

IN RE: PETITION FOR ADMIN. VARIANCE  
 N/S Michaelsford Road, 445' E  
 of the c/l Katesford Road  
 (12304 Michaelsford Road)  
 8th Election District  
 3rd Councilmanic District  
 R. Hartman Roemer, et ux  
 Petitioners

BEFORE THE  
 DEPUTY ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 Case No. 93-444-A

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, R. Hartman and B. Paige Roemer. The Petitioners request relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building to lot line setback of 48.5 feet in lieu of the minimum required 50 feet, and to amend the "Second Amended Partial Development Plan of Section One, Laurelford" to permit a 1.5-foot projection outside the building envelope for an existing dwelling on Lot 11 as more particularly described on Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative 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

ORDER RECEIVED FOR FILING  
 Date 6/17/93  
 By [Signature]

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 16th day of July, 1993 that the Petition for Administrative Variance requesting relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building to lot line setback of 48.5 feet in lieu of the minimum required 50 feet, and to amend the "Second Amended Partial Development Plan of Section One, Laurelford" to permit a 1.5-foot projection outside the building envelope for an existing dwelling on Lot 11, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The 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.

[Signature]  
 TIMOTHY M. KOTROCCO  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
 Date 6/17/93  
 By [Signature]

Baltimore County Government  
 Zoning Commissioner  
 Office of Planning and Zoning

Suite 113 Courthouse  
 400 Washington Avenue  
 Towson, MD 21284

July 16, 1993

(410) 887-4386

Mr. & Mrs. R. Hartman Roemer  
 12304 Michaelsford Road  
 Cockeysville, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
 W/S Michaelsford Road, 445' E of the c/l of Katesford Road  
 (12304 Michaelsford Road)  
 8th Election District - 3rd Councilmanic District  
 R. Hartman Roemer, et ux - Petitioners  
 Case No. 93-444-A

Dear Mr. & Mrs. Roemer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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 the Zoning Administration Office at 887-3391.

Very truly yours,  
[Signature]

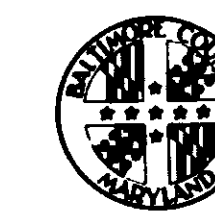
TIMOTHY M. KOTROCCO  
 Deputy Zoning Commissioner  
 for Baltimore County

TMK:bjs

cc: McKee & Associates, Inc.  
 5 Shawan Road, Hunt Valley, Md. 21030

People's Counsel

File



**Petition for Administrative Variance**  
 93-444A  
**to the Zoning Commissioner of Baltimore County**

for the property located at 12304 Michaelsford Road

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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 allow a principal building to lot line setback of 48.5 feet in lieu of the minimum required 50 feet and to amend the "Second Amended Partial Development Plan of Section One, Laurelford" to allow a 1.5 foot projection outside the building envelope for Lot 11.

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

An error was made during the construction of the house which was not uncovered at the time the original survey was performed. (HOUSE EXISTING)

Property is to be posted and advertised as prescribed by Zoning Regulations 1. or we agree to pay expenses of above Variance advertising, posting, etc. 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 Purchase Lease

Type or Print Name: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Attorney for Petitioner: \_\_\_\_\_  
 Type or Print Name: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone No: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Legal Owner(s)  
 R. Hartman Roemer  
 B. Paige Roemer  
 12304 Michaelsford Road  
 Cockeysville, Maryland 21030  
 McKee & Associates, Inc.  
 5 Shawan Road 527-1555  
 Hunt Valley, Maryland 21030

A Public Hearing has been requested and will be held on the 16th day of July, 1993, at 7:00 PM, at the Zoning Commission Office, 111 West Chesapeake Avenue, Towson, Maryland. The subject matter of this petition will be on the agenda for the public hearing. Objections or comments on the proposed petition should be filed with the Zoning Commission Office, 111 West Chesapeake Avenue, Towson, Maryland, on or before the date of the public hearing.

