IN RE: PETITION FOR ADMIN. VARIANCE

E/S Ryan Frost Way, 660' S of the

c/l of Cape May Road * DEPUTY ZONING COMMISSIONER

(23 Ryan Frost Way)
15th Election District

5th Election District * OF BALTIMORE COUNTY

5th Councilmanic District

* Case No. 97-573-A

BEFORE THE

Carl J. Hartmann, Jr., et ux

Petitioners

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by Carl J. Hartmann, Jr., and his wife, Susan D. Hartmann. The Petitioners seek relief from Section 1B02.3.C.1 (Chart) to permit a rear setback of 28 feet in lieu of the required 35 feet for a proposed addition, and a side yard setback of 5 feet in lieu of the required 10 feet for the existing dwelling. The subject property is located in the vicinity of Turkey Point Road in Essex. The proposed improvements and existing conditions on the property are more particularly described on the site plan submitted which was accepted into evidence and marked 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 sufficient facts that comply with the requirements of Section 307.1 of the

ORDER RECEIVED FOR FILING
Sate

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 17 day of July, 1997 that the Petition for Administrative Variance seeking relief from Section 1802.3.C.1 (Chart) to permit a rear setback of 28 feet in lieu of the required 35 feet for a proposed addition, and a side yard setback of 5 feet in lieu of the required 10 feet for 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.

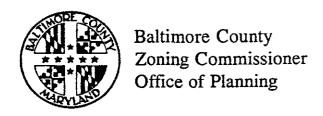
TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

PRIDER RECEIVED FOR FILLING



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

July 17, 1997

Mr. & Mrs. Carl J. Hartmann 23 Ryan Frost Way Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Ryan Frost Way, 660' S of the c/l of Cape May Road

(23 Ryan Frost Way)

15th Election District - 5th Councilmanic District

Carl J. Hartmann, Jr., et ux - Petitioners

Case No. 97-573-A

Dear Mr. & Mrs. Hartmann:

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 23 RYAN FROST WAY 21221
which is presently zoned "DR 3.4

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 B 02, 3C 1 (CHART) TO ALLOW A REDR. SET RESCH. OF 28FT, IN LIEU OF REQUIRED 35 FT. \$A 5 FT SIDE VARD (LEXISTING) IN LIEU OF THE REQUIRED 10 FT, IN A DR 3, 5 20HE.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardehip or practical difficulty) Glass summoon porch to be attached to back door of house and to extend 6 linear feet beyond the building restriction line.

The small yard area, due to the parhandle property smape is extremely small for our outdoor use. The glass sumroom will give my family more indoor space and better use of the yard which is wet a good part of the year.

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

I, or wa, 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.

We do scientily declare and affirm, under the penalties of paquey, that time are the ingal contents) of the property which is the subject of this Petition

Contract Pulphaser/Lessen:			Legal Ownerpij:			
(Type or First Name)		·	CARL (Type or Brigh Name)	T. HARTMANA), JR	
Signature		***************************************	X Carl	Hu man	-fr.	
Address			SUSAU (Type or Print Name)	D. HARTMA	<u> </u>	
Oly	State	Zipoode	X Signature	n D. Harte	Mu Mu	(DAY)
Attorney for Patasoner. (Type or Print Name)			23 RYAN	FROST WAY	410 686-1141	522-83
Signature		-	BALTO.	Co. Mo State phone number of representative		1
Address	Phon	I Ng	Name			
City	State	Zipcoce	Address		Phone No.	
A Public Hearing having been that the subject matter of this p circulation. Broughout Baltimo	Deniliou de tes tot d'abri	one nearing , advertised	lered by the Zoning Cammis os required by the Zoning Re	voter of Eathmore County, His raviations of Battimore County	day of	Janesco 19
Sm	(5-19	87.		loning Commissioner of	Solimore County	 -

