

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE DEPUTY
ZONING VARIANCE
S/S Tarpleys Circle, 1065 ft. N * ZONING COMMISSIONER
of c/l Goldenwood Road
9002 Tarpleys Circle * OF BALTIMORE COUNTY
14th Election District
6th Councilmanic District * Case No. 97-546-A
Daniel R. Williams, Sr., et al
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Daniel R. Williams, Sr., and Beryl V. Williams, for that property known as 9002 Tarpleys Circle in the Kenwood Park subdivision of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (shed) to be located in the side yard in lieu of the required rear yard in a D.R.5.5 zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

ORDER RECEIVED FOR FILING

Date

By

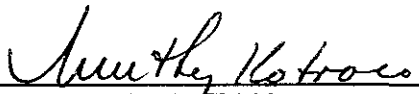
7/7/97
M. G. Goad

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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of July 1997 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (shed) to be located in the side yard in lieu of the required rear yard, in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:mmm

7/7/97
M. Good



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 7, 1997

Mr. and Mrs. Daniel R. Williams, Sr.
9002 Tarpleys Circle
Baltimore, Maryland 21237

RE: Petition for Administrative Variance
Case No. 97-546-A
Property: 9002 Tarpleys Circle

Dear Mr. and Mrs. Williams:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:mmn
encl.





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9002 Tarpleys Circle

which is presently zoned Residential DR 5-5

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)

400.1 to permit an accessory structure in the side yard in lieu of the rear.

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

See other Side

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

DANIEL R. Williams, SR.
(Type or Print Name)

Daniel Williams, Sr.
Signature

Beryl V. Williams
(Type or Print Name)

Beryl V. Williams
Signature

9002 Tarpleys Circle 410-866-4230
Address Phone No

Baltimore MD. 21237
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

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

Zoning Commissioner of Baltimore County

REVIEWED BY: mta

DATE: 6/4/97

ESTIMATED POSTING DATE: 6/15/97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 596

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 9002 Tanpleys Circle
address
Baltimore, MD 21237
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)

Due to the Slope in the Rear of our
property AND the CONFIGURATION OF OUR
LOT IT IS impossible to place our
Shed in the Rear of our house.

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.

Daniel Williams, Sr.
(signature)
DANIEL R. Williams
(type or print name)



Beryl V. Williams
(signature)
Beryl V. Williams
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of June, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Daniel Williams, Sr & Beryl V. Williams

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.

date 6/3/97

Constance A. Fletcher
NOTARY PUBLIC

My Commission Expires:

CONSTANCE A. FLETCHER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires January 28, 2001

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 9002 Tarpleys Cir
address
Baltimore MD 21237
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)

Due to the Slope in the Rear of our
property AND the CONFIGURATION of our
lot it is impossible to place our shed
in the Rear of our house.

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.

Daniel R. Williams Sr
(signature)
Daniel R. Williams SR
(type or print name)



Beryl V. Williams
(signature)
Beryl V. Williams
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of June, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Daniel R. Williams, Sr. & Beryl V. Williams

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.

6/3/97
date

Constance A. Fletcher
NOTARY PUBLIC

My Commission Expires:

CONSTANCE A. FLETCHER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires January 28, 2001



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9002 Tarpleys Circle

which is presently zoned

RESIDENCEAL
OR 5.5

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)

400.1 to permit an accessory structure in the side yard
in lieu of the rear

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

See Other Side

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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):

DANIEL R. Williams, SR
(Type or Print Name)

Daniel Williams, Sr
Signature

Beryl V. Williams
(Type or Print Name)

Beryl V. Williams
Signature

9002 Tarpleys Cir 410-866-4230
Address Phone No.

Baltimore md 21237
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

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

Zoning Commissioner of Baltimore County



REVIEWED BY: mr

DATE: 6/15/97

ESTIMATED POSTING DATE: 6/15/97



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on Recycled Paper

ITEM #: 546

Zoning Description

546

Zoning Description For 9002 Tanpleys Circle
Beginning At A point on the South side
of Tanpleys Circle which is 30 Feet of
Right of Way wide at the Distance of
1065 Feet North of the Centerline of
the nearest improved intersecting Street
Goldenwood Road which is 40 Ft. wide.
Being Known As Lot # 11, As shown
on the Plat entitled, Plat 1, Kenwood
Park, which Plat is recorded among
the Land Records of Baltimore County
in Plat Book No. 64, Folio 143, Containing
~~2708~~ 2708 Acres. Also Known As 9002
Tanpleys Circle and located in the
14 Electoral District, 6th Councilmanic District

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

038043

DATE 6/4/97 ACCOUNT 01-615

Item. 546

By: mtk

AMOUNT \$ 50.00

RECEIVED FROM: Williams, Daniel — 9002 Torpleys Creek

FOR: 010-Admin Var. — \$50.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

06/04/97 01 5 JHP 2 434

Dept. 5 513 BOWING SERVICE

OR NO. 038043

\$50.00 EX 2-2-97

Baltimore County, Maryland
Office of Budget & Finance

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case # 97-546-A

Petitioner/Developer:
(Daniel Williams Sr.)

Date of Hearing/Closing:
(June 30, 1997)

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

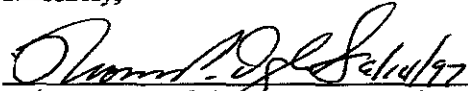
Attention: Ms. Gwendolyn Stephens

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 _____
_____ 9002 Tarpleys Circle Baltimore, Maryland 21237 _____

The sign(s) were posted on _____ Jun. 14, 1997 _____
(Month, Day, Year)

Sincerely,

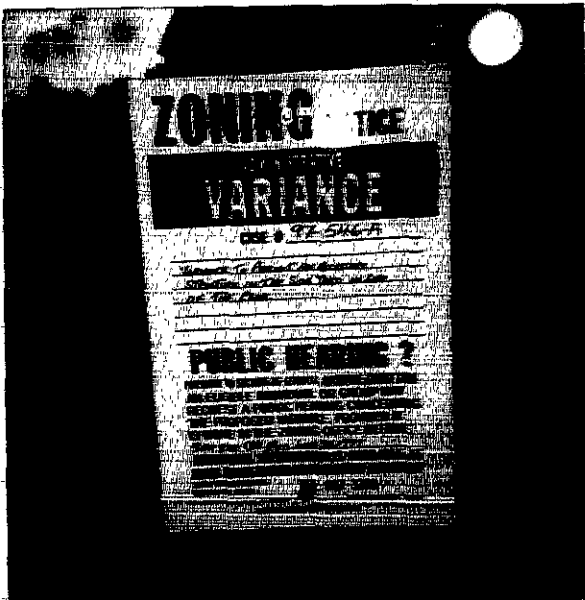

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



97-546-A



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.: 546

Petitioner: Beryl V. & Daniel R. Williams Sr.

Location: 9002 Tarpleys Cir Baltimore MD. 21237

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DANIEL R. Williams Sr.

ADDRESS: 9002 Tarpleys Circle
Baltimore, MD. 21237

PHONE NUMBER: 410-866-4230

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than * 6/15/97

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

Item 546

ZONING NOTICE**ADMINISTRATIVE
VARIANCE****Case No.:** 97-546-A

variance to permit an accessory structure
in the side yard in lieu of the rear.

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**

* 6/30/97

**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

June 13, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-546-A

9002 Tarpleys Circle

S/S Tarpleys Circle, 1065' N of c/l Goldenwood Road

14th Election District - 6th Councilmanic

Legal Owner(s): Daniel R. Williams, Sr., and Beryl V. Williams

Post by Date: 06/15/97

Closing Date: 06/30/97

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: Daniel and Beryl Williams





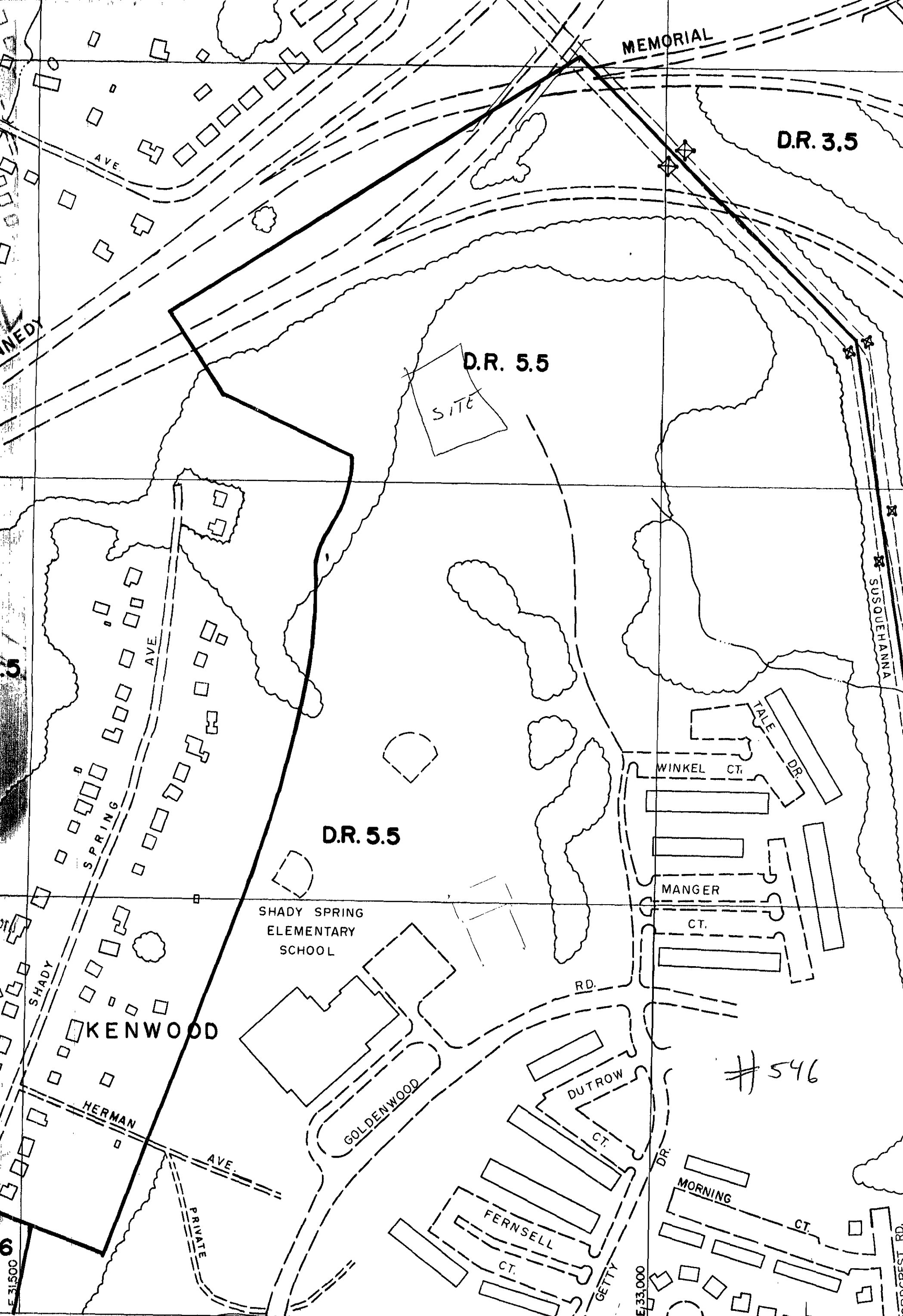




546

Pictures of 9002 Tappley's

97-546-A



NE 5-F

May 28, 1997

To Whom It May Concern:

I am a neighbor of Beryl and Daniel R. Williams, Sr.
of 9002 Tarpley Circle, Baltimore, Md. 21237.
I have no objections to their shed that is on
the side property of their house, as they cannot
place it in back due to the slope of their property.

Sincerely,
J. Estelle Collins
9006 Tarpley Circle

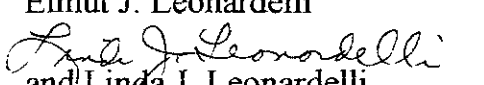
546

May 30, 1997

To Whom It May Concern:

We are neighbors of Beryl and Daniel R. Williams, Sr. of 9002 Tarpley's Circle, Baltimore, MD 21237. We have no objections to their Shed that is on the property of their house, as they cannot place it in back due to the slope of their property.

Sincerely,


Elmut J. Leonardelli

and Linda J. Leonardelli
9064 Tarpley's Circle
Baltimore, MD 21237

LJL/ljl

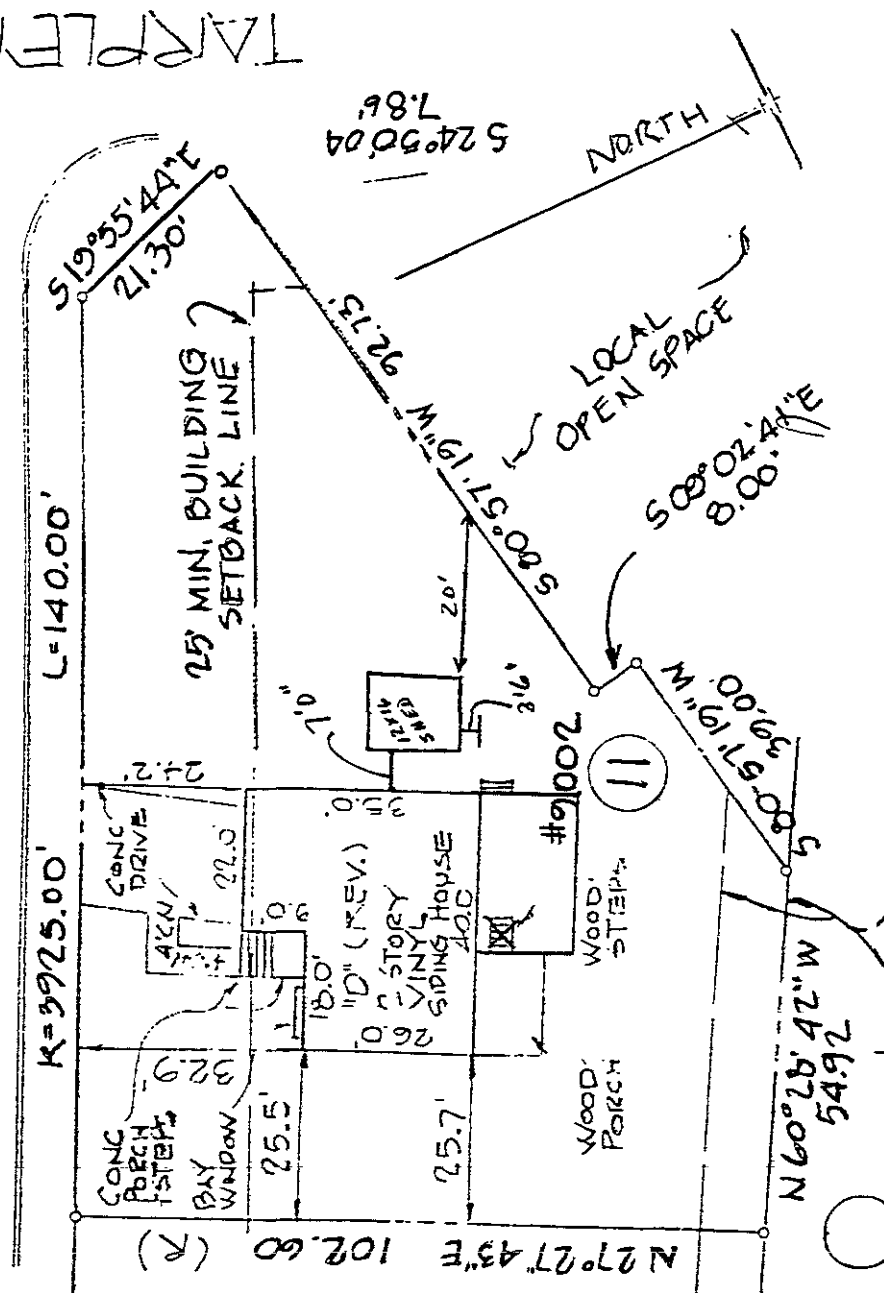
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 9002 Tarpley's Circle see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Kenwood Park
 plat book # 64, folio # 143, lot # 11, section # 1

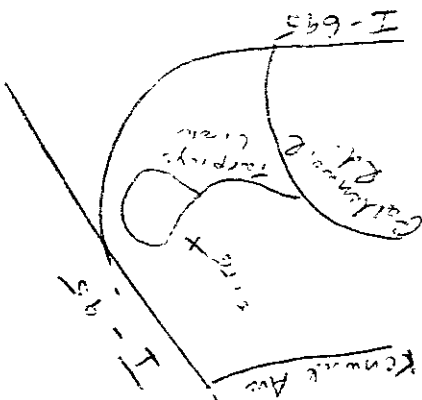
OWNER: Beryl V. & Daniel R. Williams, Sr.

TARPLEY'S CIRCLE
 50' R/W



North
 date: 5/21/97
 prepared by: D. Williams, Sr.
 Scale of Drawing: 1" = 30'

97-546-A



LOCATION INFORMATION

Election District 144
 Councilmanic District 6 PL
 1:200 scale map NE 5-F
 Zoning NR 5.5
 Lot size: 19000 square feet
 acreage 0.2708
 AC
 public streets
 SEWER ☒
 WATER ☒
 Chesapeake Bay Critical Area: ☒
 Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: WMC ITEM #: 546 CASE #: