#### IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Seven Mill Lane; 250 feet S. of Midfield Road

3<sup>rd</sup> Election District

2<sup>nd</sup> Councilmanic District

(7805 Seven Mile Lane)

Stuart B. and Paula Beth Taub *Petitioners* 

- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 2011-0130-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, Stuart B. and Paula Beth Taub for property located at 7805 Seven Mile Lane. The variance request is from Section 303.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") for DR 2 zoning, to permit a front average setback of 31 feet to a Country right-of-way line in lieu of the required 42.5 feet for a proposed garage addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a garage addition measuring 33 feet x 22 feet. The property is square shaped; however, the dwelling was situated and constructed at an angle toward the street. A garage addition of any reasonable size would require a variance. There is no alternative location for the proposed garage on the property.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated October 18, 2010 which indicates that the amount of new paving for the driveway should be minimized and every effort should be made to retain as much of the existing screening along Seven Mile Lane as is possible.

ORDER F	ECEIVED FOR FILING	
Date	11.5.10	
Ву	M	

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

> 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.

> > 2

ORDER A	ECEIVED FOR FILING
Date	11.8.10
Ву	B

2. The amount of new paving for the driveway shall be minimized and every effort should be made to retain as much of the existing screening along Seven Mile Lane as is possible

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 11.5.0



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

November 5, 2010

STUART B. AND PAULA BETH TAUB 7805 SEVEN MILE LANE PIKESVILLE MD 21208

> Re: Petition for Administrative Variance Case No. 2011-0130-A Property: 7805 Seven Mile Lane

Dear Mr. and Mrs. Taub:

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.

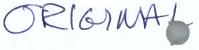
Sincerely,

THOMAS H. BOSTWICK Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure



2161MAL REEP IN FICE





day of

REV 10/25/01

regulations of Baltimore County and that the property be reposted.

## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7805 which is presently zoned

> 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

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) 303. I BCZR FOR DR 2 ZONING.

TO PERMIT A FRONT AVERAGE SETBACK OF 31 FT. TO COUNTY RIGHT OF WAY LINE
IN LIEU OF THE REQUIRED FOR A 2.5 FT. FOR A PROPOSED GIARAGE ADDITION

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.

4					
see:		Legal Own	ner(s):		
		STU	ART B. T	AUB	
		Name - Type or	Print Charles	479771	
		Signature	White was	1 1 1	1444.1 - 10
	Telephone No.	Name - Type or	Brint Bb	4 KLEIN	IMAN TAUB
State	Zip Code	Signature	03		410.486.1266
		Address	05 SE	VEN MI	LE LA Telephone No.
EOR FILIT	4 <del>G</del>		SVILLE	MD State	21208 Zip Code
10		Representa	ative to be C	ontacted:	
2		Name 12 n	BT TAUR		410,486126
7	Telephone No.	Address	CAULT	NMIH	Telephone No.
State	Zip Code	City	COVINE	State	Zip Code
	FOR FILIN	Telephone No.  State Zip Code  FOR FILING  Telephone No.	Signature PAL Name - Type of Signature PAL Name - Type of Signature 78 Address PIKE City Representa Name 180 Address PIKE PIKE City Representa	Signature PAULA BETT Name - Type or Print Signature PAULA BETT Name - Type or Brint Signature PAULA BETT Name - Type or Brint Signature  7805 SET Address PIKESVILLE City Name 7806 SEVE Address PIKESVILLE Name 7806 SEVE Name 7806 SEVE Name 7806 SEVE	Signature PAULA BETH KLEIN Signature PAULA BETH KLEIN Name - Type or Print Name - Type or Print PAULA BETH KLEIN Name - Type or Print Name - Type or

