

IN RE: PETITION FOR ADMIN. VARIANCE
NE/Corner Nollmeyer Road and
Tidewood Road
(647 Nollmeyer Road)
15th Election District
5th Councilmanic District

Mary T. Patarini
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-223-A
*

* * * * *

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 owner of the subject property, Mary Theresa Patarini. The Petitioner seeks relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (12' x 16' shed) to be located outside of that 1/3 of the lot furthest removed from any street, with a rear setback of 0 feet in lieu of the minimum required 2 and 1/2 feet, and to amend the Final Development Plan for Carrollwood Manor, Lot 54 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted 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 Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient

ORDER RECEIVED FOR FILING

Date 11/29/98

By [Signature]

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.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), to minimize any effects the proposed development might have on the Bay and its tributaries. As of the date of this Order, DEPRM had not completed its review of this project. Therefore, the relief granted herein shall be conditioned upon Petitioner's compliance with any recommendations made by DEPRM upon completion of their review.

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 12th day of January, 1998 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (12' x 16' shed) to be located outside of that 1/3 of the lot furthest removed from any street, with a rear setback of 0 feet in lieu of the minimum required 2 and 1/2 feet, and to amend the Final Development Plan for Carrollwood Manor, Lot 54 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

ORDER RECEIVED
1/13/98
By [Signature]

expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) The height of the proposed shed shall not exceed 15 feet.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 11/2/98

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

January 12, 1998

Ms. Mary T. Patarini
647 Nollmeyer Road
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/Corner Nollmeyer Road and Tidewood Road
(647 Nollmeyer Road)
15th Election District - 5th Councilmanic District
Mary T. Patarini - Petitioner
Case No. 98-223-A

Dear Ms. Patarini:

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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File



CBCA



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 647 DOLLMEYER ROAD, BALTO, MD

which is presently zoned DR 16

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 to allow an accessory structure (SHED) to be outside of that 1/3 of the lot furthest from any street and to amend the F.D.P. for Carrollwood Manor, Lot 54, Block D. AND TO PERMIT A 0 FT. SETBACK IN LIEU OF 2 1/2 FT.

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

Corner lot restriction - from side street and location of utility easement and apparent main hole mislocation.

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

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

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

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

* MARY THERESA PATAVINI
(Type or Print Name)

Signature

Mary Theresa Patavini
Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

647 Dollmeyer Rd 410-335-8430
Address Phone No

Balto, MD 21220
City State Zipcode

Name, Address and phone number of representative to be contacted

Signature

Address

Phone No

State

Zipcode

Name

Address

Phone No

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

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

Date

REVIEWED BY: [Signature]

DATE

12/10/97

ESTIMATED POSTING DATE

12/21/97



Printed with Soybean Ink on Recycled Paper

ITEM #:

223

98-223-A

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 647 Nollmeyer Road
address
Baltimore, MD 21220
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)

Corner Lot restriction from side street
and location of utility easement and
apparent main hole mislocation

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.

Mary Theresa Patarini
(signature)
Mary Theresa Patarini
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of December, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mary Theresa Patarini

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

12-5-97
date

Dorothy J. Carner
NOTARY PUBLIC

My Commission Expires: 4-1-2000

A-ESS-80

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 647 Nollmeyer Road

Beginning at a point on the East side of Nollmeyer road which is 74 feet wide at the N.E., intersection of Tidewood Road which is 50 feet wide. * Being Lot #54, Block D, Section #— in the subdivision of Carrollwood Manor as recorded in Baltimore County Plat Book # 58, Folio # 70, containing 4,606.00 square feet. Also known as 647 Nollmeyer Road and located in the 15th Election District, 5th Councilmanic District.

223

98-223-A

BALTIMORE COUNTY, MAR
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

VD

223

No.

04695

DATE

12/10/97

ACCOUNT

F0016150

AMOUNT \$

100.00

RECEIVED

FROM: AMES

FOR:

R1 + AMENDMENT FDP

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

98-223-A

CASHIER'S VALIDATION

PAYD RECEIPT

PROCES

ACTION

TIME

12/10/1997 12/10/1997 10:32:06

16 1803 CASHIER WOL VM DRAFTER

5 MISCELLANEOUS CASH RECEIPT

Receipt # 027661

CP NO. 046957

PM

100.00 CHECK

Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No.: 98-223-A

Petitioner/Developer: Frank Ames

Date of Hearing/Closing: 1/5/98

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 647 Nollmeyer Rd.
Baltimore, MD 21220

The sign(s) were posted on December 17, 1997
(Month, Day, Year)



Sincerely,

Glen Burdette 12/17/97
(Signature of Sign Poster and Date)

Glen Burdette
(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(Address)

(City, State, Zip Code)
410-781-4000
(Telephone Number)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than * 12/21/97

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

ZONING NOTICE**ADMINISTRATIVE
VARIANCE****Case No.:** 98-223-A

A VARIANCE:

TO ALLOW AN ACCESSORY STRUCTURE OUTSIDE OF THAT 1/3 OF THE LOT FARTHEST

FROM ANY STREET WITH A 0 FT. PROPERTY LINE SETBACK IN LIEU OF 2 1/2 FT.

AND TO AMEND THE FINAL DEVELOPMENT PLAN FOR CARROLLWOOD MANOR

LOT #54, BLOCK D

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

*

1/5/98

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



WIC 157
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/neighbors 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.: 98-223-A

Petitioner: MARY THERESA PATARINI

Location: 647 Nollmeyer Rd, Balto, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MARY THERESA PATARINI

ADDRESS: 647 Nollmeyer Rd
Balto, MD 21220

PHONE NUMBER: 410-335-8430

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

December 18, 1997

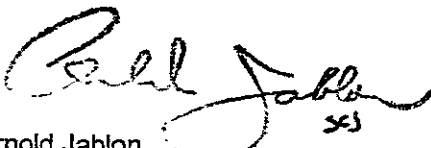
ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-223-A
647 Nollmeyer Road
E/S Nollmeyer at intersection with N/S Tidewood Road
15th Election District - 5th Councilmanic District
Legal Owner: Mary Theresa Patarini
Post by Date: December 21, 1997
Closing Date: January 5, 1998

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.


Arnold Jablon
Director

c: Mary Patarini





Baltimore County
Department of Permits and
Development Management

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

January 6, 1998

Ms. Mary Theresa Patarini
647 Nollmeyer Road
Baltimore, MD 21220

RE: Item No.: 223
Case No.: 98-223-A
Petitioner: Mary Patarini

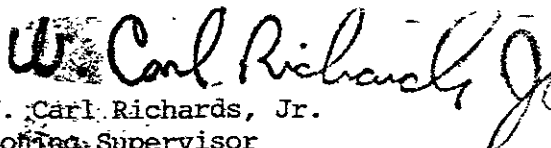
Dear Ms. Patarini:

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 December 10, 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)



Baltimore County Government
Fire Department



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

(410) 887-4500

December 26, 1997

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 December 22, 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.

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

203, 221, 222, 223, 224, 226, 227, and 228

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 12-19-97
Item No. 223 JLL

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 22, 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. 221, 222, 223, 224, 227, and 228

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:

Jeffrey W. Long

Division Chief:

Caryl L. Kerns

AFK/JL

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: December 29, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for December 29, 1997
 Item No. 223

The Bureau of Developer's Plans Review has reviewed the subject zoning item. No structure is permitted within existing drainage and utility easements. Show the existing drainage and utility easements for the 8-inch sanitary sewer and 15-inch storm drain lines.

RWB:HJO:jrb

cc: File

ZONE1229.223

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: January 12, 1998

To: Arnold L. Jablon
From: R. Bruce Seeley *RBs/4p*
Subject: Zoning Item #223

Mary Patarini, 647 Nollmeyer Road

Zoning Advisory Committee Meeting of December 22, 1997

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BS:sp

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

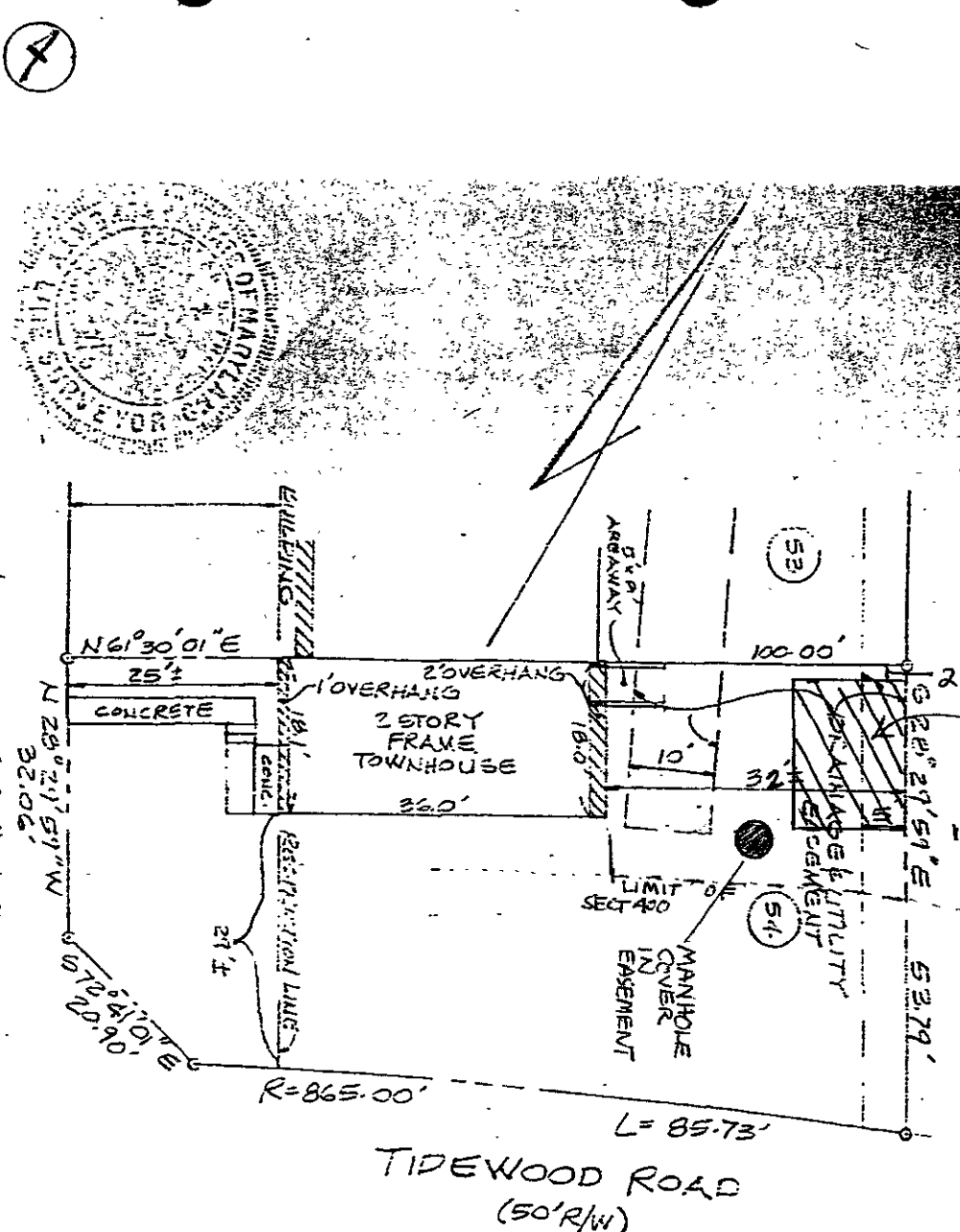
PROPERTY ADDRESS: 647 Hollmeyer Rd

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CARROLLWOOD MAP

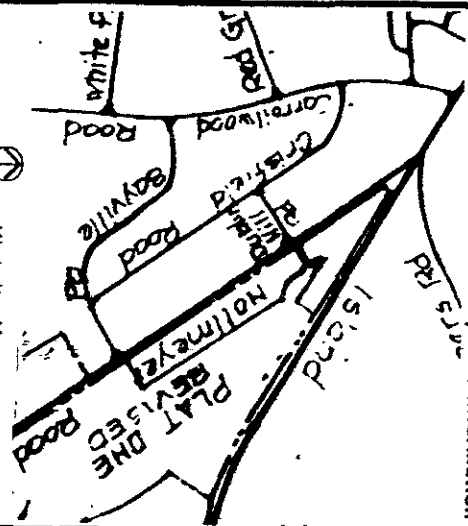
plat book # 58, folio # 70, lot # 54, section # --

OWNER: PATRICIA MARY TERESA



North
date: 11/18/97
prepared by: B.P. vec

HOLLMYER ROAD
(74' R/W)
Scale of Drawing: 1" = 20'



