

IN RE: **PETITION FOR VARIANCE**  
W/S Michaelsford Road, 285' NW of  
C/line of Laurelford Court  
(12338 Michaelsford Road)

8<sup>th</sup> Election District  
2<sup>nd</sup> Council District

Annette Civera  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF  
BALTIMORE COUNTY  
Case No. 2010-0334-A

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Annette Civera. The Petitioner requests variance relief from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to (1) permit a side yard setback of 12 feet in lieu of the required 50 feet for a proposed addition, (2) to permit a front yard setback of 64 feet in lieu of the required 75 feet from the centerline of the street, and (3) to amend the Final Development Plan (FDP) for Laurelford, Section Three, Lot 18 only. The subject property and requested relief are more particularly shown on the revised site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Annette Civera, property owner, her husband Armond (Skip) Civera, Bruce E. Doak, a principal of Gerhold Cross & Etzel, Ltd., the consultant who prepared the site plan for this property and is assisting the Petitioner with her variance request, and Kevin C. Michels with Icon Builders, Ltd. Also appearing was Mark A. Hyland, President of the Laurelford Improvement Association. There were no Protestants or other interested persons present. It is to be noted, however, that a letter in support was received from Matthew D. and Natalie K. Nichols, adjacent property owners at

ORDER RECEIVED FOR FILING

Date

7-30-10

By

622

13000 Jerome Jay Drive (Petitioner's Exhibit 3).

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel located at the north end of Michaelsford Road just before changing to Jerome Jay Drive in Cockeysville. The property known as Lot 18 of the "1<sup>st</sup> Amended Plat of Section Three, Laurelford" contains an area of 1.90 acres, more or less, zoned R.C.4<sup>1</sup>. Presently, the site is improved with a two-story 4,193 square foot Villa-style home built in 1994 and features a stone patio and in-ground pool in the rear yard. Photographs of the property were submitted and described by Mr. Doak. He explained that an addition is desired and proposed to be located on the north side of the existing dwelling, adjacent to the Nichols property. Mrs. Civera described the site constraints associated with her property, including the existence of the pool and the location of the well and septic areas. In sum, Mr. and Mrs. Civera opined that the proposed location for the addition was most appropriate and that relief should be granted to allow a reduced setback in order to proceed. Skip Civera and Matthew and Natalie Nichols have discussed various options and the Nichols' family, being the most affected by the construction to within 12 feet of the property line, have no objection. *See* Petitioner's Exhibit 3. The addition as contemplated will be two-stories high and add an additional 1,748 square feet of livable space (2<sup>nd</sup> floor) to the home over a new two-car, 660 square foot garage as shown on Petitioner's Exhibit 4. This new living space will be connected to the main house by a hallway and will not contain a kitchen. Mr. Michaels, the builder, indicated that it would be architecturally "very difficult" from a structural standpoint to construct the addition to other parts of the house, i.e., the existing septic and pool encompass the rear yard and construction on the south side would

<sup>1</sup> The property is located at the edge of Laurelford and was rezoned from R.C.5 to R.C.4 during the 2000 Comprehensive Zoning Map Process (CZMP). As the Final Development Plan was vested prior to the CZMP reclassification – the older R.C.5 regulations apply here.

require removal of substantial mature trees that would be extremely costly and create a rather unpleasing appearance.<sup>2</sup> Mrs. Civera has owned the property and resided thereon since November 2009. She and her husband have been making substantial upgrades and improving the property. They obtained a previous variance on November 9, 2009 from Deputy Zoning Commissioner Thomas H. Bostwick (Case No. 2010-0129-A) for a 32-foot side yard setback in order to increase the size and livability of the home by adding an addition that contained a large family room, den and powder room. Unfortunately, since obtaining that variance relief and Home Owner Association approval for the family room addition, Mrs. Civera's 82-year old mother, Georgia Stratakis, has encountered deteriorating health problems requiring further care and she is no longer capable of living independently. Mrs. Civera testified that these new improvements would provide a new garage and living space that would give some assemblance of independent living for her mother. Accordingly, the new living area is badly needed within her home. She submitted building elevations (Petitioner's Exhibit 4) which clearly show the proposed addition will be compatible with the neighborhood and aesthetically pleasing as it will match the existing home with its designed pitch roof and dormers. As illustrated on the site plan, there is a 20-foot "drainage and utility easement" bordering along the entire north boundary of the property. To the north of this "drainage and utility" easement are woods that are part of the Nichols' 1.473 acre lot that is improved with their 2-½ story home positioned well to the west and away from the Petitioner's home. This mature forest runs along the property boundary all the way to Jerome Jay Drive. The Nichols' property is well buffered and the new addition will not be seen from their home. In this regard, the Civera's new improvements would not appear to be noticeably closer than any other two (2) properties in the development. There would not be a

<sup>2</sup> This opinion is in accord with the architectural design review process undertaken by the Laurelford Home Owners Association.



change to the look and character of the neighborhood – for the worst.

Testimony was received from Mr. Hyland. While he acknowledged the Civeras as being respected neighbors, he asked that any decision on the requested variances be held in abeyance pending the Laurelford Association's architectural design review and comment. Mr. Michaels, the Petitioner's builder, indicated he would provide copies of the plans to the design review members to assist them in determining if they were compliant with the Committee's covenants. Following the public hearing, Mark Hyland provided confirmation on July 30, 2010 that Laurelford's Architectural Design Review Committee had met and approved the elevation drawings submitted by the Petitioner.

After due consideration of the testimony and evidence presented and the continued efforts undertaken by the parties to reach a resolution, I am persuaded to grant the requested relief. Based on my review of the site plan, the elevation drawings and the photographs as well as testimony, I find that the subject property is constrained which creates a unique condition bringing about a practical difficulty if B.C.Z.R. Section 1A04.3B.2.b was strictly adhered to. In the previous R.C.5 development regulations applicable here, a 50-foot setback to any property line and a 75-foot setback from any road was required. I find that the original owners placement of Petitioner's home in the northeast corner of the lot coupled with the curvature of Michaelsford Road and Jerome Jay Drive at this location warrants a variation from the regulations. While the topography slopes from elevation 570 feet at the road frontage to elevation 540 feet at its rear western property line, the Petitioner's predecessor in title could have placed the home in the center of the lot rather than in the corner and right on the building setback lines. As noted, the proposal is not only aesthetically pleasing but is appropriate in this instance and will not be out of character with other homes in the area. Moreover, in this area it is important that the



structures be well proportioned in order to match the character of the neighborhood. The addition will be screened from other lots by virtue of the surrounding mature forest buffering. Thus, I am persuaded that relief can be granted without detrimental impact to adjacent properties or the surrounding locale and within the spirit and intent of B.C.Z.R. Section 307 as interpreted in *Cromwell v. Ward*, 102. Md. App. 691 (1995). There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency; however, the Office of Planning, while they did not appear at the hearing, did want to be certain that the architectural elevations and floor plans for the addition be submitted for approval. Subsequent to the hearing, I met with Diana Itter, the area planner, who provided a revised ZAC comment and indicated her approval of the elevation drawings received by her Office.

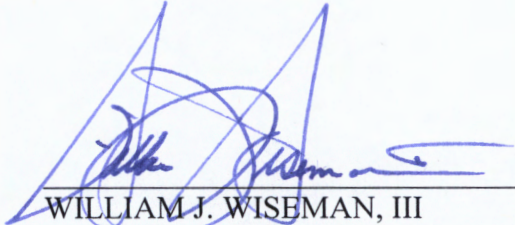
Pursuant to the advertisement, posting of the property and public hearing on the Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30<sup>th</sup> day of July 2009 that the Petition for Variance from 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard (north side) setback of 12 feet in lieu of the required 50 feet for a proposed addition; to permit a front yard setback of 64 feet in lieu of the required 75 feet from the centerline of the street, and to amend the Final Development Plan (FDP) for Laurelford, Section Three, Lot 18 only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following conditions:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) The proposed addition to be constructed on Lot 18 – Final Development Plan of Laurelford, Section Three, shall be in keeping with the style of architecture shown on the architectural elevation drawings submitted as Petitioner's Exhibit 4 that have been reviewed and approved by the County's Office of Planning and the independent local architectural design review of the Laurelford Home Owners Association.
- 3) The Ground Water Management (GWM) section of the Department of Environmental Protection and Resource Management (DEPRM) shall review for approval, at the time the building permit is issued, the location of the new well necessitated by the addition's location over the existing well.