# 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 Af	fiant(s) does/do presently reside at	7805	SEVEN	MUE LA	INE
mat the Ai	names does do presently reside at	Address	SVILLE	MD	21208
That based Variance at	upon personal knowledge, the foliothe above address (indicate hardship	owing are the fa ip or practical di	cts upon which	State  h I/we base the	request for an Administration
	re seeking an Administrative Var		ce the minim	um 40' front se	etback to 31' for
i.	Strict compliance with the 40' find garage at the proposed location setback would be unnecessarily and fittings would have to be are no alternative locations for	n to a sufficier y burdensome relocated to p	nt depth for use because two rovide the ne	ise. Conforma o existing air o ecessary setba	ince with the 40' onditioning units
ii.	There is no lesser relaxation to	give substant	al relief.		
iii.	Granting of relief will meet the safety or welfare.	spirit of the ord	dinance and	there will be no	threat to public
That the Aff advertising for Signature  Signature  Name - Type or	iant(s) acknowledge(s) that if a foree and may be required to provide a support of the support o	rmal demand is dditional inform	Signature  PAUA  Name - Type or	DETH KLEI	ired to pay a reposting and
I HEREBY C of Maryland,	ERTIFY, this San day of OC in and for the County aforesaid, pers	toper	, <u>201</u>	, before me,	a Notary Public of the State

AS WITNESS my hand and Notarial Seal

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

Notary Public

My Commission Expires 6/1/2011

0130

### ZONING DESCRIPTION FOR:

7805 Seven Mile Lane Baltimore 21208

Beginning at a point on the northeast side of

Seven Mile Lane which is 18 (Prescriptive) wide

At the distance of 250 feet +/- south of the

centerline of the nearest improved intersecting street Midfield Road

which is 50 feet wide. As recorded in Deed Liber 16858 Folio 276 THEN THE FOLLOWING COULSES AND DISTANCES ON THE NE SIDE OF SEVEN MILE LANK, N.70 11' 00"E. 196.90ft., S. 19 49' 00" E. 175.96ft., S 70 11' 00" W. 174.20ft.,

S 70 11' 00" W. 30.26ft., N 27 16' 00" W. 116.93ft., N 26 57' 00" W. 60.47ft.,

N 70 11' 00" E. 30.23ft. to the place of beginning containing 32,560 sf.

Also known as 7805 Seven Mile Lane and located in the 3<sup>rd</sup> Election District, 2<sup>nd</sup> Councilmanic District.

## **CERTIFICATE OF POSTING**

**ATTENTION: KRISTEN MATHHEWS** 

**DATE:** 10/15/10

Case Number: 2011-0130-A

Petitioner / Developer: STUART TAUB

Date of Hearing (Closing): NOVEMBER 1, 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: 7805 SEVEN MILE LANE

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



Lindu O Kufe
(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)

ZONING REVIEW ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES Case Number 20 0/30 Address 7805 SEVEN MILE LA. Contact Person: Phone Number: 410-887-3391 Planner, Please Print Your Name Posting Date: 10/17/10 Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the 1. 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. 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 4. 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 Address 7805 SEVEN MILE LANE Case Number 20#4-Petitioner's Name STUART TOUB \_\_\_\_ Telephone 410 486 1266 Posting Date: 10 Closing Date: Wording for Sign: TO Permit A PROPOSED ATTACHED GARAGE WITH A FRONT AVEKAGE SETBACK OF 31 FT. IN LIEU OF THE

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## **ZONING REVIEW**

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Petitioner: TAVB
Jan BC1511 May 1 Ans
Address or Location: 1999 PURA MILE DIME
1605
PLEASE FORWARD ADVERTISING BILL TC
Name: STIART TAVE
Address 7806 SEVEN MUE LAVE
BATIMARE, MD 2120B
Telephone Number: 410.496-1266



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 1, 2010

Stuart & Paula Taub 7805 Seven Mile Ln. Pikesville, MD 21208

Dear: Stuart & Paula Taub

RE: Case Number 2011-0130-A, 7805 Seven Mile Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 05, 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 Richald

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

**Enclosures** 

c: People's Counsel

## BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

DATE: October 20, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kerinedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

**Zoning Advisory Committee Meeting** 

For October 25, 2010

Item Nos. 2011- 123, 125, 127, 128,

129 and 130

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-10252010 -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) 11-130- Administrative Variance

The petitioners request an administrative variance in order to allow an attached garage 31 feet from the street right of way in lieu of the required average front setback of 42.5 feet. There is existing screening along the property's Seven Mile Lane frontage.