REVIEWED BY: RT DATE: 6-17-93  
 ESTIMATED POSTING DATE: 7-4-93  
 ITEM # 457

**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) 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 reside at 12304 Michaelsford Road  
 Cockeysville, Maryland 21030

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)

An error was made during the construction of the house which was not uncovered at the time the original survey was performed. (HOUSE EXISTING)

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

R. Hartman Roemer  
 B. Paige Roemer

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 1993, before me as a Notary Public of the State of Maryland, as and for the County aforesaid, personally appeared

R. Hartman Roemer and B. Paige Roemer

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

April 2, 1993

[Signature]  
 Notary Public

My Commission Expires: Nov. 1, 1995

Hilford Co.

**MCKEE & ASSOCIATES, INC.**  
 Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555  
 Facsimile: (410) 527-1563

93-444-A

June 15, 1993



ZONING DESCRIPTION  
 12304 MICHAELS FORD ROAD  
 EIGHTH ELECTION DISTRICT  
 BALTIMORE COUNTY, MARYLAND

Beginning at a point on the north side of Michaelsford Road which is 50 feet wide at a distance of 445 feet east of the centerline of Katesford Road which is 50 feet wide.

Being Lot 11 in the subdivision of Section One, Laurelford as recorded in Baltimore County Plat Book 57, Folio 106. Containing 1.422 acres and also known as 12304 Michaelsford Road in the Eighth Election District.

ITEM # 457

**CERTIFICATE OF POSTING**  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District: 974  
 Posted for: 12304 Michaelsford Road  
 Petitioner: R. Hartman Roemer & B. Paige Roemer  
 Location of property: 12304 Michaelsford Rd, 8th Election District, Baltimore County, Md.  
 Location of Sign: 12304 Michaelsford Rd, 8th Election District, Baltimore County, Md.  
 Remarks: See survey on property.  
 Posted by: [Signature]  
 Number of Signs: 1  
 Date of Posting: 6/17/93  
 Date of return: 7/1/93

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT

DATE: 6-17-93 ACCOUNT: E-001-6150  
 AMOUNT: \$ 85.00  
 RECEIVED FROM: R. HARTMAN ROEMER  
 FOR: ADM. VARIANCE  
 ITEM # 457  
 BALANCE FORWARD: \$85.00

111 West Chesapeake Avenue  
 Towson, MD 21204

Baltimore County Government  
 Office of Zoning Administration  
 and Development Management

July 2, 1993

(410) 887-3353

Mr. & Mrs. R. Hartman Roemer  
 12304 Michaelsford Road  
 Cockeysville, Maryland 21030

RE: Item No. 457, Case No. 93-444-A  
 Petitioner: R. Hartman Roemer, et ux  
 Petition for Administrative Variance

Dear Mr. and Mrs. Roemer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on June 17, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kasoff  
Administrator

6-24-93

Re: Baltimore County  
Item No.: # 457 (RT)

Ms. Helene Kehring  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
*Bob Small*  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is \_\_\_\_\_

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro • 565-9451 D.C. Metro • 1-800-432-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: June 28, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 420, 435, 441, 443, 444, 445, 446, 447, 448, 457, 458, 459 and 461.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*  
Division Chief: *Carly L. Lewis*

PK/JL:lw

435.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND  
Inter-Office Correspondence

