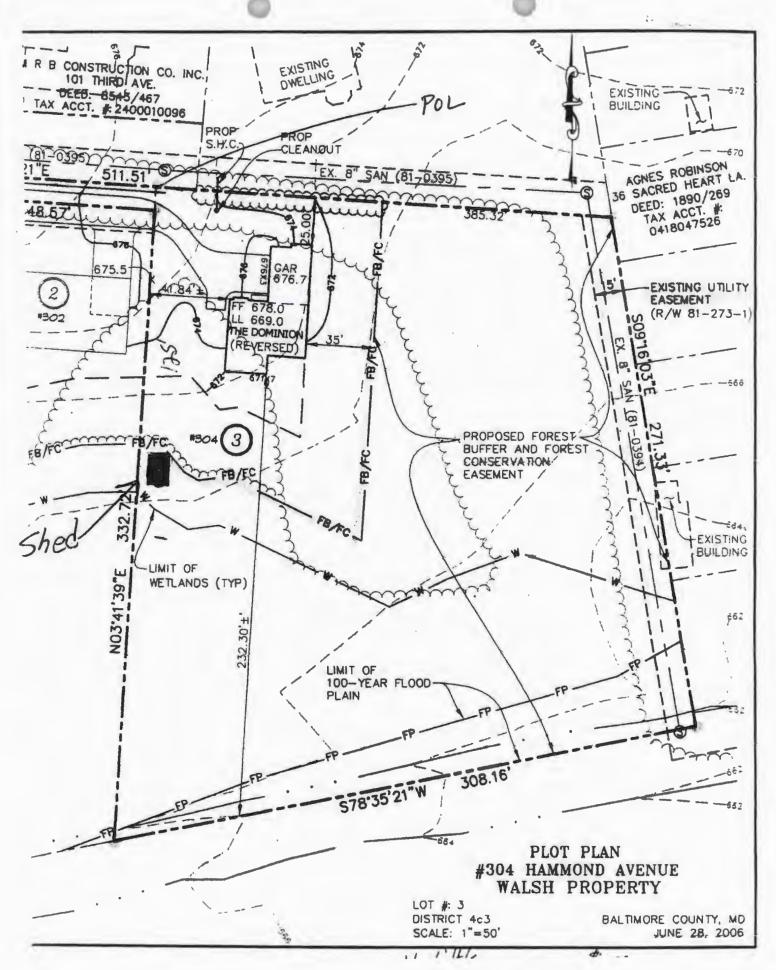


Front of Site House



Front Vein of Site nextors House to Right of Site





10