IN RE: PETITION FOR ADMIN. VARIANCE E/S York Road, 162' S of the c/l of Upper Glencoe Road (15841 York Road) 8th Election District 3rd Councilmanic District John B. Foard Petitioner	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 97-367-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 15841 York Road, located in the vicinity of Upper Glencoe Road in Sparks. The Petition was filed by the owner of the property, John B. Foard. The Petitioner seeks relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 61 feet in lieu of the required 75 feet for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation contained within the case file. 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 surrounding community 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 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 31st day of March, 1997 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 61 feet in lieu of the required 75 feet for a proposed addition, 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.

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 3/31/97
By

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 31, 1997

Mr. John B. Foard
15841 York Road
Sparks, Maryland 21152

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S York Road, 162' S of the c/l of Upper Glencoe Road
(15841 York Road)
8th Election District - 3rd Councilmanic District
John B. Foard - Petitioner
Case No. 97-367-A

Dear Mr. Foard:

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 Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel
File

Petition for Administrative Variance

97-367-A

to the Zoning Commissioner of Baltimore County

for the property located at 15841 YORK RD., Sparks, MD

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 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) B.C.Z.R. Section 1A04.3B3 to allow a sideyard of 61 feet in lieu of the 75 feet from a centerline of a street in a R.C. 5 zone.

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

Strict application of the principal building, lot line setback of 75 feet would cause undue hardship and practical difficulty in the utilization of the land and the design/construction of the addition

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:

Cornelius J. Carmody, Esq.

(Type or Print Name)

Signature

PO 302, 16940 York Rd.

Address Phone No.

Monkton, MD 21111 410-329-8074

City State Zipcode

Legal Owner(s):

John B. Foard

(Type or Print Name)

X John B Foard

Signature

(Type or Print Name)

Signature

15841 York Rd., 527-0700

Address Phone No.

Sparks, MD 21152

City State Zipcode

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

Cornelius J. Carmody, Esq.

Name

PO 302, 16940 York Rd. 329-8074

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: JRF DATE: 2-27-97

ESTIMATED POSTING DATE: 3-9-97

Printed with Soybean Ink on Recycled Paper

ITEM #: 367

ORDER RECEIVED FOR FILING

Date 2/31/97

Affidavit in support of 97-367-A 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 15841 York Rd.,
address

Sparks, MD 21152
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)

Building to the south is almost impossible because of the hill which rises next to the house; to the east is our well and extensive improvements, patio, etc.; expansion to the west, toward York Rd. would require the removal of numerous mature trees and could well violate the front setback from a State road; please note the lot is long and narrow and causes this expansion to go over the side setback; I believe that this is the most practical direction to go considering all factors

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.

X John B Foard
(signature)

John B. Foard
(type or print name)

BALTIMORE COUNTY MARYLAND

(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of February, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John B. Foard

the Affiants(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.

2-12-97
date

NOTARY PUBLIC

My Commission Expires: March 1, 2000

97-367-A

ZONING DESCRIPTION FOR 15841 York Rd., Sparks, 21152
(address)

Beginning at a point on the center line side of
(north, south, east or west)

York Rd. which is 60
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 162 feet south of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Upper Glencoe Rd.
(name of street)

Thence East 856.94 feet, North 56 degrees 46 minutes West 286.42 feet to the center of Upper Glencoe Road, thence binding on the center of Upper Glencoe Road, South 88 degrees 54 minutes West 146.22 feet and North 89 degrees 12 minutes West 470 feet to the center of York Road and then South 7 degrees 36 minutes West 82 feet and South 6 degrees 55 minutes East 80 feet to the POB. Containing 3.5 acres, more or less.

containing 3.5 (square feet or acres). Also known as 15841 York Rd. (property address)

and located in the 8 Election District, 3 Councilmanic District.

367

ALTIMORE COUNTY, MARYLAND
FICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 032651

DATE 2-27-97 ACCOUNT R-001-615-000

AMOUNT $50.00

RECEIVED FROM: CORNELIUS J. CARMODY

15841 York Rd.

ITEM # 367

01 ADMIN. VARIANCE

TAKEN BY: JRF

FOR:

01A00#0233MICHRC $50.00
8A C012:39PM02-27-97

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 97-367A

Petitioner/Developer: Cornelius J. Carmody, attorney.

Date of Hearing/Closing: 3/24/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at

15841 YORK ROAD

The sign(s) were posted on MAR. 8, 1997
(Month, Day, Year)

Sincerely,

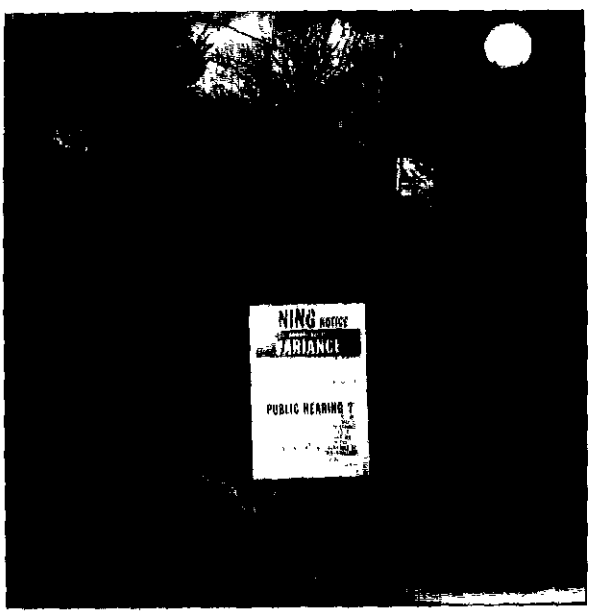
3/8/97
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DERWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879 3122
(Telephone Number)



15841 YORK RD
POSTED 3/8/97
3/8/97

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring 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 accessed 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.: 367 Petitioner: John B. Foard

Location: 15841 York Rd., Sparks

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Cornelius J. Carmody, Esq.

