

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
1015 Hollow Road, 340 ft. N of
c/o Sherwood Road
8th Election District
3rd Councilmanic District
Kenneth Morgan & Samuel Westrick
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 94-372-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Kenneth Morgan and Samuel Westrick for that property known as 1015 Hollow Road in the Cockeysville section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 10A03.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side lot line setback of 1 ft., in lieu of the required 50 ft., for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a petition for Residential Variance and the subject property having been posted, and there being no request for a 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 variance 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, photographs, 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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of April, 1994 that the Petition for a Zoning Variance from Section 10A03.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side lot line setback of 1 ft. in lieu of the required 50 ft. for a proposed addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk 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.

James E. Schmidt
JAMES E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21201

(410) 887-4306

April 19, 1994

Mr. Kenneth B. Morgan
Mr. Samuel J. Westrick
1015 Hollow Road
Cockeysville, Maryland 21030

RE: Petition for Administrative Variance
Case No. 94-372-A
Property: 1015 Hollow Road

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
James E. Schmidt
JAMES E. SCHMIDT
Zoning Commissioner

LES/mm
encl.



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 1015 Hollow Rd., Cockeysville, MD

Check to be promptly mailed RC 4

This Petition shall be filed with the Office of Zoning Administration & Development Management, 111 West Chesapeake Avenue, Towson, MD 21204. The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and which is used hereafter, hereby petition for a Variance from Section 10A03.4 of the B.C.Z.R. to permit a side lot line setback of 1 ft. in lieu of the required 50 ft.

The Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons, indicate hardship or unusual difficulty:

1. Physical difficulties such as (a) site location changes and (b) existing conditions (e.g. driveway, pool, concrete and wood decking and outdoor furniture) which prevent access to the property and/or make it impossible to use the property as intended.
2. Existence of other persons who would cause substantial hardship to the applicant, as a result of the proposed variance.
3. The proposed variance will be in the public health, safety and general welfare of the community and the public interest will be promoted.

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

I, or, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and am to be bound by the zoning regulations and conditions of Baltimore County, submitted pursuant to the Zoning Law for Baltimore County.

With the signature and date above, upon the plat of property, that has been filed with the Office of Zoning Administration & Development Management, I, the undersigned, hereby certify that I am the legal owner of the property.

Legal Owner(s)

Signature of Kenneth B. Morgan

Signature of Samuel J. Westrick

Signature of Samuel J. Westrick

Address: 1015 Hollow Rd., Cockeysville, MD 21030

Signature of Kenneth B. Morgan

Signature of Samuel J. Westrick

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(410) 887-3353

April 8, 1994

Messrs. Kenneth D. Morgan and Samuel J. Westrick
10815 Hallow Road
Cockeysville, Maryland 21030

RE: Case No. 94-372-A, Item No. 364
Petitioners: Kenneth D. Morgan and Samuel J. Westrick
Petition for Administrative Variance

Dear Messrs. Morgan and Westrick:

The Zoning Plan 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 each zoning action requested, but to assure that all parties, i.e., zoning commission, 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 March 24, 1994, 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

4-1-94

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

Re: Baltimore County
Item No. 94-364 (JLC)

Dear Ms. Minton:

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 affected by any State Highway Administration project.

Please contact Bob Small at 410-333-1250 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
DAVID N. SANTO, ACTING CHIEF
John Contarino, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2289 (Toll Free)

Mailing Address: P.O. Box 717 - Baltimore, MD 21202-0717
Street Address: 787 North Calvert Street - Baltimore, Maryland 21202



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/30/94

Arnold Zahlon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this bureau and the comments below are applicable and required to be corrected or incorporated into the final plan for the property.

B. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 356, 357, 360, 362, 363, 364 AND 365.

RECEIVED
MAR 31 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERHARD
Fire Prevention, PHONE: 887-4001, FD-1105P

cc: File

Printed with Regard to the Environment



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 31, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Kenneth Morgan and Samuel Westrick
10815 Hallow Road
Cockeysville, Maryland 21030

RE: CASE NUMBER: 94-372-A (Item 364)
10815 Hallow Road
Cockeysville, Maryland 21030
K.D. Morgan & S.J. Westrick - 3rd Councilmanic

Please be advised that your petition for Administrative Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-4321. This notice also serves as a reminder regarding the administrative process.

- 1) Your property will be posted on or before April 3, 1994. The closing date (April 18, 1994) 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 Property Zoning Commission. They may (a) grant the requested relief, (b) deny the requested relief, or (c) amend the action to set it for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases regarding public hearing (whether due to a neighbor's formal request or by Order of the Commission), the property will be reported and action of the hearing will appear in a Baltimore County newspaper. Changes related to the reporting and newspaper advertising are possible by the petitioner(s).
- 3) Please be advised that you must return the sign and post 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.