Any appeal of this decision must be made within thirty (30) days of the date hereof.

  
WILLIAM J. WISEMAN, III  
Zoning Commissioner for  
Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date

7-30-10

By

102



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

July 30, 2010

Bruce E. Doak  
Gerhold Cross & Etzel, Ltd.  
320 East Towsontown Boulevard  
Towson, Maryland 21286

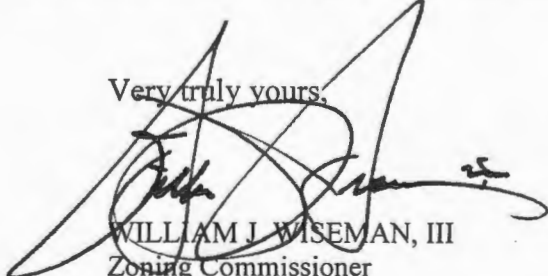
**RE: PETITION FOR VARIANCE**  
W/S Michaelsford Road, 285' NW of c/line of Laurelford Court  
**(12338 Michaelsford Road)**  
8<sup>th</sup> Election District - 2<sup>nd</sup> Council District  
Annette Civera - Petitioner  
**Case No. 2010-0334-A**

Dear Mr. Doak:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

  
WILLIAM J. WISEMAN, III  
Zoning Commissioner  
for Baltimore County

WJW:dlw  
Enclosure

c: Annette and Armond (Skip) Civera, 12338 Michaelsford Road, Cockeysville, MD 21030  
Kevin C. Michels, Icon Builders, Ltd., 213 Old Padonia Road, Cockeysville, MD 21030  
Mark A. Hyland, President, Laurelford Improvement Association, 15 Laurelford Court,  
Hunt Valley, MD 21030  
Matthew D. and Natalie K. Nichols, 13000 Jerome Jay Drive, Cockeysville, MD 21030  
People's Counsel; DEPRM; Office of Planning; File





# Petition for Variance

to the Zoning Commissioner of Baltimore County for the property  
located at 12338 Michaelsford Road  
which is presently zoned R.C. 4

Deed Reference: 17505 / 501 Tax Account # 2100014955

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)

1A04.3.B & 2.b.

To permit a side yard setback of 12 ft. in lieu of the required 50 feet for a proposed addition and to amend the Final Development Plan for Laurelford, Section Three, Lot 18 only; TO PERMIT A FRONT YARD SETBACK OF 55 FEET IN LIEU OF THE REQUIRED 75 FEET FROM THE CENTER LINE OF THE STREET.<sup>64</sup>

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

The existing house is much smaller than what our family requires. We ask for additional space so our family can function well. The addition that we are requesting needs to be placed where we have shown it to work with the existing floor plan of the house. The house was placed in the corner of the lot and with the topography of the lot, the addition needs to be placed where it is shown and the setback variance of 2 feet is needed.

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):

Annette Civera

Name - Type or Print \_\_\_\_\_

Signature Annette Civera

Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

12338 Michaelsford Road

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

Cockeysville MD 21030

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Representative to be Contacted:

Bruce E. Doak -Gerhold, Cross & Etzel, Ltd.

Name \_\_\_\_\_

320 E. Towsontown Blvd. 410-823-4470

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

Towson MD 21286

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Case No. 2010-0334-A

## Office Use Only

ORDER RECEIVED FOR FILING

Estimated Length of Hearing \_\_\_\_\_  
Unavailable For Hearing \_\_\_\_\_

REV 8/20/07

Date 7-30-10

Reviewed by A. TSUI Date 6/1/10

By DV



## Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

### **Zoning Description 12338 Michaelsford Road Lot 18 "1<sup>st</sup> Amended Plat of Section Three, Laurelford"**

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point on the southwest right of way line of Michaelsford Road, 285 feet, more or less, Northwesterly of the center line of Laurelford Court, thence running with the right of way of Michaelsford Road (1) Northwestly by a line curving to the right with a radius of 625.00 feet for an arc distance of 209.64 feet, thence leaving Michaelsford Road and running (2) North 73 degrees 43 minutes 27 seconds West 447.00 feet, (3) South 13 degrees 09 minutes 52 seconds West 62.04 feet, (4) South 52 degrees 25 minutes 57 seconds East 424.15 feet, and (5) South 80 degrees 08 minutes 59 seconds East 237.00 feet to the point of beginning.

Containing 1.901 acres of land, more or less.

Being Lot 18 of the "1<sup>st</sup> Amended Plat of Section Three, Laurelford" recorded in Plat Book S.M. 61 folio 113.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



2010-0334-A

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2010-0334 - A  
Petitioner: ANNETTE CIVERA  
Address or Location: 1233B MICHAELSFORD ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ANNETTE CIVERA  
Address: 1233B MICHAELSFORD ROAD  
COCKEYSVILLE MO 21030  
  
Telephone Number: 610-368-7711



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

No. \_\_\_\_\_

Date: \_\_\_\_\_

| Fund | Dept | Unit | Sub Unit | Rev     | Sub     | Dept | Obj | BS Acct | Amount |
|------|------|------|----------|---------|---------|------|-----|---------|--------|
|      |      |      |          | Source/ | Rev/    |      |     |         |        |
|      |      |      |          | Obj     | Sub Obj |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |
|      |      |      |          |         |         |      |     |         |        |

Total: \_\_\_\_\_

Rec

From: \_\_\_\_\_

For: \_\_\_\_\_

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S  
VALIDATION**

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

No. **54294**

Date: \_\_\_\_\_

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRW  
6/21/2010 6/21/2010 13:20:26 2

REG MSDS WALKIN DOOL DHD  
>RECEIPT # 535243 6/21/2010 DELH

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount | Dept |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|------|
| 001  | 806  | 0000 |          | 615             |                  |          |         | 70.00  |      |
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|      |      |      |          |                 |                  |          |         |        |      |

S 528 ZONING VERIFICATION

CR NO. 054294

Recpt Tot \$70.00

\$70.00 OK \$1.00 CA

Baltimore County, Maryland

Total: 70.00

Rec From: Gerhold Cross Etzel

For: Revisions  
2010-0334-A  
1233y Michaelsford Rd

**DISTRIBUTION**

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

**CASHIER'S  
VALIDATION**

**GERHOLD, CROSS & ETZEL, LTD.**  
Baltimore County Maryland

WWW.COMPUCHECKS.COM 866.586.5581

6/18/2010

**12870**

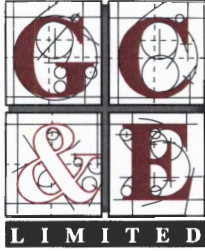
Civiera/Michaelsford Revision Fee

70.00

Checking

Civiera/Michaelsford Revision Fee

70.00



## Gerhold, Cross & Etzel, Ltd.

*Registered Professional Land Surveyors • Established 1906*

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286  
Phone: (410) 823-4470 • Fax: (410) 823-4473 • [www.gcelimited.com](http://www.gcelimited.com)

### CERTIFICATE OF POSTING

RE: Case #2010-0334-A

PETITIONER: Annette Civera

DATE OF HEARING: July 21, 2010

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY  
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:  
12338 Michaelsford Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

GERHOLD, CROSS & ETZEL, LTD  
SUITE 100  
320EAST TOWSONTOWN BLVD  
TOWSON, MARYLAND 21286  
410-823-4470 PHONE  
410-823-4473 FAX

POSTED ON: July 1, 2010



# ZONING NOTICE

**CASE # : 2010-0334-A**

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.**

**PLACE:** Room 104 Jefferson Building  
**TIME &** 105 West Chesapeake Avenue, Towson, MD  
**DATE :** 11:00 am Wednesday July 21, 2010

**Variance:** to permit a side yard setback of 12 feet in lieu of the required 50 feet for a proposed addition and to amend the Final Development Plan for Laurelford; Section Three, Lot 18 only; to permit a front yard setback of 64 feet in lieu of the required 75 feet from the centerline of the street.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES  
NECESSARY TO CONFIRM HEARING  
CALL 410-887-3501 THE DAY BEFORE THE SCHEDULED HEARING DATE  
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW  
HEARINGS ARE HANDICAPPED ACCESSIBLE



**PODS**  
On Demand Storage  
1-776-PODS

**PODS**  
PODS.com 800-776-PODS  
Moving & Storage

# ZONING NOTICE

CASE # : 2010-0334-A

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

PLACE: Room 104 Jefferson Building  
TIME & DATE: 11:00 am Wednesday July 21, 2010

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HEARING DATE HANDICAPPED ACCESSIBLE



NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2010-0334-A

12338 Michaelsford Road

W/side of Michaelsford Road, 285 feet n/wet of the centerline of Laurelford Court

8th Election District — 2nd Councilmanic District

Legal Owner(s): Annette Civera

Variance: to permit a side yard setback of 12 feet in lieu of the required 50 feet for a proposed addition and to amend the Final Development Plan for Laurelford; section three, lot 18 only; to permit a front yard setback of 64 feet in lieu of the required 75 feet from the centerline of the street.

