

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Hyde Park Road, 167' E of
the c/l of Waterford Road
(606 Hyde Park Road)
15th Election District
7th Councilmanic District

Dorothy J. Laisure
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-509-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 606 Hyde Park Road, located in the vicinity of Waterford Road and Back River in Hyde Park. The Petition was filed by the owner of the property, Dorothy J. Laisure. The Petitioner seeks relief from Section 1B02.3.B (III.C.4- A Residential Zone) to permit a rear yard setback of 12 feet in lieu of the required 20 feet for a proposed addition to the dwelling located to the rear of the subject property, as more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioner has 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 a 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

By

6/3/97
HBP

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.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) to minimize any impact the proposed development might have on the Bay and its tributaries, pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). As of the date of this Order, DEPRM had not completed its review of this project. Therefore, the relief granted herein shall be conditioned upon Petitioner's compliance with DEPRM's recommendations upon completion of their review.

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 5th day of June, 1997 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B (III.C.4 - A Residential Zone) to permit a rear yard setback of 12 feet in lieu of the required 20 feet for a proposed addition to the dwelling located to the rear of the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

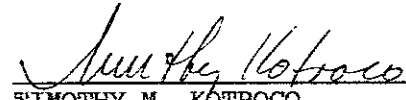
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with any recommendations made by DEPRM upon completion of their review of this project.

ORDER RECEIVED FOR FILING
DATE 6/3/97
BY [Signature]

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 6/2/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

June 5, 1997

Ms. Dorothy J. Laisure
606 Hyde Park Road
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Hyde Park Road, 167' E of the c/l of Waterford Road
(606 Hyde Park Road)
15th Election District - 7th Councilmanic District
Dorothy J. Laisure - Petitioner
Case No. 97-509-A

Dear Ms. Laisure:

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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

File



CRITICAL
AREA #509

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 606 Hyde Park Road
which is presently zoned DR5.5

97-509-A

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)

1B02.3.B. (III.C.4. "A Res. Zone") to permit a 12' rear yard in lieu of 20'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) EXIST HOMES WERE BUILT PRIOR TO 1970

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.

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

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

Legal Owner(s)

Dorothy Jean Laisure

(Type or Print Name)

Dorothy J. Laisure
Signature

(Type or Print Name)

Signature

606 Hyde Park Road (410) 686 1576

Address

Phone No

Baltimore Maryland 21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Thomas E. Phelps

Name

945 Barron Ave (410) 574 6744

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: MTA

DATE: 5/8/97

ESTIMATED POSTING DATE: 5/18/97

close - 5/12/97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 509

ORDER RECEIVED FOR FILING

Date 6/5/97

By [Signature]

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 606 Hyde Park Road
address
Baltimore Maryland 21221
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)

To Allow for a rear yard set back of 12' instead of the
Required 20'

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.

Dorothy J. Laisure
(signature)
Dorothy Jean Laisure
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

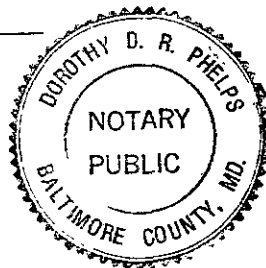
I HEREBY CERTIFY, this 7th day of May, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dorothy Jean Laisure

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.

7th of May 1997
date



Dorothy D. R. Phelps
NOTARY PUBLIC

My Commission Expires

May 1, 1998

945 Barron Avenue
Baltimore, Maryland 21221-5202
(301) 574-6744

LAND PLANNING

Beginning at a point on the North side of Hyde Park Rd
(north, south, east or west)

 which is 50
(street on which property fronts) (number of feet of right-of way width)

wide at a distance of 167' East of the
 (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Waterford Rd
 (name of street)

which is 50' wide. *Being Lot # 323,
 (number of feet of right-of-way width)

Block , Section # in the subdivision of
Addition to Hyde Park as recorded in Baltimore County Plat
 (name of subdivision)

Book # 17, Folio # 54, containing
20,180SF 0.46 Ac.
 (square feet and acres)

97-509-A

#509

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

036580

RECEIVED
DATE 5/8/97
BY MTK
036580
BALTIMORE COUNTY MARYLAND
OFFICE OF BUDGET & FINANCE

DATE 5/8/97 ACCOUNT 01-615

Item: 509

By: MTK

AMOUNT \$ 50.00

RECEIVED FROM: Thomas E. Phelps - 606 Hyde Park Rd

010- Admin Variance - \$50.00

FOR: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

ADMIN. VARIANCE

RE: Case No.: 97-509-A

Petitioner/Developer: LAISURE, ETAL
c/o TOM PHELPS

Date of Hearing/Closing: 6/2/97

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 # 606 HYDE PARK RD.

The sign(s) were posted on

5/17/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 5/27/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

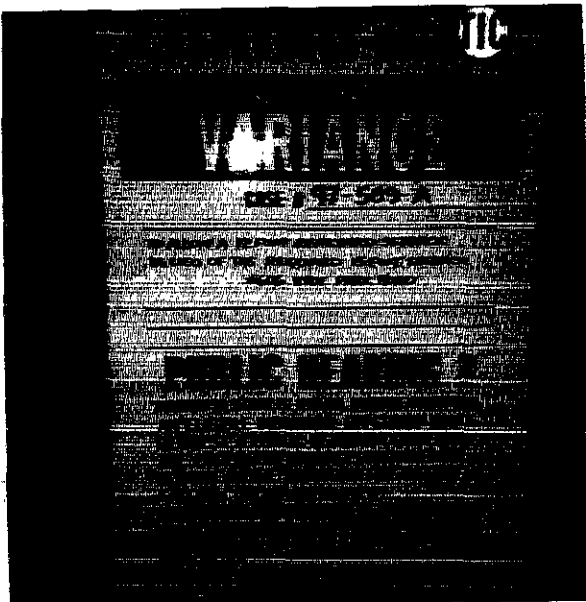
(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Pager (410)

759-3571
903-3571



606 HYDE PARK RD.

CL-6/2/97
FIX-5/29

8-5/17/97



Baltimore County
Department of Permits and
Development Management

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

May 22, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-509-A

606 Hyde Park Road

N/S Hyde Park Road, 167' E of c/l Waterford Road
15th Election District - 7th Councilmanic

Legal Owner(s): Dorothy Jean Laisure

Post by Date: 05/18/97

Closing Date: 06/02/97

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: Dorothy Jean Laisure
Thomas E. Phelps



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 5/18/97.

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-509

a variance to permit a 12 ft. rear yard
in lieu of 20 ft.

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**

June 2, 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 Ave.
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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 509

Petitioner: Dorothy Laisure

Location: 606 Hyde Park Road.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Dorothy Laisure

ADDRESS: 606 Hyde Park Road.

Balto. MD. 21221

PHONE NUMBER: (410) 686-1576

AJ:ggs

97-509-A

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

June 2, 1997

Ms. Dorothy Jean Laisure
606 Hyde Park Road
Baltimore, MD 21221

RE: Item No.: 509
Case No.: 97-509-A
Petitioner: Dorothy Jean Laisure

Dear Ms. Laisure:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 8, 1997.

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 (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 Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "Carl Richards Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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

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
 Department of Permits & Development
 Management

Date: May 29, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for May 27, 1997
 Item No. 509

 The Development Plans Review Division has reviewed the subject zoning item. This site is subject to the Baltimore County Development Regulations, Panhandles, adopted December 4, 1989. Our records indicate the second building on lot #323 is not in the location shown on this plan.

RWB:HJO:jrb

cc: File

ZONE527.509



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
Item No. 509

5-16-97

MJK

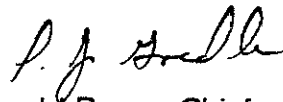
Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration 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 _____

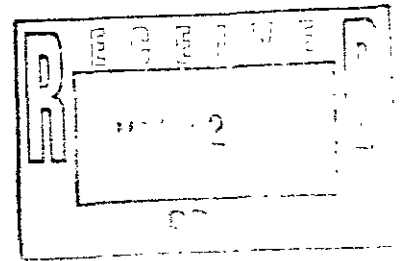
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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

Baltimore County Government
Fire Department



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



(410) 887-4500

May 20, 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 May 27, 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:

501, 502, 505, 506, 507, 508, 509, 510, 511, and 512

REVIEWER: LT. ROBERT P. GAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

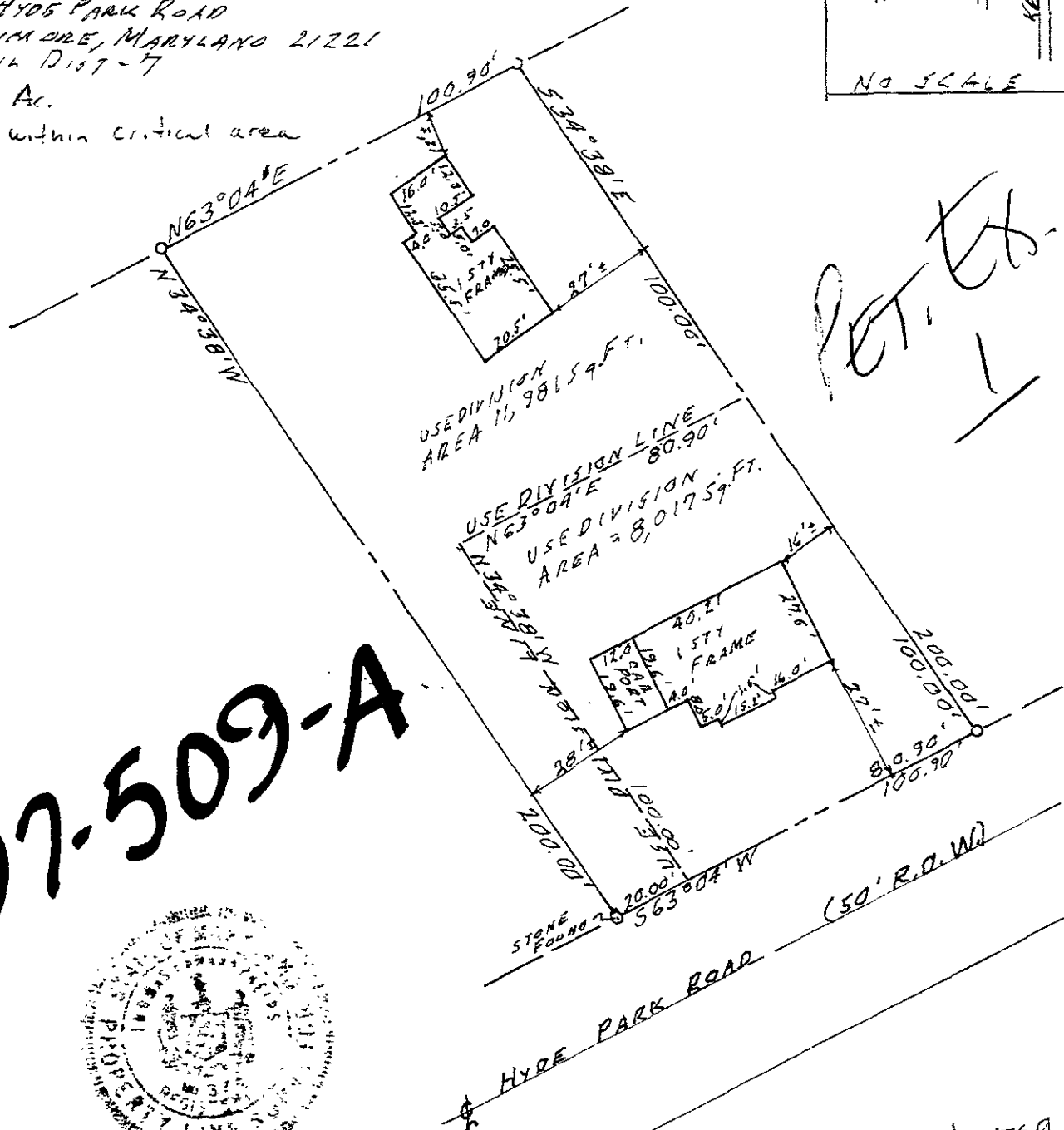
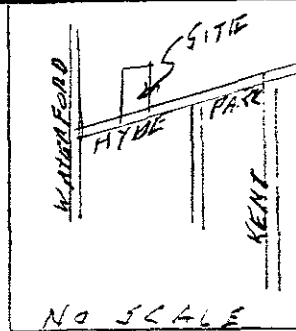


PROPERTY WAS RG NOW D.F. 5
 HOMES MEET 1948 STANDARDS EXCEPT
 BACK HOME REAR SETBACK

PROPERTY OWNER
 DOROTHY JEAN LAISURE
 606 HYDE PARK ROAD
 BALTIMORE, MARYLAND 21221
 COUNCIL DIST - 7

0.46 AC.

site within critical area



97-509-A



THIS DOES NOT CONSTITUTE A PROPERTY LINE SURVEY
 THIS WILL CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS
 ON THE ABOVE PROPERTY AS INDICATED.

Thomas E. Phelps

THOMAS E. PHELPS AND ASSOCIATES, INC.

