

S side of Burdock Road; 690 feet E of the c/l of Denberg Road 3rd Election District 2nd Council District (2105 Burdock Road)

Stephen S. and Ruth K. Kramer *Petitioners*

BEFORE THE

OFFICE OF ADMINISTRATIVE

* HEARINGS FOR

* BALTIMORE COUNTY

* CASE NO. 2012-0292-A

ORDER AND OPINION

This matter comes before the Administrative Law Judge as a Petition for Administrative Variance filed by the legal owners of the property, Stephen S. and Ruth K. Kramer. The Petitioners are requesting Variance relief from Sections 205.2 and 205.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an attached garage addition in the front of an existing dwelling with a side setback of 1 foot in lieu of the required 15 feet, a street centerline setback of 50 feet in lieu of the required 65 feet, and a front setback of 25 feet in lieu of the required 40 feet, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 27, 2012, 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

ORDER RECEIVED FOR FILING

Date 6.18.19

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, this ______ day of June, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Sections 205.2 and 205.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an attached garage addition in the front of an existing dwelling with a side setback of 1 foot in lieu of the required 15 feet, a street centerline setback of 50 feet in lieu of the required 65 feet, and a front setback of 25 feet in lieu of the required 40 feet, respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (20) days of the date of this Order.

LAWRENCE M. STAHL

Managing Administrative Law Judge for

Baltimore County

LMS:pz

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Date M



KEVIN KAMENETZ County Executive

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

June 18, 2012

STEPHEN S. AND RUTH K. KRAMER 2105 BURDOCK ROAD BALTIMORE MD 21209

RE: Petition For Administrative Variance

Case No. 2012-0292-A Property: 2105 Burdock Road

Dear Mr. and Mrs. Kramer:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

AWRENCE M. STAHL

Managing Administrative Law Judge

for Baltimore County

LMS:pz

Enclosure

c: Lee Giroux, 733 Camberly Court Unit A-3, Towson MD 21204

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at: Address 2105 Durance Co. which is presently zoned DK-2 10 Digit Tax Account # 16 000 12 Deed Reference Property Owner(s) Printed Name(s) STEPHEN + RUTH KRAMEA (SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST) Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized. 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 205.2 and 205.3 of the Baltimore County Zoning ADMINISTRATIVE VARIANCE from section(s)

Regulations (B.C.Z.R.) (1955-1971 Regulations) to permit an attached garage addition in the front of the existing dwelling with a side setback of 1 foot in lieu of the required 15 feet, a street centerline setback of 50 feet in lieu of the required 65 feet, and a front setback of 25 feet in lieu of the required 40 feet respectively. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. 2. ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building) 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 petition(s), 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. Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s). Contract Purchaser/Lessee: Legal Owners Name- Type or Print Signature Mailing Address State Email Address Representative to be contacted: Attorney for Petitioner: Name-Type or Print Signature Signature Mailing Address State City State Zip Code Telephone # **Email Address** A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, 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. Administrative Law Judge of Baltimore County 2012-0292-A Filing Date 5 /17/ 12 Estimated Posting Date 5 /21

Affidavit in Support of Administrative Variance

Maryland

My Commission Expires Jan 26, 2014



(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

purchase, reside at the existing dwelling on said property located at:
Address: 2105 Burdock Pd. BAT. Dud. 9209-1001 Print or Type Address of property City State Zip Code
Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state <u>practical difficulty or hardship</u> here)
GARAGE to be used for CASIER ACCES FOR OKER Strilly mealers. No the Access From Octochal garage in Dackyard
Signature of Affiant Signature of Affiant Signature of Affiant Signature of Affiant Name-Print or Type Name-Print or Type
The following information is to be completed by a Notary Public of the State of Maryland
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 9th day of Maryland, in and for the County aforesaid, personally appeared, before me a Notary of Maryland, in
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)
AS WITNESS my hand and Notaries Seal
CHRISTOPHER DAVID SCHWARTZ Notary Public Carroll County My Commission Expires

Boets

Zoning Description

Beginning at a point on the Sourth side of Bull deck Rd. which is 50 feet wide at the distance of 690 +/- of the centerline of the nearest improved 8437 intersecting street 184 Bull which is 50 feet wide. Being Lot #20, Section #4 in the subdivision of 6000 feet war recorded in Baltimore County Plat Book #5 Folio #2 containing 14,096 square feet. Also known as 2105 Bull deck. and located in the 3 election district, 2 Councilmatic District.

2012-0292-A

		Sub				5/15/2012 5.04/2012 10:19:36
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MEMORANDUM

DATE:

July 19, 2012

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2012-0292-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 18, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINISTRATIVE VARIANCE IN ORMATION CHEET AND DATES
Case Number 2012- 0992 -A Address 3105 BURDOCK RD
Contact Person: JASON SGI MELMIN / AARON 7501 Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing Date: 5-14-12 Posting Date: 5-27-12 Closing Date: 6-11-12
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. <u>DEADLINE:</u> 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.
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 2012- 0292 -A Address 2105 BURDOCK RD.
Petitioner's Name 37EPHEN KRAMER Telephone 410-484-5435
Posting Date: 5-27-12 Closing Date: 6-11-12
Wording for Sign: To Permit AN ATTACHES GARGE ADDITION IN THE FRONT OF EXISTING
DWELLING WITH A SIDE SETBACK OF ONE FOOT IN LIEU OF THE REQUIRED
15 FEET, A STREET CENTERLING SETBACK OF JO FEET IN LIEU OF THE REDVILED
65 FEET, AND A FRONT SETBACK OF 85 FEET IN LIEU OF THE REQUIRED 40 FEET
Revised 7/06/11

CERTIFICATE OF POSTING

	RE: Case No 2014-0697-14								
	Petitioner/Developer								
-	GIROUX								
D	Date Of Hearing/Closing: 6/11/1	2							
Baltimore County Depar Permits and Developme County Office Building,F 111 West Chesapeake	nt Management Room 111								
Attention:									
Ladies and Gentlemen	Ladies and Gentlemen								
sign(s) required by law w	nder penalties of perjury that the vere posted conspicuously on the 2105 BULDOUK ROAD								
This sign(s) were posted	on <u>Nay 21, 2012</u> Month, Day, Year								
	Sincerely,								
	marker 5/27/12								
	Signature of Sign Poster at Martin Ogle	nd Date							
	60 Chelmsford Court								
	Baltimore,Md,21220								
	443-629-3411								



madalle 5/27/13

Case No.: 2013-0293-A

Exhibit Sheet

6/20/18 ps

4-19-12

Petitioner/Developer

Protestants

No. 1	site plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Maryland Department of Assessments and Taxation Real Property Data Search (vw6.2A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent Redemption
GroundRent Registration

Account	Identifier	<u>:</u>	E	District - 03 Accou	nt Number -	1600012212				
					Owner Infor	mation				
Owner Name: KRAMER STEPHEN S KRAMER RUTH KARDON				Use: Princip:	RESIDENTIA YES	RESIDENTIAL YES 1)/15415/00437 2)				
Mailing Address: 2105 BURDOCK RD BALTIMORE MD 21209-1001			Deed R	,						
	7			Locati	ion & Structu	re Information				
	s Address				Legal	Description		7		
2105 BUF 0-0000	RDOCK RD					URDOCK RD N GATE				
<u>Мар</u> 0069	<u>Grid</u> 0019	Parcel 1118	Sub District	Subdivision 0000	Section 4	<u>Block</u> F	Lot A 20 2	ssessment Area	Plat No: Plat Ref:	1 0037/ 002
Special '	Tax Areas		-	wn Valorem x Class	NONE					
Primary 1975	Structure	Built	-	Enclosed Area 2,098 SF		Property 14,996 SF	Land Area		County Use 04	
<u>Stories</u> 1.000000	Basem YES		Type E STANDARD UNIT F	Exterior RAME						
					Value Infor	mation				
			Base Value	Value As Of 01/01/2011	Phase-in As As Of 07/01/2011	As Of 07/01/20	12			
Land			144,990	144,900						
Improve	ements:		274,250 419,240	185,900 330,800	330,800	330,800				
Total: Preferen	ntial Land	•	0	330,800	330,800	0				
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Tax Exc Exempt								Special Tax Re NONE		
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Homest	tead Applie	eation S	tatus:	Approved 01	/11/2011					

CHECKLIST

Comment Received	<u>Department</u>	Conditions/ Comments/ No Comment
5-30	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC .
	DEPS (if not received, date e-mail sent) FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
5-26	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	nc
	COMMUNITY ASSOCIATION ADJACENT PROPERTY OWNERS	
ZONING VIOLATION PRIOR ZONING	ON (Case No	
NEWSPAPER ADVI	ERTISEMENT Date: Date:	by <u>NC</u>
PEOPLE'S COUNSE	L APPEARANCE Yes No C	
Comments, if any:		



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 5, 2012

Stephen & Ruth Kramer 2105 Burdock Road Baltimore MD 21209

RE: Case Number: 2012-0292-A, Address: 2105 Burdock Road, 21209

Dear Mr. & Ms. Kramer:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on , 2012. 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 Richal &

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel Lee Giroux, 733 Camberley Circle, Unit A-3, Towson, MD 21204 Martin O'Malley, Governor Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary Melinda B. Peters, Administrator

Date: 5-21-12

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

RE: Baltimore County
Item No 2012-0292-A.
Administrative Variance
Stephen & Ruth Kramer
2105 Bevodoch Road.

Dear Ms. Lewis:

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. 2012-0292-A

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 30, 2012

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 4, 2012

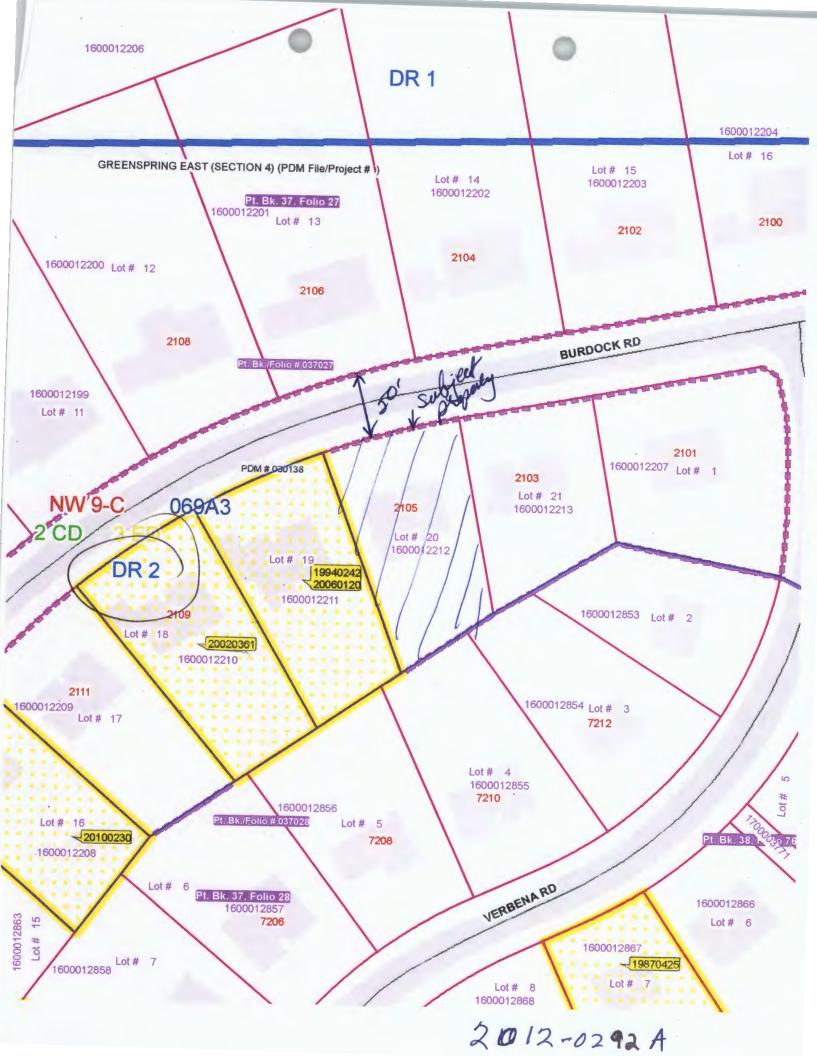
Item Nos. 2012-0284, 0289, 0290, 0291, 0292, 0293

And 0294.

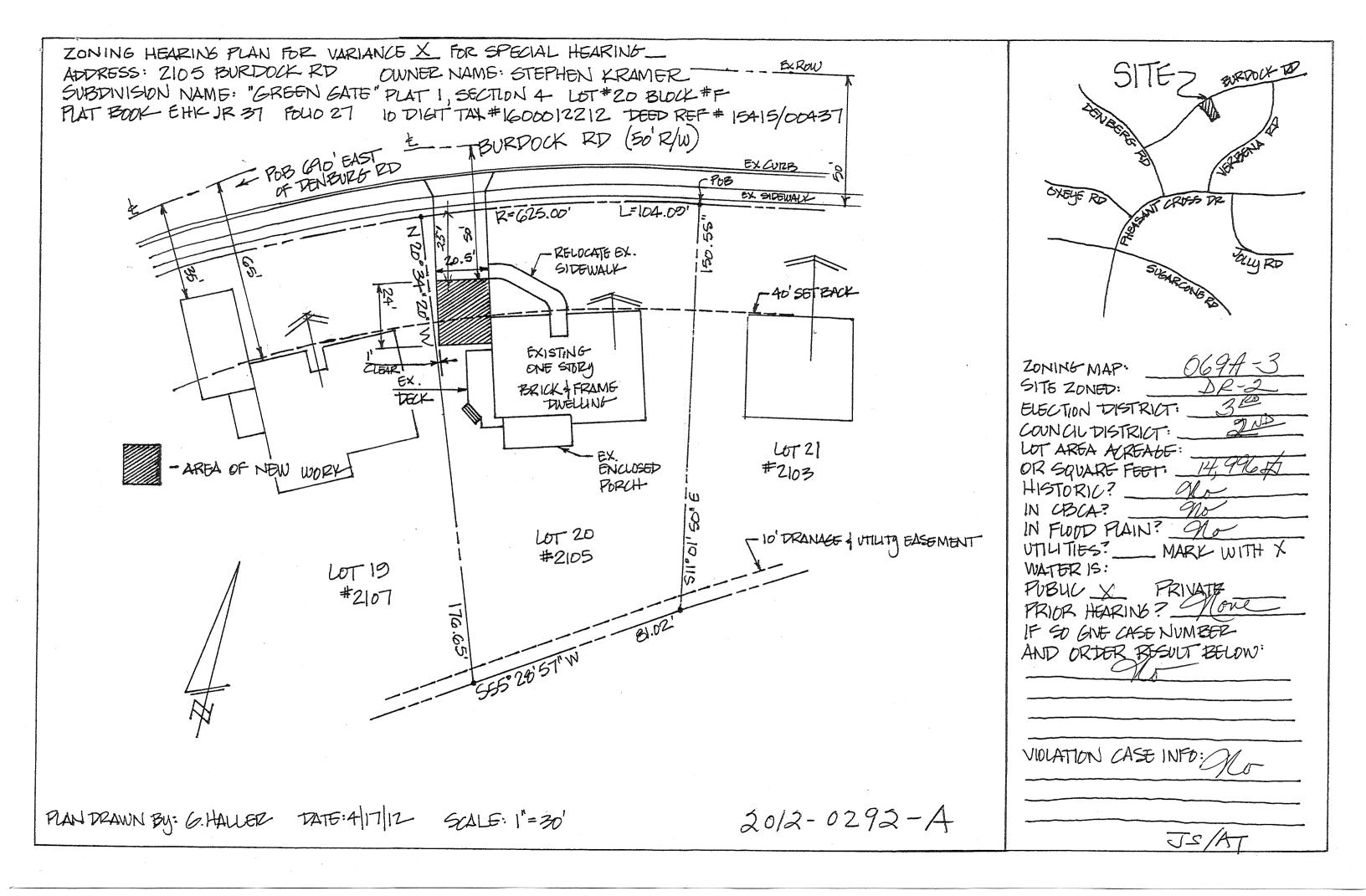
The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06042012-NO COMMENTS.doc







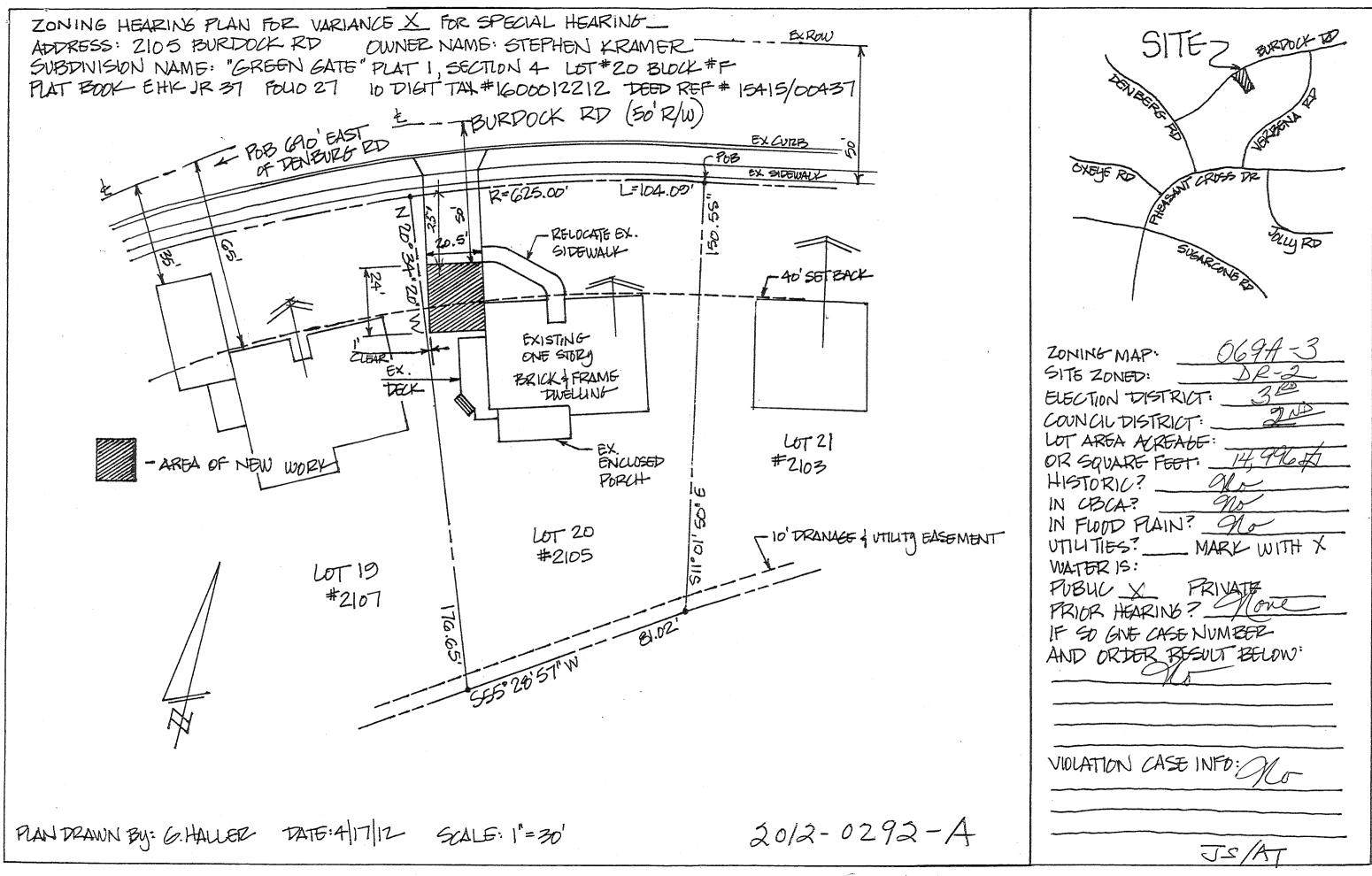


Exhibit 1