Carl J. ...
Arnold Zahlon
Director

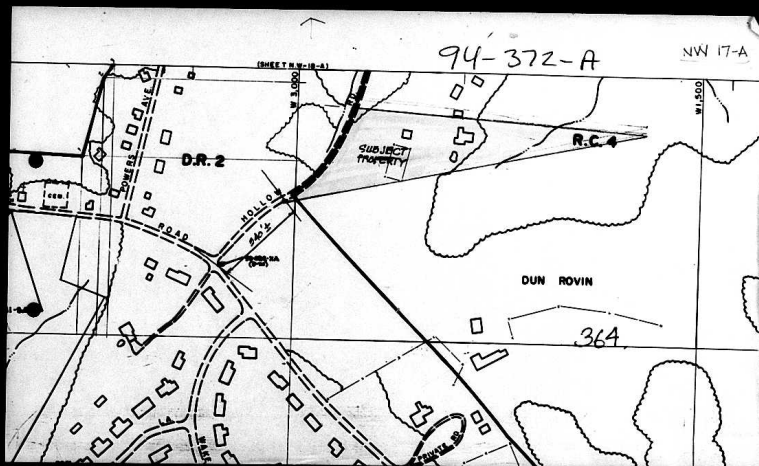
Printed with Regard to the Environment

POWER OF ATTORNEY

STATE OF MARYLAND
COUNTY OF BALTIMORE

KNOW ALL MEN BY THESE PRESENTS: That I, SAMUEL J. WESTRICK, the undersigned, of Baltimore County, Maryland, do hereby make, constitute and appoint KENNETH D. MORGAN my true and lawful attorney in fact for me and in my name, place and stead, and on my behalf, and for my use and benefit:

1. To exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or my hereafter acquire the legal right, power or capacity to exercise or perform, in connection with, arising from, or relating to any person, item, transaction, thing, business property, real or personal, tangible or intangible, or matter what, over;
2. To request, ask, demand, sue for, recover, collect, receive, and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devise, notes, interests, stock certificates, bonds, dividends, certificates of deposits, annuities, pension and retirement benefits, insurance benefits and proceeds, any and all documents of title, choses in action, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, as now are, or shall hereafter become, owned by, or due, owing, payable, or belonging to, me or in which I have or may hereafter acquire interest, to have, use, and take all lawful means and equitable and legal remedies.



Item 364



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing
PROPERTY ADDRESS: 10815 Hollow Rd. Cockeysville See pages 2 & 3 of the COMPLET for additional required information

Subdivision name:
 plat book: sheet:

OWNER: Joseph Morgan Samuel Wehrick *See sheet 2 for overall*
Frank J. Morgan

Jack & Chris Alberry
 10819 Hollow Rd.
 Tax Account #:
 Deed Reference:

1' Repeal setback

LOCATION INFORMATION
 Section: 3
 Governmental:
 T-100' corner: NW 17A
 Zoning: RCH
 Lot area: 261,320.6
 Setbacks: square feet

SEWER: ☐ ☐ ☐
 WATER: ☐ ☐ ☐
 Chesapeake Bay Critical Area: None
 Prior Zoning Mapings: None

Zoning Office USE ONLY
 Date by: File #: 361
 Case #: Class:

North
 date:
 prepared by: Scale of Drawing:
 Joseph Morgan
 436 Sharnold Rd.
 Tax Account #:
 Deed Reference:

94-372-A

SHEET 2 FOR VARIANCE

ENLARGED IMPROVEMENT PLAN SCALE: 1" = 20'

This reproduction subject to 1% reduction in scale.

I hereby certify that I have made a survey of this lot for the purpose of locating all improvements shown and that they are located as shown.

9/12/72 *Joseph Morgan*

RES. NO. 0075

LOCATION SURVEY
 10815 HOLLOW ROAD, BALTIMORE COUNTY, MD.
 K. MORGAN, S. L. MORGAN, JOHNSON & JOHNSON
MANK & KUNST
 408 YORK ROAD
 TOWSON, MARYLAND 21286
 410-2211 2201010-1-2211

SCALE
 1" = 200'

DATE
 9/12/72

JOB NO.
 260 K



View of neighbor's house to north, 135' ± from proposed garage site.



View of proposed site A garage from east (down back concrete steps, circular wall is 20' from property line)



View of house from South, South West.



View of front of house from inside circular driveway (West of house)



View of proposed garage site from West - mid driveway.

94-372-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200'±	COCKEYSVILLE	N.W. 17-A
DATE OF PHOTOGRAPHY JANUARY 1986		