



Land Development Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

IN RE: PETITION FOR ZONING VARIANCE
E/S Caves Road, 1,000' S of
the c/l of Greenspring Avenue
(2125 Caves Road)
4th Election District
3rd Councilmanic District
Leo C. Hofmeister, et ux
Petitioners

* BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-289-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 25 feet in lieu of the required 50 feet, for a proposed porch enclosure in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. Also appearing on behalf of the Petition was Jim Mauro of Patio Enclosures, Inc. There were no Protestants.

Testimony indicated that the subject property, known as 2125 Caves Road, is zoned R.C. 5 and is currently improved with a single family dwelling which has been the Petitioners' residence for the past 34 years. The Petitioners are desirous of enclosing an existing porch on the side of the dwelling. Due to the location of existing improvements, the proposed enclosure cannot be located elsewhere on the property. Therefore, the variance requested is required. Mr. Hofmeister testified that he has spoken with the adjoining property owner on the affected side who has indicated he has no objection to Petitioners' plans.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record

that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of February, 1989 that the Petition for Zoning Variance to permit a side yard setback of 25 feet in lieu of the required 50 feet for a proposed porch enclosure, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 1/16/89
By [Signature]

AMN:hjs

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 5, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 5, 1989.

OWINGS MILLS TIMES,

S. Zale Olson
Publisher

PO 07844
NY M25155
case 89-289-A
price \$71.10

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th
Posted for Variance
Petitioner: Leo C. Hofmeister, et ux
Location of property: E/S Caves Road, 1000' S c/l Greenspring Ave.
Location of Sign: In front of 2125 Caves Road
Remarks: [Signature]
Posted by [Signature]
Number of Signs: 1
Date of return: January 6, 1989

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-289-A

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 1A04.3.B.3. To permit a side yard setback of 25' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce outside noise.
4. A place to sit out and not be concerned with the weather, bugs, mosquitoes, flies, etc.
5. Improve appearance of house.

as prescribed by Zoning Regulations.

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.

Legal Owner(s):

Leo C. Hofmeister

(Type or Print Name)

[Signature]

Ada E. Hofmeister

(Type or Print Name)

[Signature]

2125 Caves Rd.

Address

Owings Mills, Md. 21117

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Patio Enclosures, Inc.

Name

224 8th Avenue, N.W., Glen Burnie, Md. 21061

Address

760-1212

Phone No.

City and State

Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of Nov 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of JAN, 1989, at 2 o'clock P.M.

By J. Robert Haines
Zoning Commissioner of Baltimore County.

ESTIMATED FEE FOR HEARING
\$100.00 (over)
RECEIVED BY [Signature] DATE 10/20/88

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

December 19, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-289-A
E/S Caves Road, 1000' S c/l Greenspring Avenue
2125 Caves Road
4th Election District - 3rd Councilmanic
Petitioner(s): Leo C. Hofmeister, et ux
HEARING SCHEDULED: WEDNESDAY, JANUARY 25, 1989 at 2:00 p.m.

VARIANCE to permit a side yard setback of 25 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County
cc: Mr. & Mrs. Leo C. Hofmeister
Patio Enclosures, Inc.
File

LEGAL DESCRIPTION OF PROPERTY

Beginning on the East side of Caves Road, 50 feet wide, at the distance of 1000' + feet, South of the centerline of Greenspring Ave. Lot number on subdivision not shown. Book number 602, Folio 126. Also known as 2125 Caves Rd. In the 4th election District.



This Deed, made this 28th day of June, 1985, in the year one thousand nine hundred and fifty-one, by and between MARY HOFMEISTER, Widow, of Baltimore County, in the State of Maryland, party of the first part, and LEO CALVIN HOFMEISTER and ADA ELLEN HOFMEISTER, his wife, of the same County and State, parties of the second part.

Witnesseth that in consideration of the sum of five dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said MARY HOFMEISTER does grant and convey unto the said LEO CALVIN HOFMEISTER and ADA ELLEN HOFMEISTER, his wife, as tenants by the entirety, their assigns, and unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate, lying and being in Baltimore County, State of Maryland, aforesaid, which according to a survey made by Leo W. Bader, Surveyor, is described as follows, that is to say: BEGINNING for the same at a point in the center line of the Caves Road as formerly laid out, said point being in the first line and distant South twenty-two (22) degrees twenty-six (26) minutes West forty-four and sixty-four one hundredths (44.64) feet measured along said line from the beginning of that parcel of land which by a deed dated September 11, 1934, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 602, Folio 126 was conveyed by George Dearholt, et al., to George Hofmeister and wife, said point of beginning being also at the end of the second line of that parcel of land which by a deed dated March 19, 1925, and recorded