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 23 KYAN FROST WAY
	BALTO. Co., MD 21221
	That based upon personal knowledge, the following are the facts upon which like base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
	GLASS SUN ROOM PORCH TO BE ATTACHED TO BACK DOOR
	OF HOUSE AND TO EXTEND 6 LINEAR FEET BEYOND
	THE BUILDING RESTRICTION LINE.
	The small yard area, due to the panhandle property shape, is extremely small for
	our outdoor use. The glass sunroom will give my family more indoor space and
	better use of the yard which is wet a good part of the year.
	<u> </u>
K	That Affant(s) acknowledge(s) that if a protest is filed, Affant(s) will be required to pay a reposting and advertising (see and may be required to provide additional information. Affant(s) acknowledge(s) that if a protest is filed, Affant(s) will be required to pay a reposting and advertising (see and may be required to pay a repost of the required to pay
	STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
	1 HEREBY CERTIFY. this 2/ day of May 1997. before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Carl J. Hartman Jr. & Lewan D. Hartmann
	the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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. 5-21.91 NOTARY PUBLIC NOTARY PUBLIC
	My Commission Expires: 10-1-99



ESTIMATED POSTING DATE

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property allusts in Baltimore County and which is described in the description and plat enached hereto and made a part hereof, hereby petition for a Variance from Section(s)

LOT IS PLAT REFERENCE BOOK 63 PAGE 4

TITLE OF PLAT - PLAT OF CAPE MAY LANDING

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

GLASS SUN ROOM PORCH TO BE ATTACHED TO BACK DOOR OF HOUSE AND TO EXTEND & LINEAR FEET BEYOND THE BUILDING RESTRICTION LINE.

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 position, 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.

			We do sciencily decises a	nd affirm, under the penalties of paquey, that is	rel are the
Contract Purchaser/Lesser:			Legal Owners;	y which is the subject of this Patition	
(Type or Phili Name)			• • • • • • • • • • • • • • • • • • • •	HARTMANN, JR.	
Signature		***************************************	X all Ho	man /p.	_
Address		·	SUSAN D.	HARTMANN'	
0 0	Slade	Zipooda	X Swan &) Hertman	_ (DAY)
Attorney for Patrioner.			23 RYAN FR	410 20ST WAY 676-114	1 522-8316
(Type of Print Name)	*		RAITO CO	MD 212	<u> </u>
Signature			City Name, Address and phone no	State Socialists to be contacted	<u> </u>
Address	Phone	186	Name		
Oty	State	Zipcode	Address	Phone No.	-
A Fublic Hearing having bee Incl the subject moster of this circulation. Broughout Baltin			dered by the Zoning Commissioner o , os required by the Zoning Regulatio	if Salitmore County, this day of his of Baltimore County, in two newspapers	19 of generor

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 23 Ryan Frost Way Beginning at a point on the east side of Ryan Frost Way which is 34 feet wide at the distance of 660 feet south of the centerline of the nearest improved intersecting street Cape May Rd. which is 50 feet wide. Being Lot # 18, Block ---, Section # --- in the subdivision of Cape May Landing as recorded in Baltimore County Plat Book # 63, Folio # 004, containing 0.2382 acres. Also known as 23 Ryan Frost Way and located in the 15th Election District, 5 Councilmanic District.

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HAID RECEIPT ESS ACTIMA. TIME 1997 6/19/1997 11:32:14 2 - CASHIER ARIC JAR BRAKER 2 SCILLANDER ARIC JAR BRAKER 2 SCILLANDER ARIC JAR BRAKER 3 \$50.00 CHECK: FAR BAILIMORE COUNTY, Naryland CASHIER'S VALIDATION	فالمعاطية المهاية بيستم المتسارية بسائه بدي مدي عاد ما يقياء مقوية
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BALTIMORE COUNTY, MARYLAND NO. 058113 PROJESS ACTION AMOUNT \$ 100 C C C C C C C C C C C C C C C C C C	一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一一

CERTIFICATE OF POSTING

RE: Case # 97-573-A

Petitioner/Developer:
(Carl Hartmann)

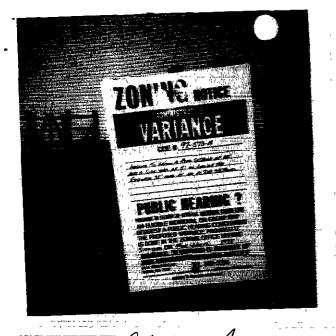
Date of Wearing/Closing:
(July 14, 1997)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21284

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penal	lties of perjury that the necessary sign(s) requ	ired by law
were posted conspicuously on the pro	perty located at	
23 Ryan Frost Way Baltimore, Maryla	nd 21221	
The sign(s) were posted on	jun. 27, 1997 (Month, Day, Year)	



Sincerely,

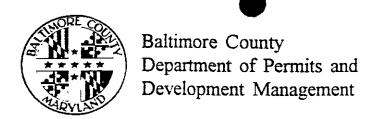
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410) 687-8405
(Telephone Number)



AJ:ggs

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 (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.: 573
Petitioner: CARL HARTMANN
Location: 23 RYAW FROST WAY BALTO, MD 21221
PLEASE FORWARD ADVERTISING BILL TO:
NAME: SUASPOTS THE SAME ASOVE
ADDRESS: POBOX 832
•
PHONE NUMBER: 410-522-8316 (SUSAN HARTMAN)

57 3.

(Revised 09/24/96)

	prepared by: Scale of Drawing: 1'=
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	North
Chesapeake Bay Critical Area:	
WATER:	
public private	
Lot size: acreage square feet	
Zoning:	
1"=200' scale map#:	
Councilmanic District:	
Election District:	
LOCATION INFORMATION	
Vicinity Map	
	OWNER:
	plat book# ,follo# ,lot# ,section#
& 6 of the CHECKLIST for additional required information	PROPERTY ADDRESS:
e Special Hearing	npany Petition for Zoning Va

Request for Zoning: Aministrative Variance

Date to be Posted: Anytime before but no later than *6-29.97.

Format for Sign Printing, Black Letters on a White Backgroung.

ZONING NOTICE

ADMINISTRATIVE VARIANCE:

Case No.: 97-573-A.

JAMENCE TO ALLOW A REAR SETBACK OF 28 FT. & SIDE PANDOF S. FT. IN LIEW OF THE REDUCTED 35FT. ?

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 7-14-97.

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

July 2, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-573-A
23 Ryan Frost Way
E/S Ryan Frost Way, 660' S of c/l Cape May Road
15th Election Disrict - 5th Councilmanic
Legal Owner(s): Carl J. Hartmann, Jr. and Susan D. Hartmann
Post by Date: 06/29/97
Closing Date: 07/14/97

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.

- 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: Carl and Susan Hartmann



Baltimore County Government Fire Department



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

(410) 887-4500

July 2, 1997

Annulo Cazion, Cirector Soning Administration and Development Management Solving to Councy Office Building Toward, MA 2:104 MAIL 1988 - 198

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Luciniant 2057870 PTION MERTING OF June 10, 1207

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2. This Pinciden has a Office has be resherted by this plane. The reference of the FRE FOLLOWING OTTER WINDERS:

PEMICHER: UT. ROBERT P. SAUERWALD
Fire Marchel Office, PHONE 387-4351, MS-11007
co: File



Printed on Recycled Paper



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 7.1.57

Item No.

JRA

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,

U. J. Dredh

Ronald Burns, Chief

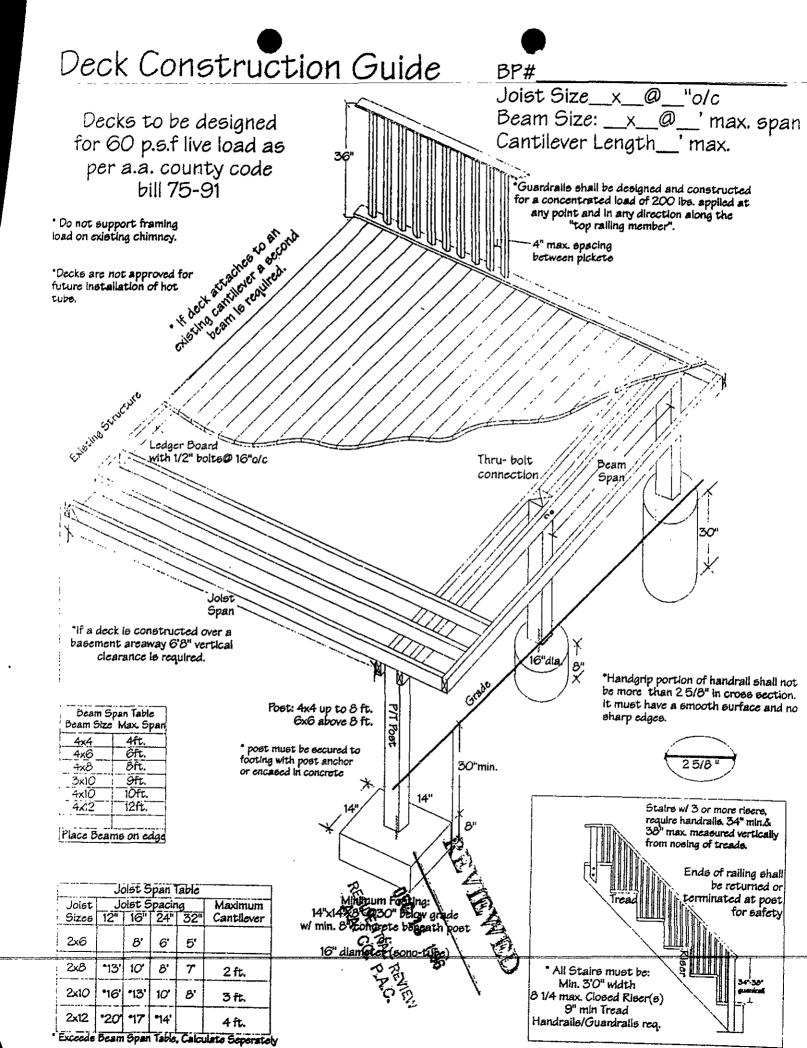
Engineering Access Permits

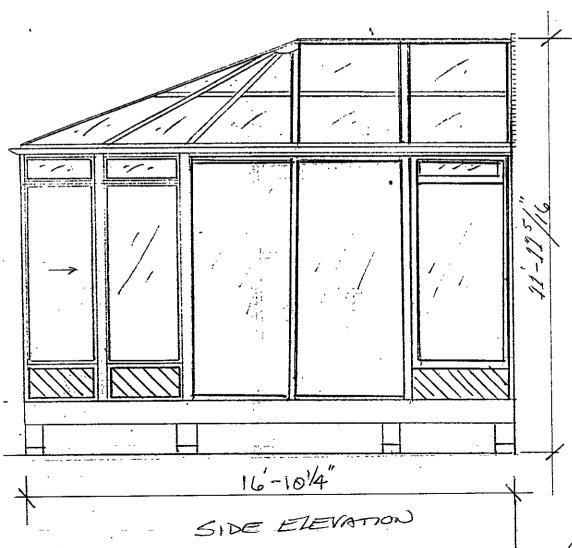
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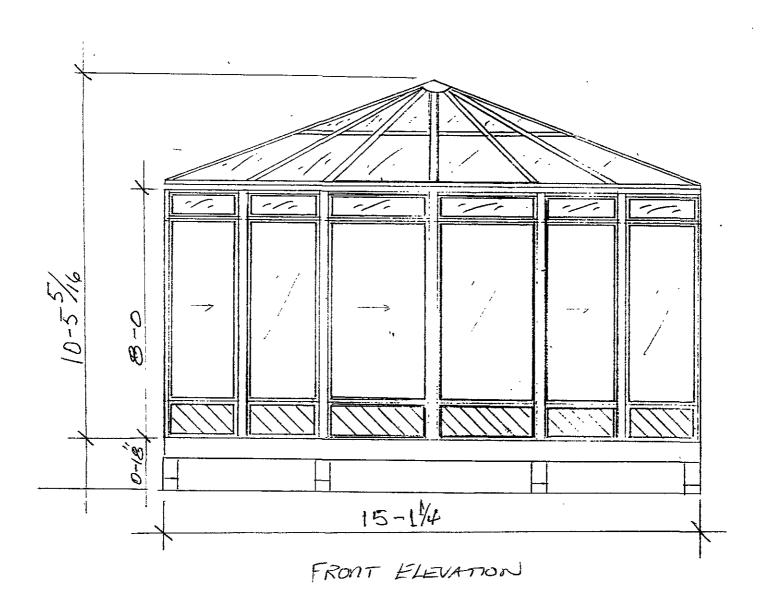
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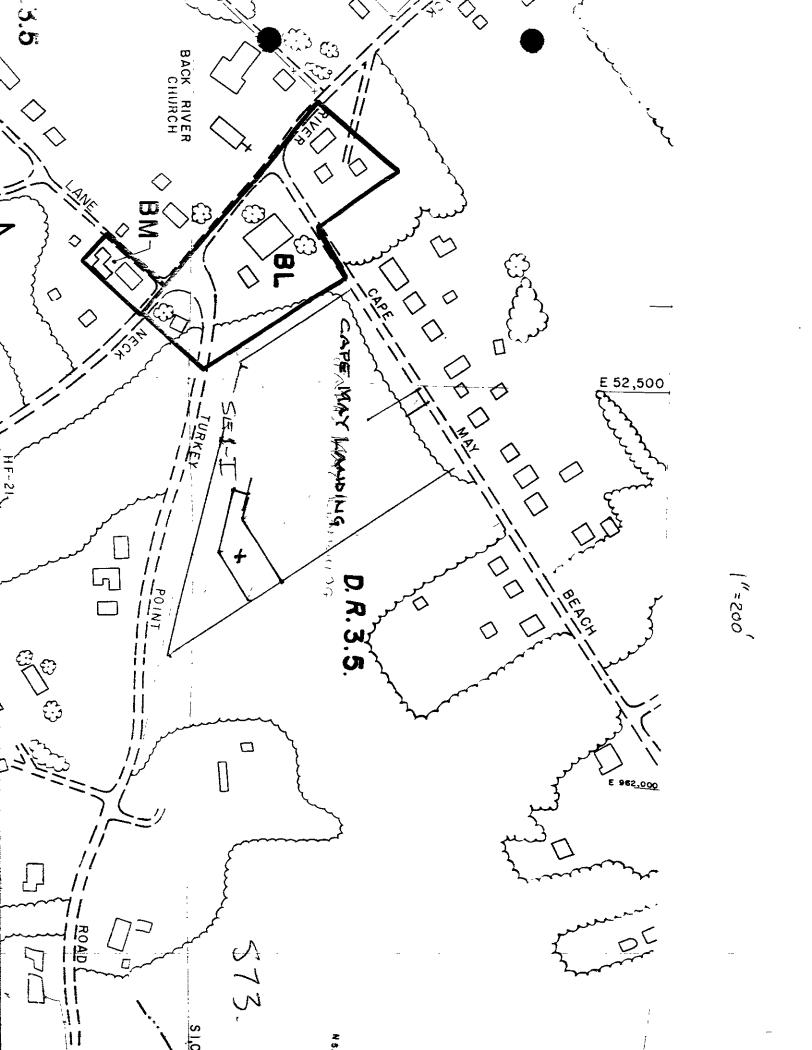
Carl Hartmann

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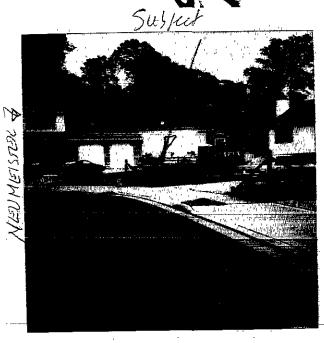


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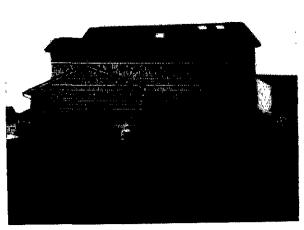
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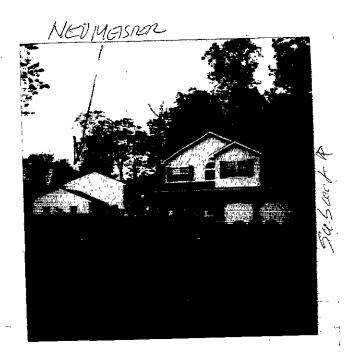
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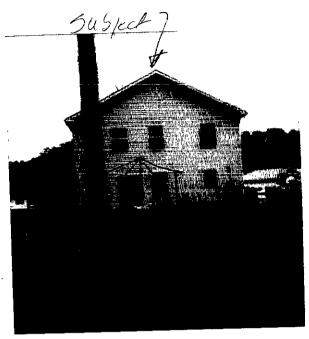
NORTHWEST 573



RIGHT 5105 573



FRONT 573



REAR - PLANNED 573 ADDITION AT DELIDORS



REAR SOUTHERST CORNER 573