TO: Zoning Advisory Committee

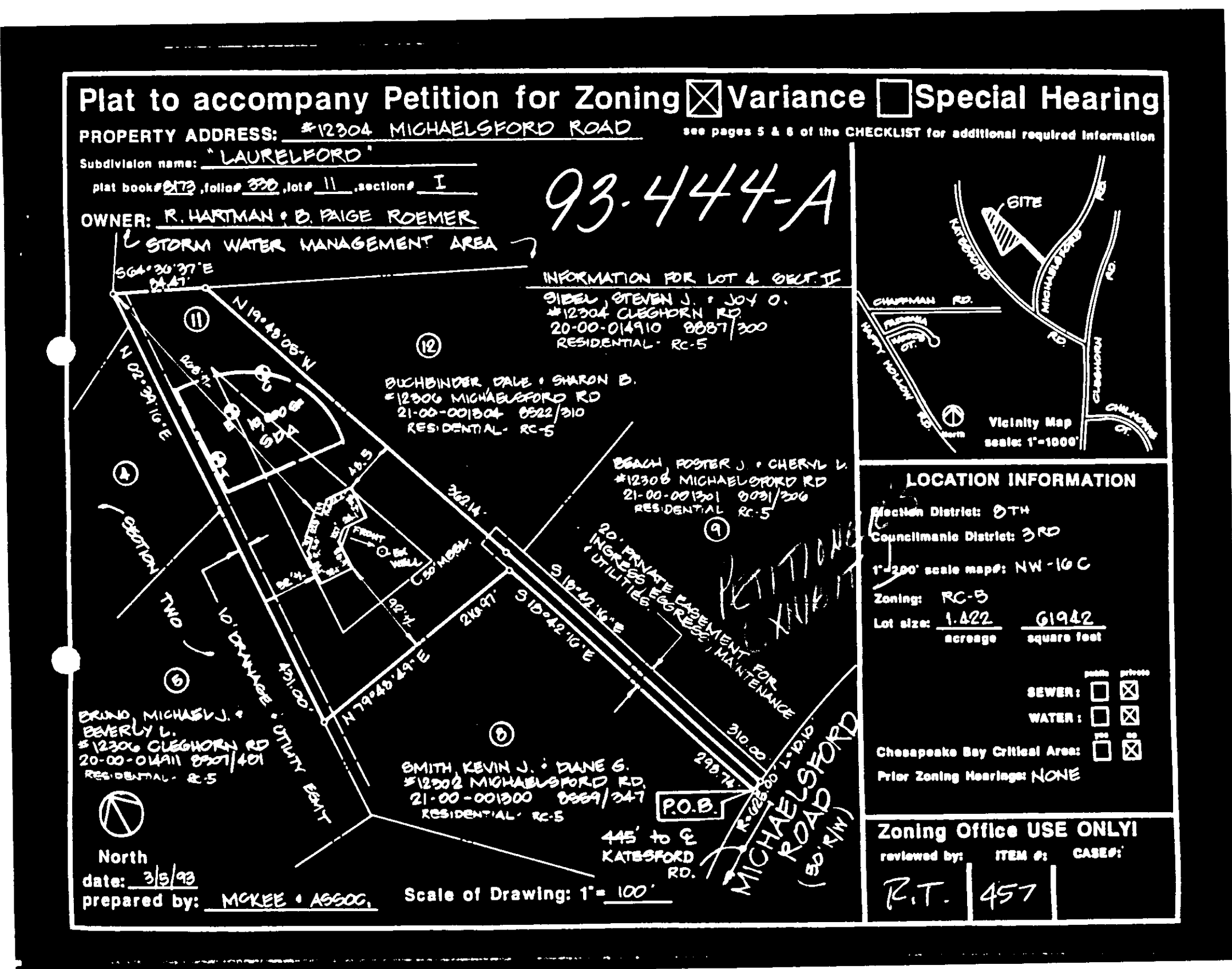
