

IN RE: PETITION FOR ZONING VARIANCE
2/8 Windsor Road, 295' W of
the c/l of Sudbrook Road
(1015 Windsor Road)
3rd Election District
2nd Councilmanic District
Richard Bauman, et ux
Petitioners

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 92-351-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance in which the Petitioners request relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure height of 22 feet in lieu of the permitted 15 feet, for a proposed two-car garage as more particularly described on Petitioner's Exhibit 1.

It should be noted that a preliminary review of the case file indicated there was insufficient documentation to support the relief requested. In addition, the site plan submitted and marked Petitioner's Exhibit 1, indicated that the proposed garage would have a height of 24 feet in lieu of the 22 feet requested in the Petition, and would also have an open porch on two sides, raising questions as to the intended use of the proposed garage.

At a meeting held on May 14, 1992, the Petitioners' architect, Murrah Brady, indicated that the proposed garage was designed in keeping with the character of the existing dwelling. Ms. Brady stated that the height for the proposed garage would be 22 feet, not the 24 feet indicated on the site plan submitted, and revised the site plan accordingly. The revised plan, dated May 14, 1992 and marked Petitioner's Exhibit 1A, has been incorporated into the case file and will be the controlling site plan

in this matter. Ms. Brady also stated that there would be no plumbing in the garage. Ms. Brady submitted signed affidavits from surrounding neighbors, including the adjoining affected property owners, indicating their support of the relief requested. The signed affidavit submitted by Joseph and Judy Klein, dated May 8, 1992, indicates that the proposed garage will improve the appearance of the neighborhood.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, 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 B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of May, 1992 that the Petition for Residential Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure height of 22

feet in lieu of the permitted 15 feet, in accordance with the revised site plan, marked Petitioner's Exhibit 1A, be and is hereby GRANTED, subject to the following restrictions:

- 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) Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) The proposed open porches on the two sides of the garage shall remain open on the three exposed sides and shall not be enclosed.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 5/19/92
By [Signature]

- 3 -

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

May 19, 1992

Mr. & Mrs. Richard Bauman
1015 Windsor Road
Pikesville, Maryland 21208

RE: PETITION FOR RESIDENTIAL VARIANCE
2/8 Windsor Road, 295' W of the c/l of Sudbrook Road
(1015 Windsor Road)
3rd Election District - 2nd Councilmanic District
Richard Bauman, et ux - Petitioners
Case No. 92-351-A

Dear Mr. & Mrs. Bauman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

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 Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-351-A

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure height of 22' in lieu of the permitted 15'.

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

OWNER NEEDS ADDITIONAL SPACE AND WILL USE 2ND FLOOR AS RECREATIONAL SPACE FOR HOBBY OF MODEL TRAIN BUILDING.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Legal Owner(s):

Richard Bauman

Joanne Bauman

Joanne Bauman

Richard Bauman

1015 WINDSOR RD. PH. 46A 352A

Pikesville, MD 21208

State

City

State

Zip Code

Home, address and phone number of owner, custodian, possessor or representative to be contacted.

Signature

Address

City

State

Zip Code

Home, address and phone number of owner, custodian, possessor or representative to be contacted.

Signature

Address

City

State

Zip Code

Home, address and phone number of owner, custodian, possessor or representative to be contacted.

Signature

Address

City

State

Zip Code

ORDER RECEIVED FOR FILING

Date 5/19/92

By [Signature]

By [Signature]

ESTIMATED POSTING DATE

ESTIMATED CLOSING DATE

ITEM #

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) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at:

1015 WINDSOR RD.

Pikesville MD 21208

City State Zip Code

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 hardship or practical difficulty)

OWNER NEEDS ADDITIONAL SPACE AND WILL USE 2ND FLOOR

AS RECREATIONAL SPACE FOR HOBBY OF MODEL TRAIN BUILDING.