ADDRESS: PO 302, 16940 York Rd., Monkton, MD 21111

PHONE NUMBER: 410-329-8074

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-9-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-367-A

TO ALLOW AN ADDITION WITH A SIDE YARD SETBACK OF 61 FEET FROM THE CENTERLINE OF THE STREET IN LIEU OF THE REQUIRED 75'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON MARCH 24, 1997

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUBMER: 97-367-A
15841 York Road
SWC Upper Glencoe Road and York Road
8th Election District - 3rd Councilmanic
Legal Owner(s): John B. Foard
Post by Date: 3/9/97
Closing Date: 3/24/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.

2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.

3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.

4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, 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

cc: John B. Foard
Cornelius J. Carmody, Esq.

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3·11·97
Item No. 367 JRF

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/~~US~~ 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

L. J. Gredlein

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 10, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 339, 357, 360, 361, 364, 365, 366, and 367

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 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Amy L. Lewis

PK/JL

ITEM339/PZONE/ZAC1

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: March 17, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 17, 1997
Item No. 367

The Development Plans Review Division has reviewed the subject zoning item. Upper Glencoe Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

RWB:HJO:jrb

cc: File

ZONE317.367

Baltimore County Government
Fire Department

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

(410) 887-4500

March 12, 1997

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 March 10, 1997.

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:

355, 356, 357, 358, 359, 360, 361, 362, 364, 365, 366, & 367

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: 3/13/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 14, 97

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

Item #'s: 353
356
358
359
360
361
362
363
364
365
367

RBS:sp

BRUCE2/DEPRM/TXTSBP

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 15841 York Rd.

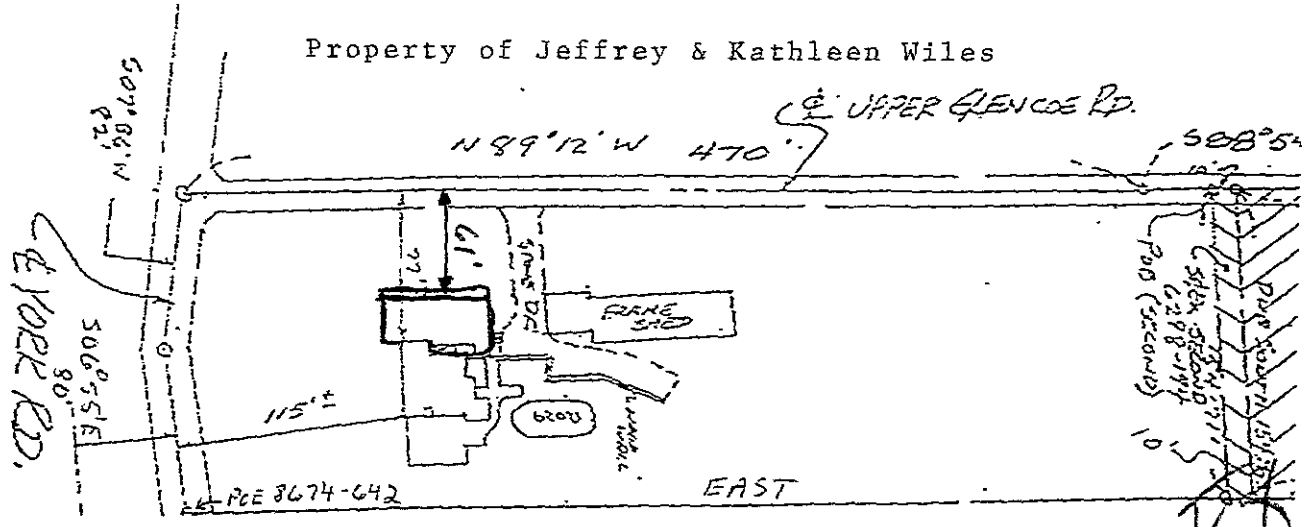
see pages 5 & 6 of the CHECKLIST for additional required information

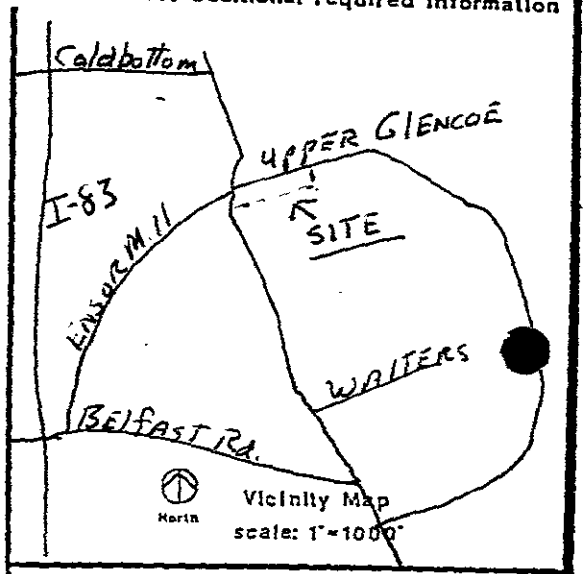
Subdivision name: 8674/640

plat book# n/a folio# n/a lot# ____ section# n/a

OWNER: JOHN B. FOARD

97-367-A





LOCATION INFORMATION

Election District: 8

Councilmanic District: 83

1"=200' scale map#: NW 24-B

Zoning: RC-5

Lot size: 3.5 ✓ acreage ____ square feet

	public	private
SEWER:	☐	☒
WATER:	☐	☒

	yes	no
Chesapeake Bay Critical Area:	☐	☒

Prior Zoning Hearings:

NONE

North

date: 2-18-97

prepared by: C J Carmody

THE LOT SHOWN HEREON IS IN FLOOD ZONE C PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL # 2400100125B

Scale of Drawing: 1" = 100'

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
JRF	367	

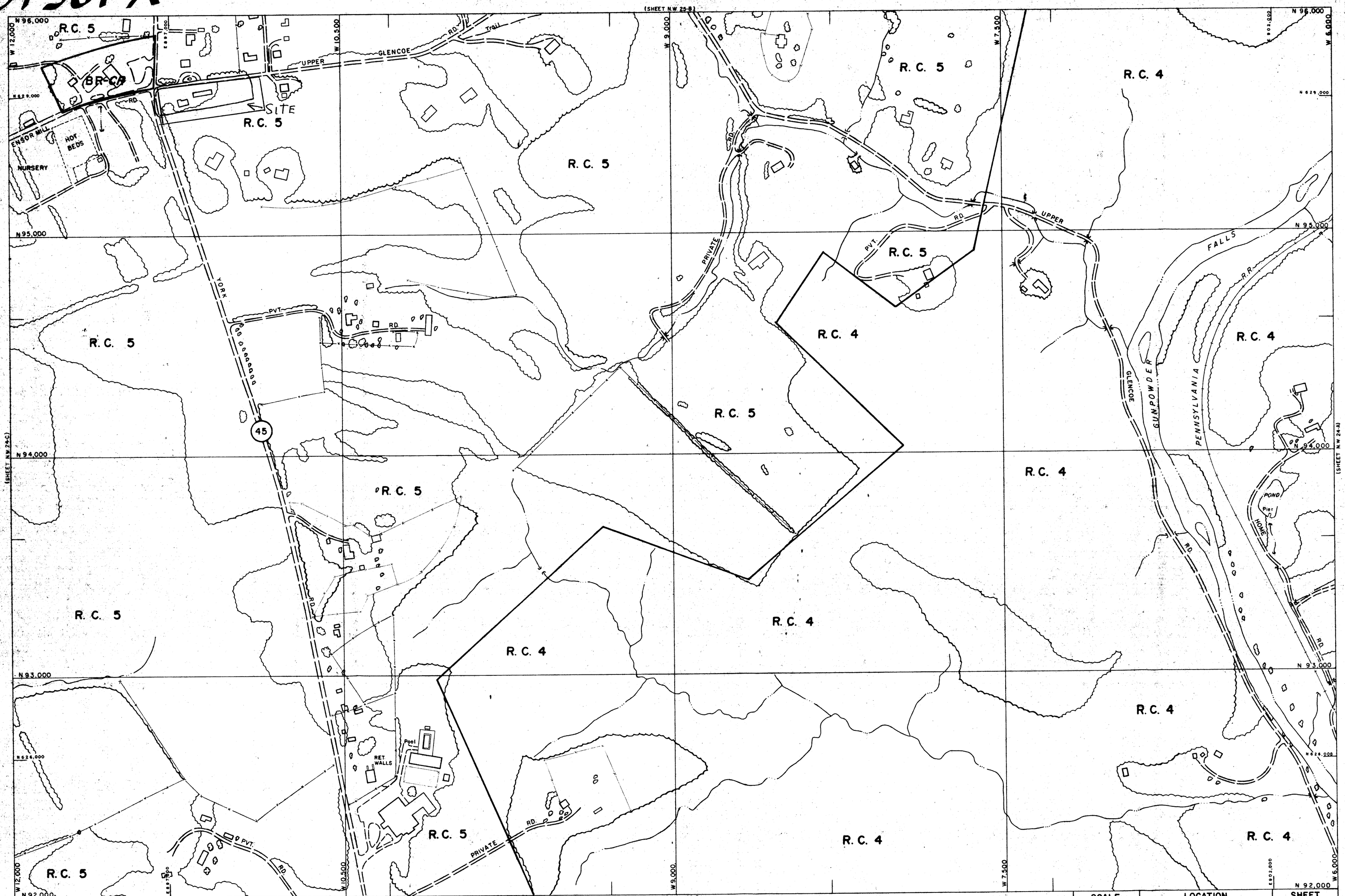
PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