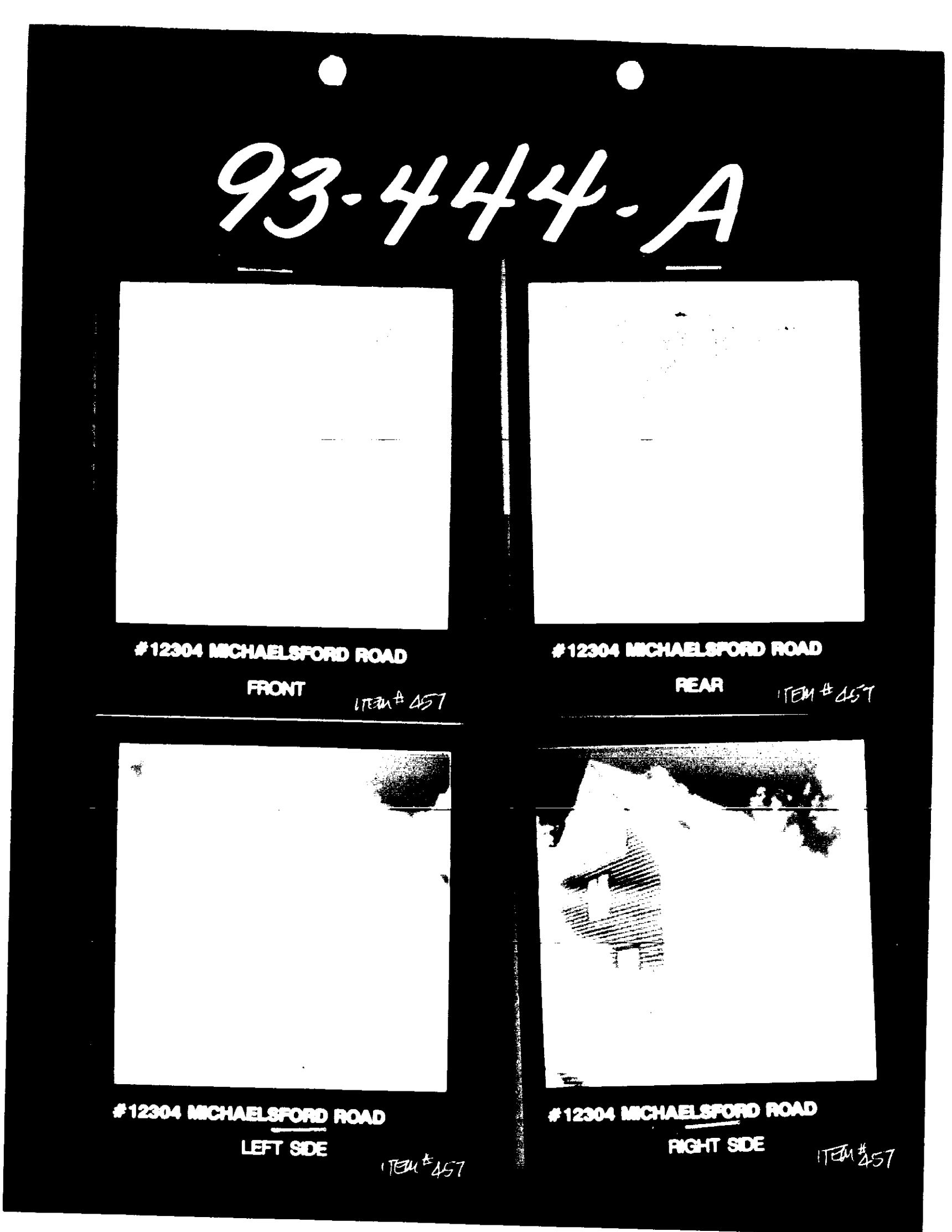
DATE: June 28, 1993