#### **SUMMARY OF RECOMMENDATIONS:**

If the Zoning Commissioner determines that the petitioner has demonstrated hardship or practical difficulty, the amount of new paving to for the driveway should be minimized and every effort should be made to retain as much of the existing screening along Seven Mile Lane as is possible.

For further questions or additional information concerning the matters stated herein, please contact Diana Itter in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

RECEIVED

DATE: October 18, 2010

OCT 1 8 2010

**ZONING COMMISSIONER** 



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct. 20,2010

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

RE: Baltimore County

Item No. 2011-0138-A 7809 SEVEN MILE LN.
TAUR PROPERTY
2011-ADMIN. VAIRIANCE

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 - . 0130-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

#### **BALTIMORE COUNTY, MARYLAND**

#### **Inter-Office Correspondence**



RECEIVED

DEC 01 2010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

December 1, 2010

SUBJECT:

Zoning Item # 11-130-A

Address

7805 Seven Mile Lane

(Taub Property)

Zoning Advisory Committee Meeting of October 11, 2010.

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

Reviewer:

**JWL** 

Date: 12/1/10



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 13, 2010

ATTENTION:

Kristen Mathews

ZAC Agenda 10/25/2010

Item Numbers:

2011-0123-SPHA

2011-125-A

2011-0127-A

2011-0128-A

2011-0129-A

2011-0130-A

2011-0131-A

2011-0132-SPH

The fire marshal's office has no comments at this time.

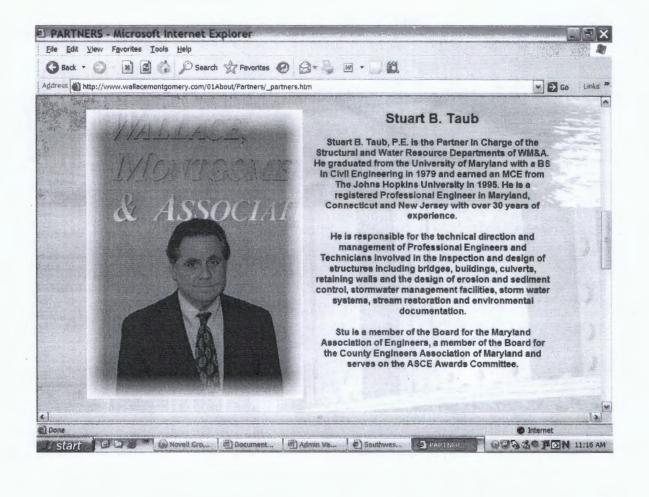
Lt. Jimmie D. Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File

Maryland Department of Assessments and Taxation Real Property Data Search (vw2.3) BALTIMORE COUNTY

Account le	dentifier:
------------	------------

Account	ount Identifier: District - 03 Account Number - 0305000720									
Owner					Owner Inform	nation				
			TAUB STUART B KLEINMAN-TAUB PAULA BETH		Use: Principal Residence:					
Mailing A	Address	:	7805 SEVEN BALTIMORE				Deed	Reference	e:	
					Location	on & Structure	e Informati	on		
Premises 7805 SE\						LT NES	escription VEN MILE	LN		
						226 SW	MILFORD	RD		
	Grid 4	Parcel 339	Sub District		Subdivisio	n Section	Block	Lot	Asses:	sment Are
Special 1 Areas	Гах	Ad	wn I Valorem x Class				, , , , , , , , , , , , , , , , , , ,			
Primary 1960	Structu	re Built			closed Are	a	Property 32,560.0	Land Are	a	
Stories	Base	ment	Type STANDARD UN	NIT	Exterior FRAME					
						Value Inform	ation			
			Base Value	As (		Phase-in As As Of 07/01/2010	sessments As Of 07/01/2			
Land Improve	ments:		245,640 283,080	245	,640 ,080					
Total: Preferen	tial Lan	d:	528,720 0	528 0	,720	528,720 0	NOT A			
						Transfer Info	mation			
Seller: Type:			N B, TRUSTEE RMS-LENGTH				Date: Deed1:	09/24/20 /16858/		Price: Deed2:
Seller: Type:		Y EDWII ARMS-LI					Date: Deed1:	03/15/2 /15043/		Price: Deed2
Seller: Type:		Y EDWII	N B RMS-LENGTH				Date: Deed1:	10/26/1 /14112/		Price: Deed2
					Е	xemption Info	rmation			
Partial E County State Municipa		Assessn	nents			Class 000 000 000	(	)		07. 0 0