97-367-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'±	NORTHWEST OF GLENCOE	N W 24-B
DATE OF PHOTOGRAPHY JANUARY 1986		

97-367-A 367



DD-NE

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamenetz
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	NORTHWEST OF GLENCOE	N.W. 24-B
DATE OF PHOTOGRAPHY JANUARY 1986		

IN RE: PETITION FOR ADMIN. VARIANCE
E/S York Road, 162' S of the c/l of Upper Glencoe Road
(15841 York Road)
8th Election District
3rd Councilmanic District

John B. Foard
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-367-A
*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 15841 York Road, located in the vicinity of Upper Glencoe Road in Sparks. The Petition was filed by the owner of the property, John B. Foard. The Petitioner seeks relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 61 feet in lieu of the required 75 feet for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation contained within the case file. 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 surrounding community 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 of Section 307.1 of the

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Date 3/31/97
By

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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 31st day of March, 1997 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 61 feet in lieu of the required 75 feet for a proposed addition, 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.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 3/31/97
By

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 31, 1997

Mr. John B. Foard
15841 York Road
Sparks, Maryland 21152

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S York Road, 162' S of the c/l of Upper Glencoe Road
(15841 York Road)
8th Election District - 3rd Councilmanic District
John B. Foard - Petitioner
Case No. 97-367-A

Dear Mr. Foard:

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 Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel
File

Printed with Soybean Ink on Recycled Paper

Petition for Administrative Variance
97-367-A
to the Zoning Commissioner of Baltimore County

for the property located at 15841 YORK RD., Sparks, MD
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 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) B.C.Z.R. Section 1A04.3B3 to allow a sideyard of 61 feet in lieu of the 75 feet from a centerline of a street in a R.C. 5 zone.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
Strict application of the principal building, lot line setback of 75 feet would cause undue hardship and practical difficulty in the utilization of the land and the design/construction of the addition

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

Legal Owner(s):
John B. Foard
(Type or Print Name)
John B. Foard
Signature
(Type or Print Name)
Signature

Attorney for Petitioner:
Cornelius J. Carmody, Esq.
(Type or Print Name)
Signature

15841 York Rd. 527-0700
Address Phone No.
Sparks, MD 21152
City State Zipcode
Name, Address and phone number of representative to be contacted.
Cornelius J. Carmody, Esq.
Name
PO 302, 16940 York Rd. 329-8074
Address Phone No.

PO 302, 16940 York Rd.
Address Phone No.
Monkton, MD 21111 410-329-8074
City State Zipcode

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 repainted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JRF DATE: 2-27-97
ESTIMATED POSTING DATE: 3-9-97

Printed with Soybean Ink on Recycled Paper

ITEM #: 367

ORDER RECEIVED FOR FILING
Date 3/31/97

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

No. 032651

DATE 2-27-97 ACCOUNT R-001-615-000
AMOUNT $ 50.00
RECEIVED FROM: CORNELIUS J. CARMODY
15841 York Rd.
FOR: 01 ADMIN. VARIANCE
ITEM # 367
TAKEN BY: JRF

01A000033MICHRC $50.00
BA C012:39PM02-27-97
VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Affidavit in support of 97-367-A 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 15841 York Rd.
Address
Sparks, MD 21152
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)
Building to the south is almost impossible because of the hill which rises next to the house; to the east is our well and extensive improvements, patio, etc.; expansion to the west, toward York Rd. would require the removal of numerous mature trees and could well violate the front setback from a State road; please note the lot is long and narrow and causes this expansion to go over the side setback; I believe that this is the most practical direction to go considering all factors

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.

X John B. Foard
(Signature)
John B. Foard
Print or print name)
(Signature)
(Type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of February, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
John B. Foard
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.
2-12-97
Date
NOTARY PUBLIC
My Commission Expires: March 1, 2000

97-367-A

ZONING DESCRIPTION FOR 15841 York Rd., Sparks, 21152
(address)

Beginning at a point on the center line side of
(north, south, east or west)
York Rd. which is 60
name of street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 162 feet south of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Upper Glencoe Rd.
(name of street)

Thence East 856.94 feet, North 56 degrees 46 minutes West 286.42 feet to the center of Upper Glencoe Road, thence binding on the center of Upper Glencoe Road, South 88 degrees 54 minutes West 146.22 feet and North 89 degrees 12 minutes West 470 feet to the center of York Road and then South 7 degrees 36 minutes West 82 feet and South 6 degrees 55 minutes East 80 feet to the POB. Containing 3.5 acres, more or less.

containing 3.5 (square feet or acres). Also known as 15841 York Rd. (property address)
and located in the 8 Election District, 3 Councilmanic District.

367

CERTIFICATE OF POSTING

RE: Case No.: 97-367A

Petitioner/Developer: Cornelius J. Carmody, Attorney.

