IN RE: PETITION FOR ADMIN. VARIANCE

N side of Dunbar Road; 330 feet W of the c/l of Dunran Road 12th Election District 7th Councilmanic District (6822 Dunbar Road)

Susan S. Williams *Petitioner*

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- FOR BALTIMORE COUNTY
- * Case No. 2011-0064-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Susan S. Williams for property located at 6822 Dunbar Road. The variance request is from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed open projection (deck) to have a rear yard setback of 26 feet in lieu of the allowed 37.5 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct a deck measuring 10 feet x 10 feet in size. The dwelling was constructed in 1930 prior to the imposition of zoning on the property. This modest size deck will not have an impact on any adjacent properties. There is a 14 feet wide alley is to the right and rear of the property.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 22, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECE	IVED FOR FILING	
Date	9-14-10	
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The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

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

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

Deto	9-14-10	
Date	.0. /	2
Ву	- YB	



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 14, 2010

SUSAN S. WILLIAMS 6822 DUNBAR ROAD DUNDALK MD 21222

Re: Petition for Administrative Variance

Case No. 2011-0064-A Property: 6822 Dunbar Road

Dear Ms. Williams:

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

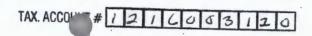
THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure



I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County



CASE NO. 2011-0064-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	6822	DUN BA	k	CD	
which	h is presen	tly zoned	R	10.5	

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) 1 B 02, 3.C.1 and 301, 1 - to

permit a proposed open projection (deck) to have a rear yard setback of 26 feet in lieu of the allowed 371/2

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.

S. William Villam BAK PD	4/0-212-6781 Telephone No.
Villiam	410-212-6281
BAK 20	
BAK RO	
State	21122 Zip Code
llia ms	EU TAJES EU TAJES
NBAR	RD 410-212481
mo	Telephone No.

Estimated Posting Date

Affidavit in Support of Administrative Variance

That the Affiant(s) does/do presently reside at

My Commission Expires 12/14/2011

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

IF the deck met zowin	ng RE EULATIONS it would be
too Small to USE.	26' to the property line. Zoning regulations SEEm to
23.2 M	
That the Affiant(s) acknowledge(s) that if a formal demand is advertising fee and may be required to provide additional inform Susas Swilliams Name - Type or Print	s filed, Affiant(s) will be required to pay a reposting and lation. Signature Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 9th day of August of Maryland, in and for the County aforesaid, personally appears SISO S Williams	2010_, before me, a Notary Public of the State
the Affiant(s) herein, personally known or satisfactorily identified	
AS WITNESS my hand and Notarial Seal Jamie M Trent Molary	1 1
Alakara Bului	mmission Expires 12/14/2011

ZONING DESCRIPTION 6822 DUNBAR ROAD

Beginning at a point on the north side of Dunbar Road which is 30 feet wide at a distance of 330 feet (+/-) west of the centerline of the nearest improved intersecting street Dunran Road which is 50 feet wide. Being lot #367, in the subdivision of Dundalk Highlands as recorded in Baltimore County Plat Book #9, Folio #42, containing 2805 square feet.

Also known as 6822 Dunbar Road and located in the 12th Election District, 7th

Councilmanic District.

Iten#0064

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

	ADMINIOTRATIVE VARIANCE IN CRIMATION STEET AND DATES
Case	Number 2000 - 0064 -A Address 6822 Dunbar Rd
	ct Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing	Date: $\frac{8}{10}$ Posting Date: $\frac{8}{22}$ Closing Date: $\frac{9}{6}$ / 10
Any c	contact made with this office regarding the status of the administrative variance should be gh the contact person (planner) using the case number.
1.	<u>POSTING/COST</u> : 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.	<u>DEADLINE:</u> 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 this office.
	(Detach Along Dotted Line)
Petitic	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case I	Number 20064 - A Address 6822 Dunbar Rd
Petitio	ner's Name Susan Williams Telephone 410 282 6781
Postir	ng Date: 8/22/10 Closing Date: 9/6/10
	ar yard setback of 26 feet in lieu of the allowed 371/2

WCR - Revised 7/7/08

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:
Item Number or Case Number: 2011-0064-A
Petitioner: Susan S. Williams
Address or Location: 6823 DUNBAK RD DUNDALK, MD2122:
PLEASE FORWARD ADVERTISING BILL TO: Name: SUSAN S.WILLIAMS Address: 6822 JUNBAK RD DUNBAK, MD 21222
Telephone Number: 4/0-08 2-6781

