ORDER RECEIVED FOR FILING
Date
By

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Barrow Court, 208' E of

Carridge Circle
(9 Barrow Court)
9th Election District
4th Councilmanic District

Madeleine H. Tolman

Petitioner

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 98-329-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Madeleine H. Tolman. The Petitioner seeks relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard, and to amend the last approved Final Development Plan for Greenway Garth, Lot 4 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the

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

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard, and to amend the last approved Final Development Plan for Greenway Garth, Lot 4 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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

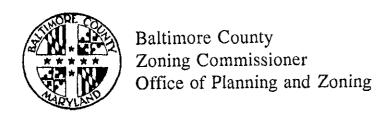
TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

~ 2-



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

April 9, 1998

Ms. Madeleine H. Tolman 9 Barrow Court Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE

8/S Barrow Court, 208' E of Carridge Circle

(9 Barrow Court)

9th Election District - 4th Councilmanic District

Madeleine H. Tolman - Petitioner

Case No. 98-329-A

Dear Ms. Tolman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

Luckly Kotroco

for Baltimore County

TMK:bjs

cc: People's Counsel

rile

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

This Petition shall be filled 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 The undersigned, legal owner(s) of the property statement of the undersigned, legal owner(s) of the property statement and made a part hereof, hereby petition for a Variance from Section(s)

400.1 To PERMIT AN ACCESSORY

STRUCTURE (PROPOSED POOL) IN THE SIDE YARD IN LIEU OF THE REGUIRED REAR YARD. AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN FOR GREENWAY GARTH LOT #4.

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

> > SEE ASSACHE AFFIDAVIT

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 filling 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)			(Type or Print Name)
Signature			Madelaine L. Johnson
Address			(Type or Print Name)
S			
City	State	Zipcode	Signature
Attorney for Petitioner			#9 BUREAU CT AID 494 4772
(Type or Print Name)		- Washington	#9 BARROW CT 410 494 4722 Address Phone No
			TONISON Md 21204 City State Zipcode
Signature			Name, Address and phone number of representative to be contacted
			David K. Luber
Address	Phone	No	Name (COCOLENTOR CAB Z10/a)
City	State	Zipcode	166 OLENDE, GB 21061 Address 40-663-9368
A Public Hearing having been that the subject matter of this circulation, throughout Baltim	petition be set for a pub	ilic hearing , advertised, c	red by the Zoning Commissioner of Baltimore County, this day of 19 streaming Regulations of Baltimore County, in two newspapers of general



Printed with Snybean Ink on Recycled Paper

Zoning Commissioner of Baltimore County

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.

• • • • • • • • • • • • • • • • • • • •	o presently reside					
		address				
		·tov	1504	Md	21204	
		City			State	Zip Code
man namana	knowledge the fi	nllowing are the f	acts sinon wi	sich l <i>i</i> we ba	se the request for a	n Administrative
ipoir personar ie above addr	ess: (indicate hardshi	p or practical difficulty	neis apoli vi	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	se the request for a	
				1215	SELSCIA	1. I-
YA6-30	WEEKL !	> COUNT	(1 OV	444	r Ebuckele	1011
						······································
<u>.,.</u> .,		 				
		·				
<u> </u>						
					<u></u>	
delene	dge(s) that if a property additional information	otest is filed, Affination.	ani(s) will be	(signatur	o)	d advertising fee and
	COUNTY OF B	ALTIMOPE IOG	YLAND		·	
		//	,	0	C	
CERTIFY, d	ıis / day	of	oncit	19_9	, before me, a No	ary Public of the State
CERTIFY, the	nis day : County aforesaid	of	anced	_,19_9	$\frac{S}{N}$, before me, a No	ary Public of the State
CERTIFY, the in and for the	nis // day County aforesaid ELEN	of	ared Tol	_19_90 (MON)	, before me, a No	ary Public of the State
	i(s) acknowled to provide the provider	ie above address: (indicate hardshi	ie above address: (indicate hardship or practical difficulty YASTA AREA IS CIZCINI It(s) acknowledge(s) that if a protest is filed, Affired to provide additional information.	ie above address: (indicate hardship or practical difficulty) YAREA AREA IS COUNTY OV It(s) acknowledge(s) that if a protest is filed, Affiant(s) will be red to provide additional information.	te above address: (indicate hardship or practical difficulty) YART AREA IS CTAINTY CONNECTED It (s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to provide additional information. The provide additional information (algorithm) The protest is filed, Affiant(s) will be required to provide additional information.	Taked AREA IS COUNTY OWNER EASENCE (s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting at red to provide additional information. (algorithms) (b) (b) (algorithms)

