

IN RE: PETITION FOR ADMIN. VARIANCE
NW side of Merediths Ford Road; at the
intersection of SE side of St. Francis Road
9th Election District
3rd Councilmanic District
(1216 Merediths Ford Road)

William J. and Susan L. Bates
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2011-0087-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, William J. and Susan L. Bates for property located at 1216 Merediths Ford Road. The variance request is from Section 1B02.3.B (Sections 205.4 and 205.3 of the 1958 regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing dwelling with a side street setback of 35 feet in lieu of the minimum required 40 feet and a street centerline setback of 60 feet in lieu of the minimum required 65 feet, and a rear yard setback of 27 feet in lieu of the minimum required 40 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners' property is an irregular shaped corner lot and the existing dwelling was constructed in 1960. Petitioners state the variance is needed in order to obtain title insurance for the existing dwelling. Denial of the variance would prevent the current or future owners from obtaining a mortgage in the future.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

ORDER RECEIVED FOR FILING

Date 9-30-10

By 

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 12, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 30th day of September, 2010 that a variance from Section 1B02.3.B (Sections 205.4 and 205.3 of the 1958 regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing dwelling with a side street setback of 35 feet in lieu of the minimum required 40 feet and a street centerline setback of 60 feet in lieu of the minimum required 65 feet, and a rear yard setback of 27 feet in lieu of the minimum required 40 feet is hereby GRANTED, subject to the following:

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

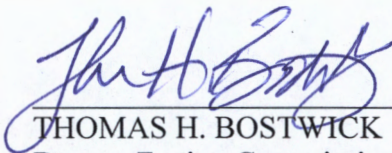
ORDER RECEIVED FOR FILING

Date 9.30-10

2

By B

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 9-30-10

By h



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 30, 2010

WILLIAM J. AND SUSAN L. BATES
1216 MEREDITHS FORD ROAD
TOWSON MD 21286

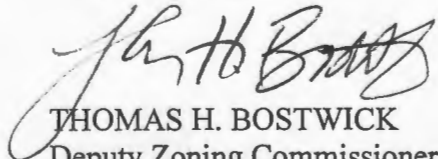
Re: Petition for Administrative Variance
Case No. 2011-0087-A
Property: 1216 Merediths Ford Road

Dear Mr. and Mrs. Bates:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1216 Merediths Ford Rd 21286
which is presently zoned Dc2 (Formerly R-20)

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)

IBO2,3,B, BC2R (Section 205.4 and
Section 205.3 of the 1958 Zoning Regulations) to permit an existing dwelling with a side street setback of 35 feet in lieu of the minimum required 40 feet and a street centerline setback of 60 feet in lieu of the minimum required 65 feet and a rear yard setback of 27 feet in lieu of the minimum required 40 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

ORDER RECEIVED FOR FILING
9-30-10

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

William J Bates Susan L Bates self
Name - Type or Print _____
Signature _____
SUSAN L. BATES
Name - Type or Print _____
Signature _____
1216 Merediths Ford Rd 410-296-4329
Address _____ Telephone No. _____
Towson Md 21286
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Zoning Commissioner of Baltimore County

CASE NO. 2011-0087-A

REV 10/25/01

Reviewed By JNP Date 9/2/2010

Estimated Posting Date 9/12/2010

NOTARY PUBLIC, BALTIMORE COUNTY
STATE OF MARYLAND
MY Commission Expires May 10, 2014

Affidavit in Support of Administrative Variance

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

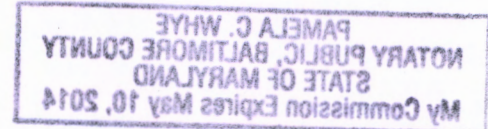
That the Affiant(s) does/do presently reside at 1216 Merediths Ford Rd
Address
Towson md 21286
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

VARIANCE IS REQUESTED

IN ORDER TO OBTAIN TITLE

INSURANCE FOR THE EXISTING DWELLING. Denial of this variance would prevent current or future owners from obtaining a mortgage in the future



That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

William J. Bates
Signature
William J. Bates
Name - Type or Print

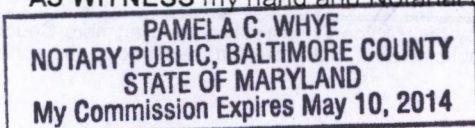
Susan L. Bates
Signature
Susan L. Bates
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of August, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William J. Bates / Susan L. Bates
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Pamela C. Whye
Notary Public
My Commission Expires 5-10-2014

Zoning Description for 1216 Merediths Ford Road

Beginning at a point on the northwest side of Merediths Ford Road having a 50-foot right-of-way and at the corner of the southeast side of St. Francis Road having a 50-foot right-of-way.

Being Lot #3 in the Subdivision known as "Plat of St. Francis Section, Hampton Village", as recorded in Baltimore County Plat Book #25, Folio #73 containing 20,856 square feet. Also known as 1216 Merediths Ford Road and located in the 9th Election District and 3rd Councilmanic District.

2011-0087-A

Zoning Description for 1216 Merediths Ford Road

Beginning at a point on the northwest side of Merediths Ford Road having a 50-foot right-of-way and at the corner of the southeast side of St. Francis Road having a 50-foot right-of-way.

Being Lot #3 in the Subdivision known as "Plat of St. Francis Section, Hampton Village", as recorded in Baltimore County Plat Book #25, Folio #73 containing 20,856 square feet. Also known as 1216 Merediths Ford Road and located in the 9th Election District and 3rd Councilmanic District.

2011-0087-A

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

No. **60061**

Date: **9/2/2010**

PAID RECEIPT

BUSINESS ACTUAL TDA 169
 9/02/2010 9/02/2010 0943430 1
 MD 0001 - MARYLAND DEPT. OF
 RECEIPT # 470000 9/02/2010 0010
 Dept 5 520 JUDICIAL CERTIFICATION
 NO. 060061
 Recpt Tot 445.00
 445.00 CR 9.00 12
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	200	0200		0150				65.00

Total: **65.00**

Rec From: **William & Susan Bates**
 For: **Administrative Expense 1216 Meredith Ford Rd**
2011-0027-A (Bates)

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

**CASHIER'S
 VALIDATION**

AV 9/27/10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

OCT 25 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 25, 2010
SUBJECT: Zoning Item # 11-087-A
Address 1216 Merediths Ford Road
(Bates Property)

Zoning Advisory Committee Meeting of September 6, 2010.

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

This area had private septic systems – years ago. Verify that public sewer now exists if any bldg. permits are to be applied for.

Reviewer: Dan Esser

Date: 9/15/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 21, 2010
RECEIVED

SEP 27 2010

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

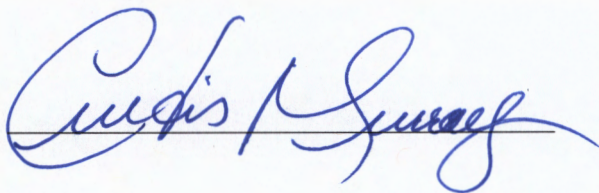
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-087- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



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

Account Identifier: District - 09 Account Number - 0902002810

Owner Information

Owner Name: BATES WILLIAM **Use:** RESIDENTIAL
BATES SUSAN **Principal Residence:** YES
Mailing Address: 1216 MEREDITHS FORD RD **Deed Reference:** 1)/28818/ 1
BALTIMORE MD 21286-1320 2)

Location & Structure Information

Premises Address **Legal Description**
1216 MEREDITHS FORD RD
BALTIMORE 21286-1320 1216 MEREDITHS FORD RD
HAMPTON VILLAGE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area
61	20	367			ST		3	2

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	Co
1960	1,704 SF	20,856.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT BRICK	

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	183,710	183,710		
Improvements:	226,500	226,500		
Total:	410,210	410,210	410,210	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller:	Date:	Price:
BATES WILLIAMS	11/02/2009	
Type: NOT ARMS-LENGTH	Deed1: /28818/ 1	Deed2:
BARROWS LOIS J, TRUSTEE	09/21/2009	
Type: IMPROVED ARMS-LENGTH	Deed1: /28660/ 362	Deed2:
BARROWS CHARLES H	06/29/2005	
Type: NOT ARMS-LENGTH	Deed1: /22138/ 386	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:**
Exempt Class: * NONE *

Subject Photo Page

Borrower/Client				
Property Address 1216 MEREDITHS FORD				
City TOWSON	County BALTIMORE	State MD	Zip Code 21286	
Lender				



Subject Front

Sales Price
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location
View
Site
Quality
Age



SIDE VIEW



SIDE VIEW

2011-0087-A



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 28, 2010

William & Susan Bates
1216 Merediths Ford Rd.
Towson, MD 21286

Dear: William & Susan Bates

RE: Case Number 2011-0087-A, 1216 Merediths Ford Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 02, 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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

September 9, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: **September 6, 2010**

Item No.:

Administrative Variance: 2011-0084A, 0086A-0087A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 10, 2010

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 20, 2010
Item Nos. 2011- 084, 086, 087
and 088

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-09202010 -NO COMMENTS.doc



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 8, 2010

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

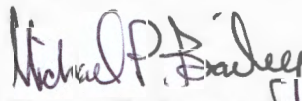
RE: Baltimore County
Item No. 2011-0087-A
1216 MEREDITHS FORD RD
BATES PROPERTY
ADMIN. VARIANCE -

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. 2011-0087-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

CERTIFICATE OF POSTING

Department of Permits & Development Management
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

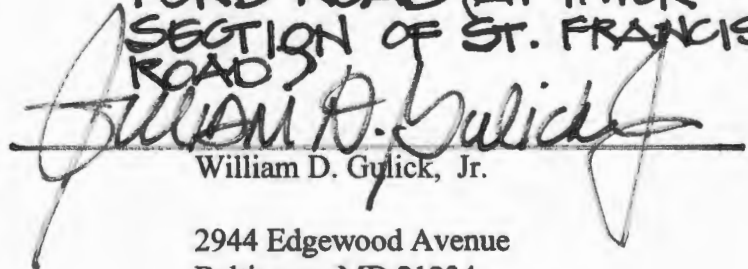
Date: 9.12.2010

ZONING OFFICE
Attention: **MS. KRISTEN MATTHEWS**

Re: Case Number: **2011-0087-A**
Petitioner/Developer: **WILLIAM & SUSAN BATES**
Date of Hearing/Closing: **9.27.2010**

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: **1216 MEREDITHS**

The sign (s) were posted on:
9.12.2010

FORD ROAD (AT INTER-SECTION OF ST. FRANCIS ROAD)


William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

SEE ATTACHED SITE PHOTOS



FULL VIEW TO BOTH ROADS

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0087 -A Address 1216 Merediths Ford Road

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/2/2010 Posting Date: 9/12/2010 Closing Date: 9/27/2010

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
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)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

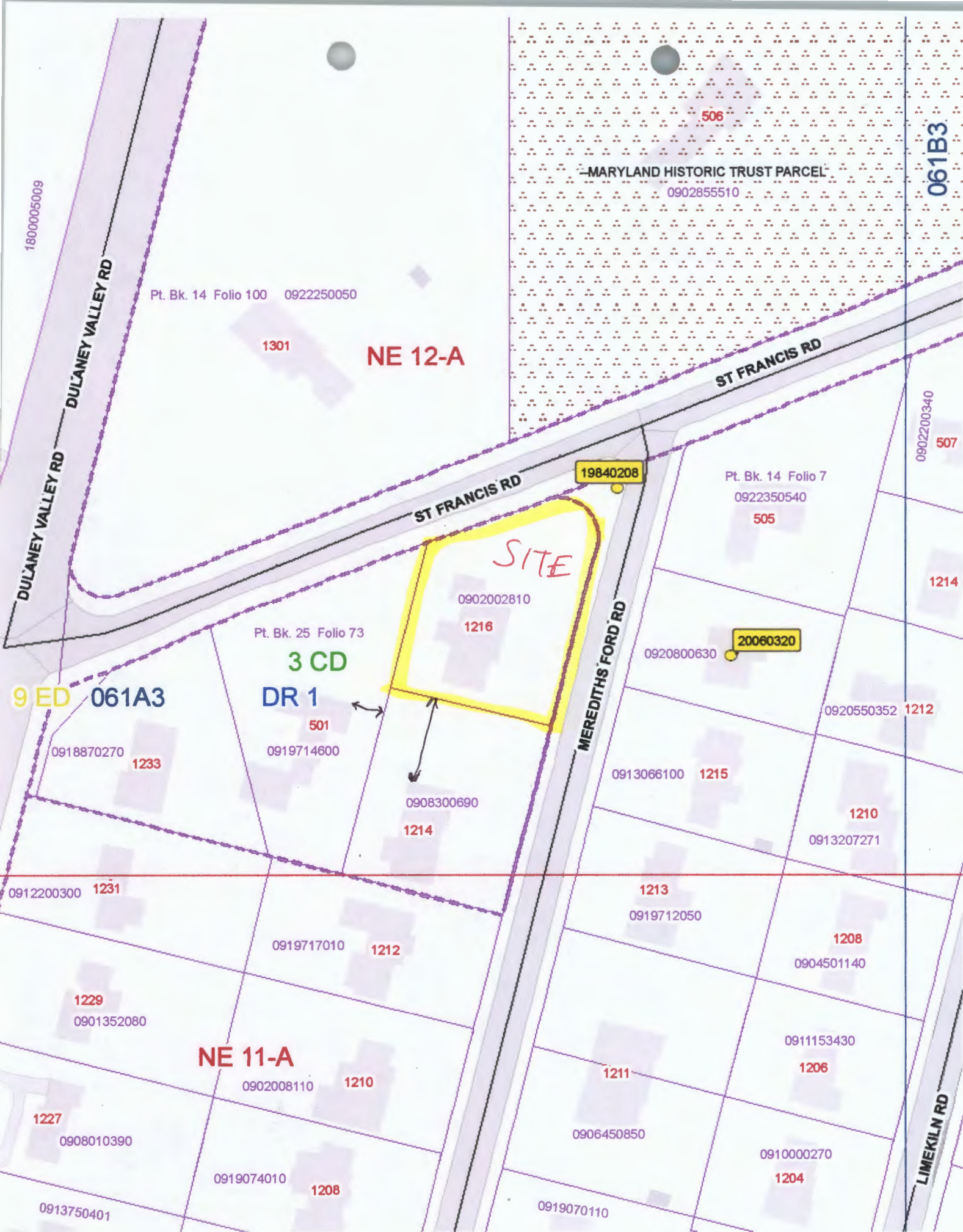
Case Number 2010- 0087 -A Address 1216 Merediths Ford Road

Petitioner's Name William & Susan Bates Telephone 410-296-4329

Posting Date: 9/12/2010 Closing Date: 9/27/2010

Wording for Sign: To Permit an existing dwelling with a side street setback of 35 feet in lieu of the minimum required 40 feet, a street centerline setback of 60 feet in lieu of the minimum required 65 feet, and a rear yard setback of 27 feet in lieu of the minimum required 40 feet.

Revised 8/20/09



2011-0087-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

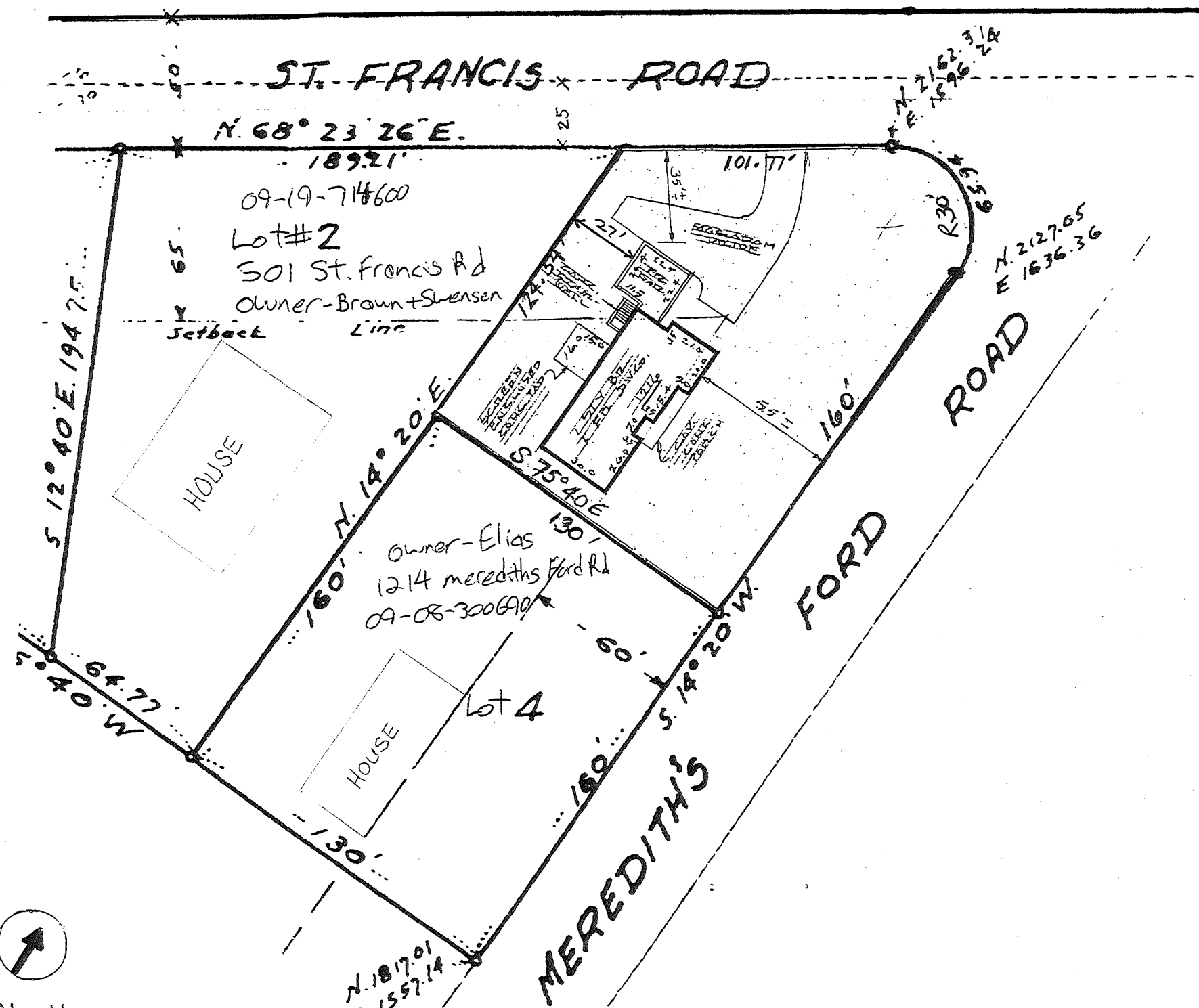
PROPERTY ADDRESS: 1216 MEREDITHS FORD ROAD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HAMPTON VILLAGE, PLAT OF ST. FRANCIS SECTION

plat book# 25, folio# 73, lot# 3, section#

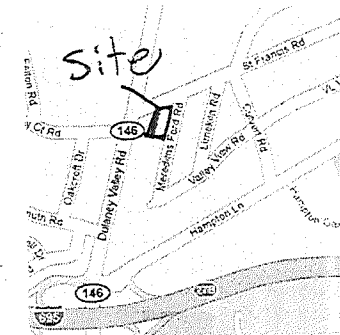
OWNER: SUSAN AND WILLIAM BATES



North

date: _____
prepared by: _____

Scale of Drawing: 1" = 50'



Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 9

Councilmanic District: 3

1" = 200' scale map#: 061A3

Zoning: DR1 (VESTED R-20)

Lot size: .48 20,856
acres square feet

SEWER: ☒ ☐
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: 1984-0208

Zoning Office USE ONLY!

reviewed by: JNP ITEM #: 0087 CASE #: 2011-0087-A