IN RE: PETITION FOR ADMIN. VARIANCE

N side of Glyndon Meadow Road, 500 feet S of the c/l of Hedgepocket Way 4th Election District 2nd Councilmanic District (209 Glydon Meadow Road)

Kevin C. Keller and Lauren B. Kallins Petitioners

- * BEFORE THE
- * OFFICE OF
- * ADMINISTRATIVE HEARINGS
- * FOR BALTIMORE COUNTY
- * Case No. 2011-0211-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owners of the subject property, Kevin C. Keller and Lauren B. Kallins for property located at 209 Glydon Meadow Road. The variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a setback from a lot line of 11.1 feet in lieu of the 50 feet required, and to amend the 2nd Amended Final Development Plan of Glyndon Meadows for Lot 9 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a new garage attached to the left side of the existing dwelling. The septic reserve area is located in front of the center of the house and front lawn. The well area is in the back of the home and the topography there is not conducive to any construction. There is substantial landscaping (flagstone patio, fish pond, shrubs, and trees) on the right side of the dwelling that would be have to be removed. The property contains 6.25 acres and is served by private water and sewer.

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 February 1, 2011, which indicates that they do not oppose the request provided that elevations are submitted for review and approval prior to the application of building permit.

ONDER	RECEIVED FOR FILING	
Date	2-16-11	
Bv	0	

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 23, 2011 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 Administrative Law Judge, 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.

- 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.
- 2. Elevation drawings shall be submitted to the Office of Planning for review and approval prior to the application of building permit.

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

TIMOTHY M./KOTROCO Administrative Law Judge for Baltimore County

TMK/pz

Date 2-16-11



KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

February 16, 2011

KEVIN C. KELLER AND LAUREN B. KALLINS 209 GLYDON MEADOW ROAD REISTERSTOWN MD 21136

> Re: Petition for Administrative Variance Case No. 2011-0211-A Property: 209 Glydon Meadow Road

Dear Mr. Keller and Ms. Kallins:

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.

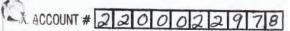
In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please contact our appeals clerk at 410-887-3391.

Sincerely,

TIMOTHY M. KOTROCO Administrative Law Judge for Baltimore County

TMK:pz

Enclosure





CASE NO. 2011-0211-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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

Zoning Commissioner of Baltimore County

for the property located at	209 GLYNDON MEADOW RD				
which is presently zoned <u>RC5</u>					

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)

1A04,3 (B)(2)(b) to allow a setback from a Jot line of 11.1 feet in lines of the 50 feet AND TO AMEND THE END AMENDED FINAL required; Development PLAN of GLYNDON MEADOWS FOR e zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back	
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AND TO AMEND THE END AMENDED FINAL	>
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e zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back	

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

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

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

			is the subject of this	Petition.	ророну шист
Contract Purchase	r/Lessee:		Legal Owner(s)	<u>):</u>	
Name - Type or Print			Name - Type or Print	ELLER	
Signature			Signature	Kallins	
Address		Telephone No.	Name - Type or Print	the object	
City	State	Zip Code	Signature	144	
Attorney For Petiti	oner:		Address	n Mendow Rd	410 526-050 Telephone No.
Name - Type or Print			Resters town	MD State	2/136 Zip Code
	FORF	ILING	Representative	to be Contacted:	
Signature ORDER RE	CEIVED FOR F				
Company Date	210		Name		
Address By—	-8	Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
	been formally demand	ed and/or found to be	required, it is ordered by	y the Zoning Commissioner of the Army advertised, as re-	of Baltimore County,



CERTIFICATE OF POSTING

	RE: Case No.:	2011-0211-A	
	Petitioner/Developer:		
		Kevin Keller	
	Date of Hearing/Closing: _	Feb 7, 2011	
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Cowson, Maryland 21204			
ttn: Kristen Matthews:			
adies and Gentlemen:			
This letter is to certify under the penalties of osted conspicuously on the property located			
09 Glyndon Meadow Road		grandi -	
	January 23, 2011		
he sign(s) were posted on	(Month, Day, Year)		
	Sincerely,		
	Market	January 25, 2011	
	(Signature of Sign Poster)	(Date)	
	SSG Robert B	lack	
	(Print Nan	ne)	
	1508 Leslie R	oad	
	(Address)	(Address)	
	Dundalk, Maryla	nd 21222	
	(City, State, Zi	p Code)	
	(410) 282-79	940	
	(Telephone Nu	ımber)	



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 1/21/2011

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 - 0211-4

209 GLYDON MEADON RD KELLER PROPERTY

ADMIN. VAIRLADGE -

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.2011-0211-A

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 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

Access Management Division

SDF/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits, Approvals

and Inspections

DATE: February 1, 2011

FROM:

Jeff Mayhew

(Acting) Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 11-211- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request to allow a setback from a lot line of 11.1 feet in lieu of the 50 ft required; and to amend the 2nd amended final development plan of Glyndon Meadows Lot 9 only, provided that elevations are submitted to the Office of Planning prior to the application of building permit.

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

Prepared By:

CM/LL

RECEIVED

FEB 03 2011

ZONING COMMISSIONER

AV 2-1-11

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

FEB 0 4 2011

ZONING COMMISSIONER

TO:

Office of Administrative Law

FROM:

Dave Lykens, Department of Environmental Protection and Sustainability

(DEPS) - Development Coordination

DATE:

February 3, 2011

SUBJECT:

Zoning Item # 11-211-A

Address

209 Glyndon Meadow Road

(Keller/Kallins Property)

Zoning Advisory Committee Meeting of January 18, 2011.

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

Reviewer:

JWL

Date: 2/3/11





KEVIN KAMENETZ County Executive

JOHN J. HOHMAN, Chief Fire Department

January 14, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: January 18, 2011

Item No.:

Administrative Variance: 2011-0207, 2011-0210A, 2011-0211A

Special Hearing: 2011-0205-SPH, 2011-0209-SPH

Variance: 2011-0208A, 2011-0212A

Comments:

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

Special Hearing / Exception: 2011-0214-SPHX

Comments:

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code dated July 19, 2010 prior to occupancy or the beginning of operation.

Other Comments:

Special Hearing: 2011-0206-SPH - No comments were made due to the plans being missing from the zoning packet.

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 DEPARTMENT OF PERM ZONING REV

D DEVELOPMENT MANAGEMENT

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2011 -	0211 -A	Addres	s 209	GLYNDON ME	ADOW	RD
Conta	act Person:	AARO	N TSUI		Phone Number: 410	0-887-339	1
Filing	g Date: 1/12	/2011	Posting Date	1/23/1	Closing Date:	2/7/1	<u>L</u>
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2.	a formal requ	est for a public	is the deadline for hearing. Pleas e process is not o	e understan	nt or owner within 1,000 d that even if there is the closing date.) feet to file no forma	e al
3.	commissioner. order that the within 10 day whether the pe	He may: (a) matter be set in s of the closing	grant the reques for a public heari g date if all Cou granted, denied,	ited relief; (b ng. You will intv agencies	by the zoning or dep deny the requested receive written notificate comments are received public hearing. The o	elief; or (c ion, usuall ved. as to	y D
4.	(whether due commissioner) changed giving	to a neighbor's , notification wi a notice of the h	formal request ill be forwarded earing date, time	or by order to you. The and location	es that must go to a pub- of the zoning or dep e sign on the propert . As when the sign wa altered sign must be fo	uty zoning y must be is originall	g e v
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2011-0211-A

