Date of Hearing/Closing: 3/24/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

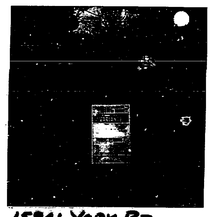
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at
15841 YORK ROAD

The sign(s) were posted on Mar. 8, 1997
(Month, Day, Year)

Sincerely,

3/8/97
(Signature of Sign Poster and Date)
RICHARD E. HOFFMAN
(Printed Name)
904 DELWOOD DR.
(Address)
FALLSTON, MD 21047
(City, State, Zip Code)
(410) 879-3122
(Telephone Number)



15841 YORK RD
POSTED 3/8/97
3/8/97

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring 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 accessed 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.: 367 Petitioner: John B. Foard
Location: 15841 York Rd., Sparks
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Cornelius J. Carmody, Esq.
ADDRESS: PO 302, 16940 York Rd., Monkton, MD 21111
PHONE NUMBER: 410-329-8074

Printed with Soybean Ink on Recycled Paper

12

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-9-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-367-A

TO ALLOW AN ADDITION WITH A SIDE YARD SETBACK OF 61 FEET FROM THE CENTERLINE OF THE STREET IN LIEU OF THE REQUIRED 75'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON MARCH 24, 1997

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post2.doc

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-367-A
15841 York Road
SWC Upper Glencoe Road and York Road
8th Election District - 3rd Councilmanic
Legal Owner(s): John B. Foard
Post by Date: 3/9/97
Closing Date: 3/24/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.

2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.

3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.

4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, 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

cc: John B. Foard
Cornelius J. Carmody, Esq.

Printed with Soybean Ink on Recycled Paper

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-11-97
Item No. 367 JRF

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 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

LG

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

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 10, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 339, 357, 360, 361, 364, 365, 366, and 367

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 887-3495.

Prepared by: Jeffrey W. Long
Division Chief: Carl L. Berns

PK/JL

ITEM339/PZONE/ZAC1

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 17, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 17, 1997
Item No. 367

The Development Plans Review Division has reviewed the subject zoning item. Upper Glencoe Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

RWB:HJO:jrb

cc: File

ZONE317.367

Baltimore County Government
Fire Department

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

(410) 887-4500

March 12, 1997

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 March 10, 1997.

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:

355, 356, 357, 358, 359, 360, 361, 362, 364, 365, 366, & 367

Printed on Recycled Paper

B A L T I M O R E C O U N T Y, M A R Y L A N D

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/13/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 14, 97

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

Item #'s: 353, 356, 358, 359, 360, 361, 362, 363, 364, 365, 367

RBS:sp

BRUCE2/DEPRM/TXTSBP

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

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

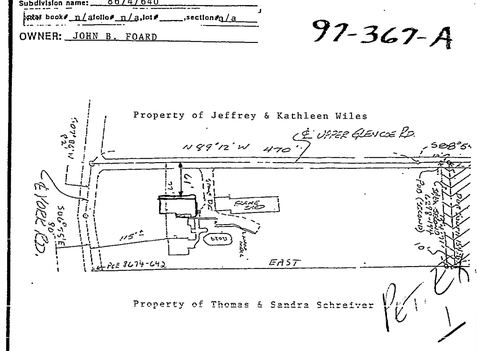
PROPERTY ADDRESS: 15841 York Rd.

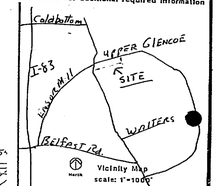
Subdivision name: 8674/640

plat book# n/a folio# n/a lot# ____ section# n/a

OWNER: JOHN B. FOARD

97-367-A





LOCATION INFORMATION

Election District: 8

Councilmanic District: 83

1"=200' scale map#: NW 24-B

Zoning: RC-5

Lot size: 3.5 acreage ____ square feet

	public	private
SEWER:	☐	☒
WATER:	☐	☒

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

NONE

North

date: 2-18-97
prepared by: C. J. Carmody

THE LOT SHOWN HEREON IS IN FLOOD ZONE C PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL # 240010 0125 B

