16907.00

STANDARD APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014

RECEIVED
NOV 21 2002
HARFORD COUNTY COUNCIL

Case No. 5315
Date Filed 11-19-02
Hearing Date
Receipt
Fee $600.00

Shaded Areas For Office Use Only

	Type of Application
	Administrative Decision/Interpretation
X	Special Exception
	Use Variance
	Change/Extension of Non-Conforming
	Minor Area Variance
	Area Variance
	Variance from Requirements of the C
	Zoning Map/Drafting Correction

Nature of Request and Section(s) of Code

CASE 5315 **MAP** 31 **TYPE** Special Exceptions

ELECTION DISTRICT 4 **LOCATION** 3324 North Furnace Road, Jarrettsville, Md. 21084

BY Randall and Michelle Harris

Appealed because a Special Exception pursuant to Section 267-53D(1) of the Harford County Code to allow commercial vehicle storage and pursuant to Section 267-53H(1) of the Harford County Code to allow construction services and suppliers in an Agricultural District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Applicant - - - (please print or type)

Name Harris, Randall and Michelle Phone Number call attorney

Address 3324 N. Furnace Road, Jarrettsville, MD 21084
Street Number Street City State Zip Code

Property Owner Harris, Randall and Michelle Phone Number

Address
Street Number Street City State Zip Code

Contract Purchaser none Phone Number

Address
Street Number Street City State Zip Code

Attorney/Representative Michael E. Leaf Phone Number (410) 893-2333

Address 112 S. Main Street, Suite 102, Bel Air, MD 21014
Street Number Street City State Zip Code

Hearing: 2/6/03

Land Description

Address and Location of Property 3324 North Furnace Road
Marrettsville, MD 21084

Subdivision Land of R. Bennett 73/94 Lot Number 2-A

Acreage/Lot Size 7.775 acre Election District 4th Zoning Ag

Tax Map No. 31 Grid No. 3F Parcel 202 Water/Sewer: Private X Public ____

List ALL structures on property and current use: House and garage building

Estimated time requested to present case: 1.5 hours

If this Appeal is in reference to a Building Permit, state number ____

Would approval of this petition violate the covenants and restrictions for your property? No

Is this property located within the County's Chesapeake Bay Critical Area? Yes ____ No X

If so, what is the Critical Area Land Use designations: N/A

Is this request the result of a zoning enforcement investigation? Yes X No ____

Is this request within one (1) mile of any incorporated town limits? Yes ____ No X

Request

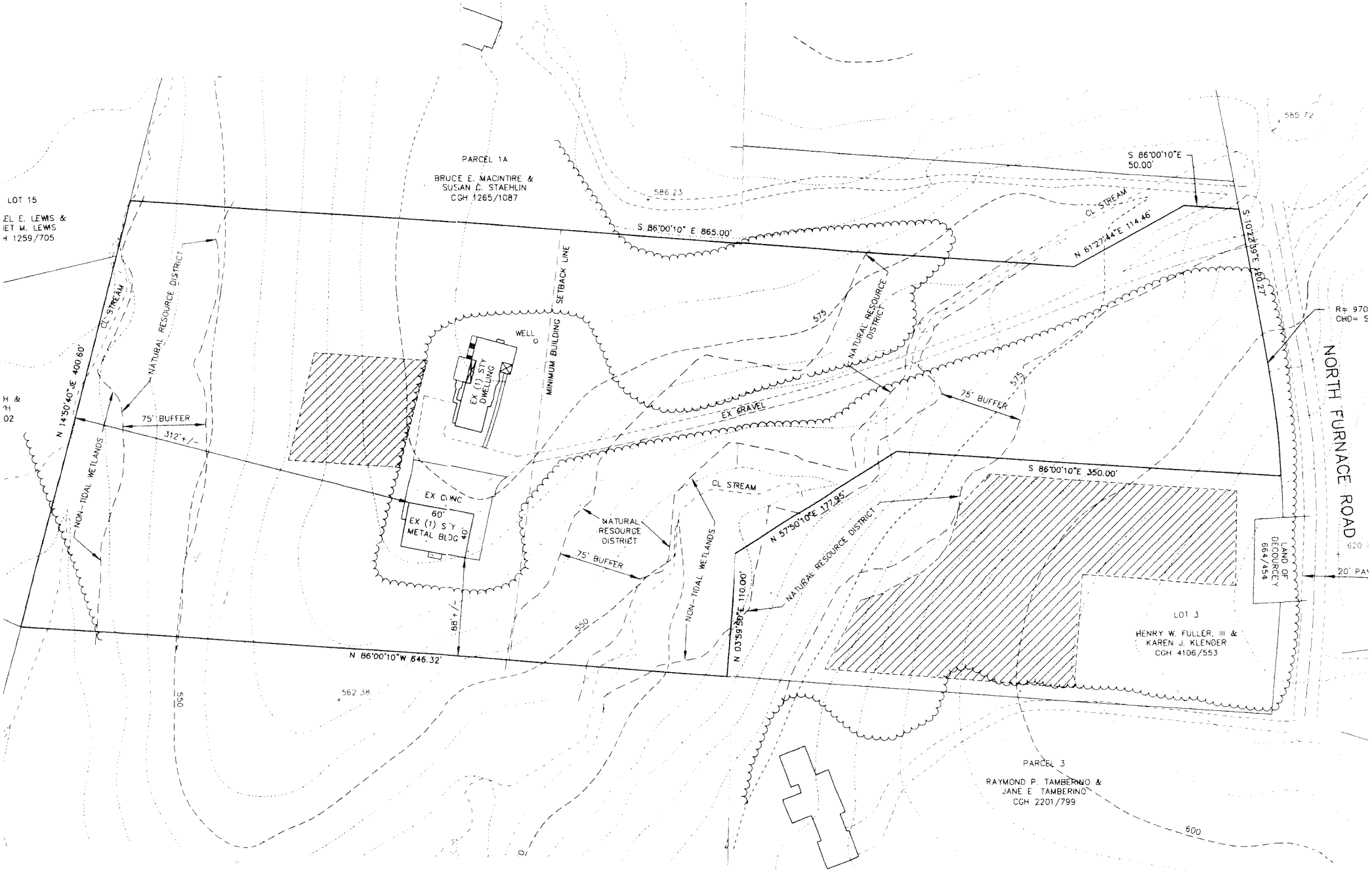
(1) Special Exception for construction services and suppliers use.

(2) Special Exception for commercial vehicle storage.

Justification

Proposed site plan and uses satisfy all requirements of the Code and will not have any adverse impact different in nature or intensity from those inherent in the use.

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval requested. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)


PARCEL 1A
BRUCE E. MACINTIRE &
SUSAN C. STAEHLIN
CGH 1265/1087
LOT 15
EL E. LEWIS &
ET M. LEWIS
H 1259/705
S 86°00'10" E 865.00'
S 86°00'10"E
50.00'
N 61°27'44"E 114.46'
S 10°22'55"E 120.27'
CL STREAM
NATURAL RESOURCE DISTRICT
MINIMUM BUILDING SETBACK LINE
WELL
EX (1) STY
DWELLING
EX GRAVEL
75' BUFFER
312'+/-
N 14°50'40"E 400.80'
NON-TIDAL WETLANDS
EX CONC
60'
EX (1) STY
METAL BLDG
40'
68'+/-
N 86°00'10"W 846.32'
S 86°00'10"E 350.00'
N 57°50'10"E 177.95'
N 03°59'50"E 110.00'
LAND OF
DECOURCEY
664/454
LOT 3
HENRY W. FULLER, III &
KAREN J. KLENDER
CGH 4106/553
PARCEL 3
RAYMOND P. TAMBERINO &
JANE E. TAMBERINO
CGH 2201/799
NORTH FURNACE ROAD
20' PAV
575
550
600
586.23
565.72
562.38

M. HARKINS
HARFORD COUNTY EXECUTIVE

JOHN J. O'NEILL, JR.
DIRECTOR OF ADMINISTRATION

Department of Planning and Zoning

Office of Land Use Compliance

Joseph Kocy, Director

HARFORD COUNTY GOVERNMENT

July 2, 2002

Mr. and Mrs. Randall S. Harris
3324 N. Furnace Road
Jarrettsville, Maryland 21084-1924

Dear Mr. and Mrs. Harris:

Our Zoning Inspector visited your property recently concerning alleged violations of the Harford County Zoning Code. The Inspector was unable to find anyone at home during the inspection, therefore, we are taking this opportunity to contact you by letter. Our records reflect that the subject property contains approximately 7.75 acres and is zoned Agricultural with a Residential use assessment. As a result of the site visit, the following issues must now be addressed.

Detached Garage - The Inspector reported that a large detached garage, approximately 60' x 40' feet, has been constructed in the left side yard. We have researched our records and are unable to locate a permit for this structure. Sections 267-8 and 267-26B of the County Zoning Code requires that an approved permit be obtained prior to constructing or locating any accessory structure or use, and any additions on residential lots, including decks, patios, fences, pools, sheds, etc. In addition, there are specific building setbacks which must be met. Agricultural detached accessory structures must be located at least ten (10) feet from the side and rear lot lines, except for lots with recorded easements. On lots with recorded easements, the setback is always equal to the width of the easement.

Section 267-26C(1) of the County Zoning Code states that no accessory use or structure shall neither exceed fifty percent (50%) of the square footage of habitable space nor exceed the height of the principal use or structure. Also, no accessory structure shall be used for living quarters, the storage of contractors' equipment, nor the conducting of any business. The Inspector reported that the garage appears to exceed the height of the dwelling and may exceed 50% of the habitable space of the dwelling. If this is the case, you would need to obtain a variance from Section 267-26C(1) of the Zoning Code from the Board of Appeals.

Contractors' Equipment - The Inspector observed a skid loader parked next to the garage. For your general information, the Harford County Zoning Code regulates the parking of commercial vehicles and contractors' equipment, allowing this use only in the B3 General Business and Industrially zoned districts. In the Agricultural District, in order to park a commercial vehicle or

contractors' equipment, the property owner must first obtain Special Exception approval through the Board of Appeals. The criteria which must be met are as follows: (1) the vehicle must be stored entirely within an enclosed building OR be fully screened from view of adjacent residential lots and public roads; (2) no vehicle may be parked within the front yard; and (3) a minimum parcel area of at least two acres is required.

Enclosed is the Application form and requirements information with regard to filing for a variance or special exception from the Board of Appeals. Please note that the Hearing Examiner has the authority to impose additional conditions as needed for the particular property in question. There are no guarantees that any request will be approved, as the final decision rests solely with the Hearing Examiner. Prior to filing your Board of Appeals application, I would suggest that you call our office to schedule a Board of Appeals preapplication meeting to discuss the special exception and variance process. The filing fee for a special exception and variance, if requested on the same application, will be $650.00.

I would appreciate you contacting this office upon receipt of this letter to discuss your intentions concerning this matter (410-638-3103). Thank you for your anticipated cooperation.

Very truly yours,

Tommie Houck

Tommie Houck
Zoning Enforcement Coordinator

TH/mmc
Enclosures
c.c. Tess Cunzeman, Board of Appeals