

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S Autumn Wind Court, 595' N of *
the c/l of Ridge Road * DEPUTY ZONING COMMISSIONER
(7 Autumn Wind Court) *
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
James D. Lessman, et ux * Case No. 97-510-A
Petitioners *

* * * * *

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 7 Autumn Wind Court, located in the vicinity of Greenspring Avenue in Reisterstown. The Petition was filed by the owners of the property, James D. and Sheila Lessman. The Petitioners seek relief from Section 1A00.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (RDP, 1970 Regulations) to permit a side yard setback of 10 feet in lieu of the required 50 feet for a proposed 23' x 25' garage addition to the existing dwelling. 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 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

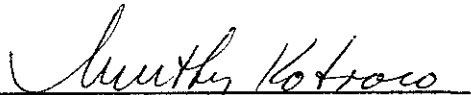
ORDER RECEIVED FOR FILING
Date 6/5/97
By [Signature]

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 5th day of June, 1997 that the Petition for Administrative Variance seeking relief from Section 1A00.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (RDP, 1970 Regulations) to permit a side yard setback of 10 feet in lieu of the required 50 feet for a proposed 23' x 25' garage addition to the existing dwelling, 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 6/5/97
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

Mr. & Mrs. James D. Lessman
7 Autumn Wind Court
Reisterstown, Maryland 21136

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Autumn Wind Court, 595' N of the c/l of Ridge Road
(7 Autumn Wind Court)
8th Election District - 3rd Councilmanic District
James D. Lessman, et ux - Petitioners
Case No. 97-510-A

Dear Mr. & Mrs. Lessman:

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: ~~People's Counsel~~

File



Petition for Administrative Variance

97-510-A

to the Zoning Commissioner of Baltimore County

for the property located at

7 Autumn Wind Ct

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) 1. A00, 3. B.1. (RDP, 1970 Regs)

To Allow a side yard set back of 10' in lieu of the Required 50'

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

See back

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.

Legal Owner(s)

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Address

Phone No

Signature

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No

Name

City

State

Zipcode

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: _____

ESTIMATED POSTING DATE: _____



Printed with Soybean Ink
on Recycled Paper

ITEM #: 510

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 7 Autumn Wind Ct
address
Reisterstown MD 21136
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)

- ① Due to the location of septic tanks on the South side of our home we request permission to build our attached garage on the South side.
- ② We chose this house because of the easy access from a garage built on the South side; i.e., there are two existing doors on this side to the existing in-law suite and the need to provide a short walking distance to my wife's father who is blind and 80 yrs old

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.

[Signature]
(signature)
JAMES D. LESSMAN
(type or print name)



[Signature]
(signature)
Shelly Lessman
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of MAY, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JAMES D. LESSMAN

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.

5-8-97
date

[Signature]
NOTARY PUBLIC
My Commission Expires:

Kay T. Rengen
My Commission Expires 6/1/98

ZONING DESCRIPTION FOR 7 AUTUMN WIND CRT.

97-510-A

BEGINNING AT A POINT ON THE EAST SIDE OF Autumn Wind WHICH IS 50'
WIDE AT THE DISTANCE OF 595' N OF THE CENTERLINE OF THE
NEAREST IMPROVED INTERSECTING STREET Ridge WHICH IS 50' WIDE.

LOT# 8 BLOCK - IN THE SUBDIVISION OF Autumn Woods AS RECORDED IN THE BALTIMORE
COUNTY PLAT BOOK #38, FOLIO 135. ALSO KNOWN AS 7 Autumn Winds crt AND LOCATED
IN THE 8th ELECTION DISTRICT, 3 COUNCILMANIC DISTRICT.

510

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

036581

PAID RECEIPT

05/09/97 03 6 VLM R 4369
Dept 5 513 ZONING VERIFICATION
CR NO. 036581
\$50.00 DI P-A-I-D
Baltimore County Maryland
Office Of Budget & Finance

DATE

9 May 97

ACCOUNT

R-001-6150

CRM

AMOUNT \$

50.00

RECEIVED
FROM:

LESSMAN

#516

FOR:

Variance

7 Autumn Window

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADMIN. VAR.

RE: Case No. 97-510-A

Petitioner/Developer LESSMAN ETAL

Date of Hearing/Closing 5/13/97

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 #7 AUTUMN
WINDS CT.

The sign(s) were posted on 5/13/97
(Month, Day, Year)

Sincerely,
Patrick M. O'Keefe 5/15/97
(Signature of Sign Poster and Date)

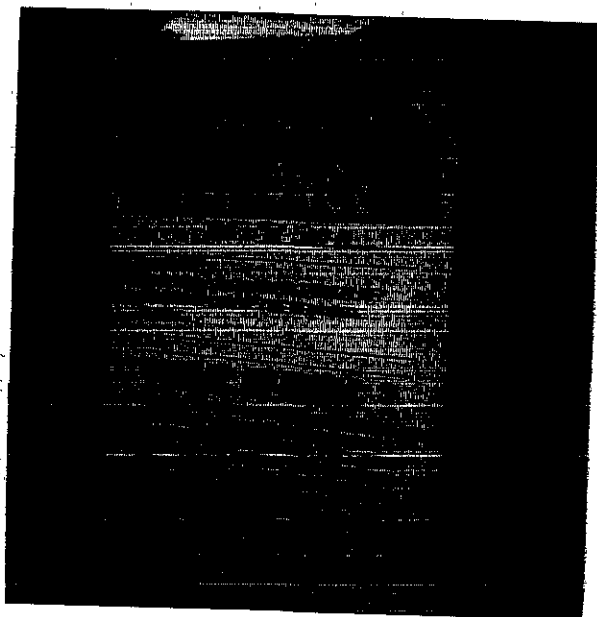
Patrick M. O'Keefe
(Printed Name)

523 Penny Lane
(Address)

Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366 Page (410) 646-8354
(Telephone Number)

976
out doc



7-AUTUMN WIND CT
JIM LESSMAN -410-308 2765

C-6/2/97

P 5/13/97



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/neighborhood 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.: 510

Petitioner: James & Sheila Lessman

Location: 7 Autumn Wind Ct

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mr J. Lessman

ADDRESS: 7 Autumn Wind Ct
Reisterstown MD 21136

PHONE NUMBER: 410 308 2765

AJ:ggs

(Revised 09/24/96)

510

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

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

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



Vicinity Map
North
Scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acres square feet

SEWER: ☐ public ☐ private

WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

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

North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 18 May 97

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-510A

To Allow a side yard setback
of 10' in lieu of the required
50'

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**

2 June 97

**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

May 22, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-510-A
7 Autumn Wind Court
E/S Autumn Wind Court, 595' N of c/l Ridge Road
8th Election District - 3rd Councilmanic
Legal Owner(s): James D. Lessman and Sheila Lessman
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: James and Sheila Lessman





Baltimore County
Department of Permits and
Development Management

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

June 2, 1997

Mr. and Mrs. James Lessman
7 Autumn Wind Court
Reisterstown, MD 21136

RE: Item No.: 510
Case No.: 97-510-A
Petitioner: James Lessman, et ux

Dear Mr. and Mrs. Lessman:

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 "W. Carl Richards, Jr.", is written over a circular stamp that is partially obscured.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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 Nos. 502, 505, 508, 510, 511

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File



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 5-16-97
Item No. 510 CAM

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 _____

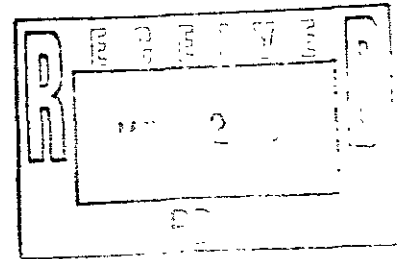
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

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
X-211 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.

5. 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. SAUERWALD

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

cc: File



BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 9, 1997

TO: Hearing Officer

FROM: Catherine A. Milton
Planner I
Zoning Review, PDM

SUBJECT: Item #510
7 Autumn Wind Court

There is no record of prior hearing. I don't know how the house was built.