DESCRIPTION FOR 1015 WINDSOR ROAD. 92-351-A

BEGINNING FOR THE SAME IN THE CENTER OF WINDSOR ROAD AT THE DISTANCE OF 295 FEET MORE OR LESS WEST OF SUDSBROOK ROAD & RUNNING THENCE SOUTH 5 DEGREES EAST BOUNDING ON SAID LOT 192.5 FEET TO THE NORTHEAST CORNER THENCE BOUNDING ON SAID LOT SOUTH 73 DEGREES 26 MINUTES WEST 115 FEET THENCE NORTH 18 DEGREES 17 MINUTES WEST 246 FEET TO A POINT IN THE CENTER OF WINDSOR ROAD SAID POINT BEING A DISTANCE OF 175 NORTH WESTERLY FROM THE PLACE OF BEGINNING THENCE SOUTHEASTERLY BOUNDING ON THE CENTER OF WINDSOR ROAD 175 FEET TO THE PLACE OF BEGINNING.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3 Date of Posting: 5/19/92
Posted for: 92-351-A
Petitioner: Richard Bauman, et ux
Location of property: 1015 Windsor Road, Pikesville, MD 21208
Location of Sign: In front of 1015 Windsor Road
Remarks:
Posted by: [Signature] Date of return: 5/19/92
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