Hearing: Wednesday, July 21, 2010 at 11:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 7/625 July 6

245150

CERTIFICATE OF PUBLICATION

7/8/2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/6/2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, Director  
Department of Permits and  
Development Management  
June 11, 2010

**NOTICE OF ZONING HEARING**

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8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Annette Civera

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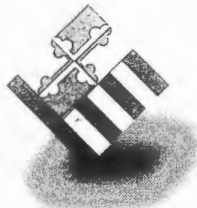
*T. Kotroco*

Timothy Kotroco  
Director

TK:kl

C: Annette Civera, 12338 Michaelsford Road, Cockeysville 21030  
Bruce Doak, Gerhold, Cross Etzel, 320 E. Towsontown Blvd., 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 6, 2010.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



## BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, Director  
Department of Permits and  
Special Management  
June 11, 2010

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8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Annette Civera

Variance to permit a side yard setback of <sup>12</sup>12 feet in lieu of the required 50 feet for a proposed addition and to amend the Final Development Plan for Laurelford; section three, lot 18 only; to permit a front yard setback of <sup>64</sup>64 feet in lieu of the required 75 feet from the centerline of the street.

Hearing: Wednesday, July 21, 2010 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

*T. Kotroco*

Timothy Kotroco  
Director

TK:kl

C: Annette Civera, 12338 Michaelsford Road, Cockeysville 21030  
Bruce Doak, Gerhold, Cross Etzel, 320 E. Towsontown Blvd., 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 6, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, July 6, 2010 Issue - Jeffersonian

Please forward billing to:

Annette Civera  
12338 Michaelsford Road  
Cockeysville, MD 21030

610-368-7711

---

## CORRECTED NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0334-A**

12338 Michaelsford Road

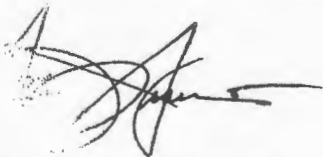
W/side of Michaelsford Road, 285 feet n/west of the centerline of Laurelford Court

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Annette Civera

Variance to permit a side yard setback of 12 feet in lieu of the required 50 feet for a proposed addition and to amend the Final Development Plan for Laurelford; section three, lot 18 only; to permit a front yard setback of 64 feet in lieu of the required 75 feet from the centerline of the street.

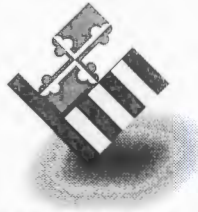
Hearing: Wednesday, July 21, 2010 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, Director  
Department of Permits and  
Approved Management  
June 21, 2010

**CORRECTED NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2010-0334-A**

12338 Michaelsford Road

W/side of Michaelsford Road, 285 feet n/west of the centerline of Laurelford Court

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Annette Civera

Variance to permit a side yard setback of 12 feet in lieu of the required 50 feet for a proposed addition and to amend the Final Development Plan for Laurelford; section three, lot 18 only; to permit a front yard setback of 64 feet in lieu of the required 75 feet from the centerline of the street.

Hearing: Wednesday, July 21, 2010 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco.  
Timothy Kotroco  
Director

TK:kl

C: Annette Civera, 12338 Michaelsford Road, Cockeysville 21030  
Bruce Doak, Gerhold, Cross Etzel, 320 E. Towsontown Blvd., 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 6, 2010.**
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- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

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

July 15, 2010

Annette Civera  
12338 Michaelsford Rd.  
Cockeysville, MD 21030

Dear: Annette Civera

RE: Case Number 2010-0334-A, 12338 Michaelsford Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 01, 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  
Bruce Doak: Gerhold, Cross & Etzel, Ltd.; 320 E. Towsontown Blvd.; Towson, MD 21286

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For June 21, 2010  
Item No.: 2010-334

**DATE:** June 10, 2010

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

No permanent structures may be built in a drainage and utility easement. Either apply to the County for release of the easement or revise the plan to remove all permanent structures from the easement.

*Raised  
6/30*

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0334-06212010.doc



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

**DATE:** July 8, 2010

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

**SUBJECT:** 12338 Michaelsford Road

**INFORMATION:**

**Item Number:** 10-334 (*revised*)

**Petitioner:** Anne Civera

**Zoning:** RC 4

**Requested Action:** Variance

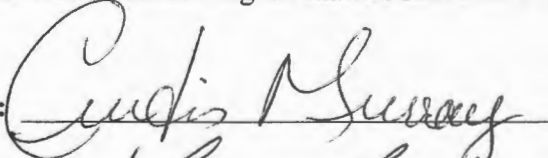
The property in question is an RC4 zoned lot in the vested plat of Laurelford Section 3 lot 18. The property was rezoned from RC 5 to RC4 in the 2000 CZMP, Issue 3-108. Correct Note 9, which states that the rezoning occurred in 2008.

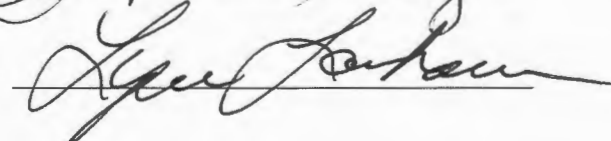
The petitioner requests a variance in order to construct an addition to the existing dwelling constructed in 1994. A previous variance was granted for a 32-foot side yard setback in Case No. 2010-0129a. A request for a 2-foot side yard was reviewed and commented that the addition was within a drainage and utility easement.

**SUMMARY OF RECOMMENDATIONS:**

If the petitioner demonstrates hardship or practical difficulty and the variance is granted, the Office of Planning requests review and approval of architectural elevation drawings and floor plans for the addition understanding that the addition is not an in-law apartment.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

**Prepared by:** 

**Division Chief:**   
AFK/LL: CM

RECEIVED

JUL 23 2010

ZONING COMMISSIONER

BW  
7-21-10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

**DATE:** June 22, 2010

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

RECEIVED

**SUBJECT:** 12338 Michaelsford Road

JUN 22 2010

**INFORMATION:**

ZONING COMMISSIONER

**Item Number:** 10-334

**Petitioner:** Anne Civera

**Zoning:** RC 5

**Requested Action:** Administrative Variance

The Office of Planning did not oppose a previous administrative variance, Case No. 2010-0129a granted by the Zoning Commissioner for a 32-foot side yard setback in lieu of the required 50 feet to allow an addition of a family room, den and powder room.

The petitioner had filed a new request for variance for a two-foot side yard setback in lieu of the required 50 feet, a sizably greater variance request. The proposed addition encroaches upon a 10-foot wide drainage and utility easement. It is the opinion of the office that permanent structures are not permitted in county easements. The petitioner or her representative would need to extinguish the easement and purchase the easement rights from Baltimore County.

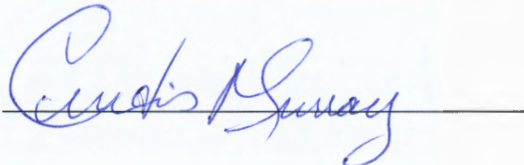
**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning is concerned that a 2-foot setback variance would not be in keeping with the spirit and intent of the RC5 zone.

In the event that the Zoning Commissioner should find that the applicant has adequately demonstrated hardship or practical difficulty and grants the variance, the issue remains of building within the easement and there is an independent local architectural design review process through the Laurelford Home Owners Association.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

**Prepared by:**  
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 29 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 28, 2010

SUBJECT: Zoning Item # 10-334-A  
Address 12338 Michaelsford Road  
(Civera Property)

Zoning Advisory Committee Meeting of June 7, 2010.

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

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 Single Lot Declaration of Intent may be filed with DERPM prior to permit approval to address Forest conservation Regulations. – *Glenn Shaffer; Environmental Impact Review (EIR)*

The building permit for the proposed addition will be reviewed by DEPRM's Groundwater Management (GWM) section. The addition may not be located over a well. – *Dan Esser; GWM*



**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** June 30, 2010

**FROM:** Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For July 12, 2010  
Item No.: 2010-334

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Our previous comment on this variance may be disregarded. The petitioner has revised the plan so that the proposed building will not encroach on the county's drainage and utility easement. We now have no comment on the requested variances.

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 2010-0334-07122010.doc



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

June 29, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: June 28, 2010

Item No.: **Variance:** 2010-0334A, 2010-0358A, 2010-0362A.

**Administrative Variance:** 2010-0356A - 0357A, 2010-0359A.

Pursuant to your request, the referenced plans have been reviewed by the Baltimore County Fire Marshal's Office and the comment below is applicable and required to be corrected or incorporated into the final plans for the above 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, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
410-887-4880  
Mail Stop: 1102

cc: File

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6/24/2010

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

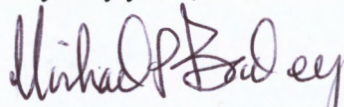
RE: Baltimore County  
Item No. 2010-0334-A  
12338 MICHAELS FORD RD  
CIVERA PROPERTY  
VARIANCE -

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. 2010-0334-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

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.sha.maryland.gov](http://www.sha.maryland.gov)



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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-14-2010

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

RE: Baltimore County  
Item No. 2010-0334-A  
12338 MICHAELSFORD RD  
CIVERA PROPERTY  
VARIANCE -

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Very truly yours,

A handwritten signature in dark ink, appearing to read "Michael P. Bailey".

For Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/mb

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.sha.maryland.gov](http://www.sha.maryland.gov)

RE: PETITION FOR VARIANCE \* BEFORE THE  
12338 Michaelsford Road; W/S Michaelsford \*  
Road, 285' NW of c/line Laurelford Court \* ZONING COMMISSIONER  
8<sup>th</sup> Election & 2<sup>nd</sup> Councilmanic Districts \*  
Legal Owner(s): Annette Civera \* FOR  
Petitioner(s) \*  
\* BALTIMORE COUNTY  
\*  
\* 10-334-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED

JUN 09 2010

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9th day of June, 2010, a copy of the foregoing Entry of Appearance was mailed to Bruce E. Doak, Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Residential Improvement  
Baltimore County, Maryland

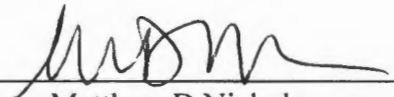
**Re: 12338 Michaelsford Road, Cockeysville Maryland 21030**

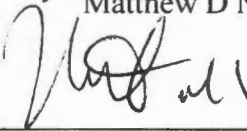
To Whom It May Concern,

We are adjoining property Owners to the above referenced property and do not have any objections to the new proposed attached garage to be constructed on the right side yard of the property.

Adjoining Property Owners:

Matthew D Nichols and Natalie K Nichols  
13000 Jerome Jay Drive  
Cockeysville, Maryland 21030

✓   
Matthew D Nichols

✓   
Natalie K Nichols

✓  
Date: 4/21/10

2010-0334-A



CASE NO. 2010- 0334-ACHECKLISTComment  
ReceivedDepartmentSupport/Oppose  
No Comment6-10

DEVELOPMENT PLANS REVIEW

Comments6-28

DEPRM

Comments6-29

FIRE DEPARTMENT

No comments6-22

PLANNING

(if not received, date e-mail sent \_\_\_\_\_)

Comments6-24

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. \_\_\_\_\_)

PRIOR ZONING

(Case No. 2010-029-AV - var.09)

NEWSPAPER ADVERTISEMENT

Date: 7-8-10

SIGN POSTING

Date: 7-1-10

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any:

See Support of adjoining property owners 4-21-10

CASE NAME CIVITA PROPERTY  
CASE NUMBER 2010-0334-A  
DATE 7/21/10

CASE NAME CIVITA PROPERTY  
CASE NUMBER 2010-0334-A  
DATE 7/21/10

[illegible]

PLEASE PRINT CLEARLY

CASE NAME Civica  
CASE NUMBER 2010-0334 A  
DATE 7/21/10

## CITIZEN'S SIGN-IN SHEET

[illegible]



results



Maryland Department of Assessments and Taxation  
BALTIMORE COUNTY (2007 vvw4.3d)

# Assessments and Taxation

Go Back  
View Map  
New Search

Account ID: [REDACTED]  
District - 08 Account Number - 2100014955

Owner Information  
Use: RESIDENTIAL  
Principal Residence: NO  
Deed Reference: 1) /28826/ 313  
2)

Owner: CIVERA ANNETTE  
12338 MICHAELS FORD RD  
COCKEYSVILLE MD 21030-2247

## Location & Structure Information

Legal Description  
1.901 AC  
12338 MICHAELS FORD RD WS  
LAURELFORD

| Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No: | Plat Ref: |
|--------|--------------|-------------|---------|-------|-----|-----------------|----------|-----------|
| 0      |              |             | 3       |       | 18  | 2               | 61/ 113  |           |

| Areas | Town | Ad Valorem | Enclosed Area | Property Land Area | County Use |
|-------|------|------------|---------------|--------------------|------------|
|       |      | Tax Class  | 4,193 SF      | 1.90 AC            | 04         |

| Primary Structure Built | Basement | Value Information    |
|-------------------------|----------|----------------------|
| 1994                    | YES      | Phase-In Assessments |
| Stories                 |          | As Of                |
| 2                       |          | 07/01/2009           |

| Base Value    | Value      | As Of      | As Of      |
|---------------|------------|------------|------------|
|               | 01/01/2008 | 07/01/2009 | 07/01/2010 |
| Land          | 381,500    | 490,500    | 1,138,500  |
| Improvements: | 544,180    | 648,000    | 1,067,560  |
| Total:        | 925,680    | 1,138,500  | 2,206,060  |

| Transfer Information | Date:        | Price:    |
|----------------------|--------------|-----------|
| Deed1:               | 11/04/2009   | \$785,000 |
| Deed2:               | 2/28826/ 313 | \$825,000 |
| Deed1:               | 02/06/2003   | \$7,000   |
| Deed2:               | 1/17505/ 501 | \$7,000   |
| Deed1:               | 03/30/1994   | \$7,000   |
| Deed2:               | 1/10434/ 74  | \$7,000   |

Seller: MICHELS KEVIN C  
Type: IMPROVED ARMS-LENGTH  
Seller: CIVERA EDWARD S  
Type: IMPROVED ARMS-LENGTH  
Seller: MARBLE HILL PARTNERSHIP  
Type: UNIMPROVED ARMS-LENGTH

| Exemption Information | Class | 07/01/2009 |
|-----------------------|-------|------------|
|                       | 000   | 0          |
|                       | 000   | 0          |
|                       | 000   | 0          |

## Partial Exempt Assessments

County  
State  
Municipal  
Tax Exempt: NO  
Exempt Class:

Special Ta  
\* \*

**IN RE: PETITION FOR ADMIN. VARIANCE**  
SW side of Michaelsford Road; 285 feet NW of the  
c/l of Laurel Court  
8<sup>th</sup> Election District  
2<sup>nd</sup> Councilmanic District  
(12338 Michaelsford Road)

Annette Civera  
Petitioner

BEFORE THE  
DEPUTY ZONING  
COMMISSIONER  
FOR BALTIMORE COUNTY  
Case No. 2010-0129-A

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner as a Petitioner for Administrative Variance filed by the legal owner of the subject property, Annette Civera, property located at 12338 Michaelsford Road. The variance request is from Section 1A04 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 32 feet in lieu of the required 50 feet for a proposed addition, and to amend the Final Development Ordinance, Section Three, Lot 18 only. The subject property and requested relief are particularly described on Petitioner's Exhibit No. 1. Petitioner recently purchased the property and wishes to make improvements by increasing the size and livability for a large addition. The proposed addition will contain a large family room, den and powder room. The layout of the home, the proposed improvements can only be constructed as a separate structure.

The Zoning Advisory Committee (ZAC) comments were received November 1, 2009 which indicates that they do not oppose the variance request. The Office of the Deputy Zoning Commissioner is aware that there is a homeowner's association that is independent of the variance process.



The Petitioner having filed a Petition for Administrative Variance and the subject having been posted October 16, 2009 and there being no request for a public hearing, the decision shall be based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the 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.

