IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
SW cor. of Harlow Court & Cateridge Road
1 Harlow Court
8th Election District

8th Election District 3rd Councilmanic District Jimmie C. Sergent, et ux Petitioners \* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 98-375-A

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Jimmie C. Sergent and Evelyn W. Sergent, his wife, property owners, for that property known as 1 Harlow Court in the Spring-dale subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 208.4 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 16 ft, in lieu of the required 30 ft., and to amend the previous plan in case No. 81-207-A for an addition, in a D.R.3.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. 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 public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

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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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

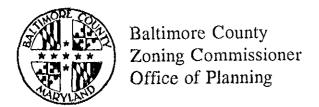
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of May 1998 that the Petition for a Zoning Variance from Section 208.4 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 16 ft, in lieu of the required 30 ft., and to amend the previous plan in case No. 81-207-A for an addition, in a D.R.3.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

> The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES: mmn

- 2-



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

May 6, 1998

Mr. and Mrs. Jimmie C. Sergent 1 Harlow Court Cockeysville, Maryland 21030

> RE: Petition for Administrative Variance Case No. 98-375-A Property: 1 Harlow Court

Dear Mr. and Mrs. Sergent:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

### Petition for Administrative Var

#### to the Zoning Commissioner of Baltimore County

for the property located at 1 HARLOW LOURT COCKEYSV

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 The undersigned, legal owner(s) of the property statutes and made a part hereof, hereby petition for a Variance from Section(s) PERMIT A REAR YARD SETBACK OF 16 FT. IN LIEU OF THE REQUIRED 30 FT. AND TO AMEND THE PREVIOUS PLAN IN CASE# 81-207-A. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or we want to add a voom (14'x23') to the vear of our house. There is only 30' from property line (vear). We need a variance to get a building permit, other nouses on our court have added similar additions, practical difficulty) 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) 887-36*00* Contract Purchaser/Lessee (Type or Print Name) Signature Address Zincode Attorney for Petilioner (Type or Print Name) Name, Address and phone number of representative to be contacted Signature Name Phone No Address Address Phone No. City State Zipcode A Public Houring having been requested and/or found to be required, it is ordered by the Joning Commissioner of Baltimore County, this that the subject matter of this petition be set for a public hearing, advertised, as required by the Joning Regulations of Balfimore County, in two newspapers of general

circulation. Ihroughout Baltimore County, and that the property be reposted.



Printed with Saybean Ink

Johing 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.

That the Affiant(s) does/do presently reside at \_\_\_

	address
	Cockeysville, MARYLAND 21030
ithe	
need to va	hat based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative riance at the above address: (indicate hardship or practical difficulty)
ve ance u	Lockeysville, MARYLAND 21030  that based upon personal knowledge, the following are the facts upon which law base the request for an Administrative riance at the above address: (indicate herdeship or practical difficulty)  We would like to enclose an existing dock so hat it will become a 14'x23'room on the
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ropenomes -	allow us to have 16 distance between our
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DELTON T	hat Affiant(s) acknowledge(s) that if a profest is filed, Affiant(s) will be required to pay a reposting and advertising fee and
aduri een to	be required to provide additional information.
nuvale,	min Son ( Suelyn W. Surgent
Mu	Single Control Evelyn W. Servent
- 10	be or print name) (type or print name)
S	TATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
	HEREBY CERTIFY, this day of
	the alove named persons
. the	e Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law at the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
A	S WITNESS my hand and Notarial Seal.
dal	Upril 8, 1998 Claus 1 hl. Kover
	My Commission Expires: June 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 Atliant(s) does/do presently reside at 7/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1
COCKEVENTILE MARYLAND 21030
City State Zip Code  That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical) difficulty)
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Mark (signature)  (type or print name)  (signature)  (type or print name)  (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
THEREBY CERTIFY, this State day of Optil . 1998, before me, a Notary Public of the State of Maryland, in and for the County atoresaid, personally appeared
the olive raned persons
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.
date State NOTARY PUBLIC
My Commission Expires: June 1, 2000



### Petitica for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at / Harrow Court Cockeysulle

		which is presently zoned DR 3.5
hereto and made a part hereof, hereby petition for	r a Variance from 9CK OF AND TO	Plopment Management re County and which is described in the description and plat attached Section(s) 208.4 (1967 BCZR) TO PERM - 16 FEET IN LIEU OF THE DAMEND THE PREVIOUS PLA
of the Zoning Regulations of Baltimore County, to	the Zoning Law	of Baltimore County; for the following reasons: (Indicate hardship or voom (14'X23') to the veavor of from property line (veavable) a building permit, other added similar additions
Property is to be posted and advertise i, or we, agree to pay expenses of above Variance be bound by the zoning regulations and restrictions.	ce advertising, po	ed by Zoning Regulations.  esting, etc., upon filing of this petition, and further agree to and are to county adopted pursuant to the Zoning Law for Baltimore County.
Contract Purchaser/Lessee:	,	I/We do solemnly declare and affirm, under the penalties of parjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.  Legal Owner(s):
(Tupe or Print Name)		EVELYN VV. SERGENT
Signature		Evelyn II, Surgent 234-7.
Address	Z <sub>1</sub> pcode	Enelyn 21, Surgent  Signature  234-7.  TIMM = C. SEREENT  (Type or Print Name)  Signature
A.	Zipcoda	TIMM = C. SEREENT  (Type or Print Name)  Signature  HARLOW COURT 410-666- Phone No.
Address City State Attorney for Petitioner:	Zipcode	TIMM = C. SEREENT  (Type or Print Name)  Light  September 1  HARLOW COURT 410-666-
Address City State Attorney for Petitioner:  (Type or Print Name)	Zipcode	TIMM = C. SEREENT  (Type or Print Name)  Standard  Address  Cockeysville, Maryland 210  State Zipcode



ESTIMATED POSTING DATE:



ITEM #: 3/9

315

#### ZONING DESCRIPTION FOR 1 Harlow Court

and Gateridge Road which is 50 feet wide at the distance of 596 feet south of the centerline of the nearest improved intersecting street Lakespring Way which is 80 feet wide. Being Lot# 15, Block D, Section I and II of the subdivision of Springdale as recorded in Baltimore County Plat Book #31, Folio # 147, containing 10318 square feet. Also known as 1 Harlow Court and located in the 8th Election District.

BALTIMORE COUNTY, MARYL/ ) OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT   Mo. (1/4)	Control Charles (1994)  I differ to the control Charles (1994)
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FOR: 1/88/19/18/16.	15-A
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### CERTIFICATE OF POSTING

Att ILAN BANA

	Petitioner/Developer: O'RELTE, EIAT
	Date of Hearing/Closing). 5/4/90
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:	
were posted conspicuously on the property locat  The cian(s) were posted on	4/15/98 Month, Day, Year)
	Sincerely,  Vacual Defe 4/20/98  (Signature of Sign Poster and Date)
	PATRICK M. O'KEEFE  (Printed Name)  523 PENNY LANE  (Address)
	HUNT VALLEY, MD. 21030 (City, State, Zip Code) 410-666-5366; CELL-410-905-8571
	(Telephone Number)

RE: Case No.: 98-375-A

#### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

				,		
		375		ress / // ///		
Conta	ct Person:	JOHN LE	ewis		Phone Number: 41	<b>0-887-33</b> 91
Filing	Date:	19/98	Posting D	ate: <u>4/19/78</u>	Phone Number: 41  Closing Date:	5/4/98
Any c	contact mad gh the contac	e with this offic ct person (plann	e regarding the er) using the case	status of the ac	lministrative variance	should be
1.	he/she is re the sign po costs. The	esponsible for all sters on the app zoning notice s	printing/posting operating of the contract of	costs. Any repos e petitioner is ag ole on the prope	posters on the appro ting must be done on ain responsible for al ty on or before the p	ily by one of I associated
2.	public hear	ing. Please und	date is the dead erstand that ever on the closing da	if there is no for	or to file a formal remal remal request for a pul	equest for a olic hearing,
3.	commissior order that (typically wi	ner. He may: ( the matter be s thin 7 to 10 day	<ul> <li>a) grant the request in for a public</li> <li>b of the closing d</li> </ul>	lested relief; (b) ic hearing. You ate) as to wheth	by the zoning or dedeny the requested will receive written er the petition has be you by First Class n	relief; or (c) notification en granted,
4.	(whether do commission changed give	ue to a neighbo ler), notification ving notice of the	or's formal reque will be forwarde e hearing date, tir	est or by order or ed to you. The me and location.	that must go to a pu of the zoning or dep sign on the proper As when the sign wa Itered sign must be fo	outy zoning ty must be as originally
Petitio	oner: This I	art of the Forn	ı is for the Sign I	Poster Only		
		USE THE AD	DMINISTRATIVE	VARIANCE SIGI	FORMAT	
		375 A	Address	/ HARLOW	CT	
Postir	ng Date:	4/19)98		Closing Date:	-5/4/28	
Wordi	ng for Sign:	To Permit A	PROPOSED ADD	ITIM WITH A	16 FT. REAR YARL	)
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		SE# 81-20			والمراقع والم	



# Baltimore County Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenu
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.

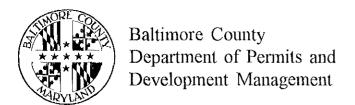
ARNOLD JABLON, DIRECTOR	
For newspaper advertising:	
Item No.: 315	
Petitioner: Jimmie C. & Evelyn W. Sergent	
Petitioner: Jimmie C. & Evely N. W. Sergent Location: I Harlow COURT, COCKEYSUILLE, Md. 211	
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: Jemmie C. J. Eneleyn W. Sorgent ADDRESS: 1 Morlow Court	
Cockeyswille, md. 2-1038	
PHONE NUMBER: 410-666-9648	

AJ:ggs

(Revised 09/24/96)

North  date:  prepared by:  Scale of Drawing: 1'=		Plat to accompany Petition for Zoning Variance PROPERTY ADDRESS: Subdivision name:  [plat book#,tollo#,lot#,section#] OWNER:
SEWER: DINANGE SEWER: S	Vicinity Map  Norm Scale: 1'=1000'  LOCATION INFORMATION  Election District: Councilmanic Bistrict: 1'=200' scale map#: Zoning: Lot size:  Acreage square feet	Fiance Special Hearing





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

May 4, 1998

Mr. and Mrs. Jimmie Sergent 1 Harlow Court Cockeysville, MD 21030

RE: Item Number: 375

Case Number: 98-375-A

Petitioner: Jimmie Sergent, et ux

Dear Mr. and Mrs. Sergent:

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.

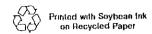
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Very truly yours,
Willard & Richard &

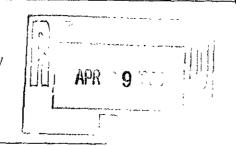
W. Carl Richards, Jr. Zoning Supervisor

WCR:scj

**Enclosures** 







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, MARYLA

## DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

### INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE:

FROM:

R. Bruce Seeley (RSS) Permits and Development Review DEPRM

SUBJECT:

Zoning Advisory Committee

Mesting Date: Clarita

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

Item #'s:

37/

372

373

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

RE: Baltimore County

Item No.

375 JLL

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,

J. J. Doedle 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**: 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 W LS

Division Chief: Cay L flund

AFK/JL

315

#### For the Variance Application For 1 Harlow Court:

#### Adjoining property owners:

#### Information from:

#### **Tax Assessment Office**

2nd flr. Jefferson Bldg. 105 W. Chesapeake Ave.

**Property: 3 Harlow Court** 

Name(s) of owners: Charles D. Haitmanek

Joanne M. Haitmanek

Tax account Number: 8-0818073036

Deed Reference:

6610/388R

Property: 10569 Gateridge Road

Name of Owner(s): Patrick V. Trotta

Patricia V. Trotta

Tax Account number: 8-0818073038

Deed References: 7904/1 R



### Springdale Community Association P.O. Box 194

P.O. Box 194 Cockeysville, Maryland 21030

February 3, 1998

Mr. and Mrs. Sergent 1 Harlow Court Cockeysville, Maryland 21030

Dear Mr. and Mrs. Sergent,

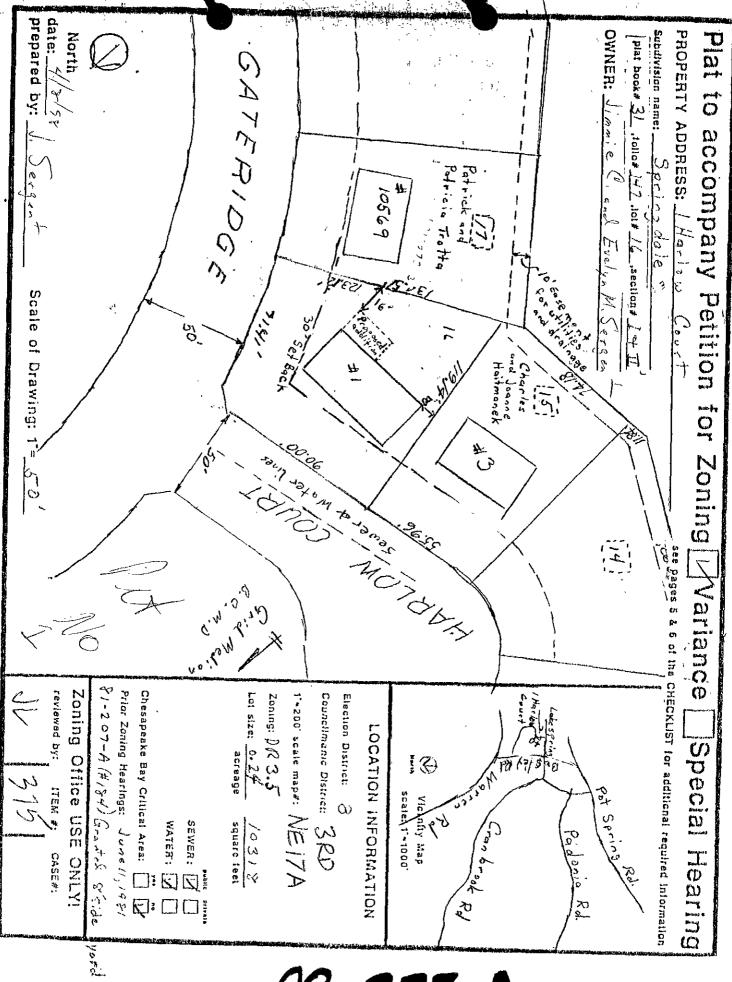
After reviewing with you, your plans for an addition and presenting your request to the Springdale Board at our monthly meeting on February 2, 1998, the Community Association approved your request to add an addition to the rear of your home measuring 23' x 14'. Your are reminded that the roof must match the existing roof as close as possible and the siding must match the existing siding.

Thank you for cooperating with the Community Association.

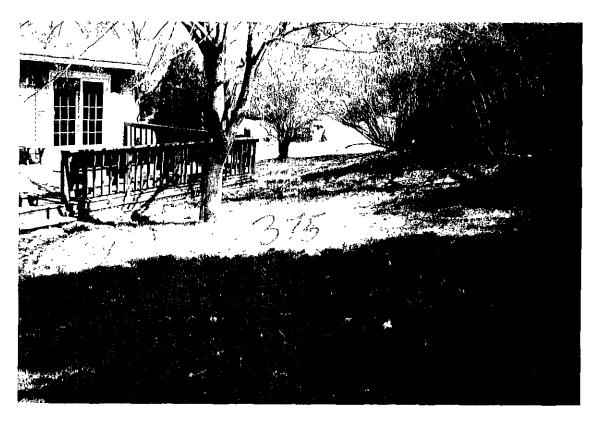
For the Community Association

Rick Thompson

Covenants and Restrictions



98-375-A





## 98-375-A