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: NE 16

Zoning: Res D 16

Lot size: 4,606.00 SF

acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ yes ☐ no

Chesapeake Bay Critical Area: ☒ yes ☐ no

Prior Zoning Hearings: None

FLD ZONE B PER PABEL 435

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

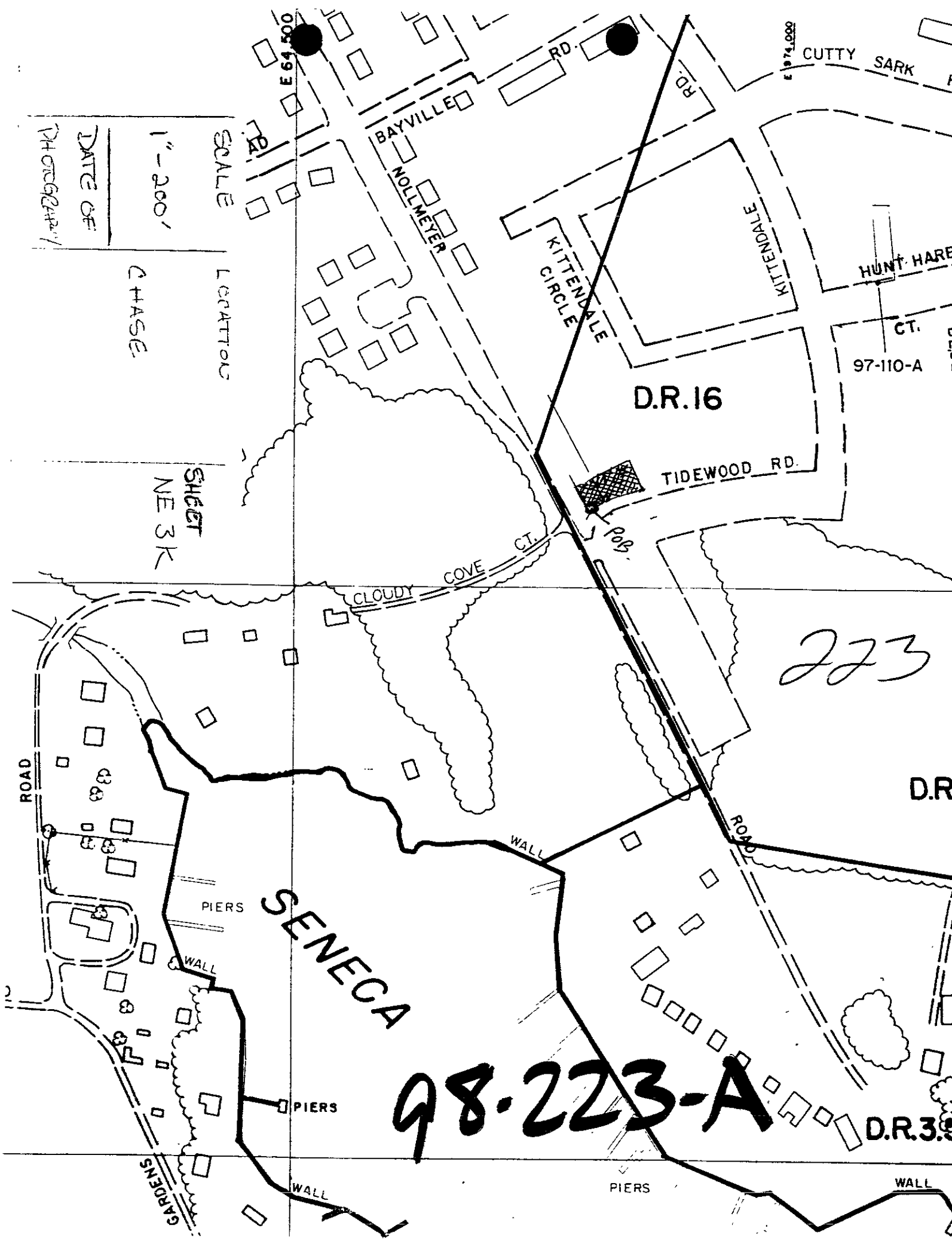
223

Ref No 2 98-223-A

SCALE
1" = 200'
DATE OF
PHOTOGRAPH

LOCATION
CHASE

SHEET
NE 3K



98-223-A

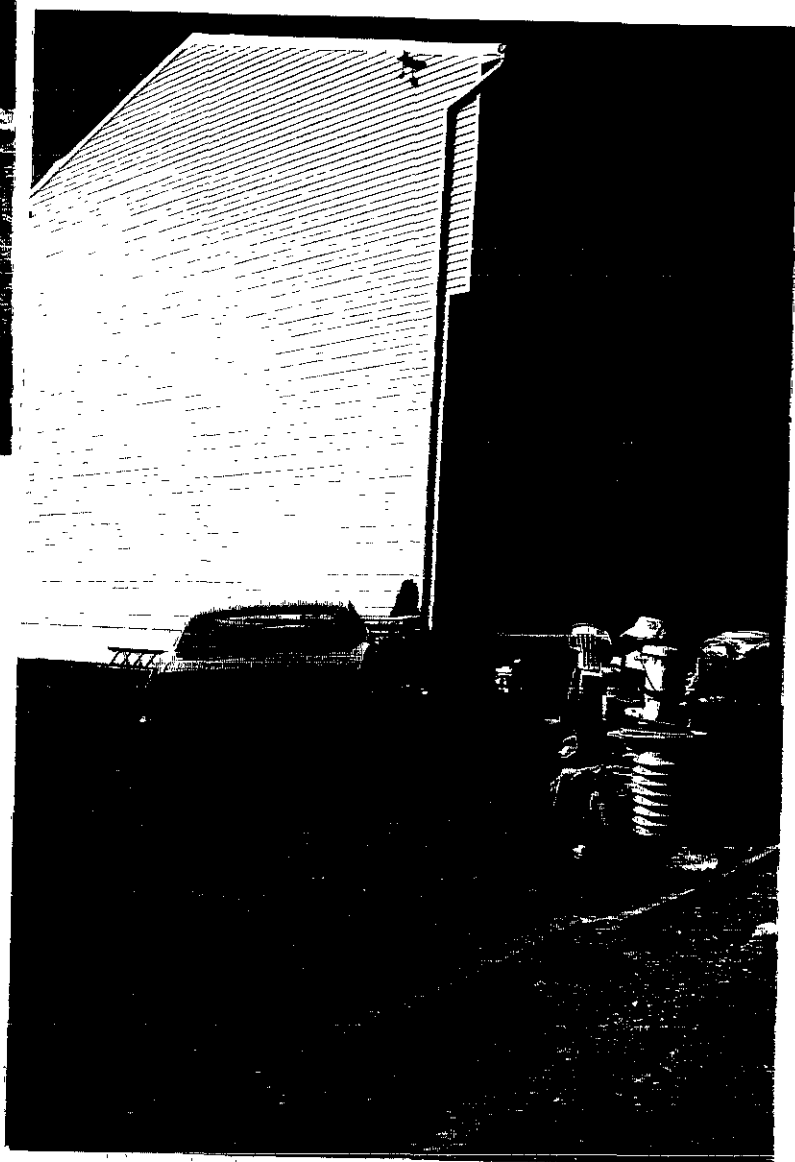
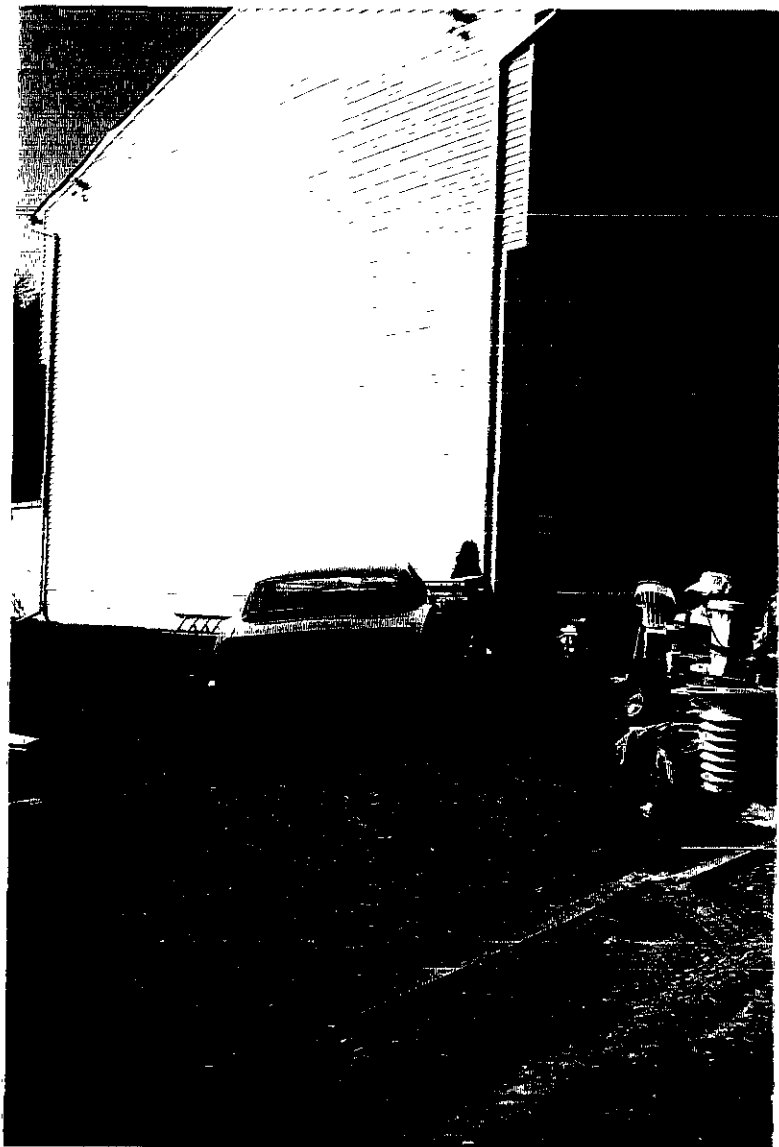
273

223

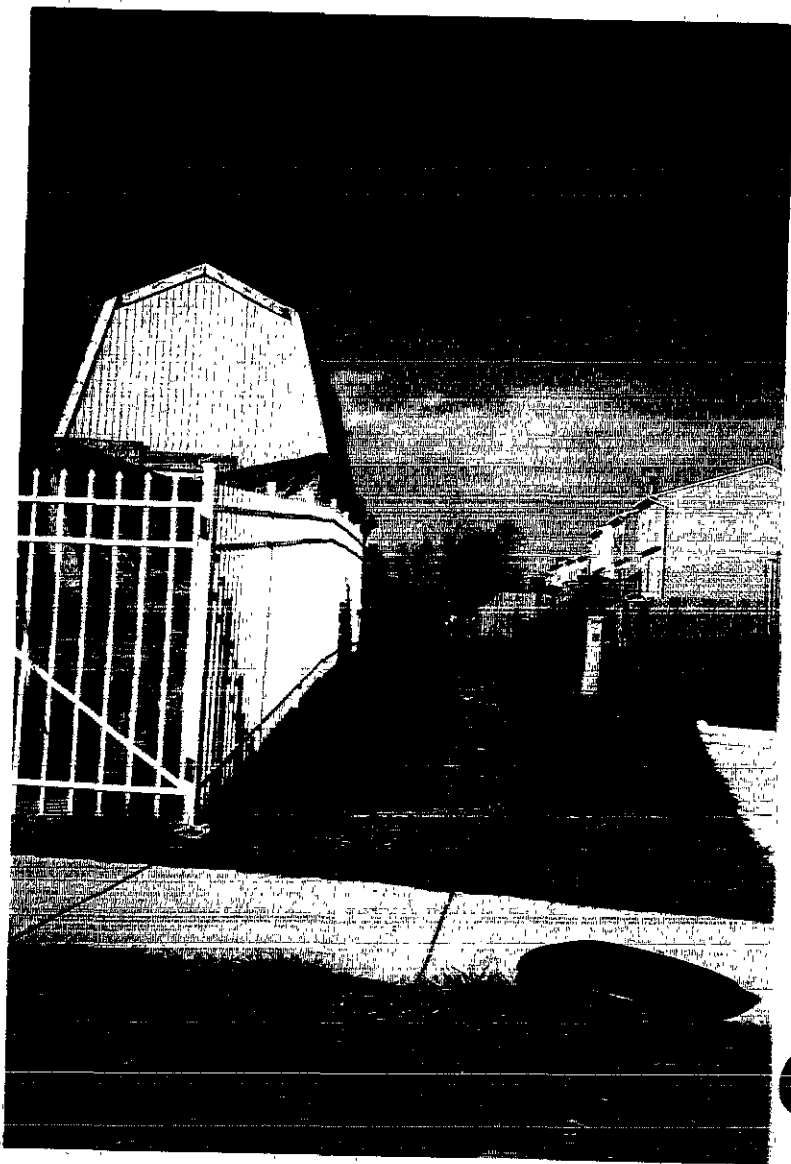
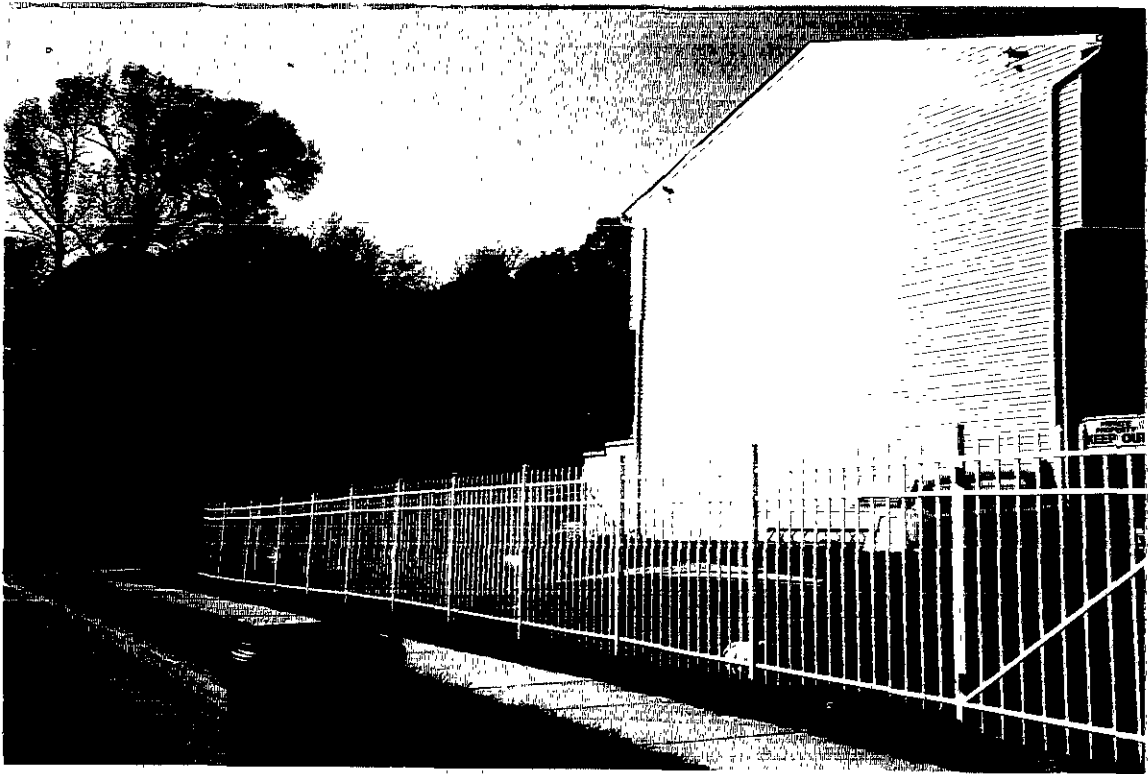
It is when my concern in
reference to item # 223 the
petition was file with the understanding
that I, Barb Pivce, would file
required photos in a timely fashion

Barb Pivce

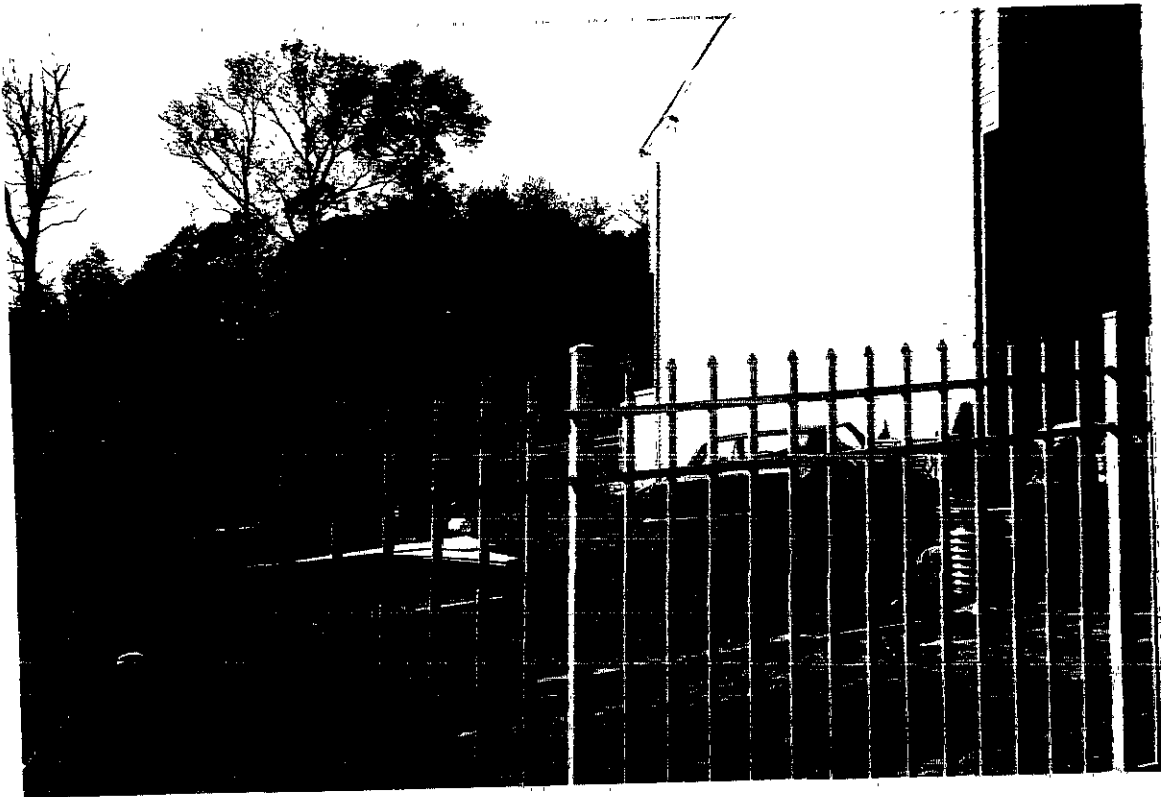
98-223-A



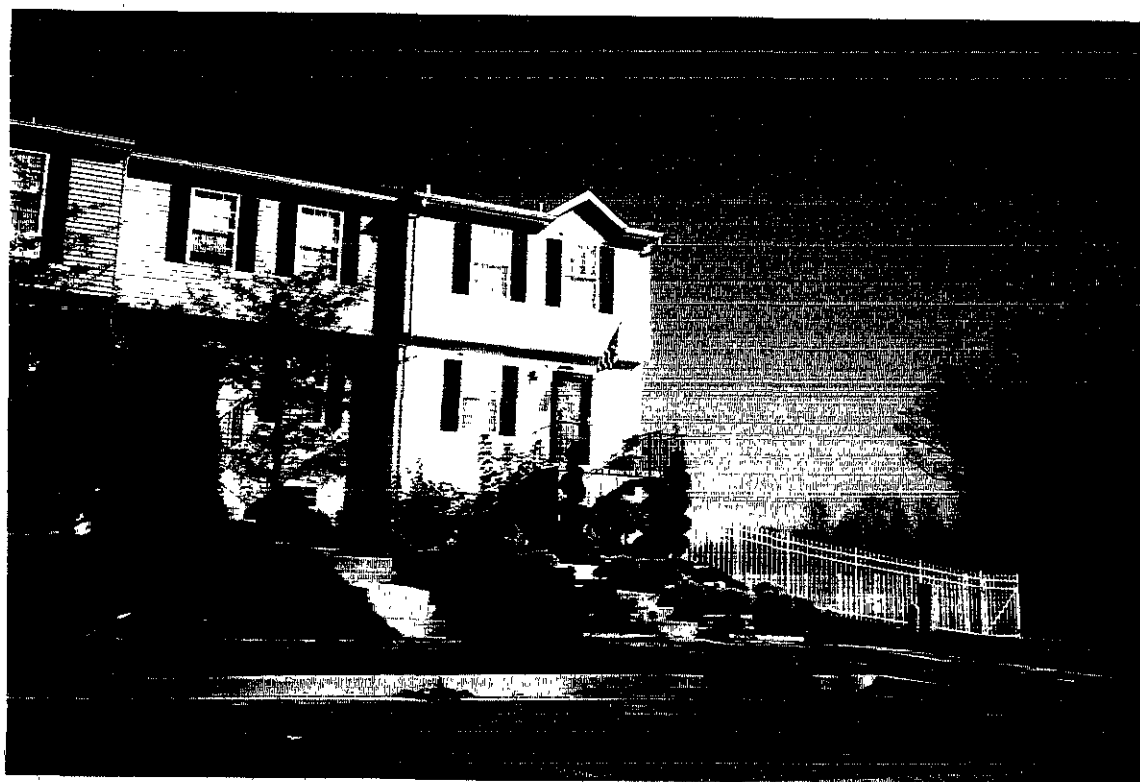
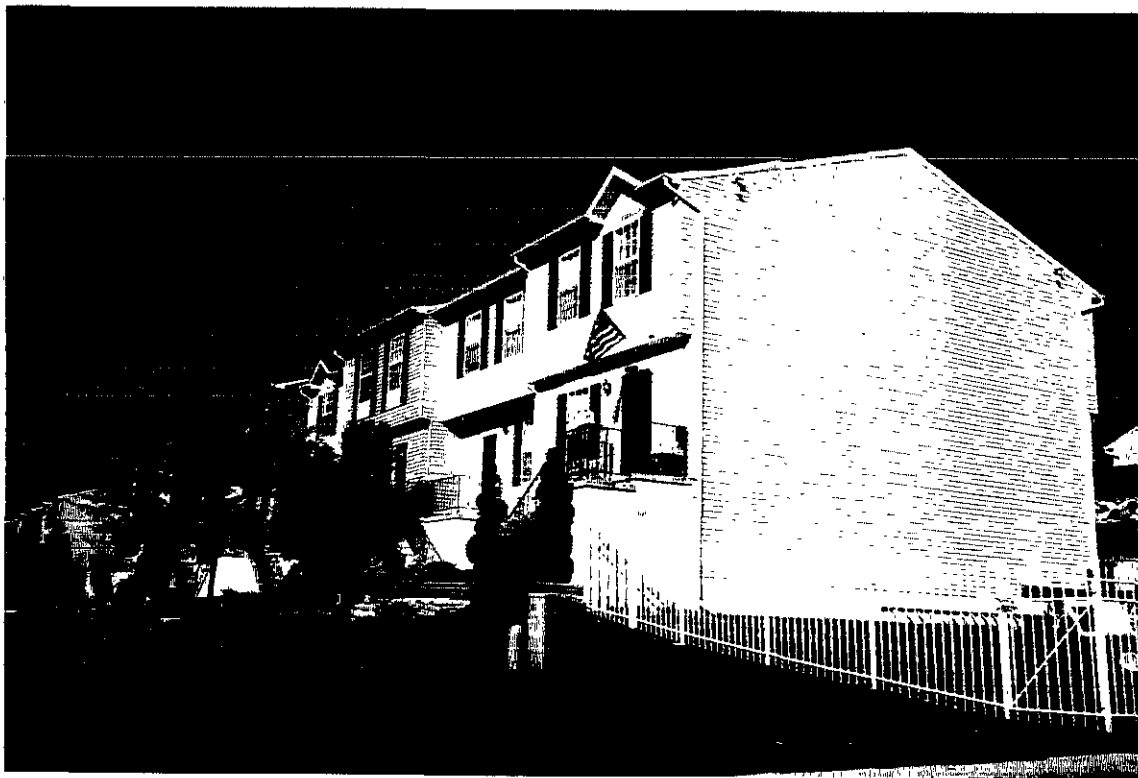
98-273-A



98223-A



98-223-A



98-223-A