

IN RE: PETITION FOR VARIANCE
N side of Manchester Rd, 545 feet
E of Beverly Road
12th Election District
7th Councilmanic District
(7326 Manchester Road)

Christopher Barr, Jr. and Mary Ann Barr
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **CASE NO. 2011-0162-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Christopher Barr Jr. and Mary Ann Barr. Petitioners are requesting Variance relief from Section 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit the height of a proposed garage to be a maximum of 20 feet in lieu of the permitted 15 feet. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioners Christopher Barr, Jr. and Mary Ann Barr, and David H. Karceski, Esquire, attorney for Petitioners. Also appearing was a family friend, Ed Crizer. Mr. Crizer expressed support for Petitioners' proposal and variance relief, but did not otherwise participate in the hearing. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is rectangular shaped and contains approximately 5,580 square feet, more or less, zoned D.R.5.5. The property is located on the north side of Manchester Road, west of Merritt Boulevard and north of German Hill Road, in the Eastpoint area of southeastern Baltimore County. The property is improved with an existing 1½-story single-family dwelling with an enclosed front porch. There is also an existing gravel driveway and parking area as shown on the site plan. As indicated in the SDAT Real Property Data

ORDER RECEIVED FOR FILING

Date 12-22-10

By

Search, Petitioners have owned the property since 1995 and reside in the home that was constructed as part of the "Beverly Farms" subdivision in 1914. At this juncture, Petitioners desire to construct a garage accessory structure in the rear yard as shown on the site plan, measuring approximately 28 feet wide by 34 feet deep with a maximum height of 20 feet. Petitioners also plan to replace the existing gravel driveway with a proposed concrete driveway that would extend to the garage.

In support of the variance relief, Petitioners' attorney, Mr. Karceski, submitted an aerial photograph that was marked and accepted into evidence as Petitioners' Exhibit 2. This exhibit depicts the location of the subject property as well as nearby properties and uses. Mr. Karceski pointed out several unusual features that surround the subject site and render it unique in a zoning sense. First, he noted that the property is the only one that is directly across the street from a rather large, 2 acre property that is home to the Calvary Baptist Church. The church property is shown in a photograph that was marked and accepted into evidence as Petitioners' Exhibit 3A. In addition, the property has a significant stand of trees to the rear, and an even larger forested area beyond the property to the north.

Mr. Karceski also submitted photographs that were marked and accepted into evidence as Petitioners' Exhibits 4A through 4C. These photographs show the front view of Petitioners' dwelling (4A), their neighbor the left (4B), and their neighbor to the right (4C). Mr. Karceski also noted that the neighbor to the left at 7326 Manchester Road has an existing garage located in the rear yard that appears to be two stories -- very similar in location, size, and height to that which is proposed by Petitioners. Also submitted was an elevation drawing of the proposed garage, which was marked and accepted into evidence as Petitioners' Exhibit 5. This rendering shows a two car garage with a second floor loft that would be used only for storage of personal and household items. According to Petitioners, it is not intended, nor would it be used, for living quarters or for any commercial use. In addition, siding would be similar to the existing home's exterior.

ORDER RECEIVED FOR FILING

Date 12-22-10

2

By P3

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 December 6, 2010 which recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes. Petitioners indicated they would comply with this recommendation.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Petitioners' property is the only property that sits directly across from a much larger church property, and has a significant stand of trees to the rear. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner. If the relief were not granted, Petitioners would be unable to store their valuables in a secure place. Petitioners would also be compelled to construct another accessory structure on the property to provide enough storage, which could crowd the property and would not be as environmentally preferable, in terms of impervious surface coverage.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. In my view, the natural screening to the rear of the property and the location directly across the street from an existing church will result in a very minimal impact to nearby properties and the neighborhood as a whole.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 22nd day of December, 2010 by this Deputy Zoning Commissioner that Petitioners' Variance request from Section 400.3 of the Baltimore

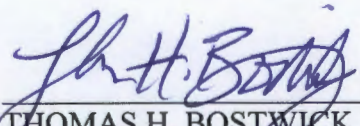
ORDER RECEIVED FOR FILING

Date 12-22-10
By PM

County Zoning Regulations ("B.C.Z.R.") to permit the height of a proposed garage to be a maximum of 20 feet in lieu of the permitted 15 feet be is hereby **GRANTED**, subject to the following:

1. Petitioners may apply for permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, bathroom, or kitchen facilities.
3. The accessory structure shall not be used for commercial purposes.
4. Petitioners indicated during the hearing that, following the construction of the garage, they intend to replace the existing asbestos shingles on the home. A further condition of the relief granted is that if/when Petitioners remove the asbestos shingles, they shall replace the shingles with siding, fascia, and trim materials that are the same or similar to that of the garage so that the structures match or are complementary to one another. An example would be the neighbors' home and garage at 7322 Manchester Road shown in Petitioners' Exhibit 4B.

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

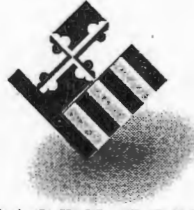

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 12-22-10

By 



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 22, 2010

DAVID H. KARCESKI, ESQUIRE
VENABLE LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON MD 21204

Re: Petition for Special Hearing and Variance
Case No. 2011-0162-A
Property: 7326 Manchester Road

Dear Mr. Karceski:

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,

A handwritten signature in cursive script, reading "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Christopher Barr, Jr. and Mary Ann Barr, 7326 Manchester Road, Baltimore MD 21222
Ed Crizer, 2627 Brannan Avenue, Edgemere MD 21219

TAX ACCT 1212002280
1212002281



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 7326 Manchester Road
which is presently zoned DR 5.5

Deed Reference: 11266 / 598 Tax Account # 1212002280

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)

section 400.3, BCZR, to permit the height of a proposed garage to be a maximum of 20' in lieu of the permitted 15'

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

to be determined at hearing

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:

Arnold Jablon

Name - Type or Print

Signature

Venable, LLP

Company

210 West Pennsylvania Ave. 410 494 6298

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Christopher Barr, Jr.

Name - Type or Print

Signature

Mary Ann Barr

Name - Type or Print

Signature

7326 Manchester Rd

Address

Telephone No.

Baltimore, Maryland 21222

City

State

Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 West Pennsylvania Ave. 410 494 6298

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Case No. 2011-0162-A

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by D.T. Date 11/4/10

DROP OFF

REV 8/20/07

ORDER RECEIVED FOR FILING

Date 12-22-10

By B

Zoning Office
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

Zoning Office:

Please be advised that we, the undersigned, has authorized Arnold Jablon, Esq., Venable, LLP, 210 West Pennsylvania Ave., Towson, Maryland 21204, to be our attorney-in-fact and attorney-at-law and on our behalf file the attached petitions for zoning relief and for the applicable use permit. We hereby understand that the relief requested is for property we own and we hereby and herewith acknowledge our express permission for said petition to be filed on our behalf. The petition(s) filed is/are for property located at 7326 Manchester Road, property we own.

Christopher Barr Jr.
Christopher Barr, Jr.

10-11-10 (Date)

7326 Manchester Road, Baltimore, Maryland 21222
Address

Mary Ann Barr
Mary Ann Barr

10-11-10 (Date)

7326 Manchester Road, Baltimore, Maryland 21222
Address

2011-0162-A

ZONING DESCRIPTION

Beginning for the first on the north side of Manchester Road at the point thereon where the dividing line between Lots Nos. 11 and 12, as laid out on the Plat No. 2, of Beverly Farms, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 4, folio 106, intersects said north side of Manchester Road thence easterly running along the north side of Manchester Road the distance of 45 feet, thence for a line of division northerly at right angles to the north side of Manchester Road and parallel with the dividing line between Lots Nos. 11 and 12, aforesaid the distance of 124 feet, thence still for a line of division westerly parallel to the north side of Manchester Road the distance of 45 feet to meet the dividing line between Lots Nos. 11 and 12 aforesaid, the distance of 124 feet to the place of beginning. Being a portion of Lot No. 12 on the Plat No. 2 Beverly farms, recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 4, folio 106. The improvements thereon being known as 7326 Manchester Road.

Beginning for the second thereof on the north side of Manchester Road at the distance of 60 feet west of the point where the dividing line between Lots Nos. 12 and 13 as laid down on the Plat No. 2 of Beverly Farms, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 4, folio 106, intersects the north side of Manchester Road, said point of beginning being also at the southwest corner of the lot of ground conveyed by John W. Cooke and wife to Elmer R. Cooke by Deed dated July 20, 1940, and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr., No. 1117, folio 23, thence westerly along the north side of Manchester Road the distance of 45 feet to meet the lot of ground herein firstly described, thence for a line of division easterly and parallel with Manchester Road the distance of 45 feet to the northwest corner of the lot of ground conveyed by John W. Cooke to Elmer R. Cooke hereinabove mentioned thence southerly along the westernmost line of the land conveyed by John W. Cooke to Elmer R. Cooke aforesaid and parallel with the dividing line between Lots Nos. 12 and 13 aforementioned as laid down on Plat No. 2 of Beverly Farm's aforesaid the distance of 124 feet to the place of beginning. Being a portion of Lot No. 12 on Plat No. 2 of Beverly Farms which Plat is recorded amongst the Land Records of Baltimore County in Plat Book W.P.C. No. 4, folio 106.

Being all and the same lot of ground described in a Deed dated April 8, 1982 and recorded among the Land Records of Baltimore County, Maryland in Liber 6386, folio 803 which was granted and conveyed from Raymond P. Lannan and Edith E. Lannan, his wife and Marlene J. Watson and John L. Watson, her husband onto Joseph John Amos, Sr. and Janet Carol Amos, his wife.

Beginning for the third at the beginning of the land which by deed dated May 18, 1972, and recorded among the Land Records of Baltimore County in Liber EHK, Jr., No. 5296, folio 829, was conveyed by Edith E. Lannan and Alice Kathryn Dyer, surviving executrixes of the Last Will and Testament of Anna C. Cooke, to Marlene J. Watson and husband, said place of beginning being situate in the division line between Lot 11 and 12 as laid out and shown on Plat No. 2 Beverly Farms, recorded among the Land Records of

2011-0162-A

Baltimore County in Plat Book WPC No. 4, folio 106, at a point distant 124.00 feet measured in a northerly direction on said division line from its intersection with the north side of Manchester Road as shown on said plat, thence leaving said place of beginning and running and binding on the 1st line of the aforesaid deed, referring all courses of this description to the meridian of the hereinmentioned plat (1) North 10 degrees 11 minutes East 63.00, thence running and binding on a part of the 2nd line of said deed (2) South 79 degrees 49 minutes East 90.00 feet, thence running for a new line of division through the land described in the hereinmentioned deed, of which the parcel now being described is a part (3) South 10 degrees 11 minutes West 63.00 feet to intersect the 4th line of the hereinmentioned deed at a point distant 45.00 feet measured in a westerly direction on said line from the beginning thereof, thence running and binding on a part of said 4th line (4) North 79 degrees 49 minutes West 90.00 feet to the place of beginning. Containing 5,670 square feet or 0.130 acre of land, more or less.

Being All and the Same lot of ground described in a Deed dated April 8, 1982 and recorded among the land Records of Baltimore County, Maryland in Liber 6386, folio 801 which was granted and conveyed from Raymond P. Lannan and Edith E. Lannan, his wife unto Joseph John Amos, Sr. and Janet Carol Amos, his wife.
Containing 19,930 SF or .457 ac, more or less.

Note: the above description is for zoning purposes only and is not to be sued for contracts, conveyances or agreements.

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

No. 61020

Date: 11/4/10

PAID RECEIPT

BUSINESS ACTUAL TIME IRW
11/03/2010 11/05/2010 09:03:55 2

REG WS05 WALKIN DDOL DMD
>>RECEIPT # 551410 11/05/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				65.00

Dep: 5 528 ZONING VERIFICATION

NO. 061020

Recpt Tot \$65.00
\$65.00 CK \$0.00 CA
Baltimore County, Maryland

Total: 65.00

Rec From: CHRISTOPHER BARR

For: 2011-0162-A
7326 MANCHESTER RD.

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

2011 0162

**NOTICE OF ZONING
HEARING**

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

Case: #2011-0162-A

7326 Manchester Road
N/side of Manchester Road,
545 feet east of Beverly
Road

12th Election District
7th Councilmanic District
Legal Owner(s): Christopher
& Mary Ann Barr

Variance: to permit the
height of proposed garage
to be a maximum of 20' in
lieu of the permitted 15'.

Hearing: Monday, Decem-
ber 20, 2010 at 9:00 a.m.
in Room 104, Jefferson
Building, 105 West Ches-
apeake Avenue, Towson
21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

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

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

12/041 Dec. 2 262370

CERTIFICATE OF PUBLICATION

12/21, 2010

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 12/21, 2010.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0162-A

RE: Case No.: _____

Petitioner/Developer: _____

Christopher & Mary Ann Barr

Dec 20, 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:

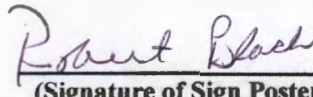
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

-7326 Manchester Road

December 4 2010

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,



December 6, 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)

ZONING NOTICE

CASE 2011-0162-A

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

PLACE: Room 104, JEFFERSON BUILDING 21204
105 WEST CHESAPEAKE AVE. TOWSON

DATE AND TIME MONDAY, DECEMBER 20, 2010 AT 7:00 PM

REQUEST VARIANCE TO PERMIT THE HEIGHT OF PROPOSED
GARAGE TO BE A MAXIMUM OF 20' IN LIEU OF THE
PERMITTED 15'.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 2, 2010 Issue - Jeffersonian

Please forward billing to:

Arnold Jablon
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6298

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2011-0162-A

7326 Manchester Road
N/side of Manchester Road, 545 feet east of Beverly Road
12th Election District – 7th Councilmanic District
Legal Owners: Christopher & Mary Ann Barr

Variance to permit the height of proposed garage to be a maximum of 20' in lieu of the permitted 15'.

Hearing: Monday, December 20, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 23, 2010

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2011-0162-A

7326 Manchester Road

N/side of Manchester Road, 545 feet east of Beverly Road

12th Election District – 7th Councilmanic District

Legal Owners: Christopher & Mary Ann Barr

Variance to permit the height of proposed garage to be a maximum of 20' in lieu of the permitted 15'.

Hearing: Monday, December 20, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:kl

C: Arnold Jablon, 210 W. Pennsylvania Avenue, Towson 21204
Mr. & Mrs. Barr, 7326 Manchester Road, Baltimore 21222

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 4, 2010
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2011-0162-A

Petitioner: Christopher + Mary Ann Barr

Address or Location: 7326 Manchester Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Arnold Jablon

Address: venable

210 W. Pennsylvania Ave

Towson, MD 21204

Telephone Number: _____



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

December 15, 2010

Christopher & Mary Ann Barr
7326 Manchester Road
Baltimore, Maryland 21222

Dear Christopher & Mary Ann:

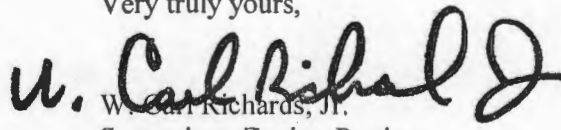
RE: Case # 20110162-A 7326 Manchester Rd

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 4, 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:rjc

Enclosures

c: People's Counsel
Venable, LLP Arnold Jablon 210 West Pennsylvania Ave Towson Md 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, (Acting) Director
Department of Permits and
Development Management

DATE: December 6, 2010

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

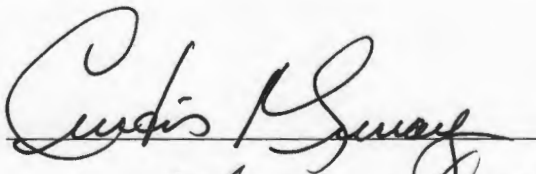
SUBJECT: 11-162 -Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 20 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

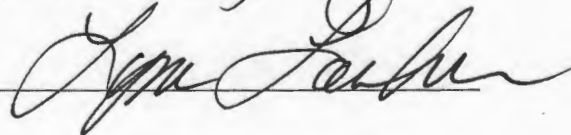
For further information concerning the matters stated herein, please contact John Alexander at 410-887-3480.

Prepared by:



Division Chief:

MJM/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 29, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For November 29, 2010
Item Nos. 2011- 160, 161, 162, 163,
164, 165, 166, 167, 168, 169, 170,
171, 173, 174, 175, 177, 178 and 179

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-11292010 -NO COMMENTS.doc

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

November 24, 2010

Dept of PDM
Room 111, County Office Building
111 West Chesapeake Ave.
Towson, MD 21204
MS #1105

Attention Kristen Matthews

The Fire Marshal's office has no comment on the following zoning cases:

2011-0159-A, 2011-0160-A, 2011-0161-A, 2011-0162-A, 2011-0163-A, 2011-0163-A,
2011-0165-A, 2011-0166-A, 2011-0167-A, 2011-0168-SPH, 2011-0169-A, 2011-0170-A
2011-0171-XA, 2011-0172-A, 2011-0173-SPH, 2011-0174-A, 2011-0175-A,
2011-0176-SPH, 2011-0177-A, 2011-0178-A, 2011-0179-A.

Thank you,

A handwritten signature in black ink, appearing to read "Steven Judlick".

Steven Judlick, Fire Marshal
Baltimore County Fire Department
Office of the Fire Marshal
410-887-4880

Visit the County's Website at www.baltimorecountyonline.info



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TB
12/20 9AMState Highway
AdministrationMartin O'Malley, Governor
Anthony G. Brown, Lt. GovernorBeverley K. Swalm-Staley, Secretary
Nell J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Nov. 24, 2010

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

RE: Baltimore County
Item No. 2011-0162-A
7326 MANCHESTER RD
BARR PROPERTY
VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0162-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

RE: PETITION FOR VARIANCE * BEFORE THE
7326 Manchester Road; N/S of Manchester *
Road, 545' E of Beverly Road * ZONING COMMISSIONER
12th Election & 7th Councilmanic Districts
Legal Owners: Christopher & Mary Ann Barr* FOR
Petitioner(s) * BALTIMORE COUNTY
* 2011-162-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

DEC 08 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Interoffice Memorandum

DATE: November 5, 2010

TO: Zoning Commissioner and File

FROM: Donna Thompson, Planner II, Zoning Review

SUBJECT: Petition for Zoning Variance
Case No. 2011-0162-A
7326 Manchester Road

The attorney for the petitioner, Arnold Jablon has filed a petition for zoning variance for a detached garage taller than the 15-foot height limit. Upon further review of the paperwork that was dropped-off it is noted that the proposed structure appears to be located on a lot by itself. Although the GIS differs. An email was sent to Mr. Jablon referencing this problem. It is our office's understanding that a Special Hearing is required to have an accessory structure on a lot without a principal dwelling. Please see the attached emails.

If you have any questions please call me.

dt

Donna Thompson - Drop Off Petition for Manchester Rd

From: Donna Thompson
To: aejablon@venable.com
Subject: Drop Off Petition for Manchester Rd

Arnold:

I am looking at our GIS which shows the house overtop of the lot line, although the drawing submitted shows the house on a lot by itself. If this is the case the petitioner will have to file for a special hearing to have an accessory structure on a lot without a principal structure in addition to the zoning variance.

Please let me know what you want me to do.

Donna

2011-0162-A

Donna Thompson - Re: Drop Off Petition for Manchester Rd

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: <DThompson@baltimorecountymd.gov>
Date: 11/1/2010 12:02 PM
Subject: Re: Drop Off Petition for Manchester Rd

No. No special hearing is required. This is merger by zoning. There are sufficient cases to justify that where separate lots have been or to be used to support a permitted use, the lots are merged for zoning purposes. Specifically, see the Mueller case, which involved under sized lots.

Please process the petition as filed. If you disagree, feel free to note your belief in the file.

Thanks, donna.

Sent from my BlackBerry Wireless Handheld

From: Donna Thompson [mailto:DThompson@baltimorecountymd.gov]
Sent: Monday, November 01, 2010 11:56 AM
To: Jablon, Arnold E.
Subject: Drop Off Petition for Manchester Rd

Arnold:

I am looking at our GIS which shows the house overtop of the lot line, although the drawing submitted shows the house on a lot by itself. If this is the case the petitioner will have to file for a special hearing to have an accessory structure on a lot without a principal structure in addition to the zoning variance.

Please let me know what you want me to do.

Donna

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

ARNOLD JABLON
T (410) 494-6298

aejablon@venable.com

7 December 2010

George Klunk, Acting Director
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

Re: Case No. 2011-162-A

Dear Mr. Klunk:

By this letter, I am withdrawing my appearance in the above captioned zoning matter. Please enter the appearance of David Karceski, Esq., of 210 West Pennsylvania Ave., Towson, Maryland 21204.

Thank you.

Sincerely,



Arnold Jablon
AEJ/aj



1203049250

Lot # 12

7328-A

1600010321

Lot # 12

Pt. Bk. 35, Folio 99

1600008976
Lot # 13

Pt. Bk. 4, Folio 106

20030284

Lot # 11

1210000060

1203049460 Lot # 12

1900003674
Lot # 12

1203049212
Lot # 12

Pt. Bk./Folio # 035099C

Lot # 13A
1600008977

7330

7332

PDM # 128008

7 CD

096B3 DR 5.5

SE 2-E

7322

Pt. Bk./Folio # 004106

1212002280
Lot # 12

7326

1212002281
Lot # 12

1203049210
Lot # 12
7328

SITE

1600010322

MANCHESTER RD

19730090

Lot # 28

1213025930

Lot # 27

Lot # 27

1203003320

Pt. Bk. 4, Folio 80

7327

Lot # 25
1600005753

7329
1207015491
Lot # 26

Lot # 26
1600007056

Lot # 26

1207015490

2011-0162-A

CASE NAME 2011-162-A
CASE NUMBER 7326 Manchester
DATE 12/20/10 Rd

[illegible]

Case No.:

2011-0162-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	aerial photograph	
No. 3 A+B	photos of property where garage proposed	
No. 4 A-C	subject property and properties on either side	
No. 5	elevation drawing of proposed garage	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

GENERAL NOTES

1. Area of property: 5,580 SF
2. Existing Zoning of Property: DR 5.5
3. Existing Use of Property: residential
4. Proposed Zoning of Property: DR 5.5
5. Proposed Use of Property: residential
6. Property served by: public utilities
7. Proposed Garage: 28' x 34' x 19' 3.5 "
8. Petitioner Requesting: variance to the height of the proposed garage of maximum of 20' in lieu of permitted 15'
9. Existing dwelling constructed: 1914
10. Existing zoning history: None
11. Not within Critical Area

PLAN TO ACCOMPANY PETITION FOR VARIANCE

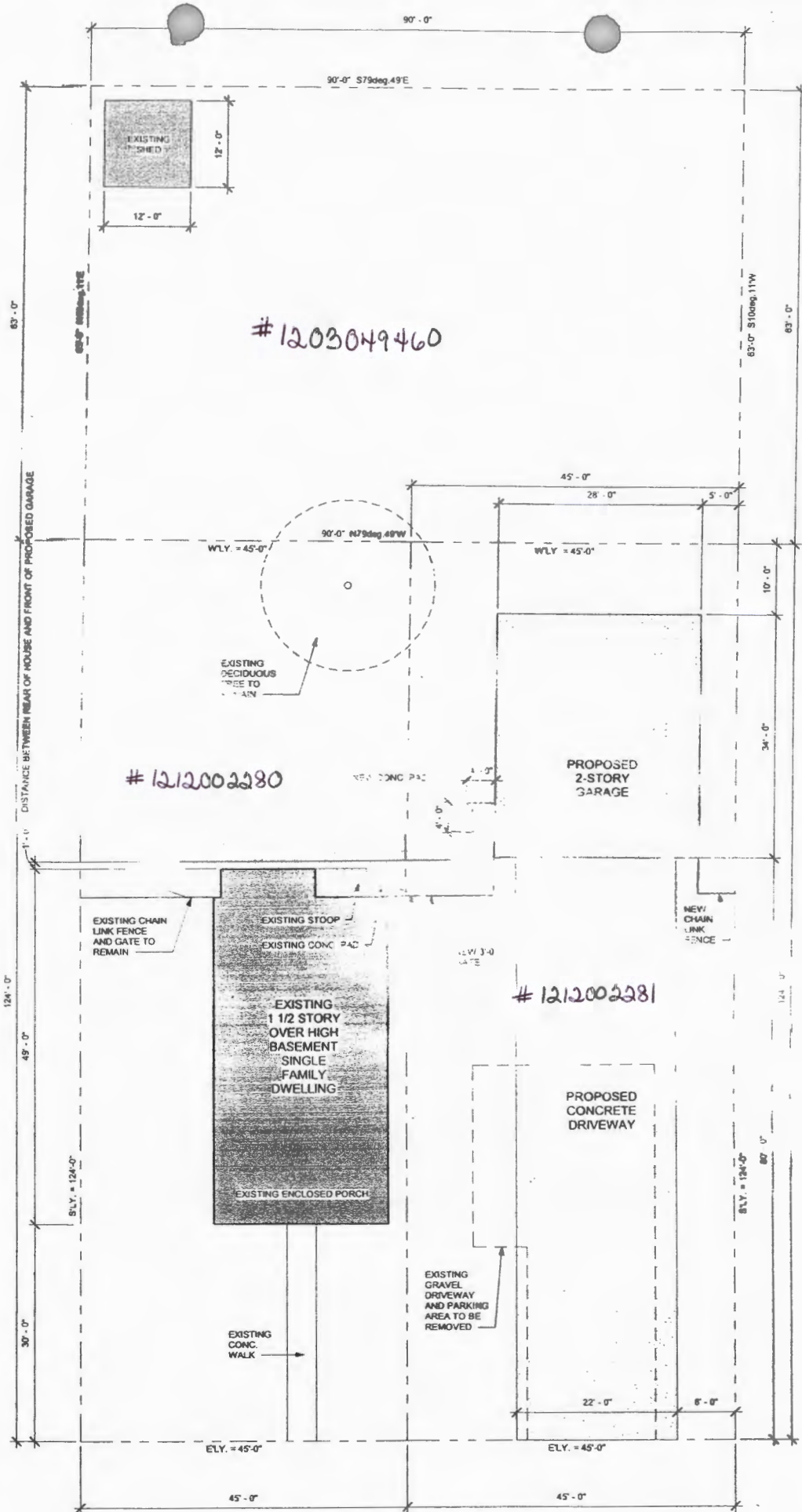
7326 Manchester Road
Owners: Christopher and Mary Ann Barr

Election District: 12
Councilmanic District: 7th

PETITIONER' S

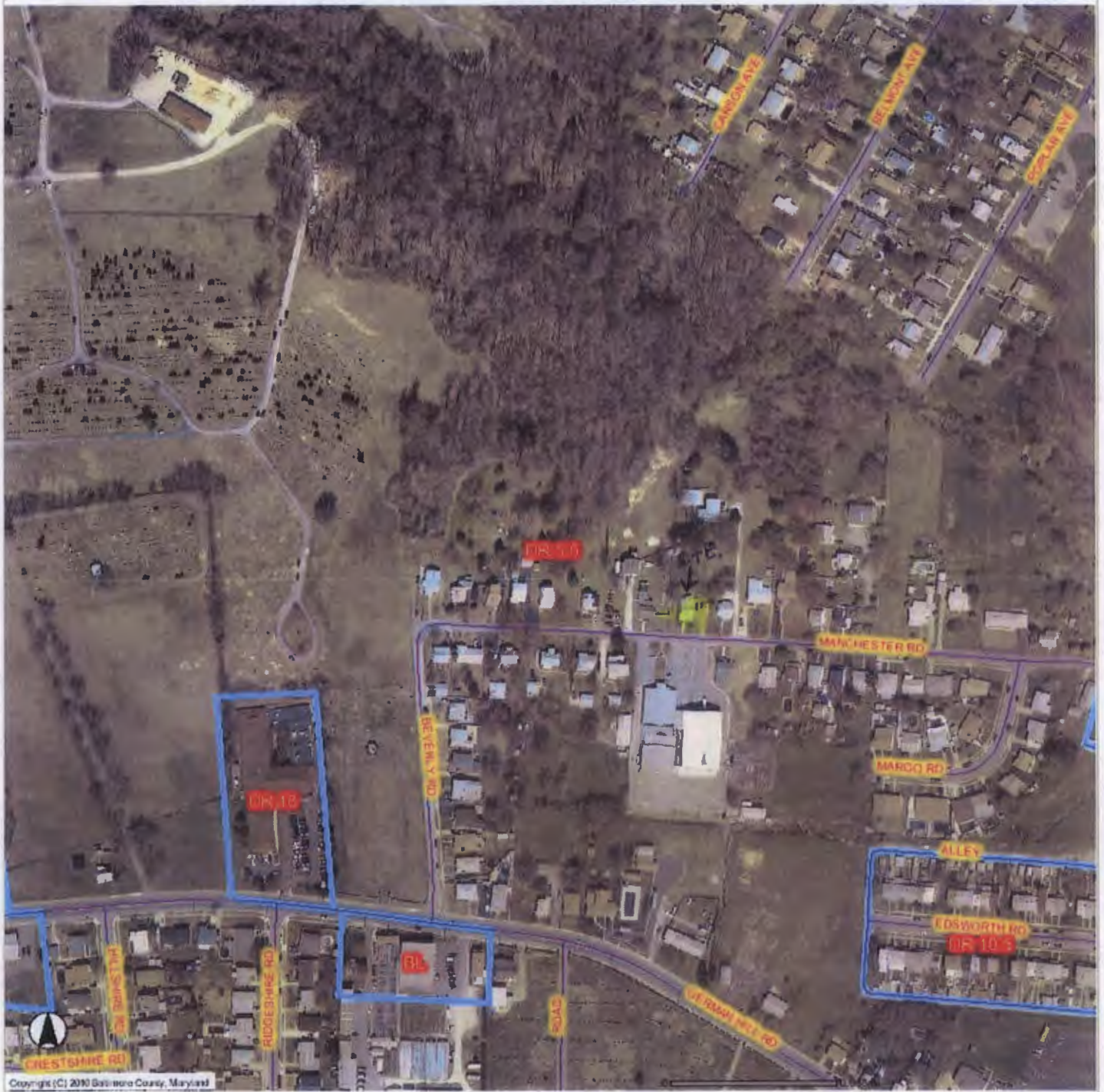
EXHIBIT NO. 1

2011-0162-A
DROP-OFF



MANCHESTER ROAD

Baltimore County - My Neighborhood



PETITIONER' S

EXHIBIT NO.