RECEIVED

OCT 06 2010

RECEIVED OFFICE

007 00 2010

**Baltimore County** Department of Permits and Development Management Zoning Review 111 W. Chesapeake Ave. Rm. 111 Towson, MD 21204

> RE: Request for Administrative Zoning Variance

> > 7805 Seven Mile Lane Baltimore, MD 21208 Case No. 2011-0130-A

#### Gentlemen:

I am forwarding photographs of the subject property and Case No. as requested at the petition posting of October 5, 2010.

October 6, 2010

If you have any questions or additional photos are required, please call.

Thank you

Sincerely,

Stuart B. Taub

7805 Seven Mile Lane Baltimore, MD 21208 410-486-1266

## 7805 SEVEN MILE LANE - CASE NO. 2011-0130-A



Photo No. 1: Proposed Garage Location North Driveway Entrance Tall Grass Behind Small Car (Looking East from Seven Mile Lane)



Photo No. 2: Proposed Garage Location North Driveway Entrance
Tall Grass Behind Small Car (Looking East from Entrance)

## 7805 SEVEN MILE LANE - CASE NO. 2011-0130-A



Photo No. 3: Southwest Property Corner at Pikesville Middle School (Looking Southeast from Seven Mile Lane)



Photo No. 4: Southwest Property Corner at Pikesville Middle School (Looking Northwest from Seven Mile Lane)

## 7805 SEVEN MILE LANE - CASE NO. 2011-0130-A



Photo No. 5: Northwest Property Corner at 7807 Seven Mile Lane (Looking Northeast from Seven Mile Lane)



Photo No. 6: Northwest Property Corner at 7807 Seven Mile Lane (Looking Southeast from Seven Mile Lane)

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE PROPERTY ADDRESS 1805 SEVEN MILE LANE SEE PAGES 5 & 6 OF THE CHECKLIST FOR	E SPECIAL HEARING R ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME N/A  PLAT BOOK # — FOLIO # 2.76 LOT # — SECTION # — LIBER 16858  OWNER STUART & PAULA BETH TAUB  LEONARD 4  HELEN SOLUMS TEXIST. FOLIO 27  HOUSE  226.33' 70  SCHOOL	SOUTHVALE RD PROPERTY  TO SMITH AVE.  VICINITY MAP
P.I. NE SEVEN MILE LANE 4 SOUTH SIDE MID FIELD RD.  PRESCRIPTIVE RIW  RESCRIPTIVE RIW  RIW  RESCRIPTIVE RIW  RIW  RIW  RIW  RIW  RIW  RIW  RIW	LOCATION INFORMATION  ELECTION DISTRICT 3  COUNCILMANIC DISTRICT 2  1"=200' SCALE MAP #  ZONING DR 2  LOT SIZE 0.76 32,660  ACREAGE SQUARE FEET  PUBLIC PRIVATE  SEWER
Frent Ave 40'+ 45' = 42.5'  AO'+ 45' = 42.5'  BEPTIC TANK  FRED TREE 174.20'  PIKESVILLE  MIPPLE	CHESAPEAKE BAY CRITICAL AREA  100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING NONE
NORTH  PREPARED BY  SET NATI (0.9.10 SCALE OF DRAWING: 1" = 50	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #