

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE
S/S Gorsuch Road, 120 ft. E of * ZONING COMMISSIONER
E/S Tree Lane
105 Gorsuch Road * OF BALTIMORE COUNTY
8th Election District
4th Councilmanic District * Case No. 95-184-A
Madlyn L. Francis
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Madlyn L. Francis for that property known as 105 Gorsuch Road in the Yorkshire subdivision of Baltimore County. The Petitioner herein seeks a variance from Section 1B02.3.C.1 (301.A) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 3 ft. side yard setback, in lieu of the required 11.25 ft., and sum of side yards of 13 ft., in lieu of the maximum sum of 25 ft., for a carport, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner 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 Petitioner has 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

ORDER RECORDED FOR FILING
Date 12/21/95
By M. Hawk

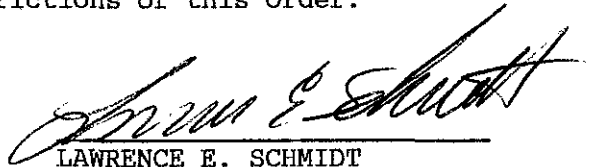
MICROFILMED

upon the Petitioner.

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 16th day of December, 1994 that the Petition for a Zoning Variance from Section 1B02.3.C.1 (301.A) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 3 ft. side yard setback, in lieu of the required 11.25 ft., and sum of side yards of 13 ft., in lieu of the maximum sum of 25 ft., for a carport, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 15, 1994

Mrs. Madlyn L. Francis
105 Gorsuch Road
Timonium, Maryland 21093

RE: Petition for Administrative Variance
Case No. 95-184-A
Property: 105 Gorsuch Road

Dear Mrs. Francis:

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,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



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) is/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 105 GORSUCH RD.
address

TIMONIUM MD. 21093-4319
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)

We, Mr. & Mrs. Woodson Francis, respectfully submit this zoning variance for an approval of a carport at the side of our house. The reason for the carport is my wife and I, as senior citizens, enter our house from the side and have no cover over the door, when it rains or freezes, the steps can get very slippery and we want to prevent an accident. With this added carport, the safety in which it will provide will ease our minds. I have also attached a letter from my neighbor

whose property is being encroached by this potential carport addition and who, also, fully supports my
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and endeavors.
may be required to provide additional information.

(signature)

(type or print name)



Madlyn Lucas Francis
(signature)

MADLYN LUCAS FRANCIS
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7th day of November, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Madlyn Lucas Francis

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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.

November 7, 1994
date

Balaine D. Moran
NOTARY PUBLIC

My Commission Expires:

February 2, 1998

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183

Petition for Administrative Variance

95-184-A

to the Zoning Commissioner of Baltimore County

for the property located at 105 GORSUCH RD

which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 1B02.3B (301. A) (AND 208.3 1955 REGS)

TO PERMIT A 3' SIDEYARD SETBACK OF IN LIEU
OF THE REQUIRED 11.25' + SUM OF SIDEYARDS OF 13' IN LIEU
OF THE MAXIMUM SUM OF 25'
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE AFFIDAVIT

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

I, 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.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: Jdd

DATE: 11/17/94

ESTIMATED POSTING DATE: 11/27/94

Printed with Soybean Ink
on Recycled Paper

ITEM #: 183

103
95-184-A
VARIANCE DESCRIPTION

Located on the south side of Gorsuch Road approximately 120' east of the east side of Tree Lane. Being known as lot 3 as shown on Plat 4 of Yorkshire which plat is recorded in the land records of Baltimore County in book 22 folio 148. Also known as 105 Gorsuch Road.

RECORDED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-184-A

District: 8th Date of Posting: 11/28/94
Posted for: Variances
Petitioner: Madlyn Lucas Francis
Location of property: 105 Gorsuch Rd, S/S
Location of Signs: Facing road way on property being zoned
Remarks: _____
Posted by: [Signature] Date of return: 12/2/94
Signature
Number of Signs: 1





Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-184-A

Account: R-001-6150

Number 183

By JLL

Date

11/17/94

RES VAR FILING CODE 010 50.00

1 SIGN POSTING 35.00

TOTAL \$ 85.00

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OWNER: FRANCIS PAID BY COMMODARI DEV. CONSULT.

LOC 105 GORSUCH RD.

0260280169MTC:IRC
BA 0011446M11-17-94

\$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



95-184-A

(410) 887-3353

111 West Chesapeake Avenue
Towson, MD 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor 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, DIRECTOR

For newspaper advertising:

Item No.: 183

Petitioner: MADLYN LUCAS FRANCIS

Location: 105 GORSUCH RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MADLYN LUCAS FRANCIS

ADDRESS: 105 GORSUCH RD.

TIMONIUM, MD. 21093-4319

PHONE NUMBER: 560-0989

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 20, 1994

Ms Madlyn Lucas Francis
105 Gorsuch Road
Timonium, Maryland 21093

RE: Item No: 183
Case No.: 95-184
Petitioner: Ms Francis

Dear Ms Francis:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on November 17, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i. e. zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: 12/05/94

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

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF NOV. 28, 1994

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 plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 178, 179, 180, 181
AND 183.

RECEIVED

DEC 7 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 5, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for December 5, 1994
Item No. 183 ✓

The Developers Engineering Section has reviewed the subject zoning item. The centerline of an existing 10-foot storm drain easement containing a 30-inch diameter reinforced concrete cement pipe runs along the west property line of this lot. No permanent structure should be located in this County easement.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 30, 1994

FROM: Pat Keller, 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. 178, 179, 180, 181, 182, 183, 185, 187, 188 and 189

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 W. Long

Division Chief:

Carol L. Kern

PK/JL



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

11-25-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204
ATTN: Ms. JOYCE WATSON
Dear Ms. Winiarski:

Re: Baltimore County
Item No.: *183 (JLL)

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 project.

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,

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 12/15/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: see below

The Department of Environmental Protection & Resource Management has no
comments for the following Zoning Advisory Committee Items:

Item #'s:

Agenda -
Mtg. of 11/28/94
Items # 178, 179, 180, (183), 184, 185

Mtg. of 12/5/94
Items 188 and 189

Mtg. of 12/12/94
Items 191, 192, 194, 195, 198

LS:sp

LETTY2/DEPRM/TXTSBP

NO REPLY NEEDED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 28, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

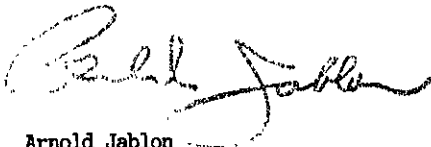
TO: Madlyn Lucas Francis
105 Gorsuch Road
Timonium, Maryland 21093-4319

Re: CASE NUMBER: 95-184-A (Item 183)
105 Gorsuch Road
S/S Gorsuch Road, 120' E of E/S Tree Lane
8th Election District - 4th 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 refresher regarding the administrative process.

- 1) Your property will be posted on or before today's date. The closing date (December 12, 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 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. 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 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 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.

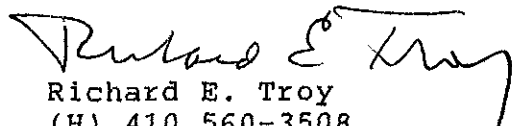
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.


Arnold Jablon
Director

103
103 Gorsuch Road
Timonium, Maryland 21093
October 28, 1994

To Whom It May Concern,

I am the sole owner of the property which lies adjacent to the west side of 105 Gorsuch Road. I have no objection to a variance request for a carport being erected upon the property.


Richard E. Troy
(H) 410 560-3508
(W) 410 605-7094

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 105 GORSUCH RD.

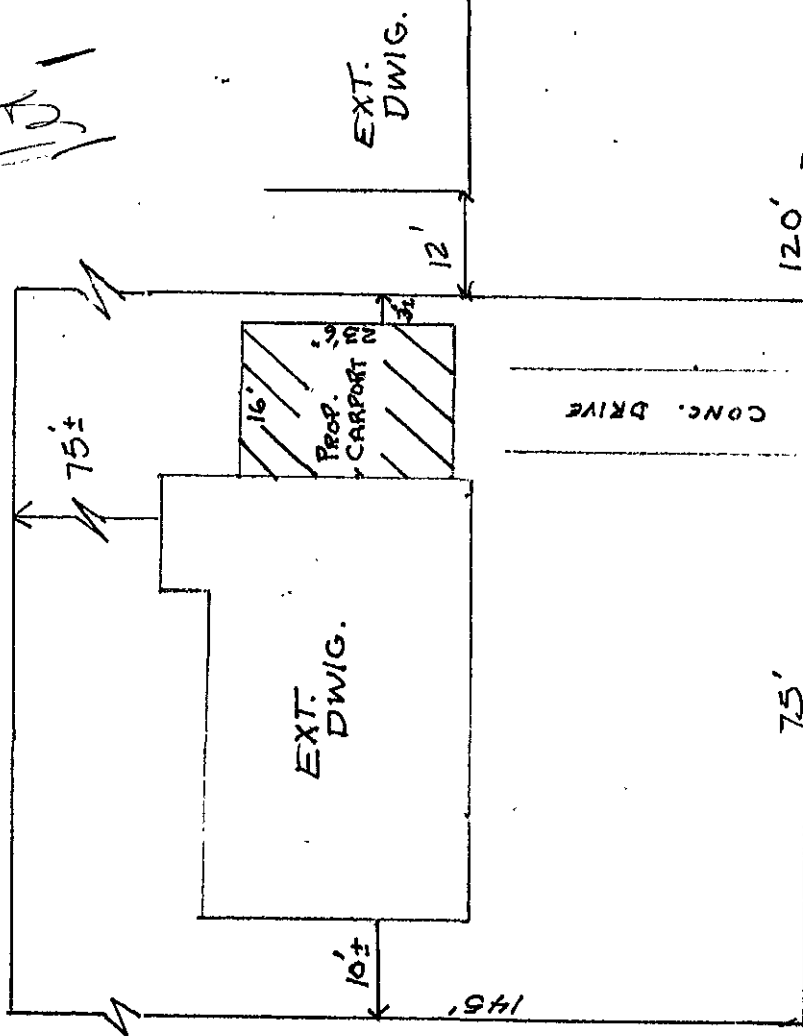
Subdivision name: YORKSHIRE

plat # # 22, folio # 148, lot # 3, section # 3

OWNER: FRANCIS, MADLYN L.

95-184-A

10/1/94



GORSUCH RD.



North
date: 11/17/94
prepared by: 115

Scale of Drawing: 1" = 20'

LOCATION INFORMATION

Election District: 0-8
Councilmanic District: 4

1"=200' scale map#: NW 13A

Zoning: D.R. 3.5

Lot size: .25 acreage 10875 square feet

public, private

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

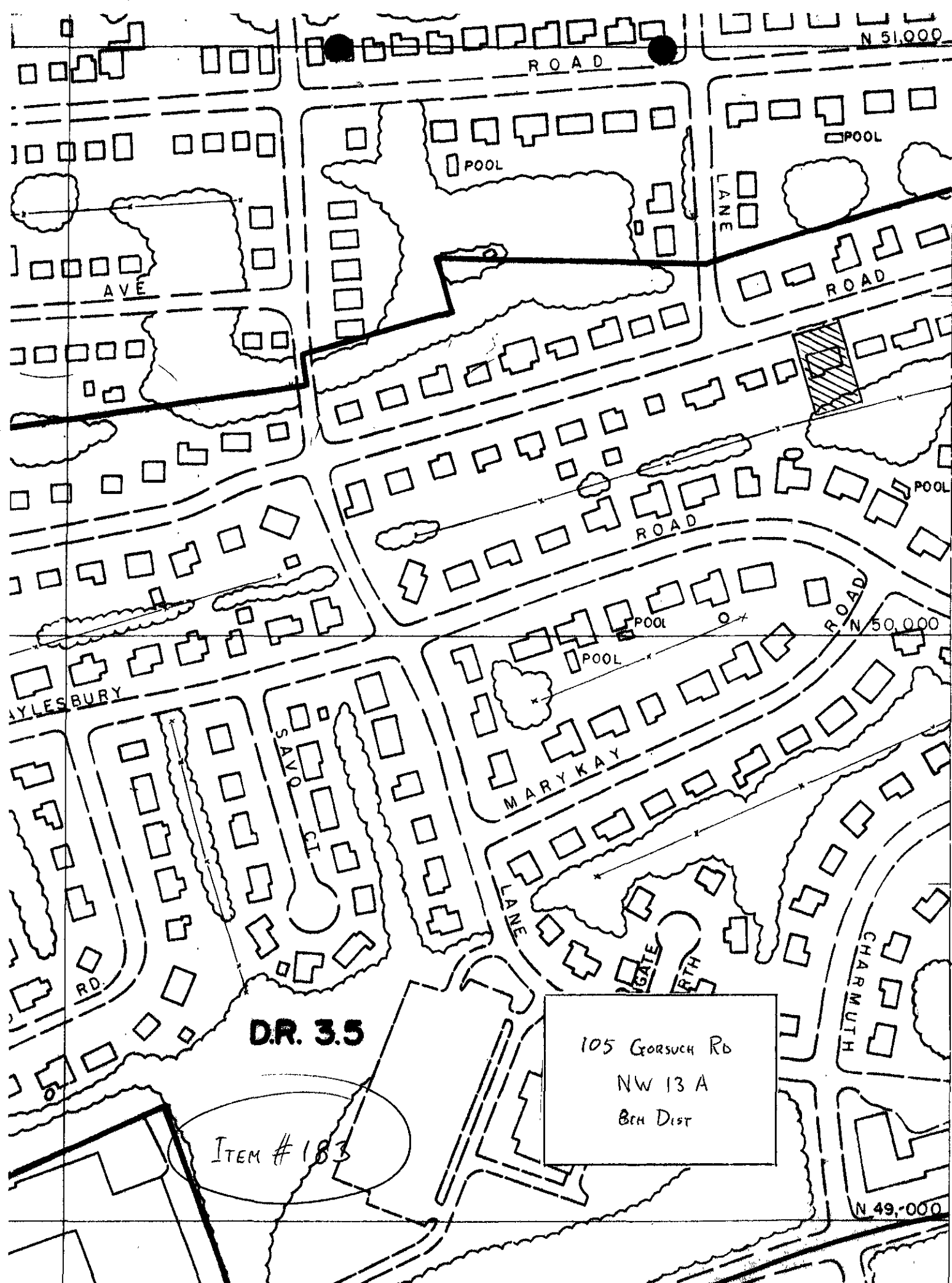
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: _____

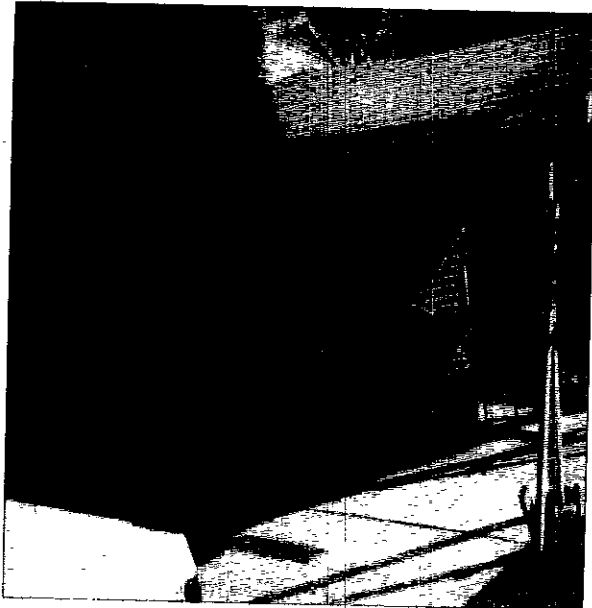
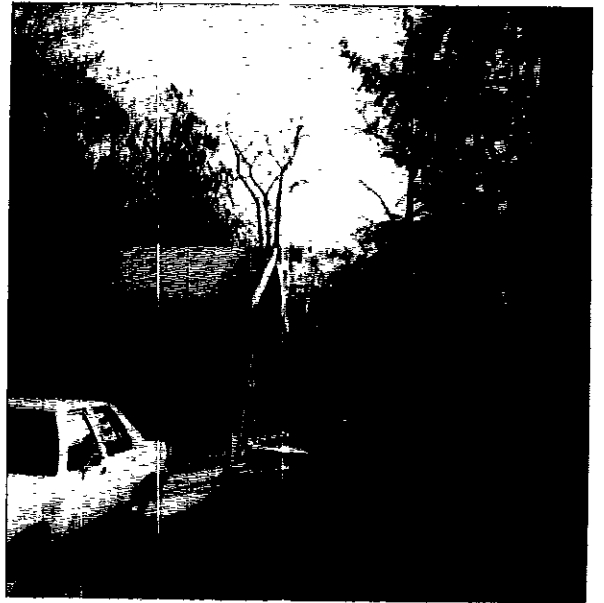
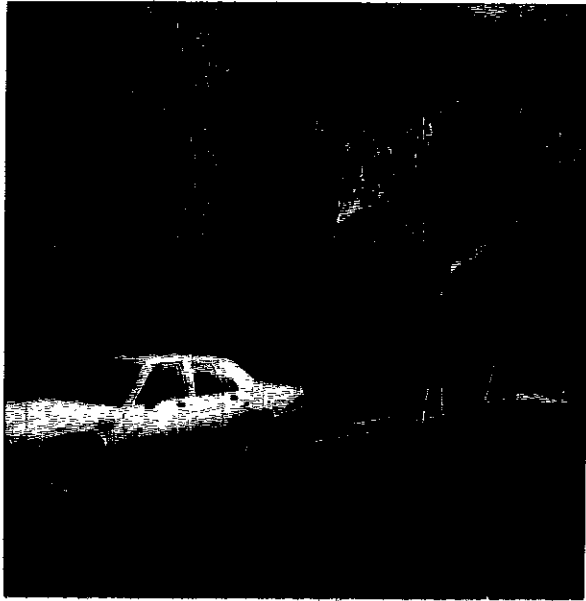
Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

183



95-184-A





183

95-184-A

E COUNTY NING AND ZONING PHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	TIMONIUM	N.W. 13-A
JANUARY 1986		