IN RE:

PETITION FOR ADMIN. VARIANCE N/S Jolly Road, 670' W of the

c/l of Rockland Hills Drive

(2012 Jolly Road) 3rd Election District 2nd Councilmanic District

Robert Heller, et ux

Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 93-374-A

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* * * * * * * * * *

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 owners of the subject property, Robert and Judy Heller. The Petitioners seek relief from Sections 301.1 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), and Section V.B.6.b of the 1971-1992 Regulations and the Comprehensive Manual of Development Policies (C.M.D.P.) to permit an open projection (carport) with a side setback of 1 foot in lieu of the required 11.25 feet, and from Section V.B.6.c of the C.M.D.P. to permit an open projection setback to facing window setback of as close as 20 feet in lieu of the required 40 feet. The subject property and relief sought are more particularly described on the site plan submitted 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

SER RECEIVED FOR FILING

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.

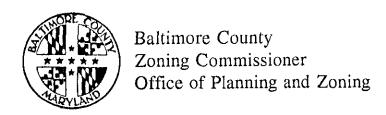
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



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

May 7, 1998

Mr. & Mrs. Robert Heller 2012 Jolly Road Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Jolly Road, 670' W of the c/l of Rockland Hills Drive
(2012 Jolly Road)
3rd Election District - 2nd Councilmanic District
Robert Heller, et ux - Petitioners
Case No. 98-374-A

Dear Mr. & Mrs. Heller:

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

for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

30/2 TOHYBD 3/209

which is presently zoned DK 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) VBLITTING 301.1, 504 AND V.B.6.17

(COMMAND OF 1971-92 REGS WWD CMDP TO PERMIT A LARPORT (OPEN PROJECTION) WITH A LET SIDE SETBACK IN LIEU OF THE PERMITTED 11.25 FT AND V.B.6.1. TO PERMIT A WARDENTED WITH A WARDENTED WITH PERMITTED 11.25 FT AND V.B.6.1. TO PERMIT A WARDENTED WARDENE OPEN PROJECTION SETBACK TO FACING WINDOW SETBACK OF AS CLOSE AS 20 FT IN LIEU OF THE PREJURED 40 FT.

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

COVENING & Cax Due to Damage From Cans

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 legal owner(s) of the property which it	i, under the penalties of perjury, that I/we are the sthe subject of this Petition.
	Contract Purchaser/Lessee			Legal Owner(s)	
	(Type or Print Name)			(Type or Print Name)	Leffer
	Signature			Signature 1000	
				JUDY He	Nek
	Address			(Type or Puni Saryle)	
	City	State	Zipcode	Signature	
	Attorney for Petitioner				A A Musilian war
	(Type or Print Name)			AO/3 SOLLY Address	111 410 1860435 Phane No
	,			BACTIMORE	State 3/209
	Signature			Name, Address and phone number of	
	Address	Phone No)	Name	
	City	State	Zipcode	Address	Phone No
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	۸۸۸	0 1		loning	Commissioner of Baltimore County
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ORDER RE		4/19/90	<i>ල</i> ති	on Recycled Paper	11 1121 11 1 mage and also and amount
O 0 0 "	ESTIMATED POSTING DATE:	1/1/1/20		10 -	71 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 address	2 Jolly	RD	
BAC	TIMODO	MD	2/209 Zip Code
That based upon personal knowledge, the following are t Variance at the above address: (indicate hardship or practical diff		Ave base the request fo	r an Administrative
Can't protect Cars.	as we	ll as I	=e + 5110W
danger on the Hill	. steep	5/0×10-1	will not
allow Carport to	be pu	t in	Cear or
in line with the	house	***************************************	
	,		
	ı		
That Afflant(s) acknowledge(s) that if a protest is filed, may be required to provide additional information. (signature) (sype or prior name) STATE OF MARYLAND, COUNTY OF BALTIMORE,	to wit:	uprature) Appe or print name)	selet
of Maryland, in and for the County aforesaid, personally		98, before me, a l	Notary Public of the State
Judy Helles + Robert	Heller		
the Affiants(s) herein, personally known or satisfactorily that the matters and facts hereinabove set forth are true;	identified to me as su and correct to the bes	ch Affiantt(s), and mad t of his/her/their knowl	te oath in due form of law edge and belief.
AS WITNESS my hand and Notarial Seal.	10	////	
3/12 /88	NOTARY PUBLIC	41-	1
	My Commission	Expires: 11/18/00	



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 30/2 Tolles (A)
BOCTIMORO NO 3/209 City Boots
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)
Can't protect Cass as well as ICE + SNOW
danger on the Hill. strep stone will not
allow Carport to be put in Real of
in line with the house
,
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. (signature) (sype or print name) STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY. this 12 day of March 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Judy Helles + Robert Helles
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: 11/18/00

Mill Car

22" W. 80 ft. to the place of beginning.

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2012 Jolly RQ (address)
Beginning at a point on the Worth side of (north, south, east or west) Tolly RA which is which is (number of feet of right-of-way width) wide at the distance of (number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street
which is
Block H- Section # 5 in the subdivision of Greengate (name of subdivision)
as recorded in Baltimore County Plat Book #, Folio #
and located in the 3 Election District, 2 Councilmanic District. FIRE UNDERSIGNED ACCEPT RESPONSIBILITY FOR THE PECUPACY OF ALL INFERMATION PROVIDED
*If your property is not recorded by Plat Book and Folio Number, BY BALTS, Co. CN 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'

98.374-A

-	BALTIMORE COUNTY, MA' AND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT JULY 14 No. 046750	PAID RECEIPT PROCESS ACTUAL LINE
-	DATE 4/9/98 ACCOUNT RC016/50	4/09/1998 4/09/1998 10:30:15 RG WSOL CASHTER CLUM CAL DRAWER L 5 NESCELLANDUS CASH RECEIPT RCCOIFT W 065251 WELN
	• (37/.717)	CP NO. 046730 50.00 CHECK Baltimore County, Maryland
	FOR: RV ADMIN FILING	L-A
	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 98-374-A
Petitioner/Developer:
(Robert I. Heller)
Date of Hearing/Closing:
(May 4, 1998)

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentleman:

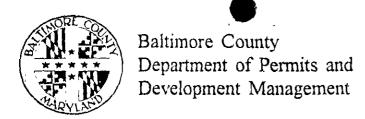
This letter is to certify under the penalties of perjury that the necessary sign(s) required by						
law were posted conspicuously on the property located at						
2012 Jolly Road Baltimore, Maryland 21209	<i>'</i>					
The sign(s) were posted onApr. 17, 1998						



Sincerely, Own School 4/17/98 (Signature of Sign Foster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case N	Number 98-	374	-A	Address	2012	VOLLY RD.	
Contac	ct Person:	Clother CH	Please Print Name			/ Phone Number: 41	1 0-887-3 391
Filing	Date: 4/	198	Posti	ing Date:	4117198	Closing Date:	5/4/98
Any co	ontact made h the contac	with this off t person (plan	ice regarding ner) using the	the statu case nun	us of the adm nber.	inistrative variance	should be
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	public hearir	The closing ng. Please un is not complet	derstand that	even if th	or a neighbor ere is no form	to file a formal re al request for a put	quest for a olic hearing,
(commissione order that ti (typically wit	er. He may: he matter be hin 7 to 10 da	a) grant the) set in for a ys of the clos	requested public he sing date)	d relief; (b) de aring. You v as to whether	the zoning or depeny the requested will receive written the petition has be you by First Class m	relief; or (c) notification en granted.
((!	(whether du commissione changed giv	e to a neighi er), notification ing notice of t	bor's formal in h will be forw he hearing da	request or warded to ate, time ar	r by order of you. The s nd location. A	lat must go to a put the zoning or deping on the proper s when the sign water the sign was the formust be formus be formust be formust be formust be formust be formust be formu	outy zoning ty must be as originally
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Postin	g Date:	419/98		_ Clo	osing Date: _	5/4/98	
Wording	g for Sign: _	To Permit A	PROPOSED OVE	N PROJECTIO	N (CARRIRT) U	VITHALFT SIDE SE	TBACK
IN LIE	EV OF THE PRE	RMITTED 11.25	FT. MUD TO FO	BERMIT AND	PEW PROJECTION	TO FACINI - WINDOW	SPTBACK
OF AS	CLUSE AS &C	PET. IN CIGUL	HEAVE REQU	IREP 40	FT		<u></u>



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.

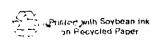
NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
Non-payer and a description
For newspaper advertising:
Item No.: 314
Petitioner: Tudy + Robert Heller
Petitioner: Tudy + Robert Heller Location: 2012 Tolly Rd
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Tudy + Robert Heller ADDRESS: 2012 Tolly RD Baltimore, MD
ADDRESS: 2012 Tolly Rd Baltimore, MD
21209
PHONE NUMBER: 410 - 486 - 0435

AJ:ggs

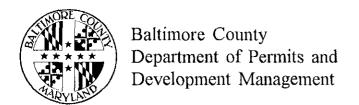
(Revised 09/24/96)





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4.						prepared by:
	Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	rs.		10KN	MAC	North date:
	Prior Zoning Hearings:			W ROKET	New	D
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	Zoning:	: 45		100%.		
	1'=200' scale map#:	ć			W	
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	Election District:	•				
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-15				f I	,lot#,se	plat book#,tolio#
- -	CKLIST for additional rec	see pages 5 & 6 of th			38:	PROPERTY ADDRESS:
0 #** /	ce Special Hearing	□Variance	r Zoning	Petition for	accompany	Plat to acco

:



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

May 4, 1998

Mr. and Mrs. Robert Heller 2012 Jolly Road Baltimore, MD 21209

RE: Item Number: 374

Case Number: 98-374-A
Petitioner: Robert Heller, et ux

Dear Mr. and Mrs. Heller:

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 April 9, 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 Joyce Watson in the zoning office (887-3391).

Very truly yours,

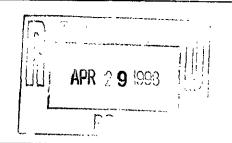
W. Carl Richards, Jr. Zoning Supervisor

WCR:scj

Enclosures



Baltimore County Fire Department



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

April 24, 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 APRIL 20, 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:

372, 373, 374, 375, 377 and 378

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

ALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

MOP

DATE:

FROM:

R. Bruce Seeley (RDS) 9
Permits and Development Review DEPRM

SUBJECT:

Zoning Advisory Committee

Mesting Date: Clarit 2

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

Itam #'s:

372

RBS:sp

BRUCE2/DEPRM/TXTSBP



Parris N. Glendening Governor David L. Winstead

Secretary

Parker F. Williams Administrator

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County 4.20.9 V RE: Item No.

374

المال

Dear Ms. Stephens:

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 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

A Ronald Burns, Chief

Engineering Access Permits

P. J. Dolle

Division

LG

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits and Development Management **DATE**: April 17, 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. 372, 373, 374, 375, 377, and 378

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:

Jeffy M Jg Can L. Verns

AFK/JL

314

Document A

On this	22	day of	tes	, 1998, I Carol Scott, located at 2014
Jolly Road	, Baltimore,	Maryland	, 21209,	hereby grant permission to Robert and Judy
Heller to c	onstruct an	attached t	wo-car c	arport, approximately 22 feet wide, within their
property li	ne located a	t 2012 Joll	y Road, I	Baltimore, Maryland 21209. The carport will be
constructe	d on the side	e of the ho	use close	st to 2014 Jolly Road.

Carol Scott

Robert Heller

Judy Heller

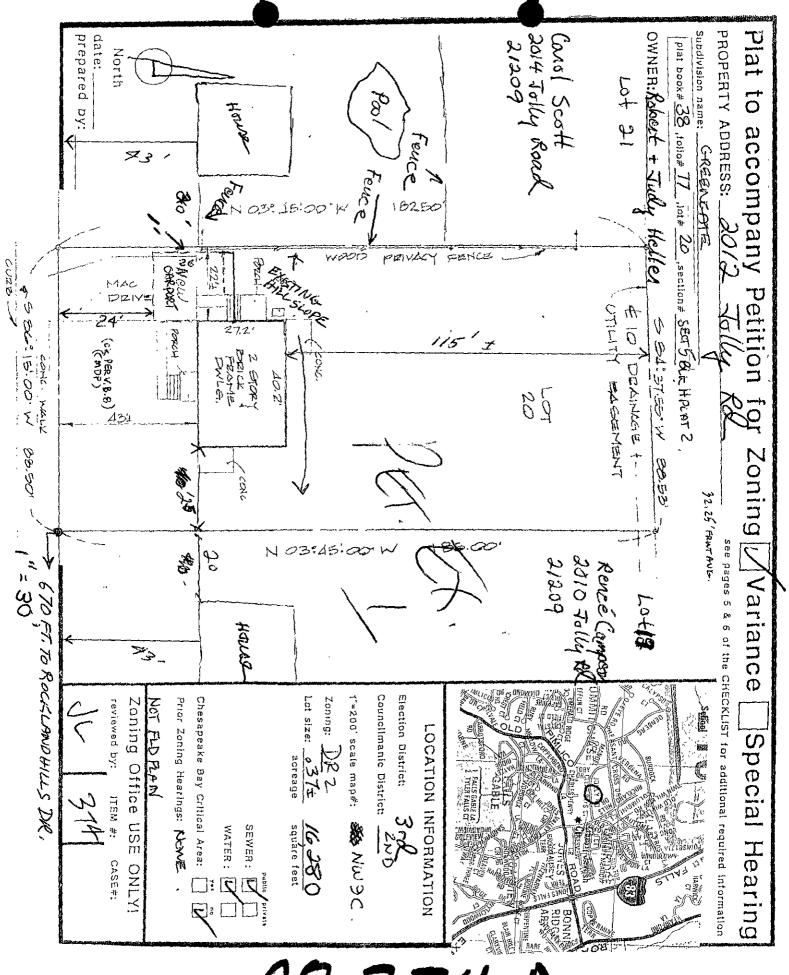
Document A

IRA TUCKER

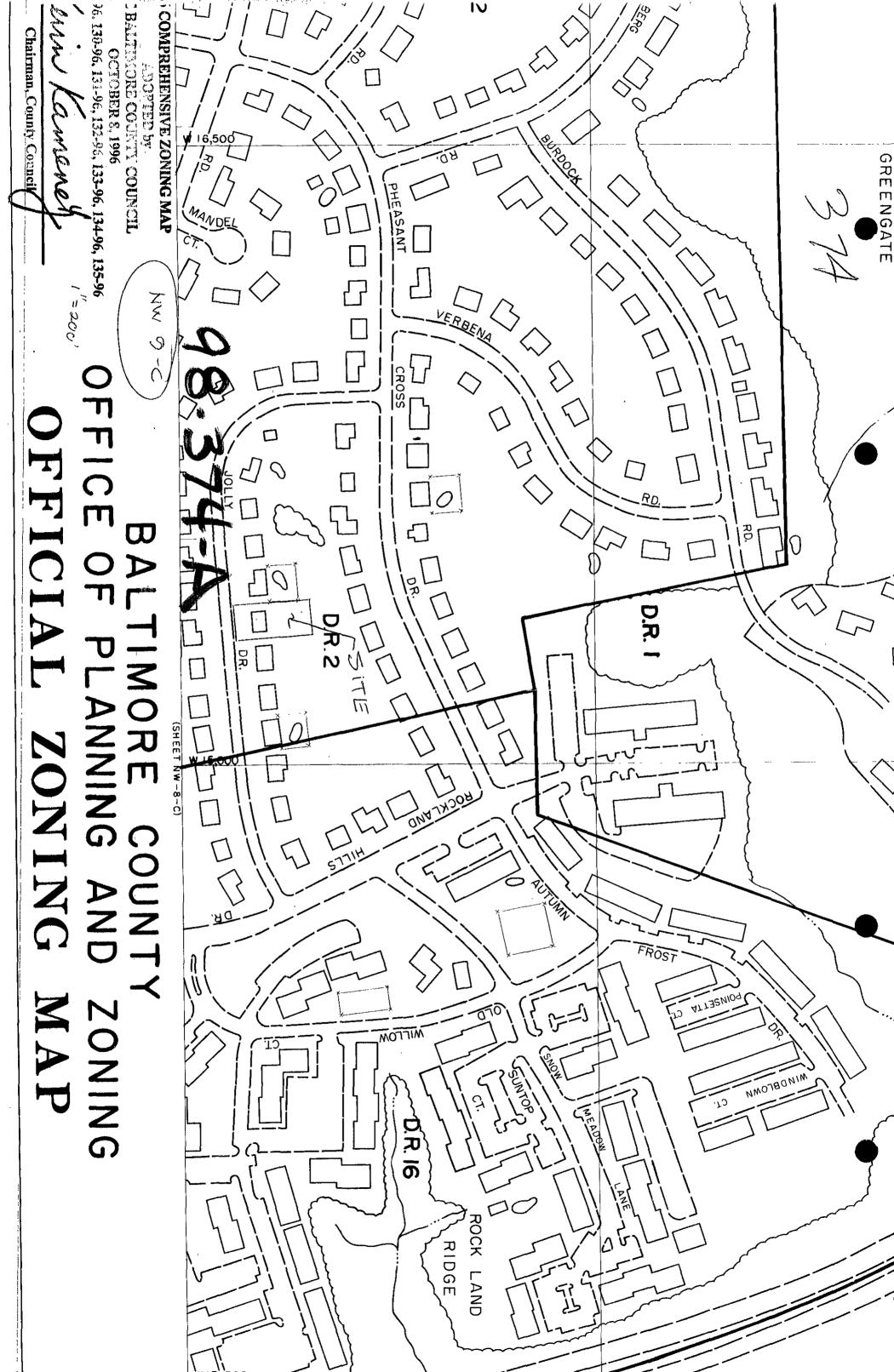
RENÉE CAMPION

Robert Heller

Judy Heller / Ko



98-374-A







98-374-A