2



PETITIONER' S

EXHIBIT NO. 3A



3B



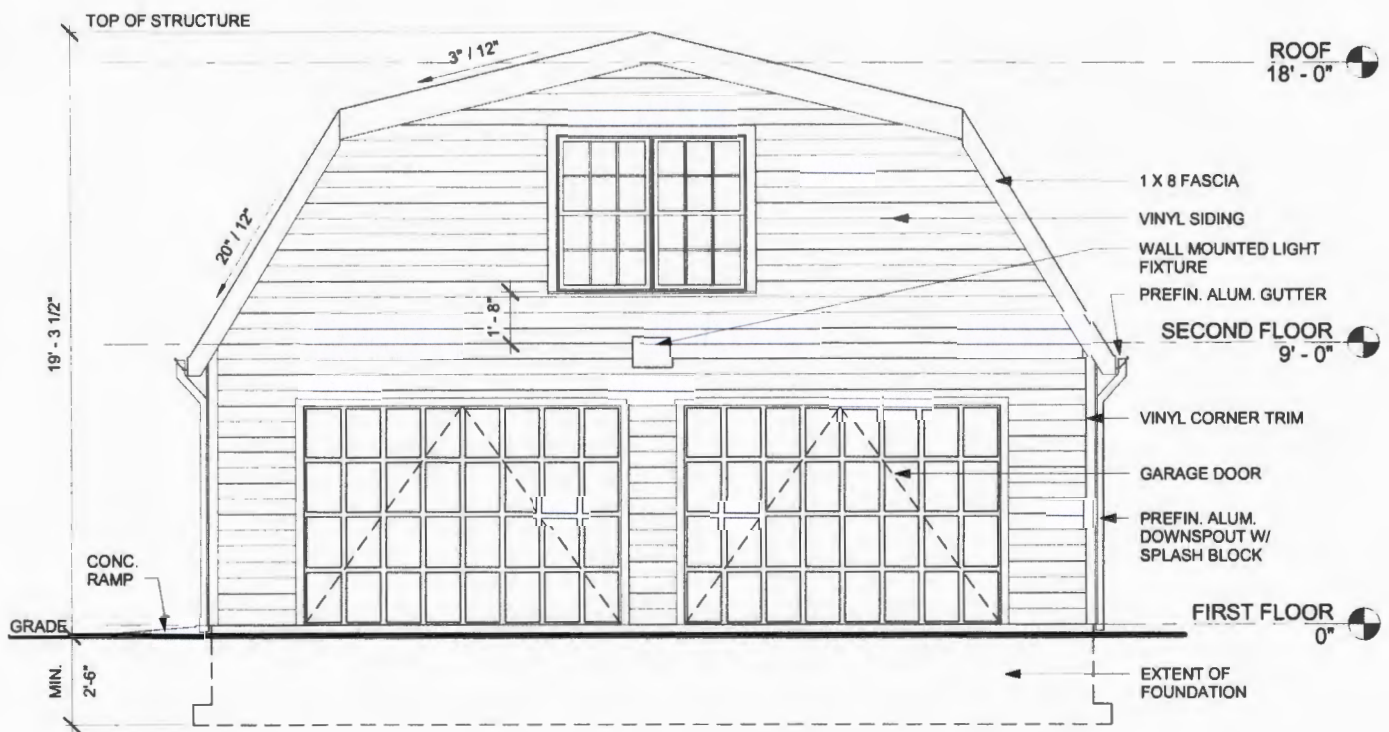
PETITIONER'S

EXHIBIT NO. 4A





4c



PETITIONER' S

EXHIBIT NO.

5

OWNER: MARY ANN & CHRISTOPHER BARR

Ruhf + Plitt
Architects, Ltd.

100 Cathedral Street
Suite 5
Annapolis, Maryland 21401

NEW GARAGE AT BARR RESIDENCE

PERMIT SUBMISSION

COVERSH