FROM: Captain Jerry Pfeifer *J.P.*

SUBJECT: July 06, 1993 Meeting

#450 No Comments  
#451 No Comments  
#452 No Comments  
#453 No Comments  
#454 No Comments  
#455 No Comments  
#457 No Comments *93-444-A 3/2*  
#458 No Comments  
#459 Building shall be in compliance with 1991 Life Safety Code  
#460 No Comments  
#461 No Comments

RECEIVED  
JUL 26 1993  
ZADM





V - SW V - SE  
S - NW S - NE

~~1988 COMPREHENSIVE ZONING MAP~~  
Adopted by the Baltimore County Council  
Oct. 21, 1988  
Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88  
*Dale A. ...*  
Baltimore County Council

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

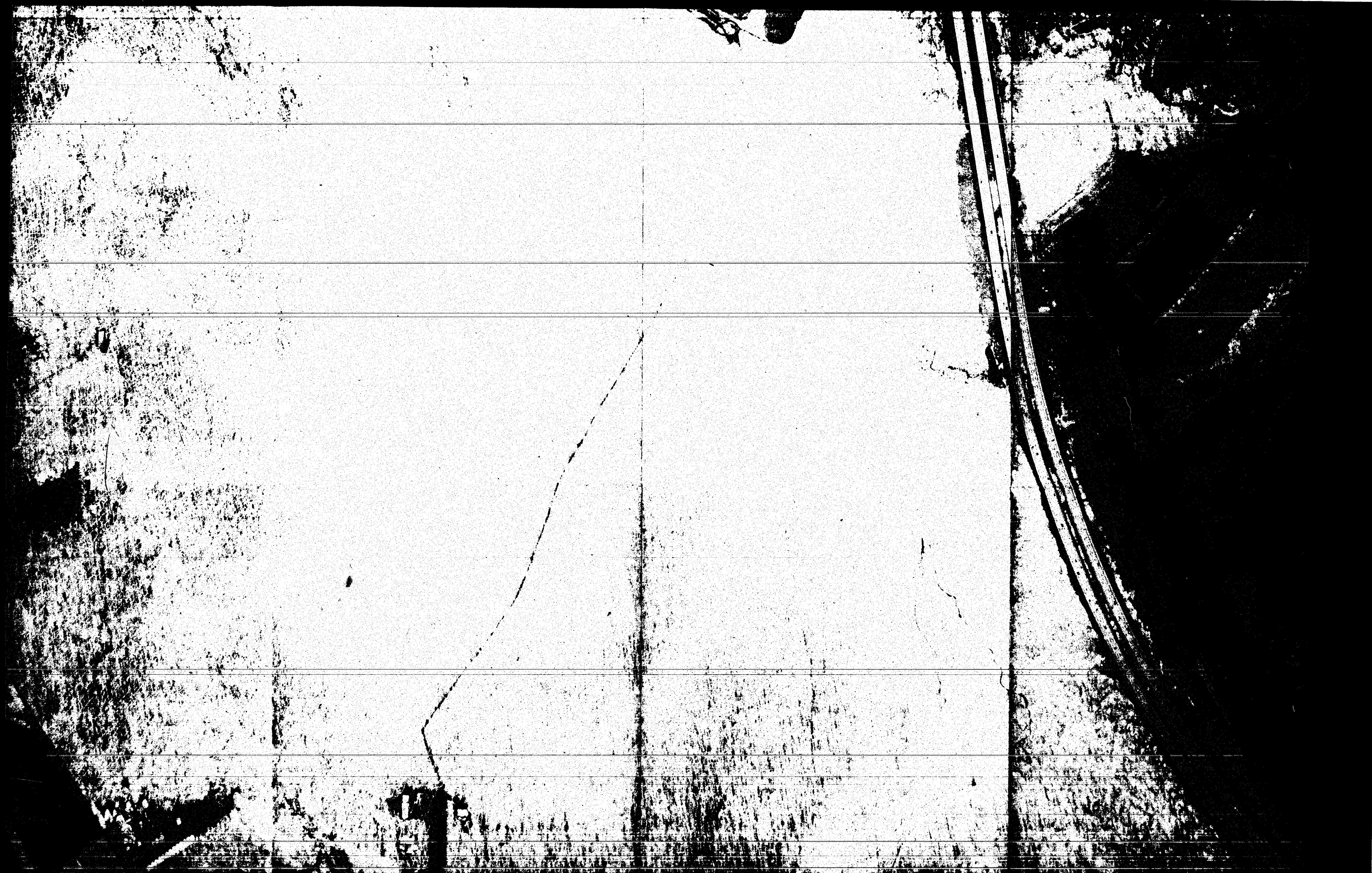
1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992  
*William A. Howard III*  
Baltimore County Council

SCALE  
1" = 200'  
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
ITEM # 457  
TEXAS

SHEET  
N.W.  
16-C

93-444-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
13 WINDSOR, WY. 25361

SCALE	LOCATION	SHEET
1" = 200'	(TCA) # 457	
DATE OF PHOTOGRAPHY	TEXAS	MW
JANUARY 1966		16-C

93-444-A