

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
 N/3 Placid Woods Court, 156' SW * ZONING COMMISSIONER
 of Placid Avenue * OF BALTIMORE COUNTY
 (6 Placid Woods Court) * Case No. 98-159-A
 9th Election District *
 6th Councilmanic District *
 Michael C. Bender, et ux
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Michael C. and Mary A. Bender. The Petitioners seek relief from Section 1B01.2.C.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 6 feet in lieu of the required 30 feet for a proposed open deck. The subject property and relief sought are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

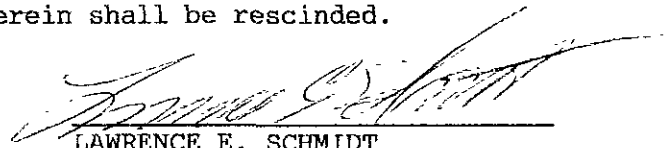
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based 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 Zoning Commissioner, the information, pictures, 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 B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING
 Date 11/21/97
 By [Signature]

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 Zoning Commissioner for Baltimore County this 20th day of November, 1997 that the Petition for Administrative Variance seeking relief from Section 1B01.2.C.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 6 feet in lieu of the required 30 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 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.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/20/97
BY [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

November 20, 1997

Mr. & Mrs. Michael C. Bender
6 Placid Woods Court
Baltimore, Maryland 21234

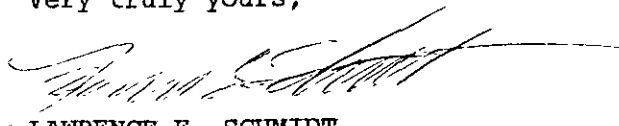
RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Placid Woods Court, 156' SW of Placid Avenue
(6 Placid Woods Court)
9th Election District - 6th Councilmanic District
Michael C. Bender, et ux - Petitioners
Case No. 98-159-A

Dear Mr. & Mrs. Bender:

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,


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

✓ File



98-159-A



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6 PLACID WOODS CT.
BALTO., MD 21234
which is presently zoned DRES.

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) 1801.2 & 18 TO ALLOW
6 FT. REAR YARD setback in lieu of the required 30 Ft.

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

SEE ATTACHED

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).

MICHAEL C. BENDER
(Type or Print Name)

Michael C. Bender
Signature

MARY A. BENDER
(Type or Print Name)

Mary A. Bender
Signature

(H) (410) 665-7796

6. Placio Woods Ct (W) (202) 663-0522
Address Phone No

BALTIMORE MD. 21234
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 at ___ 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: 5007 DATE: 10-22-97

ESTIMATED POSTING DATE: 11-02



Printed with Soybean Ink
on Recycled Paper

ITEM #: 159

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 6 PLACID WOODS COURT
address
Baltimore MD. 21234
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)

SEE ATTACHED

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.

Michael C. Bender
(signature)

Michael C. Bender
(type or print name)



Marya A. Bender
(signature)

MARY A. Bender
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22 day of October, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael C. Bender & Marya A. Bender

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.

October 22, 1997
date

[Signature]
NOTARY PUBLIC

My Commission Expires

September 1, 1999



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6 PLACID WOODS COURT
BALTO, MD. 21234

which is presently zoned DRS.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 BGL 2C. 1B to Allow.

6 FT. REAR YARD SETBACK IN LIEU OF THE REQUIRED 30 FT.

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

SEE ATTACHED

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

Legal Owner(s)

MICHAEL C. BENDER
(Type or Print Name)

X Michael C. Bender
Signature

MARY A. BENDER
(Type or Print Name)

X Mary A. Bender
Signature

(H) (410) 665-7796

6. PLACID WOODS CT. (W) (202) 663-0522
Address Phone No

BALTIMORE MD. 21234
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

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

ORDER RECEIVED FOR FILING

Date

By

REVIEWED BY

SOA

DATE

10.22.97



Printed with Soybean Ink
on Recycled Paper

ESTIMATED POSTING DATE

11.02.97

ITEM #:

159

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 6. PLACID WOODS COURT
address
BALTO. MD. 21234
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)

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.

Michael C. Bender
(signature)

MICHAEL C. BENDER
(type or print name)



Mary A. Bender
(signature)

MARY A. BENDER
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of October, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael C. Bender & Mary A. Bender

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.

October 22, 1997
date

[Signature]
NOTARY PUBLIC
My Commission Expires September 1, 1999

Petition for Administrative Variance for the following reasons:

The undersized and unusual lot was purchased from Ryan Homes. The Ryan sales representative advised that Ryan possessed a residential variance from Baltimore County whereby a wooden deck could be erected on the lot. Based on this information, the home was purchased with a sliding door from the rear of the residence in preparation for the construction of a deck after settlement. The door is approximately 5 feet above grade level.

The proposed 18 feet by 12 feet deck would span from the side of the morning room to the edge of the structure. To meet the current 12 foot setback requirements, a corresponding reduction in the size of the deck would place the lead railing, at the edge of the deck, in the middle of a window located in the family room. To further reduce the size of the deck would limit the original intent of the deck, for entertainment purposes, to the role of an oversized rear porch; a reduction which would not enhance the aesthetics of the neighborhood. The deck's support columns would be well beyond the requisite distance from the property line however the actual deck would be cantilevered approximately three feet into the zone. The total area of encroachment is less than 30 square feet. Alternative designs for the deck would again detract from the aesthetics of the development and present similar encroachment requirements to the rear of the lot.

We have acquired the concurrence of our adjacent neighbors on Lots # 17 and 19, who have interposed no objections to the construction of this wooden deck. Their signed statements are attached. Additional attachments include a copy of the granting document on the original zoning appeal, copies of the plot plan with the proposed deck drawn to scale, and (4) pages of photographs, detailing the actual site and grade levels.

Two other residences within the Placid Woods development have erected similar wooden decks with greater encroachments into the 12 foot zone between their respective property lines and the edge of their residences. These properties owners received valid Baltimore County Zoning permits and were approved by subsequent on-site inspections by Baltimore County Zoning inspectors.

We would greatly appreciate your affirmative consideration in this request.

ORDER RECEIVED FOR FILING

Date

By

159.

98-159-A

Zoning description for 6 Placid Woods Court, Baltimore, Maryland 21234:

Designated as Lot 18, Plat entitled as Placid Woods and recorded in Plat Book 67; Folio 117 and include the measurements and directions here and on the plat in the correct location. *CONTAINING 0.1727 AC.*

N 38 35' 58" E. 91.89 ft.; S 51 24' 02" E. 95.00 ft.; S 38 35' 58" E. 128.67 ft. and N 51 24' 02" W. 95.00 ft. to the place of the beginning.

This property is located in the 9th Election District. *6th COMMERCE DIST.*



Baltimore County
Department of Permits and
Development Management

98-159-A
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.: 159.

Petitioner: MICHAEL C. BENDER

Location: 6 PLACID WOODS COURT, BALTO., MD. 21234

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MICHAEL C. BENDER

ADDRESS: 6 PLACID WOODS COURT
BALTIMORE, MD. 21234

PHONE NUMBER: (410) 665-7796

AJ:ggs

(Revised 09/24/96)

159

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

043322

DATE 10-22-97

ACCOUNT R 001-6150

AMOUNT \$ 50.00

RECEIVED
FROM:

112-21103 Referred

FOR:

010 RES VAN (1.00000) 150
TOTAL 150

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

98-159-A

159

PAID RECEIPT

PROCESS DATE TIME

10/23/1997 10/23/1997 15:16:09

REG 1507 CASHIER: JRIC JAC: 000000

MISCELLANEOUS CASH RECEIPT

Receipt # 01907

CK NO. 043322

10/29/1997

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-159-A

Petitioner/Developer: _____

MICHAEL & MARY BENOIR

Date of Hearing/Closing: 11/17/97

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 _____

6 PLACID WOODS CT.

The sign(s) were posted on _____

11/02/97

(Month, Day, Year)

6 PLACID WOOD CT.

Sincerely,

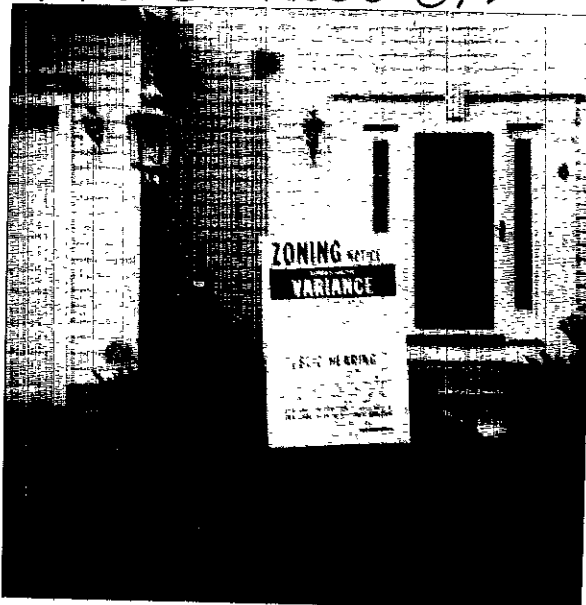
Richard E. Hoffman 11/2/97
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD. 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



CASE # 98-159-A

POSTED 11/02/97

Richard E. Hoffman 11/2/97

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 11-02-97.