CAM:scj

MAY 1, 1997

TO: DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT
RE: REQUEST TO BUILD ADDITION TO 7 AUTUMN WIND CRT.

WE/I THE UNDERSIGNED HAVE NO OBJECTION TO MR. AND MRS. LESSMAN'S PLAN TO
BUILD A TWO CAR GARAGE ON THE SOUTH SIDE OF THEIR HOME WHICH IS LOCATED AT
7 AUTUMN WIND CRT.

Thomas M Kruggel
SIGNED
THOMAS G KRUGGEL

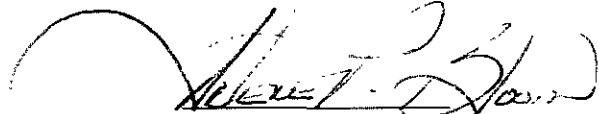
13 AUTUMN WIND CT

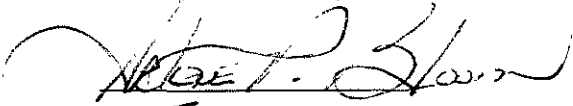
AUTUMN WIND CRT
LOT # 10

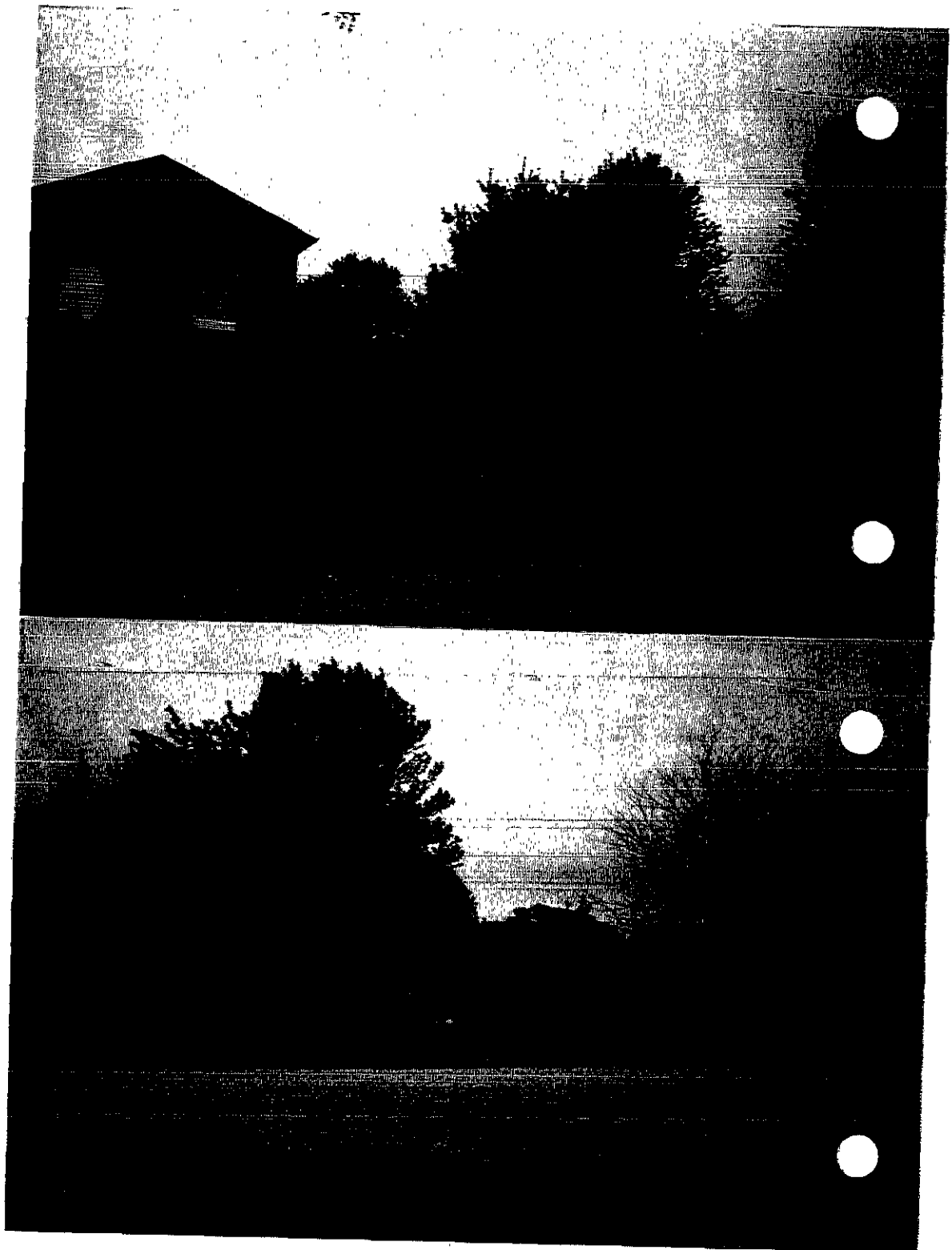
MAY 1, 1997

TO: DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT
RE: REQUEST TO BUILD ADDITION TO 7 AUTUMN WIND CRT.

WE/I THE UNDERSIGNED HAVE NO OBJECTION TO MR. AND MRS. LESSMAN'S PLAN TO
BUILD A TWO CAR GARAGE ON THE SOUTH SIDE OF THEIR HOME WHICH IS LOCATED AT
7 AUTUMN WIND CRT.


SIGNED ARlene Bloom


5 AUTUMN WIND CRT
LOT # 7

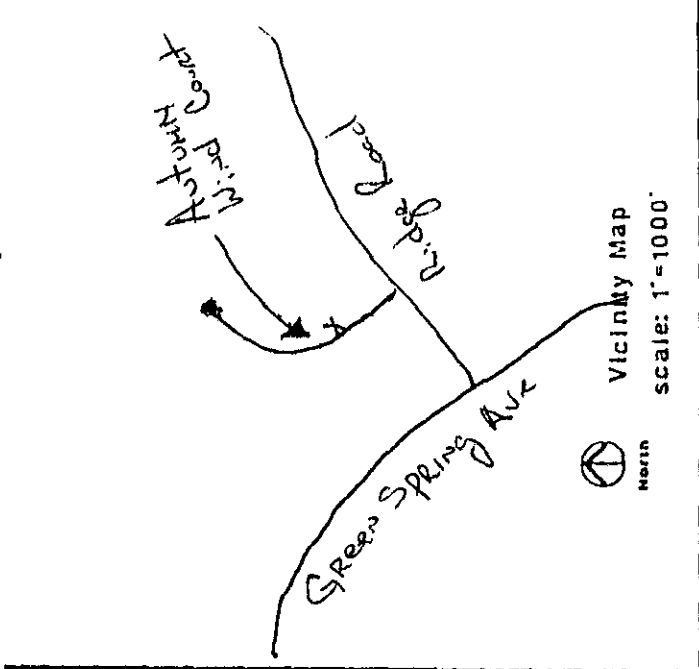




Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 7 Autumn Wind Ct
Subdivision name: Autumn Winds
[plat book# 38, folio# 135, lot# 8, section# -]
OWNER: James & Sheila Lessmann

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



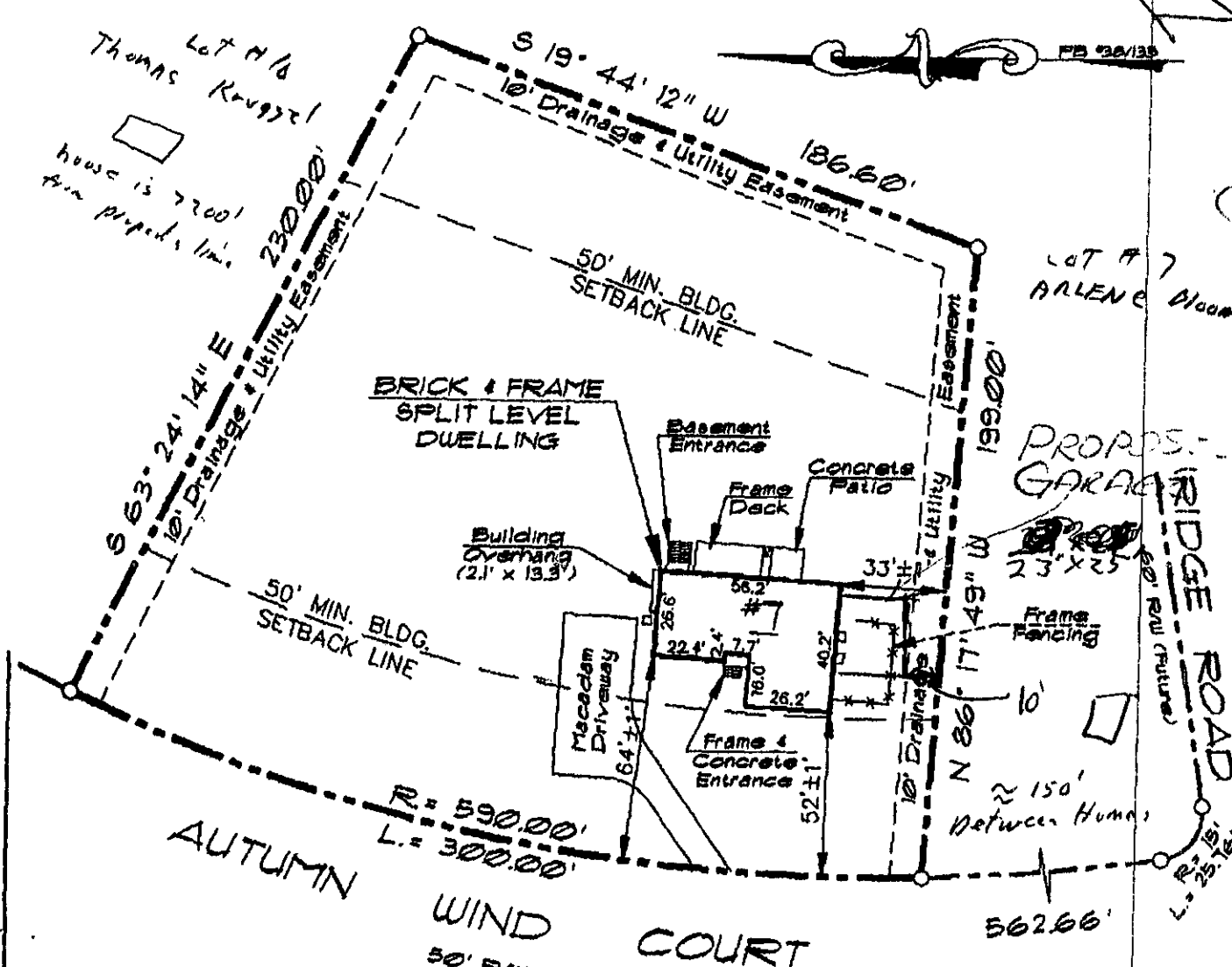
LOCATION INFORMATION

Election District: 8
Councilmanic District: 3
1"=200' scale map#: NW15F
Zoning: RC-5 (RDP)
Lot size: 1.19 acreage 51,836.47 square feet

SEWER: ☐ public ☒ private
WATER: ☐ public ☒ private
Chesapeake Bay Critical Area: ☐ yes ☒ no
Prior Zoning Hearings: None KNOWN

Zoning Office USE ONLY!

reviewed by: [signature] ITEM #: 510 CASE#: 97-510-A



- NOTE:
- 1.) THIS PROPERTY LIES WITHIN FLOOD ZONE "C", (AREAS OF MINIMAL FLOODING) AS SHOWN ON F.I.R.M. MAP No. 240010 0230 B, DATED MARCH 2, 1981.
 - 2.) ALSO KNOWN AND DESIGNATED AS LOT No. 8, AS SHOWN ON THE PLAT ENTITLED "AUTUMN WINDS", AS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLATBOOK No. 38, FOLIO 135.

LOCATION DRAWING
of
#7 AUTUMN WIND COURT
BALTIMORE COUNTY, MD.

Scale of Drawing: 1"=50'

date: prepared by: