IN RE;

PETITION FOR ADMIN. VARIANCE N/S Barletta Court, 442.21' N

of the c/l of Balistan Road

(12 Barletta Court)
14th Election District
6th Councilmanic District

Joseph J. Llewellyn, et ux

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* Case No. 98-66-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, Joseph J. and Lisa L. Llewellyn. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet in lieu of the required 8 feet for a proposed 10.66' x 21.75' addition, and an amendment to the Final Development Plan of King's Court, Lot 19 thereof, accordingly. The subject property and relief sought are more particulally 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 sufficient facts that comply with the requirements of Section 307.1 of the

ORDER RECEIVED FOR FILING
Date
By

ORDER RECEIVED FOR FILIN
Date
By

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 // day of September, 1997 that the Petition for Administrative Variance seeking relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 4 feet in lieu of the required 8 feet for a proposed 10.66' x 21.75' addition and an amendment to the Final Development Plan of King's Court, Lot 19 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

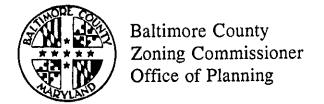
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order 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

September 16, 1997

Mr. & Mrs. Joseph J. Llewellyn 12 Barletta Court Baltimore, Maryland 21237-4510

RE: PETITION FOR ADMINISTRATIVE VARIANCE

N/S Barletta Court, 442.21' N of the c/l of Balistan Road

(12 Barletta Court)

14th Election District - 6th Councilmanic District

Joseph J. Llewellyn, et ux - Petitioners

Case No. 98-66-A

Dear Mr. & Mrs. Llewellyn:

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

linthy Hotrow

for Baltimore County

TMK:bjs

cc: People's Counsel

File



REVIEWED BY: _==

ESTIMATED POSTING DATE:

8-31-97

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12 BARLETTA CT. BALTIMORE MD 21237
which is presently zoned 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) 1B02.3.B

To permit a 4 ft. side yard setback in lieu of 8 ft. for an addition (family room) and to amend the FDP of King's Court, Lot #19.

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

CONSTRUCT ADDITION ON SIDE OF SINGLE FAMILY DWELLING UTILIZING EXISTING OPEN WOOD DECK TO BE USED AS FAMILY ROOM AS THIS PRESENTS THE MOST COST-EFFICIENT AND PRACTICAL USE OF EXISTING STRUCTURE.

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 dectare 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):
			MR. JOSEPH J. LLEWELLYN_
(Type or Print Name)	,		Type or Print Name
Signature			Signature
			MRS. LISA L. LLEWELLYN
Address	<u> </u>	····	(Type or Print Name)
			Jus J. Llewellyn
City	State	Zipcode	Signature
Attorney for Petitioner			
			12 BARLETTA COURT 410-574-6981 (H)
(Type or Print Name)			Address Phone No.
			BALTIMORE MD 21237-4510
0			City State Zipcode Name, Address and phone number of representative to be contacted
Signature			radile, Addiess and profite fibrilion of representative to be defined.
	1		,
Address	Phone No.		Name
City	State	Zipcode	Address Phone No.
<u> </u>	······································		
A Public Hearing having been t	requested and/or found to be	required, it is or	dered by the Zoning Commissioner of Baltimore County, thisday of19
that the subject matter of this p circulation throughout Baltimor	etition be set for a public hed re County, and that the prope	aring , advertised ertv be reposted.	, as required by the Zoning Regulations of Baltimore County, in two newspapers of general

Printed with Soybean Ink on Recycled Paper Zoning Commissioner of Baltimore County

ITEM #:

66

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	12 address	BAPLETTA	CT.	····
		UNMORE	MD State	21237 Zip Code
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or p	ving are	the facts upon whic		uest for an Administrative
CONSTRUCT ADDITION ON	SIDE	OF SINGL	E-FAMILY	DWELLING,
UTILIZING EXISTING OPI	al w	OOD DECK	TO BE USE	ED AS FAMILY
200M AS THIS PRESENTS				
PRACTICAL USE OF EXIS				,
		- , , , , , , , , , , , , , , , , , , ,		***************************************
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information (signature) JOSEPH J. LUEWELLYN (type or print name) STATE OF MARYLAND, COUNTY OF BALTI 1 HEREBY CERTIFY, this	MORE, Cactorily	to wit:	(type or print name) 1922, before n such Affiantt(s), an	Lewellyn The State of the Stat
AS WITNESS my hand and Notarial Seal. Start Start Start Seal. Start Start Seal. Start Seal.	(0. 0.)	NOTARY PUE	,	Calley

Affidavit in support of Administrative Variance

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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	12 BARLETTA	<u>. a.</u>	
	BALTIMORE	MD	21237
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address: (indicate hardship or	wing are the facts upon wh practical difficulty)	ich I/we base the reque	st for an Administrative
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UTILIZING EXISTING OF	'en wood deek	- TO BE USE	D AS FAMILY
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PRACTICAL USE OF EX	ISTING STEVEN	DEE.	
'			7-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1
1			
That Affiant(s) acknowledge(s) that if a protes may be required to provide additional information (signature) JOSEPH J. LIEWELLY J. (type or print name)		Ma)	: Hewellyn
STATE OF MARYLAND, COUNTY OF BALT		~ ~	
1 HEREBY CERTIFY, this	ersonally appeared	_, 19 <u></u>	, a Notary Public of the State
Joseph J lewell		J Done	Oleya
the Affiants(s) herein, personally known or satisthat the matters and facts hereinabove set forth	sfactorily identified to me a	s such Affiantt(s), and	made oath in due form of law
AS WITNESS my hand and Notarial Seal.	NOTARY PU	lanolle	Calley
	My Commiss	ion Expires:	S
10111° C	3	,-00	



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12 BARLETTA CT. BALTIMORE MD 21237

which is presently zoned D.R.

D.R. 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) 1802.3.8

To permit a 4 ft. side yard setback in lieu of 8 ft. for an addition (family room) and to amend the FDP of King's Court, Lot #19.

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

CONSTRUCT ADDITION ON SIDE OF SINGLE-FAMILY DWELLING UTILIZING EXISTING OPEN WOOD DECK TO BE USED AS FAMILY ROOM AS THIS PRESENTS THE MOST COST-EFFICIENT AND PRACTICAL USE OF EXISTING STRUCTUBE.

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, un legal owner(s) of the property which is the	der the penalties of perjury, that i/we are the esubject of this Petition.
Contract Purchaser/Lessee			Legal Owner(s):	
			MR. JOSEPH J.	LLEWELLYN
(Type or Print Name)			(Type or Print Name)	
Signature			Signature	
			MRS. LISA L. 1	LEWELLYN
Address			(Type or Print Name)	22
City	State	Zipcode	Signature A.	Clewellyn
Attorney for Petitioner:			<u> </u>	
			12 BARLETTA (
(Type or Print Name)			Address	Phorie No.
			BALTIMORE M	D 21237-4510
Signature	<u> </u>		City Name, Address and phone number of re	State Zipcode presentative to be contacted.
Address	Phone	No.	Name	
City	State	Zıpcode	Address	Phone No.
			ered by the Zoning Commissioner of Baltimors as required by the Zoning Regulations of Batti	
circulation throughout Baltimo				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,



REVIEWED BY: JRF DATE: 8-18-97
ESTIMATED POSTING DATE: 8-31-97



Printed with Soybean Ink on Recycled Paper ITEM #: 66

Zoning Commissioner of Baltimore County

ZONING DESCRIPTION

Zoning Description for 12 BARLETTA COURT
Beginning at a point on the side of
Barletta Court which is 42.55 ft. wide at the distance of 442.21 ft.
NORTH of the centerline of the neareast improved intersecting street
BALISTAN ROAD which is 26 ft. wide. Being Lot #19, Block B,
Section III in the subdivision of Barrington Homes - King's Court as recorded in
Baltimore County Plat Book # 42, Folio # 76 containing 6073 sq. ft.
Also known as 12 Barletta Court, Baltimore 21237 and located in the 14th Election
District, 6th Councilmanic District.
Ja le
Joseph J. Llewellyn (Owner)
Jusa J. Glewellyn
Lisa L. Llewellyn (Owner)

#66

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 043326		AND ROEFT
DATE 8-18-97 ACCOUNT	2-001-615-000	REG UN	MILLEMOND (MON BEGEL) M. COMMER 1990 (MS) (MS) MILLOY (MS)
AMOUNT \$	100.00	HTT HE	. N (0.9148 v 045284
RECEIVED Joseph Llewellyn	·′		100,00 Hert. Nathing counts Dayton
OI. Variance 50 608: 030 Amendment 50	Taken by: JRT ITEM # 66		
12 Barletta Ct.			
DISTRIBUTION			•

CERTIFICATE OF POSTING



(Telephone Number)

RE: Case No.: 98-66-A Petitioner/Developer: LISA LLEWELLYN Date of Hearing/Closing: 9-15-97 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 12 BARLETTA COURT BALTO MD 21221 6-29-97 (Month, Day, Year) The sign(s) were posted on _ Sincerely, (Signature of Sign Poster and Date) (City, State, Zip Code) (410) 687-8405

98-66A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than

* 8-31-97

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 98-66-A

Administrative Variance - TO PERMIT A SIDE YARD

SETBACK IN LIEU OF & FOR AN OPEN PORCH WITH REDF

PUBLIC HEARING?

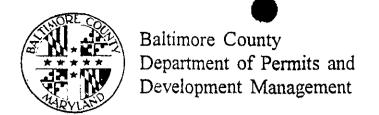
PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>. AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

* 9-15-97

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



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.

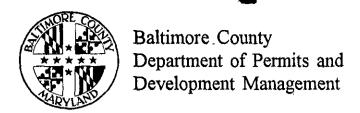
This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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 JAB	LON, DIRECTOR
For newspaper advertising:	
Item No.: 66	
Petitioner: JOSEPH J. / USA L. LIEWELLYN	
Location: 12 BARLETTA CT.	
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: LISA & JOSEPH LIEWELLYN	
ADDRESS: 12 BARLETTA CT.	
BALTIMORE NO. 21237	
PHONE NUMBER: 410-574-6981	
AJ:ggs	(Revised 09/24/96)

Plat to accompany Petition for Zoning	Varianc	e Special Hearing
PROPERTY ADDRESS: see p	pages 5 & 6 of the	CHECKLIST for additional required information
Subdivision name:		
plat book#,tollo#,lot#,section#		
OWNER:		ł
	1	
	,	
	:	
	ť	
·		Vicinity Map
		North scale: 1'=1000'
*		LOCATION INTO DATE
	*	LOCATION INFORMATION
		Election District:
		Councilmanic District:
		1'=200' scale map#:
		Zoning:
	. :	Lot size:
•		acreage square feet
		public privats
		SEWER: 🔲 🔲
		WATER:
		Chesapeake Bay Critical Area:
	2	Prior Zoning Hearings:
North		Zoning Office USE ONLY!
North date:	•	reviewed by: ITEM #: CASE#:
date: prepared by: Scale of Drawing: 1'=		



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

September 11, 1997

Mr. and Mrs. Joseph Llewellyn 12 Barletta Court Baltimore, MD 21237-4510

RE: Item No.: 66

Case No.: 97-66-A

Petitioner: Joseph Llewellyn, et ux

Dear Mr. and Mrs. Llewellyn:

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 August 18, 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.

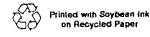
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

sincereta

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

POM

FROM:

R. Bruce Seeley . A N/6/ Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date: 5402

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

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: Sept. 8, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for September 8, 1997

Item Nos 066, 068, 070, 071, 072, 074, 075, 076, and 077

The Bureau of Developer's Plans Review 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: August 26, 1997

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

Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 66, 73 and 74

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: Complete Canyle Klein

ļ

AFK/JL



David L. Winstead Secretary

Parker F. Williams Administrator

9-5-97

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson, Maryland 21204

RE: Baltimore County Item No. 066 (TRF)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as the proposed development is not located on a State roadway and there are no impacts to any SHA facilities.

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,

Ronald Burns, Chief

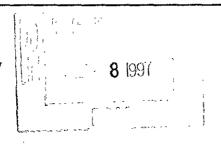
Engineering Access Permits

Division

LG



Baltimore County Fire Department



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

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 SEPTEMBER 2, 1997

Item No.:

Zoning Agenda:

Contlemen:

Pursuant to your request, the referenced property has been surveyed by this Fureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

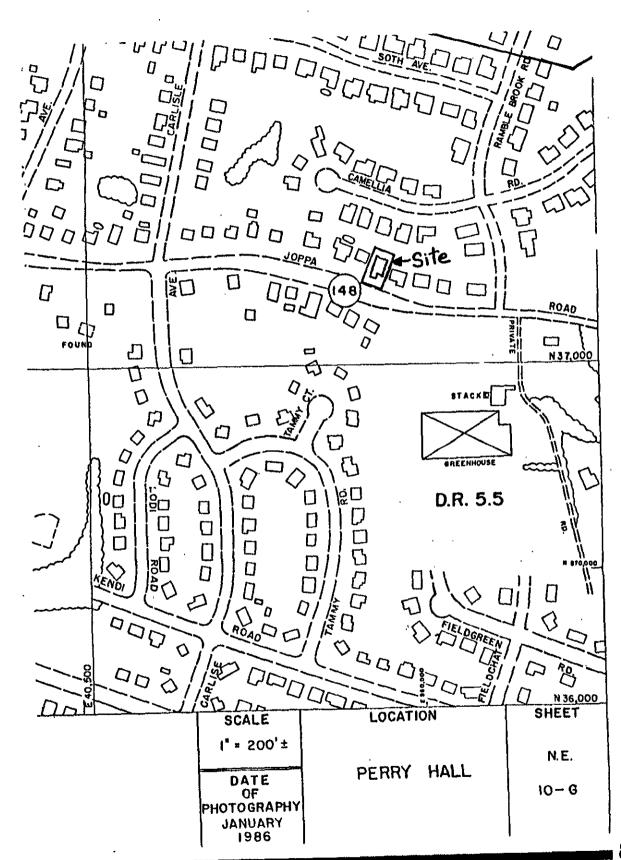
(οές, 070, 071, 072, 074

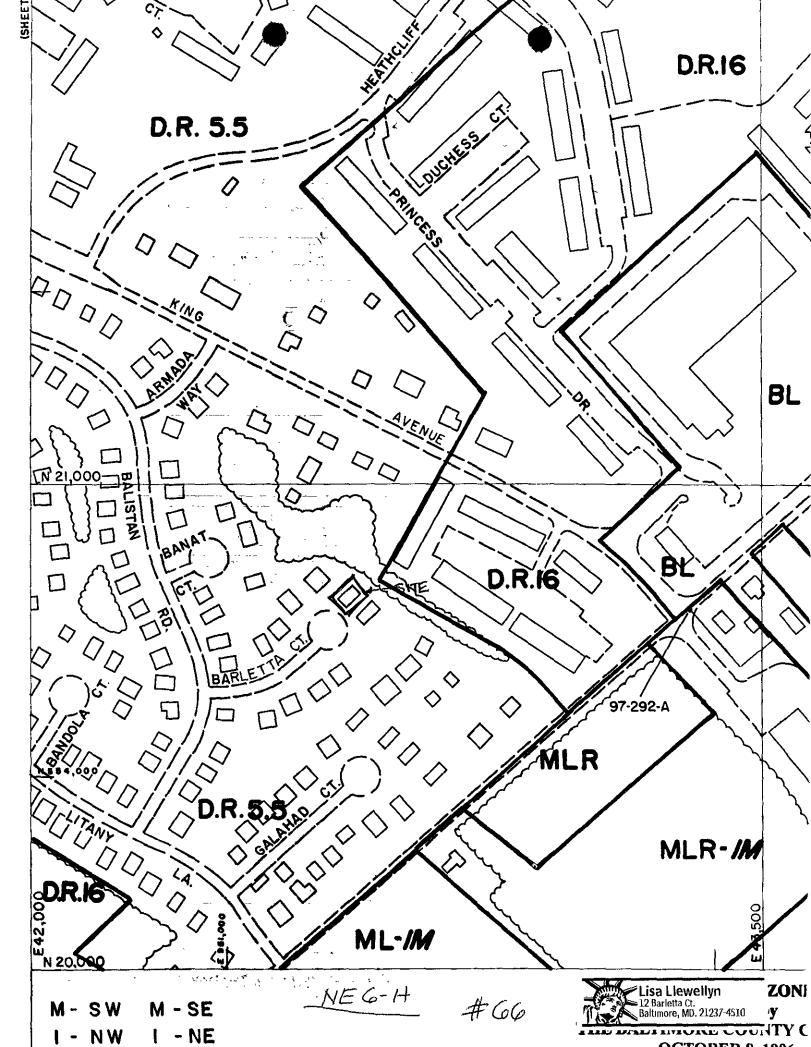
REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Plat to accompany Petition for Zoning X Variance	e Special Hearing
THO BILL COST	HECKLIST for additional required information
Subdivision name: KINGE COURT	
plat book# 42 ,folio# 76 ,lot# 19 ,section# 3	
OWNER: JOSEPH & LISA LLEWELLYN	
10 FT. DEAINAGE STILITY 57.59'- 10 FT. DEAINAGE STILITY 57.59'- LOT 20 10 FT. DEAINAGE 10 FT. DEAINAGE	SUBJECT PROPERTY
DEALNASIA 57.58	ARTIN PROPERTY
10 FT. NEE ME LOT 20	The state of the s
Existrate	
JIM & DEE CHITH TO FEDERAL TO PRONT	Vicinity Map
DWEL. PRONT	scale: 1'=1000'
EXISTING FRONT	LOCATION INFORMATION
TWELL # 10 FEOTOSED INCLUSE INCLUS INCLUSE INCLUSE INCLUSE INCLUSE INCLUSE INCLUSE INCLUSE	Election District: 6
X	Councilmanic District: 4
7 T 8 R: 46.00'	1'=200' scale map#: NE 6-H
3 188.25 + 27 2 (Bringle)	Zoning: D.P. 5.5 Lot size: 0.14 6073
7- T- 8 R: 46.00' L:241.67'	acreage square feet
1/7: N	public private
salle utility	SEWER: 🔀 📙 WATER: 🕅
15' SETBACK LINE	Chesapeake Bay Critical Area:
26-2	Prior Zoning Hearings: NONE
	Zoning Office USE ONLY!
North date: 8-5-97	reviewed by: ITEM #: CASE#:
prepared by: Scale of Drawing: 1'= 50'	JRF 66

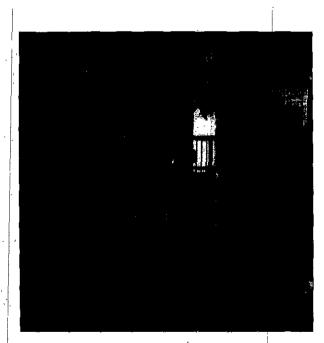
r







SIDE VIEW



FRONT VIEW



BACK VIEW

