ORDER RECEIVED/FOR FILING
Date
By

IN RE: PETITION FOR ADMIN. VARIANCE

Y/S Rohe Farm Lane, 771' SE of

Bird River Road (991 Rohe Farm Lane) 15th Election District 5th Councilmanic District

John Hoffman, et ux Petitioners * BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 97-589-A

*

* * * * * * * * * *

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 the owners of the subject property, John and Denise Hoffman. The Petitioners seek relief from Sections 1B01.2.c.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1981 Regulations) and Section V.B.6.B of the Comprehensive Manual of Development Policies (C.M.D.P.), to permit a rear setback of 8 feet in lieu of the minimum required 11.25 feet for a proposed open deck. The subject property is located in the vicinity of Middle River Road in Middle River and is 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

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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 24th day of July, 1997 that the Petition for Administrative Variance seeking relief from Sections 1B01.2.c.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1981 Regulations) and Section V.B.6.B of the Comprehensive Manual of Development Policies (C.M.D.P.), to permit a rear setback of 8 feet in lieu of the minimum required 11.25 feet for a proposed open deck, 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



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

July 24, 1997

Mr. & Mrs. John Hoffman 991 Rohe Farm Lane Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Rohe Farm Lane, 771' SE of Bird River Road

(991 Rohe Farm Lane)

15th Election District - 5th Councilmanic District

John Hoffman, et ux - Petitioners

Case No. 97-589-A

Dear Mr. & Mrs. Hoffman:

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

hutly Hotrow

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

991 - Rohe Farm hane, Balt Ma which is presently zoned DO

This Petition shall be filed with the Office of Zoning Administration & Development Ma	nagement
The undersigned, legal owner(s) of the property situate in Raltimore County and which is	docoribod in the decertains and also asset as
Refero and made a part bereof, bereby polition for a Variance from Continuous	
Kegs And W. B. G B (old CHOP) In	And IDOLECTS DITT
ALLO	w a deck a setback
Regs And V. B. G. B (old CHDP) to ALLO of 8'1' in lieu of the Required 11.25'	

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

See Reverse

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 filling 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

			IWe 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)			Tahn Hoffman Type or Print Name;
Signature			Signature Signature
Address			(Type or Print Name) (Type or Print Name)
City Attorney for Petitioner	State	Zipcode	Signature (W) 110 783-3820
(Type or Print Name)			991 Roh: Farm Lene (410) 780-4080 Address Phone No
Signature			Bc Hymax Mb 2/320 City State Zipcode Name, Address and phone number of representative to be contacted
Address	Phone N	∮ 0	Struck Sweeney Fire Corporaly Co
City	State	Zipcode	Name Size Chay Fire (mponing Co 1329 Boiling Ave, Lowel (301) 419-001) Address MD 20107
A Public Hearing having been that the subject matter of this carculation throughout Battime	permor be ser for a publi	c hearing , advertised, a	red by the Zoning Commissioner of Saltimore County. This

ORDER RECEIVED FOR FILING
Date
By

Zoning Commissioner of Raitimore County

REVIEWED BY.

DATE Z7 Jule97



Printed with Soybean Ink on Recycled Paper ITEM #: 589

Affidavit in support of Affidavit 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 Alliant(s) does/do presently re	address	e ram ha	<u> </u>
	Balkmer	γΛ Ω State	312ZO
That based upon personal knowledge, t Variance at the above address: (indicate hi		ch I/we base the request	for an Administrative
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differenty on the			
yards & can have			•
to build a co		t feel my	Cipanes of Selliv
my home will	be diminished		
That Affant(s) acknowledge(s) that I may be required to provide additional	fa protest is filed, Affiant(s) will be	ing from recre required to pay a repost	incloss. uncloss. uncloss. ung and advertising fee and
mr (signature) John Hoffman		talgnature) Denisc the	is Mylan
STATE OF MARYLAND, COUNTY	Montane of VIA	hype of printedicty	
of Marvland, in and tor the County ate	day of Jure oresand, personally appeared	, before me.	a Notary Public of the State
John & A	ense Hoffman		
the Affiants(s) herein, personally know that the matters and facts hereinabove	wn or satisfactorily identified to me set forth are true and correct to the	as such Alfiantt(s), and ie best of his/her/their kn	made oath in due form of law owledge and belief.
AS WITNESS my hand and Notarial	Seal.	low fully	
Territo	My Commi	ssion Expires: April	6,1998

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

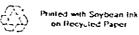
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Alliani(s) does/do presently	address	ne com res	
	Baltimez	M O State	3122 <u>()</u> Zip Code
That based upon personal knowledge 'arrance at the above address: (indicate		hich l/we base the request	for an Administrative
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differenty on the	e property Some	on ple have	aider prof
yards & can ha	ve larger decks.	without th	e capability
to build a c	omporable deck	I feel my	Chances of Sellin
my home will	be diminished		
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may be required to provide addition.	al information.	MK Comment	àc Mothan
(type of print name) Hoffmen	Monfore d'AVILLE	Denise Ho (type or print name)	ffmm/
THEREBY CERTIFY, this 100 of Maryland, in and for the County	day of June doresaid, personally appeared	, 19 <u>97</u> , before me	, a Notary Public of the State
John & Dena	se Hoffman		
the Affiants(s) herein, personally kr that the matters and facts hereinabe	nown or satisfactorily identified to nowe set torth are true and correct to	ie as such Affiantt(s), and the best of his/her/their ki	made oath in due form of law nowledge and belief.
AS WITNESS my hand and Notar	al Seal	il outlabe	
date	NOTAR	PL BLIC	406
	My Comr	nission Expires: April	6,1948

Petition for Administrative Variance

101	the propert	y located at	991 - Robe Farm hane, Balto
			which is presently zoned DR
The undersigned, leg	al owner(s) of the pro	perty situate in Baltim	ation & Development Management. Hore County and which is described in the description and plat attack In Section(s) 301.1 Cod 1B01.2.C.2.b.(19 To ALLOW A DECK A SETBAC Led 11.25'
of the Zoning Regulation of the Zoning Regulation (practical difficulty)	ons of Baltimore Cour	nty, to the Zoning Law	of Baltimore County, for the following reasons. (indicate hardship o
	S	ee R	Wese
I, or we, agree to pay	expenses of above Va	ariance advertising, p	Ded by Zoning Regulations. losting, etc., upon filing of this petition, and further agree to and are 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 legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee			Legal Owner(s)
(Type or Print Name)			Tohn Hoffman (Type or Print Name)
			Y VAHAMITA
Signature			Signature
Signature Address			Type or Print Name)
	State	Zipcode	Denise Hoffmen Type or Print Name) Lange Specific Street Stree
Address	State	Zipcode	Denise Hoffmen (Type or Print Name) Signature Denise Hoffmen (wi 4)/0 783-
Address City Attorney for Putitioner	State	Zipcode	Denise Hoffmer Type or Print Name) Signature Denise Hoffmer (w) 1/0 783
Address City Attorney for Publiconer (Type or Print Name)	State		Denise Hoffmen Type or Print Name Signature Willo 783 Gal Rohe Form hone (4/0) 780-70 Address Bothmer City Name, Address and phone number of representative to be contacted Name Name
Address City Attorney for Putitioner (Type or Print Namer			Denise Hoffmer Type or Print Name) Signature (w) 1/10 783 (w) 1/10





-- Zoning Description

3 COPIES

<u>Three</u> copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 991 Rone Farm bane, Baltimer mo 21220 (address)
Beginning at a point on the side of side of (north, south, east or west)
name of street on which property fronts) which is 50' (number of feet of right-of-way width)
wide at the distance of
centerline of the nearest improved intersecting street
which is wide. *Being Lot #65,
Block,Section #_ / in the subdivision ofRohe_Farm
as recorded in Baltimore County Plat Book # 6 / Folio # ///
containing 5400 \$ 5512.50 Also known as 991 Rahe FARH (property address)
and located in the <u>Is+h</u> Election District, <u>5</u> Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ___, Folio ___" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

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CERTIFICATE OF POSTING

RE: Case # 97-589-A

Petitioner/Developer:
(John Hoffman)

Date of Heaning/Closing:
(July 21, 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:



Sincerely,

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

(Printed Name)

325 Nicholson Road

(Address)

Baltimore, Maryland 21221

(410) 687-8405

(Telephone Number)

97-589-A



AJ:ggs

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 (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

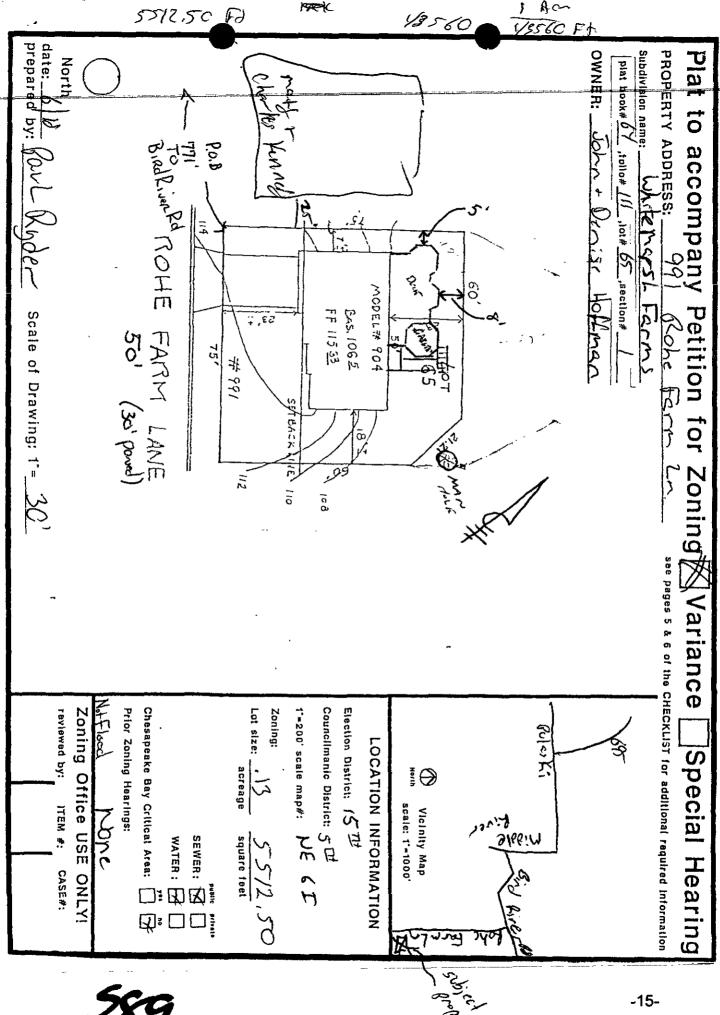
This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 586
Petitioner: Denise John Hoffman
Location: 991 Rohe Form La.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Denise + John Hoffman
ADDRESS: 991 Rom Farm Co
BIF MO 21220
PHONE NUMBER: 4/C-783-782C

(Revised 09/24/96)



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 116/97.

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

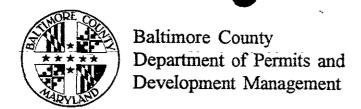
ZONING NOTICE	
ADMINISTRATIVE VARIANCE	
Case No.: 97-58-9	
Variance to ALLOW A Doct of 8' in lieu of the Reguleer	a Satback

PUBLIC HEARING?

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



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

July 17,1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-589-A
991 Rohe Farm Road
E/S Rohe Farm Lane, 771' SE Bird River Road
15th Election District - 5th Councilmanic District
Legal Owner(s): John Hoffman and Denise Hoffman
Post by Date:07/06/97
Closing Date:07/21/97

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 COMPLETE. THE FILE GO MUST THROUGH FINAL REVIEW. ORDERS ARE DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

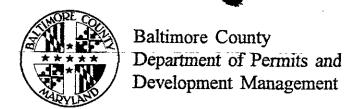
Arnold Jablon.

Director

cc: John and Denise Hoffman



Printed with Soybean Interon Recycled Paper



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

July 23, 1997

Mr. and Mrs. John Hoffman 991 Rohe Farm Lane Baltimore, MD 21220

RE: Item No.: 589

Case No.: 97-589-A

Petitioner: John Hoffman, et ux

Dear Mr. and Mrs. Hoffman:

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 June 27, 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,

W. Carl Richards, Jr. Zoning Supervisor

WCR/re Attachment(s)



rinted with Soybean Ink 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 7.14.97

Item No.

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.

1. J. Doll

Ronald Burns, Chief

Engineering Access Permits

Division

LG

Baltimore County Government Fire Department



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

(410) 887-4500

July 10, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

으드: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 14, 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:

579, 581, 582, 583, 584, 585, 586, 588, and 589

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: July 11, 1997

Department of Permits & Development

Management

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for July 21, 1997

Item Nos. 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 2,589)

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 8, 1997

FROM: Arnold F. "Pat" Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 579, 581, 582, 583, 584, 586 588 and 589

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Jang W Long

AFK/JL

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE -

7/10/97

FROM:

R. Bruce Seeley RSS/9P

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee

Meeting Date:

14 199

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

Item #'s:

579

581

582

584

586

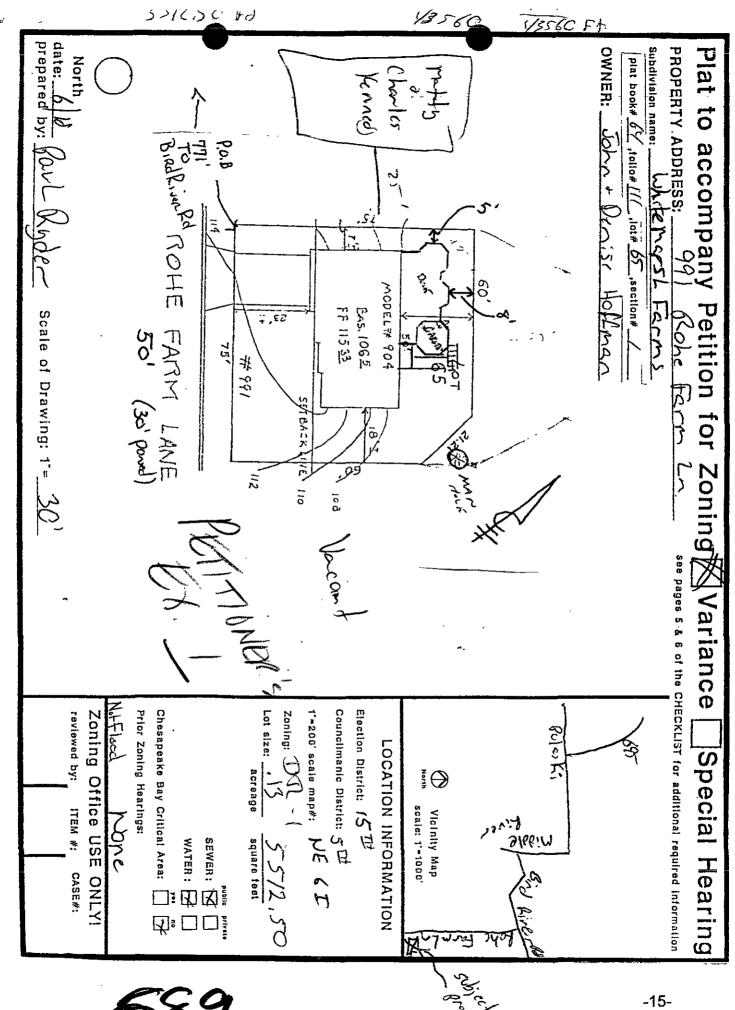
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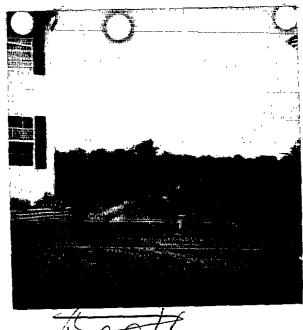
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5-89

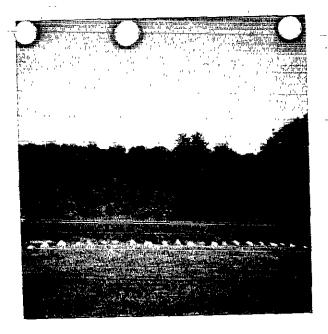
RES:sp

BRUCE2/DEPRM/TXTSBP





12/19h1



Back



Lell

