

IN RE: PETITION FOR ADMIN. VARIANCE

NW side of Dee Way, 220 feet W of the c/l
of Wampler Road
15th Election District
6th Councilmanic District
(9816 Dee Way)

Shannon and Dave Parsram
Petitioners

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2012-0006-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, Shannon and Dave Parsram for property located at 9816 Dee Way. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition (enclosing of an existing deck) to have a rear yard setback of 25 feet in lieu of the required 30 feet, and to amend the Final Development Plan of Wampler Woods, Lot #5 only. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to enclose the existing deck which measures 10 feet x 28 feet. The location of the proposed addition lends itself to the utilization of existing facilities without major interruptions to the existing floor plan of the house. The enclosed deck will help insulate and reduce heating bills as well as to reduce road and other ambient noises. The enclosed deck will provide a place to sit outdoors without concern for bugs or mosquitoes or the sun's harmful rays. Petitioners states the proposed addition will improve the overall appearance of the house.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case.

ORDER RECEIVED FOR FILING

Date 8-10-11

By 

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 17, 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.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 10th day of August, 2011 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition (enclosing of an existing deck) to have a rear yard setback of 25 feet in lieu of the required 30 feet, and to amend the Final Development Plan of Wampler Woods, Lot #5 only be and is hereby GRANTED, subject to the following:

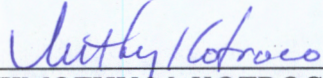
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

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Date 8-10-11

By [Signature]

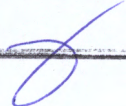
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date 8-10-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

August 10, 2011

SHANNON AND DAVE PARSRAM
9816 DEE WAY
BALTIMORE MD 21220

Re: Petition for Administrative Variance
Case No. 2012-0006-A
Property: 9816 Dee Way

Dear Mr. and Mrs. Parsram:

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, Approvals 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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure

c: Patio Enclosures, 224 8th Avenue, Glen Burnie, MD 21061

Petition for Administrative Variance



to the **Zoning Commissioner of Baltimore County** for the property
located at 9816 DEE WAY
which is presently zoned DR 3.5

Deed Reference: 15549/001 Tax Account # 2300008050

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)

1B02.3.C.1 - to permit a

proposed addition (enclosing of an existing deck) to have a rear yard setback of 25 feet in lieu of the required 30; and to amend the final development plan of Wampler Woods, lot #5 only

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

I, or we, agree to pay expenses of above Administrative 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

Legal Owner(s):

x Shannon Parsram

Name - Type or Print

x
Signature

x Dave Parsram

Name - Type or Print

x
Signature

9816 DEE WAY

Address

410-760-1919

Telephone No.

BALTIMORE

City

MD

State

21220

Zip Code

Representative to be Contacted:

PATIO ENCLOSURES

Name

224 8TH AVE

Address

1-800-433-3266

410

Telephone No.

GLEN BURNIE

City

MD

State

21061

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 8-10-11 day of August 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.

Case No. 2012-0006-A

Reviewed By KIP

Date 7/8/11

Estimated Posting Date 7/17/11

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 own and reside at 9816 DEE WAY
Address number Road or Street name

and that this address is the subject of this variance request as required by law.

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 the hardship or practical difficulty; attach an additional sheet if needed) 1) THIS AREA LENDS ITSELF TO THE UTILIZATION OF EXISTING FACILITIES

WITHOUT MAJOR INTERRUPTIONS TO THE EXISTING FLOOR PLAN OF THE DWELLING

2) IMPROVE THE OVERALL APPEARANCE OF THE HOUSE

3) REDUCE ROAD & OTHER AMBIENT NOISE

4) THE RESTRICTIVENESS OF THE LOT DOES NOT LEND ITSELF TO ANY ADDITION OF ADEQUATE SIZE WITHOUT A VARIANCE. Foundation (deck) is existing

5) PROVIDE A PLACE TO SIT OUTDOORS WITHOUT CONCERN FOR BUGS, FLIES, MOSQUITOS, & HARMFUL SUN RAYS

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

X Dave Parsram
Signature

X Shannon Parsram
Signature

X Dave Parsram
Name- print or type

X Shannon Parsram
Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 28th day of June, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Dave Parsram and Shannon Parsram
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Barbara A. Ingino
Name of Notary Public

BARBARA A. INGINO
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 18, 2014

PLACE SEAL HERE:

ZONING PROPERTY DESCRIPTION FOR
9816 DEE WAY
Baltimore, MD 21210

- ② *Being known and designated as lot #5 as shown on plat entitled "Subdivision Plat of Wampler Woods" which plat is recorded among the land records of Baltimore county, in plat book no 72 folio 48. These improvements thereon being known as 9816 Dee Way. Located in the 15th election district and 6th council district. Containing 5,767 sqft.*
- ① *Beginning on the northwest side of Dee Way, which is 50 feet wide, at a distance of 220 feet (+/-) west of the centerline of the nearest improved intersecting street, Wampler Road, which is 35 feet wide —*

Item # 0006

Certificate of Posting
Photograph Attachment

Re: 2012-0006-A

Petitioner/Developer: _____

D & S Parsram

Date of Hearing/Closing: 8/1/11



9816 Dee Way

Posting Date: 7/17/11

[Signature] 7/17/11
(Signature and date of sign poster)

Variance Photo for: 9816 Dee Way,
Baltimore MD

- 1) View of existing first floor deck to be enclosed with glass/foam panels starting on the left side and continuing 28' to the right
- 2) Existing decking to remain



Item #0006

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

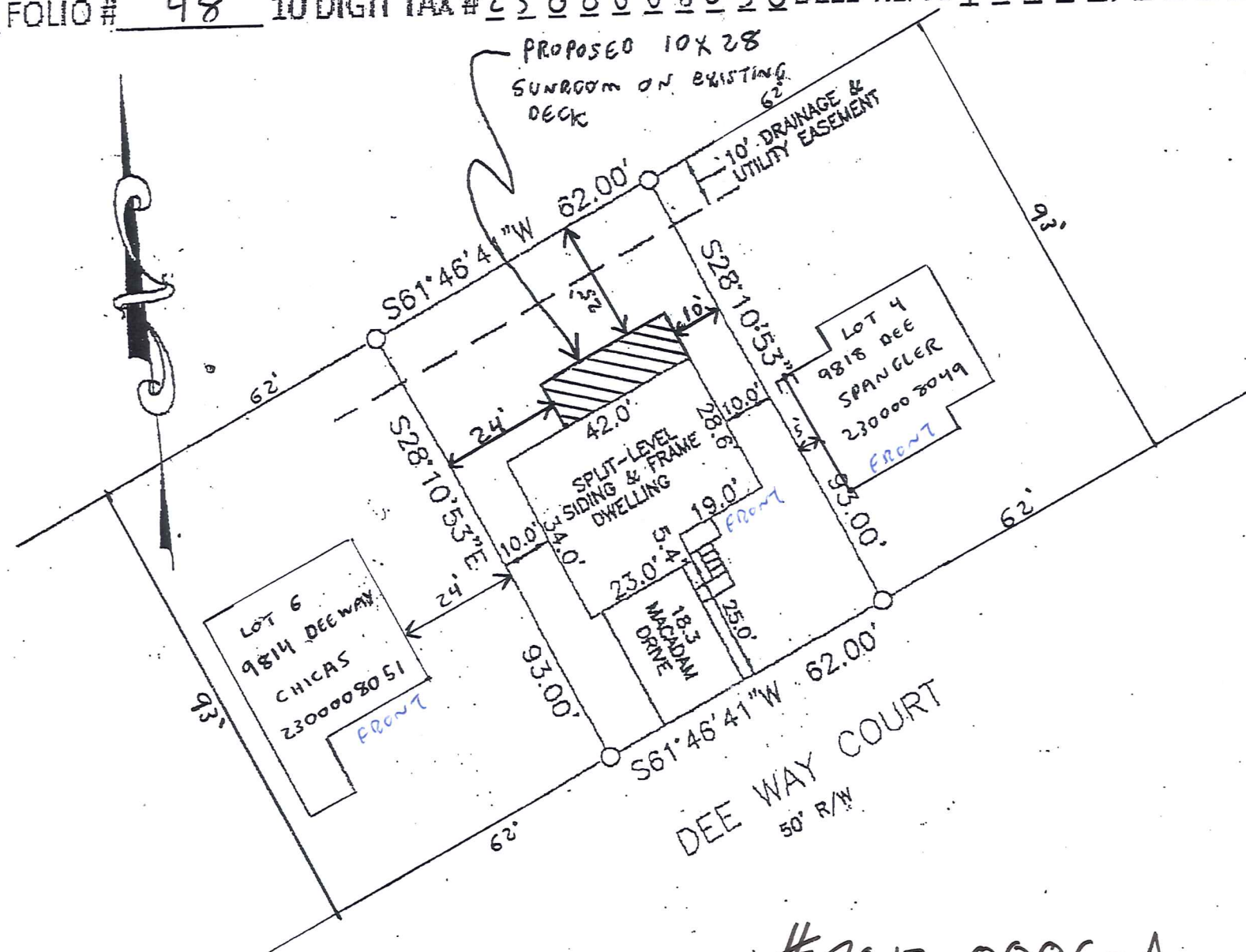
ADDRESS 9816 Dee Way, Baltimore MD 21220

OWNER(S) NAME(S) PARSRAM DAVER

SUBDIVISION NAME Wampler Woods

LOT # 5 BLOCK # _____ SECTION # _____

PLAT BOOK # 72 FOLIO # 48 10 DIGIT TAX # 23 00008050 DEED REF. # 15549/00001



REFERENCE LOT 5 AS SHOWN ON A PLAT ENTITLED "WAMPLER WOODS" AND DATED JANUARY 18, 2000 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK S.M. 72 FOLIO 48



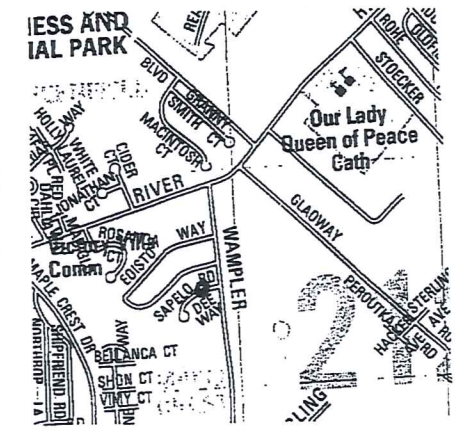
PLAN DRAWN BY Eric Thomas

DATE 7/5/11

SCALE: 1 INCH = 30 FEET

#2012-0006-A

RJD



MAP IS NOT TO SCALE

ZONING MAP# 08203

SITE ZONED DR 3.5

ELECTION DISTRICT 15 TH

COUNCIL DISTRICT 6 TH

LOT AREA ACREAGE N/A

OR SQUARE FEET 5767

HISTORIC? no

IN CBCA? no

IN FLOOD PLAIN? no

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? no

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:
