ORDER RECEIVED/FOR FILING
Date
By

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Big Falls Road, 730' S of

the c/l of Hicks Road (17730 Big Falls Road) 7th Election District 6th Councilmanic District

James Wirtz, et ux

Petitioners

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 98-421-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 owners of the subject property, James and Sharon Wirtz. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (24' x 40' garage) to be located in the front/side yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested 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.

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 If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

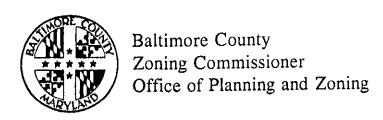
TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

ORDER RECEIVEDES FILING
Caste
By



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

June 4, 1998

Mr. & Mrs. James Wirtz 17730 Big Falls Road White Hall, Maryland 21161

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Big Falls Road, 730' S of the c/l of Hicks Road
(17730 Big Falls Road)
7th Election District - 6th Councilmanic District
James Wirtz, et ux - Petitioners
Case No. 98-421-A

Dear Mr. & Mrs. Wirtz:

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

withy Motroco

for Baltimore County

TMK:bjs

cc: People's Counsel

File

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

17730 Big Falls Rd White Hall which is presently zoned QC4

Zoning Commissioner of Baltimore County

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This Petition shall be filed with the Dept. of Permits & Development Management	
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ine undersigned, legal owner(s) of the property situate in Reltimore County and which is described in	Calculation of the contract of
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in hereto and made a part hereof, hereby petition for a Variance from Section(s)	i the description and plat attached
Accessory structure to be located in	
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of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Reverse

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

Sharon Wirtz Sharon Wirtz Tharon Wirtz
Sharon Wirtz Sharon Wirtz Tharon Wirtz
Sharon Wirtz Sharon Winty Ture
Sharon West
730 Big FAIIS Rd 410-343-0668
hite HAII Md. 21161
State Zipcode Address and phone number of representative to be contacted
,
Phone No
e

ORDER RECEIVED/FOR FILING

ESTIMATED POSTING DATE: 17 MM SY

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	17730 i.	319 FAL	ls Rd	
-	White HA	Il m	d.	2//6/ Zip Code
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or j	wing are the facts upor practical difficulty)	which liwe bas	se the request for a	an Administrative
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(Front of the house	.) CONVENIO	ent to	build H	ie garage.
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That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information formation for for formation for for formation for for	n Propries	(signature)	pay a reposting an	Wirty
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pers		. 19 95	before me, a Nota	ary Public of the State
JAMES F WIRTZ &	SHARE	υ B. C	UIRTZ	
the Affiants(s) herein, personally known or satisfa	ctorily identified to me e true and correct to t	e as such Affiai he best of his/h	itt(s), and made or er/their knowledge	ath in due form of law e and belief.
AS WITNESS my hand and Notarial Seal. 5/6/98	BU	thy J.	Delst 10/1/2	- •
	My Commi	ssion Expires:	10/1/2	•00

A-1511-86

3000



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

17730 Big Falls Rd White Hall which is presently zoned RCA

This Petition shall to The undersigned, I	e filed with the	Dept. o	of Permit	s &Deve	elonment Manage	mont-			
The undersigned, I hereto and made a p	egal owner(s) o	f the proper	y situate i	n Baltimo	re County and which	h is describ	ed in the desc	ription and plat	attached
	oan nereor, nere	by petition i	lor a Varia	nce from	Section(s) A	.1 7	o Acc	OW A	3
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of the Zoning Regula practical difficulty)	itions of Baltimo	re County, t	o the Zon	ing Law o	f Baltimore County;	for the follo	wing reasons	: (indicate hards	ship or
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Property is to be I, or we, agree to pay be bound by the zoni								er agree to and Baltimore Coun	are to ty
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Contract Purchaser/Lessee					Legal Owner(s)	·	,		
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City	State		Zipcode		Signature	n u	up		_
Attorney for Petitioner					_				
(Type or Print Name)		· · · · · · · · · · · · · · · · · · ·			17730 B1	9 FALL	sRd	4/0-343 Phone No	-0668
					White H	AIL	Md.	21161	_
Signature					Name, Address and pho	ne number of n	State epresentative to t	Zipcog se contactod	8
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City	State		Zipcode		Address	***	- · · · · · · · · · · · · · · · · · · ·	Phone No	
A Public Heanes hades be-									
A fublic Hearing having bee that the subject matter of this circulation throughout Baltim	petition be set for	a public hearing	iquire d, i t is ng , advertis	eq ortedri ordered by	the Zoning Commissions red by the Zoning Regula	er of Baltimore ations of Balti	County, this	day of	19
circulation throughout faithm	iora Soonily, QNG (N	iur the properly	y de reposte	Œ		. ,	2 		- v-u

REVIEWED BY:

DATE:

ESTIMATED POSTING DATE:

Printed with Soyboan lok 21-A ITEM #: 421

Zoning Commissioner of Baltimore County

Zoning Description 17730 Big Falls Road

Beginning at a Point in Dig Folls Read at an approximate distance of 730' South of the controlling of Hicks Road.

Running there on Dig Follo Road, North 35° 57' 33" £ 514.8C', North 2°38' 10" E 83.CC',

MORTH 2°86'10" North GG° 10' 57" W 133.CZ',

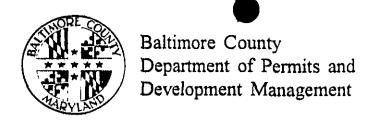
S 85° 47' 45" W 521.35, S 33°4' 16" E 614.82'

to the point of Duginning, Containing 4.378 acres of land

98.421-A

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3727	DISTRBUTION WHITE - CASHIER PINK - AGINCY YELLOW - CUSTOMER



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.

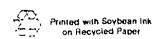
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

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

Ī	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	
Item No.: 421	
Petitioner: JAMES WiRtz	
Location: 17730 Big FAlls Rd	White HALL, Md. 216
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: JAMES WIRTZ	
ADDRESS: 17730 BIG FAILS ROL	White Hall Md. 21161
PHONE NUMBER: 4/10-343-0668	

98.421-A-16-

(Revised 09/24/96)

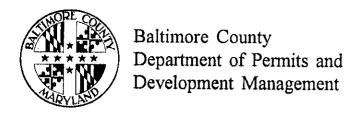


AJ:ggs

	prepared by: Scale of Drawing: 1'=
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	North date:
SEWEF WATEF e Bay Critical Ares	
1'=200' scale map#: Zoning: Lot size: 4.38 Acreage square feet	
LOCATION INFORMATION Election District: Councilmanic District:	
Wicinity Map	
	Plat book#,folio#,lot#,section# OWNER: JAMES F. + Sharon B. Wigtz
riance Special Hearing	accompany Petition for Zoning Va

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 421 -A Address 17730 Big Faces Rd
Filing Date: 5/6/9 Posting Date: 5/7/98 Closing Date: 6/98
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: 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 petitione 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 forma 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.
4. 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)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 98- 421 -A Address 17730 FALLS Rd
Posting Date: 5/17/77 Closing Date: 6/1/95
Vording for Sign: FOR MITTER VARIANCE TO PERMIT AN ACCESSORY
The Regular Rear yARU yard in lieu of



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

May 27, 1998

Mr. and Mrs. James Wirtz 17730 Big Falls Road White Hall, MD 21161

RE: Item Number: 421

Case Number: 98-421-A

Petitioner: James and Sharon Wirtz

Dear Mr. and Mrs. Wirtz:

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 May 6, 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 Gwen Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

WCR:rye

Enclosures



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 5.15.35
Item No. 421 Com

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,

Ronald Burns, Chief

Engineering Access Permits

P. J. Arelle

Division

LG

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: May 18, 1998

Department of Permits

and Development Management

FROM: Arnold F. "Pat" Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 413, 418, 419, 420, 421, 422, 424, and 426

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.

Cayl-Keins

Prepared by:

Division Chief:

AFK/JL

JAMES FRANKLIN RTZ State of Maryland

p SHARON B. WIRTZ, s wi of Baltimore County,



of the second part.

This is a second

WITNESSETH, That in consideration of the sum of Five (\$5.00) Dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged,

111 23-76 213507ಣೆ ***140.15

21350709 ****51.15 '''\ 23-76

the said CHARLES R. DOYLE and LORETTO M. DOYLE, his wife, 23-76 213586DE ****77.50

213565DH ****11.50 1311 23-76

grant and convey to the said JAMES FRANKLIN WIRTZ and SHARON B. WIRTZ, his wife, their heirs, and assigns, and unto the survivor of them, his or her heirs

personal representatives/successors and assigns

, in fee simple, all

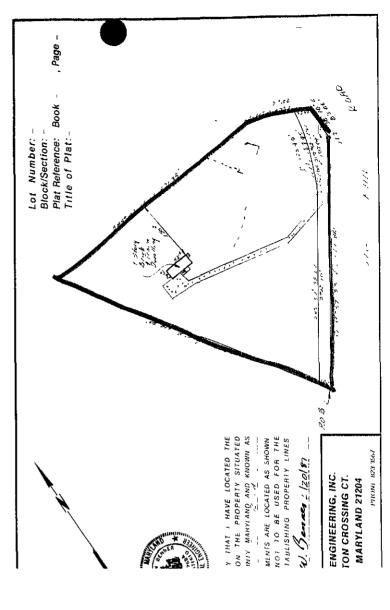
that lot of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

BEGINNING for the same at a point in Big Falls Road in the seventh or South 36-1/2 West 56 perch line of the first parcel of land which by Deed dated July 24, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3568, folio 381 was conveyed by Edna E. Mays, widow to Charles R. Doyle and Loretto M. Doyle, his wife, running thence on Big Falls Road and binding reversely on a part of the aforesaid seventh line, as now surveyed, North 35 degrees 57 minutes 33 seconds East 514.86 feet, thence still running on or near the center of Big Falls Road, as now located, North 2 degrees 38 minutes 10 seconds East 83.06 feet thence leaving Big Falls Road and running North 66 degrees 10 minutes 57 seconds West 133.02 feet to intersect the fifth or south 85 degrees 49 minutes 28 seconds East 579.59 foot line of the land which by Deed dated September 7, 1972 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5299, folio 30, was conveyed by Charles R. Doyle and Loretto M. Doyle, his wife, to James L. Troyer and Donna K. Troyer, his wife, at the distance of 100.00 feet from the end of said fifth line, running thence and binding reversely on a part of said fifth line and continuing the same course by a line of division, as now surveyed, South 85 degrees 47 minutes 45 seconds West a total distance in all of 521.35 feet to intersect the sixth or south 33 degrees 04 minutes 16 seconds East 621.52 foot line of the land which by Deed dated July 29, 1963 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4180, folio 565 was conveyed by Charles R. Doyle and Loretto M. Doyle, his wife, to the State of Maryland to the use of the Department of Forests and Parks, at the distance of 28.28 feet from the beginning of said sixth line, running thence on a part of said sixth line and continuing the same course by a line of division, as now surveyed, south 33 degrees 04 minutes 16 seconds East a total distance in all of 614.82 feet to the place of beginning. Containing 4.378 acres of land, more or less.

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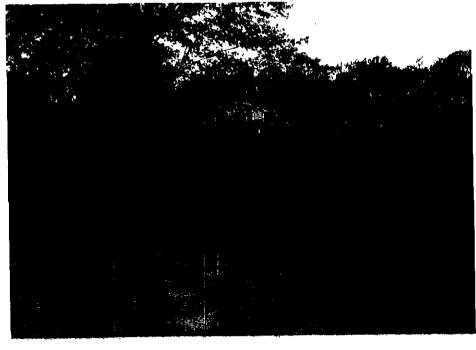
Special Hearing see pages 5 & 6 of the CHECKLIST for additional required information LOCATION INFORMATION 4-8-2 MN Viciony Map Zoning Office USE ONLY! Big Falls Rd square feet WATER: SEWER: Chesapeake Bay Critical Area: Councilmanic District: / 1'=200' scale map#:
Zoning: RC4
Lot size: 4.38 Prior Zoning Hearings Election District: reviewed by: Plat to accompany Petition for Zoning Lariance Notal Fload PAIR OBriew PROPERTY ADDRESS: 17730 BIG FAIIS Rd See page: Scale of Drawing: + ShArou B *section# Big Falls RO OWNER: JAMES F plat book# ,folio# Subdivision name: prepared by: North date:_

17

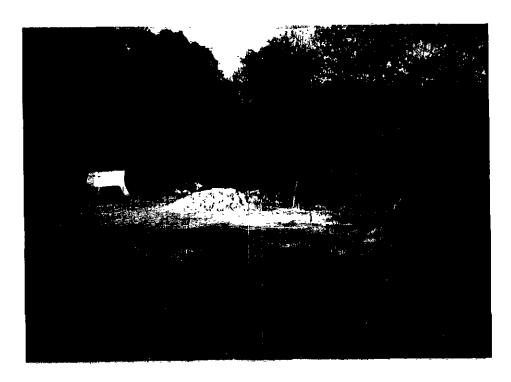


98.421-A





98-421-A





98-421-A





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