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	#9	BARRE	WC WC	QUET	
,	address				
-	City	SON 1	State	21204	Zip Code
That based upon personal knowledge, the follow Variance at the above address: findleate hardship or particular that the state of the st	ving are the fact				·
REAR YORD DIRED	15 COL	thity o	JULLE	ED EAS	ement.
					
					
					
	1				
					
	*		· · · · · · · · · · · · · · · · · · ·		
					
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information (signature) Lactine H. Toling (type or print name) STATE OF MARYLAND, COUNTY OF BALT I HEREBY CERTIFY, this // day of of Maryland, in and for the County aforesaid, por Maryland, por Maryl	IMORE, to wit:	- 19 - 19 - 19 - 19	signature) ype or print no	ame) efore me, a Notar	y Public of the State
the Affiants(s) herein, personally known or satis that the matters and facts hereinabove set forth AS WITNESS my hand and Notarial Seal.	lactorily identifiare trule and following	red to me as su rect to the bes	of his/her	/their knowledge	th in due form of law and belief.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at χ

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) 40001 TO PERMIT ANALYSSORY STENCTURE (PROPOSED POOL) IN THE SIDE FORD IN LIEU OF THE REQUIRED REARY WED. AND TO SMEND THE LAST APPROVED FINAL DEVELOPMENT FOR GREENWAY GARTH of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

practical difficulty)

SFE AFFICANT .

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 filling 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.

		1	
			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);
			x Madelle H. Tolman
(Tripe or Print Name)			(Type or Print Name)
			Madeline H. Tolman
Signature			Signature
Address			(Type or Print Name)
4			
City	State	Zipcode	Signature
Attorney for Petitioner			#9 BARROW CT: 410 4944722
(Type of Print Name)			Address Phone No.
			TOWSON Md 21204
Signatura	<u> </u>		Name, Address and phone number of representative to be contacted
		•	David K. Luber
Address	Phone No.		Name
City	State	Zipcode	1666 OLEN DR. GB. 2061 Address Phone No.
on _f		·	Address 40-553-9368
A Public Hearing having been	requested and/ortound to be	required. If is orde	red by the Loning Commissioner of Baltimore County, this day of, 19
that the subject matter of this	petition be set for a public hed are County, and that the prope	iring , adverlised, c	as required by the Lanung Regulations of Baltimore County, in two newspapers of general
and the complete of the modern of the control of	,		1

REVIEWED BY: ____ DATE: _____ DATE: ____ ESTIMATED POSTING DATE:



Printed with Saybean Ink on Recycled Paper

Johnny Commissioner of Baltimore County

ZONING DESCRIPTION FOR:

329

#9 BARROW COURT, TOWSON, MARYLAND 21204

Beginning,

At this lot's access to the south side of Barrow Court, being a 50' radius culdesac. At a distance of 208' +/- east of the closest improved intersecting street. Being Carridge Circle, having a 50' RW.

Known as:

Lot 4 of the *Greenway Garth* Subdivision, Plat Book E.H.K., Jr. No. 49, Folio 68 of Balto. Co. MD. USA. Containing 16603 square feet or .3811 acres.

Located in the 8th Election district and the 4th Councilmanic District of Balto. Co.

SOLION SILVEN INC. OF BRIEF BOOK OF STATE OF STA PERSONAL VERSON CASHER'S VALIDATION Main's Color AND ALGUNO. YELLOW - CUSTOMER AMOUNT \$ ACCOUNT MISCELLANEOUS RECEIPT BALTIMORE COUNTY, MAI OFFICE OF BUDGET & FINANCE DISTRIBUTION WHITE - CASHIER RECEIVED HOM: FOR: DATE

CERTIFICATE OF POSTING

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 powere posted conspicuously on the property loc	erjury that the necessary sign(s) required by law cated at #9 BARLOW CT,
The sign(s) were posted on ZONING NOTICE ADMINISTRATIVE VARIANCE CASE # 98-329-A TO PERMIT A VARIANCE FOR A PROFUSED SWINDING POOL IN THE SIDE YARD IN LIEU OF THE REQUIRED REARYARD (*9 BARRING COURT) PUBLIC HEARING? PUBLIC HEARING? PUBLIC HEARING? PUBLIC HEARING CONCERNING REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE IS DONE IN THE ZONING OFFICE BEFORE SCOO D.M. ON MONDON, A PRIL-G. 1998 TONING ADMINISTRATION IND OCCUPANT IN EMERCHENT TONING ADMINISTRATION IN THE ADMINISTRATION IN THE PROPOSED TONING A	(Month, Day, Near) Sincerely, (Signature of Sign Poster and Day) 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)

RE: Case No.: 98-329-A

Date of Hearing Closing:

Petitioner/Developer FOKEEFE, ETAL

Pool Co. ETM

Date of Hearing Closing: 4/6/98



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.: 329
Petitioner: TOLMAN
Location: 49 BARROW COORT TOUSON, Mc 21204
PLEASE FORWARD ADVERTISING BILL TO:
NAME: MADELEINE H. TOLMAN
ADDRESS: #9 BARROW COURT
TOWSON Md 21204
PHONE NUMBER: 4-10-494-4722

AJ:ggs

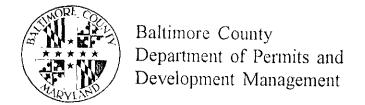
(Revised 09/24/96)



		**************************************	7
ų į		red hy: Scale of Drawing: 1'=	date:
	y: ITEM #: CASE#:		North
• • • •	Zoning Office lise Only		
A. A	Prior Zoning Hearings:		<u> </u>
, v.	Chesapeake Bay Critical Area:		
	SEWER:		
**************************************	acreage square feet		,
	Zoning: Lat size:		
	1'=200' scale map#;		A PROPERTY.
	Councilmanic District		
	Election District:		<u> </u>
	LOCATION INFORMATION		
	Worth Scale: 1'=1000'		
		ra e e e e e e e e e e e e e e e e e e e	
			(11.11.
		ER:	OWNER:
-15		plat book#,tolio#,lot#,section#	plat
	5 & 6 of the CHECKLIST for additional required information	ODRESS: see pages	PRO
•	ce Special Hearing	Plat to accompany Petition for Zoning Variance	ב <u>ר</u>

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case N	Number 98- 329 -A Address 9 BARROW CT.
Filing	ct Person: John Lewis Planner, Please Print Your Name Date: 3 12 98 Posting Date: 3 22 98 Closing Date: 4/6/98
Any co	ontact made with this office regarding the status of the administrative variance should be high the contact person (planner) using the case number.
	<u>POSTING/COST</u> : 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.
	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.
	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.
	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)
Petitio	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case N	Number 98- 329 -A Address 9 BARROW CT
Postin	g Date: Closing Date:
	ng for Sign: To Permit A VARIANCE TO PROPOSED SWIMMING POOL IN
THE.	SIDE YARD IN LIEU OF THE REQUIRED REAR YARD.
	



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

April 6, 1998

Madeleine H. Tolman 9 Barrow Court Towson, MD 21204

RE:

Item No.: 329

Case No.: 98-329-A

Petitioner: Madeleine H. Tolman

Location: 9 Barrow Court

Dear Ms. Tolman:

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 March 12, 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.

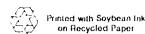
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

> Sincerely, W. Cont Richard ()

W. Carl Richards, Jr.

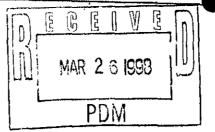
Zoning Supervisor

WCR:ggs Attachment(s)





Baltimore County Fire Department



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

March 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 MARCH 28, 1998

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:

320, 322, 323, 324, 325, 326, 329, 330, 332, 335 AND USE PERMIT FOR FARMER'S ROADSIDE STAND (DARYL C. DUTRO)

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office. PHONE 887-4881. MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: March 24, 1998

TO: Arnold Jablon, Director 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 Nos. 322, 324, 329, 332, and 335

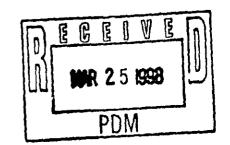
If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Hay Mens

Prepared by:

Division Chief

AFK/JL .



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TQ:

POM

FROM:

R. Bruce Seeley . R1

Permits and Development

DEPRM

SUBJECT:

Zoning Advisory Committee

Meeting Date: Murch

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

Item #'s:

33/

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: March 30, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 30, 1998

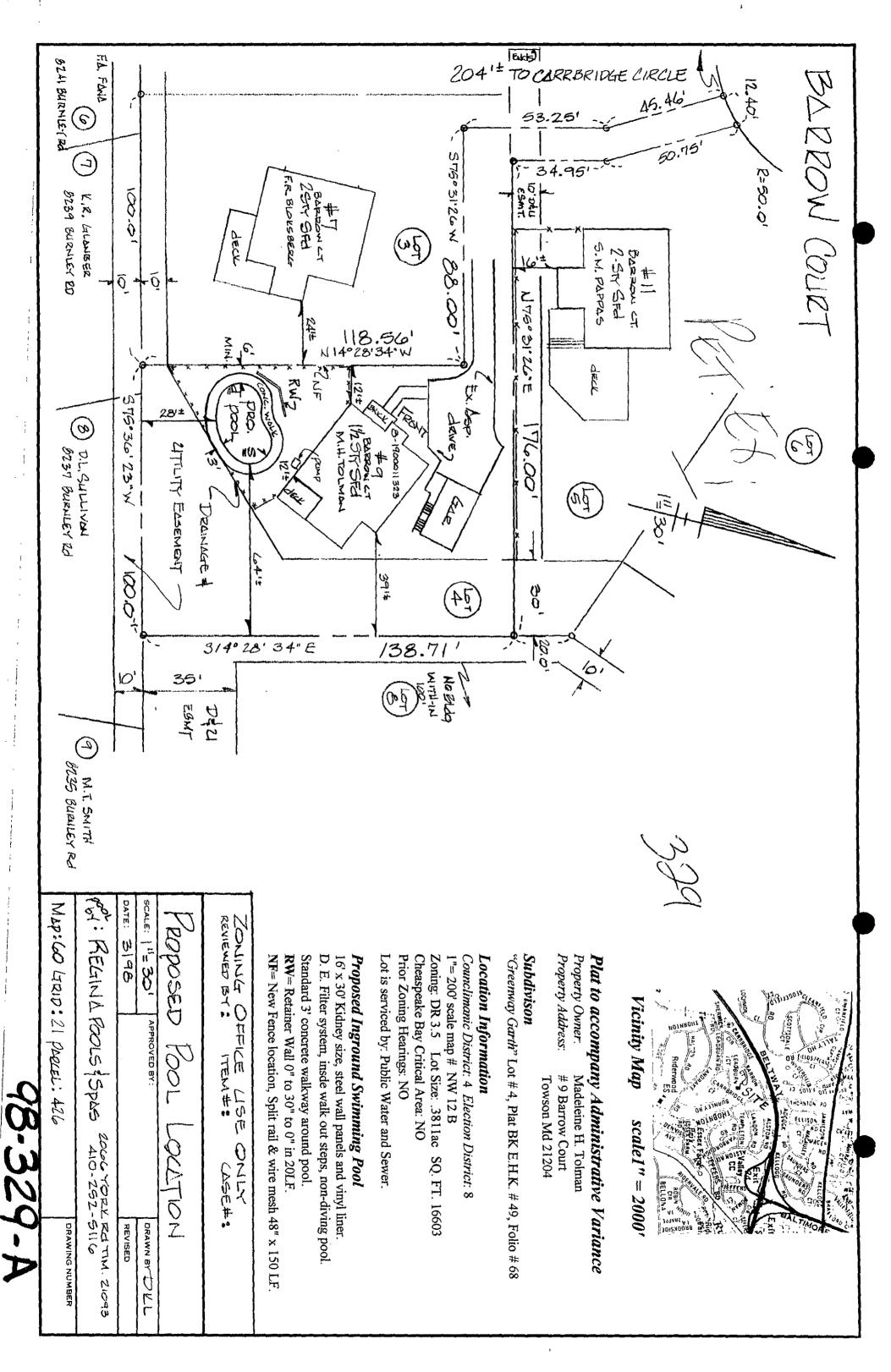
Item Nos. 320, 323, 324, 325, (329,

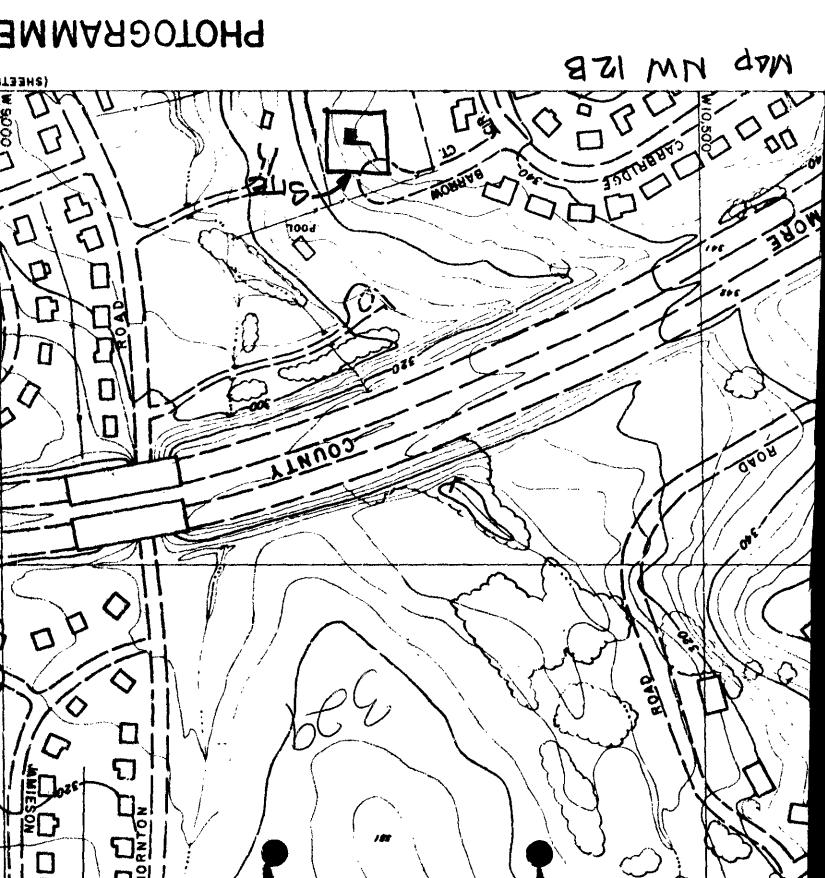
330, 331, 332, 333, and 335

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

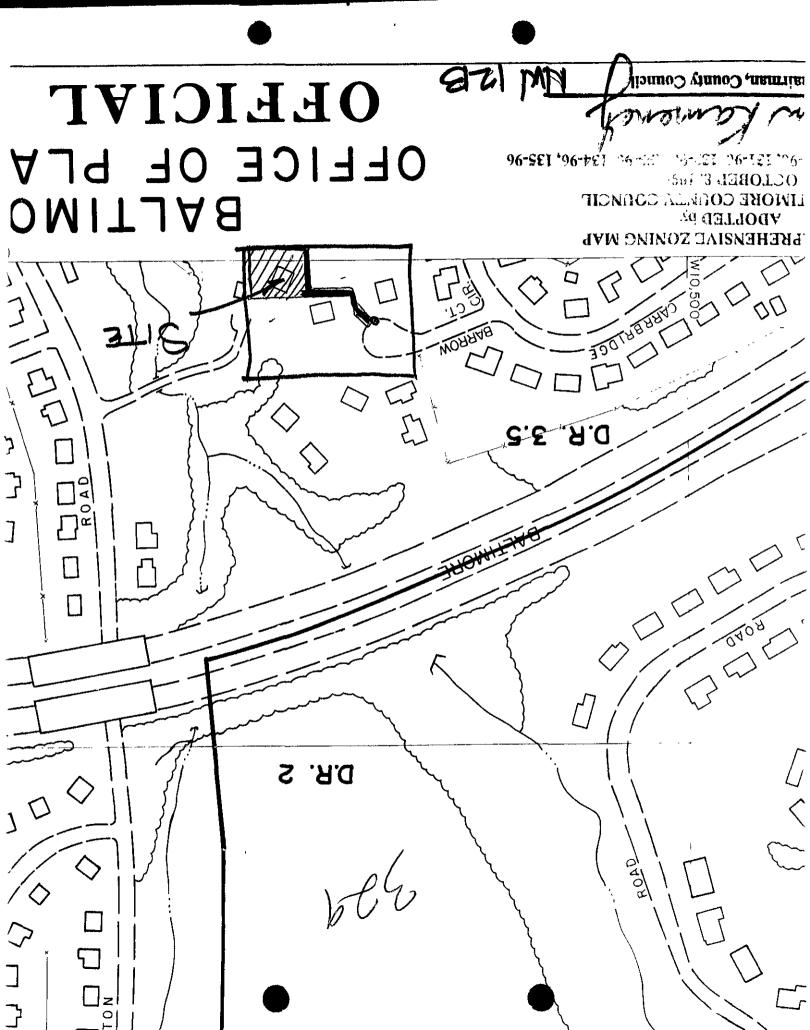
RWB:HJO:jrb

cc: File





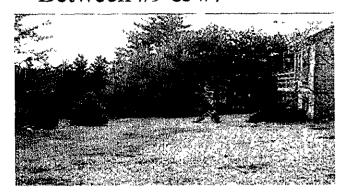
A-958.8P BALTIMORE COUNTY



98-329-A Front of # 9 Barrow Court



Between #9 & #7



Back of #7 to #9



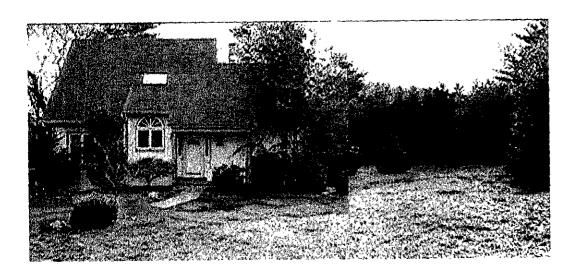
Bottom of #9 to Side of #7



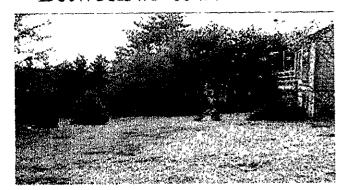
329

98.329-A

Front of # 9 Barrow Court 98-329-A



Between #9 & #7



Back of #7 to #9



Bottom of #9 to Side of #7



98.329-A