DONDEN PRICEIVED POP PILING

IN RE: PETITION FOR ADMIN. VARIANCE E/S Carroll Road, 830' N of centerline of Glencoe Road 10th Election District 3rd Councilmanic District (15315 Carroll Road)

Roy R. & Pamela K. Loya Petitioners

- * BEFORE THE
- DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- CASE NO. 00-054-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Roy and Pamela Loya, property owners, for that property known as 15315 Carroll Road in the Monkton area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) and existing pool in the front yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative 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 Deputy Zoning Commissioner, the information, photographs, 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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31 day of August, 1999 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) and existing pool in the front yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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 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.

TIMOTHY M. KÓTROĆO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

DALES CANCELLAND



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

Fax: 410-887-3468

September 2, 1999

Mr. & Mrs. Roy R. Loya 15315 Carroll Road Monkton, Maryland 21111

Re: Petition for Administrative Variance

Case No. 00-054-A

Property: 15315 Carroll Road

Dear Mr. & Mrs. Loya:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

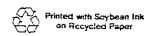
Timothy M. Kotroco

Deputy Zoning Commissioner

buthy Kotroco

TMK:raj Enclosure

c: Ms. Kathy WheatleyWheatley Associates, Inc.17415 Wesley Chapel RoadMonkton, Maryland 21111





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

		ntly zoned		-2	
for the property located at	15315	Carroll	Road		

This Petition shall be filed with the Department of Permits and 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) 400.1 To allow an accessory structure (pool house) & existing pool in the front yard in lieu of the required rear yard,

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

		I/We do solemn perjury, that I/we is the subject of	y declare and affi e are the legal ow this Petition.	irm, under ner(s) of th	the penalties of ne property which
Contract Purchaser/Lessee: N/A		Legal Owner	<u>r(s):</u>		
No.		Roy R. Lo	ya		<u> </u>
Name - Type or Print		0.5	 <u>2</u>		
Signature		Signature			
		Pamela K.			
Address	Telephone No.	Name - Type or P		1	
City State	Zip Code	<u>⊁ / am</u> Signature	elu 15.	rugi	
1 4		15315 Car:	roll Road	0	
Attorney For Petitioner: NONE		Address			Telephone No.
		Monkton	Marvlan	đ	<u>2 L L 410-472-</u> 21
Name - Type or Print		City		State	Zip Code
A		Representat	ive to be Con	tacted:	
Signature		•	Associates	, Inc.	
7		Kathy Whe	atiey		<u> </u>
mpany		Name 17415 Wēsi	ley Chapel	Road	410-329-8242
Address	Telephone No.	Address	rey dhaper	Rodu	Telephone No.
propriess	receptione vie.	Monkton	Marylan	d	21111
City State	Zip Code	City	-	State	Zip Code
A Public Hearing having been formally deman	ded and/or found to b	e required, it is ordere	d by the Zoning Co	ommissioner	of Baltimore County,
29mis davof . □	iat the subject matter or	this petition be set for a	public hearing, adv	ertised, as r	equired by the zoning
agulations of Baltimore County and that the prope	ity be reposted.				
			N 22 N		
		Zoning	Commissioner of B		
CASE NO. 00-54-	4 Re	viewed By	// Dat	te <u> </u>	6-99
			0-	15-9	9
22n 9115198	Fz	timated Posting D	are	70 /	/

REU 9115198

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

15315 Carroll Road

						Mo	nkton	M	aryl	and	2111	1	
						City				State			Zip Code
That b Varian	ased up ice at th	oon p e abc	ersonal ve addr	knowle ess (inc	dge, the licate ha	following a ordship or p	are the fa ractical d	acts upon lifficulty):	which	I/we bas	se the req	uest for an A	Administrative
1.			purch sent		this	proper	ty in	1986,	the	pool	and po	ool house	
2.	The prazec		hous	e wa	s det	eriorat	ing/ir	need	of	replac	ement,	and has	been
3.	A poo			has	not a	nd will	not r	negati	vely	impac	t the	surround	ing
That ti adverti	he Affia ising fee	int(s) e and	acknow may be	ledge(s require) that if d to pro	a formal d	demand nal inforr	is filed, a	Affiant((s) will be	e required	d to pay a r	eposting and
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Signatui	re		.,					Signatu	re				-
Roy	R. L	oya						Pam	ela	K. Loy	ya		
Name -	Type or P	rint						Name -	Type or	Print	<u> </u>		
STATE	 E OF M/	ARYL	AND, C	OUNT	OF BA	LTIMORE	to wit:						
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		K	29 A	L Con	Ame	a Le	App						
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Date		,	- 	Minni	111.			y Public					
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REV 09.	(15)98	······································	HIMINITE	DARY P	William N	State of Commission	Expires Jul	ly 1 2002		, , , , , , , , , , , , , , , , , , , 		,	

QAVI 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 Affia	ant(e) do	es/do pre	cently i	reside	al
High tile Allic	anus) uc	ies/au pre	SCHUUY	FOICE	a:

REU 09/15/98

City	State		Zip Code
Address Monkton	Maryland	21111	
15315 Cari	roll Road		

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):

- When we purchased this property in 1986, the pool and pool house were present.
- The pool house was deteriorating/in need of replacement, and has been razed.
- A pool house has not and will not negatively impact the surrounding community.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. Roy R. Loya Pamela K. Loya Name - Type or Print Name - Type or Print STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: 1999, before me, a Notary Public of the State day of of Maryland, in and for the County aforesaid, personally appeared Yamala Loys the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(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 INTERNATION MANAGEMENT Sharon Miranda, Notary Public The state of the s **Notary Public Battimore County** State of Maryland My Commission Expires July 1 PNO Commission Expires



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

Maryado	for the property leasted at 15315 Carroll Road
i	for the property located at which is presently zoned R.C2
	Which is presently bolica
This Petition shall be filed with the Department owner(s) of the property situate in Baltimore made a part hereof, hereby petition for a VaStructure (pool house) & of the required rear	artment of Permits and Development Management. The undersigned, legal e County and which is described in the description and plat attached hereto and ariance from Section(s) 400.1 To allow an accessory existing pool in the front yard in lieury and
of the zoning regulations of Baltimore Coun of this petition form.	nty, to the zoning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as I, or we, agree to pay expenses of above Variar regulations and restrictions of Baltimore County	prescribed by the zoning regulations. nce, advertising, posting, etc. and further agree to and are to be bounded by the zoning 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: N/A	<u>Legal Owner(s):</u>
	Roy R. Loya Name - Type or Print
Name - Type or Print	Name - Type or Print Y Ry R 42
Signature	Signature 7
	Pamela K. Loya
Address	Telephone No. Name - Type or Print
City State	Zip Code Signature h. h. h. h.
Attorney For Petitioner: NONE	15315 Carroll Road 410-472-2197
	Address Telephone No.
Name - Type or Print	Monkton Maryland 21111 City State Zip Code
	Representative to be Contacted:
Signature	Wheatley Associates, Inc. Kathy Wheatley
Company	Name
Continued	Telephone No. 17415 Wesley Chapel Road 410-329-824
Address	Telephone No. Address Telephone No.
City State	Zip Code City Maryland 21111 State Zip Code
A Public Hearing having been formally demander this day of that regulations of Baltimore County and that the property	d and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, the subject matter of this petition be set for a public hearing, advertised, as required by the zoning be reposted.
	Zoning Commissioner of Baltimore County
CASE NO. 00-54-4	Reviewed By Date
PRI 9115198	Estimated Posting Date

GORDON T LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100 320 EAST TOWSONTOWN BOULEVARD TOWSON, MARYLAND 21286-5318

> 410-823-4470 FAX 410-823-4473

EMERITUS

PAUL G DOLLENBERG
FRED H DOLLENBERG
CARL L GERHOLD
PHILIP K CROSS
OF COUNSEL
JOHN F ETZEL

WILLIAM G ULRICH

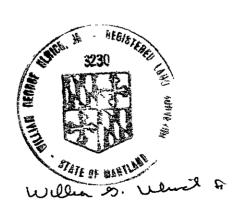
Zoning Desciption of the Loya Property

All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Carroll Road said point being northerly 830 feet, more or less, from the intersection of center of Glencoe Road with the center of Carroll Road thence running and binding in the center of said Carroll Road, 1) South 25 degrees 00 minutes 00 seconds West 677.30 feet, thence leaving said Carroll Road and binding on the land of the herein petitioner the nine following courses and distances viz., 2) South 69 degrees 45 minutes 52 seconds East 516.00 feet, 3) North 54 degrees 07 minutes 00 seconds East 318.20 feet, 4) North 13 degrees 43 minutes 00 seconds West 96.05 feet, 5) North 6 degrees 10 minutes 00 seconds East 276.70 feet, 6) North 8 degrees 17 minutes 00 seconds West 50.00 feet, 7) North 34 degrees 05 minutes 00 seconds West 60.30 feet, 8) North 54 degrees 36 minutes 00 seconds West 70.00 feet, 9) North 69 degrees 24 minutes 00 seconds West 75.00 feet, and 10) North 76 degrees 25 minutes 00 seconds West 302.73 feet to the point of beginning.

Containing 9.21 Acres of land, more or less.

This description only satisfies the requirements of the office of zoning and is not intended to be used for conveyance purposes.



DD-054-A

54

CERTIFICATE OF POSTING

00-054-A RE Case No Petitioner/Developer WHEATLEY ASSOC, ETAL Date of Hearing/Closing 8/30

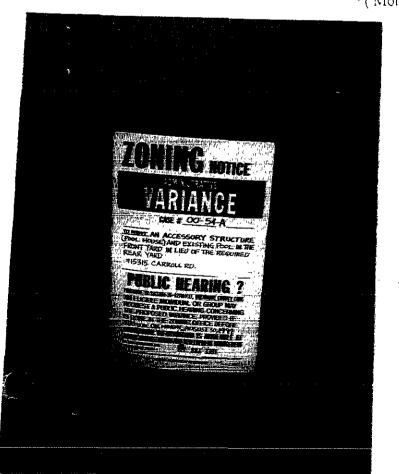
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

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 #15315 CALROLL ED.

The sign(s) were posted on



Sincerely,

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)

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE **MISCELLANEOUS RECEIPT** TIKE 8/06/1999 10:18:28 P-6-99____ ACCOUNT_ REG 1801 CASHIER JRIC JAR DRAMEP 5 528 ZONING VERIFICATION Dept 112385 OFL h! Receipt # C2 Na. 069828 50.66 Recet Tot A0 00. 50.00 SK RECEIVED Wheatley Associ Baltimore County, Maryland FOR: Residential Variant DISTRIBUTION **CASHIER'S VALIDATION** WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 54 -A Address 15315 Carnell Rd.
Contact Person: John Sullivan Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing Date: 8-6-99 Posting Date: 8-15-99 Closing Date: 8-30-90
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. <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. 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.
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 00- 54 -A Address 15315 Carroll Rd.
Petitioner's Name Roy R. Loy9 Telephone 410 472-2197
Posting Date: $3-15-99$ Closing Date: $8-30-99$
Wording for Sign: To Permit an accessory structure (pool house) and
existing pool in the front yard in her of the required reas
yard



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.

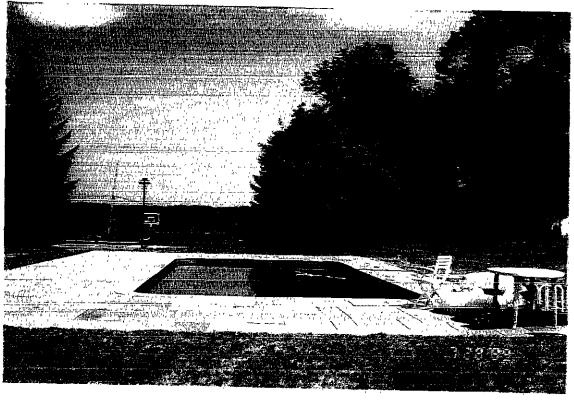
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 00-54-A
Petitioner: Roy R. Loya & Pamela K. Loya
Address or Location: 15315 Carroll Road, Monkton, Maryland 21111
PLEASE FORWARD ADVERTISING BILL TO:
Name: Roy R. Loya & Pamela K. Loya
Address: 15315 Carroll Road
Monkton, Maryland 21111
Teiephone Number: (410) 472-2197

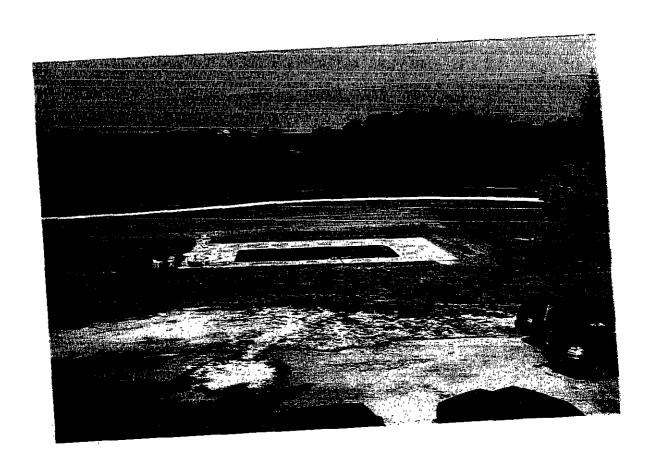
Revised 2/20/98 - SCJ

	date: Scale of Drawing: 1'=
Zoning Office USE ONLY!	North
SEWER:	
Zoning: Lot size: acreage square feet	
LOCATION INFORMATION Election District. Councilmanic District.	
Wern scale: 1'a1000'	
	Plat book#,lolia#,lot#,secilon#
iance Special Hearing s of the CHECKLIST for additional required information	Plat to accompany Petition for Zoning Variance





00-054-A







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00.054-A