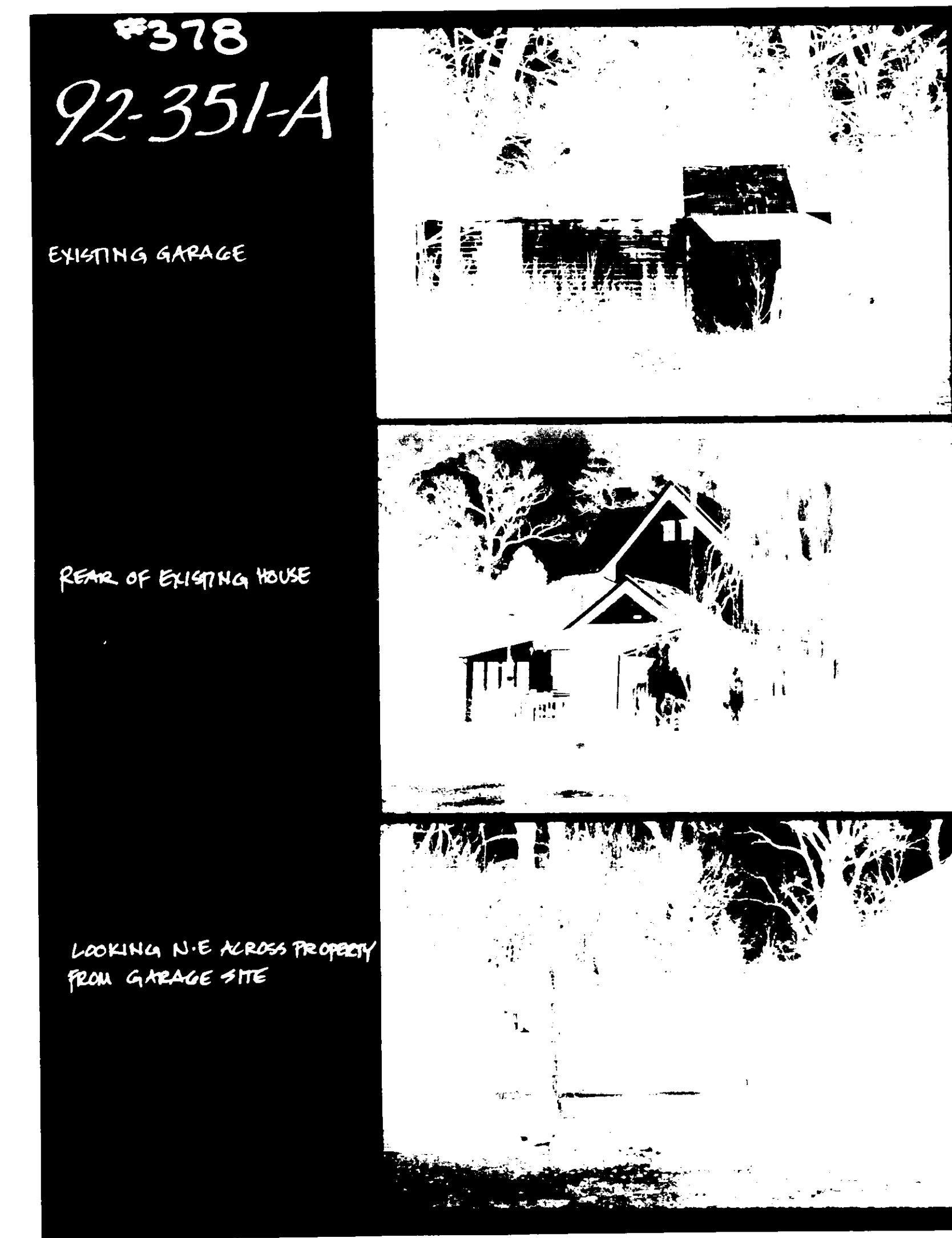
Date

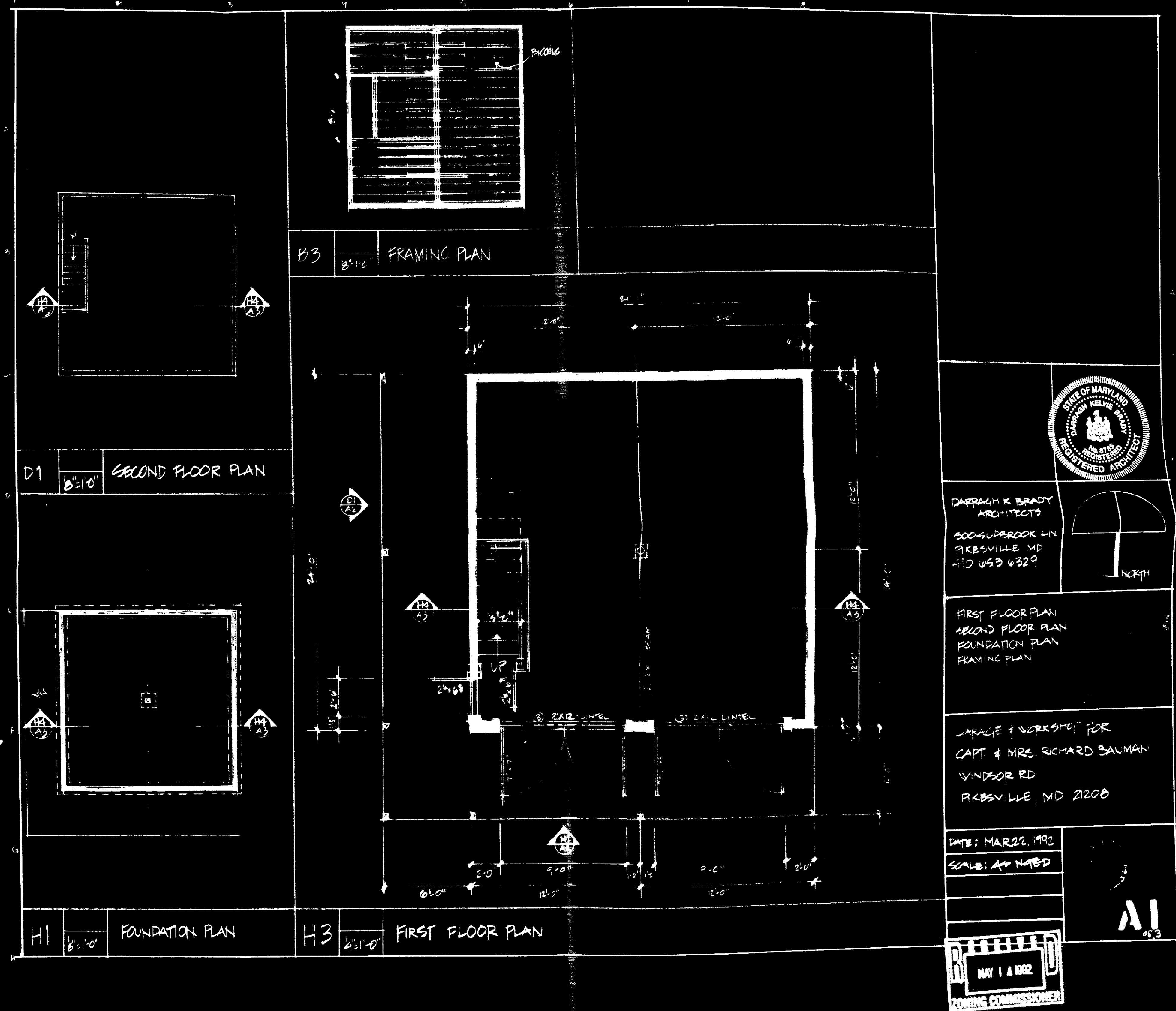
Account: R 001-6150
Number

Cashier Validation

Please Make Check/Payable To: Baltimore County \$60.00
BA 0710121403-19-92

LAST NAME OF OWNER: BAUMAN







BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP	SCALE 1" = 200' ±	LOCATION PIKESVILLE	SHEET N.W. 7-F
	DATE OF PHOTOGRAPHY JANUARY 1986		

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP	SCALE 1" = 200' ±	LOCATION PIKESVILLE	SHEET N.W. 7-F
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92-351-A