

IN RE: PETITION FOR ADMIN. VARIANCE
NE/S Oldfield Court, 595.4' SE
of Meadow Glen Road
(16 Oldfield Court)
15th Election District
5th Councilmanic District

Joseph Karl, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-303-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 owners of the subject property, Joseph and Sheila Karl. The Petitioners seek relief from Sections 1B01.2.C.2.b (Section V.B.6.C of the Comprehensive Manual of Development Policies {C.M.D.P.}) and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a rear yard setback of 2 feet in lieu of the minimum required 11.25 feet. 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 variance 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.

RECEIVED FOR FILING

File
By

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 Zoning Commissioner for Baltimore County this 12th day of March, 1998 that the Petition for Administrative Variance seeking relief from Sections 1B01.2.C.2.b (Section V.B.6.C of the Comprehensive Manual of Development Policies {C.M.D.P.}) and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a rear yard setback of 2 feet in lieu of the minimum required 11.25 feet, 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 3/12/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

March 12, 1998

Mr. & Mrs. Joseph Karl
16 Oldfield Court
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/S Oldfield Court, 595.4' SE of Meadow Glen Road
(16 Oldfield Court)
15th Election District - 5th Councilmanic District
Joseph Karl, et ux - Petitioners
Case No. 98-303-A

Dear Mr. & Mrs. Karl:

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 cursive script, reading "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

File





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 16 Old Field Ct

which is presently zoned DR-2

This Petition shall be filed with the Dept. of Permits & 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 B01.2.C.2.B. (VBL.C) 301.1A

To allow an open projection (deck) with a rear yard setback of 2 ft. in lieu of the minimum required 11.25 ft.

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

- 1) Deck allowable to small
- 2) Want to watch kids
- 3) neighbors have one

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:

(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):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

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 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

REVIEWED BY: [Signature]

DATE: 2-13-98

ESTIMATED POSTING DATE: 2/22



Printed with Soybean Ink
on Recycled Paper

ITEM #: 303

98-303-A

ORDER RECEIVED FOR FILING

Date

By

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 16 Old Field Ct
address

BALTO 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)

(See Reverse Side)

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.

Joseph Karl
(signature)
Joseph Karl
(type or print name)



Sheila Karl
(signature)
Sheila Karl
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of February, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph + Sheila Karl

the Affiants(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.

February 12, 1998
date

Cherietta Crofoot
NOTARY PUBLIC

My Commission Expires:
CHERIETTA CROFOOT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 24, 2001

A-EDE-89

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 16 Old Field Ct
address
Belt MD 21222
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 Reverse

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.

Joseph Karl
(signature)
Joseph Karl
(type or print name)



Sheila Karl
(signature)
Sheila Karl
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of February, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph + Sheila Karl

the Affiants(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.

February 12, 1998
date

Cherietta Crofoot
NOTARY PUBLIC

My Commission Expires:

CHERIETTA CROFOOT
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 24, 2001

A-203-89



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 16 Oldfield Ct

which is presently zoned DR2

This Petition shall be filed with the Dept. of Permits & 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.C.2.6 (VB 6.C., CM DP),

301.19 TO allow an open projection (deck) with a rear yard
setback of 2 ft. in lieu of the minimum required 11.25 ft.

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

- 1) Deck allowable to small
- 2) want to have deck to watch kids.
- 3) neighbors have one

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:

(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):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

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 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

REVIEWED BY: JPL

DATE: 2-13-98

ESTIMATED POSTING DATE: 2/22



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on Recycled Paper

ITEM #: 303

98-303-A

303

ZONING DESCRIPTION FOR 16 Oldfield Ct (address)

Beginning at a point on the North East side of
Oldfield Ct (north, south, east or west) which is 50
name of street on which property fronts (number of feet of right-of-way width)
wide at the distance of 595.4' ± South East of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Meadow Glen
(name of street)
which is 50 wide. *Being Lot # 31
(number of feet of right-of-way width)
Block 68, Section # 1 in the subdivision of Roke
(name of subdivision)
as recorded in Baltimore County Plat Book # 64, Folio # III
containing 0.1274 ac / 5575 sq ft Also known as 16 Oldfield Ct
(square feet of acres) (property address)
and located in the 15 Election District, 6 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.

98-303-A

A-EOE:BP

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Item 305
No. 048623

DATE 2-13-98 ACCOUNT R-001-6150
AMOUNT \$ 50.00

RECEIVED
FROM:

Fine Carpentry

FOR:

Admin. Ver. filing fee
#16 Old Field Ct.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
PROCESS NOVA INC
2/13/98 2/13/98 11:04:03
RECEIVED CASHIER NOV 21 1998
5 HUSBELLANOS CASH RECEIPT
BALTIMORE COUNTY, MARYLAND

RN 98-303-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADMIN. VARIANCE

RE: Case No.:

98-303A

Petitioner/Developer: PAUL RYDER, ETAL

Date of Hearing/Closing:

3/9/98

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

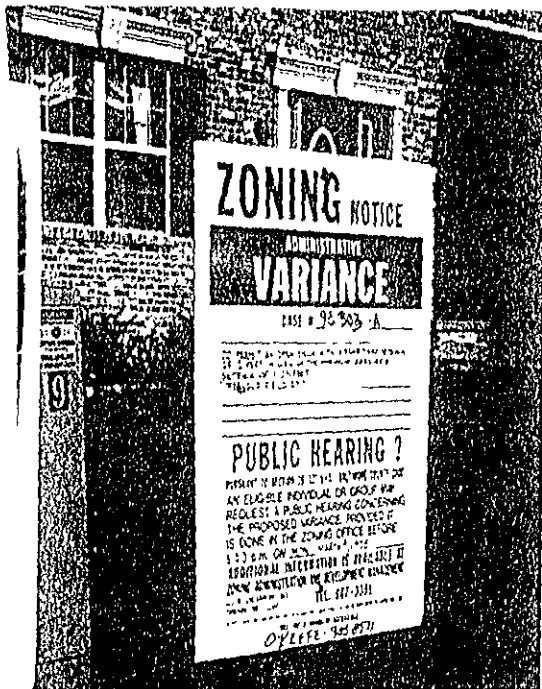
Ladies and Gentlemen:

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 #16 OLDFIELD CT.

The sign(s) were posted on

2/15/98

(Month, Day, Year)



Sincerely,

Patrick M. O'Keefe 2/16/98
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)

98-303-A
#16 OLDFIELD CT.
ADM. VAR.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 303 -A Address 16 Old Field Ct.

Contact Person: J. Sullivan Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2-13-98 Posting Date: 2/22 Closing Date: 3/9

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification 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.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 98- 303 -A Address 16 Old Field Ct.

Posting Date: 2-22-98 Closing Date: 3-9-98

Wording for Sign: To Permit an open deck with a rear yard setback
of 2 ft. in lieu of the minimum required 11 1/4 ft.



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.: 303

Petitioner: Paul Ryde Fine Carpentry

Location: 14 Oldfield Ct

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Julio Fernandez

ADDRESS: 14 Oldfield Ct

Beth., Md. 21222

PHONE NUMBER: 410-686-4331

AJ:ggs

(Revised 09/24/96)

98-303-A

INTEROFFICE CORRESPONDENCE

Date: March 2, 1998

SUBJECT: Zoning Advisory Committee Meeting
for March 2, 1998
Item No. 304

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Baltimore County policy prohibits the construction of a permanent structure within the designated utility easement, as shown on your plan. However, a check of our engineering records indicate we do not maintain any sanitary or storm drain pipes in the drainage and utility easement along your rear property line.

Therefore, we have no objection to the requested variance.

RWB:HJO:jrb

cc: File

ZONE0302.304

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

TO: PDM
FROM: R. Bruce Seeley .RBS/41
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Feb. 23, 92

DATE: 2/25/92

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

Item #'s: 299
300
303
304

RBS:sp

BRUCE2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 23, 1998

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 No. 299, 301, 303, and 304

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:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL



Baltimore County
Fire Department

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

February 23, 1990

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 February 23, 1990

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 hereby required to be corrected or incorporated into the plan for the property.

3. The Fire Marshal's Office has no comment on the same, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS,

299, 301, 303, 304, and 305

REVIEWER: LT. ROBERT P. SAUERWALL

Fire Marshal Office, PHONE 887-4881, ext. 111

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 2/24/98
Item No. 304

JJS

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,

Ronald Burns, Chief
Engineering Access Permits
Division

for

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

Plat to accompany Petition for Zoning

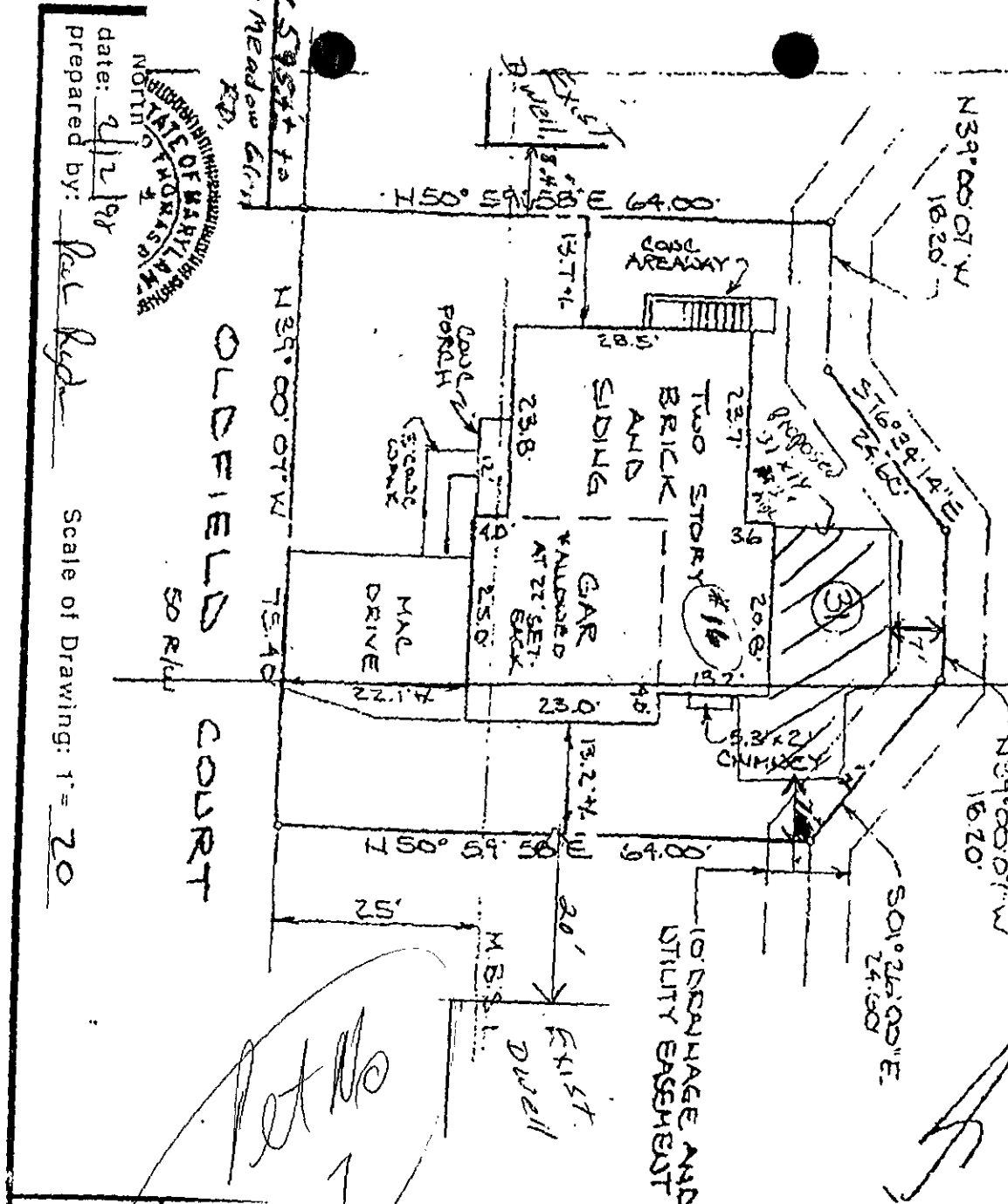
☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: Box 1 Yearl #16 Old Field CT

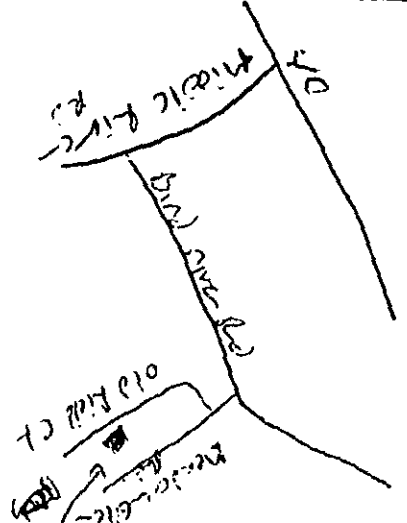
Subdivision name: Rohe Farms

ACCURACY OF APPARENT SETBACK DISTANCES ARE 1'

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



10' EASEMENT AND UTILITY EASEMENT



LOCATION INFORMATION

Election District: 15
 Councilmanic District: 6
 1"=200' scale map#: NE 61
 Zoning: OR2
 Lot size: 0.122 5575.16
 acreage square feet

SEWER: ☒ public ☐ private
 WATER: ☒ yes ☐ no
 Chesapeake Bay Critical Area: ☐ yes ☒ no
 Prior Zoning Hearings: ☐ yes ☒ no

Zoning Office USE ONLY!

revised by: 11/17 ITEM #: 303 CASE#:

date: 2/2/98
 prepared by: Pat Ryan

Scale of Drawing: 1"= 20'

98-303-A



16 303



16 303



16 303

98-303-A