THB:pz

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 9th day of November, 2009 that a Variance from Section 1A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of the required 50 feet for a proposed addition, and to amend the Final Plat for Lot 18, Section Three, Lot 18 only is hereby GRANTED, subject to the following conditions:

1. The Petitioner may apply for her building permit and be granted the same, however, Petitioner is hereby made aware that prior to the granting of the permit, the Petitioner shall be responsible for returning, said property to its original condition, and shall be responsible for any damage to the property or the surrounding area, and shall be responsible for any costs incurred by the City of Baltimore in the process of returning the property to its original condition.



Case No.: 2010-0334-A 12338 MICHAELSFORD RD.

Exhibit Sheet

Petitioner/Developer

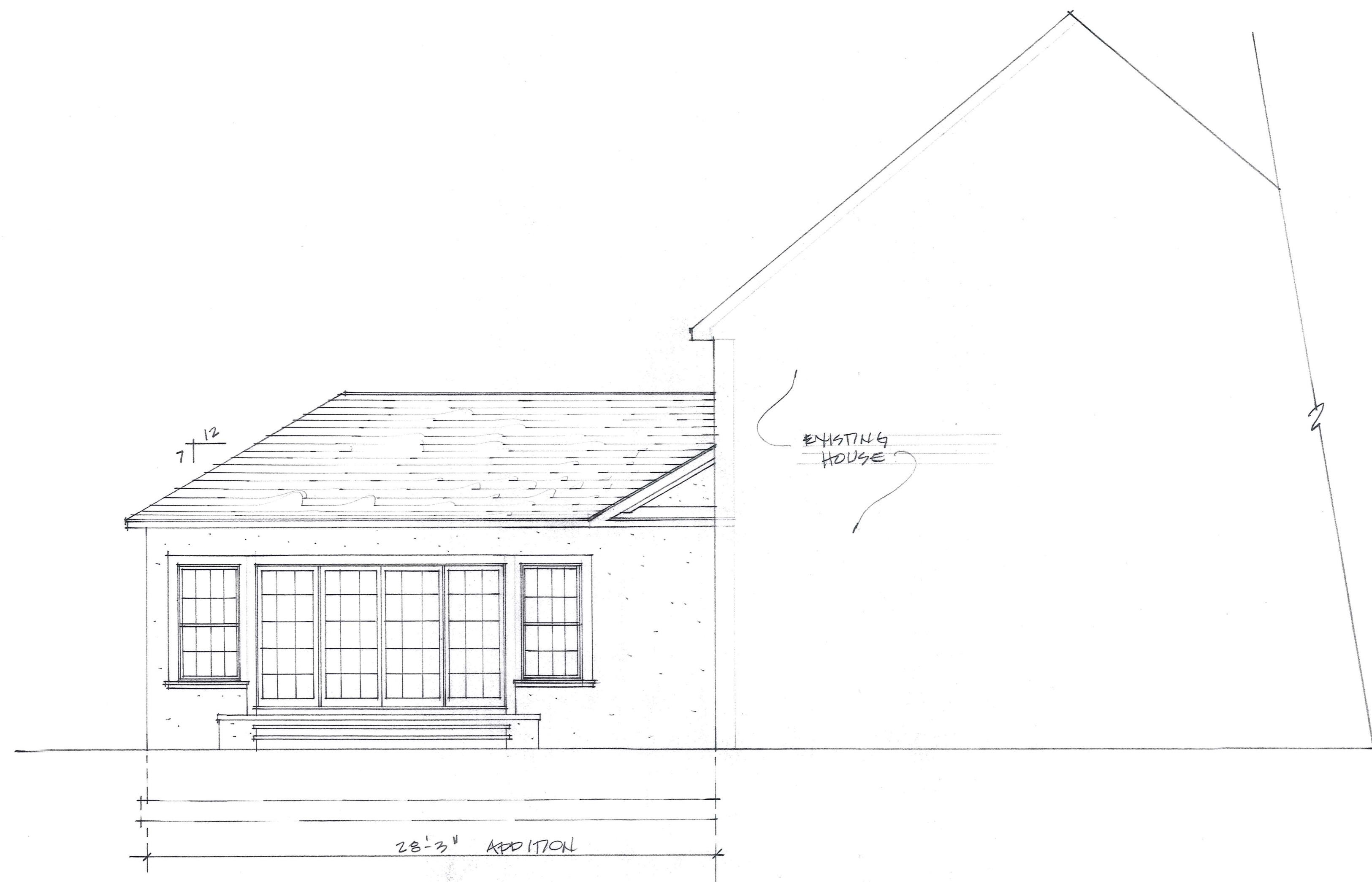
Protestant

|              |                                                                  |  |
|--------------|------------------------------------------------------------------|--|
| No. 1        | REVISED SITE PLAN                                                |  |
| No. 2<br>A-F | PHOTO'S EXISTING<br>CONDITIONS AND PLAT LOCATIONS<br>WHERE TAKEN |  |
| No. 3        | LETTER OF SUPPORT                                                |  |
| No. 4        | BLDG ELEVATIONS                                                  |  |
| No. 5        |                                                                  |  |
| No. 6        |                                                                  |  |
| No. 7        |                                                                  |  |
| No. 8        |                                                                  |  |
| No. 9        |                                                                  |  |
| No. 10       |                                                                  |  |
| No. 11       |                                                                  |  |
| No. 12       |                                                                  |  |









LEFT SIDE ELEVATION  
SCALE: 1/4"=1'-0"



REAR ELEVATION SCALE: 1/4"=1'-0"









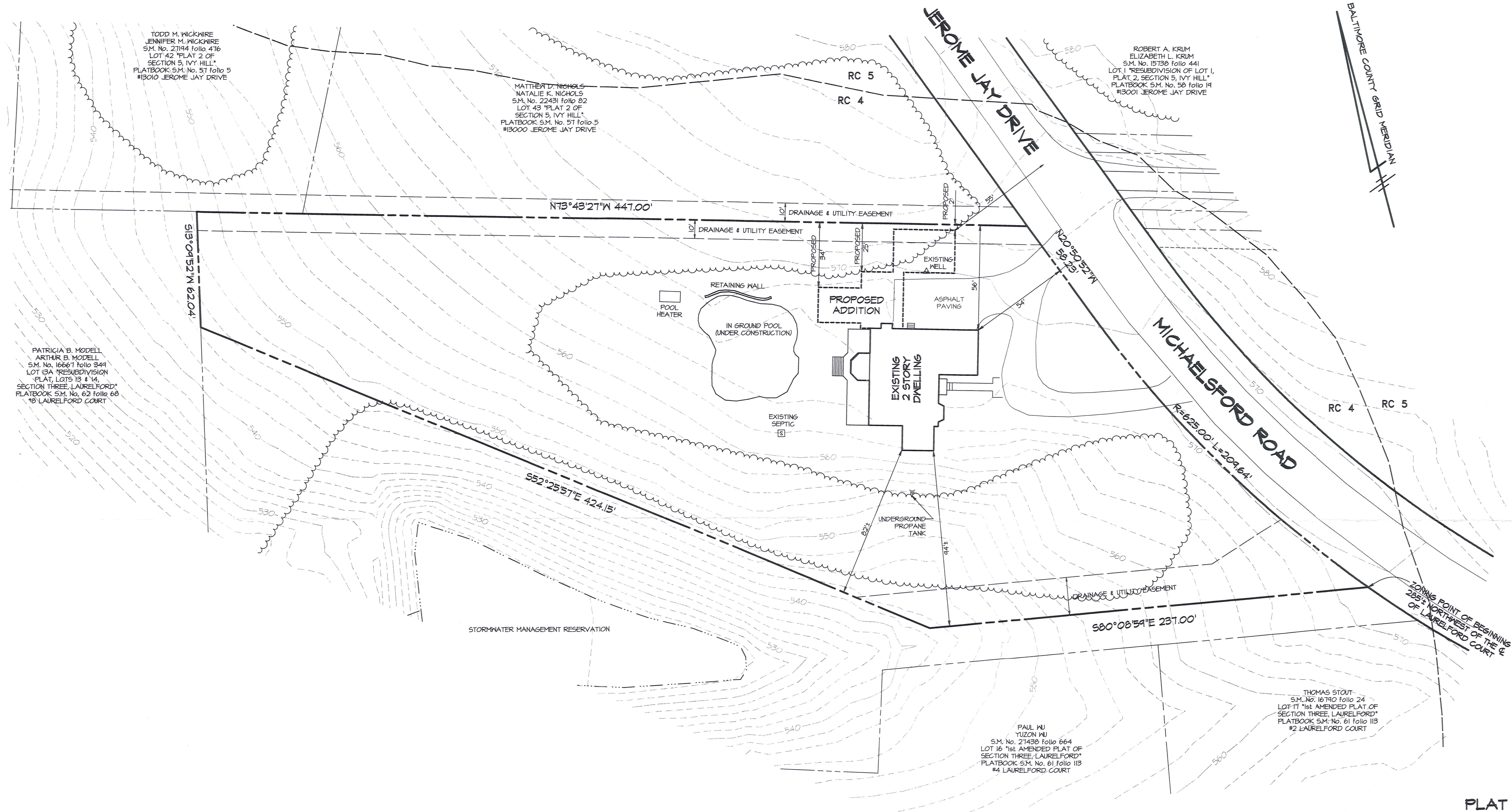
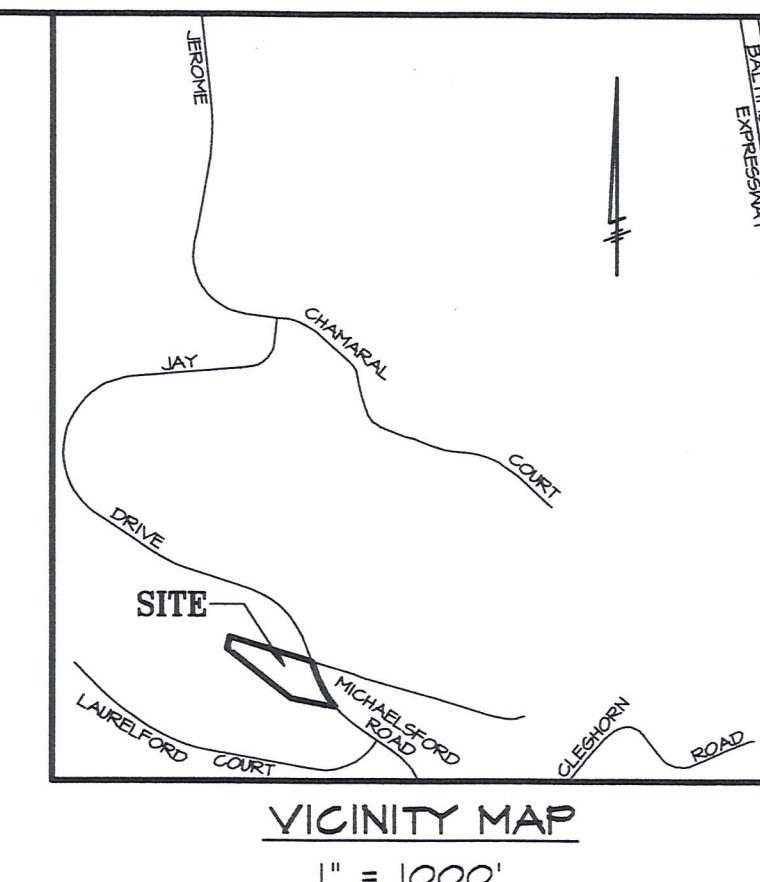
ZONING MAP

GIS TILE: 05|A|

SCALE: 1" = 200'

2010-0334-A





OWNER  
ANNETTE CIVERA  
12338 MICHAELS FORD ROAD  
COCKEYSVILLE, MD 21030  
610-368-7711

PLAT TO ACCOMPANY A  
PETITION FOR ZONING VARIANCE  
**CIVERA PROPERTY**

#12338 MICHAELS FORD ROAD  
Deed Ref: S.M. No. 28826 folio 313  
LOT 18, "1st AMENDED PLAT OF  
SECTION THREE, LAURELFORD"  
PLATBOOK S.M. No. 61 folio 113  
Tax Account No.: 21-00-014955  
Zoned RC 4; GIS Tile 051A1  
Tax Map 51; Grid 7; Parcel 330; LOT 18  
8th ELECTION DISTRICT  
2nd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND



Scale: 1"=30' Date: June 1, 2010

**GERHOLD, CROSS & ETZEL, LTD.**  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

**VARIANCE REQUESTED**

TO PERMIT A SIDE YARD SETBACK OF 2 FEET IN LIEU OF  
THE REQUIRED 50 FEET PER SECTION 1A04.3.B.3 OF THE  
1989 BALTIMORE COUNTY ZONING REGULATIONS.

TO PERMIT A FRONT YARD SETBACK OF 35 FEET IN LIEU OF  
THE REQUIRED 75 FEET PER SECTION 1A04.3.B.3 OF THE  
1989 BALTIMORE COUNTY ZONING REGULATIONS.

**AMENDMENT REQUESTED**

TO AMEND THE FINAL DEVELOPMENT PLAN FOR  
LAURELFORD, SECTION THREE, LOT 18 ONLY.

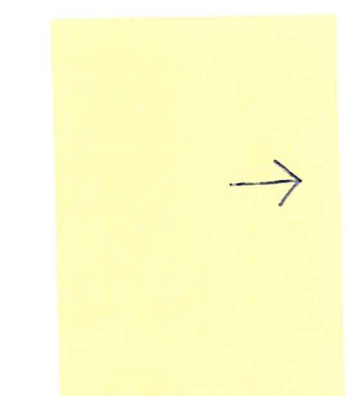
**ZONING HISTORY**

CASE No. 2010-0129-A GRANTED A SIDE YARD SETBACK  
OF 32' IN LIEU OF THE REQUIRED 50'.

**GENERAL NOTES**

1. THE BOUNDARY SHOWN HEREON IS FROM THE RECORD PLAT.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 051A1.
3. CENSUS TRACT 408301 REGIONAL PLANNING DISTRICT 307  
WATERSHED: LOCH RAVEN RESERVOIR SUBWATERSHED: 36 N  
SCHOOL DISTRICT: ELEMENTARY - PINEMOOD; MIDDLE - RIDGELY; HIGH - DULANEY  
A.D.C. MAP 4 GRID 18C7
4. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
6. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
8. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
9. AT THE TIME THAT THE SUBJECT LOT WAS CREATED THE ZONING WAS RC 5. THE 2008 CZMP  
CHANGED THE ZONING TO RC 4.

See #4 -  
incorrect  
See  
young  
sideway



**R.C. 5 PRINCIPAL STRUCTURE OR DWELLING SETBACKS**

FROM ANY BUILDING FACE TO:  
CENTERLINE OF ANY STREET  
(NOT COLLECTOR ROAD OR  
LEADING TO COLLECTOR ROAD) 75'  
FROM ANY BUILDING FACE TO:  
LOT LINE OTHER THAN A STREET LINE 50'

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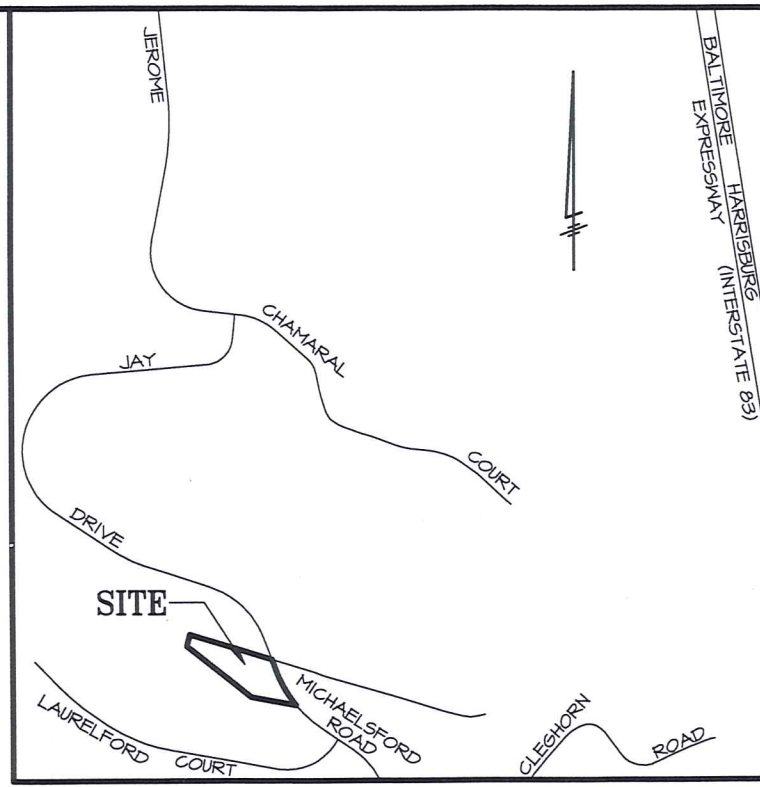
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| REVISION | DATE | COMPUTED: | DRAWN: RTD | CHECKED: | FILE: X:\Civera\Zoning_Plat.pro |
|----------|------|-----------|------------|----------|---------------------------------|

**LEGEND**

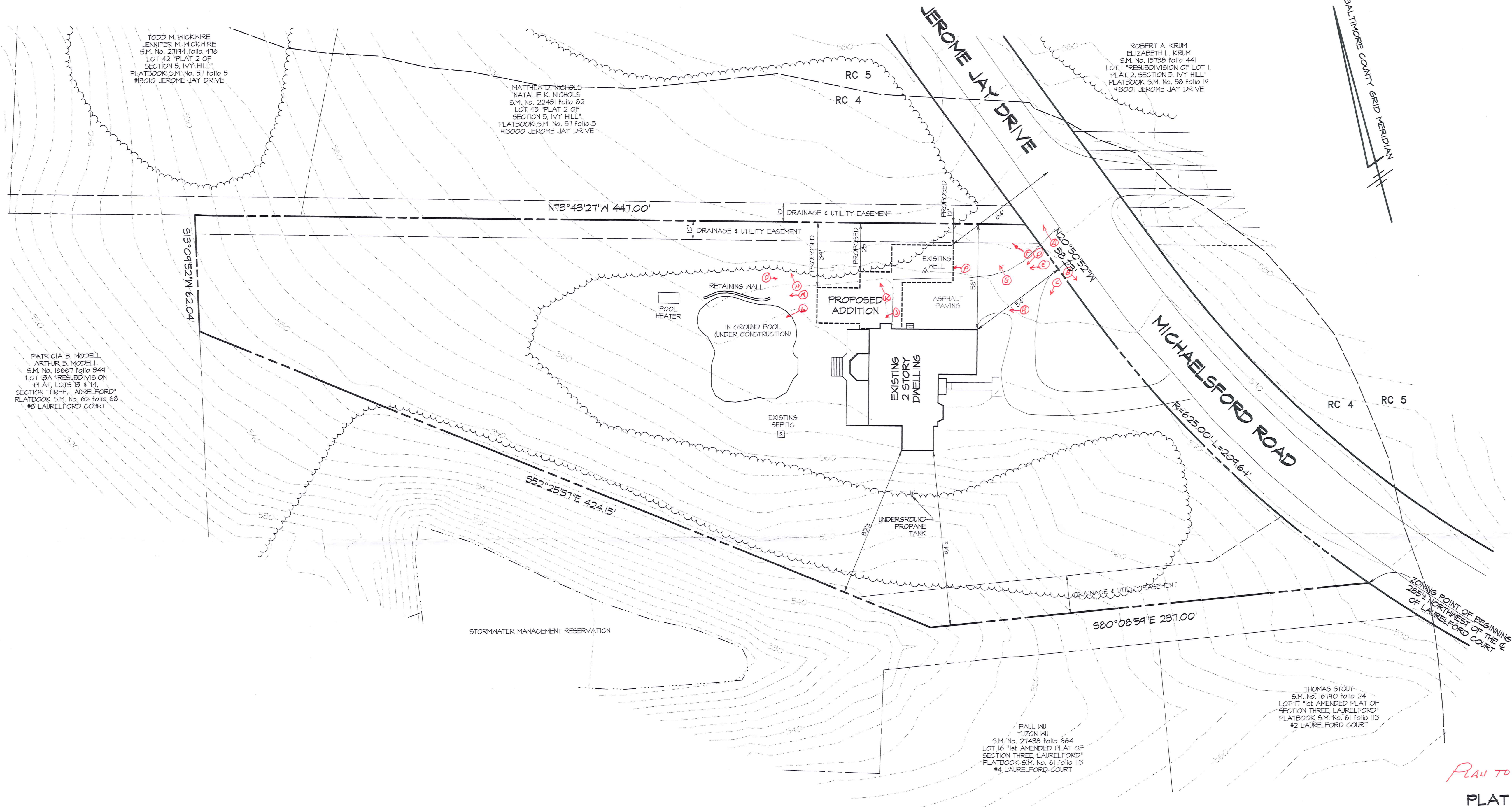
- EXISTING WELL
- EXISTING CLEANOUT
- WOODS LINE
- EXISTING PAVING
- PROPERTY LINE
- CONTOURS
- EXISTING BUILDING

2010-0334-A





VICINITY MAP  
1" = 1000'



OWNER  
ANNETTE CIVERA  
12338 MICHAELSFORD ROAD  
COCKEYSVILLE, MD 21030  
610-368-7711

PLAN TO ACCOMPANY PHOTOGRAPHS

### PLAT TO ACCOMPANY A PETITION FOR ZONING VARIANCE CIVERA PROPERTY

#12338 MICHAELSFORD ROAD  
Deed Ref: S.M. No. 28826 folio 313  
LOT 18, "1st AMENDED PLAT OF  
SECTION THREE, LAURELFORD"  
PLATBOOK S.M. No. 61 folio 113  
Tax Account No.: 21-00-014955  
Zoned RC 4; 615 Tile 051A1  
Tax Map 51; Grid 7; Parcel 330; LOT 18  
8th ELECTION DISTRICT  
2nd COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

Scale: 1"=80'

Date: June 1, 2010

**GERHOLD, CROSS & ETZEL, LTD.**  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

#### VARIANCE REQUESTED

TO PERMIT A SIDE YARD SETBACK OF 12 FEET IN LIEU OF  
THE REQUIRED 50 FEET PER SECTION 1A04.3.B.3 OF THE  
1988 BALTIMORE COUNTY ZONING REGULATIONS.

TO PERMIT A FRONT YARD SETBACK OF 64 FEET IN LIEU OF  
THE REQUIRED 75 FEET PER SECTION 1A04.3.B.3 OF THE  
1988 BALTIMORE COUNTY ZONING REGULATIONS.

#### AMENDMENT REQUESTED

TO AMEND THE FINAL DEVELOPMENT PLAN FOR  
LAURELFORD, SECTION THREE, LOT 18 ONLY.

#### ZONING HISTORY

CASE No. 2010-0129-A GRANTED A SIDE YARD SETBACK  
OF 32' IN LIEU OF THE REQUIRED 50'.

#### GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE RECORD PLAT.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 615 TILE 051A1.
3. CENSUS TRACT 408301 REGIONAL PLANNING DISTRICT 307  
WATERSHED: LOCH RAVEN RESERVOIR SUBWATERSHED: 98 N  
SCHOOL DISTRICT: ELEMENTARY - PINEWOOD; MIDDLE - RIDGELY; HIGH - DULANEY  
A.D.C. MAP # 6R1D 18C7
4. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
6. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
8. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
9. AT THE TIME THAT THE SUBJECT LOT WAS CREATED THE ZONING WAS RC 5, THE 2008 CZMP  
CHANGED THE ZONING TO RC 4.

#### LEGEND

- EXISTING WELL  
EXISTING CLEANOUT  
WOODS LINE  
EXISTING PAVING  
PROPERTY LINE  
CONTOURS  
EXISTING BUILDING

#### R.C. 5 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

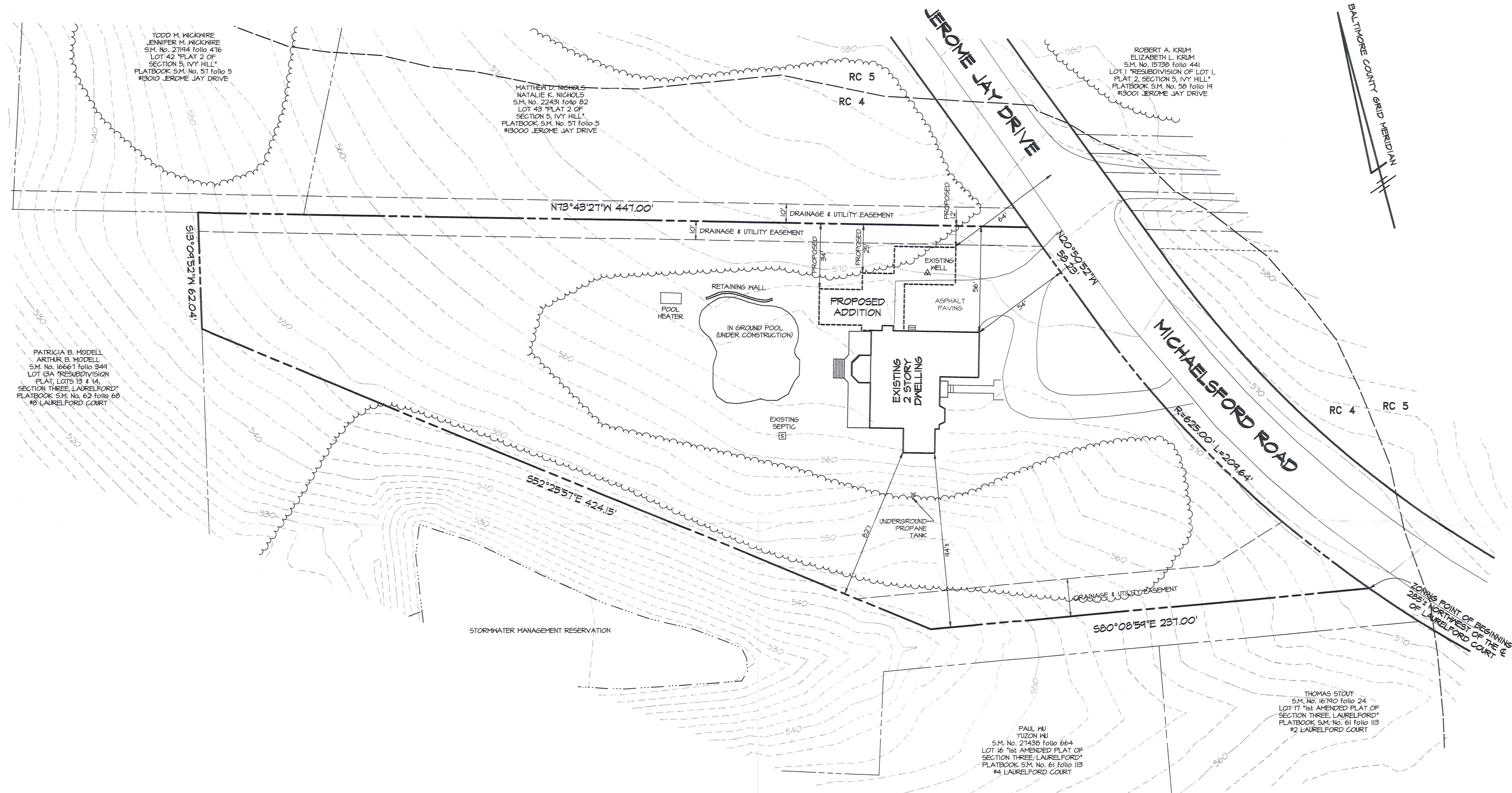
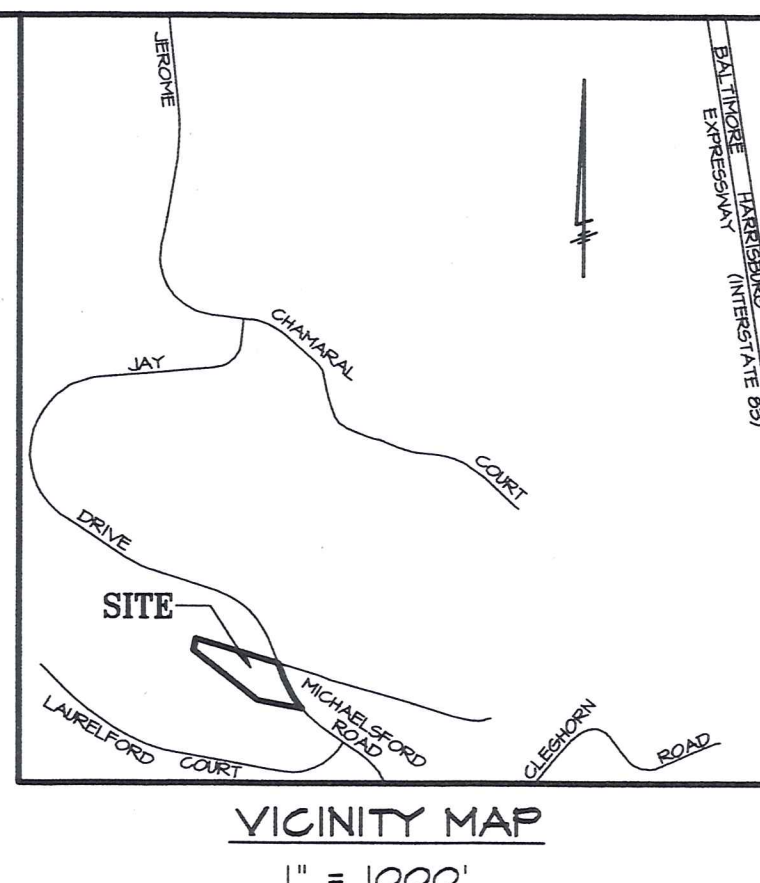
- FROM ANY BUILDING FACE TO:  
CENTERLINE OF ANY STREET  
(NOT COLLECTOR ROAD OR  
LEADING TO COLLECTOR ROAD) 75'
- FROM ANY BUILDING FACE TO:  
LOT LINE OTHER THAN A STREET LINE 50'

|                                                   |         |
|---------------------------------------------------|---------|
|                                                   |         |
|                                                   |         |
|                                                   |         |
|                                                   |         |
| AMEND PROPOSED ADDITION<br>AND SETBACKS REQUESTED | 6/18/10 |
| REVISION                                          | DATE    |

PETITIONER'S

EXHIBIT NO. 2





OWNER  
ANNETTE CIVERA  
12338 MICHAELS FORD ROAD  
COCKEYSVILLE, MD 21030  
610-368-7711

- LEGEND**
- EXISTING WELL
  - EXISTING CLEANOUT
  - WOODS LINE
  - EXISTING PAVING
  - PROPERTY LINE
  - CONTOURS
  - EXISTING BUILDING

- GENERAL NOTES**
1. THE BOUNDARY SHOWN HEREON IS FROM THE RECORD PLAT.
  2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 051A1.
  3. CENSUS TRACT 402801 REGIONAL PLANNING DISTRICT 307 WATERSHED: LOCH RAVEN RESERVOIR SUBWATERSHED: 36 N SCHOOL DISTRICT: ELEMENTARY - PINWOOD; MIDDLE - RIDGELY; HIGH - DULANEY A.D.C. MAP # GRID 1807
  4. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
  5. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
  6. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
  7. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
  8. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
  9. AT THE TIME THAT THE SUBJECT LOT WAS CREATED THE ZONING WAS RC 5. THE 2006 CZMP CHANGED THE ZONING TO RC 4.

**VARIANCE REQUESTED**  
TO PERMIT A SIDE YARD SETBACK OF 12 FEET IN LIEU OF THE REQUIRED 50 FEET PER SECTION 1A04.3.B.3 OF THE 1988 BALTIMORE COUNTY ZONING REGULATIONS.  
  
TO PERMIT A FRONT YARD SETBACK OF 64 FEET IN LIEU OF THE REQUIRED 75 FEET PER SECTION 1A04.3.B.3 OF THE 1988 BALTIMORE COUNTY ZONING REGULATIONS.

**AMENDMENT REQUESTED**  
TO AMEND THE FINAL DEVELOPMENT PLAN FOR LAURELFORD, SECTION THREE, LOT 18 ONLY.

**ZONING HISTORY**  
CASE No. 2010-0129-A GRANTED A SIDE YARD SETBACK OF 32' IN LIEU OF THE REQUIRED 50'.

**R.C. 5 PRINCIPAL STRUCTURE OR DWELLING SETBACKS**

|                                                                                                                |     |
|----------------------------------------------------------------------------------------------------------------|-----|
| FROM ANY BUILDING FACE TO:<br>CENTERLINE OF ANY STREET<br>(NOT COLLECTOR ROAD OR<br>LEADING TO COLLECTOR ROAD) | 75' |
| FROM ANY BUILDING FACE TO:<br>LOT LINE OTHER THAN A STREET LINE                                                | 50' |

|                                                   |         |
|---------------------------------------------------|---------|
| PETITIONER'S                                      |         |
| EXHIBIT NO.                                       | 1       |
| AMEND PROPOSED ADDITION<br>AND SETBACKS REQUESTED | 6/18/10 |
| REVISION                                          | DATE    |

Scale: 1"=30' Date: June 1, 2010

**GERHOLD, CROSS & ETZEL, LTD.**  
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

COMPUTED: DRAWN: RTD CHECKED: BED FILE: X:\Civera\Zoning\_Plat.pro

Exhibit 1