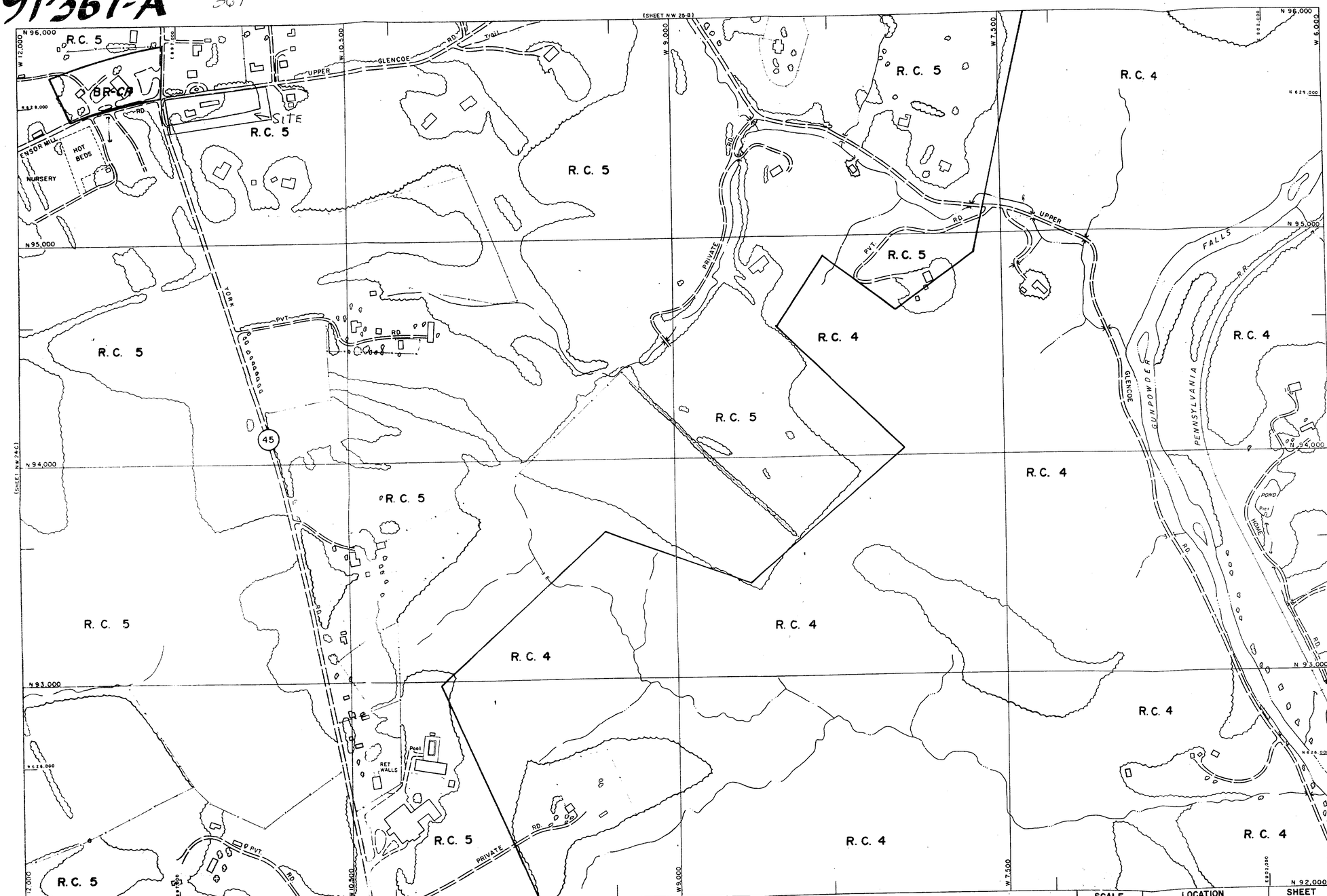
Scale of Drawing: 1"= 100'

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
JRF	367	

97-367-A

367



DD-NE

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE COUNTY COUNCIL
Bills Nos. 124-96, 134-96, 135-96

Kevin Kamenetz
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN INC BALTIMORE MD 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	NORTHWEST OF GLENCOE	N.W. 24-B
DATE OF PHOTOGRAPHY JANUARY 1986		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

97-367-A

SCALE	LOCATION	SHEET
1" = 200'±	NORTHWEST OF GLENCOE	N W 24-B
DATE OF PHOTOGRAPHY JANUARY 1986		

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

IN RE: PETITION FOR ADMIN. VARIANCE
E/S York Road, 162' S of the c/l of Upper Glencoe Road
(15841 York Road)
8th Election District
3rd Councilmanic District

John B. Foard
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-367-A
*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance for that property known as 15841 York Road, located in the vicinity of Upper Glencoe Road in Sparks. The Petition was filed by the owner of the property, John B. Foard. The Petitioner seeks relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 61 feet in lieu of the required 75 feet for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation contained within the case file. 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 surrounding community 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 of Section 307.1 of the

ORDER RECEIVED FOR FILING
Date 3/31/97
By

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 31st day of March, 1997 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 61 feet in lieu of the required 75 feet for a proposed addition, 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.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 3/31/97
By

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 31, 1997

Mr. John B. Foard
15841 York Road
Sparks, Maryland 21152

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S York Road, 162' S of the c/l of Upper Glencoe Road
(15841 York Road)
8th Election District - 3rd Councilmanic District
John B. Foard - Petitioner
Case No. 97-367-A

Dear Mr. Foard:

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 Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel
File

Printed with Soybean Ink on Recycled Paper

Petition for Administrative Variance
97-367-A
to the Zoning Commissioner of Baltimore County

for the property located at 15841 YORK RD., Sparks, MD
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 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) B.C.Z.R. Section 1A04.3B3 to allow a sideyard of 61 feet in lieu of the 75 feet from a centerline of a street in a R.C. 5 zone.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
Strict application of the principal building, lot line setback of 75 feet would cause undue hardship and practical difficulty in the utilization of the land and the design/construction of the addition

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

Legal Owner(s):
John B. Foard
(Type or Print Name)
John B. Foard
Signature
(Type or Print Name)
Signature

Attorney for Petitioner:
Cornelius J. Carmody, Esq.
(Type or Print Name)
Signature

15841 York Rd. 527-0700
Address Phone No.
Sparks, MD 21152
City State Zipcode
Name, Address and phone number of representative to be contacted.
Cornelius J. Carmody, Esq.
Name
PO 302, 16940 York Rd. 329-8074
Address Phone No.

