IN RE: PETITION FOR ADMIN. VARIANCE

E side of Fox Brier Lane; 582 feet SE of the c/l of Pinedale Drive 11th Election District 5th Councilmanic District (24 Fox Brier Lane)

Ronald C. and Rena Marie Mack Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0331-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, Ronald C. and Rena Marie Mack for property located at 24 Fox Brier Lane. The variance request is from Section 1B01.2.C.6 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Section V.B.6.b of the Comprehensive Manual of Development Policies ("C.M.D.P.") to permit a side yard setback of 9 feet in lieu of the required 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct an addition measuring 12 feet x 27 feet to accommodate the growing family. The layout of the house requires that the proposed addition be constructed on the south side of the home. Adjacent property located on the south side of the home is open space. Petitioners received approval of the architectural plans for the addition from the Architectural Committee of the Silvergate-Pinedale Woods Community Association.

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 RE	CEIVED FOR FILING	
Date	7-8-10	
Ву	Po	

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 18, 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.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of July, 2010 that a variance from Section 1B01.2.C.6 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Section V.B.6.b of the Comprehensive Manual of Development Policies ("C.M.D.P.") to permit a side yard setback of 9 feet in lieu of the required 15 feet is hereby GRANTED, subject to the following:

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.

ORDER REC	EIVED FOR FILING	
Date	7-8-10	
Ву	ph	2

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

Ву_____



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

July 8, 2010

RONALD C. AND RENA MARIE MACK 24 FOX BRIER LANE NOTTINGHAM MD 21236

Re: Petition for Administrative Variance

Case No. 2010-0331-A Property: 24 Fox Brier Lane

Dear Mr. and Mrs. Mack:

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,

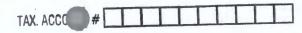
THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure





CASE NO. _ 2010 - 0331-1

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	24	Fox	Brier	hene
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)

See a Hacked

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.

		Ho ar H.s	I/We do solemnly dec perjury, that I/we are t is the subject of this F	clare and affirm, under the legal owner(s) of the Petition.	he penalties of e property which
Contract Purchaser/Le	ssee:		Legal Owner(s):	arie Mack	
Name - Type or Print			Name Type or Print	lok	
Signature			Signature Konald Chi	ristopher M	Ack
Address		Telephone No.	Name Type of Print	1. Mul	
City	State	Zip Code	Signature		
Attorney For Petitioner	de ferrer e		24 Fox Brier Address		Telephone No.
Name - Type or Print		· · · · · · · · · · · · · · · · · · ·	City	State	∂l∂3b Zip Code
Signature Company ORDER REC	EIVED FOR	FILING	Representative t	o be Contacted:	
Company ORDER HE	7-8-10		Name		
Address Date	W	Telephene No.	Address		Telephone No.
City By—	State	Zip Code	City	State	Zip Code
A Public Hearing having been this day of egulations of Baltimore County and	tha tha	at the subject matter of the	nis petition be set for a public	he Zoning Commissioner of hearing, advertised, as re	quired by the zoning

Estimated Posting Date _____

1B01.2.C.6 (BCZR) and V.B.6.b. (CMDP) to permit a side yard setback of 9 ft. in lieu of the required 15 ft.

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.

	Nottinguam MD 2/236 City State Zip Code
Variance at the above address (indicate hardsh	owing are the facts upon which I/we base the request for an Administrative hip or practical difficulty): As Increased therefore extra Room is
readed to Accomodate.	
the layout of the house	hends itself to the addition being built
m the south side	opt down at the second
the common land located	on the South side has no neighbore
in the immediate Vicinity	Y
To the first of th	Lagran de la completación de la grante
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide	ormal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
Rena Marie Mark	R. Christophen Mark
Pena Marie Mack	Ronald Christophere Mack
Name - Type or Print	Name - Type or Print
	03/19030
STATE OF MARYLAND, COUNTY OF BALTII	
of Maryland, in and for the County aforesaid pe	
the Affiant(s) herein, personally known or satisfic	
	$i\Omega M$
AS WITNESS my hand and Notarial Seal	
	Notary Public / / / / / / / / / / / / / / / / / / /
	My Commission Expires 10-29-2011
REV 10/25/01	

ZONING DESCRIPTION FOR 24 FOX BRIER LAND (address)
Beginning at a point on the side of (north, south, east or west)
FOX BRIVER LAND which is 24' (name of street on which property fronts) which is
Wide at the distance of 582' SE of the (number of feet) (north, south, east or west)
Centerline of the nearest improved intersecting street Piwedale DRive (name of street)
Which is wide. *Being Lot # /6, (number of feet of right-of-way-width)
Block F, Section #2 in the subdivision of Pinedall Woods (name of subdivision)
As recorded in Baltimore County Plat Book # 41, Folio # 33,
Containing O.22 ACRES . Also known as 24 Fox Brier Lave (square feet or acres) (property address)
And located in the Election District, 5 Conuncilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINISTRATIVE VARIANCE IN ORMATION SHEET AND DATES
Case Number 2010- 0331 -A Address 24 Fox Brier Lake
Contact Person: Bruno Rudaitis Phone Number: 410-887-339
Filing Date: 6/10/13 Posting Date: 6/20/10 Closing Date: 7/5//
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. An 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 find 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 (a) order that the matter be set in for a public hearing. You will receive written notification, usual within 10 days of the closing date if all County agencies' comments are received, as a 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 original posted, certification of this change and a photograph of the altered sign must be forwarded 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- 0331 -A Address 24 Fox Brief Lane
Petitioner's Name Chris & Reha Mack Telephone 410-248-2875
Posting Date: 6/20/00 Closing Date: 7/5/0
Wording for Sign: To Permit a side yard setback of 9 ft. in lieu o
Wording for Sign: To Permit a side yard setback of 9 Ct. in lieu o

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 Advertising:
Petitioner: Christ Rena Mark.
Address or Location: 24 FOX BRIER Lane Nottinghom, MD. 21236
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address: 24 Fox Brier LAME
Nottingham MD 21236
Telephone Number: 410-248-2875

MISCELLANEOUS CASH RECEIPT Rev				Sub	Date:	ə:		
Fund	Dept	Unit	Sub Unit	Source/ Obj		Dept Obj	BS Acct	Amount
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Rec From:								
For:								
FUI.								
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CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 06/20/2010

Case Number: 2010-0331-A

Petitioner / Developer: CHRIS MACK
Date of Hearing (Closing): JULY 5, 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:

24 FOX BRIER LANE

The sign(s) were posted on: JUNE 18, 2010



Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

July 6, 2010

Rena & Ronald Mack 24 Fox Brier Ln. Nottingham, MD 21236

Dear: Rena & Ronald Mack

RE: Case Number 2010-0331-A, 24 Fox Brier Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 10, 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. Cal Richal D

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

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 10-331 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 Diana Itter in the Office of Planning at 410-887-3480.

Prepared By: _

CM/LL

RECEIVED

DATE: June 28, 2010

JUN 2 9 2010

ZONING COMMISSIONER

AV 10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 14 2010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

July 13, 2010

SUBJECT:

Zoning Item # 10-331-A

Address

24 Fox Brier Lane

(Mack Property)

Zoning Advisory Committee Meeting of June 21, 2010

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

Reviewer:

JWL

Date: 7/13/10



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

June 21, 2010

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: June 21, 2010

Item No.: Administrative Variance: 2010-0331A, 2010-0345A - 0353A,

2010-0355A.

Special Hearing Variance: 2010-0354-SPHA

Pursuant to your request, the referenced plans have been reviewed by the Baltimore County Fire Marshal's Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the listed properties.

The Fire Marshal's Office has no comments at this time.

Don W. Muddiman, Acting Lieutenant Baltimore County Fire Marshal's Office 700 E. Joppa Road, 3RD Floor Towson, Maryland 21286 410-887-4880 Mail Stop: 1102

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: June 23, 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 July 5, 2010

Item Nos. 2010-331, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354,

and 355

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-07052010 -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: 6-25-2010

Ms. Kristen Matthews Baltimore County Office Of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County**

> Item No. 2010-0331-A 24 FOXBRIER LANE MACK 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. 0331-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

Silvergate – Pinedale Woods Community Association P.O. Box 311 Perry Hall, Maryland 21128 April 26, 2010

Mr. & Mrs. Mack 24 Fox Brier Lane Nottingham, MD 21236

Dear Mr. & Mrs. Mack

The homeowner's regulations are not very restrictive. All requests have to be submitted to the board of directors before any work is started. You must state that you plan to match the existing roof shingles and or the siding along with fascia and soffit when adding to your home along with a drawing. (Which you have done)

From the information that you have sent in your April 19, 2010 letter your request can be approved as stated above.

It is the homeowner's responsibility to meet all building codes and obtain building permits once the homeowners association approves the project.

Your request for improvements is approved. This approval is good for one year.

Thanks for your attention to the by laws process.

Kenneth J. Mazza

Chairman

Architectural Committee

CHECKLIST

Comment Received	Department	Support/Oppose No Comment
6-23-10	DEVELOPMENT PLANS REVIEW	nc
	DEPRM	
6-21-10	FIRE DEPARTMENT	nc
6-28-10	PLANNING (if not received, date e-mail sent)	nc
6-25-10	STATE HIGHWAY ADMINISTRATION	nc
	TRAFFIC ENGINEERING .	
4-26-10	COMMUNITY ASSOCIATION archit	support
	ADJACENT PROPERTY OWNERS	
ZONING VIOLAT	TON (Case No)
PRIOR ZONING	(Case No.	
NEWSPAPER AD	VERTISEMENT Date:	
SIGN POSTING	Date: 6-18-10	
PEOPLE'S COUN	SEL APPEARANCE Yes No	
PEOPLE'S COUN	SEL COMMENT LETTER Yes D No D	
		496-40-01-

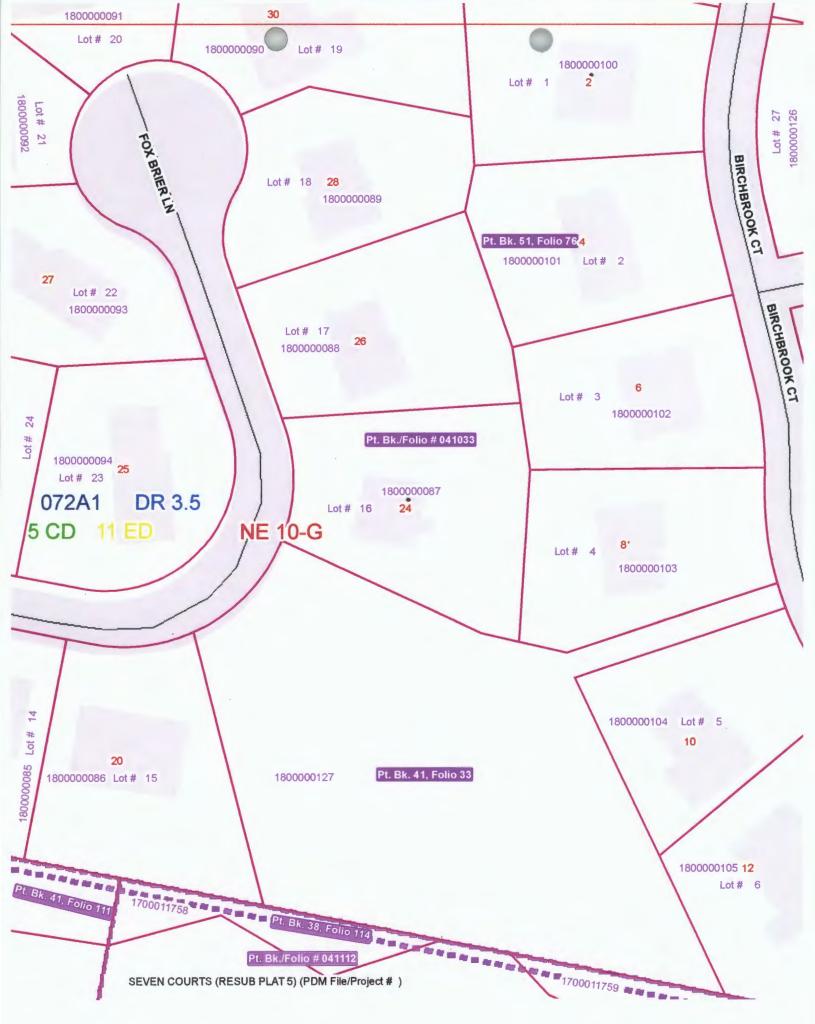
2010-0331-A



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

Go Back View Map **New Search**

ZWEYGARDT 24 FOX BRIE BALTIMORE		07 k Structu r	Dee	ncipal ed Re		: YE	ESIDENTIA ES) /18804/ 1	
b District	Location 8	k Structur	e Infor	matic				
To			e Illion	illatic		escription		
To	Subdivision				Legal D	escription		
To	Subdivision							
To	Subdivision					BRIER LN E WOODS		
A		Section 2	Block F	Lot 16	Assessme		Plat No: Plat Ref:	3 41/3
10	own d Valorem ax Class							
re Built		sed Area 60 SF		_	erty Land 8,730.00 SF		County 04	
Basem	ent			Туре			Exterio	r
YES			STAND	DARD	UNIT		SIDING	;
	Va	lue Infor	mation					
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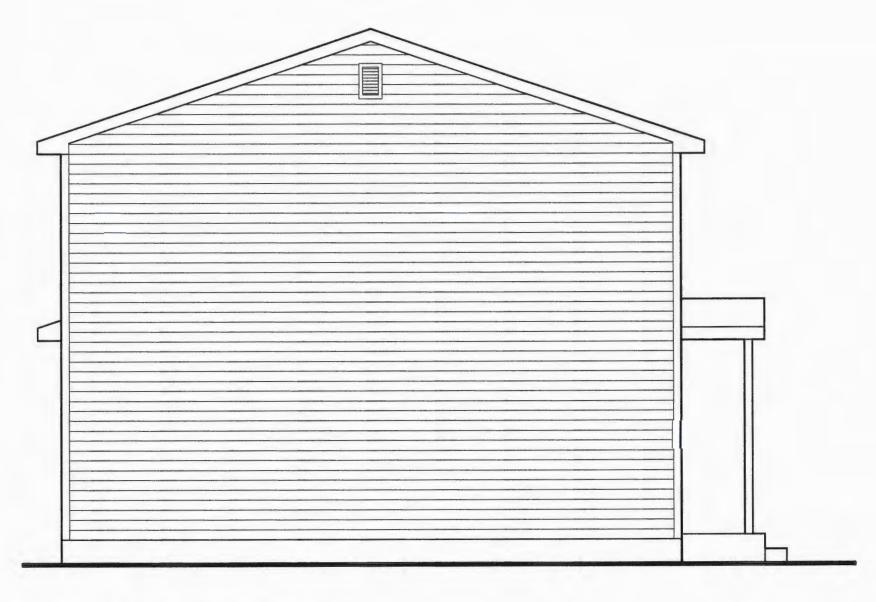
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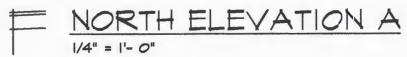


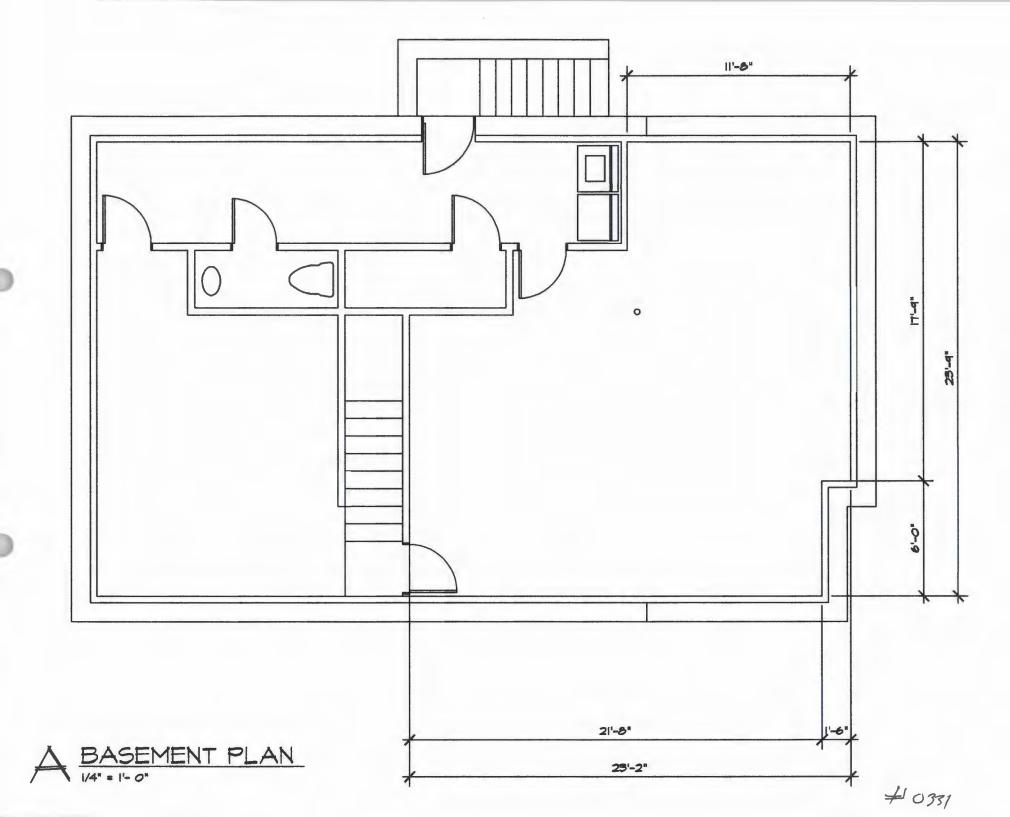


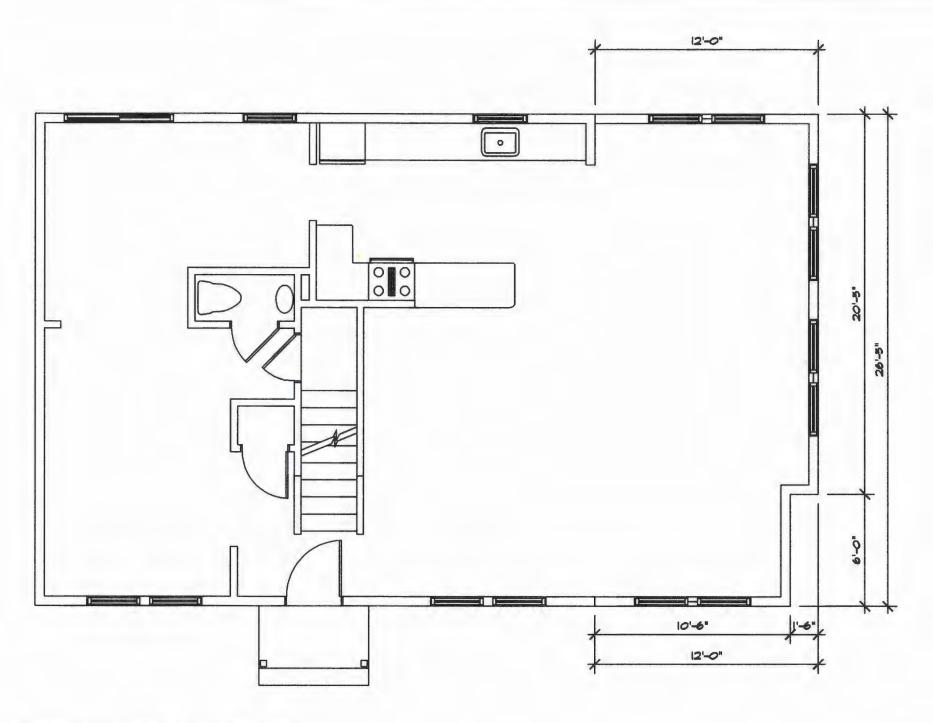












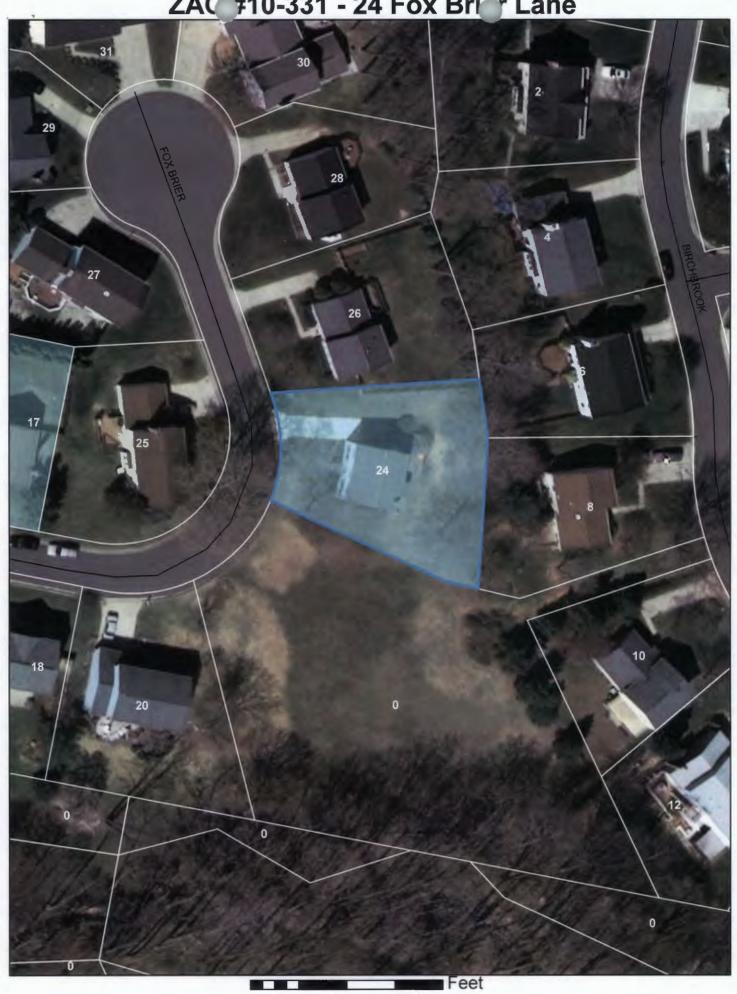
B IST FLOOR PLAN A







ZAC #10-331 - 24 Fox Brigg Lane



100 012 525 50 75