OFFIC	E OF BUI	DGET AN	MARYLAN D FINANC RECEIPT	È			593°	18	PAID RECEIPT METIESS ACTUAL CONT. DES
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Rec From: Fqt:	Zos	1	legen	<u> </u>	2631	Total:	10 6	2 2 A	
DISTRIBU WHITE - C		PINK - AGE PLEAS	NCY SE PRESS	YELLOW - C	USTOMER	Ċ	GOLD - ACC	COUNTING	CASHIER'S VALIDATION

CERTIFICATE OF POSTING

2011-0064-A RE: Case No.: Petitioner/Developer: Susan Williams September 6 2010 Date of Hearing/Closing: _ **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 Attn: Kristin 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: 6822 Dunbar Road August 22 2010 The sign(s) were posted on (Month, Day, Year) Sincerely, Robert Block August 23, 2010 (Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940

(Telephone Number)





JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 9, 2010

Susan Williams 6822 Dunbar Rd. Dundalk, MD 21222

Dear: Susan Williams

RE: Case Number 2011-0064-A, 6822 Dunbar Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 11, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

U. Cal Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

August 25, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 23, 2010

Item No .:

Administrative Variance: 2011-0039A, 0059A, 0062A - 0064A, 0067A, 0069A, 0070A, 0072A

Variance: 2011-0037A, 0038A, 0040A, 0041A, 0046A, 0058XA, 0059A, 0065A, 0066A, 0068A, 0071A

Special Exception: 2011-0058XA

Special Hearing: 2011-0061SPH

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.

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: August 26, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits &

Development Management

FROM: De

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 6, 2010

Item Nos. 2011- 037, 038, 039, 040, 041, 046, 059, 060, 061, 062, 063, 064, 066, 067, 069, 070 and 071

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-09062010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 11-064- 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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

RECEIVED

DATE: August 30, 2010

AUG 3 1 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





SEP 082010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

September 8, 2010

SUBJECT:

Zoning Item # 11-064-A

Address

6822 Dunbar Road

(Williams Property)

Zoning Advisory Committee Meeting of August 23, 2010

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

Date: AUGUST 25, 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 - 0064-A 6822 DUNBAR RD WILLIAMS 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. 20 11-0064-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



From:

Patricia Zook

To:

Williams, LaShenda

Date:

9/10/2010 9:36 AM

Subject: Descriptions for Monday's administrative variance cases

CC:

Bostwick, Thomas

LaShenda -

I don't yet have the files or the descriptions for the administrative variances that closed on Monday. I'd like to at least get the descriptions now so that I can start processing the requests.

I've received a couple calls from Petitioners and they were referred to you.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 105 West Chesapeake Avenue, Suite 103 Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - any administrative variance cases from Monday?

From:

Patricia Zook

To:

Williams, LaShenda

Date:

9/9/2010 10:03 AM

Subject:

any administrative variance cases from Monday?

CC:

Bostwick, Thomas

Good morning LaShenda -

Are there any administrative variance cases that closed on Monday?

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

any administrative variance cases from Monday? pzook@baltimorecountymd.gov

Subject: Created By: Scheduled Date:

Creation Date:

9/9/2010 10:03 AM

From: Patricia Zook

Recipient	Action	Date & Time	Comment
To: LaShenda Williams (Iwilliams@baltimorecountymd.gov)	Delivered	9/9/2010 10:03 AM	•
CC: Thomas Bostwick (tbostwick@baltimorecountymd.gov)	Read	9/9/2010 10:14 AM	



2011-064-A



Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

Go Back View Map **New Search**

		Ow	ner Inform	ation					
Owner Name: WILLIAMS SUSAN S Mailing Address: 6822 DUNBAR RD				Use: Principal Residence: Deed Reference:			YE	RESIDENTIAL YES 1) /10180/ 586	
	BALTIMORE	MD 21222-59	06	6					
		Location &	Structure	Inforr	natio	1			
Premises Address						Legal De	scription		
6822 DUNBAR RD							INDALK AV	-	
Map Grid Parcel 5 103 22 447	Sub District	Subdivision	Section 3	Block	Lot 367	Assessme 3		Plat No: Plat Ref:	9/ 42
Special Tax Areas	A	own d Valorem ax Class							
Primary Struct 1930	ture Built		ed Area 05 SF			erty Land A 2,805.00 SF	rea	County 04	Use
Stories 2	Sasement YES		Type END UNIT			Exterior BRICK			
		Va	lue Inform	ation					
	Base Value	Value	Phase-in	Assess	ment	s			
		As Of 01/01/2009	As 0 07/01/201		As /01/20	Of 11			
Land	34,000	34,000							
Improvements:	51,030	77,740	402.02	_		40			
Total: Preferential Land:	85,030 0	111,740	102,83	0	111,7	0			
Preferential Land.	-		nsfer Infor	_	1	-			
Seller: WILLIAMS RAN	IDALL L					01/1993	Price:	\$0	
Type: NOT ARMS-LEN	NGTH			Deed:	1:/10:	180/ 586	Deed2:		
Seller: EPARD CATHERINE K Type: IMPROVED ARMS-LENGTH						05/1977 75/ 333	Price: Deed2:	\$23,000	
Seller: Type:	er:						Price: Deed2:		
	7	Exen	ption Info	rmatio	n				
Partial Exempt Asses	ssments		Cla	ss	07/0	1/2010	07/	01/2011	
County			000)	0		0		
State			000		0		0		
Municipal			000)	0		0		
Tax Exempt: NO Exempt Class:			Special Tax Recapture: * NONE *						

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View of rear of property from fence or property line. Lauger or Large or left AOL | Mail Toolbar | Make AOL My Home Page

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Action Search Mail Reply Forward IM Delete Sparr Today on AOL (no subject) RhondaMski to you - 42 min ago More Details New Mail 53 31 Old Mail **Drafts** Sent Ms **Spam (35) Recently Deleted** Contacts Calendar My Folders

View of properly from possess side of house were deck will be

Basic Version | Accessible Version | Mail Blog | Feedback @ 2010 AOL Inc. All Rights Reserved

8/10/2010





Publication Date: August 11, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

Item #0064

Ν ROAD DUNHILL 38 57 36 35 UNITED 2.8 27 25 23 22 DUNRAN D MAILMANS U D Pinilita: DUNDALK ROAD 62 91 THIS PHOTO TAKEN FROM THE RECORDS OF THE CARCUIT COUNT FOR BALTIMORE COUNTY IS FOR OFFICIAL USE ONLY AND NOT TO BE USE ONLY AND NOT TO BE GIFT DUNBAR 67 30 at 79 19 100.00 FRAME *** G 34 06 ROAD 103.33 416HT ROAD 2 BELCLARE 7 RESUBDIVISION OF PORTION OF DUNDALK HIGHLANDS Panda Prosts, Lakes and External Scalins of them on this Plat for the purpose of description only and not for the perpose of description only and not for the perpose of description only and not for the perpose of description of the perpose of the and other perposes. It is not of the perpose of the and other perposes of the and other perposes of the and other perposes of the perpose of the perp BEING A DEVELOPMENT OF THE DUNDALK COMPANY DUNDALK, BALTIMORE CO., MD. JUNE, 1989. SCALE IM-40FE Westers &

Item #0064

0064-A

PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANCE PROPERTY ADDRESS 6822 DUNBAR ROAD SEE PAGES 5 & 6 OF THE CHECKLIST FOR SUBDIVISION NAME DUNDALK HIGHLANDS PLAT BOOK # 9 FOLIO # 42 LOT # 367 SECTION # OWNER SUSAN WILLIAMS	DUNHILL RD DUNBAR RD BELCLARE RD
21.6 GARAGE PRO- POSED OCCK OCCK 14' ALLEY 26 OCCK OC	VICINITY MAP SCALE: 1" = 1000' LOCATION INFORMATION ELECTION DISTRICT 12TH COUNCILMANIC DISTRICT 7TH
#6822 #6824 #6826 LOT 367 LOT 366 LOT 365 31.6 330' (*/) TO (DUNRAN RO DUNBAR ROAD (30' R W)	I"=200' SCALE MAP # (0383 ZONING DR 10.5 LOT SIZE
NORTH	PRIOR ZONING HEARING NONE ZONING OFFICE USE ONLY BEVIEWED BY ITEM # CASE # 2011-

PREPARED BY

SCALE OF DRAWING: 1" = 30'