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 98-159-A.

VARIANCE. TO ALLOW A 6 FT REAR YARD SETBACK
IN LIEU OF THE REQUIRED 30 FT.

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**

11-17-97.

**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

October 31, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-159-A
6 Placid Woods Court
N/S Placid Woods Court, 156' SW of Placid Avenue
9th Election District - 6th Councilmanic District
Legal Owner: Michael C. Bender & Mary A. Bender
Post by Date: 11/2/97
Closing Date: 11/17/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 410-887-3391. 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 a public hearing.
4. In cases that must go to a public hearing (whether due to a neighbor's formal request or by order the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Michael & Mary Bender





Baltimore County
Department of Permits and
Development Management

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

November 12, 1997

Mr. and Mrs. Michael Bender
6 Placid Woods Court
Baltimore, MD 21234

RE: Item No.: 159
Case No.: 98-159-A
Petitioner: Michael Bender, et ux

Dear Mr. and Mrs. Bender:

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 October 22, 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 black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A I M O R E C O U N T Y, M A Y L A N D
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Nov. 5, 97

FROM: R. Bruce Seeley RBS/sp
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Nov. 3, 1997

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

Item #'s:

158
159
161
164
166
167
168

RBS:sp

BRUCE2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: November 3, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

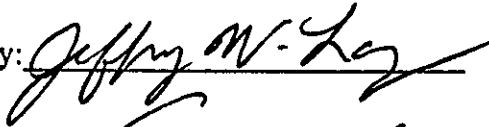
SUBJECT: Zoning Advisory Petitions

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

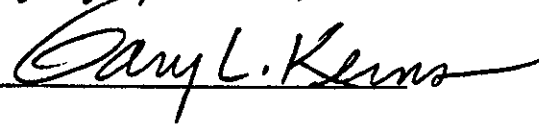
Item Nos. 151, 155, 156, 157, 158, 159, 160, 161, and 167

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:



Division Chief:

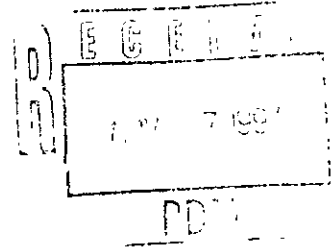


AFK/JL



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 November 3, 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.

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

156, 157, 158, 159, 161, 165, 166, and 167

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
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 11.3.97
Item No. 159 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,

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

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: November 10, 1997

FROM:  Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for November 10, 1997
 Item Nos. 156, 158, 159, 161, 165,
 167, & 168

 The Bureau of Developer's Plans Review has reviewed the subject
zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE1110.NOC

September 11, 1997

Mr. Arnold Jablon
Director PDM
County Office Building, Room 111
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. Jablon,

My neighbor, Mr. Michael C. Bender has advised me of his intentions to build a wooden deck on the rear of his residence, Lot 18, Placid Woods Court. As I reside at Lot 17, Placid Woods Court, I am not opposed to the issuance of a permit which would allow him to build the deck.

I am fully cognizant of all aspects of his proposal and would likewise request your affirmative consideration of his request.

Sincerely,



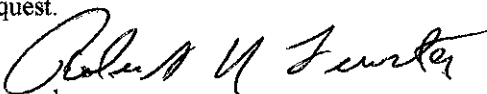
September 11, 1997

Mr. Arnold Jablon
Director PDM
County Office Building, Room 111
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. Jablon,

My neighbor, Mr. Michael C Bender has advised me of his intentions to build a wooden deck on the rear of his residence, Lot 18, Placid Woods Court. As I reside at Lot 19, Placid Woods Court, I am not opposed to the issuance of a permit which would allow him to build the deck.

I am fully cognizant of all aspects of his proposal and would likewise request your affirmative consideration of his request.


Sincerely,
4 Placid Woods Ct

98-159-A



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 18, 1996

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams
302 Washington Avenue
Nottingham Center, Suite 700
Towson, Maryland 21204

RE: Case No. 97-217-A
Petition for Zoning Variance
Property: #6 Placid Woods Court

Dear Mr. Williams:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, in accordance with the 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 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.



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on Recycled Paper

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98-159-A

IN RE: PETITION FOR ZONING VARIANCE BEFORE THE
 NW/S Placid Woods Court, 172' ft. ZONING COMMISSIONER
 SW of c/l Placid Avenue * OF BALTIMORE COUNTY
 6 Placid Woods Court *
 9th Election District *
 6th Councilmanic District *
 Placid Woods, LLC Case No. 97-217-A
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property known as No. 6 Placid Woods Court in the subdivision known as Placid Woods in Carney. The Petition is filed by Placid Woods LLC, property owner. Variance relief is requested from Section 1301.2.C.1.B. of the Baltimore County Zoning Regulations (BCZR) to permit a building to lot line distance (rear setback) of 12 ft. in lieu of the required 30 ft. The subject property and requested relief is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was George McCubbin from W. Duvall and Associates, Inc., the engineers who prepared the site plan. The Petitioner was represented by Newton A. Williams, Esquire. There were no Protestants or other interested persons present.

Uncontradicted testimony and evidence presented was that the subject property is known as lot No. 18 (No. 6 Placid Woods Court). The lot is part of the residential subdivision known as Placid Woods, a community of approximately 20 single family houses. The subdivision was recently approved through the development review process of Baltimore County and actual construction has commenced. Several of the lots have been improved and sold and are now occupied. Other lots, including the subject property, remain unimproved.

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Mr. McCubbin indicated that after approval of the subdivision, it was discovered that a variance was necessary for the subject lot. It was noted that this lot was unique in character. Specifically, the lot is located immediately adjacent to a 90 degree bend in Placid Woods Court. This location and the configuration of the front property line requires that the building envelope be angled so as to face the roadway. In order to maintain the required front yard setback and present an appropriate building envelope, the requested variance is necessary. It was observed that if strict adherence to the rear yard setback requirement was required, an area unsuitable for construction would result.

Based upon the testimony and evidence all of which is uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, it is clear that the property's configuration and location is unique and that variance relief is, therefore justified. Moreover, owing to the location of the storm water management facility to the rear of the property it is certain that there will be no detrimental impact on adjacent parcels if variance relief were granted. Lastly, the Petitioner would suffer a practical difficulty if variance relief was denied. Specifically, the lot would be unbuildable because of the reduced building envelope. For all of these reasons, the requested variance shall be granted.

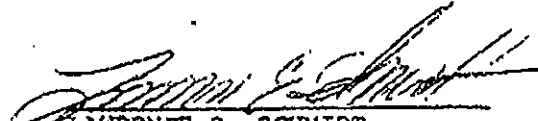
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of December, 1996 that a variance from Section 1801.2.C.1.B. of the Baltimore County Zoning Regulations (BCZR) to permit a building to lot line distance (rear setback) of 12 ft., in lieu of the

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required 30 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/rmn

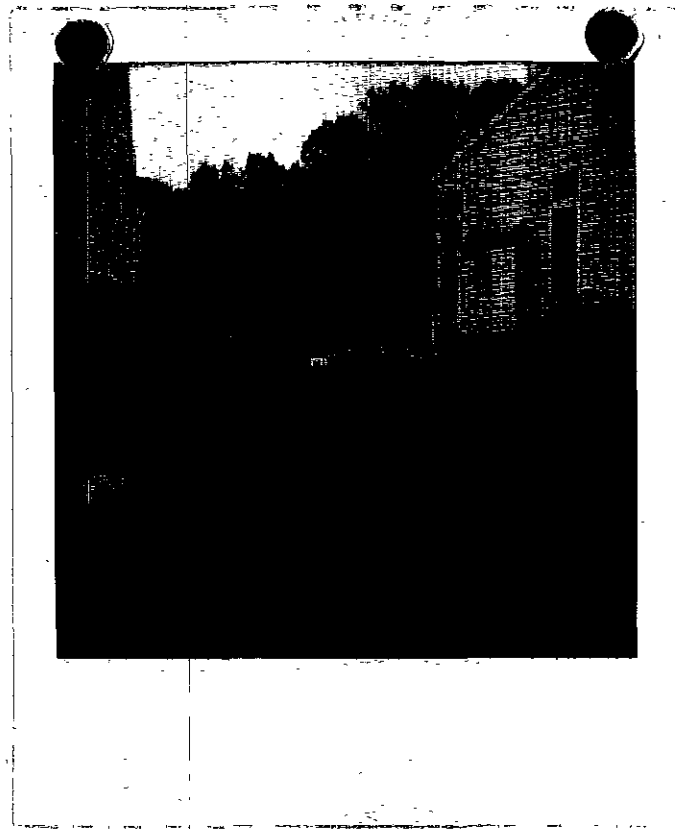
VIEWS PROPERTY LINE

FRONT TO REAR

NORTH SIDE:

BETWEEN LOTS

#17 & 18



6 PLACID WOODS

PHOTO # 1

DEVELOPER'S
BACK HOE
WORKING ON
STORMWATER
MANAGEMENT POND.
VIEWS PROPERTY LINE

BETWEEN LOTS #17

AND 18

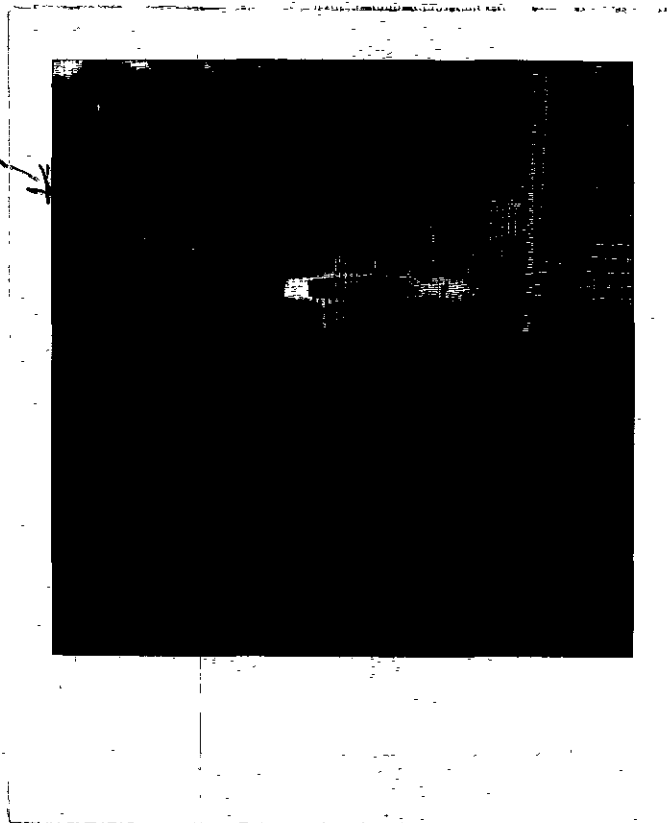


PHOTO # 2

98-159-A

FACE = 2

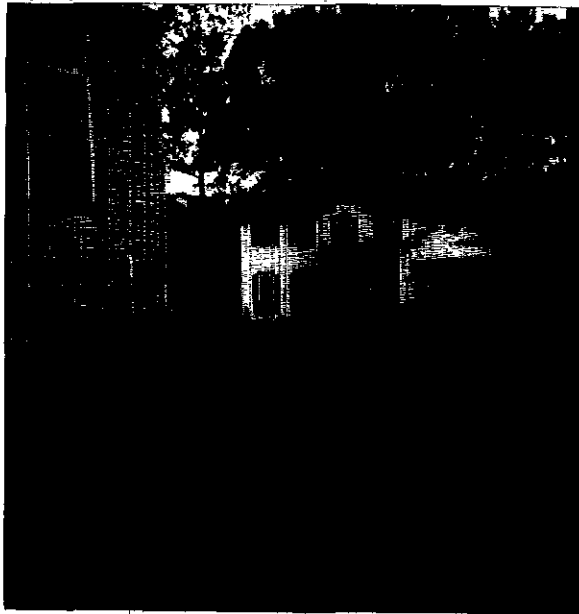
VIEW: REAR

12 foot ZONE

PROPERTY LINE

TO EDGE OF

HOUSE



to Place 1000 C.

→ House Across
the Street

Photo #3

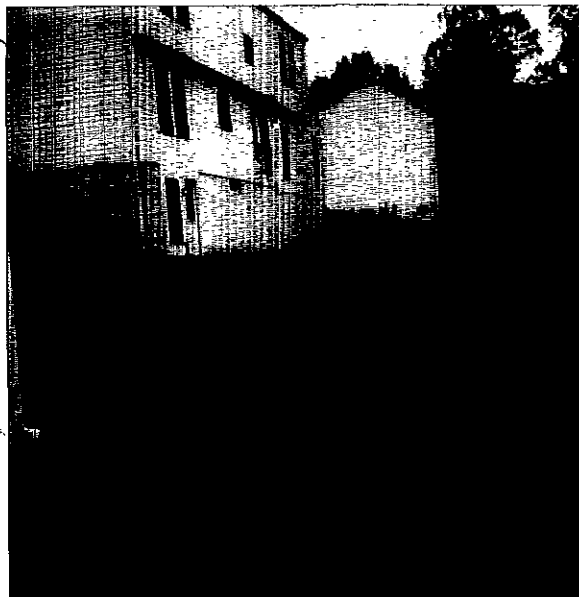
Lot. 19.

VIEW: REAR

PROPERTY LINE

LOTS # 18 / 19

TOWARDS LOT # 12



VIEWING
LOT # 19.

PROP. LINE
LOT 19.

SUBJECT
PROP.

Photo #4

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DELGUBORG

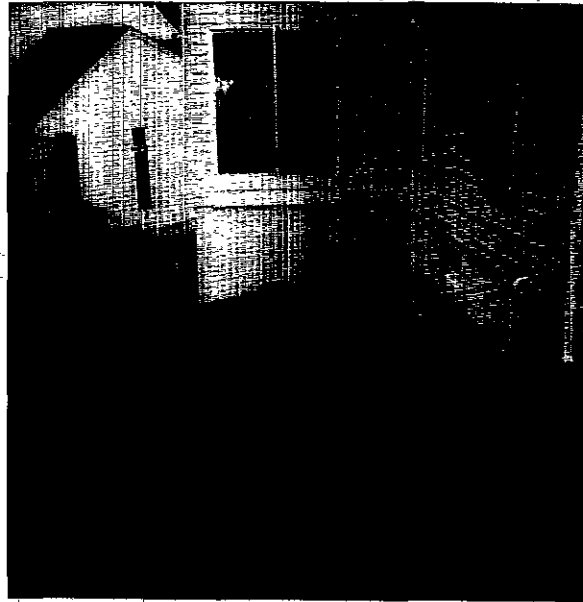
VIEW: PROPOSED

18' X 12' DECK AREA

AND 12' ZONE

AREA OF ENCROACHMENT

REAR OF HOUSE



PAGE 1

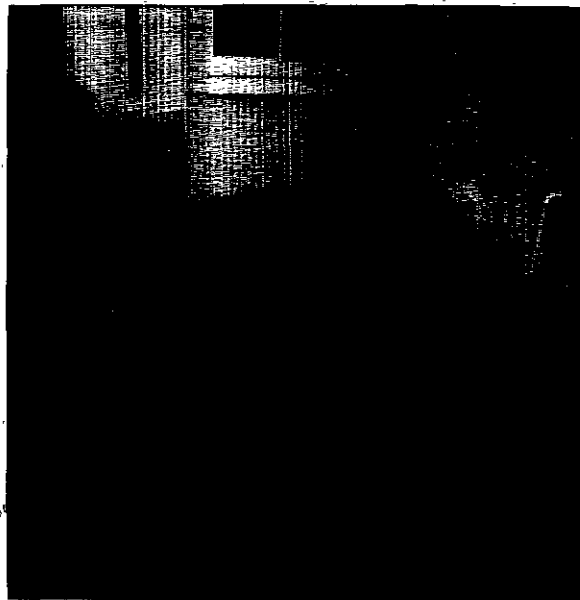
PHOTO #7

VIEW: PROPOSED DECK

AREA WITH

ENCROACHMENT AREA

REAR OF HOUSE



SETBACK LWC
PEN CASE #97-217A

PROPOSED
DECK

PROP. LWC

PHOTO #8

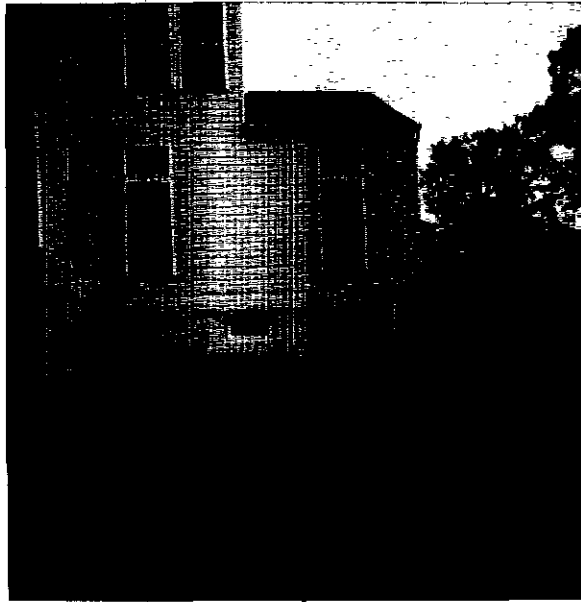
VIEW: REAR of HOUSE

PROPERTY LINE AND

12 FOOT EDGE. NOTE

HEIGHT OF CODE PLUS

GRADE LEVEL.



PROP LINE W/ LOT 17.

PHOTO #5

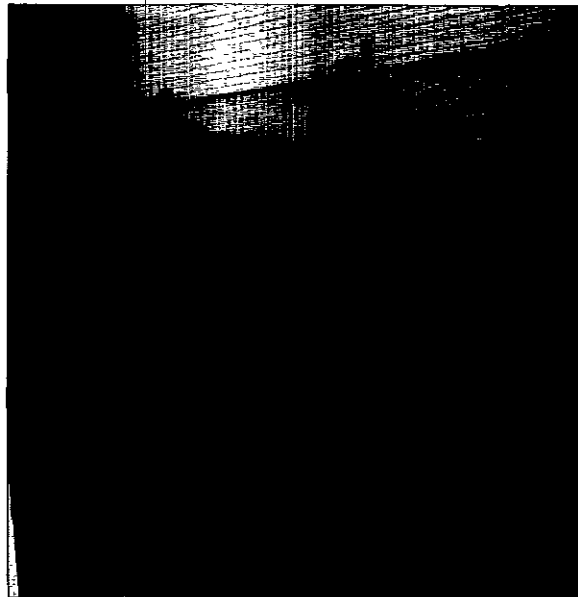
VIEW: PROPOSED DECK

AREA WITH DECK

OVERHANGS INTO 12 FOOT

ZONE

LESS THAN 30 SQ. FT.

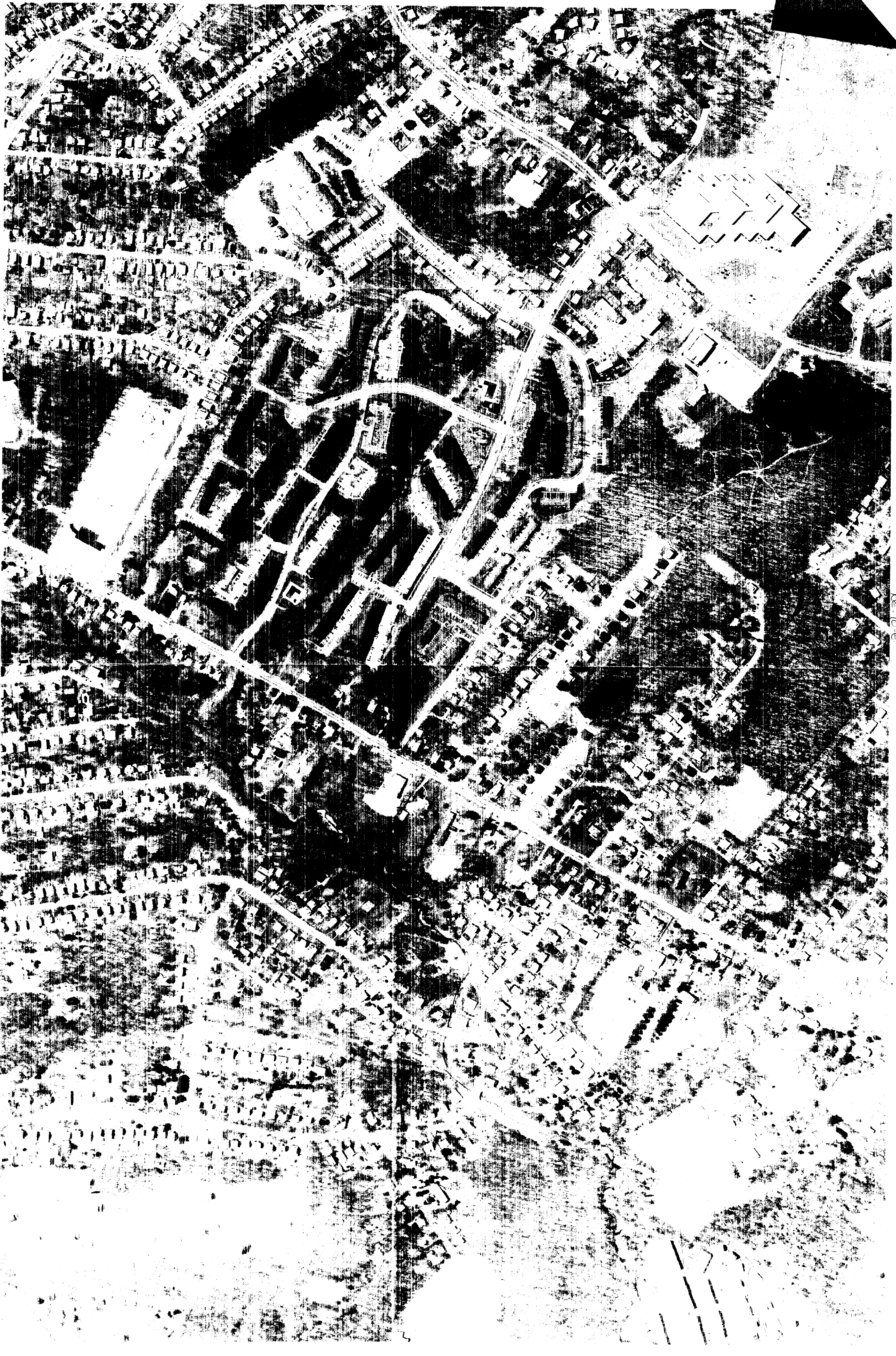


LINE SHOWING
PROP LINE W/
LOT 17.

12 FT. SETBACK LINE
PER CASE #97-217-A.

LINE OF PROPOSED
DECK.

PHOTO #6



10-E

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08-159-A
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200'

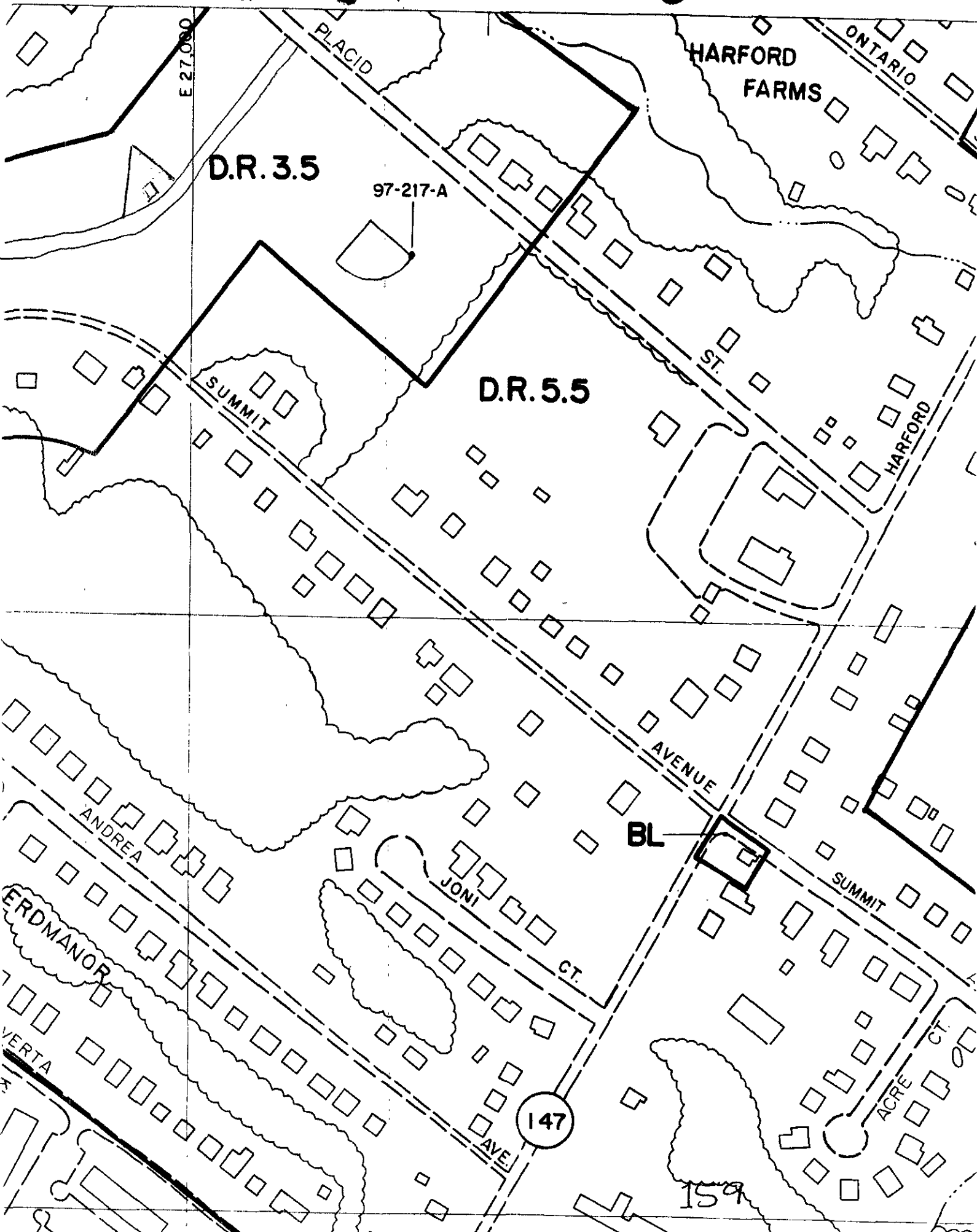
LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

CARNEY

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