JHDER RECKIVELLEDR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Hal Circle, 115' E of the c/l of Shelrick Place

(2511 Hal Circle) 3rd Election District 2nd Councilmanic District

Erik J. Roskes, et ux

Petitioners

- BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 98-344-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, Erik J. and Ellen M. Roskes. The Petitioners seek relief from Section 211.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955 Regulations) to permit a side yard setback of 3 and 1/2 feet in lieu of the minimum required 8 feet, and a sum of the side yards of 13 and 1/2 feet in lieu of the required 20 feet, for a proposed 12' x 40' addition. 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 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.2.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 day of April, 1998 that the Petition for Administrative Variance seeking relief from Section 211.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1955 Regulations) to permit a side yard setback of 3 and 1/2 feet in lieu of the minimum required 8 feet, and a sum of the side yards of 13 and 1/2 feet in lieu of the required 20 feet, for a proposed 12' x 40' addition, 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.

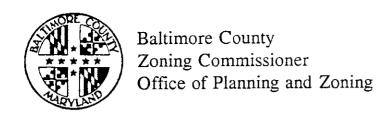
LAWRENCE E. SCHMIDT

Zoning Commissioner

for Baltimore County

LES:bis

ORDER REGIMED MOR FILING
Date
NA



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

April 20, 1998

Mr. & Mrs. Erik J. Roskes 2511 Hal Circle Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Hal Circle, 115' E of the c/l of Shelrick Place
(2511 Hal Circle)
3rd Election District - 2nd Councilmanic District
Erik J. Roskes, et ux - Petitioners
Case No. 98-344-A

Dear Mr. & Mrs. Roskes:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: People's Counsel

File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2511 Hal Circle

which is presently zoned

JR 5.5

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 211, 3 BCZR (1955 RE65) To PERMIT A SIDE YARD SETBACK OF 3 ZFT, AND A SUM OF SIDE YARDS OF 13 ZFT, IN LIEU OF THE REQUIRED 8FT, AND 20 FT. RESPECTIVELY

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

SEE 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 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

City	State	Zipcode	. Address	. Address
Address	Phone No		Name	Name
Signature	•		Name, Address and phone nu	Name, Address and phone number of representative
			City	
(Type or Print Name)				
Attorney for Petitioner			2511 HAL	ZSII HAL CIRCLE
City	State	Zipcode	ECOM M Signature	Ellen M Render
Address			(Type or Print Name)	(Type or Print Name)
Signature			Signature	ELLEN M. Ro
			ex j	ed) ru
(Type or Print Name)			(Type or Print Name)	
Contract Purchaser/Lessee			Legal Owner(s)	
			1	1 11 -1 0

Zoning Commissioner of Baltimare County

REVIEWED BY

ESTIMATED POSTING DATE

DATE 3 1919

3/29/98



Printed with Soybean Ink on Recycled Paper OS-34U_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	2511 Hall	Circle	
-	Baltimore	State	21209 Zip Cook
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or	practical difficulty)		
We need to extend	our Kita	hen, and it	is on the
side of our house.	overall,	the house	: 1s not
large and our st	pace is n	ot adequate	An extended
Kitchen would allow	OUT Family	, to eat t	agether at one
time. It would als	o allow	the children	to a small
play area so the	y can be	watched du	ring dinner
preparation. There is	no where	elso to	put this
addition except on			
That Affiant(s) acknowledge(s) that if a protes may be required to provide additional informate (signature) ELL K J Roskes (type or print name)	st is filed, Affiant(s) will con.	POON (1)	N Roshes Roskes
I HEREBY CERTIFY, this 2571 day of of Maryland, in and for the County aforesaid, p	SPrembel personally appeared	. 19 <u>9</u> , before m	e, a Notary Public of the State
ERIK J. ROSKES AL	y ELLEN	M. KOSKES	
the Affiants(s) herein, personally known or sat that the matters and facts hereinabove set forth	isfactorily identified to h are true and correct to	me as such Affiantt(s), and the best of his/her/their k	f made oath in due form of law mowledge and belief.
AS WITNESS my hand and Notarial Seal.	NOTA	Blain I.x	To fe-
-	•		OBER 1, 2000
,			



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	511 Hal C	ircle	
_ <u>B</u>	altimore.	MD State	21209 Zip Code
That based upon personal knowledge, the following a Variance at the above address: (indicate hardship or practic	et difficulty)		
We need to extend our	kitchen,	and it is of	n the side
of our house. Overall	the hous	se is not le	arge and our
space is not adequate	An exte	nded kitches	n would allow
our family to eat	together	at one time.	It would
also allow the chil	dren a s	mall play	area 50 th
can be watched du			
where else to put	this addi	tion except	on the side
of the house.			
That Affiant(s) acknowledge(s) that if a protest is fi may be required to provide additional information. Signature) Roskes Type or print name) STATE OF MARYLAND, COUNTY OF BALTIMO	THE PLANT OF THE PARTY OF THE P	required to pay a reposting EDDom M (algnature) E/len M. (type or print name)	Roshes
of Maryland, in and for the County aforesaid, person	ially appeared		Notary Public of the State
ERIK J. ROSKES AND	ELLEH M.	ROSKES	
the Affiants(s) herein, personally known or satisfact that the matters and facts hereinabove set forth are	orily identified to me true and correct to th	as such Affiantt(s), and ma- e best of his/her/their know	de oath in due form of law ledge and belief.
AS WITNESS my hand and Notarial Seal	2	Jain S. Lark	le
date	•		_
	My Commis	ision Expires: <i>OGF oB &</i>	il 1, 2000



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned

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) 21.3 BCZR (1955, regs to permit for Science of Side Yards of 13½ Ft. and A sum of Side Yards of 13½ Ft. and A sum of Side Yards of 13½ Ft. and A sum of Side Yards of 13½ Ft. and Cieu or the Required 8'ff. and 20 ft. Respectively

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

SEE 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 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.

			l/We do solemnly declare and aftirm, under the penalties of perjury, the legal owner(s) of the property which is the subject of this Petition	at t/we are the
Contract Purchaser/Lessee			Legal Owner(s)	
			Enk J Roskes	
(Type or Print Name)			(Type or Print Name)	
Signature			Signature	
			Ellen M. Roskes	
Address			(Type or Print Name)	
	State	Zipcode	Ellen M Roskes Signature	
City	State	Zipcode	ang nature	
Attorney for Petitioner			2511 Hal Circle 410-484	1-3079
(Type or Print Name)			Address Phone N	ło
			Baltimore MD 2120) 9 Zipcode
Signature	•	 , -	Name, Address and phone number of representative to be contacted	* ' -
	Diagram No.		Name	
Address	Phone No		Isania	
City	State	Zipcode	Address Phone No.	5

A Public Hearing having been requested and/or found to be required, it 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 Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

oning Commissioner of Sciemore County



REVIEWED BY

DATE

Zoring Description for 25/1 Hal Circle. Beginning at a point on the south side of Hal circle which is 50 ft wide of the distance of 115 ff east of the containe of the recovert improved intersecting sticet Shelrick Pl which is soft wide Being lot# 34 Black A Section 3 in the subdivision of Meadowood as recorded In Matthewie Country Plat Bock# 24 Folio# 121 containing. 171 acs also known as 2511 Hel Ciak and located in the 3th election pistrict 2" councilmente District.

98.344.A

SO, AO CHECK. CASHIER'S VALIDATION EL WINE CHANGE WILL ALL DROWNER TO THE PERSON OF MINERAL MARKEY CHANGE C THOUGH THE THEFT 4-3-8-32 h18-814 Edint # 19 经的 **CERTIFIE** The No. SELTAD ACCOUNT ROOL 6450 YELLOW . CUSTOMER AMOUNT & CARS MSA CONTRACTORS PINK - AGENCY BALTIMORE COUNTY, MARYL. OFFICE OF BUDGET & FINANCE NECEIPT DISTRIBUTION WHITE CASHIER RECEIVED FROM: FOR: 1 DATE

PAD, MIN. VAR

RE Case No. 98-344-A

Petitioner/Developer KOSKES

Date of Hearing/Crosing. 4 13 198

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 $\frac{42511}{42511}$ HAL CIPCLE.

The sign(s) were posted on $\frac{3/23/98}{12511}$

LONING NOTICE
VARIANCE
CASE # 98: 344-A
POPPMIT A 3.5 FOOT SIDE YARD SETBACK AND A
SUM OF SIDEYAROS OF RESPECTIVELY 8 FEET AND 20 FEET RESPECTIVELY 72511 HAL CIRCLE) RISKES
WEADING?
PUBLIC HEARING PUBLIC HEARING PRESENT TO SECTION 26-127(1)(1), MAINTENANCE PROVIDED IT AN ELIGIBLE PUBLIC HEARING CONCERNING AND ELIGIBLE PUBLIC HEARING CONCERNING
PRESENT TO SECTION 25-12(1)(1), BALLING MAY PRESENT TO SECTION 25-12(1)(1), BALLING CONCERNING AN ELIGIBLE INDIVIDUAL OR GROUP MAY AN ELIGIBLE PROPIDED IT REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT THE PROPOSED VARIANCE, PROVIDED IT THE PROPOSED THE ZONING OFFICE BEFORE THE PROPOSED THE ZONING IS AVAILABLE AT THE PROPOSED THE ZONING IS AVAILABLE AT
IS DONE ON MONATION IS AVAILABLE BUT
5:00 p.m. ON INFORMATION OF THE STATE OF THE

Sincerely.

Patvel M D foo 3/30/96

(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

Casal	Number 98- 344 -A Address 2511 Hal Rick
	ct Person: Phone Number: 410-887-3391
Filing	Date: Planner, Please Print Your Name Date: 3/3/9/98 Posting Date: 3/39/98 Closing Date: 3/13
Any c throug	ontact made with this office regarding the status of the administrative variance should be the contact person (planner) using the case number.
1.	<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.
2.	<u>DEADLINE:</u> 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.	<u>POSSIBLE PUBLIC HEARING AND REPOSTING:</u> 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)
Petiti	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case	Number 98-344 A Address 2511 Hal Circle
Posti	ng Date: 3/29/98 Closing Date: 4/13/98
Wordi	ng for Sign: To Permit A 3 & FT. SIDE SETBACK AND A SUM OF SIDE VARDS OF
_/3;	FT. IN LIEU OF THE REQUIRED 8 FT. AND 20 FT. RESPECTIVELY

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

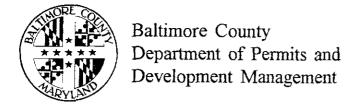
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Item Number or Case Number: 344
Petitioner: EriK+ Ellen RosKes
Address or Location: 25/1 Hal Circle Batto. MD. 2/209
PLEASE FORWARD ADVERTISING BILL TO:
Name: EnK + Ellen Rostes

Revised 2/20/98 - SCJ

98.344-A



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

April 8, 1998

Erik and Ellen Roskes 2511 Hal Circle Baltimore, MD 21209

RE:

Item No.: 344 Case No.: 98-344-A

Petitioner: Erik and Ellen Roskes

Location: 2511 Hal Circle

Dear Mr. & Mrs. Roskes:

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 19, 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).

- W. Carl Richards, Jr.

Zoning Supervisor

WCR:qqs Attachment(s)





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 3/25/98 JLL

Item No. 344

Enk Roskes

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.

m Smit

Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

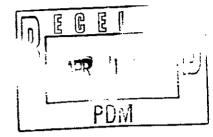
TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: March 26, 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. 337, 339, 340, 341, 343, 344, 345, and 346

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.

Dary Lems

Prepared by

Division Chief!

AFK/JL

BALTIMORE COUNTY, CARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley RIS / Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee Meeting Date: Thousand

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

Item #'s:

337

33-8

341

342

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 8, 1998

Department of Permits & Development

Management

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

SUBJECT: Zoning Advisory Committee Meeting

for April 6, 1998

Item Nos. 339, 340, 341, 342, 343,

(344), 345, and 346

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

RWB:HJO:jrb

cc: File



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

April 13, 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 30, 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.

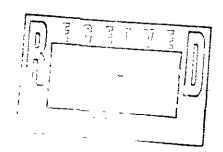
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

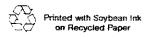
339, 340, 341, 342, 343, 344, 345, AND 346

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File





Jase # 98-344-A.

The undersigned are immediate neighbors to the north, south, east and west of Erik and Ellen Roskes, 2511 Hal Circle, Baltimore County, MD 21209. They are aware that Erik and Ellen Roskes are planning an addition, approximately 12x40 feet along the west side of the dwelling at 2511 Hal Circle. Their signatures below indicate that they have no objections to the construction or permanent existance of this addition.

Alene M. Jacobson

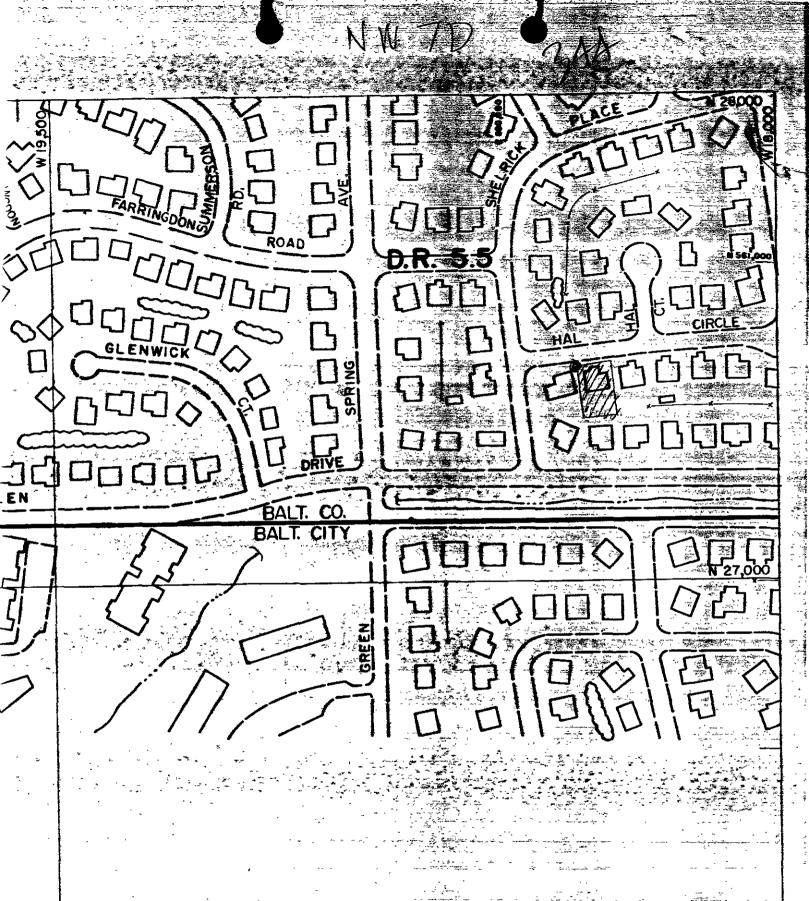
2509 Hal Circle (east)

(Suga

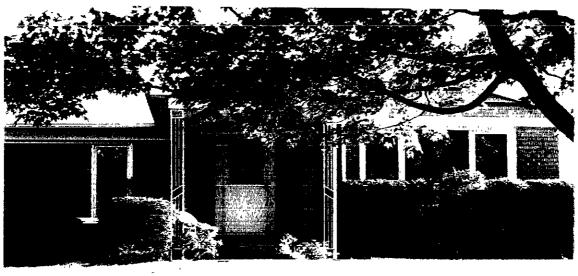
2513 Hal Circle (west) (Eisenberg)

502 Willowglen Drive (south)

North date: 10:5:97 prepared by: Scale of Drawing: 1' = 30'	10t 35 Lot 34 Lot 33	Existing Existing Solutions Dwelling Light telly 433' Dwelling	Petition for Zoning Va Hal Circle Hal Circle Hal Circle
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: JL 3AA	SEWER:	Vicinity Map North Scale: 1'-1000' LOCATION INFORMATION Election District: 3 Councilmanic District: 2 1'-200' scale map#: NW 70 Zoning: DR 5.5 Lot size: .171	Famingdon Famingdon Famingdon Famingdon Aug. Famingdon Famingdon Aug. Famingdon Famingdon Aug. Fa



48.344.A







98.344-A





48.344-A

NING 44.8.8 34.W. N.W.