

IN RE: PETITION FOR ADMIN. VARIANCE
 W/S Berkshire Road, 593' S of
 North Point Road
 (7610 Berkshire Road)
 12th Election District
 7th Councilmanic District
 Raymond J. Zorn, et ux
 Petitioners

BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 94-61-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Raymond J. and Margaret O. Zorn. The Petitioners request relief from Sections 400.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (open carport) to be located 2 feet from a side lot line and 11 feet from an alley centerline in lieu of the required 2.5 feet and 15 feet, respectively, 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 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 Zoning Commissioner for Baltimore County this 16th day of September, 1993 that the Petition for Administrative Variance requesting relief from Sections 400.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (open carport) to be located 2 feet from a side lot line and 11 feet from an alley centerline in lieu of the required 2.5 feet and 15 feet, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that a 30-day appeal period exists from the date of this Order. In the event a timely appeal is filed and this Order is reversed, the relief granted herein shall be terminated.

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT
 Zoning Commissioner
 for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
 Date 9/16/93
 By [Signature]

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113 Courthouse
 400 Washington Avenue
 Towson, MD 21284

(410) 887-4386

September 16, 1993

Mr. & Mrs. Raymond J. Zorn
 7610 Berkshire Road
 Baltimore, Maryland 21224

RE: PETITION FOR ADMINISTRATIVE VARIANCE
 W/S Berkshire Road, 593' S of North Point Road
 (7610 Berkshire Road)
 12th Election District - 7th Councilmanic District
 Raymond J. Zorn, et ux - Petitioners
 Case No. 94-61-A

Dear Mr. & Mrs. Zorn:

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 and Development Management office at 887-3391.

Very truly yours,

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT
 Zoning Commissioner
 for Baltimore County

LES:bjs

cc: People's Counsel

file

Petition for Administrative Variance
 to the Zoning Commissioner of Baltimore County

for the property located at 7610 BERKSHIRE RD
 which is presently zoned 21224

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owners of the property located in Baltimore County and which is described in the description and parcel attached hereto and made a part hereof, hereby petition for a variance from Section 400.1 AND 2 TO PERMIT AN EXISTING ACCESSORY STRUCTURE TO BE LOCATED 2 FT FROM A SIDE LOT LINE AND 11 FT FROM THE CENTERLINE OF AN ALLEY IN LIEU OF THE REQUIRED 2.5 FT AND 15 FT, RESPECTIVELY.

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

To protect my own paint from bird mess. also not enough yard to completely cover car if not built this size.

Property is to be posted and advertised as prescribed by Zoning Regulations. I do not agree to any suspension of rules or to any advertising created by the zoning of the property and I do not agree to be bound by the zoning regulations and restrictions of Baltimore County, attached pursuant to the Zoning Law of Baltimore County.

Raymond J. Zorn
 Raymond J. Zorn
 MARGARET O. ZORN
 Margaret O. Zorn
 7610 BERKSHIRE RD-212-3429
 BALTO., MD. 21224

ORDER RECEIVED FOR FILING
 Date 9/16/93
 By [Signature]

REVIEWED BY [Signature] DATE 9/12/93
 ESTIMATED POSTING DATE 9/19/93

Printed with Recycled Paper on Recycled Paper

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 (therein) in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7610 BERKSHIRE RD
BALTO., MD. 21224

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 variance or practical difficulty.)

(See Attached)
For years at my address, and neighbor next door parked on lot on Berkshire Road, and constantly due to narrowing of road were being damaged by dirt and rock thrown, causing drainage problems.

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

Raymond J. Zorn
Margaret O. Zorn
Raymond J. Zorn
MARGARET O. ZORN

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 11 day of August, 1993, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared

Raymond J. Zorn
Margaret O. Zorn

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/his knowledge and belief.

AS WITNESS my hand and Notarial Seal.

[Signature]
 My Commission Expires: January 29, 1996

FRANK S. LEE
 Registered Land Surveyor

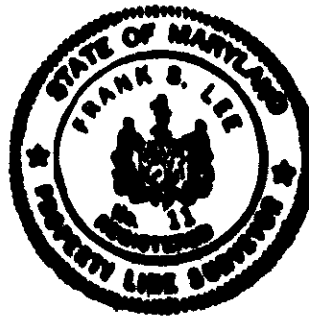
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

August 3, 1993

No. 7546 Berkshire Road
 12th District Baltimore County, Maryland

Beginning for the same on the west side of Berkshire Road (50 feet wide) at the distance of 593.33 feet measured southerly along the west side of Berkshire Road from the center line of North Point Road and being known as Lot 73, plat one, Section one, Berkshire, said plat being recorded among the land records of Baltimore County in Plat Book 13 folio 32.

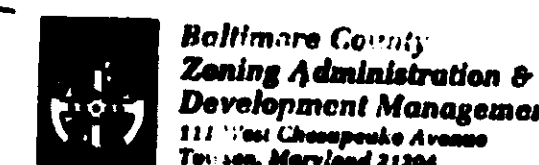
Containing 1800.00 square feet or 0.04 acres of land.



CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 12th Date of Posting 8/20/93
 Posted for Lawrence E. Schmidt
 Petitioner Raymond J. Zorn & Margaret O. Zorn
 Location of property 7610 Berkshire Rd., W.S. 593' S.N.P.R.
 Location of Sign Front, today 8.20.93, 7610 zorn-d
 Remarks [Signature]
 Posted by [Signature] Date of return 9/2/93
 Number of Signs 1

94-61-69



receipt

Account: 8-001-4128

Number: 69

BY JLL

8/12/93
 CODE 010 (1) RES VAR. FILING \$ 50.00
 CODE 080 (1) SIGN POSTING 35.00
 \$ 85.00

OWNER ZORN
 7610 BERKSHIRE RD.

DIAGNOLIAHICHC
 PA CODE 48*NOV-12-93 \$65.00
 Please Make Checks Payable To Baltimore County

Checklist Validation

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21284

(410) 887-3393

September 8, 1993

Mr. and Mrs. Raymond J. Zorn
 7610 Berkshire Road
 Baltimore, Maryland 21224

RE: Case No. 94-61-A, Item No. 69
 Petitioner: Raymond J. Zorn, et ux
 Petition for Administrative Variance

Dear Mr. and Mrs. Zorn:

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 August 29, 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.

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

Re: Baltimore County
Item No. 44 (526)

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 • 365-0451 D.C. Metro • 1-800-495-5982 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

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. 46, 65, 67, 68, 69 and 70.

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 887-3400.

Prepared by: *Jeffrey Long*
Division Chief: *Pat Keller*

PK/Jclw

ZAC 46/17ZONE/ZAC1

111 West Chesapeake Avenue
Towson, MD 21204

AUGUST 18, 1993

OFFICE OF CASE NUMBER ASSIGNMENT

TO: Raymond J. Zorn and Margaret O. Zorn
7612 Berkshire Road
Baltimore, Maryland 21224

Re: CASE NUMBER: 94-61-A (Item 69)
7612 Berkshire Road
405 Berkshire Road, 503' S of North Point Road
12th Election District - 7th Councilmanic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 887-3391. This notice also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before August 29, 1993. The closing date (September 13, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. We will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the signed and posted to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Printed with Optimum Ink
on Recycled Paper

COPY

(410) 887-3353

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Zoning Advisory Committee
FROM: Captain Jerry Heffley
SUBJECT: August 30, 1993 Meeting

- #417 Building shall comply with the 1991 Life Safety Code.
- #427-39 Buildings shall comply with the 1991 Life Safety Code.
- #68 Transition, for which the initial building permits are issued but after 07/01/93, are required by State law to be up-converted. A standard end-use shall be provided at the end of the street. A 35' inside turning radius shall be maintained.
- #62 No Comments
- #64 Building shall comply with the 1991 Life Safety Code.
- #65 No Comments
- #66 No Comments
- #67 No Comments
- #68 No Comments
- #69 No Comments
- #70 No Comments
- #71 Building shall comply with the 1991 Life Safety Code.

RECEIVED
AUG 19 1993
ZADM

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 69
Petitioner: _____
Location: (Same as above)
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Raymond J. Zorn
ADDRESS: 7612 Berkshire Rd
Baltimore, Md 21224
PHONE NUMBER: 388-3439

AJ:ggg

(Revised 04/09/93)

H.O. #69

Mr. Zorn ran into a problem by constructing without a permit. Permit + this required one and the variance issues came to light. Frank Lee engineered plans but an aerial photo was not provided. I have no problem with this since aerials aren't much help in a townhouse development. The variance winds up being for 6 inches on 1 side and 4 ft. from the alley centerline. I don't see any particular problems and maybe on both sides provided the enclosed support letter.

Pat Keller 8/12/93

August 6, 1993

To Whom It May Concern:

I live next door to Mr. and Mrs. Raymond Zorn, and I would like to let you know how I feel about their carport. I think it is very well constructed, and does not interfere with my view in any way.

Since our street is very narrow, it is difficult to park in front of the houses, therefore, several families have decided to park in their back yards. The Zorns' carport is not closed in and does not create any hardships.

Sincerely,

Mrs. Roberta Hutchins

Mrs. Roberta Hutchins
7612 Berkshire Road
Baltimore, MD 21224

To Whom It May Concern August 2, 1993

We live at Rose Eastman Rd, and are neighbors with Mr. & Mrs. Raymond Zorn. They have a carport in their back yard. We understand that there is a problem. We don't want to hear so. The carport does not block the view from any direction, and their carport sits back further than our shed, from the alley. If you would like to contact us in the future, please write to us.

*Roberta Hutchins
7612 Berkshire Rd.*

