IN RE: PETITION FOR ADMIN. VARIANCE

W side of Thompson Avenue; 440 feet N of

Deer Park Road

4th Election District

4th Councilmanic District

(11106 Thompson Avenue)

Jerry L. and Jeanne M. Houck *Petitioners*

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- FOR BALTIMORE COUNTY
- * Case No. 2011-0053-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, Jerry L. and Jeanne M. Houck for property located at 11106 Thompson Avenue. The variance request is from Sections 1A03.4.B.2.a, 1A03.4.B.3 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed dwelling addition (garage) and open projection (front porch) with side yard setbacks of 10 feet and 15 feet in lieu of the minimum 25 feet (for garage), side yard setback of 15 feet in lieu of the minimum required 1834 feet (for front porch), and permeable surface coverage of 11.6% in lieu of the maximum allowed 10%. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a front porch addition measuring 8 feet x 50 feet and a garage addition measuring 25 feet x 26 feet. This garage will provide shelter from inclement weather and provide much needed storage space for vehicles and other belongings. The proposed porch will protect the Petitioners from the elements when entering and exiting the dwelling. The proposed attached garage will utilize the existing driveway. Petitioners' property is served by a private well located in the front yard and a private septic system which is located in the rear yard.

ORDER RECEIVED FOR FILING						
Date	9-7-10	· · · · · · · · · · · · · · · · · · ·				
Ву	B					

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 15, 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.

ORDER RECEIVED FOR FILING

Date	9-7-10	
Ву	22/	

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date	9-7-10
------	--------



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 7, 2010

JERRY L. AND JEANNE M. HOUCK 11106 THOMPSON AVENUE REISTERSTOWN MD 21136

Re: Petition for Administrative Variance

Case No. 2011-0053-A

Property: 11106 Thompson Avenue

Dear Mr. and Mrs. Houck:

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.

Sincerely,

THOMAS H. BOSTWICK

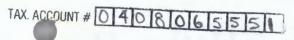
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Paul Poore, PO Box 249, Glyndon MD 21071





regulations of Baltimore County and that the property be reposted.

CASE NO. 2011-0053-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of 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

Zoning Commissioner of Baltimore County

for the property located at	11106	Thom	ipson Ave	٤.
			RC4	
epartment of Permits and Develo				

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) 1AO3. 4. B. Z. a, 1AO3. 4. B. 3 & 301.1, BCZR,

to permit a proposed dwelling addition (garage) and open projection (front porch) with side yard set backs of 10 feet and 15 feet in lieu of the minimum required 25 feet (for garage), side yard setback of 15 feet in lieu of the minimum required 18% feet (for front porch), and permeable surface coverage of 11,6% in lieu of the

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.

	is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	Jerry Lee Houck
Name - Type or Print	Name - Type of Fiftint
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature Name Asull
Attorney For Petitioner:	11106 Thompson Ave. 410 833 5014 Address Telephone No.
Name - Type or Print	Reisterstown Md. 21136 City State Zip Code
FOR FILING	Representative to be Contacted:
Signature ORDER RECEIVED FOR FILING Company	Paul Poore
	P.O. Box 249, 2 Railroad Ave4514
Address Telephone No.	Address Telephone No.
City State 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, of this petition be set for a public hearing, advertised, as required by the zoning

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County as

follows: Ti	hat the information herein given is to testify thereto in the event that a p	within the per	sonal knowled	ge of the Affiant(s) and that Affiant(s) is/are
That the Af	fiant(s) does/do presently reside at	11106 Address	Thomps	son Ave.	
		Reister	a.v.a.la	M	71121
		City	740011	State	Zip Code
That based Variance a	d upon personal knowledge, the folk t the above address (indicate hardsh	owing are the fair or practical of	acts upon which	h I/we base the r	equest for an Administrative
Elia.	THE REAL PROPERTY AND ADDRESS OF THE PARTY AND	p 1-97 ()		A January D. Tal	Tan .
	We are in need of an attached ga				
dependent	and to provide much needed sto				,S. ,
12/1 1/2	We can not meet the current zon (1) The structure cannot be place				ation of
	the septic area.	ed in the rear	of the propert	y due to the loca	ation of
	(2) The current left side setback	does not allo	w for the des	red 25' attached	
	garage.				
	(3) The right side of the house i	s 15' from the	property line	conforming wi	th prior
	setback requirements				
	There are other buildings in the				
	the current side setback require			pson Ave. (right	t side
	neighbor) and 11105 Thompson	Ave. (E. side	e of street)		
That the advertising	Affiant(s) acknowledge(s) that if a gree and may be required to provide	formal demand additional info	d is filed, Affia	nt(s) will be requ	nired to pay a reposting and
Originature (2 ./ /		Signature	1/	/
-	JERRY HOULE		Je	ANUL HO	ull
Name - Type	or Print /		Name - Type	or Print	
	F MARYLAND, COUNTY OF BALT	MORE, to wit:			WHAT WAS THE WAY
I HEREBY	CERTIFY, this 30th day of	Tulu		2010 before me	e, a Notary Public of the State
of Marylan	all MMI Hauck	Gem	ared A HM	ck	4165
ine Affiant	(\$) herein, personally known or satis	ractogry identif	jed to me as si	uch Affiant(s).	
4S WITHE	ESS my hand and Notarial Seal				•
		No	Stac	ey Marti	C

My Commission Expires 12-22-2010

ZONING DESCRIPTION FOR 11106 THOMPSON AVE., REISTERSTOWN, MD. 21136 West side of Thompson Avenue which is 22 feet wide at a distance of 440 feet north of the centerline of Deer Park Road which is 26 feet wide.

As recorded in Deed. Liber # 1611, Folio #195.

- (1) S 4' 20" W-100 feet, (2) S 84' 35"W-220 feet, (3) N 4 degrees 20 min. E-100 feet,
- (4) N 84 degrees 35" E-220 feet to the place at the beginning containing 22,000 sq. ft. Also known as 11106 Thompson Ave. and located in the 4th Election District, 4th Councilman District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Jumber 2000 - 0053 -A Address 11106 Thompson Avenue
Conta	t Person: Jeffrey Perlow Planner, Please Print Your Name Phone Number: 410-887-3391
Filing	Date: 8 3/2010 Posting Date: 8/5/2010 Closing Date: 8/30/2010
Any c	entact made with this office regarding the status of the administrative variance should be 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.
3.	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 his office.
	(Detach Along Dotted Line)
Petitio	ner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case	umber 20053 -A Address 11106 Thompson Avenue
	er's Name Jerry & Jeanne Houck Telephone 410-833-5014
	Date: 8 15 2010 Closing Date: 8/30/2010
Wordin	g for Sign: To Permit a proposed dwelling addition (garage) and open projection front
porch) with side yard setbacks of 10 feet and 15 feet in lieu of the minimum required et (for garage), side yard setback of 15 feet in lieu of the minimum required
72 +	et (tor garage), side yard setback of 15 tret in lieu of the minimum required
184 f	set (for front porch), and impermeable surface coverage of 11.6% in lieu a
the m	wcr - Revised 7/7/08

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Date:		Amount	AEG MEG SANTED	/2010 8/03/2010 14:33/23 5 3 MALKIN 0805 1.RB PT B 47/5/25 S/M27/2010 0/7/N 5 5/28 /MEDIG VERIFICATION
	206	0000		6150				650		158689 Sept of \$65,00
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Rec	10.		Leett	w.l.		Total:		65,00		
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For:	2011	ELITER TO LABOUR S	- A STATE OF THE S			The State of the S	She like to		19 - E	
For:	2011									

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 08/15/10

Case Number: 2011-0053-A

Petitioner / Developer: JERRY & JEANNE HOUCK~PAUL POORE of

POORE BROTHERS CONSTRUCTION SERVICES, INC.

Date of Hearing (Closing): AUGUST 30, 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: 11106 THOMPSON AVENUE

The sign(s) were posted on: AUGUST 15, 2010



Lindu O Keefe
(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

August 31, 2010

Jerry & Jeanne Houck 11106 Thompson Ave. Reisterstown, MD 21136

Dear: Jerry & Jeanne Houck

RE: Case Number 2011-0053-A, 11106 Thompson Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 03, 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.

U. Callibal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel Paul Poore; P.O. Box 249; 2 Railroad Ave.; Glyndon, MD 21071

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 10, 2010

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 23, 2010

Item Nos. 2011- 026, 028, 032, 047, 048, 049, 050, 051, 052, 053, 054,

055, 056 and 057

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08232010 -NO COMMENTS.doc

AV 8/30/10

DATE: August 23, 2010

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) 11-053- 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 Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

RECEIVED

AUG 2 3 2010

ZONING COMMISSIONER



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

August 12, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 9, 2010

Item No.: Variance: 2011-0028SPHA, 2011-0032A, 2011-0047A - 0049A, 2011-0026SPHXA

Administrative Variance: 2011-0050A, 2011-0052 - 0053A, 2011-0055A - 0056A.

Special Hearing: 2011-0028SPHA, 2011-0051SPH, 2011-0057SPH, 2011-026SPHXA

Special Exception: 2011-0026SPHXA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore** County Fire Marshal's Office and the comment below is applicable for the above listed properties.

Comments:

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

Inter-Office Correspondence

RECEIVED



SEP 082010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

September 8, 2010

SUBJECT:

Zoning Item # 11-053-A

Address

11106 Thompson Avenue

(Houck Property)

Zoning Advisory Committee Meeting of August 9, 2010

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

Reviewer:

JWL

Date: 9/8/10



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

MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: August 18, 2010

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

Baltimore County RE:

Item No. 2011-0053-A 11106 THOMPSON AVE. HONCK 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. 2011-. 0093-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,

SDF/mb

CHECKLIST

Comment Received	Department	Conditions/ No Comment
8-10-10	DEVELOPMENT PLANS REVIEW	nc
	DEPRM (if not received, date e-mail sent)	
8-12-10	FIRE DEPARTMENT	nc
8-23-10	PLANNING (if not received, date e-mail sent)	nc
8-18-10	STATE HIGHWAY ADMINISTRATION	nc
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLA	ATION (Case No	
PRIOR ZONING	(Case No. 82-82-A	
NEWSPAPER A	DVERTISEMENT Date:	
SIGN POSTING	Date: 8-15-10 C) Keefe
PEOPLE'S COU	NSEL APPEARANCE Yes No	
PEOPLE'S COU	NSEL COMMENT LETTER Yes No 🖸	
Comments, if any	7:	
1		



* NONE *



Exempt Class:

Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search (2007 vw5.1d)

Go Back View Map New Search

Account Identifier: District - 04 Account Number - 0408065551 **Owner Information** RESIDENTIAL HOUCK JERRY LEE **Owner Name:** HOUCK JEANNE MARIE **Principal Residence:** YES 11106 THOMPSON AV Deed Reference: **Mailing Address:** 1) / 6818/ 660 **REISTERSTOWN MD 21136 Location & Structure Information Legal Description Premises Address** NS THOMPSON AV 11106 THOMPSON AVE .50 AC 650 N DEER PARK RD Plat No: Subdivision Section **Block Lot Assessment Area** Map Grid **Parcel Sub District** Plat Ref: 279 1 57 8 Town **Ad Valorem Special Tax Areas** Tax Class **Enclosed Area Property Land Area County Use Primary Structure Built** 21,780.00 SF 2,127 SF 04 1985 **Stories Basement** Type Exterior STANDARD UNIT SIDING 1 1/2 YES Value Information **Base Value** Value **Phase-in Assessments** As Of As Of As Of 07/01/2010 07/01/2011 01/01/2010 84,940 84,900 Land 257,920 227,700 Improvements: 342,860 312,600 312,600 312,600 Total: **Preferential Land:** 0 **Transfer Information** Seller: HOUCK PHILIP L Date: 11/19/1984 Price: \$0 Type: NOT ARMS-LENGTH Deed1: / 6818/ 660 Deed2: Seller: Date: Price: Deed1: Deed2: Type: Date: Price: Seller: Deed1: Deed2: Type: **Exemption Information** Class 07/01/2010 07/01/2011 **Partial Exempt Assessments** 000 0 0 County 0 000 0 State 000 0 0 Municipal Special Tax Recapture: NO Tax Exempt:





FRONT VIEW FROM ACROSS THOMPSON AUE. (11109)

2011-0053-4



LEFT SIDE OF 11106 (SUBJECT PROPERTY) TAKE FROM PART OF 6125 DEER PARK RD. (OPEN)



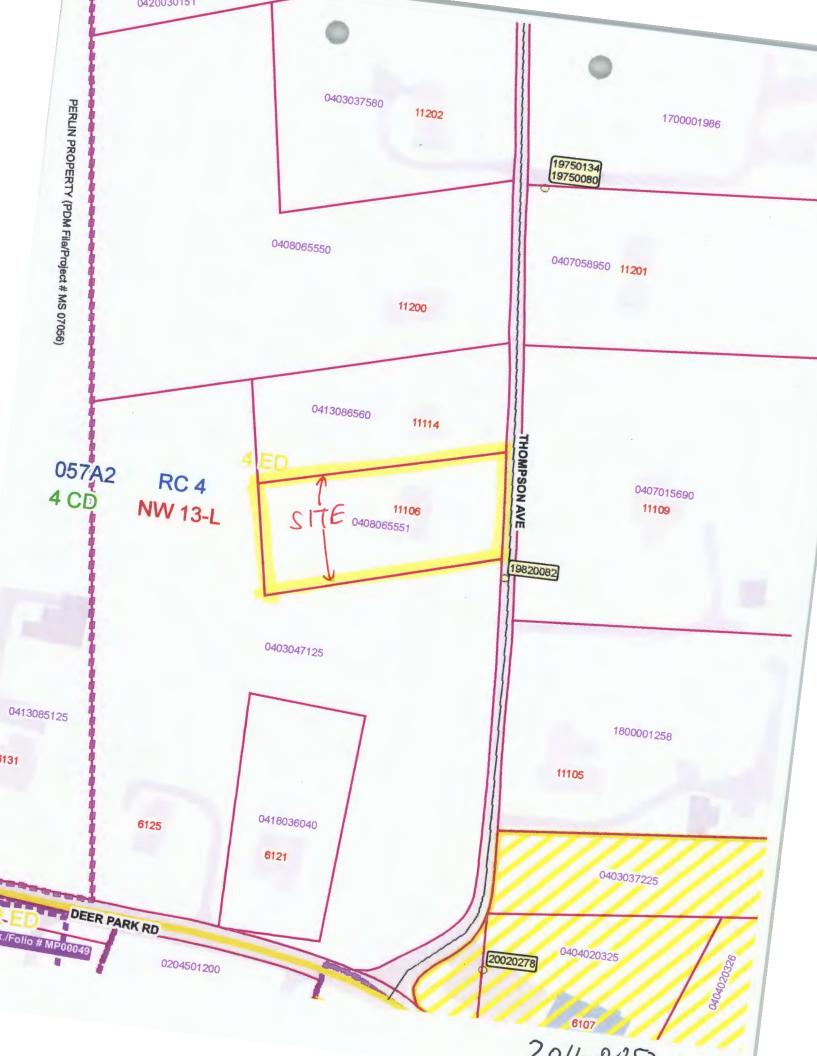
SHOWS PROXIMITY TO PROPERTY LINE



11106 (SUBJECT PROPERTY) Deft Side Where garage is to be built taken from Thompson Ave.



BARN/GARAGE CLOSE TO PROPERTY LIVE (11105)



PROPERTY ADDRESS: 11106 Thompson Ave.

SUBDIVISION NAME: N/A

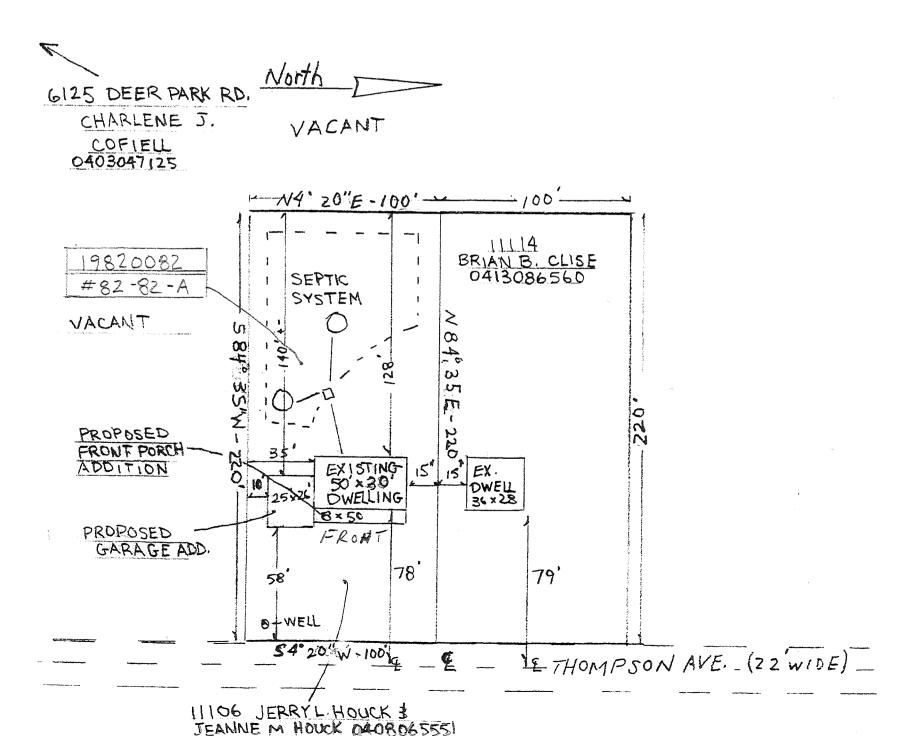
PLAT BOOK # N/A

FOLIO

LOT#X

SECTION # N/A

OWNER: JERRY AND JEANNE HOUCK



LOCATION INFORMATION

Election District 4

Councilmanic District 4

SCALE 1"= 50"

Zoning RC4

Lot Size .505 Acres 22,000 SQ. FT. Impermeable Surface 2550 \$

Public Private

X

WATER

YES NO

CHESAPEAKE BAY
CRITICAL AREA

YES NO

100 YR. FLOOD PLAIN

HISTORIC PROPERTY X

PRIOR ZONING HEARING 19820082 # 82 - 82 - A

2011-0053-A

VICINITY

1" = 1000

North

SUBJE PROPER

THOMPSON A