PO 302, 16940 York Rd.
Address Phone No.
Monkton, MD 21111 410-329-8074
City State Zipcode

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 repainted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JRF DATE: 2-27-97
ESTIMATED POSTING DATE: 3-9-97

Printed with Soybean Ink on Recycled Paper

ITEM #: 367

ORDER RECEIVED FOR FILING
Date 3/31/97

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

No. 032651

DATE 2-27-97 ACCOUNT R-001-615-000
AMOUNT $ 50.00
RECEIVED FROM: CORNELIUS J. CARMODY
15841 York Rd.
FOR: 01 ADMIN. VARIANCE
ITEM # 367
TAKEN BY: JRF

01A000033MICHRC $50.00
BA C012:39PM02-27-97
VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Affidavit in support of 97-367-A 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 15841 York Rd.
Address
Sparks, MD 21152
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)
Building to the south is almost impossible because of the hill which rises next to the house; to the east is our well and extensive improvements, patio, etc.; expansion to the west, toward York Rd. would require the removal of numerous mature trees and could well violate the front setback from a State road; please note the lot is long and narrow and causes this expansion to go over the side setback; I believe that this is the most practical direction to go considering all factors

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.

X John B. Foard
(Signature)
John B. Foard
Print or print name)
(Signature)
(Type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of February, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
John B. Foard
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.
2-12-97
Date
NOTARY PUBLIC
My Commission Expires: March 1, 2000

97-367-A

ZONING DESCRIPTION FOR 15841 York Rd., Sparks, 21152
(address)

Beginning at a point on the center line side of
(north, south, east or west)
York Rd. which is 60
name of street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 162 feet south of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Upper Glencoe Rd.
(name of street)

Thence East 856.94 feet, North 56 degrees 46 minutes West 286.42 feet to the center of Upper Glencoe Road, thence binding on the center of Upper Glencoe Road, South 88 degrees 54 minutes West 146.22 feet and North 89 degrees 12 minutes West 470 feet to the center of York Road and then South 7 degrees 36 minutes West 82 feet and South 6 degrees 55 minutes East 80 feet to the POB. Containing 3.5 acres, more or less.

containing 3.5 (square feet or acres). Also known as 15841 York Rd. (property address)
and located in the 8 Election District, 3 Councilmanic District.

367

CERTIFICATE OF POSTING

RE: Case No.: 97-367A

Petitioner/Developer: Cornelius J. Carmody, Attorney.

Date of Hearing/Closing: 3/24/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

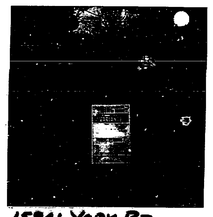
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at
15841 YORK ROAD

The sign(s) were posted on Mar. 8, 1997
(Month, Day, Year)

Sincerely,

3/8/97
(Signature of Sign Poster and Date)
RICHARD E. HOFFMAN
(Printed Name)
904 DELWOOD DR.
(Address)
FALLSTON, MD 21047
(City, State, Zip Code)
(410) 879-3122
(Telephone Number)



15841 YORK RD
POSTED 3/8/97
3/8/97

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring 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 accessed 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.: 367 Petitioner: John B. Foard
Location: 15841 York Rd., Sparks
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Cornelius J. Carmody, Esq.
ADDRESS: PO 302, 16940 York Rd., Monkton, MD 21111
PHONE NUMBER: 410-329-8074

Printed with Soybean Ink on Recycled Paper

12

Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3-9-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-367-A

TO ALLOW AN ADDITION WITH A SIDE YARD SETBACK OF 61 FEET FROM THE CENTERLINE OF THE STREET IN LIEU OF THE REQUIRED 75'

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON MARCH 24, 1997

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post2.doc

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-367-A
15841 York Road
SWC Upper Glencoe Road and York Road
8th Election District - 3rd Councilmanic
Legal Owner(s): John B. Foard
Post by Date: 3/9/97
Closing Date: 3/24/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.

2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.

3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.

4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, 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

cc: John B. Foard
Cornelius J. Carmody, Esq.

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-11-97
Item No. 367 JRF

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 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

LG

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

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: March 10, 1997

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 339, 357, 360, 361, 364, 365, 366, and 367

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 887-3495.

Prepared by: Jeffrey W. Long
Division Chief: Carl L. Berns

PK/JL

ITEM339/PZONE/ZAC1

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 17, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for March 17, 1997
Item No. 367

The Development Plans Review Division has reviewed the subject zoning item. Upper Glencoe Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

RWB:HJO:jrb

cc: File

ZONE317.367

Baltimore County Government
Fire Department

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

(410) 887-4500

March 12, 1997

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 March 10, 1997.

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:

355, 356, 357, 358, 359, 360, 361, 362, 364, 365, 366, & 367

Printed on Recycled Paper

B A L T I M O R E C O U N T Y, M A R Y L A N D

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/13/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 14, 97

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

Item #'s: 353, 356, 358, 359, 360, 361, 362, 363, 364, 365, 367

RBS:sp

BRUCE2/DEPRM/TXTSBP

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

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

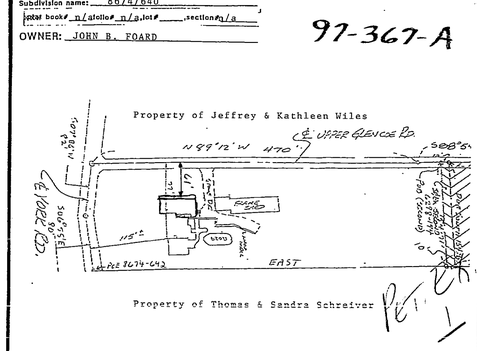
PROPERTY ADDRESS: 15841 York Rd.

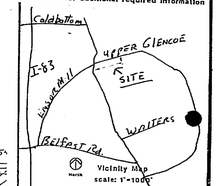
Subdivision name: 8674/640

plat book# n/a folio# n/a lot# ____ section# n/a

OWNER: JOHN B. FOARD

97-367-A





LOCATION INFORMATION

Election District: 8

Councilmanic District: 83

1"=200' scale map#: NW 24-B

Zoning: RC-5

Lot size: 3.5 acreage ____ square feet

	public	private
SEWER:	☐	☒
WATER:	☐	☒

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

NONE

North

date: 2-18-97
prepared by: C. J. Carmody

THE LOT SHOWN HEREON IS IN FLOOD ZONE C PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL # 240010 0125 B

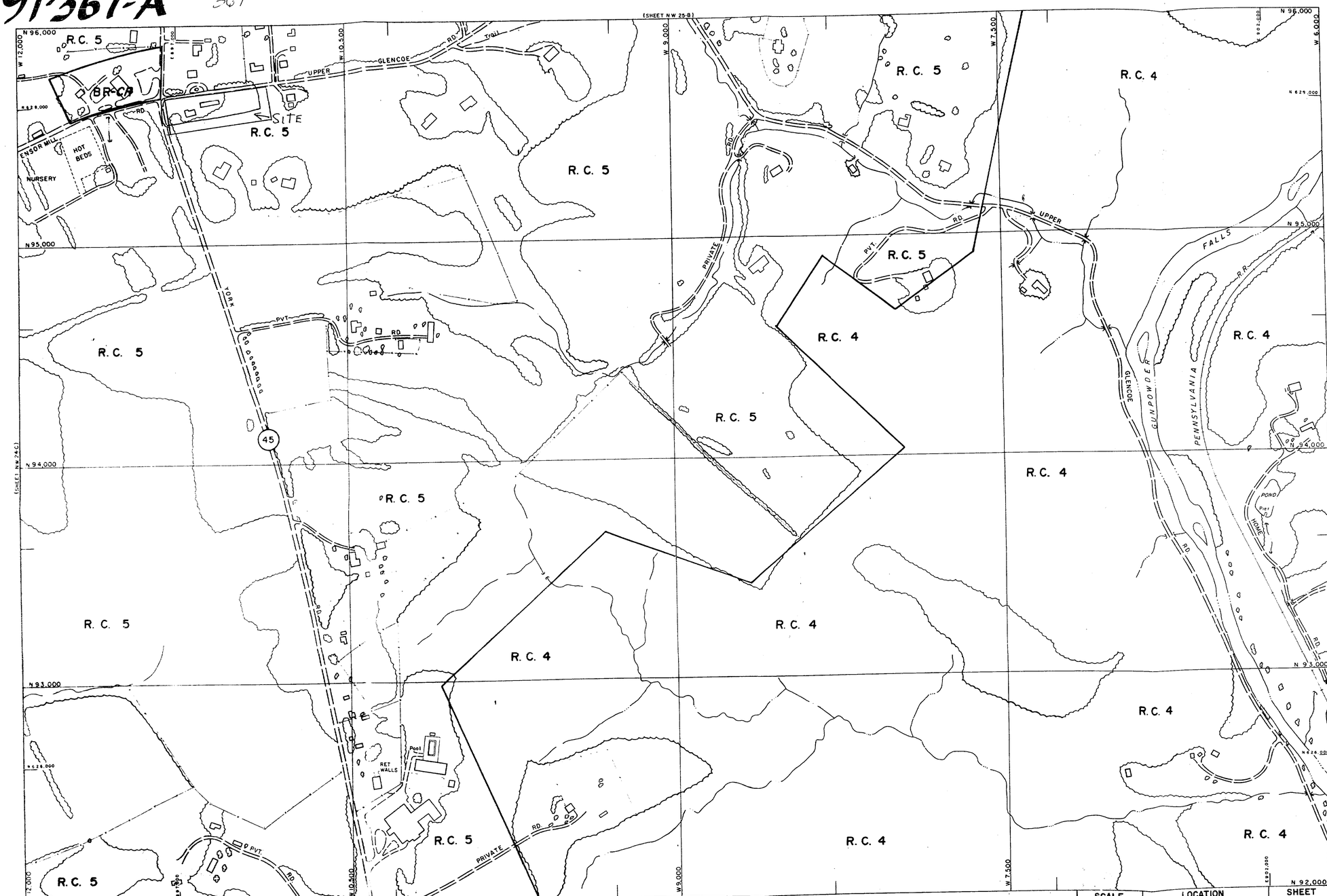
Scale of Drawing: 1"= 100'

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
JRF	367	

97-367-A

367



DD-NE

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE COUNTY COUNCIL
Bills Nos. 124-96, 134-96, 135-96

Kevin Kamenetz
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN INC BALTIMORE MD 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	NORTHWEST OF GLENCOE	N.W. 24-B
DATE OF PHOTOGRAPHY JANUARY 1986		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

97-367-A

SCALE	LOCATION	SHEET
1" = 200'±	NORTHWEST OF GLENCOE	N W 24-B
DATE OF PHOTOGRAPHY JANUARY 1986		

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