

IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
 E/S Cascade Range Court, 880' S \* ZONING COMMISSIONER  
 of the c/l Hunters Forge Court \* OF BALTIMORE COUNTY  
 (15 Cascade Range Court) \*  
 2nd Election District \* Case No. 95-401-A  
 3rd Councilmanic District \*  
 Erik D. Cooper, et ux \*  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 15 Cascade Range Court, located in the vicinity of Harrisonville in Owings Mills. The Petition was filed by the owners of the property, Erik D. and Adrienne D. Cooper. The Petitioners seek relief from Sections 301.1.A and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) {Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.)} to permit a rear yard setback of 6 feet in lieu of the required 11.25 feet for an open projection (proposed deck). The subject property and relief sought are more particularly described in the site plan submitted and marked into evidence as 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

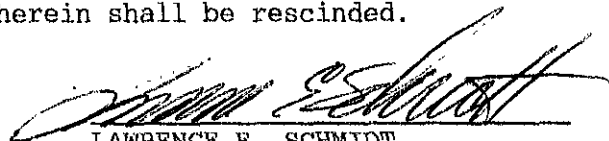
ORDER RECEIVED FOR FILING  
 Date 4/2/95  
 By [Signature]

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 12<sup>th</sup> day of June, 1995 that the Petition for Administrative Variance seeking relief from Sections 301.1.A and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) {Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.)} to permit a rear yard setback of 6 feet in lieu of the required 11.25 feet for an open projection (proposed deck), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, 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 relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date 6/12/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 12, 1995

Mr. & Mrs. Erik D. Cooper  
15 Cascade Range Court  
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
E/S Cascade Range Court, 880' S of the c/l Hunters Forge Court  
(15 Cascade Range Court)  
2nd Election District - 3rd Councilmanic District  
Erik D. Cooper, et ux - Petitioners  
Case No. 95-401-A

Dear Mr. & Mrs. Cooper:

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,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel

File





# Petition for Administrative Variance

95-401-A

## to the Zoning Commissioner of Baltimore County

for the property located at 15 CASCADE RANGE COURT  
which is presently zoned DR3.5

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) 301.1A AND 504 AND V.B.6.b CMOP TO ALLOW AN OPEN PROJECTION A SETBACK OF 6'  
IN LIEU OF THE REQUIRED 11.25'

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

SEE REVERSE SIDE

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)

ERIK D. COOPER

(Type or Print Name)

Erik D. Cooper

Signature

ADRIENNE D. COOPER

(Type or Print Name)

Adrienne D. Cooper

Signature

15 CASCADE RANGE CT

Address

(410) HOME (301) WORK  
362-6530 236-8740

OWINGS MILLS, MD.

City

State

21117

Zipcode

Name, Address and phone number of representative to be contacted

SAME AS ABOVE

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:

DATE:



Printed with Soybean Ink on Recycled Paper

ITEM #:

401  
400

ESTIMATED POSTING DATE

ORDER RECEIVED FOR FILING

Date



By

# 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 15 CASCADE RANGE CT  
address  
OWINGS MILLS MD 21117  
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, THE COOPERS, ARE SUBMITTING THIS AFFIDAVIT/VARIANCE FORM FOR A DECK TO BE BUILT AT OUR HOME ADDRESS ABOVE. DUE TO THE FOOTAGE IN OUR BACKYARD AND SLOPE ON THE HILL, IT REQUIRES THIS FORM. OUR HOUSE (REAR) IS 21 FEET FROM THE PROPERTY LINE. THE PROPOSED DECK IS 34 X 14, LEAVING 7 FEET TO THE PROPERTY LINE. ATTACHED IS A COPY OF THE LAYOUT

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.

Erik D. Cooper  
(signature)  
ERIK D. COOPER  
(type or print name)



Adrienne D. Cooper  
(signature)  
ADRIENNE D. COOPER  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of April, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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 3, 1995  
date

[Signature]  
NOTARY PUBLIC

My Commission Expires: April 25, 1998

95-401-A

Zoning Description for 15 Cascade Range Court Owings Mills, MD 21117

Beginning at a point on the East side of Cascade Range Court which is

50 foot wide at the distance of 880 feet <sup>South</sup>~~west~~ of the centerline

of the nearest improved intersecting street Hunter Forge Court which is

50 foot wide. \*Being Lot # 177, Block \_\_\_\_\_, Section # Four in the

subdivision of Rolling Ridge as recorded in Baltimore

County Plat Book # 65~~2~~, Folio 22, containing Quarter Acre.

Also known as \_\_\_\_\_ and located in the

2nd Election District, 3rd Councilmanic District.

400  
404

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

95-401-17

District 2nd

Date of Posting 5/13/95

Posted for: Vorlonis

Petitioner: Eric + B Williams Cooper

Location of property: 15 Cascade Range Ct

Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by

[Signature]  
Signature

Date of return:

5/19/95

Number of Signs: 1





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

receipt

95-401-A

Account: R-001-6150

Number

400

item ~~101~~

CAM

Date

4 May 95

Caspar - 15 Cascade Range C1

010 - 50.00

080 - 35.00

85.00

Baltimore County  
 RECEIVED

1995

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

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.: ~~404~~ 400

\* Petitioner: ERIK D. COOPER

\* Location: 15 CASCADE RANGE CT

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ERIK D. COOPER

ADDRESS: 15 CASCADE RANGE CT

OWINGS MILLS, MD. 21117

PHONE NUMBER: (301) 230-8740

AJ:ggs

(Revised 04/09/93)



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-401-A (Item 400)  
15 Cascade Range Court  
E/S Cascade Range Court, 880' S of Hunters Forge Court  
2nd Election District - 3rd Councilmanic  
Legal Owner(s): Erik D. Cooper and Adrienne D. Cooper

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 May 14, 1995. The closing date (May 30, 1995) 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.

A handwritten signature in black ink that reads "Arnold Jablon".

Arnold Jablon  
Director

cc: Erik D. Cooper and Adrienne D. Cooper



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 25, 1995

Mr. and Mrs. Erik D. Cooper  
15 Cascade Range Court  
Owings Mills, Maryland 21117

RE: Item No.: 400  
Case No.: 95-401-A  
Petitioner: E. D. Cooper:

Dear Mr. and Mrs. Cooper:

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 May 4, 1995.

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 black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning



DATE: May 16, 1995

SUBJECT: 15 Cascade Range Court

INFORMATION:

Item Number: 400  
Petitioner: Cooper Property  
Property Size: \_\_\_\_\_  
Zoning: DR-3.5  
Requested Action: Variance  
Hearing Date:     /    /    

SUMMARY OF RECOMMENDATIONS:

The applicants request a variance to permit a setback of 6' in lieu of the required 11.25'

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variance.

Prepared by: Jeffrey W. Long  
Division Chief: Cary L. Kerns

PK/JL

To: Joyce Watson  
ZAC Commem

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

TO: ZADM  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 5/15/95

DATE: 5/16/95

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

Item #'s: 393  
394  
395  
396  
398  
399  
(400)

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government  
Fire Department



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

(410) 887-4500

DATE: 05/11/95

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 MAY 15, 1995.

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: 392, 394, 395, 396,  
397, 398, 399 AND 400.

RECEIVED

MAY 16 1995

ZADM

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

cc: File





Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

5-17-95

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

Re: Baltimore County  
Item No.: 400 (CAM)

Dear Ms. Watson:

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,

A handwritten signature in cursive script that reads "Bob Small".

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

**PETITION PROBLEMS  
AGENDA OF MAY 15, 1995**

**#393 --- JRA**

1. Need printed or typed title of person signing for legal owner.
2. Need authorization for person signing for legal owner.

**# 384--- JRA**

1. Wording on petition form is incomplete (ends in mid sentence).
2. No review information on bottom of petition form.
3. No estimated posting date on petition form.
4. Notary section is incorrect.

