IN RE:

PETITION FOR ADMIN. VARIANCE NE/S Oldfield Court, 520' SE

of the c/l Meadow Glen Road

(14 Oldfield Court) 15th Election District 5th Councilmanic District

Julio Fernandez, et ux Petitioners * BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 98-304-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, Julio and Linda Fernandez. The Petitioners seek relief from Sections 1801.2.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 3 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.

DRDER RECEIVED FOR FILING

Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

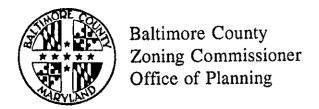
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

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.

TAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs



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

March 12, 1998

Mr. & Mrs. Julio Fernandez 14 Oldfield Court Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/S Oldfield Court, 520' SE of Meadow Glen Road
(14 Oldfield Court)
15th Election District - 5th Councilmanic District
Julio Fernandez, et ux - Petitioners
Case No. 98-304-A

Dear Mr. & Mrs. Fernandez:

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

F*i*.le

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 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. B. 01. 2. C. 2.6. (VB 60 CMDP),

301. 14 TO Glow an open projection (deck) with a hear
yard Setback of 3 ft. in lieu y 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 1) Deck allowable to small practical difficulty) 2) was to natel Kids in sand 7) neighbors have on 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 Legal Owner(s): Contract Purchaser/Lessed (Type or Print Name) Signature Address Attorney for Petitioner. 14 Old Field CH (Type or Print Name) 1227 State Name, Address and phone number of representative to be contacted Signature Phone No. Name Address Address Phone No. Zipcode

A Public Hearing having been requested and/or found to be required, if is ordered by the Zoning Commissioner of Baltimore County, this _ that the subject matter of this petition be set for a public hearing, advertised, as required by the Loning Regulations of Baltimore County, in two newspapers of general circulation. Intoughout Baltimore County, and that the property be reposted

Zonina Commissioner of Baltimore County



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ITEM#: 304

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 _ 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. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 48, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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.

My Commission Expires:

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



WITNESS my hand and Notarial Seal.

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 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. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 98, before me, a Notary Public of the State day of 38 DOUGLELL of Maryland, in and for the County aforesaid, personally appeared the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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.

My Commission Expires:

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

Petition for Administrative Variance

for the property located at	14 Old Field Cd
	which is presently zoned DX-2
is Petition shall be filed with the Dept. of Permits & Dene undersigned, legal owner(s) of the property situate in Baltim reto and made a part hereof, hereby petition for a Variance from OI, II TO GIOW ON ON	velopment Management hore County and which is described in the description and plat attached in Section(s) BOI, 2.C. 2.6 VB6C CO Projection (deck) with a lieu of the minimum require
and setback of 3 Att. in 1	iev of the minimum required
the Zaning Bouletions of Ratifmore County to the Zaning Lau	of Reitimore County for the following resease: (indicate herdship or
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actical difficulty) 1) wand to underly 2) Deck alloweble 3) rejudent have a	1) 40 20001
a) reinder have a	en.
Property is to be posted and advertised as prescrift or we, agree to pay expenses of above Variance advertising, problem of Baltimore	costing, etc., upon filing of this petition, and further agree to and are to 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.
ntract Purchaser/Lesses:	Legal Owner(s):
	Julia Fernandes
pe or Print Name)	(Type or Print Name)
naturo	Signature remember
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y State Zipcode ormey for Patitioner: pe or Print Name)	Signature Address Address City Name, Address and phone number of representative to be contacted

Ioning Commissioner of Bailimore County

REVIEWED BY: DATE: 2-13-4



Printed with Soyboan Ink on Recycled Paper ITEM #: 304

98.304-A

304

*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.

	R. 1836 OWHER WAY BY TANKER STANKER ST	Faithers Courts, Marians	4.40E.0	CASHER'S VALIDATION
AND SON DAREST	ACCOUNT R-001-6150 AMOUNT \$ 50.00	and the second of the second o	Liturg for i	YELLOW - CUSTOMER
BALTIMORE COUNTY, MAF OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 2-13-98 A	RECEIVED FOR A	FOR Adm n. Vor	DISTRIBUTION WHITE - CASHIER PINK - AGENCY

98-304-A

CERTIFICATE OF POSTING

ADMIN. VAR. RE Case No.: 98-304-A Actitioner/Developer: PAUL EYDER ETAL Date of Hearing/Closing

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

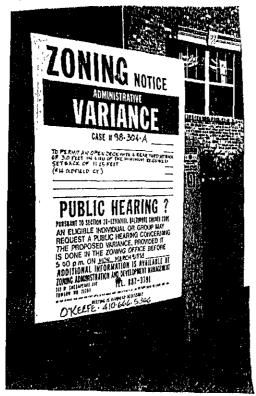
Attention: Ms. Gwendolyn Stephens

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 #14 OLDFIELD CT.

The sign(s) were posted on

Month, Day, Year)



(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

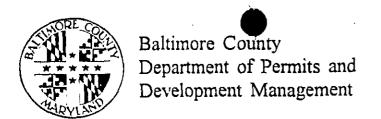
HUNT VALLEY, MD. 21030 (City, State, Zip Code)

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

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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Contac	ct Person:		Jahn Planner, Ple	ase Print Your	Va V		_ Phor	ne Numbe	r: 4 10-887-339	1
Filing	Date:	2-13				2/22	_ (Closing C)ate: <u>3/9</u>	
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2.	a formal	request	for a pub	lic hearing	eadline for g. Please ss is not co	understand	d that e	even it th	1,000 feet to fil ere is no forma	e il
3.	commissi order that (typically	oner. H It the m within 7	e may: (a atter be s to 10 days	a) grant the et in for a s of the clo	e requeste a public he	d relief; (b) earing. Yo as to whet) deny 1 ou will 1 her the	ne reque eceive w petition h	or deputy zoning sted relief; or (d ritten notification as been granted ass mail.	;) n
4.	(whether commissi changed	due to oner), n giving no ertification	a neighbootification of the	r's formal will be fo hearing d	request o rwarded to late. time a	r by order you. Thund location	of the e sign . As wi	zoning o on the p hen the si	a public hearing or deputy zoning property must be ign was originall t be forwarded t	g e y
				(Deta	ich Along Dotted	Line)			. <u> </u>	_
Petitio	oner: Thi	s Part o	f the Form	is for the	Sign Post	ter Only				
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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.

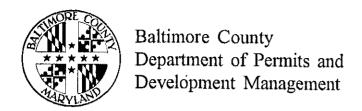
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 304
Petitioner: Paul Ryde - Fine Carpenty
Location: 16 Old Rield Cf
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Joseph & Sheila Karl
ADDRESS: 16 Old Field Cf
Ball Md 21222
PHONE NUMBER: 4/10 - 682-3203

AJ:ggs

98.304-(Arised 09/24/96)



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

March 5, 1998

Julio and Linda Fernendez 14 Oldfield Court Baltimore , MD 21222

RE:

Item No.: 304

Case No.: 98-304-A

Petitioner: Julio and Linda Fernandez

Dear Mr. & Mrs. Fernandez:

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 February 22, 1998.

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 Gwendolyn Stephens in the zoning office (410-887-3391).

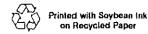
Sincerely,

W. Carl Richards, Jr.

D. Cont Richard Si

Zoning Supervisor

WCR:ggs Attachment(s)



LTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

MO9

FROM:

R. Bruce Seeley . RASS/4/ Permits and Development Review

SUBJECT:

Zoning Advisory Committee Meeting Date: Filo X

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

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: February 23, 1998

Department of Permits

and Development Management

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:

Jeffry MV Long Gary L. Kerns Division Chief:

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: March 2, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for March 2, 1998

Item No. 303

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



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

February 23, 1998

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 20, 1998

Item No.: See Below Zoning Agenda:

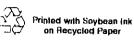
Gent_emen:

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

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

295. 301, **303.** 304. and 305

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marchal Office. PMONE 887-4881. MG-1102F





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 2/20/98

Item No. 303

112

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.

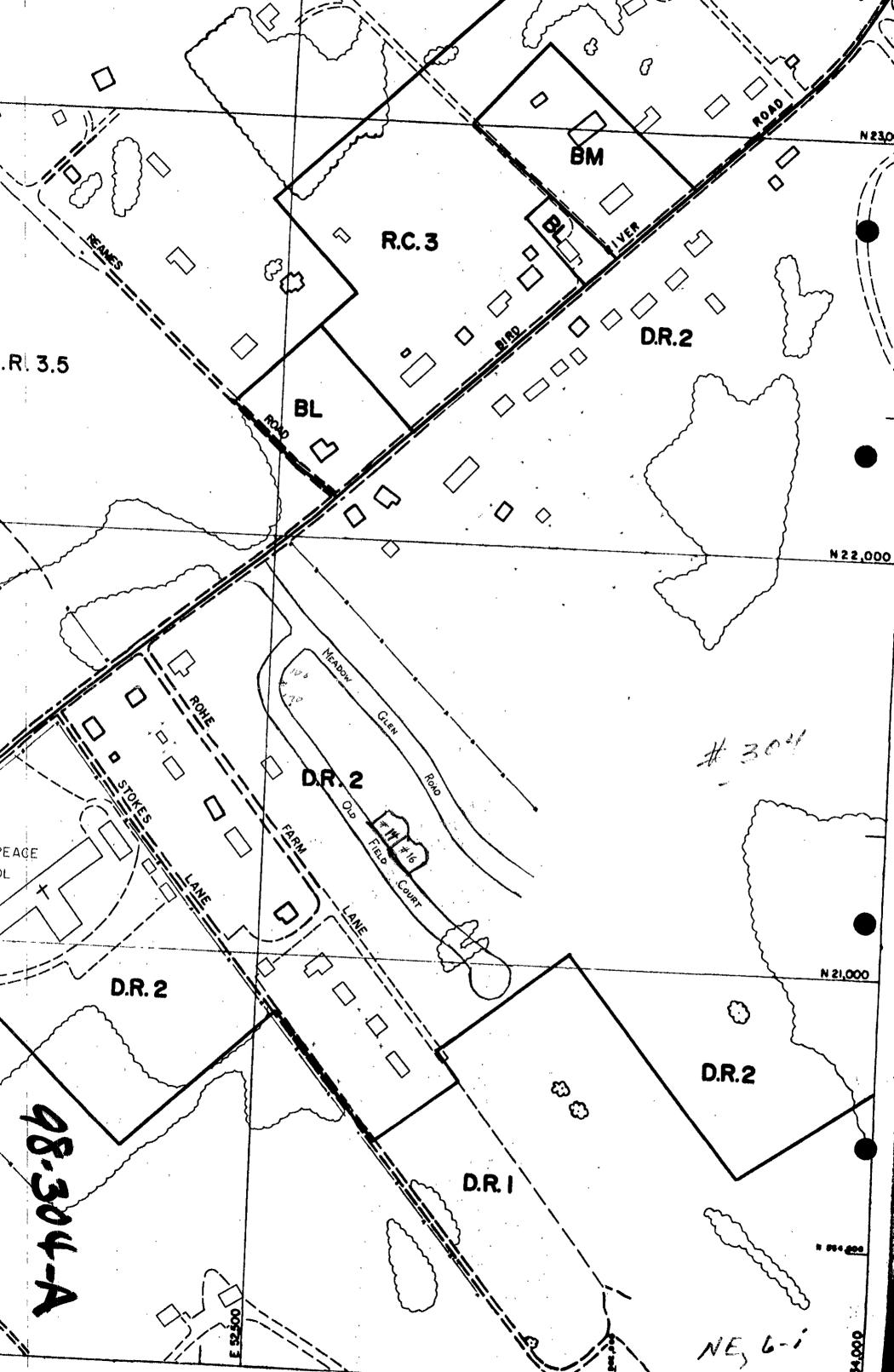
Please contact Larry Gredlein at 410-545-5606 if you have any questions.

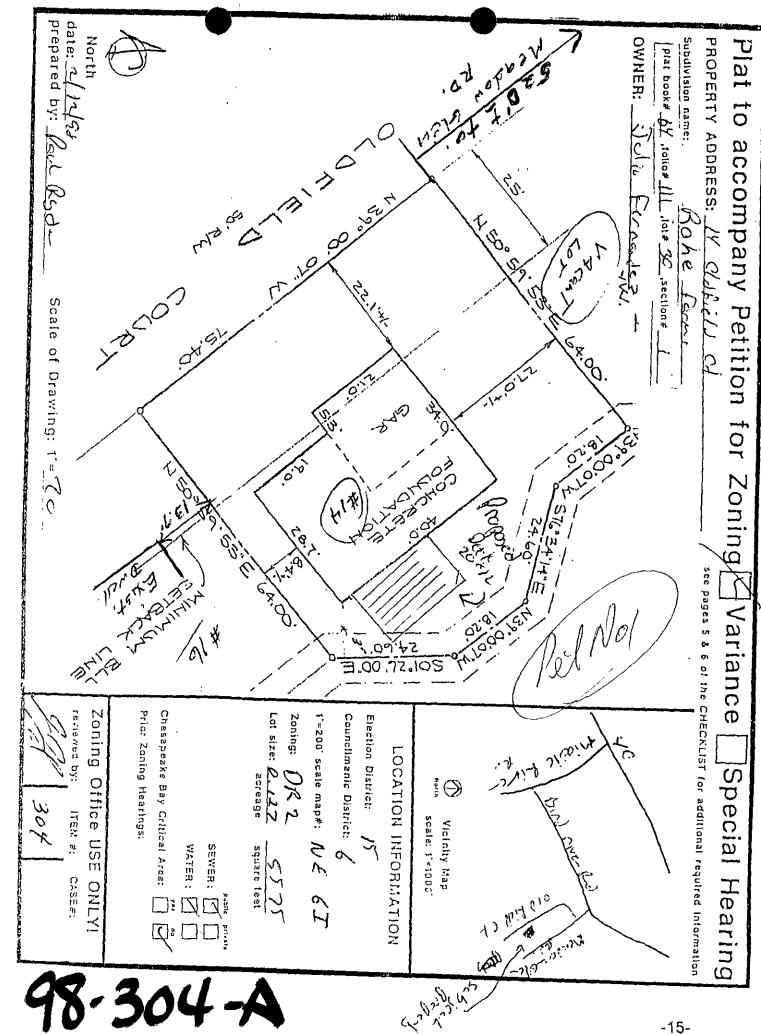
Thank you for the opportunity to review this item.

Very truly yours,

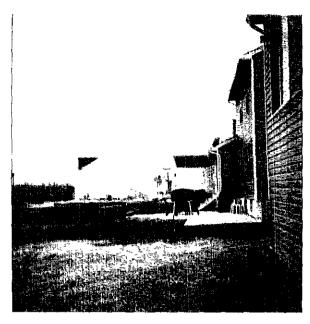
Ronald Burns, Chief Engineering Access Permits Division

LG





-15-



1/ 201



14 301



14 204

98-304-A