REGISTERED PROPERTY LINE SURVEYORS

945 BARRON AVENUE
 BALTIMORE, MARYLAND 21221

OFFICE: (301) 574-6744

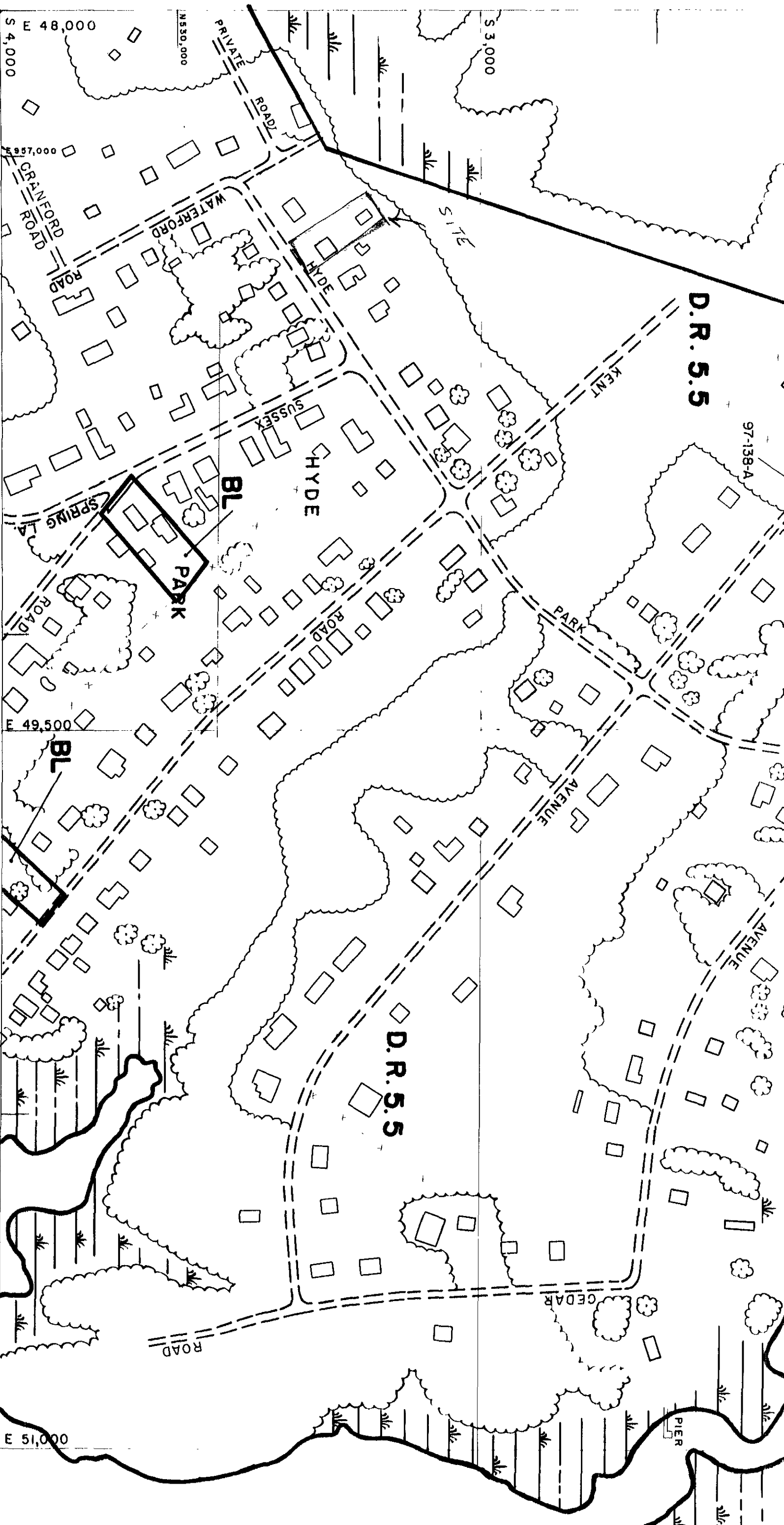
LOCATION SURVEY

606 HYDE PARK ROAD
 LOT 323 ADDITION TO HYDE PARK
 15TH ELEC. DIST. BALT. CO., MD

Plat Book 17 Folio 54

Scale 1" = 40' Date 4/22/97

509



D.R. 5.5

97-138-A

D.R. 5.5

I-SE
E-NE

97-509-A

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

1996 COMPREHENSIVE ZONING MAP

ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 1, 1994

Bill Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

#509

Kenneth Kennedy
Chairman, County Council

BALTIMORE
OFFICE OF PLANNING
OFFICIAL ZONING MAP

(SHEET S.E. 2-1)