**#400 --- CAM**

1. Item number should have been 400, not 404. (Petition needs to be notified.)
2. Notary section is incomplete.



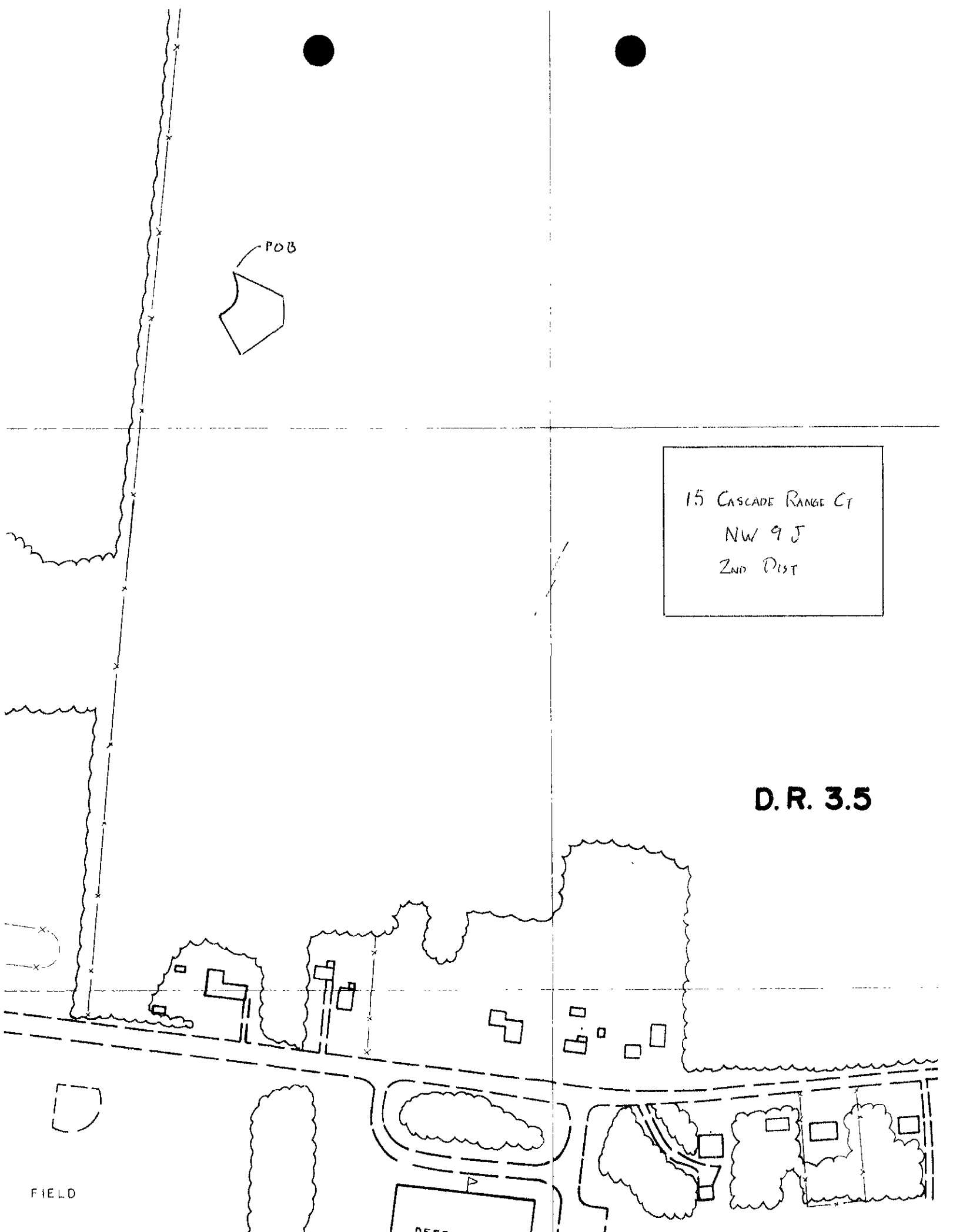




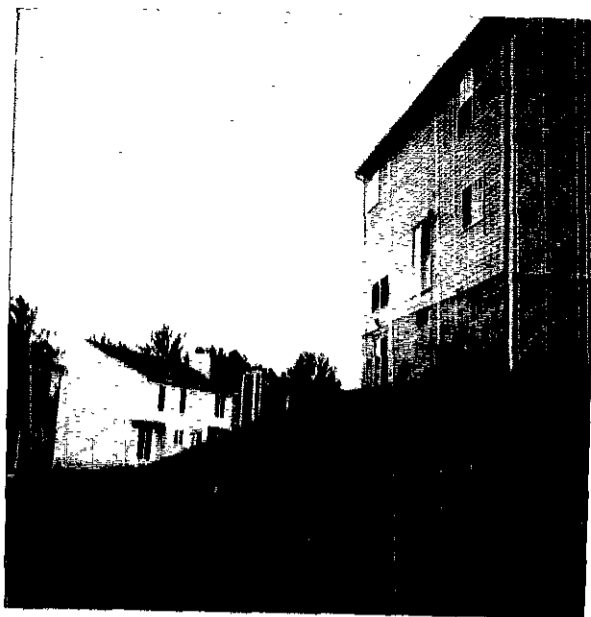
15 CASCADE RANGE CT  
NW 9 J  
2ND DIST

**D.R. 3.5**

FIELD



95-401-A

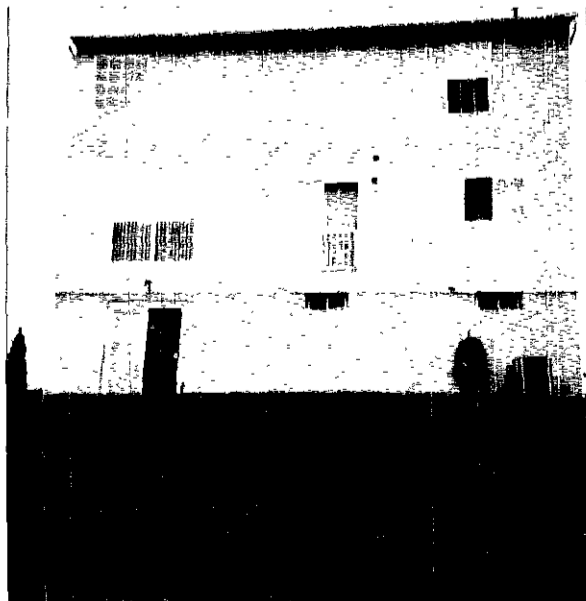


Blue Flag = P  
400

-over-



400



400



SHEET

N.W.  
9-J

LOCATION

HARRISONVILLE  
VICINITY

SCALE

1" = 200' ±

DATE

OF  
PHOTOGRAPHY  
JANUARY  
1986

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

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

95-401-A

R.C. 5

400

D.R. 5.5

95-401-A

D.R. 3.5

D.R. 3.5

D.R. 3.5

POINT OF BEGINNING  
N 35682.04  
W 58226.06

D.R. 3.5

NW 9-J

